



Office of the City Manager

WORKSESSION
December 18, 2007

To: PK Honorable Mayor and Members of the City Council

From: PK Phil Kamlarz, City Manager

Submitted by: Dan Marks, Director, Director of Planning and Development

Subject: Downtown Area Plan Advisory Committee (DAPAC) Policy Plan

INTRODUCTION

"DAPAC adopts and transmits the DAPAC plan, minutes, (adopted) reports and maps, and other relevant materials -- including changes agreed to tonight -- to the Planning Commission and City Council. Staff will send a copy of this final plan to all DAPAC members. DAPAC does so with the understanding that the votes on every Chapter are acknowledged."

This final motion (adopted 17-4-0) concluded a two-year effort by the Downtown Area Plan Advisory Committee (DAPAC). On November 30, 2007, the term of the Committee expired pursuant to the City Council's resolution establishing the DAPAC, capping a process that included: 50 DAPAC meetings (including 3 public workshops), 33 DAPAC Subcommittee meetings, and 15 meetings of the LPC-DAPAC Subcommittee.

DAPAC's principal product is a "Policy Plan" consisting of seven Chapters: Environmental Sustainability, Land Use, Access, Historic Preservation and Urban Design, Streetscapes and Open Space, Housing and Community Health & Services, and Economic Development. All but one chapter was approved by unanimous or nearly unanimous votes (see below for exact votes). The one exception -- the chapter on land use -- was adopted by a 11-1-8 vote after an alternative land use option was rejected by a 10-11 vote. (The DAPAC final land use debate is summarized in the minutes for November 12, 2007).

The packet of materials included with this staff report includes relevant materials and products of the process, including:

UC Statement. Emily Marthinsen, Assistant Vice Chancellor for the University of California Berkeley, the City's partner in this process, has provided a general statement on the process to date.

Policy Plan. As noted above, the Plan adopted by the DAPAC is not a complete Downtown Area Plan but what we have referred to as a "Policy Plan". In other words, it has the vision, goals and policies that are the foundation of any plan, but lacks the detailed implementation measures that take a plan from vision to reality. While there are "suggested implementation measures," and while many of the policies are so detailed as to border on being implementation measures, there was insufficient time to develop, analyze and fully discuss implementation.

Other Recommendations. In addition to the Policy Plan, other adopted reports of the Subcommittees are attached as appendices: DAPAC's Recommendations on "City Interests in University Properties" (CIUP), and DAPAC's Recommendations on Center Street.

Minutes. Under separate cover are the minutes for DAPAC's regular meetings, including four public workshops: a walking tour (12/07/05); an open-ended exploration of themes and alternatives (6/16/06); a report on DAPAC progress with public response (6/17/07); and an open-microphone event receiving extensive public comment (10/20/07). The minutes offer a window on debate on various issues, as well as DAPAC members and recognized experts discussions on historic preservation, environmental sustainability, transportation, parking, and culture and the arts.

Other Statements. Two statements are included in the packet. The first provides perspectives from the University of California, the City's institutional partner for the Downtown Area Plan. The other statement was received on November 30th from a group of DAPAC members and former DAPAC members on land use and the closure of Center Street.

Summary of Plan

While it is natural to focus on the disagreements among the DAPAC with regard to a few issues, what should be evident from the description of DAPAC's (and the nearly unanimous votes on most chapters) is the vast common ground that was found about the vision for Downtown and the policies necessary to carry that vision forward.

There are so many important new ideas in the Downtown Area Policy Plan that it is difficult to highlight just a few. Given the sheer volume of what the Council is receiving, some of key achievements of the DAPAC's work might be lost. At the risk of missing what some DAPAC members might consider key concerns, staff has highlighted a few.

University Relations

This planning process arose out of a lawsuit and settlement agreement with the University that, among other things, was about how to best accommodate University development in the Downtown. Various aspects of University development in Downtown are addressed throughout the Plan which seeks to integrate future University

development in Downtown in ways that provide benefits, including increased economic vitality, improved open space, and attractive and active streetscapes. The Plan also discusses how some of the community-focused services that the University already provides can be provided more effectively in the Downtown.

While wary of further encroachment by the University into the Downtown, DAPAC embraced the need for University development to be guided to the mutual benefit of both parties. That is a significant change in the approach of the City to the University. To the degree the University accepts and implements the recommendations, it can lead to an equal change in its relationship to the City.

Recommendations on the "City Interests in University Properties" (CIUPS) were developed initially in subcommittee and -- after revisions -- adopted by DAPAC. The CIUPS recommendations are attached following the chapters of the Plan, and provide a place to see most University-related policies in a single location.

Environmental Sustainability (adopted unanimously, 11/12/07)

The Downtown Area Plan is the first area plan for the City that seeks to apply measures of sustainability and greenhouse gas reduction in relation to land use planning, building design, and the design of both public and private open space. The Plan provides a forward-looking vision on the many dimensions of sustainability, including enhancing livability, reducing use of cars, advancing green buildings, capturing rainwater, and filtering pollutants contained in urban runoff. By modeling best practices, Berkeley can continue its environmental leadership -- and Downtown can become a more sustainable place for residents, visitors, and businesses to enjoy.

Land Use (adopted 11-1-8, 11/12/07)

Decisions regarding the height and intensity of future buildings were by far the most contentious issue during DAPAC's two-year process. Several DAPAC meetings and several DAPAC subcommittee meetings were devoted to the height and intensity of buildings. . Despite these efforts to arrive at a consensus viewpoint, DAPAC remained divided on how tall buildings should be. Concern was expressed about excessive change in community character versus whether certain buildings heights and development requirements are feasible.

While the Committee was divided on this point, agreement was evident on many other aspects of the Land Use chapter. The Plan proposes the expansion of Downtown's "Core Area" to include more of the Shattuck corridor and to include the University Avenue corridor from Milvia to the UC campus. There was also unanimous agreement that at least two relatively tall hotel/condominium buildings could be allowed in Downtown in order to promote vitality, and to yield the City revenues and other benefits. Overall, the revised Plan would allow Downtown to accommodate around 2700 new housing units and 800,000 square feet of University development over the next 20

years, while preserving its historic buildings and fostering a more attractive and livable environment.

Access (adopted 17-0-2, 10/3/07)

Transportation issues that were divisive at the beginning of the DAPAC process were successfully resolved through analysis, thoughtful debate, and innovation -- although some critical decisions were left to future analysis and implementation. The challenge for the DAPAC in considering access was the number of "moving pieces" it had to consider:

- **Parking Management.** A strategy was adopted to develop and aggressively implement ways to manage parking more effectively by promoting alternatives to the car -- and by pricing parking so that the parking demand fits within the available supply. On-street parking would be priced to encourage a modest vacancy rate, to make Downtown less frustrating destination for short-term shopping. DAPAC proposed that revenue from increasing the price of parking be spent on improvements and programs that will benefit merchants encourage transit use, and calm traffic on residential streets in and around Downtown.
- **Parking Construction.** A "consolidated" parking strategy would require new projects near BART to pay in-lieu fees (and make an in-lieu fee option available to other projects), so that shared parking facilities could be built in appropriate locations at the periphery of Downtown. The amount of parking provided would remain low and combined with support for car sharing and alternative modes. Demand for additional public parking -- beyond that necessitated by new construction -- would be evaluated but only after parking management strategies have been implemented.
- **Bus Rapid Transit (BRT).** AC Transit issued the BRT DEIR in the middle of the DAPAC process. The design and implementation of BRT would have profound impacts on Downtown. The DAPAC generally supported BRT, but only if it designed in a way that significantly enhances the pedestrian environment and has the benefit of extensive City input.
- **Consideration of making the western leg of Shattuck Square two-way (i.e. eliminating the one-way couplet), so that the eastern leg can become a slower, pedestrian-friendly street.**
- **Closing Center Street between Shattuck and Oxford to make a pedestrian plaza with gathering places and a water feature, the design for which would still need to be determined.**

Overall, the proposed Downtown Area Plan carries forward the underlying direction of the previous Downtown Plan to encourage and support pedestrians, bicycles and

transit, and to generally discourage automobiles and especially single occupant commuters. Importantly, DAPAC made as its first goal that Downtown be a *destination* not a route to somewhere else. When Downtown is thought of primarily as a destination, the amount of automobile congestion getting through or around Downtown is less of a consideration in planning for roadway capacity, and new approaches to roads and circulation begin to open up (including possible reductions in the automobile capacity of major thoroughfares in Downtown).

Historic Preservation and Urban Design (adopted 20-0-1, 10/17/07)

The title of this Chapter (and the vote on it) describes one of the unexpected outcomes of the DAPAC process. While Berkeley has a history of battles between historic preservation and new development, the LPC-DAPAC Subcommittee worked very hard to find a "both-and" solution. As the strategic statement in this chapter notes "a balanced urban design strategy should include both preservation and infill development" and the policies of this chapter make a vigorous commitment toward each. The Subcommittee thought that this approach was essential to the future character and vitality of Downtown. The Plan includes the policies necessary to achieving a balance. It also provides guidance (along with the Land Use and Streetscapes & Open Space chapters) on how future University development can be integrated into Downtown to enhance and support a healthy Downtown and gateway to the University.

Streetscapes and Open Space (adopted 20-1-0, 10/17/07)

The DAPAC Plan defines an ambitious new vision for an expanded and comprehensive system of public plazas, open spaces and streetscape improvements, including:

- a new Center Street Plaza extending from Shattuck to Oxford, including a potential water feature that provides connections to Strawberry Creek;
- improvements to Shattuck Avenue to make it a world-class boulevard, and a redesigned Shattuck north of Bancroft as part of implementing a future Bus Rapid Transit system in Downtown;
- re-assignment of half of Shattuck Avenue's very large right-of-way to create small parks, comparable in scale to Portland's "Park Blocks" and San Francisco's "South Park;"
- a new University Avenue "gateway" to the University between Shattuck to Oxford;
- landscaping and pedestrian crossing improvements along Oxford Street to enhance it as a pedestrian-friendly edge between the University and Downtown; and,

- streetscape improvements for Center Street and Allston Way to make a strong visual and pedestrian connection between the Civic Center and UC campus.

In addition to providing new amenities for Downtown residents, businesses and visitors, each of these elements has the potential to have "green" stormwater features to filter pollutants that wash off streets and to bring more greenery to Downtown.

It is important to note that this vision for streetscapes and open space entails significant costs, and finding the funding needed to implement this vision will be the subject of considerable work in the next phase of Plan development.

Housing and Community Health & Services (adopted unanimously, 10/29/07)

The policies in this Chapter are consistent with the direction of the General Plan and other city policies in support of affordable housing and the provision of essential services to those in need, especially the homeless who are largely concentrated in Downtown. The Plan also identifies a critical health need for the community as a result of disparities in the availability of health services, and the vital role that Downtown has traditionally played in providing those services. Herrick Hospital represents a significant component for such services, and a myriad of other services are based in Downtown including the City's homeless shelter.

Economic Development (adopted unanimously, 10/29/07)

DAPAC's Downtown Area Plan recognizes that "a thriving, economically successful Downtown is essential to the health of the City of Berkeley". This chapter recognizes the critical role that cultural uses, revitalized retail, new housing, and the University can play in enhancing the economic vitality of Downtown. It also recognizes the competitive advantages that Downtown must build on for it to be economically successful, including: its concentration of arts and cultural venues; its concentration of higher education and other "learning" organizations; its historic character and its excellent transit access. By building on these existing strengths, and by providing services to an growing local patron base (both residents and workers), the DAPAC believes that Downtown can be vital, exciting, and the real and traditional heart for all of Berkeley.

Next Steps

DAPAC's Plan is an important foundation and resource for the remainder of the Downtown Area Plan process, providing future decision makers with a compelling vision and a clear and thoughtful array of goals and policies which embody community sentiments.

As we move into the next phase of plan development, the DAPAC Plan will serve as an important "touchstone." Implementation measures also need to be defined and put in place around the time that the Plan is adopted to make DAPAC's vision a reality.

Plan development now moves from DAPAC to the Planning Commission and into preparation of an Environmental Impact Report (EIR). In general, the schedule and steps are as follows:

- January - February 2008: Initial Planning Commission review of the DAPAC Plan and direction to staff regarding parameters for the EIR. The parameters for environmental review are not necessarily the same as DAPAC's land use plan. The EIR must fully analyze the impacts of the approved plan and therefore should consider the outside "bookend" of what that the Planning Commission and ultimately the Council may wish to consider for adoption. In other words, if the EIR analysis considers a maximum of 2700 housing units in Downtown over the next 20 years, but the City Council could later conclude that they want to allow for 3000 housing units, the EIR analysis would have to be amended accordingly (requiring further costs and time). It is therefore more efficient to try and identify potential outside parameters with environmental consequences for the purposes of the EIR.
- February–September 2008: Prepare Draft EIR. Planning Commission considers the Downtown Area Plan, and guides staff in the preparation of implementation measures. Staff's goal is for the plan to be self-implementing and include within it revised zoning and General Plan amendments, amendments to Downtown's Design Guidelines, priorities for implementation, and the necessary analysis to establish appropriate fees on new development. Such a plan would be adopted both by resolution and by ordinance.
- September–December 2008: Receive and respond to comments on the DEIR, issue FEIR. Planning Commission recommends FEIR and full draft plan to City Council for adoption.
- January–May 2009: Council consideration of FEIR and Draft Plan and adoption.

University planning staff has begun the process of internal review of the draft Downtown Area Plan among relevant University committees and stakeholders. The Regents of the University of California will consider a final draft of the Plan at the same time as it is being considered by City Council. For more information, please see the following letter from Emily Marthinsen, Assistant Vice Chancellor for UC Berkeley.

CONTACT PERSON

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ATTACHMENTS

Letter, Emily Marthinsen, Vice Chancellor, University of California, Berkeley

Downtown Area Plan, adopted by DAPAC

Chapters of the Downtown Area Plan

Environmental Sustainability

Land Use

Access

Historic Preservation & Urban Design

Streetscapes & Open Space

Housing and Community Health & Services

Economic Development

Appendix of Other Recommendations Adopted by DAPAC

Recommendations on "City Interest in University Properties" (DAPAC)

Recommendations on Center Street (DAPAC)

Minutes of DAPAC Meetings & Workshops

UC Perspectives, Emily Marthinsen, Vice Chancellor, University of California, Berkeley

Statement of Concern on...Land Use & the Closure of Center Street, DAPAC Members