

## October 3 Public Meeting of the Ashby BART Task Force

### What

A public meeting to discuss a proposed process to create a Vision, Goals, Objectives and Criteria to be used in a 2007 planning grant application for a community process to plan and implement potential development of the west parking lot of the Ashby BART Station

### When

7 pm (sharp) to 9 pm on Tuesday, October 3, 2006

### Where

Community Room of St. Paul's AME Church  
2024 Ashby Street (between Adeline and Shattuck)

The Ashby BART Task Force invites you to attend and participate in this meeting.

The meeting will include:

- A review of the charge to the Task Force from the Berkeley City Council
- A review of the planning area and planning steps so far
- Presentation of the proposed Task Force Work Program to create the Vision, Goals, Objectives, and Criteria
- Questions and comments from the public
- Task Force deliberation and decision whether to amend the proposed Work Program and whether to forward the proposed Work Program to the City Council

*Note: The public is invited to comment on any subject relevant to potential development of the site; however, the Task Force intends to focus discussion at the October meeting on the proposed Work Program.*

The following materials will be available at the meeting and are also available for download at [www.southberkeley.org](http://www.southberkeley.org):

- Charge to the Task Force from the City Council
- Frequently Asked Questions about the Ashby BART Task Force
- Proposed Work Program and Proposed Budget
- Potential Work Groups (each composed of Task Force members and members of the public) to examine and discuss Issue Areas
- Community Issue Areas (identified from public input to date)

Comments may also be emailed to [soba@southberkeley.org](mailto:soba@southberkeley.org) or mailed to the Ashby BART Task Force at 1767 Alcatraz Avenue, Berkeley, CA 94703

## **Ashby BART Community Planning Process Charge from the Berkeley City Council to Develop a Work Program**

**Resolution No.3,415-N.S., as adopted July 25, 2006:**

“The City Council requests that by October 1, 2006\* the Task Force (1) prepare a budget and work plan for implementing a wide outreach effort in the community to develop a vision, goals, objectives and criteria consistent with previously adopted Council policy\*\* to be used for a planning grant application; (2) that the criteria include objectives and criteria for location of the flea market in furtherance of Council policies should a feasible development plan ultimately be prepared for the parking lot; (3) that this outreach effort include BART as a full partner; and (4) that outreach and visioning occur by August, 2007 to allow time for the City to apply for grants by October 2007 that would support a more extensive plan development and implementation effort.”

**(\* The deadline has been extended to increase public participation in preparing the work plan.)**

**\*\* City Policies and Citizen Visions for Development at Ashby BART: Planning Documents  
Excerpts follow:**

### **South Berkeley Area Plan, January, 1990**

VII. Current Economic Development Programs; D. Ashby BART Development Project (p. 35)

“Office of Economic Development Staff has recently studied the feasibility of Ashby BART development, and found it infeasible due to current market conditions. The South Berkeley community has expressed an interest in mixed commercial and residential development on the site, with some degree of community oversight and non-profit participation. It is expected that the project will be reconsidered when market conditions improve.”

### **Council Policy, adopted February 13, 2001**

“16. Housing Policy for Development of Ashby BART West Parking Lot. From: Vice Mayor Shirek Recommendation: Adopt policy guidelines that the west parking lot at the Ashby BART Station be developed with housing as a top priority. To the extent possible, housing should be affordable and available to public sector workers. If necessary, replacement parking and movement of Berkeley Flea Market to another site should be considered.”

### **Berkeley General Plan, December, 2001; Policy LU-32 Ashby BART Station**

Encourage affordable housing or mixed-use development including housing on the air rights above the Ashby BART station and parking lot west of Adeline Street. Actions:

A. Consider a joint City/BART development plan for the Ashby BART site to encourage and ensure appropriate development design, density, and parking to accommodate the BART station and transit-oriented development. Development at the Ashby BART station should include multi-family, transit-oriented housing and ground-floor commercial space. If feasible, at least 50% of the housing units should be affordable to low- and very-low-income households. (*Also see Housing Policy H-18.*)

B. Consider revising the zoning for the site to reduce the on-site parking requirements for new housing above the BART station. (*Also see Transportation Policy T-16.*)

## Frequently Asked Questions about the Ashby BART Task Force

### **Q: Who is proposing development at Ashby BART, and why?**

**A:** Planning for BART in 1967 foresaw new housing would be built at the new Ashby station. However, when Ashby BART was built in the early 1970s, the existing housing and retail businesses were torn down and replaced with large parking lots on the east and west sides of Adeline Street. Since then, various City policies, including the South Berkeley Area Plan (1990) and the Berkeley General Plan (2001), have encouraged mixed commercial and residential development, including affordable housing, on these parking lots. The most recent planning effort began in late 2005, with the City's application for a Caltrans grant to study potential development on the west parking lot.

### **Q: What is the Ashby BART Task Force?**

**A:** The City Council asked the nonprofit South Berkeley Neighborhood Development Corporation (SBNDC) to appoint a Task Force of South Berkeley residents and business owners. The SBNDC Board solicited nominations from the public. Forty-three nominations were received. The SBNDC Board selected 12 nominees based on their familiarity with housing, economic, environmental, or general South Berkeley issues. The Board also sought to achieve within the Task Force balanced demographics and a diversity of views regarding potential development at the site. One person selected subsequently declined to serve, citing personal reasons.

Of the eleven Task Force members, nine live in South Berkeley (some within a few blocks of Ashby BART). One lives in north Oakland near the station, and one lives in Southwest Berkeley. The Task Force members have a variety of backgrounds including biochemistry, urban planning, environmental protection, media, affordable housing, the arts, social services, education, and labor organizing. Task Force members have extensive engagement in civic affairs, including membership in many of the neighborhood associations around Ashby BART. Task Force members have past and current service on commissions and other advisory bodies, operate local businesses and nonprofit services, have children in public schools, and have other connections which will assist them in collecting and communicating the opinions of their neighbors.

### **Q: What is the charge of the Task Force?**

**A:** In a July 2006 resolution, the City Council asked the Task Force to prepare a budget and work plan for "implementing a wide outreach effort in the community to develop a vision, goals, objectives, and criteria, consistent with previously adopted Council policy."

The end result of this phase of the outreach effort will be a recommendation to City Council regarding future funding via a CalTrans or other planning grant application in 2007. A second phase of planning will then ensue once additional funding is obtained.

This process is a revision of the original December 2005 Council direction, which was to conduct a public process to identify the basic elements of a potential development at the site and the desired qualifications of potential developers. At that time, it was anticipated the Task Force would assist the City to issue a request for qualifications from developers and would make recommendations to the City Council regarding selection of a developer.

## Frequently Asked Questions about the Ashby BART Task Force

The City's Caltrans grant application was intended to fund that public process. Opponents of the proposed public process conducted a campaign targeting the Caltrans grant, and the City's grant application was not funded. Subsequently, Council member Max Anderson and Mayor Tom Bates proposed this more extended community planning process to understand all issues related to a potential development on the West parking lot of the Ashby BART station.

**Q: What is the ongoing role of the SBNDC? And who is the consultant?**

**A:** The SBNDC serves as the Task Force's fiscal agent, receiving funding from the City and from other sources and making disbursements to support the public process. Ed Church, Ph.D., is a long time South Berkeley resident who has served as a consultant to SBNDC. He has a background in urban development and over 20 years experience in health and human service programs. He assisted with development of the 2005 Caltrans grant application. The Task Force has proposed Ed assist them with coordination, research, and liaison with City staff, BART, and other public agencies.

**Q: What does the South Berkeley community think about potential development at Ashby BART?**

**A:** So far, a diversity of opinion has been expressed regarding potential development at the site. At several public meetings held this year, on community listserves, and in local publications, opinions have ranged from a desire to leave the existing parking lot unchanged, to concerns regarding the potential scale of and number of units in the development, to support for relatively high-density, mixed-use development.

The Task Force aims to facilitate a robust and multifaceted conversation within the community regarding the characteristics of a potential development, and to summarize and present facts and diversity of opinion in a fair and accurate way.

**Q: Hasn't development of the site been found to be financially infeasible?**

**A:** As noted by some past feasibility studies, the cost of providing parking for BART patrons, plus parking for residents of new housing and parking for new businesses, is one reason the site hasn't been developed since BART was constructed. The Task Force will review the assumptions which guided past studies and consider the extent to which those studies' conclusions may still be valid.

**Q: Is the Task Force starting from a particular vision or proposal for future development at Ashby BART?**

**A:** No. The Task Force will review past concepts and feasibility studies and consider them along with current research and public opinion.

**Q: What about the Ashby Flea Market? Doesn't it have a permanent lease on the parking lot?**

**A:** In 1983, a jury found that a BART employee had told an employee of Community Services United, the operator of the flea market, that BART offered indefinite renewals of a written concession permit until BART "needed the Ashby parking lot for its own

## Frequently Asked Questions about the Ashby BART Task Force

purposes.” The City Council’s July 2006 resolution asks that the Task Force’s work “include objectives and criteria for location of the flea market in furtherance of Council policies should a feasible development plan ultimately be prepared for the parking lot.” The Task Force intends to fulfill this request in the context of its overall public outreach and fact-finding effort.

**Q: How extensive is this planned development, and how will it affect private property owners? Is the use of eminent domain a possibility?**

**A:** The Task Force’s charge is to examine the potential for development at the west lot of the Ashby BART station. In the context of this charge, the Task Force may consider broader development issues, including the design of adjacent streets, use of public right-of-way, and the City’s planning and development policies. The Task Force is unaware of any proposals for development in South Berkeley which might involve eminent domain, and City elected officials have denied any such proposals are under consideration.

**Q: Is the Task Force aware of the community’s concerns with regard to development at Ashby BART?**

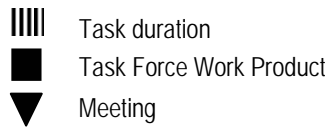








**A:** The Task Force compiled a list of potential issue areas raised at initial public meetings and in conversations with neighbors. These issues will be reviewed and considered by the Task Force, along with other issues that may be raised in the course of public outreach and discussion.

**Q: Why does the Task Force’s draft Work Program show many parallel outreach processes, including work groups, written comments, public meetings, and direct engagement of Task Force members with individuals and groups?**

**A:** The Task Force seeks to obtain input from the widest possible cross-section of South Berkeley residents. The Work Program provides many different ways for South Berkeley residents to have input into the planning process. Some residents may prefer to send a letter or have a private conversation with a neighbor, while others may be willing to participate in a work group or address a public meeting.

**Q: Can the Task Force fairly represent South Berkeley?**

**A:** The Work Program encompasses a variety of activities and methods to engage broad community discussion about potential development at the Ashby BART west lot. The Task Force will summarize that discussion in a preliminary report, which will be distributed for public comment prior to presentation to the Council. Reviewers can decide at that time whether they believe the Task Force achieved its objective.

		August-06	September-06	October-06	November-06	December-06	January-07	February-07	March-07	April-07	May-07	June-07
	 <p>Task duration Task Force Work Product Meeting</p>											
	Phase 1 -- Preparing this Work Program											
1.1	Compile a list of individuals and entities who have previously expressed an interest in participating in the process for planning the future of Ashby BART.											
1.2	Prepare a draft Work Program and arrange meetings between Task Force members and individuals and entities on the list to obtain their comments on the Work Program.											
1.3	Consider comments received and revise the Work Program.											
1.4	Distribute the revised Work Program, including a list of issues and a schedule.											
1.5	Convene a public meeting to receive input on the Work Program and revise.											
1.6	Present the Work Program											

Task duration                     Task Force Work Product                     Meeting		Oct. 06	Nov. 06	Dec. 06	Jan. 07	Feb. 07	Mar. 07	Apr. 07	May. 07	Jun. 07
<b>Phase 2 - Fact Finding and Public Input</b>										
2.1	Issue a call for participation through distribution of flyers, press releases, email announcements, and a community canvassing project with high school students.									
2.2	Convene public work groups, to include Task Force members and the public, on Issue Areas. Work Groups will report back to the Task Force and the public: (a) meetings held and who participated; (b) sources of information reviewed and considered, with references; (c) main issues discussed; (d) recommendations to the Task Force, which may also request specific information, questions to be answered, or presentations to be organized by a Work Group.									
		number of meetings and schedule are tentative								
2.3	Hold public meetings on potential uses of the site and Issues Areas. Meetings may include: (a) Reports from Work Groups; (b) community and expert presentations on transit-oriented development, community development, transportation, and other Issue Areas; (c) presentations from and discussions with community and staff from City, BART, and other public agencies.									
2.4	Solicit written opinions and comments from the public, which can be sent to SBNDCC at <a href="mailto:soba@southberkeley.org">soba@southberkeley.org</a> or mailed to 1767 Alcatraz Ave. Berkeley 94703.									
2.5	Engage individuals and organizations, including neighborhood associations, congregations, etc., in discussions with Task Force members about the planning project. Where possible, Task Force members should keep notes so these discussions can be accurately represented in future deliberations.									
2.6	Request facts and research on issues related to potential development and seek resources and sources of information to pursue that research.									
<b>Phase 3 - Public Visioning</b>										
3.1	Sponsor a public visioning exercise, conducted by an independent neutral party.									
3.2	Prepare a preliminary report documenting the process to date and summarize the facts, opinions, and ideas generated from the process. The preliminary report shall be balanced and inclusive of divergent opinions, while also distinguishing verifiable facts from assertion and speculation and shall include a minority report if one is produced.									
<b>Phase 4 -- Deliberation and Recommendation</b>										
4.1	Distribute the preliminary report for public review and solicit written comments on the preliminary report.									
4.2	Convene a public meeting to hear comment on the preliminary report.									
4.3	Draft and deliberate a recommendation to Council, with a vision, goals, objectives, and criteria for a planning grant application to continue and broaden the public process related to potential development at the site.									
4.4	Present the recommendation at a regular Council meeting.									

Task	Description of Task (Quarter 1 is Oct-Dec 06) (Q2 Jan-Mar, Q3 Apr-Jun)	Staff Total	Staff Q1	Staff Q2 & Q3	Contracts Total	Contracts Q1	Contracts Q2 & Q3	Total
		(Cells containing the initial \$40,000 allocated by Council are in gray.)						
1.0	Coordination and liaison with City staff to prepare Work Program	2,500						2,500
1.1	Compile list of interested parties.	200						200
1.2	Assist with preparation of draft Work Program and help arrange meetings between Task Force members and interested parties	500						500
1.3	Facilitate Task Force discussion of comments, revise Work Program	1,000						1,000
1.4	Help distribute revised Work Program widely to the public	400						400
1.5	Organize public meeting for input on the Work Program, revise as needed	900						900
1.6	Assist with preparation of report to Council	500						500
	Total Phase 1 - Work Program preparation July-October	6,000						6,000
2.0	Provide staff support to the Task Force during Phase 2	21,000	9,000	12,000				21,000
2.1	Issue call for participation: flyers, press, email lists, student canvassing				2,500	2,500		2,500
2.2	Convene Work Groups with Task Force members and public on issue areas.				8,000	4,000	4,000	8,000
2.3	Organize public meetings				8,000	4,000	4,000	8,000
2.4	Solicit written comments from the public. Post at <a href="http://www.southberkeley.org">www.southberkeley.org</a> .	1,000	500	500	0			1,000
2.5	Engage individuals and organizations to meet with Task Force members				0			
2.6	Conduct research in response to Task Force requests	2,500	2,000	500	18,000	10,000	8,000	20,500
	Total Phase 2	24,500	11,500	13,000	36,500	20,500	16,000	61,000
3.0	Provide staff support to the Task Force during Phase 3							
3.1	Coordinate and implement a public visioning event				26,000	4,000	22,000	26,000
3.2	Prepare a preliminary report documenting process, facts, ideas, comments.	2,000		2,000				2,000
	Total Phase 3	2,000		2,000	26,000	4,000	22,000	28,000
4.0	Provide staff support to the Task Force during Phase 4	3,000		3,000				3,000
4.1	Distribute preliminary report. Solicit and compile public comment.	1,000		1,000				1,000
4.2	Convene a public meeting to hear comment on the report.				2,000		2,000	2,000
4.3	Assist Task Force to draft and deliberate a recommendation to Council	500		500				500
4.4	Assist in presenting the recommendation							
	Total Phase 4	4,500		4,500	2,000		2,000	6,500
	Subtotal Phases 1 - 4	37,000			64,500			101,500
	Miscellaneous expenses for meeting rooms, duplication, mailing, etc.				5,000	400	4,600	5,000
	SBND Administrative Costs for Phases 2, 3, 4 @ 5%	1,550			3,475	1,600	1,875	5,025
	TOTAL	38,550			72,975			111,525



**Potential Work Groups to Address Community Issue Areas  
for the Ashby BART Station  
October 3, 2006**

In public meetings held this past Spring, the Ashby BART Task Force heard questions and comments from fellow community members, which were organized into Issue Areas. The full Issue Areas paper is attached. In order to implement the City Council's goal of planning for potential development at the site, the Task Force has grouped the Issue Areas into areas of concern for planning.

The Community Issue Areas would be addressed by several Work Groups composed of members of the community and members of the Ashby Bart Task Force. Issue Area 1, Community Process, is largely addressed by the Task Force's efforts to develop a Work Program and establish a process for community participation and is further addressed by the Frequently Asked Questions (FAQs). Related Issue Areas are grouped below and would be addressed by defined Work Groups.

The Task Force added the crucial issue of Jobs to Social and Community Impacts.

For more information about the role of the Work Groups, please consult the Work Program.

**Work Group 1 – Transit Oriented Development**

Issue Area 2, Underlying Assumptions of a Transit Oriented Development (TOD)

Issue Area 7, Transit Oriented Developments

Issue Area 8, Parking, Traffic and Circulation

**Work Group 2 – Social and Community Impacts**

Issue Area 3, Social and Community Impacts

Issue Area 13, Community Needs Assessment

Jobs

**Work Group 3 – Arts and Commerce**

Issue Area 4, Flea Market

Issue Area 5, Ashby Arts District

Issue Area 6, Community Businesses

**Work Group 4 – Urban Design and Land Use**

Issue Area 9, Urban Design and Density

Issue Area 10, Land Uses

**Work Group 5 – Housing and Open Space**

Issue Area 11, Housing

Issue Area 12, Open Space and Parks

**Community Issue Areas  
Ashby BART Station  
May 30, 2006**

The subcommittee composed of Dan Cloak, Maryann Sargent, Frankie Lee Fraser and Jeffrey G. Jensen was tasked to organize issue areas as presented by the public and the Ashby Bart Task Force (Task Force) at the May 22, 2006 Task Force meeting. These issue areas are identified below. The groupings try to capture the essence of the issues and concerns, but are not necessarily exhaustive. The Task Force as a whole voted to accept this document.

**Issue Area 1**

**Community Process:** How was the Task Force selected? What specific criteria did South Berkeley Neighborhood Development Corporation (SBNDC) use to select the Task Force? How will the Task Force be introduced to the community? What direction and guidance did the City Council provide to SBNDC? Can the Task Force be expanded? If so, how will the new members be selected and what criteria will be used? What is the charge of the Task Force? How will the meetings be run to provide and allow for substantive community input? What are the best methods to gain broad public input? What is the public's role in the process? What type of communication plan will be developed to ensure public participation and a fair exchange of information and ideas? Will summaries or minutes of the meetings be available? Can the Task Force terminate its connection with SBNDC and/or the City? What resources does SBNDC and/or the City have to assist the community in determining the type and nature of development, if any, should occur at the Ashby Bart Station?

**Issue Area 2**

**Underlying Assumptions of a Transit Oriented Development (TOD) Development:** Will the City/BART consider alternative development scenarios to a mixed used TOD including a no build scenario, open space, or other uses identified by the community? Why must the flea market be relocated from its present location? Also, why develop the Ashby BART Station and not the North Berkeley BART station? What are the local, regional and state policies that encourage transit oriented development? Why is the Ashby BART Station a focus of a TOD today? What is the sequencing of development? Can we wait until the Ed Robert's Campus is developed and we understand the impacts of that use before we consider another development at the west parking lot?

**Issue Area 3**

**Social and Community Impacts:** What are the larger forces of gentrification and social change occurring in the broader community? Will development at the Ashby Bart Station amplify such affects? How would a development at the west parking lot affect people of color and different socio-economic stratum in the community? What City policies exist to prevent the displacement of existing residents by new development?

#### **Issue Area 4**

**Flea Market:** What is the role of the flea market as a cultural institution and a gathering place for the community? How does the parking lot support such cultural activities such as the drumming circle? Who are the people who currently make up the village of users at the flea market? What role does the flea market provide in supporting locally based jobs, ensuring the recycling of local dollars into the community, and generating income for local residents? Who are the vendors? What is the role and relationship of Community Services United (CSU) with the community and with the vendors? What is the nature of the City's air rights? What is the nature of the lease agreement between BART and the flea market? How does the court decree with BART and the flea market restrict or provide opportunities for future development? Why is it said that the relocation of the flea market to Adeline portend the death of this community institution? Are there other locations within the City that could permanently accommodate the flea market? Can real estate Conditions, Covenants and Restrictions (CC&R's) for any future development acknowledge the right of the flea market to exist and continue to operate in its current location, in a newly created open space or on Adeline? Can the flea market be provided a long-term lease agreement?

#### **Issue Area 5**

**Ashby Arts District:** What is the Ashby Arts District? What businesses make up the District? What City policies exist to support and encourage the Ashby Arts District to flourish? How would any new potential development support and encourage such a District and the cultural activities already in place or detract from it?

#### **Issue Area 6**

**Community Businesses:** What businesses currently operate in South Berkeley/North Oakland? What are their needs and interests in future development activities? How would any new potential development support and encourage such businesses? Would new mixed use create additional competition and push out existing businesses or complement them?

#### **Issue Area 7**

**Transit Oriented Developments (TODs):** What are TODs? Where are there successful TODs? Where are there failures? Are there any common principals for success? Are TODs for the benefit of private developers? What kind of subsidies are required to allow TODs to flourish? What kind of public private partnerships have been successful? What are the economic feasibility and public subsidy issues associated with TODs? What opportunities exist to improve basic BART amenities such as restrooms?

## Issue Area 8

**Parking, Traffic and Circulation:** What is BART's policy on replacing parking? Will the potential loss of parking affect the community's ability to use the BART station? What alternatives exist to get BART patrons to the station should parking be lost? How can we make the BART station a truly multi-modal transportation hub that also encourages bicycle and pedestrian access and provides for user safety? How do we prevent increased traffic impacts on residents near the BART station? How will parking and traffic issues affect nearby businesses? Can Adeline be temporarily or permanently closed and incorporated into the potential development area? How would this affect traffic and circulation patterns?

## Issue Area 9

**Urban Design and Density:** How do we create a signature entrance? How can we utilize principals articulated by Jane Jacobs for future development? How can we incorporate principals of safety and defensible space into any future development? What measures can we incorporate to ensure sustainable development? How do we begin to understand the impacts of density on the community and its affect on the quality of life? What City policies exist to support or control higher densities? How do we acknowledge and respect existing densities and the historic fabric of the existing neighborhoods through design? How do we encourage pedestrian activities and support a town-square sensibility that encourages neighbors to gather and mingle day and night? How do we incorporate human scale design concepts and natural open space elements? How can we address issues of visual blight by removing or eliminating billboards?

## Session 10

**Land Uses:** How do we provide community spaces for neighborhood uses to encourage vibrant activities both day and night? How do we incorporate street-level artistic presence for the enjoyment of residents and neighbors, including both public art projects and creative functional design elements integrated into the architecture? What types and mixes of uses should occur and how do we ensure that they're complementary? How should the mix of commercial uses be encouraged or limited to ensure they complement and support the merchants and cultural activities already present in the neighborhood? What land uses, such as cafes, can be included that are conducive to community convening?

## Issue Area 11

**Housing:** What is the current status of the housing stock in South Berkeley/North Oakland? What is the split between renters and owners? What are the median rents? What is the condition of the existing housing stock in terms of age and habitability? Are there any public health concerns with the existing housing stock—lead based paint, mold, asbestos, and lack of maintenance? What kind of housing, if any, should occur at the Ashby BART station? Should the housing be mixed income? Should housing be affordable and provided for artists and other low income residents?

## **Issue Area 12**

**Open Space and Parks:** What are the open space and park resources in the South Berkeley/North Oakland community? How are these spaces being utilized by the community? Are there opportunities to add to the pool of permanent open space in South Berkeley/North Oakland? Can we improve existing open spaces to provide a higher quality of experience for the users? What opportunities exist to create green streetscapes that serve as open space? How can we preserve existing mature trees? How do we preserve surrounding streets as open space for children and minimize disruptive traffic impacts?

## **Issue Area 13**

**Community Needs Assessment:** What does the Community want? What are the Community needs? How are these needs prioritized? How is the City and other community institutions currently addressing these needs? How will any development or changes in use at the BART station address identified and accepted community needs? Will any development or changes in use at the BART station generate a demand to address other needs not already identified? How can any development at the BART station leverage resources to address a broad range of community needs?