

D E S I G N
R E V I E W
C O M M I T T E E
S T A F F R E P O R T

For Committee Decision
FEBRUARY 16, 2023

2190 Shattuck Avenue

PRELIMINARY DESIGN REVIEW

Design Review #MODDRCP2022-0001 to redevelop a 19,967 square-foot (0.46-acre) site at the southwest corner of Shattuck Avenue and Allston Way with a proposed 25-story building with 326 residential units above approximately 7,500 square feet of ground floor retail space. Approximately 51 parking spaces would be provided in a single level subterranean garage accessed from Allston Way.

I. Introduction

This project is located on the southeast corner of Shattuck Avenue and Allston Way. This parcel is located in the C-DMU, Commercial-Downtown Mixed-Use, Core Area zoning district.

The demolition referral was reviewed by the Landmark Preservation Commission (LPC) in November 2016, where no action was taken. The project came before the Design Review Committee in 2018, and was forwarded to the Zoning Adjustments Board (ZAB) with a favorable recommendation. ZAB approved the Use Permit on October 25, 2018 but that approval was appealed. City Council upheld ZAB's decision and approved the Use Permit Resolution on January 31, 2019. The project has since been modified significantly, a list of updates has been provided below, and is returning for a Use Permit Modification.

This project was before the Design Review Committee in December for a Preview where the Committee provided advisory comments about the project design. A summary from that meeting is included below for reference. The project is returning this month to the DRC for Preliminary Design Review.

II. Background

The proposed density bonus project is a 25-story mixed-use development in Downtown Berkeley with 326 residential units, ground floor commercial space, and one level of underground parking. The project's primary street frontage for commercial uses is along Shattuck Avenue with additional commercial space accessible from Allston Way. The main residential entrance and entrance to the

subterranean garage is also proposed on Allston Way. A brief summary of changes is below.

Modifications to the original project include:

- an increase in building height from 18 floors to 25 floors;
- reduction in subterranean parking levels and spaces from 2 levels and 103 spaces to 1 level and 51 spaces;
- increase in residential units from 274 units to 326 units;
- increase in affordable units from 1 unit to 32 very low-income units;
- decrease in retail square footage from 10,000 square feet to 7,500 square feet; and
- increase in bicycle parking from 100 spaces to 295 spaces.

III. Project Setting

A. Neighborhood/Area Description:

The project site is located on the northwest corner of Shattuck Avenue and Allston Way, in the Downtown area within the Shattuck Avenue Downtown Historic District. The site has frontage on Shattuck Avenue and Allston Way, and is adjacent to the southern edge of the Bay Area Rapid Transit (BART) Plaza associated with the Downtown Berkeley BART station. The project site is surrounded primarily by Downtown Berkeley commercial and institutional development in buildings ranging in height from one story (the Fresco Mexican Grill building at 2177 Shattuck Avenue) to 14 stories (the 180-foot First Savings/Great Western Building at 2150 Shattuck Avenue). There is a 16-story hotel at 2129 Shattuck Avenue, at the northeast corner of Shattuck Avenue and Center Street.

B. Site Conditions:

The project site is 19,967 square-foot (0.46-acre) and located on the northwest corner of Shattuck Avenue and Allston Way. The site is generally level, sloping approximately five feet downward from east to west along the property. The site has frontage on Shattuck Avenue and Allston Way, and is adjacent to the southern end of the Bay Area Rapid Transit (BART) for the Downtown Berkeley Station.

The project site is currently covered by a two-story commercial building with a basement and 38,700 square feet of retail and office space. The first floor has retail space currently occupied by a Walgreens drug store and pharmacy. The second floor has administrative office space currently occupied by Round Corner and Nokia. The basement is currently vacant.

Figure 1: Vicinity Map



Table 1: Land Use Information

Location		Existing Use	Zoning District	General Plan Designation
Subject Property		Retail/Commercial	C-DMU, Core	Downtown
Surrounding Properties	North	Restaurant/Office	C-DMU, Core	Downtown
	South	Hotel	C-DMU, Core	Downtown
	East	Retail	C-DMU, Core	Downtown
	West	Parking/Retail/Food Service	C-DMU, Core	Downtown

Table 2: Development Standards

Standard (BMC)		Existing	Original Project	Modified Project	Permitted/ Required
Lot Area (sq. ft.)		19,967	19,967	19,967	-
Gross Floor Area (sq. ft.)		38,700	211,590	397,212	-
Floor Area Ratio		1.94	10.6	19.5	-
Dwelling Units	Total	0	274	326	-
	Affordable	-	1	32	-
Building Height	Average (ft.)	-	-	-	-
	Maximum (ft.)	22	180	268	180 + 5 parapet
	Stories	2	18	25	--
Building Setbacks (ft.)	Front	0	0 - 120	0 - 5	0 - 15
	Rear	5	0 - 15	0 - 6	0 - 15
	Left Side	0	0 - 15	0 - 10	0 - 15
	Right Side	0	0 - 5	0 - 11	0 - 15
Lot Coverage (%)		92	92	88	-
Usable Open Space (sq. ft.)		-	21,024	22,719	26,080
Parking	Automobile	0	103	51	11
	Bicycle	0	100	295	290

IV. Project Description

A. Requested Use Permits

- Use Permit under BMC Section to demolish a non-residential building;
- Use Permit under BMC Section to construct a new mixed-use development;
- Use Permit under BMC Section to construct dwelling units;
- Use Permit under BMC Section to create new floor area of 10,000 square feet or more;
- Use Permit under BMC Section to construct a building that exceeds the district height limit, and that is over 120 feet but not more than 180 feet;
- Use Permit under BMC Section to modify front, side, and rear setback requirements;
- Use Permit under BMC Section to exceed 120 feet in width in diagonal measurement;
- Use Permit under BMC Section to pay a fee in lieu of providing privately owned public open space;
- Administrative Use Permit under BMC Section to allow architectural projections to exceed district height limits.

B. CEQA Determination

An Environmental Impact Report (EIR) was prepared to evaluate the potentially significant environmental impacts of the approved project, pursuant to Article 7 of the California Environmental Quality Act (CEQA). After a public review and comment period for the Draft EIR (DEIR) and the Responses to Comments Document (RTC) was distributed, ZAB certified the Final EIR (FEIR), on January 25, 2018. An Addendum to the original EIR was published by the City, as the lead agency, on February 8, 2023. That document is available at <https://aca.cityofberkeley.info/CitizenAccess/Default.aspx>

To view the document, click on Zoning tab; enter permit number ZP2022-0026; click on the “Record Info” drop down menu; click on Attachments for a list of all application materials. A physical copy of the EIR Addendum will also be available for in person review at 1947 Center Street, 2nd Floor, Berkeley, CA 94704.

C. Density Bonus Information

- Waiver of BMC Section to exceed building height limits – to be 264’, where 180’ is the limit;
- Waiver of BMC Section to reduce the usable open space requirement – to be 22,719 square feet, where 26,080 square feet is required;
- Waiver of BMC Section to reduce the privately-owned public open space– to be 0 square feet, where 150 square feet is required;
- Concession to reduce the commercial parking requirement — to provide zero, where 11 is required.

V. Design Review Guidelines

Following are several key guidelines in the Downtown Design Guidelines which relate closely to this project.

All Buildings

- For new construction projects located on narrow east-to-west streets and over 75 feet in height, prepare an analysis of shade impacts on public open spaces and pedestrian sidewalks across the street.
- Maintain and reinforce Downtown’s historic street wall at the property line. Upper floor step backs are desirable above 60 feet and should be used above 75 feet.
- For buildings over 85 feet in height, prepare an analysis of potential wind impacts. Protect sidewalk and public open space by deflecting downward wind drafts (“wind shear”) by using building setbacks, recesses, projections and other devices.
- Consider how the building’s form and orientation can take advantage of sun and shade to appropriately heat and cool the building.
- Consider using continuous vertical features to unify upper and lower floors, while stepping back upper floors.
- Respect the height of neighboring buildings, and provide a sense of continuity and enclosure which avoids abrupt changes in height.

Facades

- Reflect and reinforce the scale, massing, proportions, rhythm and attention to detailing which are established by the facades of Landmark and Significant buildings.
- Incorporate elements which break up façade planes and create a visual play of light and shadow. Avoid long, uninterrupted horizontal surfaces. Consider the use of bay windows, balconies and architectural projections.
- Vertical divisions of ground and upper floors should be consistent. Generally maintain a cornice that projects horizontally between the ground floor (and its mezzanines) and upper stories.
- Architecturally distinguish the ground floor from the upper façade, to form a visual base for the building. Create an intimate scale for the pedestrian environment.
- Architecturally distinguish the upper façade from the top of the façade to provide a visual termination for the building. Generally maintain a cornice that projects horizontally at the top of the 5th floor, or near the top of the buildings that are less tall.
- Maintain the typical rhythm of structural bays and enframed storefronts of 15-30 feet spacing at ground level, in order to enhance visual continuity with existing buildings and pedestrian scale. Curtain walls, if used, should be designed with rhythm, patterns and modulation to be visually interesting.

Parking and Garage

- Give first consideration to pedestrians during the site planning process.
- For on-site loading and on-site parking, mitigate impacts on the pedestrian to the extent possible.
- Locate and design loading areas to minimize their visibility from public spaces, use walls and landscaping to screen views of loading areas.
- Locate parking behind buildings, underground, or behind ground floor storefronts.

Both street frontages for this project are designated as required public serving frontage (refer to figure 43 in the 2012 Downtown Guidelines)

- At least one publicly-accessible street-level entrance to be provided for every 40 feet along a street facing frontage. Any remainder exceeding 30 feet shall also have a publicly-accessible street-level entrance. No two entrances shall be separated by more than 50 feet.
- Clear Glass shall comprise at least 60% of the street facing façade where it is between 3 feet and 8 feet above elevation of adjacent sidewalk
- The design of the ground floor shall be visually open to pedestrians such that the design should enable the main activities of the proposed use to be carried out towards the front of the space.

A complete set of the downtown design guidelines can be found online at:

<http://www.cityofberkeley.info/ContentDisplay.aspx?id=14260>

VI. Summary from December 15, 2022 DRC Meeting

Advisory Comments:

Neighborhood Context

- *Building design should be more specific to this important location – special details, design elements and materials.*

Building Design

- *Simplify building design where possible. Design should be timeless.*
- *Two-story 'lantern' at the Southwest corner works well. Look carefully at the SE corner – hanging balconies and glass corner is not successful. Look at simplifying this corner. A different balcony treatment may work here.*
- *Look at vertical corner of glass on Southeast corner – and provide further study and refinement.*
- *Recommend a simpler horizontal band both on the 2nd and 7th levels.*
- *Roof frame should be a stronger, quieter element – not as imposing. Consider top 2 – 3 floors.*
- *Consider reducing or lowering the roof element over the dark grey portion at the SE corner. This element could be more selective.*
- *Heavy roof frame may be outdated too soon – look for timeless design.*
- *Provide more texture, articulation, awnings or canopies, signage, and more brick or similar material at the lower pedestrian levels.*
- *Look carefully where the vertical fin elements come down on the sidewalk level.*
- *Provide as many solar panels as possible. Some panels could add a shade element in the roof level open space.*
- *Trash room has a curb cut – confirm that this would allow the trash to be picked-up in the building and not on the curb.*

Colors and Materials

- *Colors and materials – while two tones is good, the dark grey is too intense. Color palette should be quieter for the civic center setting.*
- *Consider an alternate material to the brick – like tile – although still maintaining quality and detailed texture.*
- *Pattern shows on stucco in renderings – this should be seen, not lost.*

Streetscape Improvements

- *Recommend more pedestrian amenities at the street level.*
- *Look carefully at proposed transformer locations on Allston so that the maximum number of street trees is possible.*
- *Recommend permeable pavers along the curb on Allston.*

ZAB Issues

- *Recommend more benefits for the public, like increased streetscape improvements and increased green measures.*
- *Provide an accurate view of this project from the Campanile, at least when this goes to ZAB.*

- *Would like to see some consideration given to more unit types for families.*

VII. Issues and Analysis

A. Changes since Last Submittal

Building Design

- Balconies and glass corner have been removed at the Southeast corner to be more consistent with the Southwest corner.
- The materiality of the fin surrounds has been refined to be more integrated with the overall building design.
- The window sill and head heights have been adjusted to simplify the window pattern at the Southwest tower volume and windows have been grouped in a 2-story pattern to help break down the scale of the building.
- Cornice elements have been added to the taller frame elements to create a consistency with all of the frame elements.
- A 2-story frame element has been added to the Southeast corner to create a simplified symmetry and consistency between the corner elements.
- Horizontal bands at Levels 2 and 7 have been refined consistent with Committee recommendation.
- 2-story “lantern” has been extended to the Southeast corner volume.

Ground Floor Design

- Retail entries have been recessed for with more articulation at the ground floor.
- Second story level has been redesigned to be a continuous band of windows to visually extend the ground floor for a more substantial base design.
- Vertical fin elements have been extended to the ground floor consistent with Committee recommendation.

Other Changes

- Colors and materials have been refined with a more neutral palette; brick has been removed.
- Pavers and landscaping have been added on Allston.
- Bird safe glass has been added at roof railings and at the “lantern” elements.
- Solar panels added to the roof above the condenser units.

B. Issues for Discussion:

- Neighborhood Context
- Building Design
- Colors and Materials
- Streetscape Design

VIII. Recommendation

Staff recommends that the Committee discuss the issues outlined above and forward a favorable recommendation to ZAB with specific conditions and direction for Final Design Review.

Attachments:

1. Project Plans, received February 7, 2023
2. Response to DRC Summary, received February 2, 2023

Staff Planner: Anne Burns, Aburns@cityofberkeley.info, (510) 981-7410



TRACHTENBERG
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LANDMARK
PROPERTIES



**2190
SHATTUCK
AVE.**

Berkeley, CA

- 04.27.2022 PLANNING SUBMITTAL
- 06.10.2022 PLANNING RESUBMITTAL
- 07.26.2022 PLANNING RESUBMITTAL
- 12.15.2022 DRC PREVIEW
- 02.07.2023 DRC RESUBMITTAL

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JOB: 2129

SHEET:

GENERAL
INFORMATION

A0.0

LOCATION MAP



PROJECT DIRECTORY

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PROJECT DESCRIPTION

PROJECT ADDRESS: 2190 SHATTUCK AVENUE, BERKELEY CA 94704 (APN: 57-2026-004-05)

SCOPE OF WORK:

REMOVAL OF EXISTING STRUCTURE AND NEW CONSTRUCTION OF A 25-STORY MIXED-USE HOUSING DEVELOPMENT WITH 326 DWELLING UNITS OVER GROUND-LEVEL COMMERCIAL, LOBBIES AND A LEVEL OF BASEMENT PARKING, WITH STATE OF CALIFORNIA DENSITY BONUS.

DRAWING LIST

A0.0 GENERAL INFORMATION	A2.2 PLAN AT LEVEL 2	A3.10 PHOTO SIMULATIONS
A0.1 ZONING CODE DATA	A2.3 PLAN AT LEVELS 3 - 6	A3.11 MATERIAL BOARD
A0.2A DENSITY BONUS DIAGRAMS	A2.4 PLAN AT LEVELS 7 - 23	A4.1 CONCEPTUAL GRADING PLAN
A0.2B DENSITY BONUS DIAGRAMS	A2.5 PLAN AT LEVEL 24	A4.2 PRELIM. STORMWATER PLAN
A0.2C DENSITY BONUS DIAGRAMS	A2.6 PLAN AT LEVELS 25	L1.0 LANDSCAPE PLAN AT ROOF
A0.2D DENSITY BONUS DIAGRAMS	A2.7 PLAN AT ROOF	L1.1 LANDSCAPE PLANT PALETTE
A0.3 OPEN SPACE DIAGRAMS	A2.8 PLAN AT ELEVATOR ROOF	L1.2 LANDSCAPE VIEWS
A0.4A SUN SHADOW STUDIES	A3.1 BUILDING ELEVATIONS	L1.3 LANDSCAPE VIEWS
A0.4B SUN SHADOW STUDIES	A3.2 BUILDING ELEVATIONS	L1.4 LANDSCAPE VIEWS
A0.4C SUN SHADOW STUDIES	A3.3 BUILDING SECTIONS	L1.5 LANDSCAPE VIEWS
A0.5 CONTEXT PHOTOS	A3.4 STREET STRIP ELEVATIONS	L1.6 LANDSCAPE VIEWS
A0.6 VICINITY MAP	A3.5 PERSPECTIVE RENDERINGS	
A1.0 SITE SURVEY	A3.6 PERSPECTIVE RENDERINGS	
A1.1 SITE PLAN	A3.7 PERSPECTIVE RENDERINGS	
A2.0 BASEMENT PLAN	A3.8 PERSPECTIVE RENDERINGS	
A2.1 PLAN AT GROUND LEVEL	A3.9 PERSPECTIVE RENDERINGS	

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JOB: 2129

SHEET:

ZONING CODE
INFORMATION

A0.1

ZONING CODE DATA

ZONING SUMMARY TABLE				
ZONING	BASE ZONING ALLOWABLE / REQUIRED	ALLOWABLE W/ UP OR AUP MODIFICATION	PROPOSED W/DENSITY BONUS	ZONING COMPLIANCE
ZONING		C-DMU Core		COMPLIES
TOTAL LOT SIZE (SQ. FT.)		19,967		COMPLIES
TOTAL LOT SIZE (ACRES)		0.46		COMPLIES
FLOOR AREA RATIO (FAR)	NA	NA	NA	COMPLIES
DWELLING UNITS (SEE TABLE)	NA	NA	326	COMPLIES
RESIDENTIAL BEDROOMS	NA	NA	796	COMPLIES
RESIDENTIAL BEDS	NA	NA	983	COMPLIES
HEIGHT - FEET	60'-0"	180'-0"	268'-6"	COMPLIES W/ SDB WAIVER
HEIGHT - STORIES	NA	NA	25	COMPLIES W/ SDB WAIVER
LOT COVERAGE	NA	NA	88%	COMPLIES
SETBACK - FRONT (SHATTUCK) (SEE TABLE)	0'-15'	0'	0' to 5'	COMPLIES W/ SDB WAIVER
SETBACK - STREET SIDE (ALLSTON) (SEE TABLE)	0'-15'	0'	0' to 6'	COMPLIES W/ SDB WAIVER
SETBACK - INTERIOR SIDE (SEE TABLE)	0'-15'	0'	0' to 10'	COMPLIES W/ SDB WAIVER
SETBACK - REAR (SEE TABLE)	0'-15'	0'	0' to 11'	COMPLIES W/ SDB WAIVER
SETBACK - MAX. DIMENSION ABOVE 120'	120'	NOT LIMITED	235'	COMPLIES W/ SDB WAIVER
RESIDENTIAL PARKING (SEE TABLE)	0	0	51	COMPLIES
COMMERCIAL PARKING (SEE TABLE)	11	11	0	COMPLIES W/ SDB CONCESSION
RES. BIKE PARKING LONG TERM (SEE TABLE)	266	266	271	COMPLIES
RES. BIKE PARKING SHORT TERM (SEE TABLE)	20	20	20	COMPLIES
COM. BIKE PARKING SHORT TERM (SEE TABLE)	4	4	4	COMPLIES
RESIDENTIAL OPEN SPACE (SEE TABLE)	26,080	26,080	22,719	COMPLIES W/ SDB WAIVER
COMMERCIAL OPEN SPACE (SEE TABLE)	150	150	-	COMPLIES W/ IN-LIEU FEE

PARKING CALCULATIONS					
	QNTY	CARS	PER	REQ'D	PROVIDED
RESIDENTIAL	326	0.5 MAX	1	0	51
COMMERCIAL	7500	1.5	1,000	11	0

BICYCLE PARKING CALCULATIONS					
	QNTY	BIKES	PER	REQ'D	PROVIDED
RESIDENTIAL (LONG TERM) (PER BEDROOM)	796	1	3	266	271
RESIDENTIAL (SHORT TERM) (PER BEDROOM)	796	1	40	20	20
COMMERCIAL (SHORT TERM) (PER SF)	7500	1.0	2,000	4	4

ROOFTOP ARCHITECTURAL ELEMENTS CALCS		
	ALLOWABLE	PROPOSED
AVERAGE AREA OF FLOORS		15,763
AREA OF ROOFTOP ARCHITECTURAL ELEMENTS	2,364	1,718
% AREA OF ROOFTOP ARCHITECTURAL FEATURES	15.0%	10.9%

OPEN SPACE CALCULATIONS							
	UNITS	SF / UNIT	TOTAL REQ'D	MODIFICATION	TOTAL	ROOF DECK	BALONCIES MAX.
RESIDENTIAL UNITS	326	80	26,080	3,361	22,719	9,679	13,040
COMMERCIAL OPEN SPACE	7500	50	150	150	-		

AREA TABLE			
	RESIDENTIAL	COMMERICAL	TOTAL
ROOF	1,718		1,718
LEVEL 25	14,168		14,168
LEVEL 24	15,636		15,636
LEVEL 23	15,636		15,636
LEVEL 22	15,636		15,636
LEVEL 21	15,636		15,636
LEVEL 20	15,636		15,636
LEVEL 19	15,636		15,636
LEVEL 18	15,636		15,636
LEVEL 17	15,636		15,636
LEVEL 16	15,636		15,636
LEVEL 15	15,636		15,636
LEVEL 14	15,636		15,636
LEVEL 13	15,636		15,636
LEVEL 12	15,636		15,636
LEVEL 11	15,636		15,636
LEVEL 10	15,636		15,636
LEVEL 9	15,636		15,636
LEVEL 8	15,636		15,636
LEVEL 7	15,636		15,636
LEVEL 6	16,244		16,244
LEVEL 5	16,244		16,244
LEVEL 4	16,244		16,244
LEVEL 3	16,244		16,244
LEVEL 2	15,866		15,866
GROUND LEVEL	10,114	7,500	17,614
BASEMENT	1,422		1,422
TOTAL	389,712	7,500	397,212

DWELLING UNIT TABLE										
	STUDIO	1-BR	1-BR D.O.	2-BR	2-BR D.O.	3-BR	4-BR	5-BR	TOTAL	
ROOF										
LEVEL 25	0	1	1	2	2	1	2	1	10	
LEVEL 24	0	1	2	2	2	1	2	0	10	
LEVEL 23	1	1	2	2	3	1	3	1	14	
LEVEL 22	1	1	2	2	3	1	3	1	14	
LEVEL 21	1	1	2	2	3	1	3	1	14	
LEVEL 20	1	1	2	2	3	1	3	1	14	
LEVEL 19	1	1	2	2	3	1	3	1	14	
LEVEL 18	1	1	2	2	3	1	3	1	14	
LEVEL 17	1	1	2	2	3	1	3	1	14	
LEVEL 16	1	1	2	2	3	1	3	1	14	
LEVEL 15	1	1	2	2	3	1	3	1	14	
LEVEL 14	1	1	2	2	3	1	3	1	14	
LEVEL 13	1	1	2	2	3	1	3	1	14	
LEVEL 12	1	1	2	2	3	1	3	1	14	
LEVEL 11	1	1	2	2	3	1	3	1	14	
LEVEL 10	1	1	2	2	3	1	3	1	14	
LEVEL 9	1	1	2	2	3	1	3	1	14	
LEVEL 8	1	1	2	2	3	1	3	1	14	
LEVEL 7	1	1	2	2	3	1	3	1	14	
LEVEL 6	1	1	2	1	3	2	3	1	14	
LEVEL 5	1	1	2	1	3	2	3	1	14	
LEVEL 4	1	1	2	1	3	2	3	1	14	
LEVEL 3	1	1	2	1	3	2	3	1	14	
LEVEL 2	0	1	2	1	3	2	2	1	12	
GROUND LEVEL										
BASEMENT										
TOTAL UNITS	21	24	47	43	70	29	69	23	326	
BEDROOMS / UNIT	1	1	1	2	2	3	4	5		
TOTAL BEDROOMS	21	24	47	86	140	87	276	115	796	
BEDS / UNIT	1	1	2	2	4	3	4	5		
TOTAL BEDS	21	24	94	86	280	87	276	115	983	

SETBACKS TABLE				
	BASE ZONING ALLOWABLE / REQUIRED	ALLOWABLE W/ UP OR AUP MODIFICATION	PROPOSED W/DENSITY BONUS	ZONING COMPLIANCE
SETBACK - FRONT (SHATTUCK)				
0'-20'	0'	0'	0' to 5'	COMPLIES
21'-75'	0'	0'	0' to 5'	COMPLIES
76'-120'	15'	0'	0' to 5'	COMPLIES W/ SDB WAIVER
> 120'	15'	0'	0' to 5'	COMPLIES W/ SDB WAIVER
SETBACK - STREET SIDE (ALLSTON)				
0'-20'	0'	0'	0' to 6'	COMPLIES
21'-75'	0'	0'	0' to 6'	COMPLIES
76'-120'	15'	0'	0' to 6'	COMPLIES W/ SDB WAIVER
> 120'	15'	0'	0' to 6'	COMPLIES W/ SDB WAIVER
SETBACK - INTERIOR SIDE (<65' FROM FRONT)				
0'-20'	0'	0'	0'	COMPLIES
21'-75'	0'	0'	5' to 10'	COMPLIES
76'-120'	5'	0'	5' to 10'	COMPLIES
> 120'	15'	0'	5' to 10'	COMPLIES W/ SDB WAIVER
SETBACK - INTERIOR SIDE (>65' FROM FRONT)				
0'-20'	0'	0'	0'	COMPLIES
21'-75'	5'	0'	10'	COMPLIES
76'-120'	15'	0'	10'	COMPLIES W/ SDB WAIVER
> 120'	15'	0'	10'	COMPLIES W/ SDB WAIVER
SETBACK - REAR				
0'-20'	0'	0'	0'	COMPLIES
21'-75'	5'	0'	5' to 11'	COMPLIES
76'-120'	15'	0'	5' to 11'	COMPLIES W/ SDB WAIVER
> 120'	15'	0'	5' to 11'	COMPLIES W/ SDB WAIVER
SETBACK - MAX. DIMENSION ABOVE 120'	120'	NOT LIMITED	235'	COMPLIES W/ SDB WAIVER

STATE DENSITY BONUS TABLE (SEE A0.2A-D)

(SEE SHEETS A0.3A-A03.D)	
BASE PROJECT UNITS	223
PERCENT VLI UNITS PROVIDED	14%
NUMBER VLI UNITS PROVIDED (ROUNDS UP)	32
BONUS PERCENTAGE	46.25%
NUMBER BONUS UNITS (ROUNDS UP)	104
MAXIMUM DENSITY BONUS PROJECT	327
PROPOSED DENSITY BONUS PROJECT	326

LIST OF USE PERMITS AND AUP'S

- PROPOSED DENSITY BONUS PROJECT USE PERMITS:**
- Use Permit for construction for demolition of a non-residential building, under BMC 23C.08.050.A
 - Use Permit for construction of a new main building with mixed-use development, under BMC 23E.68.030
 - Use Permit for construction of >10,000 sq. ft. gross floor area, under BMC 23E.68.050
 - Administrative Use Permit to allow architectural projections (e.g. elevator enclosures) to exceed the height limit, under BMC 23E.04.020.C.

LIST OF DENSITY BONUS WAIVERS (SEE A0.2A-D)

- Waiver to increase the maximum building height from the base project maximum density height allowed with UP's and AUP's under the zoning ordinance of 180' (under BMC 23E.68.070.B) to a density bonus height of 268'-6" to accommodate the density bonus units.
- Waiver to allow a reduction in the required setbacks between 21'-75' and above 120' under BMC 23D.68.070.C to physically accommodate the density bonus units.
- Waiver to allow that portion over 120 feet to be greater than 120 feet in width when measured at the widest point on the diagonal in plan view, under BMC 23D.68.070.C, to physically accommodate the density bonus units.
- Waiver to reduce the minimum required residential usable open space under BMC 23D.68.070.D.1 to allow the construction of the density bonus units.

LIST OF DENSITY BONUS CONCESSIONS (SEE A0.2A-D)

- Cost Reduction Concession #1. The project requests a cost-reduction Concession to reduce the Commercial vehicle parking requirement from 11 spaces to 0 spaces to eliminate the self-evident project cost of providing parking machines for the commercial spaces and the cost of providing an elevator for commercial access from the basement to the ground level.



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- 04.27.2022 PLANNING SUBMITTAL
- 06.10.2022 PLANNING RESUBMITTAL
- 07.26.2022 PLANNING RESUBMITTAL
- 12.15.2022 DRC PREVIEW
- 02.07.2023 DRC RESUBMITTAL

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HEREIN CONSTITUTE ORIGINAL AND UNPUBLISHED
WORK OF THE ARCHITECT AND MAY NOT BE
DUPLICATED, USED OR DISCLOSED WITHOUT WRITTEN
CONSENT OF TRACHTENBERG ARCHITECTS.

JOB: 2129

SHEET: **BERKELEY
DENSITY BONUS
BASE PROJECT
POLICY ON
UP MODIFICATIONS**

A0.2A

11/2/21, 10:25 AM Trachtenberg Architects Mail - 2021-08-02 Memorandum: HAA and Density Bonus - Objective Standards

TRACHTENBERG ARCHITECTS Isalah Stackhouse <isalah@trachtenbergarch.com>

2021-08-02 Memorandum: HAA and Density Bonus - Objective Standards
1 message

Gong, Sharon <SGong@cityofberkeley.info> Fri, Aug 27, 2021 at 10:23 AM
To: "Gong, Sharon" <SGong@cityofberkeley.info>

Dear Project Applicants,

The Land Use Manager issued a memorandum on policy changes regarding Objective Standards, HAA and Density Bonus on August 2. I wanted to make sure that you are aware of these changes which could affect your current and future project applications. I've attached the memo to this email.

Regards,

Sharon

Sharon Gong (she/her/hers)
Senior Planner
Planning and Development, Land Use Division
1947 Center St., 2nd Floor, Berkeley, CA 94704

2 attachments

<https://mail.google.com/mail/u/0/?ik=60934062&view=pt&search=all&permthid=thread-F%3A170926800494632434%7Cmsg-F%3A1709268004946...> 1/1

Housing Accountability Act / Density Bonus Base Projects – Objective Standards August 2, 2021

with another objective development standard (or if the findings in Government Code section 65589.5(j)(1) can be made).

ANALYSIS
Effect of the HAA on Discretionary Permits

Government Code section 65589.5(j) (the most broadly applicable provisions of the HAA) states:

When a proposed *housing development project* complies with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the application was deemed complete, but the local agency proposes to *disapprove the project* or to impose a condition that the project be developed at a *lower density*, the local agency shall base its decision regarding the proposed *housing development project* upon written findings supported by a preponderance of the evidence on the record that both of the following conditions exist

The written findings must establish that "the housing development project would have a *specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density*" and that there is no other *feasible method to mitigate* that adverse impact. In the absence of such findings, the City must approve any housing development project that complies with applicable objective standards.¹

Government Code section 65589.5(h)(2) defines "housing development project" as "a use consisting of any of the following":

- (A) Residential units only.
- (B) Mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use.
- (C) Transitional housing or supportive housing.

Any project comprised of two or more residential units or mixed-use developments with at least two-thirds of the square footage designated for residential use may be subject to the Housing Accountability Act, including modifications to an existing property that qualifies as a residential development project (e.g. multi-family residential additions).

¹ Italicized terms are defined in the Government Code; interpretation of their meaning is also provided in the HAA, Technical Assistance Advisory published by the State Department and Housing and Community Development. <https://www.hcd.ca.gov/community-development/housing-element/housing-element-memo/docs/hcd-memo-ort-haa-final-sept2020.pdf>

Page 2

Housing Accountability Act / Density Bonus Base Projects – Objective Standards August 2, 2021

inconsistent with the density allowed under the land use element of the general plan, the general plan density shall prevail.

This definition of maximum allowable residential density requires the City to consider the base density to be the higher densities allowed pursuant to the modified standards available with discretionary permits, i.e. all "density allowed under the zoning ordinance" must be considered in establishing the maximum allowable base residential density.²

Furthermore, Density Bonus Law (Government Code section 65915) requires that a request for a density bonus does not constitute a valid basis on which to find a proposed housing development project is not compliant with the HAA.

Next Steps

In order to address the need for additional objective standards, the City is undertaking studies of objective standards for a variety of development impact issues, as well as overhauling the organization and clarity of the existing zoning ordinance. The next step in the process will be studying and recommending zoning ordinance revisions, including objective design review criteria, to address the necessity of more predictable outcomes.

² In addition, State Density Bonus Law explicitly requires the City to consider "the density allowed under the land use element of the general plan" in determining maximum allowable residential density. If the General Plan conflicts with the Zoning Ordinance, the density allowed under the General Plan must be used to calculate allowed density under State Density Bonus Law. Where the General Plan specifies a range of densities for a land use classification (as is the case in the City of Berkeley), state law requires the City to apply the maximum density in that range to determine maximum allowable residential density. However, the Berkeley General Plan does not apply the stated densities on a parcel-specific basis, so this provision is inapplicable.

Page 4

Planning and Development Department
Land Use Planning Division

MEMORANDUM

DATE: August 2, 2021

TO: Land Use Planning Staff

FROM: Steven Buckley, Land Use Planning Manager

SUBJECT: Housing Accountability Act & Density Bonus – Objective Standards

QUESTION / ISSUE
State law requires the City to identify objective zoning standards for the purpose of defining housing development projects that qualify for protections under the Housing Accountability Act (HAA) and to define a base project for the purposes of calculating density bonuses. An issue arises in defining those projects when the City's Zoning Ordinance provides development standards that can be modified with a use permit or administrative use permit, i.e. should all modifications be assumed to be granted when defining the qualifying or base project for these purposes?

DETERMINATION
The protections afforded by the HAA and the definition of a base project for density bonus calculations apply to a housing development project up to and including the maximum development allowed with use permits and/or administrative use permits.

BACKGROUND
The City's zoning code distinguishes between use permits required for any construction to take place (e.g., BMC sections 23B.32.040 and 23C.08.010) and additional use permits required to modify the "base" development standards, e.g. reduced setbacks, increased height, location of parking, etc. The decision-maker responsible for determining whether to grant such modifications usually has no objective basis for adjudicating whether to approve these modifications, i.e. the zoning ordinance uniformly relies on a traditional land use permit finding of non-detriment and consistency with the General Plan and zoning district purposes. As such, adjudicative decisions are made based on qualitative aspects such as shadow impacts, view obstruction, privacy, air circulation and other "compatibility" factors.

For example, BMC section 23D.32.070 allows the Zoning Officer to issue an administrative use permit to construct a building up to 35 feet in average height, which exceeds the nominal height limit of 28 feet in the R-2A district. Despite the fact that a discretionary permit is required, the 35-foot height limit is the applicable objective standard, and a project that complies with that standard cannot be denied or reduced in density unless it fails to comply

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E-mail: planning@cityofberkeley.ca.us

Housing Accountability Act / Density Bonus Base Projects – Objective Standards August 2, 2021

For purposes of the HAA, "lower density" includes any conditions that have the same effect or impact on the ability of the project to provide housing, generally understood to mean the total number of dwelling units, but also related to overall square footage, number of bedrooms, etc. This could include a condition that directly lowers the overall number of units proposed (e.g., the development proposes 50 units, but the local government approves only 45 units). Another example would be a reduction in proposed building height that would result in the project being able to provide fewer units than originally proposed.

Therefore, the Zoning Officer, ZAB, DRC and LPC should refrain from applying subjective findings (e.g., non-detriment) to any application to construct a qualifying housing development project (including remodeling or reconfiguration of housing) if that project satisfies objective standards for permit issuance, unless specific findings for denial under the Housing Accountability Act can be made. While decision-makers retain discretion in the overall land use and design review process, i.e., whether the use is properly located or the building and site improvements are compatibly designed, the ultimate decision on density and development intensity is protected by the HAA.

Obviously, those standards that are objective or that are not subject to modification with a use permit remain in effect, e.g. maximum floor-area-ratios are generally not subject to modification, and certain design standards for commercial storefronts are numeric and enforceable as written.

Staff reports and findings for these development projects should still address the requirements of the zoning code for granting the requested permits, while also acknowledging the protections afforded by the HAA.

Effect on Density Bonus Projects

State Density Bonus Law requires local agencies to grant a density increase over "the otherwise maximum allowable gross residential density" for the zoning district and the General Plan Land Use Element for qualifying housing development projects. Density bonus can include a bonus in number of units, as well as additional incentives, concessions, and/or waivers to development standards.

To implement the State Density Bonus Law, the City has developed the administrative concept of a "base project" that excludes the modified development standards available with use permits. In addition, current density bonus procedures do not account for residential density standards in the General Plan Land Use Element. This approach must be modified.

State Density Bonus Law defines "maximum allowable residential density" as:

the density allowed under the zoning ordinance and land use element of the general plan, or, if a range of density is permitted, means the maximum allowable density for the specific zoning range and land use element of the general plan applicable to the project. If the density allowed under the zoning ordinance is

Page 3

Berkeley 23E.68.070 Development Standards Page 1 of 3

23E.68.070 Development Standards

A. The height for main buildings shall not exceed the following limits and shall satisfy the following requirements:

Table 23E.68.070 Height Limits (as per Downtown Area Plan) *			
C-DMU Sub-Area **	Minimum ***	Maximum	Maximum With Use Permit
Core Area†	50 feet	60 feet	75 feet
Outer Core†	40 feet	50 feet	60 feet
Corridor	40 feet	50 feet	60 feet
Buffer	None	50 feet	60 feet

* Notwithstanding Sub-Title 23F, in the case of a roof with parapet walls, building height shall be measured to the top of the roof and parapets may exceed the height limits above by up to five (5) feet as of right.

** See Downtown Area Plan Sub-area map in Figure LU-1 and the Zoning Map.

*** New buildings only, measured to the top of the plate. Theater and Museum Buildings are exempt.

† Within the Core, up to three buildings over 120 feet but not more than 180 feet. Within the Core and Outer Core, up to two buildings over 75 feet but not more than 120 feet. See section 23E.68.070.B.

B. The Board may issue Use Permits for up to five buildings that exceed the limits set forth in Table 23E.68.070 if it makes the finding in Section 23E.68.090.E, and as follows:

- In the combined Core and Outer Core areas, up to two buildings over 75 feet but not more than 120 feet.
- In the Core area, up to three buildings over 120 feet but not more than 180 feet. Allowed uses in such buildings include:
 - Two residential buildings with ground-level commercial uses.
 - A hotel building with conference facilities and accessory commercial uses.

Application process for buildings over 75 feet in height:

- Applications for any of the five buildings over 75 feet in height may be submitted on July 1, 2012.

The Berkeley Municipal Code is current through Ordinance 7763-NIS, passed September 26, 2021.

Berkeley 23E.68.070 Development Standards Page 2 of 3

If an application that satisfies the submission requirements as determined by the Zoning Officer are submitted on that date, then the next deadline to submit applications will be no later than six months from that date, with application opportunity dates at six month intervals until the first application has been submitted. Once the first application has been submitted, then the application opportunity date will occur once yearly on the anniversary of the date of the first submission.

- A project shall secure a position as one of the five allowed buildings over 75 feet in height following final Use Permit approval. Such Use Permits shall include a condition of approval that establishes a schedule for: submission of a building permit application, timely response to plan check comments, payment of building permit fees such that a building permit can be issued, and commencement of construction. The process for allowing extension of the timeline requirements, if any, shall be specified in the condition.
- Failure of a permittee to strictly comply with the schedule established by the Use Permit shall be grounds for revocation of the Use Permit pursuant to Chapter 23B.60.

C. No yards for main buildings, accessory buildings, or accessory structures shall be required, except as required in Section 23E.04.050 for commercial lots abutting or fronting residential zoning. **In addition buildings shall be set back from property lines as set forth in the table and provisions below, unless modified by a Use Permit** subject to the findings in Section 23E.68.090.F:

Portion of Building at Height of:	Front Lot Line	Interior Side Lot Line 60' and less from lot frontage	Over 60' from lot frontage	Rear Lot Line
Zero to 20 feet	0' minimum, 5' maximum	0' minimum	0' minimum	0' minimum
21 feet to 75 feet	0' minimum	0' minimum	0' minimum	5' minimum
76 feet to 120 feet	15' minimum	5' minimum	15' minimum	15' minimum
Over 120 feet	15' minimum	15' minimum	15' minimum	15' minimum

- For buildings over 120 feet in height, that portion of the building over 120 feet must be less than 120 feet in width when measured at the widest point on the diagonal in plan view.
- For a lot that abuts the interior side or rear lot line of a residentially-zoned lot, a new building shall be set back from the shared property line by 20 feet where the building exceeds 45 feet in height.
- For a lot that fronts a residentially-zoned lot, a new building shall be set back 10 feet from the

The Berkeley Municipal Code is current through Ordinance 7763-NIS, passed September 26, 2021.

Berkeley 23E.68.090 Findings Page 1 of 2

23E.68.090 Findings

A. In order to approve any Use Permit under this Chapter, the Zoning Officer or Board must make the findings required by Section 23E.32.040, as well as the findings required by the following paragraphs of this Section to the extent applicable.

B. A proposed use or structure must:

- Be compatible with the purposes of the District; and
- Be compatible with the surrounding uses and buildings.

C. For each Administrative Use Permit obtained under Section 23E.68.040.C to allow a new Food Service Establishment exclusively providing food for off-site consumption or ground floor office use within the Downtown Area District Overlay, the Zoning Officer must find that:

- The project meets the purposes of the Arts Overlay District as set forth in Section 23E.68.040; and
- The location, size, type, appearance, and signage of the proposed use will:
 - Animate and enhance the pedestrian experience on the street; and
 - Be generally open to the public overings and on weekends, whenever practicable.

D. In order for any Use Permit to be granted under Section 23E.68.050 for new floor area, the Board must find that:

- The addition or new building is compatible with the visual character and form of the District; and
- No designated landmark structure, structure of merit, or historic district in the vicinity would be adversely affected by the appearance or design of the proposed addition.

E. In order to approve a Use Permit for buildings over 75 feet in height under Section 23E.68.070.B, the Board must find that the project will provide significant community benefits, either directly or by providing funding for such benefits to the satisfaction of the City, beyond what would otherwise be required by the City. These may include, but are not limited to: affordable housing, supportive social services, green tourism, open space, transportation demand management features, job training, and/or employment opportunities. The applicable public benefit requirements of this Chapter shall be included as conditions of approval and the owner shall enter into a written agreement that shall be binding on all successors in interest.

F. In order to approve a Use Permit for modification of the setback requirements of 23E.68.070.C, the Board must find that the modified setbacks will not unreasonably limit solar access or create significant increases in wind experienced on the public sidewalk.

The Berkeley Municipal Code is current through Ordinance 7763-NIS, passed September 26, 2021.

BASE PROJECT ALLOWABLE AUP AND UP MODIFICATIONS

CITY OF BERKELEY ZONING ADJUSTMENTS BOARD NOTICE OF DECISION

DATE OF BOARD DECISION: October 25, 2018
DATE NOTICE MAILED: October 31, 2018
APPEAL PERIOD EXPIRES: November 14, 2018
EFFECTIVE DATE OF PERMIT (Barring Appeal or Certification): November 15, 2018

2190 Shattuck Avenue

Use Permit #ZP2016-0117 to redevelop a 19,967 square-foot (0.46-acre) site at the northwest corner of Shattuck Avenue and Allston Way with a proposed 18-story building with 274 residential units above approximately 10,000 square feet of ground floor retail space. One hundred and three (103) parking spaces would be provided in a two-level subterranean garage accessed from Allston Way.

The Zoning Adjustments Board of the City of Berkeley, after conducting a public hearing, **APPROVED** the following permits:

- Use Permit for construction for demolition of a non-residential building, under BMC 23C.08.050 A.
- Use Permit for construction of a new main building with mixed-use development, under BMC 23E.68.030.
- Use Permit for construction of >10,000 sq. ft. gross floor area, under BMC 23E.68.050.
- Use Permit to allow a maximum height of up to 180 feet, under BMC 23E.68.070.B.
- Use Permit to allow a reduction in the required 5 foot rear yard setback for the portion of the building between 20 and 75 feet in height, under BMC 23E.26.070.C.

Pursuant to BMC Section 23A.08.030, the appeal period begins on the first business day following the date the Notice of Decision is mailed. Pursuant to BMC Section 1.04.080, any deadline that falls on a non-business day is extended until the next business day.

Pursuant to BMC Section 23B.32.090, the City Council may certify any ZAB decision for review during the 14-day appeal period after the notice of the ZAB's decision is issued. Certification has the same effect as an appeal. However, BMC Section 1.04.070 suspends or "tolls" the Council's deadline to certify when the Council is on recess. Thus, in cases where the 14-day appeal period is scheduled to end during a Council recess, the certification deadline is extended past the end of the recess for the remainder of the appeal period. In cases where the appeal period begins during a Council recess, the certification deadline is extended until 14 days after the first Council meeting after the recess. Extension of the certification deadline has no effect on the appeal deadline.

EXAMPLE OF BOARD-APPROVED/ISSUED USE PERMITS IN C-DMU CORE AREA FOR DENSITY ALLOWED WITH USE PERMITS UNDER BMC 23E.68.070.B FOR 180' HEIGHT AND BMC 23E.68.070.C FOR SETBACK PROVISIONS.

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2 EXAMPLE UP'S ISSUED IN C-DMU

CITY OF BERKELEY ZONING ADJUSTMENTS BOARD STAFF REPORT

FOR BOARD ACTION
SEPTEMBER 30, 2015

2211 Harold Way Mixed-Use Project

Action on Use Permit #13-1000010 for a mixed-use development, up to 18 stories in height, containing 302 dwelling units, approximately 10,877 square feet of ground-floor commercial space, a ten-theater cinema complex (approximately 641 seats), and 177 underground parking spaces, located in Downtown Berkeley. The project includes removal of the 1926 addition and portions of the 1913 addition to the landmarked Shattuck Hotel.

I. Application Basics

A. Land Use Designations:

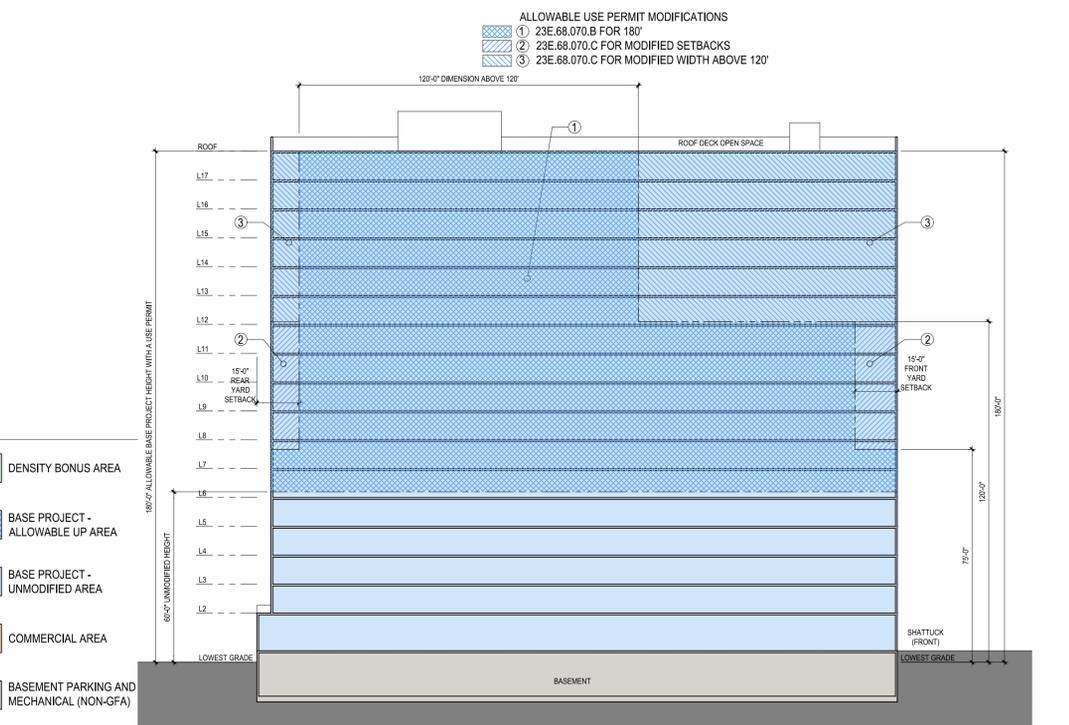
- General Plan: Downtown (DT); Downtown Area Plan "Core Area"
- Zoning: Downtown Mixed Use District (C-DMU), Core Area

B. Zoning Permits Required:

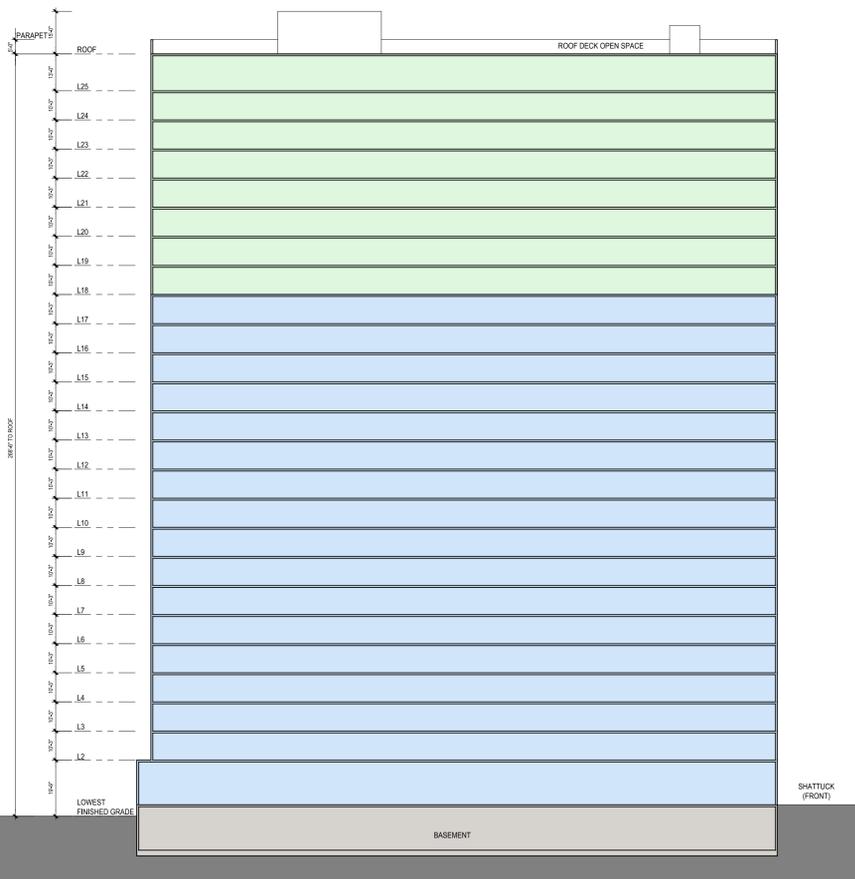
- Use Permit to demolish a main building used for non-residential purposes, under BMC Section 23C.08.050.A
- Use Permit to construct a Mixed Use Development, under BMC Section 23E.68.030.A
- Use Permit to construct over 10,000 square feet of new floor area, under BMC Section 23E.68.050
- Use Permit to allow building height of over 120 feet but not more than 180 feet, under BMC Section 23E.68.070.B.2
- Use Permit for the portion of development on Harold Way exceeding 120 feet in diagonal width, under BMC Section 23E.68.070.C
- Modification to Use Permit #11111 to revise the floor plans and replace the Conditions of Approval
- Modification to Use Permit #08-10000116 and #MODUP2014-0008 to revise the service area for alcohol service within the theater use and replace the Conditions of Approval
- Administrative Use Permit to allow over 2,000 square feet of Full Service Restaurant space, under BMC Section 23E.68.030.A
- Administrative Use Permit to allow service of beer and wine incidental to food service, under BMC Section 23E.68.030.A
- Administrative Use Permit to allow amplified live entertainment incidental to food service, under BMC Section 23E.68.030.A
- Administrative Use Permit to allow mechanical penthouse, elevator equipment and other projections to exceed maximum building height, under BMC Section 23E.04.020.C



3 PROJECT LOCATION IN C-DMU CORE



2 "BASE PROJECT" SECTION
1" = 60' @ 11 X 17 1" = 30' @ 24 X 36



2 PROPOSED DENSITY BONUS SECTION
1" = 60' @ 11 X 17 1" = 30' @ 24 X 36



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JOB: 2129

SHEET: **BASE PROJECT SECTION WITH ALLOWABLE UP MODIFICATIONS & DB SECTION**

A0.2B

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BASE PROJECT ZONING COMPLIANCE TABLE					
ZONING	BASE ZONING ALLOWABLE / REQUIRED	ALLOWABLE W/ UP OR AUP MODIFICATION	CODE SECTION	PROPOSED BASE PROJECT	ZONING COMPLIANCE
ZONING			C-DMU Core		COMPLIES
TOTAL LOT SIZE (SQ. FT.)			19,967		COMPLIES
TOTAL LOT SIZE (ACRES)			0.46		COMPLIES
FLOOR AREA RATIO (FAR)	NA	NA		NA	COMPLIES
DWELLING UNITS (SEE TABLE)	NA	NA		223	COMPLIES
RESIDENTIAL BEDROOMS	NA	NA		497	COMPLIES
RESIDENTIAL BEDS	NA	NA		673	COMPLIES
HEIGHT - FEET	60'-0"	180'-0"	23E.68.070.B	180'-0"	COMPLIES
HEIGHT - STORIES	NA	NA		17	COMPLIES
LOT COVERAGE	NA	NA		88%	COMPLIES
SETBACK - FRONT (SHATTUCK)	0' to 15'	0'	23E.68.070.C	0' to 5'	COMPLIES
SETBACK - STREET SIDE (ALLSTON)	0' to 15'	0'	23E.68.070.C	0' to 6'	COMPLIES
SETBACK - INTERIOR SIDE	0' to 15'	0'	23E.68.070.C	0' to 10'	COMPLIES
SETBACK - REAR	0' to 15'	0'	23E.68.070.C	0' to 11'	COMPLIES
SETBACK - MAX. DIMENSION ABOVE 120'	120'	NOT LIMITED	23E.68.070.C	235'	COMPLIES
RESIDENTIAL PARKING (SEE TABLE)	0	0		33	COMPLIES
COMMERCIAL PARKING (SEE TABLE)	11	11		11	COMPLIES
RES. BIKE PARKING LONG TERM (SEE TABLE)	166	166		280	COMPLIES
RES. BIKE PARKING SHORT TERM (SEE TABLE)	13	13		20	COMPLIES
COM. BIKE PARKING SHORT TERM (SEE TABLE)	4	4		4	COMPLIES
RESIDENTIAL OPEN SPACE (SEE TABLE)	17,840	17,840		18,599	COMPLIES
COMMERCIAL OPEN SPACE (SEE TABLE)	150	150		150	COMPLIES

- LIST OF BASE PROJECT USE PERMITS AND AUP'S**
Per August 2, 2021 Memorandum on Policy Changes to Objective Standards, HAA and Density Bonus
- Use Permit for construction for demolition of a non-residential building, under BMC 23C.08.050.A
 - Use Permit for construction of a new main building with mixed-use development, under BMC 23E.68.030
 - Use Permit for construction of >10,000 sq. ft. gross floor area, under BMC 23E.68.050
 - Use Permit to allow a maximum height of up to 180 feet, under BMC 23E.68.070.B
 - Use Permit to allow a reduction in the required setbacks, under BMC 23D.68.070.C
 - Use Permit to allow that portion of the building over 120 feet to be greater than 120 feet in width when measured at the widest point on the diagonal in plan view, under BMC 23D.68.070.C
 - Administrative Use Permit to allow architectural projections (e.g. elevator enclosures) to exceed the height limit, under BMC 23E.04.020.C.

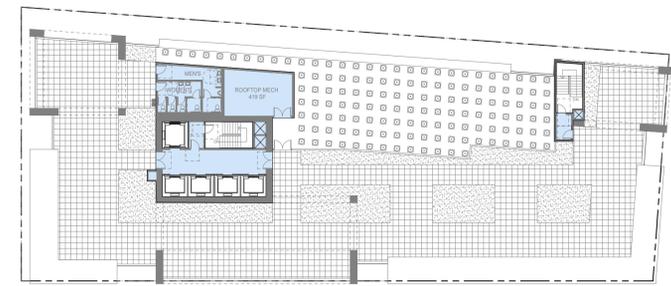
PARKING CALCULATIONS					
	QNTY	CARS	PER	REQ'D	PROVIDED
RESIDENTIAL	223	0.5 MAX	1	0	33
COMMERCIAL	7500	1.5	1,000	11	11

BICYCLE PARKING CALCULATIONS					
	QNTY	BIKES	PER	REQ'D	PROVIDED
RESIDENTIAL (LONG TERM)	497	1	3	166	280
RESIDENTIAL (SHORT TERM)	497	1	40	13	20
COMMERCIAL (SHORT TERM)	7500	1.0	2,000	4	4

OPEN SPACE CALCULATIONS			
	UNITS	SF / UNIT	TOTAL REQ'D
RESIDENTIAL REQUIREMENT	223	80	17,840
TOTAL PROVIDED			18,599
ROOF DECK			9,679
BALCONIES (MAX 50%)			8,920
COMMERCIAL OPEN SPACE	7500	50	150

ROOFTOP ARCHITECTURAL ELEMENTS CALCULATIONS		
	ALLOWABLE	PROPOSED
AVERAGE AREA OF FLOORS	15,763	
AREA OF ROOFTOP ARCHITECTURAL ELEMENTS	2,364	1,718
% AREA OF ROOFTOP ARCHITECTURAL FEATURES	15.0%	10.9%

- KEY**
- DENSITY BONUS AREA
 - BASE PROJECT - ALLOWABLE UP AREA
 - BASE PROJECT - UNMODIFIED AREA
 - COMMERCIAL AREA
 - BASEMENT PARKING AND MECHANICAL (NON-GFA)



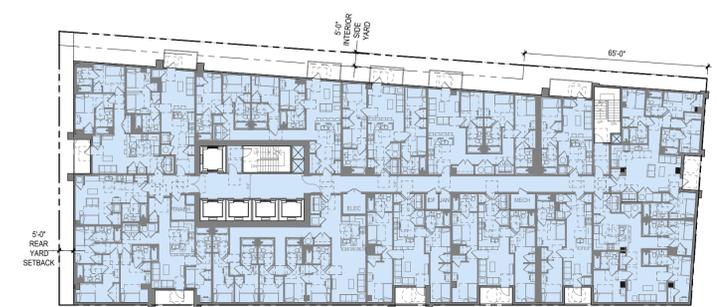
PLAN AT ROOF LEVEL



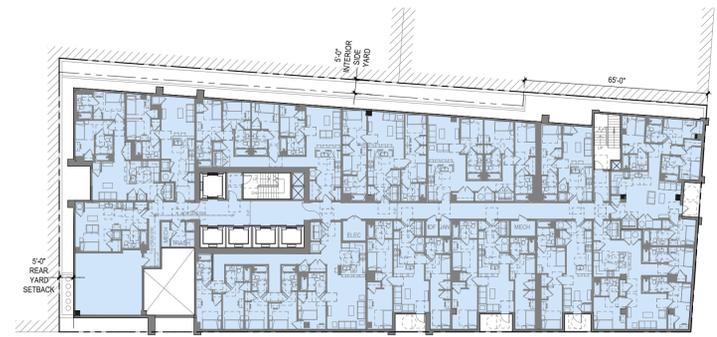
LEVELS 12-17 (OVER 120')



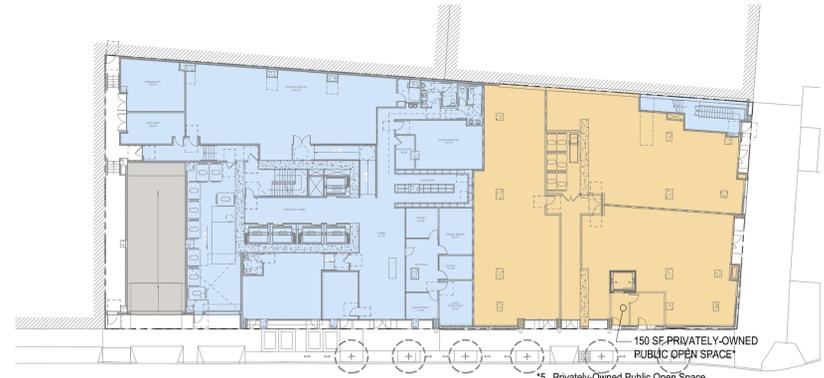
LEVELS 8-11 (76' to 120')



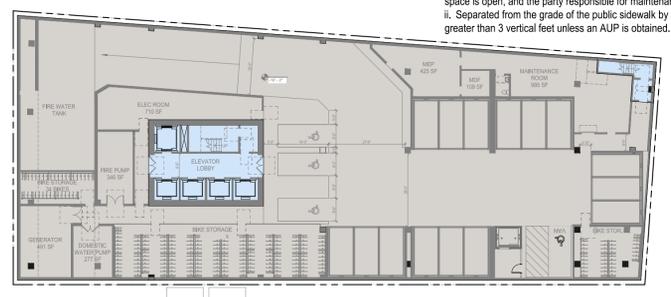
LEVELS 3-7 (21' to 75')



LEVEL 2 (15' to 25')



GROUND LEVEL



BASEMENT LEVEL

*5. Privately-Owned Public Open Space.
(a) If a privately-owned public open space is indoors or enclosed, it shall include natural light in the form of windows, skylights, entryways, or other openings.
(b) Privately-owned public open space must be:
i. Clearly identified with signage in a publicly conspicuous location at street level indicating the area that is open to the public, the hours the space is open, and the party responsible for maintenance; and
ii. Separated from the grade of the public sidewalk by a height no greater than 3 vertical feet unless an AUP is obtained.

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SHEET:

BASE PROJECT
PLANS WITH
ALLOWABLE
UP MODIFICATIONS

A0.2C

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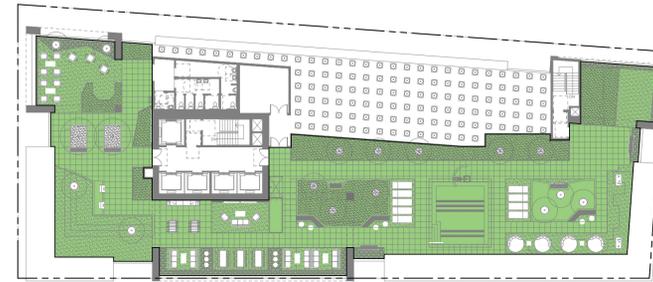
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JOB: 2129

SHEET:

OPEN SPACE
DIAGRAMS

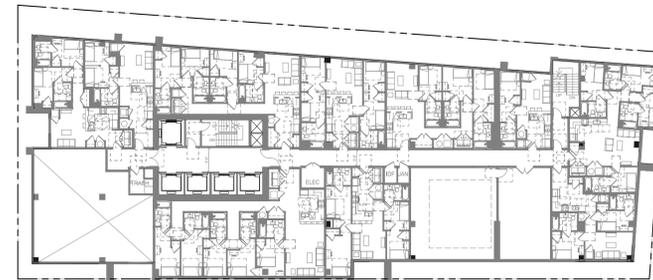
A0.3



PLAN AT ROOF LEVEL



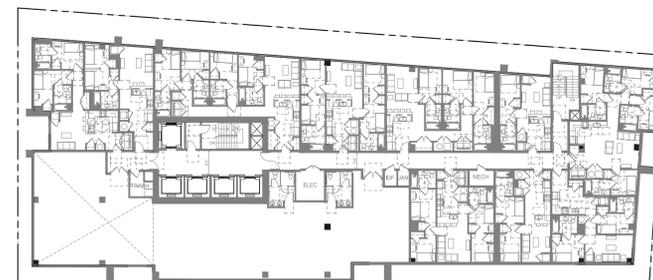
PLAN AT LEVELS 3-6



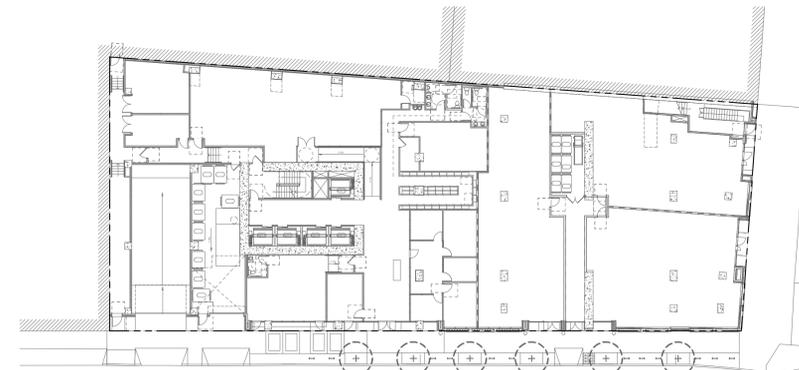
PLAN AT LEVEL 25



PLAN AT LEVEL 2



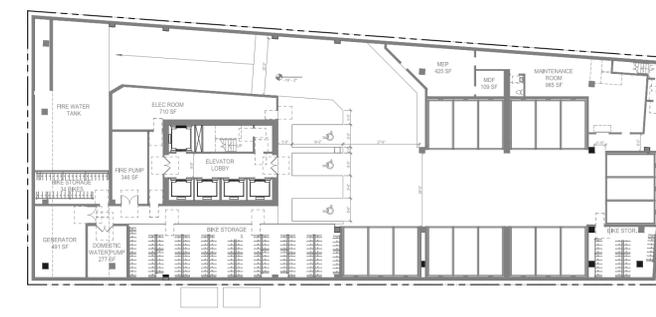
PLAN AT LEVEL 24



GROUND LEVEL



PLAN AT LEVELS 7-23



BASEMENT LEVEL

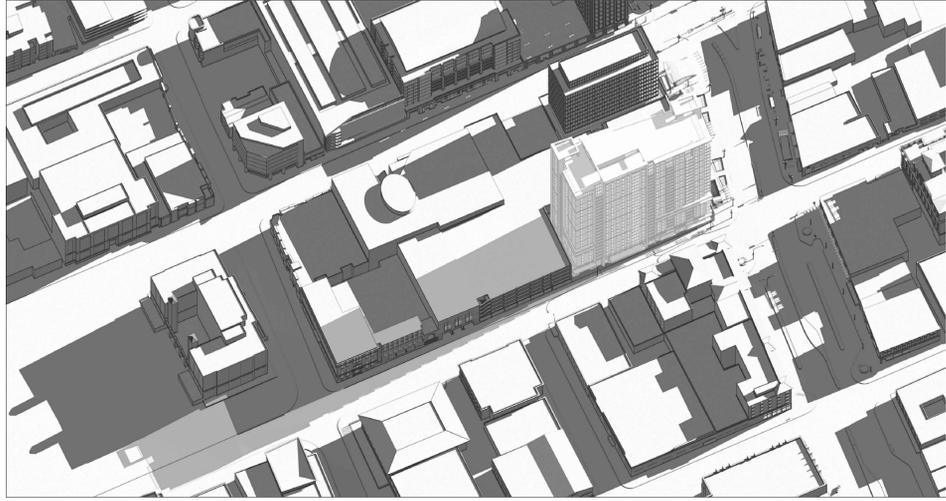
OPEN SPACE TABLE

Floor	Total	Common	Private Balconies		
			Subtotal	Number	Area Per
Roof	9,679	9,679			
Level 25	0		0		
Level 24	0		0		
Level 23	720		720	9	80
Level 22	720		720	9	80
Level 21	720		720	9	80
Level 20	720		720	9	80
Level 19	720		720	9	80
Level 18	720		720	9	80
Level 17	720		720	9	80
Level 16	720		720	9	80
Level 15	720		720	9	80
Level 14	720		720	9	80
Level 13	720		720	9	80
Level 12	720		720	9	80
Level 11	720		720	9	80
Level 10	720		720	9	80
Level 9	720		720	9	80
Level 8	720		720	9	80
Level 7	0		0		
Level 6	880		880	11	80
Level 5	880		880	11	80
Level 4	880		880	11	80
Level 3	880		880	11	80
Level 2	0		0		
Level 1	0		0		
Basement					
Reference Total Area	24,719	9,679	15,040	188	
Qualifying Area (A maximum of 50% of the total required usable open space can be on Balconies)	22,719	9,679	13,040		
Required Area (326 Units x 80 SF)	26,080	13,040	13,040		

DARK TONE GREY INDICATES SHADOWS FROM EXISTING BUILDINGS
 LIGHTER TONE GREY INDICATES SHADOWS FROM PROPOSED BUILDING
 NEW SHADOW AT RESIDENTIAL BUILDING
 ALL RESIDENTIAL BUILDINGS BEING SHADOWED SHOWN IN THESE DIAGRAMS



1 SHADOW STUDY - JUNE 21: 2 HRS AFTER SUNRISE
1:100 @ 11X17 1:50 @ 24X36



2 SHADOW STUDY - JUNE 21: 2 HRS AFTER SUNRISE AXON
1:160 @ 11X17 1:80 @ 24X36



3 SHADOW STUDY - JUNE 21: NOON
1:100 @ 11X17 1:50 @ 24X36



4 SHADOW STUDY - JUNE 21: NOON AXON
1:160 @ 11X17 1:80 @ 24X36



5 SHADOW STUDY - JUNE 21: 2-HRS BEFORE SUNSET
1:100 @ 11X17 1:50 @ 24X36



6 SHADOW STUDY - JUNE 21: 2-HRS BEFORE SUNSET AXON
1:160 @ 11X17 1:80 @ 24X36

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SHEET:
SUN SHADOW STUDIES
JUNE 21ST

A0.4A

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 LIGHTER TONE GREY INDICATES SHADOWS FROM PROPOSED BUILDING
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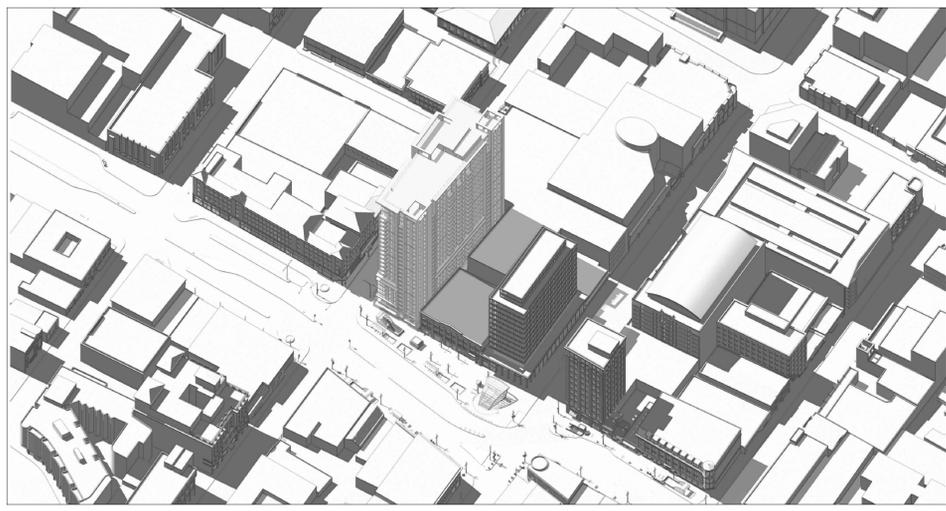
1 SHADOW STUDY - MAR 21: 2 HRS AFTER SUNRISE
1:100 @ 11X17 1:50 @ 24X36



2 SHADOW STUDY - MAR 21: 2 HRS AFTER SUNRISE AXON
1:160 @ 11X17 1:80 @ 24X36



3 SHADOW STUDY - MAR 21: NOON
1:100 @ 11X17 1:50 @ 24X36



4 SHADOW STUDY - MAR 21: NOON AXON
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5 SHADOW STUDY - MAR 21: 2-HRS BEFORE SUNSET
1:100 @ 11X17 1:50 @ 24X36



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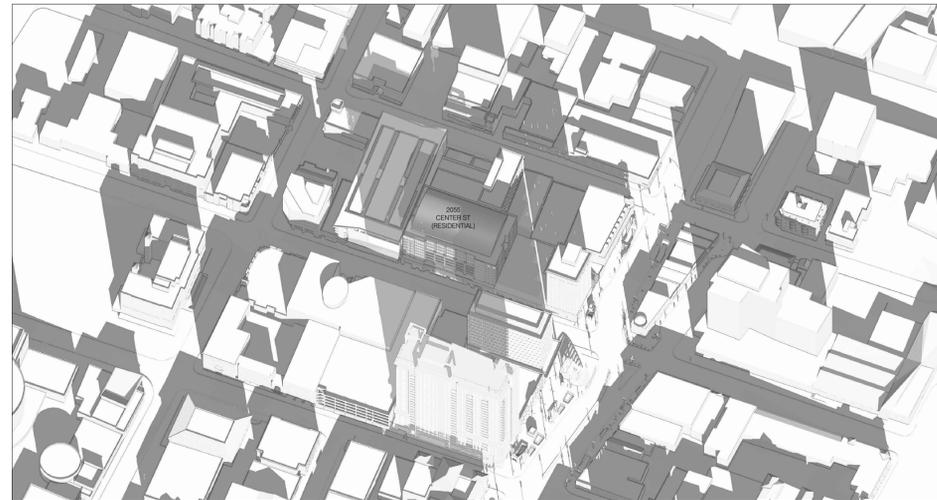
SHEET:
SUN SHADOW STUDIES
MARCH 21

A0.4B

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 LIGHTER TONE GREY INDICATES SHADOWS FROM PROPOSED BUILDING
 NEW SHADOW AT RESIDENTIAL BUILDING
 ALL RESIDENTIAL BUILDINGS BEING SHADOWED SHOWN IN THESE DIAGRAMS



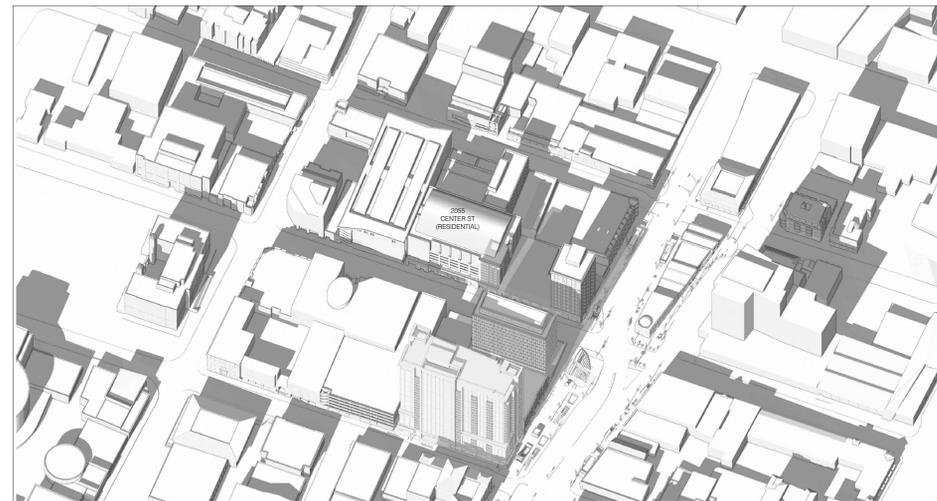
1 SHADOW STUDY - DEC 21: 2 HRS AFTER SUNRISE
1:100 @ 11X17 1:50 @ 24X36



2 SHADOW STUDY - DEC 21: 2 HRS AFTER SUNRISE AXON
1:160 @ 11X17 1:80 @ 24X36



3 SHADOW STUDY - DEC 21: NOON
1:100 @ 11X17 1:50 @ 24X36



4 SHADOW STUDY - DEC 21: NOON AXON
1:160 @ 11X17 1:80 @ 24X36



5 SHADOW STUDY - DEC 21: 2-HRS BEFORE SUNSET
1:100 @ 11X17 1:50 @ 24X36



6 SHADOW STUDY - DEC 21: 2-HRS BEFORE SUNSET AXON
1:160 @ 11X17 1:80 @ 24X36

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SHEET:
SUN SHADOW STUDIES
DECEMBER 21

A0.4C

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SHEET:
**SITE CONTEXT
PHOTOS**

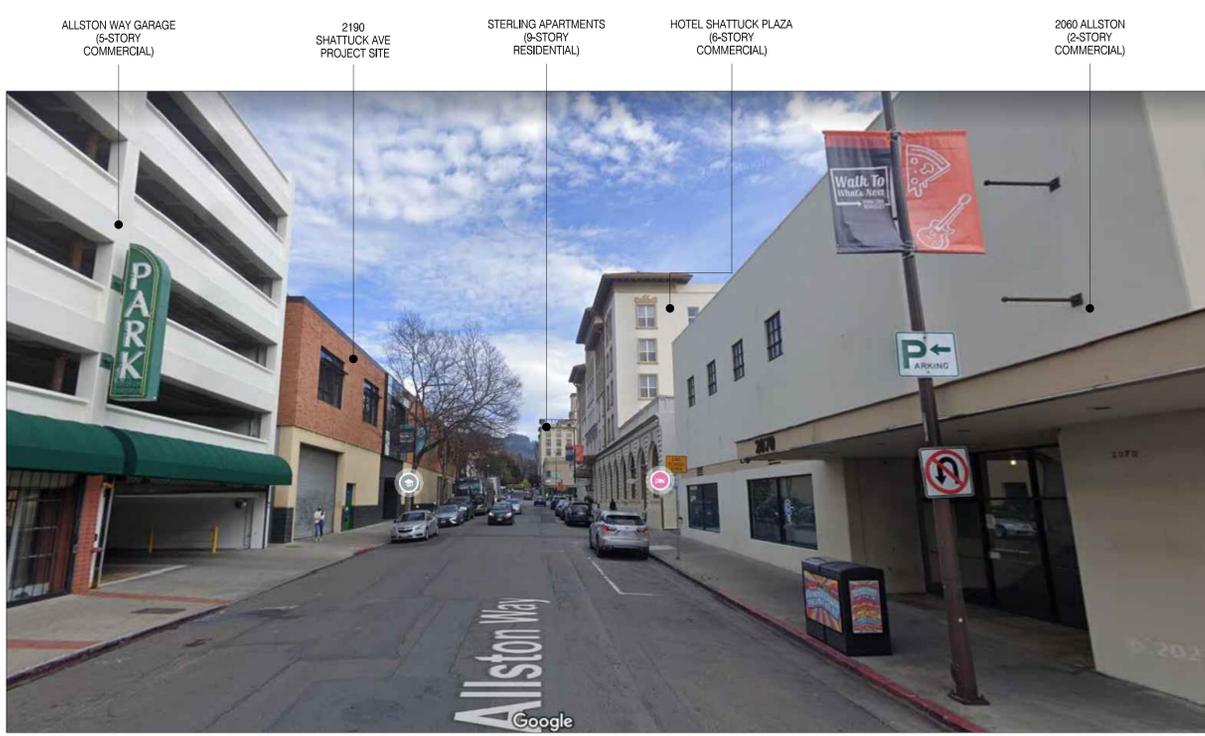
A0.5



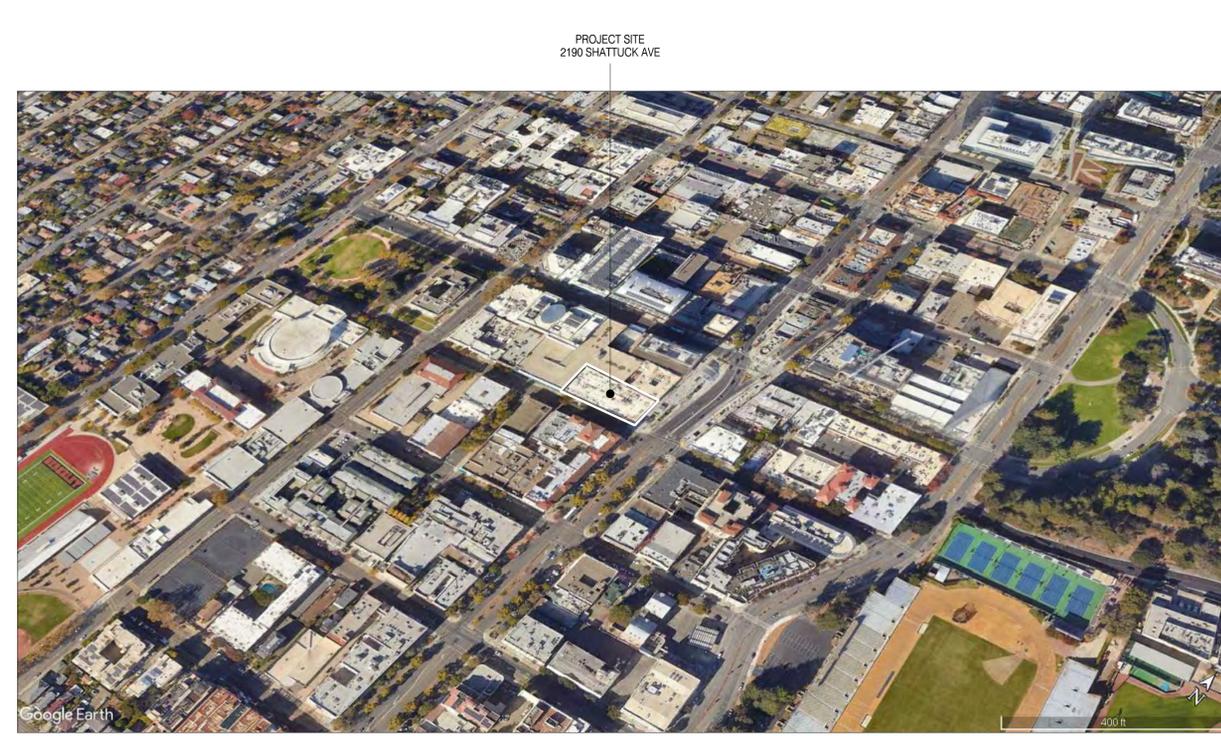
4 VIEW FROM SHATTUCK LOOKING NORTH



2 VIEW FROM SHATTUCK LOOKING SOUTH



3 VIEW FROM ALLSTON LOOKING EAST



1 GOOGLE EARTH BIRD'S EYE CONTEXT VIEW

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SHEET:
VICINITY MAP

A0.6



**PROJECT SITE
2190 SHATTUCK**

1
-
NTS
VICINITY MAP



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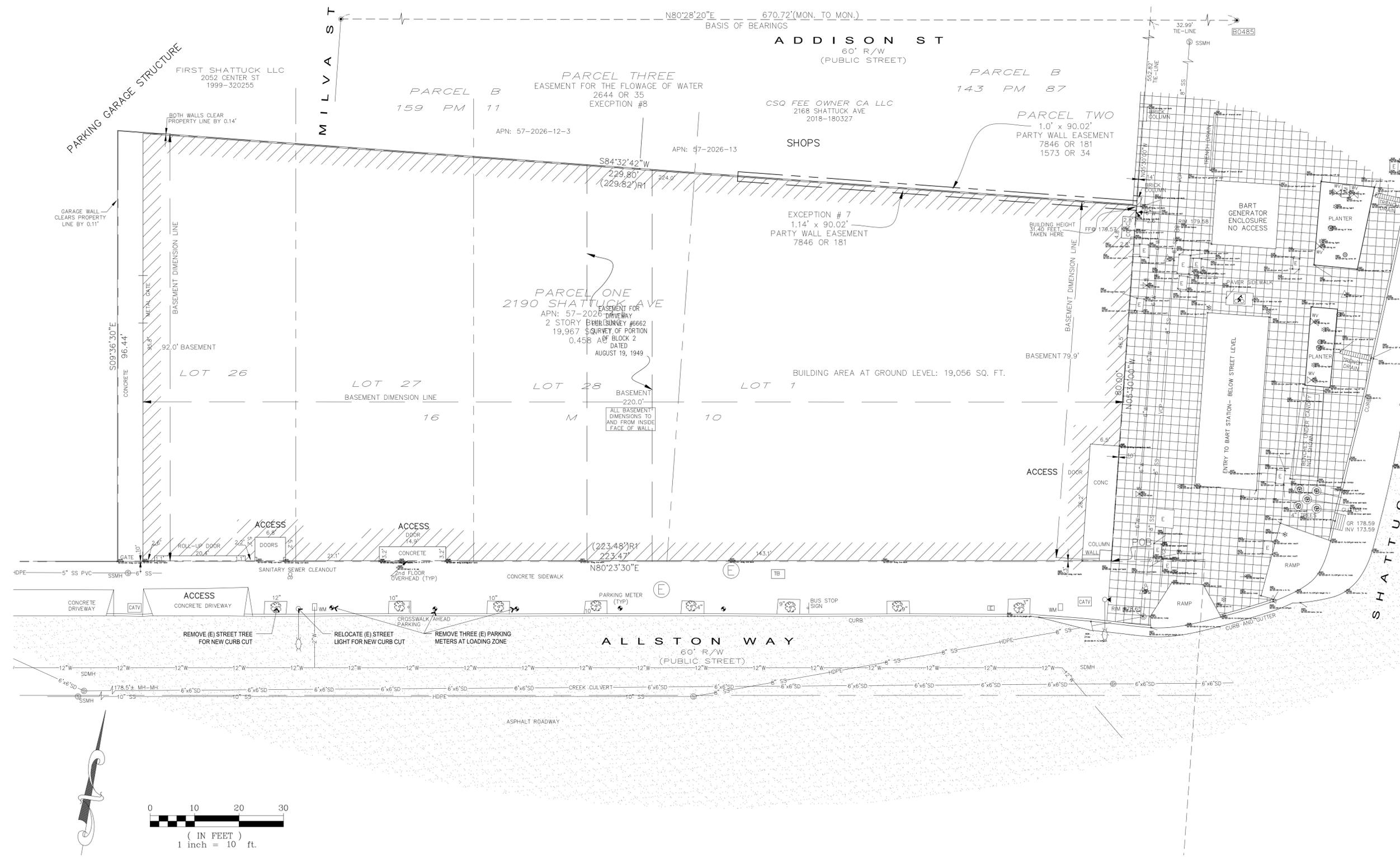
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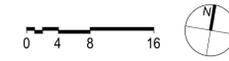
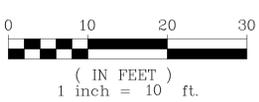
SHEET:

EXISTING
CONDITIONS /
SURVEY

A1.0



1 EXISTING CONDITIONS / SURVEY
3/64" = 1' @ 11 X 17 3/32" = 1' @ 24 X 36



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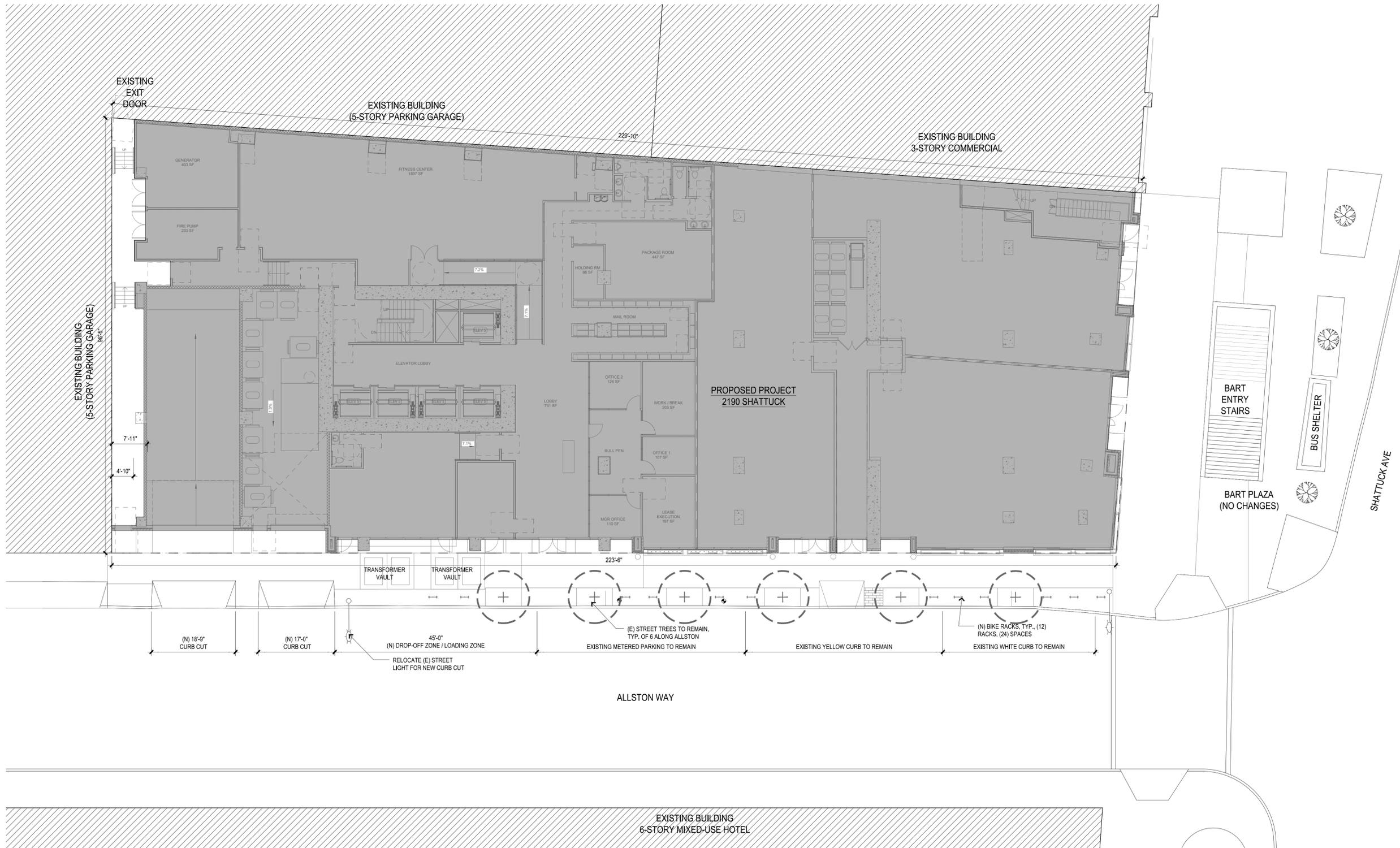
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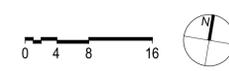
SHEET:

SITE PLAN

A1.1



1
-
SITE PLAN
3/64" = 1' @ 11 X 17 3/32" = 1' @ 24 X 36



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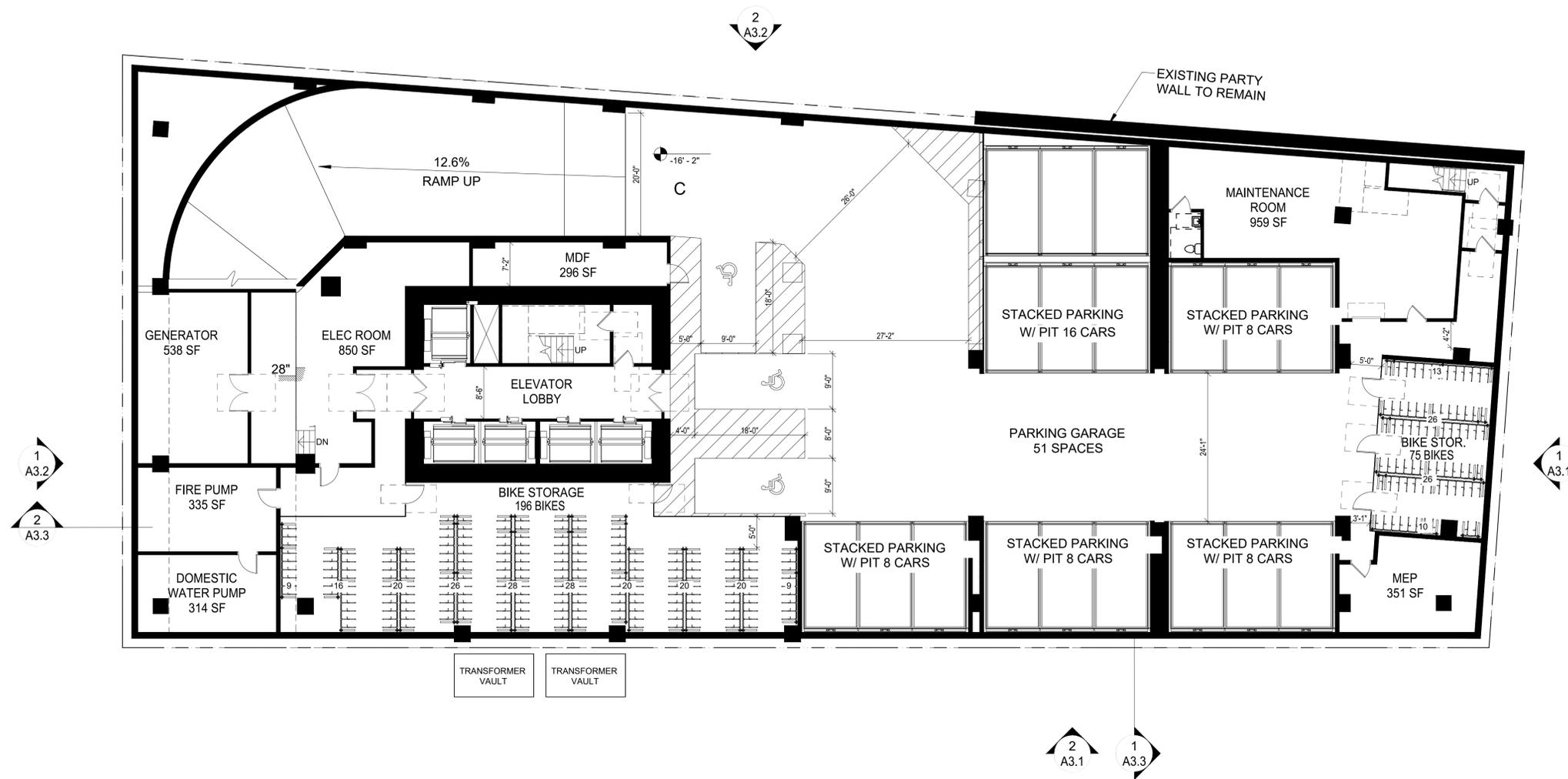
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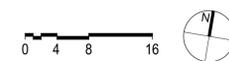
SHEET:

PLAN AT
BASEMENT LEVEL

A2.0



1
PLAN AT BASEMENT LEVEL
3/64" = 1' @ 11 X 17 3/32" = 1' @ 24 X 36



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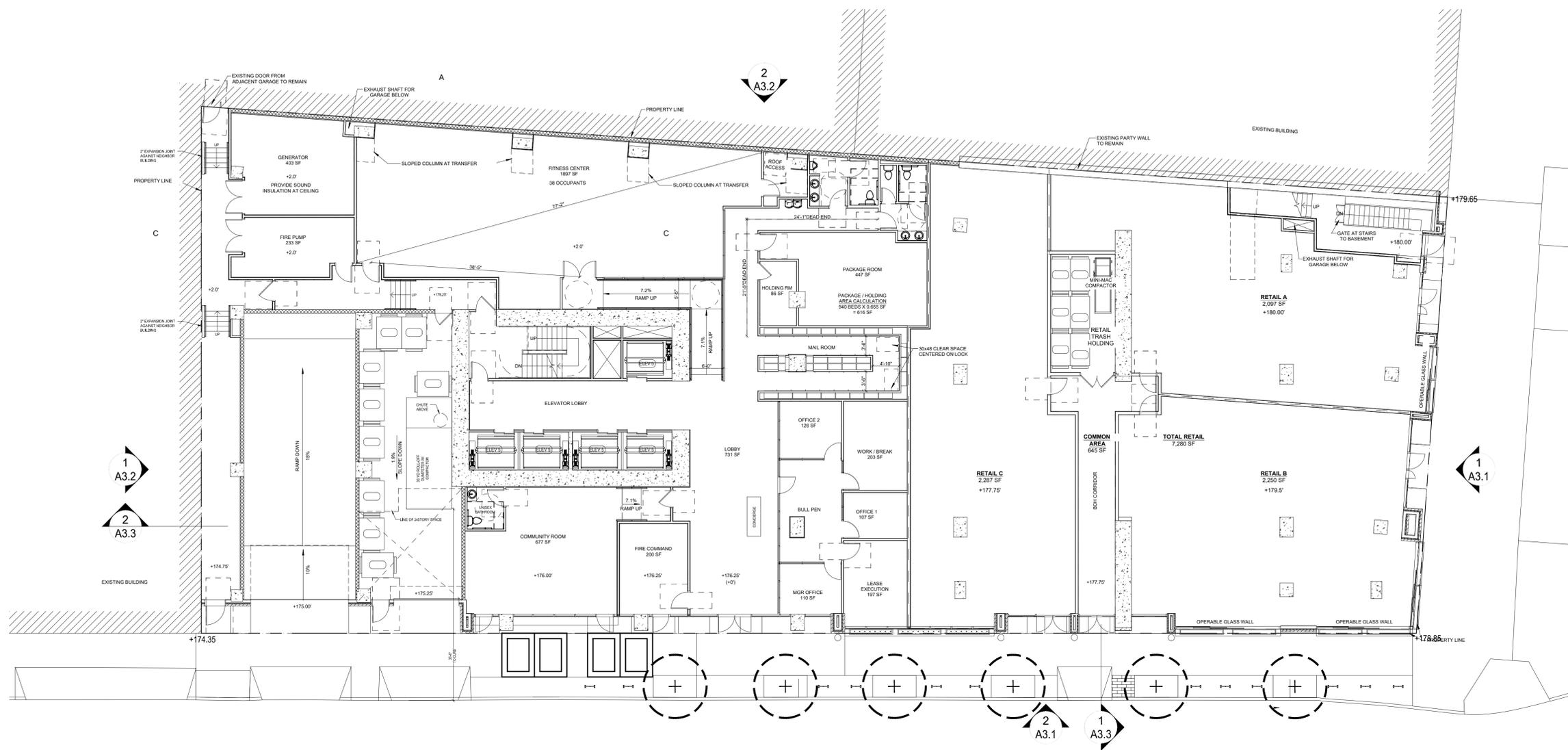
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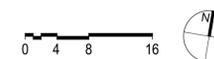
SHEET:

PLAN AT
GROUND LEVEL

A2.1



1
PLAN AT GROUND LEVEL
3/64" = 1' @ 11 X 17 3/32" = 1' @ 24 X 36



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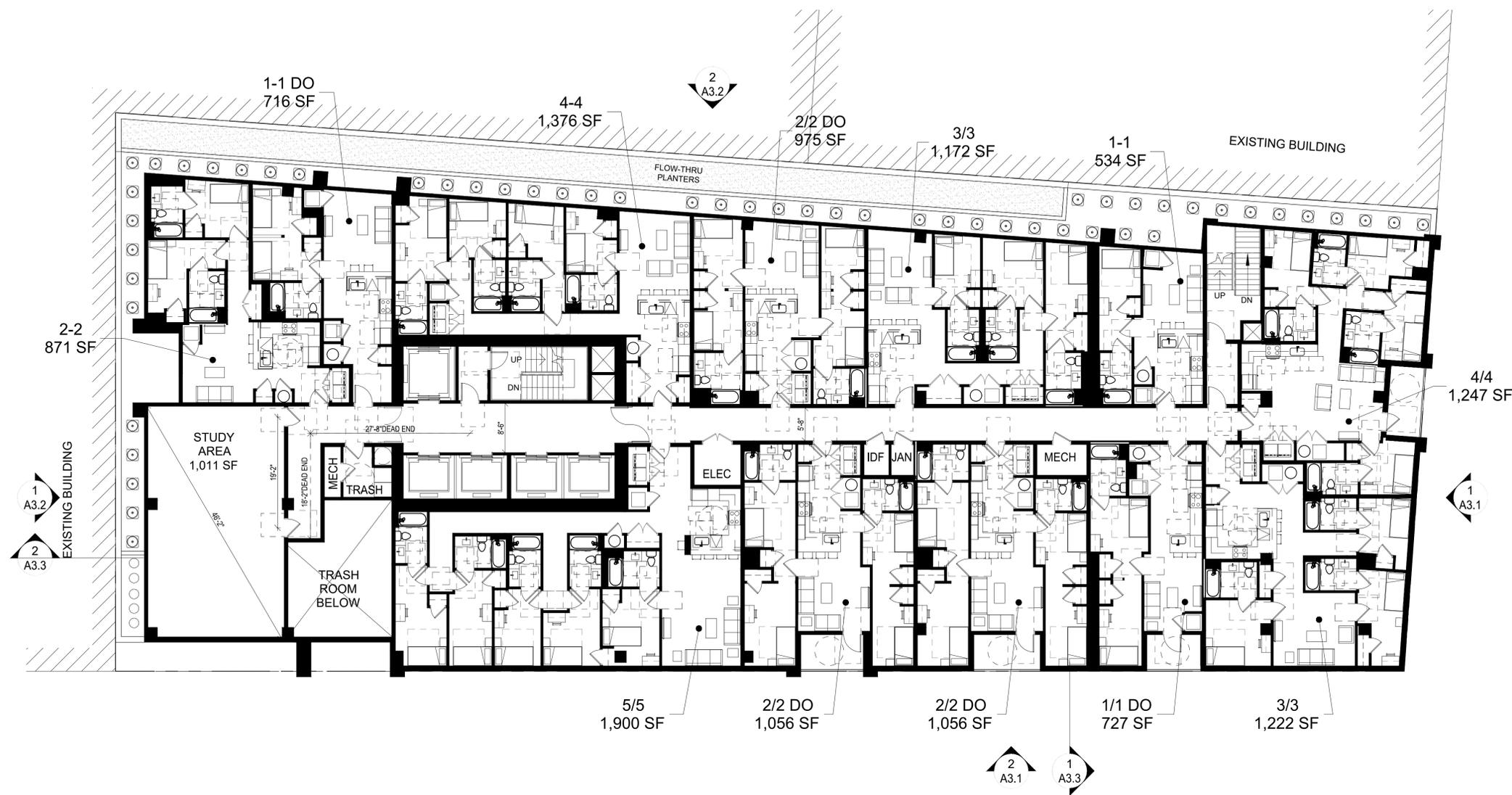
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SHEET:

PLAN AT
LEVEL 2

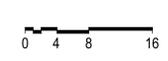
A2.2



1

PLAN AT LEVEL 2

3/64" = 1' @ 11 X 17 3/32" = 1' @ 24 X 36



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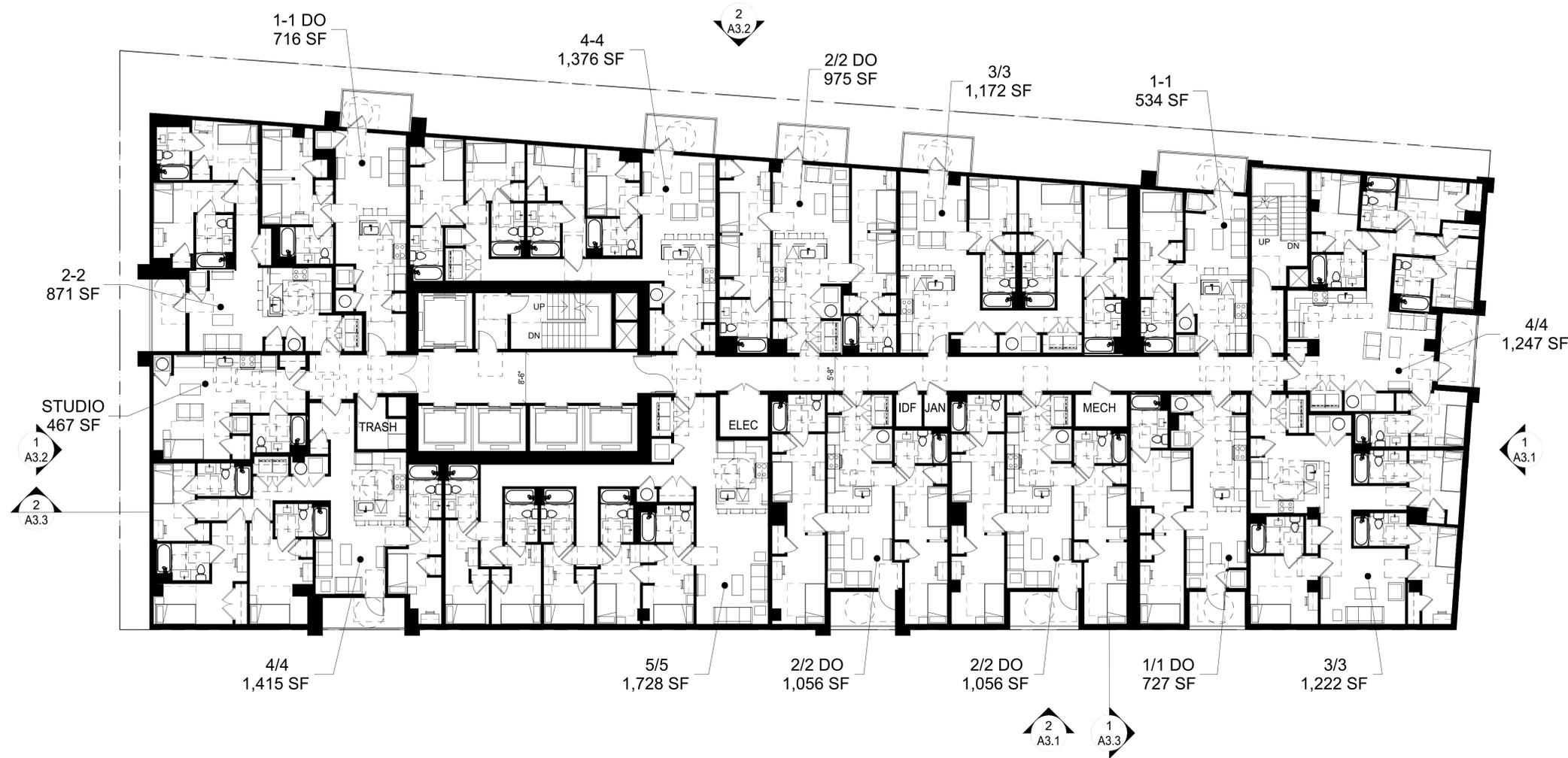
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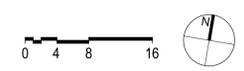
SHEET:

PLAN AT
LEVELS 3-6

A2.3



1 PLAN AT LEVELS 3-6
3/64" = 1' @ 11 X 17 3/32" = 1' @ 24 X 36



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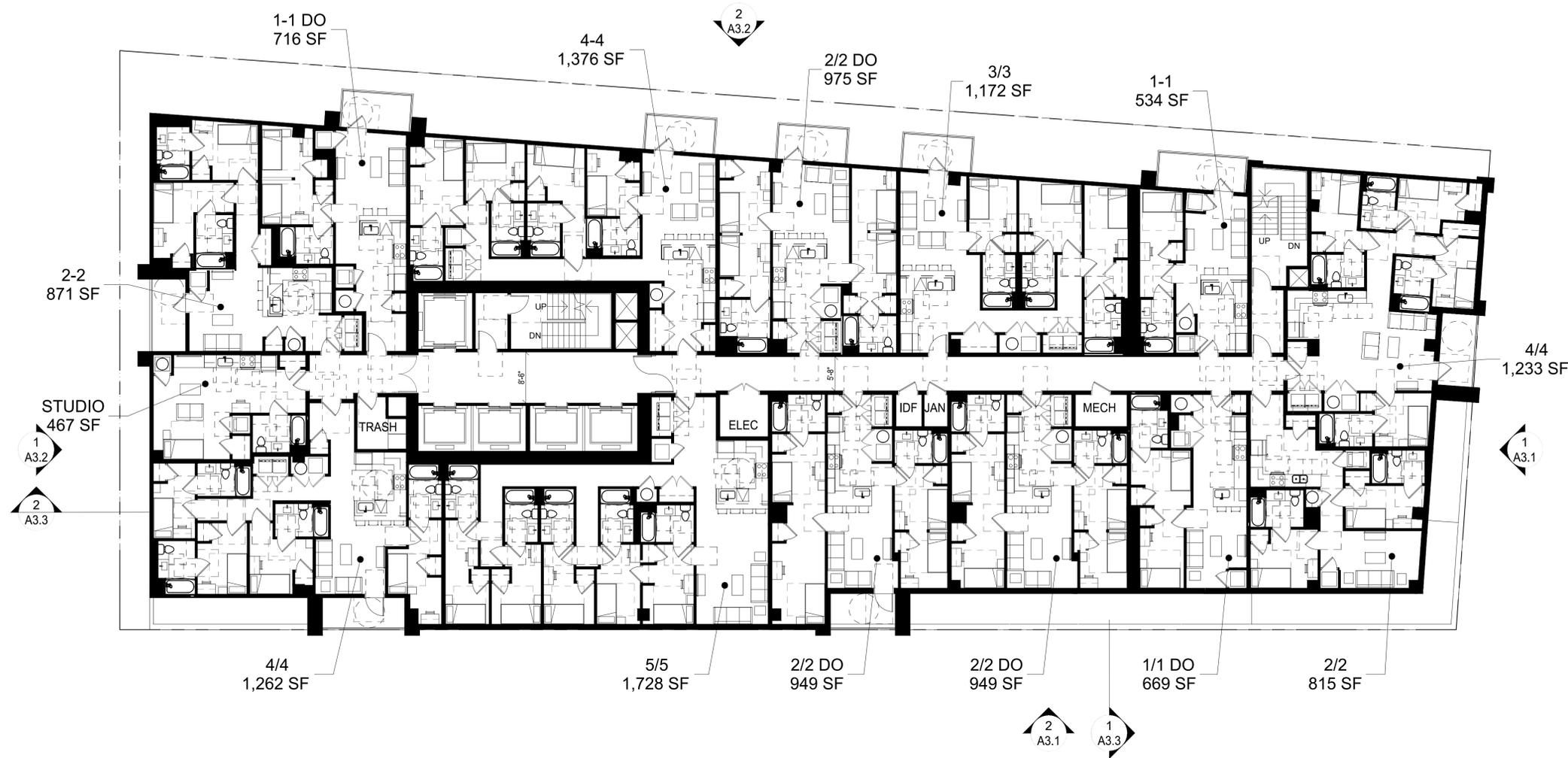
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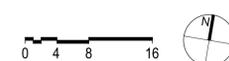
SHEET:

PLAN AT
 LEVELS 7-23

A2.4



1 PLAN AT LEVELS 7-23
 3/64" = 1' @ 11 X 17 3/32" = 1' @ 24 X 36



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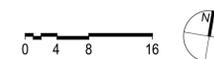
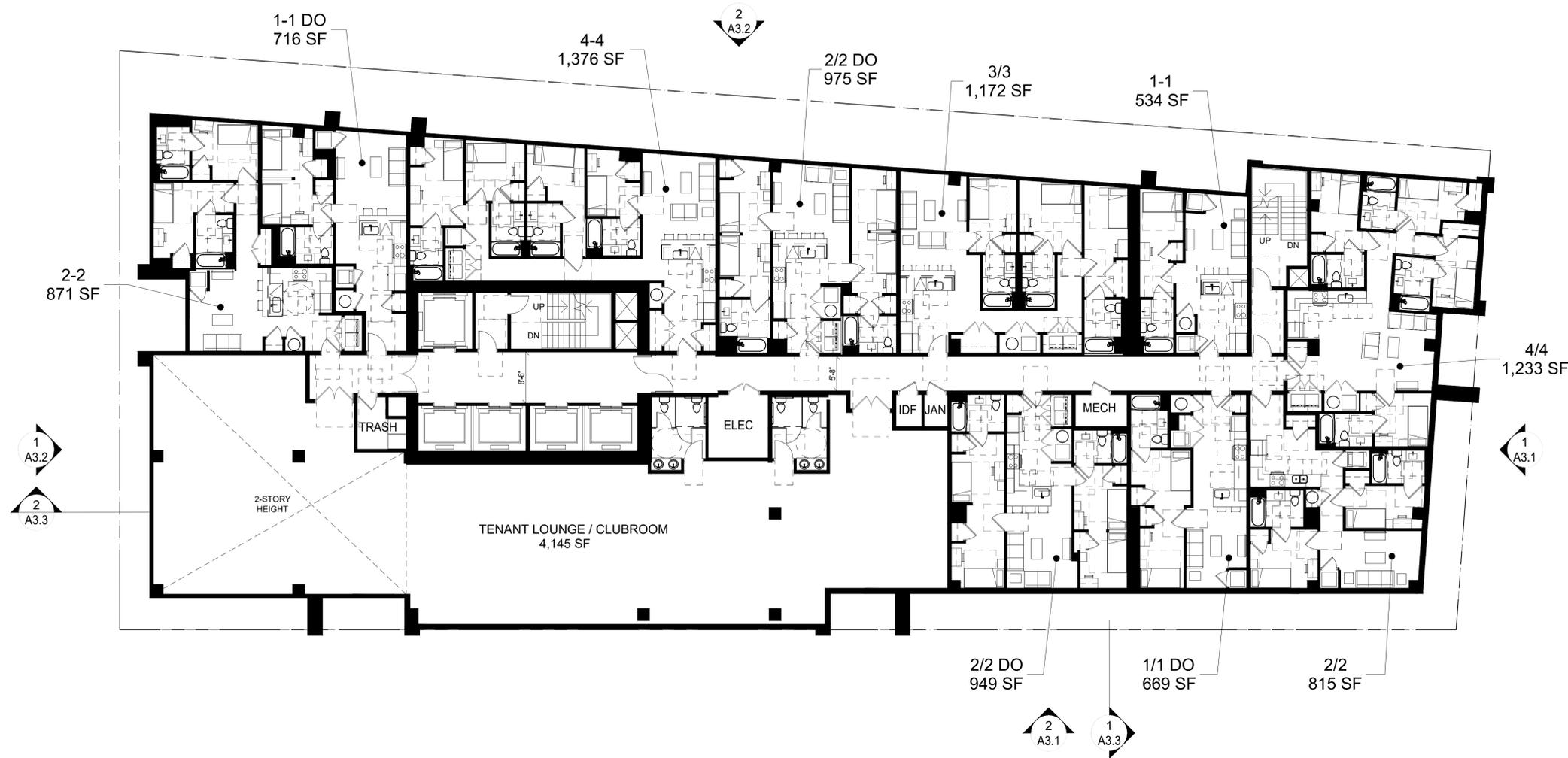
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SHEET:

PLAN AT
LEVEL 24

A2.5



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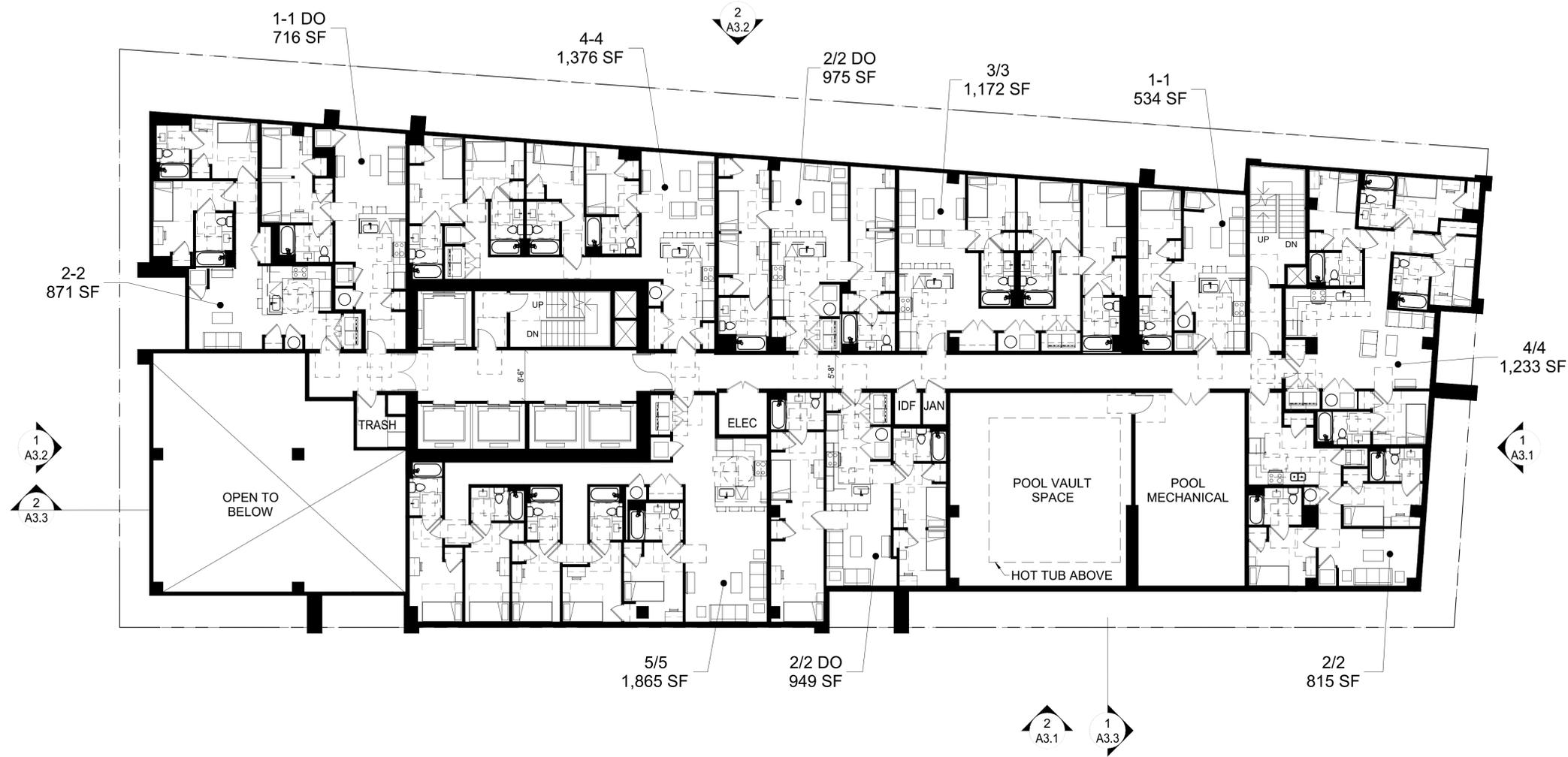
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SHEET:

PLAN AT
 LEVEL 25

A2.6



1

PLAN AT LEVEL 25

3/64" = 1' @ 11 X 17 3/32" = 1' @ 24 X 36

0 4 8 16



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SHEET:

PLAN AT
ROOF LEVEL

A2.7

STAIR EXIT CAPACITY

50" WIDE @ 0.2" / OCCUPANT
= 250 OCCUPANTS PER STAIR

= 500 OCCUPANTS TOTAL*

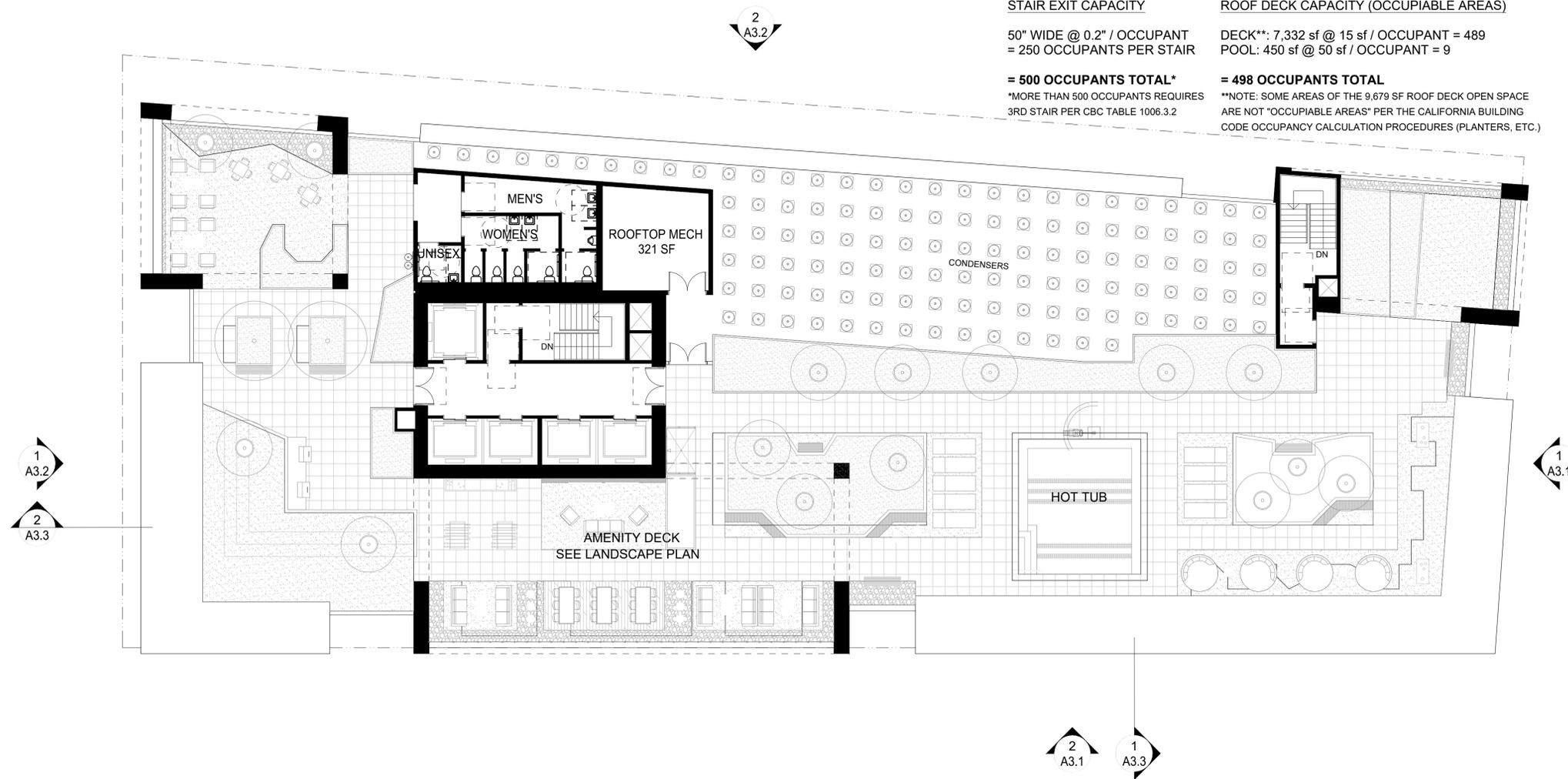
*MORE THAN 500 OCCUPANTS REQUIRES
3RD STAIR PER CBC TABLE 1006.3.2

ROOF DECK CAPACITY (OCCUPIABLE AREAS)

DECK**: 7,332 sf @ 15 sf / OCCUPANT = 489
POOL: 450 sf @ 50 sf / OCCUPANT = 9

= 498 OCCUPANTS TOTAL

**NOTE: SOME AREAS OF THE 9,679 SF ROOF DECK OPEN SPACE
ARE NOT "OCCUPIABLE AREAS" PER THE CALIFORNIA BUILDING
CODE OCCUPANCY CALCULATION PROCEDURES (PLANTERS, ETC.)



PLAN AT ROOF LEVEL

3/64" = 1' @ 11 X 17 3/32" = 1' @ 24 X 36

0 4 8 16



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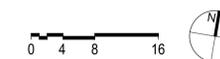
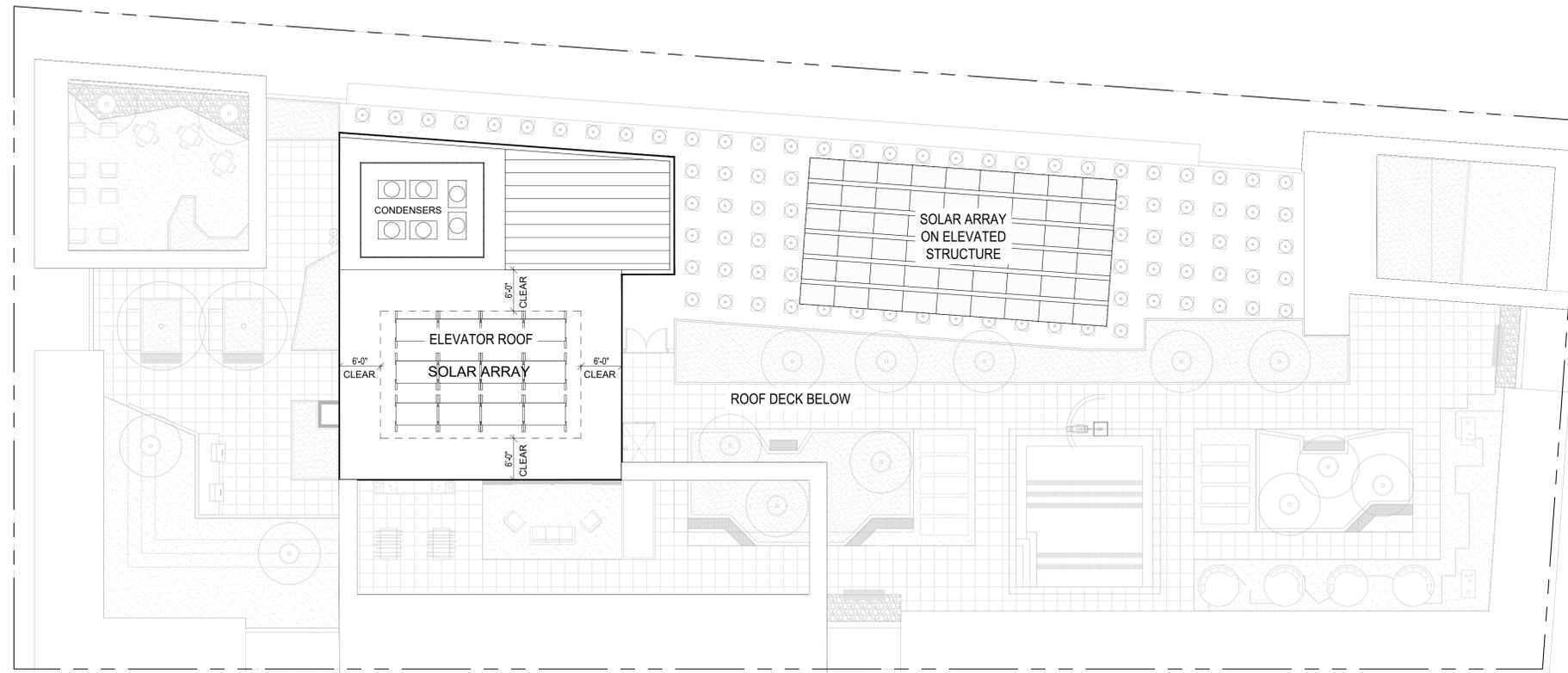
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SHEET:

PLAN AT
 ELEVATOR ROOF

A2.8



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SHEET:

ELEVATIONS

A3.1



2 SOUTH ELEVATION (ALLSTON)

3/128" = 1' @ 11 X 17 3/64" = 1' @ 24 X 36

0 8 16 32



1 EAST ELEVATION (SHATTUCK) (FRONT ELEVATION)

3/128" = 1' @ 11 X 17 3/64" = 1' @ 24 X 36

0 8 16 32

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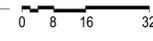
ELEVATIONS

A3.2



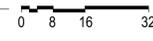
2
NORTH ELEVATION

3/128" = 1' @ 11 X 17 3/64" = 1' @ 24 X 36



1
WEST ELEVATION

3/128" = 1' @ 11 X 17 3/64" = 1' @ 24 X 36



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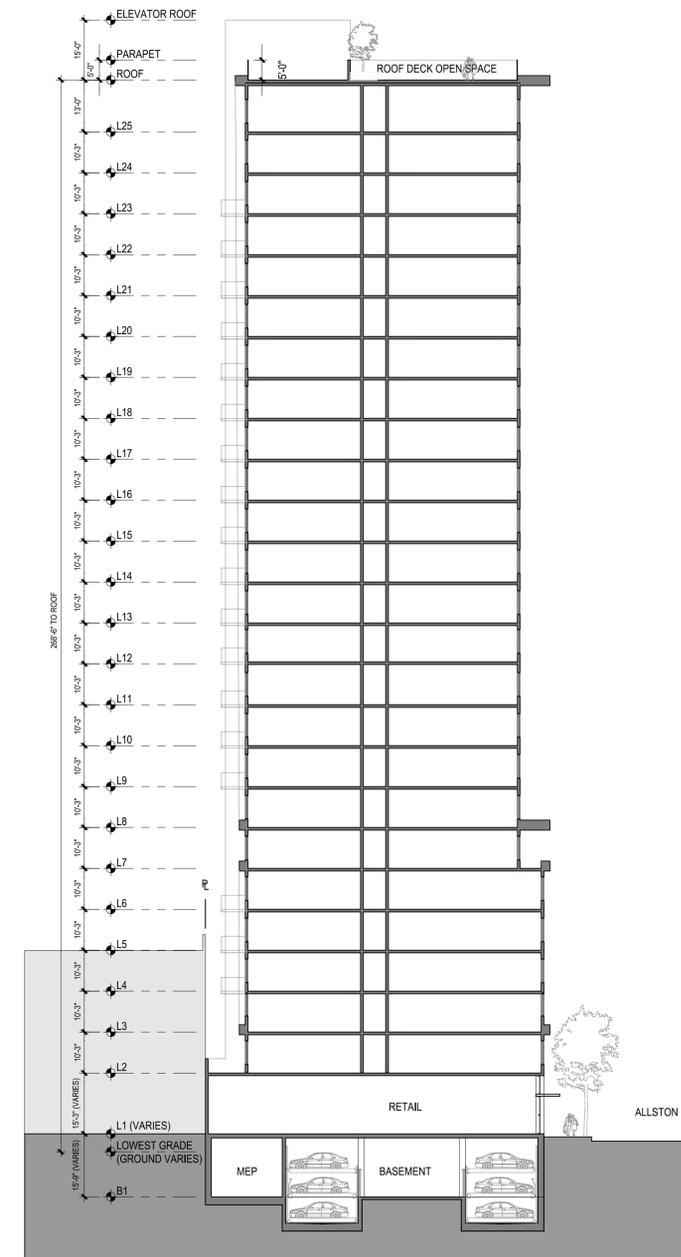
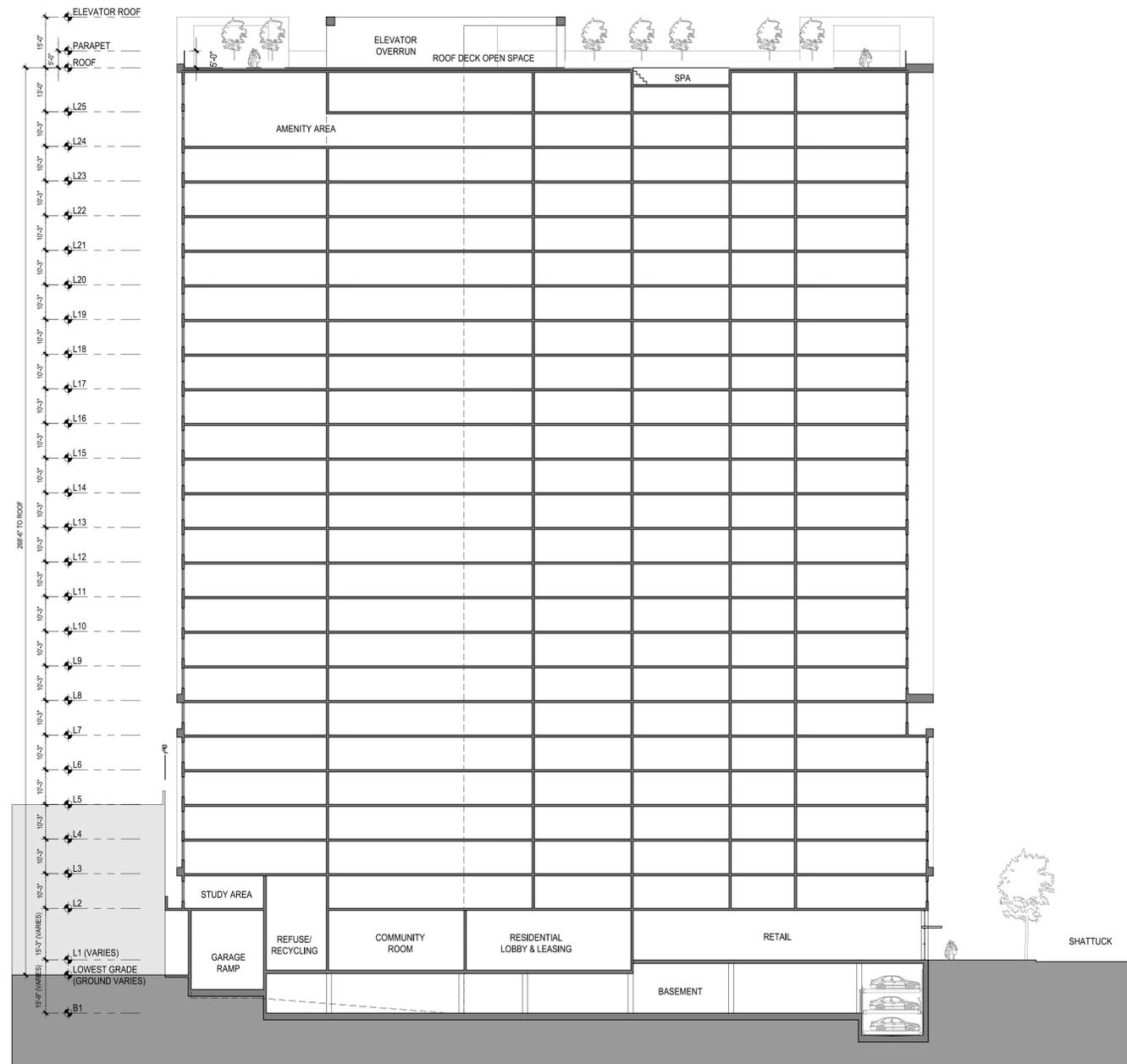
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SHEET:

BUILDING SECTION

A3.3



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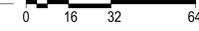
SHEET:

**STREET STRIP
 ELEVATIONS**

A3.4



2 STREET STRIP ALONG ALLSTON
 1/64" = 1' @ 11 X 17 1/32" = 1' @ 24 X 36



2 STREET STRIP ALONG SHATTUCK
 1/64" = 1' @ 11 X 17 1/32" = 1' @ 24 X 36



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SHEET:

CONCEPTUAL
RENDERINGS

A3.5



1 VIEW ALONG SHATTUCK LOOKING NORTH WEST

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SHEET:

CONCEPTUAL
RENDERINGS

A3.6



1 VIEW LOOKING SOUTH ALONG SHATTUCK

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SHEET:

CONCEPTUAL
RENDERINGS

A3.7



1 VIEW LOOKING EAST ALONG ALLSTON

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SHEET:

CONCEPTUAL
RENDERINGS

A3.8



1 VIEW ALONG ALLSTON LOOKING WEST

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SHEET:

CONCEPTUAL
RENDERINGS

A3.9



1 VIEW ALONG ALLSTON LOOKING EAST



4
 -
 VIEW ALONG SHATTUCK LOOKING SOUTH - PROPOSED
 NTS



2
 -
 VIEW ALONG ALLSTON LOOKING WEST - PROPOSED
 NTS



3
 -
 VIEW ALONG SHATTUCK LOOKING SOUTH - EXISTING
 NTS



1
 -
 VIEW ALONG ALLSTON LOOKING WEST - EXISTING
 NTS

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SHEET:

PHOTO SIMULATIONS

A3.10

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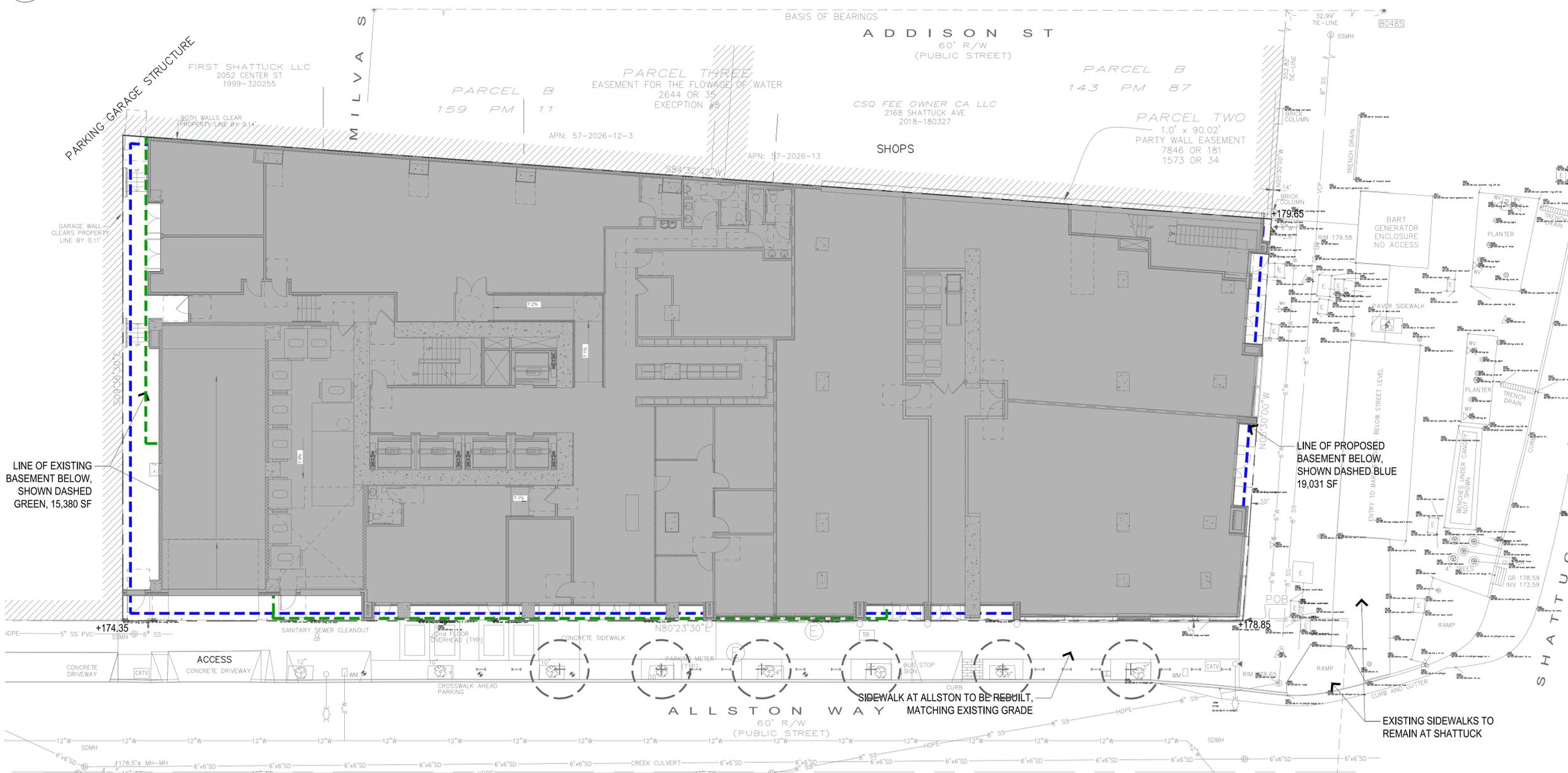
CONCEPTUAL
 GRADING PLAN

A4.1

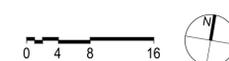
CUT AND FILL CALCULATIONS			
	BASEMENT AREA (SF)	AVERAGE BASEMENT DEPTH (FT)	TOTAL VOLUME (CY)
EXISTING BASEMENT	15,380	11.5	6,551
PROPOSED BASEMENT	19,031	15	10,573
TOTAL NEW CUT (CY)			4,022

EARTHWORK NOTES:
 1. EARTHWORK QUANTITY IS A ROUGH ESTIMATE BASED ON A BUILDING PAD ELEVATION 12" BELOW FF OF THE BASEMENT. QUANTITIES MAY VARY DUE TO FINAL STRUCTURAL FOUNDATIONS AND PAVEMENT THICKNESS.
 2. EARTHWORK QUANTITIES DO NOT TAKE INTO ACCOUNT SOIL SHRINKAGE, SOIL SWELLING, TRENCH SPOILS, SITE OVER-EXCAVATION REQUIREMENTS.

2 CUT / FILL CALCULATIONS



1 CONCEPTUAL GRADING PLAN
 3/64" = 1' @ 11 X 17 3/32" = 1' @ 24 X 36



SITE PLAN
Legend

- A** Building Foundation Planting
- B** Existing Trees - To Remain
- C** Pre-fab Linear Planters
- D** Existing Linear Pavers
- E** 24" Dia. Pre-fab Pots
- F** Bike Rack | Qty. 12
- G** Decorative Rock
- H** Propsoed Linear Paving to match existing
- I** Scored Concrete
- J** Transformer Vault
- K** Downtown Berkeley Station



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(G) DECORATIVE ROCK



(C) LINEAR PRE-FAB PLANTER



(F) BIKE RACK



(H) LINEAR ACCENT PAVERS



(B) STREET TREE PLANTING

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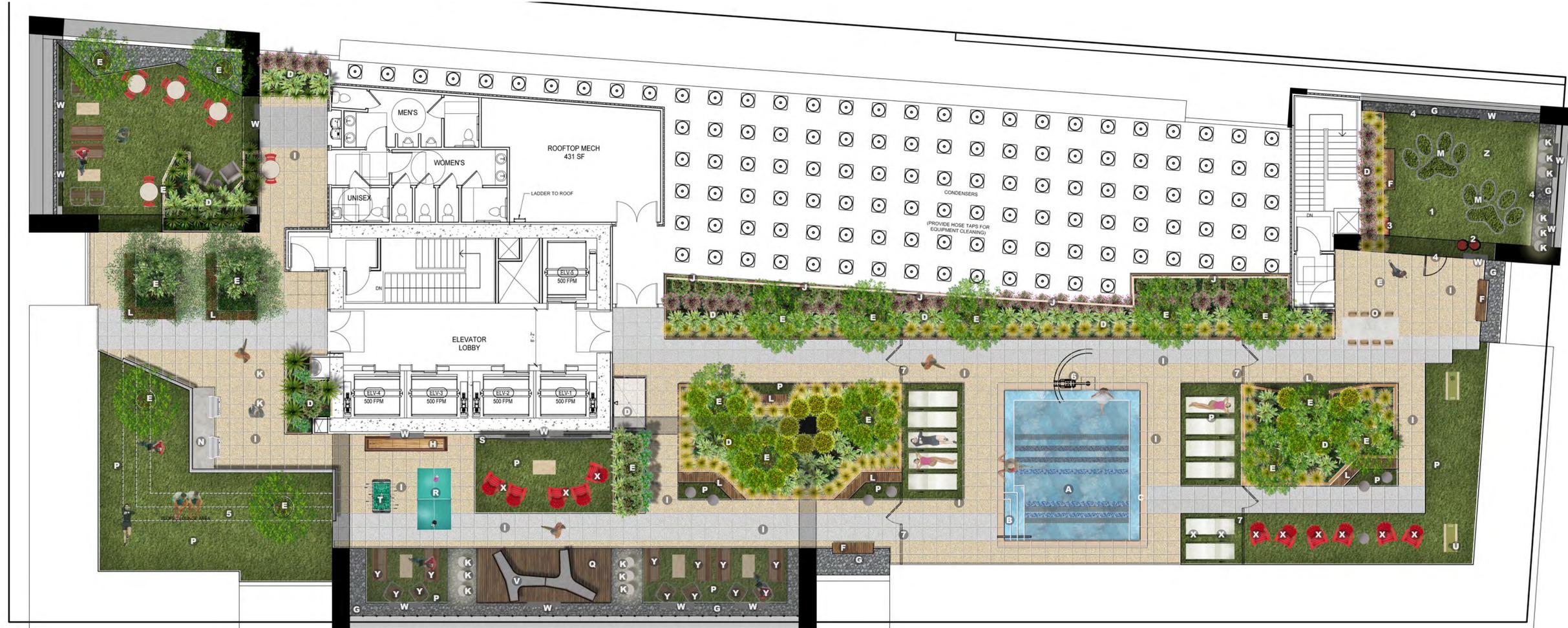
SHEET:

LANDSCAPE PLAN

L1.0

SITE PLAN
Legend

- | | | | | | | |
|--|--|---|-----------------------------|--|----------------------------------|------------------------------|
| A Spa Hot Tub (440 sq. ft.) | F Pre-fab Bench | K Lighting Spheres | P Artificial Turf | U Bean Bag Toss | Z Dog Run | 6 ADA Spa Lift |
| B Spa Hot Tub Stairs and Handrail | G Pea Gravel | L Landscape Floating Benches | Q Madera Stone Paver | V Concrete Twig bench | 1 Artificial Pet Turf | 7 Spa Perimeter Fence |
| C Spa Hot Tub Lift | H Shuffleboard | M Spray Painted Paw Prints on Turf | R Table Tennis | W Electric Heaters suspended from Structure above | 2 Pet Drinking Fountain | |
| D Built-in Planter | I Concrete Pavers - Multi Tone | N Electric BBQ Grill | S Outdoor Media Wall | X Adirondack chairs | 3 Dog Waste Receptacle | |
| E Pre-fab Planter | J 24" Tall Pre-fab Screen Panel | O Pre-Fab Study Table | T Foosball | Y Wood Benches | 4 Dog Run Perimeter Fence | |
| | | | | | 5 Sloped Lounge Area | |



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(G) PEA GRAVEL



(K) LIGHTING SPHERE



(V) TWIG BENCH



(T) FOOSBALL



(Z) DOG RUN

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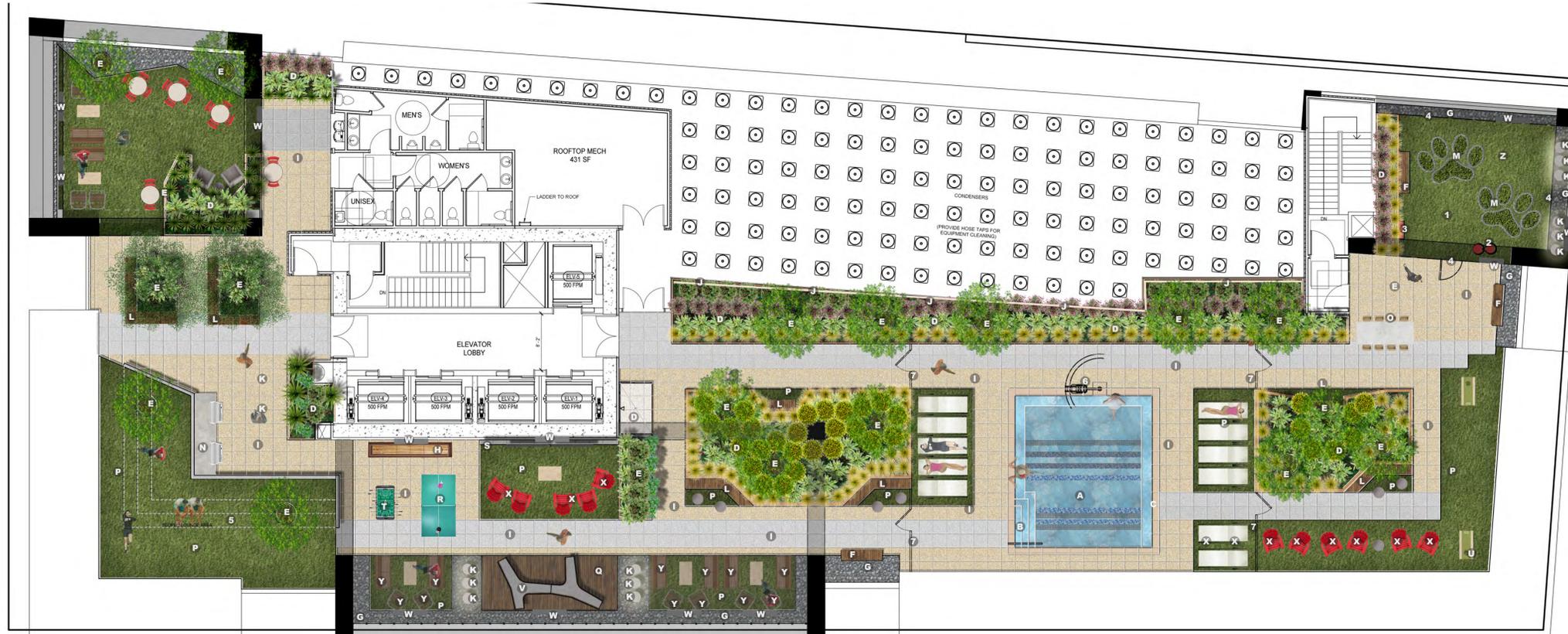
SHEET:

LANDSCAPE PLAN

L1.1

SITE PLAN

- Legend
- A** Spa Hot Tub (440 sq. ft.)
 - B** Spa Hot Tub Stairs and Handrail
 - C** Spa Hot Tub Lift
 - D** Built-in Planter
 - E** Pre-fab Planter
 - F** Pre-fab Bench
 - G** Pea Gravel
 - H** Shuffleboard
 - I** Concrete Pavers - Multi Tone
 - J** 24" Tall Pre-fab Screen Panel
 - K** Lighting Spheres
 - L** Landscape Floating Benches
 - M** Spray Painted Paw Prints on Turf
 - N** Electric BBQ Grill
 - O** Pre-Fab Study Table
 - P** Artificial Turf
 - Q** Madera Stone Paver
 - R** Table Tennis
 - S** Outdoor Media Wall
 - T** Foosball
 - U** Bean Bag Toss
 - V** Concrete Twig bench
 - W** Electric Heaters suspended from Structure above
 - X** Adirondack chairs
 - Y** Wood Benches
 - Z** Dog Run
 - 1** Artificial Pet Turf
 - 2** Pet Drinking Fountain
 - 3** Dog Waste Receptacle
 - 4** Dog Run Perimeter Fence
 - 5** Sloped Lounge Area
 - 6** ADA Spa Lift
 - 7** Spa Perimeter Fence



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Landscape Documentation Package.

Hydrozone # /Planting Description*	Plant Factor (PF)	Irrigation Method ²	Irrigation Efficiency (IE) ³	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Area	Estimated Total Water Use (ETWU) ⁴
Regular Landscape Areas							
Low-Water Use Plantings	.3	Drip	.81	.37	2350	871	22,534
Pool	1	N/A	1	1	440	440	11,403
					Totals	2790 ^(A)	1311 ^(B)
Special Landscape Areas							
					1		
					1		
					1		
					Totals	0 ^(C)	0 ^(D)
ETWU Total							33,937
Maximum Allowed Water Allowance (MAWA)⁵							33,937

*Hydrozone #/Planting Description
E.g.
1) front lawn
2) low water use plantings
3) medium water use planting

²Irrigation Method
overhead spray
or drip

³Irrigation Efficiency
0.75 for spray head
0.81 for drip

⁴ETWU (Annual Gallons Required) =
Eto x 0.62 x ETAF x Area
where 0.62 is a conversion
factor that converts acre-
inches per acre per year to
gallons per square foot per
year.

⁵MAWA (Annual Gallons Allowed) = (Eto) (0.62) [(ETAF x LA)
+ ((1-ETAF) x SLA)]
where 0.62 is a conversion factor that converts acre-
inches per acre per year to gallons per square foot per
year. LA is the total landscape area in square feet, SLA
is the total special landscape area in square feet,
and ETAF is .55 for residential areas and 0.45 for non-
residential areas.

ETAF Calculations

Regular Landscape Areas		
Total ETAF x Area	(B)	1311
Total Area	(A)	2790
Average ETAF	B ÷ A	0.47

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

All Landscape Areas		
Total ETAF x Area	(B+D)	1311
Total Area	(A+C)	2790
Sitewide ETAF	(B+D) ÷ (A+C)	0.47

USABLE OPEN SPACE CALCULATION

Usable Open Space	Req. Landscape (40%)	Provided Landscape
7,332 sq. ft.	2,932.8 sq. ft.	4,155 sq. ft. (56.6%)

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L1.2

PLANT PALETTE

TREES

SHRUBS



Betula Occidentalis
Water Birch

is a species in the Betulaceae family native to western North America. In California its distribution is somewhat patchy, being found in the southern Sierras, Siskiyou and Modoc counties. It typically occurs along streams in mountainous regions from 2,000 ft. to over 11,000 ft. It is a deciduous shrub or small tree growing to 10 meter high, usually with multiple trunks.

Wildlife - Butterflies and Moths



Cercis Occidentalis
Western Redbud

The Western Redbud is a small deciduous tree or shrub found in the foothills and mountains of California. In the northern, rainier part of its range, it grows more often on dry slopes in mountain foothills. In the southern and drier part of its range, it grows most often near higher elevation creeks, canyon bottoms and other moister areas.

Wildlife: Birds, Butterflies, Pollinators



Ceanothus 'Ray Hartman'
Ray Hartman Ceanothus

The Ray Hartman ceanothus is one of the largest cultivars to be grown in ornamental landscape and gardens. It becomes a large mounding shrub to small tree, growing 15-20 ft. tall and as wide. Dense foliage is comprised of large 1-3 in. long leaves that are dark glossy green above and pale beneath. Large plumes of medium blue flowers create a striking display in early spring.

Wildlife: Bees, Deer



Arbutus Marina
Marina Strawberry Tree

A delightful small garden tree with a low canopy of deep green leaves that are larger than other species. Rosy pink flowers appear concurrently with the red and yellow strawberry-like fruit in fall and winter. A good fire-wise landscaping plant. Evergreen.

Wildlife: Birds, Butterflies, Pollinators



Helleborus Argutifolius
Corsican Hellebore

Prefers light to moderate shade. H. argutifolius tolerates periods of full sun more than most other species of hellebore. Established plants tolerate periods of drought. Plants grown near the northern edge of the growing range (winter hardy to USDA Zone 6) should be located in areas protected from cold winter winds. Prolonged cold spells in winter will damage the foliage (browns up).

Wildlife: Bees, Hummingbirds and pollinators



Salvia Leucophylla
Purple Sage

Purple Sage is an aromatic sage native to the southern coast of California and Baja California, with a range stretching from Santa Maria southward, at 50-800 meters altitude. It is a shrub growing up to 1.5 meters tall on dry, open hillsides.

Wildlife: Bees, Hummingbirds and pollinators



Lupinus arboreus
Coastal Bush Lupine

is a species Fabaceae (Legume) family native to the western United States in California and Oregon, where it is widely distributed coastal scrub and sand dunes. Because it has been widely introduced, there is some uncertainty about its native range; it is thought to be native from Point Reyes National Seashore south to San Luis Obispo County.

Wildwood: Wildlife: Bees, Hummingbirds and pollinators



Polystichum munitum
Sword Fern

The dark green fronds of this fern grow to 50-180 centimeter (i.e. nearly 6 feet) tall, in a tight clump spreading out radially from a round base. They are single-pinnate, with the pinnae alternating on the stalk. Each pinna is 1-15 centimeter long, with a small upward-pointing lobe at the base, and the edges are serrated with bristly tips.

Wildlife: Butterflies and Moths



Keckiella antirrhinoides
Yellow Penstemon

is a species of flowering shrub in the plantain family known by the common names snapdragon penstemon and chaparral beardtongue. It is native to the chaparral, deserts, and pinyon-juniper woodlands of California, Arizona, and adjacent Baja California.

Wildlife: Bees, Hummingbirds and pollinators



Agave Shawii
Coastal Agave

is an agave found only along the Pacific coast of Baja California, extending slightly north into the coastal chaparral of southernmost California. It is a small-to-medium agave, with green ovate leaves 20-50 centimeter long and 8-20 centimeter wide, and a variable pattern of marginal teeth. Individual rosettes flower after 20-30 years of growth.

Wildlife: Butterflies and Moths



Arctostaphylos 'Emeral Carpet'
Emeral Carpet

like other manzanitas, produces thick, erect, small, shiny leaves, which help them to conserve water. Because 'Emeral Carpet' is exceptionally suited to our climate and particularly our dry summers, it looks green and healthy year round. The new growth is an attractive lighter shade than their usual emerald color. This manzanita produces white flowers with a tinge of pink in the spring, followed by bright red ornamental berries.

Wildlife: Pollinators



Dudleya edulis
Fingertips

A succulent plant known by the common name Fingertips, Lady Fingers, and Dead Man's Fingers. This Dudleya is in the Subgenus Stylophyllum which features flowers held wide-open and is fly or bee pollinated. This plant is native to southern California and Baja California, where it grows in rocky sandstone soils of the coastal and inland areas.

Wildlife: Bees, Hummingbirds and pollinators

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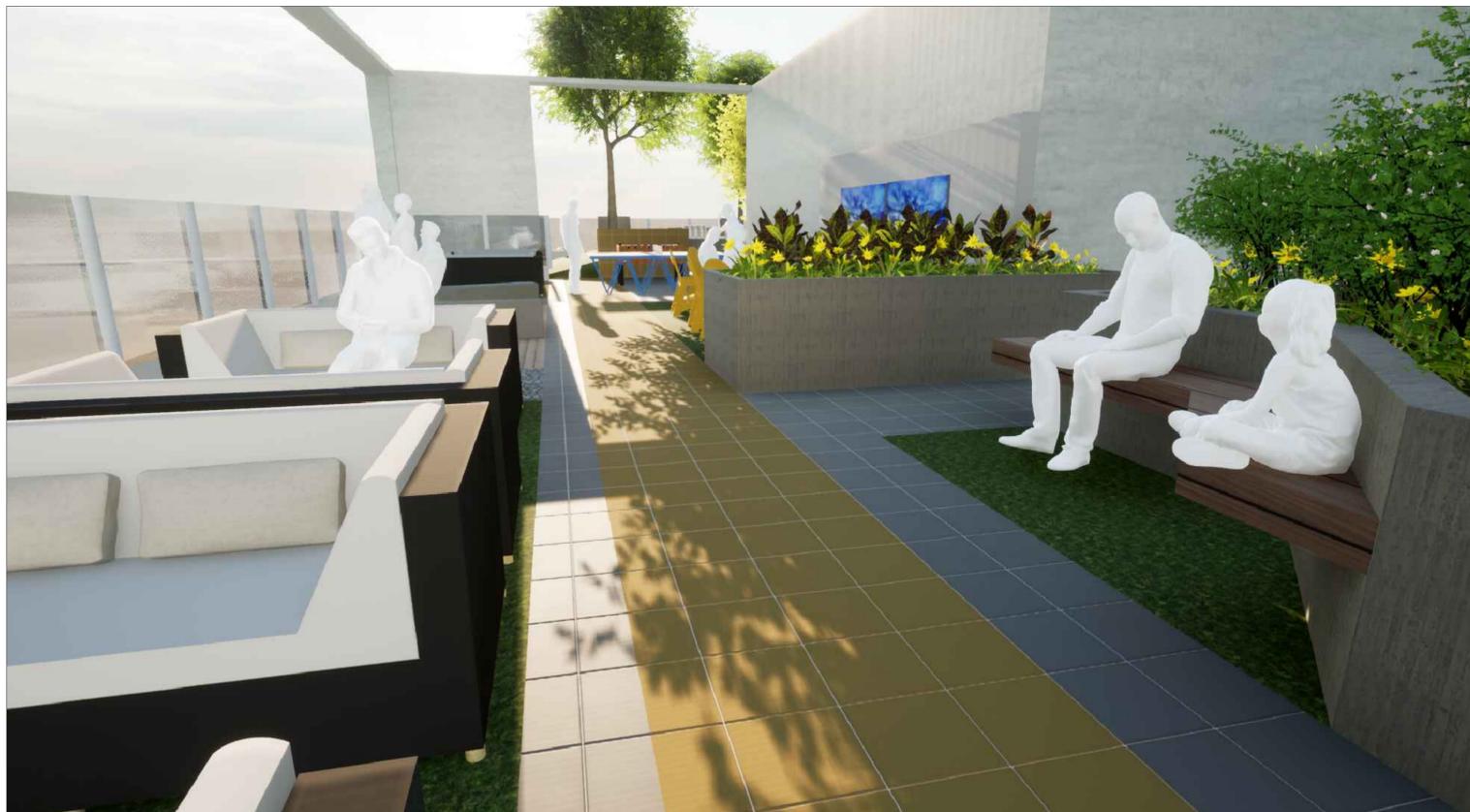
LANDSCAPE PLAN

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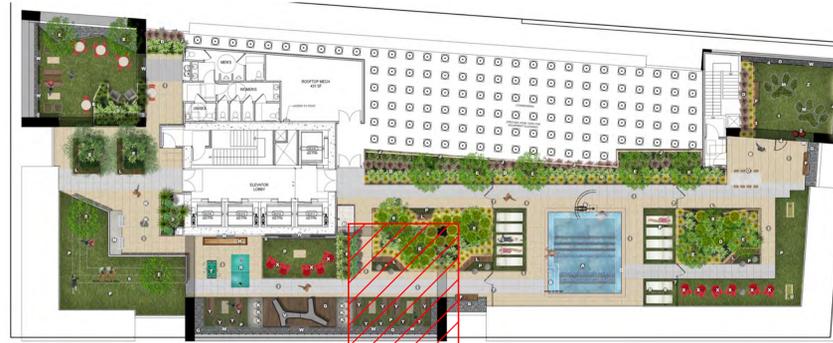
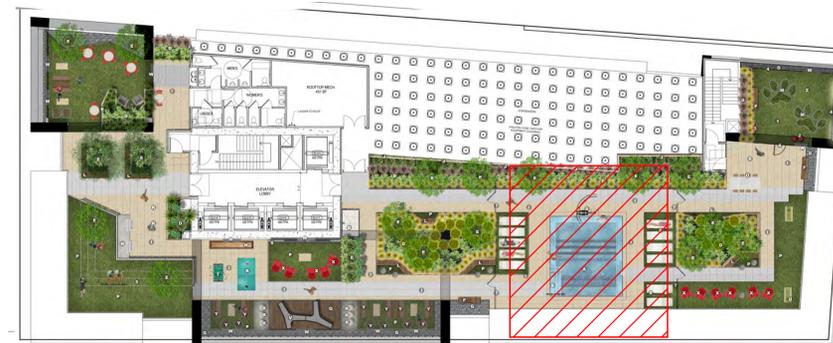
VIEW A

NOT TO SCALE 



VIEW B

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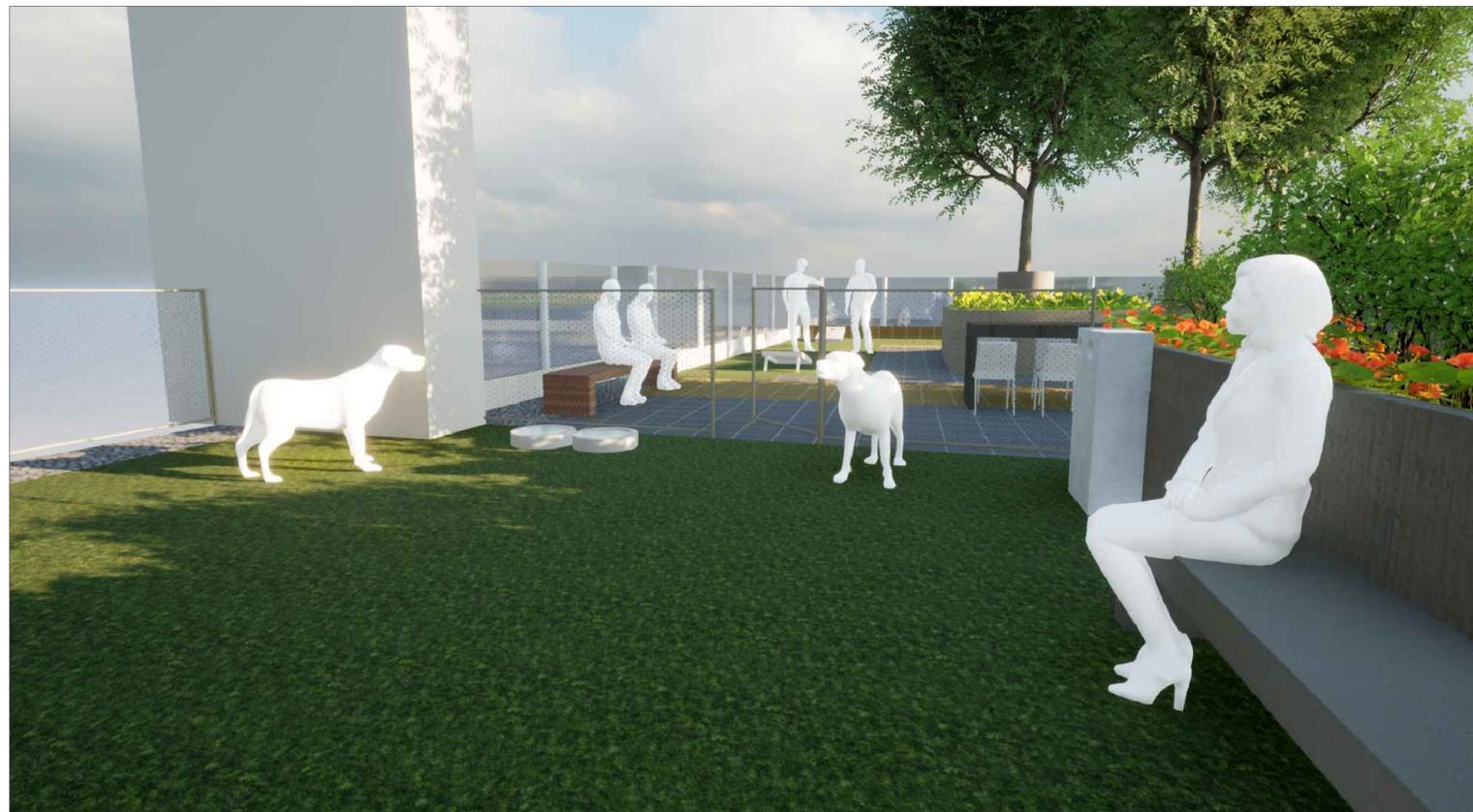
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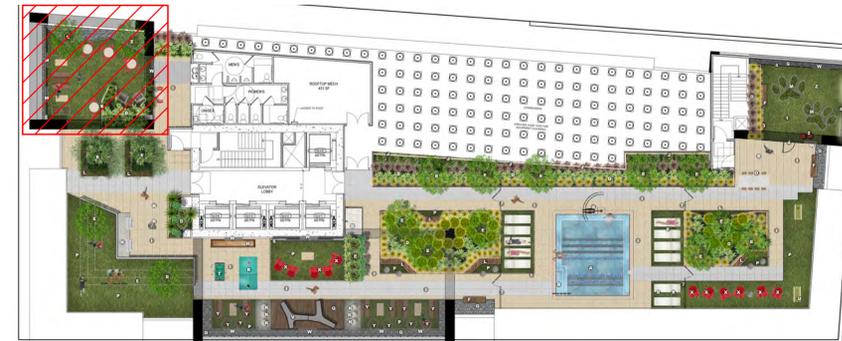
VIEW C

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VIEW D

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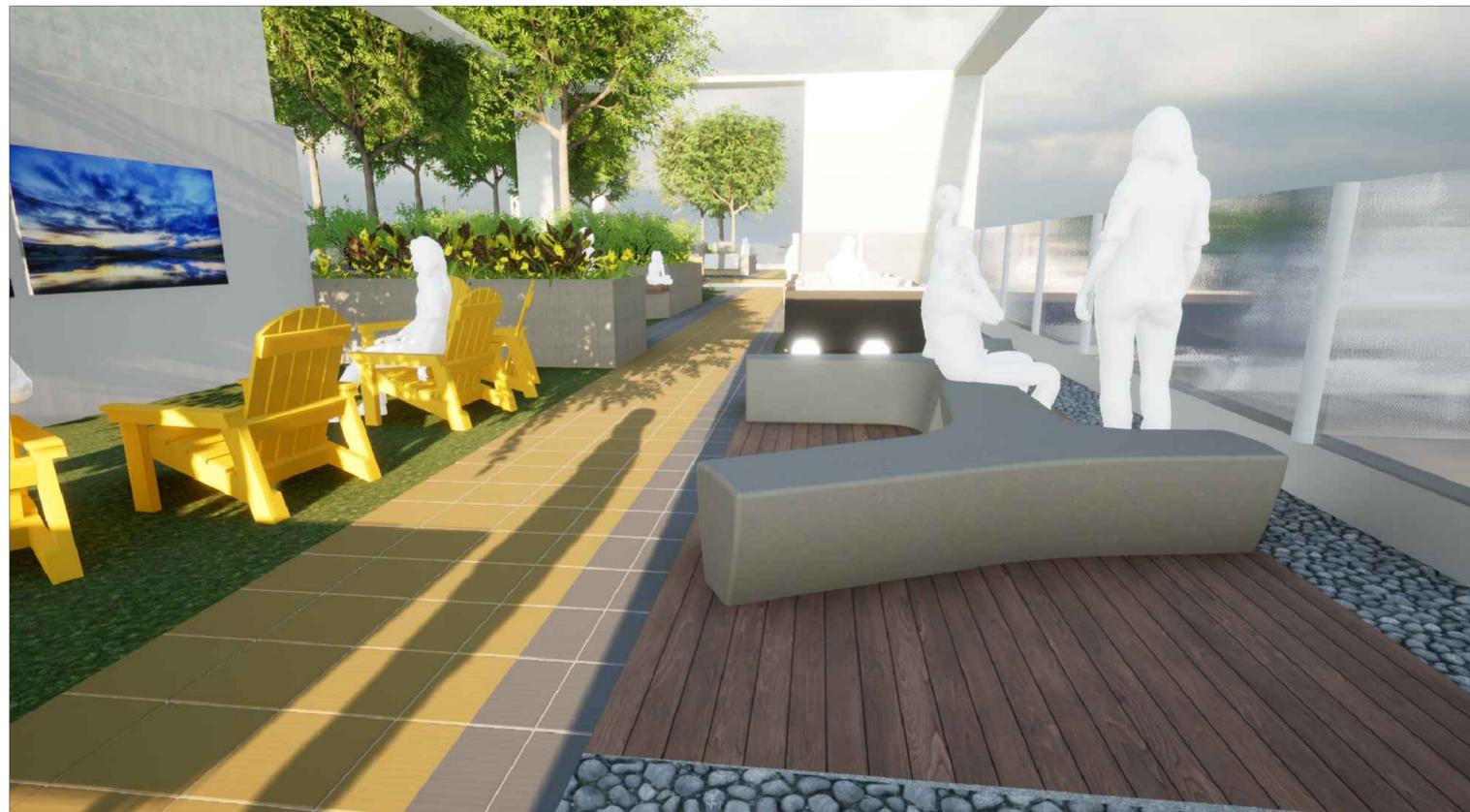
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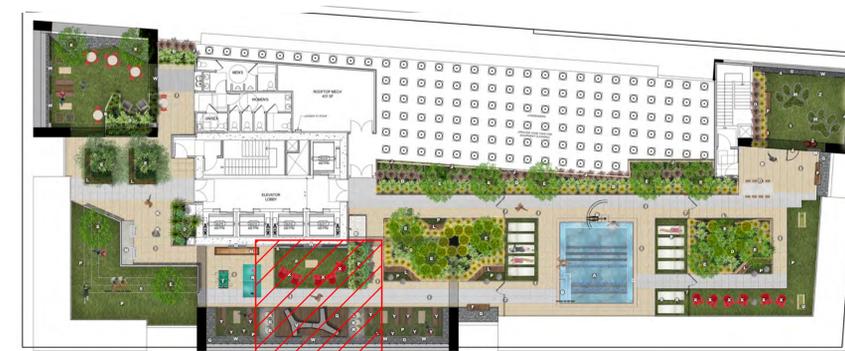
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VIEW E

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February 2, 2022

Attn: Anne Burns
Land Use Planning
City of Berkeley
1947 Center St
Berkeley, CA 94704

RE: Response to DRC Preview comments for 2190 Shattuck Avenue, ZP2022-0026

Dear Anne,

Thanks for providing a summary of the comments at the December 15, 2022 DRC Preview meeting.

Advisory Comments:

Comments	Responses
Neighborhood Context	
Building design should be more specific to this important location – special details, design elements and materials.	Per the comments and responses below, the building design and palette has been refined to be more harmonious with this important location.
Building Design	
Simplify building design where possible. Design should be timeless.	The building design has been simplified in the following ways: <ul style="list-style-type: none">• The corner balconies and corner glass at the SE corner have been eliminated and made consistent with the SW corner.• The materiality of the fin surrounds has been refined to integrate with the base building.• The window sill and head heights have been adjusted to simplify the window pattern and to align with and emphasize the pattern of the 2-story groupings.• The color-range of the palette has been changed to be much more harmonious.• Cornice elements have been added to the taller frame elements to create a consistency with all of the frame elements.• A 2-story frame element has been added to the SE corner to create a simplified symmetry and consistency between the corner elements.• Levels 2 and 7 have been refined to be a simpler horizontal band.

<p>Two-story 'lantern' at the Southwest corner works well. Look carefully at the SE corner – hanging balconies and glass corner is not successful. Look at simplifying this corner. A different balcony treatment may work here.</p>	<p>In response to the comment, the SE corner has been refined to eliminate the hanging balconies and glass corner. The hanging balconies have been replaced by Juliet balconies which maintain the richness and detail of the decorative metal screen railings. The corner has been simplified and made very similar to the SW corner that the committee favored. A matching 2-story 'lantern' has been added to tie the two corners together.</p>
<p>Look at the vertical corner of glass on Southeast corner – and provide further study and refinement.</p>	<p>In response to the comment, the SE corner glass has been replaced by a solid corner element, similar to the SW corner element the committee favored.</p>
<p>Recommend a simpler horizontal band both on the 2nd and 7th levels.</p>	<p>In response to the comment, levels 2 and 7 have been refined to be a simpler horizontal band.</p>
<p>Roof frame should be a stronger, quieter element – not as imposing. Consider top 2 – 3 floors.</p>	<p>The roof frames have been refined to be quieter and stronger in the following ways:</p> <ul style="list-style-type: none"> • The materiality of the fin surrounds has been refined to integrate with the base building. • A 2-story frame element has been added to the SE corner to create a simplified symmetry and consistency between the corner elements. • Cornice elements have been added to the taller frame elements to create a consistency with all of the frame elements.
<p>Consider reducing or lowering the roof element over the dark grey portion at the SE corner. This element could be more selective.</p>	<p>In response to the comment, the frame elements, while still providing shading and shadow play, have been refined to be integrated into the base building. The SE corner has also been redesigned to emulate the SW corner the committee favored. Our team did look at lowering the top of the frame element but felt that it looked unresolved, inconsistent with the rest of the design and it would no longer function to provide shading on the south-facing lantern element.</p>
<p>Heavy roof frame may be outdated too soon – look for timeless design.</p>	<p>In response to the comment, the frame elements, while still providing shading and shadow play, have been refined to be integrated into the base building.</p>
<p>Provide more texture, articulation, awnings or canopies, signage, and more brick or similar material at the lower pedestrian levels.</p>	<p>In response to the comment, the ground level of the model has been refined with more texture, articulation, awnings and signage at the lower pedestrian level.</p>
<p>Look carefully where the vertical fin elements come down on the sidewalk level.</p>	<p>In response to the comment, the ground level plan and 3D model have been adjusted to clearly show where the vertical fin elements come down on the sidewalk level.</p>

Provide as many solar panels as possible. Some panels could add a shade element in the roof level open space.	In response to the comment, additional solar panels have been added to the rooftop above the mechanical equipment.
Trash room has a curb cut – confirm that this would allow the trash to be picked-up in the building and not on the curb.	At a minimum, the project design will allow for standard curb-side pickup similar to all mixed-use projects in Berkeley. Above and beyond that, on a voluntary basis the project team is continuing to work with City Staff in Zero Waste to confirm whether or not it will be possible to have pickup within the building so that bins do not need to be staged on the curb. If there is not a final determination from Zero Waste ahead of the ZAB hearing, then final details will be shown and reviewed during the building permit process.
Colors and Materials	
Colors and materials – while two tones is good, the dark grey is too intense. Color palette should be quieter for the civic center setting.	In response to the comment, the palette has been revised to still be two-tone but to a much less intense, quieter color palette for the civic center setting.
Consider an alternate material to the brick – like tile – although still maintaining quality and detailed texture.	In response to the comment, the problematic brick has been removed and replaced with a simpler design that ties the frames into the base building and adds joint lines to emphasize the 2-story pattern.
Pattern shows on stucco in renderings – this should be seen, not lost.	In response to the comment, the facades have been adjusted to accentuate the 2-story pattern on the stucco, including adding joint lines.
Streetscape Improvements	
Recommend more pedestrian amenities at the street level.	In response to the comment, the project has added pedestrian sidewalk along Allston including pavers and planters.
Look carefully at proposed transformer locations on Allston so that the maximum number of street trees is possible.	The project team is currently working with PG&E to locate the transformers on Allston.
Recommend permeable pavers along the curb on Allston.	In response to the comment, the project has added pavers and landscaping along Allston.
ZAB Issues	
Recommend more benefits for the public, like increased streetscape improvements and increased green measures.	The project has added more benefits for the public including increased streetscape improvements and additional solar on the rooftop.
Provide an accurate view of this project from the Campanile, at least when this goes to ZAB.	To be addressed at ZAB.
Recommend that affordable units be on-site.	To be addressed at ZAB.
Would like to see some consideration given to more unit types, like for families.	To be addressed at ZAB.
Unlisted Comments	
For bird safety, consider eliminating corner glass and adding bird-safe glass.	The project has been redesigned to eliminate the majority of the corner glass and will install bird safe glass at the roof railings and all “lantern” elements.

Attachments:

- Revised DRAFT plans, dated 02.02.2023

If you have any questions or comments, please feel free to contact me at (510) 649-1414 x124.

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