

**Albany Waterfront Development Task Force**  
**Orientation Meeting Notes**  
**October 9, 2011**

**Members:**

Francesco Papalia, *Chair, Waterfront Committee*

David Arkin, *Vice Chair, Planning & Zoning Commission*

John Miki, *Vice Chair, Traffic & Safety Commission*

Tom Cooper, *Chair, Sustainability Committee*

Gary Class, *Chair, Parks & Recreation Commission*

Appointments by Councilmember Joanne Wile: Brian Johns, Ellen Toomey, Robert Cheasty

Appointments by Councilmember Peggy Thomsen: Pam Radkey, Bob Fierce, Bob Uhrhammer

Appointments by Vice Mayor Marge Atkinson: Anne Foreman, John Dyckman, Brian Parker

Appointments by Mayor Farid Javandel: Peggy McQuaid, Nick Pilch, Susan Moffat (absent)

Appointment by Pat Low (School Board): Dolores Dalton

Appointment by Paul Black (School Board): Amy Tick (absent)

Appointment by Ron Rosenbaum (School Board): Charlie Blanchard

Appointment by Allan Maris (School Board): Spencer Perry

Appointment by Jonathon Knight (School Board): Edward Gong

Meeting facilitated by Fern Tiger Associates

**Introductions**

Task Force members introduced themselves and stated their goal for the Task Force. Goals focused on desire to ensure complete, accurate, timely information from developers to ensure community-wide access to all data and plans for the site; potential for agreement by diverse sectors about plans for the site; and respectful dialogue regarding issues.

**Mission**

After discussion, the Task Force approved the draft mission as presented (based on the City Council's direction when forming the Task Force):

*To ensure the collection, review, and dissemination (to the Albany community) of adequate, factual information and data related to potential development by The Stronach Group at the Albany Waterfront (GGF site).*

Members noted that this mission did not preclude the possibility that the Task Force might make recommendations to the Council regarding development at the waterfront, although the explicit purpose of the Task Force is to ensure availability of information and data related to the developer's plans.

## **Background and Overview**

Fern Tiger, Fern Tiger Associates, city-hired facilitator, reviewed the contents of the Packet distributed to the group. [Contents posted on [www.voicestovision.com](http://www.voicestovision.com); for subsequent meetings, information and handouts will be posted 72 hours prior to the meeting.]

Following discussion of the packet contents, Fern Tiger presented a PowerPoint highlighting background and status of the proposed development at Golden Gate Fields. (PDF of PowerPoint is included in the handout packet)

## **Proposed Task Force Session Topics**

The group reviewed key topics and developed comprehensive lists of desired data and information related to each topic, some of which is known to be in progress. Each of these topics is intended to be the focus of one Task Force session (although some topics might be combined).

Note: order of topics listed below, not necessarily order for meetings.

### ***Topic #1: Site Plan / Physical Characteristics***

#### **Information requested:**

- Master Plan documents presented by developer at their 10/10/11 open house
- Land uses (currently intended by developers to be added to existing uses in Albany and in Berkeley – uses beyond what are currently allowed through Albany Measure C and Berkeley Measures N and Q))
- Acreage and square footage calculations for open space, buildings, parking, and infrastructure (Albany and Berkeley/ LBNL and private)
- Calculation of parking area needed to comply with current Albany and Berkeley zoning requirements (if different from amount of parking being planned at the site)
- Anticipated building heights (and locations)
- FAR studies
- Property survey
- Site sections (from various locations, including Fleming Point, freeway, underground buildings, comparisons to existing grand stand, etc.)
- Site/ building elevations
- Architectural drawings
- Views from public locations (Pierce Street, Bulb, Beach, Freeway, Albany Hill, etc.)
- Simulated skyline from any point in Albany (based on algorithm)
- Phasing Plan
- Plan for toxics disposal (as related to Master Plan)
- Infrastructure costs (by component)

#### **Questions re Topic #1:**

- Status of Fleming Point (per current Master Plan)?
- If/where: co-generation facilities located?
- If/ where: non-motor vehicle connections/ access to site?

- What are plans for LEED certification?
- How will aesthetics and architectural quality be addressed?
- How has the value of changes to zoning been calculated by TSG? How will cities of Albany and Berkeley benefit in relation to increased value of property?
- How would Master Plan accommodate less building than anticipated? [E.g. if LBNL builds less than 2M sq. ft., what would site plan /development scheme look like?]

**Topic #2: Economic Impacts** (This topic might be merged with Topic #3 - Ownership)

**Information requested:**

- Fiscal analysis (including existing and anticipated sales, parcel, property, transfer, ad valorem, and other taxes based on various scenarios related to land uses (in Albany and in Berkeley), size of development, etc. including a no-LBNL scenario, and a scenario that includes the same square footage as LBNL but with a taxable tenant/owner)
- Economic Impact Study (including effect on local businesses and property values) based on various scenarios
- Market Feasibility Studies (labs/ offices/ hotel(s))
- City services (analysis of impacts and costs to city)
- Infrastructure costs (also listed in Site Plan)
- Complete economic reports including assumptions used by economists, explanation of “models,” sources, etc.

**Questions related to Topic #2:**

- What will be TSG’s financial commitment to the city of Albany and AUSD prior to occupancy of Phase I project (during construction years)? What will TSG’s/LBNL’s long-term financial commitment be to the city of Albany and AUSD?
- How can the community and the city ensure that the economic studies prepared by TSG consultants are transparent in terms of methodology and assumptions, as well as analysis? (Will the city and the community be able to access the complete economic reports in a timely manner?)
- Are there examples of similar size/ scale waterfront developments around the Bay that would provide insight into value and cost (i.e. change in land value following development; cost of development)? If so, please provide information.
- What would be the economic impact on city and schools if less development was constructed than what is either planned or ultimately approved?

**Topic #3: Ownership**

**Information requested:**

- Legal opinion (from City consulting attorney) on implications of ownership vs. leasing arrangements (including taxes and future decisionmaking about subsequent zoning/planning changes at the waterfront)
- Legal opinions about the role(s) of LBNL vs. UC vs. DOE (re: ownership of land/buildings, and

related issues) vs. developer

- Legal opinions about the role of the city of Albany (and city of Berkeley?) in determining/ approving/ monitoring specific uses at the site (i.e. type of science, materials, development, etc. in private and in public labs)

### **Questions related to Topic #3:**

- How can Albany be assured guarantee that promises/mandates/contracts made by the developer and/or LBNL are adhered to (especially given cost of taking legal action if Development Agreement mandates are not fulfilled)?
- What is the history of disputes (legal actions, Council recommendations, etc.) between LBNL and the city of Berkeley (and between UC and the city of Berkeley? [request that consultants and/or city of Albany ask for information from city of Berkeley])
- Who will control site changes and any future zoning changes after modification to current zoning at GGF (what, if anything, can be done if changes are made over time)?

**Topic #4: Public Open Space** (also see Topic #1 re: Site Plan which includes requests for data about open space calculations)

### **Questions related to Topic #4:**

- What is the proposed acreage/ location of new public open space at the site?
- What is the proposed ownership plan for open space?
- Would the new open space become part of the Eastshore State Park?
- Who bears long term responsibility for maintenance or open space at the site?
- What is the anticipated timing of open space development? Will all public open space be developed in conjunction with Phase One?
- Who will decide what type of open space will be developed?
- How would the proposed open space integrate the Albany waterfront with the East Shore State Park?
- What would it cost to buy, develop, and maintain the amount of open space being proposed by the developer?
- What is the status of the acquisition of land by EBRPD to create the Bay Trail at the GGF site?

### ***Topic #5: Environmental Issues***

#### **Information requested:**

- Anticipated hazards resulting from LBNL uses and uses by private labs and proposed mitigations
- Seismic studies used to determine construction at GGF site
- Wind studies used to determine construction at GGF site
- Geotechnical studies used to determine construction at GGF site
- Sea level rise projections used to determine construction at GGF site
- Anticipated toxic materials to be at site: potential impacts, and plans for disposal

- Traffic/ air quality studies (also included in separate category related to Traffic) with all background data
- Copies of biological survey(s) developed by TSG consultants, related to wetlands, wild life, etc.

**Questions related to Topic #5:**

- What is LBNL's record re: environmental impacts/pollution in Berkeley?
- Are there plans for LEED certification of buildings at the site (also listed in Site Plan)?
- What mitigation efforts will be made to address light pollution?

***Topic #6: Traffic***

**Information requested:**

- Traffic projections/traffic impacts study (including relationship to Phasing of project), including impacts on Buchanan and Gilman streets, local streets, and freeway
- TDM plan proposed by LBNL/ proposed by developer

**Questions related to Topic #6:**

- What are the anticipated hours of operation for LBNL? For other land uses?
- What will be the frequency/ route of shuttles between GGF and other LBNL sites? (Can only LBNL employees use the LBNL shuttles?)
- What is current CalTrans designation of I-80 corridor?
- Are there any plans by CalTrans for interchanges or other changes in vicinity?
- Have there been any discussions by the developer with AC Transit or BART re: adding stop(s), etc.?
- What commitment will TSG make to permanently fund shuttles from GGF to San Pablo and Solano avenues, and to Fourth Street, etc.)?
- What are plans for non-motorized access to the site (walking, bicycles)?

***Topic # 7: CEQA/ Development Agreement/ Measure C***

**Information requested:**

- ✓ Berkeley Waterfront Zoning Ordinance
- ✓ Election timing requirements
- ✓ Measure C initiative language

**Questions related to Topic #7:**

- Could/should a full EIR/CEQA process take place prior to a Measure C election?
- What is the impact of a Measure C vote/decision prior to a complete EIR/Development Agreement process and certification? Will Albany residents vote on the Development Agreement later in the process? (In other words will there be two elections for the same issue?)
- How might the information requested for an EIR differ from what is being asked by the Task Force?
- What is the relationship between the EIR and a Voter Initiative?

- If Measure C votes takes place before the EIR, how does that impact the EIR?
- Who pays for the EIR? (Is it always the developer? Would the city ever pay for an EIR?)
- What, if any, controls can the city or community retain if the scope of the project is approved through a Measure C vote, but then LBNL or the developer needs changes?
- What are the mechanisms for long term monitoring of development agreement mandates?
- What benefits are being proposed for Albany schools? Could existing STEM programs be expanded?
- What other benefits/ mitigations are being proposed?
- What is the benefit/detriment to the city/community of changing current zoning to allow new uses?

### **Other Requests:**

- clarification regarding Brown Act in relation to implications for this Task Force
- contact city of Berkeley to get information about whether or not “LBNL at GGF” has been discussed in any Berkeley public meetings (beyond the LBNL-hosted August 3 session) and to request any comments the city might provide as to Berkeley interest in this project
- contact city of Berkeley to request comment about the project at GGF
- contact LBNL to respond to questions about LBNL plans, invite to Task Force session
- invite TSG to present site plan at subsequent Task Force session focused on site plan and physical characteristics (brief, time-specific presentation; large scale site plan drawing for wall – size of V2V2 maps; all TSG information to be provided in advance of session per meeting requirements - 72 hours prior)
- invite economists and other consultants to Task Force as appropriate (following delivery of data)

### **Subsequent Meetings**

Task Force members discussed schedule for subsequent meetings, and determined that Sunday evenings are best time, with recommendation for frequency of approximately every two weeks (based on availability of information, facilitators, meeting rooms, etc.).

### **Miscellaneous**

- Concern by Task Force that materials being sent to community by developer are confusing in that they imply that they are coming from LBNL, not developer (e.g. “LBNL at GGF” as header and URL; information from developer does not state that it is from developer: “We’ve heard your comments” sounds like LBNL has heard the comments.
- Concern that information from Task Force disseminated to the public be clear that it is from the city (use city logo and V2V logo combined); request developer acknowledge what comes from developer

### **Public Comment**

Heard at the conclusion of the meeting.