



PLANNING & ZONING COMMISSION and PARKS, RECREATION & OPEN SPACE COMMISSION

Virtual Meeting
Albany, CA 94706

MINUTES OF JOINT MEETING WEDNESDAY, SEPTEMBER 29, 2021

1. CALL TO ORDER – PLANNING & ZONING COMMISSION

Chair Watty called the meeting of the Planning and Zoning Commission to order at 5:00 p.m. on Wednesday, September 29, 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

None

5. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION

None

6. PUBLIC COMMENT

None

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

7-1. **PA21-002 Design Review & Density Bonus for a New Mixed-Use Development at 540 San Pablo Avenue** – The applicant is seeking Design Review, Density Bonus, and street tree removal approval for a new 207-unit mixed-use project with 5,500 sq. ft. of ground-floor retail at 540 San Pablo Avenue. The subject site is 2.18 acres with 37,700 sq. ft. of commercial space which is proposed to be demolished. The proposed project includes a mix of studio, loft, one-bedroom and two-bedroom apartments and 9 three-bedroom townhomes. Building A will have 121 units and will be 69' in height. Building B will have 77 units and will be 71' in height. The project is proposed to have 181 off-street parking



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spaces. Two Density Bonus concessions are requested for the open space requirement and Planned Unit Development (PUD) requirement.

Staff recommends that Planning & Zoning Commission take the following actions:

- 1. Adopt Resolution 2021-02** forwarding a recommendation to the City Council to determine that the Design Review and Density Bonus application request for a new 207-unit mixed-use apartment project at 540 San Pablo Avenue is Categorically Exempt from the California Environmental Quality Act (CEQA) Guidelines review pursuant to Section 15532 "In-Fill Development Projects" of the CEQA Guidelines
- 2. Adopt Resolution 2021-03** forwarding a recommendation to the City Council to approve the Design Review and Density Bonus application request for a new 207-unit mixed-use apartment project at 540 San Pablo Avenue

CEQA: The project is Categorically Exempt from California Environmental Quality Act Guidelines review pursuant to Section 15532 "In-Fill Development Projects" of the CEQA Guidelines

Planning Manager Anne Hersch presented the staff report dated September 29, 2021.

Isaiah Stackhouse, project architect, reported the project site is located near grocery stores, services, and BART. The site includes a relocatable and irrevocable easement that allows vehicles to exit the site via the traffic signal at Brighton. On March 24, 2021, Commissioners suggested more open space, less outdoor parking, ground-level open spaces for community use, a café adjacent to outdoor seating, a connection to Adams, a built edge along Adams, and more family-friendly units if possible. The project has been revised to replace surface parking with townhouses and open space, create townhouses along Adams, add a park and two plazas, a café space, and three mid-block connections to Adams, and increase the number of three-bedroom units to 102 family units. In response to comments during the August 4, 2021 meeting, the applicant modified the project to include family-friendly features, increase the size and capacity of the Building A bike room, and enlarge retail and lobby spaces. The applicant believes this amount of retail space is appropriate for the site. The project includes 154 parking spaces at a ratio of 0.74 space per residential unit due to the number of family units and 24 parking spaces for commercial spaces. Comparing the current proposal to the original proposal, surface parking has been reduced by 66 percent, and the number of overall parking spaces has been reduced by 19 spaces. The project provides 102 family units, a family center, an onsite park, bike parking, and more than 21,000 square feet of open space. Of the 21 below-market-rate (BMR) units, 10 will be family units. The Density Bonus Law allows a maximum floor area ratio (FAR) of 3.375, and the project proposes an FAR of 2.96. The goal is to create high-quality buildings with careful detailing. Townhouse balconies have



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1 been modified to include decorative railings. The project includes features reminiscent of
2 the bowling alley and memorabilia from the bowling alley.

3 4 PUBLIC HEARING OPENED

5
6 **Nick Peterson**, speaking as an individual, supported the project. The architect and
7 applicant have worked diligently to respond to requests from the community.

8
9 **Clay Larson** suggested the Commission add a condition of approval requiring the
10 developer to manage parking such that the majority of it is utilized.

11
12 **Amy Smolens** appreciated the residential project, especially its location in a transit-rich
13 corridor. The amount of bike parking is reasonable. Garbage and recycle bins for the
14 townhomes should be located outdoors.

15
16 **Bryan Marten** concurred with Mr. Larson's suggestion. Charging separately for parking
17 incentivizes residents to park in the neighborhood. There should not be any driveways
18 to Adams and Clay. The park is an excellent addition.

19
20 **Ken McCroskey** inquired regarding onsite employees having access to protected bike
21 parking, electric vehicle (EV) charging stations being open to the public, and parking
22 spaces for carshare vehicles. Hopefully, residents will utilize transit rather than personal
23 vehicles.

24
25 **Nico Nagle**, Housing Action Coalition, supported the project as a way to activate San
26 Pablo Avenue and increase housing stock.

27 28 PUBLIC HEARING CLOSED

29
30 When asked, **Mr. Stackhouse** explained that the Municipal Code allows a maximum of
31 100 square feet of private open space per unit to count towards the open space
32 requirement, but private open space for many of the units is greater than 100 square feet.
33 Only open space that complies with the letter of the law is included in total open space.
34 A puzzle lift can accommodate up to ten vehicles on the upper level and nine on the lower
35 level. One space on the lower level must remain open to allow the removal of vehicles
36 from the upper level. The height of the townhomes is 28 feet. Two EV charging stations
37 will be located outdoors and available to the public. The applicant would like to attract a
38 carshare program to the project. Windows are proposed for the garage because garage
39 lighting tends to be harsh during the night hours and neighbors along Adams prefer a
40 more residential appearance. To eliminate mechanical ventilation, the garage would have
41 to be entirely open, and neighbors along Adams may object to such a view. The use of
42 windows in other projects has been successful. The landscape architect will review and
43 consider comments regarding the landscape plan. Modifying the bike room to provide
44 access for onsite employees is a possibility. Outdoor bike racks are noted in the plans.



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Unbundled parking is definitely a component of the project, but a monetary contribution to a future bike path has only been discussed as a possibility. The applicant prefers to provide access to the townhome garages via the easement rather than Adams. A member of the public, and most likely the neighbors, prefers access via the easement as well. Townhome trash and recycle bins could be relocated to Building A or B to provide easier access to bike parking in townhome garages. The project will comply with requirements for EV charging stations. The project team has not formulated any plans for parking management at the current time. Building appliances and systems will be electrified as much as feasible. Gas appliances may be needed to attract restaurant tenants. The site is located in a transit-rich area and is walkable, but transit passes for residents can be considered. The bike rooms will have multiple electrical outlets for charging electric bikes. Solar panels will be installed on the roof. Energy certifications for the buildings are a possibility. Garage parking will be limited to residents with courtyard parking available to the public. Commercial tenants will have access to trash rooms but not to lobbies and bike rooms. Additional windows could be added to the garages.

Chair Watty supported the project and its design. The proposal of two buildings rather than one large building provides opportunities for large community benefits and modulation of building forms. The proposed density and onsite affordability are good. The six parking spaces abutting the mini park raise concerns about the safety of park users, and the spaces could be removed to enlarge the park. Five years after full occupancy, the project may be over-parked due to the demographic shift in tenants of large residential projects.

Commissioner Donaldson related that the property owners and project architects have done good projects in Berkeley, and the City of Albany is fortunate to have them working on this project. The project team has responded to public and Commissioner comments. He appreciated the design, materials, location of the townhomes and easement, and the Clay Street frontage. He calculated a parking deficit of 52 spaces for the project and felt the standard of one parking space per unit is appropriate and realistic. With unbundled parking, many tenants will choose to utilize free on-street parking. The Commission should require bundled parking for all two- and three-bedroom units and 32 of the 75 one-bedroom units to ensure onsite parking is utilized and to minimize spillover parking. The plans do not indicate any visitor parking spaces. Public comments rightfully question whether the project is consistent with the 2035 General Plan. Analyses of General Plan policies should acknowledge compromises and the causes of compromises. The base project is consistent with the General Plan, but waivers enabled by the Density Bonus Law override General Plan policies and zoning regulations.

Commissioner MacLeod advised that electric heat pumps are available for water heating. The money saved from not installing gas lines can be applied to the cost of electric building systems. Retrofitting gas building systems in the future will be costly. Transit passes are another way to mitigate neighbors' concerns about overflow parking. The



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suggestion to enlarge the park is a good opportunity to create more open space and make the project more family-friendly. Perhaps the easement could be restricted to one-way travel to provide a small buffer space for vehicles backing from townhome garages. The Sutter parking lot could be a shared resource for parking after Sutter's business hours. The project provides more parking than is required, and some parking spaces could be converted to other uses. The project should be modified to provide a separate area for employee bike parking. The location of bike parking in the townhomes is not practical. There should be unimpeded aisles from bike rooms to garage drive aisles. The mechanical rooms in Building B should be commercial spaces to comply with the overlay district requirement.

Commissioner Pilch noted that EV charging stations could attract both residential and commercial tenants. Neighbors are concerned about spillover parking, and a parking management plan could mitigate their concerns. He concurred with comments regarding enlarging the park and electric building systems. On-street parking will not be available along the Clay and San Pablo frontages and maybe not along the Adams frontage. If the applicant chooses not to use neon signs from Albany Bowl, the City should save them. The applicant should review public comments regarding landscaping, particularly the potential use of invasive species. The proposed street tree treatment should incorporate rain gardens. He supported comments regarding an aisle from the bike room, additional windows in garage walls, and enlarging the park.

Commissioner Momin indicated large openings covered with screens in garage walls is not attractive, and windows alleviate the blankness of walls. The project will be a great precedent for development under the San Pablo Avenue Specific Plan with respect to design quality and community engagement. Expanding the park into the parking spaces and providing a play area would be a valuable addition to the project. Modification of the townhomes to include balconies is good. Circulation and seating areas in the landscape plan are nicely planned. Comments from the third-party reviewer regarding the landscape plan should be implemented where feasible. The dog walk area needs to be reconsidered. Perhaps townhome residents can utilize the trash rooms. Materials adjacent to corten steel features along the sidewalk should be considered carefully because the steel's patina can stain other materials.

Motion to adopt Resolution 2021-02 recommending the City Council determine that the Design Review and Density Bonus application request for a new 207-unit mixed-use apartment project at 540 San Pablo Avenue is Categorically Exempt from the California Environmental Quality Act (CEQA) Guidelines review pursuant to Section 15532 "In-Fill Development Projects" of the CEQA Guidelines. Watty
Seconded by Donaldson

AYES: Donaldson, MacLeod, Momin, Pilch, Watty

NAYES: None

ABSTAIN: None

ABSENT: None



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Motion passed, 5-0-0-0

Motion to adopt Resolution 2021-03 recommending the City Council approve the Design Review and Density Bonus application request for a new 207-unit mixed-use apartment project at 540 San Pablo Avenue with additional conditions of approval to 1) eliminate six parking spaces and enlarge the park by a commensurate amount of square footage, 2) require a redesign of bike room access to provide sufficient room for the maneuvering of cargo bicycles, 3) encourage the developer to consider relocating MEP spaces along San Pablo Avenue in Building B and filling the spaces with active commercial uses, 4) require the developer to salvage Albany Bowl signage and encourage the developer to incorporate the signage into the project should the developer choose to provide public art onsite, and 5) clarify General Plan findings so that they acknowledge aspects of the project that do not comply with provisions of the General Plan because of state laws. Watty

Seconded by MacLeod

AYES: MacLeod, Momin, Pilch, Watty

NAYES: Donaldson

ABSTAIN: None

ABSENT: None

Motion passed, 4-1-0-0

Chair Watty noted the appeal period.

8. NEXT REGULAR PLANNING & ZONING COMMISSION MEETING – October 13, 2021, 7 PM

City Hall Council Chambers, 1000 San Pablo Avenue or virtual meeting pursuant to state and county guidance

9. PLANNING AND ZONING COMMISSION ADJOURNMENT

The Planning & Zoning Commission meeting was adjourned at 7:29 p.m.

1. CALL TO ORDER – PARKS, RECREATION & OPEN SPACE COMMISSION 7:30 p.m.

2. ROLL CALL

Commissioners present: Abbott, Armendariz, Beall, Frank, Price

Commissioners absent: Kent, Marten

Staff present: Isabelle Leduc, Sid Schoenfeld, Anne Hersch

3. EX PARTE COMMUNICATIONS



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1 None

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3 **4. PUBLIC COMMENT**

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5 None

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7 **5. PARKS, RECREATION AND OPEN SPACE COMMISSION PUBLIC HEARING AND**
8 **POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:**

9
10 **5-1. Street Tree Removal Request 540 San Pablo Avenue** – As part of the project
11 request for a new mixed-use project at 540 San Pablo Avenue, the applicant has
12 filed a street tree removal request to remove twenty-seven (27) existing street trees
13 on San Pablo Avenue and Adams St. Approximately, thirty-seven (37) replacement
14 street trees are proposed to be planted on San Pablo Avenue, Adams St. and Clay
15 St.

16
17 Planning Manager Anne Hersch presented the staff report dated September 29, 2021.

18
19 When asked, **Karen Krolewski**, project landscape architect, discussed the condition of
20 existing street trees and the rationale for removing trees and selecting replacement
21 species.

22
23 PUBLIC HEARING OPENED

24
25 None

26
27 PUBLIC HEARING CLOSED

28
29 Commissioners noted the addition of street trees and the condition of existing trees.

30
31 Motion to approve the application requesting removal of street trees for the mixed-use
32 project at 540 San Pablo Avenue was made by Commissioner Abbott and seconded by
33 Commissioner Beall.

34 AYES: Abbott, Armendariz, Beall, Frank, Price

35 NOES: None

36 ABSENT: Kent, Marten

37 ABSTAINING: None

38 Motion carried.

39
40 **6. NEXT MEETING: Thursday, October 14, 2021, 7 PM**

41
42 **7. PARKS, RECREATION & OPEN SPACE COMMISSION ADJOURNMENT**

43
44 The Parks, Recreation & Open Space Commission meeting was adjourned at 8:03 p.m.



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Submitted by: Anne Hersch, Planning Manager

Jeff Bond, Community Development Director

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