

## Final Membership Approved Letter to Mayor Bates Concerning West Berkeley

November 4, 2005

The Honorable Tom Bates  
Mayor, City of Berkeley

RE: Comprehensive and Coordinated Planning for West  
Berkeley

Dear Mayor Bates:

We are most grateful to your leadership for creating a more reasonable attitude toward development in Berkeley, adopting a more rational approach to changes in land use and the urban form, and in attempting to create more tax base within the City while at the same time encouraging excellent architectural design and proper planning. We share these goals with you. We also appreciate the City's cooperative approach with other jurisdictions on two West Berkeley projects: 1) environmental clearance for construction of soccer fields along the Berkeley waterfront north of the Eastshore State Park and 2) the agreement by Caltrans to work with City engineers to complete design and begin construction of the Gilman Street interchange.

However, we are concerned the City is proceeding with these projects and several other land use proposals without an overall framework. We believe that the City's current piecemeal approach to project development and land use gives minimal consideration to the basic principles of coordinated, comprehensive and continuous planning. The City's inability to implement and adhere to general goals for West Berkeley will inevitably result in inferior public spaces, poor traffic and transit operations, and missed opportunities for expanding the City's economy and tax base. These are certainly not outcomes that we are comfortable with, and ones we believe you also wish to avoid.

We are especially concerned with the City's uncoordinated and at times hostile attitude to the following projects:

- *Golden Gate Fields:* By its continued reluctance to deal with an extremely motivated private property owner committed to obtaining value for a world-class site, Berkeley is essentially abdicating any role in the planning of the waterfront north of Gilman Street. BDA has expressed concerns several times to City leaders that planning (and much of the implementation) for the waterfront has ignored and continues to ignore the opportunity to create a great urban place accessible to all City residents. We believe that it is likely some development will occur at the racetrack, and that Berkeley will receive all of the same impacts of development (and none of the fiscal benefits) if the City leaders do not make themselves part of the process.

We hosted Magna Entertainment's selected developer at our October membership meeting and learned that Magna/Caruso's proposal entails almost 450,000 square feet of retail development, generating about \$2 million in annual sales tax revenues, with none of the site in Berkeley and none of the taxes going into the Berkeley general fund. The proposed development stretches from the Albany bulb to the top of the grandstands – it is accessed from Buchanan, which essentially creates an island of development separated from the existing urban fabric. If we accept that some level of development will ultimately occur at the racetrack site, a far better urban design would “flip” the proposed development and place along Gilman, where the horse barns are now, the development Caruso suggest adjacent to the Albany bulb. Half the development could be in Berkeley, and half in Albany. Such a modification would integrate Magna/Caruso's development much better with the existing urban fabric – it has a chance of creating a great urban waterfront, well integrated with the City, and easily accessible to many. Such a plan could divide the sales tax revenues more reasonably.

Unfortunately, Berkeley officials appear to support the desire of some interests that all waterfront development will go away and be replaced with State Park lands (we note that such an outcome was never envisioned for Gilman Street in the Waterfront Plan). The new soccer fields and the recent City Council action to oppose any

consideration of the Gilman Street waterfront area for future East Bay ferry service offer strong evidence of such a view. By ceding all the development opportunities to Albany, the City has in effect thrown millions of potential tax dollars to the wind while failing to even consider if development at the Gilman side of the racetrack would be a better regional option than development near the Albany bulb. *Berkeley needs to ask a basic question – is it the right thing to oppose all the development on the waterfront, forgo revenues that could fund seven to 12 police officers, allow the waterfront to be isolated and barren of people, and see that human activity concentrated on the Albany waterfront – and do so in a way that ensures Berkeley is not at the negotiating table?*

- *Grade separation of the railroad right-of-way at lower Gilman Street:* The City's inability to study or advocate for a Gilman rail grade separation is inconsistent with a large investment in improving the freeway interchange. Freight rail service from the Port of Oakland will increase dramatically in the next few years and delays along at-grade crossings in the East Bay will increase accordingly. These delays will ripple onto I-80 as well as into the City on Gilman and up to San Pablo Avenue. This issue was a major point of concern at the pre-charette stakeholders meetings that BDA organized in West Berkeley last year. If this impact is an issue with the community now, it will only get worse in the later years. Senator Perata has recognized this issue as a matter of statewide concern and has authored a bond proposal that proposes \$2.5 billion statewide to improve access to California ports, including rail grade separations. The City must position itself now to be able to secure a fair share of this money in the future. This improvement is not impossible to fund, in spite of what some staff have indicated, and eventually will be built because the impacts of the crossing will become so detrimental to both rail transit and to area circulation. The City needs to be in-front of this issue rather than reacting.

- *West Berkeley Plan Update:* The City adopted the West Berkeley Plan in 1993 and, especially in light of more recent land use and urban development patterns, the document requires a

comprehensive update. The present approach to study commercial and auto dealership land uses in isolation may be a good political strategy in Berkeley, but it can only result in a lack of coordination with policies for major transportation infrastructure improvements and for rational land use planning. West Berkeley, as one of the most dynamic areas of the City, requires an effective economic development strategy and the land use plan to implement that strategy. At some point, piecemeal approval of major development projects could create a legitimate legal challenge under CEQA. The current focus on a downtown development master plan in coordination with UC Berkeley campus plan objectives should not detract the City's planning management and staff from paying attention to an area where much of the more innovative commercial retail development and industrial office uses actually are being built.

**The BDA West Berkeley Task Force Committee, on behalf of the BDA membership which authorized this letter, urges the City to take a comprehensive planning approach to the West Berkeley Area. We are concerned that the City is willing to sacrifice good planning to obtain tax revenues from automobile dealers, but is not willing to actually do good planning to obtain tax revenues from the racetrack site. This political schizophrenia is certainly not helpful to the long-term health of west Berkeley or the Berkeley-Albany waterfront. There is grant money available to fund these studies, either from stand-alone sources (such as Caltrans and MTC planning grants) or as part of proposed transportation projects. BDA Committee members are available to assist in developing a scope for these studies and assisting in soliciting for these funds.**

Sincerely,

Jay W. Claiborne, Urban Designer  
Chair of the BDA West Berkeley Task Force Committee

Cc: Members, City Council  
City Manager  
Planning Director, Department of Planning and Development