

Ashby + North Berkeley BART

Zoning/General Plan Amendments and City-BART Joint Vision and Priorities
Planning Commission
November 3, 2021





Meeting Purpose

Conduct a public hearing and obtain the Planning Commission's recommendation to City Council regarding:

- (1) Zoning and General Plan Amendments
- (2) City and BART Joint Vision and Priorities Document
- (3) Draft Environmental Impact Report



TONIGHT'S MEETING

- Context
 - Brief Recap 9/1 Planning Commission Meeting
- Proposed Zoning, General Plan and City and BART Joint Vision and Priorities (JVP)
 - Presented at 9/1 PC with limited changes noted in 11/3 staff report
- Draft Environmental Impact Report (DEIR)

Context: Planning For Ashby and NB BART

Preliminary Planning



Berkeley El Cerrito Corridor Access Plan

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)

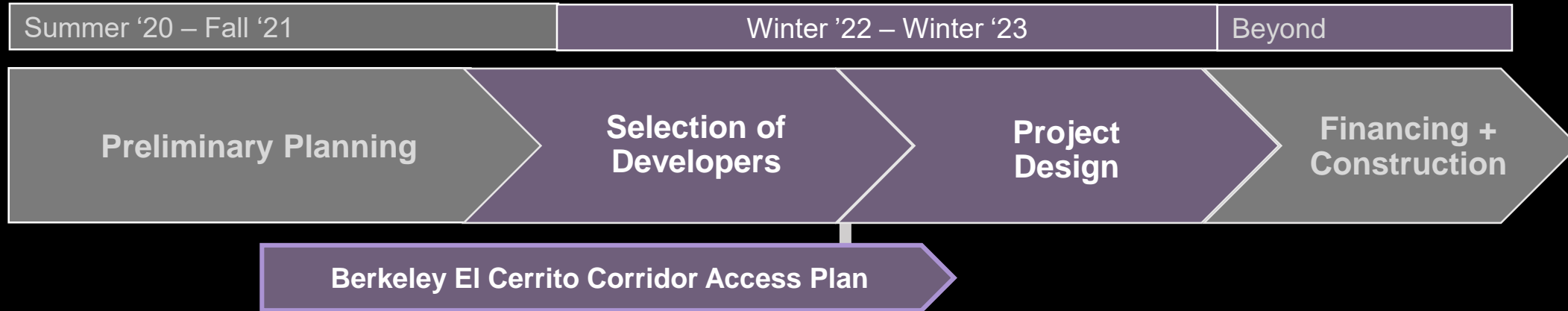
TOD = Transit Oriented Development

*Illustrative Timeline – Subject to Change



Context: Planning For 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



Context: 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



Context: Regulatory Framework

- 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)



Context: City and BART MOU - Amendment

Anticipated Topics

- Updated Project Timelines
- Phasing and Funding for Affordable Housing Funding
- Development Application Approval Process and Preparation of Objective Standards
- Developer Selection Process
- Maintenance and Ownership of Public Infrastructure and Open Space
- Community Participation



DRAFT DOCUMENTS

- Zoning and General Plan Amendments
- City – BART Joint Vision and Priorities for Ashby and North Berkeley BART Transit-Oriented Development
- Draft Environmental Impact Report

Draft Zoning Amendments

The zoning and General Plan amendments are unchanged from the draft versions presented on September 1st except for the following:

- Reformatted as exhibits to an “ordinance” (for zoning) or a “resolution” (for General Plan) with “~~strikeout~~/underline” to indicate any changes from the adopted Berkeley Zoning Ordinance or General Plan.
- Added conforming amendments to comprehensively incorporate the new R-BMU zoning district into the Berkeley Zoning Ordinance.

Draft General Plan Amendments

(Presented on 9/1/21)



Ashby



North Berkeley



Draft General Plan Amendments

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.

(Presented on 9/1/21)



Draft Zoning Amendments: R- BART Mixed Use District



Ashby



North Berkeley

(Presented on 9/1/21)

Draft Zoning: R-BMU District

- Zoning for the Ashby and North Berkeley stations will be a new Residential BART Mixed Use District (R-BMU)
- Amendments include 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
 - Development Approval Process (“Master Development Permit”)

(Presented on 9/1/21)

Draft R-BMU Zoning: Development Standards*

TABLE 23.202.150-2: R-BMU 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

(Presented on 9/1/21)

Draft Zoning Amendments: Summary List

Section 23.202.150 Residential – BART Mixed Use District

Table 23.202.020-1: ALLOWED LAND USES IN RESIDENTIAL DISTRICTS

Section 23.106.050 Measurements

Section 23.108.020 Zoning Districts and Maps

Section 23.302.070.G.2 Supplemental Use Regulations

Section 23.308.020.C Emergency Shelters

Section 23.310.030.A Alcoholic Beverage Sales and Service

Section 23.310.030.B.1 Alcoholic Beverage Sales and Service

Section 23.312.030.B Live/Work

Section 23.322.030.A.1 Parking and Loading

Section 23.322.090 Bicycle Parking

Section 23.502.020.L.14-20 Glossary – [Definition of] Lot Area for R-BMU

Draft Zoning: Proposed Change from 9/1

Revise Section 23.202.150 F.5 (Front Upper-Story Stepbacks) as follows:

5. Front Upper-Story Stepbacks. 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 front property line for portions of the building above four stories.

Draft Zoning: Proposed Change from 9/1

Move and revise Section 23.202.150 F.14 Objective Design Standards out of the zoning chapter and into the ordinance as new Section 14 as follows:

Section 14. 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 developed prior to the acceptance of any Preliminary Development Plan or Final Development Plan. presented to the Council for adoption within one-year from the adoption of this code section.

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



Draft JVP: Changed from 9/1

Affordable Housing, Shared Priority: D. Income Targets: At least 35% of new housing at each site must be affordable to households earning ~~less than~~ an average of up to 60% of Area Median Income (AMI). Of that, at least 20% (or 7% of total units at each site) must be affordable to Extremely Low-income households, those earning up to 30% of AMI. Additional affordable units should prioritize Very Low Income (up to 50% of AMI) households and Low Income (up to 80%) households but may include some housing restricted with households with incomes up to 120% of AMI.

Draft JVP: Changed from 9/1

- **Public and Civic Space, North Berkeley Priority: C. Street Design:**
The design of surrounding streets should be considered as a strategy to accommodate public space needs, and improve safety for pedestrians and bicycles. Explore the feasibility of reducing the width and number of traffic lanes in adjacent streets to their original (pre-BART) condition, aligning curbs with adjacent blocks in a manner that builds upon and is consistent with the City and BART's recent Complete Streets and roadway improvement projects in the area. Streets may retain their current width where there is some functional use for the extra space, such as bike lanes and cycle tracks that previously did not exist, and there may be bulb-outs at intersections.

Draft Environmental Impact Report (DEIR)

- Notice of Preparation: November 20, 2020
- Planning Commission Scoping Meeting: December 2, 2020
- Analyzes environmental impacts and presents and evaluates project alternatives



Ashby and North Berkeley BART Stations
Transit-Oriented Development Zoning Project

Draft Environmental Impact Report
SCH#2020110320

Prepared by
City of Berkeley
Department of Planning & Development
1947 Center Street, 2nd Floor
Berkeley, California 94704
Contact: Alex Stern, Principal Planner

Prepared with the assistance of
Rincon Consultants, Inc.
443 15th Street, Suite 203
Oakland, California 94612

October 2021



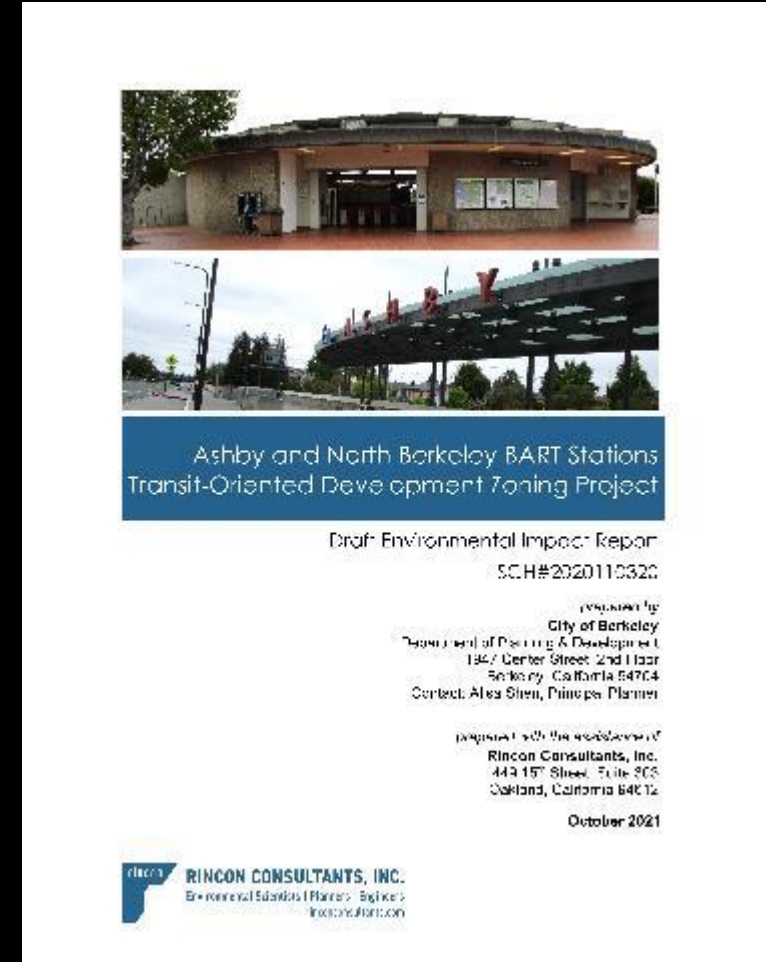
DEIR Project Description

The "proposed project" is:

- Zoning Ordinance Amendments (R-BMU zoning district)
- General Plan Amendments (Ashby and North Berkeley BART Mixed Use Transit Oriented Development)
- Joint Vision and Priorities document

The Project Objectives are:

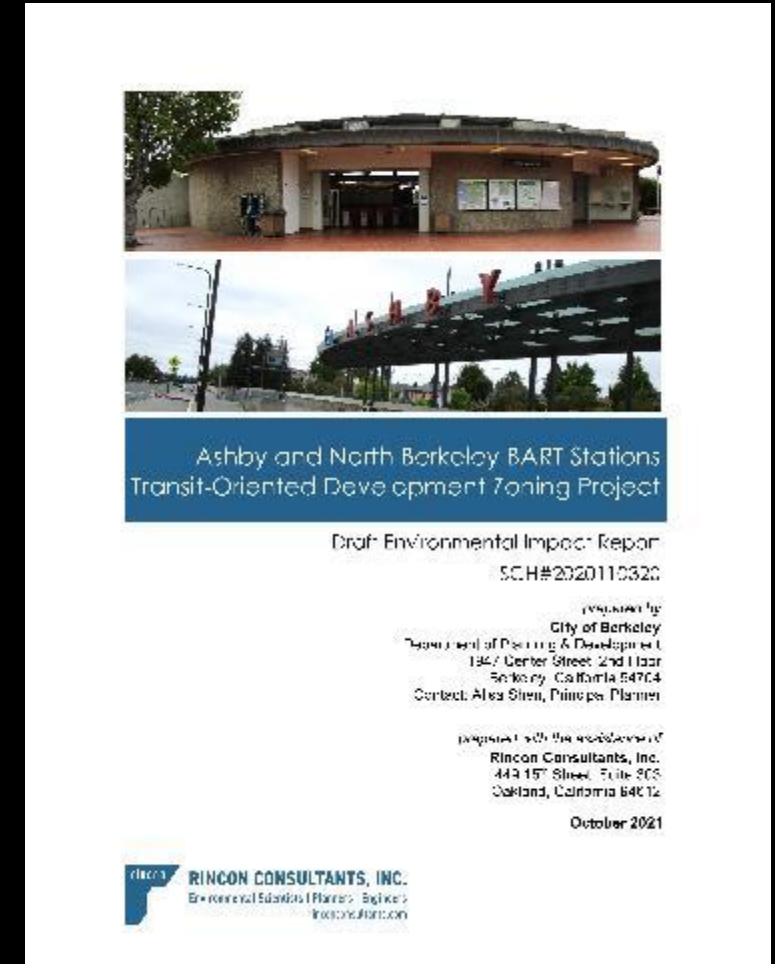
1. Comply with AB 2923
2. Promote healthy, fossil-fuel free, energy- and water-efficient transit-oriented development that includes location efficiency and sustainable low carbon transportation modes



DEIR Project Description Estimated Buildout

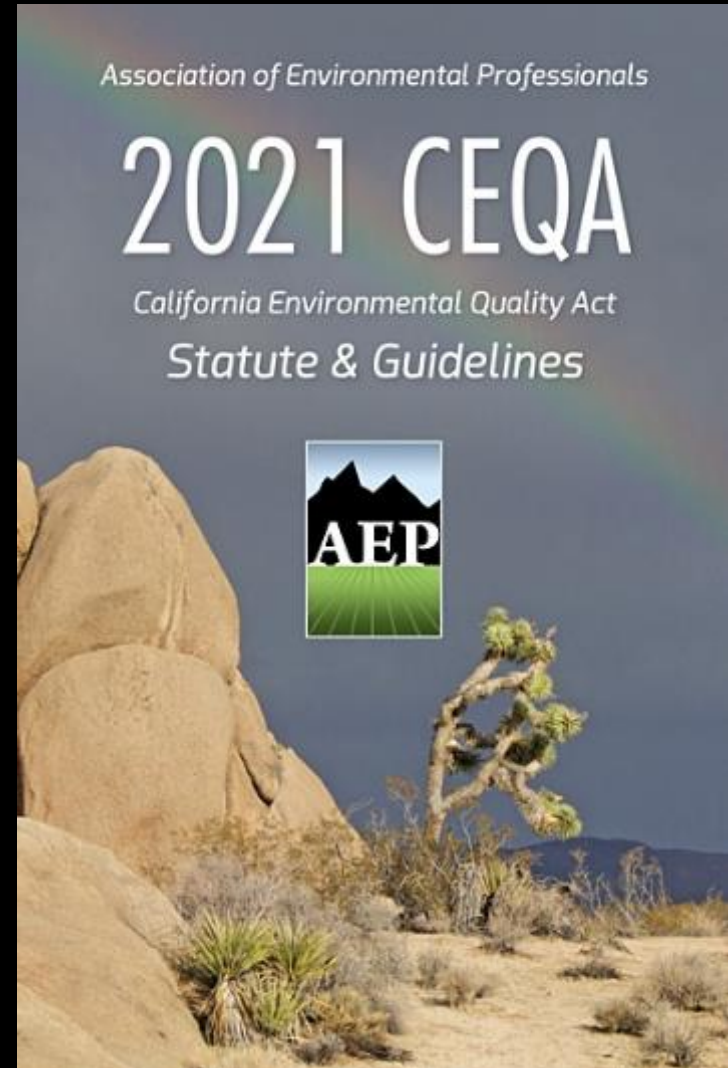
For environmental analysis, the DEIR includes an estimated maximum buildout at both stations based on the proposed project:

- 2,400 units
- 125,000 sf of non-residential space
- 7 stories
- 725 parking spaces for development
- No BART rider parking (on-site)



DEIR: Environmental Impacts

- CEQA stipulates what environmental topics are analyzed
- CEQA establishes what thresholds are used to determine whether an environmental impact is Significant or Less than Significant
- Significant impacts must be mitigated to Less than Significant, if feasible
- Less than Significant impacts do not have to be mitigated



DEIR: Less than Significant Impacts Without Mitigation

Public Services and Recreation (police, fire, schools and parks)

Utilities and Service Systems (wastewater, water demand, and solid waste)

Population and Housing

Land Use and Planning (General Plan and areas plans)

Hydrology and Water Quality

Transportation

Agricultural and Forestry Resources, Mineral Resources and Wildfire

Aesthetics

DEIR: Less than Significant Impacts With Mitigation

Resource Area	Conditions of Approval/Mitigation
Air Quality	<i>Construction Emission Measures</i>
Biological Resources	<i>Worker Environmental Awareness Program</i>
Cultural Resources	<i>Ashby BART Station Interpretive Display</i>
Geology and Soils	<i>Paleontological Resources Studies</i>
Greenhouse Gas Emissions	<i>Renewable Electricity Resources</i>
Hazards and Hazardous Materials	<i>Phase I and II Environmental Site Assessment (ESA)</i> <i>Soil Management Plan for Impacted Soils</i> <i>Remediation</i>
Noise	<i>HVAC and Trash Hauling Noise Reduction</i>

DEIR: Significant and Unavoidable Impacts

Construction-Related Noise

- City Conditions of Approval
- DEIR Mitigation Measure – Pile Driving

Cultural Resources

- Proposed project and Adeline Corridor Specific Plan
- Cannot determine at this time whether there will be an impact



DEIR: Alternatives

- CEQA requires a range of conceptual alternatives and a comparison of environmental impacts
- AB 2923 constrains the range of viable alternatives
- Environmental impacts similar across all alternatives

Alternative 1: No Project/Implement AB 2923 Zoning Standards

Alternative 2: BART Rider Parking Alternative

Alternative 3: Increased Height Alternative

DEIR: Public Comments

Public Comments due by: **Wednesday, December 1st, 2021**

- Email to: bartplanning@cityofberkeley.info
- By Mail: Alisa Shen, Principal Planner
City of Berkeley
1947 Center Street, 2nd Floor
Berkeley, CA 94704

A Response to Comments (RTC) document will be prepared.

The RTC and the Final Environmental Impact Report will be certified by the City Council





NEXT STEPS

Public Comment on Draft EIR – Deadline to Submit:
December 1, 2021

Final CAG meeting: Monday, December 6, 2021 at 6pm

- Next steps of the planning process including the development selection process, Objective Design Standards and community engagement

Planning Commission and City Council: Spring 2022



Public Hearing

Planning Commission and public comment:

- (1) Zoning and General Plan Amendments
- (2) City and BART Joint Vision and Priorities Document
- (3) Draft Environmental Impact Report