



Office of the City Manager

PUBLIC HEARING
July 13, 2021

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Jordan Klein, Director, Department of Planning and Development
Subject: Referral Response: General Plan Re-Designation and Zoning Map
Amendment of Parcels Located at 1709 Alcatraz Avenue, 3404 King
Street, 3244 Ellis Street, 1717 Alcatraz Avenue, and 2024 Ashby Avenue

RECOMMENDATION

Conduct a public hearing and, upon conclusion:

1. Adopt first reading of an Ordinance rezoning five parcels located at 1709 Alcatraz Avenue (APN 052-1533-001-03), 3404 King Street (APN 052-1435-001-02), 3244 Ellis Street (APN 052-1533-005-00), 1717 Alcatraz Avenue (APN 052-1533-006-00) and 2024 Ashby Avenue (APN 053-1592-022-00) to Commercial – Adeline Corridor District (C-AC), and
2. Adopt a Resolution changing the General Plan designation of the five parcels to Adeline Corridor Mixed Use and to revise the boundaries of the Adeline Corridor Specific Plan Area to include the five parcels (*Attachments 1 and 2*).

FISCAL IMPACTS OF RECOMMENDATION

There are no direct fiscal impacts to the City of Berkeley by considering this General Plan redesignation and rezoning.

CURRENT SITUATION AND ITS EFFECTS

All five parcels, shown in Table 1 below, are adjacent to the Adeline Corridor Specific Plan Area. The proposed amendments would result in the expansion of the Adeline Corridor Specific Plan boundary to include the five parcels and change their General Plan and zoning designations to the Adeline Corridor Mixed Use General Plan Land Use Classification and the Commercial-Adeline Corridor zoning district, respectively.

Table 1. Parcels Proposed for General Plan and Zoning Map Amendments

Address/Assessor Parcel Number	Existing General Plan	Existing Zoning
2024 Ashby Avenue (APN 053-1592-022-00)	Avenue Commercial	C-SA
1709 Alcatraz Avenue (APN 052-1533-001-03)	Avenue Commercial, Medium Density Residential	C-SA and R-2A
3244 Ellis Street (APN 052-1533-005-00)	Neighborhood Commercial	C-SA
1717 Alcatraz Avenue (APN 052-1533-006-00)		
3404 King Street (APN 052-1435-001-02)	Medium Density Residential	R-2A

The parcel located at 2024 Ashby Avenue currently serves as a parking lot for St. Paul's A.M.E. church, which is located on the adjacent parcel to the west. St. Paul's A.M.E. church owns both parcels. The parcel on which the church is located is within the Adeline Specific Plan Area boundary but 2024 Ashby Avenue is not. St Paul's A.M.E Church has indicated it is interesting in developing an affordable housing project on the site.

The parcel located at 1709 Alcatraz Avenue is owned by the Ephesian Church of God in Christ. It is located at the northern corner of King Street and Alcatraz Avenue, near the Adeline Corridor Specific Plan Area boundary. Current uses on the parcel include the Ephesian Church building, surface parking, and a vacant building. The Ephesian Church has indicated that it is interested in redeveloping 0.52-acres of the one-acre site with a 100% affordable senior housing project along King, Harmon, and Ellis Streets.

Existing uses on the two parcels at 3244 Ellis Street and 1717 Alcatraz Avenue include a mixed-use building and a six-unit apartment complex. If the proposed changes were made for 1709 Alcatraz, these two parcels would be entirely surrounded by parcels designated and zoned per the Adeline Corridor Specific Plan. Re-designating and re-zoning these two parcels would preserve the physical continuity of the Adeline Corridor Specific Plan General Plan designation and zoning district boundaries and avoid creating an unnecessarily complicated mix of land use regulations in a relatively small area.

The parcel located at 3404 King Street is owned by Fred Finch Youth and Family Services. The current use on the parcel is "Turning Point," a transitional housing program designed to assist homeless youth age 18-25 to obtain and maintain independent permanent housing. The use is not permitted in the property's current R-2A District; however, this property was granted a Use Permit (UP) with a Variance in 1978 to allow for a transitional home serving up to 12 youth. Any modification or expansion of this use would require another Variance. The proposed zoning would allow modification or expansion with the granting of a Use Permit (with a public hearing).

Re-designating and rezoning these five parcels is aligned with the City's Strategic Plan goal to encourage affordable housing for the most vulnerable community members.

BACKGROUND

At its meeting of November 17, 2020, the City Council referred to the Planning Commission consideration of the re-designation and rezoning of the five parcels at 1709 Alcatraz Avenue, 3404 King Street, 3244 Ellis Street, 1717 Alcatraz Avenue and 2024 Ashby Street to include them within the new land use controls shared by adjacent parcels within the Adeline Corridor Specific Plan area.

At its meeting of December 8, 2020, the City Council adopted the Adeline Corridor Specific Plan (Plan) and associated General Plan and zoning amendments. The Plan created the new Adeline Corridor Mixed Use General Plan land use classification and the new Commercial – Adeline Corridor District (C-AC) zoning to all the parcels within the Specific Plan boundary. The new Adeline Corridor Mixed Use General Plan Land Use Classification and C-AC zoning district are designed to incentivize more affordable housing through providing streamlined approval and incrementally more density, height and floor-area ratio, in return for specified amounts of on-site affordable housing units; and the zoning permits uses that align with the vision and goals expressed for the Plan Area.

At its meeting of May 5, 2021, the Planning Commission unanimously recommended that the City Council amend the General Plan and zoning for the five parcels and revise the boundaries of the Adeline Corridor Specific Plan Area to include them.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no direct environmental opportunities from these proposed actions. However, subsequent development encouraged by these land use changes could result in affordable multi-family housing near transit. Transit-oriented development (TOD) is energy-efficient and results in less private vehicle use, furthering state and local greenhouse gas reduction efforts.

An Addendum to the *Adeline Corridor Specific Plan Environmental Impact Report* (2020 EIR) evaluates the environmental effects of the proposed amendment.¹ The Addendum found that potential impacts associated with the amendments are consistent with potential impacts characterized in, and mitigation measures developed for, the 2020 EIR. Substantive revisions to the 2020 EIR are not necessary because no new significant impacts, or impacts of substantially greater severity than previously described, would occur.

RATIONALE FOR RECOMMENDATION

The proposed General Plan, zoning and Adeline Corridor Specific Plan boundary amendments serve the public interest by encouraging the development of new affordable housing either by permitting development at intensities that are not currently allowed under existing zoning or by providing a streamlined approval process. The proposed changes also support important cultural institutions, and ensure consistent

¹ Adeline Corridor Specific Plan EIR Addendum (April 2021) - See Attachment 4 of Item 10 of the 5/5/21 Planning Commission Meeting Packet:

[https://www.cityofberkeldsavAey.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2021-05-05_PC_Item%2010\(1\).pdf](https://www.cityofberkeldsavAey.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2021-05-05_PC_Item%2010(1).pdf)

land use regulation by incorporating isolated properties into the Adeline Corridor Mixed Use General Plan land use classification and C-AC zoning.

California Government Code section 66300(b)(1)(A) prohibits a locality from changing the General Plan designation or zoning of residential parcels to a less intensive use or in a manner which reduces the allowable intensity of a permitted residential use.

The Adeline Corridor General Plan designation does not encourage less intensive development than that encouraged in the existing Avenue Commercial, Neighborhood Commercial or Medium Density Residential designations. The Adeline Corridor General Plan encourages mixed-use, transit-oriented development with a wide-range of commercial and community uses with active street-fronts, including “maximizing” affordable housing at the Ashby BART station.

Compared to the parcels’ current designations, the C-AC zoning district increases development potential by allowing greater heights and requiring smaller setbacks. For the parcels currently zoned R-2A, the C-AC zoning district increases the allowable density and allowable heights. For the parcels currently zoned C-SA, C-AC includes a higher FAR maximum, encouraging larger projects.

ALTERNATIVE ACTIONS CONSIDERED

The Council may deny the amendments, or continue the public hearing, or take no action.

CONTACT PERSON

Justin Horner, Associate Planner, Department of Planning and Development, 510-981-7476.

Attachments:

- 1: Ordinance
Exhibit A: Zoning Map Amendment
- 2: Resolution
Exhibit A: General Plan Amendment Map
Exhibit B: Adeline Corridor Specific Plan Boundary Revision Map
- 3: Public Hearing Notice

Links to Documents Mentioned in the Report:

- 1: Planning Commission Report -- May 5, 2021
([https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2021-05-05_PC_Item%2010\(1\).pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2021-05-05_PC_Item%2010(1).pdf))

Includes Addendum to the Adeline Corridor Specific Plan Environmental Impact Report (Attachment 4 (page 21 of pdf)) – April 21, 2021

ORDINANCE NO. -N.S.

AMENDING THE BERKELEY MUNICIPAL CODE (BMC), TITLE 23 (ZONING), OFFICIAL ZONING MAP, TO REZONE ASSESSOR PARCEL NUMBERS (APN) 052-1533-001-03, 052-1435-001-02, 052-1533-005-00, 052-1533-006-00 and 053-1592-022-00 FROM RESTRICTED MULTIPLE-FAMILY RESIDENTIAL DISTRICT (R-2A) AND SOUTH AREA COMMERCIAL (C-SA) TO THE COMMERCIAL-ADELINE CORRIDOR (C-AC) ZONING DISTRICT

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. The City Council has certified that the Addendum to the *Adeline Corridor Specific Plan Environmental Impact Report (2020 EIR)* was prepared in conformance with the California Environmental Quality Act, and that the potential impacts of the proposed zoning map amendments are consistent with potential impacts characterized in, and mitigation measures adopted with, the 2020 EIR, and therefore, no further evaluation of environmental impacts is required, no Subsequent EIR is necessary per CEQA Guidelines Section 15162, and that the Addendum is the appropriate level of environmental analysis and documentation for the proposed project in accordance with CEQA Guidelines Section 15164.

Section 2. The City Council finds that the proposed zoning map amendment serves the public interest by encouraging the development of affordable housing, supporting important cultural institutions, and ensuring consistent land use regulation by incorporating isolated properties into the Commercial-Adeline Corridor (C-AC) zoning district.

Section 3. The City Council finds that the proposed zoning map amendments are compatible with adjacent zoning districts. The proposed zoning map amendments would only apply to parcels that are immediately adjacent to, or completely surrounded by, parcels located in the C-AC zoning district. Therefore, adoption of the proposed amendment would not result in any incompatibilities with adjacent zoning districts.

Section 4. The City Council finds that the proposed zoning map amendment allows uses that are compatible with adjacent uses. With the adoption of the C-AC zoning district, the City Council determined that the C-AC zoning district allowed uses that are compatible with adjacent zoning districts. The proposed zoning map amendments would only apply to parcels that are immediately adjacent to, or completely surrounded by, parcels located in the C-AC zoning district. Therefore, adoption of the proposed amendments would not result in allowable uses that are incompatible with adjacent zoning districts.

Section 5. The City Council finds that the potential effects of the proposed zoning map amendment will not be detrimental to the public health, safety and welfare. The amendment would not result in direct changes to the physical characteristics of the property or existing structures. New development would be reviewed for compliance with CEQA and be constructed to comply with the State Building and Safety Code as adopted by the City of Berkeley.

Section 6. The City Council finds that the proposed zoning map amendment does not result in a change to a less intensive use allowed under the existing General Plan or zoning pursuant to Gov. Code section 66300(b)(1).

Section 7. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

Exhibit

A: Map: Zoning Map Amendment

EXHIBIT A

Parcels Proposed for Zoning Map Amendments



RESOLUTION NO. ##,###-N.S

AMEND THE BERKELEY GENERAL PLAN LAND USE DIAGRAM TO RE-DESIGNATE PARCELS WITH ASSESSOR PARCEL NUMBERS (APN) 052-1533-001-03, 052-1435-001-02, 052-1533-005-00, 052-1533-006-00 and 053-1592-022-00 FROM AVENUE COMMERCIAL, MEDIUM DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL GENERAL PLAN DESIGNATIONS TO THE ADELINE CORRIDOR MIXED USE GENERAL PLAN DESIGNATION AND TO EXPAND THE BOUNDARIES OF THE ADELINE CORRIDOR SPECIFIC PLAN AREA TO INCLUDE THESE PARCELS

WHEREAS, the City Council of the City of Berkeley has the authority to approve land use amendments to the General Plan in order to address unforeseen circumstances and changing priorities; and

WHEREAS, a General Plan amendment for re-designation was prepared based on a request from the City Council to modify the General Plan designation of five parcels adjacent to the Adeline Corridor Specific Plan Area, and to expand the boundaries of the Adeline Corridor Specific Plan Area to include the five parcels, to encourage the development of affordable housing, support long-standing community organizations, and to avoid unnecessarily complicated land use regulation in a small area; and

WHEREAS, the Planning Commission held a duly noticed public hearing and took public testimony on May 5, 2021, which was preceded by the distribution of notices in accordance with State and local noticing requirements; and

WHEREAS, on May 5, 2021, the Planning Commission voted to recommend that the City Council adopt a General Plan re-designation of Assessor Parcel Numbers (APN) 052-1533-001-03, 052-1435-001-02, 052-1533-005-00, 052-1533-006-00 and 053-1592-022-00 and to expand the boundaries of the Adeline Corridor Specific Plan Area to includes these parcels; and

WHEREAS, on July 13, 2021 the City Council held a duly noticed public hearing to consider the General Plan re-designation of Assessor Parcel Numbers (APN) 052-1533-001-03, 052-1435-001-02, 052-1533-005-00, 052-1533-006-00 and 053-1592-022-00 and to expand the boundaries of the Adeline Corridor Specific Plan Area to includes these parcels; and

WHEREAS, the proposed amendments are consistent with the General Plan and the Adeline Corridor Specific Plan by promoting transit-oriented development and facilitating the development of affordable housing; and

WHEREAS, the amendments serve the public interest by encouraging the development of affordable housing, supporting important cultural institutions, and ensuring consistent land use regulation by incorporating isolated properties into the Adeline Corridor Mixed Use General Plan land use classification; and

WHEREAS, the amendments would not be detrimental to the public health, safety and welfare of the City because they would not directly result in changes to the physical characteristics of any property or existing structure, but, as described above, could facilitate development that would be completed in compliance with current codes and regulations. New development also would be reviewed for compliance with BMC and CEQA and would be constructed in compliance with California Building and Safety Code as adopted by the City of Berkeley; and

WHEREAS the amendments do not change the designation to reduce the intensity of use allowed under the existing General Plan or zoning pursuant to Gov. Code section 66300(b)(1); and

WHEREAS staff prepared an Addendum to the Adeline Corridor Specific Plan Environmental Impact Report (2020 EIR) to evaluate the environmental effects of the proposed amendments. The Addendum found that potential impacts associated with the proposed project are consistent with potential impacts characterized in and mitigation measures developed for the 2020 EIR. Substantive revisions to the 2020 EIR are not necessary because no new significant impacts or impacts of substantially greater severity than previously described would occur as a result of the proposed project. Therefore, no further evaluation of environmental impacts is required for the proposed project, no Subsequent EIR is necessary per CEQA Guidelines Section 15162, and the Addendum is the appropriate level of environmental analysis and documentation for the proposed project in accordance with CEQA Guidelines Section 15164; and

WHEREAS, all documents constituting the record of this proceeding are and shall be retained by the City of Berkeley Planning and Development Department, Land Use Planning Division, at 1947 Center Street, Berkeley, California.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Berkeley that the General Plan Land Use Diagram is hereby amended, as shown in Exhibit A, and the boundaries of the Adeline Corridor Specific Plan are expanded as shown in Exhibit B.

Exhibits

A: Map of General Plan amendment of five parcels from Avenue Commercial, Medium Density Residential and Neighborhood Commercial to Adeline Corridor Mixed Use, at Assessor Parcel Numbers (APN) 052-1533-001-03, 052-1435-001-02, 052-1533-005-00, 052-1533-006-00 and 053-1592-022-00.

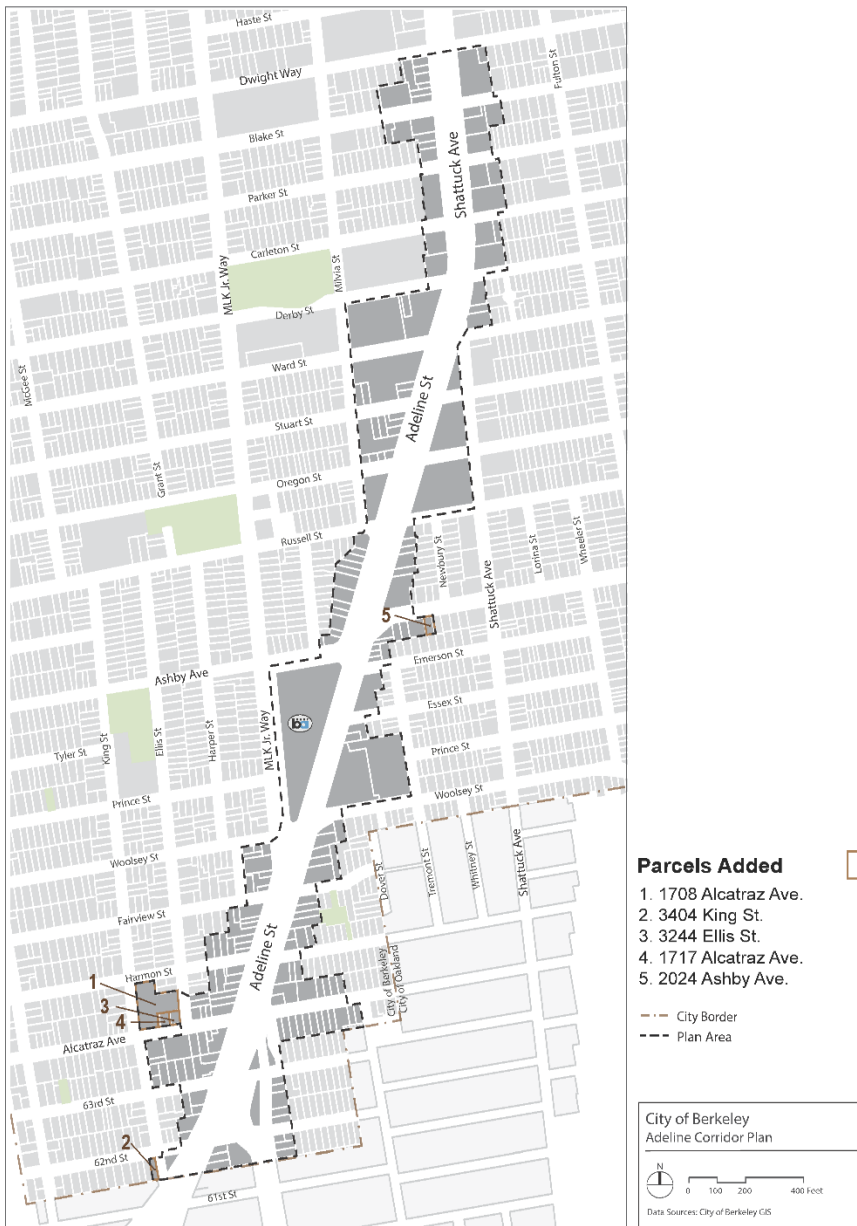
B: Map of boundary change for the Adeline Corridor Specific Plan area to include Assessor Parcel Numbers (APN) 052-1533-001-03, 052-1435-001-02, 052-1533-005-00, 052-1533-006-00 and 053-1592-022-00.

Exhibit A

Parcels Proposed for General Plan Map Amendments



Exhibit B



**NOTICE OF PUBLIC HEARING
BERKELEY CITY COUNCIL**

**1709 ALCATRAZ AVENUE, 3404 KING STREET, 3244 ELLIS STREET,
1717 ALCATRAZ AVENUE, 2024 ASHBY AVENUE
GENERAL PLAN REDESIGNATION AND ZONING MAP AMENDMENT**

The Department of Planning and Development is proposing a rezoning and General Plan amendment for the parcels located at 1709 Alcatraz Avenue (APN 052-1533-001-03), 3404 King Street (APN 052-1435-001-02), 3244 Ellis Street (APN 052-1533-005-00), 1717 Alcatraz Avenue (APN 052-1533-006-00) and 2024 Ashby Avenue (APN 053-1592-022-00), shown on the attached map. The proposed General Plan amendment would change these parcels from Avenue Commercial, Neighborhood Commercial, or Medium Density Residential to Adeline Corridor Mixed Use. The rezoning would change all of these parcels from South Area Commercial (C-SA) or Multiple Family Residential (R-2A) zoning districts to Adeline Corridor Commercial (C-AC).

The hearing will be held on July 13, 2021 at 6:00 p.m. The hearing will be held via videoconference pursuant to Governor's Executive Order N-29-20.

A copy of the agenda material for this hearing will be available on the City's website at www.CityofBerkeley.info as of **July 1, 2021**. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology.**

For further information, please contact Justin Horner at 510-981-7475.

Written comments should be mailed directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or emailed to council@cityofberkeley.info in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk at 981-6900 or clerk@cityofberkeley.info for further information.

Published: July 2, 2021 – The Berkeley Voice
Per California Government Code Sections 65856(a) and 65090.

I hereby certify that the Notice for this Public Hearing of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on July 1, 2021.

Mark Numainville, City Clerk

