From: Michelle Trame
To: Zoning Adjustments Board (ZAB)
Subject: Please approve housing at 2274 Shattuck
Date: Tuesday, December 10, 2024 6:41:25 PM

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Commission Zoning Adjustments Board Berkeley,

I am writing to urge you to approve the proposed housing development at 2274 Shattuck, ASAP and with urgency.

Opponents have argued that this site should be preserved as a historic building, but there is no practical, safe, or affordable way for that to happen, as demonstrated by in-depth structural and historical analyses of the building. The interior of the building has been renovated extensively, such that it resembles a modern-day, utilitarian multiplex. Only the façade and lobby retain their original architectural features, and the developer has proposed restoring and preserving those features.

Despite an extreme overreach by staff that requested landmarking the entire structure, even the Landmarks Preservation Commission dialed back the preservation portion to cover only the façade and lobby, as the developer had proposed. The existing building is seismically unsound and poses a health and safety risk to the public, but the housing development proposed at the site could address these issues.

There is a way to honor the history of the theater while also building badly-needed housing, and this proposal aims to do just that.

This project will provide 227 affordable-by-design units which are suitable for students, young professionals, and families. The project also provides 23 very low-income affordable units. It will contribute more than $7M in Building Permit and Impact Fees to the City of Berkeley, and it will also contribute ~$2M annually to the property tax base.

It's long past time for this project to break ground. Please support it so that we can move forward.

Sincerely,
Michelle Trame

Michelle Trame
notactuallymichelle@gmail.com
522 66th St
Oakland, California 94609-1118

From: Therese Poletti
To: Zoning Adjustments Board (ZAB)
Subject: Letter of protest for item #6, Dec 12 meeting, 2274 Shattuck Avenue
Date: Tuesday, December 10, 2024 5:05:37 PM

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To whom it may concern at the Zoning Administration Board:

Downtown Berkeley is becoming nothing more than a series of bland, boxy apartment buildings, some of which are practically forming a high-rise wall around the U.C. Berkeley campus. Historic building after historic building is demolished instead of being adapted or reused in the quest to build more housing.

Now, the city is about to lose one of its most fantastic resources, the United Artists movie theatre at 2274 Shattuck Avenue, a stunning Art Deco masterpiece that would attract visitors to the currently dismal downtown. It has the potential to offer affordable culture as a movie theatre, or to even be turned into a performing arts center or a community center.

But the City of Berkeley is instead letting yet another developer run amok, who will alter the landscape forever, destroying a historic resource that can never be replaced. The city has ignored report after report about the theatre's architectural significance, including its own downtown plan.

Unlike Berkeley, the City of Albany is trying to find solutions to help save the now shuttered Albany Twin theatre on Solano Avenue, because it listens to the needs of its community. Many decades ago, the City of Oakland was convinced by preservationists to help save the Fox Theatre, which is today a thriving entertainment venue and brings crowds and revenue to Oakland's Uptown District. Berkeley could do the same, look for solutions, engage with your constituents. But instead, it only listens to developers.

Your short sightedness and that of the City Council is turning downtown Berkeley, a once-vibrant downtown, into an unremarkable bedroom community with barely any cultural venues left, let alone affordable ones, without character or Berkeley's former quirkiness, with its rapidly disappearing historic fabric. Architect John Galen Howard's original plan for the U.C. Berkeley campus is being destroyed, as more and more walls of buildings surround its perimeter.

Please reconsider allowing yet another developer carte blanche in developing the UA Theatre. Once the theatre is gone, there is no turning back. This is your one chance to save something of major value with unlimited potential.

Thank you for your attention.

Therese Poletti
Preservation Director
Art Deco Society of California
and Berkeley resident

From: Nicholas Smith
To: zab@berkeley.gov; Zoning Adjustments Board (ZAB)
Cc: savetheuaberkeley@gmail.com
Subject: Saving United Artist building
Date: Tuesday, December 10, 2024 5:47:41 PM

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information to be included in the agenda packet: item #6 for 12/12 agenda (2274 Shattuck Ave.

On Tue, Dec 10, 2024 at 1:41 PM Nicholas Smith <nasmithgv@gmail.com> wrote:

To whom it may concern:
I was born and raised in Berkeley
and it saddens me to think that anyone would consider tearing down this building. Over the years growing up I saw numerous movies here with my friends. I was always amazed by the art decor color and
the plush carpets. It would be a crime to destroy this historic work of art for the sake of housing when there are other sites around. Please throughly consider changing the scope of this and future planning. Thank you.

From: loisy@aol.com
To: All Council; Zoning Adjustments Board (ZAB)
Subject: 2274 Shattuck Ave.-Please save the historic UA Theatre
Date: Thursday, December 12, 2024 5:30:47 AM

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

To the Berkeley Zoning Adjustment Board:

I am a Berkeley native and lifelong resident who grew up with downtown Berkeley's magnificent cultural life, including the wonderful film education I got from the UC theater and so many of Berkeley's once-thriving cinemas, all but one of which have now been or are slated to be destroyed. The UA theatre is absolutely deserving of protection and preservation both as a historical building that ought to fall under CEQA protection and as the last possible chance to preserve Berkeley's film culture and revitalize Berkeley's downtown, which has been devastated by so many destructive inappropriate, and ill-conceived greedy developer projects. I am writing to urge you to do the right thing and act to save the UA Theatre from yet another devastating developer project that does nothing to solve Berkeley's affordable housing, as other cities in the Bay Area and elsewhere have done with their precious historic theaters. Thank you for your consideration.

Sincerely,
Lois Yuen
Berkeley

From: Patrice Otten <tricyotten@sbcglobal.net>
Sent: Wednesday, December 11, 2024 10:21 PM
To: Hersch, Anne <AHersch@berkeleyca.gov>; Gong, Sharon <SGong@berkeleyca.gov>; Planning Dept. Mailbox <Planning@berkeleyca.gov>; Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>; All Council <council@berkeleyca.gov>; City Attorney's Office <attorney@berkeleyca.gov>
Cc: savetheuaberkeley@gmail.com
Subject: Stop the demolition of the historic UA theater

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Berkeley city staff, ZAB, and City Council,

I'm writing to demand that city staff, the Zoning Adjustments Board, and the City Council take action to prevent the destruction of the historic United Artists theater at 2274 Shattuck Ave. in downtown Berkeley. It is unacceptable to let a developer retain a fraction of the facade and lobby while tearing down the palatial four-story theater itself.

Built in 1932, the UA is on the California Register of Historical Resources, is National Register-eligible, and is also now a city landmark, thanks to an LPC decision earlier this year. Without a doubt, the building is a cultural and historical resource under the CEQA statute; the proposal to demolish it is a "substantial adverse change" requiring extensive CEQA review. The city must insist that all oversight laws and processes are followed and not give baseless exemptions to the developer.

Constructed during the Great Depression by Hollywood icons Charlie Chaplin and Mary Pickford, the UA Berkeley is arguably the finest theater ever built in the city and one of the few Art Deco movie palaces of its kind in the state that could be preserved. Despite being converted to a multiplex 50 years ago, the theater is resplendent with Art Deco architectural detail, decor, and furnishings; it has been relatively well-maintained over the decades, its historic features surviving various retrofits thanks to local preservationists who insisted the original auditorium be preserved behind false walls. The Historical Resource Evaluation on the UA, paid for by the developer, is not an honest and credible assessment; it would be unethical for city officials to consider this document the final word on the status of this landmark property.

The UA presents a tremendous opportunity for Berkeley. It has the potential to be restored as a glorious, midsize live performance venue like Oakland's Paramount, galvanizing an economic and cultural renaissance in the downtown. The many cities in the Bay Area and nationwide that have chosen to preserve their historic theaters never regret doing so. Another option is for the UA to remain a historic multiplex theater that serves a public eager to resume moviegoing after the pandemic. The future possibilities for this splendid building are numerous—but not if complacent city leaders allow a developer to level it into oblivion.

Berkeley citizens are watching with alarm as a mass extinction event for movie theaters unfolds: The Shattuck Cinemas has been freshly demolished while the beloved art deco California and the most valuable of them all, the UA, sit on the precipice of ruin. This all goes against the city's Downtown Area Plan, which was the product of over 200 public meetings and explicitly calls for the retention and support of downtown cinemas. This plan is still in effect.

Building more housing is no doubt vitally important, but it does not have to cost Berkeley one of its most magnificent landmark buildings in the UA. City officials must maintain control over land use decisions, fostering downtown development that maintains a mix of arts and culture and commerce alongside residential growth.

The UA Berkeley served as a community hub and entertainment venue for 91 years, and that tradition should continue. Its destruction would be an irreparable blow to the city's historic and cultural fabric that leaders must avoid at all costs.

Thank you for your consideration.

-- Patrice Otten
tricyotten@sbcglobal.net

From: Save the UA Berkeley
To: Zoning Adjustments Board (ZAB)
Subject: Fwd: 2274 Shattuck Avenue
Date: Wednesday, December 11, 2024 6:42:46 PM

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Staff --

Please include the letter below as part of "late correspondence" for item 6 of the agenda tomorrow 12/12 (2274 Shattuck Ave.)

thanks

---------- Forwarded message ---------
From: **Charlene Woodcock** <charlene@woodynet.net>
Date: Tue, Dec 10, 2024 at 4:27 PM
Subject: 2274 Shattuck Avenue
To: <zab@berkeleyca.gov>
Cc: <council@berkeleyca.gov>, campaign@adenaishii.com <campaign@adenaishii.com>

Greetings.

The members of the zoning board have a very large responsibility as you consider the proposal to demolish Berkeley's last downtown movie theater in favor of more housing, predominantly priced at market rate rather than the middle- and low-income housing we need. Building for that level of pricing does not suit developers' drive for as much profit as possible.
But we've already built more than our quota of above-middle-income housing.

Anyone who considers the promises of the president-elect can anticipate a huge impact on the construction industry, since it is dependent upon many low-paid workers who now are under threat of deportation. As appears with our now-demolished treasure the Shattuck Cinemas, the developer may be unwilling to go forward because the anticipated profits are turning into liabilities in this suddenly unpredictable economy.

What I have treasured most about living in Berkeley for more than 50 years has been its diversity of all sorts—cultural, racial, economic. But beginning in the 80s the greed of real estate investors and developers has relentlessly reduced that diversity, making Berkeley now unaffordable to all but the wealthy, unless they bought homes decades ago. This process has made Berkeley a much less interesting, culturally-rich place to live, too expensive for many former residents—teachers, librarians, artists, food service workers, students, ordinary people.

Emblematic of this loss of cultural diversity is the city council's failure to ensure that downtown Berkeley has a public venue for film. In 2015 a group of Berkeley residents began to alert filmgoers that our cultural treasure the Shattuck Cinemas had been targeted by a developer, prepared to destroy it and replace it with an 18-story highrise. At that time the Cinemas were selling 250-300,000 tickets a year, drawing ticket-buyers from across the East Bay and enlivening the downtown economy. We managed to help hold off demolition for five years until the developer refused to address some of the ZAB requirements and sold the property. The new buyer planned on a less ambitious scale and initially assured us he'd protect and build atop the Cinemas instead of demolishing them, and then he broke that promise and demolished our treasure. And the site still lies in rubble months later. The housing bubble may be about to burst, so we may have had our cultural treasure demolished without even seeing its replacement by

market-rate housing (NOT what is needed).

I write now to urge your thoughtful attention to the possibility of saving Berkeley's one remaining, magnificent venue for film (the California Theatre having been closed if not yet demolished). The 1932 United Artists Theatre opened to great fanfare during the Great Depression by the company founded by Mary Pickford, Douglas Fairbanks, and Charlie Chaplin. Surely this architectural gem, on the California Register of Historical Resources, is worth protecting for current and future generations of Berkeley and East Bay residents. One cannot see great films (or even well-made entertaining films) adequately in our private homes on smaller screens. We need not only more affordable housing but affordable culture and entertainment as well, if we
are to be a city loved by its residents. We need a venue where film can be seen on a big screen and in community with others.

The city can preserve this historic cultural venue by requiring any development to preserve the theater intact and to design a building that can be constructed atop the existing building.

Sincerely,

Charlene M. Woodcock
Berkeley

From: Jon Winet
To: Zoning Adjustments Board (ZAB)
Cc: All Council; campaign@shoshana4berkeley.com; Save the UA Berkeley; Lovvorn, Jennifer
Subject: Fwd: Urgent! Call to action: The destruction of the UA is on the ZAB agenda Thursday night!
Date: Thursday, December 12, 2024 11:58:19 AM

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

To the City of Berkeley Zoning Adjustments Board and the City Council
cc'ed to Shoshana O'Keefe whose email address is not yet on the City's website;
Office of Economic Development; to the Save UA Theater

With thanks for your service, and your consideration, I write to encourage your reconsideration of the destruction of the UA Theater. From what I read - see below - there appears to be an egregious lack of transparency. As the City Council begins a new era of leadership with Mayor Ishii and first time District 5 Council Member Shoshana O'Keefe.

Berkeley has a proud tradition in Movies from the Saul Zaentz | Fantasy Center, home now to many internationally prominent independent filmmaker. to the Pacific Film Archive, unequalled for its preservation and screening of films.

Rethinking how to restore the UA Theater on Shattuck could help revitalize the downtown area and remind us of our prominence in cinematic arts.

The Paramount in Oakland, embattled Castro Theater in San Francisco,, Cascade Theater in Redding and Englert Theater in Iowa City, sources of enormous civic pride, are but a few examples of cultural attractions and economic drivers.

Movie going has perhaps never been more scraping bottom - with the exception of the Pandemic Years - but it might well turn around. If some of you reading this dumped your vinyl collections and record players for cassettes and CD's and later to CD's moved to download and streaming services may regret that move. Theater owners clearly lack for the most part the imagination to rethink the movie-going experience, a collective one that cannot be matched by 85" Flat Panel in homes. But Berkeley doesn't lack imagination or forward thinking!

I am not fully aware of the CEQA issues, but again, the lack of transparency regarding this irreversible decisions seems a terrible way to usher in the New Year and a the new era of municipal government so many of us voted for.

Again, thank you for your time and time, and consideration. Please don't hesitate to contact me.

Jon Winet
District 5 Berkeley resident
Former PFA employee

Co-Curator | Co-director, **Alternating Currents** Albany Bulb & Beyond Event Series

Begin forwarded message:

From: Save the UA Berkeley <savetheuaberkeley@gmail.com>
Date: December 9, 2024 at 5:11:39 PM PST
To: Save the UA Berkeley <savetheuaberkeley@gmail.com>
Subject: Call to action: The destruction of the UA is on the ZAB agenda Thursday night!

Call to Action: Zoning Board Hearing on Thursday night!!! The destruction of the UA is on the agenda. Attend in person or online. Also, email city officials before 5pm Tuesday.

After city officials unjustly granted a full exemption to CEQA after a secretive deliberation process, the apartment tower project that would result in the destruction of the United Artists theater at 2274 Shattuck Ave. is going before ZAB for approval. (Reminder that ZAB is considered final approval for housing projects, not the City Council.)

Make note that we will speak during the hearing, which is the last item on the agenda. More meeting details further down. Also see info on how to write a letter to ZAB in time for the meeting.

Berkeley city officials say that, now that the categorical exemption to CEQA under AB 1633 has been granted, the zoning board has no choice but to approve the project. ZAB members can't make any changes or even continue the hearing to another date for further input, they say, due to the strictures of the state housing fast-track laws, Housing Affordability Act and AB 1633.

But let's make it difficult for them! Let's turn this sham hearing into something meaningful! Let's decry the injustice of destroying a beautiful landmark theater in a process that was nontransparent, secretive at times, and a fuck you to citizen input and participation. Let's SHOUT TO THE ROOFTOPS about how the city granted the CEQA exemption despite obtaining two peer-review reports that disagreed with the developer and supported the UA being a "historic resource" under CEQA. The city purposefully kept those reports under wraps until AFTER handing the developer the fateful end-run around CEQA.

See link to the ZAB agenda which includes a Zoom link and rules for

participation. To see the staff report, click on agenda item #6, 2274 Shattuck Avenue. As for when to show up, the hearing on the UA most likely won't happen until 8pm or later BUT it's hard to know for sure. ZAB staff told us that sometimes the board will change the order of the agenda on a whim, at the start of the meeting. Please keep that in mind.

WRITING LETTERS FOR THE MEETING

If you have time to send an email by 5pm Tuesday, you can write a letter to be included in the agenda packet on Thursday night (see background and talking points below). Just make sure to say the correspondence is for item #6 of the Dec. 12 ZAB agenda and list 2274 Shattuck Ave. email: zab@berkeleyca.gov

DEADLINE TO SEND EMAIL TUESDAY AT 5PM. Correspondence received by 5:00 PM two days before this public hearing will be conveyed to the Board in a Supplemental Communications and Reports, which is released around noon one day before the public hearing.

LATE CORRESPONDENCE -- SEND BY NOON ON THURSDAY. Correspondence received by 12:00 PM the day of this public hearing will be provided to the Board at the hearing.

• Correspondence received after 12:00 PM the day of this public hearing will be saved in the project administrative record.

https://berkeleyca.gov/sites/default/files/legislative-body-meeting-agendas/2024-12-12_ZAB%20Agenda%20-%20Linked.p

Meeting background and talking points

BACKGROUND

In January, the city planner handling the developer's application informed the developer that the housing project would need to under go "an Infill Environmental Checklist with a potential for an Infill Environmental Impact Report (EIR)." This is because construction of the 17-story apartment tower would result in the destruction of United Artists Theater at 2274 Shattuck Avenue, except for parts of the facade and lobby, and because the UA is on the California Register of Historical Resources and is thus an historic resource under CEQA.

In early March, the developer demanded that the project be granted a categorical exemption from CEQA under a new state law, AB 1633. The city made a point of not telling our group about this exemption request, despite phone calls and emails seeking this information. Instead, the planner said the developer had the project "on hold." The letter demanding the categorical exemption was not posted to the city's public records archive until more than two months later.

At some point after that, in the spring, the city sought the "peer-review" opinion of architectural historians who reviewed the Historical Resource Evaluation (HRE) submitted by the developer, a report that dramatically and unethically downplayed the theater's historical and architectural value. Again, the city was not being forthcoming about what was going on. Our group had been asking for the city to do this very thing—seek a second opinion on the HRE. But the city made a point of keeping the public in the dark about these reports—which disagreed with the developer's HRE in multiple ways and supported the theater's historic resource status—until it finalized its fateful decision to grant the full categorical exemption under CEQA in early October.

And so, after months of closed-door deliberations and keeping pivotal reports from the public, the city determined in early Oct. that the developer is eligible for a categorical exemption to the California Environmental Quality Act (CEQA) under AB 1633. According to city officials, this determination ensures the development project's approval at the Zoning Adjustments Board meeting next week, meaning that if the project goes to fruition the 1932 art deco UA theater will be destroyed. The city made this decision DESPITE ample evidence that the UA is a "historic resource" under the CEQA statute, which says that projects that destroy historic resources are not eligible for categorial exemptions. When asked, city leaders would not specify which evidence caused it to grant the categorical exemption.

TALKING POINTS:

- **CITIES AND CITIZENS ROBBED OF INPUT AND OVERSIGHT** Now that the city has found the project eligible for the full CEQA exemption, city officials say that ZAB has no choice but to approve the project, no matter what citizens say or what evidence there is (a lot) to demonstrate the theater's protections under CEQA.

- **STATE LAWS—AND THE COMPLICITY OF CITY OFFICIALS—MAKE A MOCKERY OF CITIZEN INPUT AND LOCAL CONTROL OF PLANNING** Several state laws conspire to speed up and ensure approval of housing projects and limit input by local officials and citizens (the HAA, SB 330 and AB 1633). But it's also because the city of Berkeley caved preemptively to the developer when it gave the developer a categorical exemption to CEQA in early

October. There is strong evidence that it didn't have to.

- **THUS, THE ZAB HEARING WILL BE A CHARADE—NOT A LEGITIMATE PUBLIC HEARING WHERE THE INPUT OF CITIZENS IS TAKEN INTO ACCOUNT**

- **CITY OFFICIALS SHOULD DECRY THIS LOSS OF CONTROL AND DO SOMETHING ABOUT IT. Something is wrong when a major housing project—which would result in the destruction of an art deco theater on the California Register of Historical Resources—is going to be rubber-stamped by a so-called public body despite evidence that it is a historic resource under CEQA and despite what citizens say.**

- **THE CITY KOWTOWED TO THE DEVELOPER WHEN IT HAD LEGIT EVIDENCE TO STAND ON TO IMPOSE CEQA REVIEW.** Yes, because of these housing fast-track laws, the city has legitimate fears of lawsuits and financial penalties by not doing what the developer wants. BUT it had legitimate evidence to support imposing the CEQA review as initially planned. CEQA says that categorical exemptions are not allowed if a project presents an "adverse change" to a historic resource, which the UA is.

- **TWO REPORTS FROM ARCHITECTURAL HISTORIANS SHOW THE THEATER SHOULD BE PROTECTED UNDER CEQA** The zoning board will approve the housing project DESPITE the city seeking two peer- review reports from architectural historians over the summer who disagreed with the developer and asserted the theater's protections under CEQA.

- **SAVE THE UA BERKELEY HAD BEEN ASKING SINCE THE SPRING FOR PEER-REVIEW REPORTS, AND THE CITY OBTAINED TWO BUT KEPT THEM SECRET UNTIL CITY MADE THE FATEFUL CEQA EXEMPTION.** Members of Save the UA Berkeley had been

emailing and calling the city asking for it to obtain "peer review" reports of the developer-bought Historic Resource Evaluation. In letters we said the developer's HRE "is not an honest and credible assessment; it would be unethical for city officials to consider this document the final word on the status of this landmark property." We only found out a few weeks ago that the city buried these "peer review" reports for months, purposefully didn't make them public until after it had decided to grant the CEQA exemption in early October, ensuring the development project's approval. (Under AB 1633, if categorical CEQA exemption is granted, the project must go to a hearing within weeks and be approved.)

- **CEQA REVIEW WOULD NOT HAVE STOPPED THE HOUSING PROJECT BUT IT IS A PROCESS THAT SEEKS PUBLIC INPUT ON WHAT IT MEANS TO DESTROY "HISTORIC RESOURCES" LIKE THE UA.**

- **HOUSING CONSTRUCTION IS IMPORTANT BUT THERE MUST BE SOME ABILITY TO PRESERVE HIGHLY HISTORIC BUILDINGS** The pendulum has swung too far in favor of developers and away from local control.

- **THE UA, THE CAL, AND THE SHATTUCK CINEMAS ARE BEING SACRIFICED FOR MARKET RATE HOUSING, NOT HOUSING THAT WILL HELP THE POOR AND WORKING CLASS** It's important to note that the high-rise apartment buildings going up around the city are market rate housing, with a small fraction of affordable units, which many experts say will not remedy the housing crisis.

WHY THE UA SHOULD BE SAVED

- **UA FINEST THEATER EVER BUILT IN BERKELEY** Built in 1932, the UA is the finest movie theater ever built in Berkeley that is critically located in the heart of the downtown. It is chock full of architectural detail and decor.

- **PERHAPS THE BIGGEST REASON WHY THE UA IS UNIQUE AND HIGHLY VALUABLE IS BECAUSE, IN THE '70S, PRESERVATIONISTS MADE SURE THAT THE ORIGINAL GRAND AUDITORIUM WAS PRESERVED BEHIND THE MULTIPLEX RETROFIT'S FALSE WALLS.** The original gilded ceiling, stage, proscenium arch, while damaged, still exist behind the retrofit. That's not including all of the splendid murals, fixtures and other decor that is in great shape in the lobby, hallways, and multiplex screening rooms.

- **UA HAS POTENTIAL IF IT IS NOT DESTROYED** The UA could remain a uniquely historic multiplex theater or be restored as a live performance venue like the Paramount in Oakland.

- **KEEP HISTORIC CHARACTER IN THE DOWNTOWN** The people who move into the downtown's new buildings, and the whole city and region, will appreciate and benefit from the retention of buildings of high architectural, cultural, and historic value.

- **ONLY ONE COMMERCIAL THEATER LEFT IN A CITY THAT WAS ONCE THE REPUTED CENTER OF CINEMA CULTURE**

- **DESTRUCTION OF THEATERS VIOLATES DOWNTOWN AREA PLAN** This all goes against the city's Downtown Area Plan, which was the product of over 200 public meetings and explicitly calls for the retention and support of downtown cinemas. This plan, adopted in 2012, is still in effect.

- **EIGHT YEARS AGO, A CITY-COMMISSIONED STUDY FOUND THAT NEARLY 700,000 PEOPLE PATRONIZED THE DOWNTOWN'S THREE COMMERCIAL MOVIE THEATERS.** Yes, movie attendance has dropped dramatically, but are you sure that the

downtown wouldn't benefit from a movie theater or more?

From: Paul
To: Zoning Adjustments Board (ZAB)
Subject: Get Housing Built in Downtown!
Date: Wednesday, December 11, 2024 7:30:52 PM

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hello,

We need housing built at 2274 Shattuck! This would be right next to BART and close to jobs, and would provide twenty-three affordable homes. This building also preserves the facade of the vacant theater it would replace.

When it comes to historic preservation, I value the parts of buildings I, as a random citizen, actually interact with. I pass by this theater all the time when running errands downtown. Now that the theater has closed, I don't interact with the newer insides. What I interact with is the older parts of it visible right on the street. By preserving the facade, we preserve history. By preserving a vacant theater (which are endangered partly due to the fact that no one has the money to live here anymore), we don't.

And don't forget that the housing being built helps us too! I can barely afford to live here as it is, renting a room in a duplex from an older retired woman, and there's no way, even at age 43, could I afford to live here if I had kids to support. Get us some more homes built, right where they are needed!

Thank you,

Paul Bickmore

From: Charlene Woodcock
To: Zoning Adjustments Board (ZAB)
Subject: Item 6, 2274 Shattuck Ave, 12/12/24 ZAB Hearing
Date: Wednesday, December 11, 2024 10:35:08 PM

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Greetings.

The members of the zoning board have a very large responsibility as you consider the proposal to demolish Berkeley's last downtown movie theater in favor of more housing, predominantly priced at market rate rather than the middle- and low-income housing we need. Building for that level of pricing does not suit developers' drive for as much profit as possible.
But we've already built more than our quota of above-middle-income housing.

Anyone who considers the promises of the president-elect can anticipate a huge impact on the construction industry, since it is dependent upon many low-paid workers who now are under threat of deportation. As appears with our now-demolished treasure the Shattuck Cinemas, the developer may be unwilling to go forward because the anticipated profits are turning into liabilities in this suddenly unpredictable economy.

What I have treasured most about living in Berkeley for more than 50 years has been its diversity of all sorts—cultural, racial, economic. But beginning in the 80s the greed of real estate investors and developers has relentlessly reduced that diversity, making Berkeley now unaffordable to all but the wealthy, unless they bought homes decades ago. This process has made Berkeley a much less interesting, culturally-rich place to live, too expensive for many former residents—teachers, librarians, artists, food service workers, students, ordinary people.

Emblematic of this loss of cultural diversity is the city council's failure to ensure that downtown Berkeley has a public venue for film. In 2015 a group of Berkeley residents began to alert filmgoers that our cultural treasure the Shattuck Cinemas had been targeted by a developer, prepared to destroy it and replace it with an 18-story highrise. At that time the Cinemas were selling 250-300,000 tickets a year, drawing ticket-buyers from across the East Bay and enlivening the downtown economy. We managed to help hold off demolition for five years until the developer refused to address some of the ZAB requirements and sold the property. The new buyer planned on a less ambitious scale and initially assured us he'd protect and build atop the Cinemas instead of demolishing them, and then he broke that promise and demolished our treasure. And the site still lies in rubble months later. The housing bubble may be about to burst, so we may have had our cultural treasure demolished without even seeing its replacement by market-rate housing (NOT what is needed).

I write now to urge your thoughtful attention to the possibility of saving Berkeley's one remaining, magnificent venue for film (the California Theatre having been closed if not yet demolished). The 1932 United Artists Theatre opened to great fanfare during the Great Depression by the company founded by Mary Pickford, Douglas Fairbanks, and Charlie Chaplin. Surely this architectural gem, on the California Register of Historical Resources, is worth protecting for current and future generations of Berkeley and East Bay residents. One cannot see great films (or even well-made entertaining films) adequately in our private homes on smaller screens. We need not only more affordable housing but affordable culture and entertainment as well, if we
are to be a city loved by its residents. We need a venue where film can be seen on a big screen and in community with others.

The city can preserve this historic cultural venue by requiring any development to preserve the theater intact and to design a building that can be constructed atop the existing building.

Sincerely,

Charlene M. Woodcock
Berkeley

From: Charlene Woodcock
To: Zoning Adjustments Board (ZAB)
Subject: Item 6, 2274 Shattuck Avenue, 12/21/24 ZAB Hearing
Date: Wednesday, December 11, 2024 10:32:09 PM

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Greetings.

The members of the zoning board have a very large responsibility as you consider the proposal to demolish Berkeley's last downtown movie theater in favor of more housing, predominantly priced at market rate rather than the middle- and low-income housing we need. Building for that level of pricing does not suit developers' drive for as much profit as possible.
But we've already built more than our quota of above-middle-income housing.

Anyone who considers the promises of the president-elect can anticipate a huge impact on the construction industry, since it is dependent upon many low-paid workers who now are under threat of deportation. As appears with our now-demolished treasure the Shattuck Cinemas, the developer may be unwilling to go forward because the anticipated profits are turning into liabilities in this suddenly unpredictable economy.

What I have treasured most about living in Berkeley for more than 50 years has been its diversity of all sorts—cultural, racial, economic. But beginning in the 80s the greed of real estate investors and developers has relentlessly reduced that diversity, making Berkeley now unaffordable to all but the wealthy, unless they bought homes decades ago. This process has made Berkeley a much less interesting, culturally-rich place to live, too expensive for many former residents—teachers, librarians, artists, food service workers, students, ordinary people.

Emblematic of this loss of cultural diversity is the city council's failure to ensure that downtown Berkeley has a public venue for film. In 2015 a group of Berkeley residents began to alert filmgoers that our cultural treasure the Shattuck Cinemas had been targeted by a developer, prepared to destroy it and replace it with an 18-story highrise. At that time the Cinemas were selling 250-300,000 tickets a year, drawing ticket-buyers from across the East Bay and enlivening the downtown economy. We managed to help hold off demolition for five years until the developer refused to address some of the ZAB requirements and sold the property. The new buyer planned on a less ambitious scale and initially assured us he'd protect and build atop the Cinemas instead of demolishing them, and then he broke that promise and demolished our treasure. And the site still lies in rubble months later. The housing bubble may be about to burst, so we may have had our cultural treasure demolished without even seeing its replacement by market-rate housing (NOT what is needed).

I write now to urge your thoughtful attention to the possibility of saving Berkeley's one remaining, magnificent venue for film (the California Theatre having been closed if not yet demolished). The 1932 United Artists Theatre opened to great fanfare during the Great Depression by the company founded by Mary Pickford, Douglas Fairbanks, and Charlie Chaplin. Surely this architectural gem, on the California Register of Historical Resources, is worth protecting for current and future generations of Berkeley and East Bay residents. One cannot see great films (or even well-made entertaining films) adequately in our private homes on smaller screens. We need not only more affordable housing but affordable culture and entertainment as well, if we
are to be a city loved by its residents. We need a venue where film can be seen on a big screen and in community with others.

The city can preserve this historic cultural venue by requiring any development to preserve the theater intact and to design a building that can be constructed atop the existing building.

Sincerely,

Charlene M. Woodcock
Berkeley

From: Utkarsh Nath
To: Zoning Adjustments Board (ZAB)
Subject: Please approve housing at 2274 Shattuck
Date: Wednesday, December 11, 2024 11:00:10 PM

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Commission Zoning Adjustments Board Berkeley,

I am writing to urge you to approve the proposed housing development at 2274 Shattuck, ASAP and with urgency.

Opponents have argued that this site should be preserved as a historic building, but there is no practical, safe, or affordable way for that to happen, as demonstrated by in-depth structural and historical analyses of the building. The interior of the building has been renovated extensively, such that it resembles a modern-day, utilitarian multiplex. Only the façade and lobby retain their original architectural features, and the developer has proposed restoring and preserving those features.

Despite an extreme overreach by staff that requested landmarking the entire structure, even the Landmarks Preservation Commission dialed back the preservation portion to cover only the façade and lobby, as the developer had proposed. The existing building is seismically unsound and poses a health and safety risk to the public, but the housing development proposed at the site could address these issues.

There is a way to honor the history of the theater while also building badly-needed housing, and this proposal aims to do just that.

This project will provide 227 affordable-by-design units which are suitable for students, young professionals, and families. The project also provides 23 very low-income affordable units. It will contribute more than $7M in Building Permit and Impact Fees to the City of Berkeley, and it will also contribute ~$2M annually to the property tax base.

It's long past time for this project to break ground. Please support it so that we can move forward.

Sincerely,

Utkarsh Nath
utkarsh.nath@yahoo.com
34462 Alberta Terrace
Fremont, California 94555

From: Jonathan Singh
To: Zoning Adjustments Board (ZAB)
Subject: Please approve housing at 2274 Shattuck
Date: Wednesday, December 11, 2024 8:25:04 PM

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Sincerely,

Jonathan Singh
jonathan.c.singh@gmail.com
540 39TH ST APT 369
Oakland, California 94609

From: Deco Life
To: Zoning Adjustments Board (ZAB)
Subject: Re: Item #6 12/12/2024 Agenda
Date: Wednesday, December 11, 2024 6:34:38 PM

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Please include this KPIX news report from 12/11/2024 to the public record.

https://www.cbsnews.com/sanfrancisco/live/?fbclid=IwZXh0bgNhZW0CMTEAAR2Oyi47P8c043rPFFKGBdQ4rgULSs2sjlcVceU9KlIkYRtzYtWcJWQ0Zdg_aem_vBXxitQrj8wLqUk4xpHgHg

Anastasia Rose Ellis

On Tue, Dec 10, 2024 at 12:38 PM Deco Life <ellisanastasia@gmail.com> wrote:

> To the Berkeley Zoning Adjustments Board,
>
> My name is Anastasia Rose Ellis. I am head of the group "Save the United Artists Theater" along with my partner Laura Linden. Our group protests the Zoning Adjustment Board's (hereinafter "ZAB") decision to grant the United Artists Theater (hereinafter the "UA") a full exemption from undergoing the California Environmental Quality Act (hereinafter "CEQA") environmental review process (hereinafter "EIR.")
>
> Our group is pro-affordable housing. We are not NIMBY. Yet the city has ignored the outcry of a couple thousand of its citizens and community members who have demanded this 1932 Art Deco property be saved.
>
> Despite the current SB33 and AB 1633 legislation, Berkeley's own peer review experts, The Rincon Group, stated in two reports that the building should NOT be exempted from an EIR. The Rincon group underscored that UA is recognized as a property of historic interest on both the state and national registers.
>
> We understand the CEQA review will not stop the building project from going forward, but an EIR would reveal to the world what a truly unique and almost fully intact example of Art Deco that the United Artists is. The developer has gone to great lengths to hide and obfuscate these facts from the public. This might result in interest groups raising the money to buy the theater and save it from destruction.
>
> From the beginning of this theater's history, Berkeley's has never looked into to finding ways to keep this historic resource safe, even though cities and towns all over the country have done and are doing just that. The artistry and materials used in art deco buildings can never be duplicated again.
>
> Throughout our efforts to landmark the UA, the Landmark Preservation Committee (hereinafter "LPC") and ZAB have gone out of their way to muddy the process and divulge the least amount of information to us possible. Indeed we have been treated with disdain and in one case ridicule from various members of the city's personnel.
>
> There seems little to no reason to have an LPC committee or a zoning board if Berkeley refuses to preserve their most important property.
>
> LPC member Steve Finacom said at the final hearing for the UA, and I paraphrase; "If we do not save the UA, we might as well lock our office door and throw away the key. Downtown Berkeley will be nothing but a bunch of bedrooms."
>
> Berkeley will now have just one small commercial movie theater when it could have an equivalent of the Oakland Paramount in its downtown area. This building could be used as a multipurpose center for culture and arts, for the symphony, ballet, film and public events.
>
> At no time did any Berkeley city official look at creative ways to keep this building from demolition. Berkeley certainly went to bat for the Ohlone sacred ground and rightly so, it was saved from developers. No one was crying NIMBY for that rescue mission.
>
> We understand Berkeley has to follow current state laws for affordable housing. You all know this is not truly affordable for low income residents when the rates are based on a medium income of $100,000. What city will say that enough is enough. It's time to stand up and demand the housing laws take into account our precious historic properties, in particular our Art Deco movie theaters, of which very few are left.
>
> It is heartbreaking and criminal that none of city officials cared enough to save this public building built by Charlie Chaplin, Mary Pickford, and Douglas Fairbanks. Berkeley's city officials will all go down in history as the people that allowed the destruction of this Art Deco masterpiece.
>
> Anastasia Rose Ellis
>
> www.savetheuaberkeley.org