

Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: Letter for ZAB supplementary packet  
**Attachments:** 8-25-15 ZABletterGG.pdf

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**From:** Gale G. [<mailto:galeg@berkeley.edu>]  
**Sent:** Tuesday, August 25, 2015 12:25 PM  
**To:** Zoning Adjustments Board (ZAB)  
**Subject:** Letter for ZAB supplementary packet

Dear Secretary to the ZAB,

Please find attached a letter for the ZAB members, relating to the Study Session this Thursday at 6:00 pm.

Can you tell me when letters submitted today will be viewable on line?

Thank you.

Gale Garcia

August 25, 2015

Zoning Adjustments Board  
City of Berkeley

Re: 2211 Harold Way Project Needs a Seismic Hazard Investigation

Dear Members of the Board,

There is a false representation on the application for the proposed Harold Way project.

A Seismic Hazard Investigation is required to build in a liquefaction, landslide or fault zone. Item 25 on the Requirements Checklist for applications asks whether the project is in one of these zones. The City's Environmental Constraints Map shows the Harold Way project to be in a liquefaction zone (see attachments 1 and 2.). Yet the applicants checked "No" on Item 25 (see attachment 3), and failed to perform the needed investigation.

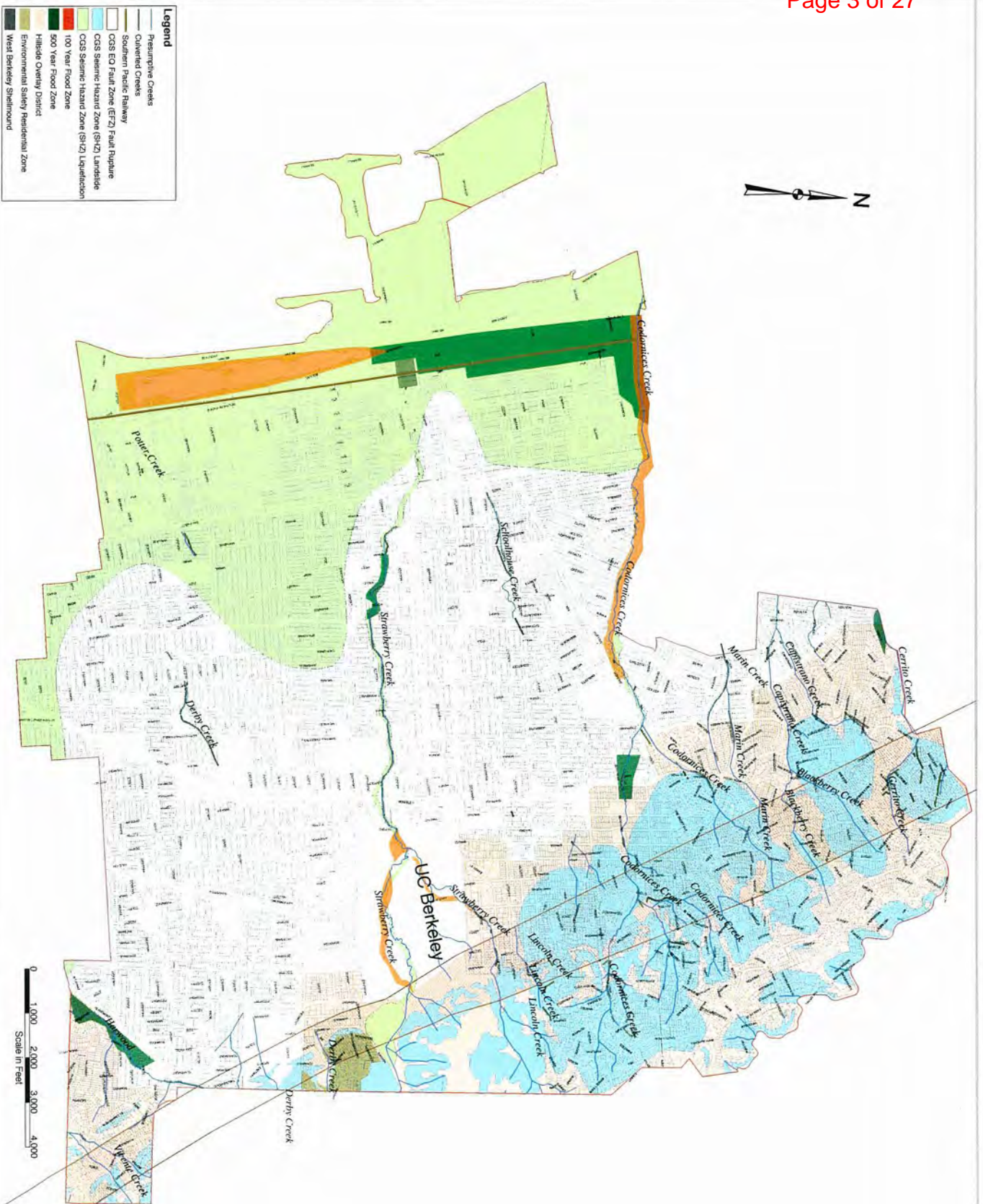
A Seismic Hazard Investigation might demonstrate that this project, which includes excavation underneath the historic Shattuck Hotel, would create a hazardous situation that will endanger future guests and employees of the Hotel, and could lead to a needless loss of life.

The applicants need to revisit the application process and complete a Seismic Hazard Investigation. It would be unconscionable to allow this project to be built without a required safety investigation because of a false representation by the applicants. The risks are too great.

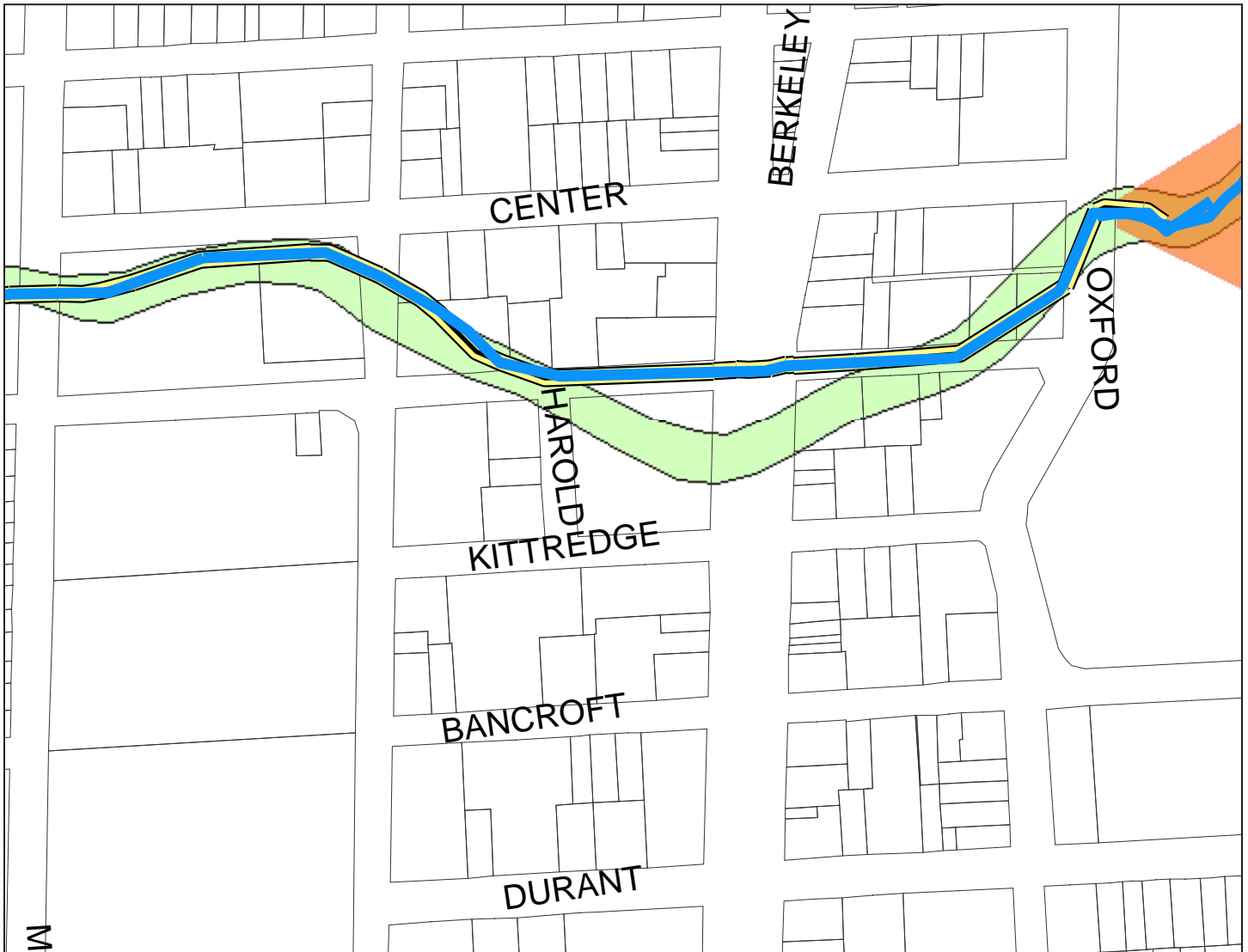
Sincerely,

Gale Garcia

**Environmental Constraints**




Close-up of the Shattuck Hotel parcel from the City of Berkeley Environmental Constraints Map. Pale green indicates a seismic liquefaction zone.




I.A. ZONING PROJECT APPLICATION FORM  
Effective May 2012.

You must disclose whether or not any of the following are true of the project:	No	Yes	Handout / Application Requirement
22. Elimination of any dwelling units  a. If known, are any of the dwelling units on the property controlled rental units?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Your application will be referred to the Rent Stabilization Board. No action is required on your part. You may contact them at (510) 981-7368 if you have any questions.
23. Construction activity within the drip line of a Coast Live Oak tree	<input checked="" type="checkbox"/>	<input type="checkbox"/>	III.C.1 – Arborist Report
24. A new building in a non-residential zoning district, on a site with a history of soil and/or groundwater contamination or within Toxic Division's Environmental Management Areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.C.2 – Phase I or II Assessment
25. A new building or addition in a liquefaction, landslide, or fault zone shown on the "Environmental Constraints Map"	<input checked="" type="checkbox"/>	<input type="checkbox"/>	III.C.3 – Seismic Hazard Investigation
26. Construction on a parcel that is within 40 feet of an open creek or 25 feet of a culverted creek as defined in BMC 17.08	<input checked="" type="checkbox"/>	<input type="checkbox"/>	III.C.5 – Conformance with Creeks Ordinance, Creeks Submittal

Under penalties of perjury, I certify that the above information is true and complete to the best of my knowledge.

Applicant Signature:  Date: 2/21/13

Owner's Signature:  Date: 2/21/13

[Approved by TBlount, 2012-06-11]

Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: 2211 Harold Way

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**From:** Patrick Sheahan [<mailto:pkasarchitect@mac.com>]  
**Sent:** Tuesday, August 25, 2015 10:48 AM  
**To:** Zoning Adjustments Board (ZAB)  
**Cc:** City Clerk  
**Subject:** 2211 Harold Way

**To:** Zoning Adjustments Board, City of Berkeley  
**Re:** [2211 Harold Way](#): Height determination  
**Date:** August 25, 2015

Documents submitted indicate a building height of 180 feet, to the structural roof deck, exclusive of parapets, pergolas and rooftop unoccupied mechanical and access structures. The 'solar' pergola, at about 190 feet, is an architectural feature adding excessive height to the building; which is not required to support solar panels, normally located on the roof, and not justified by the height exception for solar panels. Project proponents have also suggested that glass windscreens, a well documented hazard for birds, may be provided above the parapet, which constitute an architectural structure governed by height limits.

Measure R, voter approved in 2010, stipulates: "2-residential buildings... no higher than existing 180 foot buildings". The campaign for Measure R 2010 made issue that 'new tall buildings be no higher than existing buildings'. No documentation of the ostensible 180 foot height for existing buildings was provided to voters, nor has been subsequently provided. Subsequent zoning enacted may not contravene the voter approved height limit reference. If the Measure R 2010 reference to "180 feet" proves to be in error, the "no higher than existing buildings" reference should govern.

Independent sources cite differing heights for the Great Western (Chase) building, generally acknowledged to be the tallest existing building in the downtown core: [Emporis.com](#) cites the Great Western (Chase) building main roof (parapet) height at 158.5 feet. An independent survey cites the Great Western (Chase) building main roof (parapet) height at 169.3 feet. It is incumbent upon the City of Berkeley to provide independent verifiable documentation of "existing building height" to assure compliance with Measure R.

Height comparison must be made on an equivalent basis: i.e. main building parapet to main building parapet (face of main building as seen at or below parapet height). [2211 Harold Way](#) documents have apparently confused height of main building (proposed) structural roof deck with top of main building (existing) parapet. Reference to height definition must be consistent with Measure R and the definition of height in force at the time of voter approval. Subsequent zoning or interpretation may not contravene the voter approved Measure R 2010.

[2211 Harold Way](#) documents submitted indicate a parapet height approximately 5 feet higher than the structural roof deck, for a main roof (parapet) height of 185 feet. 185 feet is, according to independent sources cited above, from 15.7 to 26.5 feet higher than the Great Western (Chase) building main roof (parapet) height. At a 10'-4" floor height, [2211 Harold](#)

[Way](#) appears to require a reduction of 2-3 stories to comply with Measure R 2010. Architectural features; pergolas, wind screens, etc. are also required to comply with the Measure R 2010 height limit.

Patrick Sheahan, Architect

Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: (for 27-Aug ZAB) 2211 Harold Way is 3 towers, not 1

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**From:** Erin Diehm [<mailto:erindiehm@hotmail.com>]

**Sent:** Tuesday, August 25, 2015 1:15 AM

**To:** Berkeley Mayor's Office; Maio, Linda; Moore, Darryl; Anderson, Maxwell; Arreguin, Jesse L.; Capitelli, Laurie; Wengraf, Susan; Worthington, Kriss; Droste, Lori; City Clerk; Zarnowitz, Sally; Zoning Adjustments Board (ZAB); Powell, Greg; Allen, Shannon

**Subject:** (for 27-Aug ZAB) 2211 Harold Way is 3 towers, not 1

24 August 2015

RE: 2211 Harold Way

Dear City Officials,

With Measure R Berkeley citizens agreed to allow 7 new high rises to built downtown. Harold Way takes liberty with citizens' good will and greedily expands what should be a single, narrow tower into three hulking masses.

If approved as currently planned, Harold Way will increase the number of new high rise towers to at least 9.

We didn't vote for 9 high rises. We voted for 7.

I urge you to deny the current design of 2211 Harold Way and require that they fulfill the public will as voted on with Measure R.

Regards,  
Erin Diehm, Ph.D.



Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: (for 27-Aug ZAB) 2211 Harold Way fails DAP housing diversity goals

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**From:** Erin Diehm [<mailto:erindiehm@hotmail.com>]

**Sent:** Tuesday, August 25, 2015 1:03 AM

**To:** Berkeley Mayor's Office; Maio, Linda; Moore, Darryl; Anderson, Maxwell; Arreguin, Jesse L.; Capitelli, Laurie; Wengraf, Susan; Worthington, Kriss; Droste, Lori; City Clerk; Zarnowitz, Sally; Zoning Adjustments Board (ZAB); Powell, Greg; Allen, Shannon

**Subject:** (for 27-Aug ZAB) 2211 Harold Way fails DAP housing diversity goals

24 August 2015

RE: 2211 Harold Way

Dear City Officials,

The current plan of 2211 Harold Way violates the the goal of providing housing for a diverse population, as outlined in the DAP 2012:

*(DAP 2012, LU-15) "Policy LU-3.2: Housing Diversity & Affordability. Offer diverse housing opportunities for persons of different ages and incomes, households of varying size and the disabled.*

The rents for Harold Way are projected to range from \$2,700 - 6,500. Those rates will not promote diversity of income.

How much of Harold Way will be wheelchair accessible?

You owe it to the citizens of Berkeley to fulfill, to the best of your ability, the goals set down in the 2012 Downtown Area Plan.

I urge you to deny the current design of 2211 Harold Way and require the building to promote housing for persons of all ages, incomes, and mobilities.

Regards,  
Erin Diehm, Ph.D.

Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: (for 27-Aug ZAB) 2211 Harold Way fails DAP rainwater capture goals

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**From:** Erin Diehm [<mailto:erindiehm@hotmail.com>]

**Sent:** Tuesday, August 25, 2015 12:55 AM

**To:** Berkeley Mayor's Office; Maio, Linda; Moore, Darryl; Anderson, Maxwell; Arreguin, Jesse L.; Capitelli, Laurie; Wengraf, Susan; Worthington, Kriss; Droste, Lori; City Clerk; Zarnowitz, Sally; Zoning Adjustments Board (ZAB); Powell, Greg; Allen, Shannon

**Subject:** (for 27-Aug ZAB) 2211 Harold Way fails DAP rainwater capture goals

24 August 2015

RE: 2211 Harold Way

Dear City Officials,

The current plan of 2211 Harold Way violates the the goal of no new net rainwater runoff, as clearly stated in the DAP 2012:

*(DAP 2012, ES-9) "Policy ES-4.3: Water Conservation, Reuse & Retention... b) Development projects should generate no new net rainwater runoff."*

The developers propose a 20,000 gallon cistern for rainwater capture. However the roof would generate at least 340,000 gallons per year. This means the cistern they propose captures only 6% of all rainwater, which means they'll dump 94% of the water as runoff.

<http://www.calctool.org/CALC/other/default/rainfall>

24,193 sq ft

22.5 inches of rain/year

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340,000 gallons of rainwater per year

You owe it to the citizens of Berkeley to fulfill, to the best of your ability, the goals set down in the 2012 Downtown Area Plan.

I urge you to deny the current design of 2211 Harold Way and require that it have 100% rainwater capture. THAT'S REAL SUSTAINABILITY!

Regards,

Erin Diehm, Ph.D.

Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: (for 27-Aug ZAB) 2211 Harold Way fails DAP goal for cinams

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**From:** Erin Diehm [<mailto:erindiehm@hotmail.com>]

**Sent:** Tuesday, August 25, 2015 12:36 AM

**To:** Berkeley Mayor's Office; Maio, Linda; Moore, Darryl; Anderson, Maxwell; Arreguin, Jesse L.; Capitelli, Laurie; Wengraf, Susan; Worthington, Kriss; Droste, Lori; City Clerk; Zarnowitz, Sally; Zoning Adjustments Board (ZAB); Powell, Greg; Allen, Shannon

**Subject:** (for 27-Aug ZAB) 2211 Harold Way fails DAP goal for cinams

24 August 2015

RE: 2211 Harold Way

Dear City Officials,

The DAP 2012 state clearly that movie theaters should be promoted and maintained downtown:

*(DAP 2012, LU-8) "Policy LU-1.2: Culture & Entertainment... b) Retain and support Downtown's cinemas. Consider incentives for retaining existing movie theaters..."*

The developer's most recent promise is that the movie theaters will be rebuilt. However:

- What guarantee do we have that the movie theaters will be rebuilt?
- If they are rebuilt, how much will the new lease cost? \$2/sq ft (the current rate)? \$4? \$6.50?
- The developer is claiming a \$17 MILLION dollar community benefit over the next 20 years. If the city of Berkeley approves 2211 Harold Way, how will the city of Berkeley guarantee it receives the full \$17 million it is due?

I urge you to deny the current design of 2211 Harold Way until the developer has provided a legal, transferable and binding guarantee that guarantees all 10 screens of the cinema will be rebuilt, at a viable cost per sq ft, and that requires the developer to provide Berkeley the full sum of the associated Community Benefits due.

Regards,  
Erin Diehm, Ph.D.

Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: (for 27-Aug ZAB) 2211 Harold Way fails cinema due diligence

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**From:** Erin Diehm [<mailto:erindiehm@hotmail.com>]

**Sent:** Tuesday, August 25, 2015 12:24 AM

**To:** Berkeley Mayor's Office; Maio, Linda; Moore, Darryl; Anderson, Maxwell; Arreguin, Jesse L.; Capitelli, Laurie; Wengraf, Susan; Worthington, Kriss; Droste, Lori; City Clerk; Zarnowitz, Sally; Zoning Adjustments Board (ZAB); Powell, Greg; Allen, Shannon

**Subject:** (for 27-Aug ZAB) 2211 Harold Way fails cinema due diligence

24 August 2015

RE: 2211 Harold Way

Dear City Officials,

The DAP 2012 state clearly that movie theaters should be promoted and maintained downtown:

*(DAP 2012, LU-8) "Policy LU-1.2: Culture & Entertainment... b) Retain and support Downtown's cinemas. Consider incentives for retaining existing movie theaters..."*

The developer promises that the Shattuck Cinemas profitable 10-screen movie theater will be rebuilt after they've destroyed it. Yet they haven't done the necessary up-front work with a structural engineer to guarantee that the 3 theaters currently designed to be built UNDERNEATH the landmarked Shattuck Hotel are actually viable.

You owe it to the citizens of Berkeley to require the developer to hire a 3rd-party, independent structural engineer NOW, to verify that the current cinema plans are feasible.

I urge you to deny the current design of 2211 Harold Way until the developer has provided adequate documentation from an independent, objective, 3rd party engineer.

Regards,  
Erin Diehm, Ph.D.

Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: (for 27-Aug ZAB) 2211 Harold Way fails DAP affordable housing goals

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**From:** Erin Diehm [<mailto:erindiehm@hotmail.com>]

**Sent:** Tuesday, August 25, 2015 12:10 AM

**To:** Berkeley Mayor's Office; Maio, Linda; Moore, Darryl; Anderson, Maxwell; Arreguin, Jesse L.; Capitelli, Laurie; Wengraf, Susan; Worthington, Kriss; Droste, Lori; City Clerk; Zarnowitz, Sally; Zoning Adjustments Board (ZAB); Powell, Greg; Allen, Shannon

**Subject:** (for 27-Aug ZAB) 2211 Harold Way fails DAP affordable housing goals

24 August 2015

RE: 2211 Harold Way

Dear City Officials,

The current plan of 2211 Harold Way violates the the goal of providing affordable housing downtown, as outlined in the DAP 2012:

*(DAP 2012, IN-18) "Goal LU-3.: Cultivate Downtown as an attractive residential neighborhood with a range of housing opportunities, and an emphasis on affordable housing and family housing.*

The current design of Harold Way offers less than 10% affordable housing. And it is likely NONE OF IT WILL BE ON-SITE.

The rents are projected to range from \$2,700 - 6,500. THOSE RATES ARE NOT AFFORDABLE.

You owe it to the citizens of Berkeley to fulfill, to the best of your ability, the goals set down in the 2012 Downtown Area Plan. Anything less is a breach of trust.

I urge you to deny the current design of 2211 Harold Way and require that this important building actually fulfill the goals of our DAP.

Regards,  
Erin Diehm, Ph.D.

Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: (for 27-Aug ZAB) 2211 Harold Way fails DAP family housing goals

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**From:** Erin Diehm [<mailto:erindiehm@hotmail.com>]

**Sent:** Tuesday, August 25, 2015 12:06 AM

**To:** Berkeley Mayor's Office; Maio, Linda; Moore, Darryl; Anderson, Maxwell; Arreguin, Jesse L.; Capitelli, Laurie; Wengraf, Susan; Worthington, Kriss; Droste, Lori; City Clerk; Zarnowitz, Sally; Zoning Adjustments Board (ZAB); Powell, Greg; Allen, Shannon

**Subject:** (for 27-Aug ZAB) 2211 Harold Way fails DAP family housing goals

24 August 2015

RE: 2211 Harold Way

Dear City Officials,

The current plan of 2211 Harold Way violates the the goal of providing family housing downtown, as stated in the DAP 2012:

*(DAP 2012, IN-18) "Goal LU-3.: Cultivate Downtown as an attractive residential neighborhood with a range of housing opportunities, and an emphasis on affordable housing and family housing.*

The current design of Harold Way does not emphasize family housing:

71% of all units are studios or 1-bdr

27% are 2-bdr

**only 2% (!!!) are 3-bdr**

You owe it to the citizens of Berkeley to fulfill, to the best of your ability, the goals set down in the 2012 Downtown Area Plan. Anything less is a breach of trust.

Regards,

Erin Diehm, Ph.D.

Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: Save the Shattuck Cinemas and more!

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**From:** Maryly Snow [<mailto:maryly@snowstudios.com>]  
**Sent:** Monday, August 24, 2015 8:55 AM  
**To:** Zoning Adjustments Board (ZAB)  
**Subject:** Save the Shattuck Cinemas and more!

Plus the views from campus. Bad plan! Ignore the fact that big money speaks... Find another location

~ ~ ~ ~ ~ ~ ~

Maryly Snow

[www.snowstudios.com](http://www.snowstudios.com)

[www.caprintmakers.org](http://www.caprintmakers.org)

[www.toothbrushcollection.org](http://www.toothbrushcollection.org)

Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: (for 27-Aug ZAB) 2211 Harold Way fails DAP energy goals

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**From:** Erin Diehm [<mailto:erindiehm@hotmail.com>]

**Sent:** Monday, August 24, 2015 1:01 AM

**To:** Berkeley Mayor's Office; Maio, Linda; Moore, Darryl; Anderson, Maxwell; Arreguin, Jesse L.; Capitelli, Laurie; Wengraf, Susan; Worthington, Kriss; Droste, Lori; City Clerk; Zarnowitz, Sally; Zoning Adjustments Board (ZAB); Powell, Greg; Allen, Shannon

**Subject:** (for 27-Aug ZAB) 2211 Harold Way fails DAP energy goals

23 August 2015

RE: 2211 Harold Way

Dear City Officials,

The current plan of 2211 Harold Way violates the goal of "cutting edge" technologies for energy use, as stated in the DAP 2012:

*(DAP 2012, ES-1) "Generate renewable energy using photovoltaics, rooftop wind turbines, and other emerging technologies.*

*(DAP 2012, ES-2) DAP policies also require new construction that incorporates cutting-edge design and technologies for reducing energy use...*

- 

Not only is 5-7% solar energy NOT cutting edge, it will soon be an anachronism. We must require all new buildings in Berkeley to meet ZNE or better (Living Building Challenge).

*(DAP 2012, ES-3) The United Nations Environment Program has estimated that 30-40 % of global energy is consumed when operating buildings.*

Anything else is a failure to fulfill the policies and expectations set down by our own DAP.

**DENY THE PERMIT for 2211 HAROLD WAY as currently designed. REQUIRE TRULY GREEN BUILDINGS.**

Regards,  
Erin Diehm, Ph.D.





Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: (for 27-Aug ZAB) Republican Mayor of Lancaster CA sets ZNE by 2020

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**From:** Erin Diehm [<mailto:erindiehm@hotmail.com>]

**Sent:** Sunday, August 23, 2015 11:54 PM

**To:** Berkeley Mayor's Office; Maio, Linda; Moore, Darryl; Anderson, Maxwell; Arreguin, Jesse L.; Capitelli, Laurie; Wengraf, Susan; Worthington, Kriss; Droste, Lori; City Clerk; Zarnowitz, Sally; Zoning Adjustments Board (ZAB); Powell, Greg; Allen, Shannon

**Subject:** (for 27-Aug ZAB) Republican Mayor of Lancaster CA sets ZNE by 2020

23 August 2015

RE: 2211 Harold Way

Dear City Officials,

The Republican mayor of Lancaster CA, R. Rex Parris, gets it. He takes climate change seriously and will take his city to ZNE by 2020. "I may be a Republican but I'm not an idiot."

Meanwhile, here in Berkeley, our officials promote buildings (e.g., 2211 Harold way) that offer a measly 5-7% solar. Are you serious?

I'm starting to think that Berkeley city officials are the NIMBYs and the climate deniers.

"Zero Net Energy?! ... not in my back yard."

I'm disgusted that a building with so little energy production can even be considered for development.

DENY THE PERMIT -- REQUIRE (a minimum of) ZERO NET ENERGY

Regards,  
Erin Diehm, Ph.D.

Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: UPDATED 2211 Harold Way -- SAY NO by August 27

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**From:** Gloria Frym [<mailto:gfrym@cca.edu>]  
**Sent:** Friday, August 21, 2015 2:17 PM  
**To:** Gloria Frym  
**Cc:** Zoning Adjustments Board (ZAB); Arreguin, Jesse L.; Worthington, Kriss; SavingShattuck Cinemas; Chris Linville; Kelly Hammargren; Sally Nelson  
**Subject:** Re: UPDATED 2211 Harold Way -- SAY NO by August 27

To the Zoning Board:

Many, many residents of Berkeley are horrified that are 'Main Street' will soon be transformed into a mini-Gotham City.

I embrace more housing near transportation hubs. However, local residents who also work locally have the least impact on transportation services, the environment, and climate change. In a small city like Berkeley, they have the viable option to walk and bicycle.

Who can afford to live in these glass towers? Berkeley's local teachers, librarians, fire and police personnel, and other city workers? We need these individuals and their families to be part of our community 24/7. We need to maintain the cultural and class diversity of our population. We need more downtown housing for college students. In other words, **we need REAL affordable housing.**

I understand the Developer has agreed to pay \$20,000 per unit to bypass the 10% 'affordable housing' requirement. That's shameful!

As for our precious cultural and entertainment resources like the Shattuck Cinemas, they will disappear during the four years of

construction. Also, we have listened to the plans from the Developer. They are unacceptable. We want a cinema arcade, not a basement.

The Developer is paying lip-service to GREEN, but there is so much more that the City could demand in regard to environmental impact, water, et al. Real GREEN, not GREENWASHING!

Blocking the view from the Campanile is akin to putting an 18-story monolith in front of the Eiffel Tower.

2211 Harold Way is the wrong size in the wrong place! We want our voices, the residents' and voters' voices, to be heard!

Thank you.

Gloria Frym  
2119 Eunice St.  
Berkeley, CA 94709  
510-524-6069  
homeowner and taxpayer

On Fri, Aug 21, 2015 at 9:45 AM, Summer Brenner <[summerbrenner@gmail.com](mailto:summerbrenner@gmail.com)> wrote:

[An updated version. Please disregard the former note for Public Record.]

To the Zoning Board:

Many, many residents of Berkeley are horrified that are 'Main Street' will soon be transformed into a mini-Gotham City.

I embrace more housing near transportation hubs. However, local residents who also work locally have the least impact on transportation services, the environment, and climate change. In a small city like Berkeley, they have the viable option to walk and bicycle.

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in front of the Eiffel Tower.

2211 Harold Way is the wrong size in the wrong place! We want our voices, the residents' and voters' voices, to be heard!

Thank you.

Summer Brenner  
Berkeley resident since 1973

--

Gloria Frym  
Professor, Chair  
MFA Writing Program  
California College of the Arts  
1111 Eighth Street  
San Francisco, CA 94107  
[gfrym@cca.edu](mailto:gfrym@cca.edu)  
510-910-0181 c  
415-703-9500 w

Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: Harold Way

-----Original Message-----

From: Leonard Pitt [<mailto:leonard.pitt@icloud.com>]  
Sent: Friday, August 21, 2015 1:59 PM  
To: Zoning Adjustments Board (ZAB); Arreguin, Jesse L.; Worthington, Kriss;  
[savingshattuck@gmail.com](mailto:savingshattuck@gmail.com); [clinivill@linvillandpondarchitects.com](mailto:clinivill@linvillandpondarchitects.com); [artpolitics@comcast.net](mailto:artpolitics@comcast.net);  
[sallynels7@gmail.com](mailto:sallynels7@gmail.com); Zoning Adjustments Board (ZAB)  
Subject: Harold Way

Dear Zab,

2211 Harold Way is so full of holes and will come back to haunt you.

How can Berkeley in anyway talk affordable housing and then sell it off for a big-deal \$20,000 a unit.

That money will disappear in a minute once in the city budget.

The benefit that would have been brought by the affordable housing, as prescribed by law, would have lasted a lifetime.

Is it true, all things have their price?

C'mon! I thought we could see bigger than that. Where is the vision?

Shame on you,

Leonard Pitt

Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: UPDATED 2211 Harold Way -- SAY NO by August 27

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**From:** Summer Brenner [<mailto:summerbrenner@gmail.com>]  
**Sent:** Friday, August 21, 2015 9:45 AM  
**To:** Zoning Adjustments Board (ZAB)  
**Cc:** Arreguin, Jesse L.; Worthington, Kriss; SavingShattuck Cinemas; Chris Linville; Kelly Hammargren; Sally Nelson  
**Subject:** UPDATED 2211 Harold Way -- SAY NO by August 27

[An updated version. Please disregard the former note for Public Record.]

To the Zoning Board:

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I embrace more housing near transportation hubs. However, local residents who also work locally have the least impact on transportation services, the environment, and climate change. In a small city like Berkeley, they have the viable option to walk and bicycle.

Who can afford to live in these glass towers? Berkeley's local teachers, librarians, fire and police personnel, and other city workers? We need these individuals and their families to be part of our community 24/7. We need to maintain the cultural and class diversity of our population. We need more downtown housing for college students. In other words, **we need REAL affordable housing.**

I understand the Developer has agreed to pay \$20,000 per unit to bypass the 10% 'affordable housing' requirement. That's shameful!



As for our precious cultural and entertainment resources like the Shattuck Cinemas, they will disappear during the four years of construction. Also, we have listened to the plans from the Developer. They are unacceptable. We want a cinema arcade, not a basement.

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in front of the Eiffel Tower.

2211 Harold Way is the wrong size in the wrong place! We want our voices, the residents' and voters' voices, to be heard!

Thank you.

Summer Brenner  
Berkeley resident since 1973

Jacob, Melinda

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**From:** Zoning Adjustments Board (ZAB)  
**Subject:** FW: 2211 Harold Way -- SAY NO by August 27

---

**From:** Summer Brenner [<mailto:summerbrenner@gmail.com>]  
**Sent:** Friday, August 21, 2015 9:19 AM  
**To:** Zoning Adjustments Board (ZAB)  
**Cc:** Arreguin, Jesse L.; Worthington, Kriss; [savingshattuck@gmail.com](mailto:savingshattuck@gmail.com); Chris Linville; [artpolitics@comcast.net](mailto:artpolitics@comcast.net); Sally Nelson  
**Subject:** 2211 Harold Way -- SAY NO by August 27

To the Zoning Board:

Many, many residents of Berkeley are disappointed that are 'Main Street' will soon be transformed into a mini-Gotham City.

I embrace more housing near transportation hubs. However, local residents who also work locally have the least impact on transportation services, the environment, and climate change. In a small city like Berkeley, they have the viable option to walk and bicycle.

Who can afford to live in these glass towers? Berkeley's local teachers, librarians, fire and police personnel, and other city workers? We need these individuals and their families to be part of our community 24/7. We need to maintain the cultural and class diversity of our population. We need more downtown housing for college students. In other words, **we need REAL affordable housing.**

I understand the Developer has agreed to pay \$20,000 per unit to bypass the 10% 'affordable housing' requirement. That's shameful!

As for our precious cultural and entertainment resources like the Shattuck Cinemas, they will disappear during the four years of construction. Also, we have listened to the plans from the

Developer. They are unacceptable. We want a cinema arcade, not a basement.

The Developer is paying lip-service to GREEN, but there is so much more that the City could demand in regard to environmental impact, water, et al. Real GREEN, not GREENWASHING!

Blocking the view from the Campanile is akin to putting an 18-story block in front of the Eiffel Tower.

2211 Harold Way is the wrong size in the wrong place! We want our voices, the residents' and voters' voices, to be heard!

Thank you.

Summer Brenner

Berkeley resident since 1973