



Planning and Development Department
Land Use Planning Division
1947 Center Street
Berkeley CA 94704

Community Advisory Group (CAG) Meeting #1 – Summary Notes

Ashby + North Berkeley BART Zoning and Site Planning

Date + Time: June 8, 2020 at 6 pm

Location: Zoom Video and Teleconference

Agenda

1. Welcome and Introductions
2. Overview, Context, and Background
3. CAG Members “Who we are”
4. CAG Overview “How We Will Work Together”
5. Development Parameters and Existing Conditions
6. Next Steps
7. Public Comment

Attendance

There were 14 out of 15 Community Advisory Group (CAG) members in attendance (Robert Smith, from the Disability Commission, was not in attendance) as well as approximately 30 members from the public.

The following City, BART and consultant staff made presentations during the meeting:

City of Berkeley: Mayor Arreguin, Council Members Kesarwani and Bartlett, Timothy Burroughs - Planning & Development Director, and Alisa Shen - Principal Planner

BART: Rebecca Saltzman – BART Director, Abby Thorne-Lyman - Transit-Oriented Design (TOD) Manager, Rachel Factor – Principal Planner

Consultant Team: Karen Murray - Van Meter Williams Pollack (VMWP), Dave Javid - Plan to Place



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Meeting Summary

The purpose of the first CAG meeting was to introduce the members of the CAG to each other and to the public; review the group's purpose and responsibilities; provide an overview of the ongoing process to develop zoning and development parameters for the Ashby and North Berkeley BART station areas; and share preliminary analysis of existing conditions and development considerations of the two station areas. The following notes summarize the presentation and discussion.

Welcome, Introductions and Project Overview

Timothy Burroughs opened the meeting, followed by a remarks from Mayor Arreguin and Council Members Kesarwani and Bartlett. Alisa Shen then provided an overview of planning efforts for the BART stations that have already been undertaken, including the Adeline Corridor Specific Plan, the North Berkeley BART Visioning process, and the Memorandum of Understanding adopted by the City Council and by the BART Board of Directors. Abby Thorne-Lyman (BART) provided an overview of state Assembly Bill 2923 (AB2923).

CAG Introductions, Purpose, Roles and Responsibilities

Dave Javid led the CAG through an overview of the CAG's purpose, roles, responsibilities and draft "group agreements" about how CAG members would conduct themselves at meetings. He also led CAG members through an "icebreaker exercise" during which each CAG members expressed their hopes and concerns for the project, and their favorite activity outside of work. CAG members were then invited to participate in an open discussion.

The following summary is intended to capture key themes and questions raised by the CAG (*italicized bullets represent responses by the City staff and consultant team*):

Process Outcome and the CAG's Role

- What are the deliverables from this process and what is the CAG's role?
 - *The CAG is advisory to the Planning Commission and will provide input to help the Commission develop zoning and other development parameters for the Ashby and North Berkeley BART station areas.*
- It would be helpful to have agreed-upon principles and aspirations that can be used to evaluate the full range of possible scenarios.
- There are so many things we could cover. How will the CAG's input be used?
 - *We plan to document the CAG's conversations, noting areas of particular concern, levels of agreement and disagreement around aspects of the zoning standards, and the CAG's prioritization of project objectives and community benefits.*



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Community Engagement

- The CAG should work to develop consensus, so the Planning Commission doesn't have to. Facilitators are encouraged to help make this happen.
- If the City makes decisions in silos, that will be inefficient. Can we do this in a way where bureaucratic boundaries (Land Use Planning and Public Works, for example) don't become a problem?
- How will the public outreach component intersect with the CAG process?
 - *We will be holding a community event in late summer/early fall, as well as others throughout the planning process. We plan to work with the CAG to determine the best ways to gather community input. The CAG is one of many community engagement opportunities. We will share community feedback from other engagement activities back to the CAG and will have them posted to the project website.*
- Other City Boards and Commissions have not yet resumed meeting since the Shelter in Place Order (the Transportation Commission, for example). How will this effect community engagement?
- Not having a project that works is the greatest injustice.
- We should look for examples of how this has been done elsewhere.
- This CAG is not a commission. Consider preparing guidelines for participation and for coming up with recommendations (codification)
 - *We will figure out a way to incorporate that into the meetings. We will work on it with the CAG.*
- For historical perspective, the Roberts campus project took 17 years to construct. They had a housing element that was originally designed for the lot (with emphasis on people with disabilities). This property became entirely different in the end.

Development Parameters and Existing Conditions

Alisa Shen introduced the range of community engagement conducted to date and policies/plans that are the City's "parameters" for zoning and development, such as the Draft Adeline Corridor Specific Plan, the North Berkeley BART Development Goals and Objectives and the Memorandum of Agreement (MOU). These documents address topics such as affordable housing, public space and public art. Rachel Factor (BART) then introduced BART's parameters and objectives: complete communities; conformity with the Bay Area's Sustainable Community Strategy; no net loss of ridership; value creation and value capture; transportation choice; and affordability. Karen Murray concluded the section with an overview of the physical conditions of the two station areas.



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Following these presentations, CAG members were invited to participate in an open discussion. The following is a summary of the CAG discussion, organized by key themes (*italicized bullets are responses by the City staff and consultant team*):

Site Details

- What are current City plans for the circulation of parking at the North Berkeley BART?
 - *The City has some plans for complete street improvements on surrounding streets with some cycle infrastructure, signals, and safety. BART is also working on active access improvements. In addition, we are working towards an Ohlone Greenway extension.*
- Given how expensive parking is to construct and how quickly existing parking spaces are filled, what's the current thinking of coordination with other transit modes?
 - *We are working with AC transit and looking into shuttle operations. We are at the beginning of these conversations as part of discussing an access strategy for North Berkeley BART.*
 - *There are three BART stations in Berkeley but all our buses go to the Downtown BART. We want to take advantage of the multiple points of access to BART.*
- Will the two surface lots north of the North Berkeley BART station remain parking lots due to the train tube underneath?
 - *It would be structurally challenging to build on top of the train tube. It doesn't need to stay surface parking in the future. We need to think about the public space and how to best use it. BART's top priority is making the TOD project work.*
- How does the fair market value discount impact the project---BART owns the land, so how does the value of that land impact developers?
 - *BART is intending to ground lease property for 66-99 years. It will provide a discount up to 60% off market value (it would be 35%, unless it's a lower income development)*
- How does having an access study after this process benefit the process? Aren't these linked?
 - *This process will look at station access to an extent. There is a more detailed station access study for a specific station that's usually paid for by the developer selected to develop the TOD. BART has applied for grant funding to do a more robust station access study now (including along the Richmond Corridor).*
- How will city services be provided to this development if residents don't pay property tax (because they reside on BART property)?
 - *Developer pays interest tax. For an affordable housing project, the tax is exempt and that would need to be factored into the equation.*



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Project Process

- Curious how Roberts Campus is represented in this process and what their role is.
 - *They are a stakeholder that we are planning to meet with.*
- A focus on the *implementation* of the project will be what makes project come to fruition. As we go, it would be helpful to put implementation structure in place and make sure that each element has a pathway forward.

Public Comments

Following the discussion by the CAG, approximately 10 members of the public provided comments. An overview of the opportunities and concerns raised by the meeting participants during the public comment are organized by topic below.

Equity

- There has been a disconnect with South Berkeley historically, so the City Council activated a joint process with the Planning Commission and the Housing Advisory Commission to create workshops centered around gentrification and displacement. This still needs to be a priority because the number of African Americans in Berkeley is decreasing. In addition, some people may not have access to this information.
- When BART went through North Berkeley, they got Ohlone park, but the Ashby BART station area got a six-lane roadway. This is a safety and equity issue. I'd like to see a two-lane option for Adeline Street included in this process. There's no reason we should push into the parking lot for development and access when we can push into the street.
- We were told recently that the issues we are most concerned about would be discussed. There was too much staff and consultants, and not enough of the community representation. We are concerned with racism, affordability, redlining, etc. There isn't an opportunity for free flow discussion of the CAG. The points made about decision making were brushed aside, consider re-addressing them.
- Concerned with the lack of diversity on the consultant team and CAG.

Implementation

- The development parameters are not for zoning. We have to think in terms of the Request for Proposals (RFP) we want developers to pitch. We want the people who live in Berkeley to get the units to reside there.
- We want non-profit developers to have an opportunity; how will nonprofits be incorporated into the final RFP?



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Site Details

- Want to see as much housing built (and as much of it affordable) as possible with increased access. The Center Street parking garage is underutilized.
- Puzzled how North Berkeley got designated an “urban city center”. It's surrounded by single family housing, residential.
 - *It was not a city decision; it was made by BART based on place-types identified in the Bay Area’s Regional Transportation Plan/Sustainable Community Strategy. AB 2923 has codified this place type for NBB and at this point it could only be changed through legislative action at the State level.*
- We all care about affordable housing. Hope we maximize it everywhere.

Project Process

- Love the idea of the CAG, want to encourage you to enable the chat function for the public. We can learn a lot from each other through reading comments in the chat.
- Listening to this meeting, a lot of decisions are made, and the CAG doesn't have influence on them.

Transit

- Increasing bike lanes/working with AC transit to increase transit is important. Main concern is unintended environmental effects. A lot more housing, means a lot more people using BART. Can we increase BART trains for peak hours?

Adjournment

Alisa Shen shared information about how to provide public comments and upcoming meetings as follows:

- By email or US Mail to City staff by Monday, June 22nd (in order to be incorporated into the first CAG meeting summary)
- During “Office Hours” (via Zoom video and teleconference) on Wednesday June 17 and Friday, June 19.
- The next CAG meeting will be held on Monday, August 3rd at 6pm.

The meeting was adjourned at approximately 9:30pm.

For more information, please visit: www.cityofberkeley.info/bartplanning.



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Comments Received by email

The following community members provided comments through email (please see emails attached) before or on June 22, 2020.

- 06.08.20 – Laurence LePaule
- 06.08.20 – Lisa Horowitz
- 06.16.20 – Margy Wilkinson
- 06.18.20 – Aimee Baldwin

Summary notes from the Office Hours held on June 17th and June 19th

Attached are summary notes from the office hours that were open to the public and facilitated by City staff.

June 8, 2020 BART CAG Meeting

Laurence LePaule <lepaule@att.net>

Mon 6/8/2020 3:57 PM

To: bartplanning <bartplanning@cityofberkeley.info>

Comments for the June 8, 2020 meeting of the BART Citizen's Advisory Group

I realize this comment is not timely, but I wanted to deliver it anyway.

This project of building on the BART parking lots involves taking public assets that we have paid for, need and have a right to, and uses them to subsidize private development. It is privatization and it is privatization even if BART retains ownership of the land beneath the buildings, because it is taken from the use of the general public and given to the use of a few apartment dwellers.

The BART is not the New York subway, which takes you everywhere in a large metropolis. The BART was designed as a park-and-ride commuter line. When you take out the "park", you send hundreds of people back on the freeways. You create transportation chaos. This is an environmental concern as well as a concern of livability in the Bay Area.

Making up for this by asking people to take a bus, or a cab of all things!!! to the BART, adds significant cost to transportation as well as significant extra time to the daily commute. Transportation is infrastructure. Transportation is a necessity. To add to the expense in this way is to exacerbate the serious situation we have of inequality.

Use of mass transit should be encouraged. Access to mass transit should be treated as a right!

There is something in the neighborhood of 15-20 new housing projects that have been approved by the City. They are all either downtown or on bus lines and they are therefore *all* transit oriented development. We are not so desperate for housing that we have to resort to devouring ourselves in this fashion.

The BART parking lots are insufficient as is. The only thing we should be building on them are parking garages. Doubling the amount of parking instead of removing it would encourage the maximum use of mass transit. It would serve the needs of the community and keep people off the freeways.

Please listen to these issues and don't let them roll off your backs! Please consider abandoning this project.

Sincerely,
Michelle LePaule

1720 Virginia St.
Berkeley, CA 94703

North Berkeley BART development

E.Horowitz <eahorowitz@gmail.com>

Mon 6/8/2020 10:21 PM

To: bartplanning <bartplanning@cityofberkeley.info>

I'm the person who asked at this evening's CAG meeting about how North Berkeley BART got designated Urban Neighborhood/City Center. I was told to pose the question to this email address.

I have emailed this question to our Assemblywoman Nancy Skinner and others who I thought would know, and I looked through AB2923 and other online documents looking for an answer. No information has been forthcoming.

The North Berkeley BART station is surrounded on 4 sides with small single story single family homes. How does that get called Urban Neighborhood/City Center?

Thank you
Liz Horowitz
Berkeley

(No subject)

Margy Wlkinson <margylw@earthlink.net>

Tue 6/16/2020 11:16 AM

To: bartplanning <bartplanning@cityofberkeley.info>; Shen, Alisa <AShen@cityofberkeley.info>; Burroughs, Timothy <TBurroughs@cityofberkeley.info>; AThorne@bart.gov <AThorne@bart.gov>; RFactor@bart.gov <RFactor@bart.gov>; dave@plantoplace.com <dave@plantoplace.com>; karen@vmwp.com <karen@vmwp.com>

Cc: Berkeley Mayor's Office <mayor@cityofberkeley.info>; Bartlett, Ben <BBartlett@cityofberkeley.info>; Kesarwani, Rashi <RKesarwani@cityofberkeley.info>; 'M Mendonca' <marimendonca71@gmail.com>; 'Chris Schildt' <cschildt@gmail.com>

To the BART CAG staff and consultants:

Thank you for putting together the first meeting of the BART CAG. I am sure it was a lot of work.

However, I admit to being rather disappointed.

Let me first introduce myself. I have lived in South Berkeley, across the street from Malcolm X school, for 40 years. My children attended Berkeley schools. I have been a community activist for more years than you want to hear about. I have been active, with my neighbors and community, around the Adeline Corridor plan from the very beginning.

It has taken a long time to get to this point. Many of us participated very actively in what is described in the City's cover letter to the City/BART MOU as "...the collaborative community process..." [page 3] and were assured that the community's input would be essential to the process. Later the same memo states, quoting the Adeline Corridor Specific Plan "...any development process should include a deliberate and extensive community decision making process...which includes a Station Area Advisory Group or similar body comprised primarily of representatives of local stakeholder organizations." [page 6]

As was pointed out by Gene Turitz during public comment, that fact that except for Alisa Shen, every single city staff and consultant who addressed the CAG at its first meeting was white, is unacceptable. The issues of race, racism, displacement, gentrification and the crisis of housing our community can afford have all been front and center in the entire process of the Adeline Corridor Plan up to this point. And must remain so going forward. To the extent that this is not reflected in the Adeline Corridor Plan is a failing on the part of the City, not because of lack of community input.

It was very disappointing to me that the first meeting of the CAG consisted primarily of reports from staff and was facilitated by a consultant. The City's memo says on page 7 "The representative from the Planning Commission shall serve as Chair of the CAG..." I found it jarring and inappropriate that instead of the Chair chairing, the meeting was facilitated by a consultant – who in addition to not being the chair and not a member of the community is a white man. Dave Javid, I don't know you and I do not mean to offend but I really think that when someone suggested that you facilitate the meeting you should have declined and pointed out that the body is a COMMUNITY advisory group and someone from the community should be running the meeting. And while perhaps not your intention both you and Alisa Shen dismissed the concerns about process raised by CAG members in a way that I found deeply offensive.

It distresses me very much that the next meeting of the CAG is not until August 3 because it is clear that there is lots of work to be done and not much time. It did feel a little bit like the decisions have already been made and that the CAG might just be window dressing – in which case it makes perfect sense that little work was done at the first meeting and the second isn't until August.

I hope I am wrong. Please convince me.

Sincerely,

Fw: BART notes/questions from CAG first meeting

Horner, Justin <JHorner@cityofberkeley.info>

Mon 6/22/2020 1:27 PM

To: Dave Javid <dave@plantoplace.com>; Karen Murray <karen@vmwp.com>; Shen, Alisa <AShen@cityofberkeley.info>

Public comment

Sincerely,
Justin Horner, Associate Planner
City of Berkeley Land Use Planning
1947 Center Street, 2nd Floor
Berkeley, CA 94704

From: aimee baldwin <junk.menagerie@gmail.com>
Sent: Thursday, June 18, 2020 5:19 PM
To: bartplanning <bartplanning@cityofberkeley.info>
Subject: BART notes/questions from CAG first meeting

I listened in to the first CAG meeting. The following were my immediate questions and notes taken during the meeting. I have other concerns that I will take longer to articulate in future communications.

Thanks,
Aimee

-I don't know, so I would find it very helpful to know in advance, a clear delineation of what falls into:

1. Zoning (building height, floor area ratio, mixed use commercial/retail, parking...)
2. Developer Parameters (unit size: #s 1, 2, 3+ bedrooms, parking?, affordable units, accessible units, open space)
3. City of Berkeley (cross walks, traffic&street lights, parking, open space....)
4. BART (station improvements, parking? Open space...)
5. Berkeley community members (flea market?, community gardening?)
6. Other (AC transit connections? Commercial tenants?)

Only my guesses in parenthesis given for examples of what I am looking to have defined, since I really don't understand who is in charge of what.

It would help me, and I think it will help other community members ,try to keep CAG focused during question sessions or community meetings on primarily both 1. Zoning and 2. Developer Parameters. I have no idea who would be in charge of open space, or if all of these above would be partially responsible, what falls under zoning and developer parameters vs City? Is it possible to also outline what will require new City funding?

-Is it possible to have street level visualizations of the actual heights/density/FAR on both North Berkeley and Ashby stations? Even a line drawing on top of a street-view image showing how high 7 stories would look from a couple of different angles from around the neighborhood. I believe it would help a lot of our community members understand what BART's TOD outlines, rather than spend a lot of discussion about hypotheticals of the scale of development. Yes, I know that the TOD standards don't dictate minimum heights...etc., so any final development could be very different, but any visualization would be a common starting point of reference for discussion.

-Parking. It has been suggested at other discussions, that parking spaces lost from developing the NB+A stations could be replaced by using existing parking lots downtown that are not currently at max capacity. Does anyone know the median/average number of daily vacant parking spaces at parking lots in downtown Berkeley? Would downtown parking provide enough replacement?

-How often is "Fair Market Value" for BART's land re-assessed for the developers' lease? Is it only one time at the beginning, then again once the lease is over?

-RE: selecting a non-profit affordable housing developer: How feasible is it that there will be more than one developer per BART station?

-Equitable housing was brought up several times during introductions and discussion. Could it be very plainly outlined who has legal responsibility is the selection of recipients of affordable units at the BART station developments? Is it City of Berkeley? Is it the developer (or who is the acting landlord of the units)? Is it BART? Please make it clear from the beginning who is ultimately responsible for the selection. If equity in affordable housing recipients can not be dictated by zoning or developer parameters, could we keep discussions of equity out of the CAG meeting time. While equity in affordable housing is desperately needed, I can imagine it could side track entire meetings off the purpose of the CAG. If the City of Berkeley is ultimately legally in charge of the affordable unit distribution, could we get a commitment from the City to prioritize long time Berkeley POC residents being displaced?



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Office Hours #1 Summary of CAG Member Comments

Elisabeth Watson, CAG member

- Concern: no specifics on deliverables the CAG is supposed to complete
 - Need more organized approach to CAG's work
 - I want to get deeper than just what I could put in an email. If there's nothing real here, I have better things to do
 - Want to see all of the CAG meeting agendas now; to be ambassadors to the community, we need to be able to tell people when their issue is going to be discussed
- Issues
 - Housing, and for whom?
 - Access
 - Structure to handling the issues in a focused way
- KTVU coverage of West Oakland BART station project: development on parking lots means that 55% of current users will continue to use BART; does that mean 45% will not?
 - Abby, BART: 45% assumption is correct. It is balanced by ridership increases from the TOD project and the immediate area.
- Agrees we should get a visual representation of the general physical development parameters ("the box")
- Why does the developer have to be non-profit? Non-profit is not always better. Economic feasibility is very important to me.
- General Community Meetings: We need to have a strong structure in these meetings; concerns about community meetings can be overtaken by loudest voices.
- Staff should do more to make sure CAG members get the information they need most to do their work.

Hayley Currier, CAG member

- Shares concern about deliverables and how to balance trade-offs
- Is CAG a group that gives feedback, or a group that comes to consensus? Sounds like you don't want us to grapple with the trade-offs. Im concerned that it's just going to be a list of feedback, which you can get anywhere.
- For zoning: what are the parameters? Step downs or FAR: what are the options?
- What is the budget we are working with for the project, and how does that effect the trade-offs?



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Peter Waller, CAG member

- Agree that there needs to be more clarity about deliverables. We need a structure (we can break it, but we need to start with one)
- We are writing the RFP for the developer with parameters. Could an RFP structure be the model of a deliverable?
- How does the Access Plan for each station fit into this? Isn't that usually done after a developer is selected? That would be hard to do later in this process; the CAG would be talking about it and then be told that it would have to wait until the access plan is done for the project.
- Zoning will sort itself out; it's baked in from AB 2923. The *access* issue is going to be where we spend the most time.
- Maybe bring the zoning envelope out early, particularly the FAR. Just to give some basic visual. Also questions like net/gross developable land and density, FAR and height
- Want to see agendas that really lay out what's being discussed
- Question: Leadership of the Committee? It's Chris, right? Do we need an active chair?
- Agree with Lilian: I think we can take some votes. Nothing is binding, but I think we should take our shot at framing the biggest issues and making a decision. There will never be perfect agreement, but we need to do the work to get to solutions,

Lilian Lew-Hailer, CAG member

- Concern: it's hard to accurately estimate infrastructure costs without the Access Plan in place. What are the infrastructure assumptions for each station?
- Could off-site parking lots at NBB be used for open space, community uses (uses that are not development)?
 - Abby, BART: we just want the best use to support the TOD on that site. Could be parking, could be something else. We're flexible.
- If there is no Chair, and Dave is facilitating, what is the process to get to recommendations and how are we confident that the summary of recommendations that does to the PC is accurate? Or what could be endorsed by the CAG?
- I appreciate we're one piece of a lot of community work here. I endorse having other tools in-meeting to get feedback. I do think there will be some things we will have to vote on.
- Happy to hear that there may be more than four CAG meetings.



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Office Hours #2 Notes Comments from CAG Members

Charles Gary, CAG Member

- How much money will BART make from the project? I'd like to see a project that includes so much affordability that it essentially wipes out any profit for a developer
- We need more meetings, as a CAG.
- Does BART have any additional property outside of the BART stations?
- Flea Market: we have a lot of support throughout the city. We understand that whatever happens we will exist in one form or another. We envision having a home "somewhere very close to where we are" but we don't know exactly where yet.
 - We opened two weeks ago. 30 vendors were out and happy to be there. We need 50 vendors to break even.
- "Invasion" by Amazon: hard on businesses and trucks are "perpetually" on neighborhood streets.
- An option we're exploring: We would like to align ourselves with a nonprofit group and for us to be the master tenant for any ground floor space.

Peter Waller, CAG Member

- The Flea Market is an institution. Outdoor retail (ventilation) may be the wave of the future.
- What is the future of our Juneteenth organization?
- Really need to focus on neighborhood small businesses. I work on a lot of projects with ground floor retail spaces that struggle.
- Ground floor areas should be considered "quasi-public" spaces. Developers don't really care as much about the ground floor space as they do about the housing above. Perhaps it should be made available at a fairly low cost. Think of the ground floor like a community benefit or open space; if we think it's going to be made up of self-supporting retail, I don't think that's likely

Blaine Merker, CAG Member

- How is FAR calculated on the site? As developable area or entire site? It would be helpful for the CAG to have this difference illustrated (maybe it's not that big of a difference, or perhaps it's significant). If it's up to local jurisdictions, it would be important for us to consider that.
- Timing of the access study is important. Without really understanding system access, particularly along the north end of the Richmond line, we may be forcing ourselves into a series of false trade-offs with respect to parking, affordability and cost.



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- How do the CAG's recommendations on streetscape improvements turn into things the City of Berkeley actually does? Some of these projects could be adjacent or technically out of scope. Would our feedback just be ideas or is there a more formal way to move them forward? For example, let's say we wanted to redesign Ashby to accommodate the flea market to make the development site work, how could that be actualized (since it's not BART property)?
- CAG Decision-making and Process: I don't have a recommendation for the best way to handle this, but am curious what staff is thinking. I think strong conversation facilitation is needed to create structure to discuss the honest disagreements among CAG members. Not just listening and then saying what each of us thinks. Use the CAG to have some of these tough discussions.
- Everyone being on the same Zoom call has been formal and awkward. Break-out rooms would definitely be helpful.