



PLANNING & ZONING COMMISSION

Virtual Meeting
Albany, CA 94706

MINUTES OF THE REGULAR MEETING WEDNESDAY, MARCH 9, 2022

REGULAR MEETING: 7:00 PM

1. CALL TO ORDER

Chair Pilch called the regular meeting of the Planning and Zoning Commission to order at 7:00 p.m. on Wednesday, March 9, 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. Planning & Zoning Commission Meeting Minutes February 23, 2022

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

4-3. PA22-013 Conditional Use Permit and Parking Waiver for a Tattoo Parlor at 1057 Solano Avenue– The applicant is seeking a Conditional Use Permit and Parking Waiver for a tattoo parlor at 1057 Solano Avenue. The subject property is a 4,779 sq. ft. lot with an 8,370 commercial building located in the Solano Commercial Zoning District. The subject tenant space is 1,145 sq. ft. and located on the second floor of the building. The applicant is proposing to establish a new, appointment-only, tattoo parlor by the name of Great Wave Tattoo Parlor. The business hours are proposed to be Tuesday-Saturday from 12pm-9pm. A



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1 maximum of 4 employees and 4 customers are expected on site at any given
2 time. There are no off-street parking spaces for the subject tenant space. A
3 Parking Waiver is required to waive three (3) off-street parking spaces for the
4 tattoo parlor.

5
6 **Recommendation:** Staff recommends that the Planning & Zoning Commission
7 review and approve the project request subject to the findings and Conditions of
8 Approval.

9
10 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section
11 15332 "In-Fill Development Projects" of the CEQA Guidelines.

12
13 **Motion to approve** the consent calendar as proposed by staff. Donaldson

14 Seconded by Watty

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

16 NAYES: None

17 RECUSED: None

18 ABSENT: None

19 **Motion passed, 5-0-0-0**

20
21 **5. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

22
23 **6. PUBLIC COMMENTS**

24 None

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

29
30 **7-1. Study Session to Review Draft San Pablo Avenue Specific Plan**– A specific
31 plan is a document that contains a set of policies and development standards
32 that apply to a particular geographical area. The City of Albany has received a
33 Senate Bill (SB)2 grant from the California Department of Housing & Community
34 Development to prepare a Specific Plan that will modify design and development
35 standards on San Pablo Avenue that will allow the development of more housing
36 along the corridor. Under consideration are updates to the Zoning Ordinance,
37 General Plan, and design guidelines that regulate the development on the
38 corridor. The purpose of this study session is to provide the Commission and the
39 public an opportunity to comment on the draft Specific Plan. No action will be
40 taken at this meeting. More details on the Specific Plan can be accessed at
41 www.sanpablospecificplan.org.

42
43 **Recommendation:** No action required. For information and discussion only.

44



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1 Community Development Director Jeff Bond presented the report dated March 9, 2022.

2
3 **Jean Eisberg**, project consultant, provided an overview of the San Pablo Specific Plan.
4 The Planning & Zoning Commission (Commission) held three study sessions in 2020 to
5 review housing and commercial uses, social equity and inclusion, and effects of height,
6 density, and other parking and development standards. The City of Albany held a virtual
7 open house over the 2020-2021 winter. Additional study sessions on land use, urban
8 design, and infrastructure were held in 2021. The project is currently in the public review
9 phase. The vision for the Specific Plan is rooted in the General Plan and aims to enable
10 a transformation of the corridor from auto-oriented commercial uses to more attractive,
11 pedestrian-oriented, mixed-use development. Although the vision for the corridor is set,
12 existing zoning standards do not align with the objective. Chapter 2 Land Use
13 establishes a framework for development of mixed-use buildings fronting San Pablo
14 Avenue, with ground-floor commercial development and upper story residential units.
15 The framework also reinforces the standards for nodes generally identified in the
16 General Plan, standards for financially feasible development, and encourages housing
17 at a range of income levels and for a range of household types to support economic,
18 racial, and diversity. Key policies include revisions to zoning standards and zoning use
19 regulations, requirements for community amenities, considering an affordable housing
20 fee in lieu of on-site affordable housing, and amortizing billboards to promote
21 redevelopment. Specific zoning standards are identified in the Specific Plan policies.

22
23 **Jane Lin**, project consultant, provided an overview of design standards and
24 summarized Chapter 3 Design Guidelines. Chapter 3 specifies design guidelines in lieu
25 of implementing policies. Development can redefine the corridor with new buildings
26 lining the street, a greater sense of place, and activity and public life along the ground
27 floor. Draft design guidelines would replace existing San Pablo Avenue Design
28 Guidelines. Two key sections of guidelines and standards are Site Design and Building
29 Design. Key Guidelines and Standards address the zones, ground floor access, and
30 transitions between public and private uses.

31
32 **Jean Eisberg** reported that Chapter 4 Infrastructure and Mobility describes
33 transportation and infrastructure systems and analyzes changes in demand for services
34 that new development could generate. Included in the chapter are analyses of impacts
35 to utilities and public safety services, implementation of adopted plans and policies for
36 pedestrian, bicycle, and transit improvements, and incentives to increase travel by
37 walking, biking, and transit in exchange for reduced vehicle parking requirements.
38 California Environmental Quality Act (CEQA) analysis will include a discussion of
39 infrastructure capacity and necessary improvements. New policies and policies from
40 existing adopted plans are included. Key mobility policies include incorporated ongoing
41 circulation planning work, requirements for long-tail and electric bikes, and allowances
42 for reduced vehicle parking standards in exchange for amenities that support transit,
43 biking, and walking. Key policies support green stormwater infrastructure and all-electric
44 construction for new buildings and major renovations. Also, coordination with East Bay



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1 Municipal Utility District (EBMUD) and the addition of a fee on new development
2 contributing to the cost of new fire department apparatus supporting fire suppression of
3 taller buildings. Chapter 5 Implementation is intended to provide guidance for both the
4 private sector and City staff, officials, and community members. At present, only
5 appendices D and E are included in the draft plan.
6

7 When asked, **Jean Eisberg** advised that a standard is proposed in the Design
8 Guidelines section that ground-level utilities shall be located inside buildings or
9 underground unless prohibited by the utility provider. The intention is that any utilities
10 should be away from the clear pedestrian pathway. The only opportunity for a permitted
11 height limit of 80 feet is at the northern node. On-site publicly accessible open space is
12 an addition to open space. The document needs to have its own numbering system.
13 The parcels between Washington Avenue and halfway down the block to Solano
14 Avenue are proposed for rezoning.
15

16 Community Development Director Jeff Bond stated that the preference would be to
17 adopt the Design Guidelines by resolution. The Commission would prepare and make
18 recommendations to the City Council. Formatting a document as a design guideline that
19 is more user friendly is less challenging than writing it as an ordinance.
20

21 When asked, **Jean Eisberg** explained that the parking reduction standard of one
22 parking space per unit has not been proposed. The City could provide additional bike
23 parking or transit passes in exchange for reduced parking. Parking could not be
24 reduced by more than 50% without Commission approval. The intention is to prohibit
25 adding any vaults on the sidewalk to keep the pathway unimpeded. UC (University of
26 California) Village is the new node and did not exist when the General Plan was
27 adopted. There are advantages of having a building that is 100% affordable with
28 support services which can be accumulated with in lieu fees. **Jane Lin** advised that the
29 setbacks shown in the presentation are rear setbacks and there is no side setback
30 requirement. Ms. Eisberg advised that the City is engaging in an update of its capital
31 project fee and the intention is that part of the fee will go toward fire infrastructure.
32

33 Community Development Director Jeff Bond stated that staff is exploring all
34 departments with capital facilities. The fire department is one of the most significant
35 capital facilities in the City.
36

37 **Jane Lin** advised that the required minimum of 50% regarding active frontages is to
38 ensure that it is the appropriate size of the parcel along San Pablo Avenue and
39 maintaining viability. The 14 feet clear minimum is standard. Staff is looking for
40 adequate vertical space for a project that is more than residential.
41

42 PUBLIC HEARING OPENED
43



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1 **Clay Larson** suggested that the Commission have the proposed amendments before
2 the next meeting.

3
4 **Bryan Marten** inquired about setting heights lower than desired to encourage
5 developers to reach the desired height only by offering low-income housing to qualify for
6 State Density Bonus, the types with roman numerals in the document, and what
7 “repositioning” means.

8
9 **Ed Fields** inquired about where mixed-use on the ground floor of San Pablo Avenue is
10 required, and the in-lieu fee.

11
12 **Nick Peterson** appreciated efforts taken by staff. He recommended having at least one
13 bike space per bedroom and cargo bike space for every unit. The in-lieu fee is a
14 concern.

15
16 PUBLIC HEARING CLOSED

17
18 Community Development Director Jeff Bond explained that Albany’s inclusionary
19 housing ordinance allows the City to collect an in-lieu fee, but it has never been applied.
20 The conclusion of a prior in-lieu fee study could be incorporated into the City’s Master
21 Fee Schedule and adjust for current market conditions.

22
23 **Jean Eisberg** explained that staff is proposing ground-floor commercial would be
24 required overall. One exception is that policy states the Housing Element sites cannot
25 have commercial above the ground-floor.

26
27 **Jane Lin** advised that the roman numeral types refer to the construction type. Type V/I
28 is a wood construction type. Staff will either remove the roman numerals from the
29 document or provide an explanation.

30
31 Commissioner Watty suggested clarifying page 39, item 5 on the bullet specifically
32 stating that commercial is required at the nodes. In-lieu fees help alleviate difficulties of
33 low-income individuals unable to afford a homeowner’s association (HOA) fee. The
34 dollar stretches farther with 100% affordable housing projects. The plan is evolving in a
35 positive way.

36
37 Commissioner Donaldson advised that the Specific Plan is required to be consistent
38 with the General Plan. An update to the General Plan is needed. The report is
39 handsome and well written. He appreciated the initial approach to some of the
40 standards and design guidelines. It would be beneficial to develop a Density Bonus
41 focused strategy. The horizon of the Specific Plan exceeds that of the General Plan by
42 five years. Changes to the land use map of the General Plan may not be legal.
43 Increasing the floor area ratio, eliminating the daylight plane, and adding a node may



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1 not be possible. Amendments to the General Plan are not permitted. He suggested
2 including cell phone utilities to the Utilities section. Parking should be bundled.

3
4 Community Development Director Jeff Bond explained that the intention is to develop
5 the plan and determine necessary amendments. Changes to the General Plan can be
6 finalized when the draft to the Specific Plan is completed. Staff believed the approach
7 was appropriate.

8
9 **Jean Eisberg** explained that the decision to use a twenty-year horizon model was
10 influenced by the traffic analysis, which also employs a twenty-year model. Analyzing
11 cumulative projects was beneficial. The model would allow for a reasonable amount of
12 time to implement the plan.

13
14 Commissioner MacLeod supported the process and goals of the plan. State Density
15 Bonus Law should not be relied upon. Completing the Specific Plan first makes sense.
16 He supported the land use ideas. The remainder of Kains Avenue and Adams Street
17 within the plan boundary should be upzoned. The distribution of affordable units within
18 the community is preferable to placing them all in one location. He supported setbacks,
19 higher floor area ratio (FAR), commercial along the corridor with the exception of 100%
20 affordable housing projects, and a building height of 85 feet at the nodes. The node at
21 Solano Avenue and San Pablo Avenue needs prominent corners. Open space at 100
22 feet is adequate. An advantage of switching to all-electric is the elimination of gas
23 meters. Maintaining a clear pedestrian pathway is important. ABMUD should place
24 purple recycled water pipes in the trenches. San Pablo Complete Streets Plan is
25 outdated. He opposed the one parking space per unit policy. The City needs a parking
26 maximum rather than minimum. Parking should be unbundled. He agreed with
27 comments regarding higher bike parking standards.

28
29 Commissioner Momin supported the draft of the Specific Plan. The Development
30 Standards are useful for the City to ensure high-quality building designs. Two former
31 Commissioners' names are missing from the Plan Acknowledgements and should be
32 included. He suggested that if "Opportunity: 2015-2023 Housing Element Site" located
33 on page 35 was not a typo, it may be more useful to show the opportunity sites that are
34 part of the next housing cycle. He supported on-site inclusionary housing units in
35 affordable housing projects, which allows for more equitable distribution. Additionally,
36 the City will be able to acquire affordable housing units incrementally within a shorter
37 time. Consultants should take a closer examination regarding the larger footprint
38 commercial ground-floor spaces. A setback of 38 feet would not be a major constraint
39 for the project designs. He supported reduction requirement from 200 square feet per
40 unit to 100 square feet per unit, but minimum dimensions for the private and common
41 open spaces should be specified. More clarity is needed on both publicly accessible
42 open space and mid-block pedestrian connection. Switching item b of the Community
43 Benefit List B to Community Benefit List A may be worthwhile. All Design Guidelines are
44 essential. Mid-block pedestrian connection is a great idea. The specified minimum 50%



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1 active frontage could be increased. The massing breaks should a minimum of 2-4 feet
2 deep, and a minimum depth of 18 inches for the façade planes. Design massing to
3 minimize the appearance of height differences should be a mandatory design standard.
4 Minimum dimension specifications regarding shared open space requirements would be
5 beneficial. The minimum height requirement for shared open space should be increased
6 substantially. On-site stormwater management should be made part of a required
7 amenity. More than one transit pass should be provided to the larger units.
8

9 Chair Pilch supported Commissioner Momin's comments regarding mid-block
10 connections and providing a minimum 15-foot-wide building-to-building setback.
11 Sustainability features should be strongly worded in the plan that they are to be
12 expected. He supported specifying two bike parking spaces per unit. An 80-foot height
13 limit on the West side of Solano Avenue should be considered. Staff should consider
14 unbundled condo spaces. He supported comments regarding a high in-lieu fee and
15 having parking maximums.
16

17 Commissioner MacLeod agreed with remarks about all electric construction should not
18 be on the Community Benefit List B. Item C of Community Benefit List A is problematic
19 and may not be necessary to keep on the list. EV-ready charging may already be
20 required. He supported commercial development on the whole corridor.
21

22 **8. NEW BUSINESS**

23
24 **9. NEXT MEETING – March 23, 2022**, City Hall Council Chambers, 1000 San Pablo
25 Avenue, or virtual meeting pursuant to state and county guidance.
26

27 **10. ADJOURNMENT**

28
29 The meeting was adjourned at 9:58 p.m.
30
31

32
33 _____
34 Submitted by: Christopher Tan, Associate Planner
35

36
37 _____
38 Jeff Bond, Community Development Director