



CAG MEETING #5

Ashby + North Berkeley BART Zoning + Development Parameters March 22, 2021

Fire Tra

1. WELCOME AND INTRODUCTIONS

- Meeting Notices
- Agenda Overview
- Meeting Logistics and Facilitation





Meeting Notices

- Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the City's BART Community Advisory Group will be conducted exclusively through teleconference and Zoom video conference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.
 - Please be mindful that this meeting will be recorded, and all other rules of procedure and decorum will apply for the City's BART Community Advisory Group meetings conducted by teleconference or videoconference.





Tonight's Agenda: CAG Meeting #5

6:00pm – 9:00pm

- 1. Welcome and Introductions
- 2. Planning Process Overview and Updates
- 3. Summary Feedback on Joint Vision and Priorities Statements
- 4. Draft Zoning
- 5. Next Steps
- 6. Public Comment



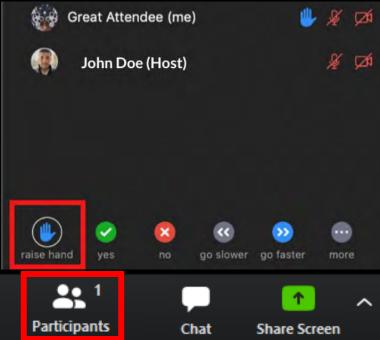


Meeting Logistics + Facilitation

Via Raise Hand feature (either on computer or by dialing *9 on your phone). The meeting facilitator (Dave) will recognize you and unmute your mic. *one minute per speaker*

Comments received via mail or email before the meeting and through April 5 will be part of the public record and included in the meeting summary.

Raise Hand Feature





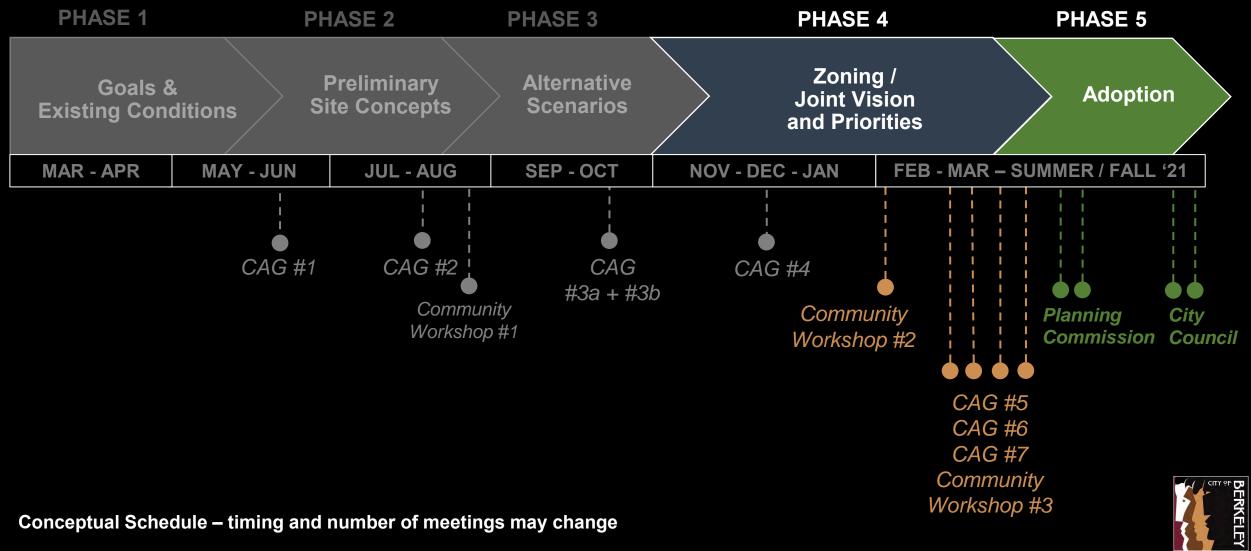
2. PLANNING PROCESS OVERVIEW AND UPDATES



Where are we in the planning process?



Process Overview: Preliminary Planning



Conceptual Schedule – timing and number of meetings may change

Preliminary Planning: Meetings To-Date

Topics	Meeting(s)
 Introductions and Existing Conditions Planning Framework and Preliminary Site Concepts 	CAG 1, 2, and Community Workshop 1
 Zoning, Site Planning Concepts, and Project Feasibility Draft Joint Vision and Priority Statements: Affordable Housing, Public Space, Building Form, and Land Uses 	CAG 3 (3A & 3B), CAG 4, and Community Workshop 2
 Summary of Feedback from Draft Joint Vision and Priority Statements Draft Zoning 	CAG 5



Preliminary Planning: Future Meetings

Topics	Meeting(s)
Draft Joint Vision and Priority Statements: Station Access and Parking Management (and introduction of Berkeley El Cerrito Corridor Access Plan)	CAG 6 (Thursday, April 29)
Draft Joint Vision and Priority Statements, Draft Zoning, and Other RFQ Elements	CAG 7 and Community Workshop 3 (Monday, May 24)
 Draft Zoning and Draft EIR Draft Joint Vision and Priorities and Other RFQ Elements 	Planning Commission (June / July - TBD)
 Draft Zoning and Final EIR Draft Joint Vision and Priorities and Other RFQ Elements 	City Council (October / November - TBD)



Preliminary Planning: Affordable Housing \$

MOU Sections Related to City Affordable Housing Funding Decision

Section IV.A.

• The City will "set-aside sufficient funding to assure BART, in its sole discretion, that at least 35% of the housing units proposed to be constructed at the BART properties would be deed-restricted to low, very low and/or extremely low affordable housing" (By April 2021)

Section IV.D.

 Following the decision about the City's affordable housing funding, the City and BART will confer to determine whether the City will have greater than normal level of involvement in the developer selection process

* City - BART MOU available online: See link in 2/1/21 Staff Report p.1 and on webpage: <u>www.cityofberkeley.info/bartplanning</u> under "Related Documents and Videos"



Preliminary Planning: Affordable Housing \$

Topics	Meeting(s)
City Affordable Housing Funding for Ashby and North Berkeley BART Sites and Other Future Notifications of Funding Availability (NOFAs) –	Measure O Bond Oversight Committee (Feb. 1, Mar. 1) Housing Advisory Commission (Feb. 8, Mar. 4)
City Affordable Housing Funding Recommendation	Council (Anticipated on Apr. 27)



Preliminary Planning: Affordable Housing \$ Update

Summary of MOBOC and HAC Recommendation to Council regarding Memorandum of Understanding City Affordable Housing Funding

- Reserve \$40M Measure O funding and \$13M of future Affordable Housing Mitigation Fee or new source of funding to be identified
- Research potential of new housing / infrastructure bond
- Issue Notices Of Funding Availability (NOFAs) this year for other affordable housing projects



Preliminary Planning: Affordable Housing \$ Update

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

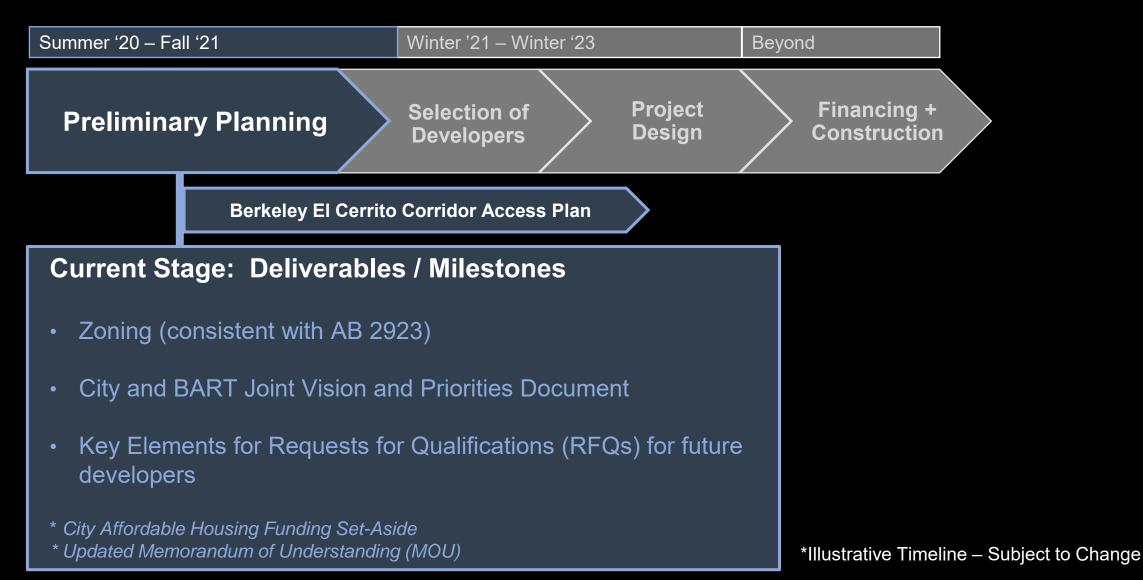
As	hby	North E	lerkeley	
% Affordable	City Cost	% Affordable	City Cost	TOTAL
35%	27,760,208	35%	\$ 25,018,016	\$ 52,778,224
50%	\$ 58,207,950	35%	\$ 25,018,016	\$ 83,225,966
60%	\$ 78,586,360	35%	\$ 25,018,016	\$ 103,604,376
70%	\$ 98,964,770	35%	\$ 25,018,016	\$ 123,982,786
75%	\$ 109,273,848	35%	\$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

Available online: www.cityofberkeley.info/ bartplanning

*Table 11 : Not adjusted for inflation



Overall Planning Process for BART Stations





Overall Planning Process for BART Stations



RKELEY

*Illustrative Timeline – Subject to Change

Planning Process – Documents Guiding Development

Zoning

Describes what is permitted and not permitted and set numerical standards for things like building height, floor area ratio (FAR), density and parking. Must be compliant with AB 2923.

Joint Vision and Priorities (JVP)

Requests for Qualifications (RFQ)

Updated Memorandum of Understanding (MOU)

Master Use Permit (MUP) Describes City and BART's desires and expectations for development with a more qualitative vision which is incorporated into and enforceable through RFQ and BART approvals.

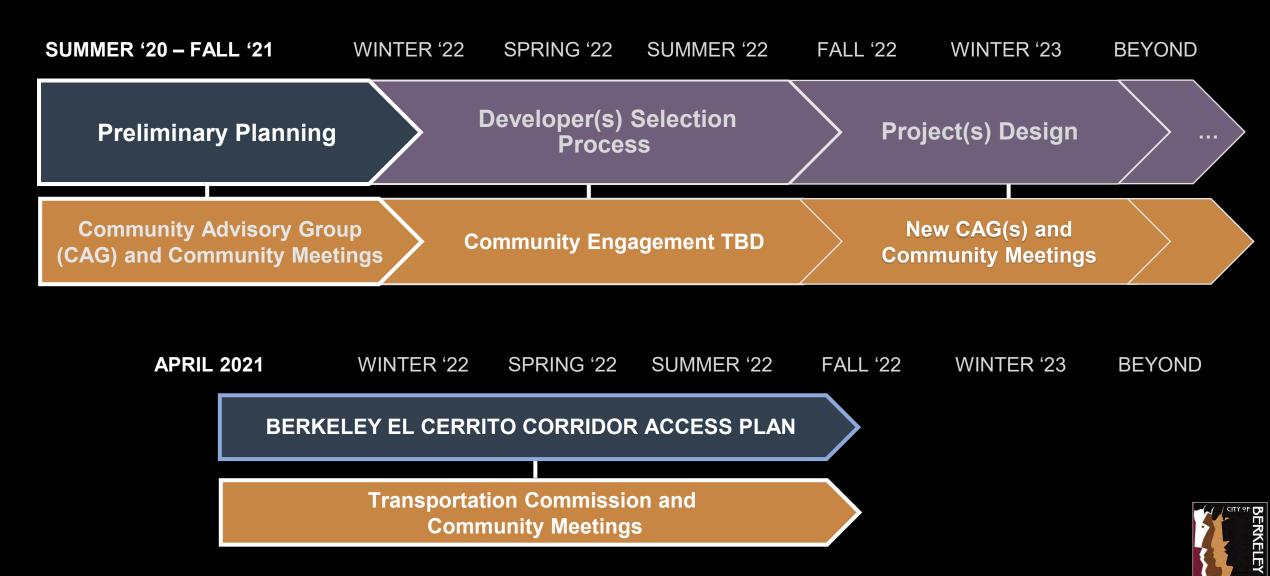
Solicits statements of interest from developers or teams of developers and tells them what the City and BART require of the project. Echoes Zoning and JVP.

Establishes BART and City agreement on City provision of affordable housing funds and BART support for provisions of the JVP.

City's approval process for future projects that includes a detailed site plan, showing buildings, permitted uses, open spaces, streets and parking as the project is built over time. It would specify building heights, step-backs and basic form but not specific architectural design. It would also include an overall enforceable affordable housing plan for the site, consistent with the Joint Vision and Priorities document.



Planning Process: Community Input



3. SUMMARY FEEDBACK ON JOINT VISION AND PRIORITIES STATEMENTS



- Summary Feedback from CAG #4, Community Workshop #2, and Joint Vision and Priorities Responses
- Affordable Housing and Discussion
- Public and Civic Space, Land Use, and Building Form



Feedback Summary from the Four Topics

AFFORDABLE HOUSING





PUBLIC + CIVIC SPACE





- Summary of feedback from CAG
 #4 and Community Workshop #2
- Affordable Housing Goals
- Community responses and questions (approximately 200 workshop participants, around 3,800 total submissions to all the feedback forms combined)
- Clarifying graphics



Links to Community Workshop #2 Summary and Draft JVP Statements: <u>https://www.cityofberkeley.info/bartplanning</u>/ (under "Newly Added" section near the top of the webpage)

Affordable Housing



1) Range of Affordability

- Provide a range of affordable housing units mixed with market rate
- 100% affordable and equal affordability at both stations

2) Build More Housing

• Maximize number of units, particularly affordable units

3) Address Social and Economic Inequities

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

4) Housing Financing

• Explore creative financing options that reduce the burden on taxpayers

5) Inclusive Housing

• Provide housing for a variety of resident needs



Affordable Housing



Key Affordable Housing question:

What is the right percentage of affordable housing at each station?

- Equal at both stations?
- 100% affordable?
- Mixed market rate and affordable?

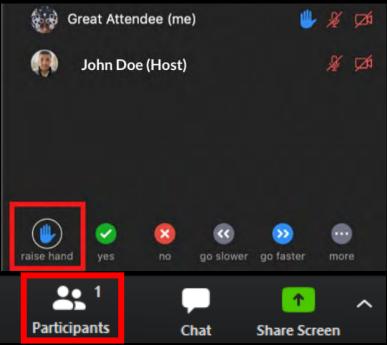




CAG Discussion

Via Raise Hand feature – on your computer open the Participants window and select the Raise Hand feature at the bottom of the window. If calling in, please *dial* *9. The meeting facilitator (Dave) will recognize you and unmute your mic.

Raise Hand Feature





Public and Civic Space



1) Bicycle and Pedestrian Improvements

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

2) Open Space at Ashby

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

3) Connection to Ohlone Greenway at North Berkeley

• Establish a clear connection through the site for Ohlone Greenway

4) Open Space at North Berkeley

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

5) Parking at North Berkeley

• Provide parking to prevent "spillover" into the neighborhood



Land Use



1) Prioritize Housing

Community-oriented retail

2) Community Uses

- Provide community-oriented retail and non-profit services
- How can zoning regulate ground-floor use?

3) Public Open Space

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

4) Supportive Retail at Ashby

Provide community-oriented retail and non-profit services

5) Parking at North Berkeley

 Focus on protecting commuter parking and local residents who rely on driving to the station



Building Form



- Building Height: Some asked team to consider 4-5 story option at North Berkeley. Others suggested maximizing housing at both stations
- 2) Other Solutions to Provide More Housing: Provide housing in empty commercial or residential buildings, build more housing throughout Berkeley
- 3) Neighborhood Quality: Some said that buildings should prioritize access to sunlight, open spaces and community as well as affordability. Others thought that the #1 priority should be providing as much housing as possible.
- 4) Joint Vision and Priorities Statements: Most comments on Building Form were either 'Agree' or 'Strongly Agree but some found that the Joint Vision and Priorities statements were difficult to comment on because they combined too many elements - that some may be desired and others not in the same statement.



Building Form



Key Building Form Questions/Concerns

1) Building Height at North Berkeley

- Team should explore a 4-5-story scenario
- Concern for solar access study shadow impacts

2) Clarify Floor Area Ratio (FAR) and Other Definitions

- Better define technical terms like FAR, massing, articulation, and architectural variety
- What do FARs up to 4.2 look like on the sites?



Return with no AffordableHow Many Units Fit?Housing (5% Cost Reduction)

North Berkeley

4 Stories	6 Stories	8 Stories
425 units	650 units	900 units

Ashby

4 Stories	6 Stories	8 Stories
450 units	700 units	975 units

NOTES:

• All statistics are estimates only.

• Projects are assumed to be feasible if yield is above 5%.

• Assumes 5% reduction in hard costs, limited infrastructure costs.

North Berkeley

4 Stories	6 Stories	8 Stories
4.89%	5.01%	5.16%

Ashby

4 Stories	6 Stories	8 Stories
4.95%	5.05%	5.19%



Refined Study and Comparison - North Berkeley



4-STORY SCENARIO

Building Height	4 stories with 1-story stepdowns
FAR	1.8
Unit Count	413 units
Density	76 dwelling units per acre
Meets Development Standards?	Yes or No



5-STORY SCENARIO	
Building Height	6 stories with 2-story stepdowns
FAR	2.5
Unit Count	579 units
Density	107 dwelling units per acre
Meets Development Standards?	Yes or No



8-STORY SCENARIO

Building Height	8 stories with 3-story stepdowns	
FAR	3.3	
Unit Count	778 units	
Density	144 dwelling units per acre	
Meets Development Standards?	Yes or No	



FAR Illustrated - North Berkeley

- The left diagram is shown again for a visual FAR comparison each building is 8 stories with 3story perimeter stepdowns
- The right diagram illustrates what a 4.2 FAR would look like buildings would no longer have stepdowns and buildings 1, 3, and 4 would go up to 9 stories



-STORY SCENARIO	
Building Height	8 stories with 3-story stepdowns
FAR	3.3
Unit Count	778 units
Density	144 dwelling units per acre



4.2 FAR SCENARIO	
Building Height	8-9 stories
FAR	4.2
Unit Count	996 units
Density	184 dwelling units per acre



Refined Study and Comparison - Ashby



4-STORY SCENARIO	
Building Height	4 stories with 1-story stepdowns
FAR	1.5
Unit Count	386 units
Density	63 dwelling units per acre
Meets Development Standards?	Yes or No



6-STORY SCENARIO	
6 stories with 2-story stepdowns	
2.4	
633 units	
103 dwelling units per acre	
Yes or No	



8-STORY SCENARIO

Building Height	8 stories with 3-story stepdowns
FAR	3.3
Unit Count	890 units
Density	145 dwelling units per acre
Meets Development Standards?	Yes or No



FAR Illustrated - Ashby

- The left diagram is shown again for a visual FAR comparison each building is 8 stories with 3story perimeter stepdowns
- The right diagram illustrates what a 4.2 FAR would look like buildings would no longer have stepdowns or massing breaks and buildings would be 9 stories



-STORY SCENARIO		
Building Height	8 stories with 3-story stepdowns	
FAR	3.3	
Unit Count	890 units	
Density	145 dwelling units per acre	



4.2 FAR SCENARIO	
Building Height	9 stories
FAR	4.2
Unit Count	1,136 units
Density	185 dwelling units per acre



Shadow Study - North Berkeley

December 21, 9:30am - 3:30pm



8-Story Scenario



NOTE: Scenarios shown are conceptual and for illustrative purposes only. The scenarios are not actual development proposals.



Shadow Study - Ashby

December 21, 9:30am - 3:30pm

4-Story Scenario



6-Story Scenario



8-Story Scenario



NOTE: Scenarios shown are conceptual and for illustrative purposes only. The scenarios are not actual development proposals.



4. DRAFT ZONING

Draft Zoning

CAG Clarifying Questions and Discussion



Draft Zoning: Introduction

- The draft zoning builds off the Vision and Priorities statements and AB 2923 requirements- Height, FAR, Density and Parking
- Includes enforceable metrics and requirements
- Zoning creates the envelope and limits. It is not the actual project.
- Further objective design standards will be drafted once a developer is selected.



Assembly Bill 2923

Requires that zoning for these station areas must <u>allow</u>:

Residential Density	At least 75 units per acre
Building Height	7 stories (or higher)
Floor to Area Ratio	4.2 (or higher)
Parking	 Residential Development: Vehicles: no minimum, 0.5 spaces per unit maximum Bicycles: 1 space per unit Office Development: No minimum, 1.6 spaces per 1,000 sf maximum

- Design standards cannot hinder height, density, FAR, parking requirements of AB 2923 (PUC Section 29010.7(d)(2)
- BART will uphold local design standards if BART property is zoned for highest feasible density, use, height (per Board adopted AB 2923 Development Principles, August 2020)



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

Draft Zoning: Chapter Structure

- Zoning for the Ashby and North Berkeley stations will be a new Residential BART Mixed Use District (R-BMU)
- Chapter includes requirements for:
 - Allowed Land Uses
 - Development Standards (height, lot sizes, open space requirements, setbacks)
 - Street Frontages (stepbacks, ground floor frontages)
 - Pedestrian Access
 - Massing and Articulation



Draft Zoning: Land Use

- Permitted street-facing ground floor uses
- Uses other than residential are allowed at specified frontages

TABLE 23.202.150-1: PERMITTED STREET-FACING GROUND FLOOR USES			
Frontage Locations	Permitted Street-Facing Ground Floor Uses		
Along Adeline, along Ashby, and along MLK within 50 feet of Ashby	Non-Residential Uses or non-residential accessory spaces to residential buildings, such as community rooms		
Along MLK, Woolsey, Tremont, or fronting interior public spaces	Residential or Non-Residential Uses		
Along Sacramento, along the Ohlone Greenway, or within 50 feet of any street corner	Residential or Non-Residential Uses		
Along Delaware, Acton, or Virginia	Residential Uses		



Draft Zoning: Land Use

- Permitted street-facing ground floor uses
- Uses other than residential are allowed at specified frontages

Non-Residential Uses Residential or Non-Residential Uses Residential Uses





Draft Zoning: Development Standards

TABLE 23.202.150-2: R-BMU DEVELOPMENT STANDARDS		
Lot Area, Minimum	No minimum	
New Lots	10,000 sf	
Floor Area Ratio (FAR), Maximum	4.2	
Main Building Height, Maximum	80 feet and 7 stories	
Residential Density, Minimum	75 dwelling units per acre	
Residential Parking	None required, Maximum of 0.5 space per dwelling unit	
Non-Residential Parking	No minimum, 1.5 spaces per 1,000 sf maximum	
Bicycle Parking	Minimum of 1 space per unit	



Draft Zoning: Development Standards

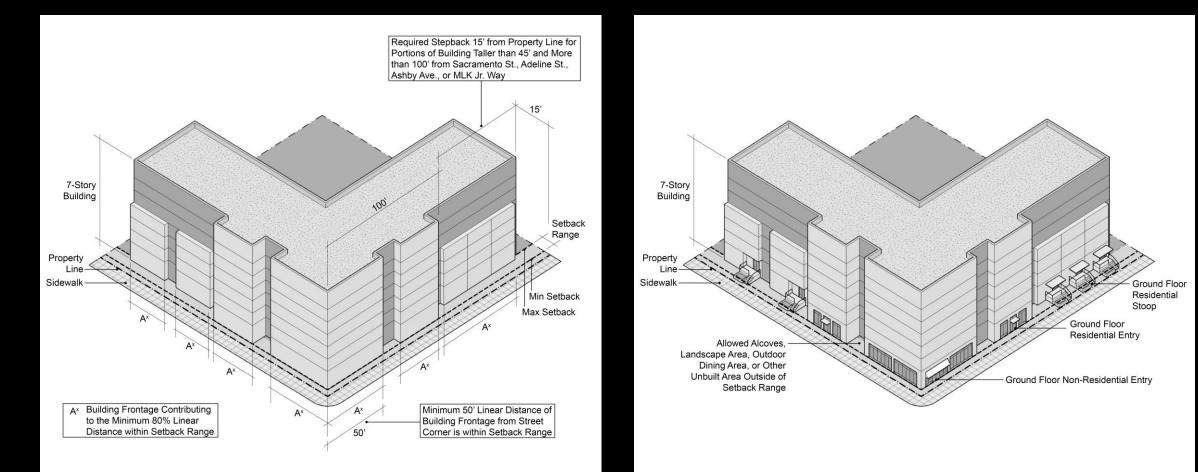
TABLE 23.202.150-2: R-BMU DEVELOPMENT STANDARDS (continued)		
Private Usable Open Space, Minimum ¹²		
Per Dwelling Unit	40 sf per dwelling unit	
Per Group Living Accommodation Resident	20 sf per resident	
Public Space, Minimum		
Per Dwelling Unit	35 sf per dwelling unit	
Per Group Living Accommodation Resident	18 sf per resident	
¹ Private usable open space may be provided as any combination of personal and common private space. ² Additional public space may substitute for up to 50% of required private usable open space.		



Draft Zoning: Street Frontage Requirements

- Frontage in Setback Zone
- Front Setbacks
- Upper Story Stepbacks

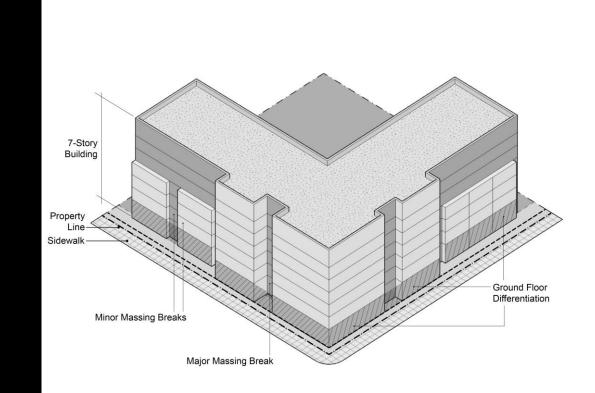
- Ground Floor Residential Frontage
- Ground Floor Non-Residential Frontage
- Frontage Improvements





Draft Zoning: Massing and Articulation

- Major Massing Breaks
- Minor Massing Breaks
- Vertical Articulation
- Architectural Details
- Material and Color Palette
- Transparency





Draft Zoning: On-Site Pedestrian Access

The project shall provide pedestrian access:

- Between Internal Buildings and Amenities
- To the Public Circulation Network
- To Neighbors
- To Transit



Draft Zoning: Building Entrances

- Minimum Number of Entrances Required
- Ground Floor Residential Entries
- Separate Entrances Required for Residential and Non-Residential Uses
- Entrance Orientation
- Corner Entrances
- Illumination

Draft Zoning: Parking Design and Access

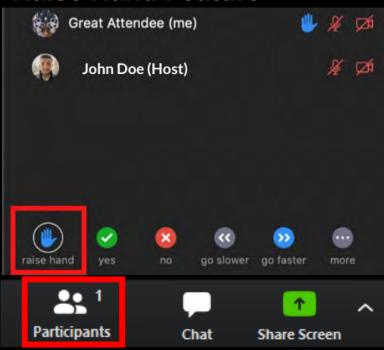
- Structured Parking Required
- Structured Parking Design
- Vehicular Entry
- Pedestrian Entry
- Light Screening



CAG Q + A: Clarifying Questions and Discussion

Via Raise Hand feature – on your computer open the Participants window and select the Raise Hand feature at the bottom of the window. If calling in, please *dial* *9. The meeting facilitator (Dave) will recognize you and unmute your mic.

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5. NEXT STEPS

- Office Hours and Deadline for Comments about CAG #5
- Overall Process Moving Forward



Office Hours and Comments

- 1. Office Hours #1: Monday, March 29, 2021 5:30pm - 6:30pm
- 2. Office Hours #2:

Wednesday, March 31, 2021 5:30pm - 6:30pm

Office hours will be held via Zoom. We will prioritize CAG member discussion during office hours. For more info, visit: <u>www.cityofberkeley.info/bartplanning</u>

Written Comments:

- Please send in your comments about CAG #5 by Monday, April 5, 2021.
- Meeting summary will be available by Monday, April 19



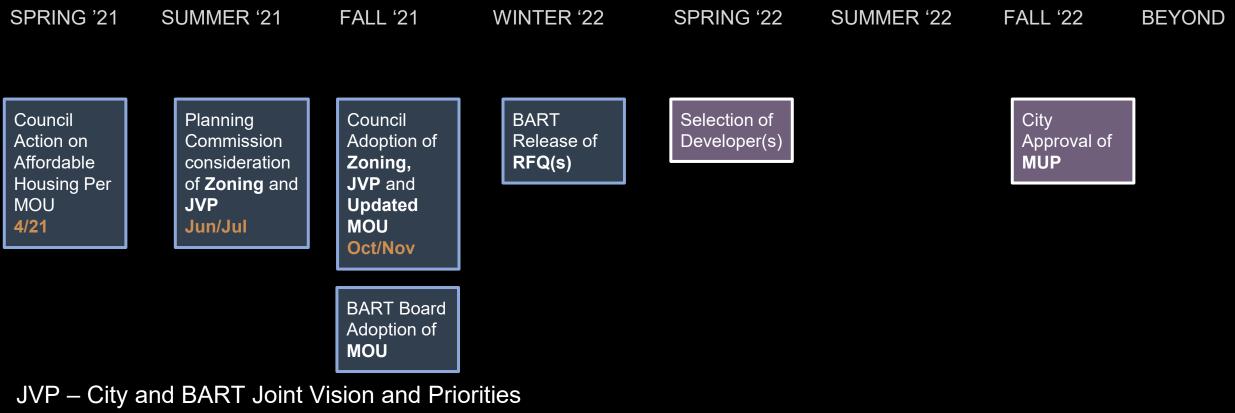
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Overall Planning for BART Stations

Approvals and Entitlements Milestones



- MOU Memorandum of Understanding
- MUP Master Use Permit
- **RFQ** Request for Qualifications



6. PUBLIC COMMENT

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Raise Hand Feature









THANK YOU FOR PARTICIPATING

Questions or comments about what you heard tonight?

Please send us your comments by Monday, April 5 to:

- Email: <u>bartplanning@cityofberkeley.info</u>
- Mail: City of Berkeley Planning and Building Department 1947 Center Street, 2nd Floor Berkeley, CA 94704 Attn: Alisa Shen

For more information AND to sign up to receive emails about this planning process go to: www.cityofberkeley.info/bartplanning

