



Planning and Development Department
Land Use Planning Division

NOTICE OF AVAILABILITY (NOA) OF A DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT AND NOTICE OF PUBLIC HEARING

3100 San Pablo Avenue Medical Office and R&D Project

Notice is hereby given that the City of Berkeley has completed a Draft Supplemental Environmental Impact Report (Draft SEIR), pursuant to the California Environmental Quality Act (CEQA), for the proposed 3100 San Pablo Avenue Medical Office and R&D Project.

PUBLIC REVIEW TIMELINE: The public review and comment period for the Draft SEIR will be from May 19, 2020 through July 3, 2020. The City must receive all written comments regarding the adequacy of the Draft SEIR within this time period.

Written comments may be submitted via U.S. mail to:

Nicholas Armour, Associate Planner
City of Berkeley, Land Use Planning
1947 Center Street, 2nd Floor
Berkeley, CA 94704

Comments may also be submitted by e-mail to NArmour@cityofberkeley.info.

DOCUMENT AVAILABILITY: The Draft SEIR is available for review online on the City's website:

[\[https://www.cityofberkeley.info/Planning_and_Development/Zoning_Adjustment_Board/3100_San_Pablo_\(2019\).aspx\]](https://www.cityofberkeley.info/Planning_and_Development/Zoning_Adjustment_Board/3100_San_Pablo_(2019).aspx).

A paper copy can be mailed upon written request (one copy per requestor).

PUBLIC HEARING: No public hearing will be conducted to review the Draft SEIR during the Draft SEIR comment period. All comments must be submitted in writing by mail or e-mail as described above. Responses to comments will be provided in a Final SEIR; notice of availability will be provided to each person or agency that comments on the Draft SEIR.

The City of Berkeley will consider approval of the proposed project and certification of the SEIR as part of a regularly scheduled Zoning Adjustments Board (ZAB) hearing. The exact date has not been scheduled, but is anticipated for the summer of 2020. ZAB hearings usually occur the 2nd and 4th Thursday of the month at 7:00 PM. Interested parties should check the ZAB's website at <http://www.cityofberkeley.info/zoningadjustmentsboard/> for details.

PROJECT LOCATION: The project site is located at 3100 San Pablo Avenue in the City of Berkeley (Assessor's Parcel # 052-151200103). The 4.1-acre site comprises an entire block bounded by San Pablo Avenue to the east, Folger Avenue to the north, the Emeryville Greenway bicycle path to the west, and 67th Street to the south. Portions of the building are in three cities: Berkeley (northern and majority portion), Oakland (most of the southern portion), and Emeryville (a small part of the westernmost portion). A Memorandum of Understanding (MOU) executed in April 2013 between the Cities of Oakland, Emeryville, and Berkeley establishes Berkeley as the lead city for land use approvals. Figures 1 and 2 (attached) show the project site's vicinity and immediate location.

EXISTING CONDITIONS: The 4.1-acre project site is developed with an existing approximately 405,000 square foot mixed-use commercial and light industrial building known as "Foundry 31" (formerly the "Marchant on Greenway" building). The Foundry 31 building is mostly two stories in height except for the portion of the building along San Pablo Avenue which is four stories in height. The building also has a partial basement level. Parking is provided in the partial basement level and in a rooftop lot over the two-story portion, and in a lot across the street on Folger Avenue.

Current and past uses of the building include manufacturing, shipping and receiving warehouse, printing facilities, laboratories, offices, and commercial kitchens. Current uses at the Foundry 31 building include an Amazon Fulfillment Center warehouse and offices (23,500 square feet), TCHO chocolates manufacturing/warehouse (34,100 square feet), and Clif Bar manufacturing/commercial/ kitchen (15,900 square feet). Currently, a 42,500-square-foot health club (City Sports) occupies portions of the first and second floor. In addition, the BayHealth Outpatient Center occupies 97,400 square-feet of former office space on portions of the first and second floor and all of the third and fourth floors. Most recently, 49,000 square-feet of office and R&D space was occupied by Premier Nutrition Corporation (PNC) on the second floor, in portions of the building within the City of Oakland and Emeryville.

PROJECT APPLICANT: Darrell de Tienne, de Tienne Associates, 3435 Cesar Chavez Street, #312, San Francisco, CA 94110

PROPERTY OWNER: LBA Realty, 3347 Michelson Drive, Suite 200, Irvine, CA 92612

PROJECT DESCRIPTION: The proposed project would establish new uses in two vacant suites (Suite 180 and Suite 200) within the existing Foundry 31 building. The proposed uses would be 1) an extension of the BayHealth Outpatient Center in Suite 180 with an Oncology laboratory and office, laboratory, and 2) R&D uses within Suite 200. The Oncology laboratory in Suite 180 would be 19,700 square feet and R&D uses in Suite 200 would be 67,800, for a combined square footage of 87,500 square feet.

Suite 180 is located on the first floor and Suite 200 is located on the second floor, and both suites are located in the northern portion of the existing building, adjacent to Folger Avenue. There would be no retail sales in or public access to either suite. Tenant improvements would not increase the size, lot coverage, or building height of the existing building. In the City of Berkeley portion of project site is zoned Commercial (C-W) and Mixed Use – Light Industrial (MU-LI), and the City of Oakland portion of the

project site is zoned Community Commercial-2 (CC-2) and Housing and Business Mix-2 (HBX-2). Pursuant to the MOU among the Cities, the City of Berkeley is responsible for the land use entitlements of the entire building and for the interpretation of the applicable zoning regulations.

REQUESTED APPROVALS: The proposed project is subject to approvals by the City of Berkeley's Zoning Adjustments Board. The project would require the following discretionary entitlements from the City of Berkeley:

- **Use Permit** to establish a Testing Laboratory over 10,000 square feet in the C-W District under BMC Section 23E.64.030
- **Use Permit** to establish an Office use over 5,000 square feet in the C-W District under BMC Section 23E.64.030
- **Use Permit** to establish an Office use over 20,000 square feet in the MU-LI District under BMC Section 23E.80.030
- **Use Permit** to establish a Laboratory use between 20,000 and 30,000 square feet in the MU-LI District under BMC Section 23E.80.030
- **Variance** to allow a medical use within the MU-LI zone in Suite 180.

ENVIRONMENTAL REVIEW AND IMPACTS: The City has prepared a Draft SEIR which is tiered from the 3100 San Pablo Avenue Outpatient Center Project Final EIR certified in 2017 ("2017 EIR"). The 2017 EIR determined that significant unavoidable impacts would occur in the issue areas of operational noise as a result of traffic, greenhouse gas (GHG) emissions, and transportation.

This Draft SEIR has been prepared by the City to analyze impacts associated with the proposed 3100 San Pablo Avenue Medical Office and R&D Project. The Initial Study (included as Appendix A to the Draft SEIR) found that no new or more severe direct or indirect impacts beyond those identified in the 2017 EIR would occur with respect to: Aesthetics; Agricultural and Forestry Resources; Air Quality; Biological Resources; Cultural Resources; Energy; Geology and Soils; Hazards and Hazardous Materials, Hydrology and Water Quality; Land Use and Planning; Mineral Resources; Noise; Population and Housing; Public Services; Recreation; Transportation; Tribal Cultural Resources; Utilities and Service Systems; and Wildfire.

However, the Draft SEIR found that the proposed project would result in GHG impacts that would be severe than those identified in the 2017 EIR. Impacts related to GHG would be significant and unavoidable.

ALTERNATIVES: The CEQA Guidelines require analysis of a reasonable range of alternatives to the Project, or to the location of the Project, which would feasibly attain most of the Project's basic objectives and avoid, or substantially lessen, any of the significant effects of the Project. The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The Draft SEIR analyzes the following two alternatives: 1) No Project alternative and 2) Light Manufacturing Use alternative. The Light Manufacturing Use alternative is identified as the environmentally superior

alternative.

QUESTIONS: If you have any questions about this Project, contact Nicholas Armour at NArmour@cityofberkeley.info or (510) 981-7485.

Nicholas Armour, Associate Planner

Date of Distribution: May 19, 2020

Attachments: Figure 1: Regional Vicinity Map
Figure 2: Project Location Map
Figure 3: General Location of Proposed Project within the Existing Building

Figure 2 Project Location



Figure 3 : General Location of Proposed Project Within the Existing Building (Actual Location Varies by Floor)

