



## Zoning Adjustments Board Staff Report

Use Permit Application #ZP2024-0027 for a Project at  
2614 Telegraph Avenue & 2417 Carleton Street

July 9, 2026



2614 Telegraph Avenue



2417 Carleton Street

| Quick Facts                                                                                 | Project Description:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicant:</b> Gunkel Architecture, Leila Ghaz                                           | The applicant is seeking approval to demolish a residential building (2614 Telegraph Avenue) and a commercial building (2417 Carleton Street), merge the two lots, and construct a 39,009 square foot, 5-story (60 feet, 6 inches) mixed-use residential building containing 32 dwelling units ( 3 Very Low-Income and 2 Low-Income) and 605 square foot commercial space, with no automobile parking spaces and 40 bicycle parking spaces, utilizing State Density Bonus.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Project Address:</b> 2614 Telegraph Avenue & 2417 Carleton Street                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Site Size:</b> 9,793 square feet                                                         | <b>Zoning Permits Requested:</b> <ol style="list-style-type: none"> <li><b>Demolition.</b> BMC Section 23.326.070(A) <b>“Main Non-Residential Building”</b> to demolish a non-residential building. (UPPH)</li> <li><b>New Construction.</b> BMC Section 23.204.020 (A) <b>“Allowed Land Uses”</b> to construct a multi-family development. (UPPH)*</li> <li><b>New Construction.</b> BMC Section 23.204.020 (A) <b>“Allowed Land Uses”</b> to construct a mixed-use development. (UPPH)*</li> <li><b>New Floor Area.</b> BMC Section 23.204.030(A)(1) <b>“Floor Area Permit Requirements”</b> to create new floor area of 5,000 square feet or more in the C-C District. (UPPH)*</li> <li><b>Height.</b> BMC Section 23.204.050(D)(1) <b>“Development Standards”</b> to increase the maximum height to 50 feet and four stories for a mixed-use project. (UPPH)*</li> <li><b>Useable Open Space.</b> BMC Section 23.204.050(D)(3) <b>“Development Standards”</b> to reduce the minimum useable open space. (UPPH)*</li> </ol> |
| <b>GP Land Use:</b> AC, Avenue Commercial                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Zoning:</b> C-C Corridor Commercial                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>CEQA:</b> Categorically Exempt pursuant to Section 15332 (“Infill Development Projects”) |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Date Submitted:</b> February 16, 2024                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Vesting Date:</b> April 21, 2025                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Date Deemed Complete:</b> April 30, 2025                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Project Planner:</b> Vicky Schlepp                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



## Zoning Adjustments Board Staff Report

7. **Height Projection.** “BMC Section 23.304.050 (A) **Projections Above Height Limits**” exceed height limit with a rooftop projection. (AUP)\*
8. **Fence.** “BMC Section 23.304.080(A) **Fences**” to construct a fence over 6-feet in height. (AUP)\*

Waivers and Concessions for Modified Project requested pursuant to State Density Bonus Law (California Government Code Section 65915):

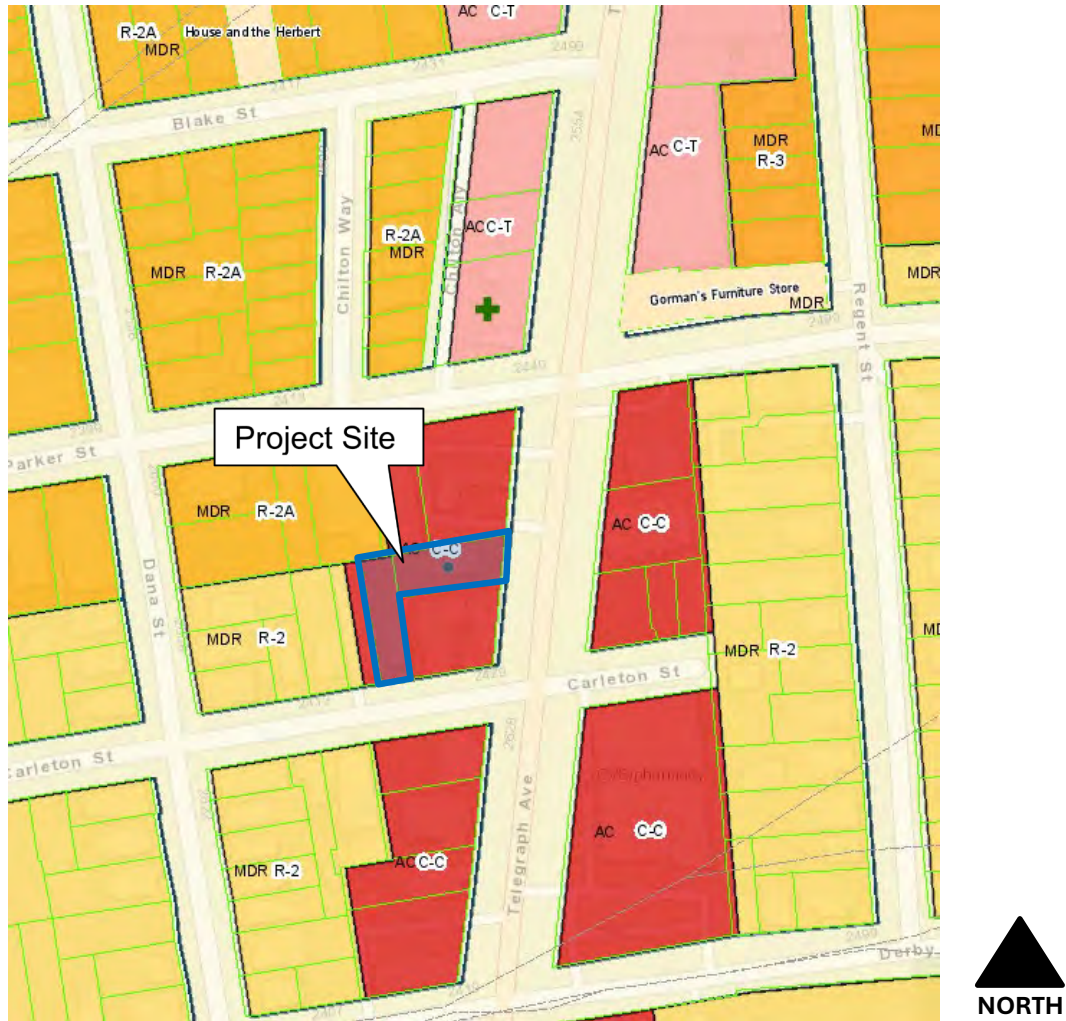
1. **Concession** to allow an exemption from the Percentage for Public Art on Private Projects requirement
2. **Waiver** of BMC Section 23.204.050(D) to exceed the floor area ratio (FAR) limit of 3 with an FAR of 4
3. **Waiver** of BMC Section 23.204.050(D) to exceed the maximum building height of 50 feet, 4-stories with a height of 60-feet, 6-inches, 5-stories
4. **Waiver** of BMC Section 23.204.050(D) to reduce the open space to zero

\*Denotes required findings.

### Staff Recommendation:

Staff recommends that ZAB determine the project is exempt from CEQA pursuant to Section 15332 of the CEQA Guidelines (“Infill Development Projects”) and approve ZP2025-0105 pursuant to Section 23.406.040 (E) (1-5) “**Findings for Approval**” and subject to the attached Findings and Conditions of Approval.

## ZONING MAP



**Figure 1: Vicinity and Zoning Districts Map**

| Comparison of Adjacent Properties |                                                              |                                                                          |                                     |
|-----------------------------------|--------------------------------------------------------------|--------------------------------------------------------------------------|-------------------------------------|
| Vicinity                          | GP Land Use                                                  | Zoning                                                                   | Current Use                         |
| North                             | AC: Avenue Commercial and<br>MDR: Medium Density Residential | C-C: Corridor Commercial and R-2A:<br>Residential Multi-Unit 2A District | Commercial/Residential              |
| South                             | AC: Avenue                                                   | C-C: Corridor Commercial                                                 | Commercial/Mixed-Use<br>Residential |
| East                              | AC: Avenue                                                   | C-C: Corridor Commercial                                                 | Commercial/Mixed-Use<br>Residential |
| West                              | AC: Avenue Commercial and<br>MDR: Medium Density Residential | C-C: Corridor Commercial and R-2:<br>Residential Multi-Unit 2 District   | Residential                         |

**AERIAL**



**STREET ELEVATION**

**2614 Telegraph Avenue**



**2417 Carleton Street**



## **BACKGROUND**

### **Subject Site**

The subject site consists of two separate lots in the C-C Corridor Commercial District; one located mid-block on the west side of Telegraph Avenue and the other around the corner to the south along Carleton Street, one parcel away from Telegraph Avenue. 2417 Carleton Street is a narrow lot at 35-feet wide; the rear lot line abuts the R-2A district to the north and the west-side property line abuts a parking lot. The Telegraph Avenue surroundings are highly mixed commercial and multi-residential. The streetcorner to the north property houses a vacant service station and a separate laundromat building, the side lot line of 2614 Telegraph abuts the property line shared with the subject property. Another streetcorner property directly to the south houses a 4-story mixed-use building that abuts the shared southern property line of 2614 Telegraph Avenue and east-side property line of 2417 Carleton Street. Across Telegraph Avenue is a 4+ story mixed-use building, to the right (south) of which is a 3-story commercial building, to the left a single-story convenience store (7-11).

### **Site History**

The project consists of two separate lots under one ownership. The two lots wrap around a streetcorner lot; when merged, it would create an 'L'-shaped lot with two street frontages, totaling 9,793 square feet. 2614 Telegraph Avenue is a 5,085 square foot lot with one residential building. It was originally constructed as a dwelling and was converted to offices in the 1950's. Recent history of the parcel shows a business license for a 'single family rental' however this property has not been registered with the Rent Board, and no tenant-landlord relationship has existed within the preceding five years. Zoning has determined the building was used as a single-family residence without permits, therefore the unit must be replaced per State law (SB330) which requires replacement of any dwelling unit, regardless if it was constructed without permits. 2417 Carleton Street is a 4,708 square foot lot with one commercial building. It was originally constructed in 1903 as a single-family residence, in the 1960's it was converted to offices, in 1994 it was converted into five commercial condominium units, the most recent use was medical offices.

### **Community Meeting**

Prior to submitting this modification application to the city, the applicant mailed 321 certified letters to neighborhood organizations, owners and occupants within 300 feet of the project to a project preview meeting. The meeting was held on June 19, 2024, on Zoom and no one attended.

## **ANALYSIS**

### **Project Scope**

The proposed project includes:

1. Demolish the commercial building at 2417 Carleton Street and the single-family residential dwelling at 2614 Telegraph Avenue.
2. Merge the two lots.
3. Construct a 39,009 square foot, 5-story (60 feet, 6 inches) mixed-use residential building containing 32 dwelling units ( 3 Very Low-Income and 2 Low-Income) and 605 square foot

commercial space with frontage on Telegraph Avenue and no useable open space, utilizing State Density Bonus.

4. No vehicle parking would be provided.
5. 40 bicycle parking spaces would be provided; 34 secured long-term spaces, five short-term spaces, and one commercial space.

### Findings

Draft findings for approval can be found in Attachment 2 to the staff report.

### Base Project and Density Bonus

The applicant has requested a Density Bonus under the State Density Bonus Law (Govt. Code Section 65915). Under the City's Density Bonus procedures, the "base project"<sup>1</sup> is 24 units, as the maximum allowable density for the site. The base project and the resulting 5-story proposed project both have an average unit size of 1037 square feet. By providing 3 very low-income units on site (13 percent of the 24-unit base density), the project is eligible for a 42.5 percent density bonus, or 11 additional units. Therefore, the applicant proposes 8 additional units above the base density for a total of 32 dwelling units.

| Base Project Units <sup>a</sup>                                                                                                                 | Qualifying Units     | Percent Density Bonus | Number of Density Bonus Units <sup>a</sup> | Proposed Project Units <sup>a</sup> |
|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------|--------------------------------------------|-------------------------------------|
| 24                                                                                                                                              | 3 VLI<br>(13% of BP) | 42.5%                 | 8                                          | 32                                  |
| Notes:<br>a. Pursuant to Government Code 65915(q), all unit calculations are rounded up to the next whole number.<br>Abbreviations: % = percent |                      |                       |                                            |                                     |

### Concession and Waivers Pursuant to State Density Bonus Law (CA Govt. Code Section 65915)

The project is entitled to one concession (or incentive) under Government Code Section 65915(d), and an unlimited number of waivers under Section 65915(e).

1. A **concession** is a modification of a development standard that reduces the cost of providing affordable housing. The applicant is requesting one concession for an exemption from the Percentage for Public Art on Private Projects requirement.

The City may only deny the concession if it finds that the concession would have a specific adverse impact upon public health and safety, or the physical environment, or on any real property listed in the California Register of Historical Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact<sup>2</sup>

<sup>1</sup> Per the [City's Density Bonus Procedures \(DBP\)](#), the base project is the largest project allowed on the site that is fully compliant with district development standards (i.e. height, setbacks, usable open space, parking, etc.), or, the *maximum allowable density* for the site. The City uses the DBP to calculate the maximum allowable density for a site where there is no density standard in the zoning district, and to determine the number of units in the proposed project, which is the number of base project units plus the number of density bonus units that can be added according to the percentage of BMR units proposed, per Government Code, Section 65915(f).

<sup>2</sup> A "specific, adverse impact" means "a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete."

without rendering the development unaffordable to low-income, very-low income, and moderate-income households, or if the concession would be contrary to State or Federal law.

2. A **waiver** is a modification of a development standard that would otherwise physically preclude the construction of the project with the permitted density bonus and concessions. The applicant is requesting two waivers from the following development standards:
  - A. **Waiver** of BMC Section 23.204.050(D) to exceed the floor area ratio (FAR) limit of 3 with an FAR of 4
  - B. **Waiver** of BMC Section 23.204.050(D) to exceed the maximum building height of 50 feet, 4-stories with a height of 60-feet, 6-inches, 5-stories
3. The City may only deny the waivers if it finds that the waivers would have a specific adverse impact<sup>3</sup> upon public health and safety, or the physical environment, or on any real property listed in the California Register of Historical Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low-income, very-low income, and moderate-income households, or if the waiver would be contrary to State or Federal law. Staff believes such a finding cannot be made.

### **Environmental Review**

The project qualifies for a Class 32 Categorical Exemption pursuant to CEQA Guidelines Section 15332 (“In-Fill Development Projects”) because:

- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- The project site is within city limits on a project site of fewer than five acres that is substantially surrounded by urban uses.
- The project site has no value as habitat for endangered, rare or threatened species.
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- The site can be adequately served by all required utilities and public services.

Additionally, none of the exceptions to eligibility for a categorical exemption as listed in Section 15300.2 of the CEQA Guidelines applies. The cumulative impact of successive projects of the same type in the same place, over time would not be significant; there are no “unusual circumstances” at the project site that would result in significant environmental effects; the project site is not in view of a state scenic highway; the site is not included on a list compiled pursuant to Section 65962.5 of the Government Code; and the project would not result in a substantial adverse change in the significance of a historical resource.

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<sup>3</sup> See footnote 2.

## **ADVISORY BODY REVIEW**

### **Landmarks Preservation Commission Review: Demolition Referral**

The project involves demolition of one commercial building over 40 years in age along Carleton Street and demolition of a residential building along Telegraph Avenue. Pursuant to BMC Section 23.326.070(C)(1) “Demolition of Nonresidential Buildings”, the proposed demolition was brought before the Landmarks Preservation Commission (LPC) for review. A historic resources evaluation for the property was completed by Preservation Architecture on June 30, 2025 and found that the original building was constructed in 1903. The LPC reviewed the demolition referral on October 6, 2025, and took no action.

### **Design Review Committee Review: Preliminary Design Review**

On November 20, 2025, the Design Review Committee (DRC) reviewed the project design for a residential building at 2614 Telegraph Avenue and a commercial office at 2417 Carleton Street, and gave a favorable recommendation on the design as presented, and provided the following direction for Final Design Review:

Recommendations:

#### **Site Design / Neighborhood Context**

- *Resolve site slope at FDR.*
- *Discuss transformer location with PGE, as it may affect the design.*
- *Ground floor windows – resolve privacy, especially on the Carleton and north elevations, as well as in the courtyard; more residential feel is recommended; provide window details at FDR.*
- *Develop stronger ground floor elevations for more cohesion, especially on Telegraph.*

#### **Building Design / Details**

- *Ground level appears short in proportion to the whole building design, while the top floor appears too tall.*
- *Stronger base, as well better details at the roofline are recommended.*
- *Strongly recommend more natural light in the east corridor.*
- *SE corner – show how design turns the corner at FDR.*
- *Recommend as many green measures as possible.*
- *Faux windows on the east elevation are not successful – look at a more abstract design.*
- *Irregular window pattern on the west elevation is successful – continue to explore opportunities for this on other facades as well.*
- *Recommend as much sound attenuation as possible.*
- *Consider a galley kitchen in units where that would open up common space.*

#### **Landscape**

- *Vines, quality fence design, and more landscape are recommended at the north property line, and the whole project where possible.*
- *Provide a courtyard rendering at FDR;*
- *Recommend a green canopy in the courtyard, so more comfortable for*

*residents.*

- *Further develop plant palette so appropriate for their location (shade, sun).*

### **Colors and Materials**

- *Provide final color and material samples at FDR; metal trim is recommended window sets, not stucco.*
- *Consider the maintenance on the proposed wood finish, as well as how the dark charcoal stucco will age.*

## **POLICY CONSISTENCY**

### **Housing Accountability Act**

Pursuant to the Housing Accountability Act (HAA), California Government Code Section 65589.5(j), when a proposed housing development complies with the applicable, objective general plan and zoning standards, but a local agency proposes to deny the project or approve it only if the density is reduced, the agency must base its decision on written findings supported by substantial evidence that:

1. The development would have a specific adverse impact on public health or safety<sup>4</sup> unless disapproved, or approved at a lower density; and
2. There is no feasible method to satisfactorily mitigate or avoid the specific adverse impact, other than the disapproval, or approval at a lower density.

The project is a “housing development project” consisting of a residential building. The Base Project includes Use Permits and/or Administrative Use Permits<sup>5</sup> to modify the height, setbacks and rooftop equipment allowances, and complies with applicable, objective general plan and zoning standards. Government Code Section 65589.5(j)(3) provides that a request for a density bonus “shall not constitute a valid basis on which to find a proposed housing development project is inconsistent, not in compliance, or not in conformity, with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision specified in this subdivision.” Therefore, the City may not deny the Base Project or density bonus request or reduce the density with respect to those units without basing its decision on the written findings under Section 65589.5(j), above.

While the project may include other Use Permits or Administrative Use Permits to modify standards not associated with the base project, there are no objective criteria in the findings therefore the project still complies with the HAA. The ZAB has the discretion to approve, deny, or modify the request according to the zoning findings, provided the action does not reduce the project density or effectively deny the project by making it infeasible, unless the ZAB is also able to make the required findings for denial set forth under Section 65589.5(j), above.

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<sup>4</sup> See footnote 2.

<sup>5</sup> The City has determined that the “protections afforded by the HAA and the definition of a base project for density bonus calculations apply to a housing development project up to and including the maximum development allowed with use permits and/or administrative use permits.”

Staff has not identified any specific adverse impacts that could occur with the construction of the project.

### **Housing Crisis Act of 2019 – Senate Bill (SB) 330**

The Housing Crisis Act, also known as Senate Bill 330, seeks to boost homebuilding throughout the State with a focus on urbanized zones by expediting the approval process for and suspending or eliminating restrictions on housing development. A “housing development project” can include any of the following: residential units only; mixed use consisting of residential and nonresidential uses in which at least two-thirds of the square-footage is designated residential, and transitional or supportive housing. Sections of SB 330 that apply to the proposed project include the following:

1. **Government Code Section 65905.5(a)** states that if a proposed housing development project complies with the applicable, objective general plan and zoning standards in effect at the time an application is deemed complete, then the city shall not conduct more than five hearings in connection with the approval of that housing development project. This includes all public hearings in connection with the approval of the housing development project and any continuances of such public hearings. The city must consider and either approve or disapprove the project at any of the five hearings consistent with applicable timelines under the Permit Streamlining Act (Chapter 4.5 (commencing with Section 65920)).

Evidence: The September 25, 2025 ZAB hearing represents the second public hearing for the proposed project since the project was deemed complete. The City can hold up to 3 additional public hearings on this project, if needed. One of those hearings must be reserved for any possible appeal to the City Council.

2. **Government Code Section 65913.10(a)** requires that the City determine whether the proposed development project site is a historic site at the time the application for the housing development project is deemed complete. The determination as to whether the parcel is a historic site must remain valid during the pendency of the housing development project, unless any archaeological, paleontological, or tribal cultural resources are encountered during any grading, site disturbance, or building alteration activities.

Evidence: A historic resource evaluation prepared for the project in June 2025 determined that the property does not appear to be historically significant and therefore is not eligible for listing on the California Register of Historical Resources or as a City of Berkeley Landmark or Structure of Merit.

### **Replacement of Demolished Units:**

The Housing Crisis Act of 2019 (Government Code Sections 66300-66301) prohibits the demolition of residential dwelling units unless the project will create at least as many residential units as the greatest number of residential dwelling units that existed on the project site within the last five years; prohibits the demolition of occupied or vacant protected units (i.e. rent-controlled or affordable units), unless replaced according to replacement provisions therein; and does not supersede any local ordinance that reserves greater protections/provisions for lower income households or displaced households. The project

proposes replacing one demolished dwelling unit with 32 new dwelling units.

Evidence:

The existing unit is not considered a “protected” unit as defined in Section 66300.5(h) because it is not rent-controlled, designated as affordable, or occupied by lower income households, within the last five years. The dwelling unit proposed to be demolished is vacant, and is not subject to tenant relocation provisions.

**Demolition of Residential Units**

Pursuant to BMC Section 23.326.030(B)(2) “Procedure and Findings”, “A Single-Family Dwelling without sitting tenants may be demolished with a Zoning Certificate, if the demolition is part of a development project that would result in a net increase in residential density.”

**General Plan Consistency**

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

1. 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.
2. Policy LU-7 – Neighborhood Quality of Life, Action A: Require that new development be consistent with zoning standards and compatible with the scale, historic character, and surrounding uses in the area.
3. Policy H-12 – Transit-Oriented New Construction: Encourage construction of new medium- and high-density housing on major transit corridors and in proximity to transit stations consistent with zoning, applicable area plans, design review guidelines, and the Climate Action Plan.
4. Policy H-33 – Regional Housing Needs: Encourage housing production adequate to meet City needs and the City’s share of regional housing needs.
5. Policy T-16 – Access by Proximity, Action B: Encourage higher density housing and commercial infill development that is consistent with General Plan and zoning standards in areas adjacent to existing public transportation services.
6. Policy T-43 – Bicycle Network, Action C: Encourage, and when appropriate, require new multi-family residential developments to provide secure locker space for resident bicycles.
7. Policy T-16-Access by Proximity: Improve access by increasing proximity of residents to services, goods, and employment centers.

Staff Analysis: The project is consistent with the above general plan policies as it proposes a higher-density infill development that is compatible with surrounding uses and zoning standards. There would be 32 new dwelling units that will count towards the City’s share of regional housing needs. The project is proximate to multiple bus lines that operate along Durant, College and Shattuck Avenues. There are several bikeways in the area including Telegraph Avenue and a bicycle boulevard two blocks away on Hillegass Avenue. Multi-modal transportation improves access of residents to services, goods, and employment centers.

### **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:

1. **FIND** that the project is categorically exempt from the provisions of the CEQA pursuant to Section 15332 of the CEQA Guidelines ("Infill Development Projects"); and
2. **APPROVE** ZP2024-0027 pursuant to BMC Section 23.406.040(D) and subject to the attached Findings and Conditions (see Attachments 2 and 3).

### **Attachments**

1. Tables: Table 1: Project Chronology, Table 2: Special Characteristics, Table 3: Development Standards
2. Draft Findings
3. Draft Conditions of Approval
4. Project Plans, June 10, 2026
5. Notice of Public Hearing

**Attachment 1**

**Table 1: Project Chronology**

| Date                                                                                                                                                                                                   | Action                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| April 21, 2025                                                                                                                                                                                         | SB 330 complete Preliminary Housing Development Project Application submitted |
| February 16, 2024                                                                                                                                                                                      | SB 330 Use Permit Application submitted                                       |
| April 30, 2025                                                                                                                                                                                         | Application deemed complete                                                   |
| May 30, 2025                                                                                                                                                                                           | CEQA Recommendation                                                           |
| May 30, 2025-<br>February 18, 2026                                                                                                                                                                     | Application processing <sup>a</sup>                                           |
| October 6, 2025                                                                                                                                                                                        | Landmarks Preservation Commission hearing (demo referral)                     |
| November 20, 2025                                                                                                                                                                                      | Design Review Committee meeting                                               |
| May 28, 2026                                                                                                                                                                                           | Public hearing notices mailed/posted                                          |
| June 11, 2026                                                                                                                                                                                          | ZAB hearing                                                                   |
| Notes:                                                                                                                                                                                                 |                                                                               |
| a. Application processing reflects the project compliance review after the application is deemed complete. Submittals are reviewed within 30 days of receipt, pursuant to the Permit Streamlining Act. |                                                                               |

**Table 2: Special Characteristics**

| Characteristic                                                                                 | Applicability | Explanation                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Affordable Child Care Fee for qualifying non-residential projects (Per Resolution 66,618-N.S.) | No            | The project includes less than 7,500 square feet of net new commercial space. Therefore, the project is not subject to this fee.                                                                                                                     |
| Affordable Housing Fee for qualifying non-residential projects (Per Resolution 66,617-N.S.)    |               |                                                                                                                                                                                                                                                      |
| Affordable / Inclusionary Housing Requirements (BMC Chapter 23.328)                            | Yes           | The project is a housing development project, as defined in BMC 23.328.020 <sup>a</sup> , and would provide at least 20 percent of residential units as on-site Below Market Rate (BMR) units. The project would provide 3 VLI units and 2 LI units. |
| Alcohol Sales/Service                                                                          | No            | The project is not proposing any alcohol sales or service with this permit.                                                                                                                                                                          |
| Bird Safe Buildings (BMC Section 23.304.150)                                                   | Yes           | The project was vested under the Housing Crisis Act of 2019 after the July 27, 2023 effective date of the ordinance, and therefore these provisions apply.                                                                                           |
| Coast Live Oak Trees (BMC Chapter 6.52)                                                        | No            | There are no Coast Live Oak ( <i>Quercus Agrifolia</i> ) trees on the project site.                                                                                                                                                                  |
| Creeks                                                                                         | No            | No creek or culvert, as defined by BMC Chapter 17.08, exists on or within 30 feet of the project site.                                                                                                                                               |
| Density Bonus                                                                                  | Yes           | The project would provide 3 Very Low-Income and 2 Low-Income units, or 20 percent of the Base Project units, and qualifies for a 42.5 percent density bonus, or 11 bonus units.                                                                      |
| Hard Hats (BMC Chapter 13.107)                                                                 | No            | The project is less than 50,000 square feet of floor area and therefore these provisions do not apply.                                                                                                                                               |

| Characteristic                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Applicability | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Historic Resources                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | No            | The 2417 Carleton Street is more than 40 years old and was forwarded to the Landmarks Preservation Commission (LPC) for review on October 6, 2026. The LPC took no action to initiate a Landmark or Structure of Merit designation.                                                                                                                                                                                                       |
| Housing Accountability Act (HAA) (Gov't Code Section 65589.5(j))                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Yes           | The project proposes a mixed-use residential building, and meets the definition of a "Housing Development Project" per Government Code Section 65589.5(h)(2) <sup>b</sup> . The base project complies with applicable, objective general plan and zoning standards, and thus section (j) of the Housing Accountability Act /applies, and the project cannot be denied at the density proposed unless the findings for denial can be made. |
| Housing Crisis Act of 2019 (SB 330)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Yes           | The project meets the definition of a "Housing Development Project" per Government Code Section 65589.5(h)(2) <sup>b</sup> .                                                                                                                                                                                                                                                                                                              |
| Opportunity Sites                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | No            | The subject site is not identified as an opportunity site in the 2023-2031 Housing Element.                                                                                                                                                                                                                                                                                                                                               |
| Rent Controlled Units                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | No            | The site does not have rent-controlled units.                                                                                                                                                                                                                                                                                                                                                                                             |
| Residential Preferred Parking (RPP)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | No            | The site is located in an RPP zone J. The project is not eligible for RPP permits per BMC Section 14.72.080(C)(1) as no permits shall be issued to residents in newly constructed residential units.                                                                                                                                                                                                                                      |
| Seismic Hazards (SHMA)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | No            | The project site is not located within an area susceptible to landslide/liquefaction/fault rupture as shown on the <a href="#">State Seismic Hazard Zones</a> map. <sup>c</sup>                                                                                                                                                                                                                                                           |
| Soil/Groundwater Contamination                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | No            | 2614 Telegraph Avenue is located within the City's Environmental Management Area but is not on the Cortese List <sup>d</sup> . The applicant submitted a Phase I report, reviewed by the City's Toxics Management Division, which concludes that no further site investigation is required. Standard Conditions of Approval related to hazardous materials would apply.                                                                   |
| Transit                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Yes           | The project site has frontage on Telegraph Avenue, which is served by the Alameda-Contra Costa Transit District (AC) Transit line 6. The project site is proximate to multiple bus lines that operate along Durant, College and Shattuck Avenues. The project site is located about 1.3 miles away from both the Ashby and Downtown Berkeley BART Stations. There are several designated bikeways within five blocks.                     |
| <p>Notes:</p> <p>a. BMC 23.328.020(E) defines a "Housing Development Project" for purposes of inclusionary housing requirements as "a development project, including a Mixed-Use Residential project involving the new construction of at least one Residential Unit. Projects with one or more buildings or projects including multiple contiguous parcels under common ownership or control shall be considered as a sole Housing Development Project and not as individual projects.</p> <p>b. Government Code Section 65589.5(h)(2) "Housing development project" means a use consisting of any of the following: (A) residential units only, (B) mixed-use developments consisting of residential and nonresidential uses in which at least two-thirds of the square footage is designated for residential use, and (C) transitional or supportive housing. Government Code Section 65905.5(b)(3)(C) "Housing development project" includes a proposal to construct a single dwelling unit. This subparagraph shall not affect the interpretation of the scope of paragraph (2) of subdivision (h) of Section 65589.5.</p> <p>c. California Department of Conservation. DOC Maps: Geologic Hazards. Available: <a href="https://maps.conservation.ca.gov/geologic Hazards/">https://maps.conservation.ca.gov/geologic Hazards/</a></p> <p>d. Cortese List is an annually updated list of hazardous materials sites compiled pursuant Government Code Section 65962.5.</p> |               |                                                                                                                                                                                                                                                                                                                                                                                                                                           |

**Table 3: C-C Zoning District Development Standards BMC Sections 23.204.050**

**and 23.322 Parking and Loading**

| Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                | Existing:<br>2 Parcels     | Proposed<br>Total                 | Permitted/<br>Required for Mixed-Use                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------|-----------------------------------|------------------------------------------------------------------------|
| Lot Area (sq. ft.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                | 5085 , 4708                | 9793 merged                       | n/a                                                                    |
| Gross Floor Area (sq. ft.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                | 2360 , 1960                | 39,009                            | 29,379                                                                 |
| Floor Area Ratio                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                | 0.5 , 0.4                  | 4                                 | 3 max.                                                                 |
| Lot Coverage (%)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                | 23 / 21                    | 80                                | 100%                                                                   |
| Commercial Floor Area (sq. ft.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                | 2,019                      | 605                               | n/a                                                                    |
| Dwelling Units                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Total                          | 1                          | 32                                | n/a                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Bedrooms                       | 3                          | 102                               | n/a                                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Affordable                     | 0                          | 3 VLI, 2 LI                       | n/a                                                                    |
| Building Height<br>(ft. - in.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Maximum                        | 30' , 32'                  | 56'                               | 40' max and 3 stories (50' , 4 stories with Use Permit <sup>1</sup> )  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Stories                        | 2, 2                       | 5                                 |                                                                        |
| Building<br>Setbacks<br>(ft. - in.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Front #1 (west)<br>(Telegraph) | 21'                        | 0                                 | No minimum when<br>abutting/confronting a non-<br>residential District |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Front #2 (south)<br>(Carleton) | 7'-4"                      | 0                                 |                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Interior Side (north)          | 3'<br>(Telegraph site)     | 5'<br>(merged)                    | 5 ft. when abutting a<br>residential District                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Interior Side (south)          | 17'-4"<br>(Telegraph site) | 0                                 | No minimum                                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Interior Side (east)           | 3'<br>(Carleton site)      | 0                                 | No minimum                                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Interior Side (west)           | 9'-3"<br>(Carleton site)   | 0                                 | No minimum                                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Rear<br>(Telegraph, Carleton)  | 44' , 64'                  | Merged lot has<br>no rear setback | n/a                                                                    |
| Usable Open Space (sq. ft.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                | 3892, 3606                 | 0                                 | 200 sq. ft. min. per unit<br>(reduction allowed with Use Permit)       |
| Automobile Parking                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                | 3, 5                       | 0                                 | No minimum                                                             |
| Bicycle<br>Parking                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Commercial (605 sq. ft.)       | 0                          | 1                                 | 1<br>(1 space/2,000 sq. ft. min.)                                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Residential – Long Term        | 0                          | 34                                | 55 spaces<br>(1 space/3 bedrooms)                                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Residential – Short Term       | 0                          | 5                                 | 4 spaces<br>(1 space/40 bedrooms)                                      |
| <div> <div></div>           = Concession or Waiver requested to modify the district standard<br/>           Abbreviations: sq. ft. = square feet; max. = maximum; min. = minimum; n/a = not applicable; % = percent; avg. = average, ft = feet ('), in. = inches (")<br/>           Notes:<br/> <sup>1</sup> A use permit to allow height up to 50 feet and 4 stories is included in the Base Project for the calculation of the density bonus, and is not a requested waiver. Additional height beyond 50' is being requested as a waiver.         </div> |                                |                            |                                   |                                                                        |





## Zoning Adjustments Board Findings

### Use Permit Application #ZP2024-0027 for a Project at 2614 Telegraph Avenue & 2417 Carleton Street

July 9, 2026

| Project Facts                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Project Description:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Applicant:</b> Gunkel Architecture, Leila Ghaz</p> <p><b>Project Address:</b> 2614 Telegraph Avenue &amp; 2417 Carleton Street</p> <p><b>Site Size:</b> 9,793 square feet</p> <p><b>GP Land Use:</b> AC, Avenue Commercial</p> <p><b>Zoning:</b> C-C Corridor Commercial</p> <p><b>CEQA:</b> Categorically Exempt pursuant to Section 15332 ("Infill Development Projects")</p> <p><b>Date Submitted:</b> February 16, 2024</p> <p><b>Vesting Date:</b> April 21, 2025</p> <p><b>Date Deemed Complete:</b> April 30, 2025</p> <p><b>Project Planner:</b> Vicky Schlepp</p> | <p>The applicant is seeking approval to demolish a residential building (2614 Telegraph Avenue) and a commercial building (2417 Carleton Street), merge the two lots, and construct a 39,009 square foot, 5-story (60 feet, 6 inches) mixed-use residential building containing 32 dwelling units ( 3 Very Low-Income and 2 Low-Income) and 605 square foot commercial space, with no automobile parking spaces and 40 bicycle parking spaces, utilizing State Density Bonus.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p style="text-align: center;"><b>Permits Requested:</b></p> <ol style="list-style-type: none"> <li><b>Demolition.</b> BMC Section 23.326.070(A) <b>"Main Non-Residential Building"</b> to demolish a non-residential building. (UPPH)</li> <li><b>New Construction.</b> BMC Section 23.204.020 (A) <b>"Allowed Land Uses"</b> to construct a multi-family development. (UPPH)*</li> <li><b>New Construction.</b> BMC Section 23.204.020 (A) <b>"Allowed Land Uses"</b> to construct a mixed-use development. (UPPH)*</li> <li><b>New Floor Area.</b> BMC Section 23.204.030(A)(1) <b>"Floor Area Permit Requirements"</b> to create new floor area of 5,000 square feet or more in the C-C District. (UPPH)*</li> <li><b>Height.</b> BMC Section 23.204.050(D)(1) <b>"Development Standards"</b> to increase the maximum height to 50 feet and four stories for a mixed-use project. (UPPH)*</li> <li><b>Useable Open Space.</b> BMC Section 23.204.050(D)(3) <b>"Development Standards"</b> to reduce the minimum useable open space. (UPPH)*</li> <li><b>Height Projection.</b> "BMC Section 23.304.050 (A) <b>Projections Above Height Limits</b>" exceed height limit with a rooftop projection. (AUP)*</li> <li><b>Fence.</b> "BMC Section 23.304.080(A) <b>Fences</b>" to construct a fence over 6-feet in height. (AUP)*</li> </ol> <p style="text-align: center;">*Denotes required findings.</p> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p style="text-align: center;"><b>Concessions</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <ol style="list-style-type: none"> <li><b>Concession</b> to allow an exemption from the Percentage for Public Art on Private Projects requirement</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

|  | Waivers                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <ol style="list-style-type: none"> <li>1. <b>Waiver</b> of BMC Section 23.204.050(D) to exceed the floor area ratio (FAR) limit of 3 with an FAR of 4</li> <li>2. <b>Waiver</b> of BMC Section 23.204.050(D) to exceed the maximum building height of 50 feet, 4-stories with a height of 60-feet, 6-inches, 5-stories</li> <li>3. <b>Waiver</b> of BMC Section 23.204.050(D) to reduce the open space to zero</li> </ol> |
|  | Staff Recommendation                                                                                                                                                                                                                                                                                                                                                                                                      |
|  | Staff recommends that ZAB determine the project is exempt from CEQA pursuant to Section 15332 of the CEQA Guidelines (“Infill Development Projects”) and approve ZP2025-0105 pursuant to Section 23.406.040 (E) (1-5) <b>“Findings for Approval”</b> and subject to the attached Findings and Conditions of Approval.                                                                                                     |

## CEQA

### Categorical Exemption

The project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15332 (“In-Fill Development Projects”).

Evidence: The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations. The project site is within city limits on a project site of fewer than five acres that is substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The site can be adequately served by all required utilities and public services.

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 significant cumulative impacts, (c) there are no significant effects due to unusual circumstances, (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 will not affect an historical resource.

## FINDINGS FOR APPROVAL

As required by BMC Section 23.406.040 (E) (1-4) “Findings for Approval,” the following findings shall be made:

1. To approve a Use Permit, the ZAB shall find that the proposed project or use:
  - (a) Will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or visiting in the area or neighborhood of the proposed use; and

Evidence: The project will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or visiting in the area or neighborhood of the proposed use because the project will replace a commercial building and single family residential building with a new 32 unit residential mixed-use building, which is a use that exists in the immediate area and compatible with the neighborhood. Waivers for an increased Floor Area Ratio (FAR), height, and reduced useable open space are permissible pursuant to State Density Bonus Law. The fence over 6 feet in height around the perimeter will provide privacy for neighboring residential properties and from the adjacent commercial uses.

- (b) Will not 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.

Evidence: The project is consistent with all applicable C-C District standards; lot coverage is 80% where 100% is allowed, setbacks conform to development standards, required bicycle parking will be provided. The project qualifies for waivers to FAR, height, and reduced useable open space, pursuant to State Density Bonus Law, Government Code Section 65915. In addition, the findings for required discretionary permits are satisfied per the Evidence in Findings 2 and 3 below.

**Sunlight:** According to the shadow studies submitted for the project; new shadows will affect the following residential parcels:

2411-2413 Carleton, located to the west; new shadows will be in the morning hours.

2414 Parker Street, an apartment building to the north, new shadows will be on the east façade during winter mornings and a portion of the rear façade around noon in the winter.

2620 Telegraph Avenue, mixed-use building on the street corner to the south on Telegraph Avenue; new shadows will be on the west elevation evenings during winter, west and north elevation during summer evenings.

Shadow impacts on adjacent dwellings are to be expected, because the subject site is in the C-C district, which allows heights of up to 40 feet by right and 50 feet with a use permit. A waiver is allowed for a height beyond 50 feet to accommodate the density bonus units.

Based on the shadow analysis provided by the applicant, shadow impacts to neighboring residences will be limited to certain times of year, and during certain hours of the day, and shadow impacts will not be detrimental. Although the project will create new shadow impacts on neighboring residences, the projected impacts will be in line with what is expected within a built urban environment.

2. To approve the Use Permit, the ZAB must also make any other Use Permit findings specifically required by the Zoning Ordinance for the proposed project.

### **Demolition of Residential Unit**

- a. Pursuant to BMC Section 23.326.030(B)(2) “Procedure and Findings” (Demolition and Dwelling Units Control Chapter) A Single-Family Dwelling without sitting tenants may be demolished with a Zoning Certificate, if the demolition is part of a development project that would result in a net increase in residential density.

Evidence: The demolition is necessary to permit construction of a density bonus project which exceeds the number of dwelling units existing on the lot; one unit would be demolished and 32 units are proposed.

- b. Replacement units shall be provided pursuant to BMC Section 23.326.030(D) “Conditions of Approval” (in the same Chapter).

Evidence: Not applicable. The existing unit is not a protected unit. However, the project will replace one dwelling unit with 32 dwelling units.

- c. Tenant protections shall be provided pursuant to BMC Section 23.326.030(E) “Requirements for Occupied Units” (in the same Chapter).

Evidence: Not applicable. The dwelling unit is not occupied.

- d. Government Code Section 65915 (Density Bonus) and Government Code Section 66300 (SB 330) prohibit the demolition of occupied or vacant protected units (i.e. rent-controlled or affordable units) unless the project will create at least as many residential units as will be demolished; will replace them with at least as many residential dwelling units as the greatest number of units that existed on the project site within the last five years, and replace “protected” units as specified in these sections.

1. The project site has held no protected units that existed on the project site within the last five years.
2. The project would not remove any occupied or vacant protected dwelling units.

Evidence: Not applicable. There are no occupied or protected units on the site.

### **Demolition of Non-Residential Unit**

Pursuant to 23.326.070(D) “Findings”. A Use Permit or an AUP for demolition of a main building used for non-residential purposes on any lot or an accessory building located on a lot in a non-residential district may be approved only if the ZAB or the Zoning Officer finds that:

1. The demolition will not be materially detrimental to the commercial needs and public interest of any affected neighborhood or the City of Berkeley; and
2. The demolition:
  - (a) Is required to allow a proposed new building or other proposed new use;
  - (b) Will remove a building which is unusable for activities which are compatible with the purposes of the district in which it is located or which is infeasible to modify for such uses;
  - (c) Will remove a structure which represents an uninhabitable attractive nuisance to the public; or
  - (d) Is required for the furtherance of specific plans or projects sponsored by the City of Berkeley or other local district or authority upon a demonstration by the applicant that it would be infeasible to obtain prior or concurrent approval for the new construction or new use.

Evidence: 1. The demolition will not be materially detrimental to the commercial needs and public interest of the affected neighborhood or City of Berkeley because a medical office within the C-C Zoning District can be established by-right and there are several medical offices along Telegraph Avenue.

2. The demolition is required to allow a proposed new mixed-use residential building.

### **Density Bonus**

Pursuant to Government Code Section 65915, the Zoning Adjustments Board finds that:

1. Under the City's methodology for implementing density bonuses, the base project consists of 24 units;
  2. The project will provide at least 3 qualifying units in the 24-unit base project, as more fully set forth in Condition "Below Market Rate Units";
  3. The project is entitled to a density increase of 42.5 percent over the otherwise maximum allowable residential density under the Zoning Ordinance and General Plan Land Use Element, under the requirements of Government Code Section 65915(b) and (f), plus one concession or incentive. This equates to a density bonus of up to 11 units above the base project, for a total of up to 35 units.
- B.** In accordance with Government Code Section 65915(d) and (k), the Zoning Adjustments Board hereby grants the following concessions in order to provide for affordable housing costs:
1. Concession from BMC Chapter 23.316 to allow an exemption from the Percentage for Public Art on Private Projects.

In accordance with Government Code Section 65915(d), in order to allow construction of the proposed project with the density permitted under State law, the Zoning Adjustments Board finds that the approval of the concessions is required to provide for

affordable housing costs, as provided in Government Code Section 65915(d)(1)(A) because 1) approval of the concession would result in identifiable and actual cost reduction; 2) approval of the concession would not have a specific adverse impact upon public health and safety, or the physical environment, or on any real property listed in the California Register of Historical Resources; and 3) would not be contrary to State or Federal law.

**C.** In accordance with Government Code Section 65915(e) the Zoning Adjustments Board hereby grants the following waivers to modify development standards as necessary to accommodate these density bonus units.

- 1.** Waiver of BMC Section 23.204.050(D) to exceed the maximum building height of 50 feet with a height of 60 feet, 6 inches and 5-stories
- 2.** Waiver of BMC Section 23.204.050(D) to exceed the floor area ratio (FAR) limit of 3 with an FAR of 4
- 3.** Waiver of BMC Section 23.204.050(D) to reduce the open space to zero

In accordance with Government Code Section 65915(e), in order to allow construction of the proposed project with the density permitted under State law, the Zoning Adjustments Board finds that the approval of waivers is required 1) to construct the proposed project at the density permitted under State law; 2) approval of requested waivers will not have a specific adverse impact upon public health and safety, or the physical environment, or on any real property listed in the California Register of Historical Resources; and 3) approval of the requested waivers will not be contrary to State or Federal law.

### **Housing Accountability Act**

The Housing Accountability Act, Government Code Section 65589.5(j) requires that when a proposed housing development complies with applicable, objective general plan and zoning standards, a local agency may not deny the project or approve it with reduced density unless the agency makes written findings supported by substantial evidence that: (1) the development would have a specific adverse impact on public health or safety unless disapproved or approved at a lower density; and (2) there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact, other than the disapproval or approval at a lower density.

Evidence: The project includes construction of 32 dwelling units. Because the base project complies with applicable, objective general plan and zoning standards, Section 65589.5(j) does apply to this project. No significant, quantifiable, direct and unavoidable impacts, based on objective, identified written public health or safety standards, policies, or conditions, have been identified.

**C-C Corridor Commercial District Findings**

Pursuant to BMC 23.204.050(E) “**Permit Findings**” To approve any AUP or Use Permit for a project in the C-C district, the review authority must make the findings in Section 23.406.040--Use Permits and find that the proposed use or structure:

1. Is compatible with the purpose of the district;
2. Is compatible with the surrounding uses and buildings;
3. Does not interfere with the continuity of retail and service facilities at the ground level;  
and
4. Does not exceed the amount and intensity of use that can be served by the available traffic capacity and potential parking supply.

**Evidence:**

As required by BMC Section 23.204.050(E) the project is consistent with the purposes of the underlying district. The project will develop a mixed-use, multifamily building that is compatible with the adjacent commercial and residential area. The project provides a 605 square foot commercial space on the ground floor, with frontage on Telegraph Avenue, which is consistent with new mixed-use development within this corridor. Telegraph Avenue is a wide, multi-lane avenue which can accommodate increased traffic volumes and the project will provide secure bicycle parking for the residents.

3. When taking action on a Use Permit, the ZAB shall consider in its findings:

- (a) The proposed land use ; and

**Evidence:** The proposed land use is mixed-use residential which is consistent with the C-C District purposes because it implements the General Plan’s designation for Avenue Commercial areas by establishing a multi-family residential structure in an area located on a wide, multi-lane avenue served by transit and the development will be compatible with adjacent commercial and residential areas.

- (b) The structure or addition that accommodates the use.

**Evidence:** The proposed five-story mixed-use building meets the findings for approval because it meets the C-C District development standards, with waivers to allow for State Density Bonus.

4. Required findings shall be made based on the circumstances existing at the time a decision is made on the application.

**Evidence:** The required findings are satisfied because the project has been determined to be fully compliant with all applicable regulations based on the project plans submitted on June 10, 2026 and evaluated based on the existing conditions of the subject site and surrounding neighborhood at the time of decision.





## **STANDARD CONDITIONS OF APPROVAL APPLICABILITY**

Development projects approved through the City of Berkeley are subject to Standard Conditions of Approval (Standard COAs). The City of Berkeley has established Standard COAs that identify requirements for the construction and operation of the approved project. This includes general administrative conditions, permitting requirements, project construction and the regulation of on-going, on-site uses. Compliance requirements with the Berkeley Municipal Code, building permit review and issuance process, construction, final inspection requirements, certificate of occupancy, and on-going operations of the approved use are included in this document.

The Standard COAs may vary based on site size, location, environmental settings, topography, historic alteration or approved uses. Variations in the application of the Standard COAs may occur based on the project scope and site-specific characteristics including but not limited to parcel size, location, topography, and use.

Conditions which have specified thresholds due to size, uses, and other characteristics are identified.

### **Part I. Administrative Conditions**

- A. General Project Conditions
- B. **Project Specific Conditions – Not Applicable**
- C. Final Approval Conditions
- D. On-Going Operational Conditions

### **Part II. Prior to Issuance of Demolition Permit**

### **Part III. At the Time of Building Permit Submittal**

### **Part IV. Prior to Issuance of Building Permit**

- A. Building & Safety/Land Use Planning
- B. Public Works
- C. Toxics
- D. Health Housing Community Services
- E. **Rent Stabilization Board – Not Applicable**

### **Part V. During Demolition/Construction**

- A. Building & Safety
- B. Land Use Planning
- C. Public Works
- D. Toxics
- E. Health Housing Community Services

### **Part VI. Prior to Final Inspection**

### **Part VII. Prior to Certificate of Occupancy**

### **Part. VIII. Fees**



**Site Address:** 2614 Telegraph Avenue and 2417 Carleton Street  
**Application Number:** ZP2024-0027

**Project Description:** The applicant is seeking approval to demolish a residential building (2614 Telegraph Avenue) and a commercial building (2417 Carleton Street), merge the two lots, and construct a 39,009 square foot, 5-story (60 feet, 6 inches) mixed-use residential building containing 32 dwelling units ( 3 Very Low-Income and 2 Low-Income) and 605 square foot commercial space, with no automobile parking spaces and 41 bicycle parking spaces, utilizing State Density Bonus.

The approved project at 2614 Telegraph Avenue and 2417 Carleton Street includes the following distribution of Below Market Rate (BMR) units.

| Required Minimum BMR Units Per Code                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                 |                                                                               |                                                |                                                                                | BMR<br>Proposal<br>per<br>Affordability<br>Level |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|-------------------------------------------------------------------------------|------------------------------------------------|--------------------------------------------------------------------------------|--------------------------------------------------|
| Code<br>Section                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | BMC Chapter<br>23.328<br>(Inclusionary<br>Housing) <sup>a</sup> | State<br>Density<br>Bonus Law<br>(Gov. Code<br>Section<br>65915) <sup>b</sup> | State<br>Replacement<br>SB330/DBL <sup>b</sup> | BMC Chapter<br>23.326<br>(Demolition<br>Ordinance)<br>Replacement <sup>a</sup> |                                                  |
| Extremely-<br>Low Income<br>(=<30% AMI)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                 |                                                                               |                                                |                                                                                |                                                  |
| Very-Low<br>Income<br>(31%-50%<br>AMI)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 3 VLI                                                           | 3                                                                             |                                                |                                                                                | 3                                                |
| Low-Income<br>(51%-80%<br>AMI)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 2 LI                                                            |                                                                               |                                                |                                                                                | 2                                                |
| Moderate-<br>Income<br>(81%-100%<br>AMI)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                 |                                                                               |                                                |                                                                                |                                                  |
| Total BMRs<br>in Project                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                 |                                                                               |                                                |                                                                                | 5                                                |
| Notes:<br><sup>a</sup> These units shall satisfy requirements for equivalency, even unit distribution and a term of affordability in perpetuity per the Inclusionary Ordinance (BMC Chapter 23.328) and Demolition Ordinance (BMC Chapter 23.326).<br><sup>b</sup> These units shall satisfy requirements for equivalency and a term of affordability for at least 55 years per State Density Bonus law (Government Code Section 65915).<br><sup>c</sup> The Inclusionary Housing Low-Income unit requirement will be paid with an in-lieu fee. See the project Affordable Housing Compliance Plan for details. |                                                                 |                                                                               |                                                |                                                                                |                                                  |



CONDITIONS OF APPROVAL

Property Address: 2614 Telegraph Avenue & 2417 Carleton Street  
Application Number: #ZP2024-0027

| I. Administrative Conditions<br>A. General Project Conditions |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Regulation Source                                                 | Timing/Implementation | Enforcement/<br>Monitoring |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|----------------------------|
| 1.                                                            | <b>Project Approval.</b> This Project approval is for 2614 Telegraph Avenue and 2417 Carleton Street, as substantially shown and described on the Project plans dated June 10, 2026, except as required to be modified by Conditions of Approval herein and plans as presented to the Zoning Adjustments Board on July 9, 2026 (“Approval Date.”). This Project vested on April 21, 2025 through PLN2023-0084. For any Condition herein that requires preparation of a Final Plan where the project applicant has submitted a conceptual plan, the Project applicant shall submit final plan(s) in substantial conformance with the conceptual plan and incorporate any required modifications. | City of Berkeley                                                  | On-Going              | Land Use Planning          |
| 2.                                                            | <b>Approval Limited to Proposed Project and Replacement of Existing Uses.</b> This Use Permit authorizes only the Proposed Project described in the application. This project approval does not authorize other uses, structures or activities not included in the Project Description.<br>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 shall obtain all permits required by the Zoning Ordinance for the use. (BMC Sections 23.404.060.B.1 and 2)      | City of Berkeley<br><a href="#">BMC Sections 23.404.060</a>       | On-Going              | Land Use Planning          |
| 3.                                                            | <b>Compliance Required.</b> All land uses and structures in the City of Berkeley shall comply with the Zoning Ordinance and all applicable City ordinances and regulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | City of Berkeley<br><a href="#">BMC Section 23.102.050(B)</a>     | On-Going              | Land Use Planning          |
| 4.                                                            | <b>Other Regulations.</b> 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | City of Berkeley<br><a href="#">BMC Section 23.102.050 (E)</a>    | On-Going              | Land Use Planning          |
| 5.                                                            | <b>Conformance with Approved Plans.</b> All work performed under an approved Use Permit shall follow the approved plans as presented to ZAB on June 11, 2026 and pursuant to the Conditions of Approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | City of Berkeley<br><a href="#">BMC Section 23.404.060 (B)(4)</a> | On-Going              | Land Use Planning          |



CONDITIONS OF APPROVAL

Property Address: 2614 Telegraph Avenue & 2417 Carleton Street  
Application Number: #ZP2024-0027

| I. Administrative Conditions<br>A. General Project Conditions |                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Regulation Source                                          | Timing/Implementation | Enforcement/<br>Monitoring |
|---------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|-----------------------|----------------------------|
| 6.                                                            | <b>Permit Modifications.</b> No change in the use or structure for which this Permit is issued is permitted unless the Permit is modified by the Zoning Adjustments Board. The Zoning Officer may approve changes to plans approved by the Board which reduce the size of the Project, consistent with the Board’s policy adopted on May 24, 1978.                                                                                                                         | City of Berkeley<br><a href="#">BMC Section 23.404.070</a> | On-Going              | Land Use Planning          |
| 7.                                                            | <b>Permit Revocation.</b> The City may revoke or modify a discretionary permit for completed projects due to:<br>1) Violations of permit requirements;<br>2) Changes to the approved project; and/or<br>3) Vacancy for one year or more.<br><br>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, or City Council referral. | City of Berkeley<br><a href="#">BMC Section 23.404.080</a> | On-Going              | Land Use Planning          |
| 8.                                                            | <b>Permit Remains Effective for Vacant Property.</b> 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 COA #5 above.                                                                                                             | City of Berkeley<br><a href="#">BMC Section 23.404.060</a> | On-Going              | Land Use Planning          |



CONDITIONS OF APPROVAL

Property Address: 2614 Telegraph Avenue & 2417 Carleton Street  
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| I. Administrative Conditions<br>A. General Project Conditions |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Regulation Source                                                      | Timing/Implementation | Enforcement/<br>Monitoring |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|-----------------------|----------------------------|
| 9.                                                            | <p><b>Exercise and Expiration of Permits</b> 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.</p> <p>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.</p> <p>B. A permit authorizing construction is exercised when both a valid City building permit (if required) is issued and construction has lawfully begun.</p> <p>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 Zoning Adjustments Board in accordance with Chapter 23.410 (Appeals and Certification).</p> <p>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 shall apply for and receive City approval of a new permit.</p> | <p>City of Berkeley<br/><a href="#">BMC Section 23.404.060 (C)</a></p> | <p>On-Going</p>       | <p>Land Use Planning</p>   |



CONDITIONS OF APPROVAL

**Property Address:** 2614 Telegraph Avenue & 2417 Carleton Street  
**Application Number:** #ZP2024-0027

| I. Administrative Conditions<br>A. General Project Conditions |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Regulation Source | Timing/Implementation | Enforcement/<br>Monitoring |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------|----------------------------|
| 10.                                                           | <b>Hold Harmless.</b> The permittee agrees as a Condition of Approval of this application to indemnify, protect, defend with counsel selected by the City, and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents, from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorney’s fees and disbursements (collectively, “Claims”) arising out of or in any way relating to the approval of this application, any actions taken by the City related to this entitlement, or any environmental review conducted under the California Environmental Quality Act, Public Resources Code Section 210000 et seq., for this entitlement and related actions. The indemnification shall include any Claims that may be asserted by any person or entity, including the permittee, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents. The permittee’s duty to defend the City shall not apply in those instances when the permittee has asserted the Claims, although the permittee shall still have a duty to indemnify, protect and hold harmless the City. | City of Berkeley  | On-Going              | Land Use Planning          |
| 11.                                                           | <b>Compliance with Conditions of Approval and Environmental Mitigations.</b> The Building Permit application is subject to verification of compliance of these Conditions of Approval and any applicable Mitigation Measures. The applicant shall be responsible for demonstrating compliance with all Conditions of Approval per the timeline set forth by this Permit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | City of Berkeley  | On-Going              | Land Use Planning          |



CONDITIONS OF APPROVAL

Property Address: 2614 Telegraph Avenue & 2417 Carleton Street  
Application Number: #ZP2024-0027

| I. Administrative Conditions<br>A. General Project Conditions |                                                                                                                                                                                                                                                                                                                | Regulation Source | Timing/Implementation | Enforcement/<br>Monitoring                |
|---------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------|-------------------------------------------|
| 12.                                                           | <b>Demolition.</b> Demolition of the existing building and structures cannot commence until a complete building permit application is submitted for the replacement building. All plans presented to the City to obtain a building permit to allow the demolition are subject to these Conditions of Approval. | City of Berkeley  | On-Going              | Building &<br>Safety/Land Use<br>Planning |

| I. Administrative Conditions<br>B. Project Specific Conditions |                                                                                                                                                                                                     | Regulation Source                                              | Timing/Implementation | Enforcement/<br>Monitoring |
|----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|-----------------------|----------------------------|
| 1.                                                             | Pursuant to BMC 23.404.050(H), the Zoning Adjustments Board attaches the following additional Conditions of Approval to this Permit: <ul style="list-style-type: none"><li>Not Applicable</li></ul> | City of Berkeley<br><a href="#">BMC Section 23.040.050 (H)</a> | N/A                   | N/A                        |

| I. Administrative Conditions<br>C. Final Approval Conditions |                                                                                                                                                                     | Regulation Source                                                    | Timing/Implementation                 | Enforcement/<br>Monitoring |
|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|---------------------------------------|----------------------------|
| 1.                                                           | <b>Final Design Review at the Design Review Committee (DRC).</b> The Project requires approval of a Final Design Review application by the Design Review Committee. | City of Berkeley<br><a href="#">BMC Section 23.406.070 (C)(1)(d)</a> | Prior to Building Permit<br>Submittal | Land Use Planning          |

| I. Administrative Conditions<br>D. On-Going Operational Conditions |                                                                                                                                                                                                                                                                                                                        | Regulation Source                                                 | Timing/Implementation | Enforcement/<br>Monitoring |
|--------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|-----------------------|----------------------------|
| 1.                                                                 | <b>Residential Permit Parking.</b> No Residential Permit Parking (RPP) permits shall be issued to project residents, nor shall commercial placards be issued to non-residential occupants and/or users of the site. The Finance Department, Customer Service Center shall add these addresses to the list of addresses | City of Berkeley<br><a href="#">BMC Section 14.72.080 (C) (1)</a> | On-Going              | Land Use Planning          |



CONDITIONS OF APPROVAL

**Property Address:** 2614 Telegraph Avenue & 2417 Carleton Street  
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|    |                                                                                                                                                                                                                   |                  |          |                   |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|----------|-------------------|
|    | ineligible for RPP permits. The property owner shall notify all tenants of rental units, and/or buyers of condominium units, of this restriction in leases and/or contracts.                                      |                  |          |                   |
| 2. | <b>Exterior Lighting.</b> 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. | City of Berkeley | On-Going | Land Use Planning |



## CONDITIONS OF APPROVAL

**Property Address:** 2614 Telegraph Avenue & 2417 Carleton Street

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| II. Prior to Issuance of Demolition Permit |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Regulation Source | Timing/Implementation                  | Enforcement/<br>Monitoring                |
|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------------------------------------|-------------------------------------------|
| 1.                                         | <p><b>Conditions of Approval Included in Building Permit Plan Submittal</b></p> <p><b>A. Use Permit.</b> The Conditions of Approval for this Permit shall be printed on the <i>second</i> sheet of each plan set submitted for a building permit pursuant to this Permit, under the title ‘Use Permit Conditions.’</p> <p><i>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)</i></p>                                                                                                                                                                                                                                                              | City of Berkeley  | Prior to Demolition<br>Permit Issuance | Building &<br>Safety/Land Use<br>Planning |
| 2.                                         | <p><b>Project Liaison.</b> The applicant shall include in all building permit plans and post onsite the name, e-mail address, 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.</p> <p><b>Please designate the name of this individual below:</b></p> <p><input type="checkbox"/> <b>Project Liaison</b> _____</p> <div style="display: flex; justify-content: space-around;"> <span>Name</span> <span>Phone #</span> </div> | City of Berkeley  | Prior to Demolition<br>Permit Issuance | Building &<br>Safety/Land Use<br>Planning |



CONDITIONS OF APPROVAL

Property Address: 2614 Telegraph Avenue & 2417 Carleton Street  
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|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|------------------------------------------------------------------------------------------------|-------------------------------------|
| 3. | <b>Construction Noise Management - Public Notice Required.</b> At least two weeks prior to initiating any construction activities at the site, the applicant shall provide notice to businesses and residents within <b>500 feet</b> of the project site. This notice shall at a minimum provide the following:<br>(1) Project Description,<br>(2) description of construction activities during extended work hours and reason for extended hours,<br>(3) daily construction schedule (i.e., time of day) and expected duration (number of months),<br>(4) the name, e-mail, and phone number of the Project Liaison for the Project that is responsible for responding to any local complaints, and<br>(5) that construction work is about to commence. The liaison would determine the cause of all construction-related complaints (e.g., starting too early, bad muffler, worker parking, etc.) and institute reasonable measures to correct the problem. A copy of such notice and methodology for distributing the notice shall be provided in advance to the City for review and approval. | City of Berkeley                                          | Prior to Demolition Permit Issuance<br>(At least Two Weeks Prior to Construction Commencement) | Building & Safety Division          |
| 4. | <b>Construction Phases.</b> The applicant shall provide the Zoning Officer with a schedule of major construction phases with start dates and expected duration, a description of the activities and anticipated noise levels of each phase, and the name(s) and phone number(s) of the individual(s) directly supervising each phase. The Zoning Officer or their designee shall have the authority to require an on-site meeting with these individuals as necessary to ensure compliance with these Conditions of Approval. The applicant shall notify the Zoning Officer of any changes to this schedule as soon as possible.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | City of Berkeley                                          | Prior to Demolition Permit Issuance                                                            | Building & Safety/Land Use Planning |
| 5. | <b>HVAC Noise Reduction.</b> Prior to the issuance of building permits, the Project applicant shall submit plans that show the location, type, and design of proposed heating, ventilation, and cooling (HVAC) equipment. In addition, the applicant shall provide product specification sheets or a report from a qualified acoustical consultant showing that operation of the proposed HVAC equipment will meet the City’s exterior noise requirements in BMC Section 13.40.050. The City’s Planning and Development Department shall review the submitted plans, including the selected HVAC equipment, to verify compliance with exterior noise standards.                                                                                                                                                                                                                                                                                                                                                                                                                                    | City of Berkeley<br><a href="#">BMC Section 13.40.050</a> | Prior to Demolition Permit Issuance                                                            | Building & Safety/Land Use Planning |



CONDITIONS OF APPROVAL

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| 6. | <b>Condition and Compliance Monitoring.</b> The applicant shall pay a \$22,000 deposit for the cost of monitoring compliance with the Conditions of Approval and other applicable conditions and regulations prior to issuance of building permit. <u>City staff shall obtain a scope and cost from a pre-approved consultant to conduct required monitoring compliance.</u> If compliance-monitoring expenses exceed the initial deposit, the applicant shall deposit additional funds to cover such additional expenses <u>prior to the initiation of monitoring compliance.</u> <u>The City shall not issue a notice-to-proceed until all funds are deposited.</u> Any unused deposit will be refunded to the applicant. | City of Berkeley                                      | Prior to Demolition Permit Issuance | Land Use Planning              |
| 7. | <b>Erosion Prevention Plan.</b> Prior to any excavation, grading, clearing, or other activities involving soil disturbance during the rainy season, the applicant shall obtain approval of an erosion prevention plan from the Building and Safety Division and the Public Works Department. The applicant shall be responsible for following these and any other measures required by the Building and Safety Division and the Public Works Department.                                                                                                                                                                                                                                                                    | City of Berkeley                                      | Prior to Demolition Permit Issuance | Building & Safety/Public Works |
| 8. | <b>Construction and Demolition Diversion.</b> The applicant shall submit a <a href="#">Construction Waste Management Plan</a> that meets the requirements of BMC Chapter 19.37 “Berkeley Green Code” including 100 percent diversion of asphalt, concrete, excavated soil and land-clearing debris and a minimum of 65 percent diversion of other nonhazardous construction and demolition waste.                                                                                                                                                                                                                                                                                                                           | City of Berkeley<br><a href="#">BMC Chapter 19.37</a> | Prior to Demolition Permit Issuance | Building & Safety/Public Works |
| 9. | <b>Phase I and Phase II Environmental Site Assessment (ESA) (per ASTM 1527).</b> A recent Phase I ESA (less than 2 years old) shall be submitted to the Toxics Management Division for all new commercial, industrial and mixed-use developments, all improvement projects that require work <b>5 or more feet below grade</b> , and all new residential buildings with more than four dwelling units located in the Environmental Management Area (or EMA). The EMA can be viewed at: <a href="#">City of Berkeley Community GIS Portal (arcgis.com)</a>                                                                                                                                                                   | City of Berkeley                                      | Prior to Demolition Permit Issuance | Toxics Management Division     |



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| 10. | <p><b>Construction Noise Reduction Program.</b> The applicant shall develop a site-specific noise reduction program prepared by a qualified acoustical consultant to reduce construction noise impacts to the maximum extent feasible, subject to review and approval of the Zoning Officer. The noise reduction program shall include the time limits compliance with BMC Section 13.40.070. The noise reduction program should include, but shall not be limited to, the following available controls to reduce construction noise levels as low as practical:</p> <ul style="list-style-type: none"><li>A. Construction equipment should be well maintained and used judiciously to be as quiet as practical.</li><li>B. Equip with all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.</li><li>C. Utilize “quiet” models of air compressors and other stationary noise sources where technology exists. Select hydraulically or electrically powered equipment and avoid pneumatically powered equipment where feasible.</li><li>D. Locate stationary noise-generating equipment as far as possible from sensitive receptors. Construct temporary noise barriers or partial enclosures to acoustically shield such equipment where feasible.</li><li>E. Prohibit unnecessary idling of internal combustion engines.</li><li>F. If impact pile driving is required, pre-drill foundation pile holes to minimize the number of impacts required to seat the pile.</li><li>G. Construct solid plywood fences around construction sites adjacent to operational business, residences or other noise-sensitive land uses where the noise control plan analysis determines that a barrier would be effective at reducing noise.</li><li>H. Erect temporary noise control blanket barriers, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling.</li><li>I. Route construction related traffic along major roadways and away from sensitive receptors where feasible.</li></ul> | <p>City of Berkeley</p> <p><a href="#">BMC Section 13.40.070</a></p> | <p>Prior to Demolition Permit Issuance</p> | <p>Zoning Officer</p> |
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Property Address: 2614 Telegraph Avenue & 2417 Carleton Street  
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|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------|-------------------------------------------|
| 11. | <p><b>Damage Due to Construction Vibration.</b> The Project applicant shall submit screening level analysis prior to demolition permit issuance. The analysis shall account for project specific information including 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.</p> <ul style="list-style-type: none"><li>• 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).</li><li>• 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 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 include:<ul style="list-style-type: none"><li>o Establish the baseline condition of these structures, including, but not limited to, the location and extent of any visible cracks or spalls; and</li><li>o include written descriptions and photographs.</li></ul></li></ul> | City of Berkeley | Prior to Demolition Permit Issuance | Building & Safety Division/Zoning Officer |
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CONDITIONS OF APPROVAL

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| III. At the Time of Building Permit Submittal |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Regulation Source                                     | Timing/Implementation        | Enforcement/<br>Monitoring |
|-----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|------------------------------|----------------------------|
| 1.                                            | <b>Public Works ADA.</b> Plans submitted for building permit shall include replacement of sidewalk, curb, gutter, and other streetscape improvements, as necessary to comply with current City of Berkeley standards for accessibility.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | City of Berkeley                                      | At Building Permit Submittal | Public Works               |
| 2.                                            | <b>National Pollution Discharge Elimination System (NPDES).</b> The applicant shall demonstrate compliance with the City’s National Pollution Discharge Elimination System (NPDES) permit as described in BMC Section 17.20. The following conditions apply:<br><b>A.</b> 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.<br><b>B.</b> Trash enclosures and/or recycling areas shall be covered, and no other areas shall drain onto these areas. 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 the East Bay Municipal Utility District (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.<br><b>C.</b> 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. | City of Berkeley<br><a href="#">BMC Section 17.20</a> | At Building Permit Submittal | Public Works               |



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|  | <p><b>D.</b> 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 conducted prior to the issuance of a building permit.</p> <p><b>E.</b> All paved outdoor storage areas shall be designed to reduce/limit the potential for runoff to contact pollutants.</p> <p><b>F.</b> All on-site storm drain inlets/catch basins shall 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 Department.</p> <p><b>G.</b> All on-site storm drain inlets must be labeled “No Dumping – Drains to Bay” or equivalent using methods approved by the City.</p> <p><b>H.</b> Washing and/or steam cleaning shall be done at an appropriately equipped facility that drains to the sanitary sewer. Any outdoor washing or pressure washing shall be managed in such a way that there is no discharge of soaps or other pollutants to the storm drain. Sanitary connections are subject to the review, approval and conditions of the East Bay Municipal Utility District.</p> <p><b>I.</b> All loading areas shall be designated to minimize run-on or run-off from the area. Accumulated wastewater that may contribute to the pollution of stormwater must be drained to the sanitary sewer or intercepted and pretreated prior to discharge to the storm drain system. The property owner shall ensure that BMPs are implemented to prevent potential stormwater pollution. These BMPs shall include, but are not limited to, a regular program of sweeping, litter control and spill cleanup.</p> |  |  |  |
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CONDITIONS OF APPROVAL

**Property Address:** 2614 Telegraph Avenue & 2417 Carleton Street  
**Application Number:** #ZP2024-0027

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|  | <p><b>J.</b> 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.</p> <p><b>K.</b> 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.</p> |  |  |  |
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CONDITIONS OF APPROVAL

Property Address: 2614 Telegraph Avenue & 2417 Carleton Street

Application Number: #ZP2024-0027

| IV. Prior to Issuance Building Permit:<br>A. Building & Safety/Land Use Planning |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Regulation Source                                          | Timing/Implementation             | Enforcement/<br>Monitoring          |
|----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|-----------------------------------|-------------------------------------|
| 1.                                                                               | <b>Acoustic Report.</b> Prior to issuance of a building permit, the applicant shall submit a report to the Building and Safety Division and the Zoning Officer by a qualified acoustic engineer certifying that the interior residential portions of the Project will achieve interior noise levels of no more than 45 Ldn (Average Day-Night Levels). If the adopted Building Code imposes a more restrictive standard for interior noise levels, the report shall certify compliance with this standard.                                                                                                                                                                                                                                                                                                                                                                                                                                                   | City of Berkeley                                           | Prior to Building Permit Issuance | Building & Safety/Land Use Planning |
| 2.                                                                               | <b>Interior Noise Levels.</b> Prior to issuance of a building permit, the applicant shall submit a report to the Building and Safety Division and the Zoning Officer by a qualified acoustic engineer certifying that the interior residential portions of the Project will achieve interior noise levels of no more than 45 Ldn (Average Day-Night Levels). If the adopted Building Code imposes a more restrictive standard for interior noise levels, the report shall certify compliance with this standard.<br>New residential uses in areas over 65dB on <a href="#">General Plan Noise Map</a> (see pg 6)                                                                                                                                                                                                                                                                                                                                             | City of Berkeley                                           | Prior to Building Permit Issuance | Building & Safety/Land Use Planning |
| 3.                                                                               | <b>Pay Transparency Acknowledgement.</b><br>Prior to the issuance of a building permit for any Project subject to this Chapter:<br><b>A.</b> A Responsible Representative of the permittee shall certify under penalty of perjury that:<br>(1) the Permittee has reviewed Chapter 13.104 of the Berkeley Municipal Code; and<br>(2) the Permittee will be responsible for demonstrating compliance with this Chapter.<br><b>B.</b> The Permittee shall provide to the City a Contractor Pay Transparency Acknowledgment on a form approved by the City for this purpose. A Responsible Representative of the permittee shall certify under penalty of perjury that the contractor and all Qualifying Subcontractors performing work on the Project will comply with Chapter <a href="#">13.104</a> of the Berkeley Municipal Code and with Labor Code sections <a href="#">226(a)</a> and <a href="#">2810.5</a> for each employee who works on the Project. | City of Berkeley<br><a href="#">BMC Section 13.104.030</a> | Prior to Building Permit Issuance | Building & Safety                   |
| 4.                                                                               | <b>Air Quality - Diesel Particulate Matter Controls during Construction.</b> All off-road construction equipment used for projects with construction lasting more than 2 months shall comply with either A or B, and C:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | City of Berkeley                                           | Prior to Building Permit Issuance | Land Use Planning/<br>Public Works  |



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|    | <p><b>A.</b> The Project applicant shall prepare a health risk assessment that demonstrates the Project’s on-site emissions of diesel particulate matter during construction will not exceed health risk screening criteria after a screening-level health risk assessment is conducted in accordance with current guidance from the Bay Area Air District and the California Office of Environmental Health Hazard Assessment. The health risk assessment shall be submitted to the Land Use Planning Division for review and approval prior to the issuance of building permits; or</p> <p><b>B.</b> All construction equipment shall be equipped with Tier 2 or higher engines and the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type (Tier 4 engines automatically meet this requirement) as certified by the California Air Resources Board (CARB). The equipment shall be properly maintained and tuned in accordance with manufacturer specifications.</p> <p><b>C.</b> In addition, a Construction Emissions Minimization Plan (Emissions Plan) shall be prepared that includes the following:</p> <p><b>i.</b> An equipment inventory summarizing the type of off-road equipment required for each phase of construction, including the equipment manufacturer, equipment identification number, engine model year, engine certification (tier rating), horsepower, and engine serial number. For all VDECS, the equipment inventory shall also include the technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date.</p> <p><b>ii.</b> A Certification Statement that the contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of contract. The Emissions Plan shall be submitted to the Public Works Department for review and approval prior to the issuance of building permits.</p> |                      |                                   |                                                                      |
| 5. | <p><b>Construction Emissions Reduction Measures.</b> Development projects shall comply with the current Bay Area Air District’s basic control measures for reducing construction emissions of PM10 (Table 8-2, Basic Construction Mitigation Measures Recommended for All Proposed Projects, of the May 2017 Air District CEQA Guidelines), outlined below.</p> <p>1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Air Quality District | Prior to Building Permit Issuance | Land Use Planning/<br>Building and<br>Safety/Air Quality<br>District |



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|  | <p>roads) shall be watered two times a day.</p> <p>2. All haul trucks transporting soil, sand, or other loose material offsite shall be covered.</p> <p>3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</p> <p>4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.</p> <p>5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</p> <p>6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.</p> <p>7. All construction equipment shall be maintained and properly tuned in accordance with manufacture’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper conditions prior to operation.</p> <p>8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District’s number shall also be visible to ensure compliance with applicable regulations.</p> |  |  |  |
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CONDITIONS OF APPROVAL

Property Address: 2614 Telegraph Avenue & 2417 Carleton Street

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| IV. Prior to Issuance of Building Permit:<br>B. Public Works |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Regulation Source | Timing/Implementation             | Enforcement/<br>Monitoring |
|--------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------------------|----------------------------|
| 1.                                                           | <p><b>Transportation Construction Plan.</b> The applicant and all persons associated with the Project are hereby notified that a Transportation Construction Plan (TCP) may be required, particularly for the following activities:</p> <p><b>A.</b> Alterations, closures, or blockages to sidewalks, pedestrian paths or vehicle travel lanes (including bicycle lanes);</p> <p><b>B.</b> Storage of building materials, equipment, dumpsters, debris anywhere in the public right of way;</p> <p><b>C.</b> Provision of exclusive contractor parking on-street; or</p> <p><b>D.</b> Significant truck activity.</p> <p>Please contact the Department of Public Works Transportation Division at (510) 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 stamped and signed by a registered engineer prior to submittal. The TCP shall be consistent with any other requirements of the construction phase. A current copy of the TCP shall be available at all times at the construction site for review by City Staff.</p> | City of Berkeley  | Prior to Building Permit Issuance | Public Works               |



CONDITIONS OF APPROVAL

Property Address: 2614 Telegraph Avenue & 2417 Carleton Street

Application Number: #ZP2024-0027

| IV. Prior to Issuance of Building Permit:<br>C. Toxics |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Regulation Source     | Timing/Implementation                | Enforcement/<br>Monitoring |
|--------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------------------------------|----------------------------|
| 1.                                                     | <b>Demolitions &amp; Renovations – Building Materials Survey.</b> A hazardous materials survey shall be prepared by qualified professionals and submitted to the Toxics Management Division (TMD) prior to issuance of the building permit. The survey shall identify building materials, plans for hazardous materials, hazardous waste removal and disposal, the identification of all materials to be disturbed for lead-based paints, PCB containing equipment and caulking, hydraulic fluids, refrigerants, treated wood, and mercury containing devices (including fluorescent light bulbs and mercury switches), asbestos and other hazardous materials and chemicals. The report to the TMD shall include, in addition to the survey, plans on hazardous materials and hazardous waste removal and disposal that comply with State and Federal codes including California Code of Regulations (CCR) 66260 et seq. | City of Berkeley      | Prior to Issuance of Building Permit | Toxics Management Division |
| 2.                                                     | <b>Asbestos Identified.</b> Pursuant to Bay Area Air District Regulation 11-2-401.3, if asbestos is identified a notification must be made and the J number must be made available to the City of Berkeley Permit Service Center. Contractors shall follow state regulations where there is asbestos-related work involving 100 square feet or more of asbestos containing material (8 Cal. Code Regs. §1529, §341.6 et seq.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Bay Area Air District | Prior to Issuance of Building Permit | Bay Area Air District      |
| 3.                                                     | <b>Environmental Site Clearance.</b> Prior to issuance of any building permits, the applicant shall submit to the Toxics Management Division (TMD) an environmental screening clearance to ensure that the property meets development investigation and cleanup standards for the specific use proposed on the property. Documentation in the form of a letter shall be provided from one of the following external agencies: <ul style="list-style-type: none"><li>San Francisco Bay Regional Water Quality Control Board (RWQCB);</li><li>California Department of Toxic Substances Control (DTSC); or</li><li>The Alameda County Department of Environmental Health’s Local Oversight Program (LOP).</li></ul>                                                                                                                                                                                                         | City of Berkeley      | Prior to Issuance of Building Permit | Toxics Management Division |



CONDITIONS OF APPROVAL

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| IV. Prior to Issuance of Building Permit:<br>D. Health, Housing & Community Services (HHCS) |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Regulation Source                                              | Timing/Implementation                | Enforcement/<br>Monitoring                                      |
|---------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|--------------------------------------|-----------------------------------------------------------------|
| 1.                                                                                          | <b>Final Affordable Housing Compliance Plan.</b> The final Affordable Housing Compliance Plan (“AHCP”) shall be submitted to the Zoning Officer and the Department of Health, Housing, and Community Services prior to the issuance of Building Permit. Projects that receive approval from the Building Official for multiple phase construction permits shall have the final AHCP certified prior to the issuance of the phase one building permit.                                                                                                                   | City of Berkeley<br><a href="#">BMC Section 23.328.050 (A)</a> | Prior to Issuance of Building Permit | Land Use Planning/<br>Health, Housing and<br>Community Services |
| 2.                                                                                          | <b>Regulatory Agreement: Inclusionary Housing.</b> The Applicant shall execute a Regulatory Agreement and Declaration of Restrictive Covenants to regulate all Affordable Units provided in a Housing Development Project. No building permit shall be issued for the project until the Regulatory Agreement and Declaration of Restrictive Covenants are executed.                                                                                                                                                                                                     | City of Berkeley<br><a href="#">BMC Section 23.328.050 (B)</a> | Prior to Issuance of Building Permit | Health, Housing and<br>Community Services                       |
| 3.                                                                                          | <b>Below Market Rate Units.</b> The Project shall provide below market rate rental dwelling units (BMR Units), which are required to comply with the State Density Bonus Law (Government Code Section 65915). by BMC Chapter 23.328 “Inclusionary Housing” and BMC Chapter 23.326 “Demolition and Dwelling Unit Controls.” The total number of BMR Units shall be designated in the Regulatory Agreement. All BMR units are required to comply with the stricter of State Density Bonus Law (Government Code Section 65915), BMC Section 23.328, or BMC Section 23.326. | State of California/<br>City of Berkeley                       | Prior to Issuance of Building Permit | Health, Housing and<br>Community Services                       |

| IV. Prior to Issuance of Building Permit:<br>E. Rent Stabilization Board (RSB) |                        | Regulation Source | Timing/Implementation | Enforcement/<br>Monitoring |
|--------------------------------------------------------------------------------|------------------------|-------------------|-----------------------|----------------------------|
| 1.                                                                             | <b>Not applicable.</b> |                   |                       |                            |



CONDITIONS OF APPROVAL

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| V. During Demolition/Construction |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Regulation Source                                         | Timing/Implementation          | Enforcement/<br>Monitoring                    |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|--------------------------------|-----------------------------------------------|
| A. Building & Safety              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                           |                                |                                               |
| 1.                                | <b>Construction Hours.</b> 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                    | City of Berkeley<br><a href="#">BMC 13.40.070 (B) (7)</a> | During Demolition/Construction | Building & Safety                             |
| 2.                                | <b>Construction Hours Exceptions.</b> Prior to initiating any activity that might require a longer period, the applicant shall notify the Zoning Officer in writing and request an exception for a specific period of time. If an exception is approved, then the applicant shall notify businesses and residents within 500 feet of the Project site describing the expanded construction hours two weeks prior to the expanded schedule start. The Project shall only be allowed 15 extended working days.                                                                                                                                                                                                           | City of Berkeley                                          | During Demolition/Construction | Environmental<br>Health/<br>Land Use Planning |
| 3.                                | <b>Project Construction Website.</b> The applicant shall establish a project construction website with the following information clearly accessible and updated monthly or more frequently as changes warrant: <ul style="list-style-type: none"><li>• Contact information (i.e. “hotline” phone number, and email address) for the Project construction manager</li><li>• Calendar and schedule of daily/weekly/monthly construction activities</li><li>• The final Conditions of Approval, Mitigation Monitoring and Reporting Program, Transportation Construction Plan, Construction Noise Reduction Program, and any other reports or programs related to construction noise, air quality, and traffic.</li></ul> | City of Berkeley                                          | During Demolition/Construction | Building & Safety                             |
| 4.                                | <b>Construction / No Parking Permits.</b> If “Construction/No Parking Permits” are required, the applicant shall contact the Permit Service Center for details on obtaining Construction/No Parking Permits (and associated signs and accompanying dashboard permits). The Zoning Officer and/or Traffic Engineer may limit off-site parking of construction-related vehicles if necessary to protect the health or safety of the surrounding neighborhood.                                                                                                                                                                                                                                                            | City of Berkeley                                          | During Demolition/Construction | Building & Safety                             |



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| V. During Demolition/Construction:<br>B. Land Use Planning |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Regulation Source                                                    | Timing/Implementation                     | Enforcement/<br>Monitoring |
|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|-------------------------------------------|----------------------------|
| 1.                                                         | <b>Avoid Disturbance of Nesting Birds.</b> Initial site disturbance activities, including vegetation and concrete removal, shall be prohibited during the general avian nesting season (February 1 to August 30), if feasible. If nesting season avoidance is not feasible, the applicant shall retain a qualified biologist to conduct a preconstruction nesting bird survey to determine the presence/absence, location, and activity status of any active nests on or adjacent to the Project site. The extent of the survey buffer area surrounding the site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid the destruction of active nests and to protect the reproductive success of birds protected by the Migratory Bird Treaty Act and the California Fish & Game Code, nesting bird surveys shall be performed not more than 14 days prior to scheduled vegetation and concrete removal. In the event that active nests are discovered, a suitable buffer (typically a minimum buffer of 50 feet for passerines and a minimum buffer of 250 feet for raptors) shall be established around such active nests and no construction shall be allowed inside the buffer areas until a qualified biologist has determined that the nest is no longer active (e.g., the nestlings have fledged and are no longer reliant on the nest). No ground-disturbing activities shall occur within this buffer until the qualified biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Nesting bird surveys are not required for construction activities occurring between August 31 and January 31. | California Department of Fish & Wildlife (CDFW)/<br>City of Berkeley | During Demolition/Construction            | Land Use Planning          |
| 2.                                                         | <b>Pre-Construction Meeting.</b> The applicant shall request a virtual meeting with Land Use Planning (the Project Planner and Construction Monitoring Consultant, if applicable) and key parties involved in the early phases of construction (e.g., applicant, general contractor, foundation subcontractors) to review the project's Conditions of Approval (and Mitigation Measures, if applicable) and the construction schedule. The general contractor or applicant shall ensure that all subcontractors involved in subsequent phases of construction are aware of the Conditions of Approval prior to ground disturbance on the site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | City of Berkeley                                                     | Prior to start of demolition/construction | Land Use Planning          |



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| 3. | <b>Unanticipated Discovery of Paleontological Resources.</b> In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified archeologist (per Secretary of Professional Qualification Standards National Park Service 1983). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find. The archeologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the archeologist shall prepare an excavation plan for mitigating the effect of the Project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval. | City of Berkeley | During Demolition/Construction | Land Use Planning |
| 4. | <b>Unanticipated Discovery of Tribal Cultural Resources.</b> In the event that Tribal Cultural Resources are identified during construction, all work within 50 feet of the discovery shall be redirected. The Project applicant and Project construction contractor shall notify the Land Use Planning Division within 24 hours. The City will contact any tribes who have requested consultation under AB 52 (if applicable), as well as contact a qualified archaeologist, to evaluate the resources and situation and provide recommendations. If it is determined that the resource is a Tribal Cultural Resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with State guidelines and in consultation with Native American groups. If the resource cannot be avoided, additional measures to avoid or reduce impacts to the resource and to address tribal concerns may be required.                                                                             | City of Berkeley | During Demolition/Construction | Land Use Planning |
| 5. | <b>Unanticipated Discovery of Archeological Resources.</b> Pursuant to CEQA Guidelines section 15064.5(f), “provisions for historical or unique paleontological resources accidentally discovered during construction” should be instituted. Therefore:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | City of Berkeley | During Demolition/Construction | Land Use Planning |



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|  | <p><b>A.</b> In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within a minimum of 50 feet of the resources shall be halted and the Project applicant and/or lead agency shall consult with a Registered Professional Archeologist or paleontologist, and the culturally-affiliated California Native American Tribe (“Tribe”) to assess the significance of the find.</p> <p><b>B.</b> If any find is determined to be significant, representatives of the Project proponent and/or the lead agency and the Tribe shall meet to determine the appropriate avoidance measures or other appropriate measures to mitigate impacts to the Tribal Cultural Resource.,</p> <p><b>C.</b> In considering any suggested measure proposed by the Registered Professional Archeologist, the Tribe and the lead agency shall confer and such consultation will be considered concluded when either of the following occurs: (1) the parties agree to mitigation measures to mitigate or avoid a significant effect, if a significant effect exists, on a Tribal Cultural Resource or (2) A party, acting in good faith after reasonable effort, concludes that mutual agreement cannot be reached.</p> <p><b>D.</b> If avoidance is unnecessary or infeasible, other appropriate measures such as removal and reburial of the Tribal Cultural Resource in an alternate location with tribal cultural monitor such as removal and reburial of the Tribal Cultural Resource in an alternate location with tribal cultural monitors may be instituted. Work may proceed on other parts of the Project site while mitigation measures for cultural resources is carried out.</p> <p><b>E.</b> If significant materials are recovered, the Registered Professional Archeologist shall prepare a report on the findings for submittal to the Northwest Information Center.</p> |  |  |  |
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| 6. | <p><b>Discovery of Human Remains.</b> 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</p> <p>Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section, with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants’ preferences for treatment.</p> <p>A. The descendants’ preferences for treatment may include the following:</p> <ul style="list-style-type: none"><li>i. The nondestructive removal and analysis of human remains and items associated with Native American human remains.</li><li>ii. Preservation of Native American human remains and associated items in place.</li><li>iii. Relinquishment of Native American human remains and associated items to the descendants for treatment.</li><li>iv. Other culturally appropriate treatment.</li></ul> <p>B. The parties may also mutually agree to extend discussions, taking into account the possibility that additional or multiple Native American human remains, as defined in this section, are located in the Project area providing a basis for additional treatment measures.</p> <p>C. For the purposes of this section, “conferral” or “discuss and confer” means the meaningful and timely discussion and careful consideration of the views of each party, in a manner that is cognizant of all parties’ cultural values, and where feasible, seeking agreement. Each party shall recognize the other’s needs and concerns for confidentiality of information provided to the other.</p> |  |  |  |
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**Property Address:** 2614 Telegraph Avenue & 2417 Carleton Street  
**Application Number:** #ZP2024-0027

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |  |  |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
|  | <div><div><div>i. Human remains of a Native American may be an inhumation or cremation, and in any state of decomposition or skeletal completeness.</div><div>ii. Any items associated with human remains that are placed or buried with Native American human remains are to be treated in the same manner as the remains, but do not by themselves constitute human remains.</div></div><div>D. Whenever the commission is unable to identify a descendant, or the descendants identified fail to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in subdivision (k) of Public Resources Code Section 5097.94. if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. To protect these sites, that landowner shall do one or more of the following:<div><div><div>i. Record the site with the commission or the appropriate Information Center.</div><div>ii. Utilize an open-space or conservation zoning designation or easement.</div><div>iii. Record a document with the county in which the property is located.</div></div></div><div>F. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to subdivision (e).</div><div>G. Pursuant to State law, any action taken to implement an agreement developed pursuant to this Condition of Approval shall be exempt from the CEQA.</div></div></div> |  |  |  |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|



CONDITIONS OF APPROVAL

Property Address: 2614 Telegraph Avenue & 2417 Carleton Street  
Application Number: #ZP2024-0027

| V. During Demolition/Construction:<br>C. Public Works |                                                                                                                                                                                                                                                                                                                    | Regulation Source | Timing/Implementation | Enforcement/<br>Monitoring |
|-------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------|----------------------------|
| 1.                                                    | <b>Debris.</b> All piles of debris, soil, sand, or other loose materials shall be covered at night and during rainy weather with plastic at least one-eighth millimeter thick and secured to the ground.                                                                                                           | City of Berkeley  | During Construction   | Public Works               |
| 2.                                                    | <b>Excavation.</b> The applicant shall ensure that all excavation takes into account surface and subsurface waters and underground streams so as not to adversely affect adjacent properties and rights-of-way.                                                                                                    | City of Berkeley  | During Construction   | Public Works               |
| 3.                                                    | <b>Sandbags.</b> The Project sponsor shall maintain sandbags or other devices around the site perimeter during the rainy season to prevent on-site soils from being washed off-site and into the storm drain system. The Project sponsor shall comply with all City ordinances regarding construction and grading. | City of Berkeley  | During Construction   | Public Works               |
| 4.                                                    | <b>Fire Hydrant.</b> 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.                                                                                                       | City of Berkeley  | During Construction   | Public Works               |
| 5.                                                    | <b>Underground Utilities.</b> If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Public Works Department and the Building & Safety Division, and carry out any necessary corrective action to their satisfaction.           | City of Berkeley  | During Construction   | Public Works               |



CONDITIONS OF APPROVAL

Property Address: 2614 Telegraph Avenue & 2417 Carleton Street  
Application Number: #ZP2024-0027

| V. During Demolition/Construction:<br>D. Toxics |                                                                                                                                                                                                              | Regulation Source | Timing/Implementation | Enforcement/<br>Monitoring   |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------|------------------------------|
| 1.                                              | <b>Hazardous Waste Compliance Plan.</b> Documentation evidencing disposal of hazardous waste in compliance with the survey shall be submitted to the TMD within 30 days of the completion of the demolition. | City of Berkeley  | During Construction   | Toxic Management<br>Division |

| V. During Demolition/Construction:<br>E. Health Housing Community Services |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Regulation Source                                                                                        | Timing/Implementation             | Enforcement/<br>Monitoring               |
|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|-----------------------------------|------------------------------------------|
| 1.                                                                         | <b>Posting of Wage Theft Ordinance.</b> Each day work is performed on the <a href="#">Project</a> , each permittee shall post, and keep posted in a conspicuous location where it may be easily read by employees during the hours of the workday, a notice that: (A) contains the text of Chapter 13.104 of the BMC; (B) explains that workers can report violations of Labor Code sections 226 and 2810.5 to the Labor Commissioner of the State of California; and (C) provides current contact information, including office address, telephone number, and email address of the Labor Commissioner of the State of California. <a href="#">f</a> c | City of Berkeley<br><a href="#">BMC Section 13.104.050</a><br><a href="#">BMC Section 13.104.020 (F)</a> | During<br>Demolition/Construction | Health, Housing<br>Community<br>Services |
| 2.                                                                         | <b>Wage Theft Prevention.</b> For <a href="#">Projects</a> without a Labor Agreement, the requirements of Sections 13.104.030 through 13.104.050 shall be included as Conditions of Approval of any Use Permit or Zoning Certificate for any project that is subject to this Chapter. Failure to comply with the requirements of any provision of this Chapter shall be grounds for issuance of an administrative citation under Chapter 1.28 and/or the revocation or modification of any permit issued for the Project under BMC Chapter 23.404.                                                                                                      | City of Berkeley<br><a href="#">BMC Section 13.104.060</a><br><a href="#">BMC Section 13.104.020 (F)</a> | During<br>Demolition/Construction | Health, Housing<br>Community<br>Services |

| VI. Prior to Final Inspection |                                                                                                                                                                                                                                                                                                                                                                                                        | Regulation Source                                 | Timing/Implementation     | Enforcement/Monitoring                 |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|---------------------------|----------------------------------------|
| 1.                            | <b>Address Assignment.</b> The applicant shall file an “Address Assignment Request Application” with the Permit Service Center (1947 Center Street) for any address change or new address associated with this Permit. The new address(es) shall be assigned in accordance with BMC 16.28.030, and entered into the City’s database after the building permit is issued but prior to final inspection. | City of Berkeley<br><a href="#">BMC 16.28.030</a> | Prior to Final Inspection | Building & Safety/Land<br>Use Planning |



CONDITIONS OF APPROVAL

Property Address: 2614 Telegraph Avenue & 2417 Carleton Street  
Application Number: #ZP2024-0027

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                              |                                                   |                                         |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|---------------------------------------------------|-----------------------------------------|
| 2. | <b>Pay Transparency Attestations following Project Completion.</b> Within 10 days of the approved final inspection of any project subject to this Chapter, each permittee shall provide to the City for each Contractor and Qualifying Subcontractor a Pay Transparency Attestation on a form approved by the City. On each Pay Transparency Attestation, a Responsible Representative of the Contractor or Qualifying Subcontractor shall attest under penalty of perjury that the Contractor or Qualifying Subcontractor complied with Chapter 13.104 of the Berkeley Municipal Code and Labor Code sections 226(a) and 2810.5 for each employee who performed work on the Project. The City will maintain Pay Transparency Attestation forms for period of at least three years after their date of receipt by the City. (BMC Section 13.104.040). | City of Berkeley<br><a href="#">BMC 13.104</a><br><a href="#">BMC Section 13.104.020 (F)</a> | Within 10 Days of<br>Approved Final<br>Inspection | Health, Housing &<br>Community Services |
| 3. | <b>Construction and Demolition Diversion Receipt Reporting.</b> 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 <a href="#">Green Halo</a> and submit online for City review and approval prior to final inspection. Alternatively, complete the <a href="#">Construction Waste Management Plan</a> 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.                                                                        |                                                                                              |                                                   | Building & Safety                       |

| VII. Prior to Certificate of Occupancy |                                                                                                                                                                                                                                                                                                                                                                                                           | Regulation Source | Timing/Implementation                | Enforcement/<br>Monitoring             |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|--------------------------------------|----------------------------------------|
| 1.                                     | <b>Planning Inspection.</b> Planning staff shall conduct a site visit to review exterior building elevations for architectural consistency with the approved plans and landscape installation (if required). All exterior finishing details including window trim, paint, gutters, downspouts, decking, guardrails, and driveway installation shall be in place prior to scheduling the final inspection. | City of Berkeley  | Prior to Certificate of<br>Occupancy | Land Use Planning                      |
| 2.                                     | <b>Post Construction Review.</b> 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                                                                                 | City of Berkeley  | Prior to Certificate of<br>Occupancy | Building & Safety/Land<br>Use Planning |



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Property Address: 2614 Telegraph Avenue & 2417 Carleton Street  
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|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                       |                                   |                   |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-------------------|
|    | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                       |                                   |                   |
| 3. | <b>Inclusionary Housing.</b> Dwellings that are approved as rental units, but in which a condo map is approved prior to issuance of an occupancy permit, shall be subject to the affordability requirements within BMC 23.328 in effect on March 31, 2023.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | City of Berkeley<br><a href="#">BMC Section 23.328</a>                                                                                                | Prior to Certificate of Occupancy | Land Use Planning |
| 4. | <b>Transportation Demand Management.</b> Prior to issuance of a Certificate of Occupancy, the property owner shall schedule a site inspection with Land Use Planning staff to confirm that the physical improvements required in <a href="#">BMC Section 23.334.030 (C)</a> “Real-Time Transportation Information” and <a href="#">BMC 23.322.090 (A)(2)</a> “Residential Bike Parking” have been installed. A Parking and Transportation Demand Management compliance report documenting that the programmatic measures required in BMC Sections 23.334.030(C) and 23.322.090 are implemented shall be submitted to the Land Use Division prior to occupancy, and on an annual basis thereafter, which demonstrates that the Project is compliant with the applicable requirements in these sections.<br><b>A. Unbundled Parking.</b> Pursuant to BMC Section 23.334.030(A), all parking spaces provided for residents be leased or sold separate from the rental or purchase of dwelling units for the life of the dwelling units. The property owner shall notify all residents of this restriction in leases and/or contracts and shall provide sample leases and/or contracts including such notification to the Project planner prior to issuance of Certificate of Occupancy or final inspection.<br><b>B. Transit Benefit.</b><br><b>1.</b> Pursuant to <a href="#">BMC Section 23.334.030 (B)</a> , at least one of the following transit benefits shall be offered, at no cost to the resident, for a period of ten (10) years after the issuance of a Certificate of Occupancy. A notice describing these transportation benefits shall be posted in a location or locations visible to all residents.<br>(a) A monthly pass for unlimited local bus transit service; or | City of Berkeley<br><a href="#">BMC Section 23.334.030 (C)</a><br><a href="#">BMC 23.322.090 (A)(2)</a><br><a href="#">BMC Section 23.334.030 (B)</a> | Prior to Certificate of Occupancy | Land Use Planning |



CONDITIONS OF APPROVAL

Property Address: 2614 Telegraph Avenue & 2417 Carleton Street

Application Number: #ZP2024-0027

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                |                                   |                   |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|-----------------------------------|-------------------|
|    | (b) A functionally equivalent transit benefit in an amount at least equal to the price of a non-discounted unlimited monthly local bus pass. Any benefit proposed as a functionally equivalent transportation benefit shall be approved by the Zoning Officer in consultation with the Transportation Division Manager.                                                                                                            |                                                                |                                   |                   |
| 5. | <b>Transportation Demand Management: Residential Projects that include 99 dwelling units or fewer.</b> The project shall provide one transit benefit per bedroom, up to a maximum of two benefits per dwelling unit.                                                                                                                                                                                                               | City of Berkeley<br><a href="#">BMC 23.334.030 (B) (2)</a>     | Prior to Certificate of Occupancy | Land Use Planning |
| 6. | <b>Real Time Transportation Information.</b> Any project subject to this chapter shall provide publicly-available, real-time transportation information in a common area, such as a lobby or elevator bay, on televisions, computer monitors or other displays readily visible to residents and/or visitors. Provided information shall include, but is not limited to, transit arrivals and departures for nearby transit routes. | City of Berkeley<br><a href="#">BMC Section 23.334.030 (C)</a> | Prior to Certificate of Occupancy | Land Use Planning |

| VIII. Fees |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Regulation Source                                              | Timing/Implementation     | Enforcement/<br>Monitoring           |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|---------------------------|--------------------------------------|
| 1.         | <b>Payment of Affordable Housing In-Lieu Fee.</b> The Affordable Housing In-Lieu Fee shall be paid as required by BMC Section 23.328.030(B) and Resolution 70,698 N.S. The fee for this project is \$0, subject to proration to reflect any affordable units provided. Any adjustments to the fee and the final fee amount will be determined prior to building permit issuance as part of the Affordable Housing Compliance Plan approval. The In-Lieu Fee shall be paid prior to the issuance of the first Certificate of Occupancy, or if no Certificate of Occupancy is required, prior to the final inspection of the Project.<br><br>Nothing in these conditions shall be interpreted to prohibit, or to require modification of the Use Permit or Regulatory Agreement to allow, the provision of additional BMR units, or additional affordability, then are required in the foregoing provisions. | City of Berkeley<br><a href="#">BMC Section 23.328.030 (B)</a> | Prior to Final Inspection | Health, Housing & Community Services |

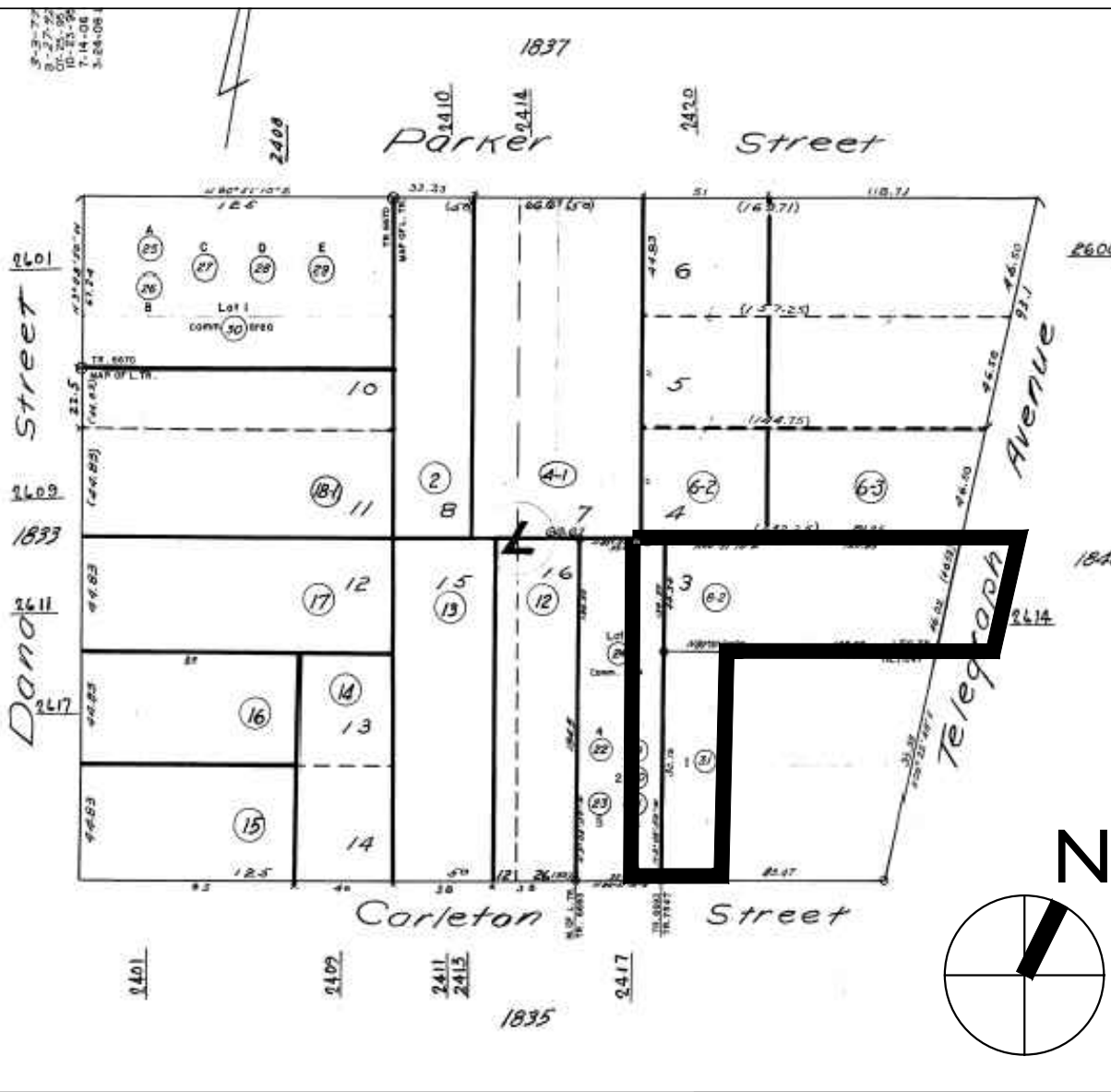


| ZONING ANALYSIS                                                                  |                                                                                                       |                                                                                                  |
|----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| Proposed Program                                                                 | Commercial and Residential (32 units utilizing density bonus)                                         |                                                                                                  |
| Property Address                                                                 | 2614 Telegraph Ave, Berkeley, CA 94704<br>2417 Carleton St, Berkeley, CA 94704                        |                                                                                                  |
| Assessor's Parcel Number (APN) / Parcel Number                                   | 55-1836-8-2, 55-1836-19, 55-1836-20, 55-1836-21, 55-1836-22, 55-1836-23, 55-1836-24                   |                                                                                                  |
| Lot Size                                                                         | 5,085 sf + 4,708 sf = 9,793 sf (0.22 acres)                                                           |                                                                                                  |
| Zoning District                                                                  | C-C Corridor Commercial District (23.204.050)                                                         |                                                                                                  |
| General Plan Land Area                                                           | Avenue Commercial                                                                                     |                                                                                                  |
| Earthquake Fault Rupture (Alquist-Priolo) Zone                                   | No                                                                                                    |                                                                                                  |
| Landslide (Seismic Hazards Mapping Act)                                          | No                                                                                                    |                                                                                                  |
| Liquefaction (Seismic Hazards Mapping Act)                                       | No                                                                                                    |                                                                                                  |
| Fire Zone                                                                        | 1                                                                                                     |                                                                                                  |
| Creek Buffer                                                                     | None                                                                                                  |                                                                                                  |
| Flood Zone (100-year or 1%)                                                      | No                                                                                                    |                                                                                                  |
| Residential Net Area (NET)                                                       | 28,303 SF                                                                                             |                                                                                                  |
| Residential Floor Area (GROSS)                                                   | 6,956 + 7,318 x 4 = 36,228 GSF                                                                        |                                                                                                  |
| Commercial Floor Area                                                            | 605 GSF                                                                                               |                                                                                                  |
| Vertical Circulation (Stairs, Elevators, Chutes, etc.) — Except 1st Floor        | 2176 GFS                                                                                              |                                                                                                  |
| Gross Floor Area                                                                 | 7,857 + 7,788 x 4 = 39,009 GSF                                                                        |                                                                                                  |
|                                                                                  | ZONING REQUIREMENTS                                                                                   | PROPOSED                                                                                         |
| Floor Area Ratio, Max                                                            | 3                                                                                                     | 39,009/ 9,793 = 4* (3.98 rounded up to 4)                                                        |
| Main Building Height, Max                                                        | 50' / 4 Stories                                                                                       | 60'-6" MAX / 5 Stories *                                                                         |
| Lot Line Setbacks, Min (Abutting/Confronting a Non-residential District)         | 0                                                                                                     | Front 0', Side 0'/5', Rear 0'/5'                                                                 |
| Lot Coverage, Maximum                                                            | 100%                                                                                                  | 80%                                                                                              |
| Usable Open Space Per Dwelling Unit, Min                                         | 200 sf (50% max may be satisfied by balconies)                                                        | 0 sf Minimum open space for mixed use projects can be reduced with a UP(PH). See 23.204.050.D.3. |
| Off-Street Parking Mixed-Use Residential (residential use only)                  | None required                                                                                         |                                                                                                  |
| Off-Street Parking All non-residential uses except uses listed on Table 23.322-2 | None required                                                                                         |                                                                                                  |
| Non-Residential Bicycle Parking All Commercial Districts except for C-E and C-T  | 1 per 2000 sf                                                                                         | 1 (605 sf commercial space)                                                                      |
| Residential Bicycle Parking Dwelling Units (5 units or more)                     | Long-term: 1 space per 3 bedrooms<br>Short-term: 2, or 1 space per 40 bedrooms, which ever is greater | (102 bedrooms) long-term: 34 / Short-term: 6                                                     |
| NOTES                                                                            |                                                                                                       |                                                                                                  |
| * Proposed Density Bonus Incentive.                                              |                                                                                                       |                                                                                                  |

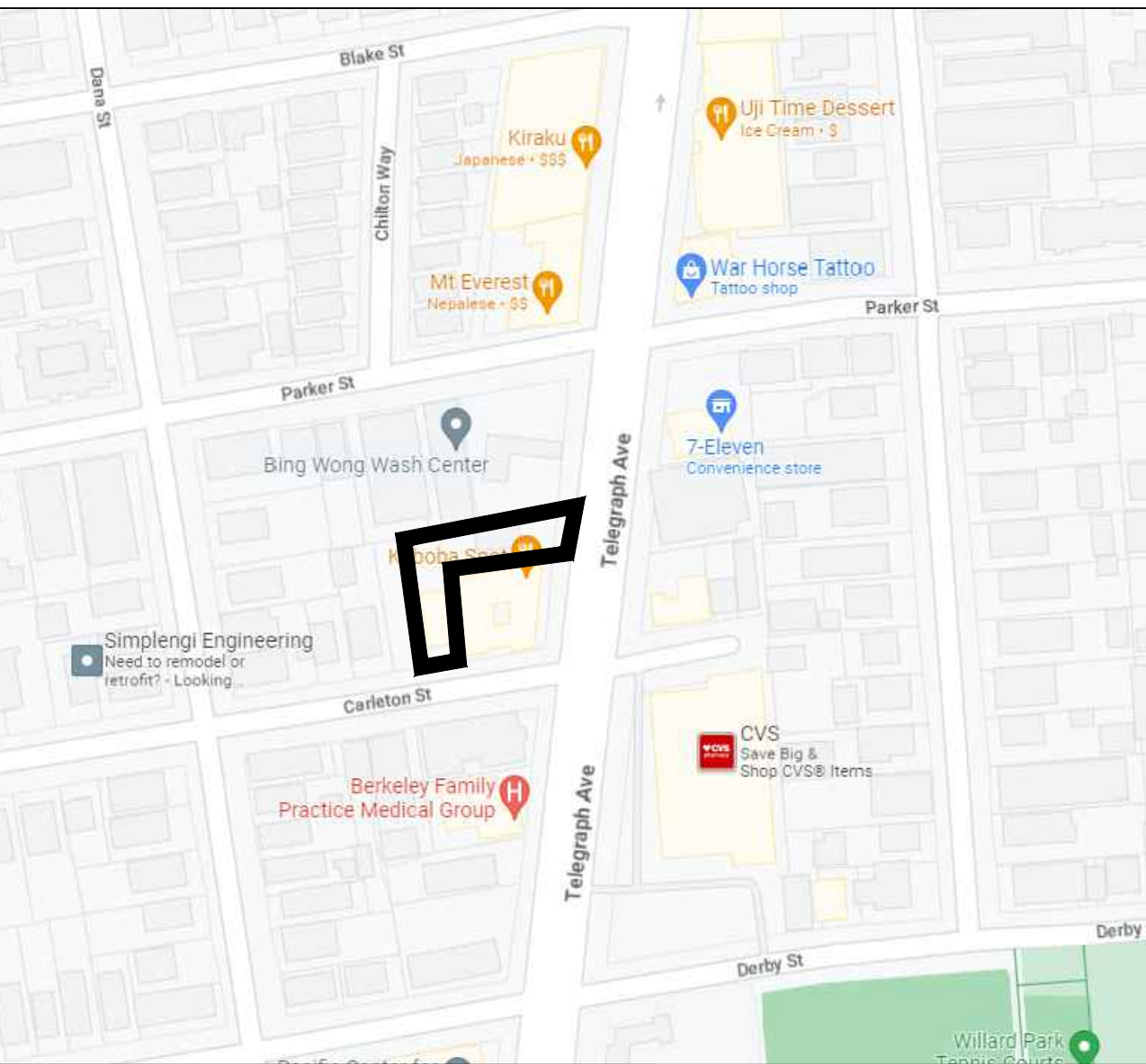
PROJECT TEAM

| OWNER                                                                                            | ARCHITECT                                                                         | SURVEYOR                                                                                                                                             |
|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| AVENUE T PROPERTY, LLC<br>2804 GATEWAY OAKS DR STE 100<br>SACRAMENTO, CA 95833<br>(510)-898-1573 | GUNKEL ARCHITECTURE<br>1295 59TH STREET<br>EMERYVILLE, CA 94608<br>(510)-984-1112 | BLS MAPPING AND SURVEYING<br>BRIAN L. STOCKINGER<br>BOX 24 1531 GRANDVIEW AVE.<br>MARTINEZ, CA 94553<br>(925)228-4949<br>GOODSURVEYS6995@PACBELL.NET |

ASSESSOR'S MAP



VICINITY MAP



2614 TELEGRAPH AVENUE  
AND 2417 CARLETON STREET  
BERKELEY, CA 94704

DESCRIPTION OF WORK

DEMOLITION OF COMMERCIAL BUILDINGS.  
PROPOSED NEW MIXED-USE DEVELOPMENT WITH 4 STORIES  
OF RESIDENTIAL OVER GROUND FLOOR COMMERCIAL &  
RESIDENTIAL.

PROJECT INFORMATION

APN: 55-1836-8-2, 55-1836-19, 55-1836-20,  
55-1836-21, 55-1836-22, 55-1836-23,  
55-1836-24  
LOT SIZE: 5,085 SF + 4,708 SF = 9,793 SF (0.22 ACRES)  
BUILDING OCCUPANCY: R-2, B,  
CONSTRUCTION TYPE: V-B OVER TYPE I

SHEET INDEX

| SHEET NUMBER | SHEET NAME                               | DESIGN REVIEW | REV 1 |
|--------------|------------------------------------------|---------------|-------|
| A0.0         | COVER SHEET                              | •             | •     |
| A0.2         | TELEGRAPH RENDERING                      | •             | •     |
| A0.3         | CARLETON RENDERING                       | •             | •     |
| A0.4         | LOT COVERAGE & OPEN SPACE DIAGRAM        | •             | •     |
| A0.5         | STREET STRIP                             | •             | •     |
| A0.6         | STREET STRIP                             | •             | •     |
| A0.7a-b      | SHADOW STUDY                             | —             | •     |
| A0.8a-c      | DENSITY BONUS DIAGRAMS                   | —             | •     |
| A0.9a-b      | AFFORDABLE HOUSING COMPLIANCE PLAN       | —             | •     |
| I            | SURVEY                                   | •             | •     |
| A1.1         | EXISTING/DEMO FIRST FLOOR AND SITE PLANS | —             | •     |
| A1.2         | EXISTING/DEMO SECOND FLOOR PLANS         | —             | •     |
| A1.3         | EXISTING/DEMO ROOF PLAN                  | —             | •     |
| A2.0         | PROPOSED SITE PLAN                       | •             | •     |
| A2.1         | PROPOSED FIRST FLOOR PLAN                | •             | •     |
| A2.2         | PROPOSED SECOND FLOOR PLAN               | •             | •     |
| A2.3         | PROPOSED THIRD FLOOR PLAN                | •             | •     |
| A2.4         | PROPOSED FOURTH FLOOR PLAN               | —             | •     |
| A2.5         | PROPOSED FIFTH FLOOR PLAN                | —             | •     |
| A2.6         | PROPOSED ROOF PLAN                       | —             | •     |

SHEET INDEX

| SHEET NUMBER | SHEET NAME            | DESIGN REVIEW | REV 1 |
|--------------|-----------------------|---------------|-------|
| A3.1         | PROPOSED - ELEVATIONS | •             | •     |
| A3.2         | PROPOSED - ELEVATIONS | •             | •     |
| A3.3         | PROPOSED - ELEVATIONS | —             | •     |
| A4.1         | PROPOSED - SECTION    | •             | •     |
| A5.1         | DETAILS               | —             | •     |
| A5.2         | DETAILS               | —             | •     |

SYMBOLS

|                    |  |          |  |
|--------------------|--|----------|--|
| HEIGHT             |  | DETAIL   |  |
| SECTION            |  | ROOM TAG |  |
| EXTERIOR ELEVATION |  |          |  |



GUNKEL ARCHITECTURE  
1295 59TH STREET  
EMERYVILLE CA 94608  
GUNKELARCHITECTURE.COM  
PHONE: (510) 984 - 1112

2614 Telegraph Avenue &  
2417 Carleton Street  
Berkeley, CA 94704

COVER SHEET

DESIGN REVIEW SUBMITTAL  
DATE 11/08/2024  
REV 1 DATE 06/09/2026

A0.0



GUNKEL ARCHITECTURE  
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2614 Telegraph Avenue &  
2417 Carleton Street  
Berkeley, CA 94704

TELEGRAPH  
RENDERING

DESIGN REVIEW SUBMITTAL

DATE 11/08/2024

REV A DATE 02/09/2026

**A0.2**



GUNKEL ARCHITECTURE  
1295 59TH STREET  
EMERYVILLE CA 94608  
GUNKELARCHITECTURE.COM  
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2614 Telegraph Avenue &  
2417 Carleton Street  
Berkeley, CA 94704

CARLETON  
RENDERING

DESIGN REVIEW SUBMITTAL

DATE 11/08/2024

REV A DATE 02/09/2026

**A0.3**



GUNKEL ARCHITECTURE  
1295 59TH STREET  
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2614 Telegraph Avenue &  
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Berkeley, CA 94704

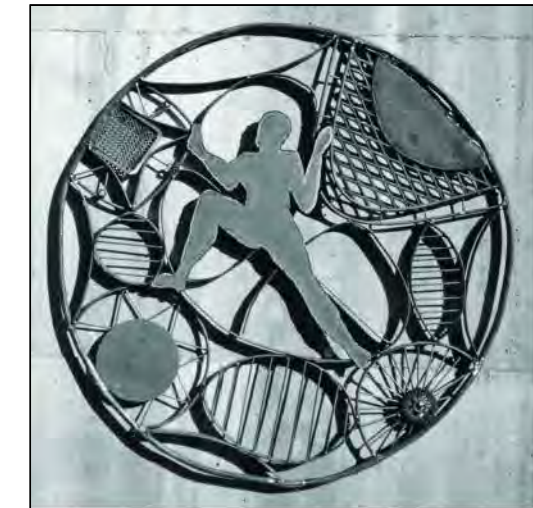
LOT  
COVERAGE &  
OPEN SPACE  
DIAGRAM

DESIGN REVIEW SUBMITTAL

DATE 11/08/2024

REV DATE 02/09/2026

A0.4



GUNKEL ARCHITECTURE  
1295 59TH STREET  
EMERYVILLE CA 94608  
GUNKELARCHITECTURE.COM  
PHONE: (510) 984 - 1112

2614 Telegraph Avenue &  
2417 Carleton Street  
Berkeley, CA 94704

STREET STRIP

DESIGN REVIEW SUBMITTAL

DATE 11/08/2024

REV  DATE 02/09/2026

**A0.5**

2 PROPOSED STREET STRIP - EAST ELEVATION (TELEGRAPH AVE)

1 EXISTING STREET STRIP - EAST ELEVATION (TELEGRAPH AVE)



2 | PROPOSED STREET STRIP - SOUTH ELEVATION (CARLETON ST)



1 | EXISTING STREET STRIP - SOUTH ELEVATION (CARLETON ST)



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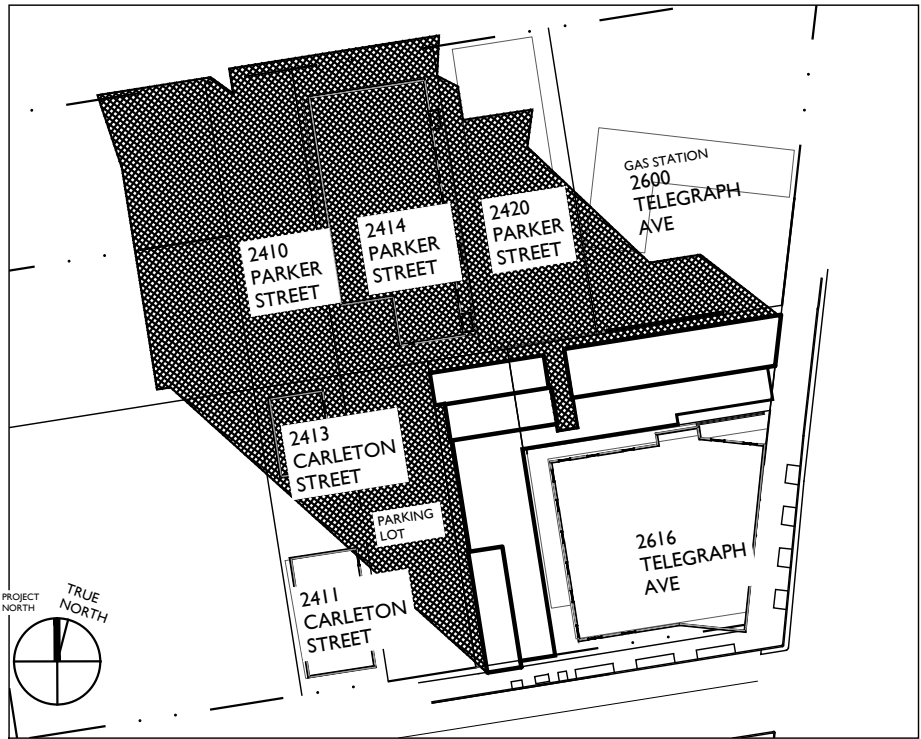
STREET STRIP

DESIGN REVIEW SUBMITTAL

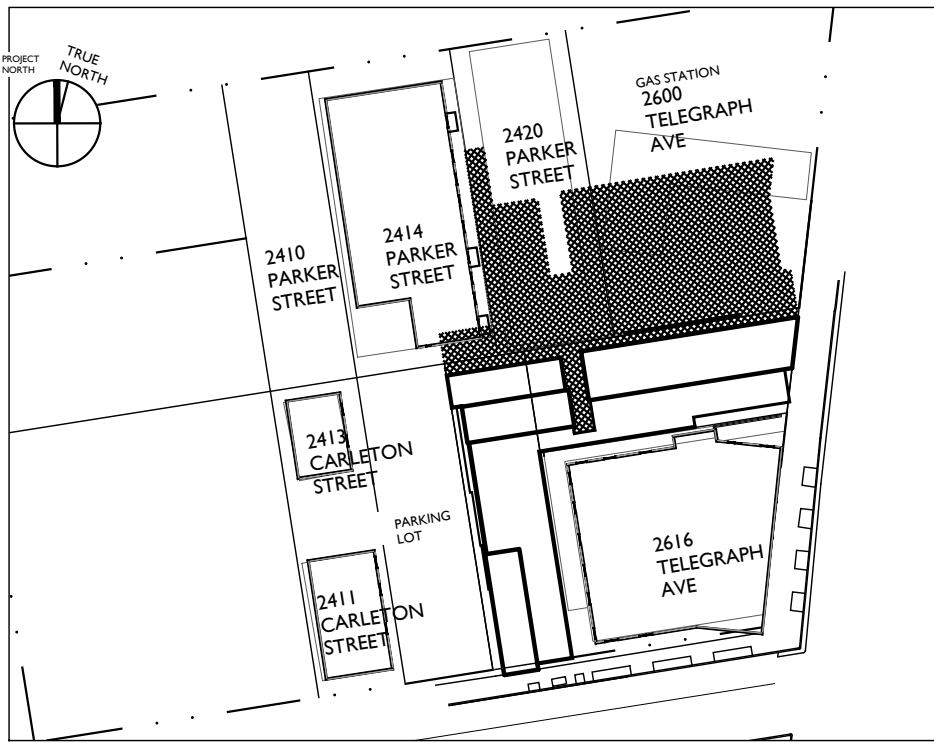
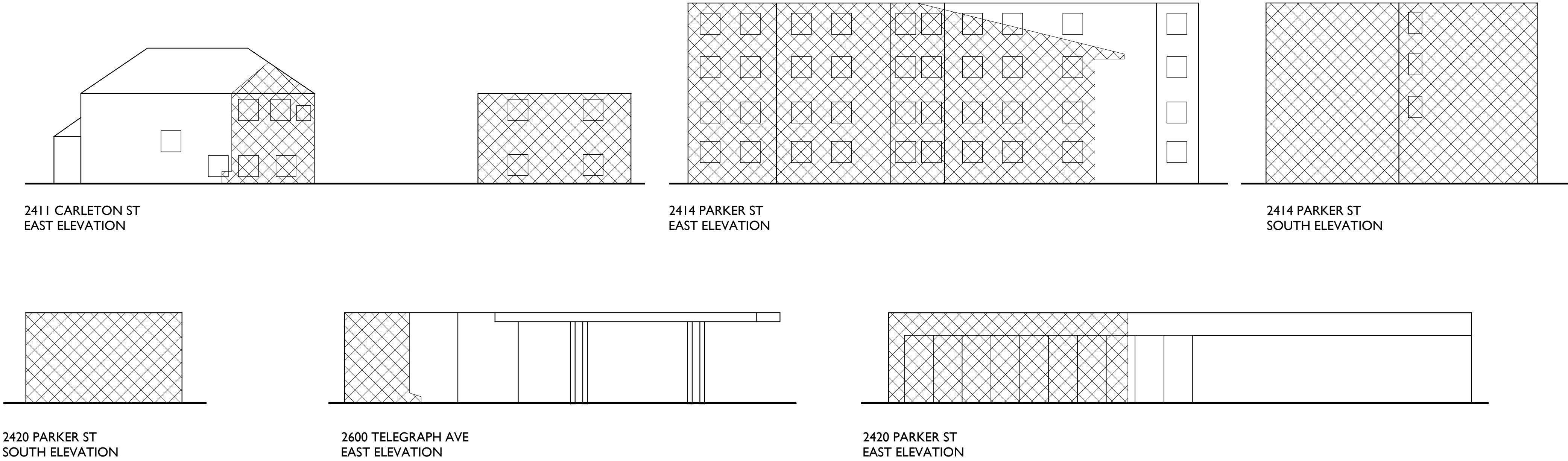
DATE 11/08/2024

REV A DATE 02/09/2026

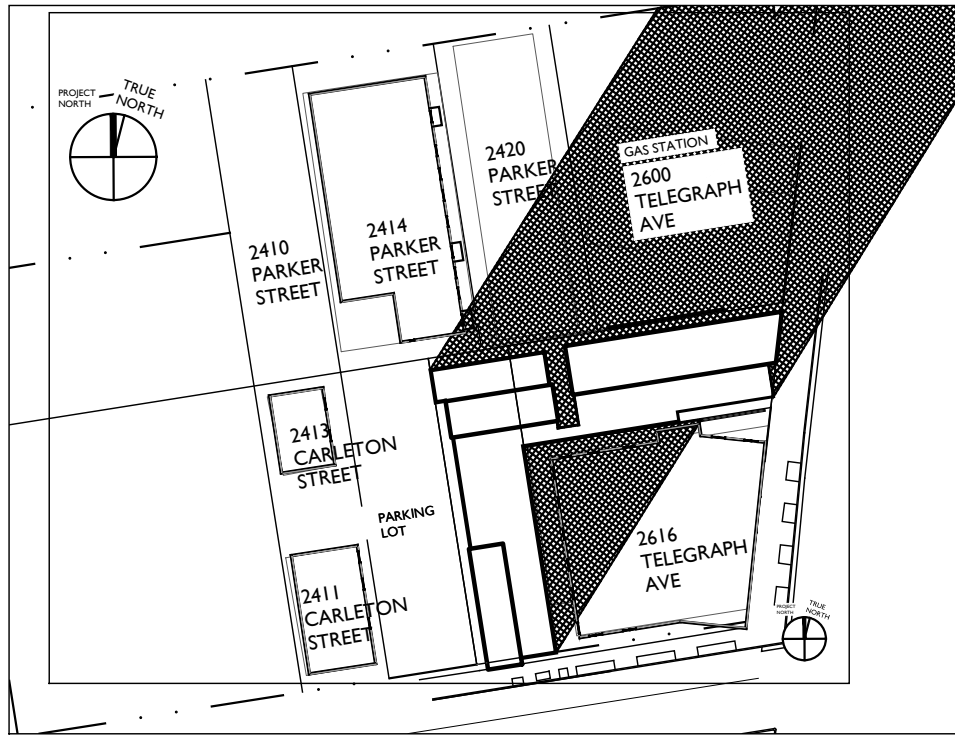
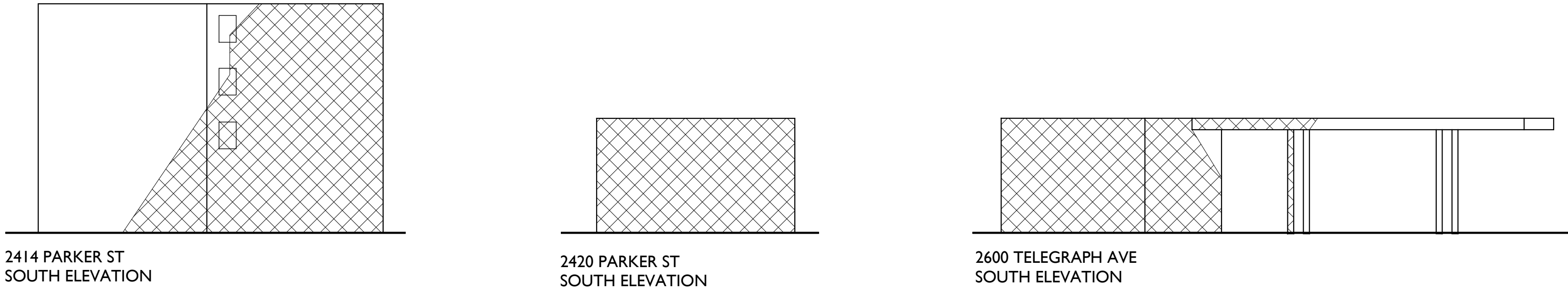
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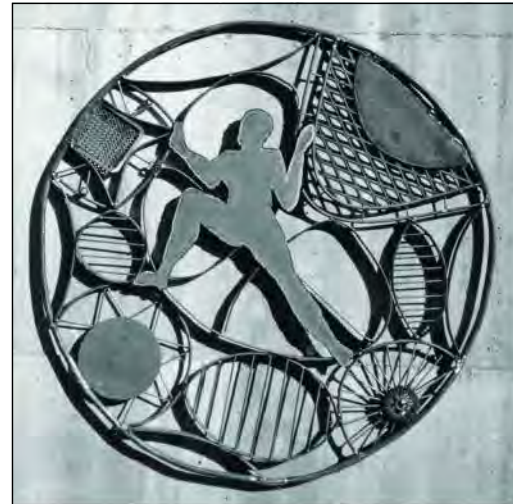
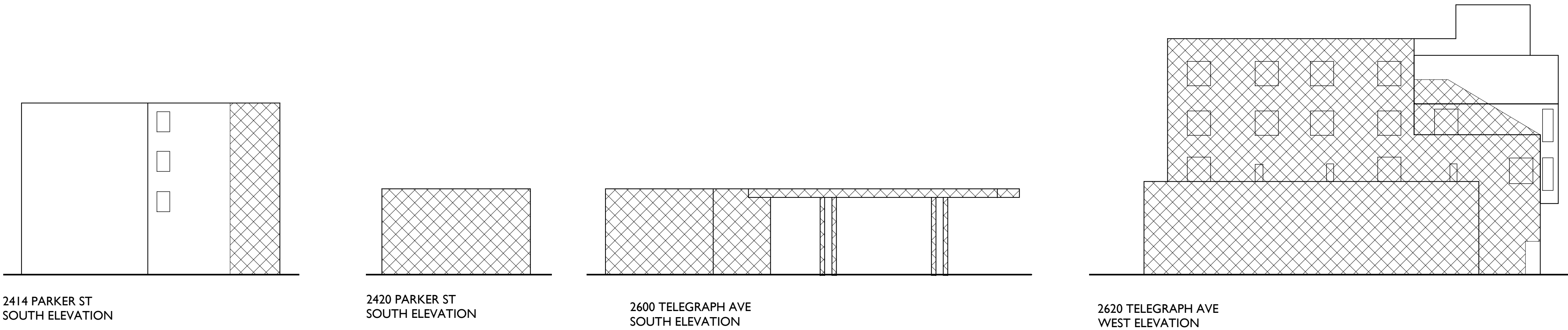
DECEMBER 21<sup>TH</sup> 2 HR AFTER  
SUNRISE (9:21 AM PST)



DECEMBER 21<sup>TH</sup> NOON (12:00  
PM PST)



DECEMBER 21<sup>TH</sup> 2 HR BEFORE  
SUNSET (2:54 PM PST)



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Berkeley, CA 94704

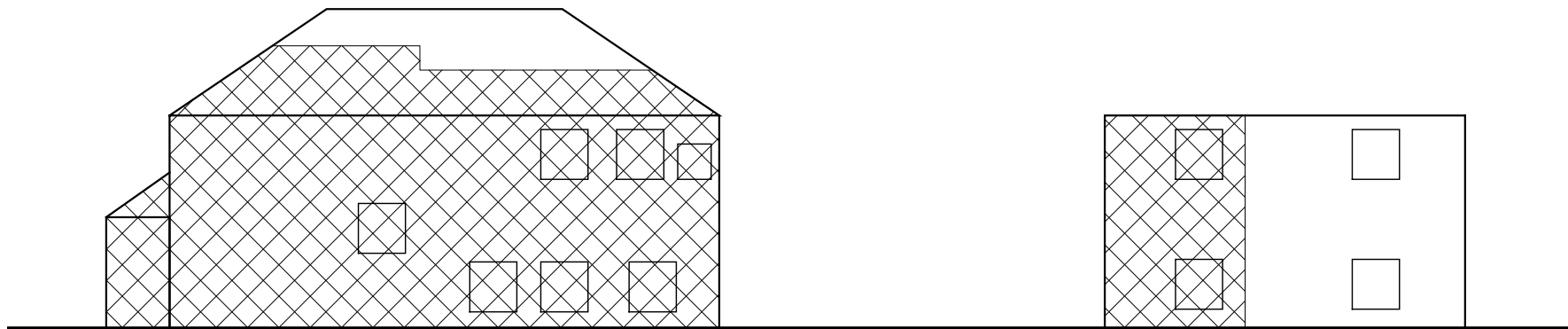
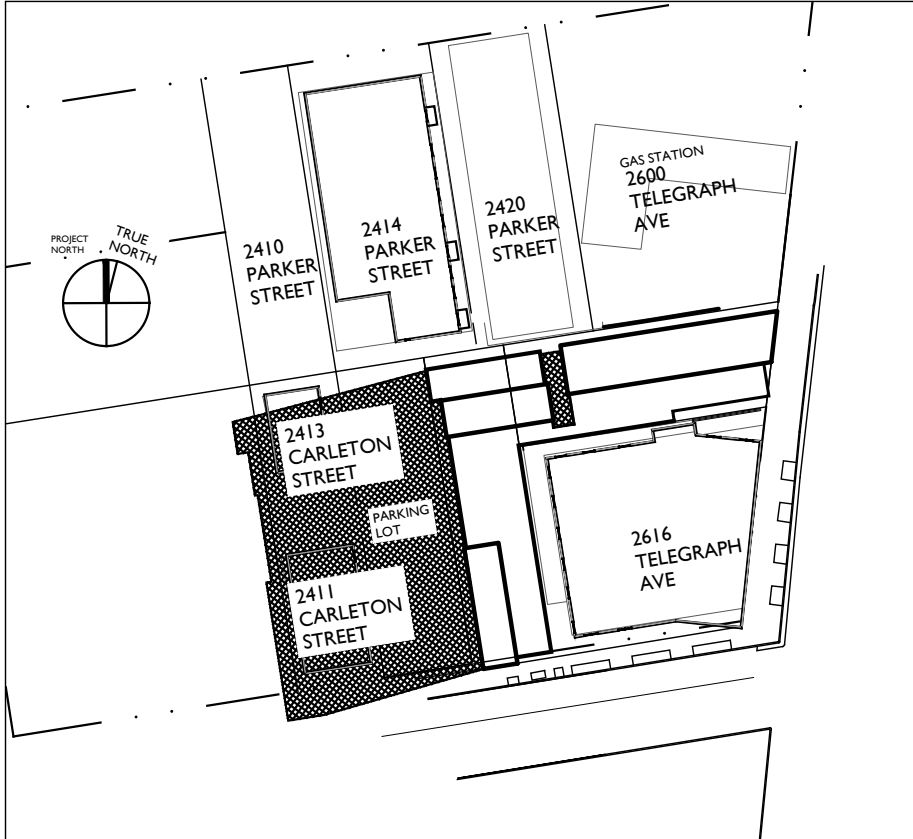
SHADOW  
STUDY

DESIGN REVIEW SUBMITTAL

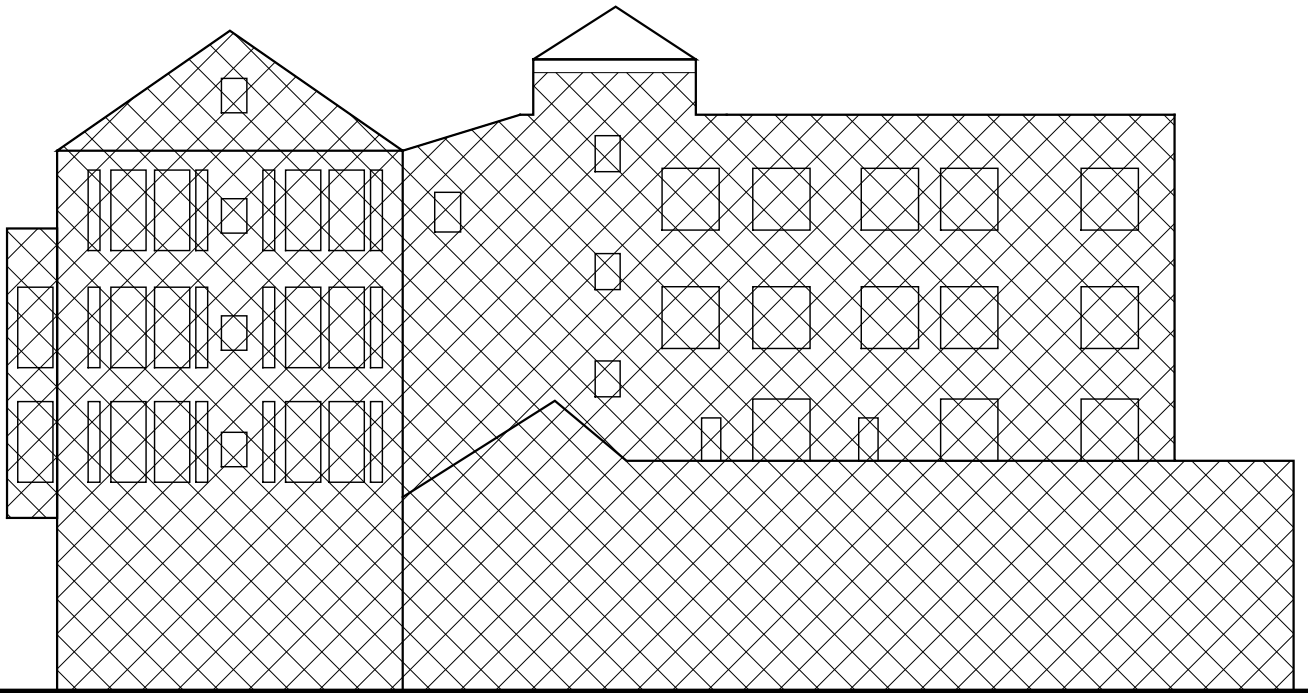
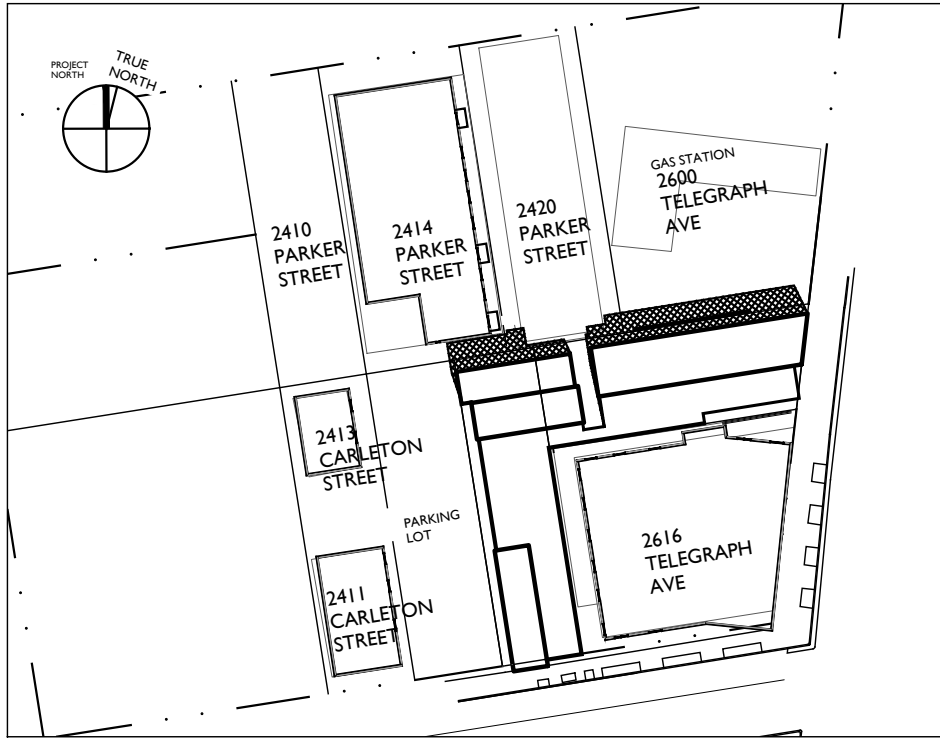
DATE 11/08/2024

REV A DATE 02/09/2026

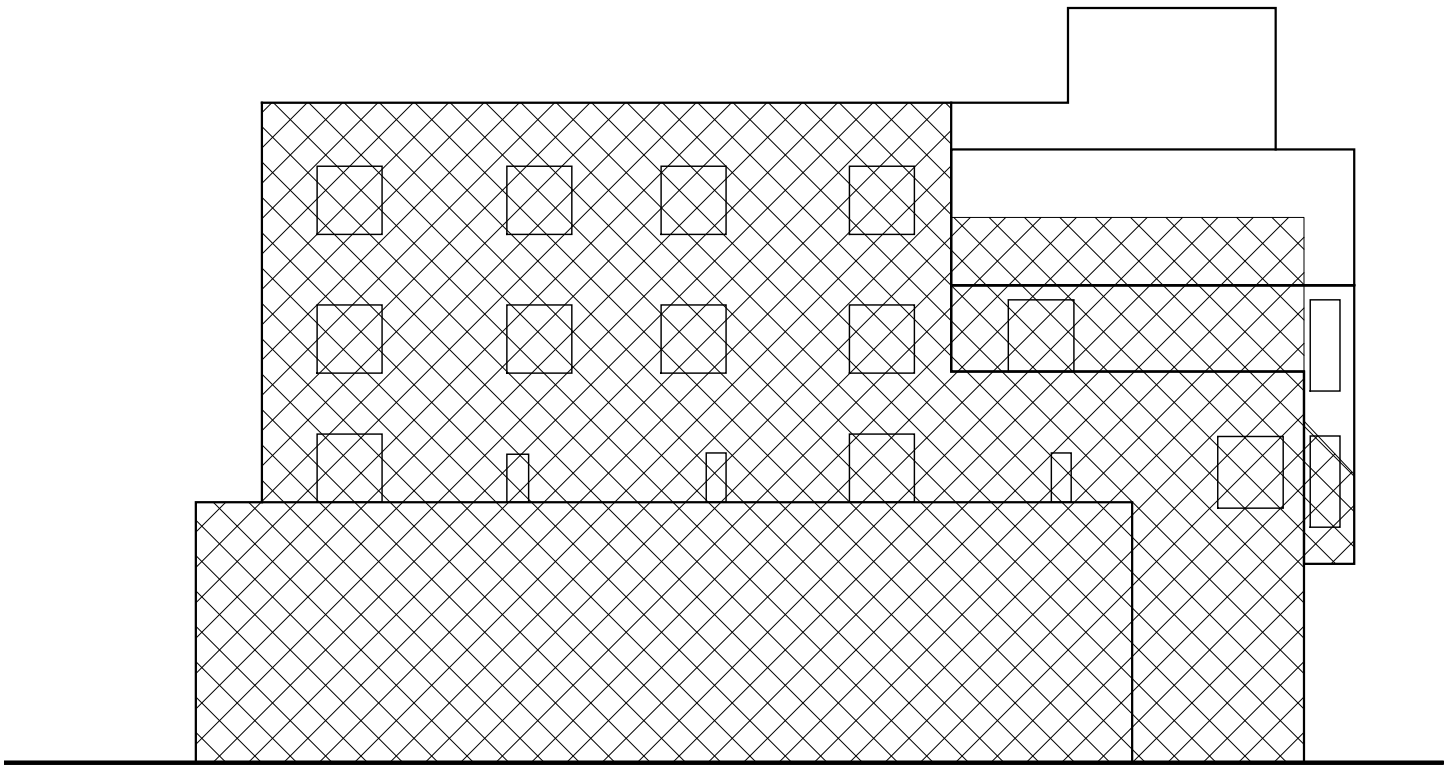
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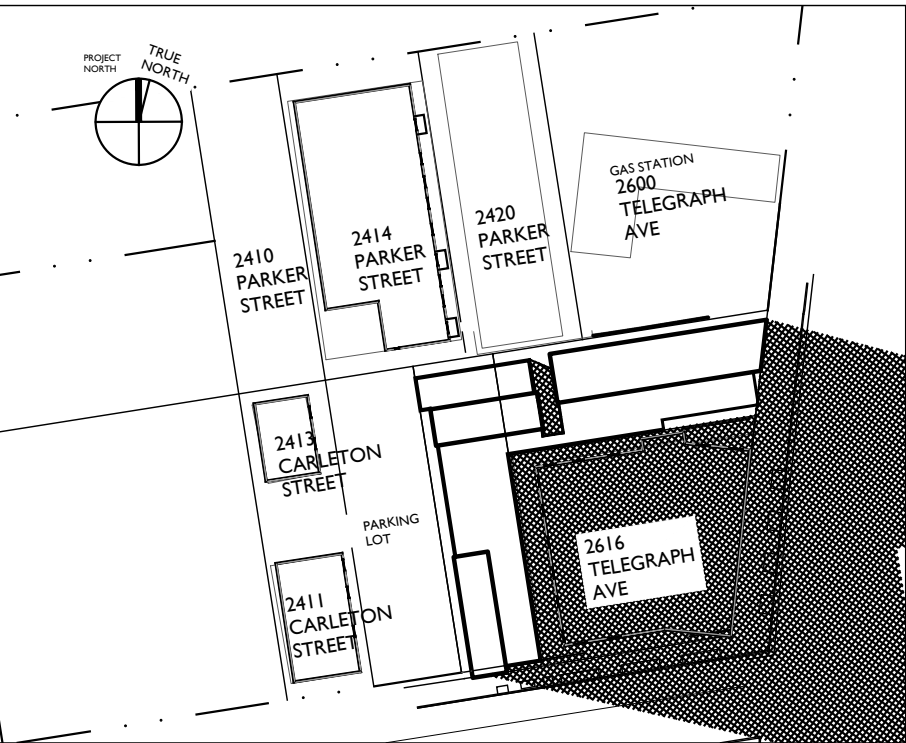
2411 CARLETON ST  
EAST ELEVATION



2620 TELEGRAPH AVE  
NORTH ELEVATION



2620 TELEGRAPH AVE  
WEST ELEVATION



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SHADOW  
STUDY

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DATE 11/08/2024

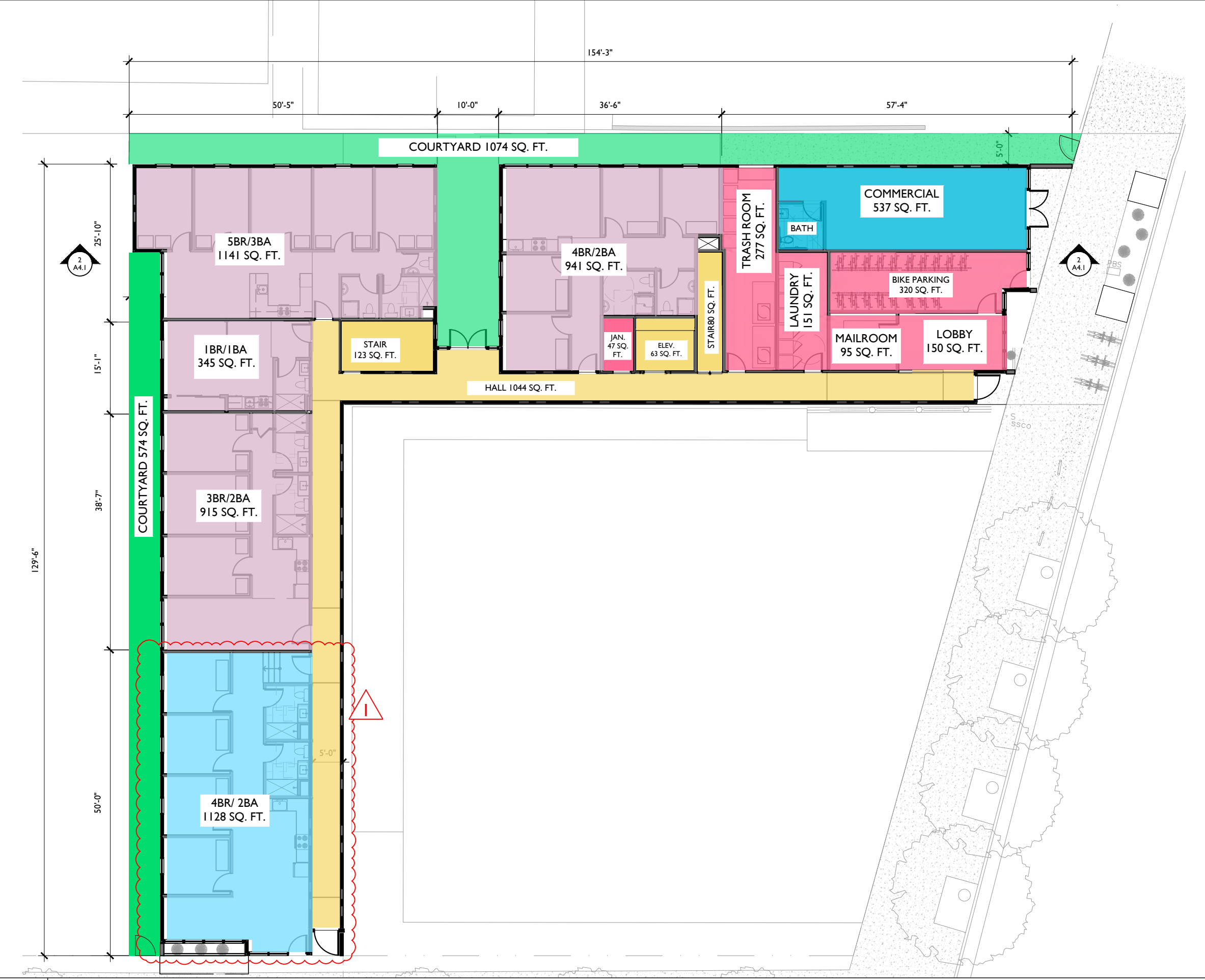
REV A DATE 06/09/2026

**A0.7b**

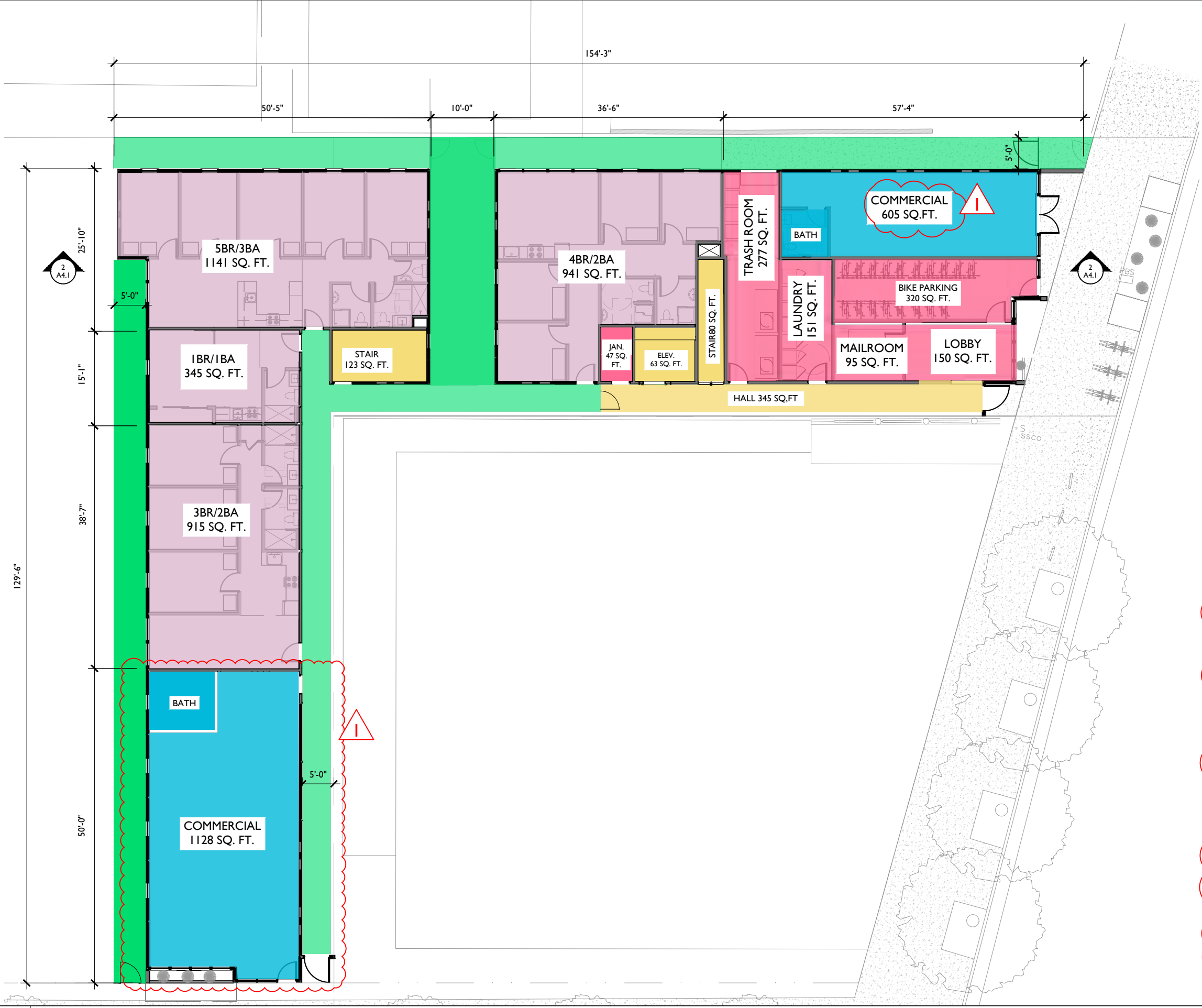
JUNE 20<sup>TH</sup> 2 HR AFTER SUNRISE (7:47 AM PDT)

JUNE 20<sup>TH</sup> NOON (12:00 PM PDT)

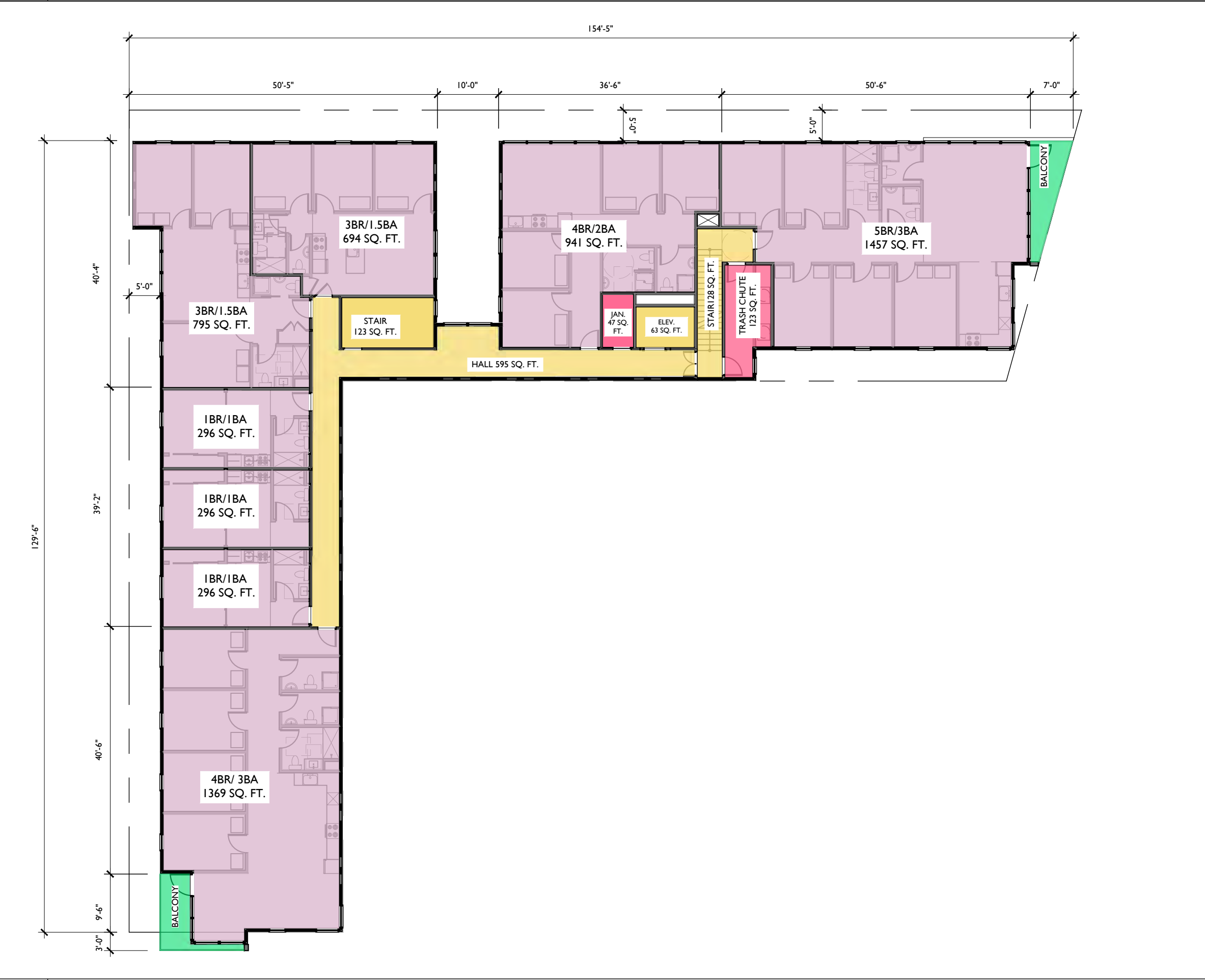
JUNE 20<sup>TH</sup> 2 HR BEFORE SUNSET (6:34 PM PDT)



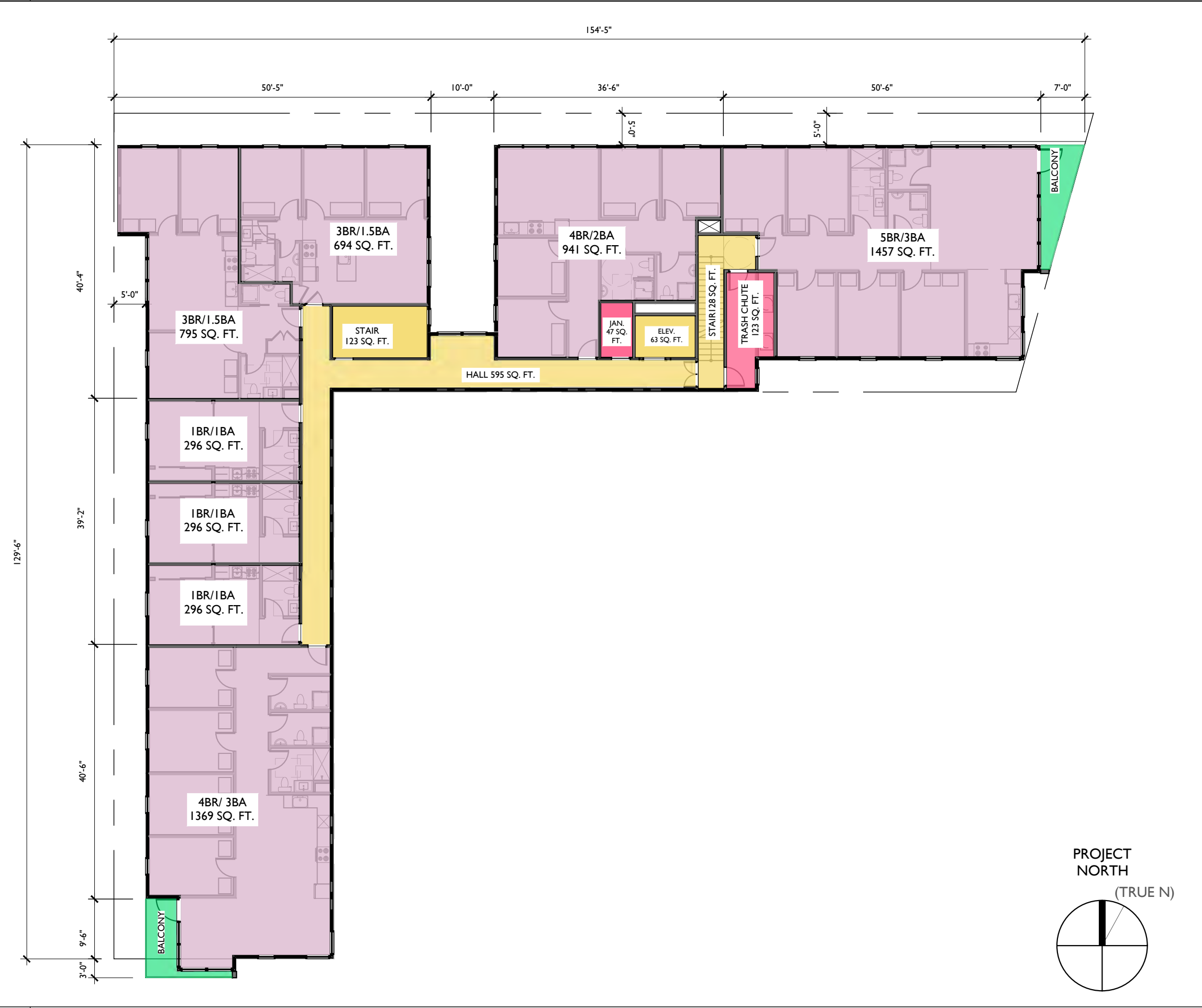
1 PROPOSED PROJECT - FIRST FLOOR PLAN SCALE 1/16" = 1'-0"



2 BASE PROJECT - FIRST FLOOR PLAN SCALE 1/16" = 1'-0"



3 PROPOSED PROJECT - SECOND FLOOR PLAN SCALE 1/16" = 1'-0"



4 BASE PROJECT - SECOND FLOOR PLAN SCALE 1/16" = 1'-0"

KEY

RESIDENTIAL UNIT FLOOR AREA (RUF)- BASE UNITS ONLY

DENSITY BONUS AREA

AMENITIES,PARKING, UTILITIES

COMMERCIAL

CIRCULATION

OPEN SPACES (NON-COMPLIANT)

INCENTIVES

1.

WAIVE PUBLIC ART IN-LIEU FEE

WAIVERS

1.

WAIVE FLOOR AREA RATIO LIMIT – ALLOW FAR OF 4.0 WHERE 3.0 IS THE MAXIMUM.

2.



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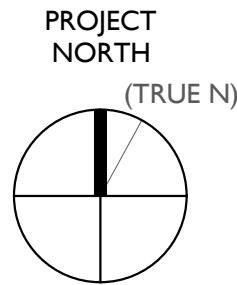
DENSITY  
BONUS  
DIAGRAMS

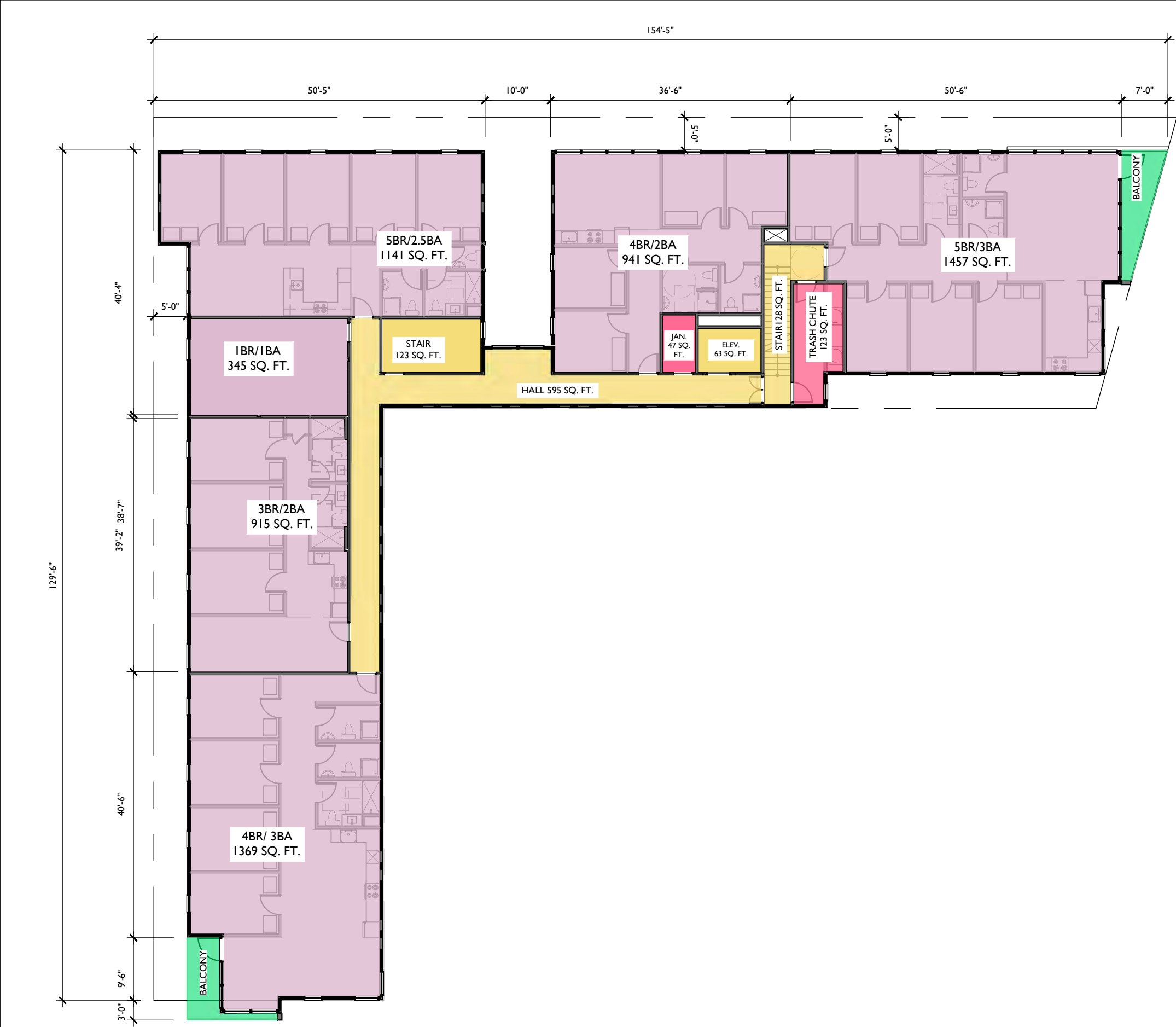
DESIGN REVIEW SUBMITTAL

DATE 11/08/2024

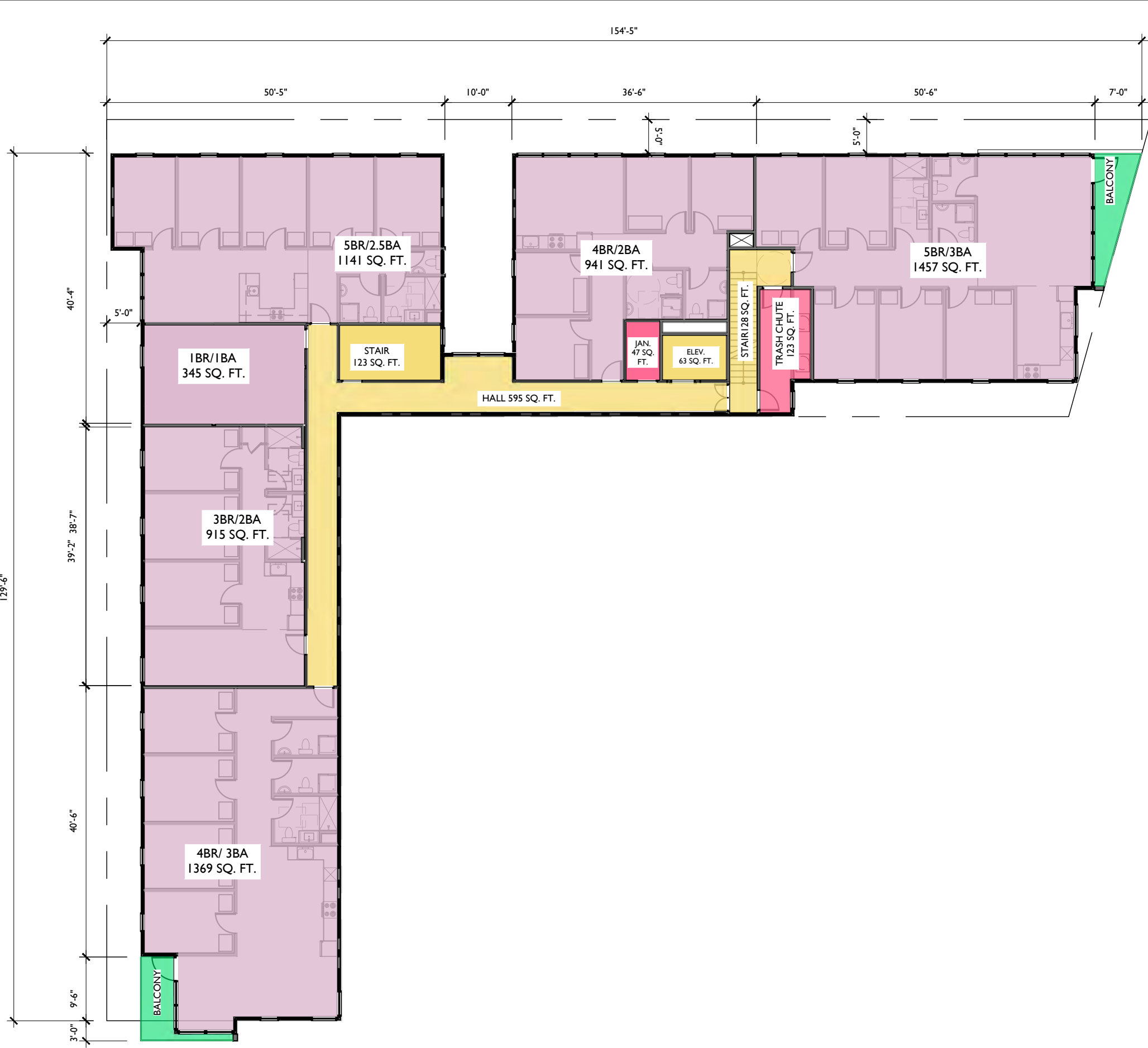
REV DATE 06/09/2026

A0.8a

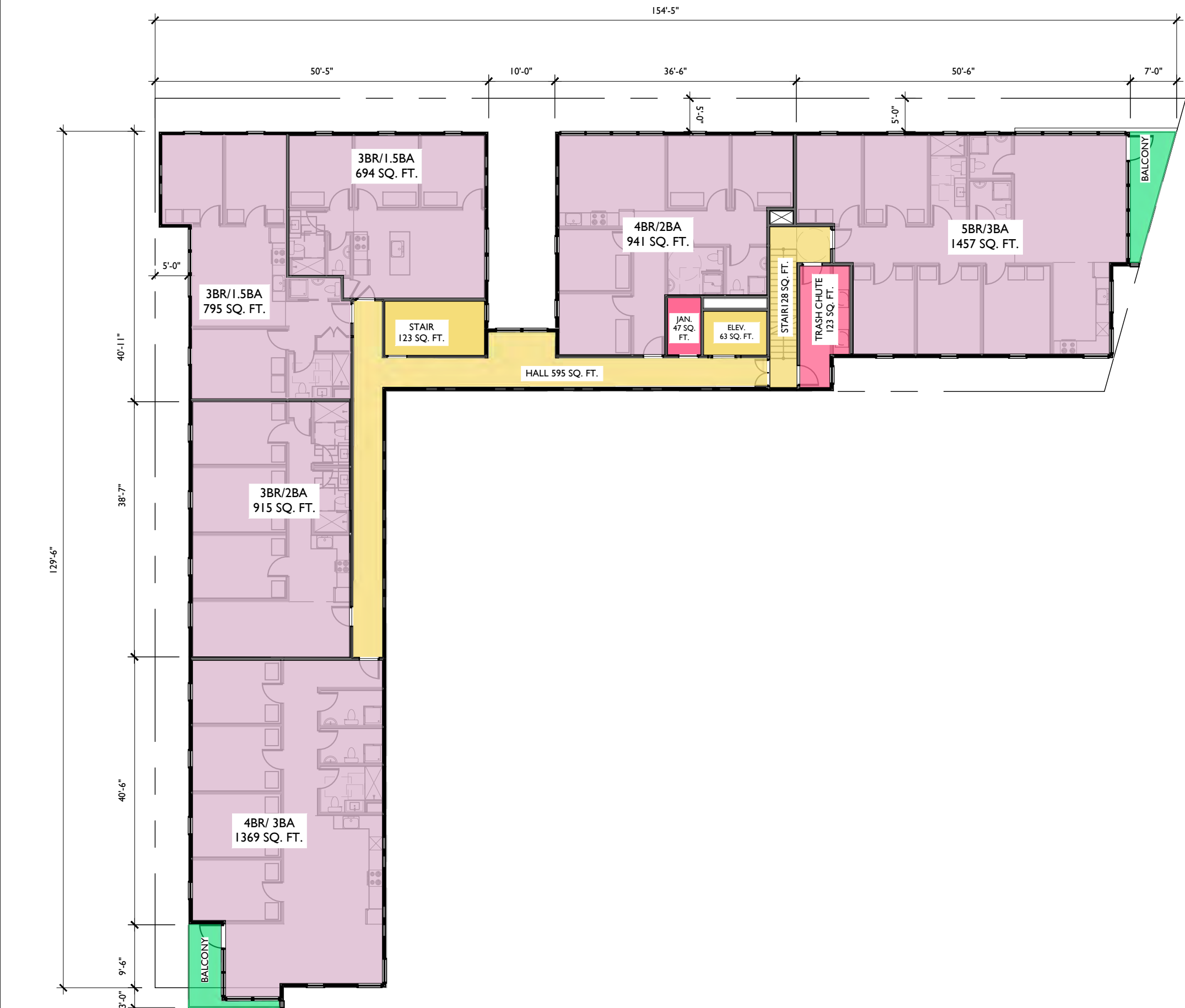




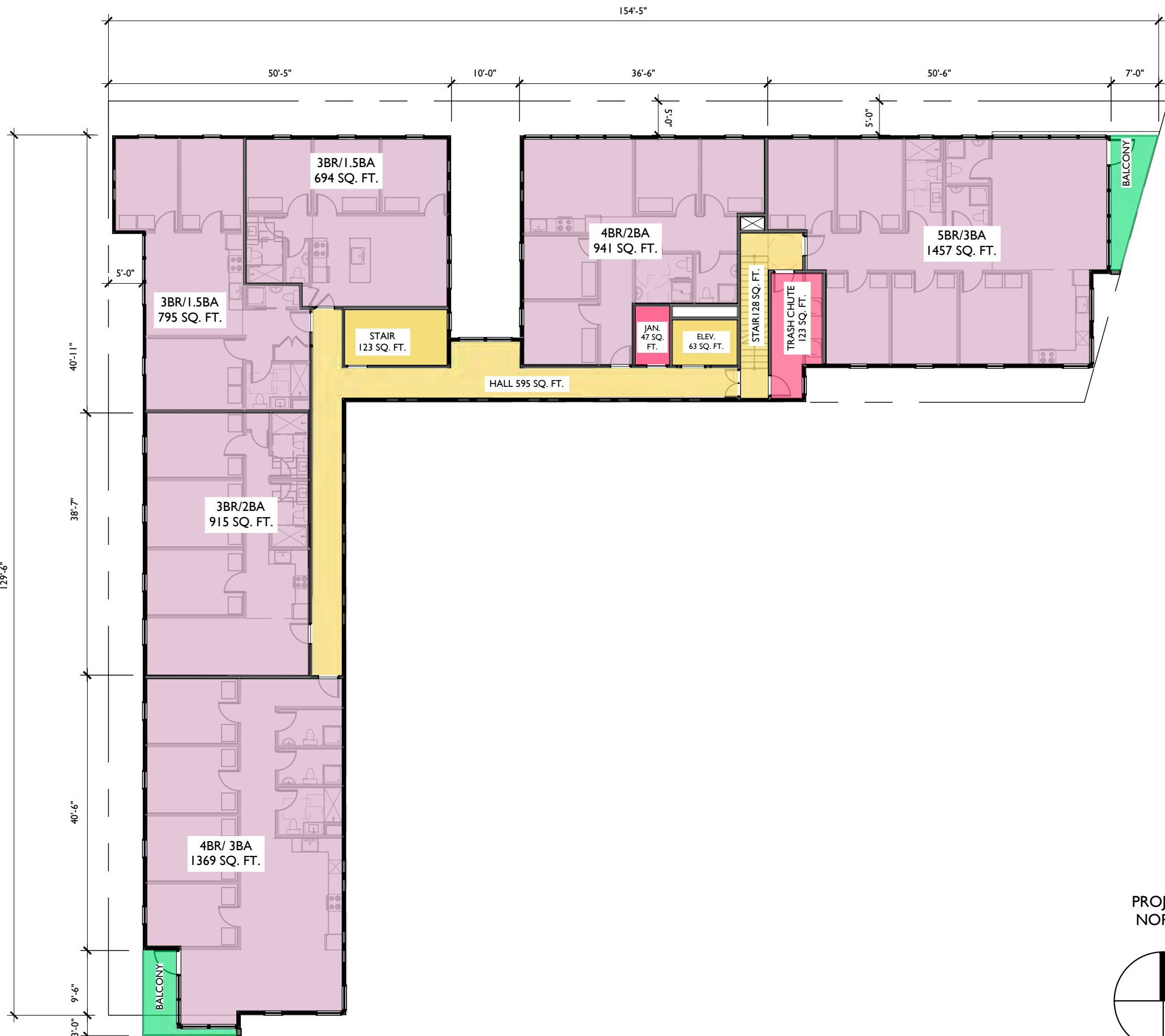
1 PROPOSED PROJECT - THIRD FLOOR PLAN SCALE 1/16" = 1'-0"



2 BASE PROJECT - THIRD FLOOR PLAN SCALE 1/16" = 1'-0"



3 PROPOSED PROJECT - FOURTH FLOOR PLAN SCALE 1/16" = 1'-0"



4 BASE PROJECT - FOURTH FLOOR PLAN SCALE 1/16" = 1'-0"

- KEY
- RESIDENTIAL UNIT FLOOR AREA (RUFA)- BASE UNITS ONLY
  - DENSITY BONUS AREA
  - AMENITIES,PARKING, UTILITIES
  - COMMERCIAL
  - CIRCULATION
  - OPEN SPACES (NON-COMPLIANT)

INCENTIVES

1. WAIVE PUBLIC ART IN-LIEU FEE

WAIVERS

1. WAIVE FLOOR AREA RATIO LIMIT – ALLOW FAR OF 4.0 WHERE 3.0 IS THE MAXIMUM.
2. WAIVE BUILDING HEIGHT LIMIT – ALLOW BUILDING HEIGHT OF 60'-6" / 5 STORIES WHERE 50'-0" / 4 STORIES IS THE MAXIMUM.



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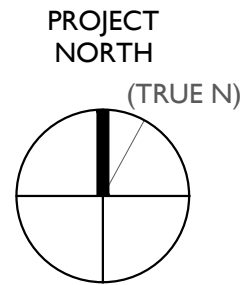
DENSITY  
BONUS  
DIAGRAMS

DESIGN REVIEW SUBMITTAL

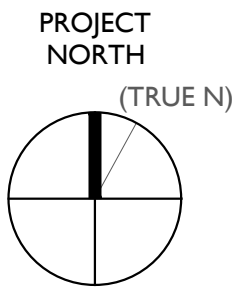
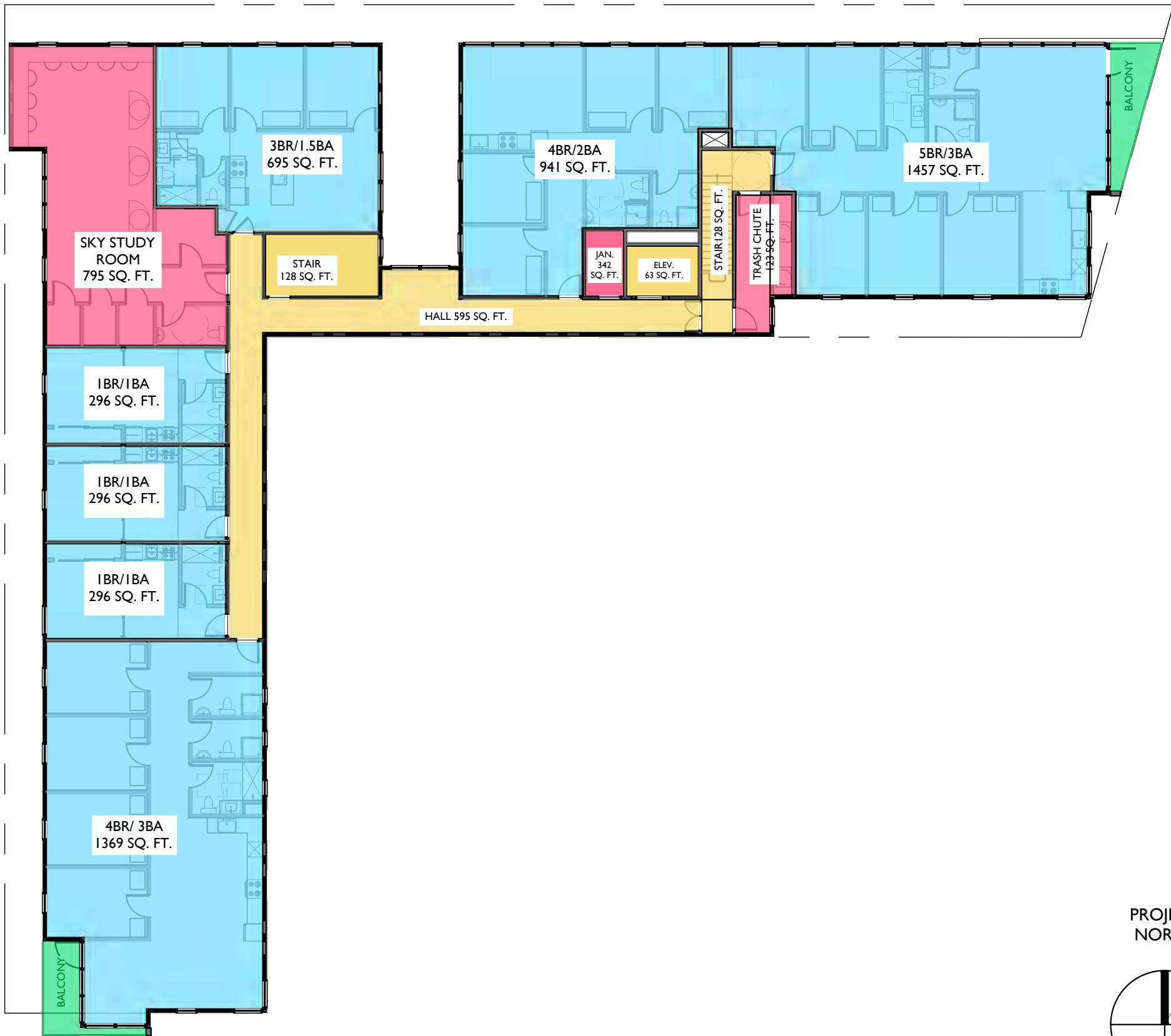
DATE 11/08/2024

REV DATE 06/09/2026

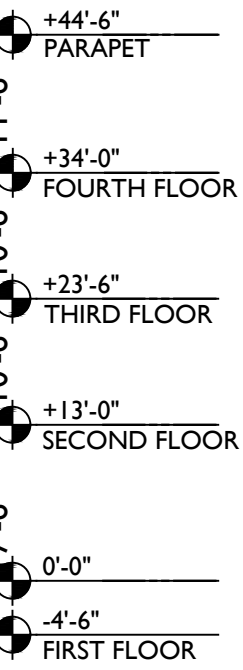
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| PLANNING & DEVELOPMENT SUMMARY TABLE                      |                                                      |      |                                                    |      |                                                    |       |
|-----------------------------------------------------------|------------------------------------------------------|------|----------------------------------------------------|------|----------------------------------------------------|-------|
| UNIT TABLE                                                |                                                      |      |                                                    |      |                                                    |       |
|                                                           | 1 BR                                                 | 2 BR | 3 BR                                               | 4 BR | 5 BR                                               | TOTAL |
| LEVEL 5                                                   | 3                                                    | -    | 1                                                  | 2    | 1                                                  | 7     |
| LEVEL 4                                                   | -                                                    | -    | 3                                                  | 2    | 1                                                  | 6     |
| LEVEL 3                                                   | 1                                                    | -    | 1                                                  | 2    | 2                                                  | 6     |
| LEVEL 2                                                   | 3                                                    | -    | 2                                                  | 2    | 1                                                  | 8     |
| LEVEL 1                                                   | 1                                                    | -    | 1                                                  | 2    | 1                                                  | 5     |
| TOTAL                                                     | 8                                                    | 0    | 8                                                  | 10   | 6                                                  | 32    |
| UNIT MIX                                                  | 25%                                                  | 0%   | 25%                                                | 31%  | 19%                                                | 100%  |
| CITY OF BERKELY ZONING TABULATION                         |                                                      |      |                                                    |      |                                                    |       |
|                                                           | ZONING REQUIREMENT                                   |      | BASE PROJECT                                       |      | PROPOSED W/<br>DENSITY BONUS                       |       |
| ZONING                                                    | C-C                                                  |      |                                                    |      |                                                    |       |
| NUMBER OF DWELLING UNITS                                  | NA                                                   |      | 25                                                 |      | 32                                                 |       |
| PARKING (CALCULATIONS TABLE ON THE RIGHT)                 | 2 FOR EVERY 1000 SF COMMERCIAL SPACE                 |      | 0                                                  |      | 0                                                  |       |
| LONG TERM BIKE PARKING (CALCULATIONS TABLE ON THE RIGHT)  | 1 SPACE PER 3 BEDROOMS                               |      | 34                                                 |      | 34                                                 |       |
| SHORT TERM BIKE PARKING (CALCULATIONS TABLE ON THE RIGHT) | 2, OR 1 SPACE PER 40 BEDROOMS, WHICH EVER IS GREATER |      | TOTAL OF 6 (1 FOR COMERCIAL AND 5 FOR RESIDENTIAL) |      | TOTAL OF 6 (1 FOR COMERCIAL AND 5 FOR RESIDENTIAL) |       |
| FRONT, SIDE AND REAR YARD SETBACK                         | 0' / 5' ABUTTING R                                   |      | 0' / 5' ABUTTING R                                 |      | FRONT 0', SIDE 0'/5' REAR 0'/5'                    |       |
| BUILDING HEIGHT                                           | 50' MAX                                              |      | 50'                                                |      | 60'-6"                                             |       |
| BUILDING STORIES                                          | 4 MAX                                                |      | 4                                                  |      | 5*                                                 |       |
| LOT AREA                                                  | 9,793 SF                                             |      |                                                    |      |                                                    |       |
| RESIDENTIAL FLOOR AREA                                    | NA                                                   |      | 27,083 SF                                          |      | 36,228 SF                                          |       |
| BUILDING FOOTPRINT                                        | NA                                                   |      | 7,813 SF                                           |      | 7,857 SF                                           |       |
| OPEN SPACE (CALCULATIONS TABLE ON THE RIGHT)              | 0                                                    |      | 0                                                  |      | 0                                                  |       |
| FAR                                                       | 3                                                    |      | 2.94                                               |      | 4*                                                 |       |
| *PROPOSED DENSITY BONUS INCENTIVE                         |                                                      |      |                                                    |      |                                                    |       |
| **PROPOSED DENSITY BONUS CONCESSION                       |                                                      |      |                                                    |      |                                                    |       |



SCALE  
1/16" = 1'-0"



2 BASE PROJECT DIAGRAM ELEVATION AT CARLETON

SCALE  
1/16" = 1'-0"

| DENSITY BONUS CALCULATIONS |                                    |                                       |                                 |             |         |                                     |                     |                     |
|----------------------------|------------------------------------|---------------------------------------|---------------------------------|-------------|---------|-------------------------------------|---------------------|---------------------|
| BASE PROJECT               | BASE                               | BASE # UNITS                          | % VLI UNITS                     | # VLI UNITS | BONUS % | MAXIMUM DB PROJECT                  | PROPOSED # DB UNITS | PROPOSED DB PROJECT |
| SQFT - SEE CALC. BELOW     | BASE PROJECT AREA / AVG. UNIT SIZE | BASE UNITS / MAX. RESIDENTIAL DENSITY | VLI = VERY LOW INCOME < 50% AMI |             |         | % BONUS X BASE # UNITS (ROUNDED UP) |                     |                     |
| 27,083 SF                  | 1,132 SF                           | 24                                    | 13                              | 3           | 42.5    | 11                                  | 8                   | 32                  |

| RESIDENTIAL FLOOR AREA                                        |              |               |                  |
|---------------------------------------------------------------|--------------|---------------|------------------|
|                                                               | BASE PROJECT | DENSITY BONUS | PROPOSED PROJECT |
| LEVEL 5 (INCLUDING HALLWAYS AND AMENITIES)                    | -            | 7,318 SF      | 7,318 SF         |
| LEVEL 4 (INCLUDING HALLWAYS AND AMENITIES)                    | 7,318 SF     | -             | 7,318 SF         |
| LEVEL 3 (INCLUDING HALLWAYS AND AMENITIES)                    | 7,318 SF     | -             | 7,318 SF         |
| LEVEL 2 (INCLUDING HALLWAYS AND AMENITIES)                    | 7,318 SF     | -             | 7,318 SF         |
| LEVEL 1 (INCLUDING HALLWAYS, AMENITIES, STAIRS AND ELEVATORS) | 5,129 SF     | 1,827 SF      | 6,956 SF         |
| TOTAL                                                         | 27,083 SF    | 9,145 SF      | 36,228 SF        |

| UNITS   |              |               |                   |
|---------|--------------|---------------|-------------------|
|         | BASE PROJECT | DENSITY BONUS | PROPOSED PROJECTS |
| LEVEL 5 | -            | +7            | 7                 |
| LEVEL 4 | 6            | -             | 6                 |
| LEVEL 3 | 6            | -             | 6                 |
| LEVEL 2 | 8            | -             | 8                 |
| LEVEL 1 | 4            | +1            | 5                 |
| TOTAL   | 24           | +8            | 32                |

| OPEN SPACE                   |              |                   |
|------------------------------|--------------|-------------------|
|                              | BASE PROJECT | PROPOSED PROJECTS |
| DWELLING UNITS #             | 24           | 32                |
| REQUIRED OPEN SPACE PER UNIT | 0 SF         | 0 SF              |
| TOTAL OPEN SPACE REQUIRED    | 0 SF         | 0 SF              |
| TOTAL PROVIDED               | 0 SF         | 0 SF              |

| PARKING                     |              |                   |
|-----------------------------|--------------|-------------------|
|                             | BASE PROJECT | PROPOSED PROJECTS |
| RESIDENTIAL SPACES REQUIRED | 0            | 0                 |
| COMMERCIAL SPACES REQUIRED  | 0            | 0                 |
| TOTAL REQUIRED              | 0            | 0                 |
| TOTAL PROVIDED              | 0            | 0                 |

| BIKE PARKING                             |                      |                       |
|------------------------------------------|----------------------|-----------------------|
|                                          | BASE PROJECT         | PROPOSED PROJECTS     |
| RESIDENTIAL SPACES REQUIRED - LONG TERM  | 79 BEDROOMS / 3 = 27 | 102 BEDROOMS / 3 = 34 |
| RESIDENTIAL SPACES PROVIDED - LONG TERM  | 34                   | 34                    |
| RESIDENTIAL SPACES REQUIRED - SHORT TERM | 79 BEDROOMS / 40 = 2 | 102 BEDROOMS / 40 = 3 |
| RESIDENTIAL SPACES PROVIDED - SHORT TERM | 5                    | 5                     |
| COMMERCIAL SPACES PROVIDED - SHORT TERM  | 1                    | 1                     |

- KEY**
- RESIDENTIAL UNIT FLOOR AREA (RUFA)- BASE UNITS ONLY
  - DENSITY BONUS AREA
  - AMENITIES,PARKING, UTILITIES
  - COMMERCIAL
  - CIRCULATION
  - OPEN SPACES (NON-COMPLIANT)

### INCENTIVES

1. WAIVE PUBLIC ART IN-LIEU FEE

### WAIVERS

1. WAIVE FLOOR AREA RATIO LIMIT – ALLOW FAR OF 4.0 WHERE 3.0 IS THE MAXIMUM.
2. WAIVE BUILDING HEIGHT LIMIT – ALLOW BUILDING HEIGHT OF 60'-6" / 5 STORIES WHERE 50'-0" / 4 STORIES IS THE MAXIMUM.



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### DENSITY BONUS DIAGRAMS

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DATE 11/08/2024

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**A0.8c**

1 PROPOSED PROJECT - FIFTH FLOOR PLAN



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AFFORDABLE  
HOUSING  
COMPLIANCE  
PLAN

DESIGN REVIEW SUBMITTAL

DATE 11/08/2024

REV DATE 06/09/2026

A0.9a

LEGEND

- RESIDENTIAL UNIT FLOOR AREA (RUFA) - BASE UNITS ONLY
- DENSITY BONUS UNITS
- AMENITIES
- COMMERCIAL
- CIRCULATION/ UTILITIES

IN-LIEU FEE CALCULATION (FOR REFERENCE ONLY)  
• 100% IN-LIEU PAYMENT: 21,825 S.F. X \$ 62.83 = \$ 1,371,264.75  
NOTE: 20% OF THE UNITS WILL BE DESIGNATED AS INCLUSIONARY (AFFORDABLE) UNITS, WITH NO IN-LIEU FEE TO BE ASSESSED.

TOTAL RUFA

| FLOOR | NUMBER OF UNITS | RESIDENTIAL UNIT FLOOR AREA<br>(MEASURED TO THE INTERIOR WALLS OF EACH UNIT PER BMC DEFINITION 23.328.020.J) | TOTAL RESIDENTIAL |
|-------|-----------------|--------------------------------------------------------------------------------------------------------------|-------------------|
| 1ST   | 4               | 915+345+1141+941                                                                                             | 3,342 SQ.FT.      |
| 2ND   | 8               | 1369+296+296+296+795+694+941+1457                                                                            | 6,144 SQ.FT.      |
| 3RD   | 6               | 1369+915+345+1141+941+1457                                                                                   | 6,168 SQ.FT.      |
| 4TH   | 6               | 1369+915+795+694+941+1457                                                                                    | 6,171 SQ.FT.      |
| TOTAL | 24              |                                                                                                              | 21,825 SQ.FT.     |

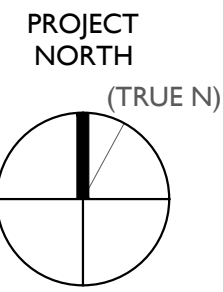
NOTE: 20% IN-LIEU (ONLY UNITS) PROVIDED : 20% \* \$ 1,371,264.75 = \$ 274,252.95  
• REQUIRED NUMBER OF BMR UNITS: 5 (MULTIPLIER = 1)  
TOTAL IN-LIEU FEE: \$ 274,252.95

DENSITY BONUS UNITS

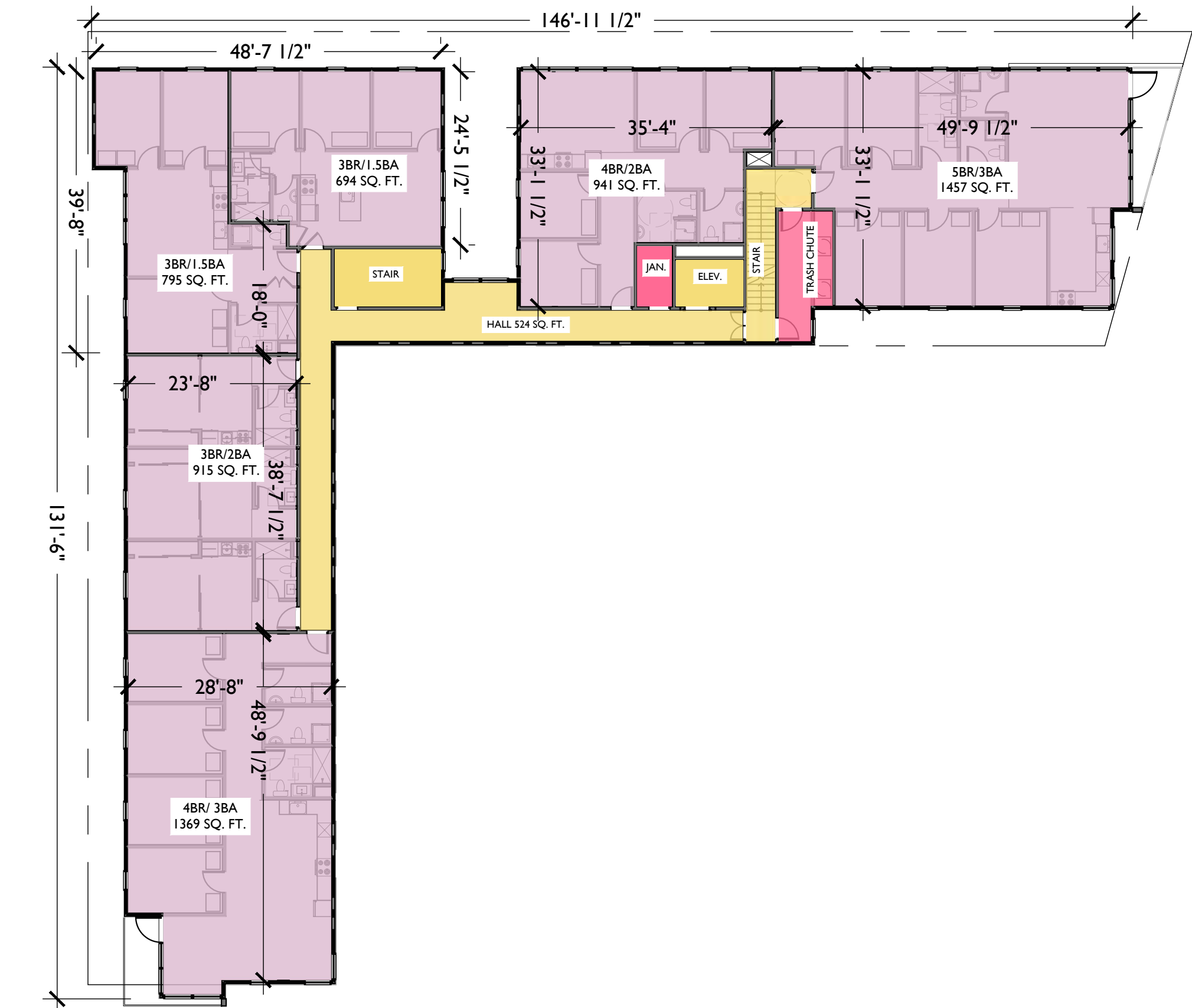
| FLOOR | NUMBER OF UNITS | RESIDENTIAL FLOOR AREA<br>(MEASURED TO THE INTERIOR WALLS OF EACH UNIT) | TOTAL RESIDENTIAL |
|-------|-----------------|-------------------------------------------------------------------------|-------------------|
| 1ST   | 1               | 1128                                                                    | 1,128 SQ.FT.      |
| 5TH   | 7               | 1369+296+296+296+695+941+1457                                           | 5,350 SQ.FT.      |
| TOTAL | 8               |                                                                         | 6,478 SQ.FT.      |

ON SITE UNITS (INCLUDING BMR)

| FLOOR | 1 BR     | 2 BR | 3 BR      | 4 BR | 5 BR |
|-------|----------|------|-----------|------|------|
| 1ST   | 1 BMR    | -    | 1         | 2    | 1    |
| 2ND   | 2 + 1BMR | -    | 1 + 1 BMR | 2    | 1    |
| 3RD   | 1 BMR    | -    | 1         | 2    | 2    |
| 4TH   | -        | -    | 2 + 1BMR  | 2    | 1    |
| 5TH   | 3        | -    | 1         | 2    | 1    |
| TOTAL | 8        | -    | 8         | 10   | 6    |

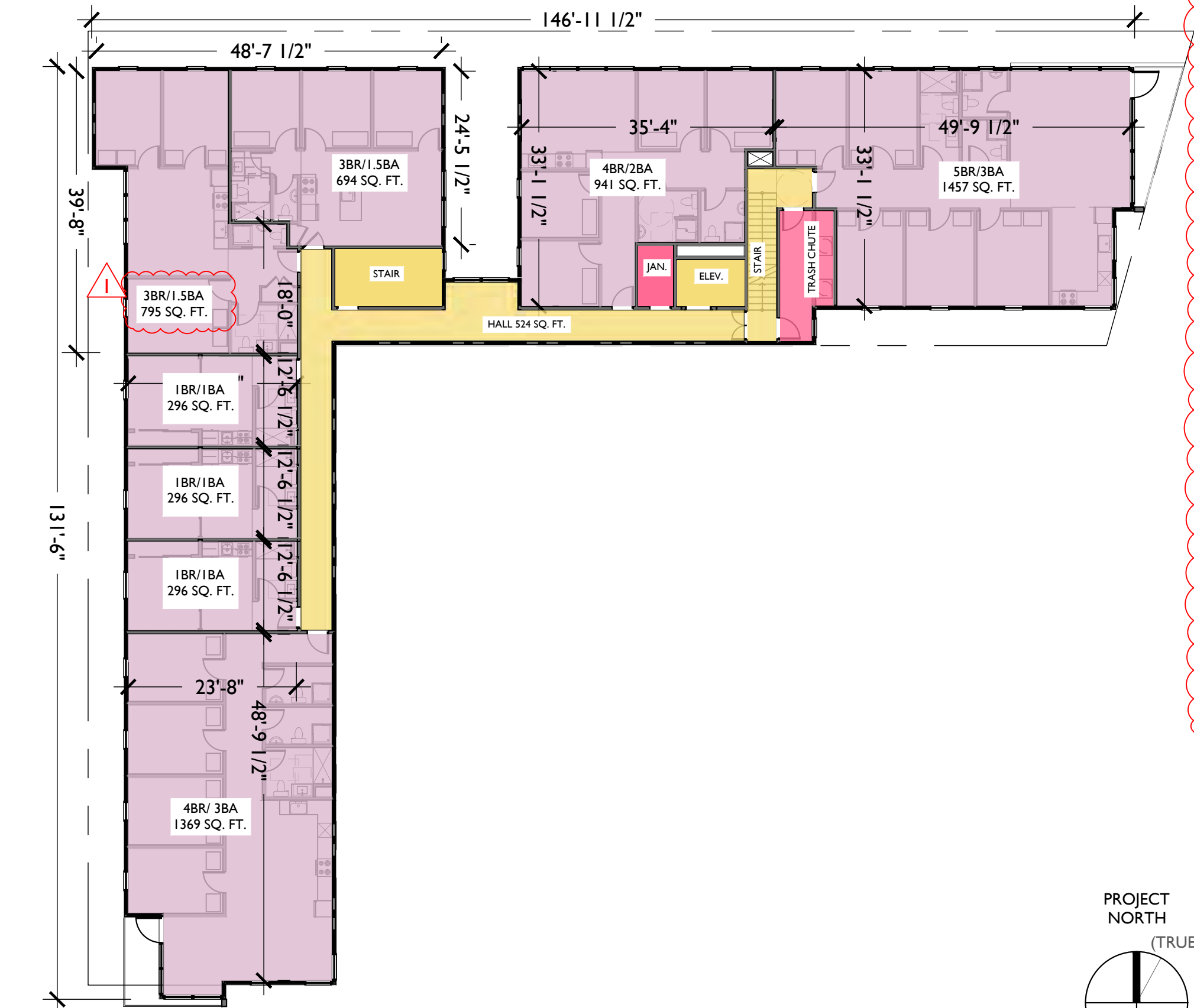


SCALE  
1/16" = 1'-0"



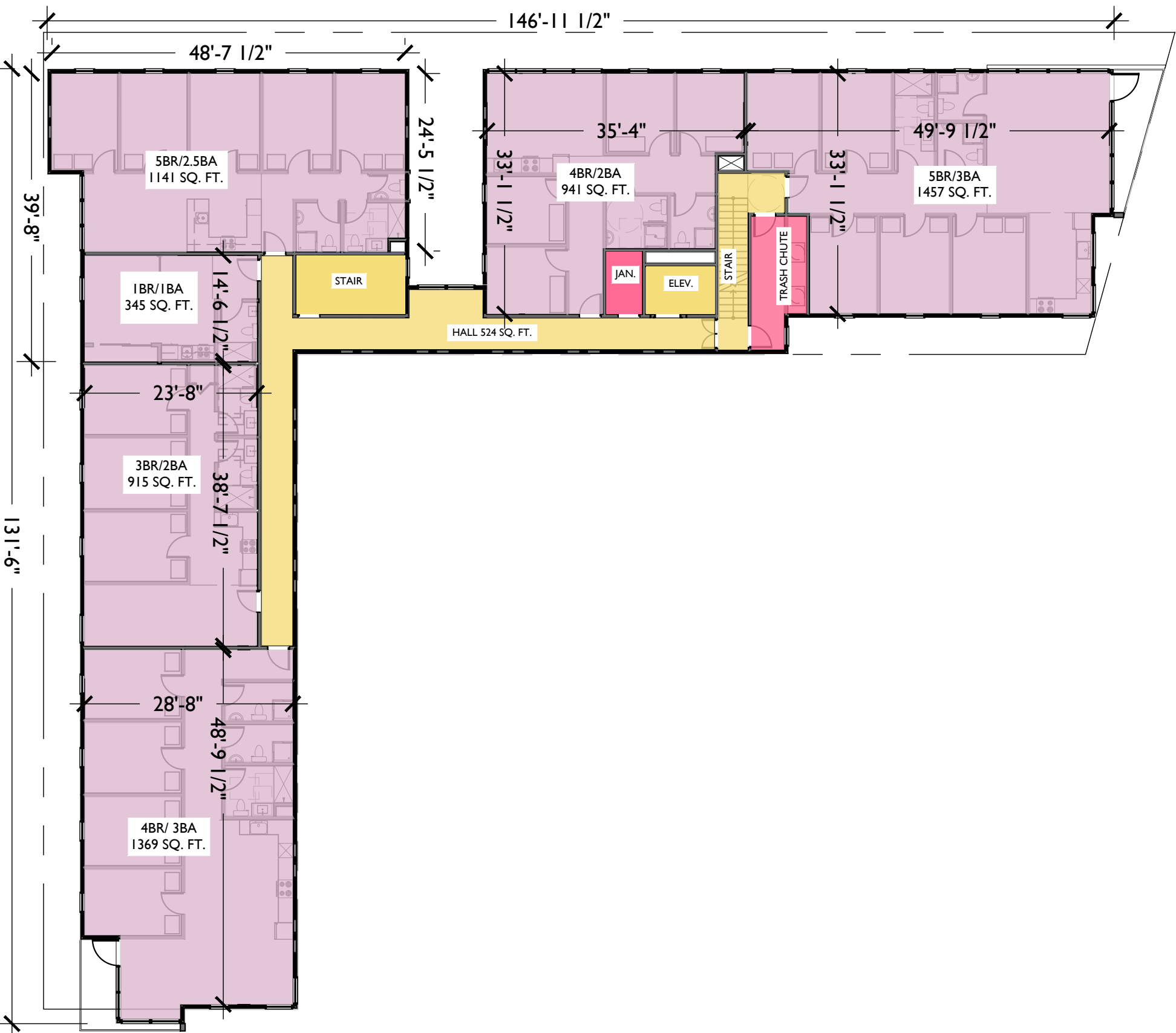
4 PROPOSED FOURTH FLOOR PLAN

SCALE  
1/16" = 1'-0"



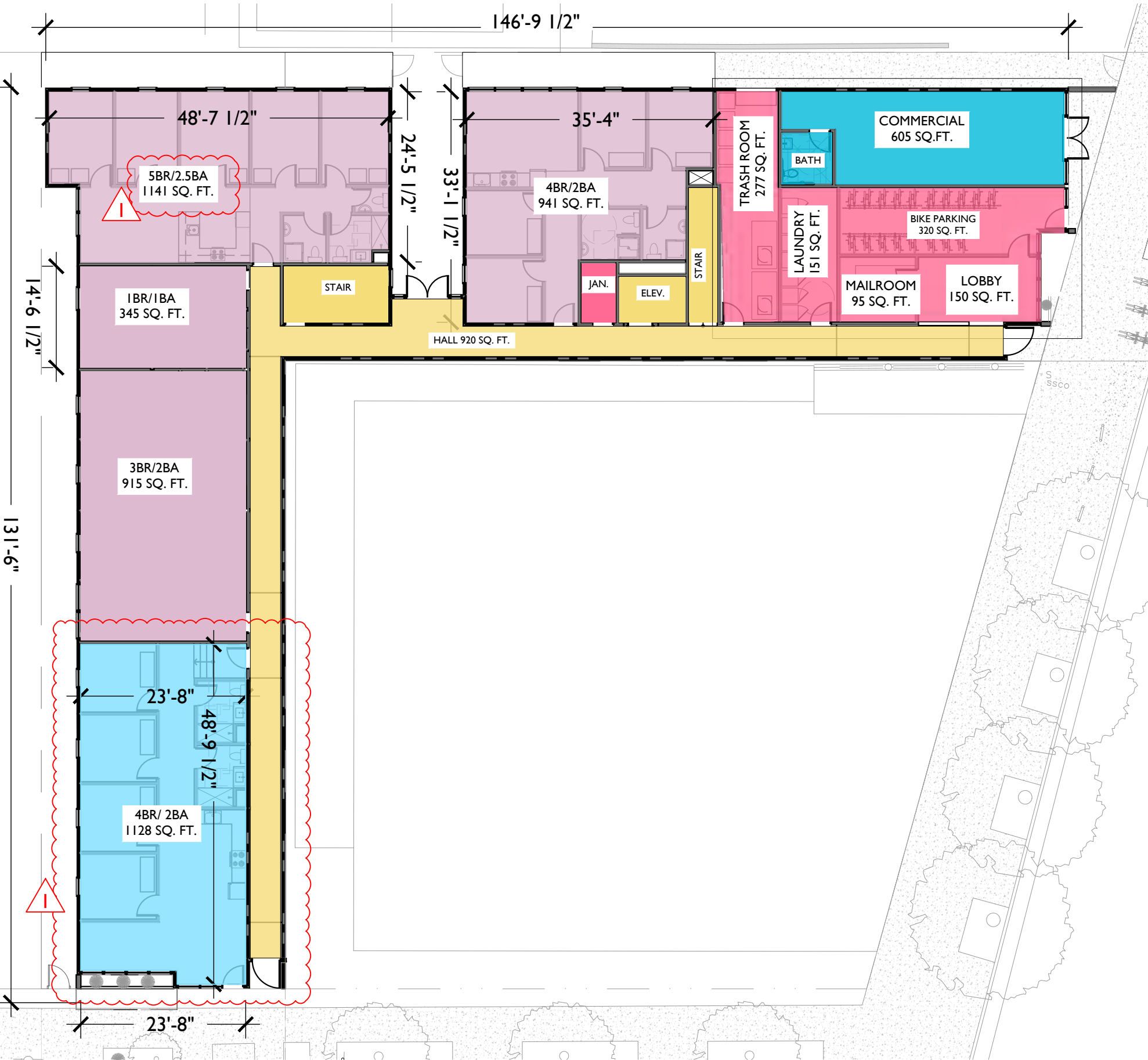
2 PROPOSED SECOND FLOOR PLANS

SCALE  
1/16" = 1'-0"



3 PROPOSED THIRD FLOOR PLAN

SCALE  
1/16" = 1'-0"



1 PROPOSED FIRST FLOOR PLAN

SCALE  
1/16" = 1'-0"



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AFFORDABLE  
HOUSING  
COMPLIANCE  
PLAN

DESIGN REVIEW SUBMITTAL

DATE 11/08/2024

REV  DATE 06/09/2026

A0.9b

LEGEND

- RESIDENTIAL UNIT FLOOR AREA (RUFA) - BASE UNITS ONLY
- DENSITY BONUS UNITS
- AMENITIES
- COMMERCIAL
- CIRCULATION/ UTILITIES

**IN-LIEU FEE CALCULATION (FOR REFERENCE ONLY)**  
• 100% IN-LIEU PAYMENT: 21,825 S.F. X \$ 62.83 = \$ 1,371,264.75  
NOTE: 20% OF THE UNITS WILL BE DESIGNATED AS INCLUSIONARY (AFFORDABLE) UNITS, WITH NO IN-LIEU FEE TO BE ASSESSED.

TOTAL RUFA

| FLOOR | NUMBER OF UNITS | RESIDENTIAL UNIT FLOOR AREA<br>(MEASURED TO THE INTERIOR WALLS OF EACH UNIT PER BMC DEFINITION 23.328.020.J) | TOTAL RESIDENTIAL |
|-------|-----------------|--------------------------------------------------------------------------------------------------------------|-------------------|
| 1ST   | 4               | 915+345+1141+941                                                                                             | 3,342 SQ.FT.      |
| 2ND   | 8               | 1369+296+296+296+795+694+941+1457                                                                            | 6,144 SQ.FT.      |
| 3RD   | 6               | 1369+915+345+1141+941+1457                                                                                   | 6,168 SQ.FT.      |
| 4TH   | 6               | 1369+915+795+694+941+1457                                                                                    | 6,171 SQ.FT.      |
| TOTAL | 24              |                                                                                                              | 21,825 SQ.FT.     |

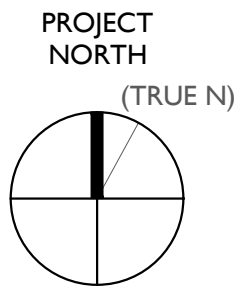
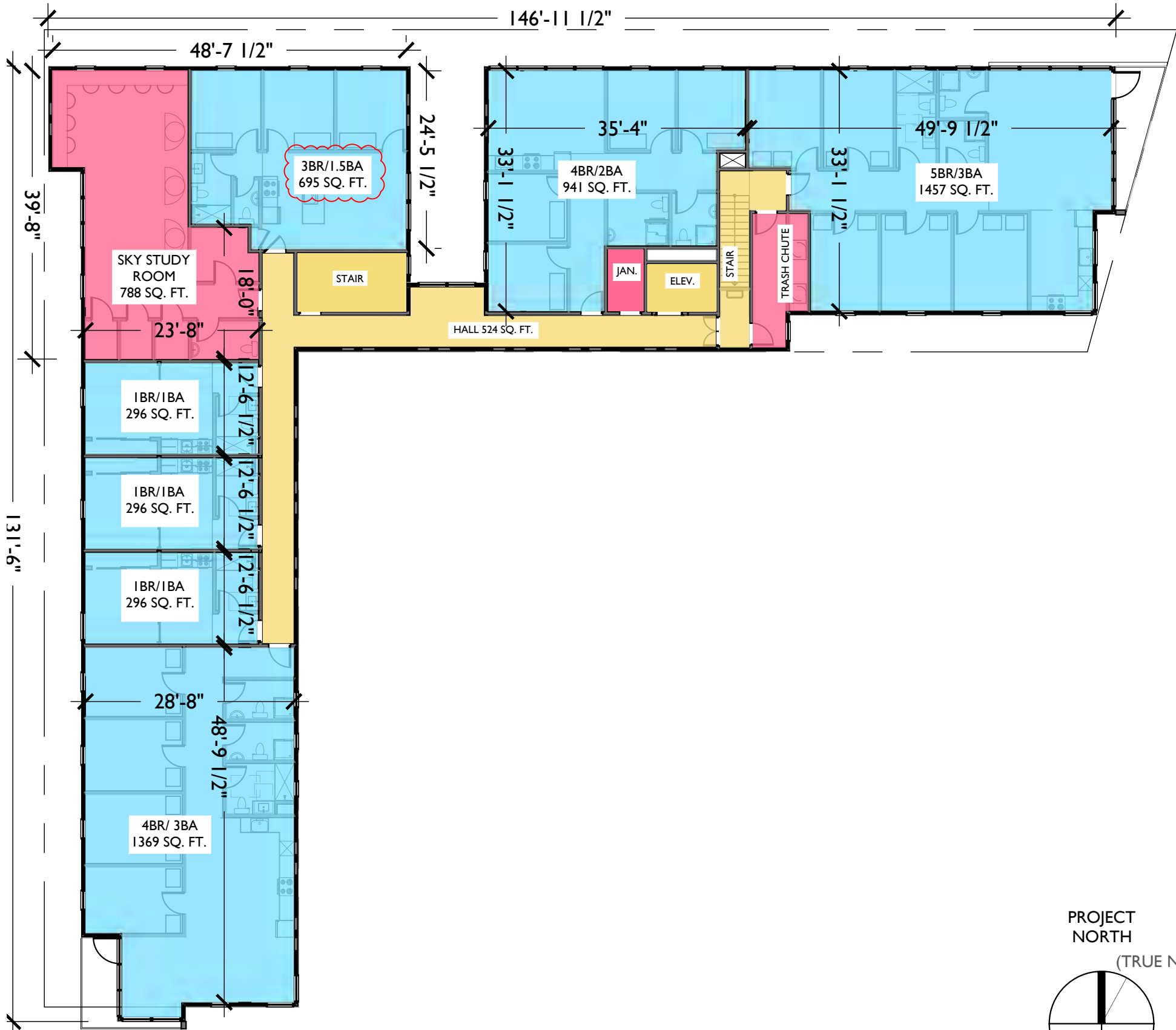
NOTE: 20% IN-LIEU (ONLY UNITS) PROVIDED : 20% \* \$ 1,371,264.75 = \$ 274,252.95  
• REQUIRED NUMBER OF BMR UNITS: 5 (MULTIPLIER = 1)  
TOTAL IN-LIEU FEE: \$ 274,252.95

DENSITY BONUS UNITS

| FLOOR | NUMBER OF UNITS | RESIDENTIAL FLOOR AREA<br>(MEASURED TO THE INTERIOR WALLS OF EACH UNIT) | TOTAL RESIDENTIAL |
|-------|-----------------|-------------------------------------------------------------------------|-------------------|
| 1ST   | 1               | 1128                                                                    | 1,128 SQ.FT.      |
| 5TH   | 7               | 1369+296+296+296+695+941+1457                                           | 5,350 SQ.FT.      |
| TOTAL | 8               |                                                                         | 6,478 SQ.FT.      |

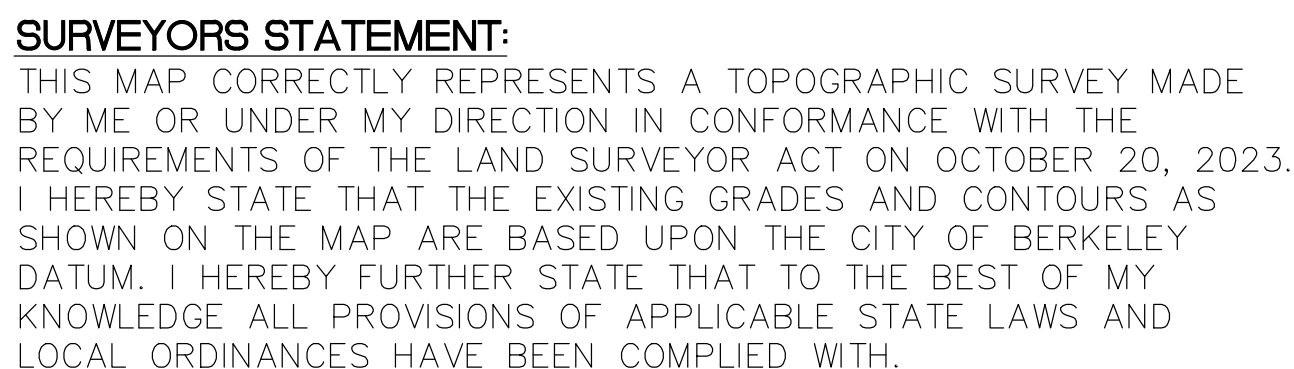
ON SITE UNITS (INCLUDING BMR)

| FLOOR | 1 BR     | 2 BR | 3 BR      | 4 BR | 5 BR |
|-------|----------|------|-----------|------|------|
| 1ST   | 1 BMR    | -    | 1         | 2    | 1    |
| 2ND   | 2 + 1BMR | -    | 1 + 1 BMR | 2    | 1    |
| 3RD   | 1 BMR    | -    | 1         | 2    | 2    |
| 4TH   | -        | -    | 2 + 1BMR  | 2    | 1    |
| 5TH   | 3        | -    | 1         | 2    | 1    |
| TOTAL | 8        | -    | 8         | 10   | 6    |



SCALE  
1/16" = 1'-0"

I PROPOSED FIFTH FLOOR PLAN



 dated 11/26/23

BRIAN L. STOCKINGER  
PLS 6995  
EXPIRES 9-30-25



**2614 Telegraph Avenue &  
2417 Carleton Street  
Berkeley, CA 94704**

EXISTING/DEMO  
FIRST FLOOR  
AND SITE  
PLANS

DESIGN REVIEW SUBMITTAL

DATE 11/08/2024

REV  DATE 02/09/2026

# A1.1



 (E) WALL TO BE REMOVED

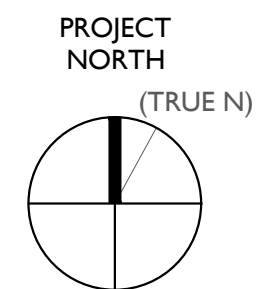
 (E) DOOR TO BE REMOVED

 (E) WINDOW TO BE REMOVED

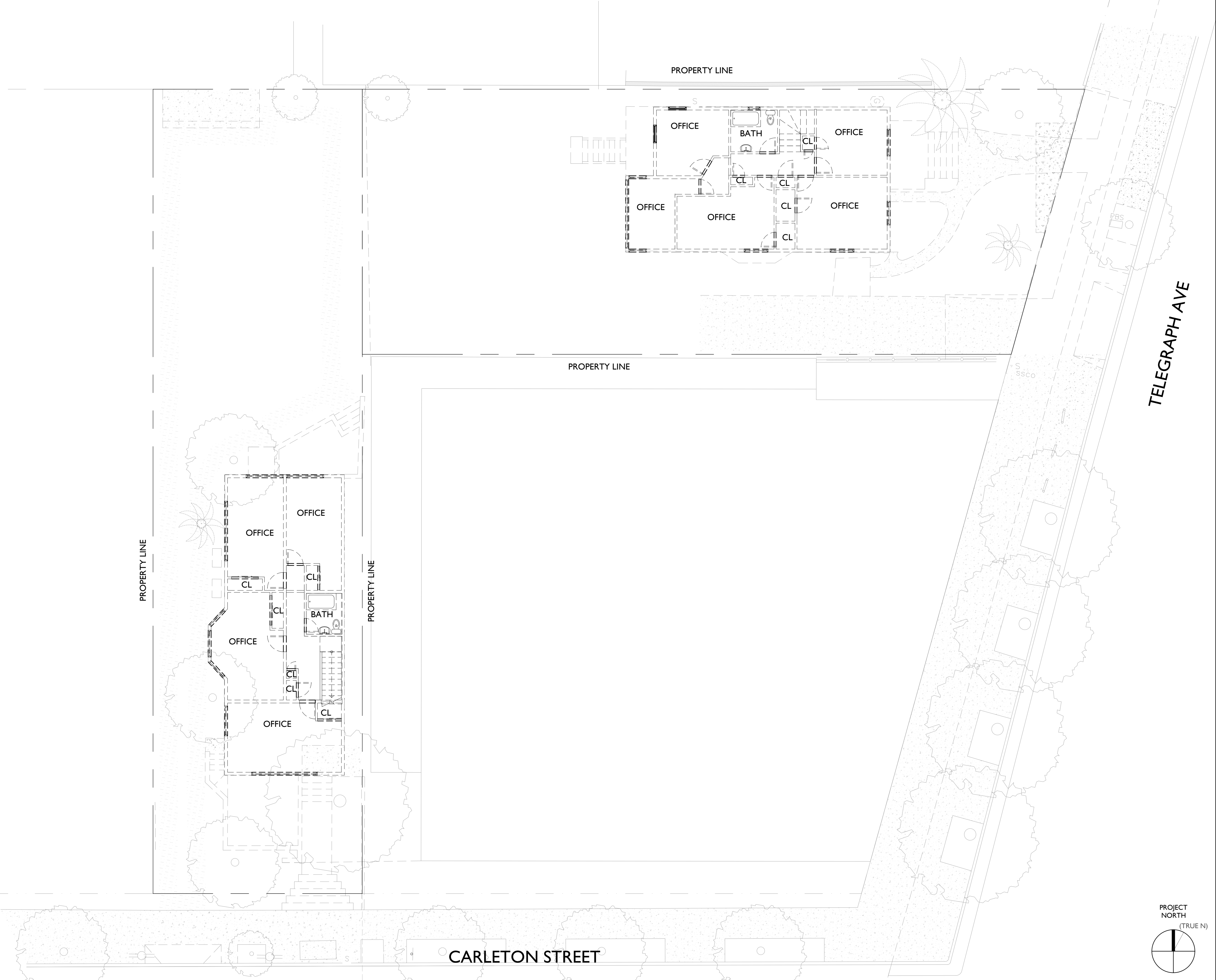


1. REMOVE (E) PAVEMENT
2. REMOVE (E) STAIRS
3. REMOVE (E) TREE
4. REMOVE (E) FENCE
5. CURB CUT

TELEGRAPH AVE



SCALE  
1/8" = 1'-0"



**LEGEND**

(E) WALL TO BE REMOVED

(E) DOOR TO BE REMOVED

(E) WINDOW TO BE REMOVED

**KEY NOTES** #

1. REMOVE (E) PAVEMENT
2. REMOVE (E) STAIRS
3. REMOVE (E) TREE
4. REMOVE (E) FENCE
5. CURB CUT

**PROJECT NORTH**  
(TRUE N)

**SCALE**  
1/8" = 1'-0"



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**EXISTING/DEMO  
SECOND  
FLOOR PLANS**

DESIGN REVIEW SUBMITTAL

DATE 11/08/2024

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**A1.2**

 (E) WALL TO BE REMOVED

 (E) DOOR TO BE REMOVED

 (E) WINDOW TO BE REMOVED



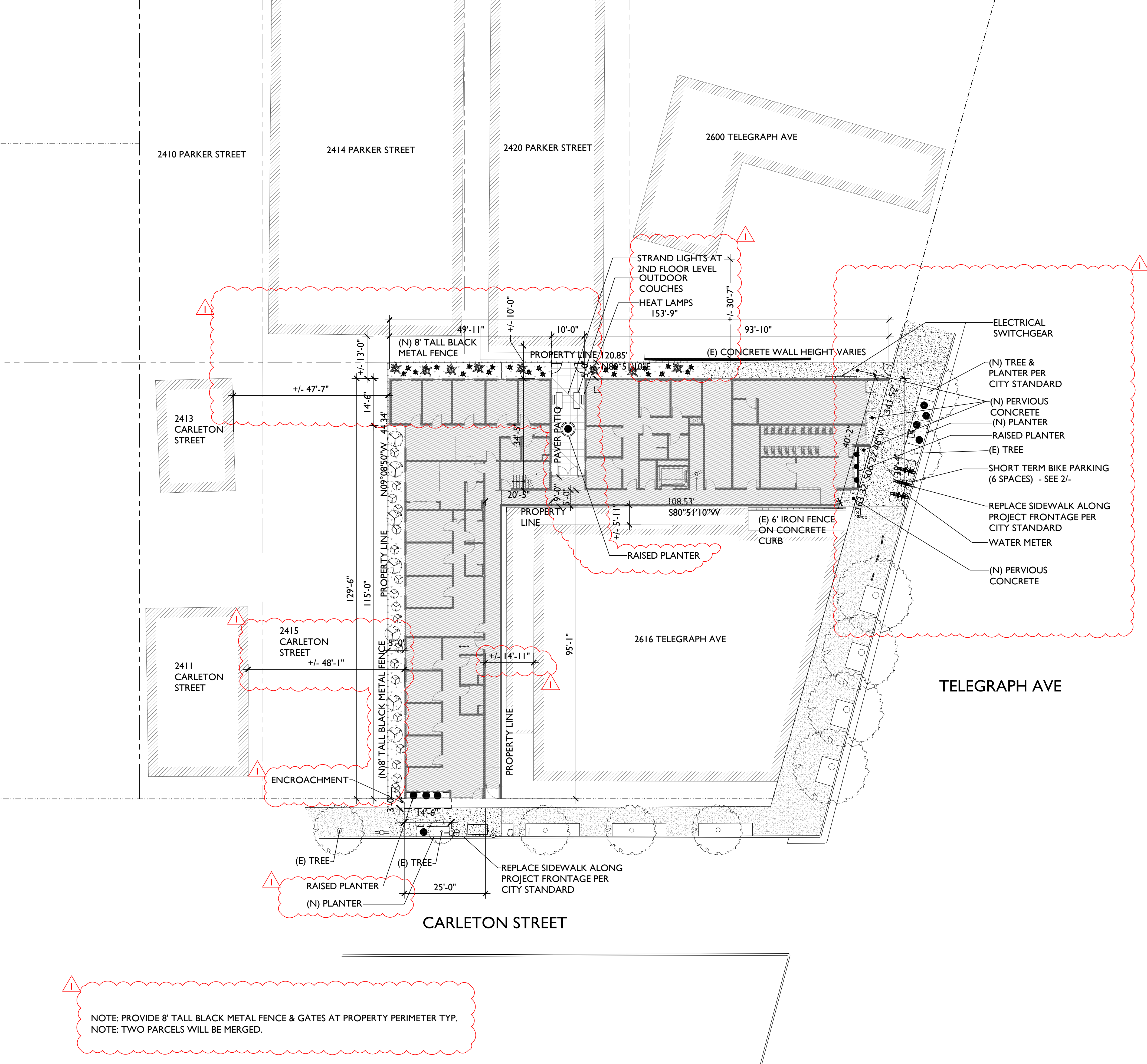
1. REMOVE (E) PAVEMENT
2. REMOVE (E) STAIRS
3. REMOVE (E) TREE
4. REMOVE (E) FENCE
5. CURB CUT

|   |                         |
|---|-------------------------|
| I | EXISTING/DEMO ROOF PLAN |
|---|-------------------------|

PROJECT  
NORTH  
(TRUE N)



SCALE  
1/8" = 1'-0"



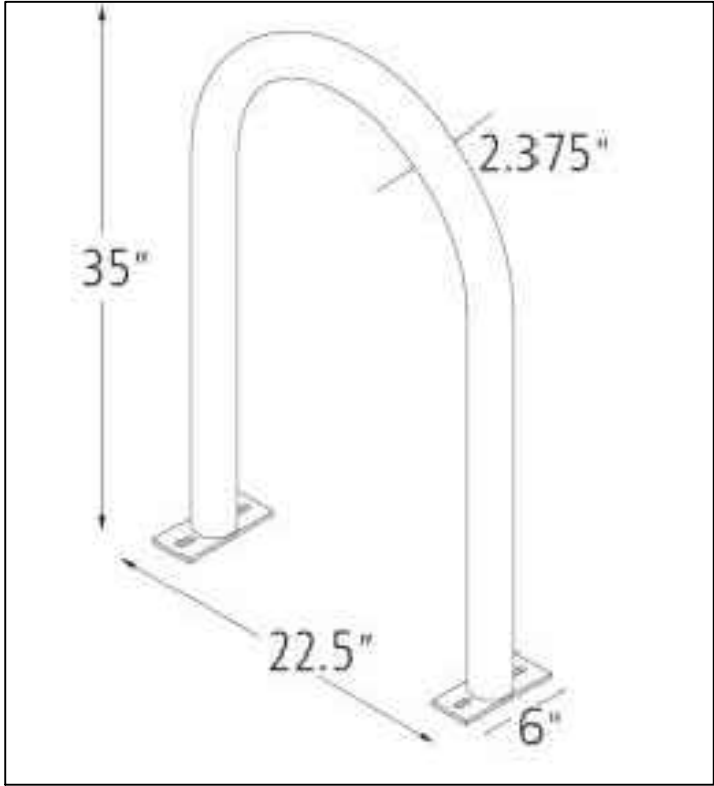
LANDSCAPE SCHEDULE

- TOTAL AREA: +/- 1,034 SQFT
- SHRUB: CEANOTHUS JULIA PHELPS (JULIA PHELPS) (PF: LOW)
  - SHRUB: ABUTILON PALMERI (INDIAN MALLOW) (PF: LOW)
  - SHRUB: CEANOTHUS 'BLUE JEANS' (PF: LOW)
  - MIX INTERSTITIAL SPACES BETWEEN SHRUBS W/ PLANTINGS OF GROUND COVER:
  - GROUND COVER/ WILD CALIFORNIA NATIVE FLOWER (PF: LOW)
  - TOTAL OF 432 SQFT : 41% OF LANDSCAPE
- SHRUB: SALVIA LEUCANTHA (MEXICAN BUSH SAGE) (PF: LOW)
- MIX INTERSTITIAL SPACES BETWEEN SHRUBS W/ PLANTINGS OF GROUND COVER:
- CONVOLVULUS MAURITANICUS (GROUND MORNING GLORY) (PF: LOW)
- DICHONDRA SERICEA (SILVERLEAF PONYSFOOT) (PF: LOW)
- TOTAL OF 576 SQFT : 55% OF LANDSCAPE
- PETUNIA (PETUNIA AXILLARIS) (PF: MEDIUM)
- TOTAL OF 26 SQFT : 2% OF LANDSCAPE

SHEET NOTES

1. THE TOTAL ROOF TOP STRUCTURE AREA WILL NOT EXCEED 15% OF THE AVERAGE FLOOR AREA OF ALL OF THE BUILDING'S FLOORS:
2. THE BUILDING WILL NOT INCLUDE ANY NATURAL GAS INFRASTRUCTURE IN COMPLIANCE WITH BMC CHAPTER 12.80.
3. THE PROPOSED PROJECT IS DESIGNED TO COMPLY WITH THE BERKELEY ENERGY CODE (BMC CHAPTER 19.36) AND BERKELEY GREEN CODE (BMC CHAPTER 19.37), ADOPTED BY CITY COUNCIL ON DECEMBER 3RD, 2019. BUILDING DESIGN WILL INCORPORATE ALL-ELECTRIC SYSTEMS UNLESS AN EXCEPTION OR PUBLIC INTEREST EXEMPTION TO THE NATURAL GAS PROHIBITION IS GRANTED.
4. PER BMC 19.36.040 SUBCHAPTER 5 (b)1, PROPOSED BUILDING IS TO HAVE A SOLAR ZONE WITH SOLAR PV SYSTEM INSTALLED, TOTAL AREA NO LESS THAN 15 PERCENT OF THE TOTAL ROOF AREA:  
 $10,749 \times 15\% = 1,613 \text{ SF}$

AMERICAN BICYCLE SECURITY COMPANY ([www.ameribike.com](http://www.ameribike.com))  
- HOOP RACK HEAVY DUTY - INVERTED-U RACK



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PROPOSED SITE  
PLAN

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A2.0

2614 Telegraph Avenue &  
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DESIGN REVIEW SUBMITTAL

DATE 11/08/2024

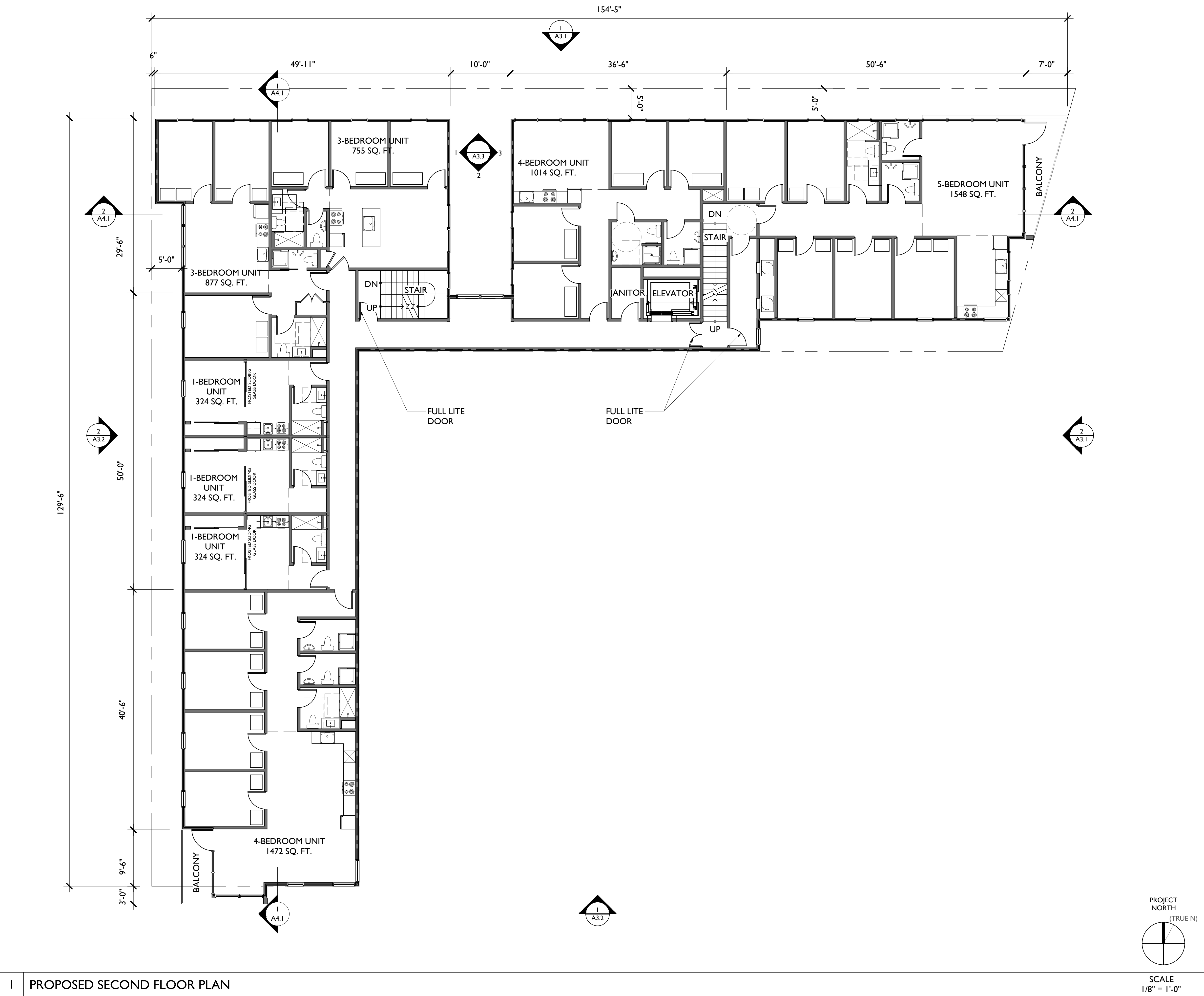
REV  DATE 02/09/2026

## A2.1



PROJECT NORTH  
(TRUE N)

SCALE  
1/8" = 1'-0"



I PROPOSED SECOND FLOOR PLAN



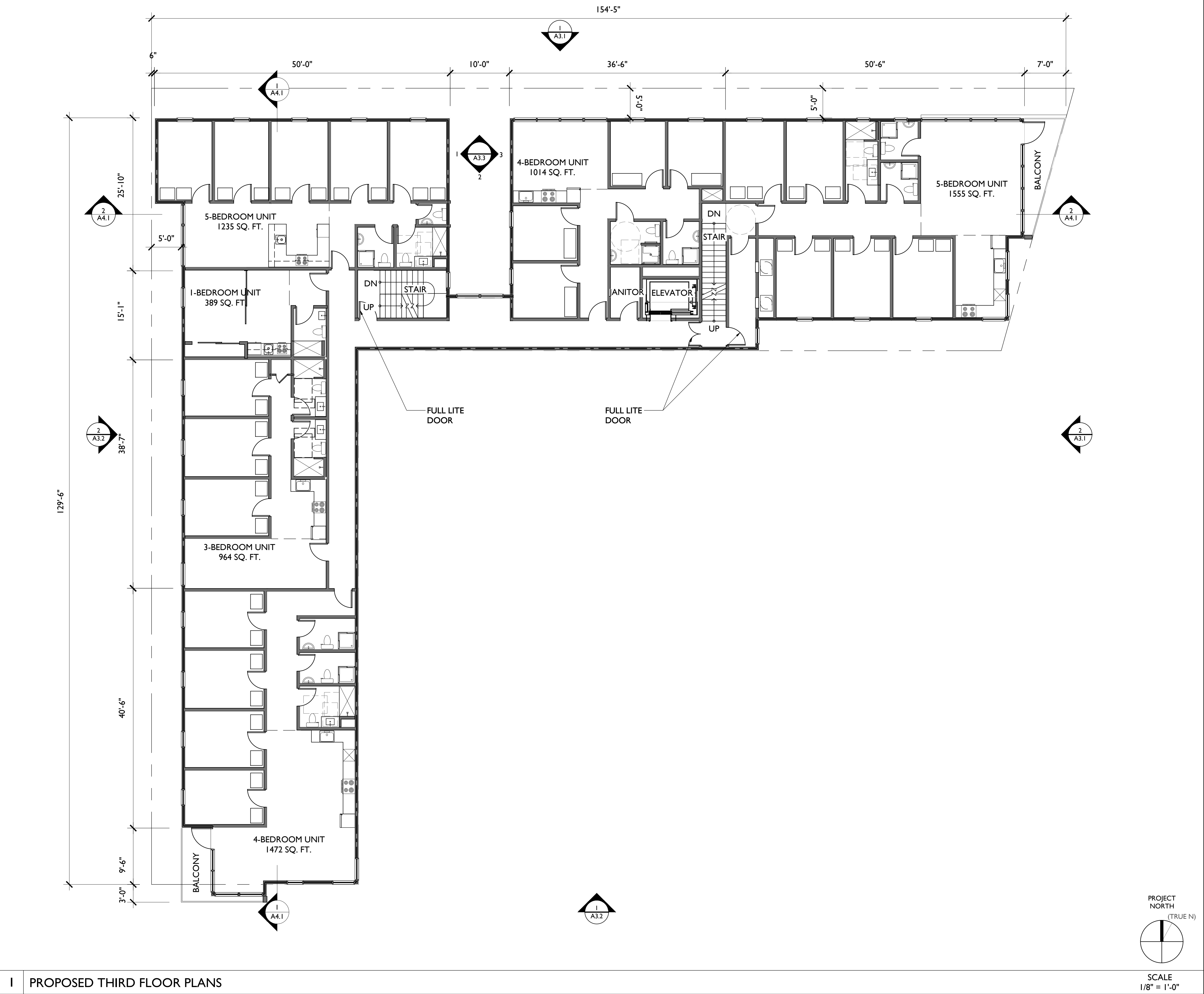
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**PROPOSED  
SECOND  
FLOOR PLAN**

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**A2.2**



I PROPOSED THIRD FLOOR PLANS



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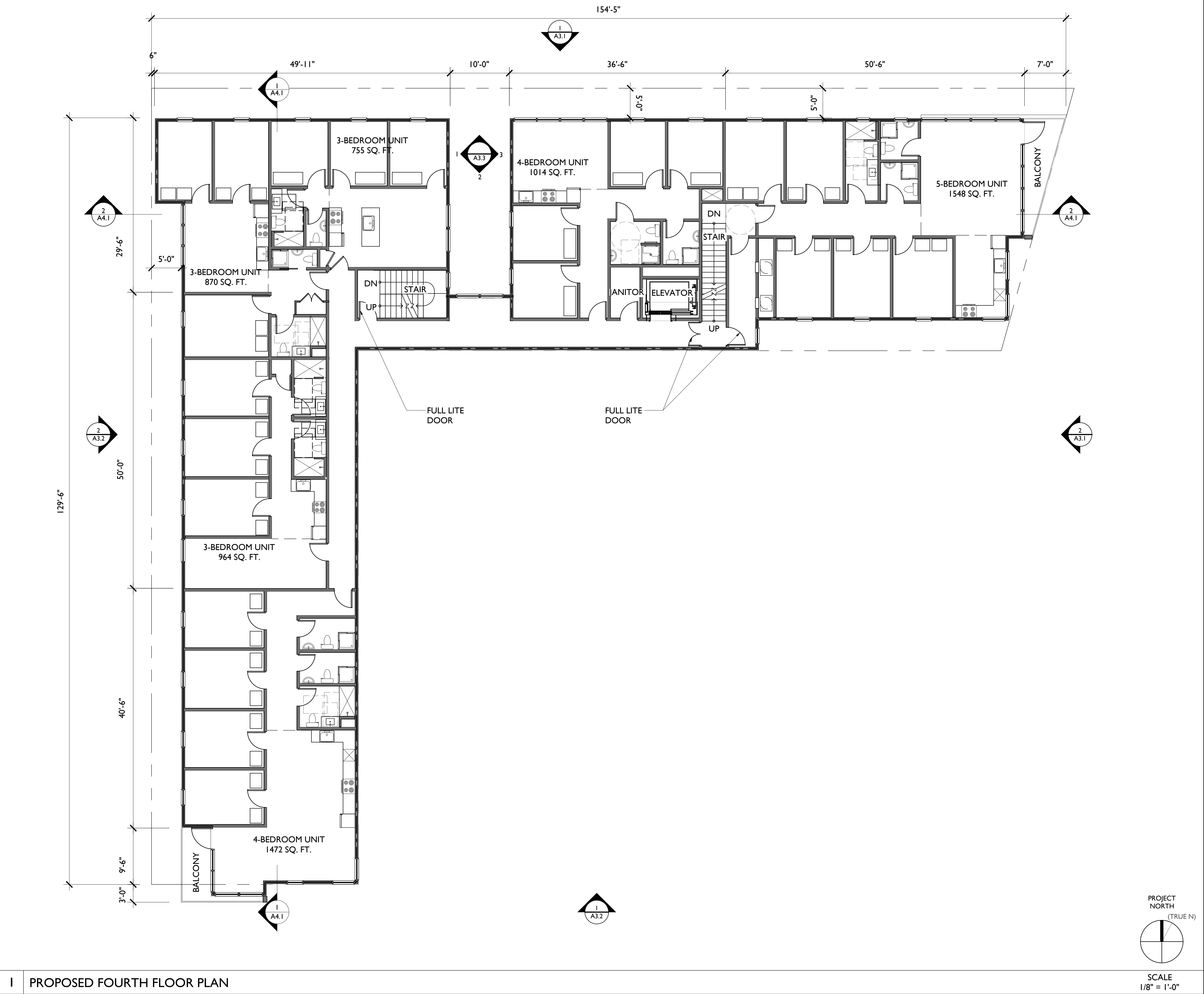
PROPOSED  
THIRD FLOOR  
PLAN

DESIGN REVIEW SUBMITTAL

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**A2.3**



I PROPOSED FOURTH FLOOR PLAN



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Berkeley, CA 94704

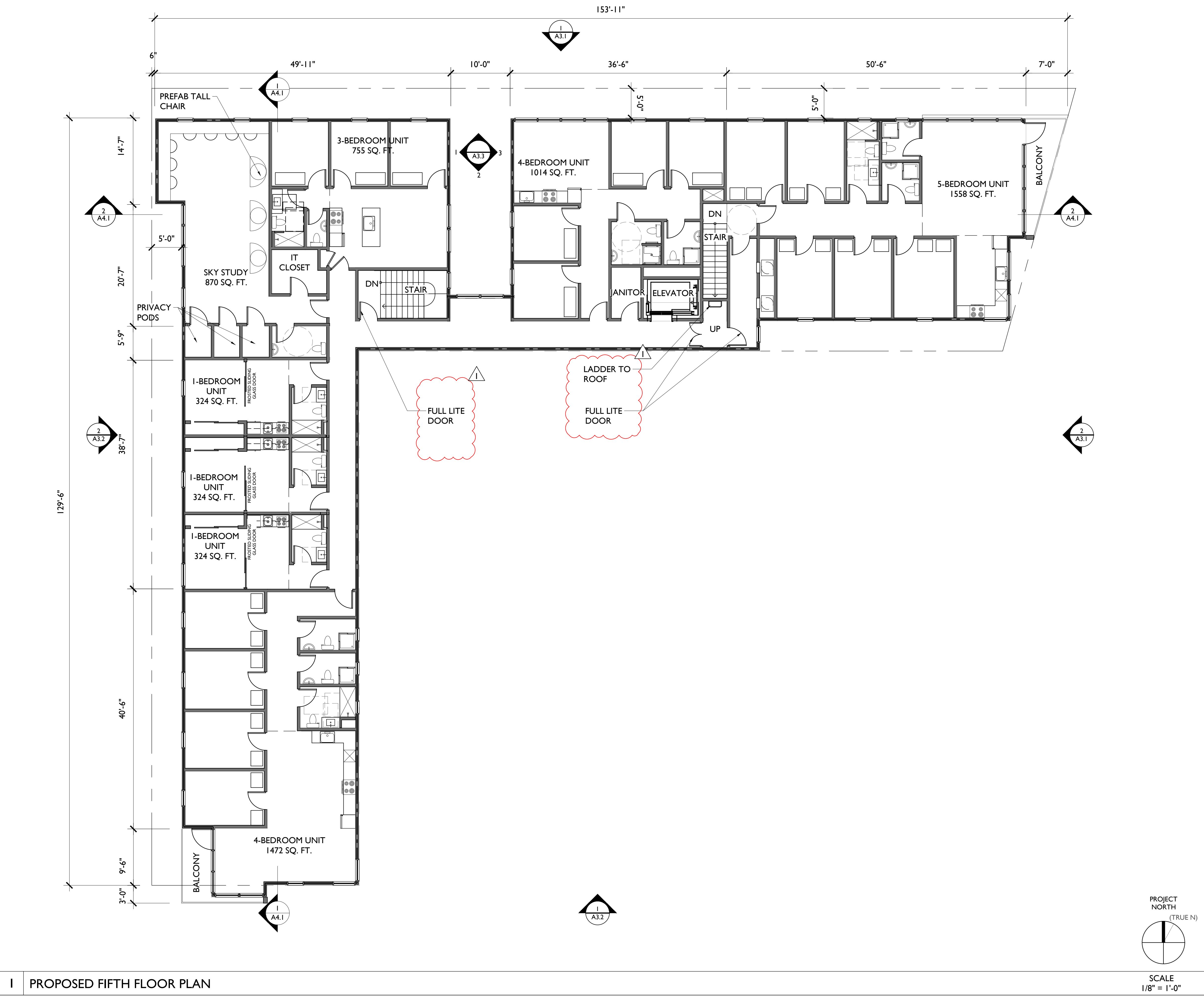
PROPOSED  
FOURTH FLOOR  
PLAN

DESIGN REVIEW SUBMITTAL

DATE 11/08/2024

REV A DATE 02/09/2026

**A2.4**



I PROPOSED FIFTH FLOOR PLAN



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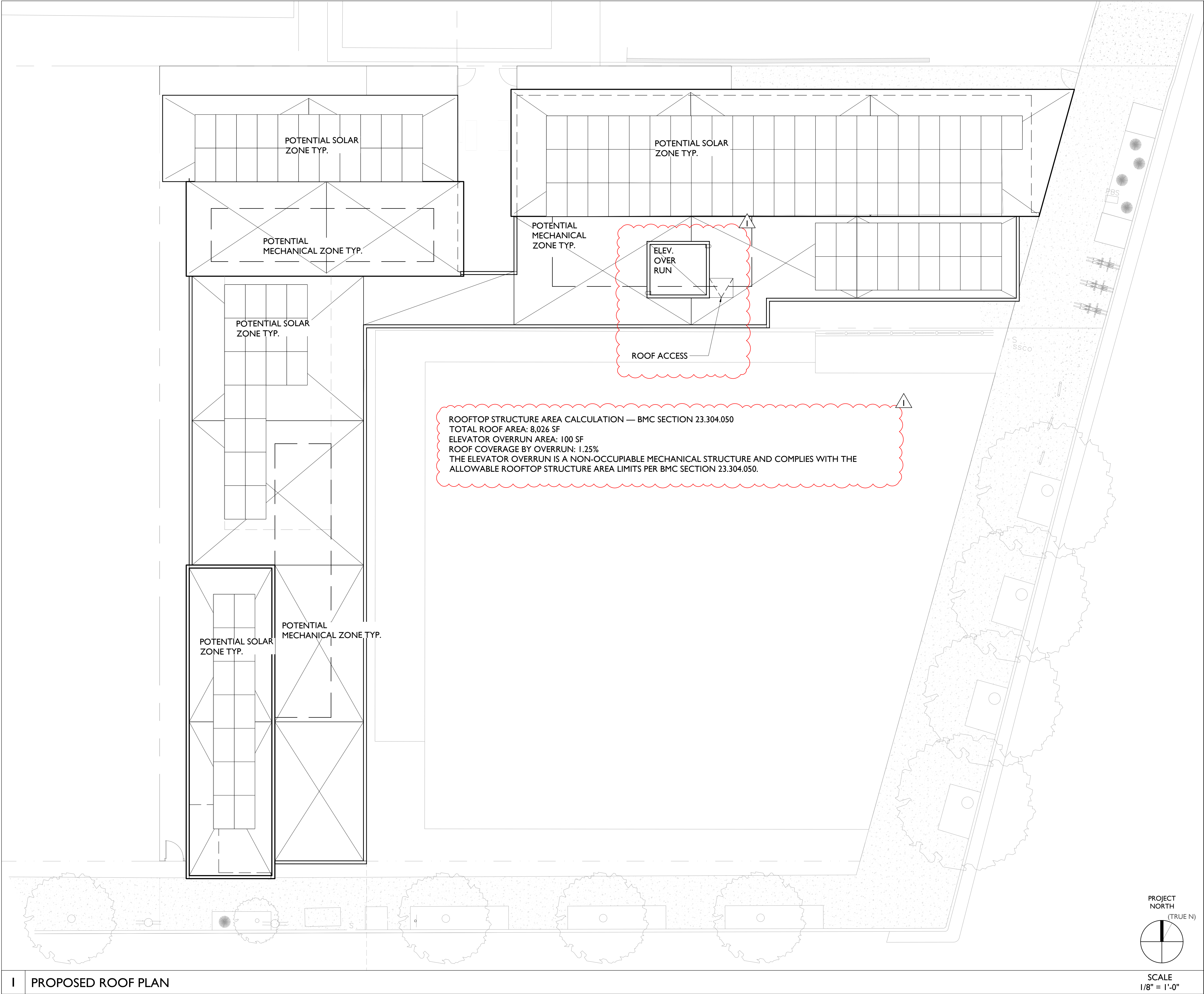
PROPOSED  
FIFTH FLOOR  
PLAN

DESIGN REVIEW SUBMITTAL

DATE 11/08/2024

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**A2.5**



I PROPOSED ROOF PLAN



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PROPOSED  
ROOF PLAN

DESIGN REVIEW SUBMITTAL

DATE 11/08/2024

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**A2.6**



2 EAST ELEVATION

SCALE  
1/8" = 1'-0"



1 NORTH ELEVATION

SCALE  
1/8" = 1'-0"

MATERIAL LEGEND

- 1 BLACK ANODIZED ALUMINUM DOORS & WINDOWS, TRIM, RAILS TYP. U.O.N.
  - 2 PHENOLIC PANELS (COLOR: OLYMPIC MOUNTAIN)
  - 3 CHARCOAL GRAY STUCCO
  - 4 STACK BOND GLAZED BRICK (COLOR: GRAY)
  - 5 FAUX WOOD SIDING
  - 6 PHENOLIC PANELS (COLOR: BLACK)
  - 7 PHENOLIC PANELS (RANDOM PATTERN EQ PARTS 3 COLORS: OLYMPIC MOUNTAIN, GREEN, AND WOOD)
  - 8 FROSTED GLASS (ONLY WHERE NOTED)
- NOTE: ALL EXTERIOR LIGHTING TO BE DOWN-LIGHTING (2700K)



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ELEVATIONS

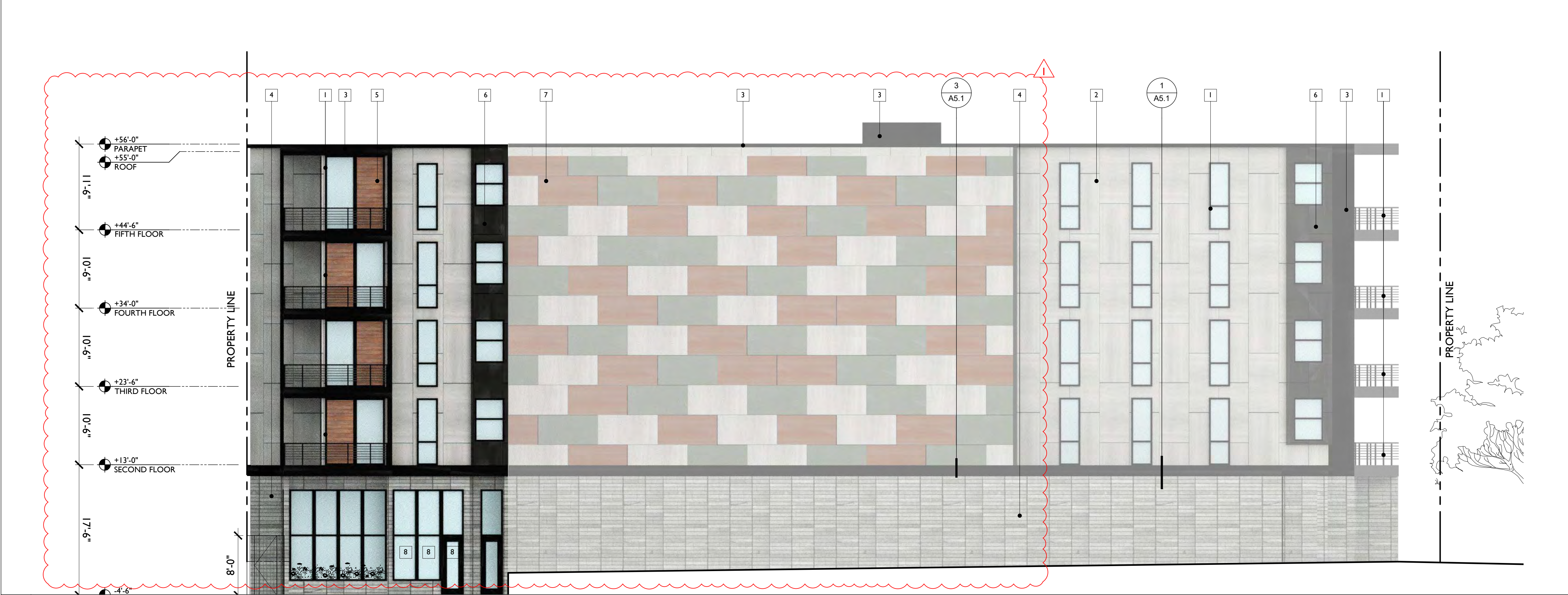
DESIGN REVIEW SUBMITTAL  
DATE 11/08/2024  
REV A DATE 02/09/2026

A3.1



2 WEST ELEVATION

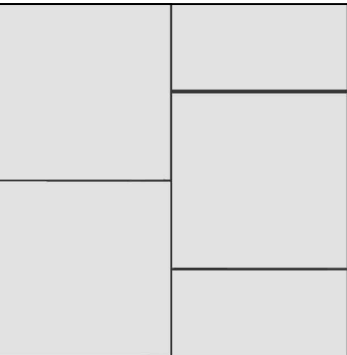
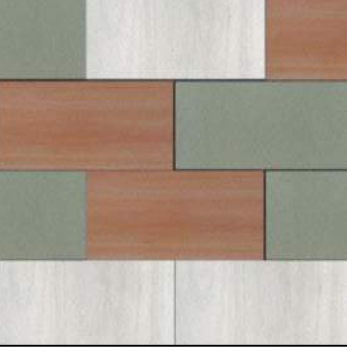
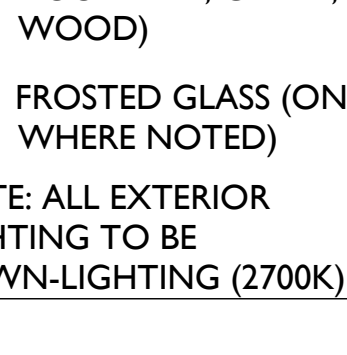
SCALE  
1/8" = 1'-0"



1 SOUTH ELEVATION

SCALE  
1/8" = 1'-0"

MATERIAL LEGEND

-   
1 BLACK ANODIZED ALUMINUM DOORS & WINDOWS, TRIM, RAILS TYP. U.O.N.
  -   
2 PHENOLIC PANELS (COLOR: OLYMPIC MOUNTAIN)
  -   
3 CHARCOAL GRAY STUCCO
  -   
4 STACK BOND GLAZED BRICK (COLOR: GRAY)
  -   
5 FAUX WOOD SIDING
  -   
6 PHENOLIC PANELS (COLOR: BLACK)
  -   
7 PHENOLIC PANELS (RANDOM PATTERN EQ PARTS 3 COLORS: OLYMPIC MOUNTAIN, GREEN, AND WOOD)
  -   
8 FROSTED GLASS (ONLY WHERE NOTED)
- NOTE: ALL EXTERIOR LIGHTING TO BE DOWN-LIGHTING (2700K)



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ELEVATIONS

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**A3.2**

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## ELEVATIONS

DESIGN REVIEW SUBMITTAL

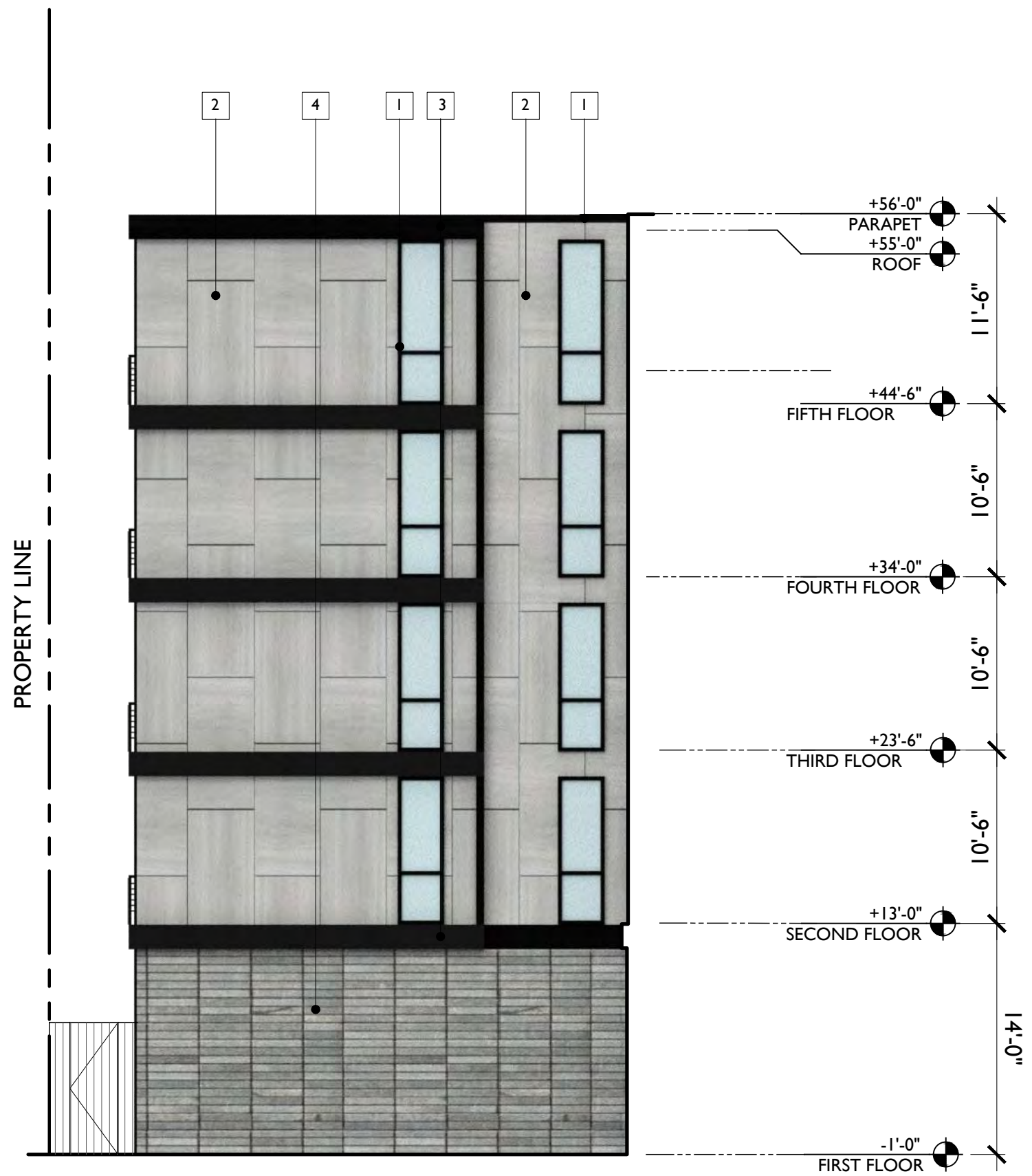
DATE 11/08/2024

REV  DATE 02/09/2026

Figure 1 displays a 10x10 grid of 100 small images, each representing a different step in the degradation of a 1000x1000 image. The images show a progression of increasing noise and distortion, starting from a clear image in the top-left corner and becoming increasingly noisy and distorted towards the bottom-right corner.

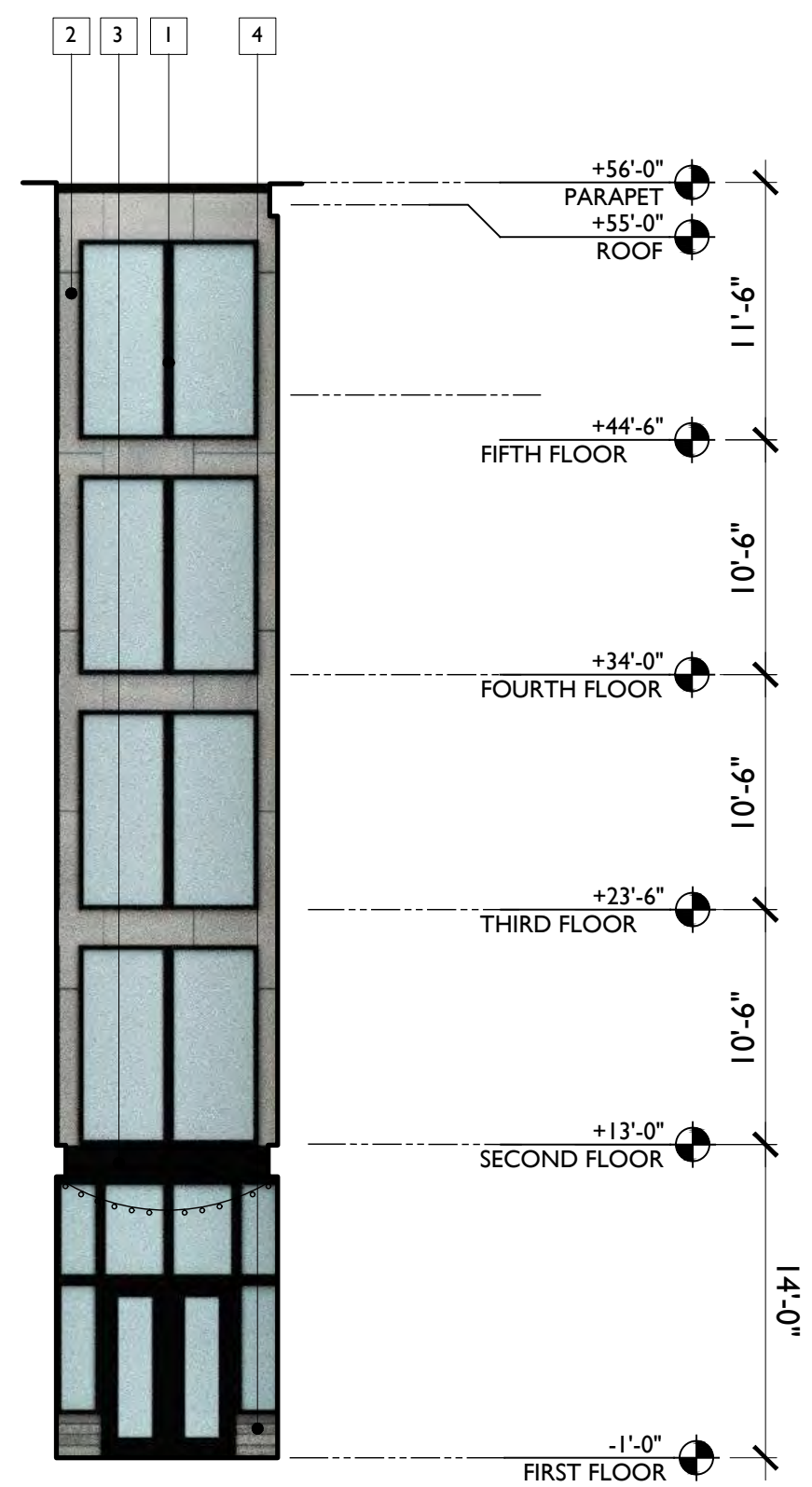
**8 FROSTED GLASS (ONLY WHERE NOTED)**

NOTE: ALL EXTERIOR  
LIGHTING TO BE  
DOWN-LIGHTING (2700K)



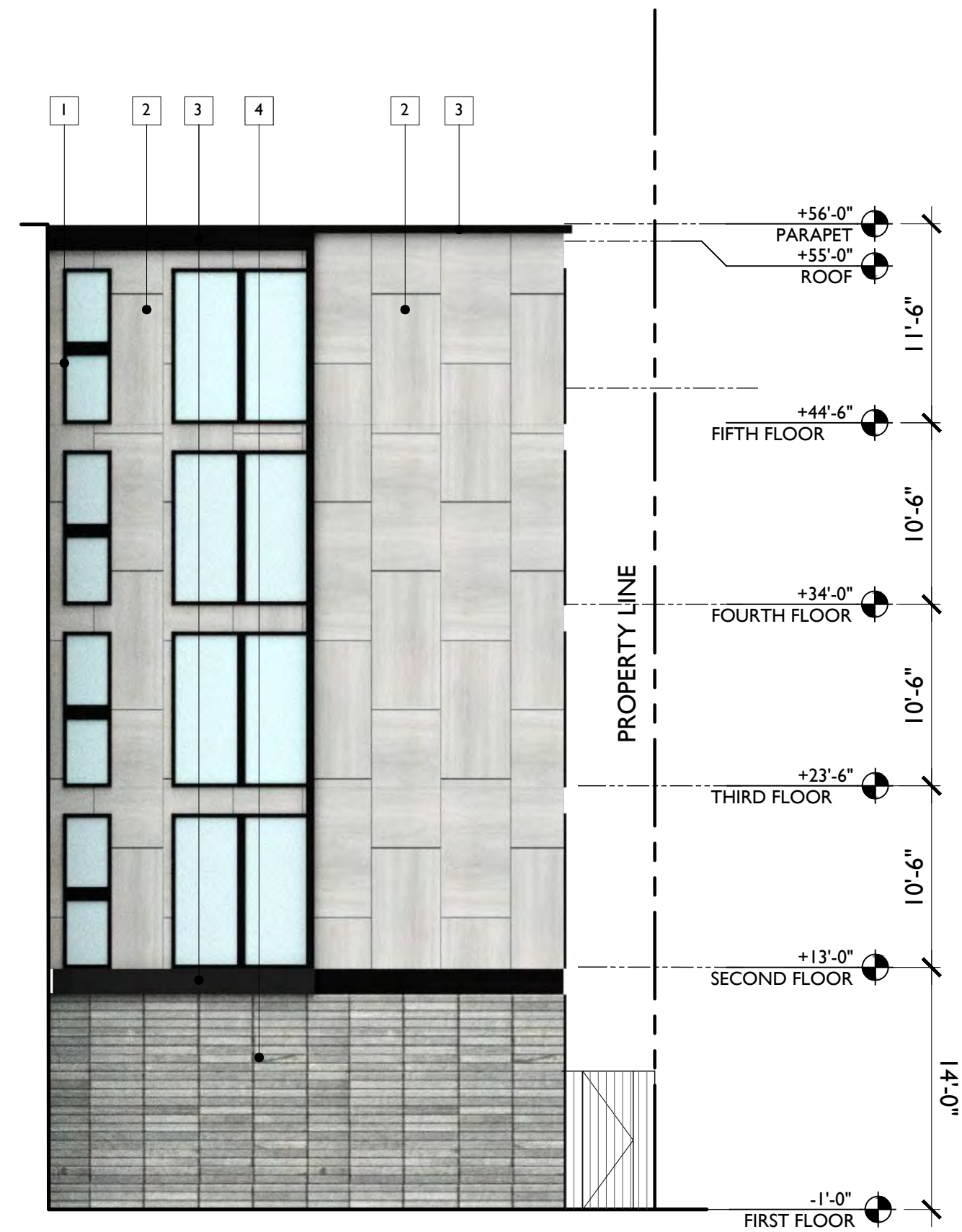
### 3 WEST COURTYARD ELEVATION

SCALE  
1/8" = 1'-0"



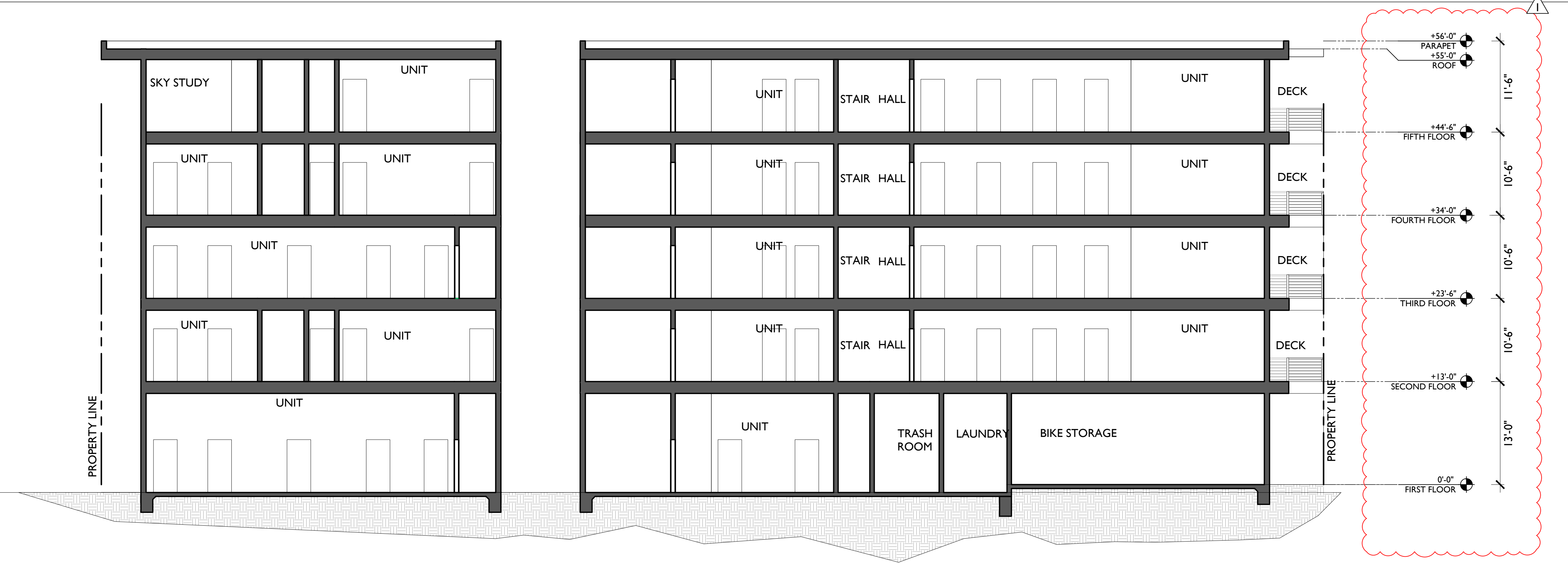
## 2 NORTH COURTYARD ELEVATION

SCALE  
1/8" = 1'-0"

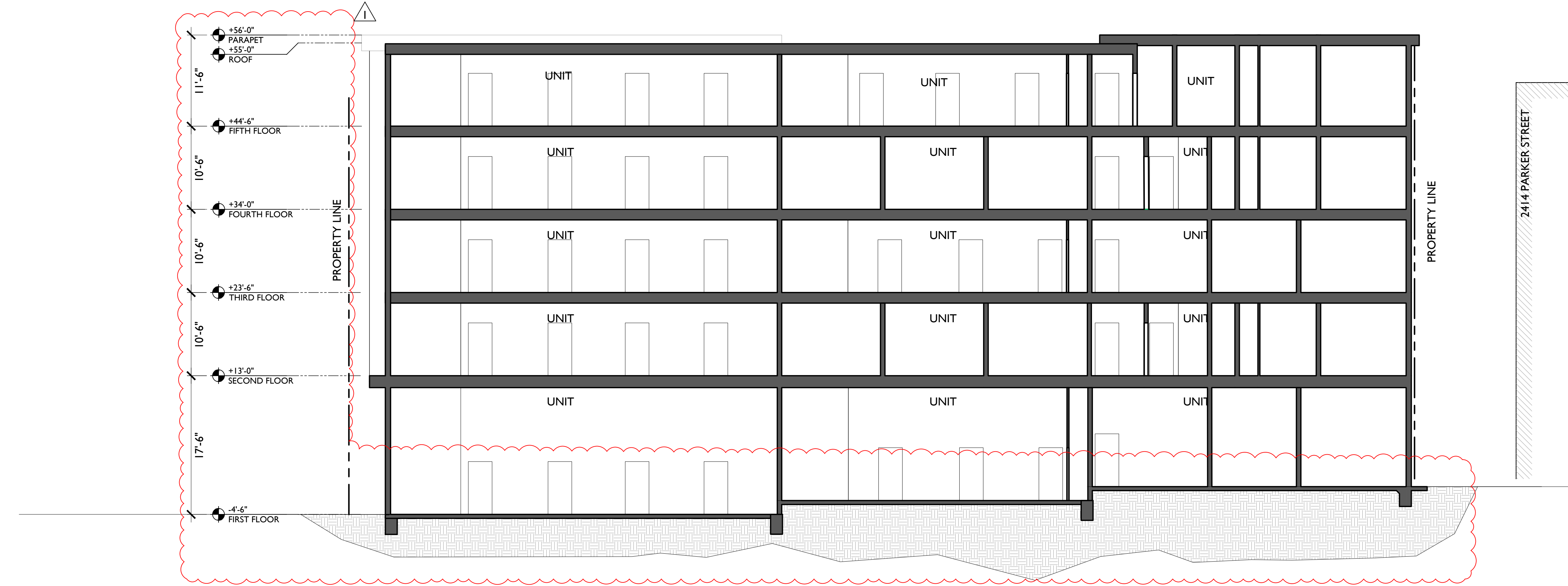


EAST COURTYARD ELEVATION

SCALE  
1/8" = 1'-0"



2 SECTION SCALE 1/8" = 1'-0"



I SECTION SCALE 1/8" = 1'-0"



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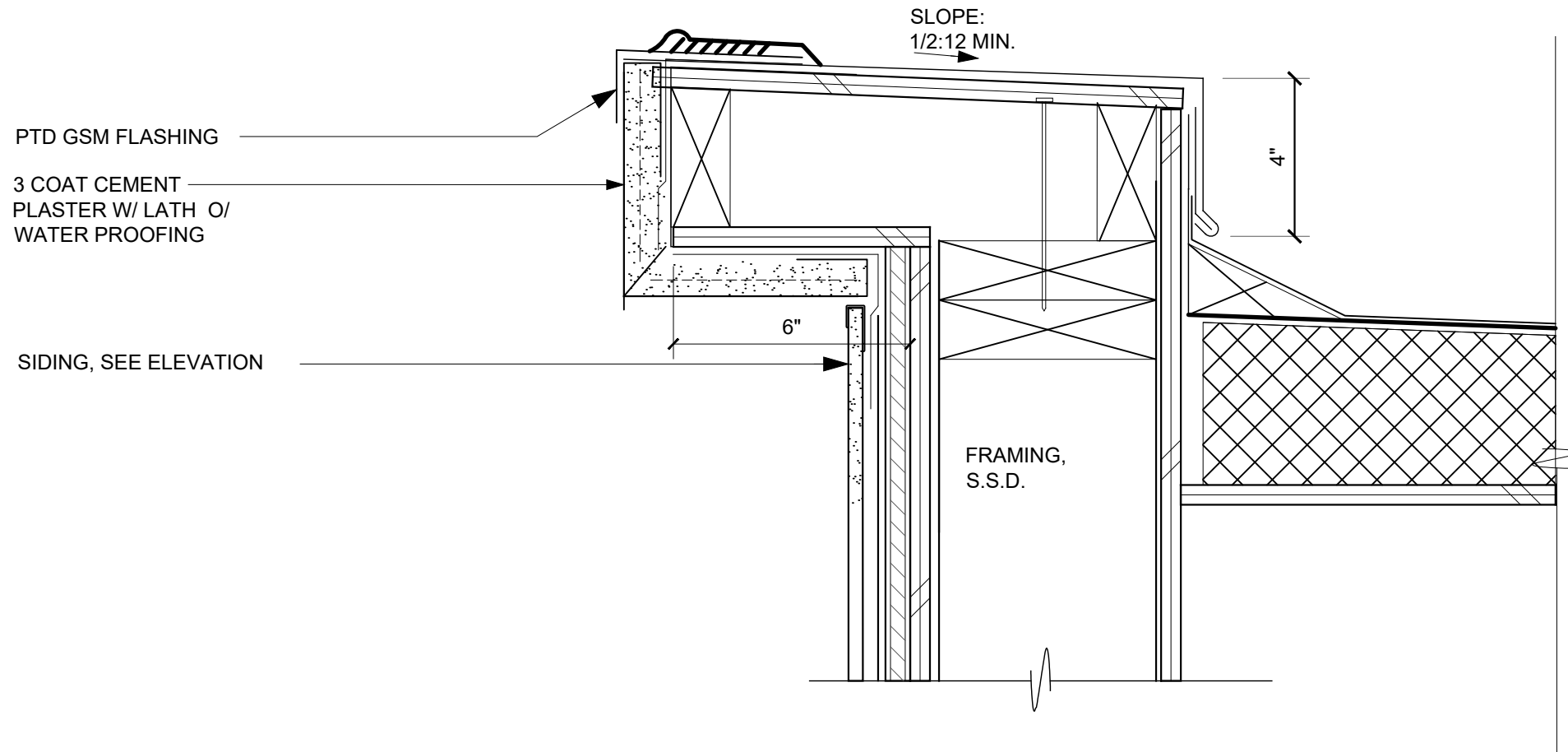
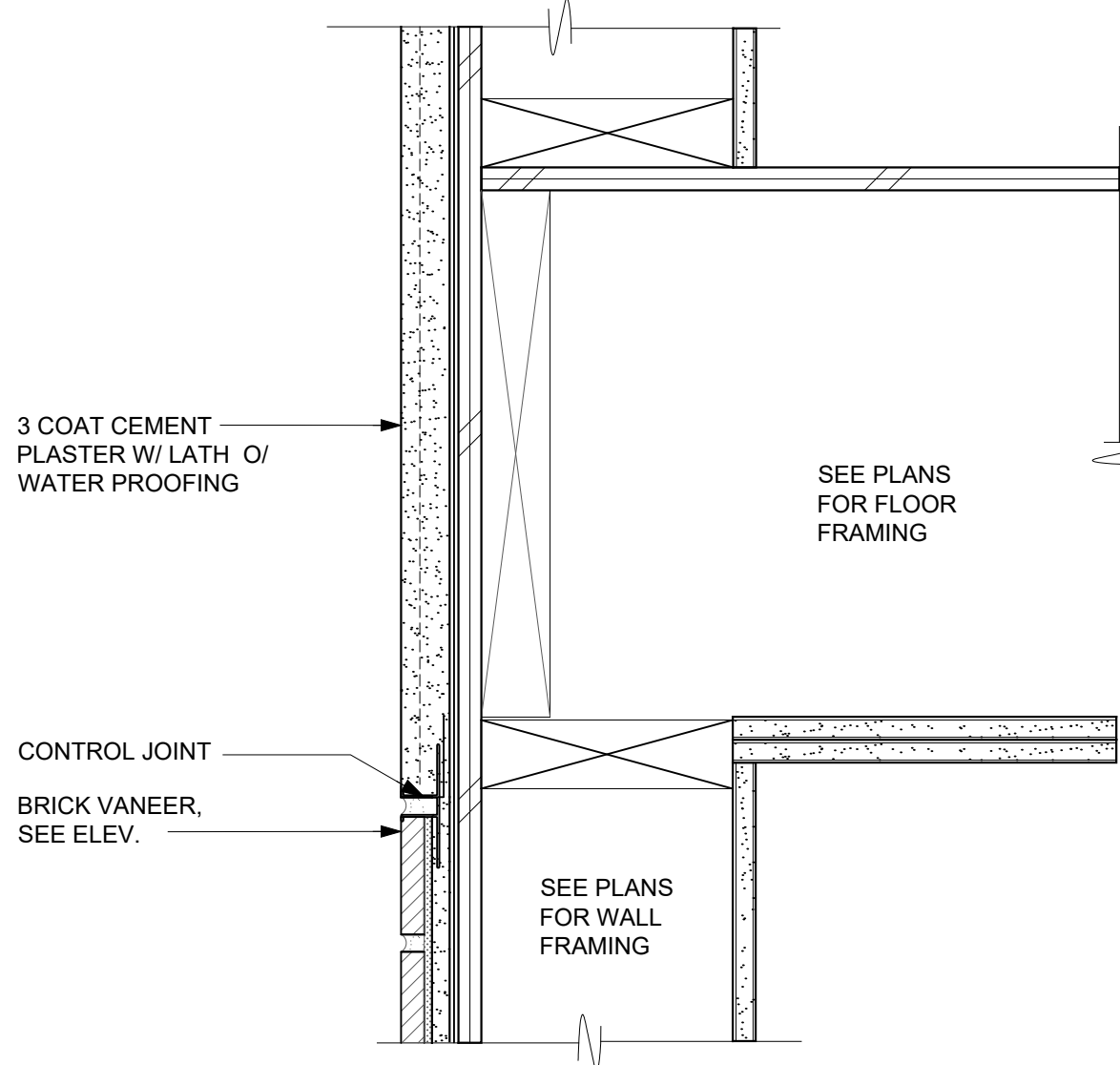
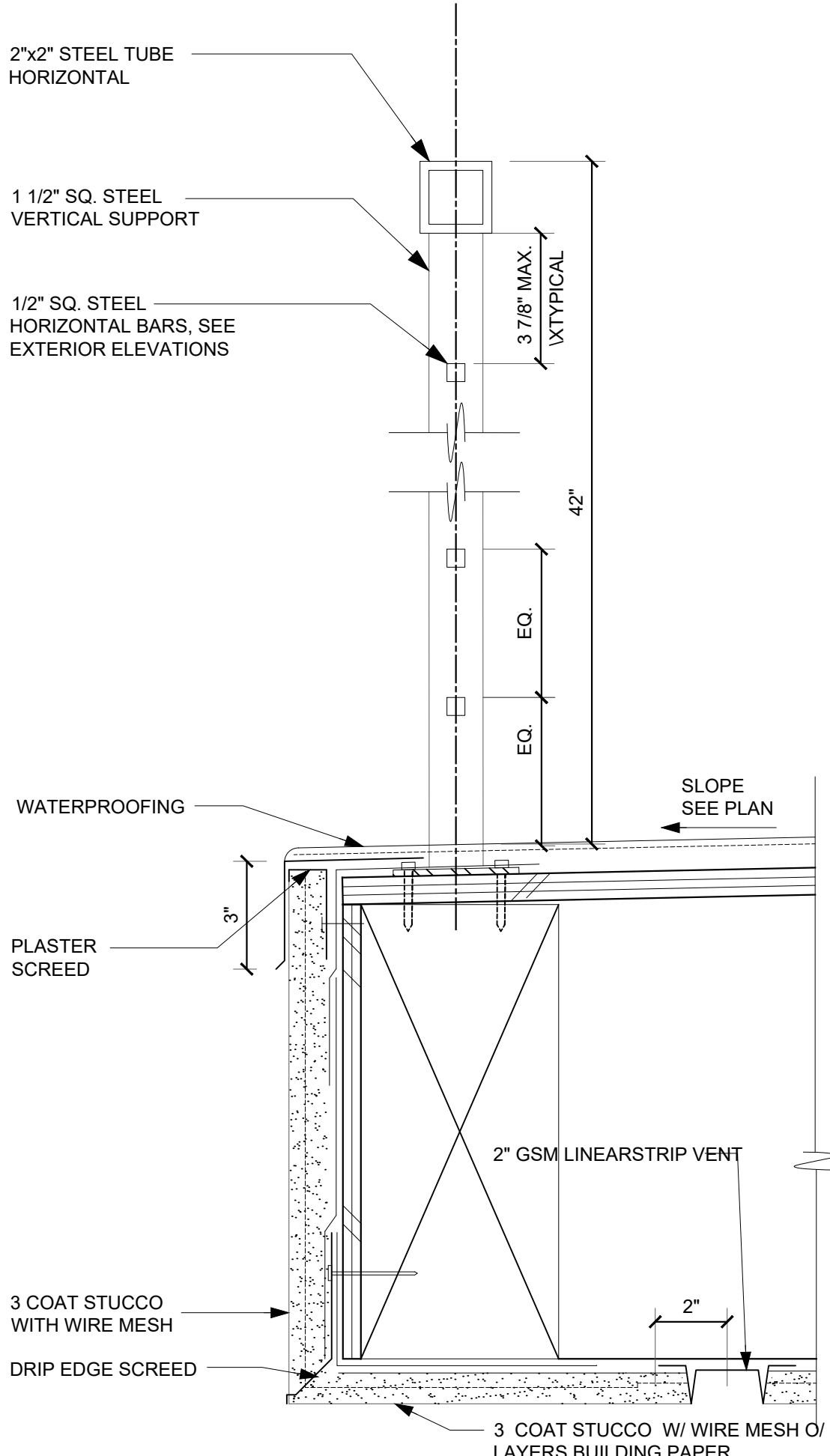
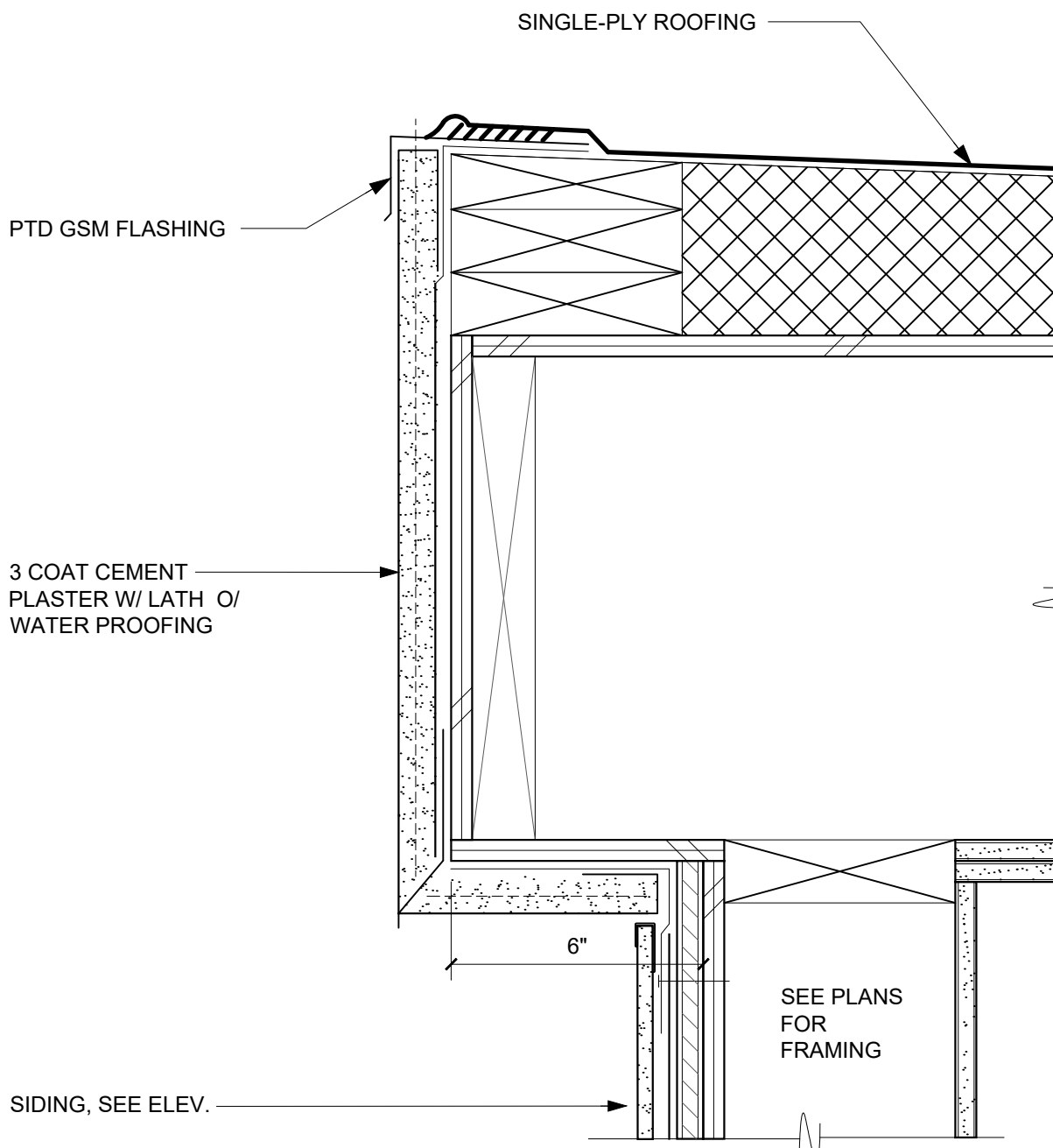
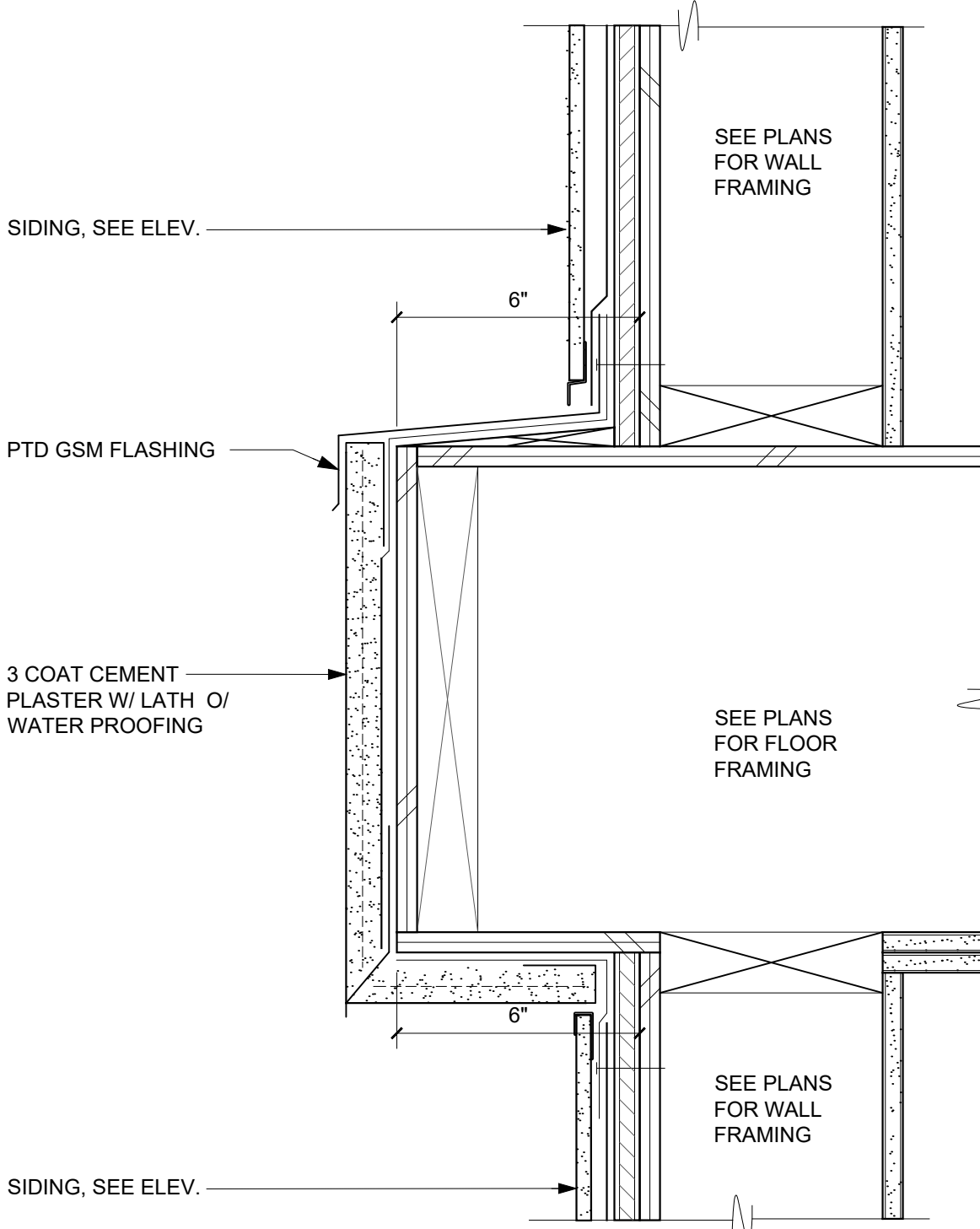
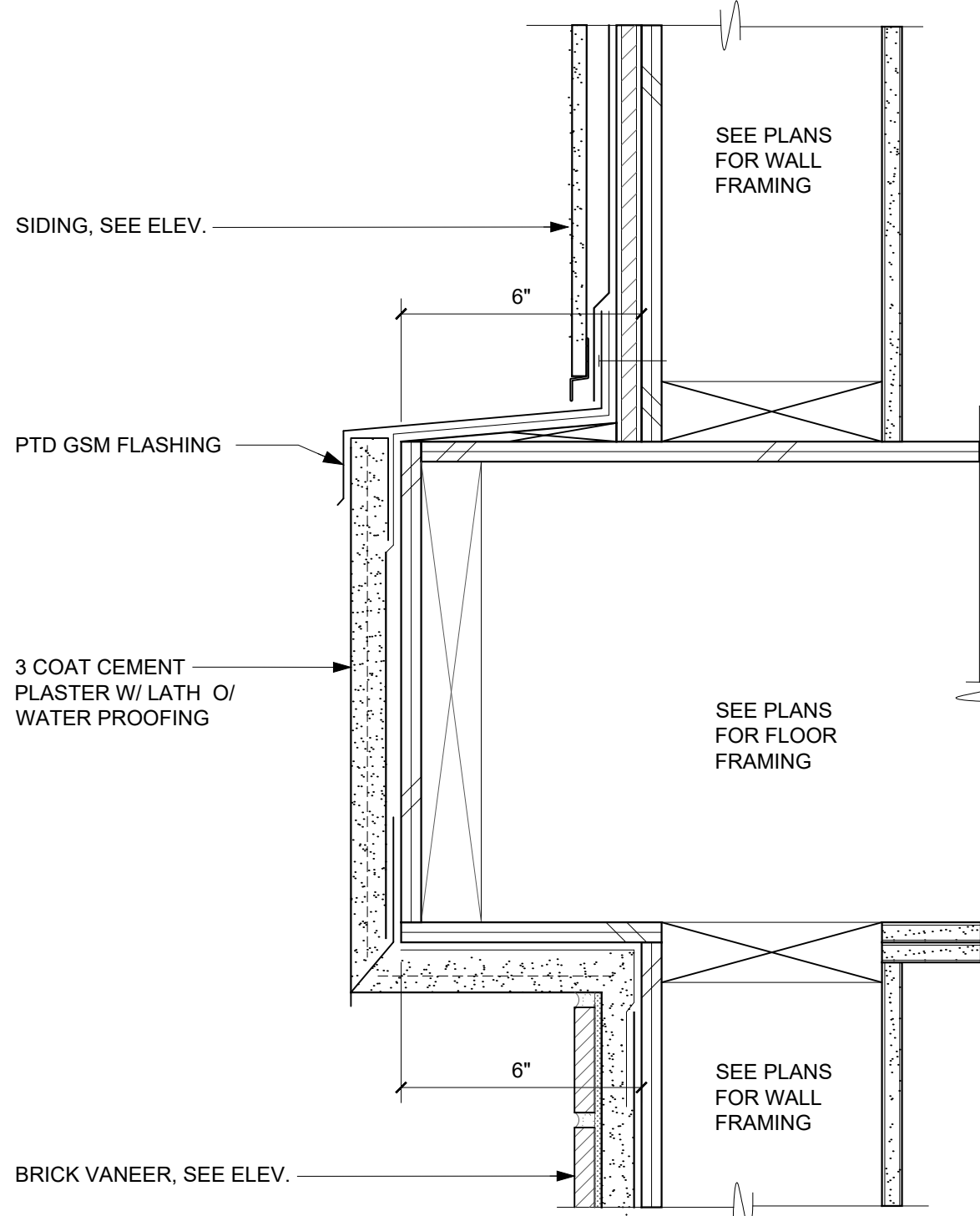
SECTIONS

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A4.1

|                                                                                    |  |  |                                                                                    |  |                                                                                      |                                                                                     |  |                                                                                      |  |  |                                                                                      |  |  |
|------------------------------------------------------------------------------------|--|--|------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------|--|--|--------------------------------------------------------------------------------------|--|--|
|                                                                                    |  |  |  |  |                                                                                      |  |  |                                                                                      |  |  |                                                                                      |  |  |
| 10                                                                                 |  |  | PARAPET DETAIL                                                                     |  |                                                                                      | 3                                                                                   |  |                                                                                      |  |  |                                                                                      |  |  |
|                                                                                    |  |  | SCALE<br>3" = 1'-0"                                                                |  |                                                                                      | SCALE<br>3" = 1'-0"                                                                 |  |                                                                                      |  |  |                                                                                      |  |  |
|  |  |  |                                                                                    |  |  |                                                                                     |  |  |  |  |  |  |  |
| 10                                                                                 |  |  |                                                                                    |  | DECK EDGE                                                                            |                                                                                     |  | 7                                                                                    |  |  |                                                                                      |  |  |
|                                                                                    |  |  |                                                                                    |  | SCALE<br>3" = 1'-0"                                                                  |                                                                                     |  | SCALE<br>3" = 1'-0"                                                                  |  |  |                                                                                      |  |  |
|                                                                                    |  |  |                                                                                    |  | 7                                                                                    |                                                                                     |  | 4                                                                                    |  |  |                                                                                      |  |  |
|                                                                                    |  |  |                                                                                    |  | ROOF EAVE                                                                            |                                                                                     |  | WALL MATERIAL TRANSITION                                                             |  |  |                                                                                      |  |  |
|                                                                                    |  |  |                                                                                    |  | SCALE<br>3" = 1'-0"                                                                  |                                                                                     |  | SCALE<br>3" = 1'-0"                                                                  |  |  |                                                                                      |  |  |
|                                                                                    |  |  |                                                                                    |  | 4                                                                                    |                                                                                     |  | I                                                                                    |  |  |                                                                                      |  |  |
|                                                                                    |  |  |                                                                                    |  | WALL MATERIAL TRANSITION                                                             |                                                                                     |  | WALL MATERIAL TRANSITION                                                             |  |  |                                                                                      |  |  |
|                                                                                    |  |  |                                                                                    |  | SCALE<br>3" = 1'-0"                                                                  |                                                                                     |  | SCALE<br>3" = 1'-0"                                                                  |  |  |                                                                                      |  |  |



GUNKEL ARCHITECTURE

1295 59TH STREET

EMERYVILLE CA 94608

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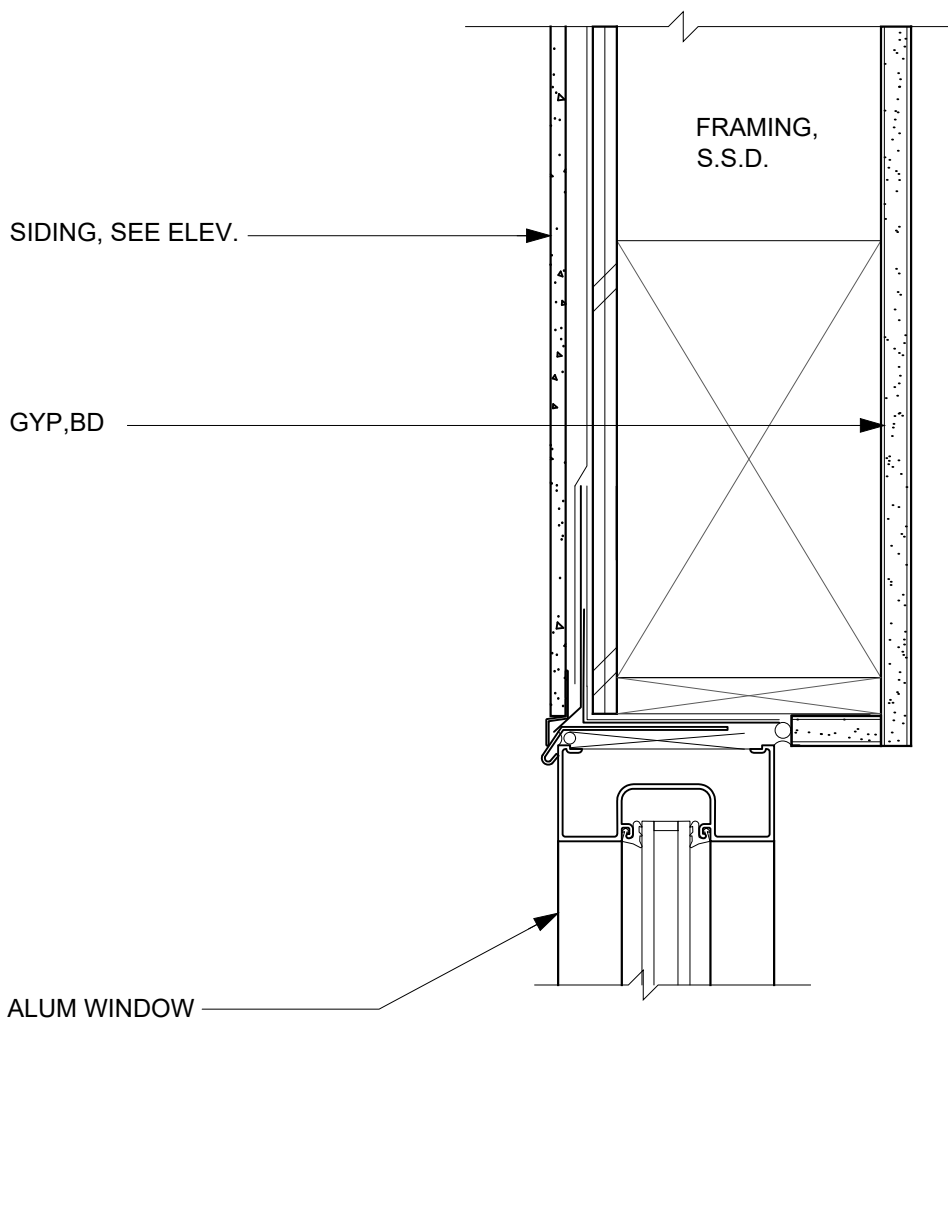
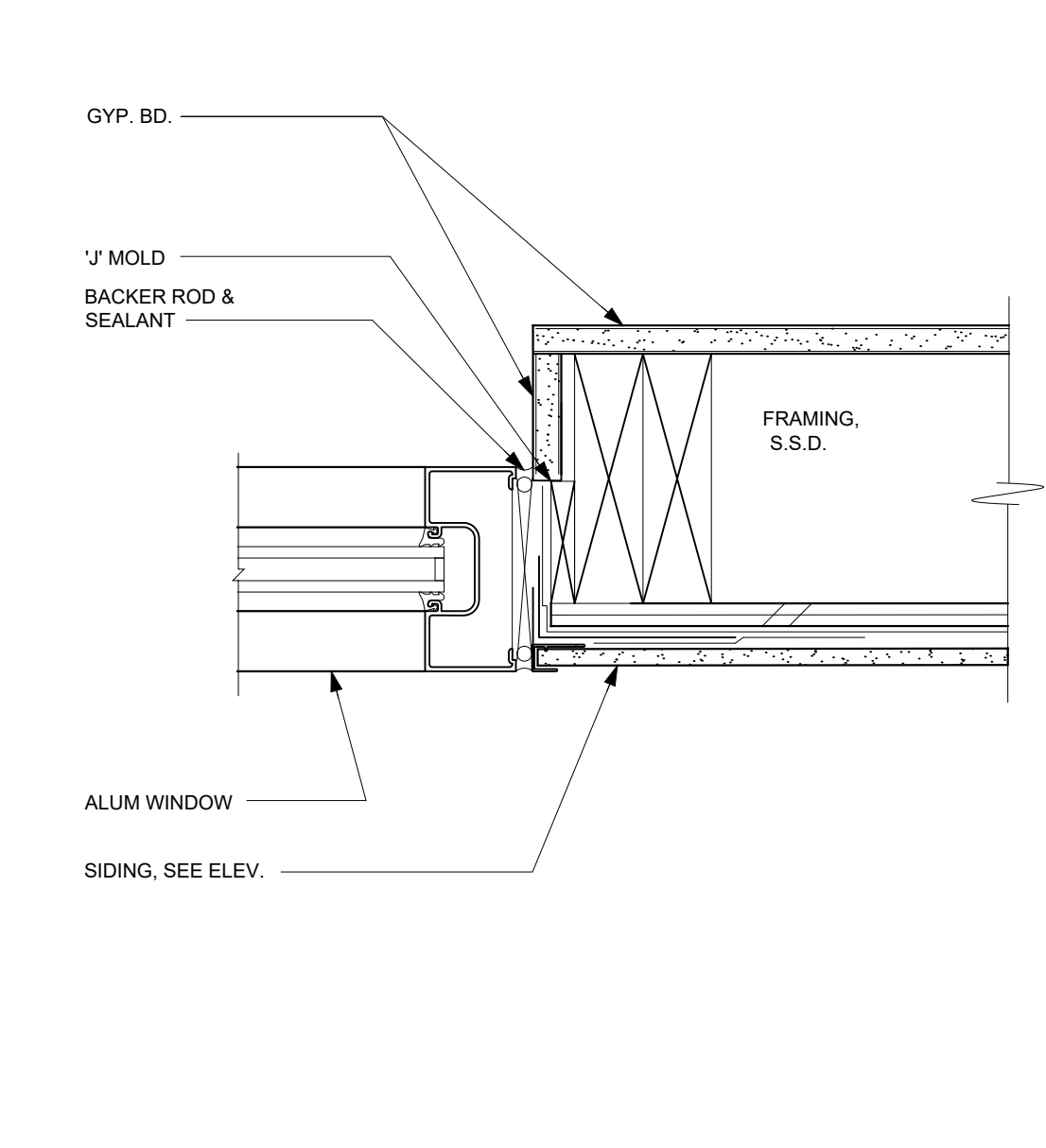
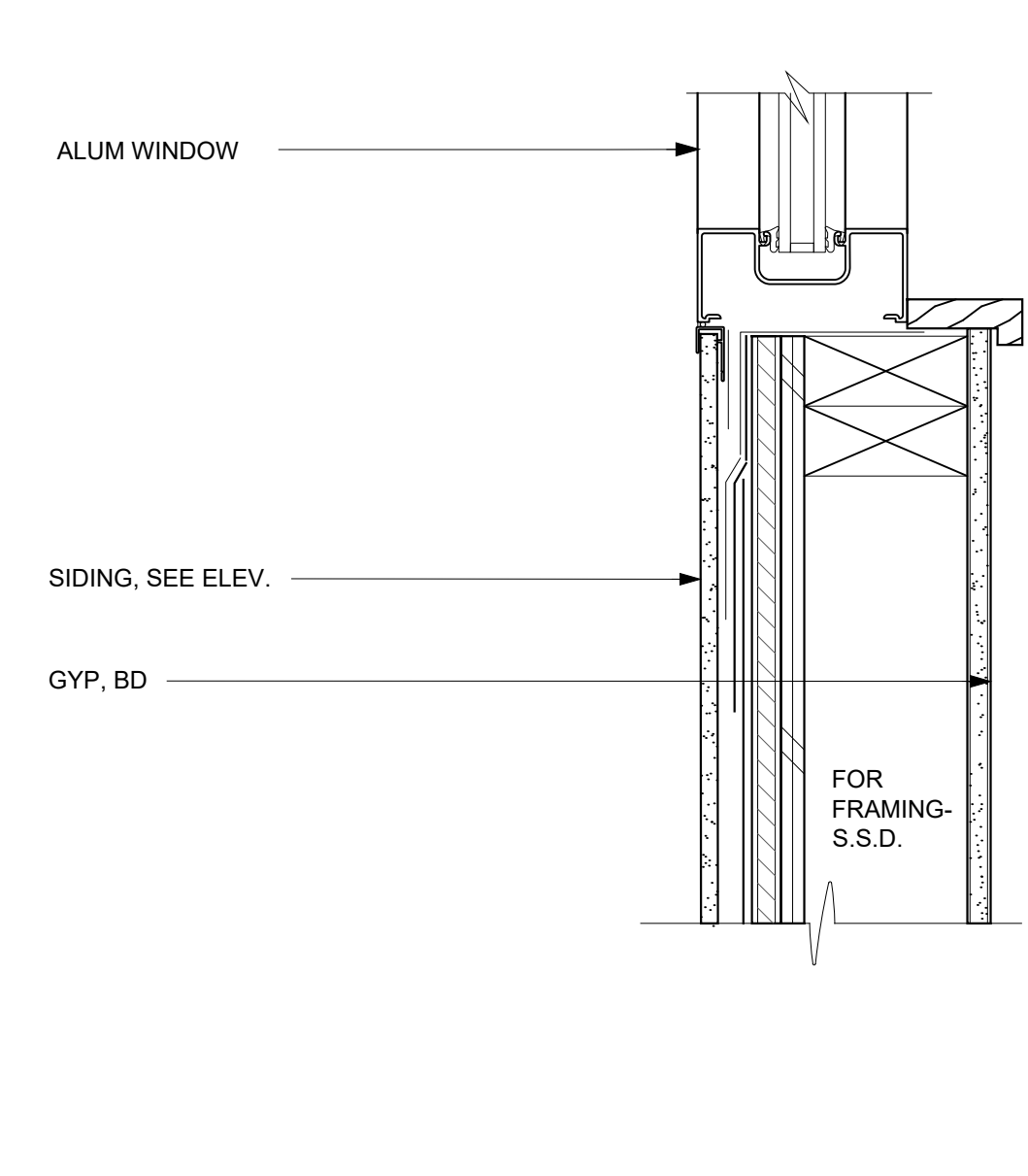
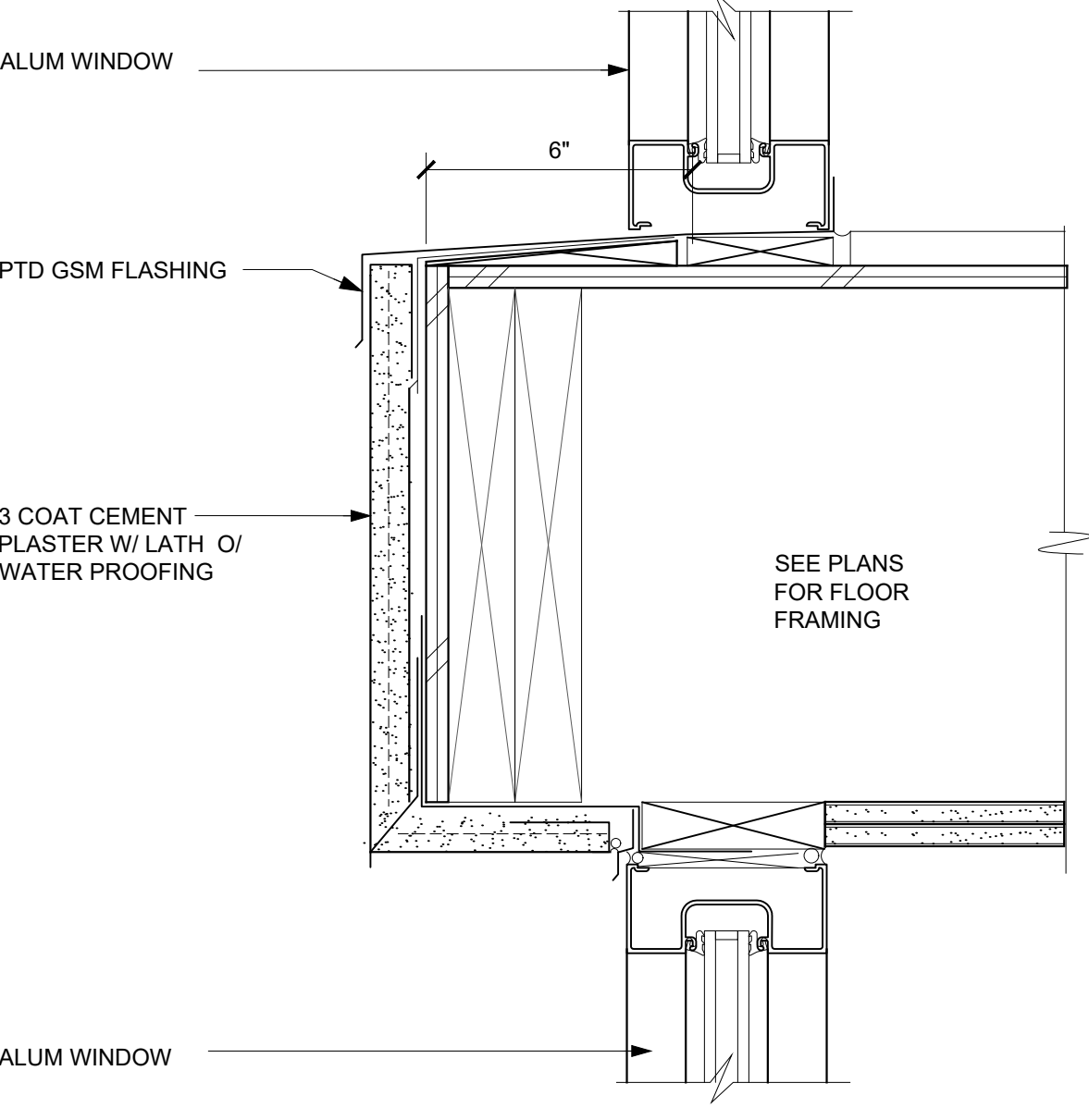
DETAILS

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A5.1

|  |  |                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                    |
|--|--|-------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  |  <p>6 WINDOW HEAD @ SIDING</p> <p>SCALE<br/>3" = 1'-0"</p>   |                                                                                                                                                                                                                                                                                                                                    |
|  |  |  <p>5 WINDOW JAMB @ SIDING</p> <p>SCALE<br/>3" = 1'-0"</p>  |                                                                                                                                                                                                                                                                                                                                    |
|  |  |  <p>4 WINDOW SILL @ SIDING</p> <p>SCALE<br/>3" = 1'-0"</p> |  <p>I WINDOW SILL AND HEAD @ STUCCO</p> <p>SCALE<br/>3" = 1'-0"</p> |



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DETAILS

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A5.2



# Z 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

### 2614 Telegraph Avenue & 2417 Carleton Street

Use Permit #ZP2024-0027 to demolish a residential building (2614 Telegraph Avenue) and a commercial building (2417 Carleton Street), merge the two lots, and construct a 39,009 square foot, 5-story (60 feet, 6 inches) mixed-use residential building containing 32 dwelling units ( 3 Very Low-Income and 2 Low-Income) and 605 square foot commercial space, with no automobile parking spaces and 40 bicycle parking spaces, utilizing State Density Bonus.

The Zoning Adjustments Board of the City of Berkeley will hold a public hearing on the above matter, pursuant to Zoning Ordinance, Section [23.404.050 \(Public Hearings and Decisions\)](#)

**When:** Thursday, July 9, 2026, 7:00 pm

**Where:** Berkeley Unified School District meeting room, 1231 Addison Street, (wheelchair accessible) with remote/hybrid option (via Zoom).

Please visit: <https://berkeleyca.gov/your-government/boards-commissions/zoning-adjustments-board> and click on the hearing date to access the most up-to-date meeting information, or call the Land Use Planning division (510) 981-7410.

**PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION AVAILABLE FOR MEMBERS OF THE PUBLIC.**

*For in-person attendees, face coverings or masks that cover both the nose and mouth are encouraged. If you're feeling sick, please do not attend the meeting in-person as a public health precaution.*

*Currently, there are no physical distancing requirements in place by the State of California or the Local Health Officer for an indoor event similar to a Commission meeting. However, all attendees are requested to be respectful of the personal space of other attendees. An area of the public seating area will be designated as "distanced seating" to accommodate persons that need to distance for personal health reasons.*

#### A. Land Use Designations:

- General Plan: General Plan: AC, Avenue Commercial
- Zoning: C-C, Corridor Commercial

**B. Zoning Permits Required:**

- **Demolition.** BMC Section 23.326.070(A) **“Main Non-Residential Building”** to demolish a non-residential building. (UPPH)
- **New Construction.** BMC Section 23.204.020 (A) **“Allowed Land Uses”** to construct a multi-family development. (UPPH)
- **New Construction.** BMC Section 23.204.020 (A) **“Allowed Land Uses”** to construct a mixed-use development. (UPPH)
- **New Floor Area.** BMC Section 23.204.030(A)(1) **“Floor Area Permit Requirements”** to create new floor area of 5,000 square feet or more in the C-C District. (UPPH)
- **Height.** BMC Section 23.204.050(D)(1) **“Development Standards”** to increase the maximum height to 50 feet and four stories for a mixed-use project. (UPPH)
- **Useable Open Space.** BMC Section 23.204.050(D)(3) **“Development Standards”** to reduce the minimum useable open space. (UPPH)
- **Height Projection.** “BMC Section 23.304.050 (A) **Projections Above Height Limits”** exceed height limit with a rooftop projection. (AUP)
- **Fence.** “BMC Section 23.304.080(A) **Fences”** to construct a fence over 6-feet in height. (AUP)

**C. Concessions and Waivers Requested Pursuant to State Density Bonus Law (California Government Code Section 65915):**

- **Concession** to allow an exemption from the Percentage for Public Art on Private Projects requirement
- **Waiver** of BMC Section 23.204.050(D) to exceed the floor area ratio (FAR) limit of 3 with an FAR of 4
- **Waiver** of BMC Section 23.204.050(D) to exceed the maximum building height of 50 feet, 4-stories with a height of 60-feet, 6-inches, 5-stories
- **Waiver** of BMC Section 23.204.050(D) to reduce the open space to zero

**D. CEQA Recommendation:** Categorically exempt pursuant to Section 15332 of the CEQA Guidelines (“Infill Development Projects”).

**E. Project Recommendation:** Approve Use Permit #ZP2024-0027 pursuant to BMC Section 23.406.040(D)

**F. Parties Involved:**

- Applicant Gunkel Architecture, Leila Ghaz, Emeryville
- Property Owner Avenue T Property, LLC, Sacramento

**Further Information:**

All application materials are available online at: <https://aca-prod.accela.com/BERKELEY/Default.aspx>.

The Zoning Adjustments Board final agenda and staff reports will be available online 6 days prior to this meeting at: <https://berkeleyca.gov/your-government/boards-commissions/zoning-adjustments-board>.

Questions about the project should be directed to the project planner, Vicky Schlepp, at (510) 981-7422 or [vschlepp@berkeleyca.gov](mailto:vschlepp@berkeleyca.gov).

Written comments or a request for a Notice of Decision should be directed to the Zoning Adjustments Board Secretary at [zab@berkeleyca.gov](mailto:zab@berkeleyca.gov).

**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.

**Written Comments, 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@berkeleyca.gov](mailto:zab@berkeleyca.gov). All materials will be made available via the Zoning Adjustments Board Agenda page online at this address: <https://berkeleyca.gov/your-government/boards-commissions/zoning-adjustments-board>

All persons are welcome to attend the 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 #1, which is released around noon one day before the public hearing.
- **Correspondence received by 12:00 PM, the day of** this public hearing, will be conveyed to the Board in a Supplemental Communications and Reports #2, which is released around noon the day of the public hearing.
- **Correspondence received after 12:00 PM, the day of** this public hearing will be saved in the project administrative record.



**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@berkeleyca.gov) 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 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 90 days after the date the decision becomes final, as defined in Code of Civil Procedure Section 1094.6(b). Any lawsuit not filed within that 90-day period will be barred.
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.