

# **BART Communications**

(Received after 8am on April 6  
and before 8am April 25)

## Communication

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**From:** Mary BehmSteinberg <marybehmsteinberg@gmail.com>

**Sent:** Wednesday, April 6, 2022 8:28 AM

**To:** Pearson, Alene <apearson@cityofberkeley.info>; All Council <council@cityofberkeley.info>; Berkeley Mayor's Office <mayor@cityofberkeley.info>

**Subject:** North Berkeley BART planning

**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 Planning Commissioners, City Council members, and Mayor Arreguin:

I am a resident of Berkeley and am extremely concerned about the proposed zoning and the JVP document for the BART stations.

The JVP document proposes to create the greatest number of units in the shortest possible time, mostly market rate. This strategy is a giveaway to private developer profits and will do little for affordable housing. I urge you to revise the JVP to prioritize building the largest number of affordable units on these last parcels of public land available for housing, rather than rush to build market-rate housing. The smart way to do this would be to have multiple parcels of public land made available to land trusts so that all the housing could be permanently affordable, and to have right of return housing here, since Ohlone and black families were the first to be displaced, but it seems that “public-private ‘partnerships’” and profitability for corporate developers and BART have become the overwhelming priority here.

As drafted, the zoning requires a density that will result in huge 7-story or higher structures over most of North Berkeley BART. The mockup below shows the stark, un-liveable result of building at that scale in a low-rise

neighborhood. I urge you to support the proposed zoning of 7 stories maximum height, and to set density at 75 units per acre maximum (rather than minimum), which is in accordance with AB2923.

I would also urge you to consider that this is being built over an area that is at extreme seismic risk, particularly with the underground creek and need for a pumping station, and that the tiny roads surrounding it are not a good escape route in the event of a major earthquake or fire (which is also a major risk, even in the flats). Moreover, even if everyone was able-bodied and no one needed to haul tools for work, or kids, or groceries, that the roads surrounding the station don't have the necessary throughput for everyday life at that density, let alone evacuation. Before almost anyone had a car in China, there were bike jams on six lane highways. Simply getting on a bike isn't going to solve the extremely poorly thought-out safety risks for everyone, even if everyone could do it (and let's be clear: not everyone can). Multiple parking spaces for disabled residents and riders, as well as space for special bike designs used by disabled people are a must.

Of course, there's already a huge glut of so-called "market rate" housing in Berkeley, so many of these will probably just be out of scale eye sores that serve as money laundering vehicles and tax breaks for corporate developers trading across international borders, but it's still a lose-lose situation overdeveloping this spot: either we get more density than our infrastructure can ever handle, or we get half empty eyesores that we've wasted public funds on for the gain of very few wealthy individuals and loss of community who need housing the most now: the poor and working class.

Moreover, having so much "market-rate" housing just makes offering affordable housing that much harder, as what constitutes "poverty level" in reality careens ever further away from what HUD considers poverty level, making it less and less possible to subsidize the difference. Moreover, if the vast majority of Berkeley remains "yup-scale," the

already dwindling number of business that serve other than that demographic will continue to disappear as rents continue to rise, forcing people in positions that are lower to moderately paid out of town to buy simple things like groceries—which will, of course, necessitate more car trips as BART is poorly equipped to handle even the number of riders it would have, let alone things like groceries, and there are already problems with elevators and escalators on BART. According to BART’s own figures, they are already over capacity, and that only gets worse. It simply doesn’t work, even on paper, as it is now.

We also need to ensure that any and all buildings that go here have 2 elevators apiece in them, to reduce the risk of people with disabilities getting trapped in the upper levels, and that there is adequate parking for disabled people who need it. Further, we need to ensure minimum 10 foot setbacks from all streets for safe access for wheelchairs and strollers, and we need to keep green space available to try to mitigate the heat sink that overdevelopment is creating in the City. We should also have minimum 15 foot step backs above 2 floors and 20 feet step-backs above 3 floors, to ensure that buildings blend into the neighborhood on all sides and don’t shade solar panels on neighboring residences.

BART is often poorly accessible, with elevators frequently out of service. I wanted to take BART to 12<sup>th</sup> St. just last weekend and couldn’t over elevator issues there. The entrance and exit points at BART don’t recognize a walker and can easily take out fingers as well. I’ve become nervous about riding BART, because it’s so hard for me to ride safely, and I’m not the only one, and it becomes worse when there are no bathrooms available as many disabled people need access to them on short notice. The elimination of seating on the trains has also closed off my regular access for trains, so if I lived there, space for a car would be a must. This area is already far too dense to safely accommodate local disaster risks, and the infrastructure is too far behind. Here are BART’s own numbers about overcapacity: <https://www.bart.gov/sites/default/files/better-bart/RelievingCrowding2018.pdf?fbclid=IwAR11nVn7XBaYyQcbF8Hj7i>

[5yWghgWMKgyqwGZfpHTURtdsJO8P4ybfNiV7A](#)

Sadly, buses don't improve the situation much, as many drivers have told me that they will simply pass by stops when there are also homeless people there, and if their lifts aren't working and there is someone with a mobility device such as a wheelchair or walker, they also won't bother stopping. I used to get along solely on public transit. Now, I rarely use it, because it has become increasingly unreliable for me.

There has been a lot of misinformation about zoning requirements going around as well, including from the District 1 Councilmember's office, which is claiming that the lower density project proposed by the North Berkeley Neighborhood Association isn't possible. From BART's June 2021 Technical Guide, page 32

([https://www.bart.gov/sites/default/files/docs/BART\\_AB2923\\_FinalTechGuide\\_Full.pdf](https://www.bart.gov/sites/default/files/docs/BART_AB2923_FinalTechGuide_Full.pdf)):

The law requires that all AB 2923 parcels (see "Property Subject to AB 2923" in Chapter 2) be zoned to allow for the residential densities identified in Exhibit 6. The baseline zoning standard for residential density is 75 dwelling units/acre (DU/acre), regardless of the Transit Oriented Development (TOD) Place Type. Therefore, all AB 2923 parcels must be zoned to allow for 75 DU/acre. However, jurisdictions are free to allow for greater residential densities, if desired.

Below are example residential zoning standards that would conform with AB 2923.

- Example 1: Minimum 30 DU/ acre, maximum 80 DU/ acre
- Example 2: Minimum 30 DU/ acre, no maximum
- Example 3: No minimum, **maximum of 75 DU/ acre** (emphasis added).

Finally, please take concrete steps to prevent a private developer from claiming huge sums of Berkeley's affordable housing funds as their own

contribution and thus giving them access to the state density bonus. This is outrageous, and must not happen. No public funds for private profit!

Sincerely,  
Mary Behm-Steinberg  
She/her pronouns

## Communication

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**From:** steve morris <sfmsss1919@gmail.com>  
**Sent:** Wednesday, April 6, 2022 10:45 AM  
**To:** Pearson, Alene <apearson@cityofberkeley.info>  
**Subject:** Building apartments on North Berkeley Bart land

**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 oppose any building on this land, because of more cars and less parking.

The neighborhood does not need an apartment building at this location.

The apartments built on 40th Street in Oakland are horrible. They are too expensive, ugly, and out of touch with the community. Presently most of the apartments are empty.

The best type of apartments and most successful for Berkeley has been Cooperative housing.

Thank you,

Steven Morris  
1522 Buena Avenue  
Berkeley, CA  
94703

## Communication

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**From:** J

**Sent:** Wednesday, April 6, 2022 11:06 AM

**To:** All Council <council@cityofberkeley.info>; Pearson, Alene <apearson@cityofberkeley.info>; Berkeley Mayor's Office <mayor@cityofberkeley.info>

**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 and Council Members,

I have been an environmentalist, non-driving Berkeley resident for over two decades, I now live steps away from the North Berkeley BART Station, and I am writing one more time to express my concern and dismay at the proposed development. If this land that already serves a progressive public purpose while maintaining a peaceful, community-friendly and sustainable environment that truly works for residents will be "fixed," please consider the following points:

1. **Revise the Joint Visions and Priorities (JVP)** document to **prioritize** building the largest number of **affordable** units, rather than rushing to build market-rate housing. North Berkeley and Ashby BART are **public land**, and should be used for affordable housing, not market-rate rentals that benefit BART and developers! Remember that we are not talking about housing that will allow residents to own their own home. It will only allow BART to collect rent for ever.

2. **Revise the proposed Zoning to set maximum density at 75 units per acre** at North Berkeley. The proposed zoning would allow massive, 10-story buildings at over 150 units per acre! Contrary to Councilmember Kesarwani's assertion, **a 75 unit/acre maximum is completely in compliance with AB2923**, according to both BART and the City.

3. **Ensure that City's affordable housing funds cannot be used by a private developer** to secure a density bonus. The City should not allow our tax dollars to be used by developers to secure density bonuses for their profit!

4. **Revise the draft zoning:**

A. **Prevent office, retail, and other commercial ground-floor mixed uses** at North Berkeley. The University Ave. merchants oppose retail at BART, and it wastes

space that can be used for housing. There is a glut of empty retail space on University Avenue and in other areas of the city. Hasn't anybody thought that that would be a better location for building high-rising urban housing complexes -instead of doing it in a low-rise quiet neighborhood where kids still play on the street?

- B. **Require 10-foot minimum setbacks at the ground level on all streets**, including Sacramento. This margin is essential for sunlight, trees, wheelchairs, strollers, bikes, and lines of bus passengers on Sacramento Street. The draft ordinance sets the minimum at only 5 feet.
- C. **Establish 15-foot minimum step-backs** above 2 floors and 20 feet step-backs above 3 floors, to ensure that buildings blend into the neighborhood on all sides and allow the flow of sunlight.

Thank you,

Julieta

## Communication

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**From:** mateo <mewlatt@gmail.com>  
**Sent:** Wednesday, April 6, 2022 2:03 PM  
**To:** Pearson, Alene <apearson@cityofberkeley.info>  
**Cc:** All Council <council@cityofberkeley.info>  
**Subject:** BART Zoning should maximize 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 Planning Commissioners:

Please ensure that we build as much housing as possible without delay, and please consider adjusting two important areas of the plan - the height and the ASHBY BART zoning map.

1) Zoning should maximize the housing allowed: Allow up to 8 stories (minimum) and up to 90 feet. This more flexible zoning height and number of stories would allow building designs to better respond to neighborhood context with step downs and without reducing the number of homes. The current zoning proposal uses the minimum number of stories required by AB 2923. Ashby BART west side can easily accommodate taller buildings.

2) We must activate the street and sidewalks. At Ashby BART, buildings must be built directly abutting on Adeline Street to create a vibrant and continuous, pedestrian-friendly building frontage and commercial experience. Unfortunately, the plan currently maintains the very poor design choice at Ashby BART of a lower driveway and plaza entrance on the west side. This is a critical mistake and must be corrected. Correct the zoning map to include this area in the zoning plan.

Sincerely,  
Matthew Lewis  
District 3  
Berkeley Resident

## Communication

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**From:** Reynaldo <cruzinroseann@aol.com>

**Sent:** Wednesday, April 6, 2022 2:33 PM

**To:** Pearson, Alene <apearson@cityofberkeley.info>; All Council <council@cityofberkeley.info>; Berkeley Mayor's Office <mayor@cityofberkeley.info>

**Subject:** Planning Commission PPT PDF Presentation 4.6.22

**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.

Good afternoon,

I am planning on attending tonight's planning commission meeting and am forwarding my presentation. I am all for planned affordable housing and limiting the scope of the North Berkeley BART station project to a minimum of units and a low rise building.

Please consider our neighborhood's community feel. I have lived at 1461 Lincoln Street for thirty-two years and want my sons and their families to enjoy our warm and friendly neighborhood in the future.

Thank you,  
Reynaldo Santa Cruz  
1461 Lincoln Street

Attachment available until May 6, 2022

# Low Rise, Low Density High Rise, High Density Affordable Housing Alternatives

By Reynaldo G. Santa Cruz, Jr  
1461 Lincoln Street  
rsantacruz2222@gmail.com

# Our neighborhood – Serene, tree-lined, 1 & 2 story homes – Low Rise, Low Density



LEFT North Berkeley neighborhood, Sacramento facing Virginia Street near North Berkeley BART Station  
RIGHT Ohlone Park near California Street

# Our neighborhood – Quiet, Well-established family community – Low Rise, Low Density



LEFT North Berkeley neighborhood, entry to NB BART, Acton/Delaware Street  
RIGHT Ohlone Park entry Sacramento/Delaware Street

# Our neighborhood – Cooperative relations with City of Berkeley & BART – Low Rise, Low Density



LEFT North Berkeley neighborhood, Sacramento Street facing North Berkeley BART Station  
RIGHT Ohlone Park on Delaware Street

# Our City – Recent multi-level building, High Density, High Rise



LEFT New Marriott Hotel in Downtown Berkeley



RIGHT Apartments on Milvia Street near University Ave

# Our City – Recent multi-level building, High Density, High Rise



LEFT High rise construction crane in downtown  
RIGHT New high rise on University Avenue and Shattuck Blvd



# Our City – Recent multi-level building, High Density, High Rise



LEFT Multi level parking structure on Addison near downtown Berkeley  
RIGHT New construction on University Avenue

# Our City – Recent multi-level building, High Density, High Rise



LEFT Downtown Skyline near Pacific Film Archive  
RIGHT Construction of new building in downtown Berkeley

# Our City – Recent multi-level building, High Density, High Rise



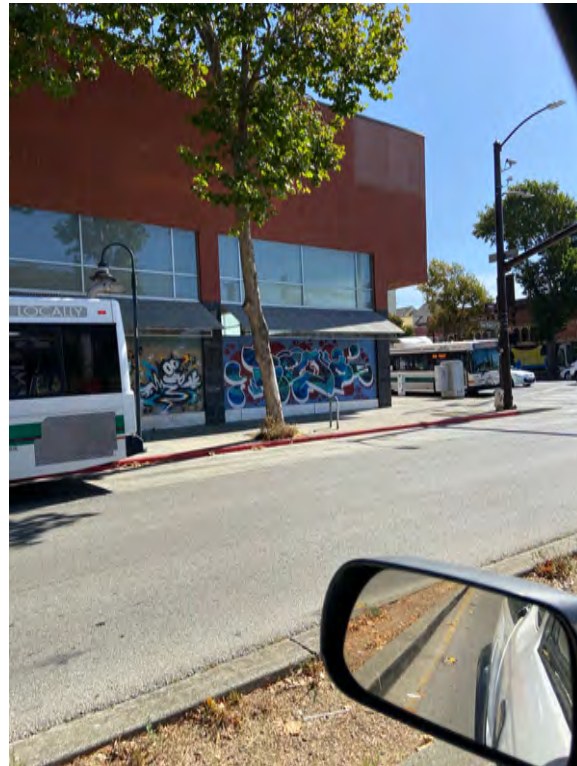
LEFT High rise UC Building, Delaware and Shattuck Blvd.  
RIGHT New construction on Berkeley Way

# Our City – Affordable Housing & Alternatives



LEFT Affordable Construction on San Pablo Ave and Addison  
RIGHT Jones Berkeley Housing Units on San Pablo and Jones

# Our City – Affordable Housing Alternatives



LEFT Housing Alternative at vacant Pet Smart building on San Pablo and University

RIGHT Housing Alternative at Halmar Clothes store on University Ave. near San Pablo Avenue

## Our City – Affordable Housing Alternatives



LEFT Housing Alternative at vacant Svensson Auto building on San Pablo and Hearst  
RIGHT Housing Alternative at vacant Midas Auto shop on San Pablo Avenue

## Communication

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**From:** Harvey Smith <harveysmithberkeley@yahoo.com>

**Sent:** Wednesday, April 6, 2022 2:50 PM

**To:** Pearson, Alene <apearson@cityofberkeley.info>; All Council <council@cityofberkeley.info>; Berkeley Mayor's Office <mayor@cityofberkeley.info>

**Subject:** North Berkeley BART 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 Planning Commissioners, City Council members, and Mayor Arreguin:

I am a resident of North Berkeley and am extremely concerned about the proposed zoning and the JVP document for the BART stations.

The JVP document proposes to create the greatest number of units in the shortest possible time, mostly market rate. This strategy is a giveaway to private developer profits and will do little for affordable housing. I urge you to revise the JVP to prioritize building the largest number of affordable units on these last parcels of public land available for housing, rather than rush to build market-rate housing.

As drafted, the zoning requires a density that will result in huge 7-story or higher structures over most of North Berkeley BART. A mockup shows the stark, unlivable result of building at that scale in a low-rise neighborhood. I urge you to support the proposed zoning of 7 stories maximum height, and to set density at 75 units per acre maximum (rather than minimum), which is in accordance with AB2923.

In addition, please take concrete steps to prevent a private developer from claiming huge sums of Berkeley's affordable housing funds as their own contribution and thus giving them access to the state density bonus. This is outrageous, and must not happen. No public funds for private profit!

We need truly affordable housing, not more trickle-down housing and displacement!

Sincerely,

Harvey Smith  
1801 McGee Avenue

## Communication

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**From:** Jane McKinne-Mayer <jmckinnemayer@gmail.com>  
**Sent:** Wednesday, April 6, 2022 2:52 PM  
**To:** Pearson, Alene <apearson@cityofberkeley.info>  
**Subject:** URGENT--PLEASE READ TODAY: North Berkeley BART station zoning and JVP

**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 Planning Commissioners, City Council members, and Mayor Arreguin:

I am a resident of Berkeley and am extremely concerned about the proposed zoning and the JVP document for the BART stations.

The JVP document proposes to create the greatest number of units in the shortest possible time, mostly market rate. This strategy is a giveaway to private developer profits and will do little for affordable housing. I urge you to revise the JVP to prioritize building the largest number of affordable units on these last parcels of public land available for housing, rather than rush to build market-rate housing.

As drafted, the zoning requires a density that will result in huge 7-story or higher structures over most of North Berkeley BART. *As has been shown in urban housing projects going back decades (and this is a recapitulation of that mistake) this will create miserably crowded living conditions for both the new and existing residents. I predict that they will ultimately become dorms for UC. Further, with the accompanying shadowing and parking issues, they will substantially degrade the quality of life for all living in the towers and immediate vicinity (not to mention property values!).*

*Please also consider that many of the existing residents have invested their lives and love in their houses, thinking that they would have a pleasant, peaceful, and livable situation for the rest of their lives--don't they count? They are the property taxpayers of the city! If you set up market rate housing, you will not be solving the housing problem; you'll just be inviting a new layer of wealthy individuals (or students with wealthy parents who will crowd the residences even more) and still closing out those who need it most, and on whom Berkeley depends for its schools and basic labor, and whom you say you care about.*

I therefore urge you to support the proposed zoning of 7 stories maximum height, and to set density at 75 units per acre maximum (rather than minimum), which is in accordance with AB2923.

In addition, please take concrete steps to prevent a private developer from claiming huge sums of Berkeley's affordable housing funds as their own contribution and thus giving them access to the state density bonus. This is unethical and immoral and must be stopped. No public funds for private profit!

Sincerely,  
Jane McKinne

## Communication

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**From:** Lauren Kay O'Brien <lkobrien@email.arizona.edu>

**Sent:** Wednesday, April 6, 2022 3:41 PM

**To:** Pearson, Alene <apearson@cityofberkeley.info>; All Council <council@cityofberkeley.info>; Berkeley Mayor's Office <mayor@cityofberkeley.info>

**Subject:** Concerns Regarding Proposed Housing Construction at North Berkeley and Ashby 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 Planning Commissioners, City Council members, and Mayor Arreguin:

I am writing to express my concern about proposed housing construction at the North Berkeley and Ashby BART stations.

Berkeley prides itself on being a progressive, liberal, and green community concerned with social justice and equity. Proposed changes in zoning related to the proposed construction, as well as the specifications of the Joint Vision and Priorities (JVP) planning document, are anathema to Berkeley's stated mission to "promote an accessible, safe, healthy, environmentally sound and culturally rich city."

The existing neighborhoods around the proposed building sites consist of low-rise structures on tree-lined streets peopled by a diverse mixture of races, ethnicities, ages, and family groupings. The neighborhoods contain families and elders of color, as well as young professionals and their families. These are relatively safe and long-established neighborhoods.

The JVP proposal proposes building a large number of high-density, mostly market-rate units. This strategy prioritizes the interests of developers rather than the needs of the larger Berkeley community. The proposal largely ignores the need for affordable housing, and does not account for the effects of the development on surrounding neighborhoods.

The BART development projects as proposed do not appear to enhance the existing community and prioritize the health, safety, and accessibility of its residents. In fact, it appears to threaten them. It is for these reasons, as well as the standards outlined in State Assembly bill 2923 (AB2923), that I instead support building seven-story complexes consisting of 75 dwellings per acre, mainly dedicated to affordable and lower-than-market-rate housing. In addition to my own concerns, there is ample sociological research concerned with the urban environment indicating that high-rise, high-density living reduces feelings of community, the diversity of neighborhoods, and overall quality of life. At the same time, these conditions result in increased crime rates, crowding, noise levels, and neglect.

I strongly urge the City to consider the effects of the proposed development on the livability of surrounding neighborhoods and the larger Berkeley community by prioritizing lower-density affordable units over hurriedly-build high-density market-rate housing.

Local funding is often in short supply, especially in relation to ever increasing needs, and the urge to rely on private development for tax revenue is equally tempting. I hope, however, that the City considers the future when determining the fate of the last public lands in this area. Let the City's legacy be one in which it prioritizes the long-term health and vibrancy of the entire community, rather than the short-term monetary benefits offered by high-density, low-livability developments.

Sincerely,

Lauren O'Brien, Ph.D.

## Communication

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**From:** darlene holbrook <malomom@gmail.com>

**Sent:** Wednesday, April 6, 2022 4:12 PM

**To:** Pearson, Alene <apearson@cityofberkeley.info>; All Council <council@cityofberkeley.info>; Berkeley Mayor's Office <mayor@cityofberkeley.info>

**Subject:** Proposed Housing Construction at North Berkeley and Ashby 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 Planning Commissioners, City Council members, and Mayor Arreguin:

I am writing to express my concern about the proposed housing construction at the North Berkeley and Ashby BART stations.

Berkeley prides itself on being a progressive, liberal, and green community concerned with social justice and equity. Proposed changes in zoning related to the proposed construction, as well as the specifications of the Joint Vision and Priorities (JVP) planning document, are anathema to Berkeley's stated mission to "promote an accessible, safe, healthy, environmentally sound and culturally rich city."

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The BART development projects as proposed do not appear to enhance the existing community and prioritize the health, safety, and accessibility of its residents. In fact, it appears to threaten them. It is for these reasons, as well as the standards outlined in State Assembly bill 2923 (AB2923), that I support building seven-story complexes consisting of 75 dwellings per acre, mainly dedicated to affordable and lower-than-market-rate housing.

In addition to my own concerns, there is ample sociological research on the urban environment indicating that high-rise, high-density living reduces feelings of community, the diversity of neighborhoods, and overall quality of life. At the same time, these conditions result in increased crime rates, crowding, noise levels, and neglect.

I strongly urge the City to consider the effects of the proposed development on the livability of surrounding neighborhoods, and the larger Berkeley community, by prioritizing lower-density affordable units over hurriedly-build high-density market-rate housing.

Local funding is often in short supply, especially in relation to ever increasing needs, and the urge to rely on private development for tax revenue is equally tempting. I hope, however, that the City considers the future when determining the fate of the last public lands in this area. Let the City's legacy be one in which it prioritizes the long-term health and vibrancy of the entire community, rather than the short-term monetary benefits offered by high-density, low-livability developments.

Sincerely,

Susan Holbrook

## Communication

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**From:** MICHAEL CAPLAN <michaelcaplan@comcast.net>  
**Sent:** Wednesday, April 6, 2022 4:14 PM  
**To:** Pearson, Alene <apearson@cityofberkeley.info>  
**Cc:** All Council <council@cityofberkeley.info>; City Clerk <clerk@cityofberkeley.info>  
**Subject:** Zoning at Ashby 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 Planning Commissioners:

I am a long time South Berkeley resident and Ashby BART neighbor. As you consider making Zoning and General Plan Amendments pertaining to development at the Ashby BART Station I ask you to consider making a couple very important adjustments to the current proposals:

1) ZONING SHOULD ALLOW UP TO 8 STORIES AND UP TO 90 FEET IN HEIGHT: More flexibility in the allowed height and the number of stories would encourage building designs that respond better to neighborhood context by allowing for step downs without losing housing units. The current zoning proposal uses the minimum number of stories required by AB 2923.a. That needs to be corrected.

2) STREETS AND SIDEWALKS SHOULD BE ACTIVATED TO SUPPORT THE LORIN DISTRICT COMMERCIAL AREA AND NEIGHBORHOOD. The original BART Station development uprooted a vibrant and historic commercial district that provided important jobs and services to the community along a contiguous street frontage. The neighborhood has never recovered from this this loss which was a huge urban design mistake. Current ground floor businesses and services in the Lorin District have continually suffered from low density and structural isolation stemming from wide streets and non-contiguous ground floor activity. This was all documented in detail early in the Adeline Corridor Planning Process. NEW DEVELOPMENT AT ASHBY BART PROVIDES A UNIQUE OPPORTUNITY TO ACTIVATE THOSE STREETS AND SIDEWALKS. At Ashby BART, buildings must be built directly abutting on Adeline Street to create a vibrant and continuous, pedestrian-friendly building frontage and commercial experience. Unfortunately, the plan currently maintains the very poor design choice at Ashby BART of a lower driveway and plaza entrance on the west side. This is a critical mistake and must be corrected.

Thank you very much.  
Sincerely,

Michael Caplan

## Communication

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**From:** Lois F Smith <smithlfran@gmail.com>  
**Sent:** Wednesday, April 6, 2022 4:18 PM  
**To:** Pearson, Alene <apearson@cityofberkeley.info>  
**Subject:** Tonight's 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.

Dear A. Pearson,

I live directly across from the North Berkeley Bart station, on Acton St. I am writing to urge you and the City Council to please consider the following as you decide something so momentous as the building on the site of the North Berkeley Bart station. What you do will affect the people and character of this city forever.

1. Revise the JVP so that it prioritizes building as many affordable units as possible. North Berkeley and Ashby Bart stations are the last large parcels of public land in Berkeley. There is plenty of market-rate housing available or being built already. You (we) have a chance to actually benefit people in need, not developers and Bart.
2. Please, please revise the proposed zoning. It is wrong, and Rashi is wrong in saying that it cannot be changed. Set maximum density at 75 units per acre at North Berkeley Bart. This meets the requirements of AB2923. It is also grossly out of character for the neighborhood to build tall, large buildings that would dwarf all surrounding structures, not to mention everything else existing in Berkeley.
3. Please take care to ensure that Berkeley's affordable housing funds cannot be used by a private developer to secure a huge density bonus. How cynical to allow our tax dollars to get bonuses for developers!
4.
  - a. Revise the draft zoning by not allowing retail and commercial use of the ground floor at North Berkeley Bart. This is not only opposed by the merchants of University Ave., but we can see that throughout the city there is already much empty, unleased and unused space of precisely this type.
  - b. Require at least 10-foot setbacks at ground level on all streets. This is really the minimum needed for pedestrians, wheelchairs, etc.
  - c. Require 15-foot step-backs above 2 floors and 20-foot step-backs above 3.

I will not be able to attend tonight's meeting, but I have come to many others in-person or via zoom since this process began. Most people who actually live in the Bart neighborhood are unhappy about the way this project seems to be going, yet we have accepted that some plan will be going forward. We are just concerned that the needs of the neighborhood and the people who actually own property and live there are not being duly considered. We are also glad

to see it go ahead if it is a plan that helps Berkeley become a better city: a city that prioritizes affordable housing over profits for the few and maintains character that has made Berkeley a wonderful place to live.

Sincerely,  
Lois F. Smith

## Communication

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**From:** michael@mfrantz.com <mfrantz@sonic.net>

**Sent:** Wednesday, April 6, 2022 5:33 PM

**To:** All Council <council@cityofberkeley.info>; Berkeley Mayor's Office <mayor@cityofberkeley.info>; Pearson, Alene <apearson@cityofberkeley.info>

**Subject:** BART redevelopment input

**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 Council, Mayor & Ms. Pearson,

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As a 35+ year resident of Berkeley, I am writing to advocate for BART parking redevelopment that fits in with the neighborhood AND achieves various City objectives. My understanding of the current drafts of the JVP document and draft zoning revisions do not reasonably achieve these goals. The MacArthur BART style redevelopment is questionable for Ashby and a complete disaster for N. Berkeley station. Please do not let this possibility occur. Specifically, please consider and implement the following revisions to the current drafts of the operative documents:

1. **Revise the Joint Visions and Priorities (JVP) document to prioritize** building the largest number of **affordable** units, rather than rushing to build market-rate housing. North Berkeley and Ashby BART are the city's last large parcels of **public land**, and should be used for affordable housing, not market-rate rentals that benefit BART and developers!
2. **Revise the proposed Zoning to set maximum density at 75 units per acre** at North Berkeley, which meets the requirements of AB2923. The proposed zoning would allow massive, 10-story buildings at over 150 units per acre!
3. **Ensure that City's affordable housing funds cannot be used by a private developer** to secure a huge density bonus. The City should not allow our tax dollars to be used by developers to secure density bonuses!
4. **Revise the draft zoning:**
  - A. **Prevent office, retail, and other commercial ground-floor mixed uses** at North Berkeley. The University Ave. merchants oppose retail at BART, and it wastes space that can be used for housing or community services. There is a glut of empty retail space on University Avenue and in other areas of the city.
  - B. **Require 10-foot minimum setbacks at the ground level on all streets**, including Sacramento. This margin is essential for trees, wheelchairs, strollers, bikes, and lines of bus passengers on Sacramento Street. The draft ordinance sets the minimum at only 5 feet.
  - C. **Establish 15-foot minimum step-backs** above 2 floors and 20 feet step-backs above 3 floors, to ensure that buildings blend into the neighborhood on all sides.

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Michael Frantz  
michael@mfrantz.com

## Communication

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**From:** Barbara Fisher <barbara.fisher2000@gmail.com>

**Sent:** Wednesday, April 6, 2022 5:34 PM

**To:** Pearson, Alene <apearson@cityofberkeley.info>; All Council <council@cityofberkeley.info>; Berkeley Mayor's Office <mayor@cityofberkeley.info>

**Subject:** Planning Commission

**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 am unable to attend the zoom meeting tonight, Wed. April 6, 2022. However, I concur with NBNA on the following **important** points:

1. **Revise the Joint Visions and Priorities (JVP)** document to build the largest number of **affordable** units, rather than rushing to build market-rate housing. North Berkeley and Ashby BART are public land, and should be used for affordable housing, not market-rate rentals that benefit BART and developers!
2. **Revise the proposed Zoning to set maximum density at 75 units per acre** at North Berkeley. The proposed zoning would allow massive, 10-story buildings at over 150 units per acre! Contrary to Councilmember Kesarwani's assertion, **a 75 unit/acre maximum is completely in compliance with AB2923**, according to both BART and the City.
3. **Ensure that City's affordable housing funds cannot be used by a private developer** to secure a density bonus. The City should not allow our tax dollars to be used by developers to secure density bonuses for their profit!
4. **Revise the draft zoning:**
  - A. **Prevent office, retail, and other commercial ground-floor mixed uses** at North Berkeley. The University Ave. merchants oppose retail at BART, and it wastes space that can be used for housing or community services. There is a glut of empty retail space on University Avenue and in other areas of the city.
  - B. **Require 10-foot minimum setbacks at the ground level on all streets**, including Sacramento. This margin is essential for trees and plantings, wheelchairs, strollers and lines of bus passengers on Sacramento Street. The draft ordinance sets the minimum at only 5 feet.
  - C. **Establish 15-foot minimum step-backs** above 2 floors and 20 feet step-backs above 3 floors, to ensure that buildings blend into the neighborhood on all sides.

And in my own words, I would like to remind you of the promise made to the neighborhood (I live near North Berkeley BART) that development would be contextual. If you haven't visited the site of North Berkeley BART, please do come and take a look - it is a neighborhood of one and two story homes and duplexes. There are also many yards/plantings, very good for the climate!

Barbara Fisher

## Communication

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**From:** Mary Lawrence Hicks <mlhicks2003@yahoo.com>  
**Sent:** Wednesday, April 6, 2022 6:44 PM  
**To:** Pearson, Alene <apearson@cityofberkeley.info>  
**Subject:** Development of North Berkeley BART parking lots

**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.

Please consider the suggestions below as planning for this important and vital development project enters its next phase:

**1. Revise the Joint Visions and Priorities (JVP) document to prioritize building the largest number of affordable units, rather than rushing to build market-rate housing. North Berkeley and Ashby BART are public land, and should be used for affordable housing, not market-rate rentals that benefit BART and developers!**

**2. Revise the proposed Zoning to set maximum density at 75 units per acre at North Berkeley.** The proposed zoning would allow massive, 10-story buildings at over 150 units per acre! Contrary to Councilmember Kesarwani's assertion, **a 75 unit/acre maximum is completely in compliance with AB2923**, according to both BART and the City.

**3. Ensure that City's affordable housing funds cannot be used by a private developer to secure a density bonus.** The City should not allow our tax dollars to be used by developers to secure density bonuses for their profit!

**4. Revise the draft zoning:**

- A. **Prevent office, retail, and other commercial ground-floor mixed uses** at North Berkeley. The University Ave. merchants oppose retail at BART, and it wastes space that can be used for housing or community services. There is a glut of empty retail space on University Avenue and in other areas of the city.
- B. **Require 10-foot minimum setbacks at the ground level on all streets**, including Sacramento. This margin is essential for trees, wheelchairs, strollers, bikes, and lines of bus passengers on Sacramento Street. The draft ordinance sets the minimum at only 5 feet.
- C. **Establish 15-foot minimum step-backs** above 2 floors and 20 feet step-backs above 3 floors, to ensure that buildings blend into the neighborhood on all sides.

Thank you!  
Mary Lawrence Hicks

Sent from my iPhone

## Communication

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**From:** Bereket Abraham <babraham42@gmail.com>  
**Sent:** Thursday, April 7, 2022 3:39 PM  
**To:** Covello, Zoe; All Council; Berkeley Mayor's Office  
**Subject:** More homes, and more stories, needed at 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.

We have a generational opportunity to decide how many stories of housing can be built directly on top of BART, and we must not squander the chance to build as many homes in these important transit hubs as possible. The environmental and equity benefits of building homes where people can live car-free near jobs, schooling, and other resources are difficult to overstate. Let's house as many people at Ashby and North Berkeley BART stations as possible!

To that end, please zone for at least 12 stories over these two BART stations. The EIR found 12 stories to be environmentally preferable to 7 – and it's clear that the more housing we build at BART stops, the better it will be for the environment.

We're in both a housing crisis and a climate crisis. We need to house people where they can reduce their vehicle miles traveled, and we need to house as many people as possible. It's the equitable and sustainable thing to do.

Sincerely,  
Bereket Abraham

## Communication

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**From:** Andrea Altschuler <andreaaltschuler@gmail.com>  
**Sent:** Monday, April 11, 2022 8:47 PM  
**To:** Shen, Alisa; All Council; Berkeley Mayor's Office; Covello, Zoe  
**Subject:** At least 12 stories of development at North Berkeley BART? Was negative health impact on potential residents considered?

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**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 Ms. Shen, Ms. Covello, Mayor, and City Council Members - I'm aware of numerous occurrences when various Berkeley commissions have rejected the recommendations of city staff - staff who are highly educated in, and dedicated to their professions. I am far beyond sorry to see that this was the case again with zoning at the North Berkeley BART station.

As a long-time Berkeley resident, I am highly disappointed, though not entirely surprised, that the planning commission rejected the city of Berkeley planners' recommendations for a maximum of seven stories of development. I'm not aware of all the arguments that were brought before the planning commission and elected officials to support seven stories or less of development, but was the health impact of living in a tall tower part of the discussion? During this ongoing pandemic of loneliness and social isolation that carries negative physical health impacts <https://www.chcf.org/blog/pandemic-loneliness>, there is evidence that living in tall towers can exacerbate these key issues related to well-being <https://theconversation.com/its-time-to-recognise-how-harmful-high-rise-living-can-be-for-residents-87209>, <https://www.theage.com.au/national/victoria/highrise-apartments-are-bad-to-live-in-and-bad-for-society-says-respected-architect-20160829-gr39nf.html>

There's also evidence that higher buildings can negatively impact EMS response time <https://pubmed.ncbi.nlm.nih.gov/16036822/> And for the record, please remember that the Pruitt-Igoe buildings, that were a colossal failure of urban design, and ultimately torn down, were only 11 stories high <https://www.theguardian.com/cities/2015/apr/22/pruitt-igoe-high-rise-urban-america-history-cities>

From the article above:

Even today, when our eyes have supposedly grown accustomed to all manner of developments meant to shock us with their sheer incongruity, aerial photographs of the Pruitt-Igoe complex give you pause. There it stands, like a poor man's **Ville Radieuse**, on 23 freshly cleared hectares of St Louis's existing urban fabric, looking utterly alien to the miles of low-rise 19th and early 20th-century brick structures surrounding it.

There are still many under- and undeveloped lots in Berkeley to address the very real housing crisis that we face. But to put **at least** a twelve story tower in the midst of a neighborhood fully comprised of one- to two story dwellings turns its back on the profession and history of city planning and common sense. Even in downtown Oakland, along Broadway, the vast majority of brand new apartment buildings are no more than six or seven stories.

Mayor and Council Members, do better, be responsible stewards of public land and the surrounding community, and listen to the professionals who have studied these issues and problems and know what they're talking about.

Sincerely, Andrea Altschuler

## Communication

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**From:** David Jackson <dave@jacksonofalltrades.net>  
**Sent:** Tuesday, April 12, 2022 8:37 PM  
**To:** Covello, Zoe; All Council; Berkeley Mayor's Office  
**Subject:** YES to new neighbors ASAP

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**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.

Mayor, councilmembers, and planning commission:

I live in the next town over in Oakland, and I work, shop, and visit friends in Berkeley, and the high cost of housing due to bad policies everywhere raises my cost of living and causes my friends to leave the area.

Please approve the zoning, JVP, and EIR for Berkeley's BART stations so we can move forward and make North Berkeley BART a place people can call home.

The only thing that could be improved in the zoning is height: I think we should go higher. Given the widespread suffering caused by our housing and climate crises we have a responsibility to house as many people as possible in transit-rich areas. Higher height limits also mean the building form can step down and be shorter at the edges, which is a preference many residents share. Eight, twelve, twenty stories are fine with me.

I support BART's plan to prescribe a maximum of 200 parking spots at North Berkeley BART. Parking spots take space away from housing and discourage alternative modes of transit.

Please speedily approve the zoning, JVP, and EIR for Berkeley's BART stations!

Thank you for your consideration,

Dave Jackson

2942 California Street,

Oakland, CA 94602

## Communication

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**From:** maris1000@aol.com <maris1000@aol.com>  
**Sent:** Thursday, April 14, 2022 11:51 AM  
**To:** Pearson, Alene <apearson@cityofberkeley.info>  
**Subject:** North Berk.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 Planning Commissioners, City Council members, and Mayor Arreguin:

You are doing it again, creating another ugly monster building that will do very to provide below market rate housing that is so badly needed, or add to the beauty of the neighborhood.

From mock-ups I've seen, the proposed housing is another charmless, too tall project adding to the ugliness you've created in Berkeley. You should all take some courses in aesthetics.

I am extremely concerned about the proposed zoning and the JVP document for the BART stations.

The JVP document proposes to create the greatest number of units in the shortest possible time, **mostly market rate**. This strategy is a giveaway to private developer profits and will do little for affordable housing. I urge you to revise the JVP to prioritize building the largest number of affordable units on these last parcels of public land available for housing, rather than rush to build market-rate housing.

As drafted, the zoning requires a density that will result in huge 7-story or higher structures over most of North Berkeley BART. The mockup below shows the stark, unlivable result of building at that scale in a low-rise neighborhood. I urge you to support the proposed zoning of 7 stories maximum height, and to set density at 75 units per acre maximum (rather than minimum), which is in accordance with AB2923.

In addition, please take concrete steps to prevent a private developer from claiming huge sums of Berkeley's affordable housing funds as their own contribution and thus giving them access to the state density bonus. This is outrageous, and must not happen. No public funds for private profit!

Sincerely,  
Maris Arnold  
94703