

City of Albany
**Planning and Zoning Commission
Minutes February 10, 2009, Meeting**

Note: These minutes are subject to Planning and Zoning Commission approval. The minutes are not verbatim. An audiotape of the meeting is available for public review.

Regular Meeting

1. Call to order

The meeting of the Planning and Zoning Commission was called to order by Chair Maass, in the Albany Community Center at 7:30 p.m. on Tuesday, February 10, 2009.

2. Pledge of Allegiance

3. Roll Call

Present: Arkin, Gardner, Maass, Moss, Panian
Absent: None
Staff present: Planning & Building Manager Jeff Bond, Associate Planner Amber Curl,
Planning Clerk Amanda Bennett

4. Consent Calendar

There were no consent items.

5. Public Comment on Non-Agenda Items

There was no public comment.

6. Discussions and Possible Action on Matters Related to the Following Items

a. Recommendation to the City Council Regarding Expansion of the Waterfront Visioning Public Engagement Process to Include City-wide Land Use Values and Visions

Staff recommendation: for discussion. Provide direction to the City Council if desired.

Planning Manager Bond delivered the staff report. Chair Maass opened the public hearing. Fern Tiger, the project consultant was available to answer questions. Clay Larson, Albany resident, suggested putting the saved money in the bank for use during the General Plan process. Ed Fields, Albany resident, asked if we were not ready for the General Plan process, were we ready for this? He felt thirty minutes would not be enough time. He was not opposed, but wanted to know what the benefit would be, as opposed to the option of simply saving the money. No one else wished to speak. Chair Maass closed the public hearing.

Commissioner Gardner supported doing the visioning for the waterfront and the city, rather than looking at the waterfront out of context. Commissioner Arkin agreed the visioning was a good idea. Commissioner Moss agreed, and noted this would save General Plan meeting costs. Commissioner Panian had concerns that thirty minutes would not be enough. Chair Maass supported input from many, contextualization, and possible cost savings. Commissioner Arkin moved recommending including values and visions to support the General Plan process with valuable information. Commissioner Gardner seconded.

Vote to recommend as described:

Ayes: Arkin, Gardner, Maass, Moss

Nays: Panian

Motion passed, 4-1.

- b. 1030-1130 San Pablo Avenue (University Village at the corner of San Pablo Avenue and Monroe Street). Study Session on Planning Application 07-100. Rezoning. Planned Unit Development. Design Review. Parking Exception.** A request for rezone to San Pablo Commercial, planned unit development, design review and parking exception for a new grocery store and mixed-use development at a site owned by the University of California.

Staff recommendation: that the Commission receive testimony from the applicant and members of the public. Provide direction to staff on adjustment in City parking standards and allowing shared parking arrangements between the commercial and residential uses. No action is to be taken at this meeting.

Commissioner Arkin recused himself due to proximity to his home and office. Planning Manager Bond and Associate Planner Curl delivered the staff report. Chair Maass opened the public hearing and invited the applicant to make a presentation. Bob LaLanne, the project developer, made a presentation. Ed Fields, Albany resident, stated assisted living units should have employee and visitor parking. He wondered whether the Whole Foods was really over-parked. He would prefer a neighborhood grocery to a regional grocery store in Albany.

Susan Moffatt, Albany resident, wanted safe pedestrian crossing at Dartmouth. She suggested making the block of Dartmouth between Kains and San Pablo Avenue one-way westbound and adding a traffic signal. She hoped the creeks would be connected to the Ohlone greenway regional bike trail. She wondered about parking for the playground and ball fields. She recommended getting rid of Measure D because it did not solve parking problems, and led to taller buildings. Nick Pilch, Albany Strollers & Rollers, agreed with Ms. Moffatt. No one else wished to speak. Chair Maass closed the public hearing.

Commissioner Panian did not oppose the shared parking. Commissioner Moss thought he could support the application but wanted to see the EIR. He was not in favor of making Dartmouth one-way. Commissioner Gardner could support the application. Chair Maass agreed.

- c. 528 Madison (Madison Street north of Clay Street; Parcel Number 66-2758-77) Amendment to approval of Planning Application 04-042.** Request to revise the conditions of approval requiring that utilities be underground, and a request to allow window materials to change from aluminum to vinyl.

Staff recommendation: staff recommends that the Planning and Zoning Commission maintain Condition of Approval H-11 as originally approved regarding underground utilities and approve modification to the approved plans to allow change in window material.

Commissioner Gardner recused herself due to proximity to her residence. Associate Planner Curl delivered the staff report. Chair Maass opened the public hearing. Anne Hsu, the project applicant, was available to answer questions. Chinn Guok, a neighbor, stated he had paid for

more work than this to underground, and stated the rest of the houses had undergrounded their utilities. The owner of 532 Madison stated she had been required to underground her utilities and it would be unfair not to require it of the applicant. Ed Fields, Albany resident, asked what would be required of a new application. No one else wished to speak. Chair Maass closed the public hearing.

Commissioner Arkin stated that vinyl windows would be less durable, require more maintenance, and be more likely to leak than aluminum or wood. He could approve not requiring the undergrounding due to the unusual circumstances and if the overhead drop came from directly across the street. Commissioner Moss agreed. Commissioner Panian agreed with staff that the utilities should be undergrounded, but could not support vinyl windows. Chair Maass was okay with an overhead drop but not vinyl windows. Commissioner Panian moved denying the application. Commissioner Arkin seconded. Commissioner Moss moved splitting the motion to two motions: one to approve the overhead drop and one to deny the vinyl windows. Chair Maass seconded the motion to split the motion.

Vote to approve the overhead drop:

Ayes: Maass, Moss
Nays: Arkin, Panian
Motion failed, 2-2.

Vote to deny the vinyl windows:

Ayes: Gardner, Maass, Moss, Panian
Nays: None
Motion failed, 4-0.

Findings: The request for amendments to the conditions of approval, dated June 28, 2005, requiring that utilities be underground and that aluminum windows be installed has been denied. Allowing utilities to be above ground is not in keeping with previous requirements of neighboring developments on the street.

d. Amendment to Civic Center Design Review Approval to Incorporate Landscape Plan.

Staff recommendation: open public hearing and continue to date certain of February 24, 2009.

Planning Manager Bond gave the staff report. Commission Arkin noted that the trees will that the pine trees should be removed so that they do not block sunlight to the p.v. panels.

7. Announcements/Communications:

- a. Update on Art Committee meeting on 2/2/09
- b. Update on City Council actions related to Planning and Zoning.

8. Future Planning and Zoning Commission Meeting Agenda Items:

- a. Next regular meeting: Tuesday, February 24, 2009, 7:30 p.m.

9. Adjournment

The meeting was adjourned at 11:08p.m.

Next regular meeting: Tuesday, February 24, 2009, 7:30 p.m.

Submitted by:

Amber Curl
Associate Planner