From: Adam Rogers
To: Zoning Adjustments Board (ZAB)
Subject: Please approve housing at 2274 Shattuck
Date: Sunday, December 8, 2024 9:55:36 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.

There could just…be homes there. People living downtown, keeping it lively and safe, mere blocks from BART and the university. But instead it's a shuttered movie theater. No aesthetic, no matter how nominally historical, is worth the lives of the people suffering in tents and RVs two blocks from my house because they can't afford anything else in Berkeley.

This is a good project. Let downtown evolve into something new and useful. Let new people find new things to love there.

Thanks.

Adam Rogers

Adam Rogers
jetjocko@gmail.com
814 Jones St.
Berkeley, California 94710

From: Phyllis Orrick
To: Zoning Adjustments Board (ZAB)
Cc: JP Walsh; Jane Natoli; Sarah J. Bell; Kesarwani, Rashi; Taplin, Terry; Humbert, Mark; Mark Rhoades
Subject: Approve 2274 Shattuck UA Theater
Date: Wednesday, December 4, 2024 4:47:56 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.

Dear ZAB Commissioners,

I am writing to urge you to approve the proposed development at 2274 Shattuck at once so this project can continue to move forward as intended under SB 330.

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.

Unfortunately, a faux “grassroots” Facebook group (many of whose members are from out of town and some of whom don’t even live in this country, not to mention the scores who appear to be bots or manufactured personas) tried to dredge up support and used false information to try to undercut this project when it came before theLandmark Preservation Commission (LPC).

Despite an extreme overreach by staff that requested landmarking the entire structure, even the LPC dialed back the preservation portion to what the developer had proposed. Additionally, the City agrees with over 10 third-party consultant reports that the project should be exempt from CEQA. The existing building poses a health and safety risk to the public. The project complies with SB 330 and SB 1633.

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.

To wit:

- The developer has agreed to restore and renovate the façade on Shattuck. The developer has also agreed to restore the lobby and not replace the lobby with housing.
- 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.
- This project will contribute more than $7M in Building Permit and Impact Fees to

the City of Berkeley. 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.

Regards,

Phyllis Orrick
Berkeley, Kains Ave. near Cedar

From: Tess Frugé
To: Zoning Adjustments Board (ZAB)
Subject: Please approve housing at 2274 Shattuck
Date: Sunday, December 8, 2024 9:46:30 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,

Tess

Tess Frugé
tessfruge@gmail.com
614 Santa Barbara Road
Berkeley, California 94707

From: Summer Brenner
To: Zoning Adjustments Board (ZAB)
Cc: savetheuaberkeley@gmail.com
Subject: SAVE UA THEATER
Date: Monday, December 9, 2024 6:28:41 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.

Consider how much BERKELEY has lost in of architectural & cultural treasures. A long list of treasures that gave Berkeley a unique charm and drew businesses and tourists. And made Berkeley a highly liveable and walkable city.

ONCE THE REPUTED CENTER OF CINEMA CULTURE, now almost every theater is gone!

KEEP HISTORIC **CHARACTER IN 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. **THE UA, THE CAL, AND THE SHATTUCK CINEMAS ARE BEING SACRIFICED FOR MARKET RATE HOUSING, NOT HOUSING THAT WILL HELP POOR/WORKING CLASS.**

HOUSING CONSTRUCTION IS IMPORTANT BUT SO IS PRESERVING HIGHLY HISTORIC BUILDINGS!

AND DESTRUCTION OF THEATERS VIOLATES DOWNTOWN AREA PLAN!

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.

DON'T LET THE UA BE DESTROYED!

Thank you.
Summer Brenner
D4

--
Dust, A Memoir now available
https://www.spuytenduyvil.net/dust.html

From: Carol Denney
To: Zoning Adjustments Board (ZAB)
Subject: item #6 of the Dec. 12 ZAB agenda, 2274 Shattuck Ave.
Date: Monday, December 9, 2024 6:30:14 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.

Dear Zoning Adjustments Board,

Berkeley's theater destruction project is almost complete. Here in Berkeley where Pauline Kael once changed film review and culture from the comically uncomfortable seats of close to fifty local theaters large and small, we are reduced to a greed-based view of a barren landscape designed for and about profit alone.

Some of us are fortunate to be old enough to remember a town when one's choice of theaters in walking distance was so large and attendance so reliable that film and the truly human shared experience of it was a natural part of an evening's entertainment, a dating pattern, a celebration, a Sunday matinee moment. The films never stopped, but the theaters were slowly eaten by developers' overwhelming hunger and complete lack of vision including a social myopia content with smaller and even smaller screens.

Building housing without parks, building cities without playgrounds, movie houses, and theaters makes sense if money and loneliness is the goal. But it makes no sense to those who live with a natural understanding of the clarity of music and art's necessity.

You think you can sit on the Zoning Adjustments Board and feel no responsibility for this. But you know the public's opportunities to participate are so constrained at this point that common sense itself is excluded. This is now the public opinion-free public process. Please don't rubber-stamp this insane epidemic.

Save our landmarked UA Theater. Put this matter on hold and reflect on what you're doing to the landscape of our once beautiful town.

Sincerely,

Carol Denney
1970 San Pablo Avenue #4
Berkeley, CA 94702
510-548-1512

From: Adam Wooley
To: Zoning Adjustments Board (ZAB)
Subject: correspondence re:Item #6 of the Dec. 12 ZAB agenda (ie: 2274 Shattuck Ave)
Date: Monday, December 9, 2024 6:28:06 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.

Dear Members of the Berkeley Zoning Adjustments Board,

I am writing regarding Item #6 of your December 12 agenda, the proposed project at 2274 Shattuck Avenue. I strongly urge the Zoning Adjustments Board to reject the project in its current form, which would result in the destruction of the historic UA Berkeley Theater. This correspondence is an appeal for thoughtful consideration of the facts and the preservation of Berkeley's architectural and cultural heritage.

The City's decision to grant a categorical exemption from the California Environmental Quality Act (CEQA) for this project has effectively robbed citizens of their right to provide meaningful input and participate in local planning oversight. This decision dismisses strong evidence demonstrating the UA Theater's protections under CEQA as a historic resource. Two peer-reviewed reports commissioned by the City over the summer concluded that the UA Theater qualifies as a historic resource under CEQA. These reports, however, were kept hidden until after the exemption decision was made.

The UA Berkeley Theater, built in 1932, is a significant architectural gem in downtown Berkeley. Its grand auditorium, original gilded ceiling, stage, and proscenium arch remain intact behind later retrofits, along with splendid murals, fixtures, and Art Deco décor. The theater has enormous potential for adaptive reuse, whether as a restored multiplex or a live performance venue akin to Oakland's Paramount Theater.

Furthermore, approving this project contradicts Berkeley's Downtown Area Plan, which explicitly calls for the retention and support of downtown cinemas. Destroying this historic theater for market-rate housing—much of which will not serve the poor or working class—fails to balance the city's need for housing with the preservation of its unique character and cultural landmarks.

The pendulum has swung too far in favor of developers, driven by state laws like SB 330 and AB 1633. These laws expedite housing projects while sidelining local control and public participation. But the City of Berkeley had legitimate evidence to challenge the developer's categorical exemption under CEQA. CEQA is not a roadblock to housing—it is a tool for informed public dialogue and balanced decision-making.

Once lost, Berkeley's historic character cannot be replaced. The destruction of the UA Theater would be a devastating blow to our community's architectural and cultural heritage. I urge the Zoning Adjustments Board to reject this project and push for a solution that respects both the need for housing and the preservation of this irreplaceable landmark.

Thank you for your attention to this critical matter.

Sincerely,
Adam Wooley
2608 Derby St, Berkeley 94705

From: Nancy Rader
To: Zoning Adjustments Board (ZAB)
Subject: Item #6 Dec. 12 Agenda - 2274 Shattuck Ave.
Date: Monday, December 9, 2024 10:28:18 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.

Dear ZAB Members,

I am very concerned that, according to Save the UA Berkeley, the City has granted CEQA exemptions despite the city obtaining two peer-review reports from architectural historians that disagreed with the developer and supported the UA being a "historic resource" under CEQA, and that the city has handled those reports in a non-transparent way that has prevented appropriate public input.

Berkeley will be very boring without interesting buildings and public spaces. Please save our last remaining downtown theater!

Nancy Rader
1198 Keith Avenue
Berkeley, CA 94708

From: leonard pitt
To: Zoning Adjustments Board (ZAB)
Subject: From Here
Date: Monday, December 9, 2024 8:08:08 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.

Dear Zab,

I'm a Berkeley based architectural historian who has written books and articles about the city of Paris, France, both it's greatness and the erosion of its beauty.

I know what works in a city and what doesn't.

The loss of the UA will come back to haunt you.

This beautiful Art Deco theater, rightfully placed on the California Register of Historical Resources, deserves to continue adding to the beauty and livability of our city.

Please do what's right for the city as a whole, not just for the developers.

Think Big!

Sincerely,

Leonard Pitt

From: Emma Ling
To: Zoning Adjustments Board (ZAB)
Subject: Please approve housing at 2274 Shattuck
Date: Monday, December 9, 2024 2:25:23 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,

Emma Ling
emmaling27@gmail.com
491 42nd St
Oakland, California 94609

From: Sam Siegel
To: Zoning Adjustments Board (ZAB)
Cc: savetheuaberkeley@gmail.com
Subject: RE: Agenda Item #6 (2274 Shattuck Ave), 12 Dec 2024 Meeting
Date: Tuesday, December 10, 2024 4:59:44 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.

To the Members of the Zoning Adjustment Board,

My name is Samuel Siegel, I am a UC Berkeley alumnus; researcher, urban designer, planner, preservationist, and historian who is a member of "Save the United Artists Theatre Berkeley."

I am writing in protest and condemnation of the Zoning Adjustment Board's decision to grant the United Artists Theater at 2274 Shattuck Avenue a full exemption from undergoing the California Environmental Quality Act's Environmental Impact Review process.

The city has consistently ignored the outcry of thousands of its citizens and community members who are demanding this historic 1932 theatre be saved. Designed by Clifford Balch of the architecture firm Walker & Eisen, featuring decor from the Heinsbergen Decorating Company, and opened in a grand ceremony featuring United Artists founders Charlie Chaplin, Mary Pickford, and Douglas Fairbanks—it is an irreplaceable Art Deco treasure.

Berkeley's own peer review experts, The Rincon Group, stated in two reports that, despite the review limitations and fast-tracking procedures of SB 33 and AB 1633, the United Artists Berkeley should NOT be exempted from an EIR, underscoring that the UA is recognized as a property of historic interest on both state and national registers.

As a trained planner and designer, I am well aware that a CEQA review will not prevent this abhorrent project from going forward, but an EIR would reveal what a unique and nearly fully intact example of Art Deco architecture the UA Berkeley is, showing the world what exactly the city is bending over backwards to allow to be removed from the face of this earth. Truly, a crime against architecture, history, and heritage.

The developer has gone to great lengths to obfuscate the historic and architectural significance of this theatre from the public. Their reason for doing so is simple: revealing the majesty of what they are callously proposing to destroy would undoubtedly result in further outcry, and heavens forbid, the developer not getting their way.

A full investigation into the significance of the structure may have attracted monied interest groups eager to buy the theater and save it from destruction, rather than allowing this issue to wallow in relative obscurity as municipal officials and real estate interests collaborated to elevate luxury housing above invaluable architectural heritage.

From the beginning of the UA's history, the City of Berkeley has never once looked into ways to safeguard this landmark, despite cities across California and the nation doing just that. The artistry and materials used in Art Deco cinema palaces such as the UA Berkeley can never be duplicated again.

What reason should the Landmarks Preservation Committee or Zoning Adjustment Board even exist if not to preserve such an architecturally and historically significant structure as the UA Berkeley? It is a clear dereliction of their respective duties to the people of the City of Berkeley and the State of California.

The wanton destruction of the UA Berkeley will leave California's most famous college town with but a single, small commercial movie theater in the form of the Elmwood Theatre on College Avenue following the unprecedented and entirely avoidable losses of the historic California Theatre and the former Hink's Department Store which had served as the Shattuck Cinemas for decades.

Do not allow these tragedies to be repeated again.

With minimal due diligence on the part of the ZAB regarding the project at 2274 Shattuck Avenue, Berkeley could be home to a grandiose and iconic major event venue akin to the Paramount and Fox Theatres in Oakland; the Castro, Golden Gate, Curran, Geary, and Orpheum Theatres in San Francisco; and the Pantages, El Capitan, United Artists, Orpheum, and Egyptian Theatres in Los Angeles.

The UA Berkeley could EASILY be adaptively re-used as a multipurpose artistic and cultural entertainment venue for orchestral performances, concerts, comedy shows, ballets and operas, modern/historic/international film screenings and festivals, stage plays, lectures, public events, and more.

In fact, for inspiration as to the proper path ahead, the ZAB need look no further than Westwood Village—another California college town with its own large UC campus—where an ownership consortium headed by Director Jason Reitman is spearheading a transformation of the 1931 Fox Westwood Village Theatre through a combination of historic preservation and adaptive re-use involving seismic upgrades, restoration work, the addition of new screening rooms, and the conversion of adjoining retail space into lounges, film memorabilia museums, and restaurants.

In doing so, the previously declining theatre will become the beating heart of the Westwood and UCLA communities, home to modern, historic, and international film screenings and premieres, rotating film history exhibits, bustling lounges and restaurants, and, with the potential co-programming of the adjacent Fox Bruin Theatre, film festivals as well.

Yet at no time did any Berkeley city official examine such creative means to spare the UA from demolition. Is the City of Berkeley really so lacking in imagination that it can see no future for the UA Berkeley apart from being leveled for a generic luxury apartment tower? In a place home to so many great artists, academics, and thinkers over the decades…I think not. For the sake of those that came before you and those that will follow in your footsteps, do not disgrace your own legacy and do not condemn future generations to mediocrity.

The City fought extensively to preserve Ohlone sacred grounds from developers despite multiple complications with historical records due to extensive changes to the site, yet it can't be bothered to lift a finger to save the largest and grandest theatre ever built in Berkeley city limits?

A theatre that, beneath readily removable modifications, remains mostly intact and has

extensive documentation to highlight both its historic significance and enable its restoration? The notion is preposterous and absurd. So much so, that to demolish it would require circumventing the law and hiding the truth, which quite clearly seems to be the case here.

As echoed by Henry David Thoreau and Martin Luther King Junior, if a law is unjust, one has not only the right, but the moral obligation to oppose it.

To the members of the Zoning Adjustment Board, I implore you, serve the interests of the people of the City of Berkeley and the State of California, not corporate greed. Take a stand against California's imperfect housing laws that both fail to provide for truly affordable housing and fail to preserve our built heritage and historic spaces and places.

Per the states' recent housing laws, in the City of Berkeley alone, low-income rates for affordable housing are based upon a median income of $100,000; and beyond a gutted and clearly ineffective CEQA EIR process susceptible to developer interference and municipal collusion, no specialized protections exist for any professionally recognized architectural, historic, and culturally significant resources endangered by housing developments, whether allegedly "affordable" or otherwise.

But *you* can make a difference. *You* can seize this moment and stand against a corrupt system and a corrupt developer seeking to manipulate SB 33 and AB 1633 to deprive Berkeley of a community space, grand entertainment venue, and a historical cultural asset.

Do your due diligence as planners, stand in solidarity with the people's best interests, take a bold act of civil disobedience and DENY the approval of the project at 2274 Shattuck Ave.

You serve the PEOPLE of Berkeley, not developers. There is no reason whatsoever why this project must necessitate the destruction of the theatre. It is possible to both preserve the UA Berkeley and allow for high-rise housing construction.

If you refuse to stand up to this blatant abuse of the law and deny the project outright, then at the very least, build a powerful compromise between your past spinelessness and submission to wealthy developers and your duty to both preserve Berkeley's past and provide an exciting new entertainment and cultural venue for future generations of residents.

This compromise can exist in two forms of conditional approval.

(1) Approve the project with a stipulation that the developer provide a secondary site within city limits upon which the entire theatre can be disassembled and relocated to.

(2) Approve a land swap between 2274 Shattuck and a property owned by the City of Berkeley; whereupon the city will sell the theatre to a preservation consortium while allowing the developer to construct an augmented project at the alternate site via height exemptions from 2274 Shattuck's air rights, or a special zoning exemption.

It is heartbreaking and criminal that no city officials cared enough to save this iconic building born out of the fruits of Charlie Chaplin, Mary Pickford, and Douglas Fairbanks' work. Should the UA Berkeley be demolished, it will forever be a stain on Berkeley's history and legacy, and the city officials in office today will all go down in history as the people that allowed the destruction of an Art Deco masterpiece.

Regards,
Sam Siegel, M.U.R.P.

Samuel P. Siegel
310-367-4458
samuelsiegel@berkeley.edu

ROBIN R. BARAL
SENIOR COUNSEL
DIRECT DIAL (415) 995-6331
E-MAIL rbaral@hansonbridgett.com

HansonBridgett

December 10, 2024

Zoning Adjustments Board
City of Berkeley
1947 Center Street, 2nd Floor
Berkeley, CA 94704

Re: 2274 Shattuck Avenue - Use Permit #ZP2023-0079

Dear Zoning Adjustments Board:

Hanson Bridgett LLP represents the applicant and project sponsor for the above-referenced project. We submit this correspondence in response to two peer reviews – one for the project's Historic Resource Evaluation ("HRE") and the other for its Project Impact Analysis ("PIA"). The applicant team learned very recently that the two peer reviews were published, and that those peer reviews arrived at different opinions regarding the purported historical features of the site.

We want to reiterate to this Board – and to the public – that the City's CEQA review for this project was completed in accordance with AB 1633, a new law under the Housing Accountability Act ("HAA").[1] AB 1633 applies to a small subset of housing projects: high-density, infill residential development located close to major transit corridors or stations (along with numerous other checklist items). AB 1633 *requires* cities to find those high-density infill projects exempt from CEQA, if substantial evidence supports the findings for the exemption.

The law makes a significant change to the substantial evidence standard, *in favor of high-density infill housing production*. AB 1633 puts the state's finger on the scale "to significantly increase the approval and construction of new housing…and effectively curb the capability of local governments to deny, reduce the density for, or render infeasible housing development projects." As a result, cities must disregard professional differences of opinion in favor of *expediting the approval* of new, high-density infill housing.

As noted in the staff report, this project meets all of the eligibility requirements of AB 1633. On October 4, 2024, the City found that the project met all requirements of the Class 32 exemption. **To clarify, the City *was required* to approve a CEQA exemption for this project pursuant to the HAA because substantial evidence provided by *the applicant* supports the use of the Class 32 Infill Exemption, and no exceptions apply to the exemption in this case.**[2]

[1] Gov. Code § 65589.5, subd. (h)(6)(D). AB 1633 became effective on January 1, 2024. Since then, it was recodified and, after January 1, 2025, will appear as Gov. Code § 65589.5.2.

[2] Gov. Code § 65589.5, subd. (h)(6)(D)(i) and (ii).

This is exactly the type of project that AB 1633 intended to protect from CEQA delay. The project will add 227 new housing units, including 23 affordable to very-low-income households. The project is located near BART and other high-quality transit, with close proximity to the UC Berkeley campus, and the project meets all of the other AB 1633 checklist items. The only issue raised during the City's CEQA review involved the historical designation of the site.

With regard to the site's historical designation, the applicant's HRE extensively documented the building's alteration over time, and concluded that the building has lost "*integrity by serial alteration, damage, and destruction of its most important interior and exterior features*" as it was divided from a single screen theater into a seven-screen multiplex.[3] The HRE also reviewed inconsistent findings in earlier surveys and found that the sheer concrete façade on Bancroft Way is not a character-defining historical feature of the site.

The City's Landmark Preservation Commission concurred with the HRE when it reviewed a citizens' petition to landmark the site, on February 1, 2024. In discussing the Bancroft Way façade, after a lengthy discussion, the LPC voted to not include the Bancroft Way façade as part of the Features to be Preserved as a City Structure of Merit.

The PIA found that the project will preserve and restore the upper (original) part of the façade facing Shattuck Avenue, replace its current incompatible storefront, and renovate the lobby, and that those changes will not have an impact on historical resources under CEQA.

The peer reviews claimed, on the other hand, that the existing façade along Bancroft Way is a character-defining feature of the site, based on a cursory statement in a 2015 survey. The peer reviews, however, did not address the HRE's review and findings regarding the 2015 survey, namely that the 2015 survey was contradicted and superseded by an earlier evaluation in 1978, which characterized the Bancroft Way façade as "a massive irregularly shaped concrete block… with service entrances and little else."[4] As the HRE noted, the 1978 report constituted the primary basis for the site's listing on the California Register of Historic Places. In addition, as the City's staff report noted, the 2015 survey was prepared in connection with the City's review of a *proposed* Shattuck Avenue Commercial Corridor Historic District. Although that District was never finalized, the PIA evaluated potential impacts of the project to the proposed district, as required under CEQA. The HRE and PIA relied on substantial evidence in the record (i.e., the 1978 report) to establish that the Bancroft Way façade, and the entire area proposed for demolition, does not contain character-defining features worthy of preservation.

Reasonable minds, and architectural historians, can differ in opinion on the historic merits of the sheer concrete façade on Bancroft Way, or other features of the site. Under AB 1633, however, differences in opinion do not establish a valid basis for revisiting the CEQA exemption that was approved for this project. The City approved the Class 32 Infill Exemption in October of 2024, after deliberation by the City Council and in coordination with the City Attorney. As a result, the CEQA determination is not subject to further review by this Board, and we find it unnecessary to address other areas where the peer reviews lack credibility.

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[3] HRE at p.1 of 51, emphasis in original

[4] See HRE, p. 43 of 51

In March 2024, when the applicant's initial AB 1633 request was submitted, we requested that the City refrain from obtaining peer reviews given that they would have no legal bearing on the project, and could needlessly confuse and delay the City's CEQA review and processing of the project. In any event, in submitting this letter the applicant is not taking issue with any of the findings in the City's staff report, but merely addressing why any discrepancy with regard to the peer review findings has no bearing on the City's CEQA review of this project. We appreciate that the City properly found this project exempt from CEQA under the framework provided by AB 1633, and we respectfully request that the Board approve this project.

Sincerely,

Robin R. Baral
Senior Counsel

From: Charlene Woodcock
To: Zoning Adjustments Board (ZAB)
Cc: All Council; campaign@adenaishii.com
Subject: 2274 Shattuck Avenue
Date: Tuesday, December 10, 2024 4:27:07 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: Jackson Lester
To: Zoning Adjustments Board (ZAB)
Subject: Please approve housing at 2274 Shattuck to help people like me stay in the Bay Area!
Date: Tuesday, December 10, 2024 4:03:57 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,
Jackson

Jackson Lester
jacksonlester@gmail.com
1881 DRAKE DR
Oakland, California 94611

From: Raul Maldonado
To: Zoning Adjustments Board (ZAB)
Subject: Please approve housing at 2274 Shattuck
Date: Tuesday, December 10, 2024 4:34:01 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,

Happy Holidays! 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,
Raul Maldonado

Raul Maldonado
rmaldonadocloud@gmail.com
291 Lester Ave
Oakland, California 94606

From: Barbara Hadenfeldt
To: Zoning Adjustments Board (ZAB)
Cc: All Council
Subject: ZAB response to 2274 Shattuck Ave development
Date: Tuesday, December 10, 2024 11:10:26 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.

RE: Item #6 of ZAB agenda, meeting on December 12, 2024

Before you acquiesce to the developer's plan to destroy the historic UA Theater in our downtown, please take an objective look at what our downtown has become under the thumb of market-rate housing development over any considerations of other community benefits and amenities.

The monolithic, faceless apartment/condo edifices that dominate our downtown space demonstrate an abnegation on the part of our mayor and city council to preserve cultural facilities and public open space so essential to sustaining a viable city center. And these buildings do not represent affordable housing requirements; they are market-rate. We are left with a downtown devoid of character, save the Addison Street performance spaces and the PFA and Museum complex. How can the remaining restaurants, cafes, and retail establishments survive without any civic cohesion?

Preserving the grand UA Theater as a cultural center would do much to anchor our downtown. As an important historic structure, its destruction does not qualify for a "categorical exemption" to full CEQA review. And our Downtown Area Plan of 2012 is still in effect. This alone should have required a full review and extensive public involvement in the fate of 2274 Shattuck.

Thank you for your consideration.

Barbara Hadenfeldt
2515 Fulton St 94704

From: Dan Ondrasek
To: Zoning Adjustments Board (ZAB)
Cc: savetheuaberkeley@gmail.com
Subject: Re: Save The United Artists Theater (Item #6 for Dec. 12 meeting - 2274 Shattuck Ave)
Date: Tuesday, December 10, 2024 1:34:51 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.

Dear ZAB Members,

Regarding: Item #6 for Dec. 12meeting (2274 Shattuck Ave).

Berkeley's approval of the proposed destruction of the 1932 United Artists Theatre would be the most tragic Bay Area land-use decision in sixty years. The UA is an Art Deco masterpiece. Removing the seven smaller theaters installed in the 1970s would reveal a nearly preserved movie palace including a gold and silver leafed proscenium, organ chambers and a breathtaking, forty-foot starburst which graces its gold, untouched ceiling.

I am extremely concerned that the City has granted CEQA exemptions to the developer despite the city obtaining two peer-review reports from architectural historians that disagreed with the developer and supported the UA being a "historic resource" under CEQA. It appears that the city has handled those reports in a non-transparent way that has prevented appropriate public input from the very citizens who paid for these reviews.

The United Artists could transform Berkeley into a nationally renowned performing arts venue. If you doubt this, look to Oakland. One block away from the iconic Paramount theatre is the Oakland Fox. Both theaters were months away from demolition and are now both showcases and thriving destination points for their city.

I and hundreds of your citizens ask that you save Berkeley's last remaining downtown theater and an architectural building unlike any other on the West Coast.

Sincerely,

Dan Ondrasek

From: Nicholas Smith
To: Zoning Adjustments Board (ZAB)
Cc: savetheuaberkeley@gmail.com
Subject: Save the United Artists
Date: Tuesday, December 10, 2024 1:41:32 PM

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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.

Kendenn Rose
Phone: 805-791-6410 ● email: kendennrose@berkeley.edu

December 10, 2024

Berkeley Zoning Adjustments
1947 Center Street, 2nd Floor
Berkeley, CA 94704

Dear Berkeley Zoning Adjustments Board,

As a full-time MBA student at UC Berkeley, I am writing to express my strong support for the proposed development project at 2274 Shattuck Avenue. This project is crucial for addressing the severe housing shortage that students like myself face in Berkeley.

The difficulty of finding suitable student housing in Berkeley is a pressing issue that I have experienced firsthand. Many of my fellow classmates have been forced to couch surf while juggling their studies, simply because they couldn't secure housing before the academic year began. This situation is not only stressful but also detrimental to their academic performance and overall well-being.

The proposed development at 2274 Shattuck Avenue offers a much-needed solution to this problem. With 227 new housing units, including 23 designated as affordable for low-income residents, this project will significantly increase the housing stock available to students and local residents alike. As someone who has struggled to find a place to live in Berkeley, I can attest to the urgent need for more housing options in the area.

While I understand the concerns raised by groups like Save the UA Berkeley regarding the preservation of the United Artists Theater, I believe that addressing the housing crisis should take precedence over maintaining an underutilized movie theater. The developer's commitment to restoring and renovating the facade on Shattuck Avenue and the lobby demonstrates a thoughtful approach to preserving the building's historical elements while meeting the city's critical housing needs. This housing development will provide immediate and tangible benefits to Berkeley residents, particularly students struggling to find affordable housing options.

In conclusion, I urge you to support this vital project at 2274 Shattuck Avenue. By approving this development, you will be taking a significant step towards alleviating the housing crisis that affects so many Berkeley students and residents. The benefits of providing 227 new housing units, including affordable options, far outweigh the preservation of an unused theater space. Let's prioritize the pressing needs of Berkeley's current and future residents by moving forward with this essential housing development.

Sincerely,
Kendenn Rose
Full-time MBA Student, UC Berkeley

From: ANDREA YANKOWSKI
To: Zoning Adjustments Board (ZAB)
Subject: UA Theater
Date: Monday, December 9, 2024 3:09:14 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.

RE: Item #6 of Dec 12th ZAB agenda

Dear ZAB,

As a long time resident of Berkeley, I am writing to express my horror at the destruction on our local UA Theater and the my disappointment at the city's ***nontransparent, fast tracking*** of the CEQA approval thereby allowing for the destruction of this beautiful landmark theater.

The UA Berkeley is a paragon of Art Deco architecture that, if destroyed, can never be replaced. It was found eligible for the National Register of Historic Places and it is on the California Register of Historical Resources.

I strongly urge the ZAB to deny approval for the destruction of this irreplaceable theater.

Sincerely,
Andrea Yankowski
Gremel Madolora
2927 Wheeler St, Berkeley

REPORT

2274 SHATTUCK AVENUE

BERKELEY, CA

PEDESTRIAN WIND COMFORT ASSESSMENT

PROJECT #2305260
July 25, 2023

SUBMITTED TO

Robin R. Baral
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1. INTRODUCTION

Rowan Williams Davies & Irwin Inc. (RWDI) was retained to conduct a pedestrian wind assessment for the proposed project at 2274 Shattuck Avenue in Berkeley, CA. The objective of this assessment is to provide an evaluation of the potential impact of the proposed development on pedestrian-level wind conditions.

The project site is located in downtown Berkeley, west of Shattuck Avenue, between Kittredge Street and Bancroft Way (Image 1), and is surrounded by mid-rise buildings in all directions.

The project will consist of a 17-story mixed-use development with a main entrance link on Shattuck Avenue (Image 2). In addition to sidewalks and properties near the project site, key areas of interest for this assessment include main building entrances and amenities at grade (Image 3).

Image 1: Aerial view of the existing site and surroundings (Source: Google Maps).

Image 2: Conceptual rendering of the proposed project (east side).

1. INTRODUCTION

Image 3: Site plan highlighting the location of the main entrances and outdoor seating areas at grade (landscaping not included in simulations).

2. METHODOLOGY

2.1 Objective

The objective of this assessment is to provide an evaluation of the potential impact of the proposed development on wind conditions in pedestrian areas on and around it based on Computational Fluid Dynamics (CFD). The assessment is based on the following:

- A review of the regional long-term meteorological data from the Metropolitan Oakland International Airport;
- 3D model and architectural drawings of the proposed project received on June 21, 2023;
- The use of *Orbital Stack*, an in-house CFD tool;
- RWDI's engineering judgment, experience, and expert knowledge of wind flows around buildings[1-3]; and,
- The Lawson wind comfort and safety criteria.

Note that other microclimate issues such as those relating to cladding and structural wind loads, door operability, air quality, snow impact, noise, vibration, etc. are not part of the scope of this assessment

2.2 CFD for Wind Simulation

Computational Fluid Dynamics (CFD) is a numerical technique that can be used for simulating wind flows in complex environments. For this analysis, CFD techniques were used to generate a virtual wind tunnel where flows around the site and its surroundings were simulated in full scale. The computational domain that covered the site and its surroundings was divided into millions of small cells where calculations were performed, yielding a prediction of wind conditions across the entire study domain. CFD excels as a tool for wind modeling, presenting early design advice, comparing different design and site scenarios, resolving complex flow physics, and helping diagnose problematic wind conditions.

While the computational modeling method used in the current assessment does not explicitly simulate the transient behavior of turbulent wind, its effects were estimated based on other calculated quantities. RWDI has found this approach to be appropriate for the assessment of typical wind comfort conditions. Wind safety issues, which relate to transient, higher-speed gusts, are discussed qualitatively, based on the CFD predictions and our extensive wind-tunnel experience for similar projects.

In order to quantify the transient behavior of wind and refine any conceptual mitigation measures, a more detailed assessment would be required using either boundary-layer wind tunnel or more detailed transient computational modeling.

2. METHODOLOGY

2.3 Simulation Model

CFD simulations were completed for two scenarios:

- **Existing**: Existing site and surroundings.
- **Proposed**: Proposed building and existing surroundings

The computer model of the proposed building is shown in Image 4, and the Existing and Proposed configurations with the proximity model are shown in Images 5a and 5b, respectively. The 3D models were simplified to include only the necessary building and terrain details that would affect the local wind flows in the area and around the site. Landscaping and other smaller architectural and accessory features were not included in the computer model in order to provide more conservative wind conditions (as is the norm for this level of assessment).

The wind approaching the modelled area were simulated for 16 directions (starting at 0°, at 22.5° increments around the compass), accounting for the effects of the atmospheric boundary layer and terrain impacts. Wind data were obtained in the form of ratios of wind speeds at 5 ft above levels of interest, to the mean wind speed at a reference height. The data was then combined with meteorological records obtained from Metropolitan Oakland International Airport to determine the wind speeds and frequencies in the simulated areas.

Image 4: Computational model of the proposed project.

2. METHODOLOGY

Image 5a: Computational model of the existing site and extended surroundings.

2. METHODOLOGY

Image 5b: Computational model of the proposed building and extended surroundings.

3. METEOROLOGICAL DATA

Long-term wind data recorded at Metropolitan Oakland International Airport between 1990 and 2020 were analyzed for four seasonal periods – spring (March to May), summer (June to August), fall (September to November) and winter (December to February). Image 6 graphically depicts the directional distributions of wind frequencies and speeds for these periods.

Winds from the west-southwest through northwest directions are predominant throughout the year, as indicated by the wind roses. Winds from the southeast are also frequent during the winter. Moderate to strong winds of a mean speed greater than 15 mph measured at the airport (at an anemometer height of 30 ft) could potentially interact with tall buildings to result in a notable increase in ground-level wind speeds. (yellow and red bands in Image 6).

Wind statistics were combined with the simulated data to predict the wind conditions at the project site and assessed against the wind criteria for pedestrian comfort.

Image 6: Directional distribution of winds approaching Metropolitan Oakland International Airport from 1990 to 2020.

4. WIND CRITERIA

The pedestrian wind comfort criteria used in this study were developed by T.V. Lawson at Bristol University, UK. These criteria are well-established as the benchmark against which to assess the wind microclimate around buildings. Generally, wind conditions are considered acceptable if they produce conditions suitable for the intended activities in the area. The categories listed in the table below are based on these criteria.

4.1 Pedestrian Comfort

Pedestrian comfort is associated with common wind speeds conducive to different levels of human activity. Wind conditions are considered suitable for a given comfort category if the associated mean wind speeds are expected for at least 95% of the time (considering winds occurring for all hours of the day). These criteria for wind speeds represent average wind tolerance. They are sometimes subjective and regional differences in wind climate and thermal conditions as well as variations in age, health, clothing, etc. can also affect people's perception of the wind climate.

Comfort Category	GEM Speed (mph)	Description (Based on seasonal compliance of 95%)
Pedestrian Sitting	≤ 9	Low wind speed where, for example, one could read a newspaper without having it blown away
Pedestrian Standing	≤ 13.5	Comfortable for standing for a short time of exposure at main building entrances, bus stops, and other places
Pedestrian Walking	≤ 18	Wind speeds that would be acceptable for window shopping or strolling along a downtown street
Business Walking	≤ 22	Wind conditions where the objective is to walk from A to B or for cycling
Uncomfortable	> 22	Strong winds considered a nuisance for all pedestrian activities. Wind mitigation is typically recommended

4.2 Pedestrian Safety

Pedestrian safety is associated with excessive Gust Speeds that can adversely affect a person's balance and footing. These are usually infrequent events but deserve special attention due to the potential impact on pedestrian safety.

Safety Criterion		Gust Speed (mph)	Description (Based on a seasonal exceedance of 0.04% and annual exceedance of 0.022% of the time)
Exceeded	Frequent Pedestrian Area	> 33.5	Excessive gust speeds that can adversely affect a pedestrian's balance and footing.
	Infrequent Pedestrian Area	> 45	

5. RESULTS AND DISCUSSION

5.1 General Wind Flow Mechanisms

Wind tends to flow over buildings of uniform height, without disruption. Buildings that are taller than their surroundings tend to intercept and redirect winds around them and to the ground level. The mechanism in which winds are directed down the height of a building is called *Downwashing*. These flows subsequently move around exposed building corners and in the gaps between buildings (Corner Acceleration and *Channeling Effect*). Podiums, canopies, and large trees can help reduce the impact of these effects at ground level. These flow patterns are illustrated in Image 7.

Image 7: Generalized wind flow patterns

5.2 Presentation of Results

The results of the assessment are presented and discussed in detail in Sections 5.3 and 5.4. The graphical presentation is in the form of color contours of wind speeds calculated based on the wind comfort criteria described in Section 4.1, at 5 ft above the ground (Images 8 through 11).

The assessment against the Safety Criterion (Section 4.2) was conducted qualitatively based on the predicted wind conditions and our extensive experience with wind tunnel assessments.

Target Conditions

Wind speeds that meet the criterion for "Pedestrian Walking" or "Business Walking" are appropriate for sidewalks and walkways where pedestrians are likely to be active and moving intentionally. Lower wind speeds that meet the criterion for "Pedestrian Standing" are suitable for entrances and areas where people are expected to be engaged in passive activities. Calm wind speeds that meet the criterion for "Pedestrian Sitting" are desired in areas where prolonged periods of passive activities are anticipated, such as outdoor amenity areas.

5. RESULTS AND DISCUSSION

(a) EXISTING

(b) PROPOSED

COMFORT: PEDESTRIAN SITTING | PEDESTRIAN STANDING | PEDESTRIAN WALKING | BUSINESS WALKING | UNCOMFORTABLE

▶ MAIN ENTRANCE

Image 8: Predicted wind conditions at grade level – Spring

5. RESULTS AND DISCUSSION

(a) EXISTING

(b) PROPOSED

COMFORT: PEDESTRIAN SITTING | PEDESTRIAN STANDING | PEDESTRIAN WALKING | BUSINESS WALKING | UNCOMFORTABLE

▶ MAIN ENTRANCE

Image 9: Predicted wind conditions at grade level – Summer

5. RESULTS AND DISCUSSION

(a) EXISTING

(b) PROPOSED

COMFORT: PEDESTRIAN SITTING | PEDESTRIAN STANDING | PEDESTRIAN WALKING | BUSINESS WALKING | UNCOMFORTABLE

▶ MAIN ENTRANCE

Image 10: Predicted wind conditions at grade level – Fall

5. RESULTS AND DISCUSSION

(a) EXISTING

(b) PROPOSED

COMFORT: PEDESTRIAN SITTING | PEDESTRIAN STANDING | PEDESTRIAN WALKING | BUSINESS WALKING | UNCOMFORTABLE

▶ MAIN ENTRANCE

Image 11: Predicted wind conditions at grade level – Winter

5. RESULTS AND DISCUSSION

5.3 Existing Scenario

The existing building on site is low-rise and does not redirect winds to create any notable wind impact at grade. Wind conditions on and around the site meet the criterion for "Pedestrian Sitting" or "Pedestrian Standing" throughout the year (Images 8a, 9a, 10a, and 11a) . Wind speeds at all areas near the project site are predicted to meet the Safety Criterion.

5.4 Proposed Scenario

The proposed building is taller than its immediate surroundings in the prevailing wind directions (west-southwest through north-northwest) and has a broad west-facing façade. As a result, winds intercepted by the western façade of the tower at high elevations are expected to 'downwash' to ground level and accelerate around building corners. Wind speeds at grade are expected to be higher than in the Existing Scenario. This effect is expected to be moderated by the low roofs of the adjacent buildings to the west, which act as a horizontal break for downwashing winds (see Image 7). No safety exceedances are predicted in the Proposed Scenario.

5.4.1 Sidewalks and nearby areas

Wind conditions in the spring and summer are anticipated meet the criterion for "Pedestrian Standing" on most sidewalks around the site (Images 8b and 9b). Higher wind speeds that meet the criterion for "Pedestrian Walking" or "Business Walking" are expected along a segment of Bancroft Way, which may be considered appropriate.

In the fall and winter, wind speeds are generally lower. Wind conditions that meet the criterion for "Pedestrian Standing" are still predicted for most locations around the project site, with increased wind speeds that meet the criterion for " Pedestrian Walking" occurring around the southwest corner of the building (Images 10b and 11b).

5.4.2 Entrances

Wind conditions at all main entrances are expected meet the criterion for "Pedestrian Sitting" in all seasons, which is appropriate.

5.4.3 Outdoor amenities at grade

Wind conditions on the north and northeast sides of the building are anticipated to meet the criterion for "Pedestrian Standing" or "Pedestrian Walking", depending on the season. These speeds are adequate for pedestrians passing by but higher than ideal for outdoor seating areas. We note that the simulations were conducted without landscaping, and the addition of tall landscaping elements to these areas would help to improve wind conditions locally. Other methods for improving wind comfort conditions may include installing tall wind screens or planters near sitting areas (perpendicular to the façade), and/or installing overhead structures (canopies/trellises) around the northwest corner of the building. RWDI can help guide the placement of wind control features if desired, and as the programming of the outdoor seating spaces evolves.

6. SUMMARY

RWDI was retained to provide an assessment of the potential pedestrian level wind impact of the proposed project at 2274 Shattuck Avenue in Berkeley, CA. The assessment was based on computational modeling, simulation and analysis of wind conditions for the proposed development design, in conjunction with the local wind climate data and the RWDI wind criteria for pedestrian comfort and safety. Findings from the assessment are summarized as follows:

1. The existing site is occupied by a low-rise building, and wind speeds onsite are generally calm and suitable for pedestrian use.
2. After the construction of the proposed building wind speeds on the sidewalks around the site are anticipated to remain appropriate for pedestrian use throughout the year.
3. Wind speeds at all main entrances are expected to be appropriate yearlong.
4. The Safety Criterion is predicted to be met within the area considered in this assessment.
5. Wind speeds at the outdoor seating spaces on the north and northeast sides of the building are expected to be higher than ideal for passive uses. Recommendations are provided to improve wind conditions in these areas.

7. DESIGN ASSUMPTIONS

The findings/recommendations in this report are based on the building geometry and architectural drawings communicated to RWDI on June 21, 2023, listed below. Should the details of the proposed design and/or geometry of the building change significantly, results may vary.

File Name	File Type	Date Received (mm/dd/yyyy)
2023.05.22 - 2201 - 2274 Shattuck Zoning Drawings	.PDF	06/21/2023
2201 - 2023.06.21 - Sketchup Model	.SKP	06/21/2023

Changes to the Design or Environment

It should be noted that wind comfort is subjective and can be sensitive to changes in building design and operation that are possible during the life of a building. These could be, for example: outdoor programming, operation of doors, elevators, and shafts pressurizing the tower, changes in furniture layout, etc.. In the event of changes to the design, construction, or operation of the building in the future, RWDI could provide an assessment of their impact on the discussions included in this report. It is the responsibility of Others to contact RWDI to initiate this process.

8. STATEMENT OF LIMITATIONS

This report was prepared by Rowan Williams Davies & Irwin Inc. for Hanson Bridget LLP ("Client"). The findings and conclusions presented in this report have been prepared for the Client and are specific to the project described herein and authorized scope. The conclusions and recommendations contained in this report are based on the information available to RWDI when this report was prepared. Because the contents of this report may not reflect the final design of the Project or subsequent changes made after the date of this report, RWDI recommends that it be retained by Client to verify that the results and recommendations provided in this report have been correctly interpreted in the final design of the Project.

The conclusions and recommendations contained in this report have also been made for the specific purpose(s) set out herein. Should the Client or any other third party utilize the report and/or implement the conclusions and recommendations contained therein for any other purpose or project without the involvement of RWDI, the Client or such third party assumes any and all risk of any and all consequences arising from such use and RWDI accepts no responsibility for any liability, loss, or damage of any kind suffered by Client or any other third party arising therefrom.

Finally, it is imperative that the Client and/or any party relying on the conclusions and recommendations in this report carefully review the stated assumptions contained herein and to understand the different factors which may impact the conclusions and recommendations provided.

9. REFERENCES

1. H. Wu, C.J. Williams, H.A. Baker and W.F. Waechter (2004), "Knowledge-based Desk-Top Analysis of Pedestrian Wind Conditions", *ASCE Structure Congress 2004,* Nashville, Tennessee.

2. H. Wu and F. Kriksic (2012). "Designing for Pedestrian Comfort in Response to Local Climate", *Journal of Wind Engineering and Industrial Aerodynamics*, vol.104-106, pp.397-407.

3. C.J. Williams, H. Wu, W.F. Waechter and H.A. Baker (1999), "Experience with Remedial Solutions to Control Pedestrian Wind Problems", *10th International Conference on Wind Engineering*, Copenhagen, Denmark.