

Supplemental Communications (1)

(Received after 9 am March 30
– 12 pm April 4)

Communication

From: Covello, Zoe
Sent: Friday, April 1, 2022 3:05 PM
To: Alisa Shen (AShen@cityofberkeley.info)
Cc: Alene Pearson (apearson@cityofberkeley.info); Justin Horner (JHorner@cityofberkeley.info); Buckley, Steven
Subject: Addendum to 4/6 PC Agenda Packet
Attachments: Item 9_Att 1_DRAFT_Ordinance.docx.pdf

Dear Commissioners,

I am sending over an addendum to the April 6th Planning Commission agenda packet. The attached document provides a redline strikeout version of Item 9, Attachment 1 in your packet.

Thank you,
Zoe

Zoe Covello
Assistant Planner
City of Berkeley | Land Use Planning Division
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Attachment 1: Draft Ordinance

ORDINANCE NO. -N.S.

AMENDING TITLE 23 OF THE BERKELEY MUNICIPAL CODE TO ESTABLISH THE RESIDENTIAL—BART MIXED USE (R-BMU) ZONING DISTRICT

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code Section 23.106.050 is amended to read as follows:

23.106.050 Floor Area Ratio.

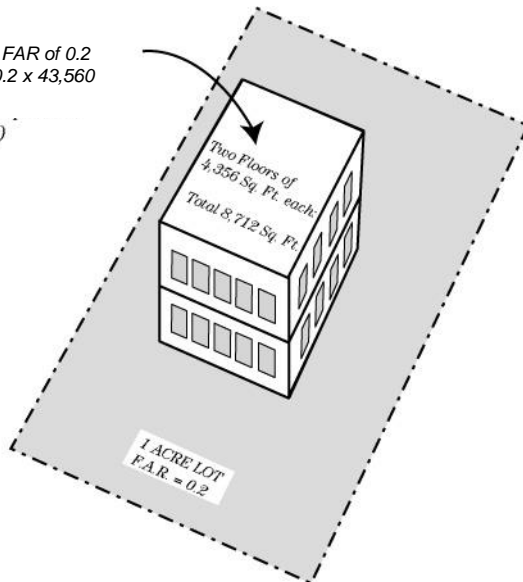
A. Floor Area Ratio Defined. Floor area ratio (FAR) means the quotient resulting from division of the gross floor area of all buildings on a lot by the area of the lot. See Figure 23.106-1: Floor Area Ratio.

1. Floor Area Ratio Defined in R-BMU: In the R-BMU district, FAR means the quotient resulting from division of the Gross Floor Area of all buildings on a lot by the Lot Area. In a single integrated development on contiguous lots, the permitted Floor Area Ratio shall be computed upon the basis of the total area of all such lots.

FIGURE 23.106-1: FLOOR AREA RATIO

Maximum Floor Area for a FAR of 0.2 on a 43,560 Sq. Ft. Lot = $0.2 \times 43,560$ Sq. Ft. = 8,712 Sq. Ft.

(1 Acre)



A.B. Development on Contiguous Lots. In a single integrated development on contiguous lots, the permitted floor area ratio is calculated using the total combined area of all such lots.

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Section 2. That Berkeley Municipal Code Section 23.108.020 is amended to read as follows:

23.108.020 Zoning Districts

A. Districts. Berkeley is divided into districts as shown in Table 23.108-1: Zoning Districts. Unique regulations apply within each district as established in Chapters 23.202 – 23.208 (Zoning Districts).

TABLE 23.108-1: ZONING DISTRICTS

DISTRICT SYMBOL	NAME OF DISTRICT
Residential Districts	
R-1	Single-Family Residential
R-1A	Limited Two-family Residential
ES-R	Environmental Safety Residential
R-2	Restricted Two-family Residential
R-2A	Restricted Multiple-family Residential
R-3	Multiple-family Residential
R-4	Multi-family Residential
R-5	High Density Residential
R-S	Residential Southside
R-SMU	Residential Southside Mixed Use
<u>R-BMU</u>	<u>Residential BART Mixed Use</u>
Commercial Districts	
C-C	Corridor Commercial
C-U	University Avenue Commercial
C-N	Neighborhood Commercial
C-E	Elmwood Commercial
C-NS	North Shattuck Commercial
C-SA	South Area Commercial
C-T	Telegraph Avenue Commercial
C-SO	Solano Avenue Commercial
C-DMU	Downtown Mixed-Use
C-W	West Berkeley Commercial

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DISTRICT SYMBOL	NAME OF DISTRICT
C-AC	Adeline Corridor Commercial
Manufacturing Districts	
M	Manufacturing
MM	Mixed Manufacturing
MU-LI	Mixed Use-Light Industrial
MU-R	Mixed Use-Residential
Special Districts	
S	Specific Plan
U	Unclassified

Section 3. That Berkeley Municipal Code Section 23.202.020 is amended to read as follows:

23.202.020 Allowed Land Uses

A. Allowed Land Uses. Table 23.202-1: Allowed Land Uses in Residential Districts identifies allowed land uses and required permits in the Residential Districts. All land uses are defined in Chapter 23.502—Glossary. Permit requirements are described in Chapter 23.406—Specific Permit Requirements.

B. Unlisted Land Uses. Any land use not listed in Table 23.202-1: Allowed Land Uses in Residential Districts is not permitted in the Residential District

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ZC = Zoning Certificate AUP = ADMINISTRATIVE USE PERMIT UP(PH) = Use Permit NP = Not Permitted * Use-Specific Regulations Apply ** - Required permits for specific uses are set forth in the R-BMU Master Development Permit (MDP). See 23.202.150.A and 23.202.150.D	RESIDENTIAL DISTRICTS											R-BMU*	USE-SPECIFIC REGULATIONS APPLIES TO USES WITH AN ASTERISK FOLLOWING THE PERMIT REQUIREMENT (E.G., ZC*)	
	R-1	R-1A	ES-R	R-2	R-2A	R-3	R-4	R-5	R-S	R-SMU				
Residential Uses														
Accessory Dwelling Unit	See 23.306— Accessory Dwelling Units		NP	See 23.306—Accessory Dwelling Units										
Dwellings														
Single-Family	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	NP	
Two-Family	NP	UP(PH)	NP	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	NP	
Multi-Family	NP	NP	NP	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	
Group Living Accommodation	NP	NP	NP	NP	NP	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	
Senior Congregate Housing	NP	NP	NP	NP	See 23.302.070.H– Use-Specific Regulations									
Mixed-Use Residential	NP	NP	NP	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	
Public and Quasi-Public Uses														
Child Care Center	UP(PH)	UP(PH)	NP	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	
Club/Lodge	UP(PH)	UP(PH)	NP	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	
Columbaria	AUP*	AUP*	NP	AUP*	AUP*	AUP*	AUP*	AUP*	AUP*	AUP*	AUP*	AUP*	NP	23.302.070.C– Use-Specific Regulations
Community Care Facility	See 23.202.040.A– Use-Specific Regulations													
Community Center	UP(PH)	UP(PH)	NP	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	
Emergency Shelter	NP	NP	NP	NP	NP	NP	See 23.308							
Family Day Care Home, Large	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Family Day Care Home, Small	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Hospital	NP	NP	NP	NP	NP	UP(PH)	UP(PH)	UP(PH)	UP(PH)	NP	UP(PH)	UP(PH)	NP	
Library	UP(PH)	UP(PH)	NP	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	
Nursing Home	NP	NP	NP	–	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	NP	
Park/Playground	ZC	ZC	UP	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Public Safety and Emergency Service	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	

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	R-1	R-1A	ES-R	R-2	R-2A	R-3	R-4	R-5	R-S	R-SMU	R-BMU*		
Public Utility Substation/Tank	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	
Religious Assembly	UP(PH)	UP(PH)	NP	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	
School	UP(PH)	UP(PH)	NP	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	
Commercial Uses													
Alcoholic Beverage Service	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	UP(PH)*	UP(PH) * -	23.310—Alcoholic Beverage Sales and Service
Food Products Store	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	UP(PH)*	UP(PH) * -	23.202.140.B.3– R-SMU Residential Southside District
Food Service Establishment	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	UP(PH)*	UP(PH) * -	23.302.070.E– Use-Specific Regulations
<u>Group Class Instruction</u>	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	UP(PH)	
<u>Gym/Health Club</u>	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	UP(PH)	
Hotel, Tourist	NP	NP	NP	NP	NP	NP	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	NP	
Laundromat and Cleaner	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	UP(PH)	UP(PH)	
Office	NP	NP	NP	NP	NP	NP	UP(PH)	UP(PH)	NP	UP(PH)	UP(PH)	UP(PH)	
Parking Lot/Structure	UP(PH) *	UP(PH) *	UP(PH) *	UP(PH) *	UP(PH) *	UP(PH) *	UP(PH) *	UP(PH) *	UP(PH) *	UP(PH) *	UP(PH)*	UP(PH) * -	23.302.070.G– Unenclosed Accessory Structures in Residential Districts 23.322.100– On-site Loading Spaces
Personal and Household Service, General	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	ZC*	ZC*	23.202.140.B.2– R-SMU Residential Southside District
Retail, General	NP	NP	NP	NP	NP	NP	UP(PH) *	UP(PH) *	UP(PH) *	UP(PH)*	UP(PH)*	UP(PH) * -	23.202.040.B– Use-Specific Regulations
Veterinary Clinic	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	UP(PH)	UP(PH)	
Theater	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	UP(PH)	
Video Tape/Disk Rental	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	UP(PH)	NP	
Industrial and Heavy Commercial Uses													

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	R-1	R-1A	ES-R	R-2	R-2A	R-3	R-4	R-5	R-S	R-SMU	R-BMU*		
Commercial Excavation	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	UP(PH)	
Other Uses													
Accessory Uses	See 23.302.020.A– General Use Regulations												
<u>Art/Craft Studio</u>	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	ZC
<u>ATM: Exterior and Attached to Bank or Interior or Exterior and Not With Bank</u>	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	AUP
Home Occupations	See 23.302.040– Home Occupations												
<u>Live/Work</u>	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	UP(PH) * -	23.312–Live/Work
<u>Public Market, Open Air</u>	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	AUP
<u>Public Market, Enclosed</u>	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	AUP
Short-Term Rental	ZC*	ZC*	NP	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	23.314—Short-Term Rentals
Temporary Uses	See 23.302.030– Temporary Uses and Structures												
Urban Agriculture, Low-Impact	ZC*	ZC*	NP	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	23.318—Urban Agriculture
Urban Agriculture, High-Impact	AUP*	AUP*	NP	AUP*	AUP*	AUP*	AUP*	AUP*	AUP*	AUP*	AUP*	AUP*	23.318—Urban Agriculture
Wireless Telecommunication Facility	See 23.332—Wireless Communication Facilities												

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Section 4. That Berkeley Municipal Code Section 23.202.150 is hereby added to read as follows:

23.202.150: R-BMU Residential BART Mixed Use District

A. District Purpose. The purpose of the BART Mixed-Use (R-BMU) district is to address City of Berkeley priorities such as affordable housing, civic and public space, multi-modal transportation and site access, high-quality building design and architecture, and a mix of land uses that contributes positively to the community, and to establish zoning standards in compliance with AB 2923.a

B. Definitions. For the purpose of this Section (23.202.150), the following definitions apply:

1. Lot Area. The total horizontal area within a lot's boundary lines, minus the square footage of any buildings, facilities or equipment that are, or shall be, under the control of the San Francisco Bay Area Rapid Transit District (BART).

2. Floor Area Ratio (FAR). The quotient resulting from division of the Gross Floor Area of all buildings on a lot by the Lot Area. In a single integrated development on contiguous lots, the permitted Floor Area Ratio shall be computed upon the basis of the total area of all such lots.

3. Dwelling Units per Acre. The quotient resulting from the total number of dwelling units on a site by the Lot Area.

C. Allowed Land Uses. General. See Section 23.202.020 (Allowed Land Uses), which indicates identifies allowed land uses and which are prohibited.

1. The initial establishment of a land use in a new building will follow the R-BMU Master Development Plan process outlined in Section 23.202.150D. below.

2. The change of use of an existing building or portion of a building will require the permits indicated in Section 23.202.020 and Table 23.202-1 for the R-BMU District.

3. Any use not listed in Table 23.202-1 for the R-BMU District can be approved through the Master Development Plan process outlined in Section 23.202.150D below for the initial establishment of a land use in a new building.

4. Uses subject to supplemental regulations are shown in in Table 23.202-1 with an asterisk (*) following the permit requirement (e.g., ZC*). The Use-Specific Regulations column in Table 23.204-1 identifies the location of these regulations in the Zoning Ordinance.

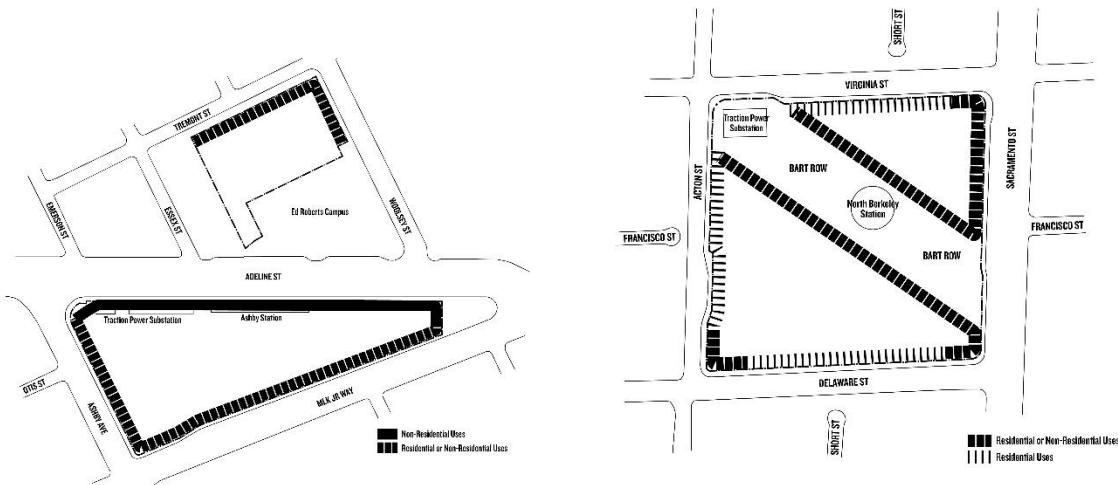
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D. Ground-floor Uses. See Table 23.202-27.

TABLE 23.202-27: PERMITTED STREET-FACING GROUND FLOOR USES

Frontage Locations	Permitted Street-Facing Ground Floor Uses
<u>Along Ashby and MLK</u>	<u>Non-Residential Uses or non-residential accessory spaces to residential buildings, such as community rooms. At least 50% of the combined frontage of MLK and Ashby must include active ground -floor uses. Active uses at corner locations are encouraged.</u>
<u>Along Adeline</u>	<u>Non-Residential Uses or non-residential accessory spaces to residential buildings, such as community rooms</u>
<u>Along Woolsey, Tremont[1], or fronting interior public spaces</u>	<u>Residential or Non-Residential Uses</u>
<u>Along Sacramento, along the Ohlone Greenway, or within 50 feet of any street corner</u>	<u>Residential or Non-Residential Uses</u>
<u>Along Delaware, Acton, or Virginia</u>	<u>Residential Uses</u>
<u>[1] Public entrances for non-residential uses fronting Tremont Street must be located on Woolsey Street.</u>	

FIGURE 23.202-3 PERMITTED STREET-FACING GROUND FLOOR USES



1. Ashby BART Station Site

b. North Berkeley BART Station Site

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E. Additional Permit Requirements. See Section 23.202.030
(Additional Permit Requirements).

F. Development Standards.

1. Basic Standards. See Table 23.202-28.

2. Supplemental Standards. Supplemental standards that apply in the R-BMU district are noted in Table 23.202-28.

TABLE 23.202-28: R-BMU DEVELOPMENT STANDARDS

		<u>Supplemental Standards</u>
<u>Lot Area, Minimum</u>	<u>No minimum</u>	<u>23.304.020</u>
<u>Private Usable Open Space, Minimum [1][2]</u>		<u>23.302.090</u>
<u>Per Dwelling Unit</u>	<u>40 sf/DU</u>	<u>23.302.090</u>
<u>Per Group Living Accommodation Resident</u>	<u>15 sf/resident</u>	<u>23.302.090</u>
<u>Public Open Space, Minimum</u>		
<u>Per Dwelling Unit</u>	<u>35 sf/unit</u>	
<u>Per Group Living Accommodation Resident</u>	<u>18 sf/resident</u>	
<u>Floor Area Ratio (FAR), Maximum</u>	<u>4.2</u>	
<u>Main Building Height, Maximum [3]</u>	<u>80 ft. and 7 stories</u>	<u>23.304.050</u>
<u>Residential Density, Minimum</u>	<u>75 dwelling units per acre</u>	
<p>[1] Private Usable Open Space may be provided as any combination of personal and common private space. [2] Additional public space may substitute for up to 50% of required Private Usable Open Space. [3] Building Height Measurement: In the case of a roof with a parapet wall, building height shall be measured to the top of the roof and parapets may exceed the height limits by up to five feet by right.</p>		

3. Additional Open Space Requirements.

a. Definitions

i. Private Usable Open Space: Outdoor space, including natural and landscaped ground areas, pools, patios, decks and balconies designed for active or passive recreational use and which is accessible to the

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occupants of a building on the same lot. See also 23.304.090 (Usable Open Space) for standards.

- ii. **Public Open Space:** Outdoor space, including natural and landscaped ground areas, pools, patios, decks designed for active or passive recreational use and which is accessible to the general public. Minimum dimensions for Public Open Spaces shall be 20' in any direction and 400 square feet minimum.

b. Public Space Design.

- i. Land area made available for public access to and through the station, and on-site public amenities, may be offered as dedication to the City or may be owned and maintained by another party with dedication of a public access easement. Public Open Space must be accessible to the public during daylight hours and include signage indicating public access.
- ii. Public spaces shall include site furnishings and design elements to encourage active or passive use.
- iii. Public spaces shall have a direct, accessible connection to the public circulation network.
- iv. Adjacent publicly owned space may contribute to the minimum public space requirement for the project, if it is designed, integrated and maintained as part of the project and complies with all other requirements for public space design identified in this section (23.202.150(D)3(b)).

- c. **Rooftop Open Space.** Rooftops may be utilized as Private Usable Open Space or Public Open Space meeting the requirements of 23.202.150.A.3 (Additional Open Space Requirements – Definitions). Rooftop space designated Public Open Space must also meet the requirements of 23.202.150.A.3.B (Public Space Design). No more than 25% of Public Open Space requirements can be met with Rooftop Open Space.

4. Front Setbacks.

- a. Setbacks are not required at Martin Luther King Jr. Way, Adeline Street, Sacramento Street.
- b. Setbacks along all other frontages along public rights-of-way and internal publicly accessible pathways shall range from 5 feet (minimum) to 15 feet

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(maximum) for at least 50 percent of any building’s linear street frontage, including all frontages within 50 lineal feet of an intersecting corner.

5. **Front Upper-Story Step-backs.** Any street-facing building frontage above four stories in height that is not within 100 linear feet of Sacramento Street, Adeline Street, Ashby Avenue, or Martin Luther King Jr. Way, shall step back 15 feet from the property line for portions of the building above four stories.
6. **Ground-floor Residential Frontage.** For ground-floor residential uses, outward facing building entrances may include any of the following: stoops, front doors, courtyard and forecourt entrances, ramped or at-grade universally accessible entries, outward-facing and visually permeable lobby entrances, or other outward-facing residential entrance, with transition spaces from private frontages to public spaces.
7. **Ground-floor Non-Residential Frontage.** For ground-floor non-residential uses, outward-facing building entrances and activation strategies may include outdoor seating, dining, display spaces, performance spaces, public art, architectural detailing, and extensions of the public sidewalk.
8. **Frontage Improvements.** Any area between a building and the front property line, or any area between a building and on-site public space or the public circulation network, shall be improved as part of a wider sidewalk, outdoor seating area, outdoor dining area, yard area, landscaping, or other usable open space.
9. **On-site Pedestrian Access.** Pedestrian accessways shall be provided for all new construction and for additions of 10,000 square feet or more of gross floor area in accordance with the following standards:
 - a. **Internal Connections.** A system of publicly accessible pedestrian walkways shall connect all buildings on a site to each other, to on-site bicycle and automobile parking areas, to any on-site open space areas or pedestrian amenities, and to the publicly accessible pedestrian circulation network.
 - b. **To the Public Circulation Network.** A publicly accessible on-site walkway shall connect the building lobby entry or entries on each street or on-site pathway frontage to the public pedestrian circulation network. Connections to publicly accessible on-site walkways provided at least every 300 feet along portions of the development site perimeter that are adjacent to public rights-of-way.
 - c. **To Neighbors.** Publicly accessible pedestrian access shall be provided from residential and commercial building entrances and public space to

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adjoining residential and commercial areas.

d. **To Transit.** Publicly accessible pedestrian connections from the public circulation network shall be provided to all transit stops and entrances including elevators outside the station.

e. **Illumination.** All publicly accessible pedestrian connections shall include nighttime illumination pursuant to Ordinance N.S.-7424.

10. Transparency.

a. **Required Openings.** Ground-level exterior walls facing and within 20 feet of a front lot line or publicly accessible pathway or Public Open Space shall run in a continuous plane for no more than 30 feet without a window, door, or other similar building opening.

b. **Non-Residential Transparency.** For non-residential ground-floor uses facing a front lot line, publicly accessible pathway or Public Open Space, a minimum of 50% of the building wall area located between three and seven feet above ground level shall be transparent with a visible light transmittance of not less than 80%.

11. Building Entrances.

a. **Minimum Number of Entrances Required.** There shall be a minimum of at least one building entrance at an average distance of 50 linear feet of ground-floor non-residential building frontage, and at least one building lobby entrance for every 200 feet of ground-floor residential building frontage.

b. **Ground Floor Residential Entries.** All ground floor residential units shall provide entries to the street in the form of stoops or other exterior entries, or balcony or patio without entrance to the street, with a minimum area of 20 square feet.

c. **Separate Entrances Required.** Buildings containing a mix of residential and non-residential uses shall provide separate building entrances for each major use category. Amenity areas such as exercise rooms do not require separate building entrances from the primary use.

d. **Entrance Orientation.** Principal building entrances shall face a public street, publicly accessible pathway, or Public Open Space.

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

12. Ground-Floor Non-Residential Space Dimensions. The minimum ground floor height for non-residential uses is 15 feet, as measured from the ground

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level floor to the first floor above.

13. Parking Design and Access.

a. **Unbundled Parking Required.** All parking spaces shall be leased separately from the residential unit or commercial space except where prohibited by affordable housing financing sources.

b. **Structured Parking Required.** All new off-street parking shall be located within an enclosed structure, with the exception of curb-side pickup and drop-off, curb-side metered parking, ADA parking, or small-scale surface parking for security and station operations and maintenance purposes only.

c. **Structured Parking Design.** Parking garages shall be located underground or located behind conditioned building space at any adjacent street, sidewalk, or other publicly accessible accessway or open space. Conditioned building space is not required along shared interior lot lines of abutting parcels.

d. **Vehicular Entry.** Parking garage vehicular entrances facing the street shall be no more than 20 feet wide.

e. **Pedestrian Entry.** Parking garage pedestrian entrances shall be provided at-grade, connecting directly to the public pedestrian circulation network, on each street-facing frontage.

a.f. **Light Screening.** Parking garages shall be designed such that interior lighting is fully shielded and automobile headlamps are not visible from adjacent buildings, parcels, streets, public parks, publicly accessible outdoor space or designated open space area.

14. **Mitigation Measures.** Projects under this section are subject to applicable measures identified in the adopted Mitigation Monitoring and Reporting Program of the Ashby and North Berkeley BART Stations Transit-Oriented Development Zoning Project Final EIR.

G. BART Mixed Use District Master Development Permit (MDP)

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

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- Affordable Housing
 - Public and Civic Space
 - Land Use
 - Building Form and;
 - Station Access.
2. Applicability of the Ashby and North Berkeley BART Master Development Permit (MDP). These provisions shall apply to all land within the R-BART Mixed Use District.
3. Preliminary Development Plan. The preliminary development plan shall include, at a minimum, the following:
- a. A plan of the entire development, defined as either the North Berkeley BART Station Area or Ashby BART Station Area, showing the items listed below. Such development plan shall include maps and information on the surrounding area within one hundred (100) feet of the development. All elements listed in this paragraph shall be characterized as existing or proposed, and sufficiently detailed to indicate intent and impact.
 - Streets, driveways, sidewalks and pedestrian ways, and off-street parking and loading areas;
 - Location and approximate dimensions of structures;
 - Utilization of structures, including activities and the number of living units;
 - Estimated population;
 - Reservations for public uses, including schools, parks, playgrounds, and other open spaces;
 - Major landscaping features;
 - Relevant operational data; and
 - Drawings and elevations clearly establishing the scale, character, and relationship of buildings, streets, and open spaces.
 - b. A table demonstrating that the plan meets the development standards set forth in Section 23.202.150.F and the other requirements of this Chapter, including compliance with any Objective Development Standards.
 - c. A development phasing plan describing the order in which various

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portions of the development will be built, along with a proposed schedule for such phases.

4. Notice of Application and Public Hearing for Preliminary Development Plan.

- a. Preliminary Development Plans shall be reviewed by the Zoning Adjustments Board, the decisions of which are appealable to the City Council.
- b. The public notice and hearing process for a Master Development Plan shall be the same as for Use Permits as defined in BMC Section 23B.32, except that notice shall be mailed or delivered to all businesses, residents and owners of property located within five hundred (500) feet of the subject property.
- c. The Board shall determine whether the proposal conforms to the permit criteria set forth in Section 23.202.150.D8, and may approve or disapprove the application and the accompanying Preliminary Development Plan or require such changes therein or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to said criteria and regulations. In so doing, the Board may, in its discretion, authorize submission of the Final Development Plan in stages corresponding to different units or elements of the development. It may do so only upon evidence assuring completion of the entire development in accordance with the Preliminary Development Plan and staged development schedule.

5. Final Development Plan

The applicant shall file with the Planning and Development Department a Final Development Plan for one or more of the phases identified in the Preliminary Development Plan.

- a. The Final Development Plan shall conform in all major respects with the approved Preliminary Development Plan and shall include the following additional information:
 - Location of water, sewerage, and drainage facilities;
 - Detailed building and landscaping plans and elevations;
 - Character and location of signs;
 - Plans for street improvements; and
 - Grading or earth-moving plans.

The Final Development Plan shall be sufficiently detailed to indicate the

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ultimate operation and appearance of the development, including compliance with the Objective Development Standards. Final Development Plans shall be reviewed by the Zoning Adjustments Board.

- b. The public notice and hearing process for a Final Development Plan shall be the same as for Use Permits as defined in BMC Section 23B.32, except that notice shall be mailed or delivered to all businesses, residents and owners of property located within five hundred (500) feet of the subject property.

6. City Engineer's Report

Within thirty (30) days after the filing of the Final Development Plan, the Zoning Officer shall forward it to the City Engineer for review of public improvements, including streets, sewers, and drainage. The Zoning Adjustments Board shall not act on a Final Development Plan until it has first received a report from the City Engineer or until more than thirty (30) days have elapsed since the plan and application were sent to the City Engineer, whichever is the shorter period.

7. Appeal to Council

The process for appeal to Council for a Master Development Plan, Preliminary Development Plan and/or Final Development Plan shall be the same as for Use Permits as defined in BMC Section 23B.32.

8. Findings

- a. That the location, design, size, and uses are consistent with the General Plan and with any other applicable plan, development control map, design guidelines, or ordinance adopted by the City Council or Planning Commission;
- b. That the location, design, and size are consistent with the City of Berkeley and San Francisco Bay Area Rapid Transit District (BART) Joint Vision and Priorities document for the Ashby and North Berkeley BART Station Areas adopted by the City Council and the BART Board of Directors.

9. Adherence to the Approved Plan and Modification.

Variations of up to ten percent (10%) from any numerical or non-numerical standard set forth on the Master Development Plan may be authorized by the

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Zoning Officer through an Administrative Use Permit. Variations of more than ten percent (10%) may be authorized by a Master Development Plan permit modification by the Zoning Adjustments Board.

10. Revocation of Permits

If a Final Development Plan for an initial portion of a site has not been submitted within 10 years after approval of the applicable Master Development Plan for all or a majority portion of the site, the City Council may revoke the approval of the remainder of the Master Development Permit. If Final Development Plans for the entirety of a site have not been submitted within 20 years after approval of the applicable Master Development Plan permit, the City Council may revoke the remainder of the Master Development Plan permit.

Section 6. That Berkeley Municipal Code Section 23.302.070.G.2 is amended to read as follows:

- 2. Table 23.302-9 shows required permits for the exclusive or primary use of a lot for off-street parking spaces.

TABLE 23.302-9: PERMIT REQUIREMENTS FOR PARKING LOTS/STRUCTURES

DISTRICT	PERMIT REQUIRED
Residential Districts	
R-3	Use Permit for all parking lots and structures. [1]
R-S, R-SMU, <u>R-BMU</u>	Use Permit for parking structures only. Parking lots are not permitted.
All other residential districts	Use Permit for all parking lots and structures.
Commercial Districts	
C-C, C-U	Zoning Certificate for parking lots and structures with 5 spaces or fewer. Use Permit for more than 5 spaces.
C-SO	AUP for parking lots and structures with 5 spaces or fewer. Use Permit for more than 5 spaces.
C-DMU	AUP for parking lots with 8 spaces or fewer. Use Permit for all parking structures. Lots with more than 8 spaces not permitted.
C-N, C-E, C-NS, C-SA	Use Permit for all parking lots and structures.
C-T	Use Permit for all parking structures. All parking lots not permitted.

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C-W	AUP for parking lots and structures with 10 spaces or fewer. Use Permit for parking lots and structures with more than 10 spaces.
Manufacturing Districts	
M, MM	AUP for parking lots and structures with 10 or fewer spaces exclusively for uses in the district. Use Permit for parking lots and structures with any number of spaces not exclusively for uses in the district.
MU-LI	Zoning Certificate for parking lots and structures with 10 or fewer spaces exclusively for uses in the district. AUP for parking lots and structures with 11 spaces or more exclusively for uses in the district. Use Permit for parking lots and structures with any number of spaces not exclusively for uses in the district.
MU-R	Zoning Certificate for parking lots and structures exclusively for uses in the district. Use Permit for parking lots and structures not exclusively for uses in the district.
Notes: [1] Parking lots and structures in the R-3 district are not permitted within the Southside Plan area	

Section 7. That Berkeley Municipal Code Section 23.304.140 is amended to read as follows:

23.304.140 Area Plans.

A. *Downtown Area Plan.* Projects in the Downtown Area Plan boundaries are subject to the applicable mitigation measure in the adopted Mitigation Monitoring Program of the Downtown Area Plan Final EIR.

B. *Southside Plan.*

1. *Mitigation Measures.* Projects in the Southside Plan boundaries are subject to the applicable mitigation measures in the adopted Mitigation Monitoring Program of the Southside Plan Final EIR.

2. *Permit Findings.* To approve an AUP or Use Permit for a project in the Southside Plan boundaries, the review authority must find that the project complies with the Southside Plan's adopted Mitigation Monitoring Program (MMP).

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C. *West Berkeley Plan*. Projects in the West Berkeley Plan boundaries are subject to the applicable mitigation measure in the adopted Mitigation Monitoring Program of the West Berkeley Plan Final EIR.

D. *Adeline Corridor Plan*. Projects in the Adeline Corridor Plan boundaries are subject to the applicable mitigation measure in the adopted Mitigation Monitoring Program of the Adeline Corridor Plan Final EIR.

E. *Ashby and North Berkeley BART Stations Transit-Oriented Development Zoning Project*. Projects in the Ashby and North Berkeley BART Stations Transit-Oriented Development Zoning Project boundaries are subject to the applicable mitigation measure in the adopted Mitigation Monitoring Program of the Ashby and North Berkeley BART Stations Transit-Oriented Development Zoning Project EIR.

Section 8. That Berkeley Municipal Code Section 23.308.020.C is amended to read as follows:

C. **Required Permits.** Table 23.308-1 shows permits required for emergency shelters.

TABLE 23.308-1: PERMIT REQUIREMENTS FOR EMERGENCY SHELTERS

DISTRICTS	PERMIT REQUIRED [1]
Residential Districts	
R-1, R-1A, ES-R, R-2, R-2A, R-3	Not Permitted
R-4, R-5, R-S, and R-SMU , <u>and R-BMU</u>	
15 beds or fewer [1]	ZC
More than 15 beds	UP(PH)
Commercial Districts	
C-C, C-U, C-N, C-E, C-NS, C-SA, C-T, C-SO, C-W, C-AC	
25 beds or fewer	ZC
More than 25 beds	UP(PH)
C-DMU	
60 beds or fewer	ZC
More than 60 beds	UP(PH)
Manufacturing Districts	
M, MM, MU-LI, MU-R	Not Permitted
Notes: [2] See also permit requirements based on floor area of use in Table 23.308.040-1	

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Section 9. That Berkeley Municipal Code Section 23.310.030.A is amended to read as follows:

A. Permits Required. Table 23.310-1 shows permits required for alcoholic beverage service when incidental to a food service establishment.

TABLE 23.310-1: PERMITS REQUIRED FOR ALCOHOLIC BEVERAGE SERVICE

District	Permit Required Based on Type of Beverages Served When Incidental to Food Service	
	Beer and Wine	Distilled Spirits
R-SMU	UP(PH)	UP(PH)
All Commercial Districts, except C-AC, <u>and R-BMU</u>	ZC	UP(PH)
C_AC	ZC	AUP
MU-LI, MU-R	UP(PH)	UP(PH)

Section 10. That Berkeley Municipal Code Section 23.310.030.B.3 is amended to read as follows:

B. Use Limitations.

3. C-NS and R-BMU Districts. In the C-NS district, distilled spirit service is allowed only for full-service restaurants. Distilled spirit service is not allowed for carry out food stores and quick-service restaurants.

Section 11. That Berkeley Municipal Code Section 23.312.030.B is amended to read as follows:

B. Residential Districts.

1. All Residential Districts Except R-BMU. Live/work units are not permitted.
2. R-BMU District: A Use Permit is required for live/work units.

Section 12. That Berkeley Municipal Code Section 32.322.030.A.1 is amended to read as follows:

A. Residential Districts.

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1. Spaces Required. Table 23.322-1 shows minimum required off-street parking spaces in the Residential Districts.

TABLE 23.322-1: REQUIRED OFF-STREET PARKING IN RESIDENTIAL DISTRICTS

Land Use	Number of Required Off-street Parking Spaces
Residential Uses	
Accessory Dwelling Unit	See Chapter 23.306
Dwellings, including Group Living Accommodations	<p><u>R-3, R-4, and R-5 Districts (1-9 units):</u> If located on a roadway less than 26 feet in width in the Hillside Overlay: 1 per unit.</p> <p><u>R-3, R-4, and R-5 District (10 or more units):</u> If located on a roadway less than 26 feet in width in the Hillside Overlay: 1 per 1,000 sq ft of gross floor area</p> <p><u>All Other Districts:</u> If located on a roadway less than 26 feet in width in the Hillside Overlay: 1 per unit</p> <p><u>All Other Locations:</u> None required</p>
Dormitories, Fraternity and Sorority Houses, Rooming & Boarding Houses, Senior Congregate Housing	<p>If located on a roadway less than 26 feet in width in the Hillside Overlay: 1 per each 5 residents, plus 1 for manager.</p> <p>All Other Locations: None required.</p>
Rental of Rooms	<p>If located on a roadway less than 26 feet in width in the Hillside Overlay: 1 per each two roomers</p> <p>All Other Locations: None required</p>
Non-Residential Uses	
All non-residential uses except uses listed below	<p><u>R-SMU District:</u> 1 per 1,000 sq. ft.</p> <p><u>R-BMU District:</u> <u>None required; no more than 1.5 spaces per 1,000 sq. ft.</u></p> <p><u>All Other Residential Districts:</u> See 23.322.030.A.2</p>
Community Care Facility	<p><u>R-BMU District:</u> <u>None required; no more than 1.5 spaces per 1,000 sq. ft.</u></p> <p><u>All Other Residential Districts:</u> One per two non-resident employees</p>
Food Service Establishment	<p><u>R-BMU District:</u> <u>None required; no more than 1.5 spaces per 1,000 sq. ft.</u></p> <p><u>All Other Residential Districts:</u> 1 per 300 sq. ft.</p>
Hospital	<p><u>R-SMU District:</u> 1 per 1,000 sq. ft.</p> <p><u>R-BMU District:</u> <u>None required; no more than 1.5 spaces per 1,000 sq. ft.</u></p>

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Land Use	Number of Required Off-street Parking Spaces
	<u>All Other Residential Districts:</u> 1 per each 4 beds plus 1 per each 3 employees
Library	<u>R-BMU District: None required; no more than 1.5 spaces per 1,000 sq. ft.</u> <u>All Other Residential Districts:</u> 1 per 500 sq. ft. of publicly accessible floor area
Nursing Home	1 per 3 employees
Medical Practitioners	<u>R-BMU District: None required; no more than 1.5 spaces per 1,000 sq. ft.</u> <u>All Other Residential Districts:</u> 1 per 300 sq. ft.
Non-Medical Offices	<u>R-SMU District:</u> 1 per 1,000 sq. ft. <u>R-BMU District: None required; no more than 1.5 spaces per 1,000 sq. ft.</u> <u>All Other Residential Districts:</u> 1 per 400 sq. ft.
Hotels, Tourist	1 per 3 guest/sleeping rooms or suites plus 1 per 3 employees
[1] Excludes community care facilities which under state law must be treated in the same manner as a single-family residence	

Section 13: That Berkeley Municipal Code Section 23.322.090 is amended to read as follows:

23.322.090 – Bicycle Parking

A. Parking Spaces Required.

1. **Non-Residential Bicycle Parking.** Table 23.322-10 shows districts where bicycle parking is required, land uses requiring bicycle parking, and the number of required spaces. Bicycle parking is required for new construction and for expansions to existing buildings that add new floor area.

TABLE 23.322-10: REQUIRED NON-RESIDENTIAL BICYCLE PARKING

District	When Required	Required Spaces
<u>R-BMU</u>	<u>New commercial space</u>	<u>1 per 1,000 sq. ft.</u>
R-S, R-SMU	New commercial space	1 per 2,000 sq. ft.
All Commercial Districts except for C-E and C-T	New floor area or for expansions of existing industrial, commercial, and other non-residential buildings	1 per 2,000 sq. ft.
All Manufacturing Districts except	New floor area or for expansions of existing industrial, commercial, and	1 per 2,000 sq. ft.

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District	When Required	Required Spaces
<u>R-BMU</u>	<u>New commercial space</u>	<u>1 per 1,000 sq. ft.</u>
for C-E and C-T	other non-residential buildings	
C-E, C-T	None required	N/A

a. In the C-DMU district, the Zoning Officer, in consultation with the City Traffic Engineer, may approve an AUP to modify the bicycle parking requirement in Table 23.322-10 for Tourist Hotels.

2. Residential Parking. Table 23.322-11 shows the types of residential projects, including the residential portion of mixed-use projects, for which bicycle parking is required.

TABLE 23.322-11: REQUIRED RESIDENTIAL BICYCLE PARKING

Use	Long-Term Parking Requirement [1]	Short-Term Parking Requirement [1]
Dwelling Units (1 to 4 units)	<u>R-BMU: 1 space per unit</u> <u>All other districts:</u> None required	None required
Dwelling Units (5 units or more)	<u>R-BMU: 1 space per unit</u> <u>All other districts:</u> 1 space per 3 bedrooms	2, or 1 space per 40 bedrooms, whichever is greater
Group Living Accommodations, Dormitories, Fraternity and Sorority Houses, Rooming and Boarding Houses, Transitional Housing	2, or 1 space per 2.5 bedrooms, whichever is greater	2, or 1 space per 20 bedrooms, whichever is greater
[1] Long-Term Parking and Short-Term Parking shall meet the design standards included in Appendix F of the 2017 <i>Berkeley Bicycle Plan</i> , or as subsequently amended by the Transportation Division.		

B. Bicycle Parking Standards. The following standards apply to required bicycle parking spaces in a non-residential district:

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1. Bicycle parking spaces shall be located in either a locker, or in a rack suitable for secure locks, and shall require location approval by the City Traffic Engineer and Zoning Officer.
2. Bicycle parking shall be located in accordance to the Design Review Guidelines and other design specifications promulgated by the Transportation Division.

Section 14: That Berkeley Municipal Code Section 23.502.020.L.14-20 are amended to read as follows:

14. Lot Area. The total horizontal area within a lot's boundary lines.

a. Lot Area in R-BMU Only: The total horizontal area within a lot's boundary lines, minus the square footage of any buildings, facilities or equipment that are, or shall be, under the control of the San Francisco Bay Area Rapid Transit District (BART).

15. Lot Coverage. See 23.106.020 (Lot Coverage).

16. Lot Depth. The average distance from the front lot line to the rear lot line measured in the general direction of the side lines.

17. Lot Frontage. That dimension of a lot's front lot line abutting on a street.

18. Lot Lines. The boundaries between a lot and other property or the public right-of-way.

19. Lot Line, Front. The shorter of the two intersecting lot lines along the rights-of-way of a corner lot shall be deemed to be the front of the lot for purposes of determining the lot frontage and for yard requirements. In the case of a lot having equal frontage, or in the case of an irregularly shaped lot, the Zoning Officer shall determine the front in such a manner as to best promote the orderly development of the immediate area.

20. Lot Width. The average distance between the side lot lines measured at right angles to the lot depth.

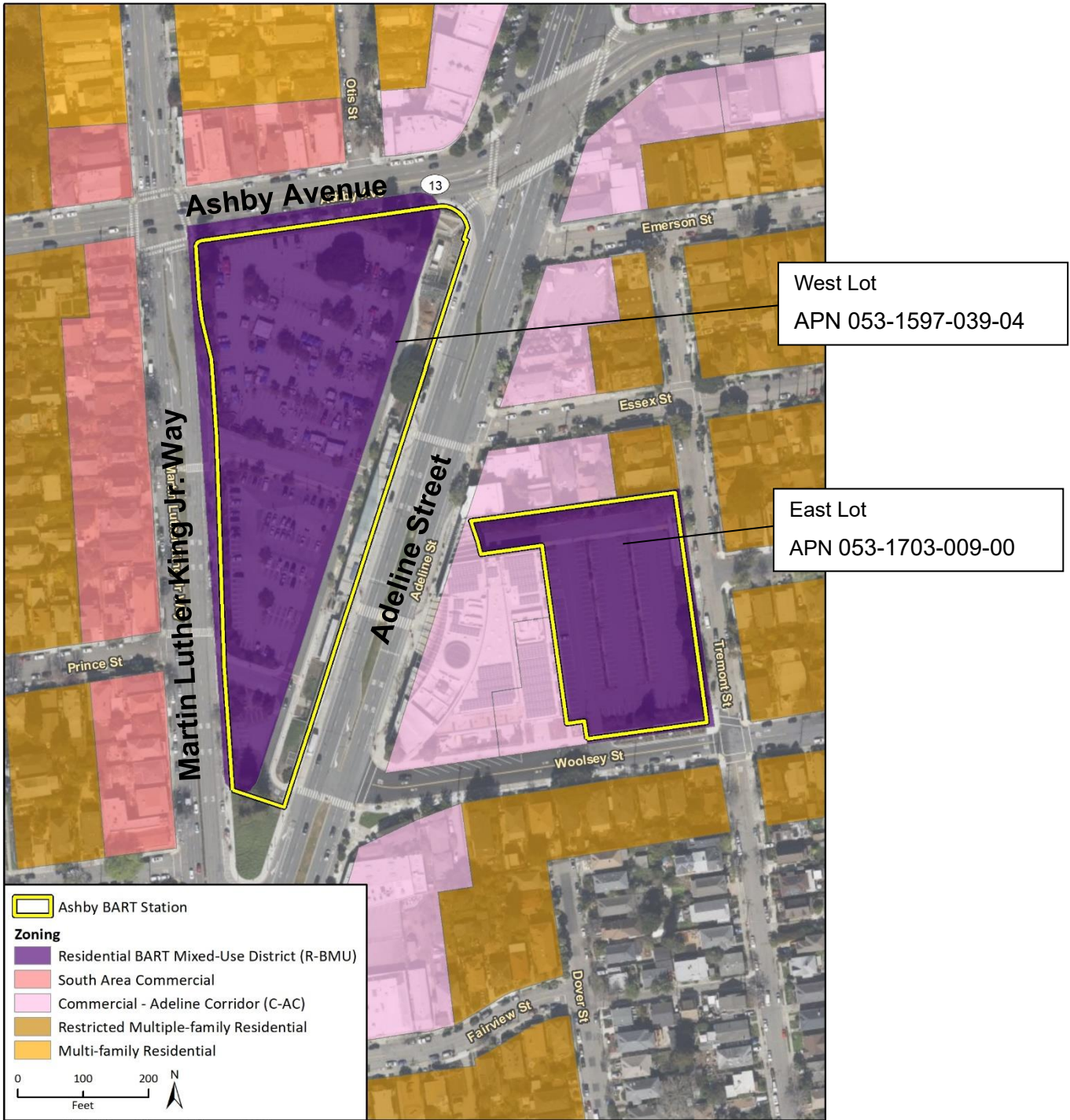
Section 15. Objective design standards, including, but not limited to, BART station functionality, public realm, building form and massing (e.g. vertical and horizontal articulation) building facade design, and open space shall be presented to the Council for adoption within one-year from the adoption of this code section.

Section 16. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

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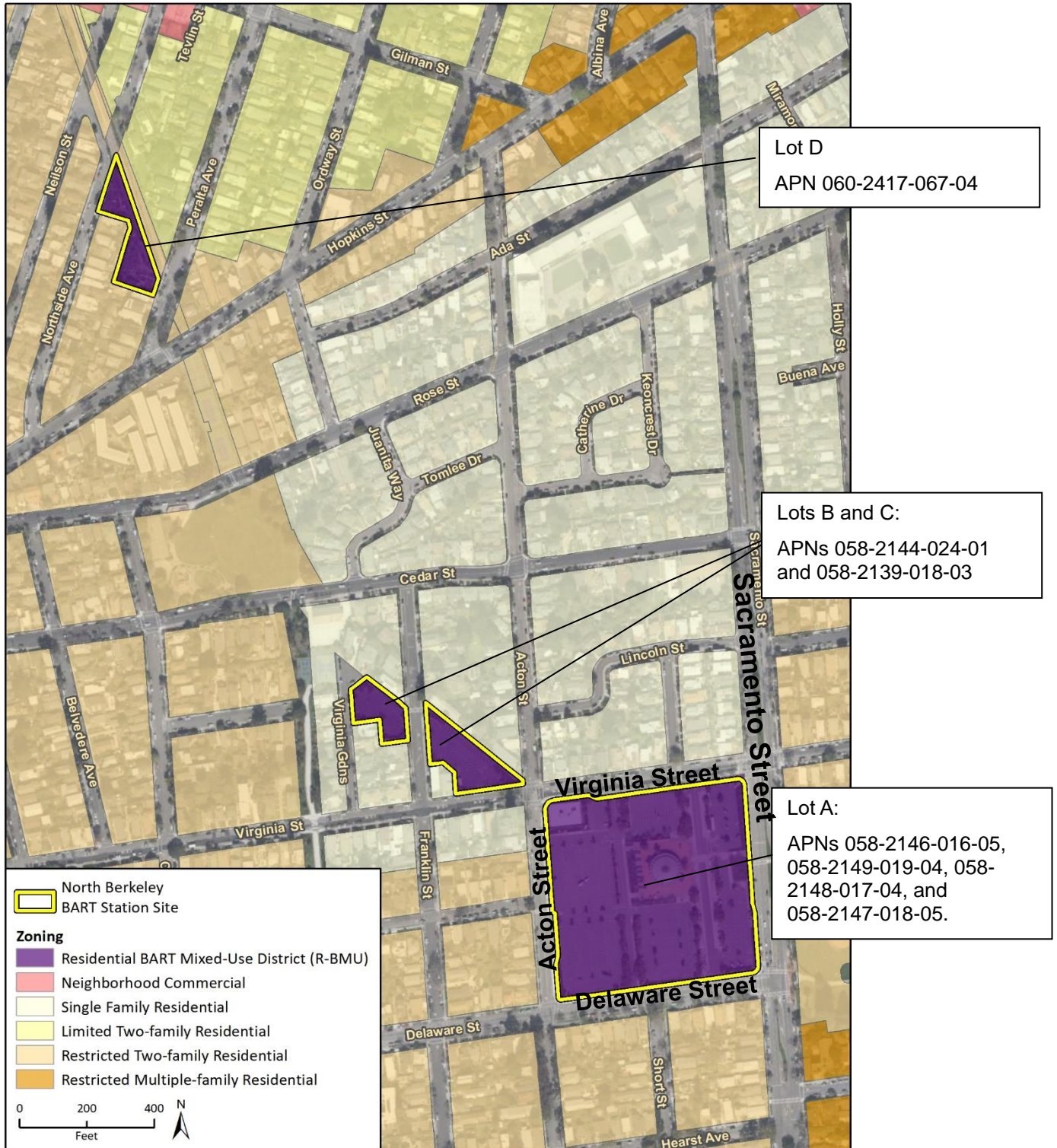
Exhibit A: Proposed Zoning Maps

1. Ashby BART Site: Residential – BART Mixed Use



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2. North Berkeley BART Site: Residential – BART Mixed Use



Imagery provided by Microsoft Bing and its licensors © 2021.
Land use data provided by City of Berkeley, 2019.

Fig. 4.7-4 Proposed BART Station Site

March 31, 2022

Berkeley Planning Commission
c/o Alene Pearson, Secretary
Land Use Planning Division
1947 Center Street, 2nd Floor
Berkeley, CA 94704

Dear Commissioners;

Golden Gate Audubon Society (GGAS) wishes to thank the Planning Commission for hearing the Bird Safe Berkeley item#11 at their March 2, 2022 meeting. The presentation by Assistant Planner Zoe Covello was a good overview of this important planning issue. Over 200 species of birds have been documented in Berkeley and the city is in the midst of the Pacific Flyway, a major migratory route for birds. Bird building collisions are among the highest human causes of bird mortalityⁱ. This is something which you can take positive action to prevent with the Berkeley Bird Safe Building ordinance.

Solutions vary from simple insect screens applied externally, DIY solutions for homeowners, artistic etching, marketing films, louvers, shutters, and shades to glazing with frit, UV patterns, films thermal regulating properties which decrease HVAC costs and protect natural resources.

In support of this ordinance, GGAS offers the following resources:

- American Bird Conservancy's Model Ordinance for Bird Safe Buildings
[https://abcbirds.org/glass-collisions/bird-friendly-legislation/#:~:text=American%20Bird%20Conservancy%20\(ABC\)%20has,first%20100%20feet%20above%20grade](https://abcbirds.org/glass-collisions/bird-friendly-legislation/#:~:text=American%20Bird%20Conservancy%20(ABC)%20has,first%20100%20feet%20above%20grade).
- Mountain View's Precise Plan See pages 134-141
<https://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=29702>
- A bibliography of bird-building and lighting collision studies dated June, 2021. See [file:///G:/Documents/Audubon/Audubon/Conservation/Bird%20Safe/Glass%20Collisions Bibliography%20July%202021-AT%20edits%20\(2\)%20\(1\).pdf](file:///G:/Documents/Audubon/Audubon/Conservation/Bird%20Safe/Glass%20Collisions%20Bibliography%20July%202021-AT%20edits%20(2)%20(1).pdf)
- The database from the International Dark Skies Association containing studies on lighting impacts to humans and wildlife including birds. See https://www.zotero.org/groups/2913367/alan_db/library
- The list of products which have been tested, evaluated and rated for efficacy in preventing bird-building collisions at the American Bird Conservancy. See <https://abcbirds.org/glass-collisions/products-database/>
- Local city staff that worked on bird safe building ordinances as contacts regarding the implementation:
 - o Emeryville - Diana Keena, Associate Planner City of Emeryville
 - o Richmond - Alex Knox, Director of Policy and Planning, Office of the Mayor
 - o San Francisco - Andrew Perry, Sr. Planner, TDM Program Coord. Planning Div.
 - o Alameda - Ashley Zieba, City of Alameda, Deputy City Clerk

- Oakland – Heather Klein, CGBP LEED AP, Planner II, City of Oakland

GGAS provided free courses to over 200 local San Francisco Bay Area architects and building designers. The bird safe building design course provides a professional level training and provides an AIA Continuing Education Unit.

As a resource to developers, some cities have provided a flyer on their ordinance. See https://sfplanning.org/sites/default/files/resources/2019-09/Design%20Guide%20Standards%20for%20Bird%20Safe%20Bldgs_Final.pdf

BACKGROUND On November 12, 2019 the Berkeley City Council heard and approved the Bird Safe Berkeley requirements that had been approved by Community Environmental Advisory Commission (CEAC) earlier in 2019. CEAC evaluated Bird Safe Berkeley evaluated and researched for a year in 2018.

Bird Safe Berkeley Requirements

From: Community Environmental Advisory Commission

Recommendation: Refer to the Planning Commission and the City Attorney the attached ordinance amending Berkeley Municipal Code Title 23C, adding a new Chapter 23C.27 establishing bird safety requirements for new construction and significant renovations and a new Chapter 23C.28 establishing a dark skies ordinance, for review and approval. Financial Implications: See report Contact: Viviana Garcia, Commission Secretary, (510) 981-7460

Action: Moved to the Consent Calendar. Approved the recommendation revised to read as follows: “Refer to the Planning Commission and the City Manager to consider the attached ordinance amending Berkeley Municipal Code Title 23C, adding a new Chapter 23C.27 establishing bird safety requirements for new construction and significant renovations and a new Chapter 23C.28 establishing a dark skies ordinance, for review and approval.”

GGAS strongly supports the proposed ordinance which is aligned with the City of Berkeley’s Strategic Plan, advancing the goal to be a global leader in addressing climate change, furthering environmental justice, and protecting the environment. Now is the time to move this forward.

If Planning Staff or Commissioners have other questions, please feel free to contact me.

Thank you,



Noreen Weeden

nweeden@goldengateaudubon.org

cc: Glenn Phillips

Executive Director, Golden Gate Audubon Society

gphillips@goldengateaudubon.org

Zoe Covello

Assistant Planner, City of Berkeley | Land Use Planning Division

zcovello@cityofberkeley.info

ⁱ <https://www.fws.gov/library/collections/threats-birds>

From: Judith Brown <judithbrown2020@gmail.com>

Sent: Tuesday, March 29, 2022 3:32 PM

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

Subject: BART zoning

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

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 JV 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,
Judith C. Brown
2808 Woolsey St.
Berkeley, CA 94705

--

Judith C. Brown

From: Carole Cool <coolcarole4@gmail.com>
Sent: Tuesday, March 29, 2022 4:54 PM
To: Pearson, Alene <apearson@cityofberkeley.info>
Subject: Proposed zoning and developer guidelines

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 Commissions,

I am a resident of Berkeley and am very concerned about the proposed zoning and the JVP document for the North Berkeley BART station. Affordable housing is necessary in Berkeley yet the greatest numbers of units at market value are proposed. There is no concern for the existing residential community surrounding north Berkeley BART. Instead it is treated as an urban area as though it already has multiple stories. Please respect the existing residential community and do not maximize the number of units.

Carole Cool
2408 McKinley Ave.

From: Anne Boersma <aaannn1@gmail.com>
Sent: Wednesday, March 30, 2022 1:42 PM
To: Pearson, Alene
Subject: NB 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.

Neighborhood Association Proposal only.
Do not subsidize developers with our tax dollars.
Dr. A. Boersma



From: Barbara Fisher <barbara.fisher2000@gmail.com>
Sent: Wednesday, March 30, 2022 2:20 PM
To: Pearson, Alene; All Council; Berkeley Mayor's Office
Subject: BART building

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 northwest Berkeley, and live near North Berkeley BART. I am distressed by the proposed zoning and the JVP document for the BART station. The people who live near the station, have a vision for the station of **contextual, affordable, green-built housing that enhances the community**, not tall market-rate towers that benefit only wealthy renters, real estate developers, and BART.

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, will do little for affordable housing, will increase land value in the neighborhood, leading to gentrification and displacement. 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. Huge structures with expensive apartments ruin neighborhoods with 1) out-of-scale buildings and 2) by leaving unhoused people camping on sidewalks.

I have asked my own Councilmember, several times, if the city can do a vacancy survey. (No response to this question.) I'm guessing that those blocks of new market rate housing have a lot of vacant units, of course too expensive for members of our large homeless population. Aren't you curious about this too? Or unwilling to find out?

As drafted, the zoning requires a density that will result in huge 7-story or higher structures over most of North Berkeley BART and the loss of almost all green space. The mockup below shows the stark 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!

Barbara Fisher District 1

What North Berkeley Neighborhood Association proposes

- 4-500 units affordable housing
- Fits in community
- Most climate-friendly approach
- Public funding for affordable housing not private developer profit



What the City and BART propose

- 800-1200 units mostly market rate housing
- Massive walls against neighborhood
- Public funding giveaway to developers
- Climate negative project



Simulation of 800-1200 unit project, along Delaware St, facing east



City mockup of 7 story, 800-1000 unit project

March 2022

From: bgilbertca@aol.com
Sent: Wednesday, March 30, 2022 12:39 PM
To: Pearson, Alene
Subject: 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 Berkeley and am extremely concerned about the proposed zoning and the Joint Vision and Priorities (JVP) document for the BART stations.***

The JVP document proposes to create the greatest number of housing 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, Barbara Gilbert

***Barbara Gilbert
Vincente Avenue
Berkeley, CA 94707-1520***

***Phone: 510-559-8216
E-mail: bgilbertca@aol.com***

From: Sheila Goldmacher <sheinaleah@comcast.net>
Sent: Wednesday, March 30, 2022 12:43 PM
To: Pearson, Alene; All Council; Berkeley Mayor's Office
Subject: N Berkeley Bart proposed building

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 Joint Vision and Priorities (JVP) document for the BART stations. I think the building that has been allowed in the last several years has made the city of Berkeley an ugly place to live in and an unsafe place health wise as well. The allowance of the ugly tall buildings built for profit and not for those who desperately need housing is appalling to me as a long time resident.

The JVP document proposes to create the greatest number of housing 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,

Sheila goldmacher
2341 Parker St. #8
94704

From: Tom Graly <tgraly@pacbell.net>
Sent: Wednesday, March 30, 2022 5:40 PM
To: Pearson, Alene; All Council; Berkeley Mayor's Office
Subject: JVP for 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:

I am a resident of Berkeley and am extremely concerned about the proposed zoning and the Joint Vision and Priorities (JVP) document for the BART stations.

The JVP document proposes to create the greatest number of housing 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. 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,
Tom Graly

From: Carol Hirth <chirth@mac.com>
Sent: Wednesday, March 30, 2022 5:06 PM
To: Pearson, Alene
Cc: All Council; Berkeley Mayor's Office; Harrison, Kate
Subject: North Berkeley BART Housing Proposal

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:

As a resident of North Berkeley, I am extremely concerned about the proposed zoning and the Joint Vision and Priorities (JVP) document for the BART stations.

The JPV does not create truly affordable housing, address how shade will block solar panels, design housing that will complement and enhance existing neighbors, or account for the repercussions of greatly increased density (traffic, parking, etc.).

The JPV will greatly benefit developers without creating affordable housing, and encourage them to exploit the state density bonus at the expense of ordinary citizens.

The JVP document proposes to create the greatest number of housing 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,
Carol Hirth
1309 Cornell. 94702

What North Berkeley Neighborhood Association proposes

- 4-500 units affordable housing
- Fits in community
- Most climate-friendly approach
- Public funding for affordable housing not private developer profit



What the City and BART propose

- 800-1200 units mostly market rate housing
- Massive walls against neighborhood
- Public funding giveaway to developers
- Climate negative project



Simulation of 800-1200 unit project, along Delaware St, facing east



City mockup of 7 story, 800-1000 unit project

March 2022

From: Naomi Janowitz <nhjanowitz@me.com>
Sent: Wednesday, March 30, 2022 12:40 PM
To: Pearson, Alene
Cc: All Council; Berkeley Mayor's Office
Subject: I support JVP for 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 Commission, City Council and Mayor,

I am a resident of Berkeley and I support the proposed zoning and the Joint Vision and Priorities (JVP) document for the BART stations. This is a great opportunity to increase housing for Berkeley. The NIMBY's are out in force. Do not let them sidetrack this much-needed new housing. Thanks Naomi Janowitz

From: Jon Kaufman <jonk@solem.com>
Sent: Wednesday, March 30, 2022 12:53 PM
To: Pearson, Alene; All Council; Berkeley Mayor's Office
Subject: Housing at Ashby and North Berkeley BART

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

I oppose the removal of parking spaces at BART stations.

We need more housing but removing parking to create it is a stupid, short-sighted idea.

We are recovering from the pandemic and hopefully returning to our former lives. That included a SHORTAGE of parking at BART. People will need to drive to BART and the solutions offered in lieu of parking spaces and no solution for those who need to drive.

If it is important to build housing at BART, the build parking garages or at least build the housing over the parking lots.
DO NOT REDUCE THE NUMBER OF PARKIN SPACES.

Sincerely,

Jon Kaufman
107 Alvarado Road
Berkeley, CA
510-644-0771

From: Cynthia Sue Larson <cynthia.larson@gmail.com>
Sent: Wednesday, March 30, 2022 10:20 PM
To: Pearson, Alene; All Council; Berkeley Mayor's Office
Subject: north Berkeley proposed zoning and Joint Vision and Priorities (JVP) document
Attachments: north Berkeley deisgn ideas.jpg

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 Berkeley citizen who is writing to you today with interest and concern about the proposed zoning and the Joint Vision and Priorities (JVP) document for the BART stations.

The Joint Vision and Priorities (JVP) document proposes to create the greatest number of housing units in the shortest possible time, at mostly market rate. This strategy seems more geared toward ensuring private developer profits with little interest in providing affordable housing, addressing increased population demands, or ensuring quality of environmental balance. I urge you to revise the JVP to prioritize building 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, I ask you to please take steps to prevent a private developer from claiming huge sums of Berkeley's affordable housing funds as their own contribution, at Berkeley's expense.

Sincerely,
Cindy Larson

What North Berkeley Neighborhood Association proposes

- 4-500 units affordable housing
- Fits in community
- Most climate-friendly approach
- Public funding for affordable housing not private developer profit



What the City and BART propose

- 800-1200 units mostly market rate housing
- Massive walls against neighborhood
- Public funding giveaway to developers
- Climate negative project



Simulation of 800-1200 unit project, along Delaware St, facing east



City mockup of 7 story, 800-1000 unit project

March 2022

From: Kathleen Lopes <lopeskm@yahoo.com>
Sent: Wednesday, March 30, 2022 1:10 PM
To: All Council; Pearson, Alene
Subject: North Berkeley BART 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, City Council members, and Mayor Arreguin:

I am a resident of Berkeley and am extremely concerned about the proposed zoning and the Joint Vision and Priorities (JVP) document for the BART stations.

The JVP document proposes to create the greatest number of housing 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,

Kathleen and Russell Lopes

[Sent from Yahoo Mail for iPhone](#)

From: Bernard Marszalek <ztangi@lmi.net>
Sent: Wednesday, March 30, 2022 8:54 PM
To: Pearson, Alene; Berkeley Mayor's Office; All Council
Subject: NO to Market rate housing on 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.

Dear Planning Commissioners, City Council members, and Mayor Arreguin,

It is a total outrage to me that, what is in essence public land, BART is a private entity only as a fiction, is not used to house those who work in Berkeley as teachers, artists, non-profit staff, healthcare workers, and all those thousands who work for low wages that provide various essential services to the residents on Berkeley.

When BART razed 500 homes to underground the tracks for the train they didn't keep their promise to replace the housing. The City and the State at that time didn't have the foresight - or more likely - the civic concern for all those moderate income folks, many of whom were people of color, who had to find housing elsewhere.

Now 50 years later BART is seeking to recoup their legacy of bad faith with even more bad faith and erect an ugly wall of housing for higher income tenants.

For city officials, many of whom live in single family housing, to continue on this track of neglect for those who need below market housing indicates to me that they are not fit for public office.

Yours,

-bernard

--

Bernard Marszalek • 510-693-5760 • Berkeley, CA 94703

From: Sabina McMurtry <sabinamcmurtry@yahoo.com>
Sent: Wednesday, March 30, 2022 1:59 PM
To: Pearson, Alene; All Council; Berkeley Mayor's Office
Subject: Building housing on BART sites

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 Joint Vision and Priorities (JVP) document for the BART stations.

The JVP document proposes to create the greatest number of housing 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, Sabina McMurtry

From: Carolyn McNiven <cfitzmcniven@gmail.com>
Sent: Wednesday, March 30, 2022 7:38 PM
To: Pearson, Alene; All Council; Berkeley Mayor's Office
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 Planning Commissioners, City Council members, and Mayor Arreguin:

I am a long time resident of Berkeley and am extremely concerned about the proposed zoning and the Joint Vision and Priorities (JVP) document for the BART stations.

Once again, Mayor Arreguin is pushing a proposal that helps private developers and favors gentrification. While I understand the pressures of the state housing mandate, I do not believe that this particularly project is appropriate or necessary for Berkeley.

First, rather than allow UCB to ground lease newly built apartment buildings to the East of the North Berkeley Bart station, the City Council should oppose these efforts **and ensure all new buildings are available for all renters.** Second, rather than allow West Berkeley to become a developer's wet dream, the city council should demand that multi-family development be family friendly and at a lower-price-point, rather than market rate. **We have already lost too many families and families of color to gentrification on Berkeley's West Side.**

The JVP document proposes to create the greatest number of housing 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,

Carolyn F. McNiven
1440 Hawthorne Terrace
94708

From: Marissa Moss <marissamoss@marissamoss.com>
Sent: Wednesday, March 30, 2022 12:47 PM
To: Pearson, Alene; All Council; Berkeley Mayor's Office
Subject: building plans for 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 Planning Commissioners, City Council members, and Mayor Arreguin:

I am a resident of Berkeley who uses the North Berkeley BART station often and am extremely concerned about the proposed zoning and the Joint Vision and Priorities (JVP) document for the BART stations.

The JVP document proposes to create the greatest number of housing 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!

If you agree to this plan, you'll continue to prove how Berkeley is one of the worst-run cities in the state. Knee-jerk reactions rather than careful planning seem to be the norm, wasting money on administration and badly-considered plans is rampant. I refuse to vote any more money for city purposes until improvements are made in how things are done.

Sincerely,
Marissa Moss

From: Mary Lee Noonan <mleenoonan@comcast.net>
Sent: Wednesday, March 30, 2022 4:40 PM
To: Pearson, Alene
Subject: Development at 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.

To Members of the Planning Commission , the City Council and the Mayor of Berkeley,

May I respectfully remind you that BART's primary responsibility is transportation, not housing. I urge you to vote against the zoning changes and development incentives that will make BART inaccessible to many Berkeley residents who rely on its parking lots.

Mary Lee Noonan
2599 Buena Vista Way

From: Theo Posselt <tposselt.sf@gmail.com>
Sent: Wednesday, March 30, 2022 4:36 PM
To: Pearson, Alene <apearson@cityofberkeley.info>
Subject: In support of significant housing at both 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.

Alene - can you please provide to the Planning Commission for the 4/6 meeting.

Commissioners -

I'm aware that next Tuesday 4/6 Council will be voting on a number of matters related to the BART housing proposals, and I'm writing in strong support of a significant amount of housing at all income levels which maximizes the total quantity of below-market "affordable" housing. Overall, the proposed zoning standards are appropriate and should be approved; they represent a reasonable balance between a baseline height that provides significant housing, while also respecting an appropriate scale for both BART areas.

I will review the actual material once posted, and may provide additional comments.

In parallel I also received the form letter below regarding North Berkeley BART; perhaps you've also received a number of letters copying this form letter. As a North Berkeley resident myself I disagree strongly with this form letter. The letter contains a number of distortions and erroneous arguments which I hope that you would also have seen. Just for completeness here are some particularly misleading statements:

- "Huge 7-story or higher structures over most of North Berkeley BART" - nothing in the zoning and JVP calls for this throughout the site. The 'City mockup' (which I believe to be a likely design under these documents) show 3 story at the edges, stepping back to 5 stories, with 7 stories only for the centers in the middle of the site. Their apparently self-created 'simulation' is particularly misleading, in that it shows 8 stories at the SW corner, unlinked to anything shown.
- "Giveaway to private developer profits" - nothing in the zoning dictates public or private development. The JVP expects some form of private development is possible, but in no way is this a 'giveaway' - BART will place development out for competitive proposals, and BART will expect land rents from any private developer, commensurate with the amount of market rate housing expected.
- "Will do little for affordable housing" - this is categorically wrong. This proposal maximizes affordable (below-market subsidized) housing to be created, both in terms of quantity and in terms of speed of delivery. Fundamentally, including market rate housing in the proposal allows cross-subsidies within a given project, which then adds to any subsidies the City can put forward (e.g., in the form of bonds) to create the maximum number of affordable units. The only way that affordable housing and market rate housing would be in competition is if we set the allowable size of the development so low that the available City funds would be

able to build without cross-subsidies. Given that (in my understanding) it takes at least \$200k in City funds for each below-market unit, this is unlikely to be a constraint.

- "I urge you to support the proposed zoning of 7 stories maximum height, and to set density at 75 units per acre maximum" - their requests expose their real interests. They are not asking to maximize the amount of affordable housing; they are asking to limit the size of the buildings. Which implies that the authors of this form letter may be interested in affordable housing, but they don't want too much of it in their back yard.

Regards,
Theo
D6 resident

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. 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,
(your name) (address-optional)

What North Berkeley Neighborhood Association proposes

- 4-500 units affordable housing
- Fits in community
- Most climate-friendly approach
- Public funding for affordable housing not private developer profit



What the City and BART propose

- 800-1200 units mostly market rate housing
- Massive walls against neighborhood
- Public funding giveaway to developers
- Climate negative project



Simulation of 800-1200 unit project, along Delaware St, facing east

From: mrose1126@aol.com
Sent: Wednesday, March 30, 2022 3:23 PM
To: Pearson, Alene; All Council; Berkeley Mayor's Office
Subject: Comments for meeting 4/6/2022 – North Berkeley BART Building Proposal

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 Arreguín, City Council members and Planning Commissioners,

I live one half block from the North Berkeley BART Station and I am extremely concerned about the proposed zoning and the Joint Vision and Priorities (JVP) document for the BART stations. I am writing with the expectation that you will still listen to neighbors like me and give honest consideration to the vision that I and many of my neighbors have for the North Berkeley BART Station—a vision to build contextual, affordable, green-built housing that enhances the community and neighborhood, NOT tall market-rate buildings that benefit primarily wealthy renters, real estate developers and BART!

The JVP document proposes to create the greatest number of housing 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 7-story or higher structures over most of North Berkeley BART which are too tall and way out of context with this neighborhood! The mockup below shows the stark, unlivable result of building at that scale in a low-rise neighborhood. It also shows a mockup from North Berkeley Neighborhood Alliance, which I support as a better vision for the station. **I strongly 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.**

Also, 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. I do NOT support public funds for private profit! It is simply wrong!

Sincerely,
Mary Rose
Delaware Street

What North Berkeley Neighborhood Association proposes

- 4-500 units affordable housing
- Fits in community
- Most climate-friendly approach
- Public funding for affordable housing not private developer profit



What the City and BART propose

- 800-1200 units mostly market rate housing
- Massive walls against neighborhood
- Public funding giveaway to developers
- Climate negative project



Simulation of 800-1200 unit project, along Delaware St, facing east



City mockup of 7 story, 800-1000 unit project

March 2022

From: Kirsten Rose <mskirstenrose@gmail.com>
Sent: Wednesday, March 30, 2022 5:48 PM
To: Pearson, Alene; All Council; Berkeley Mayor's Office
Subject: North Berkeley BART building proposal

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 Joint Vision and Priorities (JVP) document for the BART stations.

The JVP document proposes to create the greatest number of housing 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,
Kirsten Rose

From: Gay Scott <gayscott@sbcglobal.net>
Sent: Wednesday, March 30, 2022 12:58 PM
To: Pearson, Alene; All Council; Berkeley Mayor's Office
Subject: North Berkeley BART building proposal

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 are dismayed by the BART building proposal for North Berkeley. It is truly hideous. Yet again our town choses expediency over coherent planning at the expense of the environment, aesthetics and respect for all inhabitants.

Shame.

Sincerely,

Gay Sweet Scott
Gregory Lewis
2747 Woolsey Street

From: susan segal <susanannsegal@gmail.com>
Sent: Wednesday, March 30, 2022 2:19 PM
To: Pearson, Alene; All Council; Berkeley Mayor's Office
Subject: North Berkeley BART building proposal

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 Commission, City Council members, and Mayor Arrequin

I own the home I grew up in on Rose Street, just a few blocks from the North Berkeley BART station, and I am concerned about the proposed zoning and the JVP document for the BART stations.

While I appreciate the need for increased housing in Berkeley, the character of existing neighborhoods must be considered. To build seven story structures in a neighborhood largely consisting of homes no more than two stories will have a huge negative impact on those living in those homes.

In addition, no private developer should be allowed to claim public funds, intended for the creation of truly affordable housing, to make private profit.

I am trusting you to find creative ways to create affordable housing without lining the pockets of the wealthy developers, and at the same time to respect the integrity of the existing neighborhoods.

Thank you

Susan Segal Owner of 1609 Rose Street
4247 Howe Street
Oakland, CA 94611

From: Jennifer Price Wolf <jenniferpricewolf@gmail.com>
Sent: Wednesday, March 30, 2022 8:54 PM
To: Pearson, Alene
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 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. The mockup below shows the stark, unliveable 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,
Jennifer Price Wolf, 1719 Sacramento Street

From: E. Anne Griffiths <eagriff@earthlink.net>
Sent: Thursday, March 31, 2022 6:49 PM
To: Pearson, Alene
Subject: North Berkeley housing plan

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 Joint Vision and Priorities (JVP) document for the BART stations.

The JVP document proposes to create the greatest number of housing 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, E. Anne Griffiths

Sent from [Mail](#) for Windows

From: Cherie Hearne <c1penguin@yahoo.com>
Sent: Thursday, March 31, 2022 8:21 PM
To: Pearson, Alene
Subject: Bart proposed 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, City Council members, and Mayor Arreguin:

I am a resident of Berkeley and am extremely concerned about the proposed zoning and the Joint Vision and Priorities (JVP) document for the BART stations.

The JVP document proposes to create the greatest number of housing 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,
Cherie Hearne
Ron Hearne
Hopkins Street

The huge 7 story building in the proposed plan we saw is totally inappropriate for a low rise neighborhood. It will lower market value of homes, block views can creat more traffic problems than the neighborhood can withstand.

From: Jodi Ravel <jodi.ravel@gmail.com>
Sent: Thursday, March 31, 2022 11:54 AM
To: Pearson, Alene; All Council; Berkeley Mayor's Office
Cc: Kesarwani, Rashi
Subject: BART Zoning MUST be respectful to neighborhood and the environment.

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, 3 blocks from the North Berkeley BART Station, and I am writing to express my opinion and PLEA to you all to LISTEN to neighbors about the proposed zoning and JVP document related to the North Berkeley BART station, and to have some compassion and creativity when you cast your vote that will change the feel, flow, look and energy of this historic neighborhood FOREVER. This is not something to take lightly.

I am beyond perplexed, and getting more and more angry that after all this time, energy, conversation, and input from local residents who vote - as well as gazillions of examples around the world of modern, climate-friendly, architecturally-pleasing, respectful, green building designs, along with UC Berkeley's urban planning department this is literally FEET away - that you are even still *considering* any massive concrete overbearing towers to be built! The current zoning draft, will result in MASSIVE 7-story or MORE structures towering over most of North Berkeley BART area which is completely UNACCEPTABLE. Look at the pictures below!!!!!! The mockup (and the many you have already seen) clearly shows what a large, stark, ugly, boring, unimaginative, punitive, overbearing, unlivable and paternalistic building will look and feel like at that scale in this proud residential neighborhood -- that is struggling to keep it's head above water with all the development desperately being shoved in here with no leadership vision or long-term plan for life here (for example, schools and day care for hundreds more kids) after it's all built. What are you thinking???

There are SO many options for respectful human-centered design around the world these days. Why are we even having this debate in 2022 in a world class academic city? Have you walked up and down San Pablo Avenue to see and feel all the new 3-4 story buildings there now? They are clearly too large already; casting shadow, darkness, and chilling cold across that boulevard. Why would you do that to your fellow humans in the heart of a completely residential area when there ARE other options?

I strongly urge you to CAP the zoning here at 7 stories MAXIMUM height (already too big), and to set the density of buildings at MAXIMUM 75 units per acre which is in accordance with AB2923. This is a no-brainer. There are options for success that don't require soviet-era monstrosities to be built in a world class academic city.

This is public land. You are public servants. You cannot sell off the quality, integrity and profit from this public land completely snubbing the residents and neighbors who have spent their lives, tax money, children's education, personal effort, to creating a neighborhood that thrives together despite the neglect and racism this area has suffered over the decades. Don't add to it. Wake up and modernize your thinking. Beauty and respect for all matters.

Sincerely,
Jodi Ravel

1272 Francisco St.

What North Berkeley Neighborhood Association proposes

- 4-500 units affordable housing
- Fits in community
- Most climate-friendly approach
- Public funding for affordable housing not private developer profit



What the City and BART propose

- 800-1200 units mostly market rate housing
- Massive walls against neighborhood
- Public funding giveaway to developers
- Climate negative project



Simulation of 800-1200 unit project, along Delaware St, facing east



City mockup of 7 story, 800-1000 unit project

March 2022

From: constance rivemale <mirasales.cr@gmail.com>
Sent: Thursday, March 31, 2022 8:35 PM
To: Pearson, Alene; All Council; Berkeley Mayor's Office
Subject: North Berkeley Bart Buildings

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 native resident and tax payer of North Berkeley and am extremely concerned about the proposed zoning and the Joint Vision and Priorities (JVP) document for the BART stations.

The JVP document proposes to create the greatest number of housing 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,

Constance Rivemale
1916 Yolo Ave., Berkeley Ca 94707

From: David Spinner <davanmad@lmi.net>
Sent: Thursday, March 31, 2022 1:11 PM
To: All Council; Pearson, Alene; Berkeley Mayor's Office
Subject: N Berkeley Bart Proposal

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 Joint Vision and Priorities (JVP) document for the BART stations.

The JVP document proposes to create the greatest number of housing 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,

Andrea Kean

1423 Campus Dr
Berkeley CA 94708

From: Lee Bishop <bishoplm@gmail.com>
Sent: Friday, April 1, 2022 9:06 AM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: We need more housing as quickly as possible

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 Commission, Mayor, and Councilmembers,

I live a half mile from N Berkeley BART and I would like more neighbors and as much more housing of all kinds as possible. 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.

My only problem with the proposals so far is height. For climate and cost-of-living reasons, we have the responsibility to our children and to future citizens of Berkeley to build higher. I would be OK with twenty stories or more. Whatever pencils out. This is a once-in-a-generation opportunity and should not be squandered.

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,
Lee Bishop
District 1

From: Andrew Doran <doran.andrew@gmail.com>
Sent: Friday, April 1, 2022 9:35 AM
To: Covello, Zoe; +council@cityofberkeley.info; +mayor@cityofberkeley.info
Subject: YES to new neighbors ASAP

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 was born, raised, and currently live within a few blocks of North Berkeley BART and I want more neighbors. 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 more affordable units the better.

The only other 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,

Andrew Doran

From: Libby Lee-Egan <libbyco@gmail.com>
Sent: Friday, April 1, 2022 9:14 AM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: North Berkeley is not NIMBY

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Mayor, councilmembers, and planning commission:

I feel like I've emailed about this so many times, but here's another reminder: there's lots of people in North Berkeley who welcome transformative change at our BART station. You're probably getting an earful from our neighbors who disagree and have the time to express their views at every single opportunity.

With the next meeting overlapping with spring break, there's a large subset of North Berkeley Now supporters and others who won't be able to tell the planning commission in person how enthusiastically we support an urbanist paradise in our neighborhood. We live here and love our walkable neighborhood, we know that more people does not mean more traffic. We are not threatened by the specter of scarce street parking or shadows from transit-accessible apartment homes.

Our platform is supported by data that says dense TOD fights climate change in so many ways and we know that more apartments would be an equitable addition to the 1 & 2 million dollar SFHs that dominate. North Berkeley desperately needs more housing choices, especially for people who need disability accommodations that are difficult to get done in older housing. Disabled people by and large do not drive and they appreciate access to high quality transit.

Many of us have been following this issue since before AB2923 was law, it feels like a long time ago but it also feels like significant progress has been made. Let's keep moving forward together!

Planning Commissioners and eventually councilmembers and the mayor: Please speedily approve the zoning, JVP, and EIR for Berkeley's BART stations.

Thank you for your consideration and please convey my thanks to staff who have been working so hard on this!

Libby Lee-Egan
North Berkeley resident (D1) and volunteer for North Berkeley Now!

From: chris <chrislee.public@gmail.com>
Sent: Friday, April 1, 2022 1:22 PM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: YES to new neighbors ASAP

Follow Up Flag: Follow up
Flag Status: Flagged

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 North Berkeley and I want more neighbors. 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,

Chris Lee-Egan

D1

From: Blaine Merker <blainemail@gmail.com>
Sent: Friday, April 1, 2022 12:02 PM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: Comment on upcoming NBB zoning agenda at Planning Commission

Follow Up Flag: Follow up
Flag Status: Flagged

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 North Berkeley adjacent to the North Berkeley station and I support maximizing the housing potential of this site. 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.

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.

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,
Blaine Merker
1624 Acton Street

From: Phyllis Orrick <poberkeley@gmail.com>
Sent: Friday, April 1, 2022 6:04 PM
To: Berkeley Mayor's Office; All Council; Covello, Zoe
Cc: North Berkeley Now!; South Berkeley Now!
Subject: YES to new neighbors ASAP

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 North Berkeley and I want more neighbors. 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,

Phyllis Orrick

From: margots999@aol.com
Sent: Friday, April 1, 2022 2:02 PM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: BART development

Follow Up Flag: Follow up
Flag Status: Flagged

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.

The proposed excessive housing around BART will make our traffic jams even worse, and make it difficult to use BART. We need not only more housing but SMART housing. do not ruin the only mass transit system we have in Berkeley, the only good one. Save BART parking for the people who use BART. Provide housing in areas that will allow people to walk to BART AND save our parking for other people who use BART.
Thanks,

Margot Smith
510-486-8010 (no text)
Margots999@aol.com
1300 A Shattuck Ave, 94709

From: Ben Gerhardstein <ben.gerhardstein@gmail.com>
Sent: Saturday, April 2, 2022 4:48 PM
To: All Council; Berkeley Mayor's Office; Covello, Zoe
Cc: Klein, Jordan
Subject: BART developments: YES to new neighbors ASAP

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 about a half-mile from North Berkeley BART and I want more neighbors. Please approve the zoning, JVP, and EIR for Berkeley's BART stations so we can move forward and make North Berkeley BART a place more 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 encourage driving rather than walking, biking, and transit - sustainable and active forms of transportation.

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

Thank you for your consideration,

Ben Gerhardstein

2320 Acton St

From: christopher kroll <quercus40@gmail.com>
Sent: Saturday, April 2, 2022 5:18 PM
To: Covello, Zoe; Pearson, Alene
Subject: Fwd: Sample email to City Council; ref BART zoning

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

----- Forwarded message -----

From: christopher kroll <quercus40@gmail.com>
Date: Sat, Apr 2, 2022 at 5:01 PM
Subject: Fwd: Sample email to City Council; ref BART zoning
To: All Council <council@cityofberkeley.info>, Berkeley Mayor's Office <mayor@ci.berkeley.ca.us>, <pearson@cityofberkeley.info>

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

I am extremely concerned about the proposed zoning and the JVP document for the BART stations. BART's plans for North Berkeley BART construction do not relate at all to the low-rise neighborhood context which surrounds the station. Large towers as BART has had constructed at the MacArthur Station would be completely inconsistent with the neighborhood.

The JVP document proposes to create the greatest number of units in the shortest possible time, mostly market rate. This is public land and priority should be given to affordable not market rate housing. BART should not be acting as a private sector developer and the City of Berkeley should not be enabling BART in this. This strategy is a giveaway to private developer profits and will do little to nothing 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. This is unacceptable and you are making the neighborhood a sacrifice zone for BART's greed. 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!

We are all watching who the City Council and Mayor of Berkeley actually represent.

Sincerely,

Christopher Kroll
Curtis Street
CD1

What North Berkeley Neighborhood Association proposes

- 4-500 units affordable housing
- Fits in community
- Most climate-friendly approach
- Public funding for affordable housing not private developer profit



What the City and BART propose

- 800-1200 units mostly market rate housing
- Massive walls against neighborhood
- Public funding giveaway to developers
- Climate negative project



Simulation of 800-1200 unit project, along Delaware St, facing east

From: Anne Torney <annemtorney@gmail.com>
Sent: Saturday, April 2, 2022 10:13 AM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: Yes on MORE height, density and limited parking at North Berkeley BART

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

Dear Commissioners and Mayor Arreguin,

I am writing with my **STRONG** support for **more** height, and less parking to be considered at the Planning Commission on Wednesday, April 6. In most other ways I support the proposed zoning.

The proposed recommendations should allow more height, up the mid-rise limit. This is a genuine missed opportunity. It may be that the successful developers decide to build lower, but please allow them to make that choice. This is a once in a lifetime chance to do our best to take a truly significant step to address the housing and climate crisis. **BE BOLD** as our leaders; don't listen to the small subset of property owners who oppose height; think of the future Berkeley neighbors of all backgrounds and incomes who will benefit for decades to come.

North Berkeley BART is 'my' BART station for my (now, almost) daily weekday commute. I walk, bike, UBER, get a ride from my hubby to/from. I believe we can meet the needs of those who absolutely must park at the BART station due to disabilities, etc., AND prioritize density and livability in the right place for our City and our region. 200 spaces is still a lot, and is the absolute MAX that should be approved.

Thank you in advance for leading the way on equitable, sustainable development.

Anne Torney
1932 Thousand Oaks Blvd.

From: David Brandon <davidbrandon@comcast.net>
Sent: Sunday, April 3, 2022 7:22 PM
To: Covello, Zoe
Subject: Input on Zoning and JVP Statement - BART TOD - April 6 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.

MESSAGE SENT TO APEARSON EARLIER ON 4-3-2022

Dear Planning Commission, Mayor, and City Council:

A massive, high-rise project is inappropriate and unacceptable at North Berkeley BART. I am also deeply concerned that "sleeper" provisions in the planning documents could stifle development of other affordable housing projects in Berkeley and yield density bonuses that add unanticipated height. Please do not further erode the livability of Berkeley.

My principal requests are

(1) Zoning to 7 stories as a maximum and a density maximum of 75 units per acre at North Berkeley BART (NBB). This will meet housing needs, yet prevent the worst outcomes for this neighborhood as well as commuters who use North Berkeley BART;

(2) Prioritizing affordability over speed of development. This is the wisest public policy and must be included in the Joint Vision and Priorities Statement to secure the future of affordable housing in Berkeley.

Other requests are that

- Commercial development should be focused on University Avenue, NOT the ground floor at NBB.

- Setbacks of the buildings should be minimally 10 feet at street level, increasing to 20, then 30 feet at the third story.

Limited height, appropriate setbacks, and a non-commercial project were what we were offered as the City's vision in early community meetings that kicked off development of the MOU with BART. These are the MINIMUM commitments that I request of the City now.

Respectfully yours,

David Brandon
District 1 resident

From: Lynda Caesara <lcaesara@hotmail.com>
Sent: Monday, April 4, 2022 8:05 AM
To: Covello, Zoe
Subject: Fw: North Berkeley Bart plan

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.

From: Lynda Caesara <lcaesara@hotmail.com>
Sent: Sunday, April 3, 2022 8:38 PM
To: apearson@cityofberkeley.info <apearson@cityofberkeley.info>
Subject: North Berkeley Bart plan

Lynda Caesara
1619 Virginia St.
Berkeley,94703
510 848 8360
April 4th,2022

Dear Planning Commission,

I am addressing the North Berkeley Bart Station Plan.

We have an opportunity to plan for the most affordable housing units. We don't need more market Rate Housing. Most of the people in this neighborhood are in the affordable category. Market rate housing will gentrify this community which is very diverse at the moment. Please do not rush on this and move toward Market Rate housing with minimum affordable units. this is public land and ideally will be used to benefit the people who live here not developers and the Bart system.

Please revise the current plan to set the maximum of 75 units per acre which will satisfy AB2923. the current plan is way to many people to add to the neighborhood. A huge 10 story building with 150 units per acre is not contextual and will dominate the landscape. It is completely out of balance with the neighborhood and should not be placed here.

I am not in agreement that the city's affordable housing funds should go to a developer for their density bonus. It only adds more people to a site that is already over burdened.

Please revise the zoning.

-to prevent retail from being in the lower floors of the project. We have empty retail space on University which needs to be filled.. It is a waste of housing space to make retail on the lower floors.

- Please require 10 ft. minimum setbacks at the ground level for all streets including Sacramento.

We need the margin for trees, and people(wheel chairs, strollers, bikes and bus passengers).

5 ft is not enough for the foot traffic that will travel there.

- Please establish 15 foot minimum setbacks above 2 floors and 20 feet step backs above 3 floors so the the buildings blend into the neighborhood on all sides.

Thank you so much,
Lynda

From: Mary C Dorst <mclorst@gmail.com>
Sent: Sunday, April 3, 2022 10:06 PM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Cc: hello@northberkeleynow.org
Subject: YES to new neighbors ASAP--North Berkeley

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 was born in, raised and live in North Berkeley and I want more neighbors. My hometown has changed drastically since my great, great, grandfather, James Bradshaw Woolsey (yes, Woolsey Street was named after him), had farms in South Berkeley. And it has changed since I was a kid at Oxford Elementary and (then) Columbus School in the 1970's, and even more since I graduated from Berkeley High in 1982. Please approve the zoning, JVP, and EIR for Berkeley's BART stations so we can move forward and make North Berkeley BART a place more people can call home. We need affordable, multi-bedroom apartments especially for very low-income families with children, and for households of all ages and compositions.

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. Density is destiny, and every floor we add helps fight urban sprawl and global warming. 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. Each story can further recoup the diversity Berkeley had 45 years ago during my childhood, when children of Nobel laureates learned together with kids of more modest means with working class parents.

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. We have multiple options for moving people to and from the station, but there is no alternative for land for housing.

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

Thank you for your consideration,

Mary C. Dorst

Mary C. Dorst
1310 Cornell Avenue
Berkeley, CA 9402-1010
mclorst@gmail.com

From: Toni Mester <tonispann@comcast.net>
Sent: Monday, April 4, 2022 8:59 AM
To: Covello, Zoe
Subject: April 6 meeting

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To: Planning Commission

From: Toni Mester

April 4, 2022

RE: R-BMUP standards

I recommend the following change in the standards (23.303-28 for the BART residential master-use permits.

5. Front Upper-Story Step-backs. Any street-facing building frontage above four stories in height that is not within 100 linear feet of Sacramento Street, Adeline Street, Ashby Avenue, or Martin Luther King Jr. Way, shall step back a **minimum of 15 feet** from the property line for portions of the building above four stories.

Exactly 15 feet may not be achievable or desirable in every instance so provide some flexibility.

Building Heights: AB2923 is not clear whether every building must reach a minimum of 7 stories. Since Berkeley's proposal is a master use permit, is a lesser height allowable for those buildings on Delaware, Acton, and Virginia Streets? If so, I suggest a 4 story maximum along those streets to better integrate the project with the scale of the neighborhood.

Thank you for your consideration.

From: Paul <pollyolly100@gmail.com>
Sent: Sunday, April 3, 2022 9:15 AM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: YES to new neighbors ASAP

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 North Berkeley and I want more neighbors and lively, walkable and transit-oriented communities. 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.

From: Stephanie Allan <stepbad@yahoo.com>
Sent: Monday, April 4, 2022 12:00 PM
To: Robinson, Rigel; Taplin, Terry; Arreguin, Jesse L.; Bartlett, Ben; Hahn, Sophie; Kesarwani, Rashi; Wengraf, Susan; Harrison, Kate; Droste, Lori
Cc: Covello, Zoe
Subject: BART Station Housing

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

Dear Mayor Arreguin, Members of the City Council and Members of the Planning Commission, Wilbin, Gould, Moore, III, Oatfield, Mikiten, Kapla, Twu, Hauser & Ghosh,

Please approve the zoning, JVP, and EIR for Berkeley's BART stations so we can move forward and make North Berkeley BART and Ashby BART places people can call home. The only thing that could be improved in the zoning is height. It doesn't make sense to limit the density to what's in the state legislation, AB2923. I think we should go higher.

Given the problems caused by our severe shortage of housing and the climate crisis, we need to build housing for as many people as possible in transit-rich areas like BART stations. Higher height limits also mean the building forms can step down and be shorter at the edges, which is a preference many residents share.

Please speedily approve the zoning, JVP, and EIR for Berkeley's BART stations so that construction can start sooner rather than later! Stephanie Allan

From: Tom Athanasiou <tomathanasiou@gmail.com>
Sent: Monday, April 4, 2022 11:41 AM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: YES to new neighbors ASAP

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 Albany, just near North Berkeley. North Berkeley BART is my BART station and I VERY STRONGLY support a dense buildout of housing there.

I am also a climate researcher and a social justice advocate, but I will spare you long screeds on these subjects.

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. In my dreams, the parking is almost entirely limited to the satellite lots.

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

Thank you for your consideration

From: Elana Auerbach <elanarobyn@gmail.com>
Sent: Monday, April 4, 2022 11:10 AM
To: Covello, Zoe
Subject: Fwd: Center Affordable Housing at BART Stations

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----- Forwarded message -----

From: **Elana Auerbach** <elanarobyn@gmail.com>
Date: Mon, Apr 4, 2022 at 9:54 AM
Subject: Center Affordable Housing at BART Stations
To: <apearson@cityofberkeley.info>, <council@cityofberkeley.info>, Arreguin, Jesse L. <JArreguin@cityofberkeley.info>

Dear Planning Commissioners, City Council, and Mayor Arreguin:

*We have an affordability crisis in Berkley, **not** a housing supply crisis.*

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. The report that the Rent Board commissioned by the Anti-Eviction Mapping Project unequivocally found that we are in dire need of affordable units, especially to extremely low households -- less than 50% AMI. The concluding thoughts of their data driven analysis:

"Unless land use policies are created with equity and the creation and maintenance of affordable housing as their primary goal- and use proven methods to achieve that goal- upzoning will accelerate the displacement of Black, brown and low-income Berkeley residents, paradoxically intensifying the racist impacts of existing land use policy."

Do you know what the current vacancy rate is on all of our market rate units in Berkeley? If you don't know the answer to this question, you must find out what the current vacancy rate is *before* finalizing these plans. San Francisco has a [10% vacancy rate](#). The Berkeley City Council needs to request the same report the SF Supervisors did. You should not make decisions when you don't have all of the data. A quick analysis I did from the U.S. Census Data [site](#) shows that as of 2020 Berkeley has a 9% vacancy rate...over 4,700 units. I imagine that number is much higher now with all of the new market rate units being added to our housing inventory. But that's only conjecture. Get the accurate data on current rental vacancy rates, it would be irresponsible not to.

I urge you to revise the JVP to prioritize building the largest number of affordable units on these 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 in the document 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.

Center the needs of the most vulnerable and lower income folks in our community, so that we can continue to have a community and not simply a beautiful place for millionaires to live and investors to grow their portfolios.

Thank you~

Elana Auerbach

District 4 (formerly D1)

From: Paul <paulbickmore@gmail.com>
Sent: Monday, April 4, 2022 11:36 AM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: Let the Homes Get Built Now!

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:
Approve the zoning, JVP, and Environmental Impact Review for our BART stations so we can make our neighborhoods a place folks can actually call home.

The only thing that could be improved in the zoning is the heights: let taller buildings be built to use as a safety valve so that folks moving in don't displace those in existing homes. Given the widespread suffering caused by our housing and climate crises we have a responsibility to house as many people as possible close to transit. Thirty stories would be great.

Support the plan to prescribe a maximum of two hundred parking spots at North Berkeley BART. Parking spots take space away from housing and encourage folks to pollute.

Approve the zoning, JVP, and EIR for Berkeley's BART stations swiftly! Housing delayed is housing denied!

Thank you,

Paul Bickmore

From: Joaquin Carbonell <jcarbiv@gmail.com>
Sent: Monday, April 4, 2022 10:09 AM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: YES to new neighbors ASAP

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 North Berkeley and I want more neighbors. I went to school at Cal and now work on campus. I love Berkeley, I love the people, I love biking to work everyday using Berkeley's world-class network of bike boulevards. But I struggle to afford housing here - the only housing I can afford is rental housing in multi-unit buildings, a building typology we sadly have too little of.

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,

Joaquín R. Carbonell IV

From: Riti Dhesi <ndhesi@yahoo.com>
Sent: Monday, April 4, 2022 11:58 AM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: YES to new neighbors ASAP

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 North Berkeley and I want more neighbors. 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, Riti

From: Phil Erickson <philcommunity@yahoo.com>
Sent: Monday, April 4, 2022 9:43 AM
To: Pearson, Alene; Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: YES on North Berkeley BART TOD zoning, JVP, and EIR!!

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, Mayor, and councilmembers:

I live in North Berkeley and have been active in the public process for the planning of homes instead of a parking lot at North Berkeley BART. I want more neighbors and a better chance for my son to be able to live in Berkeley once he has his own family. Please approve the zoning, JVP, and EIR for Berkeley's BART stations so that we – the Berkeley community, city government, BART, and the future TOD implementation team – can get a wonderful addition to the North Berkeley neighborhood.

The only thing that could be improved in the zoning is height: I think we should go higher in the middle of the site and along Sacramento Street. Eight, twelve, and possibly more height can be provided without negatively impacting the neighborhood by stepping down towards other streets at the edges of the site. More homes near transit makes sense environmentally, socially, and economically.

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

I don't want my 5th grade son and his classmates to wonder what their parents and the City of Berkeley were thinking when they missed a once in a lifetime chance to get things right at North Berkeley BART.

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

Thank you,

Phil Erickson
1319 McGee Ave

From: Elie Hassenfeld <ehassenfeld@gmail.com>
Sent: Monday, April 4, 2022 11:31 AM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: North Berkeley BART - please vote to approve

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, council members, and planning commission:

I live around the corner from BART and I would like to see housing built on the BART parking lot.

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 crisis we have a responsibility to house as many people as possible. Higher height limits also mean the building form can step down and be shorter at the edges, which is a preference many of my neighbors share. Eight, twelve, and even 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,

Elie

From: Cora Johnson-Grau <cjohnsongrau@gmail.com>
Sent: Monday, April 4, 2022 11:48 AM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: YES to new neighbors ASAP

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 North Berkeley and I want more neighbors. 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.

Best,
Cora Johnson-Grau
District 1 Resident

From: Matthew Passmore <massmore@gmail.com>
Sent: Monday, April 4, 2022 11:35 AM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: North Berkeley BART Housing - Yes, within reason

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Dear Mayor, councilmembers, and planning commission:

I live in North Berkeley, just a short walk from the BART station, and I want more neighbors in our neighborhood. I am, however, concerned with the zoning height of the proposed development: **I believe 7 stories is tall enough**, and is the maximum that would integrate into the existing community.

Yes, Berkeley is beset by the ongoing housing and climate crises, and we have a responsibility to house as many people as possible in transit-rich areas. However, this one development will not single-handedly alleviate these crises. It will, however, completely alter the character of the neighborhood. While North Berkeley is willing to do its part, there are other neighborhoods (e.g., along Shattuck) that are much more suitable for taller, high density housing.

As such, seven stories is a reasonable height in this neighborhood.

Please support the plan that contemplates a seven-story development, and no higher.

Thank you for your consideration,

Matt

Matthew G. Passmore
massmore@gmail.com
1601 Jaynes Street
Berkeley 94703

From: Matthew Wadlund <mwadlund@yahoo.com>
Sent: Monday, April 4, 2022 11:56 AM
To: Covello, Zoe; All Council; Berkeley Mayor's Office
Subject: YES to new neighbors ASAP at North Berkeley BART

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

Mayor, Councilmembers, and Planning Commission:

I live in South Berkeley and I own a business in West Berkeley - we want more neighbors. 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: we should go higher. 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 station.

Lastly BART is regional resource with a huge investment. All stations along the BART line should be fully developed to realize the full benefit from that huge Regional investment.

Thank You,
Matthew Wadlund