

Supplemental Communications (3)

(The following are communications received after 12:30pm on **March 2.**)

From: Summer Brenner <summerbrenner@gmail.com>
Sent: Wednesday, March 2, 2022 4:01 PM
To: Pearson, Alene <apearson@cityofberkeley.info>
Subject: For Planning Commission

Dear Commissioners:

I'm sorry to be writing so late so I hope my comments will be acknowledged since I cannot attend the meeting. I am thrilled to see that the lives of our feathered friends are under serious consideration.

Also I'd like to make the point that aside from the squirrels and the occasional raccoon and possum, **birds are the predominant form of wildlife that exists in our city.** Their flight, their songs, their habits and habitats are a constant reminder of the magic and mystery of the natural world.

On their behalf, I hope you will consider:

- 1) ADDING BIRD-SAFETY regulations to the City's Municipal Code.
- 2) INCLUDE that reflections from all stories of buildings are a threat to the safety of birds.
- 3) REQUIRE that all reflective surfaces be included as part of bird protection.

Thank you.
Summer Brenner
District 4

From: Martin Nicolaus <manicolaus@gmail.com>
Sent: Wednesday, March 2, 2022 6:33 PM
To: Pearson, Alene <apearson@cityofberkeley.info>
Subject: For Bird Safe Glass

Please adopt an ordinance with teeth requiring all new construction of whatever height and size to use bird-safe glass. Delay on this issue kills birds. If you don't act effectively, the deaths of thousands of birds will be on your hands.

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From: Linda Currie <lindamariecurrie@gmail.com>
Sent: Wednesday, March 2, 2022 9:21 PM
To: Pearson, Alene <apearson@cityofberkeley.info>
Subject: Bird Safety Requirements

Dear Planning Commission-

Birds are in serious decline.

"Since 1970, nearly 3 billion birds are gone from all groups in the US and Canada," That's 1 in 4!!

The top action we can take to help reduce unnecessary deaths is to-

"Make Windows Safer, Day and Night"

according to [Cornell Lab of Ornithology](#).

Berkeley is located along the Pacific flyway, which is a major migratory route for birds. The entire city is close to the bay and large stretches of natural habitat along the Berkeley hills. **Alameda county has recorded 407 species** of resident and migratory birds.

Besides being enjoyable to watch or listen to, birds perform many functions like **pollinating plants, controlling pests and spreading seeds** and are an essential part of the entire ecosystem, according to [Audubon](#).

We can and must do all we can to protect birds by **implementing Bird Safe Policies** in Berkeley, **starting with requiring Bird Safe Glass**.

I support the following suggested regulations proposed by Councilmember Harrison.

1. **Instead of using Alameda and Emeryville as examples, please use the most recent and progressive guidelines as outlined in the American Bird Conservancy's "Model Ordinance" or New York City's Ordinance.** The American Bird Conservancy's as it proposes a 100/100/100 approach - 100% of all glass, for the 100ft, of 100% of the building, on all sides of the building, in all locations of the city. ([link](#) - downloads a Word doc, [link](#)). New York requires a somewhat lesser but still strong requirement.
2. Instead of weaker "guidelines", "conditions of approval" or "suggestions", we want strong, mandatory requirements and ask you to **add bird-safety regulations to the Berkeley Municipal Code**.
3. **Apply the ordinance citywide.** Birds fly through all parts of the city and need protection everywhere.
4. **Include the ground-level and second stories in the ordinance, from 0' up to the full height of the building.** While skyscrapers present a real threat. One- and two- story residences are real a threat, too. Birds see the reflections of trees and the sky in these lower windows and fly into them.
5. Don't limit protections to a minimum sizes of glass. **Instead, require windows, glass and reflective surfaces of all sizes large and small to be included.** Birds need only a 2-inch by 4-inch piece of unprotected glass to think it's safe to fly through. Roof top wind screens and building corners are threats too.


Best regards,
Linda Currie

From: Noah Brod <noahbrod@gmail.com>
Sent: Wednesday, March 2, 2022 10:13 PM
To: Pearson, Alene <apearson@cityofberkeley.info>
Subject: Follow-up comments from the Planning commission meeting 03/02/22

Thank you for the wonderful meeting tonight! Here is a written copy of the comments I provided:

- I'm a current resident of Berkeley in the Southside neighborhood, where I live in a condo.
- I'm a member of a Cohousing condo community that's trying to develop community housing here in Berkeley. It's a community led project where the owners are also the developers. As a result developer profits aren't a perspective from our project.
- I also work for U.S. Housing and Urban Development and I am very familiar with the programs that make affordable housing and homeless services available to the community. This includes the state housing trust fund and I am familiar with the Berkeley housing trust fund. So I know what these fees go towards and how they're used and how important they are to non-profit developers and community housing goals.

Comments:

1. Wearing my HUD hat, I think that the decision to lower the affordable housing fee for ownership units is a good thing because right now where the city has landed on that fee deprives the trust fund of money. It's too high, so nobody builds condos, which means nobody pays it, which means the affordable housing development projects miss out on that income stream.  Because nobody build ownership units, you also have fewer deed-restricted on-site units as a part of a project.

We want economically integrated communities that house our community members and we don't want the only tool to be rentals, where an individual has to worry about a lease renewal every single year and is shut out of any possibility of having equity in the city. That's a key driver of economic inequality. We should want more ownership units with restricted deeds.

2. Wearing my co-housing hat, I agree with the proposal to lower the existing fee to match rental developments. It lowers the cost to our community. I want to live in an economically and socially integrated community and lower unit costs for us means that the ultimate sale prices of the units will be lower as well.

I will say though that I was also very concerned by some of the assumptions in the Street level advisors report. Their model assumed a hard construction cost of \$400 per gross square foot (which is low) and estimated that a 10% increase in construction costs would make rental construction infeasible, but because no condos get built in Berkeley right now, they had no data to do a sensitivity analysis for ownership units to see what the outcome of a changed fee would be for condos. I think that fee is too high for condos, which have no rental revenues to use to amortize big upfront costs. A fee that is competitive with surrounding jurisdictions may be closer to \$25

Best,
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From: Mary Lynn Morales <ml@mlmorales.com>
Sent: Thursday, March 3, 2022 7:18 PM
To: Pearson, Alene <apearson@cityofberkeley.info>
Subject: Birds

Hello,

I was unable to make it to the meeting last night, but want to thank you for considering the well-being of birds in our building codes.

Please make strong safeguards for birds in all areas of Berkeley. Birds fly in all directions and heights, and glass and night time lighting can cause them to make serious navigation errors that may cost them their lives. It would be a shame to lose more of the beautiful and diverse species on this planet because of human error. They deserve more than suggestions. They deserve safeguards.

Thank you for considering my request.

Sincerely, Mary Lynn Morales

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