

Land Use Framework

Setting and Issues

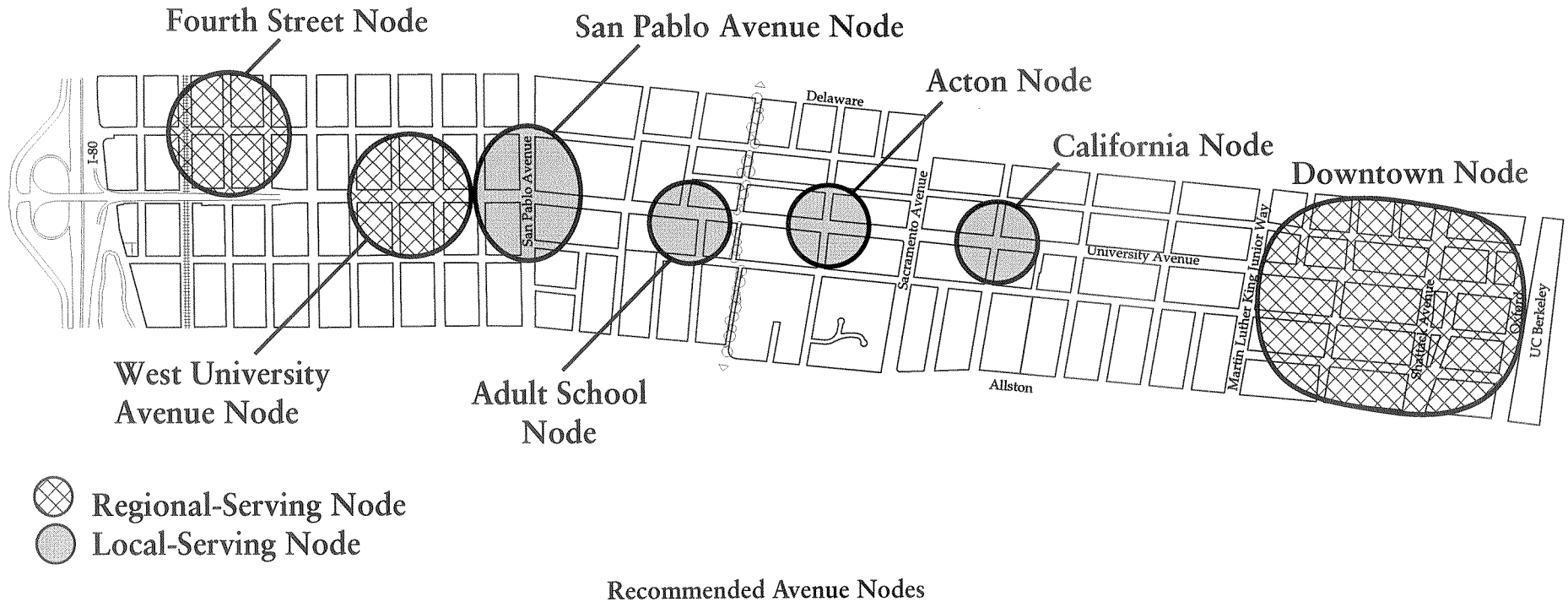
University Avenue is both local- and regional-serving. People come to the Avenue by car and transit, as well as by bicycle and on foot. At certain locations on University Avenue, such as from Shattuck to Martin Luther King Jr. Way and along San Pablo Avenue, people frequent the street, taking advantage of the services, shops and restaurants located at these key destinations. However, despite the abundance of pedestrian activity that occurs in select locations, most residents feel University Avenue is a street designed for the automobile and is generally unsafe for pedestrians. In fact in 1966, the sidewalks and medians along the Avenue were narrowed to add capacity for the car and freeway scale street lights were installed. Once these changes took place, a ripple effect occurred: local-serving businesses began to sell out to franchises and auto-oriented services, neighborhoods turned inward and away from the Avenue, and speeding cars and trucks drove pedestrians away. It is the goal of this Plan to both enhance the pedestrian experience as well as the overall physical appearance of the street, without adversely affecting and in fact improving the efficient movement of automobile traffic.



On this small segment of University Avenue one can see the difference between the historical development pattern, which (on the left) fronts the street edge, and the more auto-oriented ones, which (on the right) allow parking in the front.

There are many similar streets in other urban communities: wide, fast moving through-ways, dotted with auto-oriented businesses and underutilized commercial spaces, adjacent to established residential neighborhoods. The typical approach would be to call for a single “boulevard” treatment and emphasize the street’s commonalities. But the historic development patterns along University Avenue calls for a different approach. In fact, a closer look shows that the Avenue already functions as a series of “sub-areas,” each with a distinct character and purpose. This Strategic Plan calls for maintaining and enhancing these differences and perhaps more importantly, working toward bridging the physical barrier (the “virtual moat”) that the street itself represents.

University Avenue is anchored by two regional centers: Downtown Berkeley and West Berkeley. In many ways these areas are the most successful shopping districts along the Avenue. West Berkeley is actually defined by two commercial nodes. The Fourth Street area contains a mix of specialty retail, outlet stores, and small professional office spaces. Nearby, along the western end of University, there is a grouping of Indian merchants, selling a variety of clothing, jewelry, food, and household items. Both parts of this West Berkeley center, though different in many ways, form a critical mass of businesses that draw patrons from throughout the region. Downtown Berkeley forms the eastern anchor of University Avenue. Its mix of office, commercial, and entertainment uses, along with its



proximity to the U.C. campus, make it an important regional destination and the reason why University Avenue is a major thoroughfare. If anything is missing from these areas it is a viable residential component. Particularly in the downtown, new housing would create an around-the-clock atmosphere that is lacking today.

While the rest of the Avenue contains a few successful establishments, they are isolated from one another, preventing the gradual evolution to a critical mass of commercial activity. With the exception of San Pablo Avenue, where there is a healthy mix of local-serving shops and services catering to the needs of surrounding residents, the rest of the street contains a haphazard mix of auto-related services, a scattering of local-serving businesses, and a few national chain stores. Many commercial storefronts are underutilized and not well maintained, visually giving the area a poor appearance. While some neighbors have local-serving commercial uses nearby, others must drive to buy fresh produce or take care of daily errands.

West Campus, formerly part of Berkeley High School, is the largest single use within the University Avenue corridor. The site occupies close to two blocks of the central part of this sub-area. 10,000 or so students attend the Adult Education Center and approximately half of the students come from the Berkeley community. The school uses all of their 42 classrooms, but several of the older buildings on the site are unsafe and in need of substantial repairs. The West Campus Adult Education Center is a significant neighborhood asset that also generates customers for local businesses. Many nearby residents expressed an interest in working with the Adult School to make it more accessible to the surrounding community, while maintaining its primary mission as an educational facility (see also Sub-Area 2 discussion).

Current zoning treats all of University Avenue as a single place and permits a very broad range of uses. This policy framework fundamentally works against many of the goals of the Strategic Plan. Like other commercial corridors in Berkeley, a more tailored set of zoning standards is necessary to foster a safer and more diverse place. Thus, the land use strategy for revitalizing University Avenue recommends establishing a new zoning overlay designation that:

- Creates mixed-use “nodes” that are within walking distance of nearby residential areas and provide local-serving goods and services. These nodes will be the primary target sites for new commercial and residential mixed-use buildings, helping to focus investment in ways that make a difference to the area’s quality of life. Incentives are provided for reduced parking and open space to encourage mixed-use development in these sites.
- Respects the differences between neighborhoods and creates a distinct identity for each node. This approach recognizes that some nodes are primarily region-serving and others are oriented to the nearby neighborhoods.
- Much of the Avenue is lined with low density, underutilized commercial space. A gradual transition to mixed-use will help make the commercial that is present economically strong. Thus, the plan encourages housing with ground floor retail or office as a priority along the Avenue between commercial nodes. Allowances are provided for upper story live-work and offices. Ground floor retail is required, unless a hardship can be demonstrated. Wheelchair accessible units are encouraged at the side or rear of the ground floor. Building heights are limited to a maximum of three stories.

Zoning Overlay Recommendations

Avenue Nodes: Most of the length of University Avenue is currently zoned C-1, which permits a mix of commercial, office, and residential uses within an envelope of three and four story street-edge buildings. Though on the surface this seems to be consistent with the overall intent of the Strategic Plan to strengthen the mixed-use nature of the corridor, market conditions along the Avenue have taken advantage of the broad variety of commercial uses that the C-1 district permits. In reality, many newer buildings are one-story, auto-oriented commercial uses, such as fast-food or auto-repair. Retail uses are scattered, not concentrated, along the Avenue. There is also a substantial amount of vacant retail space on the Avenue. If University Avenue is to gradually transition to a street defined by both local- and region-serving mixed-use nodes, as well as a healthy component of urban housing, then new retail activity and small-scale offices should be concentrated in the high density, mixed-use, pedestrian-oriented nodes, rather than dissipated throughout the corridor.

As described earlier, University Avenue currently functions as a series of “sub-areas,” each with a different character. Some are region-serving others are or could be local-serving. The future strength of the Avenue depends, in part, on recognizing these differences and enhancing their commercial viability. Thus, two types of Avenue Nodes are recommended: Region-Serving and Neighborhood-Serving.

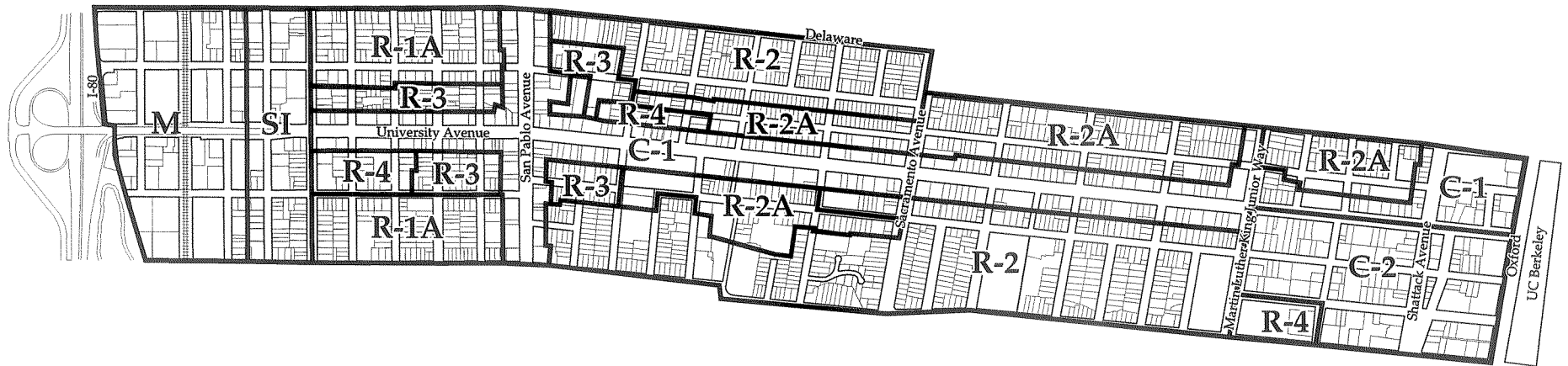
The seven Avenue Nodes recommended by this plan are as follows: 1) Fourth Street in West Berkeley, 2) West University Avenue, 3) San Pablo Avenue, 4) University Avenue at the Adult School, 5) University at Acton Street, 6) University at California Street and 7) Downtown. See the Avenue Nodes map for the locations of these nodes.

Fourth Street - North of University in West Berkeley is Fourth Street, a thriving mixed-use shopping district which is anchored to the south by Spenger’s Restaurant and extends to the north with small shops and offices. This mix of restaurants, boutiques, and businesses draws from a regional clientele. The pedestrian orientation, the abundance of parking, and proximity to the freeway make this area a prime shopping destination. Interspersed among these shops and offices are a number of live/work spaces for local artists. For more information on Fourth Street, also see the “West Berkeley Plan.”

West University Avenue - University Avenue east of Seventh Street contains a concentration of small Indian shops and businesses. These shops draw clients from all over the Bay Area. Future efforts should focus on maintaining and enhancing the diversity of shops and services in this area.

San Pablo Avenue - This street has recently experienced something of a renaissance. There is a wide variety of stores and businesses along San Pablo, including local-serving convenience shops, small restaurants and cafes, a bank, post office, discount households supplies, a drug store, liquor store, car repair, and other auto-related services. This tree-lined avenue is both pedestrian-oriented in its fine-grained scale and a major auto/transit thoroughfare. Most older buildings come to the street edge and create a strong pedestrian environment. New uses and buildings should protect and enhance the positive aspects of this area.

West Campus Adult School - This existing facility should be protected, renovated and made more available to residents of the broader community. With this in mind, the City should work with the School District to jointly prepare a Master Plan for the site and plan to make this facility a state-of-the art adult education and recreation center.



Existing Zoning Designations

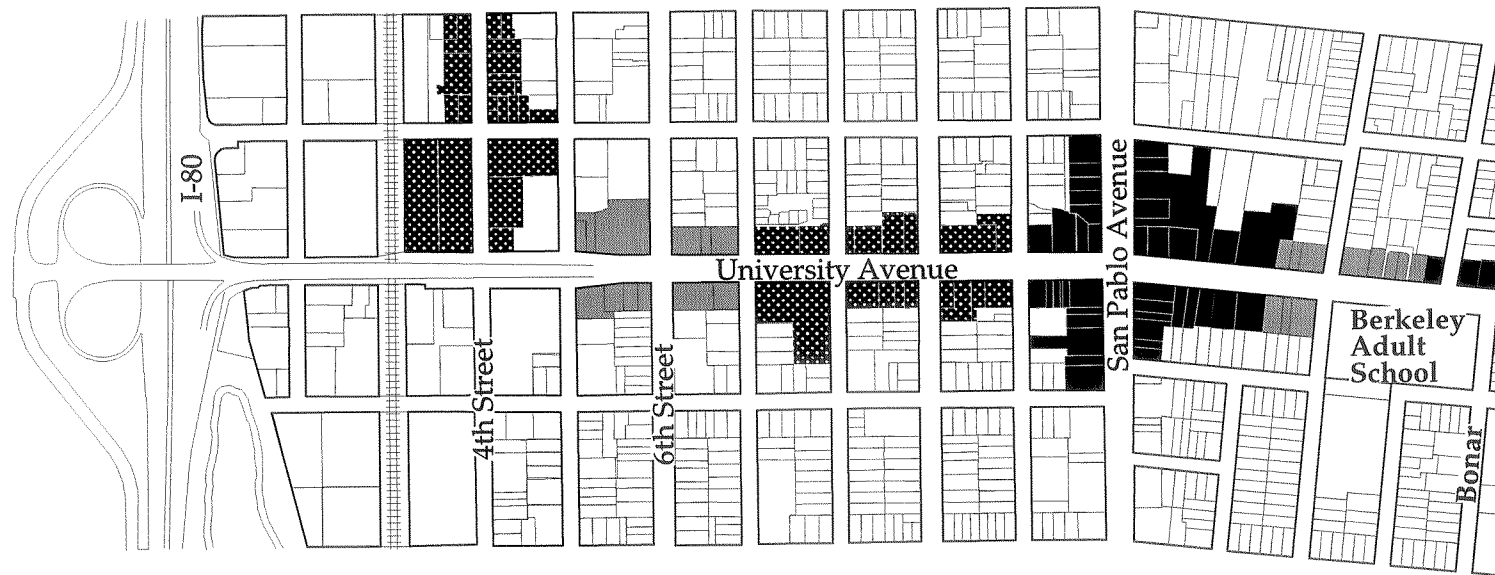
University at Acton Street - Andronico's supermarket at University and Acton functions as this Node's primary destination. Its success demonstrates the feasibility of local-serving shopping along University Avenue, although the store probably draws from a much larger market area. Its design also works with the neighborhood, in that auto and pedestrian access is provided from both the Avenue and from Addison, allowing neighbors to easily walk or drive to the store without having to get onto University. The Acton Street Node presents a major opportunity along the University Avenue Corridor and is within walking distance of the North Berkeley BART station. One parcel, a State-owned health facility, is potentially available to the City as surplus property. The Employment Development Department is planning to move out of the area within the next year and

may become a second opportunity site. In the future, other sites within this node may also be placed on the market for new development. The Acton Street node should be made a top priority for the development of new housing targeted to a mix of incomes and a priority location for completion of the University Avenue streetscape improvements.

University at California Street - California Street, though the smallest and least developed of the Avenue Nodes, has a number of small businesses, cafes, and higher intensity mixed-use buildings. It currently serves as a neighborhood-oriented destination. There are several vacant buildings, which once developed will play a role in making this Node into a thriving, active pedestrian-oriented "place to be."

Downtown - The heart of Berkeley feeds the City with students, employees, and store customers. Most of Berkeley's office buildings and civic buildings, such as City Hall, the Library, Berkeley High School and the Courthouse, are located Downtown. BART, the entrance to UC Berkeley, and the Arts District are also located here. Every effort should be made to enhance and renovate buildings in the block between Milvia and Shattuck (see Immediate Action Items) and to encourage additional housing in the downtown area. See also the "Downtown Berkeley Design Guidelines" and the "Downtown Berkeley Public Improvements Plan."

During the University Avenue Subcommittee of the Planning Commission policy discussions, illustrative prototype projects were used to analyze the conditions that would encourage mixed-use and residential development in the study area. What was discovered is that the zoning requirements for mixed-use development in the study area are currently based on zoning requirements imposed in primarily residential or primarily commercial neighborhoods, not mixed-use transit corridors. Requirements, such as parking standards for new and existing retail space and open space standards for residential units, can create a significant barriers to building new



LEGEND

- Local-Serving Avenue Nodes
- Region-Serving Avenue Nodes
- Avenue Residential
- Neighborhood Residential

Recommended Zoning Overlay Designations

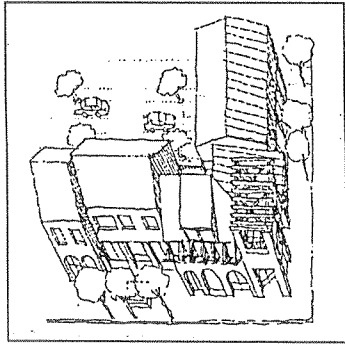
mixed-use developments if they don't take into consideration the desired physical character of the area. Alternative standards should be established for University Avenue that facilitate carefully planned and designed new development within the corridor.

Avenue Mixed-Use: Urban housing and live-work are seen as a key components to a revitalized University Avenue. New residents will become patrons for local businesses and help bolster the level of activity along the street. Further, as mentioned by the City's "Avenues Plan," Uni-

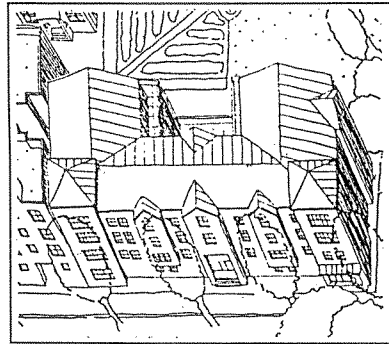
versity Avenue as well as Shattuck, Telegraph, and MLK Jr. Way are important transit routes within the city, and thus appropriate locations for higher density living. Nurturing opportunities for live-work is also consistent with the intent to improve the economic vitality of the study area. Live-work provides an affordable alternative for artists and small business persons and can be managed so traffic, noise, and other environmental impacts are avoided. To ensure that the street edge is active, ground-floor retail and small-scale offices are permitted in ground floor locations, unless a financial hardship can be demonstrated.



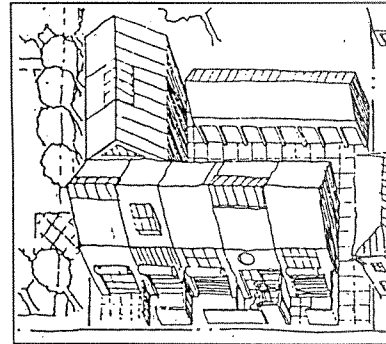
Building Types



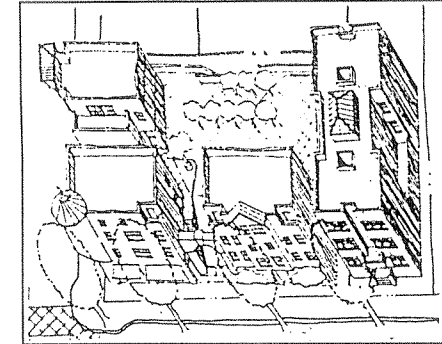
Corner Retail



Avenue Residential



Live-Work



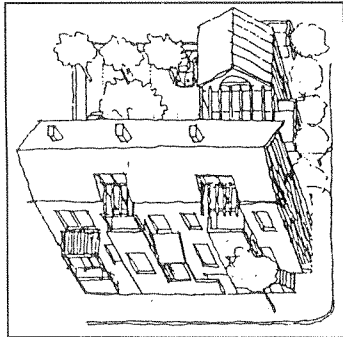
Mixed-Use

Design Guidelines: Projects along the corridor should be encouraged to provide pedestrian-friendly uses at ground level, helping to activate and provide “eyes on the street.” Minimum and maximum building heights should be established to reinforce the Avenue Nodes concept and provide incentives for developers to build new mixed-use buildings.¹¹ Massing standards should address solar access and privacy issues. As described further in the Urban Design section, a series of design guidelines have been proposed that guide development into physical patterns that achieve these and other goals. The specifics of the University Avenue Design Guidelines should be incorporated into the new Zoning Overlay designation.

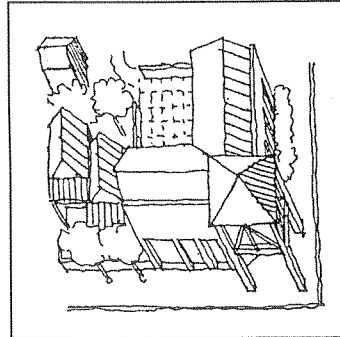
Permitted Uses: As mentioned earlier, University Avenue is currently home to a number of liquor stores, auto-oriented uses, and industrial/warehousing uses that do not fit with the desired character and function of the corridor. Like other commercial corridors in Berkeley, the list of permitted uses along University Avenue should be tailored to discourage or prohibit activities that are not consistent with the intent of this plan.

Although University Avenue does command interest from franchise businesses, the greatest demand for retail space in Berkeley generally stems from tenants who are already doing business in or are familiar with Berkeley. The concern that new fast food franchises along University Avenue work against the goals of the Strategic Plan has, though, led to a current moratorium. Given the City’s mixed success with fast food franchise quotas, this plan is recommending that new franchises be limited through strict design controls. Many other communities have successfully established design standards that prohibit drive through take-out and corporate identity buildings, while encouraging a design attitude that fits with the fine-grain, mixed-use character of an area.

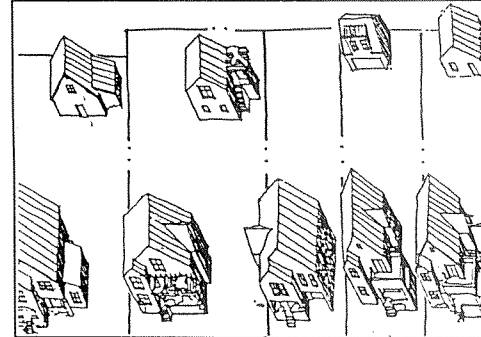
Contaminated Sites: These sites are regulated primarily by the State Regional Water Quality Control Board, which maintains a current listing and status of any contaminated parcel within the study area. This information is updated regularly and is available to the community over the Internet.



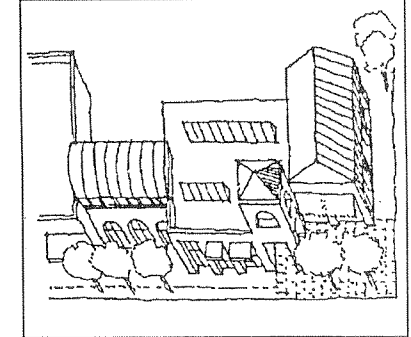
Townhouses



Day Care



Single-Family with Ancillary Units



Mixed-Use with Plaza

In response to concerns of pre-existing groundwater contamination within the study area, e.g. from gas stations, the City's Toxic Management Division has recommended several measures to strengthen existing regulations that deal with: sites with known pollution, sites with no known pollution, and for changes of use from a chemical using business to another.

Land Use Policies and Strategies

POLICY 6: STRENGTHEN UNIVERSITY AVENUE AS A MIXED-USE RESIDENTIAL AND COMMERCIAL BOULEVARD. CONCENTRATE URBAN HIGH DENSITY MIXED-USE COMMERCIAL AND HOUSING DEVELOPMENT WITHIN THE NODES ALONG THE AVENUE. ENCOURAGE LOWER DENSITY MIXED-USE OUTSIDE THE NODES. PROTECT AND ENHANCE THE LOWER DENSITY CHARACTER OF SURROUNDING NEIGHBORHOODS.

Strategy 6A: Create a special Zoning Overlay Designation for University Avenue between San Pablo Avenue and Martin Luther King Jr. Way that:

- Identifies the desired location of Neighborhood-Serving and Region-Serving Avenue Nodes. This overlay should address the physical appearance and density of new buildings, as well as the differences among neighborhood-serving and region-serving nodes.
- Encourages housing with ground floor retail or office as a priority along the Avenue between commercial nodes (Avenue Mixed-Use). Allowances are provided for upper story live-work and offices. Ground floor retail is required, unless a hardship can be demonstrated. Wheelchair accessible units are encouraged at the side or rear of the ground floor.
- Removes barriers to constructing relatively high density housing along University Avenue. Specifically, apply the open space and parking requirements for high density housing in a flexible manner, given the area's proximity to transit and nearby parks. Encourages the Zoning Adjustments Board to reduce the on-site open space requirement for mixed-use residential buildings from 200 s.f./unit to as low as 40 s.f./unit if proposed open space is of high quality, meeting a combination of the following: contiguous space;

southern exposure; planted; at grade public plaza. Encourages the Zoning Board of Adjustments to reduce parking requirements as necessary to encourage transit-oriented mixed-use development, where appropriate findings can be made.

- Sets minimum and maximum building height limits for residential, mixed-use, and commercial buildings within Avenue Nodes and Avenue Mixed-Use areas. New buildings in Avenue Nodes will be required to be a minimum of 2 stories in height, and a maximum of 4 stories. Buildings in Avenue Mixed-Use areas will be required to be at least 2 stories high and may be a maximum of 3 stories. These maximum heights may only be granted if all other solar, privacy, open space, signage, design, and parking standards are met.
- Incorporates the University Avenue Strategic Plan Design Guidelines (see also Urban Design section).
- Prohibits or discourages certain uses along University Avenue, such as new:
 - alcohol-related establishments (unless in conjunction with a restaurant)
 - pawn shops
 - adult-oriented businesses
 - automobile and other vehicle-oriented uses
 - drive-in food and services
 - industrial/warehouse uses.

Strategy 6B: Monitor the development of existing sites with pre-existing groundwater contamination.

- Sites with known pollution: Polluted sites need to be adequately investigated and pollution removed from the site prior to development. In some cases, the City of Berkeley Toxics Management

Division (TMD) can work with the developer to allow development where remediation is not complete. In such cases, remediation should in no way be impacted by the development. In addition, the developer needs to perform some form of risk analysis and long term management that is approved by the TMD.

- Sites with no known pollution: The TMD will be copied on any Phase One environmental assessment reports and any other additional environmental reports prior to any required sign-off for development.
- For change of use from a chemical using business to another: The TMD will require a site inspection and review of intended use prior to any required sign-off for development. Corrective actions may be necessary.

Strategy 6C: Study the concept of an expanded home occupation use city-wide.

- An earlier concept for a Transitional Zone between the commercial corridor and the residential neighborhoods has been removed from the plan. Despite opposition to a zoning designation that many felt categorized their neighborhood as “in-between,” there was support for expanding home occupation uses based on appropriate standards to mitigate any potential impact on the neighborhood. However, it was concluded that this would be more appropriately dealt with on a city-wide basis rather than just along University Avenue.