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December 20, 2019

Attn: Nicholas Armour
Land Use Planning
City of Berkeley
1947 Center St
Berkeley, CA 94704

RE: 10/25/2019 Completeness Letter for 3000 San Pablo ZP2019-0155

Dear Nick,

Thank you for review and completeness letter, dated October 25, 2019. Please see our responses below in blue text along with the attached updated plans and documents.

Design Review Comments:

- Provide additional information of adjacent properties to the south and west on to a ground floor plan / site plan so that we can continue to review how the proposed design works with the adjacent sidewalk and nearby structures.

[Response: See Sheet A2.1 of the revised plans.](#)

- A design intent statement is recommended that outlines how the proposed design fits within its neighborhood, including the landmark property across Ashby.

[Response: The proposed project is similar in scale to the adjacent Higby and other new developments in the vicinity. Per the Secretary of Interior's standards, the proposed project is clearly differentiated from the nearby landmarked property.](#)

- Provide more specific information about proposed plant palette, especially in planters and planting areas adjacent to the podium or building edge. Include potential plant heights in this information. We want to remind you that the Zoning Ordinance requires 40% landscaped area within the required open space.

[Response: Please see the revised L1.04.](#)

- Proposed streetscape improvements will need coordination with Public Works and the City Forester. There are applications on the Parks and Recreation's Urban Forestry webpage for both street tree removal and street tree planting. This is also the case with the bike rack locations. Include planning staff on any correspondence that shows their review and approvals.

[Response: Noted; we will keep staff posted as this develops.](#)

- Provide more information on the proposed materials and preliminary color palette. A color and material board can come directly to the first meeting that this project is presented to the Design Review Committee.

[Response: A color and material board will be provided at the first DRC Meeting.](#)

- Staff will be reviewing this project with both the City-wide Design Guidelines, included in the design review application packet at the following link:
https://www.cityofberkeley.info/uploadedFiles/Online_Service_Center/Planning/DR_Basic_Submittal_Packet.pdf

[Response: Noted; informational only.](#)

Zoning Permit Items Required for Submittal or Correction:

- Seismic Hazard Investigation. Included with the application materials was a letter from Rockridge Geotechnical, indicating they would be performing a Seismic Hazard Investigation. This investigation is needed in order to review the potential seismic hazards on the site. Submit this Investigation, once completed, along with a deposit of \$1,500 for the peer review of this report.

[Response: Please see the attached Geotechnical Report.](#)

- Architectural stamps and signatures required – Given the proposed mixed-use project, an architect's stamp and signature must be provided on all plan sheets.

[Response: Please see the revised titleblock on the attached plans.](#)

- Shadow Studies – Shadow Studies must be revised as follows:
 - i) As currently provided, it is difficult to understand where the proposed building's shadows are cast. Provide a heavy outline of the proposed shadows of the building on the subject site.
 - ii) There appear to be shadows shown as "shadows from proposed building" that are from the existing building to the west. Please revise shadow studies to show those shadows as existing, or clarify why they are included.

[Response: Please see the revised shadow studies on sheets A0.4A to A0.4C.](#)

- Further Information for car lifts needed – The Ground Level Plan (Sheet A2.1) includes a note that the garage will contain 43 parking spaces that are triple-stacked, and "on-grade, no pit". Please provide greater detail as to how this operation would work, specification sheet for the car lifts, etc. Further, the Base Project diagram shows that the car lifts would include a pit, seemingly adding additional parking. This must be clarified, or removed from the base project, or a concession is needed to the parking requirement.

[Response: Please see the attached CityLift Puzzle Lift Specifications, revised Density Bonus Eligibility Statement, and Applicant Statement.](#)

- Provide clarification and room label for room adjacent to parking garage. Sheet A2.1 includes an unlabeled room on the north side of the building to the east of the parking garage. It is unclear what this room is intended as, and what features are included in this room. Please clarify use of this room, any provided residential amenities, and a room label.

[Response: Please see the revised Sheet A2.2](#)

- Stairway from Ground to Second Floor – The proposed Floor Plan for the Ground Story on Sheet A2.1 depicts a stairwell accessed via an exterior door and hallway. This stairwell does not appear to line up to any stairway or hallway on the Level 2 floor plan on Sheet A2.2. Please clarify or resolve this issue.

[Response: Please see Sheet A2.2, showing the outline of the stairwell above and the egress pathway that occurs at 9'-0" above the ground level, leading to the aforementioned stairwell accessed via an exterior door and hallway.](#)

- 2nd Floor plan must be separated from plans for Floors 3-5. As currently shown, Sheet A2.2 (Plans for Floors 2-5) includes several features that appear to only occur on the 2nd floor. As such, please separate out the floor plan for the 2nd floor from the floor plans for floors 3-5.

[Response: Please see the revised plans.](#)

- Room Labels on Sheets A2.2 and A2.3 – Room labels over several areas on Sheets A2.2 and A2.3 appear either rotated, mirrored, or upside-down. Please correct drawing labels.

[Response: Please see the revised plans.](#)

- Drawing Labels must be revised on Sheets A2.2 and A2.3 – The drawing label on Sheet A2.2 indicates it is the “Plan at levels 2-4”, where the plan sheet title indicates “Plan at Levels 2-5”. Further, the drawing label on Sheet A2.3 indicates it is “Plan at level 5”, where the plan sheet title indicates “Plan at Level 6.” Please revise drawing labels to correct.

[Response: Please see the revised plans.](#)

- Roof Plan and Mechanical Equipment – The proposed rooftop equipment/mechanical room are shown inconsistently between the roof plan, elevations, and renderings. Please revise to remain consistent. Further, please include a simple diagram showing compliance with the 15% maximum allowable area that mechanical equipment/rooms may cover on a rooftop.

[Response: Please see the revised plans.](#)

- Useable Open Space – Staff has identified potential issues with the proposed usable open space, as follows:

i) Sheet A2.2 shows several private balconies that are counted towards the usable open space requirement. However, the minimum width and length for a balcony to count towards usable open space is 6-feet in both directions (not including the railing), and it appears that several of the balconies are not meeting these minimum dimensions. Revise to ensure that each balcony area that is being counted towards usable open space is meeting these dimensions and provide the dimensions on the plans. Additionally, the access from units to these areas is not shown on the plan sheets. Revise the plan sheet to depict the access from the units to these areas.

- ii) Provide a schematic of proposed Useable Open Space per the definition in BMC 23D.04.050.D depicting that usable open space shall be at least 75% open to the sky. As currently proposed, staff estimates that the two roof decks are both significantly more than 25% covered, and therefore, do not meet the development standards.

[Response: Please see the revised Sheet A0.1.](#)

- Density Bonus – Several aspects of the Density Bonus must be addressed and/or corrected:
 - a) Base Project Diagram on Sheet A0.2 has labels for a “roof deck plan” and “plan at roof deck”, though it appears a copy of the “Plan as Levels 2-4” was included instead of the actual roof plan. Please revise to correct.

[Response: Please see the revised Sheet A0.2](#)

- Density Bonus Statement

i) The provided Density Bonus Statement states that the base project for this site would have 78 Units. However, that number appears to be the proposed number of units after using the Density Bonus. Further, the Density Bonus calculations provided on Sheet A0.2 of the project plans indicate the base project would have 58 units. Please clarify or correct the Density Bonus Statement.

ii) The provided Density Bonus Statement does not indicate a waiver to the parking requirement, but the Applicant statement does. Please note that under Government Code Section 65915(p)(2), you may request that this project be required to provide no more than 0.5 spaces per bedroom. Please clarify or correct the Density Bonus Statement to address. Further, given the proposed on-site bike parking, you may request a Use Permit for a 10% reduction of the required on-site parking spaces. Please indicate if this is being requested. If so, an additional \$460 will be required for processing.

[Response: Please see the revised Density Bonus Eligibility Statement and Applicant Statement.](#)

- Waivers or Concessions – It appears that additional waivers or concessions will be required for the proposed project.

i) At the time of submittal, the project was identified as requesting the following waivers:

- (1) Waiver to the height limit of 50-feet;
- (2) Waiver to the FAR limit of 3.0;
- (3) Waiver to the parking requirement to provide 43 parking spaces, where 45 are required by code.

ii) Upon review of the application, the following additional waivers or concessions appear to be required (Please Note: based on the current proposal, this application is allowed a maximum of two concessions):

(1) Concession to the Open Space - The base project diagram indicates usable open space on the roof of the structure and, therefore, should be used for Useable Open Space for the proposed project. In this case, the reduction in Useable Open Space is not necessary to accommodate the bonus units and, therefore, does not qualify as a waiver. As such, a concession could be requested for this standard. Alternatively, all required usable open space must be provided.

(2) Concession to parking – As the Base Project appears to show that additional parking could be provided through the use of quadruple car lifts (including pits), and the proposed project does not include these lifts, a concession to the parking requirement must be requested. Alternatively, you may request a Use Permit under BMC Section 23E.64.080.J to designate up to 10% of the required automobile parking for the use of bicycle parking, given the bicycle parking already proposed.

Response: Please see the revised Density Bonus Eligibility Statement and Applicant Statement.

- Applicant Fees – It appears that an additional administrative use permit and fees will be required for the proposed project.
 - a) At the time of submittal, the project was identified as requesting the following Permits:
 - i) Tier 2 Use Permit for construction of a new mixed use building, per BMC 23E.64.030—this was a base fee for the first 24 hours of staff time (each additional hour will be charged \$207);
 - ii) Additional Use Permit for demolition of a non-residential building, per BMC Sec. 23C.08.050

Response: Noted.

b) Upon review of the application, the following additional permits are or may be required (requires additional fees, which will be determined and invoiced upon confirmation of requesting either or both of these permits):

- i) Administrative Use Permit to allow architectural features over the maximum height limit, per BMC 23E.04.020.C, for the mechanical penthouse on the roof (fee is \$460);
- ii) Variance to the height limit. As currently proposed on the plans, both the base project and the proposed density bonus project include a parapet on the roof that appears to exceed the allowable height limit set under BMC Section 23E.64.070.B (though no dimension has been provided). This would only be allowed through a variance. Please request a variance to the height limit, or revise the project plans to reduce the height of the parapet, or eliminate entirely, so that the base project and Density Bonus projects comply with the allowable maximum height, as the parapet is not needed to accommodate the density bonus units.

Response: The parapets have been removed from the base project; please see revised Sheet A0.2. On the proposed density bonus project, the parapets are intended to be purely architectural elements that help differentiate the massing of the bays from the base element. As such, they should be included in the AUP to allow architectural features over the maximum height limit per BMC 23E.64.070B.

c) Geotechnical Peer Review of Seismic Hazards Investigation required. As discussed in Comment #2, once the Seismic Hazards Investigation is submitted to the City, a peer review of this investigation is required. The City will require a \$1,500 deposit for this peer review.

Response: Noted.

(End of List)

Attachments:

- Revised plans, dated 12/20/2019
- Revised Applicant Statement, dated 12/20/2019
- Revised Density Bonus Eligibility Statement, dated 12/20/2019
- Revised Tabulation Form, dated 12/20/2019
- Citylift Puzzle Specifications
- Geotechnical Investigation

If you have any questions or comments, please feel free to contact me at (510) 649-1414 x112.

Sincerely,

A handwritten signature in black ink that reads "Isaiah Stackhouse". The signature is written in a cursive, flowing style.

Isaiah Stackhouse, Principal
TRACHTENBERG ARCHITECTS