

# **Supplemental Communications (1)**

(The following are communications received after packet was published on **November 25**, by noon, **November 30**.)

## Lapira, Katrina

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**From:** Andrew Livsey <alivsey51@gmail.com>  
**Sent:** Saturday, November 28, 2020 10:55 PM  
**To:** Shen, Alisa  
**Subject:** North Berkeley BART: 1,200 Units

WARNING: This email originated outside of City of Berkeley.  
DO NOT CLICK ON links or attachments unless you trust the sender and know the content is safe.

Ms. Shen,

My understanding is that the City is considering approving the construction of building 1,200 housing units at the North Berkeley BART site.

Have you ever visited this neighborhood, Ms. Shen? I've lived here since 1982, and it seems to me that the addition of so many people (and a building large enough to house them) would create an incredible amount of congestion, and change a neighborhood that's been here for nearly 100 years into something unrecognizable.

Everywhere I go now in or around the downtown area, 3 and 4- story buildings are being torn down and replaced by large apartment buildings. What is this mania? And what's the deal with the enormous hotel at Center and Shattuck? Are so many people really clamoring to come to Berkeley? Has the City government lost it's collective mind?

There have been many meetings about this BART station, and I've attended a lot of them. Yet now as we approach the beginning of the end (or end of the beginning) of this process of consultations between the people of Berkeley and the City, and between the City and BART, I and many of my neighbors still do not feel heard. And that's because this "process" is feeling like a sham. Since AB 2923 was passed the writing has been on the wall: Transit Oriented Development is the appointed order— the feelings of long-time residents be damned.

Still, if you haven't done so (and perhaps you have, I'd like to believe), you should come spend some time here— walk around the block facing the station, and see and hear the peace that's about to be lost in this process.

Sincerely,

Andrew Livsey  
1724 Acton Street

## Lapira, Katrina

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**From:** Joel Resnikoff <socialwkr@hotmai.com>  
**Sent:** Saturday, November 28, 2020 8:10 PM  
**To:** Shen, Alisa  
**Subject:** comments - N, Berkeley BART development

**WARNING:** This email originated outside of City of Berkeley.

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We are the residents of 1660 Short St., five houses north of the North Berkeley BART station. Our environmental concerns regarding the housing development at BART include the following:

1. We are a close-knit residential neighborhood of mostly single-story homes, not an urban or commercial area like that of Ashby BART. Buildings of 7 stories or higher do not fit the neighborhood. And the impact of 1500 new neighbors will significantly impact our neighborhood. In fact, we have not found any residential buildings of seven stories anywhere in Berkeley.
2. Parking-- Where will residents of this development and their guests park? And what about BART commuters? My guess is on our block and in surrounding street parking. I have seen what residents of cities with inadequate parking have to deal with and it is not pretty. We went to a friend's home in a residential section of SF, which was far from a BART station, and I ended up parking a 30-minute walk away from their home. The same in Tel Aviv, Jerusalem, and the Bronx. Where will guests to our home be able to park when 1500 people move in across the street? Diminishing the number of parking spaces will not diminish people's need for cars, especially families with children, older, and disabled residents. It is pure "fantasy-thinking" that limiting parking spaces will decrease car ownership, especially with our seriously inadequate public transportation .
3. Solar panels - Will the shadow from the high-rise make solar panels obsolete? Somehow, this seems crazy, especially for those of us who already have invested in solar panels. We live immediately north of the North Berkeley BART station so our southern sun exposure will be blocked. Stupid and environmentally crazy.
4. Retail space -- North Berkeley BART is 3 blocks from University Ave where there are businesses which provide our neighborhood with adequate retail. It is an easy walk or bike from BART. We don't need retail in our residential neighborhood. If this project is intended to address the housing problem in Berkeley, then keep the space exclusively for housing.
5. Respectfully submitted, Joel and Irene Resnikoff, 1660 Short St., Berkeley.

## Lapira, Katrina

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**From:** Jason Warriner <jason.jaywar@gmail.com>  
**Sent:** Saturday, November 28, 2020 9:27 PM  
**To:** Shen, Alisa  
**Subject:** North Berkeley Housing Development environmental study scope

**WARNING:** This email originated outside of City of Berkeley.

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I am writing in opposition to considering 1200 units at the North Berkeley BART. The negative impact on our neighborhood will be huge.

This study needs to address:

- 1) Traffic - this is a small neighborhood of mostly single family dwellings built around small streets. Sacramento is one of the few thoroughfares that cuts through Berkeley from North to South. Adding traffic here will have large impacts on our immediate neighborhood and lead to more pollution in our air.
- 2) Safety - To add that many people, cars, bikes, and pedestrians will clog the roads with traffic, and make bicycling and walking even more dangerous than it already is.
- 3) Parking - the neighborhood is already suffering from limited parking availability. Take away the parking at the BART lot by building housing and either BART riders will fill the surrounding streets with cars or just stop using BART all together and drive to work.
- 4) Construction - An energy efficient approach that minimizes greenhouse gas-producing concrete and allows for net-zero energy usage.
- 5) Access - An upfront plan that guarantees access to the station beyond those who can walk to it and without relying on parking in the surrounding neighborhood.
- 6) Quality of Life - the study needs to evaluate the impact of such a large project on the surrounding neighborhood - construction noise, pollution and safety need to be properly addressed so as to minimize and not add stress to the people already living here. This can have real effects on peoples health and well being.

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Jason

## Lapira, Katrina

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**From:** George Clark <georgew94703@gmail.com>  
**Sent:** Sunday, November 29, 2020 12:48 PM  
**To:** Shen, Alisa  
**Subject:** Housing at North Berkeley Bart

**WARNING:** This email originated outside of City of Berkeley.

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I'm not as concerned about the number of units at the North Berkeley Bart Station (I can't see how 1200 units will be rented at market price when there are so many apartment buildings with empty units) but I am concerned that we have more affordable housing units as part of the North Berkeley project. That's my main concern, quality not quantity--more units for middle and lower income folks. Thanks. Laura Lipman

November 29, 2020  
Clifford Fred  
Berkeley, California

To the City of Berkeley Planning Commission  
December 2, 2020 Planning Commission Meeting

## SCOPING & GENERAL COMMENTS FOR NORTH BERKELEY BART DEVELOPMENT DRAFT ENVIRONMENTAL IMPACT REPORT – DEIR

Thank you for the opportunity to make these Scoping Comments.

It is disrespectful to the citizens of Berkeley for the city of Berkeley and the BART Board of Directors to insist with going ahead with an “on-line” Scoping Session, and not waiting for the Covid 19/Corona Virus Pandemic to end so that a public Scoping Session can be held, as normally would occur.

Many people who would otherwise want to participate, might be ill with the Corona Virus, or taking care of someone who is.

I am asking the city of Berkeley and the BART Board of Directors to delay the EIR Scoping Session and the Notice of Preparation until the Covid-19 Pandemic is over, and the EIR Scoping Session can be held in public with members of the public attending.

### INCORPORATED BY REFERENCE

All documents, reports, studies, newspaper & magazine articles, ordinances, ballot measures including City of Berkeley Ballot Measures L & N, statutes, regulations, etc. cited in any way in these comments are hereby incorporated into these comments by reference.

### PROJECT ALTERNATIVES

A Draft EIR must describe a range of reasonable alternatives to the proposed project, or to its location, that could feasibly attain the project’s basic objective, and must evaluate the comparative merits of each alternative. (CEQA Guidelines section 15126 & section 21100.) The discussion must focus on alternatives capable of either eliminating any significant adverse environmental effects or reducing them to a level of insignificance, even if such alternatives would be more costly or to some degree would impede the project’s objectives. (CEQA Guidelines section 15126.)

If the lead agency prefers the project as specifically proposed or one of the suggested alternatives, the EIR must explain why the agency chooses to reject the other alternatives. (CEQA Guidelines section 15126.)

The EIR should examine 3 or more alternative plans, giving each plan equal weight. The EIR preparation, review and revision process should then be used to arrive at a Preferred Alternative Plan.

The First Project Alternative analyzed should consider that all of the North Berkeley BART parking area that is deemed no longer necessary for BART parking, shall in its entirety become public open space.

The Second Project Alternative analyzed should consider that at least 66% of all of the North Berkeley BART parking area that is deemed no longer necessary for BART parking, shall become public open

space. Any development should comply with all existing City of Berkeley zoning and land use plans, and be no more than 2 stories in height.

The Third Project Alternative analyzed should preserve as public open space at least 50% of the BART parking lot area deemed not necessary for BART parking. Any development should comply with all existing City of Berkeley zoning and land use plans, and be no more than 2 stories in height.

## NO CONTRACTS WITH THE UNIVERSITY OF CALIFORNIA

All of the Alternative Plans analyzed in the EIR, should contain the agreement that there will be no contracts between the University of California and the BART Board of Directors for supplying any housing to University of California students in any housing developed by BART on the North Berkeley BART parking lot.

The November 2020 fire that engulfed a 7 story apartment building under construction on the 2000 block of University Avenue has brought to light the process in which high rise apartments are dishonestly promoted by developers and approved by the City of Berkeley to help solve an affordable housing shortage and to help homeless people.

In reality, the developers of the project that burned and the developers of most other apartment projects approved in Berkeley in recent years have contracted with the University of California to reserve the entire building for market rate student housing, thus providing no housing at all for the Berkeley community, and enabling UC Berkeley to continue expanding its enrollment by more than 10,000 students beyond the maximum allowed in their own long Range Development Plan.

## PROJECT ALTERNATIVES AND THE CORONA VIRUS PANDEMIC

For each project alternative, there should be an analysis as to how well “social distancing” would succeed in limiting the spread of infectious diseases in the event that the current Corona Virus continues into the foreseeable future. This analysis is also needed in the event that the current Pandemic wanes but it is still advised or required to practicing “social distancing” to make sure it does not reemerge, or if the Corona Virus Pandemic has a second wave, or if another pandemic materializes.

For each project alternative, there should be an analysis as to how important the North Berkeley BART parking lots as open space areas in the City of Berkeley would be for people being able to be outside and breathe fresh air while still “social distancing” in the event that current Corona Virus continues into the foreseeable future. This analysis is also needed in the event that the current Pandemic wanes but it is still advised or required to practicing “social distancing” to make sure it does not reemerge, or if the Corona Virus Pandemic has a second wave, or if another pandemic materializes.

Each Project Alternative should be analyzed into how the reliance of public transit for people to get to and from work will be effected assuming that “social distancing” will continue to be practiced into the foreseeable future. This would occur if the current Corona Virus continues into the foreseeable future. This analysis is also needed in the event that the current Pandemic wanes but it is still advised or required to practicing “social distancing” to make sure it does not reemerge, or if the Corona Virus Pandemic has a second wave, or if another pandemic materializes.

People have been avoiding public transit in droves since social distancing began in the second week of March 2020.

## SUPER MAJORITY OF TENANTS

It is no secret that the City of Berkeley faces billions of dollars of unfunded employee pension debt, a shortage of funds to pay existing employee salaries and health benefits, and also faces billions in deferred maintenance costs.

A primary purpose for the City's ongoing approval of massive rental housing projects is to create a super majority tenants that will be able to pass onerous parcel tax increases on Berkeley homeowners, without regard to homeowner's opposition or ability to pay.

Every local elections going back many years has included several City of Berkeley and Berkeley School Board parcel taxes and bond measures, carefully calibrated as to how much of a tax and/or bond can likely gain enough support to pass.

For each housing alternative in the North Berkeley BART development EIR, there should be an analysis of how the build-out of that plan will changes the percentage of tenants to home owners in Berkeley.

There should also be an analysis of how many billions of dollars of unfunded public employee pension debt, current employee salaries and benefits, and deferred maintenance, that the city of Berkeley will likely face at build-out of the North Berkeley BART project.

Each project alternative should thus include the financial impact on Berkeley homeowners and property owners based on the percentage of tenants versus homeowners that would exist in Berkeley once the North Berkeley BART project is built out.

## 2020 CORONA VIRUS PANDEMIC

All work on North Berkeley BART development planning and EIR should be put on hold until the Covid/Corona Virus Pandemic is determined to be unquestionably over.

## MEASURE N -THE PUBLIC AGENCY ACCOUNTABILITY MEASURE, ADOPTED BY BERKELEY VOTES IN NOVEMBER 1988

Measure N, which was placed on the November 1988 ballot by then Mayor Hancock and the entire City Council, and which was adopted by a 74% "Yes" vote, states in part,

"Where as currently, public agencies do not pay city fees or taxes and are not required to follow are city's zoning and land use policies. Development and expansion by public agencies has a profound cumulative impact on traffic, parking, density, air quality and the character and livability of our city. Such development creates increased demand for municipal services including sewers, streets, police and fire protection without accompanying increases in revenue. Public agencies should be as accountable to their civic responsibilities as other private citizens and businesses, and,"

"Whereas development by public agencies which disregards city policies shows a lack of respect for the future of city residents and businesses, disrupts cooperative relations with the city, and undermines the spirit of neighborliness and civic responsibility upon which public life depends,"



"Now therefor be it resolved by the people of the City of Berkeley, that in order to minimize or eliminate problems resulting from public agency expansion and development, we the citizens of Berkeley support the following policies;"

"1. It shall be the policy of the City of Berkeley that all land use plans, development and expansion by public agencies follow city law, the city's General Plan and Zoning Ordinance, and the California Environmental Quality Act.

2. The City Manager and the elected representative of the City of Berkeley shall use all available lawful means to ensure that public agencies abide by the rules and laws of the city and that these agencies pay taxes and fees comparable to those paid by private citizens and businesses, to support their fair share of city services."

Thus, the EIR needs to identify every and any aspect of BART's land use plans that are not in compliance with the City of Berkeley General Plan, Zoning Ordinance, and other City policies. The EIR should give a compelling reason why BART believes it must pursue land use and development plans that conflict with the City of Berkeley's plans and Zoning Ordinance, in each instant where a conflict is identified.

The Draft EIR should identify how much much money in property taxes BART would have paid to the City of Berkeley since 1989 as if it were taxed as a private property owner. This includes the basic property tax assessed by the County of Alameda, and all the various parcel taxes assessed by the City of Berkeley and Berkeley Unified School District since 1989.

The EIR should clearly identify the project applicants and decision makers concerning the adoption of BART's development plans.

The BART development plan and project EIR need to make it clear that the City of Berkeley has an obligation under Measure N to compel BART to abide by all city zoning and land use plans, and to compel BART the equivalent of property tax that it would owe the City were BART a private land owner.

There should be a determination as to how much property tax revenue the City has lost since 1989, when Measure N took effect, due to BART's failure to pay property taxes to the City.

#### BERKELEY MEASURE L – ADOPTED NOVEMBER 1986

Measure L - The Parks and Open Space Ordinance, was adopted by Berkeley voters in November 1986 by a vote of 21,946 to 18,854.

"Shall an ordinance be adopted to require voter approval of non-recreational uses of parks or open space and require acquisition of open space controlled or leased by the City if acquisition is the only means of preserving the open space?"

The EIR needs to identify any and all ways in which the city of Berkeley controls the North Berkeley BART parking lots. The City does control all curb cuts. BART or any other developer needs approval to install curb cuts from the public right of way to any entity's property.

The City appears to have an obligation under Measure L to acquire any parking spaces that BART deems as no longer necessary, and to preserve it as public open space.

## WESTERN UNITED STATES MEGA-DROUGHT

According to a report in Science Daily, April 20, 2020, which cites material gathered by Earth Institute at Columbia University, the Western United States is likely entering a mega-drought, the worse drought in recorded history.

The BART development EIR should not assume an unlimited water supply. The EIR needs to do a thorough analysis of the likely worsening drought conditions in the SF Bay Area, and the resulting declining East Bay water supply.

## DEVELOPMENT AND EIR REVIEW PROCESS; SCHEDULING OF PUBLIC HEARINGS

The Project applicants and/or their representatives should be in attendance at each CEQA meeting concerning the plans, including at the Scoping Session, the hearings on the Draft EIR and hearing on any revised Draft or Final EIR.

The City should schedule ample time at each CEQA meeting for members of the public to make comments and pose question to the EIR's preparers and to pose questions to any BART representatives who are present.

All written and oral Scoping Comments should be printed in the Draft EIR at full size. The public's scoping comments should not be printed in a reduced size.

In addition to being available on-line, the Draft EIR and all subsequent versions of the EIR, as well as the Draft North Berkeley BART Development Plan, and all subsequent versions of the Development Plan should be available in printed form to the public. A minimum of 200 copies of each of the above should be produced and made available to public (no more than one copy per person) free of charge.

There should be a minimum 90 day comment period on the Draft EIR, and a minimum 60 day comment period on any Revised Draft EIR, Draft Final EIR, and/or any Final EIR.

I urge the City of Berkeley to hold at least two hearings on the Draft EIR, one during the work day, and one in the evening, so that a maximum number of residents will be able to comment on the EIR.

The hearing, or hearings, on the Draft EIR should be held in a large, comfortable and easily accessible room, without noisy vending machines or other distractions.

The public hearing(s) on the Draft EIR should be held at least 60 days after the EIR is made available. These are lengthy and complicated documents, and members of the public should be given ample time to review and prepare their comments on the Draft EIR.

There should be at least one additional comment period and public hearing on the revised version of the Draft EIR that is prepared.

Members of the public are entitled to see how the EIR's preparers responded to their comments on the Draft EIR, and to see what changes, if any, were made in the Draft LRDP and Draft Peoples Park Plan as a result of the public Draft EIR comments.

The public hearing(s) on the revised EIR that follows the Draft EIR should be held at least 45 days after the revised EIR is made available.

Any member of the public who expressed interest in the North Berkeley BART development plans, or who make oral or written Scoping Comments, should be notified in writing of each phase of the process: when the EIR Scoping Session will be held.

They should also be notified when the Draft EIR and any subsequent EIRs are available; when hearings on the Draft EIR and any subsequent EIRs will be held; and also when any Draft, Revised Draft or Final Development Plan is available, and also when any City of Berkeley and BART Board meeting on any aspect of the BART development plans and EIR will be held.

Prior to any Final EIR, or any Final Development Plan being scheduled for discussion and a vote by City of Berkeley officials and by the BART Board of Directors, there should be a public meeting for members of the public to address the BART Board of Directors about their concerns with these plans and documents. Ample time should be scheduled for this meeting so that anyone who wants to can address the BART Board of Directors, and for the Directors to respond.

Any Final EIR, and any Final BART development Plan should be made available to members of the public at least 45 days prior to these plans and document being discussed and voted on by the City of Berkeley Zoning Adjustments Board, the Berkeley Planning Commission, the Berkeley City Council, or by the BART Board of Directors.

## POPULATION DECLINE AND REDUCTIONS IN HIGH SCHOOL GRADUATION LEVELS

The University of Virginia Magazine, Winter 2018 edition, reports the following,

“A major source of change will come through demographics. Analysis by the Western Interstate Commission for higher Education indicates that the number of high school graduates will begin declining in the mid-2020s, owing to today’s falling fertility rates, which began dropping in 2008. By the early 2020s, high school graduation rates are expected to dip as much as 5 percent below today’s levels. With these changes, universities across the country will be choosing from a shrinking pool of prospective students.”

“Nathan Grawe, an economics professor at Carleton College, says the news for colleges is even worse than is suggested by the coming drop in the number of high school graduates. After digging into demographic data to account for predictors of college attendance, he predicts ‘an unprecedented reduction in post secondary demand about a decade ahead,’ by as much as 15%.”

Please note that the above was written two years ago.

The April 2020 issue of Oakland Magazine, “A Market Softening,” reports that California’s population is declining. “California lost an estimated 190,000 residents in 2018, according to the 2019 U.S. Census. That number is based on state to state migration and takes into account the births that happened in the state in 2018.”

California’s population is declining, and since the number of young people graduating from high school is declining, and since Berkeley is the most densely populated of the all the cities hosting University of California campuses (other than San Francisco).

As the Covid virus pandemic continues into its tenth month, with no end in sight, people are fleeing dense urban areas in droves and moving to small towns and rural areas.

Thus, the assumption that the City of Berkeley has a market rate housing shortage is a false assumption and needs to be challenged.

## 2020 CENSUS

All work on the UCB LRDP and Peoples Park planning and EIR should be put on hold until the results of the 2020 US Census are available.

### DEMAND FOR OPEN SPACE

The EIR should analyze the need for open space for the future residents of the proposed BART development. Berkeley has a serious lack of public open space. Cedar Rose Park, the nearest city park, is almost always very crowded. It is full of people without masks, who are not socially distancing, and who are often smoking tobacco or marijuana. And the park frequently is full of aggressive and often unleashed dogs. Where can people safely recreate and socially distance from others?

Any housing development at the North Berkeley BART site will make the open space shortage worse. Berkeley needs more open space, not more people.

### PENDING CLOSURE OF ALTA BATES HOSPITAL

The Cumulative Impact analysis in the EIR should consider the likely closure of Alta Bates Hospital and its emergency room – the last emergency room in Berkeley, and the additional time it will take to get to an emergency room in Oakland.

All the new apartments and dormitories now being constructed, and that are now pending approval in Berkeley will be increasing the City's population by over 15,000 people. And the population of Berkeley is aging. Yet all the new development now occurring and likely to occur over the next several years is significantly worsening traffic congestion in Berkeley, and will dramatically add to the time it will take to reach an emergency room several miles south of Berkeley in Oakland.

The proposed BART development project will add to the cumulative traffic congestion in Berkeley and thus add to the time it will take to reach an emergency room, especially after Alta Bates Hospital closes.

The EIR needs to discuss how this project will (along with nearby recently built and soon to be built projects) will make evacuation after a major earthquake more difficult, and exacerbated by the fact that there will likely not be an emergency room left in Berkeley when a major quake on the Hayward Fault inevitably occurs.

The EIR needs to analyze how the new North Berkeley BART development the various Downtown Berkeley, University of California, and Southside pending development projects, and all other pending and reasonably foreseeable projects throughout the City of Berkeley will cumulatively effect traffic flow in the northwest Berkeley neighborhood and throughout Berkeley.

This analysis should include the increased traffic gridlock that will occur, the longer waits to get through intersections that will occur, and how this will contribute to the worsening of air quality. Air quality is already very bad in Berkeley, especially in West Berkeley.

BART has thus far done a poor job in informing the residents of the City of Berkeley as to its North Berkeley BART development plans.

### TRAFFIC ANALYSIS

The traffic analysis, studies and base level readings should only be done on week days during the AM and PM rush hours when the University of California is in session and people are at work.

The base level traffic readings and studies should not be done in the summer, on weekends, on holidays, at night, nor during the present or any future Corona Virus shelter in place orders, nor outside of the fall or spring UCB sessions, nor during any UCB student breaks.

The base line traffic readings and studies should not be done on any City of Berkeley holidays, including Malcolm X day, nor other holidays observed by the City of Berkeley but not the University of California.

Nor should the base line traffic studies be done on any Friday on which the City of Berkeley government is not in full operation. The City government will often partially shut down on Fridays.

All traffic analysis should also include any traffic data that can be found in prior City of Berkeley or UCB EIRs going back to 1990, so as to see how traffic has increased in the past 30 years.

## CUMULATIVE IMPACTS

A Draft EIR must discuss “cumulative impacts” when they are significant (CEQA Guidelines, section 15130. subd. (a).) When “cumulative impacts” are not deemed significant, the EIR must explain the basis for that conclusion. (Citizens to Preserve the Ojai v. County of Ventura 1985)

All traffic level projections and analysis should include the cumulative impact all recently approved but not yet built, recently built but not yet occupied, and all reasonably foreseeable development in the City of Berkeley. According to the City of Berkeley’s Current Zoning Applications web site, there are at over 35 multi-story, new multi-unit residential buildings pending approval. All of the projects listed on this web site are hereby incorporated into these comments by reference. See the City of Berkeley Current Zoning Applications web site - [https://www.cityofberkeley.info/Planning\\_and\\_Development/Land\\_Use\\_Division/Current\\_Zoning\\_Applications\\_Log.aspx](https://www.cityofberkeley.info/Planning_and_Development/Land_Use_Division/Current_Zoning_Applications_Log.aspx) – for a list of all pending development projects in Berkeley.

Based on the dramatic weakening of local control over development by the various Weiner-Skinner bills in the state legislature, it should be assumed that all of the proposed housing developments in the pipeline in Berkeley will be approved.

The Draft EIR should also analyze the cumulative impact on all already approved and reasonably foreseeable development in Berkeley (see above) in regards to noise, air pollution, financial impact, loss of open space, impact on birds and other urban wildlife, loss of views and loss of sunlight.

Thank you for your careful review and response to these comments.

Clifford Fred  
Berkeley, California

## Lapira, Katrina

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**From:** Rhonda Grossman <rhondagrossman@gmail.com>  
**Sent:** Sunday, November 29, 2020 5:01 PM  
**To:** Shen, Alisa  
**Subject:** resident of Lincoln St

**WARNING:** This email originated outside of City of Berkeley.

**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

As a resident of North Berkeley for over 26 years, I want to voice my disagreement about the possibility of 1200 additional units at the North Berkeley Bart station. I live within 3 blocks of the proposed project.

While I am in favor of adding housing to the North Berkeley Bart Station - I strongly believe that our neighborhood will be negatively impacted by the addition of 1200 units to our quiet neighborhood with predominantly one-story homes.

We need to be mindful of what currently exists and create something that will co-exist  
Thank you.

Rhonda Grossman

## Lapira, Katrina

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**From:** Ned Himmel <nhimmel@sbcglobal.net>  
**Sent:** Sunday, November 29, 2020 8:55 AM  
**To:** Shen, Alisa  
**Subject:** North Berkeley Bart housing

WARNING: This email originated outside of City of Berkeley.  
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I'm shocked by the possibility of 1200 housing units at the North Berkeley Bart site. Way too dense and totally disruptive to the neighborhood. It still is a neighborhood no matter what is "allowed" for Bart site development. We live 1 block north of Bart and would love to see a reasonable level of housing and a continuation of Ohlone Park thru the site. I'd like a 4 story front on Sacramento.

A 1200 unit development would be appropriate along University Ave as well as office buildings. Also San Pablo. But not within a well established residential area.

Thank you. Ned Himmel 1460 Lincoln St.

Sent from my iPhone

## Lapira, Katrina

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**From:** Elana Naftalin-Kelman <elanank@gmail.com>  
**Sent:** Sunday, November 29, 2020 8:39 AM  
**To:** Shen, Alisa; Berkeley Mayor's Office; Kesarwani, Rashi  
**Subject:** building at north berkeley bart

**WARNING:** This email originated outside of City of Berkeley.

**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Planner Shen,

I am a north Berkeley homeowner. We live with our 3 children in our home on Short Street, a few houses away from North Berkeley BART.

I am writing to oppose the consideration of 1200 units at North Berkeley BART.

I understand the need for more affordable housing in Berkeley, and I am asking you to assure that any housing projects be contextual to the neighborhood.

1200 units in our neighborhood would force many of us to leave Berkeley - this is not the Berkeley I moved to, and not the Berkeley I want to continue raising my children in. I don't think that is what your goal is for this project.

I also wonder about the many empty housing projects in and around Berkeley - perhaps this pandemic can allow us to slow down this process to see what the residents of this area really need.

Thank You,

Elana Naftalin-Kelman



## Lapira, Katrina

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**From:** Marc Price Wolf <marcpricewolf@gmail.com>  
**Sent:** Sunday, November 29, 2020 7:17 PM  
**To:** Shen, Alisa  
**Subject:** North Berkeley Bart Station

WARNING: This email originated outside of City of Berkeley.  
DO NOT CLICK ON links or attachments unless you trust the sender and know the content is safe.

Dear Principal Planner Alisa Shen,

My name is Marc Price Wolf and my family and I live across the street from the North Berkeley Bart station. We look forward to the redevelopment of the North Berkeley Bart station, but we are extremely concerned about the prospect of building a huge 7+ story apartment complex. We strongly support affordable housing, but we do not support living next to a high rise apartment complex. Building a big complex in this neighborhood of single and two story housing is not what's needed to strengthen our community and promote diversity. Please listen to the community who lives near the Bart station, and not the developers and antagonizers who claim to know what's best for our neighborhood.

Thank you for your hard work, time, and attention to this important issue.

Very respectfully,

Marc Price Wolf

**Lapira, Katrina**

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**From:** Jodi Ravel <jodi.ravel@gmail.com>  
**Sent:** Sunday, November 29, 2020 7:50 AM  
**To:** Shen, Alisa  
**Subject:** NO on 1200 units for N Berkeley BART Station development.!!

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Hello

Please forward this for the record on upcoming City Council vote.

Even considering 1200 new units is totally crazy!! It is completely out of proportion to the area and unfair to the surrounding homes and community.

Also there are hundreds of units in developments already up and down San Pablo Avenue sitting empty. Take a look and focus on filling these first through incentives!!!!!!

Ask yourself, would you want 1200 new units built on YOUR street? I thought not.

NO on scoping for 1200 new units! It should be much much less.

Jodi Ravel  
1272 Francisco St.

## Lapira, Katrina

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**From:** David Brandon [mailto:davidbrandon@comcast.net]

**Sent:** Monday, November 30, 2020 9:29 AM

**To:** Pearson, Alene <apearson@cityofberkeley.info>

**Cc:** Berkeley Mayor's Office <mayor@cityofberkeley.info>; All Council <council@cityofberkeley.info>

**Subject:** Written Comment for Planning Commission Meeting, December 2, 2020

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To: Alene Pearson, Planning Commission Secretary

cc: Mayor and City Council

The agenda calls for establishing the scope of an EIR review for a housing project as large as 1200 units at North Berkeley BART. This is an astounding number of units that appears inconsistent with the guidelines of the MOU with BART. At the May 2019, much-heralded Special City Council Meeting, attended by hundreds of citizens, 3 concepts were presented for discussion, with approximately 445-775 units of housing considered. Even the smallest project concept dwarfed the mostly one-story, single-unit buildings of the surrounding residential neighborhood, as in the screenshot from the City's presentation that I've pasted below (slide titled Creating a Neighborhood Center + Connecting the Ohlone Greenway).

### Creating A Neighborhood Center + Connecting The Ohlone Greenway



I think it inappropriate and wasteful to establish a review of projects that would be outrageously non-contextual and far larger than those imagined at the earlier stage of planning of TOD at North Berkeley.

David Brandon

North Berkeley resident and BART user

**Lapira, Katrina**

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**From:** sikorakt@aol.com [mailto:sikorakt@aol.com]  
**Sent:** Monday, November 30, 2020 11:51 AM  
**To:** Pearson, Alene <apearson@cityofberkeley.info>  
**Subject:** memo to Planning Commission for December 2 meeting

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Please find a letter regarding ARCH's proposed project on the East Lot of the Ashby BART station. We appreciate your making it available to members of the Berkeley Planning Commission for its December 2 meeting.

A second letter, our earlier letter to CAG, will arrive under separate cover.

Thank you.  
Kathleen Sikora, Chair  
East Bay Supportive Housing Collaborative

November 30, 2020

To: Planning Commission Secretary  
Land Use Planning Division  
1947 Center Street, 2nd Floor  
Berkeley, CA 94704  
[apearson@cityofberkeley.info](mailto:apearson@cityofberkeley.info)

From: Ashby Recreation & Community Housing (ARCH)  
Rick Smith, Executive Director, BORP\*  
Kathleen Sikora, Chair, EBSHC\*

Re: Notice of Preparation (NOP) of a Draft Environmental Impact Report for the  
Proposed Ashby BART Station and North Berkeley Bart Station Transit-Oriented  
Development Zoning Standards

Dear Members of the Berkeley Planning Commission:

ARCH (Ashby Recreation & Community Housing) is a project of the Bay Area Outreach and Recreation Program\* (BORP) and the East Bay Supportive Housing Collaborative\* (EBSHC). We are collaborating to build a world-class adaptive recreational facility coupled with urgently needed affordable housing on the east parking lot of the Ashby BART (behind the Ed Roberts Campus). Situated next to BART and the Ed Roberts Campus, the ARCH project would be built using universal design and green building principles. The facility would leverage public transit and existing services to provide broad recreational access to the disability and underserved communities. Our goal for the housing component is 100% affordable to the greatest degree possible, with the ability to enable residents to return to their neighborhood if they were displaced. We plan to forward to you our November 16, 2020 letter to the City of Berkeley Community Advisory Board (CAG) and incorporate that letter herein by reference. It more fully describes our project goals and vision. See especially the last paragraph which reads: "We respectfully request that the CAG's recommendations to the Planning Commission's zoning process for the BART property east of the Ed Roberts Campus include specific language enabling an innovative project such as ARCH with **both** housing and recreation uses, and indeed that such language actually facilitate[s] the creation of such uses."

ARCH appreciates the work the City and you are devoting to this important project. We submit this comment on the NOP with the intention of advancing the City's efforts to comply with AB 2923. We have two main comments, which are set forth in bold type below.

This comment on the NOP addresses solely the scope of the DEIR with respect to potential development of the 1.9-acre surface parking lot located on the north side of Tremont Street on the block surrounded by Woolsey Street, Tremont Street, Adeline Street and Essex Street (the "East Lot").

The NOP states that the proposed project involves “updating the City’s zoning standards at the station sites to comply with AB 2923. The zoning at the Ashby and North Berkeley BART stations will primarily permit housing, but will also likely permit other non-residential uses such as retail, community-serving uses and civic spaces.” (The NOP states that the East Lot is zoned Multiple Family Residential (R-3). We note that according to the City’s official zoning map it also appears that the northeastern corner is zoned R-2A.)

As stated above, ARCH has proposed an adaptive recreational facility coupled with affordable housing at the East Lot. Neither the R-2A nor the R-3 zoning standards come close to allowing the level of development that AB 2923 mandates; nor do they allow recreational facilities (or indeed virtually any primary non-residential uses) of any sort. It appears therefore that rather than the R-2A or R-3 standards, the appropriate referent and starting point for any zoning amendments intended to conform to AB 2923 and BART’s Technical Guide to AB 2923 Conformance should be the C-SA standards – which apply to the Ed Roberts Campus as well as the remainder of the Ashby BART station – or similar neighborhood commercial district standards. **Accordingly, we request that for purposes of environmental review, the NOP make clear that the C-SA or similar standards will be the starting point for rezoning the East Lot** (and any associated general plan amendments), and in particular that the currently permitted use in that district of “Gyms and Health Clubs” (BMC §23E.52.030) be retained. (This latter would also be consistent with the project purpose of “permit[ing] other non-residential uses such as retail, community-serving uses and civic spaces” as stated in the NOP.

In addition, the NOP anticipates “up to 1,200 dwelling units and 50,000 square feet of nonresidential space that would be constructed, distributed between the 4.4-acre station site and the 1.9-acre surface parking lot east of the Ed Roberts campus.” We believe that 50,000 square feet for the entire Ashby BART station is too modest. The adaptive recreational facility contemplated by ARCH is by itself 50,000 square feet. If built, it would foreclose any nonresidential use on the remainder the Ashby BART station. **Accordingly, we urge that for purposes of the DEIR, the number of nonresidential square feet be revised to at least 100,000 square feet.**

Thank you for your consideration of our requests.