



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  
MAY 15, 2025

## 2109 Virginia Avenue

### PRELIMINARY DESIGN REVIEW

**Design Review #DRCP2024-0007** to demolish a 2-story commercial building and construct an approximately 89-foot, 8-story, mixed-use building (113,000 square feet) with 110 units (including 9 very-low-income units and 9 moderate-income Density Bonus qualifying units), 690 square feet of commercial space, and 109 parking spots on a split-zoned lot.

#### I. Introduction

This eight-story mixed-use development is located in the C-NS North Shattuck Commercial District. It is on the Northeast corner of Shattuck and Virginia. The project would involve demolition of the commercial structure on the site.

The demolition referral went before the Landmarks Preservation Commission (LPC) on October 7, 2024 where the Commission took no action. There was a Recommendation to ZAB to include a Condition of Approval on the Use Permit for an interpretive display regarding the farm-to-table movement in Berkeley and Poulet's role. The project will go before the Zoning Adjustments Board at a future hearing date.

This project is applying under the Housing Crisis Act, SB 330, which seeks to boost homebuilding throughout the State with a focus on urbanized zones by expediting the approval process for and suspending or eliminating restrictions on housing development and limiting the number of public meetings. Housing development is defined as a project that is: all residential; a mixed-use project with at least two-thirds of the square-footage residential; or for transitional or supportive housing.

It is before the Design Review Committee this month for Preliminary Design Review.

#### II. Background

This project includes demolition of a two-story commercial building located at 1677-1685 Shattuck Avenue, and construction of a new, 8-story, approximately 113,000

square foot mixed-use building with 110 dwelling units and a 690 square foot corner commercial space.

Project amenities include:

- Residential lobby
- Resident lounge and fitness room on the first floor
- Property management and leasing offices
- 690 sf ground floor commercial floor area
- Second floor landscaped courtyard
- Eighth floor roof deck with adjacent lounge space
- 109 vehicular parking spaces
- 96 bicycle parking spaces

Five existing street trees on Shattuck would remain with one needing to be removed near the parking entrance. Two new street trees are proposed along the Virginia frontage.

### III. Project Setting

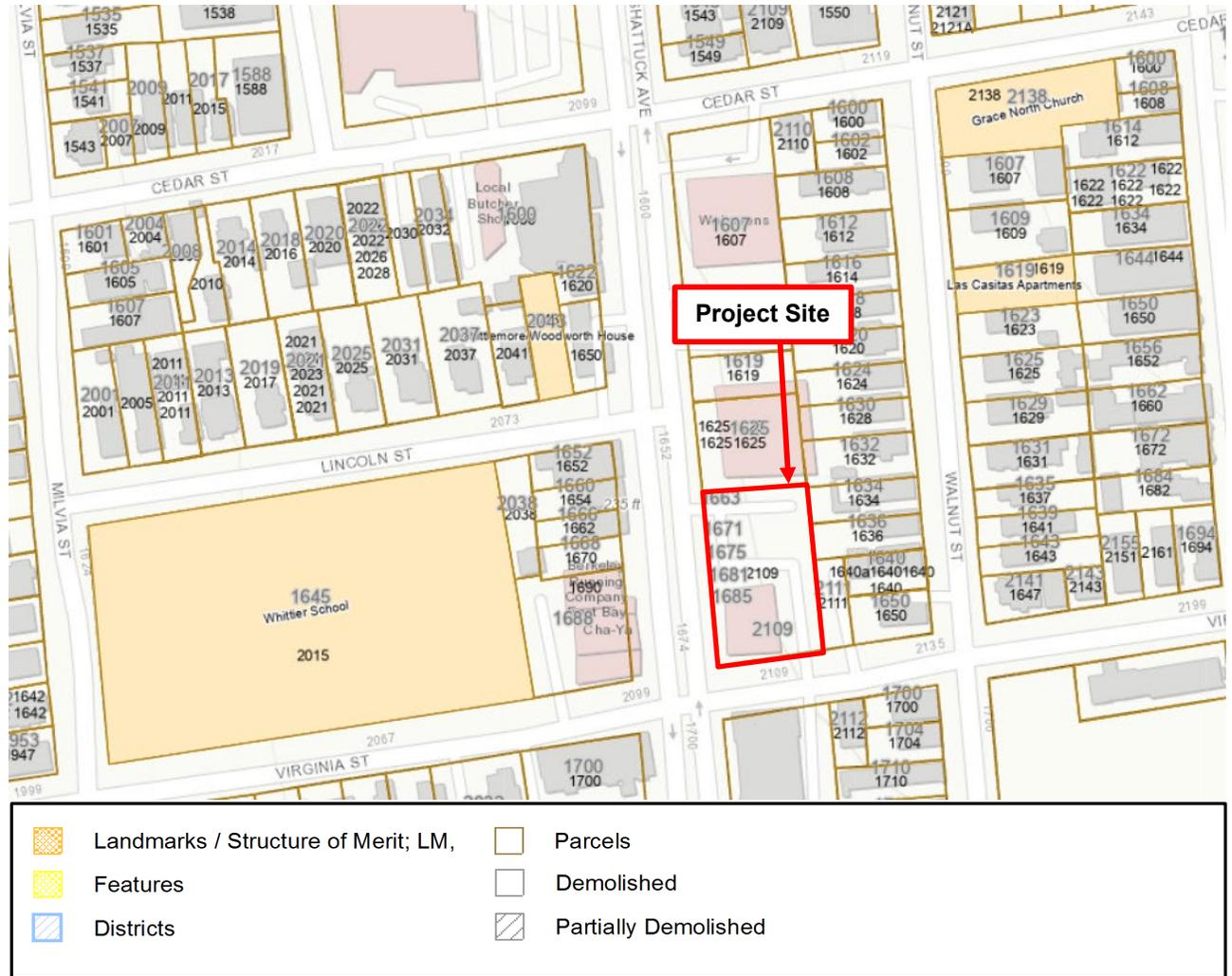
#### A. Neighborhood/Area Description:

The project site is located in the C-NS North Shattuck Commercial zoning district. The gently sloped area to the east of the parcel is predominantly residential and moderately dense, characterized by one- to three-story buildings. Housing types include single-family homes, duplexes, and small apartment buildings. The property is accessible by the Alameda County Transit bus service, less than one-half mile from North Berkeley BART Station, provides regional transit access, and includes curbside parking. The neighborhood also includes a range of local retail, dining, and service uses.

#### B. Site Conditions:

The site is a relatively flat, north-south oriented, rectangular lot of approximately 22,000 square feet (combined) and is situated at the corner of Virginia Street and Shattuck Avenue. It has a two-story commercial building occupied by commercial retail spaces on the ground floor. The existing building is built to the property line along both Virginia Street and Shattuck Avenue.

**Figure 1: Vicinity Map showing Nearby City Landmarks and Structures of Merit (City of Berkeley GIS, 2023)**



**Table 1: Land Use Information**

| Location               |       | Existing Use       | Zoning District | General Plan Designation   |
|------------------------|-------|--------------------|-----------------|--|
| Subject Property       |       | Commercial         | C-NS, R-2A, R-4 | Neighborhood Commercial<br>Restricted Multi-family<br>High-Density Residential |
| Surrounding Properties | North | Commercial         | C-NS            | Neighborhood Commercial  |
|                        | South | Apartment Building | C-C             | Avenue Commercial  |
|                        | East  | Residential        | R-2A / R-4      | See above  |
|                        | West  | Commercial         | C-NS            | Neighborhood Commercial  |

**Table 2: Development Standards**

| Standard<br>BMC Sections 23E.68.070-080 &<br>BMC Section 23E.04.050 |                         | Existing | Proposed Total | Permitted/Required                   |
|---|-------------------------|----------|----------------|--------------------------------------|
| Lot Area (sq. ft.)  |                         | 22,342   | 22,342         | n/a                                  |
| Gross Floor Area (sq. ft.)  |                         | 9,208    | 113,000        | n/a                                  |
| Dwelling Units  | Total                   | 0        | 110            | n/a                                  |
|   | Affordable              | 0        | 18             | 18                                   |
| Commercial  |                         | 9,208    | 690            | n/a                                  |
| Building Height   | Maximum                 | 25'      | 89'4"          | 35' Max<br>65' Max (with Use Permit) |
| Building Setbacks   | Front (Virginia Street) | 0        | 2'10"          | 15'                                  |
|   | Rear (North)            | 118'     | 0              | 15' – 21'                            |
|   | Street side (Shattuck)  | 0        | 0              | 4' – 12'                             |
|   | Interior side (East)    | 55'      | 0              | 4' – 12'                             |
| Usable Open Space (sq. ft.)   |                         | -        | 8,982          | 5,240                                |
| Parking   | Automobile              | 19       | 109            | 0                                    |
|   | Bicycle                 | -        | 96             | -                                    |

## IV. Project Description

### A. Requested Use Permits

- Use Permit, pursuant Berkeley Municipal Code (BMC) 23.326.070(A), for demolition of a non-residential main building;
- Use Permit, pursuant Berkeley Municipal Code (BMC) 23.204.020(A), for construction of a multi-family building;
- Use Permit, pursuant Berkeley Municipal Code (BMC) 23.204.304(A), for construction of 2,000 square-feet of new floor area; and
- Administrative Use Permit, pursuant Berkeley Municipal Code (BMC) 23.322.070(D)(1), for exceeding the parking maximum.

### Concessions and Waivers and Pursuant to State Density Bonus Law (CA Gov't. Code Section 65915):

- Waiver from BMC 23.304.030(C)(2) to reduce minimum required setbacks;
- Waiver from BMC 23.204.090(D)(1) to exceed height and story limit;
- Waiver from BMC 23.204.090(D)(1) to exceed Floor Area Ratio of 1.0; and
- Waiver to from BMC 23.202.090(D) and 23.202.110(E) to exceed lot coverage in the R-2A and R-4.

### B. CEQA Determination

It is staff's recommendation to the Zoning Adjustments Board that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code Section 21000, et seq. and California Code of Regulations, Section 15000, et seq.) pursuant to CEQA Guidelines Section (15183).

## V. Design Review Guidelines

The City's Design Guidelines are applicable for this project. Excerpts from the City-wide Design Review Guidelines are included below for your reference:

**Setbacks:** The street façade of commercial streets should be respected, in order to create or maintain the sense of urban space.

**Parking and Driveways:** Conflict with pedestrian circulation should be prevented by the proper location and design of auto entrances.

**Harmony with Surroundings:** The proposed design should be in harmony with its surroundings through the coordination of such design elements as cornice lines, eaves, and setbacks with those of existing neighborhood buildings.

**Articulation:** Street facades in general and the ground floor level in particular should include elements of pedestrian scale and three-dimensional interest.

**Lighting:** Lighting for circulation, security, building/sign identification should be non-obtrusive, except for lighting fixtures which are themselves decorative additions to the streetscape.

**Walls and Fences:** Large, unarticulated expanses of any particular wall material that deaden the pedestrian environment should be avoided. The use of clear windows for ground floor retail projects is encouraged. Walls designed to allow sitting areas for pedestrian or space for landscaping and artwork are encouraged, especially in areas of heavy pedestrian use. Landscaping and/or art work should be maximized if large expanses of wall must be left devoid of openings.

**Landscape and Open Space:** Sidewalk areas should include landscaping that is coordinated with the neighborhood design.

**Building Entrances:** Entrance points should be clearly defined and easily identifiable by pedestrians by appropriate locations and by elements such as awnings, signage, artwork or changes in paving material to define the entry point.

## VI. Issues and Analysis

### A. Design Review Issues:

**Neighborhood Context** The project site located in the C-NS North Shattuck Commercial zoning district. The gently sloped area to the east of the parcel is predominantly residential and moderately dense, characterized by one- to three-story buildings. Housing types include single-family homes, duplexes, and small apartment buildings. The property is accessible by the Alameda County Transit bus service, less than one-half mile from North Berkeley BART Station, provides regional transit access, and includes curbside parking. The neighborhood also includes a range of local retail, dining, and service uses.

**Massing** The proposed eight-story structure fronts to the west onto Shattuck Avenue. Residential units are located along a U shaped corridor with a podium level courtyard facing east. The massing is stepped back from the east, north, and south (Virginia) sides of the parcel above the podium. A roof deck is located in the southwest corner of the eighth floor, allowing for a more articulated and active corner looking south on Shattuck.

**Ground Floor Design** A ground floor commercial space is proposed at the Southwest corner of the project at Virginia and Shattuck. The main residential entry and lobby, lounge, office, mail room, and fitness room are organized along Shattuck. The parking garage proposed is accessed from an existing curb cut on Shattuck, but does not extend through to Virginia. A bike room is proposed in the northwest corner of that garage area. Two new street trees are proposed on Virginia and the existing street trees on Shattuck are to remain except for one which will need to be removed to accommodate the new garage entrance.

**Setbacks** The design meets the property line on all sides of the parcel except for some setbacks on the Virginia side. The massing does step back above the podium level on the north and east sides.

**Encroachments** Balconies are proposed over the public right of way on the Shattuck frontage. Approval from Public Works will be required.

**Landscape/ Open Space** Open space is proposed at the second floor facing east and at the eighth floor in the southwest corner. Ground floor planters are located on Virginia and perimeter landscape is proposed along the entire east and north edges of the podium level and meets up with the second floor courtyard space.

**Materials** The project proposes thin brick cladding, wood like panels, and metal infill panels. A decorative railing is proposed at balconies on all sides of the project.

**B. Issues for Discussion:**

- Neighborhood Context
- Building Design
- Open Space Design
- Colors and Materials

**VII. Recommendation**

Staff recommends that the Committee discuss the issues outlined above and forward a favorable recommendation on to ZAB with conditions as necessary to address any massing or design concerns and specific direction for Final Design Review.

**Attachments:**

1. Project Plans, received April 15, 2025
2. Correspondence, received September 24, 2024

**Staff Planner:** Anne Burns, aburns@ci.berkeley.ca.us, (510) 981-7410



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**PANORAMIC  
 1685  
 SHATTUCK/  
 2109 VIRGINIA**

Berkeley, CA

- 12.11.2023 SB330 SUBMISSION
- 05.31.2024 ZONING APPLICATION
- 09.18.2024 ZONING RESUBMISSION
- 04.02.2025 ZONING RESUBMISSION
- 05.15.2025 DRC HEARING SET

**VIEW ALONG SHATTUCK LOOKING NORTHEAST**



**VICINITY MAP**



**PROJECT DIRECTORY**

**OWNER/APPLICANT:**  
 AMERICAN COMMONWEALTH ASSOCIATES, LP  
 1683 SHATTUCK AVE  
 BERKELEY, CA 94709

**CO OWNER/APPLICANT:**  
 PANORAMIC INTERESTS  
 100 BUSH STREET  
 SAN FRANCISCO, CA 94104  
 panoramic.com

**ARCHITECT:**  
 ISAIAH STACKHOUSE, PRINCIPAL  
 TRACHTENBERG ARCHITECTS  
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**LANDSCAPE ARCHITECT:**  
 INSIDEOUT DESIGN  
 6000 HARWOOD AVENUE  
 OAKLAND, CA 94618  
 510.655.7674  
 https://www.aboutinsideout.com/

**PROJECT DESCRIPTION**

**PROJECT ADDRESS:** 2109 Virginia Street  
 Berkeley, CA 94709 (APN: 058 217801800)

**SCOPE OF WORK:**  
 THE PROJECT IS THE CONSTRUCTION OF A NEW 8-STORY(89'-4" TALL), 110-UNIT MIXED-USE HOUSING DEVELOPMENT WITH 112,869SF OF NEW RESIDENTIAL USE, PARKING GARAGE FOR UP TO 109 SPOTS, AND 686SF NEW COMMERCIAL SPACE. PROJECT INCLUDES REMOVAL OF EXISTING NON-LANDMARKED 2-STORY COMMERCIAL STRUCTURE AND SURFACE PARKING. 15% (9 UNITS) OF THE BASE PROJECT'S UNITS WILL BE AFFORDABLE TO VERY-LOW-INCOME HOUSEHOLDS, AND 15% (9 UNITS) WILL BE MODERATE INCOME HOUSEHOLDS, ENTITLING IT TO A 100% DENSITY BONUS, WAIVERS, AND UP TO 3 CONCESSIONS UNDER THE STATE DENSITY BONUS LAW.

**ZONING CODE SUMMARY**

(BASED ON THE BERKELEY MUNICIPAL ZONING CODE)  
 ZONING: C-NS, R2A, R4  
 SEE SHEET A0.1 FOR COMPLETE ZONING DATA

**DRAWING LIST**

**SHEET NO. & TITLE**

| ARCHITECTURAL                                     |                               | LANDSCAPE                           |
|---|-------------------------------|-------------------------------------|
| A0.0 GENERAL INFORMATION                          | A2.6 UNIT PLANS               | L1-SS GROUND LEVEL STREETSCAPE      |
| A0.1 ZONING INFORMATION & DIAGRAMS                | A3.1 BUILDING ELEVATIONS      | L2-CY SECOND LEVEL COURTYARD        |
| A0.3A DENSITY BONUS DIAGRAMS                      | A3.2 BUILDING ELEVATIONS      | L3-RD EIGHTH LEVEL ROOF DECK        |
| A0.3B DENSITY BONUS CALCULATIONS                  | A3.3 BUILDING ELEVATIONS      | L4-ST STREET TREE NOTES AND DETAILS |
| A0.3C PRELIMINARY AFFORDABLE HOUSING CALCULATIONS | A3.4 BUILDING ELEVATIONS      | 11.0 GROUND LEVEL HYDROZONE PLAN    |
| A0.4A SHADOW STUDIES                              | A3.5 STREET STRIP ELEVATIONS  | 12.0 SECOND LEVEL HYDROZONE PLAN    |
| A0.4B SHADOW STUDIES                              | A3.6 PHOTO MATCH PERSPECTIVES | 13.0 EIGHTH LEVEL HYDROZONE PLAN    |
| A0.4C SHADOW STUDIES                              | A3.7 CONCEPTUAL RENDERING     |                                     |
| A0.5 SITE CONTEXT PHOTOS                          | A3.8 CONCEPTUAL RENDERING     |                                     |
| A0.6 VICINITY MAP                                 | A3.9 CONCEPTUAL RENDERING     |                                     |
| A2.0A SURVEY                                      | A3.10 CONCEPTUAL RENDERING    |                                     |
| A2.0B SURVEY                                      | A3.11 CONCEPTUAL RENDERING    |                                     |
| A2.0C SITE PLAN                                   | A4.1 SECTIONS                 |                                     |
| A2.1 FLOOR PLANS                                  | A5.1 PRELIMINARY GRADING PLAN |                                     |
| A2.2 FLOOR PLANS                                  | MAT MATERIAL BOARD            |                                     |
| A2.3 FLOOR PLANS                                  |                               |                                     |
| A2.4 FLOOR PLANS                                  |                               |                                     |
| A2.5 FLOOR PLANS                                  |                               |                                     |

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JOB: 2341

SHEET:

GENERAL  
 INFORMATION

**A0.0**

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JOB: 2341

SHEET:

ZONING DATA

A0.1

## ZONING INTERPRETATION

### ZONING ON 1/1/2018 (SB-330 EFFECTIVE)

23E.48.070 Development Standards

A. No lot of less than 4,000 square feet may be created.

B. The Floor Area Ratio (FAR) shall not exceed one for non-residential uses.

C. The height for a Main Building shall be subject to the minimum and maximum specifications as follows:

| Use Type | Height (max.) | Stories (number) |
|----------|---------------|------------------|
|          |               | Min. Max.        |

The Berkeley Municipal Code is current through Ordinance 7534-NS, passed February 28, 2017.

## EXISTING C-NS ZONING TABLE

23.204.090 C-NS North Shattuck Commercial District.

Table 23.204.24. C-NS DEVELOPMENT STANDARDS

| Project Land Use                                | Supplemental Standards        |                      |
|---|-------------------------------|----------------------|
|   | Non-Residential and Mixed Use | Residential Only     |
| Lot Area, Minimum                               |                               |                      |
| New Lots  | 4,000 sq. ft.                 | 5,000 sq. ft.        |
| Per Group Living Accommodation Resident         | 350 sq. ft. [1]               |                      |
| Usable Open Space, Minimum                      |                               |                      |
| Per Dwelling Unit                               | 40 sq. ft. [2]                | 200 sq. ft.          |
| Per Group Living Accommodation Resident         | No minimum                    | 90 sq. ft.           |
| Floor Area Ratio, Maximum                       | 1.0                           | No maximum           |
| Main Building Height [3]                        |                               |                      |
| Minimum   | 2 stories                     | No minimum           |
| Maximum   | 35 ft. and 3 stories          | 28 ft. and 2 stories |
| Lot Line Setbacks, Minimum                      |                               |                      |
| Abutting/Confronting a Non-residential District | No minimum                    | See Table 23.204-25  |
| Abutting/Confronting a Residential District     | See 23.204.030.C.2            |                      |
| Building Separation, Minimum                    | No minimum [4]                | See Table 23.204-25  |
| Lot Coverage, Maximum                           | 100%                          | See Table 23.204-26  |

## GENERAL PLAN FAR NON-RES ONLY

| Zoning District                   | Maximum FAR  | Maximum Height |
|-----------------------------------|--------------|----------------|
| Neighborhood Commercial (C-N):    | 3            | 35 ft.         |
| Elmwood Commercial (C-E):         | 0.8 to 1     | 28 ft.         |
| North Shattuck Commercial (C-NS): | 1 (non-res.) | 35 ft.         |
| Solano Avenue Commercial (C-SA):  | 2            | 28 ft.         |
| South Area Commercial (C-SA):     | 4            | 24-36 ft.      |

## 9/21/2023 EMAIL FROM SHARON GONG AT CITY PLANNING

"THE CURRENT BMC STANDARDS TABLE IS INCORRECT. THE FAR OF 1 SHOULD ONLY APPLY TO NON-RESIDENTIAL PROJECTS, AND SHOULD NOT APPLY TO MIXED-USE PROJECTS."

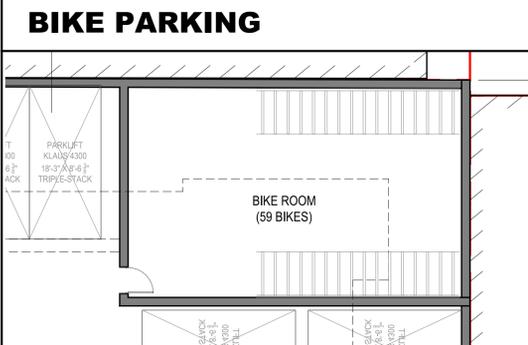
## ZONING SUMMARY

AS CONFIRMED WITH CITY STAFF ON 9/21/2023, THE EXISTING ONLINE ZONING CONTAINS AN ERROR THAT WAS INTRODUCED WHEN THE ZONING WAS CONVERTED TO THE NEW ONLINE FORMAT AND THE APPLICATION OF THE FAR TO THE RESIDENTIAL COMPONENT OF A MIXED USE PROJECT IS IN CONFLICT WITH THE GENERAL PLAN AND IN CONFLICT WITH THE ZONING IN PLACE ON 1/1/2018 AT THE TIME SB-330 BECAME EFFECTIVE AND PREVENTED DOWNZONING, PER STATE DENSITY BONUS LAW.

(6) "MAXIMUM ALLOWABLE RESIDENTIAL DENSITY" OR "BASE DENSITY" MEANS THE MAXIMUM NUMBER OF UNITS ALLOWED UNDER THE ZONING ORDINANCE, SPECIFIC PLAN, OR LAND USE ELEMENT OF THE GENERAL PLAN, OR, IF A RANGE OF DENSITY IS PERMITTED, MEANS THE MAXIMUM NUMBER OF UNITS ALLOWED BY THE SPECIFIC ZONING RANGE, SPECIFIC PLAN, OR LAND USE ELEMENT OF THE GENERAL PLAN APPLICABLE TO THE PROJECT. IF THE DENSITY ALLOWED UNDER THE ZONING ORDINANCE IS INCONSISTENT WITH THE DENSITY ALLOWED UNDER THE LAND USE ELEMENT OF THE GENERAL PLAN OR SPECIFIC PLAN, THE GREATER SHALL PREVAIL.

IN THIS CASE, THE GENERAL PLAN SHALL PREVAIL BECAUSE THE DENSITY ALLOWED UNDER THE GENERAL PLAN IS GREATER.

## BIKE PARKING



## ZONING TABLES

| CITY OF BERKELEY ZONING TABULATIONS       |             |                           |                           |                   | R-4 Multi-Family Residential District   |                            |                            |                           |                   | R-2A Restricted Multi-Family Residential District |             |                           |                           |                   |
|---|-------------|---------------------------|---------------------------|-------------------|---|----------------------------|----------------------------|---------------------------|-------------------|---|-------------|---------------------------|---------------------------|-------------------|
| ZONING                                    | BASE ZONING | ALLOWABLE W/ UP'S & AUP'S | PROPOSED W/ DENSITY BONUS | COMPLIANCE        | ZONING                                  | BASE ZONING                | ALLOWABLE W/ UP'S & AUP'S  | PROPOSED W/ DENSITY BONUS | COMPLIANCE        | ZONING  | BASE ZONING | ALLOWABLE W/ UP'S & AUP'S | PROPOSED W/ DENSITY BONUS | COMPLIANCE        |
| LOT AREA                                  | 19,788      | 19,788                    | 19,788                    |                   | LOT AREA                                | 1,970                      | 1,970                      | 1,970                     |                   | LOT AREA  | 584         | 584                       | 584                       |                   |
| LOT AREA (ACRES)                          | 0.45        | 0.45                      | 0.45                      |                   | LOT AREA (ACRES)                        | 0.05                       | 0.05                       | 0.05                      |                   | LOT AREA (ACRES)                                  | 0.01        | 0.01                      | 0.01                      |                   |
| NUMBER OF DWELLING UNITS                  | N/A         | N/A                       | 110                       |                   | NUMBER OF DWELLING UNITS                | N/A                        | N/A                        | 0                         |                   | NUMBER OF DWELLING UNITS                          | N/A         | N/A                       | 0                         |                   |
| SETBACK - FRONT (VIRGINIA)                | N/A         | N/A                       | 2'-10" TO 5'-2"           |                   | SETBACK - FRONT                         | 15'                        | 15'                        | 4'-4" TO 5'-8"            | COMPLIES W/WAIVER | SETBACK - FRONT                                   | 15'         | 15'                       | NA                        | COMPLIES          |
| SETBACK - REAR                            | N/A         | N/A                       | 0' TO 12'-6"              |                   | SETBACK - REAR 1ST - 3RD STORY          | 15'                        | 15'                        | 0"                        | COMPLIES W/WAIVER | SETBACK - REAR                                    | 15'         | 15'                       | 0                         | COMPLIES W/WAIVER |
| SETBACK - INTERIOR SIDE                   | N/A         | N/A                       | 0' TO 35'-7"              |                   | SETBACK - REAR 3RD - 6TH STORY          | 17', 19', 21'              | 17', 19', 21'              | 24'-10"                   | COMPLIES W/WAIVER | SETBACK - INTERIOR SIDE 1ST - 2ND STORY           | 4'          | 4'                        | 0"                        | COMPLIES W/WAIVER |
| SETBACK - STREET SIDE (SHATTUCK)          | N/A         | N/A                       | 0                         |                   | SETBACK - INTERIOR SIDE 1ST - 2ND STORY | 4'                         | 4'                         | 0"                        | COMPLIES W/WAIVER | SETBACK - INTERIOR SIDE 3RD                       | 6'          | 6'                        | 9'-8"                     | COMPLIES W/WAIVER |
| BUILDING SEPARATION, MINIMUM 1ST STORY    | 8'          | 8'                        | N/A                       |                   | SETBACK - INTERIOR SIDE 3RD - 6TH STORY | 6', 8', 10', 12'           | 6', 8', 10', 12'           | 9'-8"                     | COMPLIES W/WAIVER | SETBACK - STREET SIDE 1ST - 3RD STORY             | 6', 8', 10' | 6', 8', 10'               | NA                        | COMPLIES          |
| BUILDING SEPARATION, MIN. 2ND & 3RD STORY | 12', 16'    | 12', 16'                  | N/A                       |                   | SETBACK - STREET SIDE 1ST-6TH STORY     | 6', 8', 10', 12', 14', 15' | 6', 8', 10', 12', 14', 15' | NA                        |                   | BUILDING HEIGHT                                   | 28'         | 35'                       | 89'-4"                    | COMPLIES          |
| BUILDING HEIGHT                           | 35'         | 35'                       | 89'-4"                    | COMPLIES W/WAIVER | BUILDING HEIGHT                         | 35'                        | 65'                        | 89'-4"                    | COMPLIES W/WAIVER | BUILDING HEIGHT                                   | 3           | 3                         | 8                         | COMPLIES          |
| BUILDING STORIES                          | 3           | 3                         | 8                         | COMPLIES W/WAIVER | BUILDING STORIES                        | 3                          | 6                          | 8                         | COMPLIES W/WAIVER | BUILDING STORIES                                  | 3           | 3                         | 8                         | COMPLIES          |
| LOT COVERAGE (CORNER LOT, 6 STORIES)      | N/A         | N/A                       | 97%                       |                   | LOT COVERAGE (INTERIOR LOT)             | 35%                        | 35%                        | 96%                       | COMPLIES W/WAIVER | LOT COVERAGE (INTERIOR LOT)                       | 35%         | 35%                       | 100%                      | COMPLIES W/WAIVER |
| BUILDING FOOTPRINT                        | 7,915       | 7,915                     | 19,155                    | COMPLIES W/WAIVER | BUILDING FOOTPRINT                      | 887                        | 690                        | 1,886                     | COMPLIES W/WAIVER | BUILDING FOOTPRINT                                | 234         | 234                       | 584                       | COMPLIES W/WAIVER |
| FAR                                       | NA          | NA                        | 6.11                      |                   | FAR                                     | no max.                    | no max.                    | 3.05                      |                   | FAR   | NA          | NA                        | 2.92                      |                   |
| TOTAL GSF                                 | NA          | NA                        | 120,924                   |                   | TOTAL GSF                               | NA                         | NA                         | 6,002                     |                   | TOTAL GSF   | NA          | NA                        | 1,704                     |                   |
| USABLE OPEN SPACE (SEE TABLE)             | 40/unit     | 40/unit                   | 6,179                     | COMPLIES          | USABLE OPEN SPACE (SEE TABLE)           | 200/unit                   | 200/unit                   | 0                         | COMPLIES          | USABLE OPEN SPACE (SEE TABLE)                     | 300/unit    | 300/unit                  | NA                        | COMPLIES          |
| PARKING                                   | SEE TABLE   | SEE TABLE                 | SEE TABLE                 | COMPLIES W/WAIVER | PARKING                                 | 0                          | 0                          | 0                         | COMPLIES          | PARKING   | 0           | 0                         | 0                         | COMPLIES          |
| BIKE PARKING                              | SEE TABLE   | SEE TABLE                 | SEE TABLE                 | COMPLIES          | BIKE PARKING                            | 0                          | 0                          | 0                         | COMPLIES          | BIKE PARKING                                      | 0           | 0                         | 0                         | COMPLIES          |

### UNIT COUNTS

| UNIT TYPE        | STUDIO | 1-BED | 2-BED | 2-BED + OFFICE | TOTAL |
|------------------|--------|-------|-------|----------------|-------|
| LEVEL 8          | 2      | 4     | 5     | 3              | 14    |
| LEVEL 7          | 2      | 4     | 6     | 4              | 16    |
| LEVEL 6          | 2      | 4     | 6     | 4              | 16    |
| LEVEL 5          | 2      | 4     | 6     | 4              | 16    |
| LEVEL 4          | 2      | 4     | 6     | 4              | 16    |
| LEVEL 3          | 2      | 4     | 6     | 4              | 16    |
| LEVEL 2          | 2      | 4     | 6     | 4              | 16    |
| GROUND LEVEL     |        |       |       |                | 0     |
| TOTAL            | 14     | 28    | 41    | 27             | 110   |
| PERCENT OF TOTAL | 13%    | 25%   | 37%   | 25%            |       |
| TOTAL BEDROOMS   | 14     | 28    | 82    | 54             | 178   |

### OPEN SPACE TABLE

|                                | UNITS | RATIO | TOTAL | LANDSCAPE AREA (40%) |
|--------------------------------|-------|-------|-------|----------------------|
| REQUIRED OPEN SPACE (PER UNIT) | 110   | 40    | 4,400 |                      |
| TOTAL CONCESSION REQUESTED     |       |       | NONE  |                      |
| AREA PROVIDED - PODIUM DECK    |       |       | 4,912 | 1,965                |
| AREA PROVIDED - ROOF DECK      |       |       | 1,030 | 412                  |
| AREA PROVIDED - UNIT BALCONIES |       |       | 3,240 |                      |
| TOTAL AREA PROVIDED            |       |       | 9,182 | 2,377                |

### BIKE PARKING CALCULATIONS

|                                      | REQ'D SPACES       | PROPOSED SPACES |
|--------------------------------------|--------------------|-----------------|
| RESIDENTIAL LONG TERM (PER BEDROOM)  | 178 1 per 3 bedrms | 59              |
| RESIDENTIAL SHORT TERM (PER BEDROOM) | 178 per 40 bedrms  | 4               |
| COMMERCIAL (PER SF)                  | 690 1 per 2000sf   | 1               |
| <b>TOTAL BIKE PARKING</b>            |                    | <b>64</b>       |

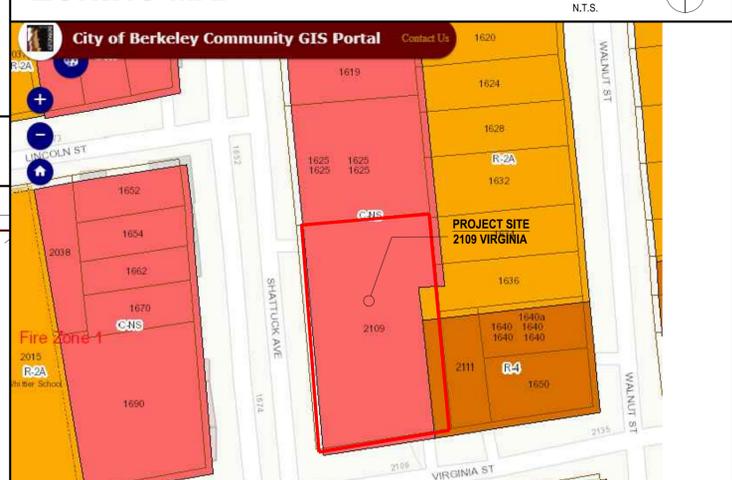
### PARKING TABLE

|   | PROVIDED  | REQ'D SPACES | PER  | PROPOSED   |
|---|-----------|--------------|------|------------|
| RESIDENTIAL (0 required per Table 23.322-2) | 110 UNITS | 0            | 0    | 109        |
| COMMERCIAL (2 PER 1,000SF)                  | 1,200     | 2            | 1000 | 0          |
| <b>TOTAL</b>                                |           |              |      | <b>109</b> |

### ROOFTOP ARCHITECTURAL ELEMENTS CALCS

|                                  |       |
|----------------------------------|-------|
| AVERAGE AREA                     | 14121 |
| TOTAL AREA OF ROOFTOP ELEMENTS   | 521   |
| % AREA OF ROOFTOP ARCH. FEATURES | 3.7%  |
| ALLOWABLE % (PER 23F.04.020C)    | 15.0% |

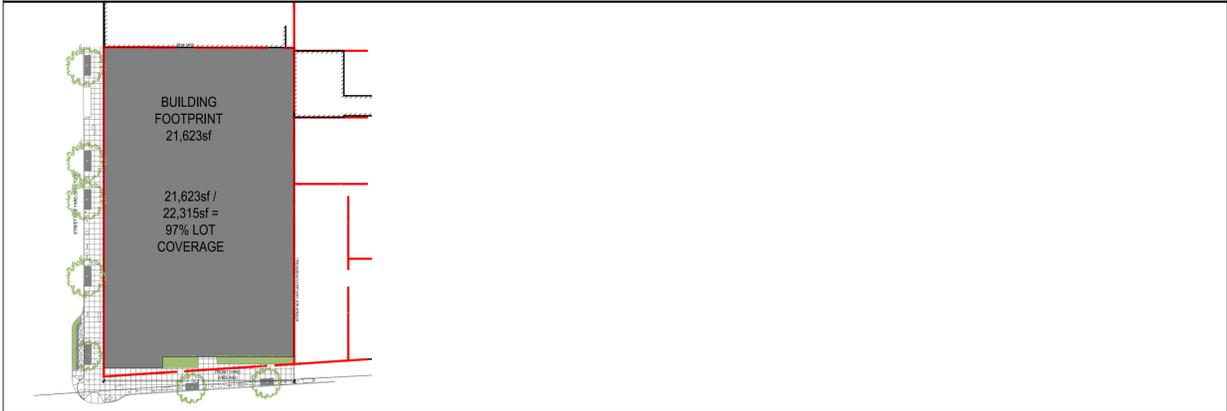
## ZONING MAP



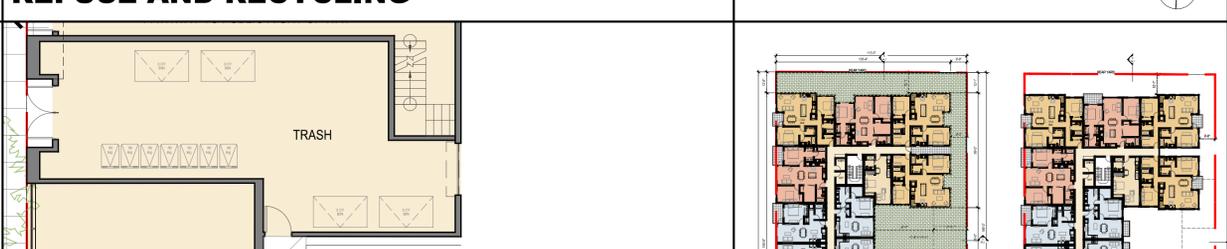
### PROPOSED FLOOR AREA WITH DENSITY BONUS

|  | C-NS RESIDENTIAL | C-NS PARKING, MEP, BIKE | C-NS COMMERCIAL | R-4 RESIDENTIAL | R4 PARKING, MEP, BIKE | R-2A RESIDENTIAL | R-2A PARKING, MEP, BIKE | TOTAL RESIDENTIAL |
|--|------------------|-------------------------|-----------------|-----------------|-----------------------|------------------|-------------------------|-------------------|
| LEVEL 8                                  | 13,665           |                         |                 | 588             |                       | 160              |                         | 14,413            |
| LEVEL 7                                  | 14,684           |                         |                 | 588             |                       | 160              |                         | 15,432            |
| LEVEL 6                                  | 14,684           |                         |                 | 588             |                       | 160              |                         | 15,432            |
| LEVEL 5                                  | 14,684           |                         |                 | 588             |                       | 160              |                         | 15,432            |
| LEVEL 4                                  | 14,684           |                         |                 | 588             |                       | 160              |                         | 15,432            |
| LEVEL 3                                  | 14,684           |                         |                 | 588             |                       | 160              |                         | 15,432            |
| LEVEL 2                                  | 14,684           |                         |                 | 588             |                       | 160              |                         | 15,432            |
| GROUND LEVEL                             | 5,376            | 13,089                  | 690             | 588             | 1,301                 | -                | 584                     | 5,964             |
| <b>TOTAL FLOOR AREA W/ DENSITY BONUS</b> | <b>107,145</b>   | <b>13,089</b>           | <b>690</b>      | <b>4,704</b>    | <b>1,301</b>          | <b>1,120</b>     | <b>584</b>              | <b>112,969</b>    |

## LOT COVERAGE DIAGRAM



## REFUSE AND RECYCLING



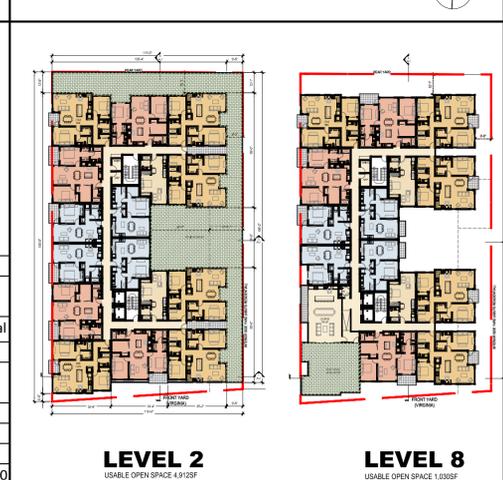
### Waste and Recycling Calculation

| # of Bedrooms | Factor | Occupants | Total cuft required (.25cy or 50 gallons / 3) | Waste (40%)         | Recycling (40%) | Organics (20%) |
|---------------|--------|-----------|---|---------------------|-----------------|----------------|
| 178           | 1.00   | 178       | 14.83 cy 2,967 gal                            | 5.93 cuft 1,187 gal | 1,187 gal       | 593 gal        |

### Space Calculation

| Container Quantities  | Space Required   | 150% Additional           |                |               |               |            |
|-----------------------|------------------|---------------------------|----------------|---------------|---------------|------------|
| Waste                 | Factor/container | Space/ Container Required |                |               |               |            |
| 3 cy bin (606 gal)    | 2                | 2                         | 28 sf          | 112 sf        |               |            |
| 96 gallon cart        |                  | 7                         | 7 sf           | 49 sf         |               |            |
| 64 gallon cart        |                  |                           | 6 sf           | sf            |               |            |
| <b>Total capacity</b> | <b>1212 gal</b>  | <b>1212 gal</b>           | <b>672 gal</b> | <b>161 sf</b> | <b>242 sf</b> | <b>500</b> |

## OPEN SPACE DIAGRAMS



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DENSITY BONUS  
CALCULATIONS

**A0.3B**

DENSITY BONUS TABLE

| Base Project                    | base avg. unit size | Base # Units                           | % VLI units                   | # VLI Units          | #VLI Units | % MI units                    | # MI Units          | #MI Units | Bonus % | # DB Units             | # DB Units                          | Maximum DB Project                  |
|---------------------------------|---------------------|--|-------------------------------|----------------------|------------|-------------------------------|---------------------|-----------|---------|------------------------|-------------------------------------|-------------------------------------|
| sq. ft. - see calculation below | base avg. unit size | Base Project Area / Base Avg Unit Size | VLI = Very Low Income <50 AMI | % VLI x Base # Units |            | MI = Moderate Income <120 AMI | % MI x Base # Units |           |         | % Bonus x Base # Units | % Bonus x Base # Units (rounded up) | % Bonus x Base # Units (rounded up) |
| 56,310                          | 1,024               | 55                                     | 15%                           | 8.25                 | 9.00       | 15%                           | 8.25                | 9.00      | 100.0%  | 55.0000                | 55                                  | 110                                 |

| Base Project Res. Area   | Floor         | Proposed Project Res. Area | #VLI | %VLI | %DB    | #DB | #Concessions |
|--------------------------|---------------|----------------------------|------|------|--------|-----|--------------|
|                          |               |                            | 3    | 5%   | 20.00% | 66  | 1            |
|                          |               |                            | 4    | 6%   | 22.50% | 68  | 1            |
|                          |               |                            | 4    | 7%   | 25.00% | 69  | 1            |
|                          | Eighth        | 14,413                     | 5    | 8%   | 27.50% | 71  | 1            |
|                          | Seventh       | 15,432                     | 5    | 9%   | 30.00% | 72  | 1            |
|                          | Sixth         | 15,432                     | 6    | 10%  | 32.50% | 73  | 2            |
|                          | Fifth         | 15,432                     | 7    | 11%  | 35.00% | 75  | 2            |
|                          | Fourth        | 15,432                     | 7    | 12%  | 38.75% | 77  | 2            |
| 19,830                   | Third         | 15,432                     | 8    | 13%  | 42.50% | 79  | 2            |
| 19,830                   | Second        | 15,432                     | 8    | 14%  | 46.25% | 81  | 2            |
| 16,650                   | Ground        | 5,964                      | 9    | 15%  | 50.00% | 83  | 3            |
| <b>Total Floor Area:</b> | <b>56,310</b> | <b>112,969</b>             |      |      |        |     |              |

| Base Project # of Units | Floor     | Proposed Project # of Units | Additional DB | #MI | %MI    | %DB | #DB | #Concessions |
|-------------------------|-----------|-----------------------------|---------------|-----|--------|-----|-----|--------------|
|                         |           |                             | 3             | 5%  | 20.00% | 94  | 3   | 3            |
|                         |           |                             | 4             | 6%  | 22.50% | 95  | 3   | 3            |
|                         |           |                             | 4             | 7%  | 25.00% | 97  | 3   | 3            |
|                         |           |                             | 5             | 8%  | 27.50% | 98  | 3   | 3            |
|                         |           |                             | 5             | 9%  | 30.00% | 99  | 3   | 3            |
|                         | Eighth    | 14                          | 6             | 10% | 32.50% | 101 | 3   | 3            |
|                         | Seventh   | 16                          | 7             | 11% | 35.00% | 102 | 3   | 3            |
|                         | Sixth     | 16                          | 7             | 12% | 38.75% | 104 | 3   | 3            |
|                         | Fifth     | 16                          | 8             | 13% | 42.50% | 106 | 3   | 3            |
|                         | Fourth    | 16                          | 8             | 14% | 46.25% | 108 | 3   | 3            |
| 23                      | Third     | 16                          | 9             | 15% | 50.00% | 110 | 3   | 3            |
| 23                      | Second    | 16                          |               |     |        |     |     |              |
| 9                       | Ground    | 16                          |               |     |        |     |     |              |
| <b>Total Units:</b>     | <b>55</b> | <b>110</b>                  |               |     |        |     |     |              |

Avg. Unit Size: 1024 sf

- Concession #1:** The project is proposing to relocate the underground parking in the base project to above grade in the proposed project
- Concession #2:** The project requests a concession to eliminate the Public Art on Private Property requirement
- Concession #3**

BASE PROJECT ZONING COMPLIANCE CHECKS

**Base Project - Open Space**

|   | Units | Ratio | Total Area |
|---|-------|-------|------------|
| Total Required for Base Units             | 55    | 40    | 2200       |
| Total Area Provided                       |       |       | 3779       |
| Provided Open Space (Roof Top Open Space) |       |       | 3779       |

**Base Project - FAR**

|           | Res. Area | Commercial | Total GFA |
|-----------|-----------|------------|-----------|
| GFA       | 56,310    | 1133       | 57,443    |
| Site Area |           |            | 22,342    |
| FAR       |           |            | 2.6       |

**Base Project - Parking**

|                                    | Req.d Spaces | per SF | SF Provided | Total Req. | Provided |
|------------------------------------|--------------|--------|-------------|------------|----------|
| Residential (0 per Table 23.322-2) |              |        |             | 0          | 23       |
| Commercial                         | 2.0          | 1,000  | 450.0       | 1          | 1        |

**Base Project -Bicycle Parking**

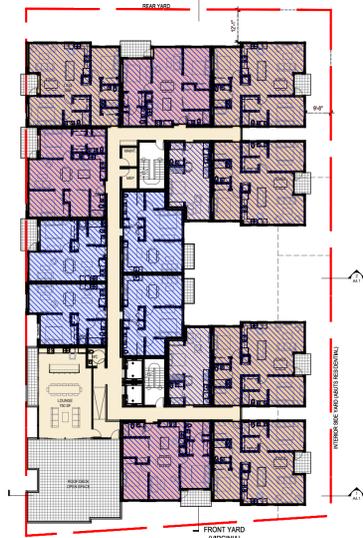
|                | SF    | Bedrooms | Ratio  | Total Req. | Provided |
|----------------|-------|----------|--------|------------|----------|
| New Commercial | 1,133 |          | 1/2000 | 2          | 2        |
| Res. (Long)    |       | 68       | 0.33   | 22         | 30       |
| Res (Short)    |       | 68       | 0.025  | 2          | 2        |

**Base Project - Stormwater**

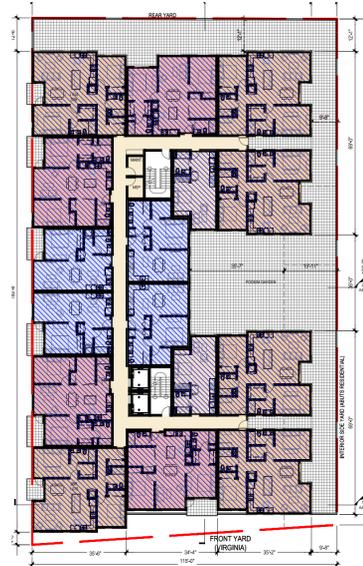
|            | Roof Area | %  | Required | Provided |
|------------|-----------|----|----------|----------|
| Base Units | 19,830    | 4% | 793      | 793      |

**PROPOSED PROJECT RESIDENTIAL UNIT FLOOR AREA DIAGRAM**

- LEGEND**
-  DWELLING UNIT RUFA
  -  RESIDENTIAL AMENITY AREA
  -  COMMERCIAL AREA



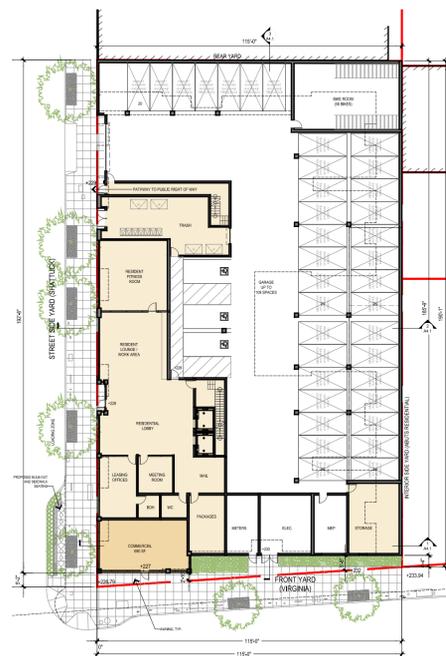
**PLAN AT LEVEL 8**



**PLAN AT LEVEL 2**



**PLAN AT LEVELS 3-7**



**PLAN AT GROUND**

**PROPOSED PROJECT AREA AND UNIT CALCULATIONS**

**Calculation of the Final Proposed Residential Unit Floor Area:**

| Floor   | Proposed Project Res. Unit Area | Proposed Project Residential Units |
|---|---------------------------------|------------------------------------|
| 8th   | 11,265                          | 14                                 |
| 7th   | 13,208                          | 16                                 |
| 6th   | 13,208                          | 16                                 |
| 5th   | 13,208                          | 16                                 |
| 4th   | 13,208                          | 16                                 |
| 3rd   | 13,208                          | 16                                 |
| 2nd   | 13,208                          | 16                                 |
| 1st   |                                 |                                    |
| <b>Final Proposed Residential Unit Floor Area</b> | <b>90,513</b>                   | <b>110</b>                         |

**Calculation of Base Project Residential Floor Area:**

|   |        |
|---|--------|
| Final Proposed DB Residential Unit Floor Area | 90,513 |
|   | /      |
| 1 + 100% Density Bonus percentage taken       | 2.000  |
|   | =      |
| Base Project Residential Unit Floor Area      | 45,257 |

**Calculation of the Affordable Housing Fee:**

|  |        |
|--|--------|
| A Total Base Project Residential Unit Floor Area | 45,257 |
| B Total Base Project Units                       | 55     |
| C Total VLI and LI Requirements (20% of Base)    | 11     |
| D Total VLI and LI Units Proposed                | 9      |

|  |                  |
|--|------------------|
| Fee per Square Foot                            | \$56.25          |
|  | X                |
| Total Base Project Residential Unit Floor Area | 45,257           |
|  | X                |
| In Lieu Fee Percentage Calculation (C-D)/C     | 18.2%            |
|  | =                |
| <b>Total Fee Due</b>                           | <b>\$462,851</b> |

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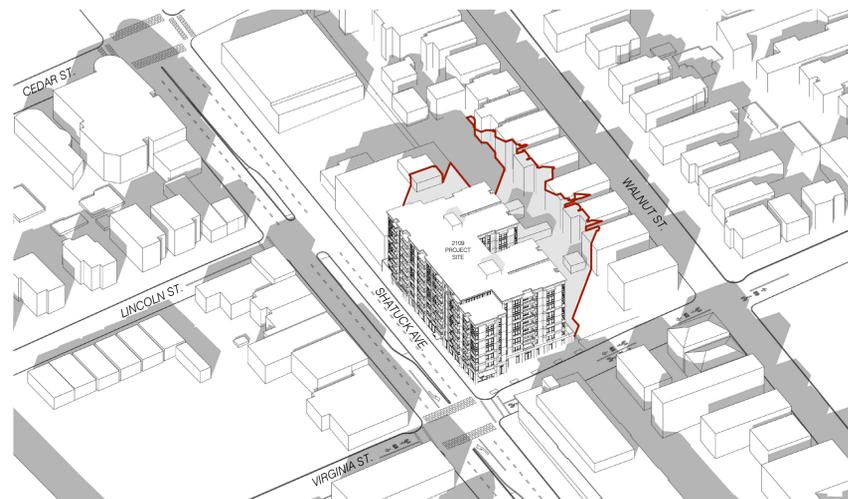
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PRELIMINARY AFFORDABLE  
 HOUSING CALCULATIONS

**A0.3C**

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 — NEW SHADOW AT RESIDENTIAL BUILDING  
 ALL RESIDENTIAL BUILDINGS BEING SHADOWED SHOWN IN THESE DIAGRAMS



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5 SHADOW STUDY - PM  
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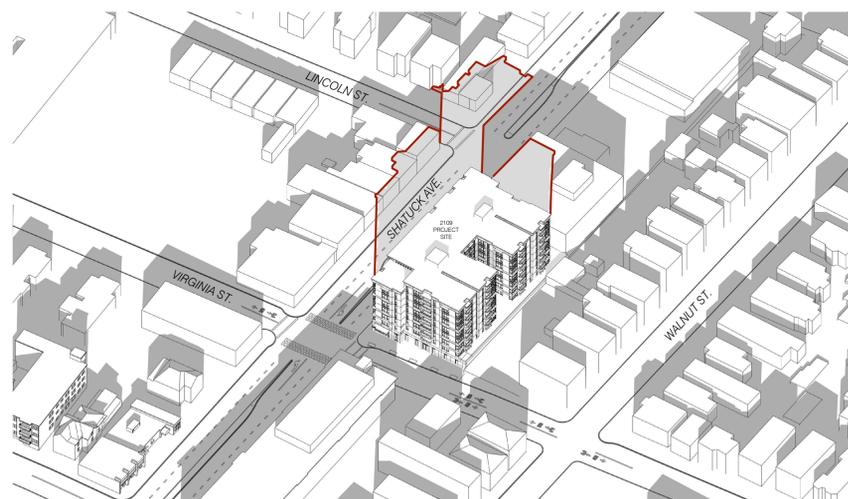
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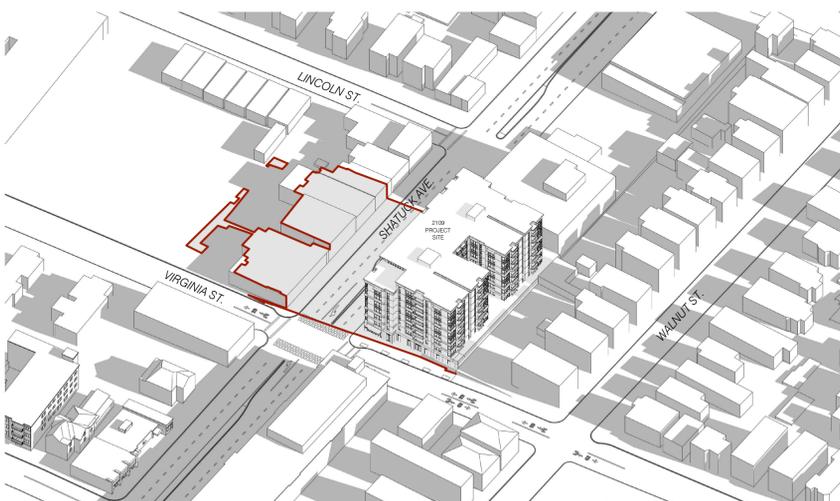
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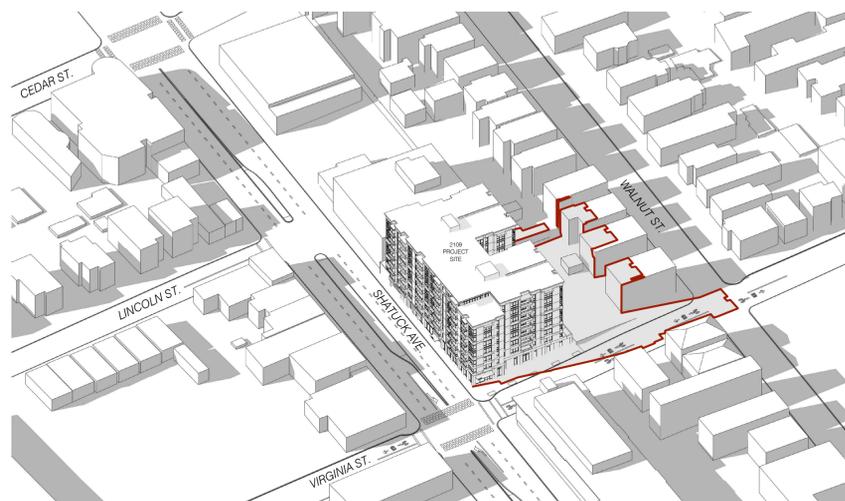
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SHADOW STUDIES  
 JUNE 21ST

**A0.4B**

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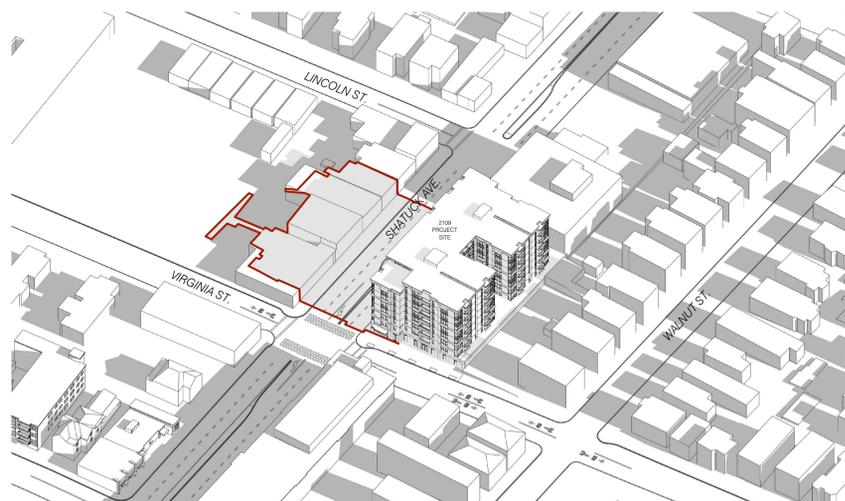
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JOB: 2109

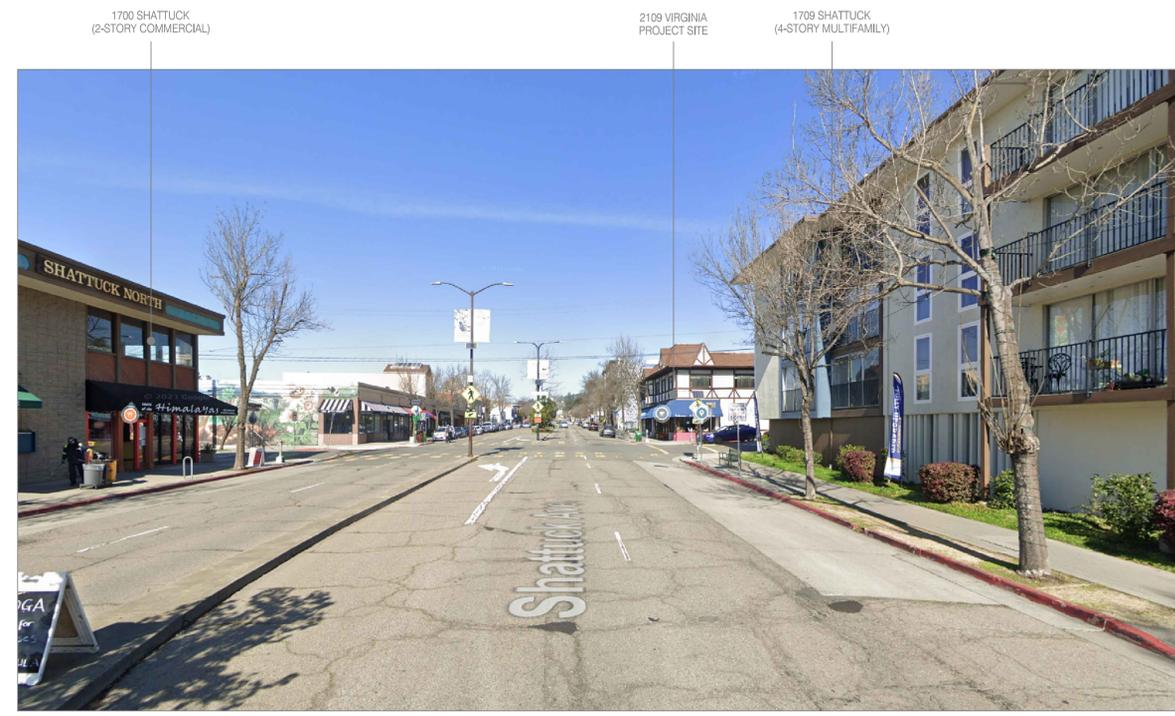
SHEET:

SITE CONTEXT  
 PHOTOS

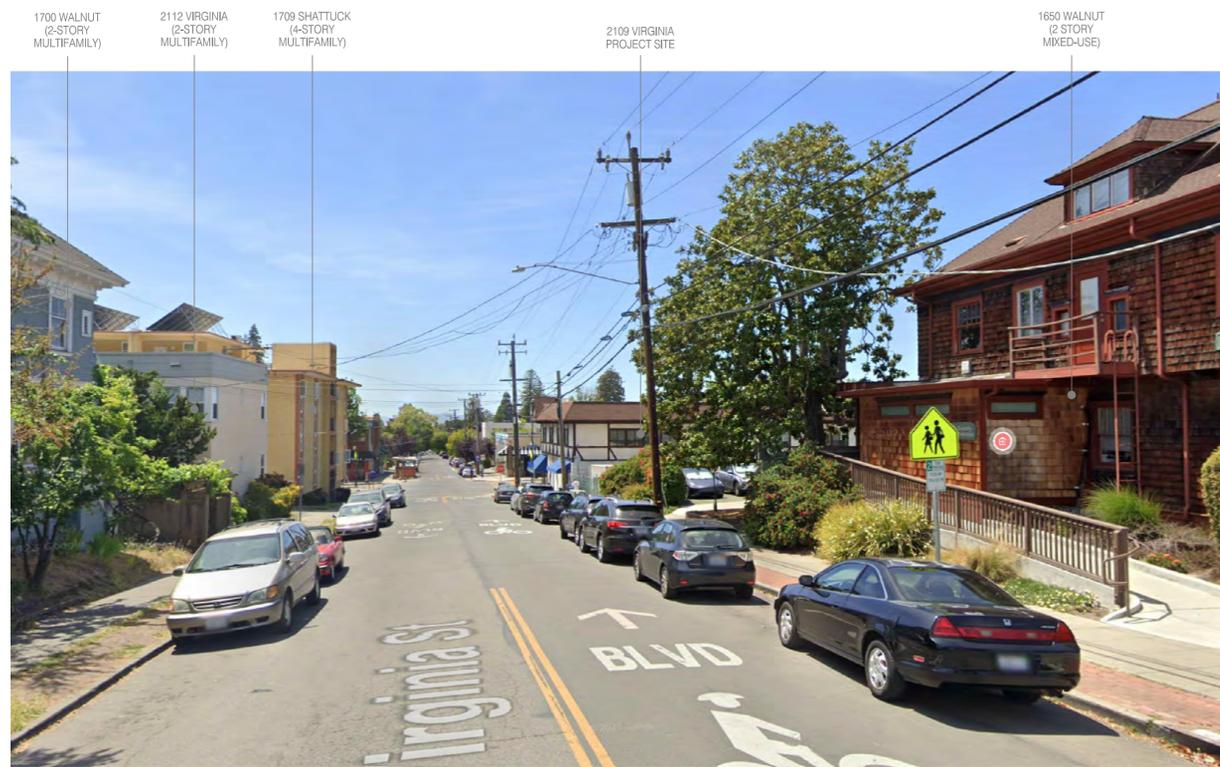
**A0.5**



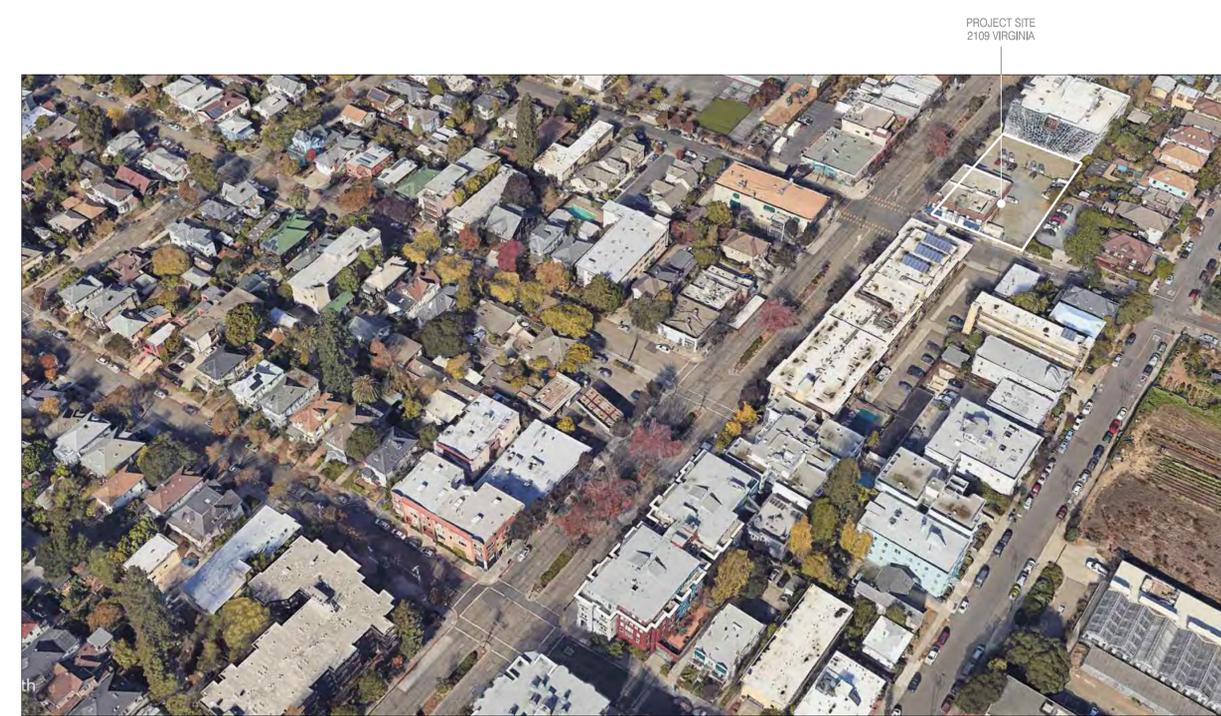
4 VIEW FROM SHATTUCK LOOKING SOUTH



2 VIEW FROM SHATTUCK LOOKING NORTH



3 VIEW FROM VIRGINIA LOOKING WEST



1 GOOGLE EARTH BIRD'S EYE CONTEXT VIEW

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**PANORAMIC  
1685  
SHATTUCK/  
2109 VIRGINIA**

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JOB: 2341

SHEET:

VICINITY MAP

**A0.6**



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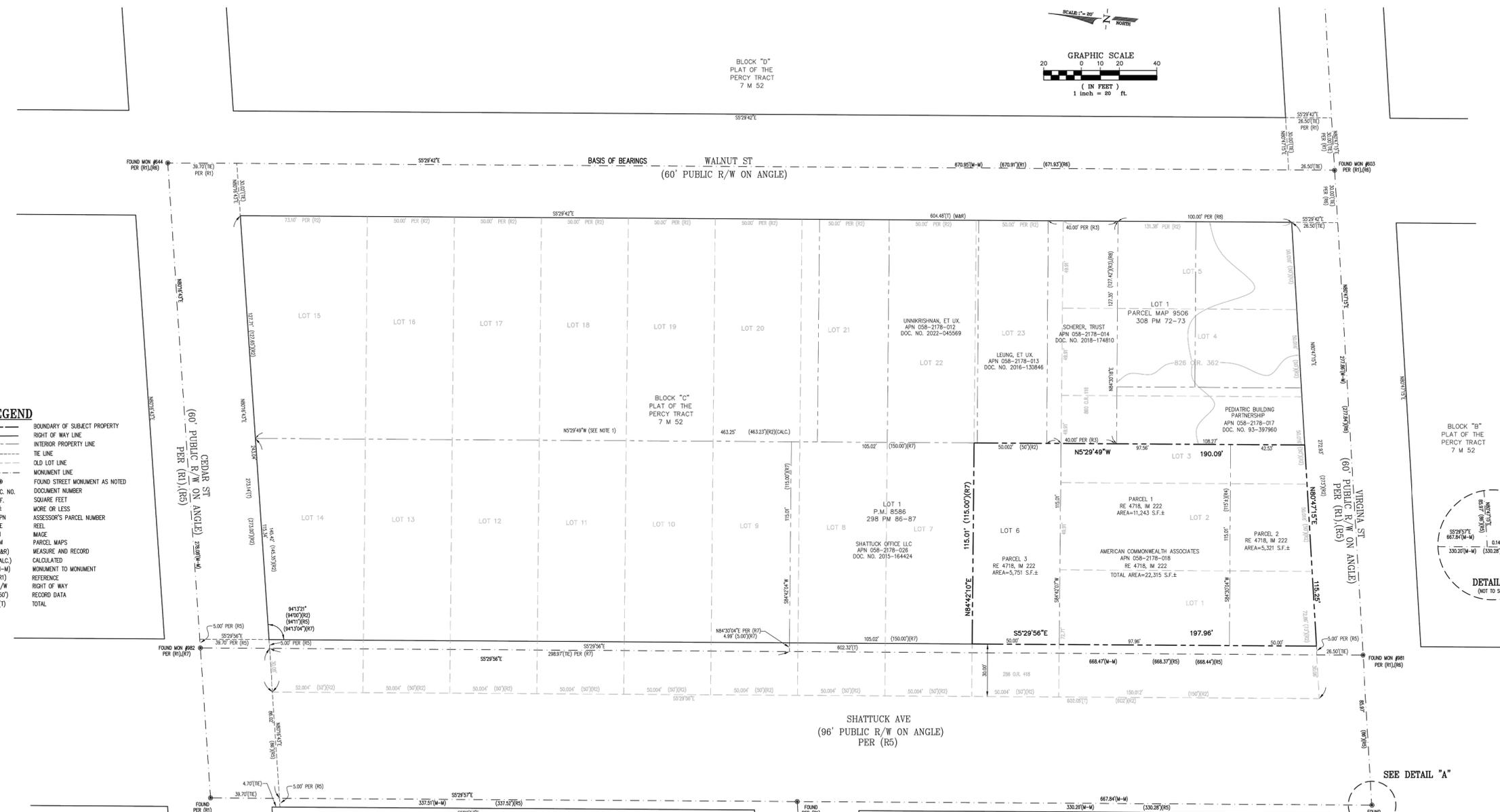
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JOB: 2341

SHEET:

SURVEY

# A2.0a



**LEGEND**

- BOUNDARY OF SUBJECT PROPERTY
- RIGHT OF WAY LINE
- INTERIOR PROPERTY LINE
- THE LINE
- OLD LOT LINE
- MONUMENT LINE
- FOUND STREET MONUMENT AS NOTED
- DOC. NO. DOCUMENT NUMBER
- S.F. SQUARE FEET
- ± MORE OR LESS
- APN ASSESSOR'S PARCEL NUMBER
- RE MEASURE
- M IMAGE
- PM PARCEL MAPS
- (M&R) MEASURE AND RECORD
- (CALC.) CALCULATED
- (M-N) MONUMENT TO MONUMENT
- (R) REFERENCE
- R/W RIGHT OF WAY
- (S) RECORD DATA
- (T) TOTAL

**TITLE REPORT**  
THE TITLE REPORT USED IN THIS SURVEY WAS ISSUED BY FIDELITY NATIONAL TITLE COMPANY, PRELIMINARY REPORT ORDER NO. 013-3010437-A-100, EFFECTIVE DATE JANUARY 17, 2024 AT 7:30 A.M., AMENDED: FEBRUARY 26, 2024, AMENDMENT NO. A, REFERRED TO HEREON AS THE "TIR".

**TITLE TO SAID ESTATE IS VESTED IN:**  
AMERICAN COMMONWEALTH ASSOCIATES, A LIMITED PARTNERSHIP

**THE ESTATE OR INTEREST IN THE LAND IS:**  
A FEE

**EXCEPTIONS TO TITLE**

- WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS (PER EXC. 3 - NOT PLOTTABLE).

**NOTES**

- DATE OF FIELD SURVEY: APRIL 15 AND 23, 2024 AS TO THE BOUNDARY AND TOPOGRAPHIC SURVEY OF THE SUBJECT PROPERTY.
- THE UTILITIES SHOWN HEREON ARE BY SURFACE OBSERVATION AND RECORD INFORMATION ONLY AND NO WARRANTY IS GIVEN HEREON AS TO THEIR EXACT LOCATION. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR CONTRACTOR TO VERIFY THE EXACT LOCATION OF THE UTILITIES WITH THE APPROPRIATE UTILITY COMPANY OR AGENCY.
- UTILITY JURISDICTIONS / PROVIDERS ARE AS FOLLOWS:  
STORM DRAINS: CITY OF BERKELEY  
SANITARY SEWER: CITY OF BERKELEY  
WATER: EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD)  
ELECTRICITY: PACIFIC GAS & ELECTRIC CO.  
NATURAL GAS: PACIFIC GAS & ELECTRIC CO.  
TELEPHONE: AT&T
- THERE ARE NO CEMETERIES ON OR WITHIN 100 FEET OF THE SUBJECT PROPERTY.
- THE LEGAL DESCRIPTION OF THE SUBJECT PROPERTY IS THE SAME AS THE PROPERTY DESCRIBED IN THE PRELIMINARY TITLE REPORT.
- THE LEGAL DESCRIPTION AS SHOWN IN THE TITLE REPORT MATHEMATICALLY CLOSES.
- THERE IS NO OBSERVED EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
- THERE ARE NO WETLAND AREAS IN THE SUBJECT PROPERTY.
- THE SUBJECT PROPERTY HAS DIRECT ACCESS TO AND FROM SHATTUCK AVENUE, A PUBLIC RIGHT OF WAY AND VIRGINIA STREET, A PUBLIC RIGHT OF WAY.

**LEGAL DESCRIPTION**  
LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF BERKELEY IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:  
PARCEL 1:  
BEGINNING AT A POINT ON THE EASTERN LINE OF SHATTUCK AVENUE, AS THE LINE OF SAID AVENUE NOW EXISTS, 50 FEET NORTHERLY FROM THE NORTHERN LINE OF VIRGINIA STREET; RUNNING THENCE NORTHERLY ALONG SAID EASTERN LINE OF SHATTUCK AVENUE TO THE SOUTHERN LINE OF LOT NO. 6 IN BLOCK "C", AS SAID LOT AND BLOCK ARE SHOWN ON THE MAP HEREINAFTER REFERRED TO; THENCE AT RIGHT ANGLES EASTERLY TO THE WESTERN LINE OF LAND CONVEYED TO M. S. CARROLL BY DEED OF RECORD IN BOOK 860 OF DEEDS, PAGE 362; THENCE SOUTHERLY ALONG SAID LAST NAMED LINE AND ALONG THE WESTERN BOUNDARY LINE OF LAND CONVEYED TO E. H. PROBY BY DEED OF RECORD IN BOOK 826 OF DEEDS, PAGE 362, TO A LINE DRAINING EASTERLY AT RIGHT ANGLES TO SHATTUCK AVENUE THROUGH THE POINT OF BEGINNING; THENCE WESTERLY ALONG SAID LAST NAMED LINE TO THE POINT OF BEGINNING.

BEING A PORTION OF LOTS NOS. 1, 2, AND 3, IN BLOCK "C", AS SAID LOTS AND BLOCK ARE DELINEATED AND SO DESIGNATED UPON THAT CERTAIN MAP ENTITLED, PLAT OF THE PERCY TRACT, FILED APRIL 27, 1882, IN BOOK 7 OF MAPS, PAGE 50, ALAMEDA COUNTY RECORDS.

PARCEL 2:  
BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHERN LINE OF VIRGINIA STREET WITH THE EASTERN LINE OF SHATTUCK AVENUE, AS THE LINE OF SAID AVENUE NOW EXISTS; AND RUNNING THENCE NORTHERLY ALONG SAID LINE OF SHATTUCK AVENUE 50 FEET; THENCE AT RIGHT ANGLES EASTERLY TO FEET, MORE OR LESS, TO THE WESTERN LINE OF LAND CONVEYED BY DEED AND WITHIN TO E. H. PROBY BY DEED DATED APRIL 15, 1902 AND RECORDED IN BOOK 826 OF DEEDS, PAGE 362; THENCE SOUTHERLY ALONG SAID LAST NAMED LINE TO THE NORTHERN LINE OF VIRGINIA STREET; THENCE WESTERLY ALONG SAID LAST NAMED LINE TO THE POINT OF BEGINNING.

BEING A PORTION OF LOTS NOS. 1, 2, AND 3 IN BLOCK "C", AS SAID LOTS AND BLOCK ARE DELINEATED AND SO DESIGNATED UPON THAT CERTAIN MAP ENTITLED, PLAT OF THE PERCY TRACT, FILED APRIL 27, 1882, IN BOOK 7 OF MAPS, PAGE 50, ALAMEDA COUNTY RECORDS.

PARCEL 3:  
LOT 6 IN BLOCK "C", AS SAID LOT AND BLOCK ARE SHOWN ON THE PLAT OF THE PERCY TRACT, FILED APRIL 27, 1882, IN BOOK 7 OF MAPS, PAGE 50, ALAMEDA COUNTY RECORDS; EXCEPTING THEREFROM, THE WESTERN 30 FEET THEREOF WHICH LIES WITHIN THE LINES OF SHATTUCK AVENUE, AS THE SAME NOW EXISTS, AS DESCRIBED IN THE DEED FROM WALDO M. TORK TO THE CITY OF BERKELEY, DATED OCTOBER 27, 1884, RECORDED JULY 13, 1885 IN BOOK 286 OF DEEDS, AT PAGE 418, ALAMEDA COUNTY RECORDS.

APR. 058-2178-018-00

**BASIS OF BEARINGS**  
THE BASIS OF BEARINGS OF THIS SURVEY IS TAKEN BETWEEN FOUND CITY MONUMENT #844 AND FOUND CITY MONUMENT # 803 ALONG WALNUT STREET BETWEEN CEDAR STREET AND VIRGINIA STREET AS SHOWN ON TRACT 7257, FILED NOVEMBER 29, 2001 IN BOOK 261 OF PARCEL MAPS, AT PAGES 95 TO 96, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, STATE OF CALIFORNIA, TAKEN AS SOUTH 52°42' EAST.

**REFERENCES**

(R1) TRACT 7257, FILED NOVEMBER 29, 2001 IN BOOK 261 OF PARCEL MAPS, AT PAGES 95 TO 96, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, STATE OF CALIFORNIA.

(R2) MAP ENTITLED "PLAT OF THE PERCY TRACT", FILED APRIL 27, 1882 IN BOOK 7 OF MAPS, AT PAGE 52, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, STATE OF CALIFORNIA.

(R3) DEED RECORDED IN BOOK 860, AT PAGE 116, OFFICIAL RECORDS OF ALAMEDA COUNTY, STATE OF CALIFORNIA.

(R4) GRANT DEED RECORDED FEBRUARY 10, 1977 IN REEL 4718, IMAGE 222, OFFICIAL RECORDS OF ALAMEDA COUNTY, STATE OF CALIFORNIA.

(R5) UNRECORDED MAP, CITY OF BERKELEY MONUMENT MAP, PLAN 1305, 3086-057.

(R6) PARCEL MAP #906, FILED AUGUST 13, 2008 IN BOOK 308 OF PARCEL MAPS, AT PAGES 72 TO 73, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, STATE OF CALIFORNIA.

(R7) P.M. #596, FILED JUNE 22, 2007 IN BOOK 298 OF PARCEL MAPS, AT PAGES 86 TO 87, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, STATE OF CALIFORNIA.

(R8) DEED RECORDED IN BOOK 826 AT PAGE 362, OFFICIAL RECORDS OF ALAMEDA COUNTY, STATE OF CALIFORNIA.

**SURVEYOR'S CERTIFICATE**  
AMERICAN COMMONWEALTH ASSOCIATES, A LIMITED PARTNERSHIP, AND FIDELITY NATIONAL TITLE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2023 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, AS ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(A), 6(B), 7(A), 7(B), 7(C), 8, 9, 10, 11(A), 12, 13, 14, 16, 17, 18, AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON APRIL 15 AND 23, 2024.

*Jacob E. Lukan*  
JACOB E. LUKAN P.L.S. #934  
FOR LUK & ASSOCIATES, INC.

DATE: APRIL 30, 2025

**TABLE A NOTES**

- FOUND MONUMENTS ARE SHOWN ON THIS SHEET OF THE SURVEY.
- THE STREET ADDRESS OF THE PROPERTY IS 1685-1685 SHATTUCK AVENUE AND 2109 VIRGINIA STREET, BERKELEY, CA.
- FLOOD ZONE DESIGNATION: THE PROMISES ARE LOCATED IN ZONE "C" (NON-SHADED) DEFINED AS AREAS OF MINIMAL FLOOD PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 0601000300, EFFECTIVE DATE: AUGUST 3, 2008.
- THE TOTAL GROSS LAND AREA IS: 22,315 SQUARE FEET +/- OR 0.512 ACRES MORE OR LESS.
- (A/B) ZONING REQUIREMENTS: PER THE CITY OF BERKELEY PLANNING AND ZONING DEPARTMENT, THE PROPERTY IS ZONED "C-MS" DEFINED AS "NORTH SHATTUCK COMMERCIAL DISTRICT".
- MINIMUM FRONT: 15 FEET  
MINIMUM INTERIOR SIDE: 5 FEET  
MINIMUM REAR: 10 FEET OR 10% OF LOT DEPTH, WHICHEVER IS LESS  
MINIMUM HEIGHT: 35 FEET AND 3 STOREYS  
MINIMUM PARKING REQUIREMENTS: NONE REQUIRED
- (A/B)(C) EXTERIOR DIMENSIONS AND SQUARE FOOTAGE OF BUILDING AT GROUND LEVEL, AND NUMBER OF STOREYS ARE SHOWN ON SHEET 2 OF THE SURVEY.
- SUBSTANTIAL IMPROVEMENTS OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY ARE SHOWN.
- THERE ARE 19 PARKING SPACES LOCATED ON THE SUBJECT PROPERTY.
- THERE ARE NO DIVISIONS OR PARTY WALLS LOCATED ON THE SUBJECT PROPERTY WITH RESPECT TO ADJOINING PROPERTIES.
- (A) LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY AS DETERMINED BY OBSERVED EVIDENCE TOGETHER WITH EVIDENCE FROM PLANS OBTAINED FROM UTILITY COMPANIES OR PROVIDED BY CLIENT ARE SHOWN ON SHEET 2.
- GOVERNMENTAL AGENCY SURVEY-RELATED REQUIREMENTS ARE SHOWN.
- NAMES OF ADJOINING OWNERS OF PLATTED LANDS ARE SHOWN ON THIS SHEET OF THE SURVEY.
- DISTANCE TO THE NEAREST INTERSECTING STREET IS SHOWN ON THIS SHEET OF THE SURVEY.
- THERE IS NO OBSERVABLE EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
- THERE IS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- THERE ARE NO OFFSITE EASEMENTS TO THE SUBJECT PROPERTY.

**BENCHMARK**  
ELEVATIONS SHOWN ARE BASED ON BENCHMARK 633452, BEING CUT SQUARE ON THE TOP MIDDLE OF THE CURB AT THE SOUTH END OF THE MEDIAN ISLAND ON SHATTUCK AVENUE AT THE NORTH SIDE OF LINCOLN STREET. ELEVATION = 231.93 FEET, CITY OF BERKELEY DATUM.

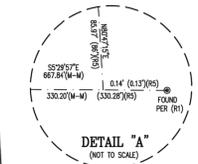
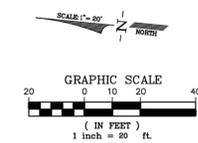
**NOTE**  
1) BEARING IS BASED ON THE MEAN BEARING OF SHATTUCK AVENUE AND WALNUT STREET.

**VICINITY MAP**  
NO SCALE

**ALTA/NSPS  
LAND TITLE SURVEY**  
OF  
1689-1685 SHATTUCK AVENUE AND 2109 VIRGINIA STREET  
CITY OF BERKELEY, ALAMEDA COUNTY, CALIFORNIA

APRIL 2024  
PREPARED BY  
**LUK AND ASSOCIATES**  
CIVIL ENGINEER - LAND PLANNERS - LAND SURVEYORS  
738 ALFRED NOBEL DRIVE  
HERCULES, CALIFORNIA 94547  
(916) 724-3388

**VICINITY MAP**  
NO SCALE



**SHEET INDEX**  
1) NOTES AND BOUNDARY SURVEY  
2) TOPOGRAPHIC SURVEY

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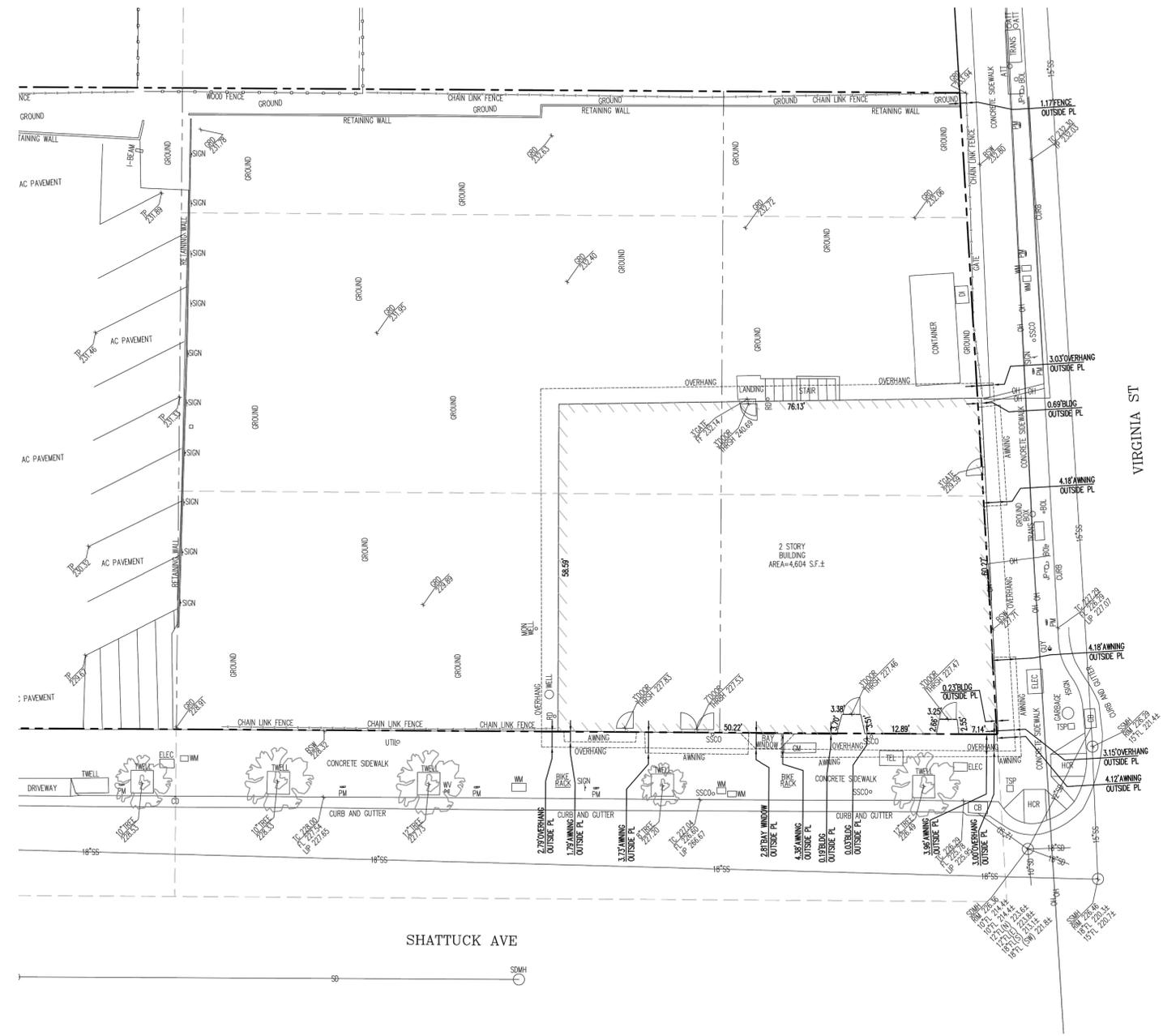
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SHEET:

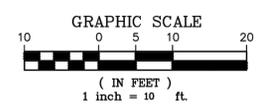
SURVEY

A2.0b



**LEGEND**

| SYMBOLS           | DESCRIPTION                  |
|-------------------|------------------------------|
| ---               | BOUNDARY OF SUBJECT PROPERTY |
| ---               | RIGHT OF WAY LINE            |
| ---               | INTERIOR PROPERTY LINE       |
| ---               | OLD LOT LINE                 |
| ---               | BUILDING LINE                |
| OH                | OVERHEAD WIRE LINE           |
| SD                | STORM DRAIN LINE             |
| SS                | SANITARY SEWER LINE          |
| TSP               | TRAFFIC SIGNAL POLE          |
| JP                | JOINT POLE                   |
| AC PAVEMENT       | ASPHALT CONCRETE             |
| UTL PANEL         | UTILITY PANEL                |
| HCR               | HANDICAP RAMP                |
| ELEC              | ELECTRIC BOX                 |
| GM                | GAS METER                    |
| BOL               | BOLLARD                      |
| CB                | CATCH BASIN                  |
| TEL               | TELECOMMUNICATION BOX        |
| DI                | DRAIN INLET                  |
| WM                | WATER METER                  |
| CD                | CURB DRAIN                   |
| CO                | CLEAN OUT                    |
| SSCO              | SANITARY SEWER CLEAN OUT     |
| TRANS             | TRANSFORMER                  |
| GUY               | GUY WIRE                     |
| WV                | WATER VALVE                  |
| TWELL             | TREE WELL                    |
| ATT               | TELECOMMUNICATION BOX        |
| PM                | PARKING METER                |
| SSMH              | SANITARY SEWER MANHOLE       |
| RD                | ROOF DRAIN                   |
| MCN WELL          | MONITORING WELL              |
| X BSW 65.60       | BACK OF SIDEWALK ELEVATION   |
| X TC 65.64        | TOP OF CURB ELEVATION        |
| X TP 65.64        | TOP OF PAVEMENT ELEVATION    |
| X FL 65.64        | FLOW LINE ELEVATION          |
| X TOP STAIR 65.64 | TOP OF STAIR ELEVATION       |
| X BOT STAIR 65.64 | BOTTOM OF STAIR ELEVATION    |
| X TOP BLDG 65.64  | TOP OF BUILDING ELEVATION    |
| X THRESH 65.60    | THRESHOLD ELEVATION          |
| X CONC 65.60      | TOP OF CONCRETE ELEVATION    |
| (Tree Symbol)     | TREE                         |



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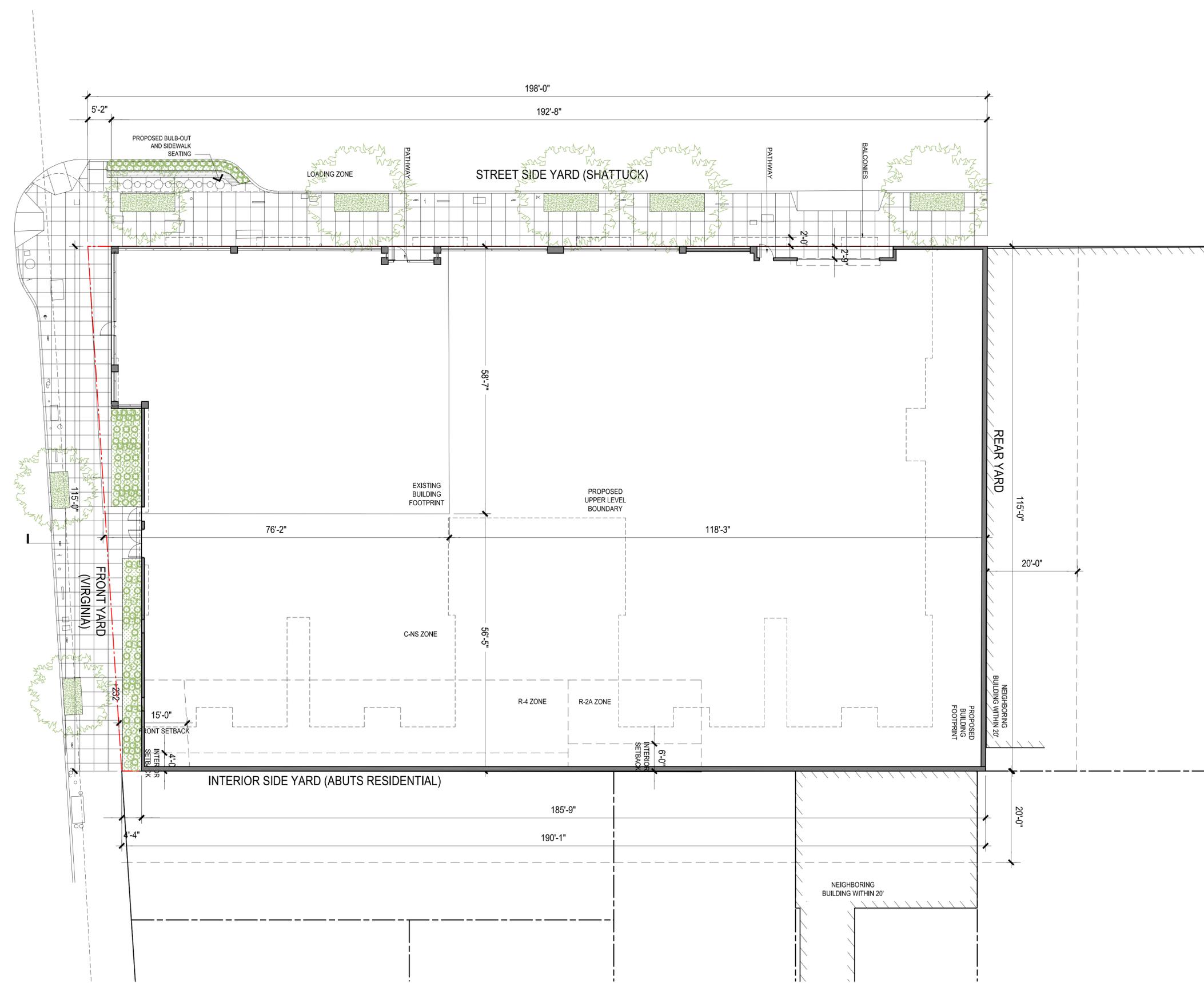
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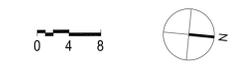
SHEET:

PROPOSED SITE  
 PLAN

**A2.0c**



**SITE PLAN**  
 3/32" = 1'-0"



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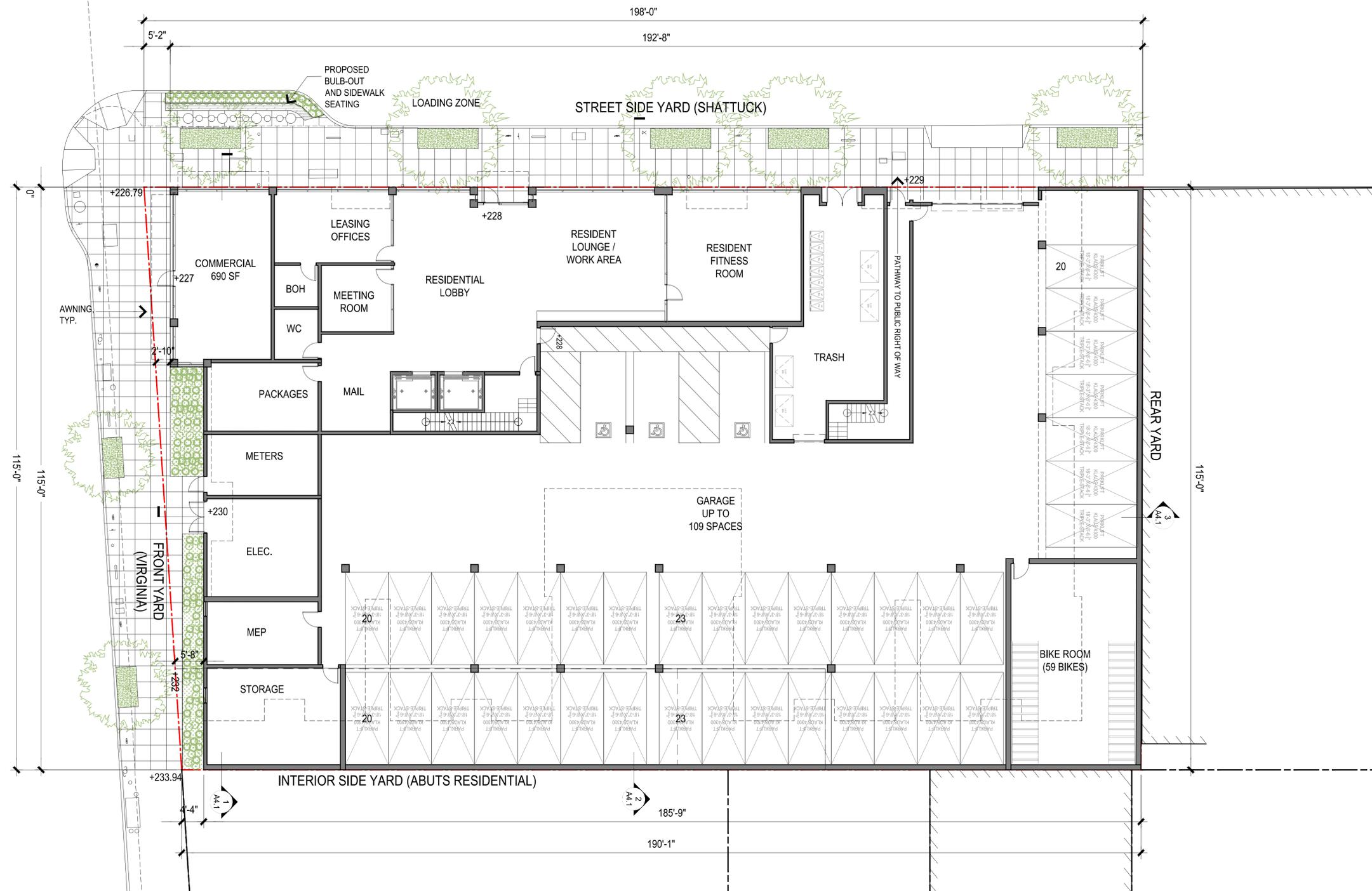
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JOB: 2341

SHEET:

PROPOSED  
 FLOOR  
 PLAN

**A2.1**



PLAN AT GROUND LEVEL  
 3/32" = 1'-0"



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- 02.07.2025 REVISED CONCEPT PLANS
- 02.14.2025 REVISED CONCEPT PLANS
- 02.18.2025 REVISED CONCEPT PLANS

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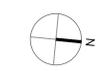
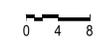
JOB: 2341

SHEET:  
**PROPOSED  
 FLOOR  
 PLAN**

**A2.2**



PLAN AT LEVEL 2 PODIUM  
 3/32" = 1'-0"



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SHEET:

PROPOSED  
FLOOR  
PLAN

**A2.3**



PLAN AT LEVELS 3-7  
3/32" = 1'-0"



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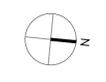
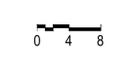
SHEET:

PROPOSED  
FLOOR  
PLAN

**A2.4**



PLAN AT LEVEL 8  
3/32" = 1'-0"



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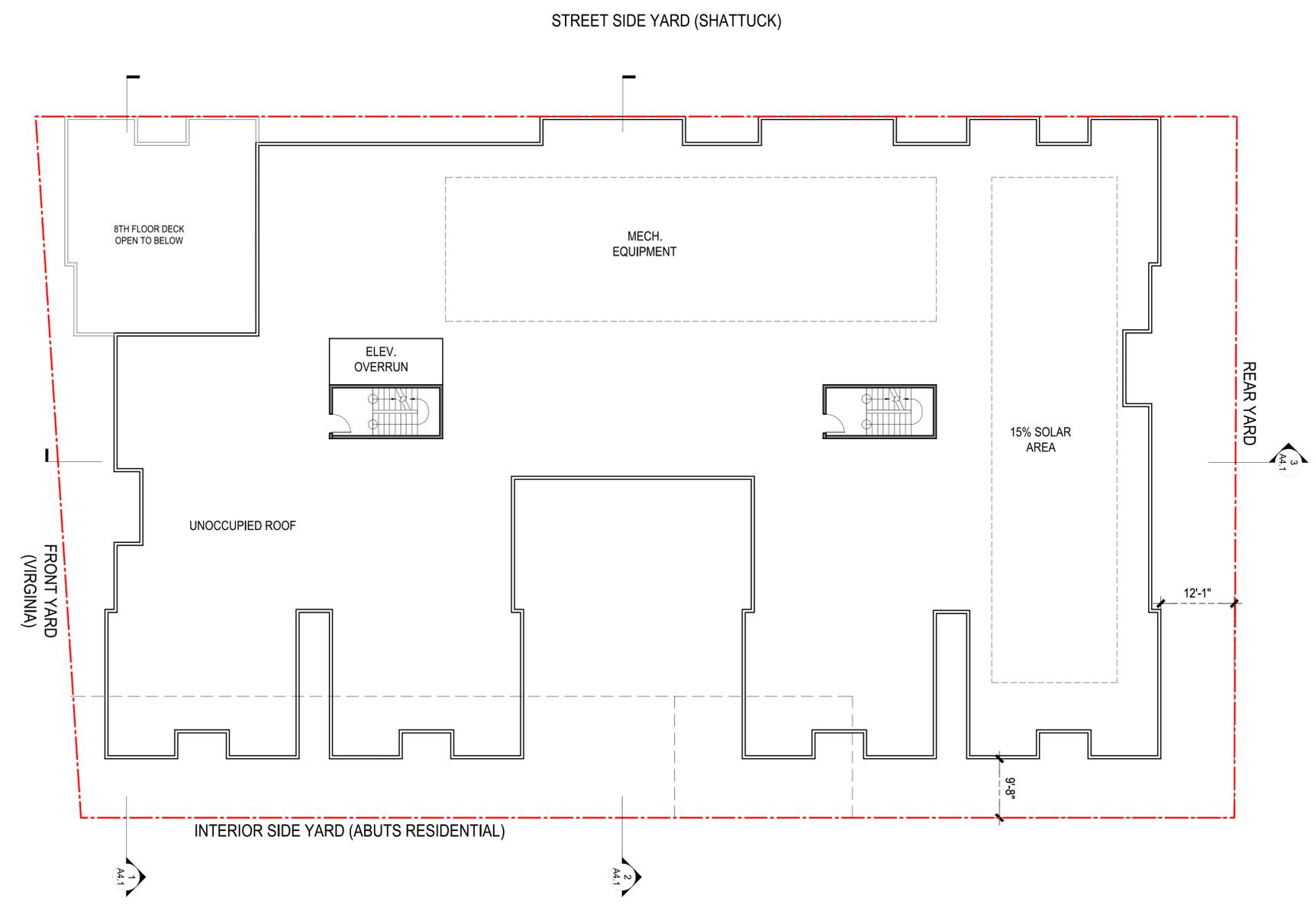
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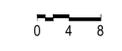
SHEET:

PROPOSED  
 ROOF  
 PLAN

**A2.5**



PLAN AT ROOF  
 3/32" = 1'-0"



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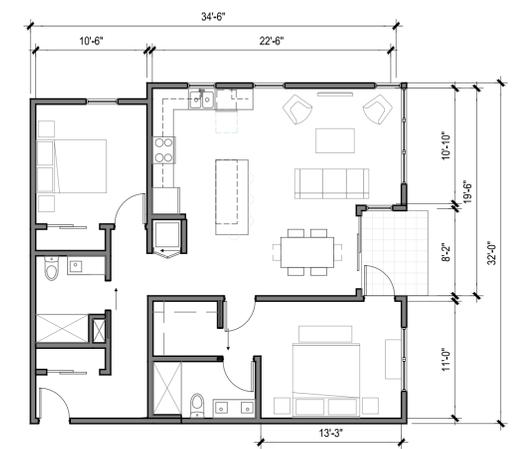
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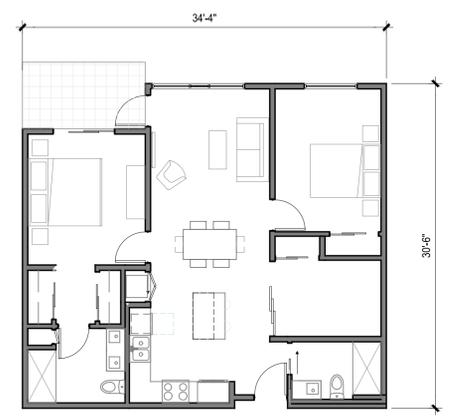
SHEET:

PROPOSED  
 UNIT  
 PLANS

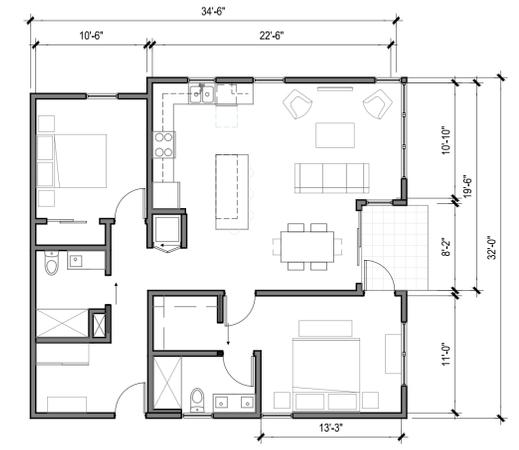
**A2.6**



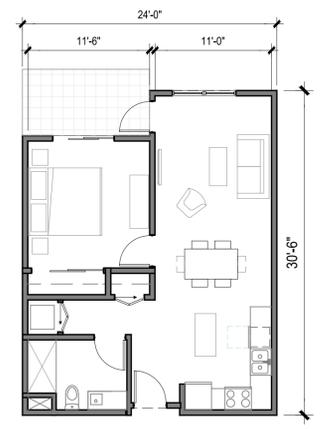
2BR CORNER UNIT AT WEST  
 1,075 SF



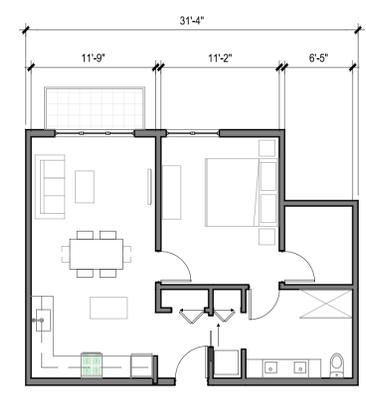
2BR PLUS OFFICE  
 1,000 SF



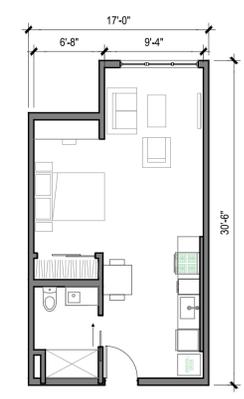
2BR CORNER UNIT AT EAST  
 1,075 SF



1BR  
 677 SF

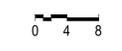


1BR AT COURTYARD  
 706 SF



STUDIO  
 485 SF

TYPICAL UNIT PLANS  
 3/32" = 1'-0"



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SHEET:

BUILDING  
 ELEVATIONS

**A3.1**



88'-4" TO ROOF

14'-10" GROUND FLOOR

10'-0" SECOND FLOOR

10'-0" THIRD FLOOR

10'-0" FOURTH FLOOR

10'-0" FIFTH FLOOR

10'-0" SIXTH FLOOR

10'-0" SEVENTH FLOOR

10'-0" EIGHTH FLOOR

3'-6" ROOF

3'-6" PARAPET

5'-6" T.O. STAIR

1 WEST ELEVATION  
 A3.1 1/16"=1'-0" @ 11X17 1/8" = 1'-0" @ 24X36 0 4 8 16

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SHEET:

BUILDING  
 ELEVATIONS

**A3.2**



(SHATTUCK)

1  
 A3.2

**SOUTH ELEVATION**

1/16" = 1'-0" @ 11X17 1/8" = 1'-0" @ 24X36



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SHEET:

BUILDING  
 ELEVATIONS

**A3.3**



1 EAST ELEVATION  
 A3.3 1/16" = 1'-0" @ 11X17 1/8" = 1'-0" @ 24X36 0 4 8 16

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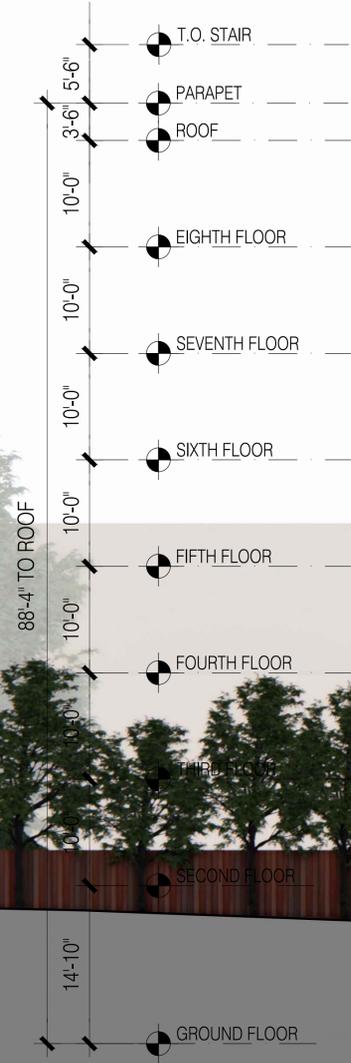
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SHEET:

BUILDING  
 ELEVATIONS

**A3.4**



1 NORTH ELEVATION  
 A3.4 1/16"=1'-0" @ 11X17 1/8" = 1'-0" @ 24X36 0 4 8 16

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SHEET:

STREET STRIP  
 ELEVATIONS

**A3.5**



**2 VIRGINIA ST.**  
 1/32"=1'-0" @ 11X17    1/16" = 1'-0" @ 24X36    0 4 8 16 32



**1 SHATTUCK AVE.**  
 1/32"=1'-0" @ 11X17    1/16" = 1'-0" @ 24X36    0 4 8 16 32

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SHEET:  
**PHOTO MATCH  
VIEWS**

**A3.6**



4 SHATTUCK LOOKING SOUTH - AFTER  
A3.6



2 VIRGINIA LOOKING WEST - AFTER



3 SHATTUCK LOOKING SOUTH - BEFORE  
A3.6



1 VIRGINIA LOOKING WEST - BEFORE

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SHEET:

CONCEPTUAL  
RENDERING

**A3.7**



1 PERSPECTIVE VIEW - SHATTUCK LOOKING NORTHEAST

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SHEET:

CONCEPTUAL  
RENDERING

**A3.8**



1 PERSPECTIVE VIEW - SHATTUCK LOOKING NORTHEAST

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SHEET:

CONCEPTUAL  
RENDERING

**A3.9**



1 SIDEWALK VIEW - SHATTUCK LOOKING NORTH

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SHEET:

CONCEPTUAL  
RENDERING

**A3.10**



1 PERSPECTIVE VIEW - SHATTUCK LOOKING SOUTHEAST

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SHEET:

CONCEPTUAL  
RENDERING

**A3.11**



1 PERSPECTIVE VIEW - VIRGINIA LOOKING WEST

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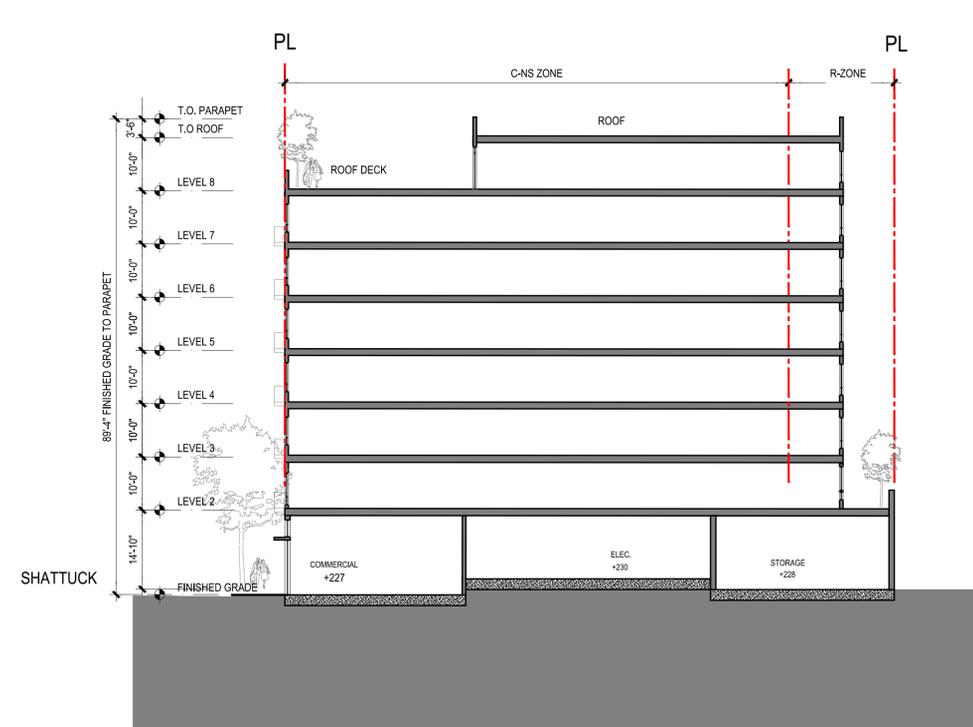
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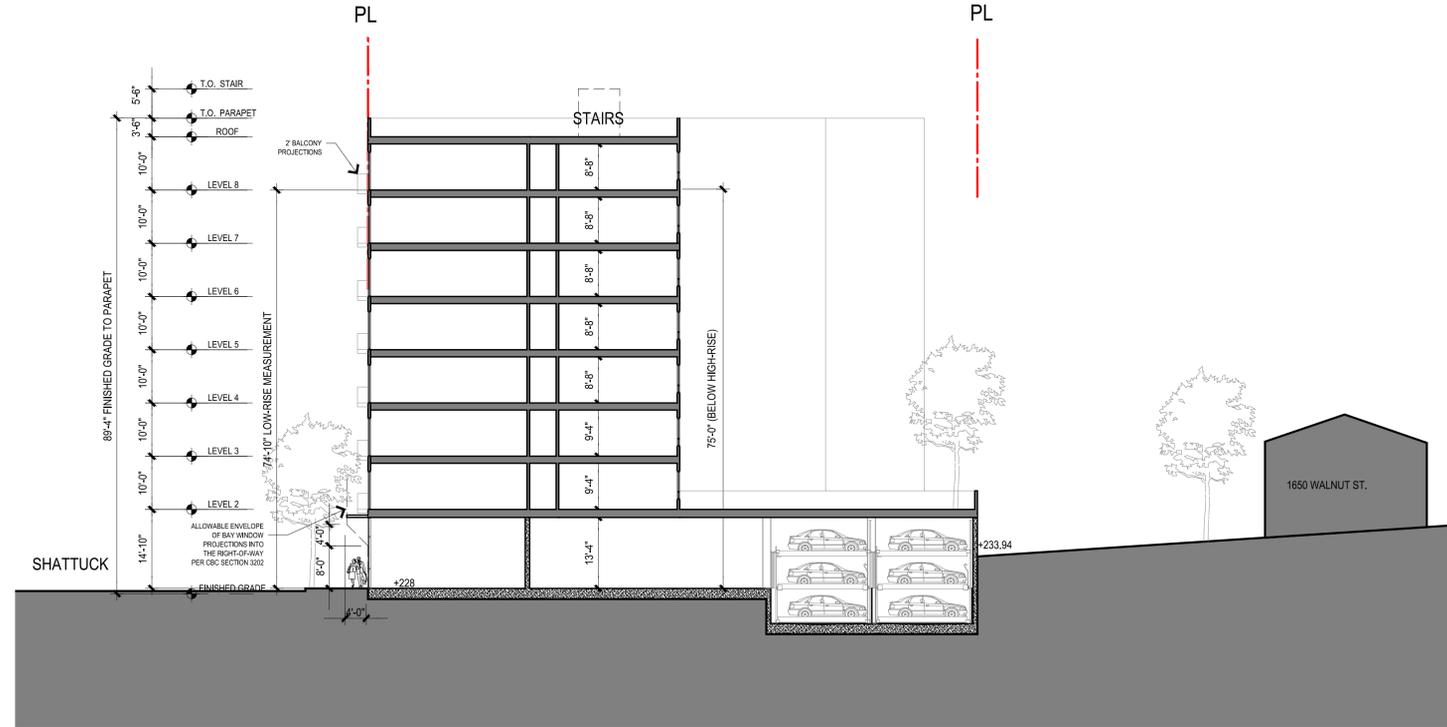
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PROPOSED  
 SECTIONS

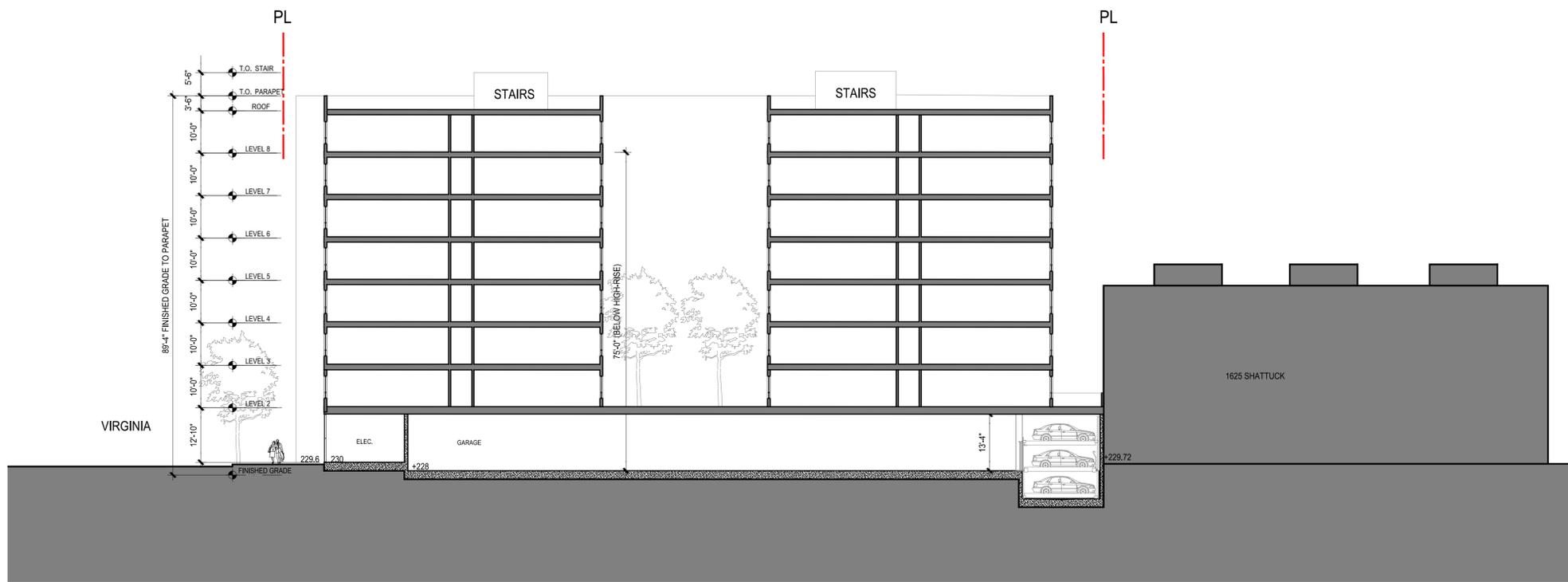
**A4.1**



**1**  
 EAST WEST SECTION  
 1/16" = 1'-0"



**2**  
 EAST WEST SECTION  
 1/16" = 1'-0"



**3**  
 NORTH SOUTH SECTION  
 1/16" = 1'-0"

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SHEET:

PRELIMINARY  
 GRADING PLAN

**A5.1**

**CUT AND FILL CALCULATIONS**

|                            | CUT/FILL<br>AREA | AVERAGE<br>CUT/FILL<br>DEPTH (FT) | TOTAL<br>VOLUME (CY) |
|----------------------------|------------------|-----------------------------------|----------------------|
| PROPOSED BUILDING and SITE | 22,335           | 5.25                              | 4,343                |

**EARTHWORK NOTES:**

1. EARTHWORK QUANTITY IS A ROUGH ESTIMATE BASED ON APPROXIMATE DEPTH OF BOTTOM OF BASEMENT PARKING LEVEL.
2. EARTHWORK QUANTITIES DO NOT TAKE INTO ACCOUNT SOIL SHRINKAGE, SOIL SWELLING, TRENCH SPOILS, SITE OVER-EXCAVATION REQUIREMENTS.



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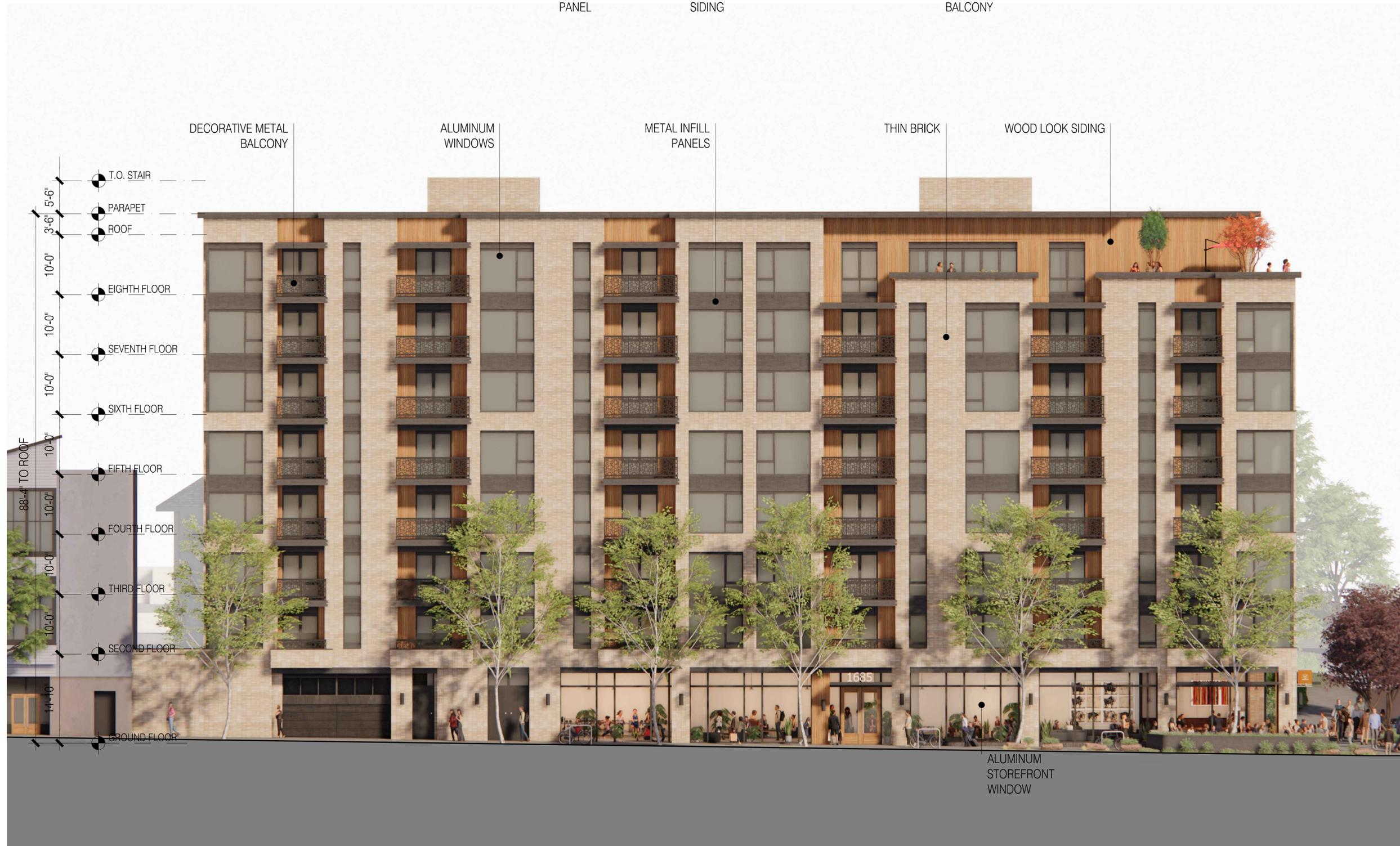
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SHEET:

BUILDING  
 MATERIALS

**MAT**



**1 WEST ELEVATION**  
 1/16" = 1'-0" @ 11X17    1/8" = 1'-0" @ 24X36    0 4 8 16



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JOB: 2109

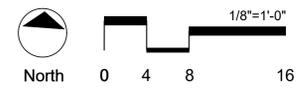
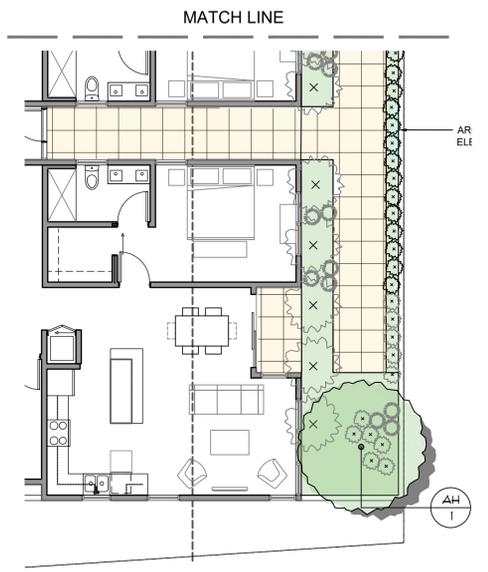
SHEET:

Second Level  
 Courtyard  
**L2-CY**



C  
 A  
 E  
 B

D



MATCH LINE



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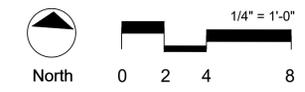
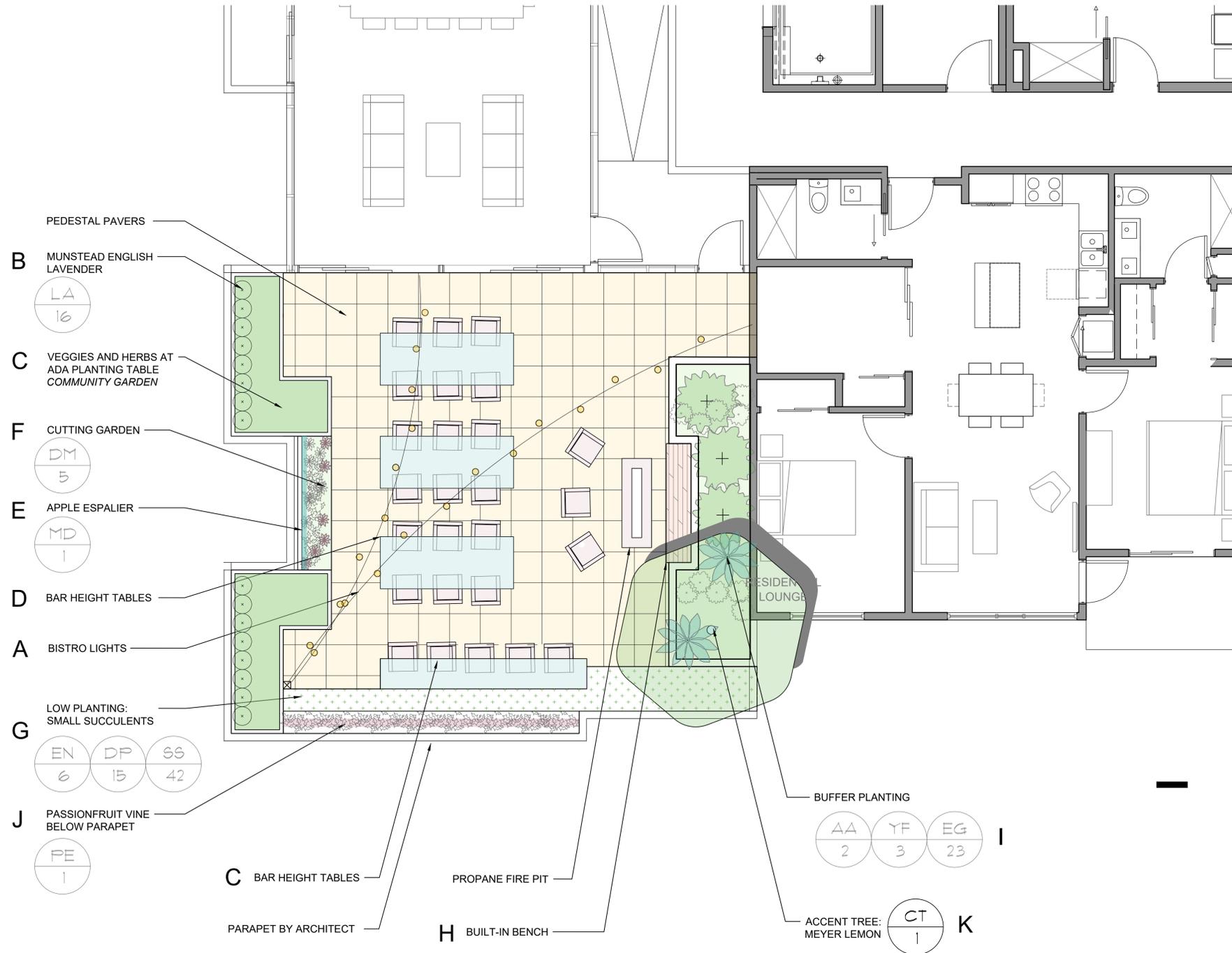
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SHEET:

Eighth Level  
 Roof Deck

## L3-RD



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- 04.30.2024 STRUCTURAL CONCEPT
- 05.31.2024 ZONING APPLICATION
- 09.13.2024 ZONING SUBMITTAL
- 05.15.2025 DRC HEARING SET

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JOB: 2109

SHEET:

Street Tree Notes and  
 Details

**L4-ST**

**STREET TREE COORDINATION NOTES:**

- a) PROPOSED STREET TREE SPECIES, LOCATION, AND CONDITIONS SUBJECT TO ONGOING REVIEW AND APPROVAL BY THE CITY OF BERKELEY'S MANAGING CONSULTING URBAN FORESTER AND ARBORIST. PROPOSED STREET TREES ARE CURRENT WITH EXISTING UTILITIES AS OF 03/20/2024 AND WILL BE SUBJECT TO ADDITIONAL REVIEW AFTER PROPOSED UTILITIES ARE FINALIZED.
- b) TREE PROTECTION FENCING LOCATIONS AND DETAILS TO BE ADDED TO THE DEMOLITION PLAN IN BUILDING PERMIT SET.
- c) CLEARANCE PRUNING REQUIRES PRIOR APPROVAL OF THE CITY. APPROVED CLEARANCE PRUNING SHALL BE COMPLETED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BEST MANAGEMENT PRACTICES FOR PRUNING (INTERNATIONAL SOCIETY OF ARBORICULTURE) AND THE AMERICAN NATIONAL STANDARD FOR TREE CARE OPERATIONS (Z133.1) AND PRUNING (A300, PART 1). TREES SHALL NOT BE TOPPED OR HEADED BACK. TREE PRUNING SHALL BE COMPLETED TO REDUCE LIMBS FOR CLEARANCE WHILE MAKING THE SMALLEST CUTS POSSIBLE. TREE PRUNING SHOULD BE LIMITED TO MINOR BRANCHES. BRANCH REMOVAL OR REDUCTION CUTS (THINNING CUTS) ARE TO BE EMPLOYED RATHER THAN HEADING CUTS.
- d) ALL EXISTING STREET TREES (INCLUDING ANY OF THEIR BRANCHES) ADJACENT TO PLANNED CONSTRUCTION SCAFFOLDING MUST BE PROTECTED FROM MECHANICAL INJURY.
- e) ROOT PRUNING REQUIRES PRIOR APPROVAL OF THE CITY AND SHALL BE SUPERVISED BY THE PROJECT ARBORIST. SEE NOTES BELOW FOR MORE INFORMATION.

**STREET TREE PROTECTION DURING CONSTRUCTION NOTES:**

- a) ALL TREE PROTECTION REQUIREMENTS AND RESTRICTIONS SHALL BE INCLUDED IN THE CONSTRUCTION NOTES AND PRINTED ON ALL COPIES OF THE PLANS. INCLUDE THE NAME AND PHONE NUMBER OF THE PARTY THAT WILL MONITOR THE SITE AND ENSURE THE TREE PROTECTION MEASURES ARE BEING FOLLOWED; AND WHAT THE MONITORING SCHEDULE WILL BE: **NAME / PHONE / SCHEDULE**
- b) TREE PROTECTION ZONES: THE CALCULATED TREE PROTECTION ZONE IS THE ENTIRE DRIFLINE OF THE TREES. **THE SPECIFIED TREE PROTECTION ZONE IS THE ENTIRE PARKWAY (TREE WELL).** NO GRADING, EXCAVATION, CONSTRUCTION OR STORAGE OF MATERIALS SHALL OCCUR WITHIN THE SPECIFIED TREE PROTECTION ZONE. NO UNDERGROUND SERVICES INCLUDING UTILITIES, SUB-DRAINS, WATER OR SEWER SHALL BE PLACED IN THE TREE PROTECTION ZONE.
- c) TREE PROTECTIONS: ADD TREE PROTECTION FENCING TO PROTECT THE EXPOSED DRIFLINE WITHIN THE PARKWAY (FIGURE 2). INSTALL 6 FOOT CHAIN-LINK OR WOOD FENCING TO PROTECT THE AREA WITHIN THE TREE WELL OF ANY PROTECTED TREE IN THE DEVELOPMENT AREA. FENCING SHALL BE MOUNTED TO POSTS THAT ARE DRIVEN INTO THE GROUND (SEE FIGURES 2 AND 3). ALL STREET TREE PROTECTION FENCING MUST PROTECT ENTIRE EXPOSED SOIL AREA WITHIN EACH TREE WELL. WHERE THIS IS NOT POSSIBLE BECAUSE OF EXISTING STRUCTURES, TREE ROOTS, OR OTHER OBSTACLES, CHAIN-LINK PANELS MOUNTED TO STANCHIONS AND CONNECTED TO EACH OTHER MAY BE APPROVED. IN AREAS WHERE DIFFICULT TERRAIN MAKES THIS IMPRACTICAL, ORANGE CONSTRUCTION FENCING MAY BE APPROVED.
- d) ALL FENCING SHALL HAVE SIGNAGE STATING THE REQUIREMENTS AND RESTRICTIONS, AND THE CONTACT INFORMATION FOR THE PROJECT ARBORIST.
- e) WHEN ANY APPROVED CONSTRUCTION ACTIVITY WILL OCCUR WITHIN THE DRIP LINE OF A PROTECTED TREE THAT IS NOT SURROUNDED BY PROTECTIVE FENCING, THE TRUNK SHALL BE PROTECTED BY WRAPPING IT WITH STRAW TUBES (WATTLE) OR VERTICAL WOOD SLATS (EX-2X4), UP TO A MINIMUM OF 8 FEET FROM GRADE (SEE FIGURE 1, PAGE 6). SLATS SHALL BE ANGLED TO PROTECT THE ROOT FLARE AT THE BASE OF THE

AND CLOSED-CELL FOAM OR EQUIVALENT MATERIAL SHALL BE USED TO PROTECT THE TRUNK OF THE TREE WHERE IT CONTACTS THE SLATS. LATERAL BRANCHES BELOW 8 FEET SHALL ALSO BE PROTECTED. IN ADDITION, THE AREA SHALL BE COVERED WITH A 6 INCH LAYER OF MULCH TOPPED WITH 3/4 INCH PLYWOOD THAT IS FASTENED TOGETHER. IF ANY LARGE OR MOTORIZED EQUIPMENT (MINI EXCAVATOR, BOBCAT, POWERED WHEELBARROW) WILL TRAVEL OVER THIS AREA, THE PLYWOOD MUST BE A MINIMUM OF 1 INCH AND ADEQUATE FOR THE WEIGHT OF THE EQUIPMENT THAT WILL TRAVEL OVER IT. IF LARGER EQUIPMENT (BACKHOE, TRACTOR) WILL BE USED, CONSULT THE CITY ARBORIST. **CONSTRUCTION ACTIVITY REFERS TO ANY MOVEMENT OF PEOPLE, TOOLS, OR EQUIPMENT; OR STORAGE OF ANY TOOLS, EQUIPMENT, OR SUPPLIES.**

- f) IRRIGATION: ADD IRRIGATION TO WET THE SOIL IN THE PARKWAY TO A DEPTH OF 12 INCHES. ONCE SOIL IS AT FIELD CAPACITY, IRRIGATION CAN BE SCALED BACK TO REPLACE THE WATER LOST THROUGH EVAPOTRANSPIRATION (ET).
  - g) MULCH: ADD 4 - 6 INCHES OF COURSE ORGANIC MULCH. THE MULCH SHOULD NOT COME IN CONTACT WITH THE TRUNK BUT SHOULD BE 24 INCHES AWAY FROM THE TRUNK.
  - h) LOCATE AND EXPOSE ANY ROOTS 2 INCHES IN DIAMETER OR GREATER THAT MAY NEED TO BE PRUNED TO FACILITATE THE PROJECT. THIS INCLUDES ANY TRENCHING THAT WILL BE DONE AS PART OF FOUNDATION OR UTILITY INSTALLATION. CONTACT THE CITY ARBORIST IN ADVANCE TO LESSEN THE AMOUNT OF TIME THAT THE ROOTS WILL BE EXPOSED. IF ROOTS MUST BE LEFT EXPOSED FOR MORE THAN THREE DAYS, CONSULT THE CITY ARBORIST. **NOTE:** THE 2 INCH DIAMETER THRESHOLD FOR ROOTS IS A GUIDELINE THAT MAY BE ADJUSTED BY THE CITY ARBORIST DEPENDING ON THE SIZE AND CONDITION OF THE TREE, AND THE LOCATION OF THE ROOTS. THE CITY ARBORIST MAY INCREASE THE TP2, OR IMPOSE OTHER RESTRICTIONS, WHEN THE DRIFLINE OF A TREE HAS BEEN ALTERED BY PRUNING OR UNUSUAL GROWTH PATTERNS. ANY ROOT PRUNING THAT WILL OCCUR WITHIN THE PARKWAY: ALL WORK IN THE AREA WILL REQUIRE PRIOR APPROVAL AND SHALL BE SUPERVISED BY THE PROJECT ARBORIST. ROOTS SHOULD BE CUT WITH A SAW TO PROVIDE A FLAT AND SMOOTH CUT. REMOVAL OF ROOTS LARGER THAN 2 INCHES IN DIAMETER SHOULD BE AVOIDED.
  - i) NO STORAGE OF BUILDING MATERIALS, REFUSE, EXCAVATED SPOILS, OR DUMPING OF POISONOUS MATERIALS, IS PERMITTED WITHIN THE DRIP LINE OF ANY PROTECTED TREE. POISONOUS MATERIALS INCLUDE, BUT ARE NOT LIMITED TO, PAINT, PETROLEUM PRODUCTS, CONCRETE OR STUCCO MIX, DIRTY WATER, OR ANY OTHER MATERIAL WHICH MAY BE DELETERIOUS TO TREE HEALTH.
- STREET TREE PLANTING NOTES:**
- 1. FOR NEW PLANTING:
    - a. THE CITY ARBORIST SHALL BE NOTIFIED, BY CALLING (510) 981-6660, PRIOR TO THE DELIVERY OF THE TREES FOR INSPECTION OF THEIR SIZE AND STRUCTURE.
    - b. EACH TREE SHALL BE PROPERLY PLANTED AT OR JUST BELOW GRADE (<1"). SOIL AMENDMENT IS NOT RECOMMENDED. NO CONSTRUCTION RUBBLE OR NON-ORGANIC MATERIAL SHALL BE WITHIN THE TREE WELL. NATIVE SOIL IS PREFERRED.
    - c. THE SURROUNDING SOIL OUTSIDE THE CONTAINER (ROOT BALL) SHOULD BE LIGHTLY COMPACTED TO ABOUT 4 INCHES BELOW GRADE WITH THE ROOT BALL HIGHER THAN THAT.
    - d. 2 TO 2.5 INCHES OF BASE ROCK SHOULD BE APPLIED AROUND THE ROOT BALL LEAVING 1.5 TO 2 INCHES LEFT FOR THE MATERIAL.
    - e. 15G CONTAINERS ARE APPROXIMATELY 15-16 INCHES IN DIAMETER AND THE MATERIAL SHOULD BE APPLIED TO THE APPROXIMATE EDGE OF THE ROOT BALL WITH THE TOP GRADE OF THE ROOT BALL UP TO 1 INCH BELOW THE TOP OF THE MATERIAL THAT WILL BE APPLIED.

- f. EACH NEW TREE SHALL HAVE AUTOMATIC DRIP IRRIGATION (NETAFIM PREFERRED) AND PROVIDE A MINIMUM OF 20 GALLONS PER WEEK BETWEEN MARCH 15 AND OCTOBER 15 FOR THE FIRST THREE YEARS. LARGER TREES MAY REQUIRE ADDITIONAL BUBBLERS DRIP LINES AND/OR EMITTERS. BUBBLERS DRIP EMITTERS SHOULD BE LOCATED ON TOP OF THE ROOT BALL WITHIN THIS 15-16 INCH CIRCLE AND NOT BE COVERED WITH MATERIAL. WHERE POSSIBLE, DRIP LINES AND EMITTERS ARE TO BE INSTALLED IN CONCENTRIC CIRCLES, STARTING 24" AWAY FROM THE TRUNK, SPACED AT 18" APART, COVERING THE ENTIRE TREE WELL.
- g. EACH EXISTING TREE TO REMAIN SHALL HAVE AUTOMATIC DRIP IRRIGATION (NETAFIM PREFERRED) AND PROVIDE A MINIMUM OF 20 GALLONS PER WEEK BETWEEN MARCH 15 AND OCTOBER 15 FOR THE FIRST THREE YEARS AFTER IT WAS PLANTED (PLANTING DATES AVAILABLE AT "CITY TREES" FROM CITY OF BERKELEY OPEN DATA, <https://data.cityofberkeley.info/Natural-Resources/City-Trees/9t35-jmin>.) LARGER TREES MAY REQUIRE ADDITIONAL DRIP LINES AND/OR EMITTERS. DRIP EMITTERS SHOULD BE LOCATED AS FAR FROM THE TRUNKS OF MATURE TREES AS POSSIBLE. WHERE POSSIBLE, DRIP LINES AND EMITTERS ARE TO BE INSTALLED IN CONCENTRIC CIRCLES, STARTING 24" AWAY FROM THE TRUNK, SPACED AT 18" APART, COVERING THE ENTIRE TREE WELL.
- h. TREES THAT DIE WITHIN THE FIRST THREE YEARS MUST BE REPLACED AT THE PROPERTY OWNER'S EXPENSE.



**FIGURE 3 — TREE PROTECTION FENCE EXAMPLE**



- NOTES:
1. DRIVE 4X4 POSTS 24" INTO GRADE AT CORNERS OF TREE WELL; SPACE POSTS NO FURTHER THAN 5' ON CENTER
  2. SET HEIGHT OF FENCING AT 4'-6"
  3. SECURE 2X6 OR 2X8 CROSS BOARDS TO FORM BARRIER TO ENTRY
  4. AFFIX LAMINATED SIGN TO CROSS BOARDS THAT READS "DO NOT ENTER, ADJUST, OR REMOVE FENCING. CONTACT CITY ARBORIST TO ADJUST OR MODIFY FENCING. (510) 981-6660 OR TREES@BERKELEYCA.GOV"

**TP2 TREE PROTECTION, TYPE 2**  
 NTS

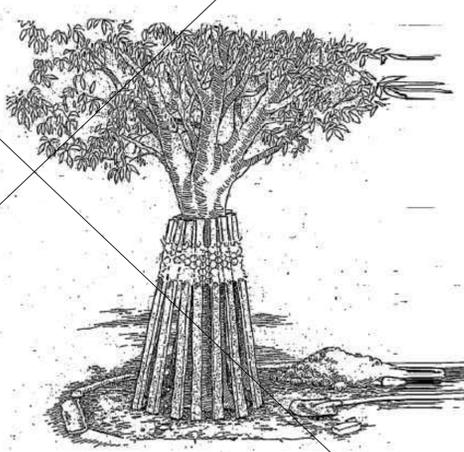
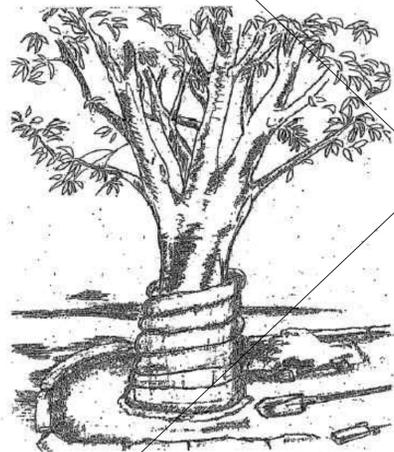
SCALE FACTOR = 1

**Figure 1: Examples of Tree Trunk Protection**

The following illustrations are examples of tree trunk protection measures. One of these examples shall be used when any approved construction activity takes place within the dripline of a protected tree that is not surrounded by protective fencing.

**Example A – Straw tubing (wattle)**

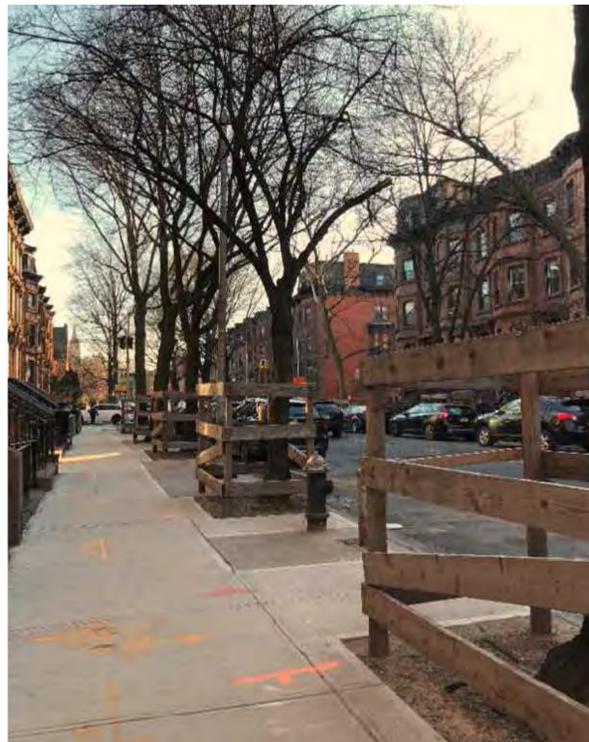
**Example B – Wooden slats**



Example A. Illustration by Dwayne Walters

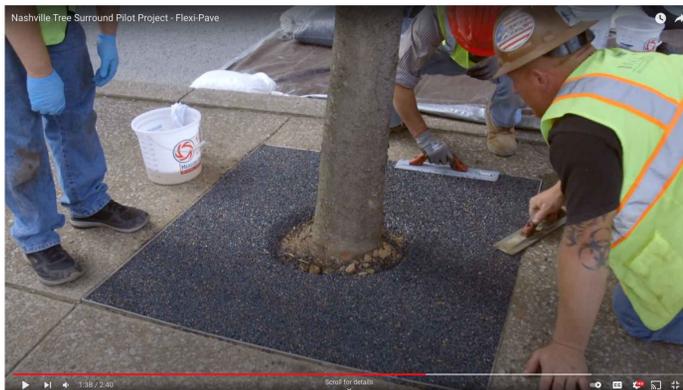
Example B. Illustration from ISA Managing Trees During Construction, BMP

**FIGURE 1 — TREE TRUNK PROTECTION EXAMPLES**  
 (via City of Berkeley)



**FIGURE 2 — TREE PROTECTION FENCE EXAMPLE**  
 (via City of Berkeley - SEE DETAIL TP2 FOR NOTES)

NOTE: As of 9.11.24, no construction activities are approved within the tree wells of any existing trees to remain. See Figures 2 and 3 for examples of acceptable tree protection. All TPF to protect entire exposed soil area within each tree well.



**FIGURE 4 — FLEXI-PAVE EXAMPLE**  
 (via City of Berkeley)



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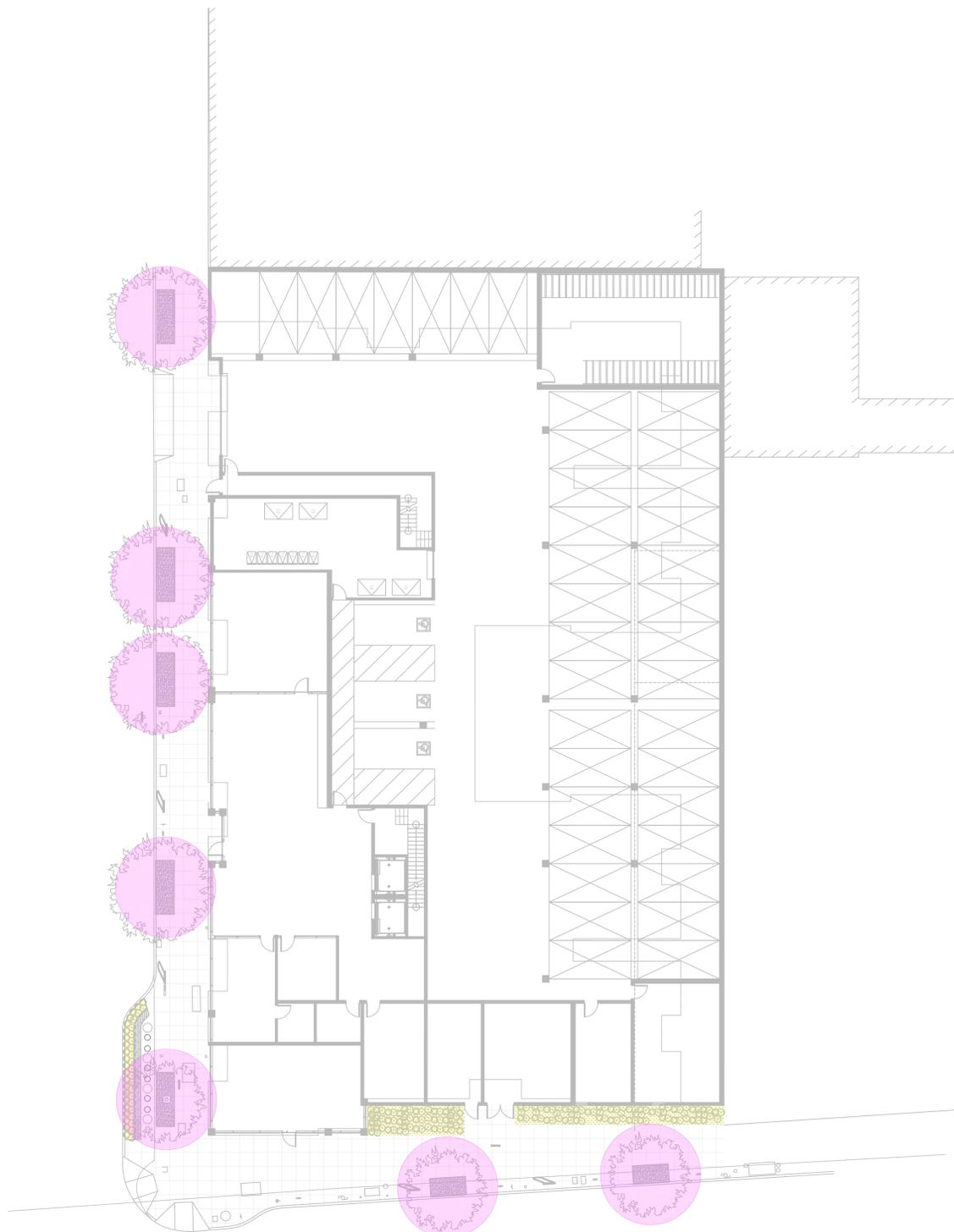
Ground Level  
Hydrozone Plan

# 11.0

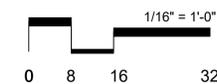
| HYDROZONE KEY |              |            |                |        |
|---------------|--------------|------------|----------------|--------|
|               | DESCRIPTION  | PLANT TYPE | WATER USE TYPE | SQ. FT |
|               | HYDROZONE #1 | SHRUB/GC   | LOW            | 371    |
|               | HYDROZONE #2 | TREES      | LOW            | 560    |

## IRRIGATION WATER USE CALCULATIONS

| WATER USE ESTIMATION                                       |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
|--|----------------|----------------------|-------------------|-------------------|-----------------------|--------------|--------------------|------------------|---------------|----------------|-----------|-------------------------|
| WATER TYPE   |                | POTABLE              |                   |                   |                       |              |                    |                  |               |                |           |                         |
| SITE ETO:  |                | 41.6                 |                   |                   |                       |              |                    |                  |               |                |           |                         |
| <b>REGULAR LANDSCAPE AREAS</b>                             |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| HYDROZONE #  | HYDROZONE NAME | PLANT WATER USE TYPE | PLANT FACTOR (PF) | IRRIGATION METHOD | IRRIGATION EFFICIENCY | ETAF (PF/EI) | AREA (SQ. FT) (HA) | ETAF X AREA (HA) | ETWU (GAL/YR) | ACRE FEET/YEAR | HCF/YEAR  | PERCENTAGE OF LANDSCAPE |
| 1  | SHRUBS/GC      | LOW                  | 0.3               | DRIP              | 0.81                  | 0.370        | 2,569              | 951              | 24,541        | 0.08           | 32.81     | 63%                     |
| 2  | SHRUBS/GC      | MOD                  | 0.5               | DRIP              | 0.81                  | 0.617        | 607                | 375              | 9,884         | 0.03           | 12.92     | 15%                     |
| 3  | TREES          | LOW                  | 0.3               | BUBBLER           | 0.81                  | 0.370        | 560                | 207              | 5,349         | 0.02           | 7.15      | 14%                     |
| 4  | TREES          | MOD                  | 0.5               | BUBBLER           | 0.81                  | 0.617        | 160                | 99               | 2,547         | 0.01           | 3.41      | 4%                      |
| 5  | VEGETABLE/HERS | HIGH                 | 0.8               | BUBBLER           | 0.81                  | 0.888        | 80                 | 86               | 2,218         | 0.01           | 2.97      | 2%                      |
| 6  | WATER FEATURE  | HIGH                 | -                 | -                 | -                     | -            | 1,000              | 107              | 2,760         | 0.01           | 3.69      | 3%                      |
| <b>TOTALS</b>  |                |                      |                   |                   |                       |              | <b>4,083</b>       | <b>1,825</b>     | <b>47,079</b> | <b>0.14</b>    | <b>63</b> | <b>100%</b>             |
| <b>SPECIAL LANDSCAPE AREAS</b>                             |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| HYDROZONE #  | HYDROZONE NAME |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| 5  | VEGETABLE/HERS |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| <b>TOTALS</b>  |                |                      |                   |                   |                       |              | <b>80</b>          |                  |               |                |           | <b>2%</b>               |
| <b>MAWA FORMULA</b>  |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| MAXIMUM APPLIED WATER ALLOWANCE (MAWA)<br>GALLONS PER YEAR |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| MAWA = (ETo)(0.62)((LA x 0.45) + (0.55 x SLA))             |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| <b>ETWU FORMULA</b>  |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| ESTIMATED TOTAL WATER USE (ETWU) GALLONS PER YEAR          |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| ETWU = ((ETo)(.62)(ETAF x LA))                             |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| ETo = REFERENCE EVAPOTRANSPIRATION                         |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| PF = PLANT FACTOR FOR HYDROZONES                           |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| LA = LANDSCAPED AREA (SQ. FT)                              |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| HA = HYDROZONE AREA (SQ. FT)                               |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| 0.62 = CONVERSION FACTOR (GALLONS/SQ. FT/YR)               |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| EI = IRRIGATION EFFICIENCY (0.81)-BUBBLER/DRIP             |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| EI = IRRIGATION EFFICIENCY (0.75)-ROTORS/SPRAY             |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| <b>MAWA</b>  |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| GALLONS/YR   |                | 48,524               |                   |                   |                       |              |                    |                  |               |                |           |                         |
| ACRE FEET/YR   |                | 0.15                 |                   |                   |                       |              |                    |                  |               |                |           |                         |
| HCF/YR   |                | 64.87                |                   |                   |                       |              |                    |                  |               |                |           |                         |
| <b>ETWU</b>  |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| GALLONS/YR   |                | 47,079               |                   |                   |                       |              |                    |                  |               |                |           |                         |
| ACRE FEET/YR   |                | 0.14                 |                   |                   |                       |              |                    |                  |               |                |           |                         |
| HCF/YR   |                | 62.84                |                   |                   |                       |              |                    |                  |               |                |           |                         |
| <b>SITE IRRIGATION EFFICIENCY</b>                          |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| SITE IRRIGATION EFFICIENCY                                 |                | SITE PLANT FACTOR    |                   | MAWA COMPLIANT    |                       |              |                    |                  |               |                |           |                         |
| 77.3%  |                | 0.32                 |                   | YES               |                       |              |                    |                  |               |                |           |                         |
| <b>ETAF Calculations</b>                                   |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| <b>REGULAR LANDSCAPE AREAS</b>                             |                |                      |                   |                   |                       |              |                    |                  |               |                |           |                         |
| TOTAL ETAF x AREA  |                | 1,825                |                   |                   |                       |              |                    |                  |               |                |           |                         |
| TOTAL AREA   |                | 4,083                |                   |                   |                       |              |                    |                  |               |                |           |                         |
| AVG. ETAF  |                | 44.71%               |                   |                   |                       |              |                    |                  |               |                |           |                         |



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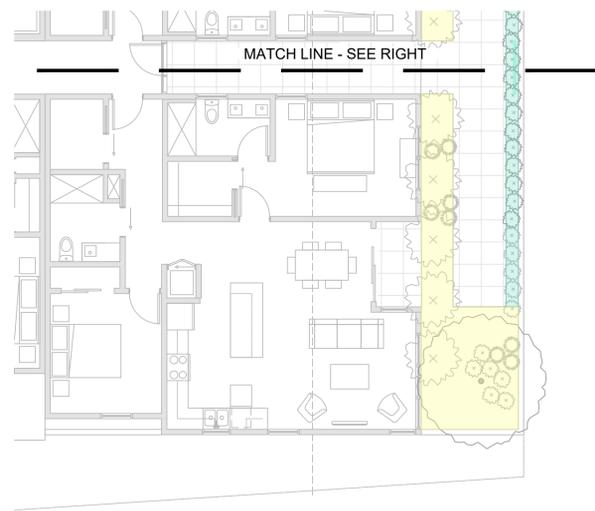
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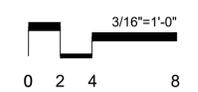
Second Level Courtyard -  
 Hydrozone Plan

**12.0**

| HYDROZONE KEY |              |                |                |        |
|---------------|--------------|----------------|----------------|--------|
|               | DESCRIPTION  | PLANT TYPE     | WATER USE TYPE | SQ. FT |
|               | HYDROZONE #1 | SHRUB/GC       | LOW            | 2,049  |
|               | HYDROZONE #2 | SHRUB/GC       | MODERATE       | 559    |
|               | HYDROZONE #3 | TREES          | MODERATE       | 80     |
|               | HYDROZONE #4 | WATER FEATURES | HIGH           | 107    |



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|---------------|--------------|-----------------|----------------|--------|
|               | DESCRIPTION  | PLANT TYPE      | WATER USE TYPE | SQ. FT |
|               | HYDROZONE #1 | SHRUB/GC        | LOW            | 149    |
|               | HYDROZONE #2 | SHRUB/GC        | MODERATE       | 48     |
|               | HYDROZONE #3 | TREES           | MODERATE       | 80     |
|               | HYDROZONE #4 | VEGETABLE/HERBS | HIGH           | 86     |



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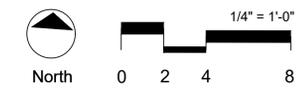
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JOB: 2109

SHEET:

Eighth Level Roof Deck -  
 Hydrozone Plan

**13.0**



North Shattuck Alliance

Member Emails:

[melindaelopez@gmail.com](mailto:melindaelopez@gmail.com)  
[karen.streets@gmail.com](mailto:karen.streets@gmail.com)  
[unnikvij@gmail.com](mailto:unnikvij@gmail.com)  
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September 24, 2024

*By Electronic Mail*

ZAB Board  
2180 Milvia Street  
Berkeley, CA. 94704  
[cmariscal@berkeleyca.gov](mailto:cmariscal@berkeleyca.gov)

CC: Council Member District 4, Mayor of Berkeley, Rep. California Senate District 9 Nancy Skinner

**RE: Memorandum in Support of Reconsideration of the proposed 8-Story Building at 2109 Virginia, Adjacent to Two-Story Single-Multi-Family Homes, No. ZP-2018-0172.**

Dear ZAB, Cecelia Mariscal,

We are the neighbors adjacent to the proposed 8-story building at 2109 Virginia St. We are very supportive of adding housing and many of us have restored properties, provided housing and proposed smart fill-in housing in our neighborhood.

We have several concerns regarding the 2109 Virginia Street project:

- **There appears** to have been outdated cleanup and measurement protocols, dating back over 30 years, were utilized to assess and manage the toxic waste generated by the historical commercial operations of Virginia Cleaners on the proposed development site. These protocols may have been inappropriately applied to classify the site as safe for construction
- **There appears** to have been environmental, safety, and intrusion of privacy posed by the project to existing two-story single and multi-unit homes adjacent to the proposed large disparity of size and volume of the 8-story building that has yet to be researched and evaluated before the permit approval is granted
- **There appears** to have been concerns around significant duress to quality of life and safety of current residents, many of them elderly, living in the immediate city block of the proposed building, due to deficiency in parking, police, utilities, and other public needs demanded by the introduction of almost 100+ additional units which has not been researched and evaluated before the permit approval is granted

- **There appears** to have been inconsistent use of design and zoning requirements such as gradual story/height step-down rules and other design rules approved to be applied to high-density parts of Berkeley being applied to low density parts of the proposed site without proper research and evaluation before the design should be considered ready for review.
- **There appears** to have been no consideration of the concrete urban heat island effects being created by this project without removal of open space with virtually no offsets being researched and evaluated as part of the proposed design being considered for permitting
- **There appears** to have been no consideration of the smart infill housing that has already occurred in Berkeley, which has added more such units than most other cities in California and specifically District 4 which has added more such units than any other Districts in Berkeley. In fact, residents along Walnut Street in District 4 have added smart infill housing (6 out of 9 residents on this petition on walnut street have added infill housing) and hence request the housing density per city block be used as a measure of equity and fairness to be researched and assessed factoring in the existing smart infill housing provisioned in district 4 and more specifically in the proposed city block to ensure balance of density of housing distribution per city block in Berkeley
- **There appears** to be no consideration of the advantages of smart infill into single family home areas, which would provide to lower income residents the numerous positive characteristics of single-family home areas (lower crime, lower pollution, higher income, more greenery, less concrete and better health and hence must be part of the evaluation of proposed housing plan to incorporate the societal and economic enablement assessments factoring existing smart infill housing vs. proposed 8 story complex.<sup>1</sup>

We, Berkeley residents of North Shattuck Alliance, oppose this proposed project in its form as submitted and request the ZAB and city council to enforce judgment and good common sense to guide the approval of this project. Without appropriate action from the city, we would [will?] have no recourse left but to pursue legal action against the approval of the [a] permit.

### **Detailed points of residents of North Shattuck Alliance Memorandum**

#### **1. SB 330 Housing Crisis Act of 2019**

As long-term residents of Berkeley, tenants and homeowners, we have all first-hand experience and witnessed the significant economic and emotional pressure the housing crisis in the Bay Area and the state of California. The historic act that was passed by the state, is a testament to the courage of Sacramento to change the course of housing shortfalls in our community

#### **2. Accessory Dwelling Unit Ordinance in the City of Berkeley**

City of Berkeley has been at the forefront of encouraging innovative approaches and formats to put a dent in the housing crisis, such as supportive ADU ordinance passed by the city. ADUs

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<sup>1</sup> Single-Family Zoning in California: A Statewide Analysis, A California Zoning Atlas Report, Stephen Menendian, Shahan Shahid Nawaz & Samir Gambhir, Othering & Belonging Institute, May 22, 2024, <https://belonging.berkeley.edu/single-family-zoning-california-statewide-analysis>.

according to innumerable policy experts are affordable, low cost to develop, environmentally friendly, safe and smart in infilling neighborhoods with housing density. According to certain estimates, continued supportive policies for ADUs that protect homeowner and rental rights can yield close to 5000 new housing units in Berkeley – which is roughly 60% of the city’s goals set through 2030. Several residents in our community, provide ADUs, even sometimes overcoming adversities from the planning department. 6 out of 9 residents in this petition have provided in-fill housing in their properties.

However, the SB 330 act has also resulted in unintended consequences, which are untenable for our community and if faced, probably untenable for residents and even lawmakers across the city, county and state.

### **3. Minimal regulatory requirements for property size expansion**

Height step-down between the proposed 8 story apartments and one and two-story single-family and multi-unit homes in our neighborhood is essential to ensure a balanced transition between differing building scales. Studies show that abrupt height differences can cause significant overshadowing, leading to a reduction in sunlight by up to 50% for adjacent properties, negatively affecting residents’ quality of life<sup>2</sup>. In addition, step-down designs help maintain neighborhood privacy by limiting direct sightlines from taller buildings into single-family yards and homes. Research from urban design studies also suggests that transitioning heights can reduce wind tunnel effects common in densely built areas, improving pedestrian comfort by lowering wind speeds by 15-20%<sup>3</sup>. Overall, this approach fosters a visually harmonious streetscape and protects the character and property values of residential neighborhoods. Especially in a neighborhood, where there is a significant portion of elderly residents who are aging-in-place, the proposed construction puts a threat and likely force many of us to be displaced from our homes due to safety and quality of life impairment.

**Ask– the city must request analysis and evaluation of sunlight and wind effects on quality of life and safety of residents in the immediate vicinity of proposed structure and/or reduce proposed building size to mitigate risks**

### **4. Inadequate and incoherent design decisions**

The design choices for the proposed apartment project raises significant concerns. For instance, the inclusion of a car park for 93 vehicles directly contradicts Berkeley’s push for walkable, transit-oriented housing, as exemplified by the University Avenue project. Prioritizing such extensive parking will only encourage more car ownership and traffic, which runs counter to Berkeley's goals for sustainable, pedestrian-friendly development. Additionally, the elimination of setbacks, justified solely by the inclusion of low-income housing, introduces serious risks for resident safety by restricting accessibility for fire and emergency personnel. Given the likely price point of these units, it's highly likely that many residents will be families and higher-income individuals who per studies have shown to own two cars, further increasing the parking burden on nearby streets. This will lead to more cars circling for parking, especially in this locale where elderly citizens and schoolchildren from Berkeley Arts Magnet Elementary School inhabit posing significant safety concerns.

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<sup>2</sup> <https://www.mdpi.com/1660-4601/17/14/5014>

<sup>3</sup> <https://windtechconsult.com/20-seriously-effective-wind-mitigation-strategies-for-your-next-project/>

**Ask** – the city must request analysis and evaluation of realistic demands of likely residents and family structure, their car ownership, proposed parking slots and the impact on nearby street parking availability to ensure the right balance of transit-orientated housing goals are met without endangering current residents safety in walkability and convenience to accessible street parking in the vicinity and/or reduce proposed building size to mitigate risks

**5. Lack of congruence with the community**

The current design proposal along Shattuck lacks the thoughtful integration needed to complement the unique, small-business-friendly nature of North Berkeley. Iconic places like the Cheeseboard Collective, which embodies Berkeley’s values of independence, employee ownership, and prioritizing community over profit, are vital to the area’s cultural and historical significance. A large-scale, developer-driven project with ground floor commercial storefronts risks disrupting this community-centric character. These new high-rises that are appearing in Berkeley, have not been able to attract local community-based businesses due to their high rent demands and therefore being leased by large national chains Adding commercial storefronts on Virginia Street—a completely residential area—raises concerns about maintaining the neighborhood’s tranquility and balance. Just as it would be illogical to place a large-scale housing development in the heart of a commercial district like 4th Street, introducing commercial activity on a quiet residential street would disrupt the established character of the area. And with the likely rent burden, such a storefront being occupied by a national chain like a pizza hut or a seven-eleven or a clothing store is incongruent. Thoughtful design choices that align with community values are essential for maintaining safety, accessibility, and the neighborhood’s integrity.

**Ask** – the city must require re-layout of the proposed commercial storefronts away from Virginia street and include analysis and evaluation of the rent burden on such an establishment and ensure the rent is controlled to make the storefronts affordable to local businesses (representative businesses such as Poulet, GoingPlaces) versus national chains

**6. Urban heat islands and their environmental impact**

High-density clusters of tall apartment buildings exacerbate the urban heat island (UHI) effect, disproportionately impacting marginalized communities and worsening climate change. These towering structures, often made of heat-absorbing materials like concrete and steel, trap heat in urban areas, making cities significantly warmer—by as much as 12°F compared to lower density regions.<sup>4</sup> The urban heat island effects already existing in Berkeley can be viewed using the hot stop mapping available on Climate Central’s website<sup>5,6</sup>. This not only increases energy consumption through higher demand for air conditioning, but also leads to more greenhouse gas emissions, fueling the climate crisis. What's more, these heat islands disproportionately affect low-income and working-class communities, where green spaces and cooling infrastructure are often lacking. By prioritizing sustainable, human-centered urban planning -

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<sup>4</sup> <https://journalism.columbia.edu/news/urban-heat-island-effect-making-new-yorkers-hotter-study-finds>

<sup>5</sup> <https://journalism.columbia.edu/news/urban-heat-island-effect-making-new-yorkers-hotter-study-finds>.

<sup>6</sup> <https://climatecentral.observablehq.cloud/urban-heat-hot-spots/conus-map>

such as reducing building density, integrating renewable energy solutions, and expanding green spaces—we can fight back against climate injustice and create healthier, more equitable cities for all.

**Ask** – the city must require a heat island effect analysis of the proposed structure and its environmental impact including the overall impact on environmental burden to the community and its residents health and quality of life and/or reduce proposed building size to mitigate risks

**7. Developer friendly policies at the disregard of residents**

While Berkeley housing code allows flexibility in how affordable units are distributed within a development, this approach is fundamentally unenforceable. Developers can easily prioritize profit by placing all affordable units on the less desirable lower floors while reserving the more valuable upper floors for high-paying buyers. There’s no effective mechanism in place to ensure a fair distribution of affordable units, and without stricter regulations, developers are likely to exploit this loophole. This leads to a situation where promises of affordability are undermined by market-driven interests, and the concerns of existing neighborhoods about towering eight-story buildings next to single-family homes are completely disregarded. Ultimately, this approach benefits developers, not the broader community, and leaves too much room for manipulation.

**Ask** – the city must amend its design requirement policy around affordable housing allotment to within a building to pre-set and stipulate how many unites on which floor and of what design type (ex. 1, 2, 3 bedrooms) to ensure developers cannot game the system and/or reduce proposed building size to mitigate risks

**8. Opaque permitting, review and approval process**

The opaque zoning process for developers compared to everyday citizens creates significant issues for the community. When developers propose projects, there is often minimal communication, with only a notice posted on the proposed site providing an email and phone number for contact. In contrast, when residents want to make even a small addition to their property, they must go through multiple rounds of notifications, obtain signatures from neighbors, and follow several bureaucratic steps. This inconsistency in the process is problematic, especially for the diverse community that lives in the neighborhood, including elderly residents aging in place, working families, single parents, and those who are not tech-savvy. The lack of clear, accessible communication in zoning matters makes the process exclusionary and ableist, effectively undermining due process. Major projects that can disrupt the neighborhood should not be sprung upon residents without proper, transparent engagement. Lastly, the City is not being transparent in terms of the housing it has provided compared to other Cities and how the new housing has been distributed throughout the City.

**Ask** – the city must provide density increase analysis and evaluation for proposed building factoring in how the proposed building affects the fair and equitable increase in density versus other similar neighborhoods in District 4 and other districts within the city

**Conclusion:**

Berkeley has an average vacancy rate of 9-13%, meaning around 5,000 rental units are currently unoccupied out of 50,000 total. Despite the introduction of a vacancy tax in 2024, it is unclear whether this will effectively incentivize landlords to release these units into the market. Current incentives encourage property owners to keep units off the market, and simply building more housing—particularly under the banner of affordable housing—won't guarantee these units are

made available at low-income rates. Large developers, especially those who sell the finished housing to commercial property management firms, often exploit legal loopholes due to their significant financial and legal resources, making it difficult to achieve true affordability. Claims that state law and Berkeley's middle housing policy will empower small developers to build small multi-unit projects or duplexes that align with the ethos of the city are largely inaccurate. As a detailed analysis highlights, 25 developers are responsible for building 25% of all housing units in the U.S., even though there are 60,000 developers nationwide<sup>7</sup>. This trend is driven by large developers' access to public markets and capital, enabling them to undertake giant projects—far from what Berkeley envisions with its housing goals. Experts, including the Berkeley Rental Board Chair, remain skeptical that building large market-rate units will significantly improve affordability<sup>8</sup>. In summary, we believe un-fettered development with disregard to the community is not the answer to fixing current distorted housing policies and perverse incentives.

We, the community of North Shattuck Alliance, should not be at the receiving end of well-meaning housing policies that create unintended consequences. We sincerely request the city and state government to help us preserve our rights and our homes by addressing the requested asks at the earliest. We are willing to work closely with the city and the developer to achieve an amicable resolution that addresses our concerns.

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<sup>7</sup> <https://www.noahpinion.blog/p/why-small-developers-are-getting>

<sup>8</sup> <https://www.berkeleyside.org/2023/10/23/berkeley-affordable-housing-construction>