

For Majority Recommendations JUNE 16, 2022

## 742 (700) GRAYSON STREET

PRELIMINARY DESIGN REVIEW

**Design Review #DRCP2021-0015** To demolish the existing buildings used for manufacturing and construct one new 213,279 square-foot, four-story building containing 177,923 square feet of research and development space and 35,356 square feet of ground-floor manufacturing space, as well as one new seven-level parking garage containing 325 off-street parking spaces.

#### I. Introduction

This project is located in the MM Mixed Manufacturing District of West Berkeley on Grayson near the intersection at Seventh Street. The project proposed the construction of two new structures: one four-story building consisting of research and development, manufacturing and ancillary uses, and an adjacent seven-story parking structure providing 325 parking spaces.

The demolition proposal went before the Landmarks Preservation Commission (LPC) on June 2, 2022 where the Commission took no action. The project will be scheduled on an upcoming hearing date with the Zoning Adjustments Board.

The project is before the Design Review Committee this month for Preliminary Design Review.

#### II. Background

The project proposes the demolition of two existing structures and the construction of two new structures: one building consisting of research and development, manufacturing and ancillary uses, and an adjacent parking garage. The building will be a 4-story structure without a basement measuring +/-213,000 sf with 19,661 and 50,705 sf of usable open space, including ground-floor open space, outdoor terrace space and a roof deck. The building is proposed at a height of approximately 72 feet. The adjacent parking garage, at a height of approximately 65 feet, will be seven levels without a basement and contain 325 parking spaces. 148 secured bicycle parking spaces (128 secured, 20 short-term) will be provided along with shower facilities.

#### Other site features include:

- Plaza
- Streetscape enhancements and stormwater treatment
- Onsite bioretention area for stormwater treatment
- Outdoor terraces
- Landscaped roof deck.

### III. Project Setting

#### A. Neighborhood/Area Description:

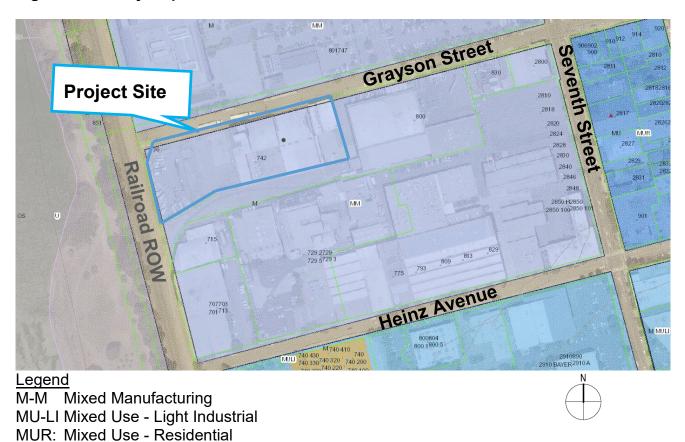
The project site is approximately 2.5 acres large and is located at the western end of the southside of Grayson Street as it meets the Union Pacific Railroad tracks and Aquatic Park beyond. The project site lies at the western border of Berkeley's established manufacturing and industrial area, within the General Plan's Manufacturing land use category. Located within the West Berkeley Plan Area, uses in the surrounding area support industrial, warehouse, manufacturing, wholesale trade, arts, research and supporting and compatible employment generating businesses.

Adjacent uses include industrial, manufacturing, research and development, and ancillary office uses to the south, east, and north, minimizing potential land use conflicts with the proposed project site. All adjacent parcels are also zoned MM. The Bayer campus is directly north of the site, Henkel Corporation to the east, Aquatic Park and Union Pacific Railroad tracks to the west, and various uses to the south, including Artworks Foundry, several professional offices, an outlet store and a bakery.

#### B. Site Conditions:

The north edge of the site is Grayson Street, which is bordered by an inconsistent amalgamation of old sidewalk, abandoned rail spurs (which may partially lay in the right of way), and dirt where it meets the public right of way. There are existing utility poles along the sidewalk at Grayson Street that the project proposes to relocate underground. The Union Pacific Railroad lies to the West of the property. The south edge of the site is bound by a private rail spur. Between 800 Grayson and 700 Grayson is a 35-foot-wide ingress/egress easement. Site topography is generally perceived as flat, though grades slope up gradually from northwest to southeast with increased downslope on the west edge of the site. Beyond the down sloping west edge and the railroad tracks lies Aquatic Park and the Aquatic Park Lagoon.

Figure 1: Vicinity Map



**Table 1: Land Use Information** 

Location		Existing Use	Zoning District	General Plan Designation
Subject Property		Industrial (unoccupied)	MM	Manufacturing
Surrounding Properties	North	Manufacturing		
	South	Retail/office/manufacturing		
	East	Industrial (unoccupied)		
	West	Park	U	Open Space and Recreation

**Table 2: Development Standards** 

Standard BMC Section	ns 23.206.070	Existing	Proposed	Permitted/ Required
Lot Area (sq	. ft.)	109,230	No change	20,000
Gross Floor Area (sq. ft.)		45,406	213,279	N/A
Floor Area Ratio		0.42	2	2
Building Height	Average (ft.)	71.2	71'-11"	45'
	Stories	3	4	N/A
Building Setbacks (ft.)	Front	0,	4'-8"	0'
	Rear	8'	28'-8"	0'
	Left Side	0,	4'-6"	0'
	Right Side	259'	34'-6"	0'
Lot Coverage (%)		32	69	100
Usable Open Space (sq. ft.)		N/A	50,705	N/A
Parking	Automobile	4	325	380
	Bicycle	0	148	107

#### IV. Project Description

#### A. Requested Use Permits

- Use Permit pursuant to BMC Section 23.326.070.A to demolish main buildings used for non-residential purposes.
- Use Permit pursuant to BMC Section 23.206.050.A.2, to remove existing ground-level floor area used for manufacturing.
- Use Permit pursuant to BMC Section 23.206.030.A to construct 40,000 square feet or more of new gross floor area.
- Use Permit pursuant to BMC Section 23.206.030.A to re-establish more than 40,000 square feet of light manufacturing space.
- Administrative Use Permit pursuant to BMC Section 23.206.020 to establish more than 20,000 square feet of research and development use.
- Administrative Use Permit pursuant to BMC Section 23.304.050.A to allow architectural elements to exceed the height limit in a non-residential district.
- Use Permit pursuant to BMC Section 23.322.050.A.8 to designate up to 10% of the automobile parking required for a use for bicycle parking.
- Administrative Use Permit pursuant to BMC Section 23.322.100.5 to reduce the number of on-site loading spaces from nine to two.

- Variance pursuant to BMC Section 23.406.050 to allow an average height of 71 feet 11 inches where 45 feet is the maximum in the Mixed Manufacturing district.
- Variance pursuant to BMC Section 23.406.050 to provide 325 off-street automobile parking spaces where 380 are required.

#### B. CEQA Determination

It is staff's recommendation to ZAB that the project is categorically exempt pursuant to Section 15332 ("In-Fill Development Projects") of the CEQA Guidelines. The determination is made by ZAB.

#### V. Design Review Guidelines

The City's Design Guidelines are applicable for this project. Excerpts from the Citywide Design Review Guidelines are included below for your reference.

- **Setbacks:** The street façade of commercial streets should be respected, in order to create or maintain the sense of urban space.
- Parking and Driveways: Conflict with pedestrian circulation should be prevented by the proper location and design of auto entrances; whenever possible, parking should be behind buildings, underground, or in a central court.
- Harmony with Surroundings: The proposed design should be in harmony with
  its surroundings through the coordination of such design elements as cornice
  lines, eaves, and setbacks with those of existing neighborhood buildings.
- **Articulation:** Street facades in general and the ground floor level in particular should include elements of pedestrian scale and three-dimensional interest.
- **Lighting:** Lighting for circulation, security, building/sign identification should be non-obtrusive, except for lighting fixtures which are themselves decorative additions to the streetscape.
- Walls and Fences: Large, unarticulated expanses of any particular wall material that deaden the pedestrian environment should be avoided. The use of clear windows for ground floor retail projects is encouraged. Walls designed to allow sitting areas for pedestrian or space for landscaping and artwork are encouraged, especially in areas of heavy pedestrian use. Landscaping and/or art work should be maximized if large expanses of wall must be left devoid of openings.
- Landscape and Open Space: Sidewalk areas should include landscaping that is coordinated with the neighborhood design.
- **Public Open Space Areas:** the inclusion of public open spaces is encouraged as a means of providing places for people to come together for community interaction and enlivening the pedestrian environment.
- **Pedestrian Paths:** Pedestrian paths and arcades interior to the block which joins different parts of buildings as well as different streets are encouraged.
- **Building Entrances:** Entrance points should be clearly defined and easily identifiable by pedestrians by appropriate locations and by elements such as

awnings, signage, artwork or changes in paving material to define the entry point.

The West Berkeley Plan is also applicable to this project. Below are several relevant goals from that plan:

- <u>Physical Form Goal 5</u>: Development on major sites of 1 acre or more should be both internally cohesive and sensitively designed on the site's publicly used edges.
- Open Space Goal 9: Provide an accessible, aesthetically-pleasing network of green spaces and corridors - that is functional for varied types of users--to visually and physically link parks, creeks, and shoreline to residential and commercial, and light industrial areas.

The West Berkeley Plan can be found on the City's website at the link below:

https://berkeleyca.gov/

#### VI. Issues and Analysis

#### A. Design Review Issues:

**Neighborhood Context** The project is located in the MM Mixed Manufacturing District of West Berkeley between Seventh Street and the Union Pacific Railroad tracks with Aquatic Park just beyond. The site is located at the end of a dead-end street, surrounded by rail lines, only limited vehicular access ways and is located more than 650 feet from the nearest intersection. Because of the site's landlocked nature, a fire road is provided to the east of the property to allow for access to the back of the building.

Massing/ Building Design The project is made up of two separate structures: a four-story, 72-foot-tall mixed-use building and a seven-story, 65-foot-tall parking garage. The mixed-use portion of the building proposes a 20-foot ground floor height, with an average 16-foot floor height for all upper floors. The parking garage proposes 10' floor height for all floors, including the ground floor. The massing is broken up by a continuous void space that connects the ground floor amenity space to landscaped terraces at the second, third, and fourth floors. There is a large landscaped roof deck overlooking the Western edge of the property. The massing is pulled back at the Southwest corner with outdoor space provided at the second floor. Stacked terraces on the third and fourth floors are visually tied to the ground floor by a band of clear glazing that breaks the materiality of the South façade. The building steps back at the roof level on the South side.

**Ground Floor Design** The ground floor of this mixed-use building proposes a main lobby at the Northwest corner of the project adjacent to a large entry court as well as a landscaped area that runs the length of the Western edge of the property and wraps around to the South side. The bike storage room, which includes two shower rooms, can be accessed from the lobby or from an exterior door that opens out to Grayson Street. The majority of the floor is dedicated to the manufacturing uses with a portion allocated for a research and development tenant space along the West side of the floor. Mechanical spaces are arranged at the East end of the floor with access to Grayson and a loading dock is proposed directly adjacent to the parking structure.

**Setbacks** The building is setback 3'6" from the North property line at Grayson and 4'6" from the East property line. The building is pulled further back from the South and West property lines to allow for stormwater treatment planting areas and public open space.

**Parking** The proposed seven- story parking structure is designed to be 64'-5" and includes 325 parking spaces. Vehicular and loading access is located on Grayson Street at the North end of the project site. The project proposes two on-site loading spaces that can accommodate large trucks (50 feet or larger). The project proposes 148 onsite bike parking spaces. Bicyclists will have access to the bike storage room directly from Grayson Street.

**Open Space Design** Open space in incorporated on each floor throughout the project. A large landscaped area is provided along the Western edge of the property, with exterior stairs connecting to landscaped decks facing North at the second, third and fourth floors that lead to a landscaped roof deck. Additional outdoor terraces are provided at the Southwest corners of the second, third, and fourth floors, as well. The terraces are designed to offer outdoor space to all portions of the floor. The roof level includes a mechanical yard wrapped by a mechanical screen and a landscaped roof deck at the west end of the building, offering panoramic views of the east bay, north bay, and San Francisco.

**Landscape** The project includes 24,884 square feet of total landscaped area, including 14,503 square feet at ground level (see Sheet L5.00). This also includes over 4,200 square feet of stormwater management treatment area designed to capture and treat stormwater on-site and avoid negative impacts on Aquatic Park and the San Francisco Bay.

**Streetscape** Thirteen new street trees are proposed along Grayson.

**Bird Safe Glass** The project proposes bird safe glass on the west façade and partially opaque panels to reduce potential for bird strikes. Other features to protect against bird strikes – such as windows shades that close automatically at night, are being considered.

**Colors and Materials** The project includes concrete, metal mesh, expanded metal mesh, and aluminum mullions and fins.

#### **B.** Issues for Discussion:

- Neighborhood Context
- Ground floor Design
- Building/ Façade Design
- Landscape
- Open Space Design
- Colors and Materials

#### VII. Recommendation

Staff recommends that the Committee discuss the issues outlined above and forward a favorable recommendation to ZAB with specific direction for Final Design Review.

#### Attachments:

- 1. Project Plans, received May 12, 2022
- 2. Applicant Statement, received May 12, 2022

**Staff Planner:** Anne Burns, aburns@cityofberkeley.info, (510) 981-7410

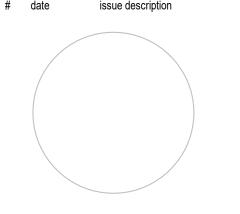
# 700 GRAYSON STREET BERKELEY, CA 94710

ZONING PROJECT APPLICATION RESUBMITTAL - 05.12.2022

CLIENT

REDCO development LLC

four embarcadero center, suite 1400
san francisco, ca 94111
415.450.1466
www.redcodevelopment.com



**700 Grayson Street** 700 grayson street berkeley, ca 94710

G0.00

5 VICINITY MAP

**ABBREVIATIONS** 

2 PARKING CALCULATIONS

CLIENT
REDCO development LLC
four embarcadero center, suite 1400
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ARCHITECT
brick.
405 14th street, suite 500
oakland, ca 94612
510.516.0167
www.brick-inc.com

CONSULTANT

\( \) date revision description

4 2022.05.12 ZONING APPLICATION RESUBMITTAL
3 2022.04.01 ZONING APPLICATION RESUBMITTAL
2 2021.12.08 ZONING APPLICATION RESUBMITTAL
1 2021.08.19 ZONING APPLICATION

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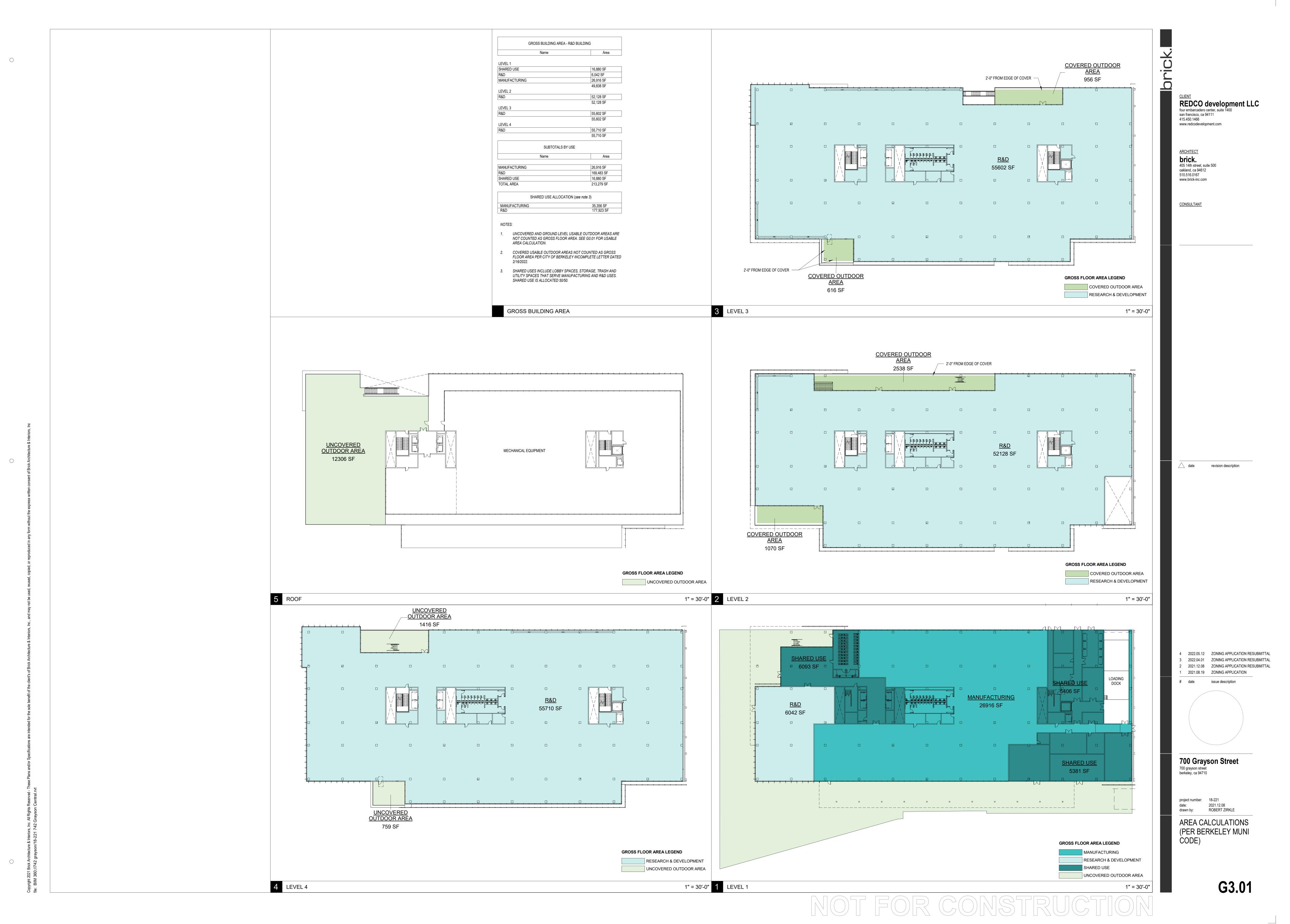
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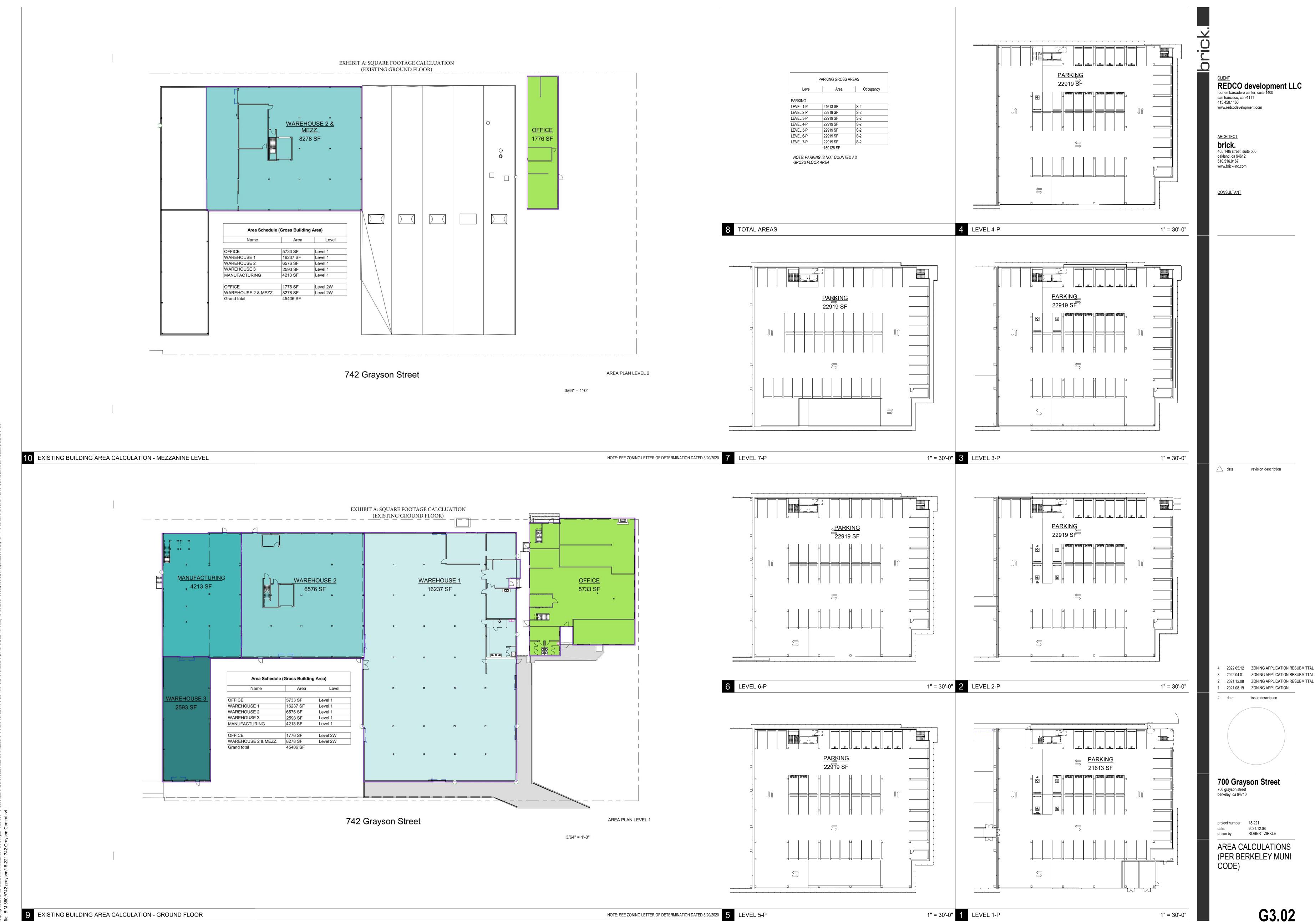
project number: 18-221
date: 2021.12.08
drawn by: ROBERT ZIRKLE

PROJECT INFORMATION

G0.01

1 SHEET INDEX





1 CONTEXT - AERIAL VIEW

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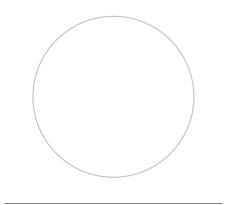
ARCHITECT **brick.**405 14th street, suite 500 oakland, ca 94612 510.516.0167 www.brick-inc.com

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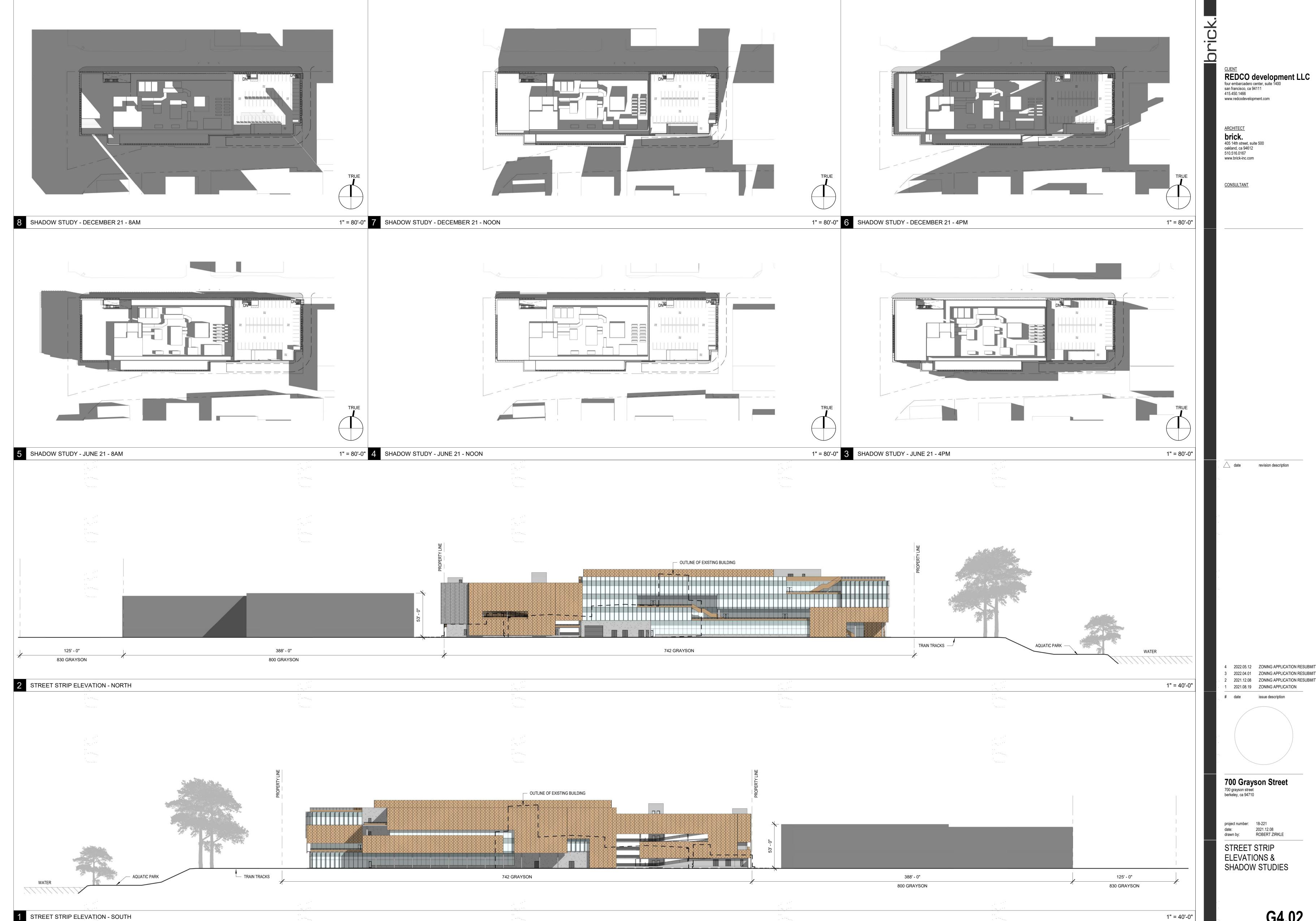
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**700 Grayson Street**700 grayson street
berkeley, ca 94710

SITE PHOTOGRAPHS & BUILDING HEIGHT STUDY

G4.01



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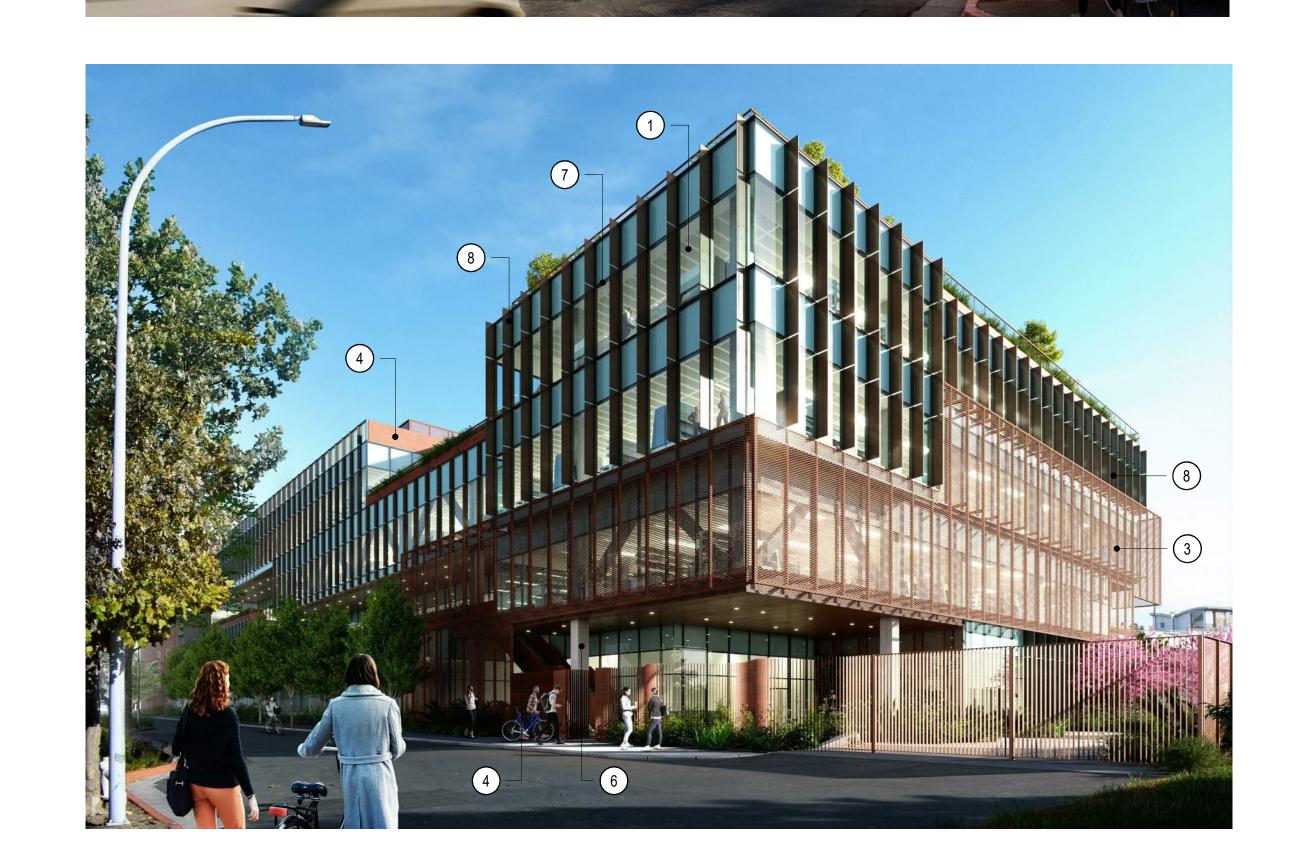
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1 SOUTHWEST CORNER VIEW

G4.11

KEY PLAN

1 CURTAIN WALL - SSG



13 RENDERINGS

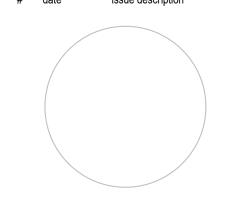
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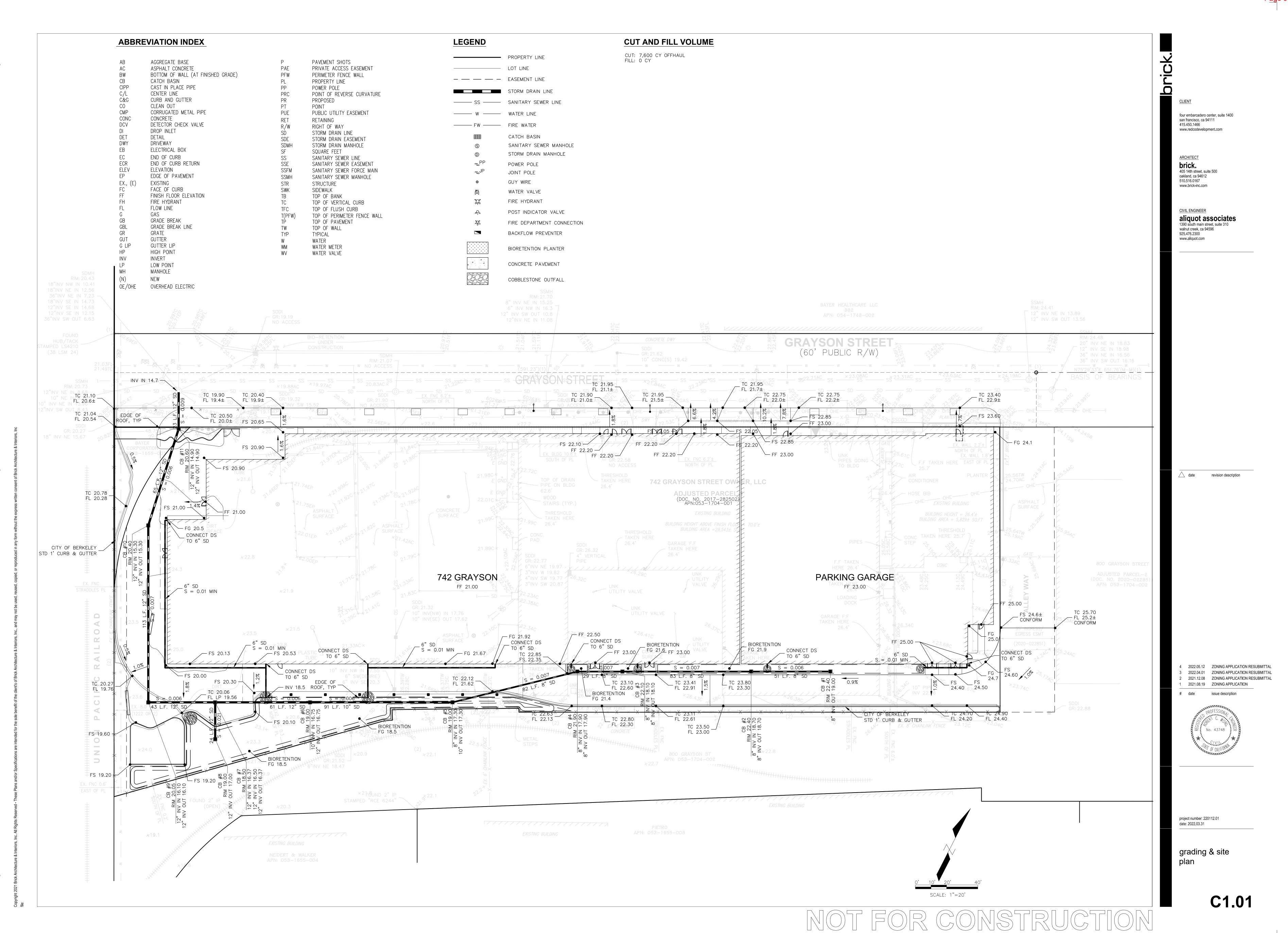
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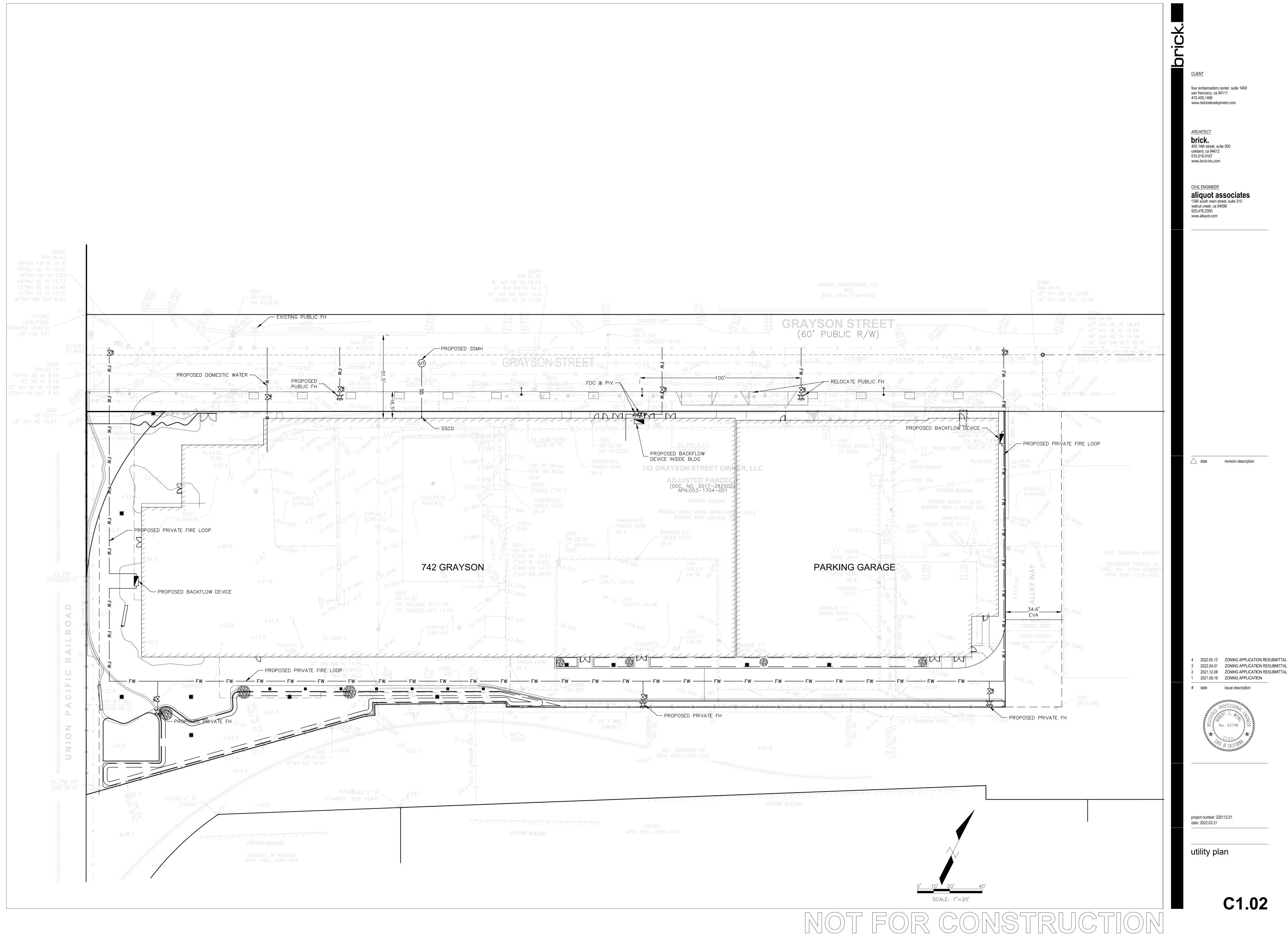


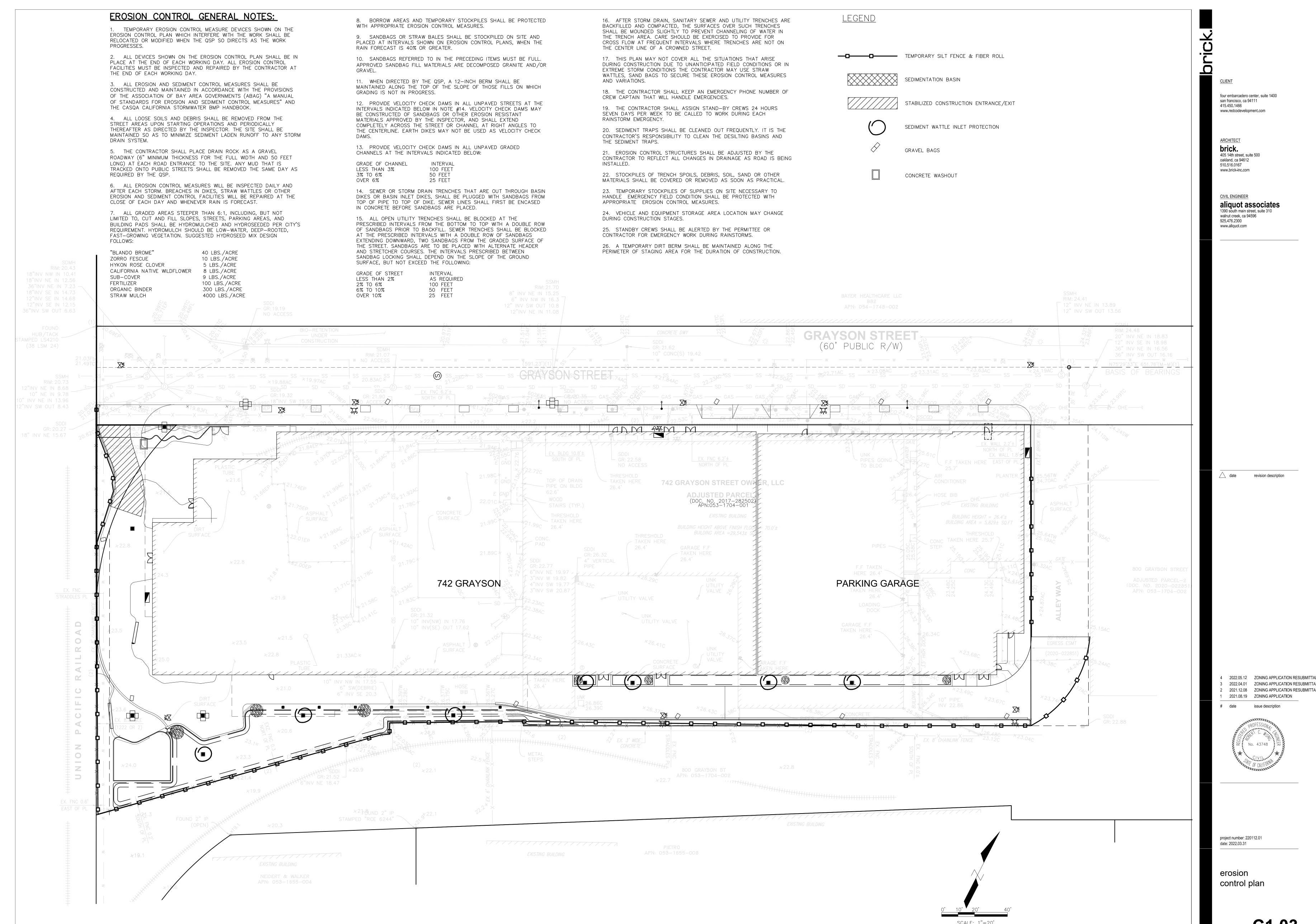
**700 Grayson Street** 700 grayson street berkeley, ca 94710

MATERIAL BOARD

G5.01

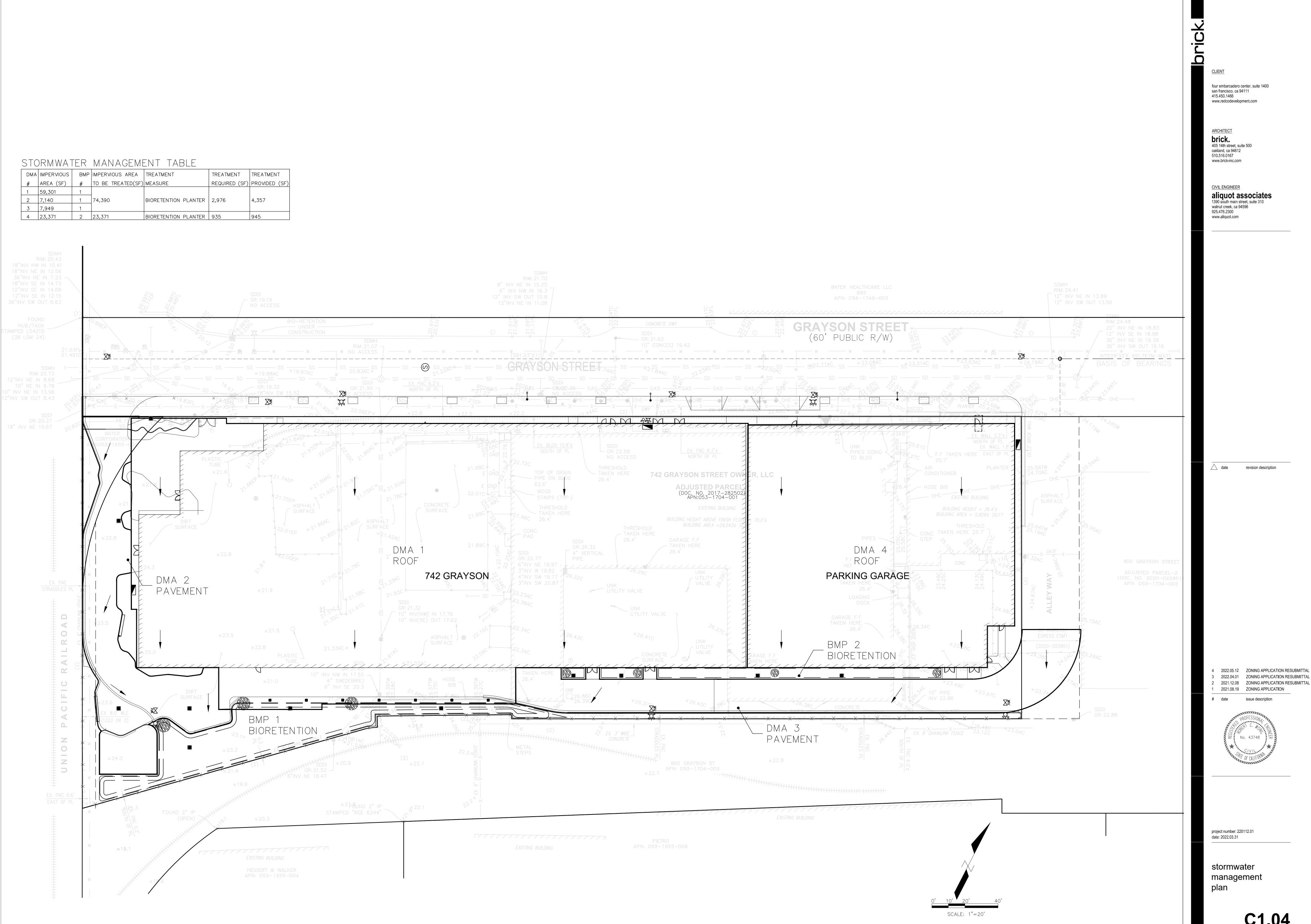






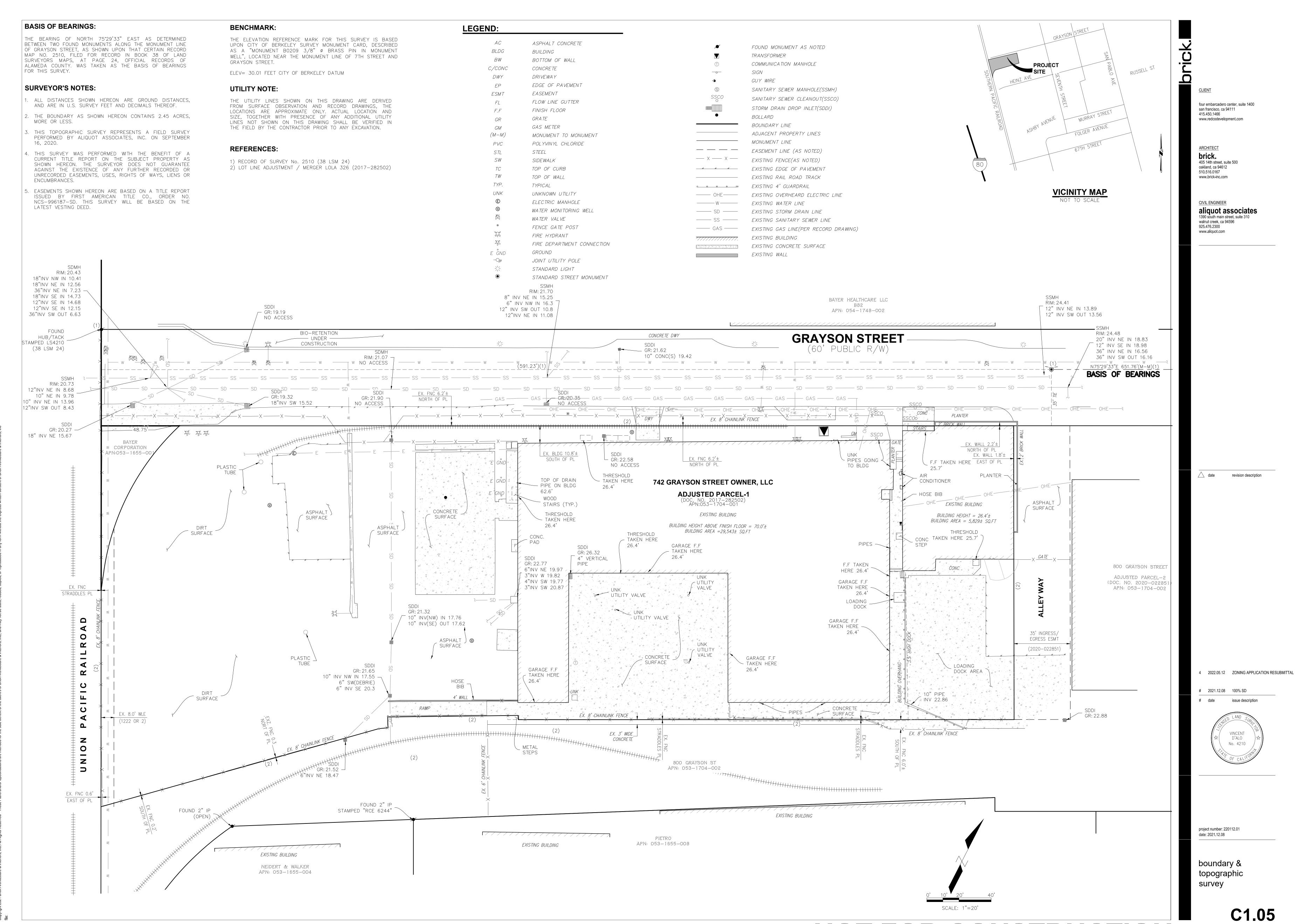
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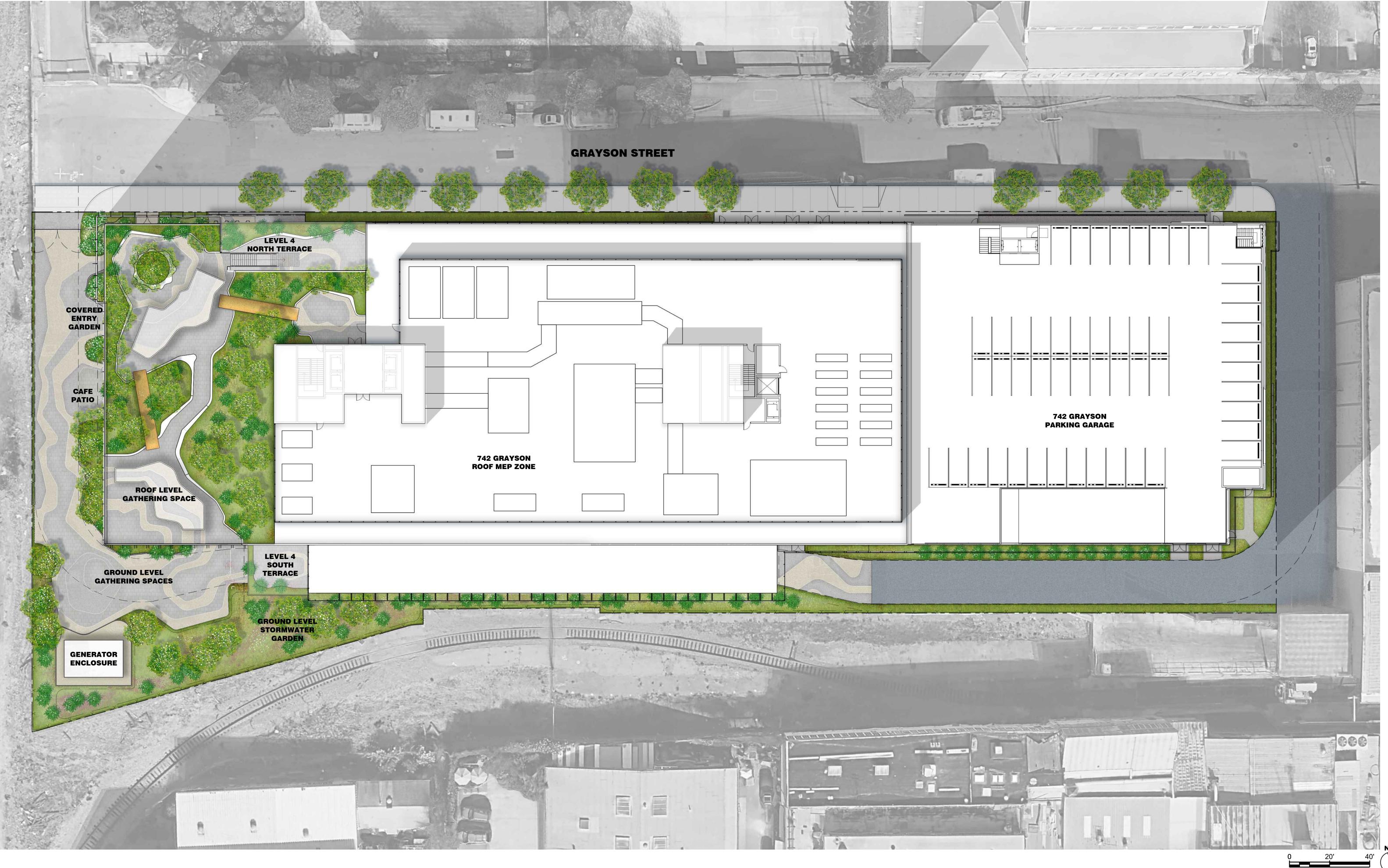


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## ILLUSTRATIVE CONCEPT PLAN

## 1. For Building Details, See Arch

- For Site Grading and Street Improvement Details, See Civil
- For Planting Information, See L4.0 Landscape Planting Plan

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SAW // Spiegel Aihara Workshop 2325 3rd st. #216 san francisco, ca 94107 650.200.3723

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742 Grayson Street

1" = 20' - 0"

ILLUSTRATIVE CONCEPT PLAN

L0.01

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LANDSCAPE ARCHITECT SAW // Spiegel Aihara Workshop 2325 3rd st. #216 san francisco, ca 94107

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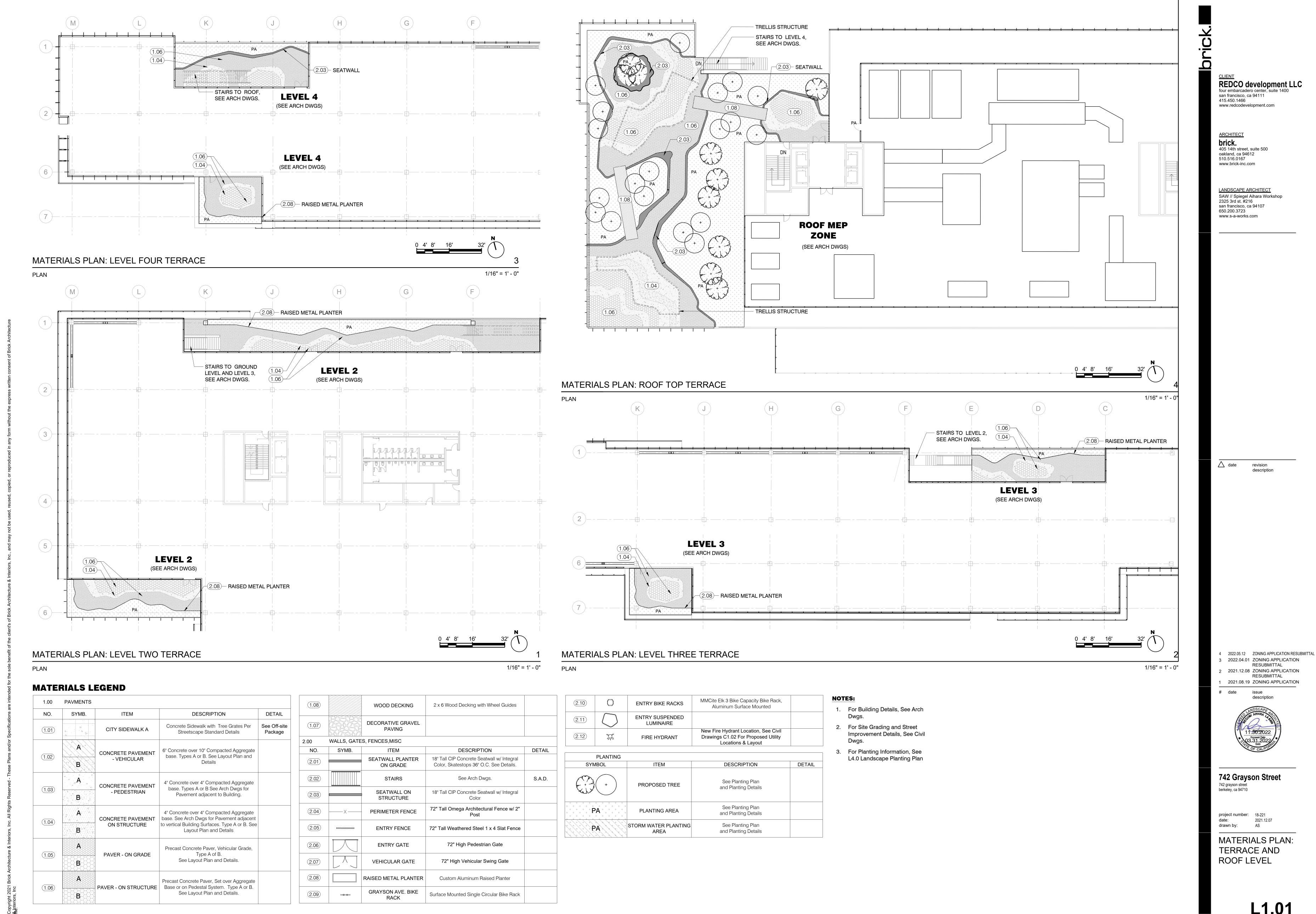


742 Grayson Street

project number: 18-221

MATERIALS PLAN: **GROUND LEVEL** 

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RESUBMITTAL

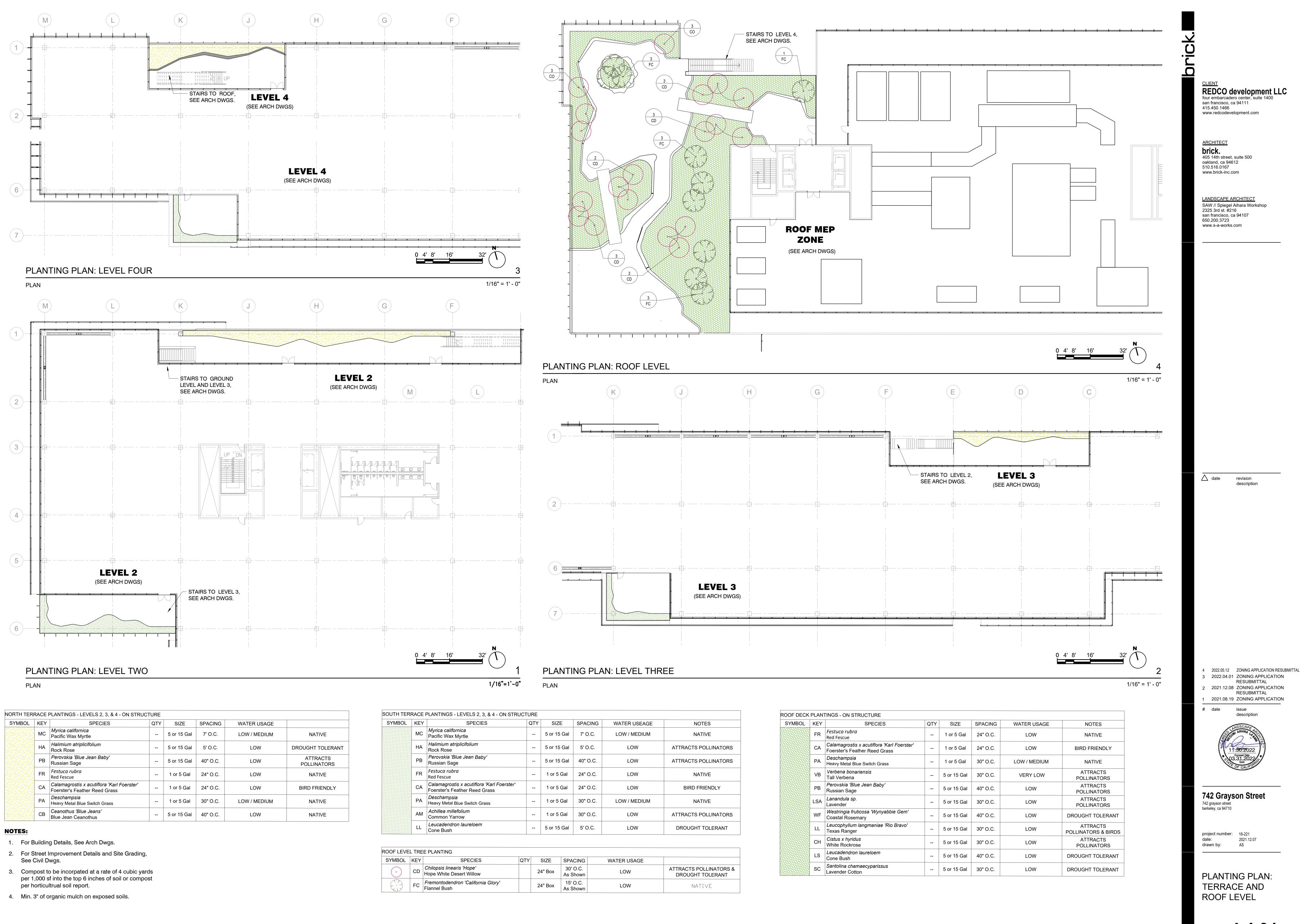
RESUBMITTAL

**GRAYSON STREET** 0 0 CLIENT

REDCO development LLC
four embarcadero center, suite 1400 san francisco, ca 94111 www.redcodevelopment.com ARCHITECT

brick.
405 14th street, suite 500 **MAIN BUILDING** oakland, ca 94612 **PARKING** 510.516.0167 (SEE ARCH DWGS) www.brick-inc.com **GARAGE** (SEE ARCH DWGS) LANDSCAPE ARCHITECT SAW // Spiegel Aihara Workshop 2325 3rd st. #216 san francisco, ca 94107 650.200.3723 www.s-a-works.com 5 CO 0 0 PLANTING PLAN: GROUND LEVEL 1/16"=1'-0" PLAN TREES BUILDING ENTRY SHADE GARDEN **NOTES:** 2022.05.12 ZONING APPLICATION RESUBMITTAL NOTES SPACING WATER USAGE QTY SIZE QTY SIZE SYMBOL KEY SPECIES SPACING WATER USAGE 1. For Building Details, See Arch Dwgs. 2022.04.01 ZONING APPLICATION DA Dicksonia antarctica
Tasmanian tree fern AR Acer rubrum (or Species Per City Arborist)
Red Maple 15 Gal 12' O.C. MEDIUM-HIGH STREET TREE PER CITY RESUBMITTAL LOW 2. For Street Improvement Details and Site Grading, As Shown STANDARDS 2021.12.08 ZONING APPLICATION NE Nephrolepis cordifolia
California Sword Fern RESUBMITTAL 15 Gal 30" O.C. See Civil Dwgs. MEDIUM NATIVE CD Calocedrus decurrens
Incense Cedar 36" Box LOW NATIVE 2021.08.19 ZONING APPLICATION As Shown Ribes viburnifolium 3. Compost to be incorpated at a rate of 4 cubic yards CO Cercis occidentalis
Western Redbud RI Evergreen Currant 1 or 5 Gal 30" O.C. NATIVE 36" Box LOW NATIVE per 1,000 sf into the top 6 inches of soil or compost As Shown WO Woodwardia fimbriata
Giant Chain Fern per horticultrual soil report. 15 Gal 36" O.C. MEDIUM NATIVE 4. Min. 3" of organic mulch on exposed soils. GROUND LEVEL PLANTING AA Astilbe x arendsii 'Snowdrift'
Astilbe Snowdrift 1 or 5 Gal 24" O.C. MEDIUM ATTRACTS POLLINATORS SPECIES QTY SIZE SPACING NOTES RV Ribes viburnifolium Evergreen Currant 1 or 5 Gal 12' O.C. LOW NATIVE STORMWATER GARDEN AA Astilbe x arendsii 'Snowdrift'
Astilbe Snowdrift 1 or 5 Gal 24" O.C. **MEDIUM** ATTRACTS POLLINATORS SPECIES QTY SIZE WATER USAGE NOTES SPACING RV *Iris virginica*Blue Flag Iris SPECIES PER C.3 AL Agertina lingustrina
Snake Root ATTRACTS POLLINATORS & -- 1 or 5 Gal 12" O.C. 15 Gal 12' O.C. LOW / MEDIUM REQUIREMENTS BIRDS Arcostaphylos 'Emerald Carpet' AE Emerald Carpet Manzanita SPECIES PER C.3 HP Hebe pinguilfolia 'Sutherlandii'
Sutherland Hebe ATTRACTS POLLINATORS & 1 or 5 Gal 18" O.C. 15 Gal 30" O.C. LOW / MEDIUM REQUIREMENTS 742 Grayson Street MR *Mahion repens*Creeping Oregon Grape SPECIES PER C.3 RT Rhus typhina 'Dissecta'
Cutleaf Staghorn Sumac 1 or 5 Gal 18" O.C. 1 or 5 Gal 30" O.C. LOW DROUGHT TOLERANT REQUIREMENTS SPECIES PER C.3 Santolina ssp. Senna artemisioides ATTRACTS POLLINATORS & SA Feathery Cassia -- 1 or 5 Gal 18" O.C. LOW 15 Gal 36" O.C. LOW Lavender Cotton REQUIREMENTS BIRDS Nepeta 'Walker's Low' SPECIES PER C.3 BT Berberis thunbergii
Japanese Barberry 15 Gal 12' O.C. LOW 15 Gal 36" O.C. **MEDIUM** BIRD FRIENDLY REQUIREMENTS project number: 18-221 LP Limonium perezii
Sea Lavender SPECIES PER C.3 5 or 15 Gal 30" O.C. LOW REQUIREMENTS drawn by: Kniphofia citrina SPECIES PER C.3 5 or 15 Gal 30" O.C. LOW REQUIREMENTS HL Heriogonum latifolium Coastal Buckwheat Heriogonum latifolium SPECIES PER C.3 5 or 15 Gal 30" O.C. LOW REQUIREMENTS PLANTING PLAN: HP | Vaccinum ovaca...
Evergreen Huckleberry SPECIES PER C.3 15 Gal 30" O.C. MEDIUM **GROUND LEVEL** REQUIREMENTS Sambucus mexicana SPECIES PER C.3 15 Gal 30" O.C. LOW Mexican Elderberry 0 0 REQUIREMENTS Heteromeles arbutifolia SPECIES PER C.3 15 Gal 30" O.C. REQUIREMENTS L4.00

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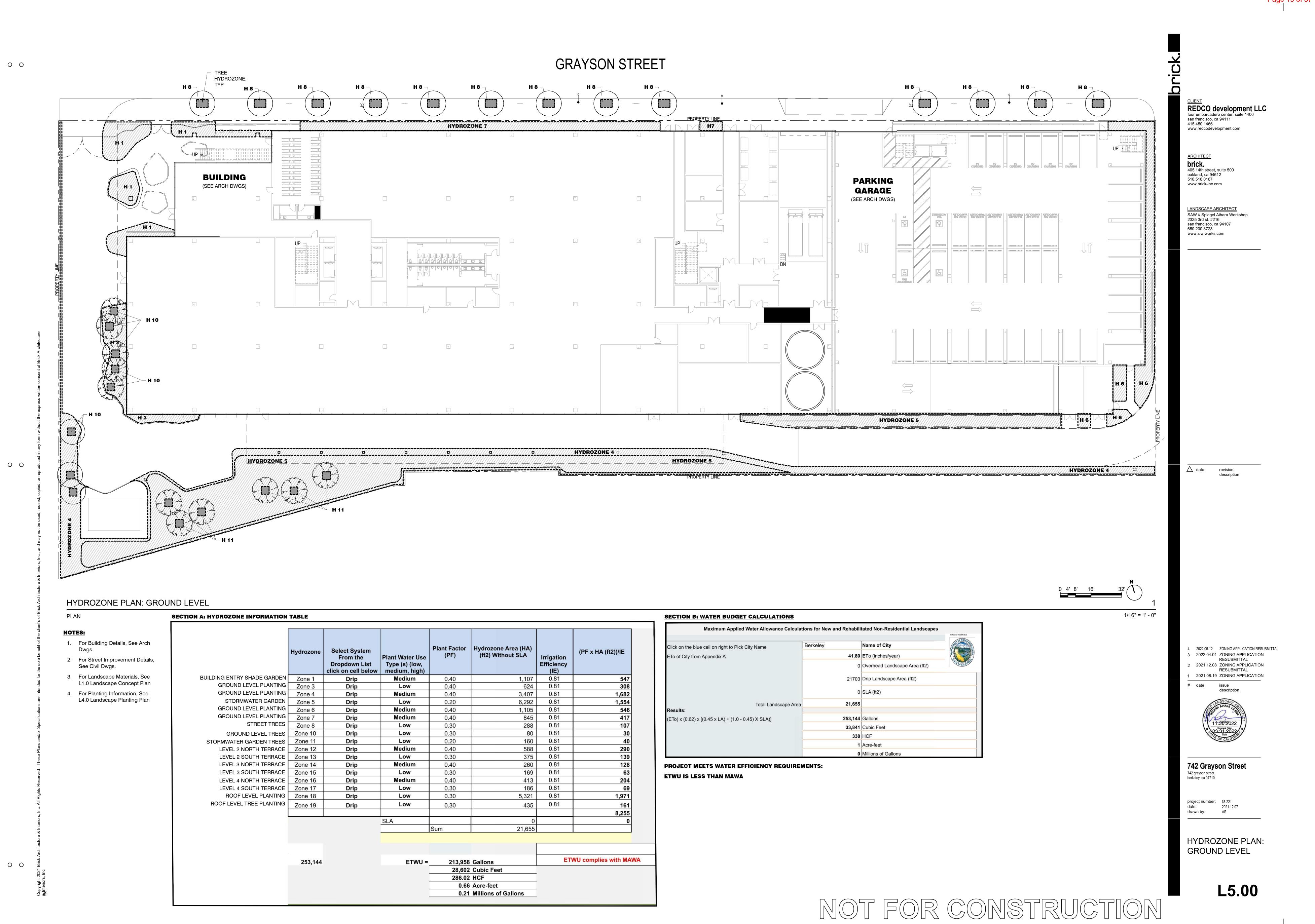
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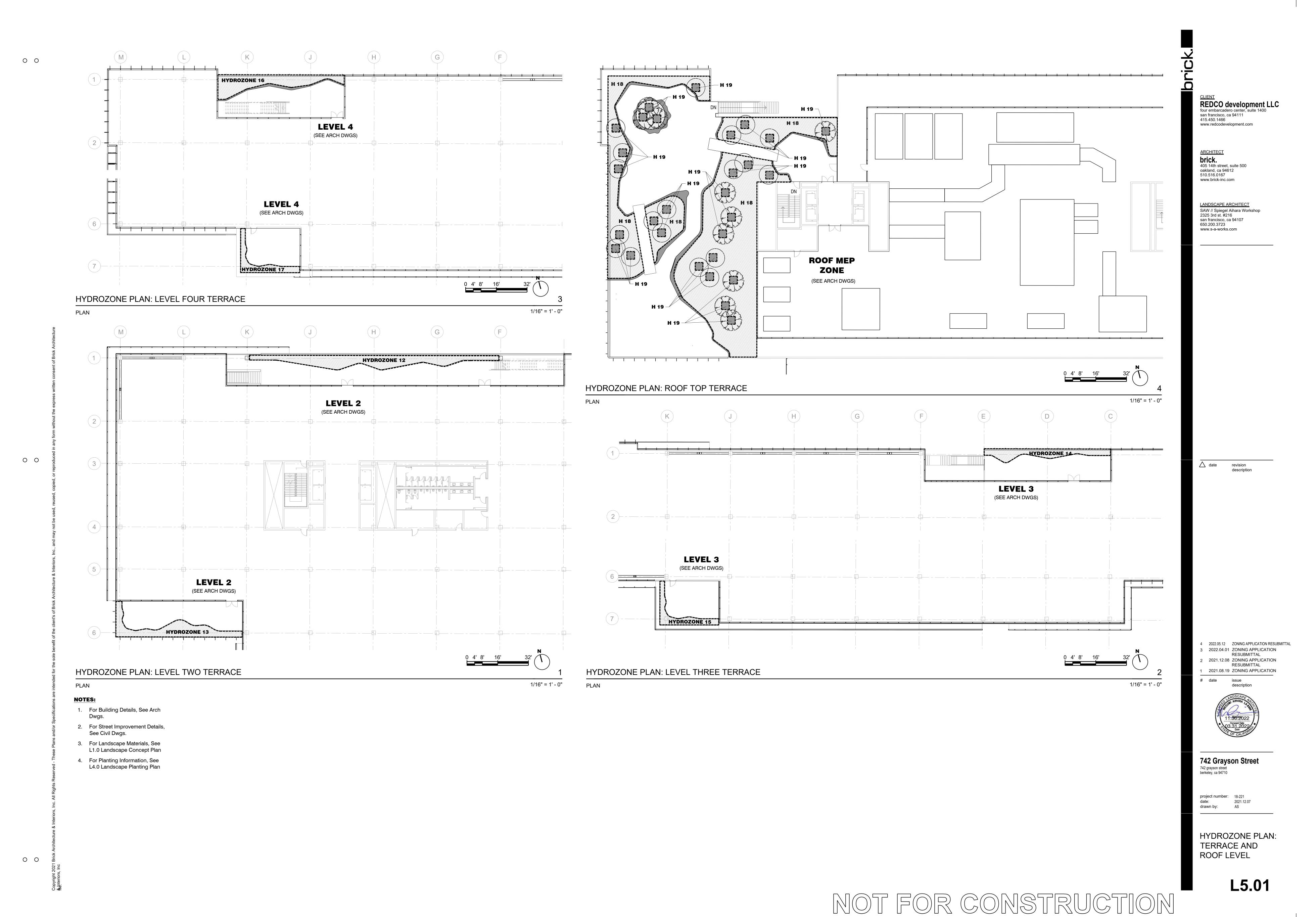
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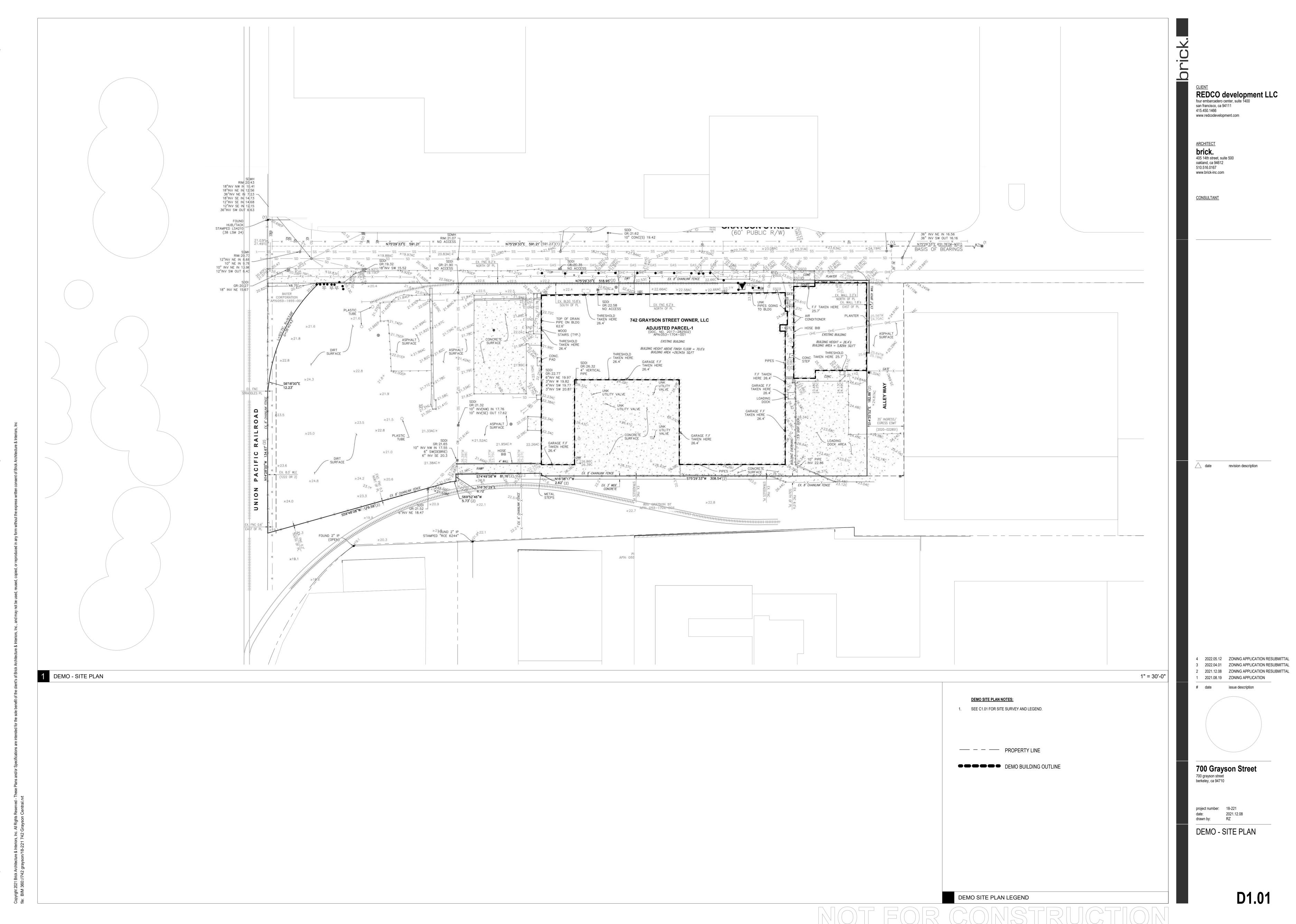
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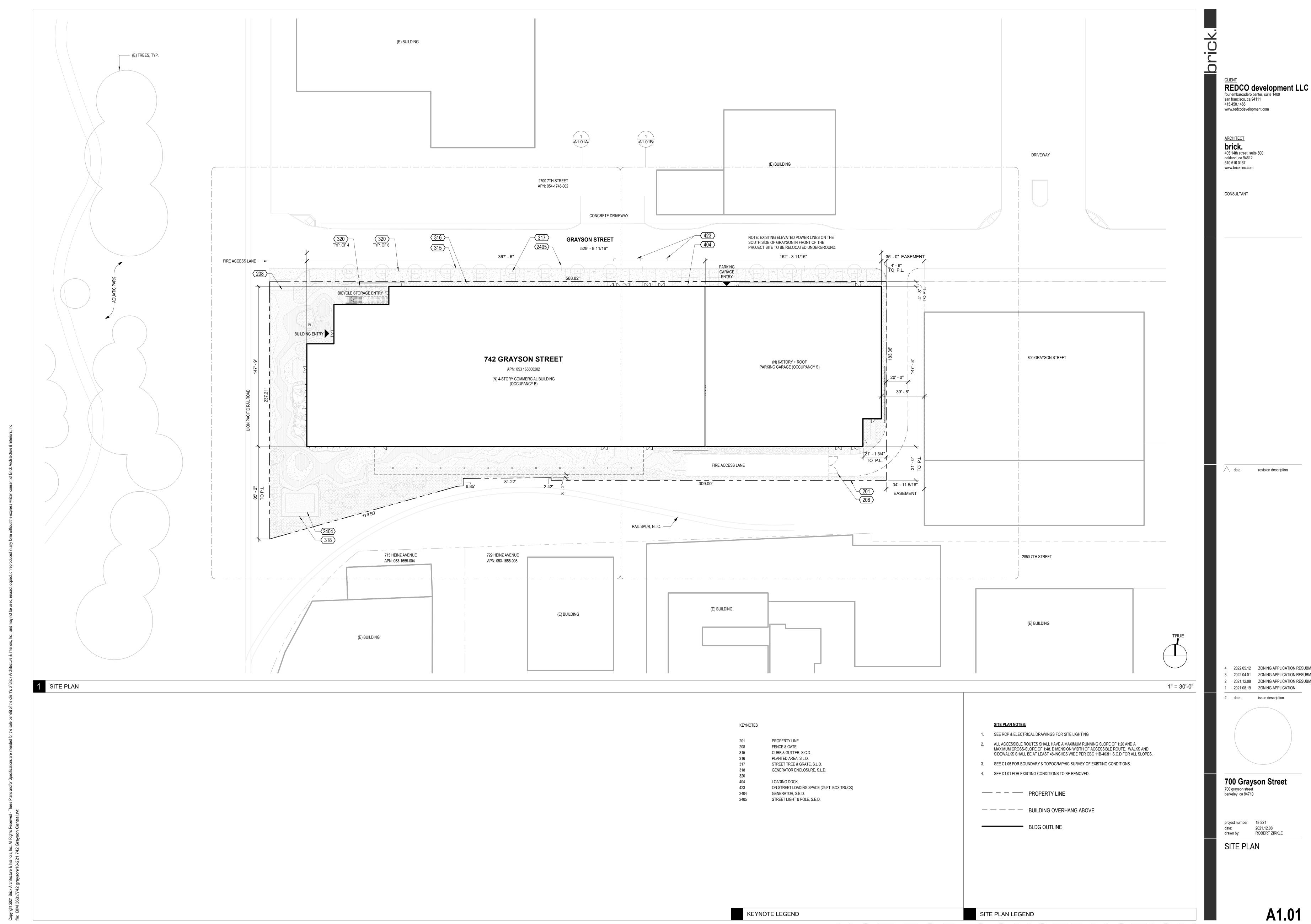
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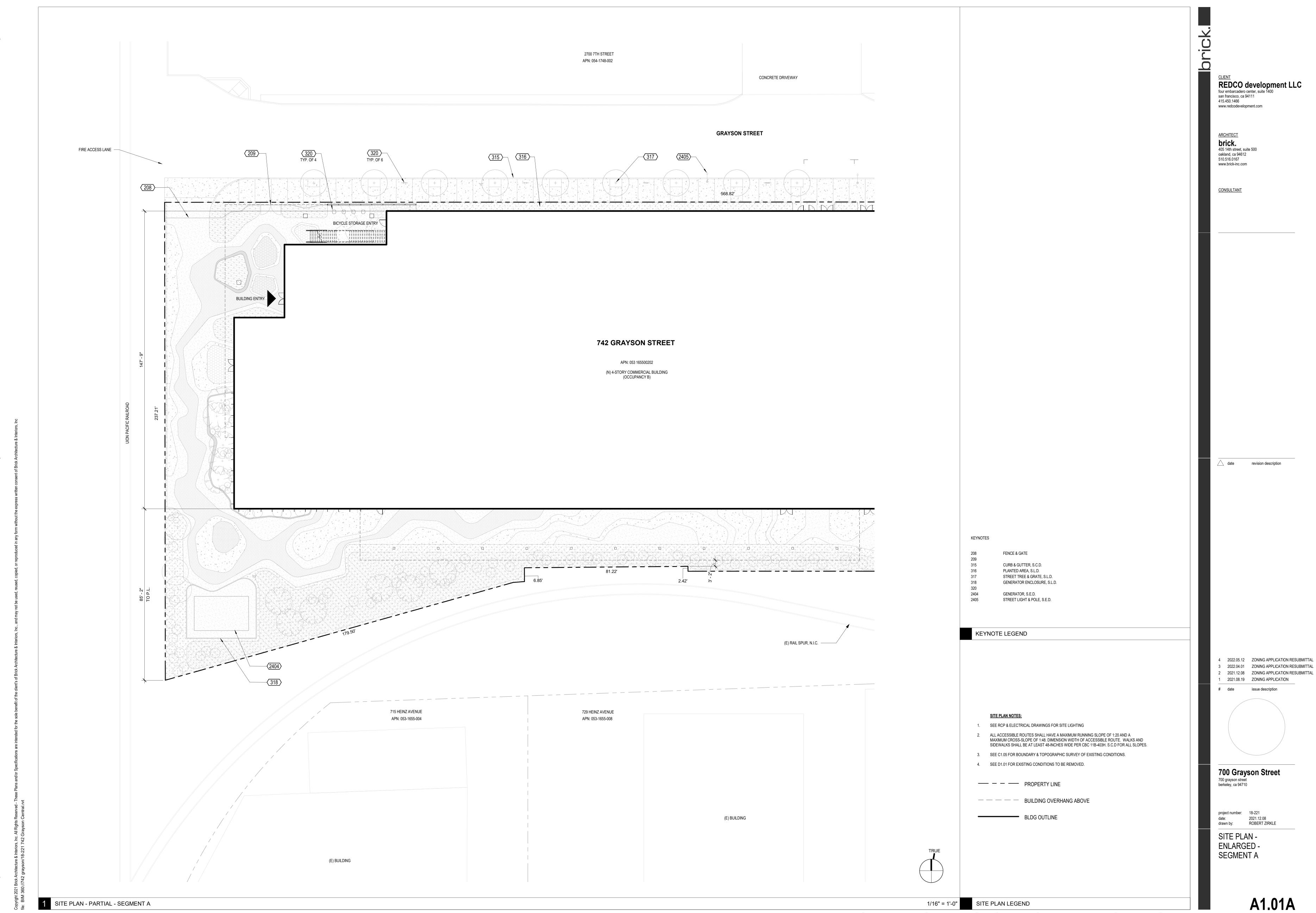


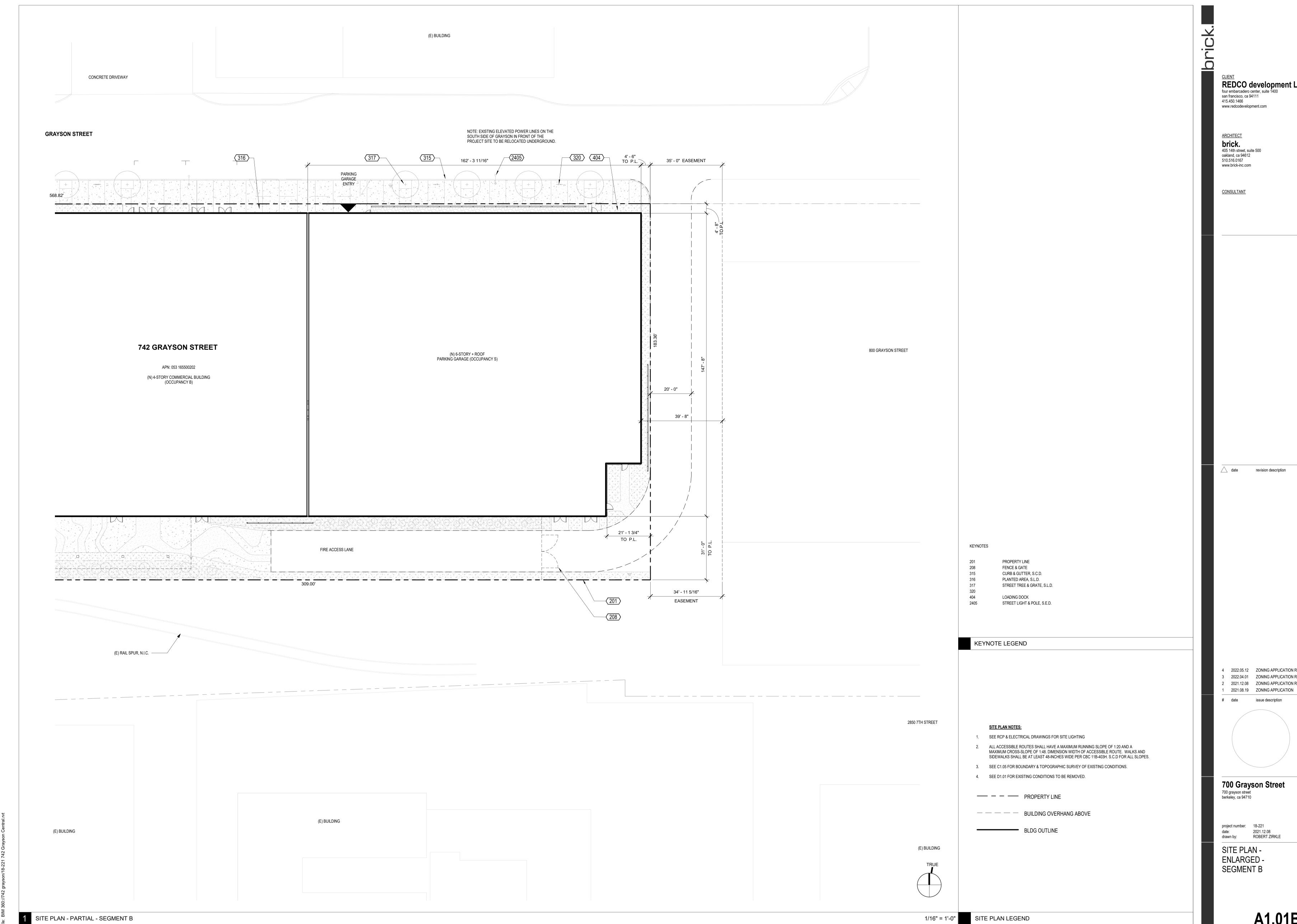






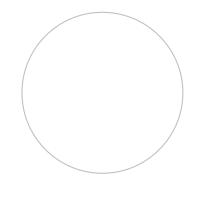
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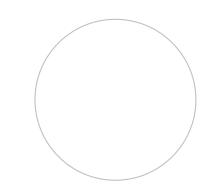
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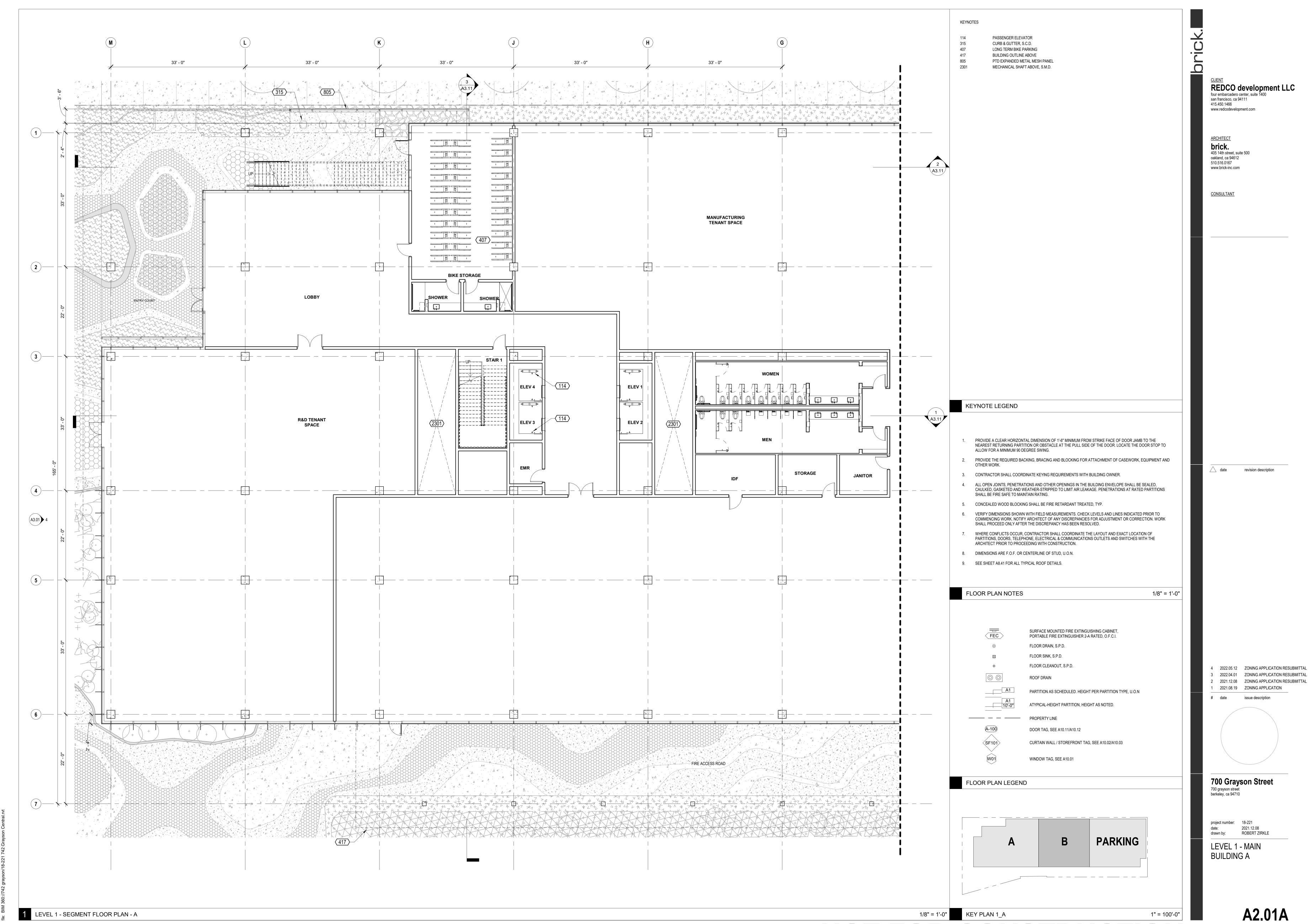
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project number: 18-221
date: 2021.12.08
drawn by: ROBERT ZIRKLE

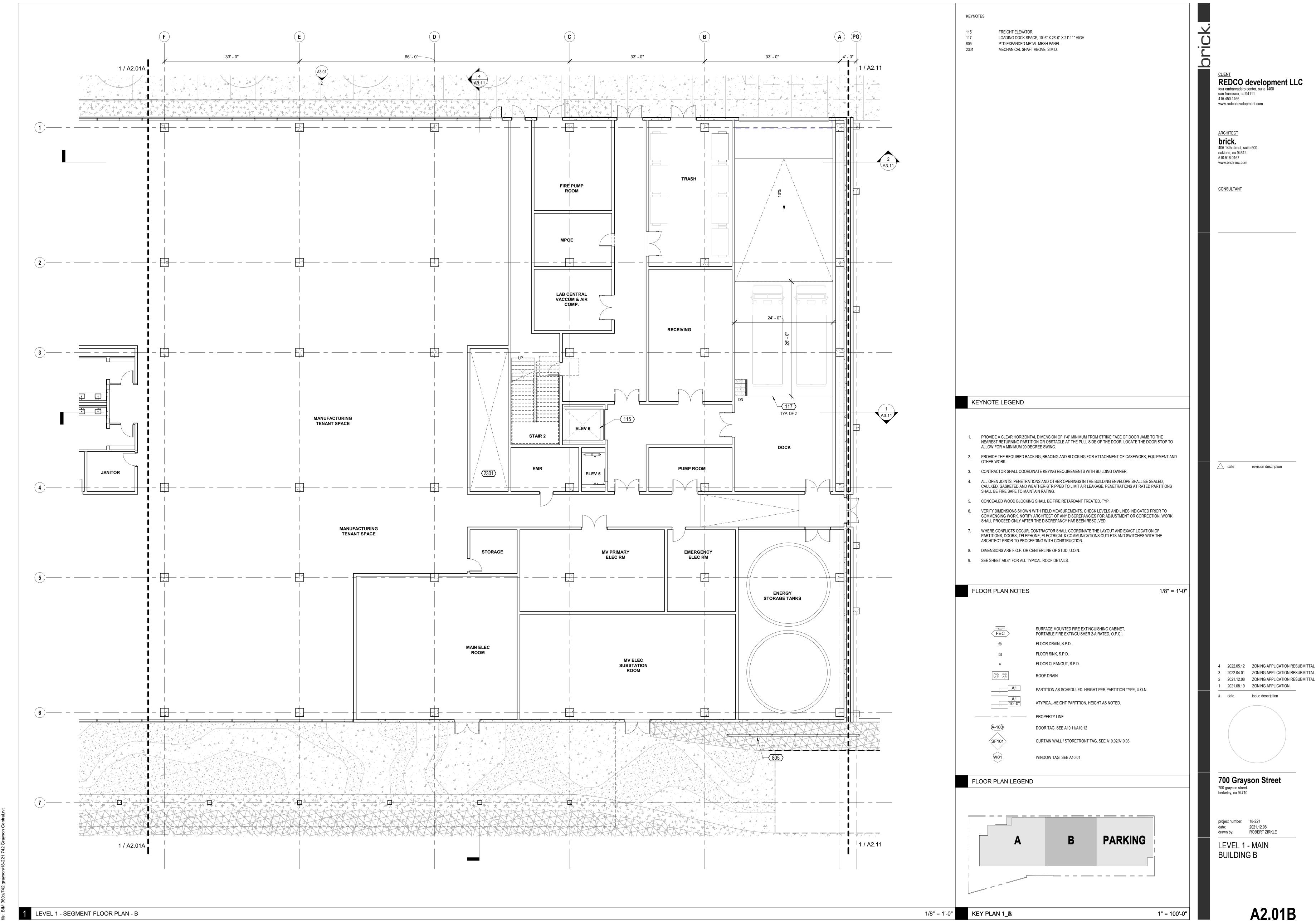
LEVEL 1 - OVERALL

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CLIENT

REDCO development LLC

four embarcadero center, suite 1400
san francisco, ca 94111
415.450.1466
www.redcodevelopment.com

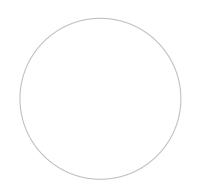
ARCHITECT **brick.**405 14th street, suite 500 oakland, ca 94612 510.516.0167 www.brick-inc.com

CONSULTANT

date revision description

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2 2021.12.08 ZONING APPLICATION RESUBMITTAL
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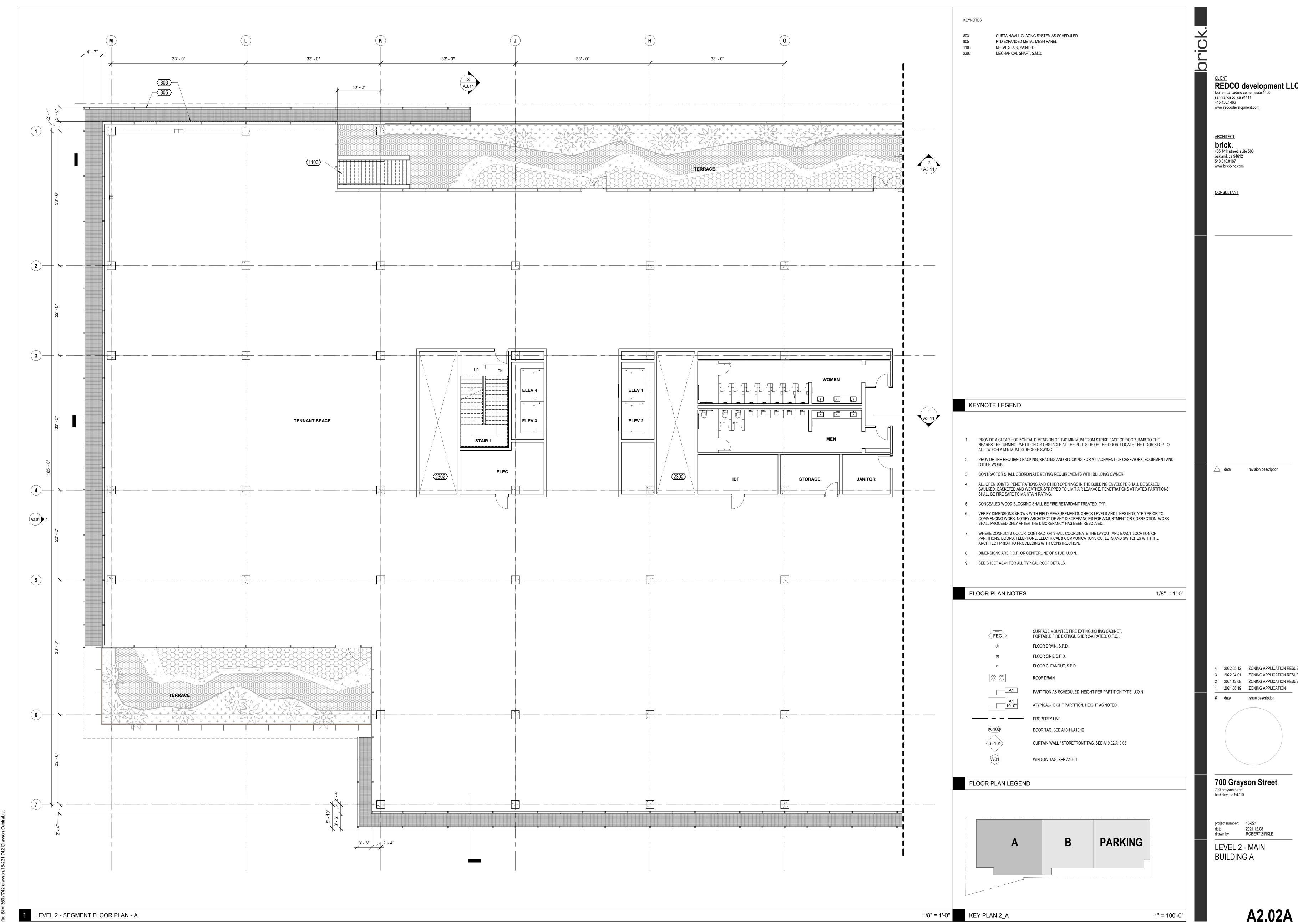


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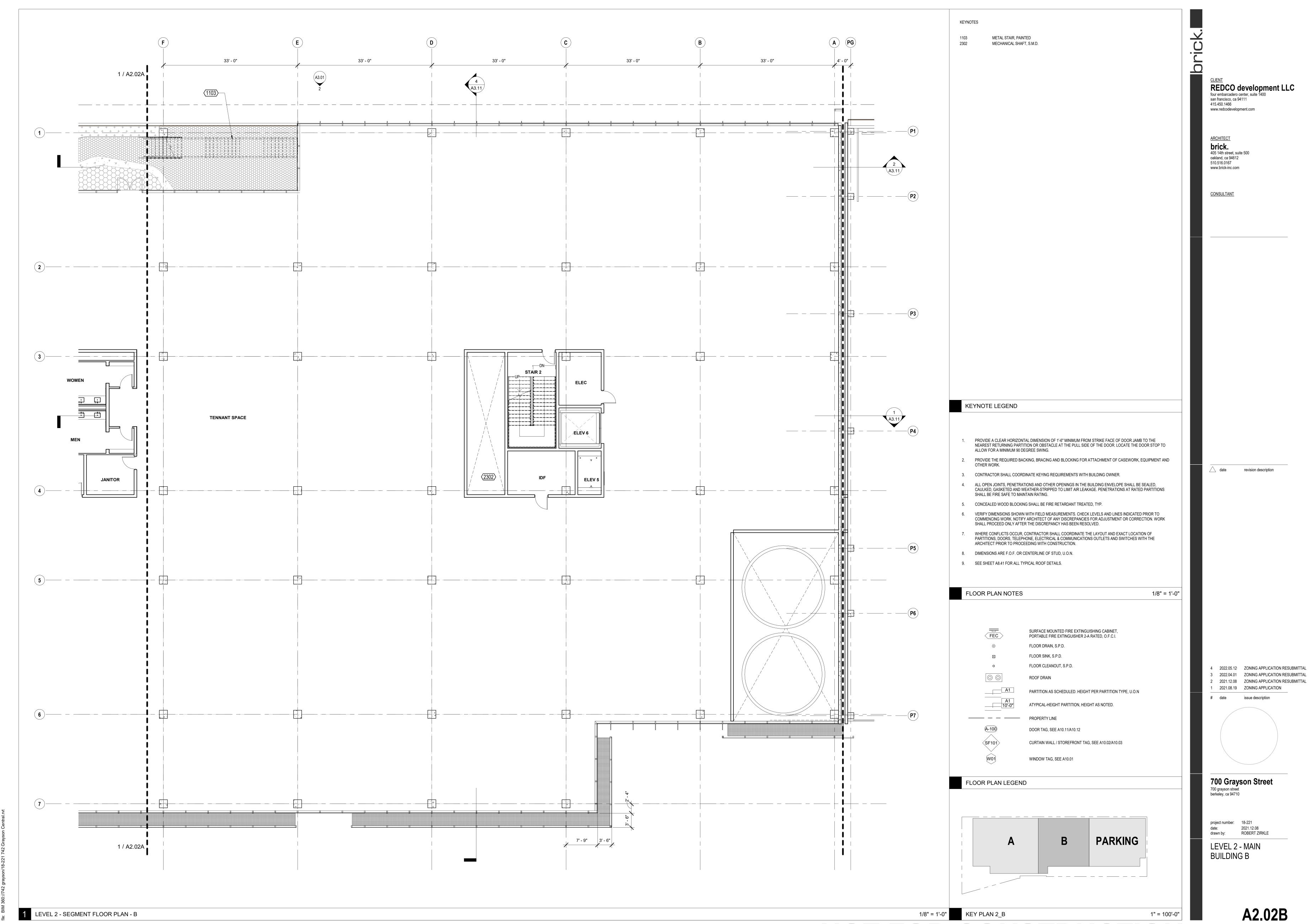
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date: 2021.12.08
drawn by: ROBERT ZIRKLE

LEVEL 2 - OVERALL

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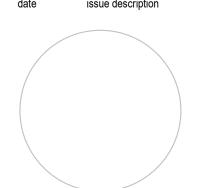
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ARCHITECT **brick.**405 14th street, suite 500 oakland, ca 94612 510.516.0167 www.brick-inc.com

CONSULTANT

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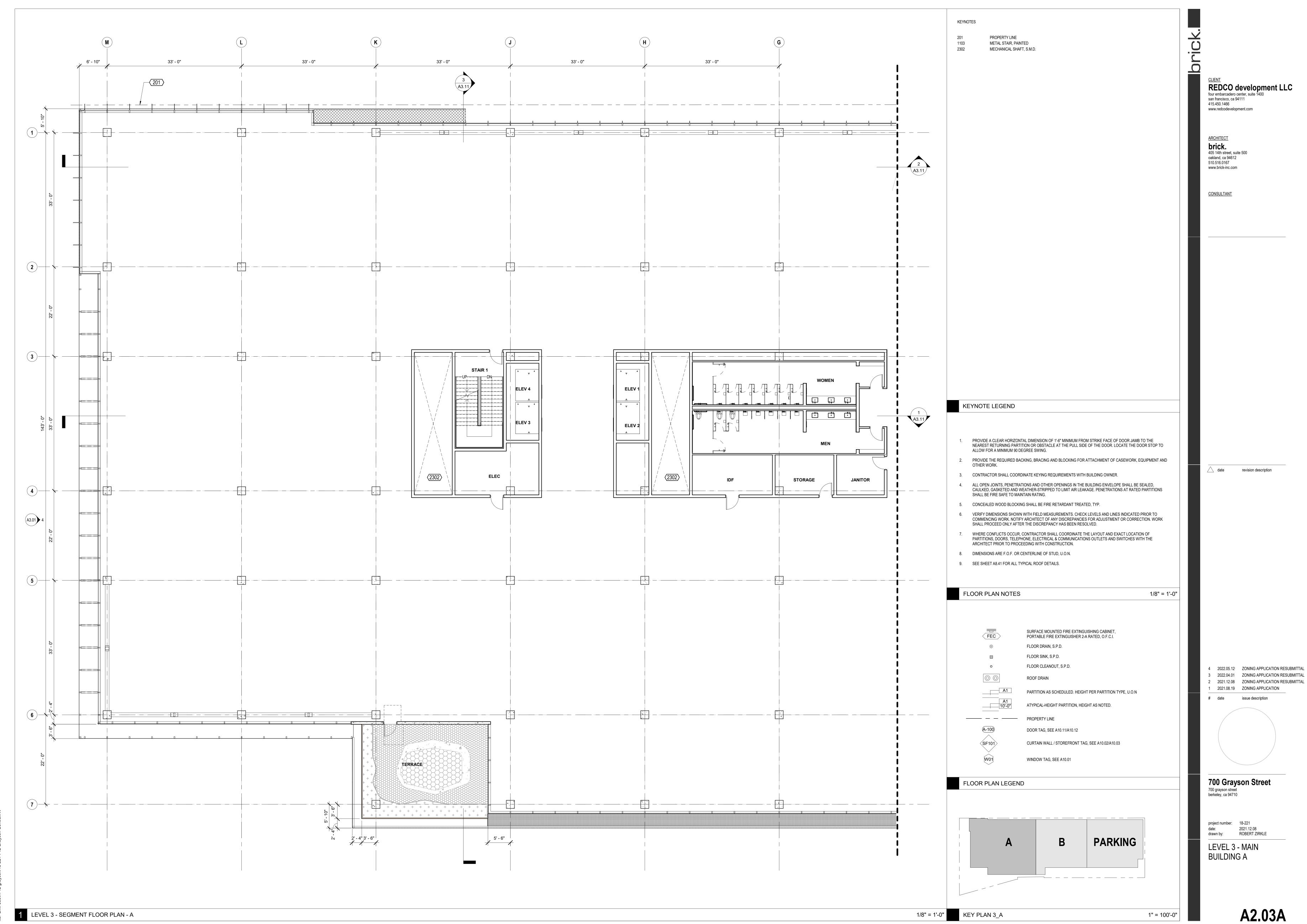
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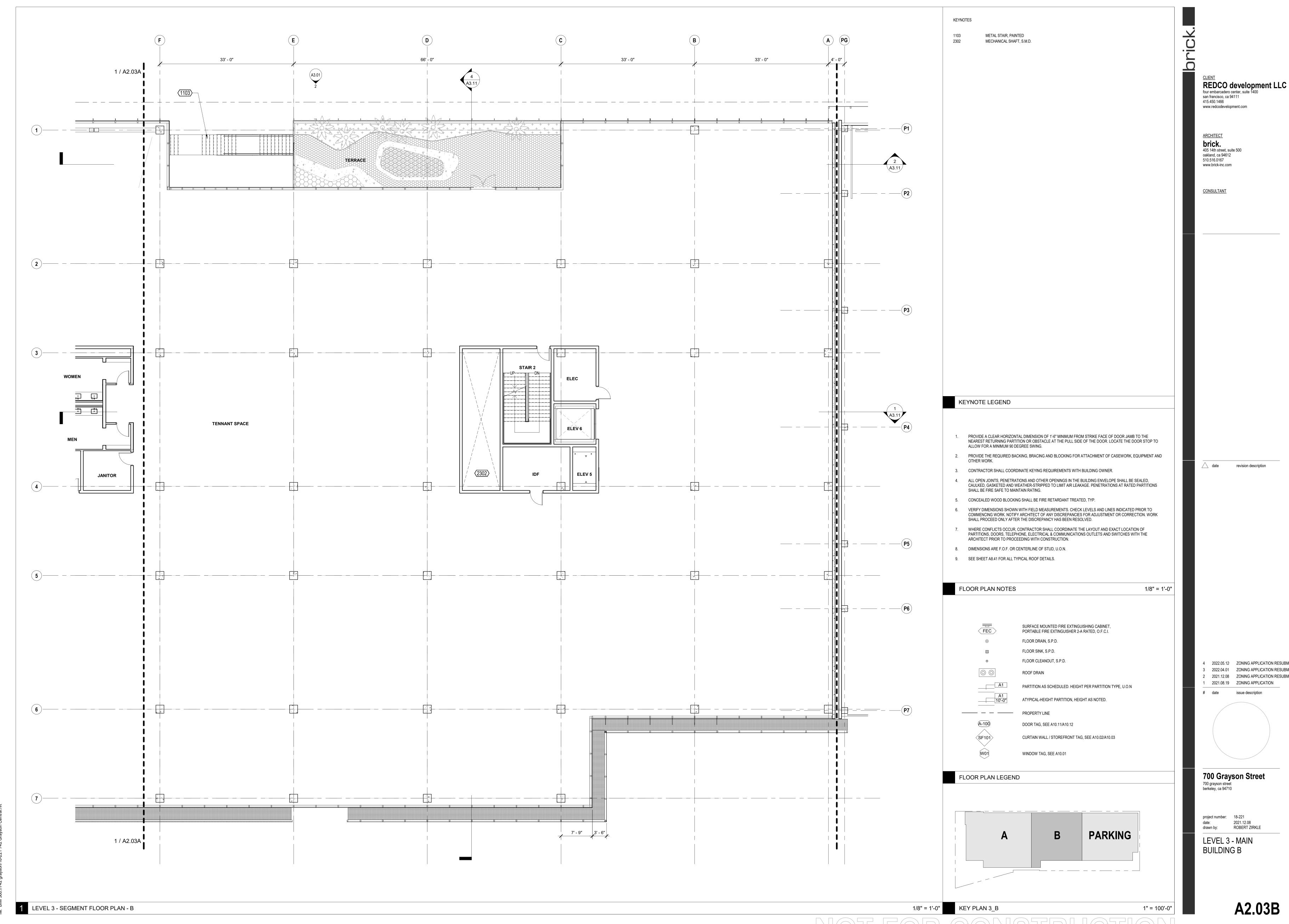
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oakland, ca 94612 510.516.0167 www.brick-inc.com



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berkeley, ca 94710

LEVEL 3 - MAIN **BUILDING B** 

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REDCO development LLC four embarcadero center, suite 1400 san francisco, ca 94111 415.450.1466 www.redcodevelopment.com

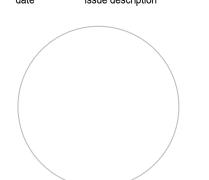
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CONSULTANT

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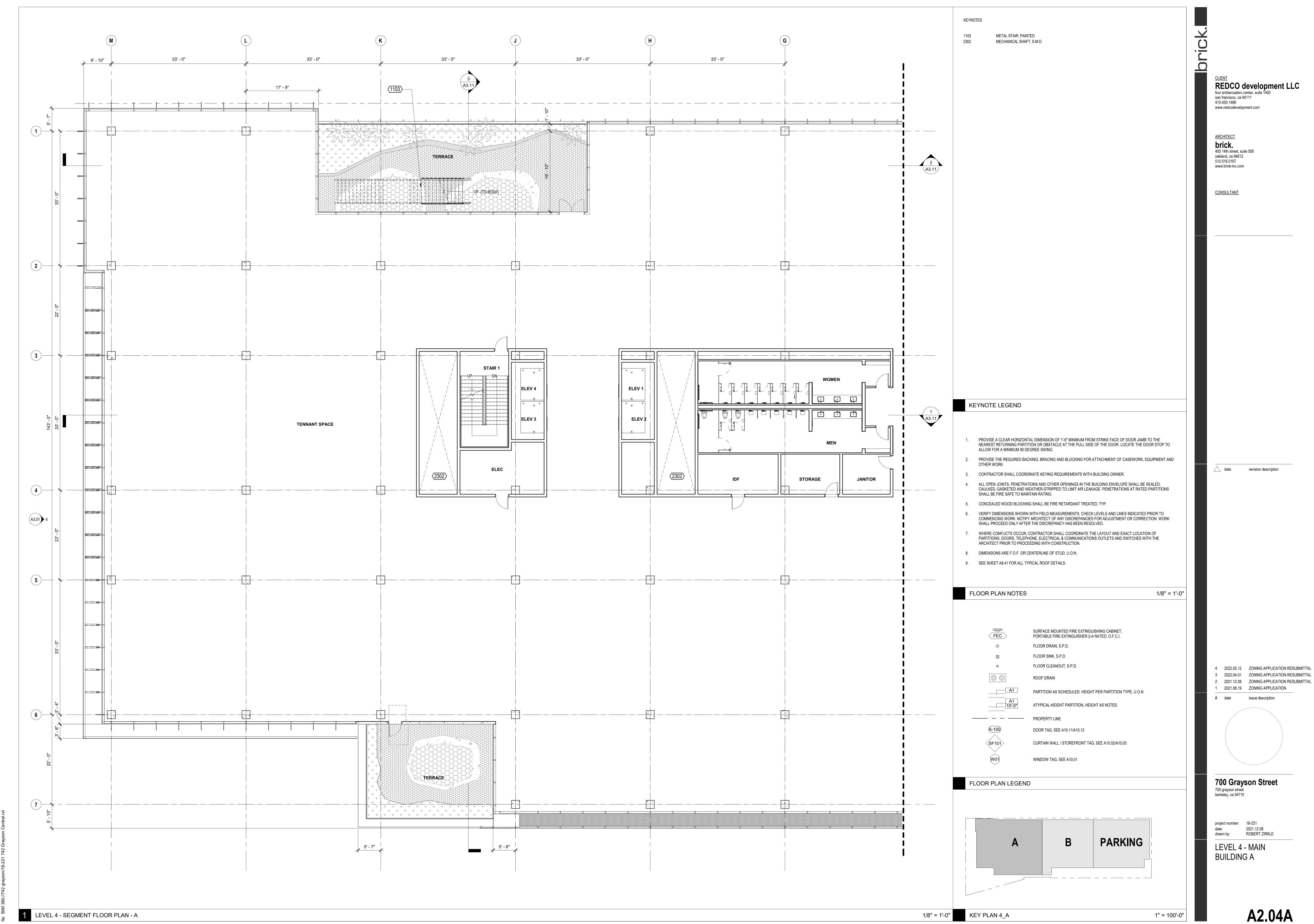


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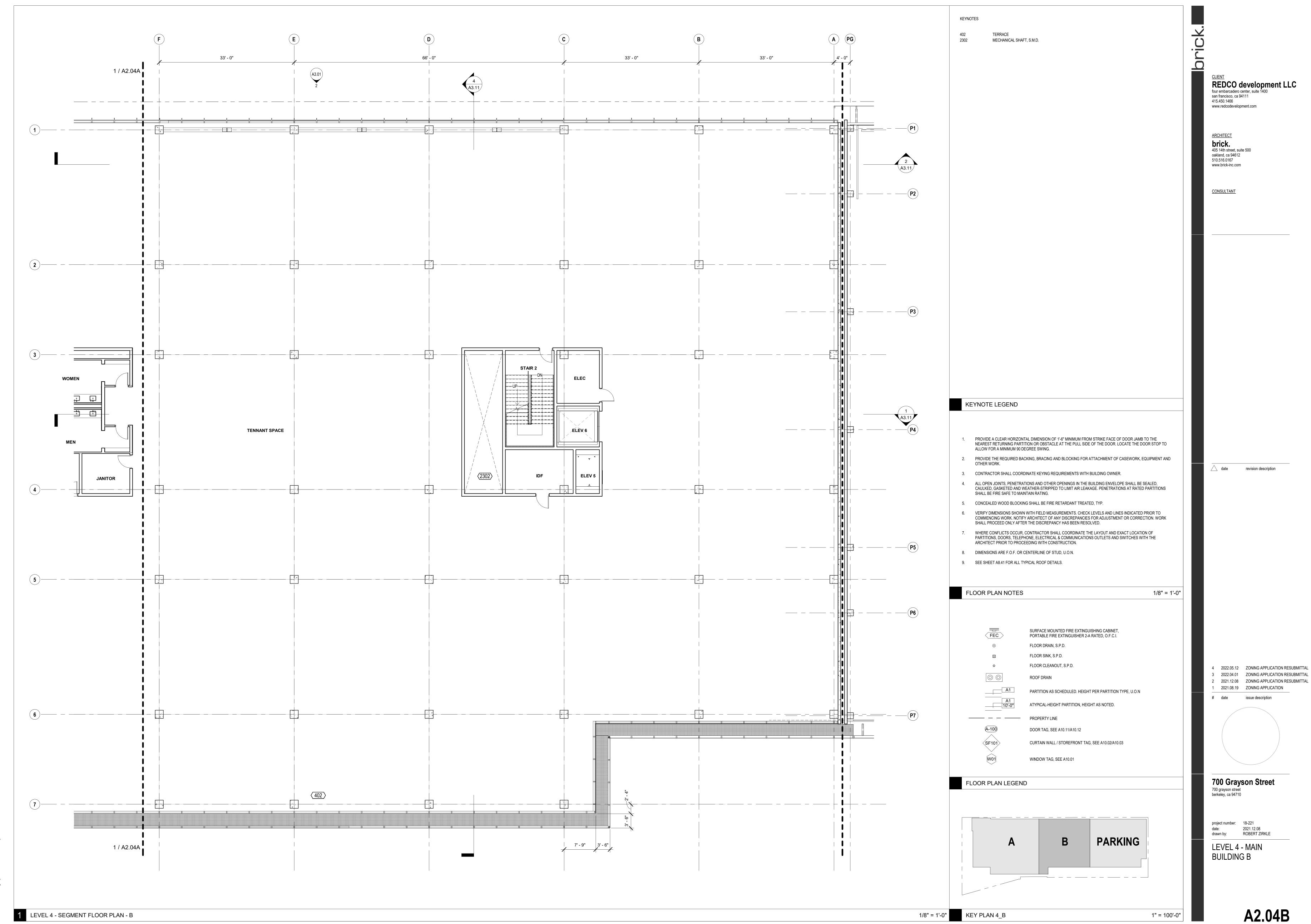
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date: 2021.12.08
drawn by: ROBERT ZIRKLE

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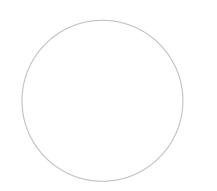
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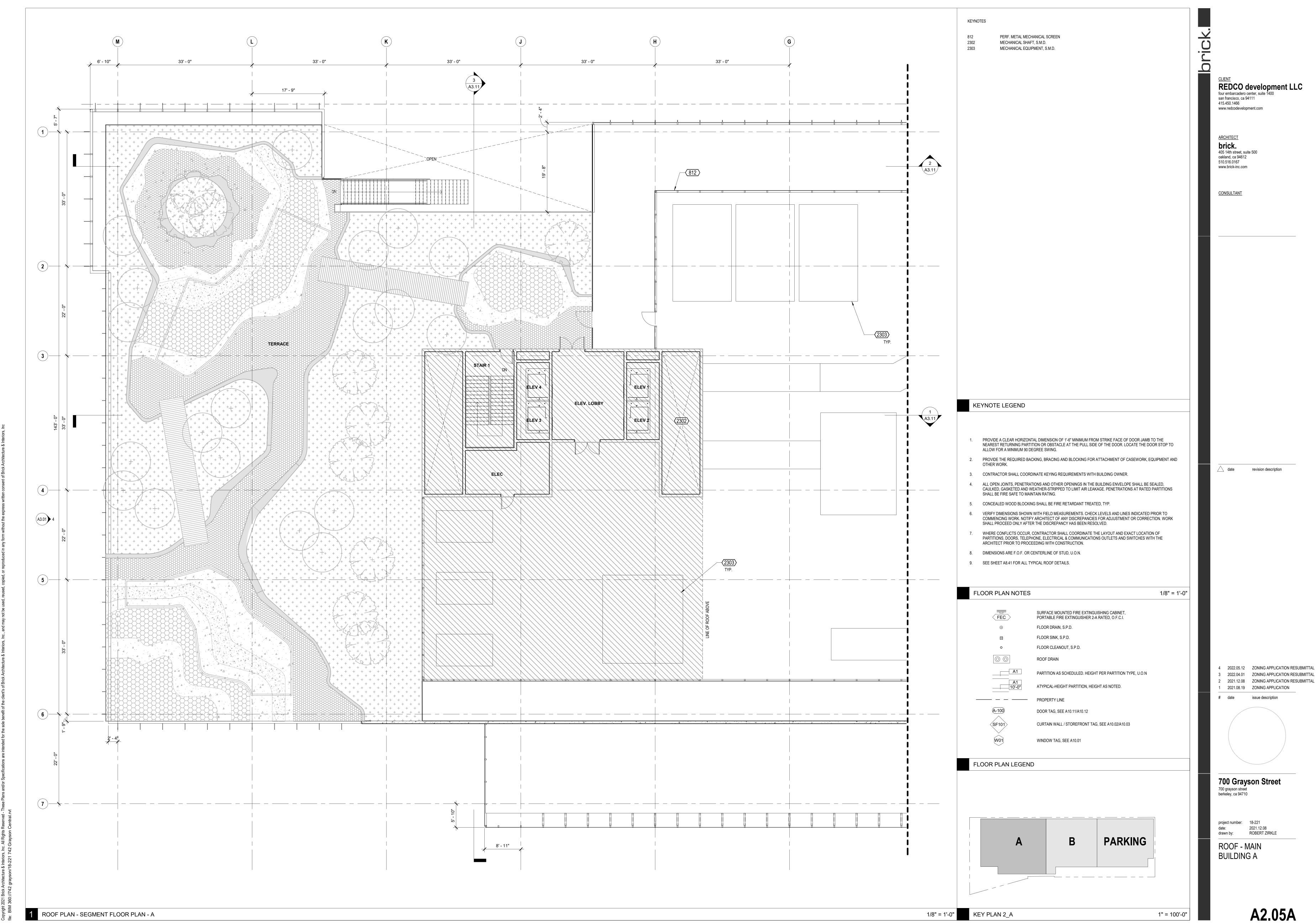


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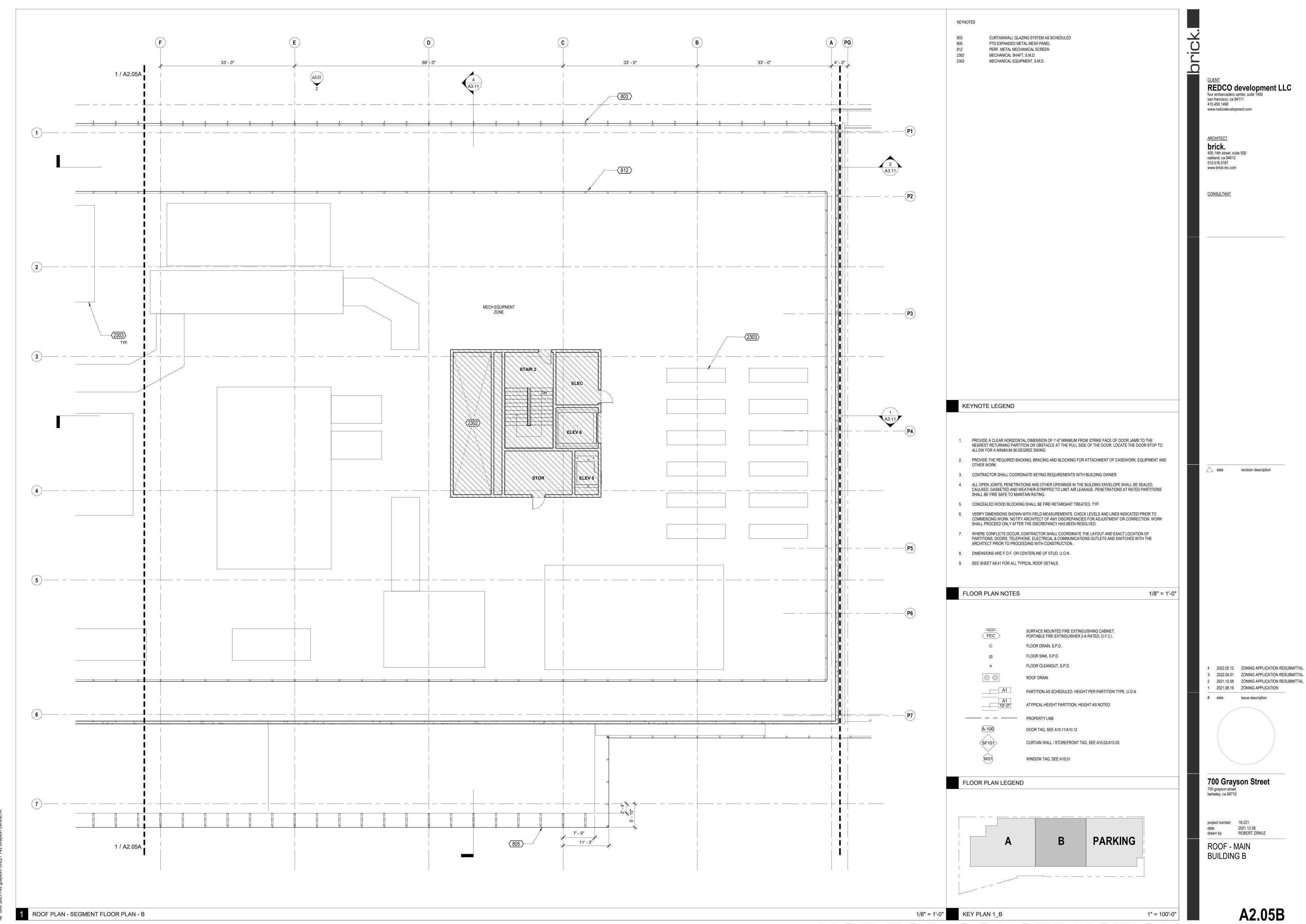
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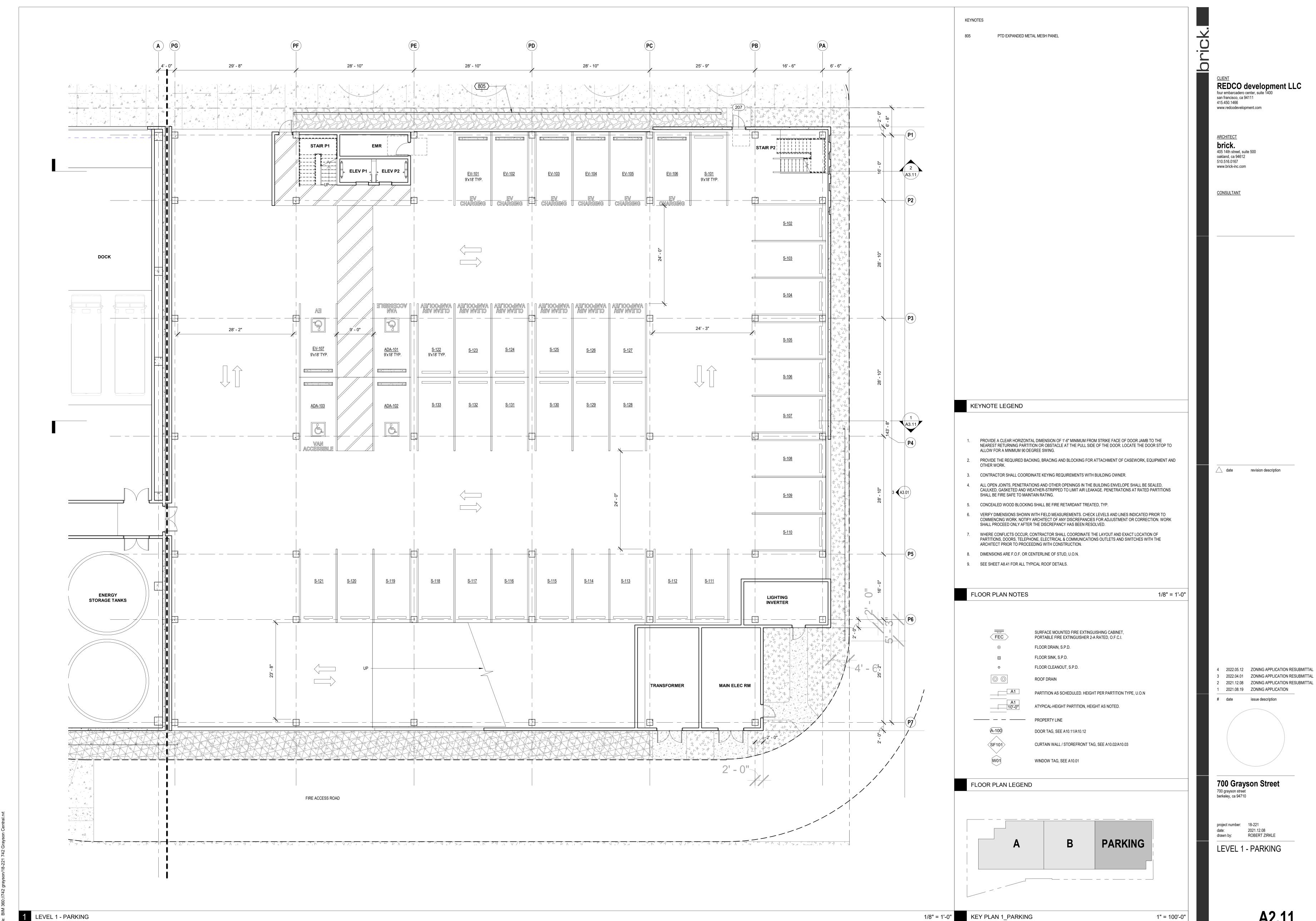
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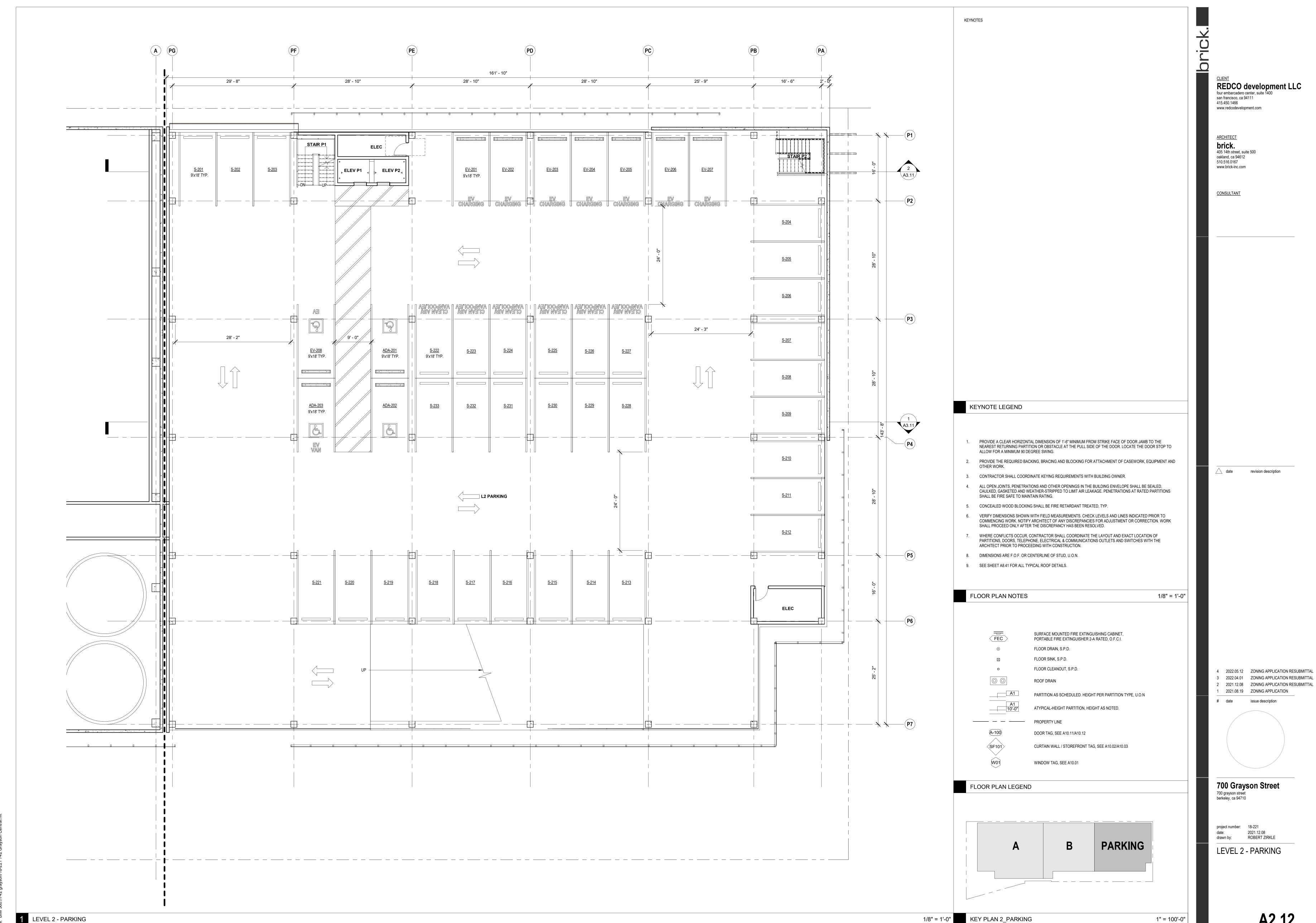
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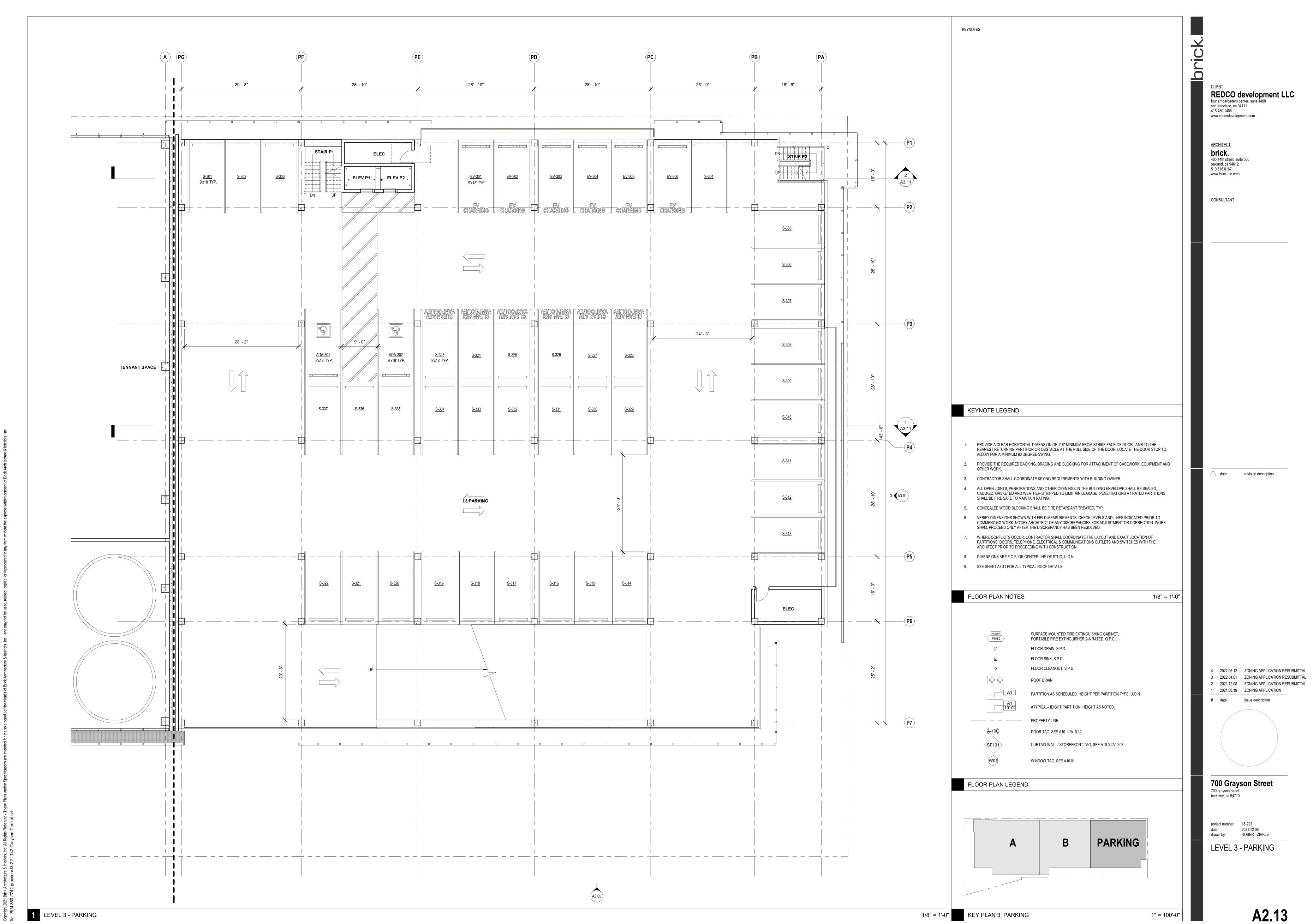


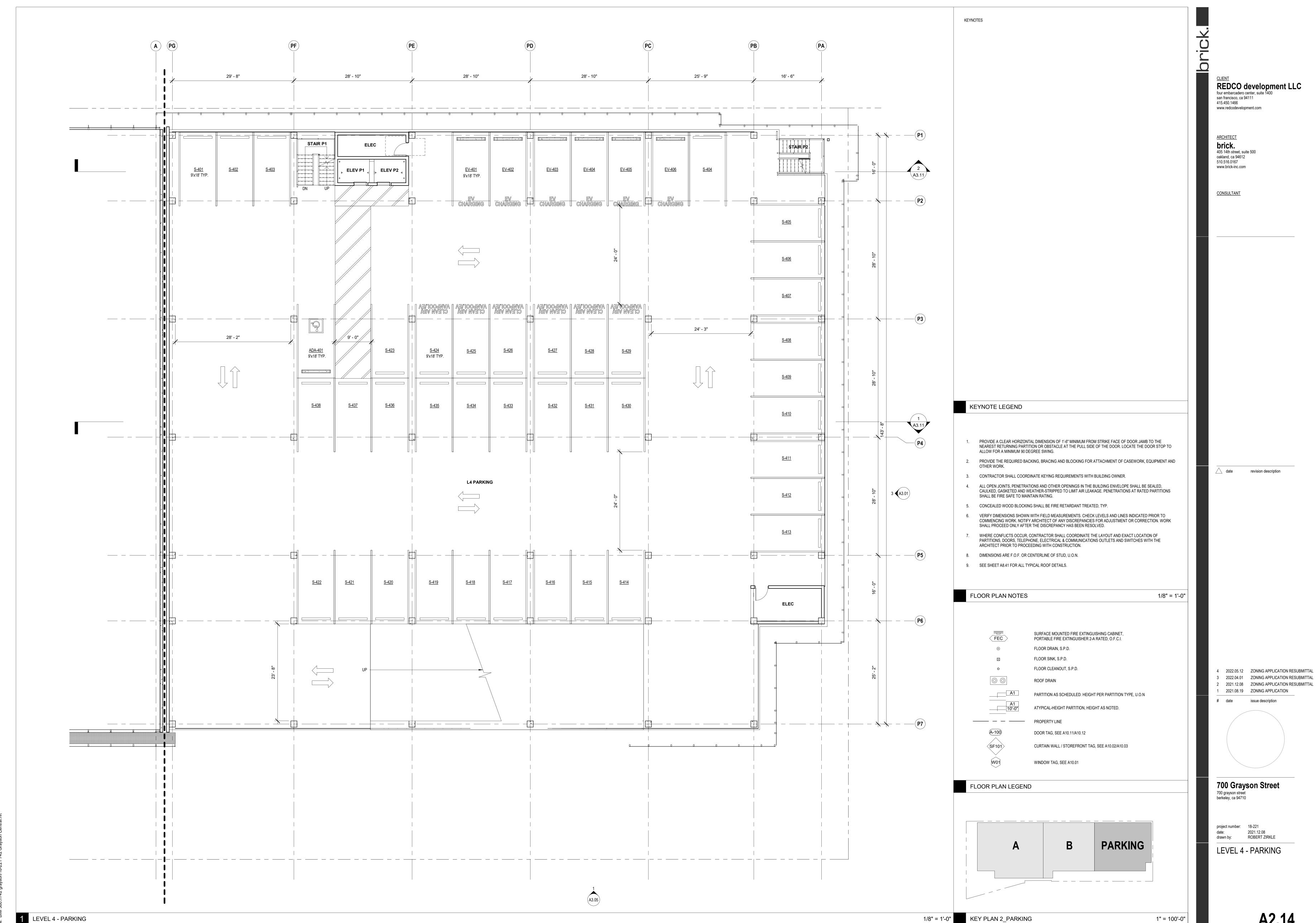
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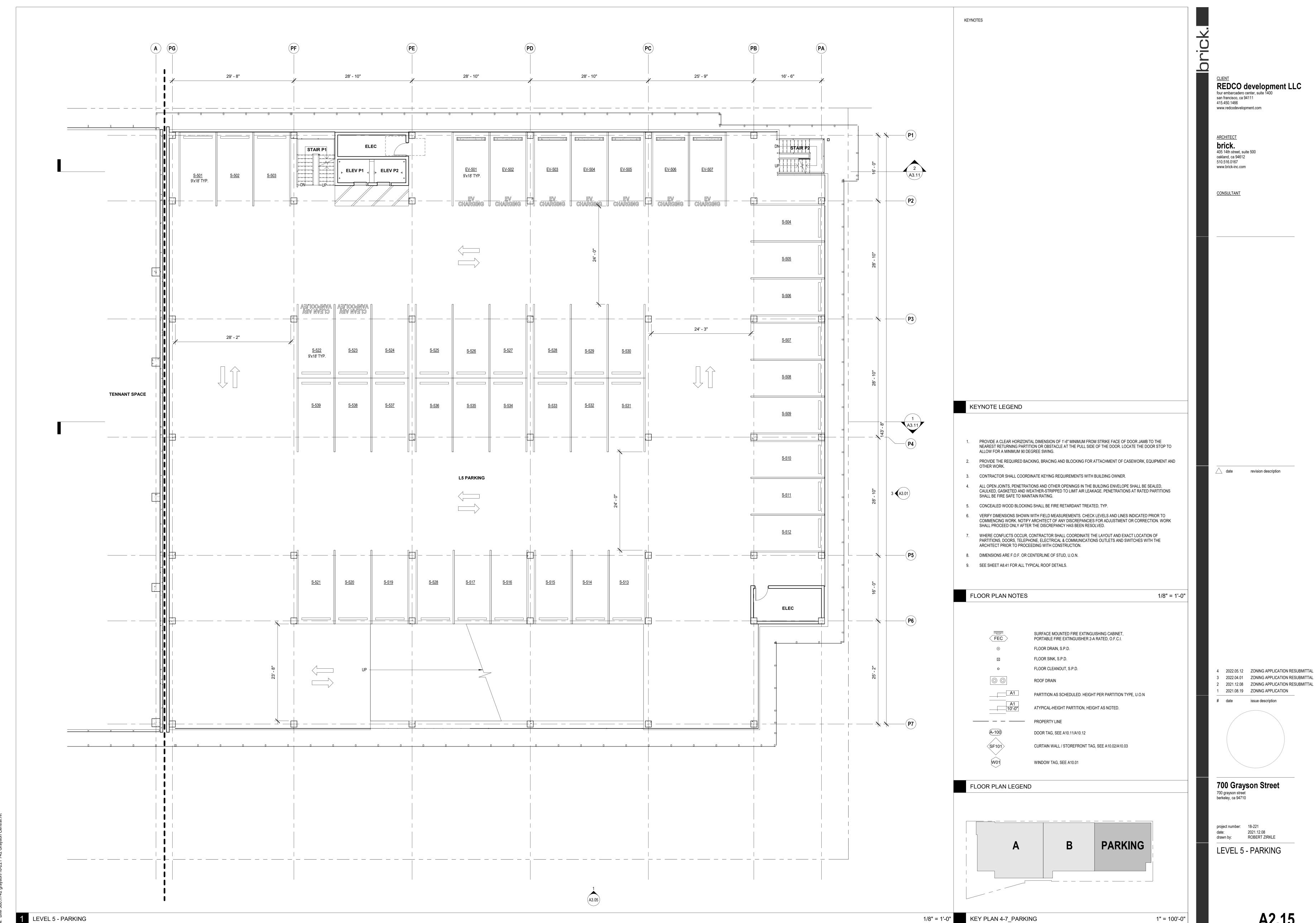


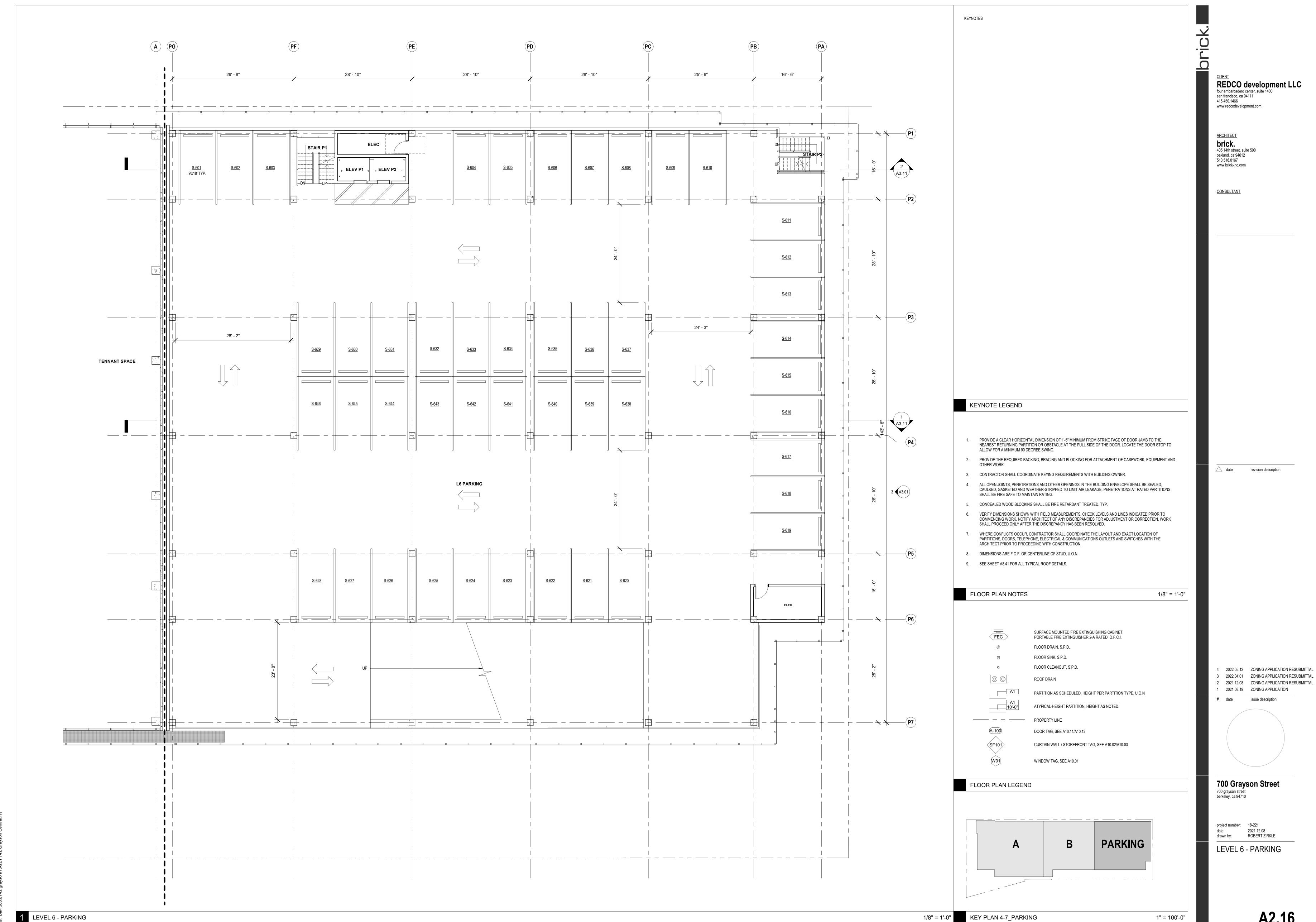


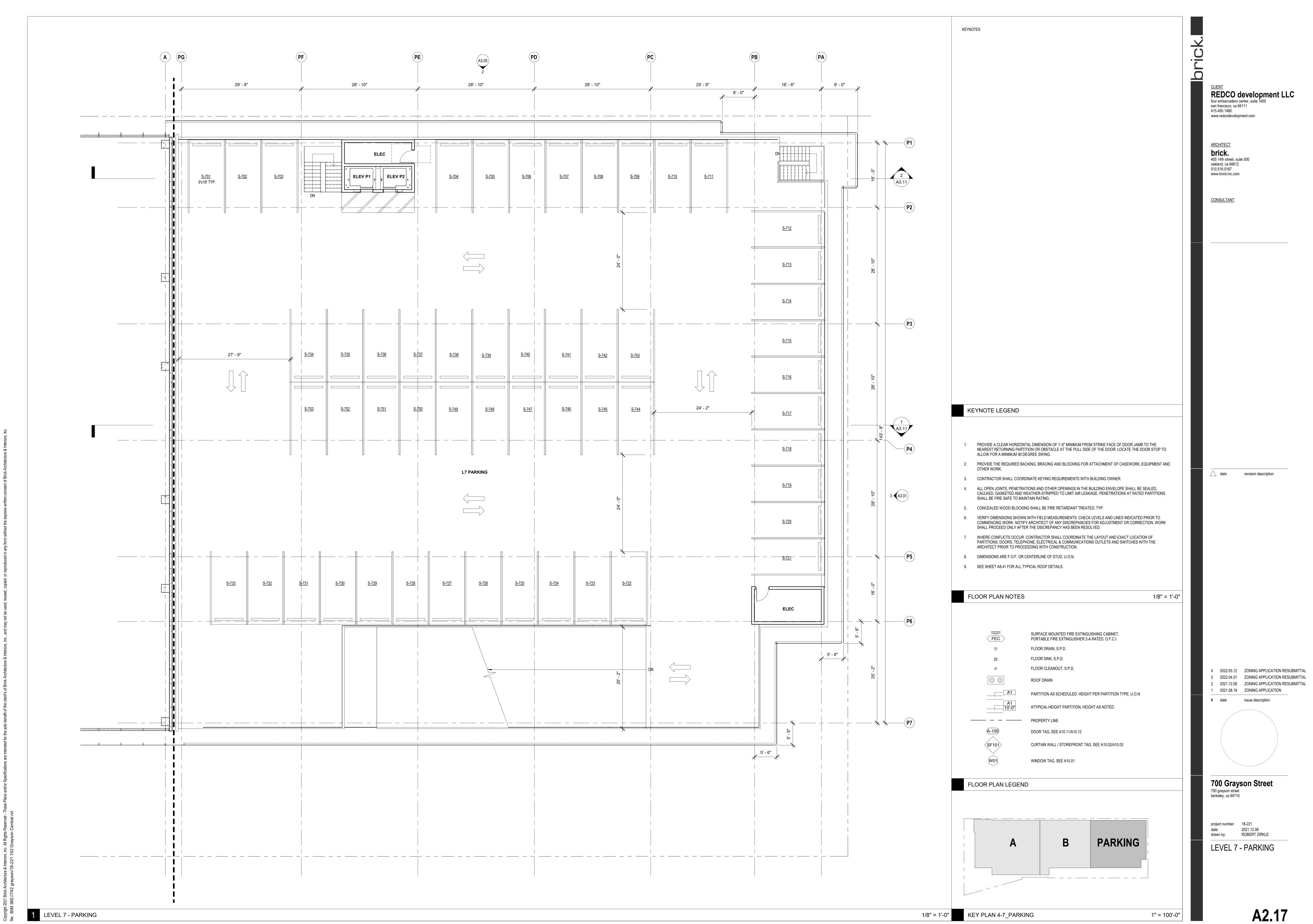


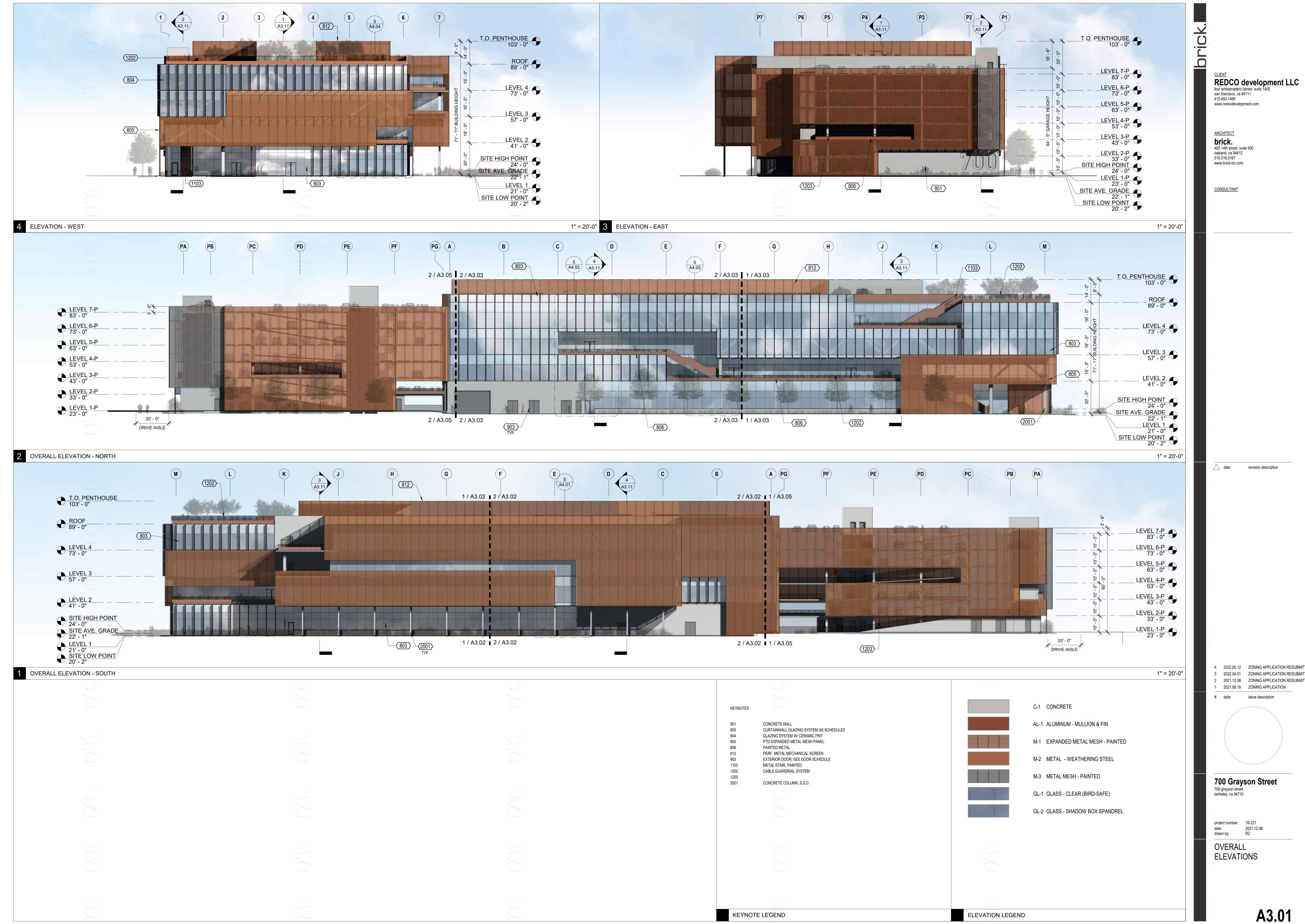






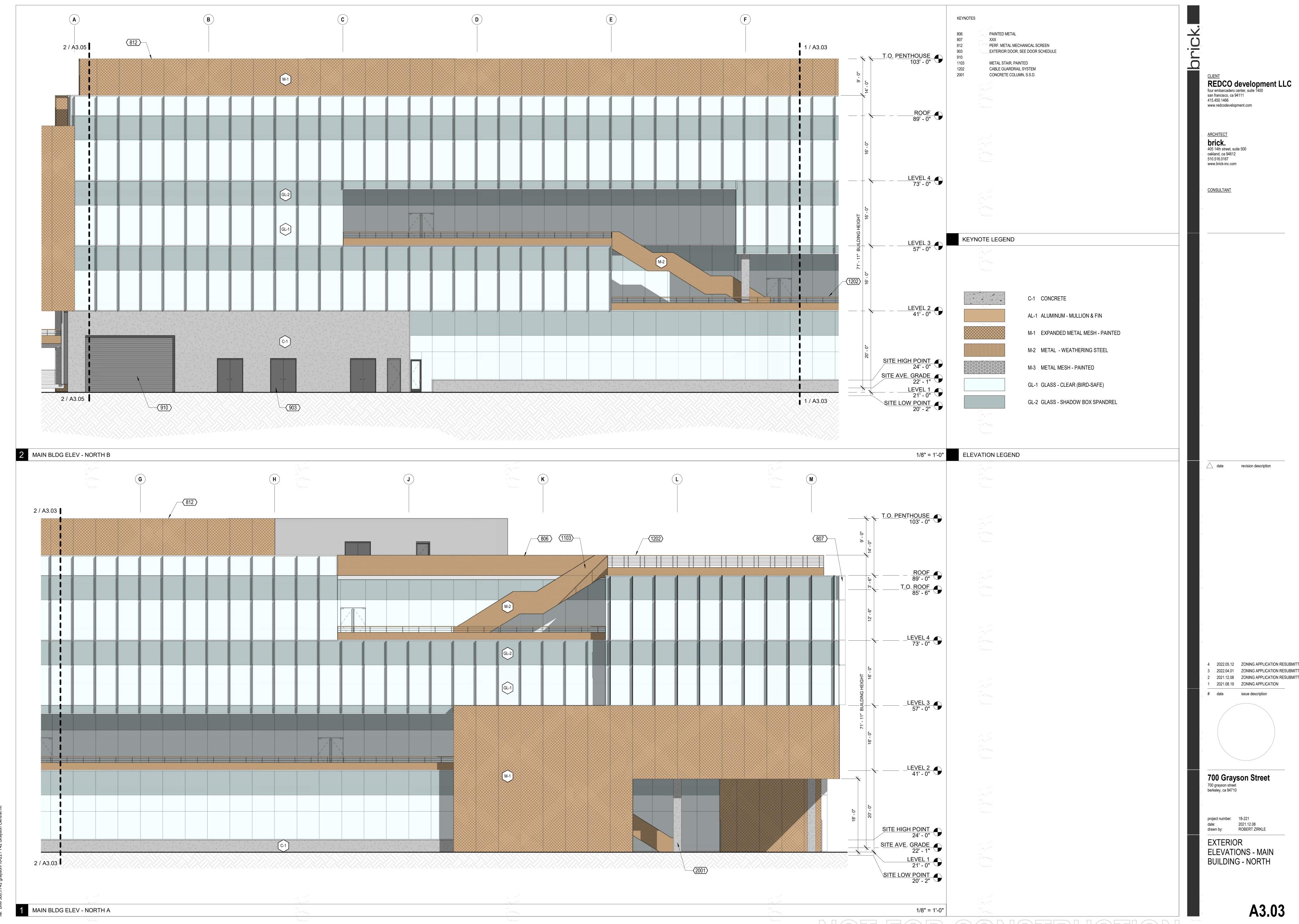






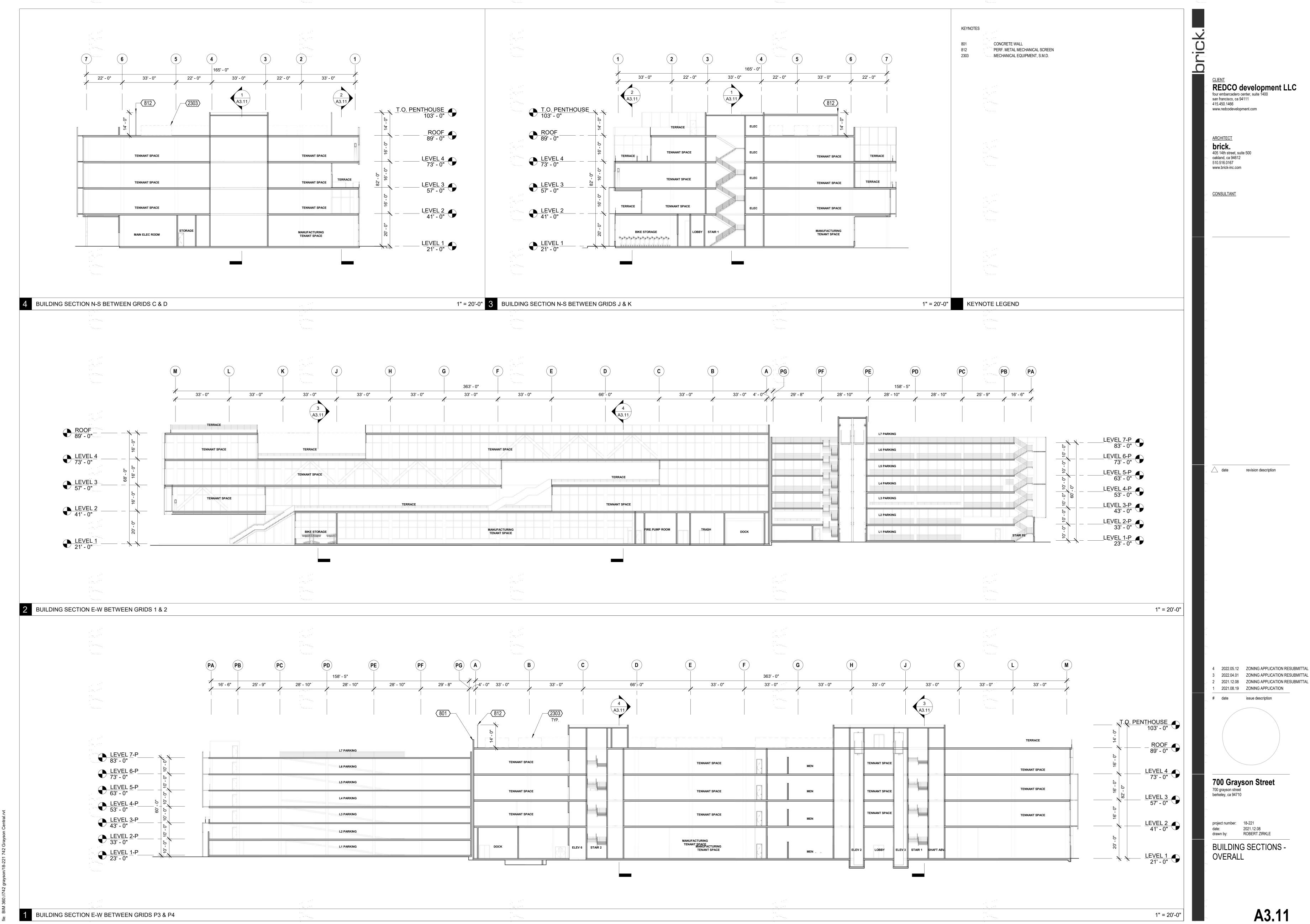
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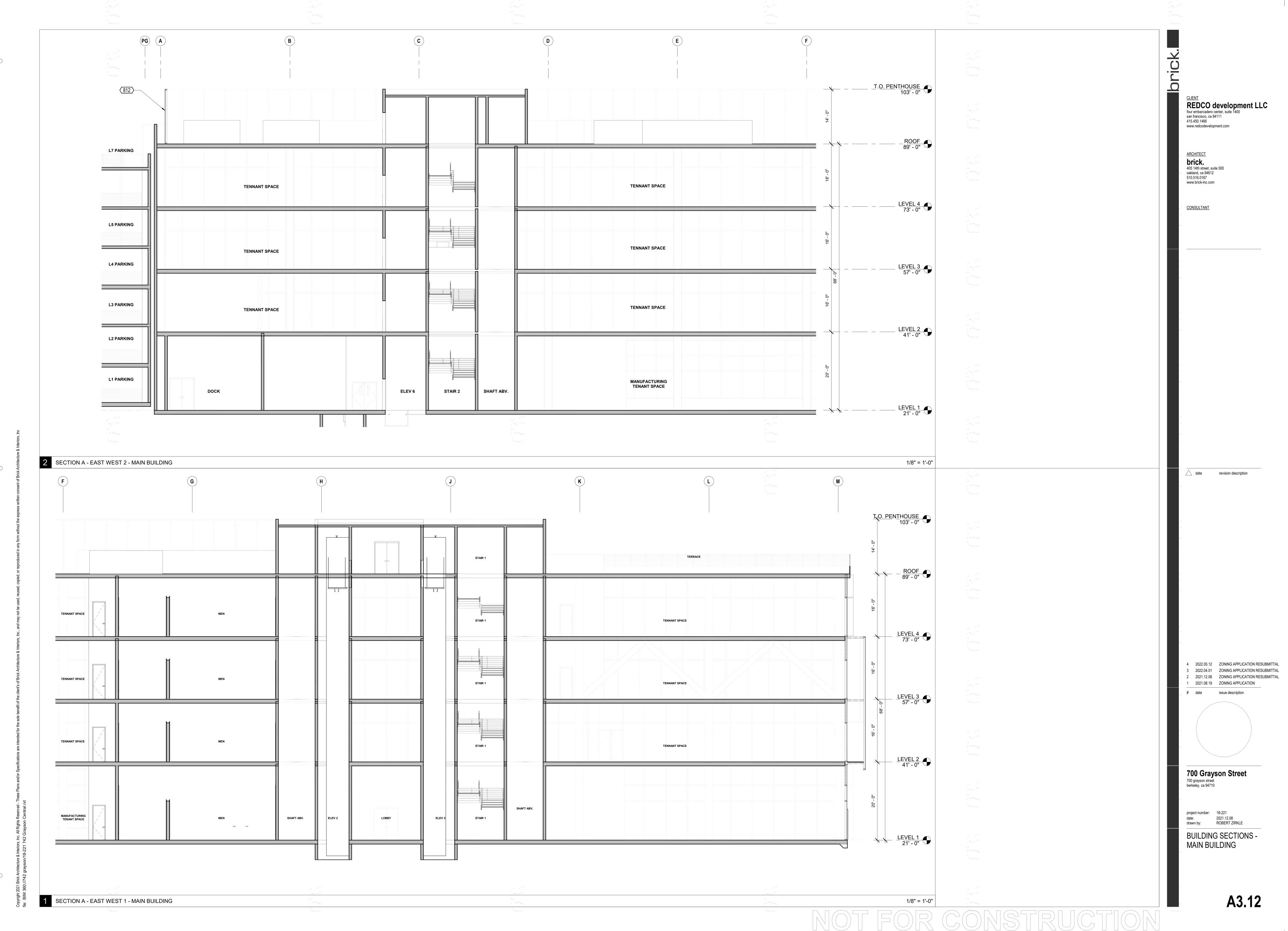


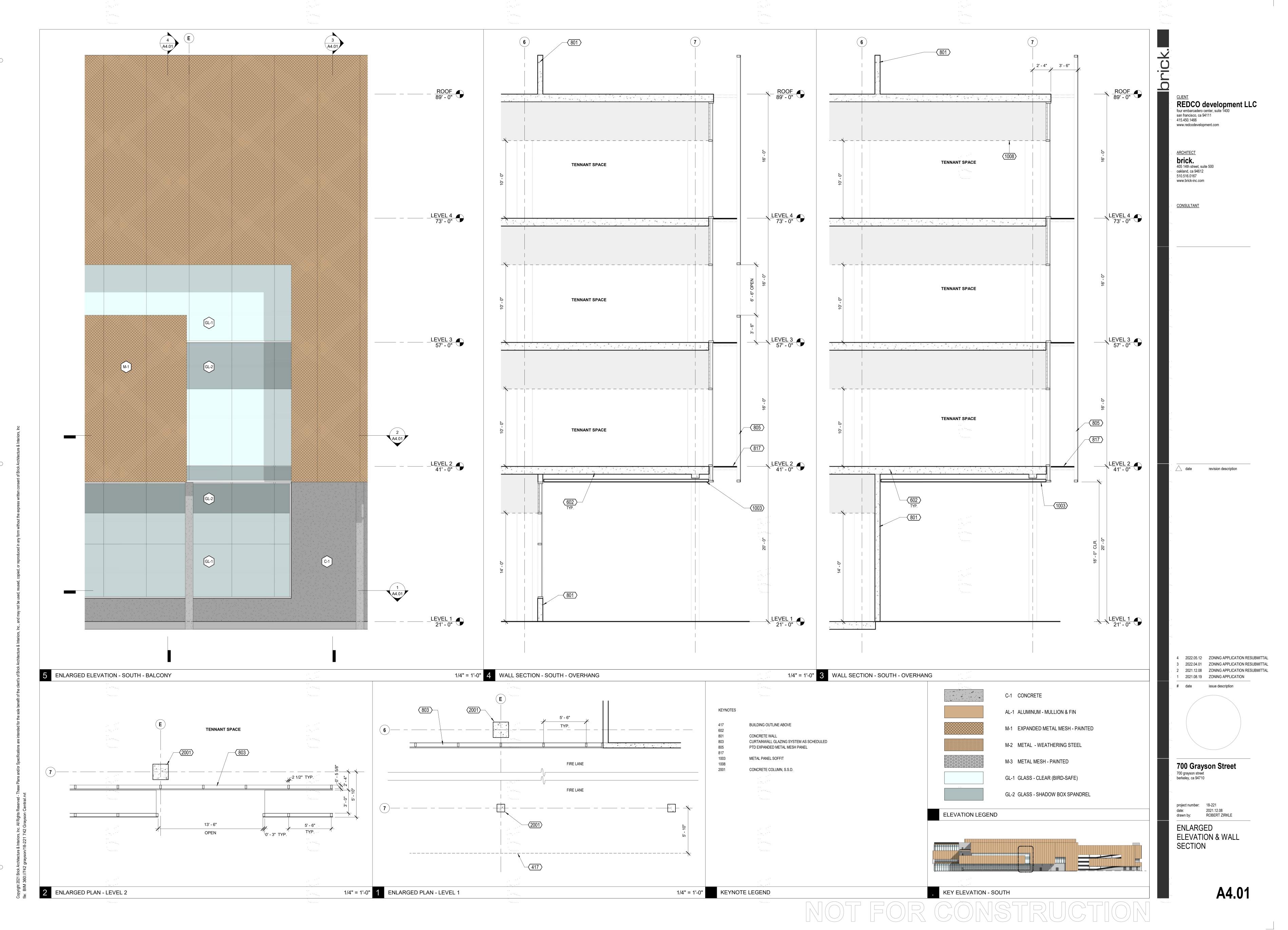


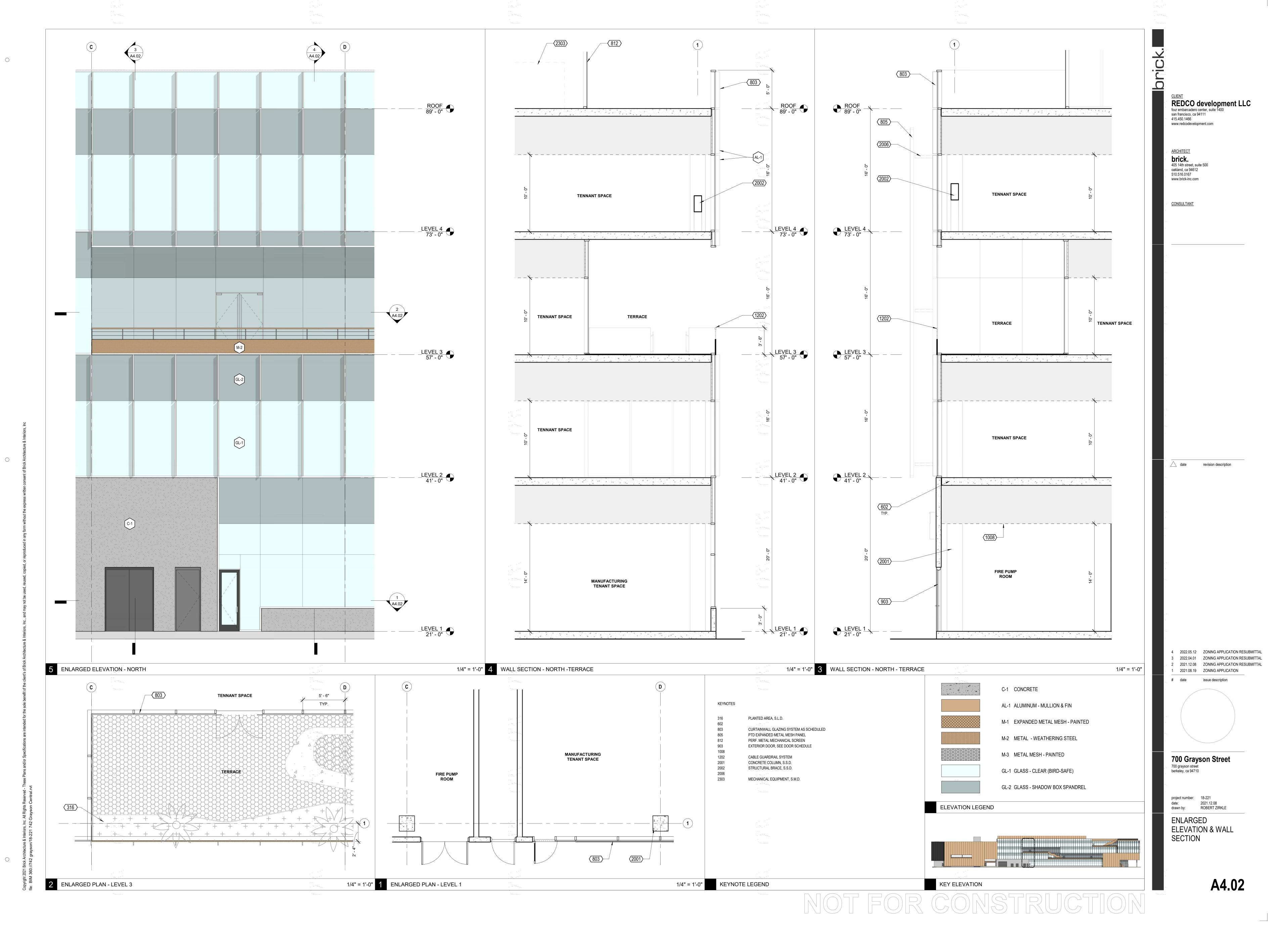


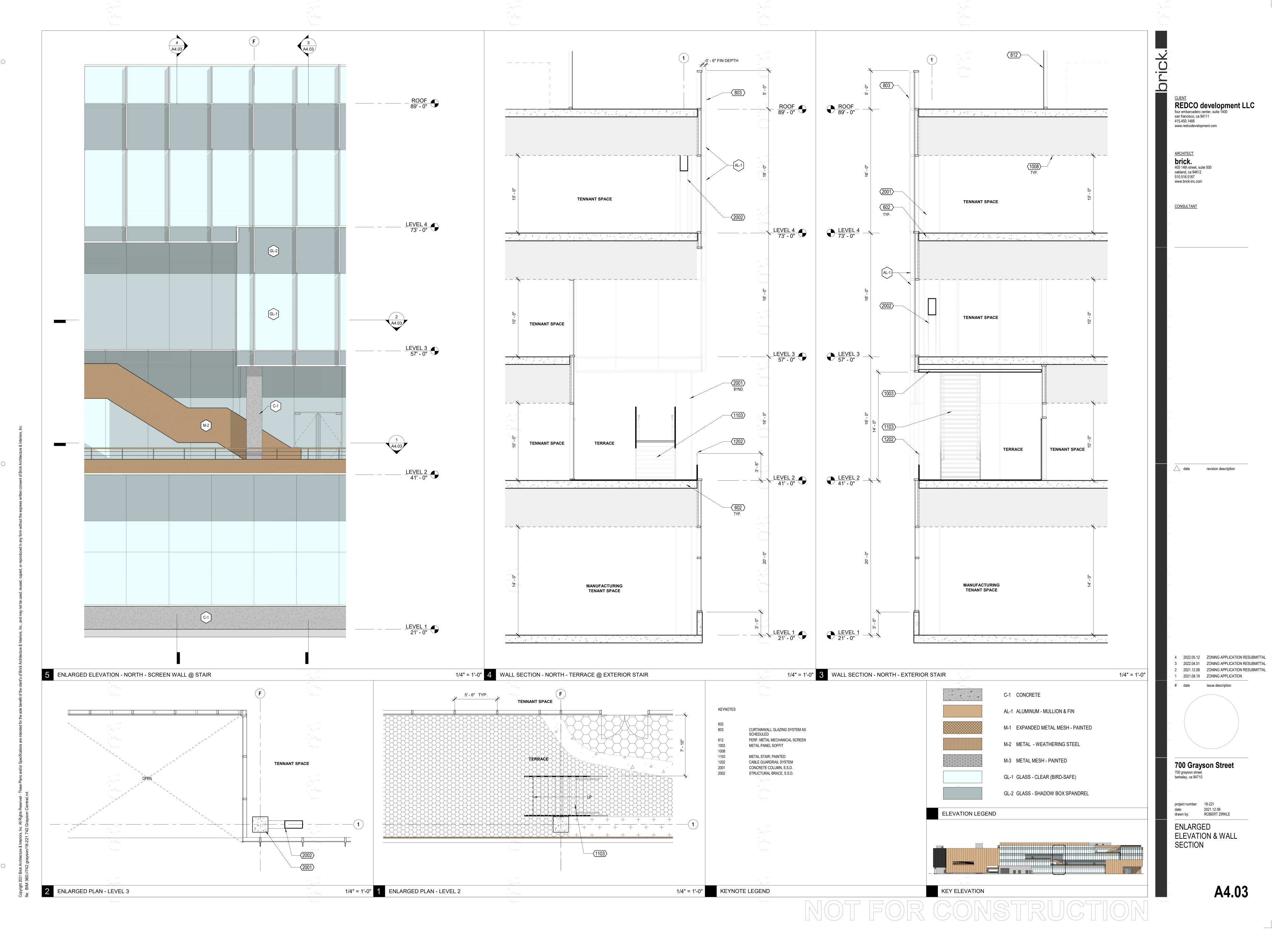


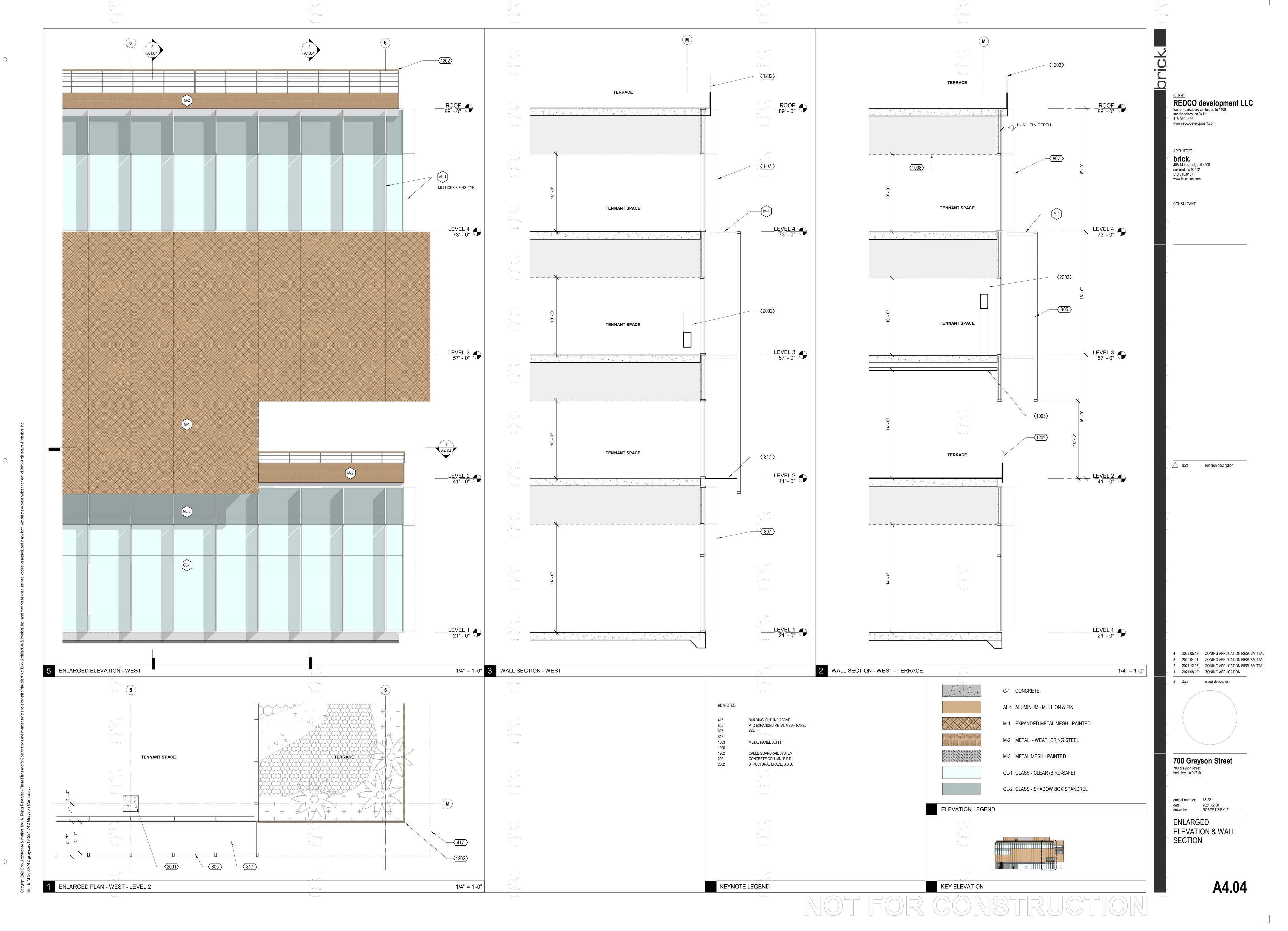












12 May 2022 700 Grayson Street, Berkeley, California

## **Applicant Statement**

## **Project Overview and Intent**

The proposed project at 700 Grayson is a request to create state of the art manufacturing and research and development space in Southwest Berkeley. The proposal includes demolition of approximately 45,406 square feet of existing, dated, and derelict industrial space and rebuild approximately 213,000

square feet of new state of the art life science research and development and manufacturing space consistent with the West Berkeley Plan and the Berkeley Zoning Ordinance. The project site is 109,230 square feet or just over 2.5 acres and located in the Mixed Manufacturing (MM) zoning district. The General Plan designation is Manufacturing. The proposed project will replace existing manufacturing floor area at ground level (35,352 sf) pursuant to MM zone requirements and will include the following:



Proposed project

- New 177,923 sq. ft. Research and Development and 35,356 sq. ft.
   Manufacturing building with four stories at approximately 72' in height;
- A 9-foot tall mechanical penthouse; and,
- 325 space seven level (@64'-5" high) parking garage.

A variance is requested for the height of the building subject to the proposed findings in this statement because of the prevalence of structures recently entitled and constructed that



Buildings to be demolished

have been allowed similar variances. However, it should be noted that the proposed main building is lower than the existing legal non-conforming 75' tower on the property. Proposed supporting variance findings are located later in this report. A use permit and variance are also requested to reduce the amount of parking provided in exchange for additional bicycle parking and a robust transportation demand management (TDM) program.

A use permit is requested to temporarily remove the manufacturing floor area during construction to accommodate replacement of new manufacturing space. Proposed supporting use permit and variance findings are located later in this report. The property is also currently the temporary host to the City of Berkeley's Horizon Transitional Village, as described further below.

The allowance for the City and Dorothy Day House to use the site while this entitlement is being sought, and other substantial community benefits are part of a well-designed development project that will benefit the City of Berkeley's community with new revenue streams, new research space, and good jobs for local people. The project will transform a vacant and moribund property into a connected and beautifully designed urban space that considers the environment and nearby wildlife resources. The project will also provide the City of Berkeley with much higher levels of property and business tax revenue than is currently the case for the site as it has existed for many years.

Address: 700 Grayson Street, Berkeley, CA

**APN:** 053 165500202

Parcel Area: +/-109,230 square feet Zone: Mixed Manufacturing (MM) Area Plan: West Berkeley Plan (Mixed

Manufacturing Designation)

General Plan: Manufacturing

Building upon the established mixture of industrial and commercial uses within the West Berkeley Plan area, 700 Grayson seeks to offer the community a premier venue for the advancement of life science industries, attracting a wide range of employment opportunities while continuing to build West Berkeley as a global center for research, development, and advanced manufacturing. Utilizing leading building technologies, from innovative structures, energy efficient technologies, sustainably sourced materials, and landscapes, 700 Grayson's integration with the community will reflect both the city's rich history as well as its promising future.



Existing Site

Surveying the current condition of 700 Grayson shows how the current decaying, unused, and functionally obsolete structures, which are nearly 100 years old, are no longer congruent with the goals of the West Berkeley Plan. Investing in 700 Grayson was the result of identifying the need to revitalize the site, make meaningful connections to the neighborhood, and the need to build upon established and growing industries in West Berkeley.

Ground floor manufacturing floor area within the MM zone is protected (23.206.050(A)(1)). Therefore, the project seeks a use permit to demolish and then rebuild the manufacturing floor area as required by the MM zone. This is further discussed, below.

#### **Benefits to the Berkeley Community**

- <u>Homeless Shelter</u>: The project sponsor is currently leasing the existing office building to the City of Berkeley, at the cost of operating expenses only, in order to operate a homeless shelter. In coordination with Rebuilding Together and Dorothy Day House, the Horizon Transitional Village accommodates up to 50 homeless individuals. The 18-month lease runs through September 2022. This represents a net benefit of approximately \$918,000, with the site not rented at market rate (\$1.5/sf or net \$50,000/month) to an employment user.
- Housing & Childcare Fees: The project is expected to generate approximately \$840,000 in affordable housing fees and \$140,000 in childcare fees to the City.
- <u>Funding for Ongoing Transitional Housing</u>: The project sponsor is committed to providing the City with an additional \$250,000 toward homeless issues and replacement location of the horizon village, plus the sponsor's real estate experience and contacts to aid the City in finding a new shelter location.
- <u>Employment</u>: The project could generate up to 700 jobs, at a range of experience and wage levels. A conservative estimate of jobs that will not require advanced degrees is 15% of the work force, or 105 jobs.
- <u>Sustainability</u>: The project offers all native and drought-tolerant planting to support stormwater management, low water-use, and expand the habitat offered by Aquatic Park and the lagoon. Well landscaped roof terrace help insulate the building and mitigate heat island effect. Further, the building will have all-electric systems pursuant to Berkeley's REACH code.
- <u>Berkeley Unified School District fees</u>: Substantial mitigation fees will be paid to the Berkeley Unified School District.
- <u>Public Improvements</u>: The project will install sidewalks and 12 street trees, where none
  currently exist, and expand landscaping and stormwater plantings and basins. The project will
  substantially improve the public right of way along Grayson Street, including as needed the
  removal of abandoned railroad elements, provide curb/gutter/sidewalks where none have ever
  existed.
- <u>Bird Safety</u>: The project proposes bird safe glass on the west façade and partially opaque panels to reduce potential for bird strikes. Other features to protect against bird strikes such as windows shades that close automatically at night, are being considered.
- Replacement of ground-level manufacturing floor area: While replacing 35,352 sf of ground floor level manufacturing floor area is a zoning requirement, it is also a gross benefit in the case of this project because the City of Berkeley will get far more usable manufacturing floor area than is the case today along with approximately 178,000 square feet of state of the art research and development space.

#### **Proposed Project**

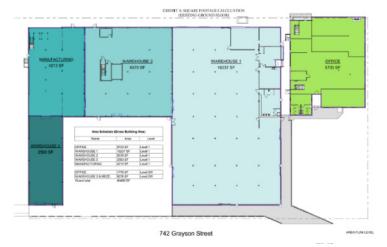
700 Grayson proposes the demolition of two existing structures and the construction of two new structures: one mixed-use building consisting of research and development, manufacturing and ancillary uses, and an adjacent parking garage. The building will be a 4-story structure without a basement measuring +/-213,000 sf and 50,705 sf of usable open space, including ground-floor open space, outdoor terrace space and a roof deck. The building is proposed at a height of approximately 72' as measured according to the Zoning Ordinance definition (additional height for rooftop equipment and mechanical penthouse is not included in this measurement).

The Zoning Ordinance requires (23.206.050(A)(1)) the project to preserve the existing ground level manufacturing floor area in the new building, which the project proposes do. The balance of the existing protected floor area is proposed as research and development use. The adjacent parking garage will be seven levels without a basement containing 325 parking spaces, at a height of 64'-5" feet. 148 bicycle parking spaces (128 secured, 20 short-term) will be provided along with shower facilities, availing the project to a 10% parking reduction via an administrative use permit.

Per BMC 23.206.050(A)(1), the MM zone requires replacement of ground-level manufacturing area. In coordination with City staff, the project sponsor acknowledge that 35,352 sf of existing manufacturing floor area must be protected within the proposed project; this includes 5,733 sf that was used as office. The replaced manufacturing area will be located on the ground floor and will include designated manufacturing use as well as a proportion of the shared uses (i.e., lobby, storage, trash, utilities).







Revitalizing the site includes replacing a mostly dirt parking lot with a new plaza whose design references the site's natural history. Other site improvements include streetscape enhancements and stormwater treatment, capturing rain runoff from the site and building, then directing stormwater to an on-site landscaped bioretention area for treatment.

A key component of the design concept is to integrate terraces throughout the proposed building, bringing the landscape up and around the façade through a network of linked outdoor spaces culminating in a landscaped roof deck offering panoramic views of Berkeley, the east bay hills, and the bay.



Exterior floor connections from bottom to top

700 Grayson makes meaningful connections to the community through its site, its proposed uses, and its architecture. As mentioned above, site and streetscape improvements will help link the proposed project to the immediate surroundings, integrating with adjacent structures and campuses. Proposed uses also reflect existing uses found on Grayson Street, transforming a dormant site into an active and compatible neighbor contributing to the rich urban context and local economy.

The proposed architecture honors the industrial nature of West Berkeley, commemorates the natural history of the region, and looks forward towards advancements in life sciences emerging in Berkeley. This is achieved through the careful selection of materials evocative of West Berkeley's industrial heritage, applied in a layered composition that recalls the rational and functional structures found throughout the area, utilizing advanced building technologies that improves performance, occupant comfort, and reflects the work taking place inside.

With street access from Grayson at the north of the project site only, the proposal also includes fire access on the east side of the site. Bicyclists will have access to the bike storage room directly from Grayson Street. Parking and loading access is also located on Grayson Street.

The ground floor of the mixed-use building will include approved active tenant uses, the replacement manufacturing floor area as required by the MM zoning requirements (on the ground floor), lobby spaces, and back of house spaces including a loading dock, bicycle storage, mechanical, and electrical rooms. The building will be served by two cores which will contain egress stairs, freight and passenger elevators, mechanical shafts, restrooms, and utility rooms.

Levels 2-4 of the mixed-use building house tenant spaces, core spaces, and outdoor terraces. Each terrace is located to offer outdoor space to all portions of the floor, accommodating multiple tenant leasing scenarios. Also, each terrace is linked to other terraces or to the roof deck by exterior walkways, creating a wrapping path of terraces around the building culminating at the roof deck.

The roof level of the mixed-use building includes a mechanical yard wrapped by a mechanical screen and the landscaped roof deck at the west end of the building, offering panoramic views of the east bay, north bay, and San Francisco.

# Temporary Homeless Shelter – City of Berkeley and Dorothy Day House

The property owner/applicants are currently allowing the site and buildings to be used temporarily by the City of Berkeley for the Horizon Transitional Village shelter for up to 50 unhoused individuals. The 18-month lease runs through September 2022. The owner/applicants further propose to provide additional funding and professional resources to assist the City to find a new location when it is time to develop this project site (see community benefit discussion). The Horizon shelter was described in the July 2, 2021, Berkeleyside article as follows:



Facilities for the unhoused currently inside the building

"The shelter, at 742 Grayson St., is managed by <u>Dorothy Day House</u> and is designed as a hybrid between a traditional shelter with individual beds, and Mayor Jesse Arreguín's original plan of a <u>sanctioned outdoor encampment with tents</u>. The cavernous warehouse space currently has room for about 50 people, with designated "neighborhoods" (that haven't yet been named) connoted by colored pillars, small personal storage cubbies, a breakfast area, recreational space with a library and "movie theater" and a back storage area that will allow residents to store larger items — like tents — for when they depart from the space."

#### **Design Approach**

The mixed-use building will be clad with a layered curtainwall that includes aluminum curtainwall frames, fritted glass, vertical fin sunshades, and coated expanded metal mesh sunscreens. The bird safe glass on the west elevation will help reduce or eliminate the potential for bird strikes. This is especially important because of the project's relationship to the Aquatic Park lagoon to the west, which is an aquatic (and other) bird gathering place.



Southwest rendering

Sunshading strategies reduce energy use and glare while increasing comfort and are deployed based on solar orientation. As such, facades with less direct sun exposure have increased amounts of clear glazed curtainwall, allowing for increased daylighting inside and increased visibility of active uses from the exterior. The rooftop mechanical screen will be

detailed the same as the sunshading devises and/or the rain screen material to integrate seamlessly with the expression of the facades.

The adjacent seven-level parking garage to the east of the mixed-use building will be a concrete structure wrapped with coated expanded metal mesh panels to architecturally integrate with the mixed-use building. The northeast corner of the parking garage will include a large mural to welcome visitors. Vehicular access to the garage is from Grayson Street, leading to ground level parking. Also at the ground level are egress stairs, elevators, and pedestrian access to the mixed-use building. Ramps at the south edge of the garage lead to upper levels of parking. The garage roof will be partially covered by a photovoltaic panel array.



Garage Elevation

### **Project Site, Use and History**

700 Grayson, approximately 2.5 acres large, is located at the western end of the southside of Grayson Street as it meets the Union Pacific Railroad tracks and Aquatic Park beyond. The project site lies at the western border of Berkeley's established manufacturing and industrial area, within the General Plan's Manufacturing land use category. Located within the West Berkeley Plan Area, uses in the surrounding area support industrial, warehouse, manufacturing, wholesale trade, arts, research and supporting and compatible employment generating businesses.



The north edge of the site is Grayson Street, which is bordered by an inconsistent amalgamation of old sidewalk, abandoned rail spurs (which may partially lay in the right of way), and dirt where it meets the public right of way. The site has not been redeveloped in many decades and as a result there are insufficient site storm water facilities to protect the Aquatic Park drainage. There are existing utility



poles along the sidewalk at Grayson Street, which present visual clutter and potential obstacles to fire and life safety activity, that the project proposes to relocate underground. The end of the street and lack of activity has created circumstances that support a variety of deleterious activity. The difficulty and limited access to the site has resulted in under investment by prior owners, and by the City of Berkeley.

The west edge of the site is bound by the Union Pacific Railroad easements and property. The south edge of the site is bound by a private rail spur, and 800 Grayson existing structures lie to the east of the project site. Between 800 Grayson and 700 Grayson is a 35-foot-wide ingress/egress easement.

Site topography is generally perceived as flat, though grades slope up gradually from northwest to southeast with increased downslope on the west edge of the site. Beyond the down sloping west edge and the railroad tracks lies Aquatic Park and the Aquatic Park Lagoon. There is currently no drainage protection from Grayson Street, the site or the railroad tracks, into Aquatic Park. No oak trees exist on the site.

Adjacent uses include industrial manufacturing, research and development, and ancillary office uses to the south, east, and north, minimizing potential land use conflicts with the proposed project site. All adjacent parcels are also zoned MM. The Bayer campus is directly north of the site, Henkel Corporation to the east, Aquatic Park and Union Pacific Railroad tracks to the west, and various uses to the south, including Artworks Foundry, several professional offices, an outlet store and a bakery.

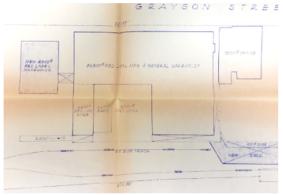
Pursuant to City of Berkeley planning staff review, the use of the property at 700 Grayson Street is manufacturing with other ancillary uses. The current array of buildings was originally constructed for the mixing of compounds into new products, so it had a very high level of both warehousing and distribution, and office as ancillary uses. A 1974 use permit recognized the use as "Establishment of a water-based and solid adhesive compounding and distribution plant."

Since approximately 1930, the site has been used by a variety of primarily warehouse, storage, and distribution uses over the course of its modern era history. By 1964 the warehousing and distribution functions, along with some incidental manufacture of chemical products, was well documented. See image of 1964 as-built site plan and building description. All these uses were permitted uses at the time.

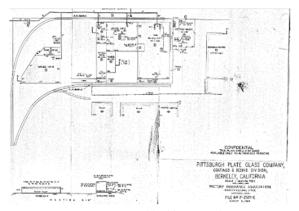
The historic resource evaluation prepared for the project also supports the site's primary floor area use as warehousing for both the compounds to be mixed and the new compounds created. As shown in the image and in the historic resource report prepared by Page & Turnbull, the primary uses of the building's floor area were dedicated to warehousing of materials. This is consistent with the balance of the



HRE page indicating uses of building floor area



1974 Site and building use plan



1964 Site and building use plan

documentation provided above. Additional documentation of prior site plans and recent photographs of the building's interior can be provided upon request.

#### **CEQA Considerations**

Environmental review of the site's soils and groundwater conditions has been ongoing for the past 10 plus years with oversight from the Waterboard with summary included plus all applicable reports in submittal. Site is incorrectly listed on the cortese list (with email clarification anticipated from the Waterboard on this correction). A site deed restriction to commercial uses, soil management plan and requirements for vapor barrier protections are required for new development but no further cleanup or monitoring. An historic resources report on the existing site and structures was completed by Page & Turnbull in June of 2021. The Summary of Findings beginning on page 2 of the report states that the project does not appear eligible under the California or National Registers. The report is attached to this submittal package.

A transportation memo prepared for the project by Fehr and Peers indicates that the proposed project will have a less than significant impact on Vehicle Miles Travelled (VMT).

A cultural resources analysis prepared by ArcheoTec indicates a low potential for cultural resources to be encountered. On site archaeological monitoring was provided during soil testing and drilling. No evidence of cultural materials (including midden) was encountered.

#### The General Plan

The General Plan finally incorporated the West Berkeley Plan by reference as a part of the City of Berkeley's most recent General Plan updated in 2001. The establishment of the MM zoning (see below) and its protection for Manufacturing, Wholesale Trade, and Warehouse land uses and floor area was cornerstone to the West Berkeley Plan's effort supporting the goals of preserving and encouraging industrial and manufacturing uses found in West Berkeley.

#### The West Berkeley Plan

Adopted in 1993, The West Berkeley Plan aims to preserve and enhance a rich mix of artists, manufacturing, wholesale, warehousing, research and development, residential, and retail uses. The plan was created in part by, and its implementation is monitored by the community. The required

zoning was adopted by the City Council as West Berkeley Plan implementation in 1998.

## **Zoning Development Standards for the MM Zone**

Table 1 identifies required development standards. The proposed project complies with development and performance standards outlined in BMC section 23E.76.070 and listed above except for the height and parking variance, requested below. The project also requests use permits to reduce parking and loading requirements.



Project zoning designation

**Table 1: Development Standards** 

Development Standard	Reference	Permitted or Required	Proposed
Floor Area Ratio	BMC Sec.	2.0	2.0
	23.206.050(A)(1)		
Height Limit	BMC Sec.	45 ft.	72 ft.
	23.206.050(A)(1)		Variance Requested
Minimum Lot Size	BMC Sec.	20,000 sf	109,230 sf
	23.206.050(A)(1)		
Front Setback	BMC Sec.	0	0
	23.206.050(A)(1)		
Side Setbacks	BMC Sec.	0	Varies, 34'-5" minimum
	23.206.050(A)(1)		(west), 3'-8" (east)
Rear Setback	BMC Sec.	0	Varies, 28'-7" minimum
	23.206.050(A)(1)		
Vehicular Parking	BMC Table 23.322-4.	380	325
	BMC Sec.		Use Permit and Variance
	23.206.050(A)(1)		Requested
Bicycle Parking	BMC Sec.	107 (1/2,000sf)	148
	23.322.090(A)(1)		
Electric Vehicle Stations	BMC Sec. 19.37.040	33 (10% of total spaces)	33
Loading	BMC Sec. 23.322.100(B)	9	2
			Use Permit Requested
Open Space	BMC Sec.	0 sf	50,705 sf
	23.206.050(A)(1)		

## **Loading Reduction**

The Zoning Ordinance requires the project to provide nine on-site truck loading spaces. However, the project's proposed use of primarily R&D with some light manufacturing is expected to have lower loading needs than a traditional manufacturing use. As a benchmark, the project transportation consultant, Fehr & Peers, reviewed on-site truck loading requirements for similar uses in nearby jurisdictions and other jurisdictions with a significant level of R&D development activity were reviewed.

Table 2 presents the on-site truck loading requirements for the project as required by the City of Berkeley and compares it to loading spaces required by the other jurisdictions. Compared to the nine spaces required by the Berkeley Zoning Ordinance, other jurisdictions would only require three or four on-site truck loading spaces for the same project. The project proposes two on-site loading spaces that can accommodate large trucks (50 feet or larger). Based on the demand implied by the code requirements of the other jurisdictions, we recommend providing four loading spaces for the project. Since the project would provide two on-site loading docks for large trucks, we recommend designating two on-street loading spaces (50 feet total) to accommodate loading for smaller trucks.

## Table 2: On-Site Loading Requirements Comparison

Jurisdiction/Use Assumptions	Required Spaces	Minimum Dimensions			
City of Berkeley					
Manufacturing District (213.3 KSF)	9 spaces <sup>1</sup>	25 feet long, 12 feet wide, and 14 feet vertical clearance <sup>1</sup>			
City of Emeryville					
R&D Use (171.7 KSF)	2 medium spaces <sup>2</sup>	35 feet long, 12 feet wide, and 14 feet vertical clearance <sup>2</sup>			
Industrial Use (41.6 KSF)	1 large space <sup>2</sup>	50 feet long, 12 feet wide, and 14 feet vertical clearance <sup>2</sup>			
Total	3 spaces				
City of Richmond					
R&D Use (171.7 KSF)	2 medium spaces <sup>3</sup>	35 feet long, 12 feet wide, and 14 feet vertical clearance <sup>3</sup>			
Industrial Use (41.6 KSF)	1 large spaces <sup>3</sup>	50 feet long, 12 feet wide, and 14 feet vertical clearance <sup>3</sup>			
Total	3 spaces				
City of Oakland					
Industrial Use (213.3 KSF)	3 spaces <sup>4</sup>	45 feet long, 12 feet wide, and 14 feet vertical clearance <sup>5</sup>			
City of South Francisco					
Total Use (213.3 KSF)	4 spaces <sup>6</sup>	50 feet long, 12 feet wide, and 14 feet vertical clearance <sup>6</sup>			
City of Hercules					
Industrial/R&D Use (213.3 KSF)	4 spaces <sup>7</sup>	50 feet long, 12 feet wide, and 14 feet vertical clearance <sup>7</sup>			

#### Notes:

- 1. <u>Berkeley Municipal Code Section 23.322.100</u> requires one loading space for the first 10,000 square feet in manufacturing districts, with one additional loading space for each additional 25,000 square feet.
- 2. <u>Emeryville Municipal Code Section 9-4.409</u> requires two medium loading spaces for 100,000-200,000 square feet of research and development uses, and one large loading space for 25,000-50,000 square feet of industrial uses.
- Richmond Municipal Code Section 15.04.607.090 requires two medium loading spaces for 100,000-200,000 square feet of research and development uses, and three large loading spaces for 100,000-200,000 square feet of industrial uses.
- 4. Oakland Municipal Code Section 17.116.150 requires two loading berths for the first 50,000-99,999 square feet of industrial uses, with one additional loading berth for each additional 150,000 square feet.
- 5. Oakland Municipal Code Section 17.116.220.
- 6. <u>South San Francisco Municipal Code Section 20.330.009</u> requires four loading spaces for 150,001-230,000 square feet of non-residential uses.
- 7. <u>Hercules Zoning Ordinance Section 13-32.330</u> requires two loading berths for the first 50,000 square feet of industrial/R&D uses, with one additional loading berth for each additional 100,000 square feet.

Source: Fehr & Peers, 2022.

#### **Variance Requests**

700 Grayson seeks to increase the height limit from 45 feet to approximately 72 feet to accommodate increased floor to floor heights required for the market needs of manufacturing space of 20' (Level 1) and research and development uses of 16' (Levels 2-4). The increased height does not accommodate increased floor area – the project still proposes an FAR of 2.0 as allowed by the zoning. The proposed project will provide extensive community benefits as discussed above. A mechanical penthouse will be located on the roof and a separate AUP is requested for that.

A second variance is required to allow a parking reduction. This is matched by additional bicycle parking, pursuant to an administrative use permit and a robust TDM program which are anticipated to reduce parking demand.

### **Permits & Findings Required**

The project team has identified the following necessary permits for the project:

- 1. BMC 23.326.070.A: Use Permit to demolish existing non-residential buildings;
- 2. **BMC 23.206.050.A.2**: Use Permit to remove existing ground-level floor area used for manufacturing.
- 3. **BMC 23.206.030.A:** Use Permit to construct 40,000 or more gross square feet of new floor area:
- 4. BMC 23.206.020: Administrative Use Permit to establish more than 20,000 SF R&D use;
- 5. **BMC 23.206.030.A:** Use Permit to reconstruct more than 40,000 square feet of ground level floor area devoted to light manufacturing use.
- 6. **BMC 23.406.050:** Variance from BMC 23.322.030.C to provide 325 off-street automobile parking spaces where 380 are required.
- 7. **BMC 23.322.050.A.8:** Use Permit to designate up to 10% of automobile parking required for a use for bicycle and/or motorcycle parking.
- 8. **BMC 23.322.100.5**: Administrative Use Permit to reduce the number of on-site loading spaces from 9 to 2.
- 9. **BMC 23.406.050:** Variance from BMC 23.406.050: Development and Performance Standards, height requirement of 45 feet to allow up to 72 feet.
- 10. **BMC 23.304.050.A**: Administrative Use Permit to allow architectural elements to exceed the height limit in a non-residential district.

## BMC 23.326.070 Demolitions of Non-Residential Buildings

- D. A Use Permit or an AUP for demolition of a non-residential building or structure may be approved only if the ZAB or Zoning Officer finds that:
  - 1. The demolition will not be materially detrimental to the commercial needs and public interest of any affected neighborhood or the City of Berkeley; and
  - 2. The demolition:
    - (a) Is required to allow a proposed new building or other proposed new Use;

The proposed project will not be materially detrimental to the commercial needs and public interest of the West Berkeley neighborhood. The demolition will not remove buildings of historical or architectural significance. The removal of the structures will facilitate reuse of the site in a manner that will allow the

site to be economically productive for the City of Berkeley in the future and provide an appropriate transition to the eclectic mix of uses on the block and in the immediate vicinity which include industrial, artist studios, lab, R&D, yoga, coworking, furniture making, and retail/restaurant uses. The existing buildings do not meet industry standards for productive manufacturing or research and development uses, which have greatly evolved in recent years. The upgrades necessary to these buildings would require significant investment and alterations to the buildings and site to accommodate reuse.



## 23.206.050(A) Use Permit to Demolish and Replace Protected Manufacturing Floor Area

In order to approve use permit to allow the demolition of protected use floor area the ZAB must make the finding found in Zoning Ordinance section 23.206.050(A)(3) and (4):

(3)(a) To approve a permit required by Table 23.206-6 for changes to a protected industrial use in the MM and MU-LI districts, the review authority must find that replacement space is provided as required by Paragraph 4 (Replacement Space) below...

4. Replacement Space. Floor area occupied by a protected industrial use that is changed to a non-protected use must be replaced, in the West Berkeley Plan area, by a comparable space devoted to one or more of protected industrial uses.

The proposed project will demolish the current ground level manufacturing floor area in order to make room for new construction. It will replace the 35,352 sf of protected floor area pursuant to Zoning Ordinance requirements and as described in this application, with 35,356 sf of manufacturing area (including shared use areas) within the project. The floor area will be down during construction but it is already currently vacant with the exception of the temporary unhoused persons facility.

#### 23.206.100 Findings for MM District

In order to approve a project in the MM zone, the ZAB must make the following findings. This finding is required for the following use permits relevant to this project:

- BMC 23.206.030.A: Use Permit to construct 40,000 or more gross square feet of new floor area;
- BMC 23.206.020: Administrative Use Permit to establish more than 20,000 SF R&D use;
- **BMC 23.206.030.A**: Use Permit to reconstruct more than 40,000 square feet of ground level floor area devoted to light manufacturing use.

## A. That the project:

- 1. Is consistent with the purposes of the district;
- 2. Is compatible with the surrounding uses and buildings;

- 3. Complies with the adopted West Berkeley Plan; and
- 4. Meets any applicable performance standards for off-site impacts.

#### B. Additional Findings.

- 1. The project:
- (a) Is unlikely, under reasonably foreseeable circumstances, to induce a substantial change of use in buildings from manufacturing, wholesale trade, or warehousing uses; and
- (b) Is designed in such a manner to be supportive of the industrial character of the district. Such physical compatibility shall include materials used; facade treatments; landscaping; lighting; type, size and placement of awnings, windows, and signs; and all other externally visible aspects of the design of the building and site.

The proposed uses and buildings are compatible with the purposes of the district in that the project will: develop manufacturing and research and development, and ancillary uses that meet the West Berkeley Plan's designation of a Manufacturing District; provide a range of job opportunities and wage ranges, including those that do not require advanced degrees. Additionally, the project improves the quality of the West Berkeley environment through improvements to the quality of building materials, bioretention systems to improve stormwater quality into Aquatic Park and the lagoon, where currently none exists,

and new sidewalks and landscaping, including street trees, which do not currently exist.

The proposed uses are compatible with the surrounding uses, which include warehousing, manufacturing, office, research and development, laboratories, co-working/yoga, furniture manufacturing, and art studios/production.

Additionally, the combination of laboratory, office and research & development uses within the subject site are inherently consistent with the district purpose to provide opportunities for office that will not interfere with light manufacturing uses or building stock.

Notably, within two blocks of the project site are a school, and retail and commercial services, in addition to employment uses. This project would further contribute to the economic and land use diversity described in the district purposes.

The proposed use is consistent with the West Berkeley Plan because it is a development that will provide manufacturing and research & development uses that maintain the mix of uses and economic diversity which gives West Berkeley its unique character. The plan was in part initiated to prevent the conversion of manufacturing uses to office and residential uses. Over





Beyond employment uses, there are an eclectic mix of uses within one block of the project site, including a school and a yoga studio/co-working space.

the last 30 years, such conversions have occurred only rarely. The West Berkeley Plan supports the start-up of new types of economic activity which creates opportunities for land and business development.

Additionally, the proposed project would increase the number of employees on-site. The project could generate up to 700 new jobs. Many of those jobs will be filled by current Berkeley residents who are commuting to research jobs outside of Berkeley. Approximately 15%, or 105 of those jobs will not require advanced degree thus expanding job opportunities in line with the West Berkeley Plan goals. The proposed use of glass, metal, concrete, and deep-earth toned metal mesh express the industrial nature of the building while complementing the setting across from Aquatic Park and within West Berkeley's eclectic architecture.

The proposed use will not create substantial dust, glare, noise, odor, vibration, hazardous materials, or any other potential off-site environmental impacts because it will be required to comply with performance standards applicable in West Berkeley. Landscaping, tree planting, partially opaque metal mesh panels, reduce the possibility for glare.

Specifically, the project supports the following West Berkeley Plan Policies:

- **Goal 1 Policy D:** Providing space for, and designating appropriate locations for, office, service, and laboratory businesses, particularly growing Berkeley based businesses which are particularly suited to West Berkeley's physical environment.
- Goal 2 Policy B: Create a Mixed Manufacturing district as a general industrial district, where both heavy and light manufacturers can function, along with "biotech" industries and office users which can recycle the upper stories of buildings.
- Goal 4 Assure that new development in any sector is of a scale and design that is appropriate
  to its surroundings, while respecting the genuine economic and physical needs of the
  development.

## BMC 23.322.050.A.8 Use Permit to Designate up to 10% of Parking for Use by Bicycles

(e) To approve the permit, the review authority must find that:

- i. The substitution will not lead to an undue shortage of automobile parking spaces; and
- ii. It can be reasonably expected that there will be demand for the bicycle and/or motorcycle parking spaces.

The proposed project includes 325 parking spaces where 380 are required. The project will provide 148 onsite bike parking spaces—38 additional bicycle spaces or 10% of the total vehicle parking requirement—making it eligible for the 10% vehicle parking reduction.

### **Estimated Parking Demand**

The project transportation consultant, Fehr & Peers, estimated project parking demand using data published by the Institute of Transportation Engineers (ITE) in the *Parking Generation Manual (5th Edition)* as a starting point. ITE's *Parking Generation Manual* is primarily based on data collected at

single-use suburban sites where the automobile is often the only travel mode. However, the project site is in a relatively dense urban environment adjacent to transit service where some employers or visitors may access the site by walking, bicycling, or using transit. To account for those who would access the project site by non-automobile modes, a modal adjustment was applied to the raw ITE parking demand, similar to the one applied to the project trip generation. The modal adjustment is based on US Census data for workers in the project census tract based on the Census Transportation Planning Product (CTPP, 2012-2016), which shows that that about 23 percent of workers in the project area¹ travel to and from work by non-automobile modes, compared to 13 percent for the United States as a whole. Therefore, the project parking demand was reduced by about 11 percent to account for the non-automobile access modes.²

Table 3 presents the estimated parking demand for the project. Based on the ITE data, the project is estimated to generate a peak parking demand of 408 spaces, compared to the 325 spaces provided by the project. Reducing the project parking demand to match the project parking supply would require a transportation demand management (TDM) plan that would reduce project parking demand by about 20 percent.

Table 3: Project Parking Demand

Land Use	Size <sup>1</sup>	Rate <sup>2</sup>	Parking Demand
R&D	177.9 KSF	2.39 spaces per KSF	425
Light Manufacturing	35.4 KSF	0.92 spaces per KSF	33
ITE Parking Demand			458
Non-Auto Adjustment (	50		
<b>Project Parking Deman</b>	408		
<b>Project Parking Supply</b>	325		
TDM Reduction Required			83 spaces
			(20% reduction)

#### Notes:

- 1. KSF = 1,000 square feet
- Based on data from the ITE Parking Manual (5th Edition) for peak weekday parking demand in general urban/ suburban settings. land use code 710 for the R&D component of the project and land use code 140 for the light manufacturing component of the project.
- 3. Adjustment based on mode share (Table A202105) as compiled in the CTPP (2012-2016) estimate for workers in the project census tract (Alameda County Tract 4220) compared to national data.

Source: Fehr & Peers, 2022.

#### **TDM Strategies**

Table 4 presents the potential TDM measures that could reduce the project parking demand. The effectiveness of the strategies presented in the table is primarily based on research compiled in Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity, Designed for Local Governments, Communities, and Project Developers

<sup>&</sup>lt;sup>1</sup> Alameda County Tract 4220

 $<sup>^2</sup>$  The non-automobile adjustment for the project is calculated as the ratio of non-automobile trips for workers in the project census tract to the US as a whole (1 - 0.77/0.87 = 0.11).

(California Air Pollution Control Officers Association [CAPCOA], December 2021), which is a resource for local agencies to quantify the benefit, in terms of reduced vehicle trips and parking demand, of implementing various TDM strategies.

As shown in Table 4, the proposed TDM measures combined are estimated to reduce the project parking demand by at least 20 percent, which would reduce the project parking demand to below the proposed parking supply. Therefore, no parking impacts will occur as a result of the 10% automobile parking reduction.

**Table 4: TDM Plan Reduction Estimates** 

		Estimated Parking Demand	
TDM Strategy	Description	Reduction <sup>1</sup>	
BART Shuttle	Provide peak commute period shuttle service to BART (West Berkeley Shuttle)	3% - 6%	
Bicycle Amenities	Provide secure bicycle parking, showers and lockers, and repair station	<1%	
Bike Share	Facilitate installation of a potential BayWheels bikeshare station along the site frontage		
Carshare Parking Spaces	Dedicate on-site carshare parking spaces	<1%	
Carpool and Ride- Matching Assistance	Assist employees in forming carpools and provide preferential carpool parking spaces	1%	
Transit Fare Subsidy	Require tenants to provide transit subsidies to employees	3% - 5% <sup>2</sup>	
Pre-Tax Commuter Benefits	Require tenants to provide pre-tax commuter benefits to employees		
Marketing and Education	Actively market and educate employees on various commuting options	1%	
Limited Parking Supply and Parking Management	Provide less parking than demanded by project users and charge market-rate for all parking spaces	8% - 12%	
Remote Work	Encourage tenants to allow employee to work remotely at least one day per week	4%-6%	
Total Estimated Parking De	20% – 29%		

#### Notes:

- 1. Primarily based on Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity, Designed for Local Governments, Communities, and Project Developers (CAPCOA, December 2021).
- 2. Assuming a transit subsidy of about \$2.50 per day per employee (value to transit user and not necessarily the cost) available to all employees.

Sources: Fehr & Peers, 2022.

# 23.406.050(F) Variance Findings for Issuance and Denial Parking Variance

- (a) There are exceptional circumstances applying to the property which do not apply generally in the same district;
- (b) The Variance is necessary to preserve a substantial property right;

The Use Permit findings stated above (see BMC 23.322.050.A.8 Use Permit to Designate up to 10% of Parking for Use by Bicycles) are incorporated into these variance findings by reference and are not repeated below.

The project site at 700 Grayson Street is exceptional for its isolated location at the end of a dead end street, surrounded by rail lines and only limited vehicular access ways. The project site is unique in Berkeley in that it may be located on the only block in West Berkeley where sites are landlocked on two sides by active railroad right-of-way, and on a third by an abandoned rail spur. Because of the site's landlocked nature, the Fire Department requires a fire road to the east of the property to allow for access to the back of the building. This exceptional site condition reduces the potential building footprint.

In order to meet the parking requirement, the project would need to reduce floor area—below the 2.0 floor area permitted by the Zoning Ordinance. This would prevent the applicant from enjoying substantial property rates. Alternatively, the project could build another level of parking, increasing the building height further beyond the 72 feet proposed for the R&D/Manufacturing portion of the building. However, as shown in Tables 3 and 4, above, the reduction in parking from 380 spaces to 325 spaces (including 38 spaces reduced with a Use Permit in exchange for providing additional bike parking spaces), more closely equates estimated parking demand with the proposed supply. This allows the applicant to maximize the enjoyment of property rights by aligning the amount of floor area proposed with the parking necessary to serve it.

- (c) The Variance will not adversely affect the health or safety of persons residing or working near the property;
- (d) The Variance will not be materially detrimental to the public welfare or injurious to nearby property or improvements;
- (e) The Variance will promote the municipal health, welfare, and safety and benefit the city as a whole;
- (f) Any other Variance findings required by Zoning Ordinance can be made.

The proposed variance request will not adversely affect the health and safety of people living or working nearby, or cause detriment to the public welfare. Rather, the variance would create numerous benefits to the surrounding area, and to Berkeley in general in the form alternative travel modes that help to reduce traffic, air quality impacts, GHG emissions, and noise. The variance reduction would more closely align parking demand, as shown in Table 3 and 4 above, with parking provided. For example, the project provides more bicycle parking than is required and locates the secure bike parking abutting the front lobby—closer than any vehicle parking provided. Along with showers, lockers, and a bike repair station, these amenities incentivize biking as a highly convenient option for commuting. The project also provides shuttle access to BART, closing the "last mile" gap for employees traveling on transit. Meeting

the parking requirement per the Zoning Ordinance, would require an additional level of parking and additional height and construction material. Instead, the reduction allows more floor area and construction to be devoted to R&D/Manufacturing work space, which supports employment at all income and education levels, and less space devoted to the storage of cars.

## 23.406.050(F) Variance Findings for Issuance and Denial Height Variance

After considerable design work, feasibility, and construction review, we have found it necessary to request a height variance from the otherwise applicable 45' height limit of the Mixed Manufacturing zoning district (Section 23.206.050(A)(1)). Our work toward implementation has obviated several issues that prevent us from developing the property without substantial hardship because of locational and other challenges of the project site, and realities of the marketplace for R&D and manufacturing uses related to life sciences.

(a) There are exceptional circumstances applying to the property which do not apply generally in the same district;

The project site at 700 Grayson Street is exceptional for its isolated location at the end of a dead end street, surrounded by rail lines and only limited vehicular access ways. The site is located more than 650

feet from the nearest intersection. This reduces the building's visual impact on surrounding uses but also creates challenges for emergency ingress and egress.

Railroad & Spur Location: The project site is unique in Berkeley in that it may be located on the only block in West Berkeley where sites are landlocked on two sides by active railroad right-ofway, and on a third by an abandoned rail spur. Although many sites in West Berkeley are adjacent to the railroad tracks, no other site in the City of



Rail tracks and spurs on and adjacent to the project site

Berkeley appears to be bound on three sides by two active railroad tracks and an inactive track (Grayson Street frontage) and on the other two sides by a public right-of-way (Grayson Street, which also contains old railroad tracks) and vehicular driveway (an easement on the adjacent property). The driveway is approximately 650 feet from the closest intersection. Because of the site's landlocked nature, the Fire Department requires a fire road to the east of the property to allow for access to the back of the building.

This exceptional site condition reduces the potential building footprint and necessitates that access to the site be on Grayson Street. However, this constraint also provides an opportunity, in that these

railroad and vehicular facilities also serve as extended buffers to all neighboring sites. The rail spur to the south is located is actively used is unlikely to ever be developable given the lack of access and its narrow width of 50 to 80 feet. Although setbacks are not required in the MM district, these buffers serve as setbacks that reduce noise and visual impacts to neighboring buildings.

## (b) The Variance is necessary to preserve a substantial property right;

The proposed variance is necessary for the applicant's enjoyment of substantial rights. These are rights for development potential that are broadly enjoyed by the balance of properties in West Berkeley. Only with the height variance, can the project achieve floor allow allowed by the 2.0 FAR limit in the MM district.

Ground Floor Heights: Ground floor heights anticipated by the 45-foot height limit do not provide for the enjoyment of substantial property rights. The nature of R&D and life science users can include large pieces of machinery, deliveries, equipment, and ductwork that require taller ceiling heights and taller reinforced floors. As the Bay Area in particular continues to generate new innovations, companies, and technologies, space requirements and equipment needs are continuing to evolve. The buildings will need to be flexible to adapt to these changing technologies and the needs of lessees over time.

Allowing a minimum of 16 feet floor-to-floor provides necessary space for equipment and structural requirements, while providing clear floor-to-ceiling heights to accommodate tenant needs. Notably, the recently approved project 600 Addison Street achieves 16-foot floor-to-floor heights in a way that meets the City's definition of building height, through excavation given the steep slope on the site. That level of excavation is not feasible at this project site given the more gradual slope and the substantial amount of off-haul that would be required.

Floor-to-floor heights in R&D and laboratory buildings need to be higher to accommodate specific tenant, structural, and HVAC needs. Depending on the tenant needs, the project architects assume that 3-4 feet of space above the ceiling is needed for the following:

- Non-combustible construction requires fire proofing of the deck components and sprinklers (6-8" of ceiling space)
- Larger ductwork sizing (in comparison to typical office buildings) is required to achieve the required laboratory air flow rates (24"-36" depending on the exhaust needs of the tenant)
- Lab tenants also have special needs that we do not typically find in office buildings such as: tenant gases, vacuum, compressed air systems, additional plumbing for higher supply and waste handling, multi-tenant metering systems.
- Structural requirements for floor assemblies with additional vibration mitigation needs due to the proximity to the railroad (3.5" of concrete over a 2" metal deck; see details below.

<u>Railroad Vibration:</u> R&D users often require specialized equipment and pads on which to locate sensitive electronic equipment. Trains on the railroad tracks produce vibration at the site that is higher than more typically settings in West Berkeley that do not abut two active railroad lines. Structural framing requirements, and potentially concrete slab thickness, will be greater at this site to reduce vibration associated with passing trains. For structural framing, architects typically assume a floor assembly

consisting of 3.5" of concrete over a 2" metal deck and girders approximately 24" in depth. This leaves 12'-6.5" to underside of structure. Add to this typical ceiling depths needed to support HVAC systems for laboratory and R&D users, this unique circumstance necessitates taller floor to floor heights.

In order to achieve the typical 16-foot floor-to-floor heights that are required for leasable research and development and laboratory uses, the project would be limited to three stories, not the four stories that are anticipated by the 45-foot height limit. This less than desirable circumstance results in operational and financial constraint for the property owner. Collectively, these circumstances deprive the applicant of substantial property rights.

- (c) The Variance will not adversely affect the health or safety of persons residing or working near the property;
- (d) The Variance will not be materially detrimental to the public welfare or injurious to nearby property or improvements;
- (e) The Variance will promote the municipal health, welfare, and safety and benefit the city as a whole; The proposed variance request will not adversely affect the health and safety of people living or working nearby, or cause detriment to the public welfare. Rather, the variance would create numerous benefits to the surrounding area, and to Berkeley in general in the form continued advocacy and support for homeless services, undergrounding of overhead electrical lines that support safety, improved public infrastructure, and native plantings and new stormwater management facilities that would improve water quality in the Aquatic Park lagoon and San Francisco Bay.

Comparable to Neighborhood Heights – The existing tower on the site measures 75'-9" in height, exceeding both the current MM district height requirement as well as the height limit proposed by the project. The subject site is positioned in a fairly remote location, 650 feet from the nearest intersection and dwarfed by the superblock occupied by the Bayer site to the north. Notably, the Bayer site is anticipated to have building heights up to 80 feet in their approved master plan update, in addition to existing buildings which already exceed 45



Several buildings that exceed the district height limit are located within two blocks of the project site, including 740 Heinz, 700 Heinz, and 725 Potter.

feet. In addition to the subject site, many other buildings in the vicinity of the project site exceed the current height limit. The City of Berkeley has granted several variances to exceed the height limit within just 2 blocks of the project site:

- Approved height Variance for a 60-foot laboratory building at 700 Heinz Ave.
- Approved height Variance for a 4-story building at 725 Potter

• Approved height Variance for a 74-foot 4-story building at 740 Heinz Ave.

The project would be compatible in terms of building height and the quality of materials and therefore would not be materially detrimental to the neighborhood in terms of views, light, or air impacts. As detailed in the preceding sections, the project site enjoys substantial buffers to adjacent parcels. To the north, the Bayer property is separated by a 60-foot right-of-way. To the south, the project separated by approximately 90 feet, given the 50 to 80-foot railroad spur and the project's fire access lane and setback. To the east, the adjacent building has not windows on the confronting façade and therefore will not be impacted by the building height. To the west are the railroad tracks and Aquatic Park. The building would be visible from Aquatic Park, but softened by the third floor lushly landscaped terrace.



740 Heinz Ave. is a 74-foot building located one block from the project site which also received a variance in 2012 to exceed the 45-foot height limit.

The project would provide an intensity of use at four stories, which will be compatible with existing industrial structures. It will not be detrimental to the immediate neighborhood, since the variance request will not contribute to additional workers, vehicles or traffic, or noise during operation of the project. The 45-foot height limit in the district contemplated 4-story buildings, just not 4-story buildings with the taller height requirements than previously necessary. In this way, the project supports Goal 4 of the West Berkeley Plan, assuring that new development is appropriate to its surroundings, while respecting the genuine economic and physical needs of the proposed development.

Adjacency to Aquatic Park Lagoon — Aquatic Park serves as a public recreation amenity, linear bike and pedestrian path, and habitat for waterfowl. The subject site does not currently have stormwater management systems in place. As a result, stormwater is not well treated before it enters Aquatic Park and the lagoon. The project includes 24,884 square feet of total landscaped area, including 14,503 square feet at ground level (see Sheet L5.00). This also includes over 4,200 square feet of C.3 stormwater management treatment area designed to capture and treat stormwater on-site and avoid negative impacts on Aquatic Park and the San Francisco Bay.



Project site (in blue) relative to Aquatic Park and lagoon.

<u>Community Benefits</u>: In addition to accommodating a homeless shelter at present, the project is committed to support ongoing transitional housing through an additional payment and sweat equity to find another shelter space; will contribute required fees to affordable housing and childcare, and will install sidewalks and 12 street trees, where none currently exist, and expand landscaping and stormwater plantings and basins.

The project is able to provide the benefits proposed herein because of the 4-stories of leasable floor area. In this way, the 4-story proposed project meets the following purposes of the MM District in a way that would be less well supported by a 3-story project that fully complied with the height measurement.

- 5. Provide an appropriate location for the development of compatible industries which can provide high quality employment for people at all educational levels, and add significantly to the tax base, such as the biotechnology industry.
- 8. Support the development of industrial businesses which contribute to the maintenance and improvement of the environment.
- (f) Any other Variance findings required by Zoning Ordinance can be made. No other findings are required by the MM zoning district relevant to height.

### 23.406.040(E) Findings for Issuance and Denial and Conditions

In order to approve any use permit, the ZAB must make the General Non-Detriment required by section 23B.32.040 of the Zoning Ordinance.

- 1. To approve a Use Permit, the ZAB shall find that the proposed project or use:
  - (a) Will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or visiting in the area or neighborhood of the proposed use; and
  - (b) Will not 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.
- 2. To approve the Use Permit, the ZAB must also make any other Use Permit findings specifically required by the Zoning Ordinance for the proposed project.
- 3. When taking action on a Use Permit, the ZAB shall consider in its findings:
  - (a) The proposed land use; and
  - (b) The structure or addition that accommodates the use.
- 4. Required findings shall be made based on the circumstances existing at the time a decision is made on the application.
- 5. The ZAB shall deny a Use Permit application if it determines that it is unable to make any of the required findings.

The proposed project will neither be a detriment to the neighborhood nor to the City of Berkeley in general. The proposed project represents an improvement on an underutilized lot, which includes dated buildings and stormwater and other infrastructure, lack of site security, and opportunities for illegal activities especially at the dead end of Grayson Street. The proposed light manufacturing and R&D uses are permitted by the MM district and appropriate for the proposed building, which includes taller floor-to-ceiling heights and state-of-the-art building systems. Parking reductions will allow for more alignment between estimated parking demand and proposed parking supply. The project will provide high quality employment space with sustainability features that include all electric systems, expanded bicycle facilities that will reduce greenhouse gas emissions, noise, traffic, and air quality impacts for both its neighbors and for the region.

The new uses will generate up to 700 job opportunities at a range of qualification levels. The project will add bioretention systems to slow and clean stormwater improving the quality of water entering the Aquatic Park lagoon and San Francisco Bay. It will plant new street trees (where none currently exist) and native landscaping to support habitat and reduce the heat island effect. The project, therefore, aligns with Berkeley's General Plan, West Berkeley Plan, and Climate Action Plan goals which seek to increase employment opportunities and reduce greenhouse gas emissions.



The project will replace out-of-date buildings and streetscape, with new sidewalk, street trees, and underground utilities.