

Health, Housing, and
Community Services Department
Housing & Community Services Division

MEMORANDUM

To: City of Berkeley Landmarks Preservation Commission

From: Jiro Arase, HHCS Associate Management Analyst

Date: May 1, 2025

Subject: **Consultation under Section 106 of the National Historic Preservation Act for Proposed North Berkeley BART East Bay Asian Local Development Corporation (EBALDC) Affordable Housing Project at 1429 Delaware Street**

PURPOSE

The Health, Housing, and Community Services (HHCS) staff request feedback from the Landmarks Preservation Commission (LPC) in accordance with Section 106 of the National Historic Preservation Act (NHPA). Specifically, LPC is asked to provide comments on the following areas surrounding the North Berkeley BART EBALDC Affordable Housing project site:

1. Area of Potential Effect (APE): Whether the APE is appropriate for the scale and nature of the proposed undertaking;
2. Historic properties: Whether there are historic properties within the APE (historic properties are defined as properties listed in or eligible for listing in the National Register of Historic Places); and
3. Effects: Whether the proposed undertaking would have any effects on historic properties within the APE.

INTRODUCTION

The project team seeks feedback from the LPC for the proposed undertaking of affordable housing of the North Berkeley BART project at 1429 Delaware Street (proposed project or undertaking) by EBALDC. This staff report provides a brief description of the proposed undertaking; the feedback requested from the LPC on the cultural resources survey report (herein referred to as the Report); and the anticipated next steps for the undertaking.

A Vibrant and Healthy Berkeley for All

Consultation under Section 106: North Berkeley BART EBALDC Affordable Housing
May 1, 2025
Page 2 of 7

The City serves as the Responsible Entity under the National Environmental Policy Act of 1969 (NEPA), which requires federal agencies and their Responsible Entities to consider the environmental impact of proposed actions where these proposed actions receive or are anticipated to receive federal permits or funds. EBALDC is seeking funding from the Department of Housing and Urban Development for the project, therefore the project is subject to Section 106 of the NHPA and is considered a federal undertaking.

Section 106 seeks to accommodate historic preservation concerns with the needs of federal undertakings through consultation with agencies and interested parties. EBALDC has contracted with Environmental Science Associates (ESA) to prepare the cultural resources survey report for the project in compliance with Section 106 of the NHPA. The Report is available online at:

https://berkeleyca.gov/sites/default/files/documents/2025-05-01_LPC_Item%208b_CRSR_1429%20Delaware.pdf

We request that the LPC provide feedback on the APE, the individual properties, and the findings in the Report. References to specific sections and page numbers of the Report are provided below.

PROPOSED UNDERTAKING

EBALDC proposes to develop an affordable housing project on a 1.549-acre parcel at 1429 Delaware Street. The rectangular project site has frontage on Delaware and Sacramento streets.

The project site currently contains a paved parking lot associated with the North Berkeley BART station. The proposed project will consist of removing the parking lot and constructing a new six-story mixed-use building. The building will contain a total of 60 dwelling units. Other project components include ground-floor commercial space, bicycle parking, and over 2,500 square feet of private open space. The project will be 100% affordable to low-income and extremely low-income occupants.

This project is subject to NEPA because it would be partially funded by project-based vouchers issued by the Berkeley Housing Authority under a federally funded program. The City Council approved funding reservation of approximately \$5.9M for the predevelopment and development of the project. The project was approved in December 2024 through a streamlined approval process under Assembly Bill 2011. Contingent upon project funding secured, at this time construction is estimated to begin early 2026.

PROJECT LOCATION AND AREA OF POTENTIAL EFFECTS (APE)

The project site lies at the intersection of Delaware and Sacramento streets. The APE includes the parcel that comprises the project site, the three contiguous parcels on the same block, eight parcels directly across Delaware Street to the south, and seven parcels across Sacramento Street to the east. The properties located within the APE are listed in **Table 1, Page 5** and keyed to **Figure 2, Page 6** of the Report linked above.

HISTORIC PROPERTIES: IDENTIFICATION AND EFFECTS

A cultural resources survey report was prepared to document the methods and results of a cultural resources inventory completed for the North Berkeley BART EBALDC project. The Report records the existing cultural resource conditions of the project site as required under Section 106 of the NHPA.

Efforts to identify cultural resources that could qualify as Section 106 historic properties within the APE included archival research, consisting of a records search at the Northwest Information Center (NWIC) at Sonoma State University in Rohnert Park, California; a review of historic-period literature, historic maps and aerial photography of the APE; an intensive-level pedestrian survey; and evaluation of existing buildings in the APE.

Archaeological Resources: The results of the records search indicate that no pre-contact or historic-era archaeological resources have been previously recorded in the APE. One previously recorded pre-contact archaeological resource has been recorded within 0.25 miles of the APE, which is listed in **Table 3, Page 25** of the Report. The vague and unreliable description of the artifacts, and the lack of definitive evidence as to where they originated suggests the site record should not be cited as evidence of an archaeological resource present in the vicinity of the APE. Furthermore, the resource as recorded does not lie within the APE and would not be impacted by the project. Therefore, no actions are required of the project for the treatment of this purported resource.

The APE is heavily urbanized and is mostly covered by impervious surfaces such as asphalt parking lots and sidewalks. No pedestrian archaeological survey was completed for the project due to the APE being obscured by the existing surface parking lot. The APE is located between the historic courses of Schoolhouse and Strawberry creeks (see **Figure 3, Page 8** of the Report). Schoolhouse Creek, the closest fresh water source prior to urban development of the APE, was approximately 0.2 mile north of the APE and was an intermittent, not year-round, water source.

Geologically, the APE is underlain by Holocene alluvium, a soil type that is generally sensitive for precontact archaeological resources. Although the APE is generally flat and is underlain by a soil type considered to be archaeologically sensitive, the lack of

Consultation under Section 106: North Berkeley BART EBALDC Affordable Housing
May 1, 2025
Page 4 of 7

access to a year-round water supply in the APE indicates a low sensitivity for Native American archaeological resources. In addition, the APE was subject to extensive excavations in the late 1960s associated with the construction of the North Berkeley BART Station and the adjacent BART tunnels. Given this extensive disturbance, it is likely that few native soils remain under the APE.

The general low sensitivity of the APE for buried Native American or historic-period archaeological deposits, combined with the extensive previous disturbance of the APE by construction of the BART station and tunnels in the late 1960s, indicate a low potential for the proposed project to affect previously unknown archaeological resources.

Cultural Resources: The NWIC records search results indicate that four previous cultural resources studies have been conducted within 0.25 miles of the APE, as summarized in **Table 2, Page 24** of the Report. None of the previous cultural resources studies identifies any previously recorded cultural resources within the APE or the 0.25-mile records search buffer. There are 15 age-eligible architectural resources (i.e., 45 years or older) within the APE, 14 of which have not been previously evaluated (see **Table 5, Page 28** of the Report). The Report (Pages 29-64) presents brief architectural descriptions, construction chronologies, and summaries of archival research for the 14 age-eligible properties in the APE that meet the 45-year age threshold required for consideration of eligibility for listing in the National Register. Additional and expanded historical information for each property in the APE is presented in the DPR 523 forms included in Appendix A of the Report.

While the age-eligible buildings in the APE reflect the historically residential character of the neighborhood, they do not—either individually or collectively—represent a unique, rare, or particularly influential example of this urban development trend. The subject buildings were constructed during the period 1900s–1960s, the BART station opened in 1973, and the segment of Ohlone Park in the APE was developed in 1979–80. The properties in the APE do not possess a significant concentration, linkage, or continuity of buildings and/or sites united historically or aesthetically. Therefore, as per the Report, the group of 15 age-eligible subject properties are recommended as ineligible for listing on the National Register as a historic district under any criteria.

Based on the analysis showing no age-eligible architectural resources located within the APE that are recommended as eligible for listing in the National Register, ESA recommends a finding of No Historic Properties Affected for the project (**Chapter 5** of the Report).

*Consultation under Section 106: North Berkeley BART EBALDC Affordable Housing
May 1, 2025
Page 5 of 7*

FUTURE ACTION

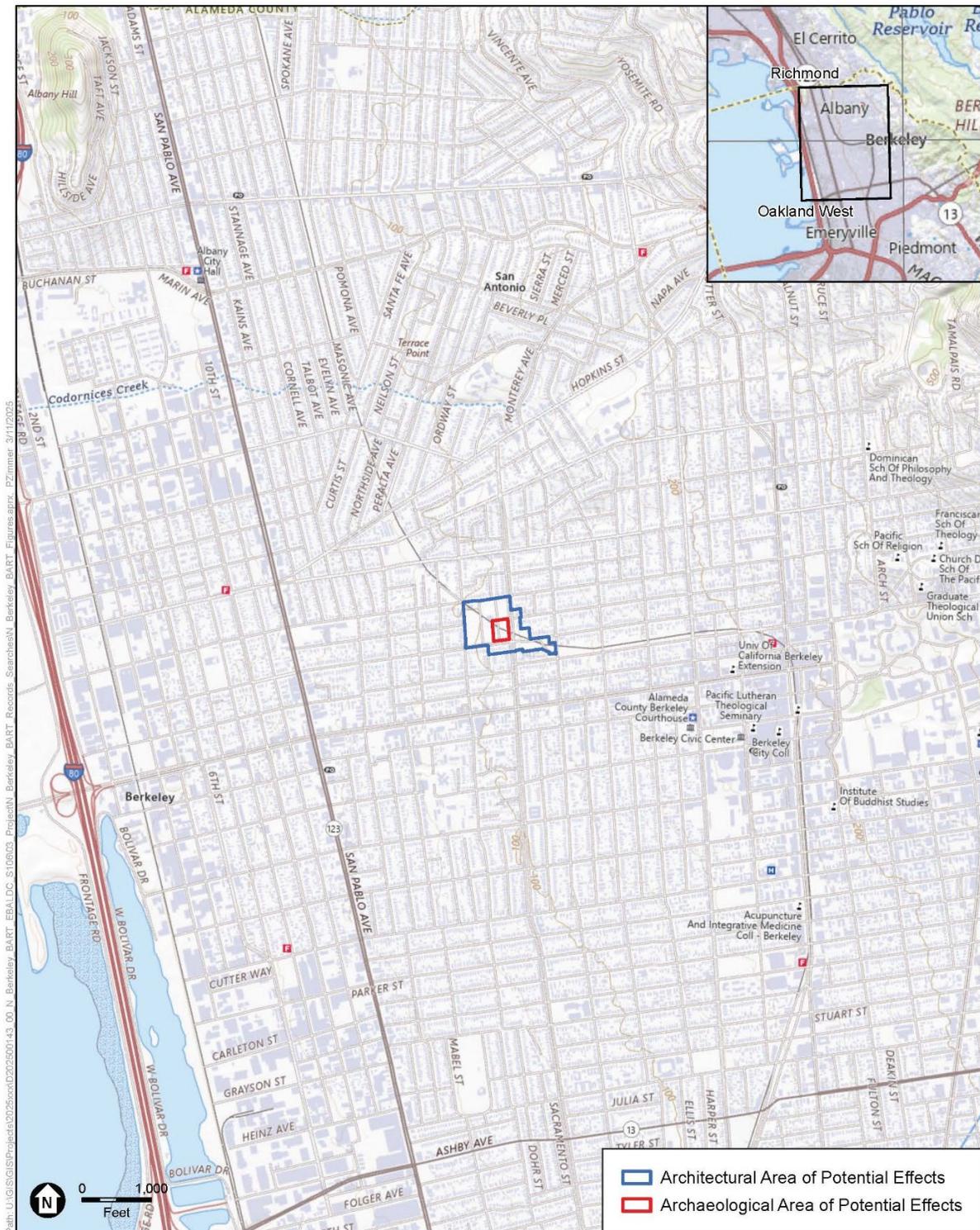
In order to meet critical funding deadlines for the projects, staff respectfully request LPC submit comments or questions at the scheduled LPC meeting on Thursday, May 1, 2025.

Following this consultation with LPC and the public, staff will send a letter to the State Historic Preservation Officer (SHPO) with a summary of findings. SHPO will have 30 days to evaluate the City's findings and either concur or disagree with them. If the City finds no potentially adverse effects, and SHPO concurs with the City's findings, the undertaking may proceed without further review of historic resources in the APE. If there is disagreement between the City and SHPO, discussions and negotiations will continue until a settlement is reached.

Attachments:

1. Environmental Science Associates, North Berkeley BART EBALDC Affordable Housing Project, Berkeley, Cultural Resources Survey Report, 2025

Consultation under Section 106: North Berkeley BART EBALDC Affordable Housing
May 1, 2025
Page 6 of 7



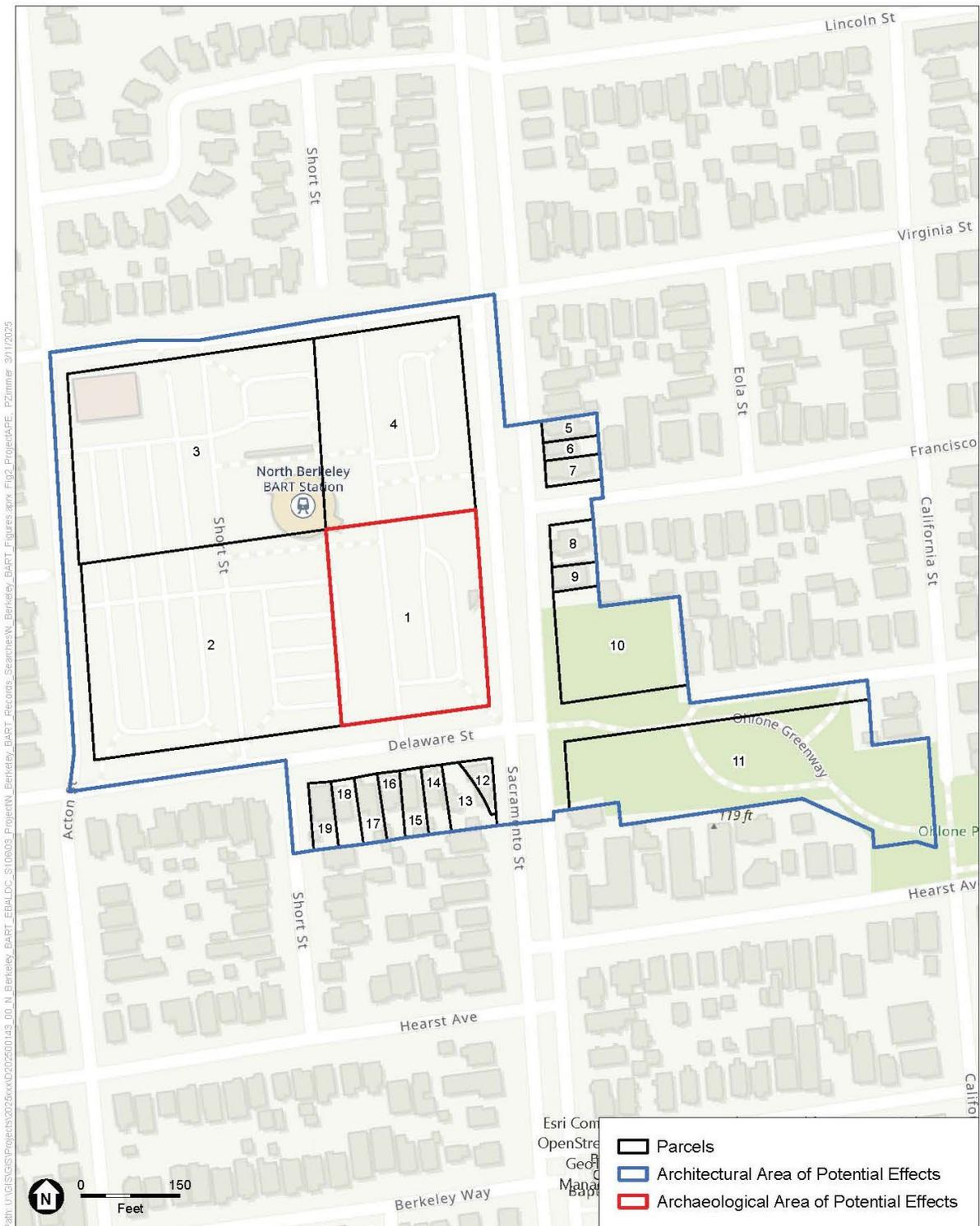
SOURCE: USGS National Map, 2025

North Berkeley BART EBALDC Affordable Housing Project

Figure 1
Project Location and Vicinity



Consultation under Section 106: North Berkeley BART EBALDC Affordable Housing
May 1, 2025
Page 7 of 7



SOURCE: Mapbox, 2025

North Berkeley BART EBALDC Affordable Housing Project

Figure 2
Project APE

