




Office of the City Manager

INFORMATION CALENDAR

December 12, 2006

To: Honorable Mayor and  
Members of the City Council

From:  Phil Kamlarz, City Manager

Submitted by: Dan Marks, Director, Planning and Development

Subject: LPC NODs: 1) 2300 Shattuck Ave; 2) 147 Tunnel Rd

INTRODUCTION

The attached Landmarks Preservation Commission's (LPC) Notices of Decision (NODs) are submitted to the Mayor and City Council pursuant to Berkeley Municipal Code (BMC) Section 3.24.160, which states that "A copy of the Notice of Decision shall be filed with the City Clerk and the City Clerk shall present said copy to the City Council at its next regular meeting. (Ord. 4694-NS§4.1, 1974.)"

CURRENT SITUATION AND ITS EFFECTS

The Landmark Preservation Commission has approved a Structural Alteration Permit to allow the addition of awnings in the delivery court at 2300 Shattuck Avenue; and a Structural Alteration Permit to allow construction of improvements including stairs, fencing, railings, and retaining walls at 147 Tunnel Road.

BACKGROUND

BMC Section 3.24.300 allows the Council to review any action of the Landmarks Preservation Commission in granting or denying a structural alteration permit. In order for the Council to review the decision on its merits, the Council must appeal the Notice of Decision. To do so, a Council member must move this Information Item to Action and then move to set the matter for a hearing on its own. Such action must be taken within 15 days from the mailing of the Notice of Decision or by December 12, 2006, since the notice was mailed on Monday, November 27, 2006. Such certification to the Council shall stay all proceedings in the same manner as the filing of a notice of appeal.

If the Council chooses to appeal the action of the Landmarks Preservation Commission, a public hearing will be set within 25 days pursuant to BMC Section 3.24.300. The Council must then rule on the application within 30 days from the date that the public hearing is opened or the decision of the Landmarks Preservation Commission is automatically deemed affirmed.

Unless the Council wishes to review the determination of the Landmarks Preservation Commission and make its own decision, the attached Notice of Decisions are deemed received and filed.

POSSIBLE FUTURE ACTION

The Council could choose to appeal (certify) the decision by the LPC, setting a public hearing at a later date.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

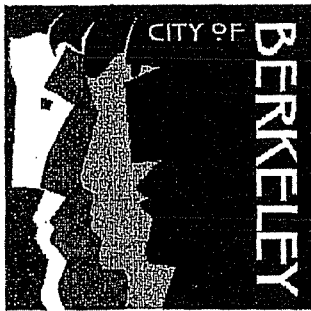
Additional staff time would be required to prepare the necessary Council reports and resolution.

CONTACT PERSON

Mark Rhoades, Land Use Planning Manager, 981-7410

Attachments:

- 1: Landmarks Preservation Commission Notice of Decision for 2300 Shattuck Ave.—Addition of Awnings (Application No. 06-40000032)
- 2: Landmarks Preservation Commission Notice of Decision for 147 Tunnel Rd.—construction of improvements including stairs, fencing, railings, and retaining walls. (Application No. 06-40000009)



L A N D M A R K S  
P R E S E R V A T I O N  
C O M M I S S I O N

Attachment 1  
Page 1 of 6

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**N o t i c e o f D e c i s i o n**  
**MEETING OF: November 2, 2006**

Property Address: **2300 Shattuck Avenue**  
Also Known As: **Corder Building**  
Action: **Structure Alteration Permit Approval – Relocation of entryway**  
Application Number: **06-4000032**  
Applicant: **Bay Architects**

WHEREAS, the Corder Building was designated as a City of Berkeley Landmark on October 19, 1981; and

WHEREAS on December 18, 2000, an application was submitted to install new entryways to the Corder and Annex Buildings on the northern façade along Bancroft Way and to remove one entry on the eastern façade along Shattuck Ave. The LPC approved the project subject to conditions; and

WHEREAS on December 9, 2003, the LPC approved a request to construct a new entryway and install signage; and

WHEREAS on January 20, 2004, the LPC approved a request to alter certain features on the rear façade, in order to allow the business to more efficiently move merchandise from the alley and warehouse into the retail store; and

WHEREAS, on November 1, 2004, the LPC approved a request to relocate the entry along Shattuck Avenue from the second bay (from Bancroft Way) to the third bay, located further south; and

WHEREAS, on February 7, 2005, the LPC unanimously approved a request to relocate the entry from the third bay (from Bancroft Way) to the corner of the building and install an additional awning and signage with expectations that the color on earthquake bracing be taken to staff for approval. The commission's color preference is for a darker tone that is already part of the building's color scheme. The commission also prefers that the building doors do not have the exterior protective railing; and

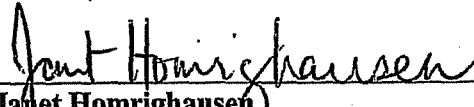
WHEREAS, on October 18, 2006, an application was submitted to install two new awnings along the Corder Building's rear alley, similar in design to the steel/glass awning previously approved by the LPC on February 7, 2005; and

WHEREAS, on November 2, 2006, the LPC opened the Public Hearing, took testimony, closed the Public hearing, and voted to approve the addition of two awnings along the rear alley with the condition that one bollard is added adjacent to the steps on the east side of the alley.

NOW, THEREFORE, BE IT RESOLVED that Structural Alteration Permit (#06-4000032), is hereby approved, as described above.

VOTE: 7-0-0-2  
 Aye: Edwards, Emmington, Johnson, Korte, Olson, Parsons, and Winkel.  
 Nay: None  
 Abstain: None  
 Absent: Ng, Packard.

ATTEST:

  
 Janet Homrighausen  
 Secretary, Landmarks Preservation Commission

**DATE NOTICE MAILED: November 27, 2006**  
**THE APPEAL PERIOD EXPIRES (15 DAYS) AT 5 PM: December 12, 2006**  
 Appeal must be filed with City Clerk by this date.

**TO APPEAL THIS MATTER:**

Pursuant to Section 3.24.300 of the Landmarks Preservation Ordinance: "An appeal may be taken to the City Council by the City Council on its own motion, by motion of the Planning Commission, by motion of the Civic Art Commission, by the verified application of the owners of the property or their authorized agents, or by the verified application of at least fifty residents of the City aggrieved or affected by any determination of the commission made under the provisions of this chapter". Any appeal submitted by the public must be in writing, specifying the reasons for the appeal. The appeal fee is \$64.00. The City Clerk's Department is located on the first floor at 2180 Milvia Street, Berkeley, CA 94704; Phone (510) 981-6900.

**NOTICE CONCERNING YOUR LEGAL RIGHTS:**

If you object to a decision by the Landmarks Preservation Commission to approve or deny a Structural Alteration Permit, the following requirements and restrictions apply:

1. You must appeal to the City Council within 15 days after the Notice of Decision of the action of the Landmarks Preservation Commission is mailed. It is your obligation to inquire with the Current Planning Division (981-7410) to determine when a Notice of Decision is mailed.
2. No lawsuit challenging a City decision to deny (Code Civ. Proc. Section 1094.6(b) or approve (Gov. Code Section 65009(c)(5)) a Structural Alteration Permit may be filed more than 90 days after the date the decision becomes final, as defined in Code of Civil Procedure Section 1094.6(b). Any lawsuit not filed within that 90-day period will be barred.
3. In any lawsuit that may be filed against a City Council decision to approve or deny a Structural Alteration Permit, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.
4. If you believe that this decision or any condition attached to it denies you any reasonable economic use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a "taking" of property for public use without just compensation under the California or United States Constitutions, the following requirements apply:
  - a. That this belief is a basis of your appeal.
  - b. Why you believe that the decision or condition constitutes a "taking" of property as set forth above.
  - c. All evidence and argument in support of your belief that the decision or condition constitutes a "taking" as set forth above.

If you do not do so, you will waive any legal right to claim that your property has been taken, both before the City Council and in court.

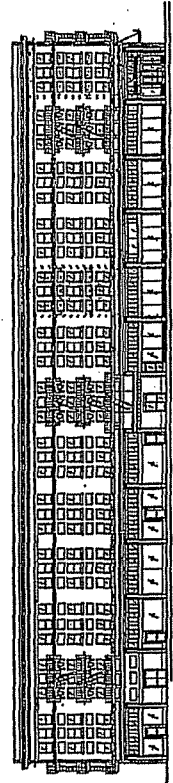
cc:

City Clerk's Office  
2180 Milvia Street  
Berkeley, CA 94704

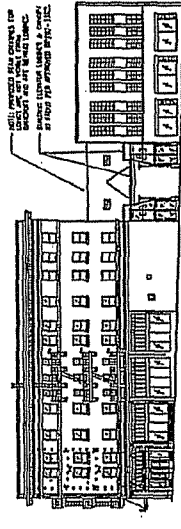
Bay Architects  
1840 B Alcatraz Avenue  
Berkeley, CA 94703

L.B. Reddy Estate Co.  
2278 Shattuck Avenue  
Berkeley, CA 94704

Planning Dept. GIS staff  
2120 Milvia St.  
Berkeley, CA 94704



SHATTUCK AVENUE ELEVATION  
1/4" = 1'-0" (1)



BANCROFT WAY ELEVATION  
1/4" = 1'-0" (1)

**PROJECT DESCRIPTION**

THIS PROJECT CONSISTS OF THE CONSTRUCTION OF TWO NEW REAP CANDIES FOR LONGS DRUGS AT THE CORNER OF SHATTUCK AVENUE AND BANCROFT WAY. THE PROJECT IS A 100,000 SQ. FT. BUILDING WITH A TOTAL OF 100,000 SQ. FT. OF GROSS FLOOR AREA. THE BUILDING WILL BE A 4-STOREY BUILDING WITH A TOTAL OF 100,000 SQ. FT. OF GROSS FLOOR AREA. THE BUILDING WILL BE A 4-STOREY BUILDING WITH A TOTAL OF 100,000 SQ. FT. OF GROSS FLOOR AREA.

**ZONING DATA**

THE PROJECT IS LOCATED IN THE M-1 ZONING DISTRICT. THE M-1 ZONING DISTRICT IS A MEDIUM-DENSITY RESIDENTIAL ZONING DISTRICT. THE M-1 ZONING DISTRICT IS A MEDIUM-DENSITY RESIDENTIAL ZONING DISTRICT.

**LANDMARK PRESERVATION COMMITTEE APPROVAL**

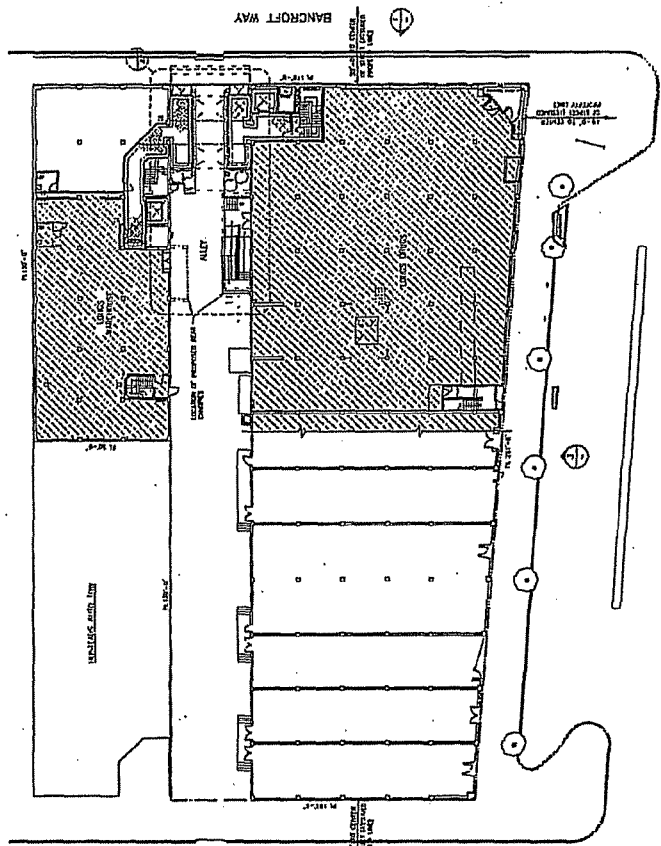
THE PROJECT HAS BEEN REVIEWED BY THE LANDMARK PRESERVATION COMMITTEE AND HAS BEEN APPROVED. THE LANDMARK PRESERVATION COMMITTEE IS A COMMITTEE OF THE CITY OF SAN FRANCISCO. THE LANDMARK PRESERVATION COMMITTEE IS A COMMITTEE OF THE CITY OF SAN FRANCISCO.

**ABBREVIATIONS**

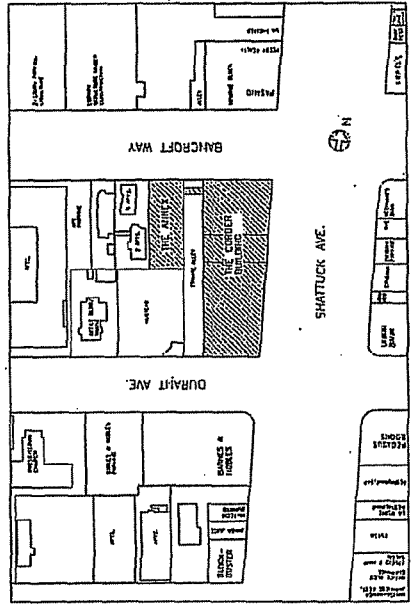
- 1. WALL
- 2. WINDOW
- 3. DOOR
- 4. ROOF
- 5. FLOOR
- 6. CEILING
- 7. STAIR
- 8. ELEVATOR
- 9. MECHANICAL
- 10. ELECTRICAL
- 11. PLUMBING
- 12. PAVEMENT
- 13. DRIVEWAY
- 14. DRIVE
- 15. SIDEWALK
- 16. CURB
- 17. STREET
- 18. PARKING
- 19. BIKEWAY
- 20. BIKEWAY

**SHEET INDEX**

1. SITE PLAN  
2. SHATTUCK AVENUE ELEVATION  
3. BANCROFT WAY ELEVATION  
4. GROUND FLOOR PLAN  
5. FIRST FLOOR PLAN  
6. SECOND FLOOR PLAN  
7. THIRD FLOOR PLAN  
8. ROOF PLAN  
9. MECHANICAL PLAN  
10. ELECTRICAL PLAN  
11. PLUMBING PLAN  
12. PAVEMENT PLAN  
13. DRIVEWAY PLAN  
14. DRIVE PLAN  
15. SIDEWALK PLAN  
16. CURB PLAN  
17. STREET PLAN  
18. PARKING PLAN  
19. BIKEWAY PLAN  
20. BIKEWAY PLAN



SITE/KEY PLAN - GROUND FLOOR  
1/4" = 1'-0" (4)



VICINITY MAP (2)  
1/4" = 1'-0" (2)

REAP  
LONGS DRUGS  
2700 Chestnut Street  
Berkeley, CA 94704  
925.861.0000  
925.861.0000  
reap@reap.com

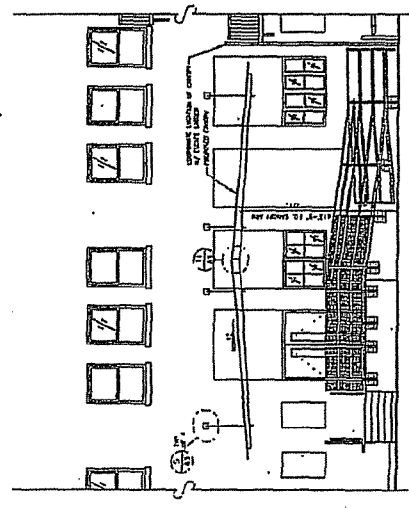
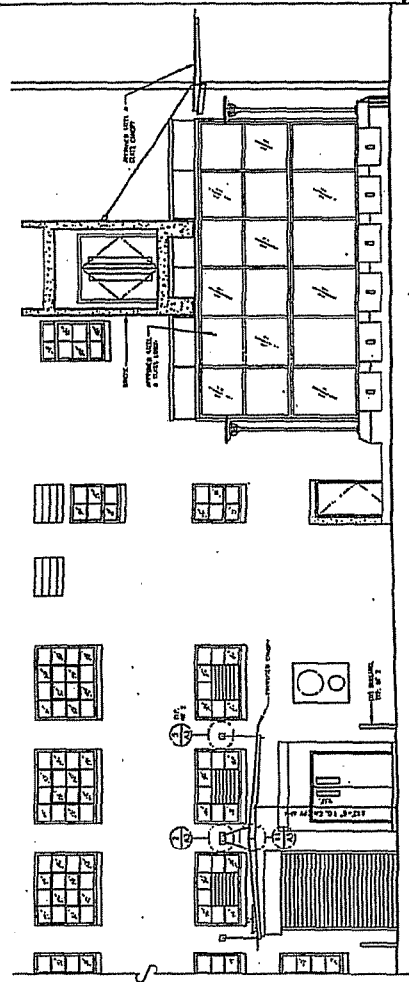
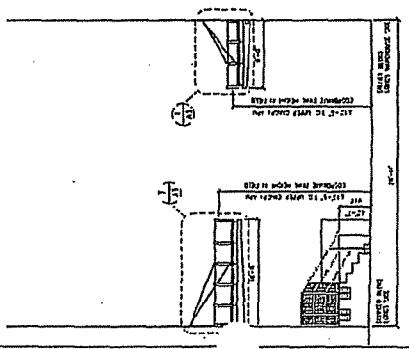
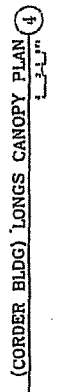
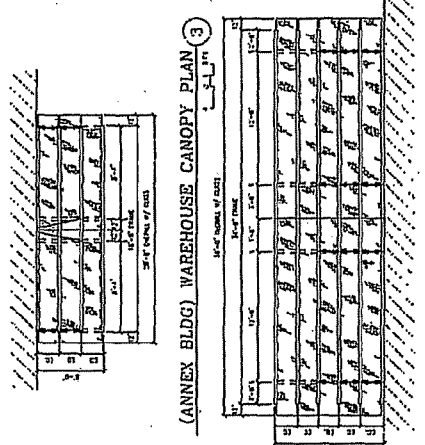
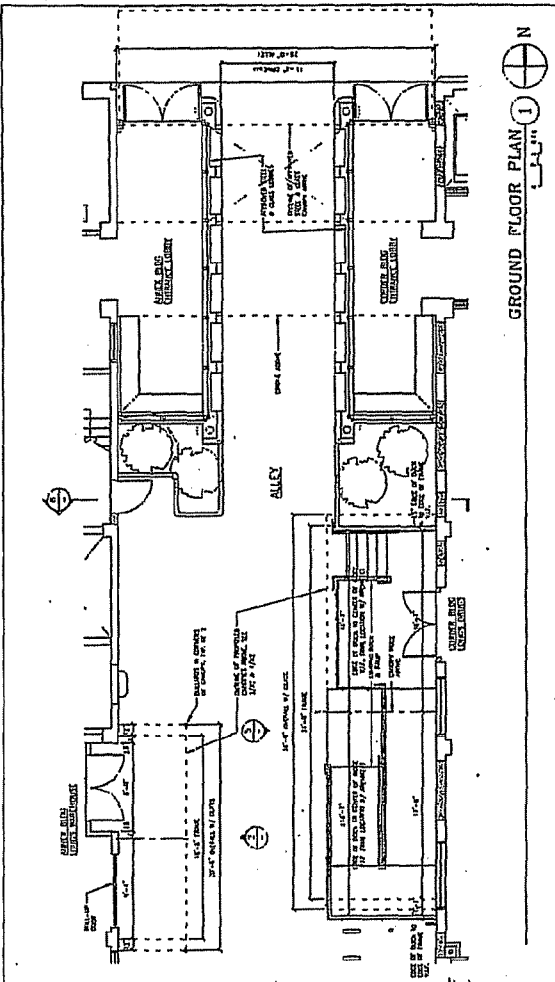
TWO NEW REAP CANDIES FOR LONGS DRUGS  
THE CORDER BUILDING & ANNEX  
2300 Shattuck Avenue  
Berkeley, California 94704

REDDY REALTY  
2278 Shattuck Ave.  
Berkeley, CA 94704  
925.861.0000  
925.861.0000

The Gray Architects  
1000 Broadway  
Berkeley, CA 94704  
925.861.0000  
925.861.0000

DATE: 03/10/2010  
DRAWN BY: J. J. JONES  
CHECKED BY: J. J. JONES

see NUV -  
conditioned on  
addition of 1 ballard.



(ANNEX BUILDING) LONGS WAREHOUSE ELEVATION 2

(CORDER BUILDING) LONGS WEST ELEVATION 5

CLIENT: United States Army, Office of Construction, 41 North Clark Street, Chicago, IL 60610, 312.343.3337, www.army.mil/procurement

PROJECT NAME: TWO NEW REAR CANOPIES FOR LONGS DRUGS, THE CORDER BUILDING & ANNEX, 2300 Shattuck Avenue & 2036 Bancroft Way, Berkeley, California 94704

PROJECT ARCHITECT: REDDY REARDY ARCHITECTS, 2225 Shattuck Ave., Berkeley, CA 94704, 510.841.9100, www.reddyreardy.com

PROJECT INTERIOR ARCHITECT: The City Architects, 1000 Broadway, New York, NY 10018, 212.675.1000, www.thecityarchitects.com

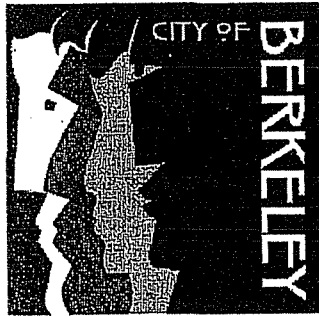
PROJECT CONSULTANTS: AS BIDD

PROJECT NUMBER: A2

DATE: 05/20/10

SCALE: AS BIDD





L A N D M A R K S  
P R E S E R V A T I O N  
C O M M I S S I O N

Attachment 2  
Page 1 of 7

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**N o t i c e o f D e c i s i o n**  
**MEETING OF: October 5, 2006**

**Property Address:** 147 Tunnel Road  
**APN:** 064-4227-011

**Also Known As:** The Farley House

**Action:** Structure Alteration Permit Approval

**Application Number:** 06-4000009

**Applicant:** Ali Eslami – Property Owner

WHEREAS, the Farley House, located at 147 Tunnel Road, was designated a City of Berkeley Structure of Merit on July 9, 2001; and

WHEREAS, on August 23, 2004 the applicant submitted an application to do the following work at 147 Tunnel Rd.:

1. Landscaping upgrades, which include planting new vegetation similar to that existing on neighboring lots and orchard plantings, which would be reestablished in front of the proposed accessory unit. Additionally, natural stone will also be used at the Tunnel Road frontage, in front of the house and leading down to the sidewalk, removal of dead and/or dying vegetation and a new fence. In conjunction with the proposed fence, the applicant is also proposing new wrought iron gates and stucco columns.
2. Improvement to existing retaining wall
3. New accessory dwelling unit above the existing garage.
4. Improve drainage.
5. New separate stone patios for both the main unit and the accessory unit; and

WHEREAS, on October 4, 2004, the LPC approved the garage and the 2-story accessory structure, while showing preference for option A0 which shows a single bay; and

WHEREAS, the LPC established a subcommittee consisting of Landmarks Commissioners Dacey, Emmington, Winkel and Chair Korte to review design detail, including the fencing, and return to the full Commission for approval of those details; and

WHEREAS, on June 6, 2005, the LPC took testimony and voted to approve the alteration as proposed for the fencing except for the proportions of the railing to the wrought iron; and

WHEREAS, on November 7, 2005, subsequent to additional subcommittee meetings, the LPC, at its regular meeting, took public testimony, closed the hearing, and after discussion voted to approve the fence plans, including the wrought iron railings, as proposed, and a flat stucco wall surface of one color with no imprints. The LPC reconvened the subcommittee to meet with the applicant to resolve the gate design, and continued the project to December 5, 2005 to resolve that last issue; and

WHEREAS, on January 23, 2006 the LPC subcommittee for 147 Road recommended that the Commission require the applicant to provide complete drawings of all exterior work before it is built, and require the applicant to cease all additional exterior work on the site for which there are no approved drawings, and inform the applicant the LPC will not convene further on-site subcommittee meetings until the complete drawings are submitted and corrective actions the LPC has already directed the applicant to take are completed; and

WHEREAS, on May 12, 2006 the property owner submitted a Structural Alteration Permit, (LM#06-4000009) to rectify the issues raised by the Subcommittee; and

WHEREAS, on June 1, 2006 the LPC opened the Public Hearing, took public testimony, and made a motion to require the applicant to fill in the retaining wall so that it is a flat surface, and made a motion to approve design of the front and back steps, and;

WHEREAS, on October 5, 2006 the LPC took testimony, closed the Public hearing, and voted to approve: the gates as presented by the applicant, the horizontal slab railing fence, the bottom pickets at the top of the retaining wall as installed, the fencing on the property adjacent to the Tunnel road side or west side of the property, the rolling gate and pedestrian gate at the kitchen garden and the pedestrian gate at the corner of the site as installed; and

WHEREAS, the permit approval stipulates that the recesses on the retaining wall on Tunnel road must be filled in flush with the wall face so that just the pilasters would still project beyond the wall face.

NOW, THEREFORE, BE IT RESOLVED that Structural Alteration Permit (#06-4000009), is hereby approved, as described above.

VOTE: 6-0-0-3  
 Aye: Edwards, Emmington, Johnson, Korte, Parsons, Winkel  
 Nay: None  
 Abstain: None  
 Absent: Ng, Olson, Packard (Packard recused herself and left the room)

ATTEST: Janet Homrighausen  
 Janet Homrighausen  
 Secretary, Landmarks Preservation Commission

**DATE NOTICE MAILED: November 27, 2006**

**THE APPEAL PERIOD EXPIRES (15 DAYS) AT 5 PM: December 12, 2006**

Appeal must be filed with City Clerk by this date.

**TO APPEAL THIS MATTER:**

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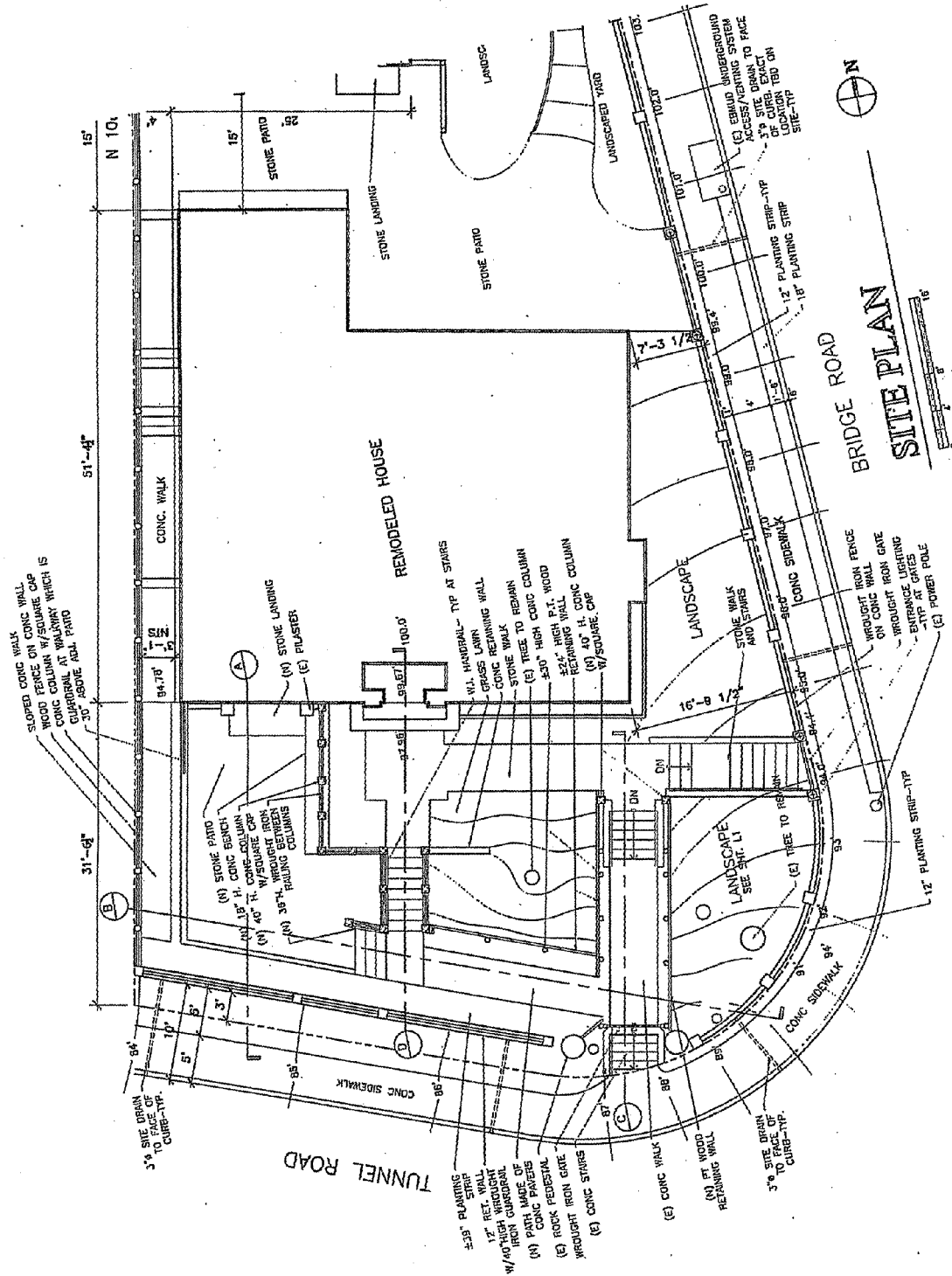
**Attachment: Plan Set dated May 12, 2006**

cc:

City Clerk's Office  
2180 Milvia Street  
Berkeley, CA 94704

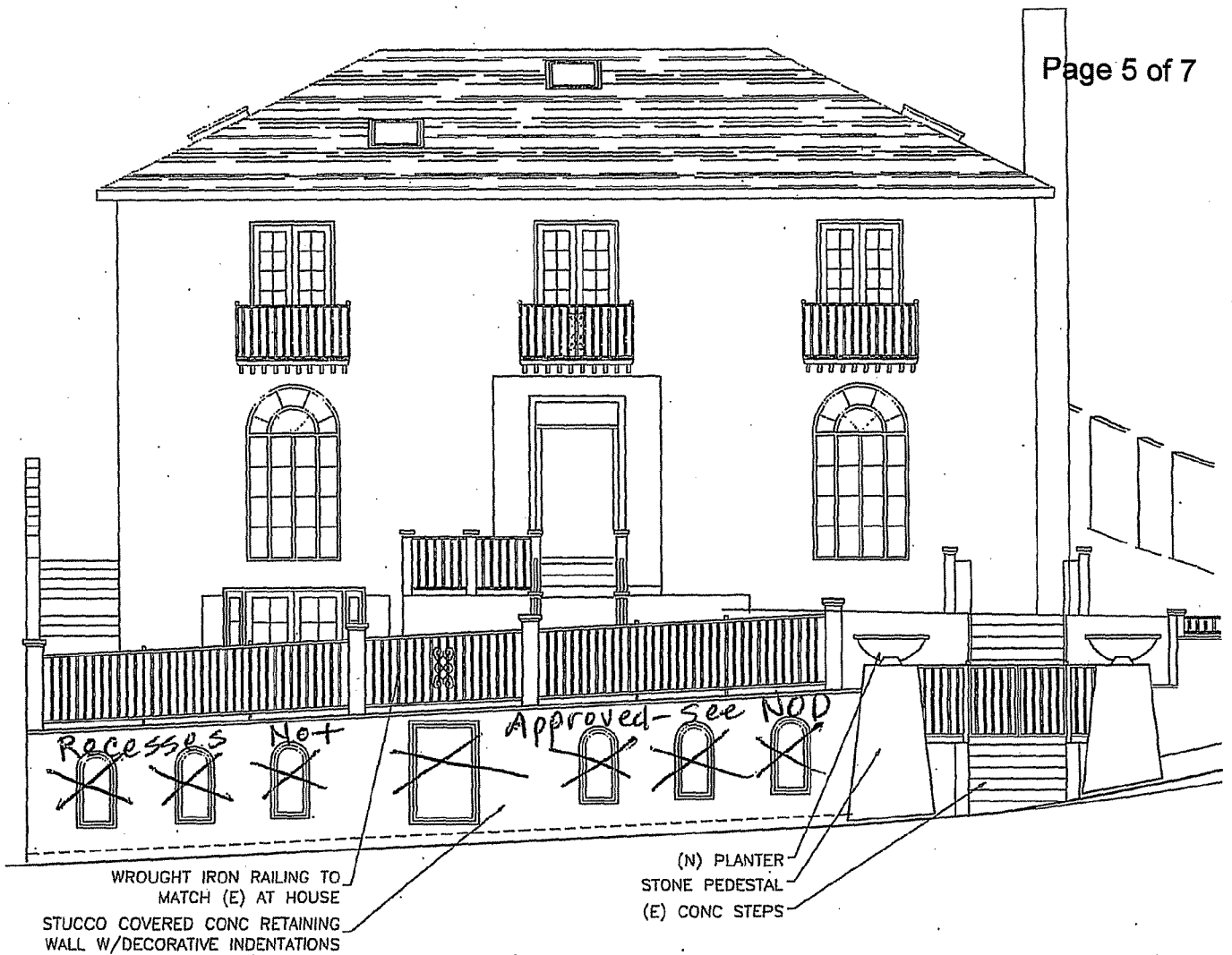
Shawn Nazari / Ali Eslami  
Box 4623  
Berkeley, CA 94704

Planning Dept. GIS staff  
2120 Milvia St.  
Berkeley, CA 94704



BRIDGE ROAD  
SITE PLAN

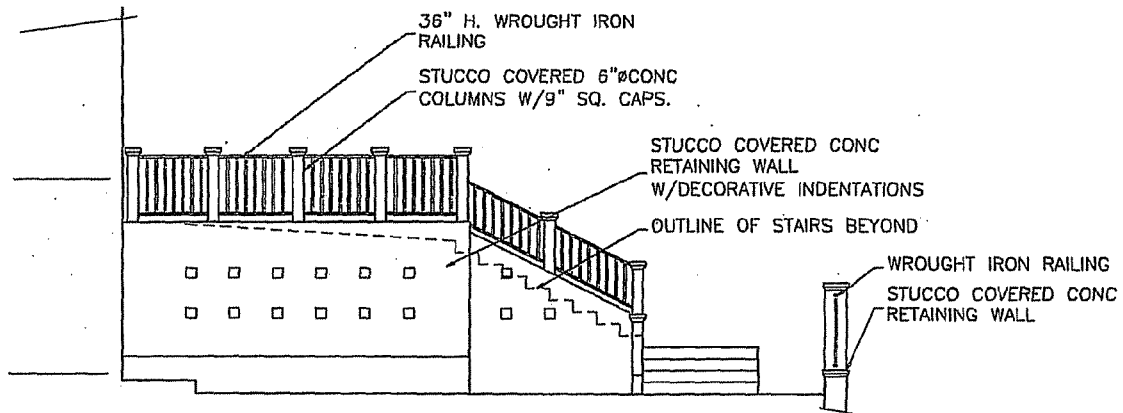
MAY 12, 2008



## TUNNEL ROAD ELEVATION

147 TUNNEL ROAD  
2-15-06

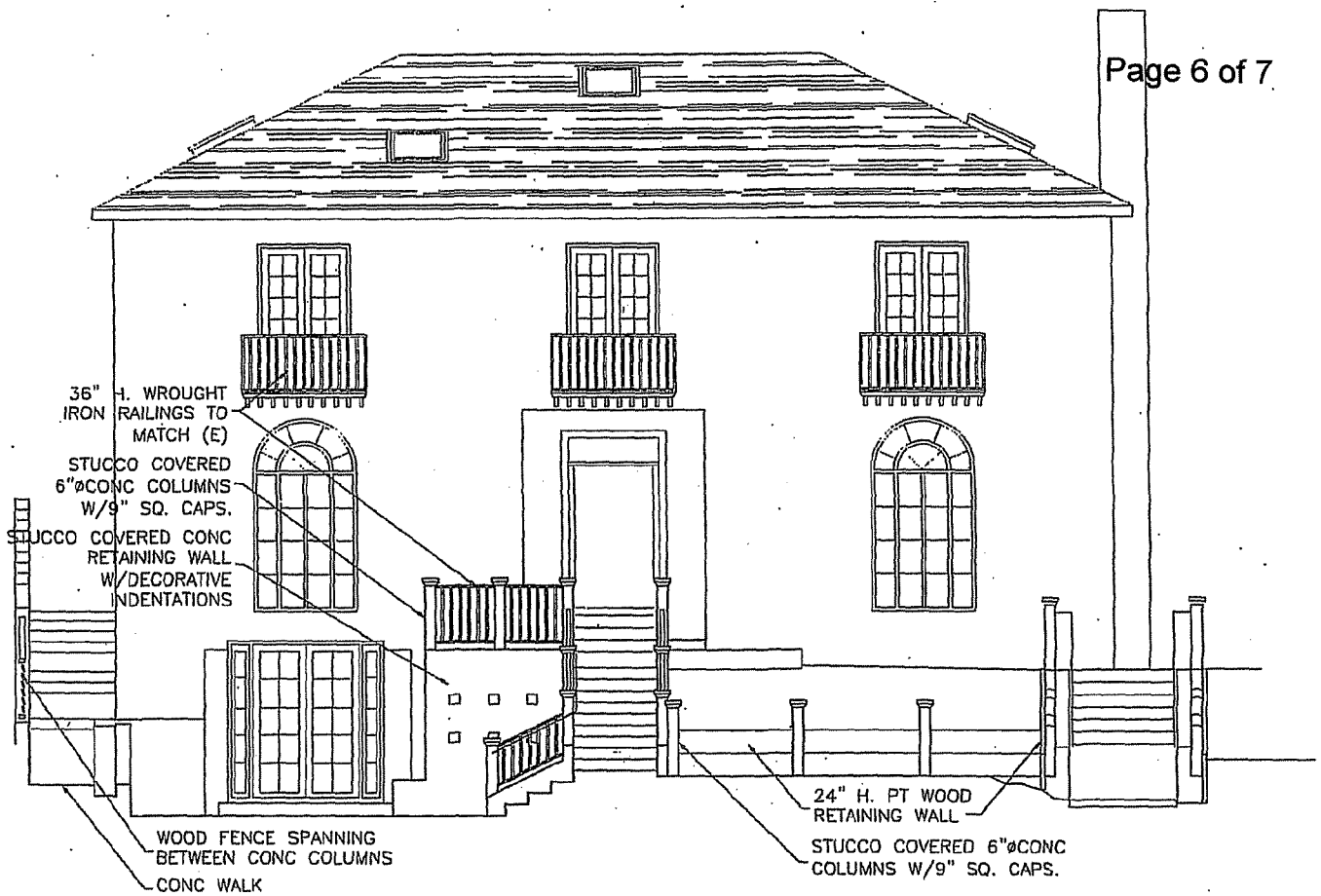
1/8"=1'-0"



## A SECTION / ELEVATION

147 TUNNEL ROAD

1/8"= 0"

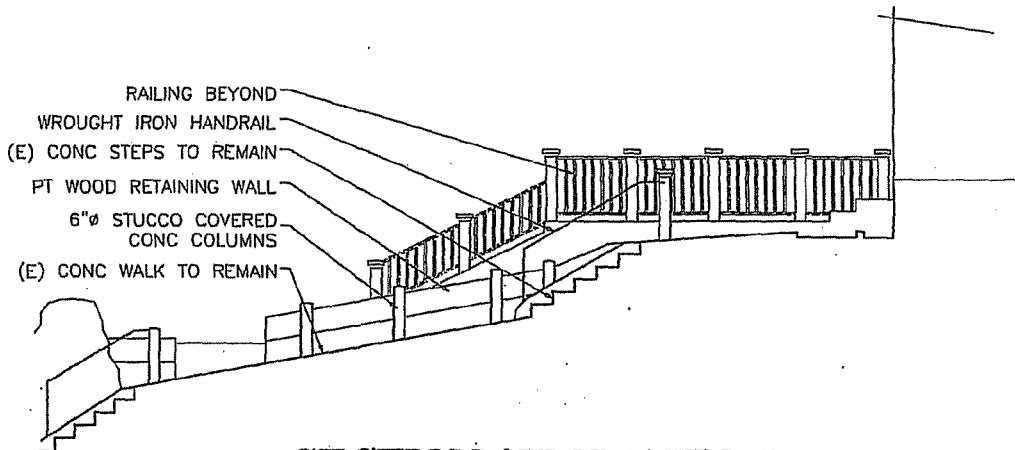


**B**

**SECTION / ELEVATION**

147 TUNNEL ROAD  
2-15-06

1/8"=1'-0"

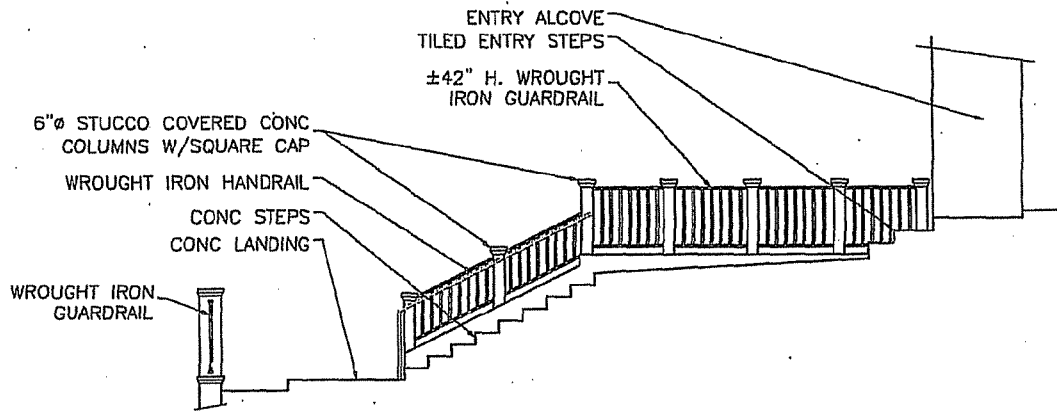


**C**

**SECTION / ELEVATION**

147 TUNNEL ROAD

1/8"=1'



D

SECTION / ELEVATION

147 TUNNEL ROAD

1/8"=1'-0"

