

**APRIL 11, 2017
CITY OF ORINDA
CITY COUNCIL MINUTES**

(Adopted by unanimous (7-0) vote of the Planning Commission on April 25, 2017)

**5:00 P.M. – SPECIAL JOINT CITY COUNCIL & PLANNING COMMISSION MEETING
– LIBRARY AUDITORIUM**

A. CALL TO ORDER / ROLL CALL:

Mayor Phillips called the meeting to order at approximately 5:00 p.m.

COUNCILMEMBERS PRESENT: Darlene Gee, Inga Miller, Dean Orr,
Vice Mayor Amy Worth, Mayor Eve Phillips

COUNCILMEMBERS ABSENT: None

PLANNING COMMISSIONERS Louise Adamson, Joe McGrath, David Parnigoni,
Claire Roberts, John Smith
Vice Chair Brandyn Iverson, Chair Willy Mautner

B. PLEDGE OF ALLEGIANCE: Led by Mayor Phillips

C. ADOPTION OF AGENDA

MOTION by Councilmember Miller and seconded by Councilmember Gee to **adopt the agenda**. Said motion carried by a unanimous voice vote.

D. URBAN LAND INSTITUTE PRESENTATION ON DOWNTOWN PLANNING

D.1. Receive Presentation from Urban Land Institute (ULI) Technical Assistance Panel (TAP) Regarding Downtown Planning Recommendation:

Staff recommends that the City Council and Planning Commission receive the presentation from ULI TAP regarding Downtown Planning, take public testimony, and provide feedback.

David Cropper, TMG Partners, San Francisco, gave a PowerPoint presentation of the Urban Land Institute's (ULI) Technical Assistance Panel (TAP) regarding Orinda's downtown planning. He recognized the work of City Staff, Orinda community groups and residents, and gave a brief background of ULI, stating its goals are to engage in dialogue about how to make great places, conduct responsible land development and balance needs. ULI's TAP conducts market research, community outreach and brings best practices to cities.

Mr. Cropper introduced panel members Jessica Von Borck, Assistant City Manager for the City of Fremont, Geeti Silwal with Perkins + Will, David Shiver with BAE Urban

Economics, Jeffrey Gee with Swinerton Management & Consulting and current Redwood City Councilmember and former Mayor, Craig Sommelier from Main Street Property Services, Megan Keith from AECOM, and accompanying staff members.

The TAP was asked to come up with a collective vision for Downtown Orinda and provide a draft mission statement, to look at streetscape design concepts in the City's existing plan, options for restoration of Orinda Creek and what changes to the Downtown Development Standards and allowable land uses might be suggested.

They met with and interviewed various community groups, staff, property owners and agencies. Resulting themes included comments regarding Orinda's outstanding schools, friendly environment, an oasis and special place, small old-fashioned hometown with a hometown feel, engaged citizenry, family centric, great semi-rural community as well as comments about Orinda not being a semi-rural community. Comments from input were that Orinda is stuck in the past, the town is aging, and teens' comments that they were not sure they would want to return to Orinda.

They discussed Theater Square as a great place but some of its building appearances needed to be improved, as well as areas of the downtown. Also heard were comments that people would not want to return after seeing this as the downtown, comments about parking and BART and conflicts with residents and shoppers. They discussed the auto-oriented Village area and the panel was impressed with Orinda's civic realm between the library, community center and park. They heard the zoning code needed update, specifically relating to the Village area, that the creek creates many opportunities, and a recurring theme that Orinda is transit-rich given BART access; however, riders sometimes must go to another station to find parking.

Many former residents are returning to Orinda but are finding it difficult to find housing. There was encouragement that the City could look at smaller scale, low density housing that fits within restrictions, and the theme was that there were very little housing choices.

After hearing comments, the TAP identified strengths as clearly schools and families, the natural beauty of Orinda, transportation, strong demographics, a high income and educated and involved community, and historic assets. Some weaknesses were that the City is very car-centric, there is a lack of housing options, a fair amount of retail that is not operating at its best, the freeway, and that properties do not turn over often.

Regarding opportunities, there is low retail rent, a lot of surface parking lots, San Pablo Creek, many opportunities to have "a third place" or a place to hang out, updating the General Plan, and fast prototyping of pilot ideas to engage different parts of the community and under-utilized areas. There is retail leakage and, in the absence of revitalization of buildings, the City may have some earthquake risk.

One valuable recommendation of the group was to update the 1987 General Plan in some form in a very Orinda or inclusive way. They also would recommend breaking up the downtown into three districts, getting behind an action plan for the creek, fast prototyping of different ideas for downtown recreation and entertainment, and to raise

revenue by enforcing short term parking by providing parking zones and other parking ideas with shared parking. This could open up opportunities for future development and get people in and out of the town.

The TAP developed a Mission Statement for the downtown:

“Downtown Orinda is made up of inclusive spaces for all community members that respect Orinda’s history and natural beauty and provide opportunities to celebrate, gather, shop and eat, sustaining a safe, healthy and vibrant community.”

Mr. Cropper then called on TAP members to comment on various segments of the report.

Geeti Silwal with Perkins + Will said the second question asked of the panel was to obtain an idea of the community’s vision for the downtown. The question was expanded to focus on streetscape design concepts and segments of the downtown. Goals were how to build image and identity of downtown Orinda, leverage public and private assets and build community. The two segments of Orinda’s downtown are the Village Creekside District and the Theater District and each has its own identity and opportunity for change.

They zoomed in on the Village Creekside District at the intersection of Camino Pablo and Orinda Way which they felt the City should build off of and integrate into its plans. They suggested the following:

- Leveraging City assets and view Orinda Way as a gateway entrance and announcement of the historic bridge.
- Giving up on-street parking on the south edge of Orinda Way and creating a wider sidewalk.
- The other city asset is Avenida de Orinda which is a street that leads to the creek and they suggest restricting vehicular access and creating open space along the creek with enhanced paving as a welcoming pathway to the creek. The Phairs public parking lot’s use might change as a shared parking resource for this district.
- The railing on the golf course side is a barrier and they thought this could be viewed as an artistic opportunity to integrate the asset into the gateway to the community.
- Orinda Motors should be preserved as a treasure, as well as historic bridges.
- Much of the area is surface parking that serves single users and single property owners and they view this as an opportunity for the City to connect them as a shared resource with implementation of streetscape guidelines to build off of.
- They suggest making the area between the Library and Camino Sobrante more pedestrian-oriented while maintaining historical aspects and opportunities to pull building fronts closer to the street to have a more engaging and vibrant front on the street, as well as pathways and phasing of Creekside improvements.

Jessica von Borck, Assistant City Manager for the City of Fremont, discussed the Civic District, stating the City has an already strong built-in base of community assets of the Library, the Community Center and Parks and Recreation building, City Hall, and community parks. From a streetscape perspective they looked about how to knit components with the streetscape and take it a step above. The City has already implemented part of the Orinda Master Plan Streetscape Guidelines. The group encouraged the City to respect the fact this is an auto-oriented zone and to open it up for pedestrian engagement through “living street” examples. They suggested looking at existing venues such as the terraced frontage at the Library, a huge plaza with an amazing art collection, the living street idea and closing this off for larger events which already occurs.

To finance and continue to enhance these place makers they suggest looking at the venues, different size types and how the City can offer those to place making curators which is a popular idea in the Bay Area. One opportunity would be to market the free venues. The City would waive fees, close down the street, have the curator come and host their events, some of which could include hopscotch, chess tournaments, soccer games, and other events. These could test the community as to what residents like best, and this could be an opportunity to engage teens in a meaningful way, as well.

Regarding the Theater District, Ms. Von Borck said the City has the ‘bones’ here and could enhance the area further by looking at how to connect BART riders into the area, identifying their experiences coming off of BART toward the district.

They walked the district and found somewhat unfriendly experiences and then arrived at a roundabout. One thought was to take advantage of working with private property owners on the City’s interior streetscape in the Theater Square which could lead to the exterior streetscape. They encourage pedestrians be funneled through the Theater Square which then would activate retail restaurant space and they would then arrive at a crosswalk at Moraga Way for further safe access. From a parking perspective, they encouraged the City to look at the street alongside it and turn it into parking given it is not an active street.

She suggested enhancing Orinda’s small town character through banners, lighting, baskets with flowers, and street furniture and elements. To fund it, many communities use property based improvement districts or community based improvement districts, which involves engagement with property owners and businesses. They also encourage parklets and asked that the City implement next step recommendations from the parking study from 2016 to help alleviate parking issues. The City can then take advantage of the parking it has along the street which can be used as a revenue generator. They encourage this first be done as a pilot project on Brookwood.

In terms of the truck traffic, many people voiced this as a concern in terms of safety for pedestrians and they encourage re-routing this through involvement with regional planning.

In summary, Ms. Von Borck recommended implementing next steps identified in the 2016 Parking Study and exploring a parking maintenance assessment district at some

point in time. Another asset is the City's theater, noting there are three screens but only two are used. The third screen could be used for kids and this could further activate the area.

David Shiver with BAE Urban Economics referred to restoration and planning recommendations for San Pablo Creek. They heard a strong interest in integrating the creek into a usable community asset; however, the City has limited financial resources to do this. External funding sources need to see a commitment by the City that it is prepared to move forward on a creek restoration project.

The TAP's recommendation they arrived at was that possibly the City should consider forming a Village Creek Action Plan as a mechanism to implement next steps that came out of the 2001 Creek Restoration Plan. TAP identified benefits that this would serve as a unique identity to the Village area. It would encourage reinvestment and obtain a higher quality Village experience, improve habitat and flood control measures, and be a community jewel.

Mr. Shiver said the original 2001 Creek Restoration Plan called for performing hydraulic modeling to confirm natural creek design, developing accurate topo mapping and monitoring water flows. The TAP recommended gaining consensus of property owners and regulatory agencies for rights-of-way. In approaching financial alternatives, they recommend binding it from the Village District from Santa Maria Way on the south to the historic bridge on the north, undertake 2001 technical studies, identify and evaluate opportunities and constraints to repurpose the properties, and allow for creek-facing uses at the rear. The plan would look at formulating and testing incentives to stimulate reinvestment and repurposing of properties. By having a plan, the City would demonstrate external funding mechanisms and credibility.

He outlined steps to 1) look at the flood zones and how those combine to create constraints for how to repurpose properties and explore the planning ideas presented previously; 2) formulating and testing incentives that would pay for rights-of-way dedication and Orinda can create value to property owners that could help pay for dedications. They can create a pool of residential units allocated to a property owner who is willing to dedicate their right-of-way for the creek and in return, they are able to have a mixed use project with housing as a driving component.

Jeffrey Gee, Swinerton Management & Consulting, said in considering the community's vision for downtown Orinda and recommending changes to downtown development standards and allowable uses, the TAP reviewed the Downtown Design Guidelines developed in 1990 which they recommend be updated. The guidelines will guide architectural and place-setting character of the City. It will also ensure that renovation and new projects respect the historic character of existing neighborhoods.

Overarching guidelines include walkability for an enhanced pedestrian experience, clarity on building heights and their measurement, respecting the creek and setback, opening it up for community engagement and uses, identifying parking management strategies, partnering with private property owners and consider adding a zero to the minimum front yard and side yard setbacks for active spaces, placing appropriate uses

along the creek, and modulating buildings on Orinda Way to keep a small village feel. In moving into the Civic District, the group recommended programming it so it is more active, closing side streets and adding street furniture and Wi-Fi.

Craig Sommelier from Main Street Property Services discussed the Theater District, stating it is the one place within Orinda where the existing building stock creates an opportunity for retail to flourish. He reviewed and described the following recommendations as suggested by the TAP:

- Adherence to retail principles and guidelines.
- Added signage.
- Encouragement of outdoor sidewalk and dining experiences.
- Require ground floor retail along Moraga Way.
- Successful location of retail and restaurants.
- Incentivizing the transfer of ground floor office uses to upper floors over time.
- Open up storefronts and visibility into stores.
- Encourage shared parking.
- Connect Theater Square to the BART and BART parking.
- Bryant Way should be prioritized to additional parking can be gained by eliminating the sidewalk which would engage the retail storefronts in Theater Square.
- Screen Camino Pablo appropriately and provide way-finding to this District.
- Create a shallow opening to develop an outdoor seating element, a pedestrian access, better visibility and an opportunity to re-engineer where foot traffic works to provide what is necessary to make retail thrive.
- Develop a toolkit for early adopters and owners with incentives such as waiving parking requirements, allowing for recapturing sidewalk or parking spaces.
- The parking trade-offs might take the form of no parking being provided at all on a small infill site.
- Reuse of existing buildings with more intensive uses should not require increased parking or payment of in-lieu fees.
- Provide incentives to improve building facades or identify other economic trades to encourage property owners to improve their facades.
- Develop a partnership between the City and property owners to create a meeting space.

David Cropper discussed next steps, stating they would create all recommendations and discussions in a manual the City could use and the TAP was available for questions.

D-2 Public Questions/Comments

Mayor Phillips opened the public forum.

Paul Nieto, Executive Vice President, Signature Development Group, Chair of the Building Industry of the Bay Area and Orinda resident, thanked the ULI group for their extensive work and presentation and said architecture is key in terms of implementing

some of the ideas. He cautioned development of the creek area, given the myriad of regulatory agencies intervening which most likely will cause years of delay, lots of money and lawsuits. He also thought the plan was a bit under-ambitious in that the town is cut in half by the freeway and BART and suggested connecting it with the BART station. There are 20 acres of land that separates it and he asked to think long-term to connect Orinda for above ground access.

Richard Colman said what he heard tonight sounds like a good pilot project for something bigger and better. He spoke about his own business's move to Concord and important is that employees are provided with a place to park. He suggested looking at California's high taxes and the difficulty in staying in business, stating that over the last several years several measures, property taxes and sales tax increases have been proposed and asked that the City think about what the ULI is proposing and to also consider saying "no".

Michael Kaplan said he was a member of ULI when he worked for the redevelopment agencies of Oakland and San Francisco and said he thinks housing in the Village area is essential and would make the area vibrant. As a member of Orinda Vision, he learned a lot about Lafayette's mix of housing and said the City varied development to make it work. In considering the needs of older and younger residents, he suggested the City consider taller height limits near the Village, specific marketing work, increased densities and said property owners also need to know the value of their properties in joint venture or if they develop their own properties.

Martha de Laveaga Stewart said her grandfather and great-grandfather bought 1200 acres in the 1880's and developed the town. She supported and encouraged the City to move forward with some changes and said while certain buildings are important, she asked to create an Orinda that works in 2017.

Andrew Van Wye, member of East Bay Forward and Orinda resident, said "housing delayed is housing denied" is the number one problem people at all income levels have, particularly the young. He asked the City to be more ambitious in meeting its RHNA obligations, thinks BART is an under-utilized asset and looks forward to work to make Orinda the best and most inclusive place it can be.

Tom Trowbridge said the City has the opportunity to shape its vision in the downtown and to plan for the realization of that vision and spoke of commercial districts that have served the community well for almost 3 generations, though less well in recent years. He thanked ULI TAP for their work and cited widespread support for a downtown renewal process to begin without further delay.

Owen Murphy thanked the City Council and staff for the ability to be a stakeholder participant and thought the process was professionally run. He looks forward to continued discussions and observations of National Main Street Center aired similarly at a City Council meeting in the future. He cited the following questions:

- Is a majority of Orinda's registered voters willing to approve any substantive change to the General Plan such as land use rezoning, increasing building height and density or accommodating relaxed on-site parking requirements?
- Is it too much to ask that modifications to Orinda's tiny commercial district; the focus of these recent studies actually become commercial in nature and not residential. Commercial modifications don't directly impact schools?
- How will the City orchestrate an intelligent conversation regarding trade-offs of these possible changes. For example, what are benefits to Orinda's existing voters if off-street parking capacity for special events disappears in order to accommodate high density housing in the commercial district?

Paul Leti thanked everybody for their time and for including community members for an engaged process. He was excited to hear conclusions and looks forward being a part of the process.

Kathleen Jenkins thanked the Council for inviting Orinda Watch to participate as a stakeholder in the process and also ULI for not suggesting a specific downtown plan. She thinks this is the beginning of the process and there is opportunity to engage all citizens in the General Plan update process and hoped it would not divide the community.

Nick Waranoff commented that he thought it was a bad idea to remove street parking on the Village side, thinks the parking study was flawed because it did not consider the off-street parking that is vital on the Village site, noted a proposal to vacant Bryant Street which is the casual car pool pickup site near BART and asked where this would be moved. He believes Theater Square was thriving and that it has adequate seating outside of the confines of restaurants. He voiced concerns about adding housing downtown, overcrowding at schools, parking concerns, higher rents and thought Orinda has a population and infrastructure crisis and not a housing crisis.

Steve Arnm voiced concern with noticing of the meeting, questioned who the City was redeveloping the downtown for and asked that the Council spend an equivalent amount of money to conduct a survey to determine what people who live here want.

Bruce Jett said he is a landscape architect and business owner in Orinda and has seen many communities wrestling with who Orinda is, what it wants to be, what is its identity, and how to deal with issues of growth. He applauded the City for bringing ULI here to identify opportunities and was encouraged by the amount of community support for such steps. He cited the senior housing project built by Eden as a great example of adding density and suggested discussing opportunities for BART parking lot and transit-oriented development and office space.

Arthur Roth said Orinda has unique DNA and spoke of traffic concerns and proposed high density development. He thought good suggestions came out of today such as the new entrance through Theater Square from BART but asked the City to seriously consider pro-growth proposals. He also questioned who the development was for and cited potential increases in crime.

Tom Norris said not heard in the discussion was transportation other than the automobile. He is a bicyclist and is seeing many EV 4 and 3 wheel vehicles as well as ADA transportation needs which he suggested be included in the planning process.

Hillary Murphy thanked ULI and staff for their work, cited low-hanging fruit, asked that City think about short and long term solutions, not to wait 10 years for a large planning cycle to implement parklets, popup retail and food trucks, and to enforce parking which would alleviate current issues.

Roy Hodgkinson, President, Orinda Chamber of Commerce, voiced the Chamber's full support, thanked the City for chartering the study, thinks the process will include citizen engagement and in the end should be a compromise and successful vision for the future and one also validated by the community and achieved in a fair and transparent way.

D-3 Council & Commission Comments

Mayor Phillips invited comments from Councilmembers and Commissioners, as follows:

- Councilmember Orr questioned whether TAP had time to go through the Main Street Center proposal and whether there might be items in that report that affect the ULI report. David Cropper said TAP did confirm the idea of community retail and how important it was to keep it in town.
- Councilmember Orr asked for comment on the differentiation between the cost of supporting new retail and existing space versus new retail and new space. Mr. Cropper explained the issue of cost and first round tenant improvements versus less cost with reuse of an existing building and tenant improvements. Mr. Sommelier stated that added to this is that initially the marketplace is not generating sales which go to support rents.
- Councilmember Miller recognized Paul Nieto's comments about activating the creek as sometimes a cumbersome process with permitting agencies, and she asked if a successful model had been implemented by other cities. Mr. Cropper commented on high costs to restore the creek and spoke of the City of Fremont's process of generating their own funding through subsidizing land uses as well as participating in regional funding opportunities. David Shiver clarified that the TAP was really looking at the existing uncovered creek as the core and what they could do with that.
- Councilmember Miller asked for comments about development on the BART parking lot. Mr. Cropper stated they acknowledge that the City will need to work with agencies for shared parking, recognize this is a discreet topic and encouraged the City to work on this but not to hold up other things. Planning Director Buckley also noted that BART parking was outside of the study area, and Ms. von Borck shared experiences of Fremont's transit-oriented development policy, access

policy, and suggested the City create dialogue with BART about parking structures or opportunities for more people to use the station.

- Planning Commissioner McGrath suggested a cost impact matrix be developed for the next report so the City can discern some of the low hanging fruit versus large scale capital investments. He also asked to think about promotion of other modes of transit to BART, such as shuttles, Uber, Lyft, carpools, etc. He added that the report seems to be predicated on stimulating private investment to some extent and that Orinda's asset is the desirability of living here. He likes the concept of a density bonus almost akin to what the state does for affordability, supported leveraging the asset that Orinda has to get what it wants, and to scale density that supports this in a mixed use environment that brings vitality.
- Councilmember Gee cited the many things in transition now, and time and planning efforts. She asked if the TAP had insights in regard to that transition. Mr. Gee recognized time was needed, that several foundation elements need to be put into place and also that investment skipped over Orinda. He recommended messaging should be focus on identity of Orinda's vision, what the City and community wants Orinda to be and for whom, what can be achieved incrementally, and sustaining the vision. Next steps would be to reinforce this through rezoning, guidelines and policies that will take more time, and he briefly described Redwood City's visioning process.
- Mr. Cropper commented that a community survey would be a powerful initial step to determine what residents want for new downtown development and the need for the community to discuss density and diverse housing.
- Councilmember Gee questioned the image of Orinda when coming off of the freeway. Mr. Shiver agreed that Orinda's gateway needs enhancement and he spoke about creative screening, lighting, tree trimming, landscaping and other methods as well as review of the backs of businesses in this regard.
- Vice Mayor Worth agreed the City needs continual engagement with its community, asked that the final report prioritize opportunities, to look at where properties might turn over and opportunities, maximizing community benefits to new development, and look to transportation and walkability of the downtown, open up Theater Square and BART, and seek regional and county-wide transportation funds to link BART to the Theater District.
- Mayor Phillips agreed with comments about ideas for the downtown, and suggested learning more about requiring retail on the ground level and focusing on certain types of retail, determining any impacts and costs from the City providing incentives, and suggested discussing with planning staff any seismic impacts, as she did not believe the City had structures which were in great danger of earthquake damage. She also supported the idea for a cost input matrix to make sure trade-offs are incorporated.

Mayor Phillips, Councilmembers, Planning Commissioners, staff and audience members thanked ULI TAP and said they look forward to seeing the final report.

E. PUBLIC FORUM - None

F. ADJOURNMENT

The meeting was adjourned at approximately 7:30 p.m. to the regular meeting of the Orinda City Council.

Sheri Marie Spediacci, City Clerk