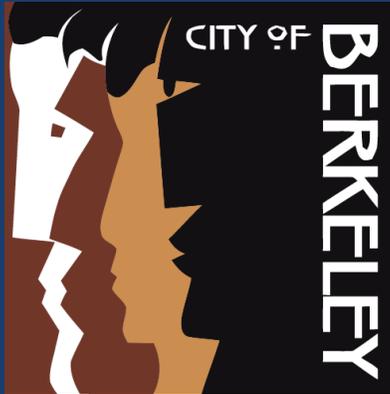


Internal



City Council Referral: Gilman Gateway

Proposed Zoning and Plan Amendments & Draft EIR Comments

Planning Commission
November 6, 2024



Internal

Agenda



- Presentations and Commission Questions
 - Part 1: Zoning and Plan Amendments
 - Part 2: Draft EIR
- Public Comment
- Commission Discussion
- Recommendation

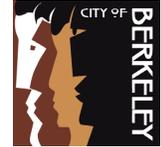
Background

- Council Referral
- Project Approach
- Project Timeline



Internal

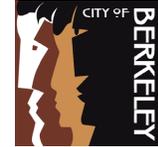
Background: Council Referral



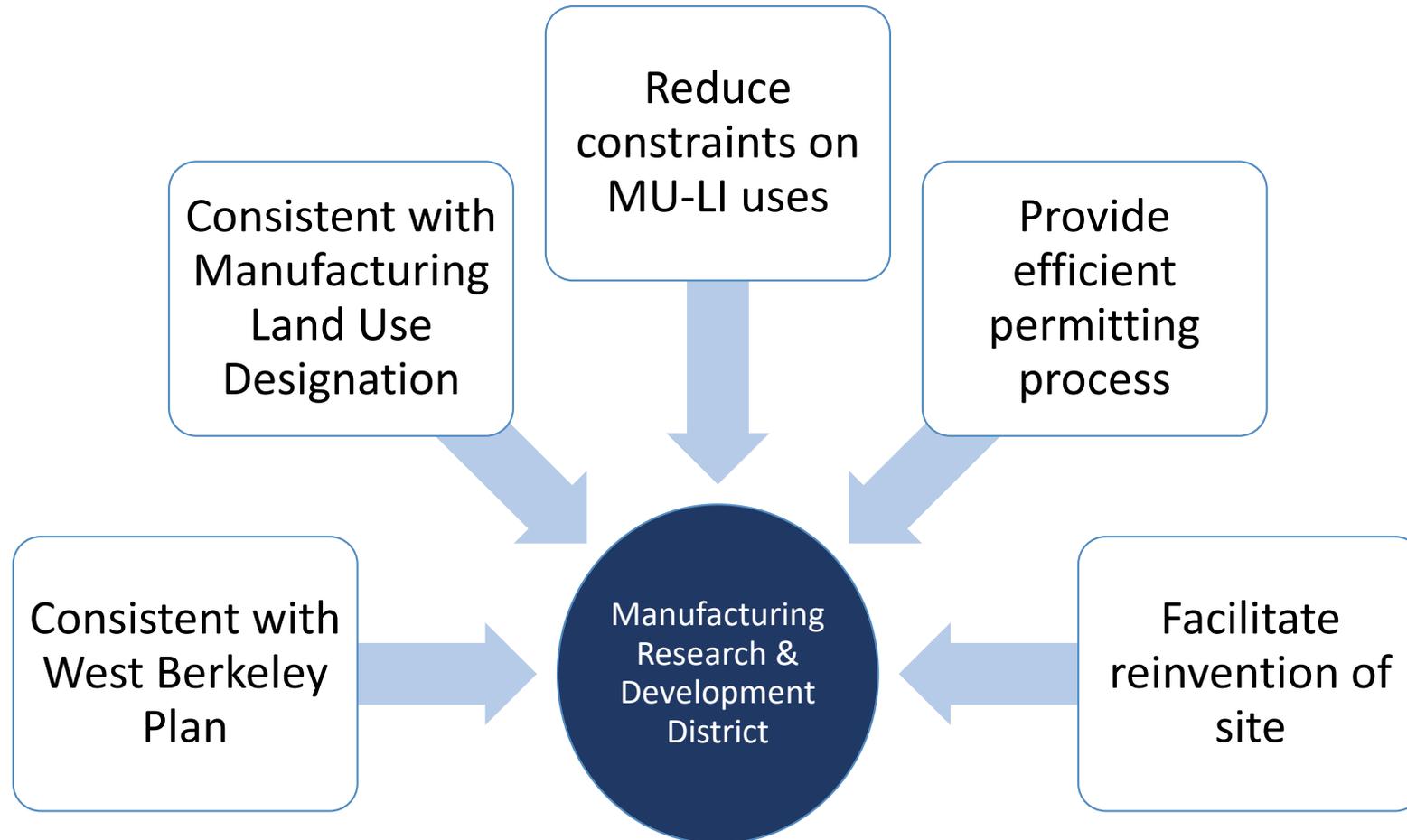
2021: Councilmembers Kesarwani and Taplin

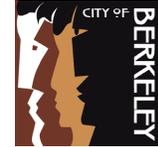
- *Create a zoning overlay—currently zoned Manufacturing and redesignate property as Mixed Use - Light Industrial (MU-LI) due to the unique issues of public concern.*
- *Enable all MU-LI uses and override any existing constraints in Zoning Ordinance on MU-LI uses for the property.*
- *Developer interest in biotechnology, laboratories, warehouse, research & development (R&D), commercial, office at the site.*

Internal



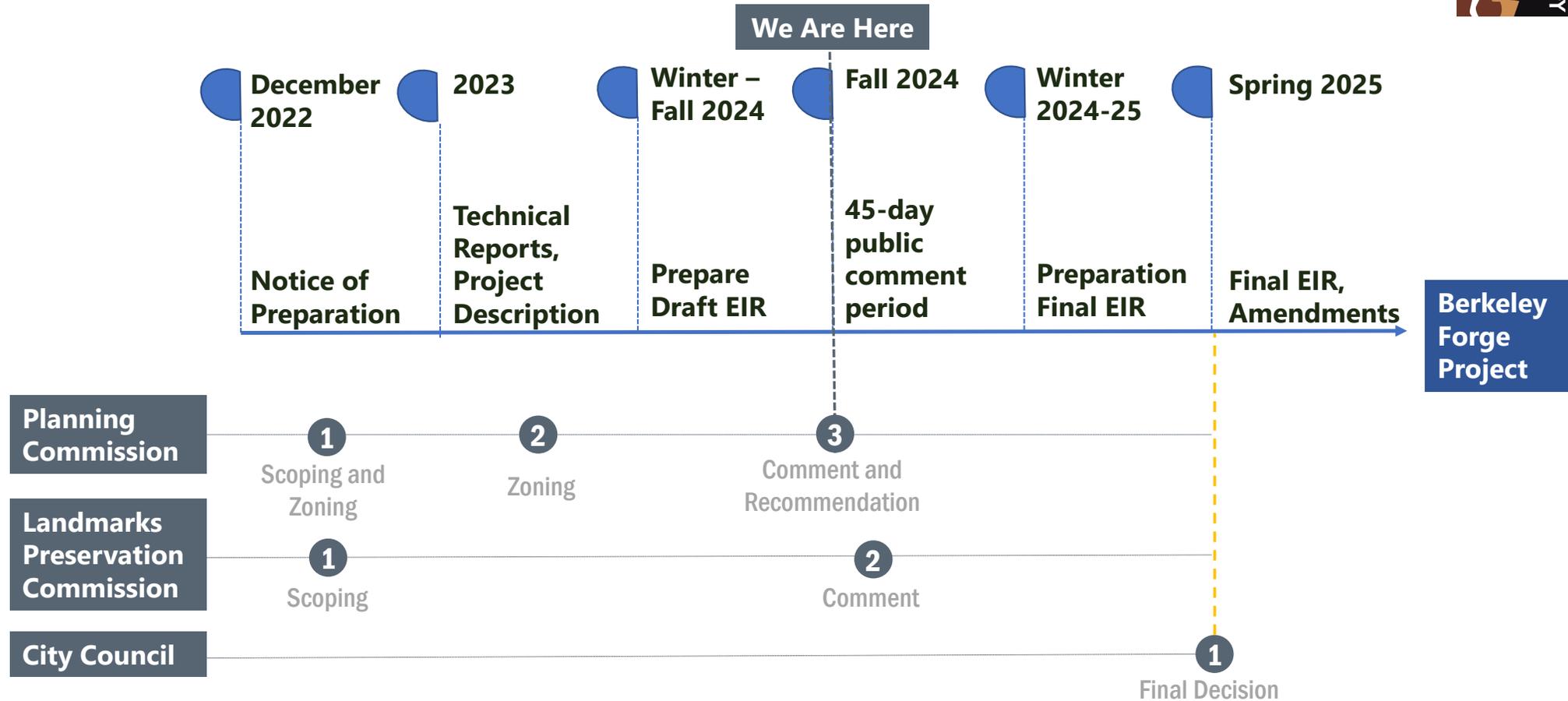
Background: Project Approach





Internal

Background: Project Timeline

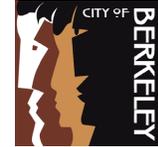


Amendments

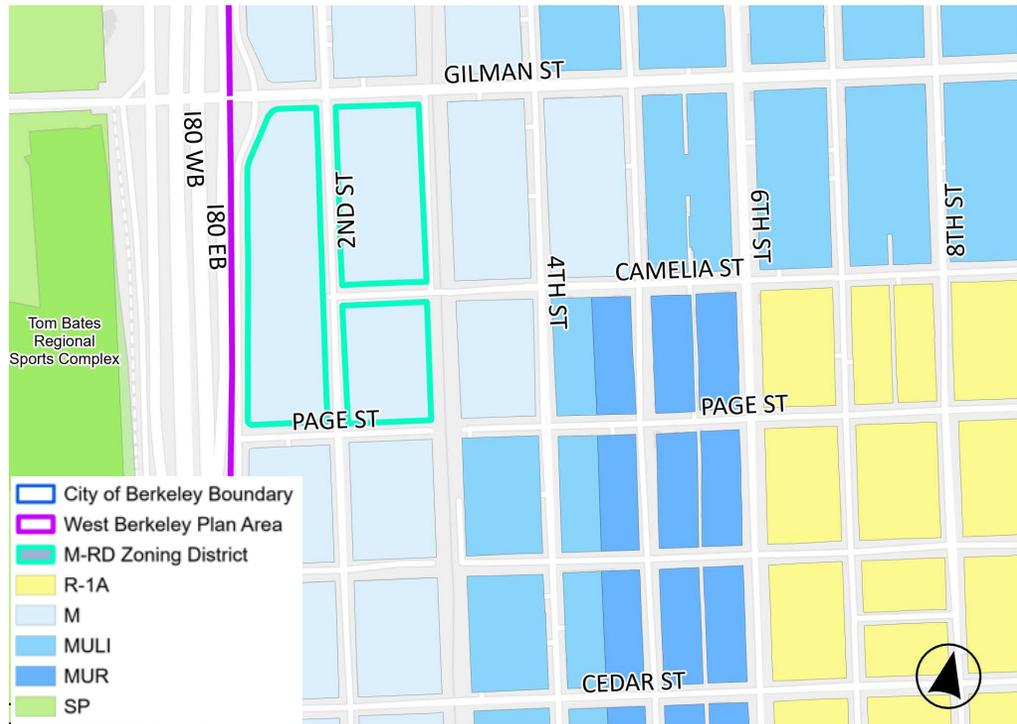
- Zoning Map
- Zoning Text
- West Berkeley Plan
- General Plan

Internal

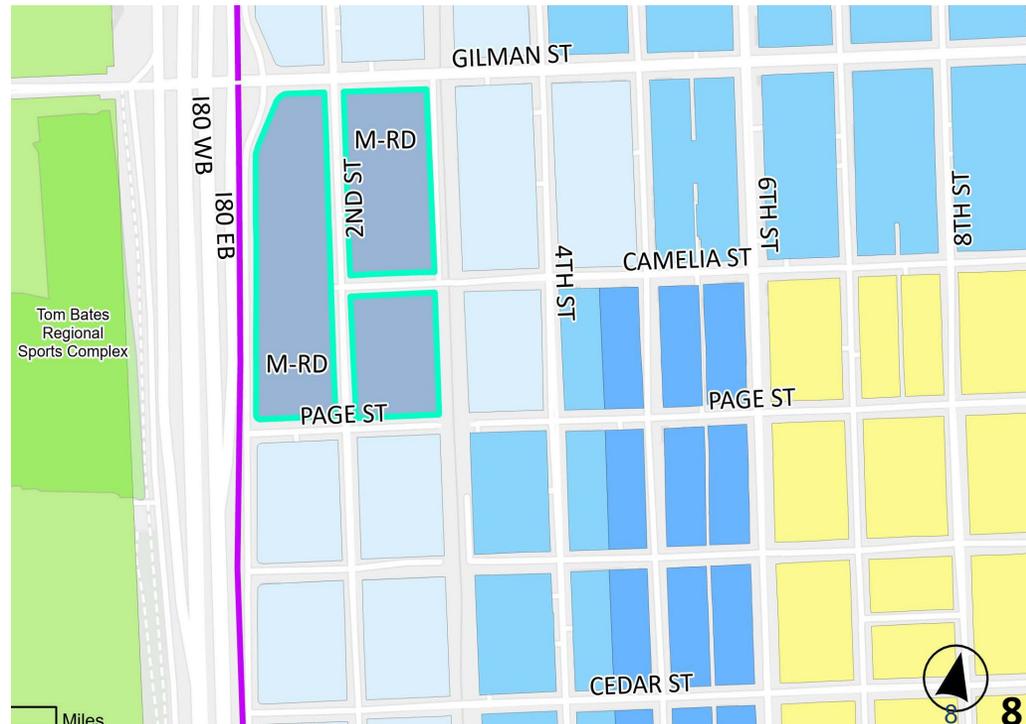
Zoning Amendments: District Boundary



Existing Zoning Map: Manufacturing (M)



Proposed Zoning Map: Manufacturing, Research & Development (M-RD)



Internal

Zoning Amendments: District Purposes

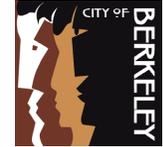


Support industrial & heavy commercial uses, high quality employment for all educational levels, add significantly to the tax base

Allow office, laboratory uses that support light industrial, research & development uses

Support industrial uses which satisfy environmental performance standards

Internal



Zoning Amendments: District Purposes

Support industrial & heavy commercial uses, high quality employment for all educational levels, add significantly to the tax base

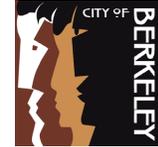
Allow office, laboratory uses that support light industrial, research & development uses

Support industrial uses which satisfy environmental performance standards

Provide flexibility to facilitate development of large sites with urban campus-like environment

Internal

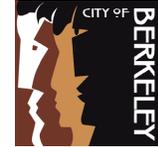
Zoning Amendments: Allowed Uses



Use	MU-LI	M-RD
Industrial and Heavy Commercial Uses		
Laboratory: Commercial Physical or Biological	UP(PH)	AUP
Laboratory: Cannabis Testing	UP(PH)	AUP
Manufacturing: Semiconductors	NP	UP(PH)
Research and Development	ZC	ZC

Internal

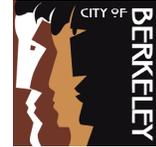
Zoning Amendments: Development Standards



Development Standard	Existing (M & MU-LI)	Planning Commission Recommendation	Current Proposal
Maximum Height	45 feet	105 feet	55 feet* <i>(*105 feet is allowed if conditions are met)</i>
Maximum Lot Coverage	Not regulated	80 percent	80 percent

Internal

Zoning Amendments: Development Standards

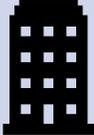
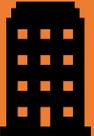


Minimum Off-Street Parking	Existing (M & MU-LI)	Planning Commission Recommendation	Current Proposal
All non-residential uses excepted those listed	2 per 1,000 sq. ft.	1 per 1,000 sq. ft.	1 per 1,000 sq. ft.
Laboratories	1 per 650 sq. ft.	1 per 1,000 sq. ft.	1 per 1,000 sq. ft.

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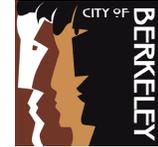


Zoning Amendments: Loading

Minimum Off-Street Loading Spaces	Existing (M & MU-LI)	Current Proposal
Commercial & manufacturing uses	 100,000 sq. ft. 	Same as existing
R&D uses		 100,000 sq. ft. 

Internal

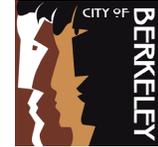
Zoning Amendments: Development Standards



Development Standard	Existing (M & MU-LI)	Planning Commission Recommendation	Current Proposal
Maximum Floor Area Ratio (FAR)	2.0	2.0	2.0
Minimum Setbacks, and Building Separation	Not regulated	Same as existing	Same as existing
Minimum Bicycle Parking	1 per 2,000 sq. ft.	Same as existing	Same as existing

Internal

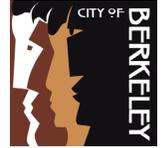
Zoning Amendments: Additions and New Buildings



Permit Type	Existing (MU-LI)	Current Proposal (M-RD)
ZC	< 10,000 sq. ft.	< 60,000 sq. ft.
AUP	10,000 - < 20,000 sq. ft.	60,000 - < 100,000 sq. ft.
UP(PH)	20,000 sq. ft. +	100,000 sq. ft. +

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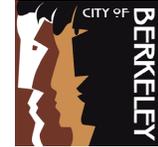
Zoning Amendments: Modifications to Development Standards – Large Sites



- **Purpose:** Facilitate development, reuse of large sites as urban campus-like environment – high quality design and site planning, amenities for employees and customers
- **Eligibility:** Sites of at least 9 acres

Internal

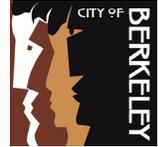
Zoning Amendments: Modifications to Development Standards – Large Sites



- **Purpose:** Facilitate development, reuse of large sites as urban campus-like environment – high quality design and site planning, amenities for employees and customers
- **Eligibility:** Sites of at least 9 acres
- **Allowed modifications to FAR and/or lot coverage:**
 - May exceed maximum on individual parcel by up to 20 percent
 - Must comply with maximum allowed (2.0 and 80%) on project-wide basis
- **Maximum height** – 105 feet

Internal

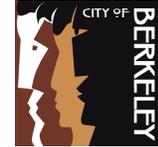
Zoning Amendments: Modifications to Development Standards – Large Sites



- **Submittal requirements:**
 - Phasing plan
 - Development comparison showing how changes maximize amenities
- **Findings for Approval:**
 - Modifications support enhanced design and site planning
 - Project would be implemented within a reasonable time period, and required infrastructure and amenities are provided
 - All other Use Permit findings in Section 23.406.040 and M-RD district

Internal

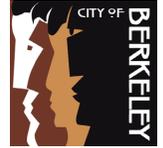
Zoning Amendments: Modifications to Development Standards – Large Sites



- **Submittal requirements:**
 - Phasing plan
 - Development comparison showing how changes maximize amenities
- **Findings for Approval:**
 - Modifications support enhanced design and site planning
 - Project would be implemented within a reasonable time period, and required infrastructure and amenities are provided
 - All other Use Permit findings in Section 23.406.040 and M-RD district
- **Conditions of Approval:**
 - ZAB may add reasonable, project-specific conditions to support the findings
- **Deed Restriction:**
 - Requires compliance with conditions of approval in perpetuity

Internal

Plan Amendments: West Berkeley Plan

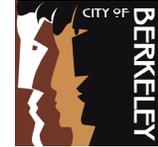


Scope: Incorporate new zoning district into Land Use Element

- Add new policy related to M-RD district
- Update Land Use Map to include M-RD district
- Add description of M-RD district to land use districting concept

Internal

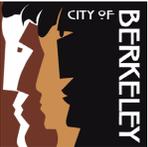
Plan Amendments: General Plan



Scope: Incorporate new zoning district into Land Use Manufacturing Designation

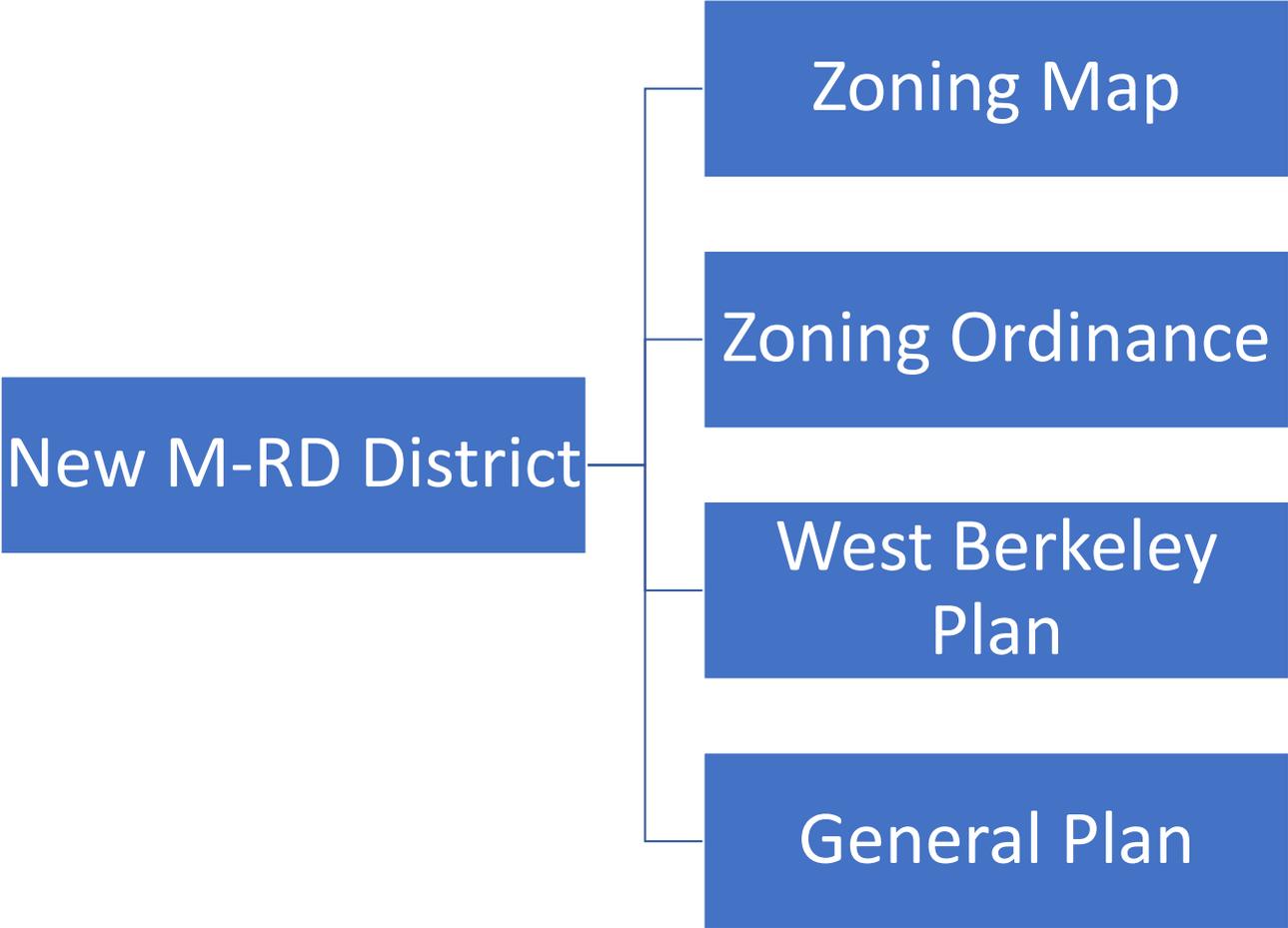
Manufacturing

These areas are intended to maintain and preserve areas of Berkeley for manufacturing and industrial uses necessary for a multi-faceted economy and job growth. Appropriate uses for these areas are identified in the West Berkeley Plan. Within these areas, building intensity will generally range from a Floor Area Ratio (FAR) of less than 1 to an FAR of 2. For information purposes, the compatible zoning districts for this classification are: Manufacturing (M), Mixed Manufacturing (MM), ~~and~~ Mixed Use-Light Industrial (MU-LI), and Manufacturing, Research and Development (M-RD), which all allow a maximum FAR of 2 and a maximum building height of 45 to 105 feet.



Internal

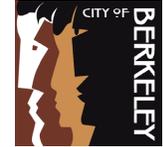
Summary of Amendments



Next Steps

- Recommendation

Internal



Next Steps: Recommendation

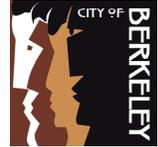
1. Receive a presentation on the Draft Environmental Impact Report
2. Receive public comment on the Draft Environmental Impact Report and proposed amendments to the:
 - a. Zoning Ordinance and Zoning Map to establish a Manufacturing, Research and Development (M-RD) zoning district
 - b. West Berkeley Plan to include the M-RD zoning district text and map amendments
 - c. General Plan to incorporate the M-RD zoning district into the existing Manufacturing (M) land use designation
3. Adopt a Resolution to recommend to City Council proposed amendments listed above

Questions and Discussion

CEQA Process & Draft EIR Comments

Internal

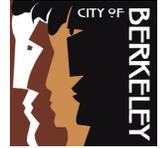
Introductions



- City of Berkeley
 - Alene Pearson, Deputy Director
 - Claudia Garcia, Principal Planner
 - Ashley James, Senior Planner
- LSA - Environmental consultant to the City
 - Florentina Craciun, Associate/Environmental Planner
 - Lauren Peachey, Environmental Planner

Internal

Agenda



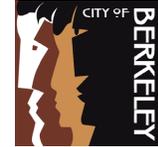
Part 2 – Draft EIR

- Environmental Review Process
- Overview of Environmental Impact Report
- Significant Impacts Identified
- Alternatives Considered
- How to Comment
- Next Steps

Environmental Review Process

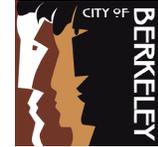
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Environmental Review Process

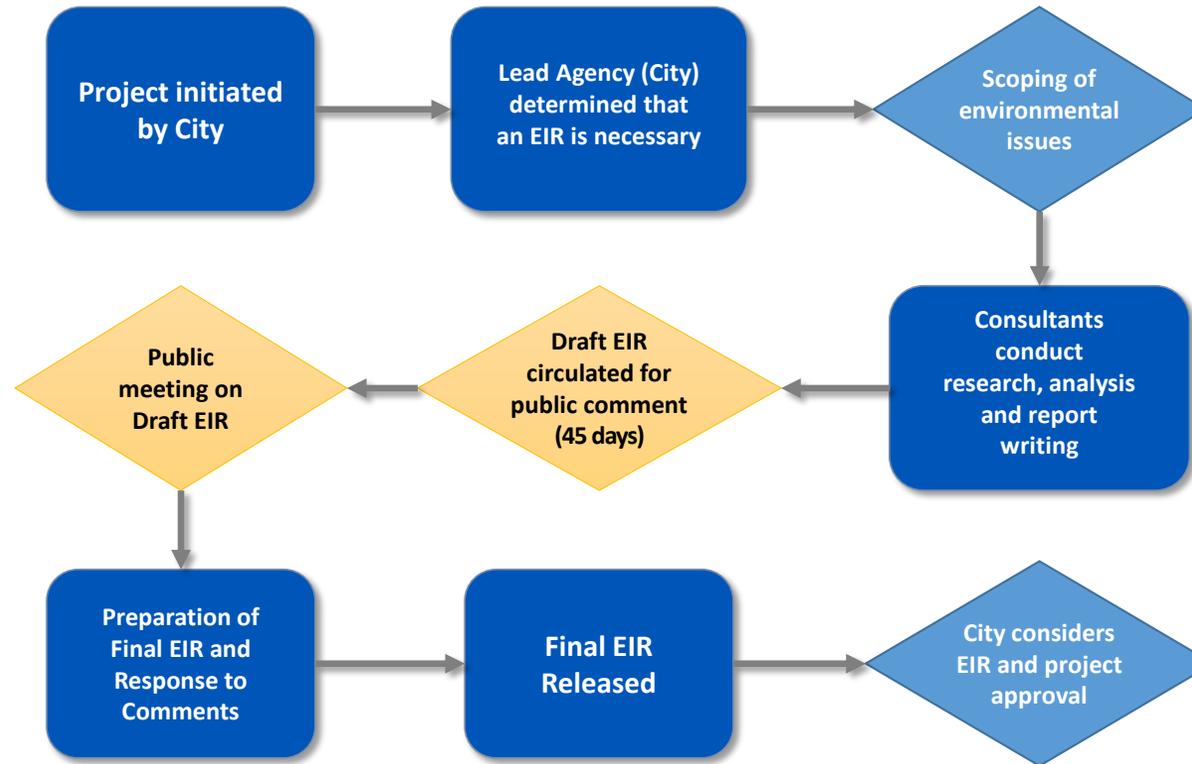


- Purposes of the California Environmental Quality Act (CEQA)
 - Provide the City's decision makers and members of the public with information about significant environmental effects of the proposed project
 - Identify potential feasible mitigation and alternatives that would reduce significant effects
- Focus of the analysis under CEQA is on the physical impacts to the environmental
- The City Council will consider the Environmental Impact Report (EIR) and other input received in making it's decision on the project

Internal



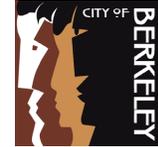
Environmental Review Process



Overview of Environmental Impact Report

Internal

Overview of Environmental Impact Report

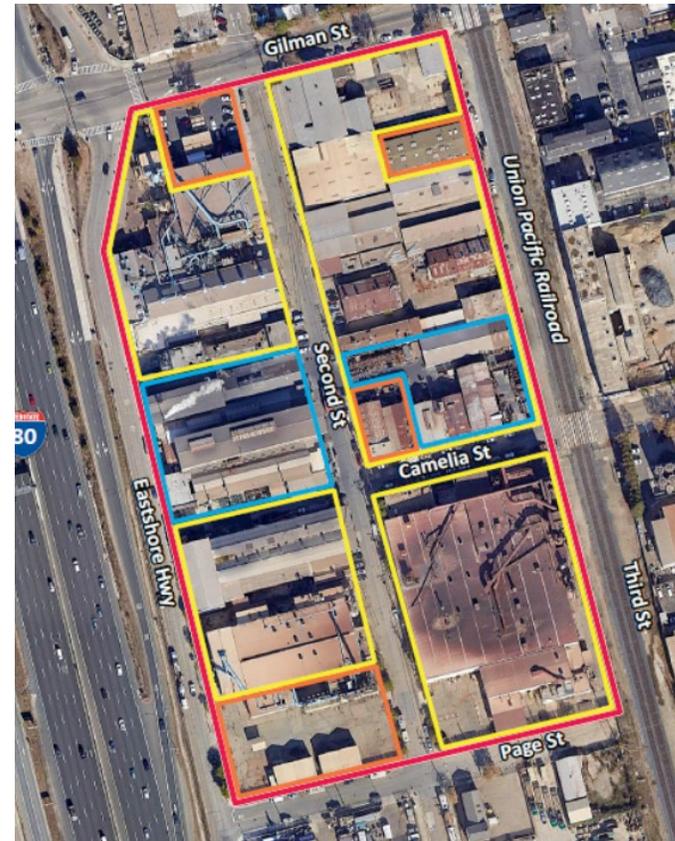


- An Environmental Impact Report (EIR) is required to evaluate potential impacts to the environment
 - A program EIR – to evaluate a series of actions connected either:
 - geographically;
 - as logical parts in the chain of contemplated actions;
 - in connection with **issuance of rules, regulations**, plans, or other general criteria to **govern the conduct of continuing a program**; or
 - as individual actions carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects that can be mitigated in similar ways
 - A project EIR – to examine potential environmental impacts associated with a specific **development project**

Internal

Overview of Environmental Impact Report

- A *program* EIR to evaluate the **proposed rezoning project**
 - Establish a new zoning district – Manufacturing, Research, and Development (M-RD)
 - Demolish all existing structures on the 11.54-acre site
 - Construct 1,005,266 square feet of mix of light manufacturing, research and development (R&D), laboratory, and/or office uses

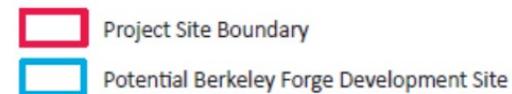


- Project Site Boundary
- Former Berkeley Forge and Tool
- Former Pacific Steel Casting
- Other Parcels

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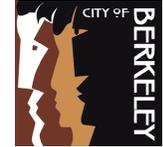
Overview of Environmental Impact Report

- A *project* EIR to evaluate the **conceptual development project**
 - Demolish existing structures on a 10.26 acre portion of the site
 - Construct 900,000 square feet of light manufacturing, R&D, laboratory, and/or office uses
 - Does not include 1306 Third Street, 600 Gilman Street, 1433 Eastshore Highway



Significant Impacts Proposed Rezoning Project

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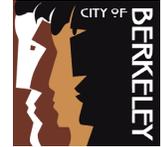


Topics Evaluated in the Environmental Impact Report

- **Aesthetics**
- **Agriculture and Forestry Resources**
- **Air Quality**
- **Biological Resources**
- **Cultural Resources**
- **Energy**
- **Geology and Soils**
- **Greenhouse Gas Emissions**
- **Hazards and Hazardous Materials**
- **Hydrology and Water Quality**
- **Land Use and Planning**
- **Mineral Resources**
- **Noise**
- **Population and Housing**
- **Public Services**
- **Recreation**
- **Transportation**
- **Tribal Cultural Resources**
- **Utilities and Service Systems**
- **Wildfire**

Internal

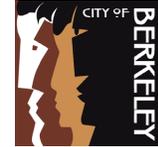
Proposed Rezoning Project – NI, LTS, LTS/M



- Aesthetics
- Agriculture and Forestry Resources
- **Air Quality**
- Biological Resources
- **Cultural Resources**
- Energy
- Geology and Soils
- **Greenhouse Gas Emissions**
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
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- Recreation
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- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Internal

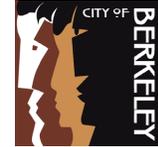
Significant Impacts – Proposed Rezoning Project



Impacts to Cultural Resources	Mitigation
<p>Impact CUL-1a: The proposed project would cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5 as implementation would facilitate the demolition of the existing building at 1306 Third Street, which is a historical resource pursuant to CEQA Guidelines Section 15064.5 (SU)</p>	<p>Mitigation Measure CUL-1: Documentation of Historic Resources</p>
Impacts to Air Quality	Mitigation
<p>Impact AIR-3b: Operation of future projects facilitated by the proposed project, including the conceptual development project, may expose nearby sensitive receptors to substantial pollutant concentrations and could result in potential TAC health risks that would cumulatively contribute to elevated health risks in the city (SU)</p>	<p>Mitigation Measure AIR-5: Health Risk Assessments for Future Development Projects</p>

Internal

Significant Impacts – Proposed Rezoning Project

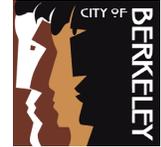


Impacts to Greenhouse Gas Emissions	Mitigation
<p>Impact GHG-1a: If future development under the proposed project includes natural gas, the proposed project would not meet the project design thresholds recommended by the BAAQMD and would therefore generate GHG emissions, either directly or indirectly, that would have a significant effect on the environment (SU)</p>	<p>Mitigation Measure GHG-1: Electric Vehicle Charging Requirements</p>
<p>Impact GHG-2a: If future development at the project site includes natural gas, the proposed project would not meet the project design thresholds recommended by the BAAQMD and would therefore be considered inconsistent with the long-term State GHG reduction goals and emission targets required in AB 32, SB 32, EO B-30-15, EO B-48-18, and AB 1279. Accordingly, the proposed project would conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions (SU)</p>	<p>Mitigation Measure GHG-1: Electric Vehicle Charging Requirements</p>

Significant Impacts Conceptual Development Project

Internal

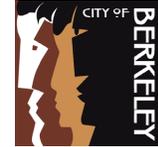
Conceptual Development Project – NI, LTS, LTS/M



- Aesthetics
- Agriculture and Forestry Resources
- **Air Quality**
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- **Greenhouse Gas Emissions**
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
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- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Internal

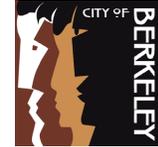
Significant Impacts – Conceptual Development Project



Impacts to Air Quality	Mitigation
<p>Impact AIR-3a.2: Construction associated with the conceptual development project, and any other future project facilitated by the proposed project that would not include the demolition of the structure located at 1306 Third Street, would exceed the BAAQMD cancer risk significance thresholds and would expose sensitive receptors to substantial pollutant concentrations (SU)</p>	<ul style="list-style-type: none">• Mitigation Measure AIR-3: Off-Road Construction Equipment Requirements• Mitigation Measure AIR-4: Temporary Relocation of 1306 Third Street Residents During Construction
<p>Impact AIR-3b: Operation of future projects facilitated by the proposed project, including the conceptual development project, may expose nearby sensitive receptors to substantial pollutant concentrations and could result in potential TAC health risks that would cumulatively contribute to elevated health risks in the city (SU)</p>	<p>Mitigation Measure AIR-5: Health Risk Assessments for Future Development Projects</p>

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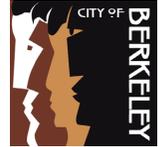
Significant Impacts – Conceptual Development Project



Impacts to Greenhouse Gas Emissions	Mitigation
<p>Impact GHG-1a: If future development under the proposed project includes natural gas, the proposed project would not meet the project design thresholds recommended by the BAAQMD and would therefore generate GHG emissions, either directly or indirectly, that would have a significant effect on the environment (SU)</p>	<p>Mitigation Measure GHG-1: Electric Vehicle Charging Requirements</p>
<p>Impact GHG-2a: If future development at the project site includes natural gas, the proposed project would not meet the project design thresholds recommended by the BAAQMD and would therefore be considered inconsistent with the long-term State GHG reduction goals and emission targets required in AB 32, SB 32, EO B-30-15, EO B-48-18, and AB 1279. Accordingly, the proposed project would conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions (SU)</p>	<p>Mitigation Measure GHG-1: Electric Vehicle Charging Requirements</p>

Internal

AB 52 Tribal Consultation – Suggested Mitigation Measure

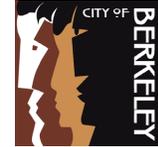


Suggested Mitigation Measure: Given the very high potential for disturbing Tribal Cultural Resources in this highly sensitive area, including ancestral human remains, Confederated Villages of Lisjan Nation will be allowed a 30-day comment period to provide requests for additional mitigation measures based on any specific development plans proposed by a project proponent even when a supplemental EIR is not required or where only an addendum may be required.

Project Alternatives Considered

Internal

Project Alternatives Considered

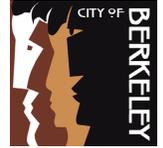


Project Alternative	Impact Reduced
Alternative 1: No Action Alternative	All potential impacts would be avoided
Alternative 2: General Plan Compliant Alternative	Would avoid significant and unavoidable air quality impacts associated with construction health risks
Alternative 3: Reduced Development Alternative	<ul style="list-style-type: none">• Reduce impacts related to air quality, energy, greenhouse gas, and noise• Would avoid the significant and unavoidable impact on historic resources

Next Steps

Internal

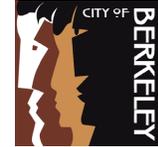
How to Participate



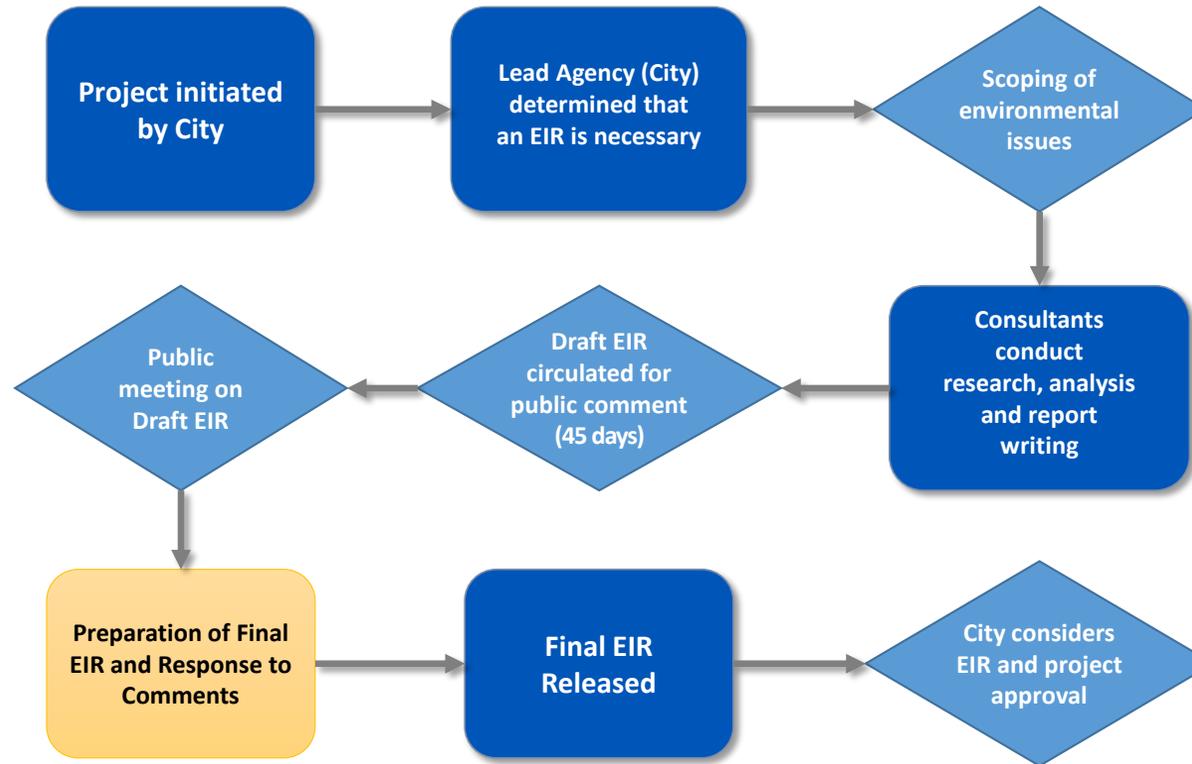
- Submit verbal comments tonight
- Comment period open until 5:00 pm on Thursday, December 5, 2024
- Submit written comments to:

Ashley James, Senior Planner
City of Berkeley Land Use and Planning Division
1947 Center Street, 2nd Floor Berkeley, CA 94704
Email: ajames@berkeleyca.gov

Internal

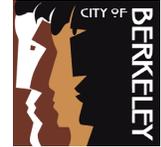


Next Steps: Final Environmental Impact Report



Internal

Next Steps: Recommendation



1. Receive public comment on the Draft Environmental Impact Report and proposed amendments to the:
 - a. Zoning Ordinance and Zoning Map to establish a Manufacturing, Research and Development (M-RD) zoning district
 - b. West Berkeley Plan to include the M-RD zoning district text and map amendments
 - c. General Plan to incorporate the M-RD zoning district into the existing Manufacturing (M) land use designation
2. Adopt a Resolution to recommend to City Council proposed amendments listed above