

**Office of the President**

**TO MEMBERS OF THE FINANCE AND CAPITAL STRATEGIES COMMITTEE:**

**ACTION ITEM**

*For Meeting of May 15, 2019*

**APPROVAL OF LONG RANGE DEVELOPMENT PLAN AMENDMENT 4 AND DESIGN FOLLOWING ACTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, UPPER HEARST DEVELOPMENT FOR THE GOLDMAN SCHOOL OF PUBLIC POLICY AND HOUSING PROJECT, BERKELEY CAMPUS**

**EXECUTIVE SUMMARY**

At the March 2019 Regents meeting the Berkeley campus presented a discussion item, *Upper Hearst Development for the Goldman School of Public Policy and Housing Project*. The Goldman School of Public Policy (the School) is in need of additional academic space for its graduate degree programs, Executive Education programs, and undergraduate minor. In addition, new housing is needed for several campus populations. The current Upper Hearst parking structure, adjacent to the School's existing buildings, is an aging parking facility that underutilizes its site.

In response to the campus's needs, the campus is proposing the Upper Hearst development (the Project) to accommodate additional academic space for the School, provide additional housing for campus-related occupants, and retain some parking on the site currently occupied by the Upper Hearst parking structure. The existing Upper Hearst parking structure is being demolished and replaced with apartment housing stacked on a new parking structure. The residential component would consist of up to 150 units in five stories over parking. A new academic building would be built for the School, adjacent to the new residential building. The Project includes a minor amendment to the 2020 Long Range Development Plan (LRDP) to expand the Housing Zone to accommodate the proposed housing land use on the Project site. The Project would be delivered through a public-private partnership.

The Regents are being asked to: 1) certify the Supplemental Environmental Impact Report; 2) adopt the Mitigation Monitoring and Reporting Program; 3) adopt the California Environmental Quality Act (CEQA) Findings and Statement of Overriding Considerations; and 4) approve Amendment No. 4 to the 2020 LRDP; and 5) approve the design of the Project.

In a separate closed session item, the Berkeley campus is requesting approval for ground lease and leaseback business terms, budget, and financing for the Project.

### **RECOMMENDATION**

The President of the University recommends that, following review and consideration of the potential environmental consequences of the Upper Hearst Development for the Goldman School of Public Policy and Housing Project, as required by the California Environmental Quality Act (CEQA), including any written information addressing this item received by the Office of the Secretary and Chief of Staff to the Regents no less than 24 hours in advance of the beginning of this Regents meeting, testimony or written materials presented to the Regents during the scheduled public comment period, and the item presentation, the Finance and Capital Strategies Committee recommend that the Regents:

- A. Certify the Supplemental Environmental Impact Report for the Upper Hearst Development for the Goldman School of Public Policy and Housing Project.
- B. Adopt the Mitigation Monitoring and Reporting Program for the Upper Hearst Development for the Goldman School of Public Policy and Housing Project, and make a condition of approval the implementation of mitigation measures within the responsibility and jurisdiction of the Berkeley campus.
- C. Adopt the CEQA Findings and Statement of Overriding Considerations for the Upper Hearst Development for the Goldman School of Public Policy and Housing Project.
- D. Approve Amendment No. 4 to the UC Berkeley 2020 Long Range Development Plan.
- E. Approve the design of the Upper Hearst Development for the Goldman School of Public Policy and Housing Project, Berkeley campus.

### **BACKGROUND**

The campus is proposing a new development at Upper Hearst for two reasons – the first is to respond to the need for teaching and collaborative research space for the Goldman School of Public Policy (the School), and the second is to help address the need for housing for campus population, a high priority of the campus.

#### ***Need for Academic Space***

The School offers a full-time two-year Master of Public Policy (MPP) and ten concurrent degree programs, including Civil and Environmental Engineering (MS); Electrical Engineering and Computer Sciences (MS); Energy Resources Group (MA and MS); Global Studies (MA); Law (JD); Mechanical Engineering (MS); Nuclear Engineering (MS); Public Health (MPH); and Social Welfare (MSW). The School has enhanced its MPP program, adding additional concurrent degree programs, substantially augmenting its undergraduate minor in Public Policy, establishing a self-supported Master of Public Affairs (MPA) program for mid-career professionals, and creating Executive Education programs that run throughout the calendar year.

The main campus of the School currently consists of two buildings of about 7,500 square feet (SF) apiece at the corner of Le Roy and Hearst Avenues in the northeast corner of the Berkeley campus. These two main buildings, located at 2607 Hearst Ave (constructed in 1893) and 1893 Le Roy Avenue (constructed in 2002), are fully occupied and intensively used. The School also leases 4,500 SF of space at the California Memorial Stadium, which is less effective from an organizational standpoint as it is located nearly 0.5 miles from the School's main campus.

The School's existing facilities have exceeded their capacity and cannot accommodate several key elements of the program including space for graduate student instructors or graduate student researchers to conduct office hours or research; space for visiting faculty, scholars, and researchers; space for several important research centers; and adequately scaled space for teaching, learning, and public outreach programs.

### ***Need for Faculty, Graduate Student, and Postdoctoral Scholar Housing***

Under the campus's current 2020 Long Range Development Plan (LRDP) approved in 2005, the long-term goals for housing include providing one year of housing for graduate students and up to three years of housing for new untenured ladder faculty.

Berkeley's draft Housing Master Plan Task Force report from January 2017 recommended a campus goal of housing approximately 25 percent of graduate students. The campus has very limited housing resources for graduate students, faculty, and postdoctoral scholars. Currently, the campus houses only nine percent of its graduate students. There are only a few rental housing units for faculty at the Clark Kerr Campus. The only campus-controlled rental housing available to graduate students and postdoctoral scholars with families is the family housing at University Village in Albany. The January 2017 Task Force report further states that this low campus housing capacity adversely affects the overall student and campus affiliate experience, and a shortage of campus housing also challenges the University's ability to recruit faculty, graduate students, and postdoctoral scholars.

## **PROJECT DESCRIPTION**

The campus has explored various options for delivering additional campus housing for its faculty, graduate student, postdoctoral scholar, and staff populations and has determined that using a public-private partnership delivery model provides the optimal solution for this project.

The proposed project (the Project) comprises two separate buildings: a residential building over a parking structure (Upper Hearst Building) and a new academic building (GSPP). GSPP will be the third building in the School's existing complex that includes the historic Beta Theta Pi house, located at 2607 Hearst Avenue, which since 1969 has housed the School, and the building located at 1893 Le Roy Avenue that was completed in 2002 to expand the School. The academic component of the Project will include constructing an approximately 37,000-gross-square-foot (GSF) building for the School located immediately to the east of the existing 2607 Hearst Avenue building. GSPP will consist of office, classroom, and event space. The proposed event

space on the fourth floor would have a seating capacity of 300 and an adjacent pre-function space that can accommodate up to 65 visitors.

The Project includes a minor amendment to the 2020 LRDP to accommodate housing land use on the Project site.

## **DESIGN ELEMENTS**

### ***Project Site***

The Project site is located on the northwest corner of La Loma Avenue and Hearst Avenue, across Hearst Avenue from the northeastern portion of the Campus Park. The site is bordered on the north by Ridge Road and older, two- to three-story modest-sized single-family and multi-family residential buildings across Ridge Road; on the east by La Loma Avenue and the four-story Foothill Student Housing complex; on the south by Hearst Avenue and the approximately four-story Cory Hall within the Campus Park across Hearst Avenue; and on the west by the School's approximately three-story buildings and a four-story student housing building (Cloyne Court Student Cooperative).

The L-shaped University-owned site is approximately 44,900 square feet (just over one acre). The site has approximately 125 feet of frontage on Hearst Avenue, 214 feet on La Loma Avenue, and 100 feet on Ridge Road. Currently, the southern portion of the site is developed with the 52-foot-tall, four-story Upper Hearst parking structure, which curves around the corner of the intersection of Hearst Avenue and La Loma Avenue, containing 325 parking spaces, with chain-link fencing on the roof enclosing a recreational sports facility. The northern portion of the site is the at-grade, paved Ridge parking lot containing 20 parking stalls with concrete entrance ramps to the west and southeast that lead to the subterranean portions of the Upper Hearst parking structure.

### ***Historic Setting and Context***

The Project site is located in the City Environs – Adjacent Blocks North subarea defined by the 2020 LRDP, a neighborhood also known as Northside. The site also falls within an area of the North Berkeley Hills that became a renowned center for Arts and Crafts architecture. Three immediately adjacent historic buildings exemplify the First Bay Tradition of the Arts and Crafts movement in architectural design and include: the Beta Theta Pi house, Cloyne Court Student Cooperative, which is listed on the National Register of Historic Places (NRHP), and a private house (formerly the Phi Kappa Psi fraternity house) at 2627 Ridge Road, immediately to the north across Ridge Road. The First Bay Tradition was a regional architectural movement identified by simple, rustic design executed primarily in unpainted redwood. Other surrounding single-family homes are mostly two to three stories and are a mix of older, Tudor, and post-Victorian Queen Anne style homes, many of which are historically designated. Surrounding apartments are mostly older, three- to five-story buildings. Additionally, Founder's Rock, a natural landscape feature listed on the NRHP, is located across Hearst Avenue.

### ***Building Design and Materials***

The proposed buildings would have a contemporary design, with concrete, glass, and metal as the predominant exterior materials. Upper Hearst Housing would consist of wood frame construction. Exterior material of the residential building would include cement plaster, fiber cement panels, painted aluminum, and windows framed by aluminum accent panels. Interior elevator access would be provided from the street level. Exterior materials of GSPP would include frosted and clear glass curtain walls, metal sun shades, metal panels, and slate screens. Both buildings would have primarily flat, metal roofs. All roofing materials would have a high solar reflective index to reduce the heat island effect.

### ***Landscape Design***

Landscape design for the Project would create a vibrant pedestrian environment and provide connections from the Project site to Hearst Avenue and across to the Campus Park. New stairways and ramps would bring users into the School's upper courtyard plaza with seating and flexible use areas.

Drought tolerant and native planting is proposed to create a comfortable environment and provides on-site storm water treatment. Courtyards proposed over the garage at the residential building would provide an intimate outdoor gathering space and use raised planters to showcase storm water treatment planting.

### ***Long Range Development Plan***

The Project supports 2020 LRDP objectives by providing academic space and housing required to support a vital intellectual community; conserving resources; and optimizing investment of land and capital. However, the Project is inconsistent with the 2020 LRDP because the proposed Upper Hearst Housing would be located outside the designated Housing Zone. Therefore, the project includes a minor amendment to the 2020 LRDP to accommodate residential development on the project site. The Minor LRDP Amendment would expand the Housing Zone to accommodate residential development on the Project site.

### ***Physical Design Framework***

The Project is consistent with the principles of the campus Physical Design Framework (PDF) accepted by the Regents in November 2009. At the overall campus scale, the Project adheres to the campus PDF principle that new and growing education and research programs be accommodated primarily through more intensive use of University-owned land on and adjacent to the Campus Park. The Project's massing follows the PDF's guidance that buildings should frame and define streets and open spaces. The Project's massing and architectural materials and colors draw on the architectural context of the original GSPP building located at 2607 Hearst Avenue, which helps establish a coherent visual identity between the School's buildings and between the Campus Park and City Environs. The project massing also follows the principle of orthogonal form applicable to both the Campus Park and City Environs. Additionally, the Project

improves the adjacent public realm with new plantings and trees, paving, and lighting along the project frontage. The open space adjacent to GSPP is consistent with the PDF's guidance that new projects in the City Environs should incorporate on-site open spaces that are scaled and designed to foster academic interaction.

### ***Sustainability***

Per UC Policy, GSPP would strive to achieve a Leadership in Energy and Environmental Design (LEED™) Gold rating, with a minimum of LEED Silver. The housing component seeks the same rating under the Multifamily Midrise LEED program. "Green" facility measures in the proposed buildings would include low-emitting adhesives, sealants, composite wood, agrifiber products, paints, and coatings; Forest Stewardship Council-certified wood; and low-flow plumbing fixtures. Moreover, the Project will use all-electric systems. Proposed land uses and site layout would minimize greenhouse gas emissions from transportation, as the proposed residences for faculty, staff, and students would be located adjacent to the Campus Park and the School's complex. Daylighting is prioritized throughout the spaces to reduce emissions from electric lighting use.

### ***Seismic Safety***

The Project would comply with the University of California Seismic Safety Policy including independent seismic peer review. The campus Seismic Review Committee has also reviewed the Project.

### ***Project Schedule***

Construction of the Project is anticipated to take approximately 23 months and is scheduled to begin in September 2019 and conclude in July 2021.

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE**

Pursuant to the California Environmental Quality Act (CEQA), a Supplemental Environmental Impact Report (SEIR) for the Project has been prepared (Attachment 2). The SEIR tiers from the Program EIR prepared for the 2020 LRDP, and incorporates by reference the 2020 LRDP EIR (Attachment 3).

The SEIR evaluates the environmental effects of the proposed Project and identifies feasible measures and alternatives to reduce or avoid the Project's significant impacts. The SEIR establishes an updated population baseline to reflect existing campus headcount – as that headcount is greater than the projections in the 2020 LRDP – and new campus headcount projections through the 2022-23 school year when increased enrollment at the School as a result of the Project is expected to stabilize. Despite growth in campus headcount over 2020 LRDP projections, which led to the new baseline, the analysis in the SEIR demonstrates that the Berkeley campus is still operating within the capacity and demand identified and analyzed in the 2020 LRDP EIR for resources such as housing, water, electricity, and public services, among

others. Moreover, to date, the campus has accommodated the increased campus headcount completely within the physical development identified in the 2020 LRDP and has developed fewer square feet of academic and support space and fewer housing units than were identified in the 2020 LRDP and analyzed in the 2020 LRDP EIR.

The SEIR evaluates the residential component of the Upper Hearst Building of up to six stories with no setbacks from adjacent streets; however, the design of the residential building evolved during the public review process, resulting in a preferred design comprised of a combination of the alternatives analyzed in the SEIR. The SEIR analyzes four project alternatives, including a Reduced Scale Alternative that would reduce the scale of both the academic and residential buildings. The preferred project design is a five-story residential building over three levels of parking, consisting of up to 150 units with no setbacks from adjacent streets. Additionally, the SEIR analyzed a single driveway associated with the residential and parking building at Hearst Avenue. During the public review process, the Project design was modified to remove the Hearst Avenue driveway and replace it with a single driveway at La Loma Avenue. The Final SEIR includes additional analysis of driveway operations at La Loma Avenue.

Findings have been prepared to support the University's determination concerning project impacts, mitigation measures, and CEQA alternatives (Attachment 4). Based on the analysis in the SEIR, the Project would result in new significant and unavoidable impacts that were not identified in the 2020 LRDP EIR in aesthetics and land use compatibility. All other potentially significant impacts of the proposed Project would be no more severe than identified in the 2020 LRDP EIR or would be reduced to a less-than-significant level with implementation of mitigation measures identified in the SEIR. The Regents are being asked to certify the SEIR and adopt the Mitigation Monitoring and Reporting Program, Findings, and Statement of Overriding Considerations. A summary of the CEQA process and the environmental impacts of the proposed project are provided in Attachment 5.

**KEY TO ACRONYMS:**

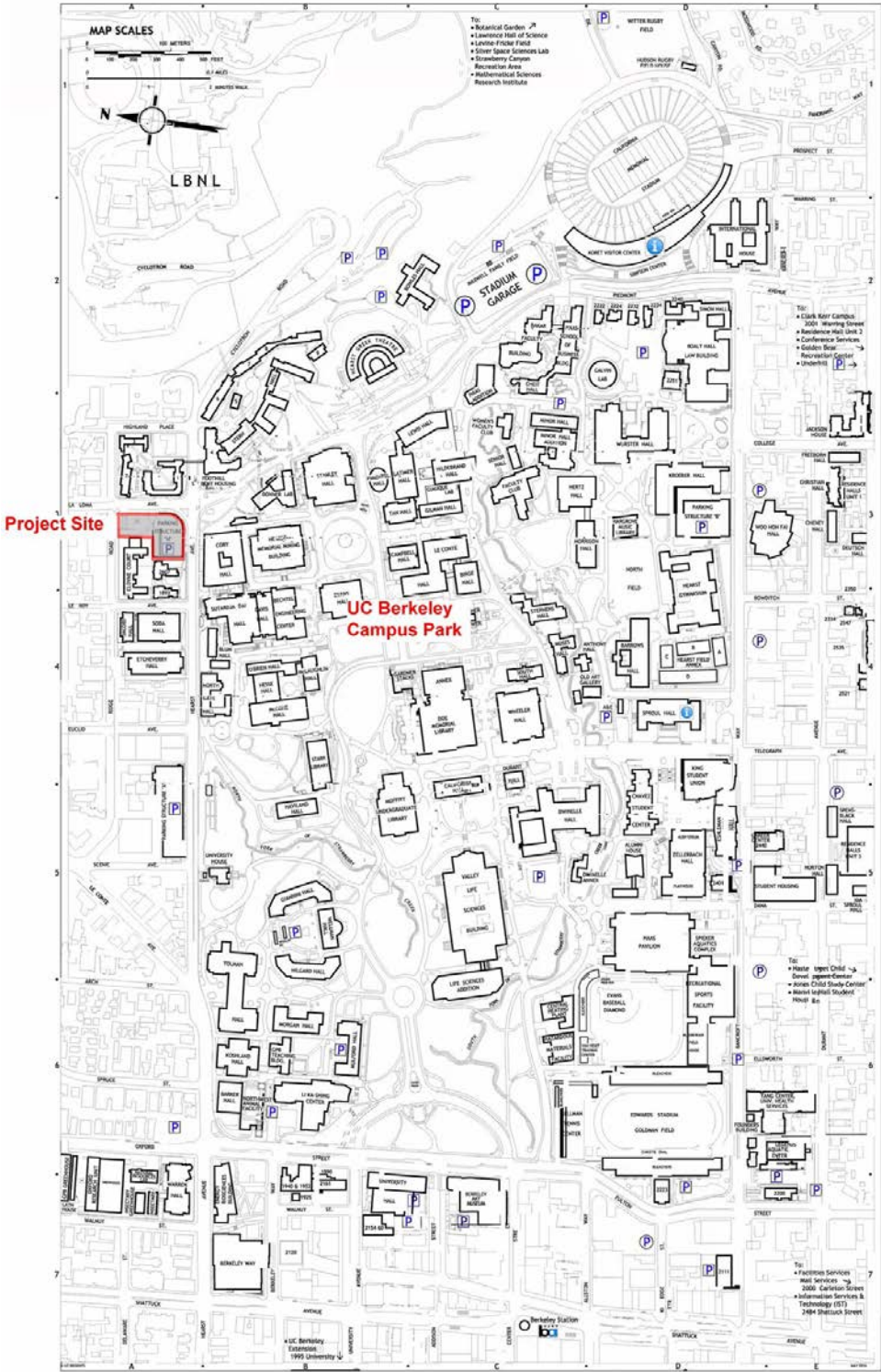
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|------|---|
| CEQA | California Environmental Quality Act          |
| GSF  | Gross Square Foot                             |
| EIR  | Environmental Impact Report                   |
| GSPP | Goldman School of Public Policy               |
| LEED | Leadership in Energy and Environmental Design |
| LRDP | Long Range Development Plan                   |
| MPA  | Master of Public Affairs                      |
| MPP  | Master of Public Policy                       |
| NRHP | National Register of Historic Places          |
| PDF  | Physical Design Framework                     |
| RFQ  | Request for Qualifications                    |
| SEIR | Supplemental Environmental Impact Report      |
| SF   | Square Feet                                   |

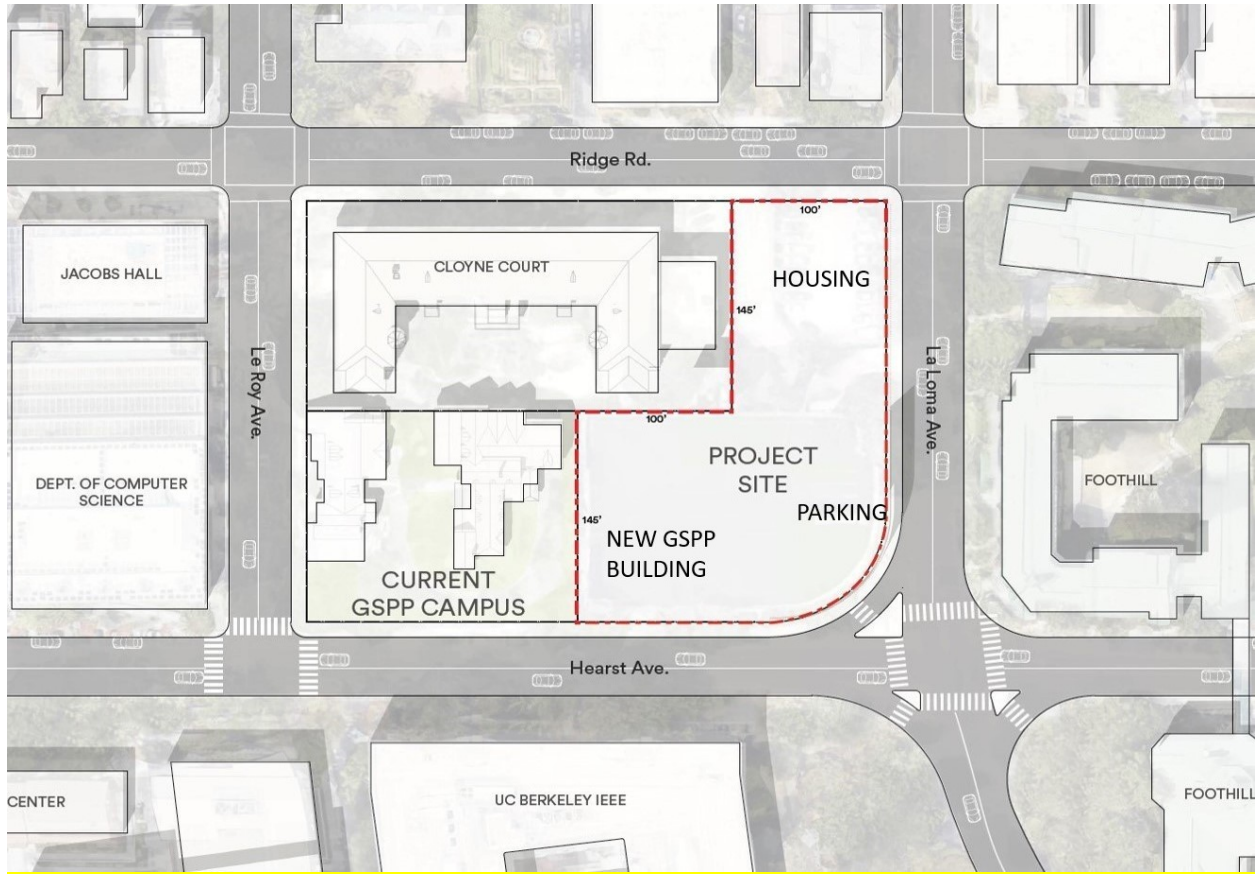
**ATTACHMENTS:**

|               |   |
|---------------|---|
| Attachment 1: | Project Design Graphics   |
| Attachment 2: | Draft Supplemental EIR:<br><a href="https://capitalstrategies.berkeley.edu/sites/default/files/draft-supplemental-eir-2020lrpd.pdf">https://capitalstrategies.berkeley.edu/sites/default/files/draft-supplemental-eir-2020lrpd.pdf</a><br>Final Supplemental EIR (includes the Mitigation Monitoring and Reporting Program):<br><a href="https://capitalstrategies.berkeley.edu/sites/default/files/upper_hearst_final_seir_may_2_2019.pdf">https://capitalstrategies.berkeley.edu/sites/default/files/upper_hearst_final_seir_may_2_2019.pdf</a> |
| Attachment 3: | 2020 UC Berkeley Long Range Development Plan and Environmental Impact Report: <a href="https://capitalstrategies.berkeley.edu/campus-planning/planning-documents">https://capitalstrategies.berkeley.edu/campus-planning/planning-documents</a>   |
| Attachment 4: | CEQA Findings and Statement of Overriding Considerations  |
| Attachment 5: | Environmental Impact Summary  |



PROJECT DESIGN GRAPHICS





Site Plan



Academic Building, looking north from across Hearst Avenue



Academic Building, looking northeast from across Hearst Avenue



Residential Building, looking northwest from La Loma and Hearst Avenues



Residential Building, looking southwest from La Loma Avenue and Ridge Road

## ENVIRONMENTAL IMPACT SUMMARY

### *Environmental Impacts*

In accordance with University procedures and the requirements of the California Environmental Quality Act (CEQA), a Supplemental Environmental Impact Report (SEIR) was prepared for the Upper Hearst Development for the Goldman School of Public Policy and Housing Project (the “Project”) (Attachment 2). The SEIR is tiered from the Program EIR prepared for the 2020 Long Range Development Plan, which was approved by the Regents in 2005 (Attachment 3).

The Draft Supplemental Environmental Impact Report (DSEIR) was circulated to interested agencies, the public and the State Clearinghouse for a 52-day public review period beginning February 20, 2019, and ending April 12, 2019. (The campus extended the 45-day comment period by several days at the request of the City of Berkeley.) The availability of the DSEIR for public review was announced to interested parties via mail and email, to owners and occupants of property within 400 feet of the project site through direct mailing and on the UC Berkeley Capital Strategies website. During the public review period, digital copies of the DSEIR were available online and hard copies were available at the City of Berkeley’s Central Library and on campus at the Doe Library and the office of Physical & Environmental Planning. Two public hearings to solicit input from the public on the DSEIR were held on campus the evenings of March 12 and March 21, 2019.

The DSEIR analyzes all of the environmental topic issues listed in UC’s environmental checklist, Appendix G of the CEQA Guidelines that took effect at the end of 2018. The DSEIR concludes that the proposed Project may have a significant effect on the environment. As described in the SEIR and associated CEQA Findings (Attachment 4), the Project would result in two new significant and unavoidable impacts that were not identified in the 2020 LRDP EIR associated with aesthetics and land use compatibility. All other potentially significant impacts of the proposed Project would be no more severe than identified in the 2020 LRDP EIR or would be reduced to a less-than-significant level with implementation of mitigation measures identified in the SEIR. Potential Project impacts to historical resources, temporary construction noise and exposure of new residents to ambient noise were determined to be significant and unavoidable but were previously identified and analyzed in the 2020 LRDP EIR.

Mitigation for potentially significant Project impacts includes both programmatic mitigation identified in the 2020 LRDP EIR and project-specific mitigation. The project Mitigation Monitoring and Reporting Program, which details the mitigation measures and conditions required of the Project, is included in the Final EIR, Chapter 5 (Attachment 2).

### *Public Comments*

At the March 12, 2019 public hearing, 15 individuals submitted oral comments and two individuals submitted written comments. At the March 21, 2019 public hearing, 27 individuals submitted oral comments and three individuals submitted written comments. In addition, during

the 49-day public review period, 173 comment letters were received, including from the East Bay Municipal Utility District, Alameda County Transportation Commission, City of Berkeley and City of Berkeley Landmarks Preservation Commission, and non-profits, neighborhood associations, and individuals.

Key concerns identified in written and oral comments were impacts to historic resources and incompatibility of new building mass and architectural character with the adjacent residential neighborhood; traffic impacts associated with additional housing and temporary and permanent loss of parking spaces; and impacts associated with increased campus population on City of Berkeley services, infrastructure, and housing rental rates. Concerns were also raised that the DSEIR combined environmental analysis of the Project with the analysis of increased overall enrollment projections through 2023, which should have been analyzed in a separate CEQA document. Public comments did not raise any new significant impacts that were not adequately analyzed in the DSEIR pursuant to CEQA. Therefore, only minor revisions to the SEIR were warranted based on public comments and recirculation of the document is not required. All comments and responses are included in the Final SEIR.

Additionally, the DSEIR analyzed a single driveway associated with the residential and parking building at Hearst Avenue. During the public review process, the Project design was modified to remove the Hearst Avenue driveway and replace it with a single driveway at La Loma Avenue. The Final SEIR includes additional analysis of driveway operations at La Loma Avenue. This change in Project design resulted in only minor revisions to the SEIR and therefore, recirculation of the document is not required.

### ***Findings***

CEQA Findings for the Project are provided in Attachment 4. Based on the analysis in the SEIR, it has been determined that significant and unavoidable impacts would result from the Project, even with the incorporation of Project-specific mitigation measures; therefore, the University, acting as Lead Agency, must prepare and adopt a “Statement of Overriding Considerations” before it can approve the Project.

The Statement of Overriding Considerations (SOC) states that the decision-making body has balanced the benefits of the proposed Project against its unavoidable significant environmental effects and determined that the benefits of the Project outweigh the adverse effects and, therefore, the adverse effects are considered acceptable. The SOC is included in the CEQA Findings (Attachment 4).