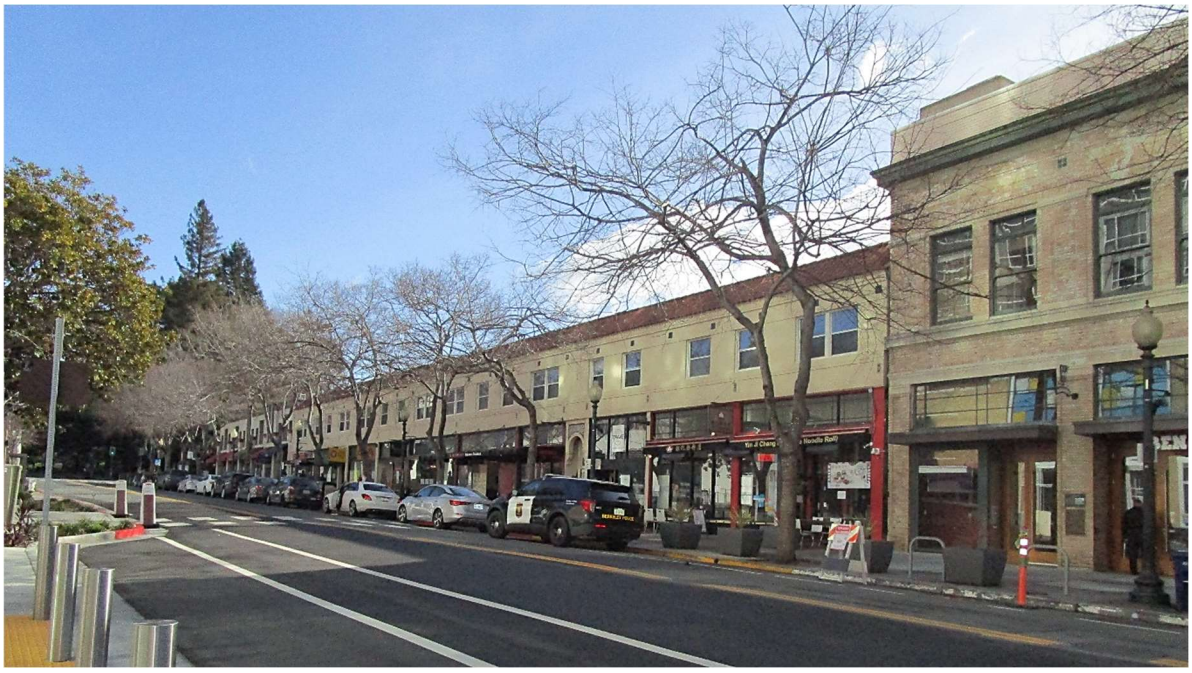
Appendix C

Cultural Resources Technical Report (Redacted)



2128 Oxford Street Mixed-Use Project

Cultural Resources Technical Report

prepared for

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Please cite this report as follows:

Johnson, C., L. Flaherty, J. Murphy, C. Montgomery, H. Blind, and M. Strauss

2023. *2128 Oxford/2132-2154 Center Street Mixed-Use Project Cultural Resources Technical Report.* Rincon Consultants, Inc. Project No. 22-12758. Report on file at the Northwest Information Center, Sonoma State University, California.

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Executive Summary

The City of Berkeley retained Rincon Consultants Inc. (Rincon) to conduct a cultural resources study for the 2128 Oxford Street Mixed-Use Project (project) in Berkeley, Alameda County, California. Totaling 0.82 acre, the project site encompasses two parcels (Assessor's Parcel Numbers 057 203100101 and 057 203101300) located at 2132-2154 Center Street and is currently developed with two buildings, including one commercial building and one mixed-use building, containing 16 rent-controlled residential units. The project consists of the demolition of both existing buildings, merging of the two lots, and construction of a 26-story mixed-use building with up to 463 dwelling units, approximately 15,000 square feet of retail and restaurant space, and 36 parking spaces in a ground-level garage. The project is subject to the California Environmental Quality Act (CEQA). The City of Berkeley is the lead agency under CEQA. Because the proposed project is located in Downtown Berkeley, it is also required to be consistent with the Downtown Area Plan (DAP) and the DAP Environmental Impact Report, adopted in April 2009.

This study included a cultural resources records search of the California Historical Resources Information System, a Sacred Lands File search by the Native American Heritage Commission (NAHC), background and archival research including historic aerial and topographic map review, a built environment site visit to confirm the existing conditions of 2132-2154 Center Street and the larger Shattuck Avenue Commercial Corridor Historic District, the preparation of an updated Department of Parks and Recreation (DPR) Series 523 form for 2142 Center Street, the preparation of a DPR form for Oxf-001, a multicomponent archaeological resource, and the preparation of this report to summarize the results of these activities. Additionally, Byram Archaeological Consulting, LLC. conducted a ground-penetrating radar (GPR) study for the project, the results of which were considered as part of this study.

The built environment site visit confirmed the presence of one historical resource within the project site, 2132-2154 Center Street, also known as the Thomas Block, that was previously evaluated and found eligible for listing as an individual property in the National Register of Historic Places and locally significant individually and as a contributor to the Shattuck Avenue Commercial Corridor Historic District. This resource was surveyed and confirmed to be locally significant as an individual resource and also as a contributor to the Historic District. The proposed demolition of this building would result in a ***significant and unavoidable impact to historical resources***.

The background research and site visit also confirmed the project site is within the boundaries of the proposed Shattuck Avenue Commercial Corridor Historic District, which is also a historical resource under CEQA. There are four identified historical resources in the vicinity of the project site, which are contributors to this district, including among others 2128-2130 Center Street, immediately adjacent to the project site (also known as the Ennor's Restaurant Building), also listed as a Berkeley Landmark. Overall, however, the proposed design of the new building is consistent with guidance in the Downtown Berkeley Design Guidelines, inclusive of its six areas—building design, awning, canopies, signs, graphics, site design, special sites, buildings, subareas, and special considerations—thereby meeting requirements set forth by Mitigation CUL-2 of the Downtown Area Plan EIR.

Additionally, construction activity would intermittently generate vibration on and adjacent to the project site, including the Ennor's Restaurant Building. The project would have to adhere to Mitigation NOI-6 of the Downtown Area Plan EIR, requiring the project applicant to develop a

vibration monitoring plan, to be approved by the City. Compliance with the City's conditions of approval related to construction vibration would also be required. With implementation of these DAP EIR measures and conditions of approval, the project's construction-period noise and vibration impacts would be less than significant. Therefore, ***impacts on nearby historical resources would be less than significant***.

The records search, archival research, and Native American scoping identified [redacted]

As a result of tribal consultation between the City of Berkeley and the Confederated Villages of Lisjan, in December 2023, ground penetrating radar (GPR) was conducted [redacted]

Based on the geoarchaeological sensitivity of the project site, its proximity to Strawberry Creek, the positive SLF search results received from the NAHC, the high potential for Native American cultural resources within the project vicinity (according to the City's Downtown Area Plan (DAP) Environmental Impact Report [EIR]), [redacted], the project site is considered highly sensitive for prehistoric and historic-period archaeological resources, and the following mitigation measures are recommended: the preparation of a Cultural Resources Mitigation and Monitoring Plan, the preparation of an Interpretive and Educational Plan, archaeological monitoring, Native American monitoring, and an Strawberry Creek Ohlone Past and Present Interpretive Display. Additionally, the project is also required to comply with the Mitigation Measures included in the DAP EIR, as well as the City of Berkeley's Standard Conditions of Approval (COA). The DAP EIR includes Mitigation Measures to be followed if an unanticipated discovery is made during construction activities. With adherence to the measures and COAs, Rincon recommends a finding of ***less than significant impact with mitigation for archaeological resources*** under CEQA.

1 Introduction

The City of Berkeley retained Rincon Consultants Inc. (Rincon) to conduct a cultural resources study for the 2128 Oxford Street Mixed-Use Project (project) in Berkeley, Alameda County, California. This technical report documents the results of the study and tasks conducted by Rincon, including a cultural resources records search of the California Historical Resources Information System (CHRIS), Sacred Lands File (SLF) search, a site visit to confirm the existing conditions of 2132-2154 Center Street, the preparation of an updated Department of Parks and Recreation (DPR) Series 523 form for 2142 Center Street, and the larger Shattuck Avenue Commercial Corridor Historic District. This study has been completed pursuant to the requirements of the California Environmental Quality Act (CEQA). The City of Berkeley is the lead agency under CEQA.

1.1 Project Site and Description

The project site is located at 2128 Oxford Street/2132-2154 Center Street in Berkeley, California (Figure 1) Specifically, the project encompasses portions of Section(s) 01 and 02 of Township 01S, Range 04W on the *Oakland West, California* United States Geological Survey (USGS) 7.5-minute topographic quadrangle (Figure 2). The project site encompasses 0.82 acres across two parcels (Assessor's Parcel Numbers 057 203100101 and 057 203101500) and is currently developed with two buildings, including one commercial building and one mixed-use building, containing 16 rent-controlled residential units.

The following project description has been adapted from information provided by the City of Berkeley in March 2024. The project would involve demolition of the existing on-site buildings and construction of a new mixed-use building (Figure 3). The proposed new building would be 26 stories (approximately 285 feet) in height, and would contain up to 463 residential units, with 40 of those total units at below market rate. The project would also include approximately 15,000 square feet of retail and restaurant space. Approximately 10,500 square feet of retail and restaurant space would be on the ground floor, and 4,500 square feet of restaurant space would be located on the roof.

The proposed project would also include a below-ground basement level which would include mail and package rooms, an office, and mechanical and utility storage rooms and equipment. A 36-space parking garage would be located at-grade, with access from a driveway on Oxford Lane and would include mechanical lifts in a pit that extends into the basement. There would also be an exterior amenity roof deck on level 25 and a restaurant on level 26 (discussed in detail below in the Open Space and Amenities subsection). The exterior design of the new building would be modern, with rectangular forms, and would include a combination of cementitious panels, storefront systems, and metal panels.

The project would demolish 35,433 square feet of existing buildings. The entire project site would be graded and approximately 10,000 cubic yards of soil would be removed. Excavation for the subterranean parking stackers would reach a maximum depth of approximately 15 feet below the ground surface. Demolition, site preparation, grading, construction, and paving would take an estimated 42 months (roughly 3.5 years).

Figure 1 Regional Location

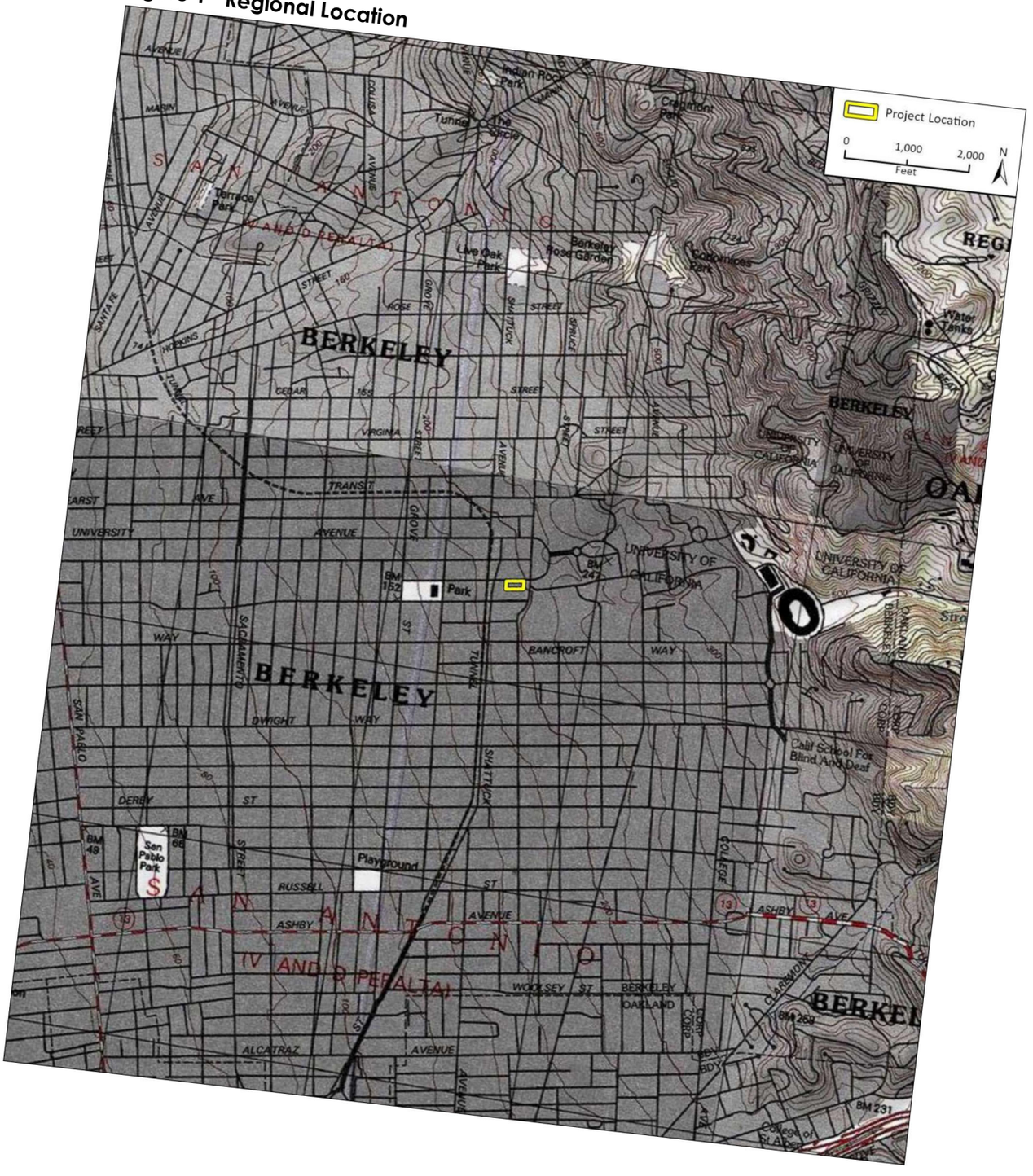
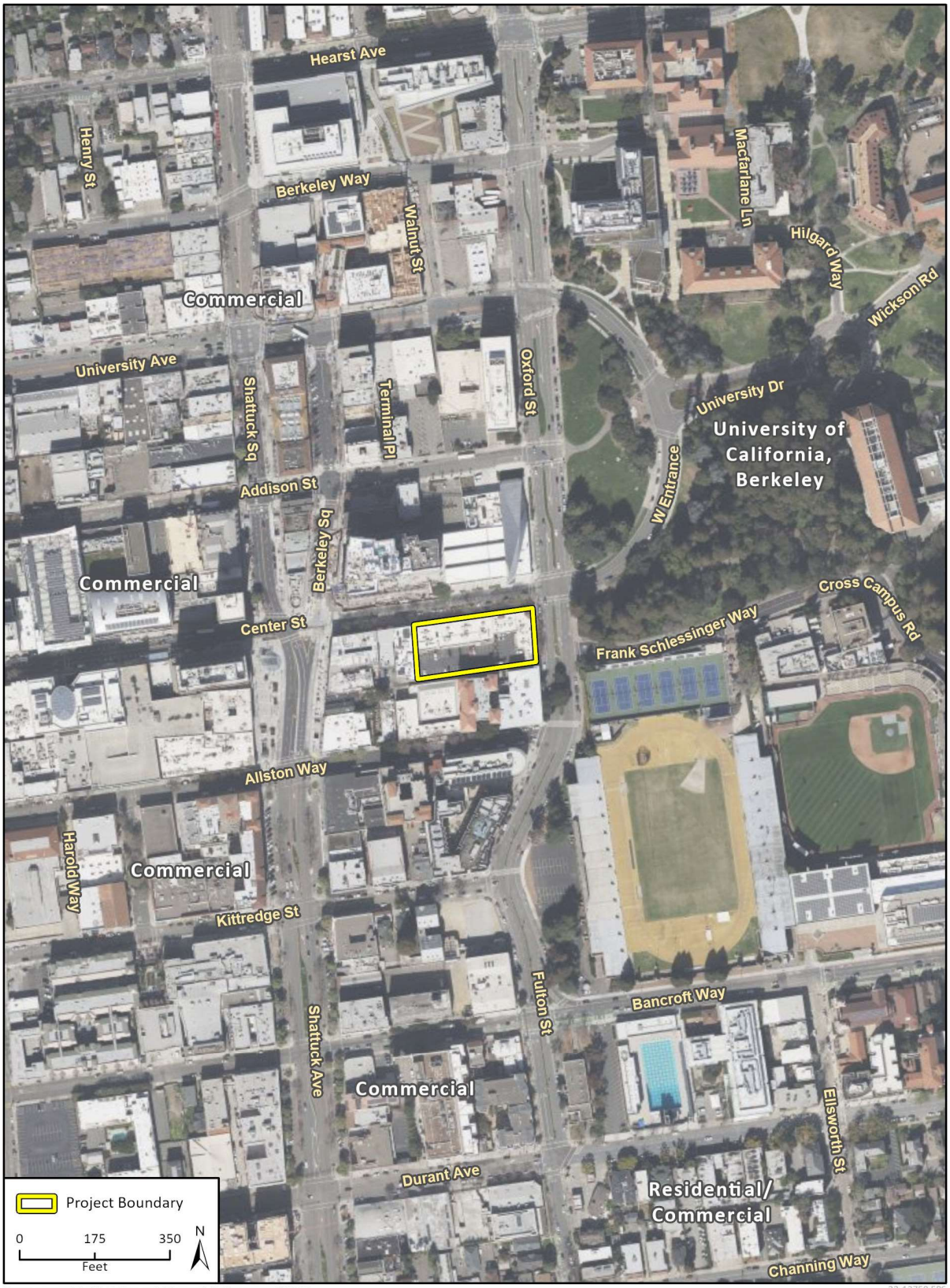


Figure 2 Project Location



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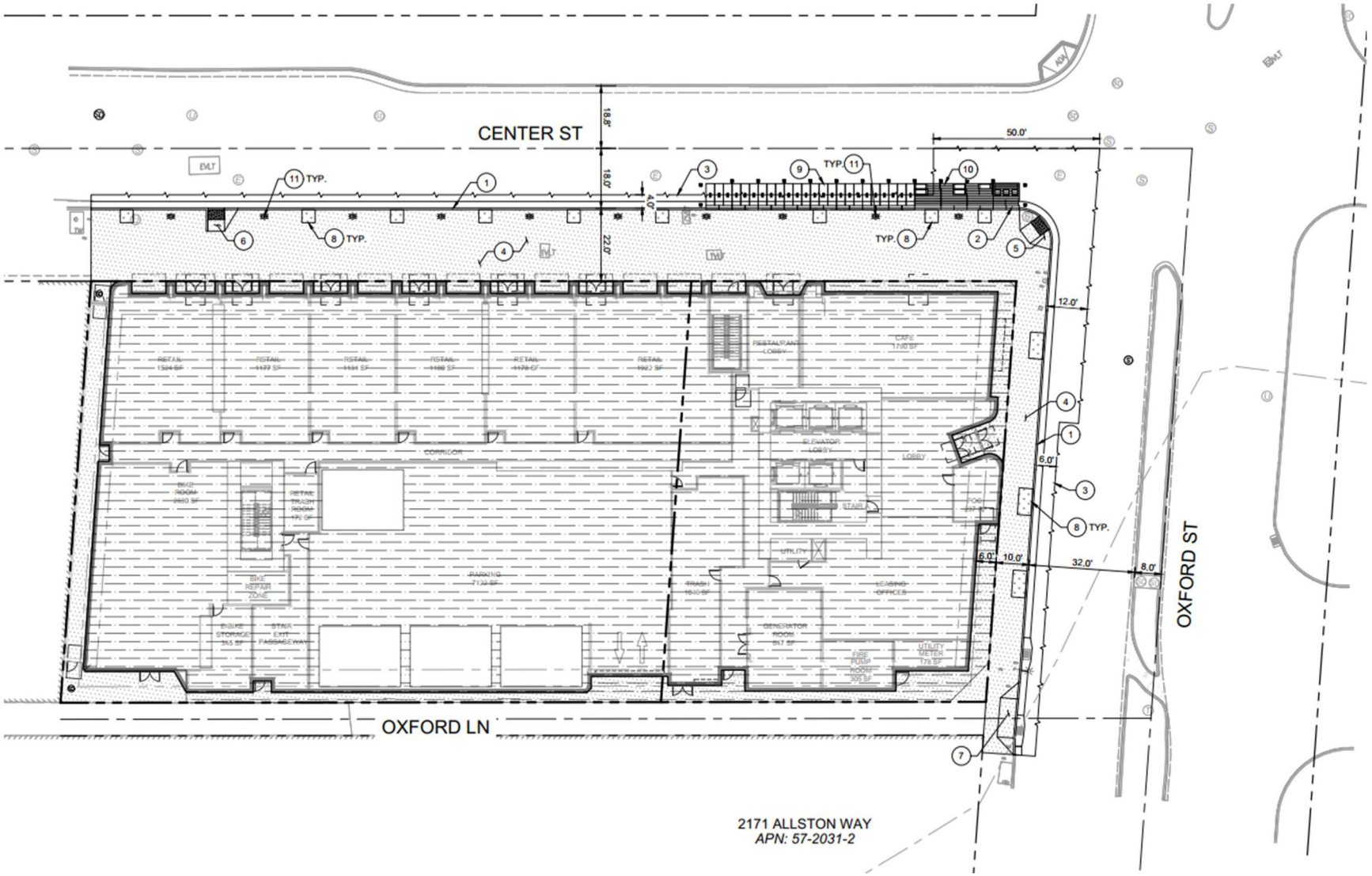
22-12758 EPS
Fig 2 Project Location

Figure 3 Overall Site Plan



Source: Kimley-Horn and Associates, Inc. 2024

1.2 Personnel

This study was completed under the direction of Rincon Cultural Resources Project Manager Leanna Flaherty, MA, Registered Professional Archaeologist (RPA), who served as the Principal Investigator for the project. Leanna meets the Secretary of Interior's Professional Qualifications Standards for prehistoric and historic archeology (National Park Service [NPS] 1983). Architectural Historian JulieAnn Murphy, MA, conducted the built environment resources site visit and is a contributing author of this report. JulieAnn meets the Secretary of the Interior's Professional Qualifications Standards for history and architectural history (NPS 1983). Archaeologist Catherine Johnson, PhD, is the primary author of this report. Architectural Historian Shelby Stepper performed the cultural resources records search. Geographic Information Systems Analyst Allysen Valencia prepared the figures found in this report. Cultural Resources Program Manager Heather Blind, MA, RPA, Cultural Resources Director Steven Treffers, MHP, Principal Shannon Carmack, BA, and Senior Principal Monica Strauss, MA, RPA reviewed this report for quality control.

2 Regulatory Setting

This section includes a discussion of the applicable state and local laws, ordinances, regulations, and standards governing cultural resources, which must be adhered to before and during implementation of the project.

2.1 California Environmental Quality Act

California Public Resources Code (PRC) Section 21804.1 requires that lead agencies determine whether or not a project could have a significant impact on historical or unique archaeological resources. As defined in PRC Section 21084.1, a *historical resource* is a resource listed in, or determined eligible for listing in, the California Register of Historical Resources (CRHR), a resource included in a local register of historical resources or identified in a historical resources survey pursuant to PRC Section 5024.1(g), or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant. PRC Section 21084.1 also states resources meeting the above criteria are presumed to be historically or culturally significant unless the preponderance of evidence demonstrates otherwise. Resources listed in the National Register of Historic Places (NRHP) are automatically listed in the CRHR and are, therefore, historical resources under CEQA. Historical resources may include eligible built environment resources and archaeological resources of the precontact or historic periods.

CEQA Guidelines Section 15064.5(c) provides further guidance on the consideration of archaeological resources. If an archaeological resource does not qualify as a historical resource, it may meet the definition of a "unique archaeological resource" as identified in PRC Section 21083.2. PRC Section 21083.2(g) defines a unique archaeological resource as an artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria: 1) it contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information, 2) has a special and particular quality such as being the oldest of its type or the best available example of its type, or 3) is directly associated with a scientifically recognized important prehistoric or historic event or person.

If an archaeological resource does not qualify as a historical or unique archaeological resource, the impacts of a project on those resources will be less than significant and need not be considered further (*CEQA Guidelines* Section 15064.5[c][4]). *CEQA Guidelines* Section 15064.5 also provides guidance for addressing the potential presence of human remains, including those discovered during the implementation of a project.

According to CEQA, an impact that results in a substantial adverse change in the significance of a historical resource is considered a significant impact on the environment. A substantial adverse change could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired (*CEQA Guidelines* Section 15064.5 [b][1]). *Material impairment* is defined as demolition or alteration in an adverse manner [of] those characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the CRHR or a local register (*CEQA Guidelines* Section 15064.5[b][2][A]).

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2[a][b]).

Section 15126.4 of the CEQA Guidelines stipulates an Environmental Impact Report (EIR) shall describe feasible measures to minimize significant adverse impacts. In addition to being fully enforceable, mitigation measures must be completed within a defined time period and be roughly proportional to the impact of the project. Generally, a project which is found to comply with the Secretary of the Interior's *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* (the Standards) is considered to be mitigated below a level of significance (*CEQA Guidelines* Section 15126.4 [b][1]). For historical resources of an archaeological nature, lead agencies should also seek to avoid damaging effects where feasible. Preservation in place is the preferred manner to mitigate impacts to archaeological sites; however, data recovery through excavation may be the only option in certain instances (CEQA Guidelines Section 15126.4[b][3]).

2.1.1 National Register of Historic Places

Although the project does not have a federal nexus, properties which are listed in or have been formally determined eligible for listing in the NRHP are automatically listed in the CRHR. The following is therefore presented to provide applicable regulatory context. The NRHP was authorized by Section 101 of the National Historic Preservation Act and is the nation's official list of cultural resources worthy of preservation. The NRHP recognizes the quality of significance in American, state, and local history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects. Per 36 Code of Federal Regulations, Part 60.4, a property is eligible for listing in the NRHP if it meets one or more of the following criteria:

Criterion A: Is associated with events that have made a significant contribution to the broad patterns of our history

Criterion B: Is associated with the lives of persons significant in our past

Criterion C: Embodies the distinctive characteristics of a type, period, or method of installation, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction

Criterion D: Has yielded, or may be likely to yield, information important in prehistory or history

In addition to meeting at least one of the above designation criteria, resources must also retain integrity. The NPS recognizes seven aspects or qualities that, considered together, define historic integrity. To retain integrity, a property must possess several, if not all, of these seven qualities, defined as follows:

Location: The place where the historic property was constructed or the place where the historic event occurred

Design: The combination of elements that create the form, plan, space, structure, and style of a property

Setting: The physical environment of a historic property

Materials: The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property

Workmanship: The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory

Feeling: A property's expression of the aesthetic or historic sense of a particular period of time

Association: The direct link between an important historic event or person and a historic property

Certain properties are generally considered ineligible for listing in the NRHP, including cemeteries, birthplaces, graves of historical figures, properties owned by religious institutions, relocated structures, or commemorative properties. Additionally, a property must be at least 50 years of age to be eligible for listing in the NRHP. The NPS states that 50 years is the general estimate of the time needed to develop the necessary historical perspective to evaluate significance (NPS 1997: 41). Properties which are less than 50 years must be determined to have "exceptional importance" to be considered eligible for NRHP listing.

2.1.2 California Register of Historical Resources

The CRHR was established in 1992 and codified by PRC Sections 5024.1 and 4852. The CRHR is an authoritative listing and guide to be used by State and local agencies, private groups, and citizens in identifying the existing historical resources of the state and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change (PRC Section 5024.1(a)). The criteria for eligibility for the CRHR are consistent with the NRHP criteria but have been modified for state use in order to include a range of historical resources that better reflect the history of California (PRC Section 5024.1(b)). Unlike the NRHP however, the CRHR does not have a defined age threshold for eligibility; rather, a resource may be eligible for the CRHR if it can be demonstrated sufficient time has passed to understand its historical or architectural significance (California Office of Historic Preservation [OHP] 2006). Furthermore, resources may still be eligible for listing in the CRHR even if they do not retain sufficient integrity for NRHP eligibility (OHP 2006). Generally, the OHP recommends resources over 45 years of age be recorded and evaluated for historical resources eligibility (OHP 1995: 2).

A property is eligible for listing in the CRHR if it meets one of more of the following criteria:

Criterion 1: Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage

Criterion 2: Is associated with the lives of persons important to our past

Criterion 3: Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values

Criterion 4: Has yielded, or may be likely to yield, information important in prehistory or history

2.1.3 California Assembly Bill 52 of 2014

As of July 1, 2015, Assembly Bill (AB) 52 was enacted and expands CEQA by defining a new resource category, "tribal cultural resources". AB 52 establishes, "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment" (PRC Section 21084.2). It further states the CEQA lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Section 21074 (a)(1)(A) and (B) define tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and that meets at least one of the following criteria, as summarized in *CEQA Guidelines* Appendix G:

1) Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k)
    2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process with California Native American tribes that must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." California Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

2.2 California Health and Safety Code

Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the Coroner of the county in which the remains are discovered has determined if the remains are subject to the Coroner's authority. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of this identification.

2.3 California Public Resources Code Section 5097.98

Section 5097.98 of the PRC states that the NAHC, upon notification of the discovery of Native American human remains pursuant to Health and Safety Code Section 7050.5, shall immediately notify those persons (i.e., the Most Likely Descendant [MLD]) that it believes to be descended from the deceased. With permission of the landowner or a designated representative, the MLD may inspect the remains and any associated cultural materials and make recommendations for treatment or disposition of the remains and associated grave goods. The MLD shall provide recommendations or preferences for treatment of the remains and associated cultural materials within 48 hours of being granted access to the site.

2.4 Local Regulations

2.4.1 City of Berkeley Landmarks Preservation Ordinance

The City of Berkeley Landmarks Preservation Ordinance (Ordinance Nos. 5686-NS Section 1 [1985] and 4694-NS Section 3.1 [1974]) authorizes the Landmark Preservation Commission to designate local landmarks, historic districts, and structures of merit, as approved by the City Council, by the

procedures outlined in the ordinances. An eligible property may be nominated and designated as a landmark, historic district, or structure of merit if it satisfies the requirements set forth below.

Landmarks and Historic Districts

General Criteria which the commission shall use when considering structures, sites and areas for landmark or historic district designation are as follows:

1) Architectural Merit:
    a. Property that is the first, last, only, or most significant architectural property of its type in the region
    b. Properties that are prototypes of or outstanding examples of periods, styles, architectural movements or construction, or examples of the more notable works of the best surviving work in a region of an architect, designer, or master builder
    c. Architectural examples worth preserving for the exceptional values they add as part of the neighborhood fabric
2) Cultural value: Structures, sites and areas associated with the movement or evolution of religious, cultural, governmental, social and economic developments of the City
3) Educational value: Structures worth preserving for their usefulness as an educational force
4) Historic value: Preservation and enhancement of structures, sites, and areas that embody and express the history of Berkeley/Alameda County/California/United States History may be social, cultural, economic, political, religious, or military
5) Any property which is listed on the National Register described in Section 470A of Title 16 of the United States Code

Structures of Merit

Criteria which the commission shall use when considering a structure for structure of merit designation are as follows:

1) General criteria shall be architectural merit and/or cultural, educational, or historic interest or value. If upon assessment of a structure, the commission finds that the structure does not currently meet the criteria as set out for a landmark, but it is worthy of preservation as part of a neighborhood, a block or a street frontage, or as part of a group of buildings which includes landmarks, that structure may be designated a structure of merit.
2) Specific criteria include, but are not limited to one or more of the following:
    a. The age of the structure is contemporary with (1) a designated landmark within its neighborhood, block, street frontage, or group of buildings, or (2) an historic period or event of significance to the city, or to the structure's neighborhood, block, street frontage, or group of buildings.
    b. The structure is compatible in size, scale, style, materials, or design with a designated landmark structure within its neighborhood, block, street frontage, or group of buildings.
    c. The structure is a good example of architectural design.
    d. The structure has historical significance to the city and/or to the structure's neighborhood, block, street frontage, or group of buildings.

2.4.2 Downtown Area Plan and DAP EIR

Because the proposed project is located in Downtown Berkeley, it must also be evaluated for its consistency with the Downtown Area Plan (DAP). The Historic Preservation and Urban Design Chapter of the DAP establishes the importance of design review in Berkeley's downtown:

> Policies of the Downtown Area Plan seek to harmonize and balance the twin goals of preserving and enhancing historic resources, and encouraging new and complementary development. It is fundamental to this Plan that, with appropriate design guidelines and regulations, both goals can be achieved and complement each other. The character of new development must be considered through the lens of good urban design and consideration for Downtown's historic settings. Context – geographic and cultural – presents critical design considerations that help lead to projects that fit the place. In addition, through continued care and investment, historic buildings and good urban design will continue to contribute continuity and character to Downtown's changing yet principled cityscape.

The DAP EIR discusses cultural resources impacts on pages 4-93 through 4-124. The DAP EIR identified the following impacts and mitigation measures:

- **Impact CUL-1: Demolition of Historic Resources.** Despite the substantial protections in place in City policy and the proposed DAP, it is possible that development anticipated under the DAP could result in the demolition of historic resources located in the Downtown Area. Were demolition of historic resources to occur, this would represent a significant and unavoidable impact associated with DAP implementation.

  Demolition of any historic resources in the Downtown Area would represent a significant and unavoidable environmental impact, which could not be mitigated to a level of less than significant. However, should demolition be proposed, a separate, site-specific environmental review would be required, requiring an analysis of alternatives and potential project-specific mitigation measures.
- **Impact CUL-2: Substantial Adverse Changes in Character-Defining Features in Portions of the Downtown Area that may have the Potential for Future Designation as Historic Districts**. Implementation of the DAP may cause substantial adverse changes in the character-defining features of structures in areas in the Downtown Area that may have the potential for future designation as historic districts. Because implementation of the DAP could result in a cumulative impact on the existing character-defining features in those portions of the Downtown Area that may be formally designated as historic districts at some point in the future, any significant adverse change to those features would represent a potentially significant impact.
  - **Mitigation CUL-2: Establish Parameters for Compatible Infill Development in the Downtown Area within Updated Design Guidelines**. Using the Secretary of the Interior's "Standards" as a starting point (in compliance with DAP Policy HD-I-la), the Design Guidelines for future development in the Downtown Area should be updated to ensure that new construction respects the authentic character, significance and integrity of the existing building stock in areas that may have the potential for designation as historic districts. Specific guidelines that could be added for this purpose include, but are not limited to, the following:
    - Consider the difference in character of individual blocks. The scale of buildings change in the potential historic district(s) and new construction should reflect the appropriate scale per block.

- Priorities for new construction and additions include: build-to-the-street, particularly at corners; construct infill buildings at vacant or underutilized sites along major streets; and modify non-historic buildings so that they contribute visual interest and quality.
- Construct new buildings, of compatible design with the surrounding neighborhood.
- Encourage creative and innovative contemporary designs for new buildings in the downtown.
- Streetscape plays an important role in drawing individuals to a particular area of the city. Use signage, lighting, and paving to improve the pedestrian experience.
- Build consistently with the street wall, particularly at corner sites. Continue dominant rhythms for structural bays, bay windows, large pilasters, and other repeating vertical elements. Also, continue dominant cornice lines, such as between ground floors and upper stories, and at the top of facades that meet a street.
- Design new buildings to respond to the existing building context within a block, and provide continuity to the overall streetscape. Frequently, a new building will be inserted on a site between two existing buildings of disparate scale and design.
- Set back upper floors where taller buildings are permitted, so that dominant roof and cornice lines remain generally consistent in the Downtown, as seen from the street.
- Explore options for multi-use buildings, combining residential, commercial, and other compatible uses where appropriate.
- Provide multi-tenant retail space and other active publicly accessible uses at the street level. These should be accessible directly from the sidewalk, rather than through common interior lobbies.
- Provide easy-to-locate building entrances on all street-facing facades. Where a building extends through an entire block or is located at a comer, connect its entrances with a suitably scaled public lobby. Highlight entrances with signage and lighting to distinguish them from storefronts.
- Use vertically-proportioned windows. Group such windows in sets where a horizontally proportioned window opening is desired, especially for the expression of structural bays.

As individual development projects are proposed in the Downtown Area, those which may have potential adverse effects on historic resources will be evaluated under the Landmark Preservation Ordinance. Project compliance with the provisions of the Landmark Preservation Ordinance, conformance with the Secretary of the Interior's Standards (consistent with DAP Policy HD 1-1a), and consistency with updated Design Guidelines intended to protect the character-defining features of those portions of the Downtown Area which may have the potential for designation as historic districts (as called for in Mitigation CUL-2, above) would reduce potential impacts associated with development that might jeopardize existing character defining features in those areas to a less-than-significant level.

As a result of Impact CUL-2, the Downtown Berkeley Design Guidelines were developed.

- **Impact CUL-3: Possible Disturbance of Unidentified Subsurface Archaeological Resources.** Although no archaeological resources are currently known to exist in the Downtown Area, ground-disturbing activities associated with new construction and related underground utility

installation could result in the destruction or disturbance of unidentified subsurface archaeological resources, which would represent a potentially significant impact.

- **Mitigation CUL-3: Halt Work/Archaeological Evaluation/Site-Specific Mitigation.** If archaeological resources are uncovered during construction activities, all work within 50 feet of the discovery shall be redirected until a qualified archaeologist can be contacted to evaluate the situation, determine if the deposit qualifies as an archaeological resource, and provide recommendations. If the deposit does not qualify as an archaeological resource, then no further protection or study is necessary. If the deposit does qualify as an archaeological resource, then the impacts to the deposit shall be avoided by project activities. If the deposit cannot be avoided, adverse impacts to the deposit must be mitigated. Mitigation may include, but is not limited to, archaeological data recovery. Upon completion of the archaeologist's assessment, a report should be prepared documenting the methods, findings and recommendations. The report should be submitted to the City, the project proponent and the NWIC.

- **Impact CUL-5: Possible Disturbance of Unidentified Human Remains.** Ground disturbing activities associated with new construction and related underground utility installation could result in the disturbance of unidentified subsurface human remains, which would represent a potentially significant impact.
  - **Mitigation CUL-5: Halt Work/Coroner's Evaluation/Native American Heritage Consultation/Compliance with Most Likely Descendent Recommendations.** If human remains are encountered during construction activities, all work within 50 feet of the remains should be redirected and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and any associated grave goods. The archaeologist shall recover scientifically-valuable information, as appropriate and in accordance with the recommendations of the MLD. Upon completion of the archaeologist's assessment, a report should be prepared documenting methods and results, as well as recommendations regarding the treatment of the human remains and any associated archaeological materials. The report should be submitted to the City, the project proponent and the NWIC.

Implementation of this mitigation measure would reduce the impact to a level of less than significant.

In addition to the Historic Preservation and Urban Design Chapter of the DAP, the Noise and Vibration Chapter of the DAP EIR, acknowledges that new construction may have an effect on historic buildings.

The DAP EIR discusses noise and vibration impacts on pages 4-176 through 4-205. The DAP EIR identified the following impacts and mitigation measures to historic buildings:

- **Impact NOI-6: Construction-Related Vibration:** Residences, businesses, and historic structures within or in the vicinity of the Downtown Area could be exposed to construction-related vibration during the excavation and foundation work of the buildings constructed under the DAP, a significant impact.

- **Mitigation NOI-6: Avoidance of Pile-Driving/Site Specific Vibration Studies/Monitoring/Contingency Planning**. The following measures are recommended to reduce vibration from construction activities:
  - Avoid impact pile-driving where possible. Drilled piles causes lower vibration levels where geological conditions permit their use.
  - Avoid using vibratory rollers and tampers near sensitive areas.
  - In areas where project construction is anticipated to include vibration-generating activities, such as pile-driving in close proximity to existing structures, site-specific vibration studies should be conducted to determine the area of impact and to present appropriate mitigation measures that may include the following:
    - Identification of sites that would include vibration compaction activities such as pile-driving and that have the potential to generate groundborne vibration, and the sensitivity of nearby structures to groundborne vibration. Vibration limits should be applied to all vibration-sensitive structures located within 200 feet of the project. A qualified structural engineer should conduct this task.
    - Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions.
    - Construction contingencies would be identified for when vibration levels approached the limits.
    - At a minimum, vibration monitoring should be conducted during initial demolition activities and during pile-driving activities. Monitoring results may indicate the need for more or less intensive measurements.
    - When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.
    - Conduct post-survey on structure where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of vibration.

It may not be possible to avoid using impact pile-drivers, vibratory rollers, and tampers entirely during the construction of projects in the Downtown Area. Due to the density of development in the area, some of these activities may take place near sensitive structures. In these cases, the mitigation measures listed above would not be sufficient to reduce groundborne vibration to a level of less than significant. Therefore, this impact would be considered significant and unavoidable.

2.4.3 Downtown Berkeley Design Guidelines

As a result of Impact CUL-2, the Downtown Berkeley Design Guidelines were established, and incorporated recommendations from Mitigation Measure CUL-2. The guidelines include three categories: those which apply to Landmark Buildings, those that apply to Significant Buildings, and to those that apply to All Buildings. Because the proposed project is to demolish the existing Significant Building at 2132-2154 Center Street for the construction of a new building, the appropriate guidelines are those that apply to all buildings. Guidance for the treatment of buildings

is broken into six areas: building design; awning and canopies; signs and graphics; site design; special sites, buildings, and subareas; and special considerations. The building design category is further refined and includes the following subcategories: facades; roof forms; storefronts and entrances; materials; details and ornament; colors; lighting, security and equipment; and special historic features. The site design category includes subcategories for the following: frontages, setbacks and heights; heights; open spaces; and parking and loading. Each area has detailed and specific guidance. A copy of the Downtown Berkeley Design Guidelines are available in Appendix A. Downtown Berkeley Design Guidelines, by area, are as follows:

Building Design

- Facades: The form, rhythm and character of Downtown established by its Landmark and Significant buildings should be reinforced and enhanced by renovation and new construction. Landmark and Significant facades should not be mimicked or trivialized, but should provide design guidance for new physical changes. Downtown area should have a unified visual identity which complements the historic character of its buildings, while allowing contemporary expressions.
- Roof Forms: Nearly all buildings of architectural significance in Downtown Berkeley have distinctive roof forms or details, which provide an attractive terminus for the building, and add visual interest to the skyline. New construction and façade alterations should continue the precedent of utilizing changes of height, profile, detailing, or materials in order to enhance the sense of enclosure that is established at roof level.
- Storefronts and Entrances: Many of the features desirable for a pedestrian oriented Downtown are precisely those found in the original storefronts of Downtown Berkeley's Landmark and Significant buildings. These features, which include inviting entranceways, continuous display windows, obvious locations for signs, and sensitively scaled proportions, should be incorporated into new as well as remodeled storefronts.
- Materials: Many of the features desirable for a pedestrian-oriented Downtown are precisely those found in the original storefronts of Downtown Berkeley's Landmark and Significant buildings. These features, which include inviting entranceways, continuous display windows, obvious locations for signs, and sensitively scaled proportions, should be incorporated into new as well as remodeled storefronts.
- Details and Ornament: Downtown owes much of its character and richness to the ways that details and ornament have been incorporated in the design of buildings. Because the Downtown Area Plan emphasizes respect for the historic context of Downtown, alterations and new construction should provide a level of detailing that adds to and complements the ornate quality of the historic buildings found throughout Downtown.
- Color: Color is a very powerful design tool and can have an enormous influence on the way a building or area is perceived. Most buildings in Downtown are faced with concrete, masonry, tile, or stone, resulting in a predominance of light earth tones. Downtown should project an image of quality, harmony, and cleanliness through the use of sensitive and compatible color schemes.
- Lighting, Security, and Equipment: Areas that are perceived as safe and secure are clean, well lit, and active. This sense of security promotes a high level of use and discourages crime and vandalism. In the pedestrian-oriented Downtown Area, lighting should be brightest at sidewalks and storefronts, and building equipment should be located so it is neither seen nor heard from public areas. An objective for Downtown Berkeley is to create a safe and

inviting environment which, due to its variety of commercial, retail and residential uses, encourages pedestrian activity and vitality at all hours.

Awnings and Canopies

- Awnings and canopies provide sun and rain protection to pedestrians, provide a sense of enclosure at sidewalk level, are good locations for pedestrian-related signs, and shield window displays from the sun. awnings and canopies must respect the architectural integrity of the façade on which they are places, the context of their location, and the historic character of Downtown.

Signs and Graphics

- Signs are an extremely visible part of the streetscape, and should reflect the quality of goods and services begin offered Downtown. They should communicate an image of excellence, distinctive craftsmanship, and creativity, and should reinforce the unique and historic character to Downtown.

Site Design

- Frontages, Setbacks, and Heights: Buildings should frame and define the street as an active public space. Throughout Downtown, buildings are typically built to street-facing property line(s). This historic 'streetwall' of facades should be preserved, and extended through new construction. Setbacks at the ground or upper floors may be used selectively to preserve sunlight, enhance views, provide open space or improve scale relationships, but should be designed with care to ensure that visual continuity of the streetwall is not disrupted.
- Heights: It is a specific goal of the Downtown Area Plan to provide continuity between the old and new in the built environment, and to respect the unique and historic character of Downtown, while promoting beneficial new development. New development should be scaled down at the periphery of Downtown in order to provide a graceful transitions between Downtown and adjacent neighborhoods.
- Open Spaces: Inviting open spaces should be provided throughout the Downtown. These spaces should be suitably scaled to their surroundings, and sited in locations which reinforce rather than disrupt pedestrian flow. The most successful open spaces are those which are strongly defined by building forms and/or landscaping, and designed to encourage public use. Encourage open space where it provides a visual connection to the Berkeley Hills and San Francisco Bay.
- Parking and Loading: Downtown is first and foremost a place for pedestrians, and every effort should be taken to ensure their comfort, safety and continued patronage. Often, vehicular activity is at odds with this goal. Pedestrians should be given first considerations in site planning for parking and loading.

Special Sites, Buildings, and Subareas

- Throughout the Downtown, there are certain building types and areas which should be given particular consideration. Special sites should take advantage of desirable views or characteristics and express good urban design principles. Unique building types such as parking structures and civic buildings should express their function in a way that is harmonious with the pedestrian environment and historic character of Downtown.

- Subareas Where Historic Resources are Concentrated: Downtown contains subareas with noticeable concentrations of historic buildings – and the potential for cultivating distinct and memorable places. The Downtown Design Guidelines seek to protect and reinforce the overall character of these subareas. In subareas where historic resources are concentrated, designers should pay special attention to a project's context, including the character of adjacent properties and subarea as a whole.

Special Considerations

- Design decisions are not the only factors which influence the appearance of Downtown buildings. Codes and regulations have tremendous impact on the design of buildings and sites. In today's economic climate, financial considerations are perhaps the most influential determinants of physical form. Special consideration must be given to regulatory, environmental, and financial requirements and incentives in order to produce optimal design solutions which also satisfy functional and physical needs. Of note are programs and regulations to encourage the restoration of and change of use within historic structures.

2.4.4 City of Berkeley Standard Conditions of Approval

Because the proposed project is located in Berkeley, it must also adhere to the City of Berkeley Standard Conditions of Approval (COAs) for use permits. Section IV of the Standard COAs, which consists of the additional permit conditions imposed by the Zoning Adjustments Board, includes numbers 15, 49 and 50, listed below, are relevant to cultural resources:

15. Damage Due to Construction Vibration. The project applicant shall submit screening level analysis prior to, or concurrent with demolition building permit. If a screening level analysis shows that the project has the potential to result in damage to structures, a structural engineer or other appropriate professional shall be retained to prepare a vibration impact assessment (assessment). The assessment shall take into account project specific information such as the composition of the structures, location of the various types of equipment used during each phase of the project, as well as the soil characteristics in the project area, in order to determine whether project construction may cause damage to any of the structures identified as potentially impacted in the screening level analysis. If the assessment finds that the project may cause damage to nearby structures, the structural engineer or other appropriate professional shall recommend design means and methods of construction that to avoid the potential damage, if feasible. The assessment and its recommendations shall be reviewed and approved by the Building and Safety Division and the Zoning Officer. If there are no feasible design means or methods to eliminate the potential for damage, the structural engineer or other appropriate professional shall undertake an existing conditions study (study) of any structures (or, in case of large buildings, of the portions of the structures) that may experience damage. This study shall

- establish the baseline condition of these structures, including, but not limited to, the location and extent of any visible cracks or spalls; and
- include written descriptions and photographs.

The study shall be reviewed and approved by the Building and Safety Division and the Zoning Officer prior to issuance of a grading permit. Upon completion of the project, the structures (or, in case of large buildings, of the portions of the structures) previously inspected will be resurveyed, and any new cracks or other changes shall be compared to pre-construction conditions and a determination

shall be made as to whether the proposed project caused the damage. The findings shall be submitted to the Building and Safety Division and the Zoning Officer for review. If it is determined that project construction has resulted in damage to the structure, the damage shall be repaired to the pre-existing condition by the project sponsor, provided that the property owner approves of the repair.

49. **Archaeological Resources (*Ongoing throughout demolition, grading, and/or construction*).** Pursuant to CEQA Guidelines section 15064.5(f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore:

A. In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist, historian or paleontologist to assess the significance of the find.
B. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified professional would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Berkeley. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by the qualified professional according to current professional standards.
C. In considering any suggested measure proposed by the qualified professional, the project applicant shall determine whether avoidance is necessary or feasible in light of factors such as the uniqueness of the find, project design, costs, and other considerations.
D. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation measures for cultural resources is carried out.
E. If significant materials are recovered, the qualified professional shall prepare a report on the findings for submittal to the Northwest Information Center.

50. Human Remains (Ongoing throughout demolition, grading, and/or construction). In the event that human skeletal remains are uncovered at the project site during ground-disturbing activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.

3 Natural and Cultural Setting

This section provides background information pertaining to the natural and cultural context of the project site. It places the project site within the broader natural environment that has sustained populations throughout history. This section also provides an overview of regional indigenous history, local ethnography, and post-contact history. This background information describes the distribution and type of cultural resources documented within the vicinity of the project site to inform the cultural resources sensitivity assessment and the context within which resources have been evaluated.

3.1 Natural Setting

The project site lies within the California Coastal Ranges at an approximate elevation of 61 meters (200 feet) above mean sea level. The San Francisco Bay is approximately 2 miles west of the project site, and Strawberry Creek is approximately 150 east of the project site, across Oxford Road. Water sources are known to be conducive to the long-term habitation of prehistoric and historic-period populations. None of the surrounding area retains its natural setting, with the project site located in a commercial area characterized by office buildings, retail shops, and restaurants within an historic-period District. Vegetation within the vicinity of the site consists of ornamental trees, including low ground cover and succulents, consistent with urban environmental settings and has manicured landscapes.

3.2 Cultural Setting

3.2.1 Indigenous History

The project site is located in the San Francisco Bay Area archaeological region (Milliken et al. 2007, Moratto 1984). Milliken et al. (2007) generally divided the pre-contact chronology of the Bay Area into five periods: The Early Holocene (8000 to 3500 Before Common Era [BCE]), Early Period (3500 to 500 BCE), Lower Middle Period (500 BCE to CE 430 common era [CE]), the Upper Middle Period (430 to 1050 CE), and the Late Period (1050 CE to contact).

It is presumed that early Paleoindian groups lived in the area prior to 8000 BCE due to evidence in Alta California and the Channel Islands (McLaren et al. 2019). However, no evidence for this period has been discovered in the San Francisco Bay Area (Milliken et al. 2007). Sites dating to this period may be submerged or deeply buried as a result of rising sea levels and widespread sediment deposition that has occurred since the Terminal Pleistocene (Byrd et al. 2017). For this reason, the Terminal Pleistocene Period (ca. 11,700 to 8000 BCE) is not discussed here.

The earliest intensive study of archaeology in the San Francisco Bay Area began with N. C. Nelson of the University of California, Berkeley, between 1906 and 1908. Mr. Nelson documented over 400 shell mounds throughout the area. Nelson was the first to identify the Bay Area as a discrete archaeological region (Moratto 1984).

Early Holocene (8000 to 3500 BCE)

Archaeological evidence from the early Holocene is limited as sites dating to this period are likely buried under Holocene alluvial deposits (Moratto 1984, Ragir 1972). Available data suggests that the Early Holocene in the San Francisco Bay Area is characterized by a mobile forager pattern and the presence of millingslabs, handstones, and a variety of leaf-shaped projectile points. [redacted]. Early dates for the Early Holocene [redacted], dating to approximately 7000 BCE (Milliken et al. 2007).

Early Period (3500 to 600 BCE)

The Early Period saw increased sedentism with the introduction of new ground stone technologies (i.e., mortar and pestle) with an increase in regional trade, and the first cut shell beads. The earliest evidence for the use of the mortar and pestle in the San Francisco Bay Area dates to 3800 BCE and comes from [redacted]. By 1500 BCE, mortars and pestles had almost completely replaced millingslabs and handstones, indicating a greater reliance on processing nuts, especially acorns. Faunal evidence from various sites during this period indicates a diverse faunal exploitation pattern based on the presence of mussel and other shellfish, marine mammals, terrestrial mammals, and birds within sites dating to this period (D'Oro 2009).

The earliest cut bead horizon is also associated with this period. Rectangular *Haliotis* spp. (abalone) and Olivella *(Callianax biplicata)* (Vellanoweth et al. 2014) (snail) beads have been identified at several Early Period sites, including [redacted] in Sunnyvale and [redacted] in Berkeley (Milliken et al. 2007). These early examples of cut beads were recovered from mortuary contexts.

Lower Middle Period (500 BCE to 430 CE)

The Lower Middle Period saw numerous changes from the previous period. The presence of chipped stone points and bone tools became typical. Rectangular shell beads, common during the Early Period, disappear completely and are replaced by split-beveled and saucer Olivella beads. *Haliotis* spp. ornaments, bone tools and ornaments, and basketry awls also became typical, indicating the development of coiled basketry technology. Mortars and pestles continued to be the dominant grinding tool (Luby and Gruber 1999, Milliken et al. 2007).

Evidence for the Lower Middle Period in the Bay Area comes from sites such as the Emeryville shell mound [redacted] and Ellis Landing [redacted]. [redacted] is one of the largest shell mounds in the San Francisco Bay Area and contains multiple cultural sequences. The lower levels of the site, which date to the Middle Period, contain flexed burials with bone implements, chert bifaces, charmstones, and oyster shells (Moratto 1984).

Upper Middle Period (430 to 1050 CE)

Around 430 CE, Olivella saucer bead trade networks that had been established during earlier periods collapsed and over half of known sites occupied during the Lower Middle Period were abandoned. Olivella saucer beads were replaced with Olivella saddle beads. New types of material culture appear within these sites, including elaborate, decorative blades, fishtail charmstones, new *Haliotis* spp. ornament forms, and mica ornaments. Sea otter bones became more abundant, while salmon and other fish became less so, suggesting changes in faunal exploitation patterns from earlier periods (Milliken et al. 2007, Simons and Carpenter 2009). Excavations at [redacted] indicate that a

shift from mussels to oysters, and oysters to clams may have occurred (Gifford 1916). Isotopic analysis confirms that San Francisco Bay Area individuals shifted from hunting higher trophic-level foods in the Early Period to gathering foods like plants and shellfish in the Middle and Upper periods (Burns et al. 2012). Subsistence analyses at various sites dating to this period indicate a diverse diet that included numerous species of fish, mammals, birds, shellfish, and plant resources that varied by location in the San Francisco Bay Area (Hylkema 2002).

Late Period (1050 CE to contact)

The Late Period saw an increase in social complexity, indicated by differences in burials and an increased level of sedentism relative to preceding periods, evidenced by mortars weighing up to 90.7 kilograms (Lentz 2012: 198). An increase in imported Napa Valley obsidian occurred during this time for the production of smaller points, preforms and simple flake tools. Small, finely worked projectile points of the Stockton Serrated series associated with bow and arrow technology appear around 1250 CE. Olivella shell beads disappeared and were replaced with Olivella-lipped and spire-lopped beads in the south bay and clamshell disk beads in the north bay. Thicker and larger beads indicated higher affluence. The toggle harpoon, hopper mortar, and magnesite tube beads also appeared during this period (Milliken et al. 2007, Lentz 2012, Von Der Porten et al. 2014). As did an increase in the intensity of resource exploitation that correlates with an increase in population (Moratto 1984). Many of the well-known sites of earlier periods, such as the Emeryville shell mound [redacted] and the West Berkeley site [redacted], were abandoned, as indicated by the lack of Late Period elements. Researchers have suggested that the abandonment of these sites may have resulted from fluctuating climates and drought that occurred throughout the Late Period (Lightfoot and Luby 2002).

3.2.2 Ethnographic Setting

The project site lies within the traditional territory of the Ohlone (or Costanoan) people. According to early ethnographers, Ohlone territory extends along the California coast from the point where the San Joaquin and Sacramento rivers merge into the San Francisco Bay to Point Sur. Their inland boundary was limited to the interior Coast Ranges. The Ohlone language belongs to the Penutian family, with several distinct dialects throughout the region (Kroeber 1925). Ethnographers divided it into eight regional dialects: Karkin, Chochenyo, Ramaytush, Awaswas, Taymen, Mutsun, Rumsen, and Chalon (Milliken et al. 2009, Jones 2015).

The pre-contact Ohlone were semi-sedentary with a settlement system characterized by base camps and seasonal reserve camps composed of tule reed houses with thatched roofs made of matted grass (Schick 1994, Skowronek 1998). Just outside base camps, large sweat houses were built into the ground near stream banks used for spiritual ceremonies and possibly hygiene (Jones 2015, Schick 1994,). Villages were divided into small polities, each of which was governed by a chief responsible for settling disputes, acting as a war leader during times of conflict, and supervising economic and ceremonial activities (Skowronek 1998, Kroeber 1925). Social organization appeared flexible to ethnographers, and any sort of social hierarchy was not apparent to mission priests (Skowronek 1998).

Archaeological investigations helped inform Ohlone mortuary rituals along with ethnographic evidence. Cemeteries were set away from villages and visited during the annual Mourning Anniversary (Leventhal and DiGiuseppe 2009). Ceremonial human grave offerings might include Olivella beads, as well as tools like drills, mortars, pestles, hammerstones, bone awls, and utilized flakes (Leventhal and DiGiuseppe 2009). Ohlone mythology includes animal characterization and

animism, which was the basis for several creation narratives. Ritually burying animals, such as a wolf, squirrel, deer, mountain lion, gray fox, elk, badger, grizzly bear, blue goose, and bat ray, was commonly practiced. Similar to human burials, ceremonial offerings were added to ritual animal graves like shell beads, ornaments, and exotic goods (Kroeber 1925, Field and Leventhal 2003, Jones 2010).

Ohlone food sources were based on hunting, gathering, and fishing (Kroeber 1925, Skowronek 1998). Larger animals, like bears, might be avoided, but smaller game was hunted and snared on a regular basis (Schick 1944: 17). The acorn was an important staple and was prepared by leaching acorn meal in openwork baskets and in holes dug into the sand (Kroeber 1925, Levy 1978). The Ohlone also practiced controlled burning to facilitate plant growth (Kroeber 1925, Skowronek 1998). During specific seasons or in times of drought, the reserve camps would be utilized for gathering seasonal food and accessing food storage (Schick 1994). The Ohlone fished from tule reed canoes using nets and gorge hooks (Schick 1994: 16–17). Mussels were a particularly important food resource. Sea mammals such as sea lions and seals were hunted, and beached whales were consumed (Kroeber 1925).

Seven Franciscan missions were built in Ohlone territory in the late 1700s, and all members of the Ohlone group were eventually brought into the mission system (Kroeber 1925, Skowronek 1998, Milliken et al. 2009). After the establishment of the missions, the Ohlone population dwindled from roughly 10,000 people in 1770 to 1,300 by 1814 (Skowronek 1998). In 1973, the population of people with Ohlone descent was estimated at fewer than 300. The descendants of the Ohlone united in 1971 and have since arranged political and cultural organizations to revitalize aspects of their culture (Skowronek 1998). Today, the descendant communities of the Ohlone can be found in multiple tribes throughout Northern and Central California.

3.2.3 Post-Contact Setting

Post-Contact history for the state of California is generally divided into three periods: the Spanish Period (1769–1822), Mexican Period (1822–1848), and American Period (1848–present). Although Spanish, Russian, and British explorers visited the area for brief periods between 1529 and 1769, the Spanish Period in California begins with the establishment in 1769 of a settlement at San Diego and the founding of Mission San Diego de Alcalá, the first of 21 missions constructed between 1769 and 1823. Independence from Spain in 1821 marks the beginning of the Mexican Period, and the signing of the Treaty of Guadalupe Hidalgo in 1848, ending the Mexican American War, signals the beginning of the American Period when California became a territory of the United States.

Spanish Period (1769–1822)

Spanish explorers made sailing expeditions along the coast of California between the mid-1500s and mid-1700s. Juan Rodriguez Cabrillo in 1542 led the first European expedition to observe what was known by the Spanish as Alta (upper) California. For more than 200 years, Cabrillo and other Spanish, Portuguese, British, and Russian explorers sailed the Alta California coast and made limited inland expeditions, but they did not establish permanent settlements (Bean 1968, Rolle 2003). The Spanish crown laid claim to Alta California based on the surveys conducted by Cabríllo and Vizcaíno (Bancroft 1885, Gumprecht 1999).

During this period, Berkeley appears to have been sparsely inhabited by this time with the main Huichin (the territory of the Chochenyo speaking Ohlone people) villages located near Richmond. By the 18th century, Spain developed a three-pronged approach to secure its hold on the territory and

counter against other foreign explorers. The Spanish established military forts known as presidios, as well as missions and pueblos (towns) throughout Alta California. The 1769 overland expedition by Captain Gaspár de Portolá marks the beginning of California's Historic period, occurring just after the King of Spain installed the Franciscan Order to direct religious and colonization matters in assigned territories of the Americas. Portolá established the Presidio of San Diego as the first Spanish settlement in Alta California in 1769. Franciscan Father Junípero Serra also founded Mission San Diego de Alcalá that same year, the first of the 21 missions that would be established in Alta California by the Spanish and the Franciscan Order between 1769 and 1823.

Mission San Francisco was founded in 1776. Few Ohlone people from the Huichin villages moved to the mission during the initial years, but by 1794 had migrated *en masse* to the mission. Construction of missions and associated presidios was a major emphasis during the Spanish Period in California to integrate the Native American population into Christianity and communal enterprise. In 1794, 187 Huichin Ohlone were baptized at Mission San Francisco. In the following years, native people suffered from disease, dietary deficiency, and conflict that resulted in a nearly 80 percent population decline by 1832.

Spain began making land grants in 1784, typically to retiring soldiers, although the grantees were only permitted to inhabit and work the land. The land titles technically remained property of the Spanish king (Livingston 1914).

Mexican Period (1822–1848)

Several factors kept growth within Alta California to a minimum, including the threat of foreign invasion, political dissatisfaction, and unrest among the indigenous population. After more than a decade of intermittent rebellion and warfare, New Spain won independence from Spain in 1821. In 1822, the Mexican legislative body in California ended isolationist policies designed to protect the Spanish monopoly on trade, and decreed California ports open to foreign merchants (Dallas 1955).

Extensive land grants were established in the interior during the Mexican Period, in part to increase the population inland from the more settled coastal areas where the Spanish had first concentrated their colonization efforts. The secularization of the missions following Mexico's independence from Spain resulted in the subdivision of former mission lands and establishment of many additional ranchos. Commonly, former soldiers and well-connected Mexican families were the recipients of these land grants, which now included the title to the land.

Berkeley was within Rancho San Antonio, which was granted to Luis Maria Peralta in 1820. Peralta had come to California in 1776 with the Anza expedition. The rancho stretched for more than 43,000 acres, including the area from present-day Albany in the north to San Leandro Creek in the south. In 1842, Luis Peralta divided the ranch among his sons, with José Domingo receiving what is today Berkeley and Albany and José Vicente receiving what is now Emeryville, North and West Oakland, and Piedmont.

During the supremacy of the ranchos (1834–1848), landowners largely focused on the cattle industry and devoted large tracts to grazing. Cattle hides became a primary Southern California export, providing a commodity to trade for goods from the east and other areas in the United States and Mexico. The number of nonnative inhabitants increased during this period because of the influx of explorers, trappers, and ranchers associated with the land grants. The rising California population contributed to the introduction and rise of diseases foreign to the Native American population, who had no associated immunities.

In 1849 the area rapidly developed as a result of the Gold Rush. The Peralta family was plagued by squatters who overran rancho land, sometimes violently. Domingo Peralta sought to have his property confirmed in United States courts and was burdened by legal proceedings to prove his ownership and sold portions of his land to raise money for legal fees.

American Period (1848–Present)

The United States went to war with Mexico in 1846. During the first year of the war, John C. Fremont traveled from Monterey to Los Angeles with reinforcements for Commodore Stockton and evaded Californian soldiers in Santa Barbara's Gaviota Pass by taking the route over the San Marcos grade instead (Kyle 2002). The war ended in 1848 with the Treaty of Guadalupe Hidalgo, ushering California into its American Period.

In the San Francisco Bay Area, gold discovered in along the American River in 1849 ushering in the Gold Rush. Immigrants flowed to the area and by the end of 1849, San Francisco's population had from about 500 hundred to 25,000. California officially became a state with the Compromise of 1850, which also designated Utah and New Mexico (with present-day Arizona) as United States territories (Waugh 2003). With the influx of people seeking gold, cattle were no longer desired mainly for their hides but also as a source of meat and other goods. During the 1850s cattle boom, rancho vaqueros drove large herds from Southern to Northern California to feed that region's burgeoning mining and commercial boom.

3.2.3.1 Downtown Berkeley History

The following historical context statement for the downtown Berkeley area is largely excerpted from the City of Berkeley Downtown Area Plan Historic Resource Evaluation (Architectural Resources Group 2008).

Located within Alameda County, California, the development of the city of Berkeley was heavily influenced by East Bay transportation routes and the establishment of the University of California, Berkeley. The principal commercial center for Berkeley began to take shape in 1876 when Francis Kittredge Shattuck and J. L. Barker persuaded the stockholders of the Central Pacific Railroad (later Southern Pacific) to run a spur line through Shattuck's property. Rail access provided the impetus for new commercial growth in what became Downtown Berkeley. Furthermore, the relocation of the University to lands just east of downtown in 1873 also provided opportunity for commercial growth to support the University community. When the Town of Berkeley was incorporated in 1878, Shattuck Avenue was already established as the city's "Main Street." By the 1890s a fully operational rail line with steam trains ran along Shattuck Avenue terminating at what is now Berkeley Square and Shattuck Square. Additional commercial centers established during Berkeley's early history were West Berkeley (Ocean View), North Berkeley (Berryman's) and the Telegraph Avenue area, south of the University of California campus. Others which came later were the Elmwood area along College near Ashby, San Pablo Avenue, South Berkeley (formerly the Lorin District), and Thousand Oaks along Solano Avenue.

The 1906 Earthquake resulted in an influx of new residents to Berkeley, and businesses in downtown quickly began to accommodate the expanded population. Downtown Berkeley became a bustling business, commercial, and light industrial center in the 1920s and continued to grow and expand into the 1940s. As with many commercial downtowns in California, post-World War II suburban expansion resulted in the creation of new residential and commercial areas away from the historic commercial core.

Today, Berkeley's commercial downtown is eclectic, with numerous businesses, government agencies, and educational institutions reflective of Berkeley's wealth of ethnic diversity established after World War II. Close proximity to the University of California, Berkeley campus and access to public transportation has enabled Berkeley to expand, grow and thrive. Throughout the downtown there is a mix of older commercial buildings, post-war development and more recent modern additions to the commercial core. The historic resources present in downtown reflect a wide range of themes and historic contexts including residential and commercial development; civic, government and educational institutions; transportation; recreation; and cultural groups.

4 Methods

This section presents the methods for each task completed during the preparation of this study.

4.1 Background Research

4.1.1 Archival Research

Rincon completed background and archival research in support of this study from January 2023 to April 2024. A variety of primary and secondary source materials were consulted. Sources included, but were not limited to, historical maps, aerial photographs, and written histories of the area. The following sources were utilized to develop an understanding of the project site and its context:

- Alameda County Assessor's Office
- Historical topographic maps and aerial imagery accessed via NETR Online
- Historical aerial photographs accessed via University of California, Santa Barbara Library FrameFinder
- Sanborn Fire Insurance Company Maps accessed through the Los Angeles County Public Library
- Historical newspaper clippings obtained from Newspapers.com, ProQuest Historical Newspapers.com, and the California Digital Newspaper Collection
- Historical City Directories obtained via Ancestry.com
- Historical photographs obtained via Berkeley Architectural Heritage Association
- Geologic Maps via USGS National Geologic Map Database
- USDA Web Soil Survey
- USGS Topographic maps accessed via USGS TopoViewer

4.1.2 California Historical Resources Information System Records Search

On December 22, 2022, Rincon received CHRIS records search results from the Northwest Information Center (NWIC) (Appendix B). The NWIC is the official state repository for cultural resources records and reports for the county in which the project falls. The purpose of the records search was to identify previously recorded cultural resources, as well as previously conducted cultural resources studies within the project site and a 0.25-mile radius surrounding it. Rincon also reviewed the NRHP, the CRHR, the California Historical Landmarks list, and the Built Environment Resources Directory. Additionally, Rincon reviewed the Archaeological Determination of Eligibility list.

4.1.3 Sacred Lands File Search

Rincon contacted the NAHC on December 9, 2022, to request a search of the SLF, as well as a contact list of Native Americans culturally affiliated with the project area (Appendix B). The City of Berkeley is responsible for all AB 52 consultation for the project.

4.2 Ground-Penetrating Radar Study – Byram 2023

Byram Archaeological Consulting, LLC. Conducted a ground-penetrating radar (GPR) study of the project site in December 2023. [redacted].

4.3 Geoarchaeological Analysis

Rincon reviewed geologic and soil maps of the project site to determine the potential to encounter subsurface archaeological deposits.

4.4 Field Survey

4.4.1 Built Environment Site Visit

Rincon Architectural Historian JulieAnn Murphy conducted a built environment survey of the project site on January 19, 2023. The built environment resource within the project site, 2132-2154 Center Street was visually inspected to confirm its existing conditions since it was last evaluated as part of the Shattuck Avenue Commercial Corridor Historic Context and Survey in 2015. In accordance with the guidance of the OHP, the 2015 Department of Parks and Recreation (DPR) 523 forms for 2132-2154 Center Street were updated as appropriate (Appendix D). The overall condition and integrity of the resource, and the larger Shattuck Avenue Commercial Corridor District, were documented and assessed. Site characteristics and conditions were documented using notes and digital photographs.

4.4.2 Archaeological Resources Survey

Because the entire project site is developed with no ground exposure, an archaeological field survey was not conducted for this cultural resource study.

5 Findings

5.1 Known Cultural Resources Studies

The CHRIS records search and background research identified 40 previously conducted cultural resources studies within 0.25-mile of the project site. Of these studies, one (with five components) overlaps the project site: the *Shattuck Avenue Reconfiguration and Pedestrian Safety Project* (S-49123, S-49123a, S-49123b, S-49123c, S-49123d). This study will be discussed in further detail below. Approximately 50 percent of the project site has been studied and surveyed within the last seven years. All previously conducted cultural resources studies within the search radius are listed in Appendix B.

5.1.1 Shattuck Avenue Reconfiguration and Pedestrian Safety Project (Study S-49123)

Though the CHRIS results for the current project listed the *Shattuck Avenue Reconfiguration and Pedestrian Safety Project* under five different study numbers (S-49123, S-49123a, S-49123b, S-49123c, S-49123d), they are all elements of the same overarching project. The *Shattuck Avenue Reconfiguration and Pedestrian Safety Project* involved the reconfiguration of a three-block segment of Shattuck Avenue from Allston Way to University Avenue. The study, completed to support Section 106 requirements of the National Historic Preservation Act, was primarily conducted by LSA Associates, Inc. in 2016, with assistance from a subconsultant, for the Federal Highway Administration, Caltrans District 4, and the City of Berkeley.

Two different Areas of Potential Effects (APE) were delineated for the project, including an Architectural APE and an Archaeological APE. A portion of the Architectural APE overlaps approximately 0.75 acres within the western portion of the current project site. (The Archaeological APE does not overlap the current project site.) One historic property was identified within the APE for the project: the Shattuck Avenue Downtown Historic District. The Shattuck Avenue Downtown Historic District was originally identified as a historic district, significant for its associations with the development of Downtown Berkeley in the late 19th to early 20th centuries, in 2015 but had not yet been officially determined/nominated as a historic district. The *Shattuck Avenue Reconfiguration and Pedestrian Safety Project* (S-49123c) assumed the Shattuck Avenue Downtown Historic District was eligible for listing in the National Register of Historic Places (NRHP) for the purposes of the project only, consistent with the Programmatic Agreement. It did not include additional research or analysis or a formal determination of eligibility for listing in the NRHP.

The historic building at 2132-2154 Center Street, within the current study's project site, is adjacent to this previous study's Architectural APE and was not, therefore, directly addressed.

- **S-49123** consists of the *Historic Property Survey Report: Shattuck Avenue Reconfiguration and Pedestrian Safety Project, Berkeley, Alameda County*, which was prepared by Neal Kaptain, MA, RPA, of LSA Associates, Inc. in 2016. The Historic Property Survey Report is a Caltrans-specific document that serves as a cover page for all the other project elements attached.
- **S-49123a** consists of the *Archaeological Survey Report: Shattuck Avenue Reconfiguration and Pedestrian Safety Project, Berkeley, Alameda County.* Neal Kaptain, MA, RPA, of LSA Associates, Inc. prepared this portion of the study in July 2016. The Archaeological Survey Report included a

CHRIS records search, literature and map review, a pedestrian survey, outreach with interested parties, and an archaeological sensitivity assessment.

- **S-49123b** consists of the *Finding of No Adverse Effect (Without Standard Condition): Shattuck Avenue Reconfiguration and Pedestrian Safety Project, Berkeley, Alameda County, California,* which was prepared by Michael Hibma, MA, RPH, of LSA Associates, Inc. in June 2016. The Finding of No Adverse Effect (FNAE) included local historical society outreach, a public information meeting, and an application of the criteria of adverse effect to assess any adverse effects to the District, which was recommended eligible for the NRHP.
- **S-49123c** consists of the *Shattuck Avenue Commercial Corridor Historic Context and Survey* report, which was prepared by Archives & Architecture in May 2015 then revised in September 2015. (This report is attached to the FNAE [S-49123b] as Appendix E.) The study included an intensive-level survey of downtown Berkeley, detailed archival research into the historical background of the city of Berkeley, and the preparation of DPR 523 forms and evaluation of the prospective Shattuck Avenue Downtown Historic District.
- **S-49123d** consists of the letter from Julianne Polanco, State Historical Preservation Officer, to Jill Hupp of Caltrans, regarding the finding of no adverse effect to historic properties, specifically the Shattuck Avenue Commercial Corridor Historic District. Ms. Polanco concurred with Caltrans's determination that the project would have no adverse effect on historic properties, specifically the Shattuck Avenue Downtown Historic District, which was presumed to be eligible for the NRHP for the purposes of the project. Ms. Polanco stated that the result of the improvements proposed will occur in an area that has not been identified as a contributing element due to lack of historical integrity, therefore, they will not diminish the integrity of the district.

5.1.2 Previous Survey Efforts

The Downtown Area, including the subject property, has been recorded as part of a number of previous survey efforts. Berkeley Architectural Heritage Association (BAHA) completed a survey of Downton Berkeley in 1978, on behalf of OHP, which documented approximately 650 structures and sites. It was a representative reconnaissance survey, rather than an intensive-level survey. In 1978, the survey was updated with more details with a grants from San Francisco Foundation and the National Trust for Historic Preservation. In 1987, BAHA published survey results from the Downtown Survey, which provided the core material used in the preservation element of the City of Berkeley's Downtown Plan, adopted in 1990. An updated survey of Downtown Berkeley, as defined in the 2009 Downtown Area Plan and including the subject property, was carried out by Archives & Architecture in 2015.

5.2 Known Cultural Resources

The CHRIS records search and background research identified 93 cultural resources within 0.25-mile of the project site, including [redacted] and 91 historic buildings. Of these resources, three are recorded within the project site (P-01-005224, [redacted], and P-01-011858) and three are recorded in close proximity to the project site (P-01-005222, P-01-005223, and P-01-011852). Resources recorded within or adjacent to the project site are discussed in further detail below and are summarized in Table 1. All resources recorded within the search radius are listed in Appendix B.

Table 1 Known Cultural Resources within or Adjacent to the Project Site

Primary Number	Trinomial	Resource Type	Description	Recorder(s) and Year(s)	Eligibility Status	Relationship to Project Site
P-01-005222	--	Historic Building	Mikkelson and Berry Building (2124-2126 Center St.)	1978 (Marvin); 2015 (Maggi, F., L. Dill, S. Winder)	3S. City of Berkeley Landmark, 1983.	Adjacent
P-01-005223	--	Historic Building, Element of District	Ennor's Restaurant/Bakery/ Candy Store; Ennor's Restaurant Building (2128-2130 Center St.)	1978 (Marvin); 2015 (Maggi, F., L. Dill, S. Winder)	4S. City of Berkeley Landmark, 2006 (LM#06-40000028).	Immediately Adjacent
P-01-011858		Historic District	Shattuck Avenue Downtown Historic District	2015 (Maggi, F., L. Dill, S. Winder)	3D	**Within**
P-01-005224	--	Historic Building, Element of District	Thomas Block (2142 Center St.)	1978 (Marvin); 2015 (Maggi, F., L. Dill, S. Winder)	3S	**Within**
[redacted]						
P-01-011852		Historic Building, Element of District	Bank of America (2119 Center Street/2129 Shattuck Avenue)	2015 (Maggi, F., L. Dill, S. Winder)	Determined ineligible by Architecture & History in 2015	Adjacent

Source: Northwest Information Center

5.2.1 Resource P-01-005222

BAHA first recorded resource P-01-005222, the Mikkelsen & Berry Building, in 1978. The site record was updated in 2015 by Franklin Maggi, Leslie Dill, and Sarah Winder of Archives & Architecture. The resource is described as a two-story, early Mission Revival style building located in the Shattuck Avenue Commercial Corridor Historic District at 2124 Center Street. The resource was constructed in 1902 for Christian Mikkelsen and John Berry and designed by the architectural firm of Louise Stone and Henry C. Smith, known for their Mission Revival buildings. Mikkelsen and Berry Tailors occupied the building, with the tailor shop on the ground floor and office on the second floor. It was designated as a City of Berkeley Landmark on December 21, 1983, under Berkeley's Landmark Preservation Ordinance (Maggi, Dill, and Winder 2015). This resource is located approximately 60 feet west of the current project site.

5.2.2 Resource P-01-005223

Betty Marvin of BAHA first recorded resource P-01-005223, the Ennor's Restaurant Building, in 1977. The site record was updated in 2015 by Franklin Maggi, Leslie Dill, and Sarah Winder of Archives & Architecture. The resource is described as a two-story-plus-basement Neoclassical commercial building with decorative brickwork located in the Shattuck Avenue Commercial Corridor

Historic District at 2128-2130 Center Street. The resource was constructed in 1923 for Harvey W. and his wife Marie Ennor to house their restaurant, banquet hall, bakery, and confectionary. In 1945 a furniture shop occupied the building until 1970 when a fire gutted the foundation. The building was renovated in 1970 into a movie theater until 2006, and now is a mixed-use commercial building. The resource was designated a City of Berkeley Landmark (LM#06-40000028) on November 2, 2006, according to Section 3.24.100.A of Berkeley's Landmark Preservation Ordinance. The resource is located approximately 50 feet west of the current project site.

5.2.3 Resource P-01-011858

Franklin Maggi, L. Dill, and S. Winder of Archives & Architecture recorded resource P-01-011858 in 2015. The resource is the Shattuck Avenue Downtown Historic District, which spans both sides of Shattuck Avenue, continues along University Avenue, beginning from the western edge of the University of California campus at Oxford Street, to the terminus of University Avenue at Interstate 80. The district was found to be significant because it represents the historic commercial development of Downtown Berkeley and as a distinguishable physical entity of architectural character within greater Berkeley. Its period of significance spans from 1895, marking the beginning of Downtown Berkeley's development to 1958, the year the heavy rail was removed marking the beginning of a short period of commercial decline. This resource includes the current project site, which was identified as a contributor to the district.

5.2.4 Resource P-01-005224

Betty Marvin of BAHA first recorded resource P-01-005224, the Thomas Block building, in 1978. The resource was recommended eligible for the NRHP in 1978 by BAHA and was assigned a status code of 3S by the State Historical Preservation Officer. The site record was updated in 2015 by Franklin Maggi, Leslie Dill, and Sarah Winder of Archives & Architecture. The resource is described as a two-story Mediterranean Revival building located in the Shattuck Avenue Commercial Corridor Historic District at 2132-2154 Center Street. Designed by the prominent Berkeley architect William Hatch Wharff and constructed in 1904 by Lindgren & Hicks and Quackenbush, the resource originally held storefronts on the first floor and apartments and offices on the second floor. The building was purchased by John Breuner, known for his chain of furniture and appliance stores in the East Bay area, in 1925. Archives & Architecture assigned a status code of 3B, and noted the building is historically significant for its association with important patterns of downtown development and is a contributor to the Shattuck Avenue Commercial Corridor Historic District. This resource is located within the current project site.

5.2.5 [redacted]

[redacted]

[redacted]

5.2.6 Resource P-01-011852

Franklin Maggi, L. Dill, and S. Winder of Archives & Architecture first recorded resource P-01-011852 in 2015. The resource is described as a building and parking lot built by Bank of America in 1974 to serve as Bank of America's downtown Berkeley branch. It was designed by architect E. Paul Kelley and constructed by the Almco Construction Co. of Walnut Creek, California. The resource was surveyed and evaluated in April 2015 and was found not eligible for listing in the NRHP, CRHR, or the Berkeley Landmark Preservation Ordinance. The resource is located approximately 50 feet north of the current project site.

5.3 Previous Evaluations

5.3.1 2132-2154 Center Street

As described above, one built environment resource has been identified within the project site, 2132-2154 Center Street, and this resource has been recorded and evaluated a number of times. A review of available historical resources documentation indicates the property has been identified in several historic resource surveys and is currently listed in the OHP's Built Environment Resources Directory with a California Historical Resources Status Code of 3S, meaning it has been found eligible for listing in the NRHP. This finding appears to date to a 1978 survey which was completed by BAHA on behalf of the OHP. This survey also found the building contributes to a historic district comprised of downtown Berkeley (City of Berkeley Planning Department 1990). In 1987, BAHA prepared a survey of downtown Berkeley and again identified the building as a significant cultural resource. The building was subsequently recognized as a significant building in the 1990 DAP (City of Berkeley Planning Department 1990). A reconnaissance-level survey prepared in 2006 by Architectural Resources Group in support of the DAP recorded the building as having "good" integrity and also indicated it had been included in a 1993 list of the Landmarks Preservation Commission and 1994 Design Guidelines (Architectural Resources Group 2008). Most recently, the property was formally recorded and evaluated in 2015 by Archives & Architecture, who assigned the subject property a California Historical Resources Status Code of 5B, finding it locally significant both individually and as a contributor to the proposed Shattuck Avenue Commercial Corridor Historic District. This study defines the Shattuck Avenue Commercial Corridor Historic District as significant because it represents the historic commercial development of Downtown Berkeley and as a distinguishable physical entity of architectural character within greater Berkeley. Its period of significance spans from 1895, marking the beginning of Downtown Berkeley's development to 1958, the year the heavy rail was removed marking the beginning of a short period of commercial decline.

5.4 Sacred Land File Search

On December 15, 2022, the NAHC responded to Rincon's SLF request, stating that the results of the SLF search were positive. See Appendix C for the NAHC response, including Tribal contacts list(s).

5.5 Historical Map and Imagery Review

Rincon completed a review of historical topographic maps and aerial imagery to ascertain the development history of the project site. Sanborn Fire Insurance maps (1894) identify the Kellogg School within the central portion of the project site, which, according to the plaque posted at 2136 Oxford Street by the Berkeley Historical Plaque Project, was constructed in 1879 (Berkeley Historic Plaque Project 2024). The Kellogg School was named after the Board of Education president, Martin Kellogg, the University of California's first appointed academic senator and seventh president; the school was the first high school in California to be accredited by the University of California with the first class graduating in 1884 (Berkeley Historic Plaque Project 2024; Sanborn Fire Insurance Maps 1894, 1911, 1929, and 1959). Later, the building was utilized by the Berkeley's First Hebrew Congregation in 1918, and eventually commercial buildings were constructed within the project site. The building was moved in 1904 across Allston Way, south of the current project site. Historic topographic maps from 1895 depict the project site as developed with roadways and buildings, with the University of California immediately to the east and Shattuck Street to the west (NETR Online 2022, USGS 2022). Additional development is depicted in topographic maps from 1949, with the eastward extension of Oxford Street to its current alignment, and the construction of the University sports stadiums to the east (NETR Online 2022, USGS 2022). Aerial imagery from 1946 confirms the presence of at least one building in the project site, as well as commercial development surrounding the project site and the University of California to the east (NETR Online 2022). The 1946 aerial depicts the current alignment of Oxford Street, extending eastward from Fulton Street, and the presence of the University sports stadiums. The corner of Center Street and Oxford Street, which is the eastern portion of the project site, is used as a parking lot from 1946 to 1980, when aerials depict the presence of a building within the portion through 1993 (NETR Online 2022). Aerial imagery from 2000 depicts the project site in its current condition, with one building along Center Street and a second "L-shaped" building at the corner of Center Street and Oxford Street (NETR Online 2022).

5.6 Ground-Penetrating Radar Study – Byram 2023

Byram (2023) conducted GPR of the project site [redacted].

5.7 Geologic and Soils Map Review

According to published geologic mapping, the project site is underlain by Holocene aged sediments. More specifically, one surficial geologic unit comprises the project site: "Qhaf" which consists of Holocene aged alluvial sediments of alluvial fans and fluvial deposits (Graymer 2000). Because of the episodic nature of alluvial sedimentation, the sudden burial of artifacts is possible and alluvial soils have an increased likelihood of containing buried archaeological deposits (Waters 1983) often

identified by the presence of buried A horizons within the soil series. The sudden burial of artifacts is often identified when there are buried A horizons in a soil series. A buried A horizon occurs when the topmost layer of soil is displaced beneath older soils, often due to flooding, earthquake, and landslides. These soil movements can also displace archaeological materials on the surface and therefore archaeological materials are now buried.

Soils identified within the project site consist of Urban Land (California Soil Resource Lab 2023). Urban lands are soils that occur in highly populated and developed areas where commercial and residential development is prevalent. These soils can contain remnants of historic uses, can be disturbed or undisturbed, and can also consist of imported/transported artificial fill materials to support various past development. Some disturbances to the urban lands-type soils are likely to have occurred at the project site where buildings have been constructed.

5.7.1 Archaeological Sensitivity Summary

Water sources are known to be conducive to long-term habitation and the project site lies within close proximity to Strawberry Creek, as mentioned above in Section 3.1. Due to the presence of a combination of Holocene-age sediments, as well as urban lands-type soils in portions of the project site where buildings are not present, the project site is sensitive for prehistoric and historic-period archaeological resources. [redacted] As such, the project site is considered highly sensitive for intact buried archaeological deposits, based on the above identified studies and proposed project depth.

5.8 Survey Results

5.8.1 Built Environment Resources

The following section summarizes the results of all background research and fieldwork as they pertain to built environment resources that may qualify as historical resources. The field work and background research resulted in the identification of one historic-age property within the project site, 2132-2154 Center Street, built in 1904. This property was recorded and evaluated for historical resources eligibility on DPR series forms, which are included in Appendix D and summarized below. The other property within the project site, 2128 Oxford Street, was built in 1996 according to Alameda County Assessor records and does not, therefore, meet the age threshold for historical resources eligibility pursuant to guidance from the California Office of Historic Preservation (OHP).

The following property history and historical resources evaluation was derived from the assessment prepared by Archives & Architecture in 2015. See Appendix D for a copy of the evaluation.

Physical Description – 2132-2154 Center Street

As described in the 2015 assessment prepared by Archives & Architecture and confirmed by Rincon in January 2023, 2132-2154 Center Street, also known as the Thomas Block building, is a long, low two-story Mediterranean Revival building (Figure 4). The building is divided half horizontally between full height glazing and narrow posts at the storefront level and stucco bands that span the second story façade (Figure 5). The ground floor features a width of original transom windows above a series of roll-up cloth awnings and a mix of storefronts. The transoms feature a banded pattern of lites. Many of the storefronts are original, with bronze frames, butted glass, and original

vents and tiles at the bulkheads (Figure 6). Interrupting the storefronts are two upstairs entrances, proving access residences above.

One original door is topped by a three-by-four transom; the other has been altered with a single lite transom and a narrow sidelight. Both doorways are framed beneath archways that are supported on scrolled consoles and feature mosaic tiles on the face of the arch. The stucco is divided horizontally into bands and the lower band features art tiles between wide, slightly recessed panels below the windows. The windows, all one-over-one replacements, are configured in a mix of paired and individual units. The building is topped by a red Spanish-tile Mansard roof and simple frieze with tile insets that conceals the flat roof of the building. The eaves are shallow, with a shallow cornice in a repetitive-arch pattern.

Figure 4 2132-2154 Center Street, View Southwest

Figure 5 2132-2154 Center Street, View Northeast

Figure 6 2132-2154 Center Street, Typical Storefront Configuration, View Southeast

Property History – 2132-2154 Center Street

The subject property was constructed in 1904 during the building boom experienced by Berkeley in the early twentieth century in response to the expansion of the University of California and a resulting period of growth in downtown commerce. Designed by prominent Berkeley architect William H. Wharff (also known for Berkeley's Landmark Masonic Building), the building was constructed on the site of Berkeley School Board's Kellogg School, which extended from Center Street to Allston Way. Constructed by engineer/contractor Lindgren & Hicks under the supervision of realtor S.S. Quackenbush, the building was planned to be "a showpiece of the modern builder's art" (Figure 7). The builders moved their offices to the building once it was complete (Archives & Architecture 2015).

Figure 7 Thomas Block Building, c. 1908

Source: Berkeley Architectural Heritage Association

The Berkeley School Board owned the building until it was sold to Oakland furniture merchant Louis J. Breuner in 1925. Breuner had the building updated with Mediterranean revival style elements, including its stucco exterior, tile detailing, and embellishments, but retained the building's overall form. The site's proximity to the railway station on Shattuck Avenue and the university, proved to be a convenient commercial location for the growing Downtown and housed a number of commercial tenants. The building continues to be occupied by a variety of commercial establishments.

Historical Resources Evaluation

As previously described, 2132-2154 Center Street, was most recently evaluated as part of the Shattuck Avenue Commercial Corridor Historic Context and Survey in 2015. The intensive-level survey evaluation by Archives & Architecture found the building to be locally significant both individually and as a contributor to the Shattuck Avenue Commercial Corridor Historic District. Since the property was recorded in 2015, there have been no visible alterations to the Mediterranean Revival style building and there is no evidence to suggest it would no longer be eligible for local listing individually and as a contributor to the Shattuck Avenue Commercial Corridor Historic District. Though the District record was not updated as part of this study, a visual inspection of the surrounding properties that also contribute to the Shattuck Avenue Commercial Corridor Historic District remains intact.

In concurrence with the 2015 evaluation, this study recommends that the building is locally significant individually and as a contributor to the NRHP/CRHR-eligible Historic District. The property maintains sufficient integrity, including: its historic proportion of walls to windows; its rhythm and placement of windows; and extant tile detailing and décor, which are essential to convey its significance as an early 20th century commercial building in Downtown Berkeley's commercial center.

Physical Description – Shattuck Avenue Commercial Corridor Historic District

As described above, the proposed project is within the boundary of the Shattuck Avenue Commercial Corridor Historic District (Figure 8 through Figure 10). The District generally includes parcels along both sides of Shattuck Avenue between University Avenue and Durant Avenue. Several adjacent parcels along the intersecting side streets (University Avenue, Addison Street, Center Street, Allston Way, Kittredge Street, and Bancroft Way), as well as the parcels along the north side of University Avenue between Milvia and Walnut Streets are also included in the District. The area of the project site comprises the eastern boundary of the historic district, and is the last contributing resource to the district on the eastern side of Center Street.

Four identified contributors to the Shattuck Avenue Downtown Historic District are located on the same block, east of Shattuck Avenue between Center Street and Allston Way and are in the immediate proximity, within approximately 300 feet, of the property at 2132-2154 Center Street (Figure 11):

- 2128-2130 Center Street (1923)
- 2124-2126 Center Street (1902)
- 2161 Shattuck Avenue (1906)
- 2177 Shattuck Avenue (1895)

One contributor to the historic district, the 2128-2130 Center Street, also known as the Ennor's Restaurant Building is a two-story, Neoclassical commercial building directly adjacent to the project site. The building was developed when the Berkeley train depot was active in the city, and Center Street served as a main throughfare between the station and the University of California, Berkeley campus. Constructed in 1923, the building was originally used for a restaurant, banquet hall, bakery, and confectionary. It continued to be used as a restaurant before being converted into a two-screen movie theater, and finally a mixed-use commercial building. The building is constructed of buff brick with cast-stone accents and includes ground floor retail with offices above. Its character-defining features include parapet-topped front wall and party-wall commercial building footprint;

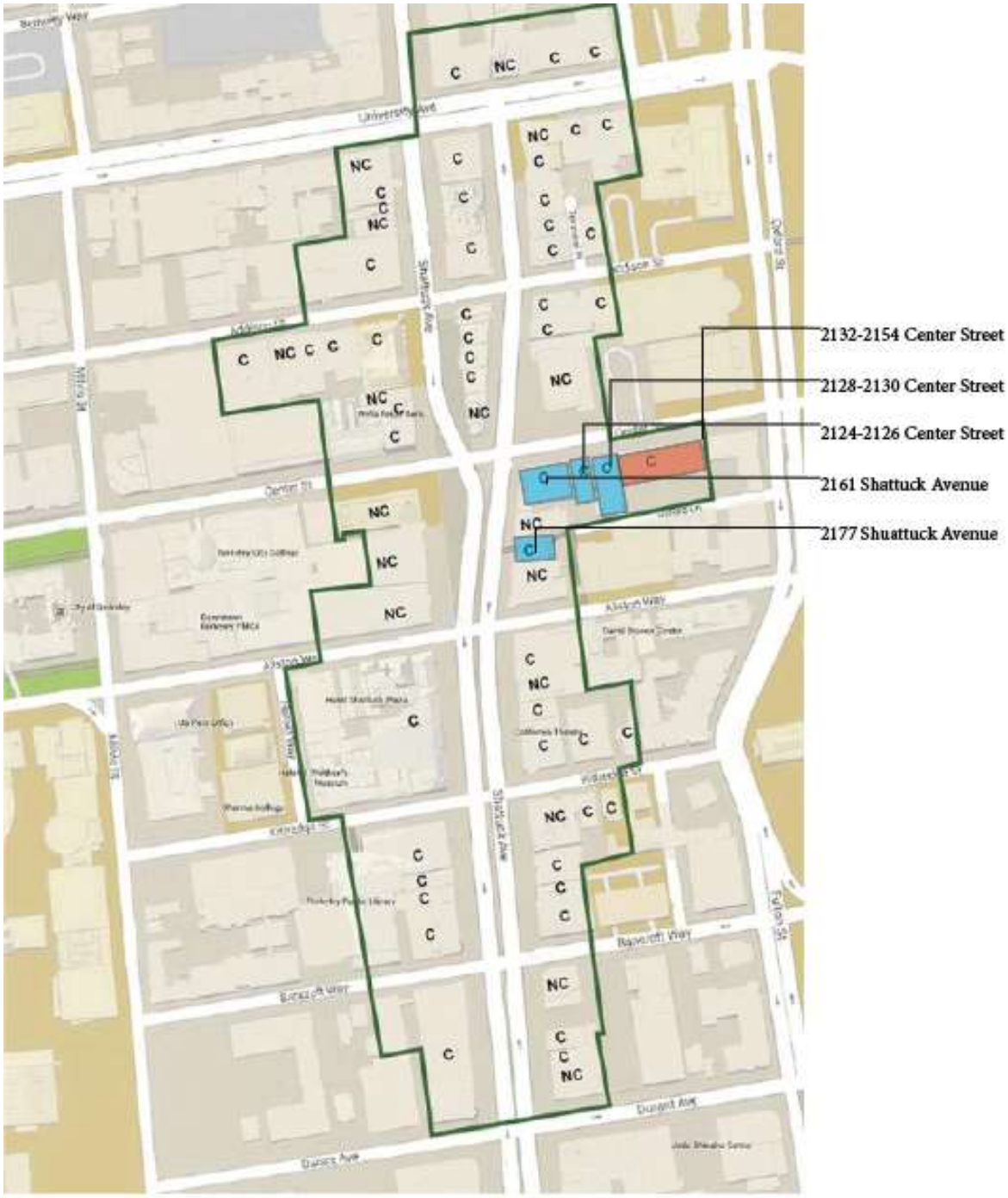
symmetrical design; buff brick façade with varying bond patterns and cast-stone accents; varying-width upper brick pilasters with cast stone bases and caps; green tile insets; upper ogee cornice; cast-stone sill band with brick fascia band and narrow storefront cornice; first-floor brick piers with cast-stone caps; original storefront transom windows (Archives & Architecture 2015). The building is also a designated City of Berkeley Landmark (06-40000028).

Figure 8 2132-2154 Center Street, 2128-2130 Center Street, 2124-2126 Center Street, and 2161 Shattuck Avenue, Left to Right, View Southeast

Figure 9 View of the Shattuck Avenue Commercial Corridor Historic District, Eastern Side of Shattuck Avenue, 2161 Shattuck Avenue (L), View East

Figure 10 View of View of the Shattuck Avenue Commercial Corridor Historic District, Western Side of Shattuck Avenue, Shattuck Hotel, View Southwest

Figure 11 Historic District Map



6 Impacts Analysis and Conclusions

The impact analysis included here is organized based on the cultural resources thresholds included in *CEQA Guidelines* Appendix G: Environmental Checklist Form:

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?
b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Threshold A broadly refers to historical resources. To more clearly differentiate between archaeological and built environment resources, we have chosen to limit analysis under Threshold A to built environment resources. Archaeological resources, including those that may be considered historical resources pursuant to Section 15064.5 and those that may be considered unique archaeological resources pursuant to Section 21083.2, are considered under Threshold B.

Because the proposed project is located in the Downtown Area it must be evaluated for consistency with the DAP as detailed above in Section 2.4 *Local Regulations*. The DAP EIR identifies impacts to cultural resources which could occur through the implementation of projects under the DAP and identifies measures to mitigate those impacts to the greatest extent feasible. These measures are considered as part of the impacts analysis below.

6.1 Historical Built Environment Resources

Impact CUL-1 of the DAP EIR recognizes that development anticipated under the DAP could result in the demolition of historical resources. Impacts resulting from the demolition of a historical resource represent a significant and unavoidable impact associated with DAP implementation and could not be mitigated to a level of less than significant. The proposed project would result in the demolition of two buildings, located at 2128 Oxford Street and 2132-2154 Center Street respectively. 2128 Oxford Street was constructed in 1996 and does not meet the 45-year age threshold required for historical resources eligibility under OHP guidelines. Its demolition therefore would not result in a significant impact pursuant to Section 15064.5 of the CEQA Guidelines.

As detailed above in Section 5.5.1, 2132-2154 Center Street, also known as the Thomas Block building was found to be locally eligible individually and as a contributor to the CRHR eligible Shattuck Avenue Commercial Corridor Historic District. The property, therefore, qualifies as a historical resource as defined by CEQA. The project would result in the demolition of the building. As such, the project would cause the material impairment of 2132-2154 Center Street, meaning it would alter in an adverse manner, those physical characteristics that convey its historical significance and that justify its eligibility for listing individually and as a contributor to the Shattuck Avenue Commercial Corridor Historic District. The project would therefore result in a substantial adverse change to the significance of a historical resource and result in a ***significant impact to historical resources*** pursuant to Section 15064.5(b) of the CEQA Guidelines.

In consideration of potential impacts to other historical resources in the Downtown Area, Impact CUL-2 the DAP EIR recognizes that implementation of the DAP may cause substantial adverse changes in the character-defining features of structures the Downtown Area such as the Shattuck Avenue Commercial Corridor Historic District. To address these impacts, the DAP EIR included Mitigation CUL-2, which led to the establishment of the Downtown Berkeley Design Guidelines. Per the DAP EIR, project-specific compliance with the provisions of the Landmark Preservation Ordinance, conformance with the Standards (consistent with DAP Policy HD 1-1a), and consistency with updated Design Guidelines would protect the character-defining features of those portions of the Downtown Area which may have the potential for designation as historic districts would reduce potential impacts associated with development that might jeopardize existing character defining features in those areas to a less-than-significant level.

The proposed project includes the construction of a new mixed-use building that will be 26 stories, measuring 288-feet high. Four identified historical resources in the vicinity of the project site are contributors to the proposed Shattuck Avenue Commercial Corridor Historic District, including 2128-2130 Center Street, directly adjacent to the project site, also known as the Ennor's Restaurant Building. The Neoclassical commercial building is also a City of Berkeley Landmark. As adopted by the DAP EIR, potential impacts to the Ennor's Restaurant Building and other adjacent historical resources must be considered through an analysis of a project's conformance to the provisions of the Landmark Preservation Ordinance, the Standards, and Downtown Berkeley Design Guidelines. The provisions of the Landmark Preservation Ordinance, which require review of applications for permits to carry out any construction, alteration, or demolition on an initiated or designated historic district by the Landmarks Preservation Commission is not applicable to this project. Though the historic district has been identified and evaluated for eligibility and is a historical resource for the purposes of CEQA, it has been neither designated nor formally initiated for designation as a locally designed historic district.

The Standards are primarily focused on alterations occurring directly to and/or within the boundaries of a historic property. The Standards do, however, provide guidelines related to changes in the setting of a district or neighborhood, which is described as the larger area or environment in which a historic building (or property such as a district) is located. That guidance recommends the identification, retention, and preservation of buildings and landscapes that define the overall character of the setting, such as roads and streets, or important views and visual relationships. The proposed project, which is located within the boundary of the Shattuck Avenue Commercial Corridor Historic District, will result in a new building that will be substantially taller than surrounding contributing buildings to the historic district, which generally range from two to three stories high on side streets and reach up to twelve stories along Shattuck Avenue. It will, as a result, introduce a new visual feature to the district by introducing a building which is taller than the contributing buildings. The visual impact on the historic setting will be somewhat reduced, however, by its location. As previously described, the project site is at the eastern edge of the district boundary and though Ennor's Restaurant Building and other buildings on the south side of Center Street are contributors to the district, buildings opposite the subject building and within the district boundary are not contributors to the district, including one recent 12-story development adjacent to the project site at the northeast corner of Center Street and Shattuck Avenue. The proposed project's effect on the historic relationship between the historic district and the commercial corridor of Shattuck Avenue, would be lessened by its location on the eastern edge of the district boundary and by its consistency with the surrounding recent development approved within the historic district boundary.

Additionally, the proposed project design implements materials, color, cornice design, fenestration patterns, structural bays, roof forms, and vertical projections consistent with guidance in the Downtown Berkeley Design Guidelines. Furthermore, the proposed storefront design along Oxford Street is consistent with the existing streetwall and continues the historic rhythm of structural bays. The proposed set back at upper floors reinforces the existing dominant roof and cornice lines of adjacent historic buildings. Overall, the proposed design is consistent with guidance in the Downtown Berkeley Design Guidelines, inclusive of its six areas—building design; awning and canopies; signs and graphics; site design; special sites, buildings, and subareas; and special considerations, thereby meeting requirements set forth by Mitigation CUL-2 of the DAP EIR and resulting in a ***less than significant impact to the Shattuck Avenue Commercial Corridor Historic District and its other contributing buildings***.

Other potential impacts could occur to surrounding resources through construction activity, which will intermittently generate vibration on and adjacent to the project site. Although pile drivers, which generate strong ground borne vibration, would not be used during construction, vibration-related impacts could occur through other equipment, including bulldozers and loaded trucks to move materials and debris, and vibratory rollers for paving. Vibration-generating equipment on the project site would be used as close as approximately 15 feet from the nearest sensitive receivers to the south. Additionally, vibration-generating equipment may be used as close as five feet to the City of Ennor's Restaurant Building.

DAP EIR Mitigation Measures NOI-6 would apply to minimize exposure to vibration from construction activities and would require the avoidance of pile driving, vibratory rollers, and other vibration-generating activities where feasible near sensitive areas, such as the adjacent Ennor's Restaurant Building. It would also require the project applicant to develop a vibration monitoring plan, to be approved by the City. Additionally, the applicant would be subject to the City's standard condition of approval to notify businesses and residents within 500 feet of the site of impending construction activities, the daily construction schedule and expected duration, and contact information for a liaison responsible for responding to local complaints about construction noise. This requirement would ensure prior notification of construction activities that generate noise and vibration.

With implementation of these DAP EIR measures and conditions of approval, the project's construction-period noise and vibration impacts would be less than significant. Therefore, ***impacts to adjacent historical resources would be less than significant.***

6.1.1 Recommended Mitigation

CR-1 Building Documentation

Archival documentation of as-built and as-found condition shall be prepared for 2132-2154 Center Street, prior to demolition. Prior to issuance of demolition permits, the City of Berkeley shall ensure that documentation of the building proposed for demolition is completed at the project applicant's expense. Documentation should follow the general guidelines of the National Park Service (NPS) Heritage Documentation Program-like standards and shall include high resolution digital photographic recordation, an outline format historic report, and compilation of historic research. The documentation shall be completed by a qualified professional who meets the standards for history or architectural history as set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61). The original documentation shall be offered as donated material by the lead agency to repositories such as the Berkeley Architectural

Heritage Association and to the Berkeley Public Library to make it available for current and future generations. Archival copies of the documentation also would be submitted to the City of Berkeley and Northwest Information Center (NWIC) where it would be available to local researchers.

CR-2 Shattuck Avenue Commercial Corridor Historic District Update

Prior to the issuance of a certificate of occupancy, the existing record for the Shattuck Avenue Commercial Corridor District, first identified in the 2009 Downtown Area Plan and recorded and evaluated in *Shattuck Avenue Commercial Corridor Historic Context and Survey* in 2015 by Archives & Architecture, shall be updated. The City of Berkeley shall ensure that an updated survey and evaluation of the Historic District shall be undertaken at the project applicant's expense to document and verify the conditions of the Historic District. The Department of Parks and Recreation District Record (Series 523D) forms shall be updated to document changes to the historic district, including alterations, demolitions, and changes in setting. The documentation shall be completed by a qualified professional who meets the standards for history or architectural history as set forth by the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61).

6.1.2 Significance After Mitigation

Though the proposed mitigation measures described above would reduce the impacts of the demolition of the 2132-2154 Center Street to the extent feasible, the proposed project would result in the demolish of a CRHR eligible and local designation historic resource at 2132-2154 Oxford Street. Because the project would demolish a historical resource, even with implementation of mitigation, the impact would remain significant and unavoidable. No other feasible mitigation measures are available to further reduce the identified impact.

6.2 Historical and Unique Archaeological Resources

This study identified [redacted] Furthermore, the project site is located within 150 feet of Strawberry Creek, and water sources are known to be conducive to long-term habitation. Sediments within the project site date to the Holocene which is the era of human occupation and native soils are identified between 66 to 72 inches (5.5 to 6 feet) below surface. Given that planned excavation associated with project construction could reach up to 15 ft in depth, native soils are likely to be disturbed and there is a higher likelihood of site constituents being identified in areas that have only previously undergone shallower excavation, [redacted]

[redacted] As such, the project site is considered highly sensitive for intact buried cultural deposits. Furthermore, the SLF results were positive for sacred lands, [redacted], and according to the City's DAP EIR, a high potential for Native American cultural resources exists within the project vicinity. As such, the project site is highly sensitive for archaeological resources.

Rincon recommends mitigation measures for the Preparation of a Cultural Resources Mitigation and Monitoring Plan, Preparation of an Interpretive and Educational Plan, Archaeological Monitoring, Native American Monitoring, and a Strawberry Creek Ohlone Past & Present Interpretive Display. Additionally, the project is also required to comply with the Mitigation Measures included in the DAP EIR, as well as the City of Berkeley's Standard Conditions of Approval (COA). With adherence to the measures and COAs, Rincon recommends a finding of ***less than significant impact with mitigation for archaeological resources*** under CEQA.

6.2.1 Recommended Mitigation

Project Mitigation Measures

CR-3 Preparation of a Cultural Resources Mitigation and Monitoring Plan

The applicant shall retain a Qualified Archaeologist, meeting the Secretary of Interior's Professional Qualification Standards, to oversee all aspects of the cultural resources mitigation measures. Avoidance and preservation in place is the preferred manner of mitigating impacts to historical resources of an archaeological nature. If the Qualified Archaeologist in coordination with the City, the applicant, and the consulting Tribe(s) determine that preservation in place is infeasible, the Qualified Archaeologist shall prepare and oversee the implementation of a Cultural Resources Mitigation and Monitoring Plan (CRMMP). To reduce impacts to Oxf-001, the CRMMP shall include an archival research and data recovery plan component, a worker's environmental awareness program (WEAP), an archaeological and Native American monitoring plan, and an unanticipated discoveries plan. Preparation of the CRMMP and implementation of its archival research and data recovery plan component shall be completed prior to the issuance of a demolition permit. The CRMMP shall be prepared in consultation with the Confederated Villages of Lisjan and in coordination with local interested historical groups. Implementation and the effectiveness of the CRMMP requirements shall be assessed by the City on a monthly basis during the pre-construction, construction, and post-construction phases of the project.

Archival research shall be conducted to prepare a detailed development history of the project site and shall include, but not be limited to, review of historic literature, records, and maps held at UC Berkeley, and local historical groups, and libraries. The CRMMP will identify which local historical groups will be contacted as part of this background research. The results of the archival research shall be the basis for a historic context presented in the data recovery plan and shall inform methods to be implemented as part of the data recovery as well as interpretations of the data recovery results. The data recovery plan shall include excavation methods for: initial investigations to determine the extent and content of Oxf-001 in order to narrow in on the most productive areas for data recovery excavations; the methods for data recovery excavations aimed at recovering the scientifically important data contained in Oxf-001; and methods for documentation, mapping, artifact collection, special studies, laboratory analysis and cataloging, curation, and reporting. The data recovery plan shall also include procedures for the treatment of human remains.

The WEAP component of the CRMMP shall include training materials that will be presented to construction personnel to inform them of the cultural sensitivity associated with the site and to provide procedures when working in culturally sensitive areas and in coordination with archaeological and Native American monitors. The training shall include a description of the types of materials that could be encountered, procedures to be implemented in the event resources are discovered, stop work authorizations and notification protocols, and laws protecting cultural resources. All construction personnel shall attend WEAP training prior to participating in any ground disturbing work on the project site and WEAP training attendance sheets shall be prepared and retained on site and available to the City.

The monitoring plan component of the CRMMP shall include monitoring procedures and requirements that will be implemented during project construction. Archaeological and Native American monitoring shall be conducted during all ground disturbing activities including pavement removal, grading, and trenching. Procedures shall include provisions for the reduction or termination of construction monitoring at the recommendation of the Qualified Archaeologist and in coordination with the City and the consulting Tribe(s).

The discovery plan component of the CRMMP shall address procedures and notifications to be implemented in the event of an unanticipated discovery of archaeological resources during ground disturbing activities. The procedures outlined within the discovery plan for unanticipated discoveries will take into account the procedures documented in the DAP EIR, the City's Conditions of Approval, and tribal recommendations The discovery plan shall include procedures by which the Qualified Archaeologist, in coordination with the consulting Tribe(s), for discoveries of Native American origin, will consider whether the discovery is associated with Oxf-001 or constitutes a separate and individual resource. If a discovery is determined to be associated with Oxf-001, the Qualified Archaeologist shall determine whether the unanticipated discovery is a contributor in that it contributes new or different data and information than what had been recovered during implementation of the data recovery plan and further data recovery shall be implemented. For redundant discoveries associated with Oxf-001, no additional data recovery shall be conducted, unless otherwise determined necessary through consultation between the City, the consulting Tribe(s), and the Qualified Archaeologist. If the discovery is determined to be unrelated to Oxf-001, the resource shall be evaluated for listing in the CRHR and if recommended eligible by the Qualified Archaeologist, treatment implemented, as needed. Work in the area of a discovery shall not resume until the aforementioned steps are completed.

Additionally, the CRMMP will document the process for the repatriation of any and all Native American materials to the appointed Most Likely Descendant (MLD). As a result of AB 52 consultation between the City and the consulting Tribe(s), the reburial of all Native American materials shall take place within the project site in a location agreed upon by the consulting Tribe(s), the MLD (if appointed and if different from the consulting Tribe(s), the City, and the applicant through consultation. The area selected for reburial shall be defined as a Cultural Resources Easement and marked on City map as an area not to be excavated and free of further disturbance, including utilities.

CR-4 Preparation of an Interpretive and Educational Plan

Following the completion of ground disturbing activities associated with the project and prior to the issuance of occupancy permits, the Qualified Archaeologist shall prepare a plan to provide for public interpretation and education focused on providing public access to the results of the implementation of the CRMMP. Interpretation and education may include, but is not limited to,

educational or interpretive panels or signage, exhibits, web-based or other media, and placing non-confidential materials and reports on file at UC Berkeley, with local historical societies, and libraries. The plan shall also include the reintegration of the Kellogg School Berkeley Historic Plaque within the project site. The reintegration of the existing plaque will necessitate coordination with the Berkeley Historical Plaque Project which are responsible for the current location of the plaque. The Interpretive and Educational Plan shall be prepared in consultation with the Confederated Villages of Lisjan on Native American aspects and in coordination with Project Mitigation Measure TCR-1, and in coordination with local interested historical groups on historic aspects. Implementation and the effectiveness of the Interpretive and Educational Plan requirements shall be assessed by the City on a monthly basis until implementation of the plan is completed.

CR-5 Archaeological Monitoring

Archaeological monitoring shall be performed under the direction of the Qualified Archaeologist during all ground disturbing activities including pavement removal, grading, and trenching. The archaeological monitor shall have the authority to halt and redirect work should any archaeological resources be identified during monitoring. If archaeological resources are encountered during ground-disturbing activities, work within 50 feet of the find must halt and the find evaluated for listing in the CRHR. The Qualified Archaeologist, in consultation with the consulting tribe(s)for resources of Native American origin, shall determine whether the discovery is associated with Oxf-001 and whether it constitutes a contributor or whether the discovery is a separate and individual resource. Work in the area of the discovery shall not resume until the Qualified Archaeologist has recommended and implemented treatment of the discovery, as needed. Archaeological monitoring may be reduced or halted by the Qualified Archaeologist, as identified in the CRMMP.

TCR-1 Native American Monitoring

Prior to ground disturbing activities, a Native American monitor from the Confederated Villages of Lisjan shall be retained. If a Native American monitor from the Confederated Villages of Lisjan cannot be retained, another Tribe with cultural affiliations to the project site can be contacted for monitoring. The consulting Tribe, in consultation with the lead agency, and in coordination with the qualified archaeologist, will have the authority to halt and redirect work should any archaeological or tribal cultural resources be identified during monitoring. If archaeological or tribal cultural resources are encountered during ground-disturbing activities, work within 50 feet of the find must halt and the find evaluated for listing in the CRHR and NRHP. Monitoring may be reduced or halted at the discretion of the Native American monitor, in consultation with the lead agency, as warranted by conditions such as encountering bedrock, sediments being excavated are fill, or negative findings during the first 50 percent of the entire area of ground-disturbance. Avoidance and preservation in place, as well as other mitigation options identified in PRC Section 21084.3 shall be considered by the lead agency. However, if these measures are determined infeasible, treatment shall be implemented in coordination amongst the Confederated Villages of Lisjan, the City, and the Qualified Archaeologist. If monitoring is reduced to spot-checking, spot-checking shall occur when ground-disturbance moves to a new location within the project site and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock).

TCR-2 Strawberry Creek Ohlone Past & Present Interpretive Display

The project applicant shall be responsible for the design, production and installation of a permanent interpretive display that focuses on the Confederated Villages of Lisjan's past/present use of the area around Strawberry Creek in Downtown Berkeley. The display will be designed in consultation

with the Confederated Villages of Lisjan Nation/consulting tribe and will be located in a publicly-accessible area, prior to receipt of occupancy. The style of display (e.g., mounted story board, mural, pavement installation, etc.) shall be selected in consultation with the Confederated Villages of Lisjan Nation with the goal of educating the public about the area's significance to the Confederated Villages of Lisjan. Plans for the display shall be subject to review and approval by the City's Land Use Planning Division prior to installation. DAP EIR Mitigation Measures

Mitigation CUL-3: Halt Work/Archaeological Evaluation/Site-Specific Mitigation.

If archaeological resources are uncovered during construction activities, all work within 50 feet of the discovery shall be redirected until a qualified archaeologist can be contacted to evaluate the situation, determine if the deposit qualifies as an archaeological resource, and provide recommendations. If the deposit does not qualify as an archaeological resource, then no further protection or study is necessary. If the deposit does qualify as an archaeological resource, then the impacts to the deposit shall be avoided by project activities. If the deposit cannot be avoided, adverse impacts to the deposit must be mitigated. Mitigation may include, but is not limited to, archaeological data recovery. Upon completion of the archaeologist's assessment, a report should be prepared documenting the methods, findings and recommendations. The report should be submitted to the City, the project proponent, and NWIC.

Mitigation CUL-5: Halt Work/Coroner's Evaluation/Native American Heritage Consultation/Compliance with Most Likely Descendent Recommendations.

If human remains are encountered during construction activities, all work within 50 feet of the remains should be redirected and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation. If the human remains are of Native American origin, the Coroner must notify the NAHC within 24 hours of this identification. The NAHC will identify a Native American MLD to inspect the site and provide recommendations for the proper treatment of the remains and any associated grave goods. The archaeologist shall recover scientifically-valuable information, as appropriate and in accordance with the recommendations of the MLD. Upon completion of the archaeologist's assessment, a report should be prepared documenting methods and results, as well as recommendations regarding the treatment of the human remains and any associated archaeological materials. The report should be submitted to the City, the project proponent, and NWIC.

6.2.2 City's Standard Conditions of Approval - Archaeological Resources (Ongoing throughout Demolition, Grading, and/or Construction)

Pursuant to *CEQA Guidelines* section 15064.5(f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore:

a. In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist, historian or paleontologist to assess the significance of the find.
b. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified professional would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be

made by the City of Berkeley. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by the qualified professional according to current professional standards.

c. In considering any suggested measure proposed by the qualified professional, the project applicant shall determine whether avoidance is necessary or feasible in light of factors such as the uniqueness of the find, project design, costs, and other considerations.
d. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation measures for cultural resources is carried out.
e. If significant materials are recovered, the qualified professional shall prepare a report on the findings for submittal to the Northwest Information Center.

6.3 Human Remains

The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be of Native American origin, the Coroner will notify the NAHC, which will determine and notify a MLD. The MLD has 48 hours from being granted site access to make recommendations for the disposition of the remains. If the MLD does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from subsequent disturbance.

6.3.1 City's Standard Conditions of Approval - Human Remains (Ongoing throughout Demolition, Grading, and/or Construction)

In the event that human skeletal remains are uncovered at the project site during ground-disturbing activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the *CEQA Guidelines*. If the County Coroner determines that the remains are Native American, the City shall contact the NAHC, pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.

With adherence to existing regulations and the City's COAs, Rincon recommends a finding ***of less than significant impact to human remains*** under CEQA.

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Attachment A

Downtown Berkeley Design Guidelines

DOWNTOWN BERKELEY
DESIGN GUIDELINES

CITY OF BERKELEY | 2012

CONTENTS

Acknowledgements

1993 Downtown Design Guidelines

Jeffrey S. Leiter, Mayor
Loni Hancock, Former Mayor
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Downtown Berkeley Associaton
Berkeley Main Street
Design Committee
Berkeley Architectural Heritage Association
Planning Commission
Landmarks Preservation Commission
Design Review Committee
Berkeley Design Advocates

Numerous local citizens, architects, property owners, and business people

2011/2012 Amendments

Tom Bates, Mayor
Members of the City Council
Phil Kamlarz, City Manager/
Christine Daniel, Interim City Manager
Dan Marks, Planning Director/
Wendy Cosin, Interim Planning Director
Matt Taecker, Principal Planner & Designer/
Alexander Amoroso, Principal Planner

Members of the Planning Commission
Landmarks Preservation Commission
Design Review Committee
Downtown Area Interns

INTRODUCTION

- PURPOSE
- OBJECTIVES OF THE DOWNTOWN AREA PLAN

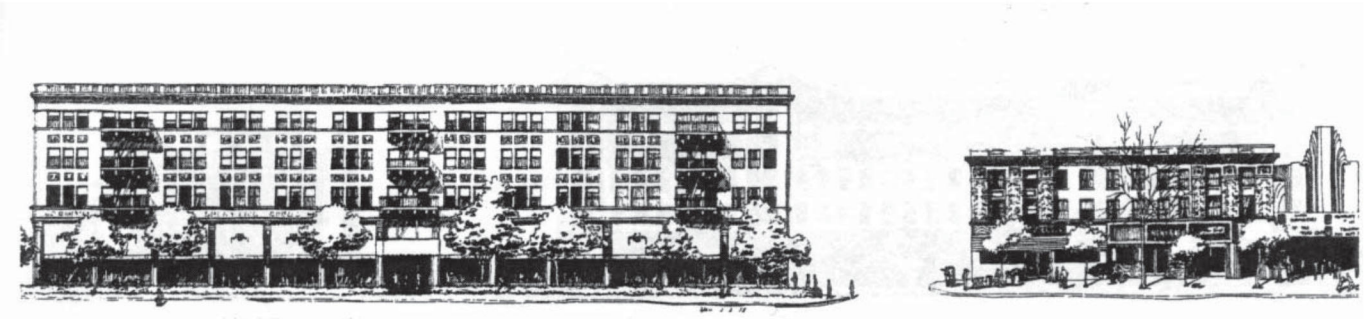


Figure 1: Downtown Berkeley *(Artist: Yeo Hock Wah; Source: Berkeley Architectural Heritage)*

INTRODUCTION

PURPOSE

These design guidelines implement the objectives and policies of the Historic Preservation and Urban Design chapter of the Berkeley Downtown Area Plan. The Downtown Area Plan establishes policies to guide future physical development in the Downtown Area, and sets as a priority the preservation of historic buildings, while promoting new development that complements Downtown's traditional and human-scaled character. New development should also address today's needs, and these Guidelines are not intended to discourage contemporary architectural expressions so long as they are appropriately sensitive to their context.

This document provides specific guidance on how to modify existing buildings and construct new ones in a manner which furthers the goals and objectives of the Downtown Area Plan. It also describes the sequence of City reviews and approvals leading to a building permit, as well as code and other considerations which may affect certain types of projects.

This document is written for property owners, building tenants, architects, designers, developers, city staff, and members of City boards and commissions who influence physical change in Downtown. It is meant as a guide to ensure that future changes will protect, enhance, and be compatible with the historic character of Downtown Berkeley.

While the Downtown Area includes some residential-only blocks, the focus of these Guidelines – and the principal focus of the Downtown Area Plan – are areas where a mix of uses can be developed, including commercial, cultural, and residential uses.

OBJECTIVES OF THE DOWNTOWN AREA PLAN

The Berkeley Downtown Area Plan establishes four goals for Historic Preservation and Urban Design:

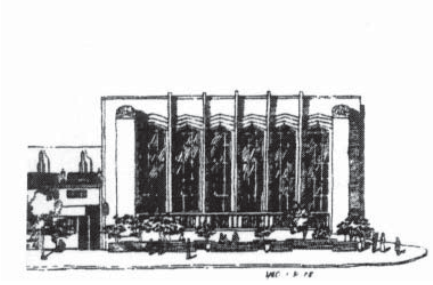
Goal HD-1: ***Conserve Downtown's historic resources, unique character, and sense of place.***

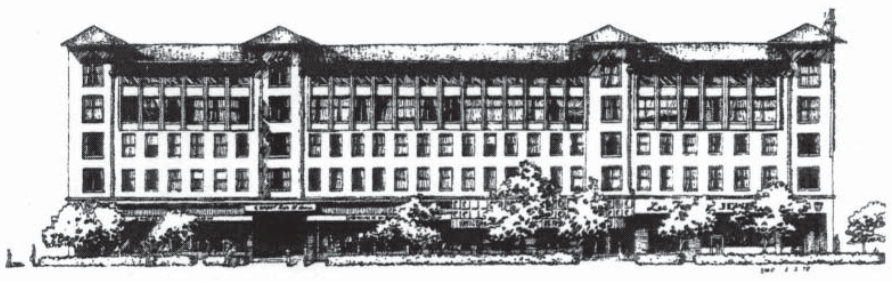
Goal HD-2: ***Enhance areas of special character in Downtown, such as clusters of historic resources.***

Goal HD-3: ***Provide continuity and harmony between the old and the new in the built environment.***

Goal HD-4: ***Improve the visual and environmental quality of Downtown, with an emphasis on pedestrian environments that are active, safe, and visually engaging. Encourage appropriate new development Downtown.***

These goals, and their respective policies, have already been incorporated in the design of several successful development projects in the Downtown Area. Recent investments in historic rehabilitation, renovation, and suitably scaled new construction demonstrate that the multiple goals of economic viability, historic preservation, and sensitive urban design are complementary, and that good design is good for business.





PROCEDURES

- PROJECTS SUBJECT TO THESE GUIDELINES
- HOW TO USE THIS DOCUMENT
- HOW THIS DOCUMENT WILL BE USED TO REVIEW PROJECTS
- COMMENTS & SUGGESTIONS
- REVIEW PROCEDURES

PROJECTS SUBJECT TO GUIDELINES

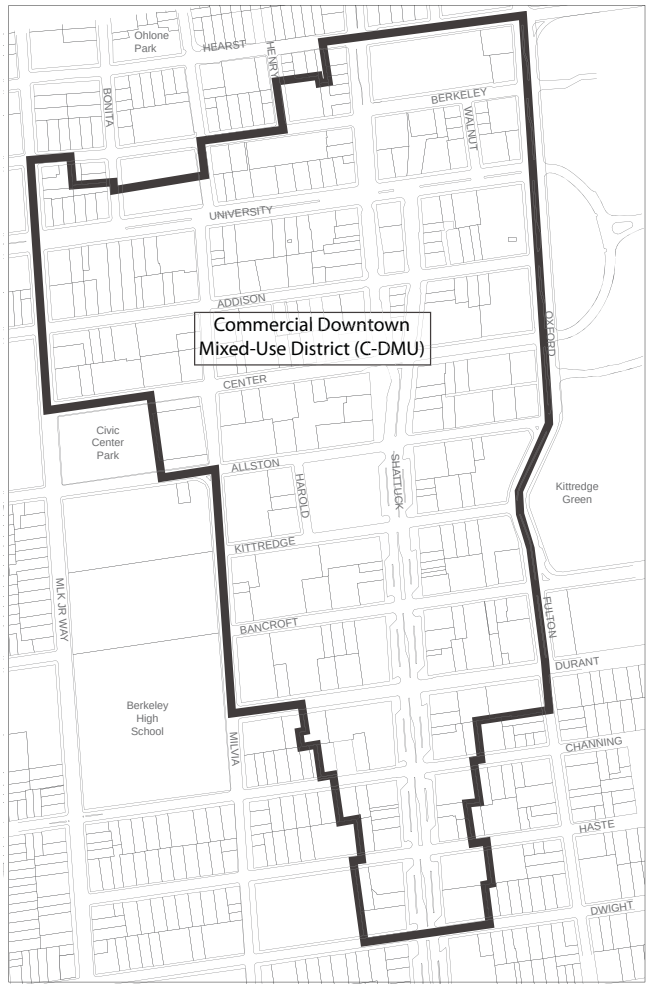


Figure 2: Commercial Downtown Mixed-Use (C-DMU) District Area. *These Guidelines apply to parcels where mixed-use development is permitted. See Zoning Code for updates.*

These design guidelines apply to parcels and projects located within the Commercial Downtown Mixed-Use (C-DMU). District as defined by Berkeley's Zoning Ordinance and illustrated by Figure 2. Projects subject to these guidelines include all new construction projects; renovations and historic restorations; and façade changes such as storefront remodels, signs, and awnings. Sites and buildings owned by public institutions are also subject to these guidelines.

Within most sections of this document, there are 3-categories of guide lines: those which apply to Landmark Buildings, to Significant Buildings, and to All Buildings. Design guidelines for Landmark Buildings acknowledge that these structures are Downtown's most precious historic resources, and encourage an historically accurate restoration. The guidelines for Significant Buildings are somewhat more flexible in terms of materials and details; however, the architectural character of Significant Buildings must be preserved.

A map of Landmark and Significant Buildings is included in this document (see Figure 5). This map summarizes the status of parcels throughout the Downtown Area as of March 2009. It indicates the following classes of individual properties:

- "Designated Landmark or Structure of Merit." This includes properties designated as of March 2009.

- "Significant per BOTH 1993 LPC List and 1994 Design Guidelines." These are properties (other than those that have been designated as Landmarks or Structures of Merit) that were included in the 1993

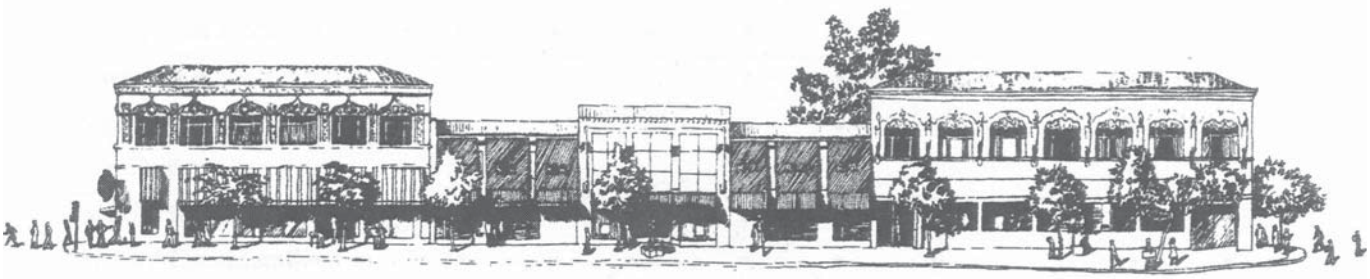


Figure 3: Downtown Berkeley (Artist: Yeo Hock Wah; Source: Berkeley Architectural Heritage)

LPC list of significant buildings as well as in the 1994 Design Guidelines' list of significant buildings.

- "Building on the SHRI." This consists of buildings (other than those in the map's above two categories) that were recorded by the State Historic Resources Inventory of 1977–1979.

- "Other Building Called Contributing or Significant by BAHA Report, 1990 Downtown Plan, LPC List, and/or Design Guidelines." Many of these are buildings were identified as "contributing" by the 1990 Downtown Plan.

- "Development Opportunity Site Apparently Containing No Historic Resource." The mapping of these sites is tentative and illustrative. Nearly all of them involve one-story buildings, parking lots or other open uses, or vacant land. A few properties with two-or-more-story buildings are shown in special cases, including some buildings that are very near the BART station or that have serious seismic problems.

The map also depicts the boundaries of the Civic Center Historic District and the Berkeley High School Historic District.

The guidelines for All Buildings apply to new construction projects and all existing buildings, which are not on the Landmark and Significant Building Lists. Note that additional properties may be documented and designated as historic. On the other hand, some properties that are noted as "Contributing" and "Significant" by the 1987 BAHA report and/or 1990 Downtown Plan may—upon further analysis—be deemed to be not historic. While these design guidelines stress the retention and enhancement of the historic character of Downtown, new design ideas or departures from the guidelines may be considered so long as the design contributes to the overall image and historic context of Downtown Berkeley.

HOW TO USE THIS DOCUMENT

This document is organized so that many chapters and sections are interrelated. All users should read the Introduction, Procedures, and Historical Overview chapters in order to understand the context within which this document is written. To determine other applicable chapters, sections, and guidelines, follow the steps outlined below.

Step One: Determine your project type.

Nine project types are identified in the chart on page 15. Determine your project type and refer to the Guidelines Sections identified in the chart.

Step Two: Determine your building type.

To determine if your project affects a historic resource or potential historic resource, check the map on page 18, and the List of Landmark and Significant Buildings. Always check with the Secretary to the Landmarks Preservation Commission before assuming that a building is not a Landmark or Significant Building as new historic designations may occur.

Within most sections of this document, there are guidelines for All Buildings, Significant Buildings, and Landmark Buildings. These three subdivisions are arranged hierarchically; in case of contradictions, the design guidelines for All Buildings are superseded by Significant Buildings, which are superseded by Landmark Buildings. The checklist below will help you to determine which guidelines to reference for your project.

___ Landmark Building	use guidelines for Landmark Buildings
___ Significant Building	use guidelines for Significant Buildings
___ Contributing Building	analysis & LPC review required to determine building type
___ New Construction	use guidelines for All Buildings
___ all other buildings	use guidelines for All Buildings

Table 1: Project Types

PROJECT TYPES **GUIDELINES**	Construct New Building	Remodel or Modify Storefront	Remodel Upper Floors	Restore Historic Building	Restore or Modify Store-front on Historic Building	Install or Change Sign	Install or Change Awning	New Parking Structure	New Parking Lot
INTRODUCTION	•	•	•	•	•	•	•	•	•
PROCEDURES	•	•	•	•	•	•	•	•	•
HISTORICAL OVERVIEW	•	•	•	•	•	•	•	•	•
BUILDING DESIGN									
Facades	•	•	•	•	•	•	•	•	
Roof Forms	•		•	•				•	
Storefronts & Entrances	•	•		•	•	•	•	•	
Materials	•	•	•	•	•			•	
Details & Ornament	•	•	•	•	•	•	•	•	
Color	•	•	•	•	•	•	•	•	
Lighting, Security & Equipment	•	•	•	•	•			•	•
Special Historic Features	•	•	•	•	•				
AWNINGS & CANOPIES	•	•		•	•		•	•	
SIGNS & GRAPHICS	•	•		•	•	•		•	•
SITE DESIGN	•	•						•	•
SPECIAL SITES, BUILDINGS & SUBAREAS	•	•	•	•	•			•	•
SPECIAL CONSIDERATIONS	•	•	•	•	•	•	•	•	•
APPENDIX	•	•	•	•	•	•	•	•	•

Step Three: Determine your building or site location. Use the map on page 18.

If it is

____ on University Avenue
____ on Shattuck Avenue
____ at an Oxford Street intersection
____ at a street corner
____ in the Civic Center area
____ along or part of an important visa
____ a Civic Building in the downtown area
____ a parking lot or structure
____ a Green Pathway project adjacent to a property that is an historic resource or has been designated as a City landmark or structure of significance then you must also abide by guidelines in the Special Sites & Buildings chapter, and portions of the Site Design chapter, in addition to those of other chapters. The Special Sites & Buildings guidelines supersede all others, except for guidelines for Landmark Buildings.

HOW THIS DOCUMENT WILL BE USED TO REVIEW PROJECTS

When used in early phases of project design, these guidelines provide essential direction and will help expedite the development review process. Projects will be reviewed for conformance with these guidelines by City staff and review boards and commissions prior to application for a building permit. As every project and circumstances is unique, each project will be reviewed on a case by case basis. Projects which do not strictly follow the guidelines may require justification for non-compliance and/or conditions of approval.

COMMENTS & SUGGESTIONS

In order to ensure that the guidelines in this document accomplish the objectives of the Downtown Plan, they will be reviewed on a periodic basis. Comments and suggestions for revisions are welcome, and should be made in written form to:

Secretary to the Design Review Committee
City of Berkeley, Department of
Planning andDevelopment
2120 Milvia Street
Berkeley, CA 94704

Figure 4: Downtown Berkeley *(Artist: Yeo Hock Wah; Source: Berkeley Architectural Heritage)*

REVIEW PROCEDURES

Review procedures may be summarized as follows:

1 *Read these guidelines thoroughly.*

2 *Obtain information and submittal requirements on line at the Zoning counter. Schedule a pre-application meeting to address issues and guidelines specific to your project if you still have questions. This meeting may be scheduled by calling the Design Review Planner at 981-7410.*

3 *For further assistance, call Land Use Planning at 981-7410. The Downtown Berkeley Association, the Berkeley Historical Society, and the Berkeley Architectural Heritage Association may be able to provide additional information and/or input concerning your project and its site. Call Land Use Planning for contact information if needed,*

4 *Submitting an application for Design Review or, for a Landmark, a Structural Alteration Permit. initiates the design review process. (Find the Planning & Development Department page at www.cityofberkeley.info for information on obtaining Planning Approval.)*

5 *Submit appropriate materials for review. Submittal requirements can be found on website listed above. Depending upon the scope of the project and its building type, approval must be obtained from the Zoning Adjustments Board, City staff, the Design Review Committee, and/or the Landmarks Preservation Commission.*

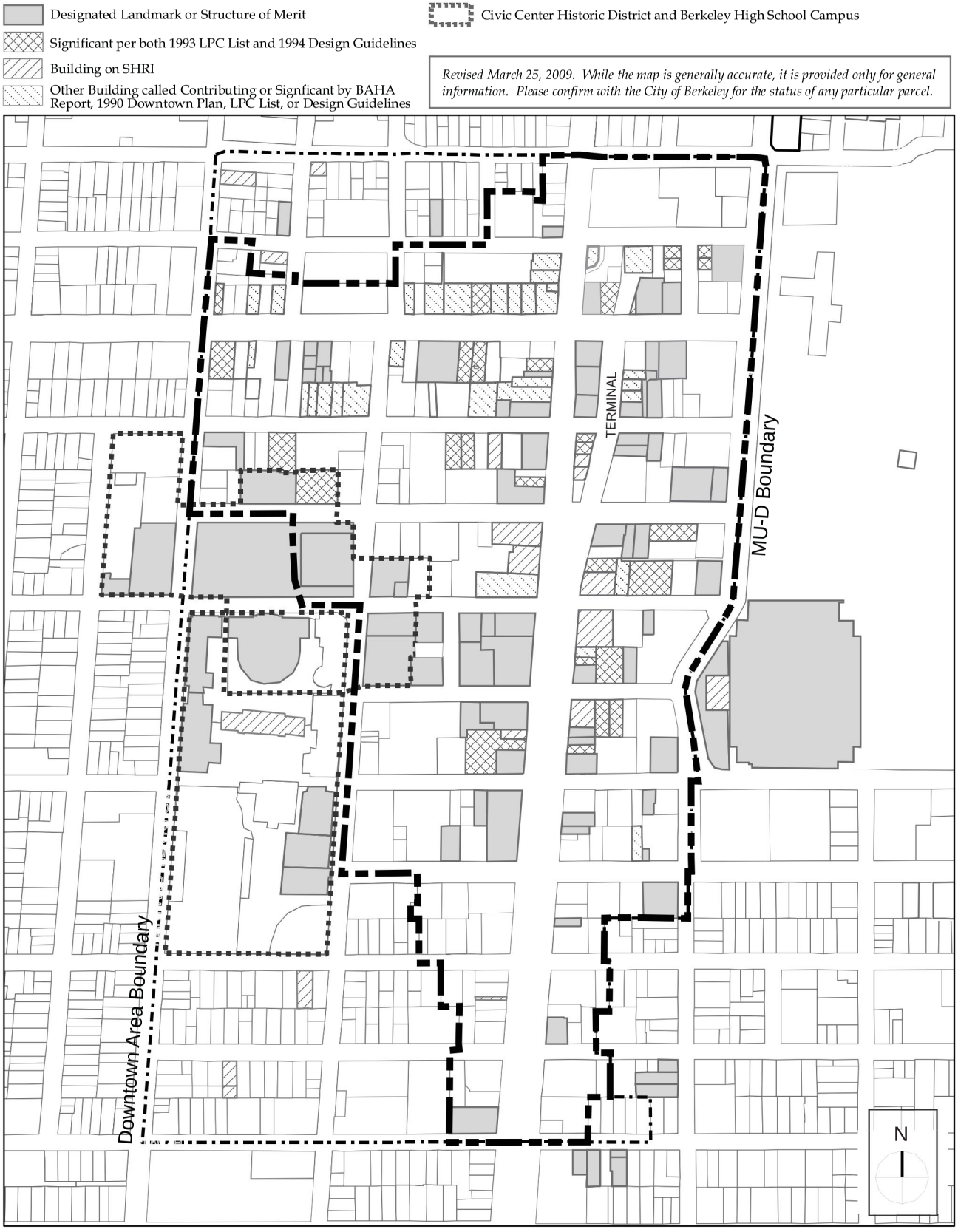
6 *Once the design of your project is approved, a Notice of Decisions will be issued.*

7 *File for a building permit in the Permit Service Center. No work may begin until the building permit is issued.*

8 *Your proposed project will be reviewed for conformance with applicable building codes and regulations. (See www.cityofberkeley.info for a comprehensive listing of codes.)*

9 *Once a building permit is issued, construction on your project may begin.*

Figure 5: Landmarks & Significant Buildings Map



HISTORICAL OVERVIEW

- PERIOD OF SIGNIFICANCE
- TRANSPORTATION FRAMEWORK
- 20TH CENTURY DEVELOPMENT
- UNIVERSITY OF CALIFORNIA
- DOWNTOWN TODAY

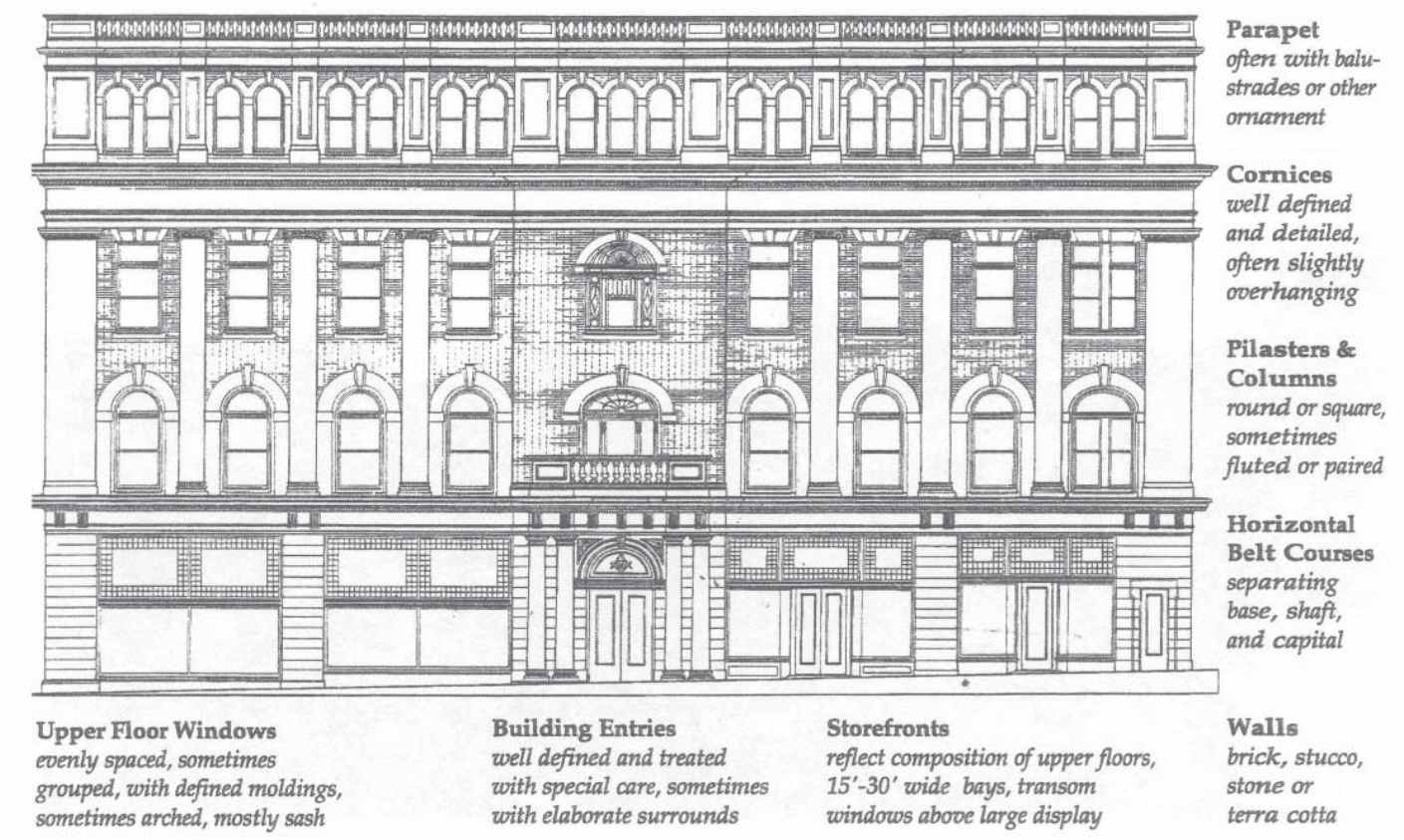


Figure 6: Classic Revival. *Old Masonic Temple (Source: Eli Cukierman).*

Figure 7: Mission Revival. *Shattuck Hotel*

HISTORICAL OVERVIEW

Downtown Berkeley's historic character is established by the large number of intact buildings built between 1900 and 1940. Downtown's scale and historic character have been retained because traditional transportation and land use patterns have remained essentially the same, and there is a predominance of unified architectural styles.

PERIOD OF SIGNIFICANCE

The neo-Classic style and its variations – Mission, Mediterranean, Roman and Greek Revivals – were used for the majority of buildings in Downtown Berkeley. For example, a Classic vocabulary was used for Berkeley's first skyscraper, the Wells Fargo Building, the elaborate Masonic Temple, and even the small two-story, one-storefront-wide Alko Building. About half of Downtown's buildings were built before 1946.

With the exception of a few Art Deco style buildings such as the Kress Building and the Public Library. Most pre-1946 buildings share the common design elements of the Classic Revival styles. The Old Masonic Temple at the corner of Bancroft Way and Shattuck Avenue, shown below, exemplifies the Classical Revival style and the illustrates the three-part (tripartite) composition of neo-Classical styles:

- a **Base** of groundfloor and sometime mezzanine space, usually storefronts topped with a cornice.
- a **Shaft** comprised of most upper floors with pilasters running from an upper cornice (capital) to the cornice above the base to express of structural support.
- a **Capital** consisting of a parapet and sometime also the uppermost story.

Another example of a neo-Classical tripartite composition is the Shattuck Hotel between Allston and Kittredge. The Shattuck Hotel also illustrates features characteristic of the Mission Revival, such as terracotta elements and deep eaves.

Art Deco buildings are another stylistic tradition from the early twentieth century period of growth that characterizes much of Downtown. Art Deco compositions are also tripartite except that the "capital" is created by decorative elements and vertical pilasters breach the parapet and shape the silhouette.

Figure 8: Art Deco. *Central Library Berkeley.*

All of these traditional styles feature windows that are generally vertical in proportion, and may be regularly spaced or grouped to conform to stylistic traditions. Note that Downtown's buildings (old and new) form a continuous "streetwall" that runs next to street-facing property lines. The streetwall unifies and enclose intervening streets spatially. Passages and plazas may interrupt the streetwall but exceptions and not the rule. At ground level, a consistent streetwall maintains a line of interrupted shops and other active uses, thereby adhering to an important tenet for successful retailing.

TRANSPORTATION FRAMEWORK

Downtown Berkeley's form and location are the enduring results of transit patterns established in 1878 when Francis Kittredge Shattuck brought a Southern Pacific spur line from Oakland along Adeline Street through his property, terminating at Stanford Square, later to be named Berkeley Square, now Shattuck Square. Two streets, Shattuck and University, have always played major roles in the organization of the Downtown.

Since the beginning, Shattuck Avenue has been the heart of Berkeley's commercial activity, especially retailing. The original location of the station, freight yards, and tracks was along Shattuck Avenue, which accounts for its extraordinary width. The urban scale of Shattuck Avenue was formed by the streetwall of contiguous buildings, built to maximize street frontage along the transportation corridor, with shops at ground level and office, residential, and hotel uses above. University Avenue served as the east-west horsecar route, joining Berkeley's early shoreline community of Ocean View with the rail-line and the hillside campus community. Because it is a transitional artery, development along University Avenue has historically been less dense than that along Shattuck Avenue. While the modes of transportation have changed over time, these two major transportation arteries continue to serve as the organizing framework for Downtown.

20TH CENTURY DEVELOPMENT

Dramatic growth and development in the early 1900s was stimulated by the advent of the electric rail system linking Berkeley to Oakland and San Francisco, the move of many San Franciscans to the East Bay after the 1906 earthquake and fire, and the growth of the University of California. At the turn of the century, wooden pioneer buildings were replaced with masonry structures, many of which were designed by such notable

Figure 9: Downtown Berkeley 1939. *(Source: Berkeley Historical Society)*

architects as James W. Plachek and Walter H. Ratcliff, Jr.

The downtown buildings built during the first decade were stately and impressive, reflecting a sense of permanence and stability. Inspired by the City Beautiful movement, buildings incorporated neo-classical elements such as classic pillars, arches, and cornices, with stone or terra cotta ornamentation around building entries. A variation on the classic theme, Mission Revival, was equally popular, with its tile roofs, balconies, and square corner bays.

The 1920s saw another flourish of downtown development. New buildings were built on Shattuck square, which in 1923 was converted from the railroad terminal into a commercial block. The Shattuck Apartments and the twelve-story Chamber of Commerce Building (now the Wells Fargo Building) were built in the Classical Revival styles. Period Revival, Art Deco, and Moderne influences were prevalent through this decade. Recessed entries, tile and terrazzo pavings, marble, structural glass and metal storefronts, and prism glass transom windows are part of the visual vocabulary of this era, and many of these elements can be seen throughout the downtown area today.

Downtown Berkeley escaped much of the urban renewal which affected many California cities in the 1960s and early 70s. Demolition and new construction along Shattuck Avenue has been mostly limited to the BART construction era from 1966 and 1971, when two turn of the century high-rises at Shattuck and Center were demolished to make room for BART and two new bank buildings. In recent years, remodeling or replacement has usually been limited to single buildings at a time. As a consequence, the scale, massing, and layout of Downtown remain much as they were in the 1930s. Very few buildings comprising more than half of a block and most occupying a street frontage of 100 feet or less, and most buildings have a height between 2 and 5 stories – but with taller and smaller exceptions.

UNIVERSITY OF CALIFORNIA

The continued expansion of the University of California has influenced the growth patterns of the Downtown since the beginning of the century. University development has established well-defined edges to the Downtown and views of the hills have been retained and provide a welcome counterpoint to the built environment.

DOWNTOWN TODAY

Today, Downtown Berkeley is a well-defined area containing a large collection of early 20th Century buildings. Downtown is still the physical center of the city, and it retains the traditional attributes that make up a downtown transportation, affordable housing; civic and cultural life; and government and financial activities. Rare for a California city of its size, Downtown Berkeley has retained its original purpose and historic character, while showing evidence of a city which has adapted over time. The Downtown Area Plan places great emphasis on respecting the scale, use, and architectural character of Downtown Berkeley, while simultaneously encouraging architecture that addresses contemporary challenges with new forms of expression.

BUILDING DESIGN

All sections of this chapter are interrelated; refer to all of these sections and other chapters as appropriate.

- FACADES
  The whole 'face' of a building from ground to roofline
- ROOF FORMS
- STOREFRONTS & ENTRANCES
  The ground floor portion of the façade which faces the street, including retail or nonretail uses
- MATERIALS
- DETAILS & ORNAMENT
- COLORS
- LIGHTING, SECURITY & EQUIPMENT
- SPECIAL HISTORIC FEATURES
  All existing buildings

FACADES

The form, rhythm and character of Downtown established by its Landmark and Significant buildings should be reinforced and enhanced by renovation and new construction. Landmark and Significant facades should not be mimicked or trivialized, but should provide design guidance for new physical changes. Downtown area should have a unified visual identity which complements the historic character of its buildings, while allowing contemporary expressions.

ALL BUILDINGS

1 Reflect and reinforce the scale, massing, proportions, rhythm and attention to detailing which are established by the facades of Landmark and Significant buildings.

2 Refrain from false historicism. Do not trivialize or mimic Landmark or Significant buildings.

3 Incorporate elements which break up façade planes and create a visual play of light and shadow. Avoid long, uninterrupted horizontal surfaces. Consider the use of bay windows, balconies and architectural projections.

4 Vertical divisions of ground and upper floors should be consistent. Generally maintain a cornice that projects horizontally between the ground floor (and its mezzanines) and upper stories. Align the cornice and other horizontal ground floor elements (like awnings and sign bands) with similar features on neighboring buildings and storefronts, if feasible.

Figure 10: *This façade composition, typical of Landmark and Significant buildings, shows how the ground floor is distinguished from upper floors, and how a consistent rhythm of storefront bays is maintained along sidewalk.*

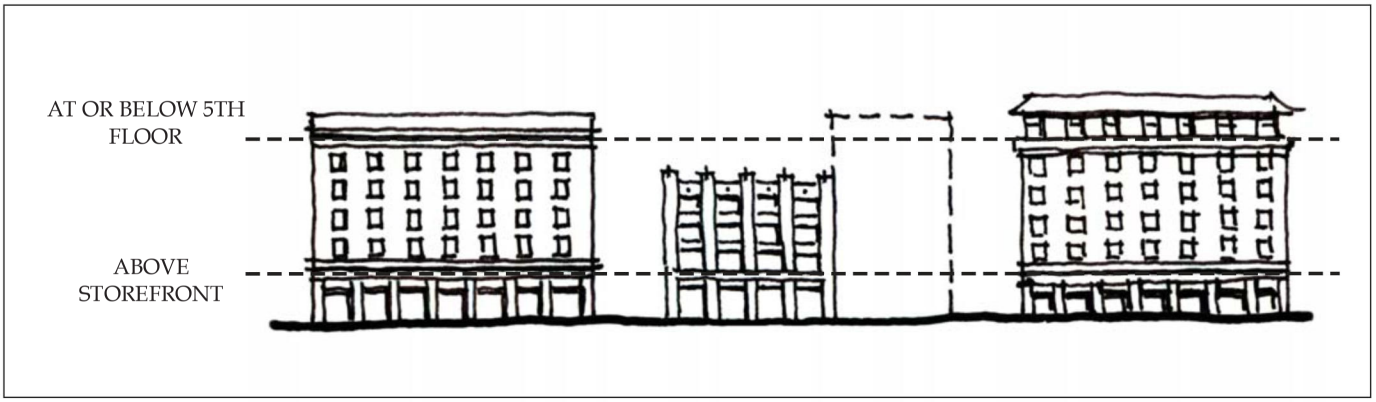


Figure 11: Consistent Cornice Lines. *Maintain cornice lines between street level commercial and upper stories, and above 5th floor (or lower with less tall buildings).*

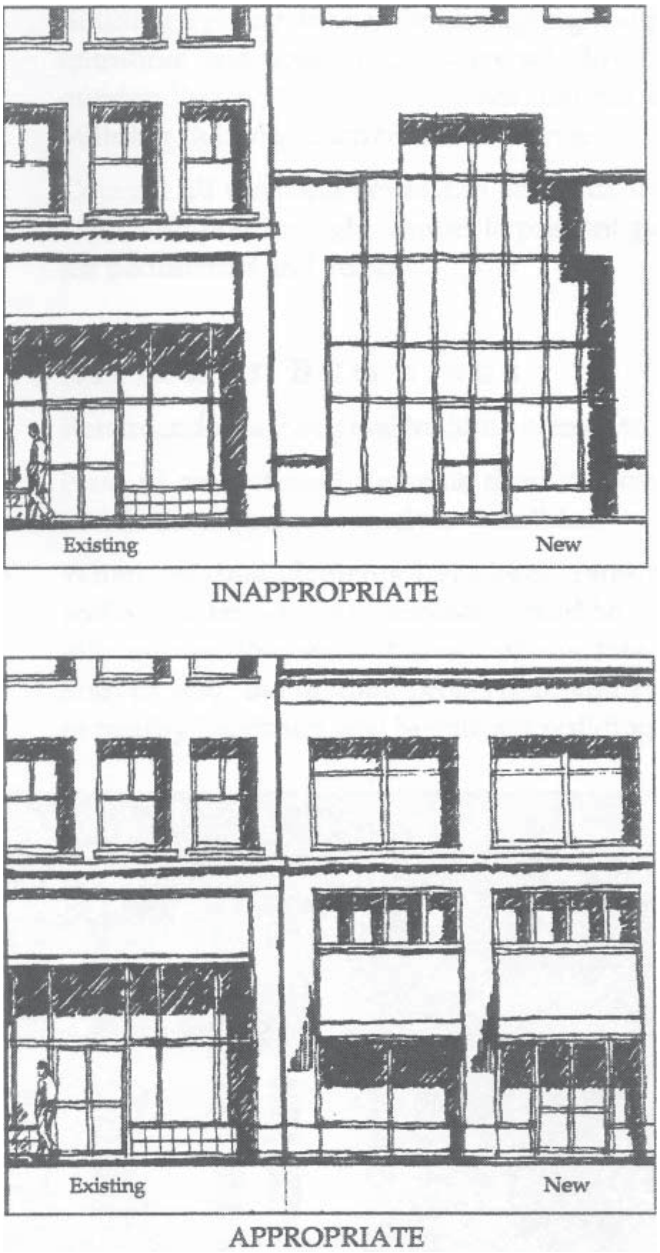


Figure 12: *The façades of new and renovated buildings should respect the rhythm and proportions of Landmark and Significant buildings, and major horizontal elements should align with those on neighboring buildings.*

5 Architecturally distinguish the ground floor from the upper façade, to form a visual base for the building. Create an intimate scale for the pedestrian environment.

6 Architecturally distinguish the upper façade from the top of the façade, to provide a visual termination for the building. Generally maintain a cornice that projects horizontally at the top of the 5th floor, or near the top of buildings that are less tall (see Figure 11).

7 The facades of Downtown's historic buildings are comprised of load-bearing walls and frames, the limits of which give similar scale and expression. Maintain the typical rhythm of structural bays and enframed storefronts of 15-30 feet spacing at ground level, in order to enhance visual continuity with existing buildings and pedestrian scale. Curtain walls, if used, should be designed with rhythm, patterns and modulation to be visually interesting.

8 Articulate side and rear facades in a manner compatible with the design of the front façade. Avoid large blank wall surfaces on side and rear facades which are visible from public areas. In these locations, display windows, store entrances, and upper windows are encouraged. When this is not feasible, consider the use of ornament, murals, or landscaping along large blank walls.

9 Include architectural features such as awnings, canopies, and recessed entries that can protect pedestrians from inclement weather. Design these features as integral parts of the building.

10 Remove alterations whose design and/or materials are not consistent with the overall character of the building.

11 For alterations to existing buildings, improve the character of the building and its relationship to Downtown's historic character. This is especially important for buildings with little architectural significance.

12 Use high quality detailing for new buildings and replacement elements. For example, new or replace-

ment windows should have sash and frame thicknesses and window depths which are similar to those of original or historic windows. Such level of detailing provides an interplay between light and shadow which adds interest and visual depth to the façade.

13 Window should comprise 25-50% of upper facades visible from public areas, and should reflect the rhythm, scale, proportion, and detailing of upper windows of Landmark and Significant buildings.

14 Uncover original openings where possible, and do not block up existing openings. New openings should be in proportion to other openings and façade elements.

15 Place storm windows or screens on the interior so window exteriors are not visibly altered.

16 Operable windows are encouraged but should be accompanied with HVAC interlocks and other features to avoid building operation and energy loss when windows are open.

17 Generally accompany windows with light shelves, overhangs or deep recesses to shade the window during the summer (when the sun is high in the sky) while providing solar access into the building during the winter (when the sun is low). Deeply recess west-facing windows and/or accompany them with vertical fins to reduce glare (i.e. extremely intense light from one direction) and solar gain during the hottest hours (See Figure 13).

18 Photovoltaic panels should either be integrated within the overall composition of facades, such as by serving as awnings or light shelves, or they should be screened from view.

19 Consider "double walls" to trap solar heat in the narrow space between outer windows and windows or walls that define usable rooms. On cold days, double walls trap heat to be used by abutting rooms. On hot

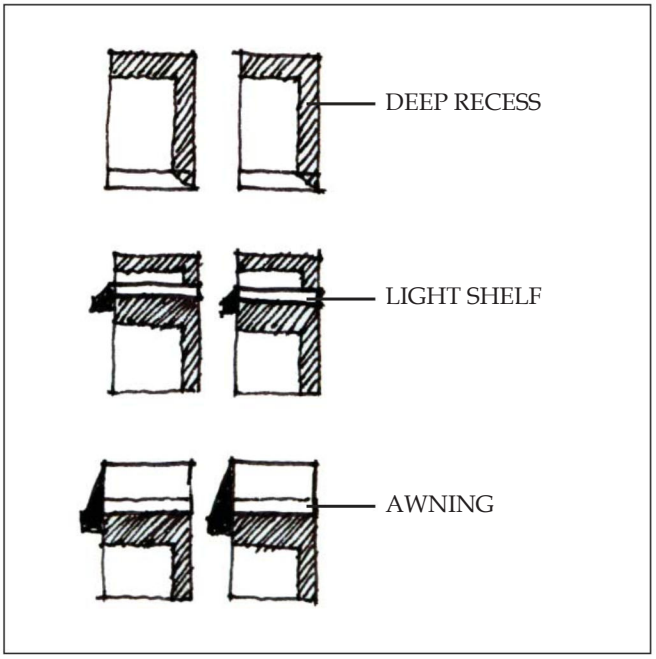


Figure 13: Shading Windows. *Control sun and shade with architectural features.*

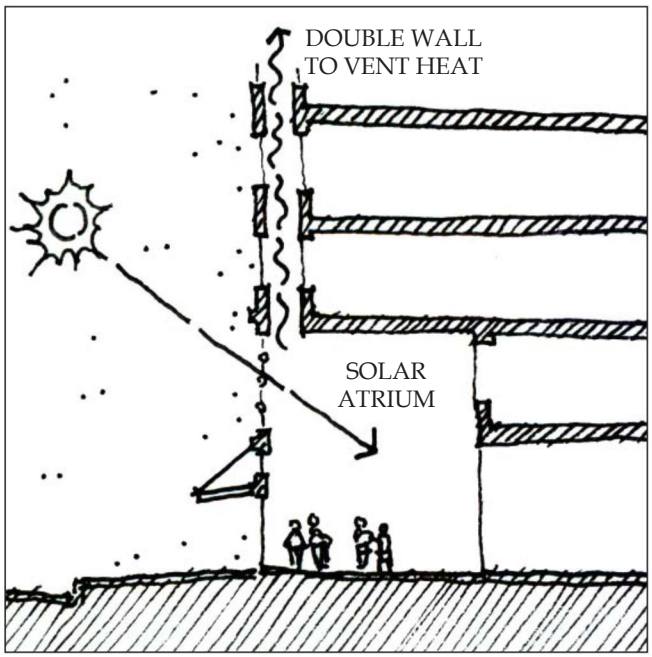


Figure 14: Passive Solar. *Passive solar features can contribute to a building's environmental performance. Integrate passive solar features in the design of facades, lobbies, etc.*

days, double walls vent excess heat to the outdoors or redirected it to rooms that are shaded.

20 Frame windows and use light shelves and other articulation to emulate the rhythm, scale, and reveal (shadow) of traditional buildings (See Figure 13).

21 Building lighting, if any, should highlight signs, entrances and walkways, display windows, or outstanding architectural features. Do not use building lighting which blinks or changes.

22 Conceal all electrical boxes and conduits from view, and position light sources to prevent glare for pedestrians and vehicles.

23 Refuse and recycling bins should be concealed and incorporated within a building's envelope.

24 Consider the design of rooftops that may be viewed from above. Reduce glare and make rooftop equipment more attractive.

SIGNIFICANT BUILDINGS

S1 Retain and repair original building elements

S2 New or replacement elements should visually match the original as closely as possible.

Figure 15: *This historic photo of the Shattuck Hotel illustrates several principles of façade design. The articulated roof profile and façade planes and the Hink's canopy lend interest and a "human" scale to what is in fact a very large building (Source: Berkeley Architectural Heritage Association).*

S3 When original elements have been removed and are unknown, replacement should be visually compatible with the rest of the façade, and/or with the rhythm, proportion, and scale of nearby Landmark and Significant buildings.

- *When relevant, the previous guidelines for All Buildings also apply.*

LANDMARK BUILDINGS

L1 Preserve existing original facades. Make necessary repairs in a manner which does not harm historic building materials or details.

L2 Remove alterations whose design or materials are not consistent with the original design nor historically significant in their own right.

L3 Restore or rebuild missing or deteriorated façade features based on historic evidence, not conjecture.

L4 When restoring the façade is not possible, new alterations should have the ability to be removed, without adversely affecting original elements, in anticipation of future restoration.

L5 New or replacement elements should be exact duplicates of the original.

- *When relevant, the previous guidelines for All Buildings and Significant Buildings also apply.*

ROOF FORMS

Nearly all buildings of architectural significance in Downtown Berkeley have distinctive roof forms or details, which provide an attractive terminus for the building, and add visual interest to the skyline. New construction and façade alterations should continue the precedent of utilizing changes of height, profile, detailing, or materials in order to enhance the sense of enclosure that is established at roof level.

ALL BUILDINGS

1 Retain distinctive roof forms, profiles and cornices. Remove alterations which are not consistent with the original design nor significant in their own right.

2 Provide a termination to the top of the building in a way that complements and enhances the character of the building and the Downtown.

3 On sites which include corners, the roof design should emphasize the corner. Conceal all electrical boxes and conduits from view, and position light sources to prevent glare for pedestrians and vehicles.

4 "Ventilation towers" project vertically to create low-pressure air pockets that can be used to draw air out of buildings. Consider their use. While their aesthetic expression can vary, most ventilation towers are expressed as chimneys, cupolas, and slender towers. Ventilation towers work best with hot rising air, and the tower can be designed to absorb heat and aid ventilation (See Figure 16).

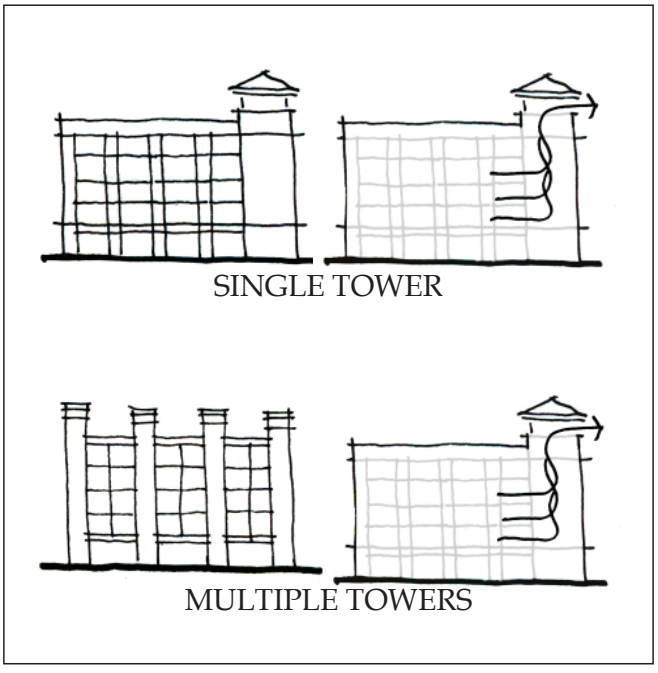


Figure 16: ***Ventilation Towers.*** *By extending beyond the roof, towers may be used to help ventilate buildings and can find expression in a building's architecture.*

LANDMARK & SIGNIFICANT BUILDINGS

LS1 Restore or replace original cornices, brackets and other cornice ornamentation. Replication should be based on historic documentation, not conjecture. Use original materials if repair or replacement is required. Substitute materials should not be used on Landmark Buildings.

- *When relevant, the previous guidelines for All Buildings also apply.*

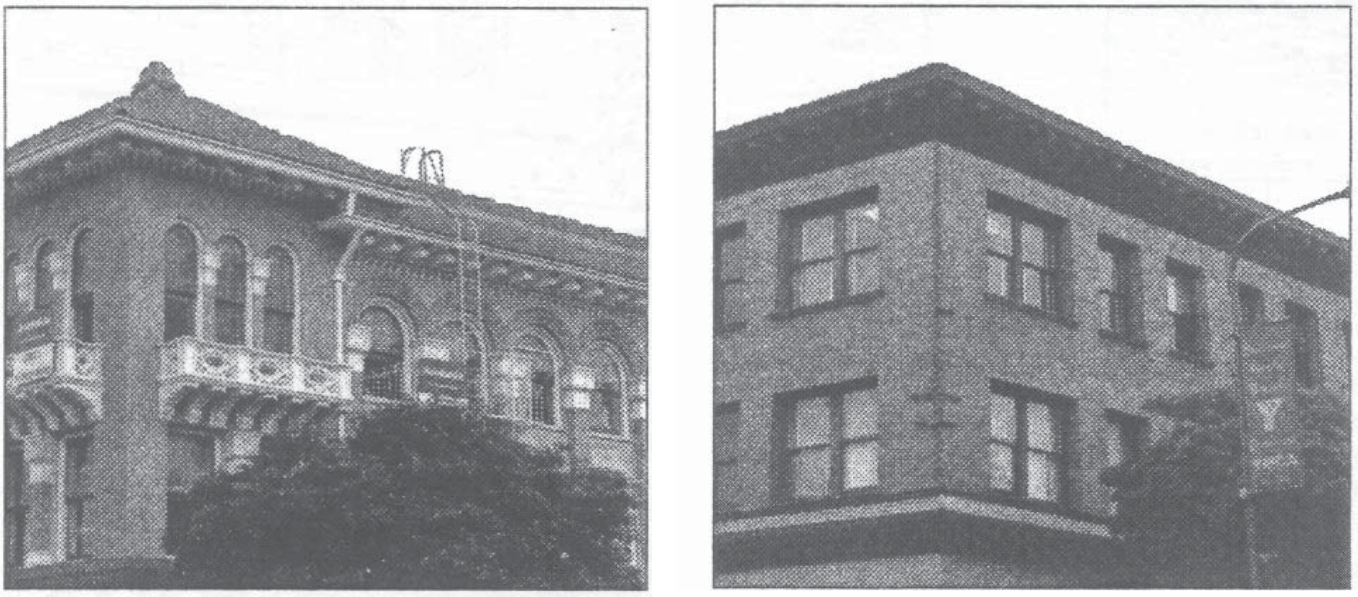


Figure 17: *Downtown's Landmark and Significant buildings provide numerous examples of attractive rooflines, with both sloped and flat roofs. Flat roofs typically include an ornamental cornice and parapet.*

STOREFRONTS & ENTRANCES

Many of the features desirable for a pedestrian oriented Downtown are precisely those found in the original storefronts of Downtown Berkeley's Landmark and Significant buildings. These features, which include inviting entranceways, continuous display windows, obvious locations for signs, and sensitively scaled proportions, should be incorporated into new as well as remodeled storefronts.

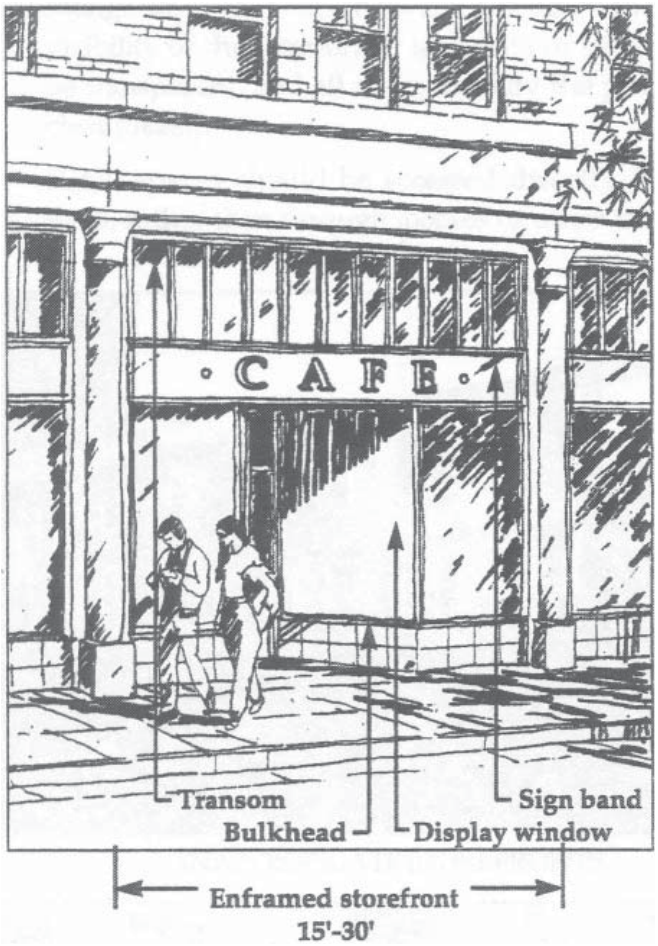


Figure 18: *This storefront, typical of Landmark and Significant buildings, features several traditional storefront components: large display windows, a sign band, transom windows and a recessed entry. It is enframed and defined by the architectural elements of the façade, and continues the rhythm of storefront bays along the sidewalk.*

ALL BUILDINGS

1 Maintain storefronts with generous windows along streets where commercial and higher levels of pedestrian activity can be expected (see Figures 18 and 19). Reflect the historic storefront rhythms and proportions found throughout Downtown. Fit storefronts within enframed openings.

2 Emulate traditional elements such as large display windows of clear glass, bulkheads, recessed entries, transom windows and suitable locations for signs. These elements should reflect the proportions and detailing of historic elements found on Landmark and Significant buildings. Storefront spaces should have taller ceilings (at least 15 feet high). This taller space should be expressed on the façade, generally with transom windows.

3 Retain original storefront elements which have achieved significance in their own right. Remove alterations not consistent with the original design nor significant in their own right.

4 Remove alterations which do not fit within the enframed storefront opening or whose design and/or materials do not contribute to the overall character of the building.

5 Multiple storefronts within the same building should be visually compatible in terms of scale, alignment, color, materials and historic elements. While the desire for tenant individuality is understandable, it is most important that the continuity of the building as a whole is not compromised.

6 Continue the rhythm of 15-30 feet enframed storefront openings at ground level, in order to reinforce visual continuity and pedestrian scale. Large, single tenant spaces must continue this appearance of individual storefronts.

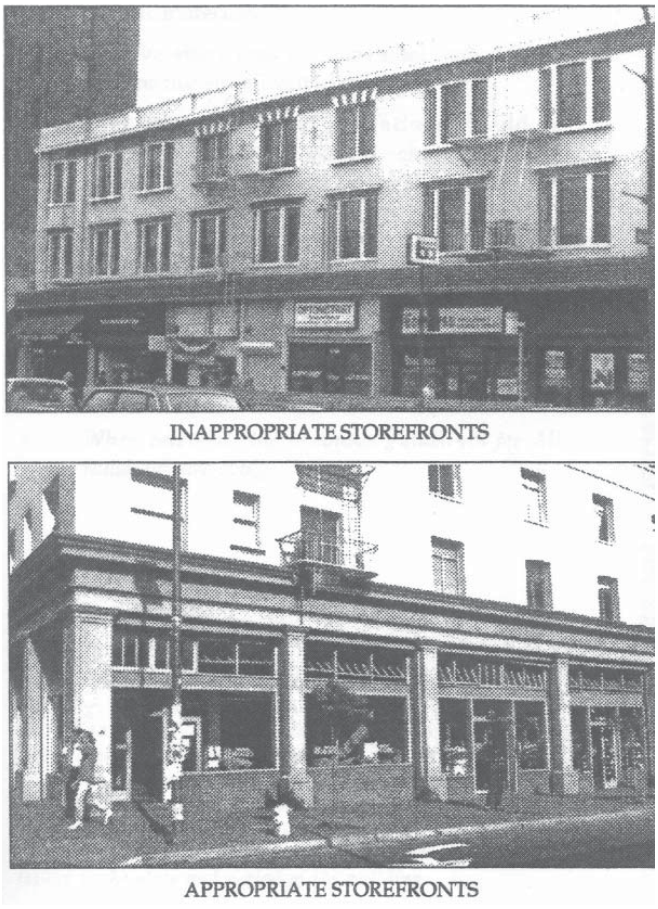


Figure 19: Inappropriate and Appropriate Storefronts.

7 Except for recessed entries, a majority of the storefront should be at the property line, and other recessed portions should not detract from streetwall continuity.

8 Design storefront entrances and windows to maximize the visibility for the interior. At least 75% of storefronts should be transparent, and all doors used by the public should be clear glazed.

9 Retail spaces should be accessed directly from the sidewalk, rather than through lobbies or other internal spaces.

10 Arcades may be utilized as long as the continuity of the streetwall is reinforced.

11 Clearly distinguish storefront entrances from entrances to lobbies or upper floors through the use of architectural treatments and materials selection.

12 Uncover original storefront elements that still exist. This includes entryways and paving, doors, transoms and display windows, hardware, glazing, frames, and other historic materials.

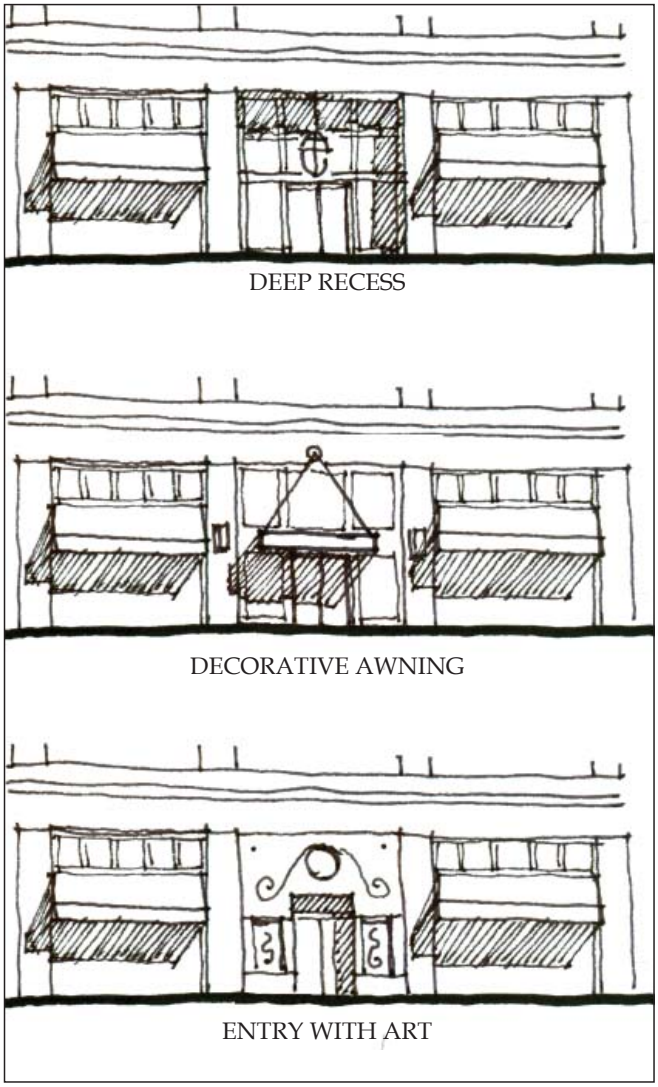


Figure 20: Entrances To Upper Stories. *Announce entrances architecturally with deep recesses, decorative awnings, art, light fixtures, and transom windows. Provide generous lobbies (except for smaller projects) that are visible from the street.*

13 Do not cover existing entries, doors, or windows, even if they are no longer used.

14 Articulate side and rear storefronts in a manner which is compatible with the design of the primary storefront.

15 Clearly express ground floor entrances to upper-story uses on streets and other public spaces. For larger projects, ground floor entrances to upper story uses should include generous lobbies that can be seen from the street (see Figure 20).

SIGNIFICANT BUILDINGS

S1 Retain original storefront elements, or elements which have gained significance in their own right, such as entries, doors, windows, frames and hardware. Repair rather than replace them if possible. Repair techniques should use the gentlest means possible, so as not to damage historic materials.

S2 Remove alterations not consistent with original designs nor significant in their own right.

S3 New storefronts and alterations should be compatible with the historic character of the façade in terms of colors, materials, and details. Locate entrances and doors to reflect original locations if known. Otherwise, reflect the entry patterns and storefront design of nearby Landmark and Significant storefronts.

S4 Replacement elements should match the original elements as closely as possible in terms of materials, profile, and detailing.

- *When relevant, the previous guidelines for All Buildings also apply.*

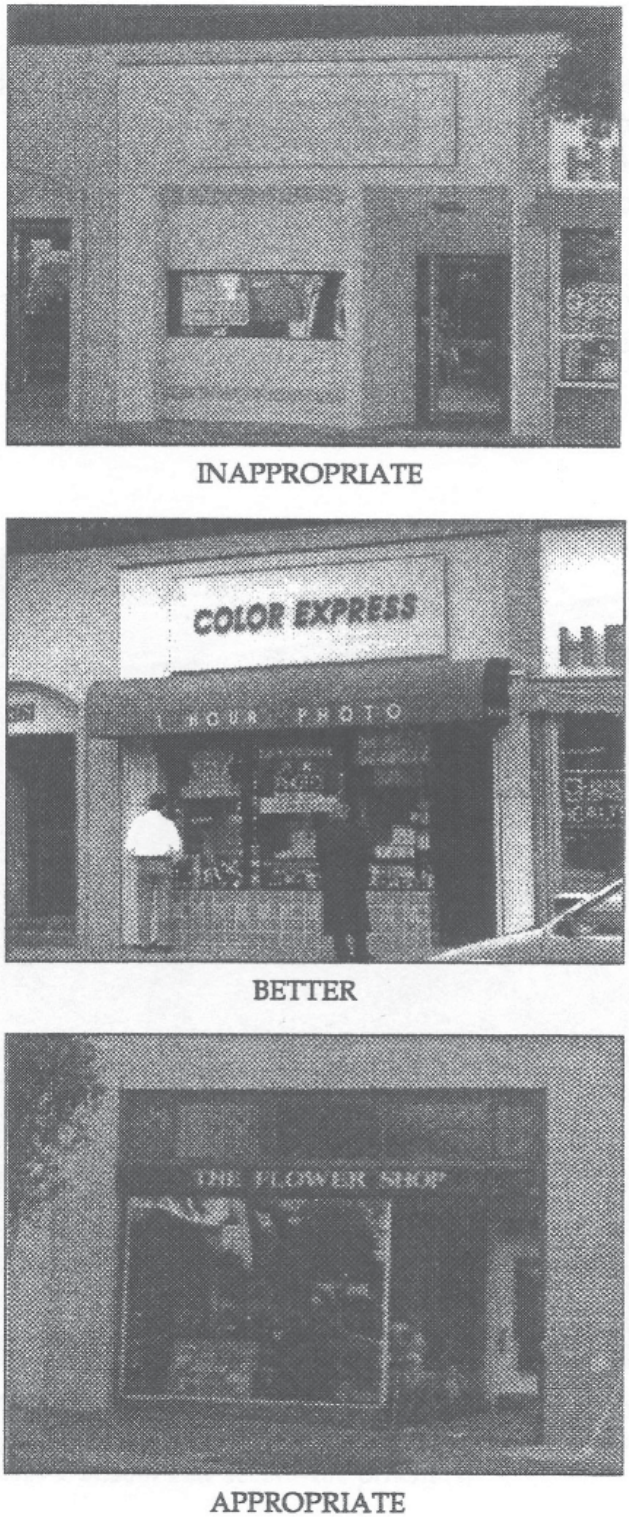


Figure 21: Inappropriate and Appropriate Storefront Elements.

LANDMARK BUILDINGS

L1 Where original storefronts exist, restore them. Replicate missing or damaged elements based on historic evidence, not conjecture.

L2 Where original storefronts do not exist, consult historic photos to determine original conditions. Replicate the original locations and design of storefront elements, based on historic evidence, not conjecture.

L3 Remove alterations not consistent with original designs nor significant in their own right.

L4 Retain original storefront elements such as entries, doors, windows, bulkheads, frames and hardware. Repair rather than replace them is possible. Repair techniques should use the gentlest means possible, so as not to damage historic materials. If repair is not possible, replacement elements should be exact duplicates of the original.

L5 When original storefront elements such as doors, windows, and bulkheads have been removed and historic evidence of these elements is unknown, the new storefronts and alterations should respect and enhance the historic character of the building, and should utilize traditional components, materials, colors, and detailing,

L6 Locate entrances and doors to reflect original locations if known. Otherwise, reflect the entry patterns of nearby Landmark and Significant storefronts.

L7 Alterations which cover or obscure original elements should be able to be removed without damage to original building elements, in anticipation of future restoration.

L8 Alterations required due to code compliance or change of use shall respect the design and materials of the storefront. Consult the State Historical Building Code when code compliance issues arise.

- *When relevant, the previous guidelines for All Buildings and Significant Buildings also apply.*

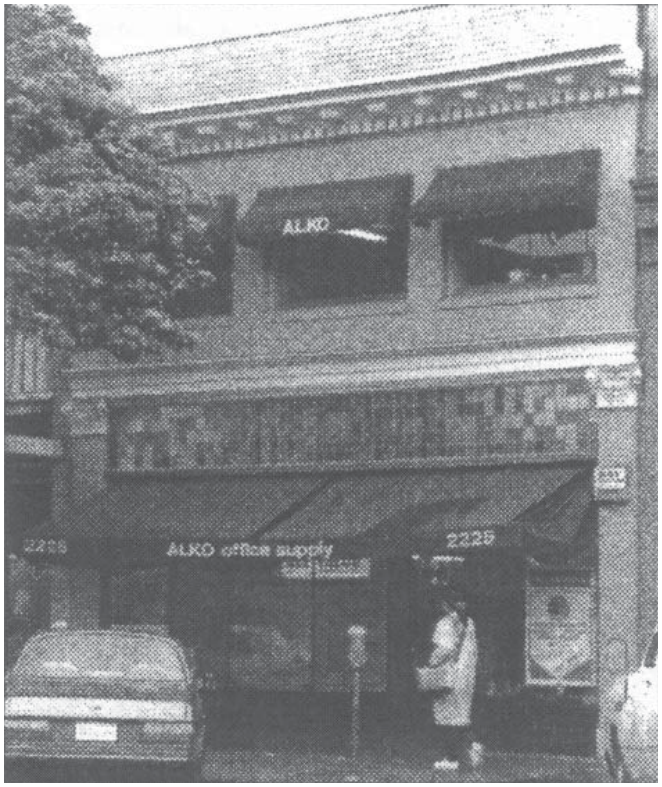


Figure 22: *The Alko building at 2225 Shattuck is a fine example of restoration of an historic storefront, with its leaded glass transom and decorative pilasters.*

MATERIALS

Many of the features desirable for a pedestrian-oriented Downtown are precisely those found in the original storefronts of Downtown Berkeley's Landmark and Significant buildings. These features, which include inviting entranceways, continuous display windows, obvious locations for signs, and sensitively scaled proportions, should be incorporated into new as well as remodeled storefronts.

ALL BUILDINGS

1 Preserve existing rare, unique, or high-quality materials.

2 Use high quality, durable materials which enhance the building and convey a sense of permanence. Materials should generally have a service life of at least 50 years.

3 Materials should be compatible with those used on nearby Landmark and Significant buildings, and should have a similar level of detailing.

4 Retain durable original wall materials such as brick, wood, copper or bronze window frames; structural glass, marble or tile bulkheads; and terrazzo paving.

5 Desirable façade materials for new or renovated facades includes brick, concrete, stucco, marble, granite, tile or terra cotta.

6 Use wood, aluminum, steel, copper, or bronze for window frames and sash.

7 Because they are experienced at close range, storefronts should have the richest and most durable materials on the building. Materials for storefronts can be different from those used on the upper façade. Bulkheads should be faced with tile or stone.

8 All glass on ground floors should be clear and non-reflective. Upper floor windows may have lightly tinted, but non-reflective glass. Stained, translucent, or decorative glass may be used for transom windows, and should be used where equipment or ventilation ducts would otherwise be visible. Apply only transparent sun screens or window film to glazing.

9 Sloped roofs visible from public areas should be of slate, tile, standing-seam metal or other high quality materials.

10 Use high-quality detailing for new and replacement materials. For example, new or replacement windows should have sash and frame thicknesses and window depths similar to those of original or historic windows.

11 Use materials which are easily cleaned, and will not be permanently damaged by graffiti.

12 Clean materials by using the gentlest means possible. Do not use sand or grit blasting, glass peening or other abrasive methods to clean vulnerable materials like wood, brick, stone, copper, or tile.

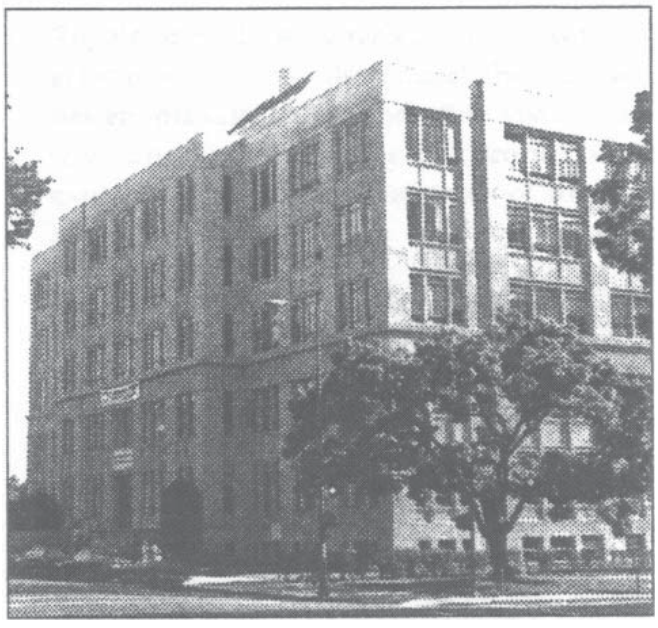


Figure 23: *The Martin Luther King Civic Center, at 2180 Milvia, serves as an excellent model of what can be achieved with typical materials of plaster walls and metal windows.*

SIGNIFICANT BUILDINGS

S1 Retain original or significant building materials. Repair or replace materials with original or substitute materials which resemble the original as clearly as possible in design, color, texture and other visual qualities, and in their physical properties of expansion, contraction, absorption of moisture, and weathering.

- *When relevant, the previous guidelines for All Buildings also apply.*

LANDMARK BUILDINGS

L1 Retain and restore original or significant materials. Repair rather than replace materials if possible.

L2 Repair or replace materials with original or substitute materials which match the original in design, material, color, and other visual qualities, and in their physical properties of expansion, contraction, absorption of moisture, and weathering.

L3 New storefront materials should match the materials used on the original storefront. When this is not feasible, use new materials which match the design, detailing and quality of the original materials.

L4 Replacement windows should match the materials used on the original frames and sashes. When this is not economically feasible, use new materials which match the design, detailing and quality of the original materials.

- *When relevant, the previous guidelines for All Buildings and Significant Buildings also apply.*

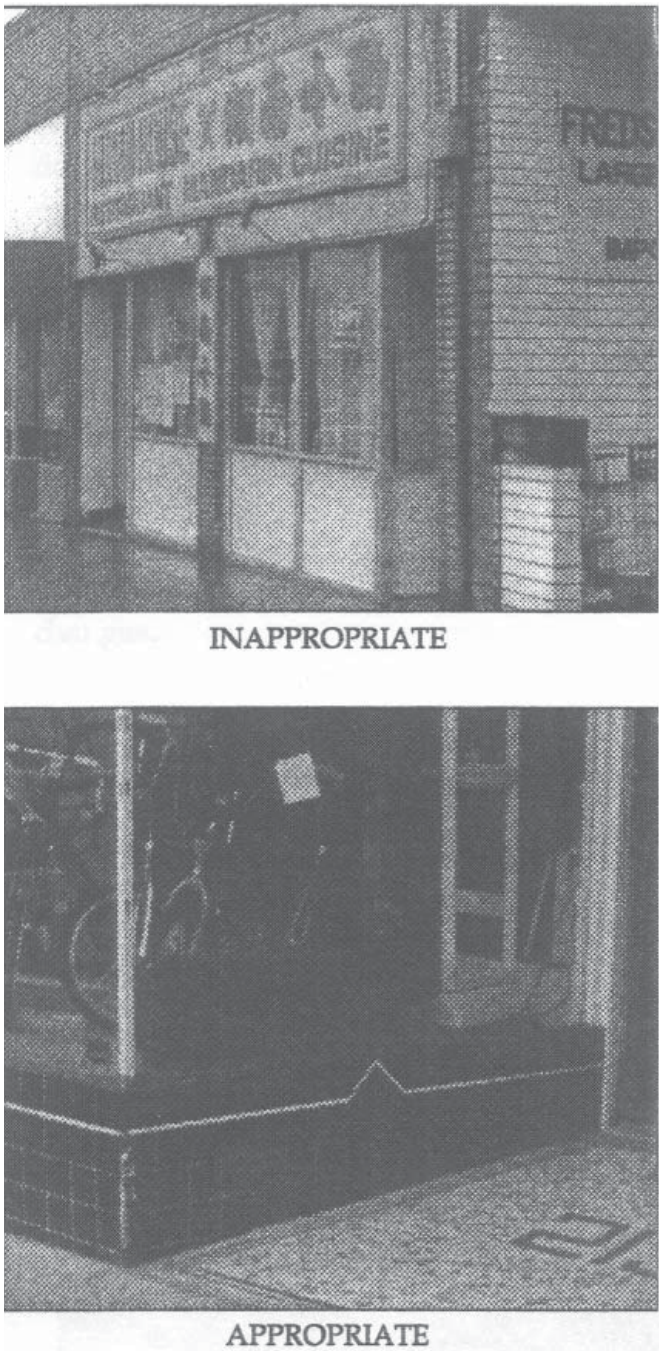


Figure 24: *On all buildings, durable original materials should be retained, not replaced by incompatible modern substitutes.*

DETAILS & ORNAMENT

Downtown owes much of its character and richness to the ways that details and ornament have been incorporated in the design of buildings. Because the Downtown Area Plan emphasizes respect for the historic context of Downtown, alterations and new construction should provide a level of detailing that adds to and complements the ornate quality of the historic buildings found throughout Downtown.

ALL BUILDINGS

1 Building details and ornamentation should contribute to the architectural character of and artistic expressions in Downtown and should be integral to the design of façades. Avoid applying ornament just for the sake of decoration.

2 Incorporate details and ornament which are of a level of quality similar to those found on Landmark and Significant buildings.

3 Remove elements which obscure existing details or ornament.

4 Do not remove existing details or ornament, nor obscure them with signs, awnings, or façade changes.

5 Incorporate details and ornament which are in scale and harmony with the overall building façade, and which respect the historic character of the Downtown

LANDMARK & SIGNIFICANT BUILDINGS

LS1 Retain original details and ornamentation. Use historic evidence to replicate missing or deteriorated details and ornamentation.

LS2 Remove alterations which hide original detailing.

LS3 Remove alterations not consistent with original designs nor significant in their own right.

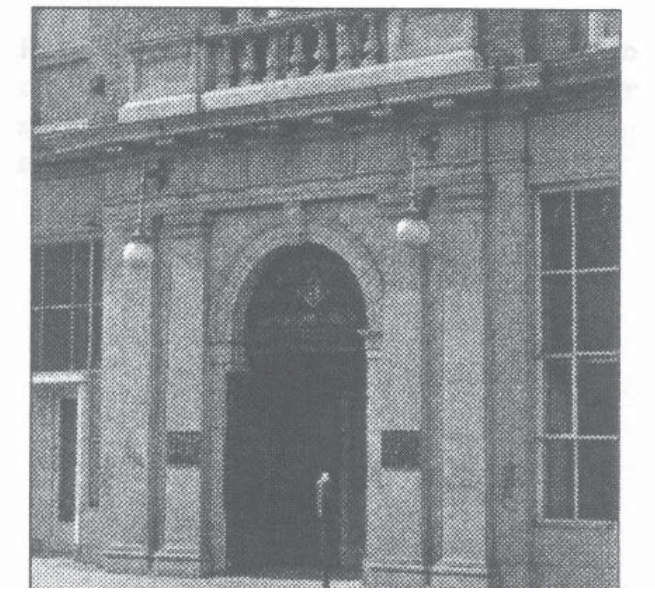


Figure 25: *Ornament can have a design purpose beyond decoration. On the Old Masonic Temple, it is used to make the main entry clearly identifiable and welcoming.*

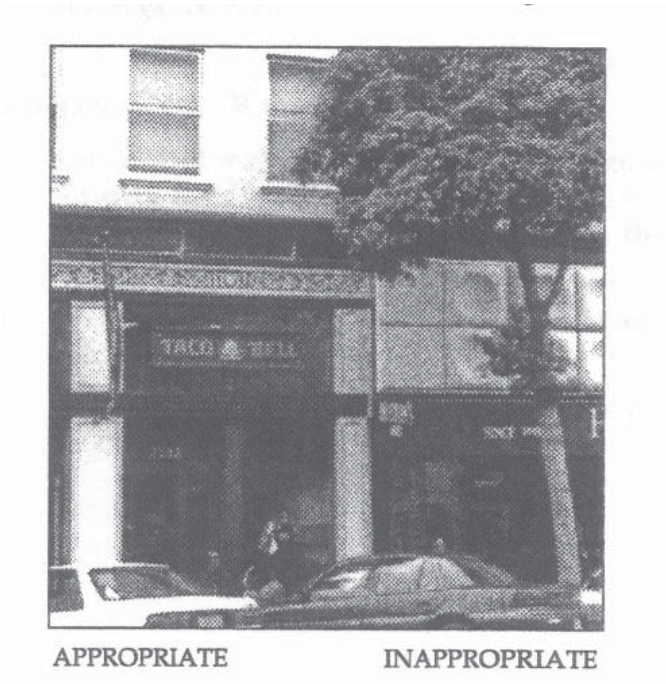


Figure 26: *Alterations like the storefront on the right, which hide original detailing or are inconsistent with the design of Landmark or Significant buildings, should be removed.*

COLOR

Color is a very powerful design tool and can have an enormous influence on the way a building or area is perceived. Most buildings in Downtown are faced with concrete, masonry, tile, or stone, resulting in a predominance of light earth tones. Downtown should project an image of quality, harmony, and cleanliness through the use of sensitive and compatible color schemes.

ALL BUILDINGS

1 Use colors which are harmonious with the prevalent earth-tone colors of downtown. Be a good neighbor. Don't detract from the Landmark and Significant buildings in Downtown.

2 Keep color schemes simple, using the minimum number of colors necessary to achieve the desired appearance.

3 Avoid strong or dark colors on large wall surfaces. For these areas, use colors which are muted and harmonious with the major colors found on nearby Landmark and Significant buildings. Reserve bolder colors as accents for building details, ornamentation, or special features.

4 Regularly maintain painted surfaces. Prior to repainting, carefully remove built-up paint or stains which obscure buildings details and ornamentation.

SIGNIFICANT BUILDINGS

S1 Do not cover natural or previously unpainted surfaces such as brick, stone, tile or terra cotta. If it is necessary to unify color due to patching or repair, stain is preferable to paint because of its translucency.

S2 Remove stains, paints and other coloring agents using the gentlest means possible. Do not use sand or grit blasting, glass peening or other destructive methods.

S3 Highlight building details, ornamentation and special features to differentiate them from the rest of the building.

- *When relevant, the previous guidelines for All Buildings also apply.*

LANDMARK BUILDINGS

L1 Restore and maintain surfaces in their original condition. If paint is to be removed, use removal methods which will not harm the historic materials.

L2 Use original colors of paints, stains, or other coloring agents if they are known.

- *When relevant, the previous guidelines for All Buildings and Significant Buildings also apply.*

LIGHTING, SECURITY & EQUIPMENT

Areas that are perceived as safe and secure are clean, well lit, and active. This sense of security promotes a high level of use and discourages crime and vandalism. In the pedestrian-oriented Downtown Area, lighting should be brightest at sidewalks and storefronts, and building equipment should be located so it is neither seen nor heard from public areas. An objective for Downtown Berkeley is to create a safe and inviting environment which, due to its variety of commercial, retail and residential uses, encourages pedestrian activity and vitality at all hours.

LIGHTING

1 Provide lighting at building entrances and for security at ground level.

2 Provide accent lighting to highlight interesting architectural features.

3 Design and locate light fixtures which coordinate with and complement the architectural style of the building.

4 Lighting should be integral to the design of the building or site.

5 Shield lighting so as to avoid direct glare into adjacent uses.

SECURITY

1 Good lighting and alarm systems are the preferred method for addressing security concerns.

2 Housings for security grilles should be unobtrusive. Scissor and accordion grilles are discouraged unless they are completely concealed when not in use.

3 Security grilles and tracks should be carefully integrated into the storefront design and should be completely concealed when not is use.

4 Roll-down grilles should be see-through rather than solid grates. This provides views of the interior when stores are closed.

5 Permanently attached interior or exterior security bars are not allowed.

6 Exterior surface-mounted grilles are not recommended, and will be allowed only if they are covered by an awning or fascia. Grilles which are placed inside the building and allow visibility to the display windows are preferred, rather than exterior surface mounted grilles.

7 Reverse-mounted security grilles can often be concealed within the storefront fascia, rather that protruding onto the building.

EQUIPMENT

1 Building equipment, including air conditioning units, pipes, ducts, meters, transformers and dumpsters must be enclosed, buried, or otherwise concealed from public view, including views from nearby buildings.

2 Locate and design required vents and access doors to minimize their visibility from public spaces.

3 Direct exhaust fumes from mechanical equipment away from sidewalks and other pedestrian areas.

LANDMARK & SIGNIFICANT BUILDINGS

LS1 Do not damage or obscure historic materials when installing lighting, security, or equipment devices.

- *When relevant, the previous guidelines also apply.*

SPECIAL HISTORIC FEATURES

Historic features such as balconies, towers, and fire escapes contribute to the rhythm and interest of the street, and are unique visual assets to Downtown Berkeley. In most cases, these features should be preserved and restored.

ALL BUILDINGS

1 Retain original balconies, towers, and fire escapes where they still exist, and where they add interest to and enliven the downtown environment.

2 Consult historic photographs to identify special or historic features of the building or site. Replicate missing or deteriorated features if they would add to the character of the building and the Downtown. Replication should be based on historic evidence, not conjecture.

3 Incorporate special features typically found on Landmark and Significant buildings, such as corner towers, balconies, bays and friezes. These special features should be in scale and harmony with the overall building façade, and should enliven the building as well as the architectural character of the Downtown.

4 Special features should incorporate a level of detailing which is similar to that found on Landmark and Significant buildings.

Figure 27: *The restored friezes on the Berkeley Library enrich and enliven what are otherwise blank ground-floor façade.*

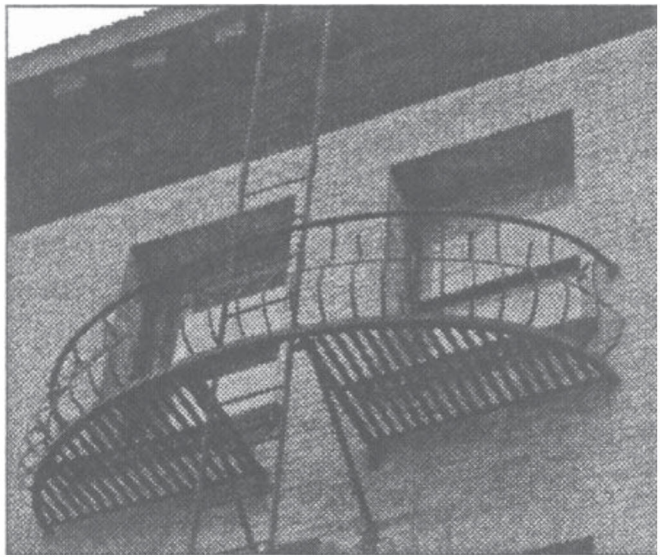


Figure 28: *Many balconies and fire escapes feature ornamental ironwork which adds character to the buildings they adorn.*

AWNINGS & CANOPIES

- GENERAL
- AWNINGS
- CANOPIES
- MARQUEES

AWNINGS & CANOPIES

Awnings and caopies provide sun and rain protection to pedestrians, provide a sense of enclosure at sidewalk level, are good locations for pedestrian-related signs, and shield window displays from the sun. awnings and canopies must respect the architectural integrity of the façade on which they are places, the context of their location, and the historic character of Downtown.

GENERAL

1 Work which involves the installation or repair of any awning, canopy, or marquee must secure design approval and the required permits prior to fabrication or construction.

2 Respect the architectural integrity of the façade on which these attachments are placed, the context of the building's location, and the historic character of Downtown.

AWNINGS

1 Fit awnings within enframed storefronts.

2 Awning shape, size, material and color should be considered with the architectural style and character of the building.

3 Awnings should be compatible with other awnings nearby, particularly those on the same building, when these awnings complement the architectural character of the building.

4 New awnings should be compatible with adjacent Landmark and Significant buildings.

5 The height of awnings should provide pedestrian scale to the building and meet code requirements. Locate the structural components of awnings at least 8 feet above the sidewalk. Unrestricted valances or returns should be at least 7 feet above the sidewalk, and may project no more than 2/3 of the width of the sidewalk.

6 Awning shape, size, and height should be proportional to the façade on which it is placed. Awnings should not be dominant or overwhelming elements.

Figure 29: *Awnings should be designed as integral parts of the façade; they should complement the architectural style of the building and fit within enframed storefronts.*

7 Use matte canvas fabric for awnings; not vinyl, fiberglass, plastic, wood or other unsuitable materials. Glass and metal awnings may be appropriate for some buildings, but must be consistent with the architectural style of the building and the historic character of Downtown.

Figure 30: *The awning at right fits within the enframed storefront and exposes the transom. The awning at left is over scaled for its storefront, and obscures the cornice and transom.*

8 Attach awnings in a manner which does not harm historic fabric nor obscure architectural elements or details.

9 On Landmark and Significant buildings, operable awnings and preferred over stationary awnings because they are more historically accurate.

10 The shape, profile, materials, and location of awnings for Landmark and Significant buildings should be based on historic evidence or should be of a style which is consistent with the historic style of the building.

11 Because of solar orientation, architectural style, or detailing, some buildings are not adaptable to awnings; don't force awnings on these buildings.

12 Backlighting so that light shines through the awning material, and awning soffits which cover the bottom of the awning are discouraged.

13 Open sides on awnings are encouraged.

14 Awnings with large flat valances are strongly discouraged.

CANOPIES

1 Use canopies only on ground-floor facades, and design then to fit within enframed storefronts or over main entries.

2 Design canopies that complement and reinforce the architectural character of buildings.

3 Locate canopies at least 8 feet above the sidewalk, and at least 1.5 feet from the curb line.

4 For Landmark and Significant buildings, base the design and materials of canopies on historic evidence.

5 Attach canopies in a manner which does not harm historic fabric nor obscure architectural elements or details.

6 Direct canopy lighting toward the display windows or downward onto the sidewalk.

MARQUEES

1 Retain and restore marquees which are architectural assets to the building, including neon lettering and other interesting details.

2 Design new marquees only for entries to theatres, concert and recital halls (this does not include night clubs or restaurants). Marquees should be compatible with the character and scale of the building, and should comply with the guidelines for Marquee signs.

3 Marquees may contain internally lit areas to illuminate changeable venue lettering only.

SIGNS & GRAPHICS

- ALL SIGNS
- WALL SIGNS
  Single-faced signs affixed directly to a building
- PROJECTING SIGNS
  Signs which project from and are supported by a building, usually at a perpendicular angle
- WINDOW SIGNS
  Signs on or behind windows
- AWNING, CANOPY, OR MARQUEE SIGNS
- MURALS
- SIGN BANNERS
- SIGNS ON TALLER BUILDINGS

SIGNS & GRAPHICS

Signs are an extremely visible part of the streetscape, and should reflect the quality of goods and services begin offered Downtown. They should communicate an image of excellence, distinctive craftsmanship, and creativity, and should reinforce the unique and historic character to Downtown.

ALL SIGNS

1 Sign design and permit approval must be obtained prior to fabrication and installation of the sign.

2 Signs should reflect the character of the building and its use. When the building has little or no architectural character, it is imperative that the sign design adds interest and beauty to the façade.

3 Respect the immediate context of the building's location, and the historic character of Downtown.

4 The architecture of the building often identifies specific locations for signs, and these locations should be used.

5 Signs should be an integral part of the design of storefront alterations and new construction. Signs should not obscure architectural elements such as transoms or columns, nor appear cluttered.

6 The size of signs and sign letters should be in scale and proportional to the space in which they are located, with letters typically between 6 and 16 inches high.

7 Sign letter and materials should be professionally designed and fabricated.

8 Primary signs should contain only the name of the business and/or its logo. Secondary text which identifies products should be located in a secondary location.

9 Locate signs for ground floor tenants at storefront level. Signs on the upper façade should be building identification signs only.

10 Construct signs using high-quality materials such as metal, stone, wood, gold leaf, and exposed

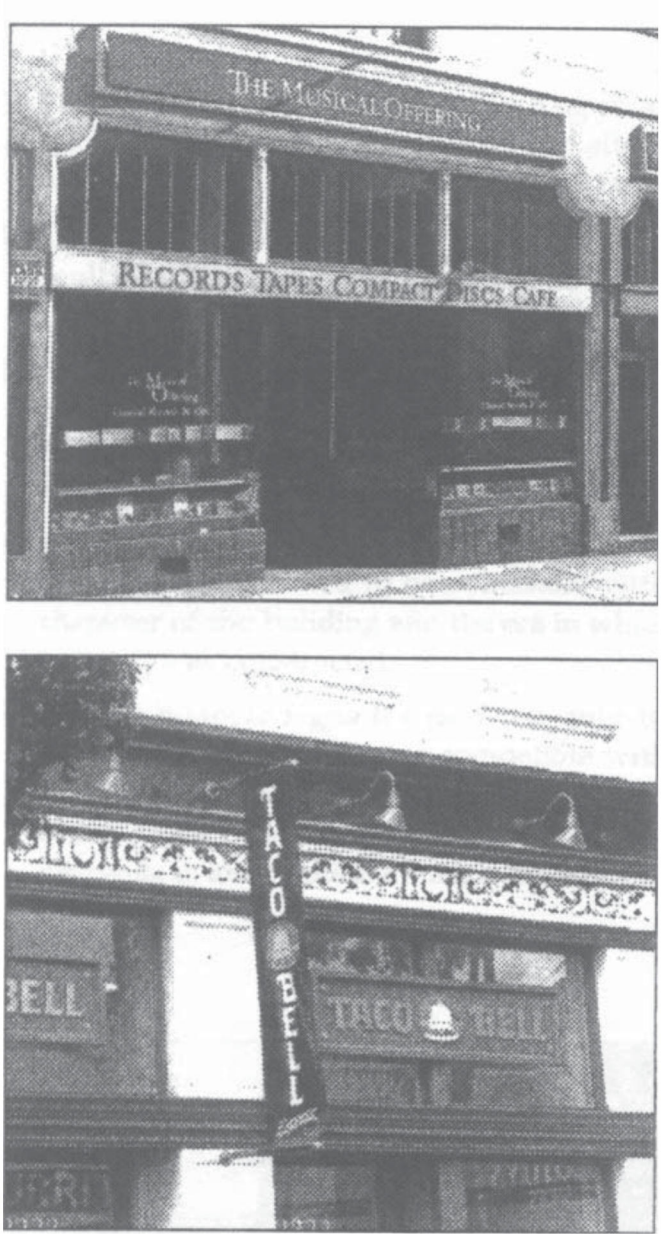


Figure 31: *Wall signs should be an integral part of storefront designs, and should fit within or just above the enframed storefront. In both the above examples, the size and placement of the signs not only respect the composition of the building, but are also at a suitable scale for a pedestrian-oriented district.*

neon. Signs should be a matte finish so as to not cause glare. Internally lit plastic letters or signs are strongly discouraged.

11 Firmly anchor the sign to the building in a way that does not damage the surface, and allows for easy removal to accommodate the changing tenants.

12 Coordinate the design and alignment of signs on multiple use buildings in order to achieve a unified appearance rather than visual confusion.

13 Retain historic signs and inscriptions, and do not remove or replant historic ghost signs. If it is necessary to remove or relocate historic signs, store them on the premises for future reuse.

14 On Landmark buildings, signs should be designed and located to be consistent with the character of the building and the era in which the building was constructed.

15 Modify historic signs for new use only to the extent that the changes are compatible with the original sign. Modifications should have the ability to be removed without affecting original elements, in anticipation of future restoration.

16 Modify corporate logo signs to conform to these guidelines, if necessary.

17 Cabinet signs are strongly discouraged; if used on existing, permitted signs, illuminate only the individual lettering or symbols, not the entire sign face.

18 Sign lighting, if any, should utilize spot-lighting, halo lighting, or exposed neon. Spot lighting should be inconspicuous or an integral design feature of the sign, and should not cause glare for pedestrians or motorists. Do not use sign lighting which blinks or flashes.

19 In addition to these guidelines, all signs must conform to the City of Berkeley Sign Ordinance. Design approval and sign permit must be obtained prior to sign fabrication.

20 Temporary signs should use high-quality graphics and must be removed within 30 days.

Figure 32: *Exposed neon is encouraged as a means of sign illumination.*

Figure 33: *Symbol or icon signs provide added visual interest.*

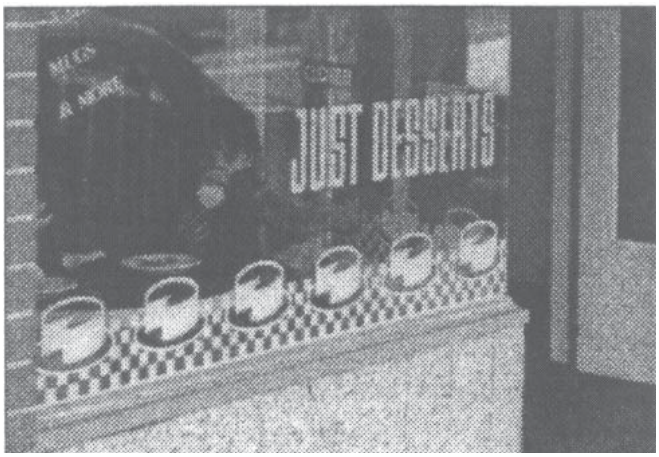


Figure 34: *Window sign allowing clear visibility into store.*

WALL SIGNS

1 Locate wall signs on the upper portion of the storefront, within or just above the enframed storefront opening. The length of the sign should not exceed the width of the enframed storefront.

2 Design signs which are compatible with the storefront in scale, proportions, and color.

3 Cabinet signs are strongly discouraged.

4 Maximum heights should generally not exceed 2 feet, with characters between 6 and 16 inches high. Signs should project no more than 9 inches from the building's face.

PROJECTING SIGNS

1 Design and locate signs which are compatible in scale, proportion and design with the façade. Rectangular signs should typically be vertically oriented and of minimal size (under 12 square feet per face)

2 Symbol or icon signs are preferable to worded projecting signs because they add visual interest to the street.

3 Do not locate projecting signs on the upper façade unless clear historical evidence of their use exists. Locate projecting signs over pedestrian rights-of way, not public streets.

4 Mount projecting business signs perpendicular to the façade of the building, and at least 8 feet above the sidewalk. The outside edge must be at least 1.5 feet from the curb line, and no more than 5 feet from the face of the building.

5 Mounting hardware should be an attractive and integral part of the sign design.

WINDOW SIGNS

1 Storefront window signs encourage pedestrian interest. Window signs should not exceed 15% of the window area so that visibility into and out of the window is not obstructed.

2 Use high-quality materials and techniques such as paint, gold-leaf, neon, and sandblasted or etched glass.

3 Apply window signs directly to the interior face of the glazing, or hang signs inside the window. Cancel all mounting of hardware and equipment.

4 Use high-quality graphics for temporary wall signs and advertisements. These must be removed after 30 days.

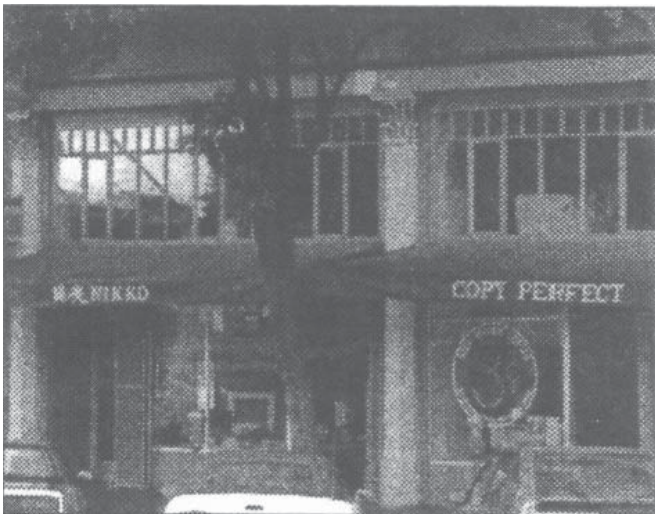


Figure 35: *Awning signs should be limited to vertical surfaces.*

AWNING, CANOPY OR MARQUEE SIGNS

1 Locate signs only on the vertical surfaces of awnings and canopies. The height of the characters should be less that 65% of the height of these vertical surfaces. On some canopies, it may be appropriate to locate letters above the top edge.

2 Product signs are not allowed on the front of the valance or canopy. Secondary text should be reserved for awning returns and canopy ends.

3 Install new marquee signs only on buildings occupied by theatres (film and live), concert and recital halls.

MURALS

1 Locate murals only on blank walls, security doors, or temporary areas such as construction fencing.

2 Murals which contain advertising are prohibited.

3 Mural subjects should not be threatening or intimidating to people.

SIGN BANNERS

1 Cloth banners can help to add interest and color to blank facades and special buildings. They should typically be vertically oriented and compatible with the overall character and color of the building.

2 Banners should look like architectural elements of the building, not flags, and should be attached at the top and bottom.

3 Banners which include text are also signs, and guidelines for All Signs and Projecting Signs also apply.

4 Banners should be at least 8 feet above the sidewalk, at least 1.5 feet from the curb line, and should project no more than 3 feet from the building façade.

5 Use canvas rather than vinyl, plastic, metal or other materials.

6 Temporary signs should use high-quality graphics and must be removed within 30 days.

SIGNS ON TALLER BUILDINGS

Architecture, not advertising, should define the upper elevations of buildings, especially those visible from beyond the Downtown. Commercial signage, advertising signage (including emblems or logos) or building name signage should be avoided on adjacent to the roofs of buildings in Downtown.

NOTE: DRC considered whether signage should be limited to below a certain height to avoid the "commercialization of Berkeley's skyline." No recommendation was made.

SITE DESIGN

This section applies primarily to new construction projects, but may also apply to projects which change the form, size, or configuration of existing buildings. All previous sections of these guidelines also apply.

- FRONTAGES, SETBACKS, & HEIGHTS
- HEIGHTS
- OPEN SPACES
- PARKING & LOADING

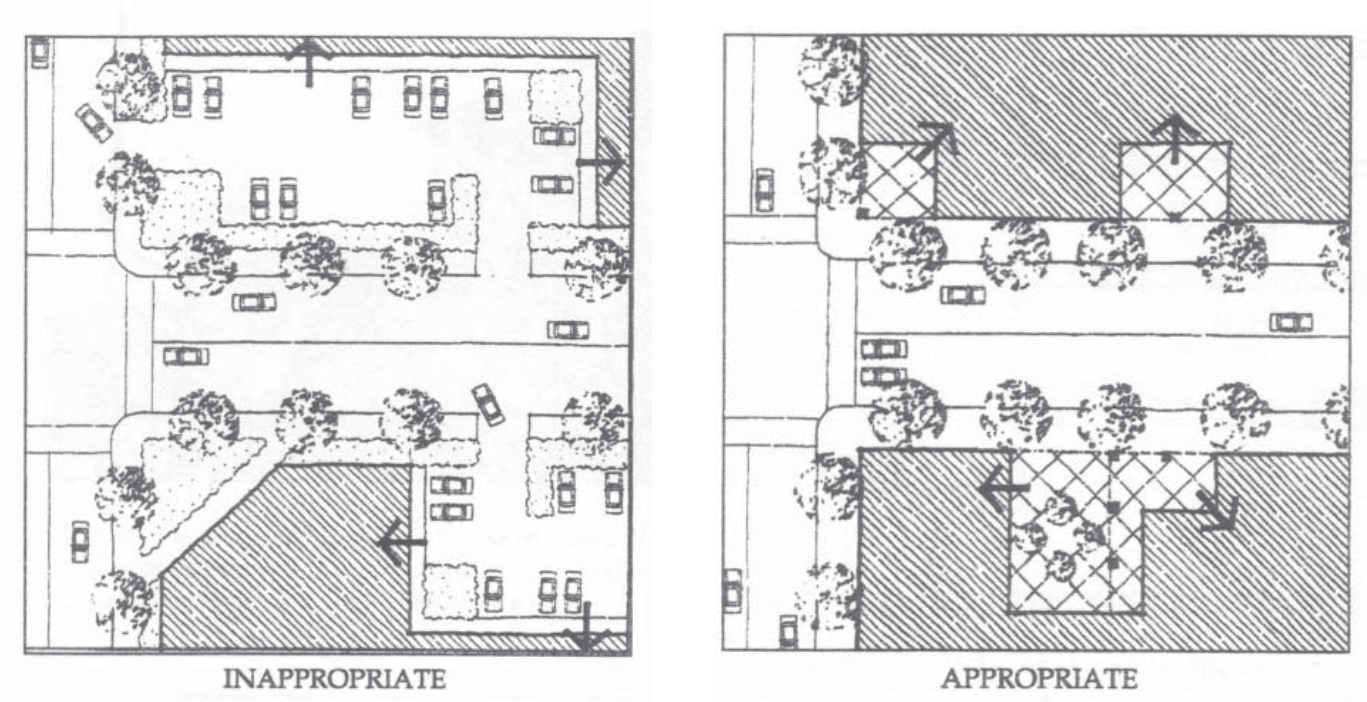


Figure 36: *Except for appropriately defined open spaces, special corner features or recessed entrances, a continuous zero setback should be maintained at the ground floor.*

FRONTAGES, SETBACKS & HEIGHTS

Buildings should frame and define the street as an active public space. Throughout Downtown, buildings are typically built to street-facing property line(s). This historic 'streetwall' of facades should be preserved, and extended through new construction. Setbacks at the ground or upper floors may be used selectively to preserve sunlight, enhance views, provide open space or improve scale relationships, but should be designed with care to insure that visual continuity of the streetwall is not disrupted.

ALL BUILDINGS

1 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, as has been indicated in the map "Public Serving Frontages" (see Figure 43). The only exceptions to this may be to: provide suitably defined, usable open space; create a special corner feature; provide recessed storefront entrances; create an arcade; to provide a narrow band of landscaping (see Figure 37); or to give emphasis to a civic building.

2 On Downtown streets without commercial or higher levels of activity, bring buildings close to the street-facing property line while also providing landscaping.

3 Continue the rhythm of 15-30 foot spacing of structural bays and/or enframed storefronts at ground level, in order to establish visual continuity with existing buildings and create pedestrian scale.

4 Design recessed storefront entrances so they do not exceed 50% of the width of the storefront, nor ten feet in depth.

5 Consider massing alternatives that would reduce shadow impacts on streets and relate new construction to the scale of nearby buildings, such as use of upper-story setbacks. Consider ways that buildings with upper-story setbacks can avoid the "wedding cake effect," such as by setting street-level entrances back to the same vertical plane as upper floors and/or by incorporating features that tie the building together visually (see Figure 38).

6 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. East of Shattuck, analyze visual impacts of ridgeline views to the east. Based on such analysis/analyses, consider upper floor setbacks, setbacks at street corners or other techniques to mitigate negative impacts. (see #12 for Wind Impacts.)

7 Place entrances to storefronts and other ground floor uses so that they are accessible directly from the public sidewalk, not internal lobbies.

Figure 37: Continuous Streetwall and Landscaped Setbacks. *A narrow band of landscaping can add greenery to Downtown while maintaining a continuous streetwall.*

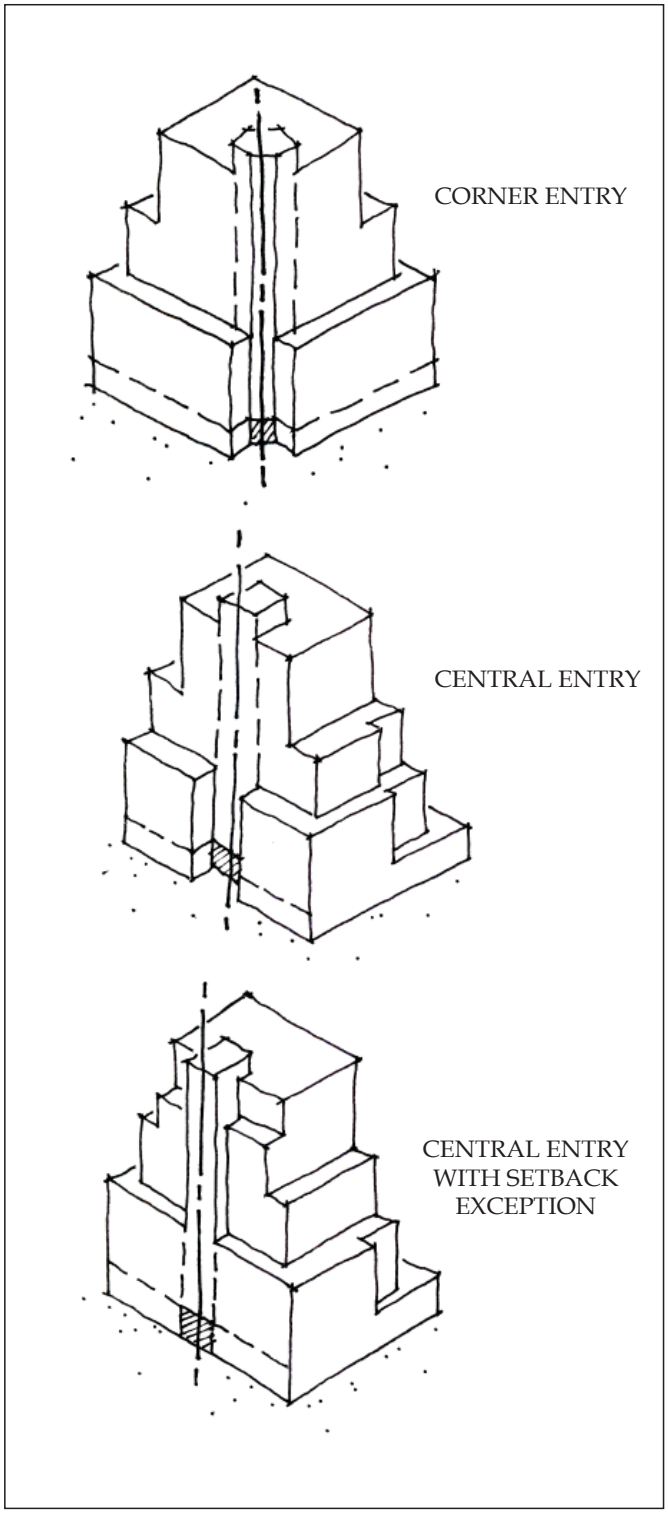


Figure 38: Vertical Elements. *Consider using continuous vertical features to unify upper and lower floors, while stepping back upper floors.*

8 Design entrances of individual buildings to contribute positively to the street. Main entries should be clearly identifiable and inviting, and located to encourage interaction between open space and pedestrians.

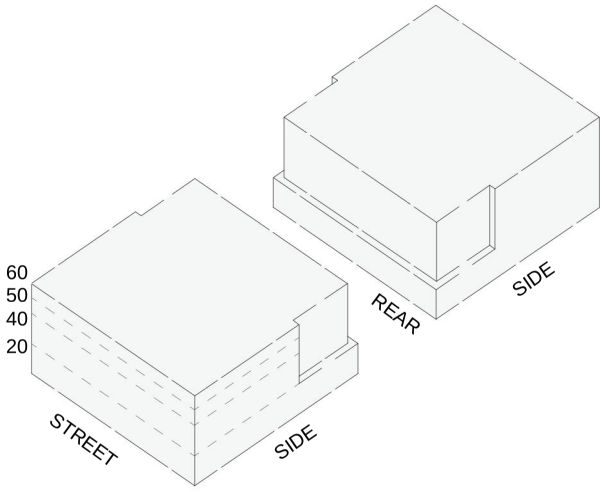
9 New curb cuts in the Downtown core area are discouraged. Existing driveways may be relocated or replaced.

10 Maintain and reinforce Downtown's historic streetwall at the property line. Upper floor setbacks are desirable above 60 feet (usually the fifth floor for residential construction), and should be used above 75 feet.

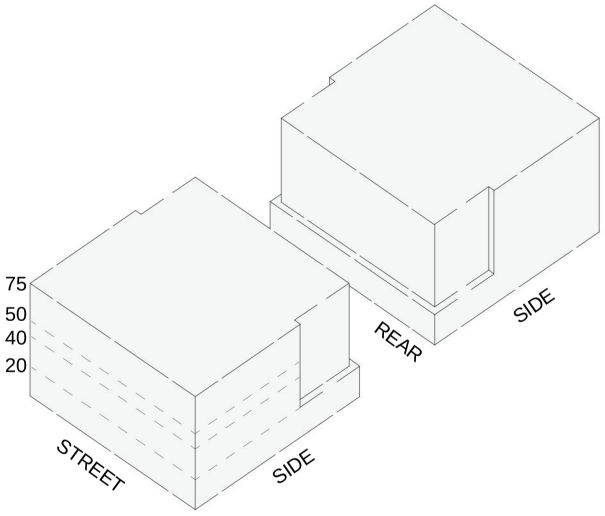
11 Along Oxford Street, consider ways to link downtown to the University campus, such as with usable open space, public art and other features.

12 For buildings over 85 feet in height, prepare an analysis of potential wind impacts. Protect sidewalks and public open spaces by deflecting downward wind drafts ("wind shear") by using building setbacks, recesses, projections, and other devices (see Figure 40). For projects with potentially significant wind impacts, evaluate massing options with a wind tunnel or other simulation, such as are available at UC Berkeley's College of Environmental Design.

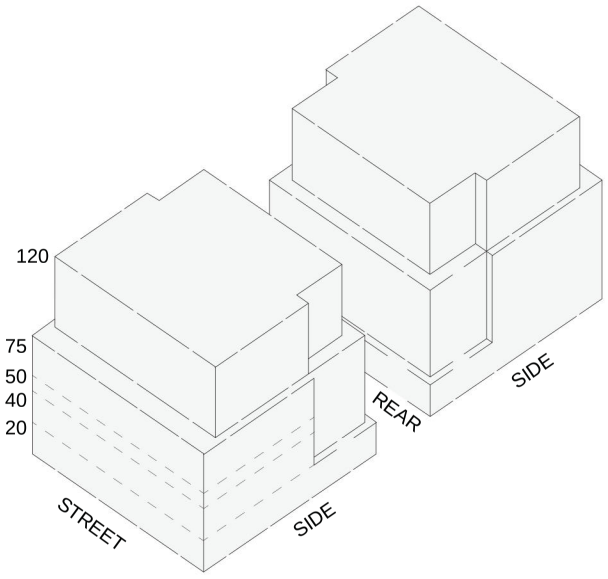
13 Consider how the building's form and orientation can take advantage of sun and shade to appropriately heat and cool the building.



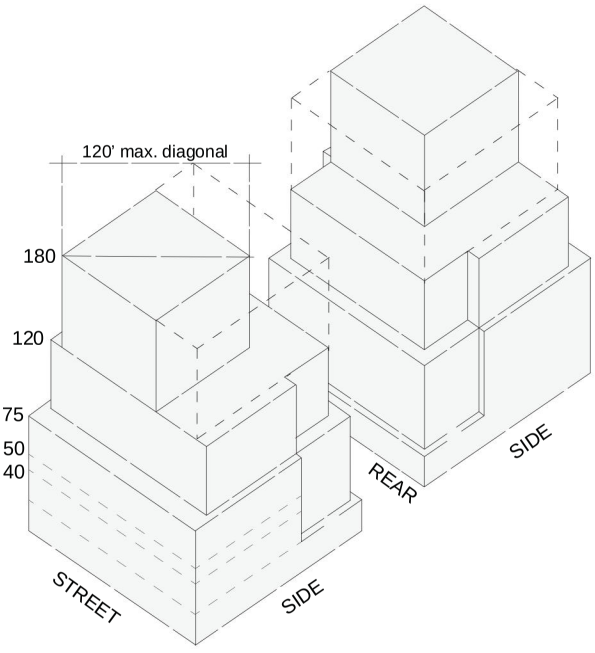
BUFFER DISTRICT



CORE AREA, OUTER CORE AND CORRIDOR AREAS / GENERALLY ALLOWED



TALLER EXCEPTION UP TO 120' , CORE AREA AND OUTER CORE ONLY



TALLER EXCEPTION UP TO 180' , CORE AREA ONLY

Figure 39: Setbacks by Sub-Area.

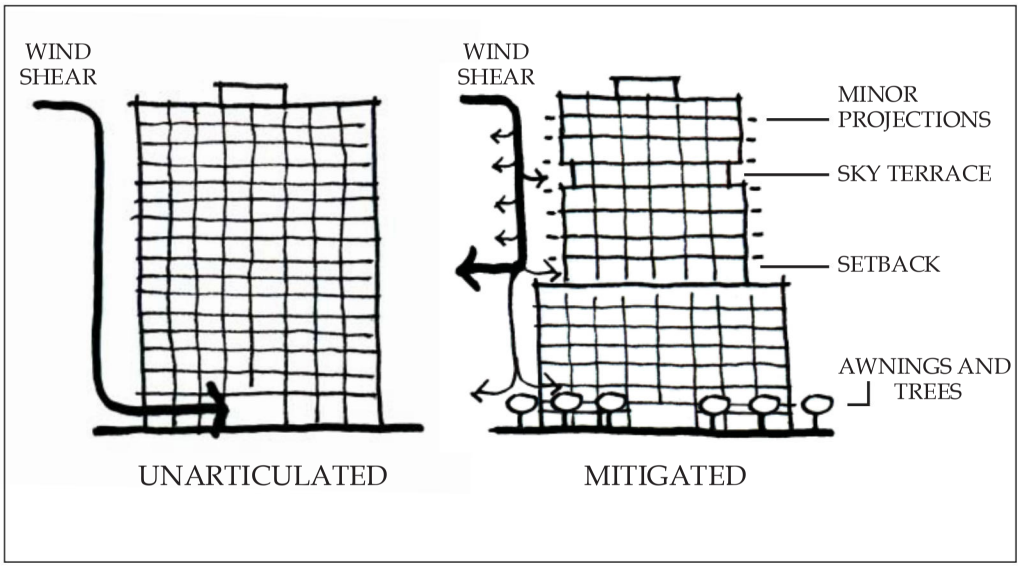


Figure 40: Wind Effects. *Consider ways to mitigate potential wind shear impacts from taller buildings by using upper story setbacks, architectural projections and recesses, and trees.*

Figure 41: *The historic 3-5 story streetwall at the property line should be maintained along Shattuck Ave. to reinforce its urban character and sense of enclosure.*

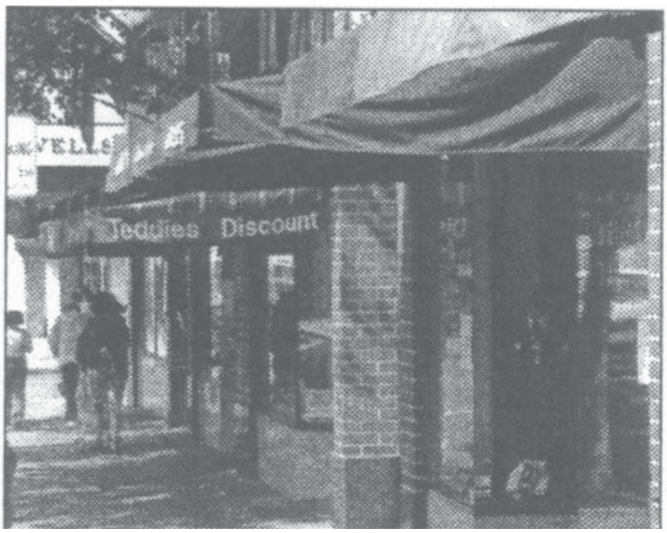
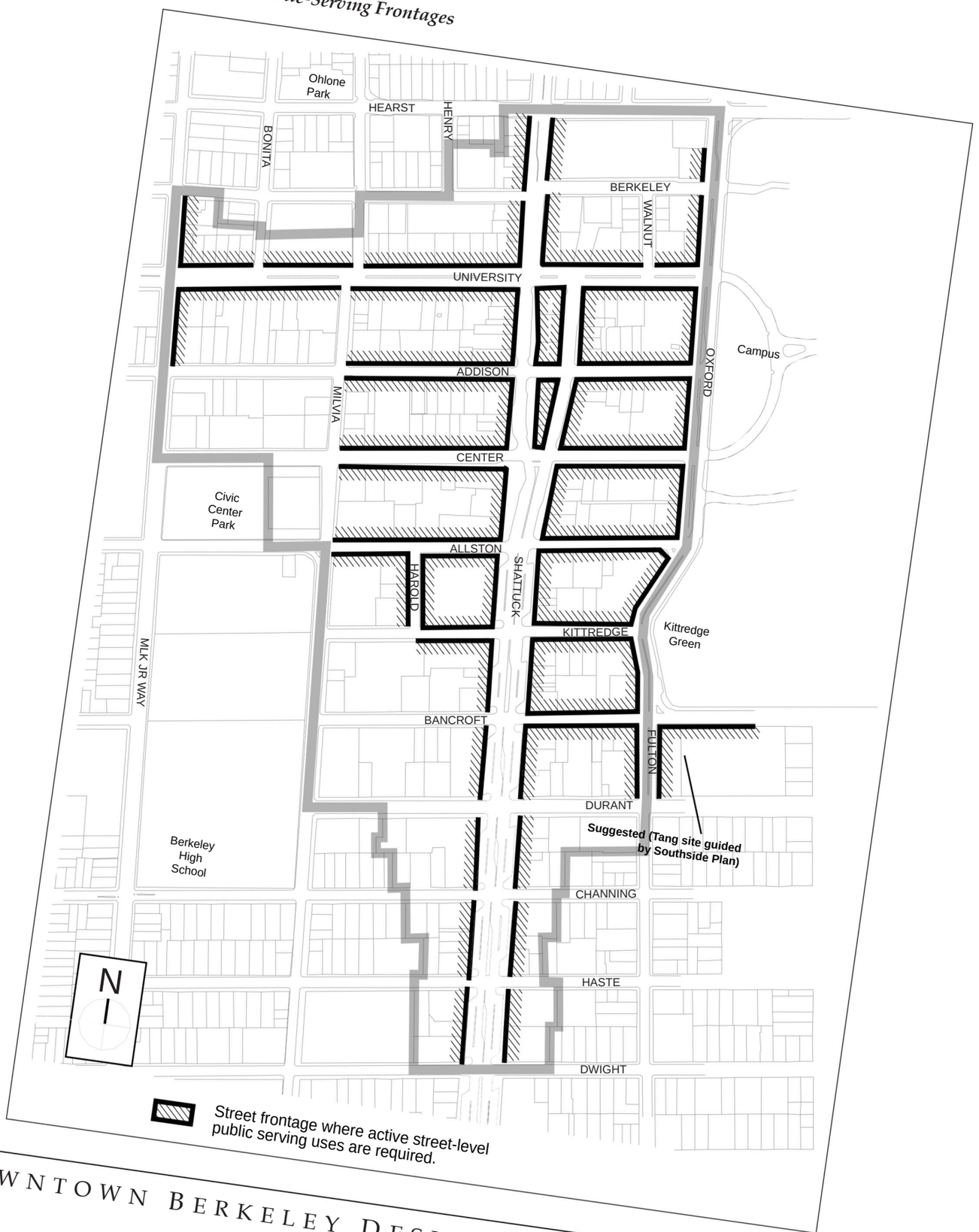


Figure 42: *The continuous zero setback and 15-30′ rhythm maintains continuous visual interest for the pedestrian.*

Figure 43: Public-Serving Frontages



PUBLIC SERVING FRONTAGES

In addition, along Public Serving Frontages, the following are required (see Figure 43 and Downtown Area Plan, Figure LU-3 "Public Serving Frontage Required"):

1 At least one publicly-accessible street-level entrance shall be provided for every 40 feet along a street-facing property line. 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.

2 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.

3 The design of the ground floor space 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.

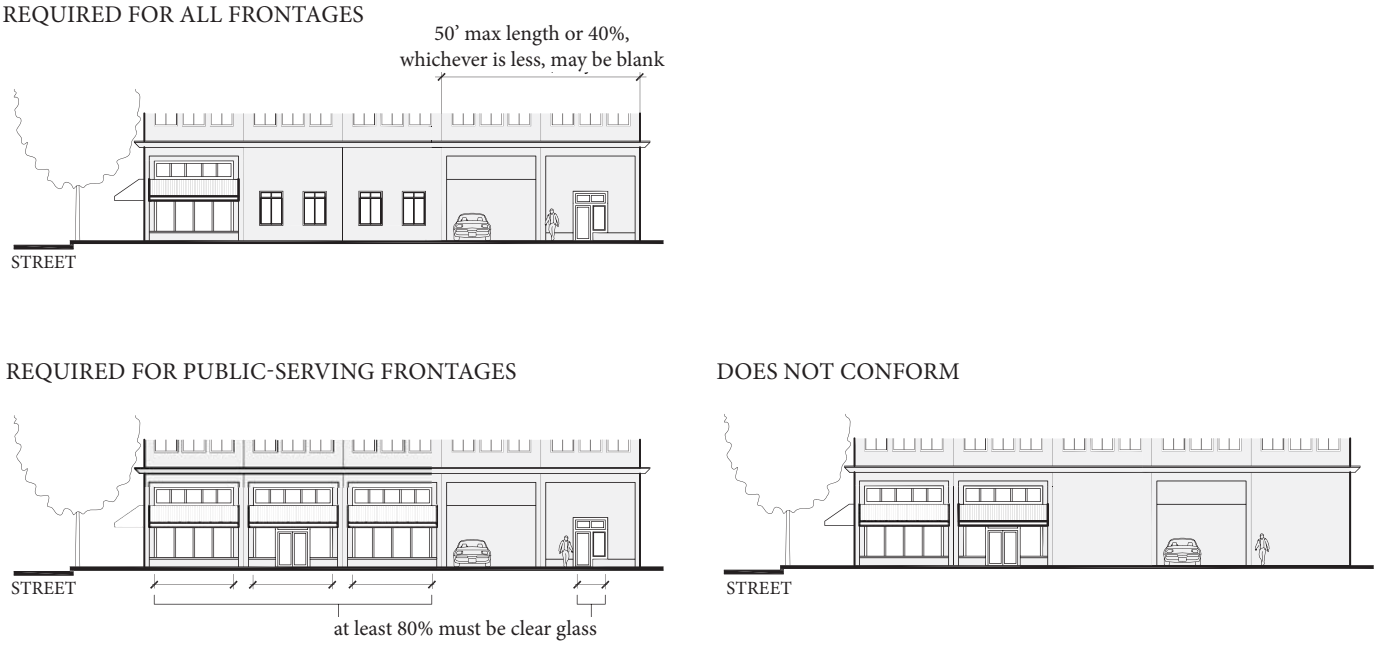


Figure 44: *Examples for All Frontages and Public Serving Frontages*

HEIGHTS

It is a specific goal of the Downtown Area Plan to provide continuity between the old and new in the built environment, and to respect the unique and historic character of Downtown, while promoting beneficial new development. New development should be scaled down at the periphery of Downtown in order to provide a graceful transitions between Downtown and adjacent neighborhoods.

ALL BUILDINGS

1 Consult the Berkeley's Zoning Ordinance for specific height limits for sub-areas within the Downtown.

2 Respect the height of neighboring buildings, and provide a sense of continuity and enclosure which avoids abrupt changes in height.

3 On the corner sites, locate the tallest elements at the corners, particularly at major intersections, except where ridgeline views may be obstructed.

4 New buildings should step down to respect the height of existing residential buildings where they are on parcels with a residential zoning designation.

5 New buildings should be setback and have yards similar to adjacent and confronting parcels having a residential zoning designation.

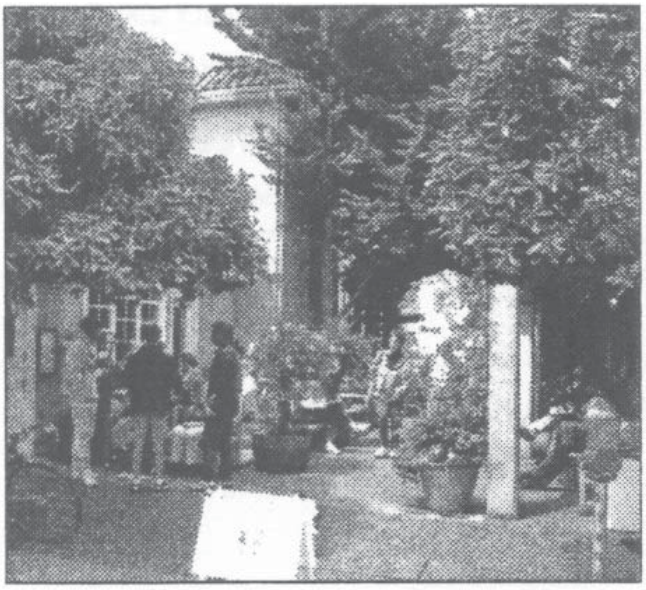
LANDMARK & SIGNIFICANT BUILDINGS

LS1 Use sensitivity when adding height to historic buildings, and propose additional height only when necessary. Utilize setbacks to minimize the contrast between the old and new. Design with respect for the scale, massing, proportions, and historic character of the building.

- *When relevant, the previous guidelines for All Buildings also apply.*

OPEN SPACES

Inviting open spaces should be provided throughout the Downtown. These spaces should be suitable scaled to their surroundings, and sited in locations which reinforce rather than disrupt pedestrian flow. The most successful open spaces are those which are strongly defined by building forms and/or landscaping, and designed to encourage public use. Encourage open space where it provides a visual connection to the Berkeley Hills and San Francisco Bay.



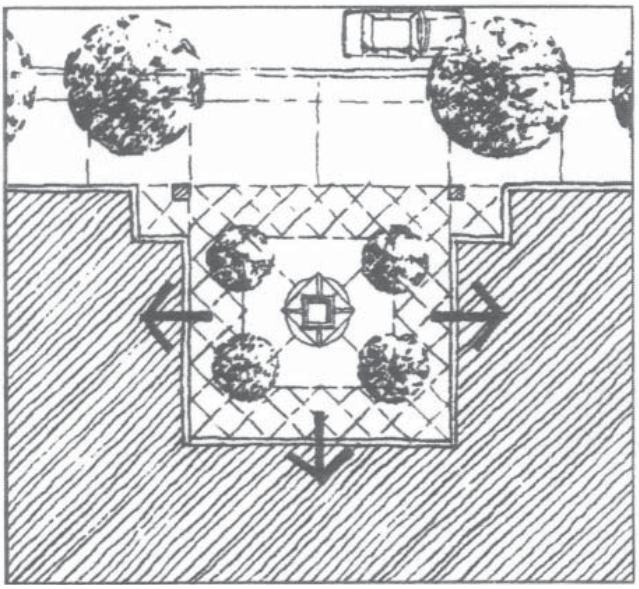


Figure 45: *The most successful urban open spaces are enframed and defined by active buildings. The above photo shows a view into such a space, similar to that shown in the diagram.*

ALL BUILDINGS

1 Preserve views of the hills and bay from Downtown.

2 Retain open spaces presently enjoyed by the public. Provide pedestrian amenities that are available to the public, such as plazas, midblock passages, lobbies with seating, and courtyards – while also maintaining Downtown's general pattern of "streetwalls" – building fronts built close to the street right-of-way) (see Figure 46).

3 Community space for the shared use of residents should also be provided and may include courtyards and terraces. Accompany open spaces with landscaping; ample comfortable seating; accent paving; trash receptacles; pedestrian-scale lights; and art. Community room also serve as important "open space."

4 Keep open spaces clean, safe, and well maintained.

5 Provide new open space which are deliberately planned, designed, and located to be usable. Street-facing plazas and other publicly-accessible open spaces should have an elevation within a few feet of the abutting sidewalk. Elevation changes of more than a few feet should be avoided (see Figure 49).

6 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. Locate new open space to take advantage of natural sunlight where possible.

7 Configure new buildings so they enframe and define open spaces, and so building inhabitants face and observe the open spaces.

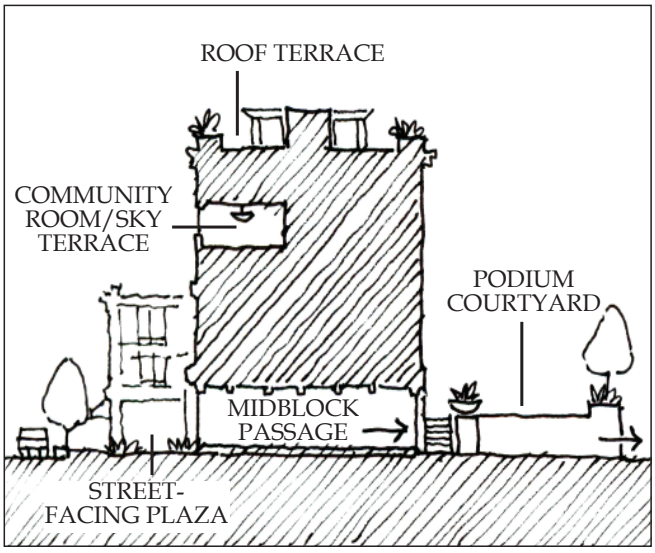


Figure 46: On-site Open Space. *On-site open space can take many forms. Publicly-accessible open space may include: street-facing plazas, midblock courtyards, and midblock passages (where opportunities exist). Shared open space for residents may include: podium (raised) courtyards, community rooms (enclosed), upper-floor "sky" terraces (open), and roof terraces.*

8 Paving in private spaces should be compatible, though not necessarily the same, in color, texture and pattern with paving in adjacent public spaces.

9 Provide mid-block passageways where possible to shorten walking distances for pedestrians.

10 Use drought-tolerant plants that require little or no irrigation, and avoid plants that require pesticides or high levels of maintenance, such as is recommended in the "Bay-Friendly Basics Landscape Checklist" (www.BayFriendly.org). Consider using landscaping to cool open spaces and building air intake manifolds.

11 Consider ways to re-use rainwater for landscape irrigation, or cooling fountains or "water walls." Retain rainwater to promote infiltration and slow site run-off. A few inches of rainwater might be made visible above retention basins to make attractive "rain gardens" when combined with landscaping or rockery (see Figure 47).

12 Green roofs top buildings with soil (or some other growing medium) and vegetation, which are supported over a waterproofing membrane and drainage system. Green roofs insulate, reduce roof replacement and maintenance, retain rain water, and lower urban air temperatures. Encourage green roofs, especially green roofs that can also be used as outdoor amenities by building residents and employees, such as by creating lawns and/or ornamental gardens.

13 Work with the City in considering the relationship to and design of abutting sidewalks and other public open spaces. Provide art and/or outdoor seating as part of buildings or public open space where appropriate.

14 Preserve historic resources and promote architecture that re-uses all or part of existing buildings that are not historic. Where re-use of non-historic buildings does not occur, consider ways to salvage and re-use materials for plazas and features that contribute to a local sense of place (see Figure 24).

Figure 47: "Rain Gardens". *On-site rainwater retention features can be attractive landscape elements, such as the "rain garden" shown. Rain gardens hold most water below landscaping or rockery but can also fill with a few inches of visible water above during heavy rains.*

SPECIAL SITES

S1 Preserve the open space at Civic Center Park. Improve its design and maintenance to encourage higher utilization.

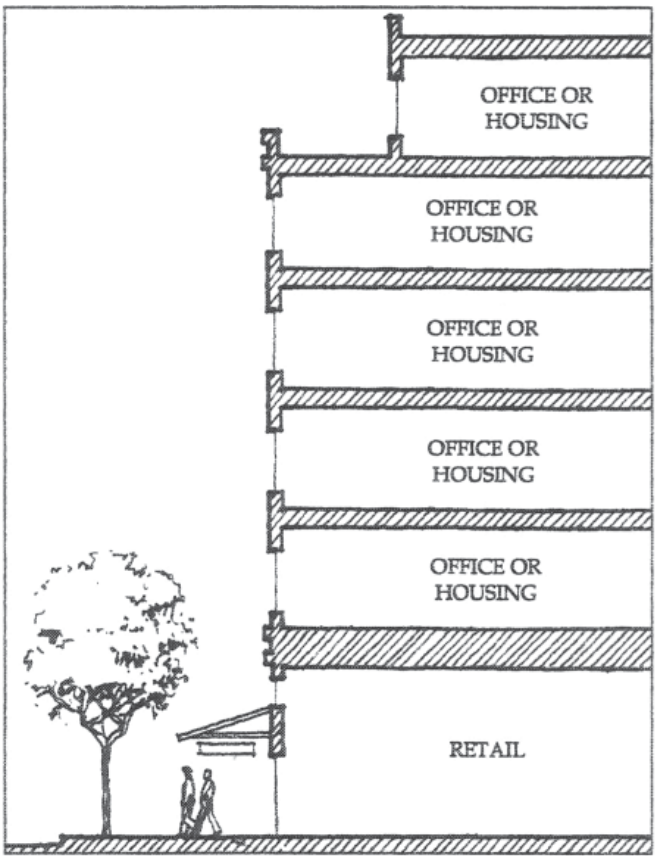
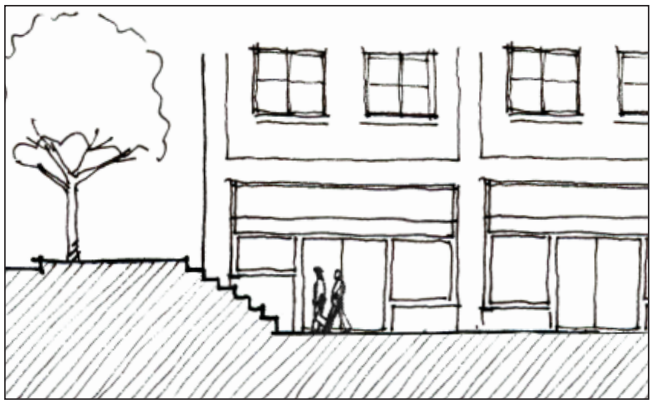


Figure 48: Upper floor setbacks, as shown in this cross-section may be desirable in certain locations to reduce perceived scale, reduce shadow impacts, or preserve views.

APPROPRIATE

APPROPRIATE



NOT APPROPRIATE

Figure 49: Plaza Elevation. *Plazas should not be more than a few feet higher or lower than the sidewalk it abuts. Provide clear sight lines into plazas.*

PARKING & LOADING

Downtown is first and foremost a place for pedestrians, and every effort should be takes to ensure their comfort, safety and continued patronage. Often, vehicular activity is at odds with this goal. Pedestrians should be given first considerations in site planning for parking and loading.

ALL BUILDINGS

1 Give first consideration to pedestrian during the site planning process.

2 For on-site loading and on-site parking, mitigate impacts on the pedestrian to the extent possible. Minimize the impact of curb cuts on pedestrians, such as by utilizing a single curb cut and consolidate vehicular entrances.

3 Locate and design loading areas to minimize their visibility from public spaces, use walls and landscaping to screen views of loading areas.

4 Driveway curb cuts on Shattuck or University Avenues should be avoided.

5 Reduce excessive driveway width where possible, in order to recapture that space for pedestrians instead of vehicles.

6 Locate parking behind buildings, underground, or behind groundfloor storefronts.

7 Locate loading on site, where it does not interfere with pedestrian or vehicular movements.

- *See also Special Sites, Buildings & Subareas.*

SPECIAL SITES, BUILDINGS & SUBAREAS

All other sections of these guidelines also apply. For Landmark Buildings, certain of these guidelines may be superseded by the guidelines in the individual sections for Landmark Buildings.

- CORNER SITES
- IMPORTANT VISTAS
- CIVIC BUILDINGS
- PARKING STRUCTURES
- PARKING LOTS
- SUBAREAS WHERE HISTORIC RESOURCES ARE CONCENTRATED

Throughout the Downtown, there are certain building types and areas which should be given particular consideration. Special sites should take advantage of desirable views or characteristics and express good urban design principles. Unique building types such as parking structures and civic buildings should express their function in a way that is harmonious with the pedestrian environment and historic character of Downtown.

CORNER SITES

1 Accentuate the corner as the focal point of the site (see Figure 50). This may be accomplished by building to the maximum height, utilizing setbacks, providing definition at the streetwall with landscaping or architectural elements, or providing open space or main entries at the corner.

2 At Oxford Street intersections, utilize corner ground and upper floor setbacks to preserve views of the hills from Downtown. [See also Site Design: Frontages & Setbacks]

3 Both street fronts are individual facades. (See also Building Design: Facades.)

IMPORTANT VISTAS

1 Preserve important vistas within the downtown area. Important vistas include: University Avenue in both directions; streets with views of the hills to the east; the west termination of Center Street; the east and west termination of Kittredge Street; the east termination of Allston Way, the north and south termination of Harold Way, the portion of Shattuck Avenue which terminates at University Avenue, and the northwest and southeast corners where Milvia Street jogs at University Avenue.

2 On sites which terminate important vistas, design alternations and new construction to communicate the importance of the site, particularly in the loca-

Figure 50: *On corner sites, the corner should be emphasized as a focal point. This building combines a chamfered corner with a more elaborate architectural treatment.*

Figure 51: *Corner storefronts should 'wrap' the corner to acknowledge the visibility of both frontages from the intersection.*

tion and articulation of entries, overall massing, quality of materials and roof form.

3 In particular locations along Shattuck and University Avenues, provide a sense of entry by differentiating the site as a gateway to the Downtown. Incorporate design features that make a strong entrance statement, such as accentuated corners; dramatic façade materials; changes in plane or texture which add depth to facades; overhangs above the right of way; clock towers; special signs or banners; special lighting, paving or landscaping.

CIVIC BUILDINGS

1 New civic architecture should have a stately presence, should communicate a sense of permanence and stability for the community, and should be inviting to the public (see Figure 52).

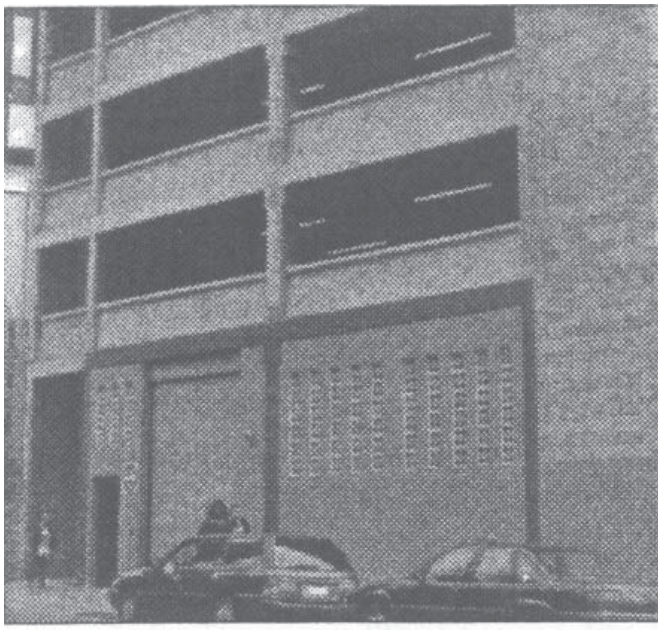
2 Locate new civic buildings near public transit, on prominent sites, or as part of the Civic Center.

3 Utilize forecourts, lawns or other architectural and landscape devices, in order to identify civic buildings as important sites. Civic buildings may be setback, unlike other buildings which should maintain a continuous streetwall.

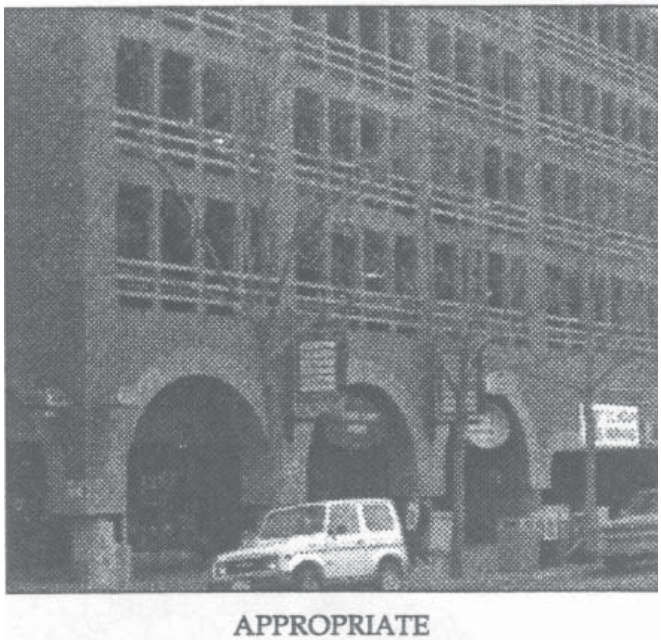
4 New construction in the Civic Center area must maintain the cultural character and scale of the area with compatible massing, proportions, and materials. Respect the sense of enclosure surrounding Civic Center Park.

5 Around Civic Center Park, provide consistent landscaping, streetscape amenities, and paving patterns and materials.

Figure 52: *The Main Post Office includes many design features which identify it as a civic building: it is set back from the street to provide a public forecourt, and its style and materials convey a sense of substance and permanence. The colonnade in particular is an architectural element which is strongly associated with civic buildings.*



INAPPROPRIATE



APPROPRIATE

Figure 53: *Parking structures should incorporate retail or other active uses on the ground floor, where feasible. The Durant Ave. structure (bottom) does; it also echoes nearby buildings in the pattern of openings on its upper floors.*

PARKING STRUCTURES

1 Locate parking structures underground or behind buildings where feasible. If not feasible, incorporate retail storefronts and business spaces on the ground floor to maintain the pedestrian character of the downtown. [Refer to Building Design: Storefronts, for guidelines regarding retail storefronts and business spaces.]

2 Design parking structures to be architectural assets, by utilizing appropriate articulation, detailing, massing and scale.

3 For visual and security reasons, avoid solid wall surfaces. Where retail uses are not feasible, break up the massing of large walls. Display cases to exhibit merchandise, artwork or information may be placed in otherwise blank walls.

4 Architecturally distinguish the ground floor from the upper façade, to form a visual base for the building and to be compatible with the historic character of Downtown (see Figure 53).

5 Design upper facades of parking structures in a manner which respects the historic character, proportions, and rhythm of Downtown buildings.

6 Utilize materials, details, and colors which are compatible with neighboring buildings or nearby Landmark and Significant buildings.

7 Design entries so that conflicts between vehicles and pedestrians are minimized. In order to minimize gaps along the sidewalk, entries should be of minimum width. Clearly mark vehicular entries using architectural devices and/or landscaping.

8 Provide illumination that ensures a sense of security for both occupants and passersby. Consider pedestrian routes to and from the parking structures, as well as the garage itself.

- *Shield internal lighting to minimize the direct view of lamps from outside the structure. Design rails and parapets to block the view of headlight glare. Refer to the Downtown Area Plan for more information on parking structures.*

PARKING LOTS

1 Surface parking lots are not appropriate to Downtown and should be avoided.

2 Where a parking lot cannot be avoided, use low walls or fences, grade separations, plantings, or other devices to screen cars and eliminate gaps in the streetwall caused by surface parking. Don't create a security problem, nor obscure visibility to or from the sidewalk.

3 Perimeter landscaping with trees and shrubs is required. In addition, parking lot trees must be selected and planted to achieve a canopy coverage of at least 50% within seven years. Provide automatic irrigation for all parking lot landscaping.

4 Pave surface parking lots with asphalt, concrete or similar dust-free materials.

5 Circulation must be designed so that all maneuvering will take place entirely within the property line of the lot.

6 Clearly mark vehicular entries to surface parking lots, and design entries so that conflicts between vehicles and pedestrians are minimized. In order to minimize gaps along the sidewalk, entries should be of minimum number and width.

7 Provide illumination that ensures a sense of security for both occupants and passersby. Lighting should be integral to the design of the parking lot, and should be shielded as to avoid direct glare into adjacent uses.

- *Refer to the Downtown Area Plan for more information on parking lots.*

Figure 54: *Historic structures on University Ave.*

SUBAREAS WHERE HISTORIC RESOURCES ARE CONCENTRATED

Downtown contains subareas with noticeable concentrations of historic buildings – and the potential for cultivating distinct and memorable places. The Downtown Design Guidelines seek to protect and reinforce the overall character of these subareas. In subareas where historic resources are concentrated, designers should pay special attention to a project's context, including the character of adjacent properties and subarea as a whole.

COMPATIBILITY

Within subareas where historic resources are concentrated, building alterations, new construction and public improvements should be designed with particular concern for compatibility with their surroundings, while recognizing the need for continued growth and increased building densities in Downtown's mixed-use areas.

Design new construction and alterations to resonate with prevalent architectural characteristics of historic development in the vicinity of the project including but not limited to: materials, color, cornice, fenestration patterns, structural bays, roof form, vertical projections, overhanging elements, and motif. New features should not precisely replicate but should generally reinforce patterns associated with historic development.

Build consistently with the existing streetwall, particularly at corner sites. Continue dominant rhythms for structural bays and other vertical elements, and for dominant cornice lines, such as between ground floors and upper stories and at the top of facades that meet a street. Set back upper floors so that dominant roof and cornice lines remain generally consistent as seen from the street.

Substantial building renovations should be accompanied by façade improvements that reinforce a subarea's historic character. Where prior alterations that have led to the loss of features that once reinforced the historic character of a subarea, restore such features based on historical evidence.

EXTENT & CHARACTER OF SUBAREAS

The Downtown Area Plan recognizes that a subarea with a concentration of historic resources runs along Shattuck Avenue from about University to Durant, as well as some side streets. The Landmarks Preservation Commission (LPC) should evaluate this and other possible subareas to better understand their defining characteristics and their precise extent. To provide explicit guidance for specific subareas, amend these Guidelines after the character and extent of historic subareas are better understood – and consistent with the possibility that such subareas may be designated as historic districts.

Refer to the Downtown Area Plan Draft Environmental Impact Report (DEIR) for additional discussion on "character-defining features" in the Downtown Area. Use criteria pertaining to historic district designations in Berkeley's Landmark Preservation Ordinance (LPO) and applicable guidelines in the National Register Bulletin "How to Apply the National Register Criteria for Evaluation."

SPECIAL CONSIDERATIONS

All sections of this chapter are interrelated; refer to all of these sections and other chapters as appropriate.

- CODE CONSIDERATIONS
- SEISMIC CONSIDERATIONS
- ACCESSIBILITY
- FUNDING
- SUSTAINABILITY
- STREET & OPEN SPACE IMPROVEMENTS

SPECIAL CONSIDERATIONS

Design decisions are not the only factors which influence the appearance of Downtown buildings. Codes and regulations have tremendous impact on the design of buildings and sites. In today's economic climate, financial considerations are perhaps the most influential determinants of physical form. Special consideration must be given to regulatory, environmental, and financial requirements and incentives in order to produce optimal design solutions which also satisfy functional and physical needs. Of note are programs and regulations to encourage the restoration of and change of use within historic structures.

CODE CONSIDERATIONS

- In addition to these Guidelines, there are city, state, and federal regulations which must be met prior to obtaining a permit for construction. See "Obtaining Permits and Obtaining Planning Approvals" (available at the Berkeley Permit Service Center) for further information.

- Projects involving buildings, properties and features designated as Landmarks, Structures of Merit, and Significant buildings. In addition, buildings evaluated as potentially eligible for listing as historic on the *State Historic Resources Inventory* (SHRI), may utilize the *State Historical Building Code* (Title 24, Part 8). The SHBC allows alternative building regulations for the rehabilitation, preservation, restoration or relocation of historic structures.

- Landmark, Structures of Merit, and Significant buildings, buildings evaluated as historic on the State Historic Resources Inventory (SHRI), and buildings which qualify for the State Register are exempt from California Energy Requirements Exemption 1 to Section 100 (a): Qualified historical buildings as defined in the State Historical Building Code (Title 24, Part 8).

SEISMIC CONSIDERATIONS

- When designing for seismic strengthening, utilize methods which allow for large storefront openings, such as moment frame system rather than shear wall system that can block or cause removal of storefront display windows.

- When designing for seismic strengthening of Landmarks, Structures of Merit, and Significant buildings, utilize methods which are concealed, and which do not damage the historic character of the exterior or interior. When this is not feasible (such as when exterior bracing must be used), restore or replicate damaged areas, and be sensitive to the historic details, spaces, and character of the building. For advice contact the California Main Street Program at 707-631-5029.

- *The Commercial Owner's Guide to Earthquake Safety is available from the Seismic Safety Commission at http://www.seismic.ca.gov/pub/CSSC_2006-02_COG_reduced.pdf or 916-263-5506.*

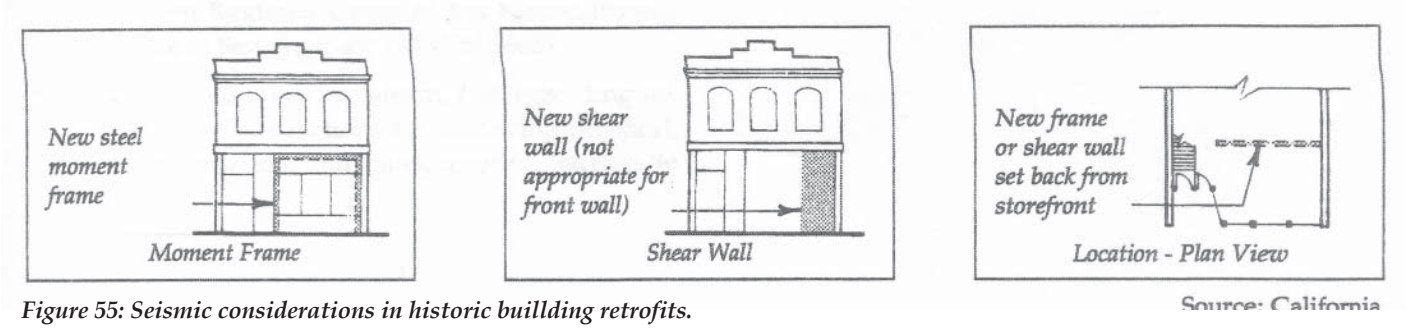


Figure 55: Seismic considerations in historic buillding retrofits.

Source: California

ACCESSIBILITY

- *The Americans with Disabilities Act* (ADA), a civil rights law rather than a building code. It requires that all buildings in which commerce takes place – which includes not only commercial and community uses but also residential rentals – must be accessible to the disabled. When historic properties are altered to meet ADA, modifications should not be done in a manner that would threaten or destroy the significance of the property The State Historic Preservation Officer should be consulted to determine whether alternative accessibility provisions may be used and what form they may take. The State Office of Historic Preservation (OHP) may be reached at ohp.parks.ca.gov or 916-445-7000.

- When new features are incorporated for accessibility, historic materials and features should be retained whenever possible.

- Two publications provide valuable advice on how to address accessibility to historic buildings. *Preservation Brief #32: Making Historic Properties Accessible, and Preserving the Past and Making it Accessible for People with Disabilities*, are available from the OHP and the National Park Service at http://www.nps.gov/hps/freepubs.htm .

- Refer to Funding for information regarding tax credits and deductions for removing physical, communication, and transportation barriers to access.

FUNDING

- Under Section 44 of the Internal Revenue Code, businesses with fewer than 30 employees or gross receipts of less than $1 million may take a tax credit equal to 50% of the amount of qualified expenditures between $250 and $10,250 for making modifications which meet the *ADA Accessibility Guidelines* (ADAAG). The Section 44 tax credit may be taken in more than one taxable year, but expenses may not be deducted under any other IRS Code tax credit provision.

  Also, Section 190 of the IRS Code permits businesses, private entities, and places of public accommodation which are not eligible for the Section 44 tax credit to deduct up to $15,000 for removing qualified architectural barriers which comply with ADAAG. Examples of eligible access expenditures include the necessary and reasonable costs of removing architectural, physical, communications, and transportation barriers; providing readers, interpreters, and other auxiliary aids; and acquiring or modifying equipment or devices.

  More specific information may be obtained from the Architectural and Transportation Barriers Compliance Board, at (800) USA-ABLE, or the Pacific Disability and Business Technical Assistance Center in Oakland at 465-7884.

- The City of Berkeley provides property tax reductions related to Mills Act contracts. There may also be assistance for preservation projects via loans or grants from The California Heritage Fund and the National Trust for Historic Preservation. Federal incentives include 10% and 20% Investments Tax Credits for historic buildings or properties listed or eligible for listing in the National Register. Circumstances vary as to the availability of funding for Downtown projects; contact the City's Office of Economic Development (ecodev@cityofberkeley.info /981-7530), the State Office of Historic Preservation (contact information above) for up to date information. Funding resources are also described in free publications from the National Park Service at http://www.nps.gov/hps/freepubs.htm .

- Projects involving National Register or National Register eligible buildings which utilize federal funds are subject to Section 106 of the National Historic Preservation Act. This process requires review of the project by the State Historic Preservation Officer on behalf of the Advisory Council on Historic Preservation. *The Secretary of the Interior's Standards for Historic Preservation Projects* are used as guidance for determining the impact of federally funded projects on historic properties on or eligible for listing on the National Register of Historic Places.

- The *Secretary of the Interior's Standards for Rehabilitation* must be met when the 20% Federal Investment Tax Credit is utilized for projects which involve buildings on or eligible for listing on the Nation-

al Register of Historic Places. (This may include Berkeley's Landmark and Significant buildings, and buildings evaluated as historic on the State Historic Resources Inventory).

SUSTAINABILITY

- The conservation of older buildings will play an important role in helping the City meet goals contained within its Climate Action Plan. The conservation and reuse of buildings avoids the use of energy and other resources "embedded" within new construction materials – and the greenhouse gases associated with the creation of such materials.

- For all buildings, existing and new, there are numerous ways to enhance the building's environmental performance as it relates to the use of energy and other resources, as are called for in City policy and regulation. As has is discussed in these Design Guidelines, many aspects of "green building" design effect – and can give form to – the appearance of buildings, such as construction type, building form, building orientation, materials, and landscaping.

STREET & OPEN SPACE IMPROVEMENTS

- Berkeley's Downtown Street & Open Space Improvement Plan (SOSIP) addresses the character and performance of Downtown's public realm. The SOSIP should be referred to during the design and review of proposed projects to place project proposals into proper context. Of special note is Policy 6.3 that states: "The aesthetic character of street elements should establish a consistent appearance and reinforce Downtown's historic character, with exceptions made where appropriate. Street elements should have a traditional appearance, . . .[while e]xceptions may be made to showcase public art and features that promote environmental sustainability. Street elements should have a consistent and traditional appearance, and be similar in style as the early 20th-century look of many existing light poles. "

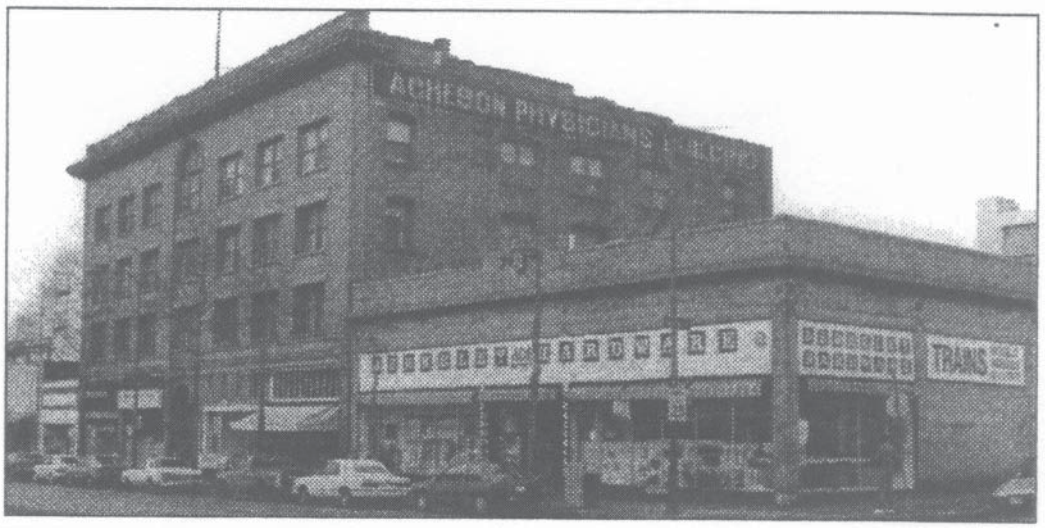


Figure 56: *Historic structures on University Ave.*

Appendix B

Northwest Information Center Records Search Results Reports Table

Known Cultural Resources Studies within 0.25-mile radius

Author(s)	Date	Report Title	CHRIS Report No.	Relationship to Project Site
Roop, William	1982	Archaeological Reconnaissance of the Proposed Biological Sciences Construction and Alterations Project, University of California Berkeley	S-005625	Outside
Jensen, Chris and Loma Billat	2001	Proposed Cellular Facility (Nextel Site Number: CA-067G/South Berkeley) in Downtown Berkeley, California	S-024284	Outside
Pastron, Allen G. and R. Keith Brown	2000	Historical and Cultural Resource Assessment, Proposed Telecommunications Facility, the Roof Tank, Site No. PL-386-04, 2054 University Avenue, Berkeley, California	S-029543	Outside
Billat, Lorna	2005	Roof Mounted Antennas, and Lease Area Inside Building, Downtown Berkeley/CA-2521, 2054 University Avenue, Berkeley, CA	S-029683	Outside
Baker, Suzanne	2010	Historic Property Survey Report, the Alameda County Transit District's East Bay Bus Rapid Transit Project in Berkeley, Oakland, and San Leandro	S-038249	Outside
Baker, Suzanne	2010	Addendum to Positive Archaeological Survey Report for the Alameda County Transit District's East Bay Bus Rapid Transit Project in Berkeley, Oakland, and San Leando, California	S-038249a	Outside
Baker, Suzanne	2010	Addendum Historic Property Survey Report, the Alameda County Transit Project in Berkeley, Oakland, and San Leandro	S-038249b	Outside

Baker, Suzanne	2010	Second Addendum to Positive Archaeological Survey Report for the Alameda County Transit District's East Bay Bus Rapid Transit Project in Berkeley, Oakland, and San Leando, California	S-038249c	Outside
Baker, Suzanne	2005	Positive Archaeological Survey Report for the Alameda-Contra Costa Transit District's East Bay Bus Rapid Transit Project in Berkeley, Oakland, and San Leandro	S-038249d	Outside
Donaldson, Milford Wayne and Leslie T. Rogers	2006	FTA051227A; National Register of Historic Places Determination of Eligibility for Properties within the Area of Potential Effects for the Proposed AC Transit Bus Rapid Transit Project, Alameda County, California	S-038249e	Outside
JRP Historical Consulting	2005	Finding of Effect for AC Transit East Bay Bus Rapid Transit Project	S-038249f	Outside
Pastron, Allen G.	2008	Executive Summary of Results of On-Site Archaeological Monitoring and Evaluation at the 2055 Center Street Project, City of Berkeley, Alameda County, California	S-039397	Outside
Hibma, Michael	2013	Architectural Significance Evaluations of Three Garages at 1931, 1933, and 1935 Addison Street, Berkeley, Alameda County, California (LSA Project #SEG1201)	S-040215	Outside
Pearson, Jeffrey E. and Kathleen A. Crawford	2013	Cultural Resources Record Search and Site Visit Results for T-Mobile West, LLC, Candidate BA02010A (Personal Communication System Roofing Antenna), 2116 Bancroft Way, Berkeley, Alameda County	S-040638	Outside

Hibma, Michael	2013	Eligibility Evaluation of 1974 University Avenue, Berkeley, Alameda County, California	S-042691	Outside
Hibma, Michael	2012	A Cultural Resources Study and Historical Evaluation for the Acheson Commons Project, Berkeley, Alameda County, California	S-042755	Outside
William A. Porter	2014	Acheson Commons, Photo-Documentation & Context Report for 1970-1987 Shattuck Avenue/2101-2109 University Avenue, 2111-2113 University Avenue, 2129/2135-1/2 University Avenue, 2145 University Avenue, 1922/1924 Walnut Street, 1930 Walnut Street	S-042755a	Outside
Billat, Lorna and Dana Supernowicz	2013	Collocation Submission Packet, South Downtown Berkeley, CCL04690	S-043139	Outside
Historic Resource Associates	2013	Architectural Evaluation Study of the South Downtown Berkeley Project, AT&T Site No. CCL04690, 2116 Bancroft Way, Berkeley, Alameda County, California 94704	S-043139a	Outside
Wills, Carrie D. and Kathleen A. Crawford	2014	Cultural Resources Records Search and Site Visit Results for Spring Nextel Candidate FN03XC010 (University), 2054 University Avenue, #210, Berkeley, Alameda County, California	S-045781	Outside
McMorris, Christopher	2015	Historic Resources, City of Berkeley Hearst Avenue Complete Streets Project	S-046434	Outside
Gordon, Beth A.	2005	Historic Resource Report, SNFCCA0157A/South Downtown Berkeley, 2116 Bancroft Way, Berkeley, Alameda County, California	S-046739	Outside

Historic Resource Associates	2005	Cultural Resources Study of the South Downtown Berkeley Project, AT&T Wireless Services Site No. SNFCCA0157A, 2116 Bancroft Way, Berkeley, Alameda County, California 94704	S-046739a	Outside
McMorris, Christopher and Sunshine Psota	2015	Historic Property Survey Report, Hearst Avenue Complete Street Project, Berkeley, Alameda County, California, STPL 5057(044)	S-047147	Outside
Psota, Sunshine	2015	Archaeological Survey Report for the Hearst Avenue Complete Street Project in Berkeley, Alameda County: STPL 5057(044)	S-047147a	Outside
Psota, Sunshine	2015	Extended Phase I Proposal for the Hearst Avenue Complete Street Project, Berkeley, Alameda County: STPL 5057(044)	S-047147b	Outside
Psota, Sunshine	2015	Results of Extended Phase I Investigations for Hearst Avenue Complete Street Project in Berkeley, Alameda County: STPL 5057(044)	S-047147c	Outside
Armstrong-Friberg, Mary	2015	FCC Form 621 Collocation Submission Packet: Verizon Wireless Shattuck and Bancroft Facility, 2116 Bancroft Way, Berkeley, CA 94704	S-047276	Outside
Fulton, Phil and Casey Tibbet	2015	Cultural Resource Assessment Class I Inventory: Verizon Wireless Services Shattuck and Bancroft Facility, City of Berkeley, County of Alameda, California	S-047276a	Outside
Polanco, Julianne	2015	FCC_2015_1104_002; Shattuck and Bancroft, 2116 Bancroft Way, Berkeley, Alameda County, Collocation	S-047276b	Outside

Scantlebury, Meg	2015	Downtown Berkeley BART Plaza and Transit Improvement Project Finding of Effect	S-047381	Outside
Roland-Nawi, Carol	2015	FTA_2014_0521_001; Downtown Berkeley Bay Area Rapid Transit (BART) Plaza and Transit Area Improvements Project, Finding of Effect, Berkeley, Alameda County, CA	S-047381a	Outside
Losee, Carolyn and Alexandra Bevk	2016	Cultural Resources Investigation for AT&T Mobility CCL04690 "South DT Berkeley" 2116 Bancroft Way, Berkeley, Alameda County, California 94704	S-047806	Outside
Polanco, Julianne and Carolyn Losee	2016	FCC_2016_0708_002, CCL04690 "South Downtown Berkeley" 2116 Bancroft Way, Berkeley, Collocation	S-047806a	Outside
Kaptain, Neal	2016	Historic Property Survey Report for Shattuck Avenue Reconfiguration and Pedestrian Safety Project, STPL 5057(045), Berkeley, Alameda County	S-049123	**Within**
Kaptain, Neal	2016	Archaeological Survey Report: Shattuck Avenue Reconfiguration and Pedestrian Safety Project, Berkeley, Alameda County, California	S-049123a	**Within**
Hibma, Michael	2016	Finding of No Adverse Effect (Without Standard Condition): Shattuck Avenue Reconfiguration and Pedestrian Safety Project, Berkeley, Alameda County, California	S-049123b	**Within**
Archives & Architecture, LLC	2015	Shattuck Avenue Commercial Corridor Historic Context and Survey	S-049123c	**Within**

Hupp, Jill and Julianne Polanco	2016	FHWA_2016_0808_001 Finding of No Adverse Effect for the Proposed Shattuck Avenue Replacement and Pedestrian Safety Project, Berkeley, Alameda County, CA	S-049123d	**Within**
Historic Resource Associates	2002	Cultural Resources Study for the Proposed Bechtel Corporation Project, Site No. 499-Berkeley Hills, Tolman Hall, Hearst Avenue, Berkeley, California	S-052854	Outside

Source: Northwest Information Center (NWIC)

Attachment C

Sacred Lands File Search Results

NATIVE AMERICAN HERITAGE COMMISSION

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

December 15, 2022

Leanna Flaherty
Rincon Consultants, Inc.

Via Email to: lflaherty@rinconconsultants.com

Re: 2128 Oxford/2132-2154 Center Street Mixed-Use (Rincon #22-12758) Project, Alameda County

Dear Ms. Flaherty:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information submitted for the above referenced project. The results were positive. Please contact the Amah Mutsun Tribal Band of Mission San Juan Bautista and the North Valley Yokuts Tribe on the attached list for information. Please note that tribes do not always record their sacred sites in the SLF, nor are they required to do so. A SLF search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with a project's geographic area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites, such as the appropriate regional California Historical Research Information System (CHRIS) archaeological Information Center for the presence of recorded archaeological sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. Please contact all of those listed; if they cannot supply information, they may recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Cody.Campagne@nahc.ca.gov.

Sincerely,

Cody Campagne

Cody Campagne
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Native American Contact List
Alameda County
12/15/2022

Amah MutsunTribal Band of Mission San Juan Bautista
Irene Zwierlein, Chairperson
3030 Soda Bay Road — Costanoan
Lakeport, CA, 95453
Phone: (650) 851 - 7489
Fax: (650) 332-1526
amahmutsuntribal@gmail.com

Costanoan Rumsen Carmel Tribe
Tony Cerda, Chairperson
244 E. 1st Street — Costanoan
Pomona, CA, 91766
Phone: (909) 629 - 6081
Fax: (909) 524-8041
rumsen@aol.com

Guidiville Indian Rancheria
Donald Duncan, Chairperson
P.O. Box 339 — Pomo
Talmage, CA, 95481
Phone: (707) 462 - 3682
Fax: (707) 462-9183
admin@guidiville.net

Indian Canyon Mutsun Band of Costanoan
Kanyon Sayers-Roods, MLD Contact
1615 Pearson Court — Costanoan
San Jose, CA, 95122
Phone: (408) 673 - 0626
kanyon@kanyonkonsulting.com

Indian Canyon Mutsun Band of Costanoan
Ann Marie Sayers, Chairperson
P.O. Box 28 — Costanoan
Hollister, CA, 95024
Phone: (831) 637 - 4238
ams@indiancanyons.org

Muwekma Ohlone Indian Tribe of the SF Bay Area
Monica Arellano, Vice Chairwoman
20885 Redwood Road, Suite 232 — Costanoan
Castro Valley, CA, 94546
Phone: (408) 205 - 9714
monicavarellano@gmail.com

North Valley Yokuts Tribe
Timothy Perez,
P.O. Box 717 — Costanoan
Linden, CA, 95236 — Northern Valley Yokut
Phone: (209) 662 - 2788
huskanam@gmail.com

North Valley Yokuts Tribe
Katherine Perez, Chairperson
P.O. Box 717 — Costanoan
Linden, CA, 95236 — Northern Valley Yokut
Phone: (209) 887 - 3415
canutes@verizon.net

The Ohlone Indian Tribe
Desiree Vigil, THPO
1775 Marco Polo Way, Apt. 21 — Bay Miwok
Burlingame, CA, 94010 — Ohlone
Phone: (650) 290 - 0245 — Patwin
dirwin0368@yahoo.com — Plains Miwok

The Ohlone Indian Tribe
Andrew Galvan, Chairperson
P.O. Box 3388 — Bay Miwok
Fremont, CA, 94539 — Ohlone
Phone: (510) 882 - 0527 — Patwin
Fax: (510) 687-9393 — Plains Miwok
chochenyo@AOL.com

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct. — Foothill Yokut
Salinas, CA, 93906 — Mono
Phone: (831) 443 - 9702
kwood8934@aol.com

The Confederated Villages of Lisjan
Corrina Gould, Chairperson
10926 Edes Avenue — Bay Miwok
Oakland, CA, 94603 — Ohlone
Phone: (510) 575 - 8408 — Delta Yokut
cvltribe@gmail.com

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed 2128 Oxford/2132-2154 Center Street Mixed-Use (Rincon #22-12758) Project, Alameda County.

Attachment D

Department of Parks and Recreations 523 Forms

The subject property at 2142 Center Street (APN 57-2031-13; 14; 15) is located in Downtown Berkeley between Oxford Street and Shattuck Avenue, in the proposed Shattuck Avenue Commercial Corridor Historic District. A review of available historical resources documentation indicates the property has been identified in several historic resource surveys and is currently listed in the California Office of Historic Preservation's Built Environment Resources Directory with a California Historical Resources Status Code (CHRSC) of 3S, meaning it has been found eligible for listing in the National Register of Historic Places. This finding appears to date to a 1978 survey which was completed by the Berkeley Architectural Heritage Association (BAHA) on behalf of the California Office of Historic Preservation. The 1978 survey also found the building contributes to historic district comprised of downtown Berkeley (City of Berkeley Planning Department 1990). In 1987, BAHA prepared a survey of downtown Berkeley and again identified the building as significant. The building was subsequently recognized as a significant building in the 1990 Downtown Area Plan (City of Berkeley Planning Department 1990). A reconnaissance-level survey prepared in 2006 by Architectural Resources Group in support of the Downtown Area Plan recorded the building as having "good" integrity and also indicated it had been included in a 1993 list of the Landmarks Preservation Commission and 1994 Design Guidelines (Architectural Resources Group 2008). Most recently, the property was formally recorded and evaluated in 2015 by Archives & Architecture, LLC as part of the Shattuck Avenue Commercial Corridor Historic Context and Survey, which was prepared for the City of Berkeley Department of Planning and Development (Archives & Architecture LLC 2015). Through this survey, the subject property was assigned a CHRSC of 5B, finding it locally significant both individually and as a contributor to the proposed Shattuck Avenue Commercial Corridor Historic District. The Shattuck Avenue Commercial Corridor Historic District is defined through this survey as significant because it represents the historic commercial development of Downtown Berkeley and as a distinguishable physical entity of architectural character within greater Berkeley. Its period of significance spans from 1895, marking the beginning of Downtown Berkeley's development to 1958, the year the heavy rail was removed marking the beginning of a short period of commercial decline.

The current survey update of the resource was conducted in January 2023. Since the property was recorded in 2015, there have been no visible alterations to the Mediterranean Revival style building and there is no evidence to suggest the previous CHRSC of 5B would no longer remain valid. Per that definition, the subject property is locally significant both individually and as a contributor to a historic district which appears eligible through survey evaluation. It therefore is a historical resource pursuant to Section 15064.5(a) of the CEQA Guidelines and appears to be eligible for Berkeley Landmark designation per BMC Chapter 3.24.

Photograph 1. View of Thomas Block Building, facing east. Photo taken January 19, 2023.

References:

Architectural Resources Group. Berkeley Downtown Area Plan Historic Resource Evaluation. Prepared for Lamphier-Gregory Urban Planning & Environmental Analysis. 2008.

Archives & Architecture LLC. Shattuck Avenue Commercial Corridor Historic Context and Survey. Prepared for the City of Berkeley Department of Planning and Development, 2015

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PRIMARY RECORD

Primary #
HRI #
Trinomial
NRHP Status Code 3S

Other Listings
Review Code Reviewer Date

Page 1 of 6 ***Resource Name or #:** (Assigned by recorder) Thomas Block

P1. Other Identifier: LaLoma Apartments / Wawoma Apartments / 2132-2154 Center St.

***P2. Location:** ☐ **Not for Publication** ☒ **Unrestricted** ***a. County** Alameda
and (P2b and P2c or P2d. Attach a Location Map as necessary.)
***b. USGS 7.5' Quad** Oakland West **Date** 1993 **Township & Range** No data
c. Address 2142 Center St. City Berkeley Zip 94704
d. UTM: (Give more than one for large and/or linear resources) Zone 10S; 564488mE/ 4191682mN
e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)
Assessor's Parcel Number: 57-2031-13, -14, -15;
South side of Center Street between Shattuck Avenue and Oxford Street.

***P3a Description**: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

A long, low, two-story Mediterranean-Revival-inspired building, the Thomas Block at 2142 Center St. is a Contributor to the Shattuck Avenue Downtown Historic District. Built in 1904 and altered in 1925, much of the historic fabric has been preserved. The proportions and materials of the two-story façade continue today to serve as a clear example of an early-twentieth-century commercial design in the downtown core.

The Thomas Block is part of a setting of mostly historic buildings that form the primary corridor of commercial buildings lining Shattuck Avenue and the transit center that connects the city with the University of California campus. From 1908 through 1938, the Berkeley train depot sat at the end of this block on Shattuck Avenue. The Thomas Block was developed when the station was active in the city, and when Center Street was the main thoroughfare between the station and the University. *(Continued on next page)*

***P3b. Resource Attributes:** (List attributes and codes) HP6. 1-3 story commercial building

***P4 Resources Present:** ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5b. Description of Photo: (View, date, accession #)
View facing southwest, December 2014.

***P6. Date Constructed/Age & Sources:**
☒ Historic ☐ Prehistoric ☐ Both
1904, 111 years old, based on COB permits files and newspaper article.

***P7. Owner and Address:**
Oxford Development Group, LP
1442A Walnut St. #116
Berkeley, CA 94709

***P8. Recorded by:** (Name, affiliation, and address)
F. Maggi, L. Dill, & S. Winder
Archives & Architecture, LLC
PO Box 1332
San Jose CA 95109-1332

***P9. Date Recorded:** May 8, 2015

***P10. Survey Type:** (Describe)
Intensive

***P11. Report Citation:** (Cite survey report and other sources, or enter "none".)
None.

***Attachments:** ☐ NONE ☐ Location Map ☐ Sketch Map ☒ Continuation Sheet ☒ Building, Structure and Object Record ☐ Archaeological Record ☒ District Record ☐ Linear Feature Record ☐ Milling State Record ☐ Rock Art Record ☐ Artifact Record ☐ Photograph Record ☐ Other (List)

(Continued from previous page)

View of façade extents, facing southeast.

This commercial building is notable for its long-low façade and horizontal Mediterranean Revival materials and details. The building is divided in half horizontally between the full-height glazing and narrow posts at the storefront level and the stucco bands that span the upper façade.

The ground floor features an almost continuous width of original transom windows above a series of roll-up cloth awnings and a mix of storefronts. The transoms feature a banded pattern of lites. Many of the storefronts are original, with bronze frames, butted glass, and original vents and tiles at the bulkheads. Interrupting the storefronts are two upstairs entrances. One original door is topped by a massive 3x4-lite transom; the other has been altered with a 1-lite transom and a narrow sidelight. Both doorways are framed beneath archways that are supported on scrolled consoles and feature mosaic tiles on the face of the arch. Between the storefronts are narrow square posts that support the upper floor. The stucco is divided horizontally into bands. The lower band is features art tiles between wide, slightly recessed panels; it serves as a sill band for the windows. The windows are arrayed in a series of paired and individual units. They are wood replacement units in a one-over-one pattern. Above the windows is a frieze band that features square tile insets. The building is topped by a red Spanish-tile Mansard roof that conceals the flat roof of the building. The eaves are shallow, with a shallow cornice in a repetitive-arch pattern.

This property serves pedestrian traffic that flows from the primary commercial strip on Shattuck Avenue and the University campus. The footprint of the building is roughly rectangular, wide rather than deep. The building is approximately 180 feet wide and 60 feet deep.

Character-defining features include: Mansard-topped front wall and party-wall construction; original windows with banded pattern of lites; storefronts with bronze frames, butted glass, and vents and tiles at the bulkheads; two arched upstairs entrances, with consoles and mosaic tiles; one original door with its transom; bands of stucco siding; art tiles; window placement; square tile insets; red Spanish-tile Mansard roof with shallow eaves; decorative stucco cornice. Alterations include the second-story window sash, the retractable cloth awnings and one of the entrance doors. The historic elements of the building appear in very good condition.

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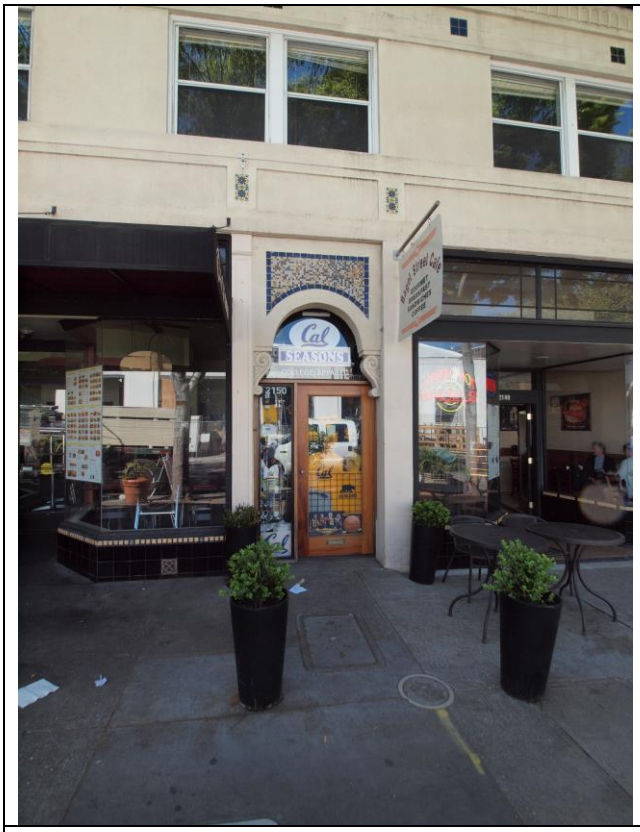
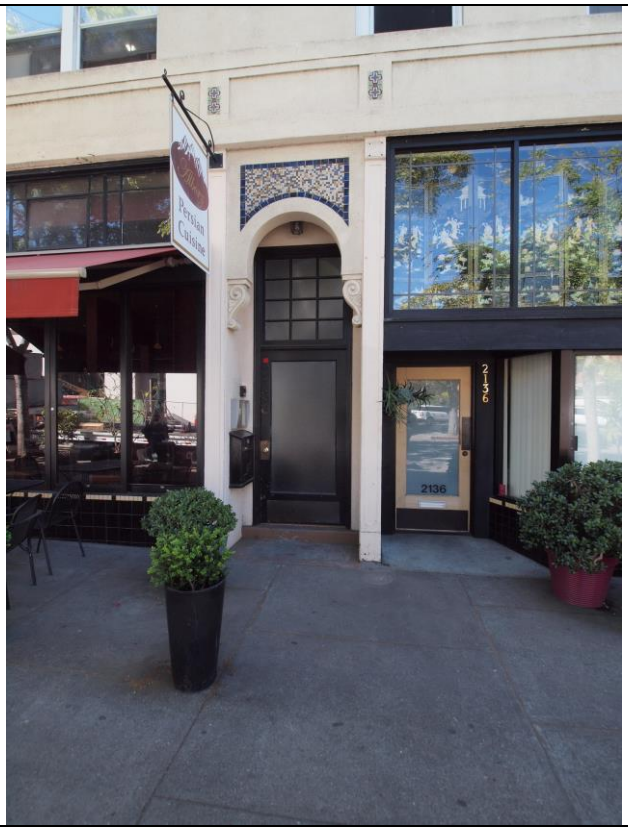
Typical storefront, viewed facing southwest.



Upstairs entry from Center Street (left)



Upstairs entry from Center Street (right)

BUILDING, STRUCTURE, AND OBJECT RECORD

 ***NRHP Status Code** 5B

***Resource Name or #** (Assigned by recorder) Thomas Block

B1. Historic Name: Thomas Block – La Loma Apartments
B2. Common Name: None
B3. Original use: Retail Commercial B4. Present Use: Retail Commercial
***B5. Architectural Style:** Mediterranean Revival
***B6. Construction History:** (Construction date, alterations, and date of alterations)

Original construction in 1904. Remodeled in Mediterranean style in 1925.

***B7. Moved?** ☒ No ☐ Yes ☐ Unknown **Date:** n/a **Original Location:** n/a
***B8. Related Features:**

None

B9a Architect: William Wharff b. Builder: S. S. Quackenbush, Lindgren-Hicks Co.
***B10. Significance:** **Theme** Commerce and Architecture **Area** Downtown Berkeley
Period of Significance 1904-1958 **Property Type** Commercial **Applicable Criteria** A (1), C(3)
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The subject building at 2132-2156 Center St. is popularly known as the Thomas Block. It was surveyed in 1978 by Berkeley Architectural Heritage, and was found eligible for the National Register at that time (addressed as 2132 Center St.) The property has not received local designation or listing as a Landmark or Structure of Merit. The resource name Thomas Block was used in the 1978 survey, but the origin of that name was not determined as a part of the current survey. The State Historic Property Directory identifies the resource as Thomas Block Building – La Loma Apartments.

The Thomas Block was constructed during the building boom experienced by Berkeley in the early twentieth century responding to the expansion of the University of California and a period of growth in downtown commerce. The site had a proximity to the railway station on Shattuck Avenue, and provided commercial support to the university population. The building continues to be populated with a large grouping of restaurants and commercial establishments that today serve students passing through the Center Street corridor from the downtown transit hub to the university campus.

(Continued on next page)

B11. Additional Resource Attributes: (List attributes and codes) None

***B12. References:**

Berkeley Block Books, 1907 and 1921.
Berkeley Courier, 9/18/15, 12/11/1915, 1/22/1916.
Berkeley Gazette, "Imposing Block for Berkeley's Business Center," 95/9/1904.
Marvin, B., Historic Resources Inventory form, 1978.
City of Berkeley Design Guidelines, 1994.

B13. Remarks: Proposed historic district

***B14. Evaluator:** Franklin Maggi

***Date of Evaluation:** May 8, 2015

(This space reserved for official comments.)

(Continued from previous page)

The two-story building was constructed in 1904, with storefronts on the first floor, with apartments and offices on the second floor. The building was designed by William H. Wharff, a prominent Berkeley architect during the early twentieth century whose work in Downtown Berkeley include the Masonic Temple building and Chase Building.

The site of the building was originally part of the Berkeley School Board's Kellogg School property, which extended from Center Street to Allston Way between Shattuck Avenue and Oxford Street. This site was originally subdivided as Block B of the Blake Tract Map No. 1 (Maps Book 2, Page 59). The property covers Lots 10 through 12 of that tract as well as a portion of Lot 9. The *Berkeley Daily Gazette* announced the construction of the subject building in an article dated May 9, 1904. The building cost $28,000 at the time, and occupied nearly half of the 2100 block of Center Street, the business center of Berkeley at the time (an honor that bestowed the block with the first electric street lamps in 1910).

Prominent Berkeley architect William Hatch Wharff was born in Maine. He never received formal architectural training, but instead learned carpentry from his maternal uncle, Hiram Hatch. In 1860, he became a master carpenter and his uncle's business partner. The Wharff family moved to San Francisco in 1875, where Wharff worked as a draftsman, architect, contractor, and builder. The majority of Wharff's pre-1906 buildings in San Francisco were destroyed by the 1906 San Francisco Earthquake and fire.

Wharff moved to Berkeley in 1899, and his career expanded in his later years as the demand for his services in Berkeley grew. Wharff lived to be 99 years old.

The subject building was constructed by the Lindgren & Hicks under the supervision of S. S. Quackenbush, who were said to have planned the Thomas Block to be a "showpiece of the modern builder's art." Lindgren & Hicks and Quackenbush all moved their offices to the subject building when it opened.

The building was purchased by John Breuner in 1925 (owner and operator of a chain of furniture and appliance stores in the East Bay area). The subject building has served a variety of commercial tenants over the years, including the Linden Realty Co., Campus Florist, P.I.P., McPhee's Boots, and various restaurants. The second floor has been named the La Loma Apartments as well as the Wawona Apartments.

A parking area is located to the rear of the building adjacent Oxford Place, which bisects the block with on outlet on Oxford Street. Zoning approval was granted in 2014 to construct an 85-room six-story extended-stay hotel in this area.

Integrity
The Thomas Block has integrity of location and setting in Downtown Berkeley; it retains integrity of the Mediterranean Revival altered design, along with integrity of historic materials and workmanship. The building continues to have visual associations with commercial Berkeley from the 1920s and remains readily identifiable as an historic building.

Prior Surveys
The property was surveyed in 1978 and found eligible for the National Register and given a status code of 3S by the State Historic Preservation Officer.

Evaluation
The building is historically significant due to its association with important patterns of development in the downtown core, and is architecturally distinctive. The property remains an important contributor to the establishment of a downtown Shattuck Avenue historic district. The form and detailing of both the building and its original commercial storefronts maintain an important link to the past of downtown Berkeley.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PRIMARY RECORD

Primary #
HRI #
Trinomial
NRHP Status Code
Other Listings
Review Code Reviewer Date

Page 1 of 6 *Resource Name or #: [redacted]

P1. Other Identifier: [redacted]
*P2. Location: ■ Not for Publication ☐ Unrestricted *a. County: Alameda
and (P2b and P2c or P2d. Attach a Location Map as necessary.)
*b. USGS 7.5' Quad: [redacted]

*P3a. Description: [redacted]

*P3b. Resource Attributes: [redacted]
*P4. Resources Present: ☐Building ☐Structure ☐Object ■Site ☐District ☐Element of District ☐Other (Isolates, etc.)

P5a. Photo or Drawing: Photo from Google Streets View

[redacted]

P5b. Description of Photo: (View, date, accession #)

*P6. Date Constructed/Age and Sources: ☐Historic ☐Prehistoric ■Both

*P7. Owner and Address:
Core Berkeley Oxford LLC.
1643 N. Milwaukee Avenue,
5th Floor
Chicago, Illinois 60647

*P8. Recorded by:
Courtney Montgomery
Rincon Consultants, Inc.
180 N. Ashwood
Ventura, CA 93003

*P9. Date Recorded: 04/03/2024

*P10. Survey Type: [redacted]

*P11. Report Citation: Johnson et al. 2023. 2128 Oxford/2132-2154 Center Street Mixed-Use Project Cultural Resources Technical Report. Rincon Consultants, Inc. Project No. 22-12758. Report on file at the Northwest Information Center, Sonoma State University, California.

*Attachments: ☐NONE ■Location Map ■Sketch Map ■Continuation Sheet ☐Building, Structure, and Object Record ■Archaeological Record ☐District Record ☐Linear Feature Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

ARCHAEOLOGICAL SITE RECORD

Primary #
Trinomial

 ***Resource Name or #:** [redacted]

***A1. Dimensions: a. Length:** [redacted] × **b. Width:** [redacted]
Method of Measurement: ☐ Paced ☐ Taped ☐ Visual estimate ■ Other: [redacted]

Method of Determination (Check any that apply.): ☐ Artifacts ■ Features ☐ Soil ☐ Vegetation ☐ Topography ☐ Cut bank ☐ Animal burrow ■ Excavation ☐ Property boundary ■ Other (Explain): [redacted]

Reliability of Determination: ☐ High ■ Medium ☐ Low Explain: [redacted]

Limitations (Check any that apply): ■ Restricted access ■ Paved/built over ■ Site limits incompletely defined ■ Disturbances ☐ Vegetation ☐ Other (Explain): [redacted].

A2. Depth: ☐ None ■ Unknown Method of Determination: [redacted]

***A3. Human Remains:** ■ Present ☐ Absent ☐Possible ☐ Unknown: [redacted]

***A4. Features**:
[redacted].

[redacted]

***A5. Cultural Constituents**: [redacted]

***A6. Were Specimens Collected?** ■ No ☐ Yes
***A7. Site Condition:** ☐ Good ☐ Fair ☐ Poor: Unknown, resource previously disturbed [redacted]

***A8. Nearest Water:** [redacted]
***A9. Elevation:** [redacted]
A10. Environmental Setting: [redacted].
A11. Historical Information: [redacted].

***A12. Age:** ■ Prehistoric ☐ Protohistoric ☐ 1542-1769 ☐ 1769-1848 ■ 1848-1880 ■ 1880-1914 ☐ 1914-1945 ☐ Post 1945 ☐ Undetermined Describe position in regional prehistoric chronology or factual historic dates if known:

A13. Interpretations: See Page 6 below.
A14. Remarks:
A15. References: See continuation sheet below (page 6 of 6).
A16. Photographs: None

***A17. Form Prepared by:** Courtney Montgomery Date: 04/03/2024
Affiliation and Address: Rincon Consultants, Inc., 180 N. Ashwood, Ventura, CA, 93003

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

LOCATION MAP

Primary #
HRI#
Trinomial

***Resource Name or #:** [redacted]

***Map Name:** [redacted]

***Scale:** 1:24,000 ***Date of Map:** 1993

[redacted]

*Required information

SKETCH MAP

***Drawn By:** Byran Valladares, Rincon Consultants, Inc. ***Date:** 04/05/2024

[redacted]

[redacted]

*Recorded by: Courtney Montgomery, Rincon Consultants, Inc. *Date: 04/03/2024 ■ Continuation ☐ Update

A13. Interpretations continued:

[redacted]

As is documented by the presence of a plaque placed at 2136 Oxford Street by Berkeley Historical Plaque Project, [redacted]

2132-2154 Center Street appears to have been developed as early as the mid-1800s and has since been occupied by a variety of uses including residential, institutional, and commercial throughout the historic period (Berkeley Historic Plaque Project 2024; Sanborn Fire Insurance Maps 1894, 1911, 1929, and 1959). [redacted]

A15. Refences continued:

Berkeley Historical Plaque Project. 2024. Kellog School site. https://berkeleyplaques.org/plaque/kellogg-school/?cat=29 (accessed April 2024).

Byram, Scott. 2023. Archaeological Ground-Penetrating Radar at 2128 Oxford St. Berkeley, CA.

Marcus, Matthew, Andrew Atry, and Yuri Kawashima. 2022. Revised Geotechnical Report for the Student Housing Building, 2128 Oxford Street, Berkely, California 94709. Partner Project No. 20-297761.3.

Pettitt, George A. 1973. Berkeley: the town and gown of it.

Schwarts, Richard. 2001. Archaeological Site Record for P-01-010538/CA-ALA-607. Record on file at the Northwest Information Center located at Sonoma State University.