

**CITY OF ALBANY
PLANNING AND ZONING AGENDA
STAFF REPORT**

Agenda date: April 27, 2010
Prepared by: Diane Henderson/Jeff Bond

ITEM/ 6a

SUBJECT: 1500 Solano. Planning Application #08-031.

The applicant is requesting approval to demolish an existing grocery store and to construct a new approximately 55,896 square foot grocery store above a partially sub-grade parking structure containing 127 on-site parking spaces. Potential approvals required may include Design Review and a Planned Unit Development to allow an increase in building height and an exception to parking requirements.

SITE: 1500 Solano Avenue

APPLICANT/OWNER: Safeway

ZONING: SC (Solano Commercial)

Recommendation

Staff recommends that the Planning and Zoning Commission take testimony from the public, discuss the proposed project, and provide direction to the applicant on appropriate revisions. This meeting is a study session to provide the Commission and members of the public an opportunity to review preliminary plans. No action by the Commission will be taken at this meeting.

Project Description

The subject property is a 67,406 square foot lot that slopes from front (north) to rear (south). There is almost a 14' difference from the highest to lowest points on the lot. There is currently a single-story grocery (Safeway store) approximately 25,577 square feet in area, with a surface parking lot that provides approximately 99 parking spaces. The building has setbacks of approximately 5' on the sides and 15' at the rear. The building is approximately 26'-28' in height from grade, and features a decorative arched front facade that is the tallest feature on the building. There is a covered area for truck parking and unloading on the west side of the building and a recycling booth located at the northwest corner of the lot.

The applicant is requesting approval to demolish the existing grocery store and construct a new 55,896-square-foot grocery store, including 52,373 square-feet of retail space with a 3,523-square-foot office mezzanine above a partially sub-grade parking structure containing 127 on-site parking spaces. The front elevation of the building along Solano Avenue would include fenestrations that result in a front setback varying from five feet to ten feet. The side yard setback along Curtis Street would vary from four feet to six feet and the setback along Neilson Street would vary from zero to five feet. The building would be located approximately 36 feet from the rear property line. The

first floor of the building provides a partially sub-grade parking garage (completely sub-grade at the front and fully at grade at the rear). The second level provides the retail space and within the building, a third mezzanine level provides administrative offices for the grocery store.

The anticipated approvals for the application include a Planned Unit Development required for an increase in the allowable building height from 35' to 39' and to allow 127 on-site parking spaces where 140 spaces are required by Code. As previously stated, the subject property is a down sloping lot so the height of the building varies throughout, depending on the underlying topography, to a maximum height of 39 feet. The sides and rear of the building would have terraced roof parapets, to minimize the apparent mass and bulk of the building. As shown in the submitted section drawings, the store appears as a two story structure at the Solano Avenue frontage with a third level of sub-grade parking, while at the rear it appears as a three story structure. The partially sub-grade garage provides 127 parking spaces which is 13 spaces short of the 140 spaces required by Code. Design Review approval also is required for the architectural design of the building.

Background on Application

In 2008, Safeway submitted plans to remove the existing store and replace it with a new Safeway grocery and smaller retail shops above a parking structure. A study session was held by the Planning and Zoning Commission in June 2008, allowing the public and the Commission to comment on the proposal. The Commission expressed concern with the height and bulk of the project, the architectural design of the store, indicating that the contemporary-rustic design proposed was inconsistent with its urban setting on Solano Avenue, and circulation, including the location of the delivery docks at the rear of the store, among other items. (Please see attached minutes.) In response to Commission concern, the applicant redesigned the project and submitted a revised application. Please refer to Exhibit 3 for a comparison of the 2008 proposal and the current proposal.

Environmental Analysis

The project will be subject to environmental review pursuant to the requirements of the California Environmental Quality Act (CEQA). The City has retained consultants qualified to evaluate the full range of issues, including traffic, parking, noise, etc. Although the applicant has conducted some preliminary analysis as part of their design process, the technical studies associated with the City's CEQA review will be prepared independent of the studies completed by the applicant. It is anticipated that a scoping session will be scheduled in the near future in which the Commission and members of the public will have an opportunity to provide comments on the scope and content of the environmental review.

Summary of Key Issues

A. Context

The subject property is the largest commercial parcel in the Albany portion of the Solano Avenue commercial district. It is also currently the only full service grocery in the city and has been

operating at the site since 1964. The challenge for this project is to size and design the store large enough to be feasible for Safeway and appropriate to serve the community, while staying in scale with the surrounding neighborhood and existing roadway network and public infrastructure. The store is surrounded by a mix of relatively small commercial spaces, single-family homes, and several multi-family properties. The parcels adjacent to the rear are zoned R-1, single-family residential, as are the majority of the properties along the sides of the parcel.

B. Initial Review of Development Standards

The Safeway grocery store is a permitted use in the Solano Commercial (SC) district. The following are brief discussions about development requirements:

1. **Floor-Area-Ratio (FAR)** - The maximum allowed FAR in the SC district is 1.25. The proposed FAR for the building is approximately .83. Square footages will have to be finalized and verified as the project design is refined. Note that Municipal Code Section 20.24.050(C2) states that enclosed parking areas for commercial uses that meet the minimum number of off-street parking spaces for a commercial use shall not be included in FAR calculations. Thus, all 127 of the structured parking spaces are exempt from FAR calculations.
2. **Parking** - The Municipal Code requires one parking space for every 400 square feet of building area. The partially sub-grade parking structure provides 127 parking spaces, which is thirteen spaces short of what the Code requires.
3. **Building Height** - The height of the building varies between 28 feet to 39 feet. The height of the building is an important variable in the overall visual impact of a development at the site. Most of the buildings along Solano Avenue are one and two-stories. The rear of the building would be stepped down to transition to the lower scale of the adjacent residential buildings and to preserve daylight. The proposed building is a single story retail store with a mezzanine office over partially sub-grade parking. Typically floor-to-ceiling heights for grocery stores are taller than for other retail. Consideration for an increase in building height should be sensitive to the impact on surrounding neighbors. A light, shadow and massing study may be required to provide more information on the increase in height may have.
4. **Setbacks and Daylight Plane** - The proposed project appears to comply with setback requirements

The Commission may use the "Planned Unit Development" (PUD) mechanism for granting the increase in building height and parking deficiency. Planning and Zoning Code Section 20.100.060 (Planned Unit Development) states that "The purpose of the Planned Unit Development (PUD) is to promote flexibility of design and increase available open space in developments by allowing diversification in the relationships of various buildings, structures, and open spaces in building groups and the allowable heights of the buildings and structures, while insuring substantial compliance with the district regulations and other provisions." The Code also 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 without the PUD." Ultimately, the Planning and Zoning Commission will need make the following findings:

1. *Necessity. The planned unit development demonstrates the advantages of modern, large-scale site planning to an extent that could not be achieved without the planned unit development procedure.*
2. *Exceptions Warranted. Any exceptions to the requirements of the applicable zoning district are warranted by an exceptional level or amenity or other benefits to the community, which could not be achieved without the exceptions.*
3. *Substantial Compliance. The degree and extent of any exceptions granted does not prevent the development from being in substantial compliance with the regulations of the applicable zoning district.*

C. Design Review

The proposed design has been substantially changed since the previous study session. The proposed store would have a more contemporary design theme, incorporating a mix of architectural elements from the surrounding area. The previous submittal reflected a contemporary-rustic architectural scheme which the Commission felt was inconsistent with its urban setting. The proposed design is an urban solution, incorporating brick and stucco architectural characteristics, materials and color themes, in an attempt to respond to Commission direction.

The building would be located adjacent to the Solano Avenue frontage, similar to other buildings on Solano Avenue. The proposed location of the building towards the street edge would eliminate the existing front parking lot. Two entry doors are proposed on Solano Avenue, which would provide visual connection and access to and from nearby shopping.

Front and side façade treatments vary. On each of the two Solano Avenue corners, the primary material is brick. Mid-block materials include stucco and limestone tile. Many of the windows will have black metal awnings. The side elevations will include primarily a mix of brick and stucco. Green screens also will be incorporated.

The Solano Avenue facade would include a variety of window openings, setbacks and heights. The design would incorporate rounded elements at the intersections to transition from Solano Avenue down both Curtis Street and Neilson Street. Outdoor dining is proposed at Curtis Street, which would complement similar outdoor dining across Solano Avenue. At Neilson Street, a curved architectural facade is proposed to mirror a similar detail on the building to the east. Along the Curtis Street side of the building, a portion of the parking area will be open to the street.

On the Neilson Street side, the primary building element is the loading dock. A new wall is proposed at the rear of the property to provide visual and noise screening. The proposed wall would be masonry to provide noise mitigation with glass above to allow light and would be supplemented with landscape materials to screen the development from the adjacent residential

properties. Specific details of this screening have not been provided; however the Commission may want to provide feedback on the screen wall concept and design.

It should be noted that a master sign plan should be submitted to ensure consistent and appropriately sized and styled signage. The proposed plans show the Safeway sign on the two Solano Avenue corners.

E. Automobile Circulation

The existing vehicular driveways on Solano Avenue as well as the northernmost driveways on both Curtis Street and Neilson Street would be closed. The driveways from Curtis Street and Neilson Street at the rear of the existing building would continue to access the through driveway at the rear of the store, which would provide customer access to the covered parking areas located beneath the store, as well as function as access for delivery vehicles.

The main truck access to the site would be from Solano Avenue. Trucks would take the Buchanan exit from Highway 80, travel east on Buchanan, turn left on San Pablo Avenue, turn right on Solano Avenue, turn right on Curtis Street, turn left into the main project driveway at the rear of the property and travel through the project site, turn left on Neilson Street and then back into Safeway's delivery dock located adjacent to Neilson Street on the east elevation of the building. After dropping off merchandise, trucks would pull forward onto Neilson Street and return to San Pablo Avenue via Solano Avenue. This circulation pattern is intended to minimize truck travel on local streets.

Pedestrian and bicycle access would occur primarily along Solano Avenue, as well as from Neilson Street and Curtis Street. The existing AC Transit bus stop with "18" and "G" line service is located at the corner of Solano and Curtis and would provide convenient pedestrian and ADA access to the store. Emergency vehicle access would be provided around the entire Safeway store.

F. Landscape

The applicant has provided a conceptual landscape plan at this time, proposing to use primarily drought tolerant and native trees. Landscaping along Solano Avenue would include raised planters, hardy shrubs and ground cover and new street trees. On Curtis Street and Neilson Street sidewalks would be separated from the road edge with turfed landscape strips and new trees and shrubs, and trellises planted with vines are proposed to screen views into the parking areas from the adjacent streets. Where these streets meet Solano Avenue, there would be bulb-outs featuring special paving and flowering accent trees. The existing masonry wall along the southerly property line is proposed to be retained and screened with plantings.

There are mature ginkgos along the western side of the property that would be removed with the proposed project. There also are mature eucalyptus nicoli street trees along Solano Avenue. These trees are an attractive feature of the existing site, and efforts to preserve as many trees on and around the site should be made.

Because of the large scale of the project and its potential visual impacts, staff believes that a detailed landscaping plan is appropriate for Commission review and approval. Landscaping is a vital and integral part of the design and should be thoroughly reviewed in consideration of the project.

G. Lighting

The applicant has not submitted a lighting plan, but indicates that Safeway will propose new decorative light fixtures along Solano Avenue to illuminate sidewalk areas. Additional decorative wall mounted fixtures are proposed to provide sufficient lighting areas. At the rear of the building, pole mounted fixtures, a maximum of 20 feet in height, may be proposed to light the access lane. Lighting placement is important in regards to aesthetics, safety and visibility, and should be designed with the single-family homes adjacent and across the streets and the windows of the adjacent multi-family structures taken into consideration.

H. Art Ordinance

On October 1, 2007 the City Council adopted a Public Art Program that requires applicants for all new development projects to include a Public Art feature valued at 1.75% of construction. The applicant will be required to work with the Arts Committee on determining the appropriate style and location for the required public art.

I. Green Building

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. The applicants have indicated that they fully intend to meet the gold standard.

J. Neighborhood Comments

Attached (Attachment 5) are several letters and emails expressing concern about the proposed project. Elements of the project that are of particular concern are:

- Noise and air quality concerns about the use of the rear driveway for access to the parking area and loading dock;
- Parking and traffic impacts on Curtis and Neilson streets;
- Size of the store out of scale with the neighborhood; and
- Impact of neighborhood businesses.

K. Conclusion

This is a large-scale in-fill project for Albany. It is located on a major arterial street that is built out. There are a number of potential impacts of the project. Staff understands the applicant's desire to improve aesthetics, services and functionality of the site; however, careful review of all potential impacts concerns need to be made. Staff recommends that the Commission receive testimony from

the applicant and members of the public and provide direction to staff on issues of interest during the review process.

Attachments:

1. Analysis of Zoning Requirements
2. Application
3. Project Comparison (2008 to Current Proposal) (prepared by applicant)
4. Planning and Zoning Commission Minutes, June 24 2008
5. Recent correspondence

ATTACHMENT 1 - ANALYSIS OF COMPLIANCE WITH ZONING REQUIREMENTS

20.12 Zoning Districts and Permitted Uses

General Plan: Commercial (Community)
 Zoning: SC (Solano Commercial)

20.16 Land Use Classifications

Residential

Surrounding North - Commercial East - Commercial and SFR
 Property Use South - SFR West - Commercial and SFR

20.20.080 Secondary Residential Units.

Not applicable.

20.24.020 Table Of Site Regulations By District.

	Existing (approx.)	Proposed	Requirement
Setbacks			
Front (north)	Approx 120'	5' - 10'	0'*
Side (west)	'	4' - 6'	0'*
Side (east)	'	0 - 5'	0'
Rear (south)	15'	36'	15'
Area			
Lot Size	67,406		--
Lot Coverage	approx. 45%	approx. %	100%
Maximum Height	28' (highest point)	39' (highest point)	35' max.

*See discussion of key issues regarding setbacks and MC 20.24.020.

20.24.030 Overlay District Regulations.

Not applicable.

20.24.040 Hillside Residential Regulations.

Not applicable.

20.24.050 Floor-Area-Ratio.

	Proposed	Requirement
Lot Size	67,406	None
Floor Area		
Total Counted	approx. 55,896	--
Floor Area Ratio	approx. .83	1.25

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 discussion of key issues.

20.40 Housing Provisions

Not applicable.

20.44 Non-conforming Uses, Structures and Lot

Not applicable.

20.48 Removal of Trees

See discussion of key issues.

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 application was provided on April 16, 2010 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.

Green Building
Not submitted for study session.

Date Received: 4/30/08

Planning Application No.: 08-031

Fee Paid: \$5,000 exp.

\$110-2066-4B3



City of Albany

(R#50582)

PLANNING APPLICATION FORM (GENERAL PROJECTS)

<p>For PLANNING & ZONING COMMISSION action:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Conditional Use Permit* <input type="checkbox"/> Design Review (residential, residential additions, commercial, office and multi-family*,) <input type="checkbox"/> General Plan Amendment from _____ to _____ <input type="checkbox"/> Parcel Map/ Tentative Map/ Vesting Tentative Map, Lot Line Relocation <input type="checkbox"/> Parking Exceptions/Reductions <input type="checkbox"/> Precise Development Plan <input type="checkbox"/> Second Unit Use Permit * <input type="checkbox"/> Variance * <input type="checkbox"/> Zone Change from _____ to _____ <input checked="" type="checkbox"/> Other: <u>STUDY SESSION</u> 	<p>For ADMINISTRATIVE action:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Admin. Lot Line Relocation <input type="checkbox"/> Home Occupations <input type="checkbox"/> Sign Review <input type="checkbox"/> Other:
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* Please complete the appropriate Supplemental Questionnaire.

The City of Albany Municipal Code has certain requirements for Planning Applications. Your answering the following questions will help staff assess how to process your application. Thus, we may have additional questions based on your responses below. Additionally, after your application is accepted for processing, staff and Planning and Zoning Commissioners will likely make at least one field visit to your house and neighborhood.

Job Site Address: <u>1500 SOLANO AVE.</u>		Zone: <u>SC</u>
Property Owner(s) Name: <u>TODD PARADIS SAFEWAY, INC.</u>	Phone: <u>925-467-2078</u> Fax: <u>925-467-2007</u>	Email: <u>todd.paradis@safeway.com</u>
Mailing Address: <u>5918 STONERIDGE MALL RD</u>	City: <u>PLEASANTON</u>	State/Zip: <u>CA 94508</u>
Applicant(s) Name (contact person): <u>DAVID BLAIR MCG ARCHITECTURE</u>	Phone: <u>415-974-6002</u> Fax: <u>974-1550</u>	Email: <u>dblair@mcaarchitecture.com</u>
Mailing Address: <u>785 MARKET ST.</u>	City: <u>SAN FRANCISCO</u>	State/Zip: <u>CA 94103</u>

PROJECT DESCRIPTION (Please use back of sheet or attach extra sheets, if necessary): NEW SAFEWAY STORE WITH TWO LEVELS OF STRUCTURED PARKING AND RETAIL STORES. SAFEWAY LOCATED ON TOP LEVEL.

GENERAL INFORMATION (Please fill out this section if you are asking for approval of a project that will require construction):

Item	Existing	Proposed
Lot size (square feet)	67,406	67,406
Size of structure(s) or commercial space (square feet)	19,600 SF.	160,312
Height and No. of stories	1 STORY 25'	3 STORY 49'
Lot coverage ¹	29%	84%
Floor Area Ratio (FAR) ²	.29	2.38
Impervious Area ³	65,731	65,731
Slope Density ⁴	-	-
No. of dwelling units	0	0
Parking ⁵ Number of off-street spaces	91	216
Number of spaces in garage	0	216
Size of spaces	9x18	8 1/2 x 20

¹ Lot Coverage applies to all zoning districts. It is defined as the land area covered by all the structures on a site, including all projections, except portions of uncovered decks, porches or landings, balconies, or stairways that are less than six feet above grade and are not enclosed by walls on more than two sides; eaves, trellises and similar structures that do not have solid roofs.

² Floor Area Ratio (FAR) is defined as the proportion of building floor area per area of the parcel of land upon which the building rests. See the informational handout "How to Calculate Floor Area Ratio" for details on what is included and excluded.

³ Impervious Area includes the total square footage of building footprint(s), driveway(s), patio(s), parking lots, walkway(s), and any other impervious surfaces.

⁴ Slope Density requirements apply in the HD Zoning District pursuant to Measure K. See handout on how to measure slope density in this area.

⁵ Minimum parking requirements were enacted under Measure D. This Measure requires that all residential development must have a minimum of two off-street parking spaces. Some exceptions may apply to your project, see residential development handout.

Restrictions: Are there any deed restrictions, easements, etc. that affect the property, and, if so, what are they? In some instances, you may be required to provide a title report.

TODD R. PARADIS

Signature of Property Owner

Todd R. Paradis

Date 4/22/2008

[Signature]

Signature of Applicant

4/25/2008

Date

Community Development Department staff is available between 8:30 a.m. and 7:00 p.m. on Mondays, 8:30 a.m. through 5:00 p.m. on Tuesdays through Thursdays, and 8:30 a.m. to 12:30 p.m. on Fridays at 1000 San Pablo Avenue, Albany, CA 94706; TEL: (510) 528-5760.

Project Comparison
SAFEWAY: 1500 Solano Avenue, Albany, CA

	Previous Proposal	Current Proposal
Square Feet:	59,272 square feet: 9,447 square feet shops 49,825 square feet of grocery	52,373 square feet on one level.
Levels:	3 levels: First Level: Parking Second Level: Shops and Parking Third Level: Safeway (grocery)	2 levels: First Level: Parking Second Floor: Safeway (grocery)
Building Height:	33' minimum height 49' maximum height	28' minimum height 39' maximum height
Parking:	216 on-site parking spaces (148 required)	127 on-site parking spaces (127 required)
Floor to Area Ratio:	1.25 FAR (includes parking that exceeds required)	.77 FAR
Setbacks:	Front: 0 feet Sides: 0 feet Rear: 40 feet	Front: 5 feet – 10 feet Sides: Neilson: 0 feet – 5 feet Curtis: 4 feet – 6 feet Rear: 36 feet
Daylight Planes:	Complies	Complies
Circulation:	Four entrance drives (two on Neilson, two on Curtis)	Two entrance drives (one on Neilson, One on Curtis)
Loading:	At rear of building, near residential uses.	On Neilson, adjacent to commercial uses.
Architecture:	Contemporary Rustic	Contemporary: Based on architectural style, forms, massing, and materials of area buildings.

<p>3. <i>Approval of the project is in the interest of public health, safety and general welfare.</i></p>	<p><i>The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the area and would not adversely impact property, improvements or potential future development in the area. The project meets all development requirements. The awning will be internally lit and because it is predominately navy blue in color it will be subtle and visually unobtrusive. The improvements will have positive impact on the aesthetic of the site, prominently visible corner and neighborhood.</i></p>
<p>4. <i>The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D.</i></p>	<p><i>The project as designed is in substantial compliance with the standards as stated, including access, architecture, natural features, coordination of design details, and privacy</i></p>

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. **1500 Solano (Safeway Store) Planning Application 08-031.** The applicant is requesting approval to demolish an existing grocery store and to construct a new .60,000sq.ft. grocery store that includes separate retail areas along Solano Avenue plus a 216-space parking garage. Potential approvals required may include an increase in building height, reduced parking requirements and design review.

Staff recommendation: take testimony from the public and provide direction to the applicant and staff on appropriate revisions.

Commissioner Moss recused himself due to proximity to his residence. Associate Planner Curl delivered the staff report. Chair Panian opened the public hearing and invited the applicant to make a presentation. Todd Paradis, Safeway Real Estate, did so. Commissioner Arkin asked whether the applicant had held meetings with the public. There had been at least three such meetings.

Commissioner Gardner asked how the size was decided upon. It was the minimum size to house all of the specialty departments of a Safeway. Commissioner Maass asked for current and projected number of shoppers. Mr. Paradis stated that information was not available. Commissioner Gardner recommended good record keeping during the design phase, to help reduce the cost of LEED certification later on.

The following people had concerns about the proposed project:

- Nick Pilch, Albany Strollers and Rollers
- Sarah Vaughn, Nielsen Street
- Larry Dubois, Nielsen Street

- Steve Pinto, Nielsen Street
- Eric Armstrong, Nielsen Street
- Evy Vaughn, Nielsen Street
- Zelda Bronstein, Berkeley resident
- John Shaku, Curtis Street
- Bjorn Oreig, Nielsen Street
- Andrew Condy, Solano Avenue
- Nancy Brandt, Curtis Street
- Greg Reberg, Nielsen Street
- Teresa Holdgraves, Nielsen Street
- Amy Perry, Nielson Street
- Josh Fox, Curtis Street
- Greg Luckies, Curtis Street

Concerns included:

- Lack of bicycle parking
- Lack of showers for employees who commute on bicycles
- Too large for the site and the community
- Not pedestrian friendly
- Too big with additional retail
- Deliveries to the rear putting residents too close to the diesel noise and fumes
- Cookie-cutter Safeway out of character with Albany
- Pedestrian safety in driveways
- Preference for the existing, smaller market
- Too dense
- Enclosed parking cannot be seen from the street and does not feel safe
- Traffic congestion
- Too big, too tall
- The findings for the PUD could not be made
- Out of scale with the surroundings
- Loss of on-street parking
- Giant signage
- Too much parking
- Green demolition
- Loss of light on Solano sidewalk
- Unattractive design

Commissioner Gardner asked whether a smaller store had been considered. Mr. Paradis indicated they had tried putting the parking on top and could not make it work. They had not yet considered a remodel instead of a new store. Commissioner Gardner requested justification that amenities would be provided (in support of the PUD). She recommended reducing the number of parking spaces and/or allowing them to be shared by other uses. The store should be sited near the Solano frontage of the lot, but set back to leave room for café seating bicycle parking, etc. A street closure similar to the one at the Andronico's on Solano might be an option to explore. The enclosed parking could have open sides to provide visibility.

Commissioner Maass asked for the numbers of shoppers. He thought live security guards might be needed for the underground parking area. He recommended a smaller project with a design sensitive to the character of Albany.

Commissioner Arkin liked the store closer to Solano, but not the additional retail spaces and buried sidewalk. He recommended the applicant submit more than one alternative so that options could be listed and criteria ranked. Site circulation might be a challenge. Housing should be considered. Elevations of all frontages would show how the plan would fit in.

Commissioner Arkin expected more green building in the plan, such as integrated photovoltaic panels, living walls, daylighting, and windows. Paid parking could offset the cost of an attendant. The parking could be closed at night. The Safeway store could be at one corner, small retail at the other, with parking above and below, professional office space on the second story, a covered zone in front for seating and bicycle parking, and 60° parking on the Solano frontage.

Chair Panian felt the findings could not be made for the PUD. The project as proposed was not increasing open space or providing an exceptional amenity. With such a large project the design must be more appealing: reduce the parking, remove the additional retail, and add pedestrian and bicycle amenities, architectural details, ingress and egress safety enhancements, and neighborhood-friendly entries for service vehicles.

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

There was a five-minute recess.

- b. 1112 Ordway. Planning Application 08-027. Design Review.** Request for Design Review approval to allow a 239sq.ft., two-story addition to the rear of an existing single-family home.
Staff Recommendation: approve.

Planning Associate Curl delivered the staff report. Chair Panian opened the public hearing and invited the applicant to speak. Richard Thompson, the project architect, was available to answer questions. He noted they might want to use CeraClad rather than HardiBoard. No one else wished to speak. Chair Panian closed the public hearing.

Commissioner Moss was concerned about the lack of window recess and the potential non-permitted second unit use.

Commissioner Arkin moved approval with the following amendments: CeraClad option allowable, two-inch window recess required, and a deed restriction regarding this not being a secondary residential unit. Commissioner Gardner seconded.

Vote to approve item 6b as amended:

Ayes: Arkin, Gardner, Maass, Moss, Panian

Jeff Bond

From: Nancy Brandt [n.brandt@sbcglobal.net]
Sent: Wednesday, April 21, 2010 5:00 PM
To: Jeff Bond
Subject: Safeway planning commission study
Attachments: Safeway.doc

April 21, 2010

Albany Planning Commission
Albany City Hall
1000 San Pablo Avenue
Albany, CA 94706

Re: Safeway

Dear Members of the Planning Commission:

As an Albany resident, specifically a resident of Curtis Street, I am writing to present my serious concerns about the proposed demolition and rebuilding of the Safeway store located at 1500 Solano Avenue. I hope you will consider my letter during the discussion at the upcoming Planning Commission Study Session.

I have lived in my home at 918 Curtis Street for close to 10 years. During that time I have come to love the convenience and atmosphere of the Solano Avenue commercial district. I shop at Safeway, as well as at very many small retail outlets on the Avenue. I enjoy the variety and opportunities for choice that this sensibly scaled commercial community offers.

I have been actively involved in the discussions and controversies surrounding the preceding remodeling proposals put forth by Safeway. My intention is not to thwart Safeway, nor to be "anti-business." Rather I seek, as I believe do many others in this neighborhood, a *reasonable* plan that will serve the community. Safeway has often said they want to be "good neighbors." Here is their opportunity.

In principle I object to a cookie-cutter solution to what a corporate entity decides are the "needs" of a community. There are a number of issues I could take with the proposed plans. However, I will limit my concerns to ones that I feel are most critical.

I. ALL VEHICLES, INCLUDING 18-WHEEL DELIVERY TRUCKS, TO ENTER VIA THE BACK END OF THE STORE PROPERTY

The design as proposed brings all cars and trucks to an entrance at the location of the alleyway at the rear of the current store. This means that truck traffic will travel at least one-third of the distance down Curtis Street from Solano Avenue in order to negotiate a difficult turn into the alleyway, presumably to exit at the Neilsen end of the alleyway, again making a left turn so as to be able to access (in reverse?) the loading docks opposite the Bank of America. As proposed, the square footage of the store will necessitate far more deliveries than now occur. Because this store is a 24-hour store, delivery trucks would be able to arrive via this troublesome route at any hour of the day or night. Any need by the truck drivers to reverse in order to make a turn or back down into a loading dock will be accompanied by warning noises that would be extremely disruptive to the nearby residents.

A look at the property maps will show that a *minimum* of seven to ten residences will be directly impacted by this traffic pattern. The noise, vibrations and other pollution from the trucks will directly affect these homes, likely lowering their property value.

Additionally, customer vehicles will enter via the back alleyway to access the underground parking. This means that all traffic will be going down Curtis Street – and up Curtis from Marin – to access the parking. Neilsen will likely be impacted similarly, depending on how access to and from the parking area is designed or restricted.

Again: larger store, more cars. The streets surrounding Safeway are already severely stressed by the traffic going to and from the store. I live opposite the alleyway in question and can attest to the number of speeding cars that drive down Curtis Street after exiting Safeway. Even if the Curtis Street alleyway is only an entrance, the traffic coming down from Solano Avenue and up from Marin Avenue – both trucks and cars – will be untenable.

The safety concerns that arise from this arrangement are clear. Pedestrians on Curtis and Neilsen will have to cross the two alleyway driveways. The elementary school at the corner of Curtis and Marin brings many children up and down Curtis Street as well as Neilsen. Additionally, the crosswalk at the corner of Curtis and Marin is already very hazardous because the curve in Marin at that point gives impatient drivers the opportunity to see if it is clear up Marin and neglect to look to the right or even stop before turning right onto Marin from Curtis. More traffic from Safeway patrons means more risk of tragic accidents at that corner.

II. PARKING DIFFICULTIES WILL BE EXACERBATED

In order to facilitate the entrance of the trucks, Safeway would seek a parking variance. This creates an additional unfair hardship for the residents and patrons of local merchants and restaurants, who are already vying for a place to park. There are likely a significant number of customers who will avoid an underground parking lot out of safety concerns. These customers would look to park on the side streets.

III. SIZE OF THE PROPOSED STORE IS UNREASONABLY LARGE

Rather than improve the Safeway store in a manner consistent with the Albany/Solano Avenue commercial scale, Safeway has consistently tried in its plans to impose a Godzilla-size footprint on the community. This image is not chose lightly: by creating a mega-store that incorporates multiple *redundant* services, Safeway will be able to crush existing retail businesses – pharmacies, bakeries, flower shops, coffee shops, and the like, all of which contribute to the unique and generally non-corporate, non-mall-like quality of our community.

The introduction of a 55,000 square foot corporate extravagance would be a loss, not a gain, for Albany. A store of this scale is appropriate on San Pablo Avenue or on the Eastshore frontage road, not in the middle of the *modestly scaled*, combined residential/small business area that makes Albany so desirable.

Please make note of the fact that there are already numerous empty storefronts on Solano. Mega-Safeway will likely produce more vacancies, leaving a Solano Avenue filled with a row of blank windows looking out onto a huge concrete bunker – Safeway.

In conclusion, it is not clear to me that Safeway's proposed plans are in accord with the Albany City Code. I hope to support the improvement of the Safeway store, but not without ensuring to the best of my ability a

reasonable plan that complies with the local ordinances. The Planning Commission has a duty to serve the city of Albany and its citizens in compliance with the law. I trust that the Commission will do that.

Thank you for considering my comments.

Nancy Brandt
918 Curtis Street
Albany CA

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Jeff Bond

From: Kyle Kosup [kylekosup@earthlink.net]
Sent: Wednesday, April 21, 2010 5:52 PM
To: Jeff Bond
Subject: Neighborhood resident response: Safeway building plan

April 21, 2010

Planning Commissioners and Staff:

Re: Safeway Proposal scheduled for discussion at the 4/27/2010 Planning Commission Study Session.

While we are sympathetic to Safeway's desire to remodel, update and improve the store, Safeway's recent development proposal for their property on Solano Avenue has major flaws that are extremely detrimental to our neighborhood and to Solano Avenue and our local businesses. The poor traffic planning would create dangerous conditions.

This Building is Too Big for Solano Ave and the Neighborhood.

This plan greatly increases the square footage of commercial space on the property, and tremendously increases the overall volume of the building on that lot. The proposed building is massive, a building that would dwarf any other building on Solano Avenue. This plan is out of scale and out of character with this important portion of Albany.

This is especially true along the side streets, Nielson and Curtis, where the store is at it's highest, where it would loom 38 and even 40 feet above our streets! Imagine having a 38' building built across the street from your house. This is crazy, there is no need to disfigure our neighborhoods with a massive, big box store in our midst.

Incidentally, the 'project.pdf' Safeway has made available, is misleading in showing how the building would look from the side streets, for brevity sake I will not go into the misleading details here. The design for the store's frontage is reasonably attractive, but the back 3/4 of the building is ridiculously huge.

The parking and traffic flow plan is obviously impractical, dangerous, and severely damaging to our neighborhood.

Currently there are three entrances and exits for Safeway customer parking; one directly off a commercial street: Solano Ave; and two situated on side streets, but very close to Solano Avenue and opposite commercial properties. Safeway wants to replace these three entrances near or on a commercial avenue with ONE entrance/exit situated on the middle of a narrow residential street in the midst of residences! ...and with a greatly increased volume of traffic! From a simple traffic planning perspective this is ridiculous. Where have you ever seen all the customer traffic for a large supermarket or other high volume store all funneled through ONE single, small entrance/exit? ... and situated on a narrow residential street?! All customer traffic to Safeway will be forced to go down Curtis Street, a narrow, quiet residential street, a street daily used by children walking to school. This would be a mess, and dangerous for all concerned, including the cars trying to go in and out of this one entrance, onto a street that has poor visibility and a flow of through-traffic greatly exceeding the speed limit.

There is also the problem that all delivery trucks, including very large semi trucks will ALL have to drive along Nielson Street, another narrow residential street. Nielson Street is entirely unsuitable for semi-truck traffic for reasons that should be obvious. This delivery traffic will frequently block all traffic on Nielson street both ways. At the very least it will require no parking zones along both sides of the north end of Nielson street and most

likely along the entire length of Nielson Street. This entire delivery plan would be grossly unfair and a real danger to families living on Nielson Street, and would create additional parking problems in the area.

This Plan is Bad for Local Businesses and for Solano Ave as a Whole

There are currently many commercial vacancies along Solano Avenue. Solano Avenue does not need additional commercial space. Additional commercial space would only increase the number of vacant storefronts on Solano, not a good thing.

Safeway proposes adding a full florist, bakery, bank, deli, and a pharmacy to the property.

This area is already well served with every one of these types of businesses.

If Safeway does this, several of our local businesses will most likely be driven out of business. If Safeway's imagined increase in business does not materialize, then we have a giant white elephant in the middle of Solano Avenue. Why should we imperil the viability of Solano Avenue businesses in favor of a large chain store. What makes Solano Avenue special is NOT large chain stores. The current Safeway is not even operating up to its current capacity, There is no compelling need for it to greatly expand. This project is bad for local business and bad for one of the most beloved features of Albany; Solano Avenue.

How to Take the good points of this plan and Fix it so it genuinely serves the Community

This plan comes close to creating a much more attractive presence along Solano Ave than the existing store. However the front is still too high and massive to really fit in with the character of Solano Avenue.

1).Somewhat reduce the height and volume of the front portion of the building. The height could be reduced, it would be more attractive and harmonious with the area, and Safeway would lose nothing by it

2).Greatly reduce the height and volume of the rear half of the building

Due to the fact that Neilson and Curtis Streets slope downwards, the greatest height of the new Safeway would not be on Solano Ave, but on these residential side streets. This fact has been largely overlooked, yet it is important. How would you like a 35'-40 foot high massive building erected across the street from your house, filling half of your block? Greatly reduce the height and overall volume of most of the building

3). Drop plans for most of the peripheral businesses

4).Change the vehicle Entrances/Exits

You must have AT LEAST two customer entrance/exits. Really, at least one of them should be on Solano Ave. If they are both situated on the side streets, they must be as close to Solano Avenue as possible, opposite existing commercial buildings and NOT opposite and next to residences.

The delivery dock should be rethought. The delivery system should not rely on either of the side streets, which are entirely unsuitable for semi-trucks.

Sincerely,

Kyle Kosup
And Elke Berger
910 Curtis St.
Albany
510-525-6292

Jeff Bond

From: Steve Pinto [stevepinto@att.net]
Sent: Wednesday, April 21, 2010 11:00 PM
To: Jeff Bond
Subject: Safeway
Attachments: 21 April 2010 Safeway.doc; Safeway Barbara.doc

Mr. Bond,

I know this has to reach you by tomorrow. Please confirm receipt. I've attached my messages and included them in the body of this message.

Steve Pinto

21 April 2010

Dear Planning Commission and Staff:

After reviewing the new plans, it is clear to the neighbors of Safeway on Neilson and Curtis that they are completely deaf to our concerns. The most recent proposal is the worst yet

When I first met Todd Paradise and his hired gun Barbara Ellis, we made it absolutely clear to them that delivery trucks in the back were not acceptable.

Not only does the new proposal, have delivery trucks passing through the back, it has all customer parking entering and exiting right by our bedrooms. They understood our biggest fear, cynically ignored it and came up with a design that if approved would absolutely destroy our quality of life, not to mention property values. It should be obvious by now that Safeway is not playing in good faith. They have completely ignored suggestions by the neighbors as well as the Planning Commission.

Some Historical Context:

When Safeway first built the store back in the 60s, they promised neighbors two things:

- 1) Employees wouldn't park on the street. They would use the employee park lot.
- 2) Delivery trucks would not use the back.

The first promise was broken years ago. Now, they present us with this monstrous design that has customer parking entering and exiting through the back. Frankly, I can't imagine a worse proposal.

Although it should be obvious, here are just a few reasons why we adamantly oppose the latest design:

- 1) **Lack of privacy** – Car after car, day after day, hour after hour, passing oh so close to our bedrooms.
- 2) **Noise.** Currently a car passes through the back – maybe once per evening. We hear it. We see it. We feel it. But it's brief and fleeting and we can live with it. I can't believe they would do this to us. Think constant noise – car alarms – honking -
- 3) **Pollution.** Cars produce exhaust. That's not fair to make us live with that.
- 4) **Vibration.** can cause settlement

5) Pedestrian Hazard – Many small children and elderly people live on these two blocks. People in a hurry will be speeding past our house, right on to the sidewalks that the pedestrians use.

The reasons I mentioned above are huge negatives that will result in significant reduction in quality of life and property values. I have mentioned the above proposal to tons of friends and relatives and the most common comment was “That’s not good.” or “Bummer!”

To Safeway Reps – I have suggestions for a remodel but since you haven’t listened to any of our past suggestions, I don’t really see a point in putting them in writing again.

To the Planning Commission: I’ve heard good things about you guys and feel some comfort that you will see the new plan for what it is – a cynical and arrogant attempt to increase store revenues at the extreme detriment of the neighbors. A remodel can be done without destroying lives.

I am including a letter from of the past to provide evidence of our earlier experiences.

Steve Pinto
912 Neilson St.
Albany, Ca. 94706

Last year, Safeway organized a town hall where citizens were allowed to give input on what kind of remodel they would like to see. This kind of community outreach surprised me because over the years Safeway has never even bothered responding to neighbors when asked to keep gutters clean around their store. In fact, it has always been clear to immediate neighbors that Safeway doesn't fit into the clean, small business culture of Solano Ave. They are the only business I know of in Albany that doesn't clean up after itself. Are we that naïve to think that because they host a town hall meeting that things are going to change?

A few weeks before the town hall meeting year, my neighbor and I were invited to Fonda's on Solano Ave. to discuss our concerns about a potential Safeway remodel. Todd Paradis represented Safeway and he brought along consultant Barbara Ellis. I live in a home that abuts the Safeway employee parking lot and BJ owns the home behind me on Curtis that also abuts the parking lot.

The first thing Mr. Paradis asked us was how we would feel if we were to be given an easement of around 5 feet and a larger wall. We, of course, immediately asked what the catch was. Mr. Paradis said that the building structure would move closer to your property. We might put some plants back there but the back would remain void of human activity. You might lose some sunlight so it's our way of compensating you for bringing the store closer to you.

We agreed that loss of a light was a concern but the bigger concern for us was that rear area of the store might be considered for deliveries. Both Mr. Paradis and Ms. Ellis emphatically said "that will never happen."

Fast forward to April 8, 2007. Barbara Ellis calls me up and asks me if I'd allow sound equipment to be hooked up on my property. She didn't give me a reason why until I pressed her. She said it was just routine pre-construction stuff. I called Todd Paradis to ask him what was happening. He says the rear is now being considered as a prime location for deliveries. I was shocked!

We were lied to, bamboozled, and tricked by these Safeway representatives. Having diesel trucks, workers that we don't know right behind my son's bedroom is unacceptable. How can we go forward negotiating the details of this project with a corporate Goliath when they began the process with a misrepresentation?

I pray that our planning commission, mayor, and city council will have the foresight and compassion not allow a corporation that has deceived citizens in the past to financially hurt and drastically reduce the quality of life of its tax-paying citizens.

Steven Pinto
Behjat Yahyavi

Jeff Bond

From: Holly Bartling [hollybartling@yahoo.com]
Sent: Thursday, April 22, 2010 10:27 AM
To: Jeff Bond
Cc: Holly Bartling
Subject: Concerns regarding proposed plan for Safeway on Solano

To: Jeff Bond
Planning and Building Manager
Albany, CA

From: Holly Bartling and Ross Culverwell
915 Curtis Street
Albany, CA 94706

April 22, 2010

Dear Members of the City Council,

We are writing to express our considerable dismay with the revised plans that Safeway has recently made public. We understand that these plans will be discussed at the 4/27/2010 Planning Commission Study Session and wanted to register our concerns.

We shop at the Safeway on a regular basis, and are supportive of their desire to create a store that meet the needs of its customers. We would hope that Safeway would design a store that would meet the needs of its neighbors, as many of us are the store's most important and most loyal customers.

We expressed concerns about the original project in a letter to the City Council on June 22, 2008. We are extremely disappointed to note that the new design is in fact not much better than the original, and we find ourselves making the same complaints. Little effort has been made by Safeway to take into account the legitimate concerns of the surrounding neighbors, particularly as it relates to the increased truck and car flow that would come as a result of the project.

As residents who live immediately behind the Safeway, we are already concerned about the level of noise, pollution, traffic and crime that we have experienced as a result of our proximity to the only store that is open 24 hours in the vicinity.

The proposal recently released by Safeway would exacerbate these existing problems. The plan proposes a large parking structure that would literally abut our house, resulting in a considerable increase in noise, pollution and traffic right in our backyard. Currently, the parking is the front of the store, and most cars and delivery trucks enter via Solano. By rerouting the traffic to Curtis and Nielson, the plan makes our streets less safe and more congested. This plan does not reflect the fact that the Safeway abuts a primarily residential area.

We are the parents of two small children. The pollution and noise alone from such a proposal would severely impact our immediate vicinity. In addition, Curtis and Nielson are already at capacity in terms of traffic, and there have been numerous accidents involving pedestrians in recent years on Solano in front of the Safeway. To add yet more cars would increase the danger to pedestrians, and to allow delivery trucks behind the store would

be the epitome of being a bad neighbor. There are many children who live on our block, and many who walk down our block to Marin School, and the addition of more delivery trucks and vans would also affect their safety.

Finally, the proposed plan envisions a store that is simply too big for the surrounding area. Local florists and bakeries already exist on Solano, and this store would directly compete with them. A more modest development that included a more scaled back remodel would be more in keeping with the character of the neighborhood, and would not undermine the local businesses that Albany has carefully nurtured over the years.

We feel that this current proposal is simply out of scale with the neighborly, community feel of Albany. We chose to live near Solano because it is pedestrian-friendly. By supporting a plan for a megastore with a massive parking garage, Albany would be encouraging residents to drive, going counter to the "green" values that it espouses.

In summary,

*The size and scale of the proposed store is out of proportion with the other businesses in Albany and should not be approved. We would hope that Safeway would create a more modest proposal in keeping with the feel of Albany.

*The proposed parking structure would put too many demands on already overstretched infrastructure. Local streets simply do not have the capacity to absorb the traffic increase. The parking structure with an entry at the rear of the store should not be approved.

*The proposal to allow trucks to make deliveries by entering from the side streets would increase noise and air pollution and be extremely disruptive to neighbors, and should not be approved.

We strongly disapprove of the plan as it stands, and would encourage the City Council to consider the concerns that we and others have laid out.

Sincerely,

Holly Bartling and Ross Culverwell

Jeff Bond

From: amy pieri [ajpieri@sbcglobal.net]
Sent: Thursday, April 22, 2010 10:42 AM
To: Jeff Bond
Subject: Safeway proposal
Attachments: Safeway project 2010.docx

Hi Jeff,

I sent this letter to you long ago in the form of a letter to the editor, but attached here is a copy that I hope you will submit to the committee regarding the Safeway plans. Let me know if for some reason you are unable to open this attachment.

Thanks,

Amy Pieri

4/22/2010

Dear Albany City Planning and Zoning Committee,

“Bigger” and “More” are concepts that are falling by the wayside these days as the recession is teaching us to scale down, simplify, and to value making use of what we’ve got. It seems particularly inappropriate, then, that Safeway has returned with another plan to demolish the Solano Safeway, (and put it where, in landfill?) and to build another one twice its size on the property. According to their plan, there will no longer be a parking lot on Solano. All of the parking will be underneath the store, and in order to enter and exit the store the patrons will be forced to take one of three elevators with their shopping carts. This is all pretty cumbersome, and not the way we want to shop. Not to mention the huge energy consumption of the elevators at a time when Albany strives to promote green businesses.

All of the cars and the eighteen-wheeler trucks will be forced to enter and exit the parking structure from the small residential streets of Neilson and Curtis, and will be routed right under the bedroom windows of my neighbor’s small bungalow, much to his personal devastation. My other neighbor, equally devastated by this proposal, (you can often find in her front yard tending her beautiful garden), would have the eighteen-wheelers backing up into their loading docks directly across the street from her front porch. The rest of us, many with small children, who have invested so much in our homes on these small, residential blocks, are equally devastated and sickened by the prospect of our quiet street becoming a major thoroughfare, and living next door to this out-of-scale supermarket. And then there is the toxic dust from the demolition and construction, which according to Safeway would take about two years.

It is true, that the Solano Safeway does not have a bakery. As of now, the couple of times a year that I need pastries or a cake, I go to La Farine, or to another Safeway store. The rest of the time I suppose it works out that I am not tempted by passing all those cakes and pies. And maybe it *would* be nice, but not at this price! Safeway is also planning to do away with the Safeway Pharmacy on Solano in order to incorporate a pharmacy within its supermarket. What a great loss of Americana that adds so much to the small-town appeal of Albany. And did I mention that Safeway plans to have a Starbucks in the middle of the store? Well, I guess we won’t have to cross the street any more for coffee and muffins at the Sunny Side Café.

In these tough times it sure would be nice if Safeway would consider a simple remodel, or perhaps even minimize its prices, as opposed to pushing on our community this *unnecessary* and *unwanted* project that would compromise our ideal of greenness, inconvenience future shoppers, take business away from smaller Solano establishments, and devastate a small residential neighborhood. Please do NOT approve this project!

Amy Pieri,
915 Neilson St.

Albany, CA

Jeff Bond

From: Josh Fox [joshua.fox@fremontbank.com]
Sent: Thursday, April 22, 2010 11:47 AM
To: Jeff Bond
Subject: Letter for 4/27 Safeway Study Session

April 21, 2010

Dear Planning Commissioners and City Planning Staff:

We are writing regarding the proposed demolition and redesign of the Safeway store on Solano Avenue for discussion at the 4/27/2010 Planning Commission Study Session. While we would like to support Safeway in their effort to remodel, update and improve the store, there are several aspects of the proposed expansion that will have substantially negative impacts on the surrounding residential neighborhood and on traffic, safety and circulation on and around Solano Avenue. The following list summarizes the key problems with the proposed project that we think must be changed:

1) Proposal to move the delivery truck access and all vehicle traffic to the back of the store property adjacent to the residential neighborhood: The back of the store should be a landscaped buffer for the residential neighborhood, not the sole driveway access for cars and large delivery vehicles. The proposed design brings 18-wheel delivery trucks, other delivery vehicles, and all automobile traffic, much further down Curtis and Nielsen Street to a new large driveway access at what is currently a quiet alley in the back of the store. This is a very unreasonable incursion on a residential area and creates safety, noise, parking, air quality and aesthetic issues. Currently, the access is at the top of the street, close to and on Solano Avenue--most traffic enters the store parking lot via the Solano Avenue driveways. Under the proposed design, the trucks will be driving much further (100 feet+) down into the residential neighborhood and will cross the sidewalk in close proximity to houses on both Curtis and Nielsen. The truck noise, pollution and vibrations alone will greatly impact the adjacent and nearby homes. The dramatic increase in all vehicle trips to and from the store will further amplify existing traffic, noise, pollution, and speeding problems. In addition to the numerous small children that live in the houses on these Streets (the 900 block has about 12 children under 10 alone), this is a busy sidewalk as children and families walk towards Marin Elementary School or Solano Avenue. Curtis is a narrow residential street and cannot reasonably accommodate 18-wheeled delivery trucks on top of all the existing and expected new traffic. Please direct Safeway to move the vehicle access back up towards Solano where it currently is—or better yet, onto Solano Avenue only. It is unfair and unreasonable to direct all of this traffic into the heart of an already impacted residential street.

2) Parking Impacts: While the ability to park near your house on the street is not a right, it does contribute to the quality of life on the neighborhood streets in Albany. As neighbors of Safeway, we on Curtis and Nielsen already compete to park on our own street with Safeway employees, shoppers, Solano Avenue merchants, our neighbors as well as teachers, staff and parents going to Marin Elementary School. This project will not only eliminate street parking to accommodate large truck access to and from the store, Safeway is actually asking for a variance for reduced parking requirements. This proposed variance is not appropriate or fair to the neighborhood residents or the other existing users of on-street parking. It is a real stretch to call this project a PUD eligible for variances given that it does not provide any real incremental benefits to the community.

3) The Disproportionate Size/Scale of the Proposed Store: Safeway is still apparently unable or unwilling to think outside of the "big-box store" mentality that seems to work for them in large suburban strip malls. This proposed store is still totally out-of-proportion with Solano Avenue's urban village scale. Once again, Safeway is trying to fit all of their pre-canned and unnecessary departments under one giant roof to the detriment of nearby local merchants that sell items such as baked goods, flowers, coffee or provide pharmacy services. Even if you set aside the local character and viability of Solano Avenue and its shops, this store will be, by far, the most massive structure on or near Solano Avenue. By more than doubling the shopping area they are diminishing traffic and pedestrian circulation, as well as the safety and attractiveness of the Solano Avenue shopping district. This also implies perhaps doubling traffic (both delivery and shoppers) using the already congested section of Marin and Solano Avenue. Again, rather than adapting to the area, Safeway is actually asking for height variances to allow them to build as much as they can get away with. The store should be redesigned to fit the scale of the area, not "shoe-horned" into a site that can reasonably accommodate a store about half of the proposed size.

In summary, we would like Safeway to design a store that fits the neighborhood, improves Safeway's bottom-line and is a great addition to Solano Avenue. Unfortunately, Safeway has cynically ignored the comments and input from the Planning Commission and neighborhood residents voiced in the last study session. If Safeway wants to be a good

neighbor and a smart business, they should find ways to increase, rather than diminish, what little buffer currently exists between the adjacent residential neighborhood and build a store that fits the scale of Solano Avenue.

Thank you for considering our comments.

Josh Fox, Bettina Fox and Henry Fox
926 Curtis Street, Albany, CA
510-558-0957

My Name: John shokouh

Address: 914 Neilson St Albany Ca. 94706 (one house away from Safeway property in the back).

My mother Behjat yahyavi owns property

915 Curtis Ave. Albany Ca. 94706 (joining a property line right behind the Safeway).

Safeway for about 3 ½ years trying to demolish the existing building and build a new one. They (Todd parraddis and his associates have had many different community meetings. Whenever I have talked to him or my next neighbor which has joining property line with Safeway. We always ask please don't bring any trucks or cars coming to the back of Safeway. Because, we leave their. Our bedrooms right next to the Safeway property in the back. And always Safeway says, yes, yes we hear you and we want to work with you.

Again with this new plan we are back to the same place, we were 3 ½ years ago. Parking in the back, cars and truck driving from Curtis to drive behind the Safeway to go to Neilson St.

What they are proposing is totally out character for Albany. It is, way too big and has no consideration for any neighbor living at Neilson or Curtis especially for people living in back of their property line. They are trying to build this huge building next to our houses and bring all their deliveries from back. The noise, pollutions, 18 wheels trucks and traffic of everyday use will not be bearable for everyday living next to Safeway.

All this time they are say how nice, big will be and service will change bigger the better.

Not once any represntive of Safeway " Todd paraddis or anybody else has come out and say what will happen to people leaving so close to Safeway. At first they showed some concern but now there is no concern.

They are charging ahead with existing plan. They want to see how everybody will react to it.

Why don't they remodel the existing Safeway? The size is big enough. Resurface the building, change the lights in and out, clean outside, resurface outside parking lot, put more flower container, promote the service, and bring more upscale products.

But their idea of change is demolishing. They brought this plant to city of Albany saying this the way we want it. And they are doing same thing at city of Berkeley and people are objecting to the side also.

But Albany Safeway store is more in residential area. This store is different. The impact will be drastic for immediate neighbors we have endure the change for rest our life or move out of the area. With big financial impact having this huge Safeway building hanging over our head. The noise, losing security, the pollution allowing Safeway put bring the parking entrance and truck driving next to our houses would be devastating to our neighborhood.

In conclusion: I am 30 years resident of Albany. I have been living in the same house. When we bought our house, we knew that there is a Safeway next door and we saw the back of it. The existing Safeway does not interfere with our daily life. The business side is in front, there is no truck, noise or pollution. It does not cast huge shadow in our house. It is not pretty. I believe when existing Safeway plan was approved by City of Albany, it was considered the immediate impact that will have on resident of Neilson Street and Curtis Ave. They wanted minimum impact and they wanted to keep the sense of neighborhood. This plan should not be approve and showed be down size drastically .I hopes the current city commission and zoning will have the same forth side not to let happen. Thank you

John Shokouh

Tel: 510-517-7820

833 Neilson Street
Berkeley, CA 94707
510-527-2766

RE: Proposed Safeway Development at 1500 Solano Ave., Albany CA

I am writing to express my objection to the planned development of a 52,000+ sq. ft. Safeway store with underground parking at 1500 Solano Avenue in Albany, CA.

This proposed development, which currently houses a 20,000 sq. ft. Safeway store and 80 space surface parking lot is on an already busy block of Solano Avenue across from two apartment houses and surrounded by densely settled single-family homes.

Solano is already a hugely congested street - the further impacts on street traffic and concerns over pedestrian safety should be issue number one when considering the size of this proposed development. The safety of pedestrians on Solano Avenue along the entire western length would be impacted by construction vehicles using it as an access point because of the restrictions on truck traffic on Marin Avenue. Also of great concern is the possibility of construction vehicles using residential streets such as Washington, Neilson and Santa Fe for access to the job site. Classes at Marin School could be affected by the noise created in the process of digging out and building the underground parking garage. We are a vital neighborhood. And our existing vitality – the ability of small businesses such as Sunnyside Café, Fonda, 5 Star Video and House of Curries to attract foot traffic during construction hours - would be seriously negatively impacted by an estimated 18 month construction period. Finally, the presence of a huge, overbearing and oversized store on our very pleasant main shopping street would be a disaster for nearby small businesses which provide the same services, and for the overall feel of our neighborhood.

Safeway is already a bad neighbor. Concerns voiced by residents over noise, litter, vandalism and parking have not been addressed over the past decades. Why should Safeway be allowed to build something even bigger, with greater impact on the residents, when it can't effectively manage its existing property?

This particular store has been woefully inadequate in serving our neighborhood for several years. The products it carries – especially produce and meat – are not on par with the items available at nearby groceries like Andronico's and Trader Joe's. The proposed remodel of this store is part of a chain-wide updating. The proposal for our neighborhood is a cookie-cutter plan, not a plan which is tailored to our neighborhood or needs. According to Safeway's 2005 Fact Book, the stated goals under Real Estate are to make over all Safeway's stores according to a prototype called the "Lifestyle Store". In Safeway's own words: "Safeway's new store prototype is... approximately 55,000 square feet.... The Company is engaged in a process to remodel virtually all of its existing stores to the "Lifestyle" format over the next five years." So it's really all about size, not about the actual appropriate relationship to the site. I would welcome a makeover of the existing store: it needs a thorough cleaning and updating but it should **STAY THE SAME SIZE**.

Sarah Baughn

Jeff Bond

From: TERESA HOLTGRAVES [tholtgraves@sbcglobal.net]
Sent: Thursday, April 22, 2010 4:49 PM
To: Jeff Bond
Subject: Safeway Planning

April 21, 2010,

Dear Planning Commissioners and Staff:

Regarding: New Safeway Plans

I am writing to express deep concern over Safeway's proposal to have all of the trucks and cars enter through what is now the back alley location of the store. ANYONE who lives on this street knows that numerous kids and families walk to Marin School and other Solano avenue businesses. I live across from this alley way and know how small Curtis St. is. This is a residential street. PLEASE design a store that has ALL of the traffic entering/exiting from Solano.

Currently we are living with some trucks going up Curtis which I understand is not suppose to happen. The noise is loud and disturbing. I can only imagine what the sound would be like with all of the trucks and cars entering from Curtis.

I hope you take the residents of this neighborhood seriously. The quality of our streets and character of Albany are involved with this project.

Sincerely,
Teresa Holtgraves
920 Curtis St.
Albany, Calif., 94706

Jeff Bond

From: Eric Armstrong [eric.s.armstrong@gmail.com]
Sent: Thursday, April 22, 2010 4:57 PM
To: Jeff Bond
Subject: Resident comment regarding proposed Solano Avenue Safeway development, Solano Avenue @ Curtis & Neilson, Berkeley/Albany border

Dear Mr. Bond -

I am writing to express to the Albany planning commission my views on the proposed redevelopment of the Safeway store on Solano Avenue. I have reviewed the revised plans and street level perspectives on the safewayonsolano.com website and am sorely disappointed that Safeway Corporation has chosen to ignore the input so generously provided to it by all of the residents of this area that took significant time out of their busy lives to attend prior review and "discussion" sessions.

The perspectives rendered on the website were very artfully done to mask the monstrous dominating presence that this enormous big box structure will have on our quaint neighborhood. The animation was similarly artful, especially in that it rendered the elevations of the structure from the perspective one would have from a double-decker bus. The architects were very attentive to animating a cloudscape and passing clouds to make it seem like they wanted to give a realistic impression of what it would look like by day, but they skillfully forgot to render what that dark cavernous parking area would look like by not having their computers draw in any rendition of what the lighting underground would actually look like.

The long, blank, entranceless exterior walls up and down Curtis and Neilson St. and the imposing 30'+ tall facades will overwhelm any other structures in the area. The style of the building is typically cookie-cutter strip-mall, exactly the sort of appearance that virtually all of the residents protested against in prior review sessions, and that as of now, does not exist to any significant degree on our street.

The greatest insult is that Safeway has apparently not taken one iota of advice from the neighborhood that we want "better, not bigger". We enjoy the small businesses that we have up and down Solano Avenue; the florists, the pharmacists, the delicatessens, etc., and by putting in a 55,000 sq. ft. big-box "lifestyle" store, Safeway will be threatening the vitality of these local businesspeople and their employees for the long haul. Big box is over in El Cerrito Plaza, NOT on Solano Avenue Berkeley/Albany. We already have enough shuttered storefronts on Solano in this damaged economy, and I hope that the Albany planning commission doesn't contribute to the further decline of our neighborhood by allowing this insult to be constructed.

Finally, to construct such a huge complex, the timeframe for demolition, excavation, and reconstruction will of necessity be very long. The Albany planning commission must take into account the narrow streets of this neighborhood, the difficult ingres and egres, and the disruption monster trucks and other equipment will have on the local residents and merchants.

Please send Safeway back to the drawing board with clear instruction that unless they scale down the size of their venture, they may as well vacate the property and sell it to a company that actually cares and wants to be a collaborative partner in the community where it does business. Please don't pull a Target on us! At least the Target you allowed in Albany is down by the freeway where the residents don't have to look at it or deal with the traffic, noise, and congestion. Please leave "big box" to localities without any taste, where everyone *drives* to the market.

Sincerely,

Eric Armstrong
eric.s.armstrong@gmail.com
(510) 527-2766

Resident and good neighbor to my friends and neighbors a stones throw away in Albany.
833 Neilson Street
Berkeley

Jeff Bond

From: Paul Kelley [unclepascha@yahoo.com]
Sent: Thursday, April 22, 2010 5:39 PM
To: Jeff Bond
Subject: Fw: safeway

--- On Thu, 4/22/10, Paul Kelley <unclepascha@yahoo.com> wrote:

From: Paul Kelley <unclepascha@yahoo.com>
Subject: safeway
To: jbond@albany.org
Date: Thursday, April 22, 2010, 8:34 PM

Dear Mr. Bond,

My name is Paul Kelley, I have been a resident for 23 years live at 845 Neilson St. Berkeley Ca. 94707. My cross street is Solano. I have been made aware that Safeway wants to replace the current Safeway with a larger one.

I am strongly against this, as are all the neighbors that I know. The current size is fine. A larger store would have negative impacts on our community which is crowded enough. A larger building would make our neighborhood less attractive.

Please tell Safeway my concern. If they want more business perhaps they could simply remodel the current store and make it a gourmet Safeway. They would have improved business in the neighborhood. People would prefer Andronico's for sure if this goes forth.

Have a nice day.

paul

Jeff Bond

From: helen cameron [hcameron@earthlink.net]
Sent: Thursday, April 22, 2010 6:39 PM
To: Jeff Bond

I wish to endorse everything that Sarah Baughn enumerated in her letter. Furthermore, I no longer shop at this store even though I used to shop there on a daily basis. The store does not meet the needs of this community, it is unclean, and the manager needs to be removed.

I now shop at Trader Joe's and Lucky, both located in El Cerrito.

The plan to remodel the store will not solve the problems that afflict this pathetic store.

Regards,

Dr. Helen Cameron

Jeff Bond

From: ric prindle [ricprindle@sbcglobal.net]
Sent: Thursday, April 22, 2010 5:07 PM
To: Jeff Bond
Subject: Safeway planning

Dear Members of the Planning Commission:

I just returned from out of town to discover I have only 3 minutes to respond to this issue, so I'll make it short:

NO WAY! will the neighborhood tolerate increased traffic on Curtis & Neilson Streets to accomodate the rear-alley entryways envisioned by Safeway. This will clog our streets with traffic and probably cut down on already-sparse onstreet parking spaces.

Safeway is plenty big enough! They have a right to expand their floor space, but not to rape a pleasant residential neighborhood, just for the sake of increasing their already-healthy profits. A Solano Safeway manager told me recently that this store is one of the most patronized and profitable of the East Bay Safeways.

As then-governor Jerry Brown once told a gathering of corporate CEOs, "Have you people no doctrine of enough"?? Well, we do!

ENOUGH!

We live on Curtis St., virtually directly across from the planned entrance, which - IF it is permitted as planned - will deteriorate our quality of life and undoubtedly lower our property values.

My wife and I will be there on Tues. to express our displeasure over this plan.

Roderic M. Prindle
920 Curtis St.
Albany
510-524-5785

Jeff Bond

From: Mary Ellen Azada [emmyay@sbcglobal.net]
Sent: Thursday, April 22, 2010 9:43 PM
To: Jeff Bond
Subject: Safeway Planning Commission
Attachments: Safeway Planning Commission.docx

Dear Members of the Planning Commission,
Please see attached a letter for discussion at the upcoming Planning Commission Study Session on April 27.
Mary Ellen Azada

April 22, 2010

Albany Planning Commission
Albany City Hall
1000 San Pablo Avenue
Albany, CA 94706

Re: Safeway

Dear Members of the Planning Commission:

I am writing to express my concerns about the proposed demolition and rebuilding of the Safeway store located at 1500 Solano Avenue. I hope you will consider my letter during the discussion at the upcoming Planning Commission Study Session on Tuesday, April 27.

In 2005, we moved to our home at 912 Curtis Street. We moved here from Hawaii. When we began the search for a home we told our realtor that we wanted to live in an area known for its schools and for a small town, community atmosphere. We considered other areas, particularly in the Montclair area. We decided on Albany because we knew that our son would be able to attend good public schools from elementary school all the way through high school. We also enjoyed the feel of Solano Avenue and wanted a lifestyle in which we would be able to walk and shop from local stores rather than from "name brand" stores. We were particularly attracted to this home on Curtis because of its' proximity to Solano Avenue and Marin Elementary School.

I am particularly opposed to the design that would bring all cars and trucks to the entrance down Curtis Street down the alleyway at the back of the store. The large delivery trucks that would be coming onto Curtis, a much narrower street than Solano Avenue would create noise and congestion. To have all cars coming through this back area is problematic. When you look at other markets, and specifically at Andronico's on Solano, there are multiple entrances and exits. When one looks at Andronico's, they have blocked off Fresno Street so that the neighborhood is not impacted by traffic. I would hope that Safeway would have that kind of care for its direct neighbors most impacted by its business.

I hope that you would consider the values that draw people to Albany. Albany is a special place. I hope you will preserve the scale and feel of this city as you consider the decisions before you.

Thank you for your consideration of my comments.

Sincerely,

Mary Ellen Azada
912 Curtis St.
Albany, CA 94706

Jeff Bond

From: David Dresser [david1936@hotmail.com]
Sent: Friday, April 23, 2010 12:08 AM
To: Jeff Bond
Subject: re Safeway proposal for Solano Ave store, Albany

Sirs and Madams,

I write to inform you that some of the citizens of the neighborhood do approve of your plans for rebuilding the store in Albany.

It is regrettable that it will take so much time as it must, but obviously, the project cannot be accomplished overnight. It may be a nuisance for the construction period but some of us believe that the improved loading facility will correct the very awkward situation that is now endured, the construction period will end, the plant will be vastly improved, and the neighborhood will be enhanced.

It seems ironic that some of my neighbors complain that the store does not and in recent years, has not provided very good service while a major point of your proposal is to have a store that does meet the needs of the buying public. I have been in stores that have the basic design you propose and I have found them to be vastly superior to this old store. Better products in better displays are offered in these improved markets. I expect better service and expect that you will enjoy improved income in keeping with the principles of capitalist marketing in this country. We both gain.

Unfortunately, I and my views are held in disdain with just as much vehemence as are your proposals by some of the most vocal of my neighbors. So I dodge the slings and arrows of outraged discontent and expect you to do the same.

I am your neighbor:

David Dresser
826 Neilson Street (correct spelling)
Berkeley, CA
94707-1816

Jeff Bond

From: Glenn Gelfenbein, LMFT [glenn@abilityrc.com]
Sent: Friday, April 23, 2010 8:32 AM
To: Jeff Bond
Subject: safeway redesign

Jeff,

I am a Berkeley resident at the corner of San Lorenzo and Neilson St, right at the Albany boarder. I am writing with several concerns about the new proposal. First, I am concerned about the noise and disruption the community with experience during the remodel. Please ensure that the construction happens during business hours only - Monday to Friday 9 to 5. Secondly, while it makes sense that Safeway wants to redesign and update their store, please make sure it's size and scope fits in with the existing street design and village feel the street has.

Thank you,

Glenn

Glenn Gelfenbein, LMFT
Ability Resource Center
Walnut Creek and Berkeley
(925) 695-0409 x1 / (510) 595-5548 x1
www.abilityrc.com

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Jeff Bond

From: katwin [katwin@mailstation.com]
Sent: Friday, April 23, 2010 1:47 AM
To: Jeff Bond
Subject: Safeway's massive expansion plan on Solano

As a resident of Berkeley who shops at Safeway on Solano I welcome Safeway's plan to improve the store but as a homeowner on Neilson Street I share the concerns so aptly expressed by Josh Fox of 926 Curtis Street in his letter regarding the out-of proportion expansion of Safeway on Solano Avenue. Kathryn Winter, 834 Neilson Street, Berkeley.