

Jacob, Melinda

Subject: FW: Comments to Design Review Board - 2942 COLLEGE AVENUE PRELIMINARY DESIGN REVIEW
Design Review #DRCP2022-0015

From: Jay Kelekian <jaykelekian@gmail.com>
Sent: Tuesday, April 15, 2025 7:07 PM
To: Burns, Anne M <ABurns@berkeleyca.gov>
Subject: Re: Comments to Design Review Board - 2942 COLLEGE AVENUE PRELIMINARY DESIGN REVIEW Design Review #DRCP2022-0015

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.

Thank you.

Did this one go through?

If not, I will cut and paste and resend, rather than forwarding the original

On Tue, Apr 15, 2025 at 6:04 AM Jay Kelekian <jaykelekian@gmail.com> wrote:

Dear members of the Design Review Board:

I write in support of a project that includes housing at 2942 College Avenue. I say this despite being one of the property owners that will be most impacted by the construction and the dozen or so new neighbors who will be residing on that site.

My concerns are with some of the proposed specifics in the plan described in the Staff Report and Attachments that were included in the link to your agenda of April 17th. I am also troubled by the confusion surrounding the public comment period and I know that other neighbors are equally confused and concerned. I hope that the Board will review these concerns and take the appropriate actions to make sure the neighbors are clear on the project and when and where it is appropriate for them to comment and participate.

I support the new housing but am disappointed that there will not actually be any affordable housing on site. Given that the property has been owned by the same owner for so many years and is taxed at a fraction of its actual value, I was hoping that this would be an opportunity to make two affordable units available in the Elmwood. Instead it sounds like there will be a contribution to the Housing Trust Fund to meet the project's affordable housing obligation. So much for our stated goal of economically diverse neighborhoods.

I believe the proposed increased height of eight additional feet is neither appropriate nor necessary to provide the new housing. Currently, only structures on corners/intersections are built out to that height. This was done intentionally, to promote a particular look and feel and has been something that those living, working and vending in the Elmwood have taken great pride in over many years. In fact, the current structure is only one story with an additional facade attached to bring it up to twenty feet in height. The additional proposed height is unnecessary and, despite the good efforts of the design staff, will certainly impact the look of the neighborhood in a deleterious way. If it is deemed necessary to go above the current twenty-foot standard, the additional height should not exceed the building immediately to the south (2944 College).

The additional height also adversely impacts my property and quality of life. For the past thirty-three years, we have lived on a lot on Benvenue Ave with three stand-alone houses. We live in the middle house and it is a very tight squeeze. As the middle house, we have a deck but no yard. To our south, is a large brick building housing Dream Fluff Donuts and Donato's Restaurant (no view and almost no light). To the west, is the front house which is three stories high. Once again, no view and limited light. To the north, from the downstairs, is a dark wood fence blocking all views and limiting the light. Upstairs, visibility is severely blocked by several large trees on the property line. We do have one room upstairs where some light gets through those trees. Facing east, from every vantage point but one, we look directly at my neighbor's house, which is less than 10 feet away from our home. In one of our upstairs bedrooms, we have one window that is not blocked by any structure. Currently, we are able to look out that one window and see the east bay hills, the Claremont Hotel and the moon at night. If the additional eight feet are granted, that view goes away. I will be able to see the sky, the moon and maybe the tip-tops of the east bay hills. I have been told by several architects that two-story dwellings are regularly built at 20 feet and while it may increase the value of the project, it is not necessary to be able to construct the units habitably. Given the personal impact on my family and property and the even greater impact to the look and feel of this historic neighborhood, I ask that this portion of the proposed project be rejected and a design with a more appropriate height be submitted for consideration and review.

One additional item that may not be in the purview of the Design Review Board but I will list here in an abundance of caution to preserve my rights to raise it later.

Wood Smoke - Officially the City bans wood burning smoke. There are exceptions made for restaurants (particularly when "grandfathered in"). When Donato's use permit was approved there were two or three in the immediate area. In the original proposal for a restaurant at that location, the applicant promised there would be no wood smoke if approved. That condition was dropped when Donato's resubmitted their application. I do not know how many restaurants currently utilize wood burning smoke and I don't believe it is appropriate to rescind their ability retroactively. I do believe that this is a simple condition that should be placed on any project that will be applying for permits to operate a restaurant and ask that it be considered at the appropriate time.

Confusion surrounding the comment period

I first became aware of this project in July of 2022 at the first of two neighborhood meetings at the site. At that meeting the project manager established an email thread, which has been the primary way in which we have learned of changes in the proposed project. Given long periods of seeming dormancy on the project, in September of 2022 and February of 2023 the neighbors and merchants on that email thread were expressly promised that we would be informed via email when the Design Review hearing has been scheduled so that we might continue to be involved in this project. This was not done. Instead, the following transpired:

On March 26, 2025, I received a Notice of Intent from the Planning Department staff, dated March 19, 2025 saying there was a 30-day public review period and that written comments must be submitted no later than 5:00 p.m. on April 18, 2025. There was no mention of an April 17th meeting of the Design Review Board or the ability (nay, the necessity) to comment before the Review Board. I and other neighbors first learned about your meeting, and the April 15th noon deadline to submit written comments, in the afternoon of April 14th after seeing a notice that was first posted at the project site within the past few days. Because I had four fewer days than expected to review and comment, I am hurriedly writing to you at 5:00 a.m. before I go off to work after doing a truncated review of the staff report and attachments.

I know the Project Manager and City staff working on this project and they are both smart, talented and ethical professionals. In no way do I believe or am I trying to imply that any of this confusion was deliberate or intentional. Nevertheless, I believe that it will dampen the input (quantity and quality) that the Review Board receives. As someone who hates unnecessary delays, I would still encourage the Board to delay taking this issue up at your April 17th meeting and reschedule it to a new date where the neighbors and merchants can be informed of the meeting and when the deadline for comments is (with maybe more than the equivalent of 1-5 days notice). What was done might meet the technical requirements of the law but it certainly has not helped promote a sense of transparency or the appearance of a desire to receive thoughtful input. I know that

was inadvertent and would encourage a reasonable adjustment to the schedule so everyone can be properly notified and participate.

Thank you

Jay Kelekian
Elmwood homeowner

Jacob, Melinda

Subject: FW: Proposed design at 2942 College Ave.
Attachments: 2942 College Ave Proposal.rtf

From: Dean Metzger <drm1a2@sbcglobal.net>
Sent: Tuesday, April 15, 2025 1:25 PM
To: Burns, Anne M <ABurns@berkeleyca.gov>
Subject: Proposed design at 2942 College Ave.

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Ms Burns,

Please give each Design Review Commissioner a copy of the attached letter for tonights meeting.

Thank you,

Dean Metzger
for the Claremont Elmwood Neighborhood Association (CENA)



CLAREMONT
ELMWOOD

NEIGHBORHOOD ASSOCIATION

Claremont Elmwood Neighborhood Association

PO Box 5108

Berkeley, CA 94705

info@claremontelmwood.org

www.claremontelmwood.org

Design Review Committee

Care of:

Anna Burns
1947 Center Street – 2nd Floor
Berkeley, CA 94704
aburns@berkeleyca.gov

Ref: Proposed Design for 2942 College Ave.

The CENA Board of Directors reviewed the proposed design for the proposed new building at 2924 College Avenue. The Board appreciates the general effort to put this space to use – it has been vacant for far too long.

While the CENA Board supports infill development along College Avenue, it does feel that any new structures should fit in with the existing architecture of the area. The Board reviewed the letter sent to you from Ron Kelly and agreed with most of his points.

We are most concerned about the building height at the sidewalk and the color and texture of the building. The Board proposes that the second floor be setback, so it does not tower over the neighboring buildings and shade the sidewalk more than the adjacent buildings. The sunny nature of College Avenue is one of the intangible attributes that attracts so many pedestrians to an otherwise traffic choked street.

The Board would also encourage that the front of the building should be similar to the buildings next to it. Finally, since it appears that the existing alleyway will be built over, it is important to provide garbage and utility access through the rear of the lot, adjacent to the existing parking lot.

Respectfully,

The CENA Board

Jacob, Melinda

Subject: FW: Please follow appropriate, lawful protocols re: the Development Proposal for 2942 College Avenue: I totally concur with Ron Kelly's suggestions

From: Doris Nassiry <cypanjun@hotmail.com>

Sent: Tuesday, April 15, 2025 10:29 AM

To: Manager, C <CManager@berkeleyca.gov>; Burns, Anne M <ABurns@berkeleyca.gov>; nkarimzadegan@gerkeleyca.gov; Humbert, Mark <MHumbert@berkeleyca.gov>; Panzer, Eric <erpanzer@berkeleyca.gov>

Subject: Please follow appropriate, lawful protocols re: the Development Proposal for 2942 College Avenue: I totally concur with Ron Kelly's suggestions

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, City Manager Buddenhagen et al, As you know, Ron Kelly has written and sent all of you TWO very concisely, well-written letters re: his deep concerns about the protocols re: the Development project at 2942 College Avenue. Every detailed point he raises deserves your attention and consideration. I would like to emphasize the absolutely urgent need for you to notify every resident of the Elmwood neighborhood +, of course, each business along College Avenue, of this proposal. This notification should include guidance re: hoe everyone can express their view(s) on the project.

I am one of many residents who totally concur with everything Ron Kelly has said.

Needless to say, your Department has to provide all the all the design details and illustrations of the facade (in color). Historically the Elmwood has always considered the scale of each building to be a crucial element of this historic shopping district. Please ensure that the integrity of the Elmwood is respected. Please keep everyone updated re: the process and progress of this development proposal.

Thank you, in advance, for your consideration. We hope you will follow a consultative and inclusive approach to this(and future) development proposals.

Doris Fulder Nassiry

Jacob, Melinda

Subject: FW: 2942 College - Request to Postpone Design Review Committee Meeting
Attachments: 2942 College.pdf

-----Original Message-----

From: Ron Kelly <ronkelly@ronkelly.com>
Sent: Sunday, April 13, 2025 4:55 PM
To: Manager, C <CManager@berkeleyca.gov>
Cc: Burns, Anne M <ABurns@berkeleyca.gov>; Karimzadegan, Niloufar <NKarimzadegan@berkeleyca.gov>; Humbert, Mark <MHumbert@berkeleyca.gov>; Panzer, Eric <erpanzer@berkeleyca.gov>; mary@erihomes.com; ckhunka@gmail.com; dan@vintageberkeley.com; information@cafelamedberkeley.com; richardktapp@yahoo.com; David Salk <dsalk@clipon.com>; jon@14karats.com; Burl Willes <bwilles@lmi.net>; Doris Nassiry <cypanjun@hotmail.com>; Carla Woodworth <carla@tennypress.com>
Subject: 2942 College - Request to Postpone Design Review Committee Meeting

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April 13, 2025

Re 2942 College Ave. - Request to Postpone Design Review Committee Meeting, and Provide Reasonable Notice and Opportunity for Public Comment

Dear Mr. Buddenhagen,

I respectfully request you direct City staff to facilitate postponement of the meeting of the Design Review Committee scheduled for April 17 to review the proposed development at 2942 College for the following reasons.

1. This will be the first time in many decades that a building in this two-block neighborhood commercial district will be demolished and replaced.
2. The notice posted on the existing building informing the public of a Design Review Committee meeting on this project was posted on Thursday April 10, 2025. The deadline for public comment stated in the notice is 12 noon Tuesday, April 15. That's less than three business days.
3. A skeptical person might reasonably conclude this schedule was intended only to give the appearance of public notice and opportunity to comment.
4. A color rendering exists in the City files (attached) which - if posted - would have let the public know what the proposed new building would look like and how tall it would be relative to the buildings on each side. This was not posted with the April 10 notice. Instead a small black-and-white rendering of the street elevation was included on the third page of the notice.
5. I can reasonably assure you the schedule providing less than three days of public notice and time to comment will result in an appeal to the City Council to return this project for further review, regardless of the merits of the project, and regardless of any approvals by the Design Review Committee and/or the Zoning Adjustment Board. This will produce an avoidable additional draw on City staff time, and a potentially unnecessary delay and burden on the applicant.

I respectfully request you direct that a reasonably-sized color rendering of the proposed street elevation of the project - such as the attached from page 10 of the applicant's 2021 Zoning application - be posted on the existing building, that the scheduled Design Review Committee meeting to review this project be postponed, and that a reasonable time for public notice and comment on the street-facing elevation be provided.

Thank you for your attention to this matter, and thank you for your service to the City.

Please confirm you received this email and that it did not end up in a spam folder.

Best wishes,
Ron Kelly
2731 Webster St.
Berkeley California
510-843-6074

