

Stephen Twigg
2668 Shasta Road

The City Council,
%City Clerk, 2180 Milvia Street, Berkeley, 94704.

Re: 2707 Rose Street--Appeal ZAB Decision, Use Permit #09-10000038.

City council members:

My wife and I live in one of the Daniel Gibb Cottages immediately in front of the proposed development. These 3 timber frame houses were built circa 1923 as a community, similar in concept to Greenwood Terrace and Rose Commons. The cottages are sited in the Norwegian manner, on slightly different elevations and skewed angles to give each privacy and a partial bay view. There was always a large community garden, once highly noted, surrounding them, unfenced. Many famous people, including Robert Openhimer, Albert Einstein, and Paul Robeson have visited here, and members of the Griller Quartet lived here for many years. All three of our houses will fit into the proposed structure at 2707 Rose Street, twice over. We will have a clear frontal view of the unadorned shoebox like structure whose ascetics it's architect could only defend to me as 'not cheap'.

Our neighborhood is unusual and innovative in that it was planed around public transportation. The streets, which run roughly north and south, purposely following the contours of the terrain, with many narrow sharp bends and generally gradual grades, were intended to preserve the rustic character of the hills. They were never intended as parking spaces. The original planners anticipated the theories of Hans Monderman by some 80 years, designing streets with few traffic signs, no signal lights, and curbs and sidewalks only where needed to control ground water. Cars, pedestrians, and cyclists coexist civilly. There are many city owned paths running generally east and west that connect the streets with the street car line (now AC Transit) on Euclid Avenue. We have El Mirador Path, Redwood Path, Martinez Path, Tamalpais Path, and Rose Walk within a ten minute walk of our house.

Rose Walk, which was intended to connect The Euclid Avenue streetcar line with houses

further up the hills (according to the Berkeley Historical Plaque of 1998) was designated a Work of Civic Art by the City of Berkeley 1951 because in 1913 members of the community had the foresight to commission Bernard Maybeck to design and build it. It was designated a City of Berkeley Landmark 1991; because, quoting from it's plaque: 'Rose Walk is Berkeley's only pedestrian pathway where buildings were designed to create an ensemble integrating the walk with a planned development'. Some 60 years after original construction the functionality of Rose Walk was extended further up Shasta Road by the formation of the Cordenices Foundation which was created by members of the community to buy and maintain a vacant lot diagonally opposite 2707 Rose street to keep it from development and preserve the rustic character of the neighborhood. Erecting this huge institutional building, where visitors will drive into a hermetically sealed structure and interact with it's environment through large plate glass windows, or from a deck 90 feet above grade, in this location, is architecturally insensitive and exploitative.

Besides Rose Walk, other notable architecture in the area include Bernard Maybeck's own house at 1 Twin Maybeck drive, and Charles Green's design for the Rudolph Schevill Studio at 77 Tamalpais (This should be visible from 2707 Rose Street). They are marked on the attached printout. These are all less than 1000 feet from the construction site.

From section 23E.96.020 of chapter 23E.96
entitled **H HILLSIDE OVERLAY DISTRICT PROVISIONS**

- B. Protect the character of Berkeley's hill Districts and their immediate environs;
- C. Give reasonable protection to views yet allow appropriate development of all property.
- D. Allow modifications in standard yard and height requirements when justified because of steep topography, irregular lot pattern, unusual street conditions, or other aspects of the Hillside District area.

The weight of **paragraph B** rests on the definition of the character of the Hill District. I think that the first part of this letter speaks to the character of the people who made this

neighborhood. I can only speak from what I know personally. We live in a half log half heavy timbered bungalow with a tile roof of 1800 square feet. The logs and timbers have tool marks showing that they were hand shaped. It is located on a steep hillside and the soil is stabilized with stone walls and plantings. The floors are softwood with three fireplaces and a brick chimney. Our next door neighbor's house is also of heavy timber construction with a profile that derived from Norwegian stav churches. It's details are similar to ours. Behind us is a smaller wooden house constructed of dovetail timbers, with similar details. Across the street we see a beautiful reproduction of a Normandy cottage, and the roof of a circa 1920 shingled house. On the other side is a small 1920 style stucco house. We all have a lot of steps to climb and big yards. What we don't have is 10 car garages inside of 10,000 square foot buildings. Or 20 foot high 200 cu yard retaining walls.

Paragraph D of the Hillside Overlay District Provisions concerns environmental factors that may justify height or setback variances. The owners stated intention is to replace a two story building with another two story building. Since the original building could be built without variances, the environment is suitable for another two story building without variances.

Paragraph C directs the planning officer to reasonably protect views and still allow appropriate development of all property. It does not specify that adjacent properties' views are to be weighed any more heavily than any other properties' views, nor that the wishes of adjacent property owners can define what reasonable views are for anyone but themselves. In fact, giving landmark status to Rose Walk indicates that in this location the City of Berkeley grants pedestrians some rights to the views that they pass. The proposed construction is not new construction as there is already a building on the site. Our existing view of the site is reasonable by ZAB's own definition. Construction of a larger building can only diminish it.

With regard to the definitions of reasonably protected views and appropriate development it is interesting to look at ZAB's staff report on May 27, 2008 on 11 Twin Maybeck Drive. This residence is 226 feet from 2707 Rose Street. This is a 3600 square foot new residence on an undeveloped lot. The staff reported that this was over the mean size on the 18 nearby properties it surveyed (mean size 2449 Square feet) but smaller than 3 of them. The staff concluded that the volume or the building would not be apparent from Twin Maybeck Drive because it was on the lower side of the street and would be obscured the slope, and when

viewed from below it would be similar to the massing of adjacent residences. It further found that the greater depth of the building would be masked by variations in the floor plan that ensure that this building does not appear out of scale with adjoining residences. Even so, the staff reports that neighborhood acceptance required the intervention of the Berkeley Dispute Resolution Services, and 7 revisions to the plan.

With respect, none of the accommodations quoted above apply to us. We see the site not from Rose Street nor from below on Shasta Road, but from across a canyon less than 300 feet away, and slightly from above. There is no group of adjacent structures visible to lump together to mask it's volume. This is a 10,000 square foot building, not 3600 square foot one, which has been granted a height variance to make it appear even larger than needs be. Apparently there is to be a huge concrete substructure that was not disclosed in ZAB's mailing. This will all be painfully apparent. We were not informed of this in any timely manner, as is our right, nor were we invited to take part any neighborhood compatibility reviews. The last minute notice mailed to was misleading in that it seemed to read as a 6,000 square foot building containing a 3,000 square foot house and a 3,000 square foot garage, not a 10,000 square foot box containing a 3500 square foot garage and a 6500 square foot house. Story poles would have helped to clarify this.

With regards to appropriate development , from the 2002 general plan (quoted from the staff report above):

Policy LU-3 Infill Development: Encourage infill development that is architecturally and environmentally sensitive, embodies principles of sustainable planning and construction, and is compatible with neighboring land uses and architectural design and scale.

This is a 10,000 square foot building in a 2,000 Square foot neighborhood. If it were located at Shattuck and Cedar Streets in the defunct Elephant Pharmacy parcel, it would be obvious that this structure is a commercial building. The need for private parking identifies it as a business who's clients would be charged enough to expect guaranteed parking, and may value their anonymity. Simply locating the parking to street level as is customary in this area would have reduced the volume by some 30 percent, and the carbon footprint by perhaps 50 per cent due to smaller excavations, smaller footings, less building material, and

reduction of landfill use and hauling. The ZAB staff report above addresses foundation of 11 Twin Maybeck drive: 'according to the applicant, the foundation design will minimize site disruption by using piers and grade beams that would rest on grade and not require substantial excavation for the foundation system (other than the drilled piers)'. Mr. Logan and Ms. Wong seem to be relying on masses of concrete.

Policy UD-16 Context: The design and scale of new or remodeled buildings should respect the built environment in the area, particularly where the character of the built environment is largely defined by an aggregation of historically and architecturally significant buildings.

I've tried to comment on this, and I am sure that other people better informed than me have done so. Note that no specific distances or numbers are specified.

Policy UD-24 Area Character: Regulate new construction and alterations to ensure that they are truly compatible with and, where feasible, reinforce the desirable design characteristics of the particular area they are in

This is an enormous building scaled for 10 vehicles in a planned community designed for walking and public transportation. It is Berkeley's stated goal to reduce vehicular traffic and encourage use of public transit, and to reduce global warming. This building is a square peg in a round hole.

Because of these errors and omissions of ZAB I ask the City Council to overturn it's decision.

Stephen Twigg

Mar 26, 2006

77 Tampilias

Shasta Rd

2707 Rose

Rose Walk

Rose St

11 Twin Maybeck Dr

1 Twin Maybeck Dr

Greenwood Com

© 2010 Google

© 2010 Europa Technologies

Google

Imagery Date: Aug 25, 2009

37°53'01.41" N 122°15'30.40" W elev 186 m

Eye alt 652 m