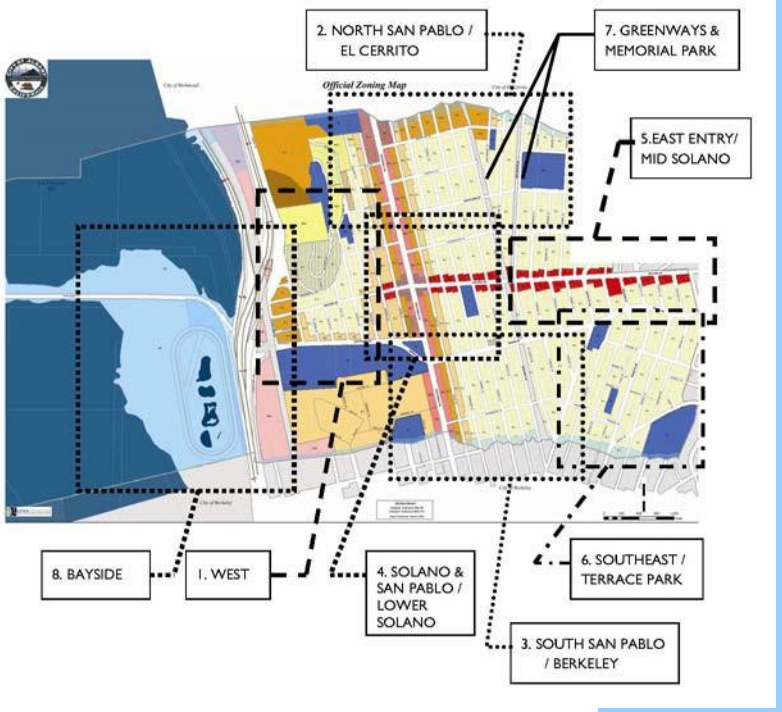

CITY OF ALBANY

PUBLIC ARTS MASTER PLAN

12 JULY 10

Revised 19 January 16

This document was prepared by Public Art consultants Steven Huss and Brian Laczko for the Albany Arts Committee (AAC) from Sep 2009 to July 2010. This final version was accepted unanimously by the AAC on July 12, 2010, and forwarded to City Council for final approval.

The composition of the AAC is a maximum of 12 seats, with two-year terms, with one city staff liaison – 10 seats established directly by City Council and 2 seats for representatives of Albany School Board. The AAC meets publically at 7pm on the 2nd Monday of every month at the Community Center.

Albany Arts Committee

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INTENT

Context for a Public Art Master Plan

Value. Increasingly, city managers and elected officials recognize that the arts, and specifically public art, participate in economic development. At the larger scales, art sites and arts institutions attract business, new residents and tourists. At all scales, well-executed public art can create a sense of place, a focal point and a destination. This unique definition of place is manifest in two dimensions – both the physical design of civic space and the social/emotional benefit. Good public art supports local identity, complementing and reflecting the individual character of a neighborhood, a community or a city. Even the process of conceiving a project and selecting an artist or art proposal is an opportunity for deeper engagement by the members of the community. The resulting artwork can be a tremendous source of civic and neighborhood pride, encouraging local "ownership" in the built environment and having a salutary effect on many aspects of civic life, including public safety.

The cultural well-being of a community is as important as are all the aspects of infrastructure and public welfare. While some civic leaders struggle with this charge, many communities are finding it increasingly necessary to encourage and maintain cultural infrastructure as a viable and marketable asset. Many cities have an array of scheduled municipal events; others support educational and/or recreational opportunities for their citizens, often under the auspices of a parks and recreation department. The City of Albany is among a growing number of communities who have added Public Art to the constellation of cultural infrastructure.

Planning. Proactive planning is essential to the implementation of a strong and enduring Public Art Program that will help shape Albany's future development and define the character of the city. Throughout the United States, the most progressive and forward-thinking cities are crafting plans for expending and administering funds for art in public places with vision and responsibility.

The first step is passage of a Public Art Ordinance. But once such an ordinance becomes law, the evolution of a public art program can be reactive, driven by capital development rather than a guiding curatorial vision. The resulting growth of a civic art collection is often willy-nilly. Without a plan, choices will still be made, but they will likely be driven by outside imperatives; public art will be accumulated without structure, order or direction, a lost opportunity to help lead the city's aesthetic development and its definition of unique identity. The best position (in public art as in all aspects of government and management) is to be ahead of the game – to proactively create a public art "roadmap" with planned uses for key sites and established priorities that reflect our particular community.

It is also important that one agency/board working on behalf of local government has the vision and expertise to oversee all art and design elements in the public domain (i.e., accessible in or visible from public space). Albany's ordinance already gives us an advantage here: public art in private development as well as art on municipal property made possible by the pooling of developer's contributions fall under the care and administration of the the Albany Arts Committee and its staff liaison.

The City of Albany needs and deserves a proactive vision for public art, a thoughtful curatorial perspective that can complement other planning processes and efforts, and in some cases lead the way for civic development and improvements.

Albany's Public Art Ordinance at a Glance

Since 1974, the Albany Arts Committee (AAC) had been charged by City Council with overseeing all affairs involving the arts throughout Albany. On Oct. 31, 2007, after 9-10 months of consideration, the City Council adopted, with the thoughtful counsel of the AAC, a percent-for-art ordinance with city-wide impact. The Public Art Ordinance establishes a mechanism for funding public art in Albany. The ordinance requires that certain public and private construction projects either include a public art element or provide an in-lieu fee for public art elsewhere.

Any public or private development with a Construction Cost greater than $300,000 (as calculated by the City of Albany) must include a Public Art component equal to 1.75% of the total construction costs. If there is not a possible public space for Public Art at the project site, the development must then make a contribution equal to 1.75% of project costs to the Art in Public Places Fund.

It is important to note why this ordinance has characteristics unique to Albany. Typically, public art ordinances address development by commercial and municipal interests. While the Albany ordinance's public art assessment of 1.75% is in the range of typical rates elsewhere, this ordinance actually affects most development valued over $300,000. While owner-occupied single-family residences (the majority of parcels in Albany) are exempt from the percent-for-art requirement, every other type of residential use is eligible. Indeed, what makes Albany's ordinance remarkable is just how few building types are exempted from this fee. The result and intention is to strongly encourage more expressions of public art deeper into the neighborhoods. While this may sound idealistic, the higher-density zones along San Pablo Avenue and along El Cerrito Creek are not exempted if a small home is converted into a duplex or larger, so even a small-family development would be subject to the ordinance.

Strategic Goals of the Albany Arts Committee

Within the context of this ordinance, the AAC has drafted the City's first three-year Public Art Master Plan for adoption by Albany City Council so that, working together, we can map out a reasoned and implementable approach to enlivening Albany with works of visual and media arts and thereby enrich and help to transform the city.

The primary motivator in furthering public art in the community of Albany is the Committee's conviction that the arts, especially civic expressions, add to a rich experience of citizen and visitor alike. The plan seeks to harness this innate energy in addressing and strengthening Albany's civic identity. The Committee feels strongly that public art, both permanent and temporary/event-based, can and should play a role in helping Albany distinguish itself from its East Bay neighbors. At only 12 blocks wide in the north-south direction and less than two miles in the east-west direction, the Albany community is sometimes little noted or even overlooked by visitors. This is especially pronounced with the relative prominence of our larger neighbors El Cerrito to the north and Berkeley on the south.

The AAC feels that public art will help celebrate Albany's uniqueness and individuality. It is the goal of the AAC that an evolving public art collection will civically synergize with citizens and visitors alike, sending the clear message that *Albany is a place for the arts*. In the view of the Committee, art is an expression of a community that cares; and this caring is made

manifest in the Committee's development of this Public Art Master Plan, herein submitted for approval and adoption by Albany City Council.

It is important to note that the weight of economic reality must temper the vision to some extent. The leading priority sites presented herein merit substantial budgets that are not currently within the grasp of the AAC. But good work can be done in the near term with more modest budgets at secondary sites. This master plan stands as a long-term strategy for the development of the city as a showcase for public art.

The Arts and Albany

The endeavor of focusing on Albany's cultural infrastructure is not solely relegated to the AAC. The Arts Committee's effort is in a continuum of efforts by other aspects of the City commissions. A major Master Plan was completed in 2004 by the Park and Recreation Commission, evaluating the state and needs of Parks, Recreation and Open Space in Albany. The second of six goals of this Master Plan highlights the arts as a major component of cultural vitality in Albany, citing the need to provide more for the arts:

> GOAL 2: Make Albany a center for cultural and arts activities, with open space for art displays and musical performances. Beautify public space through public arts programs, landscaped boulevards and community gardens. Promote arts related activities.

The plan proceeds to put forth a series of suggestions toward achieving this goal, including the expansion of existing park space for outdoor exhibition and murals where possible.

A 2009 Economic Development report included the arts as part of the direction for a more vital Albany. With particular emphasis on more "green" business approaches, the report emphasizes that Albany is in a unique position to garner positive opinion as a more sustainably-motivated city. Finally, the recently completed Voices to Vision report highlights the same opinion by the community – that sustainability is a priority. While the latter report does not mention the arts directly, being more of a physical design and values-based exercise, its emphasis is to further connect the Albany "brand" with a sustainable, more humane place.

Practitioners of the arts are increasingly responding to the demand for more green practices, in the traditional sense of the term. But in the broader context of "green" as an aspect of sustainability, it is our assertion that Public Art is intrinsically sustainable. The arts are an effective tool to build community:

- to heighten sensitivity to one's environment;
- to strengthen local identity and self-respect;
- to encourage shopping, business and new residents in Albany;
- greater public participation in the public art process;
- the creation of more opportunities to make and place art, which can lead to more rich urban places, and;
- these values, when encouraged, become cyclical and self-perpetuating, leading to increased recognition of the value of art and the creative processes.

While the arts increasingly respond to the pressure for more green practices, a commitment to the creation and support of the arts is arguably "green" by definition. A more vibrant cultural place is intrinsically more green - in a philosophical sense - and sustainable, whether or not an individual work of art is composed of sustainable or recycled materials. The efforts Albany exerts toward an increased commitment as a green community is advanced if the community further aligns itself with the arts.

SURVEY OF SITES

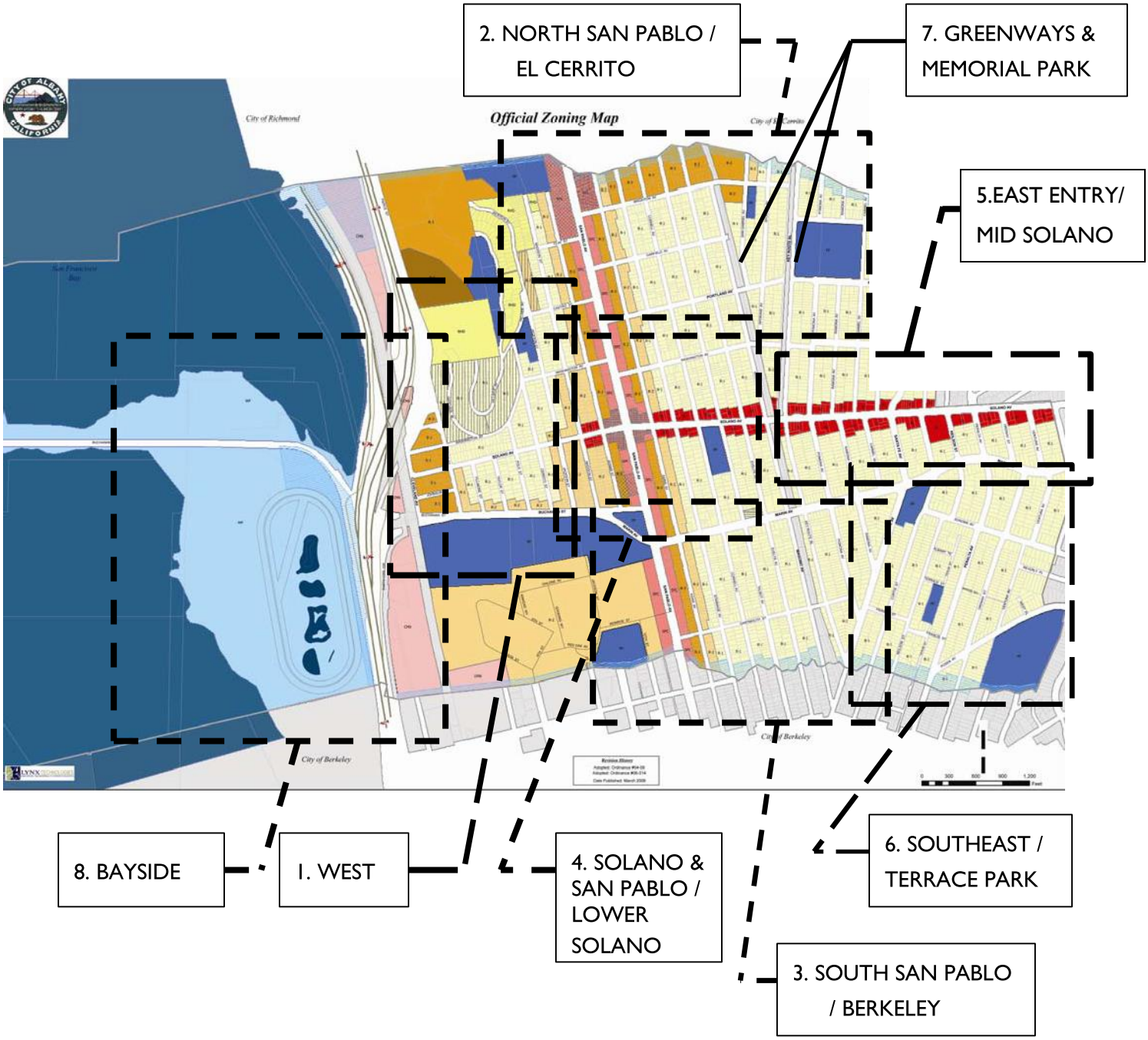
Introduction

The core of this plan is physical understanding of the public art opportunities across the fabric of the community of Albany. Public Art consultants Steven Huss and Brian Laczko were retained to prepare this document with the AAC. Over the course of three months, the consultants criss-crossed the community and documented, in notes and photographs, where opportunities could occur. These sites were reviewed on two occasions with the AAC. On the final review, Committee members were polled, confirming the sites and establishing priorities amongst them. The results of the polling immediately follow these surveys.

The following section is a survey of sites by geographic location. This document not only identifies particular sites, but also highlights natural divisions within the Albany landscape. The latter point is an important consideration in discussions below on the application of pooled funding.

After the survey, the sites were prioritized by the AAC. The full results of this exercise are addressed below in the next section. For immediate reference, a synopsis of the top twelve sites is repeated below:

	SITE #	LOCATION
1	1C.	Intersection – Buchanan/Marin and San Pablo Avenues
2	4A.	Solano Ave at San Pablo Avenue
3	1D.	City Hall Sites
4	4B.	Lower Solano Avenue / Bulb-outs
5	5A.	Eastern Gateway – Safeway area
6	7A-1.	Key Route Boulevard / Median
7	3B.	Southern Gateway Site – San Pablo Avenue
8	7A-6.	Key Route Plaza
9	1A.	West Gateway – Buchanan Street Gate
10	2A.	Northern Gateway Site – San Pablo Avenue
11	5B.	Typical Pedestrian "Bulb-outs"
12	7A-3.	Memorial Park



MAP OF NEIGHBORHOOD LOCATIONS

FOR SITES SURVEY

1. West Edge

Defined by the flow and volume of traffic, the approach to Albany from the west, via I-80 and the Waterfront, provides primary opportunities for civic branding and identification – opportunities now mostly unfulfilled. The "Rose Wave" sculpture on the corner of Buchanan Ave. and Jackson St, though a well-sited work, is not meant to introduce the city of Albany as a whole to passersby. Much more could be realized at the western entry to welcome people into the heart of Albany, particularly at the Buchanan St./Marin Ave. sites identified and recommend here. The upcoming Bicycle Master Plan will consider this area in particular, and careful attention will be paid to this plan towards accommodating a public art gateway.

The sites recommended as 1A, B, and C present challenges, but are strategic locations for potential impact to travelers via I-80, Buchanan/Marin streets and San Pablo Avenue.

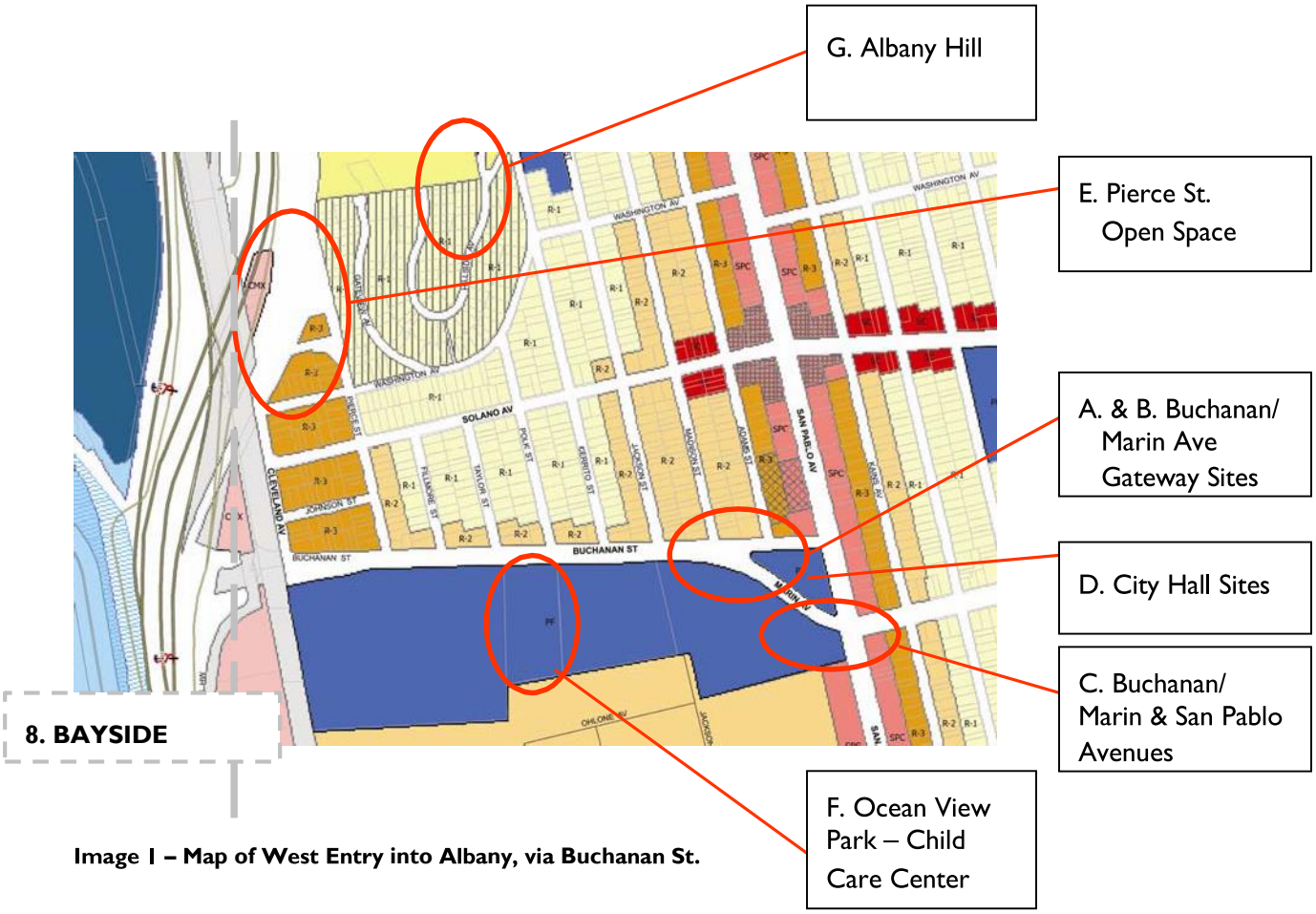


Image 1 – Map of West Entry into Albany, via Buchanan St.

1A. West Gateway – Buchanan St Gate

A significant percentage of motorists, visitors and residents alike, approach Albany from the Eastshore freeway, Interstate 580, immediately to its west, via Buchanan St. off-on ramps. The following two sites, 1A & 1B, are different locations for the same concept: an opportunity for a gateway announcing and celebrating entry into Albany. Site 1A is at Buchanan St proper, at the intersection with Jackson St., alongside the large agricultural parcel operated by the University of California.

Image 2 – Proposed Gateway Site at Buchanan and Jackson streets, looking west

Approx Gateway Location

Image 3 – Proposed Gateway Site at Buchanan and Jackson streets, looking east

In addition to Jackson St. as a crossing, the upcoming Bicycle Master Plan might consider other streets further west. And the AAC is open to other considerations in satisfying the goal of announcing Albany through public art.

1B. Marin Ave Gateway Site – West City Hall

An alternate gateway location is created by the gore block configuration resulting from the merging of Buchanan St into Marin Ave. As Buchanan St continues along the north side of City Hall, two traffic islands are created, as well as an open triangular parcel at the west end of the City Hall site. While traffic visibility concerns would be pre-eminent, this is an opportunity for a unique public art solution.

Image 4 – Alternate Gateway Site at Buchanan St/Marin Ave Traffic Islands, looking west

Image 5 – Buchanan St Traffic Island, looking west

Image 6 – Buchanan St Traffic Islands, looking east, toward "pointy" west end of City Hall

1C. Intersection – Buchanan/Marin and San Pablo Avenues

While this is a very busy intersection, it is the first resting point for the many visitors and residents entering Albany in east-bound traffic from the freeway. The southwest corner is a yet-undeveloped parcel owned by the University of California and displays many signs promoting different organizations and causes. If the signs were relocated, this could be a premier location for a significant public art piece. In fact, it may be the most appropriate location in this survey for a media art approach. Also, though the City Hall renovation was recently completed on the northwest corner of this intersection, it might still be possible to add public art to connect this corner with art development across the street on the southwest corner.

Image 7 – Marin & San Pablo avenues, southwest corner @ UC Property

Image 8 – Marin & San Pablo avenues, southeast corner at City Hall

1D. City Hall Sites

The Albany Civic Complex (City Hall, Police and Fire facilities) has just completed a full renovation with no public art allotment, as it was budgeted before the statute was adopted. The complex is significant in visual terms as the biggest expression of public government in Albany, and occupies a central location within the city. There is a prominent traditional location for public art outside the main doors, where a planter currently resides.

Image 9 – Planter at City Hall's Entry

There are also several potential locations on the northern building facades along the short stretch of Buchanan St. between Marin St. and San Pablo Ave. Projects here could be a permanent mural or other wall-covering artwork, or permanent panels that would support rotating artwork. As the traditional connector from Solano Ave. to west Albany and the freeways, this slower (due to traffic volume and signals) stretch of Buchanan St. creates prominent public art viewing opportunities for motorists.

Image 10 – Exterior walls along Buchanan St., at San Pablo Ave.

1E. Pierce Street Open Space

This site is under the jurisdiction of Caltrans. It provides an opportunity for a wide range of public art options, depending on future development and use. There is little in the way of public amenity in this sector of the city, and given its location at the edge of a residential district, the presence of accessible green/park space and cultural offerings/public art here could be very welcome. The possibility that public artwork sited here could be seen and enjoyed by drivers on the I-80 on-ramp is also raised, though consideration must be given to potential distraction and safety issues.

1F. Ocean View Park – Child Care Center

Ocean Park now famously sports one of Albany's initial forays into public art, the "Rose Wave" sculpture (Colin Lambert & Peter Adams, 2007) on Buchanan St., but there are further opportunities for art here. Like Memorial Park in central Albany, this park hosts abundant municipal and private group activities. The building facility will be renovated into a municipal Child Care Center, suggesting that proposals for additional public art at the park should give ample consideration to younger viewers.

Image 11 – Child Care Center at Ocean View Park

1G. Albany Hill

The most prominent land feature in the community is Albany Hill. Its flanks are encircled with private properties. Though there is a small public park at its top, the Hill is well removed from the main arteries and nodes of the city and, given the many opportunities elsewhere, is not recommended here as a location for artwork. Rather, its natural state should continue to be its main appeal.

2. North Entry / El Cerrito

As the city of Albany is a mere eight long blocks long, in North-South direction, awareness of entry into Albany can often be unclear. This lack of clarity has led to the creation of gateways as a means to heighten Albany's civic identity. The dominant traffic patterns are centered on San Pablo Ave., a street whose character is one of a big and bulky arterial. But this unrefined expression is not the real Albany. This section and the following two sections address the role of public art along San Pablo Ave. and the streets immediately adjacent to it, and the viewing experience when traveling between Albany and its neighboring communities. Though San Pablo Ave. also passes into El Cerrito, this section addresses the four residential streets that do not enter El Cerrito proper but cross Cerrito Creek to terminate at the El Cerrito Plaza parking lot.

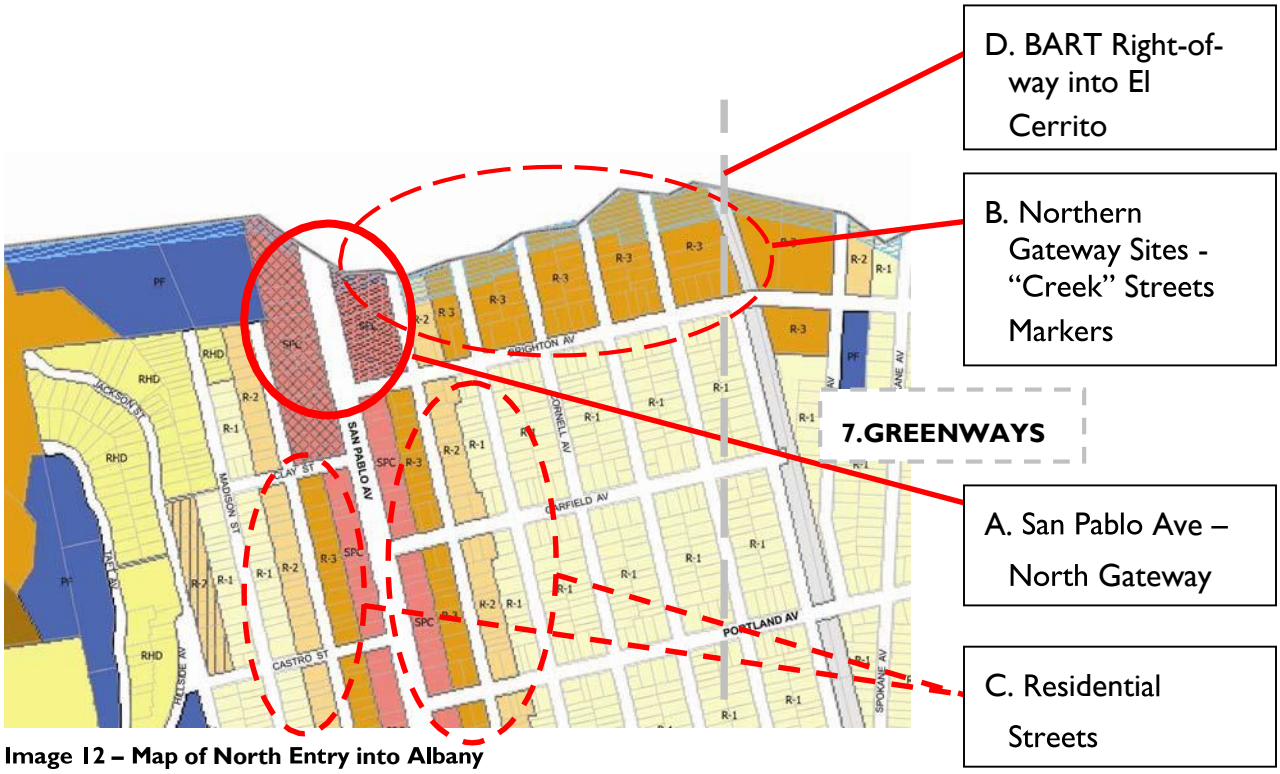


Image 12 – Map of North Entry into Albany

2A. San Pablo Avenue – Northern Gateway

The northern border between Albany and El Cerrito is Cerrito Creek. The broad north-south boulevard of San Pablo Avenue enters anonymously into Albany, with little or no sense or acknowledgement of the shift between communities or of the creek that defines them. In addition to some form of gateway near this entry point, consideration should also be given to a flatwork project in the paving of San Pablo Ave. that would demarcate the creek hidden away beneath the asphalt.

Image 13 – View of San Pablo Ave. at possible Gateway site, looking south into Albany

Image 14 – Current "Gateway" markers at San Pablo Ave.

2B. Northern Gateway Sites – Creek Streets

In major contrast with San Pablo Ave., there are four relatively quiet residential streets that cross Cerrito Creek and terminate in the parking lot of El Cerrito Plaza. When entering the parking lot from the neighborhood, these streets can feel more like utilitarian approaches than part of a municipal street network.

Image 15 – Looking North into El Cerrito Plaza from Albany neighborhood

With the Creek that is the geographical northern border of the city running under these streets, there is a unique opportunity to build demarcating artwork announcing entry into Albany. This could be a combination of sculptural works and flatwork within the public right-of- way – either the planting strips, the asphalt of the street, or both.

Image 16 – Streetside at Cerrito Creek, next to El Cerrito Plaza

2C. Residential Streets Opportunities – R2 &R3 zones

See discussion on this topic in section 4 – Solano & San Pablo.

2D. BART Right-of-way into El Cerrito

Though a broader discussion on this topic occurs in Section 7 – Greenways, it is important to point out the significant connection to the BART station closest to Albany. Just over the northern border is El Cerrito Plaza station. While Albany has no jurisdiction over this station

and its immediate surroundings, it is an important landmark that should be considered should anything be developed along this right-of-way.

Image 17 – El Cerrito Plaza BART Station access, at Brighton Ave, before it crosses into El Cerrito

3. South Entry / Berkeley

Like its counterpart to the north, the southern entry into Albany is in need of attention. Whereas the north edge is a somewhat anonymous place characterized by contemporary scenes of arterial and mall, the southern entry along San Pablo Ave. is identifiable more by the lack of development. The open lot of the UC property has long defined the character of this stretch of San Pablo. In contrast to the northern neighborhood streets emptying into the mall lot, the southern streets are extensions of the same urban fabric to be found in Berkeley.

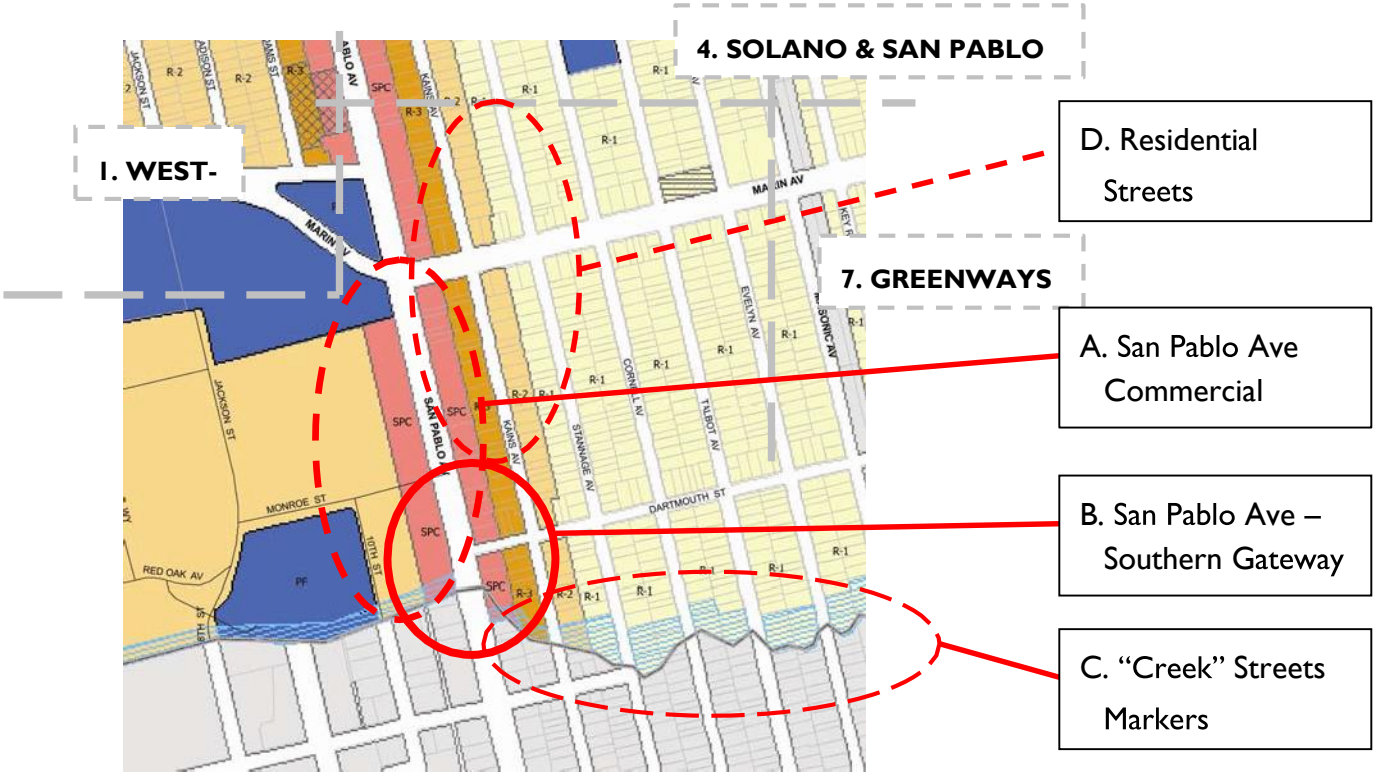


Image 18 – Map of South Entry into Albany, between San Pablo Ave. and Greenway

3A. San Pablo Avenue – Commercial Site at UC Property and

3B. San Pablo Avenue – Southern Gateway Site

As addressed in Section 2 – North Entry above, San Pablo Avenue enters anonymously into Albany. The creek that defines Albany and Berkeley is invisible here, being culverted through this section of the cities. There is little sense of the transition between communities. Unfortunately, it is only recognizable as the tree-covered medians of Berkeley abruptly end and the traveler is "introduced" into Albany by the chain-link fence of the UC property on San Pablo's west side.

Image 19 – South Entry into Albany, via San Pablo Ave., looking south into Berkeley

While the property behind the fence is under UC jurisdiction, the strip along San Pablo Ave. here is zoned for commercial use. Should it be developed, the AAC should pay particular attention to the public art opportunities. Whether or not this development would result in a gateway into Albany – or whether an actual gateway is the correct approach for this area – should be addressed before any project gets too far. These issues are both public art and urban design concerns. Hence, planning for public art here should be done in close concert with AAC's counterpart, the Planning & Zoning Commission.

3C. Southern Gateway Sites – "Creek" Streets Markers

The neighborhood streets along Albany's southern border are significantly different from the northern end. Where the streets in the north flow directly into a mall parking lot, here they continue into Berkeley, with no notice or change in urban fabric. As on the northern edge of the city, the south border is a creek; but Codornices Creek here has been completely culverted under this neighborhood so there is no recognition of this natural division.

There seems to be no overwhelming need to interrupt the quaint and continuous quality of the neighborhood with artwork demarcating a border. But if the City does wish to create a project here, it should lean to the subtle and poetic rather than the exclamatory and definitive.

Image 20 –typical southern Neighborhood Street, looking into Berkeley

3D. Residential Streets – R2 & R3 zones

See discussion on this topic in Section 4 – Solano & San Pablo avenues.

4. Solano & San Pablo / Lower Solano Avenue

Topographically, this district is relatively flat, inwardly-focused and visually defined by Albany Hill on the west and the BART fly-over along the east. It also contains one of Albany's most prominent aspects: the arterial intersection of Solano and San Pablo avenues. Though the intersection is a significant landmark anchoring the district, the areas surrounding the intersection are not a particularly pedestrian-friendly zone. But immediately off the intersection, the adjoining Lower Solano Ave. commercial areas are strongly pedestrian-oriented. Delineated by the Solano-San Pablo intersection on the west and the BART fly-over on the east, this vibrant six-block stretch is ripe with opportunities for public art. A less obvious but very compelling opportunity for public art placement lies in the adjoining residential neighborhoods. The streets paralleling San Pablo – Adams, Madison and Jackson streets to the west and Kains Avenue to the east – have zoning allowances that encourage higher density residential and some commercial development that could easily trigger the public art statute.

Image 21 – Map of Solano at San Pablo Ave. and lower Solano Ave.

4A. San Pablo Avenue at Solano Avenue

This intersection is one of Albany's dominant landmarks, but due to traffic density and safety concerns is a difficult area to accommodate public art. Note that San Pablo Ave. is also State Highway 123, and as such, Caltrans would likely need to be consulted in any significant alteration or addition to the intersection and adjacent areas.

Two alternatives are proposed.

The first approach is to address the intersection by demarcating before the intersection, which would create a visual indicator that the physical intersection is approaching one-half to one block ahead, from the north and south.

Image 22 –San Pablo Ave looking north toward Solano Ave.

Image 23 –San Pablo Ave looking south toward Solano Ave.

The second approach is to treat the intersection itself as a paving opportunity.

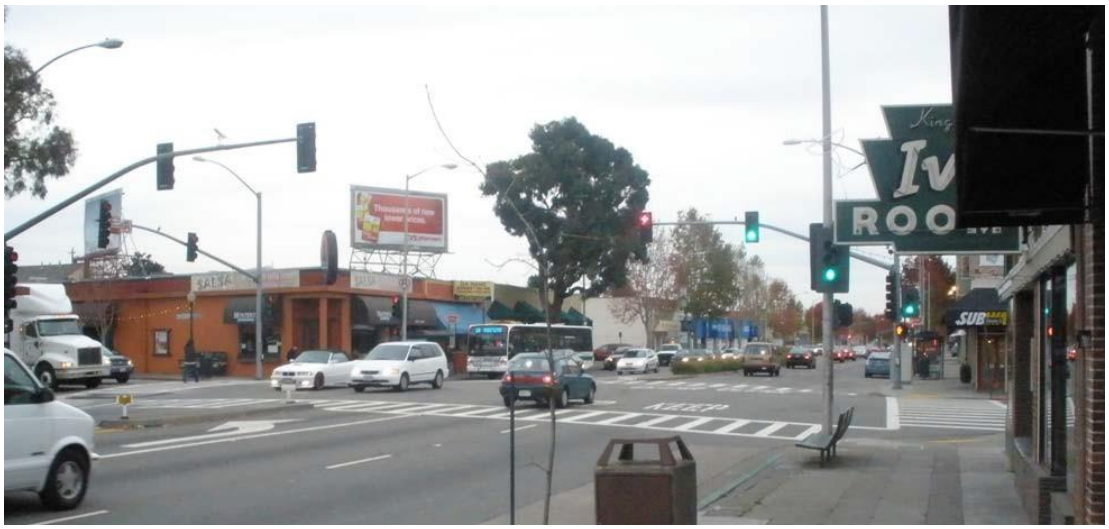


Image 24 –San Pablo Ave and Solano Ave.

The difficulty and the challenge of outside jurisdiction (i.e. Caltrans) of this area are readily understood. But it is the Arts Committee's position that attention in the form of public art enhancement should be given to this important crossroads if Caltrans makes improvements here in the future.

4B. Typical Pedestrian "Bulb-outs"

The Lower Solano Ave. commercial corridor is a vibrant stretch of four blocks whose design and scale caters to a pedestrian experience. A central element is the series of pedestrian "bulb-outs," traffic calming features at block corners that widen existing sidewalks for pedestrian safety. The net result is that each of the six intersections in this stretch of Solano Ave. has four mini-plazas, which could be turned to use as public art sites.

Image 25 – Solano Ave. Pedestrian "bulb-out"

Approximately 20 feet square, these bulb-outs can be used to display public art in many media.

Image 26 – Solano Ave. Pedestrian "bulb-out"

4B-1. Bulb-out opportunity – Post Office

Image 27 – Pedestrian "bulb-out" at Post Office

Somewhat typical in its dimensions, this bulb-out has excellent visibility to westbound traffic and could act as a small civic plaza. A public artwork here could interact with the US Post Office building and capture the attention of pedestrians as well as motorists.

4B-2. Bulb-out opportunity – YMCA/School

Image 28 – Pedestrian "bulb-out" and wide sidewalk at YMCA

The sidewalk/street edge on the south side of Solano Ave. between Cornell and Talbot streets could host a temporary public art installation that involves youth from Cornell Elementary or

other schools in the Albany Unified School District. This site/project could also complement and interact on some level with an artwork sited diagonally across the street (Site 4B-1 above).

4C. Residential Streets – R2 & R3 zones

Image 29 – Multifamily development in traditionally single family neighborhoods

One of the more remarkable opportunities for siting public art in Albany lies in the residential streets flanking San Pablo Ave. While currently a mix of small apartments and houses, these streets are zoned for higher density development. And it is precisely this type of development that evidences a unique facet of the Albany Public Art Program.

While it is common for city percent-for-art statutes to mandate funds be spent on public art on private commercial properties, the Albany statute makes no distinction whether a private project is commercial or residential. The desired result here is to bring more artwork into residential areas.

While privately owned, the artwork must be publicly accessible. At minimum, this obligation is satisfied by having the artwork be completely visible from the public right-of-way: the adjacent sidewalk and street. Public art funds generated by new construction and renovation of housing on these streets could be used to commission art on or near the site of construction, on street corners, in sidewalk planter strips, and on building facades. The following images are examples of opportunities.

Image 30 – Typical planter at sidewalk

Image 31 – recent Multi-family without public art embellishments

Image 32 – Typical walls at sidewalk – tile work opportunity

Image 33 –Apartment garages – doors/ façade opportunity here

While public artwork is encouraged on private development, it may not be feasible on every project or desired by every developer. The ordinance provides the opportunity for the required public art funds to be pooled into the Art in Public Places fund.

5. East Entry – Mid Solano Avenue

This part of Solano Ave. is a physically distinguishable district from the other parts of the same avenue. Its western end is distinguished by the small plaza at the intersection created by the BART fly-over, Key Route, and Solano Ave. (see section 7 for discussion of this plaza). Solano continues eastward, uphill, through various commercial properties toward upper Solano and Berkeley. Unlike the well-defined western end of this district, the eastern edge is vague. To address this undefined quality, our primary recommendation for public art in this district is a major gateway at the eastern border. This gateway should be accentuated with additional street-side public art to support the distinction that this is the easternmost neighborhood of Albany and not a part of Berkeley.

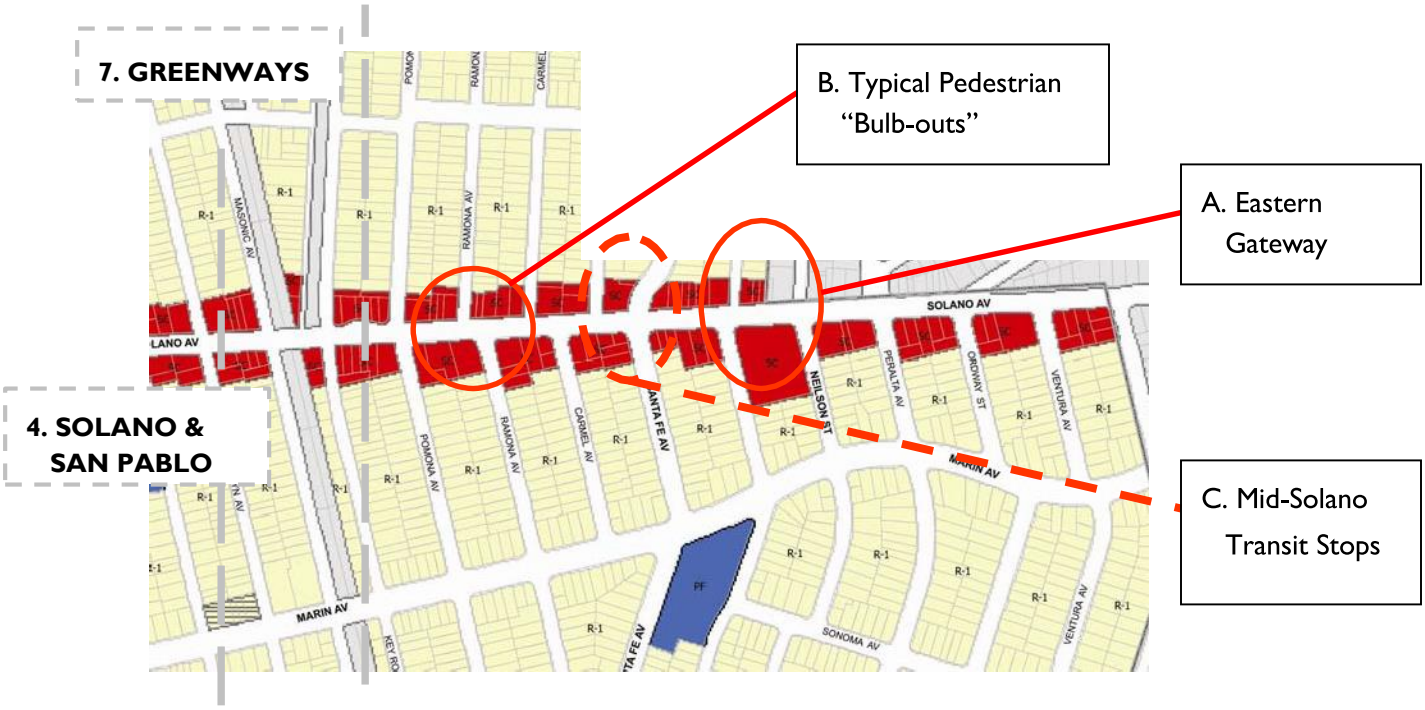


Image 34 – Mid Solano Ave. district, highlighting East Entry into Albany

5A. Eastern Gateway – Safeway area

Albany's easternmost point on Solano Ave. is the block between Ventura and Tulare avenues. However, for several blocks from its eastern border, the City of Albany occupies only the southern side of Solano Ave. with the City of Berkeley controlling the northern side. So the municipal identity of this four-block stretch of Solano is somewhat unclear. The first point where Albany controls both north and south sides of Solano Ave. is at the Safeway site between Curtis and Neilson streets. In this block, across Solano Ave. from Safeway, is an older sign made from black steel I-beams that reads "Welcome to Albany".

This is an ideal location for a sign or gateway element demarcating entry into Albany for visitors from Berkeley and the Upper Solano district. As with both the southern and northern entry opportunities, a visitor's awareness that they have arrived into a distinct community is vague.

The older "Welcome" sign is too reserved to convey the sense of entry and civic definition that is warranted here.

Image 35 – Eastern Entry at Solano Av, view looking uphill/eastward

Image 36 – Eastern Entry location, view looking downhill/westward

The length of public sidewalk along the Safeway parking lot that also serves as an uphill-bound bus stop should be considered in the solution. See section 5C below for more about this transit stop.

5B. Typical Pedestrian "Bulb-outs"

The City of Albany has developed a consistent pattern of corner "bulb-outs" along its stretch of Solano Ave., both Middle and Lower. The result is a series of small plazas frequented by pedestrians to congregate at adjoining businesses and cross Solano Ave. While these plazas provide focus areas for viewing, they are all "finished" in terms of construction, so that installation of any new public artwork will require close coordination with business owners as well as the Public Works Department.

Image 37 – Typical Pedestrian "Bulb-out"

5C. Mid-Solano Transit Stops

Multiple transit stops have been designed into the pedestrian "bulb-out" scheme in this Middle Solano area. Beyond benches and planters, typical furnishings here include bus shelters and bus informational signage.

Image 38 – Typical Transit Stop

As cited above in 5A, the Safeway block also supports a transit stop, currently undeveloped. Given the preeminence of this location at Safeway, the transit stop could be redesigned in tandem with the Safeway store upgrade. Public art options could be addressed in the accommodating of a new pedestrian "bulb-out".

Image 39 –Transit Stop at Safeway

6. Southeast Corner / Terrace Park District

This corner of Albany's residential neighborhoods starts to pick up the rolling hillock qualities of adjacent Berkeley. Just south of Marin Ave. and east of Santa Fe Ave., the rising topography begins to offer views back out toward the Bay and Albany Hill. At the heart of this neighborhood is Jewel's Terrace Park. Quiet, sequestered, yet very much used, the park is one of the major public elements of the district. The major physical player in the area is Posen Ave., the avenue that defines Albany's south-eastern edge, with St. Mary's College High School sitting prominently along it. As Posen Ave. rolls down the hill's face, it terminates at Peralta Ave. with a set of larger traffic islands.

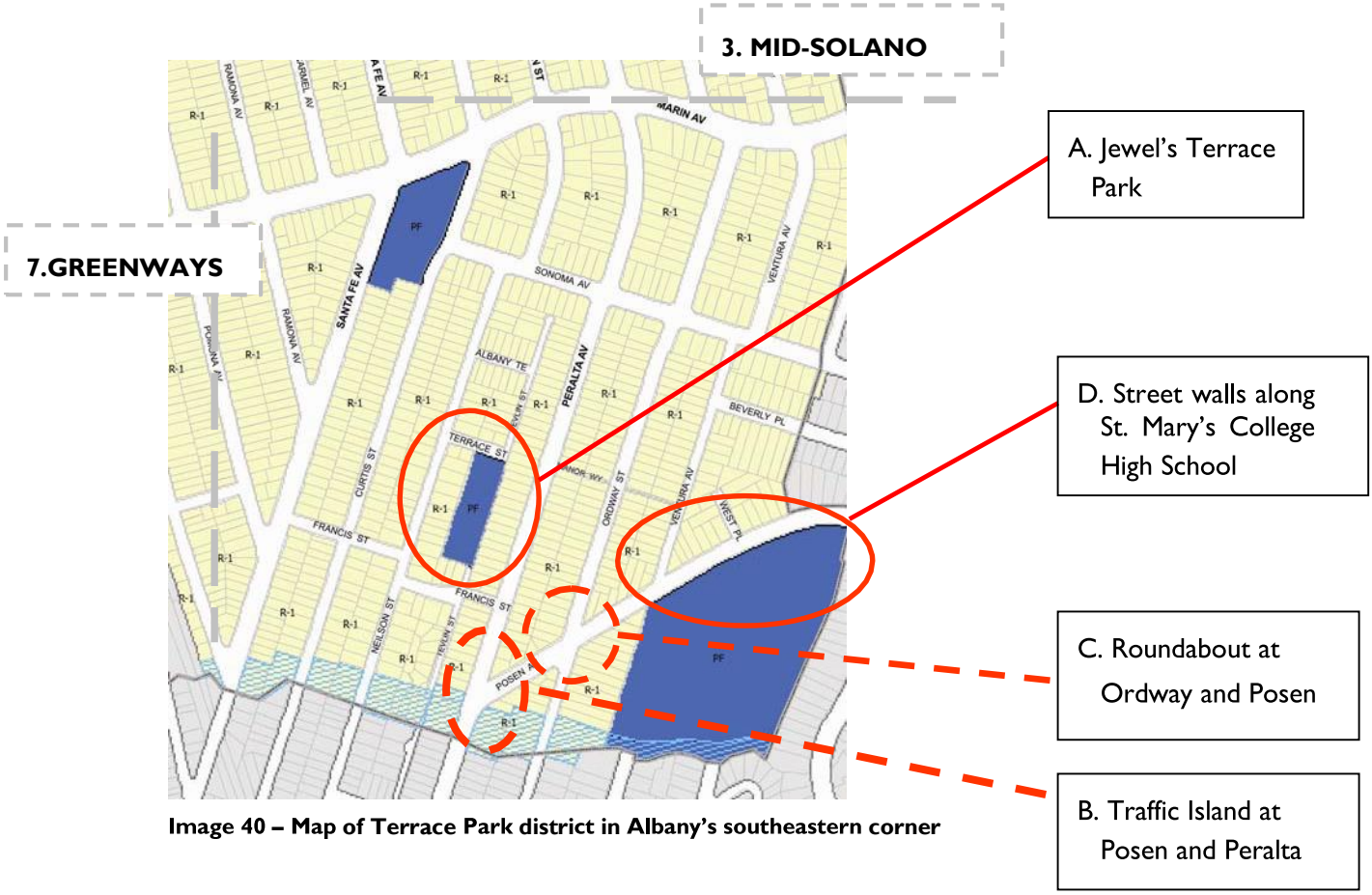


Image 40 – Map of Terrace Park district in Albany's southeastern corner

6A. Jewel's Terrace Park

Nearly invisible to casual visitors to Albany, Jewel's Terrace Park is well-loved and well-used by residents. It is also one of Albany's few open space/recreation/park amenities other than Memorial Park. There is an existing mural on the restroom building. However, the park could have a stronger presence visually and more public artwork here would definitely be merited. Initial suggestions include freestanding sculpture and tile artwork on the stair risers.

Image 41 – Looking from street into Terrace Park

6B. Traffic Island at Posen & Peralta Avenues and 6C. Roundabout at Ordway and Posen Avenues

These two sites offer interesting opportunities. Both are just over the Berkeley/Albany border in a neighborhood of single-family residences. Artwork sited in either location would have high visibility and serve as a modest gateway on this important though secondary arterial. Additionally, either site could create awareness of public art and provide a link with artwork at Jewel's Terrace Park (Site 6A) to the north, and St. Mary's School/Posen Ave. (Site 6D) to the east. Both site opportunities are physically limited, however, by the configuration of the traffic islands, existing vegetation, and the need for traffic visibility. At the 6B location, an installed artwork would have to be sited on the narrow strip west of the central tree on this island, yet not obstruct pedestrians or obscure autos in the lane on its north side. The 6C location, being the Center of the roundabout, would provide a predominantly auto-oriented viewing experience.

Image 42 – Traffic island at Peralta and Posen Avenues

Image 43 – Traffic roundabout at Ordway and Posen Avenues

6D. Street Walls along St. Mary's College High School, Posen Avenue

New landscaping, a stepped retaining wall and wide sidewalk at the St. Mary's School site combine to create an excellent location for public artwork that would face the relatively busy arterial of Posen Ave., serving an audience of motorists, pedestrians and the entire school community. As noted above, St. Mary's is just within Albany's southeastern border (with Berkeley), which adds impetus to this site's potential for placement of public art, as it would also serve as a bright and colorful welcome into Albany from the southeast.

Image 44 – St. Mary's street walls along Posen Avenues

7. Greenways / Masonic Ave, Key Route Blvd & Memorial Park

Major features of Albany are two roughly North-South transportation elements: the BART overhead and its right-of-way paralleling Masonic Ave. and Key Route Blvd. Though both have a strong greenway associated, they are each restrictive in very different ways. The BART Greenway is under the jurisdiction of BART itself and not the City of Albany. Key Route Blvd. has a significant median of grass and trees running its entire length but is not readily used by the public as it has traffic lanes on each side. But this Key Route Greenway is connected by proximity to the most open of green spaces in the community, Memorial Park. Finally, the BART Greenway encounters the Key Route Sequence directly as it passes over Solano Ave.

This significant intersection occurs at what is arguably the city's center, touching on five other districts. These relationships create a very memorable landmark in the community that should be tapped by this Public Art Master Plan. The Arts Committee recommends that the City lay claim to this plaza as a focal point for Albany's public art program and developing collection (more on this recommendation in Section 7A-6. below).

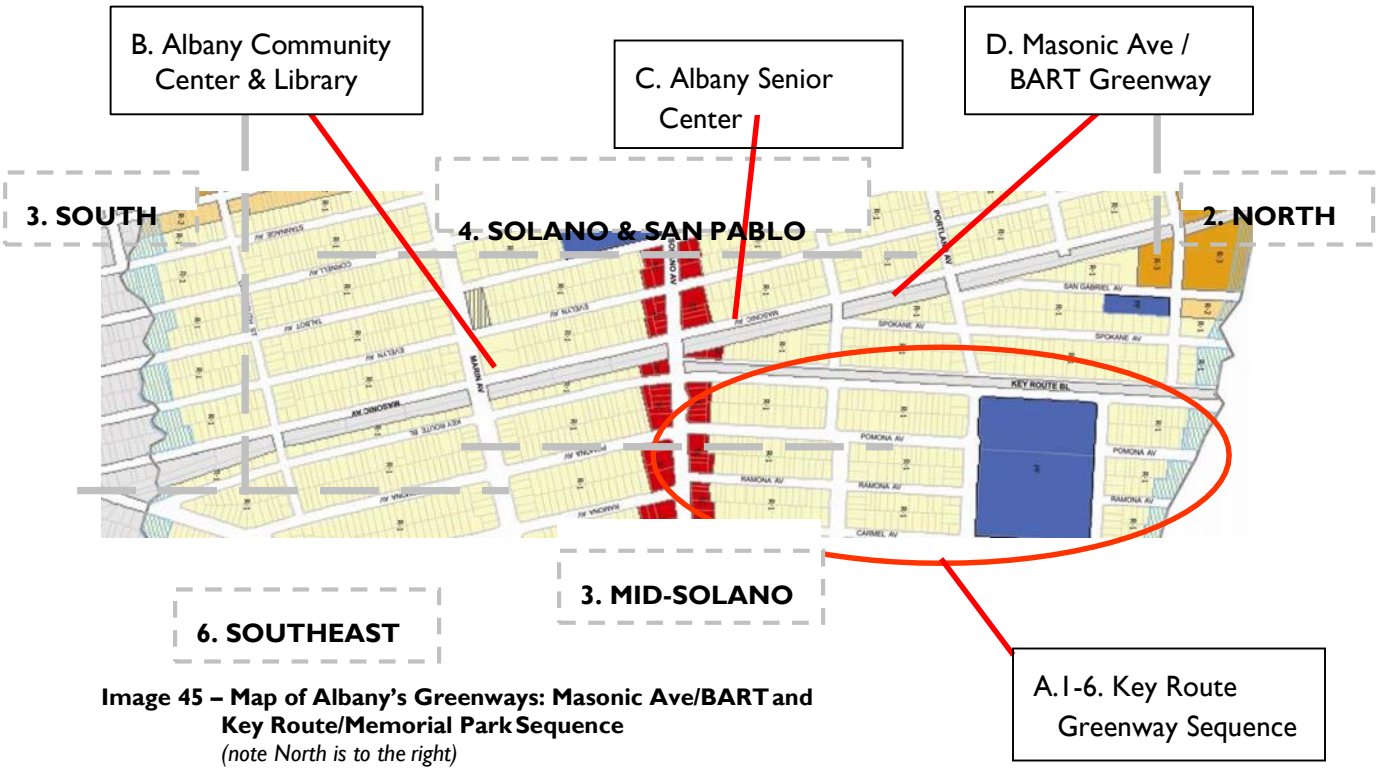


Image 45 – Map of Albany's Greenways: Masonic Ave/BART and Key Route/Memorial Park Sequence
(note North is to the right)

7A. Key Route Greenway Sequence

The Key Route is a wide North-South boulevard with opposing traffic lanes separated by a sizable median of grass and trees. While its northern end continues into El Cerrito with no noticeable change, the Key Route's south end clearly terminates at Solano Ave. and the BART fly-over. This intersection is urbanistically acknowledged with a small plaza. Together with Memorial Park, the community's historic gathering place, the Key Route Greenway Sequence can be a powerful asset in the Public Art Master Plan.

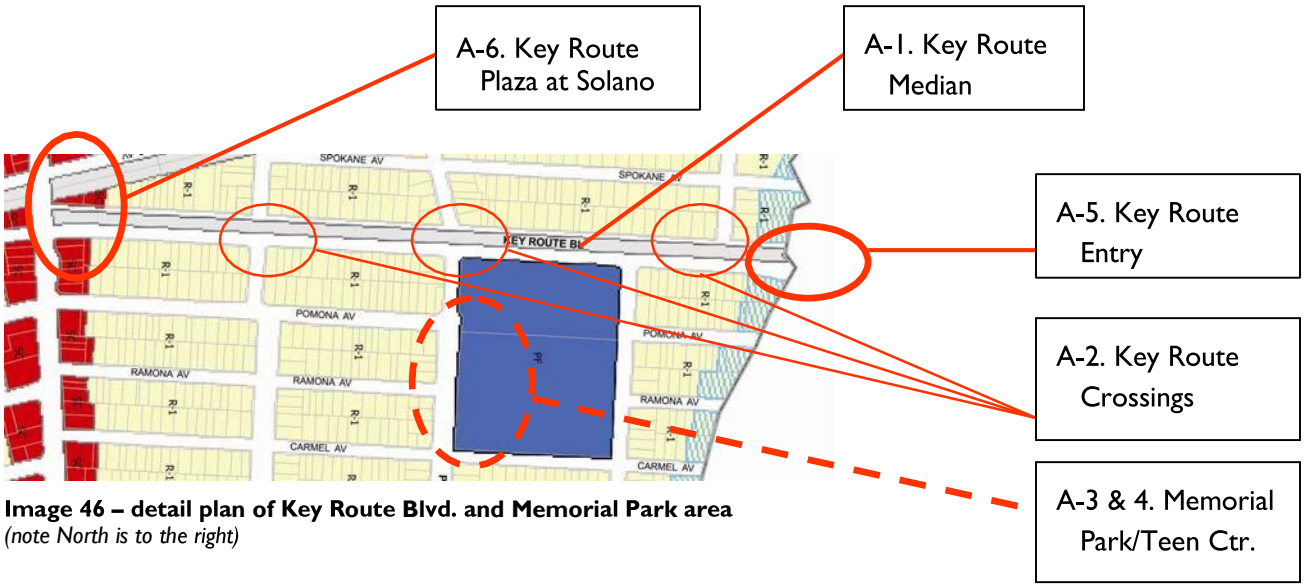


Image 46 – detail plan of Key Route Blvd. and Memorial Park area
(note North is to the right)

7A-1. Key Route Blvd. / Median

The wide median is inviting to pedestrians, but with no current accommodation for them and with opposing traffic lanes flanking it, is uncomfortable for normal usage. This does not preclude the area being considered for community events during which Key Route might be closed to traffic. This idea is considered further below in 7A-3. Memorial Park.

Image 47 – Key Route Median with Trees

Image 48 – Key Route Median with Trees

7A-2. Key Route Blvd. / Crossings

Pedestrians cross the median at four distinct points – Washington and Portland avenues (continuous streets) and Thousand Oaks Blvd. and Brighton Ave. (which dead-end into Key Route). While pedestrians currently do not have access to the median's grassy areas, these crossings could be locations for permanent artworks that celebrate the ephemeral community gatherings that use the median.

Image 49 – Key Route Median – Crossings

The crossings have recently been improved for access but could easily support further upgrade with artwork, either rotating/temporary or permanent. And they could be entry points to a new path down the median, which could be planned to host public art – an arts path.

7A-3. Memorial Park

Image 50 – Memorial Park

Memorial park is an essential part of Albany. While Solano Ave. provides a pleasant urban experience, it is still a commercial strip. Memorial Park is the one public community place that feels as if it can accommodate all of Albany's citizens for special events.

The park lies one block east of Key Route Blvd. and its median. There is an opportunity to enhance this connection so the park and its adjoining Veterans Memorial Building come to be considered elements in the Key Route Greenway Sequence.

Image 51 – Memorial Park, from Key Route Median

7A-4. Teen Center at Memorial Park

Located immediately east of the Veteran's Memorial Building, the newly renovated Teen Center will see a high volume of activity, being adjacent to Albany High School. While traditional public art elements, such as collaborative murals, could be employed here, the target population offers a potential unique in the community. Emphasis should be placed on the facilitation of temporary works; a perpetual flow of teens is guaranteed. Wall space for a rotational gallery and construction of a sturdy hanging system that will facilitate the easy changeover of exhibitions should be identified and prioritized when public-related public art monies become available.

Another opportunity unique to teens that should be tapped is the generation's propensity for and facility with new media. In constructing a gallery, particular attention must be given to the infrastructure needs of cabling, speakers and screens. A rotating program here could be created and curated by the teens themselves. Arrangements could also be made to broadcast this ephemeral art form over the City's cable channel. While the media program could be originated and managed by teens, the AAC will need to create a subcommittee to oversee content. The subcommittee's composition should include teens and parents as voting members as well as two to three members of the AAC. The first action should be to establish clear but flexible standards. The teen center might also leverage donations of needed electronic components from local businesses that would support the center's positive alternatives for youth.

7A-5. Key Route / Entry

As noted above, Key Route Blvd and its median continue directly into the neighboring city of El Cerrito. This occurs with no acknowledgement or recognition that one has left Albany, except for a simple sign.

Image 52 – Key Route Median at El Cerrito border looking into Albany

7A-6. Key Route Plaza

Image 53 – Key Route Plaza

At its southern end, Key Route Blvd. terminates in a small plaza at Solano Ave. While there is evidence that some level of care is being given to this plaza, it could accommodate much more. Because of its location, as outlined above, ***the plaza could be an excellent location to highlight Albany's public art program***. This showcase aspect could include a permanent piece, a redesign of the plaza that reconfigures the existing elements into a newly designed space, and a central location for temporary programs and/or artworks.

Another important aspect of this place is its proximity to Albany High School. The new plaza's design should tap this synergy, providing a place for youth right on Solano Ave. and becoming the entry point of a Key Route Arts Greenway.

This plaza and its public components were developed by the local chapter of the Veterans of Foreign Wars (VFW), which also maintains the space. While this location is an excellent focal opportunity for Albany public art, any effort of this type will have to be coordinated with the efforts of the VFW. This presents an opportunity to create dialogue and to connect diverse aspects and age groups of the Albany community.

Image 54 – Key Route Plaza, looking toward Solano Ave. and BART fly-over

7B. Albany Community Center and Library

While Memorial Park is Albany's main park and Solano Ave. is its spine, the Community Center and Library on Marin Ave. is the city's hub building. Fronting the busy arterial of Marin Ave. the exterior walls are readily visible by a large population and could facilitate many types of artwork – murals, ceramics, and even new media.

Inside, the current central lobby serves as the City's gallery, with rotating exhibitions of local artists' work. Though it has served loyally, its walls should be refinished, perhaps employing a proper gallery-style hanging system.

Image 55 – Community Walls facing Marin Ave.

7C. Albany Senior Center

This small facility on Masonic Ave. is in the throes of being expanded into the structure of an adjacent house, resulting in a medium-sized facility with an excellent public face on Masonic Ave. As a key public facility with excellent visibility, it is a recommended site for future public art. However, particular attention should be given to the language of the call for artwork, focusing on the facility's use by the senior and on creating an artistic expression that could enrich the connection of the center and its users to the greater community.

Image 56 – Senior Center – current and adjacent house for expansion

7D. Masonic Avenue/BART right-of-way

At a quick glance, this is an appealing series of potential sites for public art installations, due to its central location, high visibility from auto thoroughfares, green space and robust use by pedestrians and bicyclists. However, the BART right-of-way along Masonic Ave. becomes more problematic when jurisdictional issues are considered: Any artwork installed here would require review and approval by BART.

If there is interest from the City of Albany in pursuing a public art plan for the BART right-of-way, the Arts Committee's recommendation would be to initiate a regional collaborative with the bordering cities of Berkeley and El Cerrito in order to develop a joint policy and approach governing the installation of art in the greenway, with the goal of creating a contiguous experience of viewing and interacting with public art across the three cities. The collaborative could then approach BART with a united front and a consistent message and request for cooperation. The City of Berkeley in particular may be of help, given that some public art has already been installed along Berkeley's section of the "Ohlone Greenway," as it is named within the Berkeley city limits.

Image 57 – BART Greenway and Masonic Ave.

8. Bayside

While Albany's early name was "Ocean View," the construction of the Eastshore Highway effectively separated the waterfront experience from the town of Albany. Any remaining civic potential was not found in the private grounds of the Golden Gate Fields racetrack. But change is coming. The development of the racetrack site seems inevitable. When developed it will be an excellent opportunity to incorporate public art as an essential element in reestablishing Albany's civicness at Bayside. The forgotten quality of the waterfront has only enhanced the personal-expression aspects of the adjoining Albany Bulb. Its character is unique and needs to be closely considered during the re-envisioning of the Waterfront.

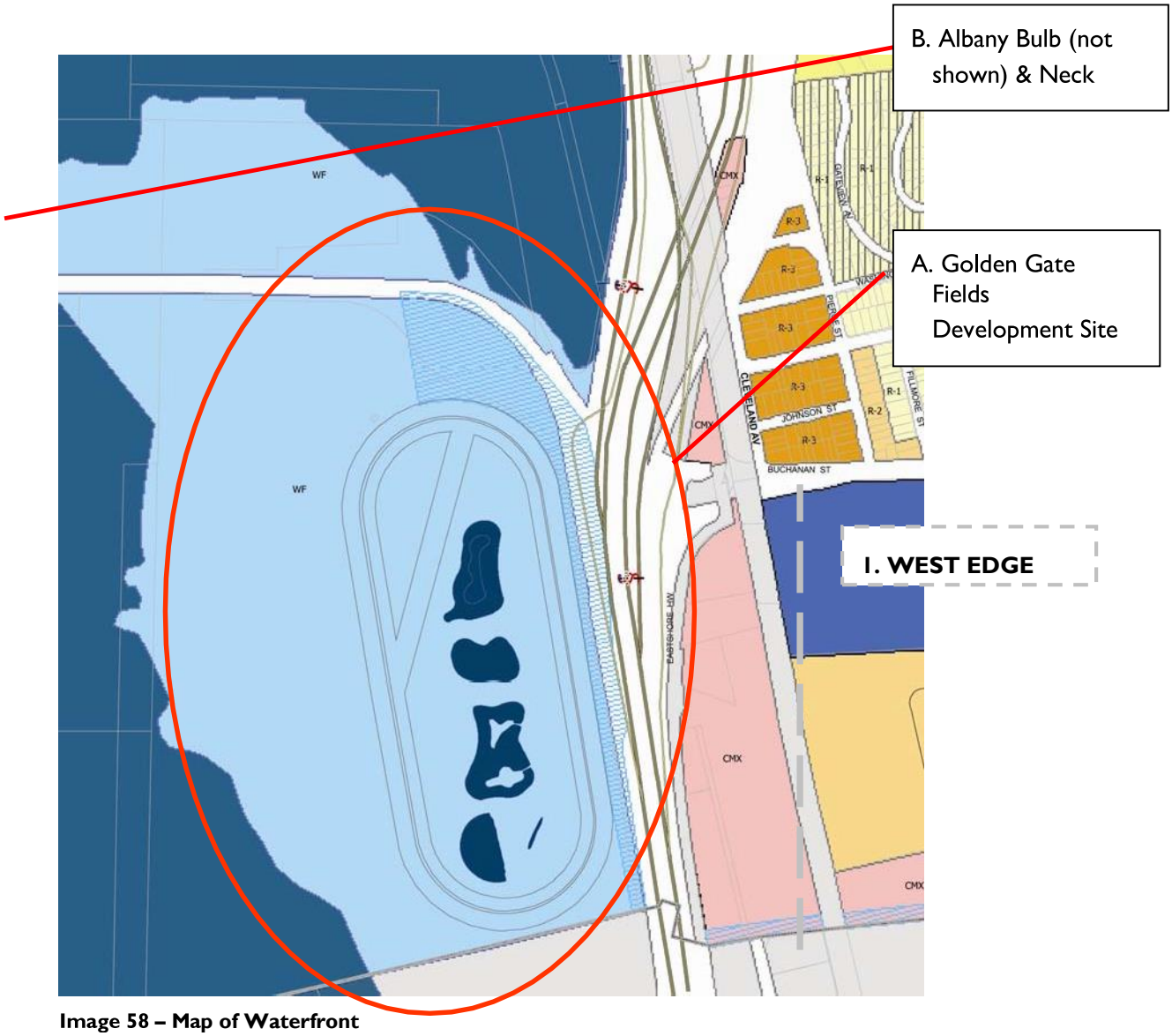


Image 58 – Map of Waterfront

8A. Golden Gate Fields Development Site

The acreage of the racetrack and its grounds has obvious amenities: great location amidst the East Bay urban experience with water access and spectacular views. Undoubtedly, these aspects will be emphasized by any developer and their designers. This major development project will only be further enhanced by the inclusion of public artwork. Any future design must provide urbane access for citizens of Albany, and public art will play a role.

Though the scope and scale of the Golden Gate Fields site is beyond this Master Plan, the area is subject to the public art ordinance. It must be addressed in a specific way by the AAC and its Planning & Zoning Commission partners when the time is appropriate.

8B. Albany Bulb & Neck

While not a City-sanctioned or supported program, the loose collection of artwork scattered around the Albany Bulb is arguably the oldest component of public art in Albany. Though most of these pieces are sturdily resistant to the elements, they are temporary in nature. The Bulb and its access via the Neck is the last "untamed" place within the city limits. While the jurisdiction is shared amongst other agencies, the AAC recognizes the value of this personal expression in our community. Other parts of Albany will be supporting very traditional forms of public art; the nearby Golden Gate Fields site will be the closest example of this urbane approach. But the Bulb artworks' use of found materials provides a wonderful alternative example of public art, with an emphasis on informality and organic forms.

Image 59 – Entrance to Albany Bulb, highlighted by City of Albany's Cranes sculpture

SITES – SYNOPSIS

Implementation

In the preceding "Sites and Criteria" section, the Albany Arts Committee has recommended future sites for art placement and the anticipated development and use of these sites. However, there is a dichotomy between the high-level vision/site priorities of the plan and the reality of funds available now and projected in the near-term. Though we have ranked all the sites we have defined in Albany from highest to lowest priority, we must acknowledge the reality that the first five prioritized sites are not practical for implementation at the present time (within the three-year timeframe of this Plan) if they are to be executed with the scale and quality they merit – indeed, demand. We recommend that the first set of projects initiated by the City begin with site priority #6, where available pooled funds can make an impact commensurate with the visibility and scope of these sites.

We also recommend that the developer project at the Solano Avenue Safeway be used as an opportunity for maximum impact and recognition of Albany's nascent public art program by leveraging the public art expenditures at this site with the simultaneous debut of several smaller community-based projects in other parts of the city, per the prioritized list.

Focusing at first on more modest, though important, sites does not obviate the significance of the major sites – it is simply a reality check. The Committee's intent is that the first five sites should be at the forefront of civic planning vis-à-vis cultural infrastructure, and addressed fully when adequate funds become available. And if, for example, Caltrans embarks on a complete remodel of the intersection of San Pablo and Solano avenues, it is the Committee's policy that public art should be a key element and the City's public art process should kick in; the same would be true of the other leading sites.

Sites Matrix and Priorities

The surveyed sites were evaluated and ranked by the AAC. A synopsis of the results of this process is on the following four pages. First is a letter-sized matrix of the sites and criteria appropriate to each site, immediately followed by the definitions of terms employed in the matrix. For a more detailed examination, a full-sized 11x17 version of this matrix is included in the Appendix. The second matrix displays the results of the exercise of ranking the sites, according to their location within Albany. The final matrix rearranges this data to display the ranked priority of sites.

Albany Public Arts Master Plan
Synopsis of Sites Survey with Criteria

	SITE OWNERSHIP			FUNDING SOURCE		TIME		COMMENTS	MEDIA					
	City Property	*Other Public*	*Private*	*Pooled*	*Specific*	*Permanent*	*Temporary*	*Constraints to be Addressed*	*Sculpture*	*Flatwork*	*Tile*	*Mural*	*Glass*	*Media Arts*
1 West Edge														
1A. West Gateway – Buchanan St Gate	X	X		X		X		possible UC involvement	X	X				
1B. Marin Ave Gateway Site – West City Hall	X			X		X			X					
1C. Intersection – Buchanan/Marin and San Pablo Avenues	X	X		X		X		possible UC, Caltrans involvement	X		X	X		X
1D. City Hall Sites	X			X		X	X		X	X	X	X	X	X
1E. Pierce Street Open Space	X	X		X	X	X	X	may be Caltrans property	X	X	X	X	X	X
1F. Ocean View Park - Child Care Center	X			X		X	X		X	X	X	X	X	X
2 North Edge														
2A. Northern Gateway Site – San Pablo Ave	X	X		X		X		possible Caltrans involvement	X	X	X			X
2B. Northern Gateway Site – Creek Streets			X	X		X			X	X	X	X		
2C. Residential Opportunities – R2 & R3 zones			X	X	X	X			X	X	X	X	X	X
2D. BART Right-of-way to El Cerrito Plaza station	X	X		X		X		BART ownership	X	X	X			X
3 South Edge														
3A. San Pablo Ave. – UC Commerical Site		X	X	X		X		possible Caltrans involvement	X	X	X	X	X	X
3B. Southern Gateway Site – San Pablo Ave		X	X	X		X		possible Caltrans involvement	X	X	X	X		X
3C. Southern Gateway Sites – Creek Streets			X	X		X			X	X				
3D. Residential Opportunities – R2 & R3 zones			X	X	X	X			X	X	X	X	X	X
4 Solano & San Pablo Avenues														
4A. Solano Ave at San Pablo Ave		X		X		X		possible Caltrans involvement	X	X				
4B. Lower Solano Ave / Bulb-outs				X		X	X		X	X	X	X	X	X
3C. Residential Opportunities – R2 & R3 zones			X	X	X	X			X	X	X	X	X	X
5 Mid Solano Avenue - East Entry														
5A. Eastern Gateway – Safeway area	X	X	X	X	X	X		possible AC Transit involvement	X	X	X	X	X	X
5B. Typical Pedestrian "Bulb-outs"	X	X	X	X		X	X		X	X	X	X	X	X
5C. Mid-Solano Transit Stops	X	X	X	X		X	X	possible AC Transit involvement	X	X	X	X	X	X
6 Southeast Corner / Terrace Park district														
6A. "Jewel's" Terrace Park	X			X		X	X		X	X	X	X		X
6B. Traffic Island at Posen Ave and Peralta Ave	X			X		X			X					
6C. Roundabout at Ordway and Posen Avenues	X			X		X	X		X					
6D. St. Mary's School Walls along Posen Av.	X		X		X	X					X	X		
7 Greenways / Key Route & Masonic Ave.														
7A. Key Route Greenway Sequence														
7A-1. Key Route Blvd. / Median	X			X		X	X		X	X	X	X	X	X
7A-2. Key Route Blvd. / Crossings	X			X		X	X		X	X	X			
7A-3. Memorial Park	X			X		X	X		X	X	X			X
7A-4. Teen Center at Memorial Park	X			X		X	X		X	X	X	X	X	X
7A-5. Key Route / Entry into Albany	X			X	X	X			X		X			
7A-6. Key Route Plaza	X	X		X	X	X	X	coordination needed with local VFW post	X	X	X	X	X	X
8 7B. Albany Community Center and Library	X			X	X	X	X		X	X	X	X	X	X
7C. Albany Senior Center	X				X	X	X		X	X	X	X	X	
7D. Masonic Ave / BART right-of-way	X	X	X		X	X	X	with El Cerrito & Berkeley	X	X	X	X	X	X
8. Bayside														
8A. Golden Gate Fields Development Site	X	X	X		X	X	X		X	X	X	X	X	X
8B. Albany Bulb & Neck	X	X			X		X		n/a					

Image 60 – Synopsis matrix of Sites Surveyed with Criteria

published: 21 June 10

prepared Laczko-Huss

N.B. MATRIX IS REDUCED FOR FORMAT - SEE APPENDIX FOR FULL SIZE

Matrix Definitions

SITE OWNERSHIP

City Property = Property owned or controlled by City of Albany

Other Public = Non-private property within Albany city limits that is owned, controlled by and/or shares jurisdiction with another Public agency

Private = Property owned by a private entity

FUNDING SOURCE

Pooled = Monies in the Public Art Fund that have been aggregated from various development projects and can be directed to/expended at other sites at the discretion of the Albany Arts Committee

Specific = Funds spent at the site of development that has generated them

DURATION

Temporary = Of limited duration; may also refer to work made with less durable materials

Permanent = Expected lifespan of 20 years at minimum

MEDIA

Sculpture = Including freestanding, attached, integral and bas-relief sculptural elements

Flatwork = Horizontal installation, including concrete, stone paving, metal inlay, terrazzo, etc. as part of built environment

Tile = Modular material set in an adhesive bed on flat or 3D surface, typically vertical installation

Mural = Painted or otherwise applied two-dimensional artwork typically on a vertical surface in a relatively large scale

Glass = Window treatments, artisanal glass, hand-blown, leaded, etched, stained etc.

Media Arts = A broad category including artwork that is electronic, digital, light-based, may incorporate motion/kinetics, may employ a moving image, sound, 'new media,' online component, etc.

Albany Sites - AAC Survey Priorities / by Location

3-High, 2-Medium, 1-Low

SITE LOCATION	
1. West Edge	
1A. West Gateway – Buchanan St Gate	2.40
1B. Marin Ave Gateway Site – West City Hall	2.20
1C. Intersection – Buchanan/Marin and San Pablo Avenues	3.00
1D. City Hall Sites	2.80
1E. Pierce Street Open Space	1.60
1F. Ocean View Park - Child Care Center	1.40
2. North Entry	
2A. Northern Gateway Site – San Pablo Ave	2.40
2B. Northern Gateway Site – Creek Streets	1.80
2C. Residential Opportunities – R2 & R3 zones	1.00
2D. BART Right-of-way to El Cerrito Plaza station	1.40
3. South Entry	
3A. San Pablo Ave. – UC Commerical Site	1.80
3B. Southern Gateway Site – San Pablo Ave	2.60
3C. Southern Gateway Sites – Creek Streets	1.40
3D. Residential Opportunities – R2 & R3 zones	1.00
4. Lower Solano Ave, at San Pablo Ave	
4A. Solano Ave at San Pablo Ave	3.00
4B. Lower Solano Ave / Bulb-outs	2.80
4C. Residential Opportunities – R2 & R3 zones	1.40
5. East Entry – Middle Solano Ave	
5A. Eastern Gateway – Safeway area	2.80
5B. Typical Pedestrian "Bulb-outs"	2.40
5C. Mid-Solano Transit Stops	2.00
6. Southeast Corner / Terrace Park district	
6A. "Jewel's" Terrace Park	2.20
6B. Traffic Island at Posen Ave and Peralta Ave	2.00
6C. Roundabout at Ordway and Posen Avenues	1.80
6D. St. Mary's School Walls along Posen Av.	1.20
7. Greenways / Key Route & Masonic Ave.	
7A. Key Route Greenway Sequence	2.00
7A-1. Key Route Blvd. / Median	2.75
7A-2. Key Route Blvd. / Crossings	2.15
7A-3. Memorial Park	2.40
7A-4. Teen Center at Memorial Park	1.80
7A-5. Key Route / Entry	2.35
7A-6. Key Route Plaza	2.55
7B. Albany Community Center and Library	2.20
7C. Albany Senior Center	2.20
7D. Masonic Ave / BART right-of-way	2.00
8. Bayside	
8A. Golden Gate Fields Development Site	1.50
8B. Albany Bulb & Neck	1.25

Image 61 – Prioritized Sites by Location

published: 21 June 10
prepared by Laczko-Huss

Albany Sites - AAC Survey Priorities by Rank

3-High, 2-Medium, 1-Low

	SITE LOCATION	AVERAGE
1	1C. Intersection – Buchanan/Marin and San Pablo	3.00
2	4A. Solano Ave at San Pablo Ave	3.00
3	1D. City Hall Sites	2.80
4	4B. Lower Solano Ave / Bulb-outs	2.80
5	5A. Eastern Gateway – Safeway area	2.80
6	7A-1. Key Route Blvd. / Median	2.75
7	3B. Southern Gateway Site – San Pablo Ave	2.60
8	7A-6. Key Route Plaza	2.55
9	1A. West Gateway – Buchanan St Gate	2.40
10	2A. Northern Gateway Site – San Pablo Ave	2.40
11	5B. Typical Pedestrian "Bulb-outs"	2.40
12	7A-3. Memorial Park	2.40
13	7A-5. Key Route / Entry	2.35
14	1B. Marin Ave Gateway Site – West City Hall	2.20
15	6A. "Jewel's" Terrace Park	2.20
16	7B. Albany Community Center and Library	2.20
17	7C. Albany Senior Center	2.20
18	7A-2. Key Route Blvd. / Crossings	2.15
19	5C. Mid-Solano Transit Stops	2.00
20	6B. Traffic Island at Posen Ave and Peralta Ave	2.00
21	7A. Key Route Greenway Sequence	2.00
22	7D. Masonic Ave / BART right-of-way	2.00
23	2B. Northern Gateway Site – Creek Streets	1.80
24	3A. San Pablo Ave. – UC Commerical Site	1.80
25	6C. Roundabout at Ordway and Posen Avenues	1.80
26	7A-4. Teen Center at Memorial Park	1.80
27	1E. Pierce Street Open Space	1.60
28	8A. Golden Gate Fields Development Site	1.50
29	1F. Ocean View Park - Child Care Center	1.40
30	2D. BART Right-of-way to El Cerrito Plaza station	1.40
31	3C. Southern Gateway Sites – Creek Streets	1.40
32	4C. Residential Opportunities – R2 & R3 zones	1.40
33	8B. Albany Bulb & Neck	1.25
34	6D. St. Mary's School Walls along Posen Av.	1.20
35	2C. Residential Opportunities – R2 & R3 zones	1.00
36	3D. Residential Opportunities – R2 & R3 zones	1.00

Image 62 – Prioritized Sites by Ranking

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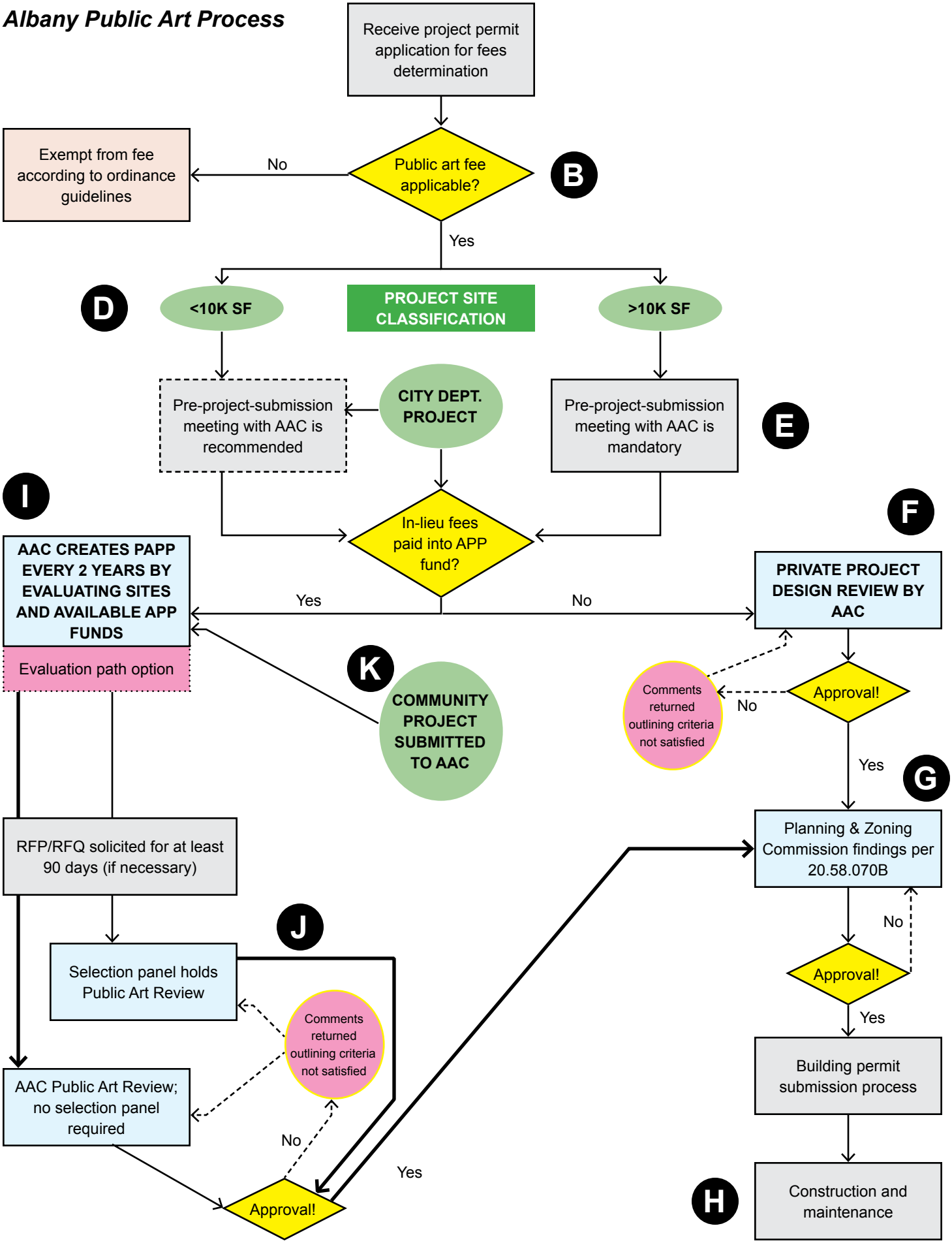
prepared by Laczko-Huss

IMPLEMENTATION

Following a thoughtful and responsible planning process that lays the groundwork for successful public art projects, the actual public art process truly gets underway once fees are determined through project permit application review. The following flowchart illustrates the steps in development of all public art projects, and the variances between a private developer-driven process (art at the site of private development that has generated the fee) and a pooled-funds process (art on public property, or amassed for a private site at the discretion of the AAC). Following the chart is a narrative guide to all the steps in the process.

Albany Public Art Process



Note: Large letters correspond to sections in the accompanying "Public Art Project Categories and Review Processes."

PUBLIC ART PROJECT CATEGORIES AND REVIEW PROCESSES

Revised January 2016

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(NOTE: LETTER HEADINGS BELOW CORRESPOND WITH THOSE IN FLOWCHART OUTLINING STEPS OF PROCESS)

A. DEFINITIONS

In the processes described below, "public art" refers to art created with City of Albany funds (whether via a fee assessed by the City on a development project or via another funding mechanism) and/or art sited on property owned by the City of Albany. Public art approved via these guidelines may or may not be property of the City of Albany.

Following is a list of acronyms appearing frequently in this document:

AAC	Albany Arts Committee
APP	Art in Public Places Fund
PAPP	Public Art Projects Plan
RFP	Request for Proposals
RFQ	Request for Qualifications

B. FEE DETERMINATION

Upon receiving an application to the City for permission to build a project, Community Development staff determine whether it is covered by the Public Art Ordinance. This determination will also be made for all new projects on City property. If applicable, a 1.75% fee rate is assessed on the building permit.

C. ART IN PUBLIC PLACES (APP) FUND

The APP Fund is pooled from assessed fees from the Public Art Ordinance.

1. *City projects.* Funds generated from City development projects will be evaluated by the AAC for the appropriateness of expending the funds on the site that has generated them.

2. *From large private projects.* The entire fee for private projects over 10,000 square feet will typically be used for public art on the project site. A private developer can propose—due to the nature of the site or for other reasons—a more modest public art installation, or none at all. Upon the recommendation of the AAC and with City approval, the portion of the fee not budgeted for public artwork on the project site will be paid into the APP Fund. In addition, any unspent balance of the fee after completion of the project will be deposited in the APP Fund.

3. *From small private projects.* A private developer of a site under 10,000 square feet can choose, at the discretion of the developer, not to include any public art on the project site. In such a case, a developer will pay the required fee as a one-time payment to the APP Fund.

D. TYPES OF PUBLIC ART PROJECTS

1. *Large Private Projects*: Projects on private land in excess of 10,000 square feet. These projects require pre-project review by the Albany Arts Committee (AAC). For these projects, it is preferred that all of the Public Art Ordinance fee be used to create public art on the project site. Subject to City approval, a portion of the fee may be reserved in the Art in Public Places (APP) Fund, for future public art projects in different locations. The AAC may initiate its review of Large Private Projects at any time, so as to allow these projects to move through the City's Design Review process in a timely fashion.

2. *Small Private Projects*: Projects on private land 10,000 square feet or less. Pre-project review by the AAC is recommended for these projects. At the discretion of the applicant, a one-time, in-lieu fee can be paid into the APP Fund. If the applicant does not pay an in-lieu fee, then the Public Art Ordinance fee must be used to create public art on the project site and the plan for this art is subject to review by the AAC. The AAC may initiate its review of Small Private Projects at any time, so as to allow the project to move through the city's Design Review process in a timely fashion.

3. *City Projects*: Public art projects initiated by the City. City Projects will only be approved as part of the biannual Public Art Projects Plan (see Section I: "City-Owned and Community Projects").

4. *Community Projects*: Public art projects initiated by the community, an organization, or an individual. Pre-project review by the AAC is required for these projects. Community Projects may be wholly or partially funded by donations of cash, labor, or materials from private citizens or organizations. The AAC may also approve funds from the APP Fund to support these projects. Community Projects will only be approved as part of the biannual Public Art Projects Plan (see Section I: "City-Owned and Community Projects"). For more on Community Projects, see Section K: "Community Participation").

E. PRE-PROJECT REVIEW OF PRIVATE PROJECTS

Large Private Projects: For a project site of greater than 10,000 square feet, a pre-project meeting with the Albany Arts Committee (AAC) is mandatory. In this meeting, which is held before formal project plans are submitted to the City for Design Review, potential sites and scopes for the public art component will be discussed with the applicant. It is preferred that Public Art Ordinance fees for Large Private Projects be entirely applied to the project site. If the applicant requests to pay some or all of the assessed fee into the pooled AAP Fund for projects on other sites, AAC will make a recommendation as to whether this is appropriate.

Final approval to pay some or all of the assessed Public Art Ordinance fee for a Large Private Project into the AAP Fund, in lieu of applying it to the project site, rests with the entity with overall project decision-making authority (usually the Planning & Zoning Commission).

Small Private Projects: For a project site of less than 10,000 square feet, the applicant will first determine whether to pay a one-time in-lieu fee into the pooled APP Fund or to pursue a public artwork within the project. Should the applicant elect to apply some or all of the fee toward public art on their project site, the AAC's Public Art Review process will apply.

Prior to Public Art Review, a pre-project meeting to appropriately site and scope the public art component is highly recommended, as the staff and members of the AAC are public art advocates who can assist small project applicants in planning their public art project. The pre-project meeting is not required.

F. AAC PUBLIC ART REVIEW: PRIVATE PROJECTS (LARGE AND SMALL)

- *F1. Process and Submission Requirements*

Following submission of project plans to the City for Design Review, the Albany Arts Committee will conduct a Public Art Review of the public art component of the project.

The AAC's finding through its Public Art Review process is considered a strong recommendation to the Planning & Zoning Commission, the Albany Planning Code's overall decision-making authority. Design Review for other aspects of the project and the Public Art Review component can be approached separately, upon request to planning staff. The Public Art Review may be deferred to a future date. In this case, the applicant shall submit a deposit equal to the valuation of the public art. Following Planning & Zoning Commission approval of an amendment to the applicant's Design Review plans incorporating public art elements of the project an application for a building permit can be issued.

While the design of the artwork shall be left to the artist selected by the applicant to encourage creativity, originality and inventiveness, the AAC's Public Art Review will evaluate the appropriateness and quality of the artistic solution. An application for approval of a private project of any size incorporating public art shall include the following material:

a) Written description of the proposed artwork, including the artist's intent, process, and project goals, and the names of all project partners including contractors and subcontractors;
b) Artist's resume and/or other supporting materials relevant to the artist's experience with similar projects, such as the artist's website(s) and portfolio and letters of reference or testimonials;
c) Detailed description of proposed materials and methods of installation deemed suitable for the site conditions;
d) Photographs of the existing site;
e) Adequate visual representation, in color, of the proposed work, in drawing(s) and/or three dimensional model(s), with scale indicated;
f) A scale drawing or digital photographic mockup depicting the proposed work in the context of its environs (with surrounding landscape, buildings, sidewalks, etc.);
g) A preliminary estimate of all costs related to creating and installing the artwork;
h) A project timeline including design process, all city reviews and installation;
i) A suggested maintenance plan indicating schedule, instructions, life expectancy of work, etc.

At its discretion, the AAC may evaluate a project on its own, or may engage the services of an outside expert or panel of experts for additional guidance. Project developers or artists may be asked to attend an AAC meeting to answer questions, respond to the community, or provide further information.

- *F2. Standards of Review*

The Public Art Review approval of the proposed artwork shall be based on the following criteria:

a) Is the site location and public visibility of the artwork appropriate?
b) Is the artwork appropriate for the project site, environment, and community?
c) Is the artwork potentially offensive to the public?
d) Does the artwork create a physical or visual safety hazard to the public?
e) Is the scale of the artwork appropriate for the intended location and surroundings?
f) What physical elements (i.e. rain, sun, irrigation, landscaping) might change the appearance of the artwork over time?
g) Is the artwork protected from vandalism or graffiti?
h) Does the applicant have a maintenance plan for the artwork to ensure longevity?
i) Does the artwork include appropriate night or accent lighting?
j) Does the artwork include an identification plaque, with the artwork title, artist name and date of installation?
k) Does the project preserve and integrate with any natural features of the project site/environment? Natural features may include trees or other features of the natural terrain.
l) Does the artwork have compatibility of design and location within a unified design character or historical character of the site?

- *F3. Eligible Costs*

The required project estimate for the artwork may include the following expenses:

a) Artist design and fabrication fees;
b) Labor of assistants, as well as materials and contracted services required for the production and installation of the work of art;
c) Any required permit and certificate fees or business or legal costs directly related to the project, including appraisal costs;
d) Project-related insurance;
e) Production of material samples of critical elements, for matching purposes during construction;
f) Dealer's fees. (The National Endowment for the Arts and several other arts agencies recommend that no more than 10% of the artist's fee be paid as a dealer/gallery commission);
g) Transportation of the work of art to the site;
h) Preparation of the site to receive artwork;

i) Installation of the completed work of art;
j) Documentation (color slide and photographs) of the artwork's fabrication and installation and plaques to identify the artwork;
k) Dedication ceremony;
l) Other costs not on this list approved by AAC.

• *F4. Ineligible Costs.*

The following expenses shall not be considered in the value of the public art feature:

a) Directional elements such as graphics, signage or color coding except where these elements are integral parts of the original work of art or executed by an artist in unique or limited editions;
b) "Art Objects" that are mass-produced of standard design, such as playground equipment or fountains;
c) Reproduction, by mechanical or other means, of original works of art, except in cases of film, video, photography, or other media arts;
d) Decorative or functional elements such as those that are designed by the building architect and not an artist commissioned for this purpose;
e) Landscape architecture and landscaping gardening except where these elements are designed by an artist and are an integral part of the work of art by an artist;
f) The cost of services or utilities necessary to operate or maintain the artwork over time;
g) Fees of an independent art consultant retained by a developer to advise on the selection of artist(s) and/or manage the public art project.

G. PLANNING & ZONING COMMISSION REVIEW

As indicated above (see Section F: "AAC Public Art Review, Private Projects"), the AAC conducts the Public Art Review and recommends approval to the Planning & Zoning Commission, which oversees the implementation of the Albany Planning Code. The Planning & Zoning Commission must satisfy the findings requirements of section 20.58.070B. The aesthetics and quality aspects of the proposed artwork are in this list of required findings. The recommendation of the AAC will substantially influence the Planning & Zoning Commission's decision with respect to these areas.

H. PERMIT, CONSTRUCTION, AND MAINTENANCE PROCEDURES

• *H1. Building Permit / Detailed Art Submittal*

Following approval by the Planning & Zoning Commission the applicant shall prepare detailed plans and specifications related to the public art components of the project ("Detailed Art Submittal"). The Detailed Art Submittal shall be prepared by the applicant and reviewed by the City for compliance with City standards and the California Building Code. Any building permit application that does not include the Detailed Art Submittal shall be deemed incomplete and will not be processed through the plan check process.

The Detailed Art Submittal shall include:

a) Detailed plans and specifications related to the public art elements of the project, including plan and elevation drawings at a scale sufficient for the City to evaluate the precise location and detailed elements of the artwork, structural support, description of materials, plumbing plans, and electrical plans as applicable. Such plans shall be reviewed and stamped by the architect or engineer of record before submittal to the City;
b) Detailed instructions to the contractor for installation of the public art, if not artist-installed;
c) Detailed instructions to the contractor for protection of the art installation while the project is under construction;
d) Detailed instructions to the owner for long-term maintenance instructions.
e) Written documentation of the value of the Public Art Features. Such documentation shall be provided by an independent third party with qualifications acceptable to the Community Development Director;
f) Production of material samples of critical elements, for matching purposes during construction.

At a point deemed appropriate in the process, the AAC staff liaison shall update the AAC as to the progress of the Detailed Art Submittal. This update may require the attendance of the artist or developer at an AAC meeting. The purpose of this update is to confirm that project details approved in the Public Art Review are consistent with the Detailed Art Submittal. This may include production of test samples for quality confirmation.

In the event the Detailed Art Submittal deviates substantially from the approved Public Art Review proposal, including a change in the proposed artist(s), the Community Development Director shall determine if the revised plans require an amendment to Design Review approval and shall determine if the proposed changes shall be referred back to AAC and the Planning & Zoning Commission.

- *H2. Construction*

Installation of public art improvements shall be inspected during construction of the project for compliance with City standards and requirements, including the California Building Code, and other conditions of approval. The applicant and the Community Development Department shall prepare a written inspection protocol associated with the installation of the artwork.

In the event of delays beyond the reasonable control of the applicant, the Building Official may issue a certificate of occupancy if the applicant provides financial security in a form acceptable to the Community Development Director, which is equivalent to the valuation of the approved public art feature.

- *H3. Maintenance*

A public art feature installed on private property is the sole responsibility of the property owner and must be maintained for the life of the development. If the property is sold, the maintenance of the artwork will become the responsibility of the new owner.

In the event the City finds that a privately maintained public art feature needs repair, a letter will be sent to the landowner along with a copy of the original maintenance agreement and maintenance recommendations provided by the artist.

In the event a landowner wishes to remove a public art feature from the site and replace it with another, the landowner must comply with the requirements of Section 20.58.050 of the Planning and Zoning Code, as well as the Federal Visual Artists Rights Act (VARA) and the California Arts Preservation Act (CAPA).

I. CITY-OWNED AND COMMUNITY PROJECTS

The process for developing public art on City-owned property and for developing public art initiated from the community on City-owned property is different from the process linked to private development projects. Projects on city-owned property may or may not be part of a City-managed construction site. The impetus for new projects in this category may come from the AAC, from a City project with funds available for public art, or from the community.

- *Public Art Projects Plan (PAPP)*

The review and implementation process for public art on City property and for City and community-initiated projects is guided by the Albany Arts Committee (AAC)'s Public Art Projects Plan (PAPP). This plan is approved every two years, typically in the Spring, by the City Council as part of the AAC's two-year work plan. The AAC will periodically review the PAPP, which may be revised or amended at any time during the two-year PAPP cycle, with City Council approval.

In determining every two years what projects to include in the PAPP, the AAC will review:

a) the site inventory in the Public Art Master Plan (see matrix on pp. 51–52);
b) the balance of the Art in Public Places (APP) Fund;
c) the proposed biannual budget to be expended from the APP Fund;
d) any public art project opportunities or suggestions presented by City staff;
e) any public art projects suggestions or proposals from the community.

Following this review, the AAC will develop a list of projects that the AAC believes can be appropriately and realistically achieved during the upcoming two-year period. The AAC will forward this list of projects to the City Council as the proposed PAPP.

The AAC will include as much available detail pertaining to each project as it believes will help inform the City Council's approval of the PAPP. This may include (where known) a brief summary of any or all of the following information for each project:

a) proposed site or shortlist of sites;
b) proposed artist(s) or shortlist of artists;
c) descriptions of the artwork or type of artwork with a brief rationale for why this work/type of work should be on the proposed site;
d) estimated project budget and portion to be supported by the APP Fund;
e) impetus for including the project in the PAPP (i.e. the AAC, another City department or the community).

It is understood, as the PAPP is only developed every two years, that more details may be known for some projects than for others. It is anticipated that not all projects included in the PAPP will be completed during its two-year duration. Unfinished projects will typically be added to the next PAPP for a new two-year period.

All projects included in the PAPP will be subject to the AAC's Public Art Review process (see Section J, below). Once approved, projects will be implemented in coordination with all appropriate City departments.

J. AAC PUBLIC ART REVIEW: CITY-OWNED AND COMMUNITY PROJECTS

Once the PAPP has been approved by the City Council, the AAC will carry out a Public Art Review process for all projects in the PAPP. This review process may vary significantly in length and complexity, depending on the unique nature of each project. Thus, the AAC may have multiple Public Art Review processes in progress at the same time, each in different stages of review.

• *J1. Review Process for PAPP projects*

The AAC will conduct its Public Art Review of all projects in the current PAPP during regularly scheduled meetings. A subcommittee may be formed to carry out research, or any other aspect of the review process, outside of regular meetings in accordance with AAC policies.

As a first step in the review process, the AAC shall determine:

a) whether any Requests for Qualifications (RFQ) or Requests for Proposals (RFP) should be issued for the project and what they should contain;
b) whether and why a short list of artists should be considered for any project, in lieu of an RFQ or RFP;
c) if there is a need to solicit public comment outside of the AAC regularly scheduled meeting;
d) if there is any special information the AAC needs to issue a fair and informed recommendation.

City staff shall, upon request or at their initiative, provide the AAC with written guidance or supporting documents to aid them in making the above determinations.

If Requests for Proposals (RFPs) and/or Requests for Qualifications (RFQs) are deemed necessary, these will be disseminated as broadly as possible through local media and arts media, and will be announced at least 90 days before any further discussion or determination as to selection of artists or specific design schemes. Public meetings and/or site visits will be held as needed, at the determination of the AAC.

• *J2. Review Without a Selection Panel*

For projects with an anticipated cost of less than $10,000 that are not sited on one of the twelve top priority sites identified in the Public Art Master Plan Survey of Sites, the AAC may choose to carry out its Public Art Review without the assistance of a Selection Panel.

The AAC can determine at its complete discretion, and at any time in the Public Art Review process, that a Selection Panel is necessary, even for projects that cost less than $10,000 and are not on a priority site. In this case, the Public Art Review process would follow the guidelines under section "J3: Selection Panel."

In order to conduct its final review of a project without a Panel, the AAC will require the following information. This information may come from RFP/RFQ responses or—if there was no RFP/RFQ process—may be prepared by an AAC subcommittee, by city staff, or by an individual or organization representing a Community Project (see Section K: "Community Participation"):

a) Written description of the proposed artwork, including the artist's intent, process, and project goals, and the names of all project partners, including contractors and subcontractors;
b) Artist's resume and/or other supporting materials relevant to the artist's experience with similar projects, such as the artist's website(s) and portfolio and letters of reference or testimonials;
c) Detailed description of proposed materials and methods of installation deemed suitable for the site conditions;
d) Photographs of the existing site;
e) Adequate visual representation, in color, of the proposed work, in drawing(s) and/or three dimensional model(s), with scale indicated;
f) A scale drawing or digital photographic mockup depicting the proposed work in the context of its environs (with surrounding landscape, buildings, sidewalks, etc.);
g) A preliminary estimate of all costs related to creating and installing the artwork;
h) A project timeline including design process, all City reviews, and installation;
i) A suggested maintenance plan indicating schedule, costs, instructions, life expectancy of work, etc.

The AAC staff liaison will determine whether the above information has been received before placing the project on the AAC agenda for review.

The AAC will evaluate the project plan applying all the same standards of review as used for private projects:

a) Is the site location and public visibility of the artwork appropriate?
b) Is the artwork appropriate for the project site, environment, and community?
c) Is the artwork potentially offensive to the public?
d) Does the artwork create a physical or visual safety hazard to the public?
e) Is the scale of the artwork appropriate for the intended location and surroundings?
f) What physical elements (i.e. rain, sun, irrigation, landscaping) might change the appearance of the artwork over time?
g) Is the artwork protected from vandalism or graffiti?
h) Does the applicant have a maintenance plan for the artwork to ensure longevity?
i) Does the artwork include appropriate night or accent lighting?
j) Does the artwork include an identification plaque, with the artwork title, artist name and date of installation?
k) Does the project preserve and integrate with any natural features of the project site/environment? Natural features may include trees or other features of the natural terrain.
l) Does the artwork have compatibility of design and location within a unified design character or historical character of the site?

In the case of Community Projects (see Section K: "Community Participation"), the AAC will also consider the following criteria:

a) whether the Community Project has secured outside funding or will rely entirely on APP Fund support to carry out the project;
b) to what extent a particular artist or other individual or agency stands to enjoy monetary or promotional gain from association with the project;
c) degree of neighborhood support or opposition to the project as evidenced by letters, petitions, minutes from meetings, statements in public meetings or any other documentation.

The AAC will decide whether to approve the project, request additional information, or recommend the project be abandoned. If the AAC requests additional information, the staff liaison will put the project back on the agenda for review once the requested information can be made available.

If the AAC recommends a project be abandoned, the project will receive no further consideration in the current PAPP cycle. This does not mean the same or a similar project cannot be added to the PAPP in future cycles.

- *J3. Selection Panel*

The AAC will appoint a Selection Panel to assist with the Public Art Review process for any project in the PAPP with an estimated cost of $10,000 or more, or for any project sited on one of the twelve top priority sites identified in the Public Art Master Plan Survey of Sites. Depending on the number of projects meeting these criteria in a given cycle, the AAC may choose to appoint more than one Selection Panel, or may hire an expert facilitator, and may direct funds from the APP Fund to cover such costs. In addition, the AAC may appoint a Selection Panel for any project, at any point in the Public Art Review process, if the ACC deems this necessary for a fair and informed process.

Selection Panels will always consist of an odd number of voting members, drawn from the following categories:

a) Artists or arts professionals (designer, curator, educator, etc.);
b) Interested members of the community;
c) In the case of Community Projects (see Section K: "Community Participation"), one or more representatives of the neighborhood in which the artwork(s) will be located. If the Selection Panel is deliberating on more than one Community Project, the neighborhood representative on the panel for one project will be replaced with the appropriate representative for another as the Panel's subject of deliberation changes.

There will be a minimum of three voting members on a Selection Panel. Artists and arts professionals will always outnumber nonprofessionals.

Non-voting members may also be appointed to the Selection Panel from the following categories:

a) The design architect, if known at this stage;
b) The project manager or designee from the City Department collaborating on the project;
c) Other members of the project design team, if known at this stage;
d) A member of the AAC.

Conflict of Interest Prohibits Participation: Any person who would receive financial gain from the selection of artists or artworks is ineligible to serve on a Selection Panel. Any artist selected to serve on the Panel is precluded from having his/her work considered for any Public Art project during his/her time of service. Except in the case of deliberations on Community Projects, which are neighborhood initiatives, persons living within 500 feet of a proposed project shall recuse themselves from consideration of that project; in this circumstance, the AAC may appoint another person to replace the recused panelist until deliberation and voting on the project in question is complete.

- *J4. Selection Panel Review Process*

The role of the Selection Panel is to make specific recommendations about design options and artist selection where these apply.

The Selection Panel shall meet in open session. City staff shall issue written instructions to panelists detailing the duties and responsibilities related to the project before the first panel meeting.

All project proposals before the Selection Panel for final review should include the following materials, similar to those required for private projects (Section F: "AAC Public Art Review, Private Projects"). This information may come from RFP/RFQ responses submitted or—if there was no RFP/RFQ process—may be prepared by staff from one or more City departments or by an individual or organization representing a Community Project (See Section K: "Community Participation"):

a) Written description of the proposed artwork, including the artist's intent, process, and project goals, and the names of all project partners, including contractors and subcontractors;
b) Artist's resume and/or other supporting materials relevant to the artist's experience with similar projects, such as the artist's website(s) and portfolio and letters of reference or testimonials;
c) Detailed description of proposed materials and methods of installation deemed suitable for the site conditions;
d) Photographs of the existing site;
e) Adequate visual representation, in color, of the proposed work, in drawing(s) and/or three dimensional model(s), with scale indicated;
f) A scale drawing or digital photographic mockup depicting the proposed work in the context of its environs (with surrounding landscape, buildings, sidewalks, etc.);
g) A preliminary estimate of all costs related to creating and installing the artwork;
h) A project timeline including design process, all city reviews, and installation;
i) A suggested maintenance plan indicating schedule, costs, instructions, life expectancy of work, etc.

The Selection Panel will evaluate each design and/or artist option under consideration, applying the same standards of review as used for private projects:

a) Is the site location and public visibility of the artwork appropriate?
b) Is the artwork appropriate for the project site, environment, and community?
c) Is the artwork potentially offensive to the public?
d) Does the artwork create a physical or visual safety hazard to the public?
e) Is the scale of the artwork appropriate for the intended location and surroundings?
f) What physical elements (i.e. rain, sun, irrigation, landscaping) might change the appearance of the artwork over time?
g) Is the artwork protected from vandalism or graffiti?
h) Does the applicant have a maintenance plan for the artwork to ensure longevity?
i) Does the artwork include appropriate night or accent lighting?
j) Does the artwork include an identification plaque, with the artwork title, artist name and date of installation?
k) Does the project preserve and integrate with any natural features of the project site/environment? Natural features may include trees or other features of the natural terrain.
l) Does the artwork have compatibility of design and location within a unified design character or historical character of the site?

In the case of Community Projects (see Section K: "Community Participation"), the Selection Panel will also consider the degree of neighborhood support or opposition to the project as evidenced by letters, petitions, minutes from meetings, statements in public meetings or any other documentation.

The Panel shall recommend to the AAC its preferred design and/or artist option from among those under consideration. If the Panel cannot reach a consensus, then a vote shall be taken, with the majority carrying the decision. Panelists shall each have one vote, and no Panelist shall have the right of veto.

The Panel's decision shall be recorded by the AAC Staff Liaison in the form of a written record to the AAC. The AAC will vote to formally approve or reject the Panel's decision.

The Panel shall have the option of making no selection. In the event that no selection is made, or that the AAC votes to reject the Panel's decision, the AAC shall determine whether to:

a) initiate a new selection process (which may or may not include revision to the overall project plan and/or issue of a revised RFP/RFQ) or
b) abandon the project.

If the AAC determines to abandon the project, the project will receive no further consideration in the current PAPP cycle. This does not mean the same or a similar project cannot be added to the PAPP in future cycles.

K. COMMUNITY PARTICIPATION

In order to foster community participation in the Public Art Program, the Albany Arts Committee shall:

a) Whenever appropriate, ensure that Selection Panels on public art projects include community members, especially from neighborhoods where projects will be located (with the exception that residents living within 500 feet of a project site shall not serve on a panel considering that project, unless it is a Community Project, see Section K: "Community Participation");

b) Whenever appropriate, provide opportunities for community input:

   i. Arrange meetings with artists selected for public art projects,
   ii. Schedule tours to public art sites, and
   iii. Arrange for the public display of artists' models for public art projects under consideration or development

c) Create a "Community Projects" category to enable community members to propose sites, concepts, and projects for potential inclusion in the Public Art Projects Plan. Guidelines for the "Community Projects" category are as follows:

i. The AAC will make every effort to provide guidance to Community Project sponsors and applicants with regard to artistic quality, materials, locations, budget, and other matters that will determine whether their proposal will be successful.

ii. As part of the PAPP, the AAC may determine an amount of funding ("set aside funds") to be reserved for Community Projects during that two-year PAPP period. The amount of set aside funds should not exceed 20% of the total available in the APP as of January 1 in the year the PAPP is to be approved. These set aside funds do not have to be expended if no appropriate Community Project is approved to receive them within the two-year PAPP cycle.

iii. AAC will define in the PAPP the RFP process and timing it will follow during the 2-year cycle to allocate the set aside funds to specific Community Projects.

iv. Community Projects will be reviewed with or without the guidance of a Selection and Review Panel in accordance with the guidelines laid out above (see Section J: "Public Art Review"). In addition to the standards for review applied to all public art projects, the following criteria will be considered with respect to Community Projects:

1. whether the Community Project has secured outside funding or will rely entirely on APP Fund support to carry out the project;
2. to what extent a particular artist or other individual or agency stands to enjoy monetary or promotional gain from association with the project;
3. whether the project will be installed on City of Albany property. Projects on private property, or property owned by other agencies, will be subject to scrutiny to ensure they do not violate any ordinance or provision of law related to the use of City funds;
4. degree of neighborhood support or opposition to the project as evidenced by letters, petitions, minutes from meetings, statements in public meetings or any other documentation.
5. rejection of a Community Project does not mean that the AAC will not recommend or approve a similar concept or project by a different artist at the same or different location.

L. DONATIONS, LOANS, AND BEQUESTS

The AAC oversees a Sculpture Loan Program as described in the Programs section. Acceptance of any donation, free loan or bequest of completed artwork by an individual or organization for placement within the City must be brought to the attention of the City Manager who will then refer the matter to the AAC. If the proposed site is not one of the twelve top priority sites identified in the Public Art Master Plan Survey of Sites, and no funds from the APP are being requested in connection with the installation or other aspects of the donation, loan or bequest, then the AAC may recommend at any time to City Council that the donation, loan or bequest be accepted and installation move forward subject to other City approval processes.

If the proposed site is one of the top twelve priority sites and/or APP funds are being requested to support the facilitation of the donation, loan or bequest, then the AAC shall consider whether to add the proposed donation, loan or bequest to the PAPP via the regular two-year cycle process or via amendment, with City Council approval. If added to the PAPP, the donation, loan or bequest will then be considered via the Public Art Review process (see Section J: "AAC Public Art Review, City-Owned and Community Projects"), following all guidelines in this section.

PROGRAMS

Prior to passage of the Public Art Ordinance and the development of this Master Plan, the AAC was actively pursuing and managing multiple existing art programs throughout Albany. The intent of this plan is to facilitate all the cultural infrastructure of the community, not just the physical pieces of public art. These programs are included within the auspices of the Master Plan and are considered essential aspects of it.

Community Art Gallery

The Albany Arts Committee is responsible for the management and operation of the Albany Community Center Art Gallery located in the foyer of the Albany Community Center.

The Albany Arts Committee currently sponsors four art shows per year and the exhibits run for approximately three months. Artists can apply to the show by submitting their artwork for review by the Albany Arts Committee. The Arts Committee reviews applications in June/July of each year.

A member from the Arts Committee will act at Gallery Manager. Once the selection process has been done by the full committee, the Arts Committee Gallery Manager will follow-up with the selected artists to schedule a visit to view their work and discuss the exhibit program, schedule of exhibit and show opening. Selected artists will be required to pay an exhibit fee due 60 days before the opening reception.

The Albany Arts Committee provides security hardware for mounting on the artwork to be displayed and the artist is responsible for hanging and taking down the show. The artist must include in the exhibit labels with title, medium and date under each artwork displayed.

The opening reception is scheduled on the Sunday following the hanging of the show. The Arts Committee provides flowers, coffee, and punch. The artist is welcome to bring additional food and beverages. The artist is solely responsible for the serving of alcoholic beverages and must serve each person personally.

Artwork can be for sale. All proceeds from sales go to the artist. The Arts Committee does not take a commission on sales.

Mural Program

Purpose: To use the power of art and the mural design process as tools for community engagement, blight remediation, beautification, demonstration of civic pride, and prevention of crime. Local artists and property owners together will create public-pleasing mural artworks that will lend color and beauty to our community.

Goal: Distinctive to Albany. The murals are to be reflective of, rather than dissonant to, the Albany community and character. Suggested topics include Albany historical themes or themes appropriate to specific location or venue. Murals are to be non-political and should serve to reflect Albany's culture, history and vision.

Several criteria should be considered when selecting the mural:

> Is the artwork appropriate for the project site, environment and community?
>
> Does the artwork reflect the character of Albany or Albany-related historic or cultural themes?

Are the site locations and public visibility of the artwork appropriate?

Does the artwork create a physical or visual safety hazard to the public?

Does the design for the artwork have the support of the people who live or work in its vicinity?

Is the artwork in any way offensive, in bad taste, polarizing, or otherwise inappropriate for general public display?

Is the scale of the artwork appropriate for the intended location and surroundings?

What physical elements (i.e. rain, sun, irrigation, landscaping) might change the appearance of the artwork over time?

Is the artwork protected from vandalism or graffiti? Consideration should be given to types of paint and the application of an anti-graffiti coat.

Does the applicant or property owner have a maintenance plan for the artwork to ensure longevity?

Does the artwork include an identification plaque, with the artwork title, artist name and date of installation?

Has the property owner given written permission to the artist to create the artwork, and must the property owner approve the final design?

Will the mural be separable from the structure to protect it if the building is remodeled or demolished? Will the property owner agree to preserve the mural and not paint over or modify it? Has the artist signed a release regarding length of time mural will be displayed?

Is the artwork economically feasible? Is it clear to all parties who will pay for materials, labor, and other costs?

Does the artwork have compatibility of design and location within a unified design character or historical character of the site?

Will the artist ensure a successful aesthetic outcome while respecting the participation of community members?

A development permit may be required.

To ensure positive outcome, it is strongly recommended that the Art Ordinance Program Implementation Procedures be followed in designing a mural in Albany.

The Arts Committee does not grant permits or approvals, we are here to make the process of going from idea to completed work easier, helping with permits and permissions, and supplying advice on materials and appropriateness of design. The Arts Committee can assist connecting property owners and artists.

Poet Laureate Program

The City of Albany Poet Laureate Program began in summer 2008. The program has two purposes:

LITERARY: To increase awareness and appreciation of poetry; to draw attention to the city's support of education, literacy, and the arts in general; to honor the literary accomplishments of noted citizens and to acknowledge the many writers and poets who live in our community.

OCCASIONAL: To celebrate and to publicly observe events that are important in the life of the city and its residents.

The Program Guidelines are as follows:

The Poet Laureate will be appointed by the City Council after considering the recommendations of the Albany Arts Committee.

The administration of the Poet Laureate Program will be overseen by a subcommittee of the Albany Arts Committee.

The term of the Poet Laureate will be two years and may be renewed for one term at the option of the City Council.

The Poet Laureate will receive an honorarium.

The Poet Laureate will enter into a contract or letter of agreement with the City covering obligations, term, remuneration, copyright issues, and other conditions of his/her appointment.

Duties of the Poet Laureate

Write and publicly present to the City at least 4 new poems each year for public occasions (example: First Day of Spring, Memorial Day Services, July 4th, Thanksgiving) as determined by the Poet Laureate Subcommittee

Hold a poetry workshop at a lower-level school (middle or elementary) in year 1 of the term and at the high school in year 2 of the term

Offer a public reading of his/her work and that of other poets at the library or other designated venue once a year

Participate in other activities that promote poetry throughout the community

Help in the planning of events during his/her term so that these events make the best use of the poet's talents and interests

At the end of the term, provide the City with a brief written report on his/her experience of the program and how it might be changed or improved, for the benefit of subsequent Poet Laureates

Selection

The process of selecting of the Poet Laureate is administered by the Poet Laureate Subcommittee of the Arts Committee. A public call for applications draws candidates. Promising candidates are interviewed by a separate selection committee, which then chooses finalists and the winning candidate.

Applicants must meet the following criteria:

Must have live or work in Albany.

Must have a proven record of publication of at least 5 years and of at least 6 poems in paid-circulation magazines or in at least 1 book of 48 pages or more

Must have a record of active contribution as a poet, as acknowledged by one's peers and by community involvement in the form of teaching, judging, or performance

Contract

The selected candidate signs a contract with the city. The contract outlines The Poet Laureate's duties and covers warranties, content, and copyright issues that pertain to the ownership of the work, the appropriateness of its subject matter and language in a public space, and the rights the city has to print and display the poet's works during and after his/her term.

Forms and documents

Forms, templates, and further details on applications, selection, administration, and funding for the Poet Laureate Program are available from the Recreation and Community Services Department.

The Council may revise the specified duties of the Poet Laureate to accommodate special occasions or needs.

Banner Program

Purpose:

It is a goal of the City of Albany to have banners on street poles on San Pablo Avenue, Solano Avenue, and Buchanan Street as a means of creating a community identity within the city limits, as well as providing scenery or publicizing local events or activities. Organizations may apply to the City of Albany to hang banners on the City-owned street poles. In reviewing proposals, the City will consider whether the purpose of the banners is consistent with the City's banner program goals.

Design guideline goals for the banners:

Distinctive to Albany. The purpose of this guideline is for the banners to be reflective of, rather than dissonant to, the Albany community and character, and to help insure that Albany does not look like "Anywhere, USA." Designs created for Albany's use only[1] are encouraged. Banners that are available in the general market are not prohibited; options available to make them unique to Albany (color, overlay graphics, etc.) are encouraged but are not required if otherwise the banners are distinctive to Albany.

Simple, and be cohesive yet have an element of diversity among the banners. The purpose of this guideline is to encourage banners to not appear too "busy" with content, to have a theme that interconnects them, while also providing some variation so as to reduce monotony. Examples of ways to provide variety while retaining an overall theme include printing the same design in different colors or different designs in the same color.

Banners publicizing events and activities:

In addition to banners that may be in place for purposes of community identity or scenery, not-for-profit organizations may apply to hang temporary banners at certain key intersections on a short-term basis to publicize events or activities taking place in Albany. The locations are as follows:

- San Pablo Avenue/Buchanan
- Santa Fe/Solano
- San Pablo Avenue/Solano
- Jackson/Buchanan

Generally speaking, these banners would not be hung for more than six months, unless the City makes a finding that further display is warranted, such as due to the nature of the event or activity.

Sponsorships:

Banners may contain the names of sponsoring businesses, individuals, or organizations. The portion of the banner space devoted to sponsor names may not exceed 30 percent.[2] Fonts, logos, graphics, or other distinguishing characteristic of the sponsor may not be used on the banner.

END NOTES for BANNER PROGRAM
[1] Does not preclude display on upper Solano in Berkeley
[2] Calculated by creating a box around the overall space used by the letters of the name(s).

Artists Registry

This registry is used to prequalify artists for public art projects in Albany based on their experience. Artists who are not in the registry may also be chosen for projects.

1. Name
2. Address
3. Contact Information
   - Email
   - Phone
   - Fax Web site
4. Art form & Style
5. Relevant Art Projects and Location
6. Education and training
7. Client endorsement.

Public Art Registry

This Registry is use to educate residents on existing Public Art in Albany. Included for each piece will be the following information:

Title
Artist, age, city
Location - park, street, building, waterfront
Installation date
Description (interior, exterior, material, metal, stone, oil, watercolor, textile)
Photos
Cost
Donor/Funder

Seasonal Festivals

Seasonal Art Festival held at Memorial Park in late spring which offers music, workshops, art vendors, food and information booths to promote art in Albany.

Sculpture Loan Program

Purpose:

To facilitate the installation of public art, in locations designated by the Arts Master Plan, by accepting public sculptures on loan or by gift/donation.

Benefits of Sculpture Loan Program:

- Public art provides the City with focal points of interest and creates a sense of place
- Artist are given the opportunity to publically display work
- With limited resources, the City has the opportunity to display public art throughout the City
- Artists plaque is displayed at base of sculpture giving recognition to artist
- Artist may attract interested buyers due to increased exposure (City will post sculpture and prices on City website)

Call for Public Sculptures:

The Albany Arts Committee will publicize a call for entries for specific locations that have been designated as a Sculpture Loan Program site.

- Deadline: Set deadline to apply
- Application: Form, 3 photos, statement of installation guidelines, biography of artist
- Size requirements: Typically bases measuring from 3'x3' to 6'x6' but each site will have specific size requirements
- Selection: Will follow selection process of PAPP
- Option to include $1,000 stipend to selected artists
- ACC determines available locations each year

Sculpture Loan Terms:

Artist and City will enter into a Loan Agreement. Sculptures will be on display for two (2) years. At the end of the two-year loan agreement there are four (4) options:

1. Albany Arts Committee and Artist decide to continue loan for 2 more years
2. Artist removes sculpture
3. Artist (or 3rd party) donates sculpture to City
4. Artist sells sculpture to City or 3rd party

Maintenance, Installation and Removal: Artists will be responsible for transportation, delivery, installation and removal of the sculpture. The installation of the sculpture shall be the responsibility of the artist and the City of Albany may assist to insure proper installation. Artist shall maintain the sculpture and City will maintain site, base and plaque for the duration of the loan agreement.

Base, Plaque and Publicity: The Albany Arts Committee/City of Albany will provide the base and identification plaque at the site of the art, as well as, public promotion and media coverage of the installation.

APPENDIX

A) SITES AND CRITERIA MATRIX – 11X17 FORMAT

Albany Public Arts Master Plan
Synopsis of Sites Survey with Criteria

	SITE OWNERSHIP			FUNDING SOURCE		TIME		COMMENTS	MEDIA					
	City	*Other*						*Constraints to be*						*Media*
	Property	*Public*	*Private*	*Pooled*	*Specific*	*Permanent*	*Temporary*	*Addressed*	*Sculpture*	*Flatwork*	*Tile*	*Mural*	*Glass*	*Arts*
1.West Edge														
1A. West Gateway – Buchanan St Gate	X	X		X		X		possible UC involvement	X	X				
1B. Marin Ave Gateway Site – West City Hall	X			X		X			X					
1C. Intersection – Buchanan/Marin and San Pablo Avenues	X	X		X		X		possible UC, Caltrans involvement	X		X	X		X
1D. City Hall Sites	X			X		X	X		X	X	X	X	X	X
1E. Pierce Street Open Space	X	X		X	X	X	X	may be Caltrans property	X	X	X	X	X	X
1F. Ocean View Park - Child Care Center	X			X		X	X		X	X	X	X	X	X
2.North Edge														
2A. Northern Gateway Site – San Pablo Ave	X	X		X		X		possible Caltrans involvement	X	X	X			X
2B. Northern Gateway Site – Creek Streets			X	X		X			X	X	X	X		
2C. Residential Opportunities – R2 & R3 zones			X	X	X	X			X	X	X	X	X	X
2D. BART Right-of-way to El Cerrito Plaza station	X	X		X		X		BART ownership	X	X	X			X
3.South Edge														
3A. San Pablo Ave. – UC Commerical Site		X	X	X		X		possible Caltrans involvement	X	X	X	X	X	X
3B. Southern Gateway Site – San Pablo Ave		X	X	X		X		possible Caltrans involvement	X	X	X	X		X
3C. Southern Gateway Sites – Creek Streets			X	X		X			X	X				
3D. Residential Opportunities – R2 & R3 zones			X	X	X	X			X	X	X	X	X	X
4.Solano & San Pablo Avenues														
4A. Solano Ave at San Pablo Ave		X		X		X		possible Caltrans involvement	X	X				
4B. Lower Solano Ave / Bulb-outs				X		X	X		X	X	X	X	X	X
3C. Residential Opportunities – R2 & R3 zones			X	X	X	X			X	X	X	X	X	X
5.Mid Solano Avenue - East Entry														
5A. Eastern Gateway – Safeway area	X	X	X	X	X	X		possible AC Transit involvement	X	X	X	X	X	X
5B. Typical Pedestrian "Bulb-outs"	X	X	X	X		X	X		X	X	X	X	X	X
5C. Mid-Solano Transit Stops	X	X	X	X		X	X	possible AC Transit involvement	X	X	X	X	X	X
6.Southeast Corner / Terrace Park district														
6A. "Jewel's" Terrace Park	X			X		X	X		X	X	X	X		X
6B. Traffic Island at Posen Ave and Peralta Ave	X			X		X			X					
6C. Roundabout at Ordway and Posen Avenues	X			X		X	X		X					
6D. St. Mary's School Walls along Posen Av.	X		X		X	X					X	X		
7.Greenways / Key Route & Masonic Ave.														
7A. Key Route Greenway Sequence														
7A-1. Key Route Blvd. / Median	X			X		X	X		X	X	X	X	X	X
7A-2. Key Route Blvd. / Crossings	X			X		X	X		X	X	X			
7A-3. Memorial Park	X			X		X	X		X	X	X			X
7A-4. Teen Center at Memorial Park	X			X		X	X		X	X	X	X	X	X
7A-5. Key Route / Entry into Albany	X			X	X	X			X		X			
7A-6. Key Route Plaza	X	X		X	X	X	X	coordination needed with local VFW post	X	X	X	X	X	X
7B. Albany Community Center and Library	X			X	X	X	X		X	X	X	X	X	X
7C. Albany Senior Center	X				X	X	X		X	X	X	X	X	
7D. Masonic Ave / BART right-of-way	X	X	X		X	X	X	with El Cerrito & Berkeley	X	X	X	X	X	X
8. Bayside														
8A. Golden Gate Fields Development Site	X	X	X		X	X	X		X	X	X	X	X	X
8B. Albany Bulb & Neck	X	X			X		X		n/a					

Image 60 – Synopsis matrix of Sites Surveyed with Criteria

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prepared Laczko-Huss

MATRIX DEFINITIONS

SITE OWNERSHIP

City Property = Property owned or controlled by City of Albany

Other Public = Non-private property within Albany city limits that is owned, controlled by and/or shares jurisdiction with another Public agency

Private = Property owned by a private entity

FUNDING SOURCE

Pooled = Monies in the Public Art Fund that have been aggregated from various development projects and can be directed to/expended at other sites at the discretion of the Albany Arts Committee

Specific = Funds spent at the site of development that has generated them

DURATION

Temporary = Of limited duration; may also refer to work made with less durable materials

Permanent = Expected lifespan of 20 years at minimum

MEDIA

Sculpture = Including freestanding, attached, integral and bas-relief sculptural elements

Flatwork = Horizontal installation, including concrete, stone paving, metal inlay, terrazzo, etc. as part of built environment

Tile = Modular material set in an adhesive bed on flat or 3D surface, typically vertical installation

Mural = Painted or otherwise applied two-dimensional artwork typically on a vertical surface in a relatively large scale

Glass = Window treatments, artisanal glass, hand-blown, leaded, etched, stained etc.

Media Arts = A broad category including artwork that is electronic, digital, light-based, may incorporate motion/kinetics, may employ a moving image, sound, 'new media,' online component, etc.

B) PUBLIC ART ORDINANCE TEXT

ORDINANCE NO. 07-04

AN ORDINANCE OF THE ALBANY CITY COUNCIL AMENDING CHAPTER XX, PLANNING AND ZONING OF THE ALBANY MUNICIPAL CODE TO INCLUDE REGULATIONS FOR ART IN PUBLIC PLACES PROGRAM

WHEREAS, the City of Albany has adopted a Zoning Ordinance in the form of Chapter XX of the Albany Municipal Code, Planning and Zoning; and

WHEREAS, the Conservation, Recreation and Open Space Element of the Albany General Plan includes Policy 10.1 "Consider establishing a fund for public arts projects from a variety of sources including grant monies"; and

WHEREAS, the purpose of the Albany Art in Public Places Program is to promote the acquisition, construction, installation, restoration, and maintenance of public art pieces in Albany that will foster creativity, freedom of expression, cultural awareness, civic pride, and a strong sense of community; and

WHEREAS, Public Art improves the aesthetic appearance of a city, contributing to the city's positive identity and image, and with the enhancement of the city's image, the city becomes a more desirable place to work, live, and visit; and

WHEREAS, an additional goal of the Public Art ordinance is to incorporate the vision of artists into the design of civic buildings and spaces from the initial planning stages so that the artwork is well integrated into project design; and

WHEREAS, pursuant to California Environmental Quality Act Guidelines Section 15061 (b)(3) and Section 15378(a), the City Council finds that this ordinance is not a project that has the potential for causing a significant effect on the environment; and

WHEREAS, on June 26, 2007, the Planning and Zoning Commission adopted a Resolution of Intent pursuant to the requirements of Planning and Zoning Code Section 20.100.070; and

WHEREAS, the Planning and Zoning Commission held a public hearing on July 24, 2007, duly noticed pursuant to California Government Code section 65090 and 65091; and

WHEREAS, following the close of said public hearing the Planning and Zoning Commission performed a detailed review of the draft ordinance, and recommended City Council approval of the draft ordinance; and

WHEREAS, the proposed ordinance does not involve a commitment to or require a significant physical change in future projects, and thus is not a "project" as defined by California Environmental Quality Act (CEQA) Guidelines Section 15378; and

WHEREAS, on September 17, 2007, the Albany City Council held a duly noticed public hearing on the draft ordinance to amend Chapter XX regarding Art in Public Places; and

NOW, THEREFORE, THE ALBANY CITY COUNCIL DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Purpose

Chapter XX of the Albany Municipal Code is hereby amended to include a new Subsection 20.58.010 titled "Purpose" to consist of the following text:

An Albany Art in Public Places Program is hereby established on issuance of certain building permits for development in the City of Albany. The Albany Art in Public Places Program shall be in addition to all other charges for approvals and permits required by other ordinances and resolutions of the City of Albany.

Section 2: Definitions

Chapter XX of the Albany Municipal Code, Section 20.08 titled "Definitions" is hereby amended to include the following text:

Public Art Project Threshold - The City Council shall adopt by resolution, standards that set forth the size and types of building permits upon which the ordinance is imposed.

Construction Cost - Construction cost shall be based on building valuation per square foot, as contained in the City Master Fee Schedule, as it may be amended from time to time, excluding land valuation and off-site improvement costs.

Public Artwork – may include sculpture, monument, mural, fountains, fresco, relief, painting, drawing, etching, original print and collage, mosaic, ceramic, weaving, carving, stained glass, wood, metal, plastic, textile, earthworks, digital art, or electronic art. The following items are not to be considered Public Artwork:

1. Normal landscaping, paving, architectural ornamentation, or signage, except where these elements are designed by the artist and are an integral part of the fine art works by the artist.

2. Decorative, ornamental, or functional building elements that are advertising in intention, or that includes a business name or logo.

3. Directional elements such as super graphics, signage, or color-coding except where these elements are integral part of original fine art works.

4. Art objects that are mass-produced from a standard design such as playground equipment, fountains, flags, or banners.

5. Decorative, ornamental, or functional building elements that are designed by the building architect or designer except where these elements are designed by the artist and an integral part of the fine art works by the artist.

6. Works of art that are perceived by the Arts Committee or review panel as offensive and not of interest to the general community.

Section 3: Exemptions

Chapter XX of the Albany Municipal Code is hereby amended to include a new Subsection 20.58.020 titled "Exemptions" to consist of the following text:

The requirements of this section shall not apply to:

1. Projects that have an active building permit application on or before the effective date of the ordinance.

2. Projects that are determined by the Community Development Director to be exempt from Design Review, pursuant to Section 20.100.050B.2.

3. Projects with project size or building valuation less than the Public Art Project Threshold.

4. A single family home that is the primary residence of the owner of the property.

5. Projects initiated to comply with Section 12-6.3.f (unreinforced masonry bearing wall).

6. Public improvement projects or publicly-assisted project in which the Community Development Director determines that the public source of funding, or other applicable regulation or policy, prohibits the use of funds for public art.

7. Underground public works projects, street or sidewalk repair, street lighting, or landscaping, including American Disabilities Act (ADA) mandated improvements and energy efficiency improvements to existing facilities.

Section 4: Art in Public Places Program Requirement

Chapter XX of the Albany Municipal Code is hereby amended to include a new Subsection 20.58.030 titled "Art in Public Places Program Requirement" to consist of the following text:

A. Applicants for all new development projects, except projects exempted in Section 3, are required to include a Public Art feature valued at the percentage of project construction cost set by Resolution of the City Council, or if eligible, pay an in-lieu fee pursuant to Section 5..

B. Valuation of Public Art Feature. An applicant is responsible for providing documentation of the value of a Public Art Feature. Such documentation shall be provided by an independent third party with qualifications acceptable to the Community Development Director. The cost of services or utilities necessary to operate or maintain the artwork over time shall not be included in the valuation of the Public Art Feature.

C. Nothing in this section shall prohibit an applicant from placing an approved Public Art Feature in a project with a valuation less than required, provided that the applicant pays to the Art in Public Places Fund an amount equal to the difference between the actual valuation of the Public Art Feature and the required valuation, pursuant to implementation procedures to be adopted by the City Council.

D. All Public Art Features installed on private property shall remain the property of the owner of the parcel. The obligation to maintain the Public Art Feature shall remain the property owner, may be incorporated into conditions of approval of the project, and shall be documented in the form of covenant recorded against the property. Failure to maintain Public Art Feature may be declared a public nuisance, and subject to the enforcement provisions of Chapter XVIII (Nuisances) of the Municipal Code.

Section 5: Art in Public Places Fund

Chapter XX of the Albany Municipal Code is hereby amended to include a new Subsection 20.58.040 titled "Art in Public Places Fund" to consist of the following text:

A. The Finance and Administrative Services Director shall establish and administer an Art in Public Places Fund, which shall be used for the acquisition, installation, improvement, and maintenance of Public Art Features. The Fund shall be maintained in a separate account and not co-mingled with other funds.

B. For proposed projects on sites of less than 10,000 square feet, at the discretion of the project applicant, in lieu of developing an on-site Public Art feature, a project

applicant may pay an in-lieu fee to the Art in Public Places Fund equal to the percentage of project construction cost set by Resolution of the City Council.

C. For proposed projects on sites of 10,000 square feet or more, at the discretion of the City and subject to Arts Committee review, a project applicant may request permission pay an in-lieu fee to the Art in Public Places Fund according to the schedule contained in Section 4 (B). The entity with overall project decision-making authority for the project may approve the request, if on the basis of the application and evidence submitted, the decision-making body makes one or more of the following findings, insofar as they are applicable:

a. The appearance, installation, access to, or maintenance of the public art feature would adversely affect the character of the site or nearby properties.
b. The installation, access to, or maintenance of the public art feature cannot be reasonably achieved in compliance with applicable Building and Housing Regulations (Chapter XII of the Municipal Code) or Planning and Zoning Regulations (Chapter XX of the Municipal Code).
c. The size, configuration, or land use on the site limits reasonable public access to a public art feature
d. The appearance, installation, access to, or maintenance of the public art feature conflicts with the applicant's reasonable ability to comply with other adopted policies of the City, including but not limited to the Green Building Program and development of affordable housing.
e. The appearance, installation, access to, or maintenance of the public art feature would have a detrimental impact on a historic resource, have the potential to be an attractive nuisance, or have a detrimental impact on public safety.

Section 6. Maintenance and Relocation

Chapter XX of the Albany Municipal Code is hereby amended to include a new Subsection 20.58.050 titled "Maintenance and Relocation" to consist of the following text:

A. Maintenance of Public Art Features installed on private property shall be the sole responsibility of the property owner, taking into account the recommendations of the artist as stated in the maintenance criteria provided during installation. Maintenance criteria shall be documented in conditions of approval associated with the project, and if appropriate, documented in the form of a written memorandum recorded on the parcel(s) with the County Recorders Office.

B. Title to all artworks required and installed pursuant to this section shall pass to successive owners of the real property

C. In the event that a property owner wishes to replace or relocate a Public Art Feature approved pursuant to this section, the property owner must pay for replacement public art feature of equal or greater value, or pay for the relocation of

the Public Art Feature to an alternative site in the City. Any replacement or relocation shall abide by all state and federal laws governing the rights of artists. The replacement or relocation of the art work shall be subject to an agreement with the City, which shall include a timeline for replacement or relocation, and shall comply with the requirements of this Section.

Section 7. Implementation Procedures

Chapter XX of the Albany Municipal Code is hereby amended to include a new Subsection 20.58.060 titled "Implementation Procedures" to consist of the following text:

A. Based on recommendations prepared by the Arts Committee and the Planning and Zoning Commission, the City Council shall adopt by resolution procedures for implementation of the requirements of this section, including Arts Committee responsibilities, selection and implementation of art on City property, use of Public Art funds, application requirements, procedures for repair, restoration, or relocation of Public Art Features approved pursuant to this section, and annual review of the Public Art program. Changes to implementation procedures shall be reviewed by the Arts Committee and the Planning and Zoning Commission prior to action by the City Council.

B. Approval of the public art component of a project shall be incorporated into the design review process pursuant to Section 20.100.050. A Public Art Feature may be approved by the Planning and Zoning Commission, based on a recommendation of the Arts Committee, if on the basis of the application and evidence submitted, the Commission makes the following findings, insofar as they are applicable:

1. The proposed Public Art Feature is consistent with any applicable design review standards or guidelines adopted by the City;
2. The Public Art Feature is an original work of high aesthetic quality;
3. The Public Art Feature is designed and constructed, in a manner and with materials that are adequate for the long-term integrity of the art and that will require a low level of maintenance to ensure that it remains in good condition for the intended life of the public art feature;
4. The scale, material, form, color, and content of the proposed Public Art Feature is compatible and in harmony with the its location and its surroundings; and
5. There is reasonable public accessibility or visibility to the Public Art Feature.

C. All Public Art Features shall meet applicable government requirements, including building code requirements.

D. In the event of delays beyond the reasonable control of a building permit applicant, the Building Official may issue a certificate of occupancy if the applicant

provides financial security in a form acceptable to the Community Development Director, which is equivalent to the valuation of the approved Public Art Feature.

Section 8. Hardship or Infeasibility Exemption.

Chapter XX of the Albany Municipal Code is hereby amended to include a new Subsection 20.58.070 titled "Hardship or Infeasibility Exemption" to consist of the following text:

A. Exemption. If an Applicant for a non-exempt project believes that circumstances exist that make it a hardship or infeasible to meet the requirements of this Section, they may apply for an exemption or reduction in requirements as set forth below. In applying for an exemption, the burden is on the Applicant to show hardship or infeasibility.

B. Application. If an Applicant for a non-exempt project believes such circumstances exist, the Applicant may apply for an exemption at the time of application submittal.

C. Meeting with Arts Committee. The Arts Committee shall review the information supplied by the Applicant, may request additional information from the Applicant. The Arts Committee shall make a recommendation to the overall project decision-making authority. If the Arts Committee recommends that it is a hardship or infeasible for the Applicant to meet fully the requirements of this Chapter based on the information provided, the Arts Committee shall recommend the maximum feasible valuation of public art achievable for the Project.

D. Granting of Exemption: The granting of an Exemption shall be made by the overall project decision-making authority. If an exemption is granted, the Applicant shall be required to comply with this Chapter in all other respects and shall be required to achieve the maximum feasible valuation of public art achievable for the Project.

E. Denial of Exemption. If the Arts Committee determines that it is possible for the Applicant to fully meet the requirements of this Chapter, they shall so notify the Applicant and the overall project decision-making authority in writing.

Section 9. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Section 10: Publication and Effective Date.

This ordinance shall be posted at three public places within the City of Albany and shall become effective thirty days after the date of its posting.

PASSED AND ADOPTED by the City Council of the City of Albany at its meeting on the 1st day of October 2007, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mayor Robert S. Lieber

C) REFERENCES FROM OTHER AGENCY PLANS

1.2 Standards: Observe standards for design and development of parks and open space areas as presented in Chapter 6 of the Master Plan report, as appropriate to the specific conditions of individual sites.

1.3 Existing Neighborhood Parks: Maintain and enhance existing neighborhood parks.

1.4 New Neighborhood Park: Create a new neighborhood park in the Albany Hill area so that all Albany residents have a neighborhood park within half a mile of their homes.

1.5 Community Park: Maintain and improve Memorial Park to serve as the community park for the whole city.

1.6 Open Space: Preserve and expand open space areas, and conserve their natural qualities.

GOAL 2: Make Albany a center for cultural and arts activities, with open space for art displays and musical performances. Beautify public space through public arts programs, landscaped boulevards and community gardens. Promote arts related activities.

Policies:

2.1 Promotion of the Arts: Actively engage in promotion of arts and culture in Albany through the following actions:

2.2 Space for programs: Take advantage of opportunities to enhance and expand indoor space, and associated outdoor areas, for a variety of recreational programs, including arts and cultural programs.

2.3 Outdoor cultural space: Provide flexible outdoor space that can be programmed for performances and other cultural activities. Utilize design review and permitting process to encourage creation of open spaces as part of private development.

2.4 Beautification and amenities: In planning public improvements, (such as street medians and islands, parking facilities, etc.) and in reviewing private development projects, (particularly along San Pablo and Solano Avenues and at the Golden Gate Fields site). Be alert to opportunities to create new spaces for public activities, public art, and for landscaping and other beautification efforts.

Linear Parks

Definition: Linear parks are developed landscaped areas and other lands that follow linear corridors, such as abandoned railroad right-of-ways, canals, power lines and other elongated features. This type of park usually contains trails, landscaped areas, viewpoints and seating areas.

Current Conditions:

1. Existing Conditions:

   Currently, there are no linear parks in the Albany planning area.

2. Service Area:

   a. Service Area: Citywide.

   b. Size: Varies

Design and Development Policies:

1. General Land Use Guidelines:

   a. Refer to the City's General Plan for specific land use and conservation polices related to public lands. (The applicable General Plan goals and policies are stated in Appendix E).

2. Site Selection Criteria:

   a. Linear parks should generally follow utility, railways or other linear corridors. In some instances, they can be located adjacent to roadways/railways as long as there is adequate space for a separated median or buffer area.

   b. Linear parks should be at least 25 to 50 feet wide. However, in some instances, narrower corridors will be accepted.

Recommendations:

The following are recommendations for linear parks in the Albany area. The table below summarizes the recommendations for linear parks.

1. Summary of Recommendations:

Table 6.8
Summary of Linear Park Recommendations
Albany Planning Area

Park Number	Site	Existing Acres/ Proposed Acres	Action
L-5	Key Route Median (P)	1.40	Planning, and Development
L-14	Catherine's Walk	0.02	Planning and Development
L-15	Ohlone Greenway	8.89	Upgrade
L-21	Waterfront Trail Park	0.30	Upgrade
L-32	Manor Walk	0.11	Upgrade
	Total	10.72	

Note: Bold sites are in City ownership. A portion of Key Route is owned by AUSD.

Existing Acres = 9.32 Acres
Proposed Acres = 1.40 Acres

2. Specific Improvements:

Key Route Median (Proposed) Site L-5

Currently, this site consists of a large median located in the center of Key Route Boulevard, extending from Solano Avenue on the South to the El Cerrito border on the North.

Action: Redevelop the median into a linear park equipped with a trail, landscaping and site amenities.

Catherine's Walk	Site L-13

This is a small corridor on the south side of Albany Hill. Facilities at the site are limited to a walkway with stairs and some remnant vegetation.

Actions: Prepare a plan for this site to include safety improvements and a maintenance plan.

Ohlone Greenway	Site L-15

This site lies adjacent to Masonic Avenue and follows the course of the BART tracks. It stretches from the El Cerrito city limits to the Berkeley city limits.

Actions: Prepare a development plan for Albany's portion of the Ohlone Greenway. The planning process should include consideration of the flowing types of improvements:

- A new lighting system throughout the length of the Greenway
- Basic upgrades including an automatic irrigation system and general landscape improvements
- Specialized trail surfaces for bicycles, running and walking
- Game courts
- An interpretive trail, historic, natural or artistic.
- Native plantings
- Community gardens
- Play structures. (Tots)

Waterfront Trail Park	Site L-21

This is a linear park lying within a portion of the right-of-way of Buchanan Street, between properties of the Eastshore State Park and Golden Gate Fields. The park contains a segment of the Bay Trail.

Actions: Upgrade the area lying within a portion of the right-of-way of Buchanan Street extension to include, enhancing the "cove" structure as a site for small-scale, participatory educational programs, picnic tables, a restroom (porta-potty) facility, drinking fountain and additional landscaping. Considering the region-serving nature of the site, make use of non-City financial resources to the maximum extent possible.

Manor Walk	Site L-32

Actions: Make minor improvements, including landscaping and pavement repair or replacement.

Albany Hill Trails (proposed)	T-3

Actions: Complete a system of trail connections to Albany Hill Park.

1. From Creekside Park: Upgrade the existing trail from Creekside Park to the top of the hill.

2. To Pierce Street: Secure a trail access to Pierce Street via the undeveloped property on the west side of the hill, and/or through easement or other agreement with the condominium associations that own open space reserves on the hill.

Ohlone Greenway Park Trail	T-5

Resurface pathways for walkers/runners and bicycles beneath BART tracks. (Also see L-15)

Key Route Median Trail	T-6

Develop trail along Key Route median. (See L-5)

Codornices Creek Trail	T-7

Actions: Complete the current trail project along the Albany-Berkeley border from the sports fields at Fifth Street to east of Tenth Street. Continue to plan for linkages to other pedestrian paths and routes, including potential connections to the Bay Trail. (Also see OS-26)