Planning and Development Department
Land Use Planning Division

Note: The documents that follow this coversheet consist of comments received during the public comment period for the Draft Adeline Corridor Specific Plan and Draft Environmental Impact Report, which closed on July 19, 2019. City staff is in the process of reviewing the comments in order to prepare the Final Environmental Impact Report which will be available later this fall (2019). Because Planning Commission Subcommittee members have requested to view the comments received, we are posting the comments online on the Planning Commission webpage; print copies are also available for review at the Planning Department offices at 1947 Center Street, 2nd floor.
July 19, 2019

Alisa Shen
Principal Planner
City of Berkeley
Department of Planning & Development
1947 Center Street, 2nd Floor
Berkeley, CA 90704

SUBJECT: Response to the Notice of Availability of a Draft Environmental Impact Report (DEIR) for the Adeline Corridor Specific Plan in the City of Berkeley

Dear Ms. Shen,

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Adeline Corridor Specific Plan in the City of Berkeley. The plan covers 86 acres in south Berkeley around Adeline St. and Shattuck Ave. from Dwight Way to the Oakland border south of 62nd St. The project area includes the Ashby BART station. The proposed Plan provides a comprehensive vision for the Plan Area along with goals, policies, strategies and development regulations that will guide future growth. The DEIR estimates that buildout of the proposed Plan would include 1,450 new housing units and 65,000 feet of new commercial space. The proposed project would create roughly 463 new pm-peak hour trips, more than half of which would be generated near the Ashby BART station.

The Alameda County Transportation Commission (Alameda CTC) respectfully submits the following comments:

- On Page 4.12-22 subsection (b) the DEIR attributes the following significance criteria to Alameda CTC’s Congestion Management Program (CMP):
  - A facility operating at LOS E or better deteriorates to LOS F
  - A facility operating at LOS F continues to operate at LOS F with an increase in the [volume-to-capacity ratio] by 0.03 or more.

  Alameda CTC’s CMP does not mention specific significance criteria. Chapter 6 of the most recently adopted CMP explicitly states (page 89) “Alameda CTC has not adopted thresholds of significance for CMP land use analysis purposes”. Alameda CTC encourages project sponsor to define an appropriate threshold and use that threshold to determine if CMP roadways are impacted. Please update the DEIR appropriately.

- Alameda CTC acknowledges the proposed improvements documented in the DEIR under Impact T-8 and Impact T-10 including reduced-width travel lanes, traffic calming improvements such as chicanes, bulb-outs to reduce pedestrian crossing distances, and new bicycle facilities on Adeline
St. Alameda CTC encourages the City of Berkeley to pursue those bicycle and pedestrian safety improvements. Adeline St, Ashby Ave (SR-13), and Shattuck Ave are on both the bicycle and pedestrian high-injury networks identified in the most recent Countywide Active Transportation Plan.

- The DEIR should identify specific locations where bus transit service will be impacted by additional congestion generated by the project (ex. Adeline St / Alcatraz Ave and Adeline St / MLK Jr. Way), and propose potential mitigation measures to offset those specific impacts. Alameda CTC acknowledges the Transit Signal Priority improvements proposed at traffic signals along the corridor under Impact T-10. However, the DEIR does not identify potential locations for these transit improvements associated with impacts, and does not define conditions on which they would be implemented. Please include this analysis in the DEIR.

- The DEIR presents an analysis of Vehicle Miles Traveled (VMT) under section 4.12.6 for informational purposes. Alameda CTC appreciates this analysis and notes that the proposed project would result in lower VMT under 2040 plus project conditions, than under 2040 conditions without the project.

Thank you for the opportunity to comment on this DEIR. Please contact me at (510) 208-7426 or Chris G. Marks, Associate Transportation Planner at (510) 208-7453, if you have any questions.

Sincerely,

[Signature]

Saravana Suthanthira
Principal Transportation Planner
Marjorie Alvord
malvord@mindspring.com
Fri 7/19/2019 4:07 PM

Adeline Corridor Spec Plan draft EIR comments

TO: City of Berkeley, Attention - Alisa Shen/Adeline Corridor Planning Department
DATE: July 19, 2019
RE: Comments on Adeline Corridor Specific Plan Draft Environmental Impact Report

Given recent reports (see comments on draft Adeline Corridor Specific Plan, attached below, incorporated by reference), would it be more beneficial to the community and decision makers alike for the Adeline Corridor Specific Plan EIR to evaluate some further alternatives, especially permeable surface and vegetation/tree-focused street redesign alternatives, with and without a street lane devoted to public transportation?

A PERMEABLE SURFACE & VEGETATION/TREE-FOCUSED STREET REDESIGN ALTERNATIVE—
What would be the environmental impact of a permeable surface and vegetation/tree-focused street redesign alternative which: [1] eliminated parking bays and medians in the South Shattuck region, making such space available for vegetation, possibly community gardens; [2] included the currently-proposed “public space opportunity areas” and eliminated proposed local drive aisles, in the North Adeline region, and perhaps provided further perpendicular alignment as proposed in a recent Berkeleyside op-ed -- https://www.berkeleyside.com/2015/06/08/op-ed-mending-the-urban-fabric-on-adeline-street; [3] eliminated parking bays, low-speed drive aisles and medians in the South Adeline region, perhaps adopting some of the street redesign principals proposed in another Berkeleyside op-ed - https://www.berkeleyside.com/2017/05/03/opinion-realigning-streets-adeline-corridor-create-pleasant-urban-experience, making such space available for multiple uses, including greater vegetation and tree canopy and perhaps community gardens?

Could such alternative provide significant relief from urban heat island effects? Might the further narrowing of overall throughways lessen the likelihood of vehicle drivers being inclined to use speeds significantly greater than the 25 mph limit? To what extent is such an alternative more or less consistent with General Plan goals? What would impacts be to projected increases in incidence of flooding events in the Potter Creek watershed area in and near the Plan area? What would impacts be to pedestrian safety and to what extent would such alternative be consistent with the City’s Vision Zero goals? Would such alternative be an environmentally superior alternative using either the LOS analysis or if the legislatively-authorized VMT analysis? What would be the impact if this alternative included a dedicated bus lane?

OTHER COMMENTS AND QUESTIONS ON THE ACSP DRAFT EIR –
Given the City of Berkeley’s declaration of a Climate Emergency and new reports on accelerating global heating (see comments on draft Adeline Corridor Specific Plan, attached below), should the EIR be using VMT analysis to a greater extent? Should the shift to VMT analysis be happening more rapidly in order for the AC Specific Plan EIR to benefit from that analysis and increase the likelihood that decision-makers and community can fully evaluate the impact of the Plan and different alternatives on overall greenhouse gas emissions and climate resilience?

What analysis was used to determine that a dedicated bus lane alternative would “increase traffic in the Plan Area to an extent undesirable?” Does the analysis change if VMT analysis is used and, if so, how?
How does the Specific Plan DEIR address cumulative impacts related to potential new transit-oriented development on BART properties? Could such developments north along the Richmond line strain capacity of BART trains to serve new residents’ transportation needs, and what might that impact be on passenger car use on local streets in/around the Specific Plan area? Could more congested BART trains result leading to outsized vehicle trip growth (and VMT) in the Adeline Specific Plan area which should be mitigated?

Since the AC Specific Plan area is within the Potter Creek watershed and that incidences of flooding within the area, such as happened in 2004-05 when Malcolm X School flooded twice within a 12 month period, and later in 2014, and so forth, are likely to increase with global heating, should the Plan place greater emphasis on permeable surfacing of streets and sidewalks?

Thank you for considering my comments and questions.

Respectfully submitted,
Marjorie Alvord
To: City of Berkeley
Date: July 19, 2019
RE: Comments on Adeline Corridor Specific Plan

Congratulations to all involved for developing the draft Adeline Corridor Specific Plan that, in proposing new alternatives for housing development as well as street redesign to include bicycle infrastructure with some additional open space and street trees, goes a long way to addressing community concerns and interests.

My primary comment/question on the Specific Plan is:

Given the City of Berkeley’s declaration of a Climate Emergency, the fact that the U.S. Congress is currently considering such a declaration, recent issuance of reports [fall, 2018, via U.N. Intergovernmental Panel on Climate Change & U.N. Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services] indicating that global heating and environmental degradation is proceeding far more rapidly than many understood, along with a recent Union of Concerned Scientists report [see https://www.ucsusa.org/sites/default/files/attach/2019/07/killer-heat-analysis-full-report.pdf] indicating that urban heat island effects pose a public health threat to us all, can more be done in the AC Specific Plan to mitigate those threats, to reduce further area greenhouse gas emissions, to promote greater carbon capture and to build resilience in our community?

It seems that a street redesign which puts even more focus on allocating space to vegetation and the urban tree canopy along with the maintenance of permeable surfaces to the extent possible would better serve the community in mitigating the climate emergency, while building community resilience to global heating. Can a permeable surfaces & vegetation/tree-focused street redesign be considered as an alternative?

The draft Plan makes reference to a Green Infrastructure (GI) Plan which is in progress, scheduled to be completed by fall, 2019. Does this quickly-developing GI Plan mostly fulfill minimum permit compliance obligations? Can the AC Specific Plan be more proactive with GI? Could the ACSP, for example, outline a plan for greater vegetation, tree canopy and pervious surfaces to provide relief from the greater flooding and heat island effects these reports indicate we will likely experience in and near the Specific Plan area? In any event, can the Specific Plan document itself provide greater information on redesign plans and standards for green infrastructure much as the “land use” section of the draft Specific Plan provides information on building design plans and standards?

Another comment related to street redesign is that while the draft Specific Plan acknowledges that vehicle speeds along the major throughways often significantly exceed speed limits, it is not clear how the redesign is intended to promote slowed vehicle speeds. Especially in light of the City’s Vision Zero goals, can a proposed street redesign include further traffic-slowing features, and/or can such features be more specifically identified in the Specific Plan? Also, perhaps the recent reports of accelerating global heating and the need for aggressive action to reduce greenhouse gas emissions suggest that the idea of a dedicated bus lane along Adeline should be reconsidered.

Finally, the separation of “transportation” from “public space” into different sections may be confusing to some as transportation throughways (i.e., roads) are typically public spaces. While useful for analytical purposes, the bifurcation might be seen as unfortunate in this case given the history of public space used for transportation purposes along the corridor as having significantly disrupted the local community. A major question driving the development of the Adeline Corridor Specific Plan has been how to reduce the historic disruption, whether and how to design &/or redesign all public spaces to include a mix of housing, transportation uses, open space,
vegetation/tree canopy, and so forth, for the greatest community benefit. Can the Specific Plan be modified to reflect that roadways and sidewalks are also public spaces?

Thank you for considering my comments.

Respectfully submitted,
Marjorie Alvord
July 11, 2019
Alisa Shen, Principal Planner and Elizabeth Greene, Senior Planner
City of Berkeley, Planning Department, 1947 Center Street, 2nd Fl.
Berkeley CA 94704

Re: Draft Adeline Corridor Specific Plan and Draft EIR

Dear Ms. Shen and Ms. Greene,

On behalf of the San Francisco Bay Area Rapid Transit District (BART), we appreciate the opportunity to provide comments on the Adeline Corridor Specific Plan Public Review Draft and the Draft Environmental Impact Report (DEIR). BART commends the City of Berkeley’s comprehensive approach to develop the Adeline Corridor into a safe, affordable, sustainable, transit-rich, walkable place to live and work.

Considering BART’s position as a primary landowner in one of the plan’s subareas, and our TOD, Affordable Housing, Access and Sustainability policy goals, BART has a strong interest in seeing the Adeline Corridor Specific Plan result in vibrant transit-oriented development (TOD) at the BART station and in surrounding areas. BART’s policies advocate for sustainable communities that maximize housing production that favors the greatest depth and quantity of affordable units. The vision of the Plan is to provide 850 units with at least 50% income-restricted affordable housing at the Ashby subarea with the same affordability targets throughout the corridor. It is well aligned with BART’s interests and will help BART meet its policy goal to produce 20,000 units with 35% income-restricted units systemwide. The Plan’s proposed street redesign aligns with BART’s Access Policy objective to increase the number of people who walk, bike and take transit to BART.

We appreciate the City’s extensive coordination with BART to incorporate BART’s TOD, Affordable Housing and Station Access policies. The City has worked to accommodate Assembly Bill (AB) 2923 (2018 – Chiu/Grayson) in the Plan’s development to meet density and tenant protection requirements. While BART understands that the City has proposed the alternative approach of a Memorandum of Understanding to work with BART on the redevelopment of the Ashby BART subarea, the draft Plan does not – as written - fully conform with AB 2923. Given the City’s commitment to TOD, BART hopes that we can continue to work together and provide the guidance needed for the Plan to meet all the requirements set forth in AB 2923.

BART looks forward to continued collaboration with the City to make the Adeline Corridor vision a reality. Thank you for your consideration of the comments below. If you have any questions, please contact Rachel Factor at (510) 287-4756 or at rfactor@bart.gov.

Cordially,

Tim Chan
Station Area Planning Group Manager
San Francisco Bay Area Rapid Transit
ADELINE CORRIDOR DRAFT SPECIFIC PLAN AND DRAFT ENVIRONMENTAL IMPACT REPORT

General Comments

Consider Infrastructure Financing Mechanisms

While BART’s policies align with the affordable housing and community amenities envisioned in development of the Ashby BART site, the financial feasibility of development and the physical impacts on BART need to be addressed to ensure this vision can truly be achievable.

The City has conducted extensive outreach and dedicated an entire chapter in the Draft Plan to explain how there would be some necessary trade-offs for development to occur. They include the need to build market-rate units to subsidize affordable housing, ensuring that City’s requirements, including community benefits, do not inhibit construction or result in untenable development costs, and the role that minimizing the amount of replacement BART parking can play in supporting feasibility.

An element that has not been fully discussed in the Draft Plan is the high level of new infrastructure investment that will be needed to produce some of the envisioned changes to the Ashby BART station area. The Plan calls for creation of a vibrant plaza that would offer a gathering space for events. Such a transformational project envisioned by the City, BART and the community includes the potential for making Ashby an underground station with direct at-grade access to the development from Adeline Street. Doing so would require significant investments to ensure quality access to and from the station, internal circulation, accessibility needs, system safety and security, and undisturbed operations. Potential investments include, but are not limited to, the following: wayfinding and signage, lighting, new entry and exits points, new vertical circulation (escalators, elevators, stairs), potential faregate reconfiguration, and ventilation system changes, among others.

While the “Implementation” Chapter provides a “Funding Context” with multiple options for funding the improvements identified in the plan, the City should incorporate some more explicit language in the “Economic Opportunity” and “Implementation” chapters. The language should discuss the need for the City and BART to quantify these infrastructure needs, explore financing mechanisms and develop a capital funding, implementation and maintenance plan to ensure that future development would support a positive experience for BART’s customers.

Realizing that the Business Improvement District proposal would not be the appropriate vehicle for high capital investment needs but could help with some of the lower-cost solutions to ensure quality connectivity to the Ashby site, BART suggests that the “Vision + Planning Framework” and “Economic Opportunity” chapters include some language to indicate the need for an infrastructure finance strategy to address necessary capital improvements and/or services for the public transportation system. Consider possibilities such as a Mello Roos District, Enhanced Infrastructure Finance District, other emerging Tax Increment Financing tools and citywide transportation funding measures.

Flea Market

Per its Board-adopted policy to produce 20,000 residential units with a 35% affordability goal systemwide, BART’s top priority for TOD at Ashby BART is to maximize the production of affordable housing units. To achieve the affordability goals set out in this Plan while ensuring a continued high-quality transit experience, any future Developer will require the utmost flexibility to deliver an equitable, yet feasible
project. While BART recognizes the role of the Flea Market as a key community asset, the creation of a plaza to support community events such as a flea market, coupled with the ambitious affordability goals for the site, could render the site infeasible for development. Greater certainty is needed about the size of the space, how it would be designed, operated, and maintained before committing to any specific design and use.

Until other elements of the future development are defined, such as density, parking and potential investments needed to reconfigure essential BART infrastructure, BART cannot confirm the feasibility of the site for the Flea Market or any other specific entity. If BART and the City create too many requirements for the site, the development may become infeasible resulting in the potential loss of nearly 60% of the housing units projected for the Corridor.

BART understands that retention of the Flea Market in the Plan area is a key community priority and is working with the Flea Market and City of Berkeley to determine a more permanent location within Ashby BART subarea, that location is not necessarily on the Ashby parking lot site. Recent discussions have included the option of locating the Flea Market in the Adeline Street right of way adjacent to Ashby BART station, which the Flea Market, City and BART are currently exploring. BART’s understanding is that the City has committed to help the Flea Market move forward with an eventual relocation to this site. BART supports the proposal to eliminate the existing median on Adeline to narrow the street width and support temporary closures of the street for public events, including a potential future site for the Berkeley Flea Market and/or the South Berkeley Farmers’ Market. Such a proposal may end up being more financially feasible, reduce otherwise substantial BART infrastructure costs, offer a pedestrian friendly connection from the BART property to the community, and support the production of more affordable housing units on the BART property by lowering the overall construction cost.

We encourage the City to amend specific text in the Draft Plan to communicate the flexibility of a location that could potentially host the Flea Market and refer to the Adeline corridor between Ashby Avenue and Martin Luther King, Jr. Way as a viable and preferred location. If built today, hundreds of low-income residents living in the TOD on the BART property would be hemmed in on all three sides by major, fast-moving arterial roads. Reclaiming the Adeline Street right of way for community uses rather than cars will further the goals of the Plan, create a more equitable location for affordable housing rather than an environmental justice issue, and may be more cost effective and viable than a plaza on BART property.

**Housing Development Feasibility**

**Density:** BART is encouraged that the Plan is proposing 850 units (around 135 dwelling units/acre) for the Ashby BART subarea which goes beyond the AB 2923 minimum requirement of 75 dwelling units/acre. However, given the market conditions, the Plan should propose and environmentally clear a higher number of units corridor-wide. As an example, the City of El Cerrito’s 2014 San Pablo Specific Plan cleared over 1700 new units – a 127% increase from the 2013 stock – for a total projection of 3,046 units by 2040. In five short years, the City of El Cerrito is reaching its housing development capacity and is currently in the process of updating its Specific Plan and revisiting the EIR to allow for a higher number of units. The City of Berkeley has an opportunity to avoid a similar additional cost and effort by evaluating an alternative with higher density in the environmental review. Additionally, given recent conversations BART has had with the development community and cities about the costs of constructing affordable housing units, BART is concerned that without increasing the number of total units, it will be difficult to deliver financially feasible developments that achieve the affordability targets established in the Plan.
TOD Zoning Standards for Ashby BART subarea: The Plan indicates that “development standards for the Ashby BART Station will be finalized in collaboration with the City, BART, and the community as a subsequent implementation step, consistent with specific development and design objectives established for the Ashby BART subarea in the Specific Plan, and recent State law governing development of BART-owned property.” While BART understands the City’s approach to work with BART on the redevelopment of the Ashby BART subarea, the building height and floor-area-ratio (FAR) set forth in the Plan would not, as written, conform with AB 2923 requirements. AB 2923 states that zoning for affected BART-owned property must conform with the Zoning Standards set forth in the bill by July 1, 2022, or the Standards automatically become the zoning for the property. BART recommends that the Plan propose future TOD zoning standards for the Ashby BART subarea that is consistent with AB 2923. Additionally, the Plan will not support the City’s conformance with AB 2923 as of July 1, 2022 if the Plan’s proposed height limits are below those indicated in BART’s TOD Guidelines. The Plan currently identifies the building height at Ashby BART subarea as up to four to seven stories with transitions to lower heights where development fronts Martin Luther King Jr. Way, Woolsey, Tremont and Essex Streets. AB 2923 states that zoning cannot have a maximum height of less than 7 stories. As noted at its June 13, 2019 Board meeting, BART will draft guidance to provide greater clarity on the height and FAR requirements of AB 2923. However, until that time it may be more appropriate for the Draft Plan to establish conformance with state law.

Ground Floor requirements: The Plan requires that Adeline Street Frontage at the Ashby BART subarea be ground floor retail or active commercial use. Since the ground floor facing Adeline will largely depend on the design of the future development, the language should read “residential, retail or commercial allowed on ground floor.” While BART understands the city desire to activate the ground floor, recently, developers working both on and off BART sites have been expressing a number of concerns about over retailing. Too much retail space without the appropriate context can remain empty, leading to the space becoming less inviting and potentially less safe. Instead, active spaces can be designed through residential stoops or other more flexible uses if the demand for additional retail space cannot be achieved.

Air Rights
The Plan should clarify that the City has an option to purchase the air rights over the western BART parking lot at the Ashby BART station. This applies to the two sections of the Plan that references air rights (pages 2-22, 3-23, and 3-24).

Parking
Development parking: Given the rich transit service and multimodal connections planned for the Adeline Corridor, BART recommends that the parking plans and policies be improved to maximize the level of affordable units on the site and alleviate traffic impacts. BART acknowledges the City’s efforts to minimize parking and enhance other multimodal access opportunities. BART understands that the Plan provides the parking requirements a as tool to incentivize affordable housing, however, reducing parking requirements for more affordable units is not an appropriate strategy and creates a direct conflict with the City’s own sustainability and climate goals. Rather, the Plan should continue to provide height and density bonuses for more affordable housing development. Currently, there are residential parking minimums for all subareas for base development, Tiers 1 and 2. Only Tier 3 doesn’t have a parking minimum. BART recommends eliminating parking minimums for all Tiers of development for each subarea.
BART replacement parking: Because the Ashby BART station is considered an Urban with Parking station, BART’s Access and TOD policies strive to have little to no BART patron parking replacement. To offset the loss of parking spaces, future projects in the specific plan area will need to incorporate non-auto, multimodal access alternatives to BART patrons. As is required by AB 2923, and following BART’s own past practices, prior to any future development of BART property, BART will lead a sustainable access study to inform the future TOD parking-replacement strategies and multimodal access improvements at the Ashby site and offer viable alternatives to as many BART customers as possible. Given BART’s policy directives, it would be more appropriate to eliminate the specific indication of amounts of replacement parking for BART patrons in the Vision + Planning Framework and Land-Use chapters.

Parking type: Remove discussion of the type of parking (structured for example) at the Ashby BART subarea since potential parking could be provided with automated parking lifts, shared street parking, etc.

Transportation and Streets for People

Street Redesign

BART applauds the efforts to drastically improve the street design and intersection along the corridor. The prioritization of pedestrians and bikes will help expand transportation choices through the enhanced, safer environment for walking, biking and accessing transit. BART has some additional suggestions for the Plan to realize its goal of creating streets for people.

- BART recommends that future detailing of the street design concepts consider how to prevent the proposed low-speed drive aisles from being similar to the angled parking bays that are currently in the area. This configuration could result in a waste of space for anything other than storage and circulation of motor vehicles.
- The special pavement treatment is important. Additionally, BART would recommend using raised crosswalks at all the entry/exit points and recommends considering the parking/drive aisles be built as shared streets — “commercial woonerfs” where cars are not prioritized.
- BART supports the proposal to facilitate flexible use of the public ROW for special events and other uses that may serve the adjacent businesses and community better than parking spaces. To ensure that the space is used for other activities beyond parking, gutters could potentially be moved to the center of the drive aisle to do away with curbs.
- The transportation chapter should include a discussion of shared mobility devices given their increasing role in the transportation system.
- BART fully supports the proposal to provide a special bike crossing at the intersection at Adeline/Woolsey. The main destination from Woolsey is BART and access to the station by bike is challenging. BART acknowledges the need to reconfigure circulation on its parking access roadway there to accommodate 2-way bike travel.

Draft Adeline Corridor Specific Plan Detailed Comments
1. Please substitute cover image of BART train with image of the new train at Ashby station. BART can provide an image if needed.
2. When BART is spelled out throughout document, it should be "San Francisco Bay Area Rapid Transit District" rather than "Bay Area Rapid Transit"
3. 2-7: Map is missing McGee Ave. Baptist Church.
4. 2-16: In the “Ashby BART Station” paragraph, remove “structured parking (including some replacement parking for BART riders)” since level of replacement parking is as yet undetermined, and the type of parking could be something other than structured.

5. 2-17: In the “Business Improvement District” paragraph, BART suggests modifying with the text in red font:

Create a Business Improvement District (BID) serving the Adeline Corridor, with fees from business and/or property owners used to support physical improvements, transportation system improvements, special events, public safety, street cleanliness/maintenance, and programming.

6. 2-17: In the “Community Assets and Resources” paragraph, suggest modifying with the text in red font:

For example, this Plan proposes to incorporate a large civic plaza as part of any future redevelopment of the Ashby BART west parking lot. The Ashby west parking lot/Adeline Street Adjacent ROW that could be designed and programmed to accommodate the Flea Market and potentially a relocated Farmers Market, as well as support the Juneteenth Festival and other music and entertainment events. However, BART cannot bear the cost and responsibility for the operations, maintenance or programming of a public plaza used by outside parties, and the potential BID would be a better mechanism for funding these elements.

7. 2-18: To conform to the requirements of AB 2923, modify text in red font:

The older and historic structures along Adeline Street will be retained, as will existing multi-family housing. Although mid-rise construction is generally four to seven stories envisioned along the entire corridor, taller buildings would generally be located at the BART station and at the north end of the corridor (along South Shattuck) adjacent to Downtown Berkeley.

8. 2-18: Modify text in red font: “The busiest intersections along Adeline will be redesigned to improve conditions for bicycles, pedestrians, and transit users. Major improvements are planned at Ward/Shattuck, and at the Adeline intersections of Ashby, Woolsey/Martin Luther King Jr. Way, and the “southern gateway” near Stanford Avenue.”

9. 2-22: In the “Context and Character” section, please modify with the text in red font:

Context and Character: The Ashby BART subarea is comprised of two large parcels adjacent to the Ashby BART Station, as well as the public street right-of-way and station area between them. The two parcels are owned by BART, but the City of Berkeley has had an option to purchase the “air rights” over the parcel on the west side of Adeline (DELETE have been controlled by the City of Berkeley) since 1964 when the station was conceived. The parcel on the east side of Adeline is a 1.9-acre surface parking lot. The parcel on the west side is a 4.4-acre surface parking lot, the northern portion of which is used by the Berkeley Flea Market on weekends.

10. 3-8 and 3-9:

- Add in Development Standards to Table 3.5.
- Change text in tables 3.2, 3.3, 3.4 and 3.5 from “Any future development in the Ashby BART area would be subject to a negotiated development agreement, consistent with the policy and objectives provided in this Specific Plan for the Ashby BART subarea, in Policy 3.7 of this Chapter” to “Any future development in the Ashby BART area will be by-right receiving Tier 3 development standards. The City of Berkeley will negotiate an agreement with BART to ensure at least 50% affordable housing subject to a negotiated development agreement, consistent with the policy and objectives provided in this Specific Plan for the Ashby BART subarea, in Policy 3.7 of this Chapter.”
- Remove parking minimums from tables 3.2, 3.3 and 3.4

11. 3-10: Add suggested modifications in 3.9 to map text descriptions.

12. 3-23: Please modify with the text in red font:

   - **Future redevelopment of the Ashby BART west parking lot/Adeline Street Adjacent ROW could potentially incorporate a plaza.**
   - **The Ashby BART west parking lot/Adeline Street Adjacent ROW space shall could be designed with the general and specific needs of the Flea Market and Farmers Market, while ensuring access to/from BART while limiting impacts to the operability of the system.**

13. 3-23: Please modify with the text in red font:

   To achieve the affordable housing goal, climate action goals and maximize community benefits from development of public land, high density mixed-use development is envisioned that are generally up to **four to a minimum of** seven stories.

14. 3-23: In the “What is Assembly Bill (AB) 2923” section, please modify with the text in red font:

   Assembly Bill 2923 was signed into law by Governor Jerry Brown on September 30, 2018. AB2923 grants BART the authority to establish transit-oriented development (TOD) zoning standards that apply to its property across the Bay Area, including the North Berkeley and Ashby BART Station sites. The intent of the law is to enable BART to work together with cities to maximize the public benefit of scarce transit-adjacent land (see Appendix B for more information). Although BART has the ultimate authority to establish zoning standards for its property, BART has indicated that it intends to work in close collaboration with local elected officials and community stakeholders. Furthermore, since the City has an option to purchase (DELETE controls) the “air rights” for the west Ashby BART parking lot, it would have a direct role in approving any future master plan and development agreement for that site, and would work with BART to implement the Objectives described in the Adeline Corridor Specific Plan for any redevelopment of the Ashby BART subarea.

15. 3-24: In the “What Are ‘Air Rights?’” section, please modify with the text in red font:

   Ownership of land can be divided into rights on the surface, subsurface (i.e. mining or mineral rights) and air rights. The City of Berkeley acquired an option to purchase air rights over both parking lots at Ashby BART Station back in 1966 after the voters approved undergirding the BART lines. In 1999, the City executed a contract with the Ed Roberts Campus to assign the City’s option to the air rights over the eastern Ashby BART parking lot (the current Ed Roberts Campus site and the remainder parking lot behind it), to facilitate development of the Ed Roberts Campus. An agreement between the City and the Ed Roberts Campus in 2011 confirmed that the City assigned the air rights over the eastern BART parking lot to the Ed Roberts Campus, but the City still retained the option over the western BART parking lot. The air rights generally refer to the space starting 10 feet above the average finished grade location.

16. 3-24: Please replace text: “Because of the urban environment of the station, replacement parking for BART patrons can be provided at a ratio of 0.5 spaces/per existing space or less while access improvements are incorporated to offset the loss of parking and ride spaces and offer viable non-auto alternatives to BART patrons.” with “Because Ashby BART Station is considered an Urban with Parking station, BART’s Access and TOD policies strive to have little to no BART parking replacement. To offset the loss of parking spaces, future development must incorporate non-auto, multimodal access alternatives to BART patrons.”

17. 4-14: Please modify with the text in red font:

   While most land along the Adeline Corridor is privately owned, the handful of publicly owned sites will play a central role in City efforts to generate new affordable housing in the Adeline area. To the maximum extent practical, these sites should be reserved for
development of 100% affordable buildings or mixed-income projects in which more than at least 50% of the units are affordable.

18. 5-11: Please modify with the text in red font:
The Plan calls for the future redevelopment of the Ashby BART west parking lot/Adeline Street Adjacent ROW to incorporate a publicly accessible plaza that could potentially accommodate both markets, as well as other support community events such as the annual Juneteenth Festival.

19. 6-7: Add bullet “Detailed assessment of BART’s access needs resulting from redevelopment” after “Detailed assessment of load-bearing capacity of the BART tunnel, and resulting constraints on potential public space, landscaping, facilities, or structures on top of the tunnel.”

20. 6-31: Include some discussion about parking for shared mobility devices given their increasing popularity.

21. 6-33: Suggest changing the photo and modifying the description. The photo of a Class III bikeway shows one of Berkeley’s unique Bicycle Boulevards. Also, Class III bikeways are not shared with pedestrians as the description claims. The Bicycle Boulevard marking is non-standard, and a bicycle boulevard is much more than a simple Class III bikeway.

22. 7-9: Please modify with the text in red font:
Potentially a major opportunity exists with future redevelopment of the Ashby BART west parking lot/Adeline Street Adjacent ROW to establish an attractive could include a public plaza that functions as a gathering place, public space and marketplace that can. The Adeline Street Adjacent public right-of-way could potentially accommodate the Berkeley Flea Market and potentially the South Berkeley Farmers Market. As part of a redesign concept should analyze options to...

23. Table 8.1 (Action LU-2): Add development standards to mirror suggested modifications in Table 3.5

24. Table 8.1 (Action EO-5): Please modify with the text in red font:
Work with the Berkeley Flea Market, Farmers Market/Ecology Center and developers to create a new and/or enhanced location with the appropriate infrastructure at a publicly-accessible space. that is part of the Ashby BART redevelopment and/or a redesigned segment of the public right-of-way.

Draft Adeline Corridor EIR Detailed Comments

1. 1-5: Table 1.1 NOP Comments and EIR Response – includes the response from the city to concerns about the effects to the farmer’s market and flea market:
The Specific Plan states that any future development of the Ashby BART Station ‘must incorporate plans for a permanent viable home for the flea market, consistent with facility needs as negotiated with the Flea Market board and vendors.’ The Specific Plan also includes other guidance and requirements for accommodation and coordination with the Flea Market in any future development at the Ashby BART station. The intent of the Plan is to support continued operation and viability of the Flea Market.

This language needs be modified, as BART does not commit to, nor is legally required to, provide a permanent home for the Flea Market or Farmer’s market.

2. 1-7: Modify with the text in red font:
Moreover, the Plan includes a policy with several objectives to guide future new development at the Ashby BART subarea. One of these objectives calls for any new
development at the west parking lot/Adeline Street Adjacent ROW to include a large civic plaza that could accommodate the Berkeley Flea Market, or a potential relocated Farmers Market, other special events, as well as other public spaces.

3. 2-13: Modify with the text in red font:
The Specific Plan envisions further collaboration and planning between the City, BART, the Berkeley Flea Market, the Ecology Center and the community to further explore possibilities for the Ashby BART west parking lot/Adeline Street Adjacent ROW.
June 4, 2019

Ms. Alisha Shen
City of Berkeley
Planning Department
1947 Center Street
Berkeley, CA 94704

RE: Public Review of the Adeline Corridor Specific Plan Draft/2801 Adeline

Dear Alisha:

On behalf of 2801 Adeline, LLC, owner of 2801 Adeline, BayRock Multifamily, LLC respectfully submits the following comments to the Draft Plan:

Generally, the structure of the Draft and the Presentation format is very well done. The presentation of details and goals are very clear.

Our site at 2801 Adeline consists of an approximate 1.1 acre parcel occupied by an existing 23,000 sf+ Walgreen store with related, on grade parking. "Property". The Property is ideally located in the heart of this Priority Development Area. The Draft Plan claims that all sites zoned C-SA abut residential zoning. The Property is bounded by four public Right of Ways, Shattuck, Adeline, Oregon and Stuart. It clearly does not abut residential property. In fact, the Property is a virtual island, situated several hundred feet from R-2, R-2A, and R-3 multifamily districts.

Table 3 of the Draft Plan describes recommended Development Standards. The Current zoning and South Shattuck Plan guidelines allow for a 4.0 FAR for the Property. Maximum, allowable Development standards, including no limit on density are currently included for the Property. Table 3 recommends a clear “downzoning” of the Property.

The Draft Plan has placed the Property in the “North Adeline” area. Proposed FAR and Development Standards should clearly NOT apply to the Property for a multitude of reasons, including but not limited to:

- Current Zoning allows for more suitable High Density development appropriately designated for sites on major transportation corridors and commercial avenue districts
- The Property benefits from drive by traffic, access to public transportation, including easy walking distance to BART and immediate access to AC Transit Express bus lines
The Property includes a successful, active, neighborhood and community-serving retail use with Walgreen Company.

The Property is directly adjacent to the largest, revenue-generating grocery market in the entire City.

The physical layout and location of the Property does not abut any kind of residential property, avoiding potential view, air, natural light, setback and/or vehicle/pedestrian circulation questions.

Tables 3.2 and 3.3 of the Draft Plan describe proposed densities and development standards for the Property. The general development standards severely limit the maximum development potential of the Property. The current development pattern in the South Shattuck area of the Plan includes densities up to 200 units/acre and building heights averaging close to 65 feet. The Parker, 2628 Shattuck and 2701 Shattuck are all constructed, approved or in process of approvals for this height and density. The former UC Storage building also exceeds this height.

The Base Development Standards and Tier 1 Incentive Standards do not allow for proper density, height and bulk for such a prime site. In addition, these Standards, specifically Tier 1, have a detrimental effect regarding the economic feasibility of a new, prominent, mixed-use development. Most recent developments utilizing the existing C-SA standards barely generate a Return on Costs to the Owner of 5%. Several, similar high density developments in town with proper third party review of their projected pro formas, tend to hover at 5-5.5% Returns.

We believe that minimum economic returns necessary to develop and finance the Property, utilizing the mixed use goals of the Draft Plan, are 5.5% in today’s market.

The unique attributes of the Property previously described above, along with its thriving retail nature, may present the best site for high density, mixed use development in the Adeline Corridor. Thus, we hereby request that the Property be included in the Plan as follows:

- Create another district that includes the Property, and the Honda service/dealer parking lot
- Or, extend the South Shattuck district to include the Property and Honda site
- Include maximum densities of no less than 170 units per acre in the Base Development Standards
- Include maximum heights of 75’ in the Incentive Standards (exclusive of State Density Bonus Law) while including a Base Development Standard of no less than 55’
- Include more aggressive parking standards for mixed use/residential. Both ZAB and City Council are encouraging parking standards closer to .5 spaces/unit, or less, for similar sites.

The proposed downzoning of the property will preclude any development for the foreseeable future.
We look forward to discussing the Draft Plan with you in further detail as soon as possible.

Sincerely,

BAYROCK MULTIFAMILY, LLC and 2801 Adeline, LLC

[Signature]

Stuart Gruendl
Managing Member

cc: Hal Brandel, 2801 Adeline, LLC
Ashby Bart needs to be a combination of high density affordable housing for both young adults & seniors while creating more dynamic open space. Downtown Boulder is an excellent example of outdoor yoga classes, children's play areas, information seating, focused on the pedestrian and not the automobile. The combination of street vendors, foundation, public art, affordable to high end restaurants brings out 100s of people to enjoy each day. Important to increase public transportation options (free shuttle up and down Adeline & Shattuck??) or light street rail while diminishing the enormous amount of space devoted to the auto is ESSENTIAL (jogging paths, bike paths, scooter paths) to transforming the Adeline corridor to a vibrant community destination. Plan an area for outdoor performances (juggling, musicians, dancing, music concerts, etc) and repurpose restaurants with outdoor seating into the wider sidewalks like Kurfussternamm, Berlin. But you must take back 40-60% of the space the GM & Ford motor 50s-70s suburban auto planning model has imposed on us.

It will be easy for planners to declare that we must have these wide auto corridors based on current traffic patterns plus parking that the merchants demand; the hard work is to completely re imagine the Adeline corridor with 60% less autos and ten fold to fifty fold the pedestrian traffic which in turn brings superior merchant opportunity than an auto based land use approach. CHANGE the paradigm of how we move around Berkeley, not
with AC Transit buses as the main concept but other more user friendly options that have been successful all around the world. Investigate the worlds top 20 pedestrian urban environments and incorporate their best ideas. IF all you do is tweak the givens, throw in a little more high density affordable housing with some minor open space adjustments then you will leave the Adeline Corridor as a wasted opportunity for the next 75 years...

REIMAGINE something wonderful that can host a global sidewalk chalk art contest, an annual music concert with a dozen mini stages, 100 Japanese sushi stands with a drumming processional, a global roundtable discussing the 50 most ingenious inventions to combat global warming..., an award event honoring young and old women of color in leadership.or??) recreate a vision as big as landing on the moon in a decade so that the Adeline corridor becomes a vibrant destination full of community events...

If the vision stays wedded to the car, the Adeline corridor will be just what everyone drives thru and never enjoys.

Rolf Bell
510.540-1111
Hello,

After going to the community meeting last week, I have come to oppose the Adeline Plan as it is.

First, minimum parking requirements should be removed. I use Adeline to ride my bike to go grocery shopping, and to walk to and from Ashby BART. Imposing minimum parking requirements punishes me for not driving. It also punishes poor people who may not be able to afford cars: parking is very expensive, and forcing housing providers to build more of it negates the effect of the affordability requirements that distinguish this plan from so many others. Additionally, it is imperative that we not waste space so close to Adeline BART Station. Transit works best when people can walk to it easily, and cars take up a lot of space that could be used for people’s homes.

Second, the base allowed building heights are too low. We must recognize that in order to bring down the cost of housing and prevent displacement, the city must look different. We can do more than set a mere three or four stories for the base building height. Most of these lots are deep—we have car dealerships on Adeline!—and the residential buildings nearby are two stories tall and occupy most of their lots. This is perfect for allowing four to six stories as a base height along the corridor.

Third, the maximum base heights as well as density bonus heights should incrementally rise closer to Adeline because many of these lots’ Adeline-fronting sides are farther from the residential areas to the east and west. This should coincide with the removal of floor area ratios, restrictions on dwelling units per acre, and maximum lot coverage. If more housing is provided on a site without building higher, this should be encouraged, not restricted. Height should be the governing factor for the buildings along Adeline.

The basic idea of the Adeline Corridor Specific Plan is sound. We need more market rate housing, and we need a lot more affordable housing. But we can do a lot more. Allow taller buildings, without density restrictions, and eliminate all parking minimums.

Thank you,

Paul Bickmore
I write to you to express my concerns about the Adeline Corridor Plan. While I am in general agreement with the main goals of the plan, the specific policy proposals for zoning, street width, and affordability will result in less housing than we need and more traffic than we want.

1- WE NEED TO MAXIMIZE HOUSING NEAR TRANSIT: The PLAN does not incentivize enough homes to be built over the next 20 years. In this transit rich area, we need to maximize the number of homes on the corridor and on Ashby BART, not stick with the status quo of low density.

2- WE NEED HOUSING FOR EVERYONE AT ALL INCOME LEVELS: The PLAN does not commit the City to fund the affordable housing we need and deserve in our neighborhood. And the PLAN does nothing to address the housing needs of lower- and middle-income workers (60-120% AMI) who do not qualify for government subsidized housing.

3- WE NEED SAFE STREETS, GREENWAY, AND A WALKABLE NEIGHBORHOOD: The PLAN proposes too many lanes of traffic on Adeline. The highest priorities should be pedestrian safety, bike lanes and green space, NOT accommodating thru traffic.

While I am pleased to see the Plan almost done, it needs significant revisions and therefore the draft needs to be remanded to consider more housing, affordability for all, and fewer traffic lanes.

Sincerely,
Lee Bishop
94702
RE: Adeline Corridor Draft Specific Plan and Draft Environmental Impact Review (DEIR)

Dear Ms. Shen,

The Berkeley Tenants Union (BTU) is submitting its comments regarding the Adeline Corridor Draft Specific Plan and Draft Environmental Impact Review (DEIR), specifically Chapter 4 of the Specific Plan and Section 4, Environmental Impact Analysis. The Draft Environmental Impact Report (DEIR) analyzes the environmental effects of the proposed Adeline Corridor Specific Plan which provides a vision and planning framework for future growth and development in the Adeline Corridor Plan Area.

**Effects on Rent Controlled Units**

According to the DEIR's section 4.10, under Population and Housing, there are 14,709 residents living in the Adeline Corridor. Of those residents, 9,369 (63.7%) are tenants living in 3,795 rental housing units. Neither the DEIR nor the Specific Plan provide any true analysis on the effects the development will have on the thousands of tenants, many likely in rent-controlled units, currently living in the Plan Area who could lose their homes to demolition.

In Section 4.10.2, under Analysis of Impact PH-2 - The DEIR states the impact on the community will be “less than significant," because the potential loss of housing units will be more than offset by the up to 1,450 new housing units within the Plan Area. Yet, the Specific Plan says the new 1,450 units will be market rate (i.e. unaffordable). The Specific Plan provides no vision or planning framework on how it plans to follow the 2015-2023 Berkeley Housing Element guidelines, Rent Stabilization and Rental Housing Conservation, which calls for protecting tenants from large rent increases, arbitrary evictions, hardship from relocation, and the loss of their homes and preserving existing rental housing.

BTU recommends the Specific Plan include a provision to protect current residents of rent-controlled units and a one-for-one replacement (as opposed to demolition fee payments) for any demolished rent controlled unit.
Prioritizing Affordable Housing on Public Land

The Specific Plan states that the City of Berkeley is committed to the goal of ensuring that at least 50% of all new housing built in the Adeline Corridor over the next 20 years will be income restricted permanently affordable housing serving a range of incomes. The plan that the proposed strategy achieves an overall affordable housing rate of 50% through a combination of mixed-income projects including low income units and a number of larger 100% affordable housing developments that will be placed on public land and funded by money coming in from the county, state and federal government.

In reference to developing affordable housing on Ashby BART sub area, which is public land, the Plan states that "...it is impossible to know exactly how many residential units can be built on each lot. However, the best estimates indicate that the west lot could accommodate 500 to 650 units in a six to seven-story building while the east lot could accommodate up to 150-250 units in a five-story building. Together they could accommodate 650 - 900 units of housing." But there's no guarantee just how many of those units would be affordable because development on the Ashby BART subarea is subject to a separate negotiated development agreement. Currently at the MacArthur BART station, the number of affordable units are limited and market rate price for a studio is currently renting at $3,100 per month, which is unaffordable to the vast majority of people.

The Specific Plan states that "One challenge of using the BART sites for primarily affordable housing is that it is not generally possible to finance affordable housing projects with more than 250 units at a time." And this because, according to the Specific Plan "only 2% of the nearly 5,000 projects ever funded in California have included more than 250 affordable units. For this reason, building these sites out as primarily affordable housing will likely require building three to five separate projects in phases over a number of years—or including a market rate component in the development program for the site."

Although it may take years to complete, BTU recommends that the City of Berkeley and its representatives negotiate with BART to develop 100% affordable housing units on Ashby BART subarea and to make sure it taps in on all the funding programs being created as a result of the new state budget signed last month by Governor Gavin Newsom which "makes significant progress toward combating the affordability crisis that impacts too many Californians." The Budget invests $1.75 billion in the production and planning of new housing. It includes support to local governments to increase housing production.
BTU recommends that all housing on public land be affordable for all levels of income, particularly for very low-income, low-income families and mandate that the housing include multi-bedroom units. Doing so will maximize affordability.

Maximizing Affordability on All Other Land as Well
On land which is not already publicly owned, the city should similarly aim for 100% of the units to be restricted to below-market rate and owned and run by a non-profit or not-for-profit developer. Notwithstanding the high cost of land, this can become economically feasible through strategies such as additional local density bonuses reserved for 100% below market rate units (a policy San Francisco adopted and the state legislature is currently debating).

In cases where it is not economically feasible for 100% of the units to be significantly below market rate, mixed-income social housing should be developed using the model put forward by the People’s Policy Project’s social housing paper. Under this model, which has been successfully implemented in many places such as Vienna, the city (or a nonprofit) would develop social housing. Unlike traditional public housing projects in the United States, however, the developments would be mixed-income. Higher rents (not exceeding market-rate) would be charged to higher-income tenants, with the surplus rental income used to subsidize the rent of lower-income tenants (since neither the developer nor the landlord would be for-profit entities). In addition to multiple city council members informing us they support the implementing this model, last week the Housing Advisory Commission established a social housing subcommittee for the explicit purpose of exploring how to implement this model.

By implementing these strategies, the city will be able to maximize both the affordability of new units and the total number of new units of affordable housing.

Community Benefits Program for Plan Area
In Section 4.10.2, under Analysis of Impact PH-1 - The DEIR states that development facilitated by the proposed Specific Plan is estimated to result in the potential for an additional 1,450 housing units in the Plan Area and 65,000 square feet of new commercial space through 2040. Missing from both the DEIR and the Specific Plan is any mention of a community benefits program for the Plan Area. A community benefits program would require that developers of new projects provide community benefits in exchange for an increase in density or other development incentives which will likely be abundant as portions of the Plan Area is also designated as an “Opportunity Zone”.

Draft Plan/DEIR Public Comment Letters
Subcommittee on Adeline Corridor Specific Plan
July 31, 2019
Potential community benefits should include increased affordable housing, public open space and recreation facilities, cultural institutions and performing arts venues, community-serving uses, such as childcare, senior centers, or community centers and health care services, which could help to ensure that the neighborhood serves the needs of a variety of households at all income levels.

Developers can provide benefits directly or through financial contributions to the City that would support the provision of community benefits. If properly structured, a community benefits program allows for a mutually-beneficial arrangement for developers and the City, with developers providing benefits that the community wants in exchange for development incentives. With current market rents continuing to rise, building new market rate units will likely be sufficient to support community benefits contributions from new residential development, particularly if the City offers development incentives such as reduced parking requirements to reduce development costs.

BTU recommends that the City of Berkeley conduct a series of workshops to engage the different stakeholders in order to design appropriate community benefits programs for each of the four sections of the Corridor. Public outreach, with no consensus-building mechanism, is different from participatory engagement to reach ‘community consensus’ regarding what types of benefits are appropriate for each of the four sections. The City has held community meetings over the past few years, however, concerns from a wide range of stakeholders are yet to be considered in the Specific Plan. Without a representative Specific Plan, the DEIR, corresponding to the Specific Plan, is of little value.

Sincerely,

The Berkeley Tenants Union
Hi,

I visit Berkeley once or twice a month to visit friends, shop and events. I support the vision of the Adeline Corridor Specific Plan. I bicycle on Adeline because it is the fastest way for me to get from North Berkeley to South Berkeley. I sometimes use the adjacent bike blvds. Adeline has potential to be more than an urban village. I see potential for bicycle tracks and bus rapid transit along this corridor to get residents, workers, homeless, students and everyone to and from Berkeley. The weather here is great to be outdoors. Affordable housing for all and create policies to help residents stay if they want. Air pollution is a major concern, so we need people using transit, walking, biking, scooter-riding and etc.

Kristal Caidoy
Comment on Draft Adeline Corridor Specific Plan

Dear Ms Shen -

As a resident of Harper Street in South Berkeley for the past 32 years, I commend you and the entire City Team for developing and moving forward with this Draft Adeline Corridor Specific Plan. In general, I think the Plan fairly captures the neighborhood's history, needs and opportunities.

The Adeline Corridor Plan should include more specific and detailed language regarding the need and opportunity to provide affordable housing options for 'moderate income' households (80%-120% of AMI) - often referred to as 'workforce housing'.

The Plan's emphasis on creating more affordable housing along the Corridor is excellent and the 50% affordability goal is both laudable and inspiring. The Plan's affordability discussion appropriately emphasizes the needs of low and very low-income households while noting that a variety of income levels will be addressed in meeting the 50% affordability goal. However, the Plan would benefit from a more active discussion of the value and need for workforce housing as an important part of that mix. The real challenge is that creation of new housing with a 'moderate' level of subsidized affordability is not possible through most available funding sources. Private developers generally ignore the moderately affordable price point in favor of more expensive units. Consequently, as was pointed out at the recent public meeting, this type of housing just isn't being produced in Berkeley at the present time. This Plan is the opportunity to specify how to do this in more detail.

Families in households with 'moderate incomes' include school teachers, nurses, government workers, small business people and other workers who provide critical services to our community and support our local economy. As we all know, Berkeley is now experiencing huge unmet housing demand from such people - including many who have roots in South Berkeley. In recent years this has forced innumerable families and individuals to move out of Berkeley permanently, or required them to make long and
unsustainable commutes. While South Berkeley has historically been a neighborhood where working families were able to find housing opportunity, this is sadly no longer the case. To better address the issue of unmet housing demand across the affordability spectrum, the Adeline Corridor Plan should include more detailed and clearly articulated language specifying income-restricted workforce housing as an important part of its visionary affordable housing goal.

Thank you,

Michael Caplan
First, I would like to say that I wholeheartedly support and endorse the comments on the Adeline Corridor Plan Draft EIR submitted by the Friends of Adeline. Their document is both thorough and compelling.

It is particularly critical to protect the community residing in this area from any further displacement. This community has a rich history and it is well worth preserving. We need the people who live there to be able to stay; it will make the whole city culturally and humanly richer to keep these current residents in their community. Indeed, why go to all the trouble of "developing" a district if it is not for the benefit of the people who are living there? Who else should benefit? Why should all of this be created for people who are not currently residents of the area, and most likely not even currently citizens of Berkeley?

So who benefits from the Plan as it is currently proposed [aside of course from the developers and their cohorts]? Not apparently the current residents . Clearly, the people most affected should benefit far more than they appear to in the current Plan.

I expect you to heed the concerns of Friends of Adeline expressed in their document and that you make the changes proposed by them.

Furthermore, as a longtime tenant and tenant advocate, I also insist that you do not demolish a single unit that is currently protected by rent control. Our stock of these valuable [to the community] units is dwindling, and we must do everything we can to preserve them, especially in communities with lower incomes. I am sure that there are many such units in the area the Plan covers. Protect them!

Julia Cato
Steering Committee Berkeley Tenants Union; CARA; BCA; Gray Panthers

"An imbalance between rich and poor is the oldest and most fatal ailment of all republics." Plutarch
"First they ignore you. Then they laugh at you. Then they fight you. Then you win."
--Mahatma Gandhi
Adeline Corridor DEIR

Dear Ms. Shen,

I very much appreciate the years of work you have put into the Adeline Corridor Plan. I agree with the plan to modify the roadway and the attempts to improve pedestrian and bike routes. I appreciate the measured increase in density and do not agree with those who want much more housing. My main concerns are with the Cultural/Historical Chapter and the Land Use Chapter as follows:

1. The DEIR states that there will be less than significant impact to the Cultural Resources of the area because of "adherence to the City's General Plan policies, existing City requirements, and to the strategies and vision of the proposed Specific Plan". However, neighborhood groups have never been successful in using these plans to influence ZAB decisions. Planning Director Burroughs himself has said that the General Plan and Area Plans are not enforceable because they are not implemented in the Zoning Ordinances. Cultural Resources and historical centers stand to be decimated without specific protections.

2. I do not see how the height limits proposed will be enforceable, especially when several building have already been proposed (and some already approved) that exceed the height limits. These higher buildings are already being used by developers to justify more development beyond the limits set by the plan.

3. I am also concerned that there does not seem to be adequate plans to achieve the goal of 50% affordable units in the Adeline Corridor and I would like to see more requirements for affordable units in every multi-family development in the Corridor.

Thank you for this opportunity to comment,

Janis Ching
Comments on draft EIR and specific plan

Thanks for the opportunity to comment. I have two main concerns.

One, I do not "buy" having to trade less density for more affordability because this has been presented to us without any hard evidence -- no studies, nothing except a ppt by a person (I forgot his name) who backs up the numbers by what he claims would have to be done to attract developers. I saw his presentation twice - once at the planning commission meeting (I watched the video) and same at the S. Berkeley Sr Ctr meeting after the plan was released. If we follow his logic, which we are asked to do, we could end up with only 20% "affordable" at less density - less density that perhaps we need to avoid extra disasters (see below) - in no uncertain terms the overarching goals of the plan to preserve the character of this community would be defeated. Gentrification would not only continue, this would seal the deal.

Second, the EIR is very thin on how much housing is truly manageable -- especially regarding infrastructure. For example, on the question of the schools, it simply says that they will get additional funding. Is it enough? What does the district say would be needed if x or y additional children live here? The EIR estimates only 200 some. How was that figure arrived at? We have already seen heavy impacts on the district when the recession hit in 2008, actually losses of revenue and losses of programming as the wealthier put their kids in the public schools and Title 1 funds were lost. The wealthier did not make up the difference. Also and most concerning, the EIR is practically devoid of basic analysis of emergency services, especially in connection with disasters. Berkeley and other cities in the East Bay between the water and the hills are particularly vulnerable due to reduced escape routes. Adeline is acknowledged to be one. The EIR states only that there will still be capacity for emergency vehicle to pass. What about all the people fleeing? What about the hospitals and other emergency services? We live in a high risk city. There really is a limit to how many people can live here. Without further analysis, the EIR is totally inadequate.

Larisa Cummings
2913 Newbury Street
July 19, 2019

To: Alisha Shen, Planning Department
From: Shirley Dean
Re: Comments re Adeline Corridor Specific Plan
Via: E-mail: alelinecorridor@cityofberkeley.info

Dear Ms. Shen,

I know you are aware of the importance of the Adeline Corridor Specific Plan (ACSP), and I want to begin my comments by thanking you for the extension of time to hear from the public. It is very much appreciated.

From my experience of four years on the Planning Commission and Board of Adjustments (now called the Zoning Adjustments Board), 15 years as a Council Member, and eight years as Mayor, I have seen a great many plans for the area which is now covered by the ACSP. As you know, this area was once a thriving retail-commercial area surrounded by pleasant neighborhoods made up of tree-lined streets and well-cared for homes. BART construction devastated the commercial vitality of much of the area and various revitalization plans and proposals subsequently failed, including a proposal for designation of the area as a redevelopment area such as the one in West Berkeley. While this left many residents and businesses feeling that while they were pleased that some proposals failed, the true solutions of their problems were being ignored. Throughout the various proposals, many of the residential neighborhoods remained strong and inviting places. However, more recently, because of their relative affordability, the pleasant residential neighborhoods that surround the commercial areas became more and more attractive to high income individuals who began to displace long-term residents. Today, the City of Berkeley has become well-known throughout the country for its high housing prices as people fled the housing problems of San Francisco and environs, and find there is insufficient housing being built in communities close to Silicon Valley. Even the Daily Cal recently pointed out that students have been driving out residents when they pool their funds as the UC Berkeley campus increases enrollment, but does not provide housing. It is well known that significant displacement has resulted. This displacement must be reversed for the sake of everyone in Berkeley. I am concerned that the ACSP does not adequately address this issue.

One of the Five Strategic Goals of the Plan is to preserve and promote adaptive re-use of historic structures. That’s admirable and it should be a goal, but it should, in addition, recognize that preserving the existing historic neighborhoods of the area should be included within that goal. Structures are important, but the structures that comprise the neighborhood both in their appearance and occupancy is the historic foundation for the neighborhoods that must be preserved in today’s world. This is important throughout the abutting residential neighborhoods but especially for the transition zone between commercial and residential. Where are the protections for privacy, adequate sunlight and noise between the two? I note in the ACSP that structures along the commercial areas will be eligible to receive density and height incentives if they provide a larger percentage of affordable housing. Within the ACSP, without incentives, those building can rise as high as 5, 6 or 7 stories depending upon location. I do not see that the impacts with or without those additional height or density incentives on nearby lower height uses will be even studied, let alone mitigated. Adverse impacts from too high or too large developments could well result on lower nearby/adjacent commercial uses or residential uses.
These could also include the creation of shadowed corridors along sidewalks that rob pedestrians and residents in other multi-unit buildings of the vitality that sunshine brings to an area. Good planning should not create a wall of high buildings, nor negatively impact on adjacent existing uses.

I also note that the requirement for multi-unit buildings to pay either an affordable housing mitigation fee or include affordable housing units on-site remains. I strongly recommend that the plan advocate for including affordable housing units on-site. The payment of a fee to put the units at some other location results in years of delay that such housing gets built, if ever. To date, the City of Berkeley has not constructed the number of affordable housing units established by ABAG housing requirements in spite of fees paid by developers of a significant amount of new construction. I understand that state law gives the developer a choice as to paying a housing mitigation fee or building the units on site. However, I suggest that due to the fact that this causes very long delays in building affordable housing, that the City of Berkeley formally seek exemptions from that law so that housing that serves diverse incomes can be built on site. One reason for such an exemption might well be the historic nature of the neighborhoods that are involved and the heavy displacement and destruction of those neighborhoods that has been, and is, taking place, most particularly in this area. The least the City can do is to try and the least the ACSP can do is to ask that it be done, as well as to cite incentives for on-site inclusion of affordable housing be considered.

One such incentive might be a community benefits fee. Where multi-story buildings are going to be allowed there should be a community benefit fee, which possibly could be waived in whole or part, if the developer chose to place a range of affordable housing units on site. Or, in the instance where a community benefit fee was not waived, such funds must be for use ONLY within the ACSP area to support recreation, education, health, or senior services, etc. that might be provided by non-profit organizations. I think a flexible approach allowing a range of conditions, some waived, some imposed, but which would be tailored specifically to the location of the proposed structure would be advisable. Berkeley is a built-up city and conditions vary from block to block. One size does not fit all, and I would like to see that such flexibility exists. It might be argued that developers require a certain certainty in having their proposals reviewed. That might be countered by establishing design guidelines and timelines for review. Good planning principals should be established and the flexible approach attempted. I don’t see any of this addressed in the ACSP.

I also see that the ACSP states that “preference” in new housing should be given to local residents. While that might work for residents who have not been displaced and who still live within the area, it probably will only be a pipe dream for those who have been displaced and found homes elsewhere. For those who have been displaced and are currently homeless, there should not be a “preference” there should be a guaranteed right. In fact, this should be a guaranteed right for any person who can establish that they were displaced from their former home.

In terms of the current flea market, I see that the ACSP proposes that it could possibly exist in a future plaza. I would recommend that its exact location be determined, so that the community and the managers of the market have some certainty of the future. It would seem to
me that the current location is best, but the residents should be involved in that decision. I would also recommend that the market become diverse in that it should begin to significantly expand their activities concerning food and art choices over and above what they are now doing. This would give more residents a chance to earn additional income but it also should aim at giving start-up entrepreneurs a stronger pathway to future success. Public art installations are good, but better yet, are artisans selling their wares in what would become a destination spot easily reached by people using BART from all over the Bay Area. That’s an exciting and unique economic boost to an area that cannot be matched by shopping in any retail store, even those that are high-end. Strengthening such a unique feature will require greater attention by not only the City but the flea market managers and vendors themselves and the neighborhoods. It can be done, and the ACSP needs to place more emphasis on promotion of such an approach. If located at the BART Station it could easily incorporate the existing cluster of antique shops into a center into a sustainable, exciting shopping experience that would be a retail destination without huge buildings and large parking lots.

It is recognized that the area is park and open space poor. This should be treated in the ACSP as a priority item as recent study after study have shown the great physical and mental health benefits, particularly for children, of parks and open spaces that are easily accessible from every residential neighborhood. Gardens on tops of roofs may meet open space requirements for residents of specific multi-family apartment buildings, but they do not meet the needs of a whole area. Parks and open spaces are vital parts of a specific plan to serve a whole area and their locations should be planned and mapped just as commercial and residential uses are mapped. While that may not be possible at this point in time to do, general locations and numbers should be described in the ACSP, so that the detailed work will not be lost in the future.

Lastly, the ACSP is deficient in that it does not define a way for the plan to proceed in the future. Previous plans have gone astray when the activity of writing, reviewing and approving a plan dies down and is left in the hands of future decision makers who as time goes by will not have participated in or even known about the origins of the adopted plan. Please consider establishing a continuing group made up of business owners, residents (homeowners and tenants), and service providers who will act as an oversight group to ensure that the adopted plan is implemented as intended. This is a new idea but one that merits some consideration because it marries history and the here and now with a vision for the future.

Thank you for your consideration of these views,

Sincerely,
Shirley Dean
Shirley.dean@sbcglobal.net
EARTHJUSTICE
BECAUSE THE EARTH NEEDS A GOOD LAWYER

Via Electronic Mail

July 2, 2019

City of Berkeley
Planning Department
1947 Center Street, 2nd Floor
Berkeley, CA 94704
Email: adelinecorridor@cityofberkeley.info

Re: Earthjustice and Sierra Club Comments on the Draft Environmental Impact Report for the Adeline Corridor Specific Plan

Earthjustice and Sierra Club appreciate the opportunity to comment on the Draft Environmental Impact Report (“DEIR”) for the Adeline Corridor Specific Plan (“the Plan”). Our comments focus on the Plan’s building electrification requirements. Under the Plan, all new construction must be all-electric with no natural gas connection to the building, with an exception for “demonstrable technological constraints for specific components.”¹ In the case of technological constraints, the DEIR states that the project proponent would be required to reduce an equivalent amount of greenhouse gas (“GHG”) emissions either through the purchase of offsets or payment for the replacement of gas equipment with electric in existing building(s) as identified by City staff.²

We strongly support and appreciate the City’s efforts to incorporate building electrification requirements into the Plan. As the DEIR properly recognizes, all-electric new construction reduces the Plan’s greenhouse gas impacts and is required for the Plan to “be consistent with the 2017 Scoping Plan and on a path toward achieving long-term goals of EO B-55-18 and the City of Berkeley clean energy goals.”³ However, we are concerned that the lack of apparent City review of a project proponent’s determination that an all-electric application is technically constrained and the potential use of offsets have the potential to significantly weaken the proposed measure. To more effectively implement a requirement for all-electric new construction, while allowing for legitimate exceptions in the case of technological infeasibility, we recommend the following two changes to the DEIR.

1) **Require City verification of a project proponent’s determination that the project cannot be built as all-electric.**

The DEIR currently does not appear to provide a mechanism for the City to review a project proponent’s determination that the project “cannot be built as all-electric due to

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¹ DEIR, Adeline Corridor Specific Plan (May 2019) at 4.5-21, available at https://www.cityofberkeley.info/AdelineCorridor/.
² Id.
³ Id.
technological constraints for specific components.”

Rather, City review and approval is limited to the “plans for reducing equivalent GHG emissions.” The City should review both the initial determination of technological feasibility and the GHG reduction plan. Otherwise, project proponents can simply assert all-electric construction is infeasible regardless of the availability of an all-electric solution. To avoid this outcome, we recommend the City amend the EIR’s review and approval language as follows:

For projects that the project proponent asserts will involve natural gas components, the City of Berkeley shall verify that the project cannot be built as all-electric due to demonstrable technological constraints and review and approve plans for reducing equivalent GHG emissions prior to issuance of a building permit.

2) Eliminate use of carbon offsets or, at a minimum, prioritize replacement of existing natural gas equipment.

The DEIR should be modified to either eliminate the use of offsets as potential mitigation or, at a minimum, prioritize payment for replacement of gas equipment with electric in existing buildings as a means to mitigate GHG emissions for projects utilizing natural gas. First, offsets are of questionable effectiveness. Studies have shown that can do little, if anything, to impact climate change, and in many cases have actually had negative environmental and human rights impacts. For example, a recent study of California’s offset program found that “82% of the credits generated by [forest offset] projects likely do not represent true emissions reductions, due to the protocol’s leakage accounting methods.” Accordingly, use of carbon offsets is unlikely to be effective CEQA mitigation.

Second, because GHG emissions are frequently associated with other forms of air pollution, use of offsets misses critical opportunities to take advantage of the co-benefits that come with local GHG reduction measures. For example, in allowing GHG emission reductions to occur elsewhere, “California’s cap-and-trade program has not yielded improvements in environmental equity with respect to health-damaging co-pollutant emissions.” As set forth in

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4 Id.
5 Id.
8 See e.g., Lara Cushing et al., Carbon trading, co-pollutants, and environmental equity: Evidence from California’s cap and trade program (2011-2015), 15 PLoS Med e1002604 (2018) (finding that a majority of regulated facilities, under California’s cap-and-trade program, reported higher annual average local GHG emissions since the initiation of carbon trading, including the use of offsets; and that “Neighborhoods that experienced increases in annual average GHG and co-pollutant emissions from regulated facilities nearby after trading began had higher proportions of people of color and poor, less educated, and linguistically isolated residents, compared to neighborhoods that experienced decreases in GHGs.”), https://journals.plos.org/plosmedicine/article?id=10.1371/journal.pmed.1002604
the CEQA Guidelines from the Bay Area Air Quality Management District (“BAAQMD”), community-based mitigation is preferable to offsets in a broader geographic area:

In implementing offsite mitigation measures, the lead agency must ensure that emission reductions from identified projects are real, permanent through the duration of the project, enforceable, and are equal to the pollutant type and amount of the project impact being offset. BAAQMD recommends that offsite mitigation projects occur within the nine-county Bay Area in order to reduce localized impacts and capture potential co-benefits.9

Accordingly, to ensure that mitigation for GHG impacts from projects where technological constraints prevent all-electric construction is real, permanent and provides local co-benefits, the DEIR should either require or prioritize replacement of existing gas appliances with electric options. The DEIR could be revised as follows:

Project proponents shall model the annual GHG emissions from natural gas from the proposed project and then reduce GHG emissions by an equivalent amount through payment for the replacement of natural gas equipment with electric in existing building(s) as identified and administered by City of Berkeley staff. If a replacement program has not been implemented or no such replacement opportunity has been identified by City of Berkeley staff, the project proponent may purchase verified, California based, carbon credits for 20 years, one of the following:

- Purchase of verified, California based, carbon credits for 20 years
- Payment for the replacement of natural gas equipment with electric in existing building(s) as identified and administered by City of Berkeley staff

Thank you for the opportunity to submit these comments. Please contact Matt Vespa at mvespa@earthjustice.org and Sasan Saadat at ssaadat@earthjustice.org at Earthjustice and Rachel Golden at rachel.golden@sierraclub.org with any questions or concerns.

Sincerely,

Matt Vespa
Staff Attorney
Earthjustice
50 California St., Ste 500
San Francisco, CA 94111
mvespa@earthjustice.org
(415) 217-2123

Rachel Golden
Senior Campaign Representative
Sierra Club
2101 Webster St., Suite 1300
Oakland, CA 94612
rachel.golden@sierraclub.org
(415) 977-5647

Sasan Saadat
Research and Policy Analyst
Earthjustice
50 California St., Ste 500

Igor Tregub
Chair
Sierra Club San Francisco Bay Chapter
2530 San Pablo Ave. #1

July 19, 2019

VIA ELECTRONIC MAIL
Attn: Alisa Shen
Planning Department
1947 Center Street, 2nd Floor
Berkeley, CA 94704
adelinecorridor@cityofberkeley.info

Re: Comments on the Adeline Corridor Specific Plan Draft Environmental Impact Report

Dear Ms. Shen:

The East Bay Community Law Center (EBCLC) welcomes the opportunity to comment on the Draft Environmental Impact Report (“DEIR”) for the Adeline Corridor Specific Plan (“Specific Plan”). EBCLC is the largest provider of free legal services in Alameda County and has an office located in the Adeline Corridor. We assist low-income people with a wide variety of legal issues in the areas of economic security, education, health and welfare, housing, and immigration. In all of our practice areas, we see how gentrification has led to the rapid displacement of longtime residents in the City, mostly low-income residents of color. It is our mission to ensure that marginalized communities have a voice in the development of their neighborhoods in order to mitigate the negative effects of gentrification. In support of community groups and institutions such as the Friends of Adeline and Community Services United of Berkeley, we respectfully request that the City reject the DEIR.

The DEIR analyzes a foreseeable development of 1,450 housing units and 65,000 square feet of commercial space in the Plan Area through the year 2040 (the “Project”). As described, the Project will have widespread environmental and sociocultural impacts not just on the surrounding neighborhoods, but also on all of Berkeley and the greater East Bay. As set forth below, the DEIR is inadequate under the California Environmental Quality Act (CEQA) guidelines. For this reason, we request that the City reject the DEIR and defer approval of the Specific Plan until the DEIR is revised to comply with CEQA.

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1 DEIR, ES-1.
The Legislature passed CEQA with the intent to “take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state.” An EIR is “the heart of CEQA.” Its purpose is to provide public agencies and the general public with detailed information on the effects that a proposed project will likely have on the environment; ways in which the significant effects could be minimized; and alternatives to the proposed project. Public officials must certify or reject an EIR with the goal of demonstrating to the public that the agency has, in fact, analyzed and considered the ecological implications of its action. For these reasons, an EIR is an informational document of accountability.

The Specific Plan’s DEIR fails to serve its purpose under CEQA guidelines because it:

1. Fails to provide a stable, accurate, and detailed project description and environmental setting description, thus undermining the impacts analysis;
2. Fails to analyze significant impacts the Project has related to Land Use, and Population and Housing; and
3. Fails to provide legally adequate analysis of the Project’s mitigation measures and alternatives.

As a result, the DEIR must be rejected and revised to comply with CEQA. We welcome the opportunity to work cooperatively with the City to address these issues in order to achieve the best outcome for the environment and marginalized communities.

I. THE DEIR FAILS TO MEET CEQA’S INFORMATIONAL STANDARD.

An EIR’s purpose is to provide public agencies and the general public with detailed information on the effects that a proposed project will likely have on the environment; ways in which the significant effects could be minimized; and alternatives to the proposed project. The DEIR fails to achieve its informational purpose because it: lacks sufficient information on existing environmental conditions, specifically regarding Population and Housing; is unacceptably vague and overly relies on future approvals and streamlining processes; and fails to describe the Project with necessary particularity.

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3 Id.
5 Laurel Heights I, 47 Cal.3d at 392.
6 Id. at 391, 392.
A. The DEIR Lacks Sufficient Information on Existing Environmental Conditions.

CEQA Guidelines require that an EIR include a description of the physical environmental conditions in the project’s vicinity.\textsuperscript{8} A complete assessment of the existing conditions is critical, as it constitutes the baseline by which a lead agency determines whether an impact is significant or not.\textsuperscript{9} In other words, without an adequate description of the environmental setting, there cannot be an adequate assessment of the project’s impacts, mitigation measures, and alternatives.

The DEIR lacks sufficient information on existing environmental conditions, specifically regarding Population and Housing. Both the Specific Plan and DEIR acknowledge the existence of and community concern surrounding the displacement of low-income residents of color, but the existing conditions and impacts stemming from displacement are completely absent from the DEIR’s analysis. Instead, the DEIR claims that socioeconomic effects are beyond the scope of the CEQA environmental review process unless a link can be established between anticipated socioeconomic effects of a proposed action and adverse physical environmental impacts.\textsuperscript{10}

CEQA does indeed require analysis of direct and indirect impacts, including impacts resulting from social and economic consequences of the project.\textsuperscript{11} Moreover, population demographics directly correlate to the area’s physical environment, as demographics influence the type of housing and amenities that are built, the type of businesses and cultural institutions that thrive, and the number of vehicles per household. Therefore, socioeconomic effects, including displacement of low-income residents, are within the scope of the CEQA environmental review process and should have been analyzed in the DEIR.

In order to provide for adequate analysis of the impacts, the DEIR must provide a description of the baseline by which to assess the impacts. Information necessary to evaluate the impacts of displacement might include an income breakdown of the existing population, data on residential and commercial rent increases, and existing data on displacement of low-income residents of color and commercial tenants. The baseline must be backed by substantial evidence, meaning “facts, reasonable assumptions predicated on facts, and expert opinion supported by facts.”\textsuperscript{12}

\textsuperscript{8} Id. at § 15125.
\textsuperscript{9} Id.
\textsuperscript{10} DEIR, 1-6.
\textsuperscript{11} CEQA Guidelines § 15064(e); see El Dorado Union High Sch. Dist. v. City of Placerville (1983) 144 Cal.App.3d 123, 132 (finding the EIR was inadequate where report, while acknowledging that subdivision would increase student enrollment, failed to say anything about effects of such increase in student population and suggested no mitigation measure to deal with such impact); see also Bakersfield Citizens for Local Control v. City of Bakersfield (2004) 124 Cal.App.4th 1184, 1215 (finding the EIR improperly dismissed possibility that large shopping center could drive other retailers out of business as an economic effect).
\textsuperscript{12} 14 CCR § 15064.7(b).
The Lead Agency has a plethora of research and data to draw from in order to provide an adequate summary of existing environmental conditions regarding Population and Housing. Research and data on displacement in the context of transit-oriented development (TOD) is readily available from the Urban Displacement Project (UDP). Additionally, UDP offers data and visual maps that track displacement based on income and race in the Specific Plan area from the year 2000 to 2013. The Lead Agency should also research data sources such as the County tax assessor’s office, apartment operating licenses, local housing departments, superior courts, etc. to obtain information on property values, rent levels, evictions, and changes in tenancy. Only with an adequate baseline can public agencies and the general public make informed decisions about the significance of the Project’s impacts.

B. The DEIR is Unacceptably Vague and Overly Relies on Future Approvals and Streamlining Processes.

The DEIR is a Program EIR. A “Program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related...in connection with issuance of rules, regulations, [and] plans.” A Program EIR provides the benefits of avoiding duplicative analysis, allowing a reduction in paperwork, and providing more flexibility to the Lead Agency. If a Program EIR is “sufficiently comprehensive, the lead agency may dispense with further environmental review for later activities within the program that are adequately covered in the program EIR.” Alternatively, a lead agency may examine significant effects of a subsequent project by using a tiered EIR that limits its analysis to “significant effects on the environment that were not examined in the prior EIR.”

Despite its benefits, streamlining environmental review does not guarantee that future decisions regarding development in the Specific Plan area will be made with full information and public input. For example, the City would not be required to give public notice of a determination that a subsequent project did not require new environmental review if that project were identified as an

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14 Id.
16 DEIR, 1-1.
17 CFQA Guidelines § 15168.
18 Id.
activity contemplated by an earlier program EIR. In other words, projects vaguely contemplated by the DEIR, such as the Ashby BART parking lot development, may not be subject to further public input regarding its specific environmental impacts.

The Project is a foreseeable development of 1,450 housing units and 65,000 square feet of commercial space in the Plan Area through the year 2040. This forecast implies a large number of projects that may or may not require subsequent environmental review under CEQA because details of subsequent projects are both broad and unspecific in the DEIR and Specific Plan. As a result, public agencies and the general public may never know the specific environmental impacts of subsequent projects. Therefore, the City should commit to providing the same public notice and opportunity for comment for all projects that rely upon the DEIR to ensure that each project’s specific environmental impacts are considered.

C. The DEIR Fails to Provide a Complete and Stable Description of the New Zoning Category.

CEQA Guidelines require that an EIR contain a detailed project description to allow adequate evaluation and review of the project’s environmental impacts. A Program EIR must deal with the effects of the program as “specifically and comprehensively as possible” to permit informed decision-making. Even if an EIR is adequate in all other respects, the use of a “truncated project concept” violates CEQA. Additionally, a legally sufficient EIR requires a stable project description. Lack of a stable project description may require reanalysis of the environmental impacts as changes in a project may lead to changes in its effects.

The Specific Plan proposes to rezone the entirety of the Adeline Corridor by creating a new zoning district, “C-Adeline Corridor” or “C-AC,” which will cover all parcels in the area. C-AC district standards are outlined for three out of the four subareas. Standards for the Ashby BART subarea are subject to a development agreement negotiated between BART and the City following approval of the Specific Plan. The Project contemplates up to 850 residential dwelling units and 50,000 square feet of commercial in the Ashby BART subarea, but fails to outline any standards by which this is possible. Environmental impacts could vary greatly depending on the building height, location, and type of residential and commercial space allowed in the Ashby BART subarea. Furthermore, the Specific Plan suggests the development of a community plaza on the Ashby

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21 See CEQA Guidelines § 15168.
22 Id. at § 15124.
23 Id. at § 15152(c)(5).
25 Id. at 730.
BART subarea to house the Berkeley Flea Market and Farmer’s Market, but the DEIR fails to analyze this vision. The contemplation of a community plaza provides that the DEIR could in fact analyze environmental impacts of including a plaza versus not. The failure to define the C-AC district standards for the Ashby BART subarea does not permit informed decision-making surrounding the Project’s environmental impacts.

Moreover, standards for the C-AC district require amendments to the City’s General Plan and Municipal Code to take effect. These amendments require separate approvals processes wherein the details of the C-AC district may be refined and altered. It is critical that the C-AC district description remain stable in all three approvals processes, as changes will fundamentally alter assumptions surrounding the Project and possibly require reanalysis of the environmental impacts.

11. THE DEIR FAILS TO ANALYZE SIGNIFICANT IMPACTS RELATED TO LAND USE & POPULATION AND HOUSING.

CEQA requires analysis of direct and indirect impacts of a project, including impacts resulting from social and economic consequences of the project.26 Primary (direct) and “reasonably foreseeable” secondary consequences must be “clearly identified and described, giving due consideration to both the short-term and long-term effects.”27 CEQA requires a Lead Agency to determine the significance of all environmental impacts.28 Physical changes stemming from economic or social effects of a project must be regarded in the same matter of significance as any other physical change resulting from the project.29

Thresholds of significance are critical because they help determine whether certain impacts of a project are significant (thus requiring mitigation) or less than significant (thus not requiring mitigation).30 Lead agencies have the discretion to formulate their own significance thresholds, which may be defined either as quantitative or qualitative standards, or sets of criteria. CEQA also requires mandatory findings of significance where “the environmental effects of a project will cause adverse effects on human beings, either directly or indirectly.”31 The DEIR fails to analyze the Project’s significant direct and indirect impacts related to Land Use, and Population and Housing based both on its own thresholds for significance and CEQA’s mandatory findings of significance.

26 CEQA Guidelines § 15064(e); see El Dorado 144 Cal.App.3d at 132; see also Bakersfield Citizens 124 Cal.App.4th at 1215.
27 CEQA Guidelines § 15064(e); Bakersfield Citizens 124 Cal.App.4th at 1215.
30 CEQA Guidelines § 15064(e).
31 Id. at § 15065(a)(4).
A. The Project Has Significant Land Use Impacts.

The DEIR found no significant impacts related to Land Use using the following threshold: Would the proposed Specific Plan physically divide an established community? However, the Project’s impacts are significant because the proposed Specific Plan will in fact physically divide established communities in the Adeline Corridor.

Existing conditions consist primarily of one- and two-story buildings with a few exceptions. The creation of the C-AC zoning district expands the maximum building height for all parcels in the Adeline Corridor through its affordable housing incentive. Specifically, the Tier 3 incentive development standards allow for maximum building heights of either 6 or 7 depending on subarea compared to the maximum building heights of 3 to 5 in the Adeline Corridor’s existing zoning districts. Because the C-AC district applies to all parcels, significant differences in neighboring building heights are likely to occur. A vastly tall building on a block of primarily one- and two-story buildings can physically divide the existing buildings both spatially and aesthetically.

Furthermore, the C-AC development standards are not yet defined for the Ashby BART subarea. Given the objective to maximize dwelling units and commercial space on the Ashby BART west parking lot, it is foreseeable that the building height on the lot will exceed the Tier 3 incentive standards of 7 stories, thus becoming the largest building in the Adeline Corridor. As the largest and most central point in the Adeline Corridor, an exceedingly tall building on the Ashby BART west parking lot will physically divide the neighborhood both spatially and aesthetically. Additionally, should the Berkeley Flea Market be displaced from the Ashby BART west parking lot, the physical division of the neighborhood will be even more stark given the Flea Market’s figurative and literal role of binding the community together every weekend.

B. The Project Has Significant Population and Housing Impacts.

The DEIR incorrectly found no significant impacts related to Population and Housing using the following three thresholds:

1. Would the Specific Plan induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

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32 DEIR, 4.8-7
33 DEIR, 2-9.
34 DEIR, 2-16.
2. Would the Specific Plan displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

3. Would the Specific Plan displace numbers of people, necessitating the construction of replacement housing elsewhere?

The Specific Plan will both directly and indirectly induce substantial population growth in the Adeline Corridor. The DEIR claims that this impact is less than significant because the population growth induced by the Specific Plan is not substantially more than the expected population growth without the Project. However, the DEIR is silent on the demographics of individuals constituting such population growth. Looking at numbers alone obscures the significant impacts in the changes of economic and racial demographics resulting from overall population growth. While the population growth overall may not be substantially different between the projections with and without the Specific Plan, the population of low-income individuals may substantially differ with the adoption of the Specific Plan. These changes indicate trends of displacement and the significant impacts related to affordability and displacement described below.

The Specific Plan will displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. Existing conditions in the Adeline Corridor consist primarily of one- and two-story buildings with a few exceptions.\textsuperscript{35} Also, over one-third of the buildings in the Plan area are dedicated to commercial uses.\textsuperscript{36} The Project contemplates the construction of 1,450 housing units and 65,000 square feet of commercial space in an area that lacks substantial empty lots (with exception of the Ashby BART west parking lot). Thus, in order to achieve the Specific Plan’s goal of building diverse and affordable housing, it is foreseeable that many buildings with existing housing units will be substantially reconstructed or demolished entirely to make use of the increased building heights provided in the affordable housing incentive program.

The Specific Plan will also displace numbers of people, necessitating the construction of replacement housing elsewhere. When housing units are lost, the people who live in them are most likely displaced, as well. However, displacement is both direct and indirect, and not just physical.\textsuperscript{37} Physical displacement typically means residents have “fewer options within, are forced out of, or cannot move into neighborhoods” due to rising housing costs.\textsuperscript{38} Nonphysical displacement, on the other hand, includes a “sense of loss of place and belonging, erosion of cultural cohesion, loss of

\textsuperscript{35} DEIR, 2-9.
\textsuperscript{36} DEIR, 2-7.
\textsuperscript{37} Chapple & Loukaitou-Sideris, 40.
\textsuperscript{38} Id. at 48.
community supports, and/or diminution of political power” due to the change of neighborhood demographics.39

Studies have found that transit neighborhoods like the Adeline Corridor are quicker to experience increases in median household income, housing prices, and rents following development compared to nontransit neighborhoods.40 Moreover, a study has shown that upzoning incentives increase neighborhood property values, but do not necessarily induce new housing construction.41 The physical changes and investment in an area signals to wealthier individuals that a neighborhood is desirable to live in. This process of gentrification leads to newcomers who “are typically wealthier, whiter, and of higher educational attainment” and displaces existing residents who “are more likely to be renters, poorer, and people of color.”42

Existing Adeline Corridor residents have already identified both physical and nonphysical displacement of low-income, and black residents as a top priority. Existing conditions in the Adeline Corridor already incentivize property investment by wealthy investors. In order to spur economic development, the state recently designated the Adeline Corridor as an Opportunity Zone (OZ), which allows for investors to receive tax benefits simply from investing in the area.43 The Specific Plan and subsequent development in the Adeline Corridor will continue to exacerbate the neighborhood’s demographic changes toward a wealthier and whiter population, resulting in the displacement of people who are renters, low-income, and people of color.

The DEIR claims that existing tenant protections and the construction of 1,450 new housing units will offset the displacement of existing housing and people, thus the Project impacts on displacement are less than significant. Given the complexity of displacement and the finding that upzoning does not actually induce new housing construction, the DEIR’s argument is inadequate. Not only is the construction of 1,450 new housing units unreliable, but the DEIR fails to analyze whether these new units will even be affordable to existing, low-income renters of color who are most at-risk of displacement. Considering that upzoning and the existence of an OZ will increase property values, it is more probable that the vast majority of new housing units will cater to wealthy individuals. It is critical that the Lead Agency include information on the existing conditions of housing affordability and displacement to measure the illustrate more accurate the significant impacts on Population and Housing.

39 Id.
40 Id. at 54.
41 Yonah Freemark, Upzoning Chicago: Impacts of a Zoning Reform on Property Values and Housing Construction, Urban Affairs Forum (March 29, 2019).
42 Chapple & Loukaitou-Sideris, 52.
Regardless of these thresholds, a mandatory finding of significance is appropriate because the Project’s environmental effects will cause adverse effects on human beings based on the physical, environmental, and health consequences associated with displacement alone. Residential instability, including as a result of eviction, leads to severe outcomes such as “homelessness, longer commutes, diminished access to health care resources, stress, and educational disruption.” A UDP study found that after being displaced, most households moved to neighborhoods with fewer healthcare resources and job opportunities, leading to longer and more costly commutes. One in three households reported some period of homelessness in the two years following their displacement.

III. THE DEIR FAILS TO PROVIDE ADEQUATE ANALYSIS OF MITIGATION MEASURES AND PROJECT ALTERNATIVES.

CEQA specifies that “[a] lead agency shall not approve a project as proposed if the agency finds any feasible alternatives or mitigation measures within its power which would substantially lessen or avoid any significant effect the project would have on the environment.” Mitigation measures may not be deferred until after project approval, and must include reporting and monitoring mechanisms. Mitigation measures must also be found to be feasible, based on evidence in the record.

An EIR must also include a “reasonable range” of proposed project alternatives based on the project’s objectives, including a No-Project Alternative and an Environmentally Superior Alternative. The alternatives must be feasible such that it is “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” The scope of alternatives “must be evaluated on its facts,” on a case-by-case basis. Moreover, the Lead Agency bears the burden of formulating alternatives for consideration—not the public. Because the DEIR failed to identify significant impacts related to Land Use and Population and Housing, it also failed to analyze appropriate mitigation measures and project alternatives.

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44 Chapple & Loukaitou-Sideris, 212.
45 Urban Displacement Project, supra 2.
46 Id.
49 CEQA Guidelines § 15097.
50 Id. § 21081.5.
51 Id. § 15126.6(a).
54 See Laurel Heights I, 47 Cal.3d at 406.
A. The DEIR Must Consider Policies to Mitigate the Significant Impacts Related to Land Use and Population and Housing.

In order to mitigate the Project’s environmental impacts related to land use, the Specific Plan should apply stricter guidelines upon which to base the Ashby BART subarea development standards. These standards are to be negotiated in a development agreement between the City and BART under the guidance of the Specific Plan. There are no guarantees for public input or engagement in the development agreement negotiation outside public input on the Specific Plan. Another possible mitigation measure is to create a community engagement process for negotiating the development agreement. This will mitigate the significant impact of the Ashby BART west parking lot development physically dividing the existing community, as community members will have a stake in the development’s design and layout.

The DEIR should also provide mitigation measures for environmental impacts caused by housing affordability and displacement. These measures must strengthen and expand the City’s toolkit of affordable housing and anti-displacement strategies both citywide and in the Adeline Corridor, specifically. Examples include funding and preference for community land trusts, stronger tenant protections, first right of refusal policy (i.e. Tenant Opportunity to Purchase Ordinance), diverting tax-increment financing revenue from wealthier neighborhoods to affordable housing development in the Adeline Corridor, and more.

B. The DEIR Must Consider an Affordable Housing Focus Alternative that Would Mitigate Significant Impacts Related to Land Use and Population and Housing.

The DEIR evaluates three alternatives to the Project: 1) No Project Alternative, 2) No Street Redesign Alternative, and 3) Office Focus Alternative. This is insufficient because the DEIR fails to identify any alternatives that would maximize the number of affordable housing units to achieve the Project objective of creating diverse and affordable housing. Possibilities for an Affordable Housing Focus alternative include requiring the affordable housing percentage in the affordable housing incentive program be based on the total number of units in the complete project as opposed to the base number of units before receiving the bonus. Another Affordable Housing Focus alternative would look similar to the Office Focus Alternative, but rather than prioritize the construction of office space, the alternative would prioritize the construction of affordable housing units. The DEIR should be revised to include such analysis.
IV. CONCLUSION

For all the reasons stated above, the DEIR must be revised to comply with CEQA. We welcome the opportunity to work cooperatively with the City to address these issues and look forward to the City’s reasoned response. Thank you for your consideration.

Sincerely,

[Signature]

Jassmin A. Poyaoan
Director of Community Economic Justice Clinic
East Bay Community Law Center
July 19, 2019

VIA ELECTRONIC MAIL
Attn: Alisa Shen
Planning Department
1947 Center Street, 2nd Floor
Berkeley, CA 94704
adelinecorridor@cityofberkeley.info

Re: Comments on the Draft Adeline Corridor Specific Plan

Dear Ms. Shen:

The East Bay Community Law Center (EBCLC) welcomes the opportunity to comment on the Draft Adeline Corridor Specific Plan ("Draft Plan"). EBCLC is the largest provider of free legal services in Alameda County and has an office located in the Adeline Corridor. We assist low-income people with a wide variety of legal issues in the areas of economic security, education, health and welfare, housing, and immigration. In all of our practice areas, we see how gentrification has led to the rapid displacement of longtime residents in the City, mostly low-income residents of color. It is our mission to ensure that marginalized communities have a voice in the development of their neighborhoods in order to mitigate the negative effects of gentrification. In support of community groups and institutions such as the Friends of Adeline and Community Services United of Berkeley (as representative of the Berkeley Flea Market), we respectfully request that the City consider and incorporate our comments into the Draft Plan.

Under California law, a specific plan is not mandatory, but must contain certain information if adopted by a locale.¹ A specific plan must include “the location and distribution of land uses within the specific plan area...other essential facilities needed to support the land uses, the standards and criteria by which development will proceed" and more.² A specific plan must also include a statement of the relationship between the specific plan and the city’s general plan.³

While we commend the Draft Plan for including a statement of the relationship between it and the City’s General Plan, it fails to include the following mandatory information in sufficient detail:

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¹ Gov. Code § 65450.
² Id. at § 65451(a).
³ Id. at § 65451(b).
1. Essential facilities necessary to support the land uses of affordable housing and local businesses; and
2. The standards and criteria by which development will proceed in the Ashby BART subarea.

In order to address these deficiencies, we have outlined our comments to correspond with chapters in the Draft Plan. We suggest changes and additions to the following chapters: Chapter 3 (Land Use), Chapter 4 (Housing Affordability), Chapter 5 (Economic Opportunity), and Chapter 8 (Implementation).

I. THE DRAFT PLAN SHOULD INCLUDE ESSENTIAL FACILITIES NECESSARY TO SUPPORT THE LAND USES OF AFFORDABLE HOUSING AND LOCAL BUSINESSES.

The Draft Plan outlines five strategic goals:

1. Preserve the unique community character and cultural legacy of the Adeline Corridor;
2. Promote equitable access to housing by preserving existing affordable housing, prevent displacement, and producing a substantial number of new affordable housing units;
3. Foster economic opportunity for South Berkeley residents and businesses;
4. Provide safe, equitable transportation options that meet the mobility needs of all residents; and
5. Provide safe, sustainable, beautiful, healthy, and inclusive public spaces.

The City must sustain a diverse mix of land uses to achieve these goals. Specifically, the land uses of affordable housing and local businesses must be supported in order to promote equitable access to housing, prevent displacement, preserve the unique community character, and foster economic opportunity. The following suggestions under each corresponding chapter will help provide the essential facilities necessary to support affordable housing and local businesses. Importantly, this list is non-exhaustive and supplements ideas presented in the comments provided by Friends of Adeline and Community Services United of Berkeley. We welcome the opportunity to further evaluate and develop all policy proposals to ensure a strong, community-driven Specific Plan.

A. Chapter 3: Land Use.

The Draft Plan’s chapter on Land Use outlines the development standards for the new “C-Adeline Corridor” or “C-AC” zoning district. These new standards apply to the South Shattuck, North Adeline, and South Adeline subareas and codify the Draft Plan’s Affordable Housing Incentive. The C-AC base and incentive development standards alone are not sufficient to ensure and support
the development of affordable housing and local business land uses. They must be supplemented with additional zoning requirements and support for the negotiation of community benefits agreements (CBAs) between developers and the community.

1) **Empower the Zoning Officer to Streamline Projects with at Least 50% Affordable Housing Units.**

In order to further incentivize developers to build affordable housing, the Draft Plan should create a process by which the City’s Zoning Officer is able to unilaterally grant project approvals for all projects building at least 50% affordable units on-site. This would be similar to how the Zoning Officer grants Administrative Use Permits (AUPs). Streamlining the approvals is another way to cut costs for developers so that they may redirect more funding to building affordable units. Coupled with the higher density granted by the Draft Plan’s Affordable Housing Incentive, empowering the Zoning Officer to streamline such projects will increase the likelihood of the Draft Plan reaching its goal of 50% of all new housing be affordable.

2) **Create a Housing Overlay Zone to Cover Projects Benefitting from Opportunity Zone Tax Incentives.**

Existing conditions in the Adeline Corridor incentivize property investment by wealthy investors. In order to spur economic development, the state recently designated the Adeline Corridor as an Opportunity Zone (OZ), which allows for investors to receive tax benefits simply by investing in the area. The Draft Plan should create a housing overlay zone (HOZ) to outweigh increasing property values as a result of the OZ designation. The HOZ would be an added layer on top of existing zoning ordinances that would require any development benefitting from the OZ tax incentives to build an additional percentage of affordable housing on-site.

3) **Encourage Developers to Negotiate Meaningful Community Benefits Agreements.**

A CBA is a legally binding contract signed by community groups/coalition and a real estate developer that requires the developer to provide benefits to the local community or neighborhood. In exchange, the community supports the project. Community benefits include good jobs for local residents, significant affordable housing and anti-displacement protection, equitable community services, and more. While a developer is not legally obligated to negotiate a CBA, cities may encourage developers to negotiate a CBA as part of the land use approvals process. For example, the exclusive negotiating agreement between the Oakland A’s and the Port of Oakland requires that the A’s negotiate a CBA with the community in order to purchase or lease the Port’s property.

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The Draft Plan should similarly require that the future developer of the Ashby BART subarea negotiate and enter into a meaningful CBA with the community represented by groups like the Friends of Adeline and Community Services United of Berkeley (as representative of the Berkeley Flea Market).

B. Chapter 4: Housing Affordability.

The Draft Plan’s chapter on Housing Affordability outlines the Affordable Housing Incentive and priorities for developing diverse and affordable housing across the Adeline Corridor. It focuses on curbing displacement as well as producing and preserving affordable housing. The following ideas are critical components that should be included in the Draft Plan.

1) **Expand the Definition and Research Displacement in the Adeline Corridor.**

In order to effectively address displacement, further research and understanding about the dynamics and conditions of gentrification and displacement should be completed and summarized in the Draft Plan. Only through shared language and awareness of the existing conditions can public agencies and the public measure the efficacy of the Draft Plan’s proposals.

The City has a plethora of research and data to draw from in order to provide an adequate summary of existing housing affordability and displacement. Research and data on displacement in the context of transit-oriented development (TOD) is readily available from the Urban Displacement Project (UDP). Additionally, UDP offers data and visual maps that track displacement based on income and race in the Draft Plan area from the year 2000 to 2013. The Lead Agency should also research data sources such as the County tax assessor’s office, apartment operating licenses, local housing departments, superior courts, etc. to obtain information on property values, rent levels, evictions, and changes in tenancy.

Data should be compiled with the understanding that displacement is both direct and indirect, and not just physical. Physical displacement typically means residents have “fewer options within, are forced out of, or cannot move into neighborhoods” due to rising housing costs. Nonphysical displacement, on the other hand, includes a “sense of loss of place and belonging, erosion of cultural cohesion, loss of community supports, and/or diminution of political power” due to the

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5 *Id.*
6 *Id.*
8 Chapple & Loukaitou-Sideris, 40.
9 *Id.* at 48.
change of neighborhood demographics. Newcomers “are typically wealthier, whiter, and of higher educational attainment” and displaced residents “are more likely to be renters, poorer, and people of color.”

Importantly, studies have found that transit neighborhoods like the Adeline Corridor are quicker to experience increases in median household income, housing prices, and rents following development compared to nontransit neighborhoods. Moreover, a study has shown that upzoning incentives increase neighborhood property values, but do not necessarily induce new housing construction. The physical changes and investment in an area signals to wealthier individuals that a neighborhood is desirable to live in.

Without appropriate intervention, the Draft Plan and subsequent development in the Adeline Corridor will continue to exacerbate the neighborhood’s demographic changes toward a wealthier and whiter population, resulting in the displacement of people who are renters, low-income, and people of color. This is of utmost priority because residential instability, including as a result of eviction, leads to severe outcomes such as “homelessness, longer commutes, diminished access to health care resources, stress, and educational disruption.” A UDP study found that after being displaced, most households moved to neighborhoods with fewer healthcare resources and job opportunities, leading to longer and more costly commutes. One in three households reported some period of homelessness in the two years following their displacement.

2) **Calculate Affordable Housing Percentages Based on a Building’s Total Units and Not the Base Number of Units.**

The Affordable Housing Incentive trades density for affordable housing units. It is functionally an extension of the State Density Bonus Law. A problem with both policies is that the required percentage of affordable units is based on the number of units in the base project, not the total number of units in the completed building. As the Draft Plan highlights, this rule leads to a smaller percentage of affordable unit overall. While the Draft Plan cannot change the rules of the State Density Bonus Law, it can require in its own Affordable Housing Incentive that the percentage of affordable units be based on the total number of units built. This simple fix, which is already

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10 Id.
11 Id. at 52.
12 Id. at 54.
14 Id. at 212.
15 Marcus & Zuk, 2.
16 Id.
required under the City’s Affordable Housing Mitigation Fee Ordinance, will help maximize the number of affordable units in the Adeline Corridor.

3) **Offer Off-Site Preservation and Buy-Down Alternatives for Inclusionary Housing.**

Friends of Adeline’s call for at least 50% of all new and existing housing in the Adeline Corridor to be affordable is possible if the Draft Plan’s Affordable Housing Incentive Program offers off-site preservation and buy-down alternatives for inclusionary housing. Several cities have amended their inclusionary housing ordinances to offer developers the option to convert existing, market-rate housing to deed-restricted affordable units as a way to fulfill inclusionary housing requirements. These policies are referred to as “off-site preservation and buy-down alternatives” and typically require the developer make a minimum level of investment in rehabilitation or purchase and deed-restrict a market unit outright. Developers that already own existing market-rate units in lower-price buildings might find it more cost-effective to increase the affordability of those units than to build affordable units in a new development. This will ensure that existing housing is preserved as affordable and that affordable housing is offered immediately. Successful policies exist in Montgomery County, MD, Boulder, CO, and New York, NY.\(^{17}\)

4) **Restrict Fee-Revenue Spending to Building and Preserving Affordable Housing in the Adeline Corridor.**

Another way to ensure that more affordable housing is built in the Adeline Corridor is to restrict fee-revenue spending to the Draft Plan area. In other words, any in-lieu fees collected through development projects in the Adeline Corridor shall be restricted to funding affordable housing projects in the same neighborhood. A handful of locales have placed basic restrictions on where in-lieu fees can be spent. For example, the city of San Diego has defined a community planning area wherein any revenues collected from its inclusionary housing policy must be dedicated to. Similarly, Boston has dedicated half of its citywide affordable housing fund to “neighborhoods where the percentage of affordable housing is less than the citywide average.” As of 2015, Boston’s policy has produced 1,718 affordable units alone.\(^{18}\)

**C. Chapter 5: Economic Opportunity.**

The Draft Plan commits itself to fostering economic opportunity for South Berkeley residents and businesses through existing business retention and expansion as well as exploring the potential to

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\(^{18}\) Id. at 6.
establish a Business Improvement District (BID). The following are ideas to strengthen existing business retention and ensure that the creation of a BID does not result in negative, unintended consequences.

1) **Require the Business Improvement District (BID) Not Promote its Interests at the Expense of the People Experiencing Homelessness.**

The Draft Plan promotes the establishment of a BID in the Adeline Corridor. Despite its benefits to businesses and property owners, research has found that a BID may lead to local and state laws that punish people experiencing homelessness for sitting, resting, sleeping, and food sharing in public. For example in 2012, the CEO of the nonprofit that manages the Downtown Berkeley BID was the major individual financial contributor to the campaign for Measure S, a proposed law prohibiting sitting and lying down in public. BIDs additionally work cooperatively with law enforcement to police people experience homelessness.19

In order to avoid the detrimental effects on people experiencing homelessness, the Draft Plan must specify that the City will request detailed accounts of the proposed BID’s spending and activities, restrict the BID from engaging in policy advocacy or policing practices, refuse to collaborate with the BID should it violate the rights of homeless people, and disestablish the BID if it spends assessment revenue on policing and policy advocacy.

2) **Ensure the Berkeley Flea Market’s Inclusion in Negotiating the Development Agreement Between the City and BART.**

Both the Draft Plan and Draft Environmental Impact Report state that the development standards in the Ashby BART subarea will be outlined in a future development agreement between the City and BART. Given that the Ashby BART west parking lot is home to the Berkeley Flea Market, it is critical that the Draft Plan require the inclusion of flea market vendors represented by Community Services United of Berkeley in negotiations over the development agreement. The development agreement will set the stage for what developers are able to propose for the lot and will ultimately determine the feasibility and operations of the Berkeley Flea Market. If the Draft Plan is sincere about retaining the Berkeley Flea Market as one of South Berkeley’s main cultural institutions, it should also ensure its voice in development impacting its future.

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3) Protect Existing Commercial Tenants.

Compared to residential tenants, commercial tenants lack legal protections against evictions and rent increases. The Draft Plan should promote legal commercial tenant protections and funding for commercial tenants to seek technical assistance on their commercial leases, and legal representation in eviction lawsuits. In order to avoid commercial displacement due to the expected increase in property values in the Plan area, the Draft Plan should incentivize commercial landlords to include a “first right of refusal” provision in its leases to allow their tenants the opportunity to purchase their building before it is offered in the open market.

D. Chapter 8: Implementation.

The Draft Plan elaborates on the next steps for implementation including concurrent approvals for amendments to the General Plan and Municipal Code. However, the Draft Plan could do more to identify more specific timelines and ensure more public engagement in the City’s annual reporting requirements.

1) Identify More Specific Timelines for Implementation.

The Draft Plan currently has general timing goals like “soon,” which is ambiguous and leaves room for the City to delay important projects. The Lafayette Specific Plan assigned each of its goals a priority number (1-3) and specific deadlines to each number. The Draft Plan should model its implementation timelines in similar fashion, so that the City may be further incentivized to complete the projects in a timely matter.

2) Provide More Public Engagement in Annual Reporting.

Currently, the City is required to provide the public an annual report including progress and metrics on the number of affordable housing units. This is a great vehicle for enforcement and can be improved by allowing public review and comment and, combined with a more specific implementation plan/schedule, can hold the City accountable to the community. It should also be required that each and every new or approved development should be presented and reviewed in these annual reports, not just those that include affordable housing. This may allow the public to scrutinize the City’s holistic application of the Specific Plan and may discourage the City from not prioritizing the Specific Plan in future development agreements.

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II. THE DRAFT PLAN SHOULD INCLUDE THE STANDARDS AND CRITERIA BY WHICH DEVELOPMENT WILL PROCEED IN THE ASHBY BART SUBAREA.

The Draft Plan proposes to rezone the entirety of the Adeline Corridor by creating a new zoning district, "C-Adeline Corridor" or "C-AC," which will cover all parcels in the area. C-AC district standards are outlined for three out of the four subareas. Standards for the Ashby BART subarea are subject to a development agreement negotiated between BART and the City following approval of the Specific Plan. The Project contemplates up to 850 residential dwelling units and 50,000 square feet of commercial in the Ashby BART subarea, but fails to outline any standards by which this is possible. Furthermore, the Draft Plan suggests the development of a community plaza on the Ashby BART subarea to house the Berkeley Flea Market and Farmer’s Market, but fails to provide any further information on the standards and criteria by which development will proceed. This approach not only fails to provide the public any certainty, but it fails hold the development agreement negotiations accountable to the Draft Plan’s goals and objectives. Therefore, the Draft Plan include the standards and criteria by which development will proceed in the Ashby BART subarea, specifically in the west parking lot.

III. CONCLUSION

For all the reasons stated above, the Draft Plan must be revised to ensure that it provides for the essential facilities to support the land uses of affordable housing and local businesses, and the standards and criteria by which development will proceed in the Ashby BART subarea. As mentioned before, our suggestions for policies that support affordable housing and local businesses are non-exhaustive, and we welcome the opportunity to work cooperatively with the City to continue strengthening the Draft Plan. We look forward to your response and thank you for your consideration.

Sincerely,

Jassmin A. Poyaoan
Director of Community Economic Justice Clinic
East Bay Community Law Center
July 19, 2019

Ms. Alisa Shen  
Principal Planner  
City of Berkeley  
Planning Department  
1947 Center Street, 2nd Floor  
Berkeley, CA 94704

Dear Ms. Shen:

I write this letter on behalf of East Bay Housing Organizations (EBHO) to provide comments on the Draft Environmental Impact Report of the Adeline Corridor Specific Plan. EBHO is a 35 year old membership organization committed to creating, preserving and protecting affordable housing opportunities for low-income residents of the East Bay. Many of our members live and/or work in the City of Berkeley. I know that the Plan and Draft EIR represent years of work on the part of City staff and residents to envision the future for this part of Berkeley. I want to commend staff for their dedication and hard work, and I appreciate the opportunity to comment. We will have additional technical comments about specific housing policies in the Draft Plan at a later date; these comments are confined to the Draft EIR.

We wish to commend the City for the overall vision of the Plan and draft EIR, particularly the commitment that 50% of the new housing units to be constructed in the Plan area by 2040 be affordable housing units, with a priority on the use of public land for the creation of affordable homes. We would hope that even more than 50% of the new housing would be deed restricted affordable homes for low income, very low income and extremely low income households, in order to maximize affordable housing opportunities for those most in need, given a hot housing market and a neighborhood that has already been affected by significant displacement of long term residents from communities of color and other low-income communities.

We also support the overall vision of the plan and EIR that prioritizes increased transportation choices, public open space, economic development and cultural preservation. However, given the displacement that has already occurred in the Adeline Plan Area in the lead up to the Plan, we believe that the City must do more within the EIR to mitigate the possible, and even likely, effects of Plan implementation on already vulnerable communities. Speculative activity in advance of plan adoption has contributed to a doubling of the median home price in the plan area since 2012, the fastest growth rate in the City. Rents have seen similar steady increases. This increase in housing prices has already led to significant displacement, particularly of low-income and African-American residents, who now comprise just 7% of Berkeley’s population. The Adeline Corridor has been the historic center of the Black community in Berkeley, and in order to maintain the City’s diversity this displacement must be reversed. In order to do this, the DEIR must plan for, and provide mitigation for, not simply direct displacement caused by demolition of existing housing for new residential or commercial development, but also the indirect displacement caused by rising housing costs due to increased economic activity as a result of the Plan. Displacement out of the neighborhood will cause an increase in Vehicle Miles Traveled (VMT), and an accompanying rise in greenhouse gas emissions (GHG). This displacement has significant effects on the environment, which must be mitigated. Because of the long-term, substantial displacement in the Plan area, the affordable housing policies in the plan, while significant, are not sufficient. Additional mitigation measures are needed to ensure housing security and neighborhood stability.
Additional mitigation measures should encompass:

- Additional proactive steps to build or preserve permanently affordable housing by nonprofit affordable housing developers, cooperatives or community-land trusts, including:
  - Streamlined permitting for 100% permanently affordable housing projects
  - A priority for spending Housing Trust Fund dollars in the Plan Area.
  - Education for tenants on their rights, and on opportunities such as to purchase their buildings.

- A concrete plan by the City to support Black institutions including local businesses and nonprofits.

- A right of return policy for individuals who have been displaced or who are at risk of displacement.

These measures will help ensure the completeness and adequacy of the EIR and that the Adeline Corridor Specific Plan results in the healthy, vibrant, diverse neighborhood it envisions, and that the residents of Berkeley, both now and in the future, deserve.

EBHO looks forward to continuing to engage with the City and community residents during the Adeline Corridor Specific Plan adoption and implementation process, working towards an equitable outcome for all the residents of Berkeley.

Sincerely,

Rev. Sophia DeWitt
Program Director
June 25, 2019

Alisa Shen, Principal Planner
City of Berkeley, Planning and Development Department
1947 Center Street, 2nd Floor
Berkeley, CA 94704

Re: Notice of Availability of a Draft Environmental Impact Report – Adeline Corridor Specific Plan

Dear Ms. Shen:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the Adeline Corridor Specific Plan located in the City of Berkeley (City). EBMUD provided comments on general, water service, water conservation and wastewater planning for the Notice of Preparation of the Draft EIR on July 27, 2018, which have been addressed in the Draft EIR. EBMUD has the following comments.

RECYCLED WATER
The Project is not currently a candidate for recycled water, however, future recycled water pipeline expansion towards the City of Berkley could potentially serve a portion of the Specific Plan boundaries. Recycled water is appropriate for outdoor landscape irrigation and EBMUD is evaluating options of recycled water for in-building non-potable use. As EBMUD further plans its recycled water program, feasibility of providing recycled water to this corridor may change. EBMUD encourages the City and its developers to continue to coordinate closely with EBMUD during the planning of the Project to further explore the options and requirements relating to recycled water use.

If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.

Sincerely,

David J. Rehnstrom
Manager of Water Distribution Planning

DJR:WTJ:nl
sb19_107
June 27, 2019

Dear, Ms. Shen.

We appreciate all of your efforts on the Adeline Corridor redevelopment process and your continued attention to the desires of the community, the City, and Lorin District businesses, including the Ecology Center’s Tuesday Farmers’ Market. Thank you for the opportunity to express the needs of the farmers’ market with regards to the Draft Plan for the redevelopment along the Adeline Corridor.

For 31 years, the South Berkeley Farmers’ Market, operated by the Ecology Center, has built an important community gathering space and healthy food access point for the South Berkeley community. Farmers’ Markets contribute to place-making in a community, are highly effective small business incubators, promote a culture of health, and drive foot traffic and customers to surrounding brick and mortar businesses. Healthy food access points, like the market help support the City’s chronic disease prevention strategies to reduce diet related health disparities. We appreciate the support of the City of Berkeley at our three markets, and look forward to working together to ensure that the redevelopment of the Adeline Corridor includes the needs of this important community fixture.

There are a number of specific needs in terms of space, access, and safety that we urge the consultants and City to consider in the Adeline Corridor redevelopment:

- **Sufficient Farmers’ Market Footprint** - We currently occupy 16,400 sq. ft. of vending space; 2,500 sq. ft. of cafe space; and 4 handicap and 8 chef parking spaces. We need this amount of space at minimum, plus sufficient fire lane/customer walkways. It is absolutely imperative that vendors are able to park their vehicle behind or very near their stall. We ideally would like to increase the farmers’ market footprint at the South Berkeley market. This would allow the market vendor selection to grow, and for us to provide additional community amenities.

- **Physical Safety Measures** – Permanent infrastructure investments, like traffic controls and bollards, will help keep the market shoppers, vendors, community members and our staff safe. Other cities have installed similar systems for their farmers’ markets.

- **Public Restrooms** – Having clean, accessible public restrooms in South Berkeley will not only serve public events like the farmers’ market, flea market, and the annual Juneteenth Festival, but will also serve the unhoused community who live in South Berkeley and deserve access to sanitation, while the Bay-Area and State work on more long-term solutions to the housing crisis.

- **Parking** - Parking for farmers’ market shoppers and surrounding residents and businesses is essential for the market to thrive and grow. In addition, temporary handicap parking options would help our aging population. A chef loading zone would facilitate local restauranteurs who shop the market, and help to relieve traffic congestion and hazards.
• **Permanent Signage** - Banners announcing the farmers’ markets’ existence on non-market days. Sufficient NO PARKING signage and traffic controls in order to mitigate illegal parking and traffic issues.

• **Cultural Features** - Public art with a farmers’ market theme would significantly help with place-making, further normalize and encourage residents to make healthy food choices, and remind residents about the farmers’ market on non-market days.

• **Lighting** - Increased lighting would greatly improve safety overall. Improvements of this kind can increase qualities of the neighborhood and add to the experience that shoppers and community members have in the space.

• **Power and drinking water** - Power access on Tuesday in order to support vendors and ancillary activities (bounce house, music, etc.) Access to drinking water aligns with Berkeley’s *For Thirst Water First* campaign.

• **Other Permanent Amenities** - Other streetscape features like a small performance platform, seating, eating benches, landscaping, and children's play features.

A number of these items were already unanimously approved by the City Council in September of 2018. That item is also attached to this letter.

The Ecology Center’s Farmers’ Markets have been a community touchstone for decades – bringing together California’s independent farmers, local food purveyors, artisanal food businesses, and the community in a safe, welcoming environment. We look forward to continuing this tradition and adding vibrancy and economic stimulation to the Adeline Corridor and the Lorin District. Please don’t hesitate to reach out to me if you have any questions or concerns.

Sincerely,

Carle Brinkman
Ecology Center
Food and Farming Program Director
carle@ecologycenter.org | 510-548-1005
TO: Honorable Mayor and Members of the City Council

FROM: Council Members Maio, Harrison, Hahn, and Mayor Arreguin

SUBJECT: Farmers’ Markets Investments

RECOMMENDATION
Refer to the City Manager to initiate improvements and changes to support the Berkeley Farmers’ Markets that would address growing public safety and access concerns while enhancing the shopping experience and benefit the markets. (See Background.)

BACKGROUND
This referral is advanced in recognition of the many benefits the markets bring to our community, and to ensure their long term success through municipal investment. Clearly, these requests will involve additional funding but some can be done as short term referrals, as indicated.

The specific needs are to:

- Prioritize repaving of Center Street for safety (to be worked into Public Works paving plan)
- Designate 6 additional on-street disabled parking at both the Saturday and Tuesday markets, perhaps through signage hung on existing meters (short term)
- Repair or repave Tuesday and Thursday market areas (dangerous potholes; repair is short term, repaving to be referred to Paving Plan)
- Adopt National Transportation Safety Board (NTSB) recommendations and install retractable bollards to protect markets from vehicle intrusion (Staff to develop a plan with the Ecology Center and a budget)
- Install permanent folding traffic control signage for use on market days (to be discussed with Staff and Ecology Center to determine funding needs)
- Provide free first hour of parking for market shoppers at the Center Street Parking structure (determine availability of parking stalls on Saturday mornings and, if unused, implement as short term referral)
- Provide unrestricted parking behind Old City Hall on Saturdays for customers (short term)
- Provide dedicated community policing and mental health services for Saturday and Tuesday markets (consider possibilities within staffing ability)
- Explore options for Saturday market to expand its footprint using appropriate parts of the park (Staff to discuss possible options with Ecology Center and return with plan - short term)
• Install permanent signage as occurs in other cities, communicating locations and hours of markets (Staff to discuss with Ecology Center to develop a plan and determine budget - short term)
• Increase overhead lighting for the Tuesday market (short term referral to Public Works to determine budget)
• Install additional power for the farmers and activities at Tuesday and Thursday locations (short term referral to Public Works to determine budget)

It would be helpful to have the plans and budgets for those items so designated before the Council revisits the budget again. For more than 30 years, the Ecology Center has operated the Berkeley Farmers’ Markets, creating three thriving healthy food access points across Berkeley, and building an important community gathering space for the community. Farmers’ markets contribute to place-making in a community, are highly effective small business incubators, promote a culture of health, increase food access, and drive foot traffic and customers to surrounding brick and mortar businesses. Berkeley’s farmers’ markets are a vital part of our community in their three locations. They provide wholesome foods direct from farms, engage in important educational endeavors, and provide a gathering place for residents and visitors.

University of California Davis researchers found that farmers’ markets create 13 full time jobs for every $1 million earned versus 3 jobs for those selling in other markets\(^1\). The three farmers’ market employ between 70-100 market vendors depending on season and provide tens of millions of servings of fresh healthy foods every year. These markets are a centerpiece to efforts to reduce diet related health inequities detailed in the 2018 Berkeley Health Status Report\(^2\), and provide a health positive community space for all people to enjoy.

For over three decades, the Berkeley farmers’ markets have inserted community vibrancy, food access, and economic development without permanent infrastructure or dedicated city resources. Recently, Berkeley has again become ground zero for sometimes violent political clashes creating new challenges for the Center Street market in particular. This, along with the intermittent and long term closure of Center Street, and the general wear and tear of the physical infrastructure at all three sites, necessitates reinvestment in our city’s beloved public market space to ensure safe, thriving farmers’ markets that continue to lift up and improve these important community fixtures.

**ENVIRONMENTAL SUSTAINABILITY**

No environmental sustainability impact.

**FINANCIAL IMPLICATIONS**

Staff time. Infrastructure investments unknown at this time; TBD.

**CONTACT**

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\(^1\) [http://sfp.ucdavis.edu/files/238053.pdf](http://sfp.ucdavis.edu/files/238053.pdf) [PDF]

\(^2\) [https://www.cityofberkeley.info/Health_Human_Services/Public_Health/Public_Health_Reports.aspx](https://www.cityofberkeley.info/Health_Human_Services/Public_Health/Public_Health_Reports.aspx)
Landmarks Preservation Commission
Fatema Crane, Secretary
Land Use Planning Division
1947 Center Street
Berkeley, CA 94704

Planning Commission
Alene Pearson, Secretary
Land Use Planning Division
1947 Center Street
Berkeley, CA 94704

Alisa Shen
Planning Department
1947 Center Street, 2nd floor
Berkeley, CA 94704

Re: Adeline Corridor Draft Plan and Draft EIR

Dear commissioners and staff members:

This is to make various comments, involving historic resources, about the Draft Adeline Corridor Specific Plan and the related Draft Environmental Impact Report. These remarks are by me as an individual citizen (and do not purport to be by or for any organization with which I’m affiliated).

Though historic resources are a major and vital aspect of the plan area, the draft plan’s portion that’s titled “Historic Resources, Historic Preservation, and Adaptive Reuse” disappointingly is itself just a three-page subchapter and includes various mistakes and unclarities.

While that subchapter’s first regular sentence (on page 3-19) claims that “Figure 3.3 shows the [sic] many structures of historical merit that exist in the Adeline Plan Area,” that sweeping claim is quite wrong. The plan area likely contains many historically meritorious structures that Figure 3.3 doesn’t show. Indeed the same page 3.19’s own last paragraph implicitly admits this.

Figure 3.3’s very title—“Known and Potential [sic] Historic Resources”—is misleading. This map confusingly applies its own broad-sounding “Potential Historic Resource” category to just four buildings. The plan area very likely also contains various other such resources.

An attempted rationale is given by this footnote to the Draft EIR’s Table 4.3-2 (which table lists just four potential resources): “This table reflects potential significance for [just?] architectural merit and retention of integrity based on reconnaissance survey only.” And how hasty was that recon?

The draft plan’s Figure 3.3 unfortunately fails to apply its own “Landmark/Structure of Merit” category to three properties that, within quite recent years, have been so designated:
- Hull Undertaking Co. & Little Chapel of the Flowers (Landmark), at 3031-51 Adeline Street;
- University Laundry (Landmark), at 2526 Shattuck Avenue;
- George A. Mattern/Berkeley Bank Building (Structure of Merit), at 2500 Shattuck.

As for properties that Figure 3.3 calls “Known [sic] Contributor to [sic] Historical District,” this map depicts *only some* of these properties as being *within* areas that it shows as “Historical Districts Listed in the California Register.” It depicts the several *other* allegedly known contributors as being *outside of* any historical district that this map shows. So what historic district or districts (maybe ones that are plausible but haven’t yet been listed in the California Register?) do or would those other contributors contribute to? Compounding the confusion is how a sentence on the Draft EIR’s page 4.3-25 says, “Three [sic] potential [sic] historic districts are present in the Plan Area, illustrated in Figure 4.3-2.” But the ensuing sentence says that these are areas that already *have* been determined eligible as such. *This whole matter needs clarifying.*

One of Figure 3.3’s depicted “Known contributor[s] to Historical District” is the (now-Landmarked) University Laundry building at 2526-30 Shattuck—which is near to the (not so depicted but in fact now Structure of Merit-designated) George A. Mattern/Berkeley Bank Building at 2500 Shattuck. Nearby along Dwight are three long-designated Landmarks: the Barker Building at the northwest corner of Dwight and Shattuck, the Luther M. Williamson Building at 2120-22 Dwight, and the Williams Building at 2128 Dwight. Even though two of those buildings are slightly outside the plan area, the situation here leads me to suggest designating a historic district that would include Shattuck’s west side from Blake to at or near Haste Street, *and* Dwight’s south side from a parcel’s depth west of Shattuck to somewhere east of the Williams Building.

The result could be named the *Dwight Station Historic District.* It would valuably celebrate the (originally rather isolated) commercial cluster that long ago formed around the old interurban rail line’s station here. And as such it would tellingly complement the two comparable historic districts that Figure 3.3 already depicts where commercial clusters formed around the rail line’s other stops within the plan area: Newbury Station (at Ashby) and Lorin Station.

As for the *Lorin Historic District,* which Figure 3.3 shows as including just a single block face, I suggest somewhat extending it. One such extension could include within it the building that used to be a cinema called the Lorin Theater and, as such, historically was quite important to the area’s commercial identity.

Looking now at the Draft EIR’s Table 4.3-1, it has at least three mistakes to correct:
- The table fails to indicate the “BLM” (Landmark) status of the Hull Undertaking Co. & Little Chapel of the Flowers property at 3031-51 Adeline;
- It fails to say “BLM” for the now-Landmarked University Laundry at 2526-30 Shattuck;
- It totally omits the George A. Mattern/Berkeley Bank Building at 2500 Shattuck, which should be coded as “BSOM” and arguably also as “3D.”

Table 4.3-1 lists Berkeley Iceland with code “BLM,” which is correct, but also with code “1S,” which seems inaccurate. The table’s “1S” code means “Individually listed in the NRHP & [sic] CRHR.” Iceland is listed in the *California Register.* But if I remember correctly, the property owner objected to listing and, as a result, for the National Register Iceland was only found eligible. For this situation, Table 4.3-1 may need a new status code.
On the Draft EIR’s page 4.3-15 the statement that “Eight also [sic] have City . . . Landmark status and one [meaning the Hoffman Building at 2988-90 Adeline] is a . . . Structure of Merit” should be changed to “Nine have Landmark status and two are Structures of Merit.” This change involves now recognizing that 2526-30 Shattuck is a designated Landmark and 2500 Shattuck is a designated Structure of Merit.

The Draft EIR’s Figure 4.3-1 has at least these problems:
- It fails to show the now-Landmarked University Laundry at 2526-30 Shattuck as a “Known [not ‘Potential’] Historic Resource.”
- It totally omits 2500 Shattuck (now a Structure of Merit), which it should call a “Known Historic Resource.”
- The map’s title is confusing and relates unclearily to the map legend’s categories.
- The map’s “Potential Historic Resources” is quite problematic—for reasons that I’ve stated above in commenting on the Draft Specific Plan’s own map category “Potential Historic Resource.”

All-caps text of the Draft EIR’s “Impact CR-1” says the plan area contains “25 KNOWN HISTORICAL RESOURCES,” but that “25” should be increased for consistency with above-explained needed revisions in Table 4.3-1. The same change should be made to the number “25” within the regular text that’s immediately below Impact CR-1’s all-caps wording.

Sincerely,

John S. English
John S. English
2500 Hillegass Avenue, Apt. 3
Berkeley, CA 94704-2937
Re: FURTHER COMMENTS ON ADELINE CORRIDOR DOCUMENTS

Dear commissioners and staff members:

Though during the last few days I've already sent you various comments about the Draft Adeline Corridor Specific Plan and/or Draft EIR, I now have these additional remarks.

The documents leave unclear the specific status of HISTORIC DISTRICTS and contributors thereto. The Draft Plan's page 3-19 claims that Figure 3.3 shows "the . . . [plan area's] existing [sic] historic districts." That map itself indicates them as "Historical Districts listed [sic] in the California Register" (and depicts "Known contributor[s] to Historical District").

The Draft EIR's Figure 4.3-1 classifies these three areas as "Known [sic] Historic Resources." But Figure 4.3-2 calls these areas just "CRHR or NRHP- Eligible [sic] Historic Districts." And a sentence in the middle of page 4.3-25 refers to them as just "potential [sic] historic districts."

Language on pages 4.3-18 and 4.3-25 appears to say that those three areas have been determined "eligible [sic]" for California Register OR National Register status. Page 4.3-18 says that those determinations were made in 2005 or 2006 "by the OHP [Office of Historic Preservation]." But did and does official determination of eligibility ALSO require action by the State Historic Resources Commission itself?

The Draft Plan's page 2-23 claims that the Lorin District is a "state-registered [sic] historic district." But is this really accurate?

Finally, I'm now unsure what code the Draft EIR's Table 4.3-1 should indicate for Berkeley Iceland. On page 2 of my May 30 letter to you I said that because the property owner had objected to listing, Iceland was regarding the National Register merely found eligible--but that it did get actually listed in the California Register. (I seem to recall being told so
some years ago, at about the time when the Iceland nomination was being considered.) But City staff should now check to see whether or not owner objection can veto actual listing in the California Register.

John S. English

2500 Hillegass Avenue, Apt. 3

Berkeley, CA 94704-2937
Landmarks Preservation Commission  
May 31, 2019  
Fatema Crane, Secretary  
Land Use Planning Division  
1947 Center Street  
Berkeley, CA 94704

Planning Commission  
Alene Pearson, Secretary  
1947 Center Street  
Berkeley, CA 94704

Alisa Shen  
Planning Department  
1947 Center Street, 2nd floor  
Berkeley, CA 94704

Re: MORE COMMENTS ON ADELINE CORRIDOR DRAFT PLAN

Dear commissioners and staff members:

This is to supplement my May 30 letter to you by pointing out two additional problems that I've now noticed:

. The Draft Plan's "CHAPTER 8: IMPLEMENTATION" in itself appears to say nothing specifically regarding HISTORIC RESOURCES. Thus it fails to mention even the relevant implementing measures that are proposed or described by page 3-19's two bulleted paragraphs.

. A sentence on the Draft Plan's page 2-23 says that "the Lorin district [is] a state-registered [sic] historic district including several [sic] landmarked structures." But Figure 3.3 depicts that state-registered district itself as having within it only two landmarks.

Sincerely

John S. English

2500 Hillegass Avenue, Apt. 3

Berkeley, CA 94704-2937
July 19, 2019

VIA ELECTRONIC MAIL: adelinecorridor@cityofberkeley.info

Alisa Shen/ Adeline Corridor
Planning Department
1947 Center Street, 2nd Floor
Berkeley, CA 94704

RE: Public Comment on Adeline Corridor Specific Plan environmental impact report, submitted by Friends of Adeline

Dear Alisa Shen,

We the Friends of Adeline have reviewed the Berkeley draft environmental impact report (EIR) to the Adeline Corridor Specific Plan (Specific Plan). We feel that it does not represent what our community views as appropriate to develop our South Berkeley resources.

Our vision is that the development of the Adeline Community will rekindle what various factors have destroyed in South Berkeley over the past 25 years. Specifically, we seek to address the fact that during that time the percentage of African-Americans in the city decreased from 25 to 7 percent.

The city’s vision, expressed in this draft EIR, is focused on transit and housing for out-of-town workers—not our own workforce and residents. Instead, we envision a plan that includes ways to reverse and stop the displacement of African Americans and low-income people and creates a right of return. There must be concrete support for Black institutions, including local businesses and nonprofits.

We envision a development that benefits the communities of South Berkeley including the so-called “Adeline Corridor.” Housing, new and old, must be affordable for low-income current residents.

We envision economic development within the Adeline community that prepares youth and adults for employment and strengthens vulnerable populations.

We envision an Adeline Community with sustainable infrastructure that provides health care and facilities, green spaces and recreation.

Profits from this project should largely remain in the Adeline community through strong encouragement of nonprofit development and community benefit agreements with for-profit developers.

We envision an Adeline Community plan that supports and nurtures the arts, which are integral to our community’s culture. We recognize that improvements in public space and art must happen in concert with anti-displacement measures to prevent them from contributing to gentrification.

We envision development that strengthens and brings together the communities along Adeline Street, and that does not continue the division of the earlier BART corridor. The enhancement of South Berkeley, its economy, its culture, its sustainability, and its healthfulness must be at the heart of the new development of the Adeline Community.
In its solicitation for input on a publication entitled “Creating Equitable, Healthy, and Sustainable Communities: strategies for Advancing Smart Growth, Environmental Justice, and Equitable Development”, the U.S. Environmental Protection Agency provided the following question: “Does this document provide the most useful strategies for low-income, minority, tribal, and overburdened communities seeking to create equitable, healthy, and sustainable development? Are there other land use or planning strategies the document should include? If so, please describe them.” We feel this is the question that should have been posed to the community by the City of Berkeley in soliciting feedback on the Specific Plan and draft EIR. It is the question that our comments below seek to answer.

Below are our specific comments on the Adeline Corridor Specific Plan Draft Environmental Impact Report. We also fully endorse the comments of Jassmin Poyaoan, Director of Community Economic Justice Clinic at the East Bay Community Law Center, as articulated in her separate letter.

**Displacement is a significant economic and social effect of this plan and must be considered and mitigated in the DEIR.**

The DEIR must recognize and act on the fact that legacy of slavery has continued into the present with red lining, the foreclosure crisis, the criminal justice system, and now displacement.

Section 1.3.1 (Impacts Resulting from Gentrification and Displacement) of the draft EIR states: “In general, socioeconomic effects are beyond the scope of the CEQA environmental review process unless a link can be established between anticipated socioeconomic effects of a proposed action and adverse physical environmental impacts (CEQA Guidelines Section 1513(a), CEQA Section 21082.)” (p 1-6). In Section 4.3 (Population and Housing), the draft EIR analysis finds that the potential displacement impacts would be less than significant; however, it only evaluates the potential for displacement caused by the demolition of existing housing units.

There is a clear and significant link between the environmental impacts of the draft Adeline Corridor Plan (ACP) and the effects of displacement in our community. Therefore, displacement must be studied and mitigated as a part of the EIR.

**First, there is a direct link between the physical changes proposed in the ACP and the socioeconomic effects of these changes in the form of increased housing costs and economic displacement:**

1. South Berkeley is one of the few affordable, racially diverse neighborhoods in Berkeley. While the diversity of the area has decreased dramatically over the last 25 years, it continues to be one of the most diverse areas of the city. According to the existing conditions report, the Adeline Corridor community was 47% African American in 1990, while the city as a whole was 20% African American. In 2000, the Adeline Corridor community was 34% African American, while the city was 13%. And in 2013, the Adeline Corridor community was 20% African American while the city’s percentage had dropped to 8%.

2. A significant number of residents who live in South Berkeley are renters or low-income homeowners and are at risk of displacement if housing costs increase. According to the existing conditions report, 67% of the plan area’s population are renters, and 20.1% of the population is below the poverty line. Median household income in the plan area is $16,800 less than the city’s. 47% of the population in the plan area are housing cost burdened (pay more than 30% of their income on housing costs), and 23% are severely cost burdened (pay more than 50% of
70.2% of residents who make less than 30% of median family income are cost burdened, and 60% are severely cost burdened.

3. The ACP will cause housing costs to increase due to the physical changes proposed in the plan, namely to development standards and to the streetscape along Adeline.
   a. A recent study in Chicago quantified the effects of upzoning (zoning for increased density and height) at the neighborhood level and found an “increase in property values in upzoned areas [that was] roughly equivalent to the increase in allowed density.” He found that “statistically significant, robust evidence that a byproduct of upzoning is growth in property values on affected parcels... [specifically] evidence for an increase in transaction prices of already-existing individual residential units affected by the change.” Speculation and property values increased as a direct result of upzoning. We can assume that these costs will be passed on to tenants and new homeowners. The author concludes that “in any area that city officials are considering for increased density, they should take seriously the concerns of local residents who are worried that their housing costs will increase.” The ACP’s proposed changes to development standards would have a similar effect on housing affordability in the Adeline Corridor community.
   b. Improvements to the streetscape will also have a detrimental effect on housing affordability in the area. In Atlanta, the development of the city’s Beltline increased housing values 17.9-26.6%, depending on the area. Similar effects have been seen in Chicago and in New York around the High Line. While we welcome safety improvements, the effect of street improvements on affordability must be mitigated.

4. The ACP has already caused housing costs to rise due to speculative activity. According to the ACP, “between 2012 and 2018, the median home price in ZIP code 94703 (which includes most of the Adeline Corridor) more than doubled, from $517,000 to $1,140,000.” (pg. 2-8 in the ACP). This increase has been faster than any other zip code in the city. Using data from the California Association of Realtors, we found that the while the housing price index has risen throughout Berkeley since 2000, it rose 7% faster in the 94703 zip code than in the city as a whole. The ACP as currently proposed will lead to speculation and increases in housing costs for area residents.

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5. Among its many effects, the displacement that the plan would cause would disrupt and separate families, and disrupt children’s education as they are forced to move to a different school system.

Section 4.10 of the DEIR analyzes the population and housing impacts of the ACP; it must include analysis of the impacts of the physical changes of the plan on the existing population (namely, increased displacement), and require mitigation. Importantly, the analysis of displacement must go beyond any direct displacement caused by demolition of existing housing for new development, to include an analysis of the indirect displacement caused by rising housing costs due to the plan.

Second, the socioeconomic effects of this plan will cause a physical change in the environment (Citizens Association for Sensible Development of Bishop Area v. Inyo (1985) 172 Cal. App. 3d 151).\(^6\) Namely, displacement will cause people to move further away from the neighborhood, increasing the amount of driving (vehicle miles traveled, or VMT) that people will do, which will increase greenhouse gas emissions and contribute to climate change. In addition, it is well established that household income correlates with car ownership rates, per capita VMT, and transit usage. In general, lower-income households own fewer cars, drive less, and use public transportation at higher rates.\(^7\)

1. Displaced residents will likely move outside of the neighborhood, to the edge of the region. Research from UC Berkeley, the Federal Reserve Bank of San Francisco, and Urban Habitat all document the trend of a growing number of low-income people and people of color in the Bay Area moving out of the urban core of the region and to suburban and exurban places such as Antioch.\(^8\) Displacement and lack of affordable housing options in urban core cities, including Berkeley, is a key driver of this “suburbanization of poverty.”

2. Residents who move to the outer suburbs will have longer commute times and increase vehicle miles traveled (VMT) and greenhouse gas emissions (GHG). Even as those displaced increasingly

\(^6\) Quoting from CEQA Guidelines 15131 Discussion: “In Citizens Association for Sensible Development of Bishop Area v. Inyo (1985) 172 Cal. App. 3d 151, the court held that "economic or social change may be used to determine that a physical change shall be regarded as a significant effect of the environment. Where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment." In this case, the Court held that an EIR for a proposed shopping center located away from the downtown shopping area must discuss the potential economic and social consequences of the project, if the proposed center would take business away from the downtown and thereby cause business closures and eventual physical deterioration of the downtown.” Link to URL: [http://resources.ca.gov/ceqa/guidelines/art9.html](http://resources.ca.gov/ceqa/guidelines/art9.html)


move to the edge of the region to find a place they can afford to live, jobs remain centered in the urban core.

3. Longer commute times will increase vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions.

4. Displacement and longer commute times will also have adverse effects on the mental and physical health of people displaced. It will also reduce civic participation.

5. Displacement and upzoning that increases market-rate housing will increase the number of affluent households in the area, and higher income individuals use cars more and generate more GHG emissions. The Center for Neighborhood Technology showed in a 2014 study that among households living within a 1/4 mile of transit, “Higher Income households drive more than twice as many miles and own more than twice as many vehicles as Extremely Low-Income households” and “Lower Income households drive 25-30% fewer miles when living within 1/2 mile of transit than those living in non-TOD.” The displacement of low-income people away from public transit will increase vehicle miles traveled as they are forced to drive in from exurban areas for their jobs, and the higher income people moving into a gentrifying neighborhood are more likely to continue to use cars, either their own or Lyfts and Ubers, rather than public transit.

Section 4.5 of the draft EIR analyzes the GHG emissions impact of the ACP; it must include analysis of the socioeconomic impacts of the plan (namely, displacement) on GHG, and require mitigation.

Third, the socioeconomic effects of African American displacement caused by this plan will create negative impacts on historical resources in the neighborhood, namely historically significant events and institutions such as Juneteenth, the Ashby flea market, numerous historically significant African American churches, Berkeley Black Repertory [Theatre] Group, Berkeley Farmers Market, Imhotep Chiropractic and the future African American Wholistic Resource Center.

The California Environmental Quality Act (CEQA) requires a lead agency to analyze whether historical sites, events and resources connected to important figures from our past may be adversely impacted by a proposed project. Under CEQA, a “project that may cause a substantial adverse change in the significance of a historic resource is a project that may have a significant effect on the environment” (California Public Resource Code [PRC] Section 21084.1).

The Friends of Adeline are convinced that the plan poses serious risks and impacts to the historic fabric of the Adeline community.

1. South Berkeley’s historical resources include events such as Juneteenth, the Ashby flea market, numerous historically significant African American churches, Berkeley Black Repertory [Theatre] Group, Berkeley Farmers Market, Imhotep Chiropractic and the future African American Wholistic Resource Center. These resources and other cultural anchors of the community are threatened by the lack of foresight and lack of protections. CEQA guidelines 15064.5(a) grants the lead agency the ability to determine a resource is a historical resource, even if it is not listed or determined to be eligible for listing in the state or local register of historical resources, as

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9 "TransForm and California Housing Partnership Corporation (CHPC), Why Creating and Preserving Affordable Homes Near Transit is a Highly Effective Climate Protection Strategy (2014), available at http://www.chpc.net/dnld/AffordableTODResearch051514.pdf."
defined in Public Resources Code sections 2020.1(j) or 5024.1. We assert that the African American cultural heritage of South Berkeley, including Juneteenth, the Ashby flea market, numerous historically significant African American churches, Berkeley Black Repertory [Theatre] Group, Berkeley Farmers Market, Imhotep Chiropractic, the future African American Wholistic Resource Center, and other important African American institutions, should be determined to be a historical resource in the draft EIR.

2. The significance of these historical resources is dependent on a local African American residential community. According to CEQA Guidelines 15064.5(b), if a project may cause a substantial adverse change in the significance of an historical resource, it would be deemed to have a significant effect on the environment. An adverse change can include relocation of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.

3. Displacement of the African American community would diminish the significance of these historically important events and institutions in South Berkeley. It is unfathomable to have a Juneteenth celebration in South Berkeley without African Americans living in the community. Likewise, the Ashby flea market, Black Repertory Theater, numerous historically significant African American churches, Imhotep Chiropractic and the future African American Wholistic Resource Center rely on local African American residents in order to continue to operate. The relocation of African Americans due to displacement would be a significant, adverse impact.

Section 4.3 of the draft EIR analysis the cultural resources impacts in the ACP; it must include analysis of the socioeconomic impacts of the plan (namely, African American displacement) on cultural resources, and require mitigation.

The current policies and programs listed in the plan will not adequately mitigate these displacement impacts.

Section 4.10 of the draft EIR (Population and Housing) analyzes two thresholds related to displacement in the ACP (p. 4.10-9):

- “Threshold 2: Would the Specific Plan displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- Threshold 3: Would the Specific Plan displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?”

The draft EIR determines that the impact of the ACP on these thresholds is less than significant. However, the analysis that leads to that determination is inadequate because:

1. The EIR does not include sufficient information to assess the impact of the plan on displacement. Please see Ms. Poyaoan’s letter for more on this and related points.

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10 CEQA Guidelines 15064.5(a)(4): “The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.”
2. The determination is based on programs mentioned in the plan that it has no ability to implement or that would not substantially reduce the socioeconomic impacts of displacement in the ACP. The plan does not have the authority to create newly proposed policies such as a local preference program for people who are at risk of displacement or have been displaced. While these policies are important and will hopefully move forward, they cannot be considered in the draft EIR’s determination of significant impact. The plan’s actions around affordable housing production are inadequate because they would fail to produce enough low-income housing to match the current income distribution of the area.

3. The threshold does not include analysis of displacement impacts in the areas immediately adjacent to the plan area. The threshold analysis only looks at the people living in the Specific plan; it should be expanded to include people in the study area to determine if there would be indirect displacement impacts in the surrounding neighborhoods.

4. The threshold analysis does not consider aspects of the plan that will have an adverse effect on housing affordability and displacement in the immediate adjacent areas, namely: streetscape improvements and increased development standards. As discussed above, the increases in density and height proposed in the ACP and the streetscape improvements will increase land values and housing costs, leading to increased displacement. These impacts should be evaluated in the draft EIR when making a determination of significant impact.

Section 4.10 of the draft EIR must be revised to include an analysis of these considerations.

In order to adequately address these impacts of displacement, the draft EIR should include the following as additional mitigations:

1. Developers should not be allowed to pay a mitigation fee in the corridor; all developments must be required to provide a minimum of 20% on site affordable, at 10% low-income and 10% very low-income.

2. The DEIR should consider an alternative focused on low-income housing that would mitigate significant impacts related to land use, population and housing, and greenhouse gas emissions. Please see Ms. Poyaoan’s letter for more on this and related points.

3. The depth of affordability of the new housing built should reflect the distribution of incomes in the study area. According to the existing conditions report, the income distribution of the study area is:

<table>
<thead>
<tr>
<th>Income Level</th>
<th>Study Area</th>
<th>City of Berkeley</th>
<th>Alameda County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than $20,000</td>
<td>27.6%</td>
<td>21.2%</td>
<td>14.2%</td>
</tr>
<tr>
<td>$20,000 to $34,999</td>
<td>12.6%</td>
<td>11.1%</td>
<td>11.1%</td>
</tr>
<tr>
<td>$35,000 to $49,999</td>
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<td>10.3%</td>
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<td>$50,000 to $74,999</td>
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<td>14.5%</td>
<td>16.0%</td>
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<td>$75,000 to $124,999</td>
<td>17.6%</td>
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<tr>
<td>Greater than $125,000</td>
<td>16.5%</td>
<td>26.2%</td>
<td>26.2%</td>
</tr>
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4. The city must take proactive steps to find ways to build permanently affordable housing, including Community Land Trusts, co-operatives, tenant opportunity to purchase, non-profit
housing development, and other forms of permanently affordable housing. Positive steps include:

- Dedicating 33% of the Housing Trust Fund dollars and project-based vouchers to permanently affordable housing in the plan area;
- Streamlining permitting for 100% permanently low-income housing; and
- Technical assistance to educate tenants on opportunities to purchase their buildings.

5. The plan must include ways to reverse the displacement of African Americans and low-income people who have been displaced. There must be a concrete plan to support Black institutions, including local businesses, nonprofits, such as Healthy Black Families, The Drop-In Center, Inner-City Services, Berkeley Black Repertory [Theatre] Group, Imhotep Chiropractic, and the forthcoming African American Wholistic Resource Center, etc. This plan must include:

- A right to return policy for people who have been displaced or are at risk of displacement. The policy must include the ability to move into a home that is at a price they can afford.
- A reparations tax or fee on sale of property over $1 million, to provide restitution for African Americans and others negatively impacted by redlining. Property owners impacted by historical redlining would be exempt.

6. Any development at the Ashby BART site must, first and foremost, guarantee a future for the Berkeley Flea Market, created with, by, and for the flea market vendors. Any housing built on the site must be 100% below market rate housing for people with incomes below $70,000 per year.

7. The plan should challenge housing developers to find ways to build the housing we need and stop filling the pockets of for-profit developers.

8. The plan should create a concrete, feasible pathway to support the African American Wholistic Resource Center. The City of Berkeley should donate a building to the African American Community. A recent feasibility study made the case for developing an African American Wholistic Resource Center in South Berkeley to encourage a thriving diverse community and a stabilizing force in the black community in South Berkeley. The Center would be a free community meeting place funded and supported by the city and other public and private organizations. Programs and services will be operated primarily by African American residents and groups in Berkeley. Culturally-congruent services are provided to black residents in their neighborhood settings. The Center will promote community empowerment and will increase black residents’ and local groups’ community involvement.

This plan will have significant impacts on parks and recreation in South Berkeley that must be mitigated.

The City of Berkeley has a goal of 2 acres of parkland per 1,000 people. The plan area has 7.4 acres of parkland (Table 7-1 “Existing Parks New Plan the Adeline Corridor Plan Area”, p 7-2) for 14,075 residents, a ratio of roughly 0.5 acres per 1,000 residents. The ACP would add approximately 3,466 people to the plan area without an increase in parkland, thus leading to a ratio of 0.4 acres of parkland per 1,000 people.

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11 The number 14,075 comes from the Existing Conditions Report, which uses a defined study area of 4 adjoining census tracts: 4234, 4235, 4239.01, 4240.01) and ACS 2009-2013 data.
As stated on p. 4.11-8 of the DEIR, “In 1986, City of Berkeley voters passed the Berkeley Public Parks and Open Space Preservation Ordinance (‘Measure L’) which requires the Berkeley City Council to preserve and maintain existing public parks and open space, and to give high priority to acquiring parks and maintaining open space in census tracts with less than the minimum ratio identified in the 1977 Berkeley Master Plan of 2 acres per 1,000 residents.”

The EIR must identify parks and recreation as a significant impact in the ACP, and mitigate it by requiring the plan to identify a minimum of 1.8 acres in new parkland, include the location and acreage, to ensure the ratio of parkland to residents in South Berkeley does not deteriorate due to this plan.

This plan must analyze impacts on services for unhoused people due to the plan, and provide mitigations

In addition to fire, police, education, parks, and aging services, other vital services should be evaluated under Section 4.11 (Public Services and Recreation). Namely, services that support unhoused people in our community, including nonprofit social services, religious centers, city services, and public infrastructure such as public toilets, should be included in this section, and the impacts analyzed.

60% of the city’s unhoused population is African American and from the neighborhood. Services to support them must be funded, they must be prioritized for services, and they must get housing in a right to return policy.

Mitigations required in the DEIR must be required and actionable in the plan

Finally, the DEIR should clarify that all mitigations required in the DEIR must be added to the ACP prior to plan adoption. Mitigation measures GHG-1 and GHG-2 in Section 4.5, Greenhouse Gas Emissions, require all-electric building and electric vehicle readiness, yet these requirements are not reflected in the actual Specific Plan document itself. These, and all other mitigations added to the EIR as identified elsewhere in this comment letter, must be reflected in the plan document prior to plan adoption.

We look forward to seeing these changes made to the EIR and Specific Plan.

Friends of Adeline
S. Omowale Fowles
ofowles@hotmail.com
Friday, July 19, 2019 3:47 PM

Second Submission: Omissions and Time Support Re: Adeline Corridor Plan, City Budget Approved, and More Berkeley News

From: S. Omowale Fowles [mailto:ofowles@hotmail.com]
Sent: Friday, July 19, 2019 3:47 PM
To: Edith Gaines <egng5@yahoo.com>; St. Paul AMEC <stpaulame@Comcast.net>; Rev Anthony Hughes <revtony@aol.com>; Doris Tabor-Floyd <floyddt@comcast.net>; Friends of Adeline <friendsofadeline@gmail.com>; Berkeley Mayor’s Office <mayor@cityofberkeley.info>; Bartlett, Ben <BBartlett@cityofberkeley.info>; Davila, Cheryl <CDavila@cityofberkeley.info>; Harrison, Kate <KHarrison@cityofberkeley.info>; Robinson, Rigel <RRobinson@cityofberkeley.info>; Droste, Lori <ldroste@cityofberkeley.info>; Hahn, Sophie <SHahn@cityofberkeley.info>; Kesarwani, Rashi <RKesarwani@cityofberkeley.info>
Cc: Manager, C <CManager@cityofberkeley.info>; Burroughs, Timothy <TBurroughs@cityofberkeley.info>
Subject: Corrected Re: Second Submission: Omissions and Time Support Re: Adeline Corridor Plan, City Budget Approved, and More Berkeley News

From: S. Omowale Fowles <ofowles@hotmail.com>
Sent: Thursday, July 18, 2019 1:43 PM
To: Edith Gaines; St. Paul AMEC; Rev Anthony Hughes; Doris Tabor-Floyd; Friends of Adeline; mayor@cityofberkeley.info; bbartlett@cityofberkeley.info; cdavila@cityofberkeley.info; kharrison@cityofberkeley.info; rrobinson@CityofBerkeley.info; Councilmember Lori Droste; shahn@cityofberkeley.info; rkesarwani@CityofBerkeley.info
Cc: manager@cityofberkeley.info; tburroughs@cityofberkeley.info
Subject: Second Submission: Omissions and Time Support Re: Adeline Corridor Plan, City Budget Approved, and More Berkeley News

18 July, 2019

Dear All, Again,

In addition to our original request, i.e. that you add to the fifth bullet point of the Draft Adeline Corridor Plan, the organizations and businesses which you omitted (please see below), we respectfully request that you allow us, the tax-paying/voting public, an extended study period of at least 45 days to review this plan, to review previous suggestions made by the public at City Council meetings and public hearings, and to reiterate those points so that you can include those suggestions in the Final version of the Plan, especially those that are more economically feasible than others currently in the Adeline Corridor Draft.
The Fifth Bullet Point (see below) has omitted the Berkeley Black Repertory Group, Imhotep Chiropractic, Healthy Black Families, Drate Pharmacy and People's Bazaar as well as the NAACP Office, the Berkeley Drop-In Center, and several other critical, long-term entities [more to be named later] along the Adeline Street Corridor. Please be sure that they are included as part of the present and the future.

Draft Text Edited

5th Bullet Point: "Supporting local institutions and community organizations such as the Berkeley Black Repertory [Theatre] Group, Farmers Market, Imhotep Chiropractic, Healthy Black Families, Drate Pharmacy, and People's Bazaar as well as the NAACP Office, the Berkeley Drop-In Center, African Hair Braiding Shop, East Bay Community Law Center of Berkeley Law School, The Yoruba BATA Drumming Center [corrected: Oya Nike], The Guitar Store, et. al. and the future African American Wholistic Resource Center."

Thank you.

Ms. S. Omowale Fowles, Berkeley Resident
Executive Director, Civic Action Coalition

** Spelling change: "Wholistic" as in complete and comprehensive, lacking nothing.

From: Edith Gaines <egng5@yahoo.com>
Sent: Thursday, July 18, 2019 11:11 AM
To: St. Paul AMEC; Rev Anthony Hughes; Omowale Fowles; Doris Tabor-Floyd
Subject: Fwd: Adeline Corridor Plan, City Budget Approved, and More Berkeley News

Sent from my iPhone

Begin forwarded message:

From: Berkeley Mayor Jesse Arreguin <mayor@cityofberkeley.info>
Date: July 17, 2019 at 7:32:01 PM PDT
To: egng5@yahoo.com
Subject: Adeline Corridor Plan, City Budget Approved, and More Berkeley News
Reply-To: mayor@cityofberkeley.info
I am excited and honored to give this year’s Berkeley State of the City Address at Shotgun Players in South Berkeley. With the Adeline Corridor planning process underway, discussions on developing housing at Ashby BART and South
Berkeley’s rich history, it seemed fitting to host this important event there. The theme of the speech is “Building our Future Together”. Travelling around Berkeley there is a lot of exciting projects underway: improvements to our Senior Centers, parks, major street and capital projects, and housing projects throughout our city, including non-profit affordable housing.

When I ran for Mayor, I promised that we would plan the future of our city together, in an inclusive manner. We have seen the results of bad planning, including when BART proposed to build train tracks above ground, dividing our city. But the Berkeley community organized and succeeded in undergrounding the tracks in South Berkeley. That is what happens when we can unite behind a common goal and come together, we can achieve great things. I am optimistic for the future, and we must plan an equitable future for South Berkeley and the entire city in a community-driven fashion. The dreams and priorities must come from the people and drive the planning and decision making. That is my commitment to you as your Mayor.

I am excited to present our accomplishments and priorities for the next year and beyond.

Tickets are sold out, but there still are opportunities to watch and follow along. You can watch the live-stream on my Facebook page. You can also follow on Twitter using the hashtag #BerkSotC, and I will be live-tweeting from my account. For those with tickets, we ask you are seated by 5:55pm so we can start the program promptly.

What: State of the City 2019: Building Our Future Together
Where: Shotgun Players, 1901 Ashby Ave
When: Monday, July 22nd, doors open at 5:30pm, program at 6pm.
Watch: https://www.facebook.com/berkeleymayor/
Draft Adeline Corridor Plan Released; Prioritizing Affordable Housing, Community Input

After a four-year community process, the first draft of the Adeline Corridor Plan has been released. This comprehensive land use plan presents a vision for an equitable and dynamic South Berkeley, and reflects the extensive public comment and outreach. Here are a few highlights of the Plan:

- Setting a goal of 50% of new housing as affordable, to serve current residents and former residents who have been displaced.
- Transforming the Ashby BART parking lot into affordable housing and a community plaza for events such as the Berkeley Flea Market.
- Redesigning Adeline Street into a multimodal thoroughfare, increasing accessibility for pedestrians, bicyclists, and buses.
- Developing a South Berkeley Business Improvement District to support existing small businesses.
- Supporting local institutions and community organizations such as the Farmers Market and the future African American Holistic Resource Center.
Thank you to the community for your tireless efforts in advocating and helping move forward the vision to support a diverse and culturally rich neighborhood. Scroll down to the Meeting/Events section for more details on how to provide your input on the plan.

City Budget Approved; Focusing on Public Safety, Housing, Sustainability and Equity

Our budget is a reflection of our values. That is why on June 25th, the Council unanimously adopted our City’s budget for the next two years with a priority on the issues that constituents care the most about. After months of feedback from the community in asking what you want to see funded, we listened and responded. Major themes included a focus on public safety, especially around pedestrian and cyclist safety. We have secured funding to move forward with Vision Zero, making major investments in traffic calming. In light of the impacts
of climate change increasing the risk of urban wildfires, we are increasing funding for vegetation management and emergency response resources.

We are also investing in programs that the community cares about. After years of campaigning, we have secured funding to have West Campus pool open year-round, giving South and West Berkeley residents the same opportunities as North Berkeley residents have (the King pool in North Berkeley is currently open year-round). There are additional investments to the arts, allocating $500,000 to the Civic Arts Grants program plus support for various events such as the Bay Area Book Festival.

We are also making an unprecedented contribution towards anti-displacement measures, with $900,000 going towards various anti-displacement and eviction defense programs. With the passage of Measures O & P in 2018, we are making our biggest investment ever in affordable housing and homeless services.

For more information about the budget, read my blog on our budget recommendations.

**Upholding the Values of a Sanctuary City**
Berkeley is a proud Sanctuary City with a legacy of protecting the most vulnerable members of our society. We were the first U.S. city to become a Sanctuary City in 1971, to protect sailors resisting the Vietnam War. In recent years, we have expanded and strengthened our status as a Sanctuary City, working with organizations to develop policies and programs to protect our immigrant and undocumented community. We continue to affirm the belief that all families should feel safe and welcome in our community. Our diversity and inclusiveness gives us strength.

We are ready to respond in protecting our community and our values. If you see ICE activity, call the Alameda County Immigration Legal & Education Partnership (ACILEP) Hotline at 510-241-4011. My website provides a list of resources you can use to protect yourself and your neighbors.

Berkeley will always have its doors open. The concept of helping our neighbors and lifting up those who are less fortunate than us are deeply ingrained in our history. These are not just Berkeley values, or even Californian or American values. These are human values. For centuries, America has served as a beacon to the world, as a place of hope, refuge, and freedom. We have a moral and ethical obligation to keep shining that beacon, and will never waiver in doing so.
I recently posted a blog reaffirming our Sanctuary City status and what you can do to help.

The Summer of Paving

This summer, we're paving 40 Berkeley streets that account for 6.6 miles throughout the City. This is in addition to the 20 miles we paved since 2016, part of a surge in street paving that's been made possible by Berkeley and Alameda County voters.

These projects, which you can see laid out on a map, will improve the quality of our roads. They'll make it easier and safer for people to move throughout our city by foot, bike, car or bus. Some examples of work being done includes:
Adeline Street between Shattuck and Ashby avenues will get bus boarding islands to reduce conflicts between buses and bikes while also increasing the reliability of bus routes. This key stretch will also get protected bike lanes in both directions.

We're adding high visibility crosswalks to many streets and taking other measures, such as enhancing a Sixth Street bike lane so that it's more visible to drivers.

Milvia Street between Blake and Russell streets will get paved, helping bicyclists along this important part of the city's bike boulevard network.

Hearst between Shattuck and Milvia will get protected bike lanes, further extending a protected bike lane network moving people to and from campus.

All of this work is in addition to a dramatic reconfiguration of Shattuck Avenue that's underway and will increase pedestrian safety, improve AC Transit connections to BART and eliminate a curvy bottleneck for northbound traffic.

Investing in Our Waterfront
The Berkeley Waterfront, including the Marina and McLaughlin Eastshore Park, is a treasure and an important regional destination for maritime use and recreation. It includes breathtaking views of the Bay, public trails, aquatic and landside recreation, and magnificent open spaces. This year we are making major investments to our waterfront. From repaving the notoriously bumpy University Ave next year to planning for a new Pier and Ferry terminal, expect to see exciting progress at the Marina over the next few years.

Much of the work being planned at the Marina is thanks to voter approval of Measure T1 and Regional Measure 3. We are also working with Hargreaves Associates, an internationally renowned design firm which lead the restoration of San Francisco’s Crissy Field, in the development of the Berkeley Marina Area Specific Plan (BMA SP) that will provide a blueprint for future enhancements through a robust public process.

Read my blog for more information on the work we are doing to improve the Marina for generations to come.
Mayor's Awards Recognizes Student Achievement

Every year, our office, in conjunction with the Berkeley Unified School District and UC Berkeley, organizes the Mayor’s Student Recognition Awards, which is part of a long-standing tradition of recognizing student achievement. The Mayor’s Awards were started by Salvador Murillo, Berkeley Unified School District’s (BUSD) first Family Outreach administrator, who is also known for his actions in the United Farm Workers and the RAZA Coalition of Berkeley. Murillo was well-known throughout South and West Berkeley because of the local non-profits that organized in his living room during the 1960s through the 1980s. As a Berkeley Times article reported, Murillo became interested in education, so his living room soon welcomed several Berkeley teachers such as BHS teacher Andres Sanchez; Murillo and Sanchez founded the Coalition of Hispanic Organizations.

Murillo and his wife Esperanza raised six children, but also opened their home to children in the neighborhood who needed shelter or a fresh meal. Berkeley Times
wrote that it was common for an additional dining table to be set up in the Murillo living room in order to accommodate community members. Murillo was heavily invested in the lives of Berkeley’s children, and he noticed that students from economically challenged families were not acknowledged as often compared to students from wealthy families. Thus, Murillo created the Mayor’s Awards to address this discrepancy.

This year, Berkeley held its 23rd Annual Mayor’s Student Recognition Awards and celebrated the achievements of 297 BUSD students—a record number of students. The ceremony brought together leaders from the City of Berkeley; University of California, Berkeley; and BUSD in order to award students for their dedication and hard work in their community. Students were recognized for their contribution in leadership, community service, communication, performing/visual arts, sports, extraordinary effort, and citizenship.

**Utility Providers Advice on Fire Safety**

While wildfires have always been a threat in California, the destruction we have witnessed in Santa Rosa in 2017 and Paradise in 2018 has caused utility
companies to take extra measures going forward. PG&E has announced that in the event of extreme weather, they will conduct a Public Safety Power Shutoff (PSPS) which could impact Berkeley. PG&E is calling on customers to prepare for losing power for up to 48 hours. Click here to learn more about how to prepare for disruptions in PG&E service.

Our water supply may be impacted by a PSPS. While EBMUD has a contingency plan to store water during red flag warnings, they are encouraging residents to store two gallons of water per person per day (which is something people should have in their earthquake emergency supply kits). In the event of a PSPS, conserve water by turning off irrigation and minimizing usage.

Fare and Schedule Changes at AC Transit
In order to continue providing safe and efficient bus service, beginning July 1st, AC Transit has made the following changes to its fares:

Adult Single Ride
$2.50 (cash)
$2.25 (clipper)

Senior/Youth/Disabled Single Ride
$1.25 (cash)
$1.12 (clipper)

Adult Day Pass
$5.50 (cash)
$5.00 (clipper)

Senior/Youth/Disabled Day Pass
$2.75 (cash)
$2.50 (clipper)

Adult Transbay
$5.50 (cash)
$5.00 (clipper)

Senior/Youth/Disabled Transbay
$2.75 (cash)
$2.75 (clipper)
For a full list of fare changes, click here.

Several service changes were made beginning June 16th, including several routes in Berkeley that could impact your commute. Routes impacted in Berkeley include lines 12, 72M, 72R, and F. For full details on the changes, click here.

Upcoming Meetings and Events

Adeline Corridor Plan Comment Period
Now-July 19
https://www.cityofberkeley.info/AdelineCorridor/
We want to hear from the community on their thoughts on the recently released Draft Adeline Corridor Specific Plan and Draft Environmental Impact Report. Your input is essential in developing a plan that will benefit the community.

You can send written comments via email at adelinecorridor@cityofberkeley.info or by mail at:

Attn: Alisa Shen/Adeline Corridor Planning Department
1947 Center Street, 2nd floor
Berkeley, CA 94704

Office Hours
Sunday, July 21, 2pm-4pm
Saul's Deli, 1475 Shattuck Ave

Please join me and Vice-Mayor Susan Wengraf for a coffee chat. Come by anytime between 2pm-4pm to share your thoughts, grab a drink, or even just say hello.

Contact Us

My office is here to serve you. Visit our website for frequently used phone numbers to city departments and to stay up to date with our blogs.

Jesse Arreguin, Mayor
Dear Alisa Shen,

The Steering Committee of Berkeley Citizens Action makes the following observations of the DEIR for Adeline Corridor. We support the vision and recommendations submitted by Friends of Adeline. In particular we highlight the following comments:

Displacement is a significant economic and social effect of this plan and must be considered and mitigated in the DEIR.

The current policies and programs listed in the plan will not adequately mitigate these displacement impacts. To adequately address these impacts of displacement, the draft EIR should include the following as additional mitigations:

1. Developers should not be allowed to pay a mitigation fee in the corridor; all developments must be required to provide a minimum of 20% on-site affordable, at 10% low-income and 10% very low-income.

2. The depth of affordability of the new housing built should reflect the distribution of incomes in the study area. According to the existing conditions report, the income distribution of the study area has more lower-income households than the city of Berkeley as a whole. See table below

3. The city must take proactive steps to find ways to build permanently affordable housing, including Community Land Trusts, co-operatives, tenant opportunity to purchase, non-profit housing development, and other forms of. Positive steps include:
   - Dedicating 33% of the Housing Trust Fund dollars and project-based vouchers to permanently affordable housing in the plan area;
   - Streamline permitting for 100% permanently low-income housing; and
- Providing technical assistance to educate tenants on opportunities to purchase their buildings.

4. The plan must include ways to reverse the displacement of African Americans and low-income people who have been displaced. There must be a concrete plan to support Black institutions, including local businesses, nonprofits, such as Healthy Black Families, The Drop-In Center, Inner-City Services, etc. This plan must include:

   - A right to return policy for people who have been displaced or are at risk of displacement. The policy must include the ability to move into a home that is at a price they can afford.

   - A tax or fee on the sale of property over $1 million, to provide restitution for African Americans and others negatively impacted by redlining. Property owners impacted by historical redlining would be exempt.

5. Any development at the Ashby BART site must guarantee a future for the Flea Market, created with, by, and for the flea market vendors.

6. Any housing built on the at the Ashby BART site must be 100% below-market-rate housing for people with incomes below $70,000 per year.

7. The plan should challenge housing developers to find ways to build the housing we need and stop filling the pockets of for-profit developers.

This plan will have a significant impacts on parks and recreation in South Berkeley that must be mitigated.

The EIR must identify parks and recreation as a significant impact in the ACP, and mitigate it by requiring the plan to identify a minimum of 1.8 acres in **new parkland** includes the location and acreage, to ensure the ratio of parkland to residents in South Berkeley does not deteriorate due to this plan.

This plan must analyze impacts on services for unhoused people due to the plan, and provide mitigations. 60% of the city’s unhoused population is African American from the neighborhood. The DEIR should assure that adequate services are funded, that area homeless prioritized for services, and they get housing, and the right to return.

Mitigations required in the DEIR must be required and actionable in the plan

<table>
<thead>
<tr>
<th>Table 1. Percent households at various income levels</th>
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<tbody>
<tr>
<td>Study Area</td>
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<tr>
<td>-----------</td>
</tr>
<tr>
<td><strong>Less than $20,000</strong></td>
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<tr>
<td><strong>$20,000 to $34,999</strong></td>
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<td><strong>$35,000 to $49,999</strong></td>
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<tr>
<td><strong>$50,000 to $74,999</strong></td>
</tr>
<tr>
<td><strong>$75,000 to $124,999</strong></td>
</tr>
<tr>
<td><strong>Greater than $125,000</strong></td>
</tr>
</tbody>
</table>

We look forward to seeing these changes made to the EIR and Specific Plan.

Steering Committee of Berkeley Citizens Action
Table 1. Percent households at various income levels

<table>
<thead>
<tr>
<th></th>
<th>Study Area</th>
<th>City of Berkeley</th>
<th>Alameda County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than $20,000</td>
<td>27.6%</td>
<td>21.2%</td>
<td>14.2%</td>
</tr>
<tr>
<td>$20,000 to $34,999</td>
<td>12.6%</td>
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<td>10.3%</td>
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<td>$50,000 to $74,999</td>
<td>12.7%</td>
<td>14.5%</td>
<td>16.0%</td>
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<tr>
<td>$75,000 to $124,999</td>
<td>17.6%</td>
<td>17.8%</td>
<td>22.2%</td>
</tr>
<tr>
<td>Greater than $125,000</td>
<td>16.5%</td>
<td>26.2%</td>
<td>26.2%</td>
</tr>
</tbody>
</table>

We look forward to seeing these changes made to the EIR and Specific Plan.

Steering Committee of Berkeley Citizens Action

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Linda Franklin
Dear Planning Department,

My name is Pablo Diaz-Gutierrez, and I’m a resident and homeowner on zip code 94703. I am pleased to learn that there is provisioning for sufficient safe biking and walking space along the corridor. This is fundamental to improve safety for all (since most everyone is a pedestrian at some point) and to enable car-free living in Berkeley. I expect that the popular biking route along Russell is carefully addressed at the intersection as well. Currently crossing both Adeline and Shattuck is a dangerous proposition, and it would be a shame that we let this opportunity pass without improving upon those corners.

My only wish is that in a future phase we address the need for denser housing near transit. I grew in Granada, Spain, a city of comparable population size, but much more walkable because pretty much every block is 3 to 10 stories tall, with corner stores everywhere. My dream is for Berkeley to one day achieve that.

Regards,
Pablo Diaz-Gutierrez
Writing in support of higher building limits

Dear planning department,

I was going over the extensive documentation provided for the Adeline corridor plan, and it caught my attention that the building heights along the entire corridor are entirely insufficient to support our growing population, and a city life that’s amenable to anyone other than car owners. A truly visionary plan would allow 8-10 stories along the entire row, as this is the only way our small businesses will have enough local customers to thrive in the age of big lots and online shopping.

Further, our housing affordability crisis is ultimately linked to a lack of supply. We moved to South Berkeley a few years ago, and we would have loved to purchase a medium sized condo near transit, but that wasn’t available and instead we are regrettably contributing to the gentrification of the city we came to love. If the city does not allow for dense housing to be built in areas where people can walk, bike or take transit to go to work and live their lives, then the city is implicitly admitting that they are ok with lower income residents being priced out.

Thank you for reading,
Pablo Diaz-Gutierrez
94703 resident
Dear Planning Commission and City Councilmembers,

I'm writing to express my concerns about the Adeline Corridor Plan.

While I used to live near the Ashby BART station (at Prince + Wheeler), I now live elsewhere in Berkeley. Most of my interaction with the Adeline Corridor is when I drive through it in a car on the way to somewhere else. I also sometimes bike, walk, or take the bus along or across Adeline. And my kids often bike through the corridor on their way to visit friends or after-school activities.

As a driver who contributes to the pass-through traffic on the corridor, and as a Berkeley resident and parent, I support:

- Safer streets, fewer car travel lanes on Adeline, a Greenway, and a walkable neighborhood. I agree with South Berkeley Now that the highest priorities should be pedestrian safety, bike lanes and green space, NOT accommodating thru traffic. I hope those changes do slow down traffic, because car traffic on Adeline frequently moves too fast.
- Maximize homes near transit. It is silly to plan for a base height level of only 3 stories in such a transit-rich environment. We desperately need more places for people to live, especially places close to transit where people can live without having to use a car as often, or possibly at all.
- Maximize affordability: the plan doesn't commit Berkeley to fund the affordable housing the neighborhood needs and deserves. The plan should make sure to address needs for lower- and middle-income workers who do not qualify for government-subsidized housing.

While it is good that the city is almost done with the plan, it needs significant revisions to consider more housing, affordability for all, and fewer traffic lanes.

Thank you for your consideration,
Jeff Hobson
2220 Sacramento Street
Berkeley CA 94702
I would like to suggest that a substantial focus be on home ownership. I think the community is best served when most residents are owners rather than renters. For affordable housing as well as market rate housing.

Kind Regards,
Bruce Hoffman
CEO Working Machines Corporation
(510) 704-1178
Adeline Corridor Plan comments

Dear Ms. Shen:

The following recommendation regarding the Adeline Corridor Plan was passed unanimously, on July 10, 2019, by the Homeless Commission with one commissioner absent.

I am submitting this document to meet your deadline today for comments. However, the document with the vote should be submitted by our staff secretary, Peter Radu, who is currently out of town. I will request that he resubmits it, with the Commission vote, when he returns.

Thank you for your attention to this matter.

Respectfully,

Carole Marasovic

To: Mayor and Members of the City Council
From: Homeless Commission
Submitted by: Carole Marasovic
Subject: Expansion of Adeline Corridor Plan to Include Housing in Private Component for Extremely low-Income Persons

RECOMMENDATION
The Homeless Commission recommends that the City Council identify a means to expand housing within the private housing component of inclusionary housing to include a set-aside for extremely low-income persons. The Commission recommends that be done either through retaining a consultant to conduct a nexus study to include extremely low-income housing in inclusionary housing, as to the Adeline Corridor, or by staff internally conducting that study so that inclusionary housing, within the Adeline Corridor, can be expanded to include a set-aside for extremely low-income persons.

SUMMARY
The Adeline Corridor Plan is a major development plan undertaken by the City for South Berkeley. The project completion date is projected at 20 years. The current projection of new housing to be developed in the Adeline Corridor is 1,450 units. Of those 1,450 units, 600-900 units are expected to be developed as public affordable housing on the Ashby BART parking lot. The remaining one third to over one half is anticipated to be private housing development.

The Adeline Corridor Plan provides for at least 50% of housing as income-restricted housing and affordable to a range of low-income and highest needs households. In addition, the Adeline Corridor Plan includes in its objectives that it will continue to implement the 2018 strategic update to the Alameda County Everyone Home Plan and the 1000 Person Plan.
Current inclusionary requirements for private housing allow private developers more flexibility within existing affordability requirements. The inclusionary percentage is set so that 10% of the units are at 80% AMI or below (low-income) and the other 10% are at 50% AMI (very low income). Private developers cannot submit alternative housing plans that provide other affordability.

There is no current provision for extremely low-income households to have a set-aside in private housing within current City requirements. Doing so would require a new nexus study.

FISCAL IMPACTS of RECOMMENDATION
There is a substantial cost to conducting a nexus study as the City generally retains a consultant to do so.

CURRENT SITUATION and its EFFECTS
Berkeley has a serious affordable housing crisis. The most greatly impacted are at the lowest income levels which has produced a growing number of homeless persons. The 2017 Homeless Count for Berkeley generated a count of 972 people. 2019’s Berkeley-specific count has not yet been released but Alameda County, as a whole, shows an increase of 43% in homelessness. It has been estimated that almost 2,000 people per year experience homelessness in Berkeley. There is no end in sight unless Berkeley plans ahead to provide for economic diversity in its housing.

BACKGROUND
On July 10, 2019, the Homeless Commission voted to recommend as follows

The Homeless Commission recommends that the City Council identify a means to expand housing within the private housing component of inclusionary housing to include a set-aside for extremely low-income persons. The Commission recommends that that be done either through retaining a consultant to conduct a nexus study to include a set-aside for extremely low-income housing in inclusionary housing, as to the Adeline Corridor, or by staff internally conducting that study so that inclusionary housing, within the Adeline Corridor, can be expanded to include a set-aside for extremely low-income persons.

M/S    Yes:    Noes;    Abssent:

ENVIRONMENTAL SUSTAINABILITY
Environmental impacts are noted under the Adeline Corridor Plan.

RATIONALE for RECOMMENDATION
The growing number of homeless persons must be addressed. While a plan that has a 20 year completion date cannot possibly meet the requirements of the Alameda County Everyone Home Plan and the 1000 Person Plan requiring imminent housing, it can continue to define the community as economically diverse and progressively provide needed housing for all economic statuses.

The Adeline Corridor Plan's commitment to provide for income-restricted housing affordable to a range of low-income and highest needs households is an abstract commitment without a set-aside for extremely low-income households. A set-aside for only public housing in the Ashby BART parking lot can potentially lead to low-income segregated housing while surrounding private housing is inaccessible to those persons in the extremely low-income category including
not only the homeless but also the working poor and retired seniors some of whom may have become homeless or whom are in danger of becoming homeless.

Furthermore, the non-specificity of the income-restricted category in the plan allows it to exclude extremely low-income persons. Such non-specificity, lacking a set-aside for extremely low-income persons, could result in exclusion from even the public housing component. Set-asides for extremely low-income households in both public and private housing should be required.

Under the current nexus study, an expansion to require an extremely low-income set-aside cannot be done in the private component. If discretionary, it is unlikely that incentives will be successful at encouraging developers to provide housing for extremely low-income households. Thus, a new nexus study is required.

ALTERNATIVE ACTIONS CONSIDERED
Incentives to developers were considered but it was questionable that left to the discretion of the developer that they would be successful. The cost of a nexus study with one having been conducted four years ago was considered. However, with Berkeley now thriving in development more than ever previously and with the economic and time investment already placed towards the Adeline Corridor Plan, it seemed that the cost of a nexus study was merited.

CITY MANAGER
See companion report or concurs.

CONTACT PERSON
Peter Radu, Homeless Services Coordinator, (510) 981-5435
Comments on the City of Berkeley Adeline Corridor Specific Plan (May 2019 Public Review Draft) and Draft Environmental Impact Report (DEIR) – July 19, 2019

Background:

In 2007, Berkeley City Council designated six priority development areas (PDAs), two of which were South Shattuck and the Adeline Corridor. Predating this are the following plans:

1. South Berkeley Plan 1990
2. South Shattuck Strategic Plan 1998

In 2014, the City of Berkeley, under the previous Mayor, received a Metropolitan Transportation Commission (MTC) $750K grant to develop a 20-year Specific Plan incorporating South Shattuck and Adeline Corridor into the Adeline Corridor Specific Plan (“the Plan”) and launched a community planning process in 2015. MIG consultants (Berkeley) were retained to assist in preparing the Plan. From Jan 2015 to April 2016 a series of Community Engagement events were held (see Table 1-2, 1.10, Adeline Corridor Specific Plan). MIG subcontracted with BAE Urban Economics (experts in this field) to fill in an Affordable Housing and Anti-Displacement Strategies component. It has not been possible to obtain a report of MIG’s work but on June 30, 2019, a copy of BAE’s Draft Memorandum dated April 20, 2016, to Alisa Shen and Amy Davidson, City of Berkeley, was made available. Current Mayor Arreguin was sworn in Fall 2016. It appears not much was done with the Plan after the BAE April 2016 Draft Memorandum until a 2017 Re-Imagine Adeline community gathering. Exactly one year ago, on July 18, 2018, the Planning Commission held a hearing at which Lead Planner, Alisa Shen, presented the scope of the Plan and stated:

... And I just want to underline that there are no specific development projects that are being proposed as part of the plan. ... So the summary of the EIR analysis is that the EIR will analyze environmental impacts of the project, which is the specific plan (my emphasis) Transcript of Proceedings, p.9.

Comments:

In other words, the DEIR corresponds to a project i.e. the Adeline Corridor Specific Plan containing ‘no specific projects.’ This ‘project’ EIR is allowed under the California
Environmental Quality Act (CEQA) ‘streamlined approval process’ and is referred to as a ‘macro level’ Program EIR as opposed to a project/site EIR. The present DEIR is a typical environmental impact study, but the Plan seems more a proposal or concept paper, especially where housing is concerned. An EIR is only as good as the Plan to which it relates. The widespread confusion this conundrum poses has been evident in numerous public comments – the July 2018 Planning Commission hearing, the August 2018 community gathering with Mayor Arreguin, BART Director Simon, City Councilmember Bartlett and Planning Dept Director Burroughs (YouTube videos), the May 29, 2019, South Berkeley Senior Center Community Meeting, and especially at the June 23, 2019, community gathering at the South Berkeley Community Church.

In 2015, the City of Berkeley approved its Housing Element Update for the period 2015-2023; we’re now at mid-point. In 2018, CA AB 2923 was passed giving BART authority over Transit Oriented Development (TOD). For the Plan, this means the Ashby BART site, one of the four sections of the Adeline Corridor. In other words, the City of Berkeley cannot dictate what BART does at the Ashby site, although the Plan makes bold promises that ~ 60% of total Plan housing will come from the Ashby BART site. Furthermore, the Plan states that, once approved, it ‘supersedes all previous plans’ covering corresponding areas in the Plan. This is a risky proposition that impacts zoning changes for a proposal that lacks specificity. Many stakeholders are dissatisfied with the Plan resulting from a five-year effort paid for with the MTC grant.

It needs to be acknowledged that, AB 2923 zoning/time constraints notwithstanding, Berkeley does NOT have a transit or transportation crisis. Indeed, this is a 20-year plan to develop a ‘transit connector’ to presumably connect ‘healthy and vibrant communities.’ However, the needs of the very neighborhoods and communities the transit connector is supposed to connect have been silent in the Plan. What Berkeley DOES have is a serious shortage of housing for very/low income people, as well as a homelessness emergency.

Since 2014, when the Plan was conceptualized, several variables feeding into the assumptions in the Plan, have changed. Gentrification, displacement and homelessness have worsened. It is incumbent on the City’s Planning Dept to revisit the analysis provided by BAE in the April 2016 Draft Memorandum, build on this foundation, complete the Financial Feasibility section, especially in view of newly available housing funds from the Governor, consider BAE’s suggestions for community benefits arrangements, and NOT depend on BART to help solve Berkeley’s housing crisis over the next 20 years. This scenario is not plausible, given the City’s pressing housing needs, and with a DEIR that is likely to be inadequate for future development at the Ashby BART site.

The process leading to this Plan has been chaotic and confusing, and it has produced distrust. At the August 2018 community gathering to discuss the Ashby BART site, someone from the audience asked if the MTC or transit agencies have influenced the Plan, to which the Planning Director said ‘No.’ This belied the fact that in 2017, when planning for the Adeline Corridor
resumed, the Planning Dept recruited an intern for the specific purpose of ‘interacting with transit agencies’ so their input can be incorporated in the Plan.

At this juncture, it behooves the City to pause, engage the target communities and neighborhoods in each of the four sections of the Adeline Corridor that WILL be impacted by the Plan, to build consensus and develop a community benefits framework in a participatory manner for EACH section. Whereas the transit connector may have certain uniform characteristics along the entire corridor, the neighborhoods are not homogeneous. It does not make much sense for the City Council to certify and approve a Program EIR for a non-specific Plan. Who benefits from this approach? Furthermore, the Implementation Action items under LU-2 Ashby BART Station Area Planning, Table 8.1 (Adeline Corridor Specific Plan) should be undertaken BEFORE the City Council approves the Plan, not after. Currently, BART’s intention is a placeholder in the Plan. If the 2017 revised purpose of the Plan, as opposed to MIG’s 2015 original scope-of-work, is to change the City’s zoning laws to comply with AB 2923 for BART’s TOD projects, that should be its stated goal and short-term housing projections as well as Flea Market re/location should be made transparent. The current Plan is a hybrid of the original vision for the Adeline Corridor coupled with a fast-track TOD implementation, post-AB 2923, with a matching Program DEIR.

Given the City’s housing crisis, the Administration may want to consider establishing a Housing Task Force, reporting directly to the Mayor, to coordinate the various housing initiatives with the relevant agencies and commissions e.g. Planning Dept, Planning and Zoning commissions, Economic Development dept, Berkeley Housing Authority, Rent Stabilization board, and Housing Advisory and Aging Commissions, to ensure the correct priorities are assigned to this problem. This does not mean ignoring the prevailing external factors e.g. MTC, Association of Bay Area Governments, BART, or California legislation. It does mean putting the needs of the residents, the homeless, and small businesses first. It does require the City’s urgent attention to stop the hemorrhaging from gentrification and displacement in South Berkeley. Fast-tracking a transit connector with an outdated South Berkeley Plan, assuming the connector will connect ‘healthy and vibrant’ communities everywhere is municipal malpractice.

Respectfully,

Nazreen Kadir

Berkeley resident, retired consultant.
Adeline Corridor DEIR comments

Dear Alisha Shen,

The Adeline Corridor Plan's Transportation element is ill thought-out and unacceptable.

This DEIR proposes to reduce Adeline Street's transportation capacity by 33%, simply to create a curiously ill-defined "Public Space Opportunity Area," which "may include landscaped areas, plazas and programmed events." The authors arrogantly wave away the lost capacity as "excess right-of-way."

Adeline Street is – like it or not – a vital transportation corridor in and out of Berkeley. It serves buses as well as private cars, and enables commuting by Berkeley residents who need to work in other cities to support ourselves.

What responsible planning document would propose to cut 33% of capacity with no specific offsetting goal? It seems clear what's happened here: There is no goal, and no real planning.

This document simply reflects the casual anti-automobile bias of its Berkeley-dwelling consultant (Philip Erickson), who has an amply-expressed personal axe to grind; and of certain planners on the City's staff. Just block 33% of the carrying capacity; force the remaining evil motorists into artificial congestion; and...um, we'll do...you know, something with the repurposed land that previous generations' real planners had laid out to serve transportation needs.

So procedurally, this DEIR element reflects both conflicts of interest and a lack of professional analysis or results. It seems to embody specific consultant and staff goals, rather than the public's aspirations or input. I should note here that I'm writing as a daily bicycle and public-transit commuter. However, I value transparency in policy-making, and honesty in evaluating environmental impacts.

In terms of those environmental impacts, I see no real gain from forcing traffic into artificial congestion. Conversely, there are real CEQA-relevant detriments. Slower-moving traffic is less-efficient traffic. Therefore, this plan proposes to worsen pollutant emissions – a local impact directly affecting South Berkeley's underserved communities of color – and to magnify Berkeley's carbon footprint.

Especially with no clearly-defined goal for the converted space, the environmental detriments of drastically narrowing Adeline arguably outweigh any benefits. This element should not be pursued or implemented.

It's very odd that Berkeley residents are being informed of this DEIR just 48 hours before the deadline for comments. I would like to thank the Mayor and his office for at least getting the word out (in his July 17 newsletter) before the public was entirely excluded from this process.

Respectfully yours,
Michael Katz
Berkeley resident
Dear City of Berkeley,

I have lived in the southernmost apartment in Berkeley for 3 years, by 63rd and King. I am disappointed that the Adeline Corridor plan has FAR and affordability requirements that together make development infeasible. The affordable apartments in this area are larger complexes of minimum 4 units that almost completely cover the lot, and when built did not need to reserve 30% of their units for extremely low income individuals.

I would like to see the base zoning consistent with SB 50, and the FAR aligned with height. We do not need FAR, open space, and height limits: two of the three imply the third. I would like to see density completely unlimited for projects using the incentive, which should be aligned to the state density bonus. We are next to a major boulevard that will have a park: we do not need to waste space on small gardens.

This is not a high rent area: it is unclear that the affordability requirements are feasible and will result in affordable housing, while there is a disparate need for housing across the region. A feasibility analysis should have been done. 5 stories on Adeline is an appropriate density, as has been recognized by the building of the Harriet Tubman Homes and approval of 2901 Adeline.

Sincerely,
Watson Ladd
To the City of Berkeley, Mayor Jesse, all Councilmembers, City Manager, Public Works Dept., City Clerk,

Please excuse as I am still recovering from a flu generated from the Heat Wave of Jun 9th, and physical injuries, so will not be able to attend any meetings.

I am an elderly senior, chronic disabled and have been trying to ride my bike (as my main mobility and "wheelchair"; and endorse and request more funding for Public Works staffing, with the hopes that it will facilitate FINALLY, the requested POT HOLE repairs that I requested for Blake Street, down to San Pablo three years ago, (they even gave my numbers to record the requests (twice).

I am also speaking for many seniors who are not able to ride the Ford electric bikes.
When Ford staff came years ago, I went to the meetings, where the Ford staff promised (!!!) that seniors would be able to ride their bikes.  So far, I have not seen any seniors my age who are riding these bikes, mainly because unlike the promises that they would be light enough, and to date this has not be possible. I sincerely request that this will be looked into.

I did attend the June 18th meeting regarding the Adeline Corridor, and to help the Commission to think out of the box. Most of the commission members were from European descent.
It may not be feasible at this time, but for the increased quality of life for all of our residents, I urged them to research that many European cities have been able to plan and transform their cities to have car, vehicles be prohibited from the city at large. The cities are completely transformed for the complete comfort of residents to walk or scooter about, ride bikes without cars, with many tall trees as with the city of Sacramento to from the hot Sun, and more heat waves that with the increasing Climate, Global warming will be descending on our cities with greater intensities in the very near future. Seattle Streets buckled in just a "short" heat wave.
Scientists have forecasting many many millions killed by 2050 and it is thought that their investigations and studies have been far under estimated.
Of course, am also requesting more affordable housing on the Ashby and North Berkeley Bart station properties!

We also have a Water scarcity increasing. I will be sending more emails including the request to thoroughly research the internet Gen 5 before allowing in our city.

Thank you for all your kind attentions Chimey Lee
1501 Blake Street #306
Berkeley, Ca. 94703-1888
510-665-5914
Greetings
I appreciate the extremly hard work in preparing this report.
I wish to comment at this time on a specific aspect of it that is the Berkeley Flea Market

For some time now we discover that the current management of the market is suspect at best. Community Services United (CSU) is in fact misrepresenting itself consistently to the City of Berkeley, State of California and the Internal Revenue Service. Not only are they not in compliance with their own articles of incorporation and bylaws but do not hold a current City of Berkeley business license. Additionally they in fact are not a 501(c)3 since they have consistently and knowingly failed to file the legally mandated paperwork. As a for profit corporation there is no documented evidence it has satisfied any of it's tax obligations. It has and continues to withhold from the City of Berkeley and the State of California massive amounts of sales tax revenue. It has and continues to take this action knowingly and deliberately. The proof of this not being a case of harmless error is that CSU also fails to meet its obligations as mandated by the Internal Revenue Service.
In order for CSU to participate within this plan three things must happen
1. An immediate audit of the last 20 years
2. Removal of the current board and replacement with South Berkeley Non Profits
3. Those persons responsible for this situation notably the President be held completly responsible both legally and financially.
If CSU as currently formatted is included in this plan they will essentially be rewarded for their suspect behavior.

Mike Lee
510 501 4717
CLEAN OUT YOUR CLOSET!
Donations of gently used items for our yard sale are now being accepted. Proceeds to fund homeless services. What we don't sell and can be used by curbside communities is given away freely
Adeline Specific Plan Comments

Dear Staff:

Berkeley and North Oakland deserve more from this effort. The plan seems status quo in design and in concept attempts to manipulate the fundamentals of economics.

My comments are as follows:

1) Remove Adeline St. above the BART station between Ashby and MLK Jr. and create a car free Bike/Ped plaza.

2) The draft has essentially downzoned the plan area in an effort to try and get developers to use a new inclusionary housing formula based on how much profit they feel the developer deserves. This market manipulation isn't going to lead to more housing, the formula should be removed, and should have a baseline of higher development density.

3) Provide zoning for the BART station area is needed to avoid further delays of the much-needed development.

4) Emulate the West Oakland BART station concepts to help inform them on what should be proposed at Ashby BART.

5) The plan is also missing any aspirational ideas or big concepts and isn't much different than the 1990 plan. Be more creative, zone up, allow for housing, decrease road sizes, make the spaces more people.

6) Drafted an EIR that is programmatic and evaluate all the zoned housing so developers can utilize that EIR for development purposes.

Respectfully submitted,

Adam Lenz
Golden Gate District Resident
Hello,

I was born and raised in Berkeley, a couple blocks from Le Conte Elementary and the original Berkeley Bowl. I'm writing to express my concerns about the Adeline Corridor Plan. My dad was an architect and had his own firm located just north of Ashby on Adeline Street, and my brother and I now have our own small business on Adeline and hope to someday live and work in the building where our father once ran his firm. Needless to say, we feel deeply invested in the neighborhood. We appreciate its diversity, historic and cultural significance, and potential to support a growing community and greater vibrancy at this threshold between Berkeley and Oakland.

While I applaud and support the main goals of the plan, I am very concerned that the specific policy proposals for zoning, street width, and affordability will result in less housing than we need and more traffic than we want. I recently completed the graduate program in architecture and sustainable design at the University of Oregon, a program that emphasizes sustainability through forward-looking urban design that challenges the status quo in pragmatic, thoughtful ways. I don't believe policy should prescribe change, but in this moment of reevaluation we have a profound opportunity to encourage and enable leaps of progress if and when the South Berkeley community supports and demands them.

1- PREPARE TO MAXIMIZE HOUSING NEAR TRANSIT: The PLAN does not incentivize enough homes to be built over the next 20 years. In this transit rich area, we need to maximize the number of homes on the corridor and on Ashby BART, not stick with the status quo of low density. It is simply not economical (or feasible) to construct new buildings that won't meet the long-term housing needs in the area.

2- WE NEED HOUSING FOR EVERYONE AT ALL INCOME LEVELS: The PLAN does not commit the City to fund the affordable housing we need and deserve in our neighborhood. And the PLAN does nothing to address the housing needs of lower- and middle-income workers (60-120% AMI) who do not qualify for government subsidized housing. (More dwellings per acre also means more income that can be used to internally subsidize affordable units!)

3- WE NEED SAFE STREETS, A GREENWAY, AND A WALKABLE NEIGHBORHOOD: The PLAN proposes too many lanes of traffic on Adeline. Let's be more forward-thinking! As bike infrastructure, walkability, and public transit improve – and fewer and fewer people own cars – the highest priorities should be pedestrian safety, bike lanes and green space, NOT accommodating through traffic and parking.

While I am pleased to see the Plan almost done, it needs significant revisions and therefore the draft needs to be remanded to consider more housing, affordability for all, and fewer traffic lanes.
Thank you for your time, hard work, and careful consideration!
I like what the plan is for the streets. I like the protected bike lane idea the most. I just wish the bike lane was protected all the way along Shattuck to Rose Street where the Safeway is located.

The only thing I don't like about the plan is the flea market. The planning documents say that the community likes the flea market. From I have seen, the flea market is an easy way to sell stolen goods. Has a survey been given to show vast community support for the flea market? I haven't spoken to anyone who likes the flea market. I support more housing on that lot and a smaller flea market in the parking lot.
July 19, 2019

To: adelinecorridor@cityofberkeley.info
Alisa Shen / Adeline Corridor / Planning Department

LPC COMMENT LETTER ON ADELINE CORRIDOR PLAN

The City of Berkeley Landmarks Preservation Commission appreciates the opportunity to review and comment on the draft Adeline Corridor Specific Plan and its associated draft Environmental Impact Report. In June and July, 2019, the Commission took public testimony and heard a staff presentation on the Plan, and discussed possible comments. I was directed to prepare this comment letter, which was then reviewed in draft form by Commission members before finalization. These are our comments:

(1) Specific errors and omissions in the listings and identification of designated or listed historic resources should be corrected, as noted in testimony and correspondence from John English and others.

(2) In the description of the history of the Adeline Plan area there should be more detailed narrative and context on local African-American history that centered in this area, not simply a mention of two individuals. The narrative should note others of the many African-American community leaders who have lived in or nearby the Plan area going back to the early 20th century, and the role of African-American businesses and community organizations in this district. Please reach out to the Commission and the local African American community for more specific information on expanding this narrative.

(3) Various maps in the draft Plan label designated landmarks and “known” and “potential” historic resources but do not provide a definition of “potential” and do not define how they might have been distinguished by the Plan drafters from presumed “non-potential” historic resources. This wording needs to be clarified since it is not standard preservation language.

It is important for the Plan authors to realize that Berkeley does not yet have comprehensive lists and surveys of historic resources, particularly in the Plan Area; rather, existing designated historic resources have come about in a patchwork of community-initiated landmark applications and much research and study remains to be done before conclusions can be drawn about historic significance for many buildings. The last—and only—Citywide historic survey was done nearly half a century ago.

It is also a cause for concern that the cultural resources map omits from even “potential” historic consideration a large number of older properties—including early 20th century commercial buildings along Alcatraz on either side of Adeline—that have never been individually studied for historic significance.

A better approach would be to drop the ambiguous term “potential” and instead map all buildings over 50 years old in the Plan Area, identifying them as particular structures and sites that should be researched and studied for historic and cultural significance.
To help accomplish this, a provision for a thorough district historic evaluation should be included in the Plan. Currently Section 3-19 Historic Resources, Historic Preservation and Adaptive Reuse states that “the City could consider seeking grant funding to prepare a Plan Areawide HRE (as was prepared for the Downtown Area) to identify any remaining resources that should be protected.” This is only a tepid nod to preservation and has too many qualifications such as “could consider” and a reliance on “grant funding”. We note that for the past two years the Commission has urged the City Council and staff to actively pursue applications for specifically available Federal grant funds to do historic studies for commercial districts in Berkeley, and this has not taken place.

As it is currently written the Plan language will have no force in the implementation of the Plan and it is likely no public historic studies will be funded or undertaken as a result.

The wording should be changed to a more robust recommendation: “The City should fund an areawide Historic Resources Inventory similar to that undertaken for the Downtown Plan area. Grant funds might also be sought to supplement the City funding.”

(4) The description of the North Adeline subarea says that “Historic preservation and the adaptive reuse of culturally and historically valuable buildings will be particularly important” in that area. The South Shattuck area description should contain the same wording since it has similar percentages of culturally and historically valuable buildings, including two designated landmarks and one complete block face of late 19th and early 20th century commercial buildings (Dwight to Blake).

(5) The DEIR may be in error in saying that there were not watercourses in the Adeline vicinity. Some historical accounts mention a pond or wetlands in the area where Ashby BART is now. This is relevant since the assumed absence of watercourses is used to support a DEIR conclusion that there is only a low likelihood of pre-Contact remains in the study area.

(6) The DEIR and Plan should be revised to note that pre-Contact and historic era archaeological remains might exist on private property in the Plan Area. It is correct to note that the main public streets in the area—much of Shattuck, and Adeline—have been significantly disturbed and excavated to a considerable depth by construction of BART, but the same is not true for side streets or the many private properties lining all the streets. The DEIR mitigations do not address possible archaeological discoveries on private property, although development on private property, including some deep excavation for building foundations, is a foreseeable result of the Area Plan. The mitigations should be expanded to include all areas, not just publicly owned areas.

(7) The Land Use section of the Plan should include a provision for physical and on-line interpretative materials on the history of the area and its communities such as neighborhood history plaques.

Sincerely,

Steven Finacom
Vice Chair, On behalf of the Landmarks Preservation Commission
cc: Landmarks Preservation Commission members
     LPC Secretary Fatema Crane
Date: Mon 6/17/2019 6:44 PM  
From: Sabrina Maras sabrina.maras@gmail.com  
Subject: comments Adeline Corridor Plan  
To: adeline corridor <adelinecorridor@cityofberkeley.info>

Dear City Planners,

I live on Woolsey at MLK. I have lived in Berkeley for over 25 years, born in Napa, CA. I have traveled the world and have seen cities that have plenty of housing, and plenty of charm. I loved the character of Berkeley—charming old buildings—until the new condos and office buildings started springing up on Shattuck Ave. The architecture is so ugly, cold and characterless, reminding me of a computer chip. A brutalist, soul-less city architect designed these hideous boxes.

I beg the city to NOT build these horrid boxes all the way from Shattuck down Adeline. Berkeley will lose its charm and uniqueness if you go for the status quo. There are ways to make the condos look charming/interesting/aesthetically pleasing. Don't make Berkeley another downtown San Diego--full of brutalist apartments and gawdy restaurants and mass-produced everything. Please. SAVE BERKELEY'S UNIQUE CHARACTER.

Also, remember that some people need to drive due to disability. So please help plan how thousands more commuters are going to all fit into the Ashby Bart parking lot condos.

Sabrina Maras
Adeline Corridor Plan

Adeline Corridor comments

I write these comments as an individual, but informed by my experience as an advocate for Berkeley's parks, and in recognition of the concerns of Parks and Waterfront Commissioners.

The Adeline Corridor masterplan would add 1450 additional housing units, about a 3.5% increase in Berkeley's housing stock—a laudable development in the Bay area’s tight housing market. Those units would be added within walking distance of the Ashby Bart station, minimizing the carbon footprint of the residents. However, this part of Berkeley is sadly devoid of sufficient park space, and unless the public areas within the planning area are carefully designed and built, the new residents will increase pressure on parks throughout Berkeley. Although Measure F has staunched the bleeding of a steady decrease in funding for park maintenance, it will be years before the accumulated problems in the park system can be fixed.

Therefore, it is important that the public space within the planning area be designed, built, and maintained to meet the needs of the new residents. There are currently two public gathering areas in the planning area—used as a Flea Market and Farmer’s Market. Clearly there is a need for public gathering space.

The plan’s proposal to put a portion of the corridor on a “street diet” provides an opportunity to provide that public space. However, designs relying on a corridor within the median may not be the best approach. Berkeley has about 9 miles of street medians, but the increasing incidence of droughts and tight budgets within the Parks division mean those areas have relatively little value for recreation, habitat, or green infrastructure. The draft plan has some general language that supports use of these areas for public space, but that language should be tightened to require both sufficient public space, and a public process for review of the design.

Berkeley does not have an ordinance that requires an in-lieu fee to make sure that new residential units pay a fair share of the costs of the park system that they will utilize. Therefore, it is important that the underlying financing structure includes sufficient tax revenues to cover an equitable portion of park maintenance, as well as public areas within the corridor. There are 230 acres of parks in Berkeley, and about 41,000 dwelling units. It could be argued that if the new residents were to provide park facilities in the same proportion as those that already exist, they should provide over 6 acres of new parks. Or perhaps they should improve a similar acreage in the vicinity of the Adeline Corridor.

I am not suggesting that we burden the new housing units, and particularly those that are affordable, with such a large contribution to parks. But I am suggesting that providing sufficient park area should be an element of the plan. One way to accomplish this might be to ensure that redevelopment of the Adeline Corridor includes Greg Brown Park, and integrates improvements in that park that make it a community asset as part of the project.
Hi,

With the likely development of apartments at Ashby BART Station, I think it would be wise to consider maximizing the retail space with functions that most benefit the wider community such as childcare, etc.

Thank you
To: Whom it May Concern
From: Toni Mester
July 19, 2019

RE: Comments on the Adeline Corridor Specific Plan DEIR

The Plan and its DEIR reflect the concerns of the community about displacement and affordable housing by proposing incentive development standards for new housing (Tables 3.2-3.5), but not those of neighbors who have raised issues in appeals of the very developments that serve as references and models for future buildings.

It’s unclear how the planners derived the number of new units in each segment that add up to 1,450 new units for the Plan Area in Table 1-1. Which lots precisely were chosen from the inventory of potential housing that is periodically assessed in the housing element? How many square feet in each lot and how many square feet total? In other words, what is the development footprint of the Plan Area? What % of the projected 1,450 units is expected to be affordable (below market rate) in each segment? Which of the development scenarios (Tables 3.2-3.5) are likely to be chosen by private or non-profit developers and why? How many public or non-profit development applications are expected? What factors would influence the applications from private, public, and non-profit developers? Are the expectations for the use of these standards realistic, based on the experience in Berkeley and other Bay Area cities?

Do the development standards in the four tables describe the base project in each segment, but not the project with the density bonus? In that case, the tables should be expanded to show the likely build out with a 35% density bonus including columns for height and FAR. For example, the base standards (Table 1.1) are 120 du/acre but would be 162 du/acre in South Shattuck with a 35% density bonus, 135 du/acre in North Adeline and so on. For an accurate comparison with the heights, density, and FAR of recently completed or approved projects, the tables should also show the likely heights, density, and FAR after the density bonus, not just the base.

To compare the proposed standards with some nearby completed or approved projects, I created a table that shows their densities, heights, and FAR after the density bonus. Did the planners use these and/or other projects to model the proposed standards, which specifically? To adequately compare the standards, the planners should also compare the heights of the model projects and the heights when the density bonus is added to the proposed standards.
The proposed base heights and FAR (mass) of buildings in South Shattuck are greater than the proposed standards along Adeline, similar to other projects in the area like 2015 Blake and 2451 Shattuck. But with the incentives, the height and mass would approximate the size of buildings in the downtown. Projects built according to the standards in Table 3.3 would continue the scale of downtown southward, creating a clash in transition with the mostly one and two story homes in adjacent neighborhoods. Projects could reach 7 stories with an FAR above 3.5 and densities of 229 du/acre. That’s higher, more massive, and denser than Parker Place (2598 & 2600 Shattuck) and should be reduced. Consider the controversies surrounding 2701 Shattuck Avenue at 5 stories, 2.4 FAR, and 211 du/acre, which now in its 2nd iteration and 3rd appeal. How can buildings at the proposed standards be made more acceptable to adjacent neighbors?

The standards for the higher incentives would produce buildings up to 9 stories in South Shattuck and 7 or 8 stories along Adeline. Such massive proportions exceed most of the downtown buildings and would not be acceptable to the community, who want 4-7 stories at the Ashby BART station according to the Plan. The proposed scale for the incentive buildings is excessively large, and the setbacks inadequate to create an aesthetic and balanced transition to the neighborhoods.

Rather than rigid setbacks, the Plan should use the daylight plane featured in the El Cerrito San Pablo Avenue Specific Plan and other cities. For many years, the City of Berkeley has required developers to create shadow studies that do not result in any objective measurement to determine if the shadowing of a neighboring property or the public right of way is significant enough to warrant a redesign. The Plan should institute objective standards for shadows on the east side of Shattuck and Adeline similar to those in the University Avenue Plan north side and other cities. Please include the California Solar Rights Act in the regulatory framework and explain how it relates to design standards and access to sunlight. Many cities such as Richmond refer to the Act in their General Plan.

The City has formed the Joint Subcommittee on Implementing State Housing Laws (JSISL) that is charged with developing objective standards, but the development standards in the Plan continue the unfortunate tradition of vague and subjective standards such as the footnotes of tables 2.2-2.5 that state “…new construction shall be set back from the shared property line by 20 feet for the portion of the building that exceeds 35 feet unless a Use Permit is granted to reduce the setback where it is found to be unnecessary to protect neighborhood sunlight access and privacy.” The conditional clause beginning with UNLESS is written in the passive voice. WHO determines what is necessary to protect neighborhood sunlight access and privacy? These weasel words undermine the
property rights of neighborhood homeowners and should be replaced with objective protections such as the daylight plane.

In determining densities, how will co-living arrangements be counted? In such buildings, there are many bedrooms and fewer bathrooms and often just one kitchen. What will constitute a unit if units/acre is used as a density standard? How will the densities of dormitory and other group living situations be calculated?

What community benefits will be required at each of the development incentive levels?

In Plan chapters 3.3 and 3.4 design and neighborhood transitions, are these assured outcomes or just hopeful ideas? Are they enforceable? Who will decide whether the proposed building fulfills this conceptual framework?

It would be helpful if the Plan could include graphics that depict the building envelopes produced by each of the base projects next to a single story home and a two-story house.

In the street configurations, how many new trees will be planted and what species? My other DEIR comments are contained in the Sierra Club letter.

In general, the Adeline Corridor Specific Plan is disconnected to its surrounding neighborhood, as if transit corridor/avenue development related to or solved the problems of the neighborhoods. It doesn’t. The Berkeley experience shows a clash of interests as large developments produce traffic, parking demands, noise, shadowing, and view blockage. The displacement of low-income residents will not be solved by these large developments; neither will they provide enough affordable housing that the neighbors desire. Development may exacerbate the problem as students and singles living in apartments enter a well-paid workforce, marry, and look for houses nearby.

Attachment: density, heights, and FAR table.
Densities, heights and FAR of residential projects near the Adeline Corridor Plan Area after the density bonus has been applied to the base project

<table>
<thead>
<tr>
<th>Address</th>
<th>units</th>
<th>lot area</th>
<th>acreage*</th>
<th>density units/acre</th>
<th>height/stories</th>
<th>FAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>2072 Addison</td>
<td>66</td>
<td>10,230</td>
<td>.23</td>
<td>287</td>
<td>7</td>
<td>6</td>
</tr>
<tr>
<td>2028 Bancroft</td>
<td>37</td>
<td>7215</td>
<td>.16</td>
<td>231</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>2150 Kittredge</td>
<td>165</td>
<td>32,598</td>
<td>.74</td>
<td>223</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>2538 - 42 Durant</td>
<td>32</td>
<td>6292</td>
<td>.14</td>
<td>229</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>2015 Blake</td>
<td>155</td>
<td>41,747</td>
<td>.95</td>
<td>163</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>2035 Blake</td>
<td>82</td>
<td>22,688</td>
<td>.52</td>
<td>158</td>
<td>5</td>
<td>3.8</td>
</tr>
<tr>
<td>2352 Shattuck No.</td>
<td>137</td>
<td>30,481</td>
<td>.69</td>
<td>199</td>
<td>8</td>
<td>5.9</td>
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<tr>
<td>2352 Shattuck So.</td>
<td>69</td>
<td>16,564</td>
<td>.38</td>
<td>182</td>
<td>8</td>
<td>5</td>
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<tr>
<td>2451 Shattuck</td>
<td>100</td>
<td></td>
<td></td>
<td>169</td>
<td>5</td>
<td>4.5</td>
</tr>
<tr>
<td>2598 Shattuck</td>
<td>28</td>
<td></td>
<td>.21</td>
<td>136</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>2600 Shattuck</td>
<td>112</td>
<td></td>
<td>.72</td>
<td>156</td>
<td>5</td>
<td>3.6</td>
</tr>
<tr>
<td>2628 Shattuck</td>
<td>78</td>
<td>16,340</td>
<td>.37</td>
<td>211</td>
<td>6</td>
<td>4</td>
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<tr>
<td>2701 Shattuck</td>
<td>57</td>
<td>11,826</td>
<td>.27</td>
<td>211</td>
<td>5</td>
<td>2.4</td>
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<tr>
<td>2902 Adeline</td>
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<td>14,065</td>
<td>.32</td>
<td>169</td>
<td>6</td>
<td>4.5</td>
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<tr>
<td>3031 Adeline</td>
<td>42</td>
<td>12,257</td>
<td>.28</td>
<td>150</td>
<td>5</td>
<td>3</td>
</tr>
</tbody>
</table>

*acreage is calculated by dividing lot area by 43,560 square feet (one acre) the density is then calculated by dividing the number of units by the acreage. if the acreage is omitted, the density was listed in Table 4-3, 4-4 or 4-5 of the 2015-2023 housing element
Pamela Michaud
pamelamichaud@sbcglobal.net
Fri 7/19/2019 12:10 PM

Adeline Corridor EIR - incorrectly lists OAKLAND Bushroad park in list of parks

From: Pamela Michaud, 1819 63rd Street, Berkeley, CA

To: adelinecorridor@cityofberkeley.info

Subject: Adeline Corridor EIR, Impact PS-4

On the Draft EIR, page 4.11-7, under Parks and Recreation, the last bullet point, is listed Bushrod Recreation Center. While the EIR does state this is a City of Oakland park, in my opinion this is misleading and embarrassing, and this item should be removed.
Adeline Corridor EIR-Impact PS-4, p. ES-18 - no new parkland & plan ignores mandate to correct greenspace disparities in SE Berkeley

From: Pamela Michaud, 1819 63rd Street, Berkeley, CA
To: adelinecorridor@cityofberkeley.info
Subject: Adeline Corridor EIR, Impact PS-4

1) **Impact PS-4, p. ES-18**
   a) The EIR PS-4 contains the following inaccurate statement on page ES-18: “**However, the Specific Plan would result in the development of new parkland to meet demand for recreational spaces in the Plan Area.**”
      i) In my opinion, and after reading both the entire Specific Plan and the EIR:
         (1) There is no new parkland specified in the plan; **and**
         (2) In fact, the plan calls for eliminating most of an existing greenspace and the buffering service it provides to the Berkeley neighborhoods to the east of the BART tracks; **and**
         (3) The plan ignores the Berkeley City Council’s direction to correct “**disparities in access to greenspace,**” especially in Southeast Berkeley, and specifically as part of the Adeline Corridor project; **and**
         (4) The EIR itself acknowledges that the “**distribution of recreational facilities across Berkeley is uneven**”...(EIR p. 4-11-7) “**Parks near the Plan Area tend to be small and residents and users of the Plan Area, particularly South Shattuck Avenue, have to travel further than some Berkeley residents to parks that are not committed primary to school use (City of Berkeley 2015a) (EIR p. 4-11-8).**”
         (5) The Plan hopes to change the building codes only for C-SA parcels in South Berkeley, so that buildings will have a low-to-very-low income required 20% and hoped-for 50% target with no ‘fee out’ as is allowed in the rest of Berkeley. Yet low-to-very-low income residents will not be able to afford to use even public transit to other areas of Berkeley that have parks and recreational facilities.

   b) The plan calls for eliminating the greenspace on Adeline Street just west of where the BART tracks go underground, currently the site of the “Here/There” artwork and the current “First They Came for the Homeless” encampment, and then ‘straightening out’ concurrent Martin Luther King/Adeline to run immediately adjacent to the BART wall in order to:
      i) Create a safer intersection by creating 90 degree turns in the intersection;
      ii) Create a more rational ‘plaza’ space alongside Stanford.
      (1) First, the city of Berkeley does not own all this greenspace, just a narrow right-of-way strip; most is owned by BART, and the space was created at the construction of BART in the late 1960-early 1970s as required in the building and maintenance of BART. Please note are 3 BART gates into the side and top of the BART tracks as they descend into the tunnel heading to and from Ashby station – 1 on the West side where this greenspace is. These gates give access to the BART tracks and tunnels as needed for maintenance, and, even more
importantly, in the event of an emergency on the BART tracks or in BART trains in the tunnel. For emergencies, the greenspace on both the east and west sides of the BART tracks will be used as a staging area by first responders. For example, if injured riders were pulled out of the tunnel, they could be triaged on the 2 greenspaces, and emergency vehicles and first responders could gather on the greenspaces.

(2) Second, when BART was first created, each BART car was supposed to carry 54 riders. Now, BART cars carry 150 riders when ‘packed’ as the cars frequently are during commute hours on the Richmond line.

(a) In my opinion, BART has more, not less need of staging areas when dealing with a four-to-ten-car BART train that can carry 600-1,500 riders or even 2 ‘packed’ ten-car BART trains that could carry up to 3,000 riders.

(3) Second, BART has not listed its parcels on its website listing BART Excess Land so the City of Berkeley does not have access to even buy the BART land. [https://www.bart.gov/about/business/tod/land](https://www.bart.gov/about/business/tod/land)

(4) Third, BART and the City of Berkeley co-created this greenspace and the wider road and the greenspace immediately across the BART tracks as noted in the BART and the City of Berkeley existing 1966-1971 MOU. BART purchased these areas, provided the original landscaping for these areas, and the City of Berkeley is supposed to maintain the landscaping and provide first responder attention to the areas.

(5) Fourth, the neighborhood in an area lacking trees and greenspaces would lose the west side greenspace and the ten-plus mature trees on the greenspace.

(6) Fifth, straightening out concurrent Martin Luther King Jr. Way/Adeline Street would increase the speed of the traffic along that stretch of road.

(7) Sixth, the west and east side greenspaces both act as ‘mini-green-lungs’ to absorb and buffer auto fumes and noise generated from the close proximity of Martin Luther King Jr. Way, Adeline Street, Stanford, and Alcatraz Avenue, thus reducing their impact on the Berkeley neighborhoods to the east of the BART tracks.

(a) In yet another historic inequity, the South Berkeley neighborhoods immediately adjacent to the BART tracks and tunnel area did not get the promised and paid-for on Berkeley property taxes undergrounded BART trains enjoyed by all the other areas of Berkeley. These neighborhoods hear BART up to almost 20 hours a day.

iii) In my opinion, future use of the greenspace west of the BART tracks, currently specified in the plan as to be removed, should be a dog park for South Berkeley, just like the dog park provided to North Berkeley on the Ohlone parkway. This allows both community use of the space, and access by BART and City of Berkeley first responders.

c) In addition, the EIR and the Specific Plan completely ignore the city’s mandate to correct “disparities in access to greenspace, especially in Southeast Berkeley”, an area that falls within the Specific Plan.

i) For City Council’s mandate to correct disparities in access to greenspace, see attached document from City Council November 14, 2017 Action Calendar, item from Ben Bartlett and Kate Harrison, Subject: Referral to the City Manager: Equitable Access to Greenspace, page 1 of 14, “Future parks and greenspace
investments should be targeted at reducing disparities in access to greenspace. The Southeast Quadrant of Berkeley (Attachment 1) should be prioritized for any such investments, as it has the least access to parks and greenspace, both by number and by acreage. The City should investigate strategies for expanding park capacity including assessing prime areas for developing new parks and greenspaces, such as in the Adeline Corridor and Santa Fe ROW. The Adeline Corridor Plan must consider and account for increasing greenspace in the Southeast Quadrant of Berkeley, and explore innovative ways for integrating greenspace into our urban environment.”

d) Finally, the Plan while not providing parks and recreational facilities in the Plan Area, wants to change the building codes only for C-SA parcels in South Berkeley, so that new multi-resident buildings will have a low-to-very-low income residents required 20% and hoped-for 50% target with no ‘fee out’ as is allowed in the rest of Berkeley. Yet low-to-very-low income residents will not be able to afford to use even public transit to other areas of Berkeley that have parks and recreational facilities.

i) This strategy will create ‘project-like’ buildings in South Berkeley, without recreational amenities. Low-income residents will be forced to the streets when they need to ‘escape’ their dwellings. The Plan does not provide a safe, enriching publicly-funded environment for the economically vulnerable residents, and this in turn will cause the businesses in the area to struggle and fail because sidewalks will be used to ‘replace’ parks and recreational facilities.

ii) This strategy will further damage the relationship between South Berkeley residents of every income level and the City government.
AGREEMENT

THIS AGREEMENT made and entered into this 20th day of April, 1971, by and between the SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT, hereinafter called District, and the CITY OF BERKELEY, a municipal corporation, hereinafter called City,

WITNESSETH:

The agreement between the parties dated May 3, 1966, entitled

WHEREAS, District and City have heretofore entered into an agreement dated May 3, 1966, setting forth the respective duties, responsibilities and obligations of District and City in regard to the construction of District's rapid transit facilities in the City of Berkeley as part of its Berkeley-Richmond line; and

WHEREAS, Paragraph XIV of said agreement provides that: "In the event that the final design is made by the City of its subway line or subway construction beyond the termini set forth in Alternate B, as provided in Exhibit A (Exhibit), Sheets 15-1 through 15-2, the agreement dated October 22, 1964, hereinafore referred to, some of the provisions of Exhibit B referred to as "heretofore" will not be applicable and, to such extent, District and City will negotiate and enter into a supplemental agreement"; and

WHEREAS, City has elected to extend the subway construction beyond the termini set forth in Alternate B, and pursuant to such election, District prepared plans and specifications for such extended subway construction, including subway stations in South Berkeley (Ashby Station) and North Berkeley (North Berkeley Station); and

WHEREAS, District let contracts for and is in the process of completing construction of the extended subway lines, the transition

1.
Structures, and the subway stations; and
acquisition.
WHEREAS, it is necessary and desirable that this supplemental agreement be entered into to modify some of the provisions of the agreement of May 3, 1966, as contemplated by and provided for in paragraph XIV of said agreement.

NOW, THEREFORE, in consideration of and pursuant to the mutual covenants, conditions and terms hereof, District and City agree that the agreement between the parties dated May 3, 1966, shall be modified as follows:

1. Exhibit A, "Sanford Creek Culvert Design."

GENERAL

1. The following Exhibit drawings to this agreement are on file in the offices of the City Clerk of City and the Secretary of District and by this reference are made a part hereof as if attached hereto and are as follows:

1. Exhibit A (Revised), Sheets 101-1 through 116-1, 303-1 through 319-1, 321-1 through 327-1, and 401-1 through 417-1, "Berkeley-Richmond Line."

2. Exhibit B (Revised), "Tabulations of Quantities and Costs."

3. Exhibit C (Revised), "Property Acquisition - Grove in Vicinity of 62nd Street."

4. Exhibit D, "Property Acquisition - Grove-Adeline, east side, 62nd Street to Harmon Street."

5. Exhibit E, "Property Acquisition - Hearst Avenue, Milvia to Shattuck Avenue."
6. Exhibit F, "Property Acquisition - Hearst-Dale-to-
Wares-Milvia Street to Sacramento Street."
8. Exhibit D, "Property to be granted to City by
District - North Berkeley Station Area."
10. Exhibit J, "Strawberry Creek Culvert Design."
be amended to read as
follows:

**III. Utility Work**

District at its expense shall rebuild, enlarge and
relocate the Strawberry Creek Culvert pursuant to plans and specifi-
cations theretofore prepared by it as shown on Exhibit F, 4, 5 and 6 of
District’s Exhibit A.

On acceptance of the storm drain constructed by Dis-


tinct in its right-of-way and the Atchison, Topeka and Santa Fe Rail-

way Company’s right-of-way between Hopkins Street and approxi-
mately

fifteen (15) feet north of Neilson Street, District shall acquire and
convey to City a utility easement approximately seven (7) to eight
(8) feet in width for City’s operation, maintenance and repair of the
storm drain located in said easement. Said easement is delineated and
shown on Exhibit A and is subject to approval by the City Engineer.

District shall convey to City a sewer easement exactly
three (3) feet in width along the entire frontage of property owned by District on the east side of Sacramento Street from Delaware Street northerly. Said easement is delineated and shown on Exhibit A.

Paragraph III.H. thereof shall be deleted and paragraph III.I. shall be relettered paragraph III.H. City shall issue all permits necessary. Paragraph IV.A. thereof shall be amended to read as follows:

IV. LANDSCAPING: The District shall be or require the contractors to A. Areas to be landscaped: any landscaping work prescribed herein from the District. At its cost and expense shall landscape the following:

1. Certain areas south of Alcatraz Avenue, the gow of Grove and Adeline Streets at Wobsey Street, and unless District elects to proceed as provided in paragraph IV.D., certain areas north of the portal of District's North Berkeley Station, all as shown on Exhibit A.

2. Planter boxes at Entrances 2, 4, 5 and 6 of District's Central Berkeley Station as shown on Exhibit A.

District at its cost and expense shall plant street trees on the perimeter of the North Berkeley and Ashby Station parking lots, areas without the prior written approval of District:

5. Paragraph IV.C. shall be amended to read as follows:

IV. Maintenance: Provided the area is maintained in writing

1. District shall maintain all landscaping described in paragraph IV.A.1 until the time it is accepted by City Manager of City; provided such work is accepted or rejected by the City Manager within thirty (30) days after completion thereof. The City Manager
shall accept the landscaping described in paragraph IV. A. 1. upon completion of any contract pursuant to which such landscaping is being done; provided such landscaping has been performed in accordance with the plans and specifications therefor. Upon acceptance of said landscaping by the City Manager, City shall assume all responsibility for the maintenance thereof in accordance with the provisions hereof; provided, however, that District shall be or require its contractors to be responsible for the repair of any landscaping work necessitated because of defective workmanship or use of defective materials for a period of ninety (90) days from and after the acceptance of thesaid installation or planting in those areas out of the control of such work by the City Manager.

Those areas shown in the Exhibit Drawings to be landscaped by District will be maintained by City in a condition equal to that of other landscaped areas maintained by City in the public right-of-way.

City shall not cause or permit any sign, notice, advertisement or anything of similar nature to be affixed or fastened to District facilities within the landscaped areas. No street furniture, playground equipment or any other facilities shall be added to the landscaped areas without the prior written approval of District.

In the event District intends to utilize these landscaped areas for other purposes, City shall be advised in writing ninety (90) days in advance to permit removal by City if it desires to do so of any trees, plant material, sod or any other materials relating to such landscaped areas which will become property of City.

District shall repair or pay City to repair any and
all damage to landscaping or irrigation systems that may be caused by District, its agents or contractors.

2. City shall maintain all street trees planted by District pursuant to Paragraph IV.A.2. upon completion of any contract pursuant to which the street trees were planted.

6. Paragraph IV.D. shall be amended to read as follows:

D. Landscaping to be constructed by City at District's election.

At the election of District, City will, upon written notice from District, prepare plans and specifications for the construction and installation of landscaping on those areas north of the portal of District's North Transition Structure as shown on Exhibit A and described in Paragraph IV.A.1(a) hereof, which plans and specifications will be subject to the written approval of District. Upon receipt of District's written approval of said plans and specifications, City will award the contract for the aforesaid landscaping within the 1971-72 fiscal year and will administer the construction and installation of the aforesaid landscaping in accordance with the approved plans and specifications. Within ninety (90) days of District's approval of said plans and specifications, District will pay City the sum of Thirty Thousand Dollars ($30,000.00), which payment shall be District's total contribution to City for the costs of said landscaping, including but not limited to the costs of preparing plans and specifications therefor and the costs of construction and installation. Prior to the approval of said plans and specifications hereunder, District must determine that said plans and specifications will require landscaping of a nature and quality commensurate with District's contribution therefor.
In the event that District obtains a beautification grant from the Federal Department of Housing and Urban Development for said landscaping, City agrees to comply with all applicable requirements, rules and regulations of the Department of Housing and Urban Development with regard to the HUD grant to District and further agrees to include in any and all construction contracts for work hereunder all such special provisions, terms and conditions required by HUD to be included in construction contracts in connection with fire, police, fire alarm facilities and other City installations.

Upon completion of said landscaping, City will assume full responsibility for the maintenance thereof at no cost to District, in accordance with the provisions of paragraph IV. Paragraphs V.E. and V.F. shall be amended to read as follows:

IV. OTHER WORK.

District at its expense shall construct a walkway at least four (4) feet in width, completely improved and lighted, within District's right-of-way between Nelson Street and Curtis Street as delineated and shown on Exhibit A. Upon completion of said walkway and acceptance thereof by the City Manager, District shall convey to City and City shall accept an easement for City's maintenance thereof, and City shall thereafter maintain said walkway in its entirety.

F. Street Lights, Traffic Signals, Fire Alarm Facilities and other City Electrical Installations.

City shall perform all work required for relocation, modification, revision, restoration or installation of street lights, traffic signals, fire alarm facilities and other City electrical instal-
installations required to accommodate District's construction of its transit facilities, and installation of temporary traffic signals incidental to the construction of such transit facilities as indicated below, all at District's expense. In no event shall District's obligation hereunder exceed the amounts indicated below. All materials salvaged from temporary traffic signal installations shall become the property of District.

1. Existing and New Street Lights, Traffic Signals, Fire Alarm Facilities and Other City Electrical Installations.

The cost to District for relocation, modification, revision, restoration and installation of street lights, traffic signals, fire alarm facilities and other City electrical installations as required in connection with the performance of District's contracts in Berkeley shall not exceed One Hundred Ninety-Four Thousand Dollars ($194,000.00).

2. Temporary Traffic Signals.

Temporary traffic signals shall be installed at the following locations when, in the opinion of the Director of Public Works of City, such signals are required for the proper accommodation and control of public traffic in passing through or adjacent to the construction area or in bypassing the construction area:

a. Shattuck Avenue at Ward Street.
b. Shattuck Avenue at Channing Way.
c. Channing Way at Fulton Street.
d. Hearst Avenue at Milvia Street.
e. Grove Street at Berkeley Way.
The cost to District for such temporary traffic signals shall not exceed Thirty-five Thousand Dollars ($35,000.00).

Paragraph VI thereof shall be amended to read as follows:

VI. LAND ACQUISITION.

A. Adeline Street, 62nd Street and Grove Street.

District has acquired and intends to acquire certain properties on Adeline Street, 62nd Street and Grove Street for the construction of its transit facilities and necessary street realignment. City desires that additional portions of the same properties be acquired on behalf of City for street widening purposes. The properties on Adeline Street, 62nd Street and Grove Street acquired or to be acquired for such purposes are shown on Exhibits C and D. City agrees to pay District as its entire share for said portions of said properties the sum of One Hundred Three Thousand Dollars ($103,000.00).

B. Hearst Avenue between Shattuck Avenue and Milvia Street.

District has acquired certain properties on Hearst Avenue for the construction of its transit facilities and necessary street realignment. City desires that additional portions of the same properties be acquired on behalf of City for street widening purposes. The properties on Hearst Avenue acquired for such purposes are shown on Exhibit E. City agrees to pay District as its entire share for said portions of said properties the sum of Twelve Hundred Dollars ($1,200.00).
D. Hearst Avenue and Delaware Street, between Milvia Street and Sacramento Street.

District has acquired certain properties on Hearst Avenue and Delaware Street for the construction of its transit facilities and necessary street realignment. City shall have the option to acquire from District portions of said properties for street purposes. Such properties are shown on Exhibit F. City shall have until June 30, 1972, to exercise its option to acquire said properties and the price therefor shall be the sum of Four Hundred Thirty-two Thousand Dollars ($432,000.00).

9. Paragraphs VIII.A. and C. thereof shall be amended to read as follows:

VIII. PAYMENT OF COSTS.

A. Street Work and Engineering.

The cost of all street work and engineering costs for streets adjacent to the South Transition Structure to be performed by District and borne by City shall be offset against the cost of all street work to be performed by City and borne by District. The difference between such costs is set forth in Exhibit B and is the sum of Fifty-four Thousand Nine Hundred Eighty-one Dollars ($54,981.00). Said sum shall be paid to City by District not later than one hundred fifty (150) days after the date of this agreement.

C. Land Acquisitions.

The cost of land acquisitions to be borne by City as provided in paragraph VI hereof shall be paid by City to District as follows:

1. Acquisitions pursuant to subparagraph A not
later than one hundred fifty (150) days after the date of this agreement.

2. Acquisitions pursuant to subparagraph B, not later than one hundred fifty (150) days after the date of this agreement.

3. Acquisitions pursuant to subparagraph C within one hundred fifty (150) days after City exercises its option to acquire said property.

10. Paragraph IX.C. thereof shall be amended to read as follows:

IX. ABANDONMENT, CLOSURE AND DEDICATION OF STREETS.

C. Conveyance of Properties and Easements.

1. All properties and easements to be conveyed to City by District to be used by City for public street, walkway, storm and sanitary sewer purposes, as delineated on Exhibits A, C, D, E, G, H and I, shall be conveyed within one hundred fifty (150) days after the date of this agreement.

2. In the event that City exercises its option as provided in paragraph VI.C., District shall convey to City the fee title to all properties as to which the option is exercised upon payment by City of the purchase price thereof.

11. Paragraphs X.A. and X.B.6 thereof shall be amended to read as follows:

X. PROSECUTION OF WORK AND MAINTENANCE.

A. Traffic Control and Traffic Routes.

During periods of construction of transit facilities, District shall pay all costs incurred to meet the requirements for
traffic maintenance and control as provided in that certain document prepared by City entitled "Requirements for Traffic Maintenance and Traffic Control, BARTD Berkeley Contracts," dated April 29, 1966, and as subsequently modified and included in BARTD Berkeley contracts, District, in any future contract, shall require that all contractors and subcontractors comply with appropriate provisions of such specifications.

B. Maintenance.

C. Miscellaneous.

a. Ashby Station structure in Adeline Street shall be maintained by District except that the street wearing surface will be maintained by City.

b. District shall maintain and be responsible for the repair to all curbs, gutters, sidewalks and driveways adjacent to properties owned by it.

In all other respects, the agreement between the parties dated May 3, 1966 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have set their hands and seals.
on the day and year first above written.

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

By James D. Sturdy

President

By Eugene E. Buur

Asst. Secretary

CITY OF BERKELEY

By Wallace B. Johnson

Mayor

By W. C. Hanley

City Manager

By Edythe Campbell

City Clerk

Registered by:

Approved as to form:

By Myra L. Ashley

Auditor

By Robert D. Anderson

City Attorney

By George G. Ender

Director of Finance
From: Pamela Michaud, 1819 63rd Street, Berkeley, CA pamelamichaud@sbcglobal.net
To: adelinecorridor@cityofberkeley.info
Subject: Adeline Corridor EIR, Impact PS-5

1) Impact PS-5, p. ES-18

a) The EIR PS-5 contains the following inaccurate statement on page ES-18: “However, existing senior facilities would have adequate capacity to accommodate an incremental increase in demand in the Plan Area.”

i) I am concerned that the Adeline Project plans to add more senior residents, especially with a concentration of vulnerable Senior citizens who are low-to-very low income with a target of 50% affordability, when the City of Berkeley has not maintained needed safety community centers in South Berkeley as it has in North and Northwest Berkeley.

ii) I am concerned that the Adeline Project plans to add more low-income senior residents when the recreational facilities in both Central and South Berkeley are sub-standard compared to those in North Berkeley.

https://www.cityofberkeley.info/Parks_Rec_Waterfront/Recreation/Community_Centers.aspx

(1) Example – Community Centers: Currently the City of Berkeley is using property tax-funded T-1 Bond funds (passed to address infrastructure needs) and FEMA funds to perform seismic retrofits of the North Berkeley Senior Center in North Berkeley, the Live Oak Park Community Center in North Central Berkeley, and has completed a seismic retrofit at James Kennedy Community Center in Northwest Berkeley. The Community Centers including the Senior Centers are where residents who have lost their housing due to a disaster such as an earthquake are supposed to go for shelter.

(a) Despite South Berkeley taxpayers paying into the T-1 Bond on their Property Taxes, neither the South Berkeley’s Senior Center nor the Frances Albrier Community Center in South Berkeley have been seismically retrofitted and I know of no plans to do so. If the South Berkeley Senior Center is not habitable post a major earthquake, where will the added South Berkeley residents go for shelter, especially if they lack financial resources?
In my opinion, prior to housing more vulnerable people in South Berkeley, Berkeley must first correct these structural inequities that with current population numbers put our community at risk.

Example – Recreational Facilities: Currently the City of Berkeley has year-round swimming facilities for Seniors, including set times and activities for Seniors only, in North Berkeley at King Pool, and summer-only swimming facilities for Seniors and others in Central Berkeley at West Campus Pool, yet Willard Pool in South Berkeley has been filled with dirt for over a decade. Aquatics Programs - City of Berkeley, CA

In order to take advantage of either of these facilities, South Berkeley low-income to very-low-income Seniors would need to travel to North Berkeley, a cost and effort that most often would obviate participation in these programs.

1. In my opinion, prior to housing more vulnerable Seniors in South Berkeley, the City of Berkeley must first provide to South Berkeley the same recreational facilities as it provides to North Berkeley and make these facilities easily available to South Berkeley residents, including Seniors.
From: Pamela Michaud, 1819 63rd Street, Berkeley, CA
To: adelinecorridor@cityofberkeley.info
Subject: 4.14.1 Aesthetics

1) I disagree with the EIR regarding the "4.14 Effects Found not to be Significant" on page 4.14.1" where the EIR states "Because implementation of the proposed Specific Plan would result in a residential, mixed-use, and employment center projects on infill sites within a public transit priority area, aesthetics impacts may not be considered significant impacts on the environment."

2) Historically, the City of Berkeley has considered South Berkeley's Adeline Avenue and the surrounding neighborhoods a dumping ground for aesthetic building standards that would not be acceptable in any other area of Berkeley. In late 1998 just after buying my house in South Berkeley, I attended my first ZAB meeting and heard ZAB Commissioners state about an illegal radio tower mounted on a commercial building facing into my neighborhood, "That is appropriate down in that neighborhood."

3) It is time for Berkeley Planning and Zoning to right some of the wrongs committed in South Berkeley, and creating aesthetically pleasing and artistic buildings in South Berkeley along the Adeline Corridor should be a priority. This City of Berkeley government’s investment in South Berkeley buildings and therefore its residents and businesses will demonstrate the City of Berkeley government’s changed attitude to South Berkeley and, more importantly, encourage residents to be proud of and care for their neighborhood, attract visitors and shoppers to the area, and enable South Berkeley businesses to prosper. In addition, this investment will help repair the strained relationship between the residents of South Berkeley and the City of Berkeley’s government.

4) The Adeline Corridor Plan should require new buildings to reflect what commercial buildings used to be in the neighborhood before several blocks were gutted by the building of Ashby BART, and the widening of Adeline Street.

   a) In particular, the area of Adeline Street south of Ashby BART on the east side has suffered from the building of slab-sided stucco block buildings that lack ornamentation, as well as the 'Fred Flintstone' rock rubble siding of the South Berkeley US Post Office.

5) Instead, what this area deserves are buildings that have decorative facades including tile, as many of the existing buildings and the demolished buildings did, just like the area adjoining on Alcatraz north of Adeline. The building below at 1497-1499 Alcatraz Avenue, Berkeley, CA, would be appropriate for the entire length of Adeline Avenue from Ashby Avenue to the border of the City of Berkeley. While modern, it has detail in the walls so it is not slab-sided, and it has the lovely tile on the facade that brings 'art on the building' into the neighborhood.

6) In my opinion, The Adeline Corridor Specific Plan and EIR should require buildings, including the buildings that will be taller than the below building to have details like 1497-1499 Alcatraz in order to restore the neighborhood’s historic character prior to its being almost destroyed by the Ashby BART project and subsequent neglect of aesthetics building standards.
Entrance 1499 Alcatraz Mabel Howard Apts.
1499 Alcatraz East side
Aune Michener  
aunemichener@gmail.com  
Tue 7/16/2019 1:10 PM

Written Comment- Adeline Corridor- Michener of Prince St.

The idea of increasing affordable housing for additional density has been a running thought on policies to help the homeless since the 80's. NYC even has had 5-3 years of data on their various attempts to address the housing issues.

NYC used something called "Mandatory Inclusionary Housing" or MIH which had similar potential options for developers as seen in this draft.

I have two major issues with it:

1. Due to the high regulation of MIH, less developers where interested. Only 3000 affordable units were created in between 2005-2013 in NYC. We should not threaten residents with displacement if we cannot guarantee to further affordable units.

2. There has been policy studies on MIH that are enormously helpful to Berkeley right now. ([https://anhd.org/sites/default/files/mandatory_inclusionary_housing_deep_affordability_option_analysis_-_report.pdf](https://anhd.org/sites/default/files/mandatory_inclusionary_housing_deep_affordability_option_analysis_-_report.pdf)) The 20% at 40 AMI would not render more apartments if the South Berkeley Market is of Middle or Moderate Strength.

Therefore, I am of strong conviction that we should not risk displacement of our neighbors and friends for the potential benefit of big-money developers.

Sincerely,  
Resident of Berkeley, CA  
Brenna Aune Michener  
1607 Prince St #3
Hi,
I live in the Lorin district 2 blocks from the corridor.  
I feel strongly the plan should further increase height limits and density limits.  
A base limit of 3 and max of 6 stories in South Adeline will not be enough to incentivize the production of affordable housing, and it will not be enough market rate housing to make a difference in our housing crisis.  
I think each limit should be doubled: base limit of 6, max of 12 stories.  

Thanks
Attn. Alisha Chen re: Adeline corridor

Hi Alisha,

My family lives on Blake at Milvia. We are tentatively excited at the development of the Adeline Corridor. I would like to bring to your attention some issues around our block. We are an extra wide street and all day cars will speed down our street coming from Shattuck, perhaps in an attempt to avoid Dwight, not sure, but it results in a dangerous pedestrian environment. There are numerous families on our block and a church, yet none of us can spend time out front of our houses to socialize because of the speeding cars. With the new developments coming on our square block about we expect 100s of new living units, which include senior housing. That means increased traffic and increased pedestrians. While it may be out of your projects purview to control traffic on Blake between Shattuck and MLK, we would like something done to prevent pass through traffic. We fear that with Blake being at the beginning of the corridor, drivers who want to avoid it for whatever reason will increasingly choose our block as a speedy escape. We will greatly support anything that helps alleviate the pass through traffic on our block.

Having spent time visiting major cities in Europe and South America, I’ve seen the way these corridors can bring together community and increase access to pleasant outdoor spaces within dense urban areas. We hope the Adeline Corridor will do the same.

Thank you,
Mollie Mindel and Jacque Lacey

Mollie Mindel
mgmindel@gmail.com
Fri 7/5/2019 4:56 PM

Mollie G. Mindel
Speech-Language Pathologist
mollicmindel.slp@gmail.com
c.510.290.6266
May 28, 2019

Alisa Shen  
City of Berkeley  
1947 Center Street, 2nd Floor  
Berkeley, CA 94704  

Also sent via e-mail: ashen@cityofberkeley.info  

RE: SCH# 2018072009, Adeline Corridor Specific Plan Project; City of Berkeley, Alameda County, California

Dear Ms. Shen:

The Native American Heritage Commission (NAHC) has reviewed the Draft Environmental Impact Report (DEIR) prepared for the above referenced project. The review included the Executive Summary, Table ES-1; the Introduction and Project Description; the Environmental Impact Analysis, section 4.3, Cultural Resources; and Appendix C, Cultural Resources Technical Report, prepared by Rincon Consultants, Inc/Archaeological-Historical Consultants for the City of Berkeley. We have the following concern(s):

1. Impact CR-4 states that the City will contact the NAHC in the event there is a discovery of human remains. The NAHC must wait for a report for the County Coroner before initiating the Most Likely Descendant (MLD) process.

2. The Standard Conditions for the project do not include the MLD process as described in Public Resources Code 5097.98. The inclusion of this process was specific in the recommendations in the Cultural Resources Technical Report. The process for contacting the NAHC and naming an MLD for inadvertent finds of human remains should be included in the Standard Conditions for future groundbreaking projects.

Agencies should be aware that AB 52 does not preclude them from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled “Tribal Consultation Under AB 52: Requirements and Best Practices”.

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC’s recommendations for conducting cultural resources assessments is also attached.

If you have any questions, please contact me at my email address: gayle.totton@nahc.ca.gov.

Sincerely,

Gayle Totton  
Gayle Totton, B.S., M.A., Ph. D  
Associate Governmental Program Analyst

Attachment  
cc: State Clearinghouse
The California Environmental Quality Act (CEQA), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended in 2014 by Assembly Bill 52. (AB 52). AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015. AB 52 created a separate category for "tribal cultural resources", that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. Your project may also be subject to Senate Bill 18 (SB 18) (Burton, Chapter 905, Statutes of 2004), Government Code §65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. Both SB 18 and AB 52 have tribal consultation requirements. Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 may also apply.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Pertinent Statutory Information:

Under AB 52:
AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:
Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice. A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

a. Alternatives to the project.  
b. Recommended mitigation measures.  
c. Significant effects.

1. The following topics are discretionary topics of consultation:

a. Type of environmental review necessary.  
b. Significance of the tribal cultural resources.  
c. Significance of the project’s impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.

If a project may have a significant impact on a tribal cultural resource, the lead agency’s environmental document shall discuss both of the following:

a. Whether the proposed project has a significant impact on an identified tribal cultural resource.

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1 Pub. Resources Code § 21000 et seq.  
2 Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b); CEQA Guidelines Section 15064.5 (b)  
3 Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1); CEQA Guidelines § 15064 (a)(1)  
4 Government Code 65352.3  
5 Pub. Resources Code § 21074  
6 Pub. Resources Code § 21084.2  
7 Pub. Resources Code § 21084.3 (a)  
8 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.  
9 Pub. Resources Code § 21080.3.1, subds. (d) and (e)  
10 Pub. Resources Code § 21080.3.1 (b)  
11 Pub. Resources Code § 21080.3.2 (a)  
12 Pub. Resources Code § 21080.3.2 (a)  
13 Pub. Resources Code § 21082.3 (c)(1)
b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.\(^14\)

Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.\(^15\)

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 \textbf{shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program}, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.\(^16\)

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b).\(^17\)

An environmental impact report \textbf{may not be certified}, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days.\(^18\)

\textit{This process should be documented in the Tribal Cultural Resources section of your environmental document.}

\textbf{Under SB 18:}

Government Code §65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of “preserving or mitigating impacts to places, features, and objects described §5097.9 and §5091.993 of the Public Resources Code that are located within the city or county’s jurisdiction. Government Code §65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Public Resources Code §5097.9 and §5097.993.

- SB 18 applies to local governments and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor’s Office of Planning and Research’s “Tribal Consultation Guidelines,” which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf
- Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a “Tribal Consultation List.” If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.\(^19\)
- There is no Statutory Time Limit on Tribal Consultation under the law.
- Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research,\(^20\) the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city’s or county’s jurisdiction.\(^21\)
- Conclusion Tribal Consultation: Consultation should be concluded at the point in which:
  - The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.\(^22\)

\textbf{NAHC Recommendations for Cultural Resources Assessments:}

- Contact the NAHC for:

\(^{14}\) Pub. Resources Code § 21082.3 (b)
\(^{15}\) Pub. Resources Code § 21080.3.2 (b)
\(^{16}\) Pub. Resources Code § 21082.3 (a)
\(^{17}\) Pub. Resources Code § 21082.3 (e)
\(^{18}\) Pub. Resources Code § 21082.3 (d)
\(^{19}\) (Gov. Code § 65352.3 (a)(2)).
\(^{20}\) pursuant to Gov. Code section 65040.2.
\(^{21}\) (Gov. Code § 65352.3 (b)).
\(^{22}\) (Tribal Consultation Guidelines, Governor’s Office of Planning and Research (2005) at p. 18).
o A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project’s APE.

o A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
  ▪ The request form can be found at http://nahc.ca.gov/resources/forms/.

• Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
  o If part or the entire APE has been previously surveyed for cultural resources.
  o If any known cultural resources have been already been recorded on or adjacent to the APE.
  o If the probability is low, moderate, or high that cultural resources are located in the APE.
  o If a survey is required to determine whether previously unrecorded cultural resources are present.

• If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  o The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  o The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

o Avoidance and preservation of the resources in place, including, but not limited to:
  ▪ Planning and construction to avoid the resources and protect the cultural and natural context.
  ▪ Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

o Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
  ▪ Protecting the cultural character and integrity of the resource.
  ▪ Protecting the traditional use of the resource.
  ▪ Protecting the confidentiality of the resource.

o Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

o Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.23

o Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.24

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

o Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.25 In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

o Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

o Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subsd. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

23 (Civ. Code § 815.3 (c)).
25 per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).
Hi,

With such a large investment of time and money to improve this corridor, I would expect a more drastic transformation of the space. Namely, it would be nice to shift all car traffic to one side so instead of a median there could actually be a long park of some design. The city is in need of more green space especially with all the proposed increased housing density.

Thank you for your consideration.

Sent with ProtonMail Secure Email.
Hello,

As a 25-year resident of west Berkeley, as a homeowner, and as a parent of a public employee in Berkeley (who cannot afford to live in the city in which he was raised and attended school), I urge the commission to ensure that the Adeline Corridor Plan not succumb to the perfect being the enemy of the good and NOT put an onerous requirement for affordable housing such that the project will not pencil out and not generate the amount of units that we so desperately need.

As with the North Berkeley and Ashby BART developments, we must ensure that this onetime opportunity to create vibrant, livable and affordable communities not get ensnared in crippling, unrealistic and unfeasible requirements.

As you know, Berkeley has not lived up to its fair share of housing creation these last 40-50 years. Just look at our population numbers: basically unchanged since the 1970s. We have a moral obligation to correct this shortcoming as rapidly as we can and with as much housing as we can create.

Thanks for your consideration.

Phyllis Orrick
Near San Pablo and Cedar
Thanks!

I'm just writing to say I think the plans look great and will be a huge improvement. I have one concern, which is about the knock on effect of this will be on MLK. I have found the traffic to be getting very aggressive coming down MLK these days. there are quite number of accidents as people coming bombing down the road between Ashby toward University. I am concerned that as the plans come into effect and the lanes narrow, etc for the Adeline/Shattuck route that it will divert more pressure to MLK. I wonder if there are pedestrian safety measures planned for that area too?

In general I support the constrict of car lanes and slowing down of traffic, but I worry when people get through the Ashby/Adeline exchange they are going to be more inclined to put the pedal down on MLK.

thanks again,
Andrew

--
Andrew Page
510.725.8289
Adeline Corridor Plan

I am writing to provide input on the overall Adeline Corridor Plan.

Overall to be clear I have not read the full 380 page DEIR, I assume it's not expected that members of the public would have done so. Instead I'm relying on public reporting, especially this piece in Berkeleyside: https://www.berkeleyside.com/2019/05/29/after-5-years-of-work-adeline-corridor-plan-promotes-major-ashby-bart-development-total-street-redesign

On the one hand, I really appreciate the redesign of the street itself. The creation of the physically protected bike lanes in particular are critical and valuable. Similarly the concept of redesigning the major intersections - notably Adeline/Ashby - is critical; unfortunately it's not finalized.

However, I am very concerned about the planning for development along Adeline itself, especially housing. I am again assuming this reporting from Berkeleyside is correct:

"The draft plan predicts the construction of 1,450 new housing units along the corridor in the next two decades. It sets a goal of 50% affordable units — typically defined as no more than 30% of a resident’s income — for a range of income levels... But the proposed hundreds — up to 900 — housing units on the Ashby BART parking lot are critical if the city is to meet the 50% affordability goal, the draft plan indicates... The draft plan also proposes zoning changes for the entire corridor area, introducing a tiered system wherein developers could add more height and density to their projects if they included more affordable units. For example, developers would be allowed to build three-story buildings along most of the corridor, but could add a fourth story if 20% of the units were affordable or a fifth with 35% — up to seven stories."

My basic observations are that the Adeline plan should plan for a significant increase in housing on the lots bordering Adeline; that 1450 units are woefully insufficient, especially if 900 are Ashby BART and only 550 are proposed to be added elsewhere; and finally that the goal of 50% below-market (affordable) units is admirable but unachievable without significant funding sources, which aren't proposed in the plan.

I am informed in this primarily by my view that we're setting the conditions for the next century of Berkeley. Whatever building we enable from the plan is unlikely to be replaced within my (kindergarten aged) daughter's lifetime or her potential children's life. Given that we have a climate emergency setting in, we need to immediately plan for denser, more energy efficient housing, to allow a substantial increase in population as the Bay's mild climate turns Berkeley into a refuge. Finally the Bay's current economic growth both enables us to build significantly right now, and also obligates us to share access to economic opportunity with others.

Given this, I would instead strongly recommend that the housing aspect of the plan is changed to encompass a much more ambitious housing plan along Adeline proper, aside from Ashby BART:
• An average height of 6 stories, which is the height of the Harriet Tubman Terrace on Adeline between Oregon and Russell
• A baseline height of 5 stories, with a sixth allowable at 20% affordable, a seventh at 35%, an eighth at 50% affordable
• Some standard design consideration for neighboring buildings on adjacent streets (ie, a standard step-down requirement)
• Removal of all parking minimums from new buildings, with a potential parking maximum
• All of this construction defined as by-right, not subject to ZAB, Council, or other reviews or impediments

In terms of Ashby BART itself - I would propose that the plan call for a substantial housing element (for this, potentially 550 units is the right size); and require developers to bid on the basis of the maximum affordable housing within that housing size. Given that Berkeley's Housing Trust is (to my understanding) completely committed to other housing such as the Berkeley Way project, this seems like the only feasible way to get actual housing constructed while still including a substantial below-market (affordable) element.

Between these two sets of changes, I feel confident that the goal of the number of affordable units (50% of 1450, ie 725) could be delivered, while also delivering substantially market rate units; without these changes, I highly doubt that we will see 1450 units delivered of any kind, much less the 725 affordable units we all desire.

Thank you for your time and consideration!

Regards,

Theo Posselt

Member, BNHCA
Berkeley Flea Market Response
to the Adeline Corridor Plan July 19, 2019

Berkeley Flea Market, organized by Community Services United (CSU), is a festive heartbeat of the Berkeley community. It is one of the last proud vestiges of a once thriving multicultural community of artists, activists, and dreamers from faraway places. From its original inception, 47 years ago, this community institution has provided pathways to entrepreneurship for vendors. Historically, this market has been the first stop for minorities, immigrants, refugees, and women to grow a business. It has provided a place to celebrate Berkeley’s diversity and cultural expression. It has also been an integral part of larger economic development strategies that have enabled many of these small business owners to stay in Berkeley or, if unable, to still support, contribute, and hold their community together, even if only on the weekends.

“The Specific Plan envisions further collaboration and planning between the City, BART, the Berkeley Flea Market, the Ecology Center and the community to further explore possibilities for the Ashby BART station area. The area has the capacity for a substantial amount of affordable housing and open space, including a plaza that could accommodate the Berkeley Flea Market and potentially also the Ecology Center Farmers Market. It also has the potential for other uses/amenities desired by the community, such as an African American Holistic Resource Center, affordable space for community non-profits, and other community facilities (e.g. sports or recreation center). (Project Description pg. 2-13)

Throughout the Draft Plan and the Draft EIR, the language is extremely vague about where the Berkeley Flea market will be located eventually. The plan to “explore possibilities” of including a plaza that “could accommodate” the Flea Market but may have “other uses” does not adequately address the long-term concerns of CSU and the vendors. This language leaves open too many possibilities, many of which are not likely to include the market. We would like a more concrete commitment within the Draft Plan that there will be a continued place for the Berkeley Flea Market in the community.
Specific language that makes a strong commitment to include the market in any future plans would create a greater sense of responsibility for the City and a greater feeling of safety amongst CSU and the vendors.

This ambiguity is especially concerning to those whose livelihoods are and have been tied to the operation of the market. Understanding that some kind of development is inevitable, what the transition looks like will depend largely on how the City and Bart engage with market stakeholders. What makes us a community institution is that we have been providing a cultural and economic space for traditionally underserved people in Berkeley since 1975. We have an advisory board, a governing board and deep roots in this community. We are democratically run and each member will eventually vote for themselves about when and how to proceed.

In honesty, our trust has been tested during this process. Although we were very reluctant to do so, we went to the city and asked for help. Our finances were depleted from the 2018-19 rainy season and we were even forced to suspend operations for two months. Although we met with multiple city departments for the purpose of getting an estimate of what it would cost to operate the market in different locations, we have not received an answer. We met with BART and asked for a rent reduction and whether they would suspend our rent in the months prior to a relocation of the market. They have not gotten back to us.

We have heard many heartfelt words of encouragement, but we have received very little actual assistance thus far. Obviously, the possibility of dramatic change makes us uneasy and gaining the trust of our community enough to enter into an agreement with the City may require the City and BART to demonstrate a greater level of commitment to the maintenance of this cultural center/marketplace.

**Of course, our preference is to maintain our current location.** Our vendors would love to have an option to operate even on rainy days under some cover. We like the open, outdoor feel of the market. Access to water, solar power and sanitary facilities would all enhance the market experience. We want to maintain our drum circle and the ability to play music without getting criminalized for it by some new neighbor who doesn’t like African music. We are very convinced that, for the health of Black Families and the Adeline Corridor area, access to a Farmer’s Market is crucial.

However, we are not blind to the changes in demographics in our current location in the Adeline Corridor due to gentrification and the resulting displacement. We are deeply concerned about the current housing crisis in our community. In order to ensure that the
market is sustainable and accessible to long-time, low-income residents and vendors alike, we propose the following policies that create and maintain the conditions for people to remain in and return to the City of Berkeley:

1. **Vacancy Tax:** We believe that a tax on unrented properties should be drafted and implemented in recognition of the fact that we have a housing crisis in our city. The tax would discourage property owners from holding back rental property while others are forced to sleep in the street. This will also allow the market forces of supply and demand to relieve some pressure on rental prices and make this entire plan much more realistic. Adoption of a vacancy tax would make Berkeley among the first in California to take such measures. Supervisor [Aaron Peskin](https://www.sfchronicle.com/business/networth/article/Should-SF-tax-empty-homes-and-buildings-11306541.php) has studied the idea and could provide valuable consultation. His office is working to place a measure on the March 2020 ballot.

2. **“Affordable” Housing is not affordable:** We are concerned that the current formula of 50% market rate housing and 50% mixed income levels will still result in displacement of traditional residents from this area. In fact, this is acknowledged in the Population and Housing From Section PH-2

   “Implementation of the proposed Specific Plan could displace existing housing units or people; however, implementation of the Specific Plan would increase the Plan Area’s housing stock overall, including its stock of below market rate housing.”

   The point of this plan was supposed to be to help the people of the area, not displace them. This is not acceptable.

3. **Increased Services:** We also note that it is not enough to simply house those who operate at “extremely low” income levels. In order for people of this description to be successful in this type of housing, the City must prepare to expand its ability to provide case management, and additional services to support and ensure that this demographic mix will be healthy, harmonious and successful.

4. **Hire Berkeley First policy:** We want to stress that the City of Berkeley must use this development opportunity to create job opportunities for Berkeley youth and residents. This includes hiring in construction and all phases of this plan’s
implementation. We also emphasize the importance of creating new, small business opportunities and assistance for people in, of and from Berkeley.

5. **Preference Policy and Assistance for historic homeowners:** We want help given to those who have had financial trouble keeping their homes or lost their homes in the Great Recession of 2008. We want the city to prioritize the return of those who once called Berkeley their home and then were priced out of the area. People who have lost their homes within the last 15 years should have priority in gaining access to affordable housing opportunities.

6. **“Berkeley Flea Market” is a particular group of vendors** organized through Community Services United, which has operated the market for over 40 years. We do not authorize the City of Berkeley or anyone else to operate a market in our name.

Thanks for your consideration of our concerns and we look forward to continued discussion of how to best provide for the people of South Berkeley and preservation of the his

Submitted by:

**Community Services United Governing Board**

- Yasin Khan (General Manager)
- Charles Gary
- Andrea Prichett
- Kaylah Marin
- Ellen Manu-Bimpeh
- Artrenia Harris
- Rosine Boissini
July 19, 2019

Alisa Shen/Adeline Corridor
Planning Department
1947 Center Street, 2nd floor
Berkeley, CA 94704

Subject: RCD Comments on Adeline Corridor Specific Plan & EIR

Dear Ms. Shen,

As a Berkeley-based nonprofit developer and owner of affordable housing, Resources for Community Development (RCD) is supportive of the efforts to create a new Adeline Corridor Specific Plan. In the spirit of making sure the plan supports the creation and preservation of more homes that are affordable to low-, very low-, and extremely low-income residents, RCD offers the following comments on the draft Plan and Environmental Impact Report.

Adeline Corridor Specific Plan
Discussed in Chapter 3 on Land Use, the plan’s proposed Incentive Development Standards will support the development of more 100% affordable housing in the Adeline Corridor. The proposed development standards will enable 100% affordable housing developments at the scale, density, and height that is feasible. The sooner the plan is adopted, the sooner consistent affordable housing proposals can be approved.

Adeline Corridor Specific Plan EIR
- Mitigation Measure GHG-2 Electric Vehicle Readiness & EV Chargers (page ES-9-10) – We are concerned this is requiring more chargers than the number of parking spaces at a particular development, especially low-income housing near transit. This requirement should be less for affordable housing.
- GHG-3 Solar Photovoltaic Power – It is unclear how much PV this mitigation requires to be installed. Please make sure affordable housing can be permitted to install only the amount that is financially feasible.
- GHG-4 Cool Roof Technologies – There may be situations in which “cool roofing” is impractical, such as if the roof is covered with photovoltaic solar panels. Please allow some flexibility, especially for affordable housing. The historically temperate climate of inner East Bay, such as Berkeley, has not necessitated cool roofs to maintain comfort without air conditioning, so RCD is less familiar with the pricing of cool roofs. It may be helpful to allow exceptions for affordable housing in case of financial hardship.
• Section 2.3.5 Transportation- Recommended Interim Improvements (Pedestrian, Bicycle, Automobile) – The Plan recommends pedestrian crossing improvements along Adeline; we support this, as it will certainly benefit our residents in the area. Please clarify that it is not the responsibility of any one new building, especially if it is low-income housing, to construct these pedestrian improvements.

• Section 2.4 Buildout Projections – The projected increase of housing units through 2040 is only 1,450 (with only 200 allocated to the North Adeline sub-area). Taking the proposed incentive development standards into consideration the neighborhood may see a higher projection as foreseeable. It is good that the projected number of new homes is not a cap. Also, it would be helpful if the EIR could be detailed enough to conclude if a developer’s traffic study is sufficient in its traffic generation projection for a new building.

Thank you for your efforts to help the Adeline Corridor neighborhood grow as a community that includes affordable housing along with other priorities.

Sincerely,

Alicia Klein
Associate Director of Housing Development
Dear All,
Please allow for more housing to be built, especially affordable and low income housing. But, we need more housing than is stated in the plan.
Thank you,
Jane Scantlebury
2927B Otis Street
Suggestions for Adeline Corridor

Hello,

Please consider the below thoughts/concerns/suggestions/questions for the above

1.) wanted to know if we can have a pace program for low/extra low/very low income, no income and homeless, seniors, people with disabilities?

2.) Medical Facility separate/together, but on the same premises to be able to treat all people in the building and elsewhere for things that people may need like shots, referrals, cuts, disease, Mental Health issues, Disaster location and Acute Care, free clinic (*), be able to help with dementia patients, diabetes, etc. -- if we can, we would be able to service people with necessary health needs. People get older and living in Berkeley housing costs only seem to increase. If we can keep people healthy in their home, this allows for them better to not move.

3.) Housing Affordability - 100% Affordable
   Can we have all levels of affordability in this project? Can it be 100% affordable?

4.) Services
   a.) Community (day programs for multiple needs like Ed Roberts only as well have additional day programs for people with developmental disabilities (there are not very many).
   b.) Senior Center oriented services?
   c.) Gym/health facility like the Y including services
      c1.) Spa
      c2.) pool (shallow, heated & regular or olympic)
      c3.) Wait room
      c4.) Basketball
      c5.) Waling area or Track
      c6.) One- Stop -- (similar to a travel center)
         a.) Showers
         b.) TV
         c.) Movies
         d.) Shop for food
         e.) Rest areas
         f.) laundry (services or public laundry mat that does both )
         g.) food services
            1a.) Garden fresh organically grown foods
            2a.) Soups
            3a.) Breads etc

5.) Open Space:
   Not sure if we can do this bc we need a lot of affordable housing

6.) Kids area - Kid Friendly swings, park, courtyard, maybe a workout facility, pool???
7.) Dogs - area for small and large doggies with poop bags

8.) Make a requirement that we have so many people with Disabilities, Seniors, Low income (etc.), Artist,

9.) Live/work

10.) Right of Return

Sincerely,

Christine Schwartz
I write to you to express my concerns about the Adeline Corridor Plan. While I am in general agreement with the main goals of the plan, the specific policy proposals for zoning, street width, and affordability will result in less housing than we need and more traffic than we want.

1- WE NEED TO MAXIMIZE HOUSING NEAR TRANSIT: The PLAN does not incentivize enough homes to be built over the next 20 years. In this transit rich area, we need to maximize the number of homes on the corridor and on Ashby BART, not stick with the status quo of low density.

2- WE NEED HOUSING FOR EVERYONE AT ALL INCOME LEVELS: The PLAN does not commit the City to fund the affordable housing we need and deserve in our neighborhood. And the PLAN does nothing to address the housing needs of lower- and middle-income workers (60-120% AMI) who do not qualify for government subsidized housing.

3- WE NEED SAFE STREETS, GREENWAY, AND A WALKABLE NEIGHBORHOOD: The PLAN proposes too many lanes of traffic on Adeline. The highest priorities should be pedestrian safety, bike lanes and green space, NOT accommodating thru traffic.

While I am pleased to see the Plan almost done, it needs significant revisions and therefore the draft needs to be remanded to consider more housing, affordability for all, and fewer traffic lanes.
Here are some general comments that pertain to the draft Adeline Corridor specific plan:

It is essential that a non-profit, community based and sensitive developer be chosen to develop the Ashby BART site, if that site is developed. Further, it must be mandated that this developer incorporate and take direction from the neighborhood and community on issues that may arise during planning.

It is essential that at least 50% of any units developed at the Ashby BART site be affordable, and preferably inclusionary, units. The affordability index should be in the 20-50% of AMI. Multi-bedroom units should also be mandated, i.e., family housing.

Generally, to the degree possible, the above comments should apply to the entire Corridor.

Some real enforceable and funded anti-displacement strategies and mechanisms must be mandated before any use permits are granted. That can mean, must is not limited to, rights of return, generous relocation fees, and tenant access to advice and legal services, at City and/or developers cost. There is a real danger of displacing many, many long-term community members unless this issue is taken seriously and addressed before any use permits are granted.

Any temporary or permanent displacement of existing local businesses should be addressed prior to use permitting, and adequate alternative locations secured, by the City and/or developer.

best

John T. Selawsky
Berkeley Rent Board
websky66@gmail.com
John Selawsky
websky66@gmail.com
Fri 7/19/2019 12:31 PM

comments on DEIR and Draft Plan

adelinecorridor@cityofberkeley.info
Alisa Shen
Project Manager
City of Berkeley
Planning & Development Department
1947 Center St, 2nd floor,
Berkeley, CA 94704

RE: Adeline Corridor Specific Draft Plan and Draft Environmental Impact Review (DEIR)
Dear Ms. Shen,

According to the DEIR's section 4.10, under Population and Housing, there are 14,709 residents living in the Adeline Corridor. Of those residents, 9,369 (63.7%) are tenants living in 3,795 rental housing units, many of which are likely under rent control. The DEIR states, in Section 4.10.2, under Analysis - Impact PH-2, that "Implementation of the proposed Specific Plan could displace existing housing units or people..." That could mean thousands of people living in rent-controlled units could be displaced by development in the area. Although mentioned in the DEIR, the Specific Plan does not address the 2015-2023 Berkeley Housing Element guideline, Rent Stabilization and Rental Housing Conservation, which calls for protecting tenants from large rent increases, arbitrary evictions, hardship from relocation, and the loss of their homes and preserving existing rental housing. The Specific Plan only speaks about preserving "affordable housing" but there is nothing in the plan that refers to preserving, in particular, rent stabilized units. We recommend that the Specific Plan include a provision for protections of current residents in rent-controlled units and a one-for-one replacement for any demolished rent-controlled units.

Chapter 4.10 of the Specific Plan, calls for “Owner and Tenant Education", stating that the City should provide access to housing information and programs that are key to ensuring that both property owners and tenants understand their rights and responsibilities under the regulations for housing and tenant protections. However, the plan is lacking in development or implementation details. We recommend that the Planning and Development Department work closely with the Rent Stabilization Board and Program, Health, Housing & Community Services Department, and Berkeley Unified School District to develop and implement an effective targeted outreach program to reach all tenants and all the property owners of the 3,795 rental housing units in the Adeline Corridor. The Rent Board maintains a data base of property owners of rent stabilized units, in the target area, which will be of great value in the development and implementation of this outreach program.

Sincerely,

Paola LaVerde, Chair, Berkeley Rent Stabilization Board
Leah Simon-Wiseberg, Vice-Chair, Berkeley Rent Stabilization Board
John T. Selawsky, Commissioner, Berkeley Rent Stabilization Board
Igor Tregub, Commissioner, Berkeley Rent Stabilization Board
Attn: Alisa Shen/Adeline Corridor Planning Department  
1947 Center Street, 2nd floor  
Berkeley, CA 94704  

RE: Comments on the Adeline Corridor Specific Plan Environmental Impact Report (EIR)  

Dear Ms. Shen,

The Sierra Club submits the following comments on the Adeline Corridor Specific Plan (ACSP) Environmental Impact Report (EIR).

**Build-Out Projection (Table 1-1)**  
The ACSP and DEIR should explain how many housing projects are included and at which scenarios of the development standards detailed in tables 3.2 to 3.5? What lots and addresses are most likely to be developed? The Housing Element lists potential development sites. Which ones were selected as the best potential sites? Explain the criteria for selection. Also, please explain how the proposal is supportive of the plans of the Adeline Priority Development Area.

**Development Standards**  
How were the density standards (du/ac) derived? Which existing projects served as examples? Do the Tables 3.2-3.5 describe the base project only? What would be the densities achievable with the density bonus and use permits for each table? In footnote 2, who would find it “unnecessary to protect neighborhood sunlight access and privacy?” How can that subjective standard be replaced with an objective one such as the daylight plane? Please provide graphics that show the setbacks in each development scenario represented against the outline of a one and two story home. Please inform us as to whether a key requirement for a Priority Development Area—no displacement—will be a key policy with the project.

**Chapter 3.3 – 3.7: Building Design**  
Are these design ideas to be adopted as objective development standards? Who will apply these ideas and at what stage of the application process?

**Equity**  
According to the DEIR’s Section 4.10, under Population and Housing, there are 14,709 residents living in the Adeline Corridor. Of those residents, 9,369 (63.7%) are tenants living in 3,795 rental housing units, many of which are likely under rent control. The DEIR states, in Section 4.10.2, under Analysis - Impact PH-2, that "Implementation of the proposed Specific Plan could displace existing housing units or people..." That could mean thousands of people living in rent-controlled units could be displaced by development in the area. How does the Adeline Specific Plan address the 2015-2023 Berkeley Housing Element guidelines, which calls for protecting tenants from large rent increases, arbitrary evictions, hardship from relocation, and the loss of their homes and preserving existing rental housing. The Specific Plan only speaks about preserving "affordable housing" but there is nothing in the plan that refers to preserving, in particular, rent stabilized units. Can the Specific Plan include a provision for protections of current residents in rent-controlled units?
and a one-for-one replacement for any demolished rent-controlled units?

**Ashby BART**
Only 4-7 stories are projected on this site, although it is a prime target for affordable housing. What heights could be achieved in each location? What would be the primary design features in each location? What will be the percentage of residential units at the BART station area that are for households having very low, low and moderate incomes, as defined by ABAG in its Regional Housing Needs Assessment?

**Chapter 5.1 Economic Opportunity**
The DEIR population and housing (4.10) shows that the ACSP will not produce a substantial increase in jobs, only 344 or 7% while overall job growth in Berkeley during the 20 year Plan period is projected at 48% What factors account for this low growth? What kind of commercial activities are planned or expected in the 65,000 additional square feet of commercial space? What salary level is typical for these jobs? How can better paying jobs be increased through planning strategies?

**Transportation**
The reconfiguration of the ACSP does not reduce the number of lanes (4). What factors led the planners to decide NOT to narrow the street by reducing vehicle lanes? Will the mitigations reduce the speed of vehicles? The DEIR uses levels of service (LOS) to evaluate intersections and total trip generation to estimate additional traffic, which seems unusual in an era where the State is trying to reduce VMT, not add to it. What are the potential reductions, if a lane in each direction is converted to transit and bike/scooter in VMT (vehicle miles traveled) and corresponding GHG emissions?

The positive environmental impacts of requiring no-parking or reduced-parking residential and mixed-use buildings should be analyzed. The EIR and Adeline Plan should also study improvements to transit services along the Adeline Corridor.

The Plan does not include circulation studies, which are deferred until a later time. This is a significant weakness, as it’s hard to image how bikes will safely travel between the various bike path configurations. There is a map of bike facilities (4.12-2), which is difficult to decipher as it includes both existing and proposed bike facilities. Would the ACSP & DEIR please include bike routes that show potential circulation paths, at key intersections, especially Woolsey, which “will occur during later design phases.” Without the alternatives, it’s hard to evaluate the proposed modifications. The Plan does not account for scooter traffic. Which lanes will they use?

By removing the center median, a linear open space has been created along North Adeline, bordered by traffic lanes and cycle track. What pedestrian activities are expected in this area? What other benefits does the new linear open space confer? The EIR and Adeline Plan should also study improvements to transit services and the use of bikes and scooters along the Adeline Corridor.

**Public Services and Recreation**
The DEIR (4.11d) notes that no new parks have been created in the Plan Area, which does not have any parks. However, there are parks nearby. Please furnish a map that includes the Plan Area, these nearby parks, and the routes that residents in new developments would use to access...
these parks by foot, scooter, or bikes.

**Landscape-based storm water management and Bay-landscaping**

ACSP (7.6) does not make permeable pavement and other green infrastructure a requirement nor describe where bioswales will be installed and how they will drain into the storm drainage system. The DEIR (4.7) show the Derby and Potter creek systems bisect the Plan Area but does not relate to drainage standards for underground parking and other structures that may impact the existing culverts, nor document the condition of the culverts and the potential for damage from increased run-off from non-permeable surfaces.

Thank you for the opportunity to comment on the ACSP DEIR.

Respectfully,

Matt Williams  
Chair, Transportation and  
Compact Growth Committee  
Sierra Club SF Bay Chapter

Igor Tregub  
Chair  
Sierra Club SF Bay Chapter
I commend the City of Berkeley for a specific development plan that provides a national model for equitable development. While the plan cannot guarantee that new development will enable all existing residents who want to remain in the Adeline corridor area to do so, the City’s innovative zoning strategies, plans to set aside public land for 100% affordable housing projects, and identified funding strategies provide a promising path to achieving that goal. The 100% affordable housing projects also promise to result in more housing affordable to those with extremely and very low incomes, the type of housing in shortest supply in the City and the housing most needed to keep the homeless population from growing.

I concur with the City that its strategy of blending 100% affordable projects and public land and encouraging developers to include affordable housing in private mixed use developments, will require greater transparency and accountability than a specific percentage of affordable housing applicable to all projects. I urge the City to set milestones to facilitate close monitoring of both displacement by the project and of progress to meeting the goals for affordable housing in the area. The City can work with citizens to set these milestones, such as a progress review before issuing permits for the first ⅓ and ⅔ of the 1450 residential units. If construction of the 100% affordable housing lags, the City could then take corrective action to reduce displacement, such as increased efforts to find the necessary funds or delay award of further mixed use construction until affordable housing construction had caught up.

I support the City’s plans to encourage social housing (e.g. limited land price appreciation isolated from the private market) in the Adeline Corridor Area. Examples of this type of housing include 1) housing cooperatives, 2) co-housing, 3) group housing, 4) land trusts and 4) affordable live-work units.

Besides aggressive support of low income tax credits to fund affordable housing, I also support the City’s efforts to find new, locally controlled funding sources and expand financing mechanisms to fund affordable housing. The City’s recent and successful efforts to develop local funding sources have made it more competitive for the low income tax credits. These existing sources include:

- Housing bond - Measure O
- Property Tax Transfer Fee - Measure P
- Public land donation (> $10,000,000)

I also support the proposed policy to prioritize new affordable housing units for current area residents or those who have previously been displaced from the neighborhood.
By recognizing that the City must build at least 1 permanently affordable unit for every market rate unit, and providing a credible path to achieve that goal, the Adeline Corridor specific plan is a national model for equitable development.

William J. Smith
Alameda, CA  94501
(510)522-0390
Date: July 18, 2019

To: Alisa Shen, City Planner for the Adeline Plan and City of Berkeley Planning Commission

CC: The City Council and Mayor

From: The Steering Committee for South Berkeley NOW! - Ariella Granett, Betsy Thagard, Deborah Matthews, Jodi Levin, Jon Lau, Matt Lewis, Peter Waller, and Teresa Clarke

RE: Adeline Corridor Specific Plan - Comments on Draft EIR

Dear Planning Staff and Members of the Planning Commission:

We write to you as members of South Berkeley NOW!, a neighborhood organization with over 150 members who live in Berkeley south of Dwight street, and who have gathered over 1,000 signatures in support of housing development on Ashby BART NOW!

We have a vision for the South Berkeley neighborhood as a diverse, equitable, safe, walkable and welcoming community, a vision shared by many in our community. The Adeline Corridor and Ashby BART area have excellent transit; one of the best groceries in the Bay Area; the Berkeley Flea Market; the Farmers Market; coffee shops, hair salons, restaurants, locally owned businesses; churches; and amazing community institutions like the Ed Roberts campus, Healthy Black Families, the Black Rep and Ashby Stage theaters. Our neighborhood hosts the largest Juneteenth celebration in the region and is looking forward to accommodating new institutions like the African American Holistic Resource Center. We support an Adeline Corridor plan that brings those elements together into a welcoming, equitable & walkable neighborhood.

The Adeline Corridor planning process began over five years ago with the goal of updating zoning, supporting local business, and improving the public realm to help our community and city achieve its housing, climate and pedestrian/cyclist safety goals. In the intervening period the housing crisis has dramatically increased, with homelessness and displacement on the rise. We have also encountered a road safety crisis, as more pedestrians and cyclists have been injured and killed on our streets. Over the same time period, the impacts of the climate crisis have become much more evident. One year ago, the City declared a Climate Emergency, with the express purpose of taking a leadership role regionally and nationally to address climate change with all available means. The City’s own climate plan, along with numerous other studies, has identified building more infill housing near transit as the most important single step the city can take towards addressing the climate crisis.

We support the general goals set forth in the Draft Adeline Corridor Plan and we applaud the emphasis on affordable housing, support for local businesses and the innovative “Opportunity to Return” policies for displaced residents. However, we are deeply concerned that the core elements of zoned capacity, street widths, and building heights do not provide an adequate response to the crises of housing, climate and public safety. Our specific concerns include the following:

- **CONCERN # 1 LOW HOUSING BUILD-OUT PROJECTIONS EXTEND THE STATUS QUO:** The build-out projections in the DEIR envisions the equivalent of 70 units per year over the 20 year planning horizon, for a total of 1450 units - a modest change from the 1,200 units of development projected to occur under the current zoning, with no Adeline Corridor plan. A DEIR that essentially extends the status quo...
another 20 years does not provide the incentives for increased housing production that is necessary to realize the potential of this transit-rich, walkable corridor.

- **CONCERN #2 DRAFT PLAN CREATES DISINCENTIVES FOR HOUSING PRODUCTION:** The Draft Plan creates disincentives for housing production by continuing to limit the base height of buildings to 3 stories in much of the plan area.

- **CONCERN #3 ADELINE STREET IS TOO LARGE & FAST THROUGH THE HEART OF A TRANSIT VILLAGE:** The overly wide Adeline right of way is an artifact of the railroad era, directly associated with the pattern of discrimination and redlining that afflicted minority communities “on the wrong side of the tracks”. South Berkeley has been treated as a throughway for too many years. We need more significant reductions in travel lanes and a focus on creating a walkable transit hub at the heart of our community.

- **CONCERN #4 T.O.D. PROJECT WILL NOT BE COMPETITIVE FOR TRANSPORTATION FUNDS:** The draft Plan fails to position the City of Berkeley to be fully competitive for the state and regional transportation funds that will be needed to fundamentally reshape the public right of ways at Adeline, Ashby, MLK and Alcatraz because of the Plan’s low build out projection and inadequate zoning and building height limits.

**COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT**

Based on these concerns, SBN! requests that the DEIR provide additional analysis that will allow decision makers and community members to evaluate options that make meaningful progress towards addressing the goals set forth in the Draft Plan, and the pressing issues of climate, housing and safety.

1. **REVISE BUILD OUT PROJECTION:** Given the housing and climate crisis, the community goals for building affordable housing, and the need to generate funding for street improvements and other public benefits through development fees, it is critical for the DEIR to include a second build out scenario of at least 2,500 residential units in the Project Area. It is common for a major DEIR to evaluate more than one project scenario. Studying this scenario under the current DEIR will allow decision makers and the South Berkeley community to evaluate a build out scenario that makes our neighborhood more walkable, affordable, diverse, transit-supportive, and sustainable. We ask for the following actions related to the build out projections:

   a. **INCLUDE BUILD OUT ANALYSIS IN THE DEIR:** The “Project Build Out” or foreseeable maximum development of 1,450 units was not released as part of the Notice of Preparation. As a result, Community members and agencies had no opportunity to comment on this projection until the full DEIR was completed and no supporting analysis has been shared to support the build out projection. There is no description of opportunity sites included in the DEIR and there is no analysis of how the build out projection ties to the Housing Element. The DEIR provides insufficient information for decision makers and the public to judge whether the projected build out numbers accurately reflect the 20 year development potential of the corridor under the new zoning. **We request that the analysis supporting the build out projection of 1,450 units be included in response to comments along with the following specific information:**

   - Parcels and acreage identified as development opportunity sites, including all sites identified in the City’s 2015-2023 Housing Element,
○ Density assumptions for each opportunity site compared with maximum density by subarea allowable under draft Specific Plan Table 3.5, and

b. **DEVELOP & ANALYZE A SECOND BUILD OUT PROJECTION:** Our analysis of potential sites in the project area indicates that 2,500 units of new housing can be accomplished over the next 20 years, primarily by focusing on high density development at Ashby BART and on the larger sites along North Adeline and South Shattuck. This analysis does not involve removing historic buildings or existing housing units and is based on an average density of approximately 125 DUA, a modest assumption given that the Affordable Housing incentives in the draft plan allow densities over 200 DUA. Moreover, this analysis does not include additional housing sites that may be available as a result of reducing right of way along Adeline. We request that the DEIR be amended to include a build out projection that accounts for the significant density incentives built into Specific Plan Table 3.5, along with supporting analysis. Without this additional build out scenario, the public and decision makers will have insufficient information to evaluate the impacts and benefits of higher density housing development in the Adeline Corridor.

c. **DEMONSTRATE PLAN’S CONSISTENCY WITH MTC GRANT GOALS & STANDARDS:** The MTC grant for Adeline Corridor Plan was based on achieving MTC goals of maximizing TOD development. Without the supporting analysis for the current build out projection and without a second more robust build-out projection, it is not clear how MTC or the public can evaluate whether the Plan is consistent with the goals of the study. We request that the Plan clarify how it is consistent with MTC goal and standards relative to the planning grant.

d. **CLARIFY ADDITIONAL EVALUATION REQUIRED FOR PROJECTS THAT EXCEED THE BUILD-OUT PROJECTION:** City Staff has indicated that the build out projection of 1,450 units indicated in the Project Description should not be considered a cap and that projects may exceed this cap under the Infill Density exception. Mixed use projects often require more than one conditional use permit and therefore may be ineligible for the Infill Exemption. Projects that exceed the 1,450 cap and that are not eligible for the Infill exemption will likely be required to provide supplement environmental analysis which creates more legal risk and more uncertainty. We request that the DEIR and Draft Plan clarify the additional environmental evaluation that would be required for projects that exceed the Build Out Projection.

e. **RECOGNIZE THAT L.O.S. CRITERIA IS OUTDATED:** It is important for the DEIR to explicitly recognize that the projected traffic impacts are based on outdated Level of Service (LOS) criteria rather than the state mandated Vehicle Miles Traveled (VMT). We request that both of the build out scenarios be evaluated based on VMT, allowing decision makers and community members to accurately assess the correlation between density and traffic volumes.

f. **BE ACCURATE IN DISCUSSING VMT & GREENHOUSE GAS EMISSIONS:** Greenhouse Gas Emissions policy discussed in Table 4.5-1 holds that a decrease in VMT can be expected because “the Specific Plan would support mixed-use, transit-oriented development.” This statement is incorrect unless the build out projection is significantly increased for higher density, increased
transit service and walk to destinations.\textsuperscript{1} We request that the DEIR language be modified to avoid overstating of benefits of GHG reduction under the current build out scenario.

2. **TWO LANE SCENARIO @ ADELINE:** Another way that the DEIR limits the ability of decision makers and the public to evaluate the Specific Plan is the failure to test the effects of reducing traffic lanes along Adeline between Shattuck to MLK, to two lanes (a single lane in each direction). Analysis of this scenario will inform decision makers of potential effects of additional pedestrian, bicycle, and/or dedicated bus lane improvements and will provide latitude in the future to implement additional traffic calming or expand alternative transit modes. \textbf{SBN! requests that the DEIR include analysis of a two lane design scenarios for Adeline Avenue from MLK Jr Way to Ward street that will improve pedestrian safety, reduce the speed of traffic flowing through the heart of our neighborhood and will allow Ashby BART to become a true community center for our neighborhood.} This two lane scenario has two sub-areas; Adeline at Ashby BART, and North Adeline. The initial concept for each sub area is outlined below:

- **Adeline at Ashby BART**
  A single lane of traffic is provided in each direction on Adeline Street between MLK Jr Way and Ashby, located along the east side of the current right of way, adjacent to the Ed Roberts Campus. Turn lanes may be provided at the intersection with MLK JR Way and with Ashby as required to provide transitions to the larger roadways. Passenger loading and parallel parking would be provided on both sides of the street, with sufficient width to accommodate transit stops. The cycle track proposed in the Draft Plan remains along the west side of the right of way. The remaining portion of the right away along the western edge is utilized as a linear public plaza and a permanent home for the Berkeley Flea Market. Emergency vehicle access would be accommodated as necessary, including potential access at the public open space.

- **North Adeline Street**
  A single lane of traffic is provided in each direction on Adeline St. from MLK Jr Way to Ward Street. Between Russell St. and Ward St. these traffic lanes would be located along the west side of the current right of way. Turn lanes would be provided at the intersection with Shattuck and with Ashby as required to provide transitions to the larger roadways. Passenger loading and parallel parking would be provided on both sides of the street, with sufficient width to accommodate transit stops. The cycle track proposed in the Draft Plan remains along the west side of the right of way. Portions of the surplus public right away along the eastern edge of the right away could be converted to private development parcels to be developed for housing or other uses.

\textsuperscript{1} Correlation between density and VMT (John Holtzclaw, et al, “Location Efficiency: Neighborhood and Socio-Economic Characteristics Determine Auto Ownership and Use,” Transportation Planning and Technology journal, Volume 25, 2002)
a. The four lane design scenario included in the Draft plan provides insufficient information to allow public and decision makers evaluate design scenarios that address critical safety issues in our neighborhood and to identify the environmentally superior alternative.

b. Development along the Adeline corridor will significantly increase the number of pedestrians and bicyclists in this area and will increase the opportunities for accidents. The City will not achieve its Vision Zero goals without bolder action to reduce vehicle speeds and prioritize pedestrian safety.

c. The current scenario is not consistent with the City Bike Plan and fails to prioritize bike safety on major bike corridors. DEIR analysis should include analysis of how safety for bicyclists is addressed by each of the Adeline design scenarios. Reducing Adeline to two lanes could be considered a mitigation with the effect of reducing vehicle speeds area-wide.

d. The DEIR analysis shows that current north/south traffic counts on Adeline are significantly lower than on MLK Jr Way. The Draft Plan and the DEIR fail to take into account these lower traffic counts as a basis for studying environmental superior options that address city policy regarding bike and pedestrian safety.

e. DEIR analysis should include a clear comparison of the four lane and two lane alternatives with an equal level of detail for each, preferably in table format that can be readily evaluated by the public. Our goal is to give the public and decision makers the opportunity to readily evaluate the trade-offs and select the preferred option based on community priorities.

f. The concept plan for two lane option should be developed with input from community representatives.

g. BART policy for station area development is to focus on superior bike and pedestrian access which is supported by the two lane scenario. Incorporating this alternative in the DEIR will give BART the necessary information to evaluate and develop the environmentally superior alternative.

h. Alameda County Transportation Committee (Alameda CTC) has adopted a Countywide Transit Plan that designated Adeline as a regional transit corridor, which calls for consideration of dedicated bus lane where feasible. The potential for future dedicated bus lanes can be reserved by analyzing lane reductions along this section of Adeline. Public open space could be provided with the understanding that it is available for future BRT line or other public transportation improvements.

i. Not analyzing lane reductions under the DEIR will shut the door on future pedestrian, bicycle, bus, and open space improvements, and continue auto-oriented as-is conditions, which encourage faster moving vehicles and, therefore, increase the risk of serious and fatal injuries to pedestrians and bicyclists.

j. SBN recognizes that developing and analyzing this additional design scenario will require additional analysis and additional time, including potential recirculation for comment. We believe it is worth the effort. No single issue unites our community more strongly than traffic calming and safety for pedestrians and bicyclists.
k. The Ed Roberts Campus is a nationally recognized campus focusing on services for the disabled. Currently it is cut off from the neighborhoods to the west by the four lanes of Adeline. Reducing traffic lanes at Adeline will allow this nationally recognized institution to be fully integrated into our community, and to better meet its mission of serving the disabled community.

l. Reducing traffic lanes at Adeline will create an opportunity for a public open space over 50 feet wide and up to 1,000 feet in length. In combination with public plaza at the west lot, this can provide a permanent and highly visible home for the Berkeley Flea Market, allowing this community institution to grow and thrive.

m. Utilizing more of the public right of way for public open space will allow more of the west parking lot to be developed for mixed income housing and local businesses.

n. Narrowing Adeline Street will set the stage for closing Adeline Street to through traffic for community events such as the Juneteenth Celebration. With appropriate planning for transit and emergency access, the entire 110 foot wide Adeline right of way can be utilized as a community event space on a more frequent basis.

o. Our analysis of opportunity sites in the neighborhood demonstrates that North Adeline has the potential for development of up to 1,000 new housing units. Narrowing the street in this area will allow this underutilized right of way to become an active extension of the evolving South Shattuck neighborhood.

p. Narrowing North Adeline may allow the existing parcels at Walgreens and Berkeley Bowl to be expanded, creating 1.0-2.0 acres of additional developable land.

q. The open space greenway proposed along north Adeline in the Draft plan is unlikely to be well utilized. Narrower streets and more mixed use development will create a more pedestrian friendly environment.

3 COMMENTS ON PROPOSED ZONING STANDARDS IN THE DRAFT PLAN THAT IMPACT DEIR ANALYSIS:

SBN! requests that the DEIR analysis consider the following comments on zoning provisions in the Draft Plan as they relate to the build out projections, traffic impacts and other environmental issues

a. DRAFT PLAN TABLE 3.2 - BASE ALLOWABLE DENSITY: We support the provision of a standard for allowable density and we believe the base DUA standards are appropriate. However, it is critical to clarify how this allowable density standard will be applied in practice and to ensure that project applicants will not be required to calculate allowable density on a project by project basis utilizing a “base project” (a process that has led to much confusion on the part of the public). Clarification of how the Base Allowable Density will be implemented is necessary to allow decision makers and community members to evaluate the build out projections analyzed in the DEIR.

b. DRAFT PLAN TABLE 3.2 - HEIGHT, STORIES, AND ALLOWABLE F.A.R. MUST BE CONSISTENT WITH BASE DENSITY: Related to item a., the height, number of stories, and FAR limits proposed in Table 3.2 need to be increased to be consistent with the allowable density. A 35 foot height limit will only yield two stories of housing on a typical lot in the Adeline Corridor, with most of the ground floor being dedicated to required commercial uses, services, bike and auto parking.
The resulting density will be significantly less than the base allowable density. Height and FAR should be increased to correspond to the base allowable density.

c. **ALLOWABLE STORIES AND HEIGHTS SHOULD CORRESPOND TO TYPICAL CONSTRUCTION TYPES:** As an example, if the zoning intends to allow a five-story building, the maximum height should be 57 feet; allowing for an appropriate ground level of at least 15 feet in height (as recommended in table 3.6) plus 10 foot floor to floor for residential units, plus an additional 2 feet for normal roof construction. As a second example, the 75 foot height limit does not correspond to the mid-rise housing limit which allows housing up to 75 feet in height measured to the highest floor, plus an additional 10-15 for the top floor construction, for a total allowable height of 85-90 feet.

d. **REDUCE ON-SITE PARKING MINIMUMS:** To alleviate traffic impacts and to allow construction of housing that is affordable by design, standards for on-site parking for residential uses should be reduced to zero for sites within ¼ mile of BART and major transit stops.

e. **SIMPLIFY DENSITY BONUS TIER STRUCTURE:** The proposed tier structure is confusing and appears to apply a stricter standard compared to other transit corridors in Berkeley, thus disincentivizing development for the Adeline area. We request a development feasibility study addendum be added to the Plan demonstrating that the tier structure will function as intended and that it does not constitute a governmental constraints to Housing production which would be contrary to Housing Element Policy.

As residents of the Adeline corridor who share a vision of making our community a vibrant, equitable, diverse, affordable, sustainable place to live, work, and raise a family, we are committed to engaging with the Adeline Corridor Planning Process to ensure that the plan achieves its stated objectives. We look forward to working with you to amend the DEIR and plan to ensure it can achieve these goals. Thank you very much for your hard work and commitment to making Berkeley the best city it can be.

Respectfully,

The Steering Committee for South Berkeley NOW!

Ariella Granett, Betsy Thagard, Deborah Matthews, Jodi Levin, Jon Lau, Matt Lewis, Peter Waller, and Teresa Clarke

Please note that SBN will be submitting additional comments on the Draft Plan in a separate letter.
Dear Planning Staff-

I submit this Adeline Plan DEIR comment letter on behalf of the 89 signatories.

Dear City Clerk

We have also addressed this letter to Planning Commission and City Council. Please include in the Planning Commission and City Council packets.

Thank you

Teresa Clarke

SOUTH BERKELEY NOW! IS AN ALL VOLUNTEER COMMUNITY ORGANIZATION MADE UP OF SOUTH BERKELEY RESIDENTS WHO HAVE COME TOGETHER TO ADVOCATE FOR HOUSING, EQUITY, DIVERSITY, AND INVESTMENT IN SOUTH BERKELEY
To: City of Berkeley elected officials, commissioners, and staff  
RE: Draft Adeline Corridor Plan (PLAN) & Draft Environmental Impact Report (DEIR)  

June 2019

We write to express our concerns about the Adeline Corridor Plan and Draft EIR. While we are in general agreement with the main goals of the Plan, the specific policy proposals for zoning, street width, diversity/equity, and affordability will result in less housing than we need, more traffic than we want, and diminished diversity in south Berkeley.

1. **WE NEED TO MAXIMIZE HOUSING NEAR TRANSIT:** The Plan and Draft EIR do not include enough new homes in this transit-rich corridor. We are in a housing crisis because our city has not allowed enough homes to be built. We need more housing near transit NOW!

2. **WE NEED HOUSING FOR EVERYONE:** The Plan does not commit the City to building low-income housing, nor does it include housing for middle income workers. For low-income families, South Berkeley deserves at least $50 million of the Measure O funds to address the historical racial segregation impacts of red-lining, disinvestment, and displacement in south Berkeley. Middle income workers (teachers, city employees, office and retail workers) also cannot afford to live in Berkeley, but the Plan does not include housing for them either.

3. **ENSURE EQUITY AND DIVERSITY:** The Adeline Corridor Plan and Draft EIR needs an Inclusion Equity & Diversity Impact Report to disrupt patterns of racial inequity in housing and community development. The plan must weave together metrics and data with implications that impact people of color, long term residents, and small businesses to ensure equity and diversity in South Berkeley.

4. **WE NEED SAFER STREETS, A GREENWAY AND A WALKABLE NEIGHBORHOOD:** The Plan proposes too many lanes of traffic on Adeline Street. That street requires only one lane of vehicular traffic in each direction with a middle turn lane. The rest of Adeline could become a Green Way with wide sidewalks, bike lanes, and room for outdoor flea market and farmer’s market vendors.

The Adeline Corridor Plan and Draft EIR must be revised to include more housing, affordability for all, an Equity & Diversity Impact Report, and fewer traffic lanes. Thank you for making sure this happens.
Sincerely,

1) David Soffa  
2930 Otis St.  
Berkeley, CA 94703

2) Bhima Sheridan  
1811 Fairview  
Berkeley, CA 94703

3) Dan Cowles  
2927A Otis St.  
Berkeley, CA 94703

4) Betsy Thagard  
1937 Carleton Street  
Berkeley, CA 94704

5) Mark Trainer  
1885 Alcatraz Ave.  
Berkeley, CA 94703

6) Shelly Kaller  
2928 Otis St  
Berkeley, CA 94703

7) Serena Lim  
2974 Adeline Street  
Berkeley, CA 94703

8) Tommaso Sciortino  
Lorin District

9) David and Marija Hillis  
2147 Parker Street  
94704

10) Jeff Hobson  
2220-F Sacramento Street
94702

11) Jeremy Kaller
   2928 Otis St
   Berkeley, CA 94703

12) Jodi Levin
   2927 Otis St.
   Berkeley, CA 94703

13) Aaron Eckhouse
   94609 (formerly of 94703)

14) Jane Scantlebury
   2927B Otis St.
   Berkeley, CA 94703

15) Elliott Schwimmer
   1307 Ward St
   Berkeley, CA 94702

16) Mira Stein
   1307 Ward St
   Berkeley, CA 94702

17) Debra Sanderson
   2962 Russell St.
   Berkeley, Ca 94705

18) Duff Reiter
   1931 Parker Street
   Berkeley, CA 94704

19) Greg Magofña
   1931 Dwight Way Apt 4
   Berkeley, CA 94704

20) John Bidwell
    2334 Valley St.
21) Ariella Granett  
1811 Fairview Street  
Berkeley, CA 94703

22) Jon Lau  
1827 Ward St.  
Berkeley, CA 94703

23) Matthew Lewis  
1637 Stuart St.  
Berkeley, CA 94703

24) Shang-Mei Lee  
1501 Blake Street #306  
Berkeley, Ca, 94703

25) Marci Eppinger  
1808 Russell St.  
Berkeley, CA 94703

26) Cliff Moser  
2705 California St.  
Berkeley, CA 94703

27) Jim Koman  
1182 Ocean Ave.  
Oakland, CA 94608

28) Abbie Turiansky  
2924 Ellis St.  
Berkeley, CA, 94703

29) Blaine Merker  
1624 Acton St.  
Berkeley, CA 94702

30) Carol Mancke  
1721 63rd Street
31) Rose Jean Weller  
1531 Russell St. Apt. 28  
Berkeley, CA 94703

32) Teresa Clarke  
2930 Otis Street  
94703

33) Topher Brennan  
2010 Prince Street  
Unit A  
Berkeley, CA 94703

34) Scott Peterson  
2315A Russell St  
Berkeley 94705

35) Nathaniel Kane  
3025 Harper St.  
Berkeley, CA 94703

36) Jennifer Guitart  
1536 Dwight Way  
Berkeley CA 94703

37) Stephanie Allan  
1712 Channing Way  
Berkeley CA 94703

38) Andrew Pinost  
1912 Fairview Street  
Berkeley, CA 94703

39) Gregory Lemieux  
1113 Channing Way  
Berkeley, CA 94702

40) Liz White and Mike Ray  
1915 Carleton Street  
Berkeley, CA, 94704
Chris Harrelson and Sara Rahimian
1614 Spruce St
Berkeley, CA 94709

Pierre Thiry
1635 Ward Street
Berkeley CA 94703

Charles Siegel
Bonita Ave.
Berkeley, CA 94709

Heidi Fuchs and Thomas Vilkman
3012 Deakin Street, Apt. C
Berkeley, CA 94705

Rebecca Franke
1338 Stannage Ave.
Berkeley, CA 94702

Devon Lake
1624 Acton St
Berkeley, CA 94702

Maia Small
5200

Regina Park
2313 Oregon Street
Berkeley, Ca 94705

A. J. Fox
3046 Telegraph Ave
Berkeley, CA 94705

Zach Franklin
2956 California Street
Berkeley, CA 94703

Barry Fike
1723 Allston Way
Berkeley, CA 94703
David Brown  
3135 Ellis Street  
Berkeley, CA 94703

Phyllis Orrick  
1625 Kains Ave.  
Berkeley CA 94702  
Ed

Liza Lutzker  
2596 Milvia St.  
Berkeley, CA 94704
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<td>Eden Ogbeide</td>
<td>1554 Webster Ave, Berkeley, CA</td>
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<td>Nicole Sullivan</td>
<td>1522 63rd St, Berkeley, CA</td>
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<td>Andre Rivers</td>
<td>3132 MLK Jr Way</td>
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<td>Mia Callowfield</td>
<td>3030 Transact St, Berkeley, CA</td>
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<td>Bethany Andres-Bird</td>
<td>1640 62nd St</td>
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<td>313 Cove Court</td>
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<td>Alejandro de Gama</td>
<td>740, 5811 St.</td>
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<td>Sepama B. Peters</td>
<td>740 581 M St.</td>
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<td>Tomlin</td>
<td>2533 Blake St.</td>
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<td>Vincent M. Tietz</td>
<td>6 Captain Dr. #438</td>
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<tr>
<td>Katherine Elseworth</td>
<td>P.O. Box 2213 Berkeley, CA 94702</td>
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<td>70) Krystle Coleman</td>
<td>1629 Sixte St. #3 Berkeley</td>
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<td>71) Parz Minaian</td>
<td>1244 Haight Ave, unit C</td>
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<td>72) Zen Spencer-Harris</td>
<td>3800 Kingsland Ave</td>
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<td>74) Elizabeth Roper</td>
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To: City of Berkeley elected officials, commissioners, and staff

RE: Draft Adeline Corridor Plan (PLAN) & Draft Environmental Impact Report (DEIR)

June 2019

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<td>Elizabeth DiMasi</td>
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<td>Yolanda Hardy</td>
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<td>Barry Tillman</td>
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<td>Helen Fitzharris</td>
<td>6245 Baker St, Oakland, CA 94603</td>
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<td>John Doe</td>
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<td>Mike Jackson</td>
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226 of 248
To: City of Berkeley Planning Commission  
From: South Berkeley Now!  
Attachment included  

In re: Draft Adeline Corridor Plan and Draft EIR  

June 3, 2019  

Dear Planning Commission:  

We write to you to express our concerns about the Adeline Corridor Plan as members of South Berkeley NOW!, a neighborhood organization with over 150 members who live in Berkeley south of Dwight street, and who have gathered 1000 signatures in support of housing on Ashby BART NOW!  

The Adeline Corridor planning process began over five years ago with the goal of updating the zoning, traffic management, and commercial capacity of the corridor to help the city achieve its housing, climate, and pedestrian/cyclist safety goals in the area. In the intervening period the housing crisis has dramatically increased, with homelessness and displacement on the rise. We have also encountered a road safety crisis, as more pedestrians and cyclists have been injured and killed by drivers on our streets. And the impacts of the climate crisis have become much more evident.  

One year ago, the City also declared a Climate Emergency, with the express purpose of taking a leadership role regionally and nationally in moving quickly to address climate change with available means. The City’s own climate plan, along with numerous other studies, found that cars are the number one source of pollution in our city, and that infill housing development near transit is the number one intervention the city can take to reduce this pollution.  

After reviewing the Adeline Corridor plan in detail, we are deeply concerned that the plan does not respond in a meaningful way to any of these related crises.  

There are important elements of the plan that we believe will help preserve the character of the neighborhood. However, the core elements of zoned capacity, street width, and building heights appear to have been weighted in favor of limiting the amount of new housing in the neighborhood and in favor of avoiding changes that would reduce pollution, vehicle speeds, and the footprint of private vehicles in the neighborhood.  

Our conclusion is that the plan will not address our housing crisis, nor will it improve pedestrian safety at the most important intersections. And it will not set the city on the path to reducing transportation related greenhouse gas emissions, one of the most important climate change challenges for the Bay Area and the state as a whole. Our specific concerns include the following:  

1. The Plan does not increase the rate of production of housing significantly, but rather envisions 70 units per year over its 20 year planning horizon, for a total of 1450 units - which is no change from current zoned capacity, and an order of magnitude less than the potential capacity of this transit-rich, walkable corridor.  
2. This low figure means that the new Plan is not providing incentives for more housing production. In fact, the new Plan creates disincentives for more housing production by continuing to limit the base height of buildings to 3 stories on Adeline Street.  
3. In addition, the Plan does not propose any zoning for the Ashby BART, which is one of the largest undeveloped opportunity sites in all of Berkeley. This means that any proposed housing development at Ashby BART will require an additional EIR and will be further delayed.
4. The lack of adequate zoning and building height limits will hamstring the city’s efforts to identify funding partners for the street redesign and pedestrian improvements we desperately need. Given the city’s budgetary constraints, this implies that the city has no intention of developing these improvements.

5. The plan retains all four lanes of traffic on Adeline from Dover to Derby Street, missing the opportunity to dramatically transform Adeline to a two lane street, allowing Ashby Station to be developed into a truly pedestrian oriented transit village. How can we create a pedestrian friendly transit village with a 4-lane road running through the middle? While traffic calming measures will provide some benefit, the most significant impact on travel speed is to reduce travel lanes. Our neighborhood has been a drive-through zone for high-speed traffic for too long. We need more significant reductions in travel lanes.

Given the public health crisis unfolding on South Berkeley’s streets, with the steady increase in the number of pedestrians and bicyclists being maimed and killed on Ashby, Adeline, and Martin Luther King Jr. Way, this plan calls into question the city’s commitment to being a bike-able, walkable, “Vision Zero” city. Under current conditions, the main intersections at Ashby, Adeline, MLK Jr Way, and Alcatraz do not meet the most basic safety standards for pedestrians or bicyclists. Our neighborhood is being used as a thoroughfare for speeding traffic on all four of those streets.

The Adeline Corridor and Ashby BART area have excellent transit; one of the best groceries in the Bay Area; the Flea Market; the Farmers Market; coffee shops, hair salons, restaurants, and locally owned businesses; churches; and amazing community institutions and non-profits like the Ed Roberts campus, Juneteenth festival, Healthy Black Families, the Black Rep and Ashby stage theaters. Getting to those places is dangerous for people on foot, bike or wheelchair. We need a visionary plan that brings those elements together into a truly walkable neighborhood.

While the plan includes some traffic calming measures, it does not eliminate a single lane of traffic on MLK or on North Adeline, which combined provide a total of 8 lanes of travel. Moreover the draft Plan does not project adequate housing for Berkeley to qualify for the state and regional transportation funds needed to make Adeline, Ashby, MLK and Alcatraz safer for pedestrians, bicyclists, transit-dependent citizens, seniors and children. As residents of the Adeline corridor who share a vision of making our community a vibrant, equitable, diverse, affordable, sustainable place to live, work, and raise a family, we are committed to engaging with the Adeline Corridor Planning Process to ensure that the plan achieves its stated objectives and is not used as a cover to justify the status quo. We look forward to working with you to amend the plan to ensure it can achieve these goals.

Thank you very much for your hard work and commitment to making Berkeley the best city it can be.

Respectfully,

The Steering Committee for South Berkeley NOW!

Ariella Granatt, Betsy Thagard, Deborah Matthews, Jodi Levin, Jon Lau, Matt Lewis, Peter Waller, and Teresa Clarke

Attachment: Summary of Recommended Revision to Draft EIR and Draft Corridor Plan
Summary of Recommended Revisions to Draft EIR and Draft Adeline Corridor Plan.

SBN requests the Commission consider the following top priority revisions to the Draft EIR and to the proposed Zoning. Additional recommendations on other important items will be included in our comprehensive written comments.

1. HOUSING PROJECTION: Add a Project Alternative to the EIR that increases the housing projection to at least 2000 units area-wide. Studying this scenario would require only limited additional analysis of traffic impacts but will allow the community to have more flexibility over the next twenty years to pursue higher density affordable housing.

2. TRAFFIC LANES: Include analysis of two additional design scenarios to improve pedestrian safety and community character on Adeline Street
   
   a. Option 1: A single lane of traffic in each direction on Adeline Street between Dover and Woolsey, which will allow Ed Roberts Campus and the rest of the Ashby BART housing to become a thriving hub of community activity. This would provide more space for Flea Market and similar events. Accommodations can be included for emergency vehicle access and potential future transit improvements, while limiting normal through traffic to two lanes. Parking lanes could be converted during rush hour if necessary as is done with Ashby Avenue.
   
   b. Option 2: Extend Option 1 from a single lane of traffic in each direction from Dover to Ward Street on Adeline Street. This would include all the benefits provided in Option 1, as well as expand sites for future open space and for larger mixed use development on the Walgreens and Berkeley Bowl sites.

3. TRAFFIC IMPACT ANALYSIS: Clarify why the DEIR relies on Level of Service (LOS) rather than the Vehicle Miles Traveled (VMT) to analyze traffic impacts. State has mandated VMT as the standard for evaluating traffic impact. Please provide background on why the City of Berkeley has not moved to adopt state mandated standards.

4. BASE ALLOWABLE DENSITY: SBN! supports the provision of a standard for Allowable Density and we believe the base DUA standards are appropriate. However, it is critical to clarify how this allowable density standard will be applied in practice and to ensure that project applicants will not be required to calculate allowable density on a site by site basis utilizing a “base project”, a process that has led to much confusion on the part of the public, developers and the City in general.

5. DENSITY MUST BE CONSISTENT WITH DEVELOPMENT STANDARDS: Related to item 4, the Height, number of stories, and FAR limits proposed in Table 3.2 need to be increased to be consistent with the allowable density. A 35 foot height limit will only yield two stories of housing on a typical lot in the Adeline Corridor, with most of the ground floor being dedicated to required commercial uses, services, bike and auto parking. The resulting density will be limited to 60-70 DUA maximum, based on an average net unit size of 850 SF. Heights in chart should be increased at least one more story, with a corresponding increase in FAR.

6. STORIES AND HEIGHTS SHOULD CORRESPOND TO BUILDING CODE TYPES AND DESIGN GUIDELINES: A 5-story building should be allowed 55 feet if we want an appropriate ground level of at least 15 feet in height. The 75 foot height limit does not correspond to the Type 1 and
Type 3 building construction that allow the last occupied floor to be 75 feet. Add 10 feet for the last occupied level to equal 85 feet.

7. ON-SITE PARKING MINIMUMS: Standards for on-site parking for residential uses should be reduced to zero for sites within ¼ mile of BART and major transit stops. This will alleviate traffic impacts and will lead to housing that is more affordable by design, allowing developers to provide only the amount of parking that is needed by future residents’ demand.

8. SIMPLIFY TIER STRUCTURE: The proposed Tier structure is confusing and complicated, would have unintended consequences, and applies a stricter standard in the south Berkeley area compared to the rest of the transit corridors in Berkeley, thus dis-incentivizing development for the Adeline area. Staff has confirmed that the higher tiers are likely not feasible.

9. WORK-FORCE HOUSING: The Plan does not provide any incentive for affordable housing for the 60-120% of AMI households. A city inclusionary incentive is the best way to provide for these households when public housing funding and subsidies are limited to 60% AMI and below.

10. DIVERSITY INDEX: One of the goals of the Plan is to maintain and increase diversity but The Plan does not include a provision for reporting on diversity. Include this in the Plan.
Hello-

I was disappointed to see how little attention was paid to public transportation in the draft plan. While it may not be appropriate for Adeline itself given that only the F currently runs on it, I think the South Shattuck section of the plan should incorporate dedicated bus lanes (which should, obviously, continue through downtown). I ride the 18 and F regularly and am often stuck in traffic, especially by cars at intersections who will not let buses merge.

I would also like to support protected bike lanes, especially on Adeline. The delivery vehicles for Berkeley Bowl and Walgreens regularly park in the bike lane. Protected bike lanes would make this less frequent. I would also say in the north Adeline part, the parking lane on the northbound side could perhaps be done away with. Those spots are rarely filled and the space could be better allocated to pedestrians.

The Ashby / Adeline intersection is currently uncomfortable to drive on. The striping for the left turn lane from Ashby on to Adeline northbound and the left most lane continuing on to Ashby always feel like they overlap slightly when entering the intersection. Perhaps the turn lane angle could be changed ever so slightly to reduce this conflict.

I would very much support bulb outs on Adeline / Russell.

The stops you have on your map for the 18 and the F in figure 6-15 are out of date.

What will become of the Here / There sculpture? It appears like in the Stanford / MLK / Adeline intersection reformation that would be lost. This should be maintained in some way.

Thank you for the opportunity to comment
Adelaine Corridor Specific Plan: AB 2923 Question, Ashby Bart
I live on MLK in the area of the Adelaine Corridor Plan. Will the inevitable development of the Ashby Bart parking, knowing the City owns the air rights over the west parking lot, allow citizens to weigh in on the development plan, as a "Stackholder", which I believe I am?

Thanks and please elaborate on the conditions of collaboration between Bart and the City for how this will be developed.

Chris Sullivan, Architect
Hello,

I am a resident of multiple years living at the intersection of Adeline and Alcatraz. I have a couple of comments about the proposal:

- **Adjust Affordable Housing Bonuses**: I was reviewing the supporting feasibility analysis for the affordable housing density bonus and believe Tier 1 and Tier 2 should be restructured. Projected returns for both are below those of the base project. A developer will be unlikely to accept the greater complications that come with a larger and mixed-income projects if the returns are actually lower. I’d suggest adjusting the incentive to truly encourage market-rate developers to take advantage of these Tiers by ensuring returns are higher with each subsequent tier. Perhaps further lower (or remove) the parking ratios required or lower the affordability percentages slightly (e.g. 15% and 30%) or change the distribution between low and very low income units (e.g. 60%/40% or 70%/30%). The Tier 3 makes sense because that will likely be a fully affordable project where market returns are not relevant.

- **Increase General Density**: I also believe that the overall base densities are too low given the incredible opportunity this corridor presents. This is a once-in-a-generation opportunity to bring housing to one of the most transit and amenity-rich areas of the region. I’m also worried that the housing additions projected will not be enough to support the ambitious goal of active commercial/retail along the entire corridor, especially given the changing retail landscape. I’d recommend increasing the base densities at least one story above the proposed densities. Of the four sub-areas, I think South Shattuck in particular could accommodate significantly more density without altering the existing character too much given its proximity to Downtown Berkeley and UC Berkeley and less defined corridor character.

Thank you for your consideration!

Mark

--

Mark Trainer
Master of City Planning
UC-Berkeley, Class of 2019
(480) 560 – 0269 | mark.trainer@berkeley.edu
Additional Adeline Plan Comment - Regulatory Context

Please add California Solar Rights Act


The ACSP and the DEIR should show how it complies with solar rights in the area of open space, energy, and avoiding the shadowing of existing and potential solar roof arrays.

Thanks for your consideration!
To: Alisa Chen, City of Berkeley, Planning Department  
From: David Ushijima  
Date: 7/2/19  
Re: Japanese American Culture and History in the Adeline Corridor

As the city moves forward with the Adeline Corridor project it is vitally important that strong efforts be made to preserve the rich history, culture, and the heritage of the community stretching from Dwight Way on the Northern border to Alcatraz Ave in the Southern end. While in the most recent past, the community has consisted of a largely African-American population of residents and businesses, prior to World War II, the community was home to a thriving population of Americans of Japanese descent.

With the outbreak of War and the issuance of Executive Order 9066, the Japanese Americans in Berkeley were rounded up and forced to leave their homes and businesses and were sent first to the Tanforan Assembly Center, located in what were formerly the horse stalls at the Tanforan Racetrack, and then to makeshift prison barracks in the desert of Utah in a government relocation camp called Topaz.

In April of 2017, at a ceremony commemorating the 75th anniversary of the relocation of Japanese Americans from Berkeley, the City of Berkeley and Mayor Jesse Arreguin issued a proclamation [see Attachment A] in honor of those residents most of whom resided in what is today called the Adeline Corridor.

The pre-war community of Japanese Americans has been documented by well-known Bay Area researcher Donna Graves in a project called Preserving California’s Japantowns:

https://www.donnagraves.org/ -
/http/wwwcaliforniajapantownsorg/preservinghtml/

A map of the notable Japanese American owned businesses, churches, and establishments in pre-War Berkeley is located at the Japantown Atlas project:

http://japantownatlas.com/map-berkeley.html

I have attached a PDF file of the map as Attachment B. Steve Finacom of the Berkeley Landmarks Preservation Committee is familiar with the project and in fact helped to establish the building at 2526-30 Shattuck as a landmarked structure. Other such buildings exist in the neighborhood.

While many of the former businesses and institutions are long gone, a few institutions such as the local churches including the Berkeley Methodist United
church on Carleton, the Berkeley Higashi Honganji on Oregon St. and the Berkeley Buddhist Temple on Channing Way still remain as active members of the community.

While it should not be the intention of cultural preservation to bring back communities that have since disappeared, it should be a goal to at least commemorate and honor important and significant people and cultural resources and institutions that were a vital part of the community in the past.

For example, the city might consider honoring some of the Japanese American authors such as Mine Okubo, and artists such as Chiura Obata who lived their pre-War years here in Berkeley and went on to become known worldwide for their works. Or honoring Japanese and Asian American educators and musicians like George Yoshida and Herb Wong, who taught and administered in the Berkeley Public Schools and helped to establish what became the jazz program at Berkeley High School.

Numerous examples can be drawn from the community and perhaps from sources in UC Berkeley's Bancroft Archives or Eastwind Books but it is important that prominent portions of public space be devoted to displaying art, music, and history of the area's past, present, and future.

In addition to devoting public space to the display of the areas’ art, history, and culture, it is important for the city to invest and partner with local arts groups to create a performing arts program in the community to encourage and instill young and minority artists of color to pursue their art. Having a community performance space is vital to maintaining the lifeblood of any community, and while the Downtown Arts District is an important cultural resource, having a community space in the Adeline Corridor devoted to diversity in the arts would be a significant addition.

Finally, in considering how to avoid the complete gentrification of the area in the pursuit of development of affordable housing, it is equally important to consider how to maintain the racial, economic, and cultural diversity that exists in the community today. It is not enough to only abide by the affordable housing guidelines and hope that that alone will maintain diversity. The city must take a proactive role to ensure that minority-owned business and cultural institutions can thrive and grow in the Adeline Corridor community of the future.

David Ushijima
longtime resident, Central Berkeley
RECOGNIZING THE COMMEMORATION OF THE 75th ANNIVERSARY OF THE FORCED REMOVAL AND IMPRISONMENT OF BERKELEY'S JAPANESE AMERICAN COMMUNITY

WHEREAS, prior to World War II Berkeley had a thriving Japanese American community which included both permanent residents and many University of California students; and

WHEREAS, after the attack on Pearl Harbor, President Roosevelt signed Executive Order #9066, forcing 120,000 Japanese American residents of the West Coast, a majority of whom were American born citizens, to leave their homes and jobs, register, and be transported to guarded inland concentration camps, including 1,300 Berkeley residents despite opposition from residents, campus, and community leaders; and

WHEREAS, at the suggestion of Ruth Kingman, Berkeley’s First Congregational Church offered its facilities and services to provide a dignified gathering place for Berkeley’s Japanese American communities as they faced registration and removal, and many members of this and other local congregations came together at the church to provide hospitality, support, and witness to their fellow Berkeleyans of Japanese ancestry, and continued that support after their removal to far distant concentration camps; and

WHEREAS, the Berkeley Historical Society, First Congregational Church of Berkeley, and other campus, community, religious and civic organizations have joined to hold a commemoration of the 75th anniversary of the removal and imprisonment of Berkeley’s Japanese Americans, and help educate the public about both the history and causes of the events of 1942 and the dangers of a reoccurrence of those mistakes.

NOW THEREFORE, BE IT RESOLVED that I, Jesse Arreguin, Mayor of the City of Berkeley, do hereby recognize the

75TH ANNIVERSARY OF THE FORCED REMOVAL OF JAPANESE AMERICANS IN BERKELEY

and recognize in particular Berkeley’s Japanese American community for its resilience and dignity and First Congregational Church of Berkeley for its leadership in 1942 in supporting fellow residents and citizens victimized by bigotry.

Jesse Arreguin
Mayor

April 26, 2017
Fwd: Preserving the history, culture, and heritage of the Adeline Corridor

Alisa,

As the deadline for submission has been extended, I would like to add the following question to my comments:

- In the Adeline Corridor Draft Environmental Report, Section 2.3.2 (Land Use), how were the Maximum density numbers formulated in the Tables 2-1, 2-2, 2-3, and 2-4? Since currently the Berkeley Zoning code does not contain any density standards in terms of dwelling units per acre, the maximum density numbers proposed in the aforementioned tables would appear to allow densities on a par with the most dense areas of much larger and denser cities like San Francisco. Despite the tradeoff of density for affordable housing, the proposed density numbers look to be too high especially in the South Adeline Area.

David

David Ushijima
Public Comment regarding Adeline Corridor Plan

Dear Alisa Shen,

Regarding the "specific plan" for the Adeline Corridor, I respectfully submit the following comments for your consideration:

- **3.6 Historic Resources, Historic Preservation, and Adaptive Reuse (page 3-19 of "specific Plan")**
  - Preserve architectural integrity of older buildings when adapting them for new use. Please avoid mismatching of architectural styles as shown on page 3-19. The original ground level design and the added floors above it, as exhibited in this example, seem incompatible.

- **5.4 Flea Market and Farmers Market**
  - Please include new enhanced public plaza/market space if the Ashby BART parking area is developed for housing. Both markets are long-standing community assets.

- **6.2 Street Right-of-Way Design**
  - **Identify opportunities to repurpose excess right-of-way for useable public space** — Please preserve and enhance existing green median along Adeline between Derby and Russell Streets. It is wide enough now to add a pathway for pedestrian passage through the middle. By adding more landscaping, it could become a mini park/green space for respite. I already walk on this island of lawn en route to Berkeley Bowl shopping excursions. It provides a welcome break from the hectic four lanes of traffic.

- **6.5 Pedestrian Circulation: (page 6-28 of "specific Plan")**
  - **Reducing street crossing distances** — Please add Bulb-outs as an "interim Pedestrian Improvement" at the intersection of Blake and Milvia Streets. Because Milvia Street is the only alternative route for pedestrian travel between the heavy trafficked Martin Luther King Jr. Way and Shattuck Ave, it is imperative that calming enhancements be added for pedestrian and bicycle safety. The street width along the 1900 and 2000 blocks of Blake is wider than adjacent parallel streets – Dwight to its north and Parker and Carlton Streets to its south. Three new housing projects are proposed or are in early stages of development on the 2000 blocks of Blake and Dwight Way. One proposed project will provide 150 new units with underground parking, thus increasing traffic to the immediate surrounding area. A second development proposed along Milvia between Dwight Way and Blake will add six stories of senior housing. It is important to insure reasonable safety for elderly residents and children already residing in the area to walk safely within the neighborhood. I recommend shortening the distance to cross Blake within this two block corridor.
Increasing pedestrian visibility — Please add "New Pedestrian Flashing Beacon" at the intersection of Shattuck and Blake Streets. When crossing as a pedestrian at this intersection, I frequently encounter multiple pairs of cars passing at high speed in front of me after I have entered the cross walk. Even during non commute times, I routinely stand waving my arms within the first steps of my attempt to cross within the designated crosswalk.

Lengthening pedestrian crossing signal times — Please add more time for pedestrians to cross Adeline and Oregon Streets. Walking to the Berkeley Bowl is treacherous for those of us traveling east from the 1900 and 2000 two-block corridor west of this beloved food resource. Even at a speedy walking pace, I am unable to cover that distance within the time currently allotted at that intersection.

Thank you for considering my input.
Pam Webster
pamelawebster6@gmail.com
To: Housing Advisory Commission (HAC)

From: Marian Wolfe

Date: July 2, 2019

RE: Financing Adeline Corridor Specific Plan Improvements

At the last HAC meeting (June 6, 2019), staff provided an overview of the Adeline Corridor Draft Specific Plan. One issue not really discussed was how improvements and affordable housing would be funded. This is always an important consideration, and so I decided to look into this issue more. I think that identifying likely funding is important not only for HAC members, but also for anyone who is advocating activities and development for this area.

The best information available at this time that addresses funding of improvements and other developments is the Draft Specific Plan, Chapter 8 (Implementation). This chapter sorts all improvement activities into two time frames (short term - within three years, and on-going - no term specified). Housing-related activities are grouped into both time frames.

Possible funding for general improvements, economic development, and housing in the corridor is listed on four pages of the Specific Plan, starting on page 8-11. These funding sources are briefly described, and a brief discussion of the process to obtain funds is provided. What is not yet included is an actual chart that provides a “cross-walk” between funding sources and recommended improvements and developments in the Adeline Corridor Area. Funding is needed not only for new development, but also for improvements to existing infrastructure. Also, estimates of costs, particularly public costs and subsidies required, should be considered.

All funding sources (except for existing Berkeley resources) are either competitive (at the regional, state, or federal levels), require a vote of Berkeley residents, or require support from current merchants. Existing Berkeley resources that can be considered for the Corridor, such as general funds, revenues from approved measures, or Housing Trust fund revenues, will compete with existing needs already identified within the City of Berkeley.

In my opinion, the principal challenge is the funding of two non-market undertakings presented in the staff presentation. Specifically, these are affordable housing and investment in commercial activities that would help existing neighborhood businesses and/or foster new

1 [https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Land_Use_Division/Adeline%20SP%20Public_8.%20Implementation_5.16.19.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Land_Use_Division/Adeline%20SP%20Public_8.%20Implementation_5.16.19.pdf)
businesses with a primary goal of preventing commercial displacement and limiting gentrification.

Regarding the construction of affordable housing, the two basic models prevalent in Berkeley are:

1. Construction of developments that are exclusively affordable and which require major subsidies, and
2. Inclusionary units required of market rate developers (which require vouchers if deeper affordability is to be attained).

If only affordable housing is built in the Corridor (as some members of the public who addressed the HAC at its June 6, 2019 meeting advocated), then more subsidies will be needed to develop the housing. This could slow the pace of affordable housing development. If there were a mix of market rate developments (with an inclusionary requirement) and affordable developments, then it is possible that the pace of development could be quicker. However, if there is a downtown in the residential building cycle, then it is possible that only the affordable developments could be feasible.

Regarding economic development, the main activities identified in the Specific Plan do not directly help existing or new business owners, but instead work to make the area more attractive to customers. A good example of this would be a Business Improvement District (BID) which taxes property or business owners in the area. Revenues from a BID can fund amenities, such as street furniture, landscaping, and can sponsor special events – all intended to attract consumers to the area. BID revenues also provide funds to pay for better upkeep, such as sidewalk cleaning and graffiti removal. However, a BID does not provide low cost financing to a start-up business.

However, one way that private investors could increase funding directly to start-up businesses would be the use of Opportunity Zone funding authorized by the 2017 Tax Law. This program provides federal tax benefits to taxpayers who invest in projects located within one of these zones. The Corridor is located within an Opportunity Zone. Guidance for using the opportunity zone strategy has not yet been issued by the federal government, but this would potentially be one useful source for business development, particularly if private investors can be encouraged to participate. Berkeley staff, Chamber of Commerce, and other interested individuals and

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2 Another way to expand the supply of affordable housing is to encourage new and nontraditional housing models and types targeted towards lower and middle-income residents. (Page 4-18, Adeline Corridor Specific Plan) However, financing for these models is more complicated and so not included in this brief memo.
entities should monitor this program closely to determine whether it will be useful in helping to foster local business creation.

In conclusion, I encourage the HAC and other relevant commissions to understand the challenges of implementing the Adeline Corridor Specific Plan – not only from a political/policy perspective – but also with a viewpoint that considers financial feasibility. The Draft Plan provides useful background information on both.
adeline corridor Plan comment

There are already too many people living in Berkeley and the BART parking lots do not have enough parking spaces. What is being done to limit the number of people and increase the amount of parking? This Plan seems to be doing the exact opposite of what is needed, it seems to be destroying much needed parking spaces.

To repeat, we need more parking, not more housing, and not more people.

Walter Wood