

City of Albany



TO: ALBANY PLANNING & ZONING COMMISSION

FROM: ANNE HERSCH, CITY PLANNER
JEFF BOND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: Study Session on University Village Mixed Use Project

DATE: MAY 8, 2013

Property Owner: University of California	Applicant/Representative: Belmont Village (senior housing) Oppidan/Portfolio (retail)
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REQUEST

The two development teams selected by UC Berkeley to implement the UC Village mixed-use project have requested this study session to introduce refinements to the project and to begin the application process for a subdivision of the project and design review of individual buildings in the project. At the end of the staff report are a series of specific questions that have been posed by the teams that they hope the Commission can address.

The proposed project includes a scaled-back grocery store and a reorientation of the senior housing portion of the project. The study session provides the Commission an opportunity to provide feedback on specific questions from the development team. It also provides staff an opportunity to update the Commission on the next steps in the City's review.

BACKGROUND

In July 2012, the City Council approved a series of policy-level actions associated with the University Village Mixed Use project including an environmental impact report, zoning map amendments, zoning text amendments, planned unit development, density bonus, and development agreement. The following is an overview of the actions taken:

CEQA

The project is required to be reviewed for environmental effects under the California Environmental Quality Act (CEQA). The basic purpose of CEQA is to inform decision makers and the public about the potential environmental effects of proposed projects. Certification of the environmental impact report was part of the package approvals in 2012. Attached is the City

Council resolution #2011-51 (Attachment 1), which details the required findings and includes the mitigation monitoring program. The document in its entirety is available at <http://www.albanyca.org/index.aspx?page=521>

There are numerous mitigation measures related to the project. At this stage of the application review process, the following mitigations measures are of note:

- Analysis of intersection signal timing optimization to fine tune intersection operations (Trans-1);
- Consultation with City of Albany and City of Berkeley on calculation of fair share of improvements intersections impacted by the project (various Transportation mitigations);
- Consultation with Caltrans on the design of San Pablo Avenue crossing at Dartmouth;
- Preparation of plans that demonstrate compliance with the sustainable development features and practices (GCC-1);
- Preparation of a storm water drainage plan in compliance with various regional standards (Hydro-3 & Hydro-4); and
- Evaluation of the condition of on-site and off-street utility systems (Util-1 & Util-2).

Following the certification of the EIR, two separate petitions for Writ of Mandate challenging the adequacy of the EIR were filed with the Alameda County Superior Court. In one case, Albany Strollers & Rollers/Carbon Neutral Albany v. City of Albany, a settlement agreement has been approved by the parties, which requires, among other things, the City to consider modifications to several mitigation measures in the EIR. City Council action on the proposed changes is scheduled for May 6, 2013. A draft of the proposed addendum is attached (Attachment 2).

The second case, Larsen/Rawlings v. City of Albany, is proceeding through the litigation process. A ruling on the case is expected in early summer.

Rezoning

Originally, the site currently had two zonings, San Pablo Commercial (SPC) for the first 100' of depth along the eastern side of San Pablo Avenue, and Medium Density Residential (R-2) for the rest of the property west towards University Village. As part of the 2012 approvals, the western sides of the proposed parcels were rezoned from R-2 to San Pablo Commercial (SPC) (Attachment 3). The precise location of the edge of the zoning district was based on the anticipated parcel lines. Thus, the 90-foot right-of-way for Monroe Avenue, which is proposed to be part of the remainder University Village parcel, was retained as R-2 district.

PUD

Planned Unit Development (PUD) is intended to promote flexibility of design and increase available usable open space in developments by allowing flexibility to the usable open space, lot area, lot width, lot coverage, yards, height, parking, loading, sign, screening and landscaping requirements. For this project, the following modifications to City standards were approved in 2012 (Attachment 4):

- On the senior housing parcel (south of Monroe), beginning from a setback line 55 feet from San Pablo Avenue westerly to the boundary of the San Pablo Commercial Zoning

District, building height would be allowed to increase to 52 feet from finished floor to top of structure. (The standard requirement is a building height of 38 feet from grade to top of structure. Thus, the corresponding height exception allows a structure of 58 feet as conventionally measured.)

- A series of modifications to reduce the amount of landscaping in surface parking lots, reduce parking required for the non-grocery retail portion of the project, provide flexibility in meeting loading area requirements, and reduce the dimensions of the parking stalls.

The Planning and Zoning Code requires that in approving a PUD, 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. The approved findings including the following amenities:

- Require the design of all of the public amenities to be completed prior to the issuance of the first building permit.
- Require the completion of all of the public amenities to be completed prior to the occupancy of the first phase of the project.
- Provide greater specificity on “complete streets” standards to be applied to this project.
- Ensure that while the project is under development, the University meets its commitments to existing policies, plans, and agreements related to University Village, including Little League fields, Codornices Creek, bicycle access, CEQA mitigations, etc.

The preliminary site plan provided during the 2012 approval process indicated direct bike access from Dartmouth south to Codornices Creek, but did not address motorist-separated bike access along San Pablo from Dartmouth north to the grocery store and beyond to Marin. The applicants have incorporated the cycle-track concept into the project. Because the cycle-track is proposed to be located in the Caltrans right-of-way, Caltrans approval will be required.

Density Bonus

Pursuant to State Law, the 2012 approval included a “Density Bonus,” which allowed the City to modify residential parking standards (Attachment 5). The parking standards were reduced to reflect senior housing industry standards. Without an adjustment to parking standards, full compliance with City parking regulations would be required, which with the current site plan could only be met with expensive underground parking.

Overview of City Approvals Required

There are a series of Planning and Zoning Commission actions required in order to develop the project:

- Parcel map to subdivide the University’s parcel into three separate parcels, plus adjusting the boundaries of the remainder parcel;
- Design review of the 175 unit senior housing project on Parcel C;
- Design review of the 28,000 square foot grocery store on Parcel A;
- Design review of the 4,200 square foot corner retail building on Parcel A; and

- Design review of the 13,000 square foot Monroe Street ancillary retail on Parcel B (the retail developer does not intend to apply for design review for the ancillary retail at this time).

As a condition of approval of the parcel map and design review approval, improvements to the public right-of-way and Monroe Street circulation systems may be required. Both the Planning and Zoning Commission and the Traffic and Safety Commission will be responsible for reviewing the improvements to the public right-of-way and circulation systems.

Going forward, it is expected that the design review applications for the senior housing and the retail projects will be processed separately, but generally on a concurrent time line. The parcel map, however, will need to be prepared by the development team in a collaborative manner. Following design review approval, the final step would be a series of building permits and encroachment permits, which are considered ministerial actions not subject to public hearing.

DISCUSSION

Project Goals and Objectives

The proposed project will create commercial gateway to the City, and presuming good design and appealing businesses, will be a catalyst for transformation of San Pablo Avenue. In addition, the project can better connect University Village into the fabric of the City, both in terms of urban design and in terms of pedestrian, auto and bike access.

The development teams are anxious to move forward and are seeking direction from the Commission on the basic organization of their sites and the massing of the proposed buildings.

Summary of Changes to the Project since July 2012

The 2012 approvals established the policy framework for construction of a grocery store of a size up to 55,000 square feet on the north side of Monroe and a mixed-use development at the southern parcel, which included 30,000 square foot of retail space facing San Pablo Avenue, and 175 independent/assisted living senior housing units with an entrance off of 10th Street.

Following the 2012 approvals, the University initiated a process to select a retain developer for the project. The selected team is Oppidan/Portfolio. Their proposed project is smaller scale, with a 28,000 square foot grocery store, 4,200 square foot corner retail, and 13,000 square feet of Monroe Street retail. In addition to the reduction in the size of the project, other changes include reorientation of the ancillary retail space from San Pablo Avenue frontage to Monroe Street. In addition, the urban design of the project has changed, with the current proposal featuring 4,200 square feet of retail on the corner and the grocery store setback from San Pablo Avenue with surface parking in front of the store.

For the senior housing project, the developer is Belmont Village, who had been selected prior to the 2012 approvals. The overall scope of the senior housing project remains the same. The primary change is the relocation of the main entrance from 10th Street to San Pablo Avenue. In addition, number of off-street parking spaces has been increased to 120 spaces.

Complete Streets Circulation System

Complete Streets are streets that are designed to be safe for all users, and inclusive of all modes and age groups. In January, pursuant to the requirements of the Alameda County Transportation Commission (Alameda CTC) and the Metropolitan Transportation Commission (MTC) the City adopted the attached complete streets policy (Attachment 6). For this application, the key issue will be whether the improvement to San Pablo Avenue and Monroe Street meet the complete street policy requirements.

- **Bicycles** - A significant new element to the project is the incorporation of a two-way motorist separated cycle-track running north-south on San Pablo Avenue in the Caltrans right-of-way. Adjacent to the cycle-track is a proposed bike shed for bike repair. In addition, an east-west multi-use path is shown as part of the Codornices Creek improvement project (this improvement is expected to be implemented as a separate project as grant funding becomes available). Within the project, however, no bicycle facilities are shown. As the designs evolve, routes will need to be shown within the project footprint, such as a bicycle facility along the northern edge of Parcel A and on 10th Street from Monroe to Codornices Creek. In addition, the design of the Monroe roadway should incorporate the likelihood that some bicyclists will travel east-west on Monroe from San Pablo into the housing areas of University Village. Locations for bike parking are currently incorporated into the grocery store and senior housing components of the project.
- **Transit** – Three major bus lines serve the site. The 72 runs north-south on San Pablo Avenue and stops north of Village Creek and near Codornices Creek. The 52 line runs from the UC Berkeley campus to San Pablo Avenue, west on Monroe and into the Village. Currently there are stops on Monroe just west of San Pablo. Finally, the 18 runs from Oakland and Berkeley to Solano Avenue, and then to San Pablo Avenue, turning onto Monroe and entering the Village. For both the 18 and 52, the Village is the end of the line, and drivers stop to take breaks. The submitted plans show the Monroe bus stops for the 18 and 52 shifting west.
- **Pedestrians** – The key to a safe and inviting pedestrian environment is adequate pedestrian walkways that make connections between parking areas and the range of retail shops and other nearby destinations. Usable sidewalks include adequate width for the expected number of pedestrians, buffers between busy roadways and sidewalks, and outdoor seating near retail shops. Pedestrian crossings between elements of the project also are key. Staff would suggest that at a minimum, a mid-block pedestrian crossing be added to Monroe Street.
- **Vehicles** – A functional complete street needs to adequately handle expected vehicle trips. One of the key issues for the proposed project is the function of the Monroe Street/San Pablo Avenue intersection. The current plans do not show a left turn lane from Monroe onto northbound San Pablo. The preliminary analysis in the draft EIR anticipated that a separate left turn lane will be required to handle peak hour traffic out of University Village and the grocery store (Attachment 7). An updated analysis will need to be prepared to evaluate if a left turn lane is required.

Urban Design & Site Planning

One of the key aspects of the preliminary review of the application is for the Commission to comment on the location of the buildings relative to the adjacent streets. Key to creating a sense of place is to coordinate the public realm of streets and sidewalks with private realm of buildings and parking lots. There are many good reference guides to urban design. Attached is an excerpt from the “Model Design Manual for Living Streets” prepared by Los Angeles County (Attachment 8). The document in its entirety is available at <http://www.modelstreetdesignmanual.com/>.

- **Senior Housing Entrance**

The relocation of the entrance to the senior housing component of the project helps keep activity and focus on San Pablo Avenue. Many of the vehicle trips generated by the senior housing will enter the parking structure directly from San Pablo rather than driving into the Village. In addition, as a larger building, it is appropriately scaled to the width of San Pablo Avenue and speed of vehicles passing by.

- **Monroe Street Retail**

The relocation of the 13,000 square feet of retail from San Pablo Avenue to Monroe Street also is an appropriate change. Lower traffic volumes and speeds on Monroe Street, compared to San Pablo Avenue, create an opportunity for a more pedestrian neighborhood scale retail environment appropriate for smaller shops that would be expected in buildings with space 50 feet in depth. The relocation of shops also would be more visible to people shopping at the grocery store, thus facilitating more cross shopping.

- **Grocery Store Setback**

With respect to the setback of the grocery store on Parcel A, the Model Design Manual, along with many other guidelines, including the City’s 1993 San Pablo Avenue Design Guidelines (Attachment 9), would direct that the grocery store be placed as close to San Pablo Avenue as possible. From the development perspective, however, many retailers, particularly grocers, believe that the availability of parking in front of a store is critical to attracting the volume of shoppers necessary to be successful in a competitive marketplace.

The grocery store setback issue should be considered both in the context of overall urban design and in context of compliance with existing standards. The General Plan calls for compliance with San Pablo Avenue Design Guidelines. In addition, the standards for design review contained in the Planning and Zoning Code (Section 20.100.050.D.1.b) refer projects in the SPC zoning district to the San Pablo Avenue Design Guidelines. Section I-1 and I-2 of the Guidelines, including the following provisions applicable to the proposed project:

Buildings should be sited to add to the sidewalk space, yet maintain maximum visibility. New buildings should be built to a line 4 feet back from and parallel to the existing right-of-way. This "build-to/setback" line will keep buildings close to the street and create a consistent commercial frontage. It will also make the sidewalk space more generous and boulevard like, more in proportion with the width of the street.

Main parking areas should be located to the side or rear of buildings, not in front. Buildings, not parking lots should be the dominant view along the retail boulevard. Parking in front makes businesses less visible to motorists who are potential customers.

The Design Guideline's provision for a four foot setback also has been incorporated into footnote (7) of Table 2.B of Section 20.24.020 of the Planning and Zoning Code, which establishes site regulations non-residential site regulations. The footnote states that in the San Pablo Avenue Commercial zoning district: "None [setback] required along San Pablo Avenue. If front setback is provided, it shall not exceed a depth of four feet (4) at street level."

To move forward with the project as proposed, the Commission would have to make the findings for an exception as described in Planning and Zoning Code Section 20.100.060.E.5, which state:

5. *In approving any project on San Pablo Avenue the Planning and Zoning Commission or the Community Development Director shall further find that the City-adopted San Pablo Avenue Design Guidelines have been considered and incorporated in the project. The Planning and Zoning Commission may grant exceptions to the criteria, provided one (1) or more of the following findings are made:*

- a. *There are specified special circumstances applicable to the property, such as size, shape, location of existing structures, or traffic conditions, which cause practical difficulties in the application of the design guidelines"*
- b. *The Planning and Zoning Commission recognizes that the proposal exhibits a superior level of design which exceeds the approved criteria.*
- c. *With the granting of an exception, development on the site will achieve the overall purposes of the design guidelines, and the development will not be detrimental to the public welfare or injurious to persons or property in the vicinity.*

- **On-Site Parking**

The proposed project, in aggregate, complies with the City's parking requirements as adjusted by the 2012 PUD and Density Bonus approvals. The proposed Parcel B is not large enough to incorporate the 23 off-street parking that will be required by its eventual development. Thus, a shared parking arrangement with another parcel will be required. In this case, the retail developer proposes to grant Parcel B an easement on Parcel A to allow Parcel B users to park on Parcel A. The documentation of this arrangement would be incorporated into the parcel map review.

	Required	Proposed
Grocery (Parcel A)	66	129
Corner Retail (Parcel A)	7	included above
Monroe Retail (Parcel B)	23	0
Subtotal (Parcels A & B)	96	129
Senior Housing (Parcel C)	105	120
Monroe Street Parking (remainder parcel)		23

Architectural Massing, Style, & Sustainability

For the senior housing portion of the project, the main architectural massing matter for discussion at this point, is the massing of the building relative to San Pablo Avenue. A covered entry/drop-off plaza is proposed. As shown in the massing studies, two levels of housing would be above the plaza. The architectural styling and materials are in development by project architect HKIT, and will be presented at a forthcoming study session.

Although relatively close to San Pablo, the covered entry does not appear to meet the four-foot maximum allowed setback requirement. Resolution of this issue could be addressed by the exception process described earlier or by extending the covered entry closer to the right-of-way, or by making the findings for an exception to the Guidelines as described above.

Another key element to the senior housing project is the placement of parking in the middle of the parcel, with one level partially below grade and a second level partially above grade. Access to and from the garage would be from both San Pablo Avenue and 10th Street. Setting the parking structure back from 10th Street and from San Pablo Avenue is a desirable way to organize the building. The ultimate architectural and landscape treatment of the exposed areas of the parking garage along the San Pablo frontage will be important.

Finally, the treatment of the western elevation and the associated public realm of 10th street will be important. Due to the Little League fields, this area will receive heavy use by both youngsters and their families. The project affords a great opportunity to create a safe and engaging public area for interaction between kids, adults, and senior housing residents.

On Parcel A, the grocery store features an international/contemporary architectural styling with flat roof, wide boxed overhang, and several different horizontal treatments. The front façade between the two entrances projects out with horizontal wood treatment and trapezoidal projection of the parapet for a roof sign that serves as the primary store sign. There is interesting pattern, detail and windows on the southeast corner along with a large outdoor seating area, and a second store sign. The Commission may wish to give the design team some preliminary feedback on the architectural styling.

The proposed plans do not yet detail the sustainable building features that will be required pursuant to the City's Green Building Program and the EIR mitigation measures. In particular, all of the buildings will be required to be LEED Gold certified.

Project Phasing

There are three distinct components to the project: the senior housing, the grocery store and corner retail, and the Monroe Avenue retail. The senior housing and the grocery store are expected to move forward as soon as the Commission approves the project. The Monroe Street retail would follow later. The main issue generated by the delay in the Monroe Street retail is that some interim architectural treatment of the northern elevation of the senior housing project would be

necessary. A second issue that often comes up with a phased project is the phasing of the improvements to the public realm.

Subdivision Requirements, Parcel Configuration, and Dedications and Exactions

The California Subdivision Map Act provides the City with authority to regulate the design and improvement of new parcels within the City. Because this application involves four or less parcels, the approval process the application is referred to as a “Parcel Map”, and the review process is abbreviated. The Commission would review and take action on the Tentative Map and could include conditions related to site improvements or dedications. Should the Commission choose to approve the tentative map, the applicant would file a final map with the City Engineer for final approval.

One of the key issues that come up with subdivisions is determining the appropriate level of dedications or fees for public improvements. There is no single precise rule to determine whether a dedication or fee is reasonable. In general, a requirement for a dedication or fee should be based on established policy and authority, should be based on a demonstrated nexus between the City’s requirement and the nature of the proposed project, and the magnitude of the requirement must be roughly proportional to the impacts of the project.

Another key issue associated with the Subdivision is the size and configuration of Parcel B. Although the Code does not mandate a minimum lot size for parcels in the San Pablo Commercial zoning district, generally, parcels should be large enough to be functional and developable in compliance with Planning and Zoning Code requirements. In this case, there are two issues. First, the proposed Parcel B is not large enough to incorporate the 23 off-street parking that will be required by its eventual development. Thus, a shared parking arrangement with another parcel will be required. As described above, the retail developer has proposed to grant Parcel B an easement on Parcel A to allow Parcel B users to park on Parcel A. The second issue with Parcel B is that the creation of a parcel 50 feet in depth will result in relatively constrained retail space that may be less attractive to some tenants. In retailing, a 60-foot space depth is considered a good depth. In this case, the inter-relationship between the senior housing, Monroe Street is constraining Parcel B.

General Plan

As part of the findings for approval of the parcel map and design review, the Planning and Zoning Commission will have to make findings that the proposed project is consistent with the City’s General Plan. For this study session, the issue that the Commission may wish to discuss initial comfort level with ultimately making the findings of consistency.

The City is currently preparing an update to the General Plan. The processing of the proposed project, however, is expected to be completed in advance of the completion of the update. Thus, the current 1990-2010 General Plan applies to the applications. The General Plan’s Land Use Goal number seven states “Ensure that future redevelopment of the University of California lands is compatible with the City’s long term land use, public services, and public facilities goals.” Under this goal, two policies have been established:

Land Use Policy 7.1 - Designate the UC lands along the San Pablo Avenue frontage and a portion of Buchanan Street at the intersection of San Pablo for commercial retail and

compatible uses. Incorporate the recommendations in the San Pablo Avenue Design Guideline and Public Improvement Study as part of this effort. In addition, consider preserving a portion of the Gill Tract, particularly those portions with important and significant stands of trees, as open space when any re-use of this area is proposed.

Land Use Policy 7.2 - Participate actively in the UC Master Plan process for redevelopment of the Gill Tract and Albany Village. Specific concerns that must be addressed in this process include, but are not limited to:

- A. Coordinate planning efforts for the City's, University's, and Albany School District's park, recreation, and open space lands to improve public access, improve parking capacity, increase use, and improve overall traffic safety in the area for students, pedestrians, and automobiles.*
- B. Protect and enhance the creeks running through and adjacent to the U.C. Village property.*
- C. Protect and preserve the important stands of trees on the site.*
- D. Specify and reach new agreements with the University for financial and/or in-kind support of City infrastructure, services, and capital facilities that are used by U.C. Village, including, but not limited to, sanitary and storm sewers, public safety services, public streets, and parks and open spaces.*
- E. Focus on redeveloping the housing units at U.C. Village to meet the current and future needs of its residents for a family-oriented project with adequate community and recreational facilities that are better integrated with the City.*
- F. Evaluate the overall parking capacity within the Village vs. the existing and future patterns of usage, and the use of on-street parking spaces outside the Village that are used by University students.*

Planning and Zoning Code Requirements

In addition to the building setback issue discussed above, the standard provisions of the Planning and Zoning Code will apply (unless modified by the 2012 PUD). At the current level of detail, there does not appear to be other significant issues for the Commission to discuss at this time. In the future, the signage program, landscape plan, lighting, and the details of the configuration of the parking lot and loading dock will require further study.

Public Art

In 2010, the City Council approved the Albany Public Arts Master Plan. The "Southern Gateway" was identified as a priority location. The following are the excerpts from the Plan that relate to this site:

. . . San Pablo Avenue enters anonymously into Albany. The creek that defines Albany and Berkeley is invisible here, being culverted through this section of the cities. There is little sense of the transition between communities. Unfortunately, it is only recognizable as the tree-

covered medians of Berkeley abruptly end and the traveler is “introduced” into Albany by the chain-link fence of the UC property on San Pablo’s west side.

While the property behind the fence is under UC jurisdiction, the strip along San Pablo Ave. here is zoned for commercial use. Should it be developed, the AAC should pay particular attention to the public art opportunities. Whether or not this development would result in a gateway into Albany – or whether an actual gateway is the correct approach for this area – should be addressed before any project gets too far. These issues are both public art and urban design concerns. Hence, planning for public art here should be done in close concert with AAC’s counterpart, the Planning & Zoning Commission.

At the current preliminary level of design, there are not specific proposals for public art. As the development teams advance the design of the project, details of the public art components will be reviewed by the Arts Committee.

NEXT STEPS

Direction to the Development Teams

Study Session Questions from Belmont Village - Belmont Village is seeking conformation from the Commission that the site plan is acceptable, subject to refinements as design progresses, and forms a basis for proceeding with Schematic Design. They would appreciate the Commissioners expressing concurrence with the following:

- Retail Relocated to Monroe St.
- Senior Living Building Reorientation
 - Main building entrance on San Pablo
 - Resident drop off & parking garage entrance on San Pablo
 - separate ingress and egress drives
 - limited to right turn in/right turn out
 - secondary parking entrance on Codornices Court
 - Parking Garage redesign
 - Split-level podium structure vs. two levels underground
 - Service & delivery access on Codornices Court
- Setbacks & building height as per PUD
 - 3-story building height on San Pablo not specified in PUD but allowed by existing zoning
 - No change in existing Monroe right of way
- Street Parking Eliminated on San Pablo
 - Allows for a two way bicycle track (within existing right of way)
 - Eliminates PUD requirements for a Bicycle Study

Study Session Questions from Oppidan - Oppidan is seeking conformation from the Commission that the site plan is acceptable, subject to refinements as design progresses, and forms a basis for proceeding with Schematic Design. They would appreciate the Commissioners expressing concurrence with the following:

- Retail Relocated to Monroe St.
- Site Access
 - Ingress/Egress from both Monroe and San Pablo into the project
 - Bicycle circulation/access/Bike Shed created as gathering place for bicyclists and pedestrians (with the idea of directing bicyclists to the Shed to park)
- Street Parking Eliminated on San Pablo
 - Allows for a two way bicycle track (within existing right of way)
 - Eliminates PUD requirements for a Bicycle Study

Next Steps

Based on feedback from the Commission on the preliminary plans, the applicants and staff will work on the following:

- Preparation of a reimbursement agreement to cover the cost of processing the applications;
- Revise the plans to meet the City's standard application requirements; and
- Consultations with key agencies including Caltrans, City of Berkeley, AC Transit, etc.