

APPLICANT'S STATEMENT
SAFEWAY STORE REMODEL: 1425 Henry Street, Berkeley, CA

Overview

We propose, (through this in-fill project) to expand and transform the Safeway store at Shattuck Place and Henry Street into a new state-of-the-art store designed to provide Berkeley customers with an enhanced product range, at affordable prices, of organic fruit and vegetables, full-service meat, fish and poultry, fresh-baked goods, etc. Lowney Architecture and its consultant team have created a design that will perfectly complement the upscale neighborhood and set the bar for future commercial redevelopment throughout Berkeley. The proposed design increases the existing Safeway floor area to provide space for new services and customer amenities typically available in Safeway's newest urban stores, and to better reflect the desires of a neighborhood that helped start the organic food movement.

The new floral, bakery and pharmacy products and services will not require Use Permits as said uses will be operated by Safeway and Safeway employees, are part of the commonly understood uses of a large, major grocery store, "Food Products Store, General." There will be (7) Use Permits for the expansion in commercial square footage, increase in alcohol sales, reduction in required yards, modification of existing Food Service (within the same Use Quota category), outdoor seating, and a specialty food service permit.

Proposed Design

Existing Store and Site Design: The current Safeway store is housed in a 1960's suburban style building. The main entrance faces the parking lot to the North. Outdated solid precast concrete and river rock walls face Shattuck and Henry Streets to the East and West. The existing lower level parking garage remains underutilized because it requires shoppers to fully exit the property and reenter on Henry Street.

Proposed Design: The proposed site and store design will offer an urban, pedestrian-friendly experience, contributing to and benefitting from the larger urban context of Berkeley's Gourmet Ghetto. The classic Safeway vaulted roof, retained as a vital design component, is retained as a stylistic centerpiece. The remainder of the store, with the exception of the South façade facing the Bank on Shattuck, will be re-configured on all sides to provide an architectural language that is more sensitive to its surroundings.

The Shattuck (east) elevation, previously treated as an unimportant "rear" wall, now engages and interacts with the street and its pedestrians. The existing vendor loading and trash/recycling areas, which are now on Shattuck, have been removed from that area, replaced by inviting windows and café-style sidewalk seating. This east-facing Shattuck façade, comprised of several offset walls, provides abundant natural light for shoppers and allows an inviting view of the store interior from seating areas located on the sidewalk as well as pedestrians walking by. Moreover, because of their 'saw-tooth' configuration, the exterior walls present themselves as several smaller individual buildings, more consistent with the shops along Shattuck to the south.

The Henry Street façade, to better reflect the residential character of neighboring properties across the street, is composed of overlapping planes and walls, helping to break down the scale of the building. Landscaping and 'green-screen' walls along Henry Street further soften the building edge, as well as defer graffiti. On the southwestern property boundary, the building is set back 20' from the neighboring property, allowing for the preservation of several mature trees. This generous setback maintains a privacy buffer for the neighboring residential property at 1451 Henry.

The parking lot is reconfigured to provide a pedestrian and bicycle-friendly layout. Accessible pathways will connect from the parking lot to both entries on the store's North façade. Speed tables will be constructed at both entries, slowing traffic along the front of the store and providing safe crossings for pedestrians and shoppers. The project includes spaces for 24 bicycles (23 required). Bike parking is accessible from both Henry and Shattuck. The bike racks accessible from Henry Street have been created in response to a community request for covered bicycle parking. This allows customers to go directly from checkout, take the elevator to the Henry Street garage where they can load their bike baskets without exposure to the elements.

The proposed design results in a net decrease in total parking spaces (the store is currently overparked), parking usage and efficiency is expected to increase significantly over the current underutilized lower parking level. Lower level parking may be accessed from the existing Henry Street entrance, or from a new driveway ramp accessed directly from the main parking lot. Store entrances from the garage level will be through newly constructed glass lobbies and elevators. Increased lighting levels, including added natural skylight, will enhance customer safety and security. The entrance to the lower level will be gated and locked at 9pm daily.

Store Size

Safeway proposes to add approximately 17,250 square feet to provide for the unmet needs of local shoppers who need one-stop general grocery products and services. Safeway cannot provide those services in its cramped 28,250 square foot store. This expanded Safeway meets the diverse needs for the entire local community.

Store Operations

Safeway will continue to operate the store on the current schedule, open daily from 6am to 12 midnight. The parking garage will operate from 6am to 9pm daily, continuing the existing operating schedule. Deliveries will occur on a strict schedule between 7am and 7pm. Delivery trucks will range between 65' semi-trailers (average of 4-5 daily) and small vendor trucks (average of 5 daily).

Benefits to Berkeley

This proposal will result in both a significant one-time investment in Berkeley but also a significant 'ripple effect' long-term increase to the local community. Safeway is a union store,

one of the few remaining union shops among large grocery retailers. The existing store now employs 86 people; the renovated store will add 35 new employees. This will increase the number of living wage jobs available in Berkeley and is a significant long term benefit to Berkeley's economy.

Community Outreach and Support

Safeway has conducted ten community meetings so far on this project. They include large public meetings, small meetings of neighbors, several with North Shattuck Merchants and one meeting with Berkeley Design Associates. Meetings were widely publicized through flyers placed in Safeway shopper bags, emails, neighborhood blogs and list serves, direct mail, hand delivered flyers to Henry St. neighbors, and notices to City Council and the Mayor. Safeway maintains a dedicated website (www.safewayonshattuck.com) which contains voluminous information regarding the proposal along with a "contact us" feature that feeds comments and questions to Safeway and consultants.

Specifics of Proposal, Use Permits Required, and Conformity to Zoning and General Plan (Findings in Support)

This proposal will change this important triangle property at the edge of the North Shattuck commercial area—one that is very much out of the intent of modern urban design—to one that fits. The current site plan presents a 1950's suburban sidewall as its frontage on Shattuck, vast black top parking lot, and an almost unused lower level parking area.

The following Use Permits will be required:

1. Reduced Side Yard [Shattuck] (23E.04.050; 23C.04.070): De minimus expansion of pre-existing non-conforming side yard to by providing 10" (existing is approximately 13", when 5' required).
2. Reduced Front Yard [Henry] (23E.04.050; 23C.04.070): Providing 0', when 10' required.
3. Reduced Interior Side Yard (23E.04.050): Providing 0', when 5' required structure.
4. Creation of more than 2,000 square feet of gross square area (23E.48.050): Creating 17,250 square feet of new gross floor area.
5. Food Service Establishment Modification (23E.48.030; 23C.04.060B): Modify existing use (pre-existing, legal, non-conforming) as a "Carry Out Food Store" to a "Quick Service Restaurant".
6. Outdoor Seating: (23E.48.030; 23E.24) To provide outdoor seating for four (4) tables, 16 chairs.
7. Increase space devoted to sales of wine, beer and other alcoholic beverage sales from 900 square feet to 1400 square feet. (23E.16.040)

8. Use Permit for Food Product Store Specialized: (23E.48.040): to add coffee kiosk

Use Permit Findings

(§§ BMC 23B.32.040; 23E.48.090 for all Use Permits)

The establishment, maintenance, modification or operation of Project uses, or of the construction of this in-fill renovation as proposed and under the facts and circumstances of this case will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the area or neighborhood or be injurious to property and improvements to the adjacent properties, the surrounding area or neighborhood or to the general welfare of the City.

This architect designed in-fill renovation will improve the commercial vitality of this underutilized, 1960's suburban center by expanding the street frontage, adding to the accessibility of existing parking, visually enhancing to current standards the existing ground level parking lot, improving pedestrian access and adding much needed high quality goods and services requested by customers and neighbors.

For the C-NS Commercial District

1. Lowney Architecture's design will transform the out-dated and non-compatible existing structure into one that is compatible with the existing retail and restaurants on Shattuck south of Safeway. The design will not increase height on Henry Street, and the massing has been designed to mimic the residential homes across the street.
2. The new design replaces the solid, concrete wall facing Shattuck with a varied façade, demonstrating a mixture of materials and windows which enhance the pedestrian experience on Shattuck. By extending the building edge to the property line, and stepping back incrementally to create outdoor seating areas, the Shattuck frontage will be consistent with "Purposes of this District" (23E.48.020). The new design provides engagement with the street (as requested by existing and neighborhood customers), retaining and improving a long-standing neighborhood business.
3. The Shattuck frontage provides views into the store where a deli café, coffee kiosk, bakery and seating are all visible from the street. Thereby, the design and proposed uses increase, and do not interfere, with the continuity of retail services.
4. By creating more services and goods for existing customers, making the lower parking level attractive and accessible, while meeting City required parking space requirements and exceeding City required bicycle rack requirements, the requested Use Permits as applied for will not exceed the amount and intensity of use that can be served by available traffic capacity and parking supply. (This finding is augmented by a Traffic Impact Analysis, requested by the City and provided herein).
5. The existing store is a single use—general purpose grocery store; the renovation brings in new services—floral, coffee kiosk, café, pharmacy--thus expanding uses available on this block.

Modification and Expansion of Food Service Establishment of Carry Out to Quick Service. Findings and Rationale for need for this Use Permit: Safeway now has a Carry Out Service/Deli. Both Carry Out Food Stores and Quick Service Restaurants are counted under the same Use

Limitation (Quota) in the C-NS zone, thus moving from one category within the same Use would be a 'modification' of a lawful non-conforming use. (23C.04.060B) The use is non-conforming because Safeway's carry out food service from its deli was created (and used continuously prior to the institution of the Use Limitations in this District, and has been used continuously since the Limitations were adopted, generating over \$2,500 daily in prepared sandwiches, + \$1500 daily in 'carry out' food and beverage items. The Use Permit for Modification is required for 'substantial' changes to a lawful non-conforming use where, as here, the use is being extended into a portion of an [existing] building that has not been previously occupied by that non-conforming use. Here the use is being moved both to an existing part of the building as well as to a conforming addition. Even though the Use is legal, a Modification is required under 23B.56.020A, because there will be an expansion of floor area devoted to the use (1); expansion of customer service area and/or number of seats (2); increasing number of employees and expanding the product line (4-5).

Side Yard (Interior Lot) Modifications

This proposal requests (2) side lot modifications to setbacks required under 23E.04.050E should be allowed under 23E.04.050E and 23C.04.070. The first modification is a de minimus expansion of a pre-existing non-conforming side yard to accommodate a small architectural improvement estimated to be approximately 3". The second modification is for an interior sideyard along the Henry Street addition which houses office and administrative spaces. This sideyard abuts an accessory building and thus will not have a detrimental impact on the main house. In addition, the employee presence will improve street and sidewalk security through increased foot traffic. The new landscaping adjacent to the building will provide an additional amenity.

Increase in alcohol sales: It is Applicant's that the City of Berkeley maintains a list of all establishments within a 1,000 foot radius which are in the same category of alcoholic sales, and as such Applicant is not required to provide the list called for in 23E.16.040.B.1.

Findings of "Public Convenience or Necessity":

1. *The proposed establishment will promote the City's economic health, contribute to General Plan or Area Plan policies or further District purposes:*
The expanded space for alcohol sales does not significantly increase the percentage of floor area for alcohol sales that exists in the current store. At less than 3% of the total floor area, the proposed is consistent with the proportionate space devoted to alcohol sales in general grocery stores. As with all of the product area expansions, this provides a one-stop place for residents to shop for all products serves the purposes of the C-NS District.
2. *The economic benefits associated with the establishment could not reasonably be achieved without the proposed alcohol use.*
The extension of alcohol sales is part of the entire application to expand Safeway's existing product line. To not allow expansion of one product, while allowing the others, would defeat the intent of the project, expanding sales of all products to meet the needs of today's shoppers interested in one-stop shopping. Moreover, economic data both from the City of Berkeley's Economic Development division and retail literature show that a consistent percentage of alcohol sales are an inherent part of a general store's business plan.

3. *The applicant has not operated a licensed establishment which has been the subject of verified complaints or violations regarding alcohol, public safety or nuisance statutes or regulations.*

Safeway has not been the subject of verified complaints regarding alcohol sales.

4. *Impact on public parks or Berkeley Public School or other sensitive use within 1,000.*
There is no reason to believe that the increase of new alcohol products would negatively impact public parks or schools.

5. *The Police Department has reported that the proposed establishment would not be expected to add to crime in the area.*

The Police Department has not yet commented on this application. Safeway will request a Police Department report.

Landscape Plan

Overview:

Trees from the existing site will be preserved where possible, and new trees will be added to provide an evolutionary approach. As the existing trees age, fast-growing new trees will begin to establish their canopies. By the time all remaining existing trees have reached the end of their life cycle, the new trees will be achieving a mature canopy and will allow for the infusion of a new generation of trees. For more detailed information on existing trees, please see the Arborist Report prepared for the project. [There are 56 existing trees near the property (including street trees). 27 existing trees will be preserved, one street tree will be replaced, 28 trees will be removed]. Seventeen new trees will be added to the parking lot, to provide a generous shade canopy to help prevent the heat-island effect. Eight new trees will be planted near the Southwest corner of the property, infilling the 20' setback and adding to the mature trees that will to be preserved between 1451 Henry and Safeway. One new street tree is proposed to fill in an existing gap between trees near the southeast property boundary on Shattuck.

Bay –friendly plants along the parking lot edges help screen parked vehicles and headlights. Along the entire property boundary on Henry Street, the design proposes removal of 30" of sidewalk in order to add more landscaping as a benefit to neighbors. On the building's north and east facades, flow-through planters treat stormwater from the building's roof and help soften the transition between the ground plane and building edge.

The project will adhere to Alameda Countywide clean water program C-3 Guidelines through several stormwater treatment measures. The existing site has a significant vertical drop, sloping down from Shattuck toward Henry Street. The design takes advantage of this slope by directing surface runoff into vegetated swales and bioretention areas, to treat stormwater from the parking lot. Runoff from the site is slowed down prior to entering the City's stormwater system. These filtration systems also enhance the visual experience of the site, where the bioretention areas is planted with a polyculture mix of native grasses and flowering perennials.

Conclusion

The renovated and expanded Safeway, with its vibrant design, expanded product offerings and enhanced service to Safeway's customers, establishes a precedent for redevelopment in a neighborhood where residential and commercial buildings coexist. The landscape and exterior public space enhancements fulfill Safeway's objective of extending good architecture, pedestrian friendliness and vitality to the north end of Shattuck.