

P U B L I C
L A N D M A R K S
P R E S E R V A T I O N
C O M M I S S I O N
S T A F F R E P O R T

FOR COMMISSION ACTION
APRIL 7, 2022

2580 Bancroft Way – Fred Turner Building

Structural Alteration Permit #LMSAP2022-0003 to install new rooftop equipment as a part of tenant improvements for one of the two commercial tenant spaces in the Turner Building.

I. Application Basics

A. CEQA Determination: Categorically exempt pursuant to Section 15331 of the CEQA Guidelines (Historical Resource Restoration and Rehabilitation).

B. Parties Involved

- Applicant: Ruben Rodela, Architect
Gary Wang & Associates, Inc.
1000 Corporate Center Drive, Suite 550
Monterey Park, CA 91754
- Owner: The Mark at Berkeley, LLC
315 Oconee Street
Athens, GA 30601

C. Recommendation: Hold a hearing on this matter, consider the merits of the proposal and take favorable action.

Figure 1: Vicinity Map – highlighting nearby City Landmarks

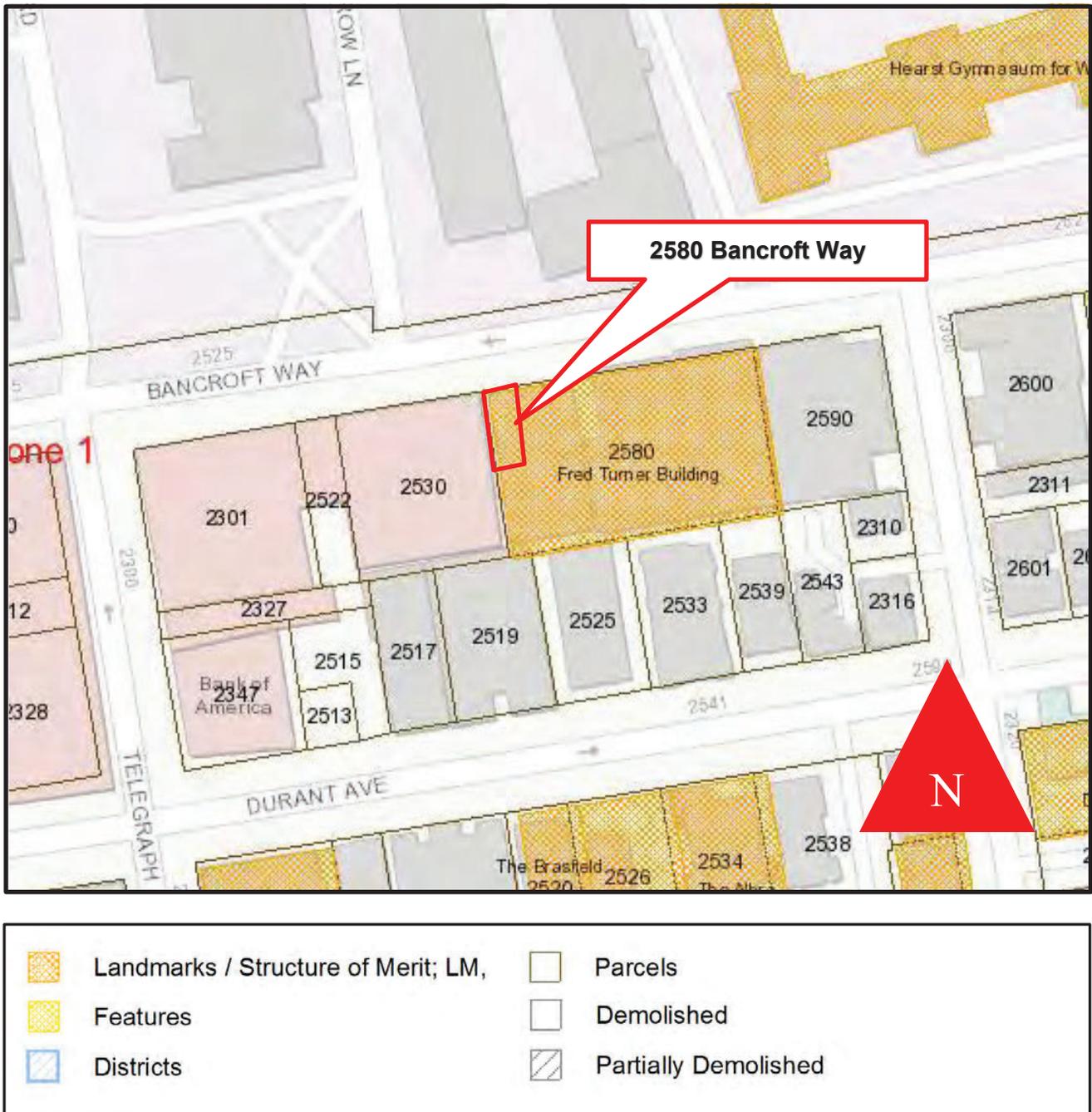
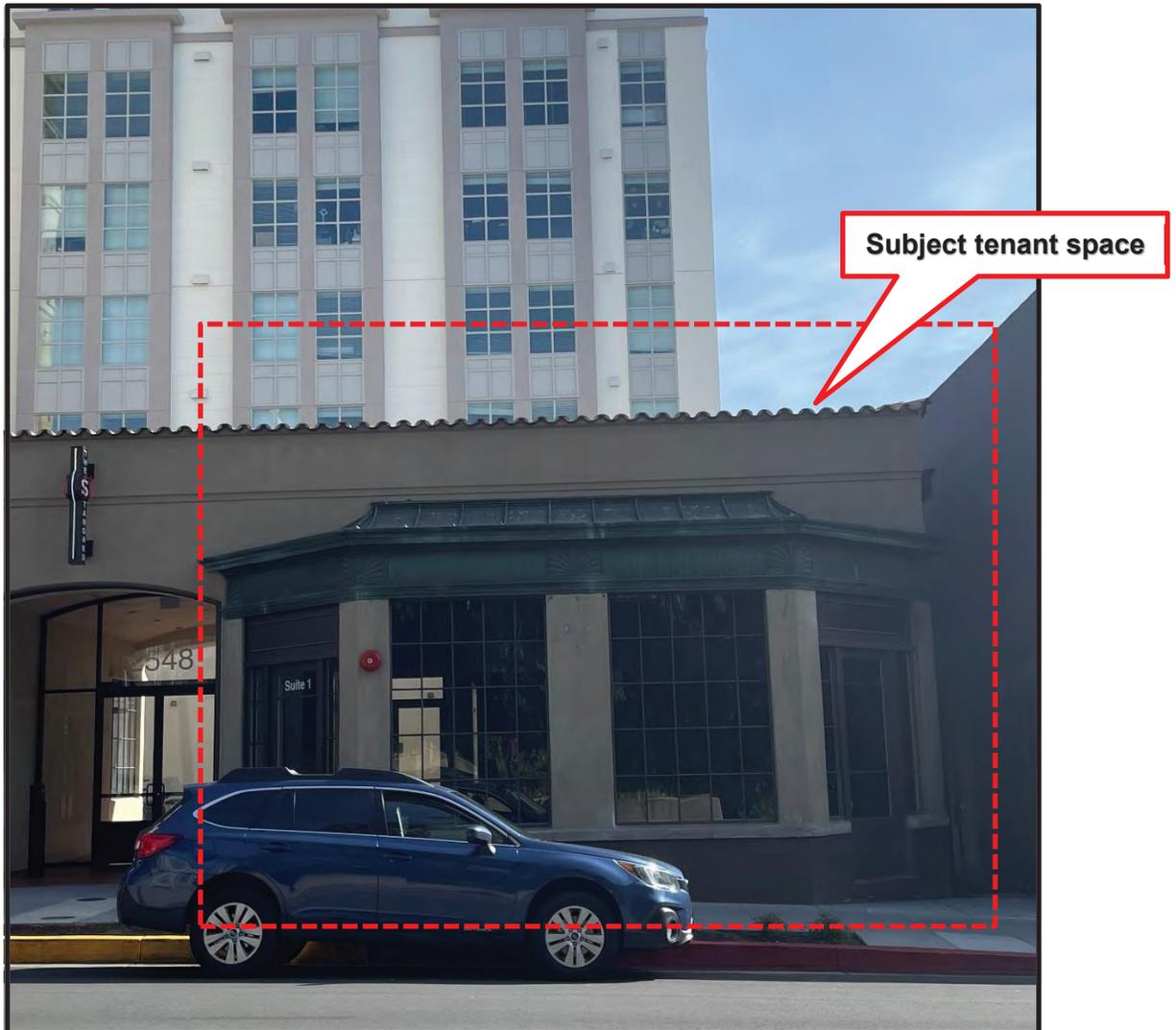


Figure 2: View from Bancroft Way (looking south), Existing Conditions



Figure 3: View from Bancroft Way (looking south), Existing Conditions



II. Background

This project site is located on the south side of Bancroft Way between Telegraph Avenue (west) and Bowditch Street (east). The subject property is zoned Commercial Telegraph (C-T) and abuts other C-T-zoned parcels to the east, south and west sides. The UC Campus, zoned Residential Southside (R-5), is located immediately to the north.

The Landmarks Preservation Commission (LPC) designated the subject property as a City of Berkeley Landmark in 1982. The aesthetic value of the Fred Turner Building is reflected in its Arts and Crafts architectural design, details and exterior building materials. Its special character derives from its associations with the renowned architect Julia Morgan and her particular execution of the building's design program -- namely a small-scale commercial use located along a central Southside commercial corridor adjacent to the UC campus.

On October 4, 2018, the LPC approved Structural Alteration Permit #LMSAP2017-0007 to demolish the rear portion of the Turner Building, to rehabilitate the façade and commercial tenant spaces, and to construct a new, mixed-use building expansion on this site. A building signage program was approved as a part of Final Design Review for new development in February 2019.

On March 4, 2022, the applicant submitted the subject Structural Alteration Permit (SAP), in accordance with Berkeley Municipal Code (BMC) Section 3.24. 200 that mandates Commission review and approval for any exterior modification to a Landmark structure. On March 28, 2022, staff mailed posted advance notices of tonight's SAP hearing as required under BMC Section 3.24.240.

III. Project Description

The SAP applicant proposes to complete a restaurant tenant improvement and to install an exhaust pollution control unit, make-up air unit, restroom exhaust fan, two cooler condensers, and two air conditioning units on the roof of the Turner Building. The project plans and Applicant's Statement are provided as Attachments 2 and 3 of this report.

The proposed rooftop units would penetrate the roof in order to connect with proposed interior mechanical ductwork. The proposed pollution control and air condition units would be visible above the existing parapet wall of the building's primary facade. Other internal improvements include a ladder that would be housed inside of the tenant space and would lead to a hatch on the lower section of the roof to allow access to the upper portion of the roof. See Table 1, below, for the list of proposed equipment.

Table 1. Proposed Equipment Installation at Turner Building

Proposed Equipment	Proposed Location	Visible Above Parapet?
Pollution Control Unit (PCU) Unit 1	Upper Roof	Yes
Make up Air Unit		
AC Unit 1		
Condenser Unit – Captiveaire Model		
AC Unit 2		
Condenser Unit – KEC Model	Lower Roof	No
Restroom Exhaust Fan		
Hatch		
Roof Ladder		
Ducting	Interior	

The applicant has presented three design options for reducing the potential visual impacts of the proposed roof installations that would be visible above the parapet wall. Option 1 calls for all proposed roof equipment to be painted a color that matches the Turner Building’s stucco façade, while Option 2 calls for the equipment to be painted to match the composition sliding of the Standard, the multi-story building recently constructed immediately behind the Turner Building. Option 3 would employ a new screen to be located approximately 4’-9” from the building parapet in order to partially obscure views of the proposed roof equipment. These options are accompanied by a sightline analysis on Sheets A-200.1-3 of proposed Project Plans; see Attachment 2 of this report.

The applicant has not provided current photographs of the site conditions; staff’s photographs are provided as Figures 2 and 3, above.

IV. Issues and Analysis

Staff has identified the following relevant criteria pertinent to this project from the Landmarks Preservation Ordinance and the *Secretary of the Interior’s Standards for the Treatment of Historic Properties*. For full review of the project by these standards, see the Findings and Conditions report (attachment 4).

A. Landmarks Preservation Ordinance (LPO) Review Standards and Criteria

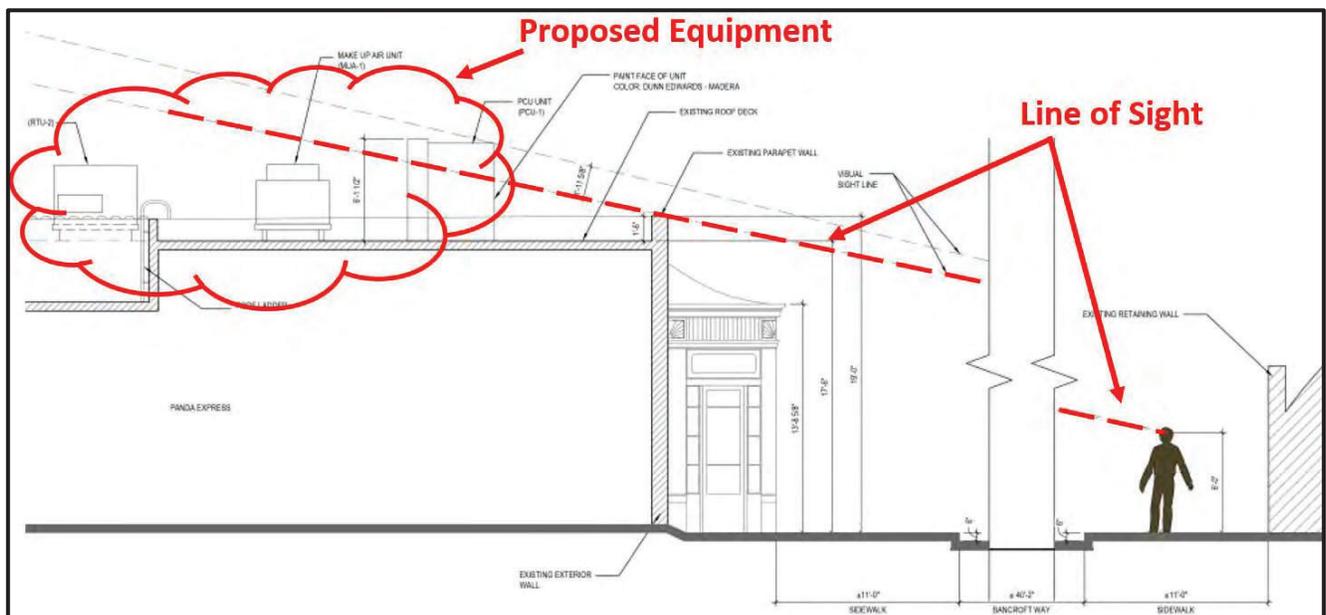
The analysis below summarizes staff’s findings for this project with respect to the requirements for SAP approval in accordance with the LPO.

BMC Section 3.24.260, Paragraph C.1

“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...”

Analysis: As proposed, this project would introduce new building features that are not in keeping with the Arts & Crafts architectural design of the subject building. These proposed features would be located the roof and could, if placed at a distance from the building façade and appropriately screened, minimize their impact overall visual impact and ensure the preservation of the building’s design integrity. Figure 4, below, illustrates the lines of sight as viewed from Bancroft Way.

Figure 4: Line of Sight Analysis Diagram -- Project Plans 1/A200.1-3, Attachment 2



The applicant has provided three options to minimize the potential visual impact as viewed from the public right-of-way (ROW). Two of the options require painting the equipment to reduce glare and visibility; the third option utilizes a screening system to help partially obscure the equipment. See Sheets A-200.1-3.

In order to obscure views of the proposed equipment from all vantage points to the greatest extent possible, staff recommends implementing both tactics by painting the equipment and installing a screening element. The combined approach could more effectively reduce visibility of the equipment from the ROW, disguise those portions that would be visible above the screen, and potentially

lessen the impacts of the installation as seen from above and behind the roof (e.g.: from the abutting, multi-story building).

Further, staff recommends that the applicant extend the proposed screen to include a return on the east and west, thereby addressing possible sightline views from vantage points along Bancroft Way.

For these reasons, staff has provided draft Conditions of Approval that would require the applicant to employ painting and screening, and to confer with staff prior to building permit application on the depth of the screen return and selection of final paint colors. Please see draft Conditions #6 and 8, in Attachment 2.

The subject building is not publicly-owned and, therefore, the proposed interior work is not subject to Commission approval and is not included in this analysis.

“...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.”

Analysis: As addressed in the section above, staff has provided draft conditions of approval for the proposed equipment that would be visible and in contrast to the historic design of the building so as to mitigate adverse affect on the aesthetic character of the building.

B. The Secretary of the Interior’s Standards for Rehabilitation: The Secretary of the Interior’s Standards for the Treatment of Historic Properties (1995) defines *Rehabilitation* as “the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.” Below is an analysis of how the proposed signage and the landmark comply with the Secretary of Interior’s Standards for Rehabilitation:

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

Staff Analysis: The property has historically been used as commercial space. The work proposed in this application would support the continued use of this as a commercial space.

2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

Staff Analysis: The scope of proposed work would not remove or alter any significant features.

- 3. Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

Staff Analysis: The proposed scope will not affect any changes to the property that have acquired historic significance in their own right.

- 4. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

Staff Analysis: The proposed work would be executed on the building roof and would not affect the building's architectural significance building façade and character-defining features.

- 6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*

Staff Analysis: No deteriorated historic features will be affected by this request and none are proposed to be replaced.

- 7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

Staff Analysis: The applicant does not propose chemical or physical treatments. However, standard conditions of Structural Alteration Permit approval would require any chemical or physical treatments to be undertaken using the gentlest means possible (see Condition of Approval #6 of Attachment 1).

- 8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

Staff Analysis: The project does not have the potential to affect any archaeological resources because the applicant proposes no excavation.

- 9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

Staff Analysis: The applicant proposes no exterior alterations beyond the addition of the roof mounted mechanical equipment. The recommended screening element would help camouflage the new equipment so as to be compatible with the existing proportions, colors, and massing of the existing architecture.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Staff Analysis: The equipment will be installed in such a manner that, if it were removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

V. Recommendation

Staff recommends Commission hold the public hearing on this matter in accordance with BMC Section 3.24.230, consider this request for a Structural Alteration Permit, and then take favorable action per BMC Section 3.24.260 subject to staff's draft Finding and Conditions which would require both extended screening and painting of the proposed rooftop equipment because the proposed scope:

- 1) Has been designed and conditioned to minimize potential visual impacts to the greatest extent possible, thereby maintaining the special character of this City Landmark structure.
- 2) Adheres to the requirements of Landmarks Preservation Ordinance for exterior alterations;
- 3) Meets requirements for the Secretary of the Interior's Standards for Rehabilitation.

Attachments:

1. Structural Alteration Permit Findings and Conditions of Approval
2. Project plans, received February 17, 2022
3. Applicant's Statement, received March 4, 2022
4. Notice of Decision for Landmark Designation, approved December 21, 1981

Prepared by: Desiree Dougherty, Assistant Planner; ddougherty@cityofberkeley.info; (510) 981-7530

Reviewed by: Fatema Crane, Senior Planner/LPC Secretary, fcrane@cityofberkeley.info; (510) 981-7410

PUBLIC
ATTACHMENT 1

FINDINGS AND CONDITIONS

2580 BANCROFT WAY – Fred Turner Building

Structural Alteration Permit #LMSAP2022-0003

Structural Alteration Permit #LMSAP2022-0003 to install new rooftop equipment as a part of tenant improvements for one of the two commercial tenant spaces in the Turner Building.

FINDINGS REQUIRED UNDER CEQA

1. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations, §15000, et seq.) pursuant to Section 15331 of the CEQA Guidelines (“Historic Resource Restoration/Rehabilitation”). Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects, (d) the project is not located near a scenic highway, and (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5,.

FINDINGS RELATED TO THE SECRETARY OF THE INTERIOR’S STANDARDS

Regarding the Secretary of the Interior’s Standards for Rehabilitation, the Landmarks Preservation Commission of the City of Berkeley makes the following findings:

1. The property has historically been used as commercial space. The work proposed in this application would support the continued use of this as a commercial space.
2. The scope of proposed work would not remove or alter any significant features.
3. The proposed scope will not affect any changes to the property that have acquired historic significance in their own right.
4. The required alterations to the building to accommodate the proposed scope are minimal and will not affect any distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize the property. Perforations in the historical façade shall be as discreet as possible and patched where necessary.
5. No deteriorated historic features will be affected by this request and none are proposed to be replaced.

PUBLIC

2580 BANCROFT WAY
Page 2 of 5

STRUCTURAL ALTERATION PERMIT -DRAFT Findings and Conditions
LMSA#2022-0003

6. The applicant does not propose chemical or physical treatments. However, standard conditions of Structural Alteration Permit approval would require any chemical or physical treatments to be undertaken using the gentlest means possible.
7. The project does not have the potential to affect any archaeological resources because the applicant proposes no excavation.
8. The applicant proposes no exterior alterations beyond the addition of the roof mounted mechanical equipment. The equipment will be painted so as to be visually compatible with the colors and massing of the existing architecture. The screening mechanism will
9. The equipment will be installed in such a manner that, if it were removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

FINDINGS REQUIRED UNDER LANDMARK PRESERVATION ORDINANCE

1. As required by Section 3.24.260 of the Landmarks Preservation Ordinance, the Commission finds that proposed work is appropriate for and consistent with the purposes of the Ordinance, and will preserve and enhance the characteristics and features specified in the designation for this property. Specifically:
 - A. Staff finds that the proposed scope will not adversely affect the exterior features of the landmark, the special character or special historical, architectural or aesthetic interest or value of its site and will preserve its distinguishing features.
 - B. The equipment would be installed without impairing the building, and the screening element would adequately camouflage the equipment so as to be compatible with the existing proportions, colors, and scale of the architecture.

STANDARD CONDITIONS

The following conditions, as well as all other applicable provisions of the Landmarks Preservation Ordinance, apply to this Permit:

1. Conditions Shall be Printed on Plans

The conditions of this Permit shall be printed on the *second* sheet of each plan set submitted for a building permit pursuant to this Permit, under the title 'Structural Alteration Permit Conditions'. *Additional sheets* may also be used if the *second* sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings; 8-1/2" by 11" sheets are not acceptable.

2. Plans and Representations Become Conditions

Except as specified herein, the site plan, floor plans, building elevations and/or any additional information or representations, whether oral or written, indicating the proposed structure or manner of operation submitted with an application or during the approval process are deemed conditions of approval.

3. Subject to All Applicable Laws and Regulations

The approved use and/or construction is subject to, and shall comply with, all applicable City Ordinances and laws and regulations of other governmental agencies. Prior to construction, the applicant shall identify and secure all applicable permits from the Zoning Adjustments Board or Zoning Officer, Building and Safety Division, Public Works Department and other affected City divisions and departments.

4. Exercise and Lapse of Permits (Section 23B.56.100)

- A. A permit for the construction of a building or structure is deemed exercised when a valid City building permit, if required, is issued, and construction has lawfully commenced.
- B. A permit may be declared lapsed and of no further force and effect if it is not exercised within one year of its issuance, except that permits for construction or alteration of structures or buildings may not be declared lapsed if the permittee has: (1) applied for a building permit; or, (2) made substantial good faith efforts to obtain a building permit and begin construction, even if a building permit has not been issued and/or construction has not begun.

5. Indemnification Agreement

The applicant shall hold the City of Berkeley and its officers harmless in the event of any legal action related to the granting of this Permit, shall cooperate with the City in defense of such action, and shall indemnify the City for any award of damages or attorneys fees that may result.

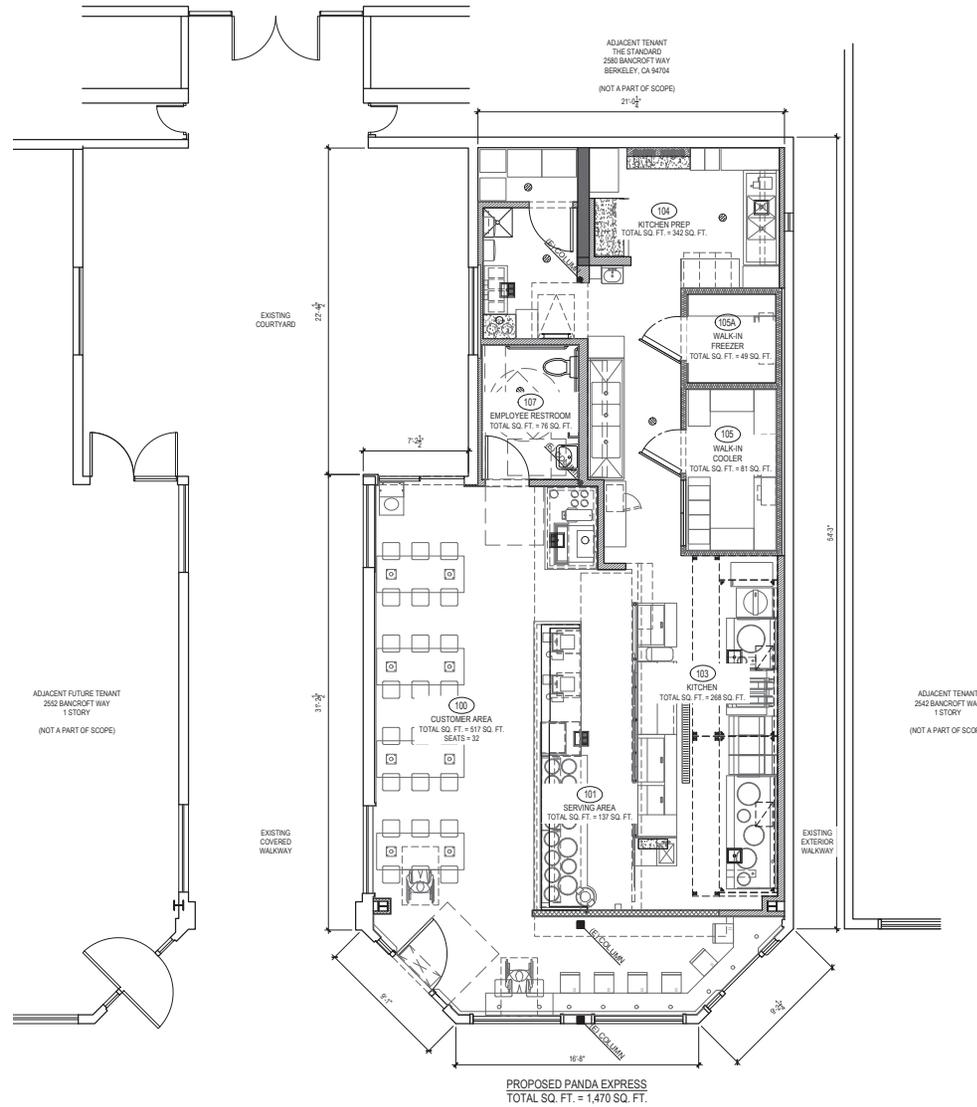
ADDITIONAL CONDITIONS

The following additional conditions are attached to this Permit:

6. **REVISED PROJECT PLANS -- SCREEN ELEMENT.** Prior to submitting any building permit application for this project, the applicant shall revise the project and proposed screen to include a return on both the east and west sides. The applicant shall provide staff with site photos that accurately show sight lines to the roof; upon staff's review of the revisions and photographs, staff shall determine the minimum and maximum length and depth of the screen element return.
7. **ROOF EQUIPMENT.** Any above ground or roof equipment, such as transformer(s), utilities, fire apparatus, air conditioning units, compressors, etc. shall be shown to scale on the architectural drawings of the building permit set of drawings in both plan and elevation, in order to determine if additional screening and SAP may be required.
8. **COLORS.** Prior to Landmarks plan checker sign-off of the Building Permit set of drawings, the applicant shall submit color and materials information for review and approval by Landmarks staff, in coordination with the LPC Chair as needed.
9. **REPAIR AND REPLACEMENT OF CHARACTER-DEFINING FEATURES** (where applicable). Repair and replacement of character-defining features. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old or historic feature in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
10. **DETAILS.** Prior to Landmarks plan checker sign-off of the Building Permit set of drawings, the applicant shall submit screen element details for review and approval by the Landmarks plan checker.
11. **LIGHTING.** Prior to Landmarks plan checker sign-off of the building permit set of drawings, the applicant shall submit lighting details showing all existing and proposed site and building lighting. Exterior lighting, including for signage, shall be downcast and not cause glare on the public right-of-way and adjacent parcels.
12. The applicant shall be responsible for identifying and securing all applicable permits from the Building and Safety Division and all other affected City divisions/departments prior to the start of work.
13. The applicant is responsible for complying with all the above conditions. Failure to comply with any condition could result in construction work being stopped, issuance of citations, as well as further review by the Landmarks staff, which may modify or impose additional conditions, or revoke approval.
14. All building permit drawings and subsequent construction shall substantially conform to the approved plans as outlined in Condition #1. Any modifications must be reviewed

by the Landmarks plan checker to determine whether the modification requires approval.

- 15.** The applicant shall hold harmless, defend, and indemnify the City of Berkeley and its officers, agents, and employees against any and all liability, damages, claims, demands, judgments or other losses (including without limitation, attorney's fees, expert witness and consultant fees and other litigation expenses), referendum or initiative relating to, resulting from or caused by, or alleged to have resulted from, or caused by, any action or approval associated with the project. The indemnity includes without limitation, any legal or administrative challenge, referendum or initiative filed or prosecuted to overturn, set aside, stay or otherwise rescind any or all approvals granted in connection with the Project, any environmental determination made for the project and granting any permit issued in accordance with the project. This indemnity includes, without limitation, payment of all direct and indirect costs associated with any action specified herein. Direct and indirect costs shall include, without limitation, any attorney's fees, expert witness and consultant fees, court costs, and other litigation fees. City shall have the right to select counsel to represent the City at Applicant's expense in the defense of any action specified in this condition of approval. City shall take reasonable steps to promptly notify the Applicant of any claim, demand, or legal actions that may create a claim for indemnification under these conditions of approval.



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REVISIONS:

NO.	DESCRIPTION	DATE

ISSUE DATE:

NO.	DESCRIPTION	DATE
101	1ST SAP SUBMITTAL	01-03-22
200	2ND SAP SUBMITTAL	02-16-22

DRAWN BY: RRUJHAB

PANDA PROJECT #: S4-21-DB218
 ARCH PROJECT #: 20-109



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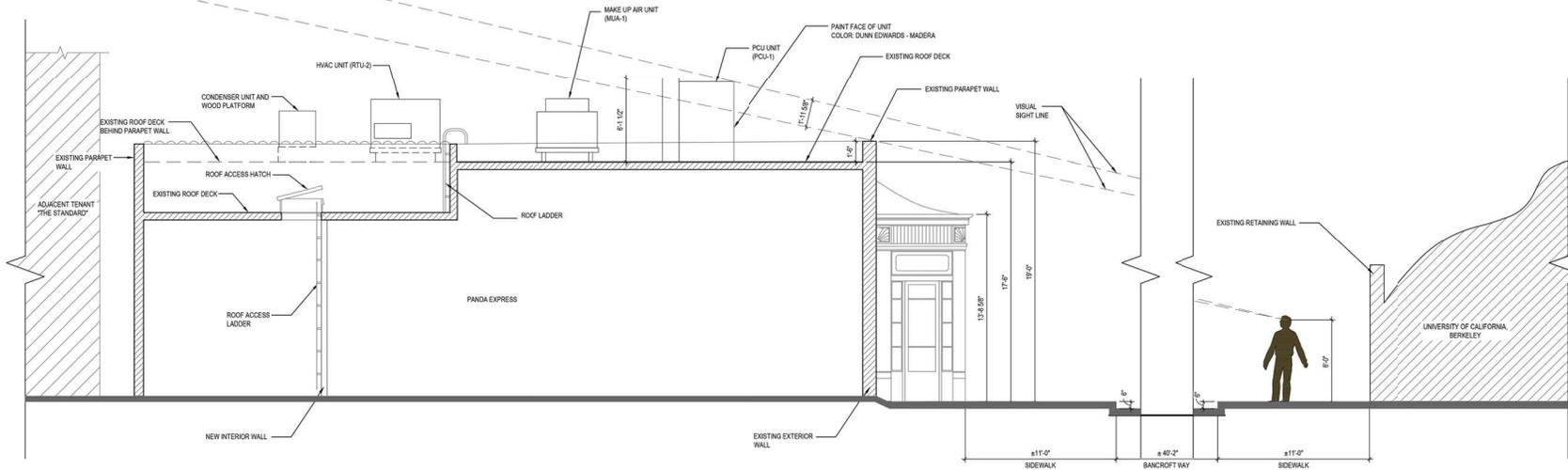
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 2548 BANCROFT WAY, SUITE 1,
 BERKELEY, CA 94704

A-101
 FLOOR PLAN



NOTE:
EXISTING EXTERIOR BUILDING COLORS AND FINISHES TO REMAIN
AND PROTECT IN PLACE. NO EXTERIOR MODIFICATIONS.

NORTH ELEVATION | 2
Scale = 1/4" = 1'-0" | A-200.1



LINE OF SIGHT ANALYSIS | 1
Scale = 1/4" = 1'-0" | A-200.1



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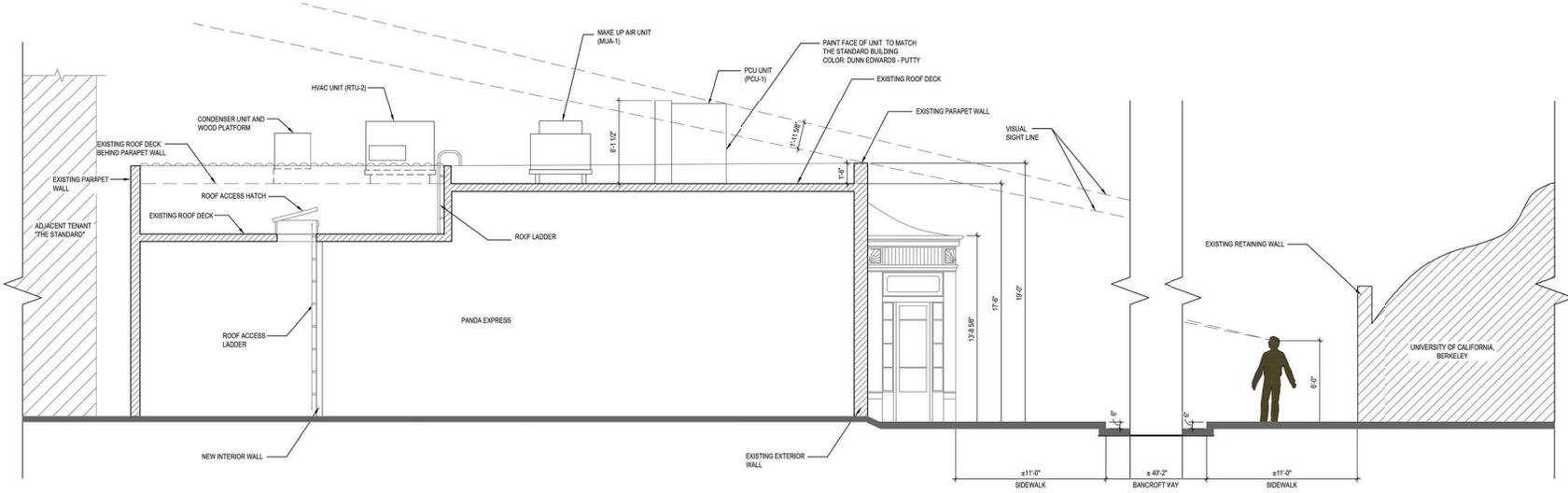
A-200.1

EXTERIOR ELEVATION AND
LINE OF SIGHT ANALYSIS



NOTE:
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 AND PROTECT IN PLACE. NO EXTERIOR MODIFICATIONS.

NORTH ELEVATION | 2
 Scale = 1/4" = 1'-0" A-200.2



LINE OF SIGHT ANALYSIS | 1
 Scale = 1/4" = 1'-0" A-200.2



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NO.	DESCRIPTION	DATE

ISSUE DATE:

NO.	DESCRIPTION	DATE
1ST	1ST SAP SUBMITTAL	01-03-22
2ND	2ND SAP SUBMITTAL	02-16-22

DRAWN BY: RRJ/HAB

PANDA PROJECT #: S4-21-08218
 ARCH PROJECT #: 20-109



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A-200.2

EXTERIOR ELEVATION AND
 LINE OF SIGHT ANALYSIS



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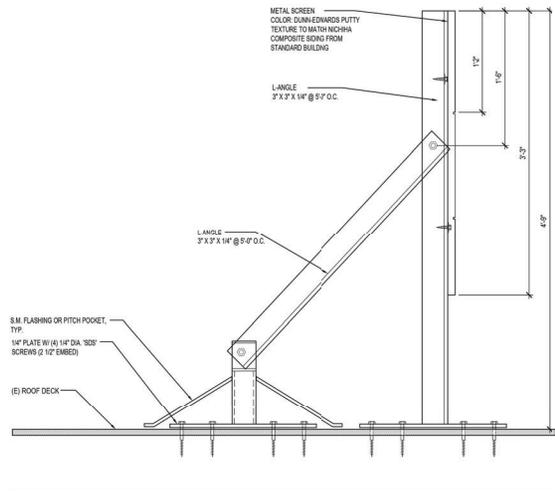
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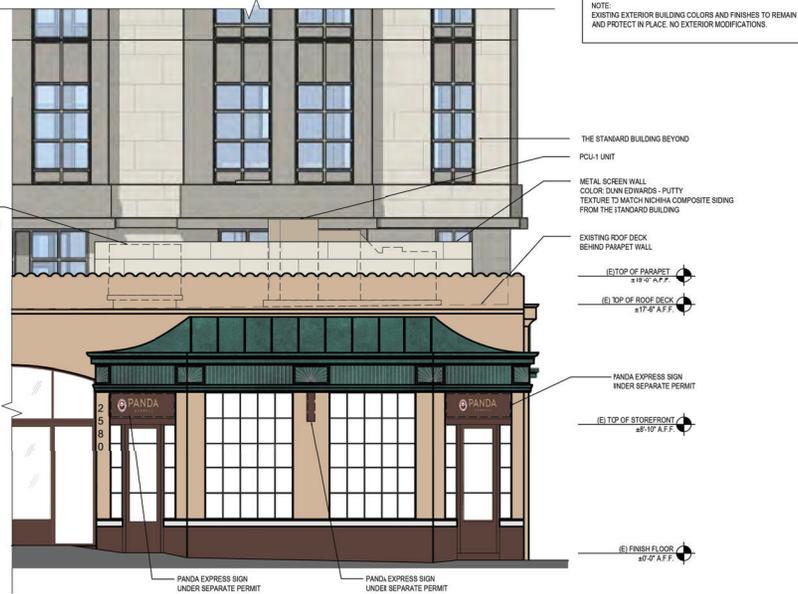
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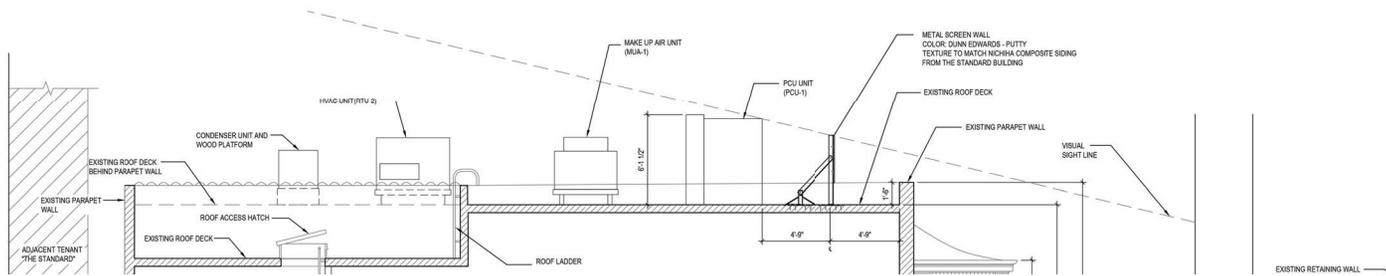
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 PANDA PROJECT #: S4-21-08218
 ARCH PROJECT #: 20-109



SCREEN WALL DETAIL 3
 Scale= 1 1/2" = 1'-0" A-200.3



NORTH ELEVATION 2
 Scale= 1/4" = 1'-0" A-200.3



Scale= 1 1/2" = 1'-0" A-200.3



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ITEM 6. ATTACHMENT 3

LPC 04-07-22

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March 4th, 2022

City of Berkeley
Landmark Preservation Commission
Structural Alteration Permit
1947 Center Street, 3rd Floor
Berkeley, CA 94704

Panda Express
2548 Bancroft Way, Suite 1
Berkeley, CA 94704

Project Narrative

The proposed project is a one-story tenant improvement for a new 1,470 square foot Panda Express fast-food restaurant. The existing space is currently vacant but was previously a retail/restaurant space. The request for this permit is specifically for the installation of new rooftop equipment in an existing historical building. Work will also include penetration on the roof for mechanical ductwork below the roof deck and the installation of a new roof access ladder.

The proposed Panda Express project is located along Bancroft Way in the existing Fred Turner Building. The building is directly in front of the Standard Building and across the street from the University of California campus. The Standard Building (a high-rise residential building) also surrounds the Fred Turner Building to the east. Directly west of the building is the Bancroft Clothing Company building, which rises a few feet higher.

The proposed rooftop equipment for Panda Express includes one exhaust pollution control unit, one make-up air unit, one restroom exhaust fan, two cooler condensers, and two air conditioning units. Most of these units are located at the rear of the space, away from street view. All these units will be penetrating the roof to connect mechanical ductwork for the restaurant.

The two most notable units will be the pollution control unit and the air conditioning unit labeled RTU-1 on the plans. Based on the sight line analysis, these two units will be visible by approximately 23 inches above the existing parapet wall, standing on the opposite side of Bancroft Way. To alleviate the visual concern, the proposal is to paint the face (streetside) of these two units with the same color as the parapet wall (Dunn Edwards – Madera). This proposal will visually blend in the units with the existing parapet wall without disrupting the historical character of the building's façade.

Part of this proposal includes the addition of a new roof access ladder penetrating the existing roof. Currently, there is no permanent means to access the roof on this building, and it is required by the 2018 California Mechanical Code. The ladder will be housed inside Panda Express and will lead to a hatch on the lower section of the roof (rear corner). An exterior wall



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ITEM 6. ATTACHMENT 3

LPC 04-07-22

Page 2 of 2

mounted ladder will be installed leading from the lower roof to the upper roof portion of the building.

This proposal complies with the provisions set forth in the City of Berkeley's Municipal Code, Chapter 3.24. Historically, this building has housed previous commercial tenants who have installed mechanical rooftop equipment, as shown via the photographic exhibits. The proposal coincides with very similar equipment utilized by previous tenants, both retail and restaurants. Additionally, the implementation of these mechanical units does not interfere or disrupt the overall architectural style or characteristics of the building.

The proposed mechanical rooftop units and roof access ladder will further enhance the use of the Fred Turner Building and further the rehabilitation efforts of the building to current standards. For instance, the pollution control unit is essential to exhaust cooking smoke in a cleaner and energy efficient manner. Typical odor and fumes from a traditional exhaust system will not be of concern because this unit will eliminate them. The roof access ladder, as previously mentioned, helps bring the building up to current California codes and standards. The ladder, in turn, will also assist employees to maintain rooftop equipment in a regular basis so they continue to work efficiently.

This project would greatly benefit the existing community. The restaurant's rooftop equipment, roof penetrations, and roof access ladder will not impair the building's overall identity and historical character. The renewed use of the space would not only benefit the restaurant, but also the neighboring tenants. Overall, Panda Express would create an even more diverse and populated environment within the City of Berkeley.

LANDMARKS PRESERVATION COMMISSION

Ms. Elsie Vickery
Bancroft Center Company
2546-54 Bancroft Way
Berkeley, CA 94704

NOTICE OF DECISION

Dear Ms. Vickery :

The City of Berkeley adopted the Landmarks Preservation Ordinance 4694-N.S. which went into effect June 6, 1974. This Ordinance established the Landmarks Preservation Commission whose duty is to preserve and protect structures, sites or areas in the City having special historical, architectural, cultural, or educational value.

In accordance with this Ordinance, a public hearing was held on December 21, 1981, to consider landmark designation of your property, commonly known as Fred Turner Building and located at 2546-54 Bancroft Way. At its meeting of December 21, 1981, the Commission voted to grant your property Berkeley landmark status.

Such status means that (Section 5 of the Ordinance);

"NO PERSON SHALL CARRY OUT OR CAUSE TO BE CARRIED OUT ON A DESIGNATED LANDMARK ... ANY CONSTRUCTION, ALTERATION OR DEMOLITION FOR WHICH A CITY PERMIT IS REQUIRED, WITHOUT APPROVAL BY THE COMMISSION ... IN ADDITION, NO SUCH WORK SHALL TAKE PLACE UNLESS ALL APPLICABLE LAWS AND REGULATION HAVE BEEN COMPLIED WITH, AND A PERMIT HAS BEEN ISSUED FOR SAID WORK."

Section 9 of the Ordinance establishes the right to appeal the Commission's decision to City Council by;

"... THE VERIFIED APPLICATION OF THE OWNERS OF THE PROPERTY OR THEIR AUTHORIZED AGENTS, OR BY THE VERIFIED APPLICATION OF AT LEAST FIFTY (50) RESIDENTS OF THE CITY AGGRIEVED OR AFFECTED BY ANY DETERMINATION OF THE COMMISSION ... SUCH APPEAL SHALL BE TAKEN BY FILING A WRITTEN NOTICE OF APPEAL WITH THE CITY CLERK OF THE CITY OF BERKELEY WITHIN FIFTEEN (15) DAYS AFTER THE MAILING OF THE NOTICE OF DECISION OF THE COMMISSION."

Very truly yours,

Seaman France

Landmarks Preservation Commission

CITY OF BERKELEY
DEPARTMENT OF HOUSING AND DEVELOPMENT

(APPLICATION REQUESTING DESIGNATION FOR LANDMARK STATUS)

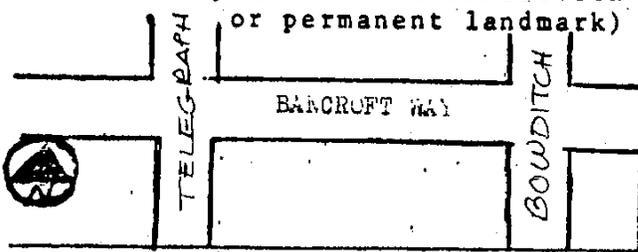
- S: Ordinance 4694-N.S. Individual Landmark \$50.00 Historical Dist. \$100.00
1. Name of Property Fred Turner Building Survey Code No. _____
 2. Building YES Site _____ Open Space _____
 3. County Alameda 4. City Berkeley
 5. Street 2546-54 Bancroft Way
 6. Vicinity (if rural) _____
 7. Present Occupant Anderson's Travel Service, Rick's Florist, George J. Good
 8. Present Owner Mrs. Elsie Vickery
 9. Original Owner (if known) Fred Turner
 10. Date of Construction 1939 11. Style eclectic
 12. Architect/Builder C.L. Teigland, builder Julia Morgan, architect 13. Original Use stores & restaurant
 14. Historic Value: national state _____ county _____ city neighborhood
none _____
 15. Architectural Value: national state _____ county _____ city neighbor-
hood none _____
 16. Notable Garden or Landscaping: yes no _____ inner garden courtyard _____
 17. Photographs: contemporary Yes historical Yes
dates 1973 1979 dates 1939
photographer C. Buchanan A. Bruce photographer Ormsby Donogh
repository _____ repository Berk. Arch. Heritage
 18. Bibliography: Published Sources Berkeley Gazette, Jan. 30, 1979, page 3.
B.A.A.A. Calendar, 1979.
Public Records State Historic Resources Inventory, 2-11-1979
Interviews Fillmore Eisenmayer, George Good, Elsie Vickery,
Other Dr. Gertrude Turner Huberty Warren, Dr. Benjamin Lehman
 19. Block Number 1877 20. Lot No. 01700 21. Lot Size: Frontage 100'
Depth 150'
 22. Current Zoning Status C-1 23. Adjacent Property Zoning Status C-1'
 24. Present Use: residential (single family _____ multiple _____) office _____
store public _____ other _____ specify _____
 25. Adjacent Property Use (check all that apply): residential (single
family _____ multiple) office _____ store public
other _____ specify _____

26. Assessed Property Value: current 5 yrs. ago 10 yrs. ago
27. Present Condition of Property: exterior: excellent good fair poor
 interior: excellent good fair poor
 grounds: excellent good fair poor
28. Property Endangered: yes no source, if yes present owner
29. Potential New Property Uses: high rise office building

30. History: Briefly describe the historical significance of this property. The Fred Turner store building is Julia Morgan's last work in Berkeley, and exhibits an early use of a commercial planning concept, popular today: shops clustered around a courtyard. The client, Fred Turner, had turned his attention to real estate development after retiring as City Engineer of Oakland. He had previously commissioned Julia Morgan to design his home and a shop and apartment building at Piedmont & 40th in Oakland. The existing building on Bancroft is the only survivor from the original 1939 commission. Just east of the shops were 2 small buildings housing medical offices and a laboratory which were demolished to make way for the present shop and garage complex. The George J. Good haberdashery, which had opened in 1930 on Telegraph Ave. on the present site of the ASUC Building, moved into its new quarters in 1939. Between the Good store and a pharmacy (now Anderson Travel) was an open passage leading to a garden courtyard.

31. Architecture: Briefly describe the appearance of this structure. Indicate notable features as well as later alterations and changes. Include notable landscaping or natural features. One-story structure with 2 large shops on either side with neo-Georgian small-paned angled bay windows; between is an arcade & stone courtyard, now glassed in & used as a florist's shop, formerly the entrance to the Black Sheep restaurant. Building is beige stucco; red tile edged roof. Bays have copper roofs & cornices with classical moldings & shell patterns on the frieze above the columns. Rainspouts & other detailing are also copper. Georgian appearance is furthered by the hanging signs & gold letters used by all 4 businesses. Flat-roofed frame building, extends 130' to rear of lot; east bay is divided into 2 small shops, clothing store in west bay; occupies former restaurant area at rear. Facade is shaded by street trees--only building on the block that has them.

32. Location Map (nearest intersection or permanent landmark)



33. Photograph (Contact print from 35mm black and white photo)

34. Additional Comments or Continuation of Previous Answers (History, cont'd) of which open the Black Sheep restaurant. A "refined, ladies' tea room, the Black Sheep exhibited the work of local artists such as Eugen Neuhaus. After expressing a desire to see where Berkeley students and faculty gathered, the Grand Duchess Marie was taken to the Black Sheep for lunch by Prof. Lehman of the English Dept., and they were joined there by Mrs. William Randolph Hearst and Julia Morgan and her brother Avery. When the restaurant closed in 1967, the passage was enclosed to create another shop space, now occupied by Rick's Florist, an appropriate use for this garden interior.

The revolution in shop design during the 1920s was inspired principally by the new-fashion boutiques and salons of Paris and London. This was the era when American shopping strips were

35. Recorder: Name Anthony Bruce Title _____
 Address 6 Encina Place Date 9/24/1981
Berkeley, Cal. 94705

Fred Turner Shop Building

30. & 34 (continued)

made over into images of elegant, romantic boulevards. The trend, slowed somewhat by the Depression, soon picked up again at the end of the 1930s. While by this time a sleek Moderne style was often preferred for "quality" shops, the 1920s Olde Worlde shopfront was still extremely popular. Such is the case with the Turner shops on Bancroft.

The building is constructed of reinforced concrete, tinted a warm brown. The generous copper trim of the large, airy bays has aquired a soft patina of dark green.

In all, the Fred Turner Building is a model of sophistication and taste, a quiet but altogether fitting climax to the long career of one of Berkeley's most distinguished architects.

---from article in Berkeley Gazette by Brian Horrigan, Jan. 30, 1979