



Office of the City Manager

LETTER B7b

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PHYSICAL & ENVIRONMENTAL  
PLANNING

August 10, 2004

Ms. Jennifer Lawrence, Principal Planner  
University of California Physical and Environmental Planning  
1936 University Avenue  
Berkeley, California 94720

Dear Ms. Lawrence:

Based on further reflection regarding our June 18, 2004 comments on the University of California at Berkeley's Draft Long Range Development Plan (LRDP) and Draft Environmental Impact Report (DEIR), the City is hereby sending this letter of clarification. Although we recognize that these additional clarifying comments come after the normal deadline for formal response, the City hopes you will take them into account in preparing your responses in the Final Environmental Impact Report.

### **Opposition to Parking Replacement Policy**

Throughout our comments on the LRDP and DEIR, the City has generally noted its concern with the proposed increase in parking supply. What we failed to explicitly include in our comments was a reiteration of the City's opposition to one of the ways the University has used to provide the funding for the additional parking. Specifically, in 1999 the City adopted a resolution noting its opposition to the Parking Replacement Policy as it relates to housing. Under that policy, every campus construction project, including student housing, must budget and pay \$20,000 for each parking space that is eliminated as a result of that project. The City believes this policy is an impediment to providing needed housing. Specifically, the City's resolution is as follows:

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"Because of the urgent need for affordable student housing, we also request evaluation of a blanket exception under section six for all student housing, for a designated time period, since this policy would either delay or prevent some student housing and/or increase the cost to the resident students."

### **Support for Student and Faculty Housing**

The City has numerous policies in the General Plan, Downtown Plan and Southside Plan supporting student and faculty housing near campus in appropriate locations. Some language included in our comments on the LRDP and DEIR has been interpreted as being opposed to increased student and faculty housing near campus, and the City would therefore request that this language be deleted from our comments. Specifically, the following sections should be deleted (as shown in strike-out):

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However, in addition, the University's "housing zone" includes this same area. There is nothing in the LRDP that would necessarily prevent all thousand new housing units from locating in or immediately adjacent to the City's downtown. Even if the numbers were considerably below 1,000 new units, the combination of new University academic/support space and more University housing units could tip the City's downtown from its current eclectic and diverse character, into a student district, increasingly more like Telegraph Avenue. This would clearly be a significant adverse impact on the city of Berkeley, fundamentally changing the character of this city.

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While the City recognizes that it was not the intent of the drafters of the LRDP to imply that the University would transform downtown into another Telegraph Avenue, there is nothing in this plan that would necessarily prevent this from happening. And under the City's own policies, the downtown allows for the highest intensity of use in the City. Given the University's policy of its buildings not exceeding (generally) the building envelopes allowed by the City, the downtown would be an attractive location for new University housing.

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For example, a thousand new housing units west of campus, in or immediately adjacent to the City's downtown, could tip the City's downtown from its current eclectic and diverse aesthetic character, into a student district, similar to what has already occurred along Telegraph Avenue, with a potential for substantial visual impacts and ultimately, visual degradation. This would clearly be a significant adverse impact on the city of Berkeley, fundamentally changing the physical character of this city. And yet, there is nothing in this plan that would necessarily prevent the University from developing in this manner.

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The LRDP's proposed housing zone includes the downtown area. There is no policy that would prevent all one thousand new housing units proposed by the University locating west of campus, in or immediately adjacent to the City's downtown. As the highest intensity district in the City, it is certainly an attractive option, given the University's stated intention generally to not exceed zoning envelopes. The University has already developed a significant amount of housing on Shattuck in the heart of downtown. Even a few hundred more student housing units, in combination with the University's other development could tip the balance in the City's downtown from its current eclectic and diverse character into becoming part of a student and University district.

In regard to housing for faculty and staff, the University is proposing to add up to 2,870 new faculty and only 230 units of staff housing – with much of that housing in an area the City finds unacceptable. The City made several comments in its June 18 letter regarding the inappropriate location in the hills proposed for a significant portion of the proposed increase in housing for staff and faculty. However, the City was not as clear in indicating its continuing support for faculty and staff housing near campus in

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more appropriate locations, and without removing more land from the City's tax rolls. About half of staff drive to work. By increasing the supply of affordable housing for faculty and/or staff near campus (or in the 20 minute commute-shed identified for student housing), the University addresses a significant concern for faculty and staff recruitment and retention, while addressing the City's concern with traffic.

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The City would like to explicitly incorporate the following city policies into our comments on the LRDP and DEIR:

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"Create a sense of community by locating housing for all income types in and near the downtown, near transit, employment, retail and cultural opportunities," Downtown Plan, Social and Cultural Element, Objective 2.

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"Residents of downtown housing should be of a wide variety of social and income groups," Downtown Plan, Social and Cultural Element, Policy 2.1.

"Encourage residential development in and near downtown for a variety of social and income groups. Strongly encourage mixed use developments that include retail, residential, and office uses. Preserve, upgrade and develop low and moderate income downtown housing," Downtown Plan, Land Use Element Policy 1.5

"Encourage mixed-use projects that include both office space and housing above appropriate ground-floor uses (retail or arts) to improve the balance between the number of jobs and the number of housing units in the Downtown," General Plan, Land Use Element, Policy LU-17 (D).

"Encourage development of transit-oriented, low-cost housing in the Downtown," General Plan, Land Use Element, Policy LU-24.

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"Support the development of new housing for students that will not take additional land off the tax rolls and that is compatible with existing development and the policies of the downtown plan," Downtown Plan, University of California Element, Policy 3.1.

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"Encourage the development of affordable housing in the Downtown, the Southside Plan area and other transit-oriented locations," General Plan, Land Use Element, Policy LU-25.

"Encourage the University to maximize the supply of housing for students, faculty, and staff to minimize the impacts of the University on the citywide supply of housing," General Plan, Land Use Element, Policy LU-37.

"Encourage the University of California to provide additional housing within walking distance of campus to reduce University-related traffic," General Plan, Transportation Element Land Use Element, Policy T-16 C.

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“Support neighborhood services by encouraging development of new housing at suitable locations within walking distance of the UC Campus and as part of mixed-use developments in the Telegraph Commercial District and Downtown Berkeley,” Draft Southside Plan, Land Use and Housing Element, Policy LU-E1.

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Thank you for your consideration of our requests.

Sincerely,



Phil Kamlarz  
City Manager

cc: City Mayor and Members of the  
City Council  
Sherre Kelly, City Clerk  
Dan Marks, Planning Director

### **11.2B.7B RESPONSE TO COMMENT LETTER B7B**

Letter B7b was received well after the close of the comment period, but is included in this document as a courtesy.

#### **RESPONSE TO COMMENT B7B-1**

The writer's opposition to the Parking Replacement Policy is noted. The comment is not a comment on the Draft 2020 LRDP or EIR, and no further response is required.

#### **RESPONSE TO COMMENT B7B-2**

The writer's request is hereby documented.

#### **RESPONSE TO COMMENTS B7B-3**

The writer's opposition to hill locations for a significant portion of housing for staff and faculty, and support for faculty and staff housing near campus that does not remove land from the City's tax rolls, is noted. See Thematic Response 8 regarding Hill Campus development.

#### **RESPONSE TO COMMENT B7B-4**

The writer's request is hereby documented.

#### **RESPONSE TO COMMENT B7B-5**

The writer's request is hereby documented.

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- <sup>1</sup> City of Berkeley/UC Berkeley, *Southside/Downtown Transportation Demand Management Study*, March 2001, page ES-5.
- <sup>2</sup> Personal conversation, Kira Stoll, Transportation Planner, UC Berkeley Parking & Transportation, July, 2004
- <sup>3</sup> City of Berkeley/UC Berkeley, *Southside/Downtown Transportation Demand Management Study*, March 2001, page 7-20
- <sup>4</sup> UC Berkeley, *Strategic Academic Plan*, June 2002, page x18, viewed July 7 2004 at <http://www.berkeley.edu/news/media/releases/2003/05/sap/plan.pdf>
- <sup>5</sup> City of Berkeley, *Zoning Ordinance*, section 23E.68.080
- <sup>6</sup> BAAQMD CEQA Guidelines section 3.9 at page 51.
- <sup>7</sup> For CO, the 550 pounds per day criterion applies to all emissions associated with a project to assess potential regional impacts. Other criteria apply for mobile source emissions to assess potential localized impacts, as described in response B7-107.
- <sup>8</sup> Low sulfur diesel fuel reduces the formation of sulfate particulate matter from diesel combustion and also allows for the use of more effective retrofit diesel exhaust controls.
- <sup>9</sup> City of Berkeley/UC Berkeley, *Southside/Downtown Transportation Demand Management Study*, March 2001, page 7-20
- <sup>10</sup> Personal conversation, Victoria Harrison, Chief, UC Police Department, November 2004.
- <sup>11</sup> City of Berkeley, *Draft Report: Sewer Service Charges and Connection Fees and Clean Stormwater Fees Study for the Evaluation of "Fair Share" Contributions from the UC Regents*, April 2004, table 2-2.
- <sup>12</sup> City of Berkeley/UC Berkeley, *Southside/Downtown Transportation Demand Management Study, Existing Conditions*, April 2000, page ES-6
- <sup>13</sup> City of Berkeley/UC Berkeley, *Southside/Downtown Transportation Demand Management Study*, March 2001, page 10-4
- <sup>14</sup> UC Berkeley Long Range Development Plan Draft EIR, January 1990, page 4.5-12
- <sup>15</sup> City of Berkeley, *Zoning Ordinance*, section 23E.68.080
- <sup>16</sup> Berkeley Municipal Code Title 14, Vehicles and Traffic, Section 14.72.020.
- <sup>17</sup> For CO, the 550 pounds per day criterion applies to all emissions associated with a project to assess potential regional impacts. Other criteria apply for mobile source emissions to assess potential localized impacts, as described in Response to Comment B7-107.