

Late Correspondence
September 16, 2026 Planning Commission

Planning Commission

From: steve majoros <europeansleepworks@gmail.com>
Sent: Thursday, September 10, 2026 1:58 PM
To: Planning Commission
Cc: Horner, Justin; Klein, Jordan; Bartlett, Ben; Berkeley Mayor's Office; Shen, Alisa
Subject: PUBLIC COMMENT: Ashby BART Objective Design Standards (ODS) – September 16 Meeting

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,

I'm writing on behalf of European Sleep Works, a longtime business on Adeline Street, regarding the Ashby BART development and, specifically, parking in the area. I know that Lacis and the other shops share this concern.

Parking in this corridor is already extremely difficult. With the new housing and center across the street from our store, the off-street public parking in front of our building is now almost always 100% full. We receive complaints regularly from customers who are unable to find parking. Street parking on Otis, Russell, Oregon, and the surrounding blocks is also extremely competitive, leaving very few alternatives. We understand that this is a shared burden and that it is not our parking; however, we can't survive if our customers can't visit.

We are in support of adding housing, particularly around public transit, and we're not suggesting that parking concerns should prevent development. However, I think the existing parking situation needs to be part of the conversation. Not every trip to a neighborhood business can realistically be made by BART, bicycle, or on foot. Our customers come from throughout the Bay Area, and for many of them driving is the only practical option.

The Ashby BART development will add a significant number of residents to an area where parking is already very limited. I hope the City and BART will look seriously at parking as part of the project, including adding public parking. Additional public parking could be a major benefit not only to existing businesses, but also to new businesses that might open as the Lorin District continues to grow and develop (including the retail storefronts expected to be filled in this project. The Safeway public parking on College Avenue is a good example.

Again, this isn't an argument against development. It's simply asking that the reality of parking conditions that already exist today be taken into account, and that this project be looked at as an opportunity to improve parking access for the neighborhood as a whole.

I much appreciate your time.

Thanks,

Steven Majoros

European Sleep Works

2966 Adeline St., Berkeley, California 94703

510) 841 5340

sleepworks.com

CONFIDENTIALITY NOTICE:

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Planning Commission

From: Mickey Butts <mickeybutts@gmail.com>
Sent: Friday, September 11, 2026 7:56 PM
To: Planning Commission
Cc: Shen, Alisa; Horner, Justin; Klein, Jordan; Berkeley Mayor's Office; All Council; Bartlett, Ben; Barnali.Ghosh@bart.gov; Victor.Flores@bart.gov
Subject: PUBLIC COMMENT AND REQUEST FOR CONTINUANCE: Ashby BART ODS Sept. 16 meeting—Adopt enforceable neighborhood protections

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:

I live on Woolsey Street in the Bordertown neighborhood of South Berkeley immediately east of Ashby BART. I cannot attend the September 16 meeting, so please include this letter in the public record. I support housing, including affordable housing, while expecting the City and BART to protect nearby residents, future residents, BART riders, pedestrians, cyclists, and emergency access.

State law and existing City-BART agreements strongly favor housing development on the site and limit some avenues for local opposition. The Commission is now being asked to review the 2026 Objective Design Standards, or ODS, and recommend whether the City Council should adopt them. The Commission can also recommend that the City Council, City departments, and BART address related issues outside the ODS.

I respectfully ask the Commission to continue consideration of the draft ODS for 30 to 60 days. The revised 61-page packet became available about a week before the meeting, which is not enough time for neighbors and the Commission to incorporate meaningful comment into its recommendations to the City Council. If the Commission does not postpone the matter, please do not recommend adoption of the ODS as currently written. First incorporate the most relevant points below, including recommendations for clear, measurable, and enforceable protections.

Regardless of whether neighbors welcome more housing, worry about its scale, or hold both views, six practical protections have broad support from my conversations with neighbors who live around Ashby BART:

1. Adopt the lowest feasible heights in Areas B and C and restore stronger rules that break up large buildings.

The September 2026 draft retains density-bonus height limits of 120 feet in Area A, 200 feet in Area B, and 160 feet in Area C, while adding a provision that could increase the 85-foot limit along specified portions of Martin Luther King Jr. Way to 95 feet for a project eligible under SB 79. The 200- and 160-foot limits could accommodate roughly 18 and 14 stories of typical residential construction, respectively, depending on building design. The proposed Ashby standards are materially different from those adopted for North Berkeley BART. North Berkeley BART's density-bonus standards contemplate a maximum of 8 stories, or 85 feet, with lower heights along neighborhood edges. [1]

Although Ashby's City-BART agreement requires the standards to accommodate the development's specified capacity, it does not mandate 200- or 160-foot buildings. The City should publish its capacity analysis and explain why Ashby requires dramatically greater height allowances and fewer neighborhood-edge protections.

Please adopt the lowest feasible heights in Areas B and C that meet the City-BART agreement, without shifting more bulk toward nearby homes. Require substantial upper-floor step-backs, massing breaks, shadow limits, and privacy protections along the MLK, Adeline, Ashby, and southern edges. [2–5] The 2026 draft also weakens several 2024 protections in ways that could create longer, flatter, more imposing buildings. Please restore the stronger 2024 limits, or adopt equally effective and measurable protections. [2,4]

2. Recommend a full parking protection plan before existing West Lot parking is removed.

BART has approved a maximum of 85 rider spaces at Ashby, down from 535 existing spaces spread across both the West and East Lots, and 280 spaces at North Berkeley BART and auxiliary lots.

[1] Under current City policy, future development residents will not be eligible for neighborhood Residential Preferential Parking (RPP) permits. Berkeley generally caps qualifying transit-area projects at one parking space for every two units, although exemptions apply and additional parking may be approved through an Administrative Use Permit.

The City has acknowledged that there may be “spillover parking into surrounding neighborhoods.” [6] Not every eligible block around Ashby BART has opted into RPP. Where signed, Areas M and J are generally enforced only from 8 a.m. to 7 p.m. Monday through Friday, leaving nights, weekends, and holidays unprotected. [7,8]

Please ask the City Council, BART, and transportation staff to measure parking on nearby Berkeley and Oakland blocks before construction and after occupancy; estimate resident and visitor demand; identify the largest feasible and lawful amount of on-site parking; explain the lack of permit eligibility clearly to residents; and set practical responses if spillover occurs, including funding and proactive consideration of changes to permit boundaries or enforcement hours.

3. Keep construction and project operations off residential streets.

The City-BART agreement already establishes construction hours and requires applicable protections including a noise-reduction program, advance notice, a project liaison, major-road routing where feasible, diesel-emissions controls, and vibration screening and analysis where indicated. [5]

The City should strengthen and enforce measurable standards. It should require normal truck routes, staging, hauling, and worker transportation to prioritize Ashby, Adeline, Martin Luther King Jr. Way (MLK), or Alcatraz where feasible and safe, while also reducing congestion on these streets that carry substantial traffic and provide critical access to freeways. Keep regular project traffic and truck queuing off narrow sections of Shattuck north and south of Ashby and nearby residential streets within up to three city blocks of the development. Provide off-street worker parking or shuttles. The September packet says analysis under an Ashby West Lot Station Access Plan is underway. That work should be completed and released early enough to inform enforceable construction and circulation commitments.

Before work begins, BART, the City, and the developer should publish and enforce plans for routing, noise, dust, diesel pollution, and vibration, with advance notice; a continuously available contact during work; response deadlines; a publicly accessible complaint-and-resolution log, with personal information redacted; and consequences for repeated violations. The agreement requires BART's ground lease to bind the developer to applicable 2022 mitigation measures and Schedule 5.5 standard conditions. [5]

4. Control traffic and preserve loading and emergency access.

Put physical requirements in the ODS for additional on-site or building-integrated loading, deliveries, refuse collection, move-ins, and services so those activities do not block major streets, bicycle routes, or emergency access. Keep emergency routes separate from loading and event space, and show safe pedestrian and bicycle routes to the station on the plans. The 2026 draft weakens limits.

Please ask the Fire Department and Public Works to confirm in writing that access, turning, overhead clearance, and fire-lane operations will work for the full development allowed by the standards. [2,4] Please also ask Public Works, transportation staff, BART, and the developer for a circulation plan addressing loading, cut-through traffic, station access, and emergency response. It should use before-and-after counts and identify who will act if conditions worsen. Planning for transit should not assume that every resident, visitor, caregiver, or service worker has the ability to make every trip on BART or AC Transit.

5. Require genuinely usable open space, robust tree canopy, and a real children's play area.

Open space is within the scope of these standards and the Planning Commission's jurisdiction. Berkeley's zoning regulates publicly accessible open space, frontage improvements, landscaping, and pedestrian connections on the development site. The North Berkeley BART project identifies 57,420 square feet of publicly accessible open space. [10] The September Ashby ODS packet does not identify a comparable project-wide square-footage commitment. [1,2]

For adjoining sidewalks and other City-controlled public areas, the Commission should recommend that the City Council and Public Works coordinate those improvements with the development rather than treating them as unrelated future projects. A meaningful share of the required public open space should be contiguous, ground-level, planted, and usable every day, not mainly rooftops, narrow edges, driveways, emergency routes, or leftover circulation space.

Require a dedicated children's play area with safe surfacing, shade, seating, clear sightlines, accessible routes, and separation from traffic and loading. Event and flea-market space should not replace it. Protect healthy trees where feasible, require adequate soil for new trees, and replace canopy when trees or planting locations are lost. Measure L directs the City to prioritize parks and recreational investment in neighborhoods like South Berkeley with less than 2 acres of parks and open space per 1,000 residents, according to the Adeline Corridor analysis. [11] Measure L does not itself require this development to provide open space, making clear physical requirements in the ODS especially important. [2,9]

6. Protect community space and resident services.

Keep strong ground-floor requirements for community space, clear entrances, lighting, and visibility around the station plaza and Adeline. Avoid long, imposing walls or service areas along these public edges. Ask the City Council and BART to secure a funded resident-services plan through the ground lease or another enforceable agreement. It should identify responsibility, staffing, and funding for property management; service coordination; youth and family support; connections to behavioral-health and case-management services; resident and transit safety; and public reporting. Providing these supports helps new residents and the surrounding community succeed together. [2,5]

The Planning Commission should place every measurable physical protection within its ODS role directly into the standards. Documented concerns of neighbors should not simply be recorded as “outside the scope” and then dropped. For parking, construction operations, traffic management, enforcement, and resident services, please make specific recommendations to the City Council and BART and refer the details to the responsible departments. Please request a public response before the Council considers the final ODS. The Planning Commission has made companion recommendations on this project before and it can make them again.

I support adding housing and affordable housing at Ashby BART. I ask that it be done with clear design standards and practical commitments that protect future residents and the surrounding community. This request includes input from a number of neighbors in the limited timeframe allowed. Thank you for considering these requests.

Sincerely,

Mickey Butts

Bordertown Neighborhood Alliance

Organizing Member and Emergency Preparedness Lead

Sources:

[1. North Berkeley BART Station Area Objective Design Standards \(ODS\)](#)

[2. City of Berkeley, September 2026 Ashby BART materials and Planning Commission Item 10A packet](#)

[3. BART, July 2026 West Lot concept boards](#)

[4. City of Berkeley, December 2024 Preliminary ODS](#)

[5. Ashby BART Station Transit-Oriented Development Exchange Agreement \(final\)](#)

[6. City parking policy report](#)

[7. Berkeley Municipal Code § 23.322.070, automobile parking](#)

[8. Berkeley Residential Preferential Parking enforcement schedule](#)

[9. Berkeley Municipal Code Chapter 6.42, Measure L](#)

[10. North Berkeley TOD](#)

[11. City of Berkeley Revised Agenda Material for Supplemental Packet 1 from Jordan Klein, Director of Planning and Development Department, September 16, 2024](#)

Planning Commission

From: John A. Givens <john.a.givens@gmail.com>
Sent: Monday, September 14, 2026 9:49 AM
To: Planning Commission
Subject: Ashby BART West Lot 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.

Hi planning commission.

I'm a Berkeley home owner a few blocks from Ashby BART. I'd just like to express my support for housing development in the West Lot. The Bay needs housing and putting it near public transit makes the most sense. Let's build some elegant and tall buildings with a good amount of affordable low income units!

Thank you

John Givens

3010 King St

Planning Commission

From: Julie Twichell <julietwichell@mac.com>
Sent: Monday, September 14, 2026 7:17 PM
To: Planning Commission
Cc: Shen, Alisa; Horner, Justin; Klein, Jordan; Berkeley Mayor's Office; All Council; Bartlett, Ben; Barnali.Ghosh@bart.gov; Victor.Flores@bart.gov
Subject: Ashby BART West Lot 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.

September 14, 2026

To: Berkeley Planning Commission (planningpc@berkeleyca.gov),
CC: Planning Commission staff (ashen@berkeleyca.gov, jhorner@berkeleyca.gov, jklein@berkeleyca.gov); Mayor Adena Ishii (mayor@berkeleyca.gov) and Berkeley City Council (council@berkeleyca.gov); Councilmember Ben Bartlett (bbartlett@berkeleyca.gov); BART Directors Biarnali Ghosh (Barnali.Ghosh@bart.gov) and Victor Flores (Victor.Flores@bart.gov)

PUBLIC COMMENT AND REQUEST FOR CONTINUANCE: Ashby BART ODS Sept. 16 meeting—Adopt enforceable neighborhood protections

Dear Planning Commissioners:

I am a senior who has lived on Tremont Street in Berkeley for over 30 years in the Bordertown neighborhood of South Berkeley immediately east of Ashby BART. I cannot attend the September 16 meeting, so please include this letter in the public record. I support affordable housing, while also expecting the City and BART to protect nearby residents, future residents, BART riders, pedestrians, cyclists, and emergency access.

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I support adding housing and affordable housing at Ashby BART. I ask that it be done with clear design standards and practical commitments that protect future residents and the

surrounding community. This request includes input from several neighbors in the limited timeframe allowed. Thank you for considering these requests.

Sincerely,

Julie Twichell

Bordertown Neighborhood Alliance

Organizing Member

Sources:

- [1. North Berkeley BART Station Area Objective Design Standards \(ODS\)](#)
- [2. City of Berkeley, September 2026 Ashby BART materials and Planning Commission Item 10A packet](#)
- [3. BART, July 2026 West Lot concept boards](#)
- [4. City of Berkeley, December 2024 Preliminary ODS](#)
- [5. Ashby BART Station Transit-Oriented Development Exchange Agreement \(final\)](#)
- [6. City parking policy report](#)
- [7. Berkeley Municipal Code § 23.322.070, automobile parking](#)
- [8. Berkeley Residential Preferential Parking enforcement schedule](#)
- [9. Berkeley Municipal Code Chapter 6.42, Measure L](#)
- [10. North Berkeley TOD](#)
- [11. City of Berkeley Revised Agenda Material for Supplemental Packet 1 from Jordan Klein, Director of Planning and Development Department, September 16, 2024](#)

Page 1

Sent from my iPhone

Planning Commission

From: Asmara Beraki <asmarag@gmail.com>
Sent: Tuesday, September 15, 2026 9:36 AM
To: Planning Commission; Horner, Justin; Shen, Alisa; Klein, Jordan
Subject: plemental Packet Submission – Ashby BART ODS Feasibility Matrix
Attachments: Feasibility.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.

Dear Commissioners and Staff,

Please accept this email and the attached matrix for inclusion in the Supplemental Correspondence Packet for tomorrow's Planning Commission meeting.

This document directly addresses statements made during the ODS drafting process asserting that high-density (600+ unit), transit-oriented developments (TOD) cannot accommodate high-performance architectural features—such as operable cross-ventilating windows, Passive House building envelopes, and unpaved permeable green space—without compromising financial or structural feasibility.

The attached matrix highlights major West Coast projects executed by leading master developers (including Related California, BRIDGE Housing, and Gerding Edlen). These built precedents prove that:

- **High-Density TOD and Permeable Soil Co-exist:** Major East Bay and regional projects routinely integrate deep-soil bioretention, unpaved open space, and bioswales alongside high unit capacities (up to 858+ units directly at transit hubs).
- **High Envelope Performance is Scalable:** Mid-rise multi-family developments across California achieve GreenPoint Platinum ratings, Passive House compliance, and natural cross-ventilation through dual-aspect massing without forfeiting density.

I urge the Commission to hold the Objective Design Standards to these modern standards rather than artificially restricting ground-level permeable green space and building performance expectations for the Ashby BART site.

Please confirm receipt of this submission and its inclusion. Thank you!

Sincerely,

Asmara Beraki Marek

South Berkeley Resident & Designer

Feasibility of Permeable Green Infrastructure & Cross-Ventilation in High-Density TODs

asmara beraki marek
9/15/26

Project & Location	Scale & Income Mix	TOD?	Ecological & Forward-Thinking Design	Permeable Green Space Features	Relevance to Ashby BART Site
Hunter's Point Shipyard / Balboa Park Upper Yard <i>(Related California)</i> San Francisco, CA	1,000+ units across multi-phase master plans (Shipyard); 131 units (Balboa Park); mixed-income and deeply affordable	Yes (<i>Balboa Park directly adjacent to BART/ MUNI; Shipyard on transit corridor</i>)	High-efficiency envelopes, dual-aspect layouts engineered for natural cross-ventilation, and climate-resilient building materials.	Integrated permeable bioswales, native planting corridors, and deep-soil bioretention basins across ground-level open spaces.	Demonstrates top-tier master developers can execute high-density builds while adhering to strict open space and natural cross-ventilation criteria.

MacArthur Station & Transit Village <i>(BRIDGE Housing)</i> Oakland, CA	858 total units across multi-phase parcels; market-rate, workforce, and 100% affordable buildings	Yes <i>(Directly adjacent to MacArthur BART)</i>	LEED Gold certified design, high-performance thermal envelopes, energy-efficient mechanical systems, and low-VOC interiors.	Integrated permeable storm-basin infrastructure, continuous public plazas, and street-level green buffers over natural grade.	Direct proof within the East Bay BART system that 600+ unit TOD density can co-exist with dedicated public green infrastructure.
Bayview / Hunters Point Hilltop Developments <i>(Mithun & TNDC)</i> San Francisco, CA	Multi-building master plan; mixed-income and 100% affordable structures	No <i>(Urban infill / bus transit corridor)</i>	Multi-family Passive House (PHI/PHIUS) certified design, operable dual-orientation windows for cross-ventilation, and high-efficiency ERV/HRV systems.	Unpaved deep-soil bio-retention spaces, native tree canopy set-asides, and permeable courtyard landscaping over natural grade.	Rebuts consultant claims by proving Passive House and operable cross-ventilation are fully scalable in multi-family California builds.

Hassalo on Eighth <i>(Gerding Edlen / Security Properties)</i> Portland, OR	657 units across 3 high-density residential towers	Yes <i>(Directly on MAX Light Rail line)</i>	LEED Platinum certified, features NORM (Natural Organic Recycling Machine) treating 100% of wastewater on-site, and high-efficiency operable windows.	Deep permeable eco-roofs, extensive ground-level permeable plazas, and dedicated public urban green spaces over soil.	Serves as a West Coast precedent for a 600+ unit project prioritizing forward-thinking water engineering, natural ventilation, and green space.
Casa Adelante at 2060 Folsom <i>(Mithun, Y.A. Studio, MEDA & CCDC)</i> San Francisco, CA	127 units; 100% affordable (low-income families & transitional age youth) with ground-floor community hubs	Yes <i>(Transit-rich urban infill near 16th/ 24th St BART & major Muni transit lines)</i>	GreenPoint Platinum, net-zero operational carbon, all-electric, operable windows oriented to prevailing winds, unit-level Heat Recovery Ventilators (HRVs), and 9-story open-air circulation paths.	South-facing central courtyard, mid-block public Paseo, permeable pavers, and unpaved bioretention areas restoring historic Mission Creek drainage.	Proves that Bay Area developers achieve high performance (operable cross-ventilation, heat recovery, net-zero ready) alongside deep-soil bioretention.

Planning Commission

From: Asmara Beraki <asmarag@gmail.com>
Sent: Tuesday, September 15, 2026 9:44 AM
To: Planning Commission; Horner, Justin; Shen, Alisa; Klein, Jordan
Subject: Supplemental Packet Submission – Ashby BART ODS Feasibility Matrix (Corr.)
Attachments: Feasibility.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.

Dear Commissioners and Staff,

Please accept this email and the attached matrix for inclusion in the Supplemental Correspondence Packet for tomorrow's Planning Commission meeting.

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The attached matrix highlights major West Coast projects executed by leading master developers (including Related California, BRIDGE Housing, and Gerding Edlen). These built precedents prove that:

- **High-Density TOD and Permeable Soil Co-exist:** Major East Bay and regional projects routinely integrate deep-soil bioretention, unpaved open space, and bioswales alongside high unit capacities (up to 858+ units directly at transit hubs).
- **High Envelope Performance is Scalable:** Mid-rise multi-family developments across California achieve GreenPoint Platinum ratings, Passive House compliance, and natural cross-ventilation through dual-aspect massing without forfeiting density.

I urge the Commission to hold the Objective Design Standards to these modern standards rather than artificially restricting ground-level permeable green space and building performance expectations for the Ashby BART site.

Please confirm receipt of this submission and its inclusion. Thank you!

Sincerely,

Asmara Beraki Marek

South Berkeley Resident & Designer

Feasibility of Permeable Green Infrastructure & Cross-Ventilation in High-Density TODs

asmara beraki marek
9/15/26

Project & Location	Scale & Income Mix	TOD?	Ecological & Forward-Thinking Design	Permeable Green Space Features	Relevance to Ashby BART Site
Hunter's Point Shipyard / Balboa Park Upper Yard <i>(Related California)</i> San Francisco, CA	1,000+ units across multi-phase master plans (Shipyard); 131 units (Balboa Park); mixed-income and deeply affordable	Yes (<i>Balboa Park directly adjacent to BART/ MUNI; Shipyard on transit corridor</i>)	High-efficiency envelopes, dual-aspect layouts engineered for natural cross-ventilation, and climate-resilient building materials.	Integrated permeable bioswales, native planting corridors, and deep-soil bioretention basins across ground-level open spaces.	Demonstrates top-tier master developers can execute high-density builds while adhering to strict open space and natural cross-ventilation criteria.

MacArthur Station & Transit Village <i>(BRIDGE Housing)</i> Oakland, CA	858 total units across multi-phase parcels; market-rate, workforce, and 100% affordable buildings	Yes <i>(Directly adjacent to MacArthur BART)</i>	LEED Gold certified design, high-performance thermal envelopes, energy-efficient mechanical systems, and low-VOC interiors.	Integrated permeable storm-basin infrastructure, continuous public plazas, and street-level green buffers over natural grade.	Direct proof within the East Bay BART system that 600+ unit TOD density can co-exist with dedicated public green infrastructure.
Bayview / Hunters Point Hilltop Developments <i>(Mithun & TNDC)</i> San Francisco, CA	Multi-building master plan; mixed-income and 100% affordable structures	No <i>(Urban infill / bus transit corridor)</i>	Multi-family Passive House (PHI/PHIUS) certified design, operable dual-orientation windows for cross-ventilation, and high-efficiency ERV/HRV systems.	Unpaved deep-soil bio-retention spaces, native tree canopy set-asides, and permeable courtyard landscaping over natural grade.	Rebuts consultant claims by proving Passive House and operable cross-ventilation are fully scalable in multi-family California builds.

Hassalo on Eighth <i>(Gerding Edlen / Security Properties)</i> Portland, OR	657 units across 3 high-density residential towers	Yes <i>(Directly on MAX Light Rail line)</i>	LEED Platinum certified, features NORM (Natural Organic Recycling Machine) treating 100% of wastewater on-site, and high-efficiency operable windows.	Deep permeable eco-roofs, extensive ground-level permeable plazas, and dedicated public urban green spaces over soil.	Serves as a West Coast precedent for a 600+ unit project prioritizing forward-thinking water engineering, natural ventilation, and green space.
Casa Adelante at 2060 Folsom <i>(Mithun, Y.A. Studio, MEDA & CCDC)</i> San Francisco, CA	127 units; 100% affordable (low-income families & transitional age youth) with ground-floor community hubs	Yes <i>(Transit-rich urban infill near 16th/ 24th St BART & major Muni transit lines)</i>	GreenPoint Platinum, net-zero operational carbon, all-electric, operable windows oriented to prevailing winds, unit-level Heat Recovery Ventilators (HRVs), and 9-story open-air circulation paths.	South-facing central courtyard, mid-block public Paseo, permeable pavers, and unpaved bioretention areas restoring historic Mission Creek drainage.	Proves that Bay Area developers achieve high performance (operable cross-ventilation, heat recovery, net-zero ready) alongside deep-soil bioretention.

Planning Commission

From: Eunice Lee <gnosisgarden@gmail.com>
Sent: Tuesday, September 15, 2026 10:38 AM
To: Planning Commission
Cc: Horner, Justin; Klein, Jordan; Berkeley Mayor's Office; All Council; Bartlett, Ben; Barnali.Ghosh@bart.gov; Victor.Flores@bart.gov
Subject: Public Comment to the Berkeley Planning Commission on the Ashby BART West Lot ODS
Attachments: Ashby_BART_Public_Comment_Planning_Commission.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.

Dear Planning Commissioners:

I live at the corner of Prince and King within a few blocks from Ashby Bart. I support housing, including affordable housing, while expecting the City and BART to protect surrounding neighborhoods that pay substantial property taxes and fees for City and County services.

The comparison materials provided with this comment raise important questions about scale, open space, parking, and cumulative impacts. North Berkeley's adopted standards allow a base height of 80 feet and up to 85 feet under density-bonus provisions, while the Ashby preliminary ODS identifies density-bonus heights of up to 120 feet in Area A, 200 feet in Area B, and 160 feet in Area C. North Berkeley also identifies 57,420 square feet of publicly accessible open space and up to 200 BART rider-parking spaces; the Ashby materials do not state project-wide public open-space acreage and identify up to 85 BART spaces. Please explain the assumptions and capacity calculations supporting these differences, especially given the smaller Ashby west-lot site and the additional 679 units reportedly completed or in the pipeline within one-half mile of Ashby BART since 2025.

Because later project review may be largely ministerial, the Objective Design Standards must establish clear, measurable protections now. I ask the Commission to address the following priorities:

1. Adopt the lowest feasible heights in Areas B and C

Do not carry the preliminary density-bonus ceilings of 200 feet in Area B and 160 feet in Area C into the final ODS unless the City publishes capacity calculations proving they are necessary to satisfy the Exchange Agreement. Do not shift additional development from the Ashby or MLK edges into Areas B and C. Require substantial upper-story stepbacks, massing breaks, and objective shadow and privacy protections along the Adeline and southern edges. The Exchange Agreement provides that adopted standards for height, stepbacks, open space, and massing remain binding despite density-bonus waivers. I ask that you review up to 600 units considered as the base for the Ashby West lot considering that North Berkeley's project lot size is 8.2 acres vs. Ashby's 4.4 acres for the West lot.

2. Publish the open-space and project-capacity accounting

Before adoption, publish a project-wide accounting for Ashby's usable public open space, including green, landscaped, paved, and total areas, and report those figures per unit or resident. Preserve the preliminary tree and soil-volume standards, narrowly limit infrastructure exceptions, and require replacement canopy and shade where planting locations are lost. The City should also explain how the Ashby west lot's proposed scale compares with North Berkeley's adopted open-space and height standards.

3. Adopt a binding Parking Protection Plan before demolition

The materials indicate that Ashby may provide up to 85 BART rider-parking spaces, compared with up to 200 at North Berkeley, while the Ashby project may include up to 600 homes. Please publish the demand, utilization, and spillover assumptions supporting this allocation using the latest rider pattern analysis since the last study was done in 2023 during the pandemic. Berkeley has acknowledged that project residents who are ineligible for residential permits may nevertheless park on nearby streets and move their cars every two hours. Please recommend that the Council:

- measure parking occupancy before construction and again during construction and at each occupancy phase;
- strengthen enforcement in Areas M and J and use Council-initiated authority to add affected eligible blocks before spillover occurs;
- establish automatic triggers for extending permit boundaries and enforcement hours, including weekends;
- fund the enforcement needed to make these protections meaningful; and
- require a published demand study, clear notice that project residents will not qualify for neighborhood permits, and adequate on-site parking and management for residents, visitors, caregivers, service providers, accessible spaces, deliveries, and move-ins.
- Clearly identify how many spaces would be allocated for residents, riders and etc.,

The parking spaces should be evaluated for their impact on BART riders who rely on park-and-ride for their regular commutes. Have we also analyzed how peak BART traffic may be affected as residents use this transportation mode to attend major city events, including sporting events, concerts, and other cultural activities? BART plays an important role in providing access to these events and enriching residents' lives, so this aspect should also be studied.

4. Keep construction and project operations off residential streets

Require normal construction access, hauling, truck staging, and worker transportation to use Adeline, Ashby, MLK, or Alcatraz when feasible. Prohibit project traffic and truck queuing on Shattuck south of Ashby, Woolsey, Essex, Emerson, Prince, Harper, Ellis, King, Fairview, Whitney, Harmon, Russell, Oregon, and other nearby residential streets except during a documented emergency. Provide off-street worker parking or shuttles. Before work begins, publish construction-management, noise, dust, diesel, and vibration plans; provide a 24-hour project contact, enforceable response deadlines, a public complaint log, and meaningful penalties for repeated violations.

5. Control traffic, loading, and emergency access

Require on-site loading, refuse, move-in, and delivery areas so normal operations do not block major roads or spill onto residential streets. BART and the City should publish a circulation plan addressing cut-through traffic around the station, supported by before-and-after counts and automatic mitigation triggers. Emergency routes and required clearances must remain unobstructed and separate from deliveries, refuse collection, parking, and public events. Shattuck south of Ashby is narrow and must remain free of project and construction traffic so emergency access is not compromised. Given the additional units near Ashby since 2025, the City and BART should update cumulative traffic and access analysis rather than relying only on the earlier project analysis, which was done in 2023 during the pandemic. The roads surrounding Ashby BART provide access to regional highways. Therefore, the proposed road design, based on the latest traffic analysis, could affect not only commuters in South Berkeley but also residents and travelers throughout Berkeley.

6. Require a real children's play area and fund resident services

Require a dedicated, ground-level children's play area accessible to neighbors, not plazas, rooftops, emergency routes, landscaping, or leftover space relabeled as recreation. It should occupy at least 15 percent of required public open space and no less than 3,000 contiguous square feet; serve children ages 2–5 and 5–12; provide inclusive equipment, safe surfacing, caregiver seating and sightlines, and at least 50 percent shade; and be protected from traffic, loading, BART operations, and emergency routes. Require nearby accessible restrooms and drinking water, permanent maintenance funding, public-access hours, and prompt equipment replacement. Flea-market and event space must not substitute for this play area.

Before the ground lease or building permits are finalized, BART, the City, housing operators, and the developer should adopt a funded Resident Services Plan for the project's substantial affordable-housing component. It should identify accountable parties, staffing, performance measures, and annual public reporting for on-site service coordination, property management, behavioral-health and case-management connections, youth and family services, and resident and transit safety.

For September 16, I ask the Commission to (1) place every protection within its ODS authority directly into the standards; (2) send the Council and BART a formal recommendation covering height, open space, parking,

construction, traffic, enforcement, and resident services; and (3) require staff to respond to these requests in writing before the Council acts in November. Please do not defer them until project approval, when little or no discretionary public review may remain.

Thank you for including this comment in the public record.

Sincerely,

Eunice Lee
 Prince Street between King and Ashby
gnosigarden@gmail.com

North Berkeley BART vs. Ashby BART Housing Projects Selected facts from adopted and proposed Objective Design Standards (ODS) records			
Comparison	North Berkeley BART	Ashby BART project (West Lot)	Questions for the City and BART
Bart project site area	8.2 acres	4.4 acres (west lot only)	Note: The separate future development of Ashby's 1.9-acre East Lot is not included in the comparisons here.
Housing units	Approximately 743 homes near BART Including 85-unit supportive-housing approved in 2025	Up to 600 homes near BART Additional 679 units (87 completed + 592 in pipeline) within ½ miles from BART since 2025	
Maximum height	80 ft /base; up to 85 ft / 8 stories under density-bonus provisions	80 ft base; up to 120 ft in Area A, 200 ft in Area B, and 160 ft in Area C under density-bonus provisions.	Why can Ashby reach 120/200/160 ft under density bonus while North Berkeley reaches only 85 ft?
Public open space	57,420 sq. ft. of publicly accessible open space (about 1.32 acres).	The project-wide acreage is not stated.	What is Ashby's total usable public open space? Please report green, landscaped, paved, and total open space per unit or resident for both sites.
Maximum Bart rider parking	Up to 200 parking spaces (29% of the current 700 spaces).	Up to 85 parking spaces (16% of the current 535 spaces).	What demand, utilization, and spillover assumptions support 200 North Berkeley spaces versus 85 at Ashby?
Traffic, congestion & freeway access	City Council certified the Final Environment Impact Report (EIR) in 2022; the corridor access plan was completed in 2023.	Done as part of the North Berkeley project: EIR in 2022 and the Corridor plan in 2023	Should the City and BART update the cumulative traffic and access analysis to include the additional 679 units within ½ mile of Ashby BART since 2025? The roads around Ashby BART help connect Berkeley to regional freeways

Public Comment on the Ashby BART West Lot ODS

Planning Commission hearing September 16 2026

September 15, 2026

To: Berkeley Planning Commission (planningpc@berkeleyca.gov)

CC: Planning Commission staff; Mayor Adena Ishii and Berkeley City Council; Councilmember Ben Bartlett; BART Directors Barnali Ghosh and Victor Flores

Subject: Adopt enforceable neighborhood protections before Ashby BART project approval

Dear Planning Commissioners:

I live at the corner of Prince and King within a few blocks from Ashby Bart. I support housing, including affordable housing, while expecting the City and BART to protect surrounding neighborhoods that pay substantial property taxes and fees for City and County services.

The comparison materials provided with this comment raise important questions about scale, open space, parking, and cumulative impacts. North Berkeley's adopted standards allow a base height of 80 feet and up to 85 feet under density-bonus provisions, while the Ashby preliminary ODS identifies density-bonus heights of up to 120 feet in Area A, 200 feet in Area B, and 160 feet in Area C. North Berkeley also identifies 57,420 square feet of publicly accessible open space and up to 200 BART rider-parking spaces; the Ashby materials do not state project-wide public open-space acreage and identify up to 85 BART spaces. Please explain the assumptions and capacity calculations supporting these differences, especially given the smaller Ashby west-lot site and the additional 679 units reportedly completed or in the pipeline within one-half mile of Ashby BART since 2025.

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1. Adopt the lowest feasible heights in Areas B and C

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are ineligible for residential permits may nevertheless park on nearby streets and move their cars every two hours. Please recommend that the Council:

- measure parking occupancy before construction and again during construction and at each occupancy phase;
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nearby accessible restrooms and drinking water, permanent maintenance funding, public-access hours, and prompt equipment replacement. Flea-market and event space must not substitute for this play area.

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Thank you for including this comment in the public record.

Sincerely,

Eunice Lee
Prince Street between King and Ashby
gnosisgarden@gmail.com

Planning Commission

From: Justin Smith <justin@relequity.com>
Sent: Tuesday, September 15, 2026 12:05 PM
To: Planning Commission
Cc: Shen, Alisa; Shannon Dodge; Ronnie Turner; Edward Mcfarlan; Chris Sensenig; Peter Waller; Kim Suczynski Smith; alan; Mikaela Frost; Nick Cranmer; Rachel Factor
Subject: Re: Ashby TOD - Adeline Alliance Development Team
Attachments: AAP_ODS_Position_Statement_4.1 Final.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.

Planning Commission Team,

Please replace the prior letter with this revised version _4.1.

Thank you for your patience.

Adeline Alliance Team

Justin Smith
CEO, Founder
Relequity
justin@relequity.com
510-684-5068
Relequity.com

From: Justin Smith <justin@relequity.com>
Date: Tuesday, September 15, 2026 at 11:19 AM
To: PlanningPC@berkeleyca.gov <PlanningPC@berkeleyca.gov>
Cc: Shen, Alisa <ashen@berkeleyca.gov>; Shannon Dodge <sdodge@bart.gov>; Ronnie Turner <rtdevelops@comcast.net>; Edward Mcfarlan <ed@ui-studios.com>; Chris Sensenig <chris.sensenig@altago.com>; Peter Waller <pwaller@pyatok.com>; Kim Suczynski Smith <smith@pyatok.com>; alan <alan@sudallc.com>; Mikaela Frost <MikaelaF@tpchousing.com>; Nick Cranmer <ncranmer@rcdhousing.org>; Rachel Factor <rfactor@bart.gov>
Subject: Ashby TOD - Adeline Alliance Development Team

Ashby BART Station Transit-Oriented Development — Objective Design Standards

See attached Memo related to this project from the Adeline Alliance Development Team.

Justin Smith
CEO, Founder
Relequity
justin@relequity.com
510-684-5068
Relequity.com

ADELINE ALLIANCE PARTNERS

Strategic Urban Development Alliance · Relequity Enterprises · The Pacific Companies · Resources for Community Development
Berkeley, CA 94703

September 14, 2026

Chair and Members of the Planning Commission
City of Berkeley | 1947 Center Street, Berkeley, CA 94704

RE: Ashby BART Station Transit-Oriented Development — Objective Design Standards

Dear Chair and Members of the Planning Commission:

On behalf of Adeline Alliance Partners, we respectfully ask the Planning Commission, at its September 16 hearing, to recommend that the City Council adopt the Objective Design Standards for the Ashby BART Station Transit-Oriented Development, with the three refinements described on the attached page. We support these standards and want them adopted on schedule. The changes we ask for are technical; none reopens the framework this community built.

A long road to shared goals. For more than forty years, generations of South Berkeley residents, community leaders, public agencies and other stakeholders have envisioned a future for this public land — one that reconnects the community, supports transit and welcomes people of every age, ability and income. That vision carried forward through the Adeline Corridor Specific Plan, the Community Advisory Group, and the Joint Vision and Priorities this Commission reviewed twice before Council and the BART Board adopted it unanimously in June 2022. Nearly fifty public-engagement opportunities shaped the work now before you. The ODS is the last instrument in that chain, and its job is to carry what this community decided into the drawings.

Community partnership is our strategy, not our outreach plan. We are grateful to City staff for their diligent work, and to the neighborhood organizations, Flea Market vendors, local businesses, advocates and residents who gave their time. Our own team did not arrive with the RFP: our concept was shaped with Friends of Adeline, Healthy Black Families, the South Berkeley NAACP, the Center for Independent Living, Green the Church and the Flea Market, and by the People's Assemblies and Equitable Black Berkeley. A Reparative Justice framework governs every phase of our work.

A path to business — community retail and economic vitality. This community asked for more than housing. It asked for commercial district revitalization, workforce development and ownership, and the ground floor is where those are won or lost. Our program is built as a ladder: Flea Market offices and a community business incubator fronting Adeline Plaza, a health center, childcare, a café and a bike hub — and not less than 5,000 net rentable square feet leased to community-based nonprofits and businesses at no more than half of fair-market rent. We intend to carry a small-business goal and local hire through operations, and we are working with the Lorin Business Association so new space complements the district rather than competing with it.

A final refinement for consideration. Ashby is a working transit hub, and a few provisions collide with how the site actually operates and gets built. The attached page shows the exact language.

2.3.1 Access Drive Design. Set the minimum building-to-building width at 56 feet where a drive carries public vehicles and must support Fire Department ladder-truck access, and at a 45-foot average where a drive serves emergency access, private garage entries and residential service. One width cannot serve both functions. The 48-foot figure appears on pages 10, 28 and 52 and should be adjusted to match.

Adoption is not the end of community involvement. Our concept carries 600+ homes, half of them deed-restricted affordable, with an active ground floor framing the plaza and the station entrance — and delivering it will take continued collaboration with staff, BART, community partners and residents. We respectfully ask the Commission to recommend that the Council adopt the ODS with these refinements and establish a clear path toward implementation of this long-standing South Berkeley vision. Thank you for your service to the City of Berkeley.

Respectfully submitted,

Justin Smith

Founder & Principal, Relequity Enterprises — on behalf of Adeline Alliance Partners
(510) 991-2770 | info@relequity.com

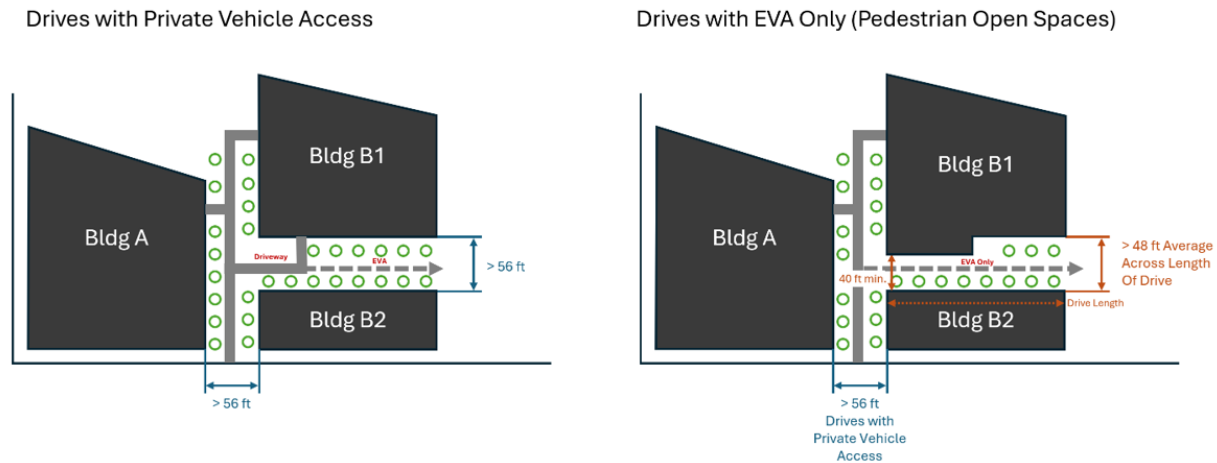
Attachment: ODS Language Changes — Sections 2.3.1

Original Language

2.3.1 Access Drive Design

- a) Access drives (see Figure 7) Access drives with public vehicle access shall have a minimum building-to-building width of 56 feet.
- b) Access drives used solely for emergency vehicle access shall have a minimum average building-to-building width of 45 feet.

Figure 7. Diagram of Access Drive Required Dimensions through Development Areas A and B (Illustrative Concept)



Revised Language

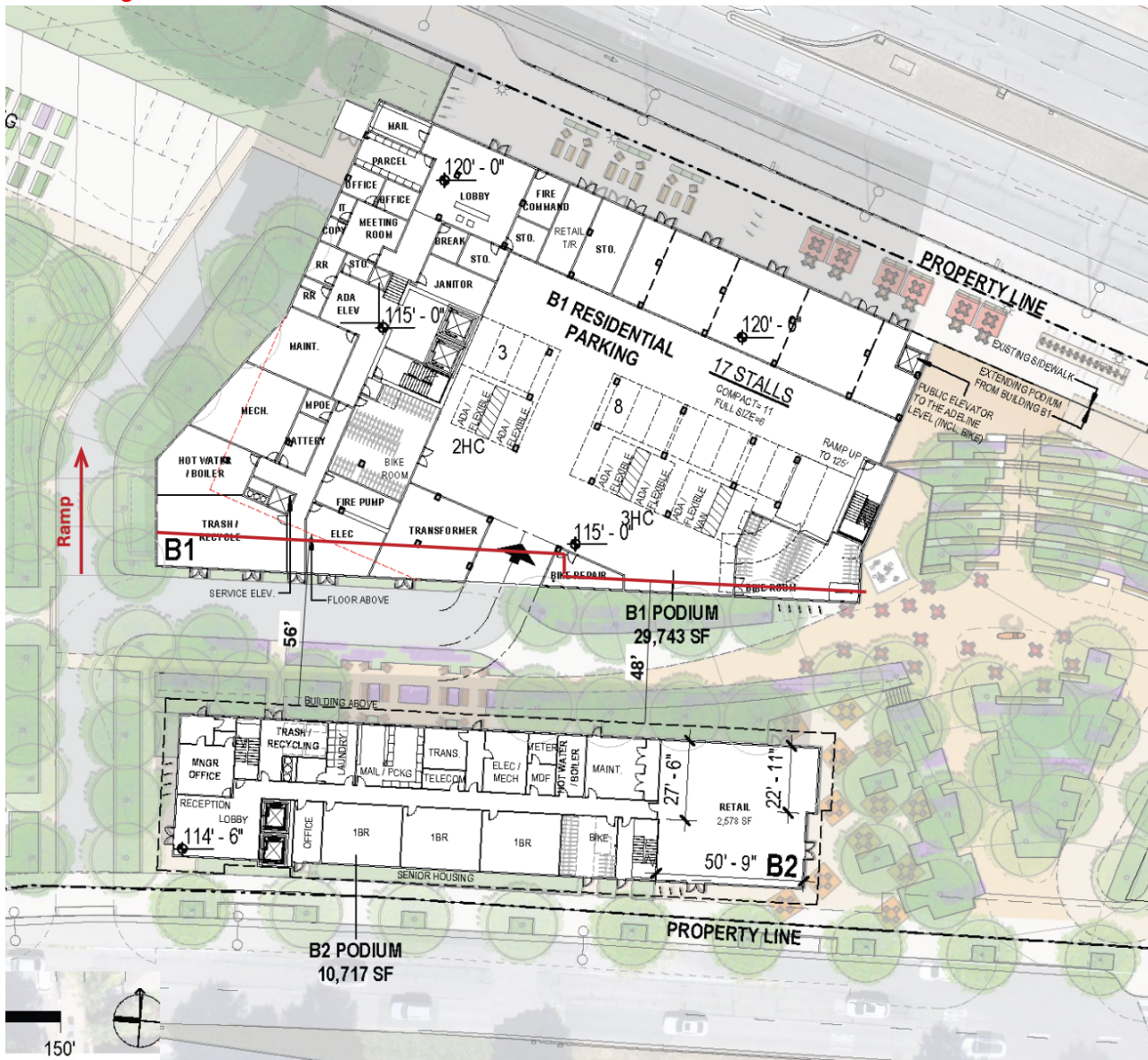
2.3.1 Access Drive Design

- a) Access drives (see Figure 7) a) Access drives with public vehicle access **and used for Fire Ladder Truck access** shall have a minimum building-to-building width of 60 56 feet. (see Figure 10)
- a) Access drives used **(eliminate solely)** for emergency vehicle access, **private garage access, and residential services** shall have a minimum average building-to-building width of **45'** feet.

This revised language needs to be corrected in 3 locations which have the 48' requirement.

- P.10 - **Internal Access Drives and Emergency Vehicle Access**
- P.28 - **2.3.1 Access Drive Design**
- P. 52 - **2.3.1 Access Drive Design**

Revised Diagram



NOTE: Conceptual Diagram shown here – Design Remains in Progress.