



SOUTHSIDE NEIGHBORHOOD CONSORTIUM

January 27, 2020

Members, City of Berkeley Planning Commission
Alene Pearson, Secretary
Land Use Planning Division
City of Berkeley
1947 Center Street
Berkeley, CA 94704

Re: Comments on Southside Proposed Zoning Districts

Dear Members of the Planning Commission:

The Southside Neighborhood Consortium (SNC) is a consortium of neighborhood associations and speaks on behalf of over 1,000 of its constituent associations' members who live in the areas south and southeast of UC Berkeley. SNC has reviewed the Southside EIR Project Description dated December 17, 2019 ("Project Description") prepared by the City of Berkeley Planning and Development staff and we offer our comments for your consideration. The first two comments address the proposed EIR Project Description and an alternative proposed by SNC. The remainder of the comments address development standards and scope of EIR for which City staff sought Planning Commission input.

Comment 1.0: The proposed EIR Project Description is a traditional up-zoning with no offsetting community benefits to Southside and other Berkeley residents.

SNC believes that the proposed Southside EIR Project Description represents a traditional, 'vanilla' up-zoning approach that will not necessarily result in the outcome desired by the City Council, namely development of more housing close to the UC Campus as quickly as possible. An up-zoning approach as proposed by staff has several limitations that would work against the production of additional housing. First, all parcels would gain additional development rights whether or not the current property owner has any intent to develop or redevelop their property. In other words, a new entitlement flows to an owner who may have no intention of redeveloping their property and decides to continue to hold their property for the long term. Second, a blanket up-zoning of all properties increases the value of all properties and would raise the cost for a developer to purchase a site or assemble parcels for a housing

Comments on Proposed Southside EIR December 17, 2020 Staff Report

development because a seller can price their property with the certitude of the additional entitlement granted through the up-zoning. Third, a general up-zoning grants additional development entitlements at no cost to property owners and developers and deprives the City of obtaining community benefits in exchange for an additional entitlement that has potentially great value. For every additional unit of housing granted to developer, the City would likely create \$50,000 to \$100,000 in incremental value, depending on market conditions. The value of an additional thousand additional units, for example, would range from \$50 to \$100 million. The SNC believes that it is reasonable to ask to share in this value increment in the form of community benefits.

Comment 2.0: SNC proposes an Alternative EIR Project Description that will allocate new entitlement to property owners ready to build and give City an opportunity to share in the value increase.

SNC believes a more effective approach to encouraging housing production would be an EIR Project Description comprised of the following elements:

- Retain current zoning but modify development standards to set baseline density at the midpoint of the existing ranges set forth in the Land Use Element of the General Plan.
- Approve a pool of units that represents a reasonable housing production goal, say 1,000 units, that would be available for allocation within an overlay district.
- Define an overlay district that encompasses properties closest to campus (see attached SNC Alternative Project Description Map).
- Formulate a priority list of desired community benefits. For example:
 - Additional affordable housing units above the City's current requirement
 - Transportation improvements
 - Below market rent ground floor commercial space for low-income entrepreneurs
- Define an allocation process and standards for granting units from the pool. Criteria could include for example: proximity to UCB, superior design/sustainability features, protection of historic structures, and community benefits offered.

This Alternative EIR Project Description is superior to the traditional up-zoning approach because:

- Units are allocated to owners who are ready to build.
- Rewards new entitlement in exchange for community benefits.

This approach has been undertaken by many cities in the Bay Area.

Comment 3.0: The following are responses to Staff solicitation of input on the December 17, 2019 Project Description and Southside EIR:

General

1. The option for discretion should not be removed. The City needs to reconceptualize how the density can be increased on Southside. We'd want to see objective development standards that include

Comments on Proposed Southside EIR December 17, 2020 Staff Report

setbacks and stepping down of mass. Also, we would propose that the city decide on the number of units desired, and have an application process for those units, rather than a general upzoning. This prevents property owners from having a windfall, with no benefits to the city. With an application process the City could negotiate benefits with the developer.

There is no mention in the document about historic resources, including historic view corridors, and how they are to be treated. We would propose that there be strict design guidelines for developments adjacent to historic resources.

Building Heights

3. Yes, but only with appropriate setbacks and analysis of sunlight/shade impacts. 12 stories would be higher than any building currently on the campus.
4. Additional 12 story buildings should only be considered along Bancroft Avenue.

Building Footprint

5. Setbacks and lot coverage should never be modified with only an AUP, particularly given that the increase in value from those entitlements should be subject to negotiation with the City.
6. Very little of the existing R-3 in Berkeley is 'urban,' and the density standards for R-3 in the General plan reflect that. The lot coverage standards for R-3 are what give Berkeley its unique 'garden city' character. Consequently, the lot coverage should not be changed.

Parking

7. Parking rules on the Southside should be similar to SOMA in SF: all truck loading, delivery and passenger pickup should take place on site, rather than on the city streets. SOMA has been undergoing a transition to more intense development as is proposed for Southside, and San Francisco has imposed this requirement there.

Ground Floor Residential Use

8. Ground floor residential should be the rule where there is currently no retail, e.g. Channing, Durant except the two blocks on either side of Telegraph, Haste and Dwight and side streets.

Zoning District Locations

9. The zoning district changes proposed are not appropriate for two reasons. First, the area west of Dana contains numerous historic resources, and needs to be carefully considered, rather than just up-zoned. The EIR scope should include an analysis of views and aesthetics on historic resources and to ensure Section 106 compliance through notification and consultation with the State Historic Preservation Office. Second, as we stated above, the City should not up-zone, but instead have

Comments on Proposed Southside EIR December 17, 2020 Staff Report

application process for new units. SNC proposes a narrower geographic area for change that focuses on sites closer to campus.

10. As we stated in #9, the area west of Telegraph should not be up-zoned without further study of historic resources and an allocation process for constructing new units.

Thank you for the Commission's consideration of these comments.

Sincerely,

Southside Neighborhood Consortium:

Joan Barnett, President, Dwight-Hillside Neighborhood Association
George Beier, President, Willard Neighborhood Association
Phil Bokovoy, President, Save Berkeley's Neighborhoods
Lesley Emmington, President, Make UC a Good Neighbor
Mike Kelly, President, Panoramic Hill Association
Dean Metzger, Vice- President, Claremont-Elmwood Neighborhood Association
Gianna Ranuzzi, President, Le Conte Neighborhood Association
Andrew Johnson, Bateman Neighborhood Association
Dean Metzger, President, Berkeley Neighborhoods Council
David Shiver, Stuart Street/Willard

SNC Proposed Alternative Overlay District

