

Ashby + North Berkeley BART

Zoning/General Plan Amendments and City-BART Joint Vision and Priorities
Planning Commission
September 1, 2021



Tonight's Meeting

- Planning Process Overview
- Draft Documents for Review and Discussion:
 - City-BART Joint Vision and Priorities (“JVP”)
 - Draft Zoning and General Plan Amendments
 - Outstanding Issues for Discussion



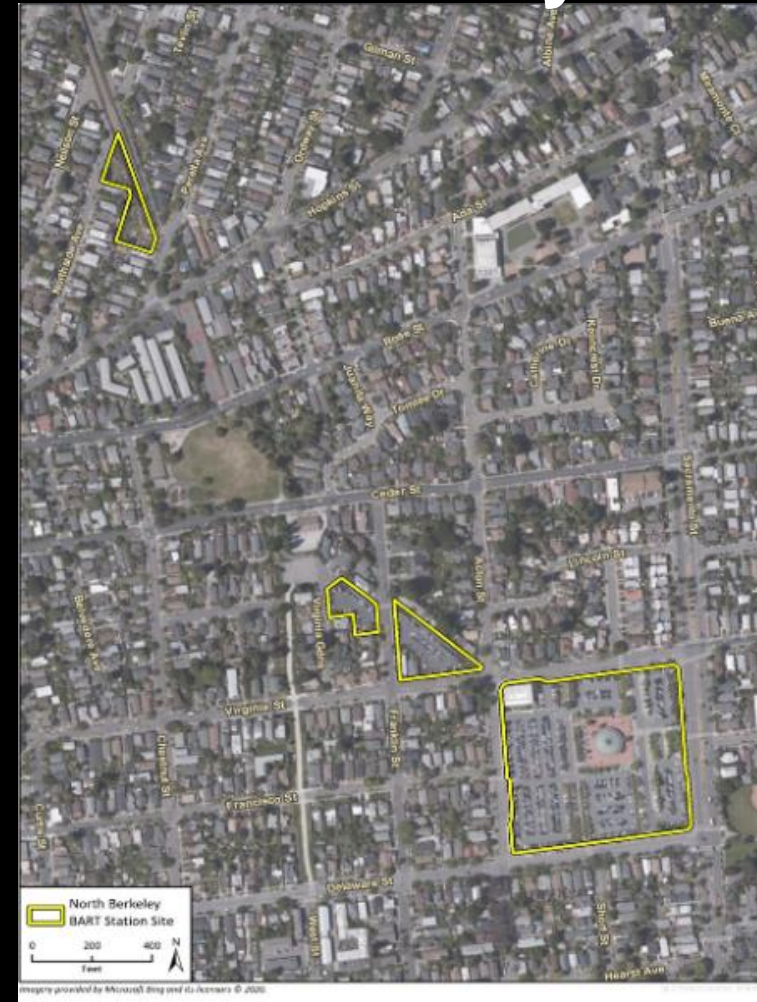
PLANNING PROCESS

- Overview and Status Update
- Parallel Planning Efforts
- Community Engagement
- Regulatory Framework

Ashby



North Berkeley



Note: maps are shown at different scales



Planning For TOD Ashby and NB BART

Preliminary Planning



Milestones

- City and BART Joint Vision and Priorities
- Zoning (aligns with AB 2923) and associated General Plan Amendments and EIR
- Updated Memorandum of Understanding (MOU)
- Requests for Qualifications for Developer(s)

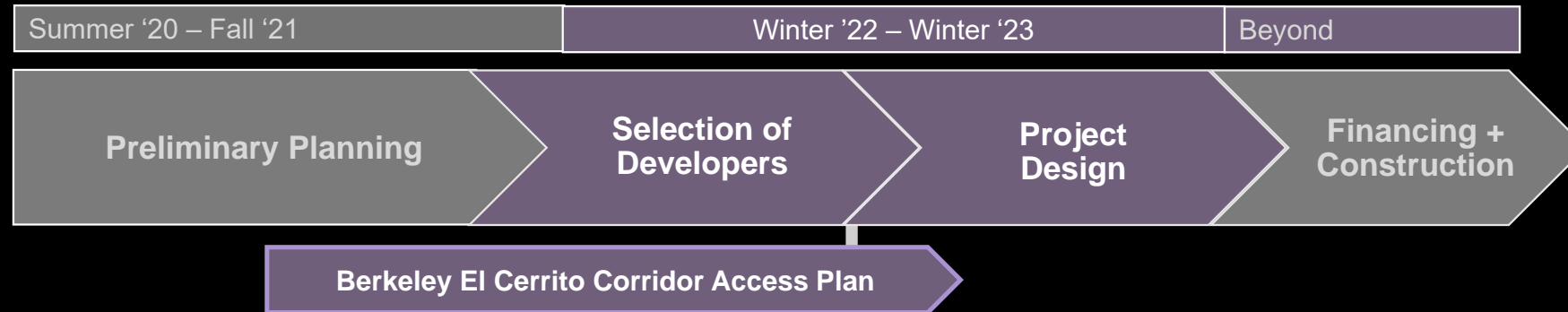
TOD = Transit Oriented Development

*Illustrative Timeline – Subject to Change



Planning For TOD at Ashby and NB BART

Future Stages of Planning



Milestones

- Access Investment Priorities and upper limit of BART rider parking (BECCAP)
- Objective Design Standards
- Project-specific station access plans
- Project proposals and approvals

TOD = Transit Oriented Development

*Illustrative Timeline – Subject to Change





Parallel Efforts

1. Identification of City Funding for Affordable Housing and Infrastructure
2. Berkeley-El Cerrito Corridor Access Plan (BECCAP)
3. Adeline Corridor Roadway Reconfiguration Feasibility Study



City Funding

For Affordable Housing and Infrastructure

- Reservation of up to \$53 million of City affordable housing for the BART sites
 - *\$40 million of remaining Measure O Bond*
 - *\$13 million from future Affordable Housing Mitigation Fees or other source*
- Council referral to explore new sources of funding for housing and/or infrastructure (e.g. new bond or other financing)



City Affordable Housing \$ Update

Estimate of City Subsidy Needed (Street Level Advisors January 2021 Memo)*

Ashby		North Berkeley		TOTAL
% Affordable	City Cost	% Affordable	City Cost	
35%	27,760,208	35%	\$ 25,018,016	\$ 52,778,224
50%	\$ 58,207,950	35%	\$ 25,018,016	\$ 83,225,966
60%	\$ 78,586,360	35%	\$ 25,018,016	\$ 103,604,376
70%	\$ 98,964,770	35%	\$ 25,018,016	\$ 123,982,786
75%	\$ 109,273,848	35%	\$ 25,018,016	\$ 134,291,864
80%	\$ 119,343,180	35%	\$ 25,018,016	\$ 144,361,196
85%	\$ 129,652,258	35%	\$ 25,018,016	\$ 154,670,274
90%	\$ 139,721,590	35%	\$ 25,018,016	\$ 164,739,606
95%	\$ 150,030,668	35%	\$ 25,018,016	\$ 175,048,684
100%	\$ 160,100,000	35%	\$ 25,018,016	\$ 185,118,016
50%	\$ 58,207,950	50%	\$ 49,967,475	\$ 108,175,425
75%	\$ 109,273,848	75%	\$ 96,418,263	\$ 205,692,111
100%	\$ 160,100,000	100%	\$ 142,869,050	\$ 302,969,050

Available online:
[www.cityofberkeley.info/
 bartplanning](http://www.cityofberkeley.info/bartplanning)

*Table 11 :
 Not adjusted for inflation



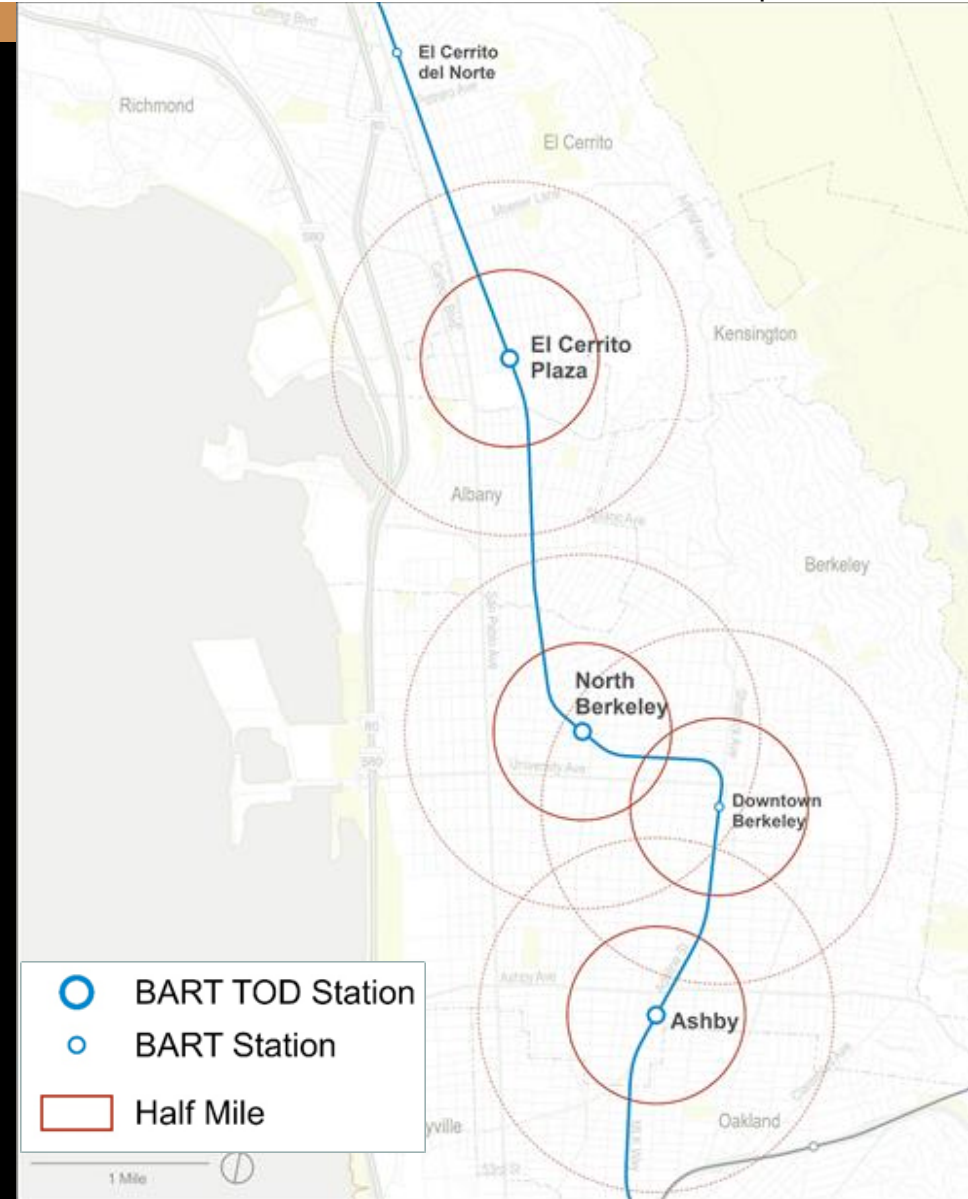
BECCAP

Berkeley – El Cerrito Corridor Access Plan

Goals:

- Develop station access & parking options that can be implemented before development
- Develop menu of access options and set BART rider parking range (Fall '21)
- Confirm options and potential financing/funding sources (Winter '21 – '22)
- Anticipated completion (Summer '22)
- *City of Berkeley Transportation Commission Subcommittee and other opportunities for public to provide feedback*

For more info: www.bart.gov/beccap



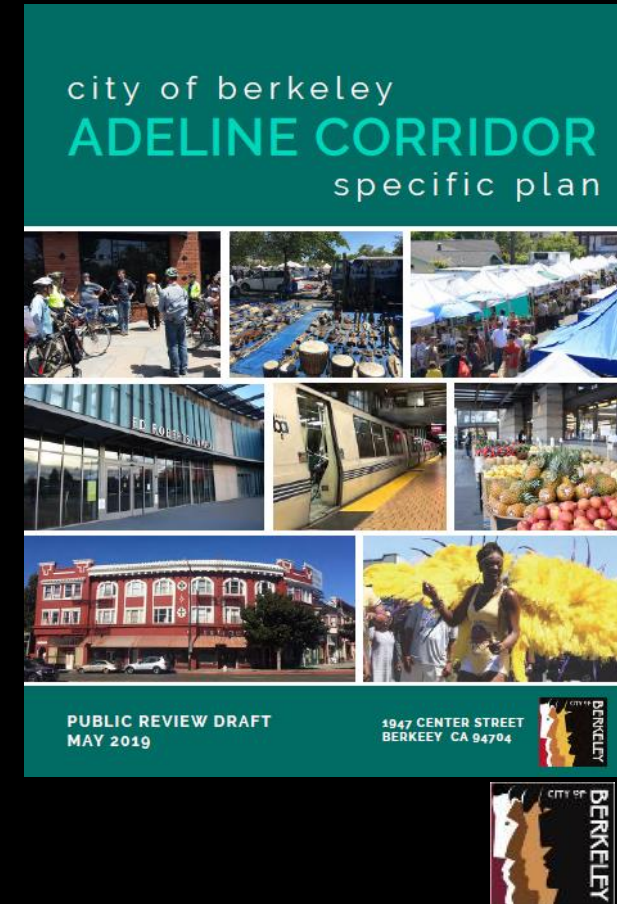
Adeline Corridor “Road Diet” Study

Adeline Corridor Roadway Reconfiguration Feasibility Study

Goals:

- Enhance safety for all users
- Increase public space potentially for non-motorized transportation and public activities such as the Flea Market
- Support bus transit operations
- Accommodate passenger and freight loading
- Implement inclusive engagement practices
- Anticipated completion: Spring 2022

For more info: <https://www.cityofberkeley.info/adelineroaddietstudy/>





Community Engagement

- Community Advisory Group (CAG)
- Community Workshops and Other Engagement
- Commission and City Council meetings

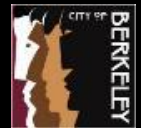
Note: Summaries of CAG and community meetings, including compilations of all written public comments received are available at:
www.cityofberkeley.info/bartplanning



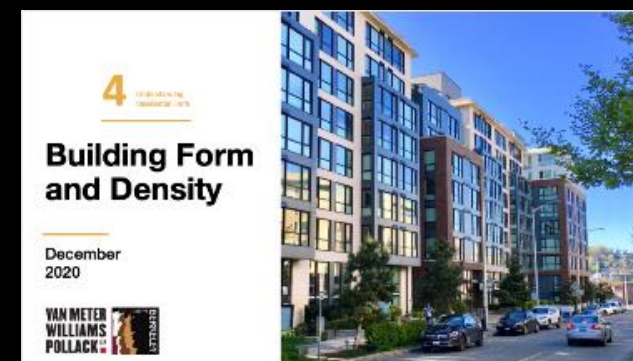
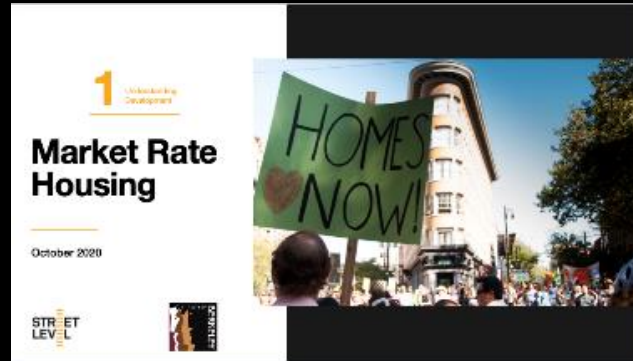


Community Advisory Group (CAG)

- Planning Commission: John E. Moore III (formerly Chris Schildt)
- Housing Advisory Commission: Mari Mendonca
- Commission on Disability: Alex Ghenis
- Transportation Commission: Barnali Ghosh
- Rev. Ambrose Carroll
- Tony Corman
- Hayley Currier
- Charles Gary
- Liz Hitchcock Lisle
- Lillian Lew-Hailer
- Peter Lydon (formerly Elisabeth Watson)
- Blaine Merker
- Betty Seto
- Rhonda Simmons
- Peter Waller



Community Meetings and Additional Resources



Links to reports and videos at: www.cityofberkeley.info/bartplanning





Regulatory Framework for the BART Sites

- City and BART Adopted Plans, Policies, Regulations
- State Laws Related to Housing Production/Approval
 - Assembly Bill 2923
 - State Density Bonus
- Objective Design Standards (to be developed at a later stage)

State Laws: Assembly Bill 2923

Requires that zoning for these station areas must allow:

Residential Density	At least 75 units per acre
Building Height	7 stories (or higher)
Floor to Area Ratio	4.2 (or higher)
Parking	Residential Development: <ul style="list-style-type: none">• Vehicles: no minimum, 0.5 spaces per unit maximum• Bicycles: 1 space per unit Office Development: <ul style="list-style-type: none">• No minimum, 1.6 spaces per 1,000 sf maximum

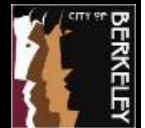
- *Development standards must comply with height, density, FAR, parking requirements of AB 2923 (PUC Section 29010.7(d)(2))*

For information on AB 2923 go to: www.bart.gov/about/business/tod/ab2923



State Laws: Assembly Bill 2923 Streamlining

- Streamlined approval process, as outlined in Senate Bill 35 (SB35) for a developer with an “eligible TOD project” that has entered into an Exclusive Negotiating Agreement with BART
- This process would exempt projects from some of the steps of the typical development review process outlined in the draft zoning.
 - *The BART sites are anticipated to be eligible for this streamlined approval process and it is likely that developers will use it*
 - *To allow the City to play the largest possible role under these rules in ensuring these projects have high-quality design, the City and BART are working together to put in place a process that includes:*
 1. *City participation in the developer selection process and*
 2. *Preparation of Objective Design Standards which would be adopted before a developer application is submitted*



State Laws: State Density Bonus

- Entitles developers to a “density bonus,” of 35%-50% above maximum zoning based on level of affordable housing
 - *A 35% density bonus is available for projects that include 11% very low income below market rate (“BMR”) units, 20% low income BMRs, or 40% moderate income BMRs*
 - *A 50% density bonus is available for projects with 15% very low income, 24% low income, or 44% moderate income BMRs*
- *Given the high levels of affordability anticipated at the BART sites (as outlined in the City-BART JVP), it is likely they will be eligible for the State Density Bonus which a developer may or may not utilize*





Objective Design Standards

- Objective Design Standards (ODS) will be developed for each BART site with input from the community, eventual selected developers and the City.
- The ODS are anticipated to be adopted by the City and enforceable before a developer application is submitted.

BART Board – AB2923 Development Principles

AB 2923 may, in some cases, diminish the requirement for developers to adhere to certain local design requirements. If a jurisdiction shares BART's commitment to regional climate, housing, and equity goals - as evidenced by zoning BART property for the highest feasible density, use and height – BART commits to encouraging consistency with that jurisdiction's objective design standards in its development agreements, to deliver feasible, high quality, context-appropriate design.



Objective Design Standards

- Station Functionality
- Public Realm
- Building Form / Massing
- Facade Design
- Open Space and Landscape

Reference: San Jose Citywide Design Standards and

31 Meeting

3.1.2 Form, Proportion, and Scale

APPLICABLE TO THE HIGH-QUALITY DESIGN

Buildings with design, form, and massing similar to surrounding buildings support a cohesive urban fabric.

Rationale

Building design requires a context in order to form a cohesive urban fabric. A pattern of individual buildings creates a consistent backdrop that allows special or unique landmark buildings such as museums and large commercial developments to draw attention. The presence of too many individual, unrelatable buildings can detract from an otherwise attractive urban environment.

Standards

S1. Buildings at street intersections with traffic signals, transit stops, and other special uses include at least two of the following architectural features for a minimum of 10 percent of each building facade along the street (see Fig. 3.1.2):

- Cornices
- Architectural massing with vertical or horizontal projections
- Wall treatments or decorative roof overhangs
- Building entrances with a minimum recess of three feet
- Different facade treatments such as variations in materials and colors

S2. When taller masses or exaggerated roof elements are provided, they can exceed the maximum allowed building height by up to 10 feet on a maximum of 20 percent of the roof area.

S3. For streets wider than 200 feet in width, provide at least one recess or projection in the facade that is at least:

- 10 feet wide and 10 feet deep for residential, commercial, and mixed-use developments (see Fig. 3.1.2)
- 10 feet wide and 5 feet deep for industrial developments.

Guidelines

G1. Take cues for form, proportions, roof forms, and building elements from nearby buildings of similar size (see Fig. 3.1.2).



Fig. 3.1.2 Define context and building form at street level through architectural details such as cornices, massing, and recessed entrances that distinguish buildings from one another.

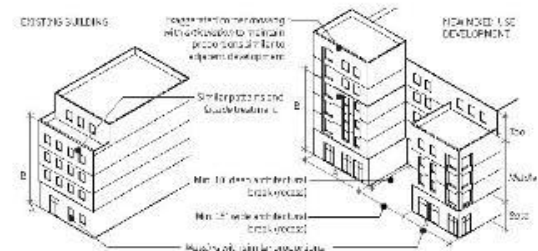


Fig. 3.1.2 Designing new projects to be proportional to the form and scale of surrounding developments.

Related Subsections

- 3.1.1 Missing Relationship to Context
- 3.1.3 Historic Adjacency
- 3.2.1 Facade Design and Articulation

General Plan Reference

CD-1, CD-4, CD-10, LU-9, LU-11, MS-1, MS-2

DRAFT DOCUMENTS

- City – BART Joint Vision and Priorities for Ashby and North Berkeley BART Transit-Oriented Development
- Zoning and General Plan Amendments
- Outstanding Issues for Discussion

City – BART Joint Vision and Priorities (JVP)

Purpose

- The City and BART's shared, high-level expectations for future development of both the Ashby and North Berkeley BART properties
- To help guide the process for the development of both Ashby and North Berkeley stations from developer selection through project construction

Affordable Housing



Public + Civic Space



Land Use



Building Form



Station Access + Parking



Links to Draft JVP Statements: <https://www.cityofberkeley.info/bartplanning/>

City – BART JVP: Affordable Housing - Highlights



Photo: Caelie Frampton

Build More Housing

- Maximize number of units, particularly affordable homes
- Calls out a range of 550- 1200 homes at each station

Specific Housing / Affordability Targets

- Sets minimum, expectations and a goal to maximize affordability
 - Sets 35% minimum; and for different income levels
 - Anticipates at least 50% at both stations
 - If both sites achieve 50%, and if additional funding is identified in a timely manner, priority is to further increase affordable housing at Ashby site; with goal to strive for 100% at Ashby (per Adeline Corridor Specific Plan)

Address Social and Economic Inequities

- Address inequities, reduce displacement, and provide the right to return

Housing Financing

- Explore new and creative financing options

Inclusive Housing

- Create homes for families, people with physical and mental disabilities, and formerly homeless

City – BART JVP: Public and Civic Space - Highlights



Bicycle and Pedestrian Improvements

- Provide safe and reliable access for bicycles and pedestrians to the BART stations and through the station sites

Open Space at Ashby

- Create public open spaces for residents and the general public
- Provide space for the Flea Market and consider using a portion of Adeline

Connection to Ohlone Greenway at North Berkeley

- Establish a clear connection through the site for Ohlone Greenway

Open Space at North Berkeley

- Preference for passive recreational uses, such as small group gatherings, tied together with quality landscape elements

City – BART JVP: Land Use - Highlights



Prioritize Housing – especially Affordable Housing

Community Uses

- Provide community-oriented retail and non-profit services
- Complement nearby business districts

Public Open Space

- For play and other free-form activities, community gardens, and connect with nature

City – BART JVP: Building Form - Highlights



Building Height

- Per AB 2923 building height cannot be restricted below seven stories. However, the City and BART support variation in height and building form at both stations.

Architectural Variety

- Encourage building design to provide visual interest with variation in height, scale, rooflines, materials, and architectural styles.

Neighborhood Quality

- Buildings should be designed to be high quality and provide natural light, air, direct outdoor access and sociability.

Activate Public Spaces

- Ground-floor spaces and building frontages should activate public space, while providing a sense of place and character to the stations and the surrounding neighborhood.

City – BART JVP: Station Access



Housing and Community Benefits

- Favor affordable housing and other community benefits over parking.

Non-Auto Access

- Increase the share of BART riders who access the stations via modes other than driving alone and parking.

Safe and Equitable Access

- Provide safe and secure station access options for people of all ages, abilities, ethnicities, genders and income levels.

Reduce Parking and Traffic Impact

- Provide other parking options, alternatives to driving, parking management and other measures

Pedestrian and Bicycle Access

- Provide high-quality, safe pedestrian and bicycle connections to and through the sites.



Zoning and General Plan Amendments

Zoning Text and Map Amendments

- Chapter 23.202.150 Residential – BART Mixed Use District
- Table 23.202.020-1: Allowed Land Uses

General Plan Policy and Map Amendment

- Draft Ashby/North Berkeley BART General Plan Land Use

Classification

- General Plan Maps



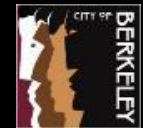


Draft General Plan Amendment

Proposed GP Land Use Classification

Ashby and North Berkeley BART Transit Oriented Development (TOD)

These areas leverage their location and the proximity of the BART stations to provide high-quality transit-oriented development, 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. Building intensity will permit a Floor Area Ratio (FAR) of at least 4.2, development at a height of at least 7 stories, and a development density of at least 75 dwelling units per acre.



Draft Zoning: Overview

- The draft zoning builds off the Joint Vision and Priorities statements and AB 2923 requirements - height, FAR, density, and parking
- Includes enforceable metrics and requirements
- Zoning creates the envelope and limits, but it is not the actual project
- Further objective design standards will be drafted once a developer is selected



Draft Zoning: Chapter Structure

- Zoning for the Ashby and North Berkeley stations will be a new Residential BART Mixed Use District (R-BMU)
- Chapter includes requirements for:
 - Definitions and Basic Development Standards (height, lot sizes, open space requirements, setbacks)
 - Allowed Land Uses
 - Street Frontages (stepbacks, ground floor frontages)
 - Building Entrances
 - Pedestrian Access
 - Parking Design and Access
 - Objective Design Standards (to be developed by City and BART)
 - Development Approval Process (“Master Development Permit”)

Draft Zoning: Definitions

Additional definitions not already in the zoning code that apply to the BART sites (only):

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

Draft Zoning: Definitions

Additional definitions not already in the zoning code that apply to the BART sites (only):

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

Draft Zoning: Development Standards*

Lot Area, Minimum	No minimum
Floor Area Ratio (FAR), Maximum	4.2
Main Building Height, Maximum	80 feet and 7 stories
Residential Density, Minimum	75 dwelling units per acre
Residential Parking	None required, Maximum of 0.5 space per dwelling unit
Non-Residential Parking	No minimum, 1.5 spaces per 1,000 sf maximum
Bicycle Parking	Minimum of 1 space per unit, 50% of which shall be covered and secure and 1 space per 1,000 sf of commercial use

*Note: Consistent with AB2923

Master Development Permit (MDP) Process

The zoning also describes the review process for the station areas.
Elements include:

- Preliminary Development Plan (PDP)
- Final Development Plan (FDP)
- Modifications
- Revocation



Outstanding Issues for Discussion

- Affordable Housing
- Building Form/Development Standards
 - Context, Building Height, Density
- Station Access
- Maintaining Meaningful City Participation

NEXT STEPS

Next Planning Commission meeting (date to be confirmed):

- Public hearing to take comments on the draft R-BMU zoning and associated General Plan amendments, the EIR on these documents, as well as the draft City-BART Joint Vision and Priorities.

Final CAG meeting (date to be confirmed):

- Meeting to discuss next steps of the planning process including elements of development selection process, Objective Design Standards process and community engagement moving forward.

City Council

- Public hearing to consider draft R-BMU zoning and associated General Plan amendments, the Final EIR on these documents, the City-BART Joint Vision and Priorities, as well as an updated Memorandum of Understanding between the City and BART in early 2022.

