

## **APPENDIX B**

# **LANDMARKS PRESERVATION COMMISSION TRANSCRIPT**

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CITY OF BERKELEY  
PLANNING AND DEVELOPMENT DEPARTMENT  
LAND USE PLANNING DIVISION

**CERTIFIED TRANSCRIPT**

REPORTER'S TRANSCRIPTION OF VIDEOTAPED MEETING  
LANDMARKS PRESERVATION COMMISSION

THURSDAY, NOVEMBER 7, 2024

6:30 PM

North Berkeley Senior Center  
1901 Hearst Avenue  
Berkeley, California

AUDIO LENGTH

(00:40:54 HOURS)

Transcribed by: IRENE NAKAMURA, RPR, CLR  
State of Hawaii CSR No. 496  
State of California CSR No. 9478  
State of Washington CCR No. 3177  
State of Nevada CSR No. 893  
State of Illinois CSR No. 084.004909

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A P P E A R A N C E S

DENISE MONTGOMERY, Chairperson, District 8  
STEVEN FINACOM, Vice Chairperson, District 4  
KATHLEEN CRANDALL, District 3  
CHARLES ENCHILL, District 1  
LUKE LEUSCHNER, District 7  
SUSAN ORBUCH, District 5  
PAUL SCHWARTZ, District 6  
FATEMA CRANE, Landmarks Preservation Commission  
Secretary

ALSO PRESENT:

ASHLEY JAMES -- Senior planner in the land use  
division  
CLAUDIA GARCIA -- presenter of the draft EIR which  
analyzes proposed zoning West Berkeley and General  
Plan Amendments as part of the Pacific Steel Casting  
Referral from the City council, Gilman Gateway  
Project  
ANNE HERSCH -- Planning manager  
FLORENTINA CRACIUN -- Leader of the consultant LSA  
team

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1 P R O C E E D I N G S

2 AUDIO (00:40:54 HOURS)

3 START TIME: 18:36:00

4 -o0o-

5

6 CHAIR MONTGOMERY: A couple more

7 commissioners.

8 VICE CHAIR FINACOM: Oh, here's Charles.

9 CHAIR MONTGOMERY: And here's one now.

10 How exciting. You barely missed anything. But let's

11 go ahead and get started and do a roll call.

12 SECRETARY CRANE: Commissioner Crandall?

13 COMMISSIONER CRANDALL: (No audible

14 response.)

15 SECRETARY CRANE: Commissioner Enchill?

16 COMMISSIONER ENCHILL: Here.

17 SECRETARY CRANE: Finacom.

18 VICE CHAIR FINACOM: Here.

19 SECRETARY CRANE: Orbuch?

20 COMMISSIONER ORBUCH: Here.

21 SECRETARY CRANE: Plese?

22 COMMISSIONER PLESE: Here.

23 SECRETARY CRANE: Schwartz?

24 COMMISSIONER SCHWARTZ: Here.

25 SECRETARY CRANE: And Chair Montgomery?

1 CHAIR MONTGOMERY: Here. Present.

2 And do we have any ex parte  
3 communications reports from anyone? Commissioners?

4 (No audible response.)

5 CHAIR MONTGOMERY: Okay. We'll move on  
6 to the land acknowledgement statement. The  
7 commission -- oh, gosh, sorry.

8 The commission recognizes that the  
9 community we live in was built on the territory of  
10 the Huchiun, the ancestral and unceded land of the  
11 Chochenyo speaking Ohlone people.

12 The ancestors and descendents of the  
13 sovereign Verona Band of Alameda County. The land  
14 was, it continues to be of great importance to all  
15 of the Ohlone Tribes and descendants of the Verona  
16 Band.

17 As we begin our meeting tonight, we  
18 acknowledge and honor the original inhabitants of  
19 Berkeley, the documented 5,000-year history of a  
20 vibrant community in the West Berkeley Shellmound,  
21 and the Ohlone people who continue to reside in the  
22 East Bay.

23 We recognize that Berkeley's residents  
24 have continued to benefit from the use and occupation  
25 of this unceded stolen land since the City of

1 Berkeley's incorporation in 1878.

2           As stewards of the laws regulating the  
3 City of Berkeley, it is not only vital that we  
4 recognize the history of this land, but also  
5 recognize that the Ohlone people are present  
6 members of Berkeley and other East Bay communities  
7 today.

8           The City of Berkeley will continue to  
9 build relationships with the Lisjan Tribe and to  
10 create meaningful actions that uphold the intention  
11 of this land acknowledgement.

12           And do we have any public comment on  
13 non agenda and information items?

14           I don't have any cards for anyone, so I'm  
15 going to guess that we don't.

16           And next we have agenda changes. Staff  
17 has proposed that we might consider putting on the  
18 consent calendar, Item 9, 10 -- Items 9, 10, and 13.

19           So 9 is 2231 McKinley Avenue. No, sorry.  
20 9 is 2035 Francisco Street; 10 is 2231 McKinley  
21 Avenue. And 13 is the approval of minutes from the  
22 last meeting.

23           VICE CHAIR FINACOM: I'll move that if we  
24 can ask if there's anybody in the audience who wants  
25 to speak in the public hearings on any of those

1 issues.

2 CHAIR MONTGOMERY: I have a card for  
3 Item 9, but my understanding is that that speaker is  
4 just here to see that it stays on the consent  
5 calendar.

6 VICE CHAIR FINACOM: Okay.

7 CHAIR MONTGOMERY: So I don't know that  
8 that counts; is that correct?

9 SECRETARY CRANE: Yes.

10 CHAIR MONTGOMERY: Okay.

11 VICE CHAIR FINACOM: All right. So I'll  
12 move that.

13 COMMISSIONER ENCHILL: I'll second it.

14 CHAIR MONTGOMERY: Take a vote.

15 SECRETARY CRANE: Roll call.

16 CHAIR MONTGOMERY: Yeah.

17 SECRETARY CRANE: Commissioner Enchill?

18 COMMISSIONER ENCHILL: Yes.

19 SECRETARY CRANE: Finacom.

20 VICE CHAIR FINACOM: Yes.

21 SECRETARY CRANE: Orbuch?

22 COMMISSIONER ORBUCH: Yes.

23 SECRETARY CRANE: Plese?

24 COMMISSIONER PLESE: Yes.

25 SECRETARY CRANE: Schwartz?



1 COMMISSIONER SCHWARTZ: Yes.

2 SECRETARY CRANE: Montgomery.

3 CHAIR MONTGOMERY: Yes.

4 SECRETARY CRANE: (Inaudible).

5 CHAIR MONTGOMERY: Great. Moving right  
6 along. Item number 6, 6040 Gilman Street, Gilman  
7 Gateway. And we are to receive a presentation from  
8 staff.

9 SECRETARY CRANE: Yes. We have quite a  
10 few staff. I'll have them all introduce themselves.  
11 They have the team from the policy group, and they're  
12 here to tell you about the draft EIR for the Gilman  
13 Gateway Project.

14 MS. JAMES: Yeah. So good evening, Chair  
15 Montgomery and commissioners. My name is Ashley  
16 James. I'm the senior planner in the land use  
17 division, and I'm joined by my colleague Claudia  
18 Garcia, who will be presenting to you on this item  
19 tonight, the draft environmental impact report which  
20 analyzes proposed zoning West Berkeley and General  
21 Plan Amendments as part of the Pacific Steel Casting  
22 Referral from the City council, which we're naming  
23 the Gilman Gateway Project.

24 And also -- sorry, Anne Hersch, our  
25 planning manager is here.

1           And our consultant team is LSA led by  
2 Florentina Craciun who helped prepare the documents  
3 that we are going to introduce tonight.

4           So tonight's meeting will include a  
5 presentation on the draft EIR followed by commission  
6 questions then public comments and commission  
7 comments on the draft EIR.

8           So there's no action apart from  
9 commenting. And so first there's a little background  
10 on this project.

11           So the former Pacific Steel Casting site  
12 is in the far northwest corner of Berkeley along  
13 Gilman Street, which is an entry corridor to the  
14 City from Interstate 80. The area is an industrial  
15 area that has a mix of manufacturing, warehouse,  
16 office, and commercial nearby.

17           The proposed amendments address a City  
18 Council referral from 2021, which directed staff  
19 to create a zoning overlay at the former Pacific  
20 Steel Casting site, and to redesignate it as  
21 mixed-use-light Industrial or MU-LI and override any  
22 existing constraints on uses allowed in that district  
23 in the zoning ordinance.

24           The site had been on the market for some  
25 time as the current manufacturing zoning limits uses

1 to heavy manufacturing. While interest from the  
2 development community has been for biotechnology,  
3 labs, warehouse and commercial or office space here,  
4 also environmental contamination pension benefits  
5 due to workers at the sale of the property and  
6 neighborhood blight and safety are issues unique to  
7 the site that are of public concern.

8           So in response to the referral staff  
9 considered various approaches that would best achieve  
10 its goals, and proposed to the Planning Commission  
11 in February and March of 2023, creating a new  
12 zoning district called Manufacturing Research and  
13 Development, which is consistent with the goals and  
14 objectives of the West Berkeley plan and the general  
15 plan, and furthers the goals of the referral by  
16 allowing virtually all of the uses in the existing  
17 newly district while reducing constraints on some of  
18 those uses, and provides an efficient permitting  
19 process to expedite future development, which would,  
20 in turn, address the issues of public concern at the  
21 site.

22           So staff are proposing to create this  
23 district, which includes amendments to the zoning  
24 map ordinance, West Berkeley plan in general, plan to  
25 add the zoning district to our ordinance and our

1 plans.

2           And so, as a refresher, this project  
3 began at the end of 2022. And we prepared draft  
4 zoning text, and notice of preparation of a draft  
5 environmental impact report. And the Landmarks  
6 Preservation Commission provided comments on the  
7 scope of the EIR at that time.

8           So since then, we've prepared the  
9 amendments as well as the draft environmental impact  
10 report, which analyzes potential impacts to the  
11 physical environment from those proposed changes, as  
12 well as a conceptual development project called  
13 Berkeley Forge, and Staff presented those amendments  
14 in the EIR to the Planning Commission last night.

15           And the next step is for staff to prepare  
16 the final EIR and amendments, which will be provided  
17 to council for a decision early next year, and a  
18 development project could be processed once the  
19 amendments are effective.

20           And so now I will turn it over to Claudia  
21 Garcia, who will go through the environmental review  
22 process.

23           MS. GARCIA: Thank you. Okay.

24           So now onto the environmental review  
25 process that we undertook to evaluate the proposed

1 project. CEQA fundamentally is a public information  
2 statute.

3           The overall purpose of the environmental  
4 review process under CEQA is to provide -- to provide  
5 members of the public and decision-making bodies with  
6 the information about potential impact to the  
7 environment that may result from implementing the  
8 proposed project.

9           It also requires that we provide feasible  
10 mitigation and project alternatives that would reduce  
11 those significant impacts.

12           Accordingly, the environmental review  
13 process is solely focused on evaluating the physical  
14 impacts that may result.

15           The final decision-making body in this  
16 case, the City Council will consider the EIR and the  
17 analysis therein before making a decision on the  
18 proposed project.

19           Here is an overview of the environmental  
20 review process to date.

21           As Ashley noted, we initiated the process  
22 in December 2022 based on the City Council referral.

23           At that time, it was determined that an  
24 EIR was required based on the level of contamination  
25 on the site and potential impacts that could result

1 from demolition of existing structures and  
2 construction of a future project.

3           During the 30-day scoping session where  
4 we invited this commission and members of the public  
5 to provide input on the scope and content of the  
6 environmental impact report, we heard that you -- the  
7 public expressed concerns regarding archeological  
8 resources, tribal cultural resources, water supply  
9 and conservation, wastewater capacity and utilities,  
10 and contaminated soils.

11           We worked with our consultant to ensure  
12 that those topic areas were evaluated thoroughly in  
13 the EIR in addition to the topic areas that are  
14 required.

15           The analysis is now complete and the EIR  
16 is available for a 45 public -- 45-day public for  
17 view period.

18           The orange diamonds represent where we  
19 are now, and the purpose of tonight's meeting is to  
20 briefly discuss the analysis in the EIR, disclose  
21 the environmental impacts that could result from  
22 implementing the proposed zoning, and morely -- more  
23 focused on specific impacts to historic resources  
24 here tonight, and solicit any comments on the  
25 analysis of EIR.

1           So essentially, it's more of a listening  
2 exercise for staff tonight.

3           So when the City determined that an EIR  
4 was required, we had to determine the type of EIR  
5 that we needed to prepare. A program EIR is required  
6 when evaluating the issuance of regulations that  
7 govern the conduct of a program.

8           For example, evaluating the impacts of  
9 establishing and implementing a new zoning  
10 district.

11           A project EIR is required when evaluating  
12 the impacts of an associated development project.

13           In this case, we are doing both. The  
14 City received information from an interested party  
15 that wanted to implement the zoning as soon as city  
16 Council took action. And so we had to evaluate both  
17 in this document.

18           Program EIR evaluates what it would mean  
19 to implement the zoning, and the area boundaries'  
20 outlined there in red. So that is the entire parcel,  
21 the 11.5-acre parcel that would be rezoned.

22           It also assumes that all structures on  
23 the site would be demolished because we needed to  
24 assume that a potential property owner would want to  
25 implement the proposed new zoning.

1 This includes the property located at  
2 1306 Third Street, which meets the criteria for  
3 listing in the California Register and as a City of  
4 Berkeley Landmark.

5 The project EIR evaluates a conceptual  
6 development project. The boundary of the conceptual  
7 development project is outlined in blue.

8 It's a 10.26-acre portion of the site and  
9 does not include the property located at 1306 Third  
10 Street. The conceptual development project assumes  
11 that that property would remain.

12 Significant impacts proposed under the  
13 rezoning and the proposed project.

14 CEQA requires that we evaluate the 20  
15 topic areas listed on the screen. And it also  
16 identifies specific questions that we are required to  
17 consider under each topic.

18 Topic areas in black -- bolded in black,  
19 we determine that would -- the implementation of the  
20 proposed project and the conceptual development  
21 project would result in either no impact, less than  
22 significant impact, or would be reduced to less than  
23 significant impact with implementation of mitigation  
24 and compliance with our conditions of approval.

25 The topic areas bolded in gold air



1 quality, cultural resources and greenhouse gas  
2 emissions would result in significant and unavoidable  
3 impacts.

4           Specific to the property located at  
5 1306 Third Street, as I noted earlier, the property  
6 is eligible for listing under the California Register  
7 and as a City of Berkeley Landmark; however, it is  
8 not currently listed as a resource.

9           The reason being is that the building is  
10 associated with an American master artist and  
11 sculptor, Peter Voulkos, who was a ceramicist and  
12 metallurgist, who taught at UC Berkeley, and created  
13 significant works of art in this particular space.  
14 Because of its eligibility for listing actions that  
15 would diminish any of the features of the property,  
16 such as removal or alteration could result in a  
17 significant impact under CEQA.

18           Under the proposed rezoning, we assume  
19 that this structure would be demolished. And so  
20 the removal of the structure would result in a  
21 significant and unavoidable impact under CEQA.

22           The proposed mitigation measure would  
23 require a future project sponsor to obtain a  
24 qualified HABS photographer to document the existing  
25 structure and its setting. The documentation shall

1 be provided to the City for review prior to issuance  
2 of any potential demolition permit for the existing  
3 structure.

4           As a reminder, the City is not proposing  
5 to demolish the building, nor has it received an  
6 actual use permit application to demolish the  
7 building. This is an exercise of us evaluating what  
8 it would mean if the district were approved by the  
9 City council and a future property owner would take  
10 the actions to actually implement that zoning  
11 district.

12           Under the conceptual development project,  
13 we assumed that the structure at 1306 would remain;  
14 no alterations would result. And so impact -- no  
15 impact would result to that structure and no  
16 mitigation measures were required.

17           CEQA also requires us to consider  
18 alternatives to the proposed project.

19           In this case, we considered three  
20 alternatives. The no-action alternative was it --  
21 which is a version of a no-project alternative, which  
22 is required under CEQA. It assumes that no  
23 construction or demolition would occur on the site.  
24 The buildings would remain as is.

25           The general plan compliant alternative is

1 another version of the no-project alternative. It  
2 assumes that the project site would be developed in  
3 compliance with the current zoning district, which is  
4 manufacturing, and all the buildings would be  
5 demolished.

6 The reduced development alternative  
7 assumes that future project would be limited to 13  
8 parcels, totaling 350,000 square feet.

9 This alternative would also require  
10 100 -- a minimum 100-foot buffer from the existing  
11 building at 1306 Third Street.

12 This alternative would reduce impacts  
13 related to air quality energy, greenhouse gas  
14 emissions, noise, and the significant unavoidable  
15 impact associated with historic resources.

16 Here tonight, we invite you to submit  
17 your verbal comments on the content of the EIR. The  
18 comment period is open until December 5th, 5:00 p.m.  
19 We also invite you to provide your comments in  
20 writing and submit those to Ashley either via email  
21 or directly mailed to our offices.

22 A reminder that tonight is a listening  
23 exercise, so we definitely can answer clarifying  
24 questions of the commission. But we are just going  
25 to note all of the comments received.

1           Once we close the public review period,  
2 we're going to prepare the final EIR, which is going  
3 to include written comments -- written responses to  
4 each of the comments that we receive tonight. And  
5 throughout the comment period, the final EIR will be  
6 made available prior to the City Council hearing, and  
7 the City Council is required to consider the content  
8 of the EIR before taking action on the project.

9           Thank you.

10          CHAIR MONTGOMERY: Thank you.

11          SECRETARY CRANE: Thank you.

12          CHAIR MONTGOMERY: Any questions from the  
13 commission to staff?

14          COMMISSIONER ORBUCH: I have question.

15                 Is there a difference between alternative  
16 three and the conceptual development plan, or are  
17 those in effect the same thing?

18          MS. GARCIA: Yes. It -- the conceptual  
19 development project assumes that a 10.26-acre portion  
20 of the site would be developed. The alternative  
21 limits that site to 350,000 square feet.

22                 So it significantly reduces the number  
23 of parcels that could be developed where we would  
24 implement the new zoning district.

25          COMMISSIONER ORBUCH: Okay.

1 MS. GARCIA: And it includes a very large  
2 buffer between the historic building and proposed  
3 future development.

4 COMMISSIONER ORBUCH: Okay. And does the  
5 conceptual development plan include that 100-foot  
6 buffer from that building or not?

7 MS. GARCIA: It does not. It would build  
8 directly to the lot line.

9 COMMISSIONER ORBUCH: Okay.

10 MS. GARCIA: It could -- sorry. It  
11 would -- it could build directly to the lot line,  
12 because it's not an actual use-permit application.

13 COMMISSIONER ORBUCH: Okay. Thank you.

14 MS. GARCIA: Uh-huh.

15 COMMISSIONER SCHWARTZ: Does the building  
16 where Peter Voulkos had his studio, does that have  
17 any other landmark status other than cultural?

18 MS. GARCIA: No.

19 COMMISSIONER SCHWARTZ: Solely cultural.

20 MS. GARCIA: Uh-huh.

21 COMMISSIONER FINACOM: So this is sort of  
22 just a theoretical question, not an argument, but why  
23 isn't this considered spot zoning?

24 MS. GARCIA: Sure. It's not considered  
25 spot zoning because we identified a continuous parcel

1 of land that could be rezoned under a new district to  
2 clean up the site and to remove the derelict  
3 buildings.

4 COMMISSIONER FINACOM: And it's one  
5 owner; right? No?

6 MS. GARCIA: Multiple owners.

7 COMMISSIONER FINACOM: Multiple owners.

8 MS. GARCIA: Uh-huh.

9 COMMISSIONER FINACOM: And then also I'm  
10 a bit curious about why the -- why there's a  
11 conclusion that none of the industrial facilities  
12 have any historic significance under the landmarks  
13 ordinance because this is -- we include the landmarks  
14 ordinance, includes patterns of commercial  
15 development, economic development.

16 Did this entire, what is it six blocks,  
17 just have no importance of Berkeley history?

18 MS. GARCIA: The HRE did not identify  
19 those buildings as being historic.

20 UNKNOWN SPEAKER 2: In a little bit.

21 MS. GARCIA: Uh-huh.

22 UNKNOWN SPEAKER 2: There was an HRE --  
23 there was a historic resource evaluation for each  
24 parcel in the project area. And I'd have to share  
25 those with you.

1           Those were completed by Bridget Newley  
2 and Katelyn (inaudible). And they analyzed each  
3 according to California (inaudible) Register. And it  
4 was only that part one associated (inaudible) the  
5 level of maybe even California, actually, for that  
6 parties as well as local registry. But I'd be happy  
7 to share those with you.

8           COMMISSIONER FINACOM: That would -- that  
9 would be useful. And I -- and I'd say to the  
10 commission and the -- and the consultants and staff  
11 as well, that this -- I raised this issue with --  
12 frequently on the commission that here we have a  
13 site, a big chunk of the City that's been used  
14 primarily for industrial commercial uses for nearly a  
15 century and a half.

16           And yet there conclusion is that there's  
17 nothing, just one tiny little fragment that has to do  
18 with an artistic reuse of the property.

19           And that sort of thing is, we see that,  
20 that says to me that there's that -- there's nothing  
21 that the way the consultants operate, there is  
22 nothing in Berkeley that is significant under our  
23 standards, because if you have a huge factory  
24 complex that's operated for many decades doesn't  
25 matter. I'm not making the argument that the

1 factory should remain or that there should be  
2 industrial uses here.

3 But I am arguing that there needs to be  
4 some -- some credible recognition under the landmarks  
5 ordinance, which is quite broad of the economic  
6 significance of that part of Berkeley's history  
7 because Berkeley used to define itself as a city of  
8 homes and factories and churches. So -- and  
9 education, so.

10 MS. GARCIA: Thank you.

11 CHAIR MONTGOMERY: Did you, in your --  
12 the course of the research, you were the consultant,  
13 did you find any -- were there other artists that had  
14 artist or crafts people that had studios in this area  
15 that you know of?

16 MS. GARCIA: They primarily identified  
17 the ceramicist as the most famous individual.

18 Currently the property is used for  
19 dwelling in their four dwelling units and also  
20 artists that reside in the building.

21 CHAIR MONTGOMERY: Uh-huh. Any of the  
22 other buildings?

23 MS. GARCIA: No. They're primarily used  
24 for manufacturing, heavy manufacturing.

25 CHAIR MONTGOMERY: Okay.



1 COMMISSIONER ORBUCH: Are any of the  
2 other buildings in use, or are they all -- have they  
3 all been vacated?

4 MS. GARCIA: Other than 1306, they've all  
5 been vacated.

6 COMMISSIONER ORBUCH: Okay.

7 MS. GARCIA: Even the budget car rental  
8 place on Gilman. The property at 1433 Eastshore is a  
9 yard. They use it for storage.

10 COMMISSIONER ORBUCH: Okay.

11 MS. GARCIA: Construction equipment.

12 COMMISSIONER ORBUCH: Thank you.

13 CHAIR MONTGOMERY: Do we have any public  
14 comment for this item? I don't have any cards for  
15 Item 6.

16 UNKNOWN SPEAKER 3: I just had a question  
17 I couldn't see from the map what exactly are the  
18 borders of this mega zone or whatever it is. I know  
19 Third Street's in it, but is that --

20 CHAIR MONTGOMERY: Looks like Gilman  
21 Street to the north.

22 MS. GARCIA: Uh-huh.

23 CHAIR MONTGOMERY: And Third Street to  
24 the east, Page Street to the south, and Eastshore  
25 Highway to the west.

1 UNKNOWN SPEAKER 3: Okay.

2 CHAIR MONTGOMERY: And Second Street is  
3 that street that's sort of slicing north-south, down  
4 the middle.

5 UNKNOWN SPEAKER 3: Okay.

6 COMMISSIONER ORBUCH: And Camelia Street  
7 goes down the middle.

8 CHAIR MONTGOMERY: Right. Camelia Street  
9 is east-west.

10 UNKNOWN SPEAKER 3: Okay, great. Thank  
11 you.

12 COMMISSIONER ORBUCH: So just to help me  
13 understand the conceptual development plan, that's  
14 just like a theoretical development?

15 MS. GARCIA: Correct. The -- because  
16 the City received information from an interested  
17 applicant that they may be interested in developing  
18 that property under CEQA, we are required to evaluate  
19 it, because it's a foreseeable project. So otherwise  
20 it would be piecemealing.

21 COMMISSIONER ORBUCH: So that -- so the  
22 boundaries that you show in blue are that theoretical  
23 project?

24 MS. GARCIA: Correct.

25 COMMISSIONER ORBUCH: Okay. But it

1 hasn't actually been submitted. And so would this  
2 review that you did apply, if somebody decided to put  
3 an application in, then the work that you've done  
4 would serve as their environmental impact report?

5 MS. GARCIA: It would definitely help  
6 streamline a future project, should it fall within  
7 the boundaries of what we evaluated. But we would  
8 need to take a look and make sure that what they're  
9 proposing is consistent with the analysis.

10 If it exceeds, for example, the square  
11 footage or the height or something, it's not within  
12 those boundaries that they would need to do  
13 additional environmental review or the City would in  
14 order to process the project.

15 COMMISSIONER ORBUCH: Okay.

16 UNKNOWN SPEAKER 4: I have a question.  
17 Can you explain what the potential boundaries Forge  
18 Development site in blue is? Like the difference  
19 between the blue and red.

20 MS. GARCIA: Sure.

21 The red boundary is what is being  
22 proposed for rezoning from manufacturing to M-RD.  
23 The blue boundary is what the potential project that  
24 the City, the -- an applicant contacted the City  
25 stating that once city council makes a decision on

1 the rezoning. Should it be approved, we would be  
2 interested in developing these parcels.

3 UNKNOWN SPEAKER 4: Separating.

4 MS. GARCIA: Right.

5 COMMISSIONER ORBUCH: I have another  
6 question.

7 MS. GARCIA: Sure.

8 COMMISSIONER ORBUCH: As it relates to  
9 the alternatives.

10 MS. GARCIA: Uh-huh.

11 COMMISSIONER ORBUCH: Does the City  
12 Council end up deciding like between alternative 1,  
13 alternative 2 and alternative 3 or --

14 MS. GARCIA: Sure.

15 COMMISSIONER ORBUCH: What -- is that  
16 what -- is that the next step?

17 MS. GARCIA: The decision is on whether  
18 to approve the zoning and before a decision-making  
19 body, like in this case, the City Council can make a  
20 final decision on the proposed project, which is the  
21 zoning, they must also consider alternatives to that  
22 project that may reduce potential impacts.

23 Jurisdiction -- some jurisdictions have  
24 elected to adopt an alternative as opposed to the  
25 proposed project, but it is rare.

1 COMMISSIONER ORBUCH: All right. So  
2 then --

3 MS. GARCIA: So they don't have to choose  
4 an alternative, but it is an option for them.

5 COMMISSIONER ORBUCH: So -- okay. So now  
6 I'm a little more confused.

7 MS. GARCIA: Okay. Sorry.

8 COMMISSIONER ORBUCH: So they can choose  
9 between the three alternatives and the proposed  
10 project?

11 MS. GARCIA: Correct.

12 COMMISSIONER ORBUCH: Okay.

13 MS. GARCIA: They can choose to say, I  
14 don't want to approve the project. I'm going to go  
15 with alternative 1.

16 COMMISSIONER ORBUCH: Okay.

17 MS. GARCIA: No project here. We're not  
18 rezoning. Yeah.

19 COMMISSIONER ORBUCH: Is there a -- is  
20 there a recommended project in the EIR?

21 MS. GARCIA: The rezoning is the  
22 recommended project.

23 COMMISSIONER ORBUCH: So not the  
24 alternative?

25 MS. GARCIA: Correct.

1 COMMISSIONER ORBUCH: And the rezoning in  
2 its entirety?

3 MS. GARCIA: Yes.

4 COMMISSIONER ORBUCH: Option one?

5 MS. GARCIA: That is the option.

6 COMMISSIONER ORBUCH: That would demolish  
7 the building?

8 MS. GARCIA: That is the only option.

9 COMMISSIONER ORBUCH: Okay.

10 MS. GARCIA: Uh-huh. And these are  
11 just -- and if they don't like it, they want to go  
12 with alternative 3, they can.

13 COMMISSIONER ORBUCH: Okay.

14 MS. GARCIA: Uh-huh.

15 COMMISSIONER ORBUCH: Right. And so you  
16 are listening to us today.

17 Are we -- what is our -- what does --  
18 what does our body do in addition to asking  
19 questions? Are we supposed to make a recommendation,  
20 or we're just asking questions?

21 MS. GARCIA: We're just here to solicit  
22 comments on the adequacy of the analysis in the EIR  
23 and answer your questions.

24 It's during the public review period.  
25 And so typically this is when we come because it

1 there is a potential historic resource on the site.

2 We came here to solicit your feedback. And so

3 there's no actual motion related to this.

4 COMMISSIONER ORBUCH: Okay.

5 MS. GARCIA: Uh-huh.

6 COMMISSIONER ORBUCH: But you are looking

7 for feedback, so we can give that in addition to

8 asking questions today?

9 MS. GARCIA: Correct.

10 COMMISSIONER ORBUCH: Okay. Thank you.

11 CHAIR MONTGOMERY: Any more questions

12 from the commission?

13 (No audible response.)

14 So we can -- we had questions from the

15 public. Any comments from the commission, feedback

16 on the EIR?

17 VICE CHAIR FINACOM: A few.

18 **Commenter A-MONT** CHAIR MONTGOMERY: I have one bit. It's

19 maybe very minor. I believe in, and I do not know

20 which building, I can do some more research and

21 figure out exactly which address.

22 But one of these buildings, the

23 manufacturing that's going on, is this local artist

24 that is a metal worker, who builds percussion --

25 custom percussion bells for the likes of like the

**A-MONT-1**

1 Grateful Dead. And he has done, and then all sorts  
2 of jazz musicians since the fifties. He's kind of an  
3 old guy now. And I'd say in his world, he's as  
4 famous and well known as the ceramicist.

5 And though he's still alive, he's been  
6 doing this for longer than 40 years. So that would  
7 constitute like a, potentially a cultural resource.

A-MONT-1  
cont.

8 So I think there might be a little bit  
9 more digging, but I'm almost positive he's within  
10 this boundary here. He's very close to Pacific Steel  
11 Casting. I know that for sure.

12 So I will follow up with Fatema with an  
13 address.

14 MS. GARCIA: Thank you.

15 CHAIR MONTGOMERY: Later this week. But  
16 sorry.

17 Oh, sorry. His name is Pete Englehart  
18 and you can Google him. There was a big article on  
19 him in Berkeley side a couple of years ago for his  
20 like 87th birthday or something.

A-MONT-1  
cont.

21 MS. GARCIA: Thank you.

22 CHAIR MONTGOMERY: But I would guess I  
23 would take a little bit more careful look at that  
24 manufacturing, because I think it's maybe a little  
25 bit more than manufacturing. I think there are --

A-MONT-1  
cont.



1 there's very little manufacturing really that's going  
2 on in Berkeley. I think it's more artistic  
3 endeavors.

A-MONT-1  
cont.

4           Anyone else?

5           Yes.

6 **Commenter A-FIN** VICE CHAIR FINACOM: Yeah. So a couple  
7 things.

8           So the HABS documentation is limited  
9 solely to 3rd Street building, is that's what  
10 suggested.

11           Okay. So I think that's a big mistake  
12 because this is a really interesting complex falling  
13 into ruin, but block after block of heavy industrial  
14 facilities.

15           So I would strongly encourage, doesn't  
16 have to be, HABS absolute standard, but has like,  
17 what's the right term?

A-FIN-1

18           MS. UNKNOWN SPEAKER: HABS like --

19           VICE CHAIR FINACOM: HABS like  
20 documentation and maybe even something creative,  
21 like hire somebody to go through the whole property  
22 and do a video of it.

23           I noticed this week on the Berkeley  
24 Reddit site, somebody has been posting these  
25 fantastic black-and-white photos of Pacific Steel

1 Casting inside. I don't know how they got them, but  
2 this is a -- it is a missed opportunity if you just  
3 focus on one building and then scrape the rest of it.

A-FIN-1  
cont.

4 And people will be interested in the  
5 future. And we have the technology to do that sort  
6 of documentation.

7 I -- the -- on the native resources,  
8 there was a discussion of the drilling in the -- and  
9 of course samples into one area.

10 And all it touches a little bit -- the  
11 analysis touches a little bit on this, but it's  
12 really important to remember that Berkeley did not  
13 have a distinct shoreline. Berkeley had a zone of  
14 marshes and all the creeks float into that zone and  
15 had multiple channels going out to the bay. And  
16 there's a reference in here too.

A-FIN-2

17 This is north of Strawberry, this channel  
18 of Strawberry Creek.

19 Strawberry Creek had probably had  
20 multiple mouths, and they changed maybe every year.

21 So the whole area here is underlaid by  
22 area, by space that could easily have pre-American --  
23 pre -- prehistoric native people's artifacts and  
24 that. And so that can't simply be focused on just  
25 one piece that's close to the existing identifier.

1           And so it would be -- it would be good to  
2 have a more robust expansion of what happened almost  
3 inevitable when a development digs into an unknown  
4 area of artifacts.

A-FIN-2  
cont.

5           So I represent the commission on the  
6 Design -- City Design Review committee.

7           And in recent years we've seen a quite a  
8 number of projects similar to this, which are  
9 speculative biotech lab buildings, usually with big  
10 parking lots. They are the blandest things in the  
11 world.

12           And West Berkeley is sort of headed -- I  
13 don't know if people are familiar with the Oyster  
14 Point area of San Francisco, which is all just  
15 biotech towers now.

A-FIN-3

16           And you drive through there, and it's  
17 completely soulless, because it's giant buildings  
18 designed to some basic standards to meet optimum  
19 floor plate. And they have one tenant usually, and  
20 they're surrounded by little bits of like popcorn  
21 trees stuck in the landscape.

22           So I think there needs to be flowing out  
23 of this and better design standards for this big  
24 chunk of Berkeley.

25           And DRC tries as hard as it can to make

1 these buildings interesting. And we have mixed  
 2 success in that.

A-FIN-3  
 cont.

3 Another aspect of that is that the City  
 4 prohibits, if I -- if I remember correctly, signage  
 5 facing the freeway.

6 And, of course, the developers and  
 7 businesses are absolutely avid to have big signs,  
 8 lit signs. We went through this with the  
 9 Hollowmore Drive development next to Aquatic Park  
 10 where the developers honestly stated their intent.  
 11 They wanted big signs there shining out over Aquatic  
 12 Park during rush hour on the freeway.

13 And so there -- and the City actually  
 14 completely fumbled on the issue of regulating that  
 15 signage, in my view. And I don't want to see that  
 16 happen again here, where there are several blocks of  
 17 frontage on the freeway, and we end up with a  
 18 hundred-foot buildings that have big neon signs  
 19 pointed out at the -- at the freeway.

A-FIN-4

20 It's -- Berkeley should be defined by  
 21 architecture and natural scenery, not by  
 22 advertising.

23 So I would -- I would hope that the  
 24 project and the design standards, the City really  
 25 forces that.

1           And I would just say sort of overall with  
2 going back all the way in Berkeley history, and  
3 particularly about a hundred years ago when zoning  
4 started West Berkeley is -- West Berkeley used to be  
5 a community where the rich and poor lived together  
6 working -- the working class lived next to the  
7 well-to-do business owners because transportation was  
8 terrible and you had to walk to work. And so no one  
9 was going to live up into Berkeley Hills and operate  
10 a factory.

11           As soon as the streetcar network came in  
12 and then followed closely by the automobile, all the  
13 wealthy people moved to East Berkeley to their  
14 residential zone neighborhoods. And they immediately **A-FIN-5**  
15 started considering West Berkeley a site, not a  
16 neighborhood, just a site to do things.

17           And you could go and you could document  
18 probably 10 different eras when Berkeley was pursuing  
19 at the behest of the large property owners in the  
20 business community Berkeley was saying, oh, this is  
21 the new vision for West Berkeley. It's going to be  
22 manufacturing; it's going to be warehouses.

23           That was the big thing in the sixties.  
24 It's going to be a warehouse district.

25           The manufacturers wanted an airport under

1 Berkeley waterfront. They wanted a military base.  
2 That every possible bad idea about West Berkeley was  
3 proposed and was endorsed by the -- by the City  
4 establishment.

5           And so we're sort of at the flavor of the  
6 day again, that people want to build biotech. And so  
7 we're reshaping the landscape to build biotech.

8           And that's -- it seems almost inevitable,  
9 but it's worth considering that we don't -- we don't  
10 always have to go down that path of listening to  
11 what today's developers say is the most profitable  
12 thing to build.

13           Because you don't -- you don't result in  
14 a -- in getting a really good fine grade livable city  
15 that way. You just satisfy the people who have the  
16 luxury of owning a lot of land and a lot of money to  
17 develop.

18           So that doesn't condense into a  
19 single -- a single bullet point or anything. But I  
20 wanted -- I wanted to express that since this is  
21 probably the biggest piece of West Berkeley where  
22 this will be dealt with.

23           And it's very much like redevelopment in  
24 West Berkeley in the sixties. The fifties and  
25 sixties that was going to scrape clean many blocks of

A-FIN-5  
cont.

1 West Berkeley and build modern stuff there. And  
2 that's what produced part of the preservation  
3 movement in Berkeley.

4 So -- and we ended up with things like  
5 Forrest Street, Victorian houses, Delaware Street,  
6 historic history, which are so much more interesting  
7 than a bunch of biotech companies.

8 So that's what I can say.

9 MS. GARCIA: Thank you.

10 CHAIR MONTGOMERY: Thank you.

11 Any other comments from commissioners?

12 **Commenter A-ORB** COMMISSIONER ORBUCH: I have a few  
13 comments.

14 I'd like to encourage the Council to  
15 consider the reduced development option and not just  
16 rezoning wholeheartedly.

17 I think the hardest building is worth  
18 preserving, and I think it's worth putting a buffer  
19 around it. And I don't think either of the other  
20 proposals accomplish that.

21 I am also in favor of the HABS for the  
22 industrial site. Berkeley is this really cool city  
23 that has this amazing history, and those areas are a  
24 really vital part of what kind of made Berkeley what  
25 it was and part of the landscape and the social

A-FIN-5  
cont.

A-ORB-1

A-ORB-2

1 fabric of the -- of the -- of the City.

2           And I think people are really interested  
3 in the manufacturing history of the City, and we  
4 should be documenting it. I'm thrilled that all of  
5 the -- hopefully the site will be cleaned up,  
6 because I know there's a lot of hazardous waste  
7 under it.

A-ORB-2  
cont.

8           So I'm not opposed to having that use  
9 removed, but I do think it's worth documenting and  
10 because it is an important part of the City's  
11 history.

12           So those are the -- my two comments.

13           I actually, I think a lot of the stuff  
14 that that Mr. Finacom mentioned I agree with -- I  
15 agree with I watching out about signage off the  
16 freeway. So I hope that you guys will be looking at  
17 that.

A-ORB-3

18           And I also think that design guidelines  
19 now is the time to do them and not try to do them  
20 after the fact so that you're actually developing  
21 something that fits into the fabric of the City and  
22 isn't just helicopter dropped onto the site and  
23 that's it. And we're all living with it for time and  
24 memorial until the next bound of redevelopment comes  
25 and some other use comes along.

A-ORB-4



1           So let's try and do it right if we're  
2 going to do it. And then rezoning is the time to do  
3 that, is to put those design guidelines in place at  
4 the same time.

**A-ORB-4  
cont.**

5           So those are my comments.

6           MS. GARCIA: Thank you.

7           CHAIR MONTGOMERY: Anyone else? That's  
8 it.

9           COMMISSIONER ORBUCH: Thank you.

10          MS. GARCIA: Okay.

11          COMMISSIONER ORBUCH: Thank you.

12          MS. GARCIA: Thanks so much.

13          Thank you.

14          (Audio Recording ends at time 19:16:41)

15                               -o0o-

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C E R T I F I C A T E

STATE OF CALIFORNIA )  
 ) ss.  
CITY AND COUNTY OF BERKELEY )

I, IRENE NAKAMURA, a Certified Shorthand Reporter in and for the State of California, do hereby certify:

That the foregoing proceedings were transcribed by me in machine shorthand from audio recording, and was thereafter reduced to typewriting by me and under my supervision;

That the foregoing is a full, true and correct transcript of said proceedings;

I further certify that I am not of counsel or attorney for any of the parties to this matter, nor in any way interested in the outcome hereof, and that I am not related to any of the parties hereto.

Dated this 30th day of November, 2024 in Los Angeles, California.



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State of Hawaii CSR No. 496  
State of California CSR No. 9478  
State of Washington CCR No. 3177  
State of Nevada CSR No. 893  
State of Illinois CSR No. 084.004909

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