**Revised TABULATION FORM**

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<thead>
<tr>
<th>Project Address:</th>
<th>1900 4th Street, Berkeley, CA 94710</th>
<th>Date: 7/19/16</th>
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<tbody>
<tr>
<td>Applicant’s Name:</td>
<td>West Berkeley Investors, LLC</td>
<td></td>
</tr>
<tr>
<td>Zoning District</td>
<td>C-W, West Berkeley Commercial District</td>
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Please print in ink the following numerical information for Use Permit, Variance, and other Zoning Ordinance related permit applications:

### Units: Parking Spaces

<table>
<thead>
<tr>
<th>Existing</th>
<th>Proposed</th>
<th>Permitted/Required</th>
</tr>
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<tr>
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<tr>
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<td>228</td>
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### Yards and Height

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<tbody>
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<td>N/A</td>
<td>varies across site</td>
<td>N/A</td>
</tr>
<tr>
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<td>varies across site</td>
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### Areas

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<tr>
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<td>96,266</td>
<td>96,266</td>
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</tr>
<tr>
<td>900</td>
<td>191,362</td>
<td>288,798</td>
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<td>900</td>
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<tr>
<td>N/A</td>
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<td>40 SF/DU=6,200</td>
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*See Definitions – Zoning Ordinance Title 23F.*

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<tr>
<th>Existing</th>
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Overview and Project Introduction

Rhoades Planning Group, on behalf of West Berkeley Investors, LLC, is pleased to present this proposal for a new mixed-use infill development project located on Berkeley’s Fourth Street. We are also pleased to present to the City the full archeological report and findings completed for the site because of its proximity to the area generally believed to have been near the West Berkeley Shellmound site. No culturally significant evidence was found to be on the site after extensive boring and trench excavation.

1900 Fourth will build on the intimate character of the Fourth Street shopping district with retail and food service spaces on the ground floor, as well as open-air dining plazas and new paseo retail walkways. The upper floors will create a residential apartment community that is rich in amenities, complements recent residential developments on Fourth Street south of University Avenue, and ties the residential component into the neighborhood shopping character of Fourth Street. The project also serves as a transition between the mixed-use projects south of University Avenue that have much higher residential densities, and the area to the north along Fourth Street that has no residential dwelling units. The project will provide parking to residential uses, as well as a high level of parking, significantly greater than that required by the City, that will be associated with the commercial spaces and available to the public.

The project furthers the goals of the West Berkeley Plan, including providing for an economic and land use mix, channeling new commercial and residential development to appropriate districts, protecting residential core neighborhoods from adverse impacts of growth, and assuring new development is of a scale and design appropriate to its surroundings. 1900 Fourth also helps to satisfy below-market rate and market-rate housing production pursuant to Berkeley’s Regional Housing Needs Allocation.
to AC Transit, Amtrak, pedestrian connectivity and bike paths, and a focus on a high level of alternative transportation amenities, will ensure the proposed project contributes to Berkeley’s Climate Action Plan goals of providing housing oriented to alternative transportation. The parking garage is specifically designed to avoid motorists circling looking for parking, which is a significant contributor to greenhouse gas emissions.

West Berkeley Shellmound Landmark Overlay

The project site is part of a group of several properties that were designated by the City of Berkeley’s Landmarks Preservation Commission as a Landmark site. This status was conferred in an effort to preserve an area assumed to generally contain the historic site of the Ohlone Shellmound, defined primarily by what prior researchers and investigators estimated as the location and dimensions of the Shellmound. The above grade portions of the shellmound were completely removed by the 1950’s, due to the area’s rapid late 19th and early 20th century industrialization.

An archeological investigation in 1999 and 2000 surveyed the entire site with 45 investigatory borings, during which time two areas were identified as areas of interest for further study. Between January and March 2014, Archeo-Tec, Inc., of Oakland, led by Dr. Allen Pastron, carried out a systematic program of archival research, field investigation and laboratory analysis of the Spenger’s Fresh Fish Grotto parking lot, located between Third and Fourth streets and Hearst and University avenues, in the City of Berkeley. The purpose was to:

(1) discover and characterize sub-surface cultural and historically significant materials that may exist on the property,

(2) clarify and fill-in gaps in the archaeological understanding of the site, especially as it relates to the Ohlone Indians, who settled in the area, and

(3) provide guidance on potential future uses of the parking lot.

The research and investigation was carried out under the observation of Andy Galvan, an Ohlone Indian and cultural resource management consultant—with the methodology, findings, and conclusions reviewed by Berkeley writer and historian Richard Schwartz. This study mechanically excavated 20 test trenches placed strategically so as to extensively sample the areas indicated by the 1999 and 2000 studies to hold the highest potential to contain Shellmound remnants. The program was designed to identify and evaluate archaeological resources in accordance with the California Environmental Quality
Act (CEQA) guidelines. Its primary focus was to ascertain the presence or absence of intact and/or disturbed deposits of the West Berkeley Shellmound within the property. As is described and explained in greater detail in the Executive Summary and full archeological report attached to this application, investigators found no historically significant remnants of the West Berkeley Shellmound within the parking lot grounds and have concluded that it is highly unlikely that such remnants exist within the property. It is the sincere hope of the researchers and sponsors of this study that the findings and conclusions advance general understanding of the history of the site and its surroundings, and contribute to fact-based land-use decisions and policy-making going forward.

Since there is no evidence discovered that the West Berkeley Shellmound was located on this particular site, it is the opinion of Dr. Pastron, principal investigator of the archeological work that the development of the property would not result in adverse impacts to significant prehistoric or historic period cultural resources under California Environmental Quality Act guidelines. After examining and publishing this information, the project team determined it is appropriate to move forward with design of the 1900 Fourth development project.

**Project Description**

The proposed commercial and residential mixed-use development project is located in the C-W (West Berkeley Commercial) zoning district.

A key purpose of the project is to contribute to an already successful retail environment. As its prime design tenet, the project is proposed to address the existing small scale pedestrian-oriented environment of Fourth Street. The ground plane is varied horizontally and includes two separate paseo spaces to enhance pedestrian interest and match efforts approved across Fourth Street. The retail spaces have a variety of architectural forms and styles to contextually fit in with and expand the wonderfully eclectic nature of existing Fourth Street shops.

The project includes a 191,362 gross square foot building (parking areas not included per Zoning Ordinance) on a 96,266 sf lot for a floor to area ratio of 2.0 where 3.0 is allowed. The project’s lot coverage is reduced through the proposed design to 82% where 100% is otherwise allowed. The project includes construction of two separate buildings with a total of approximately 29,998 square feet of retail and restaurant (with incidental service of beer and wine) space. That includes 20,500 square feet of specialty retail space (including 4,999 sf of quick serve food service) and approximately 4,999 square feet of full service, high quality restaurant space. The remainder of the ground floor area is resident lobby, common and building support space. The residential area includes 151,738 gross square feet (107,709 net unit area) with 155 dwelling units that have an average size of 695 square feet, with a mix of studio, one and two bedroom units. A total of 6,450 square feet of resident open space is provided along with 5,676 square feet of resident amenity space. The project provides 372 parking spaces where
228 are required (155 residential, 32 restaurant, 41 retail are required), for an additional surplus of 144 parking spaces. The project will provide 158 parking spaces associated with the residential units. The 214 parking spaces provided for the commercial use, (141 spaces beyond what is required) will be available to the public. The project will also add parallel parking along its Fourth Street frontage, adding additional publicly available parking and slowing traffic to enhance the pedestrian environment.

Two separate architects were engaged on the project in order to ensure a diversified experience with an array of unique design expressions. The project accommodates up to seventeen individual commercial spaces, each designed to contribute to an eclectic pedestrian experience with a variety of unique designs with access onto Fourth Street. There will be an open-air paseo that wraps around the building located at the corner of Fourth Street and Hearst Avenue to extend the slow, walkable retail with a mix characteristic of the Fourth Street shops. The upper levels of the larger building and the second and third levels of the smaller building, contain a total of 155 studio, one- and two-bedroom residential units. Residents of 1900 Fourth will have access to 5,676 square feet of interior amenities, including a resident lounge and fitness center, a bicycle storage and repair area, and a community room. Each of these common spaces open onto large courtyards and, in addition, residents will have access to a roof deck lounge with bay views. The courtyards look out over Fourth Street and the open-air paseos to create an interactive relationship between the residential and commercial functions of the project, and to help continuously activate the Fourth Street pedestrian experience.

The project is entitled to a density bonus pursuant to the State of California Government Code Section 65915(b)(1)(B) because it will provide 10% of its dwelling units at 50% AMI, allowing a 32.5% density bonus from City of Berkeley standards. To qualify for the density bonus 12.5 below market rate units are required per the City of Berkeley affordable housing requirement (10% of market rate units @ 50% AMI). 12.5 below market rate units will be provided in the project. The project’s calculated base density could accommodate 162 dwelling units within the maximum Floor Area Ratio and building height requirements of the zone, which would allow a density bonus of up to 214 dwelling units. However, such a project would not provide an optimal amount of public open space and parking, nor would it be as compatible with the surrounding character. As a result, this application assumes a base project of 125 dwelling units as a more reasonable assumption for the project. This 125-unit base project with a 32.5% density bonus would allow 166 units. Only 155 units are proposed – below both base zoning and density bonus allowances. Instead of requesting and building out additional dwelling units the project will instead simply utilize the state law’s provisions for waivers and modifications in order to best place the physical structures in response to the urban design character of the site’s surrounding context.

The project requests waivers and modifications pursuant to Government Code Section 65915(e)(1) to allow increased height at certain portions of the site. This allows the project the waivers and modifications of standards to allow the provision of additional units in the density bonus project, which, without the height increase, would be physically precluded from construction. The proposed waivers and modifications to allow increased height at certain portions of the site achieves the best project for the site, using varied massing to knit together the low scale retail oriented area to the north with the more intensive projects built, approved or under construction to the south of University Avenue.

No concessions or incentives are requested.
The rear portion of the project site running along the Amtrak railroad tracks includes a five-level parking garage. The ground, intermediate, second and third levels will provide public commercial parking. These parking spaces will be accessed from a driveway on Fourth Street near University Avenue. The fourth and fifth levels will provide a total of 158 parking spaces for use associated with the residential units, including parking for residents as well as guests. These residential parking spaces, as well as service access, will utilize a driveway on Hearst Avenue near the railroad tracks.

The project will use green building features to well exceed California and national energy codes. Strategies will include smart landscape irrigation controls, mechanically-induced fresh air circulation through residential units to enhance air quality, and high efficiency windows will improve acoustical and temperature performance.

The project will include demolition of one existing commercial structure. The existing structure is approximately 900 square feet, and is currently vacant.

**Use Permits Requested**

2. **23E.64.030.A** – Use Permit for new retail sales uses greater than 7,500 s.f.
3. **23E.64.030.A** – Administrative Use Permit for Alcoholic Beverage Service of beer and wine incidental to food service
4. **23E.64.030.A** – Use Permit for Quick or Full Service Restaurants
5. **23E.64.030.A** – Use Permit for Mixed Use Development over 20,000 s.f.
6. **23E.64.050.B.1** – Use Permit for creation of floor area greater than 5,000 s.f.
7. **23E.64.060.A** – Use Permit to allow restaurant operation from 7 am to 1 am on Fridays and Saturdays.
8. **23E.04.020**—AUP for rooftop equipment

**State Density Bonus Applicability**

1900 Fourth will seek a density bonus with waivers and modifications of development standards to allow the project to be built in a manner that accommodates the bonus units while respecting the character of development in the area and activating the Fourth Street pedestrian experience through provision of ground floor commercial uses. A maximum residential buildout of the site could achieve 162 dwelling units within the maximum Floor Area Ratio and building height requirements. However, such a project would be inconsistent with the City of Berkeley’s goals for mixed use development of a scale compatible with the lower-scale buildings to the North, and could not provide an optimal amount of publicly available open space or parking. For those reasons, this application assumes a 125 dwelling unit project to be the “base project.” Such a project, with the full complement of retail and restaurant commercial uses, is a reasonable assumption for the maximum project that could feasibly be built within the existing development limitations.

1900 Fourth proposes to provide 12.5 units affordable to households earning not more than 50% AMI, for a total of 10% of the base units with rents approximating $900 per unit – subject to the Housing Department’s ultimate consideration. This percentage of units is consistent with the City of Berkeley’s Affordable Housing Mitigation Fee Ordinance requirement for on-site affordable housing in lieu of the
fee. Provision of these affordable units entitles the project to a 32.5% density bonus per the State Density Bonus Law, for a maximum of 166 units, under Government Code Section 65915(b)(1)(B) and (f)(2). If 1900 Fourth were to provide the same percentage of affordable units for a 162-unit project, it could achieve a density of up to 214 units. Recognizing the importance of the site to the Fourth Street experience, and seeking to knit together the low-scale retail area to the north of the project with the more intense projects to the south of University Avenue, 1900 Fourth only seeks entitlements for 155 units. To build this project in a manner that respects and complements surrounding uses and projects, and provides affordable units, 1900 Fourth seeks less than the full density bonus, along with a waiver and modification of the four story and 50 foot height limit generally applicable to mixed use projects in the C-W zone. Only those portions of the project located away from the Fourth Street shops will exceed the generally applicable height limit, and the remainder of the project, which fronts directly onto Fourth Street, is well under the maximum height. Increased height will also serve to block noise from the railroad and the highway. Without this waiver, the height and story development standards would physically preclude construction of the density bonus project. 1900 Fourth seeks no concessions or incentives to enhance the density bonus.

**Proposed Transportation Demand Management Features**

The project proposes to include the following TDM measures:

1. Residential parking unbundled from residential units
2. One AC Transit Pass (or equivalent) provided per dwelling unit
3. Extensive and secure on site and sidewalk bicycle parking (256 secure residential spaces, 60 secure commercial spaces, and 26 public spaces)
4. A bicycle repair room for residents
5. Commitment that residents would not be eligible for on-street Residential Permit Parking

In addition to the above TDM features, the developer has been working with other local developers and property owners to look at the feasibility of establishing and funding a shuttle with access to the North Berkeley BART station. The shuttle would provide excellent transit benefits to the project and the surrounding area. If it’s determined to be feasible, the developer would contribute a pro rata share to finance the start-up and operation of the shuttle in-lieu of providing AC transit passes to each residential unit in the project.

**CEQA Determination**

This project is expected to undergo a streamlined or focused Environmental Impact Report. The project team anticipates a streamlined EIR focusing on the following topics:

- Cultural Resources – The project site is part of a group of several properties that were designated by the City of Berkeley’s Landmarks Preservation Commission as a Landmark site. This status was conferred in an effort to preserve an area believed to have been near the Ohlone Shellmound, defined primarily by what prior researchers and investigators estimated as the location and dimensions of the Shellmound. The above grade portions of the shellmound were removed during Berkeley’s early era of industrialization and development in the late 1800’s and early 1900’s.
An archeological investigation in 1999 and 2000 surveyed the entire site with a number of borings, during which time two areas of interest for further exploration were identified. Further study in early 2014 was conducted by Dr. Allen Pastron of Archeo-Tec under the cultural oversight of Mr. Andy Galvan, an Ohlone Indian and cultural resource management expert. This study mechanically excavated twenty test trenches placed strategically so as to extensively sample the areas indicated by the 1999 and 2000 studies to hold the highest potential to contain Shellmound remnants. Investigators found no intact shellmound, and no cultural artifacts or materials of prehistoric origin were discovered. No evidence whatsoever was found that the West Berkeley Shellmound was ever located on the site. It is the opinion of Dr. Allen G. Pastron, principal investigator of the archeological work that the development of the property would not result in adverse impacts to significant prehistoric or historic period cultural resources under California Environmental Quality Act guidelines. Nonetheless, the project team understands this status will need to be fully investigated in an Environmental Impact Report. Although the research and documentation shows no likely cultural impact on this particular site, the project team is still sensitive to early and pre-contact habitation of the area by the Ohlone people and therefore, as described below in the project amenity discussion, it is the applicant’s desire to provide use of the community room, as discussed below in the building amenity program section.

• Traffic – The project is anticipated to be subject to the mitigations in the West Berkeley transportation study, and with those mitigations significant unavoidable impacts are not expected.
• Air Quality – Due to the project’s location proximate to the Interstate 80 and the Union Pacific Railroad line, as well as the industrial uses in West Berkeley, it is likely that air quality impacts will be considered. The proposed project is designed to be environmentally sustainable and exceed energy and performance code standards, and will comply with any mitigation measures determined as part of the project’s CEQA analysis.
• Short-term Construction Impacts related to traffic, dust and noise.
Zoning and Architectural/Building Amenity Program

The project at 1900 Fourth meets the zoning requirements of the C-W West Berkeley Commercial District as described below. The project site is also located in a Designated Node according to the West Berkeley Plan.

The C-W zoning district supports commercial, residential, and mixed commercial and residential uses. The purposes of the Designated Node areas include the intensification of retail, commercial, and mixed-use activities; reflecting and reinforcing concentrations of pedestrian-oriented uses; and encouraging intensified development around transit transfer points.

Zoning Development Standards and Proposed Project

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<tr>
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<td>Residential Floor Area (gr. sq. ft.)</td>
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<td>Restaurant</td>
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**Architectural and Urban Design**

The architectural program for the 1900 Fourth project responds to a range of programmatic and design needs that vary across different pieces of the project site, and graduates in scale to speak to both the lower scale north on Fourth Street as well as the context south on Fourth Street.

A guiding principle for the project is the extension of a successful, high-quality, and pedestrian-oriented shopping experience south along Fourth Street, following the look and feel of Fourth Street north of the project site across Hearst Avenue. The project will include a mix of retail, restaurants and services that are complementary to Fourth Street. The retail design is of high quality and will include a variety of storefront and streetscape treatments. The project will likely include 10-15 tenants, with spaces ranging in size from approximately 800-8,000 square feet, with the average around 1,500-3,000. The project will likely include a mix of local businesses and some chains, representative of the existing Fourth Street mix. The project will include maker spaces to encourage local artisans to locate their businesses at the project which will contribute to and enrich West Berkeley’s arts and crafts culture.
The project has been designed to include a 958 square foot multi-purpose community room, which will be made available for use by Chochenyo Ohlone people for purposes of cultural activities including workshops, language classes, art classes, performances, or other cultural and/or educational related uses. The room will include flexible seating configurations suitable for a variety of events, including more casual socialization and formal classroom formats. The developer will work with members of the Chochenyo Ohlone community to determine interior requirements to accommodate these proposed uses. There will be no charge for usage of this room. Hours will be determined up to 20 hours per week and will be coordinated with the property manager. The Community room may be available for other uses during the balance time.

If desired by the Chochenyo Ohlone community, this room can also include permanent display space to accommodate educational graphics, artwork, artifacts or other information relevant to the history of the Ohlone community in the local area. If this is desired, the Developer will work with the Chochenyo Ohlone community to provide an appropriate display. The community room will be open to the public during certain hours to be coordinated with the property manager in order for the larger community to view these exhibits.

The project also provides a substantial transition away from the much higher residential intensity built (4th and U, The Avalon Berkeley), approved (Grocery Outlet, 5th and University) and/or under construction (The Aquatic) south of University Avenue in the immediate vicinity. Those projects range in residential density from 89 to 117 dwelling units per acre. The proposed project only proposes a density of 61 units per acre.

The Fourth and Hearst corner of the project is proposed as an individual standalone building in a shape and scale that directly reflects the similarly scaled building at the northwest corner of Fourth and Hearst, with curvilinear commercial spaces wrapping the corner to create a strong visual draw. Residential units at the second level are pulled back from the ground floor to reduce the perceived scale. This smaller building proposed as part of 1900 Fourth was designed by a specialty retail architect, separate from the primary architect, to create a unique character between the two buildings in the project.

The corner building is wrapped by an open-air pedestrian paseo accessible from both Hearst Avenue and Fourth Street. As a result, the corner building contains commercial spaces around its entire base, opening onto Fourth Street, Hearst Avenue, and both sides of the open paseo. This paseo will speak to the project under construction at 1901 Fourth Street, which is part of the Fourth and Spenger’s project, and will provide opportunities
for smaller retail spaces as well as thoughtful landscaping and outdoor dining. The developers of 1900 Fourth are looking forward to integrating public art into the project and have engaged a public art consultant and a Berkeley-based fine artist to facilitate the development of an art plan, artist selection and concept design. The art that is envisioned for the site is a monumental freestanding sculpture at the intersection of the two paths of the L-shaped paseo. The sculpture will include lighting to activate the paseo at night and will have landscape elements to integrate the artwork into the surrounding project.

The larger building proposed as part of the project steps down across the paseo from the smaller corner building to a complementary scale and shape. Retail space will continue down Fourth Street and wrapping the corner at University Avenue, with the retail footprint stepping back significantly at points, with a mixture of curved and squared off corners, to create an organic feel with highly differentiated building volumes. A second open paseo walkway separates the Fourth and University corner of the building from the longer stretch of commercial spaces at the middle of the Fourth Street block. This feature adds an additional break to the massing of the primary building, and allows individual architectural expressions with diverse character.

Pedestrian furniture, such as benches, planters, and lighting, of rich materials and quality will enhance the sidewalk experience.

The Fourth Street frontage presents primarily a single story mass, with residential portions of the building above set back significantly from the building edge.

Residential units line the center and southwest portions of the site. The highest level of residential intensity is located in the rectangular component of the building adjacent to University Avenue. This portion of the building will be similar in scale to the existing mixed use buildings at the southwest corner of Fourth and University and at the northwest corner of Third and Addison, as well as the building proposed at 2001 Fourth Street, and the building currently under construction at 800 University. The five-level parking garage lines the portions of the site closest to the Union Pacific Railroad tracks, protecting the Fourth Street environment from train noise. The northern area of the rectangular portion along the railroad tracks will include residential units set back considerably from the train tracks and buffered by a green roof.

The residential leasing office will be accessible from the open air paseo, and another resident lobby will be provided off of University Avenue to allow easy access to the transit opportunities at the AC Transit Bus Stop and Amtrak Station. Resident amenities include a roof deck with an adjacent resident lounge on the
fifth level, a passive courtyard on level two and a fitness center that opens onto an additional large courtyard. These two podium-level courtyards provide a variety of valuable open spaces and contribute to an integrated relationship with the commercial portions of the project. The fitness courtyard looks over the south portion of the open paseo and onto the Fourth Street sidewalk, and contains a fire pit, barbeque area, and landscaping. The passive courtyard looks onto the west portion of the paseo, and through the paseo opening out to Fourth Street. This area includes an additional fire pit resident use. A large bicycle storage and repair room is provided on the ground floor.

Residential units are a mix of studio (24.5%), one- (54.2%), and two-bedroom units (21.3%). Most residential units will have views to Fourth Street, the Berkeley Hills, or West to the Berkeley Marina and San Francisco Bay, and many units include private patios.

Policy Analysis

The site at 1900 Fourth is currently used as a large parking lot, as well as a small structure on the southwest corner of the site that was previously used as a small private exercise gym and is currently vacant.

General Plan Conformance

The site is designated by the City of Berkeley’s General Plan as an Avenue Commercial land use within a West Berkeley Plan Development Node. The proposed project fulfills the following policies of the General Plan related to Infill Development, Avenue Commercial Areas, and implementation of the West Berkeley Plan:

- **Policy LU-3 Infill Development:** Encourage infill development that is architecturally and environmentally sensitive, embodies principles of sustainable planning and construction, and is compatible with neighboring land uses and architectural design and scale. (Also see Urban Design and Preservation Policies UD-16 through UD-24.)

  The project proposed at 1900 Fourth will be an infill development that provides housing opportunities and quality commercial space on a currently underutilized lot in the heart of a vibrant residential and shopping district. Architecturally, the project responds well to neighboring land uses and architectural design and scale of the neighborhood, as its massing and height is much more modest and focused on boutique retail spaces, especially closer to the small-scale shopping district north of the site. The massing and residential intensity at the southern portion of the project responds to the multi-family mixed-use buildings existing and proposed on Third and Fourth Streets just south of University to create a vital residential neighborhood that supports the commercial spaces and aesthetically bridges the character of Fourth Street north of University to the character of Fourth Street south of University. Additionally, the project is environmentally sensitive and utilizes sustainable planning and construction, as it concentrates residential opportunities in an area supported by commercial goods and services and with strong transit access.
• **Policy LU-27 Avenue Commercial Areas:** Maintain and improve Avenue Commercial areas, such as University, San Pablo, Telegraph, and South Shattuck, as pedestrian-friendly, visually attractive areas of pedestrian scale and ensure that Avenue areas fully serve neighborhood needs as well as a broader spectrum of needs. (See Land Use Diagram for locations of Avenue Commercial areas. Also see Economic Development and Employment Policy ED-4 and Urban Design and Preservation Policy UD-28.)

The 1900 Fourth project will improve University Avenue as a key corridor in Berkeley by redeveloping an auto-oriented unimproved parcel into two aesthetically striking buildings with pedestrian-oriented retail, food-service, and commercial spaces that will serve neighbors as well as a broader spectrum of patrons visiting Fourth Street from elsewhere in Berkeley and the Bay Area. This parcel functions as a gateway to Berkeley for those entering from the Interstate 80 or by train, therefore it is especially important that this Avenue Commercial corridor reflects Berkeley’s interest and vibrancy. 1900 Fourth will also draw residents and commercial patrons to the commercial area south of Fourth Street on University Avenue by creating a walkable, safe, and lively connection beyond the overpass, where currently the combined condition of the large surface parking lot adjacent to the overpass creates a desolate or daunting connection between portions of Fourth Street north and south of University Avenue.

**West Berkeley Plan Conformance**

The General Plan also calls for implementation of the West Berkeley Plan. Redevelopment of the lot to provide enhanced commercial space and new housing opportunities satisfies the use envisioned for the site by the West Berkeley Plan, which designates the site as a General Commercial area in a development node (see West Berkeley Plan, Land Use section, Specific Districts in the Concept, Commercial District). Residential and mixed-residential uses are allowed within the General Commercial areas with a Use Permit with Public Hearing, specifically with residential above the ground floor in development nodes (see West Berkeley Plan, Land Use section, District Permitted and Prohibited Uses, Commercial District). The project will fulfill many of the Policies, Goals, and guiding principles set forth in the West Berkeley Plan, including the following:

• **Land Use Policy 1.C: Providing space for, and designating appropriate locations for-- in planning and zoning policies--both neighborhood and regional serving retail businesses.**

The proposed project will provide appropriate spaces for a variety of commercial retail and restaurant businesses, consistent with the character of the surrounding Fourth Street shopping district. Commercial spaces will range in size in order to support a variety of business types. Each commercial space will have its own unique street presence, enhancing Fourth Street’s character of a range of small and independent shops. Some smaller commercial spaces will open onto the open-air paseo, providing opportunities for smaller artisan retailers. Design features such as architectural detailing, streetscape improvements, and the paseo will enhance pedestrian orientation and draw visitors from nearby within the West Berkeley neighborhood, while also supporting substantial space for vehicle parking, making the area accessible for visitors from Berkeley as a whole, as well as visitors from throughout the Bay Area. The small retail maker spaces with add to the diversity of West Berkeley’s arts and crafts community.
• **Land Use Policy 2.E: Create a Commercial district which will foster the continued vitality of West Berkeley's neighborhood and regional serving retail trade, in as pedestrian-friendly a manner as possible.**

The project design includes retail storefronts oriented to generous landscaped sidewalks that will attract pedestrian use, as well as a large open-air paseo that will significantly enhance the retail street’s vitality, and therefore its attractiveness to pedestrians. A substantial amount of parking will be provided to ensure the project’s commercial component is accessible by patrons visiting from elsewhere in Berkeley and the Bay Area. However, the design of the parking, which is all interior to the project, maintains a strong atmosphere of a walkable retail street.

• **Land Use Goal 4: Assure that new development in any sector is of a scale and design that is appropriate to its surroundings, while respecting the genuine economic and physical needs of the development.**

The design of 1900 Fourth uses a variety of scales at different portions of the site to respond to the wide range of neighboring uses on each side of the site. The architectural articulation and detailing, and the significant step-backs of upper residential portions of the building from Fourth Street, express unique design and articulation to pedestrians on Fourth Street. The separation between the primary larger building and the smaller corner building respond to the stretch of Fourth Street shops to the north, and the shops planned across Fourth Street from the site in a redevelopment of the Spenger’s Restaurant parcel. The primary building is modulated into discrete segments that are consistent with the smaller scale of surrounding structures. The height and massing for the residential portions of the project will be concentrated at the west and south sides of the project to respond to the mixed-use buildings on Third and Fourth Street south of University Avenue, and to block noise from the railroad and highway to the west. This scale and design is a concept deliberately aimed to respect and support the project’s surroundings.

• **Land Use Guiding Principle 9: Retail uses should be clustered, to strengthen existing retail areas, to make them for walkable, and to prevent retail sprawl.**

The proposed project enhances the existing retail cluster on Fourth Street, and strengthens the walkability of the area by eliminating a full-block gap in the continuity of the pedestrian experience, as the site is currently a surface parking lot. As such, the project will also strengthen retail spaces on Fourth Street south of University: currently it is unattractive for pedestrians to continue from Fourth Street north of Hearst all the way to University, as there is a distinct feeling that the retail experience ends at the site’s existing parking lot. The retail space wrapping around the building corner at University Avenue creates a dialogue with the retail at the 4th & U building, further enlivening this pedestrian connection. By continuing the walkable retail experience throughout the 1900 Fourth block, pedestrians will be encouraged to continue past University Avenue to patronize the art gallery, retail and food and beverage businesses south of University Avenue.
• **Economic Development Goal 2:** Support the growth of regionally oriented retail trade in West Berkeley in locations which are consistent with other goals and standards, particularly the traffic goals of the Transportation Element.

By strengthening the already thriving Fourth Street retail area, the project supports the growth of a retail trade area that draws patrons from all over the region to West Berkeley. The project will provide ample parking for those traveling regionally to the site. Further, all parking will be interior to the project, preserving the walkable village character of the Fourth Street shopping district. The project simultaneously provides regionally oriented retail in a location accessible by regional transportation, including the Amtrak train station, and the AC Transit 51B bus line, which connects easily to the Downtown Berkeley BART station.

• **Physical Form Goal 1:** Preserve and enhance the vital commercial corridors, particularly San Pablo and University Ave., with intensification of commercial and mixed-use development at key intersections or “nodes”. (See West Berkeley Plan, Physical Form, 1. Commercial Nodes, b. Fourth and University/Hearst for description of the node)

The project is designed to fulfill this goal of preserving and enhancing the terminus of one of Berkeley’s most important corridors, University Avenue, including where it ends at the block between Fourth Street and the Amtrak Station. The project site is identified as a key development node in West Berkeley, and fulfills the goals for development nodes with walkable commercial space and high-quality residential space on upper levels, rich with amenities and architecturally well-integrated into the commercial fabric of the ground plane.

• **Physical Form Policy 1.4:** Require retail as the ground level use in nodes, with residential or office uses above the ground floor.

The project site is considered a commercial node in the West Berkeley Plan’s Physical Form element. The project fulfills the requirements of this policy, as retail and food service will be the ground level uses, with residential use above the ground floor.

• **Physical Form Policy 1.10:** Encourage infill buildings on vacant and low intensity use sites along these corridors. Residential and/or office uses should be encouraged, where appropriate.

As described in response to the General Plan policy encouraging infill development, the project site is currently significantly underutilized as an essentially full-block parking lot in a key commercial node. The proposed project will be an infill building which includes an appropriate level of residential development, designed specifically to respond to the varying characters of diverse neighbors on all sides of the site.

• **Physical Form Goal 3:** Visually improve the University Ave. gateway and the other entry corridors into West Berkeley, so as to provide a positive image as one enters Berkeley. In addition to the University Ave. gateway, the entry corridors into West Berkeley are Ashby Ave. and Gilman St., and the northern and southern ends of San Pablo Ave.

The project site is considered to be part of an Entry Corridor in the West Berkeley Plan’s Physical Form element. The project will significantly visually improve the University Avenue gateway into
Berkeley by replacing a large surface parking lot with an aesthetically striking building that reflects the unique character of Berkeley, and specifically West Berkeley and the Fourth Street neighborhood.

- **Transportation Goal 4:** Create and maintain adequate parking to support West Berkeley land use without creating increased incentives for single occupant automobile use.

1900 Fourth includes 214 commercial parking spaces and 155 residential parking spaces, an adequate supply to support West Berkeley land use, while still including an array of strategies to encourage use of alternative transportation methods by residents. Parking spaces will be leased separately from residential units, a built-in incentive for non-car owners to reside at 1900 Fourth. Each residential unit will be provided with one free AC Transit Pass, encouraging residents to use the numerous regular bus lines proximate to the site. 150 bike parking spaces will be provided for residents in secure bike rooms, and a bicycle repair room will be provided for residents. Especially because the site is within two to five blocks of two Berkeley Bicycle Boulevards, and due to the location of the North Berkeley BART station 1.2 miles from the site (or about a seven minute bike ride), it is anticipated that living in this location will be attractive to those who travel by bicycle. Additionally, 60 secure bicycle parking spaces will be provided associated with the commercial spaces for use by employees. The highly walkable environment and access to transit, specifically the AC Transit 51B line, will encourage visitors from the neighborhood and nearby neighborhoods to visit the project as pedestrians. Additionally, the 26 public bicycle parking spaces provided will encourage bicyclists from the neighborhood and elsewhere in Berkeley to patronize this shopping district, which currently lacks adequate bicycle parking.

- **Transportation Goal 6:** Improve pedestrian and bicycle access in and around West Berkeley.

As described above, the project design will significantly enhance the pedestrian experience on this block, and numerous bicycle amenities will improve bicycle access in West Berkeley. Currently, the site creates a negative pedestrian experience, an unfortunate gap in the continuity of walkable commercial space present on Fourth Street north of Hearst and south of University. By adding well-articulated unique retail spaces with a paseo walkway, sidewalk improvements, and significant visual interest, this block will enhance the surrounding area for pedestrians tremendously.

The project would also meet Transportation Goal 6’s Policy 6.2, which requires appropriate levels of bicycle parking in new developments. The project will provide 150 bike spaces for residents in a secure bike parking room with a bicycle repair station. 60 secure bicycle parking spaces associated with the commercial use (such as for employees) will be provided, as will 26 publicly accessible bicycle parking spaces. These features will improve pedestrian and bicycle access in and around West Berkeley.

- **Housing and Social Services Goal 1:** Take all reasonable steps in housing policy to maintain and foster the social and economic diversity of West Berkeley’s residents.
The proposed project provides 11 apartment units that will be deed-restricted to remain affordable for those making 50% of the Area Median Income or less, helping to ensure West Berkeley’s social and economic diversity. Additionally, the project provides units ranging from small studios to two-bedrooms appropriate for a diversity of household sizes.

- **Housing and Social Services Goal 4: Encourage appropriately scaled and located housing development.**

The site at 1900 Fourth is an appropriate and important location for housing development. The site is proximate to a number of neighborhood-serving retail, commercial, and food-service uses. Residents at this site will also have convenient access to transportation: the Amtrak station and AC Transit 51B bus line are both adjacent to the project, and the North Berkeley BART station is 1.2 miles from the site (or about a seven minute bike ride). Additionally, housing at this site is appropriate, especially as designed in the 1900 Fourth project, to bridge the higher density residential buildings on Fourth Street south of University with the lower scale commercial district on Fourth Street north of Hearst. The project uses a variety of scales at different portions of the site to respond to the wide variety of neighboring uses on each side of the site. This project concept was designed intentionally to create an appropriate housing development, responsive in scale and program to all of its neighbors.

*University Avenue Strategic Plan Design Guidelines Conformance*

This project is subject to the University Avenue Strategic Plan Design Guidelines, adopted by the City in 1997, which encourage walkable districts and attractive streets. The 1900 Fourth site is designated by the UASP Design Guidelines as a Region-Serving Avenue Node. The Avenue Nodes are identified as “target areas for higher-intensity mixed-use buildings,” (page 90, UASP).

General Design Guidelines include:

- **Integration (Siting, Physical Characteristics, Solar Orientation, and Privacy)**

  The project was designed deliberately to integrate the wide variety of neighboring uses and architectural styles. The project site itself allows the project design to create a bridge between lower scale commercial uses to the north and east, higher-intensity multi-family buildings to the south, and the railroad tracks and light industrial uses to the west.

  Physical characteristics of the project design respect the scale and general character of both the commercial area to the north and the mixed-use buildings to the south. The project’s northeastern portion and Fourth Street frontage reflects the scale and style of existing commercial buildings on Fourth Street north of Hearst. The project scale steps up as it approaches the University Avenue overpass to the south and the railroad tracks to the west, both to reflect the scale of mixed-use buildings just south of University, and to protect the Fourth Street commercial area from noise related to the overpass, the railroad, and the highway. The enclosed garage will act as a further noise barrier to enhance the Fourth Street experience.
Because the project does not have any adjacent neighbors on the site, it will not create shadow for adjacent uses. The articulation of the building, and its varied massing, will bring light into the residential courtyards, the paseo, and the Fourth Street frontage, and will maintain sunlight across the street at the Spenger’s restaurant and proposed retail uses and pedestrian plaza.

The project does not have any rear residential neighbors and thus will not create privacy impacts.

- **Reuse of Historic and Existing Buildings**

  Not applicable – no historic buildings on the site. A small existing building will be demolished. This building is not of particular architectural character or historic interest, and cannot be retrofitted to be included in the new project.

- **Design for Safety**

  The project will redevelop an under-utilized site, which the UASP Design Guidelines identify as a condition typically resulting in a higher level of safety concern. The project will add ‘eyes on the street’ – both with new retail spaces that front onto Fourth Street and a leasing office looking onto University Avenue, as well as with new residents to help activate the area at all times of the day. The pedestrian paseo area, and all streets, will be fronted with doors and windows to improve visibility. All entry spaces and outdoor open spaces will be well-lit.

- **Building Configuration and Orientation**

  The design of the proposed project is intended to enhance the street and pedestrian experience. The building primarily faces Fourth Street, with commercial windows and entryways opening all along the street, including into a plaza intended for pedestrian use and outdoor dining. Commercial windows will also open onto the eastern half of Hearst Avenue, and windows and access to a residential lobby will open onto University Avenue. Pursuant to this guideline, living units on upper stories are arrayed around central open areas and to the street. Parking is, also pursuant to this guideline, integrated into the building at the rear of the site.

- **Massing – In general, buildings that meet the higher end of the density/intensity ranges are encouraged in order to create a more urban environment and provide as many residential units as possible within proximity to University Avenue and transit. However, projects that abut a lower-intensity residential neighborhood should minimize their impact... Large-scale projects...often diminish the liveliness of the street by their sameness of detail and monotonous massing and this is undesirable. Instead, these projects could appear as a series of small buildings. Variations in floor level, roof shapes and materials, architectural details, and finishes help create the appearance of several smaller projects. To further reduce these projects’ massive appearance, elements of human scale should be incorporated into the building’s design. Diverse and articulated massing is encouraged. Entries, bays, and other details should orient to streets and pedestrian-ways, creating an interesting and active public realm... Street elevations should be broken with reveals, recesses, detailing, and other architectural features to provide visual interest.**
The project will create a gateway that is a statement to those entering the City. The project spans a diversity of elements and contexts, each of its own articulation and massing, with varied floor levels and roof shapes, with a range of materials, and with diverse architectural details. Human-scale details are also incorporated, and the retail spaces along Fourth Street and the pedestrian paseo include varied setbacks and detailed streetscape components. As such, the project will bridge the smaller scale to the north with the greater scale to the south, and will continue the eclectic differentiation characteristic of Fourth Street. The project contains two buildings with distinctly different characters. Additionally, the larger building uses variations in style, form, and materials to appear as a series of smaller buildings. As a result, the project will enhance the liveliness of the street, from the perspective of a pedestrian, as well as from the perspective of those entering the City from the University Avenue overpass.

• *Facades (Entries, Windows)*

  All primary entries are oriented to and visible from streets. Secondary residential entries are accessible from the interior areas off of the paseo. Numerous windows and balconies, as well as portions of the podium-level courtyards, overlook the surrounding streets and create a strong connection between the indoors and outdoors, while very large setbacks on the upper floors allow some indoor/outdoor interaction while still feeling fairly removed from the pedestrian retail experience. Windows contribute to changes in massing and patterns in different portions of the building, and are of a quality that create depth and shadow, and add to the richness of each of the different architectural styles.

• *Roofs*

  Differentiated roof heights and forms will help to define variations in volume and architectural style among various building components.

• *Parking and Garages*

  Pursuant to the design guidelines, the parking garage will not dominate the street frontage, and will be significantly separated from pedestrian movement by being placed at the rear portion of the building, interior to the building. Driveways will be designed to minimize pedestrian crossing distances and maintain pedestrian safety. As recommended in the design guidelines for buildings built in Avenue Mixed-Use and Avenue Node designations, the parking will be in a garage arranged so that there are no street-facing garage entrances that dominate the experience on Fourth Street. The enclosed garage provides architectural interest and detail when viewed from the highway/railroad side, and provides further acoustical protection for Fourth Street. Driveways are designed to provide adequate length to accommodate queuing and avoid conflict between cars and the adjacent railroad crossing at Hearst Avenue.

• *Open Space*

  The proposed project includes a significant amount of outdoor open space in a variety of locations and configurations. A pedestrian paseo for sitting, dining, and gathering is open to the Fourth Street and Hearst Avenue sidewalks, and open to the sky above. These areas will be
landscaped and contribute to a pleasing pedestrian and shopping experience. Two large podium-level resident courtyards will provide both passive and active outdoor open space for residents, with landscaping and seating, as well as amenities such as outdoor cooking areas and fire pits. Some units will also include private balconies and patio areas.

• **Materials**

An array of rich building materials will create a high quality durable project. Primary materials include horizontal cementitious siding, exterior plaster, metal panels, sliding metal doors, specialty bifold doors, vertical metal siding, wood, painted aluminum, roll up and industrial entry doors, fabric, weathered steel, glass at the retail storefronts and painted metal awnings.

• **Lighting**

Courtyards, pedestrian pathways, and the paseo will be illuminated with fixtures of an appropriate scale, and designed to enhance the evening experience for pedestrians while minimizing glare beyond the project area.

• **Signage**

Signage for commercial spaces will be designed according to a coordinated plan that will be subject to review by the Design Review Committee. Signage is being considered of a style that will complement existing commercial space on Fourth Street, and will maintain transparency of the windows.

• **Site Amenities**

Street furniture and other amenities to the site will include bike racks, trash cans, planters, benches, tree guards, and lighting. All will be made from quality materials that are attractive and durable, and complement the existing look and feel of the Fourth Street streetscape.

• **Avenue Node Guidelines**

  o Community Character – Key location for new mixed-use projects
  o Building Configuration – Building configured so retail space fronts on Fourth Street
  o Massing – No residential neighbors, but project steps height away from Fourth Street retail area
  o Façade – Ground floor lined with retail to activate streetscape.
  o Parking and Garages – Parking will be in a garage integrated into the building and screened from the street.
  o Special Conditions, Spenger’s Parking Lot – The building will include components at varying scales to create an aesthetic of a series of smaller buildings. While this guideline states that buildings should not be more than 40 feet tall, more recent policies and zoning have indicated that this site is appropriate for a higher level of mixed-use development. The zoning for this site, as a Designated Node within the C-W district, includes purposes to intensify mixed use activity around major intersections and encourage intensified development around transit transfer points. This zoning permits four stories of mixed use development, with the requirement that the fourth level is
used for residential or live/work. This project intends to fulfill policy goals related to provision of housing at this node, while still maintaining a smaller scale aesthetic at the Fourth Street frontage. Massing is pulled away from the Fourth and Hearst corner, so that the northern portion of the site reflects Fourth Street north of Hearst, while the southern half of the site bridges to the mixed use building on Fourth Street south of University. Most of the building at the street level will be less than 40’ tall. Ground floor retail will be provided on Fourth Street, and will be visible from Hearst Street.

Project Setting

The project site is located on the west side of Fourth Street, encompassing the entire block surrounded by Hearst Avenue to the north, Fourth Street to the east, University Avenue to the south, and Third Street/Union Pacific Railroad Tracks to the west. The site is comprised of two parcels that divide the block: Parcel 1 at 1900 Fourth Street, Assessor’s Parcel Number 057-2101-001, and Parcel 2 at 791 University Avenue, Assessor’s Parcel Number 057-2101-005. Together, the two parcels have a total area of 96,265.68 square feet, or approximately 2.21 acres.

The site currently supports one small commercial building, 701 University Avenue, at the southwest corner of the site. That building has a size of @900 square feet, and is currently used as a private commercial gym facility.

The site is located in the Fourth Street Node of the West Berkeley Commercial (C-W) zoning district. The Berkeley General Plan Land Use Designation is Avenue Commercial with a Development Node overlay. The underlying zoning and general plan land use designations were established in 1998 with the implementation of the West Berkeley Plan.

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Lot Size</th>
<th>Zoning</th>
<th>Ex. Use</th>
</tr>
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<tbody>
<tr>
<td>1900 Fourth Street</td>
<td>49,691.02 s.f.</td>
<td>C-W</td>
<td>Commercial Parking</td>
</tr>
<tr>
<td>791 University Ave.</td>
<td>46,574.66 s.f.</td>
<td>C-W</td>
<td>Commercial/Commercial Parking</td>
</tr>
</tbody>
</table>

Fourth Street in the vicinity of the project site supports a pedestrian-oriented shopping district, which includes a variety of retail and restaurant facilities, as well as offices and other commercial uses, both to the north of the site and directly east of the site across Fourth Street. South of the project site across University Avenue is a mixed-use building with residential units above ground-floor retail. Directly west of the project site is the Truitt and White building materials company’s main yard, separated from the project site by the Union Pacific Railroad tracks. The Berkeley Amtrak station is located directly south of the project site, at the westernmost end.
of University Avenue. Adjacent parcels are all zoned C-W, West Berkeley Commercial, within the
Designated Node, aside from the Truitt and White site to the west of the project, which is zoned MULI
Mixed-Use Light Industrial.

**Green building requirements (III.A – Zoning Project Submittal Requirements)**

The proposed project is designed to be environmentally sustainable and will be GreenPoint Rated or
equivalent. Many components of the project will contribute to its environmental sustainability, including
the density and transit orientation, mixed-use character, interior and exterior finishes and materials, and
amenities such as bicycle parking. The project will exceed California’s energy code by 10%. This means
that the building should exceed national energy performance levels by approximately 35% to
40%. Smart landscape irrigation controls will be installed that communicate with weather centers,
shutting off the system when the site experiences rain fall.

Indoor air quality will be enhanced by the introduction of mechanically induced fresh air into living
spaces. Fresh air will circulate through units continuously and bath fans will automatically turn on if
moisture is detected resulting in a healthier living environment. Heating and cooling duct work will be
well sealed with a 6% leakage rate or less, which means less air is leaked into attic areas and more air is
delivered to the living space. This helps reduce heating and cooling costs and increases the life span of
the equipment. High efficiency windows will minimize heat gain into units and help keep conditioned air
from leaking through the building envelope.

As a smart-growth infill development, the project significantly reduces environmental impacts by
attracting residents to a neighborhood rich in walkable amenities, services, and public transit options,
which minimizes their need to travel by automobile.

**Required Use Permit Findings**

**Findings to Authorize Approval of Use Permits – Section 23B.32.040.** This section authorizes the
approval of Use Permits upon finding that the establishment, maintenance or operation of the use, or
construction of a building, will not be detrimental to the health, safety, peace, morals, comfort or
general welfare of persons residing or working in the area or neighborhood or be detrimental or
injurious to property and improvements of the adjacent properties, the surrounding area or
neighborhood or to the general welfare of the City. Approval of a Use Permit also requires making the
findings required by District regulation.

*Response:* The proposed project will neither be a detriment to the neighborhood nor to the City of
Berkeley in general. The proposed project represents a significant improvement on a severely
underutilized lot by providing mixed use development, with highly amenitized residential units and
pedestrian-oriented commercial space. The project, therefore, aligns with Berkeley’s General Plan, West
Berkeley Plan, University Avenue Strategic Plan and Climate Action Plan goals which seek to increase
housing opportunities, particularly in locations such as this located along major transportation corridors
and proximate to commercial amenities. The new retail spaces and restaurant use will expand the
success of the Fourth Street shopping district, and bridge this area with the emerging portion of Fourth
Street south of University.
Additional required findings are presented below.

Section 23E.64.090.A requires that the following findings are required prior to approval of a Use Permit:

- **Compatibility Findings to Authorize Use Permits in the C-W District – Section 23E.64.090.B.** A proposed use or structure must:
  1. Be consistent with the purposes of the District;
  2. Be compatible with the surrounding uses and buildings;
  3. Be consistent with the adopted West Berkeley Plan;
  4. Be supportive of an increase in the continuity of retail and service facilities at the ground level to the degree feasible and does not substantially degrade the existing urban fabric of the street and area;
  5. Be, for projects which include construction of new floor area, providing an intensity of development which does not underutilize the property;
  6. Be capable of meeting any applicable performance standards for off-site impacts;
  7. Not exceed the amount and intensity of use that can be served by available traffic capacity and potential parking supply.

  *Response*: The proposed project is compatible with the purposes of the District, which support mixed-use residential and commercial development, and is compatible with the surrounding uses and buildings, which include commercial uses and multi-family housing. The proposed project will maintain the continuity of retail and service facilities at the ground level.

  Additionally, because of the transit-oriented nature of the district, the rich amenities accessible in the immediate environs and the wide corridor nature of University Avenue, and the project’s provision of all required parking, the proposed project will not exceed the amount and intensity of use that can be served by available traffic capacity and potential parking supply.

- **Findings to Authorize Use Permits within a Node – Section 23E.64.090.C.** In order to approve a Use Permit for a use and/or structure within a node designated in Section 23E.64.040.C, the Zoning Officer or Board must find the use supports the development of a strong retail commercial, pedestrian oriented environment at the node. Factors the Zoning Officer or Board should consider shall include, but are not limited to, the placement of store entrances relative to the street and parking lots and the size and prominence of display windows and areas facing the sidewalk.

  *Response*: The proposed project at 1900 Fourth is located within a designated node of the West Berkeley Plan. The project will develop pedestrian-oriented commercial spaces, continuing the walkable retail/restaurant experience of Fourth Street. The placement of store entrances and sizable display windows primarily face Fourth Street, creating pedestrian attraction and accessibility. A few commercial spaces do not face Fourth Street, but rather face into an open-air pedestrian paseo, which will expand the walkable retail character of the project. Parking is all provided internal to the project – convenient for motorists while preserving the focus on
walkability and safe accessibility for pedestrians. The project will add on-street parallel parking along the Fourth Street frontage, which will continue the slowed-street effect experienced on Fourth Street north of Hearst Avenue.

- **Landmarks Preservation Ordinance Structural Alteration Permit Review Standards and Criteria – Section 3.24.260.C.1(a).** For applications relating to landmark sites, the proposed work shall not adversely affect the exterior architectural features of the landmark and, where specified in the designation for a publicly owned landmark, its major interior architectural features; nor shall the proposed work adversely affect the special character or special historical, architectural or aesthetic interest or value of the landmark and its site, as viewed both in themselves and in their setting.

*Response:* The project site is part of a group of several properties that were designated by the City of Berkeley’s Landmarks Preservation Commission as a Landmark site. This status was conferred in an effort to preserve an area assumed to be near the site of the Ohlone West Berkeley Shellmound, defined primarily by what prior researchers and investigators estimated as the location and dimensions of the Shellmound. The above ground portions of the shellmound were destroyed in the late 1800’s and early 1900’s during Berkeley’s initial development and industrialization. As described above, an archeological investigation in 1999 and 2000 surveyed the entire site and identified two areas of interest for further exploration. Further study in early 2014 was conducted by Dr. Allen Pastron of Archeo-Tec under the cultural oversight of Mr. Andy Galvan, an Ohlone Indian and cultural resource management expert.

This study mechanically excavated twenty test trenches placed strategically so as to extensively sample the areas indicated by the 1999 and 2000 studies to hold the highest potential to contain Shellmound remnants. Investigators found no intact shellmound, and no cultural artifacts or materials of prehistoric origin were discovered. No evidence whatsoever was found that the West Berkeley Shellmound was ever located on the site. This study indicates that if the Shellmound was ever located on this site, it was moved during the laying of railroad tracks and other work in the early 20th Century. Therefore, the proposed work would not adversely affect the major features or value of the landmark, which are related to the assumed location of the shellmound.
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