

**Supplemental  
Communications (2)**  
(Received before 12pm  
October 18)

## Supplemental Communications

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**From:** Bryan Bashin <bryan@getbashin.com>  
**Sent:** Wednesday, September 20, 2023 5:35 PM  
**To:** Shen, Alisa  
**Cc:** Bryan Alcorn; Jon McCall  
**Subject:** Blind and low vision design considerations for north Berkeley BART site  
**Attachments:** Blind and Low Vision Design Considerations for North Berkeley BART Project.docx

Dear Alisa, Bryan and John,

Thank you for the opportunity to engage with the design process for the north Berkeley BART housing project. As a neighbor and one strongly connected to the disability community, the project is a remarkable chance to get things right and avoid the challenges of past design.

Attached please find a memo I've written to note several key design imperatives which must be addressed if the site will fulfill its potential for users who are blind or have low vision. Please have a read in advance of our conversation this Friday afternoon at 3:00 pm. I thank you for your attention and dedication to the project, and to our community.

Kind regards,

Bryan Bashin

Please note I am currently migrating from two old email accounts: [bashin@calweb.com](mailto:bashin@calweb.com) and [bbashin@lighthouse-sf.org](mailto:bbashin@lighthouse-sf.org). Please update your address book and email me only at [bryan@getbashin.com](mailto:bryan@getbashin.com).

Bryan Bashin  
Mobile: 510.725.1549  
[bryan@getbashin.com](mailto:bryan@getbashin.com)  
[LinkedIn](#)

## Blind and Low Vision Design Considerations for North Berkeley BART Project

The north Berkeley BART station has long had an outsized relationship with the bay area blind community. Blind students, employees, family members and seniors have for generations lived, worked and recreated in the station's catchment area. But for the half-century of its existence, the north Berkeley station has for blind Berkeleians been a source of needless barriers, confusing approaches and discouraging connections. A station meant originally to help, in part, non-drivers has been a needless challenge for so many of them. All this is fixable with the new housing project. But to fix it requires an understanding of what's dysfunctional with the present site design and key connections.

### Disabling Design

This memorandum is not about mere compliance with Title XXIV or other highly specific legal requirements of area design. It's about legally-conforming bad design, non-utilization of best UX practices, and the human toll a legally-conforming yet unusable design has on thousands of blind people.

When a blind pedestrian emerges from the station's fare gate, for example, she is met with an undifferentiated plaza. The round radial design of the station, while pleasing to the eye, also introduces a non-rectilinearity for the blind traveler about where to go to get to various connections. Ordinarily in most cityscapes there are clear and knowable tactile cues to help the blind pedestrian understand their location – a straight curb here, a building wall to shoreline there, a change in surface materials underfoot. But in the north Berkeley BART plaza of the last half-century the arriving blind traveler has none of that. The lack of traditional design cues produces anxiety, disorientation and an eventual reluctance to continuously seek help from total strangers in order to accomplish the smallest of transfers. Let's examine a few of these pain points.

### Find AC Transit

Exiting out of the turnstiles the blind pedestrian knows she wants to get to Sacramento Street to find key AC Transit stops. To do this, she must guess in what compass orientation to head out, generally listening for traffic sounds on Sacramento Street and heading in that direction. This method puts the pedestrian in the middle of a vast undifferentiated parking zone, often walking in the path of travel of cars, stumbling on odd islands and parking emplacements, getting trapped between parked cars. Eventually if she is lucky she emerges somewhere on Sacramento street, sometimes needing to cross over plantings, sometimes stepping over other concrete barriers. The link to these key bus stops couldn't be less tactile or less knowable.

## Other transit

Like the AC bus stop, the blind pedestrian must walk the unknowable gauntlet across the eastern parking area to get to the 'casual commuter' zone on Sacramento Street. But once there, no easy signage or place-making exists for the blind person to know where the proper Casual Commuter location is. Since commuters stop at different places on Sacramento depending upon their SF destination, the blind commuter is left wondering if she's standing in the right place at all, and will be seen.

## Uber/Lyft

A very common transfer is to emerge from the station to summon a TNC ride. A sighted person has the ability to look over a city block to see the arriving vehicle. But a blind person has no way of knowing where the vehicle will show up. Simply entering '1750 Sacramento' often won't help, as the TNC driver tries to home in on various locations and hopes that the passenger will 'see' them. What's needed is a tactile designation of official stops for Uber and Lyft, palpable to blind pedestrians by accessible signage on poles and by distinct paving materials in the waiting zone. Standard narrow guide strips will also help locate the stop if it's not on the curb directly in front of the station.

## Special Busses

There currently exists an awkward island perhaps 50 feet southeast of the station which serves various busses and vanpools. These include state employee trips to Sacramento, tech buses carrying workers to Silicon Valley and other non-government transit. The blind commuter has no way of knowing where these vans and busses are likely to stop, and there is no regularity of signage and paving change or guide strips to designate these private service stops. Blind people have missed their rides because they were standing in the wrong boarding area, because they didn't 'look like' they needed transit, or were detoured again in an undifferentiated driving and parking zone, eventually missing their ride.

## Taxis

For blind people who aren't able to use phone apps, the availability of ready taxis at a stand is a godsend. Same for many seniors and people with intellectual disabilities. The blind commuter arriving at the BART station needs to find wherever taxis deadhead. That location has varied from northeast of the station entrance to now somewhere southeast. The blind commuter must navigate through a vehicular path of travel, then down an unmarked concrete island, wend their way past other busses and vans in order to find a taxi. It's not obvious where this might be. Again, guide strips, tactile signage and surface material changes and designated taxi shelters could fix this problem.

#### Pickup by friends in private cars

For friends and family picking up a blind commuter at north Berkeley BART the blind person now needs to walk north from the station, to where she might hear the sounds of moving vehicles in the north parking area. But the narrow path to the parking area is located next to plantings and bare dirt areas, and finding just the right set of stairs is difficult. In her hurry, the blind commuter often misses the direction, winds of hacking her way through bushes, or stepping in mud, or walking halfway down a slope only to find the way blocked, requiring a retreat. There couldn't be a more awkward approach to the north parking zone. As a point of practice, the unknowable and unmarked route requires the sighted driver to park their car, walk to the station opening and rescue their friend from what for sighted pedestrians is a straightforward short walk. But to the blind, without the normal cues of sidewalks, edges and tactile differentiation the meeting is made a cumbersome and sometimes humiliating ordeal.

#### West pedestrian approach to the Ohlone greenway

Blind pedestrians wishing to take advantage of the lovely Ohlone greenway must find a way from the station to Virginia Street and thence to the greenway. The problem, again, is the undifferentiated plaza immediately outside the station. No tactile cues on the ground, no edges, no design at all aids the blind pedestrians in accessing the normal and easy sidewalks immediately outside the BART plaza. Instead, the blind pedestrian must walk outside the turnstile, turn left and aim roughly where she thinks the stairs are, several hundred feet away. Inevitably she misjudges the angle and runs into the welter of new bike secure storage, must turn right or left and guess where the stairs actually are. In one direction she faces chain link fence. In another a new series of bike boxes. Often this bumbling around in search of stairs happens at night, when a lone commuter must ask a total stranger to guide her to the stair location. Once the stairs are located, however, the normal sidewalk streetscape is accessed and normal blind commuting practices work nicely. But a key missing link in the access equation is having a tactile guide, a strip, an edge or surface composition cue which tells the pedestrian she's on the right path to the several staircases on the west side of the station.

#### BART Elevator

It's already been mentioned about the odd and remote location of the BART system elevator. But for blind users with, for example, large suitcases or other baggage, or blind people with mobility disabilities, the elevator is essential. Finding it is another matter. The obvious connections from the station turnstiles to the elevator, or from the elevator to the numerous transit and pickup destinations is extremely difficult for the blind pedestrian, now encumbered with additional baggage. Again, tactile cues or guide strips for approach and egress from the elevator to the rest of the station environment is

nonexistent. Turned around by a set of ramps, the commuter emerges not knowing where she is and how to get to anything else in the large eastern and southern areas of the station property.

### The Current Design Opportunity

The rebuilding of nearly every aspect of the BART station's environment presents a remarkable and rare chance to correct all of the design barriers which have plagued the station for 50 years. The City of Berkeley and its building partners now have the sweeping design aspirations to get this problem fixed, not only for the several thousand blind people in the catchment area but also for the new residents occupying 1,000 bedrooms on the site. Many of those new residents will surely be blind or have low vision, as the transit-friendly and affordable units are exactly the kind of housing that will appeal to many blind people. Getting blind-friendly design right here will also serve to advance site design at other BART housing projects and beyond.

With this memo we are suggesting that all design partners consider adoption of the following methods:

- Engage the blind community. Produce tactile maps of each iteration of the design plan, including details about the key pedestrian walkways, colonnades, plazas and transit connection points. Be sure these tactile maps are distributed well in advance of all public meetings.
- Produce a 3D tactile model of each major iteration of the building massing and site locations of the various structures and make them available in advance of any public meetings.
- Schedule a specific accessible design meeting with members of the Berkeley blind community prior to each inaccessible public meeting and immediately adjacent to every governmental approval meeting.
- Spend some time with this writer and a series of blind-experienced architects to gain greater familiarity with current blind pedestrian tactile solutions and best practices.
- Ensure that when discussing 'accessible paths of travel' in design documents that also included in this concept is true blindness accessibility, not just access conforming to the few legal requirements for blind pedestrians.
- Actively explore the use of guide strips, material changes, tactile signage and acoustic cues throughout the project to make it usable and delightful for blind pedestrians.
- Actively explore better use of site lighting to provide nighttime directional cues for those with low vision.
- Review the entire plan for elimination of conditions hostile to cane use. These include ground-level chain link fencing, street poles and trees placed in paths of travel, use of gravel or aggregates without a tactile edge, emplacement of surface amenities such as bike boxes in paths of travel, unneeded parking bumpers,
- Strongly consider lighted bus benches and sun/rain shelters, not only for the AC transit stops, but also to designate and make safer locations where private transit services, TNC's and casual commuting takes place

- Consider designing a sitewide plan for tactile signage at all such transit connections
- Consider better and knowable placement of various area amenities such as USPS mail boxes, FedEx drop-offs, recycling and garbage cans, and electric bike drop-off zones.
- The Housing design itself. An entirely separate conversation, still to be had, involves various blind accessibility and UX features inside the planned housing. For now, just bookmarking these elements, which might include accessibility of room thermostats, light controls, braille door numbering, elevator choices, low vision lighting and design, window covering options, choice of accessible stoves, ovens, clothes and dishwashers and built-in devices such as microwaves, accessible keypad choices, security systems, fire alarm triggering protection, choice of user mailboxes – all these are opportunities for excellence or could be potential problems. Best to think about forming a working group with disability input to make the right choices early in the design phase.

Respectfully submitted,

Bryan Bashin  
1615 Franklin Street  
[bryan@getbashin.com](mailto:bryan@getbashin.com)

## Supplemental Communications

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**From:** Jstin Bldwin <jfbaldwin@gmail.com>  
**Sent:** Tuesday, October 17, 2023 7:14 PM  
**To:** Shen, Alisa  
**Subject:** ODS for BART comment

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Alisa Shen,

Looks like you are going to allow a building that is more like a prison. 7 or 8 stories in a neighborhood where there have been historically 1 or 2 story homes. I grew up in the neighborhood and the most awful thing about the ugly apartment buildings that sprang up that were 3 and 4 stories was that they mostly became rodent infested, crack houses managed by slum lords. Even worse is the student housing for spoiled children of rich people.

What people really need are more parks and open spaces to live their lives. there are already too many cars, ride shares and air pollution. Jobs are not paying enough so that regular working people can afford to buy a home as it is. they will forever be renting or going to school chasing that higher pay.

The future is not going to smile on this plan fondly. Another apartment complex is not going to pan out except for the developers who will get some quick cash before the dollar plummets in value..

Can the entire project, don't allow this. Stop.

Justin Baldwin

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*Please do not print this email unless it is necessary. Every unprinted email helps the environment.*

## Supplemental Communications

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**From:** Sarah J. Bell <bell.sarah@gmail.com>  
**Sent:** Tuesday, October 17, 2023 6:18 PM  
**To:** Planning Commission; All Council; Arreguin, Jesse L.  
**Subject:** Re: Item #10: North Berkeley BART Objective Design Standards (ODS)

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hon Mayor Arreguin, members of Berkeley City Council, members of Berkeley Planning Commission, and staff members:

I'm a resident of Northwest Berkeley, not far from the North Berkeley BART station, and I'm writing to urge you to update the draft ODS to give the developers maximum flexibility to build the best project they can, with as many homes and bedrooms as possible. In particular:

- Reduce setbacks; they eat away at the number of homes that can be built. Please reduce the required setbacks to the minimum 5 ft required by zoning.
- Shrink the streets, not the site: Rather than requiring setbacks to come from the buildable area, instead plan on narrowing Delaware and Virginia (which will have the added benefit of creating safer streets for bicycles and pedestrians).
- More height = more homes. Bring the overall height up to 85 feet, eliminate the cap on the maximum number of stories, and increase the height to four stories for the stepped-down perimeter along Delaware, Acton, and Virginia. (Or, better yet, eliminate the step-down requirement entirely.)
- Building massing and articulation: The developer team put out a letter with recommendations, and we should adopt them. In particular, please simplify major breaks in order to better provide family-sized units:
  - Increase maximum primary facade length to 250' for Delaware, Acton and Virginia streets.
  - Simplify by eliminating maximum secondary facade length, as the length is already limited to 300' by block sizes and given they are secondary that should be sufficient.
  - Major Breaks should only apply to facades greater than 200' in length (increase from 150').
  - Major Breaks in secondary facades should be eliminated, as they are already recessed and have primary facades with breaks in front of them.
  - Minor breaks would still apply to all facades and would inspire design creativity.
- Building materials: As per the letter from the developer team, please increase the exterior single-material limit from 65% to 80% and remove the requirement that panel systems not have exposed fasteners.
- Please remove Section 2.3.3 on Utility/Refuse/Loading Access, per developer team request. They are overly prescriptive and could adversely impact "back-of-house" access to these buildings. We believe these issues are adequately addressed by the zoning standards and access study and further restrictions could affect long-term operating costs, especially for the smaller, affordable buildings.

Regarding comments about neighborhood context: This neighborhood is a city-planning mistake. It juxtaposes low-density single-family homes against an incredibly valuable (and, from a public-funding perspective, expensive) transit hub. We now know that that is terrible for the environment and terrible for equity, and we now find ourselves in both climate and housing crises. We have a generational opportunity to address this mistake in what we choose to build at this site today. Let's not let the mistakes of the past tie our hands.

Sincerely,  
Sarah Bell

## Supplemental Communications

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**From:** David Brandon <davidbrandon@comcast.net>  
**Sent:** Tuesday, October 17, 2023 7:46 PM  
**To:** Planning Commission  
**Cc:** All Council  
**Subject:** North Berkeley TOD ODS: Please maintain setbacks, step-downs, and breaks in massing

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Planning Commissioners (cc: City Council)

I consider the most recently proposed project far too large for its site at North Berkeley BART, and I ask that the project be scaled and shaped, to the extent possible, to fit in a community of mostly one- and two-story homes.

I support NBNA's recommendations for the ODS, as follows:

- 1) Reject any changes to the proposed ODS that increase the size of this already too-large project.
- 2) Keep the 3-story heights and the lot depths for the buildings around the Virginia St., Acton St. and Delaware St. fronts - it's essential to fit the development into the surrounding community.
- 3) Keep the ODS-recommended breaks in the massing of buildings - these are vital to keep to keep this oversized project from being a fortress of building walls.
- 4) Keep the ODS recommended sidewalk setbacks (approx. 20') - with the number of people at this site and regular pedestrian traffic, having the recommended setbacks is essential.

Thank you.

David Brandon

District 1

## Supplemental Communications

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**From:** Maud Engel <engel1883@gmail.com>  
**Sent:** Tuesday, October 17, 2023 8:16 PM  
**To:** Planning Commission; Shen, Alisa  
**Subject:** Regarding proposed North Berkeley BART Project

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

To the Planning Commission,

In regard to the proposed North Berkeley BART construction, as a long time neighborhood resident:

- 1) I **Reject any changes** to the proposed ODS that **increase** the size of this already too-large project.
- 2) I request you **Keep the 3-story heights and the lot depths** for the buildings around the Virginia St., Acton St. and Delaware St. fronts - it's essential to fit the development into the surrounding community.
- 3) I request you **Keep** the ODS-recommended **breaks in the massing of buildings** - these are vital to keep to keep this oversized project from being a fortress of building walls.
- 4) I request you **Keep** the ODS recommended **sidewalk setbacks** (approx. 20') - with the number of people at this site and regular pedestrian traffic, having the recommended setbacks is essential.
- 5) I am upset and dreading this proposed construction, which now calls for 3-8 story development (down from 4 at some edges), but is still the same overall huge size. This project is completely out of place for a quiet residential area!!!

Thank you for your attention to this matter.

Sincerely,

Patricia Maud Engel, LCSW

*"Kindness and compassion towards all living things is a mark of a civilized society. Only when we have become nonviolent towards all life will we have learned to live well ourselves." Cesar Chavez*

## Supplemental Communications

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**From:** Barbara Fisher <barbara.fisher2000@gmail.com>  
**Sent:** Tuesday, October 17, 2023 11:43 PM  
**To:** Planning Commission; Shen, Alisa  
**Subject:** North Berkeley BART and the ODS

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Planning Commission,

Regarding the development of North Berkeley BART's parking lot housing. We in the neighborhood would like to retain the neighborhood feel. Despite BART's classification, this is not downtown; this is a neighborhood of 1 and 2 story homes.

Please do not alter the proposed ODS to build even larger structures. Do not increase the proposed heights; taller buildings would create a wall through the community. Retain the sidewalk setbacks and breaks in massing also as proposed. Berkeley already has plenty of market rate apartments, squeezing in more is not necessary, nor desirable.

Sincerely,  
Barbara Fisher

## Supplemental Communications

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**From:** Karl Goldstein <kgoldstein46@gmail.com>  
**Sent:** Tuesday, October 17, 2023 10:04 PM  
**To:** Planning Commission  
**Subject:** Objective Design Standards for BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commission,

R.e. your Oct.18th meeting on the already too large BART parking lot development plan, I strongly oppose any increase in the size already proposed. What's more I urge you to keep the 3-story heights and lot depths for the buildings on Virginia, Acton and Delaware Streets.

The sidewalk depths and setbacks are also crucial for keeping this massive development from being any more ungainly than it already is.

Thank you,  
Karl Goldstein  
1374 Virginia St.  
Berkeley 94702

## Supplemental Communications

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**From:** Amanda Le <le.amanda1992@gmail.com>  
**Sent:** Tuesday, October 17, 2023 6:04 PM  
**To:** Planning Commission  
**Subject:** North BART housing

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Secretary of the Planning Commission,

It is imperative that the planning commission maximize the number of housing units in this plan for housing near transit by reducing any unnecessary barriers. Please allow for maximum height as feasible and minimize the space needed for setbacks, as well as other criteria.

Decades of under building has caused an untenable housing crisis that threatens the safety and well-being of the entire community. As a pediatrician, I see the effects of poverty and inability to afford rent on my patients and families who are constantly under stress and working multiple jobs to afford rent.

Research has shown again and again how thoughtful increase in density of housing units especially near transit centers can create a more environmentally sustainable, diverse, and thriving community where all valuable members of our community can work and afford. Our communities depend on nurses, police officers, cleaning staff, social workers, and other vital staff who are consistently being pushed out of the city due to housing costs. We are counting on you all to create a plan that will best take care of our community.

Respectfully,

Amanda Le

## Supplemental Communications

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**From:** Cece Littlepage <cecelittlepage@gmail.com>  
**Sent:** Tuesday, October 17, 2023 4:09 PM  
**To:** Planning Commission; Shen, Alisa  
**Subject:** Re: ODS for NB BART development

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Planning Commission and Ms. Shen-

I am writing in support of the ODS as they have been currently proposed. The caveat in my support is that the project as proposed is already way too big and massive for the site and its context, but aspects of the ODS will help mitigate some of the the worst possible effects of that. Changing the standards to allow for an even larger development would crowd the site with more residents than it can accommodate, as well as creating an aesthetic monstrosity. Further, it would be a betrayal of the many officials and citizens who have put 3+ years of hard work into coming to agreements about the size and nature of the project, culminating in the ODS.

Specifically, I support:

- Absolutely NO changes that increase the size of the development.
- Keeping:
  - Maximum 3 stories for the residences facing on Virginia Acton, and Delaware to create a transition with the surrounding low-rise neighborhood.
  - The proposed lot depths around the perimeter will also work to create a transitional zone.
  - The recommended 20' sidewalk setback will be needed in order to accommodate the greatly increased pedestrian traffic and will further help to balance the mass of the buildings with the neighborhood.
  - The breaks in the massing of the buildings are essential from a design perspective, without them the project will be a visual fortress.

Thank you for your consideration.

Sincerely,  
Cece Littlepage

## Supplemental Communications

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**From:** Sue Martin <getmesue@gmail.com>  
**Sent:** Tuesday, October 17, 2023 4:06 PM  
**To:** Planning Commission; Shen, Alisa  
**Subject:** Objective Design Standards for NB BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners and Ms. Shen,

We have all worked VERY hard for over 4 years to arrive at the current proposed ODS.

I URGE you to **reject** any amendments to the proposed ODS that will increase the size or massing of what is already a far too large and massive of a development.

This project needs some minor reductions.

Do Not increase the story heights on any streets and in fact PLEASE decrease the 6 floors at the corner of Virginia and Sacramento to 4 and decrease any 8 stories to 6.

Please maintain all current massing breaks. What is being proposed MUST not be decreased.

Likewise please do not decrease the sidewalk setbacks (approx 20 feet) and please apply those to Sacramento street. Likewise please maintain all step backs and apply to Sacramento street.

We have all worked hard. Please do not let some zealots with political clout destroy Berkeley.

As I said earlier, this is already 20% too large. **DO NOT increase size, massing, units, etc.**

I appreciate your dedication to our city. Please act responsibly/vote tomorrow night.

warmly,  
Sue Martin

## Supplemental Communications

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**From:** Steve Meyers <spmey55@yahoo.com>  
**Sent:** Tuesday, October 17, 2023 12:26 PM  
**To:** Planning Commission  
**Subject:** Objective Design Standards for BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

I support the following:

- 1) **Reject any changes** to the proposed ODS that **increase** the size of this already too-large project.
- 2) **Keep the 3-story heights and the lot depths** for the buildings around the Virginia St., Acton St. and Delaware St. fronts -- it's essential to fit the development into the surrounding community.
- 3) **Keep** the ODS-recommended **breaks in the massing of buildings** -- these are vital to keep to keep this oversized project from being a fortress of building walls.
- 4) **Keep** the ODS recommended **sidewalk setbacks** (approx. 20') -- with the number of people at this site and regular pedestrian traffic, having the recommended setbacks is essential.

Steve Meyers  
1421 Allston Way

## Supplemental Communications

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**From:** Lauren O'Brien <lauren\_obrien@hotmail.com>  
**Sent:** Tuesday, October 17, 2023 3:42 PM  
**To:** Planning Commission; Shen, Alisa  
**Subject:** Proposed Project at North Berkeley Bart Station

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Planning Commission and City Planner Alisa Chen –

I am writing in response to the proposed development at North Berkeley BART Station. By actively supporting a limited and reasonable project scope, the Planning Commission will help maintain the local community, ensure safe and accessible access, and ensure the height is consistent with emergency services capacity.

In keeping with that sentiment,

- I reject any changes to the proposed ODS that increase the size of this project;
- I support keeping story heights and lot depths around Virginia, Acton, and Delaware streets at three stories;
- I support maintaining the ODS-recommended breaks in the massing of buildings to allow for a more functional and livable environment;
- I support maintaining the ODS-recommended sidewalk setbacks of approximately 20 feet to allow for unimpeded pedestrian access.

While there is substantial need for affordable housing in Berkeley, it is not necessary – and in fact is detrimental to the neighborhood and surrounding community – to build an outsized structure. In addition to negatively impacting the neighborhood, a high-rise of over three stories would be potentially dangerous. A recent report by the Berkeley Fire Department made clear that existing infrastructure would be stretched with a building of only five stories. Furthermore, high-rise blocks with low visibility tend to increase the possibility of vandalism and are therefore a danger to pedestrians, residents, and BART riders.

I support a project that prioritizes safety and functionality while maintaining the tenor of the surrounding neighborhood and community. Keep the project low-profile, open-structured, and easily accessible!

Sincerely,

Lauren O'Brien, Ph.D.

## Supplemental Communications

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**From:** Phyllis Orrick <poberkeley@gmail.com>  
**Sent:** Tuesday, October 17, 2023 12:51 PM  
**To:** Covello, Zoe; Planning Commission; Kesarwani, Rashi; Taplin, Terry; Robinson, Rigel; Humbert, Mark; northberkeleynow@gmail.com; jwbaker@gmail.com; bell.sarah@gmail.com  
**Subject:** Lift onerous provisions of the NBB ODS  
**Attachments:** NBHP PC ODS Letter.pdf

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hello,

In addition to my advice in my previous communications, I urge you to follow the suggestions offered in the attached letter from the developers.

Theirs is the most valuable and meaningful perspective at this point, as we near the finish line of this multi-year slog. I ask that their recommendations be the minimum of easing prescriptive requirements.

Thank you,

Phyllis Orrick

Attachment



October 13, 2023

BRIDGE HOUSING  
CORPORATION

BRIDGE PROPERTY  
MANAGEMENT COMPANY

BAY AREA SENIOR SERVICES, INC.

BRIDGE ECONOMIC  
DEVELOPMENT CORPORATION

**Subject:** North Berkeley Housing Partners Request for Modifications to Objective Design Standards to Ensure Financial Feasibility and Buildability

Dear Planning Commissioners:

The members of North Berkeley Housing Partners, including non-profit affordable housing developers BRIDGE Housing, Insight Housing, and East Bay Asian Local Development Corp. (EBALDC), and our market-rate partner AvalonBay Communities were proud to be selected by BART to develop the North Berkeley BART Station. Collectively, our three affordable housing firms have built more than 100 affordable housing buildings across the Bay Area. We look forward to delivering a completed project that reflects the vision and priorities of the Berkeley community – one that is livable, walkable, and creatively designed.

We have listened closely to the feedback received by members of the community on our project’s design and made modifications to incorporate this input. We have also worked closely with City of Berkeley staff to develop the Objective Design Standards (ODS) that will guide development at the North Berkeley BART site. These discussions have helped to shape the proposed design of our project. We are now proceeding to the next level of detailed design and financial feasibility analysis for the purpose of our upcoming permit application to the City. As we enter this more detailed level of design, we have concerns that certain aspects of the ODS as drafted will likely pose barriers to the buildability and financial feasibility for both our planned market-rate and affordable-housing buildings. This will make it harder to deliver the market-rate homes and affordable housing fee revenue anticipated by the City and community. For the affordable housing buildings, we are concerned that these specific aspects of the ODS could drive up the cost per unit, which would have the deleterious effect of making our project less competitive for state affordable housing funding and could unduly prolong an already lengthy timeline for project completion.

While the ODS is underpinned by sound design principles, we fear that it errs on the side of being overly prescriptive. In order to plan for buildable and feasible buildings, we respectfully request greater flexibility in certain areas, specified below:



- **Section 1.3 Building Setbacks** Recommend reducing required setbacks to the minimum required by zoning of five feet to provide greater design flexibility. We believe that the planting buffer, sidewalks, and a setback of five feet minimum provide ample separation between the buildings and the street. This change will allow for more creative design and more flexibility, if needed, to achieve financial feasibility.
  - **Projections:** Recommend projections provided for on Sacramento Street to apply on Virginia Street.
- **Section 2.2 Building Massing and Articulation** Recommend simplifying major breaks in order to better provide family-sized units:
  - Increase maximum primary facade length to 250' for Delaware, Acton and Virginia streets.
  - Simplify by eliminating maximum secondary facade length, as the length is already limited to 300' by block sizes and given they are secondary that should be sufficient.
  - **Section 2.2.3 Major Breaks** should only apply to facades greater than 200' in length (increase from 150').
  - Major Breaks in secondary facades should be eliminated as they are already recessed and have primary facades with breaks in front of them.
  - Minor breaks would still apply to all facades and would inspire design creativity.
- **Section 2.3.2 Materials** - We support the use of high-quality materials and the requirement to use at least two materials on each exterior; however, the 65 percent limit for a single material is too low. We recommend that it be increased to 80 percent and that the percentage apply to all building exteriors as a whole. Further, recommend removing the requirement that panel systems shall not have exposed fasteners as many premium facade systems have exposed fasteners.
- **Section 2.3.3 Utility/Refuse/Loading Access** - Recommend eliminating these added requirements, as they are overly prescriptive and could adversely impact "back-of-house" access to these buildings. We believe these issues are adequately addressed by the zoning standards and access study and further restrictions could affect long-term operating costs, especially for the smaller affordable buildings.

We look forward to our continued partnership with the City of Berkeley to deliver homes that live up to the promise and potential of this site.

Respectfully,  
North Berkeley Housing Partners



Page 3 of 3

*North Berkeley Housing Partners Request for Modifications to Objective Design Standards to Ensure Financial Feasibility and Buildability*

For North Berkeley Housing Partners:



Jonathan Stern, Director - Acquisition & Planning  
BRIDGE Housing



Calleene Egan, CEO  
Insight Housing



Liz Probst, Director of Real Estate Development  
East Bay Asian Local Development Corp. (EBALDC)



Joe Kirchofer, Senior Vice President  
AvalonBay Communities



## Supplemental Communications

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**From:** Joshua Rose <joshualkrose@gmail.com>  
**Sent:** Tuesday, October 17, 2023 12:15 PM  
**To:** Planning Commission  
**Subject:** Re: Item #10: North Berkeley BART Objective Design Standards (ODS)

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Planning Commissioners,

I live just a few blocks from North Berkeley BART and I would love to see this development be successful at maximizing the units of housing adjacent to public transit to help offset the Bay Area's housing shortage and fight climate change, and to maintain the walkable and bikeable character of our transit-oriented neighborhood.

Please recommend that City Council adopt the North Berkeley BART ODS with the following changes:

- 1. Reduce setbacks and massing breaks.** In its current form, the ODS setbacks and massing breaks lead to fewer family-sized homes and fewer homes overall.
- 2. More height = more homes.** Bring the overall height up to 85 feet and increase the height to four stories for the stepped-down perimeter along Delaware, Acton, and Virginia. Let's welcome as many new neighbors as possible!
- 3. Narrow streets are slow streets.** Delaware and Virginia need to be narrowed for the safety of pedestrians AND it will make more space for homes so please add a recommendation to include this.

Best,

Josh

## Supplemental Communications

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**From:** Lois F Smith <smithlfran@gmail.com>  
**Sent:** Tuesday, October 17, 2023 8:41 PM  
**To:** Planning Commission  
**Subject:** Objective Design Standards for BART

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Planning Commission,

As a member of NBNA and the community that closely surrounds the North Berkeley Bart station, I strongly object to making any changes to the ODS as it currently stands. Specifically, the project should not be made any larger. I think it is essential to keep the 3-story size constraints and lot depths around Delaware, Virginia and Acton streets; these are essential for the development to fit with any sense at all into the surrounding community. Please also keep the breaks in building mass and the recommended sidewalk setbacks to keep the coming foot traffic reasonable.

I beg you to be decent city “planners” and work to give this beautiful part of the city a chance to be the best it can. Maintain the 3-8 story limits that most of the area’s residents want. Putting up something bigger could be the start of a destructive trend.

I personally do not like very much about this plan, including the loss of open space, parking, etc. However, if a choice must be made, the options laid out in the ODS is the least unpalatable.

Fran Smith

Sent from my iPad

## Supplemental Communications

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**From:** Mary BehmSteinberg <marybehmsteinberg@gmail.com>  
**Sent:** Tuesday, October 17, 2023 5:07 PM  
**To:** Planning Commission; Shen, Alisa  
**Subject:** Objective Standards for North Berkeley BART (and beyond)

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Mx. Shen and Commission Members:

I'm writing to you today about what I consider an increasingly alarming trend in the City: the tunnel vision about eliminating cars and hyper densifying as a response to the very real threat of climate change, without considering the very real consequences of the proposed "solutions." This is one very egregious example of that.

I don't want to demonize anyone. I know that many of you sincerely believe there is no alternative but this, not only to fight climate change, but to enhance affordability. Some of you don't live here, and are just pushing it because you aspire to. I won't speak to those who are shilling for personal political advantage.

But the one thing that everyone needs is safety first, whether you're a current resident, or one who hopes to move here, a bike enthusiast or an elderly or disabled person who is unable to use a bike as a primary form of transportation. We keep hearing how massifying the City is going to save the world, yet no one will even look me in the eye when I start talking about how neither the City nor its development partners have failed to account for how this development fits into a safe, doable infrastructure, or how emergency vehicle response times have already increased to unacceptable levels, and are only going to get worse as demand (read: population) rises and mobility drops.

Let's start with the roads. Before ground is even broken, all architects, designers, wonks, etc. need to have a really clear idea about what the maximum population in any given area can be given the throughput of the roads. During a major fire or seismic event, there won't be BART, so let's just forget about that for a minute. Buses are also unlikely to return to a tiny, clogged artery to pick anyone up. So what we're left with is our roads, and yes, our far less than ideal cars.

This is what happens when you do road diets in a place that's as prone to natural disaster as ours is. disaster is bound to happen, sooner or later. The LA Times reported extensively on the role of road diets in the Camp Fire, where people were literally cooking on the roads. The hyperlinked article is one of many, and they were using the same justifications, and the same types of road designs that are being repeated here. How are we to evacuate the City in a disaster, and how are we actually "saving" anyone, if they can't evacuate the City, or get an ambulance in a timely manner?

Which brings me to the Fire Marshal's report. In fact, the Fire Department specifically says in Recommendation 4 of the Final Report and Recommendations from the Standards of Coverage and Community Risk Assessment Study, dated June 13, 2023 "The Department has contracted with a consultant to perform an Evacuation and Response Time Study, which is projected to be completed in the Fall of 2024. [My note: City Council and staff are barrelling ahead without the data that they are always trumpeting as being at the core of the decision making process, and that's both reckless, and unsafe for the public, no matter how pure your intentions may be.] The Department is considering other ways to work with all stakeholders on this issue in order to achieve safer streets for bikes and pedestrians while not worsening travel time for the thousands of other customers that call 9-1-1 for life-saving aid each year who also deserve and expect an efficient and effective response." Until that report is done, I don't see how the City can responsibly continue to constrict the roads.

Moreover, the Fire Department's consultants go on in the commissioned report that current response times are already insufficient, and that these problems will grow with density. In fact, according to page 57 of said report, survival

decreases by 7-10% for every minute of delay getting a heart attack patient to a defibrillation device, for example, and these delays are specifically tied to road design in later sections, specifically but not exclusively according to section 2.8 on page 88 of the aforementioned final report.

As stated in Finding #15, page 90 Berkeley Planning, Traffic Engineering, and the Fire Department do not have an effective set of integrated policies and traffic-calming methods to partially mitigate the impacts of walkable street designs on fire and ambulance response times.”

Now let's look at building safety. The fact is that streamlining building production has led to unsafe living conditions for many tenants. The most obvious one that comes to mind for most people is Library Gardens, which was "rebranded" after 6 students were killed in a balcony collapse. We don't learn from our mistakes in this town, apparently. We just rebrand them.

But there is more. I'm currently trying to help out a tenant at the Standard, which has chronic mold because the Mayor rushed staff into approving it, and inspectors were unhappy with the sprinkler system. The short deadline and mountain of work I have to do in this town has precluded me from locating the email, which I can dig out in which one City employee tells the other he is spending too much time on that matter, and they just have to meet and hammer out an approval. Shortly thereafter, there were burst sprinkler pipes in multiple units, and leaks elsewhere. During the floods, there was water coming up from underground tributaries that City engineers deemed safe, and now, chronic mold, at similar levels to post-Katrina New Orleans, in the hallway (that report paid for by tenants, not the City). I will attach the report at the end, but suffice it to say, there is an undergrounded creek at the BART station. I wonder if the builder will cut corners, or if the weight of a huge building will affect BART and the safety of the building itself? The more we rush into overbuilding, the more these problems will (literally, in this particular case) mushroom, and yes, mold kills.

And while we're on the topic of BART, as an aside, everyone is supposed to be taking it to mitigate climate change, but the elevator at North Berkeley was out for nearly two months earlier this year, making it impossible for people with walkers or wheelchairs to use it all, seriously undermining confidence in it as a system. Even when this station is okay, I've had to cancel other trips because other stations' elevators were broken, making transit very unreliable for those of us with mobility issues.

I realize everyone believes their hands to be tied over draconian state laws, but this is the time to stand up and push back. This project and other like it are turning this City into a giant heat sink, without viable escape routes or emergency vehicle egress, and with faux affordability (most people are unaware that many “affordable” units will be flipped to pay massive non-profit executive salaries and investors (check out Cynthia Parker of Bridge Housing’s nearly million dollar salary: <https://projects.propublica.org/nonprofits/organizations/942827909>).

There are other ways to attain these goals, but that’s for another letter. For now, hang your objective standards on safety, as that is something that’s indispensable for all of us. Push back on unreasonable deadlines and wait for the 2024 traffic consultant’s report. And let’s look at more innovative, sensible approaches to affordability, such as the public reverse mortgage ([https://docs.google.com/presentation/d/19Q9xvSh57doROXiK9IjH5rBeYRsQOgVEAySNNNEj1uY/edit#slide=id.g13bf88d45a9\\_0\\_0](https://docs.google.com/presentation/d/19Q9xvSh57doROXiK9IjH5rBeYRsQOgVEAySNNNEj1uY/edit#slide=id.g13bf88d45a9_0_0)) and housing anti-trust laws. There is more than one way to solve this, and it doesn’t have to involve lining the pockets of out of town real estate investors and self-interested executives at the expense of common sense safety.

Respectfully,  
Mary Behm-Steinberg

returns. returns. return (I realize she left, but this is the example I can give through ProPublica's NGO tax report

## Supplemental Communications

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**From:** Walter Wood <whwoodii@gmail.com>  
**Sent:** Tuesday, October 17, 2023 8:27 PM  
**To:** Planning Commission  
**Cc:** All Council  
**Subject:** Objective Design Standards proposed for North Berkeley BART - - OPPOSE six story building

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Members of the Berkeley Planning Commission and Berkeley City Council:

Please do not allow a 6 story building anywhere near the North Berkeley BART. That would be too high and too population dense to be compatible with the surrounding leafy residential neighborhood which is mostly one and two story residential houses.

I am deeply disturbed to read a paragraph from my City Council Representative's newsletter that says:

"...The PSH building is planned to be six stories, and will be located at the northeast corner of the site near Virginia and Sacramento streets—between Sacramento Street and the access road for the station. The six-story building will include..."

A six story building is too much density. Too detrimental. Too harmful. Please conform the Objective Design Standards to the understanding that development at this site must not exceed 3 stories maximum height.

Walter Wood  
1709 Berkeley Way  
Berkeley, CA 94703

## Supplemental Communications

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**From:** Virginia Browning <vexxie@yahoo.com>  
**Sent:** Wednesday, October 18, 2023 3:01 AM  
**To:** Shen, Alisa; Planning Commission; bartplanning; All Council  
**Subject:** BART ODS Draft fall 2023

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Berkeley planners,

I'm writing this on a challenging device so it's probably not my best effort but I hope you can see it and think about what I'm asking. Please forgive lack of caps, etc.

I have read the ODS draft submitted recently for the Bart site at north Berkeley.

I have attended most meetings about the north Berkeley and Ashby Bart planning. I have written to some of you before I think. I have gone to at least one probably 2 workshops.

I also attended a recent Planning Commission meeting about either this subject or a related one. I know that many of the commissioners believe or seem to believe that it is environmentally sound to densify to the Max in this area and in most cities.

I consider myself to have been an environmentalist since I was a teenager. I've read many books and articles and investigated much about the needs of humans and our environment. I fear there is some kind of idea that you younger people are more enlightened, that those of you who are obvious Ayn Rand fans are seeing something revolutionary and wonderful instead of something that leads to really a kind of terrible authoritarianism. Much has been written about that before and I wish that you would consider what you're doing in that light just a little bit just think about another point of view. Would you take time to ask yourself this question-- what if you're wrong? what if someone such as myself someone who's worked in sanctioned research from a large research institution for over 30 years knows how statistics can be manipulated in the service of people paying lots of money for what they want and nothing more not for a better city or for a better world for anybody but just so they can make more money because that's how they were raised that's what they were raised to believe is success. Apparently Donald Trump is a person like that who sees money making as a kind of game and has been trained that way from a very young age, but he's not alone, it isn't just republicans it isn't just Democrats it has nothing to do with that ultimately except that those few and it's not very many with the big big money make sure they get their way by spending that money down the line to convince those below them and then those below them, convince others. they put out so-called studies purporting to have some kind of truth to them to back up their bogus theories--just imagine that might be true. And that we might work to push back against this as a city just a little instead of caving to it. I and others actually have ideas about doing that but i can not begin to peck that out on a phone. Please catch me in november. Imagine that hauling in a whole bunch of new concrete and hauling away the possibility of enough respite in the city for people to feel human and humane, enough respite for birds (other than pigeons) to have adequate habitat -- imagine that it's not true that all this building is really so beneficial but that maybe the fact that planners are paid by developers has something just some tiny little bit of something to do with why these things come out the way they do.

So I won't ask for very much here because probably you've already started to ignore this. But I would like to say instead of having rather large setbacks on the upper stories on Sacramento street, I strongly urge you to have large setbacks at the ground floor level on Sacramento street and then you can have slightly smaller setbacks on the upper stories. Thereby, walkers and other zoomer- zipperos can have almost adequate space to feel human at the ground level and walkers might even choose to walk there. And some walkers need to walk there. Some workers need to work in those

rooms right next to Sacramento street and they may not want to be right on the street and it may be unhealthy for them to be right on the street. It may in fact be 100 years before retail, the idea that people desire to meet face to face, is respected again, and amazon is thwarted in its uber-ruling of most of the earth -- that is if the earth survives it. If we ever get retail again workers will want not to be right next to Sacramento street. In the meantime something will have to go in there possibly living space and people will not want to live right on the street. So please consider this minor change to your plans.

I would also strongly urge you to not try to densify this intense new addition to our city and population number even more but respect at least what the designers have created except for this one change which I have urged here.

Thanks to the designers for including a landscape architect. Thanks for including some trees, there can never be enough trees really. You say you want to save the hinterlands but people are going to get into their resource-intensive vehicles whether they be gas-powered or cobalt-and-enclaved- children-miners-powered vehicles and flock to the hinterlands as they do if you make cities more unlivable.

Your neighbor,  
Virginia Browning  
Virginia St.  
Berkeley

[Sent from Yahoo Mail on Android](#)

## Supplemental Communications

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**From:** Sandy Emerson <css.sandyemerson@gmail.com>  
**Sent:** Wednesday, October 18, 2023 7:58 AM  
**To:** Planning Commission  
**Subject:** Yes to N Berkeley BART Objective Design Standards

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

The design for TOD housing at N Berkeley BART looks good to me.

Plans to include retail and child care are very welcome.

As a North Berkeley resident, I look forward to enjoying the improved bicycle and pedestrian access to the BART station and the Ohlone Greenway.

Sandy Emerson  
1202 Hopkins St.  
Berkeley

Sandy Emerson  
Fossil Free California  
<https://fossilfreeca.org>  
650-743-0524

"Imagine what we could all do together if we really wanted to." - Greta Thunberg

## Supplemental Communications

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**From:** Nick Pilch <npilch@gmail.com>  
**Sent:** Wednesday, October 18, 2023 10:54 AM  
**To:** Planning Commission  
**Subject:** Item #10: North Berkeley BART Objective Design Standards (ODS)

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Planning Commissioners,  
It's important that the objective design standards lead to a maximum number of housing units and streets safe for everyone.

I also support [Bridge Housing's letter of October 13](#).

Please recommend that the City Council adopt the North Berkeley BART ODS with the following changes:

1. Reduce setbacks and massing breaks. In its current form, the ODS setbacks and massing breaks lead to fewer family-sized homes and fewer homes overall.

2. **More height = more homes.** Bring the overall height up to 85 feet and increase the height to four stories for the stepped-down perimeter along Delaware, Acton, and Virginia.

3. **Narrow streets are slow streets.** Delaware and Virginia need to be narrowed for the safety of pedestrians AND it will make more space for homes so please add a recommendation to include this. These changes will ensure flexibility in the ODS so that North Berkeley BART's architects and designers can make a nice place to live for our future neighbors. By approving a flexible ODS, you will help ensure these positive changes:

+ Maximize the number of **climate change-fighting homes** adjacent to transit,

+ Put the biggest dent in the bay area housing shortage as possible, and

+ Maintain the **walkable and bikeable character of our transit-oriented neighborhood**. Regards,

Nick Pilch

--

Nick Pilch

[npilch@gmail.com](mailto:npilch@gmail.com)

## Supplemental Communications

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**From:** Tarek Rached <tarek.rached@gmail.com>  
**Sent:** Wednesday, October 18, 2023 10:07 AM  
**To:** Planning Commission  
**Subject:** North Berkeley BART's objective design standards  
**Attachments:** NBHP PC ODS Letter.pdf

**WARNING:** This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

I'm a resident of Francisco St, 2 blocks due east of North Berkeley BART, and I'm writing in strong support of Bridge Housing's requested changes (attached) to the objective design standards for the North Berkeley BART housing project, which I'm genuinely excited about. In addition, the design standards should consider the following:

- **Reduce Setbacks and Massing Breaks:** The current standards limit the number of homes, particularly those suitable for families.
- **More Height = More Homes:** Increasing the overall height to 85 feet and extending it to four stories along Delaware, Acton, and Virginia could significantly contribute to addressing our housing shortage.
- **Narrow Streets for Safety and Space:** Narrower surrounding streets can enhance pedestrian safety and create space for additional homes, promoting a vibrant community.

By doing the above, we can ensure the following:

- Maximizing climate-resilient homes near transit.
- Making a substantial impact on the Bay Area housing shortage.
- Preserving the walkable and bikeable character of our transit-oriented neighborhood.

I can't wait for this to be built and to welcome new neighbors to Berkeley!

cheers,  
Tarek Rached.

**Attachment**



October 13, 2023

BRIDGE HOUSING  
CORPORATION

BRIDGE PROPERTY  
MANAGEMENT COMPANY

BAY AREA SENIOR SERVICES, INC.

BRIDGE ECONOMIC  
DEVELOPMENT CORPORATION

**Subject:** North Berkeley Housing Partners Request for Modifications to Objective Design Standards to Ensure Financial Feasibility and Buildability

Dear Planning Commissioners:

The members of North Berkeley Housing Partners, including non-profit affordable housing developers BRIDGE Housing, Insight Housing, and East Bay Asian Local Development Corp. (EBALDC), and our market-rate partner AvalonBay Communities were proud to be selected by BART to develop the North Berkeley BART Station. Collectively, our three affordable housing firms have built more than 100 affordable housing buildings across the Bay Area. We look forward to delivering a completed project that reflects the vision and priorities of the Berkeley community – one that is livable, walkable, and creatively designed.

We have listened closely to the feedback received by members of the community on our project’s design and made modifications to incorporate this input. We have also worked closely with City of Berkeley staff to develop the Objective Design Standards (ODS) that will guide development at the North Berkeley BART site. These discussions have helped to shape the proposed design of our project. We are now proceeding to the next level of detailed design and financial feasibility analysis for the purpose of our upcoming permit application to the City. As we enter this more detailed level of design, we have concerns that certain aspects of the ODS as drafted will likely pose barriers to the buildability and financial feasibility for both our planned market-rate and affordable-housing buildings. This will make it harder to deliver the market-rate homes and affordable housing fee revenue anticipated by the City and community. For the affordable housing buildings, we are concerned that these specific aspects of the ODS could drive up the cost per unit, which would have the deleterious effect of making our project less competitive for state affordable housing funding and could unduly prolong an already lengthy timeline for project completion.

While the ODS is underpinned by sound design principles, we fear that it errs on the side of being overly prescriptive. In order to plan for buildable and feasible buildings, we respectfully request greater flexibility in certain areas, specified below:



- **Section 1.3 Building Setbacks** Recommend reducing required setbacks to the minimum required by zoning of five feet to provide greater design flexibility. We believe that the planting buffer, sidewalks, and a setback of five feet minimum provide ample separation between the buildings and the street. This change will allow for more creative design and more flexibility, if needed, to achieve financial feasibility.
  - **Projections:** Recommend projections provided for on Sacramento Street to apply on Virginia Street.
  
- **Section 2.2 Building Massing and Articulation** Recommend simplifying major breaks in order to better provide family-sized units:
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  - Minor breaks would still apply to all facades and would inspire design creativity.
  
- **Section 2.3.2 Materials** - We support the use of high-quality materials and the requirement to use at least two materials on each exterior; however, the 65 percent limit for a single material is too low. We recommend that it be increased to 80 percent and that the percentage apply to all building exteriors as a whole. Further, recommend removing the requirement that panel systems shall not have exposed fasteners as many premium facade systems have exposed fasteners.
  
- **Section 2.3.3 Utility/Refuse/Loading Access** - Recommend eliminating these added requirements, as they are overly prescriptive and could adversely impact “back-of-house” access to these buildings. We believe these issues are adequately addressed by the zoning standards and access study and further restrictions could affect long-term operating costs, especially for the smaller affordable buildings.

We look forward to our continued partnership with the City of Berkeley to deliver homes that live up to the promise and potential of this site.

Respectfully,  
North Berkeley Housing Partners



Page 3 of 3

*North Berkeley Housing Partners Request for Modifications to Objective Design Standards to Ensure Financial Feasibility and Buildability*

For North Berkeley Housing Partners:



Jonathan Stern, Director - Acquisition & Planning  
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Joe Kirchofer, Senior Vice President  
AvalonBay Communities

