

Christina Osborn, Albany resident, was concerned about the height, massive nature of the structure, and impacts to the neighbors west of the building with all the families on the balconies looking down on them. She stated there was no space for children to play. Maureen Crowley, Albany resident, did not approve of the open space plan. She noted there was no plan for a trash enclosure. She felt the loss of on and off-street parking would be too great. No one else wished to speak. Vice Chair Maass closed the public hearing.

Commissioner Moss saw this proposal as abusing the maximums and not offering the city any amenity. The plan was not pedestrian friendly and invaded the privacy of the neighbors. He opposed the number of units, the size of the units, and the density. He also noted it would be difficult to stucco the sides of the building without permission from the neighbors. He suggested putting balconies low in front and adding open space. He requested three-dimensional renderings.

Commissioner Gardner stated the inclusionary unit should not count toward affordable units. She felt eight units was appropriate, and wanted to see data on a smaller proposal. She opposed the planters. Vice Chair Maass noted inclusionary units were needed, and urban in-fill mixed-use projects were appropriate. The project was big, and the details were what would make it work.

Commissioner Arkin liked that this was a small project. He would like to see the wood or metal siding at the base of the front facade, and more slat material on the rear. He opposed railings in the daylight plane, but not plants. The grade on Adams Street was the true grade. The wall should not be more than 12 feet above that grade. If the number of units were reduced, the developer would simply make larger units that would attract families rather than seniors and students—creating even more need for open space. He moved continuation. Commissioner Moss seconded.

Vote to continue item 6a:

Ayes: Arkin, Gardner, Maass, Moss

Nays: None

Motion passed, 4-0.

- b. 1030-1130 San Pablo Avenue (northeast corner of University Village at San Pablo Avenue and Monroe Street). 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: receive testimony from the applicant and members of the public. Provide direction to staff on issues related to changes in the conceptual site plan.*

Commissioner Arkin recused himself due to proximity to his residence. Planning Manager Bond delivered the staff report. Vice Chair Maass opened the public hearing and invited the

applicant to speak. Bob LaLane, the project developer and Peter Wahler, the project architect, made a presentation.

The following people had concerns about or recommendations for the project: Maureen Crowley, Albany resident; Susan Schwartz, Friends of Five Creeks; Christina Osborn, Albany resident; Bill Dann, Stannage Avenue; Ed Fields, Albany resident; Mara Duncan, Albany resident; Nick Pilch, Albany Strollers and Rollers; Allan Maris, Albany resident; Francesco Papilla, Albany resident; Jackie Hermes, Albany resident; Carl Petrofsky, Albany resident; and Mia Kitahara, Albany resident. Issues raised included:

- Too many parking spaces
- Impact on police, fire, and emergency medical services
- Excessive height
- Traffic congestion
- Radioactivity in that neighborhood
- Whole Foods being non-union
- Impact on smaller local markets
- What will the Village Creek side look like?
- Impact to traffic on Dartmouth Avenue
- Lack of bicycle and pedestrian linkage to the Bay
- Piecemealing of project
- Possibility of being deprived of tax revenue in any land deal
- Smaller natural grocery would be more in character with the neighborhood
- Preservation of the agricultural land at the Gill tract
- Loss of access across from Dartmouth Avenue
- Bicycle and pedestrian access and circulation
- Bicycle parking
- "Back-in" angled parking safer for cyclists and pedestrians
- Need for very low and low income housing
- Need for housing for youth coming out of foster care—recommend combining with seniors for the benefit of both
- Lack of financial analysis
- Pollution
- Preservation of trees

No one else wished to speak. Chair Panian closed the public hearing.

Commissioner Moss wanted to see circulation for the whole property, and the traffic study should include circulation all the way to the freeway, and truck noise should be addressed. He questioned whether the financial analysis supported so many senior units and the resultant excess height. He recommended trying to save trees in parking islands.

Commissioner Gardner wanted reduced parking and a park or community garden and better design next to Village Creek. The size and scale were not sustainable or appropriate. She felt the entire "Phase III" should be reviewed, rather than just this portion.

Vice Chair Maass was in favor of senior housing but not a suburban style, automobile centered grocery store and parking lot development.

**c. 845 Cleveland. Planning Application 06-077. Lot Line Adjustment. Planned Unit Development. Design Review.**

*Staff recommendation: approve amendments to the Planned Unit Development allowing building height up to 38' in height measured from natural grade; amendments to Design Review approval to allow the acoustical windows as constructed; and amendments to Design Review to allow tongue and groove wood siding in lieu of corrugated metal siding wrapping the top story, front elevation, rear elevation, and on the side bay windows, subject to staff analysis that water intrusion and rapid weatherization issues cannot be resolved in an aesthetic and cost effective manner.*

Planning Manager Bond delivered the staff report. Vice Chair Maass opened the public hearing and invited the applicant to speak. Mike McGee, the property owner, was available to answer questions, but his project manager had been unable to attend the meeting. Clay Larson, Albany resident, was concerned about the height, and that this kind of thing happened in the first place. Christina Osborn, Adams Street, felt it was not an accident. Mara Duncan, Albany resident, was glad this was caught earlier than in some other instances. No one else wished to speak. Vice Chair Maass closed the public hearing.

Commissioner Arkin noted that the plans had been incomplete but the City had missed that (meaning it was not entirely the applicant's fault). The building would not be taller than the freeway, not blocking views, not gaining better views, and open space was preserved, so he would be able to approve the height. He felt the flattened Palladian on the gable bays with three windows was out of character with the rest of the project. Furring out the face of the bay could solve the window recess problem. He would prefer pigmented stain on the wood siding. He wanted to see the window trim.

Commissioner Gardner could approve it. Commissioner Moss was disappointed with the quality of the drawings and lack of detail. The nonmetal window frames would be a maintenance problem. He was not comfortable approving it. Vice Chair Maass agreed.

Mike McGhee, project applicant said that there was no mal intent or intention of noncompliance. Planning Manager Bond recommended a subcommittee of two Commissioners review the project. Vice Chair Maass supported the idea. Commissioner Arkin suggested that construction drawing be reviewed by the Commission on larger projects. He added that windows could be 2'x2', insulated sheath.

Commissioner Arkin then moved approval to amend the PUD to allow an increase in height, that that a 2" recess in windows be provided, simulated divided light muntions for the windows, and the bays shall be finished in a wood tongue and groove siding with a semi-stain, all of which is subject to review and approval by the review subcommittee. Commissioner Gardner seconded the motion.

Commissioner Arkin amended the motion, adding that a sample of the window jam, sill, and corner be provided during subcommittee review.