

The Regents of the University of California

COMMITTEE ON GROUNDS AND BUILDINGS

September 13, 2000

The Committee on Grounds and Buildings met on the above date UCSF- Laurel Heights, San Francisco.

Members present: Regents Atkinson, Connerly, Davies, Fong, Hopkinson, S. Johnson, Khachigian, Kohn, and Kozberg; Advisory members Morrison and Seymour

In attendance: Regents Bagley, Leach, Lee, Montoya, Preuss, and Sayles, Regent-designate T. Davis, Faculty Representatives Cowan and Viswanathan, Secretary Trivette, General Counsel Holst, Provost King, Senior Vice Presidents Darling and Mullinix, Vice Presidents Broome, Drake, Gomes, Gurtner, Hershman, and Saragoza, Chancellors Berdahl, Bishop, Carnesale, Cicerone, Dynes, Greenwood, Orbach, Tomlinson-Keasey, Vanderhoef, and Yang, and Recording Secretary Bryan

The meeting convened at 9:30 a.m. with Committee Chair Kozberg presiding.

1. **APPROVAL OF THE MINUTES OF THE MEETINGS OF MAY 17 AND JULY 19, 2000**

Upon motion duly made and seconded, the minutes of the meetings of May 17 and July 19, 2000 were approved.

2. **CONSENT AGENDA**

A. ***Approval of Negative Declaration and Approval of Design, Campus Surge Building, Riverside Campus***

The President recommended that, upon review and consideration of the environmental consequences of the project as indicated in the Initial Study/Mitigated Negative Declaration, the Committee:

- (1) Approve the Initial Study/Mitigated Negative Declaration.
- (2) Adopt the Findings and Mitigation Monitoring Program.
- (3) Approve the design of the Campus Surge Building, Riverside campus.

[The Initial Study/Mitigated Negative Declaration, Findings, and Mitigation Monitoring Program were mailed to all Regents in advance of the meeting, and copies are on file in the Office of the Secretary.]

B. *Approval of Negative Declaration and Approval of Design, Cancer Center Facility, San Diego Campus*

The President recommended that, upon review and consideration of the environmental consequences of the project as indicated in the Tiered Initial Study/Mitigated Negative Declaration, the Committee:

- (1) Approve the Tiered Initial Study/Mitigated Negative Declaration.
- (2) Adopt the Findings and Mitigation Monitoring Program.
- (3) Approve the design of the Cancer Center Facility, San Diego campus.

[The Tiered Initial Study/Mitigated Negative Declaration, Findings, and Mitigation Monitoring Program were mailed to all Regents in advance of the meeting, and copies are on file in the Office of the Secretary.]

Upon motion duly made and seconded, the Committee approved the President's recommendations and voted to present them to the Board.

3. **CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT, AMENDMENT OF LONG RANGE DEVELOPMENT PLAN, AND APPROVAL OF DESIGN, SEISMIC REPLACEMENT BUILDING 1 AND OXFORD TRACT PARKING FACILITY, BERKELEY CAMPUS**

The President recommended that, upon review and consideration of the environmental consequences of the project as indicated in the Final Environmental Impact report, the Committee recommend:

- A. Certification of the Environmental Impact Report.
- B. Adoption of the Findings, Statement of Overriding Considerations, and Mitigation Monitoring Program.
- C. Amendment of the 1990 University of California Berkeley Long Range Development Plan to provide for parking at the site of the Seismic Replacement Building 1 at Oxford and Hearst Streets, in place of parking expansion proposed in the LRDP at the University Hall parking structure.
- D. Approval of the design of the Seismic Replacement Building 1 and the design of the Oxford Tract Parking Facility, Berkeley campus.

[The Environmental Impact Report, Findings, Statement of Overriding Considerations, and Mitigation Monitoring Program were mailed to all Regents in advance of the meeting, and copies are on file in the Office of the Secretary.]

It was recalled that in September 1998, The Regents approved inclusion of the Seismic Replacement Building 1, Berkeley campus, in the 1999-2004 Budget for Capital Improvements and the 1999-2000 Capital Improvements Program. With the campus SAFER (Seismic Action Plan for Facilities Enhancement and Renewal) program, and the proximity to the Hayward fault, the campus has determined that it should design and construct buildings that will be functional immediately after a major earthquake. Several alternative strengthening schemes were evaluated, and a cost/benefit analysis was conducted. The campus decided to supplement the project budget in order to design and construct the building to achieve a higher level of seismic performance. The project will be funded by State funds (\$17,748,000) and campus discretionary funds (\$1,000,000).

In addition, the Capital Improvement Program Amendment for the Oxford Tract Parking Facility was administratively approved by the President in August 2000 at a total project cost of \$7,145,000. The project cost will be funded from external financing (\$3,000,000) and the Berkeley campus' Parking Net Revenue Fund (\$4,145,000). Repayment of the external financing will be from the Berkeley campus' Parking System annual net revenues.

The Seismic Replacement Building 1 project consists of a three-story office building of 47,619 assignable square feet within 78,615 gross square feet adjacent to the central campus at the Oxford Tract. The building will be used as "surge" space to accommodate academic and administrative programs that must relocate due to seismic retrofit construction in other buildings as part of SAFER. The project is intended to replace two buildings on the Berkeley campus: 2223 Fulton Street and the Warren Hall Tower. Both buildings are rated seismically "poor."

The Oxford Tract Parking Facility project will construct a two-level, below-grade parking structure of 64,580 gross square feet, providing 170 automobile stalls, 12 motorcycle stalls, and 10 bicycle spaces. The parking structure will be located beneath Seismic Replacement Building 1.

Regental policy states that "underground parking shall be constructed only in unusual circumstances requiring such parking, and in those cases shall be specifically approved." The campus has determined that construction of below-grade parking beneath Seismic Replacement Building 1 is the best alternative due to the scarcity of available sites for surface parking in the vicinity of the campus, to provide parking to serve the building occupants, and to replace surface parking lost to construction at the project site.

In April 2000, the appointment of Heller-Manus Architects of San Francisco as executive design professional was administratively approved within the Office of the President.

Project Site

The project site for Seismic Replacement Building 1 is at the southern edge of the Oxford Tract, diagonally across from the northwest corner of the central campus. The site is bounded by Hearst Avenue on the south, Oxford Street on the east, and Walnut Street on the west. To the north of the building site is the remainder of the Oxford Tract, currently occupied by greenhouses, an insectary, and growing fields that support the College of Natural Resources. The site of Seismic Replacement Building 1 is currently occupied by an insectary. The project site is in a transition zone between the campus and downtown Berkeley to the west and residential neighborhoods to the north. The campus Long Range Development Plan identified the southeast corner of the Oxford Tract for development with a 44,000 asf building for academic use. While included in the LRDP, such a project would have constructed a six-story building inconsistent with city zoning requirements. In consideration of these and other consequences, the campus expanded the project site to include the entire southern edge of the Oxford Tract, increasing the footprint of the project and enabling the building to be reduced in height and scale. The proposed amendment of the 1990 LRDP will allow parking at the site of Seismic Replacement Building 1 in place of expansion of the University Hall parking structure, as originally proposed in the LRDP.

Project Design

Seismic Replacement Building 1 is designed to accommodate a diverse occupancy and to be adaptable to changing functions over time. The building will house offices, seminar and conference rooms, computer facilities, and non-wet laboratory research programs.

The height of Seismic Replacement Building 1 will be 48 feet, with a penthouse at 60 feet, consistent with City of Berkeley zoning requirements of 65 feet. The ground floor will have a higher floor-to-floor height than upper floors, consistent with the design of commercial buildings in downtown Berkeley. The upper two floors are designed with 15 foot floor-to-floor heights to provide building systems access and adaptability for future programs. The building will be set back from the sidewalk on Hearst Avenue, providing generous pedestrian access and preserving an important specimen tree. The primary entrance will be oriented towards the intersection of Oxford Street and Hearst Avenue. The building will be a steel-framed structure with eccentric braced-frames for lateral strength. Exterior finishes will consist of concrete pre-cast panels and stucco plaster. Interior finishes will be modest to provide the greatest degree of adaptability for future occupancies.

The Berkeley campus' Design Review and Seismic Review Committees have reviewed and endorsed the project. Independent structural and cost peer review will be conducted throughout project development, as required by policy. Construction will begin in summer 2001 and be completed in fall 2002.

Environmental Impact Summary

Pursuant to State law and University procedures for the implementation of the California Environmental Quality Act, the campus prepared an Environmental Impact Report to analyze potential environmental effects of the project. The 1990 LRDP identified the southeast corner of the proposed project site as a development site for the “South Oxford Tract Development” and designated the southwest portion of the Oxford Tract as an academic reserve site, set aside for campus needs not yet identified at the time of the LRDP. The proposed project includes the reserve site in order to provide space to programs displaced by the campus seismic retrofit program (unanticipated in 1990) and is thus consistent with the LRDP. The 1990 LRDP will be amended to move proposed parking capacity from the University Hall garage three blocks north to the project site.

An Initial Study was prepared for the project to help focus the EIR. The Initial Study relied upon the information and analysis contained in an EIR certified by The Regents in May 1990 for the 1990 Long Range Development Plan. The Initial Study concluded that environmental impacts in many areas will be less than significant after incorporation of the mitigation measures adopted with the LRDP EIR. The Initial Study determined that implementation of the proposed project may, either by itself or cumulatively with existing and proposed development in the area, have potentially significant environmental effects in the following areas: cultural resources, land use, transportation, and traffic. The Initial Study also determined that additional analysis should be prepared in the EIR for aesthetic impacts and construction-related impacts upon air quality, noise, vegetation, and traffic. The Draft EIR for the project therefore analyzed the project impacts in those areas and included the Initial Study as an appendix.

A community scoping session for the EIR was held by the campus on October 14, 1999, with attendance from neighboring residents and city representatives, to receive input regarding the scope of the EIR. A notice informing the neighboring community about the scoping meeting was distributed to neighbors within a two-block radius of the project site and was published in campus, community, and regional newspapers. A Notice of Preparation and the Initial Study were submitted on December 17, 1999 to the State Clearinghouse, local agencies, and other interested parties. A Draft EIR was circulated for a 45-day public review period from February 11, 2000 to March 31, 2000. Copies of the Draft EIR were made available on campus and at the main branch of the Berkeley public library and were distributed to interested agencies, groups, and individuals. A public hearing was held on March 13, 2000, at the North Berkeley Senior Center in the vicinity of the project site. A transcript of the hearing, along with all comment letters received, is included in the Final EIR. In total, 1 governmental agency (the City of Berkeley) and 24 individuals provided written comments, with 17 additional individuals adding their signature to one letter, and 19 persons presented oral testimony during the public hearing on the Draft EIR. The majority of the comments received addressed project impacts on transportation, circulation, and parking; air quality; land use; noise; and construction-related impacts. The campus evaluated the oral testimony received at the public hearing as well as the written comments received during the comment period and prepared written responses. Written responses to all comments received are included in the Final EIR.

The Final EIR, which includes the Draft EIR focused by the Initial Study, evaluates the potential effects of the project in the following environmental issue areas: land use and planning; traffic and circulation; visual quality and design; cultural resources; and construction-related impacts on noise, air-quality, traffic, and vegetation. The Final EIR indicates that the project would result in potentially significant impacts, prior to mitigation, in the following areas: traffic and circulation; visual quality and design; and construction impacts. With implementation of the proposed mitigation measures, construction impacts related to noise and traffic would remain significant and unavoidable. All other impacts following mitigation would be reduced to a less than significant level.

Twelve alternatives to the project were analyzed in the Draft EIR, including some variations on the proposed project: (1) no project, under which Seismic Replacement Building 1 would not be constructed; (2) a six-story tower, which would use the original LRDP footprint on the southeastern corner of the site and construct a taller building; (3) the Bancroft/Fulton lot, proposing an alternate site for the building on the south of campus; (4) Bancroft, proposing an alternate site for the building on the central campus structure near Bancroft and College Avenue; (5) parking alternative one, which would construct Seismic Replacement Building 1 without parking; (6) parking alternative two, proposing parking with the six-story tower structure; (7) parking alternative three, building a three-level garage under Seismic Replacement Building 1 at the Bancroft/Fulton site; (8) parking alternative four, expanding parking capacity at University Hall by adding two levels to that structure instead of parking at Seismic Replacement Building 1; (9) demolition alternative one, which would maintain existing buildings and not demolish Warren Hall or 2223 Fulton; (10) demolition alternative two, demolishing Tolman Hall instead of Warren and 2223 Fulton; (11 and 12) entrance alternatives one and two exploring alternative entrances to the parking structure.

A Mitigation Monitoring Program, to ensure implementation of project-specific mitigation measures to reduce significant impacts, is included as an Appendix in the Final EIR. Monitoring of the implementation of mitigation measures will be conducted during various phases of the project development as appropriate.

Findings

The Findings discuss the project's impacts, mitigation measures, and conclusions regarding certification of the EIR for this project in conformance with CEQA. The Findings also set forth a Statement of Overriding Consideration for approval of the project in view of its significant unavoidable, short-term construction noise and traffic impacts.

In response to a question from Regent Khachigian, Chancellor Berdahl stated that the community had raised objections to this construction but that he believed it was inaccurate to suggest that the area is open space. It has buildings on it. Other locations that have been suggested by various community members have been reviewed and determined to be unacceptable. He stressed the crucial nature of the sequencing of the

SAFER project in order to safeguard the lives of students and staff. The design of the building has been altered to bring it within the City of Berkeley zoning regulations for height.

Vice Chancellor for Capital Projects Denton reported that the campus has an average of three meetings a month with the public and the City of Berkeley. Eight hearings have been held in conjunction with the project. He believed all comments are taken seriously by the campus, and he noted that revisions to this project were made in response to community concerns.

Responding to a question by Regent-designate Seymour, Vice Chancellor Denton affirmed that the EIR circulation process and the ability of the public to review it were well within the confines set forth by CEQA.

Regent Lee asked why the part of the lot seen as open space by the community because it houses agricultural research plots should not be relocated. Chancellor Berdahl stated that the space, which is used by College of Natural Resources, needs to be in close proximity to the campus.

Chairman Johnson noted that a number of alternatives were assessed. She asked why building on the University Hall parking structure site was not acceptable. Chancellor Berdahl responded that more parking would have been removed as a result. Vice Chancellor Denton added that the City is developing an arts corridor along Center Street. The campus hopes that the University Hall parking structure and University printing plant may be replaced in the future by a new University art museum.

Chairman Johnson asked Chancellor Berdahl to consider using the People's Park area for student housing. She suggested that it be considered in the campus' forthcoming Century 21 Plan.

Regent Hopkinson believed that the campus had pursued a sufficient number of alternatives and had done a commendable job in choosing the Oxford site. Committee Chair Kozberg agreed, noting that the campus had been particularly sensitive to the community's desires.

Regent Davies recognized that there would be some negative impact from the project, but he stressed that campus seismic corrections must proceed expeditiously.

Secretary Trivette distributed a report of communications received relative to the recommendation.

[For speakers' comments, refer to the minutes of the September 13 meeting of the Committee of the Whole.]

Upon motion duly made and seconded, the Committee approved the President's recommendation and voted to present it to the Board.

The meeting adjourned at 9:45 a.m.

Attest:

Secretary