

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

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FOR BOARD ACTION  
JUNE 9, 2016

## **2777 Shattuck Avenue/2747 Adeline Street**

**UP #ZP2015-0102 to establish a full service auto dealership, including auto sales, repair and maintenance, in an existing building; to construct a 4,427 square-foot addition to the building for auto access and service; and to use a portion of the existing 31-space surface parking lot at 2747 Adeline Street for dealership parking, car display, and inventory.**

### **I. Background**

#### **A. Land Use Designations:**

- General Plan: AC (Avenue Commercial)
- Zoning: C-SA (Commercial – South Area), Dealership Overlay Area

#### **B. Zoning Permits Required:**

- Use Permit to establish an automobile sales use of greater than 5,000 square feet and with associated outdoor activities in the C-SA Zone District, under BMC Section 23E.52.030;
- Use Permit to construct more than 3,000 square feet of new floor area, under BMC Section 23E.52.050;
- Use Permit for outdoor sales and/or display at 2747 Adeline Street, under BMC Section 23E.52.030; and
- Administrative Use Permit for outdoor vehicle display along Stuart Street between Shattuck Avenue and Adeline Street, under Section 23E.52.070.F.

**C. CEQA Determination:** Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”). This section exempts changes to existing facilities that involve negligible or no expansion of an existing use. Additions may be exempt if they do not increase floor area by more than 10,000 square feet in an area where all public services and facilities are available to allow for maximum development permissible in General Plan and are not located in an environmentally sensitive area. The proposed approximately 4,427 square-foot addition would not increase floor area by more than the allowed 10,000 square feet. In addition, all public services and facilities which served the previous use on-site, Any Mountain sporting goods, would be available. The project is also located on an already developed site surrounded by urban development and is not in an environmentally sensitive area.

While the project would change the existing use from retail to automobile sales and repair, it would not result in a substantial expansion or intensification of use on-site. Technical studies prepared for the project indicate that the proposed use would not generate significant traffic, noise, or air quality impacts relative to recent baseline conditions when Any Mountain sporting goods was in operation. Effects on the community from traffic, noise, and air quality are discussed in greater detail in the Issues and Analysis section below.

**D. Parties Involved:**

- Applicant: Ali Kashani; 2930 Domingo Avenue #214, Berkeley, CA 94705
- Property Owner: Glenn Yasuda; 920 Heinz Avenue, Berkeley, CA 94710

**Figure 1: Vicinity and Zoning Map**

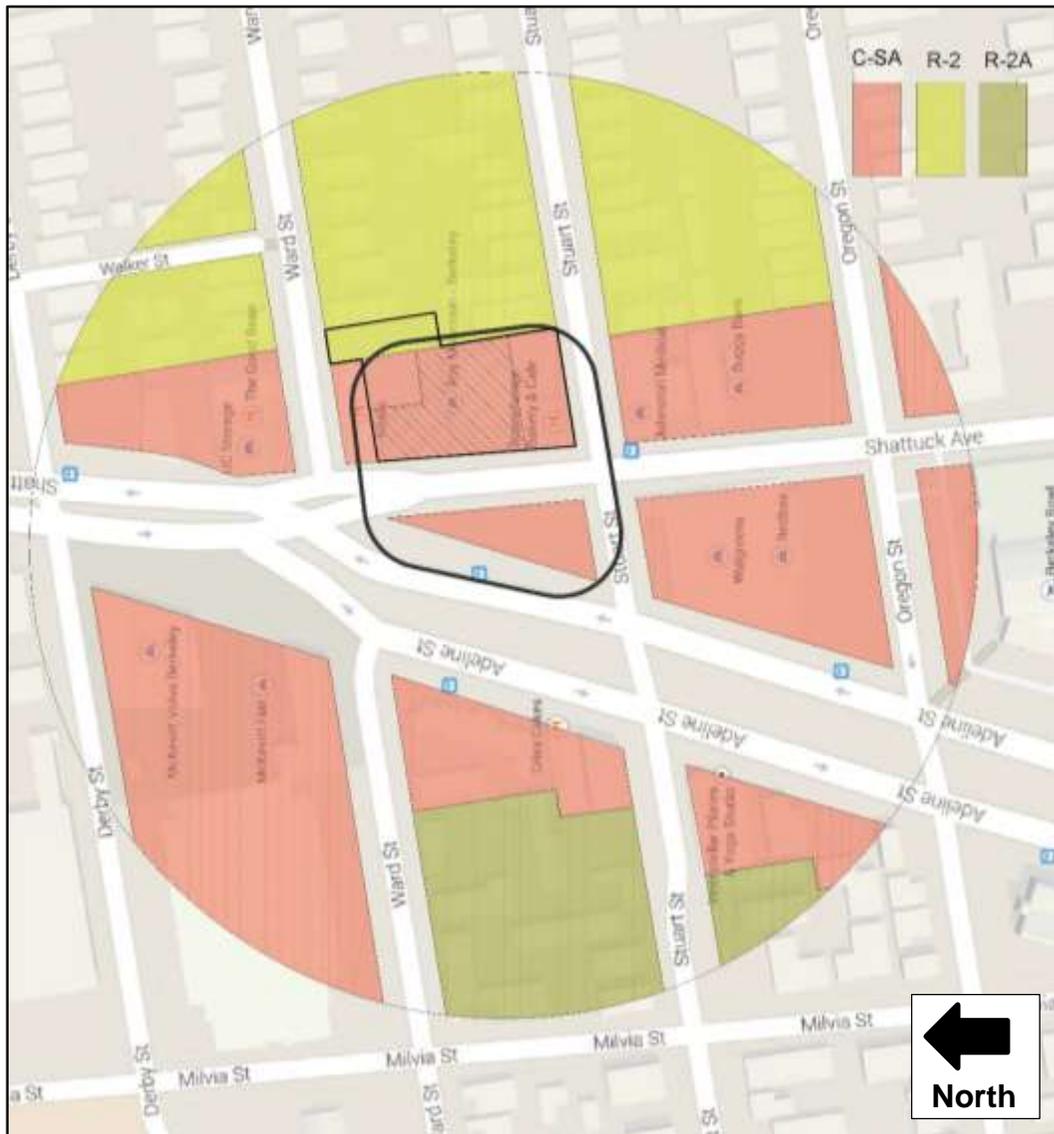


Figure 2: Proposed Site Plan

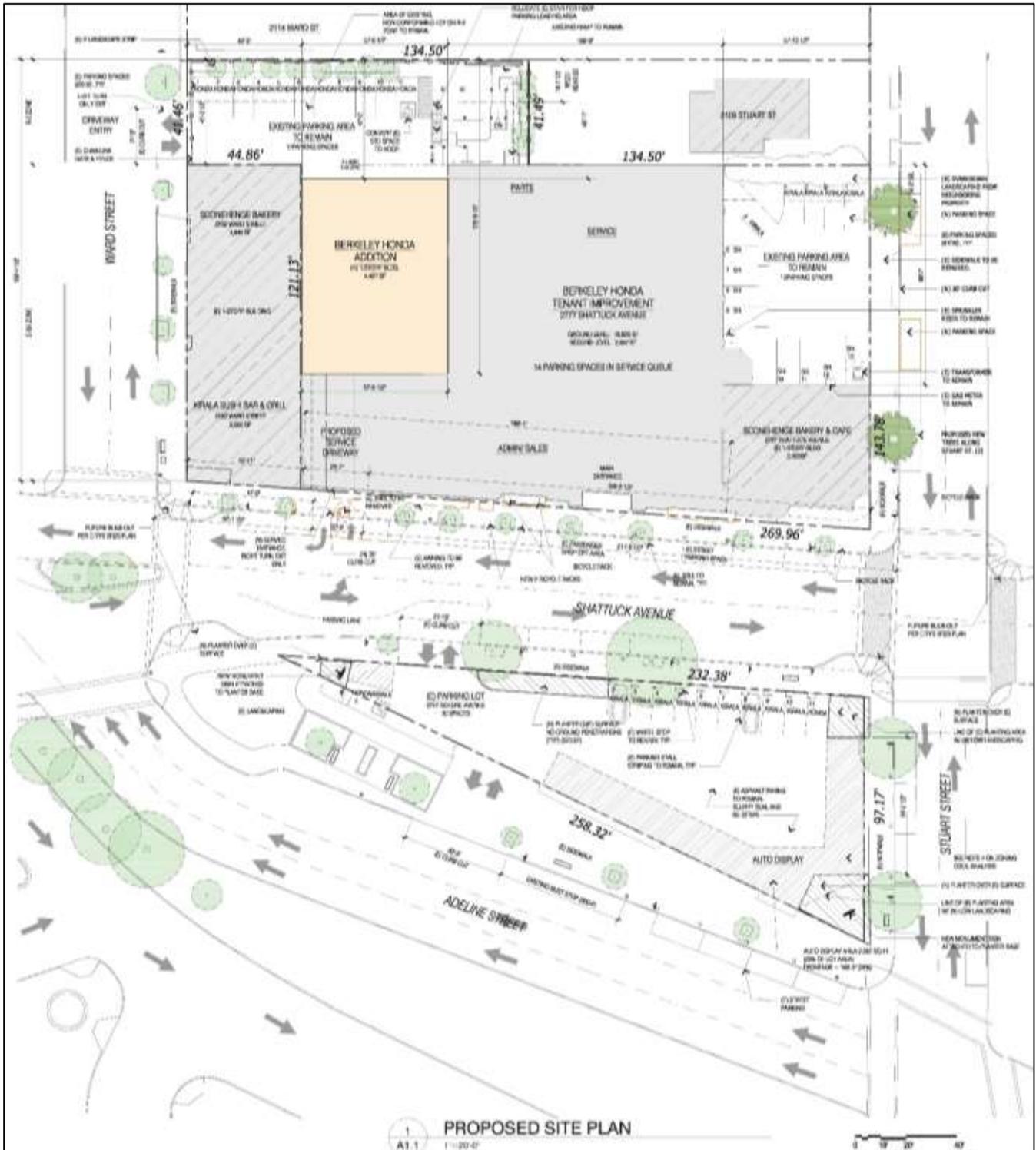
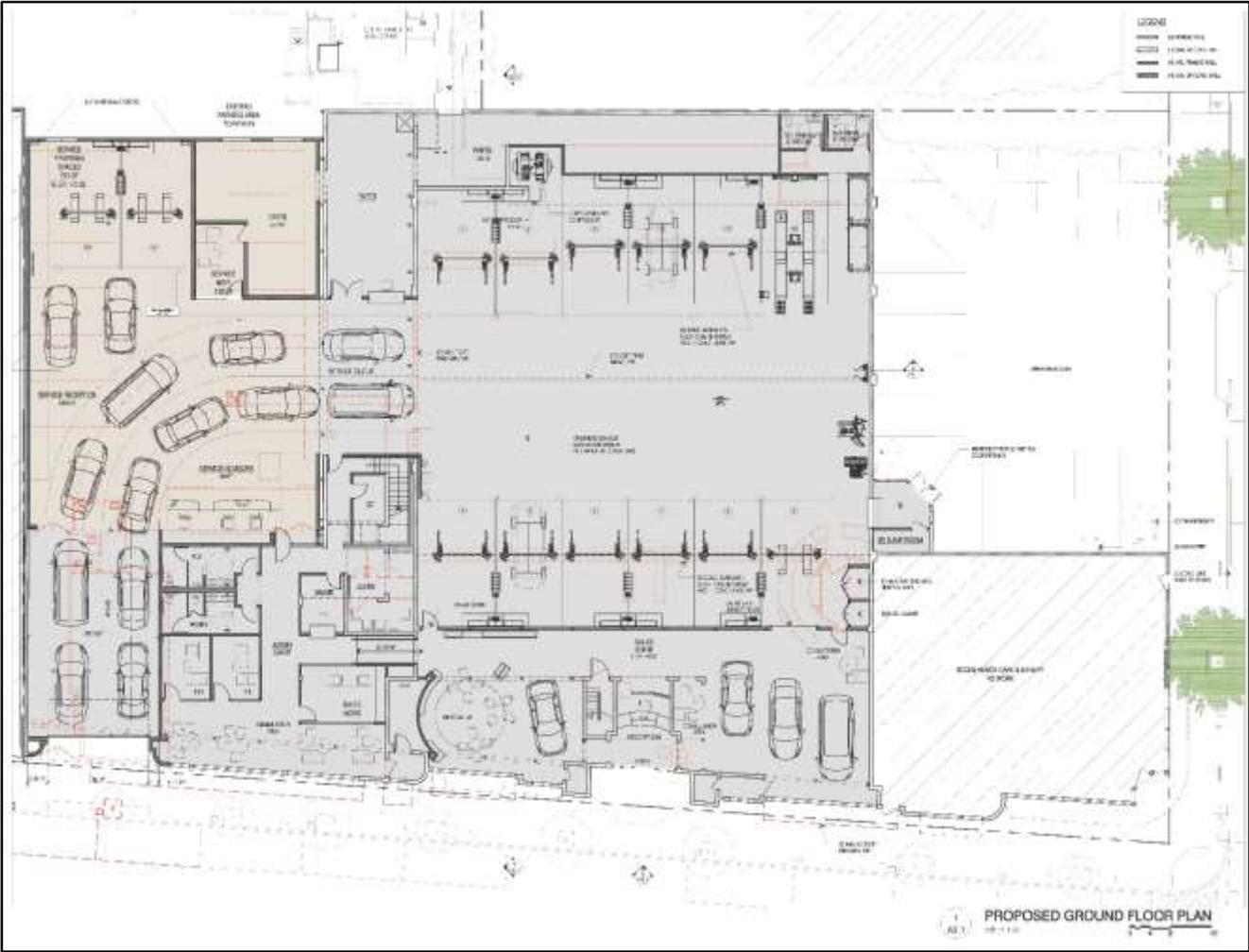


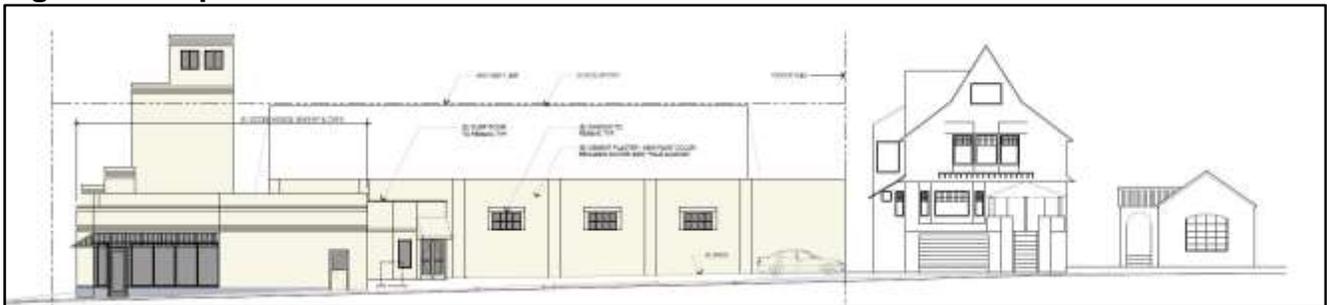
Figure 3: Proposed Ground Floor Plan



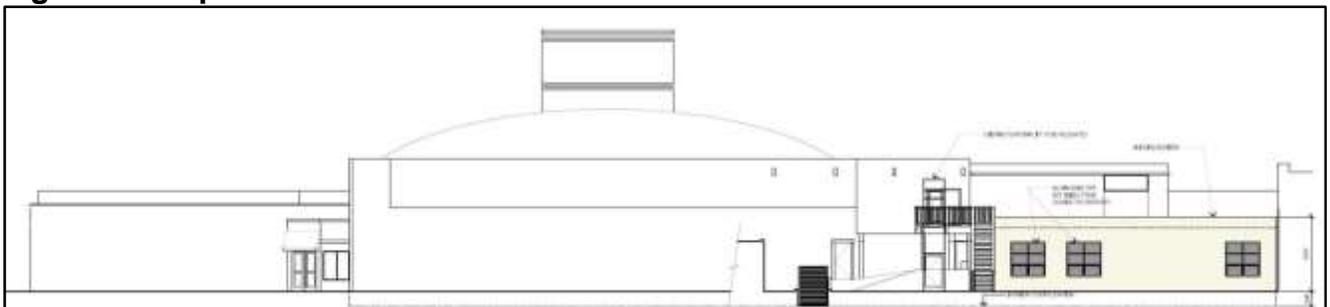
**Figure 4: Proposed West Elevation**



**Figure 5: Proposed South Elevation**



**Figure 6: Proposed East Elevation**



**Table 1: Land Use Information**

Location		Existing Use	Zoning District	General Plan Designation
Subject Property		Retail, food service (Stonehenge) and parking	C-SA, South Area Commercial; R-2, Restricted Two-family Residential	AC, Avenue Commercial; LMDR, Low Medium Density Residential
Surrounding Properties	North	Food service (Kerala), bakery (Stonehenge) and self-storage	C-SA, South Area Commercial	AC, Avenue Commercial
	South	Medical Office	C-SA, South Area Commercial; R-2, Restricted Two-family Residential	AC, Avenue Commercial; LMDR, Low Medium Density Residential
	East	Single-Family and Multiple Unit Residential	R-2, Restricted Two-family Residential	LMDR, Low Medium Density Residential
	West	Retail, Multiple Unit Residential	C-SA, South Area Commercial	AC, Avenue Commercial

**Table 2: Special Characteristics**

Characteristic	Applies to Project?	Explanation
Affordable Child Care Fee for qualifying non-residential projects (Per Resolution 66,618-N.S.)	No	The proposed project includes less than 7,500 square feet of net additional constructed gross floor area, and the existing building has not been substantially vacant for at least three years.
Affordable Housing Fee for qualifying non-residential projects (Per Resolution 66,617-N.S.)		
Affordable Housing Mitigations for rental housing projects (Per BMC 22.20.065)	No	This project does not involve rental housing.
Alcohol Sales/Service	No	Proposed auto sales and service uses would not involve alcohol sales or service.
Creeks	No	No open or culverted creeks within 25 feet of the project site.
Density Bonus	No	This project is not proposing a Density Bonus.
Green Building Score	Yes	The applicant submitted a LEED checklist for Interior Design and Construction of commercial interiors. The minimum required points for LEED certification are 40 out of a possible 110, and the checklist indicates a score of 23 to 74.
Historic Resources	No	Although the Landmarks Preservation Commission designated the existing building as a Landmark Structure of Merit on December 3, 2015, the City Council overturned this historic designation on March 23, 2016.
Oak Trees	No	None present.
Rent Controlled Units	No	No existing residential uses on-site.
Seismic Hazards	No	The project site is not located in an area subject to liquefaction, earthquake-induced landslides, fault rupture, or flood hazards, as shown in State and Federal hazard maps for north Berkeley.

Characteristic	Applies to Project?	Explanation
Soil/Groundwater Contamination	Yes	<p>The Department of Toxic Substances Control found no records of hazardous materials at 2777 Shattuck Avenue and 2747 Adeline Street. However, the site is located in the City's Environmental Management Area (EMA) for hazardous contamination. Approval of the project is subject to standard conditions of approval for EMA sites.</p> <p>2747 Adeline Street is the site of a closed Underground Storage Tank case from a former Shell gas station. A gasoline leak at this site was discovered in July 1997, and remedial action was taken by September 2001. The project would not involve ground disturbance on this site and subsurface soils and groundwater would not be disturbed or exposed.</p>

**Table 3: Project Chronology**

Date	Action
April 24, 2015	Use Permit & Design Review Application submitted
June 12, 2015	Incomplete Letter Sent
August 28, 2015	Revised application materials submitted (response to Incomplete Letter)
July 9, 2015	LPC meeting for Design Review Committee Referral (no action taken)
July 16, 2015	DRC hearing for Preliminary Design Review (continued)
August 31, 2015	Submittal of Revised Design (Service access from Shattuck)
September 25, 2015	Use Permit & Design Review Application Deemed Incomplete
September 25, 2015	Revised application materials submitted (response to Incomplete Letter)
October 1, 2015	Landmark Initiation Submitted
October 21, 2015	Use Permit & Design Review Application deemed complete
December 3, 2015	LPC meeting for Landmark Designation (designated Landmark, Structure of Merit)
January 15, 2015	Appeal of LPC's Landmark Designation
March 15, 2016	City Council hearing for Appeal of Landmark's decision (designation overturned)
April 7, 2016	LPC meeting for Design Review Committee Referral (no action taken)
April 11, 2016	Revised application materials submitted
April 21, 2016	DRC hearing for Preliminary Design Review (forwarded favorable recommendation)
May 26, 2016	Public hearing notices mailed/posted
June 9, 2016	ZAB hearing

**Table 4a: Development Standards – Building and Lot**

Standard BMC Sections 23E.52.070-080		Existing	Addition/ (Reduction)	Proposed Total	Permitted/ Required
Lot Area (sq. ft.) 2777 Shattuck Avenue <sup>1</sup> 2747 Adeline		36,057 11,619	- -	36,057 11,619	- -
Gross Floor Area (sq. ft.) <sup>2</sup>		19,083	4,427	23,528	144,228
Floor Area Ratio <sup>3</sup>		0.60	0.12	0.72	4
Building Height <sup>3</sup>	Average	26'10" roof 46'10" tower	16'10" on addition	26'10" roof 46'10" tower	24"
	Maximum	33'4" roof 46'10" tower	-	33'4" roof 46'10" tower	24"
	Stories	2	-	2	2
Building Setbacks <sup>3 4</sup>	Front	0	-	0	0
	Rear <sup>4</sup>	0 to 41.5'	47'	0 to 41.5'	16'7" Ward St 14'3" Stuart St
	Left Side	0	-	0	0
	Right Side	0	-	0	0
Lot Coverage (%) <sup>3</sup>		53	12	65	No Standard
Usable Open Space (sq. ft.)		0	-	0	0

- Notes: 1. The lot area for "2777 Shattuck Avenue" listed above includes the former Any Mountain space and Sconehege Bakery and Cafe building space plus the two associated parking lots.  
 2. Applies only to development associated with the proposed project, only at 2777 Shattuck Avenue.  
 3. Includes the whole building on the site both 2777 Shattuck Avenue (project site) and 2787 Shattuck (Sconehege Bakery and Café).  
 4. The C-SA District does not have setback requirements, with the exception of lots that are adjacent to abutting or confronting lots in a residential zone. Pursuant to BMC Section 23E.04.050, the rear yard adjacent to the R-2 district at 2777 Shattuck Avenue is required to be at least 10% of the depth of the lot. On the project site, the required rear yard setbacks are 16'7" near Ward Street and 14'3" near Stuart Street.

**Table 4b: Development Standards – Parking**

	Existing	Proposed	Proposed/ Assumed for Other Uses	Required/ Permitted
<b>Automobile Parking</b>				
Proposed Honda <sup>1</sup>			27	27
Auto Display/Storage			19	17
Kirala Restaurant (2,320 sq.ft; 2100 Ward) <sup>2</sup>	9	-	14	9
Sconehege Bakery and Café (2787 Shattuck) <sup>3</sup>	8	-	8	8
Sconehege Bakery (3,395 sq. ft.; 2102 Ward) <sup>3</sup>	-	-	0	7
<b>TOTAL</b>			<b>68</b>	<b>68</b>
<b>Bike Parking for Honda</b>	0	0	2	2

Notes: 1. The proposed 23,510 sq. ft. of gross floor area requires 23 off-street parking spaces. The proposed approximately 2,600 sq. ft. of exterior display and storage area at 2747 Adeline requires 3 off-street parking space (BMC 23E.52.060.C). In addition, Honda proposes to operate a shuttle from the project site to destinations in Berkeley including BART stations. While loading/drop off can occur on public streets, parking cannot.

2. As per Use Permit #A1379 and Modification #A1379MOD: nine parking spaces shall be provided in the triangular parking lot for the restaurant the 2,320 sq. ft. restaurant at 2100 Ward and the 2,400 sq. ft. Café at 2787 Shattuck.

3. 2102 Ward (the eastern portion of the building at 2100 Ward) is a bakery associated with the Sconehege Bakery and Café. This location is used is a bakery and does not include retail sales. As such, the use is defined as Manufacturing Use Incidental to a Permitted Use, and the required parking would be the district minimum standard parking requirement of 2 spaces per 1,000 square feet of gross floor area, or 7 parking spaces (see BMC 23E.52.080).

## II. Project Setting

**A. Neighborhood/Area Description:** The project site is located along Shattuck Avenue south of its intersection with Adeline Street, primarily within the South Area Commercial (C-SA) zoning district. The Shattuck and Adeline corridors near the project site have a predominantly commercial character with residential neighborhoods adjacent to the east and west. Properties to the north, west, and south of the project site are also located in the C-SA zoning district. A restaurant, bakery and self-storage use occur north of the site; a publishing business, café, and multi-unit residential complex occur to the west; and medical offices and retail are located to the south. The LeConte residential neighborhood in the Restricted Two-family Residential (R-2) zoning district is located adjacent to the east and southeast. This neighborhood is comprised mostly of bungalows and some larger-scale residences. Surrounding buildings range in height from two to five stories.

The project site is 0.2 miles from the Ashby BART station and 0.7 miles from the Downtown Berkeley BART station. AC Transit line 18 runs on Shattuck Avenue adjacent to the project site and line F runs on Shattuck Avenue and Adeline Street adjacent to the surface parking lot at 2747 Adeline Street. The project site is within the area of the South Shattuck Strategic Plan (1998), and 2747 Adeline Street is within the area of the Adeline Corridor Specific Plan, which is currently being prepared.

**B. Site Conditions:** The 47,676 square-foot project site is generally level with a slight decrease in elevation to the west. It consists of two parcels which are developed as follows:

- 2777 Shattuck Avenue: This 36,057 square-foot parcel includes a two-story, approximately 21,501 square-foot building, a surface parking lot with up to 24 spaces accessed from Ward Street, and a surface parking lot with 13 spaces accessed from Stuart Street. The majority of the building (approximately 19,101 square feet) has been vacant since it was last occupied by Any Mountain sporting goods until May 2015, and the remainder consists of the Sconehege Bakery and Café. This building dates to 1940, it was previously occupied by a bowling alley and since 1975 has been in retail use (originally a grocery store then sporting goods). Its façade on Shattuck Avenue has a prominent 46'10" tall tower at the entrance.
- 2747 Adeline Street: This 11,619 square-foot parcel consists of a paved surface parking lot with 30 spaces that is currently used by Kirala Restaurant and was formerly also used by Any Mountain sporting goods.

### III. Project Description

Berkeley Honda, formerly Jim Doten Honda, operated a full-service dealership at 2600 Shattuck Avenue from approximately 1975 to 2014. When the 2600 Shattuck site was sold, Honda moved its sales operations to a 15,800 square foot site at 2627 Shattuck Avenue (approximately two blocks north of the project site) and its service operations to a 24,000 square foot building at 1500 San Pablo Avenue. The project would relocate and consolidate operations at those two sites and establish a full service auto dealership within the existing building at 2777 Shattuck Avenue and on a portion of the surface parking lot at 2747 Adeline Street. The project includes the following elements related to the building at 2777 Shattuck:

- A 2,640 square-foot showroom and reception area along Shattuck Avenue;
- A 2,380 square-foot area administrative area that includes areas and offices related to sales;
- A 16,033 square-foot auto service area, including 14 car service que, service reception, 14 service bays, and associated office and storage space. This includes a 4,427 square-foot addition to the northeast portion of the building, replacing an existing 13-space existing parking lot; and
- A 2,475 square-foot second-floor area for filing and storage.

To accommodate the service function, a new curb cut and enlarged 19'10" opening with a roll-up door would be constructed at the northern end of the building's frontage on Shattuck Avenue. The service reception driveway/service que would have two lanes, both of which would admit vehicles turning right from northbound Shattuck Avenue and left from southbound Shattuck Avenue in the morning. In the afternoon, one lane would serve as an exit for vehicles. Only right turns would be allowed for vehicles exiting onto Shattuck Avenue; left turn out of the driveway would be prohibited by a sign posted at the driveway.

To alert driveway users as to the shift in access/egress conditions, proper signage, striping, pavement legends, and overhead dynamic messaging arrows would be incorporated into the final design of the driveway. To accommodate the new curb cut and enlarged opening, and to ensure adequate site distances, two on-street parking space and one street tree would be removed.

Twenty-seven off-street parking spaces for Honda are proposed in the following locations: 14 spaces within the building (50% of the spaces within the service queue area and service bays within the building); 11 spaces in the lot off Ward and 2 spaces on 2747 Adeline. Auto display and storage would be provided in the 19 spaces along Adeline and Stuart Streets. Auto display/storage would be 28% of the frontage on Adeline Street and the total auto display/storage area would be 23% of the lot.

Berkeley Honda is one of the few Honda Dealerships certified by US Honda to sell and service electric vehicle (EV) and hybrid vehicles. While the overall percentage of their total sales/service volume of EVs is difficult to quantify, Berkeley Honda is looking to increase its service/sales of EVs as technology and charging station networks grow in California. Two EV charging stations would be provided in the service area so that customer cars can be changed.

At 2747 Adeline Street, the existing surface parking lot would be resealed and restriped. Monument signage would attached to the planter bases at the north and southwest corners of this site. Above-ground landscaping would be included. There would be no soil disturbance on the 2747 Adeline Street site.

As described in the May 31, 2015 Berkeley Honda Supplemental Traffic Analysis (see Attachment 8) deliveries of new cars and deliveries of auto parts would be made on Adeline Street, north the existing curb cut. Delivery truck would not access the site via Ward or Stuart Streets. Delivery of auto parts would be made once a day during the off peak periods, i.e. outside the windows of morning/evening peaks. The delivery truck would stop on Adeline Street and the parts trolley would be rolled across the street into the project site. An estimated two tow trucks would bring cars to the site each day, and would unload inside the building in the service department.

The project includes a shuttle service for customers. A Honda Civic Hybrid would run throughout the day, taking customers to destinations within Berkeley, including all three BART stations.

The proposed hours of operation would be 7:00 a.m. to 10:00 p.m., daily (As per BMC 23E.16.010, hours of operation are those times the retail or commercial use is open to customer access.) As per BMC 23E.52.060 Use Limitations, Section A, no commercial use [in the C-SA] shall operate except between the following hours of the specified days: 7:00 a.m. to 12:00 midnight weekdays (Sunday through Thursday); 7:00 a.m. to 2:00 a.m. weekend days (Friday and Saturday); and in accordance with Section 23E.16.010, provided, however, that the hours may be extended to other times subject to obtaining a Use Permit.

The Sconehege bakery and café at the south end of the site would remain in its existing state. The parking lot on Stuart Street would continue to serve Sconehege Bakery and Cafe. As part of the proposed project, the existing approximately 50-foot curb-cut on Stuart Street would be reduce to a 20-foot curb-cut. New curbs would be constructed allowing for two additional on-street parking spaces.

#### IV. Community Discussion

**A. Neighbor/Community Concerns:** Prior to submitting this application to the City, a presentation and question-and-answer session about the project was held by the applicant at the LeConte Neighborhood Association's monthly meeting on March 18, 2015. In addition, the applicant invited interested neighborhood organizations, as well as owners and occupants within 300 feet of the project, to a neighborhood open house meeting held at 2615 Shattuck Avenue on April 1, 2015; this meeting was attended by approximately 100 people. Approximately 25 written comments were received in advance of this meeting and several afterward in April and May 2015. A pre-application poster was erected by the applicant in April 2015.

On May 26, 2016, the City mailed public hearing notices to property owners and occupants within 300-feet of the site, to interested neighborhood organizations and posted notices in three locations on, and around, the project site. In addition, City staff has been in contact with interested parties regarding this hearing date. At the time of this writing, staff has received approximately 70 letters regarding the proposed project. Issues of concern to the surround community include traffic congestion, potential inconsistency with the South Shattuck Strategic Plan, conflicts with the Adeline Corridor Development plan, conflicts with the pedestrian environment, zoning consistency for auto service uses, safety hazards, noise, hazardous materials, compatibility with the surrounding neighborhood, expansion of retail corridor, pollution, boasts support for union jobs yet has very few, displeasing aesthetic, does not directly serve the neighborhood, secrecy of meetings and intentions, strong opposition to "Auto-Row," creation of a commercial dead zone, and parking. Points in support of the project include noting that the use involves union labor, tax revenue to the City, historic and existing presence of Honda in proximity of project site, long history of successful safety practices by Honda, pedestrian and bike friendly location, family-run business, convenience of location, and no issues with Honda at their existing location.

**B. Landmarks Preservation Commission:** The project involves renovation and addition to a commercial building over 40 years in age at 2777 Shattuck Avenue. As this building is included on the State Historic Resources Inventory, on July 9, 2015, the project was referred to the Landmarks Preservation Commission (LPC) as required by BMC Section 23E.12.020 for review prior to consideration for the Use Permit.

In November 2015, a petition to request that the LPC designate the property for consideration as a Landmark or Structure of Merit was submitted. At a public hearing on December 3, 2015, the LPC designated the building as a Landmark Structure of Merit; however, the property owner appealed this decision to the City Council, which overturned the LPC's designation of the building on March 23, 2016. Therefore, the

property is not considered a historic resource. Furthermore, an August 2015 report by Preservation Architecture found that the proposed alterations to the façade would be limited to portions that were already substantially modified in the past. These alterations include enlarging an existing door opening to 19'10" to allow for vehicle entry and exist, installing a roll-up gate at that opening, removing an existing awning and set of storefront windows, and new paint and signage. Even if the building were identified as a historic structure, the report concluded that the project would meet the U.S. Secretary of the Interior's *Standards for Rehabilitation*.

- C. Design Review Committee:** The Design Review Committee (DRC) conducted preliminary review of the project on July 16, 2015, and April 21, 2016. At the latest meeting, the DRC gave a favorable recommendation to ZAB [(Goring, Anno) VOTE (6-0-0-1) Hall – absent]. DRC review included exterior paint color, building signage, signage on 2747 Adeline, and landscaping. The summary of the April 21 meeting, including conditions and recommendations for final design, is included as Attachment 4.

## V. Issues and Analysis

- A. Purpose of the District and Conformity with Zoning Standards:** The proposed project would involve conversion of a vacant commercial property into a full service auto dealership, utilizing existing surface parking lots for dealership parking, car display, and inventory. The project site is located in the South Area Commercial (C-SA) Zoning District; the purposes of the C-SA District are to:

- A. Implement the Master Plan's designations for Community Commercial, and the Commercial/Residential areas, as well as the policies of the South Berkeley Area Plan.
- B. Provide locations for both community-serving and regional-serving businesses, particularly those which reflect the culture of the surrounding area.
- C. Provide an area of neighborhood and lower intensity community Commercial Uses, serving as a transition between the Downtown area and the neighborhood-serving area south of Ashby Avenue.
- D. Encourage the location of a wide variety of community-oriented retail goods and services in South Berkeley.
- E. Encourage residential development for persons who desire both the convenience of location and more open space than is available in the Downtown.
- F. Provide limited locations for other activities such as offices which may be compatible with both retail and Residential Uses.
- G. Encourage development and amenities that support pedestrian-oriented uses.
- H. Encourage appropriate mixed-use development (retail/office/residential) on appropriate sites in the District.
- I. Increase the opportunities for the establishment of businesses which are owned and operated by local residents.

The proposed project supports several purposes of the district. The proposed use is both a community-serving and regional-serving business, and is a lower intensity commercial use (medical office or quick service restaurants are examples of higher intensity commercial uses) that provides a transition between Downtown and south of Ashby.

Pursuant to BMC Section 23E.52.030, automobile sales with outdoor activities within the Dealership Overlay Area are allowed with a Use Permit.<sup>1</sup> The proposed auto dealership with outdoor car display would be located within this Dealership Overlay Area, which covers certain lots abutting Adeline Street and Shattuck Avenue between Dwight Way and Alcatraz Avenue. BMC Section 23F.04.010 defines automobile sales as an establishment that sells automobiles, and ancillary uses and services that are supporting of such an establishment may include the sale and installation of accessories and equipment; repair, maintenance, bodywork and other service of automobiles; loaning of vehicles to service patrons; storage of vehicles outdoors; and automobile washes. Therefore, this auto sales use with ancillary auto service would be an allowed use in the C-SA District with a Use Permit. However, BMC Section 23F.04.010 defines ancillary use as a use that is both dependent on and commonly associated with the principal permitted use of a lot and/or building and that does not result in different or greater impacts than the principal use. As such, Staff is concerned that the scale of the service use (approximately 16,000 square feet including 14 service bays) relative to the scale of the sales use (approximately 5,000 square feet inside the building and 2,600 square feet of exterior display and storage) does not meet the intent of the definition of ancillary. A 50/50 split (approximately 11,800 square feet) of each use would be more in the spirit of the definition. This could be achieved by changing approximately 4,200 square feet of the service area to sales or display area, and could require the removal of 2 to 4 service bays.

The project would be consistent with general development standards in the C-SA district as shown in Table 4. In addition, the project would be consistent with specific zoning standards in the C-SA district for new or relocated automobile sales uses in BMC Section 23E.52.070.F. Outdoor vehicle display would be limited to 30 percent of the lot frontage on Shattuck Avenue and Adeline Street and vehicle display and storage at 2747 Adeline Street would not exceed the maximum of 40 percent of the lot area. An AUP is required for the vehicle display proposed on Stuart Street. The project also would meet the following standards in BMC Section 23E.52.070.F for new or relocated auto sales: the service entrance of 19'10" would not exceed a width of 20 feet or 20% of the frontage; all vehicle repair would occur indoors and be shielded by noise-attenuating concrete or masonry walls; and, no vehicles would be stored in the public right-of-way. Compliance with other standards to prohibit outdoor amplification and minimize light and glare impacts from auto sales uses is addressed in Conditions of Approval #15 and #16.

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<sup>1</sup> In September 2011, the City Council referred to the Planning Commission a Zoning Ordinance amendment to allow automobile dealers to become a legal conforming use on South Shattuck Avenue (see Attachment 5). In July 2013, the City Council adopted an Ordinance amending BMC 23E.52 to allow new or relocated auto sales uses; Honda's impending need to relocate to a new site was one of the reasons for consideration of the overlay zone (see Attachment 6).

**B. Traffic, Circulation and Parking:** The project would generate vehicle trips associated with auto sales and service but would not substantially increase traffic above existing condition. Based on a traffic study prepared by Stantec for the project in September 2015, and supplemented May 13, 2016, the project would generate an estimated net increase of 31 morning peak hour trips and 20 afternoon peak hour trips, relative to prior use by Any Mountain sporting goods (Attachments 7 and 8). According to this study, the majority of additional trips generated by the project are expected to occur on Shattuck Avenue. Traffic volumes on Shattuck Avenue would increase by an estimated 15 northbound trips and 13 southbound trips during morning peak hours, and by an estimated 10 northbound trips and 8 southbound trips during afternoon peak hours. All intersections would continue to operate at Level of Service (LOS) B or better during peak hours, except that the intersection of Shattuck Avenue and Stuart Street would continue to operate at unacceptable LOS F during both morning and afternoon peak hours. However, because the project would add fewer than 10 net trips to the most congested direction of travel at this intersection during peak hours, the impact is deemed less than significant per the City's standards. In addition, the project is expected to increase daily traffic volume by approximately 10 vehicles on Stuart Street, which would not exceed the estimated threshold of 140 vehicles per day according to the City's Traffic Infusion on Residential Streets (TIRE) methodology.<sup>2</sup>

Circulation patterns in and near the site would change as a result of the City's safe routes to school improvements to Shattuck Avenue and the applicant's proposed access to auto service on-site. Transportation Division staff anticipates that construction of safe routes to school improvements at the intersection of Shattuck Avenue at Adeline and Ward Streets would begin in the spring of 2017. These improvements would reduce Shattuck Avenue to one through lane immediately north of Ward Street and would include bulbouts to reduce the pedestrian crossing distance between Adeline and Ward Streets. To accommodate vehicle entry and exit for auto service, the project would add a curb cut on Shattuck Avenue and a service driveway. The Stantec studies finds that, with the safe routes to school improvements on Shattuck Avenue, sufficient space for queuing inside the building, and prohibited left turns out of the driveway, the project would not result in conflicts with traffic flow on Shattuck Avenue. The addition of the driveway may increase potential conflicts as pedestrian levels increase on this block; however, the driveway would be designed to provide sufficient sight distance by removal of two on-street parking spaces, would provide a more narrow curb cut, and a driveway alarm system would be incorporated into the proposed project.

The Stantec studies also include pedestrian counts and found that pedestrian and vehicle volumes equal approximately one pedestrian using the sidewalk near the proposed curb cut every two minutes and one inbound or outbound trip every five minutes using the Berkeley Honda driveway. It is expected that the probability of

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<sup>2</sup> The City of Berkeley uses the Traffic Infusion on Residential Environment (TIRE) method to evaluate the impact of a project on residential streets. TIRE index methodology assigns a numerical value to "residents' perception of traffic effects on activities such as walking, crossing the street and maneuvering out of a driveway." TIRE index values range from 0.0 to 5.0, with 3.6 or higher indicating that a street operates primarily as a collector street.

potential conflicts between pedestrians and vehicles at the proposed driveway location would be low during the a.m. peak. (The a.m. peak of 7:00 a.m. to 9:00 a.m. captures Willard Middle School students on their way to school.) During the noon peak and afternoon peak periods, there is a greater level of pedestrian activity but a decreased level of vehicular trip generation to/from the project site. Under these scenarios, the proposed driveway design would provide a safe environment for pedestrians and cars.

The project would meet C-SA zoning district requirements for the number of off-street parking spaces while preserving parking approved under prior use permits and/or the BMC for adjacent uses that currently use either site. As summarized in Table 4b, 27 parking spaces would be required for the Honda use. Honda proposes to meet its parking requirements in the following locations: 14 spaces within the building (50% of the 14 spaces in the service queue plus 14 spaces in the service bays), 11 spaces in the lot accessed from Ward, and 2 spaces on 2747 Adeline. As a result of Staff research, Staff finds that 2 spaces in the lot access from Ward are required for Sconehege Bakery, and as such Honda can use 9 spaces in that lot and must use a total of 4 spaces on 2747 Adeline (which will reduce the space for vehicle storage and display).

- C. Noise:** j.c. brennan & associates, inc. prepared an Environmental Noise Assessment for the applicant in May 2016 to characterize existing ambient noise and estimated noise from operation of the project (Attachment 9). Noise measurements were taken at the closest residential uses to the project site in February 2015, including two 24-hour measurements on a Friday and four short-term noise measurements on a Thursday and Saturday. During the 24-hour noise measurements, daytime (7:00 a.m. to 10:00 p.m.) the median noise level ranged from 53 to 56 dBA L<sub>50</sub>. This represent ambient daytime noise levels near the project site.

Construction at 2777 Shattuck Avenue would generate short-term noise that could be audible to residents. In particular, the addition would be built within approximately 50 feet of multi-family residences along Ward Street. However, construction noise would be temporary and limited to daytime hours as per City Conditions of Approval and would mostly occur during renovations within the shell of the existing building. Therefore, construction noise would not be substantially detrimental to nearby residents.

The auto dealership would generate noise during its requested hours of operation from 7:00 a.m. to 10:00 p.m. Sources of noise on-site include various equipment used for auto repair. An air compressor would be located in an enclosed room inside the service area. Based on observations at the existing Berkeley Honda service center, the Noise Assessment found that compressor noise is not expected to be audible outside the dealership. Furthermore, the compressor would be automatically turned off during nighttime hours. Based on reference noise measurements taken at the existing service center, it is estimated that noise levels from service activity, with the roll-up door open, would be 35 dBA L<sub>50</sub> and 52 dBA L<sub>max</sub> at the nearest residences located approximately 150 feet to the east. These noise levels would not exceed the City's exterior noise standards of 55 dBA L<sub>50</sub> and 75 dBA L<sub>max</sub> for residential areas (BMC Section 13.40.050). The Noise Assessment also estimates noise levels of 33 dBA L<sub>50</sub>

and 47 dBA  $L_{max}$  from deliveries, based on measurements at the existing service center, at the nearest residences located approximately 150 feet to the east. These noise levels also would comply with the City's exterior noise standards.

In addition, cumulative noise from the combination of service activity and deliveries would be an estimated 37 dBA  $L_{50}$  and 52 dBA  $L_{max}$ , which would not exceed exterior noise standards. Therefore, the project would not generate noise levels that exceed applicable standards in the City's Community Noise Ordinance.

- D. Hazardous Materials:** Operation of the service center would involve the use of hazardous materials, but compliance with regulatory requirements and industry standards would minimize risks to nearby residents. Above-ground storage tanks for oils and coolant would be moved from Berkeley Honda's existing service facility to the project site. These include a 1,000-gallon tank for used oil, a 200-gallon tank for waste coolant, and a 500-gallon tank for lubricant oil. Each tank would have double steel walls per regulatory requirements to minimize the risk of leakage, and new pipelines would connect these tanks to the service bays. In addition, the service department would install a new exhaust handling system which complies with adopted Building and Mechanical Codes for auto service. Used tires would be stored indoors in a secure area and picked up multiple times per month by a local tire recycler. No car washing is proposed on-site. To prevent chemicals from entering local storm or sewer drains, they would be removed through high-pressure suction and hauled away to be disposed of consistent with regulatory requirements. Consistent with 40 Code of Federal Regulations (CFR) 112, a licensed Professional Engineer would be required to prepare a Spill Prevention, Control & Countermeasure (SPCC) Plan to prevent the discharge of oil. The City's Toxics Management Division would also require that Berkeley Honda file a Hazardous Materials Business Plan (HMBP).
- E. Sunlight/Shadows:** The proposed 4,427 square-foot, single-story addition at the back of the building would incrementally increase existing shadows cast by the existing building. However, this addition would not extend farther eastward than existing rear walls, or be taller than the adjacent parts of the existing building. To characterize the addition's shadow impacts on adjacent uses, the applicant prepared a shadow study for the proposed project showing existing and proposed conditions in June and December. In the late afternoon in June, the shadow study indicates that the addition would cast new shadows on the southern end of western façade of multi-family residences on Ward Street, adjacent and to the east of the site. However, the project would not result in substantial additional shading of residences or obstruction of their light, relative to existing conditions.
- F. General Plan and Area Plan Consistency:** In addition to the Berkeley General Plan, the South Shattuck Strategic Plan (adopted in 1998), contains policies that apply to the project. The South Shattuck Strategic Plan encourages economic development on Shattuck Avenue and Adeline Street between Dwight Way and Ashby Avenue. Table 5 summarizes the project's consistency with applicable policies. However, conformance with the Zoning Ordinance, specifically BMC Chapter 23E.52 which was revised to allow new or relocated auto sales take priority over the strategies in the South Shattuck Strategic Plan adopted by resolution.

**Table 5: Consistency with City Policies**

Policy	Staff Analysis
<p><b>Berkeley General Plan</b>  <a href="http://www.ci.berkeley.ca.us/contentdisplay.aspx?id=488">http://www.ci.berkeley.ca.us/contentdisplay.aspx?id=488</a></p>	
<p><u>Policy LU-3–Infill Development:</u> Encourage infill development that is architecturally and environmentally sensitive, embodies principles of sustainable planning and construction, and is compatible with neighboring land uses and architectural design and scale.  <u>Policy LU-7–Neighborhood Quality of Life, Action A:</u> Require that new development be consistent with zoning standards and compatible with the scale, historic character, and surrounding uses in the area.  <u>Policy UD-16–Context:</u> The design and scale of new or remodeled buildings should respect the built environment in the area, particularly where the character of the built environment is largely defined by an aggregation of historically and architecturally significant buildings.  <u>Policy UD-24–Area Character:</u> Regulate new construction and alterations to ensure that they are truly compatible with and, where feasible, reinforce the desirable design characteristics of the particular area they are in.</p>	<p><u>Consistent.</u> Please see the discussion under Key Issues A above. As described above, the City Council determined on March 23, 2016, that the building is not a Landmark Structure of Merit and thus the project would not adversely affect a historic structure. Furthermore, it would involve reuse of an existing building, preserving distinct architectural features from the original bowling alley. Except for an addition at the rear of the building, the project would primarily retain the building’s existing scale and design. The proposed auto sales use would be compatible with neighboring commercial uses on Shattuck Avenue and consistent with C-SA zoning standards. The DRC also gave a favorable recommendation on the project’s design at its April 21, 2016 meeting.</p>
<p><u>Policy UD-32–Shadows:</u> New buildings should be designed to minimize impacts on solar access and minimize detrimental shadows.</p>	<p><u>Consistent.</u> Shadow studies prepared by the applicant indicate that the proposed addition would not cast substantially greater shadows on adjacent residences than the existing condition. The addition would not extend eastward toward residences beyond the building’s existing rear walls or exceed the height of the existing building.</p>
<p><u>Policy LU-23–Transit-Oriented Development:</u> Encourage and maintain zoning that allows greater commercial and residential density and reduced residential parking requirements in areas with above-average transit service such as Downtown Berkeley.</p>	<p><u>Consistent.</u> The project site is 0.2 miles from the Ashby BART station and 0.7 miles from the Downtown Berkeley BART station. AC Transit line 18 runs on Shattuck Avenue adjacent to the project site and line F runs on Shattuck Avenue and Adeline Street adjacent to the surface parking lot at 2747 Adeline Street. The project would include a shuttle to take clients to destinations in Berkeley including BART stations.</p>
<p><u>Policy EM-5–“Green” Buildings:</u> Promote and encourage compliance with “green” building standards. (Also see Policies EM-8, EM-26, EM-35, EM-36, and UD-6.)  <u>Policy UD-33–Sustainable Design:</u> Promote environmentally sensitive and sustainable design in new buildings.</p>	<p><u>Consistent.</u> The project would involve reuse of an existing building in proximity to in close proximity to public transit. The applicant’s LEED checklist indicates that the project could meet the requirements for LEED certification.</p>

Policy	Staff Analysis
<p><b>South Shattuck Strategic Plan</b>  <a href="http://www.ci.berkeley.ca.us/contentdisplay.aspx?id=464">http://www.ci.berkeley.ca.us/contentdisplay.aspx?id=464</a></p>	
<p><u>Economic Development Strategy 1</u>: Encourage a development model of a variety of pedestrian-oriented neighborhood serving businesses supported by anchor commercial sites. Ensure the compatibility of commercial areas and adjacent residential neighborhoods through project design requirements that reduce negative impacts.</p>	<p><u>Consistent</u>. The proposed Honda dealership would serve as an anchor commercial site that supports pedestrian-oriented neighborhood serving uses in the South Shattuck corridor. As noted above, the DRC gave a favorable recommendation on the project's design at its April 21, 2016 meeting, reflecting its visual compatibility with adjacent residential neighborhoods. In response to neighbors' concerns regarding circulation through the neighborhood, the applicant moved the proposed service entrance from Stuart Street to Shattuck Avenue.</p>
<p><u>Urban Design Strategy 1</u>: Enhance the pedestrian orientation of the commercial corridor through upgraded and expanded streetscape improvements and the reduction of automobile impacts.</p>	<p><u>Inconsistent</u>. The project would introduce a curb cut and driveway on the eastern side of Shattuck Avenue south of Ward Street to provide access for vehicles to enter and exit a service center. This automobile-serving feature would interrupt the pedestrian environment on Shattuck Avenue.</p>
<p><u>Urban Design Strategy 2</u>: Enhance the sense of place and district identity through careful building design and improved relationships between buildings, activities, residents, and shoppers in the South Shattuck corridor.</p> <p><i>Action B</i>: Reduce or mitigate visual impacts of surface parking and used-car lots through owner-implemented landscaping and control of auto access points.</p> <p><i>Action E</i>: Off-street parking should enable auto access with minimum disturbance of pedestrian paths or residential neighborhoods. Strategies might include center-block parking areas shared by businesses on one block and accessible from existing parking bays. Parking lots should be located perpendicular to the street, and away from sites where pedestrian activity is being encouraged.</p> <p><u>Urban Design Strategy 3</u>: Enhance the visual quality of the corridor by creating an overall district identity, using features appropriate to each of the target areas.</p>	<p><u>Inconsistent</u>. Please see above discussions under Berkeley General Plan policies LU-3, LU-7, UD-16, and UD-24. The building design would maintain the commercial corridor's sense of place and visual identity by preserving distinct architectural features from the original bowling alley that front on Shattuck Avenue. Furthermore, the proposed addition would be placed at the rear of the building, where it would not be visible from the public right-of-way. The project would reduce the visual impacts of an existing surface parking lot at 2747 Adeline Street by installing landscaping in planters.</p> <p>However, the proposed service entrance would interrupt and disturb the pedestrian environment on Shattuck Avenue.</p>
<p><u>Target Area 2 – Shattuck Avenue between Ward &amp; Ashby</u>: The main issues for these blocks are transportation and urban design. The width of the street creates a pedestrian-scale environment, but additional measures are needed to make it actually pedestrian-friendly. Some of the businesses should be re-oriented to face the street; and some storefronts could benefit from façade improvements.</p>	<p><u>Inconsistent</u>. Although the building at 2777 Shattuck Avenue would remain oriented to the street, with its storefront adjacent to the sidewalk, the project would introduce automobile-serving features that conflict with the pedestrian-oriented environment. The proposed curb cut and driveway to the service center would make the streetscape less pedestrian-friendly.</p>

In addition to the strategies listed above, the South Shattuck Strategic Plan includes tables of desirable and undesirable businesses. These tables are based on the input of neighbors solicited at the South Shattuck workshop on Economic Development, and on a limited survey of neighbors, during development of the South Shattuck Strategic Plan; they are not intended as lists of uses that should or should not be permitted in the City's Zoning Ordinance. Nevertheless, community members generally conveyed that "additional auto sales, rental, service or body work businesses" were undesirable on the South Shattuck corridor, but that "electric car dealerships" were desirable. As noted above, Berkeley Honda is one of the few Honda Dealerships certified by US Honda to sell and service electric vehicle (EV) and hybrid vehicles.

## VI. Recommendation

Because the proposed project would be consistent with the Zoning Ordinance and General Plan, with minimal impacts on surrounding properties, staff recommends that the Zoning Adjustments Board:

**APPROVE** a Use Permit to establish an automobiles sales use of greater than 5,000 square feet with associated outdoor activities, a Use Permit to construct more than 3,000 square feet of new floor area, a Use Permit for outdoor sales and/or display, and an Administrative Use Permit for outdoor vehicle display on Stuart Street pursuant to Section 23B.32.040 and Section 23B.38.050 and subject to the attached Findings and Conditions (see Attachment 1).

### Attachments:

1. Findings and Conditions
2. Project Plans, received June 2, 2016
3. Applicant Statements dated April 11, 2016 and May 18, 2016
4. Summary of Design Review Committee April 21, 2016 Meeting
5. September 27, 2011 City Council Memorandum Regarding Auto Dealers on South Shattuck
6. July 2, 2013 City Council Staff Report regarding C-SA Auto Sales Zoning Amendments
7. Traffic Impact Study for Berkeley Honda at 2777 Shattuck Avenue and 2747 Adeline Street, September 22, 2015
8. Berkeley Honda Supplemental Traffic Analysis , May 31, 2016
9. Environmental Noise Assessment, Berkeley Honda – 2777 Shattuck, May 13, 2016
10. Notice of Public Hearing
11. Correspondence Received

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