CITY OF ALBANY
PLANNING AND ZONING AGENDA
STAFF REPORT

Agenda date: 7/28/09
Prepared by: AC
Reviewed by: JB

ITEM/ **6b**

SUBJECT: **Public comment on draft Environmental Impact Report on request for General Plan Amendment. Rezoning. Planned Unit Development. Design Review. Parking Exception.**

SITE: **1030-1130 San Pablo Avenue (University Village at the corner of San Pablo Avenue and Monroe Street)**

PLANNING APPLICATION:
A request for rezone to San Pablo Commercial, planned unit development, design review and parking exception for a new grocery store and mixed-use development at a site owned by the University of California.

APPLICANT/ OWNER: **Bob LaLanne with The LaLanne Group for University of California**

ZONING: **SPC (San Pablo Commercial) & R-2 (Residential)**

STAFF RECOMMENDATION

Staff recommends that the Commission open the public hearing, take public testimony, and direct staff to make appropriate revisions or conduct additional studies to the draft Environmental Impact Report, if needed. No action is taken. No action on the project is to be taken at this meeting.

PUBLIC NOTICE

Public notice of this hearing, as well as the notice of availability for the EIR was sent on July 2, 2009 in the form of mailed notice to property owners and occupants within a 300-foot radius, applicable agencies and any persons submitting contact information in previous correspondence or hearings. The notice was also posted in three locations and on the City's website. (www.albanyca.org)

Staff met with the Sustainability Commission on Wednesday, July 15, 2009 and the Traffic and Safety Commission on Thursday, July 23, 2009 to introduce the EIR and to answer any preliminary questions about the review process. The Sustainability Commission asked for an extension of the public comment period of an addition 45 days. The Traffic and Safety Commission made a motion requesting that a signalized light be put in at the corner of

Dartmouth Street and San Pablo Avenue. They would also like a bicycle and pedestrian path opening be considered at 10th Street, at Cordonicies Creek, that the increased traffic and Jackson be carefully looked at and considered, and that back-in parking be continued along Monroe Street. The Commission also expressed appreciation for the inclusion of the class I bike path along Cordonicies Creek and 10th Street.

BACKGROUND/PROJECT DESCRIPTION

The approximately 5.2-acre project site consists of two lots located to the northwest and southwest of the Monroe Street/San Pablo Avenue intersection. The applicant would like to construct a new 55,000 square foot grocery store at the north end of the property and a mixed-use development at the south end of the lot, which includes approximately 30,000 square foot of retail space and approximately 175 independent/assisted living senior housing units.

Because the uses are not related to the educational function of the University, city land use policies apply to the proposed project. The properties currently have two zonings, San Pablo Commercial for the first 100' along the eastern side of San Pablo Avenue and Medium Density Residential for the rest of the property. A rezone to San Pablo Commercial for the entire area would be required to consider a project with commercial uses. A planned unit development is requested to allow an increase in height and a parking exception is requested to allow a reduced number of required parking spaces.

See attachment 1, staff report from November 11, 2008, for more detailed description and all previous reports. Since the November 2008 discussion, several refinements to the project plan have been made, particularly with respect to pedestrian and bicycle safety and circulation. Figure IV A.15 on page 115 and Figure IV.A-16 on page 119. In addition, on page 9 of Appendix A, visual simulations of the location and massing of the proposed project have been prepared.

CEQA

The project is required to be reviewed for environmental effects under the California Environmental Quality Act (CEQA). The basic purpose of CEQA is to inform governmental decision makers and the public about the potential environmental effects of proposed projects. Because of the complexity of CEQA Guidelines and the need for various technical studies, the City relies on outside consultants to prepare the CEQA document. In this case, the consulting firm of LSA Associates prepared the analysis.

There is a hierarchy of levels of environmental review. To determine which level of review is required an "initial study" is prepared, which is a checklist of environmental categories that include the following: aesthetics, biological resources, hazards and hazardous materials, mineral resources, public services, utilities/service system, agriculture resources, cultural resources, hydrology/water quality, noise, recreation, air quality, geology/soils, land use/planning, population/housing, transportaion/traffic. If the intial study findings are that implementation of a project results in significant environmental impacts that cannot be mitigated, then an agency must prepare an environmental impact report (EIR). The intial study for this project is included in Appendix A of the draft environmental impact report.

An EIR is prepared following state guidelines, and contains technical studies to determine the extent of environmental impacts, mitigation measures, which are means of treating and lowering the environmental effects to a level that is "below significant," and alternatives for the project. If mitigation measures cannot reduce the impacts to a level "below significant", then a "statement of overriding conditions" must be made by the City Council. A statement of overriding conditions also is required when there are mitigations that are not in the control of the lead agency. In this case, for example, the implementation transportation mitigations within the City of Berkeley are beyond the City of Albany's control.

It should also be noted that the University of California certified a previous EIR, for a master plan that included the entire University Village in 1998. A subsequent EIR was certified in 2004, which included the quadrant areas between Buchanan and Codornices Creek and San Pablo Avenue and 8th Street. The project has been changed since the 2004 approval in that the number of residential units has been decreased and the amount of commercial space has been increased; therefore, a new EIR is required. There is, however, information from these previous documents that are still applicable, thus were used in the current EIR if the information was not dated nor changed since the time of review. At times when such information is used it is noted in the draft EIR.

Per state guidelines, the comment period is 45 days, which began on Friday, July 3, 2009, and will run to Thursday, August 20, 2009. As a response to feedback from the public, staff recommends an extension of the review period to Friday, September 11, 2009. Once public comment has been received the project's environmental consultant will respond to comments and a final EIR will be published. At that time the Commission can determine whether the document is sufficient for certification. Certification of the final EIR is <u>not</u> an approval of the project but an approval of the environmental review of the project.

PLANNING REVIEW PROCESS

The first action that must be taken on the project is approval of the final EIR. Following the Final EIR, there are seven primary items requested as approvals of this project: Rezoning, Planned Unit Development (PUD), Subdivision; Design Review, Parking Exception; Conditional Use Permits, and affordable housing agreements. Each one of these actions, if approved, would have associated conditions of approval. Typically, conditions of approval include both the CEQA mitigations, a wide range of technical requirements related to the construction of the project, as well as special conditions of approval that relate to the appearance and operation of the project.

The Planning and Zoning Commission will review the project as a comprehensive package and make recommendations to the City Council on the portion of the application that the Council must consider. In particular, the City Council must approve the final EIR, rezoning, subdivision, and affordable housing aspects of the project. The Commission will be responsible for remaining actions, such as the PUD, Design Review, Parking Exception, and any required conditional use permits. Before action can be taken on these approvals, additional detailed information will need to be submitted by the applicant.

CONCLUSION

As described, the approval of this project is two-tiered, with an environmental review, in the form of an EIR, and the discretionary review. At this time the public is invited to provide comments on the draft EIR. Technical questions will not be addressed at this hearing. Such questions will require further review and a response to comments will be provided in a later publication of the EIR.

Questions and concerns related to discretionary items not directly related to the environmental review of the project are welcome, but responses may not be within the scope of the environmental review. Thus, staff would address the non-CEQA considerations at future public hearings on the discretionary planning items.

CITY OF ALBANY
PLANNING AND ZONING AGENDA
STAFF REPORT

Agenda date: 11/11/08
Prepared by: AC
Reviewed by: JB

ITEM/ **6a**

SUBJECT: **Planning Application 07-100. Rezoning. Planned Unit Development. Design Review. Parking Exception.** A request for rezone to San Pablo Commercial, planned unit development, design review and parking exception for a new grocery store and mixed-use development at a site owned by the University of California.

SITE: **1030-1130 San Pablo Avenue (University Village at the corner of San Pablo Avenue and Monroe Street)**

APPLICANT/ OWNER: **Bob LaLanne with The LaLanne Group for University of California**

ZONING: **SPC (San Pablo Commercial) & R-2 (Residential)**

STAFF RECOMMENDATION

Staff recommends that the Commission receive testimony from the applicant and members of the public. Provide direction to staff on issues related to changes in the revised/refined project plans. **No action on the project is to be taken at this meeting.**

BACKGROUND/PROJECT DESCRIPTION

The approximately 4.2-acre project site consists of two lots located to the northwest and southwest of the Monroe Street/San Pablo Avenue intersection. The applicant would like to construct a new 55,000 square foot grocery store at the north end of the property and a mixed-use development at the south end of the lot, which includes approximately 30,000 square foot of retail space and approximately 175 independent/assisted living senior housing units.

Because the uses are not related to the educational function of the University, city land use policies apply to the proposed project. The properties currently have two zonings, San Pablo Commercial for the first 100' along the eastern side of San Pablo Avenue and Medium Density Residential for the rest of the property. A rezone to San Pablo Commercial for the entire area would be required to consider a project with commercial uses. A planned unit development is requested to allow an increase in height and a parking exception is requested to allow a reduced number of required parking spaces. See attachments with previous staff reports and minutes for more detailed discussions of the project, required environmental review, and required entitlements.

ATTACHMENT 1

Public notice of this application was provided on October 31, 2008 in the form of mailed notice to property owners and occupants within a 300-foot radius, applicable agencies and any persons submitting contact information in previous correspondence or hearings, and posted in three locations.

REVISED PROJECT PLANS

At previous public meetings, the public and Commission have asked questions and asked for more information on many elements of the project. This study session is an opportunity for the applicant to update the community on the project, present more refined project plans, and address some of the questions posed at previous study sessions. It is also an opportunity for the Commission to provide the applicant direction on any additional items not yet addressed or that may need further refinement.

Some of the questions, such as traffic impacts, are best addressed in the CEQA environmental review process. The preparation of a draft environmental impact report is underway, and a detailed discussion of the broader environmental impacts, such as traffic, will be thoroughly discussed at a future meeting.

At this time, staff suggests that a particular focus be placed on the site plan, including location of buildings, internal site circulation, etc. For example, the applicant has made an effort to anticipate needed improvements in regards to bicycle, pedestrian, and vehicle safety, water run-off/treatment, and creeks.

On November 5, 2008, staff provided the applicant with a letter (attached) listing site-planning items that need to be included or addressed. In order to be efficient in the direction given to the applicant, staff would like to review with the Commission some of the main site planning issues raised, and both staff and the applicant would welcome any feedback before the applicant further revises the plans.

1. ***Bicycle and pedestrian access, circulation, and safety.***

   San Pablo Crossing - The applicant is proposing a to connect the future bike/pedestrian path along Cordonicies Creek with Dartmouth by removing the southwest corner of the mixed-use building to a crosswalk. The street median along San Pablo will be widened and improved to provide a "safety island" for pedestrians crossing San Pablo Avenue to Dartmouth.

   Buchanan Bike Path - The City is currently in the planning stages of the Buchanan Bike Path, which includes options for a Class I (heading east) and Class II (heading west) bike path along Buchanan/Marin Avenue. Staff's recommendation is that the Bike Path planning process should guide the design process, and once completed, be incorporated into this project as appropriate. For example, as part of the vehicle circulation, the applicant is proposing a right hand turn lane at the corner of Marin Avenue and San Pablo Avenue. Thus, while an element of the retail project, the

precise configuration of the right hand turn lane will be determined as part of the Bike Path project.

Another challenge for the design of the proposed project is that many bike and pedestrian improvements will not be completed until future phases of the project are implemented. Thus, interim solutions may be necessary, such as on Monroe.

The applicant is also reviewing AC Transit bus stop standards to provide the best locations for bus stops, including a sheltered stop along either San Pablo Avenue or Monroe Street.

2. ***Creeks.*** The applicant is proposing to stabilize and landscape Village Creek. The site plan has been revised to bring focus to the creeks and better integrate the creeks into the design of the project. The Whole Foods at the north end of the lot will likely have large windows on the north facing elevation, facing the Village Creek. The elimination of a parking structure provides visibility and focus to Village Creek. The applicant is also proposing a small ancillary commercial building at the northeast corner, which could potentially be used as a café or coffee shop with a seating area looking onto Cordonicies Creek.

   The senior housing along will likely have units fronting onto Corodonicies Creek or windows and recreation areas focusing on the creek. Studies have indicated that when residential housing faces a creek, the creek becomes a more prominent part of day-to-day living and in turn, results in better maintained, healthier, and more enjoyed creeks.

3. ***Monroe Avenue.*** Staff intends to explore alternative travel lane and parking configurations for Monroe Avenue at the entrance to the project from San Pablo Avenue. In particular, the principles of "Complete Streets" that serve not only auto needs, but pedestrian, bicyclists, transit, and enhance urban design, should be applied. Currently, the configurations on the plans show one inbound travel lane (west) and two outbound travel lanes (east). Beyond the intersection, angled parking is shown. No bike lane is indicated. As a possible alternative, it may be possible to accommodate a bike line by shifting parking from angled to parallel. In addition, two travel lanes in each direction, merging into one on Monroe, may be necessary to accommodate traffic into University Village. In addition, while ultimately there are anticipated to be better bike and pedestrian routes, initially at least, Monroe will continue to be used by bicyclists, and thus some accommodation for bicyclists would be useful.

4. ***Drainage and water treatment.*** The applicant has provided preliminary hydrological calculations, both existing and proposed, for University Village in its entirety. The proposed plan shows Phase III of the University Village Master Plan from 2004 included to provide a comprehensive idea of the increase impervious surface. This project is NOT a review of Phase III. Phase III is only used in hydrological calculations as a base to provide a comprehensive drainage plan, which needs to be designed with potential future impervious surfaces designed into the plan.

The overall drainage area is approximately 17.2 acres, and based on preliminary plans, it appears the increase in impervious surface would be approximately 0.62 acres or approximately 27,000sq.ft. The drainage plan has been revised to use bioswales running north/south along 10th Street, rather than previously proposed bioswale along the western half of Monroe Street.

The introduction of the pervious lot at the Whole Foods store provides a more natural drainage solution, which is preferable.

5. ***Fire Access.*** The Fire Department continues to review the plans and work with the applicant to provide the required access along the south side and interior areas of the mixed-use building, and to provide adequate turn around space for fire engines and trucks at all necessary areas. At this point in time, the Fire Department believes the Whole Foods area to be fully accessible as proposed. Additional analysis is underway with respect to Fire Department access to the senior housing area and to the rear of the retail buildings adjacent to the senior housing.

6. ***Aesthetics/Elevations.*** The applicant is aware that all four elevations of each building will be required but would like some more feedback at this study session to hopefully result in a more definitive site plan before executing into a detailed level of design work.

7. ***Whole Foods.*** The applicant has spoken with staff about having Whole Foods provide a presentation and to hold a discussion on the stores mission, goals, and policies. This hearing will occur at a later date.

CONCLUSION

The proposed project has been reviewed at previous study sessions where both the public and Commission have provided the applicant feedback and concerns. The applicant has revised plans to address some of the concerns, but as previously stated some of the questions that have been posed in the past will not be able to be fully addressed until the environmental review is completed. This is an appropriate time for the public and Commission to review the progress and revisions of the project and provide the applicant additional feedback for consideration in further refinements.

Attachments:

1. Plans
2. Study session staff report from July 22, 2008
3. Minutes from July 22, 2008
4. Study session staff report from November 13, 2007
5. Minutes from November 13, 2007
6. Scoping session staff report from April 22, 2008
7. Minutes from April 22, 2008

City of Albany
Planning and Zoning Commission
Informational Update/Staff Report

Meeting Date: July 22, 2008 **Prepared by:** _____

Agenda Item: 6b **Reviewed by:** _____

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

Applicant/ Owner: **Bob LaLanne with The LaLanne Group for University of California**

Recommendation

Staff recommends that the Commission receive testimony from the applicant and members of the public. Provide direction to staff on issues related to changes in the conceptual site plan.

Previous Action

No recent major improvements have been made to the property.

Project Description

The subject property is an approximately 4.2-acre site with 2 lots located to the northwest and southwest of Monroe Street/San Pablo Avenue intersection in the City of Albany. The properties currently have two zonings, San Pablo Commercial (SPC) for the first 100′ along the eastern side of San Pablo Avenue and R-2, Medium Density Residential for the rest of the property.

The original site plan had the grocery store on the south side of Monroe Street, which included a two-story parking garage that was adjacent to Cordonicies Creek. The mixed-use portion of the development was located on the north side of the lot senior housing adjacent to Village Creek.

The applicant has revised the site plan now proposes to construct a new 55,000sq.ft. grocery store at the north end of the property which includes a pervious, at grade level parking lot, adjacent to Village Creek. The parking lot is proposed to be accessed by a driveway off of San Pablo Avenue, over 200′ from the intersection of San Pablo Avenue and Monroe Street. There are approximately 60 parking spaces provided in the pervious, surface parking lot adjacent to the store. There are an additional 120 parking spaces provided in a below grade parking lot, under the store, which accessed by a driveway off of 10th Street. The grocery store has a parking requirement of 137 space and is providing an excess of 43 parking spaces. The building has a maximum height of 38′, which is the maximum allowable in the SPC

ATTACHMENT #2

district. The tallest portion of the building is located towards the front of the store, closest to San Pablo Avenue.

There is a mixed-use development at the south end of the lot, which includes 30,000sq.ft. of retail and approximately 175 assisted living/senior housing units. The retail fronts primarily along San Pablo Avenue and wraps around at a shallower depth along Monroe Street. The retail portion has a maximum height of 30′. The senior housing is tucked into the area behind the retail and has four-stories at a maximum height of 50′. There is only a small portion of the four-story, senior housing that is located along the west end of Monroe Street; the majority of the building frontage along Monroe Street is retail and the four stories of housing is setback 75′ from San Pablo Avenue. There a below grade garage that is proposed under the senior housing and will provide approximately 85 parking spaces. There are a total of 138 parking spaces, both angled and ninety-degree, located along Monroe Street and 10th Street, which are also provided for the retail and senior housing.

Entitlements/Approval Process

The parking is the only development requirement that has changed with the new revised site plan. Two off-street parking spaces are required for each of the 100 senior residential units. The 75 assisted living units do not require parking, other than for full-time employees, because the assisted living units are not "residential units" with kitchen facilities. The applicant is requesting a parking exception to allow the 138 parking spaces along Monroe Street and 10th Street to be a mix of designated parking for the senior housing units and shared parking between the grocery store and mixed-use development.

MC 20.28.040(A3) states that a, "Special Reduction enacted by Measure D, 1978. The Planning and Zoning Commission may, by conditional use permit, reduce the parking requirement contained in subsection 20.28.030A to no fewer than one and one-half (1-1/2) spaces per dwelling unit upon making the finding that existing on-street parking is sufficient to justify a reduction." This project is unique in that the they provide housing units, of various sizes, for seniors who have different vehicle ownership and driving habits that differ from the general population. See the study session staff report from November 17, 2007 (attachment 2) for required description of all required approvals.

Background on Application

A formal application was first received on October 31, 2007. A study session was held on November 13, 2008 to provide initial comments from the public and the Commission to staff and the applicant. An environmental scoping session was held on April 22, 2008. The applicant has since revised the site plan in response to comments from the scoping session and is now presenting it to the public and Commission to inform them of the proposed changes.

Environmental Analysis

An EIR was certified by the University of California for a master plan that included the entire University Village in 1998. A subsequent EIR was certified in 2004, which included the quadrant areas between Buchanan and Codornices Creek and San Pablo Avenue and 8th Street. The project description/plan has been changed since the 2004 approval in that the number of residential units has been decreased and the amount of commercial space has been increased.

LSA is the consultant firm that has been selected to perform the environmental review, and were present during the scoping process when issues to be addressed during Environmental Impact Report (EIR), pursuant to the California Environmental Quality Act (CEQA), were reviewed by the public and Commission. Some preliminary work and information gathering has been completed.

Changes in site plan in response to Public and Commission Concerns:

The site plan has been revised from the original proposal, in response to discussions at the study and scoping sessions held by the Commission. (See attachments 2, 3, 4 and 5 for staff reports and minutes from the public hearings.) There were a number of issues of concern raised at the hearing, which have been addressed in the revised site plan. The following are the two key issues that have been directly affected by the new plan. It does not, however, include the full breadth of concerns brought up at the hearings:

- Creeks: There were numerous concerns about focus being taken away from the creeks and the fact that they are not used as an amenity for the patrons at the site. There was originally a two-story parking garage proposed adjacent to Cordonicies Creek, which raised concerns about the aesthetics of such a large structure, the potential environmental impacts of a large structure in close proximity to the creek and if such a structure was the "best use" for a creekside.

  The applicant has responded by changing the locations of the uses and eliminating the above grade parking structure. The proposed parking lot is proposed to be a "green lot" with pervious pavement, which will also be helpful with drainage and water treatment of the site. The senior housing units along the southern property line front onto Cordonicies Creek, which provide an amenity to tenants and provide a less intensive use along the creek.

- Layout and Circulation: There were general concerns about the circulation on and around the site. The concerns included pedestrian and bicycle accesses and safety. The new site plan eliminates the driveway going into the development on the south end of the lot and also eliminates the awkward turnaround in the senior housing center.

Design Review

Design review is the discretionary process whose purpose is to ensure that the design features and architectural details of a project are appropriate and harmonious with the site and surrounding areas. During the design review process the architectural details such as the style and materials, signage, colors, landscaping, etc are refined. The applicant may seek a phased approval process of the rezone and potential adoption of an EIR by the City Council, with a recommendation by the Planning and Zoning Commission, prior to approval of Design Review for the architectural details of the project by the Planning and Zoning Commission.

Use of Earlier EIRs

An EIR was certified by the University of California for a master plan that included the entire University Village in 1998. A subsequent EIR was certified in 2004, which included the quadrant areas between Buchanan Street and Codornices Creek and San Pablo Avenue and 8th Street. The previously approved

project included a higher number of housing, solely student housing, and a smaller commercial component. There have been concerns raised about the use of analysis from the 1998 EIR and 2004 subsequent EIR, which may be archaic and not applicable to current conditions.

It has been acknowledged that ambient conditions have changed over the last few years. For example, traffic conditions and improvements have changed, hydrology has been improved, etc. There are few portions of the previous EIRs that could be used in review of the current proposal. If data from the previous EIRs is utilized it will be updated and expanded upon as needed and discussed in further detail in regards to its relation to the current proposal. In addition, all sources of data will be cited throughout the document.

Conclusion

The applicant has made substantial changes to the site plan; changes that staff believes to be more conducive to a desirable project. There are still numerous site plan details, i.e. ADA parking, turning radiuses, drainage, landscaping, shopping cart location, bicycle parking, etc, that need to be worked out. However, with the introduction of a revised site plan staff recommends that at this time the Commission open the public hearing, take testimony from the public and provide feedback on the revised site plan. This is a very large-scale project for Albany. It is located on a major thoroughfare, connects to existing university housing and is bordered by two creeks.

Attachments:

1. Plans
2. Study session staff report from November 13, 2007
3. Minutes from November 13, 2007
4. Scoping session staff report from April 22, 2008
5. Minutes from April 22, 2008

Crowley, Albany resident, did not approve of the open space plan. She noted there was no plan for a trash enclosure. She felt the loss of on and off-street parking would be too great. No one else wished to speak. Vice Chair Maass closed the public hearing.

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

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

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

Vote to continue item **6a**:

Ayes: Arkin, Gardner, Maass, Moss
Nays: None
Motion passed, 4-0.

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

Staff recommendation: receive testimony from the applicant and members of the public. Provide direction to staff on issues related to changes in the conceptual site plan.

Commissioner Arkin recused himself due to proximity to his residence. Planning Manager Bond delivered the staff report. Vice Chair Maass opened the public hearing and invited the applicant to speak. Bob LaLane, the project developer and Peter Wahler, the project architect, made a presentation.

ATTACHMENT #3

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

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

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

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

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

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

City of Albany
Planning and Zoning Commission
Study Session/Staff Report

Meeting Date: November 13, 2007 **Prepared by:** _____

Agenda Item: 6a **Reviewed by:** _____

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

Applicant/ Owner: **Bob LaLanne with The LaLanne Group for University of California**

Recommendation

Discuss the proposed project. Receive testimony from the applicant and members of the public. Provide direction to staff on issues of interest during the review process. *No action is to be taken at this time.*

Previous Action

No major improvements have recently been made at the property. APN: 2692-66-2-6

Project Description/Summary

The subject area comprises two blocks that have a combined area of approximately 181,700sq.ft. The site is owned by the University of California. The applicant would like to construct a new 55,000sq.ft. grocery store at the south end of the property, which includes a 2-story parking structure and a mixed-use development at the north end of the lot, which includes 30,000sq.ft. of retail and 100 senior housing units and 75 assisted living units. There is an under ground parking garage for the mixed-use building, which has two access points, from San Pablo Avenue and 10th Street. (The applicant is currently in negotiations with Whole Foods Market as the potential owner of the grocery store. A housing collaborator has not yet been determined.) Because the uses are not related to the educational function of the University, city land use policies apply to the proposed project.

The properties currently have two zonings, San Pablo Commercial for the first 100′ along the eastern side of San Pablo Avenue and Residential for the rest of the property. A rezone to San Pablo Commercial for the entire area would be required to consider a project with commercial uses. A planned unit development is requested to allow an increase in height and a parking exception is requested to allow a reduced number of required parking spaces.

The conceptual design of the mixed-use portion of the project has contemporary style with rectangular pop outs to articulate the façade, flat roofs and a mix of building materials such as horizontal wood siding and stucco. The conceptual design of the grocery store is also of a contemporary style with large, glass storefront windows, multiple windows along the side and rear elevations and a mix of flat and gable roofs. The grocery store would also include a two-story parking structure at the south end of the lot. This review is a preliminary study session, which means that **No Action is Taken.**

Background on Application

A formal application was first received on October 31, 2007. Staff believes that due to the size of the project that a study session discussing the project issues is most appropriate prior to commencing a full review.

Environmental Analysis

An EIR was certified by the University of California for a master plan that included the entire University Village in 1998. A subsequent EIR was certified in 2004, which included the quadrant areas between Buchanan and Cordinicies Creek and San Pablo Avenue and 8th Street. The project description/plan has been changed since the 2004 approval in that the number of residential units has been decreased and the amount of commercial space has been increased. Additional environmental review will be required.

Identification of Key Issues

A. Development Requirements

1. Rezoning/Zoning Amendment

The subject area is a portion of a larger parcel, approximately 72.5 acres in size. It is unique in that it currently has two zonings despite that it is only one parcel. It is zoned San Pablo Commercial for the first 100′ of depth along the western side of San Pablo Avenue and R-2, Residential for the rest of the property. A rezone to San Pablo Commercial for the entire area would be required to consider a project with commercial uses. A zoning amendment/rezone requires that the Planning and Zoning Commission hold a minimum of one public hearing on the proposed zoning amendment and recommend adoption of the amendment to the City Council. The City Council must also hold a public hearing and adopt the zoning amendment in order for a zoning map amendment to be completed.

It should be noted that the parcels have two General Plan designations as well with the north half zoned RRC (Residential/Recreational/Commercial (18-34, Av. 27du/acre: Far 0.95)
south half zoned RC (Residential Commercial) . The proposed uses are consistent with both General Plan designations.

2. Subdivision

The applicant would like to subdivide the parcel into the three parcels. One parcel comprises the area between Monroe, Street (to the north), 10th Street (to the west), San Pablo Avenue (to the east) and Village Creek (to the north), and is approximately 91,500sq.ft. The second parcel comprises the area between Monroe Street (to the north), 10th Street (to the west), San Pablo Avenue (to the east) and Cordinicies Creek (to the south), and is approximately 90,200sq.ft. The third parcel would be the streets, Monroe Street and 10th Street, which would be retained and maintained by the University. The remaining parcel would be the remaining 65 acres of the original parcel. A tentative map has not been prepared for the project at this stage of review; however, it will be required to allow the parcels to be individually owned. All of 10th Street between Village and Cordinicies Creek and Monroe Street between San Pablo Avenue and 8th Street are included as part of the project for parking and clean water requirements, which is later discussed in further detail. The streets will therefore have to be included as part of the two parcels that are proposed as part of the development.

3. Planned Unit Development (PUD)

The applicant is requesting a planned unit development to allow an exception to the height requirements. A maximum of 38′ is permitted in the SPC zoning district. The grocery store has the maximum allowable height of 38′. The mixed-use portion of the development, however, exceeds the maximum height limit. The retail portion that runs along San Pablo Avenue is about 190′ in length and has a height of 30′. The residential portion that runs along San Pablo is approximately 68′ in length and has a height of 38′. The building has a maximum height of 50′ starting approximately 90′ back from San Pablo Avenue where the building has four stories to accommodate the residential areas.

In regards to the floor-area-ratio (FAR) requirements, up to 2.25, which is approximately 200,000sq.ft. of building area permitted for each parcel. Approximately 170,000sq.ft is proposed for the mixed-use portion of the project and 115,000sq.ft. is proposed for the grocery store, including the parking garage.

Planning and Zoning Code Section 20.100.060 (Planned Unit Development) requires that a finding be made that the project incorporates an exceptional level of amenity or other benefits to the community that could not be achieved with the PUD.

4. Large Care Facility, Residential

Planning and Zoning Code Section 20.16.030(D) describes Large Residential Care Facilities as "Twenty-four hour non-medical care for more than six persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those facilities License for residential care by the State of California." A strategy in designing housing for seniors is to development close to services since many of the tenants are do not or seldom drive. Circulation is focused on pathways with the goal of clearly marking and easily accessing pathways.

The applicant has not yet finalized agreements with a senior care provider. It is fairly certain, however, that it will be a state licensed. The MC also states that one parking space must be provided for each full-time employee at the facility. The senior housing units are considered a "residential use" and are subject to residential parking standards.

5. Parking Exception

There are 250 parking spaces provided for the grocery store in the form of a two-story parking structure. The municipal code requires one parking space for every four hundred square feet of building area. The grocery store is therefore "over parked" providing 112 more spaces than the required 138. The intent is that these spaces will be restricted to Whole Foods customers.

Two off-street parking spaces are required for each residential unit. The 75 assisted living units do not require parking, other than for full-time employees, because the assisted living units are not "residential units" with kitchen facilities. The applicant is requesting a parking exception to allow 110 on-site parking spaces and 37-shared parking spaces where 200 on-site parking spaces are required for the 100 senior housing units. The applicant would like to use MC 20.28.040(A3), which states, "Special Reduction enacted by Measure D, 1978. The Planning and Zoning Commission may, by conditional use permit, reduce the parking requirement contained in subsection 20.28.030A to no fewer than one and one-half (1-1/2) spaces per dwelling unit upon making the finding that existing on-street parking is sufficient to justify a reduction." This project is unique in that the they provide housing units, of various sizes, for seniors who have different vehicle ownership and driving habits that differ from the general population.

There are 75 parking spaces provide for the retail portions of the mixed-use development. They are, however, located along the street areas. The applicant would like to use MC 20.28.040(B4) which states, "Off-street parking facilities for one use shall generally not be considered as providing off-street parking facilities for any other use. However, off-street parking facilities for one nonresidential use may be considered as providing off street parking facilities for other nonresidential uses on the same site or an adjacent site based upon demonstration that he peak of aggregate parking demand for the combined uses is not greater than the number of off-street parking spaces that are available to serve the combined uses. Staff intends to conduct may require a parking survey to substantiate such a request. Any adjustment made by the Planning and Zoning Commission shall be limited to a reduction of a maximum of twenty-five (25%) percent of the requirement, and will be considered through a major use permit process. The recordation of a written agreement among the parties participating in the sharing arrangements shall be a condition of the use permit."

If the property is subdivided so that the Monroe and 10th Streets are part of a separate parcel, they could be considered as an "adjacent site" for providing parking. It should also be noted that if the street parking were provided specifically for the commercial portion of the mixed-use development, specific signage stating the distinction would need to be posted.

The Commission may want to consider granting a reduction in parking for the commercial areas to allow a potential restaurant. As proposed the applicant is provided the minimum required

parking for typical retail uses which is one for every four hundred square feet of building area. A general restaurant requires one parking space for every two hundred square feet of building area.

If the applicant receives a conditional use permit to allow reduced parking for the senior housing and is permitted to use the adjacent streets for commercial parking there are still 40 more parking spaces required for the senior housing units and parking for the full-time employees of the assisted living facility. These additional parking spaces can be reduced in the PUD process, as previously described. A parking analysis, separate from the CEQA analysis of traffic and circulation, may need to be completed.

B. Creek

Two creeks, Village Creek along the north side and Cordinicies Creek along the south side border the properties. The design of the proposed project has been coordinated with the conceptual design for the restoration of Cordinicies Creek. As proposed, however, a portion of the parking structure for the grocery store is in the "A, 100-year" flood zone. A letter of map revision will be required, which is issued by FEMA. The letter must state that no portion of the building is located in the flood zone after the improvements have been completed. A similar process was required for the Target project, located on Eastshore Highway, which has also has Cordinices Creek running along the southern end of the property.

C. Traffic and Circulation

A traffic and circulation study was done as part of the 2004 CEQA review. The project, however, has changed the building footprints, uses, and circulation to an extent that a new traffic analysis will need to be completed. Existing conditions have also likely changed with a number of improvements, including the Buchanan/Marin Reconfiguration Plan, having been completed since that time. There are a number of issues that will need to be considered and reviewed in the traffic analysis. Some of these issues include the following:

1. LOS "D" at the intersection of Marin Avenue and San Pablo during PM peak hours.
2. Number of traffic lanes and configuration needed at entrance on San Pablo Avenue.
3. Fire Department access.
4. Location and number of new curb cuts along San Pablo Avenue.
5. Potential modification of traffic signal at Monroe Street.
6. Potential stop signs at the intersection of 10th Street and Monroe Street.
7. Delivery truck routes and turn around.
8. Avoiding diversion of traffic onto nearby residential streets

The traffic and circulation analysis is heavily dependent upon the design of the project. The Commission may want to consider any appropriate design revisions at this time since they will likely affect the traffic analysis.

D. Stormwater

The project will be subject to the Alameda County Clean Water Program C-3 requirements, which apply to project creating or replacing 10,000 square feet of impervious surface. The project must have a plan that installs water treatment measures to remove pollutants from stormwater before it reaches the public drainage system or creek. The level of water runoff must be equal or less of pre-construction levels. Typical treatment measures include bio- retention areas, vegetated swales, and infiltration trenches. In this case the water will have to be directed to the creeks. At this time a route to the creek for the stormdrain pipe has not been located.

E. Art Ordinance

On October 1, 2007 the City Council adopted a Public Art Program that requries applicants for all new development projects are required to include a Public Art feature valued at 1.75% of construction. For a project of this size the public art component could be well over $1,000,000.

F. LEED

The City adopted a Green Building Ordinance on December 4, 2006. The standards of compliance for the ordinance require that all commercial projects receive a certified, gold Leadership in Energy and Environmental Design (LEED) rating. This will be the first commercial project that to be processed with the LEED certification.

G. Design Review

1. Grocery Store

Both of the buildings are of a contemporary style but with different architectural characteristics and details. The grocery store is being designed with Whole Foods in mind as the owner/tenant. Whole Foods does not have a model or template architectural style and tends to hire local architects when developing a site (See attachment 3). The grocery store has large, glass storefront windows with multiple windows along the side and rear elevations and a mix of flat, shed and gable roofs.

The store's entrance is on San Pablo Avenue, which is where the tallest portion of the building is and which makes the entrance more prominent with a large signage area above the entry doors. The side elevations have a lot of articulation with a mix in building materials and variation in wall height and wall depths, which breaks up the face of the building. The majority of the front, San Pablo Avenue, façade is plain except for the signage area. Staff recommends that a more open, decorative façade be considered for the front elevation. It is not only the entry to the store but it is also fronted onto a major thoroughfare that is quite visible and services people from many of the nearby cities. (See photo 1 in comparison to photo 2 in attachment 3.) Also, the parking structure is approximately a third of the frontage, which means it too will be quite visible. The architectural details, materials and landscaping of the parking structure will be very important because they will determine the aesthetics of a structure that is otherwise somewhat grim-appearing by nature.

The mixed-use portion of the project has contemporary style with rectangular pop outs to articulate the façade, flat roofs and a mix of building materials such as horizontal wood siding and stucco. The grocery store would also include a two-story parking structure at the south end of the lot.

2. Mixed Use Block

As previously stated, the mixed-use portion of the development is of a contemporary architectural style. The retail units are one-story along San Pablo Avenue with the four story residential units set back 90'from San Pablo Avenue and the senior housing portion of the building three stories tall along San Pablo Avenue and also increasing to the four story residential. The retail portion at the corner of San Pablo and Monroe has been designed with each commercial unit having its own distinct building with a shed roof and large windows for the storefront. The residential units along San Pablo Avenue may not be very visible from the street since they are set back so far. They have a similar use of materials as the commercial units but have a flat roof to reduce the visual mass of the structures. The side elevations have been well articulated with various architectural details providing articulation to the side elevations. For example, there are pop outs, many windows creating an open, airy appearance, indentations in the walls, creating balcony areas, accent awnings, etc. The applicant may want to consider some additional articulation been applied to the north elevation (along Village Creek). This elevation is important in that will be visually prominent when traveling along San Pablo Avenue and also sets a tone for how the creek is viewed by the buildings tenants.

As proposed there is a driveway entrance between the commercial and residential units along San Pablo Avenue. The entrance to the senior/assisted housing is located in the courtyard area, which is accessed by the driveway from San Pablo Avenue. There is not a designatedprivate open space or park-like area provided for the buildings tenants. There are some balconies available to some of the units but other than that there is not any recreational area provided for the tenants. The applicant may want to consider eliminating the courtyard and shifting the building to the south to create more open space next to Village Creek. Also, Village Creek provides an aesthetic and potentially enjoyable asset to both the tenants and city residents. The applicant may want to consider designing the project to put more of a focus on the creek. Perhaps a walking path, benches or something that encourages enjoyment of the creek could be added.

3. Landscaping

There is not landscape plan provided for this preliminary review of the project. It is, however, important to consider landscape early in the design stage since landscaping is such a large variable in the overall feel and aesthetics of a development. The applicant has made attempts to preserve some of the heritage trees, for example, the large oak located in the senior/assisted living area and some of the trees along Village Creek. Most trees, however, will need to be removed. Tree removal was also one of the issues addressed in the original University Village EIR. It should be noted although these are preliminary plans, the tree wells appear quite small, which would not provide area for large, mature tree growth in the future.

In regards to parking lot landscaping, MC 20.24.110 requires that parking facilities with five or more parking spaces are to be screened and landscaped. Perimeter planting areas are required with a width of no less than 5' at an exterior property line and 3' at an interior property line. The interior planting areas must at least be a minimum of 5% of the parking area. A landscaped planter, sidewalk or other means must separate the end of each row of parking spaces from driveways. Finally, one tree shall be planted for every three parking spaces.

Design Conclusion

Staff believes that the applicant has put a great deal of thought and consideration into the architectural design of the project. There are a few suggestions, as discussed, that may improve some aspects of the proposed design. Staff would like to recommend that in regards to aesthetics that the applicant consider the grocery store and mixed-use building two different projects that should complement each other but need not match in architectural style. Also, staff would like to emphasize that this is a unique site with two creeks running along each side of the property. The creeks could be an asset for patrons, tenants and city residents if emphasized and encouraged for use in the design of the project.

H. Noise

The General Plan states that residential land uses should not have a exceed 65dB for exterior noise and should not exceed 45dB for interior noise. San Pablo Avenue and Buchanan Streets are both major thoroughfares that have higher levels of noise. A noise study will need to be completed to make sure that noise level limits are met for the residential portion of the project.

H. Affordable Housing

Assuming that the independent senior housing is subject to inclusionary housing requirements, but assisted living is not classified as residential units because they do not have kitchens and therefore are not subject to inclusionary housing requirements, the details of the affordable housing would also have to be worked out.

J. Other Issues

The applicant has shown the bike path route that was proposed in the University Village EIR. Staff recommends that the applicant continue to consider bike routes, how the development will tie into future bike plans and how bikers will access one Marin Avenue and San Pablo Avenue from other parts of the property.

The Gill House is located on the property. Some members of the community have expressed desire to preserve the building and relocate it to another location. The fate of the building may want to be discussed at these preliminary stages of the project.

A signage plan has not, and need not be provided at this point in the design stage. Staff would like, however, signage will be a large aesthetic variable of the project and an appropriate sign plan should be considered in the design process.

Conclusion

This is a very large-scale project for Albany. It is located on a major thoroughfare, connects to existing university housing and is bordered by two creeks. There are a number of potential impacts of the project. It could, however, become an asset for the community, providing senior/assisted housing, additional retail and other improvements if well planned and designed. Staff recommends that the Commission receive testimony from the applicant and members of the public. Provide direction to staff on issues of interest during the review process.

Attachments:

1. Analysis of Zoning Requirements
2. Plans
3. Photos

ATTACHMENT 1 - ANALYSIS OF COMPLIANCE WITH ZONING REQUIREMENTS

20.12 Zoning Districts And Permitted Uses

General Plan:	North Half: RRC (Residential/Recreational/Commercial (18-34, Av. 27du/acre: Far 0.95) South Half: RC (Residential Commercial)
Zoning:	SPC (San Pablo Commercial for the first 100′ along the eastern side of San Pablo Avenue) and Residential for the rest of the property.

20.16 Land Use Classifications

Single family residential

Surrounding Property Use	North - PF and Residential	East – Commercial
	South - Residential (City of Berkeley)	West – Residential

20.20.080 Secondary Residential Units.
Not applicable.

20.24.020 Table Of Site Regulations By District.
See plans.

20.24.030 Overlay District Regulations.
Not applicable.

20.24.040 Hillside Residential Regulations.
Not applicable.

20.24.050 Floor-Area-Ratio.
See plans.

20.24.060 Setback Areas, Encroachments.
Not applicable.

20.24.100 Distances Between Structures.
Not applicable.

20.24.110 Fences, Landscaping, Screening.
Not applicable.

20.24.130 Accessory Buildings.
Not applicable.

20.28 Off-Street Parking Requirement.

See key issues discussion.

20.40 Housing Provisions
Not applicable.

20.44 Non-conforming Uses, Structures and Lot
Not applicable.

20.48 Removal of Trees
See key issues discussion.

20.52 Flood Damage Prevention Regulations
Not applicable.

20.100.030 Use Permits.
Not applicable.

20.100.040 Variances.
Not applicable.

20.100.010 Common Permit Procedures.
Public notice of this study session was provided on November 2, 2007 in the form of mailed notice to property owners and occupants within a 300-foot radius, and posted in three locations.

20.100.050 Design Review.
See Summary of Key Issues

City of Albany
Planning and Zoning Commission
Minutes November 13, 2007, Meeting

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

Regular Meeting

1. Call to order
The meeting of the Planning and Zoning Commission was called to order by Chair Arkin, in the City Council Chambers at 7:30 p.m. on Tuesday, November 13, 2007.

2. Pledge of Allegiance
3. Roll Call

Present:	Arkin, Maass, Moss, Panian
Absent:	Hitchcock
Staff present:	Planning & Building Manager Jeff Bond, Associate Planner Amber Curl, Planning Clerk Amanda Bennett

4. Consent Calendar
a. **619 Talbot. Planning Application 07-082. Design Review. Parking Exception.** Request for approval to allow a 342sq.ft., single-story addition to the rear area of an existing single-family home.
Staff recommendation: approve.

No one wished to speak on this item. The commissioners unanimously approved item **5a**.

5. Public Comment on Non-Agenda Items
There was no public comment.

6. Discussions and Possible Action on Matters Related to the Following Items
a. **1030-1130 Pablo Avenue (northeast corner of University Village at San Pablo Avenue and Monroe Street). Planning Application 07-100. Study Session on Application for Rezoning. Planned Unit Development. Design Review. Parking Exception.** A request for rezone to San Pablo Commercial, planned unit development, design review and parking exception for a new grocery store and mixed-use development at a site owned by the University of California.
Staff recommendation: receive testimony from the applicant and members of the public. Provide direction to staff on issues of interest during the review process.

Chair Arkin recused himself from this item due to proximity to his residence. Planning Manager Bond and Assistant Planner Curl delivered the staff report. Commissioner Moss asked whether the CEQA document would have to come before the Commission. It would. Commissioner Moss thought the applicant would want to open 10th Street. They did not want to at this time. Commissioner Maass wondered whether the housing without kitchen units could be counted as affordable. Commissioner Panian asked whether there would be multiple PUDs. He also asked whether the Gill house was historically significant.

ATTACHMENT #5

Vice Chair Panian opened the public hearing and invited the applicant to speak. Bob LaLanne, the project developer, and Peter Waller, the project architect, gave a presentation of the proposed project.

The following people presented concerns about the proposed project: Mara Duncan, 848 Solano; Susan Schwartz, Friends of Five Creeks; Ed Fields, Kains Avenue; Joseph Scalice, Village Residents Association; Daniel Dole, Berkeley resident; Ellen Toomey, Albany resident; Clay Larson, Albany resident; Christina Osborn, Adams Street; Maile Urbanez, Village Residents Association; John Martin, UC Berkeley student; Dana Milner, Talbot Street; Kim Linden, Stannage Avenue; Kevin Zwick, Kains Avenue; Ming Lee, Albany resident; and Lloyd Andreas. Concerns included:

- Short notice to residents; small radius notice rather than City-wide
- Impact on preservation of the Gill tract
- Lack of affordable student housing
- Large, non-union grocery store
- Making creek banks safe and accessible for seniors
- Moving parking away from the creek banks
- Water treatment detail needed
- Fire department access impact on design
- Excessive height
- Circulation, parking, and traffic congestion on San Pablo Avenue
- Traffic safety on site and nearby
- Legality of a land-grant school selling land to commercial interests
- Existing plan for creek allows no building within 80 feet
- Lack of visitor parking at the senior housing
- Lack of parking for existing ball fields
- Impact on possible educational farm at the Gill tract
- Lack of open space
- Albany Police Department should be involved if this is going to become private property
- If the university owns the streets, how does that affect fire and police access?
- Lack of unified development vision
- Parking garage could attract vagrants
- Large store with large number of parking spaces (should scale back)
- The grocery store's prices are too high for students and seniors
- Looks like a WalMart dropped in the village

Positive comments included:

- Nice to have small retail,
- Could have shops along the creek.
- Height okay if it means more open space.
- Excited about grocery store, senior housing, affordable housing, and inclusionary housing.
- Excited about revenue.
- Could parking be on the roof?

- Would be nice to be able to see the creek from Monroe, and walk to the creek from Monroe.

No one else wished to speak. Vice Chair Panian closed the public hearing. Commissioner Maass was in favor of Whole Foods and senior housing, but would prefer more open space, a cafe by the creek, and no parking garage frontage on San Pablo Avenue.

Commissioner Moss encouraged the applicants to meet with the Village Residents Association. He had concerns about traffic circulation, curb cuts on a CalTrans right-of-way, excess hardscape, and lack of attention to pedestrian and bicycle circulation and bicycle parking. He recommended working with staff to plan use of the public art funds to create a plaza and/or nice environmental areas by the creeks. He asked the applicant to address density bonus, affordable units, inclusionary housing, and senior housing. He recommended reducing the parking, moving away from the creek, adding photo-voltaics on the roof, and diversifying the look of the retail units. He asked how the parking entrance through the cafe plaza would work (pedestrian safety) and recommended opening 10th Street for trucks.

Vice Chair Panian asked staff to research the legal issues that had come up. He asked the applicant to place an emphasis on pedestrian and bicycle flow by the creeks, recommended wrapping the retail around the garage, cutting the corner off, undergrounding the parking, emphasizing the plaza, and making the Whole Foods attractive and accessible on all sides. He did not like the relationship between the housing and the creek and wondered why it was not student housing. He wondered if an underground garage that close to the creek would be a problem.

There was a brief recess to allow the room to clear.

b. **1161-1175 Solano Avenue. Planning Application 07-017. Parking Exception. Design Review. Entertainment Permit.** A request for Design Review approval to allow s remodel and a small addition to 3 commercial units to create a 2,153sq.ft. commercial building at the corner of Solano Avenue and Stannage Avenue. An entertainment permit is also requested, which triggers the need for a parking exception for 3 parking spaces.

Staff recommendation: receive testimony from the applicant and members of the public. Provide direction to staff on issues of interest during the review process.

Vice Chair Panian recused himself from this item due to proximity to his residence. He also excused himself from the remainder of the meeting. Associate Planner Curl delivered the staff report. Chair Arkin opened the public hearing and invited the applicant to speak. Mathew Friedman, Patricial Alarcon, and Hal Brandel, representing Cafe Trieste, gave a brief presentation.

Chair Arkin asked how many sites already existed. There was one in Berkeley, three in San Francisco, and one in Sausalito. Chair Arkin asked about the type and frequency of the musical performances. Mr. Brandel indicated there would be music most evenings, but the volume would be low so that patrons would be able to conversations with one another.

City of Albany
Planning and Zoning Commission
Scoping Meeting/Staff Report

Meeting Date: April 22, 2008 **Prepared by:** _____

Agenda Item: 6a **Reviewed by:** _____

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

Applicant/ Owner: **Bob LaLanne with The LaLanne Group for University of California**

Recommendation

Staff recommends that the Commission receive testimony from the applicant and members of the public. Provide direction to staff on issues in need of review during the CEQA review process.

Previous Action

No recent major improvements have been made to the property.

Project Description

The approximately 4.2-acre project site is 2 lots located to the northwest and southwest of the Monroe Street/San Pablo Avenue intersection in the City of Albany. The applicant would like to construct a new 55,000sq.ft. grocery store at the south end of the property and a mixed-use development at the north end of the lot, which includes 30,000sq.ft. of retail and 175 assisted living/senior housing units. Because the uses are not related to the educational function of the University, city land use policies apply to the proposed project.

The properties currently have two zonings, San Pablo Commercial for the first 100′ along the eastern side of San Pablo Avenue and Residential for the rest of the property. A rezone to San Pablo Commercial for the entire area would be required to consider a project with commercial uses. A planned unit development is requested to allow an increase in height and a parking exception is requested to allow a reduced number of required parking spaces. The project is discussed in further detail in the study session staff report from November 13, 2007 (see attachment 4).

At this time a scoping session is being held to receive feedback from the public and other agencies on environmental issues that should be looked at during the California Environmental Equality Act (CEQA) process. LSA is the consultant firm that has been selected to perform the environmental review (EIR) and will be present during the scoping process to receive feedback. The scoping process is discussed in

further detail below. No action is to be taken at this time.

Background on Application

A formal application was first received on October 31, 2007. A study session was held on November 13, 2008 to provide initial comments from the public and the Commission to staff and the applicant. The plans have not been revised since the study session. The environmental analysis, therefore, shall be based off of the concept of the plans that have been previously reviewed by the public and Commission.

Environmental Analysis

An EIR was certified by the University of California for a master plan that included the entire University Village in 1998. A subsequent EIR was certified in 2004, which included the quadrant areas between Buchanan and Codornices Creek and San Pablo Avenue and 8th Street. The project description/plan has been changed since the 2004 approval in that the number of residential units has been decreased and the amount of commercial space has been increased. Additional environmental review will be required as a result of these changes.

Identification of Key Issues

A. Purpose of the Environmental Scoping Process

Under CEQA guidelines, purpose of the scoping process is to provide a means for other public agencies to provide "early input" in identifying and articulating any specific concerns. A Notice of Preparation is the notice that initiates interagency dialogue and is required once an EIR is found to be necessary by the lead agency, which in this case is the City. The Office of Planning and Research holds The State Clearinghouse (SCH), which coordinates the distribution of environmental documents prepared under the California Environmental Quality Act (CEQA) to State agencies for their review and comment. The City sent out a Notice of Preparation on March 31, 2008 to the neighbors within a 300' radius and all applicable agencies (see attachment 2 and 3). The comment period ends on April 29, 2008.
The scoping process has also evolved into a means for the public to identify and articulate their concerns about environmental and potential significant impacts. The process can be a successfi; tool for bringing all interested parties to the table and provide an opportunity for issues to be raised early in the planning process.

B. Environmental Issues Raised at November 13, 2007 Study Session

The study session staff report from November 13, 2007 included brief discussions on a few of the potential issues requiring environmental review. The issues included in the report are: creeks, traffic, noise, and stormwater (see attachment 4). The public and Commission raised a number of issues during the hearing:

- Traffic, including circulation and traffic levels along San Pablo, effects at Gilman St. freeway exits, circulation and safety through University Village and near Ocean View School
- Creek/open space, integrating, utilizing and enhancing the creek as open space for both the senior tenants and the community

- Preservation and/or relocation of the Gill tract and Gill House
- Comprehensive plan for University Village as a whole and not just the project area
- Bike and pedestrian access, circulation and safety
- Parking and whether there is adequate parking levels provided to serve the development, and conversely, reducing parking to reflect new urbanist ideas on design
- Height and mass of the buildings both along San Pablo and Monroe

As previously mentioned, the scoping session is an opportunity for the potential effects of the project to be identified early in the planning process. CEQA reviews all potential effects of a project, which are broken down into seventeen categories that include aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology soils, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation/traffic, utilities/services systems, and mandatory findings of significance.

In some cases a CEQA environmental checklist will be created as a "draft list of issues" for interested parties to use as a baseline prior to the scoping session. Staff, however, believes that in this particular case the scoping session should be a "clean slate" without the structure or influence a draft checklist.

C. Design Review

Design review is the discretionary process whose purpose is to ensure that the design features and architectural details of a project are appropriate and harmonious with the site and surrounding areas. During the design review process the architectural details such as the style and materials, signage, colors, landscaping, etc are refined. The "Aesthetics" portion of the CEQA review does not focus on the architectural details of the project but more the "big picture" aesthetics such as height, mass, and bulk, biological impacts an view impacts. The following questions regarding aesthetics are posed in the checklist:

Does the project....

a) Have a substantial adverse effect on a scenic vista?
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
c) Substantially degrade the existing visual character or quality of the site and its surroundings?
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

After the environmental review is completed mitigation measures are incorporated into the redesigned project to become a final design submittal. The Commission will review the final proposed plans for Design Review in a public hearing. Therefore, the scoping session should focus more on the "big picture" aesthetic concepts and not focus on design details.

D. Use of Earlier EIRs

An EIR was certified by the University of California for a master plan that included the entire University Village in 1998. A subsequent EIR was certified in 2004, which included the quadrant areas between Buchanan Street and Codornices Creek and San Pablo Avenue and 8th Street. The previously approved project included a higher number of housing, solely student housing, and a smaller commercial component. There have been concerns raised about the use of analysis from the 1998 EIR and 2004 subsequent EIR, which may be archaic and not applicable to current conditions.

It has been acknowledged that ambient conditions have changed over the last few years. For example, traffic conditions and improvements have changed, hydrology has been improved, etc. There are few portions of the previous EIRs that could be used in review of the current proposal. If data from the previous EIRs is utilized it will be updated and expanded upon as needed and discussed in further detail in regards to its relation to the current proposal. In addition, all sources of data will be cited throughout the document.

Conclusion

Once a draft EIR is completed there will be a public review period where anyone can comment on the document's content. Subsequently an evaluation and response to comments will be completed and the EIR will be recirculated if/when new significant information is added to the EIR.

This is a very large-scale project for Albany. It is located on a major thoroughfare, connects to existing university housing and is bordered by two creeks. There are a number of potential impacts of the project that should be identified and analyzed as early on in the planning process as possible to avoid future problems and late identification of issues. Staff recommends that the Commission receive testimony from the applicant and members of the public, and then provide direction to staff on issues in need of review during the CEQA process.

Finally, it should be noted that a public notice regarding the scoping session was mailed to neighbors within a 300' radius and there is a webpage on the city website dedicated specifically to this project. All documents were posted ten days prior to the scoping session and plans were posted one week prior to the scoping session (www.albanyca.org under title "UC Village").

Attachments:

1. Plans
2. Notice of Preparation
3. List of public agencies that were provided the Notice of Preparation
4. Study session staff report from November 13, 2007
5. Minutes from November 13, 2007
6. Letters from public
7. CEQA Checklist

	should have little to no impact on adjacent neighbors. The 31sq.ft. first-floor addition at the rear of the home is enclosing an already covered area. It is located on the first-floor, with the same finish as the home. The new deck at the rear of the home has a maximum height from grade to the top of the railing. It is small, attractive and along with the addition should have little to no impact on adjacent neighbors.
7. *The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D.*	*The project as designed is in substantial compliance with the standards as stated, including Access, Architecture, Natural features, Coordination of design details, Retention and maintenance of buildings, and Privacy.*

5. Public Comment on Non-Agenda Items

Joan Larson, Albany resident, reported a lack of garbage cans on the east side of San Pablo Avenue. She wanted to know whom to report it to. She also felt the existing ones were ugly and could have a more in-character design. There were also no receptacles for cigarette butts (why not ban smoking?) and no receptacles for recycling. Planning Manager Bond responded that he would follow up on this item with the Public Works department.

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

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

Staff recommendation: take testimony from the public, discuss, and provide direction to the applicant and CEQA consultant. No action is to be taken at this time.

Commissioner Arkin recused himself due to proximity to his residence. Planning Manager Bond and Planning Associate Curl delivered the staff report. Chair Panian opened the public hearing and invited the applicant to make a presentation. Kevin Huffard, UC Berkeley, and Bob LaLanne, the project developer, outlined changes to the plan and were available to answer questions.

Joan Larson, Albany Historical Society, reported an interest in preserving the Gill house, and noted it could be moved north of Village Creek and used as a community center with UC or it could be moved to the waterfront and used with EBRPD.

The following people had concerns about the project: Alice Glasner, Albany resident; Susan Moffat, Albany resident; Kara Kaffe, Friends of Five Creeks; Joshua Brandt, Berkeley resident;

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Jackie Hermes Fletcher, Albany resident; Ed Fields, Albany resident; Sol Strand, Albany resident; Phillip Krayna, Friends of Five Creeks; Mike Urbanski, UC Village resident; John Miki, Albany resident; Dan Dole, Berkeley resident; Delia Carroll, Albany resident; Nick Pilch, Albany resident; Ellen Toomey, Albany resident; Mara Duncan, Albany resident; Mia Kithara; Allan Maris, Albany resident; Clay Larson, Albany resident; and Kim Linden, Albany resident. The concerns included: wanting broader noticing of meetings involving this property; wanting sustainable development; pedestrian and bicycle flow; access to the creeks; impacts of parking lots near creeks; storm water; traffic impacts to Solano and San Pablo Avenues; size of store out of character with Albany; lack of information about "recreation area" and "future UC housing area;" lack of visitor parking at senior housing; pesticide use; the plan for the village-facing side of the project; excessive amount of parking spaces; the loss of farmland; noise; road rage; the need for housing for youth coming out of foster care; and the comment period expiring too soon.

Commissioner Gardner recommended development oriented around the creek; the garden to be further from the creek; the loading dock and idling trucks further from the ball fields; the parking to be reduced and/or shared; traffic impacts to be thoroughly studied; and the impact of the senior housing on emergency services considered.

Commissioner Moss planned to submit written comments. He noted that traffic access and circulation studies should take the future housing into account, and should extend all the way to the freeway on and off ramps. Wastewater and storm water should also be closely studied. Commissioner Maass asked why 10th Street was not considered for access. He was concerned about the piecemealing of the application. Chair Panian recommended the EIR back off from this specific plan and consider options, such as underground parking to preserve open space. He asked staff whether the comment period could be extended. No one else wished to speak. Chair Panian closed the public hearing.

Planning Manager Bond announced that the comment period could be extended to May 6. The Commissioners unanimously approved the extension.

There was a five-minute recess while the room cleared.

b. **1053 Evelyn. Planning Application 08-018. Design Review.** Request for Design Review approval of a new 872sq.ft. second-story addition to an existing single-family home.
Staff recommendation: approve.

Associate Planner Curl delivered the staff report. Chair Panian opened the public hearing. Chris Brady, the applicant, and Jon Matheson, the project architect, were available to answer questions. No one else wished to speak. Chair Panian closed the public hearing.

Commissioner Arkin recommended dropping the second floor plate height to eight feet three inches, with the tower to drop proportionally. Commissioners Moss and Gardner agreed. Chair Panian noted it would be acceptable if the applicant revisited the number of lights in the windows and any other details that made the front facade busy. Commissioner Maass

October 31, 2008

Bob LaLanne
The LaLanne Group
Pier 38, The Embarcadero
San Francisco, CA 94704

Re: Additional/revised information for Application #07-100, 1030-1130 San Pablo, at Monroe, University Village.

Dear Mr. LaLanne,

Thank you for the opportunity to review the revised plans and information submitted on October 21, 2008 for the project, as described above. The project continues to be tentatively scheduled for a public hearing of the Planning and Zoning Commission on November 11, 2008. The following list is a list of the items that need to be submitted, revised or considered before the application can be deemed complete:

Site and Building Plans

1. Prepare a site plan showing both existing and proposed property lines and square footage calculations for each proposed lot.
2. Please provide detail on the drainage plan, including calculations. In addition, please show the bio-swales connecting to the creeks and revise the site plan to eliminate the bio swales that run along the west end of Monroe.
3. Submit building elevations for all four sides of each building. All building materials and architectural details should be called out. Please show existing and finished grade lines.
4. Prepare a section of all buildings, streets and site features along Monroe.
5. Call out size and nature of all outdoor public and private open and recreational space.
6. Please show potential locations of street furniture and outdoor seating.

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7. Please give consideration to the usability of the courtyard areas in the senior housing complex. We have concerns about the recreational quality of the space due to the height of the surrounding buildings.

Creeks

1. Prepare typical section drawing of both creeks with buildings, setbacks and top of creek bank all shown.
2. Prepare a focused site plan along Cordonicies Creek, between 10th Street and San Pablo Avenue. This is requested to clearly define the use of space and interface between the proposed mixed-use building and the creek.
3. Have your surveyor identify the location of "top of creek bank" for both Village and Codornices Creek.

Parking and Circulation

1. Please provide a circulation plan, similar to the area context plan, but focusing on the project area; include pedestrian, bike, bus, and vehicle and truck routes.
2. Prepare a focused area plan of the intersection at Monroe and San Pablo, showing all existing and proposed improvements. Please consider designing the intersection with curb return radius adequate to accommodate buses and trucks. In addition, verify site lines at corners.
3. A Caltrans commercial standard driveway will be required for the Whole Foods parking lot. Please find the specs at www.dot.ca.gov, detail A87.
4. Monroe should be re-designed to accommodate two west-bound and two east-bound lanes at the intersection. The two lanes can then transition to one lane and street parking west of the intersection.
5. A 35′ radius is required for standards EVA cul-de-sacs.
6. Please provide a detailed table describing how the parking will be allocated to different uses.
7. The City recommends parallel parking along Monroe rather than diagonal parking. This will allow bicyclists to safely use Monroe.
8. Compact spaces along the northern wall of Whole Foods may be considered.
9. Show detailing for deliveries to all uses, including how the mixed-use building will be serviced on the south side.
10. Show areas designated for bicycle parking.

11. Please consider providing a pedestrian path through the parking lot at the rear of Whole Foods, connecting the senior housing area to Village Creek, by using special paving or other design.
12. Please consider providing one-way vehicle circulation around the Whole Foods parking lot.
13. The ADA parking spaces at Whole Foods should be located closer to the entrance.
14. Please show locations for ADA parking spaces for the mixed-use and senior housing development. Please keep in mind that seniors should not have to cross Monroe Street to access parking.
15. Please show the parking spaces that will be used for senior housing facility vehicles (i.e. employee, facility vans, cars, etc.).
16. Please take into consideration AC Transit standards for bus stops and consider providing room for a bus shelter near the corner, at either Monroe Street or San Pablo Avenue.

Explanation/ Additional Information

1. Please provide an explanation on the phasing of the projects construction.
2. Attached is the subdivision section of the City's Municipal Code. It includes all submittal requirements for a tentative map, etc.
3. Please be aware that a Conditional Use Permit is required for the senior housing component. This will be processed concurrent with other City actions.
4. Please be aware that the project will be subject to the Art in Public Places requirement. A discussion with the City's Arts Committee should be scheduled to begin the design process.
5. Conceptual landscape plan. Please show trees that are to be removed, proposed plant types, including how the bio swales will be treated. Provide a section on parking lot landscaping (attached are the City's parking lot landscape requirements).
6. Signage concept plan. The center will need a master sign permit, which will include guidelines and regulations.
7. Show location of dumpsters for "Block B."

There are a number of items discussed in the list above, some of which are quite detailed and may be unknown at this time. Staff, however, would like all of the listed issues to be considered early on in the design process and will be required before the application is deemed complete. Please also keep in mind that the Fire Department is still reviewing the plans for accessibility and will provide more detailed comments shortly.

Please feel free to contact me at (510)5285765 or acurl@albanyca.org with any questions or comments, thank you.

Sincerely,

Amber Curl

Amber Curl, Associate Planner