

Jacob, Melinda

From: Zoning Adjustments Board (ZAB)
Subject: FW: 2022--06-23 ZAB #5 2213 Fourth Street and 747 (787) Bancroft Way

From: kelly hammargren <kellyhammargren@gmail.com>
Sent: Tuesday, June 21, 2022 11:23 PM
To: Zoning Adjustments Board (ZAB) <Planningzab@cityofberkeley.info>
Subject: 2022--06-23 ZAB #5 2213 Fourth Street and 747 (787) Bancroft Way

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Zoning Adjust Boards members and staff,

I was on the cc list as a member of Sustainable Berkeley Coalition and read the letter from Erin Diehm. I fully support Bird safe glass on all sides, 100% of the building. 100% of the glass and request that it is required. Only the west facing wall is inadequate. I am concerned that you will not open the link to "When Birds and Glass Collide," so I have copied it in as my comment. The link is at the bottom.

kelly hammargren

In 2018, Shi Danyang, a student at Duke Kunshan University in east China's Jiangsu Province, saw a tiny warbler with greenish feather majestically flying toward the glass window of her three-storied school building.

But instead of maneuvering, the bird hit the glass, making a gentle thumping sound and leaving behind a tiny mark on the window.

Shocked by the bird's poor navigation capabilities, she later learned that the warbler's dead body hurtled to the ground and was cleared off by the staff on duty. The bird-hit stain on the glass and the feeble noise of collision symbolizes the unnoticed deaths that buildings in cities have caused.

Every year between 100 million and one billion birds die from collisions with buildings in the U.S alone, according to the U.S. Fish & Wildlife Service. Residential buildings fewer than four-stories also contribute to such fatalities.

As carcasses of birds are immediately swept away by active sanitation crews or devoured by predators, most of such incidents go unseen and unreported.



A yellow-billed grosbeak stands beside another one of the same breed that was killed in a collision with windows at Duke Kunshan University. /Courtesy of Ma Dongyuan

The building that the bird crashed into has enormous glass windows – a standard architectural design that often causes fatal collisions for birds in cities. Birds get confused with the reflection of clouds and trees on these windows, and they fly into them, leading to their painful death.

The situation in China is equally jarring, said Li Binbin, assistant professor of Environmental Sciences at Duke Kunshan University, who is leading the country's first research team for a systematic study into such deaths.

The biggest challenge is the lack of data, said Li, since there is no nationwide research on the subject.

It's not only the reflection of clouds and trees that confuse birds, but lights fitted on the buildings can also lure them, making them vulnerable to collisions with the buildings. Such incidents spiral during spring and fall migration seasons when they fly through unfamiliar territories.

Urbanization certainly contributes to bird collision, said Li. Glass-covered and illuminated skyscrapers that birds often find hard to avoid are a recent creation of human development, something that birds have not grown accustomed to, she said.



Student volunteer holds the body of a Japanese waxwing that was killed in collision at Duke Kunshan University. /Courtesy of Shi Danyang

Ten months into Shi's engagement in the project, she found 10 dead bodies of birds at her school's building. A majority of them were warblers. Some survived the collision but sustained grievous injuries, but most of them died from internal bleeding or bruising.

"We are proud of having environmentally-friendly buildings at our school campus, yet it is unfortunate that the buildings do not take bird safety into consideration," she said.

Need for green and bird-friendly buildings

Bird safety can be part and parcel of green construction, said Lu Mingyi, Deputy Secretary-General at China Youth Climate Action Network, an NGO which has partnered with Duke Kunshan University to launch a nationwide study into the situation of bird-window collision in China.

Buildings that adhere to environmentally-friendly standards, including energy efficiency and use of recyclable materials, are now certified as green construction, the most prominent of which is the U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design, or LEED pilot program.

Being bird-friendly can be made into part of the standards, she explained.



Bird-shaped stickers that are put on the glass to prevent bird collision at Duke Kunshan University. /Courtesy of Shi Danyang

In 2020, New York City passed a bill requiring all new buildings' materials to meet bird-friendly standards. Jacob K. Javits Convention Center, the city's top bird-killing building, was renovated to replace its windows with fritted glass, which led to a 90-percent reduction of bird deaths, according to NYC Audubon.

Experts believe, many bird-friendly designs to prevent bird-window collision are easy to adopt. For example, using window screens, sunshades, patterned glass can help reduce bird collision.

At Duke Kunshan University, Shi and her schoolmates used bird-shaped stickers to decorate the windows where most collisions happened. In a year, the simple effort resulted in no collision incident at the site.

Though the solutions appear to be easy, there is still a long way to go toward a full embrace of the solutions, said Lu.



A dead bird lies on the floor. /Courtesy of Liao Shuyue

"There is a lack of awareness of the problem. While most people are aware of the fact that wetland degradation is a leading cause of the death of birds, bird-window collision is rarely given due attention," she noted.

Part of the resistance is that those patterns can obstruct people's views and may damage the aesthetics of buildings, so architecture designers are trying to use ultraviolet-reflecting patterns that only birds can see, while humans can't, on the glass surface.

"This ultraviolet material is invisible to humans, so the view from the window is not impacted," said Celyn Bricker, a designer working on an art project to apply ultraviolet patterns on windows to prevent bird collisions. The initiative focuses on temporarily illuminating the buildings at night to reveal the invisible ultraviolet pattern to the human eye to raise awareness on the issue.

The issue of bird collision has not attracted the attention of policymakers and real estate giants in China, making it challenging to make buildings birds-friendly.



How ultraviolet-reflecting patterns are perceived by the human and bird eyes.
/Courtesy of Celyn Bricker

Stickers or ultraviolet paint, which can prevent birds from colliding into the buildings, are hard to procure in China because there is no market demand for them. Shi said volunteers at her school failed to buy the stickers from shops domestically, and, in the end, they asked for help from friends in the U.S.

"Before humans created glass buildings, birds have been living perfectly safe in the world. Given that humans are the ones who created the problem, we ought to find the solutions," said Liao Shuyue, a third-year student at Duke Kunshan University who is also a volunteer in the program.

Volunteers have motivated the school administration to incorporate bird safety into the design of the school buildings, and the newly constructed teaching buildings are now some of the first bird-friendly buildings in China.

They are now trying to ensure that such efforts are made across the country.

(CGTN's Alok Gupta contributed to editing.)

<https://news.cgtn.com/news/2021-06-05/Millions-of-birds-now-face-an-unexpected-danger-glass-buildings-100ZX6FBgFG/index.html>

Jacob, Melinda

From: Zoning Adjustments Board (ZAB)
Subject: FW: 2022-06-23 ZAB Public Comment - Item #5 - 2213 Fourth Street and 747 (787) Bancroft Way
Attachments: MAP_Pacific Flyway_OpenSpaceTrust.pdf

From: Erin Diehm <erindiehm@hotmail.com>
Sent: Tuesday, June 21, 2022 10:39 PM
To: Zoning Adjustments Board (ZAB) <Planningzab@cityofberkeley.info>; Gong, Sharon <SGong@cityofberkeley.info>
Cc: Sustainable Berkeley <sustainable-berkeley-coalition@googlegroups.com>
Subject: 2022-06-23 ZAB Public Comment - Item #5 - 2213 Fourth Street and 747 (787) Bancroft Way

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Dear Ms. Gong and ZAB Secretary,

Please share this communication and attached map with ZAB in response to Item #5, "2213 Fourth Street and 747 (787) Bancroft Way" so that they have it prior to Thursday's meeting, June 23rd, and please include it in the public record. Thank you in advance for your assistance.

Dear ZAB,

I write about the proposed Mitigation Measure BIO-1, on behalf of the birds.

In the United States alone, up to one billion birds die every year after colliding with window glass.^{1,2} Many of these deaths happen with buildings that are four-stories or less.

Aquatic Park lies within the Pacific Flyway, the major north-south migratory corridor for birds in the Americas, extending from Alaska to Patagonia. More than 4,000 miles. And it is very wide, reaching many miles inland, covering the project site which is only 600 feet from Aquatic Park.

The IS/MND considers the impact of this project on birds significant, "a substantial adverse effect", and proposed mitigation to reduce the impact to less-than-significant by proposing bird safe glass on 90 percent (or less) of just the west side.

I'm not trying to stop this project from being built. In fact, I'm neutral on the approval. I am merely trying to ensure that effective mitigation is required to sufficiently reduce the impact on the migratory bird corridor to less-than-significant.

Unfortunately, I believe there is a remaining significant impact on the migratory corridor of native birds using the Pacific Flyway. Since at least a billion birds use the Pacific Flyway, and Aquatic Park

is on this corridor, **there is a fair argument that a significant impact remains on this migratory pathway.**

The American Bird Conservancy, the recognized authority on bird collisions, recommends only three ordinances - Toronto, NYC, and Mt. View's North Bayshore Precise Plan - and they require bird safe glass on all sides of a building from ground level.

Therefore, the IS/MND proposes inadequate mitigation because it does not ensure that bird-safe glass will be installed on all four sides the building. In fact, it focuses only on the West side, and only on 90 percent or less of the windows. Moreover, the MND offers no substantial evidence that birds would fly into only the windows on the west side. And since the migratory pathway reaches inland for many miles, there is a fair argument that birds could collide into the north, south and east sides as they move. On top of that, the project proposes to install 69 new trees and native vegetation around the building which would expand and create habitat for the birds. Without bird-safe glass on all sides, this could result in a significant impact on migratory birds.

Please ensure that bird-safe glass is required by mitigation measure BIO-1 on all 4 sides of the building, from 0 feet to the top of the building, and that it is a permanent feature of the glass, to properly mitigate this impact and reduce the impact on migratory birds to less-than-significant.

Sincerely,
Erin Diehm

¹ "Threats to Birds: Collisions - Buildings & Glass". U.S. Fish & Wildlife Service. <https://www.fws.gov/story/threats-birds-collisions-buildings-glass>
² June 5 2021. "When Birds and Glass Collide. <https://news.cgtn.com/news/2021-06-05/Millions-of-birds-now-face-an-unexpected-danger-glass-buildings-10QZX6FBgFG/index.html>

POST

<https://openspacetrust.org/blog/pacific-flyway/>



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The Pacific Flyway (roughly illustrated above) is one of four flyways in North America used by migratory birds for their annual migrations. The San Francisco Bay, and the diversity of habitat surrounding the Bay, create one of the most important stopovers for migratory birds on this

Jacob, Melinda

From: Zoning Adjustments Board (ZAB)
Subject: FW: Letter of Support with Caveats for 747 Bancroft Way & 2213 4th St.

From: Marcy Wong <marcy@wonglogan.com>
Sent: Thursday, June 16, 2022 11:04 PM
To: Zoning Adjustments Board (ZAB) <Planningzab@cityofberkeley.info>
Cc: Benjamin Yu <BYu@steelwavellc.com>; Taplin, Terry <ttaplin@cityofberkeley.info>; Volunteer@bikeeastbay.org; jared@calbike.org
Subject: Letter of Support with Caveats for 747 Bancroft Way & 2213 4th St.

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TO: City of Berkeley Zoning Board of Adjustments
zab@cityofberkeley.info

C/O: Samantha Updegrave, (510) 981-7414,
Zoning Adjustments Board Secretary
1947 Center Street, 2nd Floor, Berkeley, CA 94704

Cc: Benjamin Yu <BYu@steelwavellc.com>
Terry Taplin ttaplin@cityofberkeley.info

FR: Marcy Wong marcy@wonglogan.com
MARCY WONG DONN LOGAN ARCHITECTS
800 bancroft way suite 200 | berkeley ca 94710

RE: 747 Bancroft Way and 2213 4th Street
128,143-sq ft / 4-1/2 level parking garage with 412 car parking spaces - Use Permit: #ZP2021-0043

Dear Zoning Board Adjustments Board Members,

The ZAB will be considering the approval of the LAB Project (Phase II & III) by SteelWave in West Berkeley on June 23rd. As a neighbor, I am writing in support of the overall Life Science Building theLAB Project (Phase II & III) by SteelWave in West Berkeley on June 23rd with the following observations, caveats and requests.

At my office location south of this project site, car traffic has consistently increased (except for the first year of COVID), hence at my corner of Fifth + Bancroft (and beyond) car traffic would be further exacerbated by the proposed project. This traffic impact could be ameliorated by measures designed to reduce the number of cars generated from the project by making it easier, healthier, cheaper, and more pleasant to commute by bike than by car. For example, if the project were to provide significant onsite bike parking and bike related amenities, instead of a 4-1/2 level parking garage, not only would car traffic be reduced, but site space would be freed up for more landscaping - a visual and health benefit to the project's users, to the community and to the planet. (Of course biking to work in itself has tremendous health benefits.)

My support for the project is contingent upon the project having:

1) In lieu of a garage sized to park 412 cars, a far smaller garage (say 50 cars, one level, preferably underground) paired with features that discourage car use / encourage bike use by the tenants of + visitors to the building, **including:**

- a) secure, weather-sheltered (outdoors if protected from rain and sun) on-site bike spaces with outlets for electric-bikes - the number to be equal to occupancy by on site workers and visitors
 - b) amenities that support bike transportation, including showers, lockers and changing facilities for bikers
 - c) policies (conditions in the use permit, enforced by the City and project owner/ tenants) that disallow employees' car parking on the street;
 - d) programs to assist employees who cannot bike to arrange carpools (better than solo driving) or use public transportation and to inform employees of opportunities to use the Bay Trail bike path, AC Transit, BART, the Richmond WETA Ferry Terminal and (someday) the Berkeley WETA Ferry Terminal.
 - e) reimbursement of employees' public transportation and biking expenses with the funds saved from not building and maintaining a huge parking structure,
- 2) significantly more landscaping and usable outdoor spaces in place of the proposed car parking garage,

Please approve the development plan for 747 Bancroft Way and 2213 4th Street conditioned with the above aspects. Given these environmentally responsible features this project could be a great asset to the City of Berkeley.

Sincerely,

Marcy Wong
MARCY WONG DONN LOGAN ARCHITECTS
800 bancroft way suite 200 | berkeley ca 94710