LIONS HALL

FINAL ENVIRONMENTAL IMPACT REPORT/RESPONSE TO COMMENTS DOCUMENT

SCH # 2011012022

PREPARED FOR THE CITY OF BERKELEY | JULY 18, 2011
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INTRODUCTION

A. Purpose of the Environmental Impact Report

This document and the Draft Environmental Impact Report (EIR) together comprise the Final EIR for the Lions Hall Project.

The Draft EIR described the proposed Program, identified the environmental impacts associated with the Program, and identified mitigation measures that could reduce those impacts. The Draft EIR also evaluated several alternatives to the Program.

This document responds to comments received during the public review period on the Draft EIR and makes revisions to the Draft EIR, as necessary, in response to these comments. The revisions are limited to correcting errors, omissions, or misinterpretations.

This document, together with the Draft EIR, will be presented to the Zoning Adjustments Board and City Council to certify as a complete and adequate analysis of the environmental effects of the Program, under the California Environmental Quality Act (CEQA), prior to either body taking action to approve the Program. The decision-making bodies must consider the conclusions of the EIR and make findings regarding that information as part of any approval.

B. Environmental Review Process

According to CEQA, lead agencies are required to consult with public agencies having jurisdiction over a proposed project, and to provide the general public and project applicant with an opportunity to comment on the environmental impact analysis that is prepared for a project. There are no public agencies with jurisdiction over the project other than the City of Berkeley.
The Draft EIR was made available for public review on May 3, 2011. Review copies were available at the Planning and Development Department, the Central Library and through the City of Berkeley website. The public was advised of the availability of the Draft EIR through posting on and off the site in the project vicinity, and through direct mailing to owners and occupants of property within 300 feet of the site, as required by law. A 45-day public review period was chosen by the City to ensure that the public had adequate time to comment. CEQA requires only 30 days, since there are no State agencies with jurisdiction over the proposed projects.

Copies of all written comments received on the Draft EIR during the comment period are contained in this document. Each substantive comment on the Draft EIR has received a written response.

Public hearings on the Draft EIR were held by the Zoning Adjustments Board (ZAB), Design Review Committee (DRC), and Landmarks Preservation Commission (LPC), during the comment period. Only 3 pages of the ZAB transcript and written comments presented at that meeting pertain to the adequacy of the Draft EIR and have been included among the comments. The Final EIR will be made available for at least 10 days prior to final action by ZAB (and the City Council if an appeal is filed).

C. Document Organization

This document is organized into the following chapters:

♦ Chapter 1: Introduction. This chapter discusses the use and organization of this Final EIR.

♦ Chapter 2: Draft EIR Summary. This chapter is a summary of the findings of the Draft EIR including corrections to the text of the Draft EIR. Underline text represents language that has been added to the EIR; text with strike-through has been deleted from the EIR.
♦ **Chapter 3: Revisions to the Draft EIR.** Additional corrections to the text and graphics of the Draft EIR are contained in this chapter. Underline text represents language that has been added to the EIR; text with strikethrough has been deleted from the EIR.

♦ **Chapter 4: List of Commenters.** Names of organizations and individuals who commented on the Draft EIR are included in this chapter.

♦ **Chapter 5: Comments and Responses.** This chapter contains master responses to commonly-made comments; a tabular listing of each comment and responses to them; reproductions of the letters received from organizations and individuals on the Draft EIR; and transcripts of the public hearings held with the ZAB.
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2 REPORT SUMMARY

This summary presents an overview of the analysis contained in the Draft EIR as originally presented in the Chapter 2 of that document, with corrections incorporated. The corrections are included in Chapter 3 in underline and strikethrough text.

The chapter summarizes the following: 1) the Project under review, 2) areas of controversy, 3) significant impacts and mitigation measures, 4) unavoidable significant impacts, and 5) alternatives to the Project. Additional detail on the proposed Project is provided in Chapter 3. Additional detail on the environmental impacts is provided in Chapter 4. Alternatives are described and evaluated in Chapter 5.

A. Project under Review

1. Location and Setting
The Project site is located in the Southside area of Berkeley, California, two blocks east of downtown and Shattuck Avenue, and two blocks west of Telegraph Avenue. The site is located within easy walking distance of several educational institutions. It is immediately south of the University of California at Berkeley (UCB); other local educational institutions include Berkeley City College, the Graduate Theological Union, and various private colleges. Regional access is provided by the Bay Area Rapid Transit system at the Downtown Berkeley and Ashby Stations, AC Transit bus system, Interstate 80, and State Highway 13 (Ashby Avenue).

The site is at the southwest corner of the block bounded by Durant Avenue, Ellsworth Street, Bancroft Way and Dana Street. The Project is on the same parcel as St. Mark’s Episcopal Church (St. Mark’s), at 2300 Bancroft Way. It is immediately west of the Berkeley City Club. Trinity United Methodist Church is located to the east of the City Club. The opposite side of Ellsworth Street is primarily occupied by multi-family residential buildings. The opposite side of Durant Avenue is primarily occupied by large former single-family dwellings now used as apartments and offices.
2. **Existing Site Characteristics**

The Project site is a portion of the Church property. It is currently occupied by a structure consisting of a 49-space ground floor parking garage that occupies about 90 percent of the development site, a second-story podium level, and two structures atop the podium: a classroom building and a church community facility. The two-story classroom building located on the eastern edge of the podium is currently rented as a private pre-school. This linear building has a north-south orientation and abuts the Berkeley City Club to the east. A 1,500 square-foot, single-story church community facility is located on the northwest corner of the podium. A 50- to 60-foot Cedar tree is growing inside the parking structure's retaining wall at the corner of Durant Avenue and Ellsworth Street.

3. **Project Characteristics**

The Project involves demolition of the parking structure, church community facility, and classroom building. These would be replaced by a 59-space parking garage on the ground floor, over which would be built a four-story private dormitory (Group Living Accommodation, or GLA) with ground-floor ancillary space that would accommodate 164 residents (most likely local university students) and a 2,722-square-foot church community facility with associated open space on the podium level.

The parcel would remain one lot for zoning purposes with an air-rights subdivision allowing separate ownership and financing of the church, parking garage, and GLA, with reciprocal easements. The GLA would have the new address of 2301 Durant Avenue. The Church and the new building would be connected via the courtyard space on the second-floor podium, and through the parking garage. St. Mark’s would retain ownership of both parcels (2300 Bancroft Way and 2301 Durant Avenue).

4. **Required City Permits and Approvals**

Under the current Zoning Ordinance, the proposed Project would require the following permits and approvals:
Five new Use Permits to: (1) demolish non-residential structure (Berkeley Municipal Code [BMC] Section 23C.08.050); (2) construct new Community Center (for public use of church community facility) (BMC Section 23D.40.030); (3) construct new Group Living Accommodations (BMC Section 23D.40.030); (4) construct new public parking garage (BMC Section 23D.40.030); (5) to allow building height of five stories and 65 feet (BMC Section 23D.40.070.C).

One Administrative Use Permit to allow reduced building separation at north side of proposed building; no separation would be provided at ground level where 8 feet are required, and 11 feet, 9 inches would be provided at the second story, where 12 feet are required.

One Use Permit Modification under BMC Section 23B.56.020 for expansion of existing Religious Assembly Use (required for new community church facility).

Five Variances under BMC Section 23B.44.010 to: (1) exceed maximum density (164 residents proposed, 130 allowed); (2) reduce required yards (see Table 3-1); (3) exceed maximum lot coverage (87 percent proposed, 40 percent allowed); (4) reduce required Usable Open Space (2,384 square feet proposed, 14,760 square feet required); and (5) waive off-street parking requirement for Group Living Accommodations (33 spaces required).

City Council action on any appeals of Zoning Adjustments Board (ZAB) actions.

Final Design Review approval.

Approval of air-rights subdivision of the subject parcel to allow separate ownership and financing of church, parking garage, and GLA.

B. Areas of Controversy

A Scoping Meeting was held at the City of Berkeley Planning and Development Department on January 24, 2011 to solicit comments on the
Initial Study (IS) and on issues for discussion in the Draft EIR. No members of the public attended the meeting. Three letters received before publication of the IS on January 7, 2011, and two letters received during the scoping period are included in Appendix C.

Of the pre-scoping comments, a letter received on May 6, 2010 expressed concerns about the Project’s effects on the adjacent City Club. Specifically, it noted the following concerns: the project would block views from the City Club windows, and story poles should be erected to assess this impact; the linear garden might produce noise that could affect the City Club; construction could reduce City Club business; possible glare from the roofing material; and protection of the City Club’s foundation and western façade during construction. A letter received on October 25, 2010, commented on the Project design. That letter and an e-mail received on November 5, 2010, asserted that the Project’s height, massing, and fenestration are incompatible with the surrounding neighborhood and the Berkeley City Club, and requested changes to these aspects of the Project including moving the mass away from the City Club.

Of the two letters received during the Draft EIR scoping period, a letter dated February 7, 2011 asserted that: the proposed Project would affect the feeling, atmosphere, and historical character evoked by the Berkeley City Club; the massing would introduce a substantial change to the block; the setback on Durant Avenue did not adequately defer to the City Club; and the adjacent construction work could damage the City Club’s foundations and stucco. An email dated February 8, 2011 noted the historic importance of the Berkeley City Club, requested erection of story poles to judge the height of the proposed new structure in relation to the City Club, and noted the proximity of the McCreary-Greer House, a City landmark.

The City has considered the bulk of these issues in the Aesthetics, Cultural Resources, Land Use and Planning, and Alternatives sections of the Draft EIR. Four visual simulations showing the Project in the existing context were prepared and used in this analysis. Regarding potential damage to the
City Club’s foundations and stucco, it is assumed that construction of this project would comply with standard construction procedures and applicable State laws which require adjacent properties to be protected from damage during construction.

C. Significant Impacts and Mitigation Measures

Under CEQA, a significant impact on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the Project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance.

No significant impacts were found from the proposed Project. Therefore, no mitigations are required, and no impact summary table or Mitigation Monitoring Program will be prepared.

D. Unavoidable Significant Impacts

Section 15126.2(b) of the CEQA Guidelines requires that an EIR identify any significant impacts that cannot be avoided, even with the implementation of feasible mitigation measures. No unavoidable significant impacts were found.

E. Alternatives to the Project

This CEQA review analyzes the following alternatives to the proposed Project:

♦ No Project Alternative. Under the CEQA-mandated No Project Alternative, the Lions Hall Project would not be built. The Project site and all site improvements would remain unaltered. While this alternative would avoid all potential impacts of the Project, it would achieve none of the Project objectives.
♦ **Lower Building Height Alternative.** Under this alternative, the Lions Hall Project would be one floor and 11 feet lower in height, would block fewer views, produce smaller shadows, and would require fewer Variances. However, this alternative is not necessary to avoid a significant impact of the Project, as no significant impacts were identified. The applicant also asserts that this alternative is infeasible economically and does not achieve the Project objectives.
3 REVISIONS TO DRAFT EIR

This chapter presents specific changes to the Draft EIR that are being made in response to comments made by the public, as well as staff-directed changes including typographical corrections and clarifications. In each case, the revised page and location on the page is presented, followed by the textual, tabular, or graphical revision. Underline text represents language that has been added to the EIR; text with strikethrough has been deleted from the EIR.

None of the revisions constitutes significant changes to the analysis contained in the Draft EIR. As such, the Draft EIR does not need to be recirculated.

Chapter 2 Report Summary

Page 2-2
The second paragraph under 3. Project Characteristics is amended as follows:
The parcel would remain one lot for zoning purposes, with an air-rights subdivision allowing separate ownership and financing of the church, parking garage, and GLA, with reciprocal easements divided into two legally separate parcels following project approval and prior to construction, in order to facilitate financing of the new building. The GLA would have the new address of 2301 Durant Avenue. The Church and the new building would be connected via the courtyard space on the second-floor podium, and through the parking garage. St. Mark’s would retain ownership of both parcels (2300 Bancroft Way and 2301 Durant Avenue).

Pages 2-2 and 2-3
The bullet points on “Required City Permits and Approvals” are amended as follows:
Between first and second bullet points, the following bullet point is inserted:
- One Administrative Use Permit to allow reduced building separation at north side of proposed building; no separation would be provided at
ground level, where 8 feet are required; and 11 feet, 9 inches would be provided at the second story, where 12 feet are required.

Third bullet point is amended as follows:

♦ Five Variances under BMC Section 23B.44.010 to: (1) exceed maximum density (164 residents proposed, 69\textsuperscript{130} allowed); (2) reduce required yards (see Table 3-1); (3) exceed maximum lot coverage (87 percent proposed, 40 percent allowed); (4) reduce required Usable Open Space ($5,016 \text{2,384}$ square feet proposed, 14,760 square feet required); (5) waive off-street parking requirement for Group Living Accommodations (33 spaces required).

The final bullet point is amended as follows: Approval of air-rights Subdivision of the subject parcel into two parcels to allow separate ownership and financing of church, parking garage, and GLA.

Chapter 3 Project Description

Page 3-1
The last two sentences of the first paragraph under A. Project History are amended as follows: Lions Hall LLC and St. Mark’s then entered into an agreement, under which St. Mark’s would subdivide its parcel and lease the southern portion to Lions Hall LLC. After the new residential structure is completed, St. Mark’s would receive annual ground lease payments from Lions Hall LLC.

Page 3-8
Table 3-1 is reprinted on the next page of this Final EIR. For clarity it is presented without underline and strikeout text.
## Table 3-1 Development Standards for Existing Facility and Proposed Project

<table>
<thead>
<tr>
<th>Standard</th>
<th>Proposed</th>
<th>Permitted / Required</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>R-4 District</td>
</tr>
<tr>
<td>Lot Area (sq. ft.)</td>
<td>45,500</td>
<td>5,000</td>
</tr>
<tr>
<td>Gross Floor Area (sq. ft)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Church: 16,841</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proposed Building: 54,905</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total: 71,746</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floor Area Ratio</td>
<td>1.58</td>
<td>Not regulated</td>
</tr>
<tr>
<td>Residents in Group Living Accommodations</td>
<td>164</td>
<td>130</td>
</tr>
<tr>
<td>Average (ft.)</td>
<td>52.4</td>
<td>35 (65 w/Use Permit)</td>
</tr>
<tr>
<td>Stories</td>
<td>5</td>
<td>3 (6 w/Use Permit)</td>
</tr>
<tr>
<td>Building Setbacks (ft.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front (Durant Avenue)</td>
<td>0b</td>
<td>15</td>
</tr>
<tr>
<td>Rear N/A (property is a through lot and has no rear)</td>
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<tr>
<td>Left Side (Ellsworth Street)</td>
<td>0</td>
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</tr>
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<td></td>
<td></td>
<td>6c (1st story)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12 (4th story)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>14 (5th story)</td>
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<td>Right Side (East/City Club)</td>
<td>0</td>
<td>6 (1st story)</td>
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<td></td>
<td></td>
<td>6c (2nd story)</td>
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<td></td>
<td>6c (3rd story)</td>
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<td></td>
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<td>8c (4th story)</td>
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<td></td>
<td></td>
<td>10 (5th story)</td>
</tr>
<tr>
<td>Building Separation (St. Mark’s)</td>
<td>10</td>
<td>8 (1st story)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12 (3rd story)</td>
</tr>
<tr>
<td>Lot Coverage (%)</td>
<td>87</td>
<td>40</td>
</tr>
<tr>
<td>Usable Open Space (sq. ft.)</td>
<td>2,384</td>
<td>14,760</td>
</tr>
</tbody>
</table>
### Standard

<table>
<thead>
<tr>
<th>Standard</th>
<th>Proposed</th>
<th>Permitted / Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Parking</td>
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<tr>
<td>Automobile</td>
<td>0</td>
<td>33</td>
</tr>
<tr>
<td>Bicycle</td>
<td>76</td>
<td>0</td>
</tr>
<tr>
<td>Church/Public Parking</td>
<td>59</td>
<td>ZAB’s discretion*a</td>
</tr>
</tbody>
</table>

Features requiring Variances from R-4 standards indicated in **bold italics** without underlining; features requiring Variances from R-4 and R-SMU standards are in **bold, italics, and underlined**.

*a As presented to the City Council on June 14, 2011
*b Setback increases to 5'6" (4'6" at ground floor) along east portion of Durant frontage; this is slightly greater than the setback of the adjacent City Club’s west wing.
*c May be reduced to as little as 0 feet through an AUP with a finding that "the reduction is appropriate given the setbacks and architectural design of surrounding buildings."
*d As measured at easternmost point of building (at southeast corner); east setback is otherwise 13'1".
*e May be reduced through an AUP for two buildings with dwelling units. (St. Mark’s building includes "parish house" with dwelling unit for pastor.)
*f Building separation above 3rd story does not apply because St. Mark’s is a 3-story building.
*g May be increased to up to 100 percent through an AUP with a finding that "the increase is appropriate given the setbacks and architectural design of surrounding buildings."
*h Per R-4 Section 23D.40.080.C, and R-SMU Section 23D.52.080.A.2.b, parking for religious assembly uses is determined by ZAB on a case-by-case basis.

**Dates in the paragraph on site history are changed as follows:**

Prior to construction of the St. Mark’s parking structure, the Project site contained a two-story, single-family home. In 1959, St. Mark’s obtained a Use Permit to construct a new Sunday school building, Parish Hall, and Choir Hall atop a concrete podium parking structure; however, only the parking garage and school building were built and these were completed in 1961. The school building was used by the Berkwood School starting in 1962, and has been used by various educational groups since that time. It is currently occupied by a Montessori school. In 1986, St. Mark’s constructed...
a 1,500-square-foot parish/community hall on the north portion of the podium.

Page 3-21
The discussion on open space and landscaped areas is amended as follows:
Third, the podium would include a linear garden on its eastern edge, accessible to residents in emergencies only. Landscaping in this garden is intended to provide screening between the GLA and adjacent Berkeley City Club. It would contain raised planters with shade-tolerant plants and trees.

Page 3-28
The paragraph entitled 18. Subdivision is amended as follows. Footnote 10 is incorporated in the main body of the text and amended:
18. Subdivision
The parcel on which the Project is situated is bounded by Bancroft Way to the north, Ellsworth Street to the west, Durant Avenue to the south, and the Berkeley City Club and Canterbury House to the east and is owned by St. Mark’s. The 45,500-square-foot lot would be considered one parcel for zoning purposes. However, it would be split by creating an air-rights subdivision which is used to separate a parcel both horizontally and vertically and allow for different ownerships, would be divided into two legally separate parcels following project approval and prior to construction, in order to separate the new building from the St. Mark’s sanctuary.¹⁰ The resulting area of demolition and new construction would be approximately 24,300 square feet. Connections between St. Mark’s and the new building would be maintained via the courtyard space on the second-floor podium, and from the parking garage. St. Mark’s would retain ownership of both new parcels (2300 Bancroft Way and 2301 Durant Avenue).

¹⁰ The existing 45,500 sq.ft. parcel would be split by creating an air-rights subdivision similar to a condominium which is used to separate a parcel both horizontally and vertically. The two new parcels would include cross easements to allow access across the new property line.
INTERNAL GARDEN

LINEAR GARDEN

PODIUM PLAN CONCEPT STATEMENT
The Parish Courtyard is a flexible community space for St. Mark’s Parish that can accommodate church functions such as outdoor masses and potlucks. The space contains benches, arbors planted with vines, and pots planted with Japanese maples.

The Procession Court provides benches in alcoves created by a raised planter. A children’s play space is also located in this area.

The Internal Garden is planted with shade loving trees and perennials and provides garden views for all floors of the residential building. The garden will also serve to filter rainwater and reduce run off during storms.

The Linear Garden softens the edge of the building and provides privacy for residents and the adjacent BCC building.

Three of the bullet points under 19. Zoning, together with their footnotes, are amended as follows:

♦ **Density.** R-4 District regulations specify that for group living quarters, 1 resident is permitted for every 350 square feet of lot area, plus 1 resident for any remainder over 200 square feet. Given that the lot area of the property to be used for the GLA at 2301 Durant Avenue would be 24,450 square feet, the number of beds allowed is 69; therefore, a Variance would be required to approve the proposed accommodation of 164 beds.\(^{(11)}\)

♦ **Setbacks.** R-4 standards require front and rear setbacks of at least 15 feet, a west side setback of 6 to 14 feet, and east side setbacks of 4 to 10 feet. The proposed Project would have a 1-foot front minimum setback and no side or rear setbacks.

♦ **Front Setback.** R-4 standards require a minimum 15-foot setback on all floors. Portions of the proposed front setback would be as little as 0 feet on all floors, and the project would not meet these requirements.

♦ **Side Setback (West/Ellsworth Street).** R-4 requirements are as follows: 6 feet (1st floor), 8 feet (2nd floor), 10 feet (3rd floor), 12 feet (4th floor), and 14 feet (5th floor). Portions of the proposed west side setback would be as little as 0 feet on all floors, and the project would not meet this requirement.\(^{(12)}\)

♦ **Side Setback (East/Berkeley City Club).** R-4 requirements are as follows: 4 feet (1st floor), 4 feet (2nd floor), 6 feet (3rd floor), 8 feet (4th floor), and 10 feet (5th floor). With no setback on the 1st floor, and a

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\(^{(11)}\) The Draft Southside Plan recommended by the Planning Commission on April 6, 2011 would allow a higher density standard of one resident per 175 square feet of lot area, with the option of a Use Permit for projects that exceed this standard.

\(^{(12)}\) Under the R-SMU zoning proposed in the Southside Plan, an Administrative Use Permit, rather than a Variance, would be required for the street side setbacks and a Variance for the City Club side setback.
minimum setback of 6 feet, 6 inches on the 4th floor, the project would not meet these requirements for the 1st and 4th floors.

♦ **Building Separation Setback.** R-4 standards require a building separation of at least 8 feet for the 1st floor and 12 feet for the 2nd floor. The project would not meet these requirements for the 1st floor (0 feet) or the 2nd floor (11 feet 9 inches).

♦ **Usable Open Space.** The proposed Project would provide an average of 3215 square feet of usable open space per GLA resident, where at least 90 square feet are required per R-4 standards. 13

Page 3-30

*The bullet points under G. Required Permits and Approvals are amended as follows:*

♦ Variance to exceed maximum density (164 residents proposed, 69130 allowed), under BMC Section 23B.44.010.

♦ Variance to reduce required Usable Open Space (5,016 2,384 sq. ft. proposed, 14,760 sq. ft. required), under BMC Section 23B.44.010.

♦ Approval of air-rights subdivision to allow separate ownership and financing of church, parking garage, and GLA.

*The following bullet point is added under G. Required Permits and Approvals:*

♦ Administrative Use Permit to reduced required building separation (no separation proposed at ground level, 8 feet required; 11 feet, 9 inches proposed at second story, 12 feet required)

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13 Under the R-SMU zoning proposed in the Southside Plan, there would still be no need for a Variance for the usable open space.
Section 4.1 Aesthetics

Page 4.1-4
The second paragraph under 1. Scenic Vistas – Public, is amended as follows:
Views here are largely obscured by the multiple mature street trees on both sides of Durant (see Figure 4.1-1a). The broad canopies of many of these trees extend over the sidewalks and the roadway, significantly limiting east-west vistas from public areas of the street and sidewalks. These views are further “boxed in” by multiple, multi-story institutional buildings on the south side of Durant Avenue and on the intersecting streets, along which buildings are mostly built to the sidewalks. Structures on the north side of Durant Avenue from the Tang Center to the City Club are built 7 feet or less from the sidewalk. Although most of the Trinity Methodist Church’s Durant Avenue frontage provides a greater setback, due to the large mass of the City Club and the parking lot between the church and the City Club, the church appears quite distinct from the more urban massing of the properties to the west. Structures on the south side of Durant generally have greater setbacks.

Page 4.1-8 to 9
The last sentence is amended as follows:
Three-story two-story and one three-story multi-family residential buildings and one two-story commercial building line the remaining face of the western side of this block of Ellsworth Street.

Page 4.1-31
The last two sentences of the first paragraph are amended as follows:
The three buildings in the middle of the western Ellsworth Street frontage are all two stories, and 20 to 25 feet tall. The building on the corner of Durant Avenue and Ellsworth Street that would be opposite the project site is three stories, and approximately 30 to 35 feet tall. As shown on Figure 3-9, although the five-story GLA at its tallest point at the corner with Durant Avenue, would be taller than these buildings which are three or four stories, it is located across the street from, rather than immediately adjacent to, these.
buildings, and therefore would not be as strongly juxtaposed against them. Furthermore, the greater height of the St. Mark’s sanctuary and the Berkeley City Club would reduce the apparent height of the building in views of the east side of Ellsworth Street. The Project would therefore not degrade the visual character of the site or surroundings.

Section 4.2 Cultural Resources

Page 4.2-10

The following paragraphs are inserted under the heading B. Existing Conditions. For clarity, these are not shown as double-underlined.

Information for this section comes from the Revised Historic Resource Technical Report by Page & Turnbull, dated July 15 2011 included in Appendix A to the Final EIR. Figures and references can be found in that report.

Buildings for Demolition

Garage and School

The parking garage and parish Sunday school at 2314 Bancroft Way were designed by Francis Joseph McCarthy and constructed in 1961. The garage and school were constructed in a Modern style; the garage features rough concrete construction, while the school features overhanging eaves, a ribbon of windows with metal mullions, spandrel panels, and a balcony supported by metal piers. Original drawings show rooms below the school at the garage level containing janitor’s closet, storage rooms, a wood room, maintenance room, and boiler room. First floor rooms in the Sunday school include an office, storage, first grade, kindergarten, two rooms for pre-school, and restrooms; rooms on the second floor are for the second through sixth grades. It is unclear whether the mosaic tile in the spandrel panels was an original part of the design, as there are no notes on the original drawings.

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regarding the use of this material. No permits for alterations or additions have been located for this property, though the wood lattice railing along the second story walkway appears to be a newer addition.

McCarthy’s design for the school at St. Mark’s incorporates many of the features typical of the era. The design uses materials sometimes used in his library designs, such as concrete and ribbons of windows. However, it does not incorporate an irregularly shaped plan like many of his unique library and residential designs. It also does not appear use locally-produced or high-quality materials like some of his other projects that use local river stone or redwood. His only other school projects include a shop building for Bishop Union High School in Bishop, California (1953) and an auditorium for Commerce High School in San Francisco (1953), which do not particularly resemble the St. Mark’s Sunday School building. For example, the shop building at Bishop Union High School has a flat roof with a clerestory window and concrete panel siding; the only resemblance is the expanse of multi-light windows. Unlike many of McCarthy’s more recognized projects, the St. Mark’s Sunday School building design was not published in scholarly or professional journals, and does not stand out within McCarthy’s body of work.

Landscaping

Douglas Baylis (1916-1972) acted as landscape designer for the 1961 parking garage and school. Baylis’s original drawing collection at the Environmental Design Archives includes one undated sketch related to the St. Mark’s project. The sketch shows raised wood planters that incorporate a bench feature. Baylis’s design is depicted in more detail in site drawings from the Francis Joseph McCarthy Collection at the Environmental Design Archives. The site plan reveals a paving of exposed concrete aggregate with criss-crossed brick dividers and a center area of gravel covering for the courtyard above the garage. Plantings in the courtyard were primarily trees in impermanent containers and pairs of unpaved squares containing shrubs and groundcover.

The parking garage was designed to include stepped concrete planters. The cedar tree at the corner of Durant Avenue and Ellsworth Street was located there prior to construction of the garage building; the original plans note, “save and protect existing tree.” Aside from this tree, most or all of the present plantings appear to be replacements, and the original plant containers no longer exist. Another tree near the Ellsworth Street courtyard entrance that the original drawings identify to “save and protect” no longer exists. While the criss-cross design of the patio is still apparent between the church and fellowship hall and at the south end of the courtyard, large sections of the school yard have been covered with newer concrete paving and Astroturf.

Community Facility (Hodkin Hall)
The fellowship hall, known as Hodgin Hall, was designed by San Francisco architect David Baker in 1986 and construction finished in 1987. Hodgin Hall was constructed adjacent to the school atop the parking garage. The fellowship hall was built as a venue for wedding receptions, Sunday school classes, and social gatherings of up to 150 people. It was designed in a Postmodern style that attempted to combine features of the surrounding buildings, including a pronounced curved Mission gable and an arcade of segmented arches. The stucco-clad building also features a gable roof that almost, but not quite, parallels the church; keyhole cutouts in the doors of the church and fellowship hall that are elongated versions of those found in the church interior; and wood trusses that resemble those of the church. Baker explained that the building is a collage of the neighboring buildings and was “an attempt to resolve their differences.” In addition, the design included an over-scaled downspout to pin the building down to the ground.

Though the building appears to be a representative example of Baker’s earlier work, it did not win any of his firm’s many awards. Further, it is only 24

years old. Insufficient time has passed to provide historical perspective to
determine that the property is exceptionally important within the realm of
Postmodernism.

Page 4.2-13
The first section on this page is amended to delete the summarized
conclusions, and insert a fuller account, as follows:

Status of Existing On-Site Building(s) as a Historic Resource under CEQA
In general, a resource that meets any of the four criteria listed in CEQA
Guidelines Section 15064.5(a) and quoted above is considered to be a
historical resource unless “the preponderance of evidence demonstrates that
[the resource] is not historically or culturally significant.” 19 Using these
criteria, the existing structures on the Project site do not possess historic
significance, and are not eligible for listing in the national, State, or local
historical registers. As the subject property does not meet any of the four
criteria listed above, it therefore does not qualify as a historic resource under
CEQA.

The existing buildings on-site are evaluated with respect to the four criteria
listed in CEQA Guidelines Section 15064.5(a) as follows:

♦ Criterion 1 (Events). While 2314 Bancroft Way 20 is associated with the
development of institutional properties in this area of Berkeley, it is not a
notable individual factor in that trend, nor was that trend particularly
prominent in either 1961 or 1987 when the subject buildings were
constructed. Therefore, the buildings on the property are not significant
under Criterion 1.

19 PRC SS5024.1, California Code of Regulations, Title 14, Section 4850
et seq.

20 This is the address for the existing buildings on the site. If the proposed
project is built, it would be given the new address of 2301 Durant Avenue.
Criterion 2 (Persons). No persons important to local, California, or national history are associated with 2314 Bancroft Way. Therefore, the garage, school, and fellowship hall on the property are not significant under Criterion 2.

Criterion 3 (Architecture). The garage structure at 2314 Bancroft Way is a utilitarian concrete structure, and is not notable for its design or construction. Therefore, the garage is not significant under Criterion 3.

Prominent Bay Area landscape architect Douglas Baylis designed landscape features for the garage and school complex that include plantings for built-in concrete planters in the garage structure, as well as impermanent raised planters/benches in the school play area. These features do not appear particularly noteworthy as examples of Baylis’ work or as outstanding examples of Modern landscape design. Additionally, the original landscape design is not intact: nearly all the plantings have been replaced, non-original Astroturf covers a large section of the play area, and non-original concrete paving covers another large section. Therefore, the landscape design is not significant under Criterion 3.

While the school building features typical modern school design characteristics from the early 1960s, including an asymmetrical gable roof with wide overhanging eaves, stucco cladding, and ribbons of windows, it is not an exceptional example of the type, period, or method of construction. The mosaics under the windows add interest to the building’s design, but it is unclear whether they were part of the original design, and as a whole, the building does not possess high artistic values. Francis Joseph McCarthy is a well-known designer of residences, commercial buildings, and most notably libraries, but 2314 Bancroft Way is not an outstanding example of his body of work. The buildings are relatively utilitarian in design; he does not make use of local or high-quality materials, which was a signature of many of his other projects. Though McCarthy’s work was widely published in scholarly and professional journals such as Architectural Record and Progressive Architecture, the design for St. Mark’s Parish Sunday School was not
published. Therefore, the school building is not significant under Criterion 3.

David Baker’s Hodgkin Hall is an interesting architectural work of Postmodern design. In time, Baker and his works may rise to a level of significance that make it appropriate to list the building as a historical resource on applicable local, State, or national registers. However, the building is only 22 years old, significantly less than the 50 years recommended by the National Park Service as the age threshold for evaluating potential historic significance. In order for it to be considered a historical resource at such a young age, it would need to embody exceptional significance as outlined in Criteria Consideration G and described in the National Register Bulletin: *Guidelines for Evaluating and Nominating Properties that Have Achieved Significance Within the Past Fifty Years*. Hodgkin Hall does not meet Criteria Consideration G, as insufficient time has passed to provide historical perspective to determine whether or not the property is exceptionally important within the realm of Postmodernism. Furthermore, according to the National Register guidance on living persons, “properties associated with living persons are usually not eligible for listing in the National Register. Sufficient time must have elapsed to assess both the person’s field of endeavor and his/her contribution to that field. Generally, the person’s active participation in the endeavor must be finished for historic perspective to emerge.” Because David Baker is still an actively practicing architect and Hodgkin Hall is a relatively recent design, it is not significant under Criterion 3.

* Criterion 4 (Information Potential). This Criterion is typically reserved for archaeological resources, and given the relatively modern age of the buildings, this Criterion is not applicable.

The buildings at 2314 Bancroft Way (the garage, school, landscape, and fellowship hall) are therefore not eligible for listing on the California Register.
Page 4.2-14

The first paragraph on this page is amended as follows:

Because the existing structures on the proposed Project site do not qualify as a historic resource under CEQA, their demolition would not cause a significant adverse change to the environment and this action does not need to be evaluated further under CEQA.

Based on the above evaluation of historic significance, 2314 Bancroft Way does not possess historic significance, and is not eligible for listing in the national, State, or local historical registers. The subject property does not meet any of the four criteria listed above, and therefore does not qualify as a historical resource under CEQA.

Page 4.2-14

The second paragraph on this page is amended as follows:

The following analysis focuses on the proposed Project’s potential impacts to two of these resources, Berkeley City Club and St. Mark’s. These potential impacts to these resources are further analyzed below because they are immediately adjacent to the Project site.

Section 4.3 Land Use and Planning

Page 4.3-5

The following text is updated in the first paragraph under 3. City of Berkeley Draft Southside Plan:

The City of Berkeley published the Draft Southside Plan in 2000. The City of Berkeley first published the Draft Southside Plan in December 2001 and there have since been several subsequent drafts of the Plan. The Plan was created to guide development in the area in which the Project site is located. According to the Project applicant, the Lions Hall Project was created under

21 The 2001 draft was based on a January 2000 draft prepared by City and University of California staff, with substantial revisions by the Southside Plan Subcommittee. The Planning Commission made further amendments to the Plan in July 2003.
the assumption that the Southside Plan would be adopted by 2009. As of May 1
July 14, 2011, the Southside Plan remains in draft form with several
modifications from the 2000 draft. The Planning Commission held a public
hearing on Wednesday, April 6, 2011 and recommended that the City
Council certify the Final Environmental Impact Report (FEIR) and approve
the Southside Plan and the Zoning Ordinance and General Plan amendments
which would implement the Plan. The City Council will consider the
Southside Plan on May 17, 2011, held a work session on June 14, 2011, and
precise timing of further Council meetings is still to be determined.

The last paragraph on page 4.3-5 is amended as follows:
According to the latest draft R-SMU standards, the maximum number of
GLA residents is one for each 175 square feet of lot area, plus one for any
remaining lot area over 100 square feet. This would allow 260 residents
on the parcel of 45,500 square feet, proposed new parcel of 24,317 square feet,
and a Variance would be required for the proposed 164 residents. If the entire
existing parcel including the St. Mark’s church building (45,500 square feet) is
included as part of the project site, the R-SMU density standard would allow
up to 260 residents and no Variance would be required.

Page 4.3-6
The first paragraph is amended as follows:
The maximum allowable building height throughout the majority of the R-
SMU district is four stories and 60 feet. This maximum would be exceeded
by the five-story, 65-foot proposed GLA building. However, R-SMU
standards include exceptions for buildings located in the following portions of
the R-SMU district: except that for projects with at least 50 percent of the
floor area designated for residential use, the ZAB may allow up to five stories
and 65 feet (75 feet for sites located west of Telegraph Avenue and within 130
feet of Bancroft Way) subject to a Use Permit and a finding that the project
meets the purposes of the District. Because over 50 percent of the proposed
floor area is residential, the project may request this Use Permit.
Bullet points regarding R-SMU height provisions are deleted; information has been incorporated into previous paragraph.

♦ For buildings located east of Telegraph Avenue and/or more than 130 feet south of Bancroft Way, the ZAB may approve a Use Permit to increase a project’s maximum height to five stories and 65 feet, if it makes both of the following findings:
   a. At least 50 percent of the total building floor area is designated for residential use; and
   b. The project meets the purposes of the District.

♦ For buildings located west of Telegraph Avenue and within 130 feet from Bancroft Way, the ZAB may approve a Use Permit to increase a project’s maximum height to five stories and 75 feet if it makes both of the above findings. As the Project site is located west of Telegraph Avenue, and its northern boundary is approximately 95 feet from Bancroft Way, a Use Permit for the five-story, 65-foot proposed Project may be approved under this exception.

Pages 4.3-9 to 10
Bullet points under the heading ii. Consistency with Draft Southside Plan Zoning are amended with one deletion (including corresponding footnote 3) and two insertions:

♦ Variance to exceed maximum density (164 residents proposed, 139 allowed).

♦ Variance to provide less than the required amount of usable open space (2,384 square feet proposed, 3,280 square feet required).

♦ Variance for east side setback on first and fourth stories. No setback is provided on the first story, where 4 feet are required. A setback of 6 feet, 6 inches is provided on the fourth story, where 8 feet are required. The project otherwise complies with the east side setback requirements.
This Variance would not be required if St. Mark’s agreed to a deed restriction permanently relinquishing any right to develop a GLA on the church portion of the existing parcel.

Chapter 5 Alternatives

Pages 5-3 and 5-5

The description of the Lower Building Height Alternative is amended as follows:

Similar to the proposed Project, the Lower Building Height Alternative would include renovation, rather than demolition, of the existing parking structure and podium, demolition of the existing church community facility, and classroom building, and construction of a new mixed-use building including a parking garage, a 130-bed Group Living Accommodation (GLA), and a new church community facility. However, in order to comply with the R-4 and R-SMU standards, the new building would be one story lower, have fewer residents, and have slightly different massing than the proposed Project (see Figure 5-1).

In order to comply with the R-4 setback requirements, the GLA would be set back 15 feet from Durant Avenue and 12 feet from Ellsworth Street, and at least 8 feet from the east property line at the 2nd, 3rd and 4th stories. To accommodate this shift in massing, the church community facility would also be located approximately 12 feet from Ellsworth Street, rather than the proposed Project’s 35 feet. The GLA would also be four stories (3 stories over the podium) and 42 feet tall, rather than five stories and 52 feet, 4 inches tall. Of the parking spaces, approximately 49 spaces would be provided for the church and public, and, per R-4 requirements, 28 spaces would be provided for residents in a basement accessible via mechanical lifts. 4 spaces would also be provided for church staff via mechanical lifts. Under R-4 provisions, approximately 5,000 square feet of usable open space would be provided on the podium, and about 6,700 square feet would be provided on the roof. Required open space is much less under the R-SMU District and would therefore be much easier to meet.
The GLA would have 130 residents rather than 164. In order to comply with the R-4 density standard, which allows 130 residents only if the entire existing parcel area of 45,500 square feet is used in the calculation, a deed restriction would be recorded on the northern parcel created after the lot split, by which St. Mark’s would relinquish all future rights to develop any GLA on that parcel.

This alternative would comply with all of the R-4 and draft R-SMU standards, provided that Use Permits and/or Administrative Use Permits (AUPs) were granted for lot coverage and setbacks, as indicated in Table 5-2. It should be noted that if renovation of the existing garage were not feasible, and demolition were required, this alternative would require Variances (under the R-4 District) or AUPs (under the R-SMU District) to allow the parking garage and podium to encroach into the required front and west side setbacks, and Variances (under both districts) to allow encroachment into the east side setback. Although the east side setback could be met fairly easily, this would likely remove 5 to 10 parking spaces.

Page 5-6

Table 5-2 is replaced with the table on the following page and footnotes within previous Table 5-2 are deleted. For clarity, this is not shown in underline or strikeout text.

Page 5-7

c. Land Use

As noted in Table 5-2, the alternative would be consistent with both the R-4 and R-SMU standards, and no Variances would be required, assuming Administrative Use Permits are granted for reduced setbacks and building separation, and for increased lot coverage, and the required amount of open space could be provided.
**Table 5-2  Zoning Conformance for Proposed Project and Lower Building Height Alternative**

<table>
<thead>
<tr>
<th>Standard</th>
<th>Proposed Project Conforms to Zoning?</th>
<th>Lower Building Height Alternative Conforms to Zoning?</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>R-4 District</td>
<td>R-SMU District</td>
</tr>
<tr>
<td></td>
<td>R-4 District</td>
<td>R-SMU District</td>
</tr>
<tr>
<td>Density</td>
<td>No (Variance Required)</td>
<td>Yes</td>
</tr>
<tr>
<td>Height</td>
<td>Yes (w/Use Permit)</td>
<td>Yes (w/Use Permit)</td>
</tr>
<tr>
<td>Setbacks</td>
<td>No (Variances required for front, west side and east side; AUP required for building separation)</td>
<td>No (Variances required for east side; AUP required for front, west side and building separation)</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>No (Variance Required)</td>
<td>Yes (w/AUP)</td>
</tr>
<tr>
<td>Open Space</td>
<td>No (Variance Required)</td>
<td>No (Variance Required)</td>
</tr>
<tr>
<td>Off-Street Parking</td>
<td>No (Variance Required)</td>
<td>Yes</td>
</tr>
</tbody>
</table>
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4 **LIST OF COMMENTERS**

A. **Overview**

This chapter lists the sources of all letters and comments received on the Lions Hall Project Draft EIR during the 45-day public review period from May 3, 2011 to June 17, 2011.

B. **List of Those Who Commented on the Draft EIR**

The comments are sorted in the following order: private individuals followed by organizations. Comments within each category are arranged in chronological order received. The commenters are identified by an abbreviation that is used in the table of responses and in annotations to the letters and transcripts in Chapter 5.

CEQA Section 15088 requires a response to comments that pertain to the significant environmental issues raised. Several other types of comments are included in these letters, such as those pertaining to: conditions of project approval, project merits, and other expressions of opinion. These latter types of comments do not require a response under CEQA.
<table>
<thead>
<tr>
<th>Date Received</th>
<th>Name</th>
<th>Acronym</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 15, 2011</td>
<td>Sharon Entwhistle</td>
<td>Ent</td>
</tr>
<tr>
<td>June 16, 2011</td>
<td>P.D. Marshall</td>
<td>Mar</td>
</tr>
<tr>
<td><strong>Organizations</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>June 16, 2011</td>
<td>Berkeley Architectural Heritage Association, Steve Finacom, Vice President</td>
<td>BAHA</td>
</tr>
<tr>
<td>June 17, 2011</td>
<td>Berkeley City Club, Maureen Kennedy, President</td>
<td>BCC</td>
</tr>
<tr>
<td><strong>Public Hearing (Verbal Comments)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>May 12, 2011</td>
<td>Zoning Adjustments Board (1 speaker and 1 ZAB member)</td>
<td>ZAB</td>
</tr>
<tr>
<td><strong>Public Hearing (Written Comments)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>May 12, 2011</td>
<td>Parker Street Foundation, Jack Sawyer, President</td>
<td>PSF</td>
</tr>
</tbody>
</table>
This chapter includes each comment letter received during the public review period. The comments are annotated so that each point can be addressed separately.

One Master Response has been compiled to address questions pertaining to the status of the Southside Plan and proposed project’s conformance with R-SMU zoning standards. This is presented in Section A. Responses to comments (along with verbatim excerpts of the comment letter text) are provided in Section B. Some responses to individual letters refer back to the more comprehensive response in the Master Response. Original comment letters with annotations are presented in Section C together with transcripts of hearings on the Draft EIR.

A. Master Response

**Master Response 1: Status of the Southside Plan and Proposed Project’s Conformance with R-SMU Zoning Standards**

The City of Berkeley first published the Draft Southside Plan in December 2001 and there have since been several subsequent drafts of the Plan. The Lions Hall Draft EIR (published May 2, 2011) referred to the Land Use and Community Character chapters of the Plan dated July 6, 2010, and an updated draft of the R-SMU district (proposed Chapter 23D.52 of the Berkeley Municipal Code), dated March 21, 2011. As described in the Draft EIR, page 4.3-5, the Planning Commission held a public hearing on Wednesday, April 6, 2011 on the Southside Plan and recommended that the City Council certify the Final Environmental Impact Report (FEIR) and

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1 The 2001 draft was based on a January 2000 draft prepared by City and University of California staff, with substantial revisions by the Southside Plan Subcommittee. The Planning Commission made further amendments to the Plan in July 2003.

2 The Notice of Preparation for the Lions Hall EIR was published on January 7, 2011.
approve the Southside Plan and the Zoning Ordinance and General Plan amendments which would implement the Plan.

At the time of publication of the Draft EIR, City staff estimated that the City Council would consider the Southside Plan on May 17, 2011 – which would have been during the public comment period for the Draft EIR and before publication of the Final EIR. In fact, the City Council held a work session on June 14, 2011, and took no action, and the precise timing of further Council meetings on the subject is still to be determined but expected to be in September and October, 2011. Further changes to the Plan may result from these meetings. In particular, Council is expected to consider whether interior side and rear building setbacks may be reduced with an Administrative Use Permit (AUP) to allow additional lot coverage, which is allowed with an AUP under the current draft of the Plan. Council may also consider a provision that would allow increased density for Group Living Accommodations (GLAs) with a Use Permit.

Table 5-1, below, is taken from the current R-SMU Draft and describes the allowed setbacks for main buildings with GLAs.  

The following aspects of the project would require either Variances or AUPs under the R-SMU provisions recommended by the Planning Commission on April 6, 2011. The account that follows applies the zoning standards to the entire lot and does not assume a parcel split as stated in the Draft EIR, but rather an air-rights subdivision. This is not a significant change in the project description because it does not change the physical configuration of the project in any way, and therefore does not change any of the environmental impacts of the project.

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3 Abbreviated information on the proposed R-SMU setbacks was included in Table 3-1 of the Draft EIR Project Description.

4 These development standards are also presented in Table 3-1 in Chapter 3 of this Final EIR, which amends the Table 3-1 from the Draft EIR Project Description, page 3-8.
TABLE 5-1  SETBACKS IN FEET FOR GLA BUILDINGS IN PROPOSED R-SMU DISTRICT

<table>
<thead>
<tr>
<th>Story</th>
<th>Front</th>
<th>Rear**</th>
<th>Side</th>
<th>Street Side*</th>
<th>Building Separation**</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>10</td>
<td>10</td>
<td>4</td>
<td>6</td>
<td>8</td>
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<td>4th</td>
<td>10</td>
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</tr>
<tr>
<td>5th</td>
<td>10</td>
<td>19</td>
<td>10</td>
<td>10</td>
<td>24</td>
</tr>
</tbody>
</table>

* May be reduced to as little as 0 feet if this is approved through an Administrative Use Permit with a finding that the reduction is appropriate given the setbacks and architectural design of surrounding buildings.

** Applies when there are multiple main buildings on the same parcel as is the case with the proposed project.

♦ Lot Coverage. For buildings with GLAs, the draft R-SMU standards allow for up to 100 percent lot coverage with an AUP and a finding that the increase is appropriate given the setbacks and architectural design of surrounding buildings. Without an AUP, the maximum allowed lot coverage for the proposed project would be 45 percent. It is not known at this time whether the project would obtain such an AUP, which would be considered by the Zoning Adjustments Board during its review of the entire project. However, it should be noted that the Design Review Committee, which considers the setbacks and relationship to surrounding buildings of proposed projects, has given the proposed project a unanimous favorable recommendation to the ZAB.

♦ Front Setback (Durant Avenue). The proposed project would be built to Durant Avenue without a setback. As noted in Table 5-1 above, this may be approved through an Administrative Use Permit.
♦ **Side Setback with City Club.** The east side of the project would have no setback from the City Club at the 1st floor garage level or the 2nd floor podium level, and this would not comply with the draft R-SMU requirement of 4 feet. On the 4th floor, the project would have a side setback of 6 feet, 6 inches, which would not meet the Draft R-SMU requirement of 8 feet. A Variance would be required for these setbacks.

♦ **Side Setback on Ellsworth Street.** The west side of the project would have no setback on Ellsworth Street on any level. An AUP would be required for this setback as noted in Table 5-1 above.

♦ **Building Separation (Setback with St. Mark’s).** The rear wall of the project would abut St. Mark’s (which would still be on the same parcel) at the 1st floor garage level, thereby failing to provide the required building separation of 8 feet. At the 2nd floor level the GLA would be 11 feet and 9 inches from St. Mark’s, thereby failing to provide the required separation of 12 feet. At the 3rd floor level the required 16-foot separation would be provided. As St. Mark’s has no 4th or 5th floors, no additional separation is required beyond the 3rd floor requirement for the proposed 4th and 5th floors of the project. Because the St. Mark’s building includes a “parish house”, i.e., a dwelling unit intended for the church pastor, an AUP may be requested to allow these setbacks.

♦ **Usable Open Space.** The following area of qualifying usable open space would be provided by the project:
  
  - Rooftop (accessible portion): 2,384 square feet

♦ **Non-Useable Open Space.** The following landscaped areas, while benefiting residents by providing green views, would not be accessible to residents (except in emergencies) and therefore do not count as usable open space under Section 23D.04.050 of the Zoning Ordinance:
  
  - Central Courtyard: 1,954 square feet; this area is not accessible in order to control noise and provide enhanced stormwater retention.
Linear Garden along east side of podium: 1,646 square feet; this area is designed for emergency egress only.

Rooftop: 661 square feet of landscaped area would be provided in planters located outside the guardrail of the roof deck at a lower level; this area is not considered accessible for zoning purposes.

The total square footage of qualifying usable open space is therefore 2,384 square feet. This would not meet the proposed R-SMU District’s usable open space requirement of 20 square feet per resident, or 3,280 square feet for 164 residents, and a Variance would be required. However, the applicant indicates that it would be fairly easy to enlarge the roof deck to the east in order to meet this requirement.

Because the existing 45,500 square foot parcel will remain a single parcel for zoning purposes, the R-SMU density standard would be met and there would be no need for a Variance.

These changes do not affect the conclusions drawn in the Draft EIR. Conformance to the Draft Southside Plan was evaluated in this EIR in order to provide a complete analysis of relevant policy issues and to allow for the possibility that the Plan might be adopted prior to project approval. However, conformance to the Plan is a CEQA issue only insofar as (1) it relates to Criterion (b) of the Land Use and Planning section of the initial study checklist (“conflict with any applicable land use plan, policy, or regulation...adopted for the purpose of avoiding or mitigating an environmental effect”), and (2) project features that would require exceptions from the Plan’s standards (either Variances, Use Permits, or AUPs) might cause adverse physical impacts on the environment. Such features have been evaluated as part of the Aesthetics and Cultural Resource analyses conducted for the overall project, and no significant impacts have been identified, nor were any other significant impacts identified in the project’s initial study. As the language of Criterion (b) indicates, the key issue under CEQA is not
whether a conflict exists, but whether the conflict would cause a significant effect on the environment.

B. Responses to Comments

Table 5-5 lists each comment received in writing and at public hearings conducted during the 45-day comment period for the Draft EIR. The comments are presented in the order listed in Chapter 4 of this document, with the commenter’s name abbreviated accordingly. Responses are provided to each substantive comment on the Draft EIR. Where the same comment has been made more than once, a response may direct the reader to another numbered comment and response, or to one of the master responses provided above. Where a response required revisions to the Draft EIR, those revisions are shown in Chapter 3 of this document.
### Table 5-1 RESPONSE MATRIX

<table>
<thead>
<tr>
<th>Com. Source</th>
<th>Comment</th>
<th>Response</th>
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</thead>
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<tr>
<td>Ent 1</td>
<td>The conclusion drawn by the document preparers that the proposed demolition and subsequent &quot;Lions Hall&quot; development at 2301 Durant Avenue, Berkeley, is that the Project would have no negative impact on an important and fragile neighborhood of central Berkeley or on significant properties, some formally landmarked, within that neighborhood. The DEIR recognizes the presence on the Project block of several properties that are landmarked and/or recognized as being of significance at the State level. Indeed, the Berkeley City Club, at 2315 Durant Avenue, is not only a City of Berkeley Landmark and a State landmark; it is on the National Register of Historic Places. It is therefore subject to strict protections.</td>
<td>Comment noted. The Draft EIR concluded that there would be no significant impacts, as defined in CEQA Guidelines Section 15382, not &quot;no negative impact.&quot; Potential impacts to the adjacent historic resources were analyzed according to CEQA regulations Section 15064.5.</td>
</tr>
<tr>
<td>Ent 2</td>
<td>Questions of aesthetics can be argued until the cows come home. However, structural issues and questions of revenue are a different matter. The DEIR preparers overlook, cavalierly dismiss, or leave them unanswered.</td>
<td>This comment is the introduction to Ent-3 and Ent-4 that are responded to below.</td>
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<td>Ent 3</td>
<td>The DEIR states in several locations that the proposed project &quot;abuts&quot; (emphasis added) the Berkeley City Club, but dismisses any thought that this could be a significant impact on a building of City, State, and National significance. To the contrary, it is an impact worthy of mitigation. The structure itself, its views and light, hotel income and therefore viability can all be impacted.</td>
<td>Comment noted. Concerning the structure itself, as discussed on page 3-26 of the Draft EIR, “Shoring and/or other measures to project adjacent buildings from damage during excavation would be provided in accordance with standard construction procedures for this type of project, and applicable State laws.” The same would be true of all aspects of construction. Absent specific information to the contrary, it is assumed that the project would be constructed in such a manner as to not damage adjacent buildings, and that applicable laws governing the protection of private property will be followed. However, it should be noted that the applicant has agreed to repair any damage to the building resulting from the proposed demolition, and this will be recommended to the ZAB as a condition of approval (not a CEQA mitigation). The views and light affected by the project were not described as character-defining features in the Berkeley City Club’s State Landmark nomination form, and they are not mentioned as significant contributing factors in the National Register nomination or City Landmark listing. Changes to views and light would therefore not affect the Berkeley City Club’s historic significance. The views from the City Club windows and the light entering the windows were addressed in the Draft EIR.</td>
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Chapter 4.1 Aesthetics. It was concluded that the affected views are not of high quality, and the impact to views from the City Club would be less than significant. Moreover, although Bay views would be blocked from some 3rd and 4th floor windows, large portions of the sky would still be visible, and abundant light would still enter these rooms.

With respect to shadows, it was concluded that shadowing caused by the project would be for relatively short periods of time during only certain times of the year, and it would affect a limited number of windows of the building, none of which are used for living quarters or hotel rooms, and the effect of these shadows is considered less than significant under CEQA.

With respect to shadows on the City Club’s Venetian Room (Figure 4.1-14f in the Draft EIR), while the new building would reduce the duration of direct sunlight entering the room, as well as the overall intensity of indirect daylight, it would be located 57 feet from the affected windows. This large space would continue to allow direct sunlight during the early afternoon (and later during summer months), and adequate indirect light at other times, and therefore this would be a less-than-significant impact.

The comment cites hotel income and viability as impacts (although it does not provide evidence for these). Economic analysis is not the purview of CEQA (Section 15382) unless there is evidence that the project would result in blight or physical deterioration, which would not be the case. Furthermore, the Berkeley City Club has not stated that the project would affect its long-term economic viability. According to Page & Turnbull, the City’s historic resource consultants, potential loss of income is beyond the scope of historical significance impact analysis.

As regards economic impacts, please see Response to Comment Ent-3.
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<td>Ent 5</td>
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<td>The DEIR is ponderously repetitive in defending the proposed Project in every category, yet it is seriously defective in recognizing impacts to the Berkeley City Club, a building of City, State, and National significance. The statement on p. 4.2-19, &quot;E. Impacts and Mitigation Measures,&quot; that &quot;there are no impacts, no mitigation measures are required&quot;, is indefensible.</td>
<td>Section E. Impacts and Mitigation Measures is a section included in all the issue chapters (4.1, 4.2 and 4.3) and its purpose is to repeat any significant impacts and mitigation measures described in Section D. The basis for the statement on page 4.2-19 regarding the less-than-significant impacts to the Berkeley City Club was given in the account on page 4.2-15 to 16 that concluded as follows: “The demolition of the existing structures and the new construction on the Project site would not materially alter those physical characteristics of the Berkeley City Club that convey its historical significance and that justify its eligibility for inclusion in the national, State, and local registers. The proposed Project would therefore not cause a significant adverse impact to the Berkeley City Club.”</td>
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<td>Ent 6</td>
<td></td>
<td>Given the City of Berkeley policies to create an ever-more dense town, the proposed Project that would create space for 164 additional residents will no doubt be hailed.</td>
<td>The comment is an opinion of the commenter on the merits of the project and does not address the adequacy of the EIR. No response is required under CEQA.</td>
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<td>Ent 7</td>
<td></td>
<td>However, as long as protections for landmarked properties remain, it should be incumbent on the applicant as part of the permitting process to respect specific mitigations requested on behalf of the landmarked Berkeley City Club.</td>
<td>The question is in reference to a letter from the Landmark Heritage Association, dated February 7, 2011 that requested certain conditions of approval or mitigation measures to be included in the EIR project description. This letter was included in the EIR Scoping Comments in Appendix C2. As no significant adverse impacts were found, no mitigation measures are necessary and there is no requirement under CEQA to include additional specifications in the project description as described in the EIR. As noted in the response to Comment Ent-3, potential physical damage to adjacent properties is governed by existing building codes and other applicable State laws.</td>
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<td>Mar 1</td>
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<td>I am a novice correspondent regarding proposed construction and a first-time reader of an EIR report, to which I refer. I am glad your experienced Berkeley staff knows that such reports can come to biased conclusions and that you can personally observe more than the views presented in this Lions Hall Draft EIR report. “Less than significant impact” indeed.</td>
<td>The EIR was prepared by professional consultants under the direction of City staff, with the objective of providing an unbiased analysis of the potential for significant environmental impacts under CEQA. The report will be reviewed and adopted by the ZAB (and Council if an appeal is filed) if it is found adequate and complete as an informational document representative of the City’s independent judgment and analysis.</td>
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<td>Mar 2</td>
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<td>I appreciate that St. Mark’s seeks more revenue from its property and that developers demand a certain profit. I question the height and mass necessary for</td>
<td>The comment is noted. The economic feasibility of the project and alternatives were presented by the applicant. Economic analysis is outside the purview of CEQA analysis (Section 15382) unless there is evidence that the</td>
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<td>a reasonable profit…. project would result in blight or physical deterioration, which would not be the case.</td>
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<td>Mar</td>
<td>3</td>
<td>…and object to architecture (and reports) with a seeming disregard for long-existing buildings and block character. I am particularly concerned with the deleterious effects the proposed high-density residence wings will have on the adjacent Berkeley City Club building – as a landmark and as a business - and the 2300 block of Durant. As stated by a Design Review committee member, one can see which neighbor is sponsoring and will benefit from this dense construction.</td>
<td>The commenter is expressing an opinion on the merits of the project. This comment does not require a response under CEQA.</td>
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<td>Mar</td>
<td>4</td>
<td>LU 3, -4, UD 16, -17, -22, -23, -24: This project as proposed is not sensitive to nor does it enhance nor respect nor relate to neighborhood architecture. It is distracting in the EIR to mention the University sports complex, dormitories, the “typical well-worn, high-density campus area” (4.1-9) followed by reference to the landmark Berkeley City Club building, churches, well-maintained former homes and other landmark or low profile buildings. The Durant/Ellsworth section certainly does not fit the scale of its block.</td>
<td>Comment noted. The commenter disagrees with the EIR’s conclusion that the project is in general conformance with City General Plan policies and is appropriately scaled for the neighborhood, but does not provide any evidence as to how the EIR’s conclusions were inaccurate or incomplete. No further response is necessary.</td>
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<td>Mar</td>
<td>5</td>
<td>UD-31, -32: The dormitory wings of the building as proposed block significant views &amp; solar access. It seems biased to call “most significant”, partially obstructed views due to the “six story Berkeley City Club” building (4.1-4) and de-emphasize “significant views” (4.1-6) lost in many west side Berkeley City Club (hotel and resident) rooms if the proposed building is erected as currently presented. It seems disingenuous to compare any current bay view that includes one distant cedar tree to views totally lost to the proposed 5-story-with-roof-top structures bulky, densely packed student housing facility right next door.</td>
<td>The comment is noted. The reader is referred to the Response to Comment Ent-3 on the subject of views from the City Club windows.</td>
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<td>Mar</td>
<td>6</td>
<td>Pictures taken from inside the landmark Berkeley City Club building by the project architect and included in the EIR are skewed to de-emphasize these Bay, Alcatraz, San Francisco, Marin, and/or Golden Gate views (4.1-14).</td>
<td>The photos were taken by City staff, not by the Project Architect. Views from one second floor room, three third floor rooms, and one fourth floor room were shown because these are typical of the views that would be affected by the project. Only one of the six photographs was from a higher floor because the views from higher floors would not be greatly affected by the</td>
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<td>Mar 7</td>
<td>7</td>
<td>Photos and text also ignore the sun and light blocked by such a mass to western windows and west courtyard garden. It is not true that the “West façade (is) without fenestration” (4.2-15). Come see for yourselves.</td>
<td>Blockage of light by the proposed new development to western windows and the west courtyard garden is addressed in the Response to Comment Ent-3. The text on page 4.2-15, in the Cultural Resource section reads: “The Julia Morgan-designed clubhouse is built all the way to its western property line, but the west façade is unadorned and lacks fenestration.” The “west façade” referred to in this sentence is the wall of the building at the western property line, which does not have any windows.</td>
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<td>Mar 8</td>
<td>8</td>
<td>Doesn’t a landmark or hotel have the same right to original (1930 or 2011) views and light given Berkeley home owners?</td>
<td>The Berkeley Municipal Code provides no such right for residential uses or any other uses. Rather, whether a project substantially reduces the views and light of surrounding properties is considered as part of the findings of detriment (Section 23B.32.040) for Use Permits; this finding is determined on a case-by-case basis by the Zoning Adjustments Board. As part of the public hearing for the project, the ZAB will consider the information presented in the EIR, as well as any public comments, in determining whether the project’s impacts on the views or light of the City Club would be “detrimental”. In addition, the Landmark designation for the City Club does not identify views and light as a character-defining feature of the building; therefore, impacts to these features are not necessarily impacts on the historical significance of the building.</td>
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<td>Mar 9</td>
<td>9</td>
<td>The EIR finally states that “Potential impacts to these (historic landmark) resources are being further analysed.” I would also recommend that the EIR preparers spend some time seeing the site themselves.</td>
<td>The second paragraph on page 4.2-15 of the Draft EIR reads as follows: “The following analysis focuses on the proposed Project’s potential impacts to two of these resources, Berkeley City Club and St. Mark’s. These potential impacts to these resources are being further analyzed because they are immediately adjacent to the Project site.” The paragraph is followed by the sections entitled a) Berkeley City Club and b) St. Mark’s, where the impacts are analyzed further. The text in question merely refers to the analysis discussed later in the same chapter, not future analysis yet to be performed. To avoid ambiguity, this sentence has been corrected in Chapter 3 of this Final EIR. The EIR preparers and City staff have visited the project site and surrounding neighborhood several times during</td>
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<td>The viewpoints of the four visual simulations were chosen to represent the new building in juxtaposition with the architecture and setbacks of the historic buildings of the City Club and St. Mark’s. Two of the viewpoints were from Durant Avenue showing the proposed new development with the City Club, one from Bancroft Way with the development and St. Marks, and one from the corner of Ellsworth Street and Durant Avenue with both the City Club, St. Mark’s and the new development. As regards the amount of profit needed by the Applicant, please see Response to Comment Mar-2.</td>
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<td>Mar</td>
<td>10</td>
<td>Many drawings and photos included in this report are skewed to de-emphasize the bulky scale of the proposed development. (Sorry to repeat this language.) I would applaud further analysis of the Lower Building Height Alternative and wonder how much profit St. Mark’s or the developer needs.</td>
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<td>Mar</td>
<td>11</td>
<td>I ask you not to rely on photos and computer-generated images composed and chosen by the developer.</td>
<td>The viewpoints and perspectives of the four visual simulations of the proposed project were chosen by the City and EIR preparers, and created by the Project Architect using ArchiCAD 3D modeling software. The visual simulations were also required by the City for the Use Permit application and review by the City’s Design Review Committee (DRC), as the simulations are considered the most accurate portrayal of projects' compatibility with adjoining structures. ArchiCAD creates a 3-dimensional model that captures perspective with a series of diverging lines similar to what an artist would use in drawing a realistic picture. ArchiCAD is considered one of the best pieces of architectural software packages available, and is widely used in the preparation of visual simulations. Although prepared by the Project Architect, the simulations have been checked for accuracy by the EIR preparers and City staff, and the Design Review Committee did not raise any questions as to their accuracy.</td>
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<td>Mar</td>
<td>12</td>
<td>I urge you not to overlook current Zoning ordinances regarding height, setback, density, lot coverage and view corridor.</td>
<td>The comment is noted. No response is required under CEQA.</td>
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<td>Mar</td>
<td>13</td>
<td>I ask you to follow Berkeley General Plan policies relevant to aesthetics.</td>
<td>The comment is noted. No response is required under CEQA.</td>
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<td>Mar</td>
<td>14</td>
<td>I encourage you to walk around this still charming Southside block, visit the Berkeley City Club and enjoy this special part of our (wo-)man-made world.</td>
<td>The comment is noted. No response is required under CEQA.</td>
</tr>
<tr>
<td>BAHA</td>
<td>1</td>
<td>The Berkeley Architectural Heritage Association (BAHA) believes that the Draft EIR on the proposed Lions Hall project is inadequate. The document does not sufficiently recognize and respond to the project’s impact on the National Register–listed Berkeley City Club and on</td>
<td>The comment is an introduction to specific points that are annotated separately, for which responses are provided below. Responses to these comments have resulted in some changes to the Draft EIR as presented in Chapter 3 of this Final EIR, and in a Revised Historic Resources Technical Report that is included in Final EIR Appendix A. The additional information does not</td>
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<td>the historic general surroundings.</td>
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<td>change the conclusions of the Draft EIR.</td>
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<td>Nor does it go beyond the most cursory and inadequate discussion of the background, designers, and potential architectural and historical significance of three of the existing features of the site, to be demolished: Hodgkin Hall by important Post–Modern architect David Baker; the school building structure by significant Mid–Century Modern architect Francis Joseph McCarthy; the landscape designed by prominent designer Douglas Baylis.</td>
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<td>BAHA 2</td>
<td>Page 4.1-4 quite incorrectly says that along Durant Avenue and the intersecting streets, “buildings are mostly built to the sidewalks.” Within the very relevant block bounded by Durant, Ellsworth, Bancroft, and Dana—with its many structures of special architectural character—the great majority of buildings have at least some meaningful street setback. Landscaped setbacks are also typical of the many modestly scaled buildings along Durant Avenue’s south side.</td>
<td></td>
<td>The comment is an introduction to specific points that are annotated separately to which responses are provided below.</td>
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<td>BAHA 3</td>
<td>Page 4.1-4 referred to public scenic vistas along Durant Avenue. The full sentence reads: “These views are further “boxed in” by multiple, multi-story institutional buildings on Durant Avenue and on the intersecting streets, along which buildings are mostly built to the sidewalks.” Setbacks in this area can be seen in Figure 3-2. As shown in that figure, structures on the north side of Durant Avenue, from the Tang Center to the City Club, have front setbacks of 5 feet or less (7 feet from the sidewalk). Most of the Trinity Methodist Church’s Durant Avenue frontage provides a greater setback, but due to the large mass of the City Club and the parking lot located between the church and the City Club, the church appears quite distinct from the more urban massing of the properties to the west. The description in the Draft EIR is therefore basically accurate for the north side of the street, but has been revised to acknowledge these nuances. It is true that structures on the south side of Durant have much greater setbacks and landscaping. The Draft EIR is revised to acknowledge this point. However, the conclusions regarding aesthetics remain unchanged.</td>
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<td>BAHA 4</td>
<td>The visual impact of the proposed five-story building with no setback from Ellsworth Street would of course be much heavier than that of the present one-story garage with no setback. Such construction would also make irreversible the present</td>
<td>Visual impacts were considered in the EIR and found to be less than significant. The Design Review Committee reviewed the proposed setbacks and landscaping, and found them to be adequate. There are no plans to widen the sidewalk at this location, nor is this anticipated to be necessary. The existing sidewalk widths in the area have</td>
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<td>situation in which there is too little space between the building and Ellsworth’s curb line to accommodate both substantial landscaping and the public sidewalk, which might need widening in future.</td>
<td>The only “stair tower” visible from this location is located at the far rear of the City Club’s 6-story tower, over 20 feet east of the west façade of that tower. It is therefore currently visible only at the extreme left of the west façade from a small section of Durant Avenue in front of the project site, and it is far less prominent in this view than the front façade of the City Club. Furthermore, this tower will continue to be easily visible from Bancroft Way after construction of the project, and these views are of much higher quality than the views obstructed by the project. It is possible the commenter may be referring to the front stairwell, which is not a tower but rather a three-side bay that projects relatively slightly from the building’s main tower. This feature is certainly not nearly as “distinctive” as the stair tower discussed above, and while it would be blocked in views from Ellsworth Street, it would still be easily visible from the south side of Durant Avenue beginning about 50 feet west of the City Club. In either case, the project would not have a significant adverse impact on the historic integrity and significance of the City Club. The roofline of the GLA would be approximately 4 feet 5 inches taller than the floor of the third story of the 6-story City Club. Therefore, while the project would block more of the existing view of the City Club than the cedar tree, it would still preserve views of a substantial portion of the west façade.</td>
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<td>BAHA</td>
<td>5</td>
<td>The project would significantly reduce the visibility of important parts of the Berkeley City Club’s upper west façade, such as the very distinctive stair tower. The before-and-after views in Figures 4.1-9 and 4.1-10 do not adequately reveal this impact. They use a single vantage point, at the southwest corner of Durant and Ellsworth, seen from which the project site’s present cedar tree is especially prominent. But for observers moving eastward along Durant, the cedar’s view-blocking effect cannot be reasonably compared with that of the proposed five-story, very wide building.</td>
<td>The only “stair tower” visible from this location is located at the far rear of the City Club’s 6-story tower, over 20 feet east of the west façade of that tower. It is therefore currently visible only at the extreme left of the west façade from a small section of Durant Avenue in front of the project site, and it is far less prominent in this view than the front façade of the City Club. Furthermore, this tower will continue to be easily visible from Bancroft Way after construction of the project, and these views are of much higher quality than the views obstructed by the project. It is possible the commenter may be referring to the front stairwell, which is not a tower but rather a three-side bay that projects relatively slightly from the building’s main tower. This feature is certainly not nearly as “distinctive” as the stair tower discussed above, and while it would be blocked in views from Ellsworth Street, it would still be easily visible from the south side of Durant Avenue beginning about 50 feet west of the City Club. In either case, the project would not have a significant adverse impact on the historic integrity and significance of the City Club. The roofline of the GLA would be approximately 4 feet 5 inches taller than the floor of the third story of the 6-story City Club. Therefore, while the project would block more of the existing view of the City Club than the cedar tree, it would still preserve views of a substantial portion of the west façade.</td>
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<td>BAHA</td>
<td>6</td>
<td>The Draft EIR fails to adequately consider an alternative design in which part of the building mass would be shifted away from the Berkeley City Club and Durant Avenue frontage and the project site would be used more efficiently by placing some of the housing above the proposed parish hall rather that leaving the parish hall as a stand-alone, one story, suburban-style structure on the new parking podium. This would allow for a modest setback at the Durant / Ellsworth corner, in keeping with the historic pattern on this block including: the corner of the St. Mark’s</td>
<td>The commenter does not identify the substantial adverse impacts he believes would be mitigated by the proposed alternative. As no significant impacts to Aesthetics or Cultural Resources were found in the EIR, alternatives did not have to be crafted to reduce impacts. CEQA Section 15126.6 specifies that an EIR describes a “reasonable range of alternatives” that would “avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” The Draft EIR analyzed the reasonable range of alternatives as required under CEQA by including one with a different design: the Lower Building Height Alternative. The alternative described in the comment is similar to</td>
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sanctuary itself at Ellsworth and Bancroft; the appropriately designed new Wesley Center building at Dana and Bancroft, which notches the corner and preserves an existing oak tree there, in front of a well-designed and articulated infill building containing student housing; the corner of the Trinity Methodist property at Durant and Dana where the main sanctuary is set back behind a treed landscape from the corner of the intersection.

BAHA believes that making this small intervention in the Lions Hall project—a corner setback—would mitigate substantial adverse impacts—and could be achieved while also providing adequate podium-level open space for parish use and good visual relationships to the historic St. Mark’s church building.

The alternative discussed in the Draft EIR, pages 5-9 to 5-10 as the Massing Redistribution/Reduction Alternative that was considered but rejected. The Draft EIR stated: “This alternative was not included because no significant aesthetic or historical impacts on nearby buildings were identified, and the proposed height and massing were deemed compatible with the surrounding neighborhood and consistent with the Secretary of the Interior’s Standards for Treatment of Historic Properties. Furthermore, St. Mark’s is also a qualified historical resource, and is overall a less massive building than the City Club, with greater articulation and setback along the street frontage. Therefore, shifting the project’s massing towards St. Mark’s could be detrimental to its aesthetics and historical significance. The alternative would also likely diminish the quality of the St. Mark’s courtyard by reducing its size and casting greater shadows on it.”

In addition, by including a corner setback, the parking level would also be reduced in size and the project would be less able to meet the project objective to “provide desired church parking.”

BAHA 7 Page 4.3-9 wrongly implies that under the current draft of the new R-SMU District, the project would need a Variance only as to Group Living Accommodations density. Appendix E’s page 2 much too sweepingly claims that the project “conforms to the current draft of...[the Southside] plan.” The project evidently would still need a Variance from R-SMU’s side yard requirement on the project’s east side, and probably from the rear yard standard.

Conformance to the current requirements of the Draft Southside Plan’s R-SMU District are the subject of Master Response 1. Chapter 4.3 Land Use and Planning, and Chapter 3 and Project Description of the Draft EIR are revised in Chapter 3 of this Final EIR to address this issue more completely.

Appendix E was the Variance Report, dated October 10, 2010, which was written by, and submitted by, the Project Applicant in support of the project application. This document was prepared by the Project Applicant as part of its submittal package, which was included as an EIR appendix only for reference and was not relied upon for any conclusions regarding project impacts, it will not be updated.

BAHA 8 Furthermore, it is very questionable whether the project would even satisfy the R-SMU District’s usable open space requirement. Though the table on page 3-8 says the project would meet that requirement by providing a total of 5,016 square feet of such space, it is utterly unclear how this figure was derived. In one of the technical appendices, page A-3 alleges the same total—but as for its components, mentions only a podium-
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<td>level 1,532-square-foot “large planted area between the residential building and the community building,” a podium-level linear area of allegedly 552 square feet along the residential building’s eastern side, and a 2,596-square-foot “roof deck” (presumably atop the fifth story). However, page 3-21 says that what sounds like the first of these components would “not [be] accessible to...residents.” Though page 3-21 claims the eastside linear area would be accessible to residents, the podium-level plan per se is unclear as to how, or whether, they might normally obtain such access. If the 2,596-square-foot roof deck would be the only area to truly qualify as usable open space, R-SMU’s pertinent standard of 20 square feet per resident would not be met.</td>
<td>The Draft EIR on page 5-6 included the footnote that the setbacks for the Lower Building Height Alternative would be in conformance with the R-4 and R-SMU requirements if an Administrative Use Permit (AUP) were granted. The commenter is correct in that under the proposed R-SMU provisions, the Zoning Adjustments Board would have to find that the reduced setbacks are appropriate in order to grant this AUP. Conformance to the current requirements of the Draft Southside Plan’s R-SMU District are the subject of Master Response 1.</td>
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<td>BAHA 9 The R-SMU District would include provisions whereby in appropriate cases a project’s lot coverage might be increased and/or its street setbacks reduced upon the granting of an Administrative Use Permit. But the Draft EIR should not assume, as language on page 5-6 blithely does, that the AUPs would readily be granted for this particular project. R-SMU would say that such an AUP could be granted only if found to be appropriate “given the setbacks and architectural design of surrounding buildings.”</td>
<td>The comment is correct. The DEIR has been revised to clarify that the Draft Southside Plan was amended by the Planning Commission and is still under consideration by the City Council. Conformance to the current requirements of the Draft Southside Plan’s R-SMU District are the subject of Master Response 1.</td>
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<td>BAHA 10 Additionally, we wish to point out these assorted misstatements: ♦ Page 3-29 claims that the Draft Southside Plan would allow one Group Living Accommodations resident per 175 square feet of lot area “with the option of a Use Permit for projects that exceed this standard.” In fact neither the Draft Plan itself nor the current draft of the R-SMU District would provide such an option.</td>
<td>Figure 3-11 was derived from plans submitted by the Project Applicant. The Applicant has indicated that the Student Outdoor Lounge is now no longer a feature of the project. It was removed from project plans at the request of the Design Review Committee to allow the buildings on the western edge of the podium to be perceived as a single mass stepping down to the north.</td>
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<td>BAHA 11 ♦ A small-print paragraph on the side of Figure 3-11 speaks of a podium-level “Student Outdoor Lounge,” but the drawing itself identifies no such feature. At a Landmarks Preservation Commission meeting several months ago when he was asked why this</td>
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<td>12</td>
<td>In one of the appendices, page A-2 says the residential building’s second-floor common room would have “access to an outdoor patio.” This wording may be another obsolete carryover from an earlier design. It appears to directly conflict with page 3-21’s statement that residents could not access the patio.</td>
<td>The reference to “access to an outdoor patio” that is purportedly located in “one of the appendices” could not be located on page A-2. However, as described in the Draft EIR, page 3-21, the “internal garden between the wings of the GLA” would be “visible but not accessible to GLA residents.”</td>
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<td>13</td>
<td>Page 4.1-8 says the several multi-family residential buildings on Ellsworth Street’s west side between Durant and Bancroft are “three” stories high, while page 4.1-31 says they are “three or four stories.” But in fact only one of them is three stories high and all the others are two-story.</td>
<td>The Draft EIR is revised to reflect the fact that of the multi-family residential buildings on Ellsworth Street’s west side between Bancroft Avenue and Durant Avenue, four are two-story and one is three stories tall.</td>
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<td>14</td>
<td>Page 4.3-6 confusedly implies that even for residential buildings, a maximum height of four stories would be prescribed “throughout the majority of” the proposed R-SMU District.</td>
<td>Page 4.3-6 of the Draft EIR clearly states that this height limit may be exceeded for residential buildings in certain portions of the R-SMU District. Therefore, no revision is necessary to address this comment. However, this section has been revised to better explain the height provisions and their relationship to the project.</td>
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<td>15</td>
<td>Page 4.3-5’s summary of the Draft Southside Plan’s history and status is misleading. In fact the “2000” version was a joint City/University staff draft. That was followed by a Planning Commission subcommittee draft in 2001, a full Planning Commission draft in 2003, then later drafts in 2009 and 2011. The statement that “[t]he City Council will consider the Southside Plan on May 17, 2011” is incorrect. In fact the Council held a work session on June 14, 2011, and precise timing of further Council meetings is still to be determined.</td>
<td>On May 2, the date of publication of the Draft EIR, the text was correct. However, the text is updated in Chapter 3 of this Final EIR to include new information not known at that time. Conformance to the current requirements of the Draft Southside Plan’s R-SMU District are the subject of Master Response 1.</td>
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<td>16</td>
<td>While it devotes significant space to describing the Recreational Sports Facility on the UC Berkeley campus, the DEIR neglects to identify as a historic resource (pages 4.2-10 and 42-11) the immediately adjacent Edwards Track Stadium, listed on the National Register of Historic Places and one half-block northwest of the Lions Hall project site. The Track Stadium is.</td>
<td>It is true that the Edwards Track Stadium is listed on the National Register of Historic Places and that this was not mentioned in the Draft EIR. Its relevance to the character of the area around project site is marginal as it is located across the busy street (Bancroft Avenue) and slightly west from the project site. Consequently, the Edwards Track Stadium is not located within the boundaries of the Study Area established in the Historic Resources Technical Report. The Study Area was established with guidance from the City’s Design Review.</td>
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<td>actually located closer to the project site than a number of the other designated historic resources discussed in the DEIR.</td>
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<td>BAHA 17</td>
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<td>♦ The Historic Resources Technical Report (page 12) states in its “site history” that one house located at the corner of Ellsworth and Durant was demolished for the current parking garage structure. There were, in fact, three substantial houses on this site, one on the corner, one on Ellsworth, and a third on Durant. The omission of the other two buildings indicates the shallow nature of research conducted for the Technical Report. The DEIR repeats this error on page 3.9, stating that “prior to construction of the St. Mark’s parking structure, the Project site contained a two-story, single-family home.”</td>
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<td>BAHA 18</td>
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<td>There are several points at which the DEIR Cultural Resources section is factually at odds with its own attached Historic Resources Technical Report. For example, the DEIR states the parking garage and school annex were constructed in 1959. The Technical Report says (page 4) they were constructed in 1961. The DEIR states that the current community hall was constructed in 1986. (page 3-9). The Technical Report states it was “built in 1991.” (page 5). Clumsy factual inconsistencies and errors of this sort do not establish any confidence that cultural resources were properly assessed and documented as part of the DEIR or the Technical Report.</td>
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| BAHA 19    |        | The skimpy Cultural Resources section of the DEIR and attached Historical Resources Technical Report fail to identify one important design professional associated with the resources to be demolished, and provide no adequate biographical or analytical information to place his work, or the work of two other significant designers on the site, in context. | The Draft EIR Cultural Resources section contained a synopsis of background material in the Historical Resources Technical Report, and repeated, verbatim, the conclusions. This is in line with the requirements as documented in CEQA, Article 10, Section 15127 (Technical Detail). This states that: “The information contained in an EIR shall include summarized technical data...sufficient to permit full assessment of significant environmental impacts by reviewing agencies and
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<td>As a result of these omissions, the DEIR asserts on page 4.2-13 “the existing structures on the proposed Project site do not qualify as a historic resource under CEQA...” The DEIR contains insufficient evidence to establish this conclusion.</td>
<td>As a result of these omissions, the DEIR asserts on page 4.2-13 “the existing structures on the proposed Project site do not qualify as a historic resource under CEQA...” The DEIR contains insufficient evidence to establish this conclusion.</td>
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<td>BAHA</td>
<td>20</td>
<td>The Historic Resources Technical Report states (page 16) that the existing school building “is not a significant example of Modern architectural design.” “While Francis Joseph McCarthy is a well-known designer of libraries, 2314 Bancroft Way is not an outstanding example of his body of work and does not represent the work of a master. Therefore the property is not significant...” To establish this conclusion, the report presents this ‘evidence’: one online reference taken off the UC Berkeley Environmental Design Archives website; one photograph taken from “Google Maps 2011”; one photograph of the Santa Rosa Public Library taken from the “sonomalibrary.org” (sic) website; a brief and generic quote from a book about California schools. This is the entire level of historic research regarding the existing facilities presented in the DEIR and its appendices. There is no evidence of any review of the “body of work” by McCarthy, nor any evidence that McCarthy was sufficiently studied to conclude that he was not a “master”, or was simply “a well-known designer of libraries.” The one paragraph description of McCarthy is copied word for word (and, without quotation marks, verging on plagiarism) from the Environmental Design Archive website. It was</td>
<td>As provided in the Response to Comment BAHA-19, the focus of the Historic Resource Technical Report was on adjacent designated historic resources, rather than the buildings on the property, which were considered non-historic (not age-eligible) at the time. Therefore, only preliminary research was conducted. However, the portfolio of Francis Joseph McCarthy has now been researched more fully. His collection at the Environmental Design Archives was visited, and additional professional journal articles about his works have been cited in the revised Historic Resource Technical Report in order to compare this project to his full body of work. The research conducted for the revised Historic Resource Technical Report confirms that McCarthy was primarily known for his libraries, though he also designed numerous residences and commercial buildings. The school building at St. Mark’s was not described in professional journals, though many of his projects were featured. The research conducted for the revised Historic Resource Technical Report confirms that McCarthy was primarily known for his libraries, though he also designed numerous residences and commercial buildings. The school building at St. Mark’s was not described in professional journals, though many of his projects were featured. As discussed in the revised Historic Resource Technical Report, although the Environmental Design Archives website describes the St. Mark’s project as a “project of distinction”, this website description is not considered a scholarly source containing a qualified analysis of the merits of his work. Therefore, that opinion was not included in the Technical Report, and only the factual information was used. The biographical text was also updated with additional information from other sources.</td>
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There is no evidence in the Technical Resources Report that the McCarthy collection at the EDA was actually visited by a researcher, or that the building at St. Marks was explored in the context of McCarthy’s other work, or even that a full list of his other work was studied.

The alternative of Googling pictures of a few library buildings designed by McCarthy does not qualify as a sufficient level of research for a report of this nature. In fact, if the Technical Report had included the second, and not just the first, paragraph of the on-line introduction to the McCarthy collection, it would have noted the statement that “Some projects of distinction include Stanford University’s Library, St. Mark’s Episcopal Church (Berkeley), and the public libraries for Santa Rosa, Santa Cruz, San Leandro, and Stockton.” (emphasis added).

Thus, the sole resource on McCarthy consulted by the researcher (apparently in the form of a web visit that consisted of reading the first paragraph only) actually states that the St. Mark’s school building was a “project of distinction” by this architect, the only school designed by him thus called out.

The researcher apparently saw no need to read as far as the second paragraph, or to explore the McCarthy collection further to adequately evaluate McCarthy’s work. If the researcher had explored further, he or she would have found that the collection actually contains files on the “Saint Mark’s Parish Sunday School (Berkeley, Ca; 1961; religious)” project that could have shed more light on the nature and significance of this project. Can the DEIR team explain why there is no evidence in the DEIR of any visit being made to the Environmental Design Archives to actually review the material there on this specific project?

<p>| BAHA 21 | The collection finding aid also notes “Collaborator: Baylis, Doug (landscape arch.”) One click away on the same website the researcher would have found that the Information on the work of Douglas Baylis was researched for the revised Historic Resources Technical Report and his collection was visited at the Environmental Design Archives. It contains only one sketch of raised planters for St. Mark’s. However, the |</p>
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<td>papers of landscape architect Douglas Baylis, an important figure in mid-century Bay Area landscape design, are also at the Environmental Archives. Baylis “is often credited [sic] (with Church, Eckbo, and Royston) as one of the founders of the ‘California School of modernism in Landscape Architecture.” <a href="http://www.ced.berkeley.edu/cedarchives/profiles/baylis.htm">http://www.ced.berkeley.edu/cedarchives/profiles/baylis.htm</a>&lt;br&gt;The Technical Resources Report and the DEIR Cultural Resources section of the DEIR do not present a particle of evidence that the role of Douglas Baylis, or the actual significance of Frances Joseph McCarthy was considered in the analysis [sic] or even known to the preparers of the report. Since Baylis was the landscape consultant for the parking lot / school annex project, it seems likely that the prominent deodar cedar at the corner of Ellsworth and Durant was part of his design. The proposed removal of that tree needs to be evaluated in the context of the work of Baylis. These deficiencies [sic] need to be remedied to make the Cultural Resources section even minimally adequate.</td>
<td>landscape design was included in site drawings for the property in the Francis Joseph McCarthy Collection. In these drawings, the cedar tree appears to have already been on the property, and it was incorporated into the original design. As concluded in the revised Historic Resource Technical Resource, Baylis’s landscape plan for St. Mark’s does not stand out within his body of work and the landscaping does not retain its integrity. The landscape, including the cedar tree, therefore is not a contributing feature of the property and does not qualify as a historic resource under CEQA.</td>
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<td>Additionally, the Technical Report additionally notes that Hodgkin Hall was designed by architect David Baker but provides no further information or analysis. No information is provided other than this single sentence, “The fellowship hall was designed in a Post-Modern style that attempted to combine features of the surrounding buildings, including a pronounced curved Mission gable and an arcade.” There is no further mention or analysis of the work of architect David Baker or analysis of Post-Modernism or the place of this structure and the work of this architect in that movement. David Baker is an important, still-practicing, award-winning architect in the San Francisco Bay Area. His designs, particularly for affordable housing developments, have won national attention and numerous awards. His design for Hodgkin Hall is potentially</td>
<td>In updating the Historic Resource Technical Report, some additional research was conducted about the work of David Baker, so as to better situate this building in its historical context. Though the building appears representative of his earlier Postmodern work and could potentially be significant sometime in the future, the building is only twenty-two years old, significantly less than the fifty years recommended by the National Park Service as the age threshold for evaluating potential historic significance. In addition, according to the National Register guidance on living persons, “properties associated with living persons are usually not eligible for listing in the National Register ...[because] the person’s active participation in the endeavor must be finished for historic perspective to emerge.” Because David Baker is still an actively practicing architect and Hodgkin Hall is a relatively recent design, it does not appear to be historically significant.</td>
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significant as a cultural resource, under both State and local criteria, for at least three reasons:
First, it represents part of Baker’s early body of work, concentrated in Berkeley in the 1980s, and including several small-structure projects in the Southside neighborhood. The Fred Cody Building on Telegraph Avenue between Dwight and Haste, the Café Milano structure on Bancroft Way, and the Bison Brewery Building on Telegraph at the corner of Parker Street were done by Baker in the same general period and all, along with Hodgkin Hall, represent examples of his adaptation of Post-Modernism to the Berkeley environment.
Each of those buildings is characterized by major architectural interventions, usually an overscaled traditional feature. For example, the Bison Brewery structure has a huge, rustic, second floor trellis, Hodgkin Hall has an oversized copper downspout made into the major façade feature, and the Fred Cody Building has both a third floor window designed to look as if a section of the main façade has been jaggedly broken through, as well as a now-demolished interior element, a mezzanine designed to resemble a grand piano, behind a two story street-front window wall.
Second, this cluster of early buildings—including Hodgkin Hall—are all 25-30 years ago and represent an important early assembly of Post-Modern design in the Bay Area. The style only began to evolve in the late 1970s and early 1980s. Baker’s work in the Southside/Telegraph area was described in the July 1993 issue of Metropolis Magazine as follows: “His overtly designed spaces—most were built from 1984 to 1989—include two cafés, a restaurant/brew pub, a church addition, and, not far away, a retail/office building, plus, now in the works, an SRO (single-room occupancy) building, and University student housing. Fanciful and drama-bent, Baker’s work is a sort of high-style, fragmented form of Post-Modernism that showcases the architect’s penchant for asymmetry, for turning volumes just a
notch off primary axes, for mixing references, shapes, and surfaces.”
(The ‘church addition’ is Hodgkin Hall. The SRO was never built. Baker would later design at Channing Way and Shattuck Avenue the Manville Hall housing development for UC Berkeley, a project that reads as several asymmetrical Post-Modern structures along a main thoroughfare).
Third, they are all—particularly Hodgkin Hall—examples of David Baker’s early, seminal work, when his firm was still new (established in 1982), he had not yet moved his practice to San Francisco, and he had not yet been awarded most of the numerous major residential and commercial commissions—such as San Francisco’s Clock Tower building conversion, adjacent to the Bay Bridge—that would make him a well-known figure in architecture.

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<td>BAHA 23</td>
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<td>Under Criterion 3 (Architecture) of the California Register of Historic Places, a property may be found significant if it contains “resources that embody the distinctive characteristics of a type, period, region, or method of construction or represent the work of a master, or possess high artistic values.” Without further research—beyond the level of the Technical Report, which reads as if it had been written by an undergraduate student rushing to complete a term paper in one night based on Internet research—it is not possible for the DEIR to conclude that there is no significance to the several of the existing features—school building, landscape, and Hodgkin Hall—on the project site.</td>
<td>Based on further research on McCarthy, Baylis and Baker, the historic significance evaluation section of the Historic Resource Technical Report has been updated in the revised report in Appendix A of this Final EIR. The conclusions remain the same, but additional information has been included to support the conclusions.</td>
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<td>BAHA 24</td>
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<td>At a minimum, the EIR Cultural Resources analysis should be reworked to:</td>
<td>A more detailed biography of McCarthy, information on Baylis, and more detailed information on Baker are now provided in the updated Historic Resources Technical Report. Updated evaluations were based upon additional research at the UC Berkeley Environmental Design Archives and Environmental Design Library.</td>
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<td>– provide an actual detailed biography and analysis of the work and significance of Francis Joseph McCarthy, including placement of this project in the context of his overall body of work and his school projects in particular;</td>
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<td>– provide evidence that the papers of McCarthy, available in a public collection in Berkeley and containing documentation of his work on the St. Mark’s project, were actually reviewed</td>
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and evaluated;
– describe and evaluate the work of landscape architect Douglas Baylis on this project, including review of any materials in his papers, also available in a Berkeley public collection;
– place this project in the context of the body of the work of Douglas Baylis and in the context of his significance as an important mid-century landscape designer in the Bay Area;
– describe and locate the Hodgkin Hall project properly in the context of the work of architect David Baker, and provide a thorough analysis of Baker’s significance as an early “Post-Modern” designer in the Bay Area and the place of this project in the body of his work and the development of the regional expression of Post-Modernism.

BCC 1 The Berkeley City Club has commented earlier on the Lions Hall project, and my note now is just to reiterate the concerns the Club has about the project, and to ask that the commitments the owner and developer have made to the Club and its sister organization, the Landmark Heritage Foundation, be incorporated into the City’s agreement.

We understand that the institutions surrounding the Club are going through major organizational change, and that shifts in mission are swirling around both the physical envelope of the Club, and its role as a center of community activity. Our fundamental goal in these comments is to support the institutional change of our neighbors while protecting our own ability to continue forward with our unchanging mission. I’d refer you to the October 26th, 2010 letter from Evan McDonald to the Landmark Heritage Foundation, written just after a meeting among him, LHF leadership, and BCC leadership.

We have provided input on the project over a long period of its development, for instance insisting on additional set-backs and stepping back in the design compared to its original, and want to be sure that the final design does not revert to an earlier

The comment is noted. As noted in the project description on pg. 3-10 of the Draft EIR, the project includes an 8-foot wall above the podium along the west property line of the Berkeley City Club. If the project as presented in the Draft EIR is approved by the ZAB, this feature would become part of the approved plans and could not be substantially changed or removed without further ZAB review and notification of affected neighbors.

Given that excavation and underpinning are regulated by State law, the issue of an agreement with the developer to fund an independent third party engineer to determine if underpinning is required, or a commitment to repair, or if necessary, replace, stucco, is outside the scope of the EIR.

Regarding possible stucco damage during demolition, the applicant has agreed to repair any such damage. The ZAB may choose to adopt this as a condition of the project’s Use Permit.

As regards a construction contact and schedule, standard City Conditions of Approval, quoted in the Draft EIR page 35, included the following:

“Signs shall be posted at the construction site that include permitted construction days and hours; a day and evening contact number for the job site, the on-site complaint and enforcement manager, and the City’s Noise Enforcement Officer, in the event of problems.”
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<td>To protect the integrity of the building and our views and privacy, we want to ensure that the plans include:</td>
<td>The City also typically requires that the applicant provide neighbors with a two-week notice prior to the start of construction, and an estimated completion date. The applicant has also agreed to provide an overall construction schedule and to give monthly updates, but says that two-week updates are not practical and that the City Club should expect generally noisy conditions throughout the day during the demolition, concrete and framing stages.</td>
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<td>* the 8 foot privacy wall (with decorative elements consistent with the letter) at the BCC’s west wall;</td>
<td>Restrictions on hours for use of the recreation space at the top of the building were described on page 3-11 of the project description as: “The rooftop would be closed at 11:00 p.m. daily.” The request for closure at 10:00 p.m., and for a contact with the building in the event of inappropriate noise, are matters for the ZAB’s consideration as part of the project approval process.</td>
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<td>* an agreement for the developer to fund an independent third party engineer to protect the interests of the Club relative to any underpinning that would be required;</td>
<td>The EIR project description noted the proposed project uses on page 3-11 as: “The GLA is intended as rental housing for local university students, most likely from UC Berkeley or Berkeley City College.” An SRO (Single Room Occupancy) use would be classified as a Hotel, which would require a new Use Permit under the current R-4 and draft R-SMU zoning provisions.</td>
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<td>* a commitment to repair or, if necessary, replace, any stucco damaged as the area adjacent to our western wall is demolished.</td>
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<td>To minimize the impact on our hotel and event revenues during the extended construction period, we want to ensure the plans include:</td>
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<td>* clarity on whom to call if there is any construction outside city-mandated hours (our hotel guests want their sleep and our brides and grooms want a wedding unmarred by noise and dust, and construction noise will be a major issue for us);</td>
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<td>* a two-week forward-looking schedule on construction, so we can give both a heads up as well as likely reduced hotel and event bills to guests to compensate for their sub-standard experiences at the Club;</td>
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<td>To minimize the impact on our hotel and event revenues and guests during ongoing operations of the Lion’s Hall, we want to ensure that the management plan includes:</td>
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<td>* no late-night (after 10 pm) use of the recreation space at the top of the building;</td>
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<td>* clarity on whom to call for immediate response if there is inappropriate noise coming from the building, interfering with our guests' enjoyment of their rooms and events.</td>
<td>Our understanding is that the use of the building is for students only, and that the city authorization for the building will not expand over time to include non-student SRO-type use.</td>
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<td>ZAB</td>
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<td>I call your attention to written comments under the letter headed “Parker Street Foundation” of which I’m President. The Draft EIR makes a major point of preserving Saint Mark’s by providing income. In fact, I believe this proposal would be an economic disaster for Saint Mark’s. In 50 or 75 years, the amount that we would be receiving as rent for our land would be a small fraction of the value of that rental property. Parishioners at that time might well be wondering what short-run thinking possessed us at this time? The ground lease offers $250,000 a year for the first 20 years, then increases by 44%. After that, every ten years it increases 20%. 20% in ten years is 1.5% per year compounded. Compare that with 4.1% average increase over the last 50 years and cost of living. If you apply that, only 4% rental increase to the present rents we’re getting, in only 15 years we would be getting more than the $250,000. By the end of 85 years, the ground use would have escalated to $1 million but the amount that saint mark’s would be getting if we keep our own property would be $4 million, four times as much. The financial structure of this is a teaser rate. It’s disadvantageous later. Right now, we’re faced with pay for parking elsewhere, creating a serious financial crisis. This project, we would be better off without this. If you are concerned about the financial welfare of Saint Mark’s, please turn down the request for variances. Thank you.</td>
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<td>Although the Draft EIR refers to financial viability in the project objectives, the Draft EIR does not analyze the financial viability of the project as such analysis would be outside the scope of CEQA. The Draft EIR Chapter 5 includes the Applicant’s version of the financial status of the project, and attributes it as such.</td>
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<td>ZAB</td>
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<td>S. Shumer: I’m also unhappy with the variances and the alternatives that were proposed are drastic alternatives. And I’m happy to consider what the south side plan, particularly if it keeps going forward, as it seems to be, would allow. And make exceptions in terms of the south side plan. But to have -- to ask for a variance that you would need even if the south side goes through seems to me stretching it. What you haven’t talked with is meeting the requirements, the only one that you talked about was the open space. And that was a concession to the city club. Although other forms of findings, open space, were</td>
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<td>The commenter is referring to alternatives discussed in information from the project applicant, one of which would demolish the existing St. Mark’s Church. Given that this “drastic” alternative is not included in the DEIR, no further response is necessary.</td>
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<td>not addressed. And what is not addressed is a similar project. But enough smaller so that on the second and third, fourth stories it does meet its setbacks, et cetera. I think that should be thought about as you go forward.</td>
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<td>PSF</td>
<td>1</td>
<td>The draft EIR emphasizes as a primary justification, that “the project will preserve St. Mark’s church,” by providing income. In fact, in the long run, the 85 year lease of this land will be an economic disaster for St. Mark’s. In fifty or seventy-five years, we will be leasing our land for a small fraction of its rental value. Parishioners then will wonder what kind of short-run thinking was affecting us.</td>
<td>See Response to Comment ZAB-1.</td>
</tr>
<tr>
<td>PSF</td>
<td>2</td>
<td>“Global Warming Comes Home&quot; (#4) appeared in St. Mark’s monthly newsletter The Lion... Finally, there is my letter to the ZAB of 4 November 2010 (#7) which did not make it into the draft EIR.</td>
<td>The comment refers to newsletter articles. As these did not pertain to the adequacy of the Draft EIR, no response is required under CEQA. Regarding the letter to ZAB of 4 November, 2010, greenhouse gases were discussed in the Initial Study included in Appendix A of the Draft EIR. That found a less-than-significant impact under CEQA from greenhouse gas (GHG) emissions.</td>
</tr>
</tbody>
</table>
C. Original Comment Letters and Hearing Transcripts

Original comment letters with annotations are included in this section. Also included are relevant excerpts from the ZAB May 12, 2011 ZAB Hearing transcript.
June 15, 2011

Aaron Sage, Senior Planner
Land Use Planning Division
2120 Milvia Street
Berkeley, CA 94704

re: Lions Hall Draft EIR

Dear Mr. Sage:

Thank you for the opportunity to respond to the above-referenced document.

The conclusion drawn by the document preparers that the proposed demolition and subsequent "Lions Hall" development at 2301 Durant Avenue, Berkeley, is that the Project would have no negative impact on an important and fragile neighborhood of central Berkeley or on significant properties, some formally landmarked, within that neighborhood.

The DEIR recognizes the presence on the Project block of several properties that are landmarked and/or recognized as being of significance at the State level. Indeed, the Berkeley City Club, at 2315 Durant Avenue, is not only a City of Berkeley Landmark and a State landmark; it is on the National Register of Historic Places. It is therefore subject to strict protections.

Questions of aesthetics can be argued until the cows come home. However, structural issues and questions of revenue are a different matter. The DEIR preparers overlook, cavalierly dismiss, or leave them unanswered.

The DEIR states in several locations that the proposed project "abuts (emphasis added) the Berkeley City Club," but dismisses any thought that this could be a significant impact on a building of City, State, and National significance. To the contrary, it is an impact worthy of mitigation. The structure itself, its views and light, hotel income and therefore viability can all be impacted.

The Berkeley City Club is a Historic Hotel and relies on hotel-generated income. Views and the attractiveness of interior spaces are majors factor in attracting paying guests. The DEIR goes to some length to defend the 5-story height of the Project, which will impact the views of Berkeley City Club guest rooms. It states that such height is necessary in order for the Project to be feasible economically, all the while ignoring the resulting severe economic impact on the Berkeley City Club Historic Hotel.

The DEIR is ponderously repetitive in defending the proposed Project in every category, yet it is seriously defective in recognizing impacts to the Berkeley City Club, a building of City, State, and National significance. The statement on p. 4.2-19,
"E. Impacts and Mitigation Measures," that "there are no impacts, no mitigation measures are required", is indefensible.

Given the City of Berkeley policies to create an ever-more dense town, the proposed Project that would create space for 164 additional residents will no doubt be hailed.

However, as long as protections for landmarked properties remain, it should be incumbent on the applicant as part of the permitting process to respect specific mitigations requested on behalf of the landmarked Berkeley City Club.

Respectfully,

Sharon Entwistle

Phone: 510/981-7425
Fax: 510/981-7420
E-mail: asage@cityofberkeley.info
June 16, 2011

Re: Lions Hall Development

Dear Mr. Sage,

I am a novice correspondent regarding proposed construction and a first-time reader of an EIR report, to which I refer. I am glad your experienced Berkeley staff knows that such reports can come to biased conclusions and that you can personally observe more than the views presented in this Lions Hall Draft EIR report. “Less than significant impact” indeed.

I appreciate that St. Mark’s seeks more revenue from its property and that developers demand a certain profit. I question the height and mass necessary for a reasonable profit and object to architecture (and reports) with a seeming disregard for long-existing buildings and block character. I am particularly concerned with the deleterious effects the proposed high-density residence wings will have on the adjacent Berkeley City Club building – as a landmark and as a business - and the 2300 block of Durant. As stated by a Design Review committee member, one can see which neighbor is sponsoring and will benefit from this dense construction.

LU 3, -4, UD 16, -17, -22, -23, -24: This project as proposed is not sensitive to nor does it enhance nor respect nor relate to neighborhood architecture. It is distracting in the EIR to mention the University sports complex, dormitories, the “typical well-worn, high-density campus area” (4.1-9) followed by reference to the landmark Berkeley City Club building, churches, well-maintained former homes and other landmark or low profile buildings. The Durant/Ellsworth section certainly does not fit the scale of its block.

UD-31, -32: The dormitory wings of the building as proposed block significant views & solar access. It seems biased to call “most significant”, partially obstructed views due to the “six story Berkeley City Club” building (4.1-4) and de-emphasize “significant views” (4.1-6) lost in many west side Berkeley City Club (hotel and resident) rooms if the proposed building is erected as currently presented. It seems disingenuous to compare any current bay view that includes one distant cedar tree to views totally lost to the proposed 5-story-with-roof-top-structures bulky, densely packed student housing facility right next door.
Pictures taken from inside the landmark Berkeley City Club building by the project architect and included in the EIR are skewed to de-emphasize these Bay, Alcatraz, San Francisco, Marin, and/or Golden Gate views (4.1-14). Photos and text also ignore the sun and light blocked by such a mass to western windows and west courtyard garden. It is not true that the “West façade (is) without fenestration” (4.2-15). Come see for yourselves. Doesn’t a landmark or hotel have the same right to original (1930 or 2011) views and light given Berkeley home owners?

The EIR finally states that “Potential impacts to these (historic landmark) resources are being further analysed.” I would also recommend that the EIR preparers spend some time seeing the site themselves. Many drawings and photos included in this report are skewed to de-emphasize the bulky scale of the proposed development. (Sorry to repeat this language.) I would applaud further analysis of the Lower Building Height Alternative and wonder how much profit St. Mark’s or the developer needs.

I ask you not to rely on photos and computer-generated images composed and chosen by the developer. I urge you not to overlook current Zoning ordinances regarding height, setback, density, lot coverage and view corridor. I ask you to follow Berkeley General Plan policies relevant to aesthetics. I encourage you to walk around this still charming Southside block, visit the Berkeley City Club and enjoy this special part of our (wo-)man-made world.

Sincerely,

P. D. Marshall
490 Boynton Ave.
Berkeley CA 94707
June 16, 2011

Aaron Sage, Senior Planner
Land Use Planning Division
2120 Milvia Street
Berkeley, CA 94704

Re: Draft EIR on Lions Hall Project

Dear Mr. Sage:

The Berkeley Architectural Heritage Association (BAHA) believes that the Draft EIR on the proposed Lions Hall project is inadequate. The document does not sufficiently recognize and respond to the project’s impact on the National Register-listed Berkeley City Club and on the historic general surroundings.

Nor does it go beyond the most cursory and inadequate discussion of the background, designers, and potential architectural and historical significance of three of the existing features of the site, to be demolished: Hodgkin Hall by important Post-Modern architect David Baker; the school building structure by significand Mid-Century Modern architect Francis Joseph McCarthy; the landscape designed by prominent designer Douglas Baylis.

Baylis is not even identified in the DEIR or appendices, and other prominent architects associated with the existing features are simply dismissed with a cut-and-paste job of some factoids and pictures lifted from the Internet, although significant and accessible public research collections exist in Berkeley documenting the design work on this site and the designers.

Page 4.1-4 quite incorrectly says that along Durant Avenue and the intersecting streets, “buildings are mostly built to the sidewalks.” Within the very relevant block bounded by Durant, Ellsworth, Bancroft, and Dana—with its many structures of special architectural character—the great majority of buildings have at least some meaningful street setback. Landscaped setbacks are also typical of the many modestly scaled buildings along Durant Avenue’s south side.

The visual impact of the proposed five-story building with no setback from Ellsworth Street would of course be much heavier than that of the present one-story garage with no setback. Such construction would also make irreversible the present situation in which there is too little space between the building and Ellsworth’s curb...
line to accommodate both substantial landscaping and the public sidewalk, which might need widening in future.

The project would significantly reduce the visibility of important parts of the Berkeley City Club’s upper west facade, such as the very distinctive stair tower. The before-and-after views in Figures 4.1-9 and 4.1-10 do not adequately reveal this impact. They use a single vantage point, at the southwest corner of Durant and Ellsworth, seen from which the project site’s present cedar tree is especially prominent. But for observers moving eastward along Durant, the cedar’s view-blocking effect cannot be reasonably compared with that of the proposed five-story, very wide building.

The Draft EIR fails to adequately consider an alternative design in which part of the building mass would be shifted away from the Berkeley City Club and Durant Avenue frontage and the project site would be used more efficiently by placing some of the housing above the proposed parish hall rather than leaving the parish hall as a stand-alone, one story, suburban-style structure on the new parking podium.

This would allow for a modest setback at the Durant / Ellsworth corner, in keeping with the historic pattern on this block including: the corner of the St. Mark’s sanctuary itself at Ellsworth and Bancroft; the appropriately designed new Wesley Center building at Dana and Bancroft, which notches the corner and preserves an existing oak tree there, in front of a well-designed and articulated infill building containing student housing; the corner of the Trinity Methodist property at Durant and Dana where the main sanctuary is set back behind a treed landscape from the corner of the intersection.

BAHA believes that making this small intervention in the Lions Hall project—a corner setback—would mitigate substantial adverse impacts—and could be achieved while also providing adequate podium-level open space for parish use and good visual relationships to the historic St. Mark’s church building.

Page 4.3-9 wrongly implies that under the current draft of the new R-SMU District, the project would need a Variance only as to Group Living Accommodations density. Appendix E’s page 2 much too sweeping claims that the project “conforms to the current draft of...[the Southside] plan.” The project evidently would still need a Variance from R-SMU’s side yard requirement on the project’s east side, and probably from the rear yard standard.

Furthermore, it is very questionable whether the project would even satisfy the R-SMU District’s usable open space requirement. Though the table on page 3-8 says the project would meet that requirement by providing a total of 5,016 square feet of such space, it is utterly unclear how this figure was derived. In one of the technical appendices, page A-3 alleges the same total—but as for its components, mentions only a podium-level 1,532-square-foot “large planted area between the residential building and the community building,” a podium-level linear area of allegedly 552
square feet along the residential building’s eastern side, and a 2,596-square-foot “roof deck” (presumably atop the fifth story). However, page 3-21 says that what sounds like the first of these components would “not [be] accessible to...residents.” Though page 3-21 claims the eastside linear area would be accessible to residents, the podium-level plan per se is unclear as to how, or whether, they might normally obtain such access. If the 2,596-square-foot roof deck would be the only area to truly qualify as usable open space, R-SMU’s pertinent standard of 20 square feet per resident would not be met.

The R-SMU District would include provisions whereby in appropriate cases a project’s lot coverage might be increased and/or its street setbacks reduced upon the granting of an Administrative Use Permit. But the Draft EIR should not assume, as language on page 5-6 blithely does, that the AUPs would readily be granted for this particular project. R-SMU would say that such an AUP could be granted only if found to be appropriate “given the setbacks and architectural design of surrounding buildings.”

Additionally, we wish to point out these assorted misstatements:

- Page 3-29 claims that the Draft Southside Plan would allow one Group Living Accommodations resident per 175 square feet of lot area “with the option of a Use Permit for projects that exceed this standard.” In fact neither the Draft Plan itself nor the current draft of the R-SMU District would provide such an option.

- A small-print paragraph on the side of Figure 3-11 speaks of a podium-level “Student Outdoor Lounge,” but the drawing itself identifies no such feature. At a Landmarks Preservation Commission meeting several months ago when he was asked why this statement appeared alongside a similar drawing, the architect admitted it was an inadvertent carryover from a previous version.

- In one of the appendices, page A-2 says the residential building’s second-floor common room would have “access to an outdoor patio.” This wording may be another obsolete carryover from an earlier design. It appears to directly conflict with page 3-21’s statement that residents could not access the patio.

- Page 4.1-8 says the several multi-family residential buildings on Ellsworth Street’s west side between Durant and Bancroft are “three” stories high, while page 4.1-31 says they are “three or four stories.” But in fact only one of them is three stories high and all the others are two-story.

- Page 4.3-6 confusedly implies that even for residential buildings, a maximum height of four stories would be prescribed “throughout the majority of” the proposed R-SMU District.

- Page 4.3-5’s summary of the Draft Southside Plan’s history and status is misleading. In fact the “2000” version was a joint City/University staff draft. That
was followed by a Planning Commission subcommittee draft in 2001, a full Planning Commission draft in 2003, then later drafts in 2009 and 2011. The statement that “[t]he City Council will consider the Southside Plan on May 17, 2011” is incorrect. In fact the Council held a work session on June 14, 2011, and precise timing of further Council meetings is still to be determined.

- While it devotes significant space to describing the Recreational Sports Facility on the UC Berkeley campus, the DEIR neglects to identify as a historic resource (pages 4.2-10 and 42-11) the immediately adjacent Edwards Track Stadium, listed on the National Register of Historic Places and one half-block northwest of the Lions Hall project site. The Track Stadium is actually located closer to the project site than a number of the other designated historic resources discussed in the DEIR.

- The Historic Resources Technical Report (page 12) states in its “site history” that one house located at the corner of Ellsworth and Durant was demolished for the current parking garage structure.

There were, in fact, three substantial houses on this site, one on the corner, one on Ellsworth, and a third on Durant. The omission of the other two buildings indicates the shallow nature of research conducted for the Technical Report.

The DEIR repeats this error on page 3.9, stating that “prior to construction of the St. Mark’s parking structure, the Project site contained a two-story, single-family home.”

- There are several points at which the DEIR Cultural Resources section is factually at odds with its own attached Historic Resources Technical Report. For example, the DEIR states the parking garage and school annex were constructed in 1959. The Technical Report says (page 4) they were constructed in 1961. The DEIR states that the current community hall was constructed in 1986. (page 3-9). The Technical Report states it was “built in 1991.” (page 5). Clumsy factual inconsistencies and errors of this sort do not establish any confidence that cultural resources were properly assessed and documented as part of the DEIR or the Technical Report.

The skimpy Cultural Resources section of the DEIR and attached Historical Resources Technical Report fail to identify one important design professional associated with the resources to be demolished, and provide no adequate biographical or analytical information to place his work, or the work of two other significant designers on the site, in context.

As a result of these omissions, the DEIR asserts on page 4.2-13 “the existing structures on the proposed Project site do not qualify as a historic resource under CEQA...”
The DEIR contains insufficient evidence to establish this conclusion.

The Historic Resources Technical Report states (page 16) that the existing school building “is not a significant example of Modern architectural design.” “While Francis Joseph McCarthy is a well-known designer of libraries, 2314 Bancroft Way is not an outstanding example of his body of work and does not represent the work of a master. Therefore the property is not significant...”

To establish this conclusion, the report presents this ‘evidence’: one online reference taken off the UC Berkeley Environmental Design Archives website; one photograph taken from “Google Maps 2011”; one photograph of the Santa Rosa Public Library taken from the “sonomalibrary.org” (sic) website; a brief and generic quote from a book about California schools.

This is the entire level of historic research regarding the existing facilities presented in the DEIR and its appendices. There is no evidence of any review of the “body of work” by McCarthy, nor any evidence that McCarthy was sufficiently studied to conclude that he was not a “master”, or was simply “a well-known designer of libraries.”

The one paragraph description of McCarthy is copied word for word (and, without quotation marks, verging on plagiarism) from the Environmental Design Archive website. It was presumably cut-and-pasted into the Technical Report.

There is no evidence in the Technical Resources Report that the McCarthy collection at the EDA was actually visited by a researcher, or that the building at St. Marks was explored in the context of McCarthy’s other work, or even that a full list of his other work was studied.

The alternative of Googling pictures of a few library buildings designed by McCarthy does not qualify as a sufficient level of research for a report of this nature.

In fact, if the Technical Report had included the second, and not just the first, paragraph of the on-line introduction to the McCarthy collection, it would have noted the statement that “Some projects of distinction include Stanford University’s Library, St. Mark’s Episcopal Church (Berkeley), and the public libraries for Santa Rosa, Santa Cruz, San Leandro, and Stockton.” (emphasis added).

Thus, the sole resource on McCarthy consulted by the researcher (apparently in the form of a web visit that consisted of reading the first paragraph only) actually states that the St. Mark’s school building was a “project of distinction” by this architect, the only school designed by him thus called out.

The researcher apparently saw no need to read as far as the second paragraph, or to explore the McCarthy collection further to adequately evaluate McCarthy’s work.
If the researcher had explored further, he or she would have found that the collection actually contains files on the “Saint Mark’s Parish Sunday School (Berkeley, Ca; 1961; religious)” project that could have shed more light on the nature and significance of this project.

Can the DEIR team explain why there is no evidence in the DEIR of any visit being made to the Environmental Design Archives to actually review the material there on this specific project?

The collection finding aid also notes “Collaborator: Baylis, Doug (landscape arch.)”

One click away on the same website the researcher would have found that the papers of landscape architect Douglas Baylis, an important figure in mid-century Bay Area landscape design, are also at the Environmental Archives. Baylis “is often credited (with Church, Eckbo, and Royston) as one of the founders of the ‘California School of modernism in Landscape Architecture.’
http://www.ced.berkeley.edu/cedarchives/profiles/baylis.htm

The Technical Resources Report and the DEIR Cultural Resources section of the DEIR do not present a particle of evidence that the role of Douglas Baylis, or the actual significance of Frances Joseph McCarthy was considered in the analysis or even known to the preparers of the report.

Since Baylis was the landscape consultant for the parking lot / school annex project, it seems likely that the prominent deodar cedar at the corner of Ellsworth and Durant was part of his design. The proposed removal of that tree needs to be evaluated in the context of the work of Baylis.

These deficiencies need to be remedied to make the Cultural Resources section even minimally adequate.

Additionally, the Technical Report additionally notes that Hodgkin Hall was designed by architect David Baker but provides no further information or analysis. No information is provided other than this single sentence, “The fellowship hall was designed in a Post-Modern style that attempted to combine features of the surrounding buildings, including a pronounced curved Mission gable and an arcade.”

There is no further mention or analysis of the work of architect David Baker or analysis of Post-Modernism or the place of this structure and the work of this architect in that movement.

David Baker is an important, still-practicing, award-winning architect in the San Francisco Bay Area. His designs, particularly for affordable housing developments, have won national attention and numerous awards.
His design for Hodgkin Hall is potentially significant as a cultural resource, under both State and local criteria, for at least three reasons:

First, it represents part of Baker’s early body of work, concentrated in Berkeley in the 1980s, and including several small-structure projects in the Southside neighborhood. The Fred Cody Building on Telegraph Avenue between Dwight and Haste, the Café Milano structure on Bancroft Way, and the Bison Brewery Building on Telegraph at the corner of Parker Street were done by Baker in the same general period and all, along with Hodgkin Hall, represent examples of his adaption of Post-Modernism to the Berkeley environment.

Each of those buildings is characterized by major architectural interventions, usually an overscaled traditional feature. For example, the Bison Brewery structure has a huge, rustic, second floor trellis, Hodgkin Hall has an oversized copper downspout made into the major façade feature, and the Fred Cody Building has both a third floor window designed to look as if a section of the main façade has been jaggedly broken through, as well as a now-demolished interior element, a mezzanine designed to resemble a grand piano, behind a two story street-front window wall.

Second, this cluster of early buildings—including Hodgkin Hall—are all 25-30 years ago and represent an important early assembly of Post-Modern design in the Bay Area. The style only began to evolve in the late 1970s and early 1980s.

Baker’s work in the Southside / Telegraph area was described in the July 1993 issue of Metropolis Magazine as follows: “His overtly designed spaces—most were built from 1984 to 1989—include two cafés, a restaurant/brew pub, a church addition, and, not far away, a retail/office building, plus, now in the works, an SRO (single-room occupancy) building, and University student housing. Fanciful and drama-bent, Baker’s work is a sort of high-style, fragmented form of Post-Modernism that showcases the architect’s penchant for asymmetry, for turning volumes just a notch off primary axes, for mixing references, shapes, and surfaces.”

(The ‘church addition’ is Hodgkin Hall. The SRO was never built. Baker would later design at Channing Way and Shattuck Avenue the Manville Hall housing development for UC Berkeley, a project that reads as several asymmetrical Post-Modern structures along a main thoroughfare).

Third, they are all—particularly Hodgkin Hall—examples of David Baker’s early, seminal, work, when his firm was still new (established in 1982), he had not yet moved his practice to San Francisco, and he had not yet been awarded most of the numerous major residential and commercial commissions—such as San Francisco’s Clock Tower building conversion, adjacent to the Bay Bridge—that would make him a well-known figure in architecture.
Under Criterion 3 (Architecture) of the California Register of Historic Places, a property may be found significant if it contains “resources that embody the distinctive characteristics of a type, period, region, or method of construction or represent the work of a master, or possess high artistic values.”

Without further research—beyond the level of the Technical Report, which reads as if it had been written by an undergraduate student rushing to complete a term paper in one night based on Internet research—it is not possible for the DEIR to conclude that there is no significance to the several of the existing features—school building, landscape, and Hodgkin Hall—on the project site.

At a minimum, the EIR Cultural Resources analysis should be reworked to:

- provide an actual detailed biography and analysis of the work and significance of Francis Joseph McCarthy, including placement of this project in the context of his overall body of work and his school projects in particular;
- provide evidence that the papers of McCarthy, available in a public collection in Berkeley and containing documentation of his work on the St. Mark’s project, were actually reviewed and evaluated;
- describe and evaluate the work of landscape architect Douglas Baylis on this project, including review of any materials in his papers, also available in a Berkeley public collection;
- place this project in the context of the body of the work of Douglas Baylis and in the context of his significance as an important mid-century landscape designer in the Bay Area;
- describe and locate the Hodgkin Hall project properly in the context of the work of architect David Baker, and provide a thorough analysis of Baker’s significance as an early “Post-Modern” designer in the Bay Area and the place of this project in the body of his work and the development of the regional expression of Post Modernism.

Sincerely,

Steven Finacom
Vice President
Berkeley Architectural Heritage Association
Dear Mr. Sage:

The Berkeley City Club has commented earlier on the Lions Hall project, and my note now is just to reiterate the concerns the Club has about the project, and to ask that the commitments the owner and developer have made to the Club and its sister organization, the Landmark Heritage Foundation, be incorporated into the City's agreement.

We understand that the institutions surrounding the Club are going through major organizational change, and that shifts in mission are swirling around both the physical envelope of the Club, and its role as a center of community activity. Our fundamental goal in these comments is to support the institutional change of our neighbors while protecting our own ability to continue forward with our unchanging mission. I'd refer you to the October 26th, 2010 letter from Evan McDonald to the Landmark Heritage Foundation, written just after a meeting among him, LHF leadership, and BCC leadership.

We have provided input on the project over a long period of its development, for instance insisting on additional set-backs and stepping back in the design compared to its original, and want to be sure that the final design does not revert to an earlier version.

To protect the integrity of the building and our views and privacy, we want to ensure that the plans include:

* the 8 foot privacy wall (with decorative elements consistent with the letter) at the BCC's west wall;
* an agreement for the developer to fund an independent third party engineer to protect the interests of the Club relative to any underpinning that would be required;
* a commitment to repair or, if necessary, replace, any stucco damaged as the area adjacent to our western wall is demolished.

To minimize the impact on our hotel and event revenues during the extended construction period, we want to ensure the plans include:

* clarity on whom to call if there is any construction outside city-mandated hours (our hotel guests want their sleep and our brides and grooms want a wedding unmarrred by noise and dust, and construction noise will be a major issue for us);
* a two-week forward-looking schedule on construction, so we can give both a heads up as well as likely reduced hotel and event bills to guests to compensate for their sub-standard experiences at the Club;

To minimize the impact on our hotel and event revenues and guests during ongoing operations of the Lion's Hall, we want to ensure that the management plan includes:

* no late-night (after 10 pm) use of the recreation space at the top of the building;
* clarity on whom to call for immediate response if there is inappropriate noise coming from the building, interfering with our guests' enjoyment of their rooms and events.

6/20/2011
Our understanding is that the use of the building is for students only, and that the city authorization for the building will not expand over time to include non-student SRO-type use.

Thank you for your consideration,

Maureen Kennedy
BCC President
has the towers and other things. So it's, with the lights on it's hard to tell. What Eric Mikiten came up with is that he sort of reversed this pattern of small window, large wall, came up with a larger window, small ever wall. If you look at this in plan and when you see it in reality it has a lot of sculptural elements. Color-wise we tried to not match the city club but in the same palette. We don't have -- we have a little bit of the Spanish tile roof on the left as we transition to saint mark's. I want to say it's sort of a fresh -- I don't know if it's art DECO, it's a fresh interpretation. Eric doesn't describe it as scene lined modern. It's a sculpture more than anything brought that about.

>> Thank you, it's original.

>> G. Williams: That concludes the public testimony unless somebody feels they haven't been called on. Let's close the public hearing and bring it back to the board for discussion. I'm sorry.

>> Good evening. I live at 2330 parker street. Six blocks from the church. I've been a member at saint mark's since 1982. In various roles. I'm a EUCHARISTIC minister there. I've been on the VESTRY, junior warden responsible for buildings and grounds, and relevant to this current proposal I am a long-time member of the financial oversight committee. I call your attention to written comments under the letter herd "parker street foundation" of which I'm President. The draft EIR makes a major point of preserving saint mark's by providing income. In fact, I believe this proposal would be an economic disaster for saint
mark's. In 50 or 75 years, the amount that we would be receiving as rent for our land would be a small fraction of the value of that rental property. Parishioners at that time might well be wondering what short-run thinking possessed us at this time? The ground lease offers $250,000 a year for the first 20 years, then increases by 44%. After that, every ten years it increases 20%. 20% in ten years is 1.5% per year compounded. Compare that with 4.1% average increase over the last 50 years and cost of living. If you apply that, only 4% rental increase to the present rents we're getting, in only 15 years we would be getting more than the $250,000. By the end of 85 years, the ground use would have escalated to $1 million but the amount that saint mark's would be getting if we keep our own property would be $4 million, four times as much. The financial structure of this is a teaser rate. It's disadvantageous later. Right now, we're faced with pay for parking elsewhere, creating a serious financial crisis. This project, we would be better off without this. If you are concerned about the financial welfare of saint mark's, please turn down the request for variances. Thank you.

>> G. Williams: Thank you.

>> If there are any questions I'm glad to respond.

>> M. Alvarez-Cohen: I have a question for staff. But relevant to your comments and your written materials here. Steve, I want to understand, is it relevant to ADJUDICATING this project the deal between Hudson McDonald and the church? That's not our purview. There may be some superficial relevance to this second variance on economics but that's still between those two
to that?

>> D. Matthews: Good point, George.

>> Would I like to note there is some precedent in the south side for dealing with religious institutions a little differently with variances. So the Westminster house was approved --

>> G. Williams: I have looked at those findings and I'm uncomfortable with them.

>> They used the historic building --

>> G. Williams: I'm not opposed to your variances, I would just like a sharper argument that makes you unique in asking for it. Any other comments? Sara?

>> S. Shumer: I'm also unhappy with the variances and the alternatives that were proposed are drastic alternatives. And I'm happy to consider what the south side plan, particularly if it keeps going forward, as it seems to be, would allow. And make exceptions in terms of the south side plan. But to have -- to ask for a variance that you would need even if the south side goes through seems to me stretching it. What you haven't talked with is meeting the requirements, the only one that you talked about was the open space. And that was a concession to the city club. Although other forms of findings, open space, were not addressed. And what is not addressed is a similar project. But enough smaller so that on the second and third, fourth stories it does meet its setbacks, et cetera. I think that should be thought about as you go forward.

>> G. Williams: All right.
Zoning Adjustments Board
City of Berkeley

Dear Board Members

Thank you for your work with the EIR for Lions Hall (2901 Durant Ave.).

The draft EIR emphasizes as a primary justification, that “the project will preserve St. Mark’s church,” by providing income. In fact, in the long run, the 85 year lease of this land will be an economic disaster for St. Mark’s. In fifty or seventy-five years, we will be leasing our land for a small fraction of its rental value. Parishioners then will wonder what kind of short-run thinking was affecting us.

The proposed lease payment of $250,000/year is to increase by 44% after twenty years, then by 20% every ten years. Twenty percent increase in ten years is about 1.85% a year, compounded annually. The average increase in the cost of living index for the fifty years 1961-2010 is 4.1%. Assuming an average 4% increase in rents, the net rental income from the present buildings (starting at $121,000 in 2009) would exceed the proposed ground lease after only fifteen years.

By the end of the 85 years, the ground lease payment would be just over one million. But the incremented rent that St. Mark’s would receive if it had kept the present structures would be about four million. The payment structure is like a teaser rate, attractive initially, disadvantageous later.

(Long term results are not reflected in the “No Project” alternative of the EIR, which ignores the discrepancy in rental rates. Appendix E does, however, saddle retention of the present buildings with almost four million dollars of near term expense. Thus weighed down, “No Project” is deemed not to “construct a financially viable project.”)

Please see “Financing the Next 90 Years” (#2, the next page, with the graph).

There has been considerable reservation within St. Mark’s to the agreement with Hudson MacDonald. An amendment was introduced at the Annual General Meeting in January 2010 by 17 members, including two priests and a seminary president, calling for a written expression of opinion by parishioners in favor, or not in favor, of the development. That motion was not enacted, and no ballot was ever taken. See “Dear Fellow Parishioner” (#3).

“Global Warming Comes Home” (#4) appeared in St. Mark’s monthly newsletter, The Lion. Other comments, not appearing in our newsletter, include “Some Unanswered Questions Concerning Redevelopment” (#5, with many questions still unanswered), and “Privatization of St. Mark’s” (#6).

Finally, there is my letter to the ZAB of 4 November 2010 (#7) which did not make it into the draft EIR.

I have been a member of St. Mark’s since 1982. I currently serve as a eucharistic minister and on the Financial Oversight Committee. I have served on the vestry and as Junior Warden (dealing with buildings and grounds).

Sincerely,

Jack Sawyer, M.Div., Ph.D., President
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I. INTRODUCTION
This report has been prepared at the request of Design Community & Environment (DC&E) for the proposed Lion’s Hall project, at the proposed address of 2301 Durant Avenue in Berkeley, California. The Lion’s Hall project would replace a parking garage and two-story school building addressed as 2314 Bancroft Way and located at the northeast corner of Durant Avenue and Ellsworth Street. These buildings share the lot with St. Mark’s Episcopal Church, which is addressed separately as 2300 Bancroft Way. The parking garage and school were designed by Bay Area architect Francis Joseph McCarthy and constructed in 1961, with landscape design by Douglas Baylis. Alterations were made in 1987 by David Baker, and include the addition of a fellowship hall (Hodgkin Hall) with an Ellsworth Street façade adorned with playful Postmodern-style ornament.

The proposed project would involve demolition of the existing parking garage, school building, and fellowship hall at 2314 Bancroft Way, and the construction and operation of a new five-story mixed-use building on the same site. This mixed-use building would include a Group Living Accommodation (GLA) building, intended for local students, and parish hall built atop a single level, podium-style parking garage. The sanctuary of St. Mark’s Episcopal Church is located on the north side of the subject parcel, but this portion of the parcel will be legally separated from the project site by an air-rights division following project approval; the parcel will remain as a single parcel for zoning purposes. The new building is slated to be addressed as 2301 Durant Avenue.

This project was previously evaluated by Environmental Science Associates (ESA) in a letter dated February 23, 2010. This Historic Resource Technical Report provides a peer review of the evaluation provided by ESA. It also includes the additional research and survey work necessary to further assess the significance of potential impacts to historical resources under CEQA. The report includes a preliminary evaluation of eligibility of the property for the California Register of Historical Resources (California Register) and an evaluation of the proposed project under the provisions of the California Environmental Quality Act (CEQA) for the potential impacts of the demolition of the existing structures and of the construction of new structures on the property which is adjacent to designated historical resources.

METHODOLOGY
This Historic Resource Technical Report includes information on past evaluations of the project site, an architectural description of the project site and other historical resources within the established Study Area, a site history, historic significance evaluation, and an evaluation of project-specific impacts under CEQA.

Page & Turnbull prepared this report using research collected at various local repositories, including Bancroft Library, the Environmental Design Library, and the Environmental Design Archives at UC Berkeley; the City of Berkeley; the Berkeley Public Library; the Berkeley Architectural Heritage Association (BAHA); the Online Archive of California; and the California Historical Society. Online resources were also consulted.

The garage and school buildings on the project site were constructed in 1961, making them exactly 50 years of age. However, Hodgkin Hall was constructed in 1987. This report employs guidance from the National Register of Historic Places Program, specifically National Register Criteria Consideration G, which is used by the California Office of Historic Preservation (OHP) and the National Register Program to evaluate the significance of resources that are less than fifty years old. CEQA only requires evaluation of the building’s eligibility for listing in the California Register; however, due to the absence of detailed California Register guidance on the evaluation of historic properties under fifty years of age, OHP defers to National Register Criteria Consideration G for guidance on this issue by using the National Register Bulletin: Guidelines for Evaluating and Nominating Properties that Have Achieved Significance Within the Past Fifty Years.
II. PEER REVIEW
Page & Turnbull has reviewed the letter completed by ESA as an evaluation of the effects of the proposed project on the adjacent Berkeley City Club (dated February 2010, and included as an appendix to this report). The ESA letter addressed a previous design, and therefore their findings on the environmental impacts of the proposed project are no longer applicable.

ESA did not evaluate the historic significance of the buildings on the project site, but referred to them as “the non-historic school and community building.”1 ESA likely considered the buildings non-historic based upon their age, which was less than 50 years at the time the letter was written. The parking garage and school buildings are now age-eligible to be considered as potential historical resources. Based upon further research, however, Page & Turnbull concurs with ESA that the parking garage and school do not appear eligible for listing on the California Register (see C. Historic Context).

While the letter prepared by ESA addresses the proposed project’s effect on the Berkeley City Club at 2315 Durant Avenue, it does not address the proposed project’s potential effects on other adjacent historical resources, including St. Mark’s Episcopal Church at 2300 Bancroft Way; Gray Gables-Canterbury Foundation at 2346 Bancroft Way; Trinity Methodist Episcopal Church at 2362 Bancroft Way; Maria Marsh House, 2308 Durant Avenue; and McCreary Greer House, 2318 Durant Avenue. Therefore, the letter does not include the level of detail necessary to assess the significance of potential impacts to historical resources under CEQA. Page & Turnbull has expanded the analysis of potential effects on nearby historical resources by creating a larger Study Area that includes the entire block and the opposite side of Durant Avenue between Ellsworth and Dana Streets. This Study Area was established with guidance from the City of Berkeley Design Review Committee’s “2300 Bancroft Way Preliminary Design Review,” dated 20 May 2010.2

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III. HISTORICAL RESOURCE EVALUATION

The following section includes a historical resource evaluation, which is typically included to assess the significance of potential impacts to historical resources under CEQA. This section provides an examination of the existing historical status of the property and an architectural description of the building. The section also includes an evaluation of eligibility for the California Register and an analysis of the proposed project under the provisions of CEQA.

A. CURRENT HISTORIC STATUS

The parking garage, school building, and fellowship hall at 2314 Bancroft Way are not identified by the City of Berkeley as a designated landmark, nor are they identified in the California Historical Resources Information System’s Northwest Information Center (Northwest Information Center). They are undesignated buildings on a multi-building property that contains a historic resource (St. Mark’s Episcopal Church sanctuary at 2300 Bancroft Way).

Properties listed or under review by the State of California Office of Historic Preservation are assigned a California Historical Resource Status Code (Status Code, or CHRSC) of “1” to “7” to establish their historical significance in relation to the National Register of Historic Places or California Register of Historical Resources. Properties with a Status Code of “1” or “2” are either eligible for listing in the California Register or the National Register, or are already listed in one or both of the registers. Properties assigned Status Codes of “3” or “4” appear to be eligible for listing in either register, but normally require more research to support this rating. Properties assigned a Status Code of “5” have typically been determined to be locally significant or to have contextual importance. Properties with a Status Code of “6” are not eligible for listing in either register. Finally, a Status Code of “7” means that the resource has not been evaluated for the National Register or the California Register, or needs reevaluation. Note: A CHRSC of “2S2” means “Individual property determined eligible for NR by a consensus through Section 106 process. Listed in the CR.” A CHRSC of “3S” means “Appears eligible for NR as an individual property through survey evaluation.”

While 2314 Bancroft Way has not been designated as a historical resource, it is surrounded by a Study Area that contains several eligible or designated historical resources (Figure 1), including:

- St. Mark’s Episcopal Church at 2300 Bancroft Way – California Register; Determined eligible for the National Register (CHRSC: 2S2 and 3S)
- Berkeley City Club at 2315 Durant Avenue – City of Berkeley Landmark; California Historic Landmark No. 902; National Register of Historic Places (#77000282)
- Gray Gables, Canterbury Foundation at 2346 Bancroft Way – Determined eligible for the National Register (CHRSC: 3S)
- Trinity Methodist Episcopal Church at 2362 Bancroft Way – California Register; Determined eligible for the National Register (CHRSC: 2S2)
- Maria Marsh House at 2308 Durant Avenue – City of Berkeley Landmark; California Register; Determined eligible for the National Register (CHRSC: 2S2 and 3S)
- McCreary-Greer House at 2318 Durant Avenue – City of Berkeley Landmark; Eligible for the National Register (CHRSC: 3S)
B. ARCHITECTURAL DESCRIPTION

The project site is located at the northeast corner of the intersection of Durant Avenue and Ellsworth Street. This area is located a block south of the southwest corner of the UC Berkeley campus. The surrounding blocks consist primarily of church complexes, single-family and multi-family houses, multi-story apartment buildings, UC Berkeley-related dormitories and offices, and surface parking lots. The project site is comprised of the southern half of the St. Mark’s Episcopal Church parcel, and the address of the undesignated subject buildings differs from the historic sanctuary.

The entire base of the project site is occupied by a painted concrete parking garage (Figure 2), the second level of the property features a paved patio, a playground area, a two-story school building, and a fellowship hall. The parking garage and school were designed by Bay Area architect Francis Joseph McCarthy and constructed in 1961. The patio level of the property can be accessed directly from St. Mark’s Church, as well as from several additional locations: a concrete stair near the intersection of Durant Avenue and Ellsworth Street; from wide concrete stairs between the main church building and the fellowship hall on Ellsworth Street; and from stairs at Durant Avenue. The patio features original brick and aggregate paving and is surrounded by a low concrete parapet wall with a metal railing above (Figure 3).
The playground area is separated from the main patio area by a six-foot tall metal fence and includes sections of original exposed aggregate concrete with a brick criss-cross divider pattern, non-original smooth concrete paving and Astroturf.

The school building is a two-story rectangular-plan building capped by a side gable roof with overhanging eaves. The majority of the main (west) façade of the school is made up of storefront style windows with metal mullions (Figure 4). The spandrel panels on the first and second floors feature decorative mosaic tile. The second floor of the west façade features a balcony with a simple metal railing; the wood lattice and handrail are later additions. The balcony is supported by metal piers and is accessed on both ends by a concrete stair with simple metal railing.

Built in 1987, the fellowship hall is connected to St. Mark’s Episcopal Church by a breezeway at the Ellsworth Street façade. The fellowship hall is a two-story, rectangular-plan building clad with stucco and capped by a front gable roof (Figure 5). The main (Ellsworth Street) façade of the fellowship hall features decorative Postmodern style ornament including a scrolled parapet, colored stucco cladding, small square windows, and an oversize metal rain leader. Another Postmodern element is a blind arcade on the north façade that faces the side of St. Mark’s Episcopal Church.

A small one-story kitchen building is located to the east of the fellowship hall and features a front gable roof, wood door, and sliding metal sash window.
Figure 3. Courtyard on top of the parking garage, looking northeast.
The fellowship hall is at left and the school at right.
(Page & Turnbull, November 2010).

Figure 4. School building on top of the parking garage, looking northeast.
(Page & Turnbull, November 2010).
ADJACENT HISTORIC RESOURCES
The following includes brief descriptions of the designated historic resources in the Study Area:

St. Mark’s Episcopal Church
St. Mark’s Episcopal Church shares the lot with the project site at 2301 Durant Avenue, and is sited at the southeast corner of Bancroft Way and Ellsworth Street (Figure 6). Constructed in 1902, the church has a cruciform plan and is designed in the Mission Revival style with reinforced concrete, stucco cladding, and a gable roof covered with red tile. The facades terminate in curved mission-style gables. Low-roofed cloisters are located at the sides of the nave. The primary façade faces Ellsworth Street, and features a Tiffany rose window and two square towers of unequal height with domes, crosses, and arched belfries. The Bancroft Way façade contains an arcaded cloister and the clerestory of the nave, a gabled and stained-glass transept, and a domed apse. The cloister connects to the parish house to the east, which was designed in the Mission Revival style by Willis Polk in 1912. The south façade, facing the present parking garage and Sunday School annex, is less ornamental than the street facades.4

Gray Gables, Canterbury Foundation

Gray Gables, Canterbury Foundation (also known as Canterbury House) is located east of St. Mark’s Episcopal Church at 2346 Bancroft Way (Figure 7). It was built as a four-unit apartment house for J.C. McMullen in 1902. The primary façade faces north. The building features two-and-a-half stories over a raised basement, and appears as two identical Colonial Revival houses standing side-by-side. However, the building is connected at the rear, with a light well between the two wings. Each wing has a hipped roof with pedimented gable dormers. The building is covered with channel drop wood siding at the raised basement level and narrow clapboards above. Denticulated cornices ornament the building between the first and second stories and at the roofline. The Berkeley Architectural Heritage Association, Letter to Landmarks Preservation Commission, Re: Application for St. Mark's Episcopal Church (February 20, 2000).

Figure 7. Gray Gables, Canterbury Foundation at 2346 Bancroft Way, looking southeast.
(Page & Turnbull, November 2010).
The Berkeley City Club
The Berkeley City Club, located at 2315 Durant Avenue, is situated immediately east of the project site at 2301 Durant Avenue (Figure 8). Designed by Julia Morgan in the Gothic Romanesque style and constructed in 1930, the Berkeley City Club includes a six-story tower with two-story wings. Built of reinforced concrete, the building is clad in stucco and terminates in a combination of hipped and gabled red tile roofs, as well as flat roofs with tile-covered parapets. The primary façade faces south, with a recessed arched central entrance featuring Corinthian pilasters and elaborately molded ornament. The glazed doors are capped by a fan of stained glass. The exterior also features arched and leaded windows divided by Corinthian columns, corbel tables, and buttresses.

Figure 8. Berkeley City Club, looking northwest.  
(Page & Turnbull, November 2010).
Trinity Methodist Episcopal Church
Trinity Methodist Episcopal Church is located at 2362 Bancroft Way, on the northwest corner of Dana Street and Durant Avenue (Figure 9). Built in 1928, the church was designed in the Gothic Revival style with a cruciform plan, reinforced concrete construction, and a cross-gable roof. The sanctuary faces east toward Dana Street and features three pairs of partially-glazed wood doors set within Tudor arches and capped by crenellation and finials. A large arched window above contains Gothic tracery and leaded windows. The upper section of the façade is framed by two tall niches, and the gabled end parapet is partially stepped. The south façade on Durant Avenue features buttresses; Gothic arch windows with tracery along the nave and at the transept; a tower with arched windows and crenellation; and a secondary entrance with wood doors. Adjacent to the sanctuary on the parcel, Trinity Hall faces north on Bancroft Way, and was constructed in 1934 in a simple Gothic Revival style with scored stucco, wood doors set in an arched surround, awning wood-sash windows, and a steep cross-gable roof. A Modern-style chapel was constructed on the property in 1952, and faces Dana Street.

The Maria Marsh House
The Maria Marsh House is located on the south side of Durant Avenue at 2308 Durant Avenue, across the street from the project site at 2301 Durant Avenue (Figure 10). The wood-frame building was originally constructed in 1891 as a single-family residence. It was designed in the Queen Anne style by Charles Mau and James Toohig. The three-story-over-raised basement building features channel drop, beveled, and shingled wood siding; a turreted curved bay at the northeast corner; wood stairs leading to a recessed porch with turned posts and railings; and double-hung wood sash windows. The building terminates in a cross-gabled roof.6

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McCreary-Greer House
The McCreary-Greer House is located two parcels east of the Maria Marsh House, at 2318 Durant Avenue (Figure 11). The three-story Classical Revival style building was built sometime between 1896 and 1901 by architect Cornelius S. McNally. The wood-frame building was originally constructed as a single-family residence. It features narrow clapboard wood siding and is capped by a truncated hipped roof and gable dormers on all four sides. The primary façade faces north and features an ornately decorated porch with Ionic columns, a cornice, and balustrades; a wood door and double-hung wood sash windows; and a center oval stained glass window at the second story. The primary façade is framed by corner pilasters and terminates in an entablature featuring dentil molding and modillions. The gabled dormer contains three leaded windows framed by stunted pilasters, and is capped by a denticulated pediment featuring a cartouche.
C. HISTORIC CONTEXT

COLLEGE HOMESTEAD ASSOCIATION TRACT
The project site was originally part of the College Homestead Association Tract, bounded by College and Shattuck avenues, and Bancroft and Dwight ways. Telegraph Avenue bisects the tract. The plan for the College Homestead Association Tract was recorded on 15 May 1866. At the time, the area consisted primarily of fields and farms. The tract was intended to create a campus community of mixed uses and generate income from the sale of lots for the College of California, the predecessor to the University of California.

The College of California was founded in 1855 by Congregational minister Henry Durant in Oakland. When the College decided to move to a new site in 1866, the trustees decided to finance the expansion by selling land in the vicinity of the prospective site. To this end, they formed the College Homestead Association and purchased 160 acres of land north of Oakland, in what is now Berkeley. The streets in the area were laid out in a grid pattern.8

The lots sold poorly, and the College of California could not survive without capital from their sales. The College subsequently collaborated with the State of California’s Agricultural, Mining, and Mechanical Arts College to establish a public university. The University of California came into existence on 23 March 1868, and in 1869, the former College of California transferred its property and interests to the University of California. The University of California moved to a newly constructed Berkeley campus in 1873. Meanwhile, all of the unsold College Homestead and Berkeley Property Tracts in Berkeley were sold to the public.9

By 1910, the College Homestead Association Tract was predominantly populated with single-family residences, churches, schools, an occasional student boarding house, and some shops on Telegraph Avenue. Between 1910 and 1929, a building boom intensified the density and filled in the remaining empty lots. Following World War II, the dramatic increase in the student population put demands on the neighborhood. With accelerated university expansion and urban renewal during the 1950s and 1960s, approximately ten city blocks were cleared for high-rise dormitories, sports fields and parking lots. Nevertheless, several of the original houses and churches remain.10

EARLY SITE HISTORY
The project site is located at 2314 Bancroft Way, and the surrounding block today includes St. Mark’s Episcopal Church, Trinity Methodist Episcopal Church, the Berkeley City Club, Gray Gables-Canterbury Foundation, and surface parking lots for these complexes.

Several wood frame single-family houses with landscaped yards were constructed on this block in the 1890s. A house was built near the northeast corner of Ellsworth and Durant in 1890 for Horace Gushee. In 1894, two two-story single-family residences were located on the project site, one of which was presumably Gushee’s (Figure 12).

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Charles K. Clark began construction of a two-story residence at the corner of Ellsworth Street and Durant Avenue in October 1894 (Figures 13 and 14). The Clarks’ 15-room wood frame house was designed by architect George A. Boardwell in a Queen Anne style with a wrap-around porch, bay windows, and a cross-gable roof. The Clark house was originally accompanied by a 2-story stable, which appears to have been later replaced by a one-story auto garage.\textsuperscript{11} Development on the block escalated when St. Mark’s sanctuary and Gray Gables were constructed between 1901 and 1902. By 1911, the project site contained four residences: a single family dwelling at 2309 Ellsworth Street, the Clark House at 2301 Durant Avenue, and single family residences at 2303 Durant Avenue and 2311 Durant Avenue (Figure 15).

\textsuperscript{11} Edwards Transcript of Records for Alameda County, Area 10 Block 1885 (BAHA).
As the University grew, the neighborhood make up changed and larger institutional buildings were introduced to the largely residential area. The Berkeley City Club and Trinity Church, toward the southeast, were constructed in 1928 and 1930, and replaced older single-family residences. By 1929, the same four residences existed on the project site, though the C.K. Clark House at 2301 Durant Avenue and the residence at 2311 Durant Avenue had been converted to boarding houses (Figure 16). By 1950, the same four residences remained on the project site, though 2301 Durant Avenue was now used for commercial purposes (Figure 17).
Figure 17. 1950 Sanborn Fire Insurance Map showing four houses on the project site, including Clark's house at the northeast corner of Ellsworth and Durant. Project site highlighted in red. (San Francisco Public Library; edited by Page & Turnbull, 2011).

GARAGE AND SCHOOL DESIGN: FRANCIS JOSEPH MCCARTHY

Bay Area architect Francis Joseph McCarthy (1910-1965) was born in Sydney, Australia, where his father was working as a mine engineer. His childhood was spent in the mining camps of Nevada, Arizona, and California. He studied briefly at Stanford from 1928-1929, as well as the California School of Fine Arts. However, most of his professional training came from working in architectural offices, including the firms of Charles F. Dean in Sacramento and William Wurster in San Francisco. McCarthy opened his own architectural office in 1939 and earned his certificate as a registered architect in 1941. During World War II, he completed public housing and other government work in San Luis Obispo County, Brazil, and San Francisco. 

Following World War II, McCarthy’s work included numerous residential, municipal, and commercial commissions throughout California. Commercial projects included hotels, stores, and office buildings. For example, he designed an office/warehouse building for Electronic Engineering Associates, LTD in San Carlos, California in 1951 (Figure 18). The foundation was concrete, framing was post and lintel, and walls were prefabricated panels of concrete block. The building featured ribbon windows of aluminum sash. McCarthy also designed a nursery and feed store in San Francisco (1952). The building featured pipe columns and steel beams, inverted wood board-and-batten siding and extensive use of plate glass windows. In addition, McCarthy designed alterations to the Palace Hotel in San Francisco (ca. 1949). Examples of residential projects include the C.H. Arthowe House in Berkeley (1947), a beach house for Mrs. Harry A. Yeazell (1949), and a vacation house of Mr. and Mrs. Edward A. Macklins in Clear Lake, California (1959) (Figure 19).

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14 “Nursery and Feed Store,” Progressive Architecture, v. 33 (December 1952) 96-98.
three houses feature wood frame construction with wood siding (two of the three specify redwood siding) and large expanses of plate glass windows.15

Figure 18. Electronic Engineering Associates building (1951).
Architectural design by McCarthy, landscape design by Douglas Baylis.
(Source: “Electronic Engineering Associates, LTD.,” Architectural Record, v. 110 (September 1951) 126)

Figure 19. Beach house for Mrs. Harry A. Yeazell (1949).
(Source: “California Beach House,” Architectural Record, v. 112 (September 1952) 142).

Though McCarthy designed many residences and other types of buildings, he specialized in the design of libraries. This is apparent in the range of journal articles in which his work is presented, as well as his portfolio of projects at UC Berkeley’s Environmental Design Archives. He designed the Inyo County Public Library (1953), Watsonville Public Library (1958), San Leandro Community Library Center (1960), Stockton Public Library (1961-1965), alterations and additions to Stanford University Library (1964), Santa Cruz Public Library (1965), San Jose Public Library (1965), and Santa Rosa Public Library (1965). The San Leandro Library contained a lecture hall, meeting and conference rooms, an art studio, and two outdoor courtyards. The building was clad in brick with metal grilles over large plate glass windows.16 Similarly, the Santa Rosa Public Library featured an irregular plan with a circular forum room, steel frame with brown brick finish and redwood screens

over windows (Figures 20 and 21). The Inyo County Public library was constructed of pre-cast lightweight concrete wall panels, hung horizontally from a steel frame. The design also used local river boulders as a feature on the exterior and interior (Figure 22).

Figure 20. Santa Rosa-Sonoma County Public Library (1965).
(Source: Santa Rosa-Sonoma County Public Library Dedication Program, 1967. Francis Joseph McCarthy Collection, UC Berkeley Environmental Design Archives).

Figure 21. Santa Rosa-Sonoma County Public Library, floor plan (1965).
(Source: Santa Rosa-Sonoma County Public Library Dedication Program, 1967. Francis Joseph McCarthy Collection, UC Berkeley Environmental Design Archives).

17 “City-county library in a business district,” *Architectural Record*, 142:3 (September 1967) 177-184.
McCarthy was a founding member of Telesis, an organization formed in 1939 by design professionals of varying disciplines who were interested in invigorating city and regional planning in the Bay Area. In 1957 he was named a Fellow of the American Institute of Architects. He also served as Art Commissioner of the City of San Francisco from 1949-1951.

Garage and School, Constructed
The parking garage and parish Sunday school at 2314 Bancroft Way were designed by Francis Joseph McCarthy and constructed in 1961. The garage and school were constructed in a Modern style; the garage features rough concrete construction, while the school features overhanging eaves, a ribbon of windows with metal mullions, spandrel panels, and a balcony supported by metal piers. Original drawings show rooms below the school at the garage level containing janitor’s closet, storage rooms, a wood room, maintenance room, and boiler room (Figure 23). First floor rooms in the Sunday school include an office, storage, first grade, kindergarten, two rooms for pre-school, and restrooms; rooms on the second floor are for the second through sixth grades (Figure 24). 19 It is unclear whether the mosaic tile in the spandrel panels was an original part of the design, as there are no notes on the original drawings regarding the use of this material (Figure 25). 20 No permits for alterations or additions have been located for this property, though the wood lattice railing along the second story walkway appears to be a newer addition.

Figure 23. Original drawing for ground level parking facilities, St. Mark’s Parish. (Box 2, Folder “St. Mark’s Parish Sunday School (Mech., Elec., Landscape) 1960,” Francis Joseph McCarthy Collection, UC Berkeley Environmental Design Archives).

Figure 24. Original drawing for second story Sunday School floor plan, St. Mark’s Parish. (Box 2, Folder “St. Mark’s Parish Sun. S., 1960,” Francis Joseph McCarthy Collection, UC Berkeley Environmental Design Archives).
Based on a general overview of schools in California that were constructed in the 1960s, typical designs appear to have been driven by the popularity of the Modern architectural style and the need to efficiently construct schools in residential areas removed from the downtown core. The designs for schools in California of the period were characterized by rectangular plans, flat or gable roofs, bands of windows, modern materials, covered walkways with the classrooms on one side and a grass courtyard open on the other, and little architectural detailing. According to California School Buildings, 1960-1965, "big block schools with internal corridors and windowless classrooms are becoming a rarity, with most schools returning to the campus plan concept, using landscaped courts and natural materials to create informal environments."

McCarthy’s design for the school at St. Mark’s incorporates many of the features typical of the era. The design uses materials sometimes used in his library designs, such as concrete and ribbons of windows. However, it does not incorporate an irregularly shaped plan like many of his unique library and residential designs. It also does not appear use locally-produced or high-quality materials like some of his other projects that use local river stone or redwood. His only other school projects include a shop building for Bishop Union High School in Bishop, California (1953) and an auditorium for Commerce High School in San Francisco (1953), which do not particularly resemble the St. Mark’s Sunday School building. For example, the shop building at Bishop Union High School has a flat roof with a clerestory window and concrete panel siding; the only resemblance is the expanse of multi-light windows (Figure 26). Unlike many of McCarthy’s more recognized projects, the St. Mark’s Sunday School building design was not published in scholarly or professional journals, and does not stand out within McCarthy’s body of work.

LANDSCAPE DESIGN: DOUGLAS BAYLIS

Douglas Baylis (1916-1972) acted as landscape designer for the 1961 parking garage and school. A graduate of UC Berkeley, Baylis worked with the San Francisco Housing Authority during World War II and worked with his mentor, Thomas Church, before opening his own practice in 1946. By the 1950s, Baylis was a well-known designer of private gardens and public spaces in the Bay Area. Specific examples include landscaping for the West Coast Headquarters for the Red Cross (ca. 1948); a garden and play yard for a single-family residence in San Carlos, California (ca. 1949); and landscaping for the Headquarters of McClatchy Newspapers, which included The Sacramento Bee, The Modesto Bee, and The Fresno Bee (ca. 1952).22 Baylis worked with Francis Joseph McCarthy on several projects other than St. Mark’s, including the office/warehouse building for Electronic Engineering Associates, LTD (1951) and the Inyo County Library (1953) (Figure 27). Baylis is credited as being one of the founders of the “California School” of modernism in landscape design, along with Church, Garrett Eckbo, and Robert Royston.23 Based upon drawings and contemporary photographs of his designs in scholarly and trade journals, as well as original drawings at UC Berkeley’s Environmental Design Archives, it appears that Baylis’s smaller-scale work for individual buildings was characterized primarily by paved surfaces and raised planter boxes, in which various trees and shrubs were planted.

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Baylis was also a staunch defender of San Francisco’s historic landscape, protecting Portsmouth Plaza from redesign in 1960. He was involved in the design of Candlestick Park, and at times throughout his career, was landscape architect for the San Francisco Redevelopment Agency, Crockery Land Company, La Canada College, and UC Berkeley. Baylis was a Fellow of the American Society of Landscape Architects, and was also a member of the Publication Board of the journal Landscape Architecture from 1963-1966.24

2314 Bancroft Way Landscape Design

Baylis’s original drawing collection at the Environmental Design Archives includes one undated sketch related to the St. Mark’s project. The sketch shows raised wood planters that incorporate a bench feature (Figure 28). Baylis’s design is depicted in more detail in site drawings from the Francis Joseph McCarthy Collection at the Environmental Design Archives (Figure 29). The site plan reveals a paving of exposed concrete aggregate with criss-crossed brick dividers and a center area of gravel covering for the courtyard above the garage. Plantings in the courtyard were primarily trees in impermanent containers and pairs of unpaved squares containing shrubs and groundcover. The parking garage was designed to include stepped concrete planters. The cedar tree at the corner of Durant Avenue and Ellsworth Street was located there prior to construction of the garage building; the original plans note, “save and protect existing tree.” Aside from this tree, most or all of the present plantings appear to be replacements, and the original plant containers no longer exist. Another tree near the Ellsworth Street courtyard entrance that the original drawings identify to “save and protect” no longer exists. While the criss-cross design of the patio is still apparent between the church and fellowship hall and at the south end of the courtyard, large sections of the school yard have been covered with newer concrete paving and Astroturf.

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Figure 28. Baylis's sketch for raised planter boxes at St. Mark's, n.d.  
(Source: Douglas and Maggie Collection, UC Berkeley Environmental Design Archives).

Figure 29. Original landscape drawings for Sunday School, St. Mark's Parish.  
(Box 2, Folder “St. Mark's Parish Sun. S., 1960,” Francis Joseph McCarthy Collection,  
UC Berkeley Environmental Design Archives).
HODGKIN HALL: DAVID BAKER

The fellowship hall, known as Hodgkin Hall, was designed by San Francisco architect David Baker in 1987. Baker (b. 1949) grew up in Grand Rapids, Michigan. He attended Phillips Exeter Academy, Thomas Jefferson College, and the University of Michigan before graduating with a Master of Architecture from UC Berkeley in 1982. In that same year, he founded the San Francisco-based architecture firm David Baker + Partners in 1982. In the 1980s, Baker practiced in the Postmodernism style, including a project for a hamburger joint in El Cerrito that featured a pastel palette and the “mock grandeur” of postmodern columns, medallions, and rustication (Figure 30). He designed four Postmodern style projects in Berkeley during his early career, including Hodgkin Hall at St. Mark’s Episcopal Church, the Fred Cody Building on Telegraph Avenue, Bison Brewery on Telegraph Avenue, and Café Milano on Bancroft Way. The latter three won awards from the AIA and others in 1986, 1987, 1990, and 1991. In 1993, an article in Metropolis Magazine described Baker’s work in Berkeley as the following: “Fanciful and drama-bent, Baker’s work is a sort of high-style, fragmented form of Post-Modernism that showcases the architect’s penchant for asymmetry, for turning volumes just a notch off primary axes, for mixing references, shapes, and surfaces.”

In the 1990s and 2000s, Baker’s firm has been known for its energy-efficient and environmentally sustainable projects, including affordable housing, hotels, and condominium lofts, many converted from old industrial buildings in San Francisco and the East Bay.

Hodgkin Hall, Constructed

Hodgkin Hall was constructed adjacent to the school atop the parking garage. The fellowship hall was built as a venue for wedding receptions, Sunday school classes, and social gatherings of up to 150 people. It was designed in a Postmodern style that attempted to combine features of the surrounding buildings, including a pronounced curved Mission gable and an arcade of segmented arches. The stucco-clad building also features a gable roof that almost, but not quite, parallels the church; keyhole cutouts in the doors of the church and fellowship hall that are elongated versions of those found in the church interior; and wood trusses that resemble those of the church. Baker explained that the building is a collage of the neighboring buildings and was “an attempt to resolve...”

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their differences.”31 In addition, the design included an over-scaled downspout to pin the building down to the ground.32

Though the building appears to be a representative example of Baker’s earlier work, it did not win any of his firm’s many awards. Further, it is only 24 years old. Insufficient time has passed to provide historical perspective to determine that the property is exceptionally important within the realm of Postmodernism.

31 Ibid.
D. EVALUATION

CALIFORNIA REGISTER OF HISTORICAL RESOURCES

The California Register of Historical Resources (California Register) is an inventory of significant architectural, archaeological, and historical resources in the State of California. Resources can be listed in the California Register through a number of methods. State Historical Landmarks and National Register-listed properties are automatically listed in the California Register. Properties can also be nominated to the California Register by local governments, private organizations, or citizens. The evaluative criteria used by the California Register for determining eligibility are closely based on those developed by the National Park Service for the National Register of Historic Places.

In order for a property to be eligible for listing in the California Register, it must be found significant under one or more of the following criteria:

- **Criterion 1 (Events):** Resources that are associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

- **Criterion 2 (Persons):** Resources that are associated with the lives of persons important to local, California, or national history.

- **Criterion 3 (Architecture):** Resources that embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of a master, or possess high artistic values.

- **Criterion 4 (Information Potential):** Resources or sites that have yielded or have the potential to yield information important to the prehistory or history of the local area, California, or the nation.

**Criterion 1 (Events)**
While 2314 Bancroft Way is associated with the development of institutional properties in this area of Berkeley, it is not a notable individual factor in that trend, nor was that trend particularly prominent in either 1961 or 1987 when the subject buildings were constructed.

**Criterion 2 (Persons)**
No persons of local, California, or national history are associated with 2314 Bancroft Way. Therefore, the garage, school, and fellowship hall on the property do not appear significant under Criterion 2.

**Criterion 3 (Architecture)**
The garage structure at 2314 Bancroft Way is a utilitarian concrete structure, and is not notable for its design or construction. Therefore, the garage does not appear significant under Criterion 3.

Prominent Bay Area landscape architect Douglas Baylis designed landscape features for the garage and school complex that include plantings for built-in concrete planters in the garage structure, as well as impermanent raised planters/benches in the school play area. These features do not appear particularly noteworthy as examples of Baylis’ work or as outstanding examples of Modern landscape design. Additionally, the original landscape design is not intact: nearly all the plantings have been replaced, non-original Astroturf covers a large section of the play area, and non-original concrete...
paving covers another large section. Therefore, the landscape design does not appear significant under Criterion 3.

While the school building features typical modern school design characteristics from the early 1960s, including an asymmetrical gable roof with wide overhanging eaves, stucco cladding, and ribbons of windows, it is not an exceptional example of the type, period, or method of construction. The mosaics under the windows add interest to the building’s design, but it is unclear whether they were part of the original design, and as a whole, the building does not possess high artistic values. Francis Joseph McCarthy is a well-known designer of residences, commercial buildings, and most notably libraries, but 2314 Bancroft Way is not an outstanding example of his body of work. The buildings are relatively utilitarian in design; he does not make use of local or high-quality materials, which was a signature of many of his other projects. Though McCarthy’s work was widely published in scholarly and professional journals such as *Architectural Record* and *Progressive Architecture*, the design for St. Mark’s Parish Sunday School was not published. Therefore, the school building does not appear significant under Criterion 3.

David Baker’s Hodgkin Hall is an interesting architectural work of Postmodern design. In time, Baker and his works may rise to a level of significance that make it appropriate to list the building as a historical resource on applicable local, state or national registers. However, the building is only 24 years old, significantly less than the fifty years recommended by the National Park Service as the age threshold for evaluating potential historic significance. In order for it to be considered a historical resource at such a young age, it would need to embody exceptional significance as outlined in Criterion Consideration G and described in the National Register Bulletin: *Guidelines for Evaluating and Nominating Properties that Have Achieved Significance Within the Past Fifty Years*. Hodgkin Hall does not appear to meet Criteria Consideration G, as insufficient time has passed to provide historical perspective to determine whether or not the property is exceptionally important within the realm of Postmodernism. Furthermore, according to the National Register guidance on living persons, “properties associated with living persons are usually not eligible for listing in the National Register. Sufficient time must have elapsed to assess both the person’s field of endeavor and his/her contribution to that field. Generally, the person’s active participation in the endeavor must be finished for historic perspective to emerge.” Because David Baker is still an actively practicing architect and Hodgkin Hall is a relatively recent design, it does not appear historically significant under Criterion 3.

**Criterion 4 (Information Potential)**
The analysis of 2314 Bancroft Way for eligibility under California Register Criterion 4 (Information Potential) is beyond the scope of this report. This Criterion is typically reserved for archeological resources, and therefore it is not evaluated as part of this report.

**Evaluation Conclusion**
Page & Turnbull concludes that the property at 2314 Bancroft Way—including the garage, school, landscape, and fellowship hall—is not eligible for listing on the California Register.

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33 UC Berkeley’s Environmental Design Library website states, “Some projects of distinction include Stanford University’s Library, St. Mark’s Episcopal Church (Berkeley), and the public libraries for Santa Rosa, Santa Cruz, San Leandro, and Stockton.” However, this website description is not considered a scholarly source containing a qualified analysis of the merits of his work. Website accessed 27 June 2011 from: http://www.ced.berkeley.edu/cedarchives/profiles/mccarthy.htm

34 See Methodology, page 2, for more information.

July 15, 2011
E. PROJECT-SPECIFIC IMPACTS UNDER CEQA
This section will analyze the project-specific impacts of the proposed project on the environment, as required by CEQA.

STATUS OF EXISTING BUILDING(S) AS A HISTORICAL RESOURCE UNDER CEQA
A building may qualify as a historical resource if it falls within at least one of four categories listed in CEQA Guidelines Section 15064.5(a). The four categories are:

- A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4850 et seq.).
- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4852).
- The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Pub. Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Pub. Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Pub. Resources Code sections 5020.1(j) or 5024.1.

In general, a resource that meets any of the four criteria listed in CEQA Guidelines Section 15064.5(a) is considered to be a historical resource unless “the preponderance of evidence demonstrates” that the resource is not historically or culturally significant.35

Based on the above evaluation of historic significance, 2314 Bancroft Way does not possess historic significance, and does not appear to be eligible for listing in the national, state, or local historical registers. The project site does not meet any of the four criteria listed above, and therefore does not qualify as a historical resource under CEQA.

However, the proposed project is located in the vicinity of a number of individually designated historical resources, all of which are considered historical resources under CEQA. The potential impacts to these historical resources will be discussed below.

35 Pub. Res. Code SS5024.1, Title 14 CCR, Section 4850 et seq.
PROPOSED PROJECT DESCRIPTION
The proposed Lion’s Hall housing project will involve demolition of the present parking garage, school, and church fellowship hall. A new five-story multi-family residence (student housing) and a church fellowship hall will be constructed above a lower level of parking on the same lot.

The proposed new student housing building will face Durant Avenue and will contain 44 dormitory-style units to house 161 students. It will be set back from the sidewalk by four feet, which is the same setback as the Berkeley City Club next door. It will be five feet taller than the west wing of the Berkeley City Club, but will be considerably shorter than the clubhouse's central tower. The proposed project’s Ellsworth Street frontage will be two stories tall and consist of the parking garage and overlying podium level, similar to the existing non-historic structure. The ground floor parking level will be located at or near the property lines on Durant Avenue and Ellsworth Street.

The proposed residential entry will be located at the corner of Ellsworth Street and Durant Avenue, and will curve back from the property line.

The proposed project will include a parish courtyard, smaller outdoor patio near Ellsworth Street, and roof deck open space for the residential component.

DETERMINATION OF SIGNIFICANT ADVERSE CHANGE UNDER CEQA
According to CEQA, a “project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.” Substantial adverse change is defined as: “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.” The significance of an historical resource is materially impaired when a project “demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance” and that justify or account for its inclusion in, or eligibility for inclusion in, the California Register. Thus, a project may cause a substantial change in a historical resource but still not have a significant adverse effect on the environment as defined by CEQA as long as the impact of the change on the historical resource is determined to be less-than-significant, negligible, neutral or even beneficial.

Because 2314 Bancroft Way does not qualify as a historical resource under CEQA, its demolition would not cause a significant adverse change to the environment and does not need to be evaluated further under CEQA.

However, the proposed St. Mark’s Housing project is located in an area with a number of individual historical resources, and therefore the project’s potential impacts to these surrounding resources should be evaluated independent of whether the existing buildings at the project site are historical resources.

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36 CEQA Guidelines subsection 15064.5(b).
37 CEQA Guidelines subsection 15064.5(b)(1).
38 CEQA Guidelines subsection 15064.5(b)(2).
ANALYSIS OF IMPACTS TO SURROUNDING HISTORICAL RESOURCES

The following section provides an analysis of the potential impacts of the proposed project on the Berkeley City Club, St. Mark’s Episcopal Church, and other historical resources surrounding the project site. This analysis is based on design documents prepared by Mikiten Architecture, dated December 2, 2010. The proposed project consists of the construction of a new five-story mixed-use building to replace the non-historic parking garage and two-story school building at 2314 Bancroft Way.

Individual historical resources surrounding the proposed project site in the Study Area include:

- Berkeley City Club at 2315 Durant Avenue – City of Berkeley Landmark; California Historic Landmark No. 902; National Register Historic Places (#77000282)
- St. Mark’s Episcopal Church at 2300 Bancroft Way – California Register; Determined eligible for the National Register (CHRSC: 2S2 and 3S)
- Gray Gables, Canterbury Foundation at 2346 Bancroft Way – Determined eligible for the National Register (CHRSC: 3S)
- Trinity Methodist Episcopal Church at 2362 Bancroft Way – California Register; Determined eligible for the National Register (CHRSC: 3S)
- Maria Marsh House at 2308 Durant Avenue – City of Berkeley Landmark; California Register; Determined eligible for the National Register (CHRSC 2S2 and 3S)
- McCreary-Greer House at 2318 Durant Avenue – City of Berkley Landmark; Eligible for the National Register (CHRSC: 3S)

While the proposed project is located near these neighboring historical resources, it will not affect their eligibility for listing in any national, state, or local historical registers. These resources are all significant either for their design or for their associations with important local figures or architects, and the existing structures on the project site do not factor into the significance or integrity of any of these neighboring resources. The non-historic parking garage and school currently located on the project site do not contribute to the historic character of the area, so demolishing and replacing them would not affect the way in which the project site interacts with the surrounding area.

There are no Secretary of the Interior’s Standards for the Treatment of Historic Properties (Standards) that apply specifically to new construction adjacent to historical resources. The Standards are applicable to historical resources on site, of which there are none in this case. Rehabilitation Standard 9, which deals with related new construction adjacent to historical resources, is used as a guideline in this report. The proposed project will be designed in a contemporary style to ensure that it is differentiated from the surrounding historic buildings, yet it is well within the range of heights and materials found in the neighborhood. As specified by Rehabilitation Standard 9, “new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.”

The following analysis focuses on the proposed project’s potential impacts to two of these resources, St. Mark’s Episcopal Church and the Berkeley City Club. These potential impacts to these resources are being further analyzed because they are immediately adjacent to the project site.

St. Mark’s Episcopal Church

Along Ellsworth Street, the project steps down from five stories to one story, south to north, providing greater setback of bulk compared to St. Mark’s Episcopal Church and allowing St. Mark’s Episcopal Church to remain a prominent feature of the streetscape. The proposed project’s use of stucco cladding of subdued earth-tone hue, two sections of terra cotta tile roofing on Ellsworth Street, regular fenestration pattern, and multi-light windows further its compatibility with the design, materials, and character of the adjacent historic church. Thus, the materials and color palate of the
The proposed project would be compatible with St. Mark’s Episcopal Church, while the design would be differentiated via contemporary style and materials for features such as doors and windows.

The demolition of the existing structures at 2314 Bancroft Way and the new construction on the project site would not materially alter those physical characteristics of St. Mark’s Episcopal Church that convey its historical significance and that justify its eligibility for inclusion in the national, state, and local registers. The proposed project would therefore not cause a significant adverse impact to St. Mark’s Episcopal Church.

Berkeley City Club

The project site is located adjacent to the Berkeley City Club, which is a qualified historical resource under CEQA. The Julia Morgan-designed landmark is built all the way to its western property line, but the west façade is unadorned and lacks fenestration. The new construction would be taller than the existing classroom building and the west wing of the Berkeley City Club, but would not obscure the distinctive central tower massing or significant architectural details of the Berkeley City Club. On the eastern side, adjacent to the City Club, the podium level would be built right up to the Berkeley City Club. However, the five-story mixed-use building including the GLA, parish hall, and parking garage would generally be set back by 13 feet from the City Club, reduced to 5 feet 8 inches at the southeast corner. Along Durant, the buildings would be set back 6 inches from the street at the corner with Ellsworth, but set back by 4.5 feet at the eastern side to match the setback of the Berkeley City Club. The central tower and the terra cotta tile coping of the west wing would therefore remain visible from most vantage points along Durant Avenue and Ellsworth Street, with the exception of the small area of Ellsworth Street immediately west of the proposed building. The new construction would not be attached to the Berkeley City Club, and would not result in the demolition of any historic fabric of the building. The views and light affected by the project were not described as character-defining features in the Berkeley City Club’s State Landmark nomination form, and they are not mentioned as significant contributing factors in the National Register nomination or City Landmark listing. Changes to view and light would therefore not affect the Berkeley City Club’s historic significance.

The proposed project’s Durant Street façade is organized into several distinct bays, breaking up the mass and reflecting the rhythm of the freestanding single family houses across the street. Furthermore, the design of the proposed project would include a stucco finish like the Berkeley City Club, a regular fenestration pattern, and a cornice line that approximates the cornice line of the Berkeley City Club’s west wing in order to complement the historic character of the resource. Terra cotta tile roofing would accent the Ellsworth façade, but would not be placed on the Durant Avenue façade so that the design references but does not overwhelmingly mimic the City Club. Though materials would be compatible with the adjacent historical resource, the style would be contemporary, as would the materials for such features as the doors and windows.

The demolition of the existing structures at 2314 Bancroft Way and the new construction on the project site would not materially alter those physical characteristics of the Berkeley City Club that convey its historical significance and that justify its eligibility for inclusion in the national, state, and local registers. The proposed project would therefore not cause a significant adverse impact to the Berkeley City Club.

Conclusion

Although contemporary in its style, the project is still compatible with the massing, scale, rhythm, and use established by the existing historic buildings. The new construction does not destroy any qualified historical resources, and is consistent with the general patterns of development in the surrounding area. Ultimately, the proposed Lion’s Hall project will not cause a significant adverse impact to any surrounding historical resources or their environment.
ANALYSIS OF CUMULATIVE IMPACTS

“Cumulative impacts” refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probably future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

The proposed Lion’s Hall project does not cause any cumulative impacts on historical resources as defined by CEQA because there are no proposed buildings or major additions in the immediate vicinity (at least 500 feet) of the nearby historical resources.

SUGGESTED MITIGATION & ALTERNATIVES

Since the proposed Lion’s Hall project does not cause a significant adverse impact to any historical resources, no mitigation measures or historic preservation alternatives are required.
IV. CONCLUSION

2314 Bancroft Way was designed in 1961 by Bay Area architect Francis Joseph McCarthy as a Modern style parking garage and school, with landscape design by Bay Area landscape architect Douglas Baylis and a 1987 addition of a Postmodern style fellowship hall designed by David Baker. Although prominent architects were associated with the design of 2314 Bancroft Way, none of the buildings on the project site appear to be significant enough representations of these architects’ work to qualify for listing. The property does not appear significant for its relationship to events, persons, or for its design, and is therefore not eligible for local, state, or national historic registers and is not subject to CEQA analysis.

However, the property is surrounded by several individually designated historical resources. The proposed project was analyzed for potential impacts to these historical resources. The proposed Lion’s Hall project does not appear to materially alter in an adverse manner those physical characteristics of the historical resources that convey their historical significance. As such, the proposed project would not have a significant adverse impact on the historical resources under CEQA.
V. REFERENCES CITED

PUBLISHED

CEQA Guidelines, subsection 15064.5(b).

UNPUBLISHED


Brewster, Brad, ESA. “St. Mark’s Episcopal Church Project,” 23 February 2010.


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Douglas Baylis and Maggie Baylis Collection, UC Berkeley Environmental Design Archives.

Edwards Transcript of Records for Alameda County, Area 10 Block 1885 (n.d.).

Francis Joseph McCarthy Collection, UC Berkeley Environmental Design Archives.

VI. APPENDIX

Brad Brewster, ESA, “St. Mark’s Episcopal Church Project,” (23 February 2010).
February 23, 2010

Evan McDonald, Principal
Hudson McDonald, LLC
1600 Shattuck Avenue, Suite #218
Berkeley, CA 94709

Subject: St. Mark’s Episcopal Church Project

Dear Mr. McDonald:

Hudson McDonald, LLC, has requested that ESA prepare an evaluation of the effects that the proposed St. Mark’s Episcopal Church Project would have on the adjacent Berkeley City Club (BCC), a federal, state, and local historic property, in terms of CEQA significance criteria. Provided below is a discussion of the project understanding and its relationship to the adjacent BCC, a discussion of the CEQA significance criteria relative to impacts to historic resources, and an evaluation of project impacts. With a Masters degree in urban planning and historic preservation, and 17 years of professional experience in preservation planning, historic resource evaluations, and CEQA project management, I meet the Secretary of the Interior’s Standards for architectural history, and am qualified to provide you with an expert opinion on the above matter.

Project Understanding and Relationship to Adjacent BCC

The proposed St. Mark’s Episcopal Church Project (project) would be constructed on the northeast corner of Durant Avenue and Ellsworth Street in downtown Berkeley. The project would demolish an existing concrete parking garage and a two story school and community building that sit on the garage, and replace them with a new concrete parking garage (with the top of podium at the same height as the demolished garage), a new one story church community facility, and a four story student housing facility. The student housing facility would have two primary wings in an L-shaped plan with a series of flattened hip roofs clad in Spanish tile.

Adjacent and to the east of the proposed project is the Berkeley City Club (BCC), located at 2315 Durant Avenue. Designed by renowned California architect Julia Morgan and constructed in 1929, this eclectic-style building with Moorish and Gothic elements is City of Berkeley Designated Landmark #2 (1975), California State Landmark #908 (1977), and is listed in the National Register of Historic Places (1977). The primary elevation of the BCC along Durant Avenue has a six-story central tower element flanked by two high-bay, two-story wings. Wall cladding is comprised of stucco over concrete, while the roofing is comprised of Spanish tile. The west-facing elevation of the BCC is unadorned and lacks fenestration, although a small chimney and Spanish tile coping materials are visible along the top of this facade. The BCC is built to the property line on its western end.

The proposed project would be set back approximately 6'-3'' feet from the west-facing elevation of the BCC, with another 3'-6'' setback due to a jog in the easternmost corner of the building plan, for a total setback of 9'-10'' from the front elevation of the BCC along Durant Avenue. Other project setbacks from the west-facing elevation of the BCC would be approximately 15 feet. The cornice line of the proposed project would be about 5 feet taller than the existing cornice line of the two-story wings of the BCC. Given their high-bay section, the two-story wings of the BCC are nearly the same height as the proposed four-story building. The proposed
project would have Spanish tile-clad roof elements meant to echo those found on the adjacent BCC. Similar to the BCC, the proposed project would be built to the street wall, although it would be located about four feet closer to Durant Avenue than the BCC. Finally, the project would remove the non-historic school and community building which are currently attached to a portion of the western wall of the BCC.

CEQA Significance Criteria

The California Environmental Quality Act (CEQA) Guidelines Section 15064.5 provides criteria for determining the significance of impacts to historic resources. This section states that a project would have a significant impact on the environment if it would cause a substantial adverse change in the significance of a historical resource. A substantial adverse change includes physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings [emphasis added] such that the significance of the historical resource would be “materially impaired.” The significance of an historical resource is “materially impaired” when a project demolishes or materially alters, in an adverse manner, those physical characteristics of the resource that convey its historical significance and that justify its inclusion in the California Register of Historical Resources.

Due to its listing in federal, state, and local historic registers, the BCC is considered a historic resource for CEQA purposes.

Evaluation of Impacts

The proposed project would be built adjacent to the historic BCC, but would not result in the physical demolition, destruction, relocation, or alteration of this historic resource, as it would be set back from the resource by approximately 6 feet from its western façade (9 feet from the Durant Avenue elevation). The proposed project would, however, alter the BCC’s immediate surroundings by replacing the existing and non-historic parking garage, two story school/community building, and mature tree on the corner of Durant Avenue and Ellsworth Street with a one-story church and four-story residential building atop a one-story podium. The proposed project would not, however, meet the CEQA threshold of “material impairment” of the BCC’s setting, for reasons illustrated below.

Views of the west-facing elevation of the BCC from Durant Avenue would be partly obscured by the adjacent four-story residential building. However, as stated above, this secondary elevation of the BCC is unadorned and lacks fenestration, likely because it was anticipated that another building would be constructed to the property line. Although most of the secondary, west-facing façade would be obscured by the proposed project, existing architectural elements such as the chimney and Spanish tile coping would remain visible from most nearby locations along Durant Avenue. The primary façade of the BCC along Durant Avenue, including its prominent central tower element, would remain visible and unobscured after completion of the proposed project. The tower including its western façade would also remain visible from other vantage points, such as those along Ellsworth Street and areas further west.

While the proposed project would be clearly larger and taller than the building(s) it would replace, this architectural scale would not be unreasonable to expect in an urban setting, where buildings are constructed to their property lines and immediately against other buildings, and a variety of architectural styles are found within
a single city block. While the proposed project would be a clearly new and visible element within existing setting, certain architectural elements would refer to the adjacent BCC, including the cornice line which would approximate the cornice line of the western wing of the historic building (within a difference of about 5 feet), the use of Spanish tile roofing materials similar to those found on the BCC, and its overall location on the site which provides a near-continuous street wall whereby the proposed project is constructed close to its property boundaries. The proposed project would remain subordinate to the central tower element, which would continue to be clearly visible above the base of the building from most vantage points. The tower element is considered one of the primary physical characteristics that convey the building’s historical significance and its visual prominence would be substantially unchanged. The proposed setback of approximately 9 feet from the BCC would allow the historic building to ‘read’ as a separate structure when viewed from Durant Avenue. Finally, the removal of the non-historic school and community building from the western wall of the BCC would reveal more of the historic facade than is currently visible. Given these considerations, the proposed project would not result in a substantial adverse change to the BCC’s immediate surroundings, such that the significance of the historical resource would be materially impaired (i.e., it would not alter in an adverse manner those physical characteristics of the resource that convey its historical significance, and the BCC would remain eligible for federal, state, and local listing). As such, it is my professional opinion that the proposed project would not have a significant impact on historic resources relative to CEQA Section 15064.5.

Sincerely,

Brad Brewster,
Manager, Bay Area Cultural Resources Group