



D E S I G N  
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C O M M I T T E E

S T A F F R E P O R T

**For Committee Discussion/  
Majority Recommendation**

AUGUST 17, 2017

## 2190 SHATTUCK AVENUE

### PRELIMINARY DESIGN REVIEW

**Design Review DRCP2017-0010** to redevelop a 19,967 square-foot (0.46-acre) site at the southwest corner of Shattuck Avenue and Allston Way with a proposed 18-story building with 274 residential units above approximately 10,000 square feet of ground floor retail space. Approximately 103 parking spaces would be provided in a two-level subterranean garage accessed from Allston Way.

#### I. Introduction

This project is located on the southeast corner of Shattuck Avenue and Allston Way. This parcel is located in the C-DMU, Commercial-Downtown Mixed-Use, Core Area zoning district.

This project was last before the Design Review Committee (DRC) in March 2016 as a Pre-application Item before the formal Use Permit and Preliminary Design Review applications were submitted. A summary from the meeting is further below in this staff report for your reference.

It is now before the DRC for Preliminary Design Review in conjunction with the Draft EIR that was published on August 10, 2017. A link to that document is further below in this staff report.

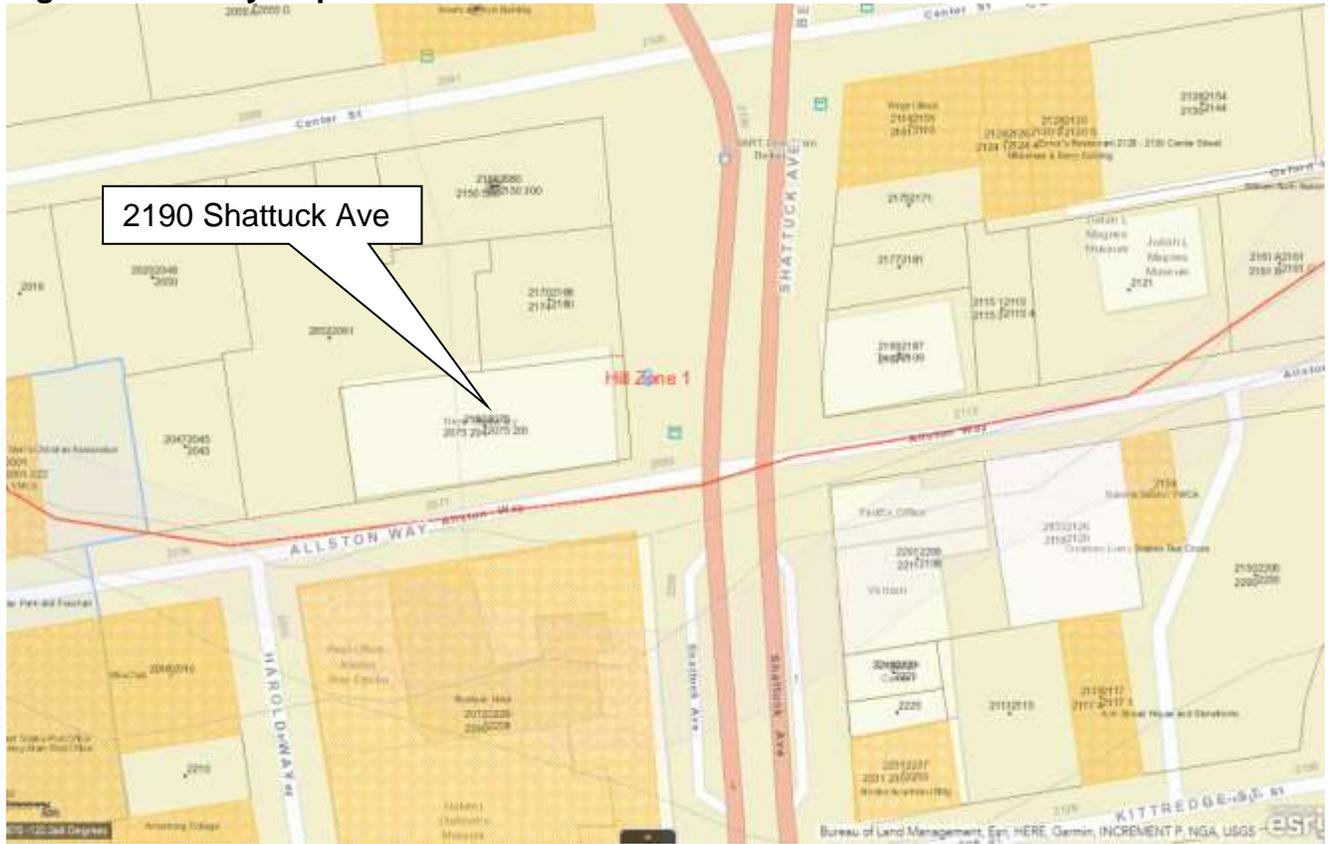
#### II. Background

The project is a proposed 211,590 square-foot residential and commercial mixed-use development in Downtown Berkeley. The project would involve demolition of an existing two-story commercial building that now covers the entire project site and construction of an 18-story building with retail commercial ground-floor uses, residential upper-floor uses, and a two-level subterranean parking garage. The existing building was reviewed at the Landmark Preservation Commission (LPC) in November 2016 as a demolition referral where no action was taken.

The completed project would include 274 residential units and 10,000 square feet of commercial space. The commercial storefronts would front on the Shattuck Avenue BART Plaza and wrap around to Allston Way on the south. A 677 square-

foot community art space next to the residential lobby would be available for community events. There are many historic resources in the vicinity and part of this parcel is within a potential Shattuck Historic District. More information about the potential district and that process can be found on the City’s website under the Landmark Preservation Commission page.

**Figure 1: Vicinity Map**



**Note:** Double-hatched shading indicates landmarked properties.

**Table 1: Land Use Information**

Location		Existing Use	Zoning District	General Plan Designation
Subject Property		Retail/Commercial	C-DMU, Core	Downtown
Surrounding Properties	North	Restaurant/Office	C-DMU, Core	Downtown
	South	Hotel	C-DMU, Core	Downtown
	East	Retail	C-DMU, Core	Downtown
	West	Parking/Retail/Food Service	C-DMU, Core	Downtown

**Table 2: Development Standards**

Standard BMC Sections 23E.68.070-080		Existing	Proposed	Permitted/ Required
Lot Area (sq. ft.)		19,967	19,967	---
Gross Floor Area (sq. ft.)		38,700	211,590	---
Floor Area Ratio		1.94	10.6	---
Total Dwelling Units		0	274	---
Building Height	Maximum (ft.)	≈22	180	60 + 5 parapet 180 + 5 parapet (with Use Permit)
	Maximum Architectural Projection	unknown	10	(With Administrative Use Permit) <sup>(1)</sup>
	Stories	2	18	---
Building Setbacks (ft.) <sup>(1)</sup>	Front (Shattuck)	0	0	0 - 5 max. (building height ≤ 20')
		n/a	0	0 (building height >20'-≤75')
	n/a	15	15 (building height >75')	
	Rear (west)	5	5	0 (building height ≤ 20')
		n/a	0	0 (building height >20'-≤75')
n/a	16	15 (building height >75')		
Street Side (Allston)	0	0	---	
Interior Side (distance from lot frontage)	0-65'	0	0	0 (building height ≤ 75')
		n/a	0 <sup>(2)</sup>	5 (building height >75'-≤120')
		n/a	15	15 (building height >120')
	>65'	0	0	0 (building height ≤ 20')
		n/a	0 <sup>(2)</sup>	5 (building height >20'-≤75')
		n/a	15	15 (building height >75')
Lot Coverage (%)		92	92	---
Usable Open Space (sq. ft.)	Residential	n/a	21,924	80 per unit 7,840 total
	Commercial (privately owned public open space)	0	224	1 per 50 sq.ft 200 total
Parking	Automobile	0	103	91 for DUs: 1:3 units 15 for commercial: 1.5:1K sqft
	Vehicle Sharing	0	5	4
	Bicycle	0	100	5 for commercial: 1:2K sqft

(1) No such architectural element shall represent more than fifteen percent (15%) of the average floor area of all of the building's floors; and no tower or similar structure shall be used as habitable space or for any commercial purpose, other than that which may accommodate the mechanical needs of the building (BMC §23E.04.020.C)

(2) All setbacks may be modified with a Use Permit (BMC §23E.68.070.C)

### III. Project Description

#### A. Requested Use Permits

This development proposal is subject to Use Permit approval by the Zoning Adjustments Board in accordance with multiple provisions of the Berkeley Municipal Code (BMC). At this time, staff has identified the following permit requirements:

- Use Permit to demolish a non-residential building (BMC 23C.08.050.A)
- Use Permit for a Mixed Use Development in the C-DMU Zoning District (BMC 23E.68.030)
- Use Permit to construct more than 10,000 square feet of floor area (BMC 23E.68.050)
- Use Permit to exceed a building height of 75 feet up to 180 feet (BMC 23E.68.070.B)
- Use Permit for portion of building exceeding 120 feet in height to be greater than 120 feet in width when measured at widest point on the diagonal in plan view (23D.68.070.C)
- Administrative Use Permit to allow architectural projections to exceed maximum building height (BMC 23E.04.020.C)

#### B. CEQA Determination

The project qualifies for streamlined review under CEQA Guidelines Section 15183.3, due to its mixed-use nature and proximity to a major transit stop, among other site- and project-specific factors. The purpose of Guidelines section 15183.3 is to allow lead agencies to limit the topics subject to CEQA review at the project level “where the effects of infill development have been addressed in a planning level decision or by uniformly applicable development policies.” The primary planning level decision is the adopted Downtown Area Plan, and the referenced environmental documentation is the 2009 Downtown Area Plan Final EIR.

The public review and comment period for the Draft EIR is from August 10, 2017 to September 25, 2017. The City will hold a hearing on the Draft EIR on September 14, 2017, as part of the regularly scheduled Zoning Adjustments Board hearing. A link to the Draft EIR follows:

[https://www.cityofberkeley.info/Planning\\_and\\_Development/Zoning\\_Adjustment\\_Board/2190\\_Shattuck.aspx](https://www.cityofberkeley.info/Planning_and_Development/Zoning_Adjustment_Board/2190_Shattuck.aspx)

### IV. Previous DRC Summary – March 17,2016

**Advisory Comments:**  
**Neighborhood Context / View**

- View is a huge issue. The effect is cumulative. Simulations and further study is critical.
- Concerned with a tall tower on this site.
- Look closely at the view and whether it is blocked. If it is blocked, tower needs to be a gem.
- View simulations should be larger and more legible than in recent projects.
- Do view analysis early – don't wait until further on in the process
- Pushing tower back from Shattuck appears to be a good decision.
- One member thought the Shattuck Hotel appears to be impacted from this project.
- Another member thought the base design appears to fit in scale with the Shattuck Hotel.
- Tackle view issues before going too far into design phases.
- There was one comment that less parking would be good so close to BART.

### **Building Design**

- It's good that each elevation changes based on the solar exposure.
- One member thought the aesthetic looked like garden apartments in the suburbs.
- This design should look like it is in a moderate-sized city.
- There is concern with too much light pollution. Study carefully with this project.
- Modern design aesthetic is good. Downtown shouldn't be fossilized.
- Shutters and shades on building add a good scale.
- Movable shutter concept may be problematic. Study more carefully.
- Skeptical of the lower balconies on the second floor and how well they will be used.

### **Open Space / Streetscape Design**

- Show more detail on Allston Way street improvements and how they relate to the ground floor amenities.
- Trees may not belong on the roof, or at least they should be well positioned away from the parapet edges.

## **V. Design Review Guidelines**

Following are several key guidelines in the Downtown Design Guidelines which relate closely to this project.

### *All Buildings*

- For new construction projects located on narrow east-to-west streets and over 75 feet in height, prepare an analysis of shade impacts on public open spaces and pedestrian sidewalks across the street.
- Maintain and reinforce Downtown's historic street wall at the property line. Upper floor step backs are desirable above 60 feet and should be used above 75 feet.
- For buildings over 85 feet in height, prepare an analysis of potential wind impacts. Protect sidewalk and public open space by deflecting downward wind drafts ("wind shear") by using building setbacks, recesses, projections

and other devices.

- Consider how the building's form and orientation can take advantage of sun and shade to appropriately heat and cool the building.
- Consider using continuous vertical features to unify upper and lower floors, while stepping back upper floors.
- Respect the height of neighboring buildings, and provide a sense of continuity and enclosure which avoids abrupt changes in height.

#### *Facades*

- Reflect and reinforce the scale, massing, proportions, rhythm and attention to detailing which are established by the facades of Landmark and Significant buildings.
- Incorporate elements which break up façade planes and create a visual play of light and shadow. Avoid long, uninterrupted horizontal surfaces. Consider the use of bay windows, balconies and architectural projections.
- Vertical divisions of ground and upper floors should be consistent. Generally maintain a cornice that projects horizontally between the ground floor (and its mezzanines) and upper stories.
- Architecturally distinguish the ground floor from the upper façade, to form a visual base for the building. Create an intimate scale for the pedestrian environment.
- Architecturally distinguish the upper façade from the top of the façade to provide a visual termination for the building. Generally maintain a cornice that projects horizontally at the top of the 5<sup>th</sup> floor, or near the top of the buildings that are less tall.
- Maintain the typical rhythm of structural bays and enframed storefronts of 15-30 feet spacing at ground level, in order to enhance visual continuity with existing buildings and pedestrian scale. Curtain walls, if used, should be designed with rhythm, patterns and modulation to be visually interesting.

#### *Parking and Garage*

- Give first consideration to pedestrians during the site planning process.
- For on-site loading and on-site parking, mitigate impacts on the pedestrian to the extent possible.
- Locate and design loading areas to minimize their visibility from public spaces, use walls and landscaping to screen views of loading areas.
- Locate parking behind buildings, underground, or behind ground floor storefronts.

### **Both street frontages for this project are designated as required public serving frontage (refer to figure 43 in the 2012 Downtown Guidelines)**

- At least one publicly-accessible street-level entrance to be provided for every 40 feet along a street facing frontage. Any remainder exceeding 30 feet shall also have a publicly-accessible street-level entrance. No two entrances shall be separated by more than 50 feet.
- Clear Glass shall comprise at least 60% of the street facing façade where it is between 3 feet and 8 feet above elevation of adjacent sidewalk

- The design of the ground floor shall be visually open to pedestrians such that the design should enable the main activities of the proposed use to be carried out towards the front of the space.

A complete set of the downtown design guidelines can be found online at:

<http://www.cityofberkeley.info/ContentDisplay.aspx?id=14260>

## VI. Issues and Analysis

### A. Design Issues:

Refer to the attached applicant's response to the Committee's March 2016 advisory comments. Key changes include more detail and refinement in the massing and façade design. View issues are discussed in detail in the Draft EIR. Design issues below and recommendations for further design refinement are in the context of the Downtown Area Plan (DAP) and changes in the Zoning Ordinance and Downtown Design Guidelines accordingly.

- **Massing** Proposed massing conforms to the height and bulk restrictions of the DAP. There is one minor change in the massing proposed which exceeds the maximum diagonal. A Use Permit has been requested for this increase and it should be noted that the upper level floor plans are well-articulated with many plane changes for added detail and scale.
- **Encroachments** Shallow angled balconies and bay windows are proposed over the Public Right-of-way (ROW) on both Shattuck Avenue and Allston Way. A horizontal element at Level 8 also extends over the Public ROW at the corner. An encroachment permit is required for this work as well as any planters or benches in the sidewalk area.
- **Façade Design** Project is well articulated on all sides and varied in relation to each elevations solar orientation. The east end of the north elevation has a large area of façade panels since so close to the property line.

*The architect will present this view and elevation in more detail to facilitate the Committee's review and discussion.*

- **Ground Floor Design** Since the retail is for one tenant, a large recessed retail entry is shown at the corner facing Shattuck Avenue. The next public entrance is further down Allston Way and if for the residential lobby and community space. Both street frontages a significant amount of clear glazing consistent with guidelines for a public-serving frontage.
- **Material Palette** Richer material and color palette is shown on the base portion of the building to better fit in Berkeley's downtown context. The color and material palette lighten as it moves upward in the building. The architect will present more detail color and material information at the meeting.
- **Open Space** Private terraces and balconies are proposed on a variety of units on all sides of this project. A small common area located at the west

end of the Level 8 is proposed for a dig run and some seating as well. A large roof top terrace is proposed on the east end of the building on Level 13 and on all sides of the tower at Level 18. Landscape plans are included in this submittal that show proposed seating and landscape areas, as well as a preliminary plant palette.

- **Unit Plans** The architect will present more detailed information about the typical unit layouts proposed so that the committee can use this information for their review.

**B. Issues for Discussion:**

- Massing
- Façade Design
- Articulation
- Materials
- Landscape Plan / Open Space Design

**VII. Recommendation**

Staff recommends that the Committee discuss the proposed changes since last reviewed, as well as the topics listed above, and give the applicant recommendations on building design refinements so the project can best fit into this urban Downtown context.

**Attachments:**

1. Project Plans, received June 20, 2017
2. Applicant Response, received July 26, 2017

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