



## PLANNING & ZONING COMMISSION

Virtual Meeting  
Albany, CA 94706

### MINUTES OF REGULAR MEETING WEDNESDAY, MARCH 24, 2021

#### 1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Watty called the regular meeting of the Planning and Zoning Commission to order at 7:00 p.m. on Wednesday, March 24, 2021.

#### 2. ROLL CALL

Present: Donaldson, MacLeod, Momin, Pilch, Watty  
Absent: None  
Staff Present: Planning Manager Anne Hersch  
Associate Planner Christopher Tan

#### 3. EX PARTE COMMUNICATIONS

None

#### 4. CONSENT CALENDAR

##### 4-1. Planning & Zoning Commission Meeting Minutes of March 10, 2021

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

Commissioner Donaldson corrected "18 inches" on page 5, line 10, to "33 inches."

**Motion to approve** the meeting minutes of March 10, 2021, as amended. Donaldson  
Seconded by Pilch

AYES: Donaldson, MacLeod, Momin, Pilch, Watty

NAYES: None

ABSTAINING: None

ABSENT: None

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

**4-2. *\*\*Contd. From March 10, 2021\*\**: PA 20-054 Design Review for a Second-Story Addition at 1248 Brighton Avenue** – The applicant is seeking Design Review approval for a second-story addition at 1248 Brighton Avenue. The subject property is a 5,000-sq.-ft. lot with a 3-bedroom, 1.5-bathroom, 1,752-sq.-ft. house built in 1940. The applicant is proposing a 486-sq.-ft. second-story addition on the south side of the existing home. The addition is proposed to accommodate a new master suite and one bedroom. The exterior of the addition is proposed to be clad in painted stucco with a hipped roof to match the existing home. The existing architectural style of the home is proposed to remain. This will result in a 5-bedroom, 2.5-bathroom, 2,750 sq.-ft. home with a maximum height of 20'-6". Parking is provided in the existing two-car garage.



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

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

Commissioner Donaldson noted his mistake in the previous meeting of thinking the floor area ratio (FAR) was 64 percent. He liked the applicant's modification that emphasizes the accessory dwelling unit's (ADU) entrance. The critical part will be a change in the paint colors.

Commissioner Pilch appreciated the applicant's responsiveness to the Commission's remarks. He supported the project as modified.

Commissioner Momin concurred with Commissioner's Pilch's comments.

Commissioner MacLeod thanked the applicant for addressing Commissioners' concerns. The ADU is beginning to look as though it is a separate unit. The addition of the gable roof is good.

Chair Watty agreed that the new roof form is a great change.

PUBLIC HEARING OPENED

None

PUBLIC HEARING CLOSED

**Motion to approve PA 20-054** for 1248 Brighton Avenue pursuant to the proposed findings and Conditions of Approval. Donaldson  
Seconded by Momin

AYES: Donaldson, MacLeod, Momin, Pilch, Watty

NAYES: None

RECUSED: None

ABSENT: None

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

Chair Watty noted the appeal period.

### 5. ANNOUNCEMENTS/COMMUNICATIONS

None

### 6. PUBLIC COMMENT

**Clay Larson** believed the Brown Act training did not include topics regarding staff forwarding one Commissioner's comments to all Commissioners and staff making presentations available prior to meetings. The Commission and public deserve explanations of these topics.



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1 **Jeremiah Pinguelo** requested an update regarding a property owner's responsibility for sidewalk  
2 repairs.

3  
4 **Ed Fields** asked the Commission to keep the San Pablo Avenue Specific Plan in mind during the  
5 study session and questioned whether a developer would provide low-income housing units if the  
6 Zoning Code allowed six or eight stories and 100 units per acre without a density bonus.

7  
8 **7. DISCUSSION & POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:**

9  
10 None

11  
12 **8. NEW BUSINESS**

13  
14 **8-1. \*\*Study Session\*\* Proposed Mixed Use Development at 540 San Pablo Avenue – A**  
15 preliminary application has been submitted for a new mixed-use project with 207 units and  
16 9,500 sq. ft. of ground-floor retail at 540 San Pablo Avenue. The subject site is 2.18 acres  
17 with existing commercial spaces approximately 37,700 sq. ft. in area. The applicant has  
18 filed preliminary plans for Design Review and Density Bonus for two mixed-used buildings  
19 that include a mix of studio, one-bedroom, and two-bedroom apartments. Building A will  
20 have 110 units and will be 58' in height. Building B will have 97 units and will be 67'6" in  
21 height. The project is proposed to have 197 off-street parking spaces. A Density Bonus  
22 concession is requested for the open space requirement. This is a study session and no  
23 action will be taken.

24  
25 **Recommendation:** Staff recommends that the Planning & Zoning Commission review the  
26 preliminary application and provide feedback to the applicant and staff. This is a study  
27 session and no action will be taken.

28  
29 **CEQA:** The project is Categorically Exempt from CEQA pursuant to Section 15332, "In-  
30 Fill Development" of the CEQA Guidelines.

31  
32 Planning Manager Anne Hersch presented the staff report dated March 24, 2021.

33  
34 Transportation Planner Justin Fried reported the Albany Active Transportation Plan (ATP)  
35 identifies a connection between Adams and San Pablo at Brighton in both the bicycle and  
36 pedestrian networks. San Pablo Avenue is a major arterial carrying more than 26,000 vehicles  
37 on an average weekday. AC Transit carries over 500 passengers along San Pablo Avenue during  
38 weekday peak periods. An AC Transit Rapid Corridors Project will add signal priority technology  
39 to the signals along San Pablo Avenue. The Alameda County Transportation Commission  
40 (ACTC) is leading a San Pablo Avenue Corridor Study for long-term changes. Caltrans maintains  
41 and operates San Pablo Avenue. The City completed a Complete Streets Study for San Pablo  
42 and Buchanan, which led to the design of a capital improvement project focused on safety  
43 improvements for San Pablo Avenue crossings. The ATP identifies Adams Street for a two-way  
44 bicycle route as an alternative to San Pablo Avenue, and the City has developed a capital  
45 improvement project for a two-way bikeway pilot project. The ATP also envisions a bridge across  
46 Cerrito Creek to connect Adams Street to Carlson Boulevard in El Cerrito, but plans for a bridge  
47 are only conceptual at this time.



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**Isaiah Stackhouse**, project architect, advised that the site is located near grocery stores, services, and Bay Area Rapid Transit (BART). An easement runs from the Sutter parking lot to Brighton, and the proposal includes moving the easement west. The project proposes a single driveway to San Pablo, a total of 9,500 square feet of retail space along San Pablo, 221 bicycle parking spaces including 17 spaces for cargo bikes, shared amenity spaces, lobbies, fitness center, leasing office, a widened sidewalk along Clay, and potentially electric vehicle (EV) charging stations and an electric carshare program. The podium level will include gardens, amenity rooms, private patios along San Pablo, and porches and stoops for Building A along Adams. On the sixth floor, Building B will have an additional roof deck and amenity room. The FAR and gross floor area with the 50 percent bonus would be 3.375 and 321,152 square feet respectively, but the project proposes an FAR of 2.58 and gross floor area of 245,490 square feet. The units could be larger if both buildings are six stories, but the applicant feels the unit sizes, mix, and types are appropriate and balanced for the site. Two-bedroom units will total 36 percent of housing units and contain approximately 1,000 square feet. One-bedroom units will total 48 percent of housing units and contain 700 square feet. Studio units will total 16 percent of housing units and contain 500 square feet. Building A will be set back 16 feet 9 inches from Adams, and Building B will be set back 81 feet. The buildings will be articulated and have bay windows. When asked, Mr. Stackhouse explained that the proposed number of parking spaces is provided for both retail and residential spaces. The project sponsors feel some retail uses need more parking than the City requires. The two-bedrooms units are suitable for families who may own vehicles. The plans include some parking stacker machines. If parking demand indicates they are not needed, they could be removed. Parking will be leased separately from the residential units. The project sponsor considered three-bedroom units, but they are not part of the mix that the project sponsor believes will work well. The residential units will have all electric appliances, and all electric building systems are being explored. The number of EV charging stations will be determined later. The proposed parking does not include any on-street parking. The building heights are based on the space needed to provide 207 residential units, one building's setback from the street, and cost-effective construction methods. The project cannot support the carrying costs of waiting for completion of the San Pablo Avenue Specific Plan. The current zoning works well for the project. A transportation demand management (TDM) plan will be considered later in the process. Mr. Stackhouse indicated he is not familiar with green trip certification. Discussions with Sutter to eliminate the easement were not productive, but the easement is not an impediment to the project. Providing both EV charging stations and parking stackers is feasible and common. Stepping Building A back from the street creates some challenges with stairways. Changing the design of Building A to have four and six stories will increase the cost. The grade change along San Pablo makes the two buildings appear to have the same height. Redesigning the outdoor parking along the easement to indoor will be extremely expensive. Another building could be constructed if it was placed right against Adams. Reducing the parking area on the easement to the width of a driveway would negatively impact the feel of the site. The owner of the Albany Bowl described his reasons for closing the business in an article in the *East Bay Times*. At a certain size, roof decks become quite expensive. There are some opportunities for private patios. Bicycle and pedestrian access to Adams Street will be explored.

### PUBLIC HEARING OPENED

**Jeremiah Pinguelo** suggested removing some of the parking and increasing the number of housing units. Bicycle parking should be moved to a secure area behind the building.



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**Peter Maass** supported the project because it provides a good mix of unit types for Albany and will set a high bar for future development along San Pablo Avenue. A neighborhood parking permit plan could help mitigate neighbors' concerns about parking.

**Margie Marks** inquired regarding the calculation of required affordable housing units and suggested the applicant provide more affordable housing units for the exceptions and waivers requested.

**Al** requested the duration of the deed restriction for affordable housing, a review of discretionary items for the project, and additional outreach for large projects such as this one.

**Gjergji Zyba** proposed replacing some of the vehicle parking spaces with bike and micro-mobility storage, charging stations for electric bikes, and amenities.

**Bryan Marten** suggested the applicant incorporate elements of the bowling alley into the project. An onsite electric carshare program will help. He asked if the units will be rental or ownership and asked about the process for allocating parking spaces to units. The project needs to provide the required amount of open space.

**Clay Larson** believed the project is not consistent with many aspects of the General Plan. The project is large and imposing.

**Lisa Kleinbub** supported a project that would add housing to the City of Albany. This is a good project. All of San Pablo Avenue should have more dense housing. She wanted every housing project to include units for extremely low income households.

**Ed Fields** understood that all units provided through the 15-percent density bonus are required to be very-low-income units. The City's inclusionary ordinance also requires 15 percent affordable housing in a project. A study of this project's effects on traffic would benefit everyone.

**Amy Smolens** proposed the developer help facilitate the construction of the bridge over Cerrito Creek to create a connection to open space. She encouraged the applicant and Commissioners to read the comments of Kara Vuicich regarding incentives for carshare, transit, and bikeshare.

**Nick Peterson**, speaking as a citizen, commended the property owner for presenting a housing proposal. The site is the ideal location for the project. Impacts can be mitigated. The City should consider a residential parking management pilot program for the immediate area. He encouraged the applicant to utilize all-electric appliances, provide charge points for parking spaces, install rooftop solar, and plant trees along adjacent streets.

**Nico Nagle**, Housing Action Coalition, indicated this is a great project because it provides housing near transit.

**Cathy Mattison** concurred with the suggestion for a traffic study. Perhaps middle housing is appropriate for spots along San Pablo.

**Cynthia Hegedus** suggested the City needs more green space.



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1 **Shirley** believed the project would receive more benefits than it would provide. The buildings are  
2 too tall for the area. The units are not going to be affordable for most people. She appreciated  
3 the wide sidewalk along Clay Street, onsite parking, and no access to Adams and Clay.  
4

### 5 PUBLIC HEARING CLOSED 6

7 Planning Manager Hersch clarified that the units will be rental units and the developer will pay an  
8 in-lieu fee or provide public art. The Commission is considering site planning, project architecture,  
9 and the request for concessions and waivers. Albany Municipal Code Section 20.40.030(b)  
10 specifies that the base number of housing units determines the inclusionary requirement.  
11 Members of the public can register for electronic notifications concerning the project. The  
12 Municipal Code and Transportation Commission regulate parking.  
13

14 Commissioner Donaldson supported the proposed land use for the site and the addition of very-  
15 low-income housing units. The 138-unit base project appears to be correctly sized. The waivers  
16 for building height and daylight plane requirements are significant. The 21 affordable units may  
17 have a value approaching \$16 million if the City built them. The very-low-income units will be  
18 restricted for 55 years. By his calculations, the project will be under-parked by 19 spaces. He  
19 preferred the applicant bundle rent and parking. The spaces with parking machinery should be  
20 assigned to the two-bedroom units. He liked the proposal for two buildings with a driveway  
21 between them. The massing and building heights are acceptable. The proposed floor area ratio  
22 is well within the limit provided in the General Plan. He supported the project proposal generally.  
23

24 Commissioner Momin supported the project because of its location near transit, the large parcel  
25 size that can support high density, and its inclusion of low-income and market-rate housing. He  
26 liked the design and the building heights. The area between the two buildings could be a central  
27 activity space that is pedestrian friendly and landscaped. The space should serve as a pedestrian  
28 connection between Adams Street and Brighton Avenue. He hoped the potential bike path  
29 becomes a reality. The same articulation of both buildings appears repetitious and enhances the  
30 perception of height and bulk. Limiting the bays to three stories and stepping back the fourth floor  
31 would mitigate the bulk of Building A along San Pablo Avenue. Stoops for units facing Adams  
32 and Clay would activate the streets. There needs to be a better transition of scale along the  
33 Adams Street face of Building A. He suggested the applicant explore reducing the height of the  
34 building along Adams and increasing the height along San Pablo to determine the cost  
35 implications. He suggested articulating the lower two floors along Adams to make the units look  
36 like townhouses, reduce the perception of bulk, and create a better transition. A brick facade on  
37 Building B would differentiate it from Building A. He suggested the applicant pull the sidebars of  
38 Building B out to San Pablo and push back the middle portion. He also encouraged the applicant  
39 to consider green infrastructure, gray water recycling, all electric appliances, space for rideshare  
40 pick up and drop off, and more two-bedroom units.  
41

42 Commissioner Pilch suggested the walls of the garage have open screening to let in natural light  
43 and to connect to the building and neighborhood. Perhaps the walls around the open space could  
44 be modified to provide public access to the open space. With the number of transit options near  
45 this location, parking could be reduced. The parking lot along Adams Street is not a pleasant  
46 view for people living on Adams Street. Perhaps housing units or open space above the parking  
47 lot would not increase the cost significantly. The project needs to provide bicycle and pedestrian  
48 access from Adams Street through Brighton. Stacked bicycle parking is a great way to maximize





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space, but not everyone can use it. Bike lockers are the gold standard for secure bicycle parking and storage. He supported the use of color in the building facades. Incorporating the Albany Bowl into public art or the building was a good idea.

Commissioner MacLeod indicated the site is large enough to support more housing units. The plans are typical of a suburban office park. The location is ideal for transit-oriented development. The project should provide 1.5 bicycle parking spaces per unit, more spaces for cargo bikes, and more space for charging electric bikes. All the ground-floor, open space is used for parking rather than for people. He encouraged the applicant to prepare a TDM plan and to work on green trip certification. The Brighton entrance could be more pedestrian and bike-friendly and provide a bike corral for short-term visitors. The lobbies should be located away from the corners because corners are great spaces for retail and restaurant uses. Six-story buildings are fine and consistent with the scale of the boulevard. He suggested the applicant explore converting Building A to six stories and using all-electric appliances, even in restaurant spaces. Open space is a marketable amenity. The applicant needs to provide pro formas for cost reductions. Some differentiation of Buildings A and B would be appreciated.

Chair Watty noted the General Plan identifies the site as a potential housing site. The site is good for a high-density, mixed-use housing project. She agreed with comments to articulate the building height along Clay Street and proposed a reduction in height along the Adams Street frontage. Replacing the parking lot with massing from the southern portion of Adams Street would enhance the project. The Clay Street corner could be more prominent. The architecture at the northern end of San Pablo needs to be a gateway to the City. Greater articulation along street facades could be accomplished with balconies. A TDM plan would be great. Elevations that reflect the outlines of adjacent structures would be helpful.

Planning Manager Hersch noted Commissioner MacLeod requested the article regarding parking be part of the record.

Commissioner Pilch remarked that data about parking in multifamily buildings is not available. He questioned comments about gateway elements for the project when the property is not located at the boundary of the City.

Commissioner Donaldson explained that the General Plan identifies the Planned Residential Commercial (PRC) zone as a gateway. The PRC zone includes the proposed site.

**9. NEXT MEETING** – April 14, 2021, City Hall Council Chambers, 1000 San Pablo Avenue or virtual meeting pursuant to state and county guidance

### **10. ADJOURNMENT**

The meeting was adjourned at 10:29 p.m.

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Submitted by: Anne Hersch, Planning Manager

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Jeff Bond, Community Development Director