

Supplemental Communications (1)

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From: cafred1@juno.com

Date: December 6, 2022 at 7:44:53 PM PST

To: "Klein, Jordan" <JKlein@cityofberkeley.info>

Subject: Comments For Dec. 7, 2022 Planning Commission Meeting

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please forward these comments to the Planning Commission for their Dec. 7, 2022 meeting. Please confirm receipt of these comments.

Thank you.

December 6, 2022

Clifford Fred

Berkeley California

TO THE BERKELEY PLANNING COMMISSION – FOR DEC. 7, 2022 MEETING
COMMENTS ON THE DRAFT HOUSING ELEMENT OF THE BERKELEY GENERAL PLAN

Thank you for the opportunity to make these comments.

Please consider these comments before approving a revision of the Housing Element of the Berkeley General Plan.

The environmental impact report – EIR, for the Housing Element should have included a thorough Cumulative Impact Analysis of the impacts of the proposed Housing Element, with the cumulative impacts of all the development projects in Berkeley that were recently built, are currently under construction, approved but not yet constructed, and all pending housing and other development projects in the City of Berkeley. This cumulative list should include a pending 26 story apartment building and the nw corner of Shattuck and University, and a pending 25 story apartment building at 2190 Shattuck, encompassing the entire block of the west side of Shattuck between Allston & Center Street.

In my view, Berkeley is over-developed, too crowded, too noisy, and too polluted. Berkeley is too full of EMF radiation from cell towers, cell antennas, electric cars, i-phones, electronic kiosks, and wireless scooters.

There are more construction cranes in Berkeley today than in San Francisco.

This over-heated building boom is driven by developer money, greed, and out of control UC Berkeley expansion.

Homeless people are used as pawns. Homeless encampments are tolerated, with little or no social work to help people find housing, to make local residents feel guilty – so as to support more and more high rise apartment building, but which end up providing little or no housing for the homeless.

Why are these new high rise apartment projects never sold as condominiums? It appears that part of the rationale for this relentless high rise apartment building boom is to create a super-majority of tenants that can impose massive and confiscatory levels of property tax increases on Berkeley homeowners.

THE HOUSING ELEMENT SHOULD SERVE EXISTING HOMEOWNERS & TENANTS, NOT DEVELOPERS OR UC:

The focus of the Housing Element of the General Plan should be to improve the quality of life for the people who already live in Berkeley – homeowners and tenants.

The focus of the Housing Element should not be to help developers over-develop Berkeley, nor to help UC Berkeley continue to expand far beyond the City’s carrying capacity. Nor should it be a means to extract higher and higher property taxes from Berkeley homeowners.

The City of Berkeley should stop raising taxes on homeowners. The City should make UC pay its way. The City should make Bayer, the Divinity schools, Sutter/Alta Bates, and Kaiser pay their way.

The Housing Element should be a vehicle to dismantle all the cell towers that have been installed in the last five years. Achieving this would improve the health of nearby residents, stop the reduction of property values that cell towers cause, reduce fire hazards, and reduce blight.

The Housing Element should be a vehicle to dismantle the loud and obnoxious pickle ball courts in the north end of Cedar Rose Park at Hopkins and Peralta. Achieving this would clearly enhance the health and well-being of nearby residents.

The Housing Element should advocate for the strict enforcement of height and density limits. The City should not be accepting application for buildings that exceed height and density limits.

Zoning laws should be restored to their original intent – to set maximum height and density limits, and not to set minimum heights and densities, as is the situation today.

ENVIRONMENTAL IMPACT REPORTS

The Housing Element should require the preparation of full EIRs under CEQA for all projects over 3 stories or over 30,000 square feet.

The City should commit to preparing full EIRs on all pending housing projects over 3 stories, or over 30,000 square feet, including a pending 26 story apartment building and the nw corner of Shattuck and University, and a pending 25 story apartment building at 2190 Shattuck, encompassing the entire block of the west side of Shattuck between Allston & Center Street.

RESCIND RECENT UP-ZONINGS AND INCREASES IN ALLOWABLE HEIGHTS & DENSITIES

The City should rescind any up zoning and any increases in “allowed by right” housing developments that have been adopted in the last five years.

Up zoning, increases in allowable heights, increases in allowable densities, and increases in the amount of housing development allowed by right have been approved in the last several months and years, without any prior notification of effected property owners – in violation of CEQA and Berkeley’s Zoning Ordinance.

A third party consultant should be retained by the City to determine the minimum amount of density increases that the City was absolutely required to approve based the various anti-zoning statutes passed the state legislature.

The City's Sacramento lobbyist should be instructed to make it a top priority to lobby the governor and state legislators to stop passing anti-zoning and anti-local control statutes, to stop weakening CEQA, and to rescind the state statute imposing high-rise zoning on the North Berkeley and Ashby BART parking lots.

POPULATION DECLINE AND REDUCTIONS IN HIGH SCHOOL GRADUATION LEVELS

The University of Virginia Magazine, Winter 2018 edition, reports the following,

"A major source of change will come through demographics. Analysis by the Western Interstate Commission for higher Education indicates that the number of high school graduates will begin declining in the mid-2020s, owing to today's falling fertility rates, which began dropping in 2008. By the early 2020s, high school graduation rates are expected to dip as much as 5 percent below today's levels. With these changes, universities across the country will be choosing from a shrinking pool of prospective students."

"Nathan Grawe, an economics professor at Carleton College, says the news for colleges is even worse than is suggested by the coming drop in the number of high school graduates. After digging into demographic data to account for predictors of college attendance, he predicts 'an unprecedented reduction in post secondary demand about a decade ahead,' by as much as 15%."

The April 2020 issue of Oakland Magazine, "A Market Softening," reports that California's population is declining. "California lost an estimated 190,000 residents in 2018, according to the 2019 U.S. Census. That number is based on state to state migration and takes into account the births that happened in the state in 2018."

California's population is declining, and since the number of young people graduating from high school is declining, and since Berkeley is the most densely populated of the all the cities hosting University of California campuses (other than San Francisco).

Thus, the assumption that the City of Berkeley has a market rate housing shortage is a false assumption, and needs to be challenged.

PENDING CLOSURE OF ALTA BATES HOSPITAL

The Housing Element revision and its EIR should consider the likely closure of Alta Bates Hospital and its emergency room – the last emergency room in Berkeley, and the additional time it will take to get to an emergency room in Oakland.

All the new apartments and dormitories now being constructed, and that are now pending approval in Berkeley will be increasing the City's population by over 15,000 people. And the population of Berkeley is aging. Yet all the new development now occurring and likely to occur over the next several years is significantly worsening traffic congestion in Berkeley, and will dramatically add to the time it will take to reach an emergency room several miles south of Berkeley in Oakland.

WESTERN UNITED STATES MEGA-DROUGHT

The winter of 2021-2022 was driest in many years. EBMUD is demanding that its customers use less and less water.

According to a report in Science Daily, April 20, 2020, which cites material gathered by Earth Institute at Columbia University, the Western United States is likely entering a mega-drought, the worse drought in recorded history.

The Housing Element revision and its EIR should not assume an unlimited water supply. The EIR for the Housing Element revision needs to do a thorough analysis of the likely worsening drought conditions in the SF Bay Area, and the resulting declining East Bay water supply.

ABAG SHOULD STOP DICTATING TO BERKELEY

The Association of Bay Area Governments – ABAG, should stop dictating housing development requirements to the City of Berkeley. Many thousands of new housing units have been developed in Berkeley in the past ten years. A long time Berkeley resident who might have been away for the last 10 years and returning now would not recognize the City at all today. The mushrooming of high-rise apartment buildings on Shattuck Avenue, Telegraph Avenue, University Avenue, and San Pablo Avenue and made much of Berkeley unrecognizable.

Thousands more units of housing have been approved and are now or will soon be under construction, and thousands more units are currently being applied for but not yet approved.

It is thus nonsensical and ridiculous that ABAG continues to demand that Berkeley build more and more high rise housing. The formula seems to be the more Berkeley builds, the more we are required to further build.

Yet, I never see housing developments going up in Orinda, Moraga, or Lafayette, and very little new development in Albany or El Cerrito.

The Housing Element and city officials should tell ABAG that Berkeley has more than met its regional housing obligation for now and for the foreseeable future.

TENANTS SHOULD NOT BE FORCED OUT BY TOXIC CONSTRUCTION

Berkeley tenants should not be forced out of their homes by toxic construction, upgrades, or repairs. Landlords should be required to use the most non-toxic and scent free products available with any construction work, upgrades, or repairs on rental property.

If any tenant in Berkeley finds that they are unable to stay in their rental unit while their landlord in make repairs, upgrades or otherwise engaged in any construction of the property, the land lorfd should be required to pay for acceptable and accessible replacement housing.

LOW-INCOME & HOMELESS PEOPLE WHO GET UNITS IN THE BERKLEY WAY & OTHER “AFFORDABLE” PROJECTS SHOULD BE ABLE TO WAIT UNTIL THE UNITS DE-TOX BEFORE MOVING IN

It is very troubling that low income and homeless people who are able to secure units in the new Berkeley Way low income building and other “affordable” housing projects are told they most move in immediately, and not be allowed to wait until the units de-tox from all the chemicals, paint, etc, used in construction. More and more people sensitive to indoor air pollution and to the array of chemicals used in construction. Don’t penalized people for being sensitive to toxic chemicals. Let them wait until their units de-tox before moving in.

Thank you,
Clifford Fred
Berkeley California