



PLANNING & ZONING COMMISSION

Virtual Meeting
Albany, CA 94706

MINUTES OF REGULAR MEETING WEDNESDAY, MAY 26, 2021

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1. CALL TO ORDER

Vice Chair Pilch called the regular meeting of the Planning and Zoning Commission to order at 7:00 p.m. on Wednesday, May 26, 2021.

2. ROLL CALL

Present: Donaldson, MacLeod, Momin, Pilch
Absent: Watty
Staff Present: Planning Manager Anne Hersch
Associate Planner Christopher Tan
Community Development Director Jeff Bond

3. EX PARTE COMMUNICATIONS

None

4. CONSENT CALENDAR

4-1. Planning & Zoning Commission Meeting Minutes of May 12, 2021

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

4-2. PA21-035 Design Review for Single-Story Addition & Second Story Deck at 524 Evelyn Avenue – The applicant is seeking Design Review approval for a 154-sq.-ft. single-story addition and second-story deck at 524 Evelyn Avenue. The subject site is a 5,000-sq.-ft. lot with an existing 3-bedroom, 1-bathroom, 1,871-sq.-ft. home built in 1939. The applicant is proposing to add 154 sq. ft. to the first at the rear of the home to accommodate an expanded kitchen and create a second bathroom. The addition will also create an expanded second-story deck accessible from a bedroom. This will result in a 3-bedroom, 2-bathroom, 2,025-sq.-ft. home with a maximum height of 23'8". One off-street parking space is provided in the attached garage. Additional off-street parking is not required as part of this project scope.

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



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1 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303
2 “New Construction or Conversion of Small Structures” of the CEQA Guidelines.
3

4 **Motion to approve** Items 4-1 and 4-2 of the consent calendar. Donaldson
5 Seconded by MacLeod

6 AYES: Donaldson, MacLeod, Momin, Pilch

7 NAYES: None

8 RECUSED: None

9 ABSENT: Watty

10 **Motion passed, 4-0-0-1**

11
12 Vice Chair Pilch noted the appeal period.
13

14 **4-3. PA21-033 Design Review & Parking Exception for a Building Lift, Addition &**
15 **Lower-Level Conversion at 915 Stannage Avenue** – The applicant is seeking
16 Design Review and Parking Exception approval for a building lift, addition, and
17 lower-level conversion at 915 Stannage Avenue. The subject property is a 3,750-
18 sq.-ft. lot with a 2-bedroom, 1-bathroom, 1,293-sq.-ft. house built in 1927. The
19 project scope includes lifting the home approximately 2 feet to accommodate legal
20 ceiling height in the existing basement area. A rear addition is proposed on the
21 southeast corner of the home to accommodate an interior staircase to access the
22 main and lower level. The lower level includes one bedroom, one bathroom and
23 den. The existing Craftsman style of the home is proposed to remain. This will
24 result in a 3-bedroom, 2-bathroom, 1,856.3-sq.-ft. home with a maximum height of
25 22’-9”. One off-street parking space is provided in the existing attached garage. A
26 Parking Exception is required to locate one off-street space in the front yard
27 setback area.
28

29 **Recommendation:** Staff recommends that the Planning & Zoning Commission
30 review and approve the proposed project subject to the attached findings and
31 Conditions of Approval.
32

33 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303
34 “New Construction or Conversion of Small Structures” of the CEQA Guidelines.
35

36 PUBLIC HEARING OPENED
37

38 **Sophie Lawson**, 915 Stannage, reported four structural engineers found that the prior
39 foundation repairs weakened the structure. The only fix is to replace the foundation. The
40 basement will be converted to livable space for a bedroom and bathroom. Lifting the
41 home 2 feet is intended to have minimal impacts on neighbors. Modern construction
42 techniques will address flooding concerns. There are no plans to alter the configuration
43 of the main floor, facade, or windows. The contractor is reputable and located in Albany.
44



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1 PUBLIC HEARING CLOSED

2
3 Commissioner Donaldson remarked that the project is modest. Raising the house a
4 minimal amount to create livable space is a good idea.

5
6 Commissioner MacLeod concurred with Commissioner Donaldson's comments. The
7 public comment opposing the project did not address issues within the Planning & Zoning
8 Commission's purview. The project will improve life safety.

9
10 **Motion to approve PA21-033** for 915 Stannage Avenue pursuant to the proposed
11 findings and Conditions of Approval. Donaldson

12 Seconded by Momin

13 AYES: Donaldson, MacLeod, Momin, Pilch

14 NAYES: None

15 RECUSED: None

16 ABSENT: Watty

17 **Motion passed, 4-0-0-1**

18
19 Vice Chair Pilch noted the appeal period.

20
21 **4-4. PA21-032 Design Review & Parking Exception for a Second-Story Addition**
22 **at 709 San Carlos Avenue** – The applicant is seeking Design Review and Parking
23 Exception approval for a second-story addition at 709 San Carlos Avenue. The
24 subject property is a 3,333-sq.-ft. lot with a 3-bedroom, 1.5-bathroom, 1,430-sq.-
25 ft. house built in 1930. The project scope includes a 573-sq.-ft. second-story
26 addition to accommodate two bedrooms and one bathroom. The applicant is
27 proposing to remodel the existing main floor to accommodate new interior
28 programming for the home. The exterior of the second story is proposed to be clad
29 in painted cement plaster siding with a hipped roof to match the existing home.
30 The existing Story Book Tudor style of the home is proposed to remain. This will
31 result in a 3-bedroom, 2-bathroom, 1,823-sq.-ft. house with a maximum height of
32 27'-8". One off-street parking space is proposed in the attached garage. A Parking
33 Exception is required to allow one off-street parking space in the front yard setback
34 area.

35
36 **Recommendation:** Staff recommends that the Planning & Zoning Commission
37 review and approve the proposed project subject to the attached findings and
38 Conditions of Approval.

39
40 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303
41 "New Construction or Conversion of Small Structures" of the CEQA Guidelines.

42
43 Vice Chair Pilch recused himself from this item due to his ownership of real property
44 located within 500 feet of the subject property.



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1
2 Associate Planner Christopher Tan presented the staff report dated May 26, 2021.
3

4 **Robert Pennell**, project architect, noted the neighbor at 711 San Carlos wants all
5 windows on the second-story to be opaque. The windows in the second-story bath
6 provide a view toward the Bay. The bedroom window provides a view toward the Berkeley
7 Hills. People do not stare into their neighbors' homes. Asking the property owners to use
8 opaque glazing is not fair. The neighbor's concern about items falling from the roof due
9 to its steep slope is not an issue. The floor level is at least a foot lower than the neighbor's
10 floor level. The subject home is uphill and approximately 80 feet from the house at 1442
11 Portland. A flat roof would not improve the neighbor's view or light. When asked, Mr.
12 Pennell indicated Window 19 is located to provide cross-ventilation. The windows were
13 deliberately placed in the corner to provide a view of something other than a wall. He
14 indicated relocating the window to the east is not ideal but agreed to do so.
15

16 PUBLIC HEARING OPENED

17
18 **Mike Montag**, property owner, commented that the proposed project complies with
19 design and zoning requirements. The project enhances the livability and sustainability of
20 the house while maintaining its architectural integrity. The second-story window
21 placement is consistent with the original home. He related that generally, neighbors were
22 quite encouraging about the project.
23

24 **Julie Lo**, 1442 Portland Avenue, noted that the addition will substantially increase the
25 height of the home and obstruct views from her home. The height of the addition seems
26 out of proportion with the width of the house.
27

28 **Dorrice Pyle** indicated that the 12:12 roof pitch will result in a very tall roofline. Perhaps
29 the roofline could be lowered and dormers added to the design.
30

31 **Tengfang Xu**, remarked that the proposed roofline is very high. The home will be
32 essentially three stories tall and block his view of the sky. He could accept not having a
33 view of the hills, but no view of the sky would be depressing. Relocating Window 17
34 would improve cross-ventilation. He proposed the architect lower the roof or use a flat
35 roof.
36

37 **Mr. Pennell** believed the Commission would not approve a design with a flat roof. A flat
38 roof would lower the roofline by 6 feet and devalue the house. Perhaps the roof could be
39 lower without eliminating the storybook charm of the front of the house. He did not believe
40 the proposed design would create light problems for the neighbor at 711 San Carlos. A
41 flat roof is not an option. When asked, Mr. Pennell related that the gable of the addition
42 roof is centered over the first-floor gable. If the centerline was moved 2 or 3 feet, the roof
43 could be 2 or 3 feet lower. An elevation reflecting that change would seem odd, but from
44 the street that could work and maintain the hip-and-gable combination.



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PUBLIC HEARING CLOSED

Commissioner Donaldson appreciated the existing house and the design of the addition, which replicates the distinctive front facade. The roof pitch is steep, but replicating it in the addition is appropriate. The addition is located away from the street and in the middle of the structure. Ms. Pyle's changes to the roof are not acceptable. The narrow space between homes is common in Albany. He was not in favor of relocating corner windows, but opaque glazing for the bathroom window could work. Relocating Window 19 a few feet is a possibility. Some modifications to window placement may be appropriate.

Commissioner Momin felt the design is beautiful and respects the style of the house. He supported the project as proposed and requested the architect explore a minor adjustment to the roof. The southern portion of the roof would impact neighboring homes. He proposed modification of the south side of the east-west roof.

Commissioner MacLeod concurred with Commissioners' comments and understood the logic of the upper roof matching the lower roof. The window placement as proposed is fine. The privacy issues will work themselves out. Solar panels should not cause any of the concerns raised by neighbors. The bathroom window is high enough that privacy should not be a problem. He proposed lowering the perpendicular roofs a couple of feet. From the street, the addition would not be as imposing as the drawings indicate.

Motion to approve PA21-032 for 709 San Carlos Avenue pursuant to the proposed findings and Conditions of Approval and additional Conditions of Approval requiring the driveway to be suitable for a vehicle to traverse it and the architect to consider suggested modifications to the roof and present them for staff's review. Donaldson

Seconded by Momin

AYES: Donaldson, MacLeod, Momin

NAYES: None

RECUSED: Pilch

ABSENT: Watty

Motion passed, 3-0-1-1

Commissioner MacLeod noted the appeal period.

Vice Chair Pilch reopened the public hearing for Item 4-3.

Kamala expressed concerns about the contractor's abilities and management of his employees. She shared her experience with the contractor and his employees during a previous project.

Vice Chair Pilch closed the public hearing for Item 4-3.



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2 Commissioner MacLeod appreciated the concerns and reiterated that the Building
3 Department enforces City ordinances pertaining to construction hours and noise. A
4 contractor is required to have underground utilities marked prior to construction.

5
6 Commissioner Donaldson noted that the Commission received Kamala's written
7 comments.

8
9 Vice Chair Pilch recommended Kamala contact the City if issues arise during
10 construction.

11
12 **Motion to support** the Planning & Zoning Commission's approval of PA21-033 for
13 915 Stannage Avenue . Donaldson

14 Seconded by MacLeod

15 AYES: Donaldson, MacLeod, Momin, Pilch

16 NAYES: None

17 RECUSED: None

18 ABSENT: Watty

19 **Motion passed, 4-0-0-1**

20
21 **5. ANNOUNCEMENTS/COMMUNICATIONS**

22
23 None

24
25 **6. PUBLIC COMMENT**

26
27 None

28
29 **7. DISCUSSION & POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING**
30 **ITEMS:**

31
32 None

33
34 **8. NEW BUSINESS**

35
36 **8-1. **Study Session**- San Pablo Avenue Specific Plan – Draft Land Use**
37 **Framework & Policies** - The Planning & Zoning Commission will receive a
38 presentation on the San Pablo Avenue Specific Plan project regarding draft land
39 use policies and draft development potential/buildout and provide feedback on the
40 policies presented or additional ideas generated during the discussion.

41
42 **Recommendation:** Provide feedback on the policies presented or additional ideas
43 generated during the discussion.
44



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1 **CEQA:** Staff is working with a CEQA consultant on a proper analysis of
2 environmental impacts.

3
4 Jean Eisberg, Lexington Planning, presented the staff report dated May 26, 2021.

5
6 PUBLIC HEARING OPENED

7
8 **Bryan Marten** supported incentives for not owning vehicles. However, people would
9 continue to own cars and park them in the neighborhoods around San Pablo Avenue. He
10 suggested applying the incentives across the City.

11
12 **Jake Price**, Housing Action Coalition, supported increased housing production and
13 reduced parking requirements. Both benefit residents, businesses, the climate, and the
14 City.

15
16 **Clay Larson** felt the consultant's stated purpose of the Specific Plan, implementing the
17 General Plan, is ridiculous in light of the significant General Plan amendments needed to
18 implement the General Plan. A comparison of development sites along San Pablo in El
19 Cerrito and in Albany is meaningless because the length of San Pablo is considerably
20 greater in El Cerrito. In El Cerrito, buffers are located between residential and commercial
21 zones. El Cerrito's daylight plane requirement has not impeded development.

22
23 **Nick Peterson**, speaking as an individual, supported the guiding principles, increasing
24 density, and proposed setback requirements. Parking management strategies should be
25 required and funded by new development.

26
27 PUBLIC HEARING CLOSED

28
29 Vice Chair Pilch suggested Guiding Principle 3 reference nodes. Residential parking
30 permit programs can address parking issues in neighborhoods.

31
32 Commissioner Momin supported Guiding Principle 4, which directs growth toward areas
33 with transit and services. Guiding Principle 3 should mention the nodes. Guiding
34 Principle 3 needs to be reconciled with Local Density Bonus Program 2.a.ii so that they
35 do not compete. He proposed an additional Guiding Principle concerning sustainability
36 and low-impact development.

37
38 Commissioner Donaldson generally supported the Guiding Principles. To comply with
39 Regional Housing Needs Allocation (RHNA) requirements, the City probably needs to
40 make the compromise between a fine-grain pattern of retail and ground-floor commercial.
41 He supported requiring ground-floor retail in the nodes, especially the Solano/San Pablo
42 node. Residential development replacing ground-floor retail in the middle of blocks may
43 be a problem.



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1 Commissioner MacLeod believed equity and diversity could be achieved through below-
2 market-rate (BMR) housing. He supported ground-floor commercial development along
3 all of San Pablo. Ground-floor commercial development would occur over time and lead
4 to walkable and livable environments. Smaller-scale nodes around Solano Avenue are a
5 good idea. He supported not requiring commercial uses in a 100% BMR housing project.
6 Guiding Principle 4 is part and parcel of developments providing bike rooms and transit
7 passes and reducing parking. A residential parking permit program and active
8 transportation infrastructure would be essential. He supported setback requirements
9 rather than a daylight plane requirement.

10
11 Vice Chair Pilch wanted an economic analysis of the development potential.

12
13 Commissioner Donaldson stated Table 3 appears to provide sufficient development
14 potential to comply with RHNA requirements. Development potential in the San Pablo
15 Avenue Corridor should be 800 units with the rest of the City providing units to meet
16 RHNA requirements. Perhaps staff could provide a projection for affordable housing units
17 similar to Table 3.

18
19 Ms. Eisberg advised that the San Pablo Avenue Specific Plan has a 20-year horizon;
20 whereas, the Housing Element cycle is an 8-year horizon.

21
22 Commissioner MacLeod supported the creation of as many housing units as possible and
23 higher-density developments. Other areas of the City, especially Solano Avenue, could
24 be up-zoned to provide housing. With respect to nodes, mixed-use development should
25 be allowed along the entire corridor.

26
27 Commissioner Momin noted some buildings would not sustain commercial development.
28 Imposing commercial or retail requirements on all sites could reduce or eliminate other
29 active uses. If some zones are designated as retail, there is no guarantee that retail will
30 work on all parcels in the zones.

31
32 Commissioner MacLeod noted that nodes would not be all retail but a mix of services,
33 offices, restaurants, and retail. Some slightly larger big-box stores would be nice.
34 Allowing commercial uses on the upper floors is not something he is supportive of.

35
36 Commissioner Momin indicated that live/work spaces would activate the streetscape.

37
38 Vice Chair Pilch concurred with allowing mixed-use development along the entire street.
39 The staff report seemed to imply that absent a ground-floor commercial or retail
40 requirement, live/work and other active uses on the ground floor needed to be a priority.
41 Zoning changes will be needed to make the Specific Plan viable. If nodes are
42 implemented, the Solano node may need to be extended to the Marin node. Public
43 comment noted that the Washington Avenue node includes an existing three-story
44 apartment building.



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1
2 Commissioners accepted the proposals for the Washington Avenue node.
3

4 Commissioner Donaldson liked the residential parking reductions in the context of the
5 Local Density Bonus Program because they are better than parking allowed under the
6 State Density Bonus Program. However, the reductions are still too generous, but one
7 space per unit is an appropriate goal. Requiring less than one space per unit for
8 multifamily buildings would create or increase parking congestion on nearby streets.
9 Under-parking projects reduces the quality of life for residents in surrounding
10 neighborhoods. A residential parking permit program should be investigated. Unbundled
11 parking probably adds cars to the street because tenants will not want to pay for parking.
12 He proposed a requirement for bundled parking with tenants who do not own cars allowed
13 to sublease their parking spaces.
14

15 Commissioner Momin supported the proposed parking strategies. Reduced parking
16 requirements would not be harmful in the area, and combining them with a parking permit
17 program would allay concerns. The strategies should include compact parking spaces.
18 A parking management program should provide transit passes or contribute an amount
19 sufficient to incentivize their use. The City should encourage the use of mechanical lifts.
20

21 Commissioner MacLeod wanted to require 0.5 parking space per unit as a maximum.
22 Parking at one space per unit is typically underutilized and is subsidized by the occupants.
23 To reduce rental and ownership costs, parking requirements should be reduced.
24 Requiring fewer parking spaces for housing developments and implementing residential
25 permit parking programs that exclude occupants of the developments will reduce
26 automobile use. A series of parking models for buildings up to eight stories should be
27 conducted to show parking usage. He supported bike parking, transit passes, unbundled
28 parking, loading spaces, and mechanical lifts. He questioned whether parking could be
29 converted to other practical uses.
30

31 Vice Chair Pilch believed demographics would reduce car usage. Developers could omit
32 parking and pay into a fund for a residential parking permit program. He supported
33 unbundled parking, transit passes, exploration of compact spaces and a parking permit
34 program, and maximizing bicycle parking.
35

36 PUBLIC HEARING OPENED
37

38 **Clay Larson** expressed concern about changing development standards to fulfill General
39 Plan policy objectives. However, the changes were part of the Local Density Bonus
40 Program, which developers were not likely to use because the incentives were roughly
41 equivalent to those contained in the State Density Bonus Program and applying the BMR
42 percentage to the final unit count could increase the requirement from 15% to 50%.
43 Residential density should be retained as the standard.
44



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1 **Nick Peterson**, speaking as an individual, agreed that the Local Density Bonus Program
2 seems similar to the State Density Bonus Program. He wanted to require a greater
3 percentage of BMR housing and allow greater density to make a project feasible.
4 Developers should be required to choose two options from List A or four options from List
5 B.
6

7 **Bryan Marten** did not support increasing the height limit, especially for parcels located in
8 the middle of blocks and extending halfway into blocks.
9

10 **Ed Fields** concurred with Mr. Marten's comment and requested discussion of the
11 proposed in-lieu fee in comparison to the existing in-lieu fee and clarification of Guiding
12 Principle 1 applying to rental or ownership housing.
13

14 PUBLIC HEARING CLOSED

15
16 Commissioner Donaldson liked the Local Density Bonus Program. Its greater floor area
17 ratio (FAR) would likely make it more attractive to developers. The 20% requirement is
18 good, but the selection of two options from List B should be increased. Increasing the
19 height limit to 45 or 50 feet could encourage development that does not use the State or
20 Local Density Bonus Programs. Because of RHNA requirements, he supported the
21 reduction in open space. A comparison of the State and Local Density Bonus Programs
22 would be useful. He encouraged staff to consider comments from the public.
23

24 Commissioner Momin proposed allowing the same FAR for commercial and residential
25 uses in a mixed-use development. The minimum density in the Local Density Bonus
26 Program should be higher than the base maximum density.
27

28 Commissioner MacLeod understood that the objective of the Specific Plan is to create
29 objective standards and streamline the process such that housing projects are more
30 feasible. However, the proposed Specific Plan creates an overlay of complexity. He did
31 not support retaining the existing standards and preferred objective standards of six
32 stories, a higher FAR, and no maximum density. The Local Density Bonus Program
33 would work because the existing standards are artificially retained. Additional modeling
34 with objective standards and a 20% requirement is needed. If housing units generated
35 by projects utilizing the Local Density Bonus Program do not count toward RHNA
36 requirements, objective standards should be implemented.
37

38 Vice Chair Pilch noted that the City does not have a housing funding or program for use
39 of an in-lieu fee. Setback and step-back requirements may substitute for a daylight plane
40 requirement, but they need to be explored. The City is behind neighboring cities in
41 modifying development standards. Base standards should provide a height limit of 50-60
42 feet, eliminate FAR and density, and reduce open space. An economic analysis of
43 proposed changes is needed.
44



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1 **9. NEXT MEETING – June 9, 2021**, City Hall Council Chambers, 1000 San Pablo Avenue
2 or virtual meeting pursuant to state and county guidance

3
4 **10. ADJOURNMENT**

5
6 The meeting was adjourned at 10:54 p.m.

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9

10 _____
Submitted by: Anne Hersch, Planning Manager

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13

14 _____
Jeff Bond, Community Development Director