



**MINUTES OF THE REGULAR MEETING
WEDNESDAY, FEBRUARY 23, 2022**

REGULAR MEETING: 7:00 PM

1. CALL TO ORDER

Chair Watty called the regular meeting of the Planning and Zoning Commission to order at 7:00 p.m. on Wednesday, February 23, 2022.

2. ROLL CALL

Present: Donaldson, MacLeod, Momin, Pilch, Watty
Absent: None
Staff Present: Associate Planner Christopher Tan
Community Development Director Jeff Bond

The Albany Land Acknowledgement Statement was read as adopted by the City Council per City of Albany Minute Action, November 15, 2021.

3. EX PARTE COMMUNICATIONS

None

4. CONSENT CALENDAR

4-1. Planning & Zoning Commission Meeting Minutes January 26, 2022

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

4-2. PA22-009 Design Review Amendment for a Two-Level Addition at 840 Masonic Avenue - The applicant is seeking a Design Review Amendment for a previously approved two-level addition at 840 Masonic Avenue. The subject property is a 3,750 sq. ft. lot with a 3 bedroom, 1.5 bathroom, 1,514.5 sq. ft. house built in 1932. The applicant is proposing to reallocate building area from the approved second story addition to the ground level to accommodate an expanded living room. The ground level is proposed to be expanded toward the south while the second story addition is proposed to be reduced in area. The exterior of the home is proposed to be clad in painted stucco and composite siding with a standing-seam metal shed roof. The applicant is proposing a new contemporary style for the home. This will result in a 4 bedroom, 3 bathroom, 2,050 sq. ft. home with a maximum height of 27'-1". Two off-street parking spaces are provided in the garage and driveway in a tandem configuration.



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2 **Recommendation:** Staff recommends that the Planning & Zoning Commission
3 review and approve the project request subject to the findings and Conditions of
4 Approval.
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6 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section
7 15332 "In-Fill Development Projects" of the CEQA Guidelines.
8

9 **Motion that** the minutes be continued to a date uncertain for revisions, and
10 PA22-009 at 840 Masonic Avenue be approved with a modification to remove
11 one of the kitchen windows. Donaldson

12 Seconded by MacLeod

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

14 NAYES: None

15 RECUSED: None

16 ABSENT: None

17 **Motion passed, 5-0-0-0**
18

19 Chair Watty noted the appeal period.
20

21 **5. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

22 **6. PUBLIC COMMENTS**

23 **Jeremiah Pinguelo** inquired regarding abandoned homes and land in Albany.
24

25 **7. DISCUSSION AND POSSIBLE ACTION ON MATTERS RELATED TO THE** 26 **FOLLOWING ITEMS:**

27 **7-1. Continuation of Work Session Initiated on January 12, 2022 Regarding on**
28 **2023-2031 Housing Element Site Inventory**– On January 12, 2022, the
29 Commission received a presentation on the 2023-2031 Housing Element Site
30 Inventory. Several Commissioners were unable to participate in the discussion.
31 Therefore, this continuation has been scheduled to provide an opportunity for all
32 the Commissioners to discuss the presentation. Commissioners and members of
33 the public are encouraged to review the January 12 presentation. Staff and
34 consultant will be available to answer questions, but no additional presentation is
35 planned.
36
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38

39
40 The housing element of the general plan must include an inventory of land
41 suitable and available for residential development to meet the locality's regional
42 housing need by income level. Sites are suitable for residential development if
43 zoned appropriately and available for residential use during the planning period.
44 The primary focus of this work session is to provide the Commission and



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1 members of the public an opportunity to review and comment on initial analysis
2 of potential locations for designation as housing opportunity sites.

3
4 **Recommendation:** No action required. For information and discussion only.
5

6 Community Development Director Jeff Bond presented a continuation of the report
7 dated January 12, 2022.
8

9 Commissioner Donaldson appreciated the presentation. Appendix A and B were
10 excellent. He complimented Barry Miller for the carefully inventoried possible sites.
11 Aiming the report toward the Housing and Community Development (HCD) Agency is a
12 good approach. He preferred to see modifications to the report with a focus on Albany
13 readers. The Casper's Hot Dogs site is no longer vacant. The report and appendices
14 provide very little information about Bone Density Bonuses. The General Plan Land Use
15 Element should be acknowledged in the report. Albany should begin the process to
16 upzone the Albany Hill parcel. He supported raising the height limit on Solano Avenue.
17

18 When asked, **Barry Miller**, Housing Element Consultant, clarified that incentives can be
19 included for Senior Housing in the Housing Element and in the municipal code.
20 Discretion over design is allowed, but the project will be approved if it meets all
21 development standards in the code. Most of the sites listed as carry-over are on San
22 Pablo Avenue. There is a three-year time frame for re-zoning once the Housing Element
23 is adopted. Low and very-low-income individuals at University of California (UC) Village
24 would be accounted, but the effect would be a greater assignment of moderate and
25 above moderate income because the model is set to equalize income distributions
26 among communities.
27

28 Commissioner Momin thanked Barry Miller for his comprehensive and detailed study.
29 He supported rezoning the Albany Hill site with a higher density limit. Rezoning along
30 Solano Avenue should be done comprehensively. Parking should be included. Providing
31 more height incentives will create awkward projects on Solano Avenue.
32

33 PUBLIC HEARING OPENED

34
35 **Bryan Marten** favored the expansions to San Pablo Avenue, Solano Avenue, Albany
36 Hill, and UC Village. He was concerned about limited mention to Assembly Bill (AB)-86,
37 and impact studies for Solano Avenue.
38

39 **Jeremiah Pinguelo** believed Accessory Dwelling Units (ADUs) were overlooked.
40

41 **Robert Cheasty** inquired about the City's housing requirement target. All landowners
42 should know the rules.
43

44 PUBLIC HEARING CLOSED



1
2 Commissioner Pilch supported upzoning Albany Hill.

3
4 **Barry Miller** clarified that single family homes were not included in the inventory
5 because the metrics established for housing opportunity sites were not met. Sites like
6 Safeway and Bank of America because of large parking lots.

7
8 Community Development Director Jeff Bond stated that no conclusions have been met
9 regarding the need for an environmental impact report.

10
11 **Barry Miller** explained that the opportunity sites inventory is only one part of the
12 Housing Element. A detailed inventory of all regulations affecting housing in Albany is
13 being completed to identify constraints or opportunities. ADUs are being counted and
14 guidance from the Association of Bay Area Governments (ABAG) is being given.

15
16 Commissioner MacLeod supported upzoning the Pierce Street parcel and good urban
17 space on Solano Avenue. Implementing other higher zoning standards across the City
18 would be good.

19
20 **7-2. PA22-007 Design Review for a New Two-Story Home at 1014 Santa Fe**
21 **Avenue** - The applicant is seeking Design Review approval for a new two-story home at
22 1014 Santa Fe Avenue. The subject property is a 4,960 sq. ft. lot with a 2 bedroom, 1
23 bathroom, 984 sq. ft. house built in 1928. The project scope includes demolishing the
24 existing home and detached garage to build a new two-story home. The architecture of
25 the new house is proposed to be contemporary in appearance. The exterior of the home
26 is proposed to be clad in a combination of painted stucco and horizontal wood paneling
27 with a standing seam metal roof. This will result in a 4 bedroom, 3.5 bathroom, 2,780
28 sq. ft. home with a maximum height of 26'-10". Two off-street parking spaces are
29 proposed in a new detached garage and driveway.

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

34
35 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section
36 15332 "In-Fill Development Projects" of the CEQA Guidelines.

37
38 Associate Planner Christopher Tan presented the staff report dated February 23, 2022.

39
40 Community Development Director Jeff Bond clarified that the project would be subject to
41 the recently adopted California Green Building Code Standards and would be part of the
42 building permit review.



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1 **Brad Gunkel**, project supervisor, provided a project presentation detailing updates to
2 the site plan and provided an overview of the landscape plan. When asked, he clarified
3 that all the windows would be anodized aluminum. The plan for the project is to go all-
4 electric.

5
6 Commissioner MacLeod encouraged the applicant to consider using permeable paving
7 on the driveway. The roof looks great for solar panels.

8 9 PUBLIC HEARING OPENED

10
11 **Jeremiah Pinguelo** supported the project visually. He inquired regarding the rain
12 gutters, and construction duration.

13
14 **Donald Cary** was concerned about the lack of parking space offered in the back.

15 16 PUBLIC HEARING CLOSED

17
18 Commissioner Pilch thanked the architects and owners for working along with the
19 neighbors. He supported comments regarding permeable pavement and going all-
20 electric.

21
22 Commissioner Momin supported the project. He appreciated the simplicity of the design
23 and natural wood siding. The contemporary expression makes a beautiful design
24 feature. He suggested applying wood siding on one level, with the top in stucco. He
25 supported comments regarding solar panels, all-electric, and permeable pavement.

26
27 Commissioner Donaldson supported the project. He was concerned about the
28 landscape plan, but it may be plausible with the contemporary design. He was also
29 concerned about using part of the front yard as an overflow for parking. A concrete
30 driveway is serviceable and durable. Paving systems are great, but expensive. The
31 porch in the front is unusual, but fine.

32
33 Commissioner MacLeod supported the project overall. The modern-contemporary
34 design looks great. He suggested permeable paving along the driveway instead of
35 concrete. Replacing two narrow concrete tire strips with a full concrete driveway should
36 be reconsidered. A more specific planting plans should be required. The driveway is
37 nine feet wide and should be wide enough for cars.

38
39 Chair Watty supported the project overall. The architect has done a good job bringing a
40 high-quality architectural design. She would support the project with conditions to
41 update the window materials, inclusion of a proper landscape plan, and having the
42 driveway be permeable in nature.

43



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1 **Motion to approve** PA22-007 for 1014 Santa Fe Avenue subject to the findings and
2 Conditions of Approval with additional conditions of approval requiring an update in
3 window materials, inclusion of a proper landscape plan, and having the driveway be
4 permeable in nature. Pilch

5 Seconded by MacLeod

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

7 NAYES: None

8 RECUSED: None

9 ABSENT: None

10 **Motion passed, 5-0-0-0**

11

12 Chair Watty noted the appeal period.

13

14 **7-3. PA22-005 Conditional Use Permit & Parking Waiver for Bright Star**
15 **Montessori Preschool at 1600 Solano Ave.** - The applicant is seeking Conditional
16 Use Permit and Parking Waiver approval for a new daycare center at 1600 Solano
17 Avenue. The subject property is a 5,112 sq. ft. lot with an existing 1,543 sq. ft. building
18 that was originally built as a single family home. The previous use of the building was a
19 dental office. The applicant is proposing to establish a new daycare center by the name
20 of Bright Start Montessori Preschool. A maximum of 40 children are anticipated to be on
21 site with up to 4 employees working. The business hours are proposed to be 6am to
22 6pm, Monday through Friday. Four (4) off-street parking spaces are provided on site. A
23 Parking Waiver is required to waive three (3) off-street parking spaces for the daycare
24 center use.

25

26 **IMPORTANT NOTE:** The City has received two separate planning
27 applications for this property. The first application, reviewed by the
28 Commission on January 26, 2022, relates to a proposed future mixed-use
29 building. No action has been taken on the first application. The second
30 application relates to a proposed use of the existing building, and will be
31 the subject of this public hearing.

32

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

36

37 **CEQA:** The project is Categorical exempt from CEQA pursuant to Section
38 15332 "In-Fill Development Projects" of the CEQA Guidelines.

39

40 Associate Planner Christopher Tan presented the staff report dated February 23, 2022.

41

42 When asked, he clarified that floor plans for a proposed childcare facility are not a
43 requirement through the zoning code. No floor plan was provided for review. The
44 property is vacant.



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Community Development Director Jeff Bond noted that no vetting has been attempted against State requirements. If the Commission were to act on the item, no State requirements would be waived.

Samudra De Alwis, applicant, provided additional information with her son regarding the project. Community Care licensing is required. Bicycle accommodations could be implemented. Considerations for the pre-school pick-up and drop-off model is underway. The two parking spaces should be adequate for individuals, but staff could provide service to parents as needed.

PUBLIC HEARING OPENED

Donald Cary supported the project.

Jeremiah Pinguelo inquired about placing a preschool across the street from a liquor store.

Howard Graves expressed the need for preschools in the area, but the limited parking is problematic. The site is more suitable for a smaller program.

Karen Friis Lysmer believed the number of teachers, bathrooms, and outdoor open space were inadequate. She inquired regarding how long the applicant has been in business.

Julie Baller was concerned about safety within the facility.

Mariam Kaminsky was concerned about safety. The proposed site has inadequate parking.

Allison Grinstead believed a preschool center could be a great use for the property, but the area is not safe for the parking. It is unreasonable not to expect parents to cluster around the same time.

PUBLIC HEARING CLOSED

Commissioner Donaldson believed the application was premature. He preferred to continue the item until limitations regarding the building, rooms, and open space were clarified. The building and site do not appear large enough to accommodate forty children. The intersection should not be much of a concern for children under the age of five.

Commissioner Momin agreed with comments made by Commissioner Donaldson. The item should be continued. He supported conditional use for the location.



1
2 Community Development Director Jeff Bond stated that two temporary loading zones
3 could be a possibility.

4
5 Commissioner MacLeod believed that turning two spaces into drop-off zones would
6 alleviate the worry about parking. He supported the daycare center in principle and did
7 not believe it was the Commission's responsibility to verify the number of children the
8 facility could support. Traffic safety may be a separate component.

9
10 Commissioner Pilch supported the Commissioner's comments. He also supported a
11 parking waiver. Designated parking hours may be a good idea.

12
13 Chair Watty agreed with Commissioner Donaldson's remarks about the application
14 appearing premature. The application could benefit from more time, but a preschool
15 with a lesser capacity would be appropriate.

16
17 Commissioner Donaldson was concerned about the pick-up time of day.

18
19 Commissioner Pilch indicated that bicycle parking needed to be part of the project
20 planning.

21
22 **Motion to continue indefinitely** PA22-005 for 1600 Solano Avenue subject to the
23 findings and Conditions of Approval with additional conditions of approval requiring
24 clarification on bicycle parking, drop-off/pick-up circulation, number of staff and
25 students, and a more detailed site plan for both indoors and outdoors. Pilch

26 Seconded by Donaldson

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

28 NAYES: None

29 RECUSED: None

30 ABSENT: None

31 **Motion passed, 5-0-0-0**

32
33 **8. NEW BUSINESS**

34
35 **8-1. Planning & Zoning Commission Chair & Vice Chair Reorganization** - To
36 provide the opportunity for all Members of Advisory Bodies to hold a leadership role, the
37 Advisory Body Handbook states that the position of Chair and Vice Chair shall be
38 rotated on an annual basis in January or February. Although not recommended, if the
39 Advisory Body agrees that there is a strong preference to continue with the existing
40 Chair and/or Vice Chair, they may serve for a maximum of two consecutive years in the
41 role.

42
43 **Recommendation:** Make nomination(s) and vote for members to serve as Chair
44 and Vice Chair.



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Commissioner Pilch was nominated for Chair.

PUBLIC HEARING OPENED

Jeremiah Pinguelo appreciated Chair Watty for her great job as Chair.

PUBLIC HEARING CLOSED

Motion to nominate Commissioner Pilch as Chair. Watty

Seconded by MacLeod

AYES: Donaldson, MacLeod, Momin, Pilch, Watty

NAYES: None

RECUSED: None

ABSENT: None

Motion passed, 5-0-0-0

Commissioner MacLeod was nominated for Vice Chair.

Motion to nominate Commissioner MacLeod as Vice Chair. Pilch

Seconded by Momin

AYES: Donaldson, MacLeod, Momin, Pilch, Watty

NAYES: None

RECUSED: None

ABSENT: None

Motion passed, 5-0-0-0

- 9. **NEXT MEETING – March 9, 2022**, City Hall Council Chambers, 1000 San Pablo Avenue, or virtual meeting pursuant to state and county guidance.

10. ADJOURNMENT

The meeting was adjourned at 10:05 p.m.

Submitted by: Christopher Tan, Associate Planner

Jeff Bond, Community Development Director