



Planning and Development Department  
Land Use Planning Division

## NOTICE OF AVAILABILITY (NOA) OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED ASHBY AND NORTH BERKELEY BART STATIONS TRANSIT- ORIENTED DEVELOPMENT ZONING PROJECT

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The City of Berkeley has prepared a Draft Environmental Impact Report (EIR) for the Ashby and North Berkeley BART Stations Transit-Oriented Development (TOD) Zoning Project (“the Project”) and is requesting comments on the Draft EIR. The Draft EIR addresses the potential physical environmental effects of the Project for each of the environmental topics outlined in the California Environmental Quality Act (CEQA).

The City of Berkeley is the Lead Agency for the Project. This notice is being sent to the California State Clearinghouse, Alameda County Clerk, adjacent cities, other interested parties, and individuals who have indicated they would like to review the Draft EIR.

**PROJECT TITLE:** Ashby and North Berkeley BART Stations Transit-Oriented Development Zoning Project

**PROJECT LOCATION:** The project location consists of the Ashby BART Station site (Figure 1) and the North Berkeley BART Station site (Figure 2).

The Ashby BART station site consists of two parcels: 1) a 4.4-acre parcel that makes up the block surrounded by Adeline Street, Ashby Avenue and Martin Luther King Jr Way, which includes the BART station building and surface parking lot (Assessor Parcel Number (APN) 053-1597-039-04), and 2) a 1.9-acre surface parking lot located on the east side of Adeline Street on the block surrounded by Woolsey Street, Tremont Street, Adeline Street and Essex Street (APN 053-1703-009-00). Adeline Street and the Ed Roberts Campus are located between the two parcels and the northern portion of the 4.4-acre parcel is used by the Berkeley Flea Market on weekends.

The North Berkeley BART station site encompasses 8.1 acres across consisting of four parcels (APNs 058-2146-016-05, 058-2149-019-04, 058-2148-017-04, and 058-2147-018-05) that make up the block surrounded by Sacramento Street, Delaware Street, Acton Street and Virginia Street in north Berkeley. The station (Lot A on Figure 2-3) is currently occupied by the station entrance building, surface parking (646 total parking spaces), and a BART operations building. The North Berkeley BART station site also includes three auxiliary lots, located north and west of the 8.1-acre property along the Ohlone Greenway: a 0.75 acre surface parking lot at the northwest corner of the intersection of Acton and Virginia Streets; an 0.44 acre surface parking lot located on the west side of Franklin Street between Virginia and Cedar Streets; and an 0.64 acre parcel currently occupied by the Peralta and Northside Community Gardens located between Peralta and Northside Avenues.

Pursuant to Section 15087(c)(6) of the CEQA Guidelines, there is one site on a list enumerated under Section 65962.5 of the Government Code located on or potentially adjacent to the North Berkeley BART station site.

**PROJECT SPONSOR:** City of Berkeley

**Public Review Period:** The City of Berkeley is soliciting comments on the Draft EIR from **Friday, October 15, 2021** until **Wednesday, December 1, 2021**. Responses to comments will be incorporated into the Final EIR. Comments on the Draft EIR and any questions or comments should be directed in writing to: *Alisa Shen, Principal Planner, Planning and Development Department, 1947 Center Street, 2nd Floor, Berkeley, CA 94704; or [ashen@cityofberkeley.info](mailto:ashen@cityofberkeley.info)*. Copies of the Draft EIR are available for review at the City of Berkeley at 1947 Center Street, 2<sup>nd</sup> Floor and at the following locations: the Tarea Hall Pittman South Branch Library (1901 Russell St.), the Central Library (2090 Kittredge St.) and the West Branch Library (1125 University Avenue.); as well as on the City's website: <https://www.cityofberkeley.info/bartplanning/>

**PUBLIC HEARING:** The City of Berkeley Planning Commission is anticipated to take public comments and consider the Draft EIR at their regularly scheduled meeting on **Wednesday, November 3, 2021**. The meeting will start at **7:00 PM** and be held via video and teleconference only. Interested parties should check the Planning Commission website for information on how to join the meeting and to confirm the meeting date, time, and agenda: [https://www.cityofberkeley.info/Clerk/Commissions/Commissions\\_Planning\\_Commission\\_Homepage.aspx](https://www.cityofberkeley.info/Clerk/Commissions/Commissions_Planning_Commission_Homepage.aspx)

**PROJECT DESCRIPTION and BACKGROUND:** California Assembly Bill (AB) 2923, passed in 2018, requires the adoption of TOD zoning standards for BART-owned properties within ½-mile of station entrances in Alameda, Contra Costa and San Francisco counties that establish specific local zoning requirements for height, density, parking, and floor area ratio. The Project includes development of standards that comply with AB 2923 and are guided by additional City policy priorities related to affordable housing, an overall emphasis on social equity, and development without displacement. In 2020, the City of Berkeley began a community planning process to develop zoning/site planning scenarios for the Ashby and North Berkeley BART stations to refine into final zoning standards that comply with AB 2923.

The proposed project involves General Plan amendments and the adoption of new AB 2923-compliant transit-oriented zoning district, the Residential BART Mixed-Use District (R-BMU), and apply the zoning district to the project sites. The purpose of the R-BMU district is “to address City of Berkeley priorities such as affordable housing, civic and public space, multi-modal transportation and site access, high-quality building design and architecture, and a mix of land uses that contribute positively to the community, and to establish zoning standards in compliance with AB 2923.” The Project does not identify or define specific development projects, but rather consists of land use and policy changes that would guide future development at the sites. Applications for individual projects allowed under the standards would be submitted to the City (as Lead Agency) by individual applicants, including the owner of the project sites, BART.

The R-BMU development standards assume a floor area ratio (FAR) maximum of 4.2, a building height maximum of 80 feet and 7 stories, and a minimum residential density of 75 dwelling units per acre.

At the Ashby BART station site, the buildout assumptions include development of up to 1,200 dwelling units and 100,000 square feet of non-residential space distributed between the 4.4-acre station site and the 1.9-acre surface parking lot east of the Ed Roberts campus. At the North Berkeley BART station site, the buildout assumptions include development of up to 1,200 dwelling units and 25,000 square feet of non-residential space located on the main 8.1-acre station site, including the area considered BART's "Zone of Influence." The three auxiliary lots located northwest of the station along the Ohlone Greenway are not anticipated to include new residential or non-residential development but may involve be used for transportation infrastructure improvements.

These buildout assumptions are based on a reasonable maximum building envelope, taking into account the AB 2923 requirements, state and local land use regulations and other constraints of the sites. Any future development project proposed pursuant to these land use changes would be subject to its own project-level environmental analysis under CEQA.

More information about the project can be found on the City's website:

<https://www.cityofberkeley.info/bartplanning/>

**POTENTIAL ENVIRONMENTAL EFFECTS:** The Draft EIR found that the Project would have no physical environmental impacts related to aesthetics (per Public Resources Code section 21099(d)(1) regarding infill sites within a transit priority area), agriculture and forestry resources and mineral resources. Impacts related to energy, hydrology and water quality, land use and planning, population and housing, public services and recreation, transportation, utilities and service systems, and wildfire would be less than significant. Impacts related to air quality, biological resources, cultural resources (including historic and tribal cultural resources), geology and soils, hazards and hazardous materials, and greenhouse gas emissions would be significant but mitigable to less than significant. Temporary construction noise and cumulative cultural resources impacts would be significant and unavoidable.



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Alisa Shen, Principal Planner

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Attachments: Figure 1: Ashby BART Station Map  
Figure 2: North Berkeley BART Station Map

Figure 1 Ashby BART Station Map



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Fig 2-2 Project Location\_Ashby

Figure 2 North Berkeley BART Station Map

