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May 5, 2011

City of Berkeley  
Zoning Adjustments Board  
Steven Buckley, Secretary  
Land Use Planning Division  
2120 Milvia Street, 2nd Floor  
Berkeley, CA 94704

**Via email**

Dear ZAB:

As a City of Berkeley neighbor and a UC employee (working at University Hall), I can support the Acheson Commons development, with some very important caveats.

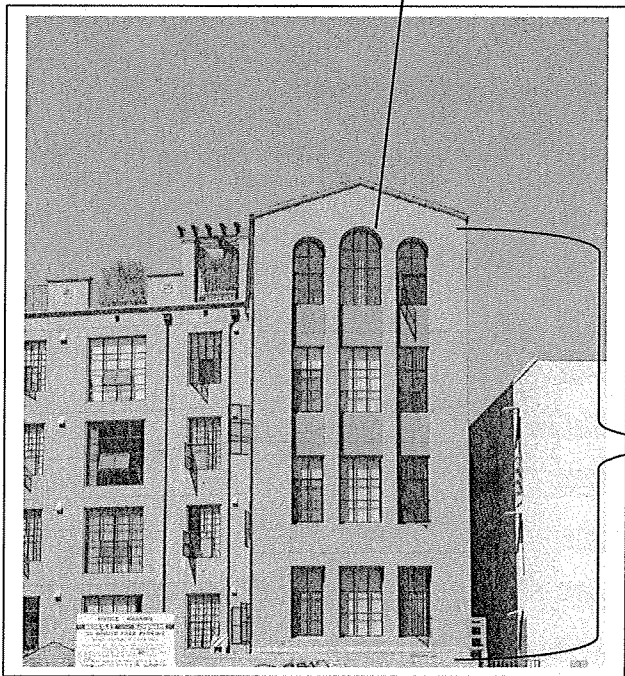
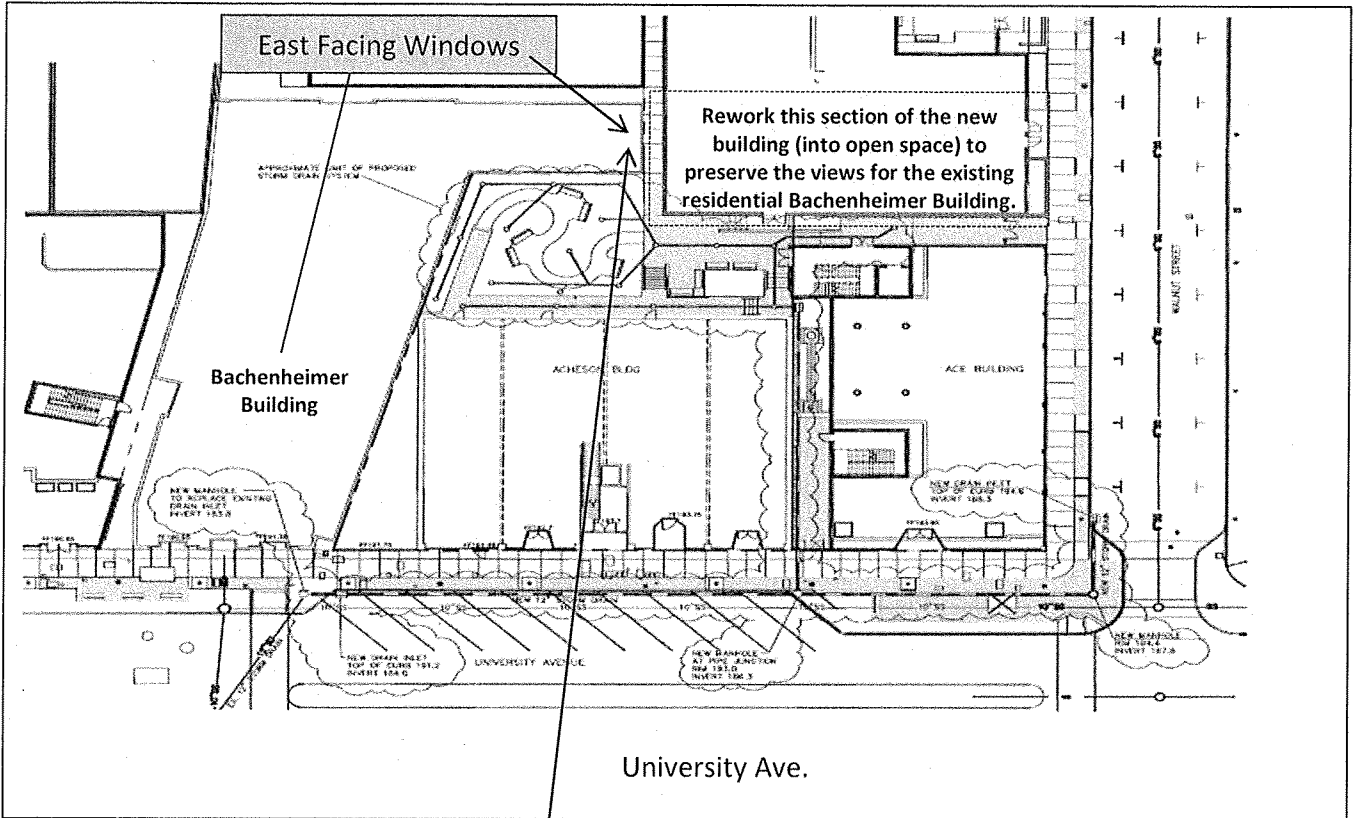
First and foremost: For this project to be a true benefit to the community at large, it MUST retain the Berkeley ACE Hardware store. I can't imagine that the City of Berkeley would even consider losing this local serving retailer, and institution, in hopes of getting "something" later-on down the road. Berkeley ACE is the kind of retailer cities are dying for. The developer is proposing a 10K square foot retail pad and another 10K for food service. I think we can forego another food outlet in order to keep a vital and important retailer like Berkeley ACE. In addition, because Berkeley ACE would like to stay as part of the downtown Berkeley community – I feel as part of the conditions-of-approval, the developer/owner of the newly completed space should be required to lease the appropriate amount of space (equal to or more than they currently have), to Berkeley ACE at below-market-rate/affordable (e.g. what they pay currently). An added benefit to the project and the community is, by increasing the square footage to *retail* and not food service, the amount of required parking is lower. Keeping ACE in place should make or break this deal... **Berkeley ACE Hardware must stay.**

Secondly, as the project is currently proposed (when looking at the new buildings on the east side, on Walnut St.), they are situated too close to the eastern wing of the existing Bachenheimer Building. This end of the Bachenheimer Building has beautiful, large windows that now look out to views of the Berkeley Hills. If the new buildings are built as suggested, these large windows will have a view of their new neighbors less 20 feet away. In the developer's letter "response to the items deemed incomplete", submitted on 3/22/11, (on page 7 of the PDF), they state, "More open space could be provided on site, there are ample opportunities for the additional space." I think the project's open spaces should be planned around keeping the view-shed of these windows for the residents of their existing project and not ruin the living experience that these wonderful windows provide. The developer could reconfigure some of their planned "open space" to keep this end of the Bachenheimer Building from being completely hemmed-in. If need be, let them go up another story in part of the project.

See plan and photo on next page.

Let's work at making this a great plan for the entire community.

Thank you for your work – Steven Keller



Under the proposed plan, all four sets of these windows will look into their neighbor's unit, less than 20 feet away.

**Jacob, Melinda**

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**Subject:** FW: 2133 University Ave - ZAB Packet

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**From:** Summer Scanlan [mailto:summersong@gmail.com]

**Sent:** Thursday, May 05, 2011 11:49 AM

**To:** Powell, Greg

**Subject:** Acheson Commons Questions

Hello,

I'm unable to attend the Project Preview tonight, but am curious about several aspects of the plan for Acheson Commons.

Since I work across the street at 1925 Walnut, I'm especially interested in what measures will be taken to limit the disruption for those of us who will be spending most of our waking hours at the jobsite. What sound and dust control measures will be taken? Will Walnut Street parking still be available? Our constituents are older adults who may not be able to walk long distances. Will we be able to access our building as we are currently able to?

I'm also concerned about the following:

Having less than the minimum number of residential parking spaces (parking is already an issue in this area).  
Having less than the minimum square footage of usable open space (there is little/no open space in this area).  
Exceeding the building height permit (our building may be permanently cast in shadow).

Let me know if I should direct this email to someone else.

Best,

Summer Scanlan