



Planning and Development Department  
Land Use Planning Division  
1947 Center Street  
Berkeley CA 94704

## Community Workshop #3 and Other Community Feedback | Summary Ashby + North Berkeley BART Zoning and Development Parameters

**Date + Time:** June 26, 2021 at 2 pm

**Format:** Online via Zoom virtual meeting; and comments submitted via email through July 12, 2021.

### Summary Overview

The following is an summary of Community Workshop #3 and comments submitted online about the revisions made to the Draft Joint Vision and Priorities (JVP) and updated Draft Zoning.

### Community Workshop Overview

The purpose of Community Workshop #3 was to provide an update on the project and to share and gather input on the updated JVP and draft zoning for the two stations. The meeting included an overview of State laws (including AB2923, SB 35 and the State Density Bonus law) related to housing production and housing approval streamlining. Participants were encouraged to provide comments through chat throughout the meeting and through facilitated virtual breakout room discussions, as well as by email and/or online (see **Overview of Community Responses** section below for more information).

### Workshop Agenda

1. Welcome and Introductions
2. Planning Process Updates
3. Presentation: Updated Draft Joint Vision and Priorities
4. Small Group Discussion: Joint Vision and Priorities (with Break-Out Rooms)
5. Presentation: Updated Zoning
6. Small Group Discussion: Draft Zoning (with Break-Out Rooms)

### Attendance

There were approximately 50 meeting participants in attendance as well as the following members of the project team (City, BART and consultants) that made presentations and/or facilitated the small group discussions:



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## City

- Alisa Shen - Principal Planner, Justin Horner - Associate Planner

## BART

- Abby Thorne-Lyman - Transit-Oriented Design (TOD) Director, Rachel Factor – Principal Planner, Shannon Dodge – Principal Property Development Officer, Kamala Parks – Senior Planner

## Consultants

- Karen Murray, John Doyle, Preeti Srinivasan, Jamilla Afandi - Van Meter Williams Pollack (VMWP); Dave Javid, Paul Kronser - Plan to Place; Rick Jacobus – Street Level Advisors; Andy Kosinski - Fehr & Peers

## Community Workshop Summary

### Welcome and Introductions

City staff and consultants provided a brief overview of the meeting agenda, then workshop participants were given an opportunity to respond to a live poll on BART station access, and project familiarity. The live poll results showed that the majority of participants (73%) used the North Berkeley BART station and a majority (70%) walked to the BART stations. Most participants had attended more than three Community Workshops or Community Advisory Group (CAG) meetings and 80% had accessed information on the City’s Ashby and North Berkeley BART Station Planning website. (For a complete overview of the live polls, please see the Appendix).

### Planning Process Updates

Alisa Shen provided an overview of the goals for the meeting which were 1) to review the revisions made to the draft Joint Vision and Priorities and draft zoning based on comments received, 2) discuss State laws that will guide future development and 3) share information about next steps in the overall planning process. Alisa then identified key phases and milestones of the overall planning process for both stations, and the anticipated community engagement opportunities (*visit the project website for more information: <https://www.cityofberkeley.info/bartplanning/>*). Rachel Factor presented an update on the Berkeley-El Cerrito Corridor Access Plan and future opportunities for participation at upcoming online open housing and the Transportation Commission Subcommittee on July 21st at 6pm.



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## Draft Joint Vision and Priorities

Karen Murray then presented an overview of the feedback received from the CAG members and Community Workshop #2 related to the Joint Vision and Priority statements and highlighted the points of agreement and differing views related to each of the major topics - Land Use, Public + Civic Space, Affordable Housing, Building Form and Station Access. Following the presentation, participants were randomly assigned into 4 breakout rooms to discuss the joint vision and priorities topics.

The following comments and questions during the discussion are organized by topic and key themes (*italics* represents answers to questions by the project team).

### *AFFORDABLE HOUSING*

- **Desire for 100% Affordability**
  - Support for a higher level of affordability to provide an opportunity for existing and future residents to live in the city and not get priced out, and address the housing crisis and growing homeless concerns.
  - Support for 100% affordable housing.
  - Questions related to how affordable housing was being defined and how much of the affordable housing will be supported through a City bond measure.
- **Impact of State Mandates –**
  - Questions related to the constraints of Assembly Bill 2923 (AB 2923), and how the density bonus is calculated and how it relates to required affordable units.
  - Question about zoning and if any one of the development standards (density, height, FAR) could supersede another.
- **Support/funding for Housing –**
  - Explore creative funding sources including a state-wide corporate tax to fund affordability.
- **Housing for seniors and persons with disabilities –**
  - Consider resources for seniors and those with disabilities including a housing center with adaptive recreation and housing for people with both mental and physical disabilities.
  - Ensure ADA compliance for new development and on BART.
- **Too much housing –**
  - Concerns raised that 1,200 units is too much for the North Berkeley neighborhood.



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### *PUBLIC AND CIVIC SPACE*

- **Enhanced Streetscape Design** –
  - Support for streetscape design that minimizes neighborhood traffic and congestion impacts and supports safe access to the station.
- **Edible Greenspace** –
  - Support for landscape that is not just ornamental but could be used to grow food and aid in food security.

### *LAND USE*

- **New business** –
  - Support for a “Community Room” to be considered at North Berkeley station.
  - Concern about new retail spaces impacting existing uses along University and Hopkins in North Berkeley.
  - Suggestion to allow new businesses to sell alcohol on the Ashby site.

### *BUILDING FORM*

- **Building heights** –
  - Mix of support and concern related to 7 story heights.
- **Lot size and Density** –
  - Questions about the lot size requirement and how that relates to the density bonus.
- **Design** –
  - Support for building from the City’s history of architectural tradition and designing buildings with a sense of culture and quality.

### *STATION ACCESS*

- **Parking** –
  - Questions related to parking including: commuter parking numbers and when the study will be refined? How BART will be conducting the parking survey and how people can participate?
  - Suggestions to look at accessible parking, consider parking for all different types of bicycles (such as adaptive tricycles)
- **Bike and Ped Paths** –
  - Concern that existing bike and pedestrian access to both stations is difficult.
  - Support for the idea of having better access for bikes across Ashby and MLK.



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- Question whether it's reasonable that 75% are walking to the stations today?
- **Access for seniors and persons with disabilities –**
  - Support for a plan for senior and disabled access to the site as development is considered.
  - Support for clear signage for accessible transportation.
- **BART access –**
  - Desire to see transportation to/from BART that is sustainable and sensitive to the climate especially at Northbound BART.
  - Support for more BART options early in the morning and late at night.

#### *GENERAL/PROCESS*

- **Memorandum of Understanding (MOU) –**
  - Concern about the need for an updated MOU once the vision and priorities document is completed
  - Suggestion to move language in the original MOU that protects residents of North Berkeley to the new MOU.
- **Decision Making –**
  - Concern about how City Council will respond to the community and who makes the final decision about the project, and when.

#### **Draft Zoning**

Karen Murray presented the Draft Zoning which included an overview of the relationship to the JVP and AB2923 requirements along with definitions of Floor Area Ratio (FAR) and Density. A review of the draft zoning chapter was provided, including a high-level overview of Development Standards, Ground Floor Land Use, Open Space, Front Setbacks, Mass Reduction, On-site Pedestrian Access, Residential Entries + Garages. Alisa Shen concluded the presentation with an overview of the Master Development Plan (MDP) process. Following the presentation, participants were randomly assigned back into 4 breakout rooms to discuss the draft zoning language and MDP process.

The following comments and questions during the discussion are organized by topic and key themes (*italics* represents answers to questions by the project team).



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- **Floor Area Ration (FAR) –**
  - Concern that the 4.2 FAR at North Berkeley will result in tall buildings beyond 7 stories.
    - *Developer may choose to build less than maximum zoning. City is not proposing to prohibit 6 story buildings, but zoning is not allowed to limit to 6 story buildings.*
  - Suggestion that if AB2923 sets a minimum, higher FAR and higher heights should be considered.
- **Zoning Standards –**
  - Request to align the proposed zoning with what the images presented for 4-6 story buildings.
  - Concern about setbacks and why none are shown on Sacramento Street, noting that proposed garages might be a concern for existing residents.
  - Question if balconies could be included as part of the set back? *It is not part of draft zoning right now. This could be addressed future Objective Design Standards*
  - Question related to lot sizes and if they were minimum or maximums.
- **Access**
  - Concern about increased densities and that will impact the ability to evacuate in an emergency or allow access to emergency vehicles.
  - Question about Tremont and why non-residential uses would work there?
    - *Consideration for entrances off Woolsey or off of the side of the building.*
  - Question about Tremont/Woolsey and if nonresidential use be allowed for grocery stores?
    - *Currently part of allowed uses.*

## **Adjournment**

The meeting was adjourned at 4:45pm. Additional general comments were accepted through Monday, July 5th by email and mail (included in the Appendix).

Via email: [bartplanning@cityofberkeley.info](mailto:bartplanning@cityofberkeley.info)

Or via mail: City of Berkeley Planning and Building Department, 1947 Center Street 2nd Floor, Berkeley CA, 94704 (Attn: Alisa Shen)



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## APPENDIX

### LIVE POLL RESULTS FROM COMMUNITY WORKSHOP

#### 1. Which BART station do you normally use?



#### 2. If you use BART, how do you most frequently access the station?



#### 3. How many Ashby and North Berkeley BART Planning Community Workshops or Community Advisory Group (CAG) meetings have you attended?



#### 4. Have you accessed any of the information available on the City's Ashby and North Berkeley BART Station Planning website?





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## EMAILS RECEIVED

The following includes the approximately 35 emails received following the Community Workshop through July 12th, 2021, at the [bartplanning@berkeley.edu](mailto:bartplanning@berkeley.edu). (emails attached).



# East Bay Supportive Housing Collaborative

*“Advocating for Permanent Supportive Housing for Persons with Serious Mental Illness”*

July 11, 2021

Dear Members of the City of Berkeley Community Advisory Group (CAG):

As you may recall from our participation in all CAG public and community meetings to date, the East Bay Supportive Housing Collaborative (EBSHC) and the Bay Area Outreach & Recreation Program (BORP) have joined in an effort we are calling ARCH (Ashby Recreation & Community Housing) to develop the East Lot of the Ashby BART station, adjacent to the Ed Roberts Campus. We envision an integrated (fn.1) housing component with a substantial percentage of set-aside units at the Extremely Low Income (ELI) level for persons with mental illness and a fully accessible, adaptive recreation facility for use by both persons with physical disabilities and the wider community. Permanent, on-site services would support those residents living with mental illness, allowing them to live successfully, as has been shown they can, within a broader community.

We have reviewed the June 2021 draft of the “Joint Vision & Priorities” document (“Vision”) for the Ashby and North Berkeley BART stations and offer the following comments and recommendations:

First, we applaud references to the inclusion of persons with physical and mental disabilities at pages three and four under various Affordable Housing subheadings. We are particularly pleased with the statement at C.4. under Land Uses and Priorities for Ashby that priority should be given to “New uses that expand and complement the role and mission of the Ed Roberts Campus and empower those living with disabilities.” And we strongly support the focus on “right of return” for displaced Berkeley residents and the stated goal to “proactively seek new, innovative funding solutions to help achieve two truly visionary, equitable, and sustainable projects” (p. 3).

However, we are very disappointed in the lowered target goals for housing affordability, especially the woefully inadequate minimum allocation of 20% (20% of 35%?) units for ELI households. As the Vision reads now, if minimum targets were the best we could achieve, out of every 100 units, only 7 would be designated for persons at the ELI level. If we are not reading the document correctly and a minimum of 20% of the total number of units is to be designated for ELI, that is better. In either case, however, up to 65% of units *could* end up at market rate and if history teaches, that is exactly what will happen. To be blunt, no American city, including Berkeley, *needs* more market rate housing right now, which is what these numbers amount to. Market rate housing—where having a roof over your head

# East Bay Supportive Housing Collaborative

*“Advocating for Permanent Supportive Housing for Persons with Serious Mental Illness”*

and a decent place to live is a commodity available to the highest bidder—has actually created, in large part, the dual crises of displacement and homelessness.

We acknowledge that the Vision states a commitment to make an effort to provide more affordable housing than the minimum it now requires. However, we believe that the Vision must set its sights higher in order to make both projects “truly visionary” in this regard. The Vision must set higher affordable housing goals and make those goals attainable by mandating a search for new and innovative funding solutions.

We recommend that the Vision:

1. State that the goal is to strive for affordable housing at the deepest level feasible, up to 100%.
2. Restore the minimum required number of affordable units to 50% at both the Ashby and North Berkeley sites, half of which (25% of total) to be designated for Extremely Low Income households.
3. Prioritize additional affordable units for Extremely and Very Low Income households at both Ashby and North Berkeley stations in recognition of the historic and ongoing displacement of African American residents in both neighborhoods. In fact, in the post WWII years and especially so after passage of the Fair Housing Act of 1963 (Rumford Act), there was a significant African American community in West Berkeley below Sacramento Street.
4. Recognize the need for on-site permanent supportive services for those residents at the ELI level who live with mental illness.
5. Recognize the need for accessible recreational opportunities for persons with physical disabilities.

A word about funding. Can Berkeley actually find new and creative funding solutions for more ELI housing if it sets its sights higher and demands no less? We believe it can. At a time when awareness is high regarding the needs of the homeless and persons with mental illness, unique opportunities should exist. Suggestions include:

- An NPLH grant, if possible at this time.
- One-time funds available through the Governor’s budget that could be set aside for future use on this project. The Governor has strongly supported both transit-oriented development and housing solutions for the homeless.
- Public-private partnerships.
- A private hospital pledge to fund an adult residential facility for 12-16 residents as part of housing development on the East Lot. Licensed Board and Cares are closing at



# East Bay Supportive Housing Collaborative

*“Advocating for Permanent Supportive Housing for Persons with Serious Mental Illness”*

an alarming rate, creating a serious gap in the continuum of housing options in Alameda County for persons with mental illness.

- Invitations to UC Berkeley, the Veteran’s Administration, and/or others to make early funding pledges to secure earmarked units at affordable rates.

Finally, please remember those who are living in tents and cardboard boxes, surrounded by garbage, under our freeways. Their income, if any, is probably 10-14% of AMI. If we really believe in equitable housing, it will take bold, creative, courageous action to do the right thing.

Thank you.

*Kathleen Sikora Margot Dashiell*

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Kathleen Sikora, Chair

*East Bay Supportive Housing Collaborative*

Margot Dashiell, Vice-Chair

*East Bay Supportive Housing Collaborative*

Fn.1

“Integrated housing,” in this context, refers to a mix of residents, some of whom live with mental illness, most of whom do not. The ARCH project envisions affordability at the deepest level possible—thus, a percentage of units would be set aside for households at or below ELI for persons with mental illness and the remaining affordable units would be offered at higher levels of AMI to persons who do not live with mental illness. This model has proven to be highly successful.

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East Bay Supportive Housing Collaborative

EBSHC20@gmail.com

EBSHC.org

## Horner, Justin

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**From:** Friends of Adeline <friendsofadeline@gmail.com>  
**Sent:** Sunday, July 11, 2021 8:43 AM  
**To:** Shen, Alisa; Horner, Justin  
**Subject:** Comment letter to the BART Community Advisory Group re: revised draft joint vision and priorities document  
**Attachments:** FOA comment letter on CAG vision and priorities doc.pdf

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Alisa and Justin,

Please see attached for a letter from Friends of Adeline about the revised draft joint vision and priorities document. We'd like to request that this letter be sent to all the members of the CAG. Thank you.

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Friends of Adeline  
[friendsofadeline@gmail.com](mailto:friendsofadeline@gmail.com)  
Like us on [FaceBook](#)  
510-338-7843

Friends of Adeline  
*An organization of residents and neighbors in South Berkeley*  
(510) 338-7843 ✉ friendsofadeline@gmail.com

Dear members of the Berkeley BART CAG,

Friends of Adeline remains committed to the vision created by our South Berkeley community that reverses the displacement of African Americans and supports development that truly serves the needs of this community.

Friends of Adeline came together more than six years ago to fight for the needs of our South Berkeley community – for renters, low-income people, unhoused neighbors, Black and Indigenous communities and all people of color. We fight for policies and investments that meet our needs and improve our lives, not enrich the pockets of outside speculators and developers. Together, as a community, we have fought for what we deserve. We have won city funding for critical services for our community, sanitation facilities and human-based response for those who are unhoused, investment in the African American Holistic Resource Center and our Black churches, businesses, services, and cultural institutions. We have worked with residents to save the homes of African American families that the city is trying to displace.

When the city announced its plans to develop the Adeline Corridor to “colonize” our community, we organized for a vision of new development that truly serves the needs of our community: **Low-income housing** that those of us who live here can actually afford; **a right to return** for those who’ve been displaced or are at risk of being pushed out; **support for our local businesses** and community services; **local good-paying jobs** so that the economic benefits of development stay in our community. Hundreds of people attended community meetings, wrote letters, and spoke up to the city. Last year, the city approved an Adeline Corridor plan that included many of the things that were demanded. For the Ashby BART site, the council approved the following language: *“The City and BART should strive for a goal of 100% deed restricted affordable housing, prioritizing Extremely Low and Very Low affordable housing, that could be accomplished through multiple phases of development.”*

Now we are extremely concerned to see the city and consultant’s proposed revisions to the CAG’s draft vision and priorities statement. While the original draft document, presented to the CAG several months ago, included the language from the Adeline corridor plan – language that was carefully vetted through a long community process – this new draft not only omits the language, but also reduces the goal for the Ashby BART station to only 50% affordable.

This is not acceptable. The CAG, meeting attendees, and consultant team are not representative of our South Berkeley community, particularly of the African American community here, and yet would reduce, by half, the desperately needed affordable housing for our community without consulting us. African American residents and elders recognize this as a part of a long pattern of the city ignoring the voice of low-income people and people of color in our community. White technocrats, city bureaucrats, and residents from wealthier parts of Berkeley continue this pattern dating back to urban renewal, redevelopment, and even the original plan for BART, which was going to be elevated through South Berkeley until African American residents organized and forced the tracks underground to prevent them from dividing our community.

Friends of Adeline  
*An organization of residents and neighbors in South Berkeley*  
(510) 338-7843 ✉ friendsofadeline@gmail.com

We urge you, the members of the CAG, to stand with us and create a vision and priorities document that reflects the needs of our community. Specifically, we demand the following changes be made to the vision document:

- Affordable Housing:
  - o Restate that the goal is to strive for 100% affordable housing, prioritizing extremely low- and very-low income housing.
  - o Restore the preference for maximizing affordable housing.
  - o Replace the income targets with the original draft language of required minimums of at least 50% affordable instead of the goal of 35%.
  - o Add language to strive for a goal of 100% affordable housing, with a similar mix of income targeting, for the North Berkeley BART site, as well. **All public land**, in both North and South Berkeley, should be used for public good and providing affordable housing.
  - o Time constraints cannot be the excuse for not doing what is necessary for our community. The vision document should state that “The city, BART, and development team will commit to raise the funds to realize the community’s vision for 100% affordable housing at both stations. If they fail to reach that goal within the desired 10 year period, then the timeline will be extended to meet the community’s affordable housing goals and needs.”
- Public and Civic Space:
  - o For the Flea Market, change the language to say that “we will continue to maintain the Flea Market’s home at the Ashby BART station, guaranteeing their future at the site.”
- Building Form:
  - o Add language that the buildings should be designed in a way that creates light filled hallways and homes. They should have residential community open spaces for residents to come together (privately from public spaces) and create connection.
- Add to this document a section on Economic Opportunities, and add a goal to provide good-paying jobs for local residents, including job training programs, both during construction and in final build out.

Finally, we strongly support the new proposed language in the draft vision statement for Inclusive Housing Design and providing housing for people with physical and mental disabilities and people who are unhoused.

Sincerely,

Friends of Adeline

## Horner, Justin

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**From:** David Brandon <davidbrandon@comcast.net>  
**Sent:** Sunday, July 11, 2021 8:03 PM  
**To:** bartplanning; All Council; Berkeley Mayor's Office; rebecca.saltzman@bart.gov; Rachel Factor  
**Subject:** Comment for Community Workshop #3 - Berkeley BART TOD

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear City and BART officials and planners,

With great respect for your efforts, I must ask that the City and BART uphold the intentions communicated to us at early "visioning" meetings in 2018 and embodied in the City's MOU with BART: "Livability. Enhance the livability of the neighborhood surrounding the North Berkeley BART station. The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. "

Changes in the DRAFT Joint Visions and Priorities Statement presented to the Community in late June are needed, as follows, and must be reflected in the Zoning Plan as well:

-- INCLUDE LANGUAGE FROM THE CITY'S MOU WITH BART to ensure that any developers' proposals MUST be in scale and character with the surrounding North Berkeley neighborhood.

-- AFFORDABLE HOUSING/SHARED PRIORITIES - The range of 550-1200 is NOT suitable for North Berkeley, in order to maintain compatibility with this low-rise neighborhood of mostly single-story residences. The statement should specify a lower limit of 400 to achieve the "contextual" sensitivity required.

-- BUILDING FORM/PRIORITIES FOR NORTH BERKELEY - There must be step-downs in height around the entire perimeter of the station area. There must be reasonable spacing between buildings, as well as setbacks and plantings at the perimeter of the station.

-- STATION ACCESS (SHARED & NORTH BERKELEY PRIORITIES) – The residential “feel” of neighboring streets should be preserved, and an interim plan needs to be presented NOW, while we await “rapid evolution for mobility trends and technologies” in the future.

I also support the recommendation by Larry Orman and NBNA that

-- Taxpayer-funded affordable units should NOT be counted toward developers' density bonus. Developers must earn their density bonus.

-- The City undertake a thorough legal review of its obligations under AB2923 before approving any Joint Visions and Priorities Statement or Zoning Plan.

David Brandon

Berkeley resident, District 1

## Horner, Justin

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**From:** Jonathan Astmann <jastmann@sahahomes.org>  
**Sent:** Friday, July 9, 2021 1:42 PM  
**To:** bartplanning  
**Subject:** Joint Vision & Priorities  
**Attachments:** Joint Vision and Priorities - JA edit.docx; Joint Vision and Priorities - JA edit.pdf

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

To Whom It May Concern,

Attached please find the June 2021 draft of the Joint Vision & Priorities document with my proposed edits in track changes and explanations of my reasoning in comment bubbles. I'm attaching this in both Word and PDF format in case you have trouble seeing the edits.

Respectfully,  
Jonathan Astmann

**Jonathan Astmann**  
Senior Project Manager  
he | him | his  
**Satellite Affordable Housing Associates**  
Phone: (510) 809-2769  
1835 Alcatraz Ave, Berkeley, CA 94703  
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[www.sahahomes.org](http://www.sahahomes.org)



**Joint Vision & Priorities for Transit-Oriented Development  
for Ashby and North Berkeley BART Stations  
DRAFT – JUNE 2021**

**Background**

The December 10, 2019 Memorandum of Understanding (MOU) between BART and the City of Berkeley calls for the City and BART, with input from the City’s Community Advisory Group (CAG) to establish a “joint vision and priorities” document. The goal of this document is to provide a concise statement of the City and BART’s shared, high-level expectations for future development of both the Ashby and North Berkeley BART properties.

Per the MOU, this “joint vision and priorities” document will be incorporated into future Request(s) for Qualifications (RFQs) for development of both the Ashby and North Berkeley Station development, and will help guide the process from developer selection through project construction. This City-BART Joint Vision and Priorities document will be one of three key outcomes of the CAG process for both North Berkeley and Ashby BART development (along with updated zoning consistent with AB 2923, and the draft RFQs for developers).

**Affordable Housing**

**VISION**

New housing at a variety of income levels at both the Ashby and North Berkeley BART Stations will address the City’s housing crisis, stem the displacement of residents—especially of the African American community in Berkeley—and support more equitable access to housing for lower-income families and individuals. New housing must also be created quickly to reflect the urgency of the climate crisis, capturing the inherent environmental benefits of walkable, transit-oriented housing in Berkeley’s most transit-rich areas. North Berkeley and Ashby will provide a new model for delivering affordable housing in neighborhoods that are rich in infrastructure and strategically located to make regional transit, economic opportunity, and community amenities more broadly and equitably accessible.

**Shared Priorities**

- A. **Housing Priorities.** Maximize the number of new homes, and especially permanently affordable, deed-restricted homes. We anticipate a range of 550-1200 units at each station with a variety of unit sizes.
- B. **Urgency.** Deliver all the new housing within 10 years to reflect the urgency of the climate and housing crises.

**Commented [JA1]:** I propose adding this for clarity.

**C. Affordable Housing Goal.** The City and BART will strive to maximize the number of permanently affordable, deed-restricted housing units within the funding that can be identified.

1. The City and BART are targeting a goal of at least 50% affordable for the new homes constructed at the North Berkeley BART Station and 100% affordable for the Ashby station which is in line with the Adeline Corridor Plan approved by City Council in December.
- 1-2. Affordable housing may be developed in multiple phases over a number of years.
- 2-3. The amount of affordable housing which can be provided at each site within the 10-year time frame will depend on many outside factors including the availability of state and federal housing resources.
- 3-4. At a minimum, at least 35% of the new units at the North Berkeley station and 65% of the units at Ashby station each site will be restricted affordable housing. It is anticipated that each site could achieve at least 50% affordable housing, subject to the timely availability of financing.
- 4-5. The City and BART will work together to support selected developers in proactively assembling affordable housing subsidies in order to exceed the minimum.
- 5-6. If both sites are able to provide at least 50% affordable housing in a way that is financially feasible, and if additional funding becomes available, the priority for that additional funding would be to maximize the number of affordable units at Ashby station in recognition of the ongoing threat of displacement to the historic community of South Berkeley.

**D. Income Targets:** At least 35% of new housing at the North Berkeley station and 65% of the units at Ashby station at each site must be affordable to households earning less than 60% of Area Median Income (AMI). Of that, at least 20% must be affordable to households earning less than 30% of AMI. Additional affordable units should prioritize extremely Low-income (30% of AMI) and Very Low Income (50% of AMI) households but may include some housing restricted with households with incomes up to ~~90~~<sup>120</sup>% of AMI.

- E. **Sequencing.** Affordable housing should be built prior to, or along with, any market rate housing.
- F. **Displacement Prevention.** Affordable Housing should provide a preference for residents of Berkeley who are facing displacement, or who have been displaced from Berkeley in the past due to economic or discriminatory reasons.
- G. **Developer Selection.** In the developer selection process, prioritize a nonprofit master developer or a partnership between a private developer and one or more community-based organizations who have experience showing accountability towards equity goals in the City of Berkeley. If the developer selection process includes an RFP element, incentivize developers to stretch their affordable housing funding by prioritizing proposals by their number and depth of affordable units.

**Commented [JA2]:** I am suggesting goals because I think it's important to set goals. While this 'Affordable Housing Goal' section includes minimum floors, it is missing goals. Page 3-26 of the Adeline Corridor Specific Plan reads in part: The City and BART should strive for a goal of 100% deed-restricted affordable housing, prioritizing Extremely Low and Very Low affordable housing, that could be accomplished through multiple phases of development.

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**Commented [JA3]:** I propose increasing to 65% for alignment with the Adeline Corridor Specific Plan, page 4-18 reads in part:

While the [Ashby] BART sites must be used primarily for the provision of affordable housing in order to achieve the overall affordable housing goals of this Plan, it may make sense to set aside a portion of either or both sites for development of market rate housing as a way to raise additional subsidy for affordable projects. For example, including some market rate townhouses along a neighborhood residential frontage could reduce the needed local public subsidy and create a smoother transition to the existing neighborhood while still ensuring that the *great majority* [emphasis added] of all new housing on these sites was set aside for lower income residents.... I'm taking the liberty to interpret "great majority" to mean at least 65%.

**Commented [JA4]:** A quick Craigslist search reveals ample supply of rental apartments at the 100% AMI level and above. Therefore government intervention is not necessary to ensure supply of homes at or above 100% AMI. For example, the 100% AMI rent for a 2-bedroom apartment is \$3,082. Source: <https://www.treasurer.ca.gov/ctcac/rentincome/21/rent/rent-limits-pis-from-04012021.pdf>

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- H. **Developer Accountability.** The selected developers must have a demonstrated commitment and feasible plans to produce affordable housing and be willing to be held accountable for making affordability the first priority. Selecting a developer who merely pledges a best effort to provide affordable units would not be sufficient.

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- I. **Funding.** BART and the City of Berkeley should proactively seek new, innovative funding solutions to help achieve two truly visionary, equitable, and sustainable projects.
- J. **Clustering and Integration.** Affordable units may be clustered into one or more 100% affordable housing buildings on the BART sites but must be designed in a way that integrates with the larger project and shares the same design standards and quality.
- K. **Inclusive Housing Design.** The selected developer will prioritize affordable housing for renters with various needs, including but not limited to families, people with physical or mental disabilities, and formerly homeless people.

### Priorities for Ashby

- A. **Residents with Disabilities.** Ashby BART should be developed in a way that prioritizes the inclusion of residents with disabilities, who are likely to benefit from proximity to the Ed Roberts Campus.
- B. **South Berkeley Preference.** To address past and current displacement, the development should provide a preference to applicants who either currently live in South Berkeley or have been displaced from the community. This preference must be implemented in a way which is consistent with the City's Fair Housing goals and federal law.

## Public and Civic Space

### VISION

New public and civic space at both Ashby and North Berkeley BART will provide a community anchor, open space amenity, and memorable neighborhood gathering space that is accessible to all. It will be available for programmed community uses and activities, as well as for informal, unprogrammed public use by residents, visitors, and transit riders alike. New public space will enhance the ability of all community members to walk, roll, and take transit, supporting better station access and healthy, climate-friendly active transportation. North Berkeley will be a nexus of active transportation centered along a major new connection of the Ohlone Greenway. Ashby will be anchored by a market and oriented along a street built for people and multiple modes of transportation.

### Shared Priorities

- A. **Maintenance Costs.** New civic space should be designed in a way that minimizes the ongoing cost of operations and maintenance to BART and the City.
- B. **New Public Space.** Pursue new public space design in a way that delivers on the vision while maximizing the number of on-site affordable housing units.

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- C. **Station Access.** Design the public realm to support priorities in the Access section of this document.

Priorities for Ashby

- A. **Hub for African American Life.** Reinforce South Berkeley's historic role as a hub for African American culture and life in the Bay Area.
- B. **Flea Market.** Provide a permanent, viable home for the Berkeley Community Flea Market – offering supportive amenities such as public restrooms, limited office/storage space, electrical and water access and weather protection - in a prominent location.
- C. **Stakeholder Input.** Public space will be designed with input from the Flea Market, Lorin Business Association, neighborhood residents, representatives from the disability community, and other neighborhood stakeholders. Facilities for the Flea Market will be designed in collaboration with the vendors and Community Services United.
- D. **Adeline Design.** Narrowing of Adeline Street should be considered as a strategy to accommodate public space needs, and improve safety for pedestrians and bicycles.
- E. **Green Space.** Expand the availability of green space for the neighborhood.

Priorities for North Berkeley

- A. **Ohlone Greenway Connection.** The development should include a protected bikeway that connects the disjointed ends of the Ohlone Greenway to each other and to BART, providing a primary access route and orientation of the development that enables a prioritized pedestrian and bicycle connection from approximately the southeast corner of the site to the northwest corner of the site and across the streets.
- B. **Public Space Use.** Public space should provide opportunities for both active and passive public use, with strong connections to the station entrance, the Ohlone Greenway, or other public spaces and pedestrian facilities.
- C. **Street Design.** The design of surrounding streets should be considered as a strategy to accommodate public space needs, and improve safety for pedestrians and bicycles.

**Land Use**

VISION

Land uses at Ashby and North Berkeley Stations will serve community needs; provide significant amounts of new housing; complement neighborhood businesses, services, and institutions; create a welcoming environment for all; support BART ridership; and improve quality of life for current and future residents. Ground-floor uses should be pedestrian-oriented and contribute positively to public space and the pedestrian experience.

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### Shared Priorities

- A. **Overall Mix of Uses.** At both stations, the predominant use will be transit-oriented housing and transit uses, complemented by public space and appropriate non-residential uses. Additional priorities for these uses are found in the Affordable Housing, Public and Civic Space, and Station Access and Parking Management sections of this document.
- B. **Non-residential Spaces.** Curate and program any non-residential spaces to provide interest and character, encourage community gathering, support social interactions, and provide unique neighborhood activities and services. Any non-residential uses should be customized to meet the unique needs of each station and neighborhood.

### Priorities for Ashby

- A. **Role of Non-residential Uses.** Non-residential uses at Ashby should reinforce the area's historic role as a center of neighborhood commerce, cultural expression, social connection, and economic empowerment.
- B. **Non-Residential Active Frontages.** Non-residential uses should have active frontages oriented towards Adeline Street, Ashby Avenue, and the future Flea Market public space. Ground-floor uses should activate public space and complement the Flea Market, while promoting everyday activities when the Flea Market isn't occurring.
- C. **Prioritized Non-residential Uses.** The following types of potential non-residential uses should be prioritized, though not all are anticipated to be present in any one development project<sup>1</sup>:
  1. The Berkeley Flea Market, and indoor or outdoor spaces related to the Flea Market
  2. Businesses and organizations that reinforce the neighborhood's historic role as a center of Black culture and identity
  3. Businesses, organizations, or services that are oriented towards or provide economic opportunity for people in the neighborhood or their descendants who were involuntarily displaced, interned, or historically disenfranchised on the basis of race
  4. New uses that expand and complement the role and mission of the Ed Roberts Campus and empower those living with disabilities
  5. Spaces for cultural activities, performance, display, community activities, or other uses and amenities that support the area's role as an arts and culture district.

### Priorities for North Berkeley

- A. **Role of Non-residential Uses.** Non-residential uses such as retail, services, or indoor community spaces is anticipated to have a limited role at North Berkeley.

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<sup>1</sup> Specific permitted and prohibited uses for Ashby Station will be identified in the municipal zoning code.

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- B. **Non-residential Active Frontages.** Non-residential uses that do occur should be oriented with active frontages towards the station entry and/or Sacramento Street.
- C. **Respect Neighborhood Needs.** Non-residential uses that do occur should be focused towards meeting neighborhood needs and complementing the existing range of businesses and services already available nearby.
- D. **Potential Non-Residential Uses.** Non-residential uses may include the following<sup>2</sup>:
  1. Uses that help reduce the need for driving in North Berkeley, such as commuter-focused amenities, childcare, community services, or satellite locations for existing community businesses or organizations
  2. Small-scale walkable retail or café type uses
  3. Space for activities, gatherings, or events.

**Building Form**

VISION

New buildings at Ashby and North Berkeley Stations will be beautiful, creatively designed, well-proportioned, and thoughtfully located to contribute positively to the physical fabric and long-term quality of life of the neighborhood. They will provide elements that neighborhood residents currently enjoy – such as natural light, air, direct outdoor access, variety, quiriness, walkability, and sociability – in a denser, transit-oriented format that supports BART ridership. Buildings should exhibit a level of architectural diversity that expresses the social, racial, economic, and design diversity that is desired at both stations. Ground-floor spaces and building frontages should activate public space, while providing a sense of place and character to the stations and the surrounding neighborhood.

Shared Priorities

- A. **Height Variation.** AB 2923 does not permit the City's zoning controls to restrict building height below seven stories on the station sites. The City and BART will support variations in building height and form at both stations. It is anticipated that some buildings and some portions of buildings will be shorter than the maximum height in keeping with good urban design practice.
- B. **Context.** Building design should consider the scale and character of the surrounding built environment.
- C. **Location and Orientation.** Locate and design new buildings to enhance public spaces while mitigating impacts on existing neighbors through site orientation, setbacks, lines of sight between buildings, landscape and topography.

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<sup>2</sup> Specific permitted and prohibited uses for North Berkeley Station will be identified in the municipal zoning code.

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- D. **Equitable Design Quality.** Design affordable housing units in a way that integrates with the larger project and shares the same design standards and quality.
- E. **Small Blocks.** Prioritize site designs with smaller blocks and building footprints instead of larger blocks.
- F. **Architectural Variety.** Design buildings to provide visual interest with variation in height, scale, massing, rooflines, materials, and architectural styles.
- G. **Building Scale.** Provide regular breaks in building forms, as well as both horizontal and vertical detail to respond to the existing neighborhood context and character, particularly at the edges of the site.
- H. **Unit Diversity.** Encourage building forms that allow a diversity of unit sizes, types, and configurations.
- I. **Sunlight.** Seek to configure buildings and include design strategies that allow sunlight to reach public spaces, and design outdoor spaces, outdoor seating and active retail frontages, if provided, to maximize southern, western, and/or eastern exposure.
- J. **Outward-facing Entrances.** For ground-floor housing units, encourage outward-facing entrances with a range of design treatments and access strategies. These could include stoops, front doors, courtyard and forecourt entrances, ramped or at-grade universally accessible entries, outward-facing and visually permeable lobby entrances, and transition spaces from private frontages to public spaces.
- K. **Ground-floor Non-residential Frontages.** For ground-floor non-residential uses, provide frequent windows and doors, visual connection between indoors and outdoors, frontage onto public space, direct access to the pedestrian circulation network, and activation strategies such as outdoor seating, dining, display spaces, public art, and architectural detailing.
- L. **Universal Accessibility.** Preference building designs with universally accessible units and elevator redundancy to promote accessibility for seniors and those with disabilities.
- M. **BART Entrances.** Ensure that BART entrances are featured prominently and integrated into the overall site plan.
- N. **Integrated Green Space.** Integrate gardens, courtyards, roof terraces, trees, native landscaping, and other green spaces into building architecture and site design.

### Priorities for Ashby

- A. **Massing and Height Focus.** Focus density, larger building forms and height towards Adeline Street and Ashby Avenue on the west parking lot parcel, and towards the rear of the Ed Roberts Campus on the east parking lot parcel.



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- B. **Active Frontages.** Connect new buildings to Adeline Street and Ashby Avenue with direct pedestrian access, minimal setbacks, and active frontages to complement the existing active uses across the street.
- C. **Site Design.** Ensure that building forms, scale, and the overall site plan provide sufficient space for the Flea Market and other civic and community uses.

### Priorities for North Berkeley

- A. **Massing and Height Focus.** Focus density, larger building forms and height towards the Ohlone Greenway and the center of the site, as well as towards Sacramento Street.
- B. **Massing Breaks and Step-downs.** Provide massing breaks, step-downs in height, and frequent pedestrian building entrances along Delaware Street, Acton Street, and Virginia Street, with building forms and frontages that create a residential character and scale.
- C. **Active Frontages.** Prioritize active frontages, public space programming, and car-free activities along the Ohlone Greenway.

## Station Access

### Vision

Station access investments in and around the stations will enhance community vibrancy, safety, equity, and health while improving the quality of the public space and pedestrian experience, both within and beyond the station areas. Priority access investments are those that encourage people to walk, bike, roll, ride transit, and use shared micro-mobility options, while still providing flexibility for changing technologies and trends. Access investments will be distributed equitably to improve the experience for people of all ages, all abilities, and all income levels getting to and moving through the stations.

### Shared Priorities

- A. **Housing and Community Benefits.** Favor affordable housing and other community benefits over BART rider parking and TOD resident parking in any physical or financial decision-making.
- B. **Non-Automobile Access.** Increase the share of BART riders who access the stations via modes other than driving alone and parking. Prioritize access improvements in the surrounding neighborhoods and within the station areas that offer safe, comfortable, affordable, cost-effective alternatives for all BART customers, particularly those with mobility challenges. Future access planning should consider the rapid evolution for mobility trends and technologies and consider the adaptability of the station access plans to future foreseeable and unforeseeable

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mobility patterns and their ability to handle ridership growth without running into capacity constraints.

- C. **Equitable Access.** Provide safe and secure station access options for people of all ages, abilities, races and ethnicities, genders, and income levels.
- D. **Parking Options.** Minimize the need for new structured on-site BART customer parking by maximizing the use of available parking capacity along the corridor (such as Center Street parking garage, shared parking with the TOD or with other sites, and on-street parking management).
- E. **Transportation Demand Management.** Any future development must include aggressive and innovative Transportation Demand Management strategies to reduce the vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions by residents, visitors, and employees by 20% by complying with BART's Transportation Demand Management program.
- F. **Parking and Traffic Impacts.** Limit the impacts of parking and driving on residents of the developments and surrounding neighborhoods (such as noise, air quality, GHG, and collisions) through transportation demand management, multi-modal circulation and access planning, infrastructure improvements, parking management, and other best practices.
- G. **Market Rate Pricing for Parking.** Explore parking pricing that is better aligned with market demand as a possible strategy to promote BART rider and on-street parking availability, with consideration of the impacts of parking pricing on low income residents and BART riders.
- H. **Prioritize Curb Space.** Buses and shuttles will be located to prioritize people with disabilities, active loading of passengers (over waiting vehicles), services available to the public, and the number of people transferring to BART. Different types of passenger loading zones will be incorporated for quick pick-ups and drop-offs, those that need to wait for their passenger, accessible loading areas, ride apps and taxis.
- I. **Wayfinding and Signage.** Provide clear, accessible, adaptable station access signage and wayfinding to facilitate how people get to/from and through the station area.

Priorities for Ashby

- A. **Pedestrian & Bicycle Connections.** Provide high-quality, safe pedestrian and bicycle connections to and through the site, including an off-street protected bicycle facility extending along Adeline Street, at least between Ashby Avenue and the intersection with MLK Way, with the potential to extend further through related Adeline improvement efforts. Provide high-quality, safe two-way bicycle routes from the station entrance to Woolsey Street to the West, to Russell Street to the northwest, to Adeline Street heading northbound, and to Woolsey Street heading east.

**Commented [JA5]:** I propose adding this language because it's currently impossible to roll up to the Ashby fare gates quickly and gracefully on bicycle regardless of where you're coming from.

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**B. Adeline Design.** Reconfigure Adeline Street to transform a four-lane arterial into a safer space for all modes of transportation, creating a more walkable, vibrant place. Flea market activities may occur on some or all of this portion of Adeline Street.

**Commented [JA6]:** There is a misconception held by some community members that the Ashby BART redevelopment must include a large plaza to accommodate the flea market. I propose adding this sentence to make it clear that the developer is not required to build a large plaza for the flea market. There are alternatives. The space currently occupied by Adeline Street could be redesigned to accommodate the flea market. Perhaps that could include closing that block of Adeline to traffic during flea market hours. The Ashby BART site is precious and it would be a shame to underutilize it with a large plaza, especially considering that the Flea Market is not asking for that. At one of the earlier office hour sessions, one of the CAG members asked Flea Market representative and CAG member Charles Gary what the Flea Market would like in the new development. Mr. Gary responded something along the lines of that the flea market would simply like to continue to exist in some form.

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Priorities for North Berkeley

- A. **Adjacent Streets.** Consider the role and design of adjacent streets – including Sacramento Street, Delaware Street, Virginia Street, and Acton Street – in multi-modal access planning for the North Berkeley Station.
- B. **Commuter Parking Priority.** Where parking would be provided, maximize parking for commuters over parking for residential and/or potential community, non-profit, or retail uses.

## Horner, Justin

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**From:** Marice Ashe <mariceashe@gmail.com>  
**Sent:** Thursday, July 8, 2021 8:06 PM  
**To:** Larry Orman  
**Cc:** bartplanning; Berkeley Mayor's Office; Kesarwani, Rashi; All Council; Horner, Justin; Shen, Alisa; Rick Jacobus; Rebecca Saltzman  
**Subject:** Re: Comments on BART station planning documents - Joint Vision and Zoning

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

I don't understand all of the specifics, but this reads as a powerful statement. I bet it has an impact and I certainly hope so!

On Thu, Jul 8, 2021, 7:19 PM Larry Orman <[larry@larryorman.net](mailto:larry@larryorman.net)> wrote:

The following are recommended revision and comments I am submitting for the record regarding the Joint Vision and Zoning drafts presented recently at the June 2021 CAG 7 meeting. I live near North Berkeley and these apply primarily to that station, although some are relevant to both stations.

Larry Orman  
Delaware Street

\*1) Joint Vision Document \*(June 2021 draft)

Affordable Housing (1 revision):

"New housing at a variety of income levels at both the Ashby and North Berkeley BART Stations will address the City's housing crisis, stem the displacement of residents—especially of the African American community in Berkeley—and support more equitable access to housing for lower-income families and individuals. New housing must also be created quickly to reflect the urgency of the climate crisis, capturing the inherent environmental benefits of walkable, transit-oriented housing in Berkeley's most transit-rich areas. North Berkeley and Ashby will provide a new model for delivering affordable housing in neighborhoods that are rich in infrastructure and strategically located to make regional transit, economic opportunity, and community amenities more broadly and equitably accessible."

REVISION: New housing at the Ashby and North Berkeley BART Stations should be 100 percent affordable to meet the City's below-market family and individual needs, stem the displacement of residents—especially of the African American community in Berkeley—and support more equitable access to housing for lower-income families and individuals.. While the time required to achieve this may be long and substantial additional funding will certainly be needed, these two sites are the only large public land opportunities and offer the most effective use of the City's

affordable housing funds. North Berkeley and Ashby will provide a new model for delivering affordable housing in neighborhoods that are rich in infrastructure and strategically located to make regional transit, economic opportunity, and community amenities more broadly and equitably accessible.

Comment: The need for housing affordable to those with below market means dwarfs any other rationale for these housing projects. There are many sites in Berkeley for market rate housing, and no other publicly owned lands that can play such a powerful role in meeting affordable housing needs. BART's artificial deadlines and faulty rationales for ridership and lease income should not overrule the driving need for 100 percent affordable housing at these stations as the dominant vision in this document.

Shared Priorities (2 revisions):

"A. Housing Priorities. Maximize the number of new homes, and especially permanently affordable, deed-restricted homes. We anticipate a range of 550-1200 units at each station with a variety of unit sizes."

REVISION: A. Housing Priorities. Ensure that all development at these stations meets Berkeley's affordable housing needs. We anticipate a range of 550-1200 units at Ashby station and a range of 400-600 at North Berkeley with a variety of unit sizes.

Comment: The community at Ashby should guide any unit size ranges, my comments apply to North Berkeley. 4-600 units at North Berkeley best accords with the most cost-efficient building means for affordability, and meets the critical goal of integrating into the surrounding neighborhood.

"B. Urgency. Deliver new housing within 10 years to reflect the urgency of the climate and housing crises."

REVISION: B. Urgency. Deliver affordable housing in whatever time frame is required to achieve 100 percent affordability, to meet the core of the City's housing crisis, and to ensure highest transit use which thereby supports climate goals more effectively.

Comment: Affordable housing will take time, but it is THE need for the City of Berkeley; transit ridership is higher for affordable units than for market rate, meaning more effectiveness in reducing emissions, particularly when construction methods for large market rate structures are taken into account.

Building Form (2 revisions):

"Vision

A. Height Variation. AB 2923 does not permit the City's zoning controls to restrict building height below seven stories on the station sites.

The City and BART will support variations in building height and form at both stations. It is anticipated that some buildings and some portions of buildings will be shorter than the maximum height in keeping with good urban design practice."

REVISE TO: A. Height Variation. While AB 2923 does not permit the City's zoning controls to restrict building height below seven stories on the station sites, nothing prevents development projects from proposing other heights. The City and BART will support variations in building height and form at both stations. It is anticipated that all or part of some or many buildings will be shorter than the maximum height in keeping with good urban design practice, best approach to affordability and meeting the goals for neighborhood context, below.

"B. Context. Building design should consider the scale and character of the surrounding built environment. "

REVISION - Add the following at the beginning of this section: For North Berkeley, enhance the livability of the neighborhood surrounding the North Berkeley BART station. The site should create a visual and physical connection with the neighborhood through its architectural design and scale. In particular, we seek a development that steps down in height around the perimeter of the station in order to blend in visually and physically with the residential neighborhoods surrounding the station; such a design honors a common theme of many of the designs submitted as part of the October 2018 visioning event.

Comment: This specific formulation was advanced by Councilmember Kesarwani as the best approach to meeting various views on station planning, enabling a unanimous vote by Council to adopt the Goals and Objectives in May 2019 - it should be retained verbatim in the new Joint Vision document.

#### Priorities for North Berkeley

REVISION: At the beginning of this section, insert the following paragraph:

To enhance the livability of the neighborhood surrounding the North Berkeley BART station development should create a visual and physical connection with the neighborhood through its architectural design and scale, stepping down in height around the perimeter of the station in order to blend in visually and physically with the residential neighborhoods surrounding the station

Comment: This reiterates the guidance noted above.

\*  
\*

\*2) Draft Zoning Document\*

a) TABLE 23.202.150-2: R-BMU DEVELOPMENT STANDARDS

REVISION: set residential density to: "Maximum" (75 units per acre)

Comment: The three zoning standards mandated by AB 2923 (density, height, FAR) provide conflicting baselines, particularly FAR and height. Minimum 4.2 FAR is equal to over a million square feet of development, very likely equal to having three MacArthur towers (400 units each) at North Berkeley; a 7 story minimum height across the entire developable site would likely yield 800 units; 75 units per acre yields approximately 400 units.

Because these three standards conflict in various ways; and because there is universal agreement that the proposed project does not have to be consistent with these factors, and because the City has almost no negotiating leverage with BART over the final project design (other than what it gets from its commitment of affordable housing funding), providing maximums for density and height creates a stronger negotiating position. To be clear: there is nothing about the 2923 provisions that makes any sense as a definite planning standard and absolutely nothing in AB 2923 that mandates any one of them has priority over any other two, continuing the illogic with a density maximum is a completely reasonable thing to do, given the realities of this perverse situation. An actual project could well be in the 90-100 unit per acre range, and also be 4-5 stories in height, lower at the edges. That the zoning is divorced from a project reality is the result of AB 2923, not any laws of planning.

b) D. R-BART Mixed Use District Master Development Plan (MDP)

REVISION: Address the critical but so-far ignored vested right provision in AB 2923 - conduct further legal and planning analysis before adopting the zoning ordinance to understand and then ensure that this provision does not lead to out of control development. Define how density bonuses and streamlining provisions will affect the overall project size, in general and in relation to the vested right provision.

Comment:

AB 2923, Section 29010.10. (a) When the district enters into an exclusive negotiating agreement with a developer for the development of an eligible TOD project, that agreement shall confer a vested right to proceed with development in substantial compliance with the provisions of Sections 29010.6, 29010.7, 29010.8, and 29010.9.

This section compromises all of the City's development processes proposed in the draft Zoning Ordinance. With development rights vesting prior to any proposed project design (at the negotiating agreement phase!), a developer will the compensable right to insist on 4.2 FAR and 7 stories across the entire site, and there is nothing BART or the City can do to block that compensable claim. This is an absurd and outrageous



provision; the City should conduct a full legal and planning analysis of how it can maintain control of this process, given this provision, BEFORE taking any further steps toward zoning.

More generally, the ordinance draft fails to clearly outline how density bonus provisions and streamlining will be handled, particularly in light of the vested right provision.

### \*3) General Comments\*

a) The City of Berkeley needs a full, official City Attorney analysis of the City's options in regard to AB 2923 and BART's planning guidance documents, particularly in terms of achieving the Council's stated goal of contextual development at North Berkeley station. The May 2021 assessment from the City Attorney's office provided by Councilmember Kesarwani to the North Berkeley Neighborhood Alliance (and sent by them to City staff) is completely inadequate as a legal opinion and contains numerous flaws of interpretation of AB 2923.

b) The failure to conduct clear analysis of the pros and cons of two, specific development alternatives at the two stations is a profound flaw in the overall planning process to date. At North Berkeley, there are two (and possibly three) specific development projects that could have been carefully evaluated as whole choices and compared to one another in order to determine which offered the most effective approach for meeting goals for these stations - a 4-500 unit, a 800 unit and if needed a 1200 unit project. Instead, the CAG process debated abstractly about what kind of project would result and never saw a head to head comparison of what it would mean to build these alternatives. This was well within reach of the consultants' and staff expertise, and would have allowed all participants to see how a whole choice balanced a wide range of needs. Instead, the process stayed generalized and avoided showing the pitfalls of large projects in particular (as well as the challenges of a small project). The Planning Commission and certainly the Council should insist on such alternatives comparison before adopting any zoning - everyone understands that 2923 compels certain zoning conditions, but everyone also understands (reinforced by staff and consultants) that an actual project could be VERY different than the zoning. Yet assessment of the real choice - the project nature - was hidden in favor of non-specific analysis of individual components of development.

c) Affordability mandate - the City's new RHNA allocation is 9,000 units, of which 5500 are to meet below-market needs. Approximately 600 below market units can be secured through developer set-asides of the 3500 market rate units in the RHNA goal. That leaves just under 5,000 below market units - units which cannot be zoned for, by definition - and for which subsidy is required. How much subsidy? The City's consultants identified \$200,000 per unit as the City funds required for low/very low affordable projects. Using a figure of just half this - \$100,000, considering more moderate income housing as well as low - yields an investment required of \$500,000,000 to actually produce the

number of affordable units called for in the RHNA figures. Coupled with other City needs, this becomes a gigantic number to provide for - and this is why every single opportunity to most efficiently use critical land resources is essential. There are no better sites than the two BART stations for below market housing - there will never be better sites. This is why 100 percent affordability, no matter how long it takes setting aside other secondary issues, must be the overall goal for these stations.

END

## Horner, Justin

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**From:** Colette Meunier <Colette.Meunier@mindspring.com>  
**Sent:** Thursday, July 8, 2021 7:19 PM  
**To:** bartplanning  
**Subject:** Letter of Comment on draft R-BMU Zoning District  
**Attachments:** 2021 July 8 letter re draft R-BMU Zoning District.pdf

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hi Elisa:

Attached is my letter of comment on the draft zoning district.

I also noted a couple of typographical errors I wanted to draw to your attention.

Under "Allowed Land Uses , General, paragraph c ends with the word, "or." This should be deleted and replaced with a period, to follow the format of the other paragraphs in this section.

In the last paragraph before the Table of Allowed Uses, the last sentence has the phrase, "...for the entirety of a site ..." this should be corrected as "...for the entire site..."

Thanks for your consideration of my comments.

--

COLETTE MEUNIER  
1560 Sacramento Street  
Berkeley, California 94702  
510.847.9731  
[colette.meunier@mindspring.com](mailto:colette.meunier@mindspring.com)

*E-mailed to Alisa Shen, Principal Planner at [bartplanning@cityofberkeley.info](mailto:bartplanning@cityofberkeley.info)*

July 8 , 2021

Alisa Shen, Principal Planner  
City of Berkeley  
Department of Planning & Development  
1947 Center Street, 2nd Floor  
Berkeley, CA 94704

**RE: Comments for the June 2021 Draft BART Zoning**

Dear Ms. Shen:

This letter contains my comments about the June 2021 Draft Zoning for the Berkeley BART Stations. Please provide them to the appropriate City staff, members of the Community Advisory Group, appropriate BART staff, and the consultant team.

Table 23.202.150-1 Permitted Street-Facing Ground Floor Uses shows that both residential and non-residential uses would be allowed along Sacramento Street, along the Ohlone Greenway, or *within 50 feet of any street corner*. This would allow an isolated area of nonresidential use at the corner of Action and Delaware Streets, widely separated from any other nonresidential use and across from all single family uses. The third line down on the left-hand column of this Table should be revised to read: “Along Sacramento, along the Ohlone, Greenway or within 50 feet of *a street corner with Sacramento.*”

Table 23.202.150-2 R-BMU Development Standards has a category, “Non-residential Parking (new).” Since neither site has any non-residential use, the word, “new” should be eliminated. Additionally, the description of the parking requirements should have a similar form for both residential and non-residential, for clarity. So, the Non-residential Parking requirement should be stated as:

*None required*

*Maximum of 1.5 spaces per 1,000 sf*

Section 23.202.150 C. 14, Parking Design and Access, paragraphs (c) and (d) require revision.

Paragraph c ends with the sentence, “*Abutting parcels are exempted from this requirement.*” It is very unclear what is intended by this provision. If it means that portions of the BART site are exempted from this requirement to screen parking garages, this is unacceptable, and the sentence should be deleted. If it means that the parking for the development at the BART

station can be satisfied on one parcel and shared, rather than each parcel having its own individual parking, this sentence needs to be rewritten to clearly state this. If this sentence has another meaning altogether, it needs to be rewritten so that that meaning is clear.

Paragraph d should be expanded to include other requirements for vehicular entrances to garages. Pedestrian and/or bicycle crossings of vehicular driveways should have a change in materials to alert cyclists and pedestrians to the location of the garage driveway. There should be a flashing light or an audible tone to signal that a vehicle is coming out of the garage.

Section 23.202.150 D.5, Final Development Plan, should have an additional bullet point added requiring that the Final Development Plan show: ***“All above ground utilities, such as electrical substations or transformers, water connections/backflows, etc.”***

Table 23.202.020-1, Allowed Land Uses in Residential Districts includes two uses as permitted by a Public Hearing Use Permit which should be shown as prohibited uses.

Under Commercial Uses, “Alcoholic Beverage Service” is shown as permitted by a Public Hearing Use Permit. Alcohol service as part of a full-service restaurant may be consistent with the residential setting of the redeveloped BART stations, but not an establishment that primarily serves alcohol. If this use continues to be permitted by Use Permit, then the Zoning Ordinance Revision, Section 23.310.030, *Alcoholic Beverage Service When Incidental to Food Service*, Section B, *Use Limitations*, should be amended to include the following:

***5. R-BMU District.*** *In the R-BMU district, alcoholic beverage service is allowed only for full-service restaurants. Alcoholic beverage service is not allowed for carry out food stores and quick-service restaurants, and distilled spirit service is allowed only for on-site consumption with seated food service.*

Under Commercial Uses, “**Theater**” is shown as permitted by a Public Hearing Use Permit. In the Chapter 23.502, Glossary,” of the Zoning Ordinance Revision, a theater is defined as follows:

**Theater.** Any establishment that has a permanent stage or screen for the presentation of live or recorded entertainment and which contains an audience viewing hall or room, with fixed seats. Theaters may be used for live performances of music, dance, plays, orations, and other stage performances and/or the showing of projected motion pictures and videotapes.

Given the proximity of both stations to downtown Berkeley which has a number of movie theaters and live performance spaces, there is no need to provide for such facilities in the mixed-use development at the BART stations, particularly at North Berkeley BART.

Lastly, I wish to repeat a comment from my June 1 letter regarding the calculation of Floor Area for the BART sites. Both sites have a wide swath that is not available for development because it lies over the BART tracks or the zone of influence adjacent to the BART tracks on both sides.

Lot area is usually easy to determine – it is the total square footage of the parcel being evaluated for application of development standards such as floor area ratio or units per acre. Lot area does not include the roadways upon which lots have frontage. The BART station sites in Berkeley are divided by the BART tunnel rights-of-way and the adjacent zones of influence (areas adjacent to the tunnel which may not be available for development, or only with additional requirements, because these areas are integral to the tunnel structures). The tunnel rights-of-way and probably also the zones of influence should not be included in lot area because no development can be placed on top of these areas. The B-MU Zoning District should contain a definition of lot area which excludes the area of tunnel rights-of-way and the zones of influence (if they are not available for ground floor development).

Thank you for the opportunity to provide comments. Please contact me if you have any questions about them.

Sincerely,

*Colette Meunier*

## Horner, Justin

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**From:** Laura Klein <lauraanneklein@gmail.com>  
**Sent:** Tuesday, July 6, 2021 8:00 AM  
**To:** All Council; Berkeley Mayor's Office; bartplanning  
**Subject:** North Berkeley BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor, Council, and Planners:

To ensure that prospective developers understand how best to design the housing to be built at North Berkeley BART, I urge you to make sure that the following language, which was crafted by District 1 Councilperson Kesarwani and approved by the City Council (page 24 of the MOU) is included in the Joint Vision and Priorities document.

*[The design must] Enhance the livability of the neighborhood surrounding the North Berkeley BART station. The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood.*

The City made a commitment to the North Berkeley community, and I expect you to honor that commitment.

Thank you.

Sincerely,

Laura Klein  
Berkeley, CA 94703

## Horner, Justin

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**From:** Irene Rice <ir07441@gmail.com>  
**Sent:** Thursday, July 1, 2021 11:33 AM  
**To:** All Council; Berkeley Mayor's Office; bartplanning  
**Subject:** TOD at North Berkeley BART Station

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor, Council, and Planners:

To ensure that prospective developers understand how best to design the housing to be built at North Berkeley BART, I urge you to make sure that the following language, which was crafted by District 1 Councilperson Kesarwani and approved by the City Council (page 24 of the MOU) is included in the Joint Vision and Priorities document.

*[The design must] Enhance the livability of the neighborhood surrounding the North Berkeley BART station. The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood.*

Sincerely,  
Irene Rice, North Berkeley Resident/Renter



## Horner, Justin

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**From:** Wilson, Jacqueline <Jacqueline.Wilson@ucsf.edu>  
**Sent:** Thursday, July 1, 2021 10:33 AM  
**To:** All Council; Berkeley Mayor's Office; bartplanning  
**Subject:** TOD at North Berkeley BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

RE: TOD at North Berkeley BART

Mayor, Council, and Planners:

To ensure that prospective developers understand how best to design the housing to be built at North Berkeley BART, I urge you to make sure that the following language, which was crafted by District 1 Councilperson Kesarwani and approved by the City Council (page 24 of the MOU) is included in the Joint Vision and Priorities document.

*[The design must] Enhance the livability of the neighborhood surrounding the North Berkeley BART station. The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood.*

Sincerely,

Jacqueline Wilson  
1556 Sacramento Street  
Berkeley CA 94702

## Horner, Justin

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**From:** Cindy Shamban <cshamban@comcast.net>  
**Sent:** Thursday, July 1, 2021 8:14 AM  
**To:** Berkeley Mayor's Office; All Council; bartplanning  
**Subject:** Development at the North Berkeley BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

To Mayor Arreguin, City Council Members and Berkeley BART planners:

I have a number of concerns about the development of the North Berkeley parking lots (as well at the Ashby BART parking lots). The neighborhood has been around for many years and needs to have a development that fits in with the character of the neighborhood. The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. I believe that a development which considers the character and context of the neighborhood ie the resident buildings step down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood.

While more housing is clearly needed in Berkeley, not market rate housing, but housing which is affordable for teachers, city workers, and others with decent paying jobs, but not enough to live in Berkeley as well as low income housing for those who don't make a decent amount of money, are on social security, other types of government assistance and many service jobs. Little will be gained by destroying the tenor and fabric of the neighborhood. Neighborhoods are an integral part of what makes Berkeley, Berkeley.

Regards,  
Cindy Shamban  
District 4 - a short walk from the North Berkeley BART

## Horner, Justin

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**From:** genetic@igc.org  
**Sent:** Wednesday, June 30, 2021 10:02 PM  
**To:** All Council; Berkeley Mayor's Office; bartplanning  
**Subject:** TOD at North Berkeley BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor, Council, and Planners:

Here is the note from another NIMBY protestor. My home is a mile of North Berkeley BART. I think commuters need more parking places and that if any housing is to be built, it should be built elsewhere in no more than two storeys. There will always be houseless people in Berkeley, because Berkeley is a desirable place to live. We do not have the moral duty to provide housing for every houseless person in Berkeley, in the Bay Area, in this state, or in the nation, or indeed, in the world. Our political duty is to improve what we have, not generate more political duties we cannot shoulder.

To ensure that prospective developers understand how best to design the housing to be built at North Berkeley BART, I urge you to make sure that the following language, which was crafted by District 1 Councilperson Kesarwani and approved by the City Council (page 24 of the MOU) is included in the Joint Vision and Priorities document.

*[The design must] Enhance the livability of the neighborhood surrounding the North Berkeley BART station. The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the*

*perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood.*

Sincerely,

D.P. Neyhart

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#### Ten Facts about the United Nations

- 1) Provides food to 90 million people in 80 countries
- 2) Vaccinates 58 percent of the world's children, saving 3 million lives a year
- 3) Assists over 38.7 million refugees and people fleeing war, famine or persecution
- 4) Works with 193 countries to combat climate change and make development sustainable
- 5) UN Keeps peace with 120,000 peacekeepers in 16 operations on 4 continents
- 6) Fights poverty, helping improve the health and well-being of 420 million rural poor
- 7) Protects and promotes human rights on site and through some 80 treaties/declarations
- 8) Mobilizes USD 22 billion in humanitarian aid to help people affected by emergencies
- 9) Uses diplomacy to prevent conflict: assists some 60 countries a year with their elections
- 10) Promotes maternal health, saving the lives of 30 million women a year

## Horner, Justin

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**From:** Alisa <moonmom@sbcglobal.net>  
**Sent:** Wednesday, June 30, 2021 9:48 PM  
**To:** All Council; Berkeley Mayor's Office; bartplanning  
**Subject:** TOD at North Berkeley BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor, Council, and Planners:

To ensure that prospective developers understand how best to design the housing to be built at North Berkeley BART, I urge you to make sure that the following language, which was crafted by District 1 Councilperson Kesarwani and approved by the City Council (page 24 of the MOU) is included in the Joint Vision and Priorities document.

***"[The design must] Enhance the livability of the neighborhood surrounding the North Berkeley BART station. The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood."***

Sincerely,  
Alisa Foster  
1803 Mcgee Ave  
Berkeley 94703

## Horner, Justin

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**From:** kary schulman <kary\_schulman@hotmail.com>  
**Sent:** Wednesday, June 30, 2021 9:10 PM  
**To:** All Council; Berkeley Mayor's Office; bartplanning  
**Cc:** Kesarwani, Rashi  
**Subject:** TOD at North Berkeley BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor, Council, and Planners:

As a four-decade resident of North Berkeley, within a few blocks of the proposed BART development, I am watching this effort carefully. It is surprising how little community input appears to mean in this context once planners and developers get rolling!

Nevertheless, I write to support the North Berkeley Neighborhood Alliance's commonsense, neighborhood-preserving approach to development at North Berkeley Bart which takes into account the need for housing, open space and parking solutions.

To ensure that prospective developers understand how best to design the housing to be built at North Berkeley BART, I urge you to **make sure that the following language**, which was crafted by District 1 Councilperson Kesarwani and approved by the City Council (page 24 of the MOU) **is included in the Joint Vision and Priorities document.**

***[The design must] Enhance the livability of the neighborhood surrounding the North Berkeley BART station. The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood.***

This is not ideal but appears to be the best we can do under the current circumstances. Not to include this language would leave our little neighborhood open to the predation of developers, threatening to destabilize and undermine its character and livability.

Sincerely,

Marianne Schulman  
1707 Buena Ave  
Berkeley 94703

## Horner, Justin

---

**From:** Laura Magnani <friendlauramagnani@gmail.com>  
**Sent:** Wednesday, June 30, 2021 8:17 PM  
**To:** bartplanning  
**Subject:** North Berkeley development

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear BART planning folks: I am deeply concerned and the building plans going forward for the North Berkeley BART. As a neighbor, living right across from the station, although I see a need for housing, I don't believe it should go above 7 stories at its peak. Instead it needs to blend into the neighborhood. I am also concerned that enough parking be included to prevent neighbors from having their streets inundated with BART passengers and new tenants. Please adhere to the specifications adopted by the City Council on page 24 of the MOUas follows:

*"Enhance the livability of the neighborhood surrounding the North Berkeley BART station. The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood."*  
*Finally I believe that to truly serve the community the units must be no more than 50% of median income. Thank you, Laura Magnani*

## Horner, Justin

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**From:** Jason Warriner <jason.jaywar@gmail.com>  
**Sent:** Wednesday, June 30, 2021 8:06 PM  
**To:** bartplanning  
**Subject:** TOD at North Berkeley BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor, Council, and Planners:

To ensure that prospective developers understand how best to design the housing to be built at North Berkeley BART, I urge you to make sure that the following language, which was crafted by District 1 Councilperson Kesarwani and approved by the City Council (page 24 of the MOU) is included in the Joint Vision and Priorities document.

*[The design must] Enhance the livability of the neighborhood surrounding the North Berkeley BART station. The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood.*

Sincerely,

-----  
Jason



## Horner, Justin

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**From:** Tony Corman <anthonyjaycorman@gmail.com>  
**Sent:** Wednesday, June 30, 2021 8:04 PM  
**To:** All Council; Berkeley Mayor's Office; bartplanning  
**Subject:** TOD at North Berkeley BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor, Council, and Planners:

To ensure that prospective developers understand how best to design the housing to be built at North Berkeley BART, I urge you to make sure that the following language, which was crafted by District 1 Councilperson Kesarwani and approved by the City Council (page 24 of the MOU) is included in the Joint Vision and Priorities document.

*[The design must] Enhance the livability of the neighborhood surrounding the North Berkeley BART station. The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood.*

Sincerely,

Tony Corman (CAG member)

## Horner, Justin

---

**From:** Leonard Mudrock <lmudrock@icloud.com>  
**Sent:** Wednesday, June 30, 2021 7:47 PM  
**To:** All Council; Berkeley Mayor's Office; bartplanning  
**Cc:** Leonard Mudrock  
**Subject:** TOD at North Berkeley BART - structure designs

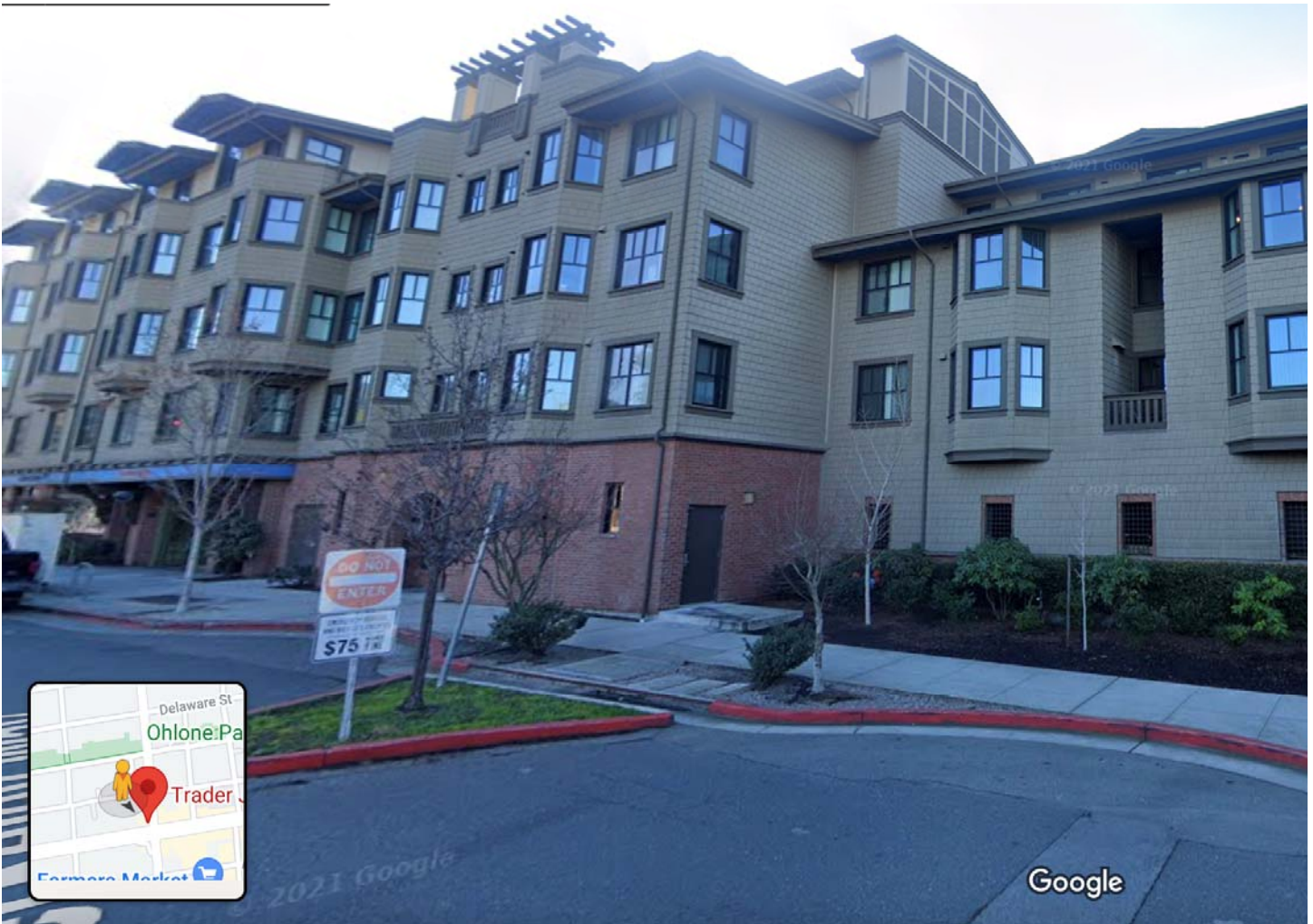
**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor, Council, and Planners:

To ensure that prospective developers understand how best to design the housing to be built at North Berkeley BART, I urge you to make sure that the following language, which was crafted by District 1 Councilperson Kesarwani and approved by the City Council (page 24 of the MOU), is included in the Joint Vision and Priorities document.

*[The design must] Enhance the livability of the neighborhood surrounding the North Berkeley BART station. The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood.*

Also, I noticed the good structure apt/condo design on Berkeley Way near Martin Luther King Jr Way where you park under the building for Trader Joe. The side of this building on Berkeley Way looks matching with our neighborhood homes designs. Not at the side on University Ave and Martin Luther King Jr Way. Reason: Bay windows should be at 45 degrees vertical sides (not at 90 degrees vertical sides) and about 45 degrees roof down (not 180 degree roof top). See a screenshot.



Sincerely,  
Leonard Mudrock  
1408 Delaware St.  
Berkeley  
Across from North Berkeley parking lot.

## Horner, Justin

---

**From:** Lois Cantor <locando@comcast.net>  
**Sent:** Wednesday, June 30, 2021 7:10 PM  
**To:** Berkeley Mayor's Office; All Council; bartplanning  
**Subject:** TOD at North Berkeley BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor, Council, and Planners:

To ensure that prospective developers understand how best to design the housing to be built at North Berkeley BART, I urge you to make sure that the following language, which was crafted by District 1 Councilperson Kesarwani and approved by the City Council (page 24 of the MOU) is included in the Joint Vision and Priorities document.

*[The design must] Enhance the livability of the neighborhood surrounding the North Berkeley BART station. The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood.*

Sincerely,  
Lois Cantor  
1629 Sacramento St.  
94702

## Horner, Justin

---

**From:** Michael Katz <mqkatz@gmail.com>  
**Sent:** Wednesday, June 30, 2021 7:03 PM  
**To:** All Council; Berkeley Mayor's Office; bartplanning  
**Subject:** North Berkeley BART: Please ensure contextual, sustainable housing development

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor Arreguin, Councilmembers, and Staff,

To ensure that prospective developers understand how best to design housing at North Berkeley BART, I urge you to ensure that the following language – crafted by Councilmember Kesarwani and approved by the City Council in its original MOU with BART – is included in the Joint Vision and Priorities document that emerges from the Community Advisory Group (CAG) process:

[The design must] Enhance the livability of the neighborhood surrounding the North Berkeley BART station. The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood.

As a North Berkeley (District 5) resident who depends on the North Berkeley station for access to BART, and who has friends who live right near the station, I thank you for considering this plea.

Respectfully yours,  
Michael Katz  
2117 Rose Street, Berkeley 94709

## Horner, Justin

---

**From:** Carol Hirth <chirth@mac.com>  
**Sent:** Wednesday, June 30, 2021 7:03 PM  
**To:** All Council; Berkeley Mayor's Office; bartplanning  
**Subject:** TOD at North Berkeley BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor, Council, and Planners:

To ensure that prospective developers understand how best to design the housing to be built at North Berkeley BART, I urge you to make sure that the following language, which was crafted by District 1 Councilperson Kesarwani and approved by the City Council (page 24 of the MOU) is included in the Joint Vision and Priorities document.

*[The design must] Enhance the livability of the neighborhood surrounding the North Berkeley BART station. The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood.*

*Unfortunately the state legislation is "one size fits all" which could result in a monstrosity of a project if the process and planning is not carefully monitored.*

*Thank you for your thoughtful consideration.*

*Sincerely,*

*Carol Hirth  
1309 Cornell. 94702*

## Horner, Justin

---

**From:** Eileen Hughes <jnyahsgrandma@gmail.com>  
**Sent:** Saturday, June 26, 2021 10:29 AM  
**To:** Berkeley Mayor's Office; All Council; bartplanning; Shen, Alisa  
**Subject:** Fwd: Reminder: speak out at Community meeting TODAY (Saturday) 2-5PM re North Berkeley BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

I unfortunately cannot attend the meeting today. However, please be informed that I strongly support the recommendations in the attached email from North Berkeley Neighborhood Alliance.

Eileen Hughes  
1721 Sacramento Street

Sent from my iPhone

Begin forwarded message:

**From:** North Berkeley Neighborhood Alliance <[nbneighborhoodalliance@gmail.com](mailto:nbneighborhoodalliance@gmail.com)>  
**Date:** June 26, 2021 at 10:20:01 AM PDT  
**To:** North Berkeley Neighborhood Alliance <[nbneighborhoodalliance@gmail.com](mailto:nbneighborhoodalliance@gmail.com)>  
**Subject: Reminder: speak out at Community meeting TODAY (Saturday) 2-5PM re North Berkeley BART**

Dear neighbors,

A reminder that today, Saturday June 26, from 2-5PM, is the Ashby and North Berkeley BART Community Meeting.

The planners and the City Council need to know that we're here, and that we're not going away! This fall, the Mayor and Council decide whether to zone the site for high-rise development. It's your chance to speak up for **sane, contextual, affordable development** of housing at North Berkeley BART before the City takes over.

Tell the planners that you want the relevant language from the City's own MOU (Memorandum of Understanding) with BART (see below) to be included in the Joint Visions and Priorities document, to ensure that any developers' proposals are required to be in scale and character with the surrounding North Berkeley neighborhood.

For reference, here's page 25 of the MOU:

### **Livability**

**Enhance the livability of the neighborhood surrounding the North Berkeley BART station.** The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular,

we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood. Such a design honors a common theme of many of the designs submitted as part of the October 2018 visioning event. We also seek reasonable spacing between buildings, setbacks, and plantings at the perimeter of the station.

[\[Click to join meeting\]](#)

Call-In: (669) 900 6833

Meeting ID: 986 3344 1617

No password required

### **The NBNA Platform**

We want the North Berkeley station site developed in a way that is:

- **Liveable:** A project that harmonizes with, and does not overshadow the neighborhood: four-story center stepped down to two-story soft perimeter.
- **Green:** A net-zero, energy-efficient project.
- **Affordable:** Ideally 100% affordable for middle- and low-income renters and buyers.
- **Socially responsible:** Engage a nonprofit housing organization to build at least half the housing.
- **Accessible:** Safe, timely, guaranteed access to the station for all riders is essential. If people can no longer park and ride, there must be a plan in place so that everyone can get to the station, and increased traffic, parking, and congestion around the station must be addressed.

***Public land for the public good!***



## Horner, Justin

---

**From:** Lee Bishop <bishoplm@gmail.com>  
**Sent:** Thursday, June 24, 2021 4:43 PM  
**To:** bartplanning  
**Subject:** BART development comment

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hello,

I reviewed the vision & priorities as well as the zoning ordinance documents. I can't make the meeting tomorrow but I have a few comments.

It seems to me that the income targets and affordable housing goals are potentially in conflict. If we want to maximize the number of affordable units, the percentage targets could be a roadblock in that effort. I love the emphasis on providing the maximum number of new homes in a timeline fashion.

I was disappointed to see that the N Berkeley non-residential uses would be limited to the station entry and Sacramento Street. It would be great if something would be considered at the corner of Virginia St and Acton, nearest Cedar Rose park

In the building form section, I think we should consider going very high even at the edges of the development surrounded by single family homes, to plan for a time when those homes could potentially be replaced by larger apartments.

I also was disappointed to see mention of commuter parking in the N Berkeley BART station. I don't think there is much reason to include any parking there. Why can't people use the parking garage in downtown Berkeley?

Thank you!  
Lee

## Horner, Justin

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**From:** Jay Claiborne <jwcud70@gmail.com>  
**Sent:** Thursday, June 24, 2021 1:59 PM  
**To:** bartplanning  
**Cc:** Wengraf, Susan; Berkeley Mayor's Office  
**Subject:** CAG Community Meeting

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

I have participated with the North Berkeley Now! team to help in the preparation of the vision statement and recommended Zoning Ordinance Language for the North Berkeley BART Station Area. I also have had an active role in comparable planning concepts for the Ashby BART Station Area. I have read and strongly approve the latest drafts of the documents recently circulated by North Berkeley Now prior to a vote on future BART Zoning in the City. The concepts recognize the opportunities the two BART stations present for strengthening the future vitality of the adjacent neighborhoods and the City's connectivity with the greater dynamic to the Bay Region.

Jay W. Claiborne  
JWC Urban Design  
70 Twain Ave  
Berkeley, CA 94708

510 604 8675  
jwcud70@gmail.com

## Horner, Justin

---

**From:** Albert Buixadé Farré <albertbuixade@gmail.com>  
**Sent:** Monday, June 21, 2021 9:43 PM  
**To:** bartplanning  
**Subject:** North Berkeley BART development - public comment

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Alisa and planning team,

Thank you for all the good work you do in service of this great and beautiful city of Berkeley.

I would like to voice my support for the following goals for the North Berkeley Bart development project:

1. Keep the development contextual to the low rise character of the neighborhood,
2. Foster an inclusive and diverse set of tenants
3. Make most of the public spaces to be green spaces; we have the opportunity to transform a current BART & parking landscape of concrete and asphalt into a green landscape. We should maximize space for trees, grass, and nature and minimize the amount of concrete used to create new public spaces.
  1. And like other community members I support the planting of the kinds of trees-like Oaks- that can grow to be large, create shade, and further allow nature around it to flourish and thrive.
4. Allow and support non-residential uses of the ground floors to bring more life and more convenient access to local shopping. Allowing for more commercial and civic activity on-site would support the broadly-supported goals of reducing emissions by reducing the use of cars that would otherwise be needed to go do more shopping outside the neighborhood (as well as other kinds of social and leisure activities afforded by gyms, cafes, restaurants, etc.)

Thank you for your consideration,  
Albert

## Horner, Justin

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**From:** David Brandon <davidbrandon@comcast.net>  
**Sent:** Monday, June 21, 2021 5:43 PM  
**To:** bartplanning; All Council; Berkeley Mayor's Office; rebecca.saltzman@bart.gov; Rachel Factor  
**Subject:** Draft Vision and Priorities Statement - Berkeley BART TOD

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

COMMENTS ON DRAFT VISION AND PRIORITIES STATEMENT FROM North Berkeley BART neighbor, unable to attend tonight's CAG7 meeting in real time.

Please see the bullets denoted by "--" after each quoted statement.

Thank you. -David Brandon

\*\*\*\*\*"AFFORDABLE HOUSING - Shared Priorities

A. Housing Priorities. Maximize the number of new homes, and especially permanently affordable, deed-restricted homes. We anticipate a range of 550-1200 units at each station with a variety of unit sizes."

-- The range of 550-1200 is not suitable for North Berkeley, in order to maintain compatibility with this low-rise neighborhood of mostly single-story residences. The statement should specify a lower limit of 400 to achieve the "contextual" sensitivity required.\*\*\*\*\*

"STATION ACCESS - Shared Priorities

B. Non-Automobile Access. Future access planning should consider the rapid evolution for mobility trends and technologies...."

-- In the short term, the present plan looks like a disaster for residents and commuters and a better interim plan is needed until "evolution" proceeds sufficiently.

"BUILDING FORM - Priorities for North Berkeley A. Massing and Height Focus. Focus density, larger building forms and height towards the Ohlone Greenway and the center of the site, as well as towards Sacramento Street.

--The 3 directions/areas mentioned cover essentially the entire site except for the edges of the N. Berkeley BART area. Suggest deletion of Sacramento Street as a focus of height, permitting step-down on this edge as well."

"STATION ACCESS - Priorities for North Berkeley

A. Adjacent Streets. Consider the role and design of adjacent streets – including Sacramento Street, Delaware Street, Virginia Street, and Acton Street – in multi-modal access planning for the North Berkeley Station."

-- Virginia and Acton Streets, in particular have a residential "feel" that should be preserved. The statement should be strengthened to reflect this.

## Horner, Justin

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**From:** Vicki <vickisommer@gmail.com>  
**Sent:** Friday, June 18, 2021 10:32 PM  
**To:** bartplanning; All Council  
**Subject:** feedback on the Joint Vision & Priorities for Transit-Oriented Development

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Planners and Councilmembers,

I live in North Berkeley. I appreciate the many hours of work that went into creating this document. Please scroll down to see my edits and comments in blue.

But before I begin, I would like to remind you of The Memorandum of Understanding between the City and BART which says:

*“...the Berkeley City Council acknowledges the unique neighborhood characteristics of each BART station and expresses its intent to incorporate a station-specific design that is sensitive to the existing single-family (R-1) and two-family (R-2) residential zoning directly adjacent to the North Berkeley BART station.”* (p 23)

And:

*“The site should create a visual and physical connection with the neighborhood through its architectural design, **height, and scale**. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood. Such a design honors a common theme of many of the designs submitted as part of the October 2018 visioning event. We also seek reasonable spacing between buildings, setbacks, and plantings at the perimeter of the station.”* (p 25)

I urge you to make sure that this language, originated by District 1 City Councilmember Rashi Kesarwani, is preserved in this Joint Visions and Priorities document. The City must keep its commitment to the community that any development fits the scale of the surrounding neighborhood.

My edits follow.

Thank you for your consideration,

V. Sommer

94703

Shared Priorities

A. Housing Priorities. ~~the number of~~ Build new homes, and especially permanently affordable, deed-restricted homes utilizing [station-specific design that is sensitive to the existing single-family \(R-1\) and two-family \(R-2\) residential zoning directly adjacent to the North Berkeley BART station.](#) We anticipate a range of 550-600 units at North Berkeley and up to 1200 at Ashby at each station with a variety of unit sizes.

B. Urgency. ~~Deliver new housing within 10 years to reflect the urgency of the climate and housing crises~~ We are a drought prone area and COVID has changed how people work. Many workers are now working from home. It behooves us to proceed carefully because whatever gets built will be with us for generations!

Affordable Housing Goal. The City and BART will strive to maximize the number of permanently affordable, deed-restricted housing units within the funding that can be identified. [1. Affordable housing may be developed in multiple phases over a number of years. Good Idea. The North Berkeley site is Public Land and as such should be developed with 100% affordable housing utilizing a range of affordability. Priority given to people who work in Berkeley.](#)

Developer Accountability. The selected developers must have a demonstrated commitment and feasible plans to produce affordable housing and to [incorporate a station-specific design that is sensitive to the existing single-family \(R-1\) and two-family \(R-2\) residential zoning directly adjacent to the North Berkeley BART station.](#) and They must be willing to be held accountable for making affordability and commitment to [blend in visually and physically with the residential neighborhood.](#) their first priorities. Selecting a developer who merely pledges only a "best effort" to provide affordable units [without considering the height, scale, character and context of the surrounding neighborhood](#) would not be sufficient.

## VISION

New public and civic space at both Ashby and North Berkeley BART will provide a community anchor, open space amenity, and memorable neighborhood gathering space that is accessible to all. It will be available for **programmed community uses and activities**, as well as for informal, unprogrammed public use by residents, visitors, and transit riders alike. New public space will enhance the ability of all community members to walk, roll, and take transit, supporting better

station access and healthy, climate-friendly active transportation. North Berkeley will be a nexus of active transportation centered along a major new connection of the Ohlone Greenway. Ashby will be anchored by a market and oriented along a street built for people and multiple modes of transportation.

The North Berkeley community agreed to have housing at the North Berkeley site. We did not agree to "place making" or turning our low rise residential neighborhood into some kind of "destination". We already host civic activities in Ohlone Park and in the Sacto/Delaware Ball field. It's enough.

North Berkeley will be a nexus of active transportation centered along a major new connection of the Ohlone Greenway [presume this means connecting the bike paths, which is a great idea.](#)

### Priorities for North Berkeley

A. Build a development in stages, with a range of affordable housing options which [utilizes a station-specific design that is sensitive to the existing single-family \(R-1\) and two-family \(R-2\) residential zoning directly adjacent to the North Berkeley BART station.](#)

B. Ohlone Greenway Connection. The development should include a protected bikeway that connects the disjointed ends of the Ohlone Greenway to each other and to BART, providing a primary access route and orientation of the development that enables a prioritized pedestrian and bicycle connection from approximately the southeast corner of the site to the northwest corner of the site and across the streets.

C. Public Space Use. Public space should provide opportunities for both active and passive public use, with strong connections to the station entrance, the Ohlone Greenway, or other public spaces and pedestrian facilities.

D. Street Design. The design of surrounding streets should be considered as a strategy to accommodate public space needs, and improve safety for pedestrians and bicycles.

### VISION

New buildings at Ashby and North Berkeley Stations will be beautiful, creatively designed, well-proportioned, and thoughtfully located to contribute positively to the physical fabric and long-term quality of life of the neighborhood. They will provide elements that neighborhood residents currently enjoy –such as natural light, air, direct outdoor access, variety, quirkiness, walkability, and sociability –~~in a denser, transit-oriented format that supports BART ridership.~~ [This is unnecessary to say. AB2923 dictates a minimum of 75 units/acre, which is far more dense than the surrounding neighborhood. It is unnecessary to codify BART's greediness in this document!](#) Buildings should exhibit a level of architectural diversity that expresses the social, racial, economic, and design

diversity that is desired at both stations. Ground-floor spaces and building frontages should "activate public space" [What is that supposed to mean?](#), while providing a sense of place and character to the stations and the surrounding neighborhood. [We do not want or need developers to give North Berkeley a "sense of place". We are a "place" we are North Berkeley and look around, we are a unique locale with plenty of authentic character. We don't need "character" to be artificially imposed on our neighborhood!](#)

#### Height Variation.

AB 2923 does not permit the City's zoning controls to restrict [ZONING FOR](#) building height below seven stories on the station sites. The City and BART will support variations in building height and form at both stations. It is anticipated that some buildings and some portions of buildings will be shorter than the maximum height in keeping with good urban design practice.

[We have been repeatedly told by Councilmember Kessarwani and Mayor Arreguin that while the city is obligated to ZONE for 7 stories, that the North Berkeley site does not need to be built up to 7 stories.](#)

#### Context.

Building design should consider the scale and character of the surrounding built environment. [In North Berkeley, this translates to a maximum height of 4-5 stories, stepped down along the periphery.](#)

#### Sunlight.

Seek to configure buildings and include design strategies that allow sunlight to reach [the surrounding homes and properties, especially planted front, side and backyards](#), public spaces, and design outdoor spaces, outdoor seating and active retail frontages, if provided, to maximize southern, western, and/or eastern exposure

#### Shared Priorities

A. Housing and Community Benefits. Favor affordable housing and other community benefits over BART rider parking and TOD resident parking in any physical or financial decision-making. [Ensure that overflow parking will not adversely impact the surrounding neighborhood. Potential harms to mitigate: cars](#)



cruising to park and/or to pick up riders, increasing local traffic congestion with risk of injury to pedestrians, especially the elderly and children. Current residents unable to park in front of their own homes.

B. Non-Automobile Access. Increase the share of BART riders who access the stations via modes other than driving alone and parking. Prioritize access improvements in the surrounding neighborhoods and within the station areas that offer safe, comfortable, affordable, cost-effective alternatives for all BART customers, particularly those with mobility challenges. Future access planning should consider the rapid evolution for mobility trends and technologies and consider the adaptability of the station access plans to future foreseeable and unforeseeable mobility patterns and their ability to handle ridership growth without running into capacity constraints. **These are nice meaningless words. There is no indication of how any of this could be accomplished. Wishing it so does not make it so.**

D. Parking Options. Minimize the need for new structured on-site BART customer parking by maximizing the use of available parking capacity along the corridor (such as Center Street parking garage, shared parking with the TOD or with other sites, and **on-street parking management**) **What exactly is "on-street parking management"? Is this on BART property or in my neighborhood?**

E. Transportation Demand Management. Any future development must include aggressive and innovative Transportation Demand Management strategies to reduce the vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions by residents, visitors, and employees by 20% by complying with BART's Transportation Demand Management program. **Building housing at North Berkeley BART will certainly INCREASE the vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions by commuters. This 800 space lot was full with a waiting list 7AM-6PM Monday through Friday pre-pandemic. If those commuters return to their jobs, they will drive if they cannot park. Stop telling us stories. This has never been about saving the planet. It is about BART's desire to "capture value", to monetize this public land. Fairy tales are annoying.**

## Horner, Justin

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**From:** Vicki <vickisommer@gmail.com>  
**Sent:** Friday, June 18, 2021 4:50 PM  
**To:** BARTplanning@news.cityofberkeley.info; bartplanning; All Council  
**Subject:** Re: Reminder: Community Advisory Group Meeting #7 - Materials now posted online

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Planners,

I am not a builder, architect or developer. I am a resident of the North Berkeley Neighborhood, and my comments apply only to North Berkeley. I have looked over what has been sent and have responded below to those sections that were comprehensible.

Thank you for your consideration,  
V. Sommer

Re TABLE 23.202.150-2:R-BMU DEVELOPMENT STANDARDS. The residential density of **75 units/ DEVELOPABLE acre** needs to be established as the **MAXIMUM** ( not the minimum) . **North Berkeley is a low rise residential Neighborhood.** **Introducing a density so grossly above what exists and truly what is above what the neighborhood can absorb, is irresponsible and goes against the spirit of the MOU.**

5. Front Upper-Story Step-backs. Any street-facing building frontage above four stories in height that is not within 100 linear feet of Sacramento Street, , shall step back 15 feet from the front property line for portions of the building above **TWO** stories.

7. Ground-floor **Non-Residential Frontage**. For ground-floor non-residential uses, outward-facing building entrances and activation strategies may include outdoor seating, dining, display spaces, performance spaces, public art, architectural detailing, and extensions of the public sidewalk. **Development at North Berkeley should be 99% residential. University Ave is 2 blocks away and needs the business.**

e. Illumination. All publicly accessible pedestrian connections shall include nighttime illumination pursuant to Ordinance N.S.-7424. [Balance must be found between safety and light pollution. North Berkeley is a Neighborhood, it's not Las Vegas.](#)

Illumination. Building entries and addresses shall be illuminated to provide nighttime visibility from adjacent streets, public accessways, and common areas

[Balance must be found between safety and light pollution. North Berkeley is a Neighborhood, current residents do not want light spilling into their homes from this development.](#)

Structured Parking Required. All new off-street parking shall be located within an enclosed structure, with the exception of curb-side pickup and drop-off, curb-side metered parking, ADA parking, or small-scale surface parking for security and station operations and maintenance purposes only. c. Structured Parking Design. Parking garages shall be located underground or located behind conditioned building space at any adjacent street, sidewalk, or other publicly accessible accessway or open space. Abutting parcels are exempted from this requirement. [The height of this development must follow the Memorandum Of Understanding between the City and BART. The Building height and massing must respect the low rise surrounding neighborhood. Zone for 7 as that's the law, but the Maximum built height must not exceed 4-5 stories.](#)

1. Purpose of the R-BART Mixed Use District Master Development Plan (MDP) process. The purpose of these provisions is to prescribe the procedure for the review of development on parcels in the R-BART Mixed Use District, in order to allow for the predictable buildout of the sites over time and achieve a high standard of site and building design that fulfills the City and BART Joint Vision and Priorities for the Ashby and North Berkeley BART Station Areas relating to:

- Affordable Housing
- Public and Civic Space
- Land Use • Building Form
- Station Access

\* Recognition of and Consideration for the built form of the surrounding low-rise neighborhood of North Berkeley.

Preliminary Development Plan. The preliminary development plan shall include, at a minimum, the following: a. A plan of the entire development, defined as either the North Berkeley BART Station Area or Ashby BART Station Area, showing the items listed below. Such development plan shall include maps and information on the surrounding area within one hundred (100) feet of the development. All elements listed in this paragraph shall be characterized as existing or proposed, and sufficiently detailed to indicate intent and impact. • Streets, driveways, sidewalks and pedestrian ways, and off-street parking and loading areas; • Location and approximate dimensions of structures; • Utilization of structures, including activities and the number of living units; • Estimated population; • Reservations for public uses, including schools, parks, playgrounds, and other open spaces; • Major landscaping features; • Relevant operational data; and • Drawings and elevations clearly establishing the scale, character, and relationship of buildings, streets, and open spaces to the surrounding existing neighborhood in North Berkeley. • Water use, refuse, impact on City Services: police, fire, emergency medical, Impact of increased traffic from personal vehicles, delivery vehicles, ride shares (lyft/uber) scooters etc.

b. That the location, design, and size are consistent with the MOU developed between BART and the City of Berkeley as well as the City of Berkeley and San Francisco Bay Area Rapid Transit District (BART) Joint Vision and Priorities document for the Ashby and North Berkeley BART Station Areas adopted by the City Council and the BART Board of Directors

Adherence to the Approved Plan and Modification. Variations **DECREASING MASSING and/or HEIGHT** of up to ten percent (10%) from any numerical or non-numerical standard set forth on the Master Development Plan may be authorized by the Zoning Officer through an Administrative Use Permit. Variations of more than ten percent (10%) ~~may be authorized by a Master Development Plan permit modification by the Zoning Adjustments Board~~ shall require a town hall meeting of Berkeley residents residing within 500 feet of the proposed development

On Fri, Jun 18, 2021 at 3:00 PM Ashby & North Berkeley BART Station Planning <[BARTplanning@news.cityofberkeley.info](mailto:BARTplanning@news.cityofberkeley.info)> wrote:

## Horner, Justin

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**From:** Vicki <vickisommer@gmail.com>  
**Sent:** Thursday, June 17, 2021 4:32 PM  
**To:** All Council; Berkeley Mayor's Office; Shen, Alisa; bartplanning  
**Subject:** The forthcoming Joint Visions and Priorities document

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor, Councilmembers, and City Planners:

I live in North Berkeley. While I have agreed to add housing at the Bart Station lot, this is not the last parcel available for development in the City of Berkeley and so must not be over-developed. North Berkeley is a low-rise neighborhood and any development over 4-5 stories in height would be grossly insensitive to the surrounding neighborhood. To address this, *language* was included in the Memorandum of Understanding, which *was intended to be used*, not re-written or dismissed.

As the forthcoming **Joint Visions and Priorities document** will guide the development of the North Berkeley site and the selection of a developer(s), it is essential that language carefully crafted by the City be included.

The Memorandum of Understanding between the City and BART says:

*"...the Berkeley City Council acknowledges the unique neighborhood characteristics of each BART station and expresses its intent to incorporate a station-specific design that is sensitive to the existing single-family (R-1) and two-family (R-2) residential zoning directly adjacent to the North Berkeley BART station." (p 23)*

And:

*"The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood. Such a design honors a common theme of many of the designs submitted as part of the October 2018 visioning event. We also seek reasonable spacing between buildings, setbacks, and plantings at the perimeter of the station." (p 25)*

I urge you to make sure that this language, originated by District 1 City Councilmember Rashi Kesarwani, is preserved in the Joint Visions and Priorities document currently being finalized. The City must keep its commitment to the community that any development fits the scale of the surrounding neighborhood.

## Horner, Justin

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**From:** The-Anh Cao <theanh0413@gmail.com>  
**Sent:** Tuesday, June 1, 2021 10:08 AM  
**To:** All Council; Berkeley Mayor's Office; Shen, Alisa; bartplanning  
**Cc:** THEANH0413  
**Subject:** TOD HOUSING AT NORTH BERKELEY BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Subject: TOD housing at North Berkeley BART

Dear Mayor, Councilmembers, and City Planners:

The Memorandum of Understanding between the City and BART says:

*"...the Berkeley City Council acknowledges the unique neighborhood characteristics of each BART station and expresses its intent to incorporate a station-specific design that is sensitive to the existing single-family (R-1) and two-family (R-2) residential zoning directly adjacent to the North Berkeley BART station." (p 23)*

And:

*"The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood. Such a design honors a common theme of many of the designs submitted as part of the October 2018 visioning event. We also seek reasonable spacing between buildings, setbacks, and plantings at the perimeter of the station." (p 25)*

I urge you to make sure that this language, originated by District 1 City Councilmember Rashi Kesarwani, is preserved in the Joint Visions and Priorities document currently being finalized. The City must keep its commitment to the community that any development fits the scale of the surrounding neighborhood.

Thank you.

Mrs The-Anh Cao  
1481 Virginia St.  
Berkeley , CA 94702

## Horner, Justin

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**From:** Jason Warriner <jason.jaywar@gmail.com>  
**Sent:** Sunday, May 30, 2021 5:19 PM  
**To:** bartplanning  
**Subject:** TOD housing at North Berkeley BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor, Councilmembers, and City Planners:

The Memorandum of Understanding between the City and BART says:

“...the Berkeley City Council acknowledges the unique neighborhood characteristics of each BART station and expresses its intent to incorporate a station-specific design that is sensitive to the existing single-family (R-1) and two-family (R-2) residential zoning directly adjacent to the North Berkeley BART station.” (p 23)

And:

“The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood. Such a design honors a common theme of many of the designs submitted as part of the October 2018 visioning event. We also seek reasonable spacing between buildings, setbacks, and plantings at the perimeter of the station.” (p 25)

I urge you to make sure that this language, originated by District 1 City Councilmember Rashi Kesarwani, is preserved in the Joint Visions and Priorities document currently being finalized. The City must keep its commitment to the community that any development fits the scale of the surrounding neighborhood.

Thank you.

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Jason

## Horner, Justin

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**From:** Marla Faszholz <fasz@juno.com>  
**Sent:** Sunday, May 30, 2021 4:40 PM  
**To:** All Council; Berkeley Mayor's Office; Shen, Alisa; bartplanning  
**Subject:** TOD housing at North Berkeley BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor, Councilmembers, and City Planners:

The Memorandum of Understanding between the City and BART says:

*"...the Berkeley City Council acknowledges the unique neighborhood characteristics of each BART station and expresses its intent to incorporate a station-specific design that is sensitive to the existing single-family (R-1) and two-family (R-2) residential zoning directly adjacent to the North Berkeley BART station." (p 23)*

And:

*"The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood. Such a design honors a common theme of many of the designs submitted as part of the October 2018 visioning event. We also seek reasonable spacing between buildings, setbacks, and plantings at the perimeter of the station." (p 25)*

I urge you to make sure that this language, originated by District 1 City Councilmember Rashi Kesarwani, is preserved in the Joint Visions and Priorities document currently being finalized. The City must keep its commitment to the community that any development fits the scale of the surrounding neighborhood.

Thank you.

Marla and Rick Faszholz  
1517 Buena Ave  
Berkeley, CA 94703

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## Horner, Justin

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**From:** Carol Hirth <chirth@mac.com>  
**Sent:** Sunday, May 30, 2021 3:45 PM  
**To:** All Council; Berkeley Mayor's Office; bartplanning  
**Subject:** North Berkeley BART - TOD Housing

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mayor, Councilmembers, and City Planners:

The Memorandum of Understanding between the City and BART says:

*"...the Berkeley City Council acknowledges the unique neighborhood characteristics of each BART station and expresses its intent to incorporate a station-specific design that is sensitive to the existing single-family (R-1) and two-family (R-2) residential zoning directly adjacent to the North Berkeley BART station." (p 23)*

And:

*"The site should create a visual and physical connection with the neighborhood through its architectural design, height, and scale. In particular, we seek a development that considers the character and context of the neighborhood and steps down in height around the perimeter of the station (with consideration for the varying width of streets around the station) in order to blend in visually and physically with the residential neighborhood. Such a design honors a common theme of many of the designs submitted as part of the October 2018 visioning event. We also seek reasonable spacing between buildings, setbacks, and plantings at the perimeter of the station." (p 25)*

I urge you to make sure that this language, originated by District 1 City Councilmember Rashi Kesarwani, is preserved in the Joint Visions and Priorities document currently being finalized. The City must keep its commitment to the community that any development fits the scale of the surrounding neighborhood.

Thank you.

Carol Hirth  
1309 Cornell 94702

## Horner, Justin

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**From:** Matthew Lewis <matthew@matthewmlewis.com>  
**Sent:** Thursday, May 20, 2021 10:40 AM  
**To:** All Council; rebecca.saltzman@bart.gov; bartplanning  
**Cc:** SBN  
**Subject:** Maximize homes, minimize parking at Berkeley's BART stations

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear BART board and members of the Berkeley City Council:

I'm a Berkeley resident who tries to minimize my carbon footprint and Ashby is my BART station. I want a lot more neighbors in my walkable neighborhood but I don't want a lot more cars so I'm asking as a Berkeley resident and constituent: **please prioritize affordable housing and sustainable modes of transportation at both Ashby and North Berkeley BART stations.**

A destination that can be easily biked, walked, and rolled to will attract bikers, walkers, and rollers. Parking lots bring cars and if there are fewer parking spots, there are fewer cars. We need to design these new developments for the future, and both stations will more equitable, accessible, and sustainable if we maximize the number of people who can arrive by means other than personal vehicle. As it stands, the parking lots not only limit how many people can use the BART stations safely, but make it dangerous for the majority of riders, who don't arrive by car to even access the stations in the first place.

Another thing that drives traffic is Berkeley workers getting priced out and having to commute in to work. Building more transit-accessible homes near jobs is an integral part of fighting climate change, in addition to making it easier to get around the bay area without a car.

Given that limited funds can either go to building private car storage or homes for people, the choice should be clear. Hundreds of South Berkeley neighbors and I agree: **Homes for all, not parking for some.**

Sincerely,

Matthew Lewis

Berkeley, CA

--

Matthew Lewis  
Story/Strategy  
+1-415-710-4767

Want to meet? <https://doodle.com/mm/matthewlewis/>

More about me: [linkedin.com/in/matthewlewis](https://www.linkedin.com/in/matthewlewis)

## Horner, Justin

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**From:** Tom Athanasiou <tomathanasiou@gmail.com>  
**Sent:** Wednesday, May 19, 2021 8:45 AM  
**To:** All Council; rebecca.saltzman@bart.gov; bartplanning  
**Cc:** Rachel Beatrice Sommerville  
**Subject:** I support housing maximization at the BART stations

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

This letter will be short and sweet.

My wife and I are Albany residents, but we live just over the line. North Berkeley is our station.

We very strongly support the maximization of affordable housing when it comes to the so-called housing vs parking tradeoff.

There is a housing crisis, and it is extremely serious. It will affect the future of the people of this state in very profound ways. There is no parking crisis.

I do understand that there are lots of voices here. As there should be. But I implore you to rise to the occasion.

Tom Athanasiou & Rachel Sommerville, 1514 Beverly, Albany

## Horner, Justin

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**From:** Lee Bishop <bishoplm@gmail.com>  
**Sent:** Tuesday, May 18, 2021 1:50 PM  
**To:** All Council; rebecca.saltzman@bart.gov; bartplanning  
**Subject:** More homes, less parking at Berkeley BART stations

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hello,

I live just past Cedar Rose park off the greenway, a half mile from N Berkeley BART. I am very excited to welcome new neighbors to the area. I love walking and biking around my neighborhood and love the idea of having more neighbors to frequent the local shops. I really do not like the idea of bringing in more drivers and cars. Given the dire need for more homes in the bay area and the already congested streets, I think we should prioritize the development of homes and absolutely not replace parking spots that we remove as a part of this.

This development will be a centerpiece for the neighborhood for decades to come, so I think we should keep the future we want in mind. If drawing an ideal future neighborhood, I cannot imagine people drawing parking spots. I would draw space for people to walk, bike, gather, and live.

Please prioritize space for people, not cars.

Thank you,  
Lee Bishop  
94702