



D E S I G N  
R E V I E W  
C O M M I T T E E  
S T A F F R E P O R T

---

For Advisory Comments  
OCTOBER 17, 2019

## 2023-2025 SHATTUCK AVENUE

### PREVIEW

**Design Review # DRCP2019-0002** to demolish the remaining structure on vacant lot following a fire and construct a 24,178 square-foot, seven-story, 73'5" tall, mixed-use building with 48 dwellings (including 4 dwellings available to very low income households) and 1,250 square feet of ground floor commercial space. The project would provide no parking and secure storage for 34 bicycles.

#### I. Introduction

This project is located in the Downtown Mixed Use (C-DMU) Core District between Addison and University on Shattuck Avenue. The proposed seven-story, 74'11" high building is located on a project site that is between two commercial buildings fronting on Shattuck Avenue.

The project went before the Zoning Adjustments Board (ZAB) as a Preview on October 10, 2019. Staff will be able to give a brief summary from that meeting.

It is before the Design Review Committee (DRC) this month as a Preview.

#### II. Background

The project would demolish the remaining portions of the structure following the 2015 fire, to construct a new seven-story, 48 unit mixed-use residential building, with Shattuck Avenue providing access to residents and patrons and rear access to Terminal Place for trash pick-up. The building would have the following main components:

- 48 studio apartments;
- 4 dwelling units would be affordable to Very-Low Income households;
- 1,325 square feet of usable open space to be located on a roof deck;
- 1,250 square feet of commercial/retail area; and
- 34 bicycle parking spaces located on site.

### III. Project Setting

- A. Neighborhood/Area Description:** The project site is located in downtown Berkeley, on Shattuck Avenue between University Avenue and Addison Street. East of the project site is Terminal Place, a small road used primarily for loading and access to parking, and beyond that there are commercial, mixed use and office buildings ranging from three- to seven-stories. The area consists of commercial and mixed-use residential buildings. The Downtown Berkeley BART station is within walking distance to the south. In addition, bus service is available via transit lines on Shattuck and University Avenues.

The project is located within the survey area and boundaries of the 2014 Shattuck Avenue Historic District Survey.

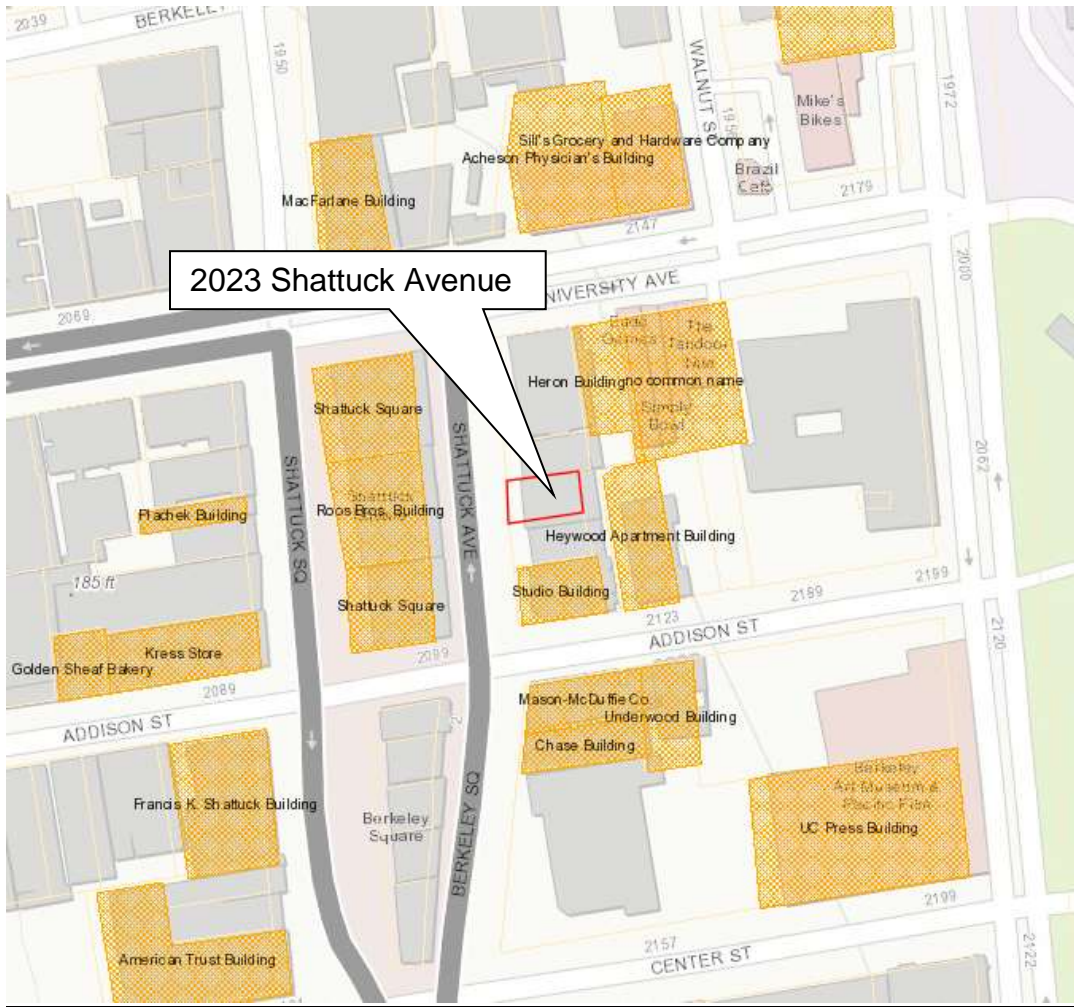
More information about the Shattuck Avenue Historic Context Statement and Survey Project can be found here:

[https://www.cityofberkeley.info/uploadedFiles/Planning\\_\(new\\_site\\_map\\_walk-through\)/Level\\_3\\_-\\_General/ShattuckContextFINAL%20r091515.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_(new_site_map_walk-through)/Level_3_-_General/ShattuckContextFINAL%20r091515.pdf)

Nearby City Landmarks on Shattuck are: The Roos Brothers Building and Shattuck Square Buildings, designed by Pflueger & Miller in 1926, are at 48, 64, and 82 Shattuck Square, and the Studio Building at 2037 Shattuck Avenue, which was designed by F.H. Dakin in 1905.

- A. Site Conditions:** The subject property has two street frontages, the main frontage on Shattuck Avenue and also another frontage along Terminal Place which would function as the rear of the building. Until fall 2015, the site contained the Mandarin Garden restaurant, but a fire and subsequent removal of the remains of the building now leave the site as vacant and unused (the exterior walls are shored in place and the site is fenced).

**Figure 1: Vicinity Map**



**Table 1: Land Use Information**

Location		Existing Use	Zoning District	General Plan Designation
Subject Property		Vacant lot	C-DMU, Core Downtown Mixed Use	Downtown
Surrounding Properties	North	Commercial – restaurants, offices		
	South	Commercial – bank, mixed use		
	East	Terminal Place and Parking		
	West	Commercial – restaurant and offices		

**Table 2: Development Standards**

Standard BMC Sections 23E.68.070-080		Existing	Proposed Total	Permitted/Required
Lot Area (sq. ft.)		3,662	3,662	n/a
Gross Floor Area (sq. ft.)			24,178	
Residential		0	22,543	n/a
Non-residential			1,250	
Dwelling Units	Total	-	48	48
	Affordable	-	4	4 Min
Building Height	Average	-	73'5"	n/a
	Maximum	-	74'11"	60' Max 75' Max (with Use Permit)
Building Setbacks	Front (Shattuck)	-	0	0 Min/5' Max
	Second Front (Terminal Place)	-	0	0 Min/5' Max
	Left Side	-	0 (with waiver)	0' when less than 65' from frontage 5' Min when greater than 65' from frontage and above 21' in height
	Right Side	-	0 (with waiver)	0' when less than 65' from frontage 5' Min when greater than 65' from frontage and above 21' in height
Lot Coverage (%)		-	97%	n/a
Usable Open Space (sq. ft.)		-	1,325 (with concession)	3,840 Min (80 per unit)
Privately-Owned Public Open Space (sq. ft.)		-	25	1 sq. ft. for every 50 sq. ft. of non-residential floor area or pay the in-lieu fee
Parking	Automobile - Residential - Non-Residential	-	0 (with waiver)	Residential: 18 Min ((1 space/three units) Non-Residential: 2 Min (1.5/1,000 sq. ft.)
	Bicycle	-	34	1 (1 space/2000 sq. ft. of gross floor area)

## IV. Project Description

### A. Requested Use Permits

- Use Permit, under Berkeley Municipal Code (BMC) Section 23E.68.030.A, to construct multi-family dwelling units;
- Use Permit, under BMC Section 23E.68.050, to construct more than 10,000 square-feet of floor area; and
- Administrative Use Permit, under BMC Section 23E.04.020.C, to allow architectural elements to exceed the height limit in a commercial district.

### B. CEQA Determination

Studies are currently being prepared to evaluate the project's potential environmental impacts prior to making a CEQA determination.

### C. Density Bonus Information

In the C-DMU Core Zoning District, an additional Use Permit may be granted to allow a building to be up to 75' in height, however, the applicant has not requested an additional Use Permit in order to achieve the proposed 74'11" height. Instead, the proposed project solely utilizes State Density Bonus law. Under the City's density bonus procedures, the project's "base project"<sup>1</sup> was calculated at 35 units and five stories. With the applicants' commitment to reserve 11% of the base project units as affordable to Very-Low Income households, the project qualifies for a density bonus of 35% percent, which would allow for 13 additional units, for a total of 48. (See Table 5 below).

The project is requesting two waivers: 1) to reduce the open space requirement from 3,840 square feet to 1,325 square feet; and 2) to reduce the required 18 parking spaces to 0.

Additionally, the applicant has requested two modifications to accommodate the density bonus units: 1) a waiver of the height limit to exceed the maximum 60-foot height limit to permit an additional story and allow 74 feet 11 inches where 60 feet is the maximum within the C-DMU core and 75 feet is the maximum permitted with a Use Permit; and 2) setback modifications to reduce the setbacks above 20' from 5' to 0', to accommodate the density bonus units.

## V. Downtown Design Guidelines

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

---

<sup>1</sup> The "base project" is the project that could be built on the site without any additional Use Permits to expand the building envelope (e.g. through increased height or reduced setbacks) or waive development standards for parking, open space, etc.

### ***General Building Facade Design***

- Reflect and reinforce the scale, massing, proportions, rhythm and attention to detailing established by Landmarks and Significant buildings.
- Incorporate elements which break up façade planes and create a visual play of light and shadow.
- Vertical divisions of ground and upper floors should be consistent.
- Architecturally distinguish the ground floor from the upper façade, to form a visual base for the building.
- Use high quality detailing for new buildings and replacement elements.
- Window should comprise 25-50% of upper facades visible from public areas, and should reflect the rhythm, scale, proportions, and detailing of upper windows of Landmark and Significant buildings.

### ***Roof Forms***

- Provide a termination to the top of the building in a way that complements and enhances the character of the building and the Downtown.

### ***Materials***

- Use high quality, durable materials which enhance the building and convey a sense of permanence.

### ***Frontage, Setbacks, and Heights***

- Maintain a continuous zero-setback “build-to-line” at the ground floor at the edge of all Downtown streets where commercial and higher levels of activity is anticipated.
- Design recessed storefront entrances so they do not exceed 50% of the width of the storefront, nor ten feet in depth.
- Consider massing alternatives that would reduce shadow impacts on streets and relate new construction to the scale of nearby buildings.
- Place entrances to storefronts and other ground floor uses so that they are accessible directly from the public sidewalk, not internal lobbies.
- Design entrances of individual buildings to contribute positively to the street.
- Maintain and reinforce Downtown’s historic street wall at the property line. Upper floor setbacks are desirable above 60 feet, and should be used above 75 feet.

### ***Heights***

- Respect the height of neighboring buildings, and provide a sense of continuity and enclosure which avoids abrupt changes in height.

### ***Open Spaces***

- Provide new open space which are deliberately planned, designed, and located to be usable.

- Relate the size, volume, and design of open spaces to the scale of surrounding buildings and streets, and to the numbers of people and types of activities which are encouraged there.

***Shattuck Side is 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 Review Issues:

**Neighborhood Context / Building Height** Proposed building is seven stories. This project site is within the Downtown Core Area and in a vibrant active area with varied building heights, including landmarks to the west across Shattuck, to the south on the other side of the Patelco Credit Union, and to the southeast across Terminal Place. Refer to the Neighborhood Context section earlier in the Staff Report, as well as a link to the Potential Historic Shattuck Overlay District Study, for more information.

**Setbacks / Massing** Proposed massing has a strong street wall presence at a slight angle to the property line on Shattuck Avenue with recessed entrances for the main residential lobby and an adjacent commercial tenant space. The rear elevation is at and parallel to the east property line on Terminal Place. The walls are set in 8" above the podium on both sides, allowing for vertical fixed windows on those side elevations.

**Encroachments / Bay Design** Four vertical bays are proposed on both the Shattuck and Terminal Place elevations. They extend from the second level to the seventh, starting at approximately 12' above the sidewalk on Shattuck and extends out 2'3" into the Public Right-of-way. The proposed bays above Terminal Place are lower to the sidewalk grade due to the grade difference across this parcel. An encroachment permit from Public Works is required for the proposed encroachment.

**Storefront Design** Ground floor storefront design uses the angled property line at the sidewalk to create a generous recessed plane behind the concrete piers.

**Materials** Exterior materials proposed include composite wood panels, integral color stucco, aluminum residential windows with corresponding spandrel panels, and a glass guardrail at the roof deck.

**Open Space Design** Open space for the residents is located on the roof with two distinct seating areas on each side of a tiered bench and raised planter area. There is an overhead shade element with tree opening over the raised planter. Planter areas are also proposed in front of ground floor storefronts.

**Bike Parking** The project features bike storage room and it is located on the ground floor and accessed from the lobby on the Shattuck Avenue frontage.

**B. Issues for Discussion:**

- Neighborhood context
- Massing
- Ground floor design
- Open Space design

**VII. Recommendation**

Staff recommends that the Committee discuss the issues outlined above and provide advisory comments regarding the proposed massing of the building, its relationship with this Downtown mixed-use neighborhood, and any other design related issues for the next review.

**Attachments:**

1. Project Plans, received October 1, 2019
2. Applicant Statement, received October 1, 2019
3. Green Point Checklist, received October 1, 2019

**Staff Planner:** Anne Burns, aburns@ci.berkeley.ca.us, (510) 981-7410