

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda date: July 21, 2008
Reviewed by: BP

Subject: Ohlone Greenway Plan for Submittal to BART, including Planting Plan and Path Alignment

Report by: Ann Chaney, Community Development Director
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PARKS AND RECREATION COMMISSION RECOMMENDATION

Adopt Gates and Associates plan, as modified and improved upon in the Tree Task Force plan, with the following modifications:

1. Revisit placement of trees and shrubs at intersection corners to ensure visibility of bicyclists and pedestrians;
2. City should ask BART for a placeholder value of the par course;
3. All park benches (including Lions and Rotary Club benches) and “wooden cube” benches should be replaced if removed or damaged.
4. Encourage City Council to be conscious of adequate budget for maintenance.
5. Adhere to installing a two foot decomposed granite (DG) path on either side of the bicycle/pedestrian path. (Note: El Cerrito has chosen to install only one DG path for cost saving measures).

BACKGROUND

BART plans to seismically retrofit the columns under the BART tracks in 2009. This work will result in the installation of a 16’ by 16’ concrete foundation around each column. According to BART, these foundations will be covered with approximately 3” of topsoil. To accomplish this work, the area around the columns will be excavated, while other areas of the Greenway will be used for material storage (i.e., “lay down” area), and for access of equipment.

Because enhancements to the Ohlone Greenway have been identified in the Park and Open Space Master Plan, the City chose to talk with BART about putting back landscaping and amenities more to the liking of the community rather than replace trees, shrubs, etc. same for same. BART was open to this proposal with certain limitations. In summary, BART is obligated to replace, in kind, any area damaged as a result of this work. BART is not required to provide a “betterment” to existing conditions. However, where the City might want changes that constitute a “betterment”, BART’s current

position is that the City would need to pay that difference. Much of the discussions with BART to date have been focused on what constitutes a “betterment.”

In anticipation of working with BART to improve the Ohlone Greenway, the City hired Gates + Associates in late 2007 to assist the community in developing a plan for the Greenway, some of which could be carried out as part of this BART seismic retrofit project. Gates is also working with the City of El Cerrito on their portion of the Ohlone Greenway. In addition, the City of Berkeley has been part of the cities’ collective negotiations with BART because a small portion of the retrofit project will affect the northern end of the Ohlone Greenway in that city.

DISCUSSION

The first issue addressed by the City involved possible changes to the Ohlone bicycle/pedestrian path. At the City Council meeting of January 22, 2008, the Council directed staff and Gates and Associates to submit a plan to BART calling for the widening of the existing path under the BART tracks from 9 feet to 14 feet, with a 2 foot border of decomposed granite on either side. The Council also directed that the existing pedestrian path, located closer to Masonic Avenue, be retained, and that the construction period accommodate school and commercial retail schedules.

Plans for the bicycle/pedestrian path were submitted to BART, and a Categorical Exemption was filed on the path widening. Recently, BART asked each city to submit a Landscape Planting Plan by August to meet their internal schedule. The Landscape Planting Plan needs to be fairly specific. BART is requesting details such as:

- species of trees to be planted
- size of trees
- spacing of trees
- general landscape design
- irrigation details

In response to this request, Gates and Associates presented a Landscape Planting Concept Plan to the Parks and Recreation Commission in June and July. The Commission, staff, and residents reviewed and commented on the plan. Key features of the Gates’ plans include:

- trees to remain
- location of new trees
- deciduous trees
- demonstration gardens
- scored concrete plazas,
- hydroseeded native grasses and wildflowers
- low native understory planting areas
- low evergreen shrubs and ground cover plantings

Since the June 2008 Commission meeting, the concept plan has been displayed at the Community Center for residents to review and offer comments/suggestions. Comments/suggestions that were collected from the Community Center display are in attachment A.

Following the June Commission meeting, the Tree Task Force met on two occasions to review and provide specificity to the Gates concept plan. Their vision is to promote Albany's Tree Program and urban forest through the use of demonstration areas. One such area would focus on Bay Friendly garden with native and non-native plants and shrubs, with some trees. Its location is proposed to be across from the Senior Center. Trees should be compatible with recycled water and integrated pest management practices.

Other features include having the plantings along the east side of the Greenway, which directly abuts residential properties, to be low in height so as to allow for sunlight in rear yard areas. The Task Force also offered recommendation for the corners at street intersections, and proposes two demonstration areas for different types of street trees. The Tree Task Force has been evaluating the use of new and different types of street trees in the City. Thus, these demonstration areas would be planted with comparative plantings of different types of Maples, Ginkgos, Locusts, Buckeye, Horse chestnuts, as an example. Demonstration areas could also show the different types of sidewalk materials (e.g., rubber sidewalks, permeable concrete) that might be used. There could also be model installations of groundcovers, pavers, bricks and various types of mulch.

Finally, the Task Force evaluated where there were dead, dying, or hazardous trees along the Greenway as well as empty street tree planting sites existing along Masonic, for future planting opportunities.

The Commission and community members were favorable to the work of the Tree Task Force and expressed their appreciation for this effort.

ANALYSIS

Issues from the public that arose during the Commission meeting included:

- whether or not to replace the par course, and issues of liability
- the need to retain sunny rear yards along the east side of the Greenway
- getting rid of the ivy
- keeping shrubs of a certain size so they cannot be hidden behind
- planting plan should not be difficult to maintain; be sensitive to maintenance costs/efforts
- residents enjoy lawn areas but City should think about water conservation
- use native landscapes whenever possible
- open up the area around Garfield and create something nice
- keep pedestrian path
- whether to continue to propose a DG path on either side of the bicycle/pedestrian path or not
- install tot lots

Par Course

Should BART's project affect the par course, BART would remove, store and replace it. The issue is whether or not to replace it. The City's claims adjuster is not aware of any claims regarding par courses, and advises that the City could make its own decision. During discussions with the Commission, they recommend that the City ask BART for a "placeholder" or equivalent value of the par course for future installation by the City of a similar exercise facility.

Sunlight concerns/Safety concerns

The Commission discussed the need to maintain the status quo along the east side, and replace existing vegetation in the same location. Exceptions would be ivy and large shrubs that can create hiding places.

Water conservation

The City has taken a position with BART that it is more cost effective to replace the entirety of a damaged irrigation system than repair multiple sections. In replacing the system, staff has asked that "purple" pipe designed for recycled water be installed in place of the existing system. These discussions are ongoing.

Pedestrian Path

The Commission reiterated to the public that the City's decision was to retain the separate pedestrian path.

Tot Lots

Because this type of use would be a new addition to the Greenway, it was pointed out that this discussion is more appropriate as part of the overall Concept Plan process.

Negotiations with BART

Staff understands that, as a public agency BART must be cautious on the issue of a "betterment". However, Albany staff and consultant are presenting arguments such as replacing damaged irrigation with a water conserving system, and widening this heavily used path should not be considered a "betterment". In addition, Albany (and El Cerrito) has argued that a mature tree, slated for removal, has a significantly higher monetary value than a one gallon tree of the same species, and should be valued as such.

BART is compiling a cost analysis that reflects BART's costs and obligations, attributed to the retrofit project, and Albany's costs that might be considered a "betterment." Staff is working with BART to determine those amenities and landscape features that BART will replace without cost to the City. It is clear that BART cannot improve the entire Greenway precisely as the City would like. For that to happen, Albany will need to make those enhancements overtime as part of the Ohlone Greenway Concept Design planning effort.

Gates and Associates will modify the plans based on Council's final action and submit the plans to BART at the end of August.

FINANCIAL IMPACT

In November 2007, the City Council authorized a contract with Gates and Associates for \$75,000 of which \$10,000 is from the Landscape and Lighting Assessment District 1988-1 and \$65,000 from Measure F. The purpose of this contract was to prepare an overall Concept Plan for the Ohlone Greenway. However, funding assigned to the Concept Design is now being applied to the preparation of a specific planting plan in response to BART's request. No new funding is needed at this time. In order to complete the Concept Plan, staff will return to the Council at a future date with a proposal.

Gates and Associates and Tree Task Force plans are to be presented at the Council meeting of July 21, and will be displayed in the Community Center before and after the City Council meeting.

Attachments

- Attachment A Citizen Comments from display at Community Center
- Attachment B Memo from Tony Wolcott, Albany Urban Forrester
- Attachment C Photo montage of Greenway features
- Attachment D Gates plan 6-12-08 (Not updated from 7-10-08 Park & Rec Com mtg)