



Z P O N I N G
A D J U S T M E N T S
B O A R D
S T A F F R E P O R T

FOR BOARD ACTION
FEBRUARY 24, 2022

760 Hearst Avenue, Suite 101

Use Permit #ZP2021-0203 to establish a 3,366-square-foot veterinary clinic in an existing tenant space.

I. Background

A. Land Use Designations:

- General Plan: AC - Avenue Commercial
- Zoning: C-W - West Berkeley Commercial

B. Zoning Permits Required:

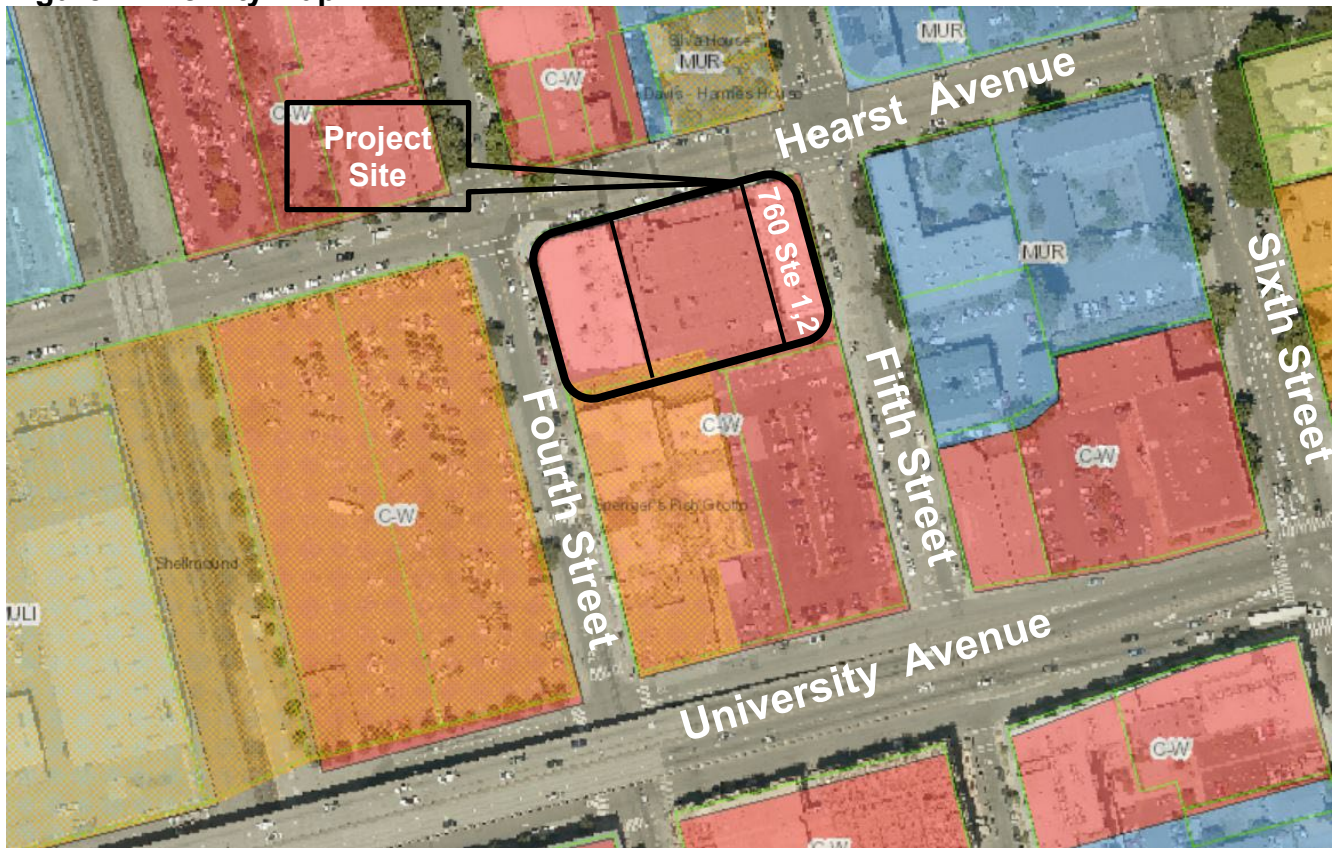
- Use Permit to establish a Veterinary Clinic, under BMC Section 23.204.020.A, Table 23.204-1

C. CEQA Recommendation: It is staff's recommendation that the project is categorically exempt pursuant to Section 15301 of the CEQA Guidelines ("Existing Facilities"). The determination is made by ZAB.

D. Parties Involved:

- Applicant Kim Fisher, Studio KDA, Berkeley
- Property Owner Jamestown, L.P, 1700 Montgomery Street, Suite 110, San Francisco

Figure 1: Vicinity Map



Zoning Districts:
C-W: West Berkeley Commercial
MU-R: Mixed-Use Residential

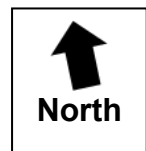


Figure 2: Site Plan

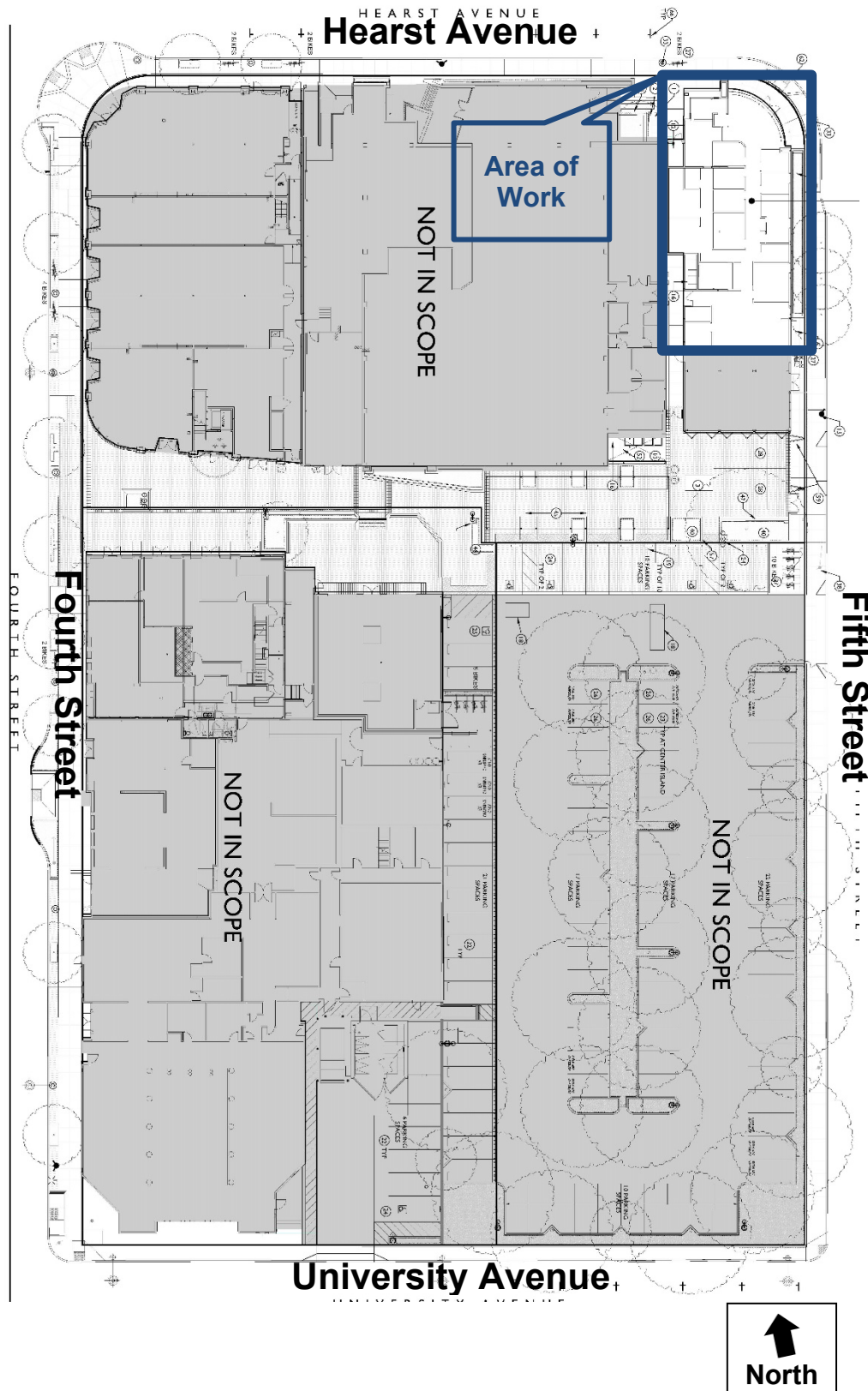
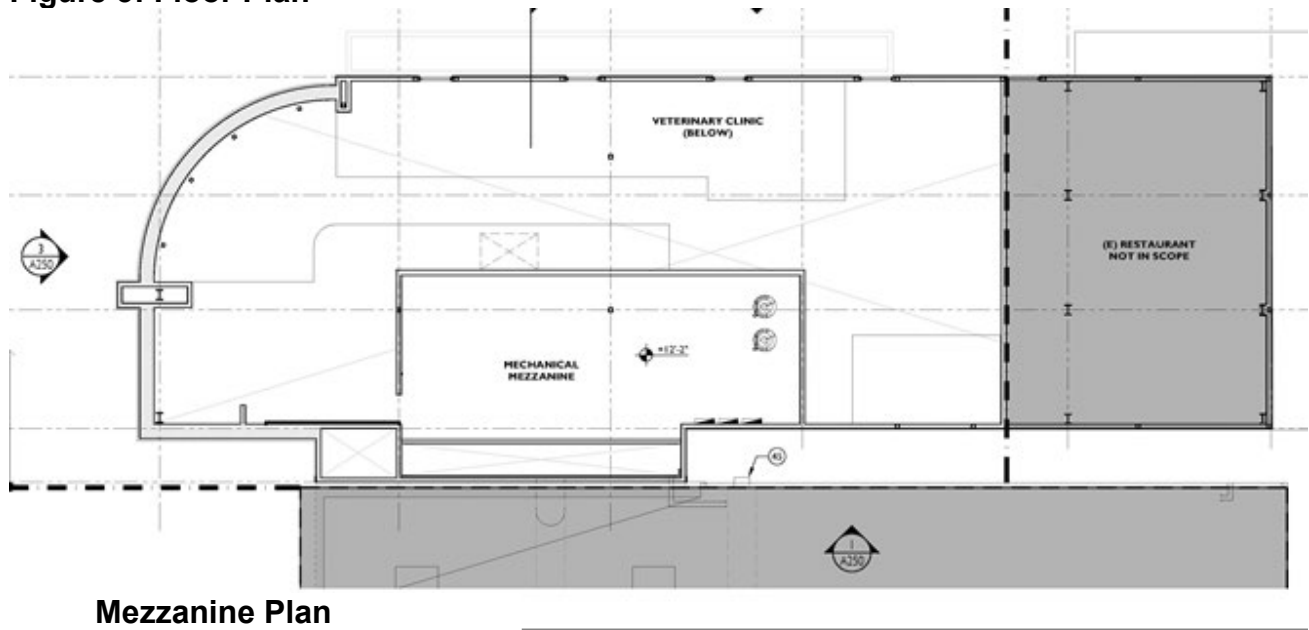


Figure 3: Floor Plan



Mezzanine Plan



First Floor Plan

Table 1: Land Use Information

Location		Existing Use	Zoning District	General Plan Designation
Subject Property (Suite 101)		Exercise Studio	C-W	Avenue Commercial
Surrounding Properties	North	Residential Duplex	MU-R	Mixed Use
	South	Suite 102: Café Beyond: Surface Parking Lot	C-W	Avenue Commercial
	East	Office	MU-R	Mixed Use
	West	Retail (Anthropologie: 750 Hearst Paper Source: 740 Hearst)	C-W	Avenue Commercial

Table 2: Special Characteristics

Characteristic	Applies to Project?	Explanation
Affordable Child Care Fee for qualifying non-residential projects (Per Resolution 66,618-N.S.)	No	The project would not result in the creation of any new gross floor area.
Affordable Housing Fee for qualifying non-residential projects (Per Resolution 66,617-N.S.)		
Alcohol Sales/Service	No	The project does not involve the sale or service of alcohol
Creeks	No	There are no mapped creeks adjacent to this site
Natural Gas Prohibition (Per BMC 12.80.020)	No	The project would not construct a new building, and therefore, the Natural Gas Prohibition does not apply
Historic Resources	No	The existing building and site are not a designated historic resource
Oak Trees	No	There are no oak trees on the project site
Seismic Hazards (SHMA)	No	The site is located in a Liquefaction zone; however, the project would not result in the creation of any new gross floor area.
Soil/Groundwater Contamination	Yes	The project site does not appear on any list of known soil or groundwater contamination sites. The site is located within the Emergency Management Area (EMA); however, no new construction or excavation would occur as a result of the project.
Transit	Yes	The project site is served by AC Transit lines 51B, 802, FS and G, which run east-west along University Avenue.

Table 3: Project Chronology

Date	Action
November 17, 2021	Application submitted
January 26, 2021	Application deemed complete
February 9, 2022	Public hearing notices mailed/posted
February 24, 2022	ZAB hearing

Table 4: Development Standards

Standard		Existing	Addition/ (Reduction)	Permitted/ Required
BMC Sections 23.204.140.E (Table 23.204-42)				
Lot Area (sq. ft.)		38,523	No Change	N/A
Gross Floor Area (sq. ft.)	Tenant Space	3,366	No Change	N/A
	Building	38,365		115,569 max
Floor Area Ratio		0.993	No Change	3.0 max
Building Height	Average (ft.)	25'-0"	No Change	40'-0" max
	Stories	1	No Change	3 max
Building Setbacks (ft.)	Front	0'	No Change	0' min
	Rear	0'	No Change	0' min
	Left Side	0'	No Change	0' min
	Right Side	0'	No Change	0' min
Parking	Automobile	7	No Change	N/A
	Bicycle	0	No Change	N/A

II. Project Setting

A. Neighborhood/Area Description: The subject property is located at the southwest corner of Hearst Avenue and Fifth Street, one block east of the Fourth Street commercial area, one block north of University Avenue, with access to Interstate 80, across Hearst Avenue from residential uses, and across Fifth Street from office uses. This area of West Berkeley is a designated node in the University Avenue Strategic Plan (Fourth Street and University), containing a broad mix of uses and from office to retail and residential, as well as the West Berkeley Service Center, which is located one block east along Sixth Street. In the immediate vicinity of the subject site, there are one and two-story office and residential buildings to the north and east, a surface parking lot serving uses in the vicinity of the site as well as the subject site to the south, and one and two-story retail buildings to the west.

B. Site Conditions: The subject property is 38,523 square feet and is developed with a 4,633 square-foot, one-story plus mezzanine commercial building containing two tenant spaces/suites, occupied by an exercise studio and cafe, respectively. Adjacent to and west of the subject building on the property is a separate 15,108 square-foot,

two-story commercial building containing two tenant spaces occupied by retail uses. The subject tenant space is 3,336 square feet with access from the corner of Fifth Street and Hearst Avenue.

III. Project Description

The project would consist of tenant improvements within the existing space necessary to accommodate a change of use from exercise studio to veterinary clinic. The intended user is Modern Animal Veterinary Clinic, and the space would contain rooms for exams, x-rays, surgery, dental work, lab, office, waiting room, restrooms, laundry/storage, and a staff break room. The mezzanine would contain mechanical space. No boarding of animals is proposed. The business hours of operation would be from 8:00 a.m. until 6:00 p.m. daily, as permitted by BMC Section 23.302.020.B.1 (Table 23.302-1). No exterior modifications are proposed.

While there is no parking on the project site, per Use Permit #UP2014-0041 which allowed construction of the subject building, there are seven existing and proposed parking spaces to serve the subject tenant space, located in the adjacent surface parking lot at 1914 Fifth Street. Per Section BMC 23.322.020.C.1, a change of use in a C District does not require providing additional parking on site unless the building is physically expanded, which would not occur with this project.

IV. Community Discussion

A. Neighbor/Community Concerns: The Project Yellow Poster was erected by the prior to submittal of the application. On February 9, 2022, the City mailed 124 public hearing notices to property owners and occupants, and to interested neighborhood organizations and the City posted notices within the neighborhood in three locations. Staff received communications from one resident of the confronting property at 1828 Fifth Street requesting that interior and exterior lighting be allowed only between the hours of 8:00 a.m. and 9:00 p.m. Staff has included this request to Condition of Approval #19 – Exterior Lighting.

B. Committee Review: No exterior changes would occur with this project and therefore Design Review is not required at this time. Any future signage would require Staff-level Design Review.

V. Issues and Analysis

A. C-W District Findings:

1. As required by Section 23.204.140.F of the BMC, the Zoning Adjustments Board must find that the proposed use is compatible with the purposes of the C-W Zoning District and compatible with the surrounding uses and buildings. This veterinary clinic would bring a neighborhood-oriented use to this existing 3,366 square-foot tenant space. The proposed use would be consistent with the purposes of the C-W Zoning District, which includes implementation of the West

Berkeley Plan, by adding a personal/household service use to West Berkeley in an area zoned for commercial uses. Further, the proposed project would provide commercial service in the form of specialty pet care to area residents, and is appropriately located to serve citywide clientele due to its location near University Avenue and Sixth Street, with access to high-frequency transit routes in the vicinity. The proposed use would be consistent with the surrounding uses and buildings because it would involve only interior modifications to accommodate the veterinary clinic. The commercial nature of the veterinary clinic would be consistent with the surrounding retail and office uses, and would not conflict with nearby residential uses, as the business would operate within the allowed hours set by the use limitation for commercial uses in the district of between 8:00 a.m. and 6:00 p.m.¹ The proposed use would support an increase in the continuity of retail and service facilities at the ground level to the degree feasible and would not substantially degrade the existing urban fabric of the street and area. The project would add a personal/household service use to the existing commercial district. There are no applicable performance standards for off-site impacts required to be met by the proposed project.

2. BMC Section 23.204.140.D.5 requires a finding for a use in a node (in this case, Fourth Street and University) that the use supports development of a strong retail commercial, pedestrian oriented environment at the node. Factors the Board should consider include, but are not limited to, placement of store entrances relative to the street and parking lots and the size and prominence of display windows and areas facing the sidewalk. The existing site design would not change, which was previously found to support this finding at the time of its initial development, as the parking is consolidated away from the main pedestrian entrance located at the corner of Fifth and Hearst, furthering the pedestrian orientation of the streetscape.² The proposed use is a personal/household service for citywide clientele.
3. BMC Section 23.406.040 requires a finding of general non-detriment for any Use Permits in the C-W. This project would not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the area or neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood or to the general welfare of the City because of the following reasons:

¹ BMC Section Section 23.302.020.B.1 (Table 23.302-1) allows commercial uses in a designated node to operate between 6:00am and 7:00am and/or 11:00pm and 12:00 midnight.

² Per UP#2014-0041, to 1) construct a 2-story, 17,695 sq. ft. bldg at the southeast corner of Fourth & Hearst; 2) demolish a 1,200 sq. ft. office addition at the northern end of the Spenger's restaurant building at 1919 Fourth; 3) convert 5,790 sq. ft. of restaurant space to retail space; 4) convert 2,320 sq. ft. of restaurant storage space to a beer garden restaurant with a 1,080 sq. ft. exterior seating area; 5) demolish a 13,300 sq. ft. retail building at 1914 Fifth Street; 6) construct a 2-story, 5,720 sq. ft. bldg at the southwest corner of Fifth & Hearst; and reconfigure and expand an existing parking lot at the corner of Fifth and University to provide 104 parking spaces.

- i. The project is compatible with adjacent commercial and nearby residential uses because the project would not alter the exterior of the building, and would not create offensive odors, noise, dust or similar impacts.
- ii. The proposed veterinary clinic is consistent with the purposes of the West Berkeley Plan and the West Berkeley Commercial (C-W) Zoning designation (see Section 3).
- iii. No changes to the exterior of the building are proposed. Any new signage would be subject to Design Review.

B. General Plan Consistency: The 2002 General Plan contains several policies applicable to the project, including the following:

1. Policy LU-7–Neighborhood Quality of Life, Action B: Carefully evaluate and monitor new and existing uses to minimize or eliminate negative impacts on adjacent residential uses.

Staff Analysis: The project would comply with Action B as the use would not adversely impact the quality of life in the nearby residential areas, as the hours of operation comply with those allowed at this location, and would be during daytime hours of 8:00 a.m. to 6:00 p.m. The fact that the site will not board animals overnight would prevent any late-night noise impacts from the business.

2. Policy LU-27 – Avenue Commercial Area: Maintain and improve Avenue Commercial areas, such as University, San Pablo, Telegraph, and South Shattuck, as pedestrian-friendly, visually attractive areas of pedestrian scale and ensure that Avenue areas fully serve neighborhood needs as well as a broader spectrum of needs.

Staff Analysis: The project would not change the existing site, which was designed to enhance the pedestrian experience; the new use would continue to be ground floor commercial oriented to the street and sidewalk. It would occupy a storefront with a use that is compatible with the existing development patterns and that would serve neighborhood and citywide needs.

West Berkeley Plan Policy Analysis: The West Berkeley Plan, adopted in 1993, also contains several policies applicable to the project, including the following:

1. Land Use Goal 1: Over the economically active area of West Berkeley, provide for a continued economic and land use mix, incorporating manufacturing, other industrial, retail and office/laboratory uses, to benefit Berkeley residents and businesses economically, benefit the City government fiscally, and promotes the varied and interesting character of the area.
 - i. Policy C: Providing space for, and designating appropriate locations for – in planning and zoning policies – both neighborhood and regional serving retail businesses.

2. Land Use Goal 2: Channel development – both new businesses and residences and the expansion of existing businesses – to districts which are appropriate for the various existing elements of the West Berkeley land use mix.
 - i. Policy E: Create a Commercial district which will foster the continued vitality of West Berkeley’s neighborhood and regional serving retail trade, in as pedestrian-friendly a manner as possible.

Staff Analysis: The project would be consistent with Land Use Goal 1 because it would add a personal/household service use to West Berkeley, in an area zoned for commercial uses. The project would also be consistent with Land Use Goal 2 because the new business would be compatible with the surrounding commercial uses, such as offices and retail, and serve the nearby residential neighborhoods and city.

VI. Recommendation

Because of the project’s consistency with the Zoning Ordinance and General Plan, and minimal impact on surrounding properties, staff recommends that the Zoning Adjustments Board APPROVE ZP2021-0112 pursuant to Section 23.406.040 and subject to the attached Findings and Conditions (see Attachment 1).

Attachments:

1. Findings and Conditions
2. Project Plans, received November 9, 2021
3. Notice of Public Hearing
4. Correspondence Received

Staff Planner: Ashley James, AJames@cityofberkeley.info, (510) 981-7458

FINDINGS AND CONDITIONS

FEBRUARY 24, 2022

760 Hearst Avenue, Suite 101

Use Permit #ZP2021-0203 to establish a 3,366 square-foot veterinary clinic in an existing tenant space.

PERMITS REQUIRED

- Use Permit to establish a Veterinary Clinic, under BMC Section BMC Section 23.204.020.A, Table 23.204-1.

I. CEQA FINDINGS

1. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations, §15000, et seq.) pursuant to Section 15303 of the CEQA Guidelines (“New Construction or Conversion of Small Structures”).
2. Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows:
 - (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project would not affect any historical resource.

II. FINDINGS FOR APPROVAL

1. As required by Section 23.406.040 of the BMC, the project, under the circumstances of this particular case existing at the time at which the application is granted, would not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City because:
 - A. The project is compatible with adjacent commercial and nearby residential uses because the project will not alter the exterior of the building, and will not create offensive odors, noise, dust or similar impacts;
 - B. The proposed veterinary clinic is consistent with the purposes of the West Berkeley Plan and the West Berkeley Commercial (C-W) Zoning designation; and
 - C. No changes to the exterior of the building are proposed. Any new signage would be subject to Design Review.

III. OTHER FINDINGS FOR APPROVAL

2. As required by Section 23.204.140.F of the BMC, the Zoning Adjustments Board finds that the that the proposed use is compatible with the purposes of the C-W Zoning District and compatible with the surrounding uses and buildings because:
 - A. The veterinary clinic adds a neighborhood-oriented use to the existing commercial space;

- B. The use is consistent with the purposes of the C-W Zoning District, which includes implementation of the West Berkeley Plan, by adding a personal/household service use to West Berkeley in an area zoned for commercial uses;
 - C. The project provides a commercial personal/household service in the form of specialty pet care to area residents, and is appropriately located to serve citywide clientele due to its location near University Avenue with good access to transit;
 - D. The use is consistent with the surrounding uses and buildings because it does not make changes to the exterior of the building;
 - E. The commercial nature of the veterinary clinic is consistent with the surrounding retail and office uses, and does not conflict with nearby residential uses, as the business operating hours are within the allowed hours set by the use limitation for commercial uses in the district of between 8:00 a.m. and 6:00 p.m.;
 - F. The use is supportive of an increase in the continuity of retail and service facilities at the ground level to the degree feasible and does not substantially degrade the existing urban fabric of the street and area; and
 - G. The project adds a personal/household service use to the existing commercial district.
3. As required by Section 23.204.140.D.5 of the BMC, the Zoning Adjustments Board finds that the veterinary clinic use in a node in the University Avenue Strategic Plan supports development of a strong retail commercial, pedestrian oriented environment at the node. The existing site design will not change, which was previously found to support this finding at the time of its initial development, as the parking is consolidated away from the main pedestrian entrance located at the corner of Fifth and Hearst, furthering the pedestrian orientation of the streetscape. The proposed use is a personal/household service for citywide clientele.
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IV. STANDARD CONDITIONS OF APPROVAL FOR ALL PROJECTS

The following conditions, as well as all other applicable provisions of the Zoning Ordinance, apply to this Permit:

1. Conditions Shall be Printed on Plans

The conditions of this Permit shall be printed on the *second* sheet of each plan set submitted for a building permit pursuant to this Use Permit, under the title 'Use Permit Conditions.' *Additional sheets* may also be used if the *second* sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings; 8-1/2" by 11" sheets are not acceptable.

2. Compliance Required (BMC Section 23.102.050)

All land uses and structures in Berkeley must comply with the Zoning Ordinance and all applicable City ordinances and regulations. Compliance with the Zoning Ordinance does not relieve an applicant from requirements to comply with other federal, state, and City regulations that also apply to the property.

3. Approval Limited to Proposed Project and Replacement of Existing Uses (BMC Sections 23.404.060.B.1 and 2)

- A. This Permit authorizes only the proposed project described in the application. In no way does an approval authorize other uses, structures or activities not included in the project description.
- B. When the City approves a new use that replaces an existing use, any prior approval of the existing use becomes null and void when permits for the new use are exercised (e.g., building permit or business license issued). To reestablish the previously existing use, an applicant must obtain all permits required by the Zoning Ordinance for the use.

4. Conformance to Approved Plans (BMC Section 23.404.060.B.4)

All work performed under an approved permit shall be in compliance with the approved plans and any conditions of approval.

5. Exercise and Expiration of Permits (BMC Section 23.404.060.C)

- A. A permit authorizing a land use is exercised when both a valid City business license is issued (if required) and the land use is established on the property.
- B. A permit authorizing construction is exercised when both a valid City building permit (if required) is issued and construction has lawfully begun.
- C. The Zoning Officer may declare a permit lapsed if it is not exercised within one year of its issuance, except if the applicant has applied for a building permit or has made a substantial good faith effort to obtain a building permit and begin construction. The Zoning Officer may declare a permit lapsed only after 14 days written notice to the applicant. A determination that a permit has lapsed may be appealed to the ZAB in accordance with Chapter 23.410 (Appeals and Certification).
- D. A permit declared lapsed shall be void and of no further force and effect. To establish the use or structure authorized by the lapsed permit, an applicant must apply for and receive City approval of a new permit.

6. Permit Remains Effective for Vacant Property (BMC Section 23.404.060.D)

Once a Permit for a use is exercised and the use is established, the permit authorizing the use remains effective even if the property becomes vacant. The same use as allowed by the original permit may be re-established without obtaining a new permit, except as set forth in Standard Condition #5 above.

7. Permit Modifications (BMC Section 23.404.070)

No change in the use or structure for which this Permit is issued is permitted unless the Permit is modified by the Board. The Zoning Officer may approve changes to plans approved by the Board, consistent with the Board's policy adopted on May 24, 1978, which reduce the size of the project.

8. Permit Revocation (BMC Section 23.404.080)

The City may revoke or modify a discretionary permit for completed projects due to: 1) violations of permit requirements; 2) Changes to the approved project; and/or 3) Vacancy for one year or more. However, no lawful residential use can lapse, regardless of the length of time of the vacancy. Proceedings to revoke or modify a permit may be initiated by the Zoning Officer, Zoning Adjustments Board (ZAB), or City Council referral.

9. Indemnification Agreement

The applicant shall hold harmless, defend, and indemnify the City of Berkeley and its officers, agents, and employees against any and all liability, damages, claims, demands, judgments or other losses (including without limitation, attorney's fees, expert witness and consultant fees and other litigation expenses), referendum or initiative relating to, resulting from or caused by, or alleged to have resulted from, or caused by, any action or approval associated with the project. The indemnity includes without limitation, any legal or administrative challenge, referendum or initiative filed or prosecuted to overturn, set aside, stay or otherwise rescind any or all approvals granted in connection with the Project, any environmental determination made for the project and granting any permit issued in accordance with the project. This indemnity includes, without limitation, payment of all direct and indirect costs associated with any action specified herein. Direct and indirect costs shall include, without limitation, any attorney's fees, expert witness and consultant fees, court costs, and other litigation fees. City shall have the right to select counsel to represent the City at Applicant's expense in the defense of any action specified in this condition of approval. City shall take reasonable steps to promptly notify the Applicant of any claim, demand, or legal actions that may create a claim for indemnification under these conditions of approval.

V. ADDITIONAL CONDITIONS IMPOSED BY THE ZONING ADJUSTMENTS BOARD

Pursuant to BMC 23.406.040.E, the Zoning Adjustments Board attaches the following additional conditions to this Permit:

Prior to Submittal of Any Building Permit:

10. Project Liaison. The applicant shall include in all building permit plans and post onsite the name and telephone number of an individual empowered to manage construction-related complaints generated from the project. The individual's name, telephone number, and responsibility for the project shall be posted at the project site for the duration of the project in a location easily visible to the public. The individual shall record all complaints received and actions taken in response, and submit written reports of such complaints and actions to the project planner on a weekly basis. **Please designate the name of this individual below:**

Project Liaison _____
Name Phone #

Prior to Issuance of Any Building & Safety Permit (Demolition or Construction)

11. Construction and Demolition Diversion. Applicant shall submit a Construction Waste Management Plan that meets the requirements of BMC Chapter 19.37 including 100% diversion of asphalt, concrete, excavated soil and land-clearing debris and a minimum of 65% diversion of other nonhazardous construction and demolition waste.

During Construction:

12. Construction Hours. Construction activity shall be limited to between the hours of 7:00 AM and 6:00 PM on Monday through Friday, and between 9:00 AM and 4:00 PM on Saturday. No construction-related activity shall occur on Sunday or any Federal Holiday.

13. Construction and Demolition Diversion. Divert debris according to your plan and collect required documentation. Get construction debris receipts from sorting facilities in order to verify diversion requirements. Upload recycling and disposal receipts if using Green Halo and submit online for City review and approval prior to final inspection. Alternatively, complete the second page of the original Construction Waste Management Plan and present it, along with your construction debris receipts, to the Building Inspector by the final inspection to demonstrate diversion rate compliance. The Zoning Officer may request summary reports at more frequent intervals, as necessary to ensure compliance with this requirement.

14. Transportation Construction Plan. The applicant and all persons associated with the project are hereby notified that a Transportation Construction Plan (TCP) is required for all phases of construction, particularly for the following activities:

- Alterations, closures, or blockages to sidewalks, pedestrian paths or vehicle travel lanes (including bicycle lanes);
- Storage of building materials, dumpsters, debris anywhere in the public ROW;
- Provision of exclusive contractor parking on-street; or
- Significant truck activity.

The applicant shall secure the City Traffic Engineer's approval of a TCP. Please contact the Office of Transportation at 981-7010, or 1947 Center Street, and ask to speak to a traffic engineer. In addition to other requirements of the Traffic Engineer, this plan shall include the locations of material and equipment storage, trailers, worker parking, a schedule of site operations that may block traffic, and provisions for traffic control. The TCP shall be consistent with any other requirements of the construction phase.

Contact the Permit Service Center (PSC) at 1947 Center Street or 981-7500 for details on obtaining Construction/No Parking Permits (and associated signs and accompanying dashboard permits). Please note that the Zoning Officer and/or Traffic Engineer may limit off-site parking of construction-related vehicles if necessary to protect the health, safety or convenience of the surrounding neighborhood. A current copy of this Plan shall be available at all times at the construction site for review by City Staff.

- 15. Stormwater Requirements.** The applicant shall demonstrate compliance with the requirements of the City's National Pollution Discharge Elimination System (NPDES) permit as described in BMC Section 17.20. The following conditions apply:
- A. The project plans shall identify and show site-specific Best Management Practices (BMPs) appropriate to activities conducted on-site to limit to the maximum extent practicable the discharge of pollutants to the City's storm drainage system, regardless of season or weather conditions.
 - B. Trash enclosures and/or recycling area(s) shall be covered; no other area shall drain onto this area. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. Applicant shall contact the City of Berkeley and EBMUD for specific connection and discharge requirements. Discharges to the sanitary sewer are subject to the review, approval and conditions of the City of Berkeley and EBMUD.
 - C. Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration and minimize the use of fertilizers and pesticides that contribute to stormwater pollution. Where feasible, landscaping should be designed and operated to treat runoff. When and where possible, xeriscape and drought tolerant plants shall be incorporated into new development plans.
 - D. Design, location and maintenance requirements and schedules for any stormwater quality treatment structural controls shall be submitted to the Department of Public Works for review with respect to reasonable adequacy of the controls. The review does not relieve the property owner of the responsibility for complying with BMC Chapter 17.20 and future revisions to the City's overall stormwater quality ordinances. This review shall be shall be conducted prior to the issuance of a Building Permit.
 - E. All paved outdoor storage areas must be designed to reduce/limit the potential for runoff to contact pollutants.
 - F. All on-site storm drain inlets/catch basins must be cleaned at least once a year immediately prior to the rainy season. The property owner shall be responsible for all costs associated with proper operation and maintenance of all storm drainage facilities (pipelines, inlets, catch basins, outlets, etc.) associated with the project, unless the City accepts such facilities by Council action. Additional cleaning may be required by City of Berkeley Public Works Engineering Dept.
 - G. All on-site storm drain inlets must be labeled "No Dumping – Drains to Bay" or equivalent using methods approved by the City.
 - H. Most washing and/or steam cleaning must be done at an appropriately equipped facility that drains to the sanitary sewer. Any outdoor washing or pressure washing must be managed in such a way that there is no discharge or soaps or other pollutants to the storm drain. Sanitary connections are subject to the review, approval and conditions of the sanitary district with jurisdiction for receiving the discharge.
 - I. Sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry to the

storm drain system. If any cleaning agent or degreaser is used, wash water shall not discharge to the storm drains; wash waters should be collected and discharged to the sanitary sewer. Discharges to the sanitary sewer are subject to the review, approval and conditions of the sanitary district with jurisdiction for receiving the discharge.

- J. The applicant is responsible for ensuring that all contractors and sub-contractors are aware of and implement all stormwater quality control measures. Failure to comply with the approved construction BMPs shall result in the issuance of correction notices, citations, or a project stop work order.

16. Public Works. The removal or obstruction of any fire hydrant shall require the submission of a plan to the City's Public Works Department for the relocation of the fire hydrant during construction.

Prior to Final Inspection or Issuance of Occupancy Permit:

17. Compliance with Conditions. The project shall conform to the plans and statements in the Use Permit. The developer is responsible for providing sufficient evidence to demonstrate compliance with the requirements throughout the implementation of this Use Permit.
18. Compliance with Approved Plan. The project shall conform to the plans and statements in the Use Permit. All landscape, site and architectural improvements shall be completed per the attached approved drawings dated November 9, 2021, except as modified by conditions of approval.

At All Times:

19. Exterior Lighting. All exterior lighting shall be energy efficient where feasible; and shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property. In addition, all interior and exterior lighting associated with the tenant space shall be limited to between the hours of 8:00 a.m. and 9:00 p.m. daily.
20. Design Review. Signage and any other exterior modifications, including but not limited to landscaping and lighting, shall be subject to Design Review approval.
21. Loading. All loading/unloading activities associated with deliveries to all uses shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. daily.
22. Transit Subsidy Condition. The applicant shall reimburse employees the maximum non-taxable cost of commuting to and from work on public transportation (e.g., monthly passes) if they so commute, and a notice informing employees of the availability of such subsidy shall be permanently displayed in the employee area as per BMC Chapter 9.88.
23. Subject to Review. This permit is subject to review, imposition of additional conditions, or revocation if factual complaint is received by the Zoning Officer that the maintenance or operation of this establishment is violating any of these or other required conditions or is detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood or is detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

& @ O	AND AT DIAMETER OR ROUND	HDWR. HORIZ.	HARDWARE HORIZONTAL
ABV. A.C. A.C.T. ADJ. A.F.F. ALT. A.P. APPROX.	ABOVE AIR CONDITIONING ACCUSTICAL CEILING TILE ADJACENT OR ADJUSTABLE ABOVE FINISHED FLOOR ALTERNATE ACCESS PANEL APPROXIMATE ARCHITECT(URAL)	INT. INSUL.	INTERIOR INSULATION
BLDG. BLKG. BD. BM. BOT.	BUILDING BLOCKING BOARD BEAM BOTTOM	K.E.C.	KITCHEN EQUIPMENT CONTRACTOR
CAB. C.G. C.I. C.L. CLR. CLG. CLO. C.O. C.M.U. CONC. CONST. CONT. COL. CPT. C.T. C.W.	CABINET CORNER GUARD CONTROL JOINT CENTER LINE CLEAR CEILING CLOSET CLEANOUT OR CASED OPENING CONCRETE MASONRY UNIT CONCRETE CONSTRUCTION CONTINUOUS COLUMN CARPET COLLAR TIE COLD WATER	MAX. MECH. MIN. MTD. MTRL. MTL.	MAXIMUM MECHANICAL MINIMUM MOUNTED MATERIAL METAL
D. DTL. DIAM. DIM. DR. DWG. D.F. DISP.	DRYER DETAIL DIAMETER DIMENSION DOOR DRAWING DOUTUGLAS FIR OR DRINKING FOUNTAIN DISPENSER	(N) N.I.C. N.T.S.	NEW NOT IN CONTRACT NOT TO SCALE
(E) EXIST. EA. EL. ELEV. ELEC. EP. EQ. EQUIP. EXT.	EXISTING EACH ELEVATION ELECTRICAL ELECTRICAL PANELBOARD EQUAL EQUIPMENT EXTERIOR	O/ O.C. O.S.C.I	OVER ON CENTER OWNER SUPPLIED, CONTRACTOR INSTALLED
F.B.O. F.D. F.F. FT. FL. FLUOR. F.O.F. F.O.S. FNL. F.S.E.C. F.R.P. F.O.	FURNISHED BY OTHERS FLOOR DRAIN FINISHED FLOOR FEET FLOOR FLUORESCENT FACE OF FINISH FACE OF STUD FINISHED FOOD SERVICE EQUIP. CONTRACTOR FIBERGLASS REINFORCED PANEL FACE OF	P.B.O. PL. PLAM. PLYWD. FTD.	PROVIDED BY OWNER PLATE PLASTIC LAMINATE PLYWOOD PAINTED
GA. G.C. G.F.R.C. GL. G.S.M. GYP. G.W.B.	GAUGE GENERAL CONTRACTOR GLASS FIBER REINFORCED CONCRETE GLAZING, GLASS GALVANIZED SHEET METAL GYPSUM GYPSUM WALL BOARD	REF. REG. R.D. R.O.	REFRIGERATOR REGISTER ROOF DRAIN ROUGH OPENING
		SASM SEC. SHT. SHT. SIM. SLJ/SKYL. SQ. ST.STL./S.S. S.S.D.	SELF-ADHERING SHEET MEMBRANE SECTION SHEET SHEET SIMILAR SKYLIGHT SQUARE STAINLESS STEEL SEE STRUCTURAL DRAWINGS
		T. T.&G. T&D. TEL. TEMP. THRU TYP. TV	TREAD TONGUE AND GROOVE TO BE DETERMINED TELEPHONE TEMPERED THROUGH TYPICAL TELEVISION
		U.L. U.O.N.	UNDERWRITER'S LABORATORY UNLESS OTHERWISE NOTED
		VERT. V.F. V.G.	VERTICAL VERTICAL IN FIELD VERTICAL GRAIN
		W. W/ W.C. W.D. W/I W/O W/P W.SCT. W.H.	WASHER WITH WATER CLOSET WOOD WITHIN WITH OUT WATERPROOF WAINSCOT WATER HEATER

9 ABBREVIATIONS

	SECT. NO. SECTION REFERENCE		KEY NOTE: SEE LEGEND ON DRAWINGS FOR EXPLANATION OF EACH NOTE.
	ELEV. NO. ELEVATION REFERENCE		DATUM REFERENCE: ELEVATION, WORK OR CONTROL
	DOOR SYMBOL: DOOR MARK OR SEQUENCE NUMBER		WINDOW SYMBOL: WINDOW MARK OR SEQUENCE NUMBER
	DET. NO. DETAIL/SECTION REFERENCE		FINISH REFERENCE
	ENLARGED PLANI/DETAIL REFERENCE		PLUMBING SYMBOL/ REFERENCE
	ELEV. NO. ENLARGED ELEVATION		APPLIANCE SYMBOL/ REFERENCE
	PROJECT NORTH ACTUAL NORTH		DIMENSIONS: FACE OF FINISH, U.O.N.
	NORTH ARROW		CENTERLINE
	NORTH ARROW		CLR./ MINIMUM CLR.
	ALIGN ALIGN FINISH SURFACES		CHANGE IN FINISH FLOOR MATERIALS
	FF1		STEP DOWN (DIMENSION INDICATED)
	WALL TO REMAIN		WALL TO BE DEMOLISHED
	NEW WALL CONSTRUCTION		1-HR FIRE-RESISTIVE CONSTRUCTION
	REVISION REFERENCE		

8 GRAPHIC SYMBOLS

N.T.S.

6 BUILDING CODE INFORMATION

SITE INFORMATION:	750 HEARST AVENUE, SUITE 191, BERKELEY, CALIFORNIA 94710
ADDRESS:	57-210000-108
A.P.N.:	C-W
ZONING DISTRICT:	AC
GENERAL PLAN AREA:	NO
LANDMARKS:	NO
REDEVELOPMENT AREA:	YES (WEST BERKELEY COMMERCIAL)
SAFETY REGULATIONS:	
ALQUIST PRIORLO:	NO CREEK BUFFER: NO
LANDSLIDE:	NO ENVYTL MGMT. AREA: YES
LIQUEFACTION:	YES FIRE ZONE: I
	FLOOD ZONE: NO

PLANNING CODE INFORMATION	EXISTING	PROPOSED	ALLOWED
USE:	GYM	VETERINARY CLINIC	VETERINARY CLINIC
HEIGHT:	25'-0"	25'-0" (NO CHANGE)	25'-0" MIN (NEW CONST), 40'-0" MAX
STORIES:	1	1	25'-0" OR 2 ST MIN, 3 ST MAX
LOT AREA:	38,523 SF	38,523 SF (NO CHANGE)	
FLOOR AREA:	38,365 SF	38,365 SF (NO CHANGE)	
TENANT AREA:	3,366 SF	3,366 SF (NO CHANGE)	
F.A.R.:	0.99	0.99 (NO CHANGE)	
PARKING:	203 SPACES	203 SPACES (NO CHANGE)	
BICYCLE PARKING:	32 SPACES	32 SPACES (NO CHANGE)	
GREEN DESIGN:		< 10,000 SF ALTERATION	NOT REQUIRED

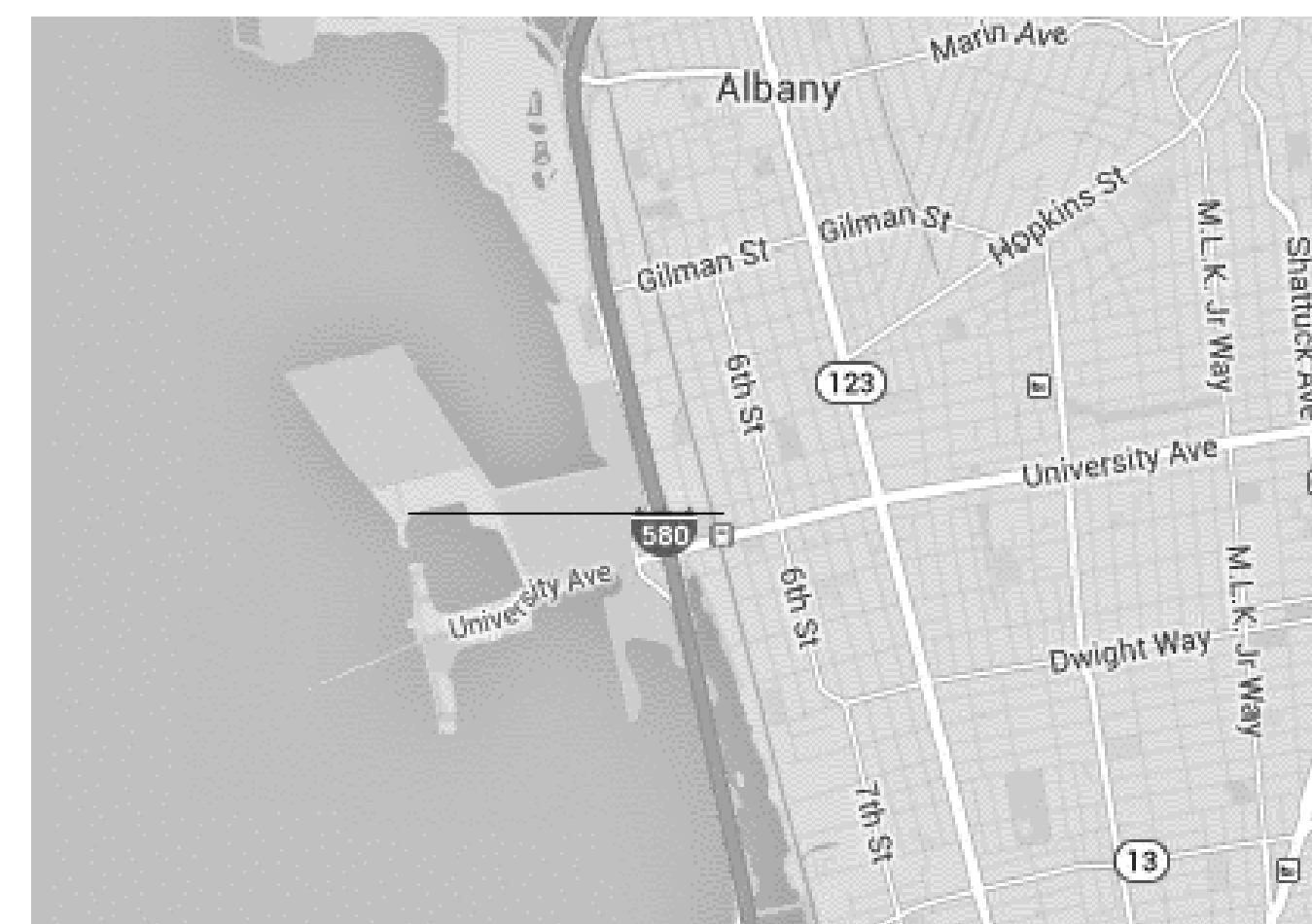
5 ZONING CODE INFORMATION

OWNER: JAMESTOWN, L.P. 1700 MONTGOMERY STREET, SUITE 110 SAN FRANCISCO, CA 94111 TEL (415) 913-7612	ARCHITECT: STUDIO KDA 1810 SIXTH STREET BERKELEY, CA, 94710 TEL (510) 841-3555	TENANT: MODERN ANIMAL 8122 BEVERLY BLVD. LOS ANGELES, CA, 90048
REBECCA WEINER Rebecca.Weiner@jamestown.com	CHARLES KAHN charles@studiokda.com	LUKAS BRUGGEMANN lukas.bruggemann@modernanimal.com
	KIM FISHER kim@studiokda.com	

4 PROJECT TEAM

N.T.S.

3 PROJECT DESCRIPTION



2 VICINITY MAP

N.T.S.

MODERN ANIMAL USE PERMIT APPLICATION CHANGE OF USE

760 HEARST AVENUE, SUITE 101
BERKELEY, CA 94710

1 TABLE OF CONTENTS

SHEET NUMBER	SHEET NAME	PERMIT SUBMITTAL
GENERAL SHEETS		
G000	COVER SHEET & PROJECT INFO	✓
G020	CODE SUMMARY & ACCESSIBILITY SITE PLAN	✓
G021	EGRESS SUMMARY PLAN HEARST STREET BUILDING	✓
G040	CONTEXT PHOTOS	✓
ARCHITECTURAL SHEETS		
AD111	GROUND FLOOR & MEZZANINE DEMOLITION PLANS	✓
A100	EXISTING SITE PLAN	✓
A101	PROPOSED GROUND FLOOR & MEZZANINE PLANS	✓
A102	PROPOSED ROOF PLAN	✓
A200	EXTERIOR ELEVATIONS	✓
A300	BUILDING SECTION	✓

1 LOCATION MAP

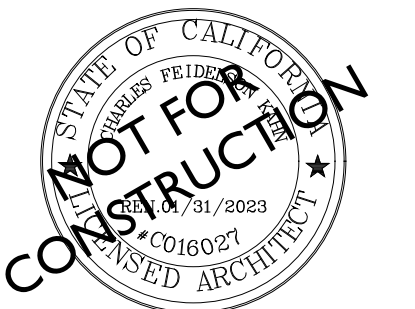
N.T.S.

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MODERN ANIMAL USE PERMIT

760 HEARST AVE.
BERKELEY, CA, 94710



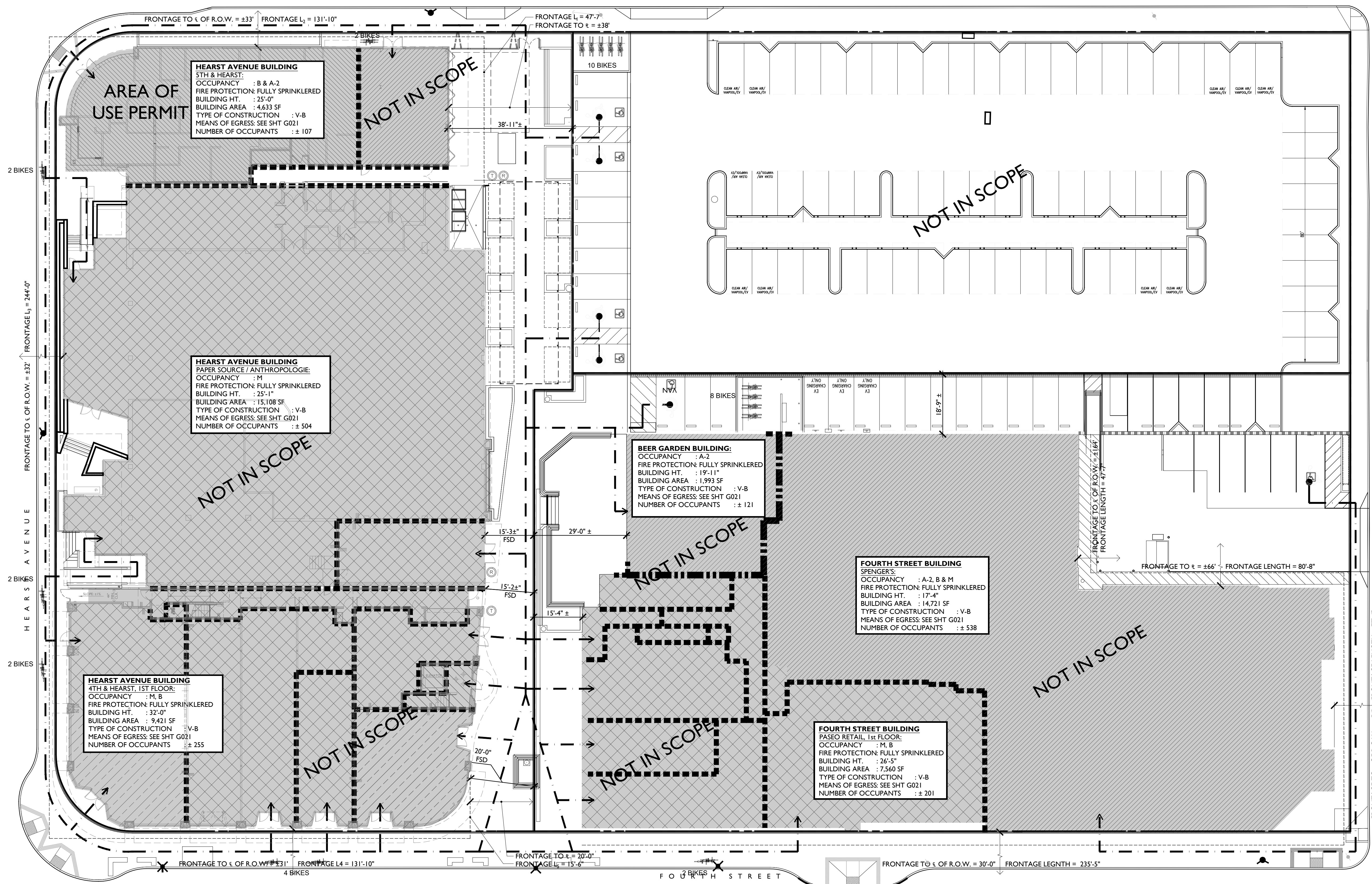
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10.29.21 PROGRESS SET

CITY PERMIT RECORD:
11.09.21 USE PERMIT SUBMITTAL

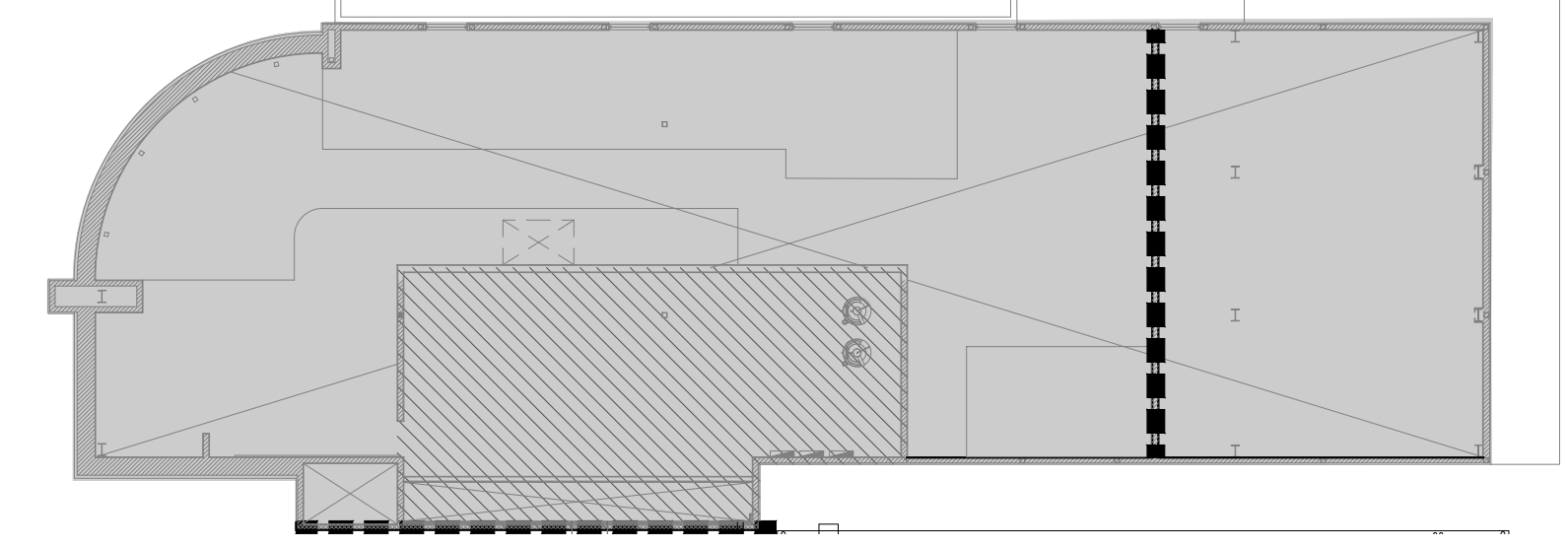
PROJECT:
JAM10
TITLE:
COVER SHEET &
PROJECT
INFORMATION

SHEET:

G000



1 CODE SUMMARY - SITE PLAN, FIRST FLOOR
SCALE: N.T.S.



2 CODE SUMMARY - MEZZANINE AT FIFTH AND HEARST
SCALE: N.T.S.

	A-2 OCCUPANCY
	M OCCUPANCY
	B OCCUPANCY
	B OR M OCCUPANCY
OCCUPANCY GROUPS	
	3-HOUR AREA SEPARATION
	1-HOUR FIRE BARRIER
FIRE-RATED SEPARATION	
	PROPERTY LINE
	506.2 FRONTAGE INCREASE BOUNDARY
	560.2 AREA MODIFICATION
	ACCESSIBLE PATH START POINT
	ACCESSIBLE PATH OF TRAVEL
SITE ACCESSIBILITY	



PROJECT ISSUE RECORD:

10.29.21	PROGRESS SET
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CITY PERMIT RECORD:

11.09.21	USE PERMIT SUBMITTAL
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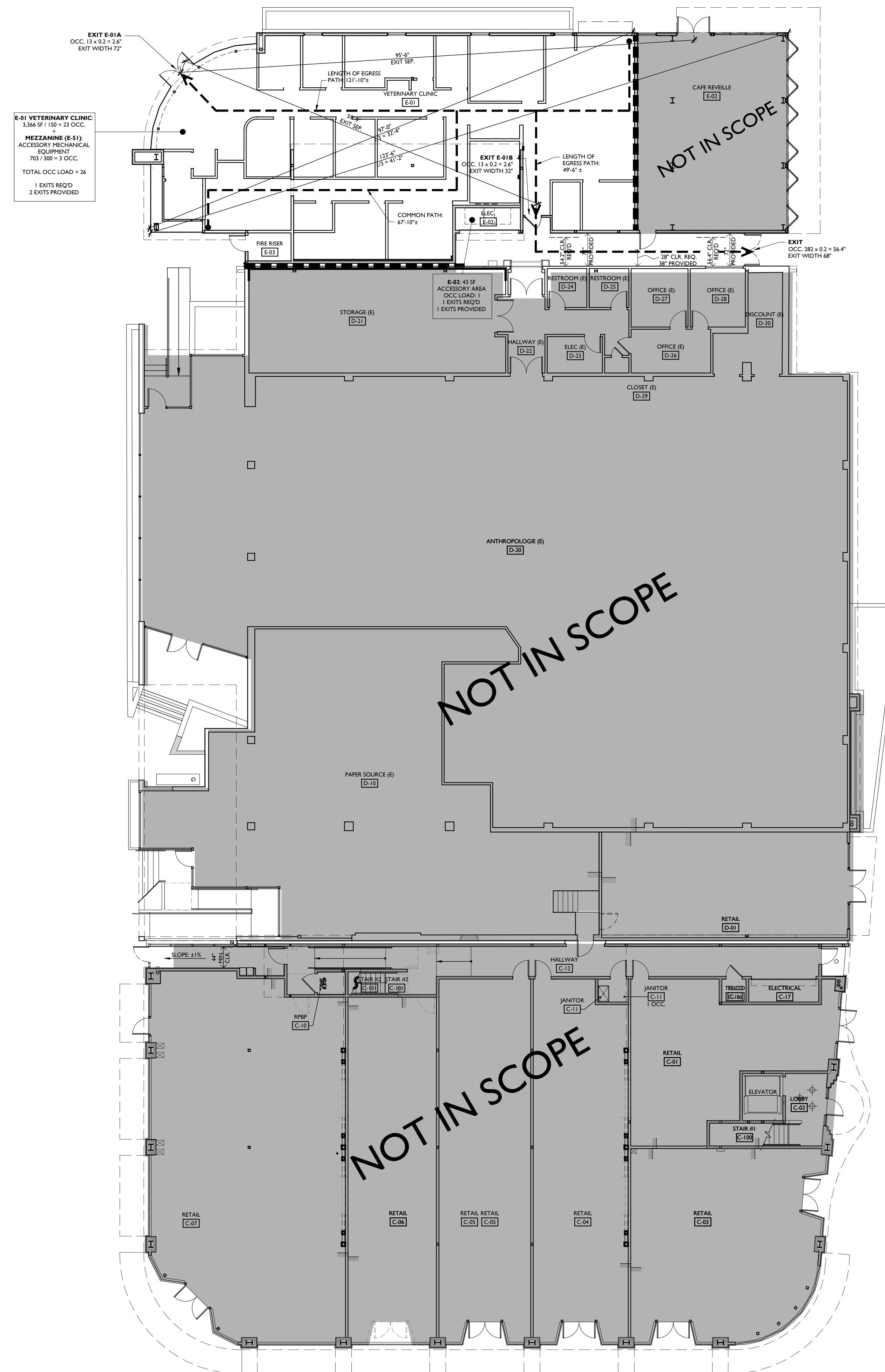


TABLE 1004.1.1 - MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

FUNCTION OF SPACE	SF FLOOR AREA / PER OCCUPANT
ASSEMBLY (W/O FIXED SEATS)	
TABLES & CHAIRS	15 NET
BUSINESS	150 GROSS
KITCHENS, COMMERCIAL	200 GROSS
MERCHANTILE	60 GROSS
STORAGE, STOCK AREAS	300 GROSS
MECHANICAL EQUIP ROOM	300 GROSS

NOTE: RESTAURANT OCCUPANCY IS ESTIMATED AT 60% UNCONCENTRATED ASSEMBLY (TALES & CHAIRS) & 40% COMMERCIAL KITCHEN AREA

SECTION 1005.1 - EGRESS WIDTH:
A MINIMUM EGRESS WIDTH OF 0.3 INCHES PER OCCUPANT FOR STAIRWAYS AND 0.2 INCHES PER OCCUPANT FOR OTHER EGRESS COMPONENTS. MULTIPLE MEANS OF EGRESS SHALL BE SIZED THAT THE LOSS OF ANY ONE MEANS OF EGRESS SHALL NOT REDUCE THE AVAILABLE CAPACITY TO LESS THAN 50 PERCENT OF REQUIRED CAPACITY.

SECTION 1015.1 - EXIT AND EXIT ACCESS DOORWAYS:
TWO EXITS SHALL BE PROVIDED FROM ANY SPACE WHERE THE OCCUPANT LOAD EXCEEDS TABLE 1015.1; THE COMMON PATH OF EGRESS TRAVEL EXCEEDS LIMITATIONS OF 1014.3; OR AS REQUIRED BY 1015.3 THRU 1015.6.1.

TABLE 1015.1 - SPACES WITH ONE EXIT:

OCCUPANCY	MAX. OCC. LOAD
A2, M, B	49

SECTION 1015.2.1: WHERE TWO EXITS ARE REQUIRED, THEY SHALL BE PLACED A DISTANCE APART MEASURED NOT LESS THAN HALF THE DIAGONAL DISTANCE OF THE BUILDING OR AREA SERVED, MEASURED IN A STRAIGHT LINE BETWEEN EXITS.

TABLE 1016.1 - EXIT ACCESS TRAVEL DISTANCE:

OCCUPANCY	W/O SPRINKLER SYSTEM	WITH SPINKLER SYSTEM
A2, M, B	200	250

TABLE 1021.2 - STORIES WITH ONE EXIT:

STORY	OCCUPANCY	MAX. OCC PER FLOOR & TRAVEL DISTANCE
FIRST STORY	A-2 & M	49 OCCUPANTS & 75 FEET
FIRST STORY	B	49 OCCUPANTS & 100 FEET
SECOND STORY	M & B	29 OCCUPANTS & 75 FEET

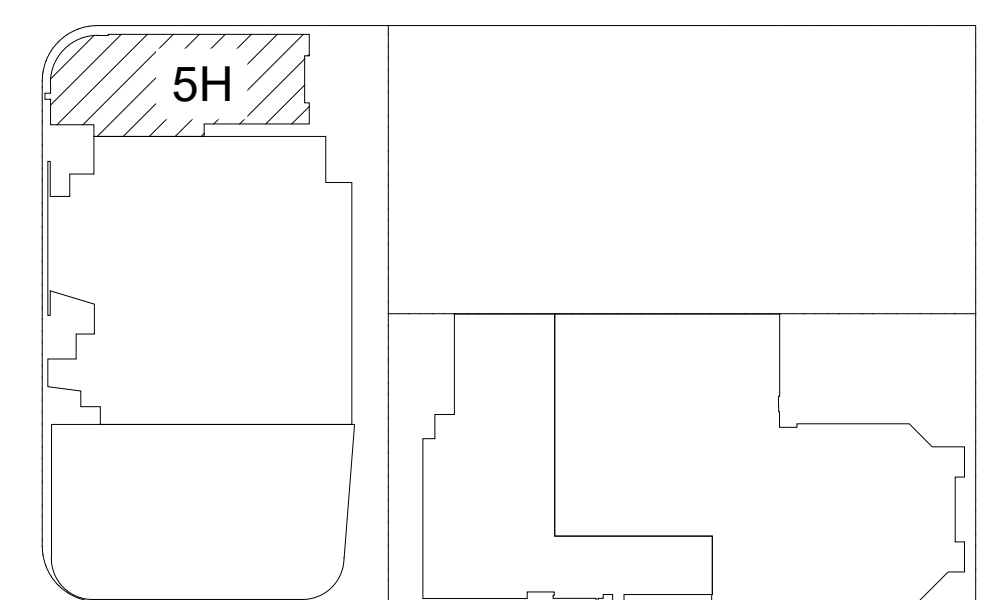
SECTION 1027.1 - EXIT DISCHARGE:
ALL EXITS ARE DIRECTLY AT GRADE. SEE EGRESS DIAGRAM FOR EXIT LOCATIONS AND OCCUPANT LOADS.

LEGEND

←--- EXIT ACCESS TRAVEL PATH

SHEET NOTES

KEY PLAN





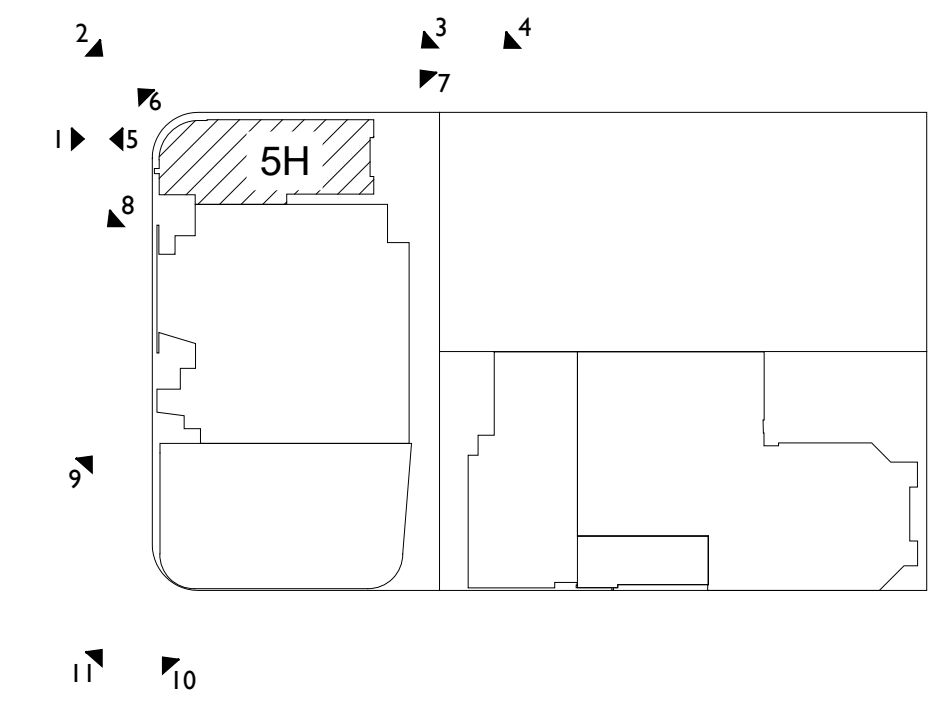
11 FOURTH & HEARST VIEW LOOKING SOUTHEAST



10 FIFTH STREET VIEW LOOKING NORTHEAST



9 HEARST AVE VIEW LOOKING SOUTHEAST



8 HEARST AVE VIEW LOOKING NORTHWEST



7 FIFTH STREET VIEW LOOKING NORTHEAST



6 FIFTH & HEARST VIEW LOOKING NORTHEAST



5 HEARST AVE VIEW LOOKING NORTH



4 FIFTH STREET VIEW LOOKING NORTHWEST



3 FIFTH STREET VIEW LOOKING NORTH



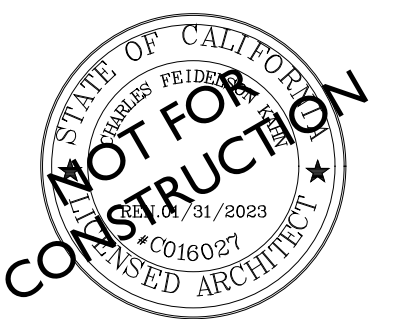
2 FIFTH & HEARST VIEW LOOKING SOUTHWEST



1 FIFTH & HEARST VIEW LOOKING SOUTH

MODERN ANIMAL USE PERMIT

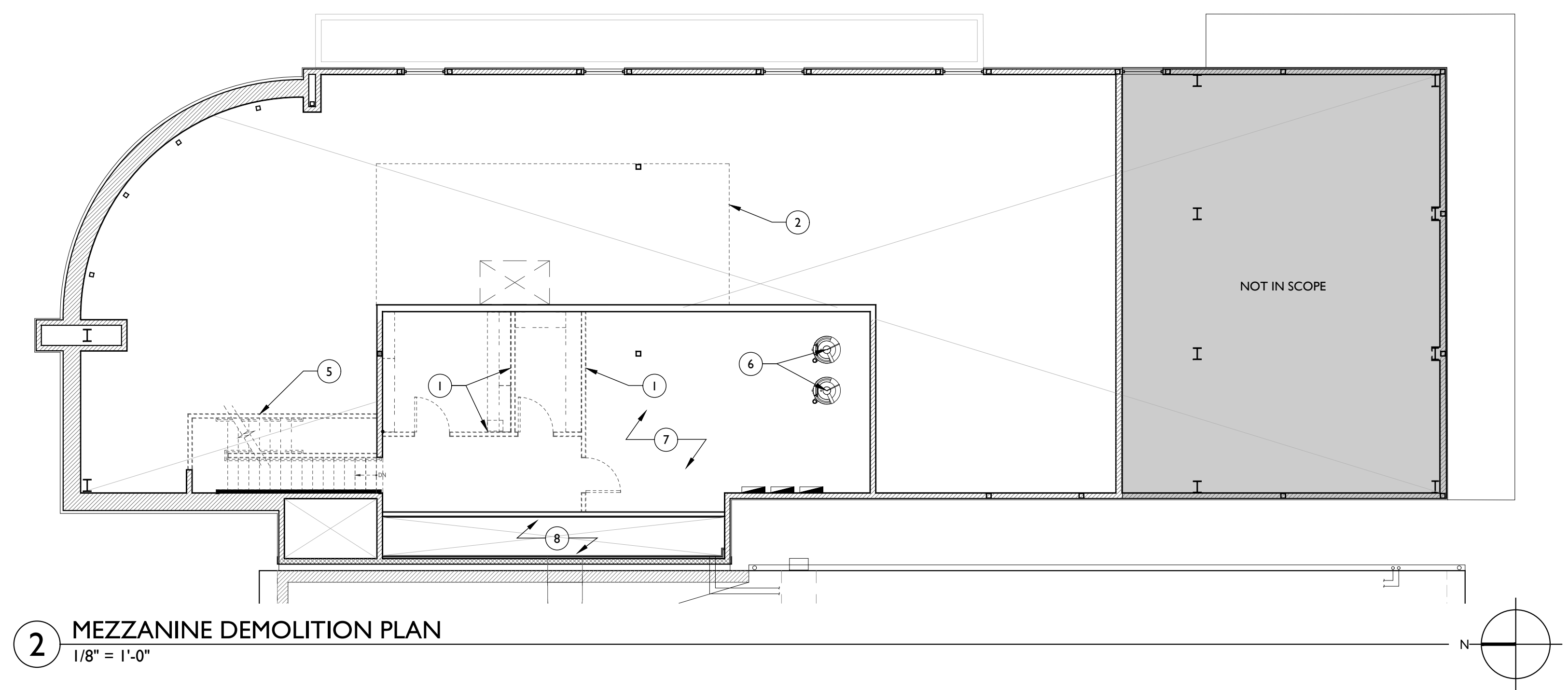
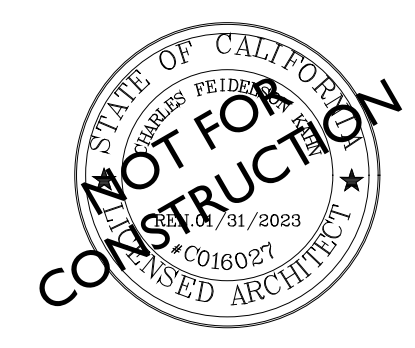
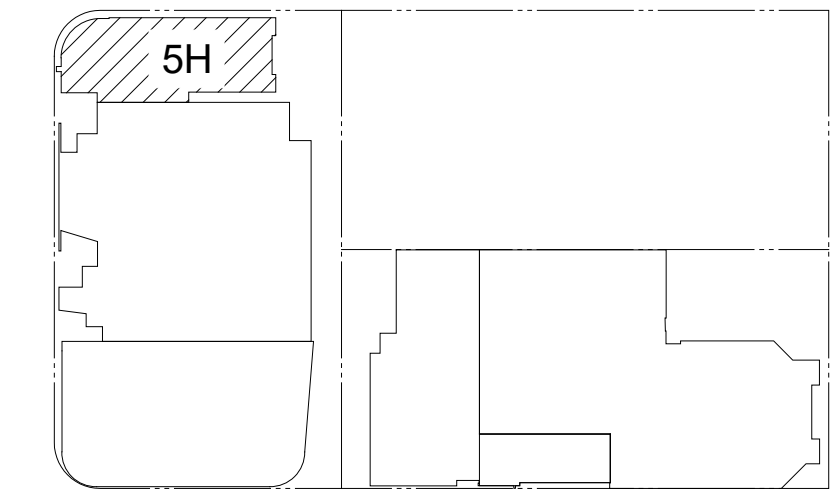
760 HEARST AVE.
BERKELEY, CA, 94710



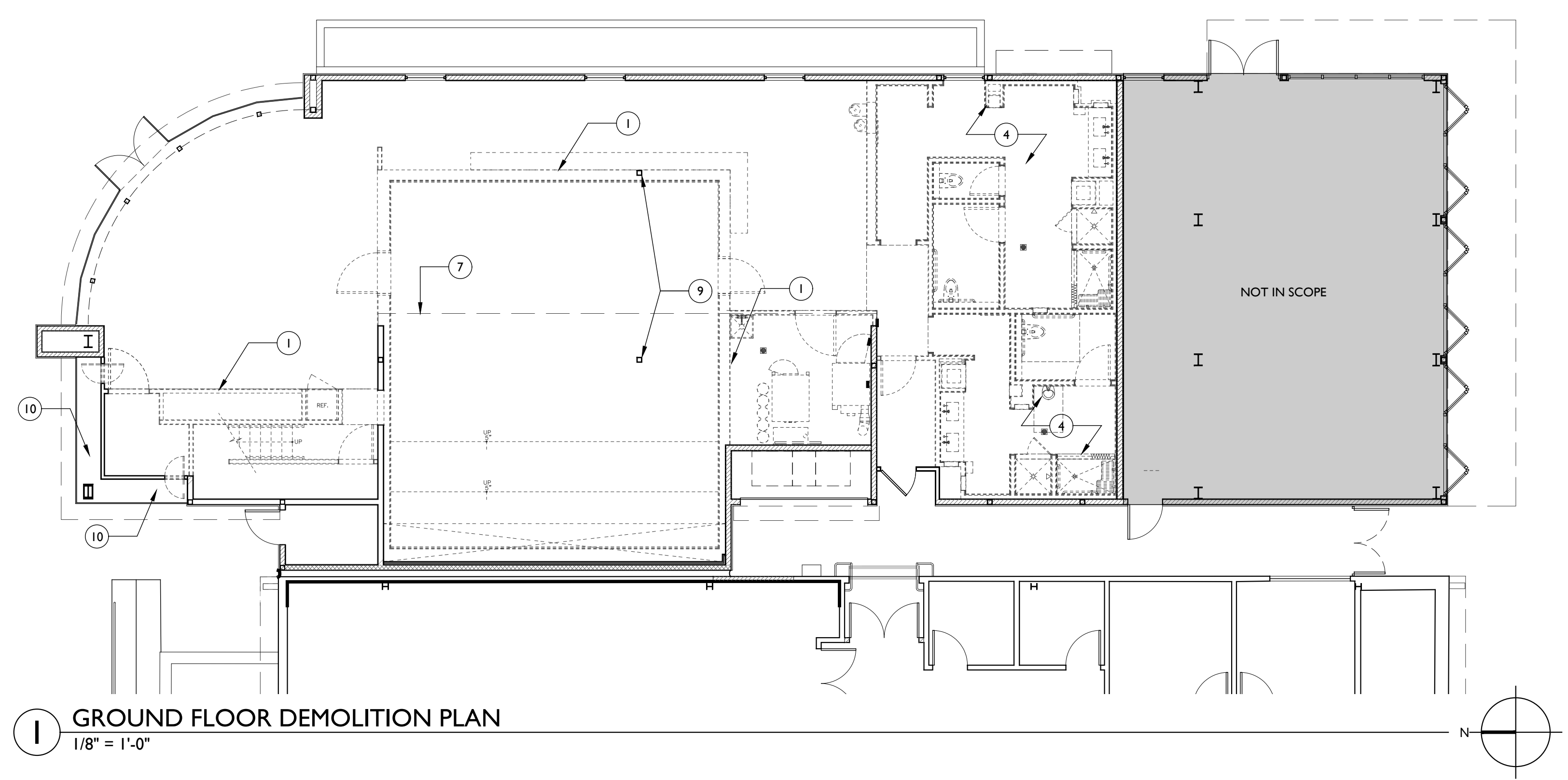
PROJECT ISSUE RECORD:
10.29.21 PROGRESS SET

CITY PERMIT RECORD:
11.09.21 USE PERMIT SUBMITTAL

PROJECT:
JAM10
TITLE:
CONTEXT PHOTOS



2 MEZZANINE DEMOLITION PLAN
1/8" = 1'-0"



1 GROUND FLOOR DEMOLITION PLAN
1/8" = 1'-0"

DEMOLITION KEY NOTES:

- ① DEMOLISH INTERIOR PARTITIONS
- ② DEMOLISH NON-STRUCTURAL PLATFORM & CEILINGS ABOVE PARTITIONS
- ③ DEMOLISH ELECTRICAL FIXTURES
- ④ DEMOLISH RESTROOM FINISHES AND FF&E
- ⑤ DEMOLISH STAIR
- ⑥ (E) MECH/ELEC EQUIPMENT TO REMAIN
- ⑦ (E) MEZZANINE FLOOR FRAMING TO REMAIN
- ⑧ (E) MECHANICAL SHAFT TO REMAIN
- ⑨ (E) STL COLUMN & BEAM ABV TO REMAIN
- ⑩ (E) DISPLAY WINDOW, WALL & ACCESS DOOR TO REMAIN

PROJECT ISSUE RECORD:
10.29.21 PROGRESS SET

CITY PERMIT RECORD:
11.09.21 USE PERMIT SUBMITTAL

PROJECT: JAM10
TITLE: GROUND FLOOR & MEZZANINE DEMOLITION PLANS

AREA OF WORK UNDER USE PERMIT

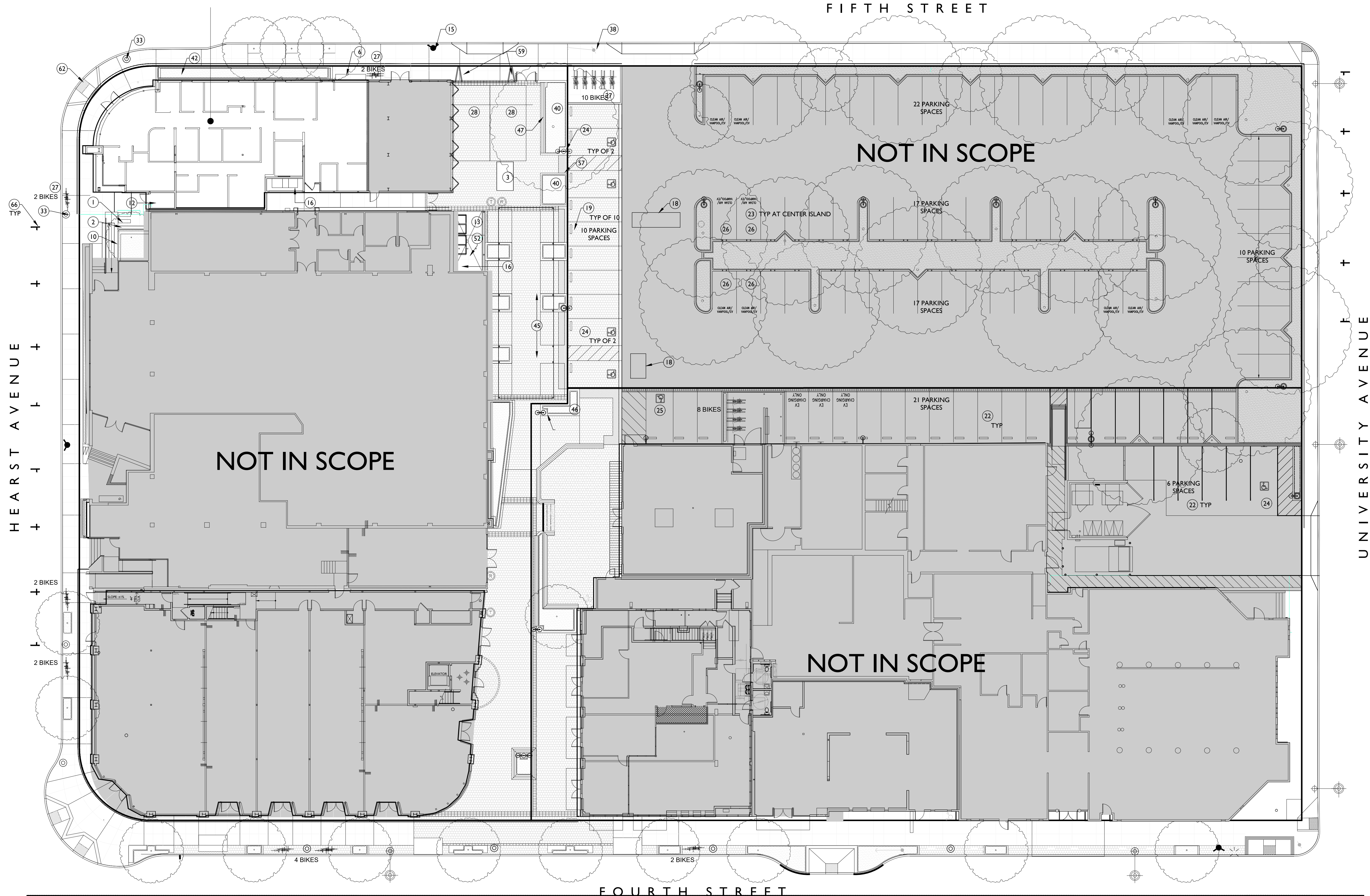
- | | | |
|---|---|--|
| 1 (E) FDC & BACKFLOW PREVENTER | 21 ELECTRIC VEHICLE PARKING SPACE W/
WALL MOUNTED CHARGING STATION,
SCD | 36 WALL MOUNTED ELECTRIC VEHICLE
CHARGER, SED |
| 2 (E) DOMESTIC WATER BACK FLOW PREVENTER | 22 STANDARD PARKING SPACE | 40 RAISED PLANTER |
| 3 (E) TRANSFORMER BELOW GRADE IN VAULT | 23 COMPACT PARKING SPACE | 42 RAISED C.3 PLANTER, SLD |
| 6 (E) GAS METERS | 24 ACCESSIBLE PARKING SPACE | 45 PERMEABLE PAVERS |
| 12 (E) FIRE SPRINKLER RISER ROOM & ALARM
PANEL | 25 ACCESSIBLE VAN PARKING SPACE | 46 LOW RAISED PLANTER |
| 13 (E) TRASH ENCLOSURE | 26 CLEAN AIR/VAN POOL/ ELEC. VEHICLE
PARKING SPACE, SCD | 47 BUILT-IN BENCH AND SEAT WALL |
| 15 (E) FIRE HYDRANT | 27 BICYCLE PARKING | 57 FLUSH CURB |
| 16 ELECTRICAL ROOM EQUIP | 28 LOADING ZONE | 59 BI-FOLD CORETN STEEL LOADING DOCK
GATE, SEE A402 |
| 18 GREASE INTERCEPTOR, SCD | 33 (E) PEDESTRIAN LIGHT | 62 (E) ACCESSIBLE RAMP |
| 19 RECYCLED RUBBER WHEEL STOP, SCD | | |

KEY NOTES

PARKING INFORMATION FOR 5TH & HEARST LOT:

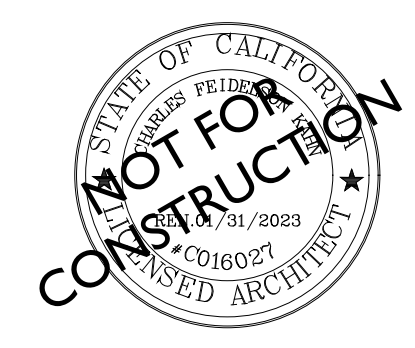
STANDARD SIZE PARKING SPACE(S):	53
COMPACT SIZE PARKING SPACE(S):	30
LOW-EMISSION VEHICLE (LEV) SPACE(S):	11
ELECTRIC VEHICLE SPACE(S):	3
PARKING SPACES PROVIDED:	97
ACCESSIBLE PARKING	
STANDARD ACCESSIBLE PARKING SPACE(S):	5
VAN ACCESSIBLE PARKING SPACE(S):	1
ACCESSIBLE SPACES PROVIDED:	6
SPACES PROVIDED ON 5TH & HEARST LOT:	
SPACES PROVIDED ON 4TH & HEARST LOT:	100
TOTAL PARKING SPACES PROVIDED:	203

SHEET NOTES



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BERKELEY, CA, 94710



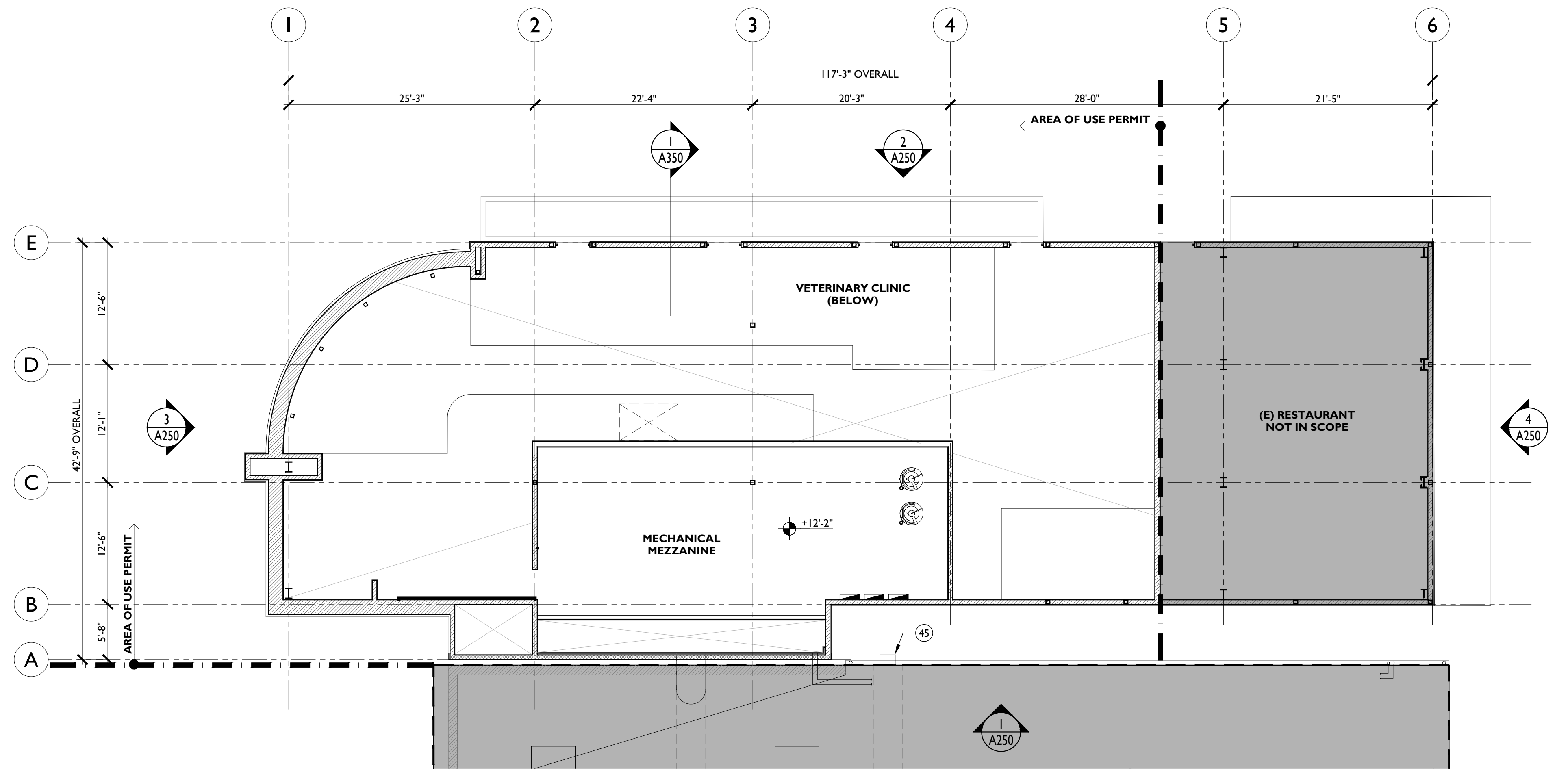
PROJECT ISSUE RECORD:
10.29.21 PROGRESS SET

CITY PERMIT RECORD:
11.09.21 USE PERMIT SUBMITTAL

PROJECT:
JAM10
TITLE:
SITE PLAN

SHEET:
A100

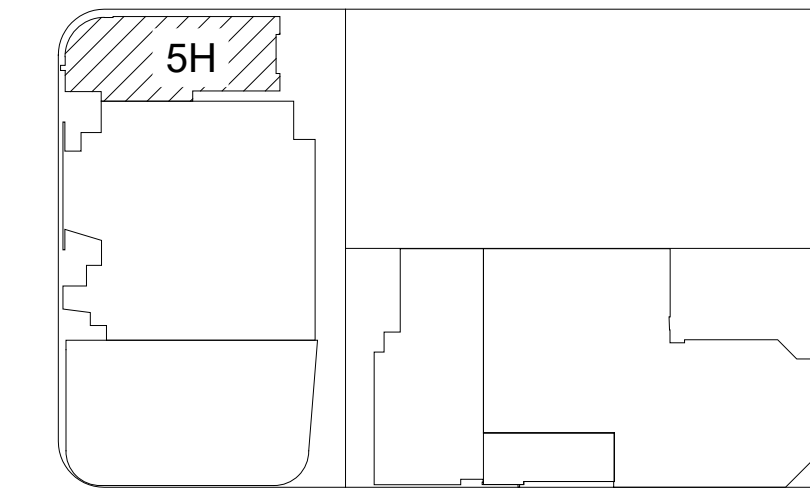
1 SITE PLAN
1/16" = 1'-0"



2 PROPOSED MEZZANINE PLAN
1/8" = 1'-0"



1 PROPOSED GROUND FLOOR PLAN
1/8" = 1'-0"



KEY NOTES:

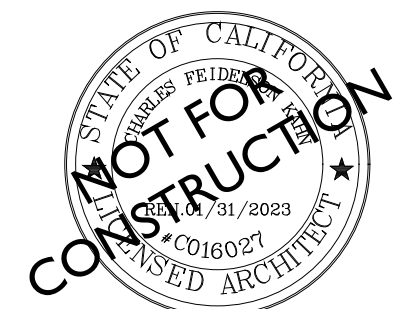
- 1 PROPERTY LINE
- 2 FACE OF BUILDING ABOVE
- 3 SOFFIT WITH SIGN BAND ABOVE
- 16 ROOF ACCESS LADDER
- 20 SECURITY FENCE & EGRESS GATE
- 21 EXPANSION JOINT
- 22 SKYLIGHT
- 24 RTU
- 29 ROOF DRAIN
- 30 SLOPED CRICKET
- 33 OVERFLOW DRAIN
- 35 PLANTER BELOW
- 37 GAS METER LOCATION
- 38 FLOW THRU C.3 PLANTER
- 40 LINE OF MEZZANINE ABOVE
- 41 CANOPY ABOVE
- 43 CANOPY BELOW
- 44 FACE OF WALL PROFILE BELOW
- 45 ROOF LADDER

LEGEND:

- LINE OF OBJECT ABOVE
- == WALL TO REMAIN
- == NEW WALL CONSTRUCTION
- == NEW 1 HR RATED WALL
- 10'-0" CLG. HEIGHT ABOVE FLOOR DECK
- AREA OF WORK UNDER SEP. PERMIT
- X CONSTRUCTION ASSEMBLY TYPE, SEE A501

MODERN ANIMAL USE PERMIT

760 HEARST AVE.
BERKELEY, CA, 94710



PROJECT ISSUE RECORD:
10.29.21 PROGRESS SET

CITY PERMIT RECORD:
11.09.21 USE PERMIT SUBMITTAL

PROJECT:
JAM10
TITLE:
PROPOSED GROUND FLOOR & MEZZANINE PLANS

SHEET:
A101

MODERN ANIMAL USE PERMIT

760 HEARST AVE.
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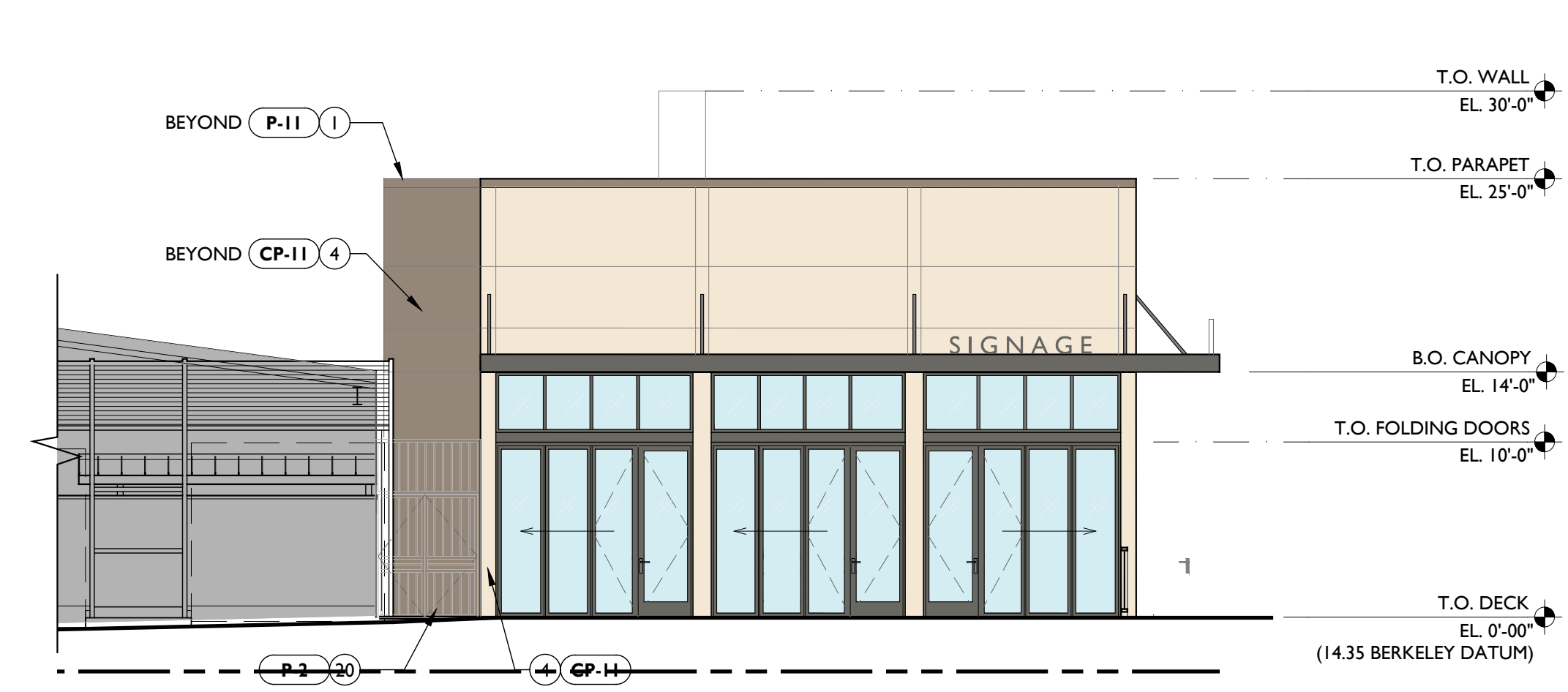
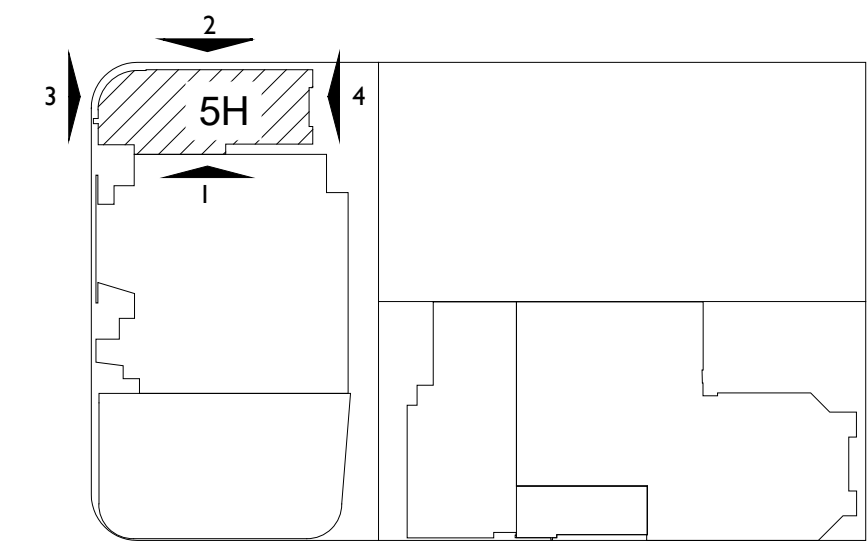


- | | | |
|--|---|-------------------------------------|
| 1 PRE-FINISHED GSM PARAPET COPING | 23 BOARD-FORMED CONC. PLANTER WALL W/ IPE CAP | 64 ROOF LADDER |
| 2 PROFILE TRIM CORNICE | 24 ADDRESS SIGNAGE | 65 GAS METERS, SPD |
| 3 INTEGRAL COLOR CEMENT PLASTER, STEEL TROWEL TEXTURE | 26 HM DOOR & FRAME | 67 ROOF DRAIN OUTLETS, SPD & 9/AS32 |
| 4 INTEGRAL COLOR CEMENT PLASTER, SAND TEXTURE | 27 LIGHT FIXTURE TYP., SED | 68 CEMENT PLASTER CONTROL JOINT |
| 5 SERIES 3200 KNOX BOX FOR EMERGENCY RESPONDERS USE | 36 OVERFLOW SCUPPER, TYP | 69 WALL VENT - SEE 10/AS32 |
| 11 ANODIZED ALUM. WDW | 51 RIBBED MTL PANEL W/ GALV. FINISH | 70 WALL HYDRANT |
| 12 TENANT SIGNAGE BY OTHERS, N.I.C., PROVIDE PLYWD BACKING & J-BOX, TYP., SIGNAGE UNDER SEPARATE FUTURE PERMIT | 52 STEEL OVERHEAD ROLL UP DOOR | |
| 15 BUTT-GLAZED STEEL DESIGN-BUILD STOREFRONT SYSTEM | 53 ANODIZED ALUM. FOLDING GLASS WALL W/ TRANSOM | |
| 19 SEISMIC JOINT W/ COVER | 54 CORTEN STEEL BI-FOLD LOADING DOCK GATE (UNDER SITE WORK PERMIT #15-3859) | |
| 20 METAL GATE | 58 PTD. STEEL TRANSOM | |

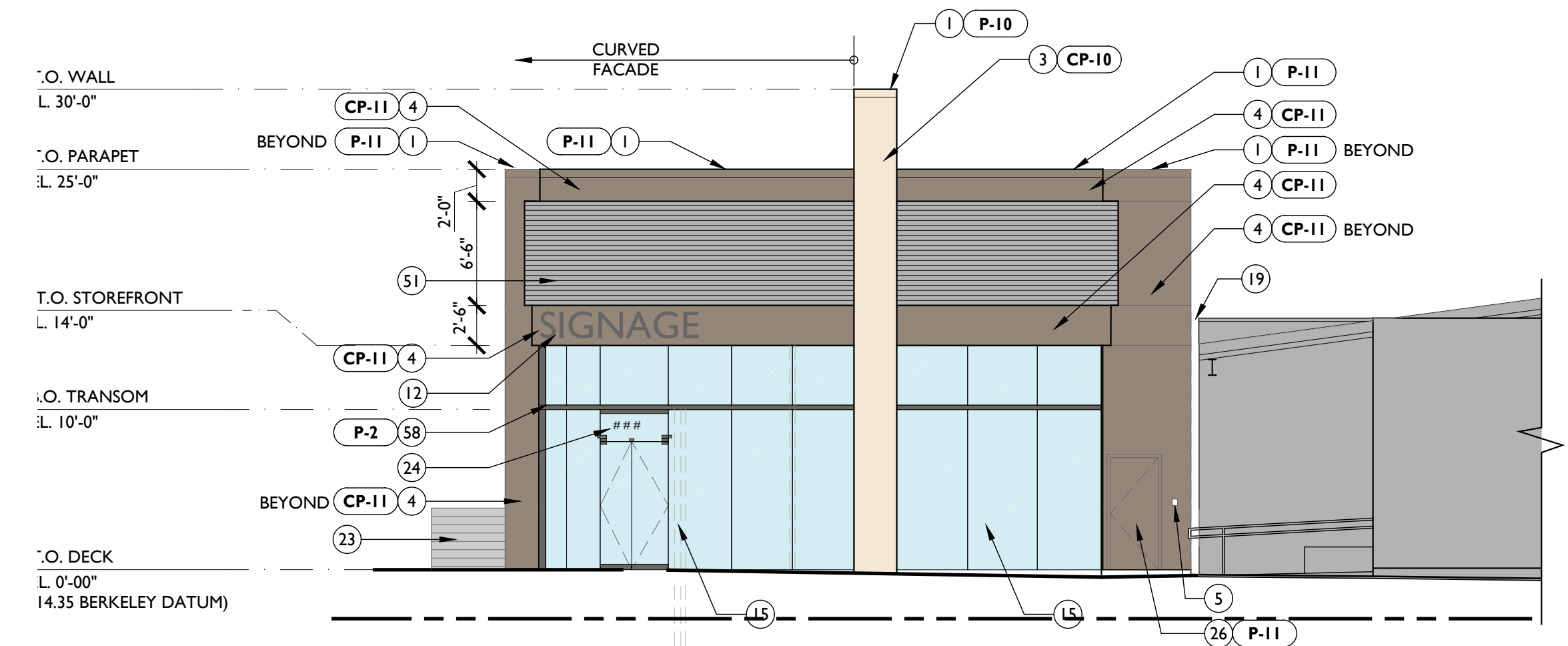
#-# FINISH TYPE (SEE SPECIFICATIONS)

LEGEND

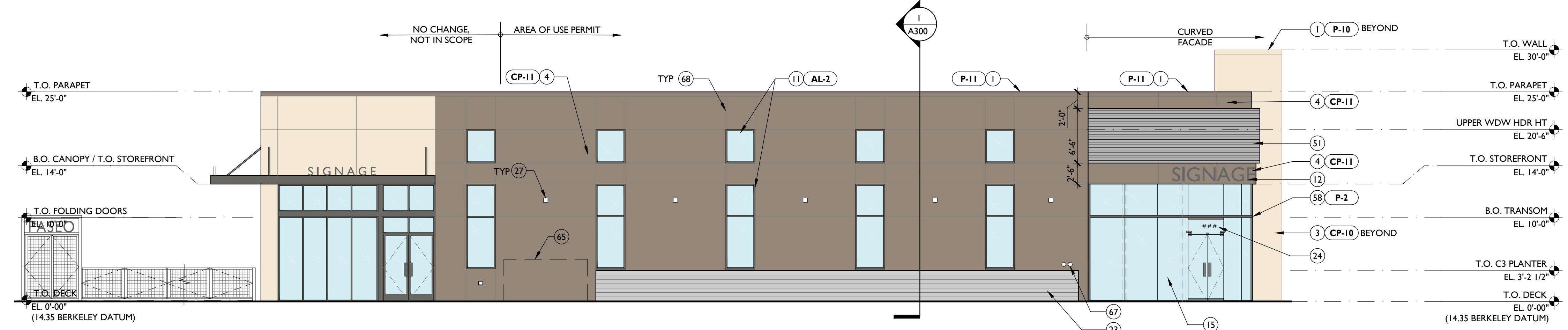
KEY NOTES



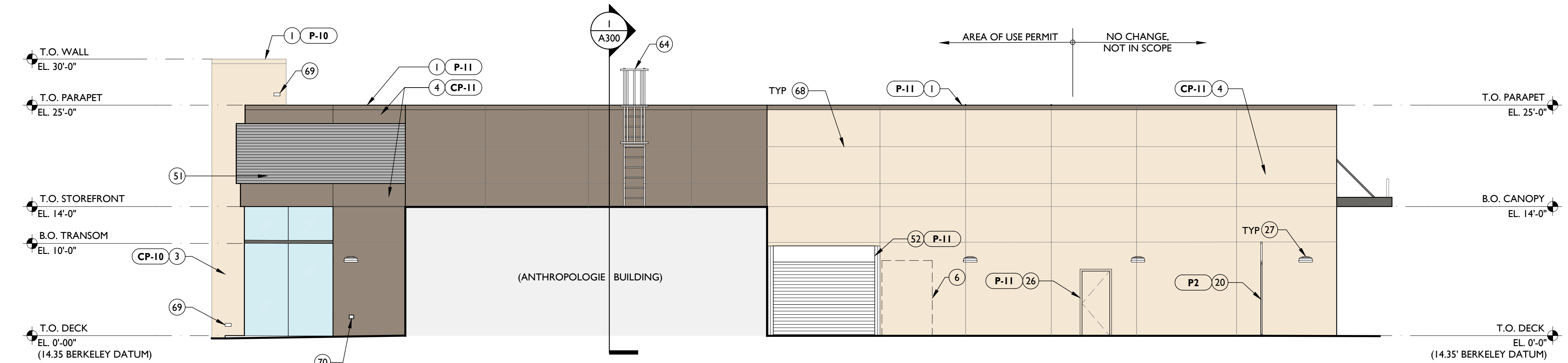
4 EXISTING SOUTH (SIDE) ELEVATION - NO WORK, FOR REFERENCE ONLY
1/8" = 1'-0" (24 x 36)



3 EXISTING NORTH (SIDE) ELEVATION
1/8" = 1'-0" (24 x 36)



2 EXISTING EAST (SIDE) ELEVATION
1/8" = 1'-0" (24 x 36)



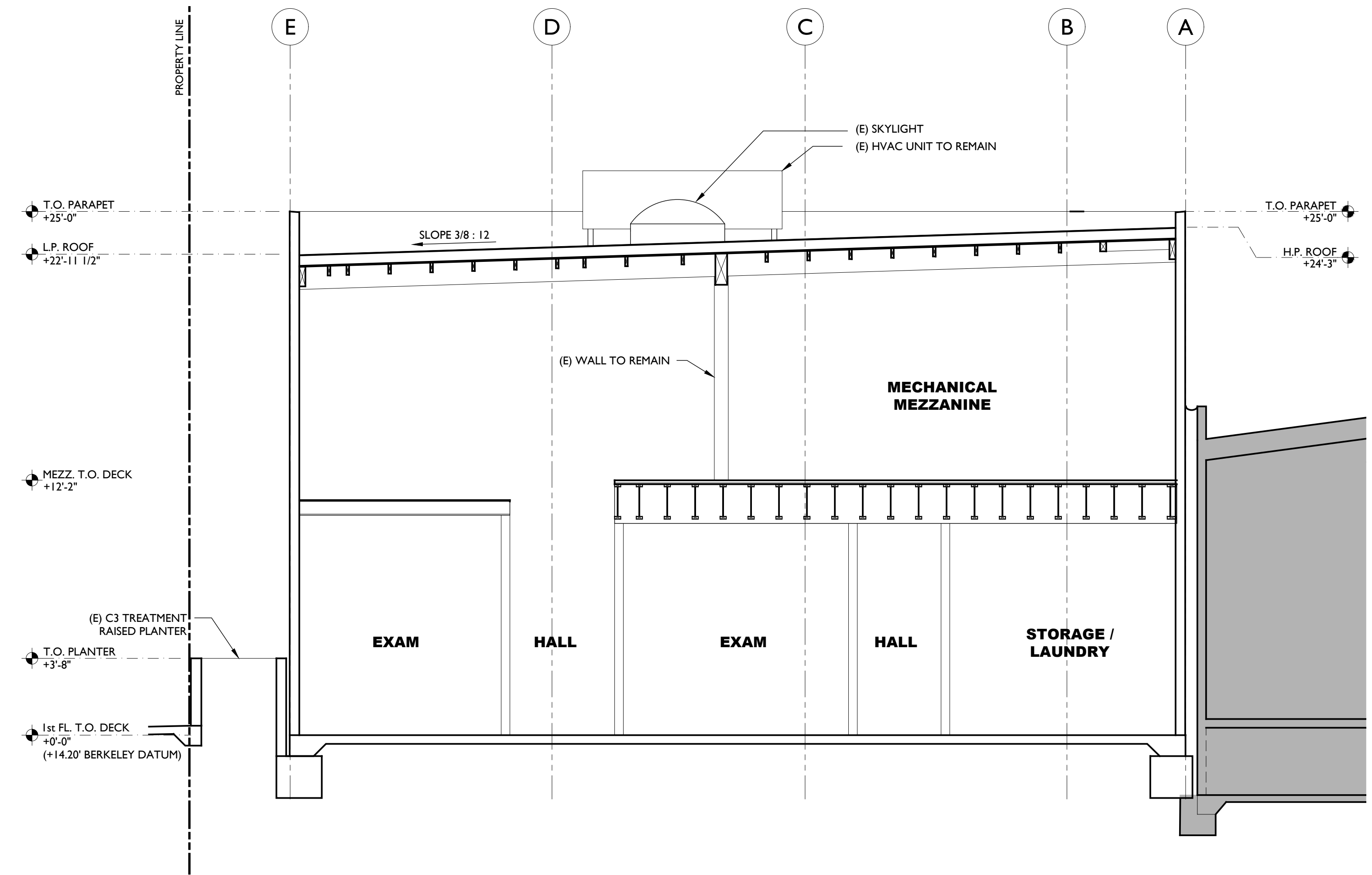
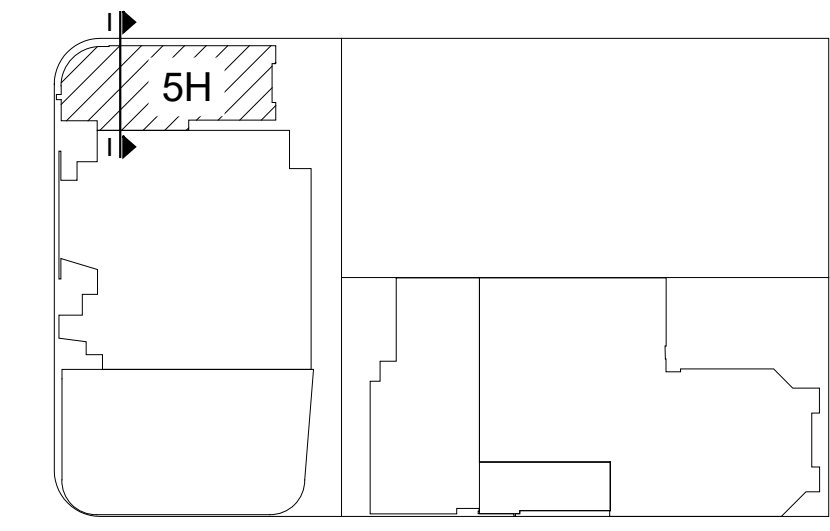
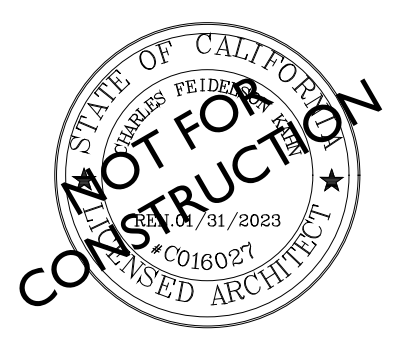
1 EXISTING WEST (SIDE) ELEVATION
1/8" = 1'-0" (24 x 36)

PROJECT ISSUE RECORD:
10.29.21 PROGRESS SET

CITY PERMIT RECORD:
11.09.21 USE PERMIT SUBMITTAL

PROJECT:
JAM10
TITLE:
EXTERIOR ELEVATIONS

SHEET:
A200



I BUILDING SECTION BETWEEN GRIDS 3 & 4
1/4" = 1'-0"

PROJECT ISSUE RECORD:

10.29.21	PROGRESS SET

CITY PERMIT RECORD:

11.09.21	USE PERMIT SUBMITTAL

PROJECT: JAM10
TITLE: BUILDING SECTION

SHEET: **A300**



Z P O N I N G
A D J U S T M E N T S
B O A R D

NOTICE OF PUBLIC HEARING

760 Hearst Avenue, Suite 101 –

Use Permit #ZP2021-0203 to establish a 3,366 square-foot veterinary clinic in the C-W District.

The Zoning Adjustments Board of the City of Berkeley will hold a public hearing on the above matter, pursuant to Zoning Ordinance Section 23.406.040.D, on February 24, 2022, **conducted via Zoom, see the Agenda for details at:**

https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_ZAB/2022-02-24_Draft_ZAB_Agenda.pdf. The meeting starts at 7:00 p.m.

PUBLIC ADVISORY: This meeting will be conducted exclusively through videoconference and teleconference. Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

A. Land Use Designations:

- General Plan: AC - Avenue Commercial
- Zoning: C-W - West Berkeley Commercial

B. Zoning Permits Required:

- Use Permit to establish a Veterinary Clinic, under BMC Section 23.204.020.A

C. CEQA Recommendation: Categorically exempt pursuant to Section 15303 of the CEQA Guidelines (“New Construction or Conversion of Small Structures”).

D. Parties Involved:

- Applicant Kim Fisher, Studio KDA, Berkeley
- Property Owner Jamestown, L.P, 1700 Montgomery Street, Suite 110, San Francisco

Further Information:

All application materials are available online at: <http://www.cityofberkeley.info/zoningapplications>. The Zoning Adjustments Board final agenda and staff reports will be available online 6 days prior to this meeting at: <http://www.cityofberkeley.info/zoningadjustmentsboard>.

Questions about the project should be directed to the project planner, Ashley James, at (510) 981-7458 or AJames @cityofberkeley.info.

Written comments or a request for a Notice of Decision should be directed to the Zoning Adjustments Board Secretary at zab@cityofberkeley.info.

Communication Disclaimer:

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.

Communications and Reports:

Written comments must be directed to the ZAB Secretary at the Land Use Planning Division (Attn: ZAB Secretary), or via e-mail to: zab@cityofberkeley.info. All materials will be made available via the Zoning Adjustments Board Agenda page online at this address: <https://www.cityofberkeley.info/zoningadjustmentboard/>.

All persons are welcome to attend the virtual hearing and will be given an opportunity to address the Board. Comments may be made verbally at the public hearing and/or in writing before the hearing. The Board may limit the time granted to each speaker.

Correspondence received by 5:00 PM, eight days before this public hearing, will be provided with the agenda materials provided to the Board. Note that if you submit a hard copy document of more than 10 pages, or in color, or with photos, you must provide 15 copies. Correspondence received after this deadline will be conveyed to the Board in the following manner:

- **Correspondence received by 5:00 PM two days before** this public hearing, will be conveyed to the Board in a Supplemental Communications and Reports, which is released around noon one day before the public hearing; or
- **Correspondence received after 5:00 PM two days before** this public hearing will be saved in the project administrative record.

It will not be possible to submit written comments at the meeting.

**Accessibility Information / ADA Disclaimer:**

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6342 (V) or 981-6345 (TDD) at least three business days before the meeting date.

SB 343 Disclaimer:

Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available to the public. Please contact the Land Use Planning Division (zab@cityofberkeley.info) to request hard-copies or electronic copies.

Notice Concerning Your Legal Rights:

If you object to a decision by the Zoning Adjustments Board regarding a land use permit project, the following requirements and restrictions apply:

1. If you challenge the decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice.
2. You must appeal to the City Council within fourteen (14) days after the Notice of Decision of the action of the Zoning Adjustments Board is mailed. It is your obligation to notify the Land Use Planning Division in writing of your desire to receive a Notice of Decision when it is completed.
3. Pursuant to Code of Civil Procedure Section 1094.6(b) and Government Code Section 65009(c)(1), no lawsuit challenging a City Council decision, as defined by Code of Civil Procedure Section 1094.6(e), regarding a use permit, variance or other permit may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure Section 1094.6(b). Any lawsuit not filed within that ninety (90) day period will be barred.
4. Pursuant to Government Code Section 66020(d)(1), notice is hereby given to the applicant that the 90-day protest period for any fees, dedications, reservations, or other exactions included in any permit approval begins upon final action by the City, and that any challenge must be filed within this 90-day period.
5. If you believe that this decision or any condition attached to it denies you any reasonable economic use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a “taking” of property for public use without just compensation under the California or United States Constitutions, the following requirements apply:
 - A. That this belief is a basis of your appeal.
 - B. Why you believe that the decision or condition constitutes a "taking" of property as set forth above.
 - C. All evidence and argument in support of your belief that the decision or condition constitutes a “taking” as set forth above.

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

From: [Planning Dept. Mailbox](#)
To: [ZoningCounter](#)
Subject: FW: regarding Use Permit #ZP2021-0203
Date: Tuesday, February 15, 2022 8:52:36 AM

[Internal](#)

Hi ZC,

Please review the email below and respond to otherfish@comcast.net

Thanks,

Lisa

-----Original Message-----

From: john fordice <otherfish@comcast.net>

Sent: Monday, February 14, 2022 11:03 AM

To: Planning Dept. Mailbox <planning@cityofberkeley.info>

Subject: regarding Use Permit #ZP2021-0203

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Please contact:

john fordice

510 206 8758

Regarding Use Permit #ZP2021-0203 / Conversion to a Veterinary Clinic.

This project is directly across Hearst Ave from my residence at 1828 - 1830 Fifth Street, Berkeley, CA 94710. I wish to make my concerns known regarding lighting of this proposed UP. Specifically, any evening and night time lighting from this project has a direct the impact on my residence at 1828 - 1830 Fifth Street. I hereby request that any UP approval for this project include stipulations limiting both internal and external lighting from this proposed use to daylight working hours of 8am to 9pm. Please acknowledge receipt of this message and when my concerns will be included in the UP deliberations.

Thank you

john fordice

1828 - 1830 Fifth Street

Berkeley, CA 94710

510 206 8758