



Z O N I N G
A D J U S T M E N T S
B O A R D
S T A F F R E P O R T

FOR BOARD PREVIEW AND COMMENT ONLY
JUNE 11, 2015

2025 Center Street Center Street Parking Garage

Use Permit #ZP2015-0055 to demolish an existing five-story, 440-space parking structure with 1,600 square feet of commercial floor area and an arts display space, and to construct a new eight-story, 711-space, 248,000-square foot parking structure with ground-floor garage operations office, arts display space, and two commercial tenant spaces to be occupied by a quick service restaurant and a bike parking station.

I. Background

A. Land Use Designations:

- General Plan: DT, Downtown
- Zoning: C-DMU (Downtown Mixed Use; Core Sub-Area)

B. Zoning Permits Required:

- Use Permit to Demolish a Main Building used for non-residential purposes, under BMC Section 23C.08.050.A;
- Administrative Use Permit to allow projections to exceed maximum building height, under BMC Section 23E.04.020.C;
- Use Permit to allow a Parking Structure, under BMC Section 23E.68.030;
- Administrative Use Permit to allow a use deemed compatible with the purposes of the C-DMU District (the Bike Station), under BMC Section 23E.68.030.B;
- Use Permit for the creation of gross floor area of 10,000 square feet or more, under BMC Section 23E.68.050;
- Administrative Use Permit to exceed the hours of the district, to open at 5 a.m. rather than 6 a.m., under BMC Section 23E.68.060.A;
- Use Permit to exceed the maximum height limit of 60 feet, up to a maximum of 75 feet, under BMC Section 23E.68.070.A; and
- Use Permit to modify the interior side yard setback for the portions of the building over 65 feet from the lot frontage and 21 feet - 75 feet in height, from 5 feet minimum to 0-5 feet, under BMC Section 23E.68.070.C.

C. CEQA Determination: Mitigated Negative Declaration will be prepared pursuant to Article 6 of the CEQA Guidelines, and would tier off the Downtown Area Plan Environmental Impact Report (EIR).

D. Parties Involved:

- Applicant/Owner City of Berkeley Public Works Department
1947 Center Street, 4th Floor
Berkeley, CA 94704

Figure 1: Vicinity Map

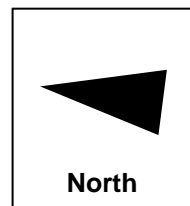


Figure 2: Site Plan/Ground Level Plan

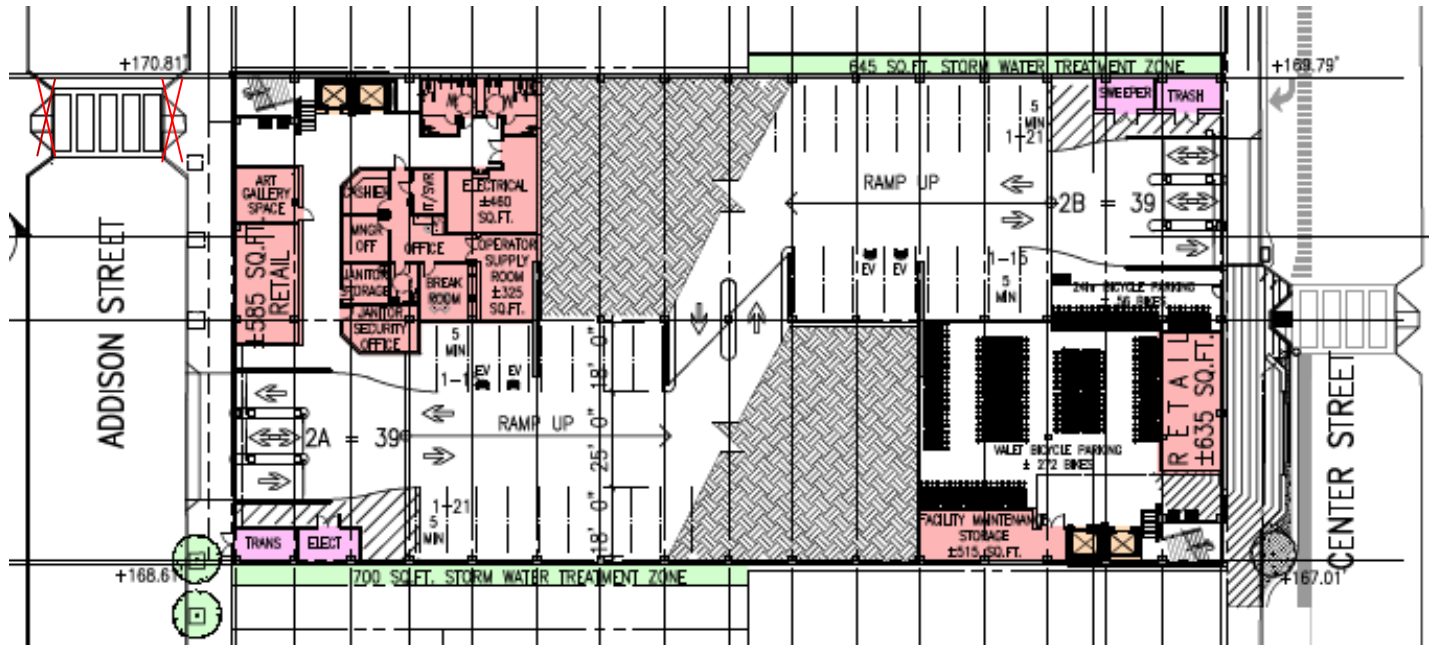


Figure 3: Center Street Elevation



Table 1: Land Use Information

Location		Existing Use	Zoning District	General Plan Designation
Subject Property		Parking Structure	C-DMU-Core	Downtown
Surrounding Properties	North	Arts: Berkeley Repertory Theatre	C-DMU-Core	Downtown
	South	Institutional: Berkeley City College	C-DMU-Core	Downtown
	East	Arts- Freight & Salvage Coffeehouse; Mixed-Use Residential	C-DMU-Core	Downtown
	West	Mixed-Use Residential; Surface Parking; Office / Institutional	C-DMU-Core	Downtown

Table 2: Special Characteristics

Characteristic	Applies to Project?	Explanation
Alcohol Sales/Service	No	No alcoholic beverage sales or service are proposed for this project.
Creeks	No	This project site is not within 30 feet of an open creek.
Historic Resources	No	The existing parking structure is not a historic resource. However, the project is in the vicinity of City Landmarks, the Civic Center Historic District, and the recently delineated Shattuck Avenue Historic District. Refer to Key Issues Item A of this report.
Seismic Hazards	No	There are no hazardous geotechnical or seismic conditions associated with the geology of the site. ¹ However, demolition of the existing garage and replacement with a more modern facility will eliminate an existing seismic hazard.
Soil/Groundwater Contamination	Yes	A Phase I Environmental Site Assessment ² prepared for the site identified limited presence of hydrocarbons indicating possible soil contamination in the northern portion of the project site. Any contamination will be required to be remediated prior to construction of the new structure.
Green Building Score	Yes	A LEED Gold or equivalent rating is required per BMC Section 23E.68.085.A. This project is expected to attain the equivalent of a LEED Gold rating under the Green Garage Certification program offered by the Green Parking Council. Refer to Key Issues Item H of this report.

Characteristic	Applies to Project?	Explanation
Streets & Open Space Improvements (SOSIP) Impact Fee	No	The replacement and expansion of this public parking facility is exempt from the SOSIP fee in 23E.68.075 because it is intended to meet the parking demands generated by other uses in the Downtown, and will not generate its own parking demand or result in new demands on the Downtown streets and open space network. Refer to Key Issues Item H of this report.
Privately-Owned Public Open Space (POPOS)	Yes	The City, as applicant, has elected to exclude a POPOS open space feature from this garage project; in-lieu of this provision, the City has identified two Downtown capital improvement projects associated with this application as well as two other major projects underway that implement SOSIP and satisfy SOSIP requirements in accordance with BMC 23E.68.070 Paragraph D-3. Refer to Key Issues Item I of this report.

¹ Geotechnical Investigation, Center Street Parking Garage, Rockridge Geotechnical, March 30, 2015.

² Phase I Environmental Site Assessment, 2025 Center Street, Iris Environmental, September 24, 2014.

Table 3: Project Chronology

Date	Action
March 30, 2015	Application submitted
April 19, 2015	Application deemed incomplete
May 7, 2015	LPC hearing – Demolition Referral; LPC declined to take action on the demolition
May 21, 2015	DRC Preliminary Design Review; DRC Continued with recommended changes
May 28, 2015	Public hearing notices mailed/posted
June 11, 2015	ZAB Preview
June 18, 2015	DRC- Continued Preliminary Design Review
July 2, 2015	Notice of Intent to Adopt Mitigated Negative Declaration / ZAB Public Hearing Notice
July 28, 2015	ZAB Hearing

Table 4: Development Standards

Standard BMC Sections 23E.68.070-080		Existing	Addition/ (Reduction)	Proposed Total	Permitted/ Required
Lot Area (sq. ft.)		36,046	-	36,046	Not Regulated
Total Gross Floor Area (sq. ft.)		180,000	-180,000 +248,000	248,000	Not Regulated
Floor Area Data (sq. ft.) Exclusive of parking spaces, aisles and ramps		(approx.)		(approx.)	Not Regulated
Garage operations		1,500	+2,540	4,040	
Public restrooms & pedestrian circulation		TBD	-	3,055	
Utility, trash, etc.		TBD	-	1,770	
Arts Display Space		1,600	+2,545	285	
Leasable tenant space (Bike Station)				3,860	
Leasable tenant space (quick service restaurant)		-	-	590	
Total:		3,100		13,600	
Floor Area Ratio		4.9	1.9	6.8	Not Regulated
Maximum Building Height	Average (ft.)	40'	33'-3"	74'-3"	60' / 75' ^a
	Stories	5	3	8	Not Regulated
Minimum Front Yard Setback (ft.)	North - Addison	0	-	0	15
	South - Center	0	-	0	15
Minimum Interior Side Yard Step- back (ft.)	East	0	0-5	0-5	5 ^b
	West	0	0-5	0-5	5 ^b
Privately-owned Public Open Space (sq. ft.)		0	0	0	4,960 ^c
Parking Spaces	Public	440	251	691	Not Regulated
	Required	0	20	20	20 ^d
	Bicycle	18	-18	TBD	7 ^e
	Motorcycle	1	-1	0	Not Regulated

^a 75 feet allowable with Use Permit.

^b May be modified through approval of a Use Permit.

^c Pursuant to 23E.68.070.D, applicant may pay an in-lieu fee to fund the Streets and Open Space Improvement Plan (SOSIP) or provide capital improvement projects.

^d Total required for non-parking related uses = approx. 13,600 sq. ft./1.5 spaces per 1,000 sq. ft.

^e Total required for non-parking related uses= approx. 13,600 sq. ft. / 1.0 spaces per 2,000 sq. ft.

II. Project Setting

A. Neighborhood/Area Description:

The existing garage is in Downtown Berkeley. On Addison Street, the building abuts the Freight & Salvage Coffeehouse to the east and a mixed-use residential building to the west (2002 Addison). The Berkeley Repertory Theatre company is located across Addison Street. On the Center Street frontage, office and institutional uses are located to the west, and a mixed-use residential building with ground floor retail resides to the east (2055 Center). Berkeley City College is located to the south, across Center Street. See Table 1, Land Use Information for additional details.

B. Site Conditions – Existing Parking Garage:

The project site is occupied by the existing five-story, 440-space City-owned Center Street Parking Garage. The existing garage is one of two large public parking garages in the Downtown. The 36,046-square foot site slopes slightly from east to west, with an approximate 2-foot grade difference across its 134 foot width. The east and west parcel boundaries have a 5-foot jog in the middle of the block. The existing garage was constructed in 1957. In 1992, a technical evaluation commissioned by the City¹ determined that the garage was seismically unsafe and in need of retrofitting or replacement. Replacement of the garage was determined a superior option to a seismic retrofit². The garage features two-way driveways on both the Addison Street and Center Street frontages. A 1,600-square foot ground floor commercial space faces Center Street, and the ground floor of the Addison Street façade includes a large window display that is used for rotating art exhibits. The existing garage includes approximately 1,500 of square feet office and service space required for garage operations. Four street trees are located in front of the garage on Addison Street; no street trees are located in front of the building on the Center Street frontage.

III. Project Description

The proposed Center Street Garage project will replace the existing parking structure with an eight-level, 711-space parking garage facility that will also include small retail spaces, public restrooms, an art display space, secure bicycle parking, and electric vehicle charging stations. Additionally, the project will include approximately 1,911 sq. ft. of garage operation space including offices, a break room, supply rooms, employee restroom, and storage. Photovoltaic (PV) solar panels would extend 10 above the rooftop parking surface.

The garage is proposed as a “double helix” design with sloping concrete parking ramps extending along the central drive aisles between the Addison Street and Center Street entrances. The floor slabs would have level sections at the north and south ends of the structure where the elevators and stairways are located. Two-way driveways with

¹ Seismic Evaluation of City-Owned Buildings, Berkeley, California, Phase I, Degenkolb Structural Engineers, February 17, 1992.

² 2025 Center Street Garage- Berkeley, California, Seismic Retrofit Option, KPFF Consulting Engineers, July 29, 2014.

reversible center lanes are proposed at both the Addison Street and Center Street frontages. The seventh and eighth floor levels of the garage include an open area near the southeast corner of the building where the adjacent mixed-use building (2055 Center Street) owns a 20-foot by 89-foot fire separation easement above 67 feet in height to provide the minimum separation from residential windows pursuant to the building code.

Of the 711 parking spaces proposed, the garage would include 627 standard parking spaces (8 feet by 18 feet), 44 compact spaces, and 24 electric vehicle (EV) charging spaces (4 each on levels 2-7). A total of 16 accessible parking spaces are provided on the north and south sides of the second level with direct access to the elevators via a protected walkway outside the drive aisles.

Other uses & features

A small (558 sq. ft.) retail space intended for a quick service restaurant would be located at street level on Addison Street. Next to this space would be a 285 sq. ft. art display area that would be visible from the sidewalk. Like the existing condition this area would be unstaffed and locked. Public restrooms are also planned near the elevators and cashier office. Garage operational space, including offices, service, and storage rooms, and an employee restroom, would be located within the building.

On the Center Street frontage, the garage would house the new location for the Downtown Berkeley Bike Station currently operating at 2208 Shattuck Avenue. The Bike station would occupy a total of 3,855 sq. ft. and would continue to provide the same services as it does currently by offering 2,680 sq. ft. of secure valet bicycle parking for approximately 272 bicycles. Bicycle repair, retail sales of biking accessories, and bicycle rentals would be offered within a 635 sq. ft. tenant space fronting Center Street. In addition, the Bike Station would oversee a secure bicycle parking area (540 sq. ft.) with parking for approximately 56 bicycles. This area would be accessible only to BikeLink pass holders 24 hours per day.

The proposed architecture is a contemporary style with colorful twisting stairways that project out from the building. A semi-transparent stainless steel mesh would be attached to the south and north building elevations. The north façade of the building is planned for a public art installation. The Civic Arts Commission is soliciting proposals for the art that would be installed on this elevation. The ground floor retail spaces are designed for maximum visibility with floor to ceiling storefront glazing.

Major Encroachment Permit requirement

The proposed project includes several design elements that would project into the public right-of-way above the sidewalk. Therefore, the project will require City Council approval of a Major Encroachment Permit, pursuant to BMC Title 19. The second floor level would extend 6-feet into the right-of-way above the sidewalk and would function as a pedestrian walkway to provide required access for ADA parking spaces. The existing garage has a similar concrete canopy at the second floor level that also projects 6 feet. The twisting exterior stairways on the north and south sides of the building, an important design element, would cantilever 7 feet over the sidewalk. The metal screen affixed to the north and south building façades would project 2 feet beyond the property line, and

the rooftop PV panels project 3 feet. It should also be noted that the upper floor levels of the existing garage also extend 2 feet over the right-of-way.

Right-of-way improvements

In front of the garage, improvements are also planned for the public rights-of-way. A new mid-block pedestrian crossing is planned on Addison, next to Freight and Salvage Coffeehouse, connecting to Berkeley Repertory Theater across the street. The existing special paving treatment and in-ground art plaques within the Addison Street sidewalk would be inventoried and re-installed prior to completion of the project. On the Center Street frontage, the sidewalk would be widened west of the existing mid-block crossing, and special paving treatment, including a planter wall with integrated seating and a street tree are proposed. The Center Street sidewalk widening would eliminate approximately four on-street parking spaces. Additional landscaping will be provided in the interior side yards where two 5-foot wide landscaped storm water treatment zones totaling approximately 1,345 sq. ft. are planned in the areas where the property line makes a 5-foot jog. Due to their location between buildings, these stormwater treatment areas will not be visible or accessible to the public.

Construction schedule and temporary right-of-way adjustments

Demolition of the existing garage and construction of the new parking structure would require approximately 12-14 months to complete, with one month required for demolition. To facilitate construction, the portion of Center Street in front of the garage would be used for construction staging, vehicle access, and deliveries. Between Milvia Street and Shattuck Avenue, Center Street would be temporarily converted to one-way eastbound traffic, and Addison Street will be temporarily converted to one-way westbound traffic. Addison Street will also be restriped for diagonal parking, resulting in a net increase of on-street parking.

IV. Community Discussion

A. Neighbor/Community Concerns:

On January 9, 2015, the Public Works Department mailed notices to surrounding property owners and residents notifying them of the project and inviting attendance at a community meeting that was held North Berkeley Senior Center on January 22, 2015. The notices included a project description of the conceptual plans. Four persons attended the meeting. Primarily concerns expressed at the meeting included construction noise, traffic, and public safety. Refer to Attachment 4 for copies of the January 22, 2015 community meeting notice and meeting summary.

Prior to submitting the application to the City, a pre-application poster was erected on both frontages in March 2015. On May 28, 2015, the City mailed notices to adjoining property owners and occupants, and to interested neighborhood organizations. Notices were also posted at the project site and vicinity. A copy of the June 11, 2015 ZAB Public Hearing Notice is included as Attachment 3.

B. Landmarks Preservation Commission

The Landmarks Preservation Commission (LPC) reviewed the proposed demolition on May 7, 2015, and declined to take action on the project. At the meeting, LPC Commission members requested that additional historic information about the garage be included in the record, and also requested that the neon “parking” signs be salvaged and reused. Staff confirmed that additional historic documentation about the garage history will be provided to the LPC Secretary for the project record. Staff also confirmed that the neon signs are expected to be salvaged, but the future use of the signs is unknown, as they are not considered appropriate for the building as proposed.

C. Design Review Committee

Design Review Committee (DRC) conducted a Preliminary Design Review of the project on May 21, 2015, and voted to continued review with the following recommendations:

Neighborhood Context

- Committee members thought that this project added to the vitality of the arts district.
- Design should be more recessive on Addison, since there are smaller structures than on Center.
- It is distressing that on two major downtown streets, the visually dominant structure is a parking garage. Bold colors could be softened.
- Look more closely at the proportions in the existing buildings on Addison and Center and how they could be referenced in the design.

Building Design

- Design is good, especially the amount of transparency in the façade.
- Stair forms are fun. Softer green would be better in the day, but important to show how this building looks at night.
- Look carefully at lighting. The building shouldn't be too bright at night. Ground floor should be more lit than upper floors. Present night views.
- There is concern that there is no cover on the second level accessible walkway.
- Art opportunities on the facades are very positive.
- Look at more variation or refinement in the façade.
- Art gallery recessed on ground floor is a nice feature.

Colors and Materials

- Two bold colors, one on each street is a good idea.
- Bright green color doesn't fit in well with Addison. A brick red color may go better with existing building on Addison.
- Proposed colors and materials need further refinement.
- Materials and details need to be durable and low maintenance and should be high quality.

The project is scheduled to return to DRC on June 18 for its second Preliminary Review.

V. Issues and Analysis

This is a significant municipal project that is on an accelerated review schedule. To help the design team meet the desired schedule, staff asks that the Zoning Adjustments Board conduct a preview of the project to provide early and valuable feedback. Therefore, the following is an introductory analysis to the key issues that have been identified by staff; a final analysis will be provided when the application returns for formal action. At this time, staff requests that the Board provide comments on the proposed project so that staff, the applicant and project team can respond to concerns prior to the next meeting, tentatively scheduled for July 23, 2015.

A. Historic Resources:

The existing parking garage was constructed in 1957 and is not considered a significant historic resource. At its May 7, 2015 meeting, the LPC reviewed the proposed demolition and declined to take action to protect the structure. The City recently completed a draft historic resources survey of the Downtown³ that has identified a National Register-eligible historic district, referred to as the Shattuck Avenue Historic District. The parking garage is west of the proposed district boundary, but the Freight and Salvage Coffeehouse is identified as a contributor to the potential district. The period of significance identified from the historic context of the study area is from 1895 to 1958, the year that heavy rail was removed from the downtown and the commercial district began a short period of decline. Several designated City Landmarks are located in this block of Addison Street, including the Golden Sheaf Bakery, the Kress Store, and the Francis K. Shattuck building, but none of these buildings abuts or confront this site. In addition, the Civic Center Historic District is located generally to the west of Milvia Street. The project's relationship to, and potential effect on, nearby historic resources is currently being evaluated, and will be addressed in greater detail in the project's CEQA Initial Study and the subsequent ZAB report. If any significant effects identified, design changes or mitigation will be proposed.

B. Building height and massing:

The proposed garage would have a greater height and mass than the existing parking garage. The existing garage is five levels and approximately 40 feet high. The proposed garage would be eight floors, with an average height of approximately 74 feet. In addition, photovoltaic solar panels planned on the north and south sides of the rooftop would add to the building's perceived height due and mass to their increased height (10 feet above the parking deck) and their 3-foot projection into the public right-of-way on the north and south sides of the building. Taller buildings exist in the immediate vicinity of the garage, but some adjacent buildings, such as the Freight and Salvage building on Addison Street and the Language Studies International building on Center Street, are just one or two stories high. The existing garage has a concrete canopy at the second floor level that projects 6 feet over the sidewalk, and the garage floors also project 2 feet over the sidewalk. The proposed design would include a similar 6-foot projection over the sidewalk which would

³ Archives & Architecture, LLC, Shattuck Avenue Commercial Corridor Historic Context and Survey, May 28, 2015 Final Draft.

function as a pedestrian walkway to provide required access for required ADA parking spaces. At the street level, this projection adds to the building's mass as it is experienced by pedestrians. The proposed design also includes exterior stairways that cantilever up to 7 feet above the sidewalk, and the proposed mesh screen would also project 2 feet into the public right-of-way. These projections increase the apparent mass of the building.

C. Architectural style:

The proposed design is a contemporary architectural style. For the Addison Street and Center Street façades, the design features an architectural screen made of stainless steel mesh that would be mounted on metal frames projecting 2 feet from the face of the concrete structure. In addition to being a key design element, the mesh would screen views of vehicles as well allow for light and ventilation. Adjacent to the projecting stairways, the screen panels are angled and create the appearance of peeling away from the structure. The ground floor retail spaces would be constructed of glass with aluminum frames to maximize visibility from the public right-of-way. The building's stairways are proposed to add a distinguishing design statement as well as dimension and visual interest to the building's facade. The brightly colored stairways would cantilever over the sidewalk up to 7 feet in a unique twisting style that would connect with the wall along the projecting pedestrian walkway/canopy above the sidewalk. This contemporary architectural style is comparable with the modern architecture present on this block of Center Street, but is unlike the more historic and finely textured facades that dominate the Addison Street block. As stated above, the DRC reviewed the project on May 21 and recommended some changes to the design including: more sensitivity or relationship to the proportion and form of buildings on the Addison Street; additional variation in the facades; moderated colors; and a roof over the projecting 2nd floor pedestrian walkways. The project will return to DRC on June 18.

D. Potential Sunlight Impacts:

The proposed increase in building height would obscure sunlight to adjacent buildings, some of which contain residential units. Residential units are located in the adjacent mixed-use buildings at 2002 Addison Street (west of the garage) and 2055 Center Street (east of the garage). At 2002 Addison, the project would shade some south facing windows and a portion of the landscaped roof deck in the morning hours. At 2055 Center Street, the project would shade windows on the north and west elevations in the afternoons. In addition, the building would increase shading of the adjacent public streets and sidewalks, which experience a significant amount of pedestrian traffic. Addison Street, on the north side of the garage, would experience the greatest amount of shading throughout the day. The vicinity of the Milvia Street /Addison Street intersection would experience increased shading primarily during the morning hours. The south side of Center Street, east of the garage would experience some increased shading during the summer months in the late afternoon. Shadow studies are included in Attachment 1.

E. Increased capacity and potential traffic impacts:

The new parking garage would provide a net increase of 270 parking spaces to serve existing and future uses in the Downtown area. Due to its inherent use as a parking garage, it should be noted that the facility accommodates parking demand and receives vehicle trips primarily generated by other uses in the Downtown area (offices, entertainment uses, municipal services, etc.). The garage is also used to park City fleet vehicles.

A transportation impact analysis (TIA) was prepared to evaluate the potential traffic generated by the project. Traffic counts at the garage entrances in 2014 document that the existing garage generates approximately 1,720 average daily trips (ADT). These are primarily trips that have been diverted to the garage from points within the Downtown and are not new trips to the area. Using the garage's existing trip generation rates (3.9 trips per space), the TIA estimated that 1,330 additional diverted trips would be generated daily due to the increased availability of parking spaces. Of this total, 91 additional diverted trips would occur during the AM peak hour, while 153 trips would occur during the PM peak hour. This TIA determined that this increase in vehicle traffic would not significantly reduce the level of service (LOS) at any study area intersections.

F. Temporary impacts during construction:

Construction is expected to take approximately 12-14 months. Demolition of the existing garage and construction of the new facility will be disruptive to adjacent uses in the vicinity, similar to what was recently experienced during the construction of other large buildings in the vicinity, such as Berkeley City College and 2055 Center Street. Construction staging and traffic routing for the garage project would be similar to what was provided for those projects, where the Center Street sidewalk and a portion of the street were used for construction staging, and Center Street was temporarily limited to a one-way eastbound traffic. In addition, Addison Street will temporarily be converted to one-way westbound traffic between Milvia Street and Shattuck Avenue, and the street will be restriped to diagonal parking. This will result in a net increase in on-street parking during the construction period to address the temporary loss of off-street parking.

While the parking garage is off-line during the demolition and construction period, there will be a temporary loss of 440 parking spaces which will substantially increase demand for existing parking spaces in Downtown. The Public Works Department commissioned a study⁴ to identify options for a Temporary Parking Mitigation Plan to address this shortfall. According to the memorandum documenting the findings, the Center Street Garage currently operates at or near capacity during the daytime on most weekdays, and occasionally reaches capacity during weekday evenings and some weekends, depending on the number and popularity of local events. The memorandum states that other existing parking facilities cannot accommodate the current weekday daytime parking demand of the garage, but evening and weekend

⁴ Fehr & Peers, Draft Memorandum: Center Street Garage- Temporary Parking Mitigation Plan, August 25, 2014.

demand can be accommodated by other existing Downtown facilities operated by UC Berkeley and the Berkeley Unified School District.

The memorandum includes numerous recommendations to make more efficient use of existing parking throughout the Downtown to minimize the effects of the temporary reduction in Downtown parking. Recommendations in the Plan include the use of UC Berkeley's Golden Bear Center parking lot and other UC facilities, the Berkeley High surface parking lot; installing parking lifts on surface lots; providing a Downtown shuttle between major entertainment venues and parking facilities; providing curbside valet parking; use of parking spaces at private buildings in Downtown; satellite parking for long-term weekday parkers at the Telegraph-Channing Garage (+/-120 vacant spaces) or the Spenger's Lot on 4th Street (+/-150 vacant spaces); public outreach campaign; signage for alternative parking facilities, among other ideas. Public Works staff has been following up on the recommendations of the study to develop the Parking Mitigation Plan, which will incorporate the most feasible recommendations from the study, including a transportation demand management plan. Staff will provide an update on the progress of the Parking Mitigation Plan at the July 23 ZAB meeting.

G. Green Building requirement:

BMC Section 23E.68.085.A requires that all new buildings in the Downtown with more than 20,000 square feet "shall attain a LEED Gold rating or higher as defined by the U.S. Green Building Council (USGBC), or shall attain building performance equivalent to this rating, as determined by the Zoning Officer." The USGBC does not offer LEED ratings for parking garages. However, the Green Parking Council has a Green Garage Certification program which is designed to be a LEED-equivalent rating system for parking garages. Staff from the City's Office of Energy and Sustainability have reviewed the Green Garage Certification standards and the proposed facility design and have made a preliminary determination that the proposed garage could meet the Green Parking Council's equivalent of a LEED Gold rating. Relevant Conditions of Approval will be included in any project approval.

H. Streets and Open Space Improvement Plan Impact Fee – not applicable:

The C-DMU Streets and Open Space Improvements Plan (SOSIP) fee was adopted by the City Council to ensure that new Downtown projects mitigate their impacts on the Downtown environment by contributing their fair share of funding for the capital improvements to streets and open space to meet the demand for additional residents and business (SOSIP Fee Nexus Study, 2011). This plan and its nexus study anticipated an increased demand on the local streets and the open space network created by new users and visitors arriving in the Downtown as a result of expanded development such as new housing, office space, commercial and entertainment uses.

The impact fee requirement is codified in BMC 23E.68.075 as follows:

"In addition to any other requirement of this Chapter, projects shall be subject to payment of an impact fee to implement the Streets and Open Space Improvement Plan (SOSIP), as may be adopted by the City."

This parking structure replacement project is unlike other development projects in that the structure will not introduce new commercial and residential uses in the Downtown and thus would not result in increased commercial activity, population density or vehicle trips in the area. As a publicly-funded and City-owned capital project, the garage is a significant public investment that is intended to serve and enhance the District, as envisioned in the Downtown Area Plan (see Policy AC-3.2: New Parking), by providing parking for the existing and future residents, workers and visitors.

Relying on directives of the Downtown Area Plan, the SOSIP and nexus study, staff concludes that the SOSIP implementation impact fee does not apply to the City's proposal to replace the Center Street Garage.

I. Privately-Owned Public Open Space satisfied with in-lieu capital projects:

The development standards of the C-DMU require that all new buildings provide public open space or other infrastructure improvements in the Downtown. A privately-owned public open space feature, or POPOS, is a requirement that is unique to the C-DMU. BMC Section 23E.68.070.D states:

D. New buildings shall provide on-site open space as follows:

1. For residential uses, 80 square feet of usable open space per unit.
 - a. Each square foot of such open space that is provided as Privately-Owned Public Open Space shall be counted as two square feet of required on-site open space for residential uses.
2. For non-residential uses, one (1) square foot of privately-owned public open space per 50 square feet of commercial floor area.
3. In lieu of providing the open space required by this Section on site, an applicant may pay an in-lieu fee to help fund the Streets and Open Space Improvement Plan (SOSIP) and/or construct public improvement consistent with the SOSIP, as specified in the Use Permit, provided the Board makes the findings in Section 23E.68.090.G.”

Pursuant to BMC Section 23E.68.070.D.2, the on-site open space requirement for the proposed garage replacement project would be approximately 4,960 sq. ft. based on the proposed commercial floor area (including areas to be occupied by parking spaces). The City's design team considered development schemes that included a public pedestrian path through the garage connecting Addison and Center Streets. However these schemes proved infeasible to develop when balancing the prevailing demands public safety and vehicle access within the spatial constraints of the site. Therefore, the City opted to exclude this feature from the project site and, instead, to focus on opportunities within the project vicinity to create improvements as permitted in-lieu under Paragraph D-3, cited above. Planning and Public Works staff identified four pending Downtown capital improvement projects within the vicinity of the project site that will implement and satisfy the goals or directives of SOSIP in accordance with BMC 23E.68.070.D paragraph 3. These projects are summarized in Table 5 below.

Table 5: Downtown Capital Improvement Projects

Project Name	Relevant Scope	SOSIP Reference
Shattuck Square Reconfiguration Project	(7) new bulb outs and (2) widened sidewalks throughout project area	Major Projects Policy 1.3 Tier 1, item b
BART Plaza – City as partner agency with BART as lead agency	Plaza improvements: all new hardscape, landscape (trees), wayfinding program, lighting	Placemaking and Access Goals (pg. 12)
Center Street Garage Replacement Right-of-way improvements	Bulb out / sidewalk widening improvements at Center Street mid-block crossing, and new street tree; New Addison Street mid-block crossing.	Pedestrian Crossings & Traffic Calming Policy 2.2

VI. Recommendation

Staff recommends that the ZAB hold a public hearing to solicit the input of the public, and provide advisory comments to the applicant and staff.

Attachments:

1. Project Plans & Shadow Studies
2. Photos
3. Notice of Public Hearing, posted May 28, 2015
4. January 22, 2015 Community Meeting Notice and Summary
5. Correspondence Received

Project Staff: Fatema Crane, Associate Planner;
FCrane@cityofberkeley.info (510) 981-7413;
Steven Ross, Contract Planner;
Steven.Ross@lsa-assoc.com (510) 236-6810