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50% Affordable, 260-unit 1900 Fourth Street Apartment Project Files Action for SB35 Streamlined Approval, After Five-year Process

Berkeley/Emeryville, CA (March 8, 2018) -- Today, invoking recently enacted state law SB 35, proponents of new housing on a parking lot at 1900 Fourth Street in Berkeley (www.1900fourthst.com) have filed an application with the City of Berkeley for streamlined approval of a 260-unit multifamily project that will include 50% affordable housing. One of the few, if only, private-sector projects offering half its units for affordable housing, 1900 Fourth also includes 27,500 square feet of neighborhood-serving retail and restaurant space, as well as a community park area and community center set aside for potential use as a cultural education center. The project will be built with prevailing wage labor. It incorporates sustainable design principles by providing transit-oriented housing adjacent to the Capitol Corridor train station and multiple bus lines, meeting "Build It Green" certification requirements and incorporating water efficiency measures. The project meets all requirements of the City's Zoning Ordinance and General Plan, and the Association of Bay Area Governments identifies the site as a "Priority Development Area." The project will also use the State Density Bonus Law to maximize the development potential of the site to provide the 260-units in a well-planned mixed-use layout. The prominent infill location will eventually provide housing to upwards of 400 people and will add much-needed revenue to the local tax base through supporting the local retail establishments in the area.

Effective January 2018, SB 35 "establishes a streamlined, ministerial review process for certain multifamily affordable housing projects that are proposed in local jurisdictions that have not met regional housing needs," according to the legislative summary. On January 31, 2018, the California Department of Housing & Community Development determined that the City of Berkeley has only permitted 17 low income units in the current RHNA (Regional Housing Needs Allocation) cycle, which is a **mere 4% of the City's Low Income housing production requirement**. Therefore, Berkeley is subject to SB 35 and projects that provide 50% affordable housing and meet SB 35's other qualifying criteria are entitled to streamlined, ministerial approval.

The proposed project meets all requirements under SB 35, including the requirement that the project comply with the City's objective zoning standards. With the filing by developer West Berkeley Investors ("WBI"), SB 35 requires the City to approve the project within 180 days. Especially in light of California's ongoing housing crisis, other provisions of State law – including the reformed Housing Accountability Act and the Housing Element Law – also strongly support the approval of this 50% affordable project.

The 1900 Fourth Street project will include a mix of units to accommodate a range of residents with studio, one-bedroom, and two-bedroom apartments. Half of the units in the project will be

dedicated affordable, with monthly rent set at levels affordable to lower income households earning less than 80 % of the area median income. The renters who will qualify for these apartments will include local teachers, police, firemen, seniors and other workers who are currently being displaced from the community due to the overall shortage of housing and the resulting unaffordable rents.

“This is about the dire need for housing in California, and we’re proposing 130 units of affordable housing -- half the project -- compared to the 17 units Berkeley has approved since 2014,” said Lauren Seaver of WBI. WBI is a subsidiary of Danville, CA-based Blake Griggs Properties. “It’s time to move from the emotional era of California’s development process, to a common sense era of creating much-needed housing for teachers, firefighters, service workers and others priced out of their own community.”

WBI has spent the past five years seeking approval of a different version of the development, which would have included fewer housing units and less public space. The project has faced local opposition from those who argue that the site should remain a parking lot because of concerns that development could contain historic or cultural resources. However, a multi-million-dollar research effort summarized in the project’s Environmental Impact Report (EIR) shows the site to be void of such resources. The research includes archeological research including 43 borings, 22 test trenches, ground-penetrating radar, and geological investigation as well as extensive historic research including discovery of U.S. Government maps from the 1800s confirming the parking lot was marshland never inhabited by humans.

Notably, the City of Berkeley and WBI fulfilled – and even exceeded – California law’s rigorous requirements to research the site, and went further by consulting with the project opponents to explore a solution. WBI met with project opponents multiple times and, at its latest offer, proposed scaling back the layout of the original project, permanently deeding ownership of a significant portion of the site to the Ohlone and constructing a park and education center at no cost to the Ohlone. The offer was rejected.

More information on 1900 Fourth including the extensive research conducted at the site can be found at www.1900fourthst.com.

According to attorney Jennifer Hernandez who represents WBI, “Every infill location in Berkeley that is suitable for housing has passionate opponents – which is why Berkeley and the vast majority of other jurisdictions in the Bay Area have fallen far behind in approving enough housing that’s actually affordable to people who work here. The City of Berkeley established its rules – including General Plan and Zoning requirements—that designated this site for housing. They also required a thorough investigation of potential Native American resources before developing housing on this parking lot. WBI completed this archeological investigation as required under the supervision of expert academics from UC Berkeley and Native American representatives. It was confirmed that this former marshland did not have any cultural resources or other evidence of artifacts. Furthermore, all state laws requiring consultation of historic resources were complied with, several meetings and potential compromise plans were discussed with the project’s opponents and nothing, short of preserving this parking lot, was acceptable. Now it’s time to move on with the urgent state laws enacted last year to cut through the passion and simply

implement Berkeley’s General Plan and Zoning Ordinance and get this housing built – with prevailing wages, with 50% affordable units. This project provides housing for people instead of parking for cars, near excellent transit systems and wonderfully preserved open spaces like the East Shore State Park and Aquatic Park. We respect the passion of the opponents, but it’s time for Berkeley to comply with state and local laws and approve this project.”

The SB35 law, signed by Gov. Brown in September 2017, is supported by dozens of organizations and local and state leaders including the mayors and newspapers of California’s largest cities, East Bay Forward, Silicon Valley Community Foundation, the Nonprofit Housing Association of Northern California, Marin Environmental Housing Collaborative, ABAG, BAC, SPUR, and others.

1900 Fourth at a glance:

- Developer, West Berkeley Investors, is a subsidiary of Danville, CA-based Blake Griggs Properties
- **260 total housing units in a time of crisis**
 - **130** Low Income affordable units (50%)
 - **130** Above Moderate income units (50%)
- **Prevailing wages for a skilled labor workforce**
- **Transit-adjacent lifestyle:** Next to Amtrak Capitol Corridor station and buses, walkable, excellent bike parking and access, repair shop & loaners, car share, free transit passes provided for residents
- **Community open space and meeting room**
- 27,500 sf **neighborhood-serving, pedestrian-oriented retail** and restaurant spaces
- **Sustainable** design & construction
- **Parking** for commercial and residential uses
- Private open space & **resident amenities**
- Consistent with applicable Zoning Ordinance & General Plan requirements
- Very **high-quality architecture**
- **Extends retail experience of Fourth St. south of University Ave.**

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