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The Sohagi Law Group Prevails Before California Supreme Court, Paving Way For New Housing At UC Berkeley’s “People’s Park”

LOS ANGELES, June 12, 2024 — The Los Angeles-based land use law firm [The Sohagi Law Group](#) prevailed on behalf of UC Berkeley in a landmark decision before the California Supreme Court on Thursday, paving the way for the construction of long overdue new housing for students.

The court’s unanimous 7-0 decision in favor of the University, represented by firm Partner [Nicole Gordon](#), rejected objections raised under the California Environmental Quality Act (CEQA) by neighborhood groups about the potential “student-generated noise” impacts the housing project could have on the neighborhood. [Make UC a Good Neighbor v. UC Regents, No. S279242, decided June 6, 2024.](#)

An appeals court initially found these concerns valid, faulting the University for failing to examine the potential noisiness of its future students or to consider potential alternative sites to “People’s Park” - a historic site for activism on campus since the 1960s.

Gordon noted this was a legislative blind spot exploited by the petitioner groups, as evidenced by the Legislature’s swift response to the appeal court’s result. Urgency legislation was signed into law in 2023 clarifying the law on noise impact considerations for residential projects and allowing that certain higher education housing projects are “not required to consider alternatives to the location of the proposed project if certain requirements are met.”

In a statement Friday, Gordon praised the Court’s opinion as the result of collective action by all three branches of government in support of an objectively good cause.

“The swift response by the Legislature and our governor, followed by the unanimous support of the California Supreme Court, makes this much-needed project possible,” said Gordon. “Our client and its student body are grateful that our government has recognized the necessity of new student housing and has acted in unison to address it.”

Currently, UC Berkeley provides housing for only 23 percent of its 45,000 students, said Gordon, the lowest rate in the 10-campus UC system.

The \$312 million construction plan would provide housing in the park for 1,111 students in a 158-unit complex. Further, the entire community will benefit from the fact that more than 60 percent of the 2.8-acre site will be revitalized as open park space.

A leader in environmental and land use law, The [Sohagi Law Group](#) has an AV rated statewide reputation for efficiently handling complex transactional and litigation matters for public agencies. SLG only represents public entities including cities, counties, townships, state agencies, special districts, commissions, and authorities. Its attorneys tap their extensive expertise in all areas of environmental and land use law to help clients navigate existing laws and regulations and keep them up to date on emerging environmental issues.