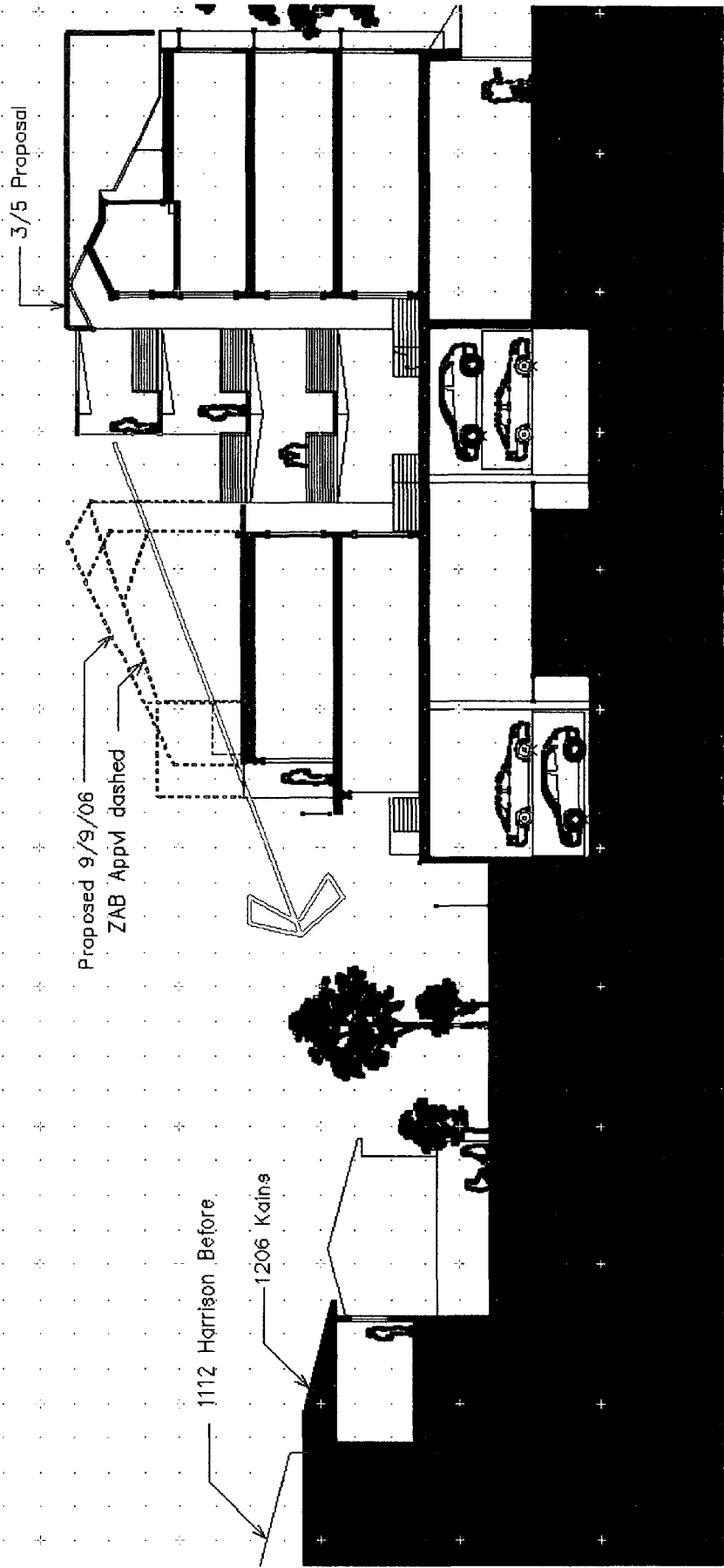


1201 San Pablo
Jmi Witt



September 18, 2006

Re: City Council's Public Hearing of 1201 San Pablo/1100 Harrison Project on Sept. 19, 2006

Dear Council Member Maio,

Tomorrow evening, City Council will hold a Public Hearing of the proposed development at 1100 Harrison St (aka 1201 San Pablo Avenue).

Attached please find a chronology of meetings the neighbors have had with the Developer/Architect and the City of Berkeley. Also attached are minutes to some of the meetings, a letter to ZAB regarding the Traffic Study, a petition for a more appropriate sized project, and a letter to ZAB regarding their decision to approve the use permit. In addition, the neighbors have collectively spent hundreds of person hours preparing for and attending meetings, researching City processes and zoning ordinances, and writing letters to the DRC, ZAB, Council Members and other City officials.

As you can see, the neighbors have been consistent in their concerns and requests for 1½ years. The neighborhood's primary issues with the project have been massing and density and the neighbors have made extraordinary efforts to voice their concerns and offer recommendations and solutions.

To date, these issues have not been effectively addressed by the Developer or the City of Berkeley.

As a neighborhood, we are aware of change and are not afraid of the impact change brings; however we know how much change we can absorb without a dire negative impact on the community we have created. It has always been the intent of the neighbors to have the lot be developed into a win for the developer, a win for the neighborhood and a win for the City of Berkeley.

I urge you to lead the Council in voting for the neighbors' recommended modification to the design or deny the permit.

Kind regards.



Mary Wyand
1206 Stannage Avenue
Berkeley, CA 94706

510.527.1533
Mary.wyand@honeywell.com

RECEIVED AT
COUNCIL MEETING OF

SEP 19 2006

OFFICE OF THE CITY CLERK
CITY OF BERKELEY

1201 San Pablo Ave/1100 Harrison Project Meeting Chronology

<u>Date</u>	<u>Meeting type</u>	<u># of Speakers In support of project (1)</u>	<u># of Speakers (neighbors) oppose (1) /attendees</u>	
March 16, 2005	Neighbors	0	12	meeting minutes attached
March 19, 2005	Neighbors/Arch/Dev	3 (arch/dev)	46/47	meeting minutes attached
May 11, 2005	Neighbors/Arch/Dev	2 (arch/dev)	5/5	meeting minutes attached
August 18, 2005	Design Review Com	3 (arch/dev)	9/15	
October 20, 2005	Design Review Com	2 (arch/dev)	9/12	
November 17, 2005	Design Review Com	1 (arch)	13/20	
December 15, 2005	Design Review Com	6 (arch/dev/L.A.,realtor)	10/14	
January 19, 2006	Design Review Com	3 (arch/dev/L.A.)	10/16	
April 6, 2006	ZAB	5 (arch/dev/realtor)	28/34	
mid-June to mid-July, 2006	City Council Members/Neighbors (2)			
July 12, 2006	L. Maio/Neighbors			
July 14, 2006	Neighbors/Dev/ D Blake			
July 17, 2006	<i>Kitchen Democracy Results</i>	<i>w/in mi. of project</i> 4	<i>> mi. from project</i> 16	<i>w/in mi. of project</i> 28
July 18, 2006	City Council Mtg	3 (arch/dev)	6/>25	
August 3, 2006	L. Maio/Dev/Neighbors			
August 8, 2006	L. Maio/Dev/Neighbors			
August 16, 2006	L. Maio/Dev/Neighbors			
September 7, 2006	L. Maio/Dev/Arch/Neighbors			meeting summary attached
September 19, 2006	City Council Public Hearing scheduled			

(1) # of speakers in support or opposition of the project derived from counting submitted speaker cards in City Planning files

(2) The following is a list of the neighbors who met with Council Members

<u>Council Member</u>	<u>Neighbors</u>
L. Maio	P. Pinto & W. Dolphin
G. Wozniak	S. Pinto & M. Wyand
L. Capitelli	B. Bernstein & Y. Bozzini
M. Anderson	E. Lamm & S. Cohen
D. Spring	K. Gardner
B. Olds	T. Dillon

arch - architect; dev - developer; L.A. - landscape architect; realtor - commercial realtor who sold land to developer

M E E T I N G N O T E S

DATE: March 17, 2005

PROJECT: 1100 Harrison Street

MEETING DATE: March 16, 2005

MEETING LOCATION: 1215 Stannage Avenue

SUBJECT: Neighborhood Concerns

PRESENT: Prakash S. Pinto - 121 5 Stannage
Catherine Drinkhouse - 1234 Stannage
Jill Churchman - 1141 Stannage
Dee Iaroli - 1123 Harrison
Terry Dillon - 1223 Stannage
Elizabeth Rastatter - 1205 Stannage
Erika Lamm - 1209 Stannage
Charlie Lamm - 1209 Stannage
Louise Berman - 1205 Stannage
Martin Poz Perez - 1220 Stannage
Beth Bernstein - 1217 Stannage
Susan M. Pinto - 1215 Stannage

DISTRIBUTION: Attendees
Residents of Harrison Street, Kains Avenue, Stannage Avenue
Greg Powell - City of Berkeley Panning Department
Linda Maio - City of Berkeley Councilmember

PREPARED BY: Susan M. Pinto & Prakash S. Pinto

MEETING NOTES:

1. Earlier this week, Prakash Pinto contacted the City of Berkeley Planning Department and spoke with Greg Powell, the planner assigned to the project.
2. The Meeting started with a review of the zoning laws and requirements for the project at 1100 Harrison Street. The project has an address on Harrison because the address is determined by the shorter edge of the parcel. San Pablo Avenue is zoned for commercial use. Harrison Street, Kains and Stannage Avenue are zoned R-2, residential units. The project is part of the city's plan for higher density transportation nodes and is in the San Pablo/Gilman node. The higher density plans call for retail spaces on the ground floor and high density housing above. The parcel has a Floor Area Ratio (FAR) of 3, meaning the total square footage of the project can be up to 3 times the square footage of the parcel. The parcel for 1100 Harrison is 130' x 100' for a total of 39,000 SF of development. 1100 Harrison is less than 39,000 square feet. Since some of the units are live/work, mixed use units, the project is allowed an extra 10' of height. The project is within the height requirements for the parcel. Since the developer is offering 5 low-income units, the project is entitled to a height bonus, but the project fits within the code without the height bonus. However, the project does meet the setback requirements for the parcel, 5' for side yards, 10' for rear yards and 20' for the front (Harrison Street). Since the developer does not need the height bonus for the low income units, he may ask for relief from the setback requirements instead.
3. The project will have two meetings where the public can comment on the project. The first is a Design Review meeting. The meeting will probably be in mid-April and is a forum for comments on the project's aesthetic qualities. The Design Review does not require a public notification; it will only be posted on the project site. The second meeting is before the Zoning Adjustments Board (ZAB). The developer will need approval from the ZAB for relief from the setback requirements for the project and the ZAB is the best opportunity for the community to raise concerns and issues about the project. Notice for the ZAB meeting will be posted on site and to neighbors within a 300' radius. It is paramount the all concerned neighbors attend the ZAB meeting to voice their concerns.
4. Prakash reported that providing low-income units for sale is very important to the City and the City is open to developments which include low-income units. In addition, the state has mandated a density bonus to developers who provide at least 20% of a projects units at below market rates. Usually this bonus is realized as additional height (floors) for a project. The city must comply with the states mandate.
5. A main concern for the neighbors is the height and density of the project. At 4 ½ stories it is out of scale with the fabric and context of the neighborhood. The majority of the homes and apartments in the area are 1 or 2 stories. Some newer developments along San Pablo in Albany are 3 stories but the closest development of this size is most likely a newer building on University.
6. With the height and density is the concern for increased traffic and parking on Kains, Harrison and Stannage. The traffic report for the project is being prepared by the developer. Kains, Harrison and Stannage are narrow residential streets where the parking and traffic is already a concern. Currently, when traffic backs up on San Pablo, drivers make the illegal left hand turn on to Kains, then turn south on to Stannage to connect to Gilman. One can assume the residents of 1100 Harrison use the same route to Gilman. The issue of adding speed bumps to Stannage to slow down the traffic was raised but Berkeley has a moratorium on speed bumps at the request of the Fire Department. Raised markers in the street perpendicular to traffic could be a traffic calming device. A driver would hear how fast he/she was driving but the markers will also create noise for the neighborhood. While the developer is providing 42

parking spaces for the 30 units, it is safe to assume that a buyer affording the market rate condominiums will have 2 cars. Parking is already tight on the surrounding streets, especially when the Catholic Church on Gilman has services or Ashkenaz on San Pablo has an event. Greg Powell has stated that the developer cannot be held responsible for the existing problems; but the project is potentially generating its own set of issues. Possible solutions could be a parking permit system for the neighborhood or requesting that the access to the projects parking garage be off of San Pablo.

7. Another impact from the project's height and density is the shading of the neighboring properties. The shade studies show the project impacting the surrounding area in a significant way.
8. Many neighbors are curious about the type of retail being proposed for the ground floor. The area is zoned for personal/household services, banks, food and alcohol service, lodging, entertainment and assembly uses, gasoline/automobile fuel stations, enclosed auto repair uses, new car dealers, enclosed used car dealers and required access to and lobbies serving upper-story uses. The hours of operation are 6:00am-10:00pm but hours can be extended to Midnight with administrative conditions.
9. Another concern is the project's impact on the Storm Water Management for the area. Harrison has had flooding problems in the past, Cordinices Creek is nearby and building on the lot changes a large permeable area of land to un-permeable. This issue needs to be raised with the developer and the City.
10. **What does the neighborhood want.** Reducing the height and density of the project would mitigate many of the issues with the project. A reasonable request may be 1 story of retail and 2 stories of condo units for a total of 3 stories.
11. **Next Steps.** The first step is to attend the meeting with the Developer on Saturday, March 19 at Meal ticket, raise our concerns with him and listen to what he has to say and learn if these issues are already being addressed and if so, how. Everyone who attends should feel free to speak up and voice concerns even if they seem redundant.
12. After we have heard the developer, we need to articulate our concerns and requests in a petition. If enough neighbors sign the petition, the city will listen.
13. Attend the ZAB meeting. Again, it is very important that every concerned neighbor make the effort to attend the ZAB meeting and speak up.
14. Feel free to e-mail Greg Powell, gpowell@ci.berkeley.ca.us, the planner for the project and Linda Maio, lmaio@ci.berkeley.ca.us, our city councilmember with your concerns and issues. A copy of these meeting notes will be e-mailed to both of them.
15. When the traffic report is submitted to the City it will be a public record. Prakash Pinto has offered to have a colleague who is a traffic engineer review and comment on the report. Prakash has also offered to meet with the City Planning Director and Traffic Engineer to discuss the project.
16. There will be a follow-up neighborhood meeting to draft the petition in the next week or so. We will invite any interested neighbors from Kains, Harrison and Stannage.

Meeting Notes
1100 Harrison Street
March 17, 2005
Page 4 of 4

Please feel free to e-mail me with any questions or comments at Suepmac@aol.com. Please put 1100 Harrison in the subject line.

END OF MEETING NOTES

THIS REPORT, IF NOT CORRECTED WITHIN TEN DAYS AFTER RECEIPT BY ANY PARTY IN ATTENDANCE, SHALL
BE ACKNOWLEDGED AS AN ACCURATE REPORT OF EVENTS THAT TOOK PLACE AT THIS MEETING.

MEETING NOTES

DATE: March 21, 2005 – **REVISED APRIL 4, 2005**

PROJECT: 1100 Harrison Street

MEETING DATE: March 19, 2005, 4pm

MEETING LOCATION: Meal Ticket Restaurant, San Pablo Avenue

SUBJECT: Meeting with Architect and Developer for Proposed Project at 1100 Harrison St.

PRESENT:

- Don Mill – Project Architect
- James E. Hart – Project Developer
- Prakash S. Pinto - 1215 Stannage
- Susan M. Pinto - 1215 Stannage
- Kazumi Taniguchi – 1214 Kains
- Daniel Aronen – 1214 Kains
- Beth Bernstein - 1217 Stannage
- Catherine Drinkhouse - 1234 Stannage
- Dee Iaroli - 1123 Harrison
- Terry Dillon - 1223 Stannage
- Elizabeth Rastatter - 1205 Stannage
- Michael Ketema – 1204 Kains
- Erika Lamm - 1209 Stannage
- Charlie Lamm - 1209 Stannage
- Martin Poz Perez - 1220 Stannage
- Jean Molesky-Poz – 1220 Stannage
- Mary Wyand – 1206 Stannage
- Dede O'Reagan – 1134 Stannage
- David D. Smith – 1205 Kains, 1114 Harrison
- Nelson Hernandez – 1236 Kains
- Daniel Parolek – 1420 Santa Fe
- Tania MacDonald – 1226 Kains
- Kristen Gardener – 1112 Harrison
- William Dolphin – 1112 Harrison
- Aster Griton – 1122 Kains
- D.M. Hart – 1337 Joseph
- Michael Hoffman – 1229 San Pablo
- Peter Hoffman – 1123 Harrison
- Yvette Bozzini – interest in 1110 Harrison
- Julian Beolojs – 1100 Solano
- James Carter – 1235 San Pablo
- Carolyn Del Gaudio – 1235 San Pablo
- Laura Mendoza – 1213 San Pablo
- Kamika Cooper – 1213 San Pablo
- Lynn Ann Riordan – 1213 San Pablo

PRESENT: (CON'T)

**Dave Radlauer – 1137 Stannage
Keeyla Meadows – 1137 Stannage
Semainesh Debrezain – 1204 Kains
Scott Bergquist – 1122 Stannage
Ann-Marie Zabroski – 1236 Kains
Rob Smith – 1177 San Pablo
Germaine Quiter – interest in 1110 Harrison
Gerald Densch – 1217 Kains
Serena Wong – 1213-1215 San Pablo
Xatri Seubcharuen – 1213 San Pablo
Julie Dickinson – 1129 Carleton
Walt Handler – 1213 San Pablo
Linda Sikorski – 1223 Stannage
Ryan Weber – 1206 Kains**

DISTRIBUTION:

**Attendees
Residents of Harrison Street, Kains Avenue, Stannage Avenue
Andy Katz – City of Berkeley Zoning Adjustment Board
Dan Marks – City of Berkeley Planning Director
Greg Powell - City of Berkeley Planning Department
Debbie Sanderson, City of Berkeley Planning Department
Linda Maio - City of Berkeley Councilmember**

PREPARED BY:

Susan M. Pinto & Prakash S. Pinto

Community Meeting Notes

Re: 1100 Harrison Street

MEETING NOTES:

1. The meeting began with the Project Architect, Don Mill, giving an overview of area zoning. The project is within the San Pablo/Gilman Transit Node which runs from Harrison to Camellia along San Pablo. Development within this area is retail on the ground floor and mixed-use housing on the floors above. According to Mr. Mill, no variances are required for the project.
2. Mr. Mill reviewed a section showing how the project intends to deal with sight-line and privacy issues on the east side of the project (facing the residential properties along Kains and Harrison) by terracing the elevation. The guardrail heights along the east side terraces are designed to limit views into the east side units and views from these units into the adjacent properties. However, it was noted by one resident that if one were to stand at the edge of a terrace and look down, one would be able to see into the adjacent properties. The project includes 5 units of affordable housing, to be priced at less than \$300,000. The developer is not asking for a density bonus for the affordable units. According to Mr. Mill the proposed project is below the Floor Area Ratio (FAR) and 20% under without a variance.

The Community Residents began to ask questions of the proposed project. The notes are organized around specific issues that came up during the meeting.

3. **Height and Density:** The overall height and density of the building is a major concern for the neighborhood. The four stories plus loft units over the retail is out of scale and character with the surrounding single family/duplex units in the neighborhood. It was also noted that there is currently nothing this size along San Pablo, especially in an area that is adjacent to so many single family homes.

A number of residents asked about proposing two floors residential over retail and parking. Additionally, the height of the podium wall along the east façade was raised. It is approximately ~~25'~~ tall 12' high before the terracing and guardrails begin. Mr. Mill explained that the parking access will be 3' below the existing grade and an existing 4' tall retaining wall runs along the property line. *Clarification: The elevations of the properties to the east are 3'-4' higher than 1100 Harrison, and, therefore, the parking garage wall along the east side will appear to be approximately ± 9' high.* Mr. Mills reviewed an elevation showing the existing edge conditions along the eastern property line. The adjacent neighbors have fences of varying heights and a large tree providing some screening along the podium wall.

Mr. Mill stated that the developer has offered to replant the adjacent backyards, presumably to enhance screening of this wall. However it was noted by the residents that the landscaping burden is on the homeowners for maintenance and the area required to plant it. The reality of the wall is that it is a tall, blank wall along the eastern property line that no measure of landscaping could completely screen. Additionally, because of the desire to screen with solid material of the balconies, the façade that is presented to eastern edge will also look rather blank looking.

4. **Sunlight Concerns:** The terracing is also designed to mitigate the shade impact of the project on the neighboring properties. The shade studies in the package show the shade impact during the summer months and winter months at 2 hours after sunrise, noon and 2 hours before sunset. As an example, 1125 Harrison could lose 1-3 hours of sunlight depending on the time of year. While the terracing may mitigate some of the shade impact, the community was still concerned about the impact and loss of sunlight in the neighboring yards. Even though the building is stepped back, the overall height at 50' still

creates shade problems for the neighbors, as well as will block views from neighbors' second floors that live further east of the proposed project.

5. **Required Setbacks:** Mr. Mill stated that the project would have a public hearing before the Zoning Adjustments Board (ZAB) to review the set back issue. He contends that the proposed design provides better privacy along the property lines than building a shear wall at the set back. The zoning code calls for setbacks adjacent to R-2 zoned properties to match the setbacks required by R-2 zoning. By this standard, the project should have a 5' side-yard setback long the eastern property edge and a 20' or equivalent set back to the adjacent properties along Harrison. Mr. Mill alleges that since the design along the eastern edge provides for improved privacy, if the neighboring properties agree, he is entitled to 0' setbacks on all sides. A resident's interpretation of the code contends that the project still needs to meet the setback requirements along Harrison. In any case, the ZAB Board will need to decide this issue.

6. **Adjacent Edge Concerns:** The edge condition along the south property line was addressed next. The tenants of 1213 San Pablo, 2 story apartment complex, will be facing a wall 40-50' tall. The proposed elevation has no windows but there are smaller openings with glass block. The owner of 1213 San Pablo was in attendance and was concerned about the impact of the proposed building on the residences that face toward it.

The owner of 1213 San Pablo also brought up the issue that according to the zoning code in the future she could choose to develop 1213 San Pablo lot line to lot line as well and that would impact the units abutting the south property line. Mr. Mill did not seem concerned about what adjacent development might happen in the future and said that the interior units functioned well without side openings. He agreed it might be a good idea to disclose this fact to prospective buyers of the southern units.

7. **Traffic Concerns:** Neighbors raised concerns about the additional traffic and parking generated by the project and how that will impact the neighborhood. Currently, Harrison, Stannage and to a lesser extent, Kains, (because Kains has speed bumps and Stannage doesn't) is used as a cut-through from San Pablo to Gilman for traffic heading east on Gilman. The intersection at San Pablo and Harrison does not currently allow for a legal left hand turn but many drivers make the illegal left hand turn when traffic backs-up at San Pablo and Gilman. Since the project parking access is from Harrison, the neighbors asked if the report was recommending changing the intersection of Harrison and San Pablo to a legal left hand turn. Mr. Mill could not answer this question, but offered to make the traffic report available to the neighbors and to meet again to discuss the traffic issues and possible solutions.

Parking in the neighborhood is also a concern. The proposed design provides 42 parking spaces for the 30 living units and retail units. The neighborhood contends that a household buying a 2 bedroom condominium unit, spending between \$400,000-500,000 for the unit, will likely have 2 cars. The project will have a population ranging from 55-110 people, with 83 people being a median population, plus retail employees. According to Mr. Mill each retail unit would be assigned 1 parking space. However, the employees of the retail spaces and customers will also need to park in the vicinity of the project. Parking in the neighborhood is tight. Harrison is heavily used during the day by people working on San Pablo and the proposed development would compound the issue, even if some of the people park on San Pablo.

8. **Retail:** Neighbors were curious about the type of retail being proposed for the project, acknowledging that small local serving retail would be a benefit for the neighborhood. Mr. Mill was unable to give any details about what type of retail might be proposed for the building right now. A neighbor asked about what type of occupant they envisioned for the Condo units. Families seemed unlikely, and singles or young couples seemed most likely. Mr. Mills did state the units would likely be starter homes for buyers but was reluctant to give any details about what type of tenant the project hoped to attract. However, he did state that rentals would not be allowed per the project's CCRs.
9. **Storm water:** The issue of storm water management was raised. The intersection of San Pablo and Harrison has been prone to flooding in the past. Mr. Mills was unaware of this problem and would look into it.
10. **Aesthetics:** Neighbors also expressed concerns about the design of the project. The design was perceived as imposing and not inviting. Neighbors were concerned about the strong colors shown in the photo montage and how the northern façade of the building turned (or doesn't) the corner from San Pablo.

General Conclusions

The general consensus from the community meeting was that the project **was too dense and too tall** for the fabric of the surrounding neighborhood and asked if a 3 story project was feasible. In addition, **traffic concerns**, as stated above, were largely unanswered because the report has not been finished. Mr. Mill said there was no flexibility in the design, and that the point of the meeting was to explain the project, not to elicit neighbor's critique of the project. According Mr. Mill, he has spoken with Debbie Sanderson in the Planning Department and was told the project was headed in the right direction. Additionally, the community wondered why even have this meeting if plans have already been submitted and the possibility to introduce change is limited.

A neighbor asked the developer, James Hart, if he would seriously consider looking at a project which was 2 stories of living units over 1 story of retail for a total of 3 stories. The neighborhood is not opposed to development, but do think that a smaller, less imposing project would be better. Mr. Hart said he would look at alternatives. While there have been recent projects of larger size and scale along University, the neighborhood fabric is a different condition from University and we should not arbitrarily lump these two areas together.

The architect continued to say that this project is what people who developed the West Berkeley Plan wanted. Most residents, many of whom have lived in the neighborhood for years, said that they never even knew there was a process or a plan. Many residents stated that concerns for community and neighborhood should take precedent over the City's need for development. This project is the something that will become a precedent for San Pablo and residents who are impacted by development need and should have a say in what the overall character will be.

The project will have 2 public meetings, a design review meeting and a Zoning Adjustment Board meeting. Both meetings will be posted on the project site. Neighbors within a 300' radius of the project will be notified of the ZAB meeting. This is an important meeting because they will decide at this meeting if the project gets a Use Permit. The ZAB also has an appeals process.

Next Steps:

1. Review transportation report to understand how the Developer will address traffic concerns. This is a public document and can be obtained at the City of Berkeley Planning Department. The Developer will also send a copy to Prakash Pinto and he will distribute to neighborhood if necessary.
2. A smaller group of residents will be getting together to draft a formal petition about the project for everyone to sign. Let Prakash or Susan know if you want to be included in this group- everyone is welcome. Notification of future meetings will be sent via email to everyone.
3. Attend the Design Review and Zoning Adjustment Board meeting to voice concerns for the project.
4. Email or write a letter of your concerns of the project to:
Linda Maio, Councilmember District 1, hmaio@ci.berkeley.ca.us,
Debbie Sanderson Senior Planner City of Berkeley, (dsanderson@ci.berkeley.ca.us)
Greg Powell, Planner, City of Berkeley (gpowell@ci.berkeley.ca.us)
Andy Katz, Zoning Adjustments Board. (zab@ci.berkeley.ca.us)
5. Email or write a letter of your concerns to the Berkeley Daily Planet and Berkeley Voice.

MEETING NOTES

DATE: May 15, 2005

PROJECT: 1100 Harrison Street

MEETING DATE: Wednesday, May 11, 2005, 7pm

MEETING LOCATION: 1215 Stannage Avenue

SUBJECT: Follow-up Meeting with Architect and Developer for Proposed Project at 1100 Harrison St.

PRESENT: Don Mill - Project Architect
James E. Hart - Project Developer
Prakash S. Pinto - 1215 Stannage
Susan M. Pinto - 1215 Stannage
William Dolphin - 1112 Harrison
Dan Corvello - Harrison
Mary Wyand - 1206 Stannage

DISTRIBUTION: Attendees
Residents of Harrison Street, Kains Avenue, Stannage Avenue

PREPARED BY: Susan M. Pinto & Prakash S. Pinto

MEETING NOTES:

1. James E. Hart, the developer asked for the meeting to clarify and further discuss the neighborhood issues raised at the March 19 meeting.
2. The traffic report was discussed, and Mr. Hart said that the traffic report had been revised per comments from the City of Berkeley Traffic Engineer, Peter Eakland. The revised report will be sent to us for distribution to the Neighborhood. Prakash Pinto stated that the traffic report is misleading because it only looks at the traffic impacts to the intersections at Harrison and San Pablo and Gilman and San Pablo, and does not address the impacts at Kains, Stannage and Harrison Street.

The left turn only out of the project parking lot was seen as unenforceable and impractical. Residents will quickly learn that making a left hand turn at the intersection of Harrison and San Pablo is impossible during peak traffic times and seek alternate routes on Kains and Stannage. The lane configuration proposed by the traffic engineer of one east bound lane and two west bound lanes at the intersection of Harrison and San Pablo is also not practical because it will eliminate parking spots near the intersection. Parking is already scarce in the neighborhood without the added impact of the project.

Allowing a left hand turn from San Pablo onto Harrison is also undesirable to the neighborhood. Currently, drivers make the illegal left-hand turn from San Pablo as a short-cut to Gilman. The neighbors are worried that making the left turn legal will increase through traffic on Harrison, Kains and Stannage.

3. Any development at Harrison and San Pablo will impact neighborhood traffic and parking. The neighborhood believes that the project is too big. The impacts from a smaller project could be tolerated. If the number of units proposed is scaled back, most of the issues of traffic, parking, sunlight, density, etc. are mitigated. The consensus is that the neighborhood would prefer a project which has two floors of residential units over a floor of commercial units and parking, 20-25 units. Although the West Berkeley Plan does allow projects of this size and density, incremental changes have already been made to the West Berkeley Plan.

A smaller project would eliminate the need for the expensive lift parking system and excavation into the water table. One floor of parking would provide enough parking for 20 residential units, but might not provide enough extra spaces required for the commercial units. The neighbors might be willing to lobby on behalf of a smaller project with fewer parking spaces for relief from the commercial parking space requirements.

4. The neighborhood is concerned about the blankness of the facade along Harrison Street. Mr. Mills said that he loved the design of the north facade and had consciously not wanted to mimic residential detailing. He described the choice of materials for the exterior of the project, red stucco, slate, aluminum perforated awnings over the retail, corten steel at the stairs and railings. He described the details as being minimal and clean. A smaller building will change the scale of the facade.
5. In conclusion, the neighbors reiterated that they felt the project was too dense and they could not support the project as currently designed. We were expecting, hoping to see revisions based upon the comments from the Neighborhood meeting on March 19, but Mr. Mills and Mr. Hart had not made any changes to the project. We reiterated that the neighborhood is not opposed to development on the site, and would actively support a project which was in scale with the neighborhood.

From: suepmac@aol.com
Sent: Thursday, September 07, 2006 7:50 PM
To: bethelb@mindspring.com
Cc: Kdrinkhouse@comcast.net; gailkurtz@earthlink.net; ryanweber@fairisaac.com; lynnriordan@mac.com; mkssr@aol.com; julieeed@msn.com; mkjberk@hotmail.com; snow_sylph@yahoo.com; elizar20022002@yahoo.com; fancyshawl49@hotmail.com; kazumit@sbcglobal.net; moleskypoz@mac.com; W6DEI@arrl.net; albany357@yahoo.com; kitpo725@yahoo.com; artdecor@pacbell.net; Wyand, Mary (CA50); kbesman@msn.com; dcurran@sfgate.com; rsmith6975@aol.com; CL@charlielamm.com; LRBerman@MyPreRetirement.com; dasmem@mindspring.com; susaneco1@yahoo.com; jmPoz@earthlink.net; RachelKimball@msn.com; keeylameadows@aol.com; ericshoffman@yahoo.com; Dan_Aronen@yahoo.com; erilamm@yahoo.com; wgdel@arrl.net; tmacdonald@mcaia.com; kimberlystevens1124@comcast.net; lalimegirl2@yahoo.com; BQWriter@gmail.com; jennyholland@sbcglobal.net; everkent@yahoo.com; kgardner@alum.mit.edu; dradjazz@aol.com; kitluce@earthlink.net; quiterg@yahoo.com; garalddensch@earthlink.com; daniel.parolek@opticosdesign.com; amitybb@hotmail.com; dcorvello@earthlink.net; mimi@tdl.com; ljsikorski@aol.com; taniguchi.kazumi@gmail.com; wbdei@arrc.net; kadeco@hotmail.com; bnharvey@pacbell.net; charlottavalentine@hotmail.com; ybozzini@earthlink.net; eobolensky@mac.com; nycocle24@pacbell.net; PPinto@Smwm.com; staceySGM@yahoo.com; DillonTree@aol.com; mhendrick@sbcglobal.net; danysh4@yahoo.com; wm@williamdolphins.com
Subject: 100 Harrison Update

Hello Neighbors,

Time for an update on the appeal of 1100 Harrison. There are two key items we want you to be aware of:

First:

The Public Hearing for our Appeal will be **Tuesday, September 19, 2006.**

City Council Chambers

2134 Martin Luther King, Jr. Way

Council Meetings begin at 7:00 p.m. Please arrive early if you are going to fill out a speakers card.

As with all of the previous meetings it is important to have people turn out for the meeting – even if you are not going to speak.

We have gotten this far because we have consistently showed strong neighborhood opposition to the project.

I will send you more details about what you can do to help but in the meantime if anyone is interested in any of the following tasks, please let me know:

- Going door to door with flyers in the neighborhood to get a large turnout for the meeting
- Meeting with Council members before the meeting to lobby our points
- Helping prepare graphics/information for the meeting
- Helping prepare talking points for the meeting
- Speaking at the meeting

In a separate e-mail, I will send out a summary of our issues for people to e-mail to Linda Maio: lmaio@ci.berkeley.ca.us as well as the other council members. If you cannot attend the meeting, please e-mail Linda and the council members.

In preparation for the meeting on Tuesday, September 19, we would like to have a meeting for anyone who would like to speak or just attend the meeting on Saturday, September 16 at 4:00pm at our house, 1215 Stannage. Please let us know if you are interested in attending, if the day and time is good/not good, etc.

Second:

A small group of the neighbors (Prakash and Susan Pinto, Mary Weyand and Dan Corvello) have been meeting with Linda Maio and Jim Hart to try to work out a compromise plan for the building.

The neighborhood has presented Mr. Hart with a number of options of how to reduce the mass of the building and the number of units.

Everyone's preferred scheme of 25 units/4 stories on San Pablo and 3 stories to the east was deemed financially not feasible by Mr. Hart. We also proposed converting some of the retail to live/work spaces, again Mr. Hart said this was not feasible.

We even proposed keeping the 30 units, with 5 stories on San Pablo and 3 stories to the east, as shown on the attached PDF and Mr. Hart also rejected that option as too risky and more expensive.

While the 5-3 configuration does look like a minor improvement, it does push the bulk of the building on to San Pablo and reduce the number of units to the east. With the right detailing of the San Pablo elevation, it would be an improvement from the current hulk of a building.

The two concessions/changes Mr. Hart is willing to make are as follows:

Adding privacy louvers to the east facing windows on the upper floors to restrict the views down into the neighbor's yards.

Reworking the elevation of the east side and the layout of the 4th floor units on the east side to step the building back and additional 5' to 11' feet from the existing envelope, but the roof on the eastern edge would be 2' to 3' feet taller.

We told Mr. Hart that these proposals provided negligible relief for the neighbors and were not acceptable. Please let us know if you think otherwise.

As always, feel free to e-mail with questions or comments. To reiterate, we need your support and attendance at the City Council Meeting or the Council will simply support the project as is. We look forward to hearing from all of you!

Best,

Susan and Prakash Pinto

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Zoning Adjustments Board
Planning Department
2120 Milvia Street
Berkeley, CA 94704

April 6, 2006

Re: Proposed structure at 1201 San Pablo Avenue (formerly 1100 Harrison Street)

Dear Zoning Board Members,

I am writing in regards to the proposed development at 1100 Harrison Street. I live nearby and have many concerns about the proposed project. While I'm supportive of this empty lot being developed, I find the scale and the proposed design of the project inappropriate for this neighborhood. I would like to focus on the excessive traffic and potential danger to my children that will result from constructing this grossly oversized and dense building.

I've read most of the traffic report (Traffic Impact Study for: San Pablo Ave/Harrison Street Mixed Use Project, prepared for James E. Hart by Dowling Associates, April 25, 2005). I would like to point out some changes since the report was written and dubious assumptions that lead to inaccuracies and a supposition that a development of this size could work in this neighborhood.

First, I think **the proposed traffic volume has been underestimated**. The Executive Summary on page 1, paragraph 2 states that "It is anticipated that the project will add 29 vehicle trips to the local street system during the AM and 51 during the PM peak hour." These values were calculated (Table 6, page 13) based on one car per unit. Most of today's households have 2 or more cars. This calculation also does not take into consideration visitors to and from the project.

Additionally, the existing traffic volume is misrepresented in that the study was performed in January 2005 when Marin was a 4-lane arterial (page 6). Marin has since been converted to a 2-lane arterial, merging eastbound from two lanes to one at Stannage Ave, with the overflow spilling onto Stannage. We have noticed a significant increase in traffic in the neighborhood since Marin was modified.

Second, I think **the traffic flow issues have not been sufficiently analyzed and/or addressed**. Traffic flow at intersections is rated on a Level of Service (LOS) scale from A to F. LOS is based on average delay (sec/veh) to get through the intersection and volume to capacity ratio. LOS A indicates very low delay, LOS F indicates excessive delays (otherwise known as "will I ever get through this intersection" and "I have to remember to never to go this way again".) From Table 4, page 12, the *existing* LOS for westbound/left is E (unstable operation/significant delays) in the AM and F (worst case- excessive delay) in the PM. In the 5th paragraph, page 1, of the Executive Summary, it is stated "The project will add to the delay for both side-street approaches, but it is anticipated that vehicles will seek other less congested routes when confronted by high delays on the minor street approaches." And this

is where the project's impact hits home for me and my family – we live on the less congested route.

Although the report recommends a “No Right Turn” sign at the exit of the garage, I’m quite certain people are going to ignore the sign (like the drivers ignore the Stop sign on Stannage at Harrison) and head east, past Kains Avenue because of the speed bumps and travel down Stannage Ave. The report also states on page 6 that “The streets directly east of the project site, including Kains Avenue, Stannage Avenue, Cornell Avenue, and Talbot Avenue are generally 30 feet wide with parallel parking allowed on both sides of the street. Kains Avenue also has speed bumps along its length in the project vicinity. These factors work to “calm” traffic and reduce cut-through traffic in the project’s neighborhood.” Oh, if that were only true. There is no access to Cornell and Talbot via Harrison and if there were, it would maybe alleviate some of the traffic (and parking) impact on the neighborhood.

I hope that you agree that my comments on the traffic study support that the current size and density of the proposed project is completely inappropriate for our neighborhood. I would like to see the height and density of this proposed development reduced. The neighborhood has given feedback to the developer and the architect, which they have roundly ignored. In addition, I would like to see a long-term development plan created for the San Pablo corridor.

The current plan is outdated and does not take into account the residential nature of the East side of San Pablo Avenue. Homeowners in this area have worked hard to create a community. I know almost every neighbor on my street. The scale and design of this project will irreparably change the fabric of our neighborhood for the worse. An appropriate plan will provide helpful guidelines for future development such as this.

Respectfully Submitted,

Mary Wyand, P.E., CEM, LEED 2.1 AP
1206 Stannage Ave.
Berkeley, CA 94706
527-1533

We, the undersigned, are not opposed to developing the lot at 1100 Harrison Street, Berkeley, CA.

However we are opposed to the building currently being proposed as of July 15, 2006. We would prefer to have a 3-4 (three to four) story mixed use building with large retail space and approximately 20 (twenty) residential units.

Name (print)	Address	Signature	Date
Mary W. Ward	1206 Stannage Ave Berkeley	Mary W. Ward	15 July 06
John F. ...	1215 Stannage Ave Berkeley	John F. ...	7-15-06
Brian M. Pinto	1215 Stannage Berkeley	Brian M. Pinto	7-15-06
Amity Balbutin	1226 Stannage Berkeley	Amity Balbutin	7-15-06
Sumaria Lueck	1235 Stannage Berkeley	Sumaria Lueck	7-15-06
Brian Fenske	1231 Stannage Ave Berkeley	Brian Fenske	7-15-06
Winthrop B. Walker II	1139 Gilman Ave Berkeley	Winthrop B. Walker II	7/15/06
Lochie E. Gaudin	1237 Kains Ave Berkeley	Lochie E. Gaudin	7/15/06
Daniel Aron	1214 Kains Ave Berkeley	Daniel Aron	7/15/06
Annamarie Sudeen	1215 Kains Ave Berkeley	Annamarie Sudeen	7/15/06
Paul C. Vellut	1206 Stannage Berkeley	Paul C. Vellut	7/15/06
Barbara Quirk	1200 Stannage Ave Berkeley	Barbara Quirk	15 July 06
Doris Burleson	1125 Harrison St, Berkeley, CA	Doris Burleson	7/15/06
Holly Turner	1114 Harrison St. Berkeley, CA	Holly Turner	7-15-06
David Newman	1114 Harrison St. Berkeley, CA	David Newman	07/15/06
Mikhail Sobrad	1199 San Pablo Blvd (Business)	Mikhail Sobrad	7-15-06
Local Business owner on San Pablo Ave			
Matt Cullinane	1211 Stannage Ave.	Matt Cullinane	7/15/06
Ava Danysz	1212 Stannage Ave.	Ava Danysz	7/15/06
Eric Danysz	1212 Stannage Ave.	Eric Danysz	7/15/06
Susan Cohen	1214 Stannage Ave	Susan Cohen	7/15/06
Onesha Ercelawn	1232 Stannage Ave	Onesha Ercelawn	7/15/06
Eric Hoffmann	1232 Stannage Ave	Eric Hoffmann	7/15/06
Rachel Kimball	1229 Stannage	Rachel R. Kimball	7-15-06
MEL SCHIAVON	1227 Stannage	Melvin E. Schiavon	7/14/06

We, the undersigned, are not opposed to developing the lot at 1100 Harrison Street in Berkeley, CA.

However, we are opposed to the building currently being proposed as of July 15, 2006. We would prefer to have a 3-4 (three to four) story mixed use building with larger retail space and approximately 20 (twenty) residential units.

<u>Name (Print)</u>	<u>Address</u>	<u>Signature</u>	<u>DATE</u>
6. Louise BERMAN	1205 STANNAGE BERK	Louise Berman	7/15/06
20. Vette BOZZINI	1110 HARRISON ST.	Vette Bozzini	7/15/06
28. Johanna Henry	1204 Kains Ave.	Johanna Henry	7-15-06
29. JULIE PASSARELLI	1235 KAINS AVE	Julie Passarelli	7.15.06
30. Doris IARDI	1123 HARRISON AVE	D. Iardi	7/15/06
31. Erika Lamm	1209 Stannage	Erika Lamm	7.15.06
32. Charles Lamm	1209 Stannage	Charles Lamm	7/15/06
33. hinda SIKORSKI	1223 STANNAGE	Hinda Sikorski	7-15-06
34. TERRY DILLON	1223 STANNAGE AVE	Terry Dillon	7/15-06
35. Kit Cullinane	1211 Stannage	Kit Cullinane	7.16.06
36. Anatole Besman	1228 Stannage	Anatole Besman	7/16/06
37. Kelly Besman	1228 Stannage Ave	Kelly Besman	7/16/06
38. Kathleen Sikora	1224 Stannage Ave.	Kathleen Sikora	7/16/06
39. DAVID A SMITH	1205 Kains	David A Smith	7/16/06
40. Brett Harvey	1134 Stannage Ave.	Brett Harvey	7/16/06
41. Dede O'Regan	1134 Stannage Ave.	Dede O'Regan	7/16/06
42. William Dohia	1112 Harrison	William Dohia	7/16/06
43. Kristen Gardner	1112 Harrison	Kristen Gardner	7/17/06
44. JEAN MOLESKY-POZ	1220 Stannage	Jean Molesky-Poz	7-17-06
45. MARTIN POZ PEREZ	1220 Stannage	Martin Poz Perez	7/17/06
46. Maura Hendrick	1138 Stannage	Maura Hendrick	7/17/06
47. David Curran	1128 Stannage	David Curran	7/17/06
48. Katherine Luce	1128 Stannage	Katherine Luce	7/17/06
49. Anthony DiDonato	1203 Stannage	Anthony DiDonato	7/17/06
50. Palmira Gavazza	1203 Stannage	Palmira Gavazza	7/17/06
51. Emma Norfleet	1201 STANNAGE AVE	Emma Norfleet	7/17/06
52. TRILLI HARRISON	1722 KAINS AVE	Trilli Harrison	7/17/06

We, the undersigned, are not opposed to developing the lot at 1100 Harrison Street, Berkeley, CA.

However, we are opposed to the building currently being proposed as of Sept. 14, 2006. We would prefer to have a 3-4 story mixed use buildings and approximately 20 residential units.

Beth Bernstein 1217 Stannage Ave ~~Beth Bernstein~~

Zoning Adjustments Board
Planning Department
2120 Milvia Street
Berkeley, CA 94704

April 20, 2006

Re: April 6, 2006 ZAB Meeting on Proposed structure at 1201 San Pablo Avenue

Dear Zoning Board Members,

I am writing in regards to the ZAB meeting held on April 6, 2006 regarding the proposed development at 1201 San Pablo Avenue/1100 Harrison Street.

I am extremely disappointed with your decision to approve this application. I am furious and appalled at the Boards' lack of preparation and unwillingness to acknowledge that there may actually be a problem with this building in its proposed state. How can you overlook FIVE Design Review Committee Meetings, at least 34 residents IN ATTENDANCE opposing the project, and an outdated traffic study with limited considerations and an existing worst level of service rating at the intersection of the proposed site? And those were just the obvious indicators that this project should be scrutinized.

Hiding behind statements such as "we're not traffic engineers" or "lawyers" or "landscape architects" only gave the appearance of unfamiliarity with the project and the site on which it is proposed to be built. I invite you to come to our neighborhood and explore this area of the City. Come see the lot that this huge building is going to take over and imagine the impact an additional 60 to 80 cars will make to our neighborhood.

I'm also dismayed that you caved in to a whiney "we've been held up for 13 months now" from the developer. At the very least you could have humored the residents with a continuance as it appears that all our efforts to date only got us a five foot variance on the east side and a "less brutal looking" monster. I was counting on the Board to think critically about this project, apply their knowledge of the code and exceptions, and use their discerning capabilities to insist that the design be a more *appropriate* multi-use facility at the north western entrance to Berkeley.

My understanding from the City of Berkeley website is that ZAB "*can approve, deny or modify an application, or it can continue a matter for further consideration at a future meeting.*" The Board could have exercised one of three options in lieu of approving the permit. At the very least the Board should have voted for a continuance to explore why there is such opposition and to allow for more concrete answers to questions raised by fellow Board members regarding the traffic report and moderate-income housing goals.

Instead, I witnessed a "the proposal meets the code and there's nothing we can do about it so let's push it through" attitude – why bother sitting on the Board at all? Why not just have clerks checking off boxes to make sure the architect and developer did what's allowed within the parameters of a *13 year old* Plan for West Berkeley. You are the *Zoning Adjustments* Board, for goodness sakes.

One of your Board members was correct in saying that we've made our neighborhood more desirable and he stated that "it's unfortunate that you are victims of your own success". ZAB and the City of Berkeley should respect and appreciate what we've done; instead you are allowing a developer to build an inappropriate structure to make our neighborhood once again undesirable.

Respectfully Submitted,

Mary Wyand, P.E., CEM, LEED 2.1 AP
1206 Stannage Ave.
Berkeley, CA 94706
(510) 527-1533

Cc: Tom Bates, Mayor of Berkeley
Ms. Linda Maio, Councilmember
City of Berkeley Design Review Committee
City of Berkeley Planning Commission