



Z O N I N G A D J U S T M E N T S B O A R D S T A F F R E P O R T

FOR BOARD DISCUSSION
NOVEMBER 8, 2017

600 ADDISON STREET

Project Preview and Draft EIR Scoping Session for Master Use Permit #ZP2015-0238 to demolish buildings and structures on an industrial site of approximately 8.67 acres, and to construct a research and development campus containing several multiple-story buildings totaling 475,000 square feet of gross floor area and including 830 on-site parking spaces.

I. Application Basics

A. Land Use Designations:

- General Plan: Manufacturing
- West Berkeley Plan: Mixed Use-Light Industrial (MU-LI)
- Zoning: Mixed Use-Light Industrial (MU-LI)

B. Zoning Permits Required:

- Use Permit, per BMC Section 23C.08.050, to allow demolition of existing non-residential buildings
- Master Use Permit, per BMC Section 23B.36.050, to allow redevelopment of a site with more than one independently operating business
- Use Permit, per BMC Section 23E.80.030, to establish office uses in the MU-LI district
- Use Permit, per BMC Section 23E.80.030, to establish research and development uses in the MU-LI district
- Use Permit, per BMC Section 23E.80.045, to remove more than 25 percent of the existing warehouse space on the property in the MU-LI district
- Use Permit, per BMC Section 23E.04.020, to allow rooftop equipment projections

C. CEQA Determination: An Environmental Impact Report (EIR) is being prepared.

D. Parties Involved:

- Applicant/Architect Joe DeCredico of Joe DeCredico Studio, 800 Bancroft Way, Suite 203, Berkeley, CA 94710
- Property Owner Jason Jones, Aquatic Park Science Center II, LLC, PO Box 183, Corte Madera, CA 94976

E. Application Materials, Staff Reports and Correspondence are available on the Internet:

https://www.cityofberkeley.info/Planning_and_Development/Zoning_Adjustment_Board/600_Addison.aspx

Figure 1: Conceptual Site Plan for Proposed Development Scheme 1

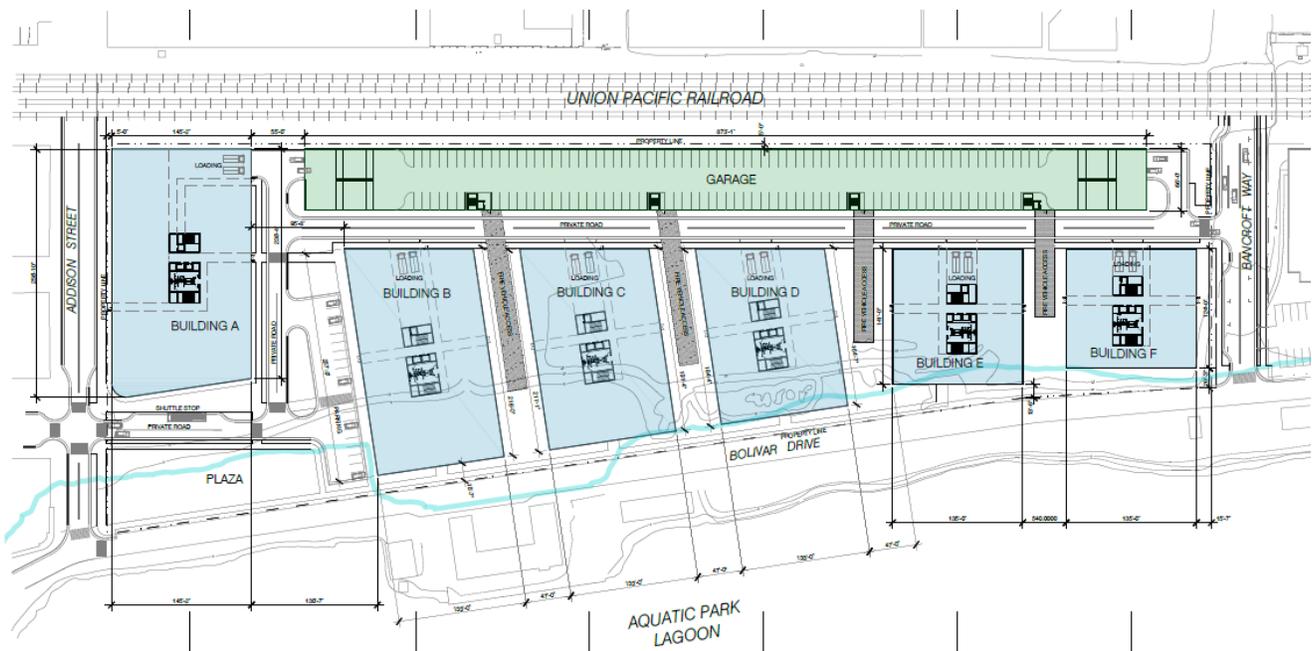


Figure 2: Conceptual Site Plan for Proposed Development Scheme 2

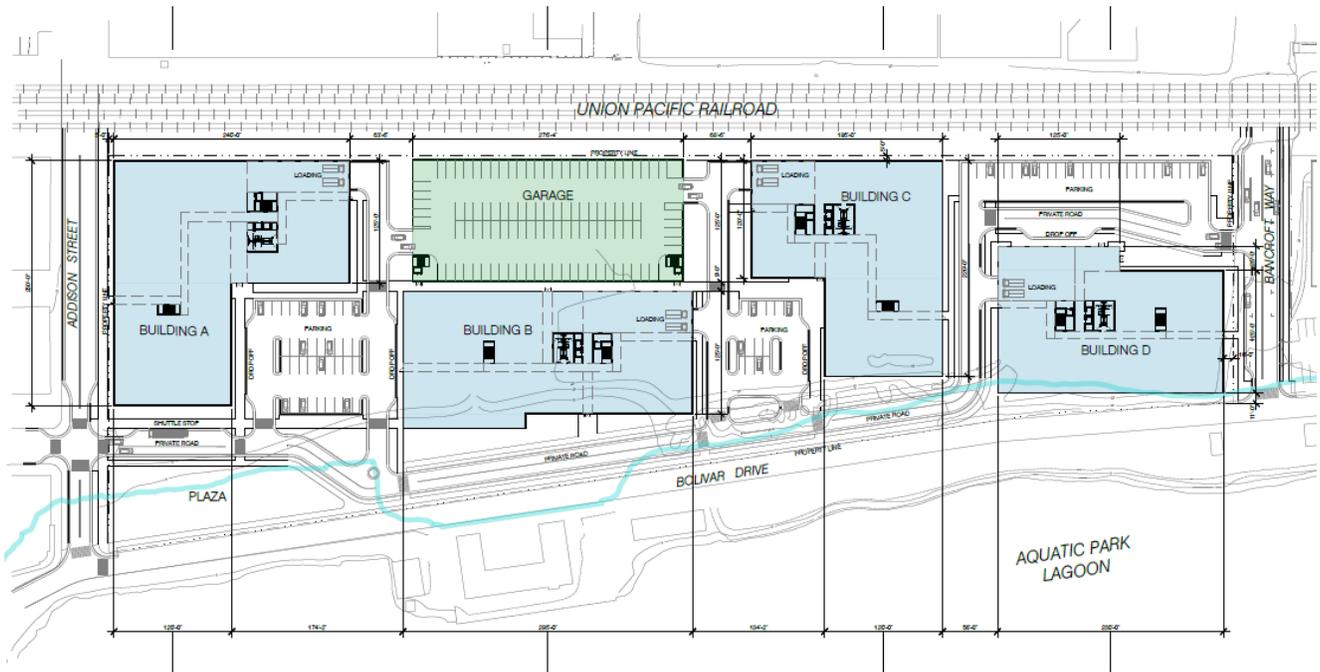


Table 1: Land Use Information

Location		Existing Use	Zoning District	General Plan Designation
Subject Property		Warehouse, light manufacturing, research and development, and soil storage	MU-LI	Manufacturing
Surrounding Properties	North	Commercial and mixed-use residential	C-W	Avenue Commercial
	South	Manufacturing and research and development	MU-LI	Manufacturing
	East	UPRR rail corridor and light industrial/ manufacturing/ warehouse	MU-LI	Manufacturing
	West	Aquatic Park	U	Open Space

Table 2: Special Characteristics

Characteristic	Applies to Project?	Explanation
Creeks	No	The site is not near a mapped creek or a creek culvert. Aquatic Park is located less than 100 feet from the western property line
Historic Resources	No	A historic resources evaluation of the property (Preservation Architecture, February 15, 2017) concluded that the existing buildings do not meet the criteria for the California Register or a City of Berkeley Landmark. The demolition was referred to Landmarks Preservation Commission on November 3, 2017, and the Commission declined to initiate landmark proceedings.
Oak Trees	Yes	One protected coast live oak tree is located at the southeast corner of the property.
Seismic Hazards (SHMA)	Yes	The project site is located in a seismic hazard zone mapped for liquefaction activity. A geotechnical review, in accordance with the SHMA, will occur prior to final action on this MUP request.

Characteristic	Applies to Project?	Explanation
Soil/Groundwater Contamination	Yes	The site is located in an Environmental Management Area. Previous environmental investigations and soil and groundwater testing have occurred at the site and remediation activities have been overseen by the City's Toxics Management Division and the State Regional Water Board. The project would be required to prepare a Soils and Groundwater Management Plan and conduct further testing to determine the extent to which contaminated soils and groundwater could contribute to vapor intrusion.

Table 3: Project Chronology

Date	Action
November 12, 2015	Application submitted
January 12, 2016	Application deemed incomplete
March 3 and July 1, 2016	Partial application resubmitted
November 30, 2016	Application deemed incomplete
January 5, 2017	LPC Demo Referral Meeting
April 11, 2017	Partial application resubmitted
May 9, 2017	Application deemed incomplete (and remains incomplete)
October 24, 2017	Notice of Preparation of an Environmental Impact Report
October 24 - November 22, 2017	NOP Public Comment Period
November 8, 2017	ZAB Preview
November 16, 2016	DRC Preview

Table 4: Summary of Development Standards

Standard		Existing	Proposed (Approx.)	Permitted/ Required
BMC Sections 23E.80.070-080 (MU-LI)				
Lot Area (sq. ft.)		366,932	No change	Not regulated
Gross Floor Area (sq. ft.)		53,000	475,000	
Floor Area Ratio		0.1	1.3	2
Building Height	Maximum (ft.)	30	45	45
	Stories	1	3-4	Not regulated
Building Setbacks (ft.)	North (Addison)	<i>See Attachment 5</i>		
	South (Bancroft)			
	East (UPRR)			
	West (Bolivar)			
Parking/ Loading	Automobile	130	830	2:1,000 square feet
	Bicycles	Not applicable	240	1:2,000 square feet
	Loading	Multiple	8-12	1:10,000 initial square feet and 1:25,000 square feet for additional

II. Site/Project Description

The approximately 8.67-acre Project site is bounded by Addison Street to the north, the Union Pacific Railroad (UPRR) tracks to the east, Bancroft Way to the south, and Bolivar Drive and Aquatic Park to the west. Regional vehicular access to the Project site is provided by Interstate 80 (I-80) and I-580, access to which is provided approximately one block north via the University Avenue overpass.

The generally rectangular Project site is comprised of a single parcel of land, with elevations that range between 5 and 25 feet above sea level. The topography of the site generally slopes upwards from west to east with gentle slopes occurring over most of the site and a more moderate slope at the southern portion of the site. The majority of the site is elevated between approximately 10 and 15 feet above Bolivar Drive. The site is developed with three buildings totaling approximately 55,000 square feet, an outdoor soil/mulch stockpiling and transfer facility, and associated surface parking, utility infrastructure, and landscaping.

The Project applicant is requesting approval of a Master Use Permit to allow redevelopment of the Project site with a total of up to 475,000 gross square feet of research and development and office uses with associated parking, circulation, utility, and landscaping improvements. Approximately 50 percent of the total research and development space would be occupied by office space with the remaining 50 percent occupied by laboratory space. In addition, the Project is requesting the removal of an estimated 8,000 to 19,000 square feet of protected warehouse space. Two potential development schemes (referred to as Scheme 1 and Scheme 2) are currently proposed, with a varied number of buildings and parking and circulation improvements.

Scheme 1 would result in the development of seven individual buildings on the site. Six of the buildings would include three levels of office/laboratory space, for a total of approximately 469,932 gross square feet. Buildings would be located on the Addison Street and Bolivar Drive street frontages and oriented to internal driveways and pedestrian pathways. The seventh building would include a four-level approximately 55,789-square-foot parking garage located adjacent to the UPRR corridor, and would be accessible via Bancroft Way and Addison Street.

Scheme 2 would result in the development of five individual buildings on the site. Four of the buildings would include three levels of office/laboratory space, for a total of approximately 453,075 gross square feet as shown in Figure III-9 of Attachment 1, the Initial Study. Buildings would be located on the Addison Street and Bolivar Drive street frontages and oriented to internal driveways and pedestrian pathways. Multiple access and lobby entry points would create a campus-like environment. The fifth building would include a six-level approximately 34,544-sq. ft. parking structure adjacent to the UPRR corridor, between buildings A, B, and C, and would be accessible via Bancroft Way and Addison Street.

It is estimated that the proposed uses would generate approximately 1,894 new full time employees on the site. A total of 830 parking spaces and 240 bicycle parking spaces would be provided throughout the site in both Scheme 1 and 2.

The proposed Project intends to utilize the Master Use Permit process. The Master Use Permit may be used by for a site which is entirely or partially contained in, among others, a MUI district, and which, at full occupancy, will be occupied by three (3) or more independently operating businesses. According to Berkeley Municipal Code (BMC) Section 23B.36, the purpose of a Master use Permit is to facilitate the implementation of area plans; facilitate the speedy reuse of large and multi-user sites which might otherwise prove difficult to reuse; facilitate the development and reuse of large, multi-user sites as integrated units, designed to produce an environment of stable and desirable character which will benefit the occupants, the neighborhood, and the City as a whole; allow the review and analysis of impacts of multi-tenant projects in a coordinated, consolidated manner; and improve Berkeley's competitiveness in attracting and retaining businesses by allowing businesses to move onto a site quickly once overall development requirements have been established. The Project site is in the MUI district and, at full occupancy, could be occupied by three or more independently operating businesses.

Architectural and design-level details have not been developed at this time. As part of the Master Use Permit, future development of the site would occur according to design standards set forth by the Project's proposed Development Standards and Design Guidelines. The proposed Development Standards and Guidelines include standards and guidelines related to: site circulation, building architecture, landscaping, streetscapes, lighting, and signage.

For more Project information, please see the attached Notice of Preparation (NOP) and Applicant Statement, and Initial Study, provided as a web link.

III. Master Use Permit Preview

Master Use Permits (MUP) are regulated under BMC Section 23B.36 and provide for the establishment of uses and developments on large parcels located in non-residential zones. The regulations therein are applied jointly with the regulations of the specific zoning district in order to grant flexibility in the delineation of the tenancies (e.g.: area measured in sq. ft.) that house uses and business that occupy the site. The West Berkeley Plan (1993) describes a MUP as the regulatory middle ground between a Use Permit and a Development Agreement (page 56). According to the *Purposes of Master Use Permits* (BMC Section 23B.36.020), MUPs are intended to implement the speedy reuse of large, multi-user sites while allowing for the coordinated review of potential impacts.

The only known MUP was granted in 1994 for the Temescal Business Center at 2850 Seventh Street, and it regulates the use of a mixed commercial-and-light industrial development on a large site of approximately 309,000 sq. ft. where no new development was proposed. No MUP has been granted since the current ordinance was adopted in 1999, so the City has no precedent for these entitlements. Therefore, staff has outlined at least four topics for the Board's consideration and preview of this MUP proposal:

Multiple development proposal schemes. The applicant presents two development schemes for the City's consideration. Both scenarios would meet the MU-LI zoning

district provisions for development, but each may have its own specific merits and favorable aspects. Therefore, the Board should comment on these schemes separately as well as comparatively in the preview discussion.

Appropriate mitigation for loss of protected warehousing space. In order to approve this MUP in the MU-LI zoning district, BMC Section 23E.80.090.D requires the Board to find that the proposed loss of protected warehouse space is the result of one of two permissible circumstances (either relocation to a space of comparable quality and rent level, or financial infeasibility of maintenance), and that the loss has been mitigated in one of three ways:

- Provision of an equal amount of space elsewhere in Berkeley;
- Payment into the West Berkeley Building Acquisition Fund¹; or
- Other appropriate means.

Currently, the application does not demonstrated conformance with the requirements of these findings, nor has the applicant stated a proposed method for mitigating the potential loss. At this time, the applicant estimates that approximately 8,000 sq. ft. of protected warehousing space will be affected by this proposal, while staff puts the estimate at approximately 19,000 sq. ft. (which includes the building at 600 Addison where wholesale warehousing appears to be the legal use). Notwithstanding the discrepancy in the amount of affected warehousing space, the Board should comment on the preferred means for mitigation.

Design guidelines in lieu of building elevations. The applicant proposes to complete the Preliminary Design Review process by obtaining a favorable recommendation from the Design Review Committee (DRC) on a set of project-specific design guidelines that would inform the architectural design of the proposed buildings during the Final Design Review process; see Attachment 4 of this report. This means the MUP entitlement would include the proposed site plans and building profiles only (as represented by the two proposed schemes), and would not include an approval of building elevations. The DRC will preview and comment on the proposed design guidelines at their meeting on November 16, 2017.

Tonight, the Board should consider the applicant's request for guidelines in lieu of building elevations as well as the content of the guidelines, and then provide comments for the applicant.

Potential phased development. At this time, it is unclear if the project applicant would build out the site in a single phase of construction, or over multiple phases. And there is limited information in the MUP application about the intended execution of this ambitious project. Given the large size of the parcel and scale of the proposed project, it is likely that phasing would be a practical consideration. If this project were to receive a favorable recommendation as a MUP, then such phasing should be precisely defined in order to avoid stalled development, prolonged periods of construction or indefinite gaps

¹ City staff has not yet determined whether payment into the West Berkeley Building Acquisition Fund has been successfully applied as a mitigation under this section of the BMC, therefore the Board is encouraged to consider this possible mitigation along with others to ensure that multiple mitigation options are identified for this project.

between phases. Because the intent of the MUP ordinance is to incentivize the expeditious reuse of parcels in exchange for flexibility within the entitlement, this issue should be directly addressed in the review process.

IV. Environmental Review

An Initial Study was prepared in accordance with the California Environmental Qualities Act (CEQA), and circulated with the NOP. The Initial Study determined that impacts related to agricultural and forestry resources, air quality, biological resources, cultural resources (historic and paleontological), geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, parks and recreation, population and housing, public services, and utilities and service systems would be less than significant with implementation of City standard conditions of approval or recommended mitigation measures.

On the basis of the Initial Study, an Environmental Impact Report (EIR) is being prepared for this Project. This is due to the fact that the Project would result in subsurface demolition, grading, and construction activities on a site that is in close proximity to the West Berkeley Shellmound and other known archaeological resources. In addition, the Project site is located immediately adjacent to the Union Pacific Railroad tracks and near the Interstate 80 freeway, and the addition of project traffic could affect existing traffic and circulation patterns in the vicinity of the site. Based on site-specific characteristics and preliminary analysis, the Project's significant impacts are expected to be limited to archaeological and tribal cultural resources and transportation and traffic.

This scoping session is being conducted pursuant to the CEQA Guidelines, Section 15083 (Early Public Consultation), which states:

“Prior to completing the Draft EIR, the lead agency may also consult directly with any person or organization it believes will be concerned with the environmental effects of the proposed project...Scoping has been helpful to agencies in identifying the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in an EIR and in eliminating from detailed study issues found not to be important.”

As discussed above, the purpose of this scoping session is to solicit input from the ZAB and other interested community members as to what topics the EIR should address. This input will be considered as the Draft EIR is prepared. The scoping session is also an opportunity for the ZAB to learn more about the Project itself and the EIR process. Anticipated dates for key milestones in the EIR process are as depicted in Table 5, below.

Table 5: Key Milestones in the EIR Process

Task/Event	Date
Notice of Preparation (NOP) and Initial Study (IS) published	October 24, 2017
ZAB Draft EIR Scoping Session	November 8, 2017
DRC Project Preview	November 16, 2017
End of 30-day NOP comment	November 22, 2017
Publication of Draft EIR and Notice of Availability	<i>Early 2018</i>
DRC Preliminary Design Review	<i>Late Winter/Spring 2018</i>
ZAB Draft EIR Comment Session	<i>Late Winter/Spring 2018</i>
Close of Draft EIR comment period	<i>Spring 2018</i>
Publication of Response to Comments on Draft EIR	<i>Summer 2018</i>
ZAB hearing on EIR certification	<i>Fall 2018</i>
ZAB hearing Master Use Permit	<i>Fall 2018</i>

(Note: Dates in *italics* are tentative)

V. Recommendation

Staff recommends that the Zoning Adjustments Board provide advisory comments regarding the proposed project and comments on the scope of the EIR. The ZAB may make a motion reflecting the comments of the ZAB as a whole, and/or individual ZAB members may offer comments. All comments will be recorded and considered during the preparation of the EIR.

Attachments and web links:

1. Notice of Preparation of an EIR, and *Initial Study* (provided via web link):
https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_ZAB/2017-10-24_Intial%20Study_Addison600.pdf
2. Applicant Statement; received July 6, 2017
3. Project Plans; received April 11, 2017
4. Draft of proposed Design Guidelines; received May 1, 2017
5. Tables: MU-LI Development Standards; received April 11, 2017

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