

Memorandum

To: City of Berkeley Landmarks Preservation Commission
From: Rhoades Planning Group
Date: May 21, 2015
Re: 2211 Harold Way – June 4, 2015 Landmarks Preservation Commission
Response to LPC Comments on May 7, 2015

The purpose of this memo is to describe the materials provided for the June 4, 2015 Landmarks Preservation Commission meeting in response to comments that the project team received from the Commission at its May 7, 2015, meeting.

- 1. Clarity of Materials Submitted.** Multiple Commission members mentioned frustration with receiving multiple sets of materials, including materials presented at the meeting.

Response: This comment is noted. We are providing one complete plan set attached to this memo for consideration at the June 4, 2015, meeting. In addition to the complete plan set, which includes material call outs and images, we will be bringing extensive material samples to the June 4, 2015 meeting. One other item requested by the Commission, additional analysis on the environmental and energy performance of the project, is being assembled by the project's environmental consultant and therefore not included in this submission. This information will be presented at the June 4 meeting. Additionally, the requested nighttime renderings of the project are time-consuming to prepare and therefore are not included in this submission, but will be presented at the June 4 meeting. The project massing model will also be presented.

- 2. Compatibility with Historic Resources.** Many Commissioners discussed the question of compatibility with historic resources in the surrounding environs and on the site.

Response: For a more complete discussion, please see the letter to the Commission submitted by architecture + history, dated April 7, 2015, and particularly pages 8-9. The project is a contemporary building adjacent to the historic Shattuck Hotel. The project is consistent with the larger development pattern of the Downtown, which contains many buildings of varying scales, styles, and forms, from various eras. As noted by one Commissioner, the project would not result in a loss of the sense of the Hotel or diminish the stature of the Hotel, primarily because it clearly appears as a distinct building. Two other Commissioners expressed their sense of a positive relationship between the new project and the Shattuck Hotel. Design elements that further this compatibility include: a diversity of materials and massing to create articulated form and scale; the use of a strong base with traditional materials and proportions; lowering the plinth level in deference to the Shattuck Hotel and to better relate to other neighboring resources; and separations between the Shattuck Hotel and the new construction both on Kittredge and Allston. Additionally, ARG, the historic preservation consultant for the project EIR, noted on page 9 of the Final EIR that the "aspects of the design described above, including physical separation from historic buildings; setbacks at upper stories; and variations in massing, rooflines and materials, in combination with the project's location along narrow streets in a dense downtown near identified

historic buildings of similar height, prevent the height and scale of the project, in and of themselves from having a significant impact on historical resources.”

- 3. Need Better Understanding of Building Materials.** Multiple commissioners stated that a more tangible understanding of materials is necessary, including material samples, as well as material call outs on the elevations. Additionally, Chair Hall noted that the Design Review Committee had requested that the glazed portions of the building use a curtain wall system rather than window wall, and wanted to make sure that had been addressed.

Response: The elevations on sheets A-21.1 through A-21.4 include call-outs for materials to clearly explain which materials are used on which portions of the building. Additionally, sheet A-31.5 provides images of each material. Samples of these materials will be brought to the June 4 meeting. Regarding the issue of curtain wall versus window wall, the materials presented on May 7 had been revised per the DRC’s comments to use a curtain wall system with spandrel panels instead of the previous window wall system. This material is reflected in the attached plan set as well.

- 4. Movie Theaters.** The Commission provided comments and questions related to the location of the movie theaters, the number of theaters, and the number of seats, as well as the regulatory certainty that the theaters will be rebuilt.

Response: The proposed movie theaters were not a part of the original project proposal. The theaters were added after the initial project submittal as a result of significant community requests to build a new, state of the art cinema complex for the Downtown. The new movie theater complex will be accessed via the same entryway on Shattuck Avenue, underneath the same marquee, as it currently exists. Patrons will enter into a large atrium-style entryway looking down to the main concourse on the level below, which will provide access to the theaters, as well as concessions and restrooms. This design is reflected in the attached floor plans. The current design includes six theaters with 665 seats, in accordance with the latest designs developed in cooperation with the Landmark Theatres team. The applicant is currently working on the terms of an agreement with Landmark Theatres, which should be available soon and would confirm the number of theaters and seats.

As for the certainty that the theater will indeed be rebuilt, the theater is being proposed as a Community Benefit pursuant to the requirements of Section 23E.68.090.E, which is currently in discussion at the City Council as to how to apply this section of the Zoning Ordinance to projects like this one. It is our anticipation that, as a Community Benefit, the requirement for functioning operating theaters would be part of a regulatory agreement with the City, and that proof of an agreement with a movie theater tenant would be required before the project could receive its Certificate of Occupancy. It is also our anticipation that, as part of the Community Benefit regulatory agreement with the City, it would be required that the subgrade space dedicated to the theater be granted in perpetuity for some type of public benefit use, so that it would be made available for some other public benefit use if movie theaters lose popularity or feasibility at some point in the future.

- 5. Energy Performance and Sustainability.** Members of the Commission raised a variety of comments related to energy performance. One Commissioner mentioned a goal for Zero Net Energy, while another Commissioner mentioned that, while Net Zero likely isn’t possible, true sustainability is of primary importance. A question was also raised about whether or not the architect has experience

with or examples of vertical photovoltaics. Additionally, a comment was made that aesthetically, the solar panels could be an enhancement or a detractor, and that more examples were needed, as well as assurance that the rendering reflect reality.

Response: The project achieves LEED Gold, as required for all new buildings in Downtown Berkeley, which is industry standard for sustainable building design. The project itself improves the sustainability of the City by providing housing options in Downtown Berkeley with very high levels of transit service, as well as significant amenities and employment opportunities within walking or biking distance. Solar panels are an integral part of the project design, as are the type of glass and other materials, and the window operability. Additional information about the project's energy performance will be brought to the June 4 meeting after being prepared by the project's environmental consultant. Additionally, the project team anticipates bringing examples of vertical PV for the June 4 meeting.

6. Water Conservation and Management. Commissioner Wagley expressed concern about the project's efficient water management.

Response: All rainwater that falls upon the site will be collected into a cistern located in the garage, a feature that has always been a part of the project plan. The cistern is reflected in the plan set submitted in July, 2014 for use in the project EIR. This remains an important element of the project's sustainability goals, and is shown in the attached plan set dated May 20 on Sheet A-10.5 on Basement Level P-1. This site-wide captured rainwater will be used to irrigate on-site landscaping, and plant palettes have been developed to be well-adapted to local Berkeley microclimates and low in their water use.

7. Window Pattern on Brick Portions of Building. Commissioner Linvill provided comments on the fenestration and articulation, specifically on the brick areas, suggesting that if the spandrels had a deeper reveal and the windows were further set back, there would not be a need for sunshades or additional articulation. Additionally, the Commissioner stated a preference that the windows on the brick portions be casement pairs for a more classic and simple look.

Response: We appreciate Commissioner Linvill's comments related to alternative methods of articulation of the brick base and tower. At this time, the project design maintains the proposed window system and sun shades as it is thought to complement the overall glazing vocabulary of the curtain wall system to help tie the building together as a whole. However, should the Commission recommend the design use two-pane rather than three-pane windows on the brick portion and eliminate sunshades for the brick portions of the building, this could be imposed as a condition for Final Design Review.

8. Cornice at Base. Commissioner Linvill commented that, were a more legitimate or solid cornice included for the five-story base it would reduce the visibility of the taller portions of the building.

Response: The design intent of adding a repeated element, the photovoltaic trellis, at the cornice denotes a lighter visual cap at the base of the building. The proposed cornice strikes a balance between the traditional and contemporary architectural elements. The cornice as designed provides an appropriate overall fit with the balance of the project's architectural elements, and contributes to the project's solar performance.

- 9. Plate Height and Proportionality.** Commissioner Linvill noted a proportionality issue related to plate heights for the first five stories, and would have been in favor of raising the height of the plinth for this reason.

Response: The project team appreciates this comment, however we believe the reduced plinth height to be an important feature in maintaining deference to the Shattuck Hotel and compatibility with other neighboring historic resources, including the Armstrong College and Central Branch Library. Therefore the proposed design maintains the currently proposed plinth height.

- 10. Balconies on Brick Tower.** Commissioner Linvill commented that the balcony posts on the brick tower rising above the Shattuck Hotel might be cantilevered to enhance their aesthetic.

Response: The column compliments the architecture vocabulary of brick and precast at the main tower completing the balcony assembly.

- 11. Five-Story Base Cornice in Project Interior.** Commissioner Linvill recommended a proper cornice on the interior side of the building where the curtain wall lands on the brick to allow resolution between the material change.

Response: At this time, the design maintains a simple look in this location, differentiating forms with the change in materials. Additionally, the cornice feature on the exterior portions of the base are constructed of solar photovoltaic material, which would not be high-performing in the interior portions of the site. However, should the Commission recommend the design integrate a cornice element to the interior portion of the site, this could be imposed as a condition for Final Design Review.

- 12. Use of Glass.** A number of Commissioners provided comments on the project's use of glass. Commissioner Linvill commented that the current use of glass does not follow guidelines from the project EIR and the Downtown Area Plan Design Guidelines. He added that the team should consider using more solid spandrels and creating a reveal between spandrels and curtain wall to achieve or get closer to the Design Guidelines statement that windows should comprise up to 50% of upper facades. Commissioner Wagley expressed concerns related to glass reflectivity on the east and west sides of the project, and raised questions about the creation of glare. Chair Hall pointed out that, while the majority of the Design Review Committee voted in favor of use of glazing on the east elevation, there were some Committee members who disagreed.

Response: The team appreciates the suggestion to use more solid spandrel panels to improve Downtown Design Guideline consistency on the shoulder portions. As a whole, we believe the project is responsive to this Design Guideline, and believe the simplicity of the glass shoulders is a superior expression, for the reasons discussed below.

The current design is in response to the majority vote from the Design Review Committee and the recommendation from Staff to use glazing on the east elevation. Additionally, the analysis from architecture + history submitted to the Commission dated April 7, 2015, found that the differentiation between the shoulder elements and the tower element maintain a diversity of massing and scale that is typical of construction in Downtown Berkeley. This differentiation would be lost if the east elevation was

expressed in brick mass with punched windows. Additionally, the Staff Report for the May 7 meeting noted that, while the LPC may recommend design modifications to replace the glazing with a punched wall system, they may also find that the current design includes articulation, fenestration patterns, and shading devices to break up the massing and curtain wall system consistent with the Downtown Design Guidelines. While we understand some individuals may prefer a punched wall system, we believe the current design is responsive to design comments received and provides a more simple and distinct neighbor to the Shattuck Hotel.

As for material reflectivity, the material intent is for some glass coloring and use of e-glass, which is non-reflective. Additionally, the proposed use of a curtain wall system as suggested by the DRC, rather than a window wall system as was previously proposed allows the glass to be increasingly transparent and non-reflective. Details about the glass material are shown on the material sheet, sheet A-31.5, of the May 20 plan set.

13. Balloons. Two Commissioners requested the use of story poles or balloons to indicate the massing.

Response: The team is looking in to methods of providing balloons and is considering doing so. In the meantime, the visual simulations provided by a licensed third-party architect under contract to the City (Environmental Vision) in the project's EIR show the locations in which the building would be visible from the Campanile Steps and Campanile Way as the project was originally designed. The simulations provided by the project team to the Commission for its May 7 meeting show an altered version with easily referenced visual markers that removes a portion of the north shoulder of the building consistent with the current design option. The proposed structure is now barely visible in a small corner of the view shed from a very limited perspective at one point at the top of the Campanile steps.

14. Harold Way and Open Space at Corner of Harold and Kittredge. Multiple Commissioners provided comments on the proposed improvements to Harold Way and the open space at the corner of Harold and Kittredge. One Commissioner noted that the current design had improved the streetscape compared to the previous option. Another Commissioner expressed a desire to see further enhanced streetscape design, including increased landscaping and rainwater treatment, as well as a larger public plaza.

Response: The project team has put considerable effort into the Harold Way streetscape, with project goals of activating all three street frontages and enhancing the pedestrian experience. The design of the street-level landscape elements incorporates and exceeds the City's Streets and Open Space Improvement Plan requirements. Along the sidewalks in front of the new building are a series of contemporary bike racks to encourage alternate transportation, pedestrian-scaled light poles with banners celebrating local art and music, benches, and street trees in regularly spaced wells to create an inviting and comfortable pedestrian experience.

The streetscape also includes outdoor café seating at the corner of Harold and Kittredge, accessed via the corner café/restaurant space which features full height window walls that open up to the street. The corner area uses differentiated paving (colored and textured) to distinguish the public open space at the corner. This comfort is enhanced through retention of street parking along Harold Way which acts as a buffer to vehicular activity. A location for public art/sculpture is provided at the corner of Kittredge and Harold Way, reinforcing and adding to the neighborhood's creative and artistic character.

The project's initial design, in order to meet the requirement for Significant Community Benefits, proposed even further improvement, with a speed table to create a slow street, rainwater treatment areas to catch and treat runoff from the surrounding City streets and sidewalks, and improvements to the sidewalks on both sides of the street. The DRC recommended that the ZAB consider these additional streetscape enhancements as part of the project's Significant Additional Community Benefits package.



Current Proposal: Enhanced SOSIPS

If the Zoning Adjustments Board and City Council should ask that such improvements be included as part of the project's Significant Community Benefits, these improvements could be reintroduced to the project. However, the current design option does maintain a very high level of street improvement, including landscaping and street furniture. As for the public open space area, the original project proposal included a larger public plaza of nearly 2,000 square feet at the corner of Harold and Kittredge. In response to comments previously received by the Landmarks Preservation



Previous Proposal: Significant Additional Community Benefit

Commission and the recommendation provided by the Design Review Committee, the current design now brings the tower element all the way to the ground to create a stronger building corner, and a smaller but more activated public open space, as well as sidewalk patio seating for restaurant guests. This design option also responds the project EIR's Impact CR-2(d) which suggests maintaining a zero lot-line set back rather than the larger public plaza at the corner.

15. Night Views of the Shoulders. Commissioners requested additional nighttime views of the project's shoulders to assess the impact of lights in the residential units.

Response: These night renderings will be presented at the June 4 meeting.

16. Provide All Materials Required for Design Review Submittals. Chair Hall requested that all materials required for a Design Review submittal be provided to the Commission, including floor plans showing sizes of units, locations of windows, and locations of amenities and all other project details.

Response: All materials listed in the Design Review Basic Submittal Package are included in the plan set dated May 20, 2015, provided for the June 4 meeting. Color and material samples are provided in this plan set, and physical samples will be brought to the June 4 meeting.