



Planning and Development Department
Land Use Planning Division

DATE: March 1, 2023

TO: Members of the Planning Commission

FROM: Ashley James, Senior Planner

SUBJECT: Pacific Steel Casting / Gilman Forge Zoning and General Plan
Amendments and Environmental Impact Report -- Project Update

SUMMARY

In response to a City Council referral to create a zoning overlay at the former Pacific Steel Casting site and a request for a zoning map amendment submitted on behalf of the majority property owner (referred to as Gilman Forge), City staff are preparing Zoning Ordinance and Zoning Map amendments and associated General Plan amendments to re-zone an approximately 11-acre area within the West Berkeley Plan Area from M (Manufacturing) to a new district entitled M-RD (Manufacturing, Research and Development) that encompasses all of the properties on those blocks between Gilman and Camelia Streets west of the railroad (3rd Street). At their February 1, 2023 meeting, the Planning Commission received a presentation on proposed draft zoning amendments and conducted a public hearing on the scope and content of the Environmental Impact Report (EIR) being prepared for the amendments and an associated development concept plan. Based on the feedback received at that meeting, staff have revised the draft zoning standards and the Planning Commission is asked to receive a follow-up staff presentation and provide additional feedback to confirm project direction in order to advance the EIR.

BACKGROUND

At the February 1, 2023 Planning Commission meeting, staff presented draft proposed M-RD development standards for feedback, which included height, floor area ratio, setbacks and building separation, lot coverage, and vehicular and bicycle parking. The Commission was also requested to provide comment on whether an open space standard should be included to provide additional amenities for employees and visitors, and whether objective design standards should be developed to ensure high-quality site and building design. The Commission also received a presentation from the Zoning Map Amendment applicant regarding the Gilman Forge Concept Plan, and a presentation from the City's environmental consultant, LSA, regarding the environmental review

process. Commissioners and community members provided comments on the scope and content of the EIR.

Planning Commission supported allowing all MU-LI uses, and acknowledged some adjustments could be useful to ensure office space does not outcompete R&D space. The Commission did not support a 50% maximum lot coverage, but instead suggested adopting the MU-LI district standard (100%) in order to avoid creating non-conformities, or using 75% to reflect the needs of the Gilman Forge concept plan. The Commission did not support creating an open space standard, as it could have consequences for future development, and the project area is not likely to be a destination for residents. The Commission was interested in ensuring bicycle and pedestrian access to the site and increasing bicycle parking and car share facilities. The Commission did not support creating objective design standards, as the City's current design review process has produced projects with a high quality of design.

REVISED ZONING REGULATIONS

Based on Commission feedback at the February 1, 2023 meeting, staff have revised the draft M-RD zoning regulations, as summarized in Table 1 below.

Table 1. Summary of Revised M-RD Development Standards

Regulation	Existing M Standard	February 1, 2023 Proposed Standard	March 1, 2023 Proposed Standard
Maximum Height	45 feet	105 feet	105 feet (No change)
Maximum Floor Area Ratio (FAR)	2.0	2.0	2.0 (No change)
Minimum Setbacks, and Building Separation	Not regulated	Not regulated	Not regulated (No change)
Maximum Lot Coverage	Not regulated	50% maximum	80% maximum (Increased)
Minimum Off-Street Parking and Minimum Bicycle Parking	Vehicle: See BMC Table 23.322-4	Vehicle: Same as Table 23.322-4, with following changes: <ul style="list-style-type: none"> All non-residential uses except uses listed below: 1 per 1,000 sq. ft. Laboratories: 1 per 1,000 sq. ft. 	Vehicle: Same as Table 23.322-4, with following changes: <ul style="list-style-type: none"> All non-residential uses except uses listed below: 1 per 1,000 sq. ft. Laboratories: 1 per 1,000 sq. ft. (No change)
	Bicycle: 1 per 2,000 sq. ft	Bicycle: 1 per 2,000 sq. ft.	Bicycle: 1 per 2,000 sq. ft (No change)

Allowed Uses

The goal of the Council referral is to facilitate reinvention of the project site so that it contributes to the City's tax base and vitality of the local economy. The purpose of the current zoning designation – Manufacturing (M) – is to encourage heavy manufacturing uses, whereas development interest for this area is towards biotechnology laboratories, warehouse and commercial uses, and office space. Pension and environmental clean-up costs, which are unique to this site, require greater investment and thus return from a potential buyer than what is feasible under the current zoning.

Given these factors, the proposed zoning targets land uses that provide higher rents and wages, and greater job creation rates. As described in the report by the City's Office of Economic Development, research and development-intensive uses constitute a significant portion (over 60 percent) of overall manufacturing jobs in West Berkeley and the uses produce higher job creation rates and wages than heavy manufacturing industries, and command higher rents than traditional manufacturing.¹

Therefore, staff recommends including allowed uses from the MU-LI district that focus on greater job creation, employment density, and target innovation industries in the M-RD district. Staff recommends that the following MU-LI uses be excluded from the M-RD district:

- **Vehicle Service and Sales use categories:** Large Vehicle Sales and Rental, Vehicle Service and Sales, Vehicle Repair and Service, Vehicle Wrecking.
- **Industrial and Heavy Commercial use category:** Bus/Cab/Truck/Public Utility Depot, Commercial Excavation, Contractors Yard, Dry Cleaning and Laundry Plant, Construction Products Manufacturing, Recycled Materials Processing, and Recycling Redemption Center.
- **Miscellaneous uses:** Live/Work.

It is anticipated that the project area would likely transform over time towards new development of in-demand uses described above. Under the M-RD zoning, current uses, including the vehicle rental use at 600 Gilman Street and recycled materials processing use at 1433 Eastshore Highway would become lawful non-conforming; the live/work use at 1306 Third Street would remain lawful non-conforming. The Berkeley Zoning Ordinance allows lawful non-conforming uses to remain occupied in their current condition as of right, and both changes to and substantial expansions of non-conforming uses are allowed by obtaining a Use Permit.² Also, portions of the project site and surrounding areas contain semi-vacant and vacant parcels that area conducive to temporary uses, such as contractor yards. The M-RD zoning would not prohibit a

¹ February 1, 2023 Planning Commission meeting, *Pacific Steel Casting Zoning and Plan Amendments and Draft EIR Scoping Session*, Attachment 4: City of Berkeley, Office of Economic Development. *The Innovation Ecosystem in West Berkeley: An Economic Snapshot*, January 2023. https://berkeleyca.gov/sites/default/files/legislative-body-meeting-agendas/2023-02-01%20PC%20Agenda%20Packet_0.pdf

² Berkeley Municipal Code [Section 23.324.040](#) – Nonconforming Uses.

temporary use from operating on any of these sites, as they are allowed at various permit levels depending on the nature of the use.³

Maximum Lot Coverage

As shown in the Gilman Forge Concept Plan presented to the Commission in February, it is not feasible to build a 3 to 6 story building at 100 percent lot coverage given a maximum FAR of 2.0 and 105-foot maximum height. Consistent with the Gilman Forge concept plan (75 percent coverage), staff recommends a maximum coverage of 80 percent to ensure reasonable open space for future projects in this zone. The EIR will study a 100 percent coverage option in response to comments from the Commission.

Minimum Off-Street Vehicle and Bicycle Parking

In all manufacturing districts, R&D and office uses must provide at least 2 spaces per 1,000 square feet of gross floor area, and laboratory uses must provide at least 1 space per 650 square feet. Based on these requirements, Fehr & Peers estimates that Vehicle Miles Traveled (VMT) induced by future development within the project site would be significant (in order words, above the City's threshold) by 5 percent, and transportation demand management strategies would be needed to reduce VMT.

Also, the current requirements create implementation challenges, as multiple uses may concurrently occupy one building, and the amount of floor area dedicated to a given use may change over time. Therefore, staff recommends lowering and standardizing the required minimum off-street parking for R&D, office, and laboratory uses, which may reduce potential VMT impacts, and provide flexibility for future development projects and tenants as needs change over time (**Table 1**).

In all manufacturing districts, new buildings or expansions of existing buildings must provide at least 1 bicycle parking space per 2,000 square feet of gross floor area for industrial, commercial, or non-residential uses. This requirement is in line with the Berkeley Bicycle Plan, adopted in 2017 (**Table 2**), and is higher than neighboring jurisdictions. For example, San Francisco requires a minimum ranging from 1 space per 12,000 square feet of industrial to 1 space per 5,000 square feet of office. In Oakland, 1 short-term space is required per 10,000 square feet, and 1 long-term space is required per 20,000 square feet of R&D. For these reasons, staff is recommending the minimum bicycle parking requirement in Table 2 above.

Table 2. Minimum Bike Parking Requirements, Berkeley Bicycle Plan

Use	Long-Term Spaces	Short-Term Spaces
Office	2, or 1 space per 2,500 square feet	2, or 1 pace per 10,000 square feet
Industrial, manufacturing and wholesale	1, or 1 space per 30,000 square feet	None required

Source: Berkeley Bicycle Plan, Appendix F, Facility Design Toolbox; [Berkeley-Bicycle-Plan-2017_AppendixF_Facility_Design_Toolbox.pdf \(berkeleyca.gov\)](#)

³ Berkeley Municipal Code [Section 23.302.030](#), Temporary Uses and Structures.

Open Space and Objective Design Standards

At the February meeting, staff requested Commission feedback on whether an open space standard should be included. There was a consensus among the Commission that open space should not be regulated, as the project area is not likely to become a destination for residents and regulating it could have consequences for future development projects. Based on that feedback, staff is not proposing inclusion of an open space standard. Staff also requested feedback on whether objective design standards should be included and there was consensus among the Commission that the current Design Review process is sufficient in shaping high-quality building and site designs for industrial development; therefore, objective design standards are not proposed.

DISCUSSION

The purpose of this item is to report back and receive additional comments from the Planning Commission and the public on the revised M-RD zoning regulations to confirm project direction in order to advance the EIR.

NEXT STEPS

- Once the applicant has provided all of the required technical reports and they have been reviewed and deemed adequate by the City as the Lead Agency, the **Draft EIR** will be prepared over a time period of approximately 10 weeks.
- The Draft EIR will be circulated for the required **45-day public comment period**, during which the Planning Commission will hold a public hearing to provide comments.
- **Responses to comments** on the Draft EIR will be prepared and any necessary revisions will be made based on those comments.
- This **Final EIR** will be presented to the Planning Commission for recommendation to the City Council, who will make a final decision on the proposed changes and certify the EIR.
- The amended **Zoning Ordinance** would be effective 30 days after the second reading at Council. At the time the zoning is effective, the Zoning Adjustments Board would be able to act on any use permit application for development within the zoning district boundary.