



PLANNING AND DEVELOPMENT DEPARTMENT
LAND USE PLANNING DIVISION

LANDMARKS PRESERVATION COMMISSION

MEETING AGENDA

Date: Monday, October 7, 2024

Time: 6:30 PM

Place: 1901 Hearst Avenue, North Berkeley Senior Center

The Landmarks Preservation Commission meeting packet is available for review on the City's website, and linked here:

<https://berkeleyca.gov/your-government/boards-commissions/landmarks-preservation-commission>

The Commission currently consists of eight members appointed by City Council:

Kathleen Crandall, District 3 – *Leave of Absence*

Charles Enchill, District 1

Steven Finacom (Vice Chairperson), District 4

Luke Leuschner, District 7

Denise Montgomery (Chairperson), District 8

Susan Orbuch, District 5

Alyssa Plese, District 2

Paul Schwartz, District 6

Vacant (Mayor)



ACCESSIBILITY INFORMATION / ADA DISCLAIMER

This material is available in alternative formats upon request. Alternative formats include audio-format, braille, large print, electronic text, etc. To request alternative formats, please contact the Disability Services Specialist at: Email: ADA@berkeleyca.gov; Phone: 1-510-981-6418; TTY: 1-510-981-6347, and allow 7-10 days for production of the material in an alternative format.

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist at: Email: ADA@berkeleyca.gov; Phone: 1-510-981-6418; TTY: 1-510-981-6347, at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

For inclusion in the Commissioners' agenda packet, please submit written comments by Wednesday the week prior to the meeting. One set of "late communications" will be distributed to the Commissioners two days before the meeting. Please submit any material for distribution as "late communications" no later than 12:00 noon on the Tuesday prior to the meeting. Please be advised: Commissioners do not have an opportunity to read written materials handed out at the meeting.

** INDICATES THAT THE LANDMARKS PRESERVATION COMMISSION RECEIVED DOCUMENTS (NOTICES OF DECISION, STAFF REPORTS, APPLICATION MATERIALS OR CORRESPONDENCE) AS PART OF THE PACKET THAT WAS DELIVERED PRIOR TO THIS MEETING.

Correspondence and Notice of Decision Requests

- **To distribute correspondence for inclusion in the agenda packet** -- submit comments **by 12:00 noon, September 25, 2024**. Please provide 12 copies of any correspondence with more than ten (10) pages or if in color or photographic format. This method is strongly preferred.
- **Late Communications** must be submitted **by 12:00 noon, October 1, 2024**. Any correspondence received after this deadline will be given to Commission members on the meeting date just prior to the meeting. Correspondence received later, and after the meeting, will be posted to the website following the meeting.
- Staff will not deliver to Commission members any additional written (or e-mail) materials received after 12:00 noon on the day of the meeting.
- Members of the public may submit written comments themselves at the meeting. To distribute correspondence at the meeting, please provide 12 copies and submit to the Landmarks Preservation Commission Secretary. **Please be advised: You are strongly advised to submit written comments *prior* to the meeting date as Commission members do not have an opportunity to read written materials handed out at the meeting.**
- Written comments or request for a Notice of Decision should be directed to the Landmarks Preservation Commission Secretary.

Communications to Berkeley Boards, Commissions or Committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City Board, Commission or Committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the Secretary of the relevant Board, Commission or Committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the Secretary to the relevant board, Commission or Committee for further information.**

Contact:

Fatema Crane, Landmarks Preservation Commission Secretary
(510) 981-7410 | LPC@berkeleyca.gov | 1947 Center Street, Berkeley CA 94704

Request for initiation of Landmark designation on a future agenda lies within the range of action to be considered on each structure or property appearing at any place on the agenda.

Consent Calendar: The Consent Calendar allows the Commission to take action, without discussion, on Agenda items for which there are no persons present who wish to speak, and no members who wish to discuss. The Consent Calendar may include the following: (1) Approval of previous meeting minutes; (2) Items being continued to another meeting (action will be postponed to another meeting) or withdrawn by the applicant; and (3) Items noticed for public hearing which the Commission decides to move to the Consent Calendar. The Chairperson will announce any additional items proposed for the Consent Calendar at the beginning of the meeting. Anyone present who wishes to speak against one of these items should advise the Chairperson if they request the item be pulled from the Consent Calendar.

** Indicates that the Landmarks Preservation Commission received documents (notices of decision, staff reports, application materials or correspondence) as part of the packet that was delivered prior to this meeting.

1. **ROLL CALL:** Please put all cellular phones and ringers on silent during the meeting.
2. **EX-PARTE COMMUNICATIONS:** In the context of adjudicative matters that come before the LPC, ex-parte communications are those which occur outside of the formal hearing process. LPC members should avoid ex-parte contacts on matters pending before the LPC as much as possible, as they may represent, or be perceived to represent, the receipt of evidence that can unfairly influence a decision on a matter before the Commission. If such contacts do occur, they must be placed in the record and disclosed to all interested parties sufficiently in advance of the decision to allow rebuttal.
3. **LAND ACKNOWLEDGEMENT STATEMENT:** The Commission recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this uncaded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.
4. **PUBLIC COMMENT on Non-Agenda and Information Items** (Three minutes per person; five minutes per organization, or at the discretion of the Chairperson)
5. **AGENDA CHANGES**
 - A. **Consent Calendar** – the Commission may consider including Items 6, 7, and 10.
 - B. **Other Changes**

ACTION AND DISCUSSION ITEMS

6. [2100-2108 Milvia Street – Demolition Referral \(Use Permit #ZP2023-0163\)**](#)
Consider the proposal to demolish a commercial building that is more than 40 years old, in accordance with BMC Section 23.326.070(C).
7. [1663-1687 Shattuck Avenue/2109 Virginia Street – Demolition Referral \(Use Permit #ZP2024-0066\)**](#)
Consider the proposal to demolish a commercial building that is more than 40 years old, in accordance with BMC Section 23.326.070(C).
8. [2500-2512 San Pablo Avenue/1094-1098 Dwight Way – Landmark or Structure of Merit Designation \(#LMIN2024-0004\)**](#)
Hold a public hearing and consider granting designation status to a commercial property, in accordance with Berkeley Municipal Code (BMC) Section 3.24.130.
9. **AD HOC Subcommittees and Liaison Comments**
Receive opportunity reports on status of projects for which the LPC has established a

** Indicates that the Landmarks Preservation Commission received documents (notices of decision, staff reports, application materials or correspondence) as part of the packet that was delivered prior to this meeting.

subcommittee or liaison. (Note: Sites will come off the list annually or upon approval of a Certificate of Occupancy.)

	Members	Established	Annual Expiration
ZAB Design Review Committee	SF	-	-
Final Design Review for 2065 Kittredge Street	CE, SF, DM	Dec 2023	Nov 2024
Berkeley Rose Garden	KC, PS	Mar 2024	Feb 2025
City Projects for Landmarks and Structure of Merit Sites	SF, CE	Mar 2024	Feb 2025
Potential Initiations	SO, SF	Mar 2024	Feb 2025
University of California	SF, PS	Mar 2024	Feb 2025
Landmarks Policies & Procedures/ HRE Scoping Recommendations	CE, SF, LL, DM	August 2024	July 2025
Structures Completed After 1945	SF, LL, DM	Sept 2024	Aug 2025

10. ACTION: Approval of Action Minutes**

[Draft Action Minutes for September 5, 2024.](#)

11. INFORMATION REPORTS Commissioners may ask for discussion to be scheduled on a future agenda (per Brown Act, no deliberation or final action may be taken).

12. CORRESPONDENCE

13. COMMISSIONER ANNOUNCEMENTS

14. STAFF ANNOUNCEMENTS

15. FUTURE COUNCIL CALENDAR ITEMS

A. 1614 Sixth Street – Information Agenda Item re: Approval of a Structural Alteration Permit for the City Landmark Brown House property, #LMSAP2024-0003, October 15, 2024

B. 2436-2442 Haste Street – Information Agenda Item re: Structure of Merit Designation for Hutchinson Flats Building, #LMIN2024-0002, October 15, 2024

16. POTENTIAL INITIATIONS

The Commission may establish and maintain an ongoing list of structures, sites and areas having a special historical, architectural or aesthetic interest or value. After public hearings, the Commission may initiate landmark and historic district designations from the list.

A. 2362 Bancroft Way-Trinity United Methodist Church (3/1/99)

B. Berkeley High School, Building C, 1920; W. C. Hayes (LE 9/13/99)

C. John Galen Howard Power Station, UC Campus (CO 4/3/00)

D. H.C. Macaulay Foundry, 811 Carleton Street (4/3/00)

E. UC Storage Station, James Plachek, Architect (4/3/00)

F. "Kittredge Street Historic District" - 2124 Kittredge Street (Elder House and storefront)

G. 2138 Kittredge Street (Fitzpatrick House and storefront), and 2117 Kittredge Street (A.H. Broad House and storefront) (JK 11/5/2001)

** Indicates that the Landmarks Preservation Commission received documents (notices of decision, staff reports, application materials or correspondence) as part of the packet that was delivered prior to this meeting.

- H.** 1842-1878 Euclid Avenue (CO 9-14-07)
- I.** Berkeley High School Campus Historic District (SW 1/3/08)
- J.** 2746 Garber Street (SW 3/5/09)
- K.** 1901 Bonita Avenue (CO 11/16/10)
- L.** 1920 Bonita Avenue (CO 11/16/10)
- M.** 1940 Channing Way (CO 11/16/10)
- N.** 1920 Haste Street (CO 11/16/10)
- O.** 2414 Shattuck Avenue (CO 11/16/10)
- P.** Terminal Place (alley) (CO 11/16/10)
- Q.** 2041 University Avenue (CO 11/16/10)
- R.** 2482-2498 Telegraph Avenue And 2445-2449 Dwight Way (CO 12/7/11)
- S.** 2301-2315 Telegraph Avenue / 2510-2516 Bancroft Way (CO 12/7/11)
- T.** 2328-2346 Telegraph Avenue / 2441-2447 Durant Avenue (CO 12/7/11)
- U.** 2400-2402 Telegraph Avenue / 2486-2498 Channing Way (CO 12/7/11)
- V.** 2410-2422 Telegraph Avenue (CO 12/7/11)
- W.** 3049 Adeline Street (CO 3/12/12)
- X.** "Manoa Historic District"- 2530 [sic] Way, 2524 Dwight Way, 2503 Regent Street, 2509 Regent Street, 2511 Regent Street, 2515 Regent Street, 2517 Regent Street, 2506 Dwight Way, 2502 Dwight Way/2501 Telegraph Avenue, 2512-2516 Regent Street/2525 Telegraph Avenue (CO 3/12/12)
- Y.** 1400 Sixth Street (CO 6/7/13)
- Z.** 1409 Scenic Avenue (CO 9/3/15)
- AA.** 1301 Shattuck Avenue, Live Oak Park (CO 2/2/17)
- BB.** 2750-2770 Marin Avenue, Pacific Lutheran Theological Seminary (LPC 5/4/17)
- CC.** 2100 Shattuck Avenue-2100 Kala Bagai Way (SF 6/1/17)
- DD.** 741 Cedar Street (CO 7/6/17)
- EE.** 745 Cedar Street (CO 7/6/17)
- FF.** 749 Cedar Street (CO 7/6/17)
- GG.** 2212 Fifth Street (CO 7/6/17; initiation failed 6/6/21)
- HH.** 837 Folger Avenue (CO 7/6/17)
- II.** 1517 Fourth Street (CO 7/6/17)
- JJ.** 808 Gilman Street (CO 7/6/17)
- KK.** 830 Gilman Street (CO 7/6/17)
- LL.** 832 Gilman Street (CO 7/6/17)
- MM.** 836 Gilman Street (CO 7/6/17)
- NN.** 1018 Pardee Street (CO 7/6/17)
- OO.** 1336 Sixth Street (CO 7/6/17)
- PP.** 1345 Sixth Street (CO 7/6/17)
- QQ.** 601 Ashby Avenue (PA 2/1/18)
- RR.** 1013 Pardee (BO 9/6/18)
- SS.** 1940 Haste Street (LPC 10/04/18; upon relocation of historic building)
- TT.** 2222 Fifth Street (LPC 12/6/18)
- UU.** 1631-33 Walnut Street (LPC 7/2/19)
- VV.** 1601 California Street (PA 11/7/19)
- WW.** 2235 Channing Way, 2240 and 2300 Durant Avenue, 2372 Ellsworth Street (LPC 11/5/20)
- XX.** 2501, 2510, 2514, 2530 and 2551 San Pablo Avenue (LPC 4/1/21)
- YY.** 2132-2154 Center Street (LPC 5/4/23)
- ZZ.** 2414 Shattuck Avenue (LPC 9/7/23)

** Indicates that the Landmarks Preservation Commission received documents (notices of decision, staff reports, application materials or correspondence) as part of the packet that was delivered prior to this meeting.

17. CURRENT LAND USE PROJECTS – BMC Section 23.404.030(C)

Below are the addresses of projects that seek to demolish buildings (residential or commercial) over 40 years old. Permit applications for properties where full removal is not sought are not individually listed, but may be found online:

<https://berkeleyca.gov/construction-development/land-use-development/zoning-projects>

Projects proposing demolition of buildings greater than forty years old**A. Non-Residential Structures (BMC Section 23C.08.050)**

2030-2036	Bancroft Way	ZP2024-0079
2530-2538	Bancroft Way	ZP2023-0126
2300	Ellsworth Street	ZP2023-0024
811	Carleton Street	ZP2021-0003
2942	College Avenue	ZP2022-0136
2298	Durant Avenue	ZP2024-0126
2100	Milvia Street	ZP2023-0163
1827 and 1899	Oxford Street	ZP2024-0075
2720	San Pablo Avenue	ZP2024-0076
2733-2737	San Pablo Avenue	ZP2023-0090
1650	Shattuck Avenue	ZP2020-0022
1663-1687	Shattuck Avenue	ZP2024-0066
1950-1998	Shattuck Avenue	ZP2023-0040
2274	Shattuck Avenue	ZP2023-0079
2300	Shattuck Avenue	ZP2024-0079
2420	Shattuck Avenue	ZP2022-0149
2847	Shattuck Avenue	ZP2024-0077
2920	Shattuck Avenue	ZP2022-0116
2925-2973	Shattuck Avenue	ZP2024-0071
3000	Shattuck Avenue	ZP2022-0046
2800	Telegraph Avenue	ZP2022-0107
2821	Tenth Street	ZP2022-0038
1581 and 1589	University Avenue	ZP2024-0074
1708 and 1710	University Avenue	ZP2021-0127
1776-1796	University Avenue	ZP2023-0070
2071-2079	University Avenue	ZP2023-0040
2109	Virginia Street	ZP2024-0066

B. Residential Structures

3035	Colby Street	ZP2024-0112
2306 and 2310	Ellsworth Street	ZP2023-0024
2360	Ellsworth Street	ZP2024-0126
2442	Haste Street	ZP2024-0070
1048	Keith Avenue	ZP2024-0014
1136	Keith Avenue	ZP2024-0052

** Indicates that the Landmarks Preservation Commission received documents (notices of decision, staff reports, application materials or correspondence) as part of the packet that was delivered prior to this meeting.

2138	Kittredge Street	ZP2024-0114
2708	Prince Street	ZP2024-0024
2427-2433	San Pablo Avenue	ZP2022-0115
1782	University Avenue	ZP2023-0070

18. ADJOURN

NOTICE CONCERNING LEGAL RIGHTS

If you object to a decision by the Landmarks Preservation Commission to approve or deny a designation or permit for a project, the following requirements and restrictions apply:

1. You must appeal to the City Council within Fifteen (15) days after the Notice of Decision of the action of the Landmarks Preservation Commission is mailed. It is your obligation to notify the Land Use Planning Division in writing to receive a Notice of Decision when it is completed.
2. Pursuant to Code of Civil Procedure, Section 1094.6(b), no lawsuit challenging a City Council decision to deny a permit or variance may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure, Section 1094.6(b), which has been adopted by the City. Any lawsuit not filed within that ninety (90) day period will be barred.
3. Pursuant to Government Code, Section 65009(c)(5), no lawsuit challenging a City Council decision to approve (with or without conditions) a permit or variance may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure, Section 1094.6(b), which has been adopted by the City. Any lawsuit not filed within that ninety (90) day period will be barred.
4. Pursuant to Government Code Section 66020(d)(1), notice is hereby given to the applicant that the 90-day protest period for any fees, dedications, reservations, or other exactions included in any permit approval begins upon final action by the City, and that any challenge must be filed within this 90-day period.
5. If you believe that this decision or any condition attached to it denies you any reasonable economic use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a "taking" of property for public use without just compensation under the California or United States Constitutions, the following requirements apply:
 - A. That this belief is a basis of your appeal.
 - B. Why you believe that the decision or condition constitutes a "taking" of property as set forth above.
 - C. All evidence and argument in support of your belief that the decision or condition constitutes a "taking" as set forth above.

If you do not do so, you will waive any legal right to claim that your property has been taken, both before the City Council and in court.

** Indicates that the Landmarks Preservation Commission received documents (notices of decision, staff reports, application materials or correspondence) as part of the packet that was delivered prior to this meeting.