



Z O N I N G A D J U S T M E N T S B O A R D S T A F F R E P O R T

FOR BOARD DISCUSSION
JUNE 12, 2014

2211 Harold Way

Draft EIR Scoping Session for proposed 18-story mixed-use development in Downtown Berkeley, with 302 dwelling units, a six-theater cinema, about 10,500 square feet of ground-floor commercial space, and a 171-space underground parking garage. Project includes demolition of 1959 “Hink’s Building” at Harold and Allston Ways, and removal of portions of the Shattuck Hotel building, primarily the 1926 addition fronting on Harold Way and Kittredge Street, and the portion of the 1913 addition extending west of the hotel along Kittredge Street.

I. Application Basics

A. CEQA Determination: An Environmental Impact Report (EIR) is being prepared.

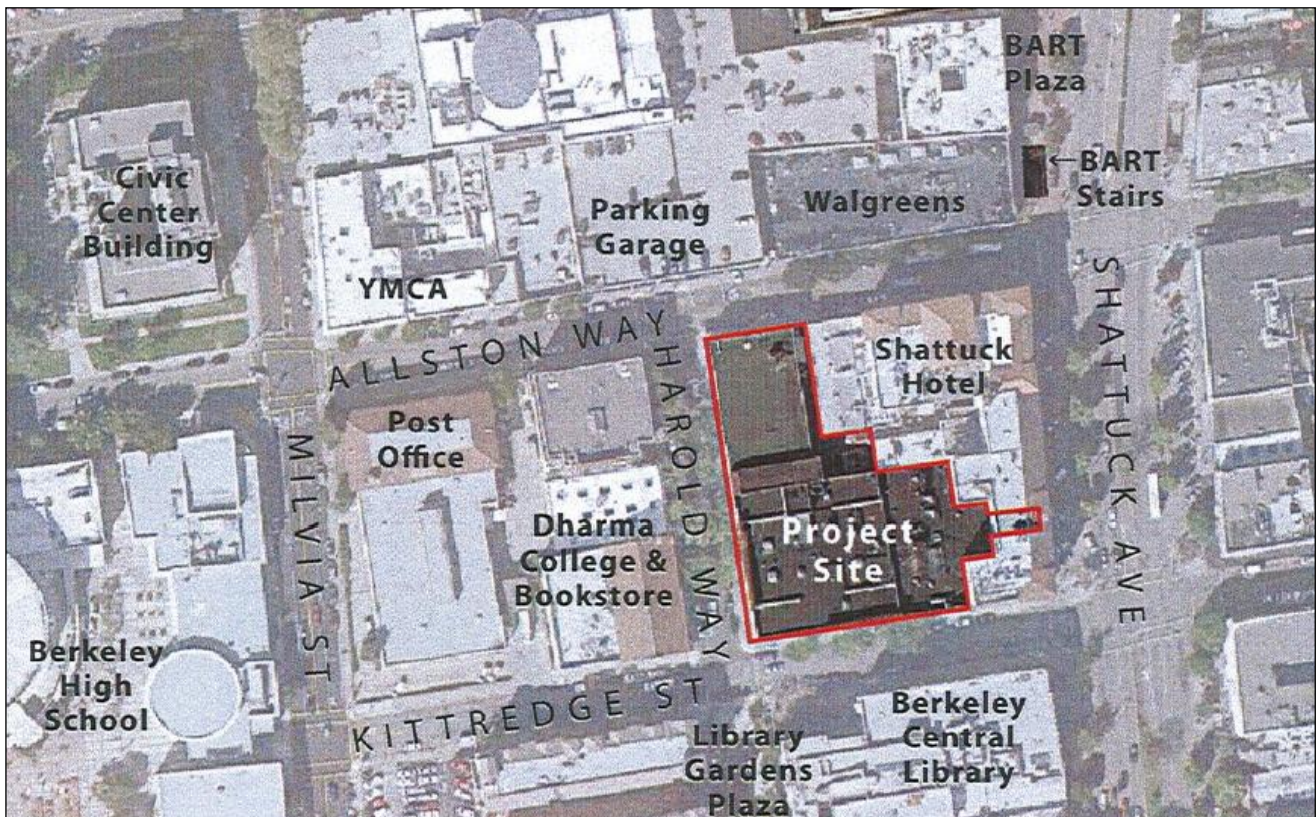
B. Parties Involved:

- Applicant
Rhoades Planning Group
505 17th St., 2nd Floor
Oakland, CA 94612
- Property Owner
HSR Berkeley Investments, LLC
11100 Santa Monica Blvd., Suite 880
Los Angeles, CA 90025
- Architect
MVEI
3 MacArthur Place, Suite 850
Santa Ana, CA 92707
- Historical Consultant
architecture + history, LLC
San Francisco, CA
- Urban Design Consultant
Taecker Planning and Design, LLC
Berkeley, CA

C. Permits Required:

- Structural Alteration Permit, under BMC Section 3.24.200 (Landmarks Preservation Ordinance)
- Use Permit to demolish a main building used for non-residential purposes, under BMC Section 23C.08.050.A
- Use Permit to construct a Mixed Use Development, under BMC Section 23E.68.030.A
- Administrative Use Permit to allow over 2,000 square feet of Full Service Restaurant space, under BMC Section 23E.68.030.A
- Use Permit to allow service of distilled spirits incidental to food service, under BMC Sections 23E.16.040.A and 23E.68.030.A
- Administrative Use Permit to allow service of beer and wine incidental to food service, under BMC Section 23E.68.030.A
- Administrative Use Permit to allow amplified live entertainment incidental to food service, under BMC Section 23E.68.030.A
- Use Permit to construct over 10,000 square feet of new floor area, under BMC Section 23E.68.050
- Use Permit to allow building height of over 120 feet but not more than 180 feet, under BMC Section 23E.68.070.B.2
- Administrative Use Permit to allow mechanical penthouse to exceed maximum building height, under BMC Section 23E.04.020.C

Figure 1: Vicinity Map



II. Background

As noted above, an Environmental Impact Report (EIR) is being prepared for this project. This is based on the fact that a portion of the Shattuck Hotel building, a designated City landmark, would be removed in order to construct the proposed project. Pursuant to CEQA Guidelines Section 15164.5, this is presumed to be a potentially significant impact requiring an EIR. Any other potentially significant impacts would also be addressed in the EIR. Based on preliminary analysis, it appears that the project’s significant effects would be limited to historical resources and traffic/circulation.

This scoping session is being conducted pursuant to the California Environmental Quality Act (“CEQA”) Guidelines, Section 15083 (“Early Public Consultation”), which states:

“Prior to completing the draft EIR, the lead agency may also consult directly with any person or organization it believes will be concerned with the environmental effects of the project. ... Scoping has been helpful to agencies in identifying the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in an EIR and in eliminating from detailed study issues found not to be important.”

As discussed above, the purpose of this scoping session is to solicit input from the ZAB and other interested community members as to what topics the EIR should address. This input will be considered as the Draft EIR is prepared. The scoping session is also an opportunity for the ZAB to learn more about the project description and the EIR process. Anticipated dates for key milestones in the EIR process are as follows:

Table 1: Key Milestones in EIR Process

(Note: Dates in *italics* are tentative.)

Task/Event	Date
Notice of Preparation (NOP) released (see Attachment 1 for copy)	May 19, 2014
LPC Scoping Session	June 5, 2014
ZAB Scoping Session	June 12, 2014
End of 30-day NOP comment	June 19, 2014
Publication of Draft EIR	<i>Late July/early August</i>
LPC & ZAB Draft EIR Comment Sessions	<i>August-September 2014</i>
Close of Draft EIR comment period	<i>Early/mid September</i>
Publication of Response to Comments on Draft EIR	<i>Late October/early November</i>
ZAB hearing on EIR certification	<i>November 13, 2014</i>
LPC hearing on Structural Alteration Permit	<i>December 4, 2014</i>

III. Project Description

The proposed project is an 18-story mixed-use development located in Downtown Berkeley, with 302 dwelling units, a six-theater cinema, about 10,500 square feet of ground-floor commercial space, and a 171-space underground parking garage. The project's primary street frontage would be along Harold Way, although it would also front on portions of Allston Way and Kittredge Street. The project is primarily 12 stories in height, with five-story portions within 15 feet of the street frontages, and an 18-story "tower" located at the southwest corner of the site, near Harold Way and Kittredge Street.

The project includes demolition of the existing on-site 1959 "Hink's Building" (a.k.a. Postal Annex), located at the corner of Harold and Allston Ways, and removal of a portion of the Shattuck Hotel building (primarily the 1926 Walter Ratcliffe addition fronting on Harold Way and Kittredge Street, and the portion of the 1913 addition extending west of the hotel along Kittredge Street). Some alteration/excavation of the area beneath the retail stores along Shattuck Avenue would also occur in order to create additional space for new cinemas.

Please see attached Notice of Preparation for further project information.

IV. Recommendation

Staff recommends that the ZAB provide comments on the desired scope of the EIR. The ZAB may make a motion reflecting the comments of the ZAB as a whole, and/or individual ZAB members may offer comments. All comments will be recorded and considered during the preparation of the EIR.

Attachments:

1. Notice of Preparation

Staff Planner: Aaron Sage, AICP; asage@cityofberkeley.info (510) 981-7425