



January 29, 2021

**VIA EMAIL**

Ms. Ashley James  
Associate Planner  
City of Berkeley  
Planning and Development | Land Use Planning Division  
1947 Center Street, 2<sup>nd</sup> Floor  
Berkeley, CA 94704

**RE: Applicant Statement for theLAB Parking Garage Administrative Use Permit Application.**

Ms. James:

I. Project Overview for theLAB (old Peerless site)

The applicant's goal is to develop the west and east blocks in four phases beginning with Phase I building and site renovation as well as interior spec tenant improvement buildout. The Phase II project includes the demolition of six buildings and one small shed. Phase III is to build a 4.5 level above-ground parking structure with up to 450 stalls to add to the current surface parking and fulfill the total parking demand of the R&D and light manufacturing uses of the full phased two-block project. Phase IV of the project will be to renovate an existing building (716 Allston) and build a new three-story R&D facility on the west block that conforms to current zoning height and setbacks. The goal for all phases is the renovation and expansion of existing light manufacturing and R&D at the project. The uses for all the phases are consistent with current zoning and as proposed, exceed City parking requirements.

II. Purpose of the Parking Garage Use Permit Application

The purpose of this Use Permit ("UP") Application is to address Phase III of the Project to construct a multi-level, concrete frame, 450 stall parking structure. Phase III will require the approval to demolish the east block buildings 2213 & 2221 4th Street and 2212 & 2216 5th Street as described above in Phase II. Demolition Use Permit applications for Phase II have been submitted to the City under separate application for review.

III. Approval Process

The Phase III Parking Garage will require a Use Permit and Building Permit because it involves the creation of more than 10,000 square feet of gross floor area in the MU-R District (BMC Section 23E.84.050B), and because it involves the creation of more than 20,000 square feet of gross floor area in the MU-LI District (BMC Section 23E.80.050.C).

IV. Project Findings to Satisfy the Zoning Ordinances

Pursuant to Berkeley Municipal Code Section 23B.32.040, the construction of a new parking garage



will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area or neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City, for the following reasons:

A. In its current location and state, the single-family dwelling at 2212 Fifth Street is hazardous and unusable and is infeasible to repair (as referenced in the Historical Evaluations, prepared by Mark Hulbert, dated 11.23.20) and invites vandalism, and the buildings located at 2216 Fifth Street and 2221 Fourth Street are vacant, underutilized and outdated. Therefore, the demolition of the structures and establishment of a parking garage to support the expanded light industrial and R&D project is an appropriate re-use of the lot;

B. The proposed improvements will remove neglected and underutilized structures and establish parking which will benefit the surrounding light industrial uses; and

C. The demolition of the existing structures and the establishment of the parking garage use will allow additional parking for the expanded light industrial and R&D project which will be beneficial to the surrounding community and the City at large.

Pursuant to Berkeley Municipal Code Sections 23E.80.090 and 23E.84.090, the construction of the new parking garage is consistent with the purposes of both the MU-R District and MU-LI District because the parking garage will provide the parking required to support the expansion of floor area dedicated to light manufacturing uses, thereby encouraging development of an area where light manufacturers can operate free from the constraints caused by incompatible uses, and encouraging the availability of manufacturing and industrial buildings for manufacturing uses. The project also meets the MU-R District purpose of protecting residents from unreasonably detrimental effects of nonresidential uses by providing off-street parking for users of the project and creating a barrier between residential uses and the more intensive light industrial uses on the east side of the project. The subject portion of the project is already used largely as a parking lot, so adjacent properties are accustomed to this use. Furthermore, the property adjacent to 2212 Fifth Street is currently used for parking, so construction of a parking garage in this location is consistent with the normal use and operation of surrounding uses and buildings. Also, because the parking garage is being constructed to support the expansion of space used for light industrial purposes, it is not likely under reasonably foreseeable circumstances to either induce or contribute to a cumulative change of use in buildings away from industrial or manufacturing uses. It will also be designed in such a manner to be supportive of the light industrial character of the MU-LI and MU-R Districts, and will be consistent with any applicable performance standards applicable in the MU-LI and MU-R Districts.

V. Project Consistent with Goals and Policies of the West Berkeley Plan. The West Berkeley Area Plan, adopted in 1993, also contains several goals and policies applicable to the project, including the following:

1. *Land Use Goal 2, Policy C* – This project allows a wide range of light manufacturers to continue to operate and expand and limits loss of their spaces to other uses, while providing an opportunity for office development where it will not unduly interfere with light manufacturing uses, and for laboratory development in appropriate locations.
2. *Economic Development Goal 4* – The project fosters the growth of advanced technology manufacturing and advanced technology services (such as research laboratories) by providing space for such enterprises.
3. *Physical Form Goal 2, Policies 2.3 and 2.5* – The project provides parking both to support the expansion of floor area dedicated to light industrial uses, and creates a consolidated parking lot that would allow different uses to share parking in a consolidated location, while integrating the structure and lot with the surrounding areas.



4. *Transportation Goal 4* – The project, and specifically the development of the lots that are the subject of Phase III, creates and maintains adequate parking to support West Berkeley land use without creating increased incentives for single occupant automobile use.

Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bridget Metz".

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