CITY COUNCIL RESOLUTION 2015-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALBANY, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, APPROVING DESIGN REVIEW FOR A RETAIL DEVELOPMENT AT 1080 MONROE STREET

WHEREAS, On December 6, 2004, the City Council of the City of Albany adopted Ordinance #04-09 establishing Chapter XX “Planning and Zoning” of the Albany Municipal Code; and

WHEREAS, Chapter XX established development standards and review procedures for new commercial and mixed use construction; and

WHEREAS, the Albany City Council approved Resolution 93-4 adopting San Pablo Ave. Design Guidelines on January 19, 1993; and

WHEREAS, the San Pablo Ave. Design Guidelines specifically identify UC Village as having the greatest impact of any potential development on the Corridor and that the quality of buildings associated with the University of California should be directly related to the frontage of San Pablo Ave.; and

WHEREAS, in 2007 the Regents of the University of California, serving as the master developer for the site, submitted an application for a mixed use development on the San Pablo Avenue frontage of University Village property located at the northwest and southwest corner of the intersection of San Pablo Avenue and Monroe Street; and

WHEREAS, the City Council, acting as lead agency, prepared a draft and final Environmental Impact Report (“EIR”) in accordance with the California Environmental Quality Act (“CEQA”), Public Resources Code section 21000 et seq.; and on July 9, 2012 in Resolution #2011-51 certified that the EIR was completed in compliance with the
requirements of CEQA and reflected the Council’s independent judgment and analysis; and

WHEREAS, the project is within the scope of the EIR certified by the City Council in Resolution 2011-51, and the addendum to the EIR approved on May 6, 2013. Nothing in the current application constitutes significant changes to the project studied in the EIR and addendum and any revisions are not substantial and will not cause any new significant impacts, or substantially more severe impacts than those evaluated in the EIR such that a subsequent or supplemental EIR or negative declaration would be required pursuant to CEQA Guidelines sections 15162 and 15163; and none of the other conditions described in CEQA Guidelines section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred; and

WHEREAS, on July 16, 2012, the City Council approved a series of policy-level actions associated with the University Village Mixed Use project including zoning map amendments, zoning text amendments, planned unit development, density bonus to accommodate a senior housing project, grocery store, and retail space; and

WHEREAS, on May 6, 2013, the City Council, acting as lead agency, approved Resolution 2013-22 of the Albany City Council modifying mitigation measure GCC-1 and the mitigation monitoring and reporting program for the University Village Mixed Use development and adopted an EIR addendum; and

WHEREAS, beginning in 2013, the Planning & Zoning Commission held a series of study sessions on the Planning, Zoning and Subdivision actions associated with the project; and

WHEREAS, the Planning & Zoning Commission held public hearings on May 8, 2013, June 12, 2013, July 24, 2013, October 9, 2013, October 30, 2013, November 20, 2013 and December 11, 2013 to discuss the project design, scope, and improvements; and
WHEREAS, on March 5, 2014, the City Council held a public hearing and approved tentative maps for each component of the UC Village Mixed Use Project and design review for the senior housing project and the retail components at 1075 and 1095 Monroe Street; and

WHEREAS, the formal design review application for a retail development at 1080 Monroe Street (the “project”) was filed by the applicant on July 9, 2015; and

WHEREAS, the application is for a retail use in the San Pablo Commercial Zoning District/University Village San Pablo Avenue Overlay District; and

WHEREAS, on July 22, 2015, the Planning & Zoning Commission held a public hearing, considered all public comments received, the presentation by City staff, and the staff report; discussed and recommended modifications to the application; and continued the item to a date certain; and

WHEREAS, on September 9, 2015, the Planning & Zoning Commission held a public hearing, considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request; and

WHEREAS, an appeal of the Planning & Zoning Commissioner decision was filed with the City on September 23, 2015 by Ulan McKnight; and

WHEREAS, the appellant, Ulan McKnight, identified four issues as the basis for the appeal:

1. No stormwater bioretention treatment areas are located on the project site.

2. Project fails to incorporate drought-tolerant plantings and permeable paved surfaces.
3. Project parking does not comply with the approved Planned Unit Development (PUD), does not incorporate the concerns of the Albany Fire Marshal, and includes illegal U-turns into and out of parking spaces.

4. Project signage does not conform to Albany Municipal Code Section 20.32 for what is essentially a monument sign 10 feet in height; sign is not shown in plan view and not evaluated for potential obstruction of pedestrian and vehicle line of sight; signage is not located on the project site.

WHEREAS, the City scheduled the appeal hearing with the City Council on November 2, 2015 pursuant to Section 20.100.080 (E) (1); and

WHEREAS, a public hearing notice was mailed to property owners within 300 ft. of the subject site and was posted in three public places on October 23, 2015 for the City Council hearing pursuant to Government Code Section 65090; and

WHEREAS, Planning and Zoning Code Section 20.100.080.F establishes the following standards for review of appeals:

- When reviewing any decision of the Planning and Zoning Commission on appeal, the City Council shall use the same standards for decision making and is required to make findings in accordance with the Municipal Code. The Council may adopt the Planning and Zoning Commission’s decision and findings as its own. In either case, the City Council shall have the option to prepare a resolution stating the council’s decision or shall render its decision by minute action.

WHEREAS, Attachment 13 to the staff report responds to the issues raised by the appeal and provides analyses and findings in response to the appeal; and
WHEREAS, on November 2, 2015 the City Council held a public hearing, considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request; and

WHEREAS, supplementary information was added to the project plans in response to issues raised in the appeals; and

WHEREAS, modifications to the project plans do not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects, and no additional mitigation measures are required;

NOW, THEREFORE, THE CITY OF ALBANY CITY COUNCIL DOES HEREBY RESOLVE AS FOLLOWS:

Section 1

The City Council finds and determines the foregoing recitals to be true and correct and hereby makes them a part of this Resolution.

Section 2

Based on the reasons and evidence set forth in Attachment 13 to the staff report and contained in the administrative record, the City Council denies the appeal.

Section 3

A. FINDINGS FOR APPROVAL CONSISTENT WITH SECTION 20.100.050 “DESIGN REVIEW” OF THE ALBANY MUNICIPAL CODE:
1. **Finding Required for Approval:** The project conforms to the General Plan, any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter.

**Evidence:** The City's General Plan ("General Plan") designates the property as Residential/Commercial (RC). The Property is currently zoned San Pablo Commercial (SPC). The project meets City zoning standards for location, intensity and type of development. The project also conforms to the planned unit development (PUD) of Parcel A and Parcel B of the University Village Mixed Use Development (Resolution 2014-23).

2. **Finding Required for Approval:** Approval of the project design is consistent with the purpose and intent of this section, which states "designs of projects...will result in improvements that are visually and functionally appropriate to their site conditions and harmonious with their surroundings, including natural landforms and vegetation. Additional purposes of design review include (but are not limited to): that retention and maintenance of existing buildings and landscape features are considered; and that site access and vehicular parking are sufficient."

**Evidence:** The one-story/approximately 20-foot high proposed building would be in scale and harmony with existing development in the vicinity of the site, which is composed primarily of one and two-story buildings. The architectural style, design and building materials are of high quality and appropriate for the setting; the project uses corrugated steel, metal, concrete, glass, and wood, and the project design is a rectilinear building with articulation and façade treatments that would create visual interest from the street. The proposed project would be constructed on a relatively flat vacant lot and would not require substantial grading or disruption to natural landforms. The project would improve the visual appearance of San Pablo Avenue and Monroe Street by providing new street trees and landscaping, and retail uses that create activity in the corridor and the
neighborhood. The project would have site access via multiple modes of transportation and vehicular access from San Pablo Avenue, 10th Street, and Monroe Street, with on-street parking supplied on Monroe Street and bicycle parking on the sidewalk in front of the retail tenants. The project would provide new sidewalks and a relocated bus stop and new shelter serving AC Transit routes along San Pablo Avenue.

3. **Finding Required for Approval:** Approval of the project is in the interest of the public health, safety and general welfare.

**Evidence:** The proposed project will result in the development of vacant land within a regionally-designated Priority Development Area and is expected to enhance the economic vitality of the San Pablo Avenue commercial district by creating more retail activity at the subject site and in the corridor. The project represents a substantial economic investment in the San Pablo Avenue corridor and includes uses that serve the needs of the surrounding community. In addition, the new businesses will support the health, safety, convenience and welfare of those that reside in the area and would help maintain property improvements or potential future development in the area.

4. **Finding Required for Approval:** The project is in substantial compliance with applicable general and specific Standards for Review stated in subsection 20.100.050D.

**Evidence:** As detailed in the accompanying staff report, the project is in substantial compliance with the standards as stated. It is consistent with applicable General Plan, Zoning Ordinance, and San Pablo Avenue Design Guidelines regulations and measures and includes a functional site plan, and sufficient vehicle and bicycle parking that allow for safe and convenient access to the site. The project includes high-quality architectural design that is harmonious with the surrounding neighborhood and internally consistent within
the building. The proposal includes a complementary landscape design and signage program, adequate space for refuse, and adequate screening of utilities and other service systems. It does not propose substantial amounts of grading nor does the project affect the privacy of nearby residents.

5. **Finding Required for Approval:** The City-adopted San Pablo Avenue Design Guidelines have been considered and incorporated in the project.

**Evidence:** The proposed project contributes to the retail boulevard and urban character envisioned by the Design Guidelines. Its architecture provides individual bays for each tenant, reflecting “buildings within buildings” in a continuous frontage. A high-level of transparency and a mix of glass, wood, and light and dark grey colors creates contrast in the colors of the building and visual interest for pedestrians. The project implements shared parking strategies and avoids development of a large parking lot by providing on-street parking.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Albany denies the appeal based on the analyses and findings in Attachment 13 to the staff report and hereby approves the Design Review for University Village Mixed Use Project at 1080 Monroe St. subject to Exhibit A Conditions of Approval and Attachment 04, Project Plans.
PASSED AND ADOPTED by the City Council of the City of Albany on the 2nd day of November 2015.

AYES: Council members: Barnes, McQuaid, Nason, Pitcher + Mayor Maass

NOES:

ABSENT:

ABSTAIN:

\[Signature\]
MAYOR MAASS

ATTEST: \[Signature\]
Nicole Almaguer
Albany City Clerk
RESOLUTION NO. 2015-70

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,
the 2nd day of November, 2015, by the following votes:

AYES: Council Members Barnes, McQuaid, Nason, Pilch and Mayor Maass

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 3rd
day of November, 2015.

Eileen Harrington
DEPUTY CITY CLERK
EXHIBIT A: RESOLUTION 2015-70
CONDITIONS OF APPROVAL FOR DESIGN REVIEW AT 1080 MONROE STREET FOR A
NEW RETAIL DEVELOPMENT

To ensure compliance with governmental regulations and consistency with
findings for approval, the following conditions of approval are incorporated into the
approval of the application. These conditions are summary in nature, and it is the
responsibility of the applicant to meet detailed project requirements, including City
policies and codes.

SP-1 Development of the project shall be substantially in conformance with the
Architectural, Landscaping, and Lighting Plans submitted by Lowney
Architecture on October 20, 2015, except as modified by the conditions
contained herein.

SP-2 The project shall be developed and operated consistent with the General Plan
and Planning and Zoning Code, Subdivision Code, and California Building
Standards Code (including California Green Building Code), except as modified
by the Planned Unit Development approval for Parcel A and B per Resolution No.
2011-52, Resolution No. 2014-023, the Final EIR Mitigation Monitoring and
Reporting Program ("MMRP"), including the Addendum and revised MMRP
approved on May 6, 2013, and the Tentative Map approval for 1080 Monroe
Street and related conditions of approval, as per City Council Resolution No.
2014-25.

SUSTAINABLE BUILDING REQUIREMENTS

SP-3 Prior to issuance of the first building permit, a LEED-accredited project architect
or third-party rater shall submit a letter documenting the design or other features
in the building permit plans intended to satisfy each criterion targeted in the
LEED checklist in order to achieve LEED Gold Certification status, to the
satisfaction of the Community Development Director. The letter shall also identify
which measures, as per Mitigation Measure GCC-1 from the Mitigation
Monitoring and Report Program (as modified in the EIR addendum, Resolution No. 2013-22), are included in the project.

**PUBLIC ART REQUIREMENTS**

**SP-4** Prior to City approval of any construction-related permit, the applicant shall submit an application to amend design review approval to incorporate public art consistent with the City of Albany Municipal Code and the Public Arts Master Plan. The Arts Committee and the Planning and Zoning Commission shall review the installation, including specific design concept, materials, location, lighting, safety considerations, etc. as described in the Public Art Master Plan.

**PEDESTRIAN FACILITIES**

**SP-5** Prior to issuance of a building permit, the plans shall be revised to ensure that all street lights, bike racks, above-ground utilities, street trees, and other sidewalk infrastructure are appropriately located and adequately spaced on the Monroe St. sidewalk so that tree roots are not obstructed and a clear pedestrian pathway is maintained.

**SP-6** Prior to issuance of a building permit, the plans shall be revised to indicate that the mid-block pedestrian crosswalk and connection between the multi-tenant retail and grocery store shall be highlighted with a stamped asphalt or similar contrasting appearance.

**BICYCLE FACILITIES**

**SP-7** In collaboration with the project developer of the senior housing component of the UC Village Mixed Use project, the applicant shall install a two-way bicycle path ("cycle track") in the Caltrans right-of-way on the west side of San Pablo Avenue with direct access to Codornices Creek bike path. A cost-sharing agreement between the project developers shall be provided to the Community Development Director for review and approval, prior to issuance of a certificate of occupancy.
SP-8 Prior to issuance of a certificate of occupancy, the applicant shall install at least 4 secure bike lockers for bus commuters adjacent to the relocated 72 AC Transit bus stop.

SP-9 Prior to issuance of a certificate of occupancy, the applicant shall provide on-site bicycle parking to accommodate at least 24 bicycles along the retail frontage of the subject site.

TRANSIT FACILITIES

SP-10 The applicant shall relocate the AC Transit 72-line bus stop and 52/18 lines bus stops and install a bus shelter in a location close to the grocery store entrance. The new locations and design shall be subject to approval by AC Transit and the City. Prior to the approval of the Final Map, the specific design details shall be developed in consultation with AC Transit representatives and reviewed by the Traffic and Safety Commission and the Planning and Zoning Commission. Consideration shall be given to stop location and amenities, traffic signal timing/coordination, design of bus stop and bus layover area, turning radii, street parking orientation, and dimensions of turning lanes [PUD Requirement].

LIGHTING

SP-11 A final lighting plan shall be submitted with the building permit plans, prior to issuance of a building permit. Prior to occupancy, the applicant shall install sufficient exterior and street lighting to the satisfaction of the Community Development Director. The City will review the constructed property to ensure that all lighting is directed downward and away from surrounding properties, and that adequate lighting is provided on sidewalks and streets.
LANDSCAPING

SP-12 Prior to issuance of any grading permit or building permit for any component of the project, a final landscape and irrigation plan shall be submitted and approved by the City of Albany. The project shall comply with the requirements of Section 12-7 of the Albany Municipal Code "Water Efficient Landscaping" and the latest Bay Friendly Landscape policies.

SP-13 Prior to issuance of a certificate of occupancy, the applicant shall install plantings and irrigation systems to the satisfaction of the Community Development Director.

UTILITIES

SP-14 Above-ground utilities shall be located away from the corner of San Pablo Avenue and Monroe Street so as not to obstruct the sidewalk or present a hazard to persons or vehicles. Utility locations shall be shown on building permit plans, to the satisfaction of the Community Development Director, prior to issuance of a building permit.

IMPROVEMENTS REQUIRING CALTRANS APPROVAL

SP-15 The tentative parcel map includes improvements to the San Pablo Avenue right-of-way (State Route 123) intended to accommodate a two-way bike path and sidewalk on the west side of the street from Village Creek to Codornices Creek and a pedestrian crossing of San Pablo Avenue at Dartmouth Street. The proposed improvements require Caltrans to approve exceptions to adopted design standards. The City Council acknowledges the applicant’s good faith efforts to implement the proposed two-way bike path into the project.

In the event that Caltrans does not approve the proposed design exceptions, and as a consequence the City Engineer or designee makes a determination that construction of the proposed two-way bike path and sidewalk as approved by the City Council is not feasible, it is the City Council’s intent that the applicant submits a final map that incorporates maximum feasible bicycle
and pedestrian improvements. Determination of maximum feasible bicycle and pedestrian improvements shall be based on established City policy and Caltrans design standards. Improvements to be incorporated, including dedication of property up to a maximum of two feet in depth abutting San Pablo Avenue if necessary, including:

- Alternative design, such as a shared use bicycle-pedestrian facility.
- Elements of the San Pablo Avenue Streetscape and Pedestrian Safety Project (Project #12) in the 2012 City of Albany Active Transportation Plan, including installing a landscaped median where feasible (e.g., north of Monroe Street) and converting Dartmouth Street to a right-in/right-out only street by constructing a median within the center turn lane on San Pablo Avenue.
- Public amenities required by the Final Environmental Impact Report (and its Addendum) and the Planned Unit Development including dedicated Bicycle and Pedestrian Crossing at the intersection of Dartmouth Avenue and San Pablo Avenue, and a direct two-way bicycle access from the intersection of Dartmouth and San Pablo south directly to the Codornices Creek Type I bike path.
- Design and construction of transit stops consistent with AC Transit design guidelines.

**SP-16** Pursuant to AMC Section 22-4.12, the City Engineer or designee is authorized to approve minor changes to the map as consistent with the intent and spirit of the City Council's approval, as expressed in the findings and conditions of approval. Amendments to the tentative map that in the opinion of the City Engineer or designee do not reflect the intent of the City Council shall be presented to the City Council for approval. Processing of such amendments shall be in accordance with the provisions for processing a tentative map set forth in the Municipal Code.
MITIGATION MONITORING AND REPORTING PROGRAM

SP-17 The applicant shall comply with all mitigation measures associated with the University Village at San Pablo Environmental Impact Report, Mitigation Monitoring and Reporting Program (MMRP), and Addendum to the MMRP amending Mitigation Measure GCC-1.

SP-18 All applicable mitigation measures and conditions of approval shall be included on building permit plans and be available on the job site at all times.

STREET IMPROVEMENTS

SP-19 The center striping on Monroe St. between San Pablo Ave. and 10th Street shall be removed or similarly modified to allow for safe turning movements across traffic lanes to park on either the south or north side of Monroe St. Striping for turn lanes necessary to access San Pablo Ave. shall be retained.

GENERAL PROJECT CONDITIONS

GEN-1 Project Approval - This approval for Design Review, as substantially provided in the staff report, may be modified by conditions herein. For any condition herein that requires preparation of a Final Plan where the project developer has submitted a conceptual plan, the project developer shall submit final plan(s) in substantial conformance with the conceptual plan, but incorporate the modifications required by the conditions herein for approval by the City.

GEN-2 Project Approval Expiration. - The Design Review approval will expire one year after final approval unless a building permit has been issued and construction diligently pursued. The approval may be renewed by the Community Development Director for a period up to an additional two (2) years, provided that, at least ten (10) days prior to expiration of one (1) year from the date when the approval becomes effective, an application for renewal of the approval is filed with the Community Development Department. The Community Development Director may grant a
renewal of an approval where there is no change in the original application, or there is no request to change any condition of approval.

**Gen-3 Fees** - The applicant shall pay all City and other related fees applicable to the property, as may be modified by conditions herein. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured, and shall be paid prior to issuance of said permit. Notice shall be taken specifically of Plan Check, Engineering, Fire and Inspection Fees. The project developer shall also reimburse the City for direct costs of planning; building and engineering plan check and inspection, as mutually agreed between the City and developer.

**GEN-4 Appeals** - Not Applicable.

**GEN-5 Requirement for Building Permit** - Approval granted by the City Council does not constitute a building permit or authorization to begin any grading, construction or demolition. An appropriate permit issued by the Community Development Department must be obtained prior to constructing, enlarging, moving, converting, or demolishing any building or structure within the City.

**GEN-6 Fire Department Approval** - As part of a building permit application, the applicant shall submit written documentation that all requirements of the Albany Fire Department have, or will be, met to the satisfaction of the AFD.

**GEN-7 Engineering Approval** - As part of a building permit application, the applicant shall submit written documentation that all requirements of the Public Works Department have, or will be, met to the satisfaction of the City Engineer.

**GEN-8 Construction Hours** - Construction activity shall be restricted to the hours of 8:00 a.m. to 6:00 p.m. Mondays through Saturdays, and 10:00 a.m. to 6:00 p.m., Sundays and legal holidays, unless otherwise approved in writing by the City Engineer for general construction activity. Failure to comply with construction hours may result in stop work orders or other administrative actions.
GEN-9 Archeological Remains - In the event subsurface archeological remains are discovered during any construction or preconstruction activities on the site, all land alteration work within 100 feet of the find shall be halted, the Community Development Department notified, and a professional archeologist, certified by the Society of California Archeology and/or the Society of Professional Archeology, shall be notified. Site work in this area shall not occur until the archeologist has had an opportunity to evaluate the significance of the find and to outline appropriate mitigation measures, if deemed necessary. If prehistoric archeological deposits are discovered during development of the site, local Native American organizations shall be consulted and involved in making resource management decisions.

GEN-10 Modifications to Approved Plans - The project shall be constructed as approved. Planning staff may approve minor modifications in the project design, but not the permitted land use (per Municipal Code Section 20.12). A change in an item requiring discretionary approval and any other changes deemed appropriate by the Planning staff shall require further Planning and Zoning Commission approval through the Design Review process.

GEN-11 Hold Harmless Agreement. Pursuant to Albany Municipal Code Section 20.100.010 (N), the applicant (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Albany and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application. The City will promptly notify the applicant of any such claim action or proceeding and cooperate fully in the defense.

GEN-12 Public Improvements Standards - Public improvements shall be designed and constructed in accordance with the City's Standard Specifications and Standard Details, unless specifically waived in writing by the City Engineer. Licensed design professional shall identify non-standard design features and provides a written justification containing a rationale or written evidence to support the use of the design exception.
ARCHITECTURE CONDITIONS

ARCH-1 Material Samples - Samples of final exterior materials and the proposed color palette shall be submitted for review and approval by the Community Development Department as part of building permit application.

ARCH-2 Final Architectural Drawings. The applicant shall submit final architectural elevations, details and revisions for the review and approval of the Community Development Department as part of building permit application.

LIGHTING CONDITIONS

LGHT-1 Exterior Lighting. - All exterior lighting shall be installed in such a manner that glare is directed away from surrounding properties and rights-of-way. If required, exterior light fixtures shall be equipped with "cut off" lenses to minimize light and glare spill over onto adjacent properties.

LGHT-2 Shielding of Lighting. - All accent lighting shall be directed downward and, if necessary, fixed with cut-off lenses to ensure that no glare spills onto neighboring properties.

LANDSCAPING CONDITIONS

LNDSC-1 Pesticide/Fertilizer Application. Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. If a landscaping plan is required as part of a development project application, the plan shall meet the following conditions related to reduction of pesticide use on the project site:

a) Where feasible, landscaping shall be designed and operated to treat stormwater runoff by incorporating elements that collect, detain, and infiltrate runoff. In
areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified.

b) Plant materials selected shall be appropriate to cite specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.

c) Existing native trees, shrubs, and ground cover shall be retained and incorporated into the landscape plan to the maximum extent practicable.

d) Proper maintenance of landscaping, with minimal pesticide use, shall be the responsibility of the property owner.

GENERAL ENGINEERING CONDITIONS

ENGR-1 Title Report. A recent preliminary title report for the property, prepared within six months of the date of application, shall be submitted to the City Engineer for review. If any interior lot line(s) exist, the applicant must obtain approval of a minor lot line adjustment from the City to remove the interior lot line(s), and cause that lot line adjustment to be recorded before any building permits will be issued.

ENGR-2 Geo-Technical Report. The applicant shall submit, as part of a building permit application, a geotechnical investigation report prepared by a California certified engineering geologist and geotechnical engineer, if determined necessary by the City Engineer. The investigation shall specifically address any hazards of surface fault rupture in accordance with the Alquist-Priolo Special Study Zones Act. Any mitigation measures or conditions requiring further review noted during the Planning process shall be fully addressed prior to plan check.

ENGR-3 Backflow Device. Any required water service for fire protection purposes shall be equipped with a City approved backflow device. Services for irrigation purposes also require a separate City approved backflow prevention device.
GRADING CONDITIONS

GRAD-1 Grading Permit. Any grading required in association with the project shall require a grading permit from the Community Development Department. To obtain this permit, the applicant shall submit a grading plan, indicating the extent and volumes of earth proposed to be moved.

GRAD-2 Demolition Permit. Site demolition shall not occur until construction permits are issued for the development project. All demolition shall be in accordance with permits issued by the City and Bay Area Air Quality Management District (BAAQMD).

GRAD-3 Water on Site. The site shall be graded to prevent rainfall runoff originating from improved areas on the project site from crossing onto adjoining private property. Building floor elevations shall be above the FEMA-mapped 100-year flood plain as established by a licensed civil engineer. Provide the elevation and compaction certificates during and upon the completion of grading required by the Uniform Building Code and in conformance with the recommendations of the geotechnical engineer’s report. Shore and dewater all excavations in accordance with the requirements of the geotechnical engineer’s report.

GRAD-4 Flooding Damages. The project developer shall execute an assumption of risk, indemnification and hold harmless agreement as required by the City. The agreement, in substance, shall state that the project developer, and any successor in interest, shall assume all risk for damages to the project and to project improvements, flooding caused by surface water intrusion, stormwater runoff, or water under the ground surface pressing on or flowing or seeping through foundations, walls, floors, or paved surfaces, basements, whether paved or not, or windows, doors or other openings, and shall indemnify and hold the City harmless from any claims of such damages, including third-party claims, of such damage or of such damages or of damages arising from rainfall runoff which is not prevented from leaving the project site in violation of Condition GRAD-3.
INFRASTRUCTURE CONDITIONS

INFR-1 Sewer System Requirements. The sewer system for the subject building shall comply with Chapter 15 of the Albany Municipal Code and to the satisfaction of the City Engineer before Final Inspection approval of the construction permit.

INFR-2 Two-Way Cleanout. Installation of a two-way curbside cleanout shall be required per Chapter 15 of the Albany City Code. This applies to all properties, including properties with a valid upper sewer lateral certificate of compliance. All 2-way curbside clean outs shall be fitted with a loose cap in accordance with the City’s standard detail SS6.

INFR-3 Property Run-off Requirements. All runoff from impervious surfaces shall be intercepted at the project boundary and shall be collected and conducted via an approved drainage system through the project site to an approved storm drain facility, as determined by the City Engineer. Development that contributes additional water to the existing drainage system shall be required to complete a hydraulic study and make improvements to the system as required to accommodate the expected ultimate peak water flow and to stabilize erosive banks that could be impacted by additional storm water flow.

INFR-4 Roof Drainage. Roof drainage from the structure shall be collected via a closed pipe and conveyed to an approved storm drain system off the street curb. No concentrated drainage of surface flow across sidewalks shall be permitted. Alternative natural treatment measures are subject to review and approval by the City Engineer.

INFR-5 Hydraulic Calculations. The applicant shall submit hydraulic calculations, prepared by a California licensed civil engineer, necessary to determine if the existing water and sewer mains that serve this lot have available capacity for the addition of the proposed development. If capacity is not available, sewer and water mains of adequate size shall be designed and secured prior to issuance of building permits and constructed in a manner acceptable to the City Engineer prior to occupancy release, unless determined otherwise by the City Engineer.
INFR-6 Completion of Off-Site Improvements. Off-site improvements necessitated by the proposed project, as determined by the City Engineer, shall be complete before issuance of a Certificate of Occupancy unless alternatives are approved in writing by the Albany City Engineer.

PUBLIC IMPROVEMENTS CONDITIONS

PUBIM-1 Encroachment Permit. The applicant shall obtain an encroachment permit from the Engineering Division before commencing any construction activities within any public right-of-way or easement.

PUBIM-2 Debris Removal. All mud, dirt or construction debris carried off the construction site onto adjacent streets shall be removed each day. No materials shall be discharged onto a sidewalk, street, gutter, storm drain or creek.

PUBIM-3 Damage to Street Improvements. Any damage to street improvements now existing, done during construction on, or adjacent to the subject property, shall be repaired to the satisfaction of the City Engineer at the full expense of the applicant. This shall include sidewalk repair, slurry seal, street reconstruction or others, as may be required by the City Engineer.

PUBIM-4 Right-of-Way Construction Standards. All improvements within the public right-of-way, including curb, gutter, sidewalks, driveways, paving and utilities, shall be reconstructed in accordance with approved standards and/or plans and shall comply with the standard plans and specification of the Community Development Department and Chapter 14 of the City Code.

FIRE DEPARTMENT CONDITIONS

FIRE-1 California Fire Code. The project shall comply with the California Fire Code requirements, as amended by the City of Albany, in effect at the time of application for building permit.
FIRE-2 Gallons-per-Minute Requirement. The water system for fire protection shall comply with City of Albany Fire Department standards. Fire flow test data and water system plans must be provided at time of building plan check. The plans must include all equipment, components and layout of the system. Private fire protection water systems shall be supplied through an approved backflow device per City Engineering Division standards.

FIRE-3 Distance from Fire Hydrant. Prior to approval of the final map by the City Engineer, the distance from existing fire hydrants to the building shall be verified and if necessary, a new hydrant shall be shown on the plans and installed prior to combustible construction.

FIRE-4 Fire Access. Prior to issuance of the final map, the applicant shall obtain approval from the Fire Marshal for fire apparatus access to all buildings.

STRUCTURAL CONTROL MEASURES

STRUC-1 Illegal Dumping to Storm Drain Inlets and Waterways. On-site storm drain inlets shall be clearly marked with the words “No Dumping! Flows to Bay,” or equivalent, using methods approved by the City of Albany.

OPERATIONAL BEST MANAGEMENT PRACTICES (BUMPS)

BMP-1 Paved Sidewalks and Parking Lots. Sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris. Debris resulting from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Wash water containing any soap, cleaning agent or degreaser shall be collected and discharged to the sanitary sewer and shall not be discharged to a storm drain. The applicant shall contact the City Engineer for specific connection and discharge requirements.
BMP-2A Private Streets, Utilities and Common Areas. The owner of private streets and storm drains shall prepare and implement a plan for street sweeping of paved private roads and cleaning of all storm drain inlets.

GENERAL CONSTRUCTION BEST MANAGEMENT PRACTICES (BMPs)

BMP-GEN3 Responsibility of Contractors. The applicant is responsible for ensuring that all contractors and subcontractors are aware of and implement all stormwater quality control measures. Failure to comply with the approved construction BMPs shall result in the issuance of correction notices, citations and/or a project stop work order.

BMP-CNST2 Collection of Construction Debris. Gather all construction debris on a regular basis and place them in a dumpster or other container that is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.

BMP-CNST3 Removal of Waste. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work.

BMP-CNST4 Sweeping of Public Right-of-Way. Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping.

BMP-CNST5 Filter Materials at Storm Drain Inlet. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to:

a) start of the rainy season (October 1);

b) site dewatering activities;

c) street washing activities;

d) saw cutting asphalt or concrete; and

e) order to retain any debris or dirt flowing into the City storm drain system.
Filter materials shall be maintained and/or replaced as necessary to ensure
effectiveness and prevent street flooding. Dispose of filter particles in the trash.

**BMP-CNST6 Containment of Materials.** Create a contained and covered area on
the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides,
or any other materials used on the project site that have the potential for being
discharged to the storm drain system by wind or in the event of a material spill.

**BMP-CNST7 Cleaning of Equipment.** Never clean machinery, tools, brushes, etc.,
rinse containers into a street, gutter, storm drain, or stream. See the Building
Maintenance/Remodeling flyer for more information.

**BMP-CNST8 Minimize Removal of Natural Vegetation.** Minimize removal of natural
vegetation or ground cover from the site in order to minimize the potential for erosion
and sedimentation problems. Replant the area as soon as possible. All cut and fill slopes
shall be stabilized as soon as possible after grading is completed. No site grading shall
occur between October 1 and April 15 unless approved erosion and sedimentation
control measures are in place.

**PARKING CONDITIONS**

**PARK-1** - All parking solutions shall conform to the approved plans as shown in
the plans, as described in condition GEN-1 and maintained available for parking as
shown on approved plans.
ATTACHMENT 13 – Response to Ulan McKnight Appeal (filed 9/23/15)

The appellant has identified four items as the basis for the appeal. A summary response and complete analysis are provided for each appeal item. While the appeal only pertains specifically to design review and a master sign program for 1080 Monroe St. (the proposed multi-tenant retail building at “Parcel B”) the full retail component of the UC Village Mixed Use Project—which includes 1075 and 1095 Monroe St. (the grocery and corner retail buildings at “Parcel A”)—is also discussed below to provide context.

**Appeal Issue #1: No stormwater bioretention treatment areas are located on the project site.**

**Summary**

In March 2014, the City Council approved a Stormwater Treatment Plan, which identified the on- and off-site bioretention areas proposed to treat stormwater runoff for Parcel A and B. *No changes to the resolution findings or conditions of approval are recommended.*

**Analysis**

**Previous Approval – City Council Resolution 2014-24**

On March 5, 2014, the City Council approved the Tentative Map for the retail portion of the UC Village Mixed Use project, which included a Stormwater Treatment Plan illustrating how stormwater would be treated for both Parcel A and B. This approval (Resolution 2014-24) was not appealed and is final.

The Stormwater Treatment Plan identified bioretention areas connected to the storm drain system on 10th St., on Monroe St., in the Parcel A parking lot, and along the north side of the grocery building, as shown in Attachment 13-A and summarized in Table 1.

**Table 1: UC Village Retail Stormwater Treatment (in Square Feet)**

<table>
<thead>
<tr>
<th>Proposed Impervious Area</th>
<th>Required Treatment Area&lt;sup&gt;(1)&lt;/sup&gt;</th>
<th>Potential Treatment Area</th>
<th>Excess Treatment Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>141,414</td>
<td>5,657</td>
<td>8,325</td>
<td>2,668</td>
</tr>
</tbody>
</table>

Note: (1) Required treatment area based on 4% of new impervious area

Given the site topography and proposed grading, stormwater will generally flow north and west from Parcel B toward Village Creek. Additionally, Parcel A, Parcel B, and the remainder parcel (Monroe St.) are owned in fee by the same owner, who also has lease agreements over both Parcel A and B. As a result, and given the relative small size of Parcel B, the applicant proposed to treat the runoff from Parcel B improvements within Monroe St. and Parcel A.
Existing Conditions and Mitigations Applied to the Project

As part of the City Council’s approval of the Tentative Map in 2014, the following requirements were applied to the project regarding bioretention areas and the preparation of drainage/stormwater management plans:

- **Mitigation Measure HYDRO-3**: Requires preparation and approval of a grading and drainage plan, including stormwater best management practices, prior to issuance of a grading permit, and requires compliance with Countywide National Pollutant Discharge Elimination System (NPDES) Permit regulations.¹
- **Condition SP-40**: “Prior to approval of the final map by the City Engineer, the applicant shall submit and have approved by the City Engineer a grading and drainage plan.”
- **Condition SP-68**: “Prior to issuance of any grading permit or building permit for any component of the project, the project applicant and City of Albany shall ensure that the proposed project drainage design meets all the requirements of the current Countywide NPDES Permit (NPDES Permit No. CAS0029831), as amended. [MMRP HYDRO-3]”

New development and redevelopment projects that create 10,000 square feet or more of impervious surface are required to treat the permit-specified amount of stormwater runoff. This may be accomplished by installing rain barrels, green roofs, permeable pavement, landscape-based treatment (e.g., bioretention) or related treatment measures, so that all of the permit-specified amount of runoff infiltrates, is stored for reuse, evaporates, or is taken up by plants.

As indicated by the mitigation measure and conditions of approval above, the final drainage/stormwater plans are subject to review and approval by the City’s Public Works Department during the plan check/building permit review process.

Planning & Zoning Commission Review

While stormwater treatment is not a requirement for Design Review according to Section 20.100.50 of the Planning and Zoning Code, it is an important design feature that should be considered during the site planning and design process. The Planning & Zoning Commission first reviewed the Design Review application for 1080 Monroe St. at its July 22, 2015 meeting. At that time, the applicant presented the same Stormwater Treatment Plan that had been approved by the City Council, for informational purposes.

At the continued hearing on September 9, 2015, the Planning & Zoning Commission reviewed a revised plan set that focused on the building design, signage, streetscape/landscaping, and crosswalk, as these were the issues raised during the first hearing. The Stormwater Treatment Plan was not presented again at this subsequent meeting since it was not the focus of the meeting.

¹ Municipal stormwater discharges in the City of Albany are regulated under the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP). MRP Provision C.3 addresses post-construction stormwater management requirements and requires project sponsors to incorporate site design, source control, and stormwater treatment measures into projects to minimize the discharge of pollutants into stormwater runoff. Provision C.3b allows projects to implement these measures onsite or at a “joint stormwater treatment facility,” meaning a facility which treats the combined runoff from two or more C.3-regulated projects located adjacent to each other.
No changes to the resolution findings or conditions of approval are recommended.

**Appeal Issue #2: Project fails to incorporate drought-tolerant plantings and permeable paved surfaces.**

**Summary**

The tree species and pavement types are consistent with City and State requirements regarding water use, and appropriate for the site and its planned uses. No changes to the resolution findings or conditions of approval are recommended.

**Analysis**

**Landscape Plan**

The landscape plan for 1080 Monroe St. includes 12 street trees along the south side of Monroe St. The tree species were changed from *Zelkova serrata* to *Acer Rubrum* (Red Sunset Maple) or *Acer Macrophylla* (Big Leaf Maple) as a result of a Planning & Zoning Commissioner comment at the July 22, 2015 hearing.

Given ongoing drought conditions, reducing water use is an important factor in planning for new landscapes. Also important is the ability for landscaping to provide shade, instill a sense of identity, reduce maintenance (e.g., dropping fruit, longevity), and manage stormwater. Both of the *Acer* species are identified as Moderate water users in the Water Use Classification of Landscape Species (WUCOLS) database, an initiative by the California Department of Water Resources. Additionally, both of the approved species are listed on the Albany City Arborist Tree List (see excerpt Attachment 13-B) and therefore known to grow well in the City. The Tree List also states that some forms of the *Acer Macrophylla* are drought tolerant.

As per the following condition of approval applied to the approval for 1080 Monroe St., the project is required to meet City and State water efficient landscape requirements and guidelines which include plant selection, installation, and irrigation practices to reduce water use and maximize the viability of the landscaping.

- **Condition of Approval SP-21:** “Prior to issuance of any grading permit or building permit for any component of the project, a final and landscape and irrigation plan shall be submitted and approved by the City of Albany. The project shall comply with the requirements of Section 12-7 of the Albany Municipal Code "Water Efficient Landscaping" and the latest Bay Friendly Landscape policies.”

As part of the building permit review process, City staff and consultants will review the final landscape plan for consistency with the landscape plan and plant palette approved during Design Review, and for compliance with Condition SP-21.

Notably, the more substantial landscaped area in the retail project is located on Parcel A. On March 5, 2015, the City Council approved the general landscape plan and plant palette for Parcel A, which proposed primarily drought tolerant, native, and low water use plants, and specified the water use and compliance requirements, as shown in Attachment 13-C.
Permeable Paved Surfaces

As described in response to item #1 above, permeable paving is one way to manage stormwater runoff by allowing for infiltration and removing pollutants. Since Monroe St. and the adjacent sidewalk are expected to be well used by vehicles, pedestrians, and bicyclists, the more durable non-permeable asphalt and concrete surfaces are recommended in this location. As noted above, the stormwater plan was already approved in March 2014 and the project’s proposal to address stormwater through bioretention treatment areas is an acceptable method.

Therefore, no changes to the resolution findings or conditions of approval are recommended.

**Appeal Issue #3:** Project parking does not comply with the approved Planned Unit Development (PUD), does not incorporate the concerns of the Albany Fire Marshal, and includes illegal U-turns into and out of parking spaces.

**Summary**

The project parking is consistent with the approved PUD and with Fire Department and California Vehicle Code requirements. *In order to better accommodate safe travel by all modes and allow for convenient parking access, an additional condition of approval is proposed.*

**Analysis**

**PUD Parking Requirements**

The City Council approved the PUD for the UC Village Mixed Use Project at its March 5, 2014 hearing (Resolution 2014-23). The PUD allowed for modifications of Planning and Zoning Code development standards where it could be demonstrated that the revised standards would result in a more desirable development. Table 2 summarizes the standards and modifications related to 1080 Monroe St., and how they are being applied in the project under review. Where the PUD does not specify a standard or modification, the Planning and Zoning Code would apply.

**Table 2: PUD Standards and Design Review Proposal for 1080 Monroe St.**

<table>
<thead>
<tr>
<th>PUD Standard/Modification</th>
<th>Compliance per Proposed Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Modification #4: Allow 1 parking space per 500 gross sq. ft. of floor area for all types of restaurant, retail, professional office, and services.</td>
<td>Proposed Gross Floor Area = 11,700 sq. ft. Parking required (1/500 sq. ft.) = 23 stalls Parking proposed = 30 stalls</td>
</tr>
<tr>
<td>Modification #5: Allow off-street non-residential parking for Parcel B to be met with parking spaces located on abutting Monroe St.</td>
<td>Parking provided on Monroe St.</td>
</tr>
<tr>
<td>Modification #7: No off-street loading required for the multi-tenant shopping center.</td>
<td>No designated loading provided.</td>
</tr>
<tr>
<td>Allows back-in angled parking on Monroe St. as part of a Complete Streets approach</td>
<td>Not pursued. See discussion below.</td>
</tr>
</tbody>
</table>

The items in the first three rows of Table 2 are included in the project, but back-in angled parking is no longer being pursued. Back-in angled parking is a new approach to parking that improves driver visibility, particularly when exiting. It is, however, not in wide use, and thus
experience in other communities has been mixed. The advantage of angled parking is that it is easier for motorists to pull out without blocking traffic flow in both directions. The parking spaces, however, are accessible from only one direction, which results in drivers circling around the block to park.\(^2\)

**Fire Department Approval**

The appellant appears to be referring to plan check comments from the City’s former Fire Marshal on the adjacent Belmont Village assisted living development and does not relate to the design review or master sign program for 1080 Monroe.

**Parking and Turning Movements on Monroe St.**

U-turns—defined as turning your vehicle around in the street to go back the way you came—are not permitted in the portion of Monroe St. between the two intersections according to the California Vehicle Code. It is assumed that the appellant’s concerns refer to a driver crossing the center divider to pull into stalls on the opposite side of the street.

As shown in the project plans, the applicant is proposing perpendicular parking which allows drivers approaching from either direction to access or exit a parking space. Given the center aisle proposed, this can be a legal turning movement if the center lane is striped with broken lines (e.g., a similar striping condition to Marin Ave.). However, as the landscaping, streetscape, and parking layout have been further detailed and finalized as part of the 1075 & 1095 Monroe St. building permit applications, Planning and Transportation staff have reconsidered the proposed striping and instead recommend removing the center striping from Monroe St. This allows for drivers to park on the opposite side of the street, while potentially reducing vehicle speeds.

A new condition of approval is proposed:

SP-19: The center striping on Monroe St. between San Pablo Ave. and 10th Street shall be removed or similarly modified to allow for safe turning movements across traffic lanes to park on either the south or north side of Monroe St. Striping for turn lanes necessary to access San Pablo Ave. shall be retained.

As a result of this additional condition of approval, the City Council is being asked to take action on the design review approval for 1080 Monroe St.

\(^2\) Notably, in the future, the alignment of the parking spaces could be adjusted if back-in angled parking gains widespread acceptance or if vehicle maneuvers associated with perpendicular parking prove to be problematic.
Appeal Issue #4: Project signage does not conform to Albany Municipal Code Section 20.32 for what is essentially a monument sign 10 feet in height; sign is not shown in plan view and not evaluated for potential obstruction of pedestrian and vehicle line of sight; signage is not located on the project site.

Summary

Existing regulations and conditions of approval applied to the project adequately ensure compliance with the Planning and Zoning Code and that the tenant identification sign will be located to avoid obstructing sight lines for drivers, bicyclists, and pedestrians at the intersection of Monroe St. and San Pablo Ave. The language of the existing condition of approval regarding sight lines is proposed to be revised; as a result, the City Council is being asked to take action on the design review approval for 1080 Monroe St.

Analysis

City Code Requirements and Design Guidelines

Section 20.32.080(F) of the Planning and Zoning Code requires Shopping Centers with five or more tenant spaces to prepare a master sign program, which may include individual signs for each tenant and a freestanding sign that lists some or all tenants. In the San Pablo Commercial Zone, where the proposed project is located, Section 20.32.090 of the Planning and Zoning Code allows freestanding signs (e.g., post supported) with a maximum height of 30 feet and monument signs (e.g., solid base) with a maximum height of 5 feet.

Conversely, the San Pablo Avenue Design Guidelines (see excerpt in Attachment13-D) provide different and sometimes inconsistent standards for freestanding signage. In general, the Design Guidelines support signage that is mounted onto functional elements of the architecture and discourage freestanding signs mounted onto single poles. Where there is a need for signs which are detached from buildings, the Guidelines support signs mounted on solid monument bases. The Guidelines cap the total height of monument signs at 5 feet, but contrary to the Planning and Zoning Code, allow for taller signs (a maximum of 10 feet) on demonstration of visibility problems. Although the Code takes precedence over the Design Guidelines, City staff and the Planning & Zoning Commission considered both documents in reviewing the master sign program application.

Proposed Project and Planning & Zoning Commission Review

Staff has worked closely with the applicant to explore a range of signage alternatives for the tenant identification sign. Given the limited space available for a freestanding sign, the applicant originally proposed a series of blade signs consolidated into one marquee structure that projected out from the east elevation of the building, over San Pablo Avenue (see Attachment 12). At its July 22, 2015 meeting, the Planning & Zoning Commission did not support this sign design and requested that the applicant revise the proposal. Also at this meeting, the Commission instructed the applicant to consider how to acknowledge and/or replace the existing University Village entryway sign at the southwest corner of the Monroe St. and San Pablo Avenue intersection.
In response to comments from Planning & Zoning Commissioners, the applicant prepared several sign alternatives for an identification sign, as shown in Attachment 12, including the preferred alternative of a 10-foot high monument sign for retail tenants on the northwest corner of the intersection. Although not immediately adjacent to the building, the placement of the sign would allow passers-by to identify the tenants located on Monroe St. On the southwest corner next to the building, a monument sign was proposed to serve as the gateway signage for University Village student housing near the existing sign’s current location. Together these two new signs would form an entryway to the development and University Village.

Although the tenant identification sign could have been located adjacent to the multi-tenant building on Parcel B, the respective placement of signage was preferential for the collective memory of maintaining the University Village signage on the southwest corner, and for utilizing the space available on the northwest corner to help draw customers down Monroe St. As the two parcels share a single owner, there is nothing that precludes the applicant from locating the identification sign on the opposite corner. This relationship is expected to be codified in the lease agreement between all parties of the UC Village Mixed Use project.

The staff report presented at the September 9, 2015 Planning & Zoning Commission hearing, clearly stated that the Planning and Zoning Code has different dimensional standards for monument and freestanding signs and that in order to approve the tenant identification sign with height dimensions that were both workable for the applicant, and in compliance with the City’s Code, the sign would need to be modified to be a freestanding sign rather than monument sign. The Planning & Zoning Commission instructed the applicant to revise the proposed accordingly. The following condition was applied to the project approval:

**SIGN-3 Sign Regulations.** All signs shall conform to Section 20.32 of the Municipal Code, including standards for maximum height and sign area, and lighting specifications.

**Visibility at Monroe St./San Pablo Ave. Intersection**

The appellant is correct that the proposed monument/freestanding sign was not shown in plan view; the applicant has provided a plan view of the sign on the plan set attached in Attachment 4 (Sheet A10.1). Staff shared the appellant’s concerns about the visibility between drivers, bicyclists, and pedestrians at the corner of Monroe St. and San Pablo Ave. and as a result included the following condition of approval on the project. A clarifying edit is recommended as shown in strikeout/underline below.

**SIGN-5 Monument Signs. Sign Visibility.** Monument Signs proposed near corners shall be located and designed to the satisfaction of the Community Development Director and Transportation Division, such that they do not obstruct sightlines between vehicles and pedestrians.

The project applicant has continued to refine the sign proposal to meet City Code and has worked with Planning and Transportation Division staff to properly locate the sign to avoid obstructing sightlines for vehicles, bicyclists, and pedestrians. As shown in the plan set in Attachment 6 (Sheet A10.1), the current proposal is a freestanding sign proposed on two 2-foot
poles, with a sign height of 8 feet. This freestanding sign is both consistent with the Code, while supportive of the San Pablo Avenue Design Guidelines.

As a result of this revised condition of approval, the City Council is being asked to take action on the master sign program approval for 1080 Monroe St.
Acer rubrum "Red Sunset"
Red Maple

Sample: 1000 San Pablo, 850 Talbot
General Notes

Provide good drainage in clay soil.

**Family:** Sapindaceae

**California Native:** No

**Habit:** Deciduous

**Sunset Zones:** 1 - 9 and 14 - 17

**USDA Hardiness Zones:** 4 - 8

**Exposure:** Full Sun to Partial Shade

**Water Needs:** Wet to Moist Soil

**Soil Type:** Clay, Loam or Sand

**Soil pH:** Highly Acidic to Slightly Alkaline

**Salinity Tolerance:** Coastal Moderate

**Seaside Tolerance:** Good in Mild Zone

**Height:** 50 feet

**Growth Rate:** 36 Inches per Season

**Shape:** Columnar, Erect or Spreading with a High Canopy.

**Landscape Use:** Riparian

**Longevity:** 50 to 150 years

**Leaves:** Palmate Medium Green. Red or Orange in Fall.

**Flowers:** Showy, Red. Flowers in Spring.

**Fruit:** Red Winged Seed, Large (1.50 - 3.00 inches), fruiting in Summer.

**Bark:** Dark Gray, Exfoliating or Scaly

**Pest & Disease:** Susceptible to Aphids, Beetle Borers and Scales, Oak Root Rot, Phytophthora, Root Rot and Verticillium.

**Shading Capacity:** Rated as Moderate in Leaf and Moderate out of Leaf.

**Branch Strength:** Rated as Medium Weak

**Litter Issue:** Dry Fruit

**Root Damage Potential:** Rated as Moderate

**Health Hazard:** Allergy
Acer macrophyllum
BigLeaf Maple

Sample: 1007 Peralta Ave
General Notes

Resistant to oak root fungus. Susceptible to powdery mildew. Some forms are quite drought tolerant. Sudden Oak Death manifested as leaf spot. Has Fragrant Flower. An *Acer macrophyllum* in Los Altos Hills is registered as a California Big Tree. It measures 61 feet high, with a trunk circumference of 174 inches and a crown spread of 76 feet for a total of 254 points.

- **Family**: Sapindaceae
- **California Native**: Yes
- **Habit**: Deciduous
- **Sunset Zones**: 4 - 17
- **USDA Hardiness Zones**: 6 - 8
- **Exposure**: Full Sun to Full Shade
- **Soil Type**: Loam or Sand
- **Soil pH**: Highly Acidic to Slightly Alkaline
- **Seaside Tolerance**: Good in Mild Zone
- **Height**: 65 feet
- **Growth Rate**: 36 Inches per Season
- **Shape**: Oval or Rounded, Erect or Spreading and covers an Extensive Area.
- **Landscape Use**: Riparian
- **Longevity**: Greater than 150 years
- **Leaves**: Palmate Medium Green. Gold in Fall.
- **Flowers**: Inconspicuous, Fragrant, Yellow. Flowers in Spring.
- **Fruit**: Brown or Mostly Green Winged Seed, Large (1.50 - 3.00 inches), fruiting in Winter or Summer.
- **Bark**: Red Brown, Furrowed
- **Pest & Disease**: Resistant to Oak Root Fungus. Susceptible to Beetle Borers, California Flathead Borer and Caterpillars, Sudden Oak Death, Root Rot, Oak Root Rot, Annosus Root Disease, White Mottled Rot, Leaf Spot and Verticillium. See additional information...
- **Shading Capacity**: Rated as Dense in Leaf and Moderate out of Leaf.
- **Branch Strength**: Rated as Medium
- **Litter Issue**: Dry Fruit
- **Root Damage Potential**: Rated as High
- **Health Hazard**: Allergy
- **Biogenic Emissions**: Moderate
- **Fire Resistance**: Favorable
PROJECT TO CONFORM TO BAY-FRIENDLY BASICS POLICY:

1. BAY-FRIENDLY PLANTS:
   - Use native plants that support local wildlife.
   - Avoid non-native plants that could harm local ecosystems.
   - Promote water conservation.

2. BAY-FRIENDLY LANTERNS:
   - Use LED or other energy-efficient lighting.
   - Position lights to minimize light pollution.

3. BAY-FRIENDLY OUTDOOR FURNITURE:
   - Use materials that are sustainable and biodegradable.
   - Avoid furniture that requires excessive maintenance or chemicals.

4. BAY-FRIENDLY WATER FEATURES:
   - Use natural materials that are sustainable and biodegradable.
   - Avoid chemicals that could harm local ecosystems.

5. BAY-FRIENDLY MATERIALS:
   - Use materials that are sustainable and biodegradable.
   - Avoid materials that could harm local ecosystems.

6. BAY-FRIENDLY CONSTRUCTION:
   - Use construction techniques that are sustainable and biodegradable.
   - Avoid construction techniques that could harm local ecosystems.

7. BAY-FRIENDLY DECKING MATERIALS:
   - Use materials that are sustainable and biodegradable.
   - Avoid materials that could harm local ecosystems.

8. BAY-FRIENDLY ROOFING:
   - Use roofing materials that are sustainable and biodegradable.
   - Avoid materials that could harm local ecosystems.

9. BAY-FRIENDLY WATER QUALITY:
   - Use materials that are sustainable and biodegradable.
   - Avoid materials that could harm local ecosystems.

10. BAY-FRIENDLY LANDSCAPE DESIGN:
    - Use landscape design techniques that are sustainable and biodegradable.
    - Avoid landscape design techniques that could harm local ecosystems.

11. BAY-FRIENDLY MAINTENANCE:
    - Use maintenance techniques that are sustainable and biodegradable.
    - Avoid maintenance techniques that could harm local ecosystems.

12. BAY-FRIENDLY LINING:
    - Use lining materials that are sustainable and biodegradable.
    - Avoid lining materials that could harm local ecosystems.

13. BAY-FRIENDLY SEALANTS:
    - Use sealants that are sustainable and biodegradable.
    - Avoid sealants that could harm local ecosystems.

14. BAY-FRIENDLY GLASS:
    - Use glass that is sustainable and biodegradable.
    - Avoid glass that could harm local ecosystems.

15. BAY-FRIENDLY FABRICS:
    - Use fabrics that are sustainable and biodegradable.
    - Avoid fabrics that could harm local ecosystems.

16. BAY-FRIENDLY RUBBER:
    - Use rubber that is sustainable and biodegradable.
    - Avoid rubber that could harm local ecosystems.

17. BAY-FRIENDLY CARPET:
    - Use carpet materials that are sustainable and biodegradable.
    - Avoid carpet materials that could harm local ecosystems.

18. BAY-FRIENDLY CORK:
    - Use cork that is sustainable and biodegradable.
    - Avoid cork that could harm local ecosystems.

19. BAY-FRIENDLY CHEMICALS:
    - Use chemicals that are sustainable and biodegradable.
    - Avoid chemicals that could harm local ecosystems.

20. BAY-FRIENDLY SOFTGOODS:
    - Use softgoods that are sustainable and biodegradable.
    - Avoid softgoods that could harm local ecosystems.

21. BAY-FRIENDLY AIDS:
    - Use aids that are sustainable and biodegradable.
    - Avoid aids that could harm local ecosystems.

22. BAY-FRIENDLY IMPLANTS:
    - Use implants that are sustainable and biodegradable.
    - Avoid implants that could harm local ecosystems.

23. BAY-FRIENDLY THERAPEUTIC AIDS:
    - Use therapeutic aids that are sustainable and biodegradable.
    - Avoid therapeutic aids that could harm local ecosystems.

24. BAY-FRIENDLY COATING:
    - Use coating materials that are sustainable and biodegradable.
    - Avoid coating materials that could harm local ecosystems.

25. BAY-FRIENDLY LINING MATERIALS:
    - Use lining materials that are sustainable and biodegradable.
    - Avoid lining materials that could harm local ecosystems.

26. BAY-FRIENDLY MATTRESSES:
    - Use mattresses that are sustainable and biodegradable.
    - Avoid mattresses that could harm local ecosystems.

27. BAY-FRIENDLY WASTE MANAGEMENT:
    - Use waste management techniques that are sustainable and biodegradable.
    - Avoid waste management techniques that could harm local ecosystems.

28. BAY-FRIENDLY DISPOSAL:
    - Use disposal techniques that are sustainable and biodegradable.
    - Avoid disposal techniques that could harm local ecosystems.

29. BAY-FRIENDLY SECURITY:
    - Use security systems that are sustainable and biodegradable.
    - Avoid security systems that could harm local ecosystems.

30. BAY-FRIENDLY SYSTEMS:
    - Use systems that are sustainable and biodegradable.
    - Avoid systems that could harm local ecosystems.

31. BAY-FRIENDLY SOFTWARE:
    - Use software that is sustainable and biodegradable.
    - Avoid software that could harm local ecosystems.

32. BAY-FRIENDLY SUBSTANCES:
    - Use substances that are sustainable and biodegradable.
    - Avoid substances that could harm local ecosystems.

33. BAY-FRIENDLY TECHNOLOGY:
    - Use technology that is sustainable and biodegradable.
    - Avoid technology that could harm local ecosystems.

34. BAY-FRIENDLY EQUIPMENT:
    - Use equipment that is sustainable and biodegradable.
    - Avoid equipment that could harm local ecosystems.
E. Signage

[As of January 19, 1993, the standards underlined below will not be in effect until amendments are made to the City's sign ordinance]

E-1. Signage Should be Mounted on Architecture, not Above It. As the most prominent characteristic of the commercial strip, signage is obviously one of the most important features of shopping by car. No matter how expressive a building is, signs are needed to identify individual businesses. Signs should therefore be mounted on the face of the tallest architectural element that relates to an individual business. Separate, lower signs should be provided for the attention of pedestrians.

Signs should be mounted on functional elements of the building; for example, a tower may be designed primarily for the purpose of extending signage higher for greater visibility, but it should also enclose usable floor area, or a useable volume such as an atrium - it should not be just a glorified free-standing sign.

Except for small directional signs, new free-standing signs mounted on a single pole should not be used. Where there is a need for signs which are detached from buildings, they should be mounted on solid monument bases. Such monument-type signs may be justified where buildings are set well-back from the street, or for essentially open uses such as auto sales lots. The total height of monument signs should not exceed 5 feet; width at the base should exceed total height. Taller signs may be permitted on demonstration of visibility problems, but in no case should they exceed a maximum of ten feet. Existing pole-type signs should be phased out, according to Municipal Code Section 20-5.8.

Large, building-mounted projecting signs should generally not be used. Sculptural neon signs designed as an extension of the architectural form of the main building may be used. A neon sign designed to look like a parapet roof or marquee is an example.

Signs projecting outward from buildings should be limited to those which serve to orient pedestrians rather than to attract motorists. Signs projecting above a roof or parapet line should be limited to those which are incorporated into a three-dimensional architectural feature of the building.

E-2. Signs Should be in Proportion with the Size of the Building They Identify. On the Retail Boulevard, signs should be clear and easy to read, but clearly subordinate to buildings. The sum total of building mounted signs used to identify an individual use should not exceed two square feet of area for each linear foot of the frontage occupied by that use; special considerations should be given to sites that have visibility problems or very large frontages.

E-3. Signs Should Be Located on a Building in a Place that is Designed for Them. Signs should be mounted on parapets, recessed wall areas, and other architectural features. Wall-mounted signs should not crowd, or cover over, surrounding architectural details, such as windows, pilasters, or trim.
E-4. Materials and Lighting. A successful sign depends greatly on the design and quality of its materials. Following are examples of materials which can provide the desired quality of execution:

1) painted wood with individually mounted, scored or painted letters;
2) painted or anodized metal signs with letters as indicated above;
3) custom neon, either mounted on a painted board or suspended in storefront window or transom areas, or applied directly to building walls;
4) painted canvas awnings.

Recommendations for lighting are:

1) back-lit with lighting behind projecting lettering;
2) top or bottom lit, with spotlights or concealed fluorescent tubes.

E-5. Internally Illuminated "Canned" Signs Should Not Be Used; Neon is preferred. Neon signs, including individual "channel" letters, are usually custom made to suit an individual business. They lend a sense of character and energy to a retail environment. Canned signs, on the other hand, look and often are mass-produced, making any place look generic. They become glowing rectilinear shapes at night, detracting from adjacent buildings that have attractive windows and other sources of light. Small canned signs displaying a corporate logo or decorative device may be acceptable parts of a sign program, if they are incidental to the main sign message.

F. Pedestrian Detail

F-1. Pedestrian Detail is Important. The shopper is on foot between the car and the front door of a business, and between the doors of adjacent businesses. Amenities, such as colorful awnings, well-proportioned window mullions, and other features that are viewed at close range should be provided by a Retail Boulevard Building.

Details should be of high quality design and materials, but not necessarily of the same level of detail or expense preferred for a storefront in a pedestrian shopping district, like Solano Avenue. In a pedestrian district, for example, it may be desirable for a building base to be surfaced with a special material, like decorative tile. For a Retail Boulevard Building a variation in the wall surface material may be all that is necessary; a different color of masonry or a pleasing scoring pattern may be sufficient. The same holds true for windows; beautifully milled wood mullions may be desirable for the pedestrian street, anodized color aluminum is fine for the Retail Boulevard.
SITE PLAN GENERAL NOTES

A. REFER TO SINGLE LINE DIAGRAM FOR CONDUIT AND WIRE SIZES FOR SWITCHBOARDS, PANELBOARDS AND TRANSFORMERS.

B. ELECTRICAL DISTRIBUTION EQUIPMENT SHOWN ARE BASED ON INDUSTRY STANDARD SIZES. CONTRACTOR SHALL VERIFY THAT THE FINAL EQUIPMENT SELECTION FITS IN THE ALLOCATED SPACE.

C. ALL SITE LIGHTING SHALL BE 2#8, 1#8 GND IN A 1"C U.N.O. ALL EXTERIOR BUILDING-MOUNTED LIGHTING SHALL BE 2#8, 1#8 GND IN A 3/4"C U.N.O.

D. REFERENCE LANDSCAPE ARCHITECTS DRAWINGS FOR ADDITIONAL INFORMATION.

E. ROUTE ALL EXTERIOR LIGHTING TO PANEL INDICATED VIA LIGHTING CONTRACTOR. REFER TO CONTACTOR SCHEDULE FOR MORE INFORMATION.

F. REFER TO POWER COMPANY DRAWINGS FOR EXACT TRANSFORMER LOCATION AND ADDITIONAL REQUIREMENTS. PROVIDE BOLLARDS AS REQUIRED BY POWER COMPANY FOR TRANSFORMER IMPACT PROTECTION.

G. ALL UNDERGROUND CONDUIT SHALL BE INSTALLED A MINIMUM OF 24" BELOW FINISHED GRADE, UNLESS REQUIRED OTHERWISE.

H. ALL EXTERIOR MOUNTED ELECTRICAL DEVICES SHALL BE IN NEMA 3R ENCLOSURES.

I. CONTRACTOR SHALL INCLUDE IN HIS BID THE COST OF CONDUIT, TRENCHING, AND BACKFILLING FROM THE SERVICE SWITCHBOARD TO THE UTILITY TRANSFORMER LOCATION SHOWN.

J. ALL EXTERIOR RECEPTACLES SHALL BE "WEATHERPROOF WHILE IN USE" U.N.O.

K. ALL PULLBOXES SHALL BE NO. 3-1/2 U.N.O.

KEYNOTES

1. EXTERIOR LIGHTING FIXTURES SHALL BE INSTALLED WITHIN THE PROPERTY TO MAKE SURE THAT LIGHT AND GLARE DOES NOT SPILL OVER ONTO NEIGHBORING PROPERTIES.

2. PROPOSED 16' POLE LIGHTS, PHILIPS LUMEC MPTC TYPE FIXTURE (F7). TYPICAL TO 10 NOS.

3. PROPOSED SECONDARY FIXTURE ATTACHED 12 FOOT HEIGHT FROM THE GROUND. COORDINATE WITH THE POLE LIGHT SUPPLIER.

4. J-BOX FOR CATENARY LIGHTING. FIELD VERIFY EXACT LOCATION.

SCALE: 1" = 20'-0"
RETAIL DEVELOPMENT
UNIVERSITY VILLAGE - PARCEL B
SAN PABLO AVENUE AND MONROE STREET, ALBANY, CA

PLANNING RESUBMITTAL - 10/19/15
RETAIL DEVELOPMENT
UNIVERSITY VILLAGE - PARCEL B
SAN PABLO AVENUE AND MONROE STREET
ALBANY, CA 94706

OWNER: GRAND
512 COUNTY ROAD 106, SUITE 106
MOUNTAIN VIEW, CA 94043
PHONE: 650-947-1500
FAX: 650-947-1501
BIM: 3D@GRAND.COM
ARCHITECT: LOWNEY ARCHITECTURE
512 COUNTY ROAD 106, SUITE 106
MOUNTAIN VIEW, CA 94043
PHONE: 650-947-1500
FAX: 650-947-1501
BIM: 3D@GRAND.COM

LOCATION: UNIVERSITY VILLAGE
PARCEL B
SAN PABLO AVE. & MONROE ST.
ALBANY, CA 94706

CURRENT ZONING: COMMERCIAL

PROJECT DESCRIPTION:
THE PROPOSED PROJECT WOULD CONSTRUCT ONE NEW
MULTI-LEVEL RETAIL BUILDING ON THE UNIVERSITY SITE.
THE RETAIL BUILDING WOULD INCLUDE RESTAURANTS AND OTHER
RELATED RETAIL USES, WITH A TOTAL NET LEASED GROSS
AREA OF APPROXIMATELY 11,700 SQ.FT. INCLUDING
RESTAURANTS AND OTHER RELATED RETAIL USES.

CONSTRUCTION OPTIONS:
1. TYPE 39 (FULL BAR) FOR THE 3,200 SF TENANT
2. TYPE 47 (FULL BAR) FOR THE 3,200 SF TENANT
3. TYPE 50 (FULL BAR) FOR THE 3,200 SF TENANT

USE PERMITS FOR 2 TENANT SPACES REQUIRED.
1. TYPE 13 (DINER) 2,000 SF & TYPE 12 (SHOP) 2,000 SF
2. TYPE 13 (DINER) 2,000 SF & TYPE 12 (SHOP) 2,000 SF

BUILDING AREAS:
TOTAL BUILDING AREA:
11,700 SF

Lot Coverage Area:
11,700 SF

ASSESSOR'S PARCEL MAP

DRAWING LIST
PROJECT INFORMATION
LOCATION:
UNIVERSITY VILLAGE
PARCEL B
SAN PABLO AVENUE & MONROE STREET
ALBANY, CA 94706

SITE AREA:
3.89 ACRES = 125,812 SF
11,700 SF

B 800' - 0" TO 7' - 4"

LANDSCAPING:

5' X 15'
20 BIKES

OPPIDAN
12,830 SF
0.91

MINNETONKA, MN 55345
360 17th STREET, SUITE 100
SAN FRANCISCO, CA 94117

PROJECT NAME: OPPIDAN
UNIVERSITY VILLAGE - PARCEL B
ALBANY, CA 94706

NUMBER OF SHEETS:
100

ARCHITECTURAL:
A0.1 INDEX
A0.1 EXISTING CONDITIONS
A0.2 FLOOR PLAN & ROOF PLAN
A0.3 BUILDING ELEVATIONS
A0.11 SIGNAGE PROGRAM
A0.12 SEQUENCE PROGRAM ALTERNATIVE

LANDSCAPE:

C3.0 CIVIL COVER SHEET
C4.0 UTILITY PLAN

LIGHTING:

C5.1 ELECTRICAL DETAILS
C5.1 ELECTRICAL SITE PLAN

CONSULTANT STAFF:

ATTACHMENT 4
UNIVERSITY VILLAGE - PARCEL B
ALBANY, CA 94706

ABBREVIATIONS

PROJECT DIRECTORY

GRAPHIC SYMBOLS

PROJECT LOCATION

DRAWN BY:
SHEETS & REVISIONS:

PROJECT NAME:
UNIVERSITY VILLAGE - PARCEL B
ALBANY, CA 94706

INDEX

PROJECT SHEET NUMBER:
A0.1

PROJECT SHEET DATE:
07/09/2015

PROJECT SHEET TITLE:
RETAIL DEVELOPMENT

PROJECT SHEET ISSUE:
07/09/2015
EXISTING CONDITIONS

UNIVERSITY VILLAGE - PARCEL B
ALBANY, CA

1. 05/22/15 PLANNING SUBMITTAL
2. 07/02/15 PLANNING RESUBMITTAL
3. 07/09/15 PLANNING RESUBMITTAL
4. 08/28/15 PLANNING RESUBMITTAL

EXISTING SITE MAP

MONROE FACING WEST
MONROE FACING EAST
SAN PABLO FACING SOUTH
SAN PABLO FACING NORTH
CORNER OF SAN PABLO AND MONROE

NORTHWEST SIDE OF PROJECT SITE
NORTHWEST SIDE OF PROJECT SITE
SAN PABLO FACING SOUTH
1. ROOFTOP MECHANICAL UNIT LOCATIONS ARE TO BE DETERMINED BY MECHANICAL ENGINEER AT LATER DATE. LAYOUT ILLUSTRATES POTENTIAL QUANTITIES, SIZES AND LOCATIONS.

2. TREES AND LANDSCAPING ARE SHOWN FOR REFERENCE ONLY. SEE LANDSCAPE PLANS FOR TREE TYPES AND DIMENSIONS.

3. NEIGHBORING BUILDING "BELMONT PROJECT" SHOWN FOR REFERENCE ONLY AND IS NOT PART OF THIS PROJECT.

4. SEE EX. 1 FOR SITE LIGHTING INFORMATION.

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KEY NOTES

- OUTDOOR DINING
- TRANSFORMER
- AWNING ABOVE
- TRASH AND RECYCLING AREA WITH TRACK DOORS
- UTILITY ROOM TO INCLUDE ELECTRIC, METER AND FIRE RISER
- GAS METER
- MECHANICAL UNIT
- AWNING BELOW
- FIRE DEPT. CONNECTION
- FREE-STANDING SIGN
- MONUMENT SIGNAGE
- PEDESTRIAN PATH
- CROSSWALK
- SHORT-TERM BIKE RACKS

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LEGEND

- ROOF AREA
- PARAPET WALL
- MAIN ENTRY

---
1. Dimensions for reference only. See site plan on sheet A2.1 for dimensioned drawings.

2. Street elevations shown are approximate. See civil drawings for more information.

3. Tree, see landscape drawings.

4. Rooftop mechanical unit.

5. Outdoor seating.

6. Awning.

7. Site lighting.

8. Trash / utility.
ATTACHMENT 4

UNIVERSITY VILLAGE - PARCEL B
ALBANY, CA

3D VIEWS

VIEW FROM 11TH ST

VIEW FROM 10TH ST

VIEW FROM SAN PABLO ST

OVERVIEW 1

OVERVIEW 2

NOT FOR CONSTRUCTION

OPPIDAN

07/09/2015

3" = 1'-0"
ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE ORIGINAL AND UNPUBLISHED WORK OF THE ARCHITECT AND MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT WRITTEN CONSENT OF THE ARCHITECT.