

September 11, 2016

**STATEMENT BY SOUTH SHATTUCK NEIGHBORS ON ZAB'S
ACTION APPROVING THE HONDA PROPOSAL FOR 2777 SHATTUCK**

FOR IMMEDIATE RELEASE:

In 2006 Berkeley voters overwhelmingly (by 82%) passed Measure G, with a goal to drastically reduce Berkeley's greenhouse gas emissions. In 2007 a comprehensive Climate Action Plan was adopted by the city after a lengthy community input process. Emissions from diesel and gasoline transportation make up nearly half of Berkeley's emissions according to the Climate Action Plan, and therefore transportation reform was greatly emphasized in this plan.

The South Shattuck Strategic Plan, which numerous South Berkeley neighbors worked tirelessly to develop, plus numerous other city plans (including the Climate Action Plan), call for drastic reduction of private auto use. These community-supported plans implore the city to adopt strategies such as promoting small retail storefronts, modern public transportation infrastructure, bike lanes, and discouraging auto dealerships in South Berkeley, among other strategies.

Unfortunately, on Thursday night, the Zoning Adjustments Board (ZAB) voted in favor of the fossil fuel economy.

The ZAB voted to grant an unprecedented use permit for a Honda repair shop and car dealership to move into a South Berkeley neighborhood, at 2777 Shattuck, with display of their wares on the triangle lot where Adeline and Shattuck merge, forming a gateway to downtown Berkeley. This is unprecedented because for the last quarter century our city's policy has been not to allow any new car dealerships, even relocated ones, in this area. At the request of Berkeley Honda in 2013 the city council quietly rezoned our neighborhood. Berkeley Honda's use permit, if upheld, would be the first such permit granted under this new scheme.

Neighbors believe that Honda's repair service appears to be the primary use of the building based on detrimental impacts from the actual activities taking place inside the building, from repair service-generated traffic, and other factors. The 2013 zoning code revision clearly prohibits repair service as the primary use of a building in the new auto sales zone. Repair services may only be an "ancillary" use. The service component of the business will result in pedestrian and cyclist safety threats and excessive noise, among many other

problems.

A group of neighbors near the proposed site of Berkeley Honda - some of whom live just two arms' lengths away from the site - are considering appealing the ZAB decision to the City Council.

SUMMARY OF ZAB ACTION ON THE HONDA PROPOSAL

1) ZAB permitted a building that will function mainly as a repair shop—a prohibited use for a building in the C-SA district.

2) ZAB ignored long standing community-created area plans promoting neighborhood-oriented pedestrian-friendly development and reducing reliance on automobiles. By claiming the east side of Adeline Street as a de facto auto loading dock, the Honda proposal effectively blocks potential greenway development as envisioned by the ongoing Adeline Corridor Planning process.

3) ZAB approved a scheme to place a left turn lane for a garage entrance in the middle of one of the most congested blocks on one of the most trafficked streets in town. It will threaten pedestrian & bicycle safety, & will almost certainly result in accidents on one of the city's designated "safe routes to school." The specifics of the plan will likely disrupt one of the most important links in the transit system, AC Transit's #18 bus. The #18 bus serves 3 cities, connects with BART in multiple locations, and has important connections with intersecting bus lines, including the transbay F bus.

4) ZAB held no discussion at all on CEQA (California Environmental Quality Act) issues despite a detailed letter from the Shute, Mihaly & Weinberger law firm explaining why the Honda project is not categorically exempt from full CEQA review. CEQA places a statutory burden on municipalities to analyze, disclose & mitigate the harm from projects with potential to affect the environment.

5) ZAB permitted auto service bays to count as "off street parking" for customers and employees—a dangerous precedent with unknown future consequences. ZAB also ignored clear ordinance language requiring twice as much parking for a change of use in a building formerly used for recreation and retail sales. ZAB approved business hours for auto sales & repair in excess of any other local shop, giving Honda an unfair competitive advantage likely to result in demands for equal treatment from auto businesses around town.

6) This was all rationalized thanks to the 2013 Dealership Overlay—stealth legislation affecting a neighborhood that is normally deeply involved in planning efforts. However, plain language in the Dealership Overlay does not authorize what ZAB approved Thursday night.

7) ZAB moved the Honda project from the first action item to last place on the agenda, guaranteeing that neighborhood representation would thin out in the late night hours. Additionally, ZAB limited public testimony, which did not begin until 10:30 pm, to one minute per speaker. Despite this, ZAB heard from dozens of neighbors articulating detailed objections. Dozens more neighbors with family obligations and health considerations were unable to stay for the entire hearing, which did not conclude until nearly 1:30 a.m. ZAB was filled with four new or substitute board members, three of whom had not heard the critical issues raised during lengthy public testimony at prior public hearings.