



# SHEFFIELD PRESCHOOL PROGRAM



December 3, 2019

To Whom It May Concern:

I have lived next door to the Rose Garden Inn since 1987. I have been sad to see it fall apart in the past fifteen years. There is a lot of work to be done to just bring the property up to its initial glory, let alone create it into a destination boutique hotel. I love his plan to call the property The Marshall in honor of the original owners. (I have run a preschool program in my home in Berkeley for children 3—5 years old with a family daycare license since 1983.)

I am very hopeful that Amish Patel will improve and save the two main buildings of the Rose Garden Inn, and improve the grounds overall. He has promised to replace the failing fence between our properties and remove a dying pine tree that drops debris all over my roof and property. I am looking forward to the remodel that will include removing the rear stairs that overlook my backyard.

The entire neighborhood will welcome his plan of valet parking, including his guests whose cars have been broken into over the past year. Lately, car break-ins seem to be on the rise at the top of Stuart Street, and valet parking will remove the thieves' incentive.

Sincerely,

***M. June Sheffield***

M. June Sheffield  
Director

**Pearson, Alene**

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**From:** Pearson, Alene  
**Sent:** Wednesday, January 22, 2020 11:16 AM  
**To:** Pearson, Alene  
**Cc:** Lapira, Katrina  
**Subject:** APA Annual Planning Commissioners Conference

Dear Commissioners,

I am sending this email to let you now that on February 1, 2020 APA will be holding their Annual Planning Commissioners Conference at Sonoma State University (see the link below). In the past, Planning Commissioners have asked for training and professional development opportunities to inform their experience on the Commission. This conference, which will focus on wildfires, housing legislation, and GHG reduction in the context of land use planning, could be really interesting. If you are available and would like to attend, please let me know and I can assist with registration.

Best,  
Alene

<https://norcalapa.org/event/sonoma-state-university-36th-annual-planning-commissioners-conference/>

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**Alene Pearson, Principal Planner**

Land Use Planning Division

City of Berkeley

510-981-7489

[apearson@cityofberkeley.info](mailto:apearson@cityofberkeley.info)

**Lapira, Katrina**

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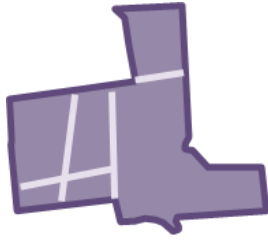
**From:** McDonough, Melissa  
**Sent:** Friday, January 24, 2020 4:25 PM  
**Subject:** Strategic Plan Info Session and Quarterly Report

Hi Commission Secretaries!

Thank you so much for helping me get the word out to Commissioners about the Strategic Plan Info Session. We had very good turnout and attendees seemed interested in the Strategic Plan and our progress on various projects. For any Commissioners that missed the event but are curious, there is an [off agenda memo](#) available which includes slides from the presentation. Also, the City just released the [Strategic Plan Quarterly Report](#)—please do share it with your Commissioners.

Best regards,

Melissa K. M<sup>c</sup>Donough, MPP  
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## SOUTHSIDE NEIGHBORHOOD CONSORTIUM

January 27, 2020

Members, City of Berkeley Planning Commission  
Alene Pearson, Secretary  
Land Use Planning Division  
City of Berkeley  
1947 Center Street  
Berkeley, CA 94704

Re: Comments on Southside Proposed Zoning Districts

Dear Members of the Planning Commission:

The Southside Neighborhood Consortium (SNC) is a consortium of neighborhood associations and speaks on behalf of over 1,000 of its constituent associations' members who live in the areas south and southeast of UC Berkeley. SNC has reviewed the Southside EIR Project Description dated December 17, 2019 ("Project Description") prepared by the City of Berkeley Planning and Development staff and we offer our comments for your consideration. The first two comments address the proposed EIR Project Description and an alternative proposed by SNC. The remainder of the comments address development standards and scope of EIR for which City staff sought Planning Commission input.

**Comment 1.0: The proposed EIR Project Description is a traditional up-zoning with no offsetting community benefits to Southside and other Berkeley residents.**

SNC believes that the proposed Southside EIR Project Description represents a traditional, 'vanilla' up-zoning approach that will not necessarily result in the outcome desired by the City Council, namely development of more housing close to the UC Campus as quickly as possible. An up-zoning approach as proposed by staff has several limitations that would work against the production of additional housing. First, all parcels would gain additional development rights whether or not the current property owner has any intent to develop or redevelop their property. In other words, a new entitlement flows to an owner who may have no intention of redeveloping their property and decides to continue to hold their property for the long term. Second, a blanket up-zoning of all properties increases the value of all properties and would raise the cost for a developer to purchase a site or assemble parcels for a housing

Comments on Proposed Southside EIR December 17, 2020 Staff Report

development because a seller can price their property with the certitude of the additional entitlement granted through the up-zoning. Third, a general up-zoning grants additional development entitlements at no cost to property owners and developers and deprives the City of obtaining community benefits in exchange for an additional entitlement that has potentially great value. For every additional unit of housing granted to developer, the City would likely create \$50,000 to \$100,000 in incremental value, depending on market conditions. The value of an additional thousand additional units, for example, would range from \$50 to \$100 million. The SNC believes that it is reasonable to ask to share in this value increment in the form of community benefits.

**Comment 2.0: SNC proposes an Alternative EIR Project Description that will allocate new entitlement to property owners ready to build and give City an opportunity to share in the value increase.**

SNC believes a more effective approach to encouraging housing production would be an EIR Project Description comprised of the following elements:

- Retain current zoning but modify development standards to set baseline density at the midpoint of the existing ranges set forth in the Land Use Element of the General Plan.
- Approve a pool of units that represents a reasonable housing production goal, say 1,000 units, that would be available for allocation within an overlay district.
- Define an overlay district that encompasses properties closest to campus (see attached SNC Alternative Project Description Map).
- Formulate a priority list of desired community benefits. For example:
  - Additional affordable housing units above the City's current requirement
  - Transportation improvements
  - Below market rent ground floor commercial space for low-income entrepreneurs
- Define an allocation process and standards for granting units from the pool. Criteria could include for example: proximity to UCB, superior design/sustainability features, protection of historic structures, and community benefits offered.

This Alternative EIR Project Description is superior to the traditional up-zoning approach because:

- Units are allocated to owners who are ready to build.
- Rewards new entitlement in exchange for community benefits.

This approach has been undertaken by many cities in the Bay Area.

**Comment 3.0: The following are responses to Staff solicitation of input on the December 17, 2019 Project Description and Southside EIR:**

**General**

1. The option for discretion should not be removed. The City needs to reconceptualize how the density can be increased on Southside. We'd want to see objective development standards that include

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setbacks and stepping down of mass. Also, we would propose that the city decide on the number of units desired, and have an application process for those units, rather than a general upzoning. This prevents property owners from having a windfall, with no benefits to the city. With an application process the City could negotiate benefits with the developer.

There is no mention in the document about historic resources, including historic view corridors, and how they are to be treated. We would propose that there be strict design guidelines for developments adjacent to historic resources.

**Building Heights**

3. Yes, but only with appropriate setbacks and analysis of sunlight/shade impacts. 12 stories would be higher than any building currently on the campus.
4. Additional 12 story buildings should only be considered along Bancroft Avenue.

**Building Footprint**

5. Setbacks and lot coverage should never be modified with only an AUP, particularly given that the increase in value from those entitlements should be subject to negotiation with the City.
6. Very little of the existing R-3 in Berkeley is 'urban,' and the density standards for R-3 in the General plan reflect that. The lot coverage standards for R-3 are what give Berkeley its unique 'garden city' character. Consequently, the lot coverage should not be changed.

**Parking**

7. Parking rules on the Southside should be similar to SOMA in SF: all truck loading, delivery and passenger pickup should take place on site, rather than on the city streets. SOMA has been undergoing a transition to more intense development as is proposed for Southside, and San Francisco has imposed this requirement there.

**Ground Floor Residential Use**

8. Ground floor residential should be the rule where there is currently no retail, e.g. Channing, Durant except the two blocks on either side of Telegraph, Haste and Dwight and side streets.

**Zoning District Locations**

9. The zoning district changes proposed are not appropriate for two reasons. First, the area west of Dana contains numerous historic resources, and needs to be carefully considered, rather than just up-zoned. The EIR scope should include an analysis of views and aesthetics on historic resources and to ensure Section 106 compliance through notification and consultation with the State Historic Preservation Office. Second, as we stated above, the City should not up-zone, but instead have

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application process for new units. SNC proposes a narrower geographic area for change that focuses on sites closer to campus.

**10.** As we stated in #9, the area west of Telegraph should not be up-zoned without further study of historic resources and an allocation process for constructing new units.

Thank you for the Commission's consideration of these comments.

Sincerely,

**Southside Neighborhood Consortium:**

Joan Barnett, President, Dwight-Hillside Neighborhood Association  
George Beier, President, Willard Neighborhood Association  
Phil Bokovoy, President, Save Berkeley's Neighborhoods  
Lesley Emmington, President, Make UC a Good Neighbor  
Mike Kelly, President, Panoramic Hill Association  
Dean Metzger, Vice- President, Claremont-Elmwood Neighborhood Association  
Gianna Ranuzzi, President, Le Conte Neighborhood Association  
Andrew Johnson, Bateman Neighborhood Association  
Dean Metzger, President, Berkeley Neighborhoods Council  
David Shiver, Stuart Street/Willard

# SNC Proposed Alternative Overlay District





**Pearson, Alene**

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**From:** G. Michael Yovino-Young <myy@yovino.com>  
**Sent:** Tuesday, January 28, 2020 2:34 PM  
**To:** Pearson, Alene  
**Subject:** FW: 2740-44 Telegraph & 2348 Ward Street

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**From:** G. Michael Yovino-Young  
**Sent:** Tuesday, January 28, 2020 2:32 PM  
**Subject:** 2740-44 Telegraph & 2348 Ward Street

Alene Pearson, PC Secretary, City of Berkeley

My wife and I are the owners of 2716 Telegraph Avenue, 1.5 blocks from the referenced properties. The rezoning of portions of these properties long in commercial/residential uses is long overdue and conforming the zoning as C-1 will be consistent with the actual land uses that are next to the 2348 Ward Street medical building. We approve the change in zoning.

Michael Yovino-Young  
2716 Telegraph Avenue  
Berkeley, CA 94705  
Email: [myy@yovino.com](mailto:myy@yovino.com)

Jan. 29<sup>th</sup>, 2020

Dear Berkeley Planning Commission Members,

It has come to my attention on Feb 5<sup>th</sup> you will discuss potential recommendations for shaping Berkeley's new ADU ordinance. Although I am a member of the East Bay ADU Task Force we as a body have not yet addressed all the ways various cities are approaching the task of rewriting their ADU ordinances. But I wish to offer some insights what I believe are important considerations going forward.

All of us are aware we are in a housing crisis with social and economic roots many decades in the making that are revealing themselves at alarming speed with an explosion of our homeless population. We cannot and MUST NOT continue business as usual. Our State leadership has sent us this message loud and clear with a wave of housing legislation unparalleled in our lifetime. Their demand for immediate change of how we imagine our neighborhoods and affordability issues will continue.

Berkeley is in the urban core of the Greater Bay Area. Yet our City is still defined by a 100 year old zoning matrix more appropriate to Antioch, Hercules or Sonoma when we were once on the fringes of San Francisco. Now 100 years later the social zoning barriers erected as a form of sophisticated classism & racism are what we continue to promote.

If we do not navigate a path forward with enough speed to alleviate affordable housing options, bills like SB50 looming on the immediate horizon will. One of the most gentle paths to increase urban density is to embrace ADU options, promote their construction and learn from Portland, Seattle, Vancouver, Canada & Austin, Texas (*all about a decade ahead of us*) that this is a far more acceptable path than 5-8 story condos & apts.

What are some of the lessons learned from these pioneer cities? ADUs diversify our neighborhoods, slow down the forces of gentrification, allow our elderly to age in place, generate additional income, create more opportunities for multi generational compounds and create an average rent 20-30% lower than market rate high rise apts. we see in downtown Berkeley. Surprisingly their impact on parking & changing the character of a neighborhood are minimal. The existing infrastructure of our utilities does not require an extensive & expensive upgrade. The majority of their energy needs can be achieved through solar.

Within the new legislation the State has offered us unusual flexibility to motivate cities to build as many ADUs as possible.

The State Legislation on ADUs states:

**65852.2.**

*(g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.*

This gives us the opportunity to ask “**What CAN we do** to take advantage of this opportunity vs the standard Berkeley mindset of *what must we do to be in compliance?*” The cities mentioned above are leaders in the ADU movement to increase affordable neighborhood friendly housing because they have asked “What do our homeowners and builders need to encourage ADU construction?!” Allow me to suggest some ways to go beyond the legislation that is pro active vs reactive.

Additional ‘BY RIGHT’ considerations:

- 1- Provide enough maximum height to build two stories (between 19-21 ft like Portland or Seattle) so more open space may be available.
- 2- If the primary dwelling is smaller than 850 sq ft, allow this dwelling to be converted into the ADU provided there is enough space to build a similar or larger detached dwelling behind, or one underneath or above.
- 3- If a house can be lifted allow the ADU underneath to have the same foot print as the upper story.
- 4- Allow legal accessory structures & garages to also be converted into JADUs as well as internal JADUs in the main house within their existing footprint with the option to increase the footprint 150 sq ft for ingress/egress.
- 5- Allow for lot coverage’s to increase 10 -20% above existing limits for ADUs larger than 800 sq ft.

These measures among other creative ideas set a tone that insures State Leaders we can be proactive on our own to encourage integrated density growth, that we do not require additional legislative oversight. Because if our message is “We will do the bare minimum necessary” I can assure you more housing legislation will follow as this housing crisis is far from over.

Please ‘Cease the Day’ and move us forward in our thinking of what is possible.

Regards,

Rolf Bell  
East Bay ADU Task Force member  
Green Living Builders, LLC  
Berkeley resident  
rolf.bell12@gmail.com

**Lapira, Katrina**

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**From:** Harvey Smith [mailto:peoplesparkhxdist@gmail.com]  
**Sent:** Tuesday, January 28, 2020 4:06 PM  
**To:** Pearson, Alene <apearson@cityofberkeley.info>  
**Cc:** Robinson, Rigel <RRobinson@cityofberkeley.info>  
**Subject:** Proposed Southside Zoning Districts

January 28, 2020

To: City of Berkeley

Planning Commission,

Alene Pearson, Land Use Planning

sent via email

From: People's Park Historic District Advocacy Group

Harvey Smith, co-chair

Re: Proposed Southside Zoning Districts

Dear Members of the Planning Commission:

It has recently come to our attention that discussion is underway regarding newly proposed Southside Zoning Districts for a potential Southside EIR Project Description, prepared by the City of Berkeley Planning and Development Staff. In response, the recently formed People's Park Historic District Advocacy Group urges the Planning Commission to reconsider any ventures that might up-zone the People's Park block for future housing development. People's Park is not only a designated City of Berkeley Landmark and Public Open Space, but it is a site distinguished by exceptional surrounds and public view corridors of designated City, State, and National Landmarks.

It would seem hasty and, perhaps, detrimental to further up-zone the Southside at this time. It is relevant that the area has recently expanded with new population numbers and is, in fact, currently undergoing a period of remarkable new housing construction. Thus, in light of an already pending increased density, it would seem most relevant that the Planning Commission view People's Park as the valuable Public Open Space that it is.

It may be that the Planning Commission is not fully aware of "Measure L", adopted in 1986 by the citizens of Berkeley. In consideration of the Southside both today and in the future, Measure L guides the City toward a policy of maintenance and improvement of People's Park. Please note the guiding language:

ORDINANCE No. 5785-N.S.

THE BERKELEY PUBLIC PARKS AND OPEN SPACE PRESERVATION ORDINANCE: PROPOSAL FOR AN ORDINANCE TO REQUIRE THE BERKELEY CITY COUNCIL TO PRESERVE AND MAINTAIN THE PUBLIC PARKS AND OPEN SPACE WHICH EXIST IN BERKELEY, AS WELL AS TO ACQUIRE AND MAINTAIN PUBLIC PARKS AND OPEN SPACE IN THE CENSUS TRACTS AND NEIGHBORHOODS OF BERKELEY HAVING LESS THAN THE MINIMUM AMOUNT OF OPEN SPACE RELATIVE TO POPULATION (2 ACRES PER 1,000) IDENTIFIED IN THE BERKELEY MASTER PLAN OF 1977; AND TO REQUIRE THE CITY TO SUBMIT TO A POPULAR VOTE ALL PROPOSALS TO WITHDRAW FROM RECREATIONAL USE PUBLIC PARKS OR PUBLIC OPEN SPACE.

Indeed, while People's Park has suffered from many years of little or no positive "park" planning, as well as from a multitude of conditions reflecting the various social problems in the Southside, as well as in Berkeley and in California, such neglect should not prevent wholesome planning for the future of the area's "town and gown" community. Again, we urge the Planning Commission to not up-zone the historic People's Park block, but rather to engage in a vision entitled by ORDINANCE No. 5785-N.S., Measure L, providing for the planning of much needed recreational use and/or public open space in the Southside.

Sincerely,

Harvey Smith

Co-chair

cc: Rigel Robinson