

Supplemental Communications (1)

(Received before 12pm
September 6)

Communications

From: David Shiver <dshiver@bae1.com>

Sent: Friday, September 1, 2023 3:15 PM

To: Klein, Jordan <JKlein@berkeleyca.gov>; Wu, Grace <GWu@berkeleyca.gov>

Cc: Gianna Ranuzzi <giannara@comcast.net>; Vincent Casalaina <ProBerk@aol.com>; Patrick Sheahan <pksarchitect@mac.com>; Phil Bokovoy <PBokovoy@aol.com>; Lesley Emmington <lesleyemington@gmail.com>; Joan Barnett <joanbarnett@yahoo.com>; Michael Kelly <mike@fridaysfilms.com>

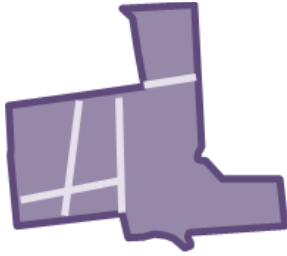
Subject: Request for Public Hearing Delay for Item 10 Southside Zoning Modification (“Zoning Modifications”)

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Jordan and Grace,

Please find, attached, a communication from the Southside Neighborhood Consortium re: Action Item 10 Planning Commission Wednesday September 6, 2023 meeting.

Best,
David Shiver
Co-convener
Southside Neighborhood Consortium



SOUTHSIDE NEIGHBORHOOD CONSORTIUM

September 1, 2023

Jordan Klein, Planning Director
Members, Planning Commission
Grace Wu, Secretary
Land Use Planning Division
City of Berkeley
1947 Center Street
Berkeley, CA 94704

Re: Request for Public Hearing Delay for Item 10 Southside Zoning Modification (“Zoning Modifications”)

Dear Director Klein and Members of the Planning Commission:

The Southside Neighborhood Consortium (SNC) is a consortium of neighborhood associations and speaks on behalf of over 1,500 of its constituent associations’ members who live in the areas south and southeast of UC Berkeley and we are a major stakeholder participating in the Southside Zoning Modification deliberations.

We request the postponement of Action Item 10 due to short and inadequate public notice. The 200-page proposed Zoning Modification was released yesterday morning August 31, 2023, before a national three-day holiday (September 2 through 4, 2023) for a meeting this upcoming Wednesday on September 6, 2023. This does not give stakeholders enough time to review the proposed language and formulate thoughtful and constructive comments and responses.

Further, none of the stakeholder organizations that comprise the SNC, well as the SNC itself, were notified of this pending item, further inhibiting our ability to prepare and comment.

The Commission’s timing is not respectful of community involvement. We know that this item is part of the implementation of the City’s Housing Element, but it deserves broad notice and community input.

Thank you for the Commission's consideration of this request.

Sincerely,

Southside Neighborhood Consortium:

Joan Barnett, President, Dwight-Hillside Neighborhood Association
Vincent Casalaina, President, Willard Neighborhood Association
Mike Kelly, President, Panoramic Neighborhood Association
Phil Bokovoy, President, Save Berkeley's Neighborhoods
Lesley Emmington, President, Make UC a Good Neighbor
Patrick Sheahan, President, Claremont-Elmwood Neighborhood Association
Gianna Ranuzzi, President, Le Conte Neighborhood Association
David Shiver, Stuart Street/Willard

Communications

From: May, Keith
Sent: Friday, September 1, 2023 8:44 AM
To: Bustamante, Tanya; Gregory, Thomas; Vance-Dozier, Okeya; Knox, Kellie; Romain, Billi; Homeless Services Panel of Experts; Housing Advisory Commission; Katz, Mary-Claire; Miller, Roger; Vance-Dozier, Okeya; Kouyoumdjian, Aram; Planning Commission; Office of the Director of Public Accountability; RPSTF Commission; Mostowfi, Hamid; Nevels, Ronald; Bryant, Ginsi; Heath, Julia; Zoning Adjustments Board (ZAB)
Cc: Burton, Tara
Subject: Fire Ready Fest
Attachments: Fire Ready Fest 9.17.2023 event flyer...jpg

Internal

Good Afternoon Commission Secretaries,

Please share with your Commissions.

Berkeley Fire Department together with the City of Berkeley is proud to invite the greater Berkeley community to *Fire Ready Fest* on Sunday, September 17, 2023 from 10:00 a.m. - 2:00 p.m. Fire Ready Fest will be held in beautiful Live Oak Park, and will be a day of hands-on fire-preparedness activities, fire/emergency preparedness resources, fire history, picnic fun, and more. Live Oak Park, is located at 1301 Shattuck Avenue in Berkeley.

Fire Ready Fest is being held on the 100-year anniversary of the Great Berkeley Fire of 1923. Historical information about the 1923 fire, current-day evacuation maps and information, and more will be a part of this event designed to empower everyone in the community to be ready for an emergency situation.

Community members of all ages are encouraged to attend Fire Ready Fest. The event is accessible and free to attend. The event is providing accessible bathrooms, sighted guides, ASL interpreters, and more. Questions about accessibility offerings, accommodations and resources? Reach out to us at firereadyfest@gmail.com or 510-336-4613.

Fire preparedness can be fun, and the park will be full of fire-related activities including:

- Fire trucks on display
- Q&A with Fire Marshalls: have fire safety related questions you've been curious about? Looking for advice on what to do about a building, landlord, event, or potentially unsafe situation? Ask questions with amnesty at the Fire Marshall Q&A booth
- Historical information and maps from Berkeley Historical Society and Berkeley Path Wanderers
- Games: test your fire-prevention skills and have a day of fun in the park with the Berkeley Parks & Recreation team
- Informational resources from the Office of Emergency Services including hands-on help and explanations to sign folks up for alerts
- Home hardening information: from yards to vents and what to do to keep your residence fire ready
- Fire Extinguisher information: how to use them, how to know if you have the right one, what it means to "Refresh" them, and more
- Picnic fun: bring your own food or buy food from local food vendors at the event

A comprehensive list of Fire Ready Fest participants will be posted in early September. Visit www.FireReadyFest.org for updated info as the event nears.

Keith May

Deputy Fire Chief
Berkeley Fire Department
2100 Martin Luther King Jr. Way
Berkeley, CA 94704
510-981-5508 office
kmay@cityofberkeley.info

*“We are what we repeatedly do. Excellence, therefore, is not an act, but a habit.”
Aristotle*



Website: [https://www.cityofberkeley.info/WildfireEvacuationZonehaven AC Alert](https://www.cityofberkeley.info/WildfireEvacuationZonehavenACAlert)

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All are welcome!

Games, information,
and interactive fire
prevention fun for
kids and adults

Picnic: local food
vendors onsite

Protect your family
with fire weather and
evacuation
information

Protect your home
with defensible space
and home hardening
demos

History: Centennial
information about the
great fire of 1923

This is a **free**,
accessible
community event

Visit
FireReadyFest.org
for more information

City of Berkeley and Berkeley Fire Department
Present: Fire Ready Fest



Sunday, September 17, 2023



Live Oak Park

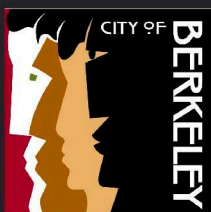
1301 Shattuck Avenue, Berkeley



10 a.m. - 2 p.m.

FIRE READY FEST

Community fire preparedness event & centennial
commemoration of the great 1923 Berkeley Fire



Communications

From: Berkeley Neighborhoods Council <bnc50@berkeleyneighborhoodscouncil.com>
Sent: Tuesday, September 5, 2023 8:07 AM
To: Klein, Jordan; Planning Commission
Subject: Planning Commission September 6 Agenda Item 10
Attachments: Planning Commission Sept 6, 2023.pdf

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Director Klein and Planning Commission Secretary,

The Berkeley Neighborhoods Council is requesting postponing the Public Hearing on Item 10, Southside Zoning Modification Project. Please distribute the attached letter to the Planning Commissioners.

Thank you.

Berkeley Neighborhoods Council (BNC)

Check out our website for up to date information and resources:

berkeleyneighborhoodscouncil.com



Berkeley Neighborhoods Council
P.O. Box 5108
Berkeley, CA 94705

**Dedicated to improving the quality of life for all by creating
a unified neighborhood voice for promoting livability and resolving problems**

**Website: www.berkeleyneighborhoodscouncil.com
E-mail: bnc50@berkeleyneighborhoodscouncil.com**

September 5, 2023

Re: Planning Commission September 6, 2023 Agenda Item 10 Southside Zoning Modification Project

Dear Director Klein and Members of the Planning Commission:

The Berkeley Neighborhoods Council urges you to postpone Action Item 10 to give the Planning Commission and city staff more time to explore options for mitigating the considerable impacts upzoning the Southside will have on that area in particular and the city as a whole.

The agenda for this meeting includes a 100-page Addendum to the 2023-2031 Housing Element Update prepared by Rincon Consultants, Inc. As it was only sent out on Thursday ahead of the Labor Day weekend, you may not have had an opportunity to fully review this important document, but you should know that the consultant found several “significant and unavoidable” impacts including this very troubling finding:

“Future development would also be required to conform to the latest fire code requirements, including provisions for emergency access. Nonetheless, the proposed project would result in an increased number of residents in the Southside Area and in Zone 2, a VHFHSZ, which could further inhibit safe evacuation and potentially interfere with emergency response. Therefore, impacts would be significant and unavoidable, similar to the HEU.” (p. 84 of the report)

We are also greatly concerned that the upzoning plan puts the city at risk of losing two major sources of income. First of all, upzoning this area will inflate the land values, but as currently proposed, none of that increased value will go to the city. A robust community benefits program is needed to capture the city’s share of the increased land values.

Secondly, the UC LRDP “assumes 9,325,88 square feet of development on noncampus University properties throughout Berkeley (including Housing Projects #1 and #2)” (p. 87 of the report).

There are already 3 projects proposed along Shattuck Ave in South Berkeley that consist mainly of small studio apartments, ostensibly student-oriented housing. If more such projects are built in the southside, and the University enters into a master-lease for thousands of the units, the city will suffer a substantial cumulative loss of tax income. The current proposal does not mitigate this loss.

September 6, 2023

We rely on you as a Commission to give careful consideration to such a significant change to our zoning code. Please do not rush into something that could have long-standing negative consequences to our city.

Sincerely,

Berkeley Neighborhoods Council Executive Committee

Communications

From: Mary Oram <mary@erihomes.com>

Sent: Tuesday, September 5, 2023 12:04 PM

To: Klein, Jordan <JKlein@berkeleyca.gov>; Wu, Grace <GWu@berkeleyca.gov>

Cc: 'Vincent Casalaina' <ProBerk@aol.com>; 'Carla Woodworth' <carlawoodworth27@gmail.com>; Alex Stec <alex_stec@hotmail.com>; 'Kinga Chomicz' <kinusia@gmail.com>

Subject: RE: Communication: Planning Commission Agenda Item #10 - Request for Delay

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

9/5/2023

Please distribute copies of my letter to the members of the Planning Commission for their meeting tomorrow.

Thank you,

Mary Oram

Mary E. Oram
2705 Hillegass Ave.
Berkeley, CA 94705

April 7, 2017

September 5, 2023

Dear Berkeley Planning Commissioners,

I live, work and own property in the Willard neighborhood, and am a member of the Willard Neighborhood Steering Committee.

On Saturday, Sept 2, I was made aware that the Planning Commission was going to hear (and I assume, approve) the modification to the Southside Rezoning Modification at the next meeting scheduled for tomorrow evening, September 6, 2023. The materials that were made available at the end of last week include a more than 200 page EIR.

I respectfully request that consideration of this modification be delayed until property owners in Berkeley have a chance to learn about what is proposed and how it will affect Berkeley going forward.

As I understand it, the limit of 1000 additional units to be added to the Southside area is raised to an unspecified ceiling in this modification.

As I also understand, UC can master lease new apartment projects and these properties would be taken off the tax rolls, depriving the City and BUSD of significant property tax revenue. The settlement agreement between the City of Berkeley and the University of California mentions that the two parties can negotiate to end this practice but no agreement has been reached as far as I can tell. -As new construction, these new units would also be exempt from rent control. Permitting a theoretically limitless number of new units to be built in Berkeley for student housing will have a huge impact on the remaining property owners in Berkeley. This is something that needs to be made clear before it is implemented.

Please reschedule this hearing until a time that the financial impact of this modification has been made clear to and approved by Berkeley property owners.

UC Berkeley is a wonderful resource for the State of California, but the burden for supporting the university should not fall on the backs of Berkeley taxpayers.

Sincerely,

Mary Oram

Member, Willard Neighborhood Steering Committee

Communications

From: David Shiver <dshiver@bae1.com>

Sent: Tuesday, September 5, 2023 11:38 AM

To: Klein, Jordan <JKlein@berkeleyca.gov>; Wu, Grace <GWu@berkeleyca.gov>

Cc: Vincent Casalaina <ProBerk@aol.com>; mary@erihomes.com; Joan Barnett <joanbarnett@yahoo.com>; Lesley Emmington <lesleyemington@gmail.com>; Michael Kelly <mike@fridaysfilms.com>; Andrew Johnson <sundial@sonic.net>; Phil Bokovoy <PBokovoy@aol.com>; Gale Garcia <galeg13@gmail.com>; Patrick Sheahan <pksarchitect@mac.com>; Dean Metzger <drm1a2@sbcglobal.net>; Gianna Ranuzzi <giannara@comcast.net>

Subject: Communication: Planning Commission Agenda Item #10 - Second Request for Delay

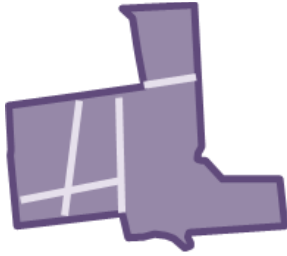
WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Jordan and Grace,

Please find, attached, a second letter requesting a delay in the hearing for Agenda Item #10 Southside Zoning Modification.

Best

David Shiver
Co-convener, Southside Neighborhood Association



SOUTHSIDE NEIGHBORHOOD CONSORTIUM

September 4, 2023

Jordan Klein, Planning Director
Members, Planning Commission
Grace Wu, Secretary
Land Use Planning Division
City of Berkeley
1947 Center Street
Berkeley, CA 94704

Re: Second Request for Public Hearing Delay for Agenda Item 10 Southside Zoning Modification
("Zoning Modifications")

Dear Director Klein and Members of the Planning Commission:

We are in receipt of the response from the Planning Director last Friday indicating that staff will not recommend delaying the public hearing regarding Agenda Item #10 Southside Zoning. The Director stated that the public has had adequate time to review the proposed changes and provide input.

However, the Planning Director's response omits consideration of one important component of the proposed action that is completely new: the Addendum to the Housing Element EIR prepared by Rincon Associates, dated August 2023. This environmental analysis of the proposed change in Southside zoning is new and is comprised of 269 pages of technical analysis. Given the Labor Day holiday, it is impossible for the public to review this analysis and provide useful commentary at the public hearing this Wednesday, September 6, 2023.

While state law does not mandate advance notice and comment periods, the City is abusing its discretion and would be acting in bad faith to deprive the public review of the agenda item given the voluminous new content. Since the deadline for adoption of this action is in the fall of next year, there is no reason to deny additional time for review.

We ask again, based on this circumstance, that the Planning Commission delay the hearing and action on this item.

Thank you for the Commission's consideration of this request.

Sincerely,

Southside Neighborhood Consortium:

Joan Barnett, President, Dwight-Hillside Neighborhood Association
Mary Orem & Vincent Casalaina, Steering Committee Members, Willard Neighborhood Association
Mike Kelly, President, Panoramic Neighborhood Association
Phil Bokovoy, President, Save Berkeley's Neighborhoods
Andrew Johnson, Bateman Neighborhood Association
Lesley Emmington, President, Make UC a Good Neighbor
Patrick Sheahan, President, Claremont-Elmwood Neighborhood Association
Gianna Ranuzzi, President, Le Conte Neighborhood Association
David Shiver, Stuart Street/Willard

Communications

From: Stephen Born <scborn@hotmail.com>
Date: September 6, 2023 at 4:04:44 AM PDT
To: "Klein, Jordan" <JKlein@berkeleyca.gov>, "Wu, Grace" <GWu@berkeleyca.gov>
Subject: RE: Communication: Planning Commission Agenda Item #10 - Request for Delay

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Please distribute copies of my letter to the members of the Planning Commission for their meeting September 6.

Stephen Born
2708 Benvenue Ave.
Berkeley, CA 94705
September 6, 2023

Dear Berkeley Planning Commissioners,

I own property in the Willard neighborhood, and I am a Berkeley Native. It has come to my attention that the Planning Commission is going to hear modifications to the proposed "Southside Rezoning Modification" on September 6, 2023. The materials that were made available at the end of last week include a more than 200-page EIR. The public, as well as the commission, must be given time to read and react to the proposal. Consideration of this modification must be delayed until property owners in Berkeley have a chance to learn about what is proposed and how it will affect all Berkeley residents.

There are numerous problems with the proposal. The limit of 1000 additional units to be added to the Southside area is raised to an unspecified ceiling in this modification. Under the proposal, UC can master lease new apartment projects and these properties would be taken off the tax rolls depriving the City and BUSD of significant property tax revenue. This proposal creates significant fiscal impacts on current City of Berkeley taxpayers. The proposal must be made clear to voters and taxpayers before it is implemented.

I am a graduate of K-12 BUSD schools, a UC Berkeley graduate, and a UC Retiree. I am convinced that too much has been given to UC at the expense of local taxpayers. I am also convinced that the City of Berkeley must primarily represent its taxpayers and voters, and not give Carte Blanche to UC for poorly conceived plans that are often at odds with the needs of permanent residents. We must maintain a livable and ecologically viable city. The commission has a responsibility to follow democratic procedures! Delay the hearing to allow due consideration by Berkeley taxpayers and voters.

Sincerely,
Stephen Born

Communications

From: Lisa Bruce <lisa@lisabruce.com>
Sent: Wednesday, September 6, 2023 7:48 AM
To: Planning Commission
Cc: Deborah Kropp; Patrick Sheahan; Steven Finacom
Subject: Agenda Item #10 Southside Zoning Modifications

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Members of the Planning Commission,

It has come to my attention that the planning department has released Agenda Item #10 Southside Zoning Modifications plus an EIR report housing addendum. As a member of Berkeley Together I recognize this as important news for our Berkeley citizens and was stunned to learn that you released this right before a Federal holiday with *very little* time for the public to review, if we even learned about it. By doing this it seems clear that public knowledge and comment is not encouraged.

As I understand, the Planning Commission will be discussing serious impacts, up-zoning, and significant changes to Southside Berkeley and the City. It would seem fundamental for the long term quality and economic survival of our town, that the Planning Commission take pause to fully discuss the impacts of this zoning proposal on behalf of all of Berkeley.

Within the last hours I have learned of the "Master Lease" practice to the University of California which obviously puts financial burden upon the taxpayers of Berkeley. This is all concerning,

Sincerely,
Lisa Bruce
3027 Claremont Avenue

P.S. On behalf of the working public why is this important meeting at 5:30 rather than 7:00?

cc: Deborah Kropp
Patrick Sheahan - President, Claremont Elmwood Neighborhood Association
Steve Finacom - Berkeley Architectural Heritage Association

Communications

From: Gale Garcia <galeg13@gmail.com>
Sent: Wednesday, September 6, 2023 11:08 AM
To: Planning Commission
Subject: Agenda item 10, Southside Zoning Modification Project
Attachments: GG Letter SS Mod 9-23.pdf

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Secretary to the Planning Commission,

Please include the attached letter about the Southside Zoning Modification Project in the materials for the Planning Commission meeting later today.

Please confirm that you have received this.

Thank you.

Gale Garcia

September 6, 2023

Planning Commission Secretary
Land Use Planning Division

Re: Southside Zoning Modification Project

Dear Members of the Planning Commission,

Please delay Agenda Item 10, the hearing of the Southside Zoning Modification Project. The public has had **no time** to read and consider the 157-page Addendum to the Housing Element EIR in the attachments to this item.

See Section 3.28.100 D of the Berkeley Municipal Code, Powers and functions of the Planning Commission:

D. To consider, formulate and propose surveys, maps and plans designed to provide for, regulate and direct the future growth, development and beautification of the City in order to secure to the City and its inhabitants better sanitation, adequate and suitable parks and open spaces, harbor development, better transportation facilities, improved public service of all kinds, proper location of public buildings, and to secure a permanent and comprehensive plan for the most economic, healthful and harmonious growth of the City;

Your duties as Planning Commissioners are about securing benefits for the City and its inhabitants, including: "beautification," "parks and open spaces," and a plan for "the most economic, healthful and harmonious growth of the City." Cramming through a project potentially detrimental to the inhabitants, without allowing their informed consideration, is simply not your job.

The deadline for adoption of this project is December 2024. What's the hurry?

Sincerely,

Gale Garcia