



Planning and Development Department  
Land Use Planning Division

November 9, 2006

Lew Jones, Director of Facilities  
Berkeley Unified School District  
1720 Oregon Street  
Berkeley, CA 94703

SUBJECT: Comments on South of Bancroft Master Plan Draft EIR

Dear Mr. Jones,

The City of Berkeley appreciates the opportunity to comment on the Berkeley Unified School District's South of Bancroft Draft EIR (DEIR). The City has concerns regarding the following issues:

- demolition of the Old Gym, a significant historical resource;
- maintaining the warm water pool for the use of the public;
- parking and transportation impacts associated with the net loss of parking on the high school campus.

Our more specific comments are presented below, corresponding to the outline of the DEIR.

## **Comments on the Draft EIR**

### **I. Summary**

Refer to our comments on the chapters below.

### **II. Project Description**

#### **B. Project Objectives**

One of the objective of the project could be to preserve the Old Gym, a National Register eligible historic structure. It was designed by noted Bay Area architects, is representative of early seismic engineering work, and a rare example of an early 20<sup>th</sup> century high school gymnasium. We believe that a rehabilitation alternative could be designed that would meet most of the District's objectives for the South of Bancroft Master Plan, if adaptive reuse of the Old Gym and its associated pools were one of the District's primary goals. The EIR does not cite any analyses in the EIR to show that it would be

infeasible to rehabilitate the gymnasium and use it to meet many of the District's programmatic objectives.

The City also believes that one of the primary objectives should be reconstruction, rehabilitation or replacement of the existing South Pool (Warm Water Pool), preferably as part of the rehabilitation of the Old Gym, or as a separate project if rehabilitation proves infeasible. The assumption in the DEIR is that this is solely a City of Berkeley responsibility and while the City has indicated its continued desire to replace the pool, we certainly believe it should be a joint objective with BUSD. The DEIR should also mention that the high school has a special needs population that currently uses the YMCA's warm pool for therapy. If the warm pool were reconstructed, the District would also use the pool for its needs.

The objective to allow for uninterrupted use of the existing warm water pool facility during any construction on campus also infers that a temporary closure of the warm water pool facility would not be acceptable. The City agrees that the loss of the warm water pool would be a significant impact on a particular special-needs population and would certainly oppose temporary closure of the warm water pool, except to allow for its rehabilitation or reconstruction on its existing site.

#### D. Description of Proposed Project

##### Phase 1

The DEIR lists construction of the warm water pool on the Milvia Street site by the City as one of the components of Phase 1. In 2000, voters approved Measure R, which provided the funds to renovate the existing warm water pool on the high school campus. The City does not have the funds to construct a new warm water pool facility as proposed in the DEIR. As such, this improvement would most likely not occur with Phase 1.

Construction of a new warm water pool on the Milvia Street site would require the City to process a Use Permit. If the proposed pool project resulted in greater environmental impacts than those envisioned by the District's EIR, subsequent environmental review would be prepared by the City at the time the Use Permit is processed.

##### Phase 3

Improvements within the Bancroft Way Easement will require the review and approval of the City of Berkeley Public Works Department- Engineering Division. The easement contains a sanitary sewer line that must be maintained.

##### Later Phase Improvements

Construction of a five-level, 280 space parking garage is listed as a Later Phase Improvement, for which "the design would be developed once funding became available." Due to the high cost of parking

structures, it seems possible - perhaps even likely - that the structure would not be constructed for the high school. The net loss of 160 parking spaces on the campus that would result from the project should be characterized in the DEIR as a presumed long-term condition, rather than a temporary condition. The DEIR appears to use the reference to the possible future parking structure as a method to not fully assess the impacts on other parking and related traffic in nearby residential neighborhoods, and to avoid the need to implement feasible Transportation Demand Management strategies and incentives to encourage drivers to change travel modes in favor of transit, biking, or walking.

If the proposed five-level parking garage were constructed, the City would urge that it be well designed to avoid creating an inhospitable street edge and to minimize impacts on the adjacent residential uses. Use of the garage for non-school related uses would require approval from the City.

#### Police and Fire Department Comments:

All required Fire Department access shall be constructed and maintained based on Berkeley Fire Department requirements and specifications. The Berkeley Fire Department strongly recommends that all buildings and facilities be protected by full coverage automatic fire sprinkler systems, even if not required by building or fire codes.

To facilitate emergency response from the Berkeley Police Department, the Department should be provided with keys to vehicle access gates around the perimeter of the campus.

#### E. Project Actions

The list of actions should include approval of a new memorandum of understanding between the City of Berkeley and the District for the rehabilitation or replacement of the warm water pool. Also, please clarify that improvements within the Bancroft Way Easement will require permits from City of Berkeley Public Works Department- Engineering Division. The easement contains a sanitary sewer line.

### **II.A. Land Use, Plans, and Policies**

One of the seven major goals of the Berkeley General Plan is to “Preserve Berkeley’s unique character and quality of life.” The Land Use analysis downplays the project’s conflict with this primary goal and the following related General Plan policies:

**LU-2 Preservation.** *Protect Berkeley’s character by identifying, restoring, and preserving historic buildings.*

**UD-6 Adaptive Reuse.** *Encourage adaptive reuse of historically or architecturally interesting buildings in cases where the new use would be compatible with the structure itself and the surrounding area.*

The City is concerned that the District has not identified adaptive reuse of the Old Gym as one of the primary goals of the project, and that such an alternative has not been adequately evaluated.

The discussion of planned and approved land uses is inconsistent with the discussion of cumulative projects in Chapter IV.B, and is incomplete. Other large projects that are under construction, approved, or contemplated in the vicinity, include the Seagate project, the Shattuck Hotel renovation project, the U.C. Hotel and Convention Center project, the Berkeley Art Museum/Pacific Film Archive project, the 1885 University project, Civic Center Garage reconstruction, among others.

## **II.B Transportation and Circulation**

The summer traffic counts conducted in June 2006 likely represent lower-than-average traffic levels that are present during a mid-Winter or mid-Spring condition when U.C. Berkeley is at full enrollment. Traffic counts should also have been conducted at intersections adjacent to the site: Milvia at Allston, MLK Jr. Way at Allston, and MLK at Bancroft.

### **Impact Transportation-3: Changes in Parking**

DEIR acknowledges that the elimination of 160 parking spaces as a result of the project would cause some faculty/staff (and students) to park in other off-street facilities, in on-street spaces, or to switch their travel mode. It notes that streets with no residential permit parking (RPP) restrictions are located about five blocks south of the Berkeley High School campus. While some drivers may switch their travel mode, residential neighborhoods in the vicinity of the school (with and without RPP) are likely to be most impacted by the loss of parking at the school site. The additional traffic, noise, and air pollution created by drivers searching for available off-street parking does constitute a potential environmental impact under CEQA. The DEIR should identify Transportation Demand Measures (TDMs) to reduce the number of drivers and to encourage use of other travel modes. The District has considered the implementation of TDMs (such as an Eco Pass allowing staff and faculty free or discounted transit use) in the past, but the District has not taken action on such measures. The DEIR should include a discussion of TDMs and include the implementation of TDMs as a mitigation measures.

The DEIR's traffic analysis assumes the construction of the five-level, 280 space parking garage at the Milvia Street site, which would result in a net increase of 57 spaces for the high school. The additional parking would result in additional traffic to the site and the downtown area. If the parking garage is eventually constructed, it should be designed as a facility to serve all users of the downtown, during off-school hours, evenings, and on weekends. Favorable treatment (discounts, preferred parking locations, or other incentives) should be given to drivers who carpool to the garage.

### **Impact Transportation –5: Impacts to Pedestrians and Cyclists**

The DEIR does not discuss where “additional secured bicycle parking stalls on the BHS Campus,” or the form of the secured bike parking, nor does it state how many bike parking spaces would be provided. The plan should integrate secured bicycle parking into the overall project design, and the report should identify the number and location of secured bike parking areas.

The high school generates a high volume of pedestrian traffic in the vicinity of the campus (not the “moderate” volume claimed in the DEIR) which results in significant safety concerns and disruptions in

traffic flow at key periods (during lunch breaks, before and after school). The District should address this existing problem as part of the project and work closely with the City's Office of Transportation to identify a series of improvements around the perimeter of campus. These improvements should include installing audible traffic signals, pedestrian count down signals, and bulb outs on Milvia Street, for example.

The DEIR does not discuss how disabled parking and access is to be provided on the high school campus. This topic is discussed only as it relates to the warm water pool project.

#### Impact Transportation-7: Cumulative Impacts

The DEIR's traffic analysis does not include a thorough analysis of the project's contribution to cumulative traffic impacts. The analysis relies upon the analysis for the Library Gardens project to include that a cumulative analysis is unnecessary. A cumulative analysis should be prepared which considers all of the cumulative projects discussed above.

### **III.C Historic Architectural Resources**

The City is concerned that the District is proposing to demolish, rather than adaptively reuse, the Old Gym, a building that the DEIR consultants found to be eligible for listing on the National Register of Historic Places. As noted in the District's DEIR, the original building was designed by two noted Bay Area architects, William Hays and Walter H. Ratcliff, Jr., and it represents a rare example of the early 20<sup>th</sup> Century ideal of a modern high school gymnasium. The Gymnasium's seismic strengthening in 1936 by Thomas F. Chace was a pioneering effort that employed the most modern seismic retrofit techniques of the time. Due to the importance of this historic resource and its contribution to the historic character of the high school campus and Berkeley's downtown, the City urges the district to consider a plan that would adaptively reuse the Old Gym and its associated pool in such a way as to still meet the major goals identified in the District's South of Bancroft Master Plan. We believe that if one of the goals of the Master Plan was to reuse the Old Gym, a rehabilitation alternative could be designed that would meet most of the District's objectives. Such an alternative might still result in significant impacts to the historic resource, but it could preserve many of the important historic characteristics that define the structure and its place in the community.

#### Mitigation: Cultural-1

If the District decides to demolish the Old Gym as proposed, Mitigation: Cultural-1 should be modified to specify that the HABS/HAER documentation should emphasize the historically significant portions of the resource as discussed in the EIR: a) the original early 20<sup>th</sup> century gymnasium design by Hayes and Ratcliff, Jr. and b) the significant seismic retrofitting advances designed by Chace. The Landmarks Preservation Commission should be consulted regarding the significant features of the building that should be documented. A copy of the HABS/HAER documentation should also be filed with the Berkeley Historical Society.

Suggested Mitigation: Cultural-2: In addition to conducting a HABS/HAER documentation as described in Mitigation: Cultural-1 above, the District should consider add a second mitigation measure requiring that the new gymnasium design either a) incorporate historical photos of the Old Gym within its hallways and rooms and/or b) incorporate one or more significant architectural features of the Old Gym into new design, where feasible and appropriate, to retain a physical link to the past and the actual structure.

#### **IV. Other CEQA Considerations**

##### **B. Cumulative Impacts**

###### **Transportation and Circulation**

The DEIR states that “the major cumulative project in the area of the campus is the Library Gardens development.” The DEIR does not consider the combined effects of other significant cumulative projects that are under construction, approved, or contemplated in the vicinity, including the Seagate project, the Shattuck Hotel renovation project, the U.C. Hotel and Convention Center project, the Berkeley Art Museum/Pacific Film Archive project, the 1885 University project, Civic Center Garage reconstruction, among others.

#### **V. Alternatives to the Proposed Project.**

Due to the importance of this historic resource, and its contribution to the historic character of the high school campus and Berkeley’s downtown, the City suggests the District consider an alternative that would adaptively reuse the Old Gym in such a way as to meet most of the goals identified in the District’s South of Bancroft Master Plan. We feel that the rehabilitation alternatives considered in the DEIR are narrowly focused and that if one of the primary goals of the Master Plan were to reuse the Old Gym, a rehabilitation alternative could be designed that would meet most of the District’s objectives. While this alternative may lead to alterations in the building that might reduce its historic significance, it could preserve many of the important historic characteristics that define the structure and its place in the community.

We thank the District for the opportunity to comment on the DEIR and we hope that the City’s concerns are thoughtfully considered. We welcome the opportunity to work with the District to adaptively reuse the Old Gym into a modern facility that meets the District’s educational goals and provides a superior learning environment for Berkeley’s students.

Sincerely,

Dan Marks, Director  
Planning and Development Department