



D E S I G N  
R E V I E W  
C O M M I T T E E  
S T A F F R E P O R T

For Committee Discussion/  
Majority Recommendation  
AUGUST 20, 2015

## 1951 SHATTUCK AVENUE

### CONTINUED PRELIMINARY DESIGN REVIEW

**Design Review DRCP2013-0009** to construct a new 120 foot tall, twelve story building with 92 residential units, 11,964 square feet of ground and second floor commercial space. 88 parking spaces will be included in three levels of underground parking with garage and residential lobby entries located on Berkeley Way.

#### I. Introduction

This project is located on the southeast corner of Shattuck Avenue and Berkeley Way. This parcel is located in the C-DMU Outer Core, Commercial Downtown Mixed Use, in the Outer Core area.

This project was previously before the Design Review Committee (DRC) in June 2015 for Preliminary Design Review. A summary from that meeting is included further on in this report. It is before the DRC for Continued Preliminary Design Review.

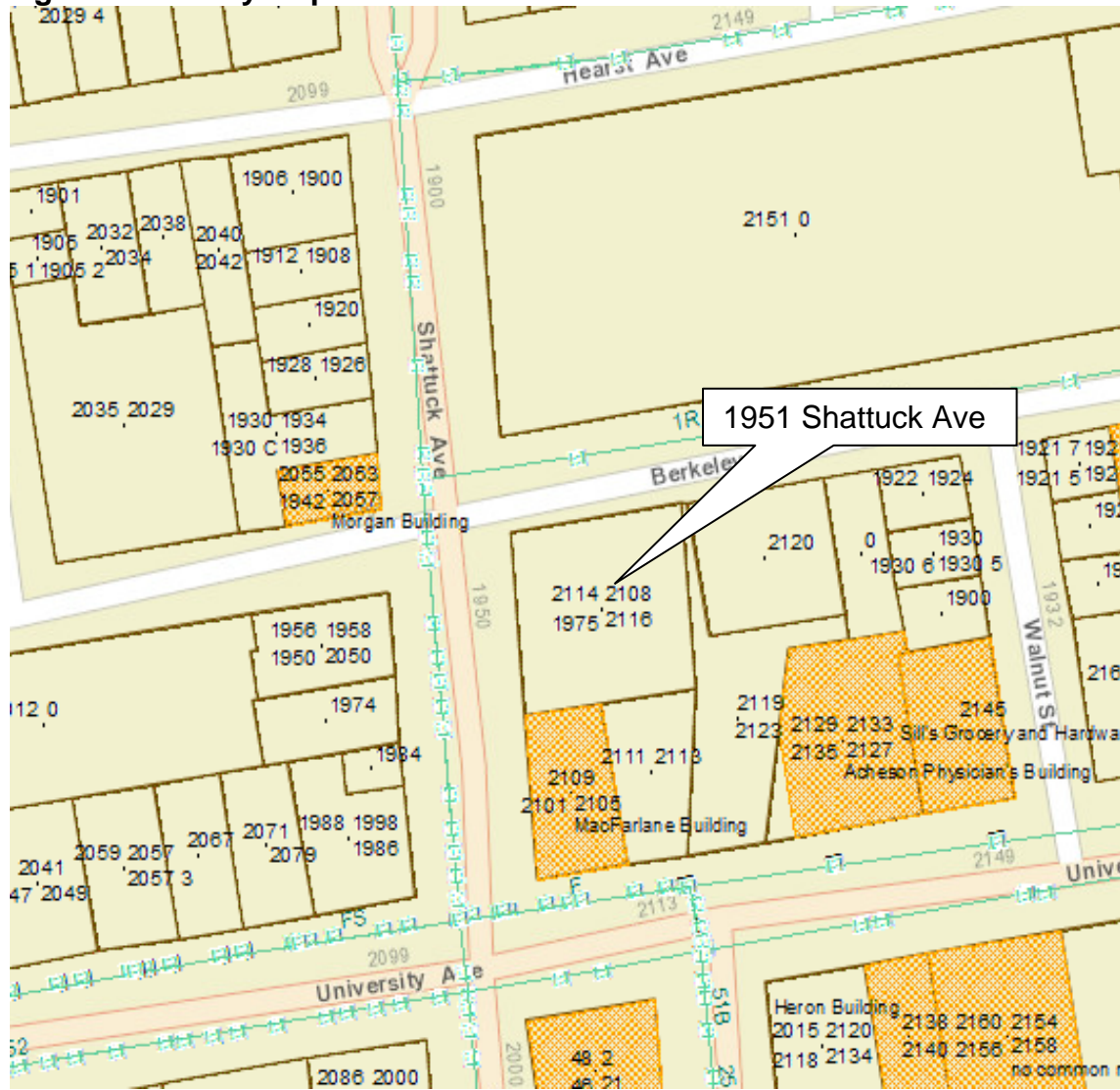
#### II. Background

This project consists of a proposed 120 foot tall, twelve story building with 92 residential units. 4,335 square feet of retail space will be provided on the ground floor and 7,629 square feet of office space will be provided between the ground and second floors. 88 parking spaces will be included in three levels of underground parking and bike parking for 104 bikes will be provided between the lobby, underground parking and exterior of the building. Parking garage and residential lobby entrances will be located on Berkeley Way. 7,405 square feet of usable open space for residents will be provided on the roof and in private balconies.

This project requires the demolition of two existing one-story and two-story commercial buildings.

**III. Project Setting**  
**A. Neighborhood/Area Description:**

**Figure 1: Vicinity Map**



**Note:** Double-hatched shading indicates landmarked properties.

**Table 1: Land Use Information**

Location	Existing Use	Zoning District	General Plan Designation
Subject Property	Commercial	C-DMU, Outer Core	Downtown
Surrounding Properties	North	Institutional	C-DMU, Outer Core
	South	Approved Mixed-Use	C-DMU, Outer Core
	East	UC Press Building	C-DMU, Outer Core
	West	Commercial	C-DMU, Outer Core

**Table 2: Development Standards**

Standard BMC Sections 23E.68.070-080		Existing	Proposed	Permitted/ Required	
Lot Area (sq. ft.)		17,580	No change	---	
Gross Floor Area (sq. ft.)		16,600	131,192	---	
Floor Area Ratio		0.95	7.5	---	
Dwelling Units		0	92	---	
Building Height	Average (ft.)	20	120	---	
	Maximum (ft.)	20	120	60 (40 min.) 120 (with Use Permit)	
	Stories	1 & 2	12	---	
Building Setbacks (ft.) <sup>(1)</sup>	Front (Berkeley Way)		0	0'-10'-3" +3'-0"-9'-0" +3'-0"-9'-0"	0 - 5 max. (building height ≤ 20') 0 (building height >20'-≤75') 15 (building height >75')
	Rear		0	0'-19'-11" 7'-4"-19'-11" 7'-4"-19'-11"	0 (building height ≤ 20') 0 (building height >20'-≤75') 15 (building height >75')
	Street/Right Side (Shattuck)		0	13'-8"-20'-8"	---
	Interior/Left Side (distance from lot frontage)	0-65'	0	0'-13'-6"	0 (building height ≤ 75') 5 (building height >75')
		>65'	0	0' 10'-0"-13'-6"	0 (building height ≤ 20') 5 (building height >20'-≤75') 15 (building height >75')
Lot Coverage (%)		81.8	77.6	---	
Usable Open Space (sq. ft.)		0	7,405	80 per unit 7,360	
Privately Owned Public Open Space		0	3,434	1 per 50 sq.ft. non-residential use 200 total	
Parking	Automobile	0	88	26 for DUs: 1:3 units 15 for commercial: 1.5:1K sq. ft.	
	Vehicle Sharing	0	6	2 of the 88	
	Bicycle	0	104	5 for commercial: 1:2K sq. ft.	

**IV. Development Standards:**

Required setbacks and step backs for new development in the C-DMU are listed in 23E.68.030. Excerpts from this section are below for your reference.

**23E.68.030.C.** No yards for main buildings, accessory buildings, or accessory structures shall be required, except as required in Section [23E.04.050](#) for commercial

lots abutting or confronting residential zoning. In addition buildings shall be set back from property lines as set forth in the table and provisions below, unless modified by a Use Permit subject to the findings in Section [23E.68.090.F](#).

Portion of Building at Height of:	Front Lot Line	Interior Side Lot Line		Rear Lot Line
		65' and less from lot frontage	Over 65' from lot frontage	
Zero to 20 feet	0' minimum, 5' maximum;	0' minimum	0' minimum	0' minimum
21 feet to 75 feet	0' minimum	0' minimum	5' minimum	5' minimum
76 feet to 120 feet	15' minimum	5' minimum	15' minimum	15' minimum
Over 120 feet	15' minimum	15' minimum	15' minimum	15' minimum

5. Architectural features such as eaves, cornices, canopies, awnings, bay windows, uncovered porches, balconies, fire escapes, stairs and landings may project up to five feet into required setbacks of this section so long as the surface area of such projections does not exceed 50% of the surface area of the side of the building on which the projections are located.

**23E.68.090.F.** In order to approve a Use Permit for modification of the setback requirements of [23E.68.070.C](#), the Board must find that the modified setbacks will not unreasonably limit solar access or create significant increases in wind experienced on the public sidewalk.

A complete set of the C-DMU Buffer Development Standards (23E.68.070) can be found online at: <http://codepublishing.com/ca/berkeley/>

## V. Zoning Permits Required

The following Use Permits are being requested:

- Use Permit for construction of a new main building with mixed-use development, under BMC Section 23E.68.030
- Use Permit for construction of >10,000 sq. ft. gross floor area, under BMC Section 23E.68.050
- Use Permit for demolition of a non-residential building, under BMC Section 23E.23C.08.050.A
- Use Permit to allow one of two buildings of over 75 feet but not more than 120 feet in the combined Core and Outer Core areas, under BMC Section 23E.68.070.B.1
- Use Permit to modify the maximum five-foot front line setback where the building is between 0 and 20 feet in height, under 23E.68.070.C

- Use Permit to modify the minimum 15-foot front, interior side, and rear lot line setback where the building is between 76 and 120 feet in height, under 23E.68.070.C
- Administrative Use Permit to allow architectural projections to exceed the height limit, under BMC Section 23E.04.020.C

## VI. Density Bonus

No density bonus is being requested.

## VII. Previous DRC Summary – June 18, 2015

### **Recommendations:**

#### **Overall Building Design**

- *Although there is much improvement, elevations could be simpler and more elegant.*
- *The material palette is good, but the whole design is not elegant yet. Look more carefully at detailing.*
- *This is a large, massive building, and another pass at detailing could help simply and lighten the building.*
- *There is some concern that solar panels will appear awkward.*

#### **Open Space**

- *Public space is nice, but there is concern that it may be abused if it can't be secured after hours.*
- *Recommend that the alley be closed off at night.*
- *Take another look at the special paving pattern. It is between regular and random, and could go either way.*
- *Staff and the applicant should check with Public Works on special paving issues.*
- *There does not appear to be an accessible path to the hot tub on the roof.*
- *Look carefully at the pet area to control odor and noise.*
- *Parking may be better to have instead of a parklet.*

## VIII. Design Review Guidelines

Following are several key guidelines in the Downtown Design Guidelines which relate closely to this project.

### **General Building Facade Design**

- Reflect and reinforce the scale, massing, proportions, rhythm and attention to detailing established by Landmarks and Significant buildings.
- Incorporate elements which break up façade planes and create a visual play of light and shadow.
- Vertical divisions of ground and upper floors should be consistent.
- Architecturally distinguish the ground floor from the upper façade, to form a visual base for the building.
- Use high quality detailing for new buildings and replacement elements.
- Window should comprise 25-50% of upper facades visible from public areas, and should reflect the rhythm, scale, proportions, and detailing of upper windows of Landmark and Significant buildings.

### **Roof Forms**

- Provide a termination to the top of the building in a way that complements and enhances the character of the building and the Downtown.
- On sites which include corners, the roof design should emphasize the corner.

### **Materials**

- Use high quality, durable materials which enhance the building and convey a sense of permanence.

### **Frontage, Setbacks, and Heights**

- Maintain a continuous zero-setback “build-to-line” at the ground floor at the edge of all Downtown streets where commercial and higher levels of activity is anticipated.
- Design recessed storefront entrances so they do not exceed 50% of the width of the storefront, nor ten feet in depth.
- Consider massing alternatives that would reduce shadow impacts on streets and relate new construction to the scale of nearby buildings.
- For new construction projects located on narrow east-to-west streets and over 75 feet in height, prepare an analysis of shade impacts on public open spaces and pedestrian sidewalks across the street.
- Place entrances to storefronts and other ground floor uses so that they are accessible directly from the public sidewalk, not internal lobbies.
- Design entrances of individual buildings to contribute positively to the street.
- Maintain and reinforce Downtown’s historic streetwall at the property line. Upper floor setbacks are desirable above 60 feet, and should be used above 75 feet.
- For buildings over 85 feet in height, prepare an analysis of potential wind impacts. Protect sidewalks and public open spaces by deflection downward wind drafts by using building setbacks, recesses, projections and other devices.

### **Heights**

- Respect the height of neighboring buildings, and provide a sense of continuity and enclose which avoids abrupt changes in height.
- On the corner sites, locate the tallest elements at the corners, particularly at major intersections, except where ridgeline views may be obstructed.

### **Open Spaces**

- Provide new open space which are deliberately planned, designed, and located to be usable.
- Relate the size, volume, and design of open spaces to the scale of surrounding buildings and streets, and to the numbers of people and types of activities which are encouraged there.

### **Corner Sites**

- Accentuate the corner as the focal point of the site.

***Shattuck Side is designated as required public serving frontage (refer to figure 43 in the 2012 Downtown Guidelines)***

- *At least one publicly-accessible street-level entrance to be provided for every 40 feet along a street facing frontage. Any remainder exceeding 30 feet shall also have a publicly-accessible street-level entrance. No two entrances shall be separated by more than 50 feet.*
- *Clear Glass shall comprise at least 60% of the street facing façade where it is between 3 feet and 8 feet above elevation of adjacent sidewalk*
- *The design of the ground floor shall be visually open to pedestrians such that the design should enable the main activities of the proposed use to be carried out towards the front of the space.*

A complete set of the downtown design guidelines can be found online at:

<http://www.cityofberkeley.info/ContentDisplay.aspx?id=14260>

## **IX. Issues and Analysis**

### **A. Changes since Previous Submittal**

- Towers have been simplified and appear more vertical with a better relationship to the base.
- Balconies at upper floors as well as the terra cotta roof parapet have been eliminated for a lighter appearance at the top.
- Amount of glazing has been increased at the building's upper floors. Horizontal shading bands have been added to the building's top three floors.
- Solar panels have been pulled back from all facades and are not visible from the street view.
- Paving pattern has been revised to a more regular pattern.
- Roof deck has been revised to allow better access to the hot tub.

### **B. Issues for Discussion:**

- Massing / Step backs
- Façade and Glazing Design / Roof Elements
- Open Space / Landscape Plan

## **X. Recommendation**

Staff recommends that the Committee discuss the above issues and forward a favorable recommendation on to ZAB with specific direction for Final Design Review on building details, as well as colors and materials.

### **Attachments:**

1. Project Plans, received August 7, 2015
2. Response to DRC comments, received August 7, 2015

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