



Office of the City Manager

## **SUPPLEMENTAL AGENDA MATERIAL**

**Meeting Date:** June 24, 2014

**Item Number:** 51.c.

**Item Description:** Section 9212 Report: Downtown Initiative

**Submitted by:** Eric Angstadt, Director, Planning and Development

On June 3, 2014, two items on the City Council Agenda (i.e. items 33a. and 33b.) requested a 9212 analysis of the Downtown Initiative. Under Section 9212 of the California Elections Code, local legislative bodies are authorized to request an impact report prior to deciding whether to adopt an initiative ordinance or place it on a ballot.

In response to the June 3 referral, staff commenced preparation of an Elections Code Section 9212 report on the Downtown Initiative. Due to the short timeframe to prepare the report, initial information was provided in the June 24 agenda packet which was published on June 12. This supplemental includes additional analysis completed by staff for the requested 9212 report.



Office of the City Manager

## ACTION CALENDAR

June 24, 2014

To: Honorable Mayor and Members of the City Council

From:  Christine Daniel, City Manager

Submitted by: Eric Angstadt, Director, Planning and Development

Subject: Section 9212 Report: Downtown Initiative

### RECOMMENDATION

Consider a staff report under Elections Code Section 9212 on the impacts of the “Initiative Ordinance Amending Downtown Zoning Provisions and Creating Civic Center Historic District Overlay Zone”.

### FISCAL IMPACTS OF RECOMMENDATION

None.

### CURRENT SITUATION AND ITS EFFECTS

The City Council is considering whether to place the “Initiative Ordinance Amending Downtown Zoning Provisions and Creating Civic Center Historic District Overlay Zone” (Downtown Initiative) on the November 4, 2014 general election ballot. Staff has prepared a report to provide the City Council with information on the potential impacts of the Downtown Initiative.

### SUMMARY

The primary impacts of the Downtown Initiative are summarized in this section with more detailed analysis provided in the background section of this report. In brief, the impacts of the initiative are as follows:

#### *(1) Fiscal Impact-*

AECOM was retained to compare the fiscal impacts of the development opportunities allowed for by the Downtown Initiative with the opportunities allowed for under the existing Downtown Area Plan (DAP).<sup>1</sup> This analysis is contained in Attachments 1 and 2 of this report. AECOM concluded that the increased requirements in the Downtown Initiative for buildings over 60 feet in height would make construction of buildings over that height financially infeasible. The absence of that developed space would reduce the housing capacity of the Downtown Area Plan (DAP) by approximately 1300 units. Based on the average unit size estimate used in the DAP Environmental Impact Report (EIR) this would

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<sup>1</sup> Please see the subsection “Legal Consistency Analysis” of this Section 9212 report for considerations of the legal implications of the Downtown Initiative provisions.

result in approximately 1.1 million square feet of residential construction that would not be feasible to construct. If constructed, that amount of square footage would be worth an estimated \$221 million of construction value. The tax implications of that foregone construction are approximately \$720,000 dollars less of *ad valorem* tax for the City of Berkeley and \$400,000 dollars less for the Berkeley Unified School District (BUSD). The total foregone tax, special tax and debt service amounts for the City of Berkeley are approximately \$1,300,000 and \$1,000,000 for BUSD.

- (2) *Effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under Section 65008 of the Government Code (GC) and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code –*

The Downtown Initiative's consistency with the General Plan is mixed. The Downtown Initiative supports a number of General Plan goals especially in regards to electric vehicle infrastructure and bicycle transportation infrastructure. However, the provisions of the Downtown Initiative that impact the capacity of the DAP area due to the financial feasibility of construction conflict with the General Plan policies of promoting density near transit and the reduction of greenhouse gas emissions by increasing density near major transit infrastructure.

The Downtown Initiative does not have an impact on the City's ability to meet its housing allocation numbers for the current Housing Element cycle. The Downtown Initiative is consistent with Government Code (GC) Section 65008. However, the Downtown Initiative is not consistent with GC Sections 65913 and 65915 because it reduces the amount of housing and affordable housing that could be built in the DAP area by adding requirements that result in building over 60 feet becoming financially infeasible. In addition, it purports to require the waiver of rights under the State Density Bonus law (GC Section 65915) for buildings over 60 feet.

- (3) *Effect on the use of land, the impact on the availability and location of housing and the ability of the city to meet its regional housing needs –*

The Downtown Initiative would modify the current uses of land in the Civic Center Overlay portion of the downtown and surrounding areas. Residential use would not be allowed in the Civic Center Overlay, thus restricting the availability and location of housing compared to the current zoning. The Downtown Initiative also limits the availability of housing in the DAP area compared to current conditions due to the financial feasibility of construction. However, these changes do not have an impact on the City's ability to meet its regional housing capacity need.

- (4) Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses-*

Fewer residential units constructed would lead to a decrease in funds collected under the Streets and Open Space Improvement Plan (SOSIP) Impact Fee. The estimated decrease of 1.1 million square feet of residential construction, from the amount that could be constructed under the existing zoning, would decrease by approximately \$2.6 million the amount of SOSIP impact fees collected.

- (5) Its impact on the community's ability to attract and retain business and employment-*

Generally speaking, retail establishments locate in areas with access to large numbers of residential consumers. The Downtown Initiative would impact business attraction and retention by reducing the number of residential units in the DAP area, thereby reducing the total number of potential consumers in the immediate area for local businesses.

- (6) Its impact on the uses of vacant parcels of land-*

There is no impact from the Downtown Initiative on uses of vacant land.

- (7) Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization-*

The Downtown Initiative would have no impact on agricultural lands. The reduction in the total amount of SOSIP fees collected would reduce funding for future open space improvements. Traffic congestion would be reduced by the Downtown Initiative as it would reduce the total building capacity of the DAP area. The existing Downtown property-based Business Improvement District would not see an increase in their assessments due to less square footage constructed. There are no areas designated for revitalization in the DAP area.

## BACKGROUND

On April 8, 2014, a Notice of Intent to Circulate Petition was submitted to the City with proposed changes to the Zoning Ordinance. The changes were proposed by a ballot Initiative entitled, "Initiative Ordinance Amending Downtown Zoning Provisions and Creating Civic Center Historic District Overlay Zone" (Downtown Initiative).

Subsequently, on June 3, 2014, two items on the City Council Agenda (i.e. items 33a. and 33b.) requested a 9212 analysis of the Downtown Initiative. Under Section 9212 of the California Elections Code, local legislative bodies are authorized to request an

impact report prior to deciding whether to adopt an initiative ordinance or place it on a ballot.

In response to the June 3 referral, staff prepared an Elections Code Section 9212 report on the Downtown Initiative. Staff has analyzed the Downtown Initiative to determine its fiscal, regulatory consistency, infrastructure funding, business attraction and retention, open space, and traffic congestion impacts, as well as its impacts on the availability and location of housing, within the resource and time constraints to the extent possible.

Staff has compared the provisions of the initiative to multiple plans, codes and laws in the following tables.



Office of the City Manager

## Government Code Sections 65008, 65913 and 65915 consistency analysis as required by Elections Code Section 9212.

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
Government Code 65008	Policies to prevent discrimination in housing.	Chapter 23B.34, Chapter 23E.68, and Chapter 23E.98	Consistent.	<ul style="list-style-type: none"> <li>The Downtown Initiative does not act as a barrier to the provision of housing.</li> </ul>
Government Code 65913	Policies to encourage the development of new and affordable housing.	Chapter 23B.34, Chapter 23E.68, and Chapter 23E.98	Inconsistent.	<ul style="list-style-type: none"> <li>The Downtown Initiative renders the provision of additional affordable housing in the downtown financially infeasible.</li> </ul>
Government Code 65915	Density Bonus law	Chapter 23B.34, Chapter 23E.68	Inconsistent.	<ul style="list-style-type: none"> <li>The Downtown Initiative permits additional bonus height only in exchange for (1) community benefits, including the provision of affordable housing, possibly in conflict with the <i>Palmer</i> decision and (2) a waiver of the right to a density bonus. Government Code 65915 and seq. make density bonuses mandatory for projects that provide affordable units.</li> </ul>

## Climate Action Plan consistency analysis

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
Climate Action Plan (CAP)	TLU Goal 1: Increase density along transit corridors, including Policy A: Encourage the development of housing (including affordable housing), retail services, and employment centers in areas of Berkeley best served by transit.	Chapters 23B.34, 23E.68, and 23E.98	Inconsistent	<ul style="list-style-type: none"> <li>Limits density in the area of Berkeley best served by transit by reducing development potential and opportunities for development. <ul style="list-style-type: none"> <li>Over 30,000 daily transit riders are currently served in downtown Berkeley (i.e. Downtown Berkeley BART has 24,000 daily entries/exits, AC Transit has over 6,000 daily boardings/alightings, and two shuttle services carry 5,000 daily riders).<sup>2</sup></li> </ul> </li> <li>Eliminates minimum height limits; CAP calls for the establishment of “minimum building heights in certain transit-rich areas such as the downtown in order to prevent the underutilization of</li> </ul>

<sup>2</sup> City of Berkeley, Downtown Berkeley BART Plaza and Transit Area Improvement Project Grant Application, [http://www.ci.berkeley.ca.us/uploadedFiles/Public\\_Works/Level\\_3\\_-\\_Transportation/BERK%20Project%201%20BART%20Plaza%20Complete%20Package%20email\(1\).pdf](http://www.ci.berkeley.ca.us/uploadedFiles/Public_Works/Level_3_-_Transportation/BERK%20Project%201%20BART%20Plaza%20Complete%20Package%20email(1).pdf), accessed June 10, 2014.

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>transit-served areas”.</p> <ul style="list-style-type: none"> <li>• Allows surface parking lots with more than 8 parking spaces (previously prohibited); this could allow for underutilization of land in the prime transit-served area.</li> <li>• Requires projects in the Core subarea over 60 feet use an altered, previously voluntary, Green Pathway in order to be developed. As a voluntary standard in its original form, no projects have yet elected to use the requirements of the Green Pathway.</li> <li>• Limits the submittal of applications for the five taller buildings to no more than one per year.</li> <li>• CAP encourages car-lite and car-free development in transit-served areas to reduce vehicle miles traveled (VMT); while the Downtown Initiative requires additional parking spaces in developments and limits the number of spaces that can be reduced/waived.</li> <li>• Civic Center District Overlay allows 12 permitted uses, impacting the types of</li> </ul>



REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>employment that can be generated and eliminating housing.</p> <ul style="list-style-type: none"> <li>• CAP states that “the most effective strategy for accommodating growth and reducing is to site new development near transit”. <ul style="list-style-type: none"> <li>○ Rates of greenhouse gas emissions have been shown to be 2 to 3.4 metric tons/year/house hold lower within transit-oriented development locations.<sup>3</sup></li> </ul> </li> <li>• Berkeley is currently job-rich with an imbalance between jobs and housing; increasing housing near the downtown employment hub could better balance the jobs/housing ratio and reduce VMT, but housing development downtown is affected by the Downtown Initiative. <ul style="list-style-type: none"> <li>○ The Metropolitan Planning Commission’s activity-based</li> </ul> </li> </ul>

<sup>3</sup> California Department of Transportation, “Statewide Transit-Oriented Development Study Technical Appendices,” 2002.

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>travel model used to analyze and forecast the travel impacts of land use shows that a Berkeley resident who also works in Berkeley has an average daily VMT of 5.37 miles, a Berkeley resident who works outside of Berkeley has an average daily VMT of 18.6 miles, and a person who lives outside of Berkeley, but comes to Berkeley for work has an average daily VMT of 25.11 miles (nearly 5 times the miles of someone who lives and works in Berkeley).</p> <ul style="list-style-type: none"> <li>• The CEQA findings for the DAP (Resolution 65647) indicate that the regional impacts of limiting development downtown (the “No Project” alternative) results in 51.8 million</li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				pounds of greenhouse gas emissions (GHG) per year (assuming that 1,800 units are developed downtown and 1,300 develop offsite); in comparison, developing the 3,100 residential units downtown (the "EIR Project" for the 2012 DAP) results in only 16.1 million pounds of GHG emissions, about 30% of the GHG emissions associated with the No Project alternative that is likely to be most similar to the Downtown Initiative.
Climate Action Plan (CAP)	TLU Goal 3: Manage parking more effectively to minimize driving demand and the encourage and support alternatives to driving	Chapters 23B.34, 23E.68, and 23E.98	Mixed,	<ul style="list-style-type: none"> <li>The Downtown Initiative's increased parking requirements for new construction, new uses and changes of use encourages the driving of private automobiles (conventional and electric). Increased parking requirements are inconsistent with the CAP.</li> <li>Increases opportunities for private automobile travel (conventional and electric) downtown by allowing surface parking lots with more than 8 parking spaces. Increased surface parking promotes</li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>driving and is inconsistent with the CAP.</p> <ul style="list-style-type: none"> <li>The Downtown Initiative's increased bicycle parking (one space/bedroom or studio in addition to the space/2,000 square feet/square feet gross floor area of commercial space) may support bicycle use (if the development occurs). Increased bicycle parking requirement is consistent with the CAP.</li> </ul>
Climate Action Plan (CAP)	TLU Goal 4: Identify opportunities for generating sustained revenue for implementing community transportation demand management programs, including Policy A: Create additional strategic fees/taxes in order to build revenue for transportation demand management (TDM) efforts and to further discourage driving alone	Chapters 23B.34, 23E.68, and 23E.98	Mixed	<ul style="list-style-type: none"> <li>Requires all projects to pay a Transportation Services Fee to support alternative modes of travel and/or TDM programs.</li> <li>Reduces (from 100% to 70%) the potential of waiving/reducing on-site parking requirements through payment of a in-lieu fee.</li> <li>The Downtown Initiative significantly increases the number of required parking spaces. Increased parking standards are inconsistent with the CAP.</li> </ul>
Climate Action Plan (CAP)	TLU Goal 8: Encourage the use of low-carbon vehicles and fuels	Chapters 23B.34, 23E.68, and 23E.98	Mixed	<ul style="list-style-type: none"> <li>Adds EV charging station requirements (1 station/11-30 spaces, 2</li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>stations/30-60 spaces, etc) for new construction or additions.</p> <ul style="list-style-type: none"> <li>Current standard conditions of approval for Use Permits require 10% of new residential parking and 3% of new non-residential parking spaces to be wired for Level 2 EV charging stations; these existing <a href="#">specifications</a> for EV charging readiness are more aligned with state guidance including voluntary Tier 1 CalGreen standards.</li> </ul>
Climate Action Plan (CAP)	BEU Goal 1: Make green building business as usual in the new construction and remodel market	Chapters 23B.34, 23E.68, and 23E.98	Mixed	<ul style="list-style-type: none"> <li>Requires LEED Platinum (or a building performance equivalent) through the Green Pathway, which is now mandatory for any building over 60 feet. <ul style="list-style-type: none"> <li>Research generally shows 0-15% cost premiums for LEED buildings, with LEED Platinum typically being the most costly.</li> <li>Currently only about 12% of LEED certified buildings have achieved the Platinum designation</li> </ul> </li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>worldwide.<sup>4</sup></p> <ul style="list-style-type: none"> <li>• Requires all new buildings (regardless of size) to attain LEED Gold (or a building performance equivalent).</li> <li>• Requires “an energy efficiency rating of 15% above the requirements of Title 24” (or equivalent). <ul style="list-style-type: none"> <li>○ In order to be legally enforceable, the California Energy Commission must approve the local adoption of energy standards that are more stringent than the statewide standards; approval includes analysis showing that the local standards are cost-effective.<sup>5</sup></li> <li>○ Title 24, Part 6 Energy Code standards are</li> </ul> </li> </ul>

<sup>4</sup> USGBC LEED Project Directory, <http://www.usgbc.org/projects?keys=&=Search>, accessed on June 10, 2014.

<sup>5</sup> California Energy Commission, Local Ordinances Exceeding the 2013 Building Energy Efficiency Standards, <http://www.energy.ca.gov/title24/2013standards/ordinances/>, accessed on June 10, 2014.

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>becoming significantly more stringent with each 3 year cycle to achieve Zero Net Energy in new residential buildings by 2020 and in commercial buildings by 2030.</p> <ul style="list-style-type: none"><li>○ 2013 Title 24, Part 6 existing energy requirements require about 30% more efficiency than the previous (2008) code cycle for commercial buildings.</li><li>○ GreenPoint Rated, a third-party residential green building certification system, previously required that buildings outperform the 2008 Title 24, Part 6 energy requirements by 15%, but will now require outperformance of the 2013</li></ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>energy requirements by 5-10% based on cost effectiveness and the more stringent requirements.<sup>6</sup></p> <ul style="list-style-type: none"> <li>Requires no new net water runoff for new projects.</li> </ul>
Climate Action Plan (CAP)	WRR Goals 1&2: Increase recycling, composting, and waste reduction in the residential and commercial sectors	Chapters 23B.34, 23E.68, and 23E.98	Mixed	<ul style="list-style-type: none"> <li>Requires all projects to provide on-site recycling and composting facilities.</li> <li></li> </ul>

### Downtown Area Plan consistency analysis

DAP GOALS, POLICIES, AND ACTIONS	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
DAP	<b>Goal ES-3:</b> Encourage high density, highly livable development to take advantage of downtown's proximity to regional transit and to improve the availability of diverse walk-to destinations – such as retail, services,	23E.68.070 23B.34.050	Consistent	<ul style="list-style-type: none"> <li>Creates additional SOSIP fees.</li> <li>Creates affordable very low income (VLI) housing.</li> <li>Requires family and affordable housing provided on-site.</li> <li>Provides public restrooms.</li> <li></li> </ul>

<sup>6</sup> GreenPoint Rated Checklists, Manuals, and Guidelines, <http://www.builditgreen.org/guidelines--checklists/>, accessed on June 10, 2014.



DAP GOALS, POLICIES, AND ACTIONS	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
	<p>culture, and recreation.</p> <p><b>Policy HC-1.2:</b> Sufficient Open Space. Provide sufficient usable open space for residents within Downtown and as part of new residential projects (see policies under Goals LU-2 and OS-3).</p> <p><b>Policy ED-1.11:</b> Hotels. Encourage hotels in the heart of Downtown.</p>		Inconsistent	<ul style="list-style-type: none"> <li>Increases cost of development.</li> <li>Limits density by reducing heights in buffer.</li> <li>Decreases density by removing minimum height standards.</li> </ul>
		23E.98	Inconsistent	<ul style="list-style-type: none"> <li>Limits uses in the downtown in general and in the Civic Center Historic District in particular.</li> </ul>
DAP	<p><b>Policy ES-3.1:</b> Land Use. Encourage development with high intensities close to transit, and encourage a mix of uses that allows most needs to be met on foot (see policies under Goal LU-1).</p> <p><b>Policy ES-4.2:</b> Alternative Modes. Modify development standards to promote alternatives to the automobile by providing car share and bi-cycle facilities, transit passes for residents, and parking regulations that favor alternative modes, as are described in policies under Goal AC-1.</p> <p><b>Policy LU-4.1:</b> Transit-</p>	23E.68.070	Inconsistent	<ul style="list-style-type: none"> <li>Limits density by: reducing heights in buffer.</li> <li>Decreases density by removing minimum height standards.</li> <li>Increases the cost of development: new construction may be economically infeasible leading to less development downtown.</li> </ul>
		23E.98	Inconsistent	<ul style="list-style-type: none"> <li>Limits uses in the downtown in general and in the Civic Center Historic District in particular.</li> </ul>
		23E.68.080 23E.68.030 23E.68.090	Consistent	<ul style="list-style-type: none"> <li>Encourages transit by expanding bicycle parking space requirements (for new construction) to include dwelling units.</li> </ul>

DAP GOALS, POLICIES, AND ACTIONS	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
	Oriented Development. Encourage use of transit and help reduce regional greenhouse gas emissions, by allowing buildings of the highest appropriate intensity and height near BART and along the Shattuck and University Avenue transit corridors (see Goal ES-3).		Inconsistent	<ul style="list-style-type: none"> <li>Increases opportunities for vehicle travel by increasing required parking.</li> <li>Allows surface parking of 8 spaces or more.</li> <li>Provides incentives for providing 100% of parking on-site.</li> </ul>
DAP	<p><b>Policy ES-4.1:</b> Green building requirements may be waived to encourage historic rehabilitations and adaptive reuse of older buildings (see Policies LU-2.1, LU-4.3 and HD-4.2).</p> <p><b>Policy LU-4.3:</b> Historic Resources. Preserve historic buildings and sites of Downtown, and provide where appropriate for their adaptive re-use and/or intensification (see Policies ES-4.1, LU-2.1 and HD-1.1).</p>	23B.34	Consistent	<ul style="list-style-type: none"> <li>Supports the preservation of historically or culturally important areas by preserving the Civic Center District as an area for cultural and civic uses.</li> </ul>
			Inconsistent	<ul style="list-style-type: none"> <li>Eliminates the Green Pathway streamlining process by removing all references to the Landmarks Preservation Commission, the Landmarks Preservation Commission prescreening process, and the provision allowing a Zoning Certificate by right for projects which are not hotels and are less than 75 feet in height, with less than 100 dwelling units.</li> <li></li> </ul>

DAP GOALS, POLICIES, AND ACTIONS	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
DAP	<p><b>Policy LU-1.1:</b> Downtown Uses. Encourage uses that allow people who live, work and learn in Downtown to meet daily needs on foot.</p> <p><b>Policy HC-1.1:</b> Neighborhood-Serving Uses. Encourage neighborhood-serving uses that let residents meet daily needs on foot (see Policy LU-1.1).</p> <p><b>Goal HC-2:</b> Maintain a good quality of life for residents of all ages during the day and at night in downtown and in surrounding residential areas.</p>	23E.98	Inconsistent	<ul style="list-style-type: none"> <li>Limits uses in the Downtown in general and in the Civic Center Historic District in particular.</li> <li>Increases discretionary review for all commercial uses in Civic Center Historic District overlay.</li> </ul>
		23E.68.080 23E.68.030 23E.68.090	Consistent	<ul style="list-style-type: none"> <li>Encourages transit by expanding bicycle parking space requirements (for new construction) to include dwelling units.</li> </ul>
			Inconsistent	<ul style="list-style-type: none"> <li>Increases opportunities for vehicle travel by increasing required parking.</li> <li>Allows surface parking of 8 spaces or more.</li> <li>Provides incentives for providing 100% of parking on-site.</li> </ul>

DAP GOALS, POLICIES, AND ACTIONS	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
		23E.68.060	Inconsistent	<ul style="list-style-type: none"><li>• Businesses with alcohol in the Core, Outer Core and Corridor subareas may only exceed hours of operation limits with an approved Use Permit and public hearing accompanied by new findings related to noise/residential use.</li><li>• Limits operating hours to midnight in the Buffer subarea.</li><li>• Businesses with alcohol in the Buffer subarea are prohibited from exceeding hours of operation limits.</li></ul>

DAP GOALS, POLICIES, AND ACTIONS	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
DAP	<p><b>Policy LU-1.5:</b> Downtown Intensities &amp; Building Heights. To advance Downtown as a vibrant city center and encourage car-free options near transit, accommodate urban intensities by using building heights that are appropriate and feasible, as indicated in Table LU-1 and “Figure LU-1, Land Use &amp; Building Heights.” All new buildings shall deliver significant public benefits, many of which should be in proportion to building height (see Policy LU-2.1).</p> <p><b>Goal LU-4:</b> New development should enhance downtown’s vitality, livability, sustainability, and character through appropriate land use and design.</p> <p><b>Goal ED-1:</b> Serve the needs of the neighborhood and the city. Make downtown a more attractive regional destination, by building on downtown’s unique blend of cultural, historic, entertainment, art,</p>	23B.34.050	Consistent	<ul style="list-style-type: none"> <li>• Increases open space and recreation funding by: <ul style="list-style-type: none"> <li>○ Introducing an additional SOSIP fee of \$1.00 per square feetsquare foot for buildings over 75 feet in height.</li> <li>○ Requiring an in lieu fee of \$30 per square feetsquare foot of open space not provided within a project.</li> </ul> </li> <li>• Requires provision of an additional 10% affordable (very low income) housing.</li> <li>• Requires family and affordable housing provided on-site. Provides public restrooms.</li> <li>• Provides family housing.</li> <li>• Promotes living-wage jobs by expanding the group of workers who must be paid the Prevailing Wage for all projects electing the Green Pathway.</li> <li>• Supports the supply of businesses by requiring a contribution equivalent to \$0.50/square foot of new or additional Gross Floor Area into a fund supporting business and entrepreneurial loans (for any addition or new construction).</li> </ul>

DAP GOALS, POLICIES, AND ACTIONS	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
	<p>educational, and community institutions – and by promoting successful retail businesses and other attractions, with daytime and nighttime populations to support them.</p> <p><b>Policy ED-1.1:</b> Shop Downtown. Encourage shopping Downtown, especially by Berkeley residents and UC faculty, staff, and students.</p> <p><b>Policy ED-1.3:</b> Retail, Restaurants &amp; Cultural Uses. Support existing and encourage highly functional and viable new retail, restaurant, and cultural uses (such as theaters, music, museums, and galleries). a) Reduce</p>	23E.68.070	Inconsistent	<ul style="list-style-type: none"> <li>• No in lieu fee option for affordable housing.</li> <li>• Increases cost of development.</li> <li>• Limits the number of potential units available for development.</li> </ul>
			Inconsistent	<ul style="list-style-type: none"> <li>• Limits density by: reducing heights in buffer.</li> <li>• Decreases density by removing minimum height standards.</li> <li>• Increases cost of development.</li> </ul>
			Consistent	<ul style="list-style-type: none"> <li>• Creates additional SOSIP fees.</li> <li>• Creates affordable housing (very low income) units.</li> <li>• Requires family and affordable housing provided on-site. Provides public restrooms.</li> <li>• Provides family housing.</li> </ul>

DAP GOALS, POLICIES, AND ACTIONS	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
	<p>discretionary review and streamline permits, to the extent feasible, for retail, restaurant and cultural uses.</p> <p>b) To promote functional and viable retail, minimize street-level parking to the extent feasible (see Policies AC-3.3 &amp; HD-4.1).</p>	23E.68.060	Inconsistent	<ul style="list-style-type: none"> <li>Limits hours for businesses with alcohol in Core, Outer Core and Corridor subareas Sunday-Thursday to midnight.</li> <li>Limits hours to midnight in buffer.</li> <li>Businesses with alcohol in the Core, Outer Core and Corridor subareas may only exceed hours of operation limits with an approved Use Permit and public hearing accompanied by new findings related to noise/residential use.</li> <li>Limits operation hours to midnight in the Buffer subarea.</li> <li>Businesses with alcohol in the Buffer subarea are prohibited from exceeding hours of operation limits.</li> </ul>
			Consistent	<ul style="list-style-type: none"> <li>Businesses with alcohol in the Core, Outer Core and Corridor subareas may only exceed hours of operation limits with an approved Use Permit and public hearing accompanied by new findings related to noise/residential use.</li> </ul>
		23E.98	Consistent	<ul style="list-style-type: none"> <li>Creates overlay for civic uses.</li> </ul>
			Inconsistent	<ul style="list-style-type: none"> <li>Increases discretionary review in Civic Center Historic District overlay.</li> </ul>

**General Plan consistency analysis**

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
General Plan	<p>Introduction, Goal #1: Preserve Berkeley's unique character and quality of life.</p> <ul style="list-style-type: none"> <li>• Prepare for Natural Disasters.</li> <li>• Reduce Traffic and Encourage Transit.</li> <li>• Encourage Appropriate Infill Development.</li> </ul>	Chapter 23B.34, Chapter 23E.68, Chapter 23E.98	Mixed	<ul style="list-style-type: none"> <li>• Preserves Civic Center Historic District by limiting uses to civic and those supportive of an active community.</li> <li>• Reduces traffic in the Downtown by limiting the number of potential units available for development.</li> <li>• Encourages transit by expanding bicycle parking space requirements (for new construction) to include dwelling units.</li> <li>• Reduces opportunities for infill and mixed use development in the Downtown by limiting the number of potential units available for development in general and for transit-oriented development in particular.<sup>7</sup></li> </ul>
General Plan	<p>Introduction, Goal #2: Ensure that Berkeley has an adequate supply of decent housing, living-wage jobs, and businesses providing basic goods and services.</p> <ul style="list-style-type: none"> <li>• Increase the supply of affordable housing.</li> <li>• Support Local Businesses and Neighborhood-Serving</li> </ul>	Chapter 23B.34, Chapter 23E.68, Chapter 23E.98	Mixed	<ul style="list-style-type: none"> <li>• Supports an adequate supply of housing by increasing the required percent of affordable housing (i.e. from 10% to up to 30%).</li> <li>• Promotes living-wage jobs by expanding the group of workers who must be paid the Prevailing Wage for all projects electing the Green Pathway.</li> </ul>

<sup>7</sup> City of Berkeley, *Climate Action Plan*, Chapter 3, p. 22 to 24.



REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
	<p>Businesses.</p> <ul style="list-style-type: none"> <li>Promote a Strong Industrial Base and Living-Wage Jobs.</li> </ul>			<ul style="list-style-type: none"> <li>Supports the supply of businesses by requiring a contribution equivalent to \$0.50/square foot of new or additional Gross Floor Area into a fund supporting business and entrepreneurial loans (for any addition or new construction).</li> <li>Limits the supply of businesses by: <ul style="list-style-type: none"> <li>Limiting the type and number of uses both in the Downtown in general and in the Civic Center Historic District in particular.</li> <li>Limiting the number of potential units available for development.</li> </ul> </li> </ul>
General Plan	<p>Introduction, Goal #3: Protect local and regional environmental quality.</p> <ul style="list-style-type: none"> <li>Reduce the Waste Stream Generated from Berkeley.</li> <li>Restore Creeks and Plant Trees.</li> <li>Improve Air Quality and Conserve Resources.</li> </ul>	Chapter 23B.34, Chapter 23E.68, Chapter 23E.98	Mixed	<ul style="list-style-type: none"> <li>Supports the protection of local and regional environmental quality by supporting electric vehicles by requiring electric vehicle charging stations (for any addition or new construction required to provide 11 or more parking spaces).</li> <li>Limits the protection of local and regional environmental quality by</li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<ul style="list-style-type: none"> <li>○ Limiting the number of potential units available near transit.</li> <li>○ Reducing opportunities for infill and mixed use development in the downtown by limiting the number of potential units available for development.</li> <li>• Supports reduction of the waste stream by requiring on-site recycling and composting facilities (for any change in use requiring discretionary review, any addition or new construction).</li> <li>• Supports the improvement of air quality and conservation of resources by requiring Electric Vehicle charging stations (for any addition or new construction already required to provide 11 or more parking spaces) and requiring bicycle parking for dwelling units (for any addition or new construction).</li> <li>• Affects air quality by increasing opportunities for vehicle travel (e.g. by</li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				allowing surface parking lots with more than 8 spaces) and limiting the number of potential units available near transit.
General Plan	<p>Introduction, Goal #4: Maximize and improve citizen participation in municipal decision-making.</p> <ul style="list-style-type: none"> <li>• Improve Notification and the Dissemination of Information.</li> <li>• Improve Citizen Participation.</li> <li>• Improve the Responsiveness of City Administration and Staff.</li> </ul>	Chapter 23B.34, Chapter 23E.68, Chapter 23E.98	Mixed	<ul style="list-style-type: none"> <li>• Eliminates the Green Pathway streamlining process by removing all references to the Landmarks Preservation Commission, the Landmarks Preservation Commission prescreening process, and the provision allowing a Zoning Certificate by right for projects which are not hotels and are less than 75 feet in height, with less than 100 dwelling units. This would increase notification and citizen participation while reducing responsiveness and processing of applications for buildings below 75 feet in height.</li> </ul>
General Plan	<p>Introduction, Goal #5: Create a Sustainable Berkeley.</p> <ul style="list-style-type: none"> <li>• Protect the Environment.</li> <li>• Promote Social Equity.</li> <li>• Achieve a Healthy Economy.</li> </ul>	Chapter 23B.34, Chapter 23E.68, Chapter 23E.98	Mixed	<ul style="list-style-type: none"> <li>• Protects the environment by: <ul style="list-style-type: none"> <li>○ Requiring bicycle parking for dwelling units (for any addition or new construction).</li> <li>○ Supporting electric vehicles by requiring electric</li> </ul> </li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>vehicle charging stations (for any addition or new construction already required to provide 11 or more parking spaces).</p> <ul style="list-style-type: none"> <li>○ Supporting reduction of the waste stream by requiring on-site recycling and composting facilities (for any change in use requiring discretionary review, any addition or new construction).</li> <li>● Supports social equity by increasing the required percent of affordable housing (i.e. from 10% to up to 30%) and the required percent of local hire for construction (i.e. from 30% to 50%), as well as expanding the group of workers who must be paid the Prevailing Wage, for all projects electing the Green Pathway.</li> <li>● Supports the achievement</li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>of a healthy economy by requiring a contribution equivalent to \$0.50/square foot of new or additional Gross Floor Area into a fund supporting business and entrepreneurial loans (for any addition or new construction).</p> <ul style="list-style-type: none"> <li>• Reduces opportunities for protecting the environment by: <ul style="list-style-type: none"> <li>○ Limiting infill and mixed use development by limiting the number of potential units available for development in general and for transit-oriented development in particular.</li> <li>○ Reducing opportunities for infill and mixed use development in the downtown by limiting the number of potential units available for development.</li> <li>○ Increasing opportunities</li> </ul> </li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>for vehicle travel (e.g. by allowing surface parking lots with more than 8 spaces).</p> <ul style="list-style-type: none"> <li>• Affects the type and number of uses both in the Downtown in general and in the Civic Center Historic District in particular.</li> </ul>
General Plan	<p>Introduction, Goal #6: Make Berkeley a disaster-resistant community that can survive, recover from, and thrive after a disaster.</p> <ul style="list-style-type: none"> <li>• Identify and Reduce Vulnerabilities.</li> <li>• Improve Emergency Response and Preparation.</li> <li>• Utilize Disaster-Resistant Land Use Planning.</li> </ul>	Chapter 23B.34, Chapter 23E.68, Chapter 23E.98	Consistent	<ul style="list-style-type: none"> <li>• The Initiative does not contain provisions which conflict with this Goal.</li> </ul>
General Plan	<p>Introduction, Goal #7: Maintain Berkeley's infrastructure, including streets, sidewalks, buildings, and facilities; storm drains and sanitary; and open space, parks, pathways, and recreation facilities.</p>	Chapter 23B.34, Chapter 23E.68, Chapter 23E.98	Mixed	<ul style="list-style-type: none"> <li>• Supports the maintenance of infrastructure by: <ul style="list-style-type: none"> <li>○ Introducing an additional SOSIP fee of \$1.00 per square feet for buildings over 75 feet in height.</li> <li>○ Requiring an in lieu fee of \$30 per square feet of open space not provided within a project.</li> </ul> </li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<ul style="list-style-type: none"> <li>Impacts infrastructure by limiting the number of potential units available for development and thus able to pay fees or provide open space.</li> </ul>
General Plan	Transportation, Objective: Reduce automobile use and vehicle miles traveled in Berkeley, and the related impacts, by providing and advocating for transportation alternatives and subsidies that facilitate voluntary decisions to drive less.	Chapter 23B.34, Chapter 23E.68, Chapter 23E.98	Mixed	<ul style="list-style-type: none"> <li>Supports the reduction of automobile use and vehicle miles by: <ul style="list-style-type: none"> <li>Expanding bicycle parking space requirements (for new construction) to include dwelling units.</li> <li>Requiring Electric Vehicle charging stations (for any addition or new construction already required to provide 11 or more parking spaces)</li> </ul> </li> <li>Limits reductions in automobile use and vehicle miles traveled by: <ul style="list-style-type: none"> <li>Limiting the number of potential units available for development in general and for</li> </ul> </li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>transit-oriented development in particular (e.g. limiting options for people to live and work within walking or transit distance to jobs and amenities).</p> <ul style="list-style-type: none"> <li>○ Increasing opportunities for vehicle travel (e.g. by allowing surface parking lots with more than 8 spaces).</li> </ul>
General Plan	Transportation, Objective: Maintain and improve the existing infrastructure and facilities for the movement of people, goods, and vehicles within and through the city.	Chapter 23B.34, Chapter 23E.68, Chapter 23E.98	Mixed	<ul style="list-style-type: none"> <li>● Supports the maintenance and improvement of existing infrastructure and facilities by: <ul style="list-style-type: none"> <li>○ Introducing an additional SOSIP fee of \$1.00 per square feet for buildings over 75 feet in height.</li> <li>○ Requiring an in lieu fee of \$30 per square feet of open space not provided within a</li> </ul> </li> </ul>



REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>project.</p> <ul style="list-style-type: none"> <li>Limits the maintenance and improvement of existing infrastructure and facilities by limiting the number of potential units available for development and thus able to pay fees or provide open space.</li> </ul>
General Plan	Open Space and Recreation, Objective: Increase funding for parkland, recreational facilities, and open space maintenance, improvement, and expansion.	Chapter 23B.34, Chapter 23E.68, Chapter 23E.98	Mixed	<ul style="list-style-type: none"> <li>Increases open space and recreation funding by: <ul style="list-style-type: none"> <li>Introducing an additional SOSIP fee of \$1.00 per square feet for buildings over 75 feet in height.</li> <li>Requiring an in lieu fee of \$30 per square feet of open space not provided within a project.</li> </ul> </li> <li>Limits increases to open space and recreation funding by limiting the number of potential units available for development and thus able to pay fees or provide open space.</li> </ul>
General Plan	Environmental Management, Objective 3. Reduce emissions and improve air quality.	Chapter 23B.34, Chapter 23E.68, Chapter 23E.98	Mixed	<ul style="list-style-type: none"> <li>Supports the reduction of emissions and improvement of air quality by: <ul style="list-style-type: none"> <li>Expanding bicycle parking space</li> </ul> </li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>requirements (for new construction) to include dwelling units.</p> <ul style="list-style-type: none"> <li>○ Requiring Electric Vehicle charging stations (for any addition or new construction already required to provide 11 or more parking spaces).</li> <li>● Affects the reduction of emissions and improvement of air quality by: <ul style="list-style-type: none"> <li>○ Limiting the number of potential units available for development in general and for transit-oriented development in particular (e.g. limiting options for people to live and work within walking or transit distance to jobs and</li> </ul> </li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<ul style="list-style-type: none"> <li>○ amenities).</li> <li>○ Increasing opportunities for vehicle travel (e.g. by allowing surface parking lots with more than 8 spaces).</li> </ul>
General Plan	Environmental Management, Objective 7. Reduce nonrenewable energy consumption and unnecessary glare from inappropriate lighting.	Chapter 23B.34, Chapter 23E.68, Chapter 23E.98	Mixed	<ul style="list-style-type: none"> <li>• Supports the reduction of nonrenewable energy consumption by: <ul style="list-style-type: none"> <li>○ Expanding bicycle parking space requirements (for new construction) to include dwelling units.</li> <li>○ Requiring Electric Vehicle charging stations (for any addition or new construction already required to provide 11 or more parking spaces)</li> </ul> </li> <li>• Affects the reduction of nonrenewable energy consumption by: <ul style="list-style-type: none"> <li>○ Limiting the number of</li> </ul> </li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>potential units available for development in general and for transit-oriented development in particular (e.g. limiting options for people to live and work within walking or transit distance to jobs and amenities).</p> <ul style="list-style-type: none"> <li>○ Increasing opportunities for vehicle travel (e.g. by allowing surface parking lots with more than 8 spaces).</li> </ul>
General Plan	Environmental Management, Objective 8. Protect the community from excessive noise levels.	Chapter 23E.68	Consistent	<ul style="list-style-type: none"> <li>● Supports quality of life in the community by requiring a finding that extended hours of a commercial use will not generate excessive noise.</li> </ul>
General Plan	Economic Development and Employment, Objective 1. Provide a variety of jobs with varied skill levels for residents of Berkeley.	Chapter 23B.34, Chapter 23E.68, Chapter 23E.98	Mixed	<ul style="list-style-type: none"> <li>● Supports the provision of jobs for Berkeley residents by: <ul style="list-style-type: none"> <li>○ Increasing the required percent of local hire for construction</li> </ul> </li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<p>(i.e. from 30% to 50%) for all projects electing the Green Pathway.</p> <ul style="list-style-type: none"> <li>○ Requiring, if available, that 16% of construction workers are apprentices for all projects electing the Green Pathway.</li> <li>• Limits the provision of jobs for Berkeley residents by: <ul style="list-style-type: none"> <li>○ Limiting the type and number of uses both in the Downtown in general and in the Civic Center Historic District in particular.</li> <li>○ Limiting the number of potential units available for development.</li> </ul> </li> </ul>
General Plan	Economic Development and Employment Objective 7. Increase social and economic equity in land	Chapter 23B.34, Chapter 23E.68,	Mixed	<ul style="list-style-type: none"> <li>• Supports social and economic equity in land use decisions by increasing the affordable</li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
	use decisions.	Chapter 23E.98		<p>housing requirement to 20% for all Green Pathway projects and 30% for all projects electing Additional Bonus Height under the Green Pathway.</p> <ul style="list-style-type: none"> <li>Limits social and economic equity in land use decisions by limiting the number of potential units available for development and thus able to pay in lieu fees or provide affordable housing units.</li> </ul>
General Plan	Economic Development and Employment Objective 8. Support culture and the arts in Berkeley.	Chapter 23E.98	Consistent	<ul style="list-style-type: none"> <li>Supports culture and the arts in Berkeley by preserving the Civic Center District as an area for cultural and civic uses.</li> </ul>
General Plan	Economic Development and Employment Objective 9. Promote general retail businesses and a variety of cultural, recreational, entertainment, and public sector activities in the Downtown to ensure that the Downtown will remain a vital, attractive, and unifying center for the city.	Chapter 23B.34, Chapter 23E.68, Chapter 23E.98	Mixed	<ul style="list-style-type: none"> <li>Supports the promotion of cultural and public sector activities in the Downtown by preserving the Civic Center District as an area for cultural and civic uses.</li> <li>Affects the promotion of retail and a variety of activities in the Downtown by: <ul style="list-style-type: none"> <li>Limiting the variety and number of uses both in the Downtown in general and in the Civic Center Historic District in</li> </ul> </li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				<ul style="list-style-type: none"> <li>○ particular.</li> <li>○ Limiting the number of potential units available for development.</li> </ul>
General Plan	Urban Design and Preservation Objective 1. Protection of Existing Resources - Preserve historically or culturally important structures, sites, and areas and protect the character of Berkeley's neighborhoods and districts.	Chapter 23E.98	Consistent	<ul style="list-style-type: none"> <li>● Supports the preservation of historically or culturally important areas by preserving the Civic Center District as an area for cultural and civic uses.</li> </ul>

**Housing Element consistency analysis**

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
Housing Element Objectives, Policies, and Actions	Policy H-1 Extremely Low, Very Low, Low, and Moderate Income Housing. Increase number of housing units affordable to Berkeley residents with lower incomes.	23B.34.040 23B.34.050 23E.68.070	Mixed	<ul style="list-style-type: none"> <li>Increases requirements for Very Low Income housing units in Green Pathway buildings compared to current regulations. However, Green Pathway provisions increase the cost of development such that new construction is economically infeasible. Therefore, the affordable units required by the Green Pathway provisions may not be constructed.</li> <li>Impacts funding to the Housing Trust Fund by not allowing payment of in lieu fees. This will affect production of housing affordable to Extremely Low Income households.</li> </ul>
	Policy H-12 Transit-Oriented New Construction. Encourage construction of new medium and high-density housing on major transit corridors and in proximity to transit stations.	23B.34.040 23B.34.050 23E.68.070	Inconsistent	<ul style="list-style-type: none"> <li>The Downtown Initiative limits density in proximity to the BART station and many transit routes in three ways: <ol style="list-style-type: none"> <li>Downzones the C-DMU area by lowering building heights by 15 to 10 feet.</li> <li>Eliminates additional</li> </ol> </li> </ul>



REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				units under State Density Bonus law. 3. Green Pathway provisions increase development costs for buildings taller than 60 feet such that development is economically infeasible.
	Policy H-32 Regional Housing Needs. Encourage housing production adequate to meet City needs and the City's share of regional housing needs.	23B.34.040 23B.34.050 23E.68.070	Mixed	<ul style="list-style-type: none"> <li>Adequate capacity for new residential development to meet the 2014-2022 RHNA will remain within the entire city. However, the Downtown Initiative will result in less development compared to existing regulations. This is inconsistent with the regional housing needs allocation (RHNA) objective of focusing density near major transit.</li> </ul>
	Policy H-33 High Density Zoning. Maintain sufficient land zoning for high- and medium-density residential development to allow sufficient new construction to meet Berkeley's fair share of regional housing need.	23B.34.040 23B.34.050 23E.68.070	Inconsistent	<ul style="list-style-type: none"> <li>The Downtown Initiative limits density in three ways:               <ol style="list-style-type: none"> <li>Downzones the C-DMU area by lowering building heights by 15 to 10 feet, resulting in lower density development.</li> <li>Eliminates additional units under State Density Bonus law, resulting in lower density development.</li> <li>Green Pathway</li> </ol> </li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				provisions increase development costs for buildings taller than 60 feet such that development is economically infeasible, resulting in lower density development.
	Policy H-16 Family Housing. Support and encourage housing projects that include units affordable and suitable for households with children and large families.	23B.34.050	Consistent	<ul style="list-style-type: none"> <li>Green Pathway Bonus provisions require units with two or three bedrooms, suitable for families.</li> </ul>
	Policy H-30 Energy Efficiency and Waste Reduction. Implement provisions of Berkeley's Climate Action Plan to improve building comfort and safety, reduce energy costs, provide quality housing, and reduce Greenhouse Gas Emissions.	23E.68.085	Consistent	<ul style="list-style-type: none"> <li>Requires greater energy efficiency in new construction compared to existing regulations.</li> <li>The Downtown Initiative duplicates existing requirements regarding runoff and on-site recycling and composting.</li> </ul>
	Policy H-34 Mitigate Governmental Constraints. Ensure potential governmental constraints are identified and mitigated.	Chapter 23B.34 Chapter 23E.68 Enacting Resolutions	Inconsistent	<ul style="list-style-type: none"> <li>The Downtown Initiative will increase governmental constraints on the development of new housing units by adding requirements, reducing design flexibility, and increasing fees and other costs.</li> </ul>
	Housing Trust Fund Program. Increase the	23B.34.040	Inconsistent	<ul style="list-style-type: none"> <li>Affects funding to the Housing Trust Fund.</li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
	supply of permanent housing affordable to Extremely Low Income households.			by not allowing payment of in lieu fees. This will impact production of housing affordable to Extremely Low Income households.
	Priority Development Area Program. Focus regional growth near major transit and job centers.	23B.34.040 23B.34.050 23E.68.070	Inconsistent	<ul style="list-style-type: none"> <li>Limiting density in the downtown is inconsistent with the objective of focusing density in Priority Development Areas near major transit and job centers.</li> </ul>

## General Plan Land Use Element consistency analysis

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
General Plan - Land Use Element	<b>Policy LU-3 Infill Development</b> Encourage infill development that is architecturally and environmentally sensitive, embodies principles of sustainable planning and construction, and is compatible with neighboring land uses and architectural design and scale. (Also see Urban Design and Preservation Policies UD-16 through UD-24.)	23B.34.040	Mixed	<ul style="list-style-type: none"> <li>• Requires LEED Platinum for Green Path Additional Bonus Height.</li> <li>• Eliminates the option to modify setbacks through the Use Permit process which is a tool for addressing compatibility, architectural design and scale.</li> </ul>
		23B.34.050.D	Consistent	
		23E.68.070.C	Inconsistent	
	<b>Policy LU-16 Downtown Area Plan</b> Take actions to attain goals and policies in the Downtown Area Plan, which is an element of the General Plan. Broad goals include: 1. Express and enhance Berkeley's unique social and cultural character in the Downtown.	23B.34.40	Inconsistent	<ul style="list-style-type: none"> <li>• Deletes 23B.34.030 regarding identification of potential impacts of Green Pathway projects on Historical Resources, former section 23B.34.040.B.2 requiring proof that the Landmarks Preservation Commission has not taken any action to designate a property as a structure of merit or landmark, and 23B.34.040.D stating that the requirements of the Green Pathway are in addition to, and do not alter or replaced any other requirements or standards of Chapter 3.24, Landmarks Preservation Commission. The concentration of structures of historic merit and/or</li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
				significance is a major contributor to the unique character of Downtown Berkeley.
	2. Create an appealing and safe Downtown environment, with a comfortable pedestrian orientation.	23E.68.080.C 23E.68.080.D 23E.68.080.E	Inconsistent	<ul style="list-style-type: none"> <li>The increased parking requirements in the C-DMU Buffer subarea, the elimination of the ability to reduce or waive parking through payment of an in lieu fee to support enhanced transit services, and the requirement that no less than 30% of required parking be provided on site, will result in an increase of automobiles in the Downtown Area.</li> </ul>
	3. Diversify, revitalize, and promote the Downtown economy.	23E.64 23E.68		<ul style="list-style-type: none"> <li>Proposed modifications impose constraints on new development by adding requirements, reducing design flexibility, and increasing the overall project costs.</li> </ul>
	<b>Policy LU-17 Downtown Development Standards</b> Maintain the physical character of the Downtown. Actions: A. Maintain Downtown Plan maximum height limits, maximum number of stories, and maximum floor area ratios for new construction.	23E.68.070.A	Inconsistent	<ul style="list-style-type: none"> <li>Eliminates bonus height in the Corridor (15 feet) and Buffer (10 feet) subareas, makes the Green Path mandatory, adds additional energy efficiency rating requirements for buildings between 60 and 75 feet in the Core and Outer Core subareas, and adds LEED Platinum and additional public benefit requirements to buildings over 75 feet.0.</li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
	C. Consider amending the Zoning Ordinance to establish a four-story minimum building height in the Core area and two or three stories in the other subareas of the Downtown.	23E.68.070.A	Inconsistent	<ul style="list-style-type: none"> <li>Eliminates minimum building height requirements.</li> </ul>
	<b>Policy LU-18 Downtown Affordable Housing Incentives</b> Maximize the supply of affordable housing in the Downtown. Action: Amend the Downtown Plan and Zoning Ordinance to provide incentives for affordable housing development in the Downtown Plan area. One additional floor above the Downtown Plan base height limit may be provided for projects that meet the Government Code 65915 et seq. (State Density Bonus law) thresholds for a density bonus, and up to two additional floors may be provided for residential projects that significantly exceed the State Density Bonus law affordability standards. (Specific standards,	23E.68.070.A  23B.34.040.A  23B.34.050	Inconsistent  Inconsistent  Inconsistent	<ul style="list-style-type: none"> <li>Makes Green Pathway mandatory for buildings over 60 feet and up to 75 feet in height in the Core and Outer Core subareas, which triggers a reduction in affordable rental units from 20% to 10%.</li> <li>Reduces the requirement for affordable rental units from 20% to 10%, and eliminates an alternative for paying an in lieu fee.</li> <li>For buildings seeking additional bonus height, an additional 10% affordable rental units is required bringing the total back to 20%; however, the requirements for an additional SOSIP Impact Fee of \$1.00/square feet of gross floor area, and attainment of LEED Platinum rating make such projects financially infeasible.</li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
	incentive priorities, and thresholds shall be developed in the Zoning Ordinance Amendment.)			
	C. Encourage infill development that is compatible with existing uses and improves the pedestrian environment and the streetscape.	23E.68.080.C 23E.68.080.D 23E.68.080.E  23E.64 23E.68	Inconsistent          Inconsistent	<ul style="list-style-type: none"> <li>The increased parking requirements in the C-DMU Buffer, the elimination of the ability to reduce or waive parking through payment of an in lieu fee to support enhanced transit services, and the requirement that no less than 30% of required parking be provided on site, will result in an increase of automobiles in the Downtown Area.</li> <li>Proposed modifications create uncertainty and impose constraints on new development by adding requirements, reducing design flexibility, and increasing the overall project costs.</li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
	<p><b>Policy LU-22 Civic Center</b>  Maintain the Civic Center as a cohesively designed, well-maintained, and secure place for community activities, cultural and educational uses, and essential civic functions and facilities. (Also see Urban Design and Preservation Policy UD-38 Action A.)  Actions:  A. Old City Hall, the Berkeley Community Theater, Post Office, Civic Center Building, Veterans Memorial Building, and Civic Center Park are listed on the National Register of Historic Places and changes to these buildings, spaces, and nearby buildings, must be reviewed by the Landmarks Preservation Commission.</p>	23E.98.010	Consistent	
	<p><b>Policy LU-23 Transit-Oriented Development</b>  Encourage and maintain zoning that allows greater commercial and residential density and reduced residential parking requirements in areas with above-average transit service such as Downtown Berkeley. (Also see Transportation Policy T-16 and Downtown Area Plan.)  Actions:</p>	23.68.070.A	Inconsistent	<ul style="list-style-type: none"> <li>Eliminates minimum height requirement throughout the Downtown Area.</li> </ul>



REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
	A. Consider revisions to the Zoning Ordinance to establish a minimum height limit of two, and where feasible three, stories, and to require or encourage residential development above the ground floor on transit corridors.			
	B. Consider amending the Zoning Ordinance to establish a four-story minimum building height in the Core area and two or three stories in the other subareas of the Downtown.	23.68.070.A	Inconsistent	<ul style="list-style-type: none"> <li>• Eliminates minimum height requirement throughout the Downtown Area.</li> </ul>
	<p><b>Policy LU-24 Car-Free Housing in the Downtown</b></p> <p>Encourage development of transit-oriented, low-cost housing in the Downtown. (Also see Transportation Policy T-16 and Downtown Area Plan.)</p> <p>Actions:</p> <p>A. Consider reducing or eliminating the on-site parking requirements for new Downtown housing units.</p>	<p>23E.68.080.C</p> <p>23E.68.080.D</p> <p>23E.68.080.E</p>	<p>Inconsistent</p> <p>Inconsistent</p> <p>Inconsistent</p>	<ul style="list-style-type: none"> <li>• Increases parking requirements to R-4 standards in the Buffer subarea.</li> <li>• Eliminates ability to reduce or waive required parking through payment of an in lieu fee.</li> <li>• Requires a minimum of 30% of required parking to be located on site.</li> </ul>
	B. Designate the City's Oxford parking lot as the site for a pilot mixed-use development that would waive the Downtown Plan parking requirements for housing on the site.	<p>23E.68.080.C</p> <p>23E.68.080.D</p> <p>23E.68.080.E</p>	<p>Inconsistent</p> <p>Inconsistent</p> <p>Inconsistent</p>	<ul style="list-style-type: none"> <li>• Increases parking requirements to R-4 standards in the Buffer Sub-area.</li> <li>• Eliminates ability to reduce or waive required parking through payment of an in lieu fee.</li> <li>• Requires a minimum of 30% of required parking to be located on site.</li> </ul>

REGULATION	REGULATION TEXT	DOWNTOWN INITIATIVE	CONSISTENCY	IMPACT
	<p><b>LAND USE CLASSIFICATIONS</b>  <b>Downtown Mixed Use</b>  The Downtown Area contains areas characterized by high density commercial, office, arts, culture, and entertainment and residential development, which are designated as Downtown Mixed Use (see Figure 4). The Downtown Area Plan establishes sub-districts subject to different intensities and types of use (see Figure 2 and the Downtown Area Plan). It is intended that the Downtown Mixed Use area allow and encourage diverse uses and the highest building intensity in the City to promote a vibrant city-center by increasing housing, supporting retail and cultural uses, and capitalizing on exceptional access to transit.</p>	23B.34 23E.68	Inconsistent	<ul style="list-style-type: none"> <li>Proposed modifications eliminate minimum heights, eliminate bonus height in the Corridor and Buffer subareas, increase parking requirements in the Buffer subarea, and make the Green Pathway mandatory for all projects seeking height greater than 60 feet. For projects seeking additional bonus height in the Core and Outer Core subareas, additional fees, community benefits and design requirements increase the overall project costs to the point of being financial infeasible. Other modifications eliminate the ability to modify setbacks and parking requirements.</li> </ul>

## Measure R consistency analysis

As envisioned in Measure R, adopted by the voters in 2010 and incorporated in the DAP and General Plan and the Zoning Ordinance, the Green Pathway traded a streamlined review and permitting process in return for:

- pre-application landmarks review;

- various community benefits; and
- waiver of density bonus.

However, projects subject to the Green Pathway were still subject to the same zoning standards as any other project in C-DMU, including heights. Stated another way, projects up to the maximum specified heights could be approved either through the Green Pathway process or under the normal permit process.

Section 3 of Measure R established a number of policies, including the Green Pathway:

12. **Green Pathway Development Requirements and Review.** Establish a voluntary “Green Pathway” development review process that would provide a streamlined permit process for buildings that move beyond the New Green Standard Development requirements, providing extraordinary public benefits that could not otherwise be obtained. Green Pathway projects shall conform with building height standards described in Section 4, and zoning shall require mitigation of air quality, noise, and short-term construction impacts, as well as the possible disturbance of archeological resources.

Concessions from **Green Pathway** projects with buildings at or below 75 feet would include:

- a) Provide 20% affordable rental housing onsite or in a building located in the Downtown Area, or paying a fee to the Housing Trust Fund.
- b) Waiving the right to the State Density bonus.
- c) Employing approximately 30% of a project’s construction workers from Berkeley, and if qualified persons are not available in Berkeley, from cities in the East Bay Green Corridor. A contractor may gain credit for a locally hired worker who may be employed on another project.

**Green Pathway** streamlined entitlement process for buildings at or below 75 feet would include:

- a) Submit Landmarks application to planning staff including funds for City-conducted analysis of historical value.
- b) Submit completed analysis to Landmarks Preservations Commission (LPC) for determination. LPC shall complete its determination within 90 days. LPC determination shall be in effect while in an active pursuit of the use permit. If LPC designates a Landmark, the project reverts to standard zoning review process. LPC action appealable to City Council.

- c) Design Review Commission has up to 90 days to assess whether the project conforms to Downtown design guidelines, subject to appeal directly to City Council.
- d) Zoning Certificate is issued upon completion of this process. No Zoning Adjustment Board review required.
- e) Public Benefit and labor compliance will be monitored and verified. Violations subject to penalty.

**Green Pathway** buildings over 75 feet would have the following additional requirements and limitations:

- a) Buildings with more than 100 units of housing or office buildings above 75' will pay prevailing wages for construction workers and employ approximately 16% of total employees as apprentices from State Certified Apprenticeships with a record of graduating apprentices.
- b) Hotels above 75 feet will pay prevailing wages for hotel employees.
- c) Green Pathway Project applications will receive priority status to meet approval deadlines.
- d) New process for submitting application to determine landmark status, with final determination by Landmarks Preservation Commission within 90 days, with possible option to pay for City-conducted analysis of historical value. If LPC issues negative determination, it shall be in effect while in an active pursuit of the use permit. If LPC designates a positive determination, the project reverts to standard zoning review process. LPC action appealable to City Council.
- e) Design Review Commission and Zoning Adjustment Board (ZAB) process not to exceed a combined total of 210 days; ZAB action appealable to City Council.
- f) Public Benefit and labor compliance will be monitored and verified. Violations subject to penalty.

The Downtown Initiative changes the Green Pathway as set forth in Measure R from a voluntary method by which applicants can qualify for streamlined permit review in return for various concessions, into a mandatory requirement under which applicants must provide various concessions in order to be eligible to seek permits for buildings above 60 feet in height.

The Downtown Initiative reduces the base height in the C-DMU (currently 75 feet) to 60 feet and requires projects to go through the normal (i.e. not streamlined) discretionary entitlement process, as well as requiring projects to provide various community benefits in order to exceed 60 feet. The Downtown Initiative would allow applicants to seek a use

permit for buildings of 75 feet in return for various community benefits, as well as a waiver of the opportunity under state law for a density bonus.

## Legal consistency analysis

Certain provisions of the Downtown Initiative appear to violate state and federal law governing exactions, affordable housing requirements and other matters.

- The Downtown Initiative would require new residential rental projects over 60 feet (or 50 feet in the buffer area) to provide either 10% or 20% of the units (depending on height) to very low income households. This requirement is preempted by state law and is unenforceable. If the City were to attempt to enforce it by denying a use permit or imposing it as a condition of a use permit, it could be liable to an applicant for attorneys' fees and possibly damages. (23B.34.040.A & 23B.34.050A.)
- The Downtown Initiative would impose an additional SOSIP fee of \$1.00 per square foot on buildings over 75 feet. This does not appear to be supported by a nexus analysis as required by state and federal law, and is unenforceable. If the City were to attempt to enforce it by denying a use permit or imposing it as a condition of a use permit, it could be liable to an applicant for damages and attorneys' fees. (23B.34.050.B.)
- The Downtown Initiative would require developers of new buildings over 75 feet to provide public bathrooms. The City Attorney's office concluded in 1993 that such a requirement would generally be unconstitutional, as well as preempted by state law. (23B.34.050.C.)
- The Downtown Initiative would require an in lieu fee of \$30 per square foot for on-site open space that is not provided in a project. This does not appear to be supported by a nexus analysis as required by state and federal law, and is unenforceable. If the City were to attempt to enforce it by denying a use permit or imposing it as a condition of a use permit, it could be liable to an applicant for damages and attorneys' fees. (23E.68.070.D.3.)
- The Downtown Initiative would require a payment of \$0.50 per square foot from every project into a loan fund for businesses and entrepreneurs "who seek to grow and retain or create jobs in Berkeley." This does not appear to be supported by a nexus analysis as required by state and federal law, and is unenforceable. If the City were to attempt to enforce it by denying a use permit or imposing it as a condition of a use permit, it could be liable to an applicant for damages and attorneys' fees. (23E.68.085.C.)
- The Downtown Initiative is inconsistent with Measure R, the DAP and the General Plan, and requires the City Manager to develop amendments to the DAP and General Plan to conform them to the zoning amendments made by the Downtown Initiative. This does not appear to be within the reserved initiative power as it is not a legislative action. (*Marblehead v. City of San Clemente* (1991) 226 Cal.App.3d 1504,1509.) (Section 9.)

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

Considering this report prior to deciding whether to place the Downtown Initiative on the ballot will ensure an informed City Council decision and vote.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Eric Angstadt, Director, Planning and Development Department, (510) 981-7400

Attachments:

- 1: AECOM analysis
- 2: AECOM Development Scenarios

June 18, 2014

Eric Angstadt  
Planning Director  
City of Berkeley

Dear Eric Angstadt:

**Regarding: Evaluation of Downtown Area Proposition**

Purpose

The following memorandum summarizes AECOM's analysis of how the Downtown Berkeley Proposition's proposed changes to the City's Downtown Area Plan would impact development feasibility within the study area.

Background

In 2011, AECOM performed an assessment of potential community benefits that could be generated through the Berkeley Downtown Area Plan. To perform the work, AECOM prepared development feasibility models for multiple sites in Downtown Berkeley at different heights and uses. AECOM evaluated development costs, created building scenarios, estimated market conditions for new development, and established a land residual calculator to estimate the potential to generate community benefits from future development. The previous analysis serves as a rigorous base study that can be readily updated to reflect current market conditions and development costs.

Study Update Methodology

To update the analysis, AECOM performed a market assessment of prevailing rents and determined development costs through consultation with our internal costing group as well as referencing construction indexes established by the Engineering News Record and RS Means Construction Cost Index. The findings of the study were based on rents from new rental projects in Downtown Berkeley. AECOM researched rents for June 2014. AECOM also updated the development fee program which includes the Streets and Open Space Improvement Plan fees, the affordable housing mitigation fees, and the in-lieu fee parking program. To compare the base Downtown Area Plan to the parameters set under the proposition, AECOM developed two scenarios using the same development costs, absorption, and revenue assumptions. The differences in the two scenarios were entirely based on four major categories:

1. Affordable housing requirements.
2. Parking standards
3. LEED Gold to LEED Platinum Building Standards
4. Prevailing wage requirements for new construction and the maintenance of the building

Overall Findings

The parameters set within the proposition clearly results in very different financial feasibility outcomes with **all** of the scenarios over 60 feet not achieving basic development investment thresholds. In other words -given the current development dynamics in Downtown Berkeley- projects over 60 feet would be infeasible and the proposition guidelines would incentivize 60 foot construction over taller construction. Still, under the proposed changes, the 120 feet large corner site scenario nears financial feasibility, requiring a 5% increase in rent to justify investment (if controlling for all other factors). Overall, the 20% affordable housing requirement under the proposition drops the revenue per square

foot from \$4.30/sq. ft. to \$3.72. The pro forma model assumes that the inclusionary units are evenly distributed across all unit types per the instruction of the proposition.

### **Major Assumptions**

- AECOM conservatively assumes an increase of approximately 2.25% in additional costs to go from LEED Gold to LEED Platinum. There is precedent to assume higher but for purposes of this analysis AECOM assumed the lower multiplier.
- We assume only an increase of 2% for prevailing wage requirement on new construction over 60' as we project only 40% of the labor would not be union labor.
- The 2011 development costs were escalated for all alternatives by 8.6%. This is based on the average of the estimated inflation in construction costs from 2011 to 2014 across ENR, RS Means, and Davis Langdon construction cost indexes.
- Land costs are \$200 for mid-block and \$250 for corner. This is on the low end of property transactions but it represents a conservative view and some may consider land costs as a reflection of development opportunity.
- To the extent feasible, the feasibility testing accesses the parking in-lieu fee program as it is more affordable than supplying parking (although not by much because parking revenue *nearly* justifies construction as the capitalized value of a parking space is roughly \$18,500).
- The unit mix is reflective of the competitive supply but does allow for larger family units per the proposition. For simplicity, I did not vary this from the Base Case to the Proposition.
- Operations and Maintenance Costs for rental housing under the proposition would increase by 2 percentage points. I know that this could be higher but I kept it to the same principles applied to new construction.
- AECOM discounted architecture and engineering costs as one builds larger/taller projects assuming economies of scale (from 7.5% to 7.0%). This is conservative as it can be argued that LEED Platinum construction would require greater A&E costs.
- The feasibility analysis is likely not capturing all of the EBMUD hook-up fees as we are only estimating the per unit fee of \$9,000/unit. There are more fees but difficult to calculate without getting more detail.
- While AECOM adjusted the O&M of building maintenance for rental residential by 2 percentage points for prevailing wage projects, we did not make any commercial lease adjustments for the prevailing wage requirement of the workers in the commercial space. The prevailing wage would likely detract from the lease-ability of the retail space, but we do not know by how much.

### **Additional Findings**

- The 75 foot scenario is feasible under the current Downtown Area Plan because rents have increased dramatically, justifying development to maximize their allowed floor area. Under current market conditions, a developer would be incentivized to build the extra floor despite the significant increase in development costs. This is unusual because developers are generally incentivized to increase height from 60 feet to 75 feet because the entire project's building cost increases considerably, moving from wood frame to steel construction.
- The 180 foot scenarios generate lower returns per unit than the 120 foot scenarios. The 180 foot scenarios become increasingly complex due to the 120 foot diagonal requirement. Still, the 180 foot scenarios achieve higher yields per land square foot.



- Due to the higher land costs, the 120 foot scenarios under the current allowed zoning achieve higher returns per unit than the 60 foot scenarios because a developer can spread that land costs across more units.
- Instead of an estimated \$50 million in affordable housing in-lieu fee revenue, the proposition would generate approximately \$22 million in in-lieu fee revenue. This may be slightly countered by additional inclusionary units that could conceivably be constructed on corner sites allowing for 120' development. Downtown Berkeley would need to see roughly a 5% increase in rents to achieve a viable project, controlling for all other factors.
- SOSIP revenues under the base plan would generate roughly \$8.9 million versus \$4.4 million under the proposition. The base plan also gets results in more parking in-lieu fee revenue because 120 foot and taller development are not feasible, resulting in only the 60 foot projects contributing to the in-lieu fee revenue.
- Retail lease rates have climbed considerably from AECOM's original analysis, estimated at \$3.00 per square foot versus \$2.25 per square foot only three years ago. The \$3.00 per square foot may be difficult to achieve on some of the smaller sites. We assume developers would be able to achieve those rents.
- Office remains entirely infeasible and the rules under the new proposition would only make it more difficult for buildings over 60 feet due to the 50% increase in parking requirement, plus LEED Platinum, and prevailing wage.

I am happy to discuss further how the proposed changes to the Downtown Area Plan would shift development dynamics in Downtown Berkeley. Should you have any questions, feel free to reach me by phone or email.

Sincerely,



Alexander Quinn  
Director of Sustainable Economics, Americas Region  
415.955.2982  
[Alexander.Quinn@aecom.com](mailto:Alexander.Quinn@aecom.com)

# 13,000 SF Parcel Development Summary

13,000 SF Corner Site												
Type of Construction	Building Height											
	60 FT			75 FT			120 FT			180 FT		
	concrete platform with 4-story wood frame			concrete and steel			concrete and steel			concrete and steel		
No. of Stories above grade	5			7			11			17		
Lot Area	13,000			13,000			13,000			13,000		
Gross Building Area (GSF)	48,250			69,700			111,525			152,325		
Building Services / Circulation	6,715			9,135			27,265			36,265		
Parking Area	7,650			7,650			41,975			56,575		
Occupiable Building Area (GSF)	41,535			60,565			84,260			116,060		
Required Capacity	Total NSF	Average Unit	No. of Units	Total NSF	Average Unit	No. of Units	Total NSF	Average Unit	No. of Units	Total NSF	Average Unit	No. of Units
Retail	3,475			3,475			2,160			2,160		
Office	38,060			57,090			82,100			113,900		
Residential	38,060	740	51	57,090	740	77	82,100	740	111	113,900	740	154
Open Space	10,400			10,400			7,150			6,400		
Parking Provided		Office	Rental		Office	Rental		Office	Rental			Rental
Grond Floor		31	25		28	35		86	41			54
Below Grade 1		31	25		28	35		22	17			22
Below Grade 2								32	24			32
Parking Required		62	22		103	35		141	46			61
Retail 1.5:1000 sf		5	5		5	5		3	3			3
Office 1.5:1000 sf		57			86			123				
Rental 0.33			17			25			37			51
Vehicle Sharing					4	1		5	2			2
EV parking					4	1		5	2			2
Accessible Parking					4	2		5	2			3
CONCLUSION												
Office Parking Surplus / (Deficiency)			(31)			(75)			(55)			(7)
Rental Parking Surplus / (Deficiency)			3			0			(5)			

13,000 SF Site Mid-Block												
Type of Construction	Building Height											
	60 FT			75 FT			120 FT			180 FT		
	concrete platform with 4-story wood frame			concrete platform with 4-story wood frame			concrete and steel			concrete and steel		
No. of Stories above grade	5			7			11			17		
Lot Area	13,000			13,000			13,000			13,000		
Gross Building Area (GSF)	45,870			66,670			99,900			138,240		
Building Services / Circulation	9,570			13,050			19,700			28,700		
Parking Area	8,730			8,730			21,900			34,100		
Occupiable Building Area (GSF)	36,300			53,620			80,200			109,540		
Required Capacity	Total NSF	Size	No. of Units	Total NSF	Size	No. of Units	Total NSF	Size	No. of Units	Total NSF	Size	No. of Units
Retail	1,660			1,660			1,200			1,200		
Office	34,640			51,960			79,000			108,340		
Residential	34,640	740	47	51,960	740	70	79,000	740	107	108,340	740	146
Open Space	10,100			10,100			7,260			5,990		
Parking Provided		Office	Rental		Office	Rental		Office	Rental			Rental
Grond Floor		23	23		20	27		90	42			58
Below Grade 1		23	23		20	27		26	18			26
Below Grade 2								32	24			32
Parking Required		54	18		90	29		135	43			56
Retail 1.5:1000 sf		2	2		2	2		2	2			2
Office 1.5:1000 sf		52			78			119				
Rental 0.33			15			23			35			48
Vehicle Sharing					3	1		5	2			2
EV parking					3	1		5	2			2
Accessible Parking					4	1		5	2			2
CONCLUSION												
Office Parking Surplus / (Deficiency)			(31)			(70)			(45)			(1)
Rental Parking Surplus / (Deficiency)			5			(2)						2



# 13,000 SF - 60 FT - CORNER

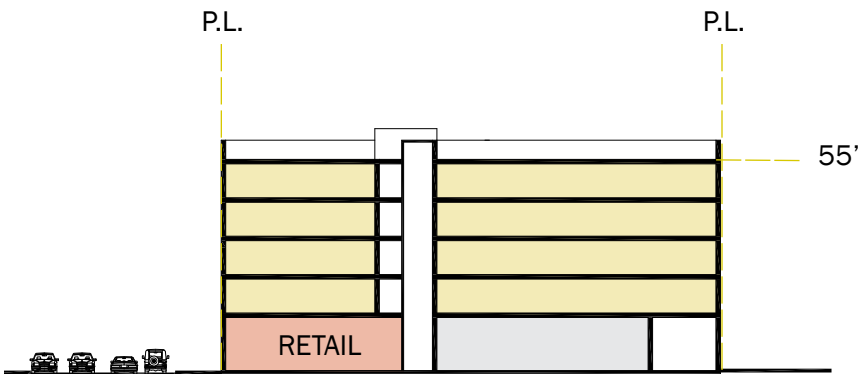
4 levels over retail	
Office Scenario	
Retail	3,475
Office	38,060
Service/ Circulation	6,715
<b>GFA</b>	<b>48,250</b>

Mechanical Parking Space	22
Surface Parking Space	9
<b>Parking Space Total</b>	<b>31</b>
<b>Parking Space Required<sup>*1</sup></b>	<b>62</b>
<b>Parking Surplus / (Deficiency)</b>	<b>(31)</b>

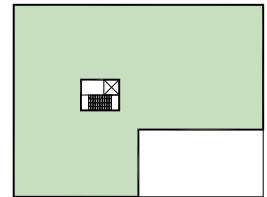
Residential Scenario	
Retail	3,475
Rental	38,060
Service/ Circulation	6,715
<b>GFA</b>	<b>48,250</b>

Mechanical Parking Space	10
Surface Parking Space	15
<b>Parking Space Total</b>	<b>25</b>
<b>Parking Space Required<sup>*1</sup></b>	<b>22</b>
<b>Parking Surplus / (Deficiency)</b>	<b>3</b>

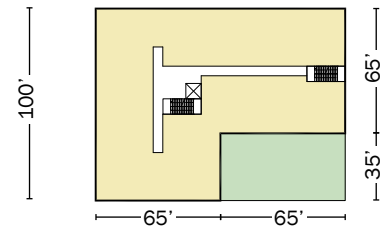
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



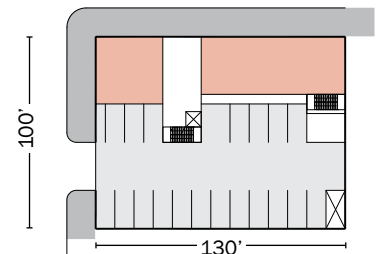
ROOF GARDEN



FLOORS 2 - 5



STREET LEVEL

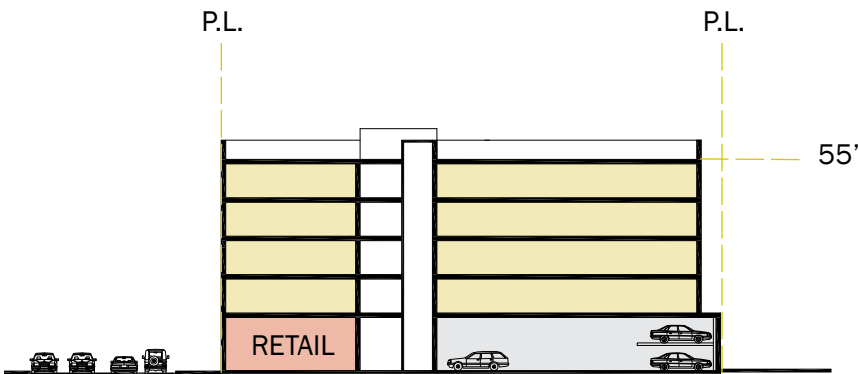


# 13,000 SF - 60 FT - MID-BLOCK

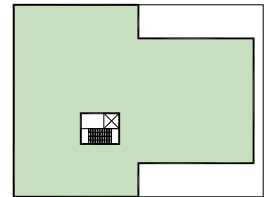
4 levels over retail	
Office Scenario	
Retail	1,660
Office	34,640
Service/ Circulation	9,570
<b>GFA</b>	<b>45,870</b>
Mechanical Parking Space	16
Surface Parking Space	7
Parking Space Total	23
Parking Space Required <sup>*1</sup>	54
Parking Surplus / (Deficiency)	(31)

Residential Scenario	
Retail	1,660
Rental	34,640
Service/ Circulation	9,570
<b>GFA</b>	<b>45,870</b>
Mechanical Parking Space	16
Surface Parking Space	7
Parking Space Total	23
Parking Space Required <sup>*1</sup>	18
Parking Surplus / (Deficiency)	5

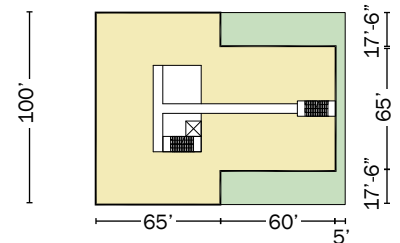
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



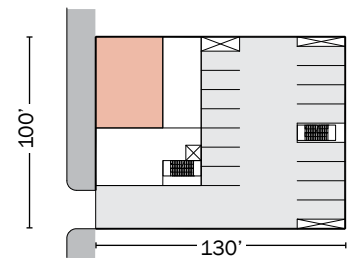
ROOF GARDEN



FLOORS 2 - 5



STREET LEVEL

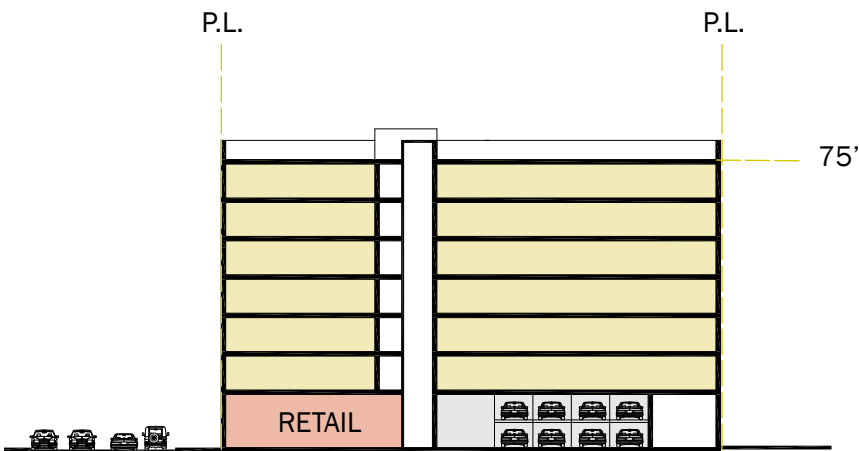


# 13,000 SF - 75 FT - CORNER

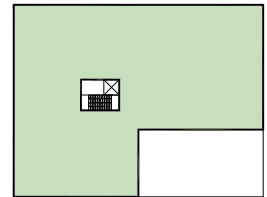
6 levels over retail	
Office Scenario	
Retail	3,475
Office	57,090
Service/ Circulation	9,135
<b>GFA</b>	<b>69,700</b>
Mechanical Parking Space	16
Surface Parking Space	12
<b>Parking Space Total</b>	<b>28</b>
<b>Parking Space Required<sup>*1</sup></b>	<b>103</b>
<b>Parking Surplus / (Deficiency)</b>	<b>(75)</b>

Residential Scenario	
Retail	3,475
Rental	57,090 77 du
Service/ Circulation	9,135
<b>GFA</b>	<b>69,700</b>
Mechanical Parking Space	30
Surface Parking Space	5
<b>Parking Space Total</b>	<b>35</b>
<b>Parking Space Required<sup>*1</sup></b>	<b>35</b>
<b>Parking Surplus / (Deficiency)</b>	<b>0</b>

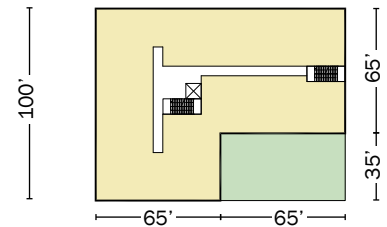
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



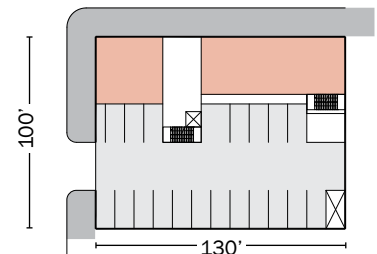
ROOF GARDEN



FLOORS 2 - 7



STREET LEVEL



# 13,000 SF - 75 FT - MID-BLOCK

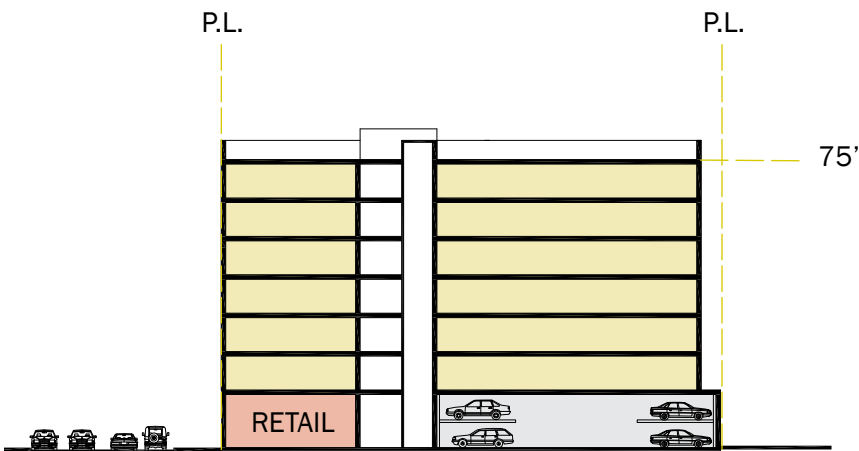
6 levels over retail	
Office Scenario	
Retail	1,660
Office	51,960
Service/ Circulation	13,050
<b>GFA</b>	<b>66,670</b>

Mechanical Parking Space	10
Surface Parking Space	10
<b>Parking Space Total</b>	<b>20</b>
Parking Space Required <sup>*1</sup>	90
Parking Surplus / (Deficiency)	(70)

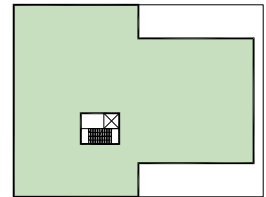
Residential Scenario	
Retail	1,660
Rental	51,960 70 du
Service/ Circulation	13,050
<b>GFA</b>	<b>66,670</b>

Mechanical Parking Space	24
Surface Parking Space	3
<b>Parking Space Total</b>	<b>27</b>
Parking Space Required <sup>*1</sup>	29
Parking Surplus / (Deficiency)	(2)

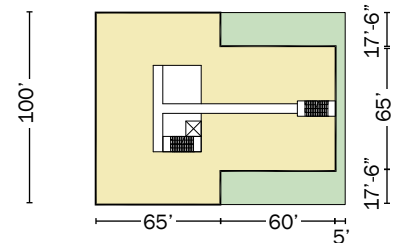
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



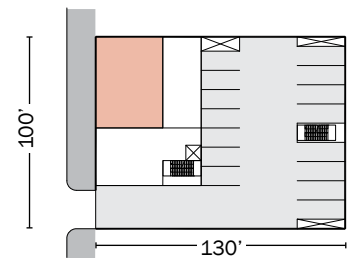
ROOF GARDEN



FLOORS 2 - 7



STREET LEVEL



# 13,000 SF - 120 FT - CORNER

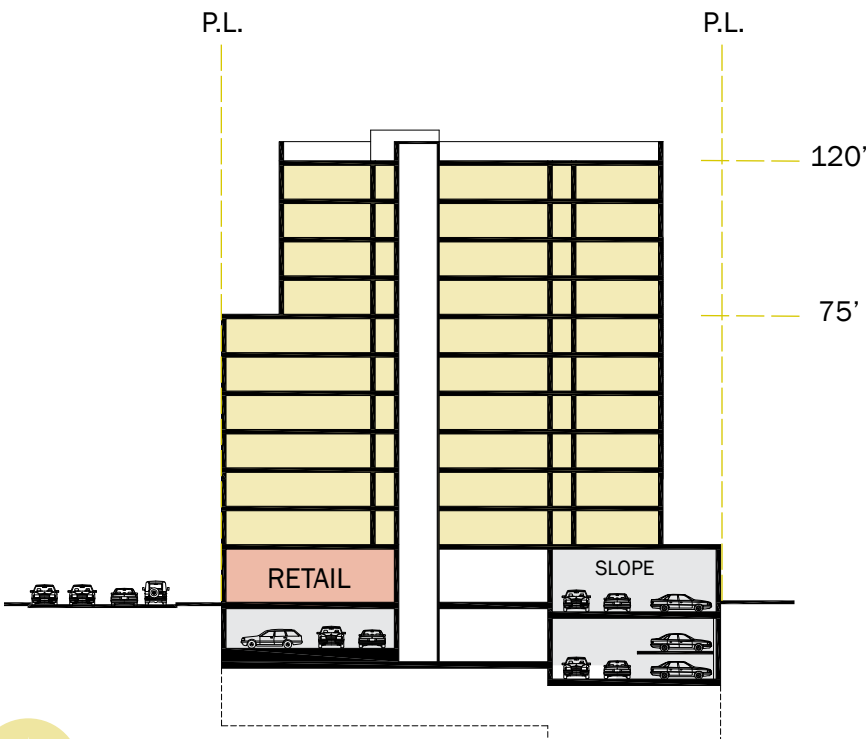
10 levels over retail	
Office Scenario	
Retail	2,160
Office	82,100
Service/ Circulation	27,265
<b>GFA</b>	<b>111,525</b>

Mechanical Parking Space	42 (GF+B1+B2)
Surface Parking Space	44
<b>Parking Space Total</b>	<b>86</b>
<b>Parking Space Required<sup>*1</sup></b>	<b>141</b>
<b>Parking Surplus / (Deficiency)</b>	<b>(55)</b>

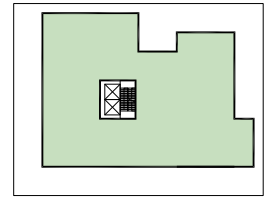
Residential Scenario	
Retail	2,160
Rental	82,100 111 du
Service/ Circulation	27,265
<b>GFA</b>	<b>111,525</b>

Mechanical Parking Space	0 (GF+B1)
Surface Parking Space	41
<b>Parking Space Total</b>	<b>41</b>
<b>Parking Space Required<sup>*1</sup></b>	<b>46</b>
<b>Parking Surplus / (Deficiency)</b>	<b>(5)</b>

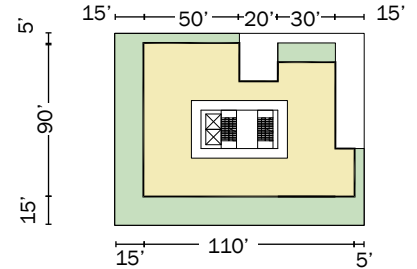
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



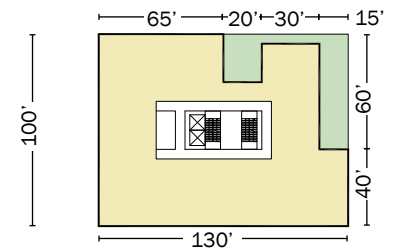
ROOF GARDEN



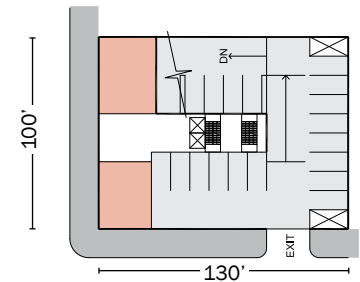
FLOORS 8 - 11



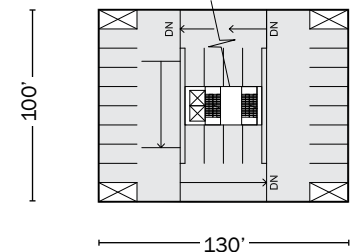
FLOORS 2 - 7



STREET LEVEL



BELOW GRADE



# 13,000 SF - 120 FT - MID-BLOCK

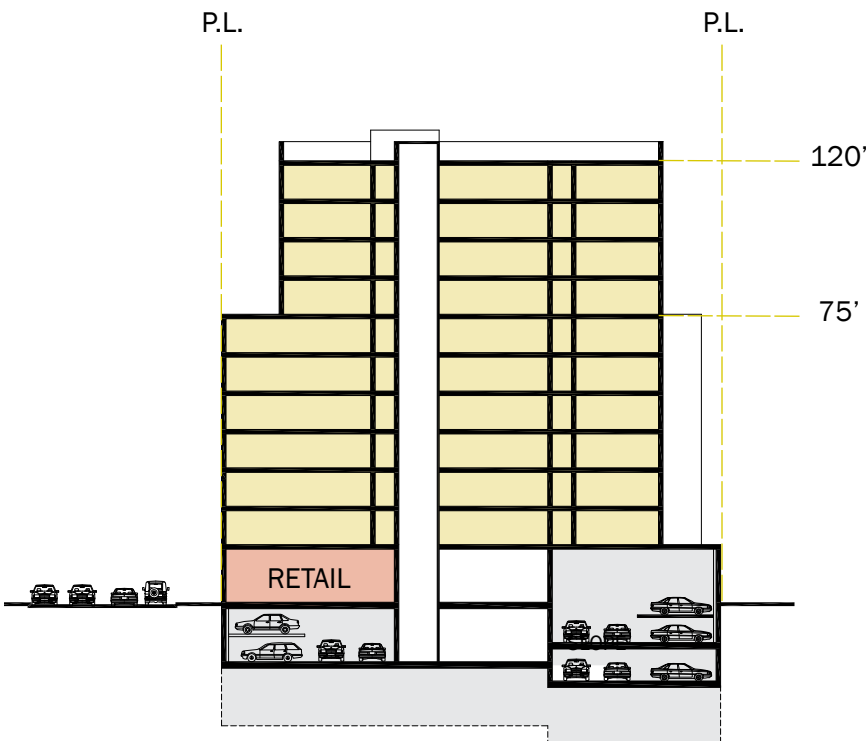
10 levels over retail	
Office Scenario	
Retail	1,200
Office	79,000
Service/ Circulation	19,700
<b>GFA</b>	<b>99,900</b>

Mechanical Parking Space	48 (GF+B1+B2)
Surface Parking Space	42
<b>Parking Space Total</b>	<b>90</b>
<b>Parking Space Required<sup>*1</sup></b>	<b>135</b>
<b>Parking Surplus / (Deficiency)</b>	<b>(45)</b>

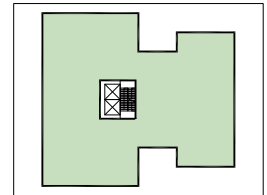
Residential Scenario	
Retail	1,200
Rental	79,000 107 du
Service/ Circulation	19,700
<b>GFA</b>	<b>99,900</b>

Mechanical Parking Space	0 (GF+B1)
Surface Parking Space	42
<b>Parking Space Total</b>	<b>42</b>
<b>Parking Space Required<sup>*1</sup></b>	<b>43</b>
<b>Parking Surplus / (Deficiency)</b>	<b>(1)</b>

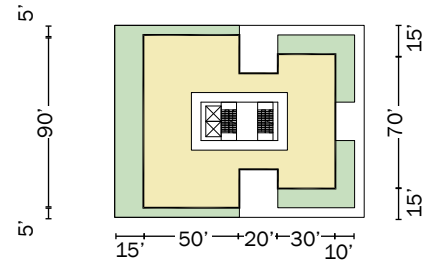
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



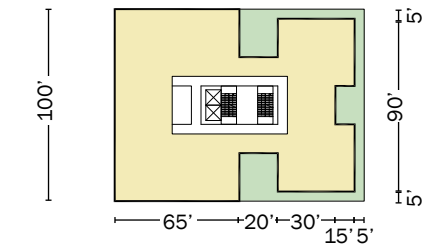
ROOF GARDEN



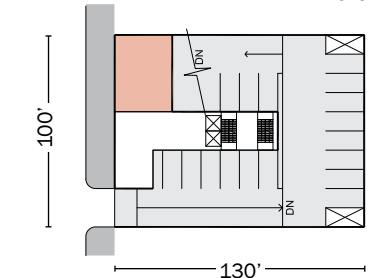
FLOORS 8 - 11



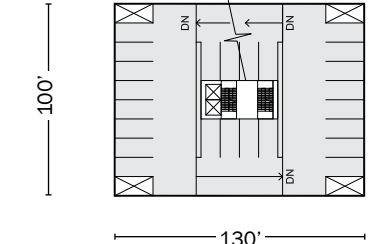
FLOORS 2 - 7



STREET LEVEL



BELOW GRADE



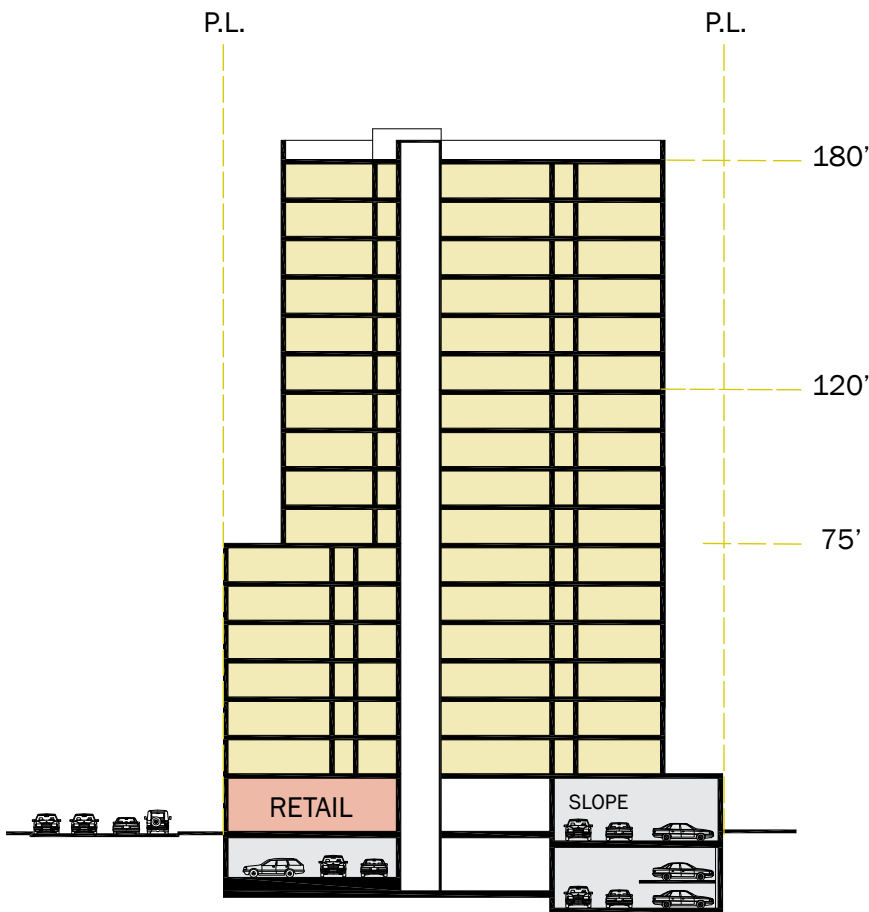


# 13,000 SF - 180 FT - CORNER

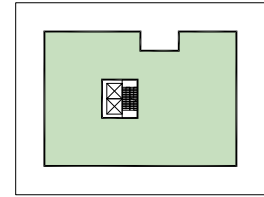
16 levels over retail		
Residential Scenario		
Retail	2,160	
Rental	113,900	154 du
Service/ Circulation	36,265	
<b>GFA</b>	<b>152,325</b>	

Mechanical Parking Space	26	(GF+B1)
Surface Parking Space	28	
Parking Space Total	54	
Parking Space Required <sup>*1</sup>	61	
Parking Surplus / (Deficiency)	(7)	

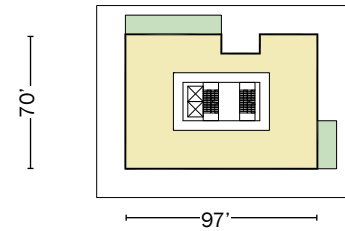
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



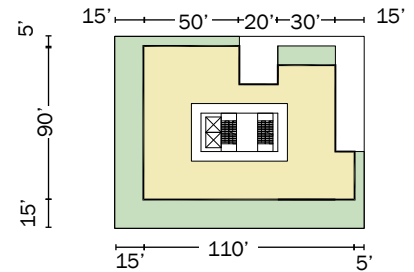
ROOF GARDEN



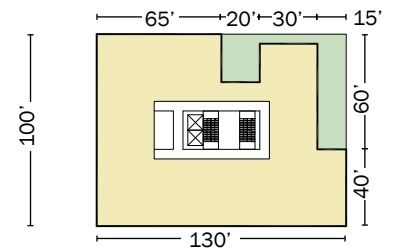
FLOORS 12 - 17



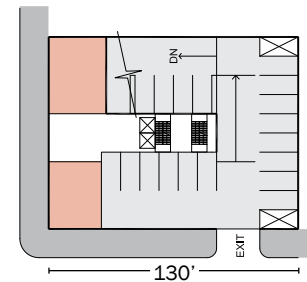
FLOORS 8 - 11



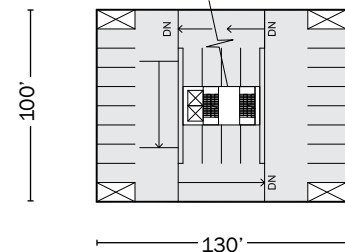
FLOORS 2 - 7



STREET LEVEL



BELOW GRADE

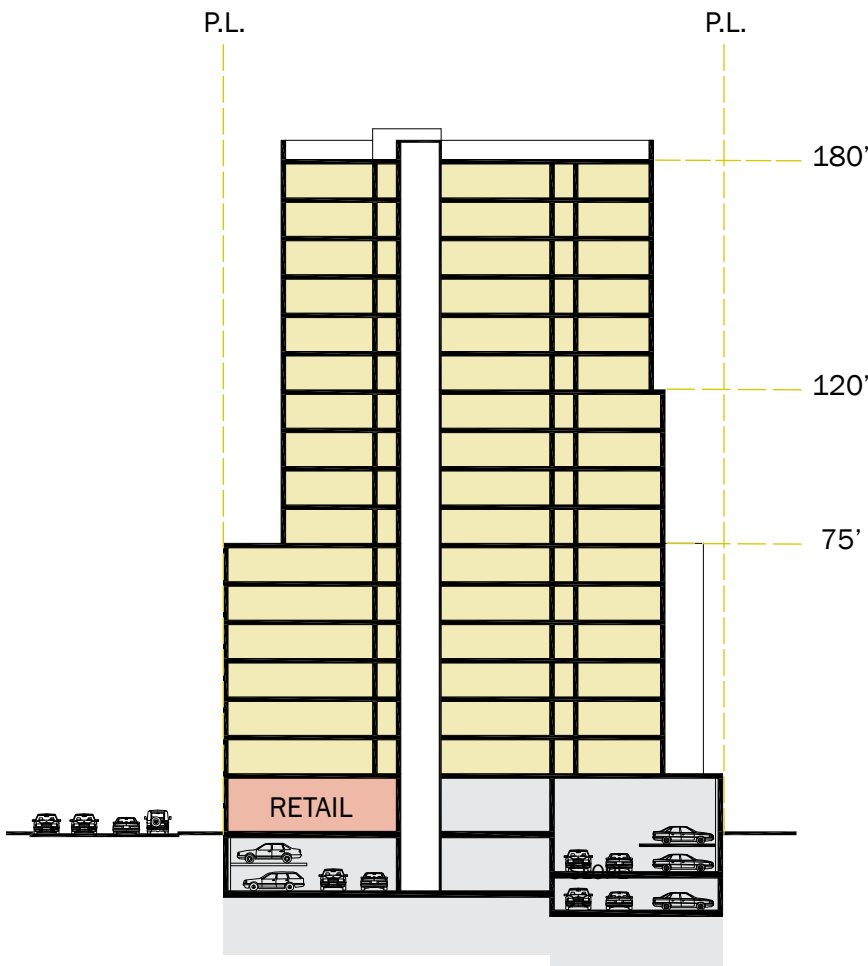


# 13,000 SF - 180 FT - MID-BLOCK

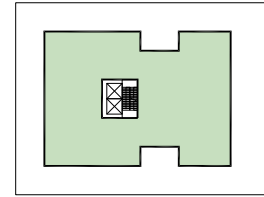
16 levels over retail		
Residential Scenario		
Retail	1,200	
Rental	108,340	146 du
Service/ Circulation	28,700	
<b>GFA</b>	<b>138,240</b>	

Mechanical Parking Space	32	(GF+B1)
Surface Parking Space	26	
Parking Space Total	58	
Parking Space Required <sup>*1</sup>	56	
Parking Surplus / (Deficiency)	2	

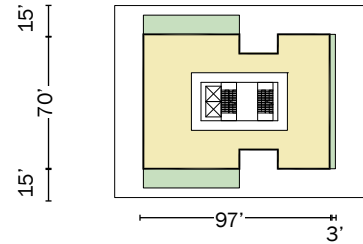
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



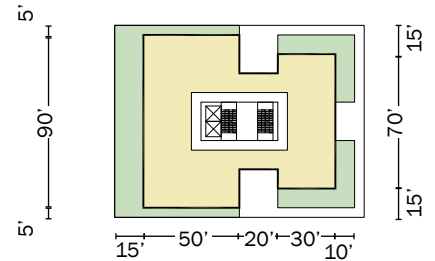
ROOF GARDEN



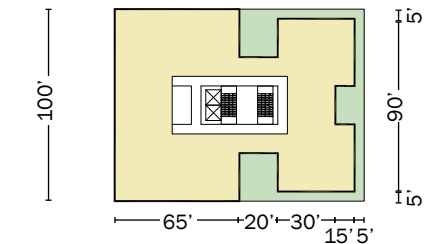
FLOORS 12 - 17



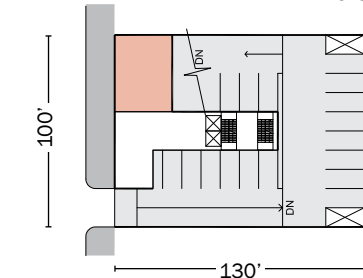
FLOORS 8 - 11



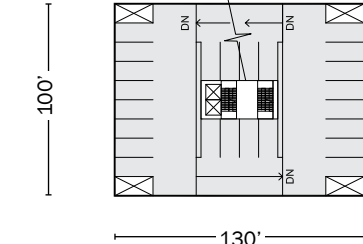
FLOORS 2 - 7



STREET LEVEL



BELOW GRADE



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# 20,000 SF Parcel Development Summary

20,000 SF Corner Site												
Type of Construction	Building Height											
	60 FT			75 FT			120 FT			180 FT		
	concrete platform with 4-story wood frame			concrete and steel			concrete and steel			concrete and steel		
No. of Stories above grade	5			7			11			17		
Lot Area	20,000			20,000			20,000			20,000		
Gross Building Area (GSF)	71,955			104,555			159,275			194,255		
Building Services / Circulation	10,025			13,725			25,960			31,240		
Parking Area	13,245			13,245			41,975			56,575		
Occupiable Building Area (GSF)	61,930			90,830			133,315			163,015		
Required Capacity	Total NSF	Average Unit	No. of Units	Total NSF	Average Unit	No. of Units	Total NSF	Average Unit	No. of Units	Total NSF	Average Unit	No. of Units
Retail	4,130			4,130			3,915			3,915		
Office	57,800			86,700			129,400			159,100		
Residential	57,800	740	78	86,700	740	117	129,400	740	175	159,100	740	215
Open Space (+roof)	15,500			15,500			11,085			9,050		
Parking Provided		Office	Rental		Office	Rental		Office	Rental			Rental
Grond Floor		52	36		49	50		113	70			78
Below Grade 1		52	36		49	50		21	24			32
Below Grade 2								46	46			46
Parking Required		93	32		151	51		220	73			87
Retail 1.5:1000 sf		6	6		6	6		6	6			6
Office 1.5:1000 sf		87			130			194				
Rental 0.33			26			39			58			71
Vehicle Sharing					5	2		7	3			3
EV parking					5	2		7	3			3
Accessible Parking					5	2		6	3			4
CONCLUSION												
Office Parking Surplus / (Deficiency)			(41)			(102)			(107)			0
Rental Parking Surplus / (Deficiency)			4			(1)			(3)			(9)

20,000 SF Site Mid-Block												
Type of Construction	Building Height											
	60 FT			75 FT			120 FT			180 FT		
	concrete platform with 4-story wood frame			concrete platform with 4-story wood frame			concrete and steel			concrete and steel		
No. of Stories above grade	5			7			11			17		
Lot Area	20,000			20,000			20,000			20,000		
Gross Building Area (GSF)	69,555			100,955			151,025			186,005		
Building Services / Circulation	10,025			13,725			25,710			30,990		
Parking Area	13,245			13,245			41,975			56,575		
Occupiable Building Area (GSF)	59,530			87,230			125,315			155,015		
Required Capacity	Total NSF	Average Unit	No. of Units	Total NSF	Average Unit	No. of Units	Total NSF	Average Unit	No. of Units	Total NSF	Average Unit	No. of Units
Retail	4,130			4,130			3,915			3,915		
Office	55,400			83,100			121,400			151,100		
Residential	55,400	740	75	83,100	740	112	121,400	740	164	151,100	740	204
Open Space (+roof)	14,900			14,900			9,960			8,400		
Parking Provided		Office	Rental		Office	Rental		Office	Rental			Rental
Grond Floor		53	35		49	50		112	66			76
Below Grade 1		53	35		49	50		20	20			30
Below Grade 2								46	46			46
Parking Required		89	31		146	49		208	67			83
Retail 1.5:1000 sf		6	6		6	6		6	6			6
Office 1.5:1000 sf		83			125			182				
Rental 0.33			25			37			54			67
Vehicle Sharing					5	2		7	2			3
EV parking					5	2		7	2			3
Accessible Parking					5	2		6	3			4
CONCLUSION												
Office Parking Surplus / (Deficiency)			(36)			(97)			(96)			0
Rental Parking Surplus / (Deficiency)			4			1			(1)			(7)

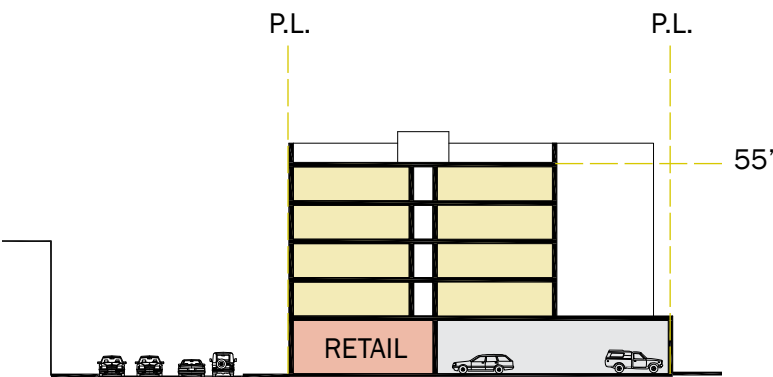


# 20,000 SF - 60 FT - CORNER

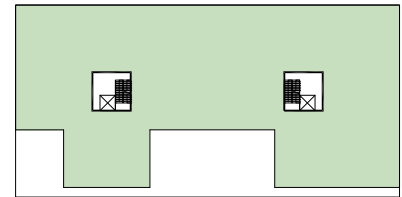
4 levels over retail	
Office Scenario	
Retail	4,130
Office	57,800
Service/ Circulation	10,025
<b>GFA</b>	<b>71,955</b>
Mechanical Parking Space	40
Surface Parking Space	12
Parking Space Total	52
Parking Space Required <sup>*1</sup>	93
Parking Surplus / (Deficiency)	(41)

Residential Scenario	
Retail	4,130
Rental	57,800 78 du
Service/ Circulation	10,025
<b>GFA</b>	<b>71,955</b>
Mechanical Parking Space	8
Surface Parking Space	28
Parking Space Total	36
Parking Space Required <sup>*1</sup>	32
Parking Surplus / (Deficiency)	4

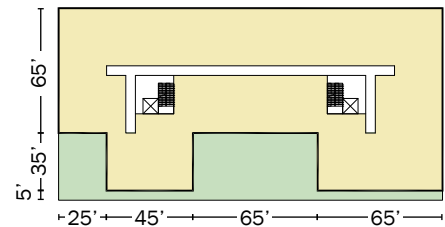
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



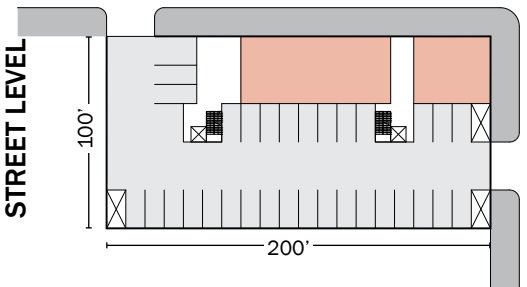
ROOF GARDEN



FLOORS 2 - 5



STREET LEVEL

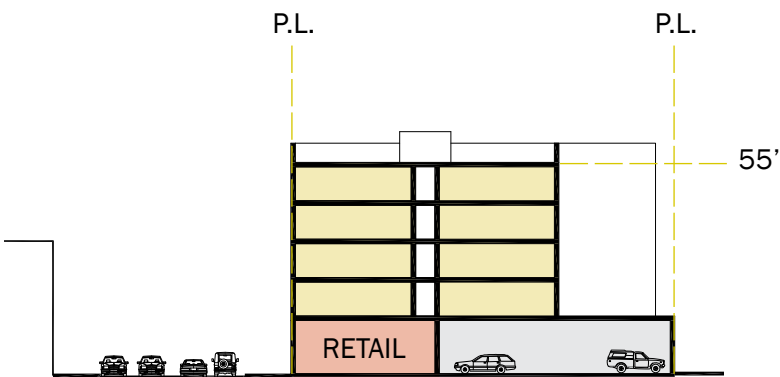


# 20,000 SF - 60 FT - MID-BLOCK

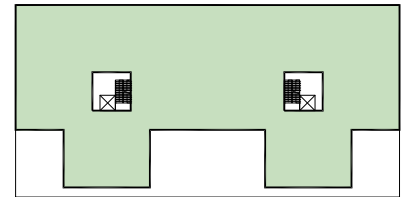
4 levels over retail	
Office Scenario	
Retail	4,130
Office	55,400
Service/ Circulation	10,025
<b>GFA</b>	<b>69,555</b>
Mechanical Parking Space	42
Surface Parking Space	11
Parking Space Total	53
Parking Space Required <sup>*1</sup>	89
Parking Surplus / (Deficiency)	(36)

Residential Scenario	
Retail	4,130
Rental	55,400 75 du
Service/ Circulation	10,025
<b>GFA</b>	<b>69,555</b>
Mechanical Parking Space	6
Surface Parking Space	29
Parking Space Total	35
Parking Space Required <sup>*1</sup>	31
Parking Surplus / (Deficiency)	4

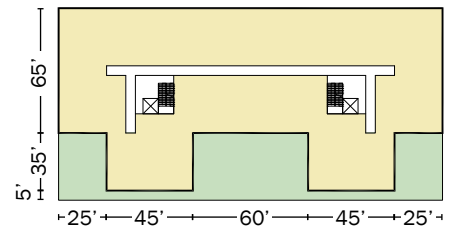
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



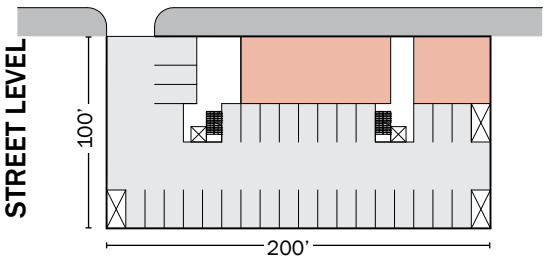
ROOF GARDEN



FLOORS 2 - 5



STREET LEVEL

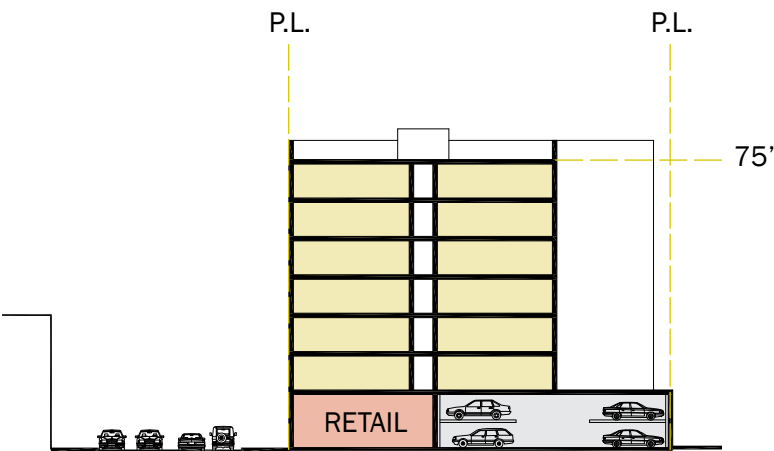


# 20,000 SF - 75 FT - CORNER

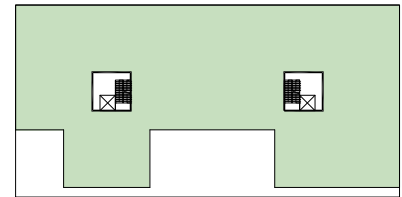
6 levels over retail	
Office Scenario	
Retail	4,130
Office	86,700
Service/ Circulation	13,725
<b>GFA</b>	<b>104,555</b>
Mechanical Parking Space	34
Surface Parking Space	15
Parking Space Total	49
Parking Space Required <sup>*1</sup>	151
Parking Surplus / (Deficiency)	(102)

Residential Scenario	
Retail	4,130
Rental	86,700 117 du
Service/ Circulation	13,725
<b>GFA</b>	<b>104,555</b>
Mechanical Parking Space	36
Surface Parking Space	14
Parking Space Total	50
Parking Space Required <sup>*1</sup>	51
Parking Surplus / (Deficiency)	(1)

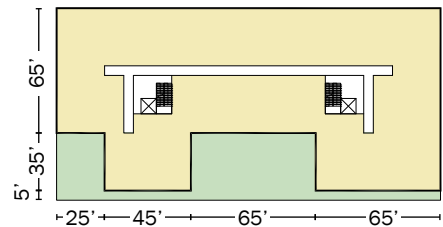
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



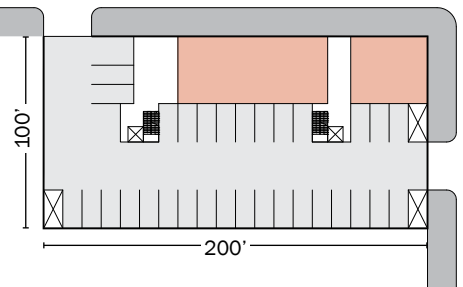
ROOF GARDEN



FLOORS 2 - 7



STREET LEVEL



# 20,000 SF - 75 FT - MID-BLOCK

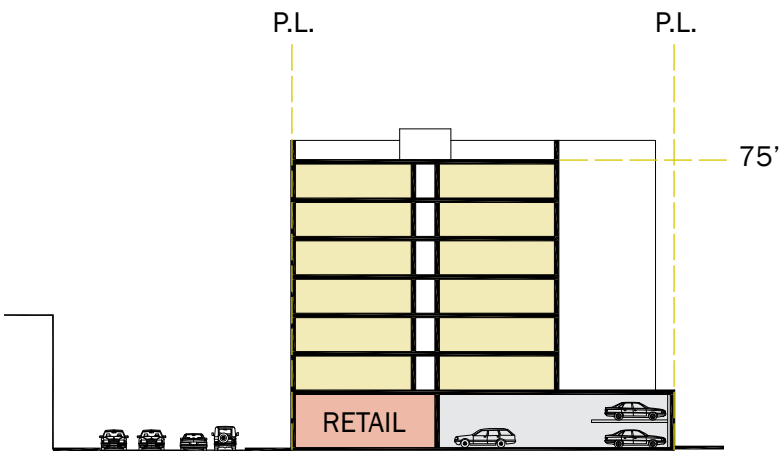
6 levels over retail	
<b>Office Scenario</b>	
Retail	4,130
Office	83,100
Service/ Circulation	13,725
<b>GFA</b>	<b>100,955</b>

Mechanical Parking Space	34
Surface Parking Space	15
<b>Parking Space Total</b>	<b>49</b>
<b>Parking Space Required<sup>*1</sup></b>	<b>146</b>
<b>Parking Surplus / (Deficiency)</b>	<b>(97)</b>

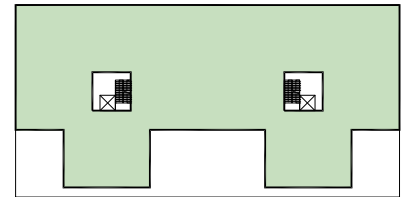
<b>Residential Scenario</b>	
Retail	4,130
Rental	83,100 112 du
Service/ Circulation	13,725
<b>GFA</b>	<b>100,955</b>

Mechanical Parking Space	36
Surface Parking Space	14
<b>Parking Space Total</b>	<b>50</b>
<b>Parking Space Required<sup>*1</sup></b>	<b>49</b>
<b>Parking Surplus / (Deficiency)</b>	<b>1</b>

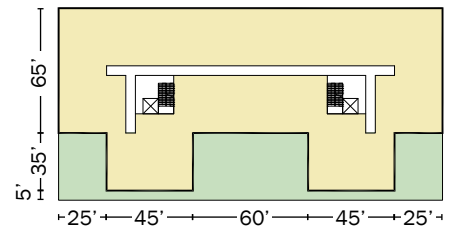
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



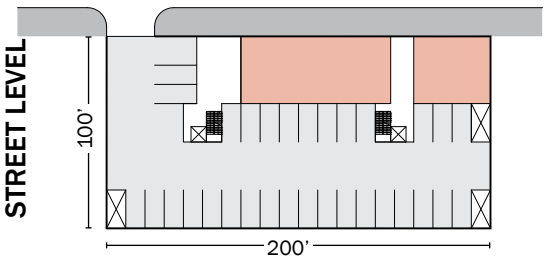
ROOF GARDEN



FLOORS 2 - 7



STREET LEVEL





# 20,000 SF - 120 FT - CORNER

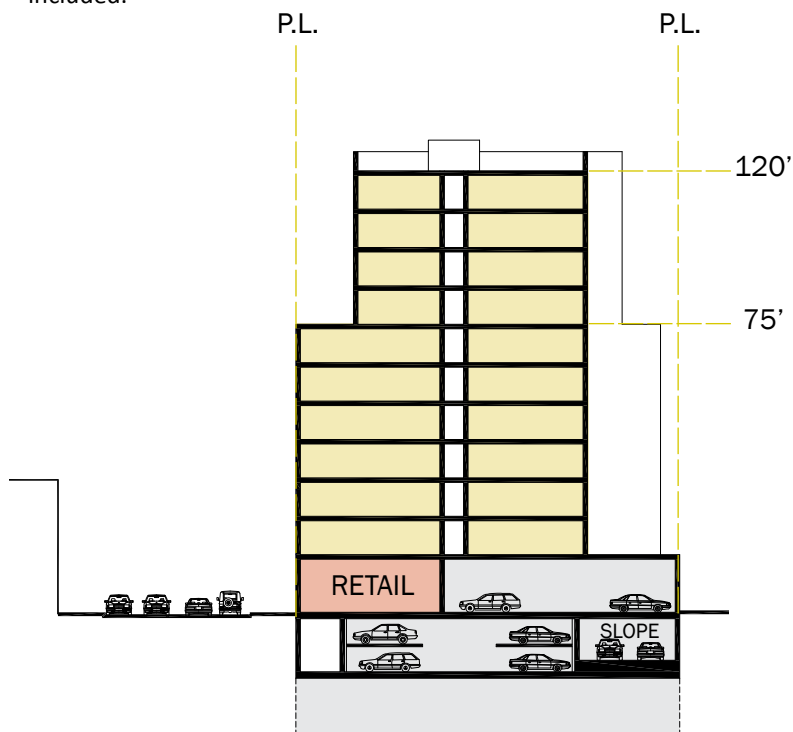
10 levels over retail	
Office Scenario	
Retail	3,915
Office	129,400
Service/ Circulation	25,960
<b>GFA</b>	<b>159,275</b>

Mechanical Parking Space	92 (GF+B1+B2)
Surface Parking Space	21
<b>Parking Space Total</b>	<b>113</b>
<b>Parking Space Required*<sup>1</sup></b>	<b>220</b>
<b>Parking Surplus / (Deficiency)</b>	<b>(107)</b>

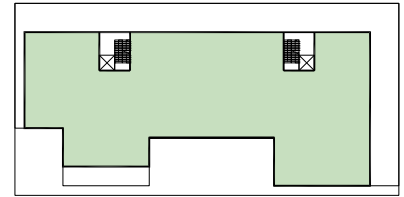
Residential Scenario	
Retail	3,915
Rental	129,400 175 du
Service/ Circulation	25,960
<b>GFA</b>	<b>159,275</b>

Mechanical Parking Space	52 (B1)
Surface Parking Space	18
<b>Parking Space Total</b>	<b>70</b>
<b>Parking Space Required*<sup>1</sup></b>	<b>73</b>
<b>Parking Surplus / (Deficiency)</b>	<b>(3)</b>

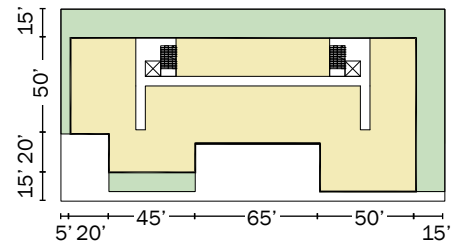
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



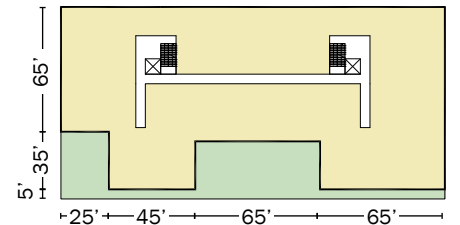
ROOF GARDEN



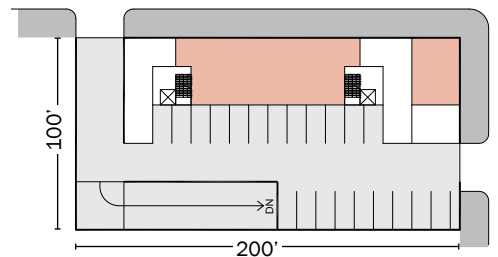
FLOORS 8 - 11



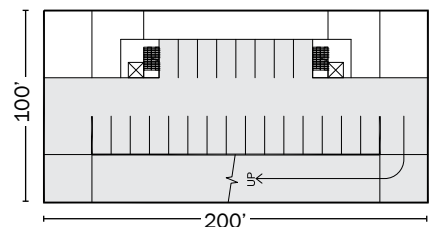
FLOORS 2 - 7



STREET LEVEL



BELOW GRADE



# 20,000 SF - 120 FT - MID-BLOCK

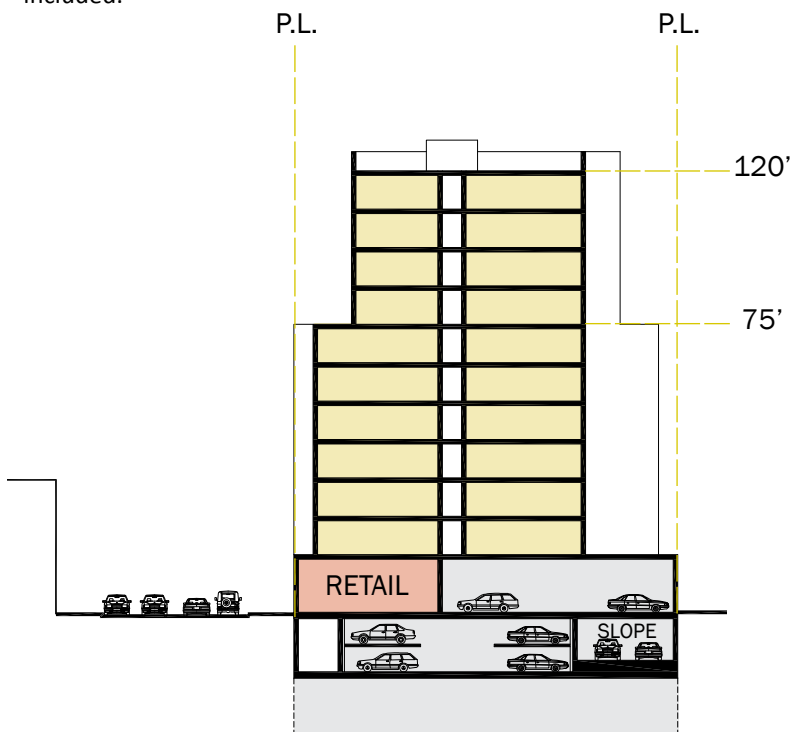
10 levels over retail	
<b>Office Scenario</b>	
Retail	3,915
Office	121,400
Service/ Circulation	25,710
<b>GFA</b>	<b>151,025</b>

Mechanical Parking Space	92 (GF+B1+B2)
Surface Parking Space	20
<b>Parking Space Total</b>	<b>112</b>
<b>Parking Space Required</b> *1	<b>208</b>
<b>Parking Surplus / (Deficiency)</b>	<b>(96)</b>

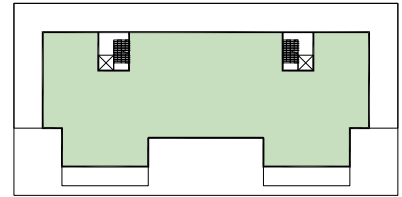
<b>Residential Scenario</b>	
Retail	3,915
Rental	121,400 164 du
Service/ Circulation	25,710
<b>GFA</b>	<b>151,025</b>

Mechanical Parking Space	46 (B1)
Surface Parking Space	20
<b>Parking Space Total</b>	<b>66</b>
<b>Parking Space Required</b> *1	<b>67</b>
<b>Parking Surplus / (Deficiency)</b>	<b>(1)</b>

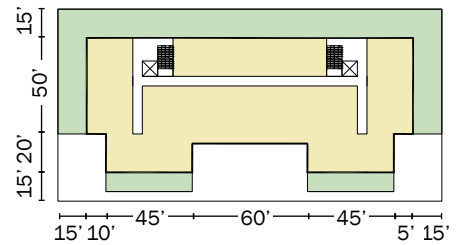
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



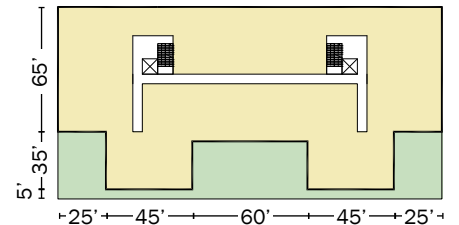
ROOF GARDEN



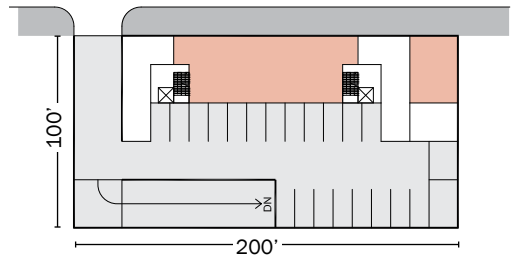
FLOORS 8 - 11



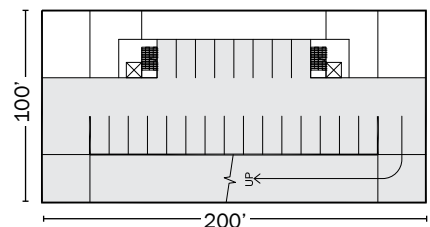
FLOORS 2 - 7



STREET LEVEL



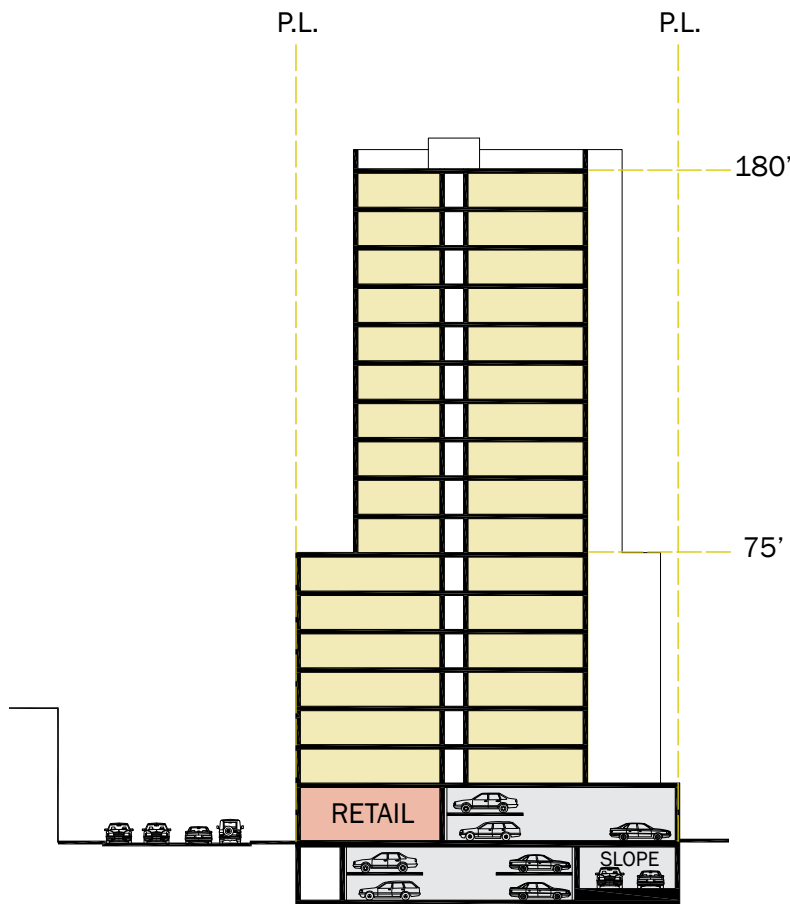
BELOW GRADE



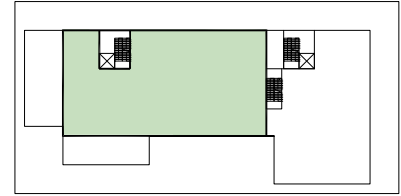
# 20,000 SF - 180 FT - CORNER

16 levels over retail		
Residential Scenario		
Retail	3,915	
Rental	159,100	215 du
Service/ Circulation	31,240	
<b>GFA</b>	<b>194,255</b>	
Mechanical Parking Space	68	(GF+B1)
Surface Parking Space	10	
Parking Space Total	78	
Parking Space Required <sup>*1</sup>	87	
Parking Surplus / (Deficiency)	(9)	

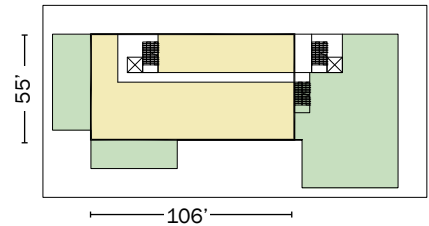
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



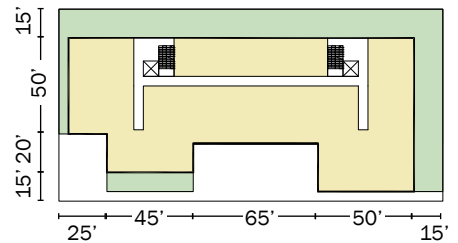
ROOF GARDEN



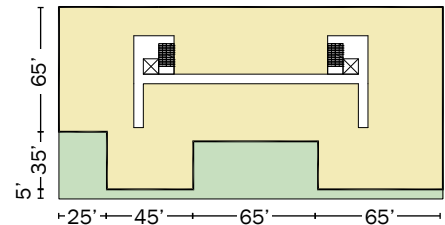
FLOORS 12 - 17



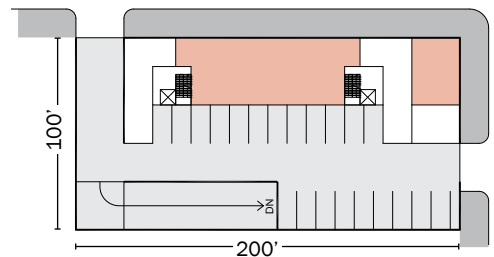
FLOORS 8 - 11



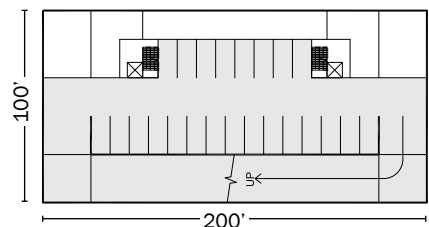
FLOORS 2 - 7



STREET LEVEL



BELOW GRADE

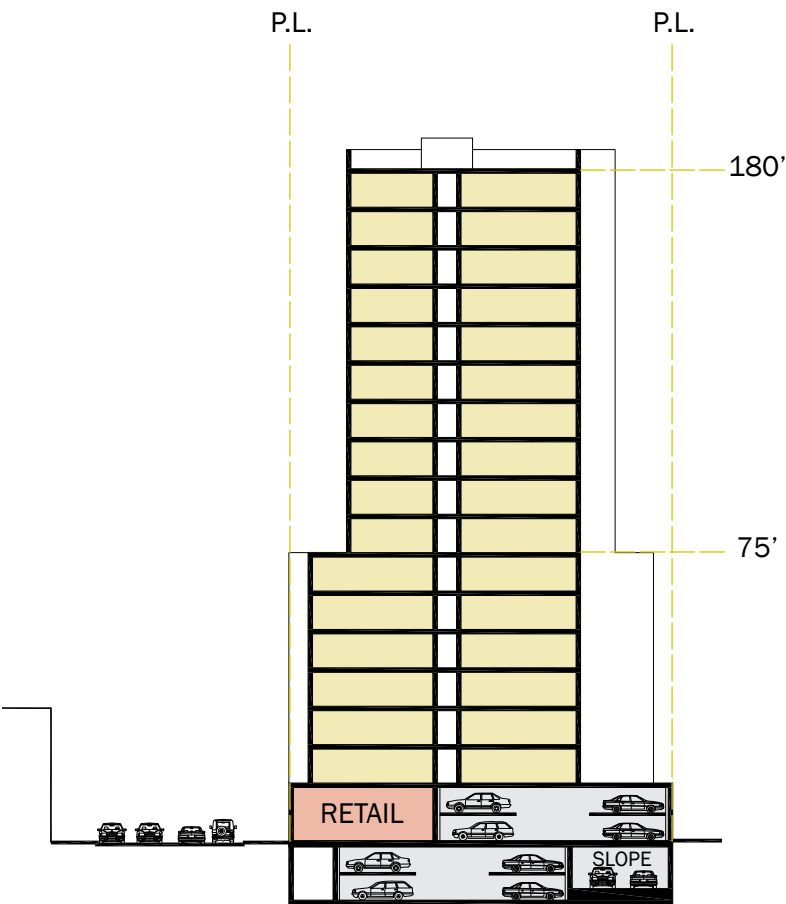


# 20,000 SF - 180 FT - MID-BLOCK

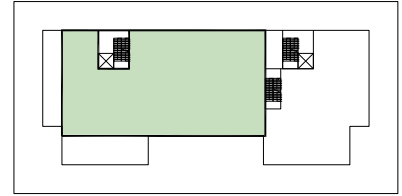
16 levels over retail		
Residential Scenario		
Retail	3,915	
Rental	151,100	204 du
Service/ Circulation	30,990	
<b>GFA</b>	<b>186,005</b>	

Mechanical Parking Space	66	(GF+B1)
Surface Parking Space	10	
Parking Space Total	76	
Parking Space Required <sup>*1</sup>	83	
Parking Surplus / (Deficiency)	(7)	

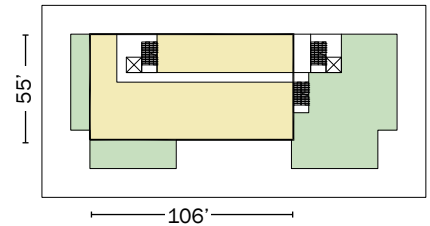
\*1 Shared Parking, EV Parking and Accessible Parking spaces are included.



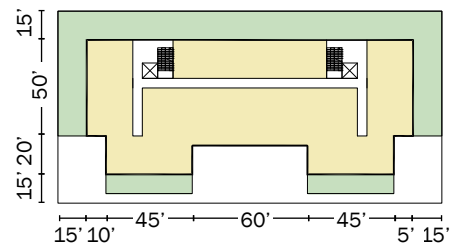
ROOF GARDEN



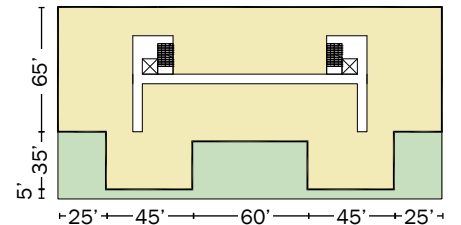
FLOORS 12 - 17



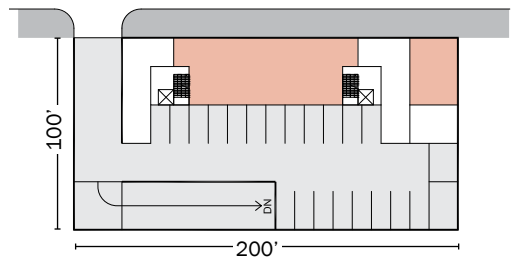
FLOORS 8 - 11



FLOORS 2 - 7



STREET LEVEL



BELOW GRADE

