

Supplemental Communications (1)

(Received after - 9am Oct. 1- 12pm Oct. 4)

Communication

From: Lapira, Katrina
Sent: Friday, October 1, 2021 3:18 PM
To: Lapira, Katrina
Cc: Pearson, Alene
Subject: FW: Planning Commission Agenda - Regular Meeting October 6, 2021 (+ Research and Development Supplementary Materials)

Hi Commissioners,

Hope you all have enjoyed your first couple of meetings!

At the next meeting, the Planning Commission will hold a public hearing on the revised Research and Development (R&D) land use definition. Prior to this public hearing, this item was discussed several times by the Planning Commission throughout this past year. Since these discussions happened before your respective terms began, feel free to review the linked materials presented to the Commission at the last meeting R&D was discussed to supplement your reading-

June 2 PC Meeting

- [R&D Staff Report / Presentation](#)
- [Action Minutes](#)
- [Meeting Recording](#) *Link to recording will expire on October 8*

Let me know if you have any trouble accessing these materials or if you have any follow up questions.

Thanks,

Katrina Lapira (she/her)
Assistant Planner
City of Berkeley | Land Use Planning Division
klapira@cityofberkeley.info

From: Alnas-Benson, Tiana
Sent: Friday, October 1, 2021 2:41 PM
Cc: Alnas-Benson, Tiana <TAlnas-Benson@cityofberkeley.info>
Subject: Planning Commission Agenda - Regular Meeting October 6, 2021

Good afternoon,

The agenda and related materials for the Regular Meeting of the Planning Commission on October 6, 2021 are available online. You may access the information by clicking on the link below or by copying and pasting it into your browser:
https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Commissions/Commission_for_Planning/2021-10-06%20PC%20Agenda_Linked.pdf

Previous agendas and content can be found here:
https://www.cityofberkeley.info/Clerk/Commissions/Commissions_Planning_Commission_Homepage.aspx

Have a wonderful weekend.



Respectfully,
Tiana

K. Tiana Alnas-Benson, OSII *(she/her/hers)*

Email: talnas-benson@cityofberkeley.info

PLANNING AND DEVELOPMENT, LAND USE DIVISION

1947 Center Street, 2nd Floor, Berkeley, CA 94704

Website: www.cityofberkeley.info

Late Communications
Planning Commission
October 6, 2021

Communication

From: Tony Corman <anthonyjaycorman@gmail.com>
Sent: Friday, October 1, 2021 5:03 PM
To: Lapiro, Katrina
Cc: Shen, Alisa; Pearson, Alene; Kesarwani, Rashi
Subject: Re: Berkeley Planning Commission - Communications

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>Comments received after September 1 – October 1 can be found on the [October 6 PC Agenda](#) under Communications – [BART Communications](#).

Reading through the comments: 69 respondents favor zoning the AB2923-required minimums as maximums, while 4 want the maximum possible density. Please advise the Planning Commissioners accordingly as they prepare to recommend zoning.

Communication

From: Lukas Edge <lwedge5130@gmail.com>

Sent: Friday, October 1, 2021 11:28 PM

To: Pearson, Alene <apearson@cityofberkeley.info>; Buckley, Steven <StBuckley@cityofberkeley.info>; Klein, Jordan <JKlein@cityofberkeley.info>

Subject: Letter of Support

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Alene Pearson,

Please find attached my letter of support for Bayer and the Biotech Partners Organization.

Sincerely,
Lukas Webb

October 1, 2021

Members of Planning Commission
City of Berkeley, Land Use Planning Division
1947 Center St, Berkeley, CA 94704

Re: Recommendation for the Bayer HealthCare LLC Subsequent Environmental Impact Report (SEIR) and Development Agreement Amendment

Dear Berkeley Planning Commissioners,

My name is Lukas Webb, and I am a community college student in the Bioscience Career Institute of Biotech Partners. Our organization was established in 1993 as part of a Development Agreement (DA) between Bayer and the City of Berkeley. Biotech Partners helps students, such as myself, and especially students who are from communities underrepresented in STEM fields, attain the personal, academic, and professional development needed for careers in biotech.

Biotech Partners would not exist today without Bayer. Since its inception, we have had 3,900 participants in program, 15 internship placements per summer at Bayer, as well as 8 year-long co-op jobs provided to our community college program, with nearly \$3.5 million earned collectively since 1993. Eighty-five of our participants fall in the “income challenged” bracket, and 85% identify either as people of color or as female; the students in our programs gain valued professional experience, learning, mentorship, and other wrap-around services. Our graduates demonstrate the effectiveness of our approach. Many have gone on to lucrative careers at Bayer, other biotech companies, or other scientific fields. Biotech Partners and the support from Bayer has created an excellent pipeline for creating pathways into employment in a growing, lucrative, and meaningful industry born right here in the Bay Area.

Through BCI, I have gained multiple different internship opportunities with both East Bay Municipal Utility District and Bayer Pharmaceuticals. These internship opportunities have helped to broaden my horizons, and show me what biotech fully encompasses. They’ve helped me choose a career in biotech.

I support Bayer’s new development agreement without hesitation because it will continue to give the community more opportunities to grow, develop, and learn in the STEM field, giving Berkeley natives an equitable start and bright future in Biotech. This DA is a great project and a wonderful opportunity for the City to continue working with an entity that truly cares about the community where it is rooted.

Given the decades of value the amended DA could bring to Berkeley and the region, I urge you to recommend extending Bayer’s DA in Berkeley.

Thank you,

Lukas Webb

Communication

From: stephen dalton <stephen.esi.edu@gmail.com>

Sent: Friday, October 1, 2021 5:33 PM

To: Pearson, Alene <apearson@cityofberkeley.info>

Subject: Let's unpave the BART parking lot, and build paradise for more people

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Planning commissioners,

I live in North Berkeley, and I can't wait for our BART station parking lot to become paradise in the form of abundant affordable homes and lovable public spaces. I stand with my neighbors and North Berkeley Now! to tell you the following:

When it comes to affordability, we want mixed income at North Berkeley BART. Market rate apartments are more affordable than the million-dollar single-family homes we have now, and they are needed for people who don't qualify for new, subsidized, affordable housing. We also want the largest amount of subsidized housing possible in the context of an ambitious development, not least because lower income residents are more likely to use transit that they live next to.

Given the shortage of housing and the climate change-fighting benefits of living near transit, we want the highest density possible at our BART station. The majority of commenters on Sept 1 said "maximize housing" and we agree. **Don't set BART's minimums as our maximums.**

Alternatives to driving must also be a priority. Some BART users need to drive, but many do not. The demand for parking at BART can be significantly reduced by providing better connectivity and access for surface transit and alternative mobility. This includes infrastructure design that promotes the safety of pedestrians and cyclists over the convenience of drivers. I support smart infrastructure that keeps cars away from people so we all feel safe getting to BART.

I've lived in North Berkeley since 2005, and it's largely because of the walkability. Going forward, we can extend that privilege to more people by building more housing of all types. This will spur businesses that serve pedestrians and cyclists, all the while helping do our part in lowering our carbon footprint.

Thank you for your consideration,

Stephen Dalton

Communication

From: North Berkeley Now! <hello@northberkeleynow.org>

Sent: Saturday, October 2, 2021 9:57 AM

To: Pearson, Alene <apearson@cityofberkeley.info>

Subject: "Fact Check Alert"

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hi there, I was reviewing BART Communications for the Planning Commission [here](#), and I wanted to refute an unsubstantiated claim by a member of the public (the letter in question is linked [here](#)) that North Berkeley Now is encouraging people to lie. That is not true, and this person has absolutely no evidence to support their claim.

One need only go for a walk and see our yard signs on nearly every block within a mile of the North Berkeley BART station. These are real people, who really live in North Berkeley and who really want more neighbors. Even if you only look at North Berkeley through the window of a car you would still see them.

That said, there are many people who used to live in Berkeley but were displaced, who work in Berkeley and would like to live here, who have family here but can't afford to live close to them. Do their opinions not matter because they haven't been rich or lucky enough to have an address here? So no, we are not telling people to lie about where they live, but we also would like to challenge the idea that only people who live in a particular place get to express their feelings about building homes there.

It has been difficult for many of us to participate in the numerous lengthy public meetings due to caring for young children, caring for aging or sick relatives, working full time or rebuilding our lives after a global pandemic but that doesn't mean we're not here.

Libby Lee-Egan

North Berkeley Now! steering committee

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North Berkeley Now!

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Communication

From: Chris Lu <gogreen.chris@gmail.com>
Sent: Friday, October 1, 2021 5:05 PM
To: Pearson, Alene <apearson@cityofberkeley.info>
Subject: Another North Berkeleyan for paradise instead of a parking lot

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Planning commissioners,

I live in North Berkeley, and I can't wait for our BART station parking lot to become paradise in the form of abundant affordable homes and lovable public spaces.

When it comes to affordability, we want mixed income at North Berkeley BART. Market rate apartments are more affordable than the million-dollar single-family homes we have now, and they are needed for people who don't qualify for new, subsidized, affordable housing. We also want the largest amount of subsidized housing possible in the context of an ambitious development, not least because lower income residents already are the backbone of transit ridership and will readily take it in greater numbers if they live within walking distance.

Given the shortage of housing and the climate change-fighting benefits of living near transit, we want the highest density possible at our BART station. The majority of commenters on Sept 1 said "maximize housing" and we agree. It is important to allow people who want to live low-carbon and walkable lives to do so.

Alternatives to driving must also be a priority. Some BART users need to drive, but many do not. Public transit succeeds with regular ridership, not the occasional ride in a car-dominant society. The demand for parking at BART can be significantly reduced by providing better connectivity and access for surface transit and alternative mobility. This includes infrastructure design that promotes the safety of pedestrians and cyclists over the convenience of drivers. We support smart infrastructure that keeps cars away from people so we all feel safe getting to BART.

Best,
Chris Lu

Communication

From: Chris Barlow <CBarlow@warehamdevelopment.com>
Sent: Monday, October 4, 2021 7:07 AM
To: Pearson, Alene <apearson@cityofberkeley.info>
Subject: R&D Definition - Planning Commission Pubic Hearing October 6, 2021

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Alene: Please convey the following to the members of the Planning Commission:

Dear Commissioners:

Please consider the following as part of your deliberations of the re-definition of Research and Development (R&D) at the Public Hearing on October 6, 2021:

We have followed and participated in the R&D definition process from its inception at the end of 2019. We commend staff on a thorough and well-presented project and are supportive of nearly all of the recommendations in the latest staff report with one important exception.

The Staff Report to the December 16, 2020 Planning Commission meeting on this topic states:

“...it seems that Berkeley’s definition has not kept up with contemporary R&D activities and is more restrictive than definitions in neighboring jurisdictions. Staff suggests that it is important that the code be flexible enough to accommodate innovative practices within the overall system of land use categories.”

In this context, we are extremely concerned with proposal in the Staff Report to introduce a new restriction that only organizations that are active in Research and a series of very specific Development activities will be allowed to occupy space that has been designated “R&D”. That would result in a significant decrease in flexibility, not the desired increase.

Although the word “and” has been removed from the end of the first bullet point in the previously proposed definition shown in Table 1 of the latest Staff Report, the discussion two paragraphs below that table indicates that users of R&D space must perform all of “design, development, prototyping or testing of a product, prototype or process” within the premises, presumably in addition to research work although that is not stated.

Neither the current BMC definition of R&D, nor the definition for consideration in the referral from Council, contains such a list of compulsory activities. This restriction has been introduced during this re-definition process and is contradictory to the stated goals of reflecting evolving 21st Century practices, reducing restrictions and increasing flexibility laid out in the Council referral and the December 2020 Staff Report.

The current BMC definition is much less restrictive and describes an establishment: “...engaged in one or more of the following activities: industrial, biological or scientific research; product design; development and testing; and limited manufacturing necessary for the production of prototypes.”

Similarly, the Council referral requests the Commission to consider language that describes an establishment “...engaged in one or more of the following activities: industrial, technological, biological or scientific research; product design; associated software development; development and testing; and limited fabrication and/or manufacturing necessary for the production and assemblage of prototypical products”

For the reasons discussed below, we believe that the concept of “one or more” activities in the current definition must be retained and the proposed restriction should not be introduced.

We propose that the definition be modified to:

An establishment engaged in one or more of the following activities:

Industrial, biological or scientific research

Product or process:

- Design
- Development
- Prototyping
- Testing

This may include ancillary uses, such as laboratories, offices, warehousing, and light manufacturing as part of the Research and Development use. This classification does not include computer software development firms.

Discussion

A comprehensive review published by the National Science Foundation in 2018 of definitions of Research and Development from multiple national and international sources identified three distinct types of R&D activity. The following is taken from Chapter 2 of the 7th edition of the Organization for Economic Cooperation and Development Frascati Manual (2015):

Basic Research: Experimental or theoretical work undertaken primarily to acquire new knowledge of the underlying foundations of phenomena and observable facts, without any particular application or use in view.

Applied Research: Original investigation undertaken to acquire new knowledge. It is however directed primarily towards a scientific, practical aim or objective.

Experimental Development: Systematic work drawing on knowledge gained from research and practical experience and producing additional knowledge, which is directed to producing new products or processes or improving existing products or processes.

The skillsets of workers and the environments and locations in which these three activities take place can be very different. Basic and Applied Research might be performed in dedicated laboratories or other controlled environments by workers with appropriate research skills. Experimental Development within biotechnology or pharmaceutical companies might require specialized stand-alone scale-up and pilot-plant facilities whereas development of physical products or processes (such as medical devices) might be conducted in workshop or quasi-clean room environments by workers with appropriate industrial design or process development expertise.

These differences are important, particularly in the context of the City of Berkeley, which has two major research institutions (UC Berkeley and Lawrence Berkeley Laboratory) located on its doorstep.

The innovative start-up companies emanating from UC and LBL will often initially be operating in the “Development” phase because the Basic Research and Applied Research has been, or will continue to be, carried out by research scientists at UC/LBL laboratories where staff have access to expensive and sensitive research equipment that is far too expensive for a small or medium sized company to own or operate. Other companies that are collaborating with UC/LBL scientists, or who have paid for the Basic or Applied Research, may wish to locate new operations in the City for similar reasons.

Similarly, there will be instances where early-stage research organizations may be looking for space for initial Basic or Applied Research and may still be many years away from developing a product or process.

Finally, some organizations deliberately separate their research and development functions into different locations in the same city or even different cities to take advantage of local specialized knowledge or specific local relationships or collaborations with other companies or institutions.

Given the wealth of job creation and economic opportunities that the R&D sector can provide the City, we do not believe that it makes sense to add restrictions to the Use definition that will restrict occupancy, increase complexity and thereby disincentivize companies seeking to locate or relocate in Berkeley.

Respectfully submitted:

Chris Barlow

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