FINDINGS OF FACT REGARDING ENVIRONMENTAL IMPACTS, MITIGATION MEASURES, ALTERNATIVES AND OVERRIDING CONSIDERATIONS FOR THE BERKELEY WEST BRANCH LIBRARY PROJECT

INTRODUCTION: The Berkeley Branch Libraries Program ("Program"), as analyzed by the EIR, has three components: a Zoning Ordinance Amendment (ZOA) to allow flexibility in the application of development standards at the City’s five existing public libraries, and proposed demolition and replacement of two of those libraries, the South Branch Library and West Branch Library. The subject of these findings is the West Branch Library Project ("Project").

PROJECT DESCRIPTION: The Project involves demolition of the existing library and construction of a new library at the same location. The new library would be a two-story building with a total floor area of 9,400 gross square feet and a building footprint of 8,900 square feet. The entire library program would be accommodated on the ground floor, and a 500-square-foot mechanical room would be located on the second floor. Approximately 6,500 square feet of the building would be publicly accessible and would therefore count toward the Project’s off-street parking requirement. The Project would not involve any substantial expansion of the book collection, or existing services or programs, except that the new multi-purpose room could accommodate larger meetings than the existing meeting room. The building would have a "zero net energy" design, including roof-mounted photovoltaic panels, to reduce energy usage and greenhouse gas emissions. The stone medallion noted in the LPC’s Structure of Merit designation would be preserved and mounted on the façade to the west of the main entrance. All other features in the Structure of Merit designation would be demolished.

These findings and the Mitigation Monitoring Program ("MMP", attached as Exhibit B) address only the impacts of the West Branch Library Project.

THE FINAL EIR: The Final Environmental Impact Report ("Final EIR") consists of the Draft EIR, the Response to Comments document, and Appendices.

FINDINGS AND STATEMENT OF FACTS SUPPORTING FINDINGS

The Final Environmental Impact Report ("FEIR") for the Program, prepared in compliance with the California Environmental Quality Act (CEQA), evaluates the potentially significant and significant adverse environmental impacts that could result from the Program.

Pursuant to Title 14 of the California Code of Regulations ("CEQA Guidelines") Section 15091, the City is required to make certain findings with respect to these impacts. The required findings appear in the following sections of this document. These Findings of Fact Regarding Environmental Impacts, Mitigation Measures, Alternatives and Overriding Considerations for the Berkeley West Branch Library Project ("Findings") list all identified potentially significant and significant impacts of the Project, as well as mitigation measures for those impacts where feasible. All mitigation measures will be enforced through the MMP, which will be adopted by the City prior to its approval of the Project. Where an impact has been identified that cannot be mitigated to a less-than-significant level, the City of Berkeley ("City") nevertheless finds this impact acceptable based on a determination that the benefits
of the Project (listed in these Findings and in the Statement of Overriding Considerations) outweigh the risks of the potential significant environmental effects of the Project.

I. ISSUES WITH NO IMPACT OR LESS THAN SIGNIFICANT IMPACTS

On September 7, 2010, the City released an Initial Study (IS) for the Project. The IS determined, based on the nature of the Project and on certain standard conditions of approval that the City applies to similar Projects, that the Project would cause either no impact, or a less-than-significant impact, for the following issues:

- Aesthetics
- Agriculture and Forest Resources
- Air Quality
- Biological Resources
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities and Service Systems

Pursuant to CEQA, because of the Project’s potential significant impacts on cultural resources, the City decided to prepare an Environmental Impact Report (EIR). Prior to completion of the Draft EIR, the City decided that the EIR would also address geology and soils, because of potential seismic issues with Project alternatives that would preserve the existing library, and greenhouse gases, because this topic appeared to be of considerable public interest as it related to the greenhouse gas benefits of preservation.

II. SIGNIFICANT OR POTENTIALLY SIGNIFICANT IMPACTS WHICH CAN BE AVOIDED OR MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The EIR identified no Significant or Potentially Significant Impacts which can be avoided, or mitigated to a less-than-significant level. All Significant Impacts identified in the EIR were found to be unavoidable; see following section for further discussion.

III. SIGNIFICANT UNAVOIDABLE IMPACT

The Landmarks Preservation Commission (“LPC”) finds that the Project would result in the following significant unavoidable environmental impact. The following mitigation measures are available, but would not mitigate the impact to a level of insignificance.

**Impact CULTURAL-West-1:** The proposed Project would demolish the existing West Branch Library, which is a qualified historic resource. The demolition would materially alter in
an adverse manner those physical characteristics of the historic resource that convey its historical significance. Mitigation Measure-West-1a and Mitigation Measure-West-1b are proposed, but even with these mitigation measures implemented, the impact would still be significant.

**Mitigation Measure CULTURAL-West-1a:** The Project sponsors shall undertake a salvage program to save and promote reuse of the building’s historically significant materials and features to the extent reasonably feasible, namely the Classical decorative elements called out in the Structure of Merit designation: the cornice, original wood framed windows, original arched entry with semi-circular window, engaged columns, ornamental medallion, and remaining incised lettering. Salvage allows for the removal of individual architectural elements for potential reuse. Salvaged elements could be reused at the Project site or another Project, or be given to an architectural salvage company. Salvage has the added benefit of landfill and waste diversion.

**Mitigation Measure CULTURAL-West-1b:** The Project sponsors shall fund a permanent exhibition and interpretative program on the development of the West Berkeley Branch Library. The Berkeley West Branch Library is one of four branch libraries in the city, and the history of public library development in Berkeley should be shared with the public through a permanent exhibition and interpretative program. Components of this mitigation program could include a kiosk containing historic photographs and plans, as well as a signage program and gallery located preferably at one of the Branch Libraries, or if not, at the Main Library. An accompanying report shall be made available at a local public institution such as the Berkeley Public Library and the California State Library. The Project sponsor shall document the affected historical resource and its setting. Generally, this documentation shall be in accordance with HABS Level II, which includes:

- Drawings: select existing drawings, where available; should be photographed with large-format negatives or photographically reproduced on Mylar.
- Photographs: photographs with large-format negatives of exterior and interior views, or historic views, where available.
- Written data: history and description in narrative or outline format.

HABS material standards regarding reproducibility, durability, and size shall be met. Copies of the photographs and report shall be presented to repositories such as those listed above, which are invested in archiving the history of Berkeley, municipal libraries, etc.

**Finding:** The LPC hereby finds that it is infeasible to mitigate this impact to a less-than-significant level based on the facts described below.

**Facts in Support of Finding:** The Project would demolish the existing West Branch Library. Although the mitigation measures would preserve a record of the buildings’ existence, the actual building would be destroyed. Alternatives that were considered to determine whether they could reduce or avoid the significant unavoidable impact are discussed below. As determined below, no alternatives other than “No Project” would avoid or mitigate this impact to a less-than-significant level.
III. EVALUATION OF ALTERNATIVES

Pursuant to CEQA Guidelines Section 15091(a)(3), regarding alternatives to the Project that would reduce or avoid significant effects identified in the EIR, the LPC finds as follows.

The EIR evaluated four alternatives to the Project: No Project, Existing Library Renovation, Partial Preservation 1 and Partial Preservation 2.

Comparison of Impacts: A comparison of the relative impacts of each of the alternatives with those of the Project is shown in Table 1, below.

**TABLE 1: COMPARISON OF RELATIVE ENVIRONMENTAL IMPACTS OF ALTERNATIVES TO THE WEST BRANCH LIBRARY PROJECT**

<table>
<thead>
<tr>
<th>IMPACT CATEGORY</th>
<th>NO PROJECT ALTERNATIVE</th>
<th>EXISTING LIBRARY RENOVATION ALTERNATIVE</th>
<th>PARTIAL PRESERVATION ALTERNATIVE 1</th>
<th>PARTIAL PRESERVATION ALTERNATIVE 2</th>
<th>PROPOSED PROJECT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultural Resources</td>
<td>No Impact</td>
<td>SU</td>
<td>SU</td>
<td>SU</td>
<td>SU</td>
</tr>
<tr>
<td>Geology and Soils</td>
<td>LTS but greater than Project</td>
<td>LTS</td>
<td>LTS</td>
<td>LTS</td>
<td>LTS</td>
</tr>
<tr>
<td>Greenhouse Gases</td>
<td>LTS but greater than Project</td>
<td>LTS but greater than Project</td>
<td>LTS but greater than Project</td>
<td>LTS but greater than Project</td>
<td>LTS</td>
</tr>
</tbody>
</table>

Notes: LTS = less than significant impact; SU = significant and unavoidable impact

As discussed in detail in the Draft EIR, the No Project Alternative was found to be the environmentally superior alternative. CEQA Guidelines require that where the “No Project” alternative is “environmentally superior,” the next most environmentally superior alternative must be identified. This would be the Project, because it would have lower greenhouse gas (GHG) emissions than any of the alternatives due to its zero net energy design, even after accounting for reduced GHG emissions by preserving the embodied energy of the existing building.

Furthermore, the Existing Library Renovation Alternative and the two Partial Preservation Alternatives would also have a significant unavoidable impact on the historical resource because they would require extensive seismic strengthening that would materially alter in an adverse manner some of the physical characteristics that convey the building’s historical significance. The Existing Library Renovation Alternative may require filling in portions of the east and west windows of the 1923 portion of the building, or adding internal brace frames in front of these windows.

Seismic work for the Partial Preservation Alternatives would require removal of all interior plaster and other original materials 1923 portion of the building in order to install structural plywood on the interior surface of the exterior walls. They would also require removal of the 1923 foundation in order to relocate the 1923 portion of the building toward the front of the
site. According to the Historic Resource Technical Report Addendum prepared by Page & Turnbull and included as an appendix to the Response to Comments document, “the collective effect of the removal of original material adversely impacts the historic character and integrity of the building” and prevents it from complying with Rehabilitation Standard #5 of the Secretary of the Interior’s Standards for the Treatment of Historic Properties.¹

The Page & Turnbull report also points out that due to relocation of the 1923 building in the Partial Preservation Alternatives, “spaces and spatial relationships that characterize the property will be altered … thus changing the building’s relationship to the street and adjacent properties.” Furthermore, the report states that permanent sealing of the original entrance (as in Partial Preservation Alternative 1) “will preclude the future function of the building from providing the public with the original circulatory experience of entering the reading room from the historic primary façade.” Finally, due to the two-story addition that would be constructed to the rear of the 1923 building, the report states that “the massing of the building as a whole will change,” and this, combined with the removal of portions of the 1923 building and its relocation, “will destroy historic features and spatial relationships.”

**Feasibility of Alternatives:** The Existing Library Renovation Alternative is not feasible for several reasons. First, it would require a reduction in program space in order to provide larger restrooms, wider hallways, and other improvements necessary to meet accessibility requirements for persons with disabilities. The alternative therefore does not meet the Project objectives of providing increased space in order to effectively house library programs, and meeting the need for improved collection storage and more seating. Furthermore, due to the design constraints posed by the existing building plan, this alternative also does not meet the Project objectives regarding civic presence, effective sightlines, and best practices for library design.

The two Partial Preservation Alternatives are also not feasible. First, these alternatives would be about $600,000 over budget. Second, they would not meet the Project objectives regarding effective sightlines and best practices for library design, due to the need to have the literacy program on the second floor, which would require additional staff to effectively monitor the second floor, as opposed to having the program on the first floor where it could be monitored by existing staff in adjacent program areas. Partial Preservation Alternative 2 would also not meet the objective regarding protection of reading spaces from traffic noise, due to its placement of the adult reading room immediately adjacent to the entry on University Avenue, but without a second pair of doors to provide noise insulation. Finally, none of the alternatives would produce a library with a zero net energy rating, and would therefore use more energy to operate, and result in more greenhouse gas emissions, even after accounting for emissions saved by reusing existing building materials.

¹ Although the Page & Turnbull report was written to analyze a Partial Preservation Alternative submitted by Todd Jersey Architects, much of the analysis in the Page & Turnbull report, including that cited in these findings, is also applicable to the two Partial Preservation Alternatives analyzed in the EIR, since they have essentially the same design concept as the Todd Jersey alternative. The Page & Turnbull report also concludes that the Todd Jersey alternative would not comply with Rehabilitation Standards 2, 9 and 10, and may not comply with Standard 3, depending on whether the addition will be adequately distinguished from the 1923 structure in terms of architectural style, materials, and connections.
IV. Statement of Overriding Considerations

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines sections 15091 et seq. the LPC adopts and makes the following statement of overriding considerations regarding the remaining unavoidable impacts of the Project and the anticipated economic, social, and other benefits of the Project.

After extensive review of the entire administrative record, including the Draft and Final EIR, the staff reports, and the oral and written testimony, and the evidence provided, the LPC concludes that the remaining unavoidable impacts are acceptable in light of the following benefits of the Project.

Based on the evidence before it, the LPC finds that the benefits of the Project, as set forth below, outweigh its significant adverse environmental impacts and constitute an overriding consideration warranting its approval. The LPC further finds that each of the overriding considerations set forth below constitutes a separate and independent ground for this finding.

In 2008 the voters overwhelmingly approved (by a greater than 2/3 vote) Measure FF, to restore and rebuild the Berkeley Public Library branches, including the West Branch. Measure FF thus represents a clear statement of the public interest of Berkeley voters, as expressed by the voters. The LPC concurs.

The Measure FF program is an opportunity to bring the West Branch Library up to current code, and construct a modern state-of-the-art library that is comfortable, energy efficient and responsive to library users. Numerous speakers have testified during the public hearing process as to the value of enhancing and modernizing the West Branch Library, and the LPC adopts these comments as expressing the overriding benefits of the Measure FF program, and the Project.