



AGENDA

July 12, 2023

7:00 PM Regular Meeting

Webinar Link: <https://albanyca.zoom.us/j/87391956571>

PUBLIC MEETING GUIDELINES

Albany Planning & Zoning Commission meetings are conducted in person at City Hall Council Chambers. As a courtesy, and technology permitting, members of the public may continue to participate virtually. However, the City cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and technical difficulties may occur from time to time.

1. CALL TO ORDER

2. ROLL CALL / LAND ACKNOWLEDGEMENT

“The City of Albany recognizes that we occupy the land originally protected by the Confederated Villages of Lisjan. We acknowledge the genocide that took place on these lands and must make strides to repay the moral debt that is owed to this indigenous people, specifically the Ohlone Tribe. We thank them for their contributions which have transformed our community, and will continue to bring forth growth and unity. The City of Albany commits to sustaining ongoing relationships with the Tribe and together build a better future for all that now make this their home.”

3. EX-PARTE COMMUNICATIONS

Ex-parte communications include verbal and written communications between individual Commissioners and a party with a real interest in a pending Commission decision. Ex-parte communications should be avoided on matters pending before the Planning & Zoning Commission as they may represent or be perceived to represent evidence that may unfairly influence a Commissioner's decision on a matter before the full Commission. If such contact does occur, the substance of the communication shall be disclosed before the full Commission and public in advance of public hearing items on the agenda. Written ex-parte communications shall be forwarded to staff so that it may be disclosed to the full Commission and public.

4. CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted by one motion. By approval of the Consent Calendar, the staff recommendations will be adopted unless otherwise modified by the Commission. There will be no separate discussion on these



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items unless a member of the Commission or a member of the audience requests removal of the items from the Consent Calendar.

4-1. **Planning & Zoning Commission Meeting Minutes May 10, 2023**

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

4-2. **Planning & Zoning Commission Meeting Minutes June 14, 2023**

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

- 4-3. Planning Application 23-032 Major Use Permit for expansion of an existing day care center at 850 Talbot Avenue** - The applicant is seeking major use permit approval for the expansion of an existing day care center at 850 Talbot Avenue. The subject site is a 5,164 sq. ft. lot with an existing day care center at the front (Unit A) and an existing vacant residence at the rear of the property (Unit B) built in 1946. The applicant is proposing a change of use for Unit B from a residential unit to an expansion of the existing Chinese language day care center. Hours of operations will be maintained as existing, Monday – Friday 1pm – 6pm during the academic school year, and 8am – 6pm during the Summer. The existing architectural style of Unit B is proposed to remain. Off-street parking is not required per California AB 2097.

Recommendation: Staff recommends that the Planning & Zoning Commission review and recommend staff approve the conditional use permit for the proposed day care center, subject to the attached conditions of approval.

California Environmental Quality Act (CEQA): The project is Categorically exempt from CEQA pursuant to Section 15303 “New Construction or Conversion of Small Structures” of the CEQA Guidelines.

5. **ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

6. **PUBLIC COMMENT**

For persons desiring to address the Commission on an item that is not on the agenda please note that each speaker is limited up to three (3) minutes. The Brown Act limits the Commission ability to take and/or discuss items that are not on the agenda; therefore, such items are normally referred to staff for comment or to a future agenda.

7. **PLANNING AND ZONING COMMISSION PUBLIC HEARING AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:**



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- 7-1. Planning Application 23-031 Temporary Use Permit for FoodieLand Night Market at Golden Gate Fields (1100 Eastshore Hwy)** - The applicant is seeking a Temporary Use Permit for FoodieLand Night Market at Golden Gate Fields. FoodieLand Night Market is a street food festival with over 100+ food vendors, food trucks, and 50+ retail vendors. The event dates are proposed to be August 4-6, 2023, August 11-13, 2023, and October 6-8, 2023, from 1pm to 10pm in the north parking lot of Golden Gate Fields. The applicant anticipates 30,000 – 40,000 attendees over a three-day period. Attendees are expected to stay for a maximum of 2-3 hours. Vehicle parking is proposed at both the Buchanan Street and Gilman Street entrances on the subject property. Designated accessible and bicycle parking is available from the Buchanan Street entrance.

Recommendation: Staff recommends that the Planning & Zoning Commission review and recommend staff approve the temporary use permit for the proposed event, subject to conditions of approval.

California Environmental Quality Act (CEQA): The project is Categorically exempt from CEQA pursuant to Section 15301 “Existing Facilities” of the CEQA Guidelines.

8. NEW BUSINESS

- 8-1. Study Session on Proposed Planning & Zoning Code Amendments for Accessory Dwelling Units (ADUs)** - A key component of the City’s strategy for meeting its future housing needs, as outlined in the City’s recently adopted 2023-2031 6th Cycle Housing Element, is to encourage the production of Accessory Dwelling Units (ADUs) throughout the city. In addition, amendments are required for compliance with recent changes in State law.

Recommendation: For discussion only. This is a study session, and no action will be taken.

- 9. NEXT MEETING:** July 26, 2023, 7:00 pm

10. ADJOURNMENT



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NOTICE

As a general policy, the Commission/Committee/Board will not begin discussion or consideration of an agenda item after 9:30 pm.

Agendas are posted for public inspection in advance of meetings at the City Hall, the Albany Community Center, and the Albany Senior Center. Agendas and supporting documents can also be found online at: www.albanyca.org. Supporting documents and any public comments received will be made available for public inspection **online** or via email request. If you have any questions pertaining to any agenda item or meeting procedure, please contact the City Clerk at 510-528-5710 or cityclerk@albanyca.org

Pursuant to Government Code Section 65009, if you challenge a decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at a public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

The decision of the City Council is final as of the date of its decision unless judicial review is initiated pursuant to California Code of Civil Procedure Section 1094.5. Any such petition for judicial review is subject to the provisions of California Code of Civil Procedure 1094.6.

In compliance with the Americans with Disabilities Act (ADA), and State Law, if you need special assistance to participate in this meeting, please contact the City Administration Office 510-528-5710. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102.104 ADA Title II)". Upon request, we will provide written agenda materials in appropriate alternate formats, of disability related modification or accommodation, including auxiliary aids or services to enable individuals with disabilities to participate in public meetings. Please deliver a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service at least two (2) days before the meeting. Request should be sent to: cityclerk@albanyca.org or City Clerk, 1000 San Pablo Avenue, Albany, CA 94706.

How to watch or listen to the meeting:

1. Meetings are available to watch, listen, or participate virtually via Zoom webinar. Register for the meeting: <https://albanyca.zoom.us/webinar/register/87391956571>. To join by phone via Zoom, please call 1 (669) 900-9128 at the noticed meeting time. **Webinar ID 873 9195 6571. Participant ID "#"**.
2. Meetings are also streamed live on City website www.albanyca.org/meetings or on YouTube (www.YouTube.com/AlbanyKALB). Recording of the meetings are usually available for viewing 24 hours after the meeting.
3. Meetings are broadcast live on local TV – Albany KALB Channel.



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How to submit Public Comment:

1. Members of the public may attend Planning & Zoning Commission meetings in-person at City Hall Council Chambers and request to speak during public comment period.
2. Members of the public may submit comments in writing by emailing the Planning & Zoning Commission at PZC@albanyca.org with the agenda item clearly identified in the subject line of the email. Comments may also be submitted by mail to City of Albany – Planning Staff, 1000 San Pablo Avenue, Albany, CA 94706. All written comments received by 12 PM on the day of the meeting will be provided to the Commissioners and posted on the City website in advance of the meeting.
3. To comment by video conference, click the “Raise Your Hand” button to request to speak when public comment is being taken on the agenda item. You will be asked to unmute yourself when it is your turn to make your comment for up to 3 minutes. After the allotted time, you will then be re-muted.
4. To comment by phone, you will “Raise Your Hand” by pressing *9 to request to speak when public comment is being taken on the agenda item. You will be asked to unmute yourself by pressing *6 when it is your turn to make your comment for up to 3 minutes. You will be re-muted after the allotted time.