

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

Agenda date: June 27, 2012
Prepared by: JB

ITEM: 6A

SUBJECT: 1030-1130 San Pablo Avenue (University Village). Planning Application #07-100. Zoning Amendments & Planned Unit Development. The 6.3-acre project site in University Village is located to the northwest and southwest of the Monroe Street/San Pablo Avenue intersection. The applicant seeks approval to construct a new 55,000 sq ft grocery store at the north side of Monroe and a mixed-use retail space and approximately 175 unit senior living project on the south side of Monroe. This public hearing is for the Commission to consider making a recommendation to the City Council regarding a proposed zoning map amendment, planned unit development, development agreement, and an application for Density Bonus to reduce parking requirements, and change in parkland dedication requirements.

**APPLICANT/
OWNER:** University of California

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

STAFF RECOMMENDATION

Recommend to the City Council approval of a Development Agreement, an application for Density Bonus to reduce parking requirements required for senior housing, and amendments to the Municipal Code to reduce parkland dedication required for senior housing.

BACKGROUND/PROJECT DESCRIPTION

The 6.3-acre project site in University Village is located to the northwest and southwest of the Monroe Street/San Pablo Avenue intersection. The applicant seeks approval to construct a new 55,000 sq ft grocery store at the north side of Monroe and a mixed-use retail space and approximately 175 unit senior living project on the south side of Monroe.

The proposed project represents a significant transformation for this portion of the City. When reviewing the project scope, it is important to consider the location and surrounding context as well as the long-term project implications. The site is located at the southern gateway to the City on San Pablo Avenue, making it is one of the few sites in Albany that is suitable for larger scale future mixed-use development. An attractive project can serve as a landmark for the community. This project in particular could serve as a catalyst for long-term upgrades and improvements in other nearby portions of San Pablo Avenue. With careful planning, the project

could help to connect University Village into the fabric of the City, both in terms of urban design and as well as pedestrian, auto and bike access. Additionally, significant fiscal benefits to the City from the project that will help to sustain services throughout the City are expected.

City land use policies apply to the proposed project as it is not related to the educational function of the University. The properties currently have two zonings, San Pablo Commercial for the first 100' along the eastern side of San Pablo Avenue and Medium Density Residential for the rest of the property. A rezone to San Pablo Commercial for the entire area would be required to consider a project with commercial uses. A planned unit development (PUD) is requested to allow an increase in allowed height and allow exceptions to zoning district open space, commercial parking, and truck loading standards.

DISCUSSION

At the September 27, 2012 Planning and Zoning Commission meeting, the Commission recommended certifying the environmental impact report, rezoning the property, and approval of a planned unit development. Subsequently, the City Council held public hearings on the project on October 17, 2011 and January 17, 2012. At the January 17, 2012 meeting, the City Council directed staff to prepare approval documents that address the following refinements to the project, operational commitments, and modifications to City standards:

- The height of the project will be reduced from five to no more than four stories.
- If the University causes the existing little fields at the Village to be displaced, it will commit to paying for the relocation of the fields. The University's commitment will be conveyed to the Albany Little League via a letter.
- Albany residents will be given a priority for 10 percent of the units in the senior assisted living project.
- The senior assisted living project will not be required to provide more parking than it needs, and specifically no more 108 spaces.
- As a residential care facility for the elderly, the senior assisted living project will not be required to provide inclusionary housing, or pay in lieu fees.
- The project will meet its parkland dedication requirement through the provision of open space and trails on or near the site. The planned open spaces and trails associated with Village and Codornices Creeks adjacent to the project and the right of way for the Buchanan bike path will be counted toward the project's parkland dedication requirement.
- The project will meet its requirement for public art through on-site art elements.

In order to integrate the refinements into the proposed project approvals, the following additional approvals are required.

- “Density Bonus” – Pursuant to State Law, the City has adopted “Density Bonus” regulations in Planning and Zoning Code Section 20.40.040, which gives the City flexibility to modify land use requirements, including residential parking standards, as an incentive for development of senior housing. The Planning and Zoning Code calls for Planning and Zoning Commission review of the Density Bonus application. The resolution incorporates parking standards have been adjusted to reflect senior housing industry standards, which are consistent with the developer’s request.

- Amend the Municipal Code to reduce parkland dedication standards for senior housing – The amendment to the parkland dedication requirements to reflect an anticipated 1.05 residents per unit compared to the City’s existing standard of 2.1 occupants per multi-family residential project. The ordinance also amends the implementation language to provide more flexibility in the form of agreement between the City and other public agencies and non-profits as it related to open space commitments.

- Prepare a Development Agreement – In order to provide the development team the assurances they seek that the City will not change development requirements, the City and the property owner would need to enter into a development agreement as authorized by the California Government Code. State law and City policies have established a process for the preparation of detailed agreement and review by the Planning and Zoning Commission. The key elements of the draft development agreement are:
 - Recital H – Refers to a commitment from the University to Albany Little League.
 - Section 1.2 (Term) – The agreement would be in place for five years.
 - Section 2.4 – The agreement locks in City fees at level in place when the agreement becomes effective.
 - Section 4.3 (Parking) – The agreement references the density bonus application to reduce senior parking o 0.6 spaces per unit.
 - Section 4.4 (Parkland Dedication) - The agreement references the density bonus application to reduce parkland dedication requirements for senior housing.
 - Section 5.3 (Public Art) – Allow the project to meet public art requirements on-site.
 - Section 5.4 (Albany Preference) – Provides that the operator of the senior housing will provide priority for Albany residents on at least 10% of the housing units.

- Section 11 (Project Definition) – References a height limit of 52 feet from finished floor to top of structure

A public hearing before the Planning and Zoning Commission had been scheduled to be held on April 24, 2012. The hearing was postponed due to Occupy activities.

Relationship to Gill Tract Property

The area fenced off as the Gill Tract Research Facility includes both the agricultural growing area north of Village Creek and a portion of area south of Village Creek up to the existing fence line. The current Agricultural Growing Area includes the area where the campus academic researchers currently grow crops as well as the area near the corner of San Pablo and Marin where a stand a pine trees were until they were removed several years ago (due to disease). The UC Village Mixed Use Project does not affect this area.

Recent Occupy activities at the University of California Gill Tract research facility have led to increased dialogue regarding availability of land for local community gardens and urban agriculture. On several occasions during the past month, the Dean of the College of Natural Resources and senior campus administrators has expressed support for the establishment of a partnership to create an urban agriculture component at the Gill Tract (Attachment 7).

The portion of the Gill Tract Research Facility from Village Creek south to the fence line included until several years ago a series of research buildings, greenhouses used by the UC Berkeley Experiment Station. Most of the buildings had not been used for a number of years, and were demolished after one of the buildings was destroyed in an arson fire. Several small industrial buildings near Jackson Street have been retained for equipment associated with campus agricultural operations. The UC Village Mixed Use Project affects about half of the footprint where the Experiment Station buildings were located, south of Village Creek, and adjacent to San Pablo Avenue.

Among the buildings was the Hybridoma Center, which was a 1,300 square foot wood frame building licensed for use of radioactive materials in plant biology research. This building was located outside of the footprint of the proposed project. According to UC Berkeley Environmental Health and Safety, in November 2009, the California Department of Public Health removed Gill Tract from UC Berkeley's radioactive materials license, authorizing the location for unrestricted use. The decision was based on a radiation survey that found no evidence of contamination (Attachment 8).

FINANCIAL IMPACT

The October 17, 2011 staff report summarizes the anticipated fiscal impact from the proposed project. In summary, the project is expected to generate \$466,000 a year in revenues and estimated service cost of \$262,000 resulting in a net increase to the General Fund of \$204,000 a year.

ATTACHMENTS

1. City Council Staff Report October 17, 2011
2. City Council Staff Report January 17, 2012
3. Density Bonus Application
4. Draft Resolution for Density Bonus
5. Draft Ordinance amending Parkland Dedication requirements
6. Draft Development Agreement
7. UC Berkeley Correspondence regarding urban agriculture
8. UC Berkeley FAQ regarding license for radioactive research
9. Clay Larson E-mail dated June 8, 2012
10. Clay Larson E-mail dated April 24, 2012
11. E-mail from Belmont Village
- 11a. Parking Requirements from Other Bay Area Municipalities