Jacob, Melinda

Subject: FW: ZAB Item 6B – Golden Gate Fields Demolition – Request for Environmental Review

From: Jamuel Starkey <jamuel@gmail.com>
Sent: Wednesday, November 4, 2026 10:56 AM
To: Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>
Cc: Jacob, Melinda <MJacob@berkeleyca.gov>
Subject: ZAB Item 6B – Golden Gate Fields Demolition – Request for Environmental Review

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 Zoning Adjustments Board,

As a Berkeley resident for nearly 10 years, I strongly support the City acquiring Golden Gate Fields for a public waterfront park. It's a once-in-a-generation opportunity for our community, and we need to get it right.

That is why I'm asking you to require a full environmental review before allowing the demolition of the jockey living quarters and barns to move forward.

Tearing down existing buildings—including residential units—before the public has even weighed in on future uses locks us out of options before we've started. Claiming this demolition is exempt from CEQA bypasses the thorough, independent review a site of this scale requires.

It also makes zero economic sense to let the current owner tear down structures while leaving behind acres of pavement, slab foundations, and subsurface infrastructure that taxpayers will eventually have to clean up anyway. We should evaluate the entire site's potential together, not accept piecemeal demolition as a default condition of sale.

This isn't about slowing down the park project. It's about protecting public dollars, keeping our options open, and making sure we don't rush into irreversible decisions. Please require a full CEQA review before approving any demolition permits.

Thank you for your attention.

Cheers,

JPS
--
Jamuel Starkey
1337 Carlotta Ave, Berkeley

Jacob, Melinda

Subject: FW: ZAB Item 6B – Golden Gate Fields Demolition – Request for Environmental Revie

From: Tim Alley <timothyglenalley@gmail.com>
Sent: Tuesday, November 3, 2026 2:15 PM
To: Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>; Jacob, Melinda <MJacob@berkeleyca.gov>
Subject: ZAB Item 6B – Golden Gate Fields Demolition – Request for Environmental Revie

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 Zoning Adjustments Board Members,

I am writing to urge the City of Berkeley to require a full environmental review before approving the proposed demolition of the jockey living quarters and barns at Golden Gate Fields.

I support the creation of a public park at Golden Gate Fields, but I am concerned that demolition is moving forward before the environmental impacts, legal obligations, and long-term consequences have been adequately evaluated. In particular, the demolition of existing residential units raises serious questions that deserve careful consideration.

This is an extraordinary public investment, and we owe it to the community to ensure that the acquisition and demolition are conducted responsibly, transparently, and in the public's best interest.

I respectfully ask the ZAB to withhold approval of the demolition until a full environmental review has been completed and the City's reliance on a statutory CEQA exemption has been thoroughly examined.

Thank you for your consideration. And please consider forwarding this email to others who think we deserve a world-class waterfront.

Sincerely,

Tim Alley

86 El Camino Real, Berkeley

Jacob, Melinda

From: Zoning Adjustments Board (ZAB)
Subject: FW: Golden Gate Fields Demo Permit Agenda Item
Attachments: 261030_GGF-ZAB_RESPONSE_OF.docx

From: Orion Fulton <orionfulton@gmail.com>
Sent: Monday, November 2, 2026 4:00 PM
To: Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>
Cc: DTasini@albanyca.gov; com-dev@albanyca.gov; Williams, DeSeana <DeWilliams@berkeleyca.gov>; Rent Stabilization Board <rent@berkeleyca.gov>; Kesarwani, Rashi <RKesarwani@berkeleyca.gov>; Taplin, Terry <ttaplin@berkeleyca.gov>; Taplin, Terry <ttaplin@berkeleyca.gov>; Berkeley Mayor's Office <Mayor@berkeleyca.gov>; Manager, C <CManager@berkeleyca.gov>; City Attorney's Office <attorney@berkeleyca.gov>; Planning Dept. Mailbox <Planning@berkeleyca.gov>; Riemer, Allison <ARiemer@berkeleyca.gov>
Subject: Golden Gate Fields Demo Permit Agenda Item

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 ZAB Members,

I am formally submitting the attached letter for the record.

Thank you,

Orion
2111 Ninth Street, Berkeley, CA 94710

October 30, 2026

City of Berkeley
Planning and Development Department
1947 Center Street 3rd Floor
Berkeley, California 94704

Re: Demolition of Golden Gate Fields (1100 Eastshore Highway Berkeley, CA 94710), including applications related to Demolition, Zoning, and Administrative Use Permit Approvals (the "Project") Use Permit #ZP2026-0072

Dear Members of the Zoning Adjustments Board,

As a West Berkeley resident, I understand the public excitement and interest in the possibility of the East Bay Regional Park District gaining ownership of Golden Gate Fields via a transaction between Trust for Public Land and the Stronach Group (the current owner). However, such excitement should not come at the expense of environmental protections and regulatory responsibilities that govern the Stronach Group's proposed demolition of the vertical structures on the property. There are three significant issues that must be addressed before the City of Berkeley can approve the requested permits allowing demolition to occur:

- Compliance with CEQA
- Replacement of "Protected Residential Dwelling Units" as defined in the Zoning Ordinance, and
- Compliance with the Conditions Required for Demolishing Non-Residential Buildings pursuant to BMC Sections 23.326.070.D.1 and D.2

Each of these items is discussed in detail below.

A. **The Statutory Exemption from CEQA under Public Resources Code §21080.57 Is Not Applicable to Stronach's Private Demolition Activities and CEQA Review Is Mandatory.**

Staff's recommended reliance on Public Resources Code §21080.57 is in error because such exemption is inapplicable to Stronach's proposed demolition activities on its face. Section 21080.57 only applies to activities necessary for or incidental to the planning, acquisition, construction, or operation of public parks funded by Proposition 4. Stronach's proposed demolition activities, however, would be entirely self-funded and would be conducted entirely in advance of the acquisition of the subject site by any public parks agency.

While this fact in and of itself makes Section 21080.57 inapplicable, the acquisition transaction being contemplated remains – at this point in time – contingent on future events (approvals, funding, etc.) that may or may not occur. Therefore, the transaction currently under public discussion may not actually close, which would leave Stronach in continuing private ownership of the site in question. For both of these reasons, reliance on Section 21080.57 in issuing the demolition is inappropriate and would violate CEQA.

In addition, the request to demolish vertical structures on the property is just a first step in a clearly anticipated future project – this is not supposition – it is the stated intent of the State Legislature and the East Bay Regional Parks District. Moving forward with a Statutory Exemption for this demolition will result in CEQA segmentation contrary to the law. The City may not proceed with allowing the demolition to move forward until a more robust and inclusive CEQA review process and documentation has been completed.

B. **The property Supports Residential Dwelling Units that may not be Demolished Without Complying with Berkeley Zoning Ordinance Section 23.326.**

The Berkeley portion of Golden Gate Fields includes a number of residential dwelling units, and/or Group Living Accommodations. These "units" or living accommodations are clearly defined as "Residential Units" consistent with the Zoning Ordinance. ZO section 23.326.020.A.1 defines a dwelling unit for the purposes of this section as follows:

> No Residential Unit(s) may be eliminated or demolished except as authorized by this chapter.
>
> 1. "Residential Unit" means, for purposes of this Chapter, any Dwelling Unit, any Live-Work Unit, any Residential Hotel unit, any bedroom of a Group Living Accommodation (GLA), except a GLA in a University-recognized fraternity, sorority or co-op, or any Accessory Dwelling Unit ("ADU") or Junior Accessory Dwelling Unit ("JADU").

The Zoning Ordinance procedure for eliminating a "Residential Unit" is found in ZO Section 23.326.030.B.1, as follows:

> *Procedure and Findings.*
>
> 1. A Use Permit is required to eliminate or demolish one or more Residential Units, except where otherwise provided by the Zoning Ordinance. The ZAB shall only approve the Use Permit if one of the following is true:
>
> (a) The building containing the Residential Unit(s) is hazardous or unusable and is infeasible to repair.
>
> (b) The building containing the Residential Unit(s) will be moved to a different location within Berkeley with no net loss of units and no change in the rent levels of the unit(s).
>
> (c) The demolition is necessary to permit construction approved pursuant to this Chapter of at least the same number of Residential Units.

There does not appear to be any information in the proposal that would allow the Zoning Adjustments Board to make any of the findings REQUIRED by the Zoning Ordinance to approve a demolition of "Residential Units." The buildings are not hazardous or unusable or infeasible to repair. They were being used for living purposes right up until the track closed. There is no proposal to move the "Residential Units" to a new location, and there is not a proposal to replace the units on site.

Furthermore, given the age of the "Residential Units" in question, they should be registered as rent-controlled units with Berkeley's Rent Stabilization Board. The "Residential Units" are also "Protected Units" as defined by the Zoning Ordinance in Section 23.326.020.A.5:

> "Protected Unit" includes a Residential Unit:

(a) Subject to a low-income deed restriction for any of the previous five years;

(b) Subject to rent or price control under BMC Chapter 13.76; or

(c) Rented by a household at 80% Area Median Income or lower within the previous five years. (Ord. 7924-NS § 1, 2024; Ord. 7787-NS § 2 (Exh. A), 2021)

Because there are "Protected" "Residential Units" on the property, they must be replaced with permanently affordable below market rate units, as required in the Zoning Ordinance. Elimination of these Residential Units" without replacement as required by the Zoning Ordinance may not occur as proposed without a Variance, and subject to Variance findings that likely cannot be made in this circumstance.

C. Compliance with the Conditions Required for Demolishing Non-Residential Buildings pursuant to BMC Sections 23.326.070.D.1 and D.2 Must be Required

In addition to the requirements for demolition buildings with "Residential Units" there are also findings for demolishing non-residential buildings. These findings do not appear to have been met as required by the Zoning Ordinance. The findings are found in Zoning Ordinance Section 23.326.070.D.1. and 2:

Findings. A Use Permit or an AUP for demolition of a main building used for non-residential purposes on any lot or an accessory building located on a lot in a non-residential district may be approved only if the ZAB or the Zoning Officer finds that:

1. The demolition will not be materially detrimental to the commercial needs and public interest of any affected neighborhood or the City of Berkeley; and

2. The demolition:

(a) Is required to allow a proposed new building or other proposed new use;

(b) Will remove a building which is unusable for activities which are compatible with the purposes of the district in which it is located or which is infeasible to modify for such uses;

(c) Will remove a structure which represents an uninhabitable attractive nuisance to the public; or

(d) Is required for the furtherance of specific plans or projects sponsored by the City of Berkeley or other local district or authority upon a demonstration by the applicant that it would be infeasible to obtain prior or concurrent approval for the new construction or new use. (Ord. 8007-NS § 19, 2026; Ord. 7981-NS § 9, 2025; Ord. 7924-NS § 1, 2024; Ord. 7787-NS § 2 (Exh. A), 2021)

None of the required findings listed Section D.2. can be made relevant to the current proposal. There is not a proposed new use (and the stated intent to build a park later results in the CEQA segmentation issue raised in previous correspondences). It has not been demonstrated that the buildings are unusable for activities compatible with the district. The structures are not uninhabitable, and were being used right up until the track closed. And finally, no plan has been developed for future use of the site.

Conclusion

Accordingly for the foregoing reasons, and those set forth in a previous letter to City of Berkeley Planning and Development Department dated September 15th, 2026, the application provided by the Stronach Group to demolish structures on the Golden Gate Fields site may not be approved as currently proposed. I respectfully request that the Zoning Adjustments Board decline to adopt the inappropriately recommended CEQA exemption, and require compliance with CEQA and the provisions of the Berkeley Municipal Code and Zoning Ordinance before issuing any permits or entitlements.

We hope that the City of Berkeley will responsibly comply with its plain obligations under CEQA and the City's Municipal Code, and that unnecessary, expensive and time consuming litigation to compel performance can be avoided. Thank you for your attention to these matters. Nothing in this letter is intended to constitute a waiver of the public's rights and remedies, all of which are expressly reserved.

Sincerely,

Orion Fulton
2111 Ninth St, Berkeley, CA

Copies to:

City of Albany City Manager and City Attorney
Berkeley Rent Stabilization Board
Council member Rashi Kesarwani
Council member Terry Taplin
Mayor Adena Ishii
Paul Buddenhagen, City Manager
Farimah Brown, City Attorney
Jordan Klein, Planning and Development Director
Anne Hersch, Land Use Planning Manager

October 30, 2026

City of Berkeley
Planning and Development Department
1947 Center Street 3rd Floor
Berkeley, California 94704

Re: Demolition of Golden Gate Fields (1100 Eastshore Highway Berkeley, CA 94710), including applications related to Demolition, Zoning, and Administrative Use Permit Approvals (the "Project") Use Permit #ZP2026-0072

Dear Members of the Zoning Adjustments Board,

We understand the public excitement and interest in the possibility of the East Bay Regional Park District. However, such excitement should not come at the expense of the environmental protections and regulatory responsibilities that govern demolition of this magnitude. There are three significant issues that must be addressed before the City of Berkeley can approve the requested permits:

- Compliance with CEQA
- Replacement of "Protected Residential Dwelling Units" as defined in the Zoning Ordinance, and
- Compliance with the Conditions Required for Demolishing Non-Residential Buildings pursuant to BMC Sections 23.326.070.D.1 and D.2

Each of these items is discussed in detail below.

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conducted entirely in advance of the acquisition of the subject site by any public parks agency.

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Furthermore, given the age of the "Residential Units" in question, they should be registered as rent-controlled units with Berkeley's Rent Stabilization Board. The "Residential Units" are also "Protected Units" as defined by the Zoning Ordinance in Section 23.326.020.A.5:

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do not appear to have been met as required by the Zoning Ordinance. The findings are found in Zoning Ordinance Section 23.326.070.D.1. and 2:

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exemption, and require compliance with CEQA and the provisions of the Berkeley Municipal Code and Zoning Ordinance before issuing any permits or entitlements.

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Sincerely,

Brennan Cox
Golden Gate Fields Park

Copies to:

City of Albany City Manager and City Attorney
Berkeley Rent Stabilization Board
Council member Rashi Kesarwani
Council member Terry Taplin
Mayor Adena Ishii
Paul Buddenhagen, City Manager
Farimah Brown, City Attorney
Jordan Klein, Planning and Development Director
Anne Hersch, Lad Use Planning Manager