PROCLAMATION
CALLING A SPECIAL MEETING OF THE BERKELEY CITY COUNCIL
(REVISED TO ADD A TELECONFERENCE LOCATION)

In accordance with the authority in me vested, I do hereby call the Berkeley City Council in special session as follows:

Wednesday, July 23, 2025
6:00 PM

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702

TELECONFERENCE LOCATION - MARINA DEL SOL C-202, IXTAPA, ZIHUATANEJO DE AZUETA, 40884, GUERRERO, MÉXICO

TELECONFERENCE LOCATION - 5617 NW JETTY AVE, LINCOLN CITY 97367

TELECONFERENCE LOCATION - TÜRKMEN MAH. ÜNLÜ SOK. NO. 6 KUŞADASI, AYDIN, TÜRKIYE

ADENA ISHII, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – IGOR TREGUB
DISTRICT 5 – SHOSHANA O'KEEFE
DISTRICT 6 – BRENT BLACKABY
DISTRICT 7 – CECILIA LUNAPARRA
DISTRICT 8 – MARK HUMBERT

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Preliminary Matters

Roll Call:

Action Calendar

The public may comment on each item listed on the agenda for action. For items moved to the Action Calendar from the Consent Calendar or Information Calendar, persons who spoke on the item during the Consent Calendar public comment period may speak again during the Action Calendar public comment period on the item

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Action Calendar – Public Hearings

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1. **Landmarks Preservation Commission Appeal: 2425 Durant, Landmark application #LMIN2024-0008**
   From: City Manager
   Recommendation: Conduct a public hearing, and upon conclusion adopt a Resolution upholding the appeal and reversing the Landmarks Preservation Commission (LPC) decision to designate the subject property as a City Landmark.
   Financial Implications: None
   Contact: Jordan Klein, Planning and Development, (510) 981-7400

Action Calendar – Public Hearings

2. Landmarks Preservation Commission Appeal: 2138 Kittredge, Landmark application #LMIN2024-0006
From: City Manager
Recommendation: Conduct a public hearing, and upon conclusion adopt a Resolution upholding the appeal and reversing the Landmarks Preservation Commission (LPC) decision to designate the subject property as a City Landmark.
Financial Implications: None
Contact: Jordan Klein, Planning and Development, (510) 981-7400

3. Zoning Adjustment Board Appeal: 2655 Shattuck, Use Permit #ZP2024-0057
From: City Manager
Recommendation: Conduct a public hearing, and upon conclusion adopt a Resolution denying the appeal and affirming the Zoning Adjustment Board (ZAB) decision to approve Use Permit #ZP2024-0057 to demolish a one-story, 8,185-square-foot, non-residential building and construct an eight-story (85 feet), 84,399-square-foot mixed-use residential building containing 97 dwelling units (including ten Very Low-Income Density Bonus qualifying units), 2,117 square feet of ground-floor commercial space and 41 vehicle parking space, on a 23,527 square foot lot.
Financial Implications: None
Contact: Jordan Klein, Planning and Development, (510) 981-7400

Adjournment

I hereby request that the City Clerk of the City of Berkeley cause personal notice to be given to each member of the Berkeley City Council on the time and place of said meeting, forthwith.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Berkeley to be affixed on this 17th day of July, 2025.

/s/ Adena Ishii, Mayor

Public Notice – this Proclamation serves as the official agenda for this meeting.

ATTEST:

Date: July 17, 2025
Mark Numainville, City Clerk

NOTICE CONCERNING YOUR LEGAL RIGHTS*: If you object to a decision by the City Council to approve or deny a use permit or variance for a project the following requirements and restrictions apply: 1) No lawsuit challenging a City decision to deny (Code Civ. Proc. §1094.6(b)) or approve (Gov. Code 65009(c)(5)) a use permit or variance may be filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a use permit or variance, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.*

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Item #3: Zoning Adjustment Board Appeal: 2655 Shattuck, Use Permit #ZP2024-0057

1. Marianne Sluis

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Financial Implications: None
Contact: Jordan Klein, Planning and Development, (510) 981-7400

Adjournment

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IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Berkeley to be affixed on this 14th day of July, 2025.

/s/ Adena Ishii, Mayor

Public Notice – this Proclamation serves as the official agenda for this meeting.

ATTEST:

Date: July 14, 2025
Mark Numainville, City Clerk

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Item #3: Zoning Adjustment Board Appeal: 2655 Shattuck, Use Permit #ZP2024-0057

1. Marianne Sluis

Office of the City Manager

PUBLIC HEARING
July 23, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Jordan Klein, Director, Planning & Development Department

Subject: Landmarks Preservation Commission Appeal: 2425 Durant, Landmark application #LMIN2024-0008

RECOMMENDATION

Conduct a public hearing, and upon conclusion adopt a Resolution upholding the appeal and reversing the Landmarks Preservation Commission (LPC) decision to designate the subject property as a City Landmark.

SUMMARY

On March 6, 2025, the LPC approved Landmark Designation Application #LMIN2024-0008, designating the property at 2425 Durant Avenue as a City Landmark. The designation was based on findings that the property meets criteria related to architectural merit, cultural value, and historical significance.

On April 15, 2025, Qian Wang LLC, the applicant for a pending Use Permit on the same property (#ZP2024-0162), which was submitted pursuant to Senate Bill 330 (the Housing Crisis Act of 2019), filed an appeal of the LPC's decision. The appellant contends that landmark designation of the subject property would conflict with the provisions of SB 330 and the Housing Accountability Act (HAA) and adversely impact the proposed housing development project.

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

On November 18, 2024, the City received an SB 330 application to vest the Preliminary Use Permit (PLN2024-0064).

On December 13, 2024, the Preliminary Use Permit application was deemed complete and vested at the time of submittal, November 21, 2024..

On November 21, 2024, the appellant submitted a Use Permit application (ZP2024-0162).

On December 13, 2024, the Use Permit Application was deemed incomplete.

On December 31, 2024, the City received a Landmark or Structure of Merit application (LMIN2024-0008) for the subject property and initiated consideration of the property for the designation.

On January 13, 2025, the City prepared and mailed a Notice of Initiation of the City of Berkeley Landmark designation, anticipating a public hearing before the LPC on March 6, 2025.

On February 13, 2025, the Use Permit Application was resubmitted.

On February 24, 2025, the City mailed public hearing notices to property owners and occupants within 300 feet of the project site, as well as to interested neighborhood organizations for the landmark designation hearing.

On March 6, 2025, the LPC held a public hearing on the landmark designation application and received public comment. Following deliberations, the LPC unanimously approved the designation by a vote of 8-0-0-0 vote (Moved: Leuschner, Second: Schwartz, Ayes: Crandall, Enchill, Finacom, Leuschner, Montgomery, Orbuch, Plese and Schwartz, Noes: None; Abstain: None; Absent: None). See Attachment 3 for the LPC staff report.

On March 13, 2025, the Use Permit Application was deemed complete.

On April 15, 2025, the property owner filed an appeal of the LPC's decision.

BACKGROUND

Landmarks Designation

The subject property is an approximately 9,750-sq. ft, interior lot on the north side of the 2400-block of Durant Avenue. It is a rectangular parcel that is oriented north-to-south with street frontage facing Durant Avenue to the south. It is located in the R-SMU (Residential Southside Mixed Use District) (Figure 1). The lot features four buildings, two main residences that each front Durant Avenue at 2421 Durant Avenue and 2425 Durant Avenue; one cottage at the rear, northeast corner of the lot at 2423 Durant Avenue; and one ancillary building at the rear, southeast corner of the lot (Figure 2) (Image 1; Image 2; and Image 3).

Figure 1. Zoning

The residence at 2421 Durant Avenue is a two-to-three story over basement Victorian with a tower roof, rectangular footprint, and wood siding and shingle exterior (Image 1). Constructed in 1886, it is Stick style. Stick style elements include horizontal and vertical band details (stickwork), decorative trusses in gables at the primary elevation, channel-rustic siding, and overhanging eaves with exposed rafter ends.

The residence at 2425 Durant Avenue is a two-story plus attic flat and was built in 1905 (Image 2). Designed in the Colonial Revival style with Shingle style elements, it features a rectangular footprint, hipped roof, and wood shingle exterior.

The rear cottage and ancillary building/shed are not visible from the right-of-way (Image 3). Available images from recent online rental listings indicate the cottage, constructed in 1906, is a simple Craftsman style two-story residence.

Image 1. 2421 Durant Avenue (source: Landmark application)

Image 2. 2425 Durant Avenue (source: Landmark application)

Image 3: Cottage 2423 Durant (source: Landmark application)

The subject property is located in Berkeley's first subdivision, College Homestead Tract, established in 1866 by the trustees of the College of California. Created to raise funds for the construction of the University campus, it was further subdivided in 1886. The new subdivision, the Beaver Tract, included houses built by the Berkeley Improvement Association. 2421 Durant Avenue was the third home built in the Beaver Tract by the Berkeley Improvement Association, led by prominent Berkeley citizen James L. Barker. Barker was instrumental in the development of Berkeley, having introduced the Central Pacific Railway to Berkeley in 1876. In 1906, the property owner commissioned prominent architect William Wharff to design the flats at 2425 Durant Avenue. That same year, a two-story cottage was also constructed on the property at 2432 Durant Avenue. The cottage was later converted to a duplex in 1925.

The subject property is not listed on the National Register of Historic Places (NR) or the California Register of Historical Resources (CR).

Several City Landmarks and Structures of Merit are located nearby, including the Cambridge Apartments (1914) at 2500 Durant Avenue, the Fred Turner Building (1940) at 2546 Bancroft Way, the Brasfield (1911) at 2520 Durant Avenue, and the Albra (1921) at 2530 Durant Avenue.

Senate Bill 330 (Housing Crisis Act of 2019) Vesting Rights

SB 330, also known as “The Housing Crisis Act of 2019,” provides a sponsor of a housing development project a pathway to preserve planning and zoning rights from the date of application filing. This allows the project to vest under laws in place when the application is filed and limits the number of public meetings about the project application to five. An SB 330 Preliminary Use Permit application was submitted on November 18, 2024, and the application was deemed complete on November 21, 2024 (#PLN2024-0064). Any subsequent changes to zoning or other local regulations, including discretionary decisions such as a local landmark designation, are not applicable to the housing development project.

RATIONALE FOR RECOMMENDATION

The issue raised in the appellant’s letter (Attachment 2) and staff’s response are detailed below. For the sake of brevity, all the appeal issues are not re-stated in their entirety.

Issue: The appellant claims that the designation violates the Housing Crisis Act (Government Code § 66300) and the Housing Accountability Act (Government Code § 65589.5), because a Senate Bill 330 (SB 330) Preliminary Application for a housing development on the site was submitted and deemed complete prior to the landmark designation.

Response: Under State law, once a SB330 preliminary application for a housing development project is submitted and deemed complete, it is protected from the application of new policies or standards, including historic designations. Government Code Section 65589.5(o)(1) (HAA) provides that housing projects are subject only to the ordinances, policies, and standards that were in effect at the time a preliminary application was submitted.

In this case, the preliminary application was deemed complete on November 21, 2024 and the Landmarks Preservation Commission designated the site as a historic landmark on March 6, 2025, which occurred after the vested rights had been established. Accordingly, staff recommends reversing the designation because it cannot be applied to the proposed project under State law. As a result, the designation would have no practical effect in this instance.

ALTERNATIVE ACTIONS CONSIDERED

Pursuant to BMC Section 3.24.300(E), the Council may (1) continue the public hearing, (2) affirm, or modify the LPC’s decision, or (3) remand the matter to the LPC.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The reversal of 2425 Durant Avenue as a City Landmark designation, LMIN2024-0008, would not have a significant effect on the environment, and therefore is not subject to CEQA (CEQA Guidelines Section 15061(b)(3), Common Sense Exemption).

CONTACT PERSON

Jordan Klein, Director, Planning & Development Department, (510) 981-7534
Anne Hersch, Land Use Planning Manager, (510) 981-7411
Robert Rivera, Senior Planner, (510) 981-7480

Attachments:
1: Draft Resolution
2: LPC Decision Appeal Letter, received April 15, 2025
3: LPC Packet (Staff Report and attachments), dated March 6, 2025
4: Public Hearing Notice
5: Index to Administrative Record
6: Administrative Record

RESOLUTION NO. ##,###-N.S.

UPHOLD THE APPEAL AND REVERSE THE LANDMARK PRESERVATION COMMISSION DECISION TO DESIGNATE THE SUBJECT PROPERTY AT 2425 DURANT AVENUE AS A CITY LANDMARK

WHEREAS, on November 18, 2024, the City received a Preliminary Use Permit (PLN2024-0064) application pursuant to SB330; and

WHEREAS, On December 13, 2024, the Preliminary Use Permit (PLN2024-0064) was deemed complete; and

WHEREAS, on December 31, 2024, residents of the City of Berkeley ("applicant") submitted a Landmark or Structure of Merit application (LMIN2024-0008) to designate the property at 2425 Durant Avenue as a City Landmark; and

WHEREAS, on February 13, 2025, the City mailed public hearing notices to all adjacent property owners and occupants within 300 feet of the subject property, and to interested neighborhood organizations; and

WHEREAS, on March 6, 2025, the Landmark Preservation Commission (LPC) conducted a public hearing for the Landmark or Structure of Merit application (LMIN2024-0008). After considering the staff report, the administrative record, and hearing comments from staff, the applicant, and the members of the public, the LPC approved the project by a vote of 8-0-0-0; and

WHEREAS, on March 24, 2025, property owner of 2425 Durant, Qian Wang ("appellants") submitted an appeal of the LPC decision to the City Clerk; and

WHEREAS, on or before July 9, 2025, staff posted the public hearing notice at the site and three nearby locations, and mailed notices to property owners and occupants within 300 feet of the project site, and to all registered neighborhood groups that cover this area. The Council must conduct a public hearing to resolve the appeal; and

WHEREAS, on July 23, 2025, the Council held a public hearing to consider the LPC's decision, and in the opinion of this Council, the facts stated in, or ascertainable from the public record, including the staff report and comments made at the public hearing, warrant upholding the appeal.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Berkeley hereby reverses the decision made by LPC to approve a Landmark or Structure of Merit application #LMIN2024-0008.

CITY OF BERKELEY - CITY CLERK
2025 APR 15 PM 4:11

Date: April 15, 2025

To: City of Berkeley

From: Qian Wang

Subject: Appeal of the Landmark Preservation Commission Decision (LMIN2024-0008)

I am submitting this letter to the City of Berkeley to appeal the Landmarks Preservation Commission (LPC) approval on March 6, 2025 to designate the property at 2425 Durant Avenue as a local historic resource. The City's designation of this property as a local historic resource is in violation of the Housing Crisis Act (Government Code Section 66300) and the Housing Accountability Act (G.C. Section 65589.5).

The Senate Bill 330 (SB 330) Preliminary Application for the housing development project proposed at 2425 Durant Avenue was submitted and deemed complete on November 21, 2024.

Sincerely,

Qian Wang

Property Owner of 2425 Durant Avenue in Berkeley, CA

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Office of the City Manager

INFORMATION CALENDAR
April 15, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Jordan Klein, Director, Planning and Development Department

Subject: Notice of Decision: 2425 Durant Avenue/#LMIN2024-0008

INTRODUCTION

The attached Notice of Decision (NOD) for the Landmarks Designation is presented to the Mayor and City Council pursuant to Berkeley Municipal Code/Landmarks Preservation Ordinance Section 3.24.160, which requires that "a copy of the Notice of Decision shall be filed with the City Clerk and the City Clerk shall present said copy to the City Council at its next regular meeting."

CURRENT SITUATION AND ITS EFFECTS

The Landmark Preservation Commission (LPC/Commission) has designated the subject property as a City Landmark. Pursuant to Government Code section 65913.10, because there is a vested preliminary application for a housing development project on the subject property, the Landmark designation will apply only to the property, not to the housing project.

BACKGROUND

Berkeley Municipal Code Section 3.24.300 provides that the City Council is the hearing body for any appeal to review any action of the Commission in granting or denying designation status. The code also provides that the City Council may file its own appeal to review the decision on its merits. An individual Council member may file such an appeal, without prejudice, by providing a written statement clearly and concisely setting forth the grounds upon which the appeal is based. Alternatively, the Council as a whole may vote to appeal the decision; to do so, this Information Item must be moved to the Action calendar and a motion must pass to appeal the LPC decision. Either form of Council appeal or a public appeal must be presented to the City Clerk within 15 days from the mailing of the NOD, i.e. by April 15, 2025. Council review of any appeal by any party stays all proceedings in the matter until the appeal is resolved.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Landmark designation provides opportunities for the adaptive re-use and rehabilitation of historic resources within the City. The rehabilitation of these resources, rather than

their removal, achieves construction and demolition waste diversion, and promotes investment in existing urban centers.

POSSIBLE FUTURE ACTION
The Council may choose to certify or appeal the decision to grant designation status, setting the matter for public hearing at a future date.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION
There are no known fiscal impacts associated with this designation action.

CONTACT PERSON
Anne Hersch, Land Use Planning Manager, Planning and Development, 510-981-7410

Attachments:
1: Notice of Decision – #LMIN2024-0008/2425 Durant Avenue

Attachment 1, Part 1

LANDMARKS PRESERVATION COMMISSION

Notice of Decision

DATE OF BOARD DECISION: March 6, 2025
DATE NOTICE MAILED: March 31, 2025
APPEAL PERIOD EXPIRATION: April 15, 2024
EFFECTIVE DATE (Barring Appeal or Certification): April 16, 2025[1]

2425 Durant Avenue – Laura Tull Property

Landmark application #LMIN2024-0008 for the consideration of City Landmark or Structure of Merit designation status for a residential property constructed in 1886 and 1905-1906 (APN 055-1878-007-01)

The Landmarks Preservation Commission of the City of Berkeley, after conducting a public hearing, **APPROVED** the granted the following designation:

- **City Landmark designation**
  - **Applicant:** Anthony Bruce, Berkeley Architectural Heritage Association
    P.O. Box 1137
    Berkeley, CA 94701
  - **Property Owner:** 2425 Durant Avenue LLC
    P.O. Box 9541
    Berkeley, CA 94709

ZONING DISTRICT: Residential Mixed Use (R-SMU)

1 Pursuant to BMC Chapter 3.24, the City Council may "certify" any decision of the LPC for review, which has the same effect as an appeal. In most cases, the Council must certify the LPC decision during the 14-day appeal period. However, pursuant to BMC Section 1.04.070, if any portion of the appeal period falls within a Council recess, the deadline for Council certification is suspended until the first Council meeting after the recess, plus the number of days of the appeal period that occurred during the recess, minus one day. If there is no appeal or certification, the Permit becomes effective the day after the certification deadline has passed.

ENVIRONMENTAL REVIEW STATUS: Categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15061.(b)(3) Review for Exemptions.

The application materials for this project is available online at:
https://berkeleyca.gov/construction-development/land-use-development/zoning-projects or
https://permits.cityofberkeley.info/CitizenAccess/Default.aspx

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FINDINGS AND CONDITIONS OF APPROVAL AND APPLICATION MATERIALS ARE ATTACHED TO THIS NOTICE

COMMISSION VOTE: 8-0-0-0 (*Note: one vacancy*)

YES: CRANDALL, ENCHILL, FINACOM, LEUSCHNER, MONTGOMERY, ORBUCH, PLESE, SCHWARTZ

NO: NONE

ABSTAIN: NONE

ABSENT: NONE

TO APPEAL THIS DECISION (see Section 3.24.300 of the Berkeley Municipal Code):
To appeal a decision of the Landmarks Preservation Commission to the City Council you must:

1. Submit a letter clearly and concisely setting forth the grounds for the appeal to the City Clerk, located at 2180 Milvia Street, 1st Floor, Berkeley. The City Clerk's telephone number is (510) 981-6900.
   a. Pursuant to BMC Section 3.24.300.A, an appeal may be taken to the City Council by the application of the owners of the property or their authorized agents, or by the application of at least fifty residents of the City aggrieved or affected by any determination of the commission made under the provisions of Chapter 3.24.
2. Submit the required fee (checks and money orders must be payable to 'City of Berkeley'):
   a. The basic fee for persons other than the applicant is $1,500. This fee may be reduced to $500 if the appeal is signed by persons who lease or own at least 50 percent of the parcels or dwelling units within 300 feet of the project site, or at least 25 such persons (not including dependent children), whichever is less. Signatures collected per the filing requirement in BMC Section 3.24.300.A may be counted towards qualifying for the reduced fee, so long as the signers are qualified. The individual filing the appeal must clearly denote which signatures are to be counted towards qualifying for the reduced fee.

b. The fee for appeals of affordable housing projects (defined as projects which provide 50 percent or more affordable units for households earning 80% or less of Area Median Income) is $500, which may not be reduced.
c. The fee for all appeals by Applicants is $6,000.

3. The appeal must be received prior to 5:00 p.m. on the "APPEAL PERIOD EXPIRATION" date shown above (if the close of the appeal period falls on a weekend or holiday, then the appeal period expires the following business day).

If no appeal is received, the landmark permit will be final on the first business day following expiration of the appeal period.

NOTICE CONCERNING YOUR LEGAL RIGHTS:

If you object to this decision, the following requirements and restrictions apply:

1. If you challenge this decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Landmarks Preservation Commission at, or prior to, the public hearing.
2. You must appeal to the City Council within fifteen (15) days after the Notice of Decision of the action of the Landmarks Preservation Commission is mailed. It is your obligation to notify the Land Use Planning Division in writing of your desire to receive a Notice of Decision when it is completed.
3. Pursuant to Code of Civil Procedure Section 1094.6(b) and Government Code Section 65009(c)(1), no lawsuit challenging a City Council decision, as defined by Code of Civil Procedure Section 1094.6(e), regarding a use permit, variance or other permit may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure Section 1094.6(b). Any lawsuit not filed within that ninety (90) day period will be barred.
4. Pursuant to Government Code Section 66020(d)(1), notice is hereby given to the applicant that the 90-day protest period for any fees, dedications, reservations, or other exactions included in any permit approval begins upon final action by the City, and that any challenge must be filed within this 90-day period.
5. If you believe that this decision or any condition attached to it denies you any reasonable economic use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a "taking" of property for public use without just compensation under the California or United States Constitutions, your appeal of this decision must include the following information:

   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.

PUBLIC COMMENT:

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.

FURTHER INFORMATION:

Questions about the project should be directed to the Commission Secretary at (510) 981-7410 or lpc@berkeleyca.gov. All project application materials may be viewed at the Permit Service Center (Zoning counter), 1947 Center Street, 3rd Fl., during regular business hours.

ATTACHMENTS:

1. Findings for Approval
2. Application Materials

ATTEST: _____
Fatema Crane, Secretary
Landmarks Preservation Commission

cc: City Clerk
Anthony Bruce, Berkeley Architectural Heritage Association, P.O. Box 1137, Berkeley, CA 94701
2425 Durant Avenue LLC, P.O. Box 9541, Berkeley, CA 94709

ATTACHMENT 1, PART 2

FINDINGS FOR DESIGNATION

MARCH 06, 2025

2425 Durant Avenue – Laura Tull Property

Landmark application #LMIN2024-0008 for the consideration of City Landmark or Structure of Merit designation status for a residential property constructed in 1886 and 1905-1906 (APN: 055-1878-007-01)

PROJECT DESCRIPTION

City Landmark designation of the property at 2425 Durant Avenue

CEQA FINDINGS

1. The project is found to be exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq.) pursuant to Section 15061.b.3 of the CEQA Guidelines (activities that can be seen with certainty to have no significant effect on the environment).

LANDMARK PRESERVATION ORIDNANCE FINDINGS

1. Pursuant to Berkeley Municipal Code (BMC) Section 3.24.110.A.1.(a) of the Landmarks Preservation Ordinance (LPO), the Landmarks Preservation Commission of the City of Berkeley (Commission) finds that the property at 2425 Durant Avenue meets the architectural merit criterion for City Landmark designation as an example of an early residence from Berkeley's first subdivisions and one of the oldest reaming examples from this period of development. The third house built in the Beaver Tract, 2421 Durant Avenue is the oldest remaining example from this period of development. The property, developed over twenty years, includes examples of Stick style, Shingle, and Colonial Revival architecture that are worth preserving for the exceptional values they add as part of the neighborhood fabric. 2421 Durant Avenue, in particular, is one of the few remaining houses built in the Stick style in the University campus area. 2425 Durant Avenue, an example of Colonial Revival architecture with Shingle style elements, was designed by locally prominent architect, William H. Wharff, and appears to be one of his few remaining examples of pre-1906 work. The period of significance begins with its construction in 1886 and spans until 1906, when the cottage building was complete.

2. Pursuant to BMC Section 3.24.110.A.4, Commission finds that the property at 2425 Durant Avenue meets the historic value criterion for City Landmark designation as representative of an early pattern of residential development that began following the first subdivision, College Homestead Association Tract in 1866. The property's later evolution, including the 1905 construction of the flats at 2425 Durant Avenue and the

two-story cottage in 1906 is representative of the continuing residential development in the area during that period that coincided with the growth of the University.

FEATURES TO BE PRESERVED

This designation shall apply to the subject property and the following distinguishing features of the property shall be preserved, and missing features shall be restored to the extent possible:

Property

- Location at north side of Durant Avenue.
- Setting in a mixed-use neighborhood adjacent to the University of California, Berkeley campus.
- Spatial relationship between the two main residences – 2421 Durant Avenue and 2425 Durant Avenue and the rear cottage and ancillary building.

2421 Durant Avenue

- Primary elevation (south) elevation on Durant Avenue.
- Distinctive tower roof
- Horizontal and vertical band details (stickwork)
- Decorative trusses
- Fan bracket details
- Decorative wood spandrel on primary elevation
- Decorative trim above window openings
- Dormer windows
- Exterior wood siding and shingle details
- Original half-glaze front doors

2425 Durant Avenue

- Primary (south) elevation on Durant Avenue
- Shingle wood exterior
- Dormer windows
- Two-story bay window on south elevation
- Shingled porch with simple frieze at south elevation

Cottage

- Primary (south) elevation at rear of 2421 Durant Avenue
- Shingle wood exterior
- Double-hung wood windows

LANDMARKS PRESERVATION COMMISSION

STAFF REPORT

FOR COMMISSION ACTION
MARCH 6, 2025

2425 Durant Avenue – Laura Tull Property

Landmark application #LMIN2024-0008 for the consideration of City Landmark or Structure of Merit designation status for a residential property constructed in 1886 and 1905-1906 (APN 055-1878-007-01)

I. Application Basics

A. Land Use Designations: Residential Mixed Use (R-SMU)

B. CEQA Determination: Exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3) for Review Exemptions.

C. Parties Involved:

- **Application Author:** Anthony Bruce
  Berkeley Architectural Heritage Association
  P.O. Box 1137
  Berkeley, CA 94701

- **Property Owner:** 2425 Durant Avenue LLC
  P.O. Box 9541
  Berkeley, CA 94709

D. Staff Recommendation: Hold a public hearing and consider final action on this request.

Figure 1: Vicinity Map – highlighting nearby City Landmarks and Structures of Merit

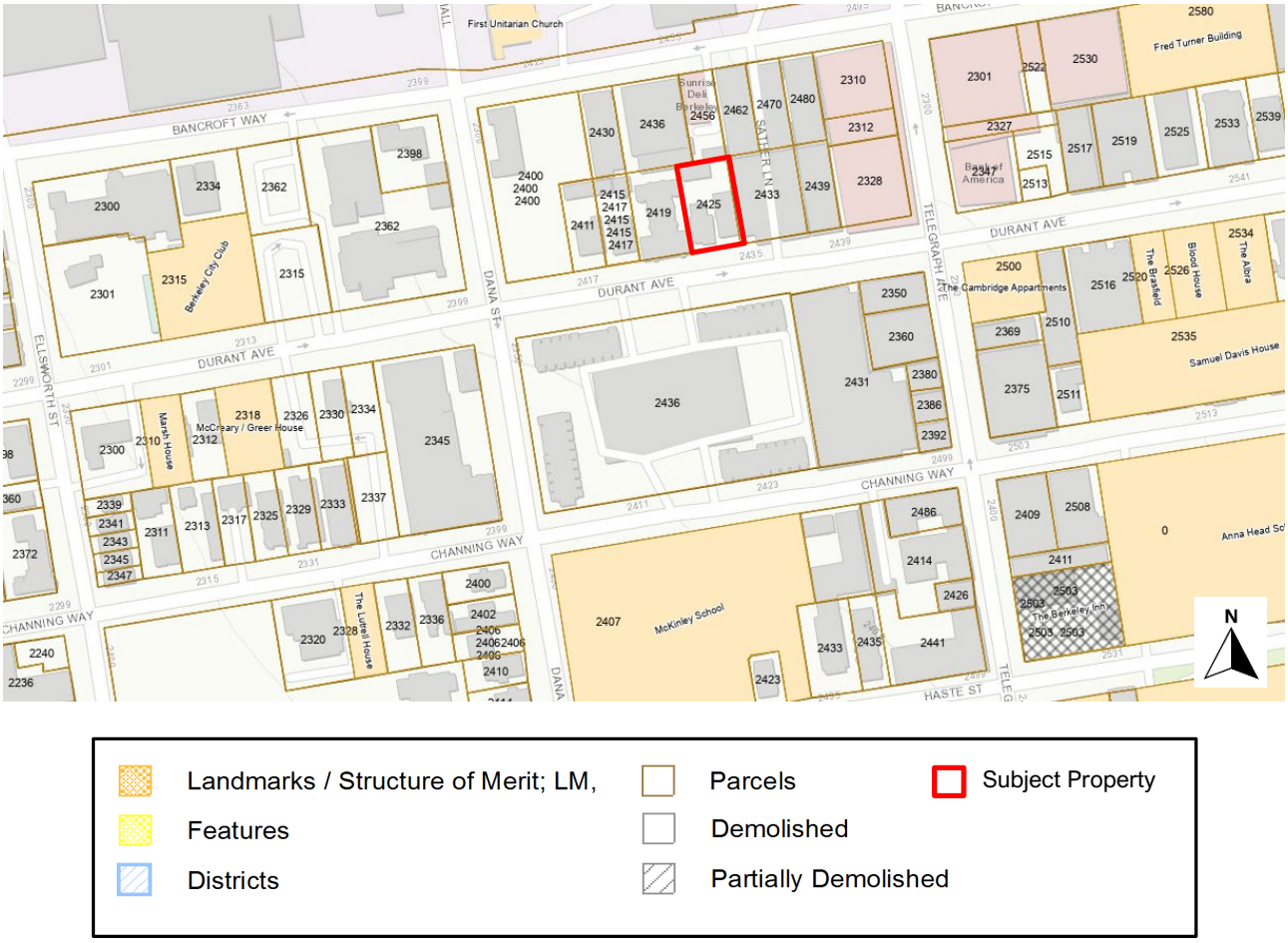


Figure 2 Subject property – Existing Site Conditions, plan view image (source: Yes Duffy)

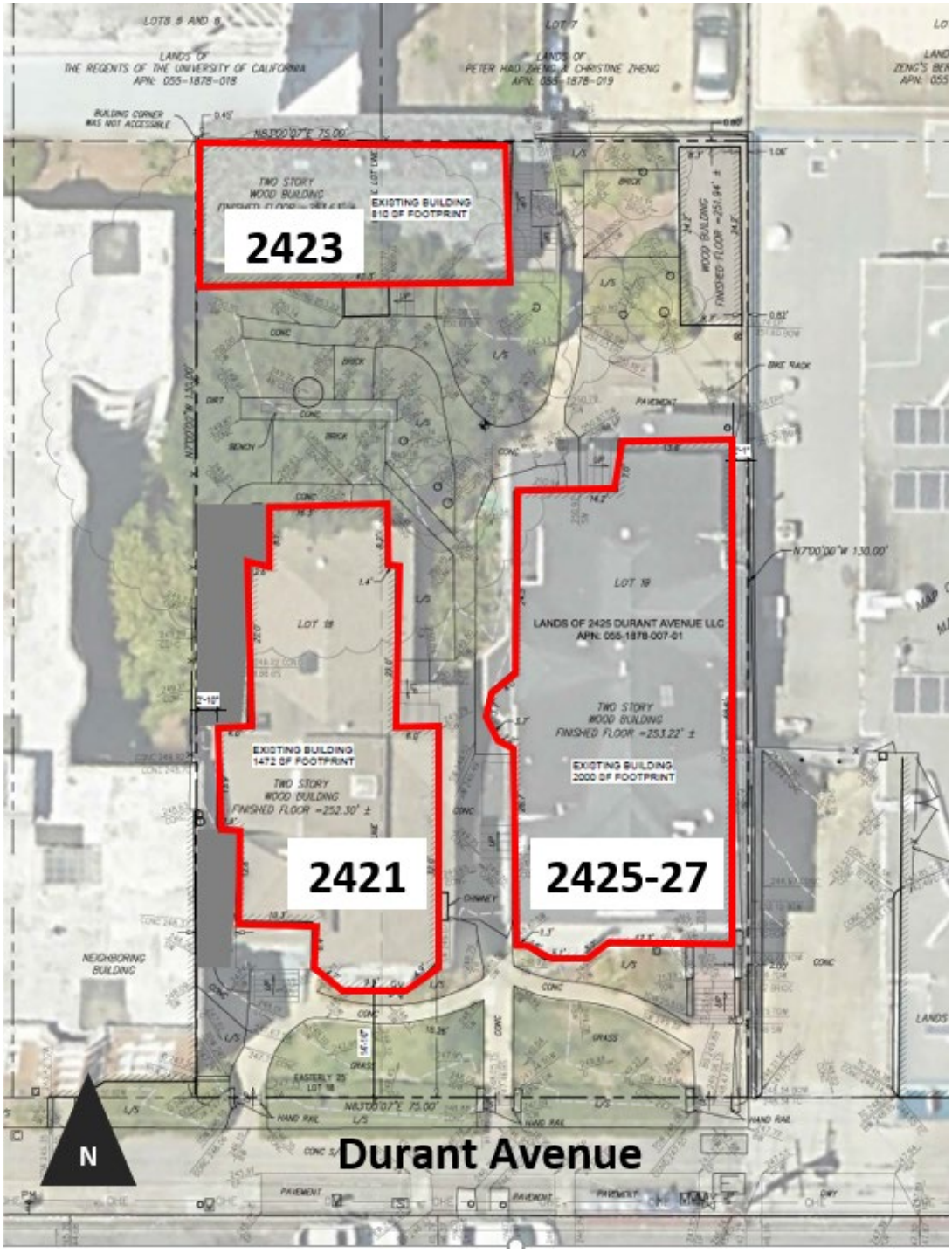


Figure 3 Subject property, current condition of 2421 Durant Avenue – primary (south) elevation and east elevation (source: Landmark application)

Figure 4 Subject property, current condition of 2425 Durant Avenue – primary (south) elevation and oblique view with 2421 Durant Avenue in background (source: Landmark application)

Figure 5 Subject property, current condition, Cottage/2423 Durant (source: Landmark application)

Figure 6 2421 Durant Avenue, also known as the Cyrus Street House, 1889 (source: Landmark application)

Figure 7 2421 Durant Avenue, 1939 (source: Landmark application)

Figure 8 2425 Durant Avenue, 1939 (source: Landmark application)

II. Application Chronology

On December 31, 2024, the City received a Landmark or Structure of Merit application petition for the subject property, and is provided in Attachment 2 of this report. In accordance with Berkeley Municipal Code (BMC) Section 3.24.120, the application initiated consideration of the property for designation status.

On February 24, 2025 staff mailed and posted 10-day advance notices for tonight's meeting, in accordance with BMC Section 3.24.140.

Previously-vested SB330 Use Permit Application

On November 21, 2024, the City received Use Permit application #PLN2024-0064 requesting a "complete" determination for a development application to demolish the buildings at the subject property and to construct a new housing project. On December 13, 2024, the City confirmed that the application is complete and, therefore, eligible for streamlined review per Senate Bill (SB) 330, also known as the Housing Crisis Act. This means the housing development is vested under the provisions of SB330 with no historical designation status under the local register and, therefore, the City will be precluded from imposing preservation-related conditions on the housing development project if it is approved. Further, no Landmarks Preservation Commission (LPC) Demolition Referral under BMC Section 23.326.070 of the Zoning Ordinance is required

for the pending Use Permit application because the subject property has a solely residential use (only non-residential properties are subject to Demolition Referral).

III. Historic Resource Status

The subject property is not listed on the National Register of Historic Places (NR) or the California Register of Historical Resources (CR).

Nearby City Landmarks include the Cambridge Apartments (1914) at 2500 Durant Avenue, the Fred Turner Building (1940) at 2546 Bancroft Way, the Brasfield (1911) at 2520 Durant Avenue, and the Albra (1921) at 2530 Durant Avenue. See Figure 1, above.

IV. Property Description

The following description of 2425 Durant Street is based on the research presented in the Landmark Application for this consideration.

The subject property is an approximately 9,750-sq. ft, interior lot on the north side of the 2400-block of Durant Avenue. It is a rectangular parcel that is oriented north-to-south with street frontage facing Durant Avenue to the south. It comprises the address 2421-2427 Durant Avenue. The lot features four buildings: two main residences that each front Durant Avenue – 2421 Durant Avenue and 2425 Durant Avenue; one cottage at the rear, northeast corner of the lot – 2423 Durant Avenue; and one ancillary building at the rear, southeast corner of the lot (Figure 2). The two main residences are set back approximately 20 feet from the street and include an approximately eight-foot walkway between them, providing pedestrian access to the rear of the property. The property is fronted by a manicured hedge in front of a shallow U-shaped lawn, encircled with a shared walkway.

The residence at 2421 Durant Avenue is a two-to-three story over basement Victorian with a tower roof, rectangular footprint, and wood siding and shingle exterior (Figure 3). Constructed in 1886, it is Stick style. Stick style elements include horizontal and vertical band details (stickwork), decorative trusses in gables at the primary elevation, channel-rustic siding, and overhanging eaves with exposed rafter ends. The primary (south) elevation is two bays. The eastern bay projects slightly from the elevation and is distinguished by a first floor bay window with fan bracket details and topped with a decorative wood spandrel. The second story features decorative trim above the window and scalloped shingles below the gable roof. The primary entry, a half-glazed paired wood door, is recessed into a covered porch with the same fan details above the bay window. The second story includes a single window topped with a shed roof overhang that is topped with a third-story tower, complete with a gable window. The building's east and west elevations are largely obscured by adjacent buildings, and include the same vertical band details, decorative trusses in gables, and wood siding and shingle details. Windows are non-historic replacements.

The residence at 2425 Durant Avenue is a two-story plus attic flat and was built in 1905 (Figure 4). Designed in the Colonial Revival style with Shingle style elements it features a rectangular footprint, hipped roof, and wood shingle exterior. The primary, south,

elevation features a two-story bay window and a gable dormer. It includes few decorative details and has a slight eave overhang with a board frieze. The street-side entry includes a shingled porch with a simple frieze, supported by two square posts. The building's west elevation features a second unit entry, which also features a shallow porch. The east and west elevations are largely obscured by adjacent buildings, but include the same wood shingle exterior and feature a combination of gable and shed dormers. All windows are non-historic replacements.

The rear cottage and ancillary building/shed are not visible from the right-of-way. Available images from recent online rental listings indicate the cottage, constructed in 1906, is a simple Craftsman style two-story residence (Figure 5). It has a rectangular footprint and a wood shingle exterior. Windows appear to be original double-hung wood sash. The northeast corner of the property includes a one-story shed. Constructed in approximately 1911, it has a long, rectangular footprint and gable roof.

Construction/Alteration and Ownership History. The subject property is located in Berkeley's first subdivision, College Homestead Tract, established in 1866 by the trustees of the College of California. Created to raise funds for the construction of the University campus, it was further subdivided in 1886. The new subdivision, the Beaver Tract, included houses built by the Berkeley Improvement Association. 2421 Durant Avenue was the third home built in the Beaver Tract by the Berkeley Improvement Association, led by prominent Berkeley citizen James L. Barker. Barker was instrumental in the development of Berkeley, having introduced the Central Pacific Railway to Berkeley in 1876. Berkeley contractor Carlos R. Lord began construction of the house in 1886. Its first resident, Cyrus Holiday Street (1844-1913), rented the house from the Berkeley Improvement Association (Figure 6 and Figure 7). Street served as the secretary for the Improvement Association and lived in the house with his wife and four sons until approximately 1895.

The house was subsequently sold to Reuben Rickard (1841-1896), a successful mining engineer and well-known Berkeleyan. Rickard was President of Berkeley Board of Trustees twice in the 1890s. His family continued to own the home after his death in 1896, and sold it to Laura Yetter Tull (1852-1926) in 1904. Tull was the widow of Lewis Tull, who previously owned a produce market in Napa before relocating to Berkeley in about 1900 so their daughter, Henrietta, could attend the University.

The property became Tull's source of income. In 1906 Tull commissioned architect William Wharff to design the flats at 2425 Durant Avenue (Figure 8). She subsequently moved into the upper flat while her daughter occupied the lower flat, while the larger residence at 2421 Durant was rented out. In 1906, Tull added to the property, and had the two-story cottage built (2423 Durant Avenue). Tull converted the cottage into a duplex in 1925. Tull died in 1926 and Henrietta inherited the property. After her husband, Dr. Walter Pike Austin died in 1928, Henrietta moved back to the property, and lived in the first floor flat at 2425 Durant Avenue. In 1943, Henrietta converted 2421 Durant Avenue into six apartment units for government approved wartime housing.

Henrietta also converted the two flats for 11 apartments, with help from architect Loy Chamberlain. Given its proximity to UC Berkeley, it housed many students, including many who flocked to the University to work on wartime projects, like the A-bomb. In later years, Mario Savio, Berkeley Free Speech Movement activist also purportedly was a tenant.

After Henrietta's death in 1972, the property was sold to former tenant Olive G. Maddock. Maddock worked as the Executive Secretary of the nearby Head-Royce School and lived on the property until her death in 1998.

The house at 2421 Durant Avenue was damaged by a 1995 fire. By 2000, the property was owned by Jason Wallace, who rehabilitated the residence, and received an award from Berkeley Architectural Heritage Association for the restoration work. The building is owned by 2425 Durant Avenue LLC. An application for the development of a 20-story apartment building has been filed, which would necessitate all the extant buildings to be demolished.

V. Analysis and Evaluation

The analysis section of this report will refer to the research and information provided in the Landmark application (Attachment 2). This section analyzes the extent to which the property appears to meet significance criteria set forth in the Landmarks Preservation Ordinance (LPO), Berkeley Municipal Code (BMC) Chapter 3.

Historic Context.[1] Given its early residential development in 1886 and additional construction in 1905 and 1906, the subject property is associated with the earliest planned residential development in Berkeley. Its development coincides with the growth and expansion of UC Berkeley and includes examples of Stick style, Shingle, and Colonial Revival architecture. Its period of significance begins with its construction in 1886 and spans until 1906, when the cottage building was complete.

Landmarks Preservation Ordinance Significance Criteria. When it designates a property as a Landmark, Historic District, or Structure of Merit, the Commission must find that the property meets one or more of the required criteria codified in LPO, BMC Section 3.24.110. These criteria are relatively specific and appear to align with California Register and National Register criteria. The significance criteria for a Structure of Merit are broader than those for Landmark status, and include properties that qualify individually as good examples of architectural design, or that qualify as contributors to the context of a larger streetscape or area.

Staff completed a review of information provided in the Landmark application and compared the evidence against the criteria for designation consideration. A summary of findings is provided below.

[1] National Register Bulletin #15, Item V: *How to Evaluate a Property within its Historic Context* (2002); National Register Bulletin #16A, Section III: *How to Complete the National Register Registration – Period of Significance* (1997).

Landmark criterion – *Architectural Merit*. Based on the research and evidence presented in the Landmark application, the residential property at 2425 Durant Avenue appears to meet designation criterion for *architectural merit.* It is an example of an early residence from Berkeley's first subdivision. The third house built in the Beaver Tract, 2421 Durant Avenue is the oldest remaining example from this period of development. The property, developed over twenty years, includes examples of Stick style, Shingle, and Colonial Revival architecture that are worth preserving for the exceptional values they add as part of the neighborhood fabric. 2421 Durant Avenue, in particular, is one of the few remaining houses built in the Stick style in the University campus area. 2425 Durant Avenue, an example of Colonial Revival architecture with Shingle style elements, was designed by locally prominent architect, William H. Wharff, and appears to be one of his few remaining examples of pre-1906 work. This finding aligns with the designation criterion of BMC Section 3.24.110.A.a.

The subject property retains many of the character-defining features of its Stick style at 2421 Durant Avenue including its distinctive tower roofline, shingle details, vertical and horizontal stickwork, decorative fan braces, decorative trusses, and bay windows. The flats at 2425 Durant Avenue's character-defining features of the Colonial Revival style with Shingle style elements include its shingle exterior, gable dormers, and two-story bay windows.

Landmark criterion – *Historic Value*. The development of the 2425 Durant Avenue property is associated with an early pattern of residential development that began following the first subdivision, College Homestead Association Tract in 1866. Further subdivided into the Beaver Tract by 1884, the building at 2421 Durant Avenue, completed in 1886, is a rare surviving example of a residential building constructed by the Berkeley Village Improvement Association, led by James L. Barker. Barker was instrumental in the development of Berkeley, having introduced the Central Pacific Railway to Berkeley in 1876.

The property's later evolution, including the 1905 construction of the flats at 2425 Durant Avenue and the two-story cottage in 1906 is representative of the continuing residential development in the area during that period that coincided with the growth the University. For these reasons, the property appears to *embody and express* the development history of Berkeley, particularly the residential development in the University campus area. 2425 Durant Avenue appears to meet the LPO Landmark designation criterion for *historic value.*

The Commission has received sufficient evidence to take favorable action to designate the subject property as a City Landmark. Draft Findings for Approval are provided for the Commission's consideration in Attachment 1. This draft includes a list of character-defining physical features of this historical resource that should be preserved as required under BMC Section 3.24.100.A for Procedures Required – Controls and Standards.

LPO Structure of Merit criteria. As discussed above, staff believe the subject property could meet the criteria for designation as a City Landmark. However, if the Commission concludes that it does not (in whole or in part), then the Commission may consider the extent to which it meets the criteria for designation as a Structure of Merit, in accordance with BMC Section 3.24.110.B.2.c. The subject property is an excellent example of Stick style and Colonial Revival architecture and exhibits integrity of design. It expresses the earliest residential development carried out by the Berkeley Village Improvement Association in the University area. As such, 2425 Durant Avenue would meet both of the following Structure of Merit criteria:

> Section 3.24.110.B.2. c – *"The structure is a good example of architectural design."*
>
> Section 3.24.110 B.2.d – *"The age of the structure is contemporary with…an historic period or event of significance to the City, or to the structure's neighborhood, block, street frontage, or group of buildings."*

No draft findings for approval as a Structure of Merit are provided with this report, however the Commission can direct staff to prepare such findings if needed to support action under these provisions.

VI. Limitations of Local Register Designation – pending Use Permit for demolition

Should the LPC vote on the pending Landmark application (#LMIN2024-0008) to designate the Tull Property at 2425 Durante Avenue as either a City Landmark or Structure of Merit, the property would become a locally listed historic resource. However, certain limitations would apply given the pending Use Permit request to demolish the buildings at this property.

The Housing Accountability Act of 2019, also referred to as SB330, requires the City to make the "historic site" determination at the time the application for the housing development project is deemed complete. Furthermore, a "determination as to whether a parcel of property is a historic site shall remain valid during the pendency of the housing development project for which the application was made" (Government Code Section 65913.10.a). No City Landmark or Structure of Merit designation status was in place at the time of application completeness in December 2024 and, therefore, a local designation at this time would not retroactively apply to the pending Use Permit request.

Additionally, SB330 limits the City's ability to impose any preservation-related conditions of approval on the Use Permit. While SB330 also imposes limits on the number of hearings to five, that limit applies to the housing project (Use Permit) and not this Landmark Initiation application. SB330 does not limit the City's obligation to assess the impact of a proposed project on cultural resources under CEQA and to impose measures to mitigate any adverse impacts on cultural resources; see Gov. Code § 65913.10(c).

Should the LPC vote on application #LMIN2024-0008 to designate the subject property as a City Landmark or Structure of Merit, the designation would symbolically recognize the local significance and architectural/cultural/historic merit of the Tull Property in Berkeley. Additionally, if the vested rights under complete Use Permit application were not to be exercised and a new or modified application were to be filed in its place subsequent to City Landmark or Structure of Merit designation of the property, then a protective status could apply to the historic site for any future development application.

VII. Recommendation

Staff recommends that the Commission consider the extent to which this property meets the criteria for City Landmark or Structure of Merit designation pursuant to BMC Section 3.24.110.A.1, and then take favorable action.

Attachments:

1. **Draft Findings for Approval**
2. **Landmark Application**. 2425 Durant Avenue prepared by Anthony Bruce, Berkeley Architectural Heritage Alliance

Prepared by: JulieAnn Murphy, Architectural Historian, Rincon Consultants, Inc.
Reviewed by: Fatema Crane, Principal Planner; fcrane@cityofberkeley.info (510) 981-7410

ATTACHMENT 1

DRAFT FINDINGS FOR DESIGNATION

MARCH 06, 2025

2425 Durant Avenue – Laura Tull Property

Landmark application #LMIN2024-0008 for the consideration of City Landmark or Structure of Merit designation status for a residential property constructed in 1886 and 1905-1906 (APN: 055-1878-007-01)

PROJECT DESCRIPTION

City Landmark designation of the property at 2425 Durant Avenue

CEQA FINDINGS

1. The project is found to be exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq.) pursuant to Section 15061.b.3 of the CEQA Guidelines (activities that can be seen with certainty to have no significant effect on the environment).

LANDMARK PRESERVATION ORIDNANCE FINDINGS

1. Pursuant to Berkeley Municipal Code (BMC) Section 3.24.110.A.1.(a) of the Landmarks Preservation Ordinance (LPO), the Landmarks Preservation Commission of the City of Berkeley (Commission) finds that the property at 2425 Durant Avenue meets the architectural merit criterion for City Landmark designation as an example of an early residence from Berkeley's first subdivisions and one of the oldest reaming examples from this period of development. The third house built in the Beaver Tract, 2421 Durant Avenue is the oldest remaining example from this period of development. The property, developed over twenty years, includes examples of Stick style, Shingle, and Colonial Revival architecture that are worth preserving for the exceptional values they add as part of the neighborhood fabric. 2421 Durant Avenue, in particular, is one of the few remaining houses built in the Stick style in the University campus area. 2425 Durant Avenue, an example of Colonial Revival architecture with Shingle style elements, was designed by locally prominent architect, William H. Wharff, and appears to be one of his few remaining examples of pre-1906 work. The period of significance begins with its construction in 1886 and spans until 1906, when the cottage building was complete.

2. Pursuant to BMC Section 3.24.110.A.4, Commission finds that the property at 2425 Durant Avenue meets the historic value criterion for City Landmark designation as representative of an early pattern of residential development that began following the first subdivision, College Homestead Association Tract in 1866. The property's later evolution, including the 1905 construction of the flats at 2425 Durant Avenue and the

two-story cottage in 1906 is representative of the continuing residential development in the area during that period that coincided with the growth of the University.

FEATURES TO BE PRESERVED

This designation shall apply to the subject property and the following distinguishing features of the property shall be preserved, and missing features shall be restored to the extent possible:

Property

- Location at north side of Durant Avenue.
- Setting in a mixed-use neighborhood adjacent to the University of California, Berkeley campus.
- Spatial relationship between the two main residences – 2421 Durant Avenue and 2425 Durant Avenue and the rear cottage and ancillary building.

2421 Durant Avenue

- Primary elevation (south) elevation on Durant Avenue.
- Distinctive tower roof
- Horizontal and vertical band details (stickwork)
- Decorative trusses
- Fan bracket details
- Decorative wood spandrel on primary elevation
- Decorative trim above window openings
- Dormer windows
- Exterior wood siding and shingle details
- Original half-glaze front doors

2425 Durant Avenue

- Primary (south) elevation on Durant Avenue
- Shingle wood exterior
- Dormer windows
- Two-story bay window on south elevation
- Shingled porch with simple frieze at south elevation

Cottage

- Primary (south) elevation at rear of 2421 Durant Avenue
- Shingle wood exterior
- Double-hung wood windows

Planning and Development Department
Land Use Planning Division

CITY OF BERKELEY

Ordinance #4694 N.S.

LANDMARK APPLICATION

Laura Tull Property
2425 Durant Avenue
Berkeley, California

Figure 1. Two of the three residential structures that comprise the Laura Tull Property. Anthony Bruce, 2024

1. **Street Address:** 2425 Durant Avenue (2421–2427 Durant Avenue)
   City: Berkeley **County**: Alameda **ZIP**: 94704

2. **Assessor's Parcel Number**: 055-1878-00701
   Block and lot: Block 1, Lot 19 and east half of Lot 18 **Tract**: Beaver Tract Block No. 1
   Dimensions: 75 feet x 130 feet
   Cross Streets: Telegraph Avenue and Dana Street

3. **Is property on the State Historic Resource Inventory?** No.
   Is property on the Berkeley Urban Conservation Survey? Yes
   Forms #: 17975-1 and 17975-2

4. **Application for Landmark Includes**:
   a. Building(s): Yes **Garden:** Yes **Other Feature(s)**: No
   b. Landscape or Open Space: Yes **Natural**: No **Designed**: Yes
   c. Historic Site: No
   d. District: No
   e. Other: Entire property

5. **Historic Names:** Cyrus H. Street House; Laura Tull Flats; Laura Tull Cottage (3 structures)
   Commonly Known Name: not known

6. **Date of Construction:** 1886 (Street House); 1905 (Tull Flats); 1906 (Tull Cottage)
   Factual: Yes **Approximate**: No
   Source of Information: *Berkeley Advocate*, January 1887; City of Berkeley Building Permit Application #379, April 29, 1905; *Berkeley Reporter*, September 1906

7. **Architect:** unknown [Ira A. Boynton?] (1886); William H. Wharff (1905); unknown (1906)

8. **Builder:** Carlos R. Lord (1886); A. Cross & Son (1905); unknown (1906)

9. **Style:** Stick-Style (1886); Colonial Revival (1905); brown-shingle (1906)

10. **Original Owners:** Berkeley Village Improvement Association/James L. Barker (1886); Laura Tull (1905); Laura Tull (1906)
    Original Use: single-family residence (1886); flats (1905); single-family residence (1906)

11. **Present Owners:** Qian Wang of Collabhome, through 2425 Durant Ave., LLC
    Present Occupant: unknown

12. **Present Use:** Residential, multiple
    Current Zoning: R-SMU **Adjacent Property Zoning:** R-SMU, C-T

13. **Present Condition of Property:**
    Exterior: excellent **Interior:** excellent **Grounds:** excellent
    Has the property's exterior been altered? Minimally

14. Description

The Laura Tull Property consists of four structures that stand on the parcel with the County Assessor's address of 2425 Durant Avenue: the Stick-Eastlake style Street House from 1886, the shingled Colonial Revival Tull Flats from 1905, the Tull Cottage from 1906, and a large pre-1911 shed. All three are arranged on a large lot with a 75-foot street frontage and a 130-foot depth.

Fig. 2 The Cyrus Street House, built in 1886. Note the carriage house at the right. O. V. Lange photo from Beautiful Berkeley, *1889.*

The Stick-style Street House is two stories with a third story tucked under the roof and within a tower that rises over the entrance. The design is "Stick," as much—but not all—of the framing is echoed on the exterior with vertical boards (the "sticks"). Besides the decorative sticks, the house sports a good deal of Victorian-era "gingerbread." It is surfaced mainly in channel-rustic siding. (*Figs. 2, 3, 4, 5*)

Fig. 3 The Street House in 1939. Donogh File, Berkeley Architectural Heritage Association.
Fig. 4 The Street House. Anthony Bruce, 2024.

Fig. 5 The Street House in 1974. Elizabeth Crews photo, Berkeley Architectural Heritage Association.

Defining the two stories, a frieze runs around the house, its upper horizontal piece at the level of the second-story window sills. Within the frieze band are narrow vertical strips of wood, evenly spaced. The frieze is repeated beneath the bay window at the front of the house.

The east two thirds of the street façade is taken up with a gable-roofed two-story section that projects a few feet from the main body of the house. There is a pair of tall, narrow double-hung-sash windows in the center of the second story; the pair is crowned by an elaborate molding. Below is a large slanted bay that is the full width of this section. The center of the bay is on the same plane as the wall of the second story, and the double-hung window in the center is so broad as to be almost square. Above the window, and set within stick framing, are two identical scroll-sawn panels. (*Fig. 6*) Each is a confection of curlicues with a built-up circular motif in the center. The same panels appear above the narrower windows on the slanted sides of the bay. Here they are almost hidden from view by fan-like brackets that give the im-

Fig. 6 Scrollsawn ornament in the panels above the windows in the bay. Anthony Bruce, 2024.

pression of supporting the second story. (*Fig. 7*) Three sun-rays ornament the surface of the fans. Drop ornaments accentuate the two corners. The wall section within the gable is surfaced with fish-scale shingles. Curved brackets support the eaves at the corners. A Stick-style ornamental device fills in the upper part of the gable and is set at the outer edge of the eaves, its shadows cast against the wall increasing its three-dimensional effect.

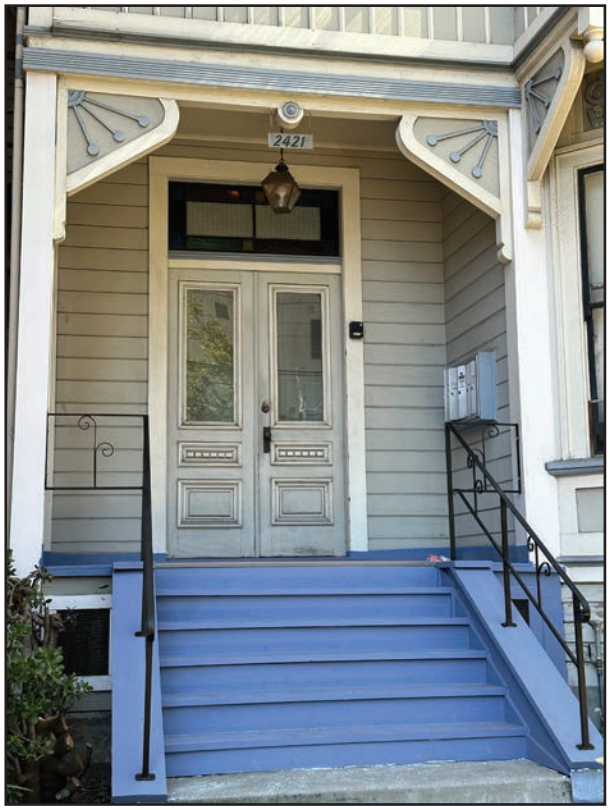


Fig. 8 Street House entrance. Anthony Bruce, 2024.

Fig. 7 The fan-like brackets at the window bay. Anthony Bruce, 2024.

The entrance is to the left of the bay window; an inset porch, reached by stairs, leads to the front door. (*Fig. 8*) More of the fan ornaments define the upper corners of the porch. The entrance is a double door, each with a window panel above and wooden panels below. A transom window above of patterned glass is framed with bright-colored glass pieces. The entrance side of the front façade is designed to resemble a tower. The second story has a single tall, narrow window, and supported above is a narrow roof overhang. Rising above is the pièce de résistance: the tower top with a high pyramid-shaped roof. Originally, the wooden roof shingles were applied in bands of different shaped shingles and the bands were painted alternately light and dark colors. (*Fig. 2*) It is now covered with composition roofing. The roof is pierced by dormers on the south and west sides. The windows are tall and narrow with the upper sash ending in an angle arch. The dormers are topped by simple gable roofs.

The visible east side of the house continues the materials and motifs of the façade. (*Fig. 9)* Toward the rear of the house, a decorative gable

(the end of a cross gable) rises above an original pair of second-floor windows. These have since been joined by a small window to the left of these. A similar window arrangement is on the first floor. A chimney (one of at least two) rises on the east side, serving a fireplace in the front parlor. It was seismically retrofitted and either rebuilt or the bricks surfaced in stucco. Four diamond-shaped three-dimensional floral pieces (terra cotta? metal?) on the lower part of the chimney were retained, but the heavy, corbeled chimney top (*Fig. 2*) was removed in the retrofit.

Fig. 9. The front and east elevation of the Street House Anthony Bruce, 2024.

There is a two-story projecting bay on the west opposite the gable on the east. This bay most likely corresponds with the placement of the dining room. The part of the house that is visible from the street contains the first floor public rooms. Slightly inset from the west and east walls is another section almost as large as the front half. Its roof does not rise as high as the front and has small windows tucked under the roof overhang on the second floor. This is the less-ornamented utilitarian wing that would have contained the original kitchen. At the very back is a one-story enclosed utility porch with a hip roof. (*Fig. 11*)

The Street House was converted to six apartments in 1943. Interior details, such as elaborate mid-Victorian window frames, wainscoting, fireplaces, and colorful patterned fireplace and hearth tiles, were retained in the conversion. (*Fig. 10*)

Fig. 10 Fireplace in former back parlor. Online rental listing photo.

Fig. 11 The rear wing of the Street House and utility porch; western section of the garden; and front of the Tull Cottage (partly hidden behind a camellia). Photo from a real estate rental listing online.

The two-story Colonial Revival Laura Tull Flats stands on the eastern half of the property, and was assigned the two addresses of 2425 and 2427 Durant. (*Fig, 12*) It was built as two full-floor flats. Befitting the Colonial Revival style, the building is boxy in shape and has a hip roof with hip-roof dormers. As a Colonial Revival variant, it is sheathed in wood shingles (painted). The eaves are broad and a plain frieze about the same width of the eaves runs beneath. A simple molding unites the two elements. A two story slanted bay fills the lefthand portion of the front elevation. The bay ends before it reaches the frieze and it is topped by slightly pitched roof. A similar two-story bay stands near the rear of the west elevation.

Fig, 12 The Laura Tull Flats, 2425-27 Durant Avenue. Anthony Bruce, 2024.

This Colonial Revival house is almost completely devoid of Classical ornamentation except at the two entrance porches. Here the hip roof over each porch is supported by two square posts and two squared pilasters against the wall of then house. These are all designed as abstracted Classical columns with fluting, built-up bases, and moldings at the top that are suggestive of capitols. The entrance porch leading to the second floor is on the right of the street façade. The steps and porch floor are brick. (*Fig. 14*) The entrance to the main floor is on the west. The steps are wood. (*Fig, 15*)

Fig. 13 The Tull Flats in 1939. Donogh Real Estate File, Berkeley Architectural Heritage Association.

All windows are double-hung sash. Each story on the Durant front has a pair of windows and three windows in the slanted bay. The frames around windows and doors have mitered corners. This quality detail is carried out on the interior, lending a graciousness to the rooms. When the building was converted to

Fig. 14 The Laura Tull Flats, showing the east side of the building. Anthony Bruce, 2024.

eleven apartments in 1944, most of the original woodwork and doors were retained, including the "tiger maple" fireplace mantel that Olive Maddock proudly showed her tenants when they arrived at her door to pay rent. (*Fig. 16*)

The third and newest residential building on the property is **the Laura Tull Cottage** at 2423 Durant Avenue, built in 1906. The two-story dwelling sits at the northwest corner of the property behind the Street House. It is not vis-

Fig. 15 The west side of the Tull Flats, showing entrance to the first floor and the front and side bays. Anthony Bruce, 2024.

Fig. 16 The "tiger maple" mantel in the former first-floor flat of the Tull Flats. From an online rental site.

ible from the street. Photos showing only part of the structure can be found on online real estate listings. It appears to be a simple, shingled Craftsman-style dwelling with a gable roof running the length of the house. There is a possible sleeping porch at the west end that may have a hip roof, judging from an interior photo.

The windows are mostly double-hung sash with similar mitered frames to those on the Tull Flats (did the same contractor build both?). The window frames have an additional flared molding at the top, most often associated with Colonial Revival buildings. Windows in the sleeping porch are single-pane and almost square. Entrance doors feature a vertical light with a substantial sill-like molding beneath the glass. The front porch is entered by a flight of wooden steps at the right. A bulkhead wraps around the other two sides, and two square posts, with moldings at top and bottom, support a simple roof. Two angled braces, jutting from the side of the house, also act as supports.

The Tull Cottage was converted to upstairs and downstairs flats in 1928. An exposed wooden stairway on the east side of the building leads to the entrance to the upstairs flat (2423-A Durant Avenue). The interior features Colonial Revival style door and window trim, and an unpainted wood sleeping porch room with exposed rafters.

There is a fourth structure on the property—a **one-story shed** of wood-frame construction—at the northeast corner. As is the case with the cottage, the shed is not visible from the street. Sanborn maps and an aerial view online show it as a long, gable-roofed structure, with a north-south orientation. The shed was standing as early as 1911, and was most likely built before 1909. It is located in the spot where the two-story carriage house once stood.

The structures on the Tull Property are meticulously maintained, both inside and outside. Viewed from the street, the buildings are enhanced by flower beds, shrubs, and manicured

Fig. 16 Main entrance to the Tull Cottage. From an inline rental site.

Fig. 15 Sleeping porch room at the west end of the second floor of the Tull Cottage. From an online rental site.

Fig. 16. The Shed at the northeast corner of the Tull Property, partialy hidden by shrubbery. From an online rental site.

lawns. The landscaping in the rear includes lawn, shrubs, large camellias, ferns, flowering plants, and a live oak, which stands between the back of the Street House and the front of the Tull Cottage. Old-fashioned concrete walkways wend their way through the property connecting the structures. As evidenced by photographs taken of the property through the years, a garden setting has been an important feature of the property to the various owners.

Features to Be Preserved

The structures that comprise the Tull Property have been maintained in excellent condition over the last 137 years, and the buildings retain most of their original features, which are each essential to the whole. Therefore, most of the features of the Tull Property are significant, including, but not limited to:

- the original windows, framing, and sills
- the siding
- the roof types
- the dormers on the Tull Flats
- the bay windows
- the ornament on the Street House
- the stained glass window in the Street House
- the ornament on the Street House
- the pillars on the Tull Flats
- the tower on the Street House
- the front doors on all three houses
- the concrete garden walkways

Fig. 17 The Laura Tull Property. Photo from an online rental site.

15. History

Beaver Tract Block No. 1.

San Francisco capitalist George W. Beaver owned block eleven of the College Homestead Association Tract, subdivided in 1866 by the trustees of the College of California. This was Berkeley's first subdivision, created to raise funds to support the construction of the college campus. In 1884, Beaver re-subdivided the northern half of his property bounded by Dana, Bancroft, Telegraph, and Durant, as the Beaver Tract Block No. 1. Acting as his agent, Berkeley pioneer James L. Barker filed the subdivision map with the county.

The first house built (sold imediately to Matthew Gilbert Upton, editor of the *San Francisco Bulletin*, and is no longer extant) in the new Beaver Tract stood at 2419 Durant Avenue. It was built in 1884 by the Berkeley Village Improvement Association, owned by James L. Barker who was instrumental in the development of Berkeley. James L. Barker was a San Francisco businessman when, in 1867, he invested his profits in a large tract of land west of Shattuck Avenue that he purchased from Francis Kittredge Shattuck. He induced the Central Pacific Railway to build a spur line

into downtown Berkeley in 1876; he helped found Berkeley's first newspaper, the *Advocate,* in 1877. And the following year he was signer of Berkeley's incorporation papers and delivered them to Sacramento. In 1877 he built his own large Italianate residence on his land, facing Dwight Way (demolished by Herrick Hospital in 1976). He opened his real estate development company at Shattuck and Dwight Way in 1880 ("Plans furnished and houses built for cash or on installment."). Barker's company built many houses in his own tract and elsewhere in Berkeley. Both his Barker Block and India Block are City of Berkeley Landmarks.

The second house to be built in the subdivision was the residence of Mrs. Martha L. Crow, built in 1885. It stood at Durant and Dana.

The Street House (2421 Durant Avenue).
The third house to be built in the Beaver Tract still stands at 2421 Durant Avenue. It is the picture-perfect Stick-Eastlake style Cyrus Street House, and is one of the few houses in Berkeley remaining from the 1880s. Prominent

Fig. 19 Cyrus Holiday Street with his four sons and a grandson. Photo found online.

Fig. 18 The Upton and Street houses seen standing together, facing Durant Avenue on Block 1 of the Beaver Tract. To the right is the Congregational Church (Clinton Day, architect, 1883) at Durant and Dana.
Louis L. Stein Collection, Berkeley Historical Society.

Berkeley contractor Carlos R. Lord began construction of the house in the summer of 1886. It was built by James L. Barker's Berkeley Village Improvement Association. It is difficult to determine whether the Upton and Street houses were built as speculative ventures (both seem too grand for "spec" houses), or whether the clients commissioned the houses through Barker's company. (*Fig. 18*)

The first residents of 2421 Durant never owned the house, but continued to lease the property from the Berkeley Village Improvement Association. By at least October of 1887, Cyrus Holiday Street (1844–1913), his wife, and their four sons were in residence in the new house, if they had not, in fact, moved in upon completion of the house.

A few years after the house was built, it was sold to Reuben Rickard, a successful mining engineer and a well-known Berkeleyan at the time. The Rickard family lived in a gracious Italianate house set in a large garden at Bancroft and College. Reuben Rickard was President of the Berkeley Board of Trustees twice in the 1890s. He died in 1896 on a mining business trip to Australia. Although his descendants continued to own the house on Durant until 1904, they did not reside in it.

Cyrus Street (*Fig. 19*) was considered a leader in the advancement of California, and was an ardent promoter of world peace. He and his wife Ann were natives of Iowa who came to California in 1874. Cyrus' main occupation was always real estate, in San Francisco and later as secretary of the Berkeley Improvement Company on Center Street, however in 1881 he helped organize the Immigration Association of California, which brought over 200,000 settlers from around the country to California. He was a co-founder of *The Argonaut*, a leading California literary and political magazine which was published until 1956. Later in life, Cyrus Street worked for world peace. He was editor of the magazine, *The United Nations*, and was one of the founders (and vice-president) in 1912 of the Organization of the International Association of the Friends of Peace.

Tragedy struck within a few months of the family's move to the Durant house: Ann Honn Street died in November of 1887. The Street boys were not without a mother for long, as their father married Mary Samantha Honn, Ann's sister, the following year. The Street family lived in the Durant House until about 1895. While there, Cyrus worked in real estate in San Francisco and was secretary of the Berkeley Improvement Company.

After residing in San Francisco for about five years, the Streets were back in Berkeley, this time in another rented house at 1517 Shattuck Avenue. In this home, Cyrus Street died in 1913 and Mary died in 1917. This is the same 1902 house that was later remodeled into Chez Panisse.

Meanwhile on Durant Avenue, the former Street home was sold in August 1904 to Mrs. Laura Yetter Tull, whose husband Lewis Reuben Tull had died the year before. The Tulls lived in Napa where Lewis was the proprietor of a produce market. They most likely had moved to Berkeley in 1900 so their daughter Henrietta Marilla could attend the University (she was Class of 1906). (*Fig. 20*) As was common for widowed women, Laura Tull invested in real estate and moved from the family's apartment at 2320 Bancroft to the commodious house at 2421 Durant.

Fig. 20 Henrietta Marilla Tull Austin. 1906 Blue and Gold.

The Tull Flats (2425 and 2427 Durant) and Tull Cottage (2423 Durant).

The following year (1905), Mrs. Tull commissioned architect William Wharff to design a large brown-shingle house (2425 and 2427 Durant) consisting of two flats on what had been the garden and driveway of 2421 Durant. She moved into the upper flat and her daughter moved into the lower flat after the building was completed that fall. The next year (1906), Mrs. Tull built a two-story cottage at the back of the property (2423 Durant). This seems to have been intended as the home for mother and daughter.

In 1910, Henrietta married Dr. Walter Pike Austin, a University of California graduate, in a ceremony at her mother's home, with nearly 100 friends and relatives in attendance. The couple settled in Salinas, where Walter practiced dentistry.

A year before her death in 1926, Laura Tull converted the rear cottage, at 2423 Durant, into a duplex. Henrietta inherited the property on Durant, and moved there after her husband died in 1928, living in the lower of the rear flats. In the fall of 1943, Henrietta Austin converted the Street House (which had remained until then a single-family residence) into six apartments through a federal government Home Owner's Loan Corporation loan, likely for government-approved wartime housing. The following year, through the loan, Mrs. Austin

Fig. 21 Olive G. Maddock, fifth owner of the property. Photo found online.

made eleven apartments in what had been two flats at 2425 Durant. According to one student tenant who resided in the house in the 1980s, the house at 2425 "was cut up into apartments to house Berkeley scientists during World War II, who may have helped work on the A-bomb." The architect for the conversion was Loy Chamberlain, who was from an old Berkeley musical family and had grown up a few blocks away on Ellsworth Street.

Post-War Years Under Olive Maddock.

The next chapter of the property began after the end of WWII when Miss Olive G. Maddock moved from the state of Washington to Berkeley and into the lower flat of the rear cottage, which Henrietta had vacated in favor of one of the new apartments at 2425 Durant. Olive Maddock was a secretary at various companies, eventually working as Executive Secretary at the Head-Royce School. (*Fig, 21*) A year after Henrietta Austin's death in 1972, Miss Maddock became the next owner of the entire property, and moved into the manager's flat at 2425 Durant. Perhaps her eventual ownership was arranged with Henrietta. They would have known each other for thirty years, and perhaps Henrietta considered that Olive would be a careful custodian of the property. She later told of free speech activist Mario Savio having been a tenant. Miss Maddock died in 1998.

Restoration.

In 2000, Jason Wallace, the then-owner of the property, received an honor from the Berkeley Architectural Heritage Association (BAHA). A few years earlier, in 1995, a three-alarm fire had caused over $100,000 worth of damage to the Street House. Wallace's subsequent restoration was recognized with a Preservation Award from BAHA along with this citation, "The house was built in 1886 on speculation and is one of the few surviving Stick style houses with a tower in Berkeley. It stands between Telegraph and Dana, a block that has seen much more demolition than preservation, and was featured on the cover of BAHA's 1990 calendar 'Proud Survivors.' It was damaged by fire and has now been returned to its former glory."

Present Day.

Fast forward to August 13, 2024 when *SF YIMBY* published a story about a planned 20-story apartment building designed by "Yes Duffy" an "activist-architect" for this site on Durant Avenue. The article states, "Three existing residential buildings owned by 2425 Durant Ave., LLC, will need to be demolished. Rhoades Planning Group, a prominent Berkeley-based land use consultancy firm, is responsible for the application." The article is, indeed, referring to the Street House and the two buildings built by Laura Tull, although the *YIMBY* writer seems to think they were all built in 1925! What a pronouncement, especially after the property has received such loving care for the past 137 years!

16. Significance

The Laura Tull Property, which is significant as a residential enclave and peaceful green oasis situated only three doors from busy commercial Telegraph Avenue, meets several of the criteria for designation as a City of Berkeley Landmark.

Educational Value. The Laura Tull Property is an instructive reflection of the changes in the Beaver Tract and along Telegraph Avenue between the time the Street House was built in 1886 and when the flats and cottage were built. The area had been a neighborhood of mostly single-family homes, and Telegraph, itself, was residential. This began to change with the construction of the Marshall Block at Telegraph and Bancroft in 1904, at the northeast corner of the Beaver Tract. The filling in of the Tull Property with, first, the flats in 1905 and then the cottage in 1906 reflects the emerging urban character of the area south of the campus at that time. The structures on the property have not changed in exterior appearance since 1906 and have been continuously maintained. The Tull Property remains today as an intact piece of Berkeley's urban history.

The Cyrus Street House is one of only three intact single-family residences on the north side of Durant Avenue between Milvia and College. All three survivors were built during the early years of the South Campus neighborhood when Durant Avenue was a street of family homes. The others are the Cornelius Beach Bradley House (Edgar A. Mathews, 1897), 2639 Durant Avenue (City of Berkeley Landmark); and the Marshall Albee House (c. 1902), at 2415 Durant Avenue.

Architectural Merit. The Street House is significant for being one of the few Berkeley houses remaining from the 1880s, as well as one of the few remaining houses that was designed in the Stick-Eastlake style. Many of the 1880s houses were built in the area south of the University campus and have not survived the tremendous changes in this section of town in the 20th Century. Even in the 21st Century these early houses are not safe from destruction. For example, the University tore down the Warren Cheney House (1885) for a temporary parking lot in 2010.

Fig. 22 The Michael Curtis House, 1505 Hopkins, built by Lord & Boynton in 1888 (demolished). O.V. Lange photo, Beautiful Berkeley, *1889.*

The house is an excellent local example of a Stick-Eastlake style residence. Its distinctive tower gives verve to the design and prominence to the house.

Cultural Value. The Street House is also significant for its connection to important Berkeley figures. Cyrus Holiday Street, the first resident, was a leader in the world peace movement; Reuben Rickard, second owner of the property, was a mayor of Berkeley; Mario Savio, a later resident of one of the Tull Property houses, was important in the Free Speech movement at the University of California in 1964; and Berkeley pioneer James L. Barker, the builder of the Street House are all figures of prominence. The Street House is a rare documented example of the type of house built by Barker's real estate company, the Berkeley Village Improvement Association. James L. Barker was a civic-minded businessman who did much for Berkeley. Two of his commercial buildings are City of Berkeley Landmarks.

The Street House is also significant as possibly being the work of Berkeley architect Ira A. Boynton. The construction notices that appeared in the *Berkeley Advocate* rarely included the name of the architect or designer, and the notices for the construction of the Street House were no exception. It is fortunate that the name of the contractor, Carlos Lord, was mentioned. According to the *Advocate*, Mr. Barker's first house in the Beaver Tract, the Upton House of 1884 next door, was built by "Mr. Boynton." A few years later Ira Boynton and Carlos Lord formed the contracting partnership of Lord & Boynton, and as such were the builders of the Michael Curtis House on Hopkins Street in Peralta Park in 1888 (*Fig. 22*). The Curtis House is almost identical to the Street House, and with Boynton's previous connection to Barker, it suggests that Boynton may have been the designer of the Street House. Ira A. Boynton's Brackenridge, Luttrell, and Payson houses are all City of Berkeley Landmarks.

The Laura Tull Property on Durant Avenue, and the buildings thereon, give interest and historical texture to this Southside urban streetscape. The Laura Tull Property is very much worthy of landmark designation and preservation.

17. Historic Value— **City:** Yes **Neighborhood:** Yes

Architectural Value— **City:** Yes **Neighborhood:** Yes

18. Is the property endangered? Yes! There was a proposal to demolish the Laura Tull Property published in the August 13, 2024 edition of *SF YIMBY.*

19. Bibliography:

Berkeley Advocate, July 24, 1886; August 14, 1886; January 1, 1887

Berkeley assessment records. The Bancroft Library.

Berkeley and Oakland directories. Berkeley Architectural Heritage Association, Ancestry.com.

Berkeley Gazette, "Berkeley's Architectural Heritage" by Anthony Bruce, February 9, 1976.

Berkeley Reporter, September 4, 1906

Berkeley Voice, "The Way it Was: Images of Berkeley's Architectural Heritage" by Susan Stern Cerny, February 22, 1990.

Block books. Berkeley Architectural Heritage Association.

Block Files. Berkeley Architectural Heritage Association.

City of Berkeley Building Permit Applications, 1905, 1913, 1924, 1943, 1944, 1946.

Edwards Transcript of Records for Alameda County, April 24, 1905, contract notice; August 25, 1905 & September 30, 1905, completion notices..

Napa Weekly Journal, "Wedding Bells: Miss Tull and Dr. Walter Austin Married Friday Night," May 13, 1910.

Oakland Tribune, September 2, 1884; July 16, 1885; July 20, 1886, August 8, 1904.

Oakland Tribune, "Friends of Peace Organized Here," September 22, 1912.

Oakland Tribune, "Fire Training Pays Off as Blaze Scatters Ritz Hotel Residents," by Ben Charny, December 20, 1995. [includes notice of Street House fire]

Ormsby Donogh Real Estate File. Berkeley Architectural Heritage Association.

S*an Francisco Call & Post,* "Advocate of Peace Among Nations Dies," July 22, 1913.

Sanborn Fire Insurance Maps, 1894, 1903, 1911, 1929, 1950. Berkeley Architectural Heritage Association.

SF YIMBY, "Pre-Application Revealed for 20-Story Apartments in Southside, Berkeley" by Andrew Nelson, August 13, 2024.

Tracts maps. Alameda County Assessor's Office.

U.S. Census and California Voter Registration records. Ancestry.com.

20. Recorder: Anthony Bruce for the Berkeley Architectural Heritage Association,
P.O. Box 1137, Berkeley, California 94701
baha@berkeleyheritage.com; 510-841-2242

21. Date: October-November 2024

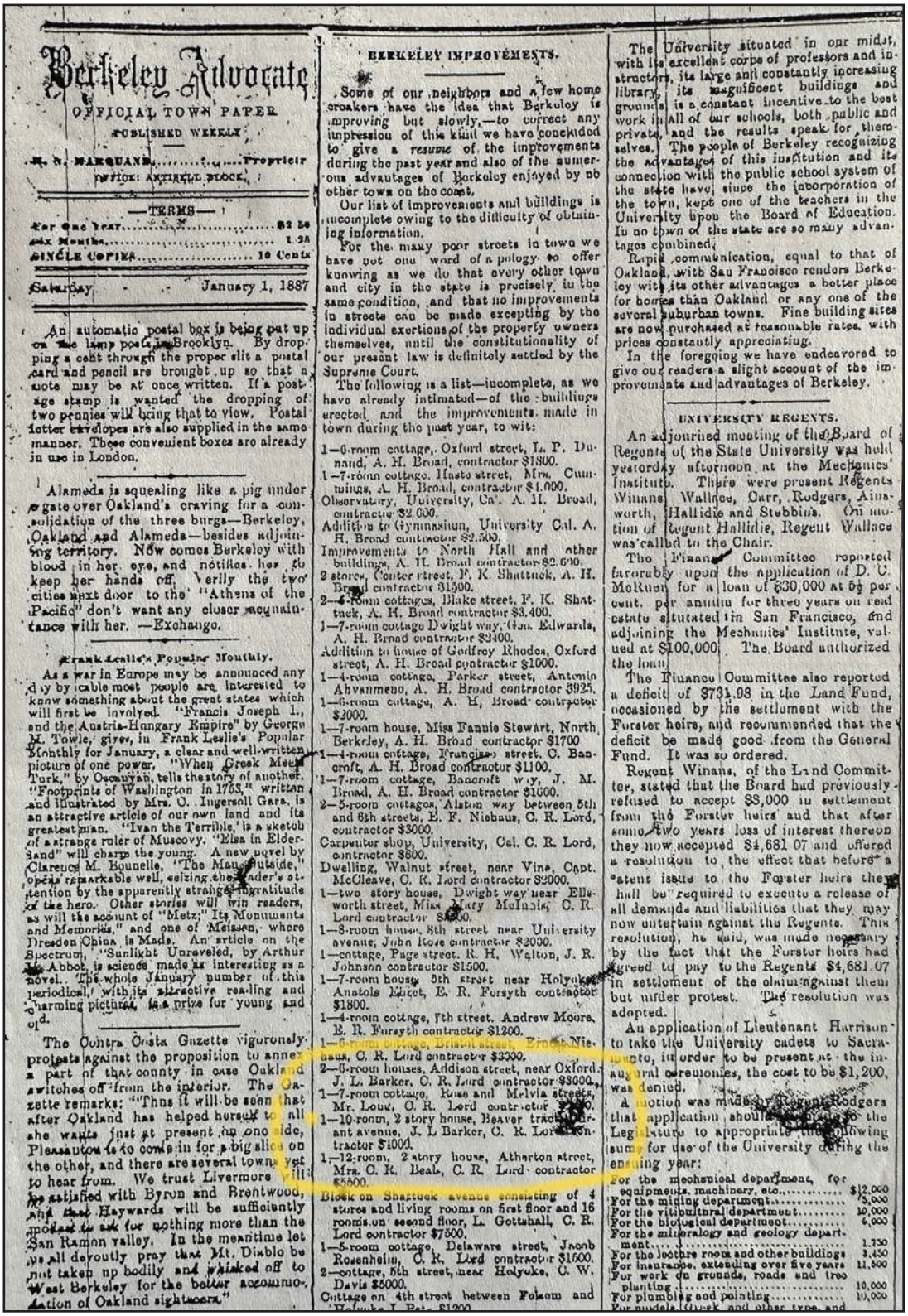
22. Addenda:

"The Berkeley Building and Improvement Association [sic] is preparing plans for a modern dwelling which will be built on the Beaver tract, near the Congregational church. It will cost about $3,500."

Berkeley Advocate, July 24, 1886

"C. R. Lord has taken the contract to build a house for Mr. J. L. Barker on Durant avenue, near the Congregational Church. It will cost about $3,500, and from the plans, we judge it will be one of the handsomest in that already beautiful neighborhood."

Berkeley Advocate, August 14, 1886



Berkeley Advocate

OFFICIAL TOWN PAPER

PUBLISHED WEEKLY

H. C. MARQUAND.....Proprietor

OFFICE: ARNELL BLOCK.

—TERMS—

For One Year.....$2 50
Six Months.....1 25
SINGLE COPIES.....10 Cents

Saturday - - January 1, 1887

An automatic postal box is being put up on the lamp posts in Brooklyn. By dropping a cent through the proper slit a postal card and pencil are brought up so that a note may be at once written. If a postage stamp is wanted the dropping of two pennies will bring that to view. Postal letter envelopes are also supplied in the same manner. These convenient boxes are already in use in London.

Alameda is squealing like a pig under a gate over Oakland's craving for a consolidation of the three burgs—Berkeley, Oakland and Alameda—besides adjoining territory. Now comes Berkeley with blood in her eye, and notifies her to keep her hands off. Verily the two cities next door to the "Athens of the Pacific" don't want any closer acquaintance with her. —Exchange.

Frank Leslie's Popular Monthly.

As a war in Europe may be announced any day by cable most people are interested to know something about the great states which will first be involved. "Francis Joseph I., and the Austria-Hungary Empire" by George M. Towle, gives, in Frank Leslie's Popular Monthly for January, a clear and well-written picture of one power. "When Greek Meets Turk," by Ocsauyan, tells the story of another. "Footprints of Washington in 1753," written and illustrated by Mrs. C. Ingersoll Gara, is an attractive article of our own land and its greatest man. "Ivan the Terrible," is a sketch of a strange ruler of Muscovy. "Elsa in Elderland" will charm the young. A new novel by Clarence M. Bounelle, "The Man Outside," opens remarkable well, seizing the reader's attention by the apparently strange ingratitude of the hero. Other stories will win readers, as will the account of "Metz;" Its Monuments and Memories," and one of Meissen, where Dresden China is Made. An article on the Spectrum, "Sunlight Unraveled, by Arthur Abbot, is science made as interesting as a novel. The whole January number of this periodical, with its attractive reading and charming pictures, is a prize for young and old.

The Contra Costa Gazette vigorously protests against the proposition to annex a part of that county in case Oakland switches off from the interior. The Gazette remarks: "Thus it will be seen that after Oakland has helped herself to all she wants just at present on one side, Pleasanton is to come in for a big slice on the other, and there are several towns yet to hear from. We trust Livermore will be satisfied with Byron and Brentwood, and that Haywards will be sufficiently modest to ask for nothing more than the San Ramon valley. In the meantime let us all devoutly pray that Mt. Diablo be not taken up bodily and whisked off to West Berkeley for the better accommodation of Oakland sightseers."

BERKELEY IMPROVEMENTS.

Some of our neighbors and a few home croakers have the idea that Berkeley is improving but slowly,—to correct any impression of this kind we have concluded to give a *resume* of the improvements during the past year and also of the numerous advantages of Berkeley enjoyed by no other town on the coast.

Our list of improvements and buildings is incomplete owing to the difficulty of obtaining information.

For the many poor streets in town we have not one word of apology to offer knowing as we do that every other town and city in the state is precisely in the same condition, and that no improvements in streets can be made excepting by the individual exertions of the property owners themselves, until the constitutionality of our present law is definitely settled by the Supreme Court.

The following is a list—incomplete, as we have already intimated—of the buildings erected and the improvements made in town during the past year, to wit:

1—6-room cottage, Oxford street, L. P. Dunand, A. H. Broad, contractor $1800.
1—7-room cottage, Haste street, Mrs. Cummings, A. H. Broad, contractor $1,000.
Observatory, University, Cal. A. H. Broad, contractor $2,000.
Addition to Gymnasium, University Cal. A. H. Broad contractor $2,500.
Improvements to North Hall and other buildings, A. H. Broad contractor $2,600.
2 stores, Center street, F. K. Shattuck, A. H. Broad contractor $1500.
2—6-room cottages, Blake street, F. K. Shattuck, A. H. Broad contractor $3,400.
1—7-room cottage Dwight way, Geo. Edwards, A. H. Broad contractor $2400.
Addition to house of Godfrey Rhodes, Oxford street, A. H. Broad contractor $1000.
1—4-room cottage, Parker street, Antonio Ahvanmeno, A. H. Broad contractor 3925.
1—6-room cottage, A. H. Broad contractor $2000.
1—7-room house, Miss Fannie Stewart, North Berkeley, A. H. Broad contractor $1700
1—4-room cottage, Francisco street, C. Bancroft, A. H. Broad contractor $1100.
1—7-room cottage, Bancroft way, J. M. Broad, A. H. Broad contractor $1600.
2—5-room cottages, Alston way between 5th and 6th streets, E. F. Niehaus, C. R. Lord, contractor $3000.
Carpenter shop, University, Cal. C. R. Lord, contractor $600.
Dwelling, Walnut street, near Vine, Capt. McCleave, C. R. Lord contractor $2000.
1—two story house, Dwight way near Ellsworth street, Miss Mary McInnis, C. R. Lord contractor $3,000.
1—8-room house, 8th street near University avenue, John Rose contractor $2000.
1—cottage, Page street, R. H. Walton, J. R. Johnson contractor $1500.
1—7-room house, 5th street near Holyoke, Anatole Ehret, E. R. Forsyth contractor $1800.
1—4-room cottage, 7th street, Andrew Moore, E. R. Forsyth contractor $1200.
1—6-room cottage, Bristol street, Ernest Niehaus, C. R. Lord contractor $3300.
2—6-room houses, Addison street, near Oxford, J. L. Barker, C. R. Lord contractor $3000.
1—7-room cottage, Rose and Melvia streets, Mr. Lowe, C. R. Lord contractor $[illegible].
1—10-room, 2 story house, Beaver tract on Durant avenue, J. L. Barker, C. R. Lord contractor $4000.
1—12-room, 2 story house, Atharton street, Mrs. C. R. Beal, C. R. Lord contractor $5500.
Block on Shattuck avenue consisting of 4 stores and living rooms on first floor and 16 rooms on second floor, L. Gotthall, C. R. Lord contractor $7000.
1—5-room cottage, Delaware street, Jacob Rosenheim, C. R. Lord contractor $1500.
2—cottage, 5th street, near Holyoke, C. W. Davis $5000.
Cottage on 4th street between Folsom and Holyoke [illegible] $1200.

The University situated in our midst, with its excellent corps of professors and instructors, its large and constantly increasing library, its magnificent buildings and grounds, is a constant incentive to the best work in all of our schools, both public and private, and the results speak for themselves. The people of Berkeley recognizing the advantages of this institution and its connection with the public school system of the state have, since the incorporation of the town, kept one of the teachers in the University upon the Board of Education. In no town of the state are so many advantages combined.

Rapid communication, equal to that of Oakland, with San Francisco renders Berkeley with its other advantages a better place for homes than Oakland or any one of the several suburban towns. Fine building sites are now purchased at reasonable rates, with prices constantly appreciating.

In the foregoing we have endeavored to give our readers a slight account of the improvements and advantages of Berkeley.

UNIVERSITY REGENTS.

An adjourned meeting of the Board of Regents of the State University was held yesterday afternoon at the Mechanics' Institute. There were present Regents Winans, Wallace, Carr, Rodgers, Ainsworth, Hallidie and Stebbins. On motion of Regent Hallidie, Regent Wallace was called to the Chair.

The Finance Committee reported favorably upon the application of D. C. Meltzen for a loan of $30,000 at 6 per cent. per annum for three years on real estate situated in San Francisco, and adjoining the Mechanics' Institute, valued at $100,000. The Board authorized the loan.

The Finance Committee also reported a deficit of $731.93 in the Land Fund, occasioned by the settlement with the Forster heirs, and recommended that the deficit be made good from the General Fund. It was so ordered.

Regent Winans, of the Land Committee, stated that the Board had previously refused to accept $8,000 in settlement from the Forster heirs and that after some two years loss of interest thereon they now accepted $4,681 07 and offered a resolution to the effect that before a patent issue to the Forster heirs they shall be required to execute a release of all demands and liabilities that they may now entertain against the Regents. This resolution, he said, was made necessary by the fact that the Forster heirs had agreed to pay to the Regents $4,681.07 in settlement of the claim against them but under protest. The resolution was adopted.

An application of Lieutenant Harrison to take the University cadets to Sacramento, in order to be present at the inaugural ceremonies, the cost to be $1,200, was denied.

A motion was made by Regent Rodgers that application should be made to the Legislature to appropriate the following sums for use of the University during the ensuing year:

For the mechanical department, for equipments, machinery, etc.	$12,000
For the mining department	5,000
For the viticultural department	10,000
For the biological department	4,000
For the mineralogy and geology department	1,750
For the lecture rooms and other buildings	3,450
For insurance, extending over five years	11,500
For work on grounds, roads and tree planting	10,000
For plumbing and painting	10,000
For models (rock and other trees and	

Fig. 23 "1—10-room, 2 story house, Beaver tract on Durant avenue, J. L. Barker, C. R. Lord, contractor $4000." The Street House was included in a year-end list of all houses built in Berkeley in 1886. "Berkeley Improvements," Berkeley Advocate, *January 1, 1887..*

TOWN OF BERKELEY

Application for Building Permit, No. 377

Town of Berkeley,
COUNTY OF ALAMEDA,
STATE OF CALIFORNIA } ss.

The undersigned respectfully petitions, under the Ordinances of the Town of Berkeley, for a Permit to do the following work, viz:

To construct a 2 flat frame dwelling (2 stories) on ~~[illegible]~~ north side of Pierpont Ave about 100 ft west of Telegraph Ave

and, being first duly sworn, deposes and says, that the true cost of the work contemplated to be done under this application is estimated to be $ 5200

That said building is to be used as dwelling

That the name of the Owner is Mrs. Louisa Tull

Address On ground

That the name of the Architect is A. Cross Purcell & Son

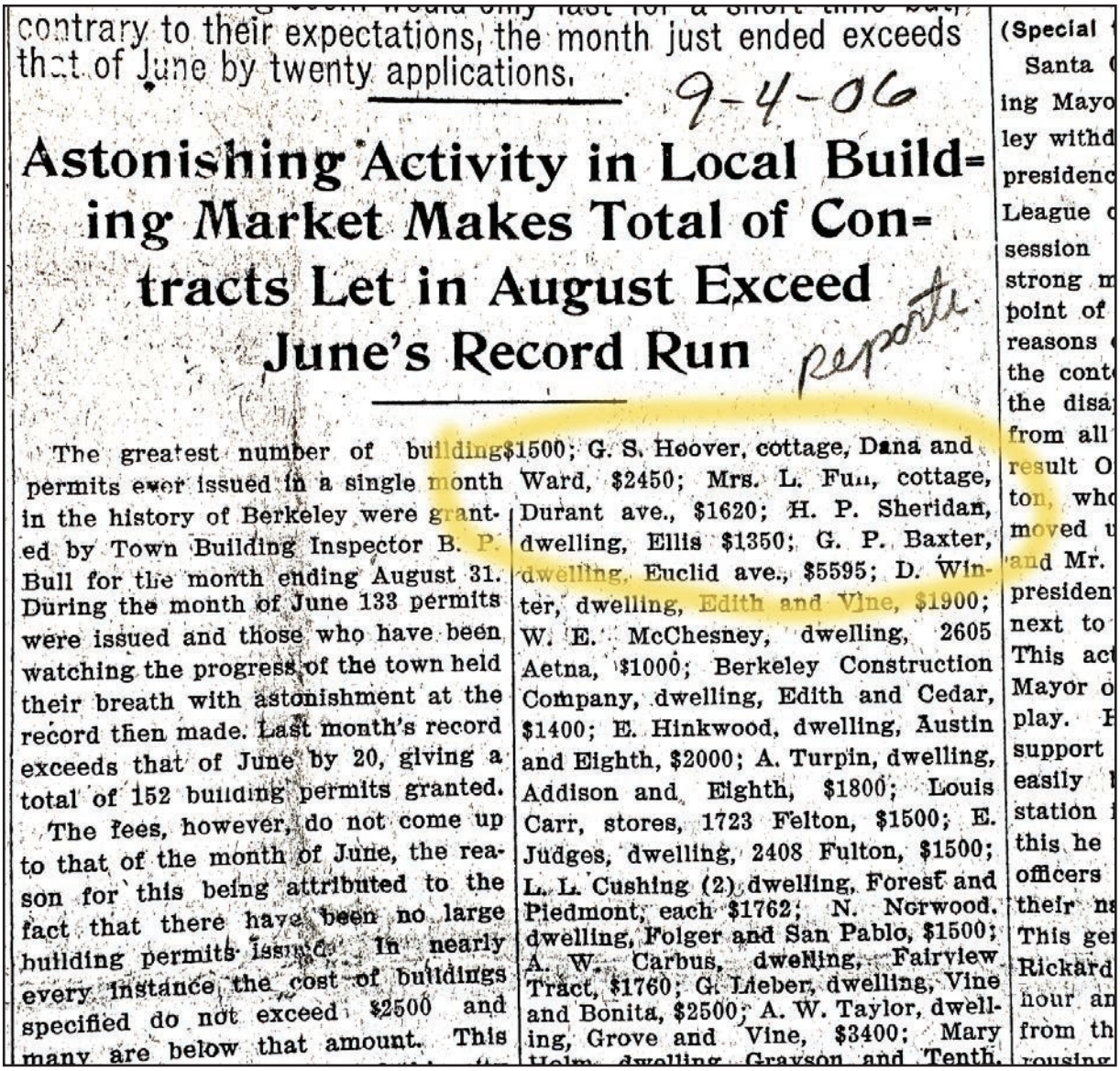
Address Berkeley

Subscribed and sworn to before me
APR 29 1905
C S Merrill
Town Clerk

A. Cross ~~for Boss~~

The applicant for the foregoing Building Permit, having paid the necessary fee in connection therewith, the Fire Chief of the Town of Berkeley is hereby authorized to issue the proper Permit in writing, in accordance with the provisions of the Ordinances of the said Town of Berkeley.

Fig. 24 City of Berkeley Building Permit Application No. 377, April 29, 1905.



contrary to their expectations, the month just ended exceeds that of June by twenty applications.

9-4-06

Astonishing Activity in Local Building Market Makes Total of Contracts Let in August Exceed June's Record Run

reports

The greatest number of building permits ever issued in a single month in the history of Berkeley were granted by Town Building Inspector B. P. Bull for the month ending August 31. During the month of June 133 permits were issued and those who have been watching the progress of the town held their breath with astonishment at the record then made. Last month's record exceeds that of June by 20, giving a total of 152 building permits granted.

The fees, however, do not come up to that of the month of June, the reason for this being attributed to the fact that there have been no large building permits issued. In nearly every instance the cost of buildings specified do not exceed $2500 and many are below that amount. This $1500; G. S. Hoover, cottage, Dana and Ward, $2450; Mrs. L. Full, cottage, Durant ave., $1620; H. P. Sheridan, dwelling, Ellis $1350; G. P. Baxter, dwelling, Euclid ave., $5595; D. Winter, dwelling, Edith and Vine, $1900; W. E. McChesney, dwelling, 2605 Aetna, $1000; Berkeley Construction Company, dwelling, Edith and Cedar, $1400; E. Hinkwood, dwelling, Austin and Eighth, $2000; A. Turpin, dwelling, Addison and Eighth, $1800; Louis Carr, stores, 1723 Felton, $1500; E. Judges, dwelling, 2408 Fulton, $1500; L. L. Cushing (2) dwelling, Forest and Piedmont, each $1762; N. Norwood, dwelling, Folger and San Pablo, $1500; A. W. Carbus, dwelling, Fairview Tract, $1760; G. Lieber, dwelling, Vine and Bonita, $2500; A. W. Taylor, dwelling, Grove and Vine, $3400; Mary Holm, dwelling, Grayson and Tenth.

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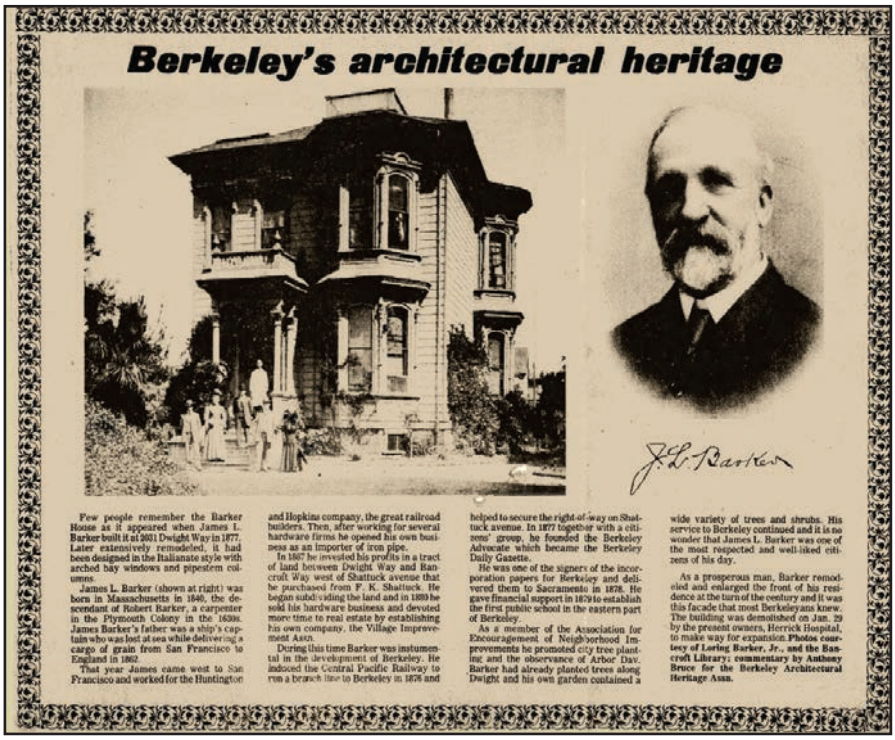
Fig. 25 "Mrs. L. Full [sic]. cottage, Durant ave., $1620." Mrs. Laura Tull's cottage, included in the list of Berkeley building contracts for August 1906. "Astonishing Activity in Local Building Market Makes Total of Contracts Let in August Exceed June's Record Run," Berkeley Reporter, September 4, 1906.

Figs. 26, 27, 28, 29 Four photographs of the Cyrus Street House taken by Winfield Scott Wellington in June 1962. Wellington was a professor in the Decorative Arts Department at the University of California, as well as a practicing architect and furniture designer. In 1962 he photographed Victorian houses in the East Bay that he felt noteworthy.

Winfield Scott Wellington Collection, Berkeley Architectural Heritage Association



Berkeley's architectural heritage

Few people remember the Barker House as it appeared when James L. Barker built it at 2011 Dwight Way in 1877. Later extensively remodeled, it had been designed in the Italianate style with arched bay windows and pipestem columns.

James L. Barker (shown at right) was born in Massachusetts in 1840, the descendant of Robert Barker, a carpenter in the Plymouth Colony in the 1630s. James Barker's father was a ship's captain who was lost at sea while delivering a cargo of grain from San Francisco to England in 1862.

That year James came west to San Francisco and worked for the Huntington and Hopkins company, the great railroad builders. Then, after working for several hardware firms he opened his own business as an importer of iron pipe.

In 1867 he invested his profits in a tract of land between Dwight Way and Bancroft Way west of Shattuck avenue that he purchased from F. K. Shattuck. He began subdividing the land and in 1889 he sold his hardware business and devoted more time to real estate by establishing his own company, the Village Improvement Assn.

During this time Barker was instumental in the development of Berkeley. He induced the Central Pacific Railway to run a branch line to Berkeley in 1876 and helped to secure the right-of-way on Shattuck avenue. In 1877 together with a citizens' group, he founded the Berkeley Advocate which became the Berkeley Daily Gazette.

He was one of the signers of the incorporation papers for Berkeley and delivered them to Sacramento in 1878. He gave financial support in 1879 to establish the first public school in the eastern part of Berkeley.

As a member of the Association for Encouragement of Neighborhood Improvements he promoted city tree planting and the observance of Arbor Day. Barker had already planted trees along Dwight and his own garden contained a wide variety of trees and shrubs. His service to Berkeley continued and it is no wonder that James L. Barker was one of the most respected and well-liked citizens of his day.

As a prosperous man, Barker remodeled and enlarged the front of his residence at the turn of the century and it was this facade that most Berkeleyans knew. The building was demolished on Jan. 29 by the present owners, Herrick Hospital, to make way for expansion. **Photos courtesy of Loring Barker, Jr., and the Bancroft Library; commentary by Anthony Bruce for the Berkeley Architectural Heritage Assn.**

Fig. 30 Article by Anthony Bruce on James L. Barker from the Berkeley Daily Gazette, *February 9, 1976.*

PAGE 8 BERKELEY VOICE February 22, 1990

The Way It Was

IMAGES OF BERKELEY'S ARCHITECTURAL HERITAGE

By Susan Stern Cerny
Berkeley Architectural Heritage Association

Each year the Berkeley Architectural Heritage Association publishes a calendar focusing on some aspect of Berkeley's built environment and its architectural heritage. This year's calendar is titled *Proud Survivors* and includes a monograph which traces the history of Southside, the neighborhood bounded by Bancroft, Dwight, Fulton and College.

The house pictured above, located at 2421 Durant Avenue, is featured on the cover of the calendar. The photograph dates from the 1920s.

The house was built on speculation by the Berkeley Villa Improvement Association in 1886 and is one of the few survivors from the 1880s. Together with its 1905 neighbor it is meticulously maintained within a commercial district and enhanced by flower beds and manicured lawns. As with the photograph above, only vintage photographs have been used and all buildings illustrated are still standing.

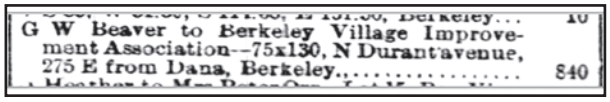
The BAHA calendar was researched and written by Anthony Bruce, director, archivist and historian for the association, who also compiled the rare vintage pohotographs. His history of the neighborhood points out that this was the first recorded tract in Berkeley, having been recorded in 1866 by the College of California.

The college, a small private institution, had purchased land in order to move to a "rural setting." Half the land was used for the school and the classrooms were financed through the sale of building lots.

In 1868 the college joined forces with an agricultural college proposed by the state Legislature and the University of California at Berkeley was formed. Today the university has reclaimed much of the land that had originally financed the building of the original campus.

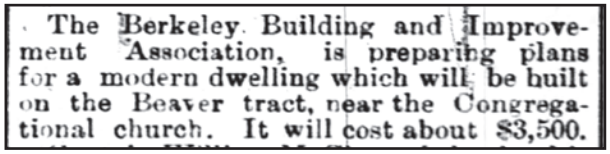
The 1866 subdivision map of the College Homestead Tract is included in the calendar. It shows the original size of the lots and names of the streets. Copies of the calendar are still available by calling 841-BAHA.

Fig. 31 Article by Susan (Dinkelspiel) Stern Cerny featuring the Cyrus Street House from the Berkeley Voice, *February 22, 1990.*



G W Beaver to Berkeley Village Improvement Association--75x130, N Durant avenue, 275 E from Dana, Berkeley..... 840

Fig. 32. Notice of James L. Barker's company purchaing from George W. Beaver the lot on Durant on which was built the Street House. Oakland Tribune, *July 15, 1885.*



The Berkeley Building and Improvement Association, is preparing plans for a modern dwelling which will be built on the Beaver tract, near the Congregational church. It will cost about $3,500.

Fig. 33. Notice of James L. Barker's company planing the Street House. Oakland Tribune, *July 20, 1886.*

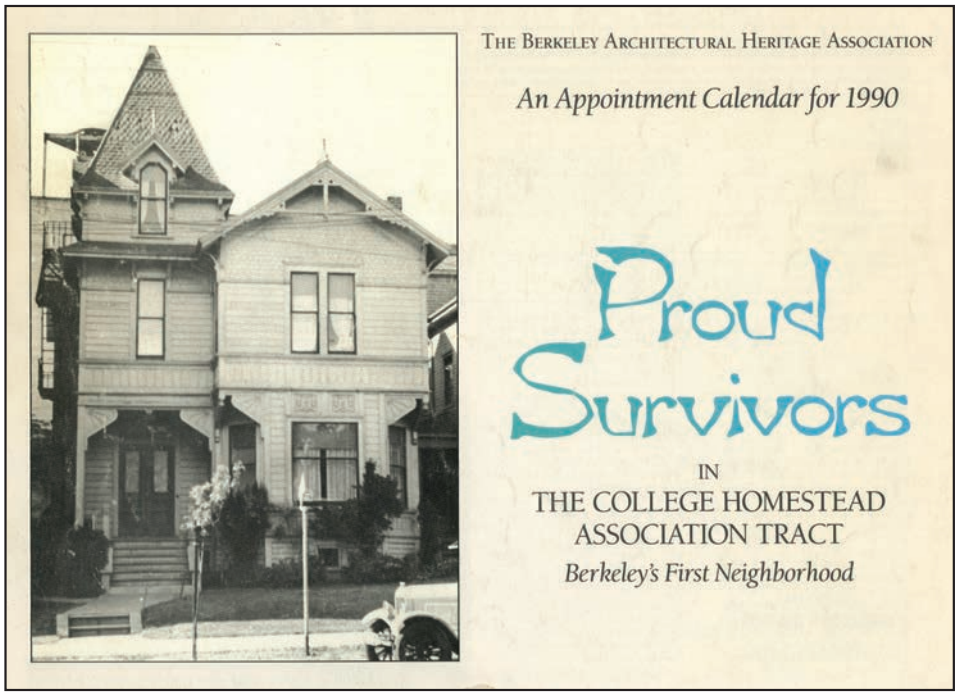


Fig. 34 The BAHA calendar for 1990, showing the Cyrus Street House on the cover.

Fig. 35 History of the College Homestead Association Tract from the BAHA calendar for 1990.

THE COLLEGE HOMESTEAD ASSOCIATION TRACT

The College Homestead Association Tract is the first recorded subdivision in Berkeley. It was recorded in the County Recorder's Office on May 15, 1866 by the College of California, a small private college in Oakland that had purchased a large parcel of land in what is now Berkeley so that their campus could be moved out to the "country." Half their land was to be used for the campus; the other half was subdivided to create a surrounding campus community and to generate income for the construction of classroom buildings through the sale of lots. Discouraged in their fundraising efforts the trustees of the College joined forces with an agricultural college proposed by the State Legislature, and in 1868 the University of California was created. Today the northern half of the original College of California land is the University campus, while the southern half, the College Homestead Association Tract, is the area bounded by Bancroft and Dwight Ways and College and Shattuck Avenues, and is today's "south campus" neighborhood.

During the past 123 years the Tract has seen profound changes as one layer of buildings and uses has given way to another. It is not known when the first structure was built on the tract, but by 1868 the imposing residence of John H. Haste was standing at the corner of Dwight Way and Fulton. Lots were much larger then (to accommodate stables, windmills, and other outbuildings) and Mr. Haste's house stood on a typical parcel 150 feet wide by 300 feet deep, one eighth of a full block. The blocks themselves were larger, as neither Haste Street nor Durant Avenue were cut through until later. Settlement was sparse during the 1870s and 1880s due to the large size of the lots and the remoteness of Berkeley, and thus, the area retained a somewhat rural character. The houses that were built were generally Italianate or East-Lake in style and quite often cottage-scaled. It is impressive that several buildings from this early period have survived.

Between 1890 and 1910 the area was completely built up. Durant Avenue and Haste Street were in place and the larger lots were re-subdivided into smaller ones. During this time the College Homestead Association Tract was a family neighborhood. Large homes shared the streetscape with Berkeley's churches, the occasional duplex or fraternity or sorority, at least two private schools, and the public McKinley School built in 1896 on Dwight Way. The favored residential styles in the 1890s were a gable-roofed transitional type, often with a shingled second story and minimal ornamentation, and, toward the end of the decade, elaborate Colonial Revivals, both white-painted and with natural shingles. After the turn-of-the-century less ornate contractor-built Colonial and Craftsman houses filled in the remaining lots. Donald Lawton, who grew up on Durant Avenue and whose father built several speculative houses in the Tract, describes a small town atmosphere of close knit families, front doors left unlocked, and children playing "One Foot Off the Gutter" on Durant Avenue or devouring a package of ice cream in the McCrearys' carriage house.

Already by 1905 the neighborhood began to change. Without zoning controls, Telegraph Avenue became commercial; its streetcar line connecting downtown Oakland with the University created a natural environment for business. The grand homes were either torn down or moved away. Seneca Gale's house at Telegraph and Bancroft was moved twice to escape encroaching business blocks, before finally landing at Dwight Way and Dana. Senator Knowles' stately 1901 Colonial was moved a block off Telegraph and was finally demolished for further business expansion. Rising in their place on Telegraph were such large structures as the Carlton Hotel and the Granada Apartments. The establishment of a network of electric streetcar lines in the East Bay in 1903 opened up more desirable subdivisions distant from the center of town. Children grew up and moved away, the homes were sold, and the ever-growing student body at the University needed to be housed.

During the 1930s and 1940s the area reached an equilibrium. The commercial development of Telegraph Avenue was complete; a number of attractive apartment houses had been constructed on the few remaining lots; many of the residences had been converted to student rooming houses; and Berkeleyans recall the area in that era as the quintessential college neighborhood of big old houses on shady tree-lined streets. Change was limited to new institutional buildings which took the place of existing structures, but were well-designed and harmonious with their surroundings. However, things changed in the years after World War II. There was a decline in the use of public transportation, rooming houses were viewed as unsanitary firetraps, and the insertion of highrise dormitories on College Avenue altered the scale of the neighborhood. All this created an atmosphere where the old houses of the neighborhood's heyday were expendable.

Accelerated University expansion and misguided city planning and urban renewal have contributed significantly to the further transformation of the neighborhood. While many of the fine old residences are gone, the scattered clusters of houses that remain still evoke the memory of a college town. Most of the institutional buildings remain, although not all in their original uses. Telegraph remains intact, but lacks the cosmopolitan vibrancy it once had, the stores catering primarily to the tastes of the students who are now the almost exclusive residents of the College Tract.

Despite some of the profound changes that have taken place, the South Campus continues to be one of Berkeley's most interesting neighborhoods. Many of Berkeley's important landmarks are located here and the close proximity to the University gives these buildings a high visibility to residents and visitors alike. Today the "Proud Survivors" of the College Homestead Association Tract provide us with a visual continuity with the past and exist as a significant part of Berkeley's architectural heritage.

McCreary-Greer House (1901), 2318 Durant Avenue—June 1910

22

Attachment 4

NOTICE OF PUBLIC HEARING
BERKELEY CITY COUNCIL

LPC APPEAL: 2425 DURANT AVENUE, LANDMARK APPLICATION LMIN2024-0008

The public may participate in this hearing by remote video or in-person.

Notice is hereby given by the City Council of the City of Berkeley that on **WEDNESDAY, JULY 23, 2025** at **6:00 P.M.** a public hearing will be conducted to consider an appeal against a decision by the Landmarks Preservation Commission for Landmark Application **#LMIN2024-0008 to designate the subject property located at 2425 Durant Avenue as a City Landmark.**

The hearing will be held on, July 23, 2025 at 6:00 p.m. in the School District Board Room, located at 1231 Addison Street, Berkeley CA 94702.

For further information, please contact Robert Rivera, Senior Planner at (510) 981-7480

A copy of the agenda material for this hearing will be available on the City's website at https://berkeleyca.gov/ as of July 14, 2025. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.**

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or e-mailed to council@berkeleyca.gov in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council 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 the City Council, 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 City Clerk. 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 City Clerk at (510) 981-6900 or clerk@berkeleyca.gov for further information.

_____

Mark Numainville, City Clerk

Mailed by: July 9, 2025
Noticed Pursuant to: Berkeley Municipal Code Section 23.404.040(B), Public Hearing Notice

NOTICE CONCERNING YOUR LEGAL RIGHTS*: If you object to a decision by the City Council to approve or deny (Code Civ. Proc. 1094.6(b)) or approve (Gov. Code 65009(c)(5) an appeal, the following requirements and restrictions apply: 1) Pursuant to Code of Civil Procedure Section 1094.6, no lawsuit challenging a City decision to deny or approve a Board or Commission decision may be*

filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a Board or Commission decision, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.

If you challenge the above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Berkeley at, or prior to, the public hearing. Background information concerning this proposal will be available by request from the City Clerk Department and posted on the City of Berkeley webpage prior to the public hearing.

This attachment is on file and available for review at the City Clerk Department, or can be accessed from the City Council Website. Copies of the attachment are available upon request.

City Clerk Department
2180 Milvia Street
Berkeley, CA 94704
(510) 981-6900

or from:

The City of Berkeley's Website
http://www.berkeleyca.gov

02

Special Meeting Item

Office of the City Manager

PUBLIC HEARING
July 23, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Jordan Klein, Director, Planning & Development Department

Subject: Landmarks Preservation Commission Appeal: 2138 Kittredge, Landmark application #LMIN2024-0006

RECOMMENDATION
Conduct a public hearing, and upon conclusion adopt a Resolution upholding the appeal and reversing the Landmarks Preservation Commission (LPC) decision to designate the subject property as a City Landmark.

SUMMARY
On February 6, 2025, the LPC approved Landmark Designation Application #LMIN2024-0006, designating the property at 2138 Kittredge Street as a City Landmark. The designation was based on findings that the property meets criteria related to architectural merit, cultural value, and historical significance.

On March 24, 2025, StudioOne QOZB LLC, the applicant for a pending Use Permit on the same property (#ZP2024-0114) which was submitted pursuant to Senate Bill 330 (the Housing Crisis Act of 2019), filed an appeal of the LPC's decision. The appellant contends that landmark designation of the subject property would conflict with the provisions of SB 330 and adversely impact the proposed housing development project.

FISCAL IMPACTS OF RECOMMENDATION
None.

CURRENT SITUATION AND ITS EFFECTS
On February 14, 2024 the City received a Preliminary Use Permit (PLN2024-0011) application pursuant to SB330.

On April 4, 2024 the Preliminary Use Permit (PLN2024-0011) was deemed complete and vested to that date.

On August 6, 2024, the appellant submitted a Use Permit application pursuant to SB 330.

On September 5, 2024, the Use Permit application (#ZP2024-0114) was deemed complete.

On October 30, 2024, the City received a Landmark or Structure of Merit application for the subject property and initiated consideration of the property for the designation.

In December 2024, staff prepared notices for a public hearing scheduled for the LPC meeting of January 6, 2025. However, due to concerns raised by interested parties, the item was pulled from the agenda.

On January 27, 2025, the City mailed public hearing notices to property owners and occupants within 300 feet of the project site, as well as to interested neighborhood organizations.

On February 6, 2025, the LPC held a public hearing on the landmark designation application and received public comment. Following deliberations, the LPC unanimously approved the designation by a vote of 8-0-0-0 vote (Moved: Schwartz, Second: Orbuch, Ayes: Crandall, Enchill, Finacom, Leuschner, Montgomery, Orbuch, Plese and Schwartz, Noes: None; Abstain: None; Absent: None). See Attachment 3 for the LPC staff report.

On March 24, 2025, StudioOne QOZB LLC filed an appeal of the LPC's decision.

BACKGROUND

Landmarks Designation

The subject property is a 6,750-square-foot lot located on the south side of Kittredge Street, between Shattuck Avenue and Fulton Street. It is located in the C-DMU (Downtown Mixed-Use) Outer Core Zoning District (Figure 1) and contains two structures: a two-story residence and a detached carport (Image 1 and Image 2).

Figure 1. Zoning

The primary structure, historically known as the Fitzpatrick House and later as the Pepper Tree Tea Room, is situated near the northwest corner of the lot, with its north-facing façade built directly along the northern property line. The one-story carport is located at the rear of the site, occupying the southwest corner and spanning the full width of the rear property line. Vehicle access is provided by a gated driveway at the northwest corner of the parcel, running along the eastern side of the residence.

Image 1. Street View

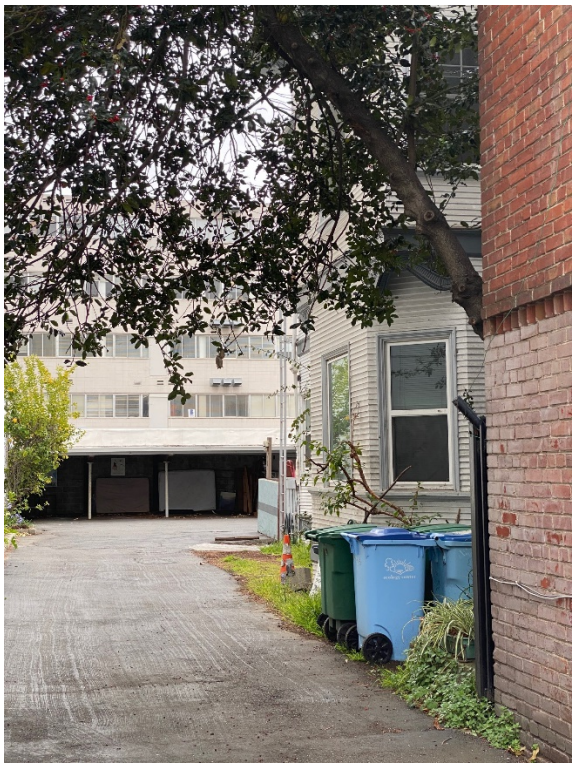


Image 2. Driveway/Carport View

The subject property is not listed on the National Register of Historic Places (NR) or the California Register of Historical Resources (CR), but it was recorded for the State Historic Resources Inventory in 1978 and recommended eligible for the NR. It is also listed on the Berkeley Urban Conservation Survey (form #21280).

In 2015, the City completed the Shattuck Avenue Commercial Corridor Historic Context and Survey, which identified a potential Shattuck Avenue Commercial Corridor Historic District. The subject property was assigned a California Historical Resource Status Code (CHRSC) of 3S, signifying it as locally significant and a contributor to the proposed district under Criterion A/1 of the NR/CR, with a period of significance spanning 1904–1958. While the district has not been formally established, it has been identified through a State Historic Preservation Officer (SHPO) compliant evaluation and survey. Therefore, both the potential district and the subject building qualify as cultural resources pursuant to CEQA Guidelines Section 15064.5(a).

Several City Landmarks and Structures of Merit are located nearby, including the A.H. Broad House and Storefront at 2117 Kittredge Street, California Theater at 2115 Kittredge Street, Brooks Apartment Building at 2231 Shattuck Avenue, Tupper and Reed Building at 2271 Shattuck Avenue, Hezlett's Silk Store Building at 2277 Shattuck Avenue, Odd Fellows Temple at 2288 Fulton Street, Masonic Temple at 2105 Bancroft Way, and Edwards Stadium at 2594 Hearst Avenue.

Senate Bill 330 (Housing Crisis Act of 2019) Vesting Rights

SB 330, also known as "The Housing Crisis Act of 2019," provides a sponsor of a housing development project a pathway to preserve planning and zoning rights from the date of application filing. This allows the project to vest under laws in place when the application is filed and limits the number of public meetings about the project application to five. An SB 330 Preliminary Use Permit application was submitted on February 14, 2024, and the pre-application was deemed complete on April 4, 2024 (#ZP2024-0114). Any subsequent changes to zoning or other local regulations, including discretionary decisions such as a local landmark designation, are not applicable to the housing development project.

RATIONALE FOR RECOMMENDATION

The main issue raised in the appellant's letter (Attachment 2) and staff's response are detailed below. For the sake of brevity, all the appeal issues are not re-stated in their entirety.

Summary of Main Issue: The appellant claims that the designation of the property as a historic site is prohibited by SB 330 and the HAA due to rights vested by the complete housing development project application, and that it places an undue burden, putting the project at risk.

Response: Under State law, once a preliminary application for a housing development project is submitted and deemed complete, it is protected from the application of new policies or standards, including historic designations. Government Code Section 65913.10(a) (SB 330) requires that a city determine whether a project site is a historic site at the time the application is deemed complete, and that determination remains valid for the duration of the project review. Similarly, Government Code Section 65589.5(o)(1) (HAA) provides that housing projects are subject only to the ordinances, policies, and standards that were in effect at the time a preliminary application was submitted.

In this case, the preliminary application was deemed completed on April 4, 2024 and the full application was deemed complete on September 5, 2024. The Landmarks Preservation Commission designated the site as a historic landmark on February 6, 2025, which occurred after the vested rights had been established. Accordingly, Staff recommends reversing the designation because it cannot be applied to the proposed project under State law. As a result, the designation would have no practical effect in this instance.

ALTERNATIVE ACTIONS CONSIDERED

Pursuant to BMC Section 3.24.300(E), the Council may (1) continue the public hearing, (2) affirm, or modify the LPC's decision, or (3) remand the matter to the LPC.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The reversal of 2138 Kittredge Street as a City Landmark designation, LMIN2024-0006, would not have a significant effect on the environment, and therefore is not subject to CEQA (CEQA Guidelines Section 15061(b)(3), Common Sense Exemption).

CONTACT PERSON

Jordan Klein, Director, Planning & Development Department, (510) 981-7534
Anne Hersch, Land Use Planning Manager, (510) 981-7411
Robert Rivera, Senior Planner, (510) 981-7480

Attachments:
1: Draft Resolution
2: LPC Decision Appeal Letter, received March 24, 2025
3: LPC Packet (Staff Report and attachments), dated February 6, 2025
4: Public Hearing Notice
5: Index to Administrative Record
6: Administrative Record

RESOLUTION NO. ##,###-N.S.

UPHOLD THE APPEAL AND REVERSE THE LANDMARK PRESERVATION COMMISSION DECISION TO DESIGNATE THE SUBJECT PROPERTY AT 2138 KITTREDGE STREET, THE FITZPATRICK HOUSE AND PEPPER TREE ROOM, AS A CITY LANDMARK

WHEREAS, on February 14, 2024, the City received a Preliminary Use Permit (PLN2024-0011) application pursuant to SB330; and

WHEREAS, On April 4, 2024, the Preliminary Use Permit (PLN2024-0011) was deemed complete; and

WHEREAS, on October 30, 2024, residents of the City of Berkeley ("applicant") submitted a Landmark or Structure of Merit application (LMIN2024-0006) to designate the property at 2138 Kittredge Street as a City Landmark; and

WHEREAS, on January 27, 2025, the City mailed public hearing notices to all adjacent property owners and occupants within 300 feet of the subject property, and to interested neighborhood organizations; and

WHEREAS, on February 6, 2025, the Landmark Preservation Commission (LPC) conducted a public hearing for the Landmark or Structure of Merit application (LMIN2024-0006). After considering the staff report, the administrative record, and hearing comments from staff, the applicant, and the members of the public, the LPC approved the project by a vote of 8-0-0-0; and

WHEREAS, on March 24, 2025, representatives of StudioOne QOZB ("appellants") submitted an appeal of the LPC decision to the City Clerk; and

WHEREAS, on or before July 9, 2025, staff posted the public hearing notice at the site and three nearby locations, and mailed notices to property owners and occupants within 300 feet of the project site, and to all registered neighborhood groups that cover this area. The Council must conduct a public hearing to resolve the appeal; and

WHEREAS, on July 23, 2025, the Council held a public hearing to consider the LPC's decision, and in the opinion of this Council, the facts stated in, or ascertainable from the public record, including the staff report and comments made at the public hearing, warrant upholding the appeal.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Berkeley hereby reverses the decision made by LPC to approve a Landmark or Structure of Merit application #LMIN2024-0006.

CITY OF BERKELEY - CITY CLERK
2025 MAR 24 PM 2:10

FENNEMORE WENDEL

Todd A. Williams
Director
toddwilliams@fennemorelaw.com

1111 Broadway, 24th Floor
Oakland, California 94607
PH (510) 622-7630 | FX (510) 834-1928
fennemorelaw.com

March 24, 2025

VIA EMAIL AND HAND DELIVERY[1]

Mark Numainville
City Clerk (clerk@berkeleyca.gov)
City of Berkeley
2180 Milvia Street, 1st Floor
Berkeley, CA 94704

Re: Appeal of Landmarks Preservation Commission Landmark Designation Approval #LMIN2024-0006
Re: 2138 Kittredge Street, APN 057-2029-015-00

Dear City Clerk:

On behalf of our client StudiOne QOZB LLC, we appeal the action taken by the City of Berkeley Landmarks Preservation Commission on February 6, 2025, and described in the Notice of Decision issued by the City on March 10, 2025. Per the Decision letter, the deadline to appeal the approval is March 25, 2025.

Background

StudiOne QOZB LLC is the applicant for a use permit to construct a 66-unit housing development project at the above-referenced property as to which a preliminary application was filed pursuant to SB 330 (the Housing Crisis Act of 2019) on March 18, 2024.[2] A full application was submitted on August 6, 2024, and was deemed complete by the City on September 5, 2024. The project, which includes deed-restricted affordable units and a density bonus, complies with all applicable, objective general plan and zoning standards.

On October 30, 2024, an application to designate 2138 Kittredge Street as a City of Berkeley landmark was submitted to the City by members of the Berkeley Architectural Heritage Association. It expressly indicated that it was being filed to protect the site from development. Despite the fact that a preliminary application and full application for a housing development project was already in process, the City scheduled a public hearing to consider the Landmark

[1] Payment of the appeal is being submitted with the copy of this appeal being hand-delivered to the City.
[2] The applicant submitted a preliminary application on February 14, 2024, and provided a quick update on March 18, 2024. Via letter dated April 4, 2024, the City of Berkeley acknowledged a preliminary application was received effective March 18, 2024.

Application before the Landmarks Preservation Commission (LPC) on February 6, 2025. (StudiOne submitted a letter opposing the landmark application in advance of the hearing.)

The LPC voted unanimously to designate the building at 2138 Kittredge as a City of Berkeley Landmark, purporting that the structure met three independent grounds for landmark designation (summarized as architectural merit, association with its original and subsequent owners, and the buildings "association with a pattern of residential to residential-commercial development" in the City).

Grounds for Appeal

1. Violation of SB 330. The site is currently vested under state housing law (SB 330), which prohibited the LPC from making or applying a Landmark or Structure of Merit determination while the SB 330 application remains in effect.

A. The HAA and SB 330 Curtail Belated Attempts to Determine Historic Significance; Landmarking Places an Undue Burden and Puts the Project at Risk.

The scope of the LPC's discretion in reviewing the Landmark Application is limited to (1) determining the site is not a Landmark or Structure of Merit; or (2) referring the site to the City's list for future consideration if the SB 330 application lapses.

On July 8, 2020, the Berkeley Office of the City Attorney issued an SB 330 Memorandum, which included the legal directive that "Government Code section 65913.10(a) prohibits the City from imposing additional historic or cultural resources protections..." on a site subject to an SB 330 preliminary application under the Housing Accountability Act ("HAA") (Gov. Code § 65589).[3] The City Attorney concluded that, as a result, the "LPC and the City are prohibited by state law from denying or imposing conditions on a housing development project based on any cultural or historic resources protections" on a site subject to an SB 330 preliminary application, and that any historic resources information required as part of the preliminary application must be limited to the identification of resources "known to exist" at the time of the application.

Since then, the City has improperly eroded the vesting protections of SB 330 by alleging that a Landmark or Structure of Merit determination may still be made on sites that are subject to an SB 330 application. The City's alleged basis for this (as stated in staff reports on other projects facing the same situation) is that the legal effect of that determination will only be imposed if the SB 330 application ultimately does not move forward and thereby lapses. The City's stated position – that the LPC can designate an SB 330 site a Landmark or Structure of Merit, but then conditionally defer the effect of that determination – violates the vesting

[3] See July 8, 2020, Memorandum from Farimah Brown, City Attorney to Jordan Klein, Planning Director, contained in City files.

protections in the HAA, runs contrary to due process protections required in adjudicative hearings, and constitutes an abuse of discretion subject to reversal by a court.

Moreover, the City's justification fails to appreciate that a landmark designation provides a significant burden on the title of the property and impacts the applicant's ability to finance the project. The Berkeley Municipal Code (BMC) requires that an approval of a designation requires such designation to be recorded (BMC § 3.24.180.A.) If an unforeseen circumstance results in a the application losing its vesting, the site would be immediately devalued given that any designation would immediately apply (and potentially limit and possibly prohibit development) and a lender would not want to take the risk of loaning money on a project that could have such a dramatic change in future value. As such, any "prospective" designation places an undue burden on property owner with lenders and title company/insurance, and would put the project at risk and would discourage the development of much-needed housing[4].

The LPC's landmarking process is a "quasi-adjudicative hearing," meaning that evidence may be presented, specific findings must be made, and any findings to support a Landmark or Structure of Merit determination must be supported by substantial evidence in the record. (See Cal. Code Civ. Proc., § 1094.5.) Courts will invalidate a quasi-adjudicative ruling if it constitutes an "abuse of discretion." An abuse of discretion occurs if the LPC fails to proceed in the manner required by law, fails to adopt sufficient findings, or makes findings that are not supported by substantial evidence. (Cal. Code Civ. Proc., § 1094.5(b).)

The LPC hearing and its consideration of the site is, as a practical matter, a waste of time and City resources. The designation is both speculative and ineffective if the pending development application is ultimately approved. However, both City staff and applicant now must spend time and resources (including hiring legal and historical consultants) on a potentially superfluous proceeding (not to mention an illegal one).

Given the housing crisis, Legislative direction from Sacramento, as well as guidance from the Department of Housing and Community Development, the City should be removing, not imposing, barriers to the production of housing.

B. The plain language of the HAA prohibits the LPC from making a landmark determination while a development application is vested under SB 330.

The LPC's determination that the site is a Landmark is an abuse of discretion in violation of the HAA. Historic resource determinations are legally vested when a housing development application is deemed complete:

[4] The BMC requires that a decision on whether to designate a property occur within 180 days of the public hearing where the application is considered. (BMC § 3.24.150.) Thus, it does not appear that the BMC allows for the indefinite postponement of a designation as would occur if the LPC (and ultimately City Council) were to decide to designate the site.

> For purposes of any state or local law, ordinance, or regulation that requires the city or county to determine whether the site of a proposed housing development project is a historic site, **the city or county shall make that determination at the time the application for the housing development project is deemed complete. A determination as to whether a parcel of property is a historic site shall remain valid during the pendency of the housing development project for which the application was made.** (Cal. Gov. Code § 65913.10(a) [emphasis added].)

Chapter 3.24 of the BMC authorizes the LPC to determine whether the property is a historic site. (BMC § 3.24.120 – 3.24.160.) The timing of that determination is strictly limited by SB 330, which requires the LPC to make "that determination" at the time that the SB 330 application is submitted or deemed complete.[5] As such, the legal effect is that the LPC only had authority to designate this property as a Landmark *prior* to the filing of the SB 330 application.

C. None of the HAA's exceptions to automatic vesting apply in this case.

SB 330 prohibits cities from making landmark determinations for the entire time that an SB 330 application remains vested. The only enumerated exception to the automatic vesting provision for historical resources arises if "any archaeological, paleontological, or tribal cultural resources are encountered during any grading, site disturbance, or building alteration activities." (Gov. Code § 65913.10(a).) These exceptions do not apply in this instance.

No other exceptions to the vesting protections under the HAA apply here. While the HAA provides exceptions that allow City-wide policies to be imposed after an SB 330 application lapses, those exceptions do not apply to site-specific determinations, such as the Landmark Application proposed to go to the LPC. Adjudicative hearings—like those for Landmarks — are legally distinct from legislative approvals, such as a rezoning or general plan amendment. Legislative approvals apply city-wide, and are subject to an entirely different, more deferential "arbitrary and capricious" standard.

Adjudicative decisions focus on specific properties and projects, and the law provides stronger requirements and standards. Those standards are tied to basic constitutional due process protections that apply to everyone, including landowners and real estate developers.

The vesting protections in the HAA and SB 330 are in alignment with this fundamental distinction. A "housing development project shall be subject **only** to the ordinances, policies, and standards adopted and in effect when a preliminary application… was submitted." (Gov Code §

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[5] Gov. Code § 65913.10(a); The City Attorney has noted, an application is "deemed complete" for purposes of vesting under the HAA when an SB 330 preliminary application or a complete application is submitted (i.e., whichever occurs first), as set forth in Government Code § 65589.5(h)(5). (Attachment 2, p. 2.).

65589.5(o).) The HAA's vesting protections for legislative policies include a set of enumerated exceptions where certain policies, such as the imposition of new impact fees, are expressly deemed to apply to a project site if the SB 330 application lapses or does not move forward:

> [SB 330] shall not prohibit a housing development project from being subject to ordinances, policies, and standards adopted after the preliminary application ... was submitted... in the following circumstances... [including when a] housing development project has not commenced construction within two and one-half years... following the date that the project received final approval. (Gov Code § 65589.5(o)(2)(A-E).)

SB 330's vesting provisions for historic resources, however, were codified in a separate statute that prohibits cities from making site-specific landmark determinations once a development application has been determined to be complete. (Gov Code § 65589.5 (h)(5); Gov. Code § 65913.10(a).) Fundamental principles of statutory interpretation require that the HAA be construed in harmony with this clear distinction between legislative and adjudicative approvals. (See, e.g., *Jones v. Hendrix* (2023) 599 U.S. 465, 478.)

This distinction is consequential. The exceptions contained in the HAA allowing policies and ordinances to be imposed after an application lapses are consistent with the legal underpinnings for legislative approvals. The vesting provisions for historical resources, however, are clearly stated to prevent local bodies from making a site-specific, adjudicative determination that could reduce the development potential of a site that is vested under SB 330, with only one limited exception (not applicable here) related to artifacts discovered during construction.

Therefore, the LPC's determination in favor of the Landmark Application violates SB 330. There are no applicable exceptions to state housing law that allow the LPC to render a site-specific landmarking decision but then defer its imposition if the SB 330 application lapses. Furthermore, there is not any provision in the BMC that allow for such open-ended deferrals. (See e.g., BMC § 3.24.180.A (requiring that a designation be recorded); BMC § 3.24.150 (requiring a decision re designation within 180 days of the close of the public hearing on the application).[6]

The HAA and SB 330 prohibit the City from approving the proposed Landmark Application at this time. A determination that there is no Landmark or Structure of Merit on this site occurred by operation of law when the SB 330 project application was submitted and deemed complete, and that determination remains in effect for so long as the SB 330 vesting remains in place. (Gov. Code § 65913.10(a) [determination re historic designation "**shall be made**" at the time of the preliminary application, and "**shall remain valid during the pendency of the housing development project**"].) The City is making a determination *after* submittal of

[6] This process also divests the LPC and public from considering whether designation is appropriate at a future date if and when the SB 330 vesting protection lapses, and the site actually becomes subject to LPC's jurisdiction.

the preliminary application and during the pendency of the housing development project in violation of the law.

D. The City's interpretation of SB 330 conflicts with the "finality rule" – a core legal principle governing adjudicative hearings and increases the risk of litigation and impedes achievement of City and state housing goals.

There is no legal authority for the City's position that the LPC can render a final decision on a Landmark designation, but then condition the effect of that determination on the occurrence of a future event, such as the lapse of an SB 330 application.[7] The City's position runs contrary to the "finality rule," a bedrock principle in administrative law. Under the finality rule, the City must render a final, site-specific decision after all appeals regarding the landmarking designation decision have been exhausted.

The LPC Landmark determination for this site carries with it an abbreviated statute of limitations to challenge that finding would run from the date that any appeal to challenge the Landmark decision is resolved. Presented with this situation, the project owner would have to initiate litigation within 90 days (given the short statute of limitation to bring such challenges) to prevent an unlawful designation from affecting future property values and development feasibility for the site, even if the Landmark determination was purportedly not yet "imposed" on the site.

The City's interpretation would lead to perverse effects and unnecessarily increases the risk of litigation, given that a Landmark determination would need to be immediately challenged in court even if the City's stated position is that the Landmark determination would not be imposed on this particular project. The failure to challenge a Landmark determination could result in a significant risk that a future challenge, if the SB 330 application were to lapse, would be waived due to the expedited statutes of limitations for challenging final decisions by local agencies.

A key purpose of the HAA, and SB 330, is to incentivize housing production and make the process more predictable, while creating incentives such as statutory penalties that are ultimately intended to reduce the likelihood of unnecessary litigation that impedes the production of housing. (See Gov. Code § 65589.5(a)(2)(A-L).) By contrast, the City's interpretation of SB 330 impedes the achievement of the city's and the state's housing goals in violation of the HAA.

2. Findings and Basis for Landmark Designation are not supported by substantial evidence. The Landmark Application is factually inaccurate and does not represent substantial evidence to merit designation of the site as a landmark. The Application concedes that it was filed in response to the development application. (Landmark Application at p. 11.) The building was built over 120 years ago, but in all this time, the LPC has never considered giving it landmark

[7] Continuing Education of the Bar, Administrative Law § 8.62.2.

status until now. The timing is telling. The 2024 Historic Resources Evaluation, prepared by a qualified architectural historian, which is the most thorough and detailed survey on record for this site, concluded that the site is not eligible for landmark designation.[8]

The Landmark Application lacks credibility and fails to meet the substantial evidence test. The LPC's determination to designate the property a City Landmark constitutes an abuse of discretion under Code of Civil Procedure § 1094.5.

In connection with the development application for the site, the landowner engaged an architectural historian to inspect the site and provide a professional evaluation of the historical legacy of the building in its current physical condition. As is typical, those findings have been memorialized in a Historic Resources Evaluation ("HRE") prepared in January 2024. It does not appear that any site-specific survey of the property has been made previously.

The HRE concludes that the site does not meet the criteria for designation as a Landmark or for inclusion in the California Register.[9] This finding is based on an assessment that the building was (1) heavily altered, including most notably that the primary facade was subsumed by a Georgian Revival style addition in 1935, and has lost historic integrity; (2) the property does not appear to have any significant associations with historically important events or noteworthy historical figures; and (3) the property does not exhibit high architectural merit nor readily conveyed associations with important architects or builders.

As to the Landmark criteria, the HRE determined that 2138 Kittredge did not meet any of the criteria to be designated a City Landmark. As to architectural merit, the HRE concluded as follows:

> The property is an altered early-twentieth century residential building, later converted to commercial and multi-family residential uses, that does not hold the status of first, last, only, or most significant of its type or style in the region either in its original guise, nor its altered state. Its presumed original style and its wood-frame construction was very common to the early-twentieth century, while its altered character is equally unremarkable for the mid-1930s; therefore, it is not a prototype or outstanding example of its period, style, or any architectural movement or construction type. Even considered as an example of an early-twentieth century residence with a storefront addition, it does not qualify as a first, last, only, prototype, or outstanding example, as two others exist on the same block of Kittredge Street, with both of the others being of earlier construction dates and

[8] A copy of this analysis, Historic Resources Evaluation for 2138 Kittredge Street, January 2024, is attached as **Attachment 1.**
[9] See Attachment 1 at p. 11.

> earlier alteration dates, and are still extant. The architect, William H. Wharff, was a prominent and prolific Berkeley architect but not particularly groundbreaking in his designs. He designed a number of other noteworthy buildings, some of which bear landmark designations, and are better examples of his work than 2138 Kittredge Street, which has been altered in such a way that the majority of Wharff'soriginal design is not even evident.

As to cultural value, the HRE concludes as follows:

> The building at 2138 Kittredge Street was built as a single-family residence for a middle-class, non-immigrant family without any association to religious, cultural, governmental, social, or economic events or developments in Berkeley. It was built adjacent to its original owner's livery stable business, but only served to house his family and played no role in the neighboring commercial use, which itself was not strongly associated with any local economic developments. The house was later converted into a restaurant in the mid-1920s, but this also was not related to any significant economic evolution in Berkeley. It was one of countless restaurants in the city during its period of operation. Later still, it was converted into a multi-family apartment building during the years of World War II, but no evidence was found that this subdivision was directly related to or influenced by the wartime population boom, and subsequent cultural, social, and economic shifts, that happened in the Bay Area at that time.

As to historic value re patterns of development, the HRE concluded that the criteria was not met:

> The building at 2138 Kittredge Street was built as a single-family residence for a middle-class, non-immigrant family without any significant influence from or on social, cultural, economic, political, religious, or military history. It was built adjacent to its original owner's livery stable business, but only served to house his family and played no role in the neighboring commercial use, which itself was not strongly associated with any local economic trends. The house was later converted into a restaurant in the mid-1920s, but this also was not related to any significant economic trends in Berkeley. It was one of countless restaurants in the city during its period of operation. Later still, the building was converted into a multi-family apartment building during the years of World War II, but no evidence was found that this subdivision

> was directly related to or influenced by the wartime population boom, and subsequent cultural, social, and economic shifts, that happened in Berkeley and the Bay Area at that time.

The HRE's findings were based on an intensive and thorough site visit, in-depth review of all available documentation,[10] and detailed review of previous surveys of the site. The HRE constitutes substantial evidence and therefor takes precedence over the Landmark Application, which is based on artistic drawings by non-historians, selected quotes and passages from previous, incomplete and outdated information, including factual inaccuracies, and numerous unsubstantiated assertions about the overall integrity of the building. In short, the application and the record does not support the findings for Landmark designation.

3. Violation of the No Net Loss rule. By declaring the property a Landmark, the City has essentially reduced (at least prospectively) the amount of housing that can be development. It is a de facto downzone, essentially freezing the parcel at its current density – far below what the zoning allows. Such downzonings violate the so-called no Net Loss Rule by reducing the density for housing while not simultaneously upzoning to make up for the loss.

The provisions of No Net Loss Law are separate and complementary to those of the Housing Crisis Act of 2019 (Gov. Code, § 66300), which states that "an affected county or an affected city shall not enact a development policy, standard, or condition that would [have the effect of] changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use… below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018." (Gov. Code § 66300, subd. (b)(1)(B)). A jurisdiction may only change a parcel's land use designation or zoning if there is a concurrent upzoning to ensure no net loss of overall residential capacity.

Here, designation of the site effectively limits the ability to redevelopment the site with a project that could take advantage of the density permitted in the zoning code, in other words, the designation would result in a de facto condition that would have the effect of putting the site into a less intensive use than currently allowed and in effect on January 1, 2018.

4. Bad Policy. The City of Berkeley has taken great strides in promoting the development of housing. That said, there remains a vocal anti-development contingent who is weaponizing the landmark designation process, and taking advantage of the City's vague and overbroad grounds for designation, to try to stop development by landmarking properties of dubious historical importance. The end result is that more sites that should be able to be developed are effectively

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[10] *Id.*

prohibited from doing so which will hamper the City's ability to plan and provide for additional housing.

Over a month before the LPC meeting, we provided evidence regarding the lack of historic significance of 2138 Kittredge. This analysis, prepared by a qualified architectural historian, provided ample evidence as to why the building did not meet any criteria for landmark designation. Despite this effort, and other communications with staff, the City proceeded with the designation proceedings. As noted above, this a totally unnecessary delay of the project, an unnecessary expenditure of staff resources, and a total waste of the Council's and of the public's time.

5. Regulatory Taking. The designation of this site was done to prevent it from development. The property has not been maintained well and cannot be redeveloped without a complete reconstruction, make preservation impractical. The LPC's action results in depriving the property of any economic value, given the barriers that would ensue for trying to get a demolition permit, should the preliminary application protection expire.

In summary, the LPC's decision to approve the Landmark Application constitutes a reversible abuse of discretion in violation of California law. Furthermore, such a decision is entirely unnecessary. Designating the site a landmark or structure of merit is not supported. While the building is old (originally built in 1904 and extensively altered in 1935), it does not otherwise meet the criteria for project at the national, state or local level.

Conclusion

Prior staff reports for projects facing belated attempts at historic designation, have mistakenly claimed that an LPC hearing regarding designation would not count toward the five-hearing limit under SB 330. The decision to hold a public hearing on the Landmark Application while the SB 330 application is pending necessarily makes this a "public hearing in connection with the approval of that housing development project." (Gov. Code § 65905.5.) SB 330 defines "hearing" broadly to include "any public hearing, workshop, or similar meeting, including any appeal, conducted by the city... with respect to the housing development project." (*Id.*) The only hearings excepted from this section are for legislative approvals, such as a general plan amendment, specific plan amendment, or rezoning. (*Id.*)

Given SB 330's broad intent to expedite housing development projects and provide great certainty in processing, and the fact that none of the limited exceptions apply here, the five-hearing rule applies to the Landmark Application hearing. As a result, the February 6, 2025, LPC meeting, as well as an appeal hearing, will count toward the five-hearing limit.

The Landmark Application was filed for the stated purpose of thwarting this development application and is in conflict with the HAA and SB 330. The unsupported and unauthorized LPC action is complicit with the anti-development goals of those who sought Landmark designation.

For the reasons stated herein, we strongly and respectfully request that the City Council grant the appeal and overturn the LPC's Landmark Designation, and that no further attempt to declare the property a City Landmark be accepted unless and until the preliminary application expires. Upholding the designation would be both illegal and ineffectual and would result in building barriers to the project that will make development of this project more difficult, costly and would jeopardize its feasibility.

Sincerely,

FENNEMORE WENDEL

Todd A. Williams

/taw

Cc: William Schrader
Jordan Klein, Planning Director (jklein@berkeleyca.gov)
Berkeley City Council (council@berkeleyca.gov)
Farimah Brown, City Attorney (fbrown@berkeleyca.gov)
Fatema Crane, Secretary, Landmarks Preservation Commission (fcrane@berkeleyca.gov)
Paul Buddenhagen, City Manager (pbuddenhagen@berkeleyca.gov)
Jessica Evans, HCD Senior Housing Policy Specialist (jessica.evans@hcd.ca.gov)
Shannan West, HCD Housing Accountability Chief (shannan.west@hcd.ca.gov)
David Zisser, HCD Assistant Deputy Director (david.zisser@hcd.ca.gov)

ATTACHMENT 1

ATTACHMENT 1

P.O. Box 70415, Richmond, CA. 94807 • (415) 745-1906 • caitlin@leftcoastarchitecturalhistory.com

30 January 2024

To Whom It May Concern:

Left Coast Architectural History has completed a Historic Resource Evaluation of the property at 2138 Kittredge Street, Berkeley. The attached California Department of Parks & Recreation (DPR) 523 series forms present a physical description of the property, a record of its history, and evaluation according to California Register of Historical Resources significance and integrity criteria, and City of Berkeley Landmark and Structure of Merit criteria.

The study finds that the building dates to 1904 and was designed by architect William H. Wharff for local livery stable/auto garage owner J.C. Fitzpatrick. It was originally a Free Classical Queen Anne style single-family residence, but was later converted to a restaurant and multi-family apartment building, with the primary facade subsumed by a Georgian Revival style addition in 1935. The property has been occupied by residential tenants and at least one business, but does not appear to have any significant associations with historically important events or noteworthy historical figures. The property does not exhibit high architectural merit nor readily conveyed associations with important architects or builders. It has been identified as part of a small grouping of residences on Kittredge Street that were converted to commercial uses via storefront additions, which may equate to significance at the local level. These points are elaborated upon in detail on the attached forms.

Left Coast Architectural History is happy to answer questions or provide additional assistance, as needed.

Sincerely,

Caitlin Paige Hibma

Caitlin Hibma
Principal/Architectural Historian
Left Coast Architectural History

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

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

Page 1 of 21 *Resource Name or #: 2138 Kittredge Street, Berkeley, CA

P1. Other Identifier: n/a
***P2. Location:** ☐ Not for Publication ☒ Unrestricted *a. County: Alameda
and (P2b and P2c or P2d. Attach a Location Map as necessary.)
*b. USGS 7.5' Quad: Oakland West, Calif. Date: 2015 T ; R ; ¼ of ¼ of Sec ; M.D. B.M.
c. Address: 2138 Kittredge Street City: Berkeley Zip: 94704
d. UTM: Zone: 10 ; mE/ mN (G.P.S.)
e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) Elevation:
APN: 57-2029-15

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

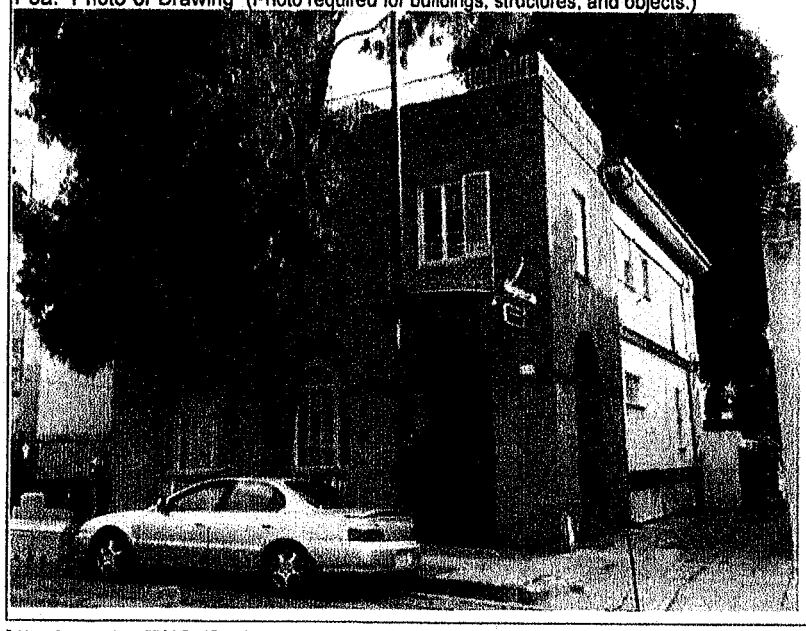
Site
The property at 2138 Kittredge Street consists of a rectangular lot on the south side of Kittredge Street, between Shattuck Avenue and Fulton Street. Topography in the area is flat and the parcel is bordered by a public sidewalk on the north and neighboring properties to the east, west, and south. A two-story building sits at the front of the lot with no setback from the sidewalk. It sits at the western lot line while a driveway runs along the east side of the lot to a paved yard at the rear (south) of the lot and a one-story L-shaped carport sits at the southwest corner of the lot.

Building
The building is two stories and has a generally rectangular plan. It is primarily of wood frame construction with a front addition constructed of brick masonry. It is capped by a complex hip roof with a flat roof over the front addition. The exterior walls of the front addition are brick (common bond), while the rear/original portion of the building is clad with wood lap siding. (Continued)

***P3b. Resource Attributes:** (List attributes and codes) HP2. Single family property, HP3. Multiple family property, HP6. 1-3 story commercial building

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

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo: (View, date, accession #)
North and west facades, looking southeast, January 2024

***P6. Date Constructed/Age and Sources:** ☒Historic ☐Prehistoric ☐Both
1904; *Berkeley Daily Gazette* construction notice

***P7. Owner and Address:**

***P8. Recorded by:** (Name, affiliation, and address)
Left Coast Architectural History
PO Box 70415
Richmond, CA. 94807

***P9. Date Recorded:** Jan. 2024

P10. Survey Type: Intensive

***P11. Report Citation:** None

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

DPR 523A (1/95) *Required Information

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Primary #
HRI#

BUILDING, STRUCTURE, AND OBJECT RECORD

Page 2 of 21

*NRHP Status Code 6Z

*Resource Name or # (Assigned by recorder) 2138 Kittredge Street, Berkeley, CA

B1. Historic Name: None
B2. Common Name: None
B3. Original Use: Single-family residence **B4. Present Use:** Commercial/Multi-family residence
***B5. Architectural Style:** Free Classical Queen Ann, altered to/mixed with Georgian Revival
***B6. Construction History:** (Construction date, alterations, and date of alterations)
Constructed 1904. Primary facade addition, 1935. (See Continuation Sheets for additional construction history.)

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

B9a. Architect: William H. Wharff **b. Builder:** Pearson & Olsen
***B10. Significance: Theme:** None **Area:** Downtown Berkeley
Period of Significance: None **Property Type:** Residential/Commercial **Applicable Criteria:** None
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

Neighborhood Context
The building at 2138 Kittredge Street is located in Downtown Berkeley, just off the Shattuck Avenue commercial corridor, study of which was undertaken by the "Shattuck Avenue Commercial Corridor Historic Context and Survey" (Archives & Architecture, 15 Sept. 2015). The historic context is applicable to this property, as follows.

Downtown Berkeley is characterized by a variety of uses but is heavily commercial, as is typical of an urban downtown. Along Shattuck Avenue, these commercial uses – restaurants, boarding houses, groceries, laundries – were present as early as the 1870s, encouraged by the establishment of the nearby University of California campus; construction of a rail line along Shattuck Avenue; and ultimately, incorporation of the community as the Town of Berkeley. The University spurred surrounding residential growth as well and the presence of a train station at Shattuck and University avenues made that the locus of the city's de facto downtown.

In the 1880s, residential growth boomed and the area's character transitioned from rural to urban. In the 1890s, the previously vacant east side of Shattuck Avenue was graded, allowing for additional development and more businesses to be established along the corridor. Such development extended as far south as Allston Way, while a smaller secondary commercial cluster existed at Shattuck Avenue and Dwight Way.

The turn of the 20th century brought electric rail lines and further commercial growth to Shattuck Avenue, but the 1906 earthquake did the most to spur massive residential and commercial growth, as displaced residents from San Francisco came across the Bay to settle in Berkeley and demand for goods and services subsequently increased. Many older properties along Shattuck Avenue were redeveloped to meet the needs and fashions of the new century. (Continued)

B11. Additional Resource Attributes: (List attributes and codes)
HP2. Single family property, HP3. Multiple family property, HP6. 1-3 story commercial building

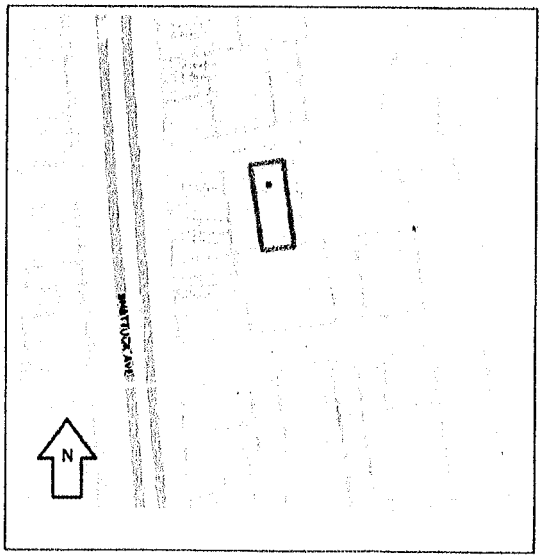
***B12. References:**
(See parenthetical citations within text and on last Continuation Sheet)

B13. Remarks:

***B14. Evaluator:** Caitlin Hibma/Left Coast Architectural History

***Date of Evaluation:** January 2024

(This space reserved for official comments.)



DPR 523B (1/95)

*Required Information

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

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HRI#
Trinomial

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*Recorded by: Caitlin Hibma/Left Coast Architectural History *Date: Jan. 2024 ☒ Continuation ☐ Update

P3a. Description: (continued)

Multi-lite wood sash windows in double-hung and casement configurations are the most prevalent type of fenestration. Original double-hung iterations feature lambs-tongue sash stops, while newer wood iterations have no stops. Some vinyl sashes are also present.

The primary/north facade is two stories, clad with brick, and faces Kittredge Street without setback from the sidewalk. Two rows of soldier coursed bricks are found at the base of the wall. Above, the first story features a series of three regularly spaced round arches. A course of shiner coursed bricks set at an angle and topped by a row of stretcher coursed bricks create a decorative beltcourse at the height of the arches' springing points, while the tops of the arches are trimmed with voussoir bricks and slightly elongated bricks that form keystones at the top. The two arches at left and center have molded wood dado panels at the bottom and multi-lite wood sash windows above. The windows consist of a large, fixed, 12-lite, center sash, flanked by narrow four-lite casement sashes, and topped by fanlights with distinctive spiderweb muntins. The primary entrance is located within the rightmost arch which opens to a recessed vestibule. The entry door is elevated and approached by brick steps and a stoop. The solid wood door is adorned with a carved reeded motif and topped by a leaded glass transom lite. It is surrounded by wide reeded trim with a plain keystone at the top.

The second story of the primary facade features two window openings at either side and a decorative roundel at the center. The roundel is filled with a decoratively laid pattern of brickwork, voussoir trim, and keystones of elongated bricks at top, bottom, and each side. The windows have rectangular openings flanked by faux wood shutters and topped by lintels of soldier coursed bricks. Decorative metal half-round balconettes are located below each window. The windows have wood double-casement sashes with three lites in each leaf. A band of stretcher coursed bricks defines a low parapet wall at the top of the facade, which has brick coping and a low metal railing along the top edge.

The brick front wraps the building corner and extends briefly along the west facade, where there is a recessed blind arch with a wood flower box at the first story and a non-original six-over-one wood sash window with brick sill and soldier coursed lintel at the second story. To the right, the original portion of the building is clad with wood lap siding. Utility hatches and lattice vents are located at the base of the wall with a wide wood watertable above. The first story features a horizontally-oriented art class window on the left, a standard one-over-one, double-hung, wood sash window on the right, and a partially-glazed wood pedestrian door at the far right. The first and second stories are divided by a wide wood beltcourse. The second story features four irregularly placed windows in a variety of sizes with molded wood trim. Three are one-over-one double-hung sashes, while one is a fixed art glass window. The facade terminates in a wide plain wood frieze overhung by the boxed eaves of the roof. One eave bracket with a foliate scroll motif is found near the juncture of the brick addition with the original portion of the building.

On the east facade, too, the brick front wraps the building corner and extends briefly along the facade. At the first story there is an arched window like those described on the primary facade, while the second story features two six-over-one wood sash windows with brick sills and soldier coursed lintels. To the left, the original portion of the building is clad with wood lap siding. A projecting bay is located near the center of the facade. It is angled at the first story and overhung by a square bay at the second story with decorative scrolls brackets adorning the overhanging corners. As on the west facade, there is a wide wood watertable, wide wood beltcourse between stories, and wide plain wood frieze overhung by the boxed eaves of the roof. Windows are generally standard one-over-one, double-hung sashes with molded wood trim; some wood and some vinyl. A hip-roofed dormer projects from the east plane of the roof over the projecting bay.

The rear/south facade is clad with wood lap siding and has a wide wood watertable, wide wood beltcourse between stories, and wide plain wood frieze overhung by the boxed eaves of the roof. There is a secondary entrance and window at the right side of the first story. The second story is setback at the left side, accommodating a deck with a decorative wood railing. The right side features a pair of standard windows. A non-original addition projects from the rear plane of the roof.

Carport
An L-plan carport sits at the southwest corner of the lot. It is one-story high with a flat roof and opens onto the property's paved rear yard. The carport has concrete block rear walls, heavy wood roof beams, and metal support poles. Stucco clads the low parapet wall at the front of the roof.

B10. Significance: (continued)

Downtown was spared destruction by the 1923 Berkeley Fire, but Shattuck Avenue was nevertheless changed by the growing popularity of the private automobile in the 1920s. Although modes of transit conflicted at times, private cars increased travel to and from the commercial corridor. A number of large department stores came to the area at the time and, along with other businesses, flourished until the Great Depression. Even the serious economic downturn of the 1930s had gentler effects in Berkeley, though, because the University's student population kept business flowing.

By the mid-1940s, the entire Bay Area had experienced a war-time population boom and prosperity was high. Although the evolution of transportation away from public mass transit and toward the private automobile dispersed many businesses into

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B10. Significance: (continued)

new outlying areas, Shattuck Avenue remained a strong commercial corridor, and as was a recurring theme, the proximity of the University of California campus continued to bolster Downtown commerce.

As happened in many cities, Downtown declined in the 1950s and 60s due to the migration of commercial uses to outlying malls and shopping centers. Population also diminished as urban residents moved to the suburbs, which were accessible by car and did not require the presence of convenient nearby businesses. In Berkeley, the deterioration of residential hotels and apartments that were commonly located above the street-level commercial establishments along Shattuck Avenue compounded the loss of Downtown vitality. Additional challenge was presented by the construction of BART in the 1970s, although this ultimately connected Berkeley's Downtown to the wider Bay Area region once it was completed.

Property History

A notice in the 27 October 1902 issue of the *Berkeley Daily Gazette (BDG)* reported that lots 16 and 17 of the Blake Tract (which had been subdivided in 1881) were sold by W.H. Leimert to John C. Fitzpatrick. A map of the Blake Tract indicates that the property now addressed 2138 Kittredge Street was Blake Tract lot 17 (lot 16 sat to its east). (Berkeley Property Map No. 3 of the Blake Tract, 1881; Berkeley Public Library via Calisphere.) The following year, the 1903 Sanborn Fire Insurance map illustrates that lot 17 was vacant, while lot 16 was had a large, two-story, corrugated iron stable sitting at its rear.

On 4 January 1904, the *Berkeley Daily Gazette* reported plans "To Erect Large Building" at Shattuck Avenue and Kittredge Street. The article reported that the building was to be a two-story and basement frame dwelling, built for John C. Fitzpatrick by contractors Pearson & Olsen, designed by architect William H. Wharff. (See "Architect & Builders" section below.) The house would cost $4,090 and was to be completed around mid-April of 1904.

John C. Fitzpatrick was born in Benicia in 1866 and came to Berkeley in 1890. Soon thereafter, he began working on the Claremont, University & Ferries horsecar line (known as the C.U.& F., established 1891), serving variously as secretary, manager, superintendent, and motorman. The horsecar line was discontinued in 1901 and Fitzpatrick went into business running a "railroad station horse and hack taxi service." This livery stable business was initially headquartered on Allston Way, but was soon moved to the property adjacent to Fitzpatrick's new house at 2138 Kittredge Street. Banking on transportation trends moving away from horses and toward automobiles, Fitzpatrick eventually purchased three gas-powered automobiles which he hired out and also used for deliveries, taxi service, and driving for funerals and other events. Fitzpatrick's stable eventually became one of Berkeley's first public auto garages. ("So We're Told by Hal Johnson: Horsecar Man," *BDG, 28 February 1940.)*

The 1910 census lists the John C. Fitzpatrick family as the residents of 2112 Kittredge Street. John C. Fitzpatrick was 45 years old, born in California to Irish parents, and was listed as the proprietor of a livery stable; the one located on the lot next door, and which by 1910, was probably more automobile than horse-oriented. Also residing at the house were Fitzpatrick's wife, Carrie, and their five children. The children's ages ranged from 16 to 22 and only the oldest, Albert Reginald, was employed as an electric company clerk.

The house at 2138 Kittredge Street first appears on the 1911 Sanborn Fire Insurance map, addressed 2112 Kittredge Avenue. It is illustrated as a 2-story, rectangular-plan dwelling with an inset porch at the front northwest corner, a square bay window on the east facade, and a rear porch. An L-shaped outbuilding was present at the rear of the lot and was addressed 2112 ½ Kittredge Street. On the lot to the east, which was also owned by Fitzpatrick (Blake Tract lot 16, mentioned above), the corrugated iron stable shown on the 1903 Sanborn Fire Insurance map had been enlarged to fill the front of the lot. It was still clad in iron, had a concrete block street-facing facade, and was labeled as a livery stable.

A decade later, the 1920 census continues to list John C. Fitzpatrick at 2112 Kittredge Street. By then Fitzpatrick was a 54 year old widow and had no listed occupation. Living with him were his son Albert Reginald; 37 years old with no listed occupation; and his daughter and son-in-law, Gladys C. and George H. Brown, both in their 30s. George Brown was employed as a salesman for a wholesale coffee company.

The property was renumbered from 2112 to 2138 Kittredge Street on 5 October 1926. (City of Berkeley Planning Department records) The Sanborn Fire Insurance map of 1929 shows that by the end of the 1920s, the property been converted into a restaurant. John C. Fitzpatrick's adjacent livery stable had officially become an automobile garage, housing 20 cars with a repair department at the rear. The 1930 census confirms that John C. Fitzpatrick had moved away from the subject property, purchasing and living in a house on Delaware Street. He may have retained ownership of the house and adjacent auto garage until either 1924 or 1942. (*BDG*, 28 February 1940.) John C. Fitzpatrick died in 1945. (Vital records, ancestry.com.)

The timing of Fitzpatrick's sale of the property is unclear. It was next purchased by William H. and Alma T. Taylor. Logically, he would have sold the property when he moved away, possibly in 1924 as one source states. (Anthony Bruce, "The Fitzpatrick House & Pepper Tree Tea Room, 2138 Kittredge Street," 2022, BAHA files) Donogh real estate records show a sales transaction between Fitzpatrick and the Taylors in 1942, however. Its possible that numbers were transposed, but a newspapers article

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*Recorded by: Caitlin Hibma/Left Coast Architectural History *Date: Jan. 2024 ☒ Continuation ☐ Update

B10. Significance: (continued)

profiling Fitzpatrick notes that he still owned the livery stable property as late as 1940, which could suggest he owned the house into the 1940s as well. In any case, William and Alma Taylor were the next owners of 2138 Kittredge Street and were present, either as renters or owners, as early as 1925.

The restaurant shown on the 1929 Sanborn Fire Insurance map was operating at least as early as 1925, when it was referred to as the Pepper Tree Inn in a newspaper article. (*BDG*, 12 June 1925) It was also known at various times as the Pepper Tree Tea Room or the Pepper Tree Restaurant. Its proprietress was Alma T. Taylor, wife of William H. Taylor, who was a real estate agent. The Taylors' residential address was 2138 Kittredge Street, indicating that they lived upstairs, while Alma Taylor ran the restaurant, presumably on the lower floor of the house. Alma's father and adult niece lived with them; her niece helping wait tables in the tea room. (Anthony Bruce, 2022; BAHA files.)

In 1928, the newspaper ran both a recommendation for the Pepper Tree, and a rental advertisement for an apartment at 2138 Kittredge Street, indicating that in addition to the tea room, the Taylors had subdivided the residential portions of the house into apartments. They continued to live at the address. (*BDG*, 4 Jan. 1928 and 30 March 1928) In both 1926 and 1929, chimney sparks ignited the roof of the house, but no substantial damage was done. (*BDG*, 9 July 1926 and 13 Feb. 1929)

In 1935, the Taylors took out a building permit for "alterations and addition to tea room and dwelling" involving the remodeling of the kitchen and dining quarters and extension of the front of the building by 8 ft. 6 in. (BAHA, permit 39423) This was when the brick Georgian Revival style front was constructed on the house's primary facade.

The Pepper Tree Tea Room continued to operate until 1942, when newspapers announced that the restaurant premises was up for lease and its equipment and furniture was for sale. (BDG, 11 May and 24 June 1942.) Alma Taylor thus retired from 21 years in the restaurant business, but she and William H. Taylor continued to own and live at 2138 Kittredge Street. Later in 1942, they applied for a permit to convert the building to apartments, hiring architect Paul Hammarberg to design the project. (Permit 53030) The Taylors continued as resident-landlords of the apartment house and ran a public "honor" parking lot nearby, while another parking lot operated at the rear of the subject lot (although newspapers assign it a different proprietor). (*BDG*, 22 March 1948)

In 1955, the property made the news when the skeletal remains of a Native American burial were uncovered in the course of construction at the rear of the lot. It was noted that an old shed related to the adjacent J.C. Fitzpatrick livery stable had been torn down and the footings of a new carport were being poured when the discovery was made by a workman. The remains were assessed by a U.C. Berkeley archaeologist and determined to be over a century old and belong to an Ohlone woman, who had probably lived in one of the villages that once proliferated in Strawberry Canyon.

In October 1960, Alma T. Taylor passed away at age 70. Her obituary highlighted her 39 years of residency in Berkeley and her 21-year ownership of the former Pepper Tree Tea Room. She was survived by her husband, who remarried in 1963 to Helen Ingham. (*BDG*, ca. 21 Nov. 1974) In 1964, Taylor was listed as the owner or the property when applying to build an additional dwelling unit on top of the property's rear carport. It was specified that the addition would be a large apartment to be occupied by the property owners, while the existing five-unit apartment building continued to be used as such. Based on the fact that the carport remains one-story with no second story unit, the project does not appear to have ever been undertaken. (Use Permit #5245) William Taylor appears to have retained ownership of the property until his death in 1974. Helen Ingham Taylor passed away in 1979 and may have continued living at the property until then.

According to building permit records, Wayne Ronneburg owned the property around 1981, when the roof was replaced. In May 1985 a lot line adjustment was made between 2138 Kittredge Street and the neighboring property to the east (the former site of J.C. Fitzpatrick's livery stable) to "eliminate minor encroachment of a commercial building at 2150 Kittredge Street." Per City of Berkeley land use history records, the lot line adjustment application was later withdrawn, but the owner at the time was stated to be Berkeley Commercial Property Developments/Reorganized Church of Jesus Christ of the Later Day Saints. (Application for Parcel Map #4511/4571)

By 1992, Steve and Francisca Schneider were the property owners and retained ownership until at least 2001. During this time, the building appears to have remained a five-unit apartment building, although not rented to full occupancy. In 1997, architectural plans were filed and an application for Design Review was submitted to "convert the existing multi-unit residential building into restaurant." (UP# 97-10000082) An Application for Change of Use Statement (17 July 1997) reported that the building consisted of five residential units; two on the bottom floor that were vacant, two on the second floor being used as a single dwelling by the Schneiders, and one at the attic level that was also vacant. Steve Schneider was a real estate consultant and, based on a sign that remains on the building, he maintained an office in the building. The 1997 restaurant conversion project was undertaken with the intent that the Schneiders would sell the building to Ching Hwa Yu to become the Great China Restaurant if the commercial conversion was possible and a use permit was granted. It appears that it was not and the project was not undertaken.

Architect

The building at 2138 Kittredge Street, in its original residential guise, was designed by William Hatch Wharff. Wharff was born

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B10. Significance: (continued)

in Maine in 1836. He attended Foxcroft Academy, an arts-oriented preparatory high school, and learned the carpentry trade from his uncle, eventually becoming a master carpenter and joining his uncle in business. The source of Wharff's architectural training is unclear and its possible that he had no formal training, although he did claim at one time to have studied architecture in Maine and Massachusetts and eventually became a member of the American Institute of Architects.

Wharff served in the Union Army during the Civil War and in 1875 moved his family west to California, settling first in San Francisco. Wharff declared himself an architect to the 1880 census, but was listed in city directories as a draftsman and, later, contractor/builder with offices on Pine Street. By some accounts he designed or built over sixty buildings in San Francisco between 1882 and 1899.

In 1899, Wharff relocated to Berkeley. Despite being of retirement age, he renewed his practice in his new city and was active until 1915, when he retired from architecture but went into the insurance business instead. He died in 1936.

Buildings designed by Wharff in Berkeley, and which are also designated Landmarks, include:

- Carlson's Block (1903) at 3228 Adeline Street in Lorin Station
- Masonic Temple (1905–06) at 2105 Bancroft Way and Shattuck Avenue
- J.J. Pfister Co. Knitting Mill (1906) at 8th and Parker Streets;
- F.D. Chase Building (1909) at 2107 Shattuck

(Daniella Thompson, "Whilliam Wharff: Architect, Civil War Vet, and Freemason," ca. 22 Feb. 2008; http://berkeleyheritage.com/eastbay_then-now/wharff.html)

Architectural Type & Style

The building at 2138 Kittredge Street was originally a residential building that was probably designed in the Free Classical sub-type of the Queen Anne style. Although the original appearance of the primary facade is unknown, this determination is based on the building's age and remnant features on the rear portion of the building, including horizontal wood siding, double-hung windows with lambs-tongue sash stops, beltcourses and friezes, moldings, and remnant scroll brackets. The Free Classical sub-type of the Queen Anne style was popular in the later phase of the Queen Ann period, about 1890 to 1910. It used Classical columns, moldings, Palladian windows, and other related ornament rather than the spindlework and gingerbread more commonly associated with the Queen Anne aesthetic. (McAlester, Virginia & Lee, *A Field Guide to American Houses,* (New York: Alfred A. Knopf, 2003))

In 1935, the primary facade was subsumed by a front addition designed in the Georgian Revival style. As was popular in the 1920s and 30s, this was a revival of the older Georgian style that was used in the American colonies and eastern United States from around 1700 to as late as 1830. Like other revival styles, it sought to evoke a sense of nostalgia for times past, specifically that associated with early America, colonial history, the ideals of the early American republic, and the basic orderly principals of earlier architectural styles that had been considered elite, formal, and highly fashionable. It, too, referenced the Classical in its detailing, which can be seen in the facade's strict symmetry, the round arches forming an arcade and adorned with keystones, the roundel ornament on the upper facade, and parapet defined by brickwork. Features like decorative brickwork, complex window composition with spiderweb fanlights, and faux shutters put a Georgian emphasis on the Classical. Meanwhile, reeded detailing on and around the primary entrance appears to have been a departure toward the Art Deco trends of the 1930s, when the addition was made. (Ibid., Lester Walker, *American Shelter* (Overlook Press, 1998))

Alterations

Building permits and other records on file with the City of Berkeley Department of Planning & Development and Berkeley Architectural Heritage Association provide documentation of the property's development over time. In addition, sources such as Sanborn Fire Insurance maps, aerial photographs, and historical images provide information on alterations made to the building during certain periods of time.

Date	Permit #	Description of Work
20 Aug. 1915	4815	Unspecified addition to dwelling. Owner: J.C. Fitzpatrick [Rear addition, per California Dept. of Parks & Recreation Historic Resources Inventory form, 1978 (BAHA)]
4 Aug. 1926	25631	Unspecified demolition. Owner: Alma T. Taylor

B10. Significance: (continued)

13 June 1935	39423	Alterations and addition to tea room and dwelling – kitchen and dining quarters to be remodeled and front to be extended 8 ft. 6 in. Owner: Mr. & Mrs. Taylor
5 Nov. 1936	41648	Reroof shed. Owner: Taylor.
11 May 1940	48712	Termite repair to dwelling and restaurant. Owner: Taylor
14 Aug. 1940	4934?	Termite repairs to dwelling. Owner: Taylor.
10 Aug. 1942	53030	Convert building to apartments. Architect: Paul Hammarberg. Owner: W.H. Taylor
11 Jan. 1949	64622	Unspecified alterations to apartments. Owner: Taylor
20 Jan. 1949	64667	Installation of a fire escape ladder.
3 Nov. 1953	74231	Take out a wall and a half-closet wall in two adjoining bedrooms, frame in a closet, making the bedroom approx. 3 feet wider. Owner: W.H. and Alma T. Taylor
21 Sept. 1955	78298	Demolish existing carport at rear of lot, Owner: W.H. Taylor
? Sept. 1955	78300	Construct concrete block carport, 8" blocks, tar and gravel roof, asphalt floor and drive. Owner: W.H. Taylor
21 Aug. 1964	5245	NOT COMPLETED: Building dwelling unit above carport. Owner: W.H. Taylor
13 Jan. 1981	112814533	Re-roofing. Owner: Wayne Ronneburg.
17 May 1985	PM 4511/4571	NOT COMPLETED: Lot line adjustment. Owner: Berkeley Commercial Property Developments/Reorganized Church of Jesus Christ of the Later Day Saints
1992	CoB records	Owner requested and denied building's removal from URM list. Owner: Steve and Francisca Schneider
5 Sept. 1997	UP 97-10000082	NOT COMPLETED: Convert existing multi-unit residential building into restaurant. Owner: Steve and Francisca Schneider
3 July 2000	00-00001042	NOT COMPLETED: Remove existing second floor deck and replace with dining room. Owner: Steve and Francisca Schneider
15 Feb. 2001	01-00000252	Add Garden room on existing deck [at rear, second story] (in lieu of room addition, permit #1042). Contractor: Century Patio Village. Owner: Steve Schneider

Alterations noted by visual observation, but not otherwise documented, include:

- Window replacement: Some double-hung, wood-sash windows without lambs-tongue sash stops are present and indicate replacement of originals which did have sash stops. Meanwhile some vinyl ash windows are also present.

California Register Evaluation

The California Register of Historical Resources (California Register) is an inventory of significant architectural, archaeological, and historical resources in the State of California. In order for a property to be eligible for listing in the California Register, it must be found significant under one or more criteria relating to historically significant events, people, architects or architectural merit, or information potential. The following provides an evaluation of the historic significance of 2138 Kittredge Street:

Criterion 1 (Event): *Resources that are associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.*

No specific events of historical importance are known to have occurred at the property. The building was constructed as a single-family residence located just off the commercial corridor of Shattuck Avenue in 1904. It pre-dated the 1906 earthquake and did not play any role in the aftermath of that event or the substantial effects that it had on the Bay Area and beyond. The house was partially-converted to a restaurant in the mid-1920s and a front addition was added to facilitate that use in 1935. Such changes to the physical character and use of residential buildings are fairly common in urban settings where a residential neighborhood has become heavily commercial over time and were done for reasons of very general practicality. The restaurant conversion pre-dated and was not influenced by or otherwise related to the events of the Great Depression that started in 1929 and dominated much of the 1930s. The building became a multi-family apartment building in 1942, which may have been very generally influenced by the massive population boom experienced in the Bay Area during the years of World War II as war workers and military families relocated to the region in large numbers and required housing. However, the subdivision of residential space to accommodate the wartime population boom (and make a profit) is a trend that occurred at countless properties in cities throughout the Bay Area

B10. Significance: (continued)

and elsewhere in California. No evidence was found that 2138 Kittredge Street housed war workers or military families and it is just one example of a very common wartime trend throughout the State.

The property does not appear to be eligible for listing in the California Register under Criterion 1.

Criterion 2 (Persons): *Resources associated with the lives of persons important in our past.*

The property was first associated with John C. Fitzpatrick, who had the house built in 1904 and occupied it with his family until the early 1920s. Fitzpatrick worked on a horsecar line before establishing his own livery stable (next door to the house), which eventually transitioned from horses to automobiles, but operated under the same for-hire model. He was an early adopter of automobiles and his stable-turned-garage is claimed to have been one of Berkeley's first public auto garages, although this claim is unsubstantiated ("So We're Told by Hal Johnson: Horsecar Man," *BDG, 28 February 1940)* and could be complicated by the exact definition of "public auto garage" (ie: a garage for parking, for mechanical service, for rental of vehicles, etc.) In any case, although Fitzpatrick was an early purveyor of transportation, his business did not have significant implications for the broader history or development of Berkeley or California, and the house at 2138 Kittredge Street did not have an integral association with Fitzgerald's business or represent it in any way.

Beginning around 1925, the house was occupied by William H. and Alma Taylor. William Taylor was a real estate agent, while Alma Taylor ran a tea room in the front of the house. William Taylor's work in real estate earned little attention in historical documents, while Alma's tea room was advertised in newspapers (as would be expected for a restaurant) and appears to have been a successful establishment, operating for 21 years. Nevertheless, the tea room was one of countless restaurants in Berkeley during its years of operation and Alma Taylor had no great historical influence as its proprietress.

In 1942, the Taylors converted the house to a five-unit apartment building. Residents of the apartments are generally unknown and the few names that appear in association with the address in newspapers do not yeild much biographical information and do appear to have been influential. Helen Ingham Taylor, William Taylor's second wife and widow, owned the property until 1979. Later owner/occupants were associated with the property outside of the historical period and none appear to claim any significant achievements that would qualify them as important historical figures.

The property does not appear to be eligible for listing in the California Register under Criterion 2.

Criterion 3 (Architecture): *Resources that embody the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.*

The building at 2138 Kittredge Street was designed as a single-family dwelling, likely in the Free Classical sub-type of the Queen Anne style. Aside from age-appropriate materials and a few remnant features found on the side and rear facades, the house no longer conveys its original appearance, nor is it capable of indicating its true age or style. In 1935, a Georgian Revival style front facade was added to the building, which had come to incorporate commercial and, eventually, multi-family residential uses. The front exhibits some characteristic features of the Georgian Revival style, but by nature of it being an addition to an existing building of an entirely different style, is not a pure or good example of the style and has some anomalies. Its intended function as a storefront is also not readily apparent, as it has few of the characteristics of commercial use, such as a street-level entrance, multiple entrances, large plate glass display windows, etc. Consequently, the architecture of 2138 Kittredge Street has little architectural merit and does not embody distinctive characteristics of either its original design and use, or the style and use imposed upon it in later years.

The architect of the house was William H. Wharff, who was a prominent and prolific Berkeley architect from 1899 to 1915. It is acknowledged, however, that he was not a great architectural trailblazer, being "neither a classicist nor an innovator, [but] a practical builder who incorporated the prevailing idiom of the day into his designs." (Daniella Thompson, "Whilliam Wharff: Architect, Civil War Vet, and Freemason," ca. 22 Feb. 2008; http://berkeleyheritage.com/eastbay_then-now/wharff.html) The fact that the house at 2138 Kittredge Street has been substantially altered with an addition to the primary facade that essentially obscures Wharff's original design means that it cannot stand as a valid representation of his work. Additionally, the fact that at least four other works by Wharff are designated local landmarks, retain integrity, and represent Wharff's work much better, means that the house at 2138 Kittredge Street is not a valuable representation of his work.

The property does not appear to be eligible for listing in the California Register under Criterion 3.

Criterion 4 (Information Potential): *Resources that have yielded, or may be likely to yield, information important in prehistory or history*

Criterion 4 is typically concerned with archaeological investigation. Where buildings or architectural elements are concerned, Criterion 4 typically relates to rare construction types, of which 2138 Kittredge Street is not an example.

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B10. Significance: (continued)

The property does not appear to be eligible for individual listing in the California Register under Criterion 4.

Berkeley Landmark Evaluation

Berkeley Landmarks are designated historical resources within the City of Berkeley. Resources may be designated as Landmarks if they meet one or more of five criteria similar to those used for the California Register, but which elaborate on areas of significance. The following provides an evaluation of the historic significance of 2138 Kittredge Street according to local significance criteria:

1. Architectural Merit:
a-c. Property that is the first, last, only or most significant architectural property of its type in the region; Properties that are prototypes of or outstanding examples of periods, styles, architectural movements or construction, or examples of the more notable works of the best surviving work in a region of an architect, designer or master builder; Architectural examples worth preserving for the exceptional values they add as part of the neighborhood fabric.

The property is an altered early-twentieth century residential building, later converted to commercial and multi-family residential uses, that does not hold the status of first, last, only, or most significant of its type or style in the region either in its original guise, nor its altered state. Its presumed original style and its wood-frame construction was very common to the early-twentieth century, while its altered character is equally unremarkable for the mid-1930s; therefore, it is not a prototype or outstanding example of its period, style, or any architectural movement or construction type. Even considered as an example of an early-twentieth century residence with a storefront addition, it does not qualify as a first, last, only, prototype, or outstanding example, as two others exist on the same block of Kittredge Street, with both of the others being of earlier construction dates and earlier alteration dates, and are still extant. The architect, William H. Wharff, was a prominent and prolific Berkeley architect but not particularly groundbreaking in his designs. He designed a number of other noteworthy buildings, some of which bear landmark designations, and are better examples of his work than 2138 Kittredge Street, which has been altered in such a way that the majority of Wharff's original design is not even evident.

2. Cultural value: Structures, sites and areas associated with the movement or evolution of religious, cultural, governmental, social and economic developments of the City

The building at 2138 Kittredge Street was built as a single-family residence for a middle-class, non-immigrant family without any association to religious, cultural, governmental, social, or economic events or developments in Berkeley. It was built adjacent to its original owner's livery stable business, but only served to house his family and played no role in the neighboring commercial use, which itself was not strongly associated with any local economic developments. The house was later converted into a restaurant in the mid-1920s, but this also was not related to any significant economic evolution in Berkeley. It was one of countless restaurants in the city during its period of operation. Later still, it was converted into a multi-family apartment building during the years of World War II, but no evidence was found that this subdivision was directly related to or influenced by the wartime population boom, and subsequent cultural, social, and economic shifts, that happened in the Bay Area at that time.

3. Educational value: Structures worth preserving for their usefulness as an educational force

The property at 2138 Kittredge Street does not appear to have any use as an educational tool. The building is a modest structure that has an altered appearance and has had changing uses throughout its history. Both its altered physical character and dichotomy of uses confuse any interpretation of its historical role as either a house or commercial building, neither of which is particularly significant to local history.

4. Historic value: Preservation and enhancement of structures, sites and areas that embody and express the history of Berkeley/Alameda County/California/United States. History may be social, cultural, economic, political, religious or military.

The building at 2138 Kittredge Street was built as a single-family residence for a middle-class, non-immigrant family without any significant influence from or on social, cultural, economic, political, religious, or military history. It was built adjacent to its original owner's livery stable business, but only served to house his family and played no role in the neighboring commercial use, which itself was not strongly associated with any local economic trends. The house was later converted into a restaurant in the mid-1920s, but this also was not related to any significant economic trends in Berkeley. It was one of countless restaurants in the city during its period of operation. Later still, the building was converted into a multi-family apartment building during the years of World War II, but no evidence was found that this subdivision was directly related to or influenced by the wartime population boom, and subsequent cultural, social, and economic shifts, that happened in Berkeley and the Bay Area at that time.

B10. Significance: (continued)

5. Any property which is listed on the National Register described in Section 470A of Title 16 of the United States Code.

The property at 2138 Kittredge Street is not listed in the National Register of Historic Places and therefore does not qualify as a Berkeley Landmark under this criterion.

Berkeley Structure of Merit Evaluation

Berkeley Structures of Merit are designated historical resources within the City of Berkeley. Resources may be designated as Structures of Merit if they meet general and/or specific criteria. An evaluation follows:

1. General criteria shall be architectural merit and/or cultural, educational, or historic interest or value. If upon assessment of a structure, the commission finds that the structure does not currently meet the criteria as set out for a landmark, but it is worthy of preservation as part of a neighborhood, a block or a street frontage, or as part of a group of buildings which includes landmarks, that structure may be designated a structure of merit.

As assessed under Berkeley Landmark criteria, the property at 2138 Kittredge Street does not possess high architectural merit or cultural, educational, or historic value. Visual observation of buildings around the property reveals a wide range of age, scale, style, and use, including a number of very large modern infill buildings that have been constructed in close proximity in recent years (or are under construction currently). Three late-nineteenth and early-twentieth century houses with added storefronts, similar to the subject property, are located on the same block of Kittredge. The "Shattuck Avenue Commercial Corridor Historic Context & Survey" addresses this grouping of properties as follows:

> While a majority of residences located on Berkeley's downtown streets were demolished during the ensuing decades, to make room for larger, more commercially focused structures, a small handful of ca. 1890s houses, specifically the grouping located at 2117-2119 Kittredge St., 2124-2126 Kittredge St., and 2138 Kittredge St. were adapted into commercial storefronts, while remaining residential in the rear. These original rear wings are representative of residential uses that were adapted for commercial purposes as the twentieth century progressed, and as the commercial aspects of Shattuck Avenue began to extend beyond the main thoroughfare. The expansion of transportation options in the early twentieth century, as well as a burgeoning commercial downtown, led to an increasing amount of commercialization of the side streets directly off of Shattuck Avenue as the nineteenth century gave way to the twentieth century.

It is corrected, herein, that the property at 2138 Kittredge Street dates to 1904, not ca. 1890s, and was the last of the three properties to be built and the last to be altered with a commercial storefront. Nevertheless, the three properties have been identified as representing a small grouping of residential-to-commercial conversions, associated with the commercial growth of nearby Shattuck Avenue.

Specific Criteria

a. The age of the structure is contemporary with (1) a designated landmark within its neighborhood, block, street frontage, or group of buildings, or (2) an historic period or event of significance to the City, or to the structure's neighborhood, block, street frontage, or group of buildings.

Downtown Berkeley is characterized by an extremely dense concentration of designated landmarks. In order to distill the analysis down to manageable numbers, the subject block on which 2138 Kittredge Street is located, and the block face opposite (the north side of Kittredge Street) are used herein as the study area. Within those constraints there are seven designated landmarks, including: the Tupper & Reed building, Hezlett's Silk Store, the Odd Fellows Temple, the Masonic Temple, Brooks Apartment Building, the A.H. Broad House/Storefronts, and the California Theater. All are Landmarks, except the A.H. Broad House/Storefronts, which is a Structure of Merit. Construction dates range from 1894 to 1913, with two bearing significant alterations dating to the mid-1920s and 1929-30. The Masonic Temple and Brooks Apartment Building are roughly contemporaneous with 2138 Kittredge Street, having been built within the same decade, in 1905 and 1906, respectively.

The property's age does not correspond to any period or event of significance to the City, having been built at at time of general growth and before the 1906 earthquake.

b. The structure is compatible in size, scale, style, materials or design with a designated landmark structure within its neighborhood, block, street frontage, or group of buildings.

Among the designated landmarks located in the study area defined above (see Specific Criteria (a)), 2138 Kittredge Street is compatible with the A.H. Broad House/Storefronts (Structure of Merit) in size, scale, style, materials, and design. Both are two-story, single-family, residential structures of Victorian-era styling, of wood frame construction, with later storefront additions dating

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B10. Significance: (continued)

to the mid-1920s and mid-1930s, that are of different materials and styling than the house to which they are attached. The other nearby Landmarks are mostly much larger, of distinctly different styles, and of different use-based design.

c. The structure is a good example of architectural design.

As a single-family dwelling, likely designed in the Free Classical sub-type of the Queen Anne style, the house no longer conveys its original appearance, nor is capable of indicating its true age or style. The later Georgian Revival front addition exhibits some characteristic features of the style, but by nature of it being an addition to an existing building of an entirely different style, is not a pure or good example and has some anomalies. Consequently, the architecture of 2138 Kittredge Street has little architectural merit and does not embody distinctive characteristics of either its original design and use, or the style and use imposed upon it in later years.

d. The structure has historical significance to the City and/or to the structure's neighborhood, block, street frontage, or group of buildings.

The property at 2138 Kittredge Street has been identified as part of a grouping of three properties exhibiting residential to commercial conversion via storefront addition. The group is "representative of residential uses that were adapted for commercial purposes as the twentieth century progressed, and as the commercial aspects of Shattuck Avenue began to extend beyond the main thoroughfare." (Archives & Architecture, 2015)

Integrity

In order to qualify for listing in the California Register, a property must possess significance under one of the aforementioned California Register criteria *and* have historic integrity according to seven aspects. Most, if not all, aspects of integrity must be met in order for the property to retain integrity. Integrity is not considered in the evaluation for Berkeley Landmark or Structure of Merit eligibility.

The property at 2138 Kittredge Street does not appear to possess the historic significance necessary to qualify for designation to the California Register; therefore, an analysis of its integrity is not required or included here.

Conclusion

Based on the above analysis, the property at 2138 Kittredge Street does not appear to be eligible for listing the California Register of Historical Resources or as a City of Berkeley Landmark. Because it has been identified as one of a grouping of three similar buildings with a somewhat unique use history, illustrated through physical alteration (SoM general criterion 1 and specific criterion D), and because it is contemporary in age and compatible in physical character with nearby Landmarks (SoM specific criteria A and B), multiple Structure of Merit criteria regarding its associations to similar nearby properties are met. Based on these conclusions, the property appears to qualify as a historical resource for the purposes of CEQA.

Sources

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DPR 523L (1/95) *Required information

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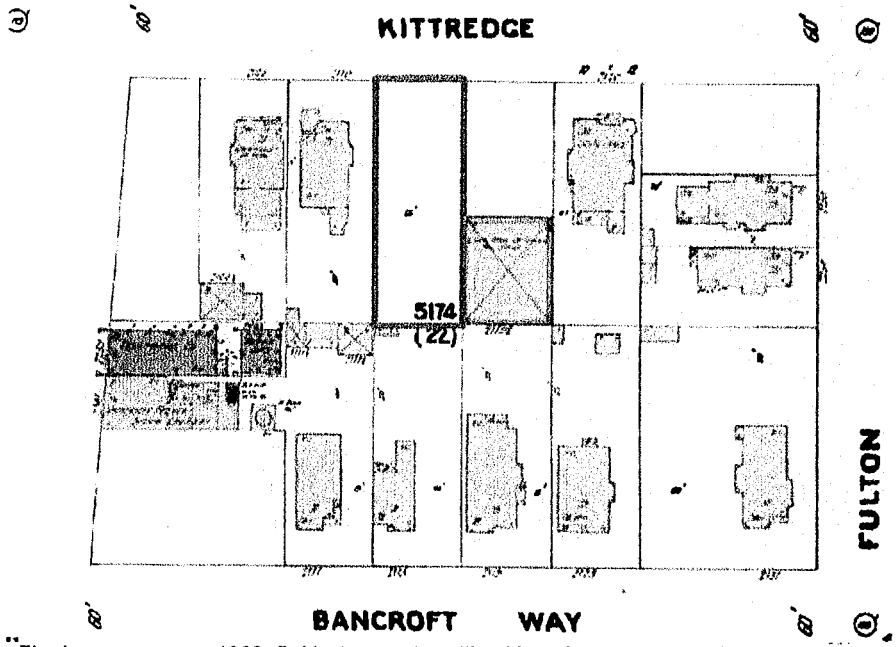
Historical Images:



Sanborn Fire Insurance map, 1903. Subject property outlined in red; vacant. (Historical Information Gatherers)

To Erect Large Building

The contract to erect a two-story and basement frame dwelling on Shattuck avenue and Kittredge street, for John C. Fitzpatrick, has been awarded to Contractors Pearson & Olsen. William H. Wharff is the architect. This contract calls for all concrete, mason, carpenter, plumbing and painting work, at a total cost of $4090. Payments are to be made as follows: Frame up, $1022.50; plastered, $1022.50; completed and accepter, $1022.50; thirty-five days after, $1022.50. The contract was let December 30 and the building is to be completed in seventy-five working days, with a forfeit of $5 a day. W. G. Black and Nils Person are sureties in bonds of $1022.50.

Construction notice, Berkeley Daily Gazette, *4 January 1904.*

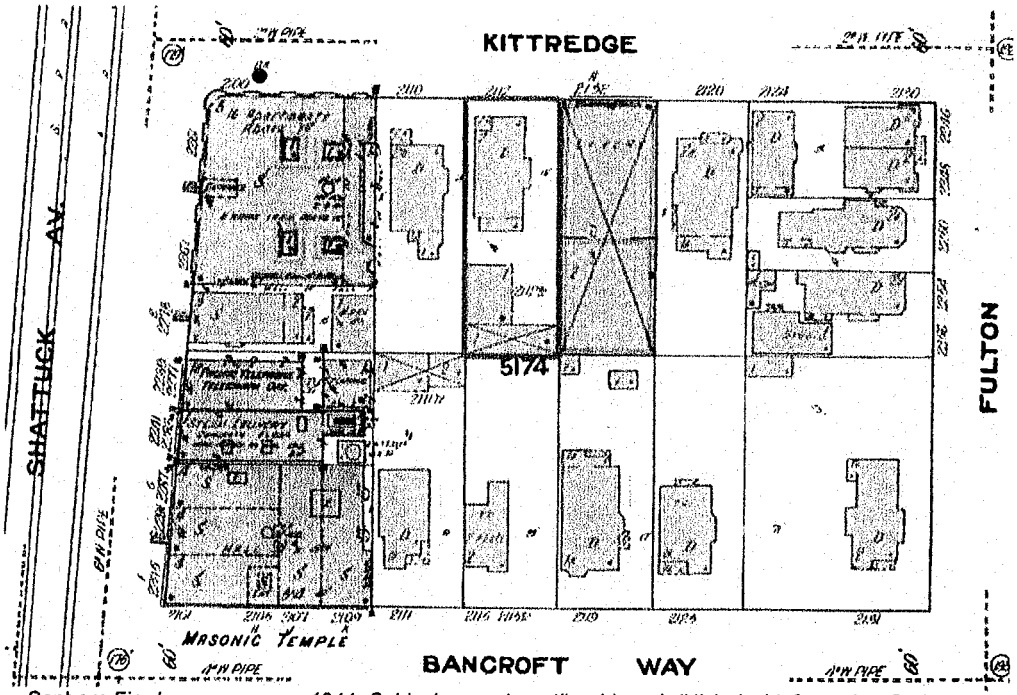
DPR 523L (1/95) *Required information

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

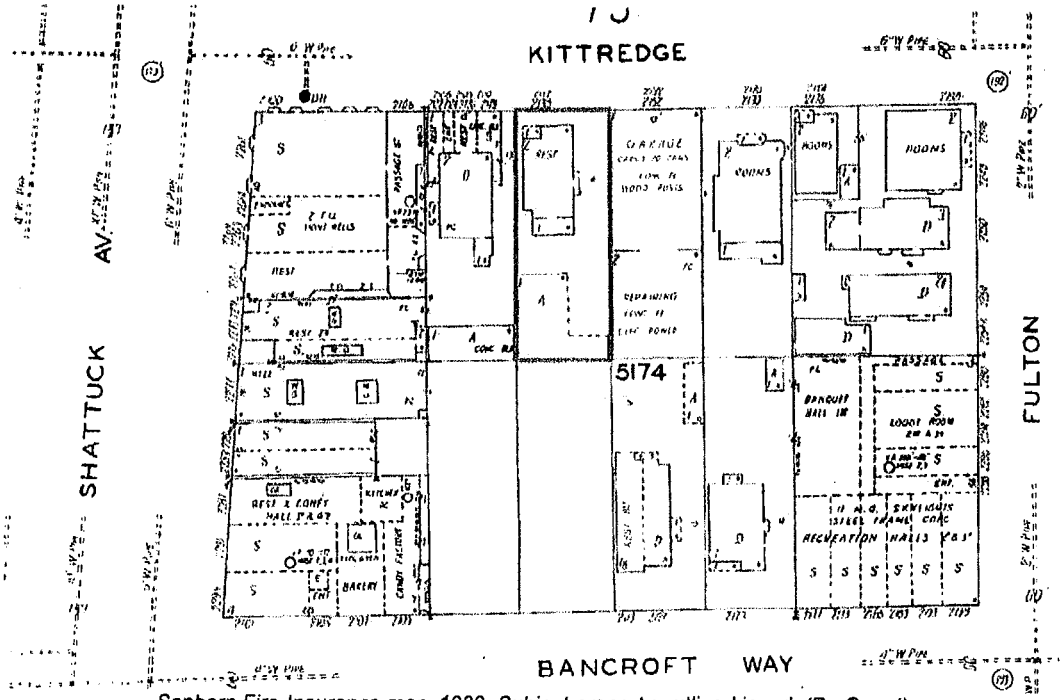
Primary #
HRI#
Trinomial

Page 13 of 21 *Resource Name or # (Assigned by recorder) 2138 Kittredge Street, Berkeley, CA
*Recorded by: Caitlin Hibma/Left Coast Architectural History *Date: Jan. 2024 ☒ Continuation ☐ Update

Historical Images:



Sanborn Fire Insurance map, 1911. Subject property outlined in red. (Historical Information Gatherers)



Sanborn Fire Insurance map, 1929. Subject property outlined in red. (ProQuest)

DPR 523L (1/95) *Required information

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DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

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Trinomial

Page 14 of 21 *Resource Name or # (Assigned by recorder) 2138 Kittredge Street, Berkeley, CA
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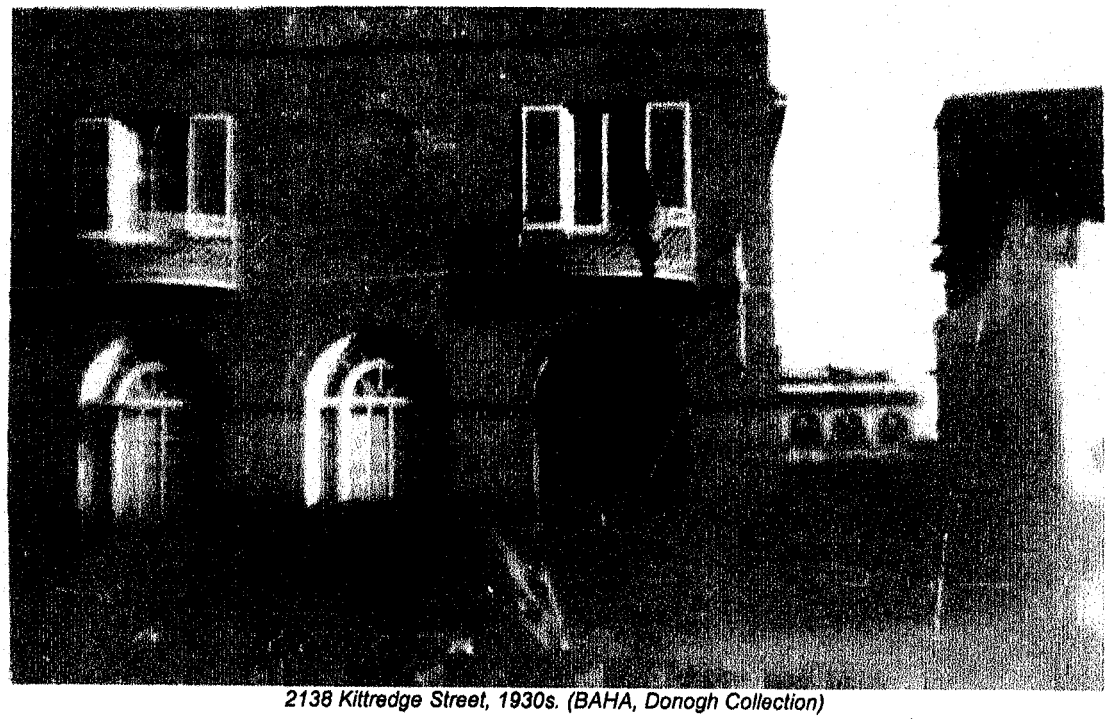
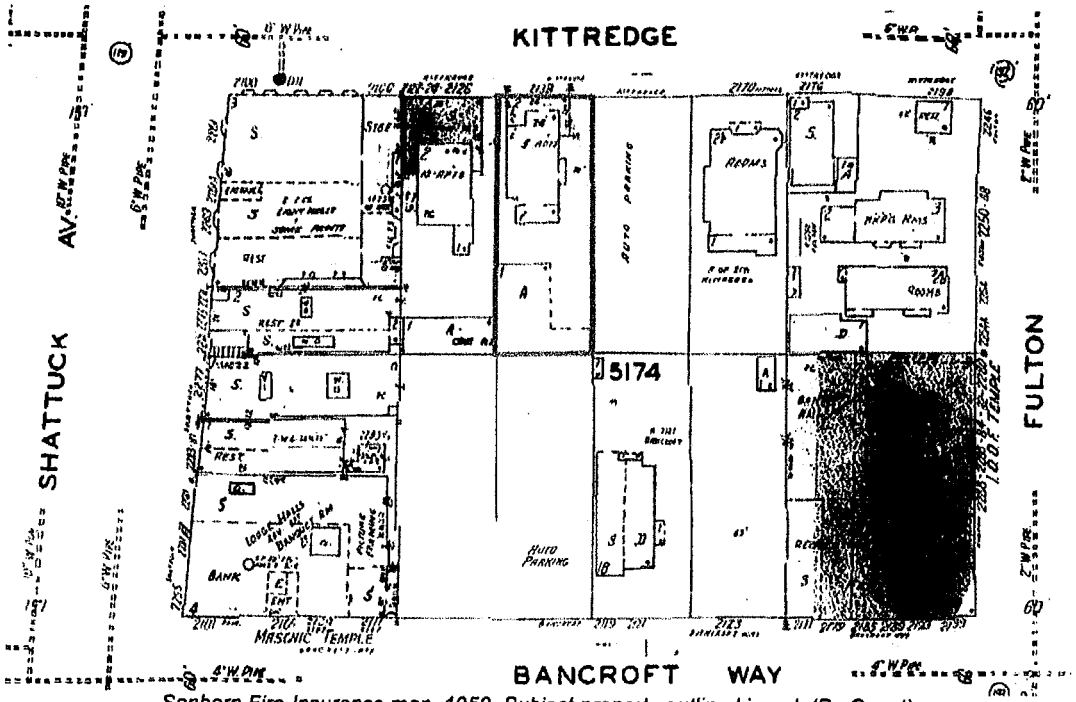


2138 Kittredge Street, 1930s. (BAHA, Donogh Collection)



Sanborn Fire Insurance map, 1950. Subject property outlined in red. (ProQuest)

DPR 523L (1/95) *Required Information

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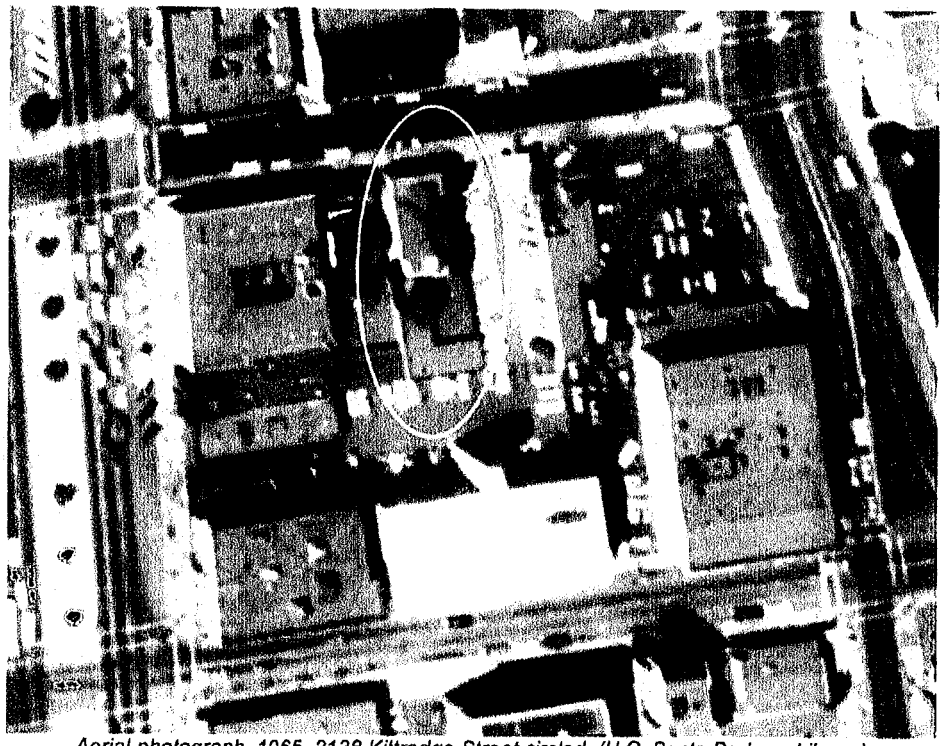
Historical Images:

Aerial photograph, 1958. 2138 Kittredge Street circled. (U.C. Santa Barbara Library)



Aerial photograph, 1965. 2138 Kittredge Street circled. (U.C. Santa Barbara Library)

DPR 523L (1/95) *Required information

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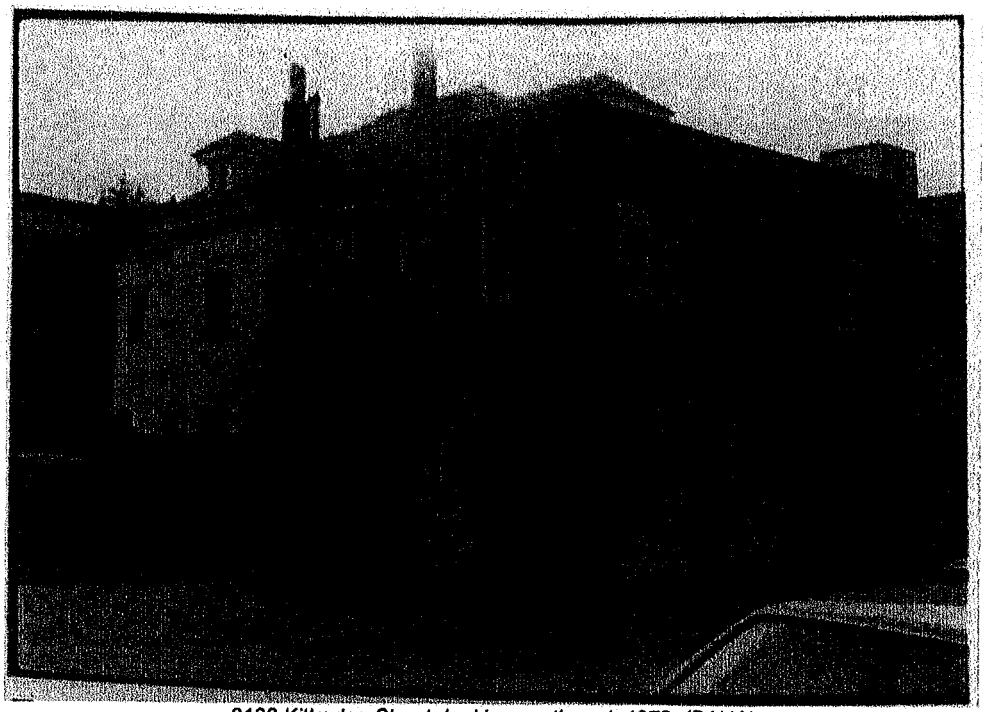

2138 Kittredge Street, looking southwest; 1978. (BAHA)

2138 Kittredge Street, looking northwest; 1978. (BAHA)

DPR 523L (1/95) *Required information

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Historical Images:

2138 Kittredge Street, looking southeast; 1982. (BAHA)

Kittredge Street, looking east. 2139 Kittredge Street at far right; 1982. (BAHA)

DPR 523L (1/95) *Required information

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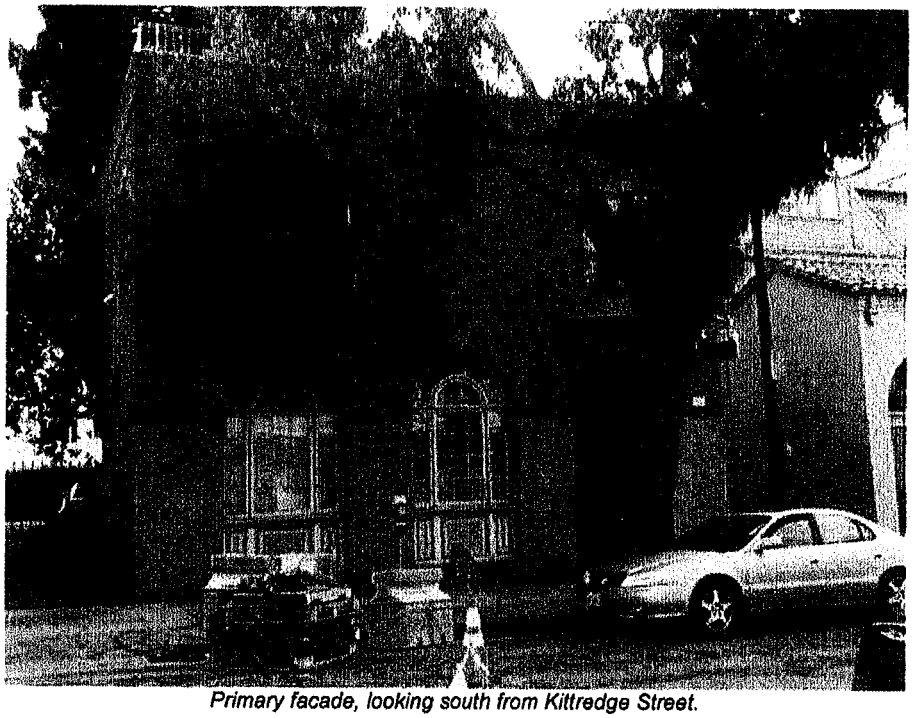
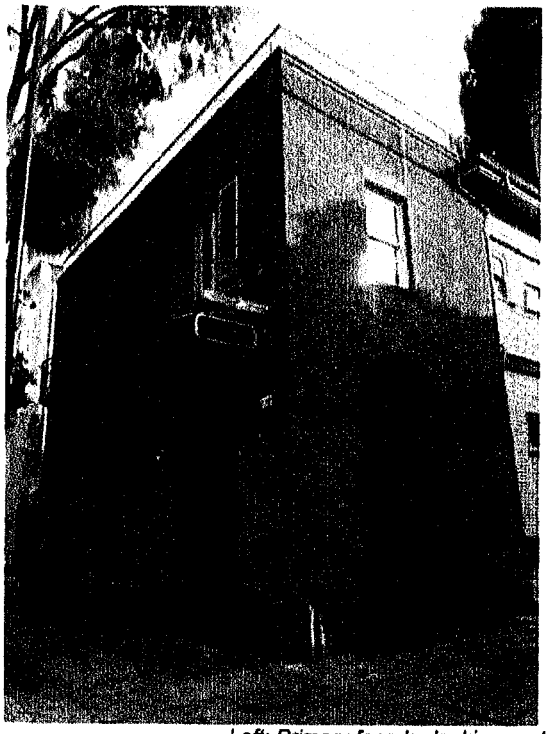


Primary facade, looking south from Kittredge Street.



Left: Primary facade, looking southeast. Right: Detail of primary entrance.

DPR 523L (1/95) *Required Information

State of California — The Resources Agency
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Page 19 of 21 *Resource Name or # (Assigned by recorder) 2138 Kittredge Street, Berkeley, CA
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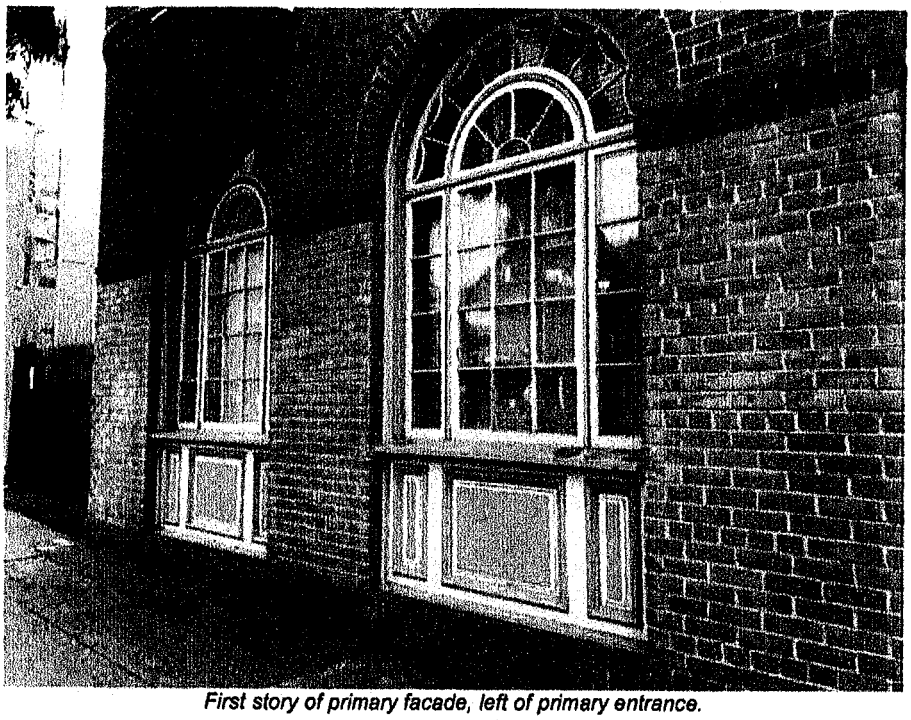
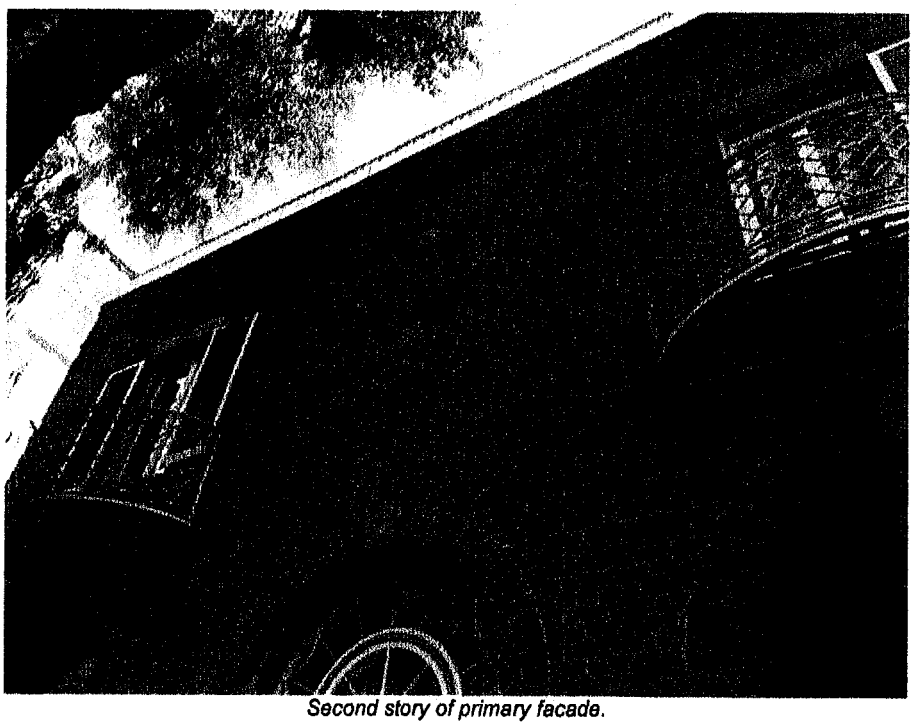


First story of primary facade, left of primary entrance.



Second story of primary facade.

DPR 523L (1/95) *Required information

State of California — The Resources Agency
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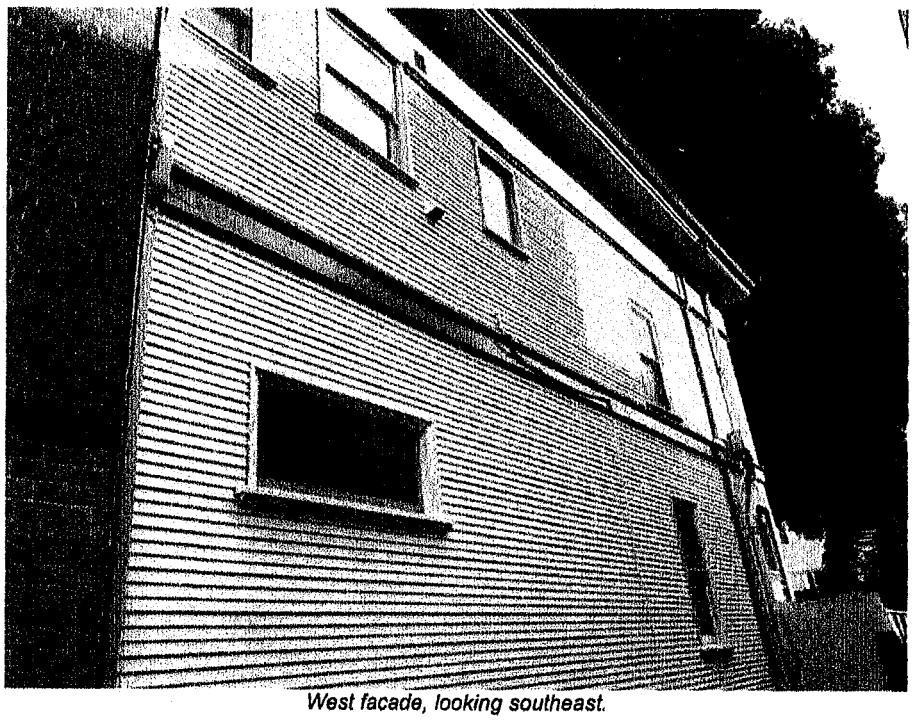
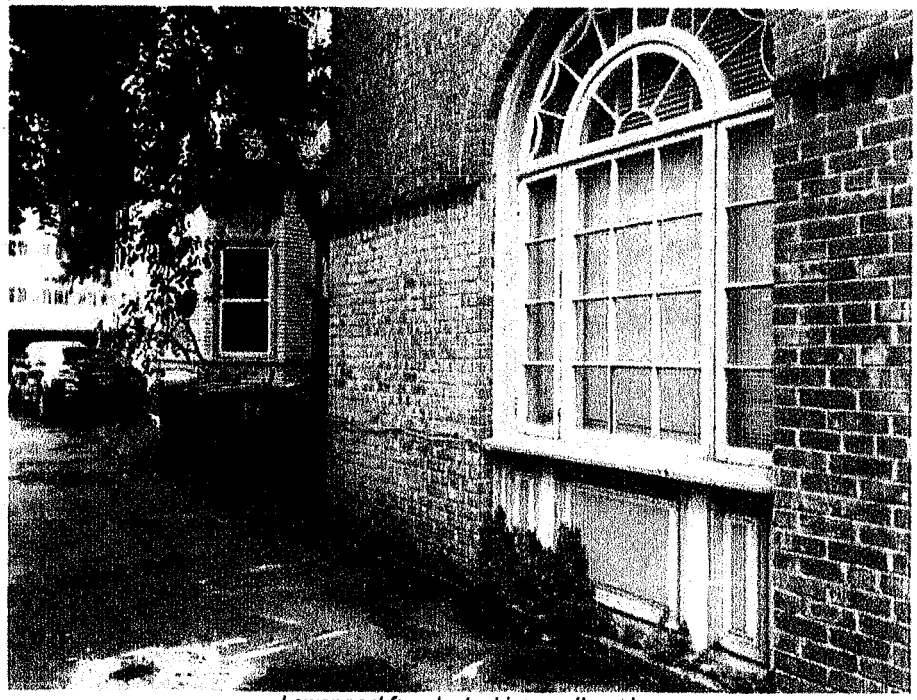
Page 20 of 21 *Resource Name or # (Assigned by recorder) 2138 Kittredge Street, Berkeley, CA
*Recorded by: Caitlin Hibma/Left Coast Architectural History *Date: Jan. 2024 ☒ Continuation ☐ Update

Current Images:



West facade, looking southeast.



Lower east facade, looking southwest.

DPR 523L (1/95) *Required information

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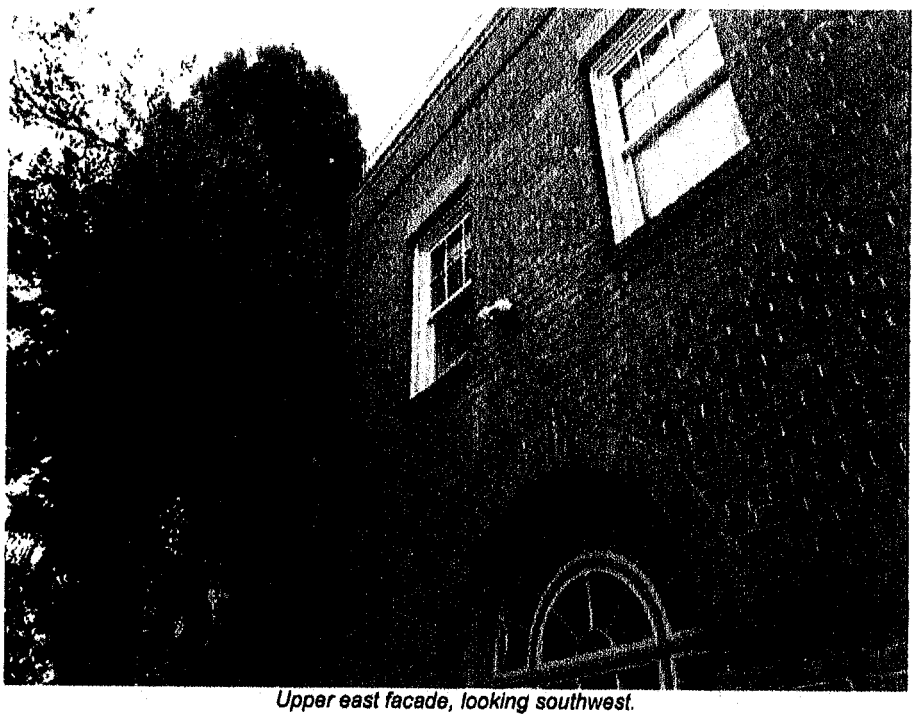


Upper east facade, looking southwest.

View to rear of lot, showing carport, looking south.

DPR 523L (1/95) *Required information

ATTACHMENT 2

ATTACHMENT 2

ATTACHMENT 2

ATTACHMENT 2

Office of the City Attorney

MEMORANDUM

July 8, 2020

To: Jordan Klein, Interim Planning Director

From: Farimah Brown, City Attorney
Chris Jensen, Assistant City Attorney

Re: Impact of SB 330 on Landmarks Preservation Commission Review of Housing Development Projects

The Land Use Planning Division has requested an opinion as to whether SB 330 (2019) limits the authority of Landmarks Preservation Commission ("LPC") to conduct historic resource evaluations of applications for housing projects.

SB 330 applies to any "housing development project," which is defined as any residential development, mixed-use development with at least two-thirds of the square footage designated for residential use, or transitional housing or supportive housing development. (Gov. Code § 65589.5(h)(2).)

Where the requirements of SB 330 apply, determinations as to whether the site of the proposed project is historic site must be made "at the time the application for the housing development project is deemed complete." (Gov. Code § 65913.10(a).) That determination "shall remain valid during the pendency of the housing development project for which the application was made unless any archaeological, paleontological, or tribal cultural resources are encountered during any grading, site disturbance, or building alteration activities." (*Ibid.*)

"Deemed complete" is defined in two different ways in SB 330. Government Code section 65905.5(b)(1) provides that "deemed complete" means "the application has met all of the requirements specified in the relevant list compiled pursuant to Section 65940[1] that was available at the time when the application was submitted." (Gov. Code § 65905.5(b)(1).) However, Government Code 65589.5(h)(5) states: "Notwithstanding any other law, until January 1, 2025, 'deemed complete' means that the applicant has

[1] Government Code section 65940 provides that "[e]ach public agency shall compile one or more lists that shall specify in detail the information that will be required from any applicant for a development project." (Gov. Code § 65940(a).)

2180 Milvia Street, Berkeley, CA 94704 Tel: 510.981.6998 TDD: 510.981.6903 Fax: 510.981.6960
Email: attorney@ci.berkeley.ca.us

submitted a preliminary application pursuant to Section 65941.1." (Gov. Code § 65589.5(h)(5).) Until January 1, 2025, section 65589.5(h)(5) controls, "[n]othwithstanding any other law."

Government Code section 65941.1 defines the requirements for a "preliminary application," which include information about "[a]ny historic or cultural resources known to exist on the property." (Gov. Code § 65941.1(a)(9).) Upon providing this information about known historic or cultural resources, along with the other information listed in section 65941.1, the application must be "deemed complete," as set forth in Government Code section 65589.5(h)(5). Government Code section 65913.10(a) prohibits the City from imposing additional historic or cultural resources protections after this time.

Taken together, these provisions of SB 330 have the effect of divesting the LPC of jurisdiction to require applicants to comply with any cultural or historic resource preservation requirements after the time that a "preliminary application" for a housing development project is deemed complete. LPC and the City are prohibited by state law from denying or imposing conditions on a housing development project based on any cultural or historic resources protections imposed after the date on which the application was "deemed complete," and any historic resources information required as part of the preliminary application must be limited to the identification of resources that are "known to exist" at the time of the application. Demolition referrals for commercial buildings that are over 40 years old are still required under the Zoning Ordinance, but cannot lead to the imposition of conditions of approval on the project if the LPC acts after the application is deemed complete.

SB 330 does not impact the LPC's jurisdiction over purely commercial projects or any other project that does not meet the definition of a housing development project under Government Code section 65589.5(h)(2). In addition, SB 330 does not limit the City's obligation to assess the impact of a proposed project on cultural resources under CEQA and to impose measures to mitigate any adverse impact on cultural resources. (See Gov. Code § 65913.10(c).)

LANDMARKS PRESERVATION COMMISSION

MEETING AGENDA

PLANNING AND DEVELOPMENT DEPARTMENT
LAND USE PLANNING DIVISION

Date: **Thursday, Feburary 6, 2025**
Time: 6:30PM
Place: 1901 Hearst Avenue, North Berkeley Senior Center

The Landmarks Preservation Commission meeting packet is available for review on the City's website, and linked here:
https://berkeleyca.gov/your-government/boards-commissions/landmarks-preservation-commission

The Commission currently consists of seven members appointed by City Council:

Kathleen Crandall, District 3
Charles Enchill, District 1
Steve Finacom, District 4
Luke Leuschner, District 7
Denise Montgomery, Chairperson, District 8
Susan Orbuch, District 5
Alyssa Plese, District 2
Paul Schwartz, District 6
Mayor - vacant

ACCESSIBILITY INFORMATION / ADA DISCLAIMER

This material is available in alternative formats upon request. Alternative formats include audio-format, braille, large print, electronic text, etc. To request alternative formats, please contact the Disability Services Specialist at: Email: ADA@berkeleyca.gov; Phone: 1-510-981-6418; TTY: 1-510-981-6347, and allow 7-10 days for production of the material in an alternative format.

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist at: Email: ADA@berkeleyca.gov; Phone: 1-510-981-6418; TTY: 1-510-981-6347, at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

For inclusion in the Commissioners' agenda packet, please submit written comments by Wednesday the week prior to the meeting. One set of "late communications" will be distributed to the Commissioners two days before the meeting. Please submit any material for distribution as "late communications" no later than 12:00 noon on the Tuesday prior to the meeting. Please be advised: Commissioners do not have an opportunity to read written materials handed out at the meeting.

** INDICATES THAT THE LANDMARKS PRESERVATION COMMISSION RECEIVED DOCUMENTS (NOTICES OF DECISION, STAFF REPORTS, APPLICATION MATERIALS OR CORRESPONDENCE) AS PART OF THE PACKET THAT WAS DELIVERED PRIOR TO THIS MEETING.

Correspondence and Notice of Decision Requests

- **To distribute correspondence for inclusion in the agenda packet** -- submit comments ***by 12:00 noon, January 29, 2025.*** Please provide 12 copies of any correspondence with more than ten (10) pages or if in color or photographic format. This method is strongly preferred.
- **Late Communications** must be submitted ***by 12:00 noon, February 4, 2025.*** Any correspondence received after this deadline will be given to Commission members on the meeting date just prior to the meeting. Correspondence received later, and after the meeting, will be posted to the website following the meeting.
- Staff will not deliver to Commission members any additional written (or e-mail) materials received after 12:00 noon on the day of the meeting.
- Members of the public may submit written comments themselves at the meeting. To distribute correspondence at the meeting, please provide 12 copies and submit to the Landmarks Preservation Commission Secretary. **Please be advised: You are strongly advised to submit written comments *prior* to the meeting date as Commission members do not have an opportunity to read written materials handed out at the meeting.**
- Written comments or request for a Notice of Decision should be directed to the Landmarks Preservation Commission Secretary.

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.**

Contact:
Fatema Crane, Landmarks Preservation Commission Secretary
(510) 981-7410 | LPC@berkeleyca.gov | 1947 Center Street, Berkeley CA 94704

Request for initiation of Landmark designation on a future agenda lies within the range of action to be considered on each structure or property appearing at any place on the agenda.

Consent Calendar: The Consent Calendar allows the Commission to take action, without discussion, on Agenda items for which there are no persons present who wish to speak, and no members who wish to discuss. The Consent Calendar may include the following: (1) Approval of previous meeting minutes; (2) Items being continued to another meeting (action will be postponed to another meeting) or withdrawn by the applicant; and (3) Items noticed for public hearing which the Commission decides to move to the Consent Calendar. The Chairperson will announce any additional items proposed for the Consent Calendar at the beginning of the meeting. Anyone present who wishes to speak against one of these items should advise the Chairperson if they request the item be pulled from the Consent Calendar.

** Indicates that the Landmarks Preservation Commission received documents (notices of decision, staff reports, application materials or correspondence) as part of the packet that was delivered prior to this meeting.

1. **ROLL CALL:** Please put all cellular phones and ringers on silent during the meeting.

2. **EX-PARTE COMMUNICATIONS:** In the context of adjudicative matters that come before the LPC, ex-parte communications are those which occur outside of the formal hearing process. LPC members should avoid ex-parte contacts on matters pending before the LPC as much as possible, as they may represent, or be perceived to represent, the receipt of evidence that can unfairly influence a decision on a matter before the Commission. If such contacts do occur, they must be placed in the record and disclosed to all interested parties sufficiently in advance of the decision to allow rebuttal.

3. **LAND ACKNOWLEDGEMENT STATEMENT:** The Commission recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.

4. **PUBLIC COMMENT on Non-Agenda and Information Items** (Three minutes per person; five minutes per organization, or at the discretion of the Chairperson)

5. **AGENDA CHANGES**
   - **A. Consent Calendar** – Commission may consider including items 8, 9 and 13
   - **B. Other Changes**

ACTION AND DISCUSSION ITEMS

6. **2201-2205 Blake Street and 2517 Fulton Street – Structural Alteration Permit (#LMSAP2024-0004) for the Bartlett Houses****
   Resume the public hearing and consider final action for a request to relocate the historic stable structure and convert it to residential use, and to construct a new residential building at the rear of a City Landmark property; in accordance with BMC Section 3.24.220.

7. **2138 Kittredge Street – Landmark or Structure of Merit Designation (#LMIN2024-0006) for the Fitzpatrick House and Pepper Tree Tea Room****
   Conduct a public hearing and consider the request to grant Landmark or Structure of Merit status to a property located in the Downtown, in accordance with BMC Section 3.24.130.

8. **3332 Adeline Street – Structural Alteration Permit (LMSAP2025-0001) for the Lorin Theater/ Phillips Temple Building****
   Hold a public hearing and consider action on a request to install an emergency generator at a City Landmark property, in accordance with BMC Section 3.24.220.

** Indicates that the Landmarks Preservation Commission received documents (notices of decision, staff reports, application materials or correspondence) as part of the packet that was delivered prior to this meeting.

9. **2655 Shattuck Avenue – Demolition Referral (Use Permit # ZP2024-0057)****
Consider the proposal to demolish a commercial building that are more than 40 years old, in accordance with BMC Section 23.326.070(C).

10. **Certified Local Government (CLG) Annual report for the State Office of Historic Preservation****
Review and comment on the draft CLG Annual Report for the period of October 2023 through September 2024, as part of the City's CLG reporting requirements.

11. **1095 University Avenue/1976 San Pablo Avenue – Discussion****
Receive a Commissioner correspondence about a currently vacant West Berkeley bank building originally completed in 1906, and discuss the historical information provided therein.

12. **AD HOC Subcommittees and Liaison Comments**
Receive opportunity reports on status of projects for which the LPC has established a subcommittee or liaison. (Note: Sites will come off the list annually or upon approval of a Certificate of Occupancy.) Review Chapter II.F of the Commissioners' Manual and then consider establishing or re-establishing new and/or previously expired Ad Hoc Subcommittees accordingly.

	Members	Established	Annual Expiration
ZAB Design Review Committee	DM	-	-
Berkeley Rose Garden	KC, PS	Mar 2024	Feb 2025
City Projects for Landmarks and Structure of Merit Sites	CE, SF	Mar 2024	Feb 2025
Potential Initiations	SF, SO	Mar 2024	Feb 2025
University of California	PS, SF	Mar 2024	Feb 2025
Landmarks Policies & Procedures/ HRE Scoping Recommendations	CE, SF, LL, DM	August 2024	July 2025
Structures Completed After 1945	SF, LL, DM	Sept 2024	Aug 2025
Final Design Review for 2065 Kittredge Street	CE, DM	Nov 2024	Oct 2025

13. **ACTION: Approval of Action Minutes****
Draft Action Minutes for January 6, 2025.

14. **INFORMATION REPORTS** Commissioners may ask for discussion to be scheduled on a future agenda (per Brown Act, no deliberation or final action may be taken).

15. **CORRESPONDENCE**

16. **COMMISSIONER ANNOUNCEMENTS**

17. **STAFF ANNOUNCEMENTS**

A. **Staffing Updates**

** Indicates that the Landmarks Preservation Commission received documents (notices of decision, staff reports, application materials or correspondence) as part of the packet that was delivered prior to this meeting.

18. FUTURE COUNCIL CALENDAR ITEMS

A. **2500-2512 San Pablo Avenue/1094-1098 Dwight Way** – Information Agenda Item re: Approval of Landmark Initiation (#LMIN2024-0004), February 11, 2025

B. **1310 University Avenue** – Information Agenda Item re: Approval of Structural Alteration Permit (LMSA2024-0001), February 11, 2025

19. POTENTIAL INITIATIONS

The Commission may establish and maintain an ongoing list of structures, sites and areas having a special historical, architectural or aesthetic interest or value. After public hearings, the Commission may initiate landmark and historic district designations from the list.

A. 2362 Bancroft Way-Trinity United Methodist Church (3/1/99)
B. Berkeley High School, Building C, 1920; W. C. Hayes (LE 9/13/99)
C. John Galen Howard Power Station, UC Campus (CO 4/3/00)
D. H.C. Macaulay Foundry, 811 Carleton Street (4/3/00)
E. UC Storage Station, James Plachek, Architect (4/3/00)
F. "Kittredge Street Historic District" - 2124 Kittredge Street (Elder House and storefront)
G. 2138 Kittredge Street (Fitzpatrick House and storefront), and 2117 Kittredge Street (A.H. Broad House and storefront) (JK 11/5/2001)
H. 1842-1878 Euclid Avenue (CO 9-14-07)
I. Berkeley High School Campus Historic District (SW 1/3/08)
J. 2746 Garber Street (SW 3/5/09)
K. 1901 Bonita Avenue (CO 11/16/10)
L. 1920 Bonita Avenue (CO 11/16/10)
M. 1940 Channing Way (CO 11/16/10)
N. 1920 Haste Street (CO 11/16/10)
O. 2414 Shattuck Avenue (CO 11/16/10)
P. Terminal Place (alley) (CO 11/16/10)
Q. 2041 University Avenue (CO 11/16/10)
R. 2482-2498 Telegraph Avenue And 2445-2449 Dwight Way (CO 12/7/11)
S. 2301-2315 Telegraph Avenue / 2510-2516 Bancroft Way (CO 12/7/11)
T. 2328-2346 Telegraph Avenue / 2441-2447 Durant Avenue (CO 12/7/11)
U. 2400-2402 Telegraph Avenue / 2486-2498 Channing Way (CO 12/7/11)
V. 2410-2422 Telegraph Avenue (CO 12/7/11)
W. 3049 Adeline Street (CO 3/12/12)
X. "Manoa Historic District"- 2530 [sic] Way, 2524 Dwight Way, 2503 Regent Street, 2509 Regent Street, 2511 Regent Street, 2515 Regent Street, 2517 Regent Street, 2506 Dwight Way, 2502 Dwight Way/2501 Telegraph Avenue, 2512–2516 Regent Street/2525 Telegraph Avenue (CO 3/12/12)
Y. 1400 Sixth Street (CO 6/7/13)
Z. 1409 Scenic Avenue (CO 9/3/15)
AA. 1301 Shattuck Avenue, Live Oak Park (CO 2/2/17)
BB. 2750-2770 Marin Avenue, Pacific Lutheran Theological Seminary (LPC 5/4/17)
CC. 2100 Shattuck Avenue-2100 Kala Bagai Way (SF 6/1/17)
DD. 741 Cedar Street (CO 7/6/17)
EE. 745 Cedar Street (CO 7/6/17)
FF. 749 Cedar Street (CO 7/6/17)
GG. 2212 Fifth Street (CO 7/6/17; initiation failed 6/6/21)
HH. 837 Folger Avenue (CO 7/6/17)

II. 1517 Fourth Street (CO 7/6/17)
JJ. 808 Gilman Street (CO 7/6/17)
KK. 830 Gilman Street (CO 7/6/17)
LL. 832 Gilman Street (CO 7/6/17)
MM. 836 Gilman Street (CO 7/6/17)
NN. 1018 Pardee Street (CO 7/6/17)
OO. 1336 Sixth Street (CO 7/6/17)
PP. 1345 Sixth Street (CO 7/6/17)
QQ. 601 Ashby Avenue (PA 2/1/18)
RR. 1013 Pardee (BO 9/6/18)
SS. 1940 Haste Street (LPC 10/04/18; upon relocation of historic building)
TT. 2222 Fifth Street (LPC 12/6/18)
UU. 1631-33 Walnut Street (LPC 7/2/19)
VV. 1601 California Street (PA 11/7/19)
WW. 2235 Channing Way, 2240 and 2300 Durant Avenue, 2372 Ellsworth Street (LPC 11/5/20)
XX. 2501, 2510, 2514, 2530 and 2551 San Pablo Avenue (LPC 4/1/21)
YY. 2132-2154 Center Street (LPC 5/4/23)
ZZ. 2414 Shattuck Avenue (LPC 9/7/23)
AAA. 1306 Third Street (LPC 11/7/2024)

20. CURRENT LAND USE PROJECTS – BMC Section 23.404.030(C)

Below are the addresses of projects that seek to demolish buildings (residential or commercial) over 40 years old. Permit applications for properties where full removal is not sought are not individually listed, but may be found online: https://berkeleyca.gov/construction-development/land-use-development/zoning-projects

Projects proposing demolition of buildings greater than forty years old

A. Non-Residential Structures (BMC Section 23C.08.050)

2030-2036	Bancroft Way	ZP2024-0079
2530-2538	Bancroft Way	ZP2023-0126
811	Carleton Street	ZP2021-0003
2942	College Avenue	ZP2022-0136
2298	Durant Avenue	ZP2024-0126
2138	Kittredge Street	ZP2024-0114
2100	Milvia Street	ZP2023-0163
1827 and 1899	Oxford Street	ZP2024-0075
2720	San Pablo Avenue	ZP2024-0076
2733-2737	San Pablo Avenue	ZP2023-0090
1650	Shattuck Avenue	ZP2020-0022
1663-1687	Shattuck Avenue	ZP2024-0066
1950-1998	Shattuck Avenue	ZP2023-0040
2274	Shattuck Avenue	ZP2023-0079
2300	Shattuck Avenue	ZP2024-0079
2420	Shattuck Avenue	ZP2022-0149
2847	Shattuck Avenue	ZP2024-0077
2920	Shattuck Avenue	ZP2022-0116
2925-2973	Shattuck Avenue	ZP2024-0071

** Indicates that the Landmarks Preservation Commission received documents (notices of decision, staff reports, application materials or correspondence) as part of the packet that was delivered prior to this meeting.

3000	Shattuck Avenue	ZP2022-0046
2800	Telegraph Avenue	ZP2022-0107
2821	Tenth Street	ZP2022-0038
1581 and 1589	University Avenue	ZP2024-0074
1708 and 1710	University Avenue	ZP2021-0127
1776-1796	University Avenue	ZP2023-0070
2071-2079	University Avenue	ZP2023-0040
2109	Virginia Street	ZP2024-0066
2700	Ninth Street	ZP2024-0161
2138	Kittredge Street	ZP2024-0114

B. Residential Structures

3035	Colby Street	ZP2024-0112
2360	Ellsworth Street	ZP2024-0126
2442	Haste Street	ZP2024-0070
1627	Jaynes Street	ZP2024-0129
1048	Keith Avenue	ZP2024-0014
1136	Keith Avenue	ZP2024-0052
2708	Prince Street	ZP2024-0024
2427-2433	San Pablo Avenue	ZP2022-0115
1782	University Avenue	ZP2023-0070

21. ADJOURN

NOTICE CONCERNING LEGAL RIGHTS

If you object to a decision by the Landmarks Preservation Commission to approve or deny a designation or permit for a project, the following requirements and restrictions apply:

1. You must appeal to the City Council within Fifteen (15) days after the Notice of Decision of the action of the Landmarks Preservation Commission is mailed. It is your obligation to notify the Land Use Planning Division in writing to receive a Notice of Decision when it is completed.
2. Pursuant to Code of Civil Procedure, Section 1094.6(b), no lawsuit challenging a City Council decision to deny a permit or variance may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure, Section 1094.6(b), which has been adopted by the City. Any lawsuit not filed within that ninety (90) day period will be barred.
3. Pursuant to Government Code, Section 65009(c)(5), no lawsuit challenging a City Council decision to approve (with or without conditions) a permit or variance may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure, Section 1094.6(b), which has been adopted by the City. Any lawsuit not filed within that ninety (90) day period will be barred.
4. Pursuant to Government Code Section 66020(d)(1), notice is hereby given to the applicant that the 90-day protest period for any fees, dedications, reservations, or other exactions included in any permit approval begins upon final action by the City, and that any challenge must be filed within this 90-day period.
5. If you believe that this decision or any condition attached to it denies you any reasonable economic use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a “taking” of property for public use without just compensation under the California or United States Constitutions, the following requirements apply:

A. That this belief is a basis of your appeal.
B. Why you believe that the decision or condition constitutes a "taking" of property as set forth above.
C. All evidence and argument in support of your belief that the decision or condition constitutes a “taking” as set forth above.

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

LANDMARKS PRESERVATION COMMISSION

STAFF REPORT

FOR COMMISSION ACTION
FEBRUARY 6, 2025

2138 Kittredge Street – The Fitzpatrick House and Pepper Tree Tea Room

Landmark application #LMIN2024-0006 for the consideration of City Landmark or Structure of Merit designation status for a property originally constructed in 1904 and expanded in 1935 (APN 057-2029-015-00)

I. Application Basics

A. Land Use Designations: Outer Core (C-DMU)

B. CEQA Determination: Exempt from further environmental review pursuant to CEQA Guidelines Section 15061.(b)(3) for Review for Exemptions.

C. Parties Involved:

- **Initiator:** 64 Berkeley Resident Petitioners
- **Application Author:** Anthony Bruce
  Berkeley Architectural Heritage Association
  P.O. Box 1137
  Berkeley, CA
- **Property Owner:** Susan Carlson
  2138 Kittredge Street
  Berkeley, CA

D. Staff Recommendation: Hold a public hearing and consider favorable action on this request.

Figure 1: Vicinity Map – highlighting nearby City Landmarks and Structures of Merit

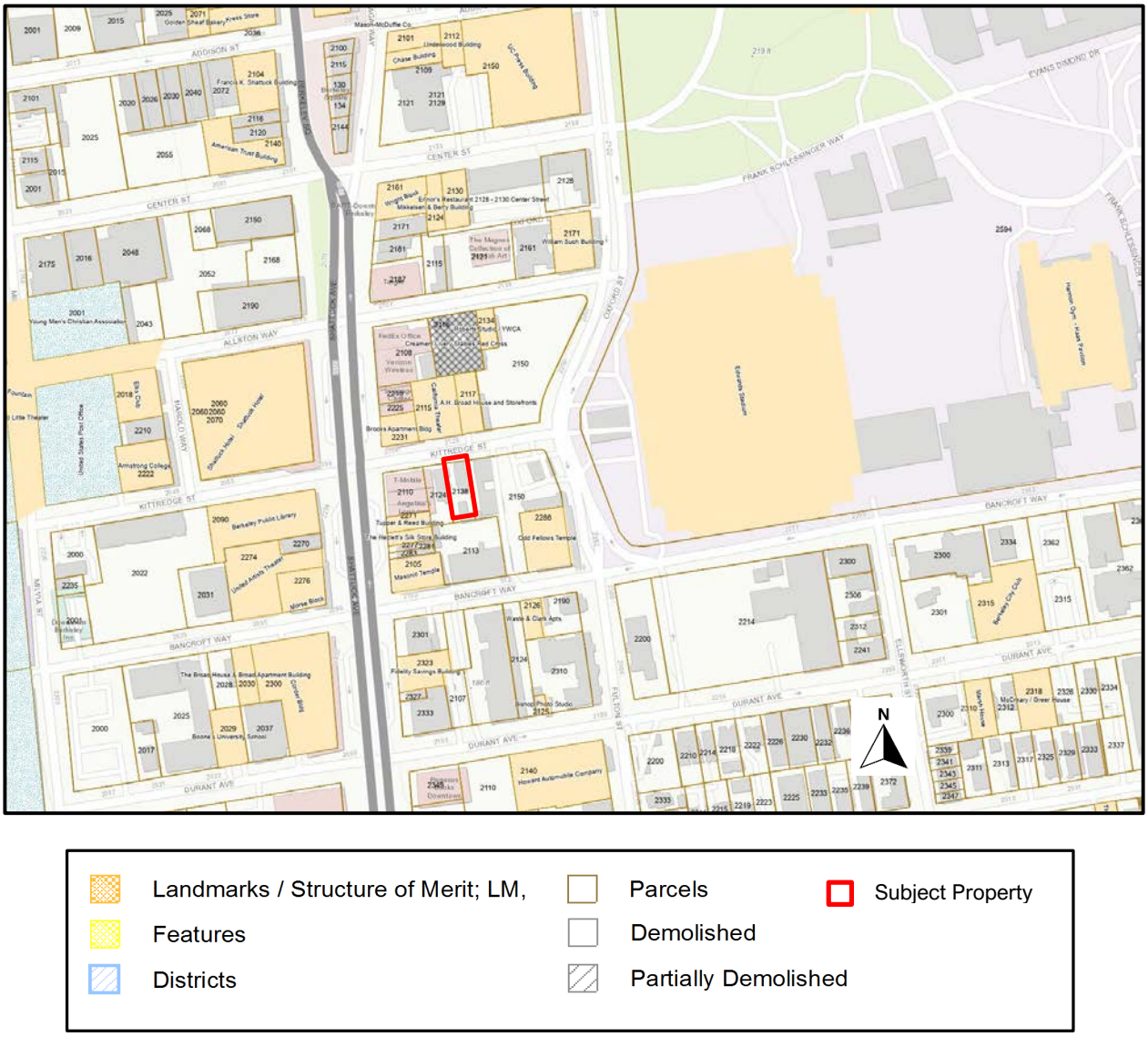


Figure 2 Subject property, current condition – façade (source: Landmark Application)

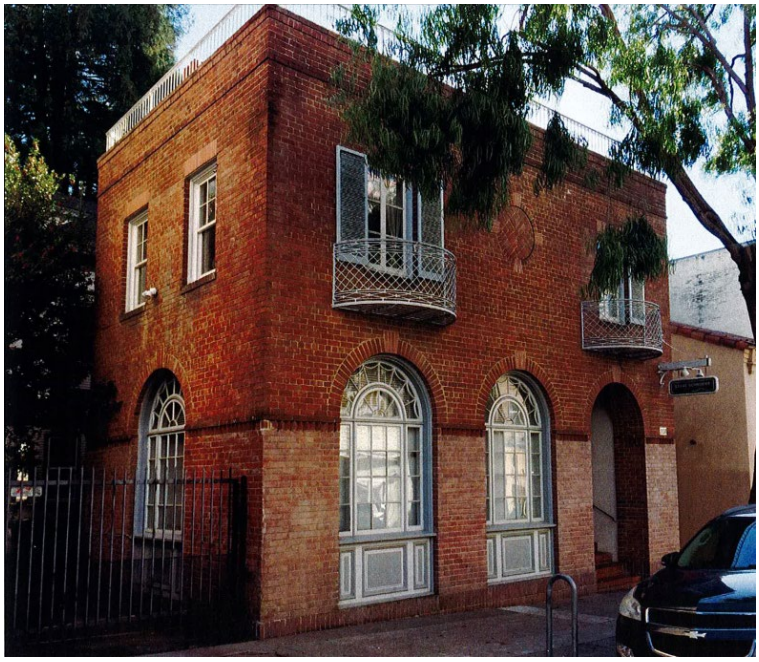


Figure 3 Subject property, entrance (source: Landmark application)

Figure 4 Subject property, current condition – west exterior (source: Landmark application)

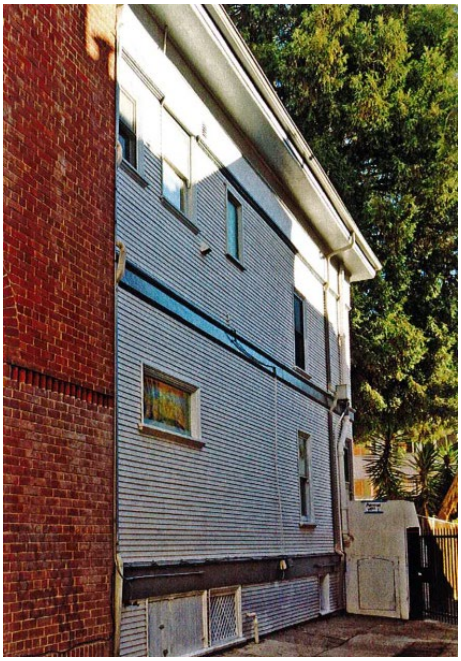


Figure 5 Subject property, 1978 (source: Landmark application, photograph by Betty Marvin)

Figure 6 Subject property 1978 (source: Landmark application, photograph by Betty Marvin)

II. Application Chronology

On October 30, 2024, the City received a Landmark or Structure of Merit application petition for the subject property, and is provided in Attachment 2 of this report. In accordance with Berkeley Municipal Code (BMC) Section 3.24.120, the application initiated consideration of the property for designation status.

In December 2024, staff prepared notices for an anticipated hearing on January 6, 2025, in accordance with requirements of BMC Section 3.24.140. However, the hearing was cancelled and then re-scheduled to February 6, 2025, due to the concerns of interested parties.

On January 27, 2025, staff mailed and posted advance notice of tonight's hearing in accordance with the requirements of BMC Section 3.24.140 for Public hearing notice requirements.

Pending SB330 Use Permit application for Demolition

Prior to the initiation of this property for Landmark or Structure of Merit consideration, the City received Use Permit application #ZP2024-0114 requesting permission to demolish the subject building and to construct a new mixed-use housing development at this site.

On April 4, 2024, the Use Permit application vested under the provisions of the Housing Accountability Act/Senate Bill (SB) 330 and this means that the City is divested of its ability under the BMC to impose preservation conditions on the Use Permit should the City approve the Use Permit and also designate this property at a City Landmark or Structure of Merit.

On December 30, 2024, legal counsel for the Use Permit applicant sent a letter to staff objecting to the City's consideration of this Landmark application; see Attachment 3. The letter asserts that a Landmark designation hearing would violate the provisions of SB330 and impact the pending housing development proposal. But staff disagrees and finds that, because the Use Permit application previously vested under SB330 and is subject to streamlined review, this Landmark consideration cannot change the historic status of the subject property (i.e.: project site) or result in preservation conditions on an approved entitlement.

A description of the limitations of SB330 and their applicability for this Landmark consideration appears in Section IV of this report.

III. Historic Resource Status

The subject property is not listed on the National Register of Historic Places (NR) or the California Register of Historical Resources (CR). In 1978, the property was recorded for the State Historic Resources Inventory and recommended eligible for the NR. The property is also on the Berkeley Urban Conservation Survey (form #21280). The City completed the Shattuck Avenue Commercial Corridor Historic Context and Survey in 2015. Through this survey, the potential Shattuck Avenue Commercial Corridor Historic

District was identified and the subject property was assigned a CHRSC of 3S, finding it locally significant as a contributor to the proposed District under criterion A/1 of the NR/CR, with a period of significance of 1904-1958. The district has not been established through an adjudicative action by the City, however it has been identified through a SHPO-compliant evaluation and survey. For these reasons, the potential District and the subject building are cultural resources pursuant to CEQA Guidelines Section 15064.5.(a).

There are several City of Berkeley Landmarks (LM) and Structures of Merit in the immediate vicinity of this property, including: the A.H. Broad House and Storefront (1886, 1915) at 2117 Kittredge Street, California Theater (1914) at 2115 Kittredge Street, Brooks Apartment Building (1906) at 2231 Shattuck Avenue, Tupper and Reed Building (1925) at 2271 Shattuck Avenue, The Hezlett's Silk Store Building (1925) at 2277 Shattuck Avenue, Odd Fellows Temple (1926) at 2288 Fulton Street, Masonic Temple (1905) at 2105 Bancroft Way, and Edwards Stadium (1932) at 2594 Hearst Avenue.

See Figure 1, above.

IV. Property Description

The following description of 2138 Kittredge Street is based on the research presented in the Landmark Application for this consideration, as well as City permit records and the 2015 Shattuck Avenue Commercial Corridor Historic Context and Survey.

The subject property is an approximately 6,750-sq. ft. lot on the north side of the 2000-block of Kittredge Street, between Shattuck Avenue (west) and Oxford Street (east). It is a rectangular parcel, oriented north-to-south, with street frontage facing Kittridge Street to the north. The lot contains two buildings: a two-story residence and a carport. The main residence, identified as the Fitzpatrick House and Pepper Tree Tea Room, is situated toward the northwest corner of the property, with its north facing façade built along the north property line. A one-story detached carport is situated to the rear of the residence, and occupies the southwest corner of the parcel, spanning across the entire rear property line. At its northwest corner, the property has a gated driveway that extends eastward into the site between the residence and the east property line and serves the carport at the rear of the site; see Figure 2.

The Fitzpatrick House and Pepper Tree Tea Room is a two-story, wood-frame residential building, originally constructed in 1904 as a single-family residence. The Fitzpatrick House became a mixed-use property in 1924 with the establishment of the Pepper Tree Tea Room. In 1935, the building received a front addition to expand the Pepper Tree Tea Room; the addition replaced the original 1904 primary façade. Designed with elements of Georgian Revival architectural, the addition also exhibits elements of boxy, Moderne styling, common to commercial buildings constructed in the 1930s and 1940s. Nonetheless, its reddish-brown brick cladding, arched and

rectangular openings, and balanced composition draw from the Georgian Revival style. At the first story, the east side and two easternmost (left and center) bays of the primary façade feature wood tripartite windows with 12 lites at center, four lites in each outer sash, and a fanlight transom with an inner and outer arch above. The westernmost (right) bay of the primary façade contains a recessed entrance with a Moderne style door and leaded-glass transom. The west facing arch contains a niche. Arches are unified by an angled brick beltcourse that wraps around the addition's first story emphasizing the horizontal datum that runs along the base of the arches.

The second story of the addition features two six-over-one vinyl-sash windows (replacements) on the east side. Two wood casement windows with six lites are set toward the outer walls of the primary façade. These windows are set above curved metal balconettes that are mounted to the façade. Each of these windows originally had two shutters, however, one shutter is missing from the window at the right. An additional vinyl-sash six-over-one window is centered in the second story of the west side of the addition. Other features include a circular detail centered in the second story of the primary façade and a beltcourse of brick wraps around the parapet line of the roof, with additional brick coping detailing and a wrought iron railing crowning the roof of the addition.

The original portion of the building to the rear of the addition is clad with shiplap siding at each story. Fenestration includes one-over-one, double-hung wood-sash windows, as well as several smaller wood casement windows and a stained-glass window. A molded wood water table wraps around the base of the first story. The east façade features a two-story projecting bay at center. This bay's first story has chamfered corners with molded wood corner detailing above.

The rear façade has been subject to several alterations, including an early 1915 attic dormer addition that projects from the rear hip of the roof, expansion at the first story ca. 1953, and the addition of a flat-roofed second story wing at the east end. Still, the rear façade features similar exterior cladding and detailing. The west façade is largely intact with several wood windows, including a stained-glass window to the immediate south of the front addition. The hip roof capping the Fitzpatrick House features a moderate overhang, modern asphalt singles, two brick chimneys, and a hipped dormer with a small window on the east side.

The residence at 2138 Kittredge Street exhibits characteristics of the Colonial Revival style and the Georgian Revival styles. 2138 Kittredge Street is a strong example of the blending of styles and forms that resulted from the adaption of residences to accommodate commercial uses in Berkeley during the early twentieth century. The property is in good condition.

Construction and Ownership History. John C. Fitzpatrick (1865-1945) purchased the subject property parcel in 1903. He and Caroline Isabel Preston were married in Benicia in 1887 and settled in Berkeley with their first two children in 1890.

Fitzpatrick was hired as superintendent of the Claremont, University & Ferries Street Railway (and served in other roles, such as secretary and motorman) until 1900. He then started a livery business that provided transport in Berkeley. In 1903, he contracted with architect William H. Wharff for the design of a residence on the south side of Kittredge Street. Fitzpatrick also purchased the adjoining lot to the east of present-day 2138 Kittredge Street, where he built a livery stable (non-extant) where he based his transportation business in subsequent years. He built a smaller stable (non-extant) to the rear of his residence to accommodate overflow. Fitzpatrick's business evolved to operate with automobiles by 1916, and he also delivered telegrams and telephone messages. His main stable was eventually converted to a public garage before his retirement around 1920. Fitzpatrick moved to a residence at 1936 Delaware Street in 1924, where he resided until his death in 1945.

The subject property was occupied by Alma and William Taylor after Fitzpatrick and his family members relocated in 1924. Alma Taylor established the Pepper Tree Tea Room immediately after the Taylors became tenants of the subject property. Alma served as manager for the next 17 years; her niece, Helga, waited tables. In 1935, the front addition to the former Fitzpatrick House was completed and provided redecorated and enlarged dining rooms for the Pepper Tree Tea Room. The adaption of the former Fitzpatrick House occurred after two nearby residential structures experienced similar commercial transformations, including the A.H. Broad House at 2119 Kittredge Street (Landmark-Structure of Merit #242) and the Elder House at 2124 Kittredge Street (still extant).

The Taylors purchased the property from Fitzpatrick in 1942, and the Pepper Tree Tea Room closed in the same year. Despite the closure of the tearoom, the Taylors retained ownership of the property and embarked on alterations to add a dwelling unit to the building, under contract with local architect Paul Hammarberg, who was a frequent designer of wartime housing. In 1943, the Taylors purchased the adjacent property to the east, which had been the location of Fitzpatrick's main stable/garage. The Taylors improved the apartments within the subject building in 1953. The adjoining property was redeveloped with Herb's Hamburgers in 1955; thus, the former Fitzpatrick stable was nonextant as of 1955. The smaller stable Fitzpatrick located to the rear of the subject building was demolished in the same year to accommodate construction of a carport, which remains at the rear of 2138 Kittredge Street.

Alma Taylor died in 1960 and William remarried to Helen Ingham in 1963; they remained residents of 2138 Kittredge Street until William's death in 1974.

Alterations.
An attic dormer was added to the rear hip of the original roof in 1915. The front addition was constructed in 1935 to expand the Pepper Tree Tea Room. Alterations that appear have been limited to the interior were contracted to architect Paul Hammarberg in 1932. In 1953, apartments within the residence were remodeled; this alteration work potentially included alterations to the rear façade, where a second story east extension was

constructed, and likely modification of the first story of the rear façade. In 1955, a one-story detached carport was added to the property and replaced a preexisting stable that was built around 1903. Original windows within narrower east and west sides the front addition have been replaced with vinyl-sash windows.

A complete property history is provided in the Landmark application, see Attachment 1.

V. Analysis and Evaluation

The analysis section of this report will refer to the research and information provided in the Landmark application (Attachment 2). This section analyzes the extent to which the property appears to meet significance criteria set forth in the Landmarks Preservation Ordinance (LPO), Berkeley Municipal Code (BMC) Chapter 3.

Historic Context.[1] The property at 2138 Kittredge Street is associated with a pattern of residential development during the early twentieth century, when single-family residential properties were more prevalent in what has since become a primarily commercial area along the Shattuck Avenue corridor in the downtown. The subject property's evolution between the 1920s and 1930s from solely residential use to a property combining residential and commercial uses, is associated with a subsequent trend of commercial development in the downtown, which included the modification of preexisting residences, including several along Kittredge Street and in the immediate vicinity to accommodate the spread of commerce. The subject building also surveyed the devastating Berkeley Fire of 1923, which destroyed many wood frame buildings. The Fitzpatrick House and Pepper Tree Tea Room's period of significance begins in 1904, its year of original construction, and extends to 1958, recognizing its contribution to the historical development of the Shattuck Avenue Commercial Corridor Historic District.

Landmarks Preservation Ordinance Significance Criteria. When it designates a property as a Landmark, Historic District, or Structure of Merit, the Commission must find that the property meets one or more of the required criteria codified in LPO, BMC Section 3.24.110. These criteria are relatively specific and appear to align with California Register and National Register criteria. The significance criteria for a Structure of Merit are broader than those for Landmarks status, and include properties that qualify individually as good examples of architectural design, or that qualify as contributors to the context of a larger streetscape or area.

Staff completed a review of information provided in the Landmark application, as well as available City records and previous surveys, and compared the evidence against the criteria for designation consideration. The property and extant structures appear to meet multiple designation criteria. A summary of findings is provided below.

Landmark criterion – *Architectural Merit*. Based on the research and evidence presented in the Landmark application, the property at 2138 Kittredge Street appears to meet the

[1] National Register Bulletin #15, Item V: *How to Evaluate a Property within its Historic Context* (2002); National Register Bulletin #16A, Section III: *How to Complete the National Register Registration – Period of Significance* (1997).

LPO Landmark designation criterion for *architectural merit*. The building's design incorporates elements of its original design as a Colonial Revival residence representing the work of locally prominent architect, William H. Wharff, combined with an individually distinctive example of the application of Moderne-influenced Georgian Revival styling to form its front addition. Together, the building's original and added masses provide a strong example of a hybridized building typology that is representative of the mixed-use architecture that developed in Berkeley's downtown during the early twentieth century. This finding aligns with the designation criterion of BMC Section 3.24.110.A.b.

The subject property retains many of the character-defining features of its historical expression of the Colonial Revival and Georgian Revival styles. Its Colonial Revival characteristics include shiplap siding, molded wood water table and beltcourses, projecting bay with chamfered corners and molded overhang details, hip roof with moderate overhangs and a hip dormer, as well as its retention of several wood-sash windows, and a stained-glass window. Its Georgian Revival style is expressed through its front addition, which incorporates unpainted, reddish brown brick cladding and brick detailing, arched openings with keystone details, arched windows with tripartite casements, fanlights, paneled-wood bulkheads, and a balanced composition overall.

The building's essential form and exterior continue to exhibit the necessary aspects of integrity to convey its architectural significance as a historical mixed-use property type with elements of Colonial Revival and Georgian Revival architecture, inclusive of *design*, *materials*, and *workmanship*.

Landmark criterion – *Cultural Value*. BMC Section 3.24.110.A.2 allows for the designation of properties that are associated with the *movement or evolution of culture*. The Landmark application documents the property's association with the property's original owner and namesake, John Fitzgerald, as well as Pepper Tree Tea Room proprietors William and Alma Taylor. Additionally, the application documents the property's contribution to the city's economic development, including development of expanded commercial uses in what was a largely residential area to a commercial district along the Shattuck Avenue corridor. This pattern of twentieth century development in downtown Berkeley included the modification of single-family residences to accommodate commercial uses, such as occurred at with the subject building's 1935 addition. The property continues to exhibit characteristics that lend it a strong association to this aspect of Berkeley's cultural history. For these reasons, the property appears to be associated with the movement and evolution of *economic developments* of the City, and could warrant designation for this association. 2138 Kittredge Street appears to meet the LPO Landmark designation criterion for *cultural value.*

Landmark criterion – *Historic Value*. The development of 2138 Kittredge Street is associated with a pattern of development that emerged in Berkeley during the early twentieth century, as settlement in the core downtown area increased and commercial uses became more prevalent. Located in the block immediately east of Shattuck Avenue, the property transitioned from a single-family residential use to a combined

residential and commercial use in 1924, when the Pepper Tree Tea Room was established by the Taylors in the former Fitzpatrick House. The Taylors eventually acquired the property in 1942, by which time the Fitzpatrick House was modified to support expansion of the tearoom. Along with nearby properties that underwent similar residential-to-residential-commercial adaptations, 2138 Kittredge Street developed into a hybrid building type and remains an excellent example of this historical trend in downtown Berkeley. For these reasons, the property appears to *embody and express* the development history of Berkeley. 2138 Kittredge Street appears to meet the LPO Landmark designation criterion for *historic value.*

The Commission has received sufficient evidence to take favorable action to designate the subject property as a City Landmark. Draft Findings for Approval are provided for the Commission's consideration in Attachment 1. This draft includes a list of character-defining physical features of this historical resource that should be preserved as required under BMC Section 3.24.100.A for Procedures Required – Controls and Standards.

LPO Structure of Merit criteria. As discussed above, staff believe that the subject property could meet the criteria for designation as a City Landmark. However, if the Commission concludes that it does not (in whole or in part), then the Commission may consider the extent to which it meets the criteria for designation as a Structure of Merit, in accordance with BMC Section 3.24.110.B.2.

The subject property is an excellent example of the combination of Colonial Revival residential architecture and Georgian Revival commercial architecture that embody the mixed-use architecture that contributed to the development of commerce in downtown Berkeley during the early twentieth century. The property also exhibits integrity of design, materials, and workmanship. It is also part of a three-building group within the 2000-block of Kittredge Street, including the A.H. Broad House and Storefront (1894, designated Berkeley Landmark) at 2117 Kittredge Street and the Elder House at 2124 Kittredge Street, that provides a concentrated representation of the historical adaption of residences to commercial uses.

Given these facts, the property at 2138 Kittredge Street would meet the following Structure of Merit criteria:

> Section 3.24.110 B.2.a – *The age of the structure is contemporary with (1) a designated landmark within its neighborhood, block, street frontage, or group of buildings, or (2) an historic period or event of significance to the City, or to the structure's neighborhood, block, street frontage, or group of buildings.*
>
> Section 3.24.110.B.2.b – *The structure is compatible in size, scale, style, materials or design with a designated landmark structure within its neighborhood, block, street frontage, or group of buildings.*

Section 3.24.110.B.2.c – *The structure is a good example of architectural design.*

Section 3.24.110.B.2.d – *The structure has historical significance to the City and/or to the structure's neighborhood, block, street frontage, or group of buildings.*

No draft findings for approval as a Structure of Merit are provided with this report, however the Commission can direct staff to prepare such findings if needed to support action under these provisions.

VI. Limitations of Local Register Designation & Pending Use Permit for Demolition

In addition to the information and analysis presented in the staff report for the Commission's hearing on the subject Landmark application, staff would like to provide an explanation of the regulatory context for the City's concurrent review of the pending Use Permit application for this same property: #ZP2024-0114.

Should the Commission vote favorably on the subject Landmark application to designate the Fitzpatrick House and Pepper Tree Tea Room as either a City Landmark or Structure of Merit, the property would become a locally listed historic resource. However, certain limitations would apply given the pending Use Permit request to demolish the building.

The Housing Accountability Act of 2019, also referred to as Senate Bill (SB) 330, requires the City to make the "historic site" determination at the time the application for the housing development project is deemed complete. Furthermore, a "determination as to whether a parcel of property is a historic site shall remain valid during the pendency of the housing development project for which the application was made [(Gov. Code § 65913.10(a)]." No City Landmark or Structure of Merit designation status was in place last year at the time of application completeness and, therefore, a local designation at this time would not retroactively apply to the pending Use Permit request.

Further, SB330 limits the City's ability to impose any preservation-related conditions of approval on the Use Permit. While SB330 also imposes limits on the number of hearings to five, that limit applies to the housing project (i. e.: Use Permit proposal) and not this Landmark Initiation application. SB 330 does not limit the City's obligation to assess the impact of a proposed project on cultural resources under CEQA and to impose measures to mitigate any adverse impacts on cultural resources; see Gov. Code § 65913.10(c).

Should the LPC vote on application #LMIN2024-0006 to designate the subject property as a City Landmark or Structure of Merit, the designation would symbolically recognize

the local significance and architectural/cultural/historic merit of the Fitzpatrick House and Pepper Tree Tea Room. Additionally, if the vested rights under Use Permit application #ZP2024-0114 were not to be exercised and a new or modified application were to be filed in its place subsequent to City Landmark or Structure of Merit designation of the property, then a protective status could apply to the historic site for any future development application.

VII. Recommendation

Staff recommends that the Commission consider the extent to which this property meets the criteria for City Landmark or Structure of Merit designation pursuant to BMC Section 3.24.110.A.1, and then take favorable action.

Attachments:

1. **Draft Findings for Designation Approval**
2. **Landmark Application**. 2138 Kittredge Street, prepared by Anthony Bruce for Berkeley Architectural Heritage Association, received October 30, 2024
3. **Correspondence**

Prepared by: Josh Bevan, Architectural Historian, Rincon Consultants, Inc.
Reviewed by: Fatema Crane, Principal Planner; fcrane@cityofberkeley.info (510) 981-7410

ATTACHMENT 1

DRAFT FINDINGS FOR DESIGNATION

FEBRUARY 6, 2025

2138 Kittredge Street – The Fitzpatrick House and Pepper Tree Tea Room

Landmark application #LMIN2024-0006 for the consideration of City Landmark or Structure of Merit designation status for a residential property constructed circa 1904 (APN: 057-2029-015-00)

PROJECT DESCRIPTION

City Landmark designation of the property at 2138 Kittredge Street

CEQA FINDINGS

1. The project is found to be exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq.) pursuant to Section 15061.b.3 of the CEQA Guidelines (activities that can be seen with certainty to have no significant effect on the environment).

LANDMARK PRESERVATION ORIDNANCE FINDINGS

1. Pursuant to Berkeley Municipal Code (BMC) Section 3.24.110.A.1.(b) of the Landmarks Preservation Ordinance (LPO), the Landmarks Preservation Commission of the City of Berkeley (Commission) finds that the property at 2138 Kittredge Street meets the architectural merit criterion for City Landmark designation as an example of a Colonial Revival residence representing the work of locally prominent architect, William H. Wharff, combined with an individually distinctive example of the application of Moderne-influenced Georgian Revival styling to form its front addition. Together, the building's original and added masses provide a strong example of a hybridized building typology that is representative of the mixed-use architecture that developed in Berkeley's downtown during the early twentieth century. Its Colonial Revival characteristics include shiplap siding, molded wood water table and beltcourses, projecting bay with chamfered corners and molded overhang details, hipped roof with moderate overhangs and a hip dormer, as well as its retention of several wood-sash windows, and a stained-glass window. Its Georgian Revival style is expressed through its front addition, which incorporates unpainted, reddish brown brick cladding and brick detailing, arched openings with keystone details, arched windows with tripartite casements, fanlights, paneled-wood bulkheads, and a balanced composition overall. Through the retention of its essential form and historic materials, it conveys design, materials, and workmanship aspects of integrity.

2. Pursuant to BMC Section 3.24.110.A.2, the Commission further finds that the subject property warrants designation for its association with original owner, John Fitzgerald as well as Pepper Tree Tea Room proprietors, William and Alma Taylor. The property

contributed to the City's economic development, including development of expanded commercial uses in what was a largely residential area to a commercial district along the Shattuck Avenue corridor. This pattern of twentieth century development in downtown Berkeley included the modification of low-density residences to accommodate commercial uses, such as occurred with the subject building's 1935 addition. The property continues to exhibit characteristics that lend it a strong association to this aspect of Berkeley's cultural history.

3. Pursuant to BMC Section 3.24.110.A4, the Commission finds that the property meets the criterion for historical value for its association with a pattern of residential to residential-commercial development that emerged in Berkeley in the early twentieth century. Its residential to residential-commercial development is conveyed through its blended styles and forms that resulted from its adaptation including its distinctive 1935 Georgian Revival with Moderne styling front addition and Colonial Revival residence portion. Its residential-commercial use is conveyed though its two-part massing with reddish-brown brick cladding, arched and rectangular openings, and balanced Georgian Revival composition at the primary elevation and its shiplap exterior, dormers, and one-over-one, double-hung wood-sash windows at the building's residential rear.

FEATURES TO BE PRESERVED

This designation shall apply to the subject property and the following distinguishing features of the shall be preserved, and missing features shall be restored to the extent possible:

Property

- Location at the south side of Kittredge Street
- Setting in the Shattuck Avenue Commercial Corridor Historic District.

Main Building

- Two-part massing comprised of Colonial Revival residential rear and Georgian Revival commercial addition at primary, street-facing facade
- Colonial Revival characteristics, including:
  - Shiplap siding
  - Molded-wood water table at the first floor
  - Projecting bay with chamfered corners and molded overhang details at the first floor
  - Hipped roof with moderate overhang and dormer window on east eave
  - One-over-one, double-hung wood-sash windows
- Georgian Revival characteristics, including:
  - Unpainted reddish-brown brick cladding and brick detailing
  - Arched openings with keystone details
  - Arched windows with tripartite casements
  - Fanlights above tripartite casements
  - Paneled-wood bulkheads
  - Angled brick beltcourse that continues around the addition’s first floor
- Stained-glass window at west elevation of Colonial Revival portion of building
- Circular with four keystones detail at second story of primary façade

Received
OCT 30 2024
Land Use Planning

CITY OF BERKELEY
Ordinance #4694 N.S.
LANDMARK APPLICATION

Fitzpatrick House & Pepper Tree Tea Room
2138 Kittredge Street
Berkeley, California

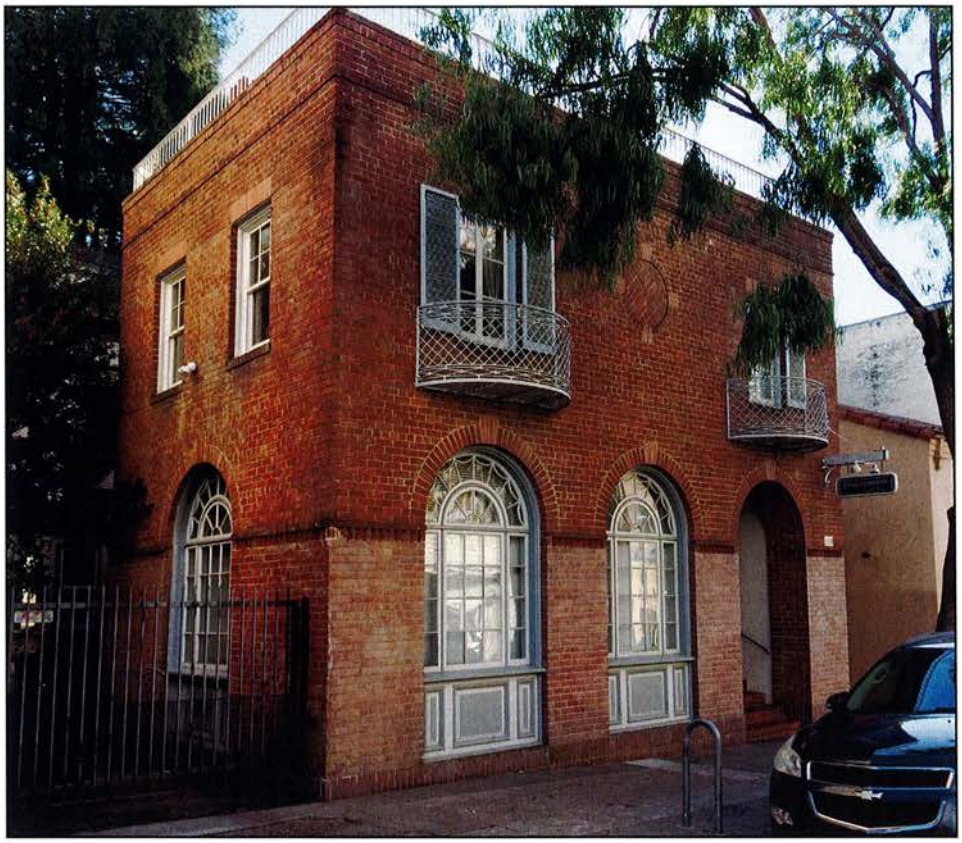


Figure 1. The Pepper Tree Tea Room addition to the front of the Fitzpatrick House. Anthony Bruce, 2021

1. **Street Address:** 2138 Kittredge Street (formerly 2112 Kittredge Street)
   County: Alameda **City**: Berkeley **ZIP**: 94704

2. **Assessor's Parcel Number**: 057-2029-01500 (Blake Tract No. 3, Lot 17)
   Dimensions: 50 feet x 135 feet
   Cross Streets: Shattuck Avenue and Fulton Street

3. **Is property on the State Historic Resource Inventory?** Yes, 1979
   Is property on the Berkeley Urban Conservation Survey? Yes
   Form #: 21280

4. **Application for Landmark Includes**:
   a. Building(s): Yes **Garden:** No **Other Feature(s)**: No
   b. Landscape or Open Space: No
   c. Historic Site: No
   d. District: No
   e. Other: Entire property

5. **Historic Names:** Fitzpatrick House; Pepper Tree Tea Room
   Commonly Known Name: not known

6. **Date of Construction:** 1904; 1935 **Factual**: Yes
   Source of Information: *Berkeley Gazette*, January 4, 1904; City of Berkeley Building Permit Application #39423, June 13, 1935

7. **Architect:** William H. Wharff (1904); unknown (1935)

8. **Builder:** Ben Pearson and Nels Olsen (1904); Victor Carlson (1935)

9. **Style:** Late Colonial Revival (the house); Georgian Revival (storefront)

10. **Original Owners:** John C. Fitzpatrick (from 1903 to 1942)
    Original Use: family residence; restaurant

11. **Present Owner:** Carlson Susan Trust
    Present Occupant: unknown

12. **Present Use:** Residential
    Current Zoning: C-DMU Outer Core **Adjacent Property Zoning:** C-DMU Outer Core

13. **Present Condition of Property:**
    Exterior: Excellent (except for recent grafitti) **Interior:** unknown **Grounds:** fine
    Has the property's exterior been altered? Minimally

14. Description

The structure at 2138 Kittredge Street consists of a 1904 house with a major 1935 brick commercial addition (now residential) at the front. The earlier structure is a two-story, clapboard Colonial Revival house topped by a hip roof with dormers. Originally the front façade consisted of a front porch at the right topped by a Classical balustrade, and a two-story gable-roofed bay to the left, which set it apart from most of the other Colonial Revival houses of the time. The front façade was obliterated when the brick addition was built.

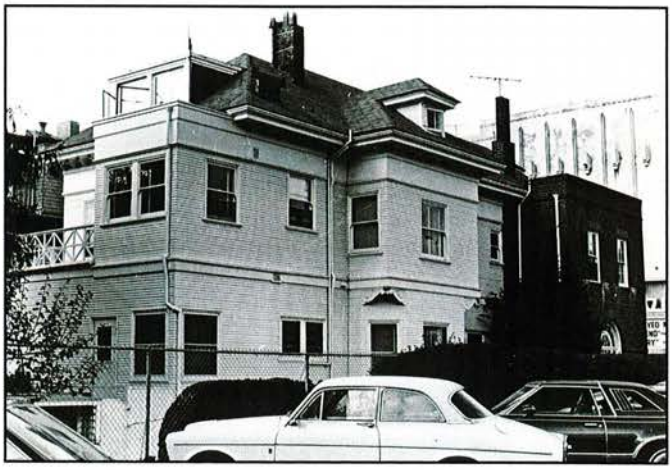


Fig. 2 The Fitzpatrick House, showing the rear and the east elevation. Betty Marvin, 1978.

There is a two-story square bay on the east side (*Fig. 2*). The bay is slanted on the first floor with the corners of the second floor supported by elaborate consoles. The eaves are supported by smaller consoles. An extension of the main roof of the house covers the bay.

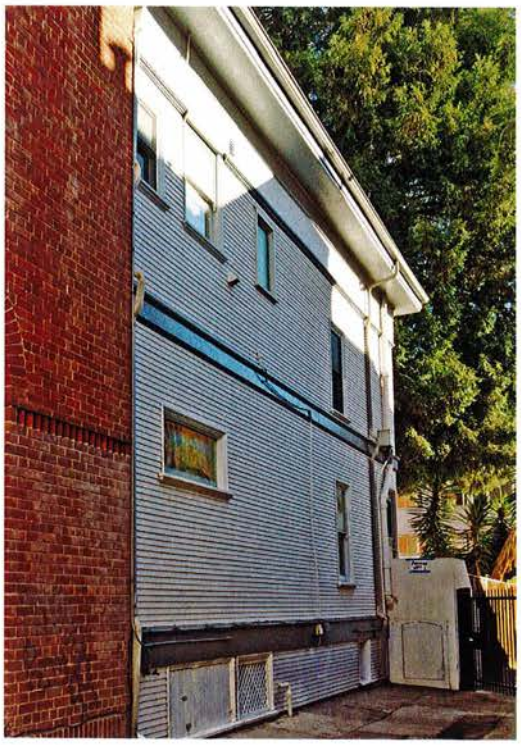


Fig. 3 The west elevation of the Fitzpatrick House with stained glass window. Anthony Bruce, 2021

There have been several alterations to the rear of the house. A large dormer was added at the rear in 1915 to serve as an attic-level sleeping porch. An original one-story section that extended across the rear was altered at an unknown date after 1950 (probably 1953) with the addition of a flat-roofed second story at the east end.

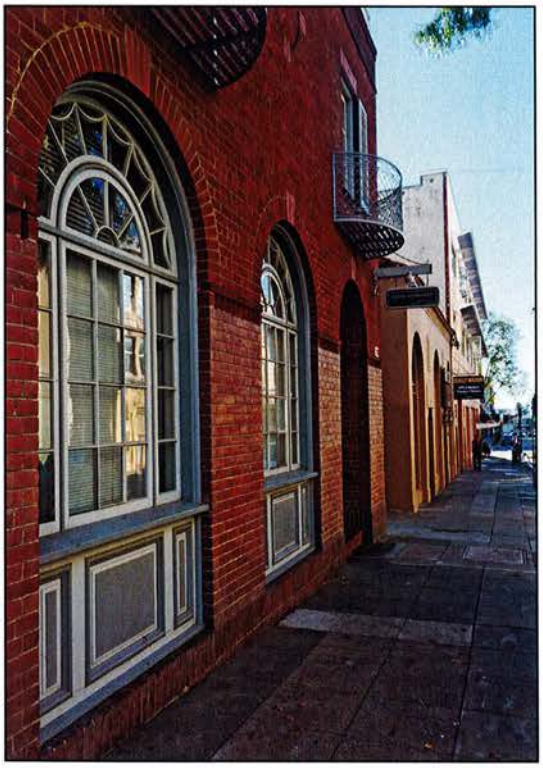
The west façade (*Fig. 3*) is fairly intact, except for the possible addition of one or two windows on the second floor. An important feature of the original structure is on the west side: a stained glass window depicting an ornate flour-de-lis in amethyst glass. It lights the entrance hall. There are two brick chimneys.

The brick addition (*Fig. 1*) from 1935 wraps around the front of the original house and is U-shaped. It extends to the sidewalk with no setback. It was built to add eight feet of space to the tea room that already existed in the house at that time, and to give the commercial establishment a more sophisticated appearance.This crisply geometric Moderne version of brick Georgian begs for the name of a designer or architect. Unfortunately, the alteration permit application forms of

Fig. 4 Pepper Tree Tea Room street façade. Anthony Bruce, 2021.

1935 did not include a line for the name of the architect.

The first floor consists of five arched openings (*Figs. 4, 5*). The one on the west is a niche with a planter box. The one on the east and the two easternmost on the front façade are filled in with paneling topped by small-paned casement windows. Within the curved arched tops are fan windows with intricately worked muntins. The fifth arch, at the western end of the front façade is open and serves as the entrance. Brick steps lead to a porch at the level of the first floor of the original house. A Moderne door is topped by a horizontal leaded-glass window. Vertical bricks and a keystone outline each arch and may or may not give physical support. At the point where the curve of the arches becomes vertical there is a beltcourse made up of a row of jagged brick edges. (*Figs. 6, 7, 8*)



The two second-floor windows on the front are vertical casements with shutters (one of the four shutters is missing). The two windows open onto wrought iron or galvanized simulated balconies of intricate pattern. A row of vertically laid bricks tops the two windows. A brick design in the center of the second floor suggests a circular opening with four keystones. Second-floor windows on the east and west ends are double-hung sash with the upper sash consisting of six lights.

Fig. 5 The three arched openings on the street façade. Anthony Bruce, 2021.

Fig. 6 East side of the tea room addition. Anthony Bruce, 2021.

Fig. 7 Entrance of the tea room addition. Anthony Bruce, 2021.

Fig. 8 Niche on west side of the tea room addition. Anthony Bruce, 2021.

There is a subtle cornice formed by rows of slightly projecting bricks. This is topped by a delicate balustrade seemingly crafted from the same type of metal as the balconies. The original projecting sign holder is still on the front wall attached to the right of the righthand balcony. The sign itself, discreetly announcing the Pepper Tree Tea Room, has been replaced with the present smaller sign that reads, "Steve Schneider."

In 1942 architect Paul Hammarberg designed alterations, most likely to the interior of either the house or the tea room addition. A carport was added in the rear in 1955. A large cedar (?) tree stands behind the house.

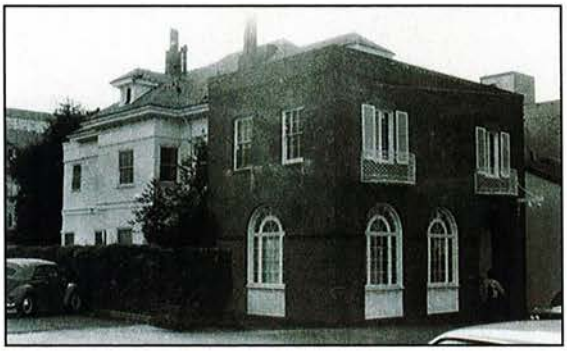


Fig. 9. The Fitzpatrick House and 1935 addition. Betty Marvin, 1978.

Features to Be Preserved

The Fitzpatrick House and Pepper Tree Tea Room addition have been maintained in fine condition over the last eighty-five years, and the building retains most of its original features, which are each essential to its whole. Therefore, most of the features of the Fitzpatrick House and Pepper Tree Tea Room are significant (except for the rear additions to the house), including, but not limited to:

- the original windows
- the window framing and sills
- the narrow-gauge clapboard siding
- the hip roof
- the dormers
- the two-story bay window
- the consoles at the bay and under the eaves
- the stained glass and leaded-glass windows
- the simulated balconies on the front façade
- the metal balustrade on the parapet wall of the addition
- the sign-holder on the front façade
- the patterned brickwork
- the brick niche

15. History

Fig. 10 The Pepper Tree Tea Room and Fitzpatrick House. To the right is the shopfront of the Elder House. Google Streetview photo, January 2015.

When Berkeley was still a town, downtown was as much a residential neighborhood as other areas. Before there was efficient public transportation, and before every family owned an automobile, it was convenient to live close to the center of the town's activities. For someone whose business was downtown, the location was ideal for a residence. John Fitzpatrick lived and worked in downtown Berkeley.

John Charles Fitzpatrick was born in Benicia in 1865. He began managing a ranch there and later had his own ranch, which he maintained for the rest of his life. In 1887, he and Caroline Isabel Preston were married in Benicia. And their first two children, Albert Reginald and Caroline Gladys, were born in Benicia. Mary Eldred, John Preston, and Marie Antoinette were born after the family's move to Berkeley in 1890. Soon after the move to Berkeley, Mr. Fitzpatrick was hired as superintendent of the Claremont, University & Ferries Street Railway (he also served as secretary, manager, and, at times, motorman). This was the first horsecar in downtown Berkeley and its route provided the only public transportation connecting West Berkeley and central Berkeley. The company had been incorporated in 1888 and new ownership had taken over in 1891. Mr. Fitzpatrick served until 1900 (the line ceased operation the following year) when, according to *Berkeley Gazette* columnist Hal Johnson, who interviewed Fitzpatrick in 1940 for an article, ". . . he had a hunch that horsecars were doomed, so he got out of the business and started the first railroad station horse and hack taxi service."

John Fitzpatrick's first location for his new livery business was in a brand-new brick stable constructed by John Hinkel on Allston Way behind the building that later housed Edy's Character Candies. Fitzpatrick advertised, "Coupes, hacks, and carriages at all hours; passengers transported to any part of Berkeley." During this time he moved the family from a house on Addison Street to a house on the north side of Kittredge Street. The block at that time was entirely residential and it may have seemed like a pleasant place to build a new home, as well as being centrally located for his business.

In late December 1903, John Fitzpatrick signed a contract to build a two-story and basement $4,000 Colonial Revival style house on the south side of Kittredge. The house was designed by William H. Wharff (1836–1936), an architect who was helping to transform Downtown from a frontier "Main Street," with buildings that sport-

Fig. 11 The Thomas Block (William Wharff, 1904), Center Street between Shattuck and Oxford. Anthony Bruce Collection (all four on this page).

Fig. 12 The Wanger Block (William Wharff, 1903), southeast corner of Shattuck at Kittredge.

ed wooden awnings over boardwalks, into a modern city of substantial brick buildings with Classical ornamentation. Fitzpatrick would have been aware of Wharff and perhaps even knew him. The architect's three-story Wanger Block (Kittredge Apartments) was under construction in 1903 at the corner of Kittredge and Shattuck (still standing after three major remodelings). Architect Wharff also designed in downtown the Chase Building (1909), the Masonic Temple (1905), and the soon-to-be-demolished Thomas Block (1904) on Center Street (*Figs. 11, 12, 13, 14*).

John Fitzpatrick also purchased the adjoining lot to the east of his new house. There he built a split-level livery stable that covered the entire lot. He also built a smaller stable at the rear of his residential lot which was used for overflow. Although the business began in the horse-and-buggy days, by 1916 the livery stable had become an automobile garage, with space rented to Downtown automobile owners and with "limousines for hire at all hours." Hal Johnson, in his colorful prose, spoke of this in his 1940 article: "When 'horseless' carriages came in, Mr. Fitzpatrick figured station hacks

Fig. 13 The Masonic Temple (William Wharff, 1905), City of Berkeley Landmark #52, 2105 Bancroft Way (northeast corner of Shattuck and Bancroft).

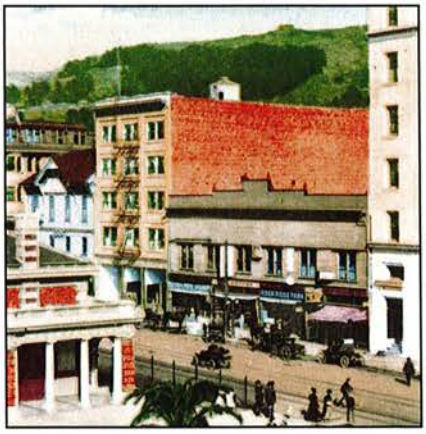


Fig. 14 The Chase Building (William Wharff, 1909), City of Berkeley Landmark-Structure of Merit #226. 2107 Shattuck Avenue. (building with red brick side wall)

would go the way of all horseflesh. He brought to Berkeley the first gas chariots for passenger hire: two Pope-Hartfords and a Knox. One of the old-time undertaking establishments had purchased a motorized hearse and, with Mr. Fitzpatrick's three cars, was able to provide an elite funeral procession. In those days he was in great demand delivering telegrams and telephone messages. He made his headquarters at his stable, opposite the Fox-California Theater. The stable he subsequently turned into one of the first local public garages. He still owns the property."

As was customary at the time, the Fitzpatrick children lived at home as adults. Newlyweds Caroline Gladys and her husband George Brown lived there too. Mrs. Fitzpatrick died in 1911 and John retired from the livery/garage business about 1920. In 1924 Mr. Fitzpatrick moved to a house at 1936 Delaware Street that happened to be a half-block away from the long-time home of William Wharff. John Fitzpatrick died in 1945 at age eighty. At the time, his widowed daughter Caroline Brown and her two children were making their home with him.

After the Fitzpatricks moved out, Alma and William Taylor, a couple of the same generation as the Fitzpatrick children, used the Fitzpatrick House on Kittredge as their home. The Taylors may have intended to purchase the property from the start; perhaps they made monthly payments to Fitzpatrick. The sale was not completed until March 1942. William Harrison Taylor, a native of Tennessee, married Alma Thompson Prentice, who grew up in Oakland, in 1914. He was a self-employed real estate agent. Alma immediately opened the Pepper Tree Tea Room in the house, which she managed for the next seventeen years. For a time, Alma's elderly father lived with them, as did her college-graduate niece, Helga, who waited tables in the tea room.

In 1935, following the lead of the owners of the Elder House next door and the A.H. Broad House across the street (*Figs. 15, 16*), the Taylors added a commercial front to the house (*Figs. 1, 17*). The brick structure was a sophisticated addition to the block, and, with its "Colonial Dining Room," an elegant setting for the genteel Pepper Tree Tea Room. (Frances Swain, who later lived in the building, remembered a pepper tree next door as late as the 1940s.) Weekly display ads in the *Berkeley Gazette* whetted the public's appetite for the reopening on August 17, 1935. Ads throughout the fall mentioned the "new Colonial Dining Room" and stated that, "we are confidant our

Fig. 15 A. H. Broad House (A. H. Broad, 1894), 2119 Kittredge Street. City of Berkeley Landmark-Structure of Merit #242, 2119 Kittredge Street. Anthony Bruce, 2021.

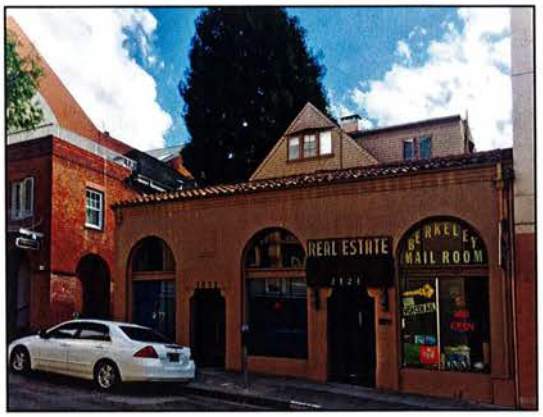


Fig. 16 Elder House (F. E. Armstrong, 1895), 2124 Kittredge Street. Shopfront built in 1926. Anthony Bruce, 2021.

redecorated and enlarged dining rooms will add much to your comfort and enjoyment."

The Taylors had expressed confidance in the viability of Berkeley's downtown during the Depression, and the restaurant prospered. It was World War II that brought an end to the establishment. In May 1942, two months after the Taylors had officially become the owners of the property, the *Berkeley Gazette* advertised a sale of all the furnishings of the Pepper Tree Tea Room, including the stove and dishwashing machine. Then, in August, the Taylors took out a permit for alterations to add a "unit." The architect they commissioned was Paul Hammarberg, the architect of much of the wartime housing that was being built in Berkeley.

In 1943, the Taylors purchased the property next door from John Fitzpatrick: the site of the livery stable/garage. In 1953 the Taylors made alterations to the apartments while continuing to live there. Alma died at home in 1960 and rated an obituary in the newspaper as the long-time proprietress of a popular Berkeley restaurant. William remarried in 1963 (Helen Ingham), and was survived by her when he died at age ninety in 1974, still living at 2138 Kittredge. Helen and William had sold the property next door in 1964 to Herbert and Annabelle Cradduck. Herb Cradduck had already installed his hamburger stand, Herb's Hamburgers, on the empty lot in 1955.

The same year, 1955, Helen and William Taylor demolished the last remaining piece of the livery stable that was behind the Fitzpatrick House. While foundations were being dug for the construction of a carport, a workman discovered a human skeleton. Francis A. Riddell, an assistant archaeologist with the University's Archaeology Survey, determined that the skeleton was that of a forty-year-old Indian woman who had died more than 100 years before.

As downtown Berkeley grew, commercial buildings gradually replaced the many residences. Today, the Fitzpatrick House is part of a surviving cluster of three former single-family residences grouped together on Kittredge Street. The other two are the A.H. Broad House (1894) at 2119 Kittredge (City of Berkeley Landmark) and the Elder House (1895) at 2124 Kittredge (*Figs. 15, 16*). The three have survived apparently because of their shopfront additions, which allowed them to become part of the urban streetscape.

Fig. 17 The front façade of the tea room addition in 1939. Donogh Real Estate File, Berkeley Architectural Heritage Association.

As was the 1900 block of Walnut Street, the 2100 block of Kittredge is a charming remnant of Downtown Berkeley's residential neighborhood that pressed close to the main business streets of Shattuck and University avenues. After the recent loss of all that made Walnut Street so special, the group of houses on Kittredge Street have taken on even greater significance than when all three were included in the State Historic Resources Inventory in 1979.

Fig. 18 The Pepper Tree Tea Room addition. Betty Marvin, 1979.

16. Significance

The Fitzpatrick House and the Tea Room addition each have their own significance for Downtown Berkeley. Together, the two have added significance for the development history of Berkeley's downtown.

The Fitzpatrick House embodies the history of downtown transportation trends through its owner John C. Fitzpatrick, who in his various capacities over a period of close to ten years made a success of Downtown's first local public conveyance, the Claremont, University & Ferries Street Railway. He went on to owning his own livery stable, where he served as chauffeur and expressman, and where he provided storage facilities as well as horse-and-buggy rentals. When automobiles became more than a fad, Fitzpatrick was quick to convert his facilities to automotive care, leasing, and storage. In keeping with other Downtown entrepreneurs who lived near their work, Fitzpatrick built his house a half-block from Shattuck avenue and built his new livery stable/garage next door. (According to historian Louis L. Stein, Jr., John Fitzpatrick had one of the horsecars from the then-defunct Claremont, University & Ferries Street Railway stored in his stable.)

The Colonial Revival-style Fitzpatrick House was appropriately designed by a downtown architect: William H. Wharff, who, at the time he designed the house, was instrumental in transforming Downtown from a wooden "frontier" Main Street into a thriving downtown with imposing brick buildings. His Wanger Block, Thomas Block, Masonic Temple, and Chase Building gave new stature to Downtown during the time that Berkeley went from being a town to a city. Wharff lived a few blocks from Downtown, but was nevertheless, through his club and lodge affiliations, a well-known member of the downtown community.

The Pepper Tree Tea Room's commercial addition is one of the small architectural gems in Downtown Berkeley. The designer's name may never be known, but it was someone with the skill to create a stately, formal structure, that—through its pedestrian scale, use of warm-colored bricks, and whimsical touches such as the balconies—is welcoming and especially pleasing to the eye. Further, the design, with its arched windows, classical fanlights, belt course and cornice, reflects an expert knowledge of the neo-Georgian style, a style that is quite rare in Berkeley. The structure is unaltered and fully retains the architectural integrity of its period. Although the tea room belongs to a group of downtown studio-like buildings (*e.g.* the g. Paul Bishop Studio on Durant, the Mike Roberts Studio at 2138 Allston Way, the Morse-Brock Building at 2122 Shattuck), the Pepper Tree Tea Room's design is unique in Downtown. The Berkeley Architectural Heritage Association asserts that the property at 2138 Kittredge could be designated a City of Berkeley Landmark solely for the architectural distinction of the Pepper Tree Tea Room.

The Fitzpatrick House together with the tea room addition is significant in the way it clearly shows the changing character of Downtown Berkeley in the early 20th Century. As Downtown grew, it became less desirable to live in a single-family residence surrounded by commercial structures. A renovation that made sense was the addition of commercial space in what had been a front yard, and the conversion of the house—now tucked behind an urban façade—to apartments. In this way, such remnants of an earlier way of life in Downtown Berkeley were able to remain. The 2100 block of Kittredge Street is fortunate to have three of this type of conversion, and together, these three houses-with-storefronts form a *de facto* historic district. These are buildings that give interest and historical texture to an urban streetscape, and are very much worthy of preservation.

Fig. 19 The Fitzpatrick House after the neighboring Oxford Court had been demolished and a view from the east was temporarily re-established. Anthony Bruce, 2021

17. Historic Value— **City:** Yes **Neighborhood:** Yes

Architectural Value— **City:** Yes **Neighborhood:** Yes

18. Is the property endangered? Yes! There was a proposal to demolish the Fitzpatrick House & Pepper Tree Tea Room published in the August 14, 2024 edition of *SF YIMBY*.

19. Bibliography:

Berkeley assessment records. The Bancroft Library.

Berkeley and Oakland directories. Berkeley Architectural Heritage Association, Ancestry.com.

Berkeley Gazette, "The Pepper Tree to Re-Open on Saturday," August 16, 1935.

Berkeley Gazette, "Horsecar Man" by Hal Johnson, February 28, 1940.

Berkeley Gazette, "The Downtown as Residential Area" by Anthony Bruce, May 28, 1981.

Block (plat) books. Berkeley Architectural Heritage Association.

Block Files. Berkeley Architectural Heritage Association.

City of Berkeley Building Permit Applications.

Edwards Transcript of Records for Alameda County, December 30, 1903, contract notice.

Ormsby Donogh Real Estate File. Berkeley Architectural Heritage Association.

Sanborn Fire Insurance Maps. Berkeley Architectural Heritage Association.

SF YIMBY, "Preliminary Permits For 2138 Kittredge Street, Downtown Berkeley" by Andrew Nelson, August 14, 2024.

Tracts maps. Alameda County Assessor's Office.

U.S. Census and California Voter Registration records. Ancestry.com.

20. Recorder: Anthony Bruce for the the Berkeley Architectural Heritage Association,
P.O. Box 1137, Berkeley, California 94701 c: (510) 847 1379
BAHA@BerkeleyHeritage.com

21. Date: September 2024

22. Addenda:

461

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

HISTORIC RESOURCES INVENTORY

(State use only) Ser ____ Site ____ Mo. ____ Yr. ____
UTM ____ Q ____ NR 3 SHL ____
Lat ____ Lon ____ Era ____ Sig ____
Adm ____ T2 ____ T3 ____ Cat ____ HABS ____ HAER ____ Fed ____

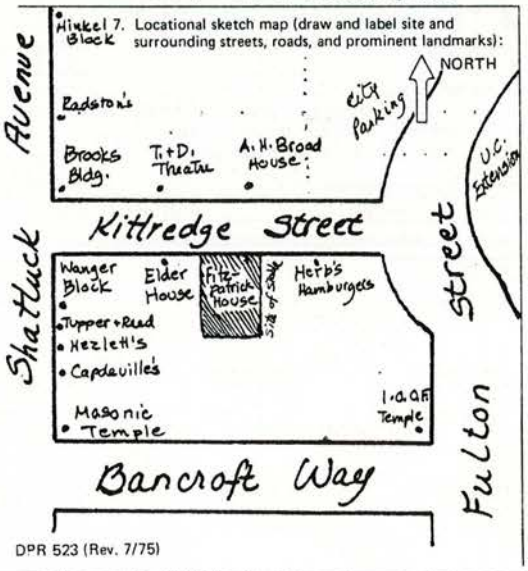
IDENTIFICATION

1. Common name: ____
2. Historic name, if known: Fitzpatrick, (John C.) House
3. Street or rural address 2138 Kittredge Street
   City: Berkeley ZIP: 94704 County: Alameda
4. Present owner, if known: ____ Address: ____
   City: ____ ZIP: ____ Ownership is: Public ☐ Private ☒
5. Present Use: apartments Original Use: residence
   Other past uses: tea room

DESCRIPTION

6. Briefly describe the present physical appearance of the site or structure and describe any major alterations from its original condition: The original structure is a two-storey clapboard Colonial Revival house topped by a hip roof with dormers. There is a two-story bay on the east side; slanted on the first floor with corners of second floor supported by elaborate consoles. The eaves are supported by smaller consoles. Additions at the rear date from 1915. The structure is painted white. In 1935 a two-storey, crisply geometric addition in a Moderne version of brick Georgian was added to the front, leaving no set-back. The first floor consists of arched openings: one completely open and leading to steps to the entrance. The others are filled in with paneling and casements topped by fan lights. The 2nd floor window openings are square: the two at the front have shutters and wrought iron "balconies"; all have small-paned windows. A brick pattern between the front windows suggests a circular opening with four keystones. There is a row of vertically-laid bricks above all windows, and rows of slightly raised bricks to create a beltcourse and cornice. The trim is painted white. An important feature of the original structure is a stained glass window on the west side in an ornate fleur-de-lis pattern in amethyst glass.

7. Locational sketch map (draw and label site and surrounding streets, roads, and prominent landmarks):



8. Approximate property size:
   Lot size (in feet) Frontage 50 ;
   Depth 135.54 ;
   or approx. acreage ____.
9. Condition: (check one)
   a. Excellent ☒ b. Good ☐ c. Fair ☐
   d. Deteriorated ☐ e. No longer in existence ☐
10. Is the feature a. Altered? ☒ b. Unaltered? ☐
11. Surroundings: (Check more than one if necessary)
   a. Open land ☐ b. Scattered buildings ☒
   c. Densely built-up ☐ d. Residential ☒
   e. Commercial ☒ f. Industrial ☐
   g. Other ☐ ____
12. Threats to site:
   a. None known ☒ b. Private development ☐
   c. Zoning ☐ d. Public Works project ☐
   e. Vandalism ☐ f. Other ☐ ____
13. Date(s) of enclosed photograph(s): 1978 (2)

DPR 523 (Rev. 7/75)

Fig. 19 State of California Historic Resources Inventory form, page 1.

NOTE: The following (Items 14-19) are for structures only.

14. Primary exterior building material: a. Stone ☐ b. Brick ☒ c. Stucco ☐ d. Adobe ☐ e. Wood ☒
f. Other ☐ _____

15. Is the structure: a. On its original site? ☒ b. Moved? ☐ c. Unknown? ☐

16. Year of initial construction 1904 This date is: a. Factual ☒ b. Estimated ☐

17. Architect (if known): William H. Wharff

18. Builder (if known): Ben Pearson and Nels Olsen

19. Related features: a. Barn ☐ b. Carriage house ☐ c. Outhouse ☐ d. Shed(s) ☐ e. Formal garden(s) ☐
f. Windmill ☐ g. Watertower/tankhouse ☐ h. Other ☐ _____ i. None ☐

SIGNIFICANCE

20. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site when known):
In 1904 John C. Fitzpatrick built a handsome Colonial dwelling for his family in the heart of the Downtown, and appropriately enough commissioned William Wharff, one of the architects who was reshaping Downtown Berkeley to design it (the year before Wharff designed the Wanger Bldg. in the same block and subsequently designed 3 other major bldgs.). Fitzpatrick had been superintendent of the Claremont, University & Ferries Street Railway, which connected central and west Berkeley, from its inception in 1891 until 1900 when he opened his own livery stable: "hacks, coupes & carriages at all hours; passengers transported to any part of Berkeley". After several years on Allston he permanently established his stables on the lot adjoining his new house to the east. In the 1920's the house seems to have been sold to Alma and Wm. Taylor from Tennessee, who converted it to commercial use as the Pepper Tree Tea Room (perhaps there was a pepper tree on the property). In 1935 the building took on a more commercial character with a 2-story stately brick Georgian addition to house the tea room. In 1953 the whole structure went back to residential use, as apartments. When the last section of the Fitzpatrick stables, behind the house, was demolished in 1955 and excavations were begun, Indian remains were discovered on the site. Other Indian remains were found one block north during additional 1950's demolitions, indicating that the Downtown may have been an Indian burial center. THe Fitzpatrick house is one of three remaining Downtown residences grouped together on Kittredge Street, all with storefront additions.

21. Main theme of the historic resource: (Check only one): a. Architecture [1] b. Arts & Leisure ☐
c. Economic/Industrial [3] d. Exploration/Settlement [2] e. Government ☐ f. Military ☐
g. Religion ☐ h. Social/Education ☐

22. Sources: List books, documents, surveys, personal interviews, and their dates:
Berkeley Gazette, Jan. 4, 1904, p. 6; Jan. 9, 1904, p. 3; Chronicle, Sept. 26, 1955 "Bkly. Digger Shovels Up Some Indian Bones".
City Directories 1893-1909.
Taped Oral History with Louis L. Stein Jr., 1977 in B.A.H.A. Files and at Bancroft Library.
Tourist & Business Survey, 1924.

23. Date form prepared: 3/8/1979 By (name): Anthony Buffington Bruce
Address: 6 Encina Place City Berkeley ZIP: 94705
Phone: (415) OLympic 2-0975 Organization: Berkeley Architectural Heritage Association

(State Use Only)

Fig. 20 State of California Historic Resources Inventory form, page 2.

Fig. 21 Various display ads for the enlarged Pepper Tree Tea Room that appeared in the Berkeley Gazette. *The top two are from August 14 and 16, 1935. The others are from the fall of 1935.*

APPLICATION FOR BUILDING PERMIT

ALTERATION AND REPAIRS

Application is hereby made to the Bureau of Buildings and Inspections of the City of Berkeley for permission to

Build, Alter or Add to a Three story Nine room. Type Flat rooms. Building

Located 2138 Hillidge St.

All provisions of the Building Law will be complied with in the erection, alteration or repairing of said building whether specified herein or not.

Value $3,000.00

Building to be occupied as Flat rooms & dwelling by (No.) Two families

WRITE PLAINLY FULL DESCRIPTION OF WORK TO BE DONE

Kitchen and dining quarters to be remodeled and front to extend 8 ft 6 in.

Name of Owner Mr. & Mrs. Taylor Residence Address 2138 Hillidge St.

Name of Builder Victor Carlson Residence Address 3021 Adeline St.

State License No. 18778

We

I hereby agree to save harmless and keep harmless the City of Berkeley against all liabilities, judgements, costs and expense which may in any manner accrue against said City in consequence of the granting of this permit, or from the use or occupancy of any portion of any street or sidewalk space by virtue thereof, and will in all things strictly comply with the conditions of the permit and Ordinances of the City of Berkeley.

Use District Class 4 Ordinance No. 602 Victor Carlson
Signature of Owner, Architect or Builder

Fire Zone No. Address

FOR DEPARTMENT USE ONLY

Number Street Page Permit No. 39423

Filed Read Checked by Date Issued JUN 13 1935

Fig. 22 City of Berkeley Building Permit Application No. 39423, June 13, 1935.

PLANNING & DEVELOPMENT
Land Use Planning 2120 Milvia Street, Berkeley, CA 94704
Tel: 510.981.7410 TDD: 510.981.9603 Fax: 510.981.7420 Email: Planning@ci.berkeley.ca.us

Received
OCT 30 2024
Land Use Planning

LANDMARK PRESERVATION COMMISSION

Landmark, Structure of Merit or Historic District Petition Form

Name of Property:	Fitzpatrick House – Pepper Tree Tea Room
Street Address(es) of Property:	2138 Kittredge Street

We the undersigned residents of the City of Berkeley, petition the Landmarks Preservation Commission to designate the property identified above, for consideration as a Landmark, Structure of Merit or Historical District under the provisions of Section 3.24.120 of the Berkeley Landmarks Preservation Ordinance. We certify, under penalty of perjury, that we are residents of the City of Berkeley at the addresses indicated.

1
Name: Anthony B. Bruce (Please Print)
Address: 6 Encina Place City: Berkeley Zip: 94705
Signature: Anthony B. Bruce Date: 9-20-2024

2
Name: Ruth Phillips (Please Print)
Address: 656 Santa Barbara City: Berkeley Zip: 94707
Signature: Ruth Phillips Date: 9/21/24

3
Name: LEE BEVIS (Please Print)
Address: 1349 Arch St City: B Zip: 94708
Signature: Lee K Bevis Date: 9/22/24

4
Name: Carol Buckles (Please Print)
Address: 917 Contra Costa Ave City: Berkeley Zip: 94707
Signature: Carol Buckles Date: 9/22/24

5
Name: Jacqueline Beth (Please Print)
Address: 1517 Grant St City: Berkeley Zip: 94703
Signature: Jacqueline Beth

Date: _____

Name of Property:	Fitzpatrick House — Pepper Tree Tea Room
Street Address(es) of Property:	2138 Kittredge St.

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6
Name: Hillary Metz (Please Print)
Address: 1152 Amador Ave City: Berkeley Zip: 94707
Signature: [signature] Date: 9/22/24

7
Name: Virginia Warheit (Please Print)
Address: 2418 Sacramento Street City: Berkeley Zip: 94702
Signature: Virginia Warheit Date: 9/22/24

8
Name: Liz Giacoletto (Please Print)
Address: 1814-A 7th St. City: Berkeley Zip: 94710
Signature: Elizabeth Giacoletto Date: 9/22/24

X
9
Name: JON PRITTKIN (Please Print)
Address: 185 MACEE City: MILL VALLEY Zip: 94941
Signature: [signature] Date: 9-22-2024

Y
10
Name: EUGENE ERICKSON (Please Print)
Address: 323 COLUSA AV City: EL CERRITO Zip: 94530
Signature: Eugene E. Date: 9/22/24

Land Use Planning 2120 Milvia Street, Berkeley, CA 94704
Tel: 510.981.7410 TDD: 510.981.9603 Fax: 510.981.7420 Email: Planning@ci.berkeley.ca.us

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11 Name: DAN JOHNSON (Please Print)
Address: 92 SAN MATEO City: BERKELEY Zip: 94707
Signature: Daniel Johnson Date: 9/22/24

12 Name: STEPHANIE MANNING (Please Print)
Address: 2339 OREGON, #C City: Berkeley Zip: 94705
Signature: Stephanie Manning Date: 9/22/24

13 Name: MARGARETTA M. LOVELL (Please Print)
Address: 1160 Amador Ave City: Berkeley Zip: 94707
Signature: Margaretta M Lovell Date: Sept 23, 2024

14 Name: ELISABETH BIGELOW-TELLER (Please Print)
Address: 1124 FRESNO AVE City: BERKELEY Zip: 94707
Signature: Date: 9/22/2024

15 Name: PAUL Terrell (Please Print)
Address: 1812 Rapistrano City: Berk Zip: 94707
Signature: Paul Terrell Date: 9/18/24 22

Name of Property:	Fitzpatrick House – Pepper Tree Tea Room
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16
Name: Jean Mudge (Please Print)
Address: 2444 Hillside Ave City: Berkeley Zip: 94704
Signature: Jean M. Mudge Date: 9/22/24

17
Name: Richard Thomason (Please Print)
Address: 843 Monterey City: Berkely Zip: 94707
Signature: Richard Thomason Date: 9/22/24

18
Name: Richard Ross-Collins (Please Print)
Address: 210 Euclid City: Berkeley Zip: 94705
Signature: me Date: 9/22/24

19
Name: Kevin Kratz (Please Print)
Address: 2309 Parker City: Berkeley Zip: 94704
Signature: Kevin M Kratz Date: 9/22/24

20
Name: J. F. Frederick (Please Print)
Address: 1770 Oxford City: Berkeley Zip: 94704
Signature: JF Frederick Date: 9/22/24

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21 Name: Timothy HANSEN (Please Print)
Address: 2633 BENVENUE City: BERKELEY Zip: 94704
Signature: Date: 22/9/24

22 Name: Lindsay Rule (Please Print)
Address: 2830 Derby St City: Berkeley Zip: 94705
Signature: Lindsay Rule Date: 9/22/24

23 Name: John Benson (Please Print)
Address: 50 San Mateo City: Berkeley Zip: 94707
Signature: Date: 9/22/24

24 Name: JEAN BOX (Please Print)
Address: 50 San Mateo City: Berkeley Zip: 94707
Signature: Date: Sept 22

25 Name: DIANNE AYRES (Please Print)
Address: 2639 BENVENUE ~~BERKELEY~~ City: BERKELEY Zip: 94704
Signature: Date: 22 Sept 24

Land Use Planning 2120 Milvia Street, Berkeley, CA 94704
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26	Name: ~~STEPHANIE MANNING~~ Mary Staats (Please Print)			
	Address: 42 Bret Harte Rd.	City: Berkeley	Zip: 94708	
	Signature: Mary Staats		Date: 9/22/2024	
27	Name: BARBARA LUNDBURG (Please Print)			
	Address: 2080 HILGARD AVE	City: BERKELEY	Zip: 94709	
	Signature: Barbara Lundburg		Date: 9/22/24	
28	Name: Melissa McPeeks (Please Print)			
	Address: 1385 Shattuck	City: BERKLEY	Zip: 94706	
	Signature: Melissa McPeeks		Date: 9-22-24	
29	Name: Deborah Kropp (Please Print)			
	Address: 1231 Bonita Ave	City: Berkeley	Zip: 94709	
	Signature: Deborah Kropp		Date: 9-22-24	
30	Name: ARLENE SILK (Please Print)			
	Address: 31 Del Mar Ave	City: Berkeley	Zip: 94708	
	Signature: Arlene Silk		Date: 9/22/24	

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31	Name: Judith Ziajka (Please Print)			
	Address: 721 Contra Costa Ave	City: Berkeley	Zip: 94707	
	Signature:		Date: 9/22/24	
32	Name: Alan Ziajka (Please Print)			
	Address: 721 Contra Costa	City: Berkelex	Zip: 94707	
	Signature:		Date: 9/22/24	
33	Name: John De Leon (Please Print)			
	Address: 2309 Howe ST	City: Berkeley	Zip: 94705	
	Signature:		Date: 9/22/24	
34	Name: Elizabeth Bernstein (Please Print)			
	Address: 50 San Mateo	City: Berkely	Zip: 94707	
	Signature: EABernstein		Date: 9/24/24	
35	Name: DAVID BERNSTEIN (Please Print)			
	Address: 50 SAN MATEO RD	City: BERKELEY	Zip: 94707	
	Signature: David Bernstein		Date: 09/24/2024	

Land Use Planning 2120 Milvia Street, Berkeley, CA 94704
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36
Name: JUAN PINEDA (Please Print)
Address: 49 San Mateo RD City: BERKELEY Zip: 94707
Signature: Date: 9/25/24

37
Name: Glendine Pineda (Please Print)
Address: 49 San Mateo R City: Berkeley Zip: 94707
Signature: Date: 9-25-2024

38
Name: ~~DENNIS~~ DENNIS MCINTYRE (Please Print)
Address: 40 SAN MATEO RD. City: BERKELEY Zip: 94707
Signature: Dennis McIntyre Date: 9/25/2024

39
Name: Chichin Mak (Please Print) BERKELEY
Address: 40 SAN MATEO RD City: ↓ Zip: 94707
Signature: Chichin Mak Date: 9/25/24

40
Name: THOMAS ATKEUNS (Please Print)
Address: 37 SAN MATEO RD City: BERKELEY Zip: 94707
Signature: Date: 9-25-24

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41
Name: Marilee J. Allan (Please Print)
Address: 77 San Mateo Rd. City: Berkeley Zip: 94707
Signature: Marilee J. Allan Date: 9-25-24

42
Name: Anne Smith (Please Print)
Address: 37 San Mateo Road City: Berkeley Zip: 94707
Signature: Anne R Smith Date: 9-25-24

43
Name: TREW H. BENNETT (Please Print)
Address: 21 SAN MATEO RD City: BERKELEY Zip: 94707
Signature: T H Bennett Date: 9/25/24

44
Name: Robert A. Bennett (Please Print)
Address: 21 San Mateo Rd City: Berkeley Zip: 94707
Signature: Robert A. Bennett Date: 9/25/24

45
Name: PAMELA E. SIHVOLA (Please Print)
Address: 1476 SUMMIT ROAD City: BERKELEY Zip: 94708
Signature: Pamela E. Sihvola Date: 10/19/24

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46
Name: Bertram Jones (Please Print)
Address: 195 The Uplands City: Berkeley Zip: 94705
Signature: Bertram Jones Date: 10/10/24

47
Name: Lesley Emmington Jones (Please Print)
Address: 195 The Uplands City: Berkeley Zip: 94705
Signature: Lesley Emmington Jones Date: October 10, 2024

48
Name: Laurie Brown Sanchez (Please Print)
Address: 1000 Rispin Drive City: Berkeley Zip: 94705
Signature: Laurie Brown Date: 10/18/2024

49
Name: Laurent Colvin (Please Print)
Address: 2539 MLK Jr. Way Apt D City: Berkeley Zip: 94704
Signature: Laurent Colvin Date: 10/21/24

50
Name: Chris Grun (Please Print)
Address: 1145 Shattuck Apt. B City: Berkeley Zip: 94709
Signature: Chris Grun Date: 10/21/24

Land Use Planning 2120 Milvia Street, Berkeley, CA 94704
Tel: 510.981.7410 TDD: 510.981.9603 Fax: 510.981.7420 Email: Planning@ci.berkeley.ca.us

PLANNING & DEVELOPMENT
Land Use Planning 2120 Milvia Street, Berkeley, CA 94704
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LANDMARK PRESERVATION COMMISSION

Landmark, Structure of Merit or Historic District Petition Form

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1
Name: TW Edwards (Please Print)
Address: 47 Alamo Av City: Berkeley Zip: CA
Signature: TW Edwards Date: 9-28-24

2
Name: Rebecca Parlette-Edwards (Please Print)
Address: 47 Alamo Ave City: Berkeley Zip: 94708
Signature: Rebecca Parlette-Edwards Date: 9/28/24

3
Name: DONALD BROOY (Please Print)
Address: 650 Spruce St City: Berkeley Zip: 94707
Signature: Donald Brooy Date: 10/2/24

4
Name: Bruce Stangeland (Please Print)
Address: 691 Cragmont Ave City: Berkeley Zip: 94708
Signature: Bruce A. Stangeland Date: 10/2/24

5
Name: MARGOT SMITH (Please Print)
Address: 1300 A Shattuck Ave City: Berkeley Zip: 94709
Signature: Margot Smith

Date: 2024

Name of Property:	Fitzpatrick House – Pepper Tree Tea Room
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6
Name: MITCHELL FLEISCHER
Please Print
Address: N 19 OXFORD APT A City: Berkeley CA Zip: 94709
Signature: Mitchell Fleischer Date: 10/6/24

7
Name: Carol Fleischer
Please Print
Address: 1519 Oxford St City: Berkeley CA Zip: 94709
Signature: Carol E. Fleischer Date: 10/6/24

8
Name: CANDICE L. SCHOTT
Please Print
Address: 1420 KAINS AVE City: BERKELEY Zip: 94702
Signature: Candice L. Schott Date: 10/6/24

9
Name: Linda S. Keilch
Please Print
Address: 2229 Jefferson Ave. City: Berkeley CA Zip: 94708
Signature: Linda S. Keilch Date: 10/6/24

10
Name: GEORGE D. PETTY
Please Print
Address: 843 ARLINGTON AVE. City: BERKELEY Zip: 94707
Signature: George D. Petty Date: 10/6/24

Land Use Planning 2120 Milvia Street, Berkeley, CA 94704
Tel: 510.981.7410 TDD: 510.981.9603 Fax: 510.981.7420 Email: Planning@ci.berkeley.ca.us

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11	Name: KAREN CHAPMAN (Please Print)			
	Address: 1858 SAN LORENZO AVE	City: BERKELEY	Zip: 94707	
	Signature: Karen Chapman		Date: 10/6/24	
12	Name: Michael Severas (Please Print)			
	Address: 1906 Stuart	City: Berkeley	Zip: 94703	
	Signature: Michael Severas		Date: 10/13/24	
13	Name: Lihui Tsai (Please Print)			
	Address: 2610 Etna St. #10	City: Berkeley	Zip: 94702	
	Signature: Li Hui Tsai		Date: 10/13/24	
14	Name: Robert Dering (Please Print)			
	Address: 525 Woodmont Ave	City: Berkeley	Zip: 94708	
	Signature: Robert Dering		Date: 10/13/24	
15	Name: Mary Gilligan (Please Print)			
	Address: 1842 Berryman St	City: Berkeley	Zip: 94703	
	Signature: MKGilligan		Date: 10-13-24	

Land Use Planning 2120 Milvia Street, Berkeley, CA 94704
Tel: 510.981.7410 TDD: 510.981.9603 Fax: 510.981.7420 Email: Planning@ci.berkeley.ca.us

Name of Property:	
Street Address(es) of Property:	2138 Kittredge St.

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16
Name: _____ (Please Print)
Address: _____ City: _____ Zip: _____
Signature: _____ Date: _____

17
Name: _____ (Please Print)
Address: _____ City: _____ Zip: _____
Signature: _____ Date: _____

18
Name: _____ (Please Print)
Address: _____ City: _____ Zip: _____
Signature: _____ Date: _____

19
Name: _____ (Please Print)
Address: _____ City: _____ Zip: _____
Signature: _____ Date: _____

20
Name: _____ (Please Print)
Address: _____ City: _____ Zip: _____
Signature: _____ Date: _____

Land Use Planning 2120 Milvia Street, Berkeley, CA 94704
Tel: 510.981.7410 TDD: 510.981.9603 Fax: 510.981.7420 Email: Planning@ci.berkeley.ca.us

PLANNING & DEVELOPMENT
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LANDMARK PRESERVATION COMMISSION

Landmark, Structure of Merit or Historic District Petition Form

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1
Name: Jesse Sheehan (Please Print)
Address: 1650 6th st. City: Berkeley Zip: 94710
Signature: J. Sh Date: 10/21

2
Name: PAGE NELSON (Please Print)
Address: 199 THE UPLANDS City: BERKELEY Zip: 94705
Signature: Date: 10/23/24

3
Name: Gale Garcia (Please Print)
Address: 2538 Fulton St City: Berkeley Zip: 94704
Signature: Date: 10/24/24

4
Name: (Please Print)
Address: City: Zip:
Signature: Date:

5
Name: (Please Print)
Address: City: Zip:
Signature:

FENNEMORE. WENDEL

Todd A. Williams
Director
toddwilliams@fennemorelaw.com

1111 Broadway, 24th Floor
Oakland, California 94607
PH (510) 622-7630 | FX (510) 834-1928
fennemorelaw.com

December 30, 2024

VIA EMAIL

Fatema Crane (fcrane@berkeleyca.gov)
City of Berkeley Land Use Planning Division
Landmarks Preservation Commission
2120 Milvia Street
Berkeley, CA 94704

Re: 2138 Kittredge Street, APN 057-2029-015-00
Landmark or Structure of Merit Designation Consideration

Dear Ms. Crane:

We write on behalf of our client StudiOne QOZB LLC, applicant for a use permit to construct a 66-unit housing development project at the above-referenced property as to which a preliminary application was filed pursuant to SB 330 (the Housing Crisis Act of 2019) on March 18, 2024.[1] A full application was submitted on August 6, 2024, and was deemed complete by the City on September 5, 2024. The project, which includes deed-restricted affordable units and a density bonus, complies with all applicable, objective general plan and zoning standards.

On October 30, 2024, an application to designate 2138 Kittredge Street as a City of Berkeley landmark was submitted to the City. It expressly indicated that it was being filed to protect the site from development. Despite the fact that a preliminary application and full application for a housing development project was already in process, the City has scheduled a public hearing to consider the Landmark Application before the Landmarks Preservation Commission (LPC) on January 6, 2025.

The purpose of this letter is to state our strong legal objections to the proposed consideration by the LPC regarding whether the above-referenced property should be declared a Landmark or Structure of Merit, and to request that the item be taken off the LPC's agenda.

The site is currently vested under state housing law (SB 330), which prohibits the LPC from making or applying a Landmark or Structure of Merit determination while the SB 330

[1] The applicant submitted a preliminary application on February 14, 2024, and provided a quick update on March 18, 2024. Via letter dated April 4, 2024, the City of Berkeley acknowledged a preliminary application was received effective March 18, 2024.

application remains in effect. This alone should end the inquiry. The meeting should not go forward in violation of state law.

Moreover, the Landmark Application is factually inaccurate and does not represent substantial evidence to merit designation of the site as a landmark. The Application concedes that it was filed in response to the development application. (Landmark Application at p. 11.) The 2024 Historic Resources Evaluation, which is the most thorough and detailed survey on record for this site, concludes that the site is not eligible for landmark designation.[2]

A decision by the LPC to approve the Landmark Application would constitute a reversible abuse of discretion in violation of California law. Furthermore, such a decision is entirely unnecessary. Designating the site a landmark or structure of merit is not supported. While the building is old (originally built in 1904 and extensively altered in 1935), it does not otherwise meet the criteria for project at the national, state or local level.

1. State law limits LPC review of the Landmark Application.

A. The HAA and SB 330 Curtail Belated Attempts to Determine Historic Significance.

The scope of the LPC's discretion in reviewing the Landmark Application is limited to (1) determining the site is not a Landmark or Structure of Merit; or (2) referring the site to the City's list for future consideration if the SB 330 application lapses.

On July 8, 2020, the Berkeley Office of the City Attorney issued an SB 330 Memorandum, which included the legal directive that "Government Code section 65913.10(a) prohibits the City from imposing additional historic or cultural resources protections…" on a site subject to an SB 330 preliminary application under the Housing Accountability Act ("HAA") (Gov. Code § 65589).[3] The City Attorney concluded that, as a result, the "LPC and the City are prohibited by state law from denying or imposing conditions on a housing development project based on any cultural or historic resources protections" on a site subject to an SB 330 preliminary application, and that any historic resources information required as part of the preliminary application must be limited to the identification of resources "known to exist" at the time of the application.

Since then, the City has improperly eroded the vesting protections of SB 330 by alleging that a Landmark or Structure of Merit determination may still be made on sites that are subject to an SB 330 application. The City's alleged basis for this (as stated in staff reports on other projects facing the same situation) is that the legal effect of that determination will only be imposed if the

[2] A copy of this analysis is attached as **Attachment 1**.

[3] See July 8, 2020, Memorandum from Farimah Brown, City Attorney to Jordan Klein, Planning Director.

SB 330 application ultimately does not move forward and thereby lapses. The City's stated position – that the LPC can designate an SB 330 site a Landmark or Structure of Merit, but then conditionally defer the effect of that determination – violates the vesting protections in the HAA, runs contrary to due process protections required in adjudicative hearings, and constitutes an abuse of discretion subject to reversal by a court.

Moreover, the City's justification fails to appreciate that a landmark designation provides a burden on the title of the property and impacts the applicant's ability to finance the project. The Berkeley Municipal Code (BMC) requires that an approval of a designation requires such designation to be recorded (BMC § 3.24.180.A.) If an unforeseen circumstance results in a the application losing its vesting, the site would be immediately devalued given that any designation would immediately apply (and potentially limit and possibly prohibit development) and a lender would not want to take the risk of loaning money on a project that could have such a dramatic change in future value. As such, any "prospective" designation would put the project at risk and would discourage the development of much-needed housing[4].

The LPC's landmarking process is a "quasi-adjudicative hearing," meaning that evidence may be presented, specific findings must be made, and any findings to support a Landmark or Structure of Merit determination must be supported by substantial evidence in the record. (See Cal. Code Civ. Proc., § 1094.5.) Courts will invalidate a quasi-adjudicative ruling if it constitutes an "abuse of discretion." An abuse of discretion occurs if the LPC fails to proceed in the manner required by law, fails to adopt sufficient findings, or makes findings that are not supported by substantial evidence. (Cal. Code Civ. Proc., § 1094.5(b).)

The LPC hearing and its consideration of the site is, as a practical matter, a waste of time and City resources. Any designation would be both speculative and ineffective if the pending development application is ultimately approved. However, both City staff and applicant now must spend time and resources (including hiring legal and historical consultants) on a potentially superfluous proceeding (not to mention an illegal one).

Given the housing crisis, Legislative direction from Sacramento, as well as guidance from the Department of Housing and Community Development, the City should be removing, not imposing, barriers to the production of housing.

[4] The BMC requires that a decision on whether to designate a property occur within 180 days of the public hearing where the application is considered. (BMC § 3.24.150.) Thus, it does not appear that the BMC allows for the indefinite postponement of a designation as would occur if the LPC (and ultimately City Council) were to decide to designate the site.

B. The plain language of the HAA prohibits the LPC from making a landmark determination while a development application is vested under SB 330.

An LPC determination that the site is a Landmark or Structure of Merit would be an abuse of discretion in violation of the HAA. Historic resource determinations are legally vested when a housing development application is deemed complete:

> For purposes of any state or local law, ordinance, or regulation that requires the city or county to determine whether the site of a proposed housing development project is a historic site, the city or county shall make that determination at the time the application for the housing development project is deemed complete. A determination as to whether a parcel of property is a historic site shall remain valid during the pendency of the housing development project for which the application was made. (Cal. Gov. Code § 65913.10(a).)

Chapter 3.24 of the BMC authorizes the LPC to determine whether the property is a historic site. (BMC § 3.24.120 – 3.24.160.) The timing of that determination is strictly limited by SB 330, which requires the LPC to make "that determination" at the time that the SB 330 application is submitted or deemed complete.[5] As such, the legal effect is that the LPC only had authority to designate this property as a Landmark or Structure of Merit prior to the filing of the SB 330 application.

C. None of the HAA's exceptions to automatic vesting apply in this case.

SB 330 prohibits cities from making landmark determinations for the entire time that an SB 330 application remains vested. The only enumerated exception to the automatic vesting provision for historical resources arises if "any archaeological, paleontological, or tribal cultural resources are encountered during any grading, site disturbance, or building alteration activities." (Gov. Code § 65913.10(a).) These exceptions do not apply in this instance.

No other exceptions to the vesting protections under the HAA apply here. While the HAA provides exceptions that allow City-wide policies to be imposed after an SB 330 application lapses, those exceptions do not apply to site-specific determinations, such as the Landmark Application proposed to go to the LPC. Adjudicative hearings—like those for Landmarks and Structures of Merit—are legally distinct from legislative approvals, such as a rezoning or general plan amendment. Legislative approvals apply city-wide, and are subject to an entirely different, more deferential "arbitrary and capricious" standard.

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[5] Gov. Code § 65913.10(a); The City Attorney has noted, an application is "deemed complete" for purposes of vesting under the HAA when an SB 330 preliminary application or a complete application is submitted (i.e., whichever occurs first), as set forth in Government Code § 65589.5(h)(5). (Attachment 2, p. 2.).

Adjudicative decisions focus on specific properties and projects, and the law provides stronger requirements and standards. Those standards are tied to basic constitutional due process protections that apply to everyone, including landowners and real estate developers.

The vesting protections in the HAA and SB 330 are in alignment with this fundamental distinction. A "housing development project shall be subject **only** to the ordinances, policies, and standards adopted and in effect when a preliminary application… was submitted." (Gov Code § 65589.5(o).) The HAA's vesting protections for legislative policies include a set of enumerated exceptions where certain policies, such as the imposition of new impact fees, are expressly deemed to apply to a project site if the SB 330 application lapses or does not move forward:

> [SB 330] shall not prohibit a housing development project from being subject to ordinances, policies, and standards adopted after the preliminary application … was submitted… in the following circumstances… [including when a] housing development project has not commenced construction within two and one-half years… following the date that the project received final approval. (Gov Code § 65589.5(o)(2)(A-E).)

SB 330's vesting provisions for historic resources, however, were codified in a separate statute that prohibits cities from making site-specific landmark determinations once a development application has been determined to be complete. (Gov Code § 65589.5 (h)(5); Gov. Code § 65913.10(a).) Fundamental principles of statutory interpretation require that the HAA be construed in harmony with this clear distinction between legislative and adjudicative approvals. (See, e.g., *Jones v. Hendrix* (2023) 599 U.S. 465, 478.)

This distinction is consequential. The exceptions contained in the HAA allowing policies and ordinances to be imposed after an application lapses are consistent with the legal underpinnings for legislative approvals. The vesting provisions for historical resources, however, are clearly stated to prevent local bodies from making a site-specific, adjudicative determination that could reduce the development potential of a site that is vested under SB 330, with only one limited exception (not applicable here) related to artifacts discovered during construction.

Therefore, an LPC determination in favor of the Landmark Application would violate SB 330. There are no applicable exceptions to state housing law that allow the LPC to render a site-specific landmarking decision but then defer its imposition if the SB 330 application lapses. Furthermore, there is not any provision in the BMC that allow for such open-ended deferrals. (See e.g., BMC § 3.24.180.A (requiring that a designation be recorded); BMC § 3.24.150

(requiring a decision re designation within 180 days of the close of the public hearing on the application).[6]

The HAA and SB 330 prohibit the City from approving the proposed Landmark Application at this time. A determination that there is no Landmark or Structure of Merit on this site occurred by operation of law when the SB 330 project application was submitted and deemed complete, and that determination remains in effect for so long as the SB 330 vesting remains in place. (Gov. Code § 65913.10(a) [determination re historic designation "**shall be made**" at the time of the preliminary application, and "**shall remain valid during the pendency of the housing development project**"].) The City is proposing to make a determination *after* submittal of the preliminary application and during the pendency of the housing development project in violation of the law.

D. The City's interpretation of SB 330 conflicts with the "finality rule" – a core legal principle governing adjudicative hearings and increases the risk of litigation and impedes achievement of City and state housing goals.

There is no legal authority for the City's position that the LPC can render a final decision on a Landmark or Structure of Merit determination, but then condition the effect of that determination on the occurrence of a future event, such as the lapse of an SB 330 application.[7] The City's position runs contrary to the "finality rule," a bedrock principle in administrative law. Under the finality rule, the City must render a final, site-specific decision after all appeals regarding the landmarking designation decision have been exhausted.

If the LPC makes a Landmark or Structure of Merit determination for this site, an abbreviated statute of limitations to challenge that finding would run from the date that any appeal to challenge the Landmark decision is resolved. Presented with this situation, the project owner would have to initiate litigation within 90 days (given the short statute of limitation to bring such challenges) to prevent an unlawful designation from affecting future property values and development feasibility for the site, even if the Landmark determination was purportedly not yet "imposed" on the site.

The City's interpretation would lead to perverse effects and unnecessarily increases the risk of litigation, given that a Landmark determination would need to be immediately challenged in court even if the City's stated position is that the Landmark determination would not be imposed on this particular project. The failure to challenge a Landmark determination could result in a

[6] This process also divests the LPC and public from considering whether designation is appropriate at a future date if and when the SB 330 vesting protection lapses, and the site actually becomes subject to LPC's jurisdiction.
[7] Continuing Education of the Bar, Administrative Law § 8.62.2.

significant risk that a future challenge, if the SB 330 application were to lapse, would be waived due to the expedited statutes of limitations for challenging final decisions by local agencies.

A key purpose of the HAA, and SB 330, is to incentivize housing production and make the process more predictable, while creating incentives such as statutory penalties that are ultimately intended to reduce the likelihood of unnecessary litigation that impedes the production of housing. (See Gov. Code § 65589.5(a)(2)(A-L).) By contrast, the City's interpretation of SB 330 impedes the achievement of the city's and the state's housing goals in violation of the HAA.

E. Violation of the No Net Loss Law.

The provisions of No Net Loss Law are separate and complementary to those of the Housing Crisis Act of 2019 (Gov. Code, § 66300), which states that "an affected county or an affected city shall not enact a development policy, standard, or condition that would [have the effect of] changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use… below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018." (Gov. Code § 66300, subd. (b)(1)(B)). A jurisdiction may only change a parcel's land use designation or zoning if there is a concurrent upzoning to ensure no net loss of overall residential capacity.

Here, designation of the site would effectively limit the ability to redevelopment the site with a project that could take advantage of the density permitted in the zoning code, in other words, the designation would result in a de facto condition that would have the effect of putting the site into a less intensive use than currently allowed and in effect on January 1, 2018.

2. The Landmark Application lacks credibility and fails to meet the substantial evidence test. An LPC determination in favor of the Landmark Application would constitute an abuse of discretion under Code of Civil Procedure § 1094.5.

A detailed presentation will be provided to the LPC if this hearing moves forward and will set out factual inaccuracies and unsupported analysis and conclusions in the current Landmark Application which was not based on a historic survey and was not prepared by an architectural historian. An analysis of any staff report will also be prepared.

In connection with the development application for the site, the landowner engaged an architectural historian to inspect the site and provide a professional evaluation of the historical legacy of the building in its current physical condition. As is typical, those findings have been memorialized in a Historic Resources Evaluation ("HRE") prepared in January 2024. It does not appear that any site-specific survey of the property has been made previously.

The HRE concludes that the site does not meet the criteria for designation as a Landmark or for inclusion in the California Register.[8] This finding is based on an assessment that the building was (1) heavily altered, including most notably that the primary facade was subsumed by a Georgian Revival style addition in 1935, and has lost historic integrity; (2) the property does not appear to have any significant associations with historically important events or noteworthy historical figures; and (3) the property does not exhibit high architectural merit nor readily conveyed associations with important architects or builders.

The HRE's findings are based on an intensive and thorough site visit, in-depth review of all available documentation,[9] and detailed review of previous surveys of the site. The HRE constitutes substantial evidence and therefor takes precedence over the Landmark Application, which is based on artistic drawings by non-historians, selected quotes and passages from previous, incomplete and outdated information, and numerous unsubstantiated assertions about the overall integrity of the building. These include claims that are demonstrably wrong.

3. Conclusion: the LPC should defer consideration until (and if) the SB 330 application lapses. Moving forward would count towards the allowed maximum of five public hearings for the project.

Prior staff reports for projects facing belated attempts at historic designation, have mistakenly claimed that an LPC hearing regarding designation would not count toward the five-hearing limit under SB 330. The decision to hold a public hearing on the Landmark Application while the SB 330 application is pending necessarily makes this a "public hearing in connection with the approval of that housing development project." (Gov. Code § 65905.5.) SB 330 defines "hearing" broadly to include "any public hearing, workshop, or similar meeting, including any appeal, conducted by the city… with respect to the housing development project." (*Id.*) The only hearings excepted from this section are for legislative approvals, such as a general plan amendment, specific plan amendment, or rezoning. (*Id.*)

Given SB 330's broad intent to expedite housing development projects and provide great certainty in processing, and the fact that none of the limited exceptions apply here, the five-hearing rule applies to the Landmark Application hearing. As a result, the January 7, 2025, LPC meeting will count toward the five-hearing rule.

The Landmark Application was filed for the stated purpose of thwarting this development application and is in conflict with the HAA and SB 330. For the reasons stated herein, we strongly and respectfully request that the City not move ahead with an LPC agenda item regarding the proposed consideration of designation of the property. Moving forward would be

[8] Historic Resources Evaluation for 2138 Kittredge Street, January 2024, at p. 11.
[9] *Id.*

FENNEMORE.
WENDEL

both illegal and ineffectual and would result in building barriers to the project that will make development of this project more difficult, costly and would jeopardize its feasibility.

Please do not hesitate to contact me if you have any questions for the applicant.

Sincerely,

FENNEMORE WENDEL

Todd A. Williams

TAWI/tawi

Cc: William Schrader
Jordan Klein, Planning Director (jklein@berkeleyca.gov)
Berkeley City Council (council@berkeleyca.gov)
Farimah Brown, City Attorney (fbrown@berkeleyca.gov)
Paul Buddenhagen, City Manager (pbuddenhagen@berkeleyca.gov)
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David Zisser, HCD Assistant Deputy Director (david.zisser@hcd.ca.gov)

TODDWILLIAMS/50860149.1/514138.0006

Attachment 1

LEFT COAST
Architectural History

P.O. Box 70415, Richmond, CA. 94807 • (415) 745-1906 • caitlin@leftcoastarchitecturalhistory.com

30 January 2024

To Whom It May Concern:

Left Coast Architectural History has completed a Historic Resource Evaluation of the property at 2138 Kittredge Street, Berkeley. The attached California Department of Parks & Recreation (DPR) 523 series forms present a physical description of the property, a record of its history, and evaluation according to California Register of Historical Resources significance and integrity criteria, and City of Berkeley Landmark and Structure of Merit criteria.

The study finds that the building dates to 1904 and was designed by architect William H. Wharff for local livery stable/auto garage owner J.C. Fitzpatrick. It was originally a Free Classical Queen Anne style single-family residence, but was later converted to a restaurant and multi-family apartment building, with the primary facade subsumed by a Georgian Revival style addition in 1935. The property has been occupied by residential tenants and at least one business, but does not appear to have any significant associations with historically important events or noteworthy historical figures. The property does not exhibit high architectural merit nor readily conveyed associations with important architects or builders. It has been identified as part of a small grouping of residences on Kittredge Street that were converted to commercial uses via storefront additions, which may equate to significance at the local level. These points are elaborated upon in detail on the attached forms.

Left Coast Architectural History is happy to answer questions or provide additional assistance, as needed.

Sincerely,

Caitlin Paige Hibma

Caitlin Hibma
Principal/Architectural Historian
Left Coast Architectural History

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

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

Page 1 of 21 *Resource Name or #: 2138 Kittredge Street, Berkeley, CA

P1. Other Identifier: n/a
***P2. Location:** ☐ **Not for Publication** ☒ **Unrestricted** ***a. County:** Alameda
and (P2b and P2c or P2d. Attach a Location Map as necessary.)
***b. USGS 7.5' Quad:** Oakland West, Calif. **Date:** 2015 **T** ; **R** ; **¼ of** **¼ of Sec** ; M.D. **B.M.**
c. Address: 2138 Kittredge Street City: Berkeley Zip: 94704
d. UTM: Zone: 10 ; mE/ mN (G.P.S.)
e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) Elevation:
APN: 57-2029-15

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

Site
The property at 2138 Kittredge Street consists of a rectangular lot on the south side of Kittredge Street, between Shattuck Avenue and Fulton Street. Topography in the area is flat and the parcel is bordered by a public sidewalk on the north and neighboring properties to the east, west, and south. A two-story building sits at the front of the lot with no setback from the sidewalk. It sits at the western lot line while a driveway runs along the east side of the lot to a paved yard at the rear (south) of the lot and a one-story L-shaped carport sits at the southwest corner of the lot.

Building
The building is two stories and has a generally rectangular plan. It is primarily of wood frame construction with a front addition constructed of brick masonry. It is capped by a complex hip roof with a flat roof over the front addition. The exterior walls of the front addition are brick (common bond), while the rear/original portion of the building is clad with wood lap siding. (Continued)

***P3b. Resource Attributes:** (List attributes and codes) HP2. Single family property, HP3. Multiple family property, HP6. 1-3 story commercial building

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

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)

P5b. Description of Photo: (View, date, accession #)
North and west facades, looking southeast, January 2024

***P6. Date Constructed/Age and Sources:** ☒Historic ☐Prehistoric ☐Both
1904; *Berkeley Daily Gazette* construction notice

***P7. Owner and Address:**

***P8. Recorded by:** (Name, affiliation, and address)
Left Coast Architectural History
PO Box 70415
Richmond, CA. 94807

***P9. Date Recorded:** Jan. 2024

P10. Survey Type: Intensive

***P11. Report Citation:** None

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

DPR 523A (1/95) *Required information

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

BUILDING, STRUCTURE, AND OBJECT RECORD

Page 2 of 21

*NRHP Status Code 6Z

*Resource Name or # (Assigned by recorder) 2138 Kittredge Street, Berkeley, CA

B1. Historic Name: None
B2. Common Name: None
B3. Original Use: Single-family residence **B4. Present Use:** Commercial/Multi-family residence
***B5. Architectural Style:** Free Classical Queen Ann, altered to/mixed with Georgian Revival
***B6. Construction History:** (Construction date, alterations, and date of alterations)
Constructed 1904. Primary facade addition, 1935. (See Continuation Sheets for additional construction history.)

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

B9a. Architect: William H. Wharff **b. Builder:** Pearson & Olsen
***B10. Significance: Theme:** None **Area:** Downtown Berkeley
Period of Significance: None **Property Type:** Residential/Commercial **Applicable Criteria:** None
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

Neighborhood Context
The building at 2138 Kittredge Street is located in Downtown Berkeley, just off the Shattuck Avenue commercial corridor, study of which was undertaken by the "Shattuck Avenue Commercial Corridor Historic Context and Survey" (Archives & Architecture, 15 Sept. 2015). The historic context is applicable to this property, as follows.

Downtown Berkeley is characterized by a variety of uses but is heavily commercial, as is typical of an urban downtown. Along Shattuck Avenue, these commercial uses – restaurants, boarding houses, groceries, laundries – were present as early as the 1870s, encouraged by the establishment of the nearby University of California campus; construction of a rail line along Shattuck Avenue; and ultimately, incorporation of the community as the Town of Berkeley. The University spurred surrounding residential growth as well and the presence of a train station at Shattuck and University avenues made that the locus of the city's de facto downtown.

In the 1880s, residential growth boomed and the area's character transitioned from rural to urban. In the 1890s, the previously vacant east side of Shattuck Avenue was graded, allowing for additional development and more businesses to be established along the corridor. Such development extended as far south as Allston Way, while a smaller secondary commercial cluster existed at Shattuck Avenue and Dwight Way.

The turn of the 20th century brought electric rail lines and further commercial growth to Shattuck Avenue, but the 1906 earthquake did the most to spur massive residential and commercial growth, as displaced residents from San Francisco came across the Bay to settle in Berkeley and demand for goods and services subsequently increased. Many older properties along Shattuck Avenue were redeveloped to meet the needs and fashions of the new century. (Continued)

B11. Additional Resource Attributes: (List attributes and codes)
HP2. Single family property, HP3. Multiple family property, HP6. 1-3 story commercial building

***B12. References:**
(See parenthetical citations within text and on last Continuation Sheet)

B13. Remarks:

***B14. Evaluator:** Caitlin Hibma/Left Coast Architectural History

***Date of Evaluation:** January 2024

(This space reserved for official comments.)

DPR 523B (1/95)

*Required information

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

Primary #
HRI#
Trinomial

Page 3 **of** 21 ***Resource Name or #** (Assigned by recorder) 2138 Kittredge Street, Berkeley, CA
***Recorded by:** Caitlin Hibma/Left Coast Architectural History ***Date:** Jan. 2024 ☒ Continuation ☐ Update

P3a. Description: (continued)

Multi-lite wood sash windows in double-hung and casement configurations are the most prevalent type of fenestration. Original double-hung iterations feature lambs-tongue sash stops, while newer wood iterations have no stops. Some vinyl sashes are also present.

The primary/north facade is two stories, clad with brick, and faces Kittredge Street without setback from the sidewalk. Two rows of soldier coursed bricks are found at the base of the wall. Above, the first story features a series of three regularly spaced round arches. A course of shiner coursed bricks set at an angle and topped by a row of stretcher coursed bricks create a decorative beltcourse at the height of the arches' springing points, while the tops of the arches are trimmed with voussoir bricks and slightly elongated bricks that form keystones at the top. The two arches at left and center have molded wood dado panels at the bottom and multi-lite wood sash windows above. The windows consist of a large, fixed, 12-lite, center sash, flanked by narrow four-lite casement sashes, and topped by fanlights with distinctive spiderweb muntins. The primary entrance is located within the rightmost arch which opens to a recessed vestibule. The entry door is elevated and approached by brick steps and a stoop. The solid wood door is adorned with a carved reeded motif and topped by a leaded glass transom lite. It is surrounded by wide reeded trim with a plain keystone at the top.

The second story of the primary facade features two window openings at either side and a decorative roundel at the center. The roundel is filled with a decoratively laid pattern of brickwork, voussoir trim, and keystones of elongated bricks at top, bottom, and each side. The windows have rectangular openings flanked by faux wood shutters and topped by lintels of soldier coursed bricks. Decorative metal half-round balconettes are located below each window. The windows have wood double-casement sashes with three lites in each leaf. A band of stretcher coursed bricks defines a low parapet wall at the top of the facade, which has brick coping and a low metal railing along the top edge.

The brick front wraps the building corner and extends briefly along the west facade, where there is a recessed blind arch with a wood flower box at the first story and a non-original six-over-one wood sash window with brick sill and soldier coursed lintel at the second story. To the right, the original portion of the building is clad with wood lap siding. Utility hatches and lattice vents are located at the base of the wall with a wide wood watertable above. The first story features a horizontally-oriented art class window on the left, a standard one-over-one, double-hung, wood sash window on the right, and a partially-glazed wood pedestrian door at the far right. The first and second stories are divided by a wide wood beltcourse. The second story features four irregularly placed windows in a variety of sizes with molded wood trim. Three are one-over-one double-hung sashes, while one is a fixed art glass window. The facade terminates in a wide plain wood frieze overhung by the boxed eaves of the roof. One eave bracket with a foliate scroll motif is found near the juncture of the brick addition with the original portion of the building.

On the east facade, too, the brick front wraps the building corner and extends briefly along the facade. At the first story there is an arched window like those described on the primary facade, while the second story features two six-over-one wood sash windows with brick sills and soldier coursed lintels. To the left, the original portion of the building is clad with wood lap siding. A projecting bay is located near the center of the facade. It is angled at the first story and overhung by a square bay at the second story with decorative scrolls brackets adorning the overhanging corners. As on the west facade, there is a wide wood watertable, wide wood beltcourse between stories, and wide plain wood frieze overhung by the boxed eaves of the roof. Windows are generally standard one-over-one, double-hung sashes with molded wood trim; some wood and some vinyl. A hip-roofed dormer projects from the east plane of the roof over the projecting bay.

The rear/south facade is clad with wood lap siding and has a wide wood watertable, wide wood beltcourse between stories, and wide plain wood frieze overhung by the boxed eaves of the roof. There is a secondary entrance and window at the right side of the first story. The second story is setback at the left side, accommodating a deck with a decorative wood railing. The right side features a pair of standard windows. A non-original addition projects from the rear plane of the roof.

Carport
An L-plan carport sits at the southwest corner of the lot. It is one-story high with a flat roof and opens onto the property's paved rear yard. The carport has concrete block rear walls, heavy wood roof beams, and metal support poles. Stucco clads the low parapet wall at the front of the roof.

B10. Significance: (continued)

Downtown was spared destruction by the 1923 Berkeley Fire, but Shattuck Avenue was nevertheless changed by the growing popularity of the private automobile in the 1920s. Although modes of transit conflicted at times, private cars increased travel to and from the commercial corridor. A number of large department stores came to the area at the time and, along with other businesses, flourished until the Great Depression. Even the serious economic downturn of the 1930s had gentler effects in Berkeley, though, because the University's student population kept business flowing.

By the mid-1940s, the entire Bay Area had experienced a war-time population boom and prosperity was high. Although the evolution of transportation away from public mass transit and toward the private automobile dispersed many businesses into

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B10. Significance: (continued)

new outlying areas, Shattuck Avenue remained a strong commercial corridor, and as was a recurring theme, the proximity of the University of California campus continued to bolster Downtown commerce.

As happened in many cities, Downtown declined in the 1950s and 60s due to the migration of commercial uses to outlying malls and shopping centers. Population also diminished as urban residents moved to the suburbs, which were accessible by car and did not require the presence of convenient nearby businesses. In Berkeley, the deterioration of residential hotels and apartments that were commonly located above the street-level commercial establishments along Shattuck Avenue compounded the loss of Downtown vitality. Additional challenge was presented by the construction of BART in the 1970s, although this ultimately connected Berkeley's Downtown to the wider Bay Area region once it was completed.

Property History

A notice in the 27 October 1902 issue of the *Berkeley Daily Gazette (BDG)* reported that lots 16 and 17 of the Blake Tract (which had been subdivided in 1881) were sold by W.H. Leimert to John C. Fitzpatrick. A map of the Blake Tract indicates that the property now addressed 2138 Kittredge Street was Blake Tract lot 17 (lot 16 sat to its east). (Berkeley Property Map No. 3 of the Blake Tract, 1881; Berkeley Public Library via Calisphere.) The following year, the 1903 Sanborn Fire Insurance map illustrates that lot 17 was vacant, while lot 16 was had a large, two-story, corrugated iron stable sitting at its rear.

On 4 January 1904, the *Berkeley Daily Gazette* reported plans "To Erect Large Building" at Shattuck Avenue and Kittredge Street. The article reported that the building was to be a two-story and basement frame dwelling, built for John C. Fitzpatrick by contractors Pearson & Olsen, designed by architect William H. Wharff. (See "Architect & Builders" section below.) The house would cost $4,090 and was to be completed around mid-April of 1904.

John C. Fitzpatrick was born in Benicia in 1866 and came to Berkeley in 1890. Soon thereafter, he began working on the Claremont, University & Ferries horsecar line (known as the C.U.& F., established 1891), serving variously as secretary, manager, superintendent, and motorman. The horsecar line was discontinued in 1901 and Fitzpatrick went into business running a "railroad station horse and hack taxi service." This livery stable business was initially headquartered on Allston Way, but was soon moved to the property adjacent to Fitzpatrick's new house at 2138 Kittredge Street. Banking on transportation trends moving away from horses and toward automobiles, Fitzpatrick eventually purchased three gas-powered automobiles which he hired out and also used for deliveries, taxi service, and driving for funerals and other events. Fitzpatrick's stable eventually became one of Berkeley's first public auto garages. ("So We're Told by Hal Johnson: Horsecar Man," *BDG, 28 February 1940.)*

The 1910 census lists the John C. Fitzpatrick family as the residents of 2112 Kittredge Street. John C. Fitzpatrick was 45 years old, born in California to Irish parents, and was listed as the proprietor of a livery stable; the one located on the lot next door, and which by 1910, was probably more automobile than horse-oriented. Also residing at the house were Fitzpatrick's wife, Carrie, and their five children. The children's ages ranged from 16 to 22 and only the oldest, Albert Reginald, was employed as an electric company clerk.

The house at 2138 Kittredge Street first appears on the 1911 Sanborn Fire Insurance map, addressed 2112 Kittredge Avenue. It is illustrated as a 2-story, rectangular-plan dwelling with an inset porch at the front northwest corner, a square bay window on the east facade, and a rear porch. An L-shaped outbuilding was present at the rear of the lot and was addressed 2112 ½ Kittredge Street. On the lot to the east, which was also owned by Fitzpatrick (Blake Tract lot 16, mentioned above), the corrugated iron stable shown on the 1903 Sanborn Fire Insurance map had been enlarged to fill the front of the lot. It was still clad in iron, had a concrete block street-facing facade, and was labeled as a livery stable.

A decade later, the 1920 census continues to list John C. Fitzpatrick at 2112 Kittredge Street. By then Fitzpatrick was a 54 year old widow and had no listed occupation. Living with him were his son Albert Reginald; 37 years old with no listed occupation; and his daughter and son-in-law, Gladys C. and George H. Brown, both in their 30s. George Brown was employed as a salesman for a wholesale coffee company.

The property was renumbered from 2112 to 2138 Kittredge Street on 5 October 1926. (City of Berkeley Planning Department records) The Sanborn Fire Insurance map of 1929 shows that by the end of the 1920s, the property been converted into a restaurant. John C. Fitzpatrick's adjacent livery stable had officially become an automobile garage, housing 20 cars with a repair department at the rear. The 1930 census confirms that John C. Fitzpatrick had moved away from the subject property, purchasing and living in a house on Delaware Street. He may have retained ownership of the house and adjacent auto garage until either 1924 or 1942. (*BDG,* 28 February 1940.) John C. Fitzpatrick died in 1945. (Vital records, ancestry.com.)

The timing of Fitzpatrick's sale of the property is unclear. It was next purchased by William H. and Alma T. Taylor. Logically, he would have sold the property when he moved away, possibly in 1924 as one source states. (Anthony Bruce, "The Fitzpatrick House & Pepper Tree Tea Room, 2138 Kittredge Street," 2022, BAHA files) Donogh real estate records show a sales transaction between Fitzpatrick and the Taylors in 1942, however. Its possible that numbers were transposed, but a newspapers article

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B10. Significance: (continued)

profiling Fitzpatrick notes that he still owned the livery stable property as late as 1940, which could suggest he owned the house into the 1940s as well. In any case, William and Alma Taylor were the next owners of 2138 Kittredge Street and were present, either as renters or owners, as early as 1925.

The restaurant shown on the 1929 Sanborn Fire Insurance map was operating at least as early as 1925, when it was referred to as the Pepper Tree Inn in a newspaper article. (*BDG*, 12 June 1925) It was also known at various times as the Pepper Tree Tea Room or the Pepper Tree Restaurant. Its proprietress was Alma T. Taylor, wife of William H. Taylor, who was a real estate agent. The Taylors' residential address was 2138 Kittredge Street, indicating that they lived upstairs, while Alma Taylor ran the restaurant, presumably on the lower floor of the house. Alma's father and adult niece lived with them; her niece helping wait tables in the tea room. (Anthony Bruce, 2022; BAHA files.)

In 1928, the newspaper ran both a recommendation for the Pepper Tree, and a rental advertisement for an apartment at 2138 Kittredge Street, indicating that in addition to the tea room, the Taylors had subdivided the residential portions of the house into apartments. They continued to live at the address. (*BDG*, 4 Jan. 1928 and 30 March 1928) In both 1926 and 1929, chimney sparks ignited the roof of the house, but no substantial damage was done. (*BDG*, 9 July 1926 and 13 Feb. 1929)

In 1935, the Taylors took out a building permit for "alterations and addition to tea room and dwelling" involving the remodeling of the kitchen and dining quarters and extension of the front of the building by 8 ft. 6 in. (BAHA, permit 39423) This was when the brick Georgian Revival style front was constructed on the house's primary facade.

The Pepper Tree Tea Room continued to operate until 1942, when newspapers announced that the restaurant premises was up for lease and its equipment and furniture was for sale. (BDG, 11 May and 24 June 1942.) Alma Taylor thus retired from 21 years in the restaurant business, but she and William H. Taylor continued to own and live at 2138 Kittredge Street. Later in 1942, they applied for a permit to convert the building to apartments, hiring architect Paul Hammarberg to design the project. (Permit 53030) The Taylors continued as resident-landlords of the apartment house and ran a public "honor" parking lot nearby, while another parking lot operated at the rear of the subject lot (although newspapers assign it a different proprietor). (*BDG*, 22 March 1948)

In 1955, the property made the news when the skeletal remains of a Native American burial were uncovered in the course of construction at the rear of the lot. It was noted that an old shed related to the adjacent J.C. Fitzpatrick livery stable had been torn down and the footings of a new carport were being poured when the discovery was made by a workman. The remains were assessed by a U.C. Berkeley archaeologist and determined to be over a century old and belong to an Ohlone woman, who had probably lived in one of the villages that once proliferated in Strawberry Canyon.

In October 1960, Alma T. Taylor passed away at age 70. Her obituary highlighted her 39 years of residency in Berkeley and her 21-year ownership of the former Pepper Tree Tea Room. She was survived by her husband, who remarried in 1963 to Helen Ingham. (*BDG*, ca. 21 Nov. 1974) In 1964, Taylor was listed as the owner or the property when applying to build an additional dwelling unit on top of the property's rear carport. It was specified that the addition would be a large apartment to be occupied by the property owners, while the existing five-unit apartment building continued to be used as such. Based on the fact that the carport remains one-story with no second story unit, the project does not appear to have ever been undertaken. (Use Permit #5245) William Taylor appears to have retained ownership of the property until his death in 1974. Helen Ingham Taylor passed away in 1979 and may have continued living at the property until then.

According to building permit records, Wayne Ronneburg owned the property around 1981, when the roof was replaced. In May 1985 a lot line adjustment was made between 2138 Kittredge Street and the neighboring property to the east (the former site of J.C. Fitzpatrick's livery stable) to "eliminate minor encroachment of a commercial building at 2150 Kittredge Street." Per City of Berkeley land use history records, the lot line adjustment application was later withdrawn, but the owner at the time was stated to be Berkeley Commercial Property Developments/Reorganized Church of Jesus Christ of the Later Day Saints. (Application for Parcel Map #4511/4571)

By 1992, Steve and Francisca Schneider were the property owners and retained ownership until at least 2001. During this time, the building appears to have remained a five-unit apartment building, although not rented to full occupancy. In 1997, architectural plans were filed and an application for Design Review was submitted to "convert the existing multi-unit residential building into restaurant." (UP# 97-10000082) An Application for Change of Use Statement (17 July 1997) reported that the building consisted of five residential units; two on the bottom floor that were vacant, two on the second floor being used as a single dwelling by the Schneiders, and one at the attic level that was also vacant. Steve Schneider was a real estate consultant and, based on a sign that remains on the building, he maintained an office in the building. The 1997 restaurant conversion project was undertaken with the intent that the Schneiders would sell the building to Ching Hwa Yu to become the Great China Restaurant if the commercial conversion was possible and a use permit was granted. It appears that it was not and the project was not undertaken.

Architect

The building at 2138 Kittredge Street, in its original residential guise, was designed by William Hatch Wharff. Wharff was born

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in Maine in 1836. He attended Foxcroft Academy, an arts-oriented preparatory high school, and learned the carpentry trade from his uncle, eventually becoming a master carpenter and joining his uncle in business. The source of Wharff's architectural training is unclear and its possible that he had no formal training, although he did claim at one time to have studied architecture in Maine and Massachusetts and eventually became a member of the American Institute of Architects.

Wharff served in the Union Army during the Civil War and in 1875 moved his family west to California, settling first in San Francisco. Wharff declared himself an architect to the 1880 census, but was listed in city directories as a draftsman and, later, contractor/builder with offices on Pine Street. By some accounts he designed or built over sixty buildings in San Francisco between 1882 and 1899.

In 1899, Wharff relocated to Berkeley. Despite being of retirement age, he renewed his practice in his new city and was active until 1915, when he retired from architecture but went into the insurance business instead. He died in 1936.

Buildings designed by Wharff in Berkeley, and which are also designated Landmarks, include:

- Carlson's Block (1903) at 3228 Adeline Street in Lorin Station
- Masonic Temple (1905–06) at 2105 Bancroft Way and Shattuck Avenue
- J.J. Pfister Co. Knitting Mill (1906) at 8th and Parker Streets;
- F.D. Chase Building (1909) at 2107 Shattuck

(Daniella Thompson, "Whilliam Wharff: Architect, Civil War Vet, and Freemason," ca. 22 Feb. 2008; http://berkeleyheritage.com/eastbay_then-now/wharff.html)

Architectural Type & Style

The building at 2138 Kittredge Street was originally a residential building that was probably designed in the Free Classical sub-type of the Queen Anne style. Although the original appearance of the primary facade is unknown, this determination is based on the building's age and remnant features on the rear portion of the building, including horizontal wood siding, double-hung windows with lambs-tongue sash stops, beltcourses and friezes, moldings, and remnant scroll brackets. The Free Classical sub-type of the Queen Anne style was popular in the later phase of the Queen Ann period, about 1890 to 1910. It used Classical columns, moldings, Palladian windows, and other related ornament rather than the spindlework and gingerbread more commonly associated with the Queen Anne aesthetic. (McAlester, Virginia & Lee, *A Field Guide to American Houses,* (New York: Alfred A. Knopf, 2003))

In 1935, the primary facade was subsumed by a front addition designed in the Georgian Revival style. As was popular in the 1920s and 30s, this was a revival of the older Georgian style that was used in the American colonies and eastern United States from around 1700 to as late as 1830. Like other revival styles, it sought to evoke a sense of nostalgia for times past, specifically that associated with early America, colonial history, the ideals of the early American republic, and the basic orderly principals of earlier architectural styles that had been considered elite, formal, and highly fashionable. It, too, referenced the Classical in its detailing, which can be seen in the facade's strict symmetry, the round arches forming an arcade and adorned with keystones, the roundel ornament on the upper facade, and parapet defined by brickwork. Features like decorative brickwork, complex window composition with spiderweb fanlights, and faux shutters put a Georgian emphasis on the Classical. Meanwhile, reeded detailing on and around the primary entrance appears to have been a departure toward the Art Deco trends of the 1930s, when the addition was made. (Ibid., Lester Walker, *American Shelter* (Overlook Press, 1998))

Alterations

Building permits and other records on file with the City of Berkeley Department of Planning & Development and Berkeley Architectural Heritage Association provide documentation of the property's development over time. In addition, sources such as Sanborn Fire Insurance maps, aerial photographs, and historical images provide information on alterations made to the building during certain periods of time.

Date	Permit #	Description of Work
20 Aug. 1915	4815	Unspecified addition to dwelling. Owner: J.C. Fitzpatrick [Rear addition, per California Dept. of Parks & Recreation Historic Resources Inventory form, 1978 (BAHA)]
4 Aug. 1926	25631	Unspecified demolition. Owner: Alma T. Taylor

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13 June 1935	39423	Alterations and addition to tea room and dwelling – kitchen and dining quarters to be remodeled and front to be extended 8 ft. 6 in. Owner: Mr. & Mrs. Taylor
5 Nov. 1936	41648	Reroof shed. Owner: Taylor.
11 May 1940	48712	Termite repair to dwelling and restaurant. Owner: Taylor
14 Aug. 1940	4934?	Termite repairs to dwelling. Owner: Taylor.
10 Aug. 1942	53030	Convert building to apartments. Architect: Paul Hammarberg. Owner: W.H. Taylor
11 Jan. 1949	64622	Unspecified alterations to apartments. Owner: Taylor
20 Jan. 1949	64667	Installation of a fire escape ladder.
3 Nov. 1953	74231	Take out a wall and a half-closet wall in two adjoining bedrooms, frame in a closet, making the bedroom approx. 3 feet wider. Owner: W.H. and Alma T. Taylor
21 Sept. 1955	78298	Demolish existing carport at rear of lot, Owner: W.H. Taylor
? Sept. 1955	78300	Construct concrete block carport, 8" blocks, tar and gravel roof, asphalt floor and drive. Owner: W.H. Taylor
21 Aug. 1964	5245	NOT COMPLETED: Building dwelling unit above carport. Owner: W.H. Taylor
13 Jan. 1981	112814533	Re-roofing. Owner: Wayne Ronneburg.
17 May 1985	PM 4511/4571	NOT COMPLETED: Lot line adjustment. Owner: Berkeley Commercial Property Developments/Reorganized Church of Jesus Christ of the Later Day Saints
1992	CoB records	Owner requested and denied building's removal from URM list. Owner: Steve and Francisca Schneider
5 Sept. 1997	UP 97-10000082	NOT COMPLETED: Convert existing multi-unit residential building into restaurant. Owner: Steve and Francisca Schneider
3 July 2000	00-00001042	NOT COMPLETED: Remove existing second floor deck and replace with dining room. Owner: Steve and Francisca Schneider
15 Feb. 2001	01-00000252	Add Garden room on existing deck [at rear, second story] (in lieu of room addition, permit #1042). Contractor: Century Patio Village. Owner: Steve Schneider

Alterations noted by visual observation, but not otherwise documented, include:

- Window replacement: Some double-hung, wood-sash windows without lambs-tongue sash stops are present and indicate replacement of originals which did have sash stops. Meanwhile some vinyl ash windows are also present.

California Register Evaluation

The California Register of Historical Resources (California Register) is an inventory of significant architectural, archaeological, and historical resources in the State of California. In order for a property to be eligible for listing in the California Register, it must be found significant under one or more criteria relating to historically significant events, people, architects or architectural merit, or information potential. The following provides an evaluation of the historic significance of 2138 Kittredge Street:

Criterion 1 (Event): *Resources that are associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.*

No specific events of historical importance are known to have occurred at the property. The building was constructed as a single-family residence located just off the commercial corridor of Shattuck Avenue in 1904. It pre-dated the 1906 earthquake and did not play any role in the aftermath of that event or the substantial effects that it had on the Bay Area and beyond. The house was partially-converted to a restaurant in the mid-1920s and a front addition was added to facilitate that use in 1935. Such changes to the physical character and use of residential buildings are fairly common in urban settings where a residential neighborhood has become heavily commercial over time and were done for reasons of very general practicality. The restaurant conversion pre-dated and was not influenced by or otherwise related to the events of the Great Depression that started in 1929 and dominated much of the 1930s. The building became a multi-family apartment building in 1942, which may have been very generally influenced by the massive population boom experienced in the Bay Area during the years of World War II as war workers and military families relocated to the region in large numbers and required housing. However, the subdivision of residential space to accommodate the wartime population boom (and make a profit) is a trend that occurred at countless properties in cities throughout the Bay Area

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and elsewhere in California. No evidence was found that 2138 Kittredge Street housed war workers or military families and it is just one example of a very common wartime trend throughout the State.

The property does not appear to be eligible for listing in the California Register under Criterion 1.

Criterion 2 (Persons): *Resources associated with the lives of persons important in our past.*

The property was first associated with John C. Fitzpatrick, who had the house built in 1904 and occupied it with his family until the early 1920s. Fitzpatrick worked on a horsecar line before establishing his own livery stable (next door to the house), which eventually transitioned from horses to automobiles, but operated under the same for-hire model. He was an early adopter of automobiles and his stable-turned-garage is claimed to have been one of Berkeley's first public auto garages, although this claim is unsubstantiated ("So We're Told by Hal Johnson: Horsecar Man," *BDG, 28 February 1940)* and could be complicated by the exact definition of "public auto garage" (ie: a garage for parking, for mechanical service, for rental of vehicles, etc.) In any case, although Fitzpatrick was an early purveyor of transportation, his business did not have significant implications for the broader history or development of Berkeley or California, and the house at 2138 Kittredge Street did not have an integral association with Fitzgerald's business or represent it in any way.

Beginning around 1925, the house was occupied by William H. and Alma Taylor. William Taylor was a real estate agent, while Alma Taylor ran a tea room in the front of the house. William Taylor's work in real estate earned little attention in historical documents, while Alma's tea room was advertised in newspapers (as would be expected for a restaurant) and appears to have been a successful establishment, operating for 21 years. Nevertheless, the tea room was one of countless restaurants in Berkeley during its years of operation and Alma Taylor had no great historical influence as its proprietress.

In 1942, the Taylors converted the house to a five-unit apartment building. Residents of the apartments are generally unknown and the few names that appear in association with the address in newspapers do not yeild much biographical information and do appear to have been influential. Helen Ingham Taylor, William Taylor's second wife and widow, owned the property until 1979. Later owner/occupants were associated with the property outside of the historical period and none appear to claim any significant achievements that would qualify them as important historical figures.

The property does not appear to be eligible for listing in the California Register under Criterion 2.

Criterion 3 (Architecture): *Resources that embody the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.*

The building at 2138 Kittredge Street was designed as a single-family dwelling, likely in the Free Classical sub-type of the Queen Anne style. Aside from age-appropriate materials and a few remnant features found on the side and rear facades, the house no longer conveys its original appearance, nor is it capable of indicating its true age or style. In 1935, a Georgian Revival style front facade was added to the building, which had come to incorporate commercial and, eventually, multi-family residential uses. The front exhibits some characteristic features of the Georgian Revival style, but by nature of it being an addition to an existing building of an entirely different style, is not a pure or good example of the style and has some anomalies. Its intended function as a storefront is also not readily apparent, as it has few of the characteristics of commercial use, such as a street-level entrance, multiple entrances, large plate glass display windows, etc. Consequently, the architecture of 2138 Kittredge Street has little architectural merit and does not embody distinctive characteristics of either its original design and use, or the style and use imposed upon it in later years.

The architect of the house was William H. Wharff, who was a prominent and prolific Berkeley architect from 1899 to 1915. It is acknowledged, however, that he was not a great architectural trailblazer, being "neither a classicist nor an innovator, [but] a practical builder who incorporated the prevailing idiom of the day into his designs." (Daniella Thompson, "Whilliam Wharff: Architect, Civil War Vet, and Freemason," ca. 22 Feb. 2008; http://berkeleyheritage.com/eastbay_then-now/wharff.html) The fact that the house at 2138 Kittredge Street has been substantially altered with an addition to the primary facade that essentially obscures Wharff's original design means that it cannot stand as a valid representation of his work. Additionally, the fact that at least four other works by Wharff are designated local landmarks, retain integrity, and represent Wharff's work much better, means that the house at 2138 Kittredge Street is not a valuable representation of his work.

The property does not appear to be eligible for listing in the California Register under Criterion 3.

Criterion 4 (Information Potential): *Resources that have yielded, or may be likely to yield, information important in prehistory or history*

Criterion 4 is typically concerned with archaeological investigation. Where buildings or architectural elements are concerned, Criterion 4 typically relates to rare construction types, of which 2138 Kittredge Street is not an example.

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The property does not appear to be eligible for individual listing in the California Register under Criterion 4.

Berkeley Landmark Evaluation

Berkeley Landmarks are designated historical resources within the City of Berkeley. Resources may be designated as Landmarks if they meet one or more of five criteria similar to those used for the California Register, but which elaborate on areas of significance. The following provides an evaluation of the historic significance of 2138 Kittredge Street according to local significance criteria:

1. Architectural Merit:
a-c. Property that is the first, last, only or most significant architectural property of its type in the region; Properties that are prototypes of or outstanding examples of periods, styles, architectural movements or construction, or examples of the more notable works of the best surviving work in a region of an architect, designer or master builder; Architectural examples worth preserving for the exceptional values they add as part of the neighborhood fabric.

The property is an altered early-twentieth century residential building, later converted to commercial and multi-family residential uses, that does not hold the status of first, last, only, or most significant of its type or style in the region either in its original guise, nor its altered state. Its presumed original style and its wood-frame construction was very common to the early-twentieth century, while its altered character is equally unremarkable for the mid-1930s; therefore, it is not a prototype or outstanding example of its period, style, or any architectural movement or construction type. Even considered as an example of an early-twentieth century residence with a storefront addition, it does not qualify as a first, last, only, prototype, or outstanding example, as two others exist on the same block of Kittredge Street, with both of the others being of earlier construction dates and earlier alteration dates, and are still extant. The architect, William H. Wharff, was a prominent and prolific Berkeley architect but not particularly groundbreaking in his designs. He designed a number of other noteworthy buildings, some of which bear landmark designations, and are better examples of his work than 2138 Kittredge Street, which has been altered in such a way that the majority of Wharff's original design is not even evident.

2. Cultural value: Structures, sites and areas associated with the movement or evolution of religious, cultural, governmental, social and economic developments of the City

The building at 2138 Kittredge Street was built as a single-family residence for a middle-class, non-immigrant family without any association to religious, cultural, governmental, social, or economic events or developments in Berkeley. It was built adjacent to its original owner's livery stable business, but only served to house his family and played no role in the neighboring commercial use, which itself was not strongly associated with any local economic developments. The house was later converted into a restaurant in the mid-1920s, but this also was not related to any significant economic evolution in Berkeley. It was one of countless restaurants in the city during its period of operation. Later still, it was converted into a multi-family apartment building during the years of World War II, but no evidence was found that this subdivision was directly related to or influenced by the wartime population boom, and subsequent cultural, social, and economic shifts, that happened in the Bay Area at that time.

3. Educational value: Structures worth preserving for their usefulness as an educational force

The property at 2138 Kittredge Street does not appear to have any use as an educational tool. The building is a modest structure that has an altered appearance and has had changing uses throughout its history. Both its altered physical character and dichotomy of uses confuse any interpretation of its historical role as either a house or commercial building, neither of which is particularly significant to local history.

4. Historic value: Preservation and enhancement of structures, sites and areas that embody and express the history of Berkeley/Alameda County/California/United States. History may be social, cultural, economic, political, religious or military.

The building at 2138 Kittredge Street was built as a single-family residence for a middle-class, non-immigrant family without any significant influence from or on social, cultural, economic, political, religious, or military history. It was built adjacent to its original owner's livery stable business, but only served to house his family and played no role in the neighboring commercial use, which itself was not strongly associated with any local economic trends. The house was later converted into a restaurant in the mid-1920s, but this also was not related to any significant economic trends in Berkeley. It was one of countless restaurants in the city during its period of operation. Later still, the building was converted into a multi-family apartment building during the years of World War II, but no evidence was found that this subdivision was directly related to or influenced by the wartime population boom, and subsequent cultural, social, and economic shifts, that happened in Berkeley and the Bay Area at that time.

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CONTINUATION SHEET | Trinomial

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*Recorded by: Caitlin Hibma/Left Coast Architectural History *Date: Jan. 2024 ☒ Continuation ☐ Update

B10. Significance: (continued)

5. Any property which is listed on the National Register described in Section 470A of Title 16 of the United States Code.

The property at 2138 Kittredge Street is not listed in the National Register of Historic Places and therefore does not qualify as a Berkeley Landmark under this criterion.

Berkeley Structure of Merit Evaluation

Berkeley Structures of Merit are designated historical resources within the City of Berkeley. Resources may be designated as Structures of Merit if they meet general and/or specific criteria. An evaluation follows:

1. General criteria shall be architectural merit and/or cultural, educational, or historic interest or value. If upon assessment of a structure, the commission finds that the structure does not currently meet the criteria as set out for a landmark, but it is worthy of preservation as part of a neighborhood, a block or a street frontage, or as part of a group of buildings which includes landmarks, that structure may be designated a structure of merit.

As assessed under Berkeley Landmark criteria, the property at 2138 Kittredge Street does not possess high architectural merit or cultural, educational, or historic value. Visual observation of buildings around the property reveals a wide range of age, scale, style, and use, including a number of very large modern infill buildings that have been constructed in close proximity in recent years (or are under construction currently). Three late-nineteenth and early-twentieth century houses with added storefronts, similar to the subject property, are located on the same block of Kittredge. The "Shattuck Avenue Commercial Corridor Historic Context & Survey" addresses this grouping of properties as follows:

> While a majority of residences located on Berkeley's downtown streets were demolished during the ensuing decades, to make room for larger, more commercially focused structures, a small handful of ca. 1890s houses, specifically the grouping located at 2117-2119 Kittredge St., 2124-2126 Kittredge St., and 2138 Kittredge St. were adapted into commercial storefronts, while remaining residential in the rear. These original rear wings are representative of residential uses that were adapted for commercial purposes as the twentieth century progressed, and as the commercial aspects of Shattuck Avenue began to extend beyond the main thoroughfare. The expansion of transportation options in the early twentieth century, as well as a burgeoning commercial downtown, led to an increasing amount of commercialization of the side streets directly off of Shattuck Avenue as the nineteenth century gave way to the twentieth century.

It is corrected, herein, that the property at 2138 Kittredge Street dates to 1904, not ca. 1890s, and was the last of the three properties to be built and the last to be altered with a commercial storefront. Nevertheless, the three properties have been identified as representing a small grouping of residential-to-commercial conversions, associated with the commercial growth of nearby Shattuck Avenue.

Specific Criteria

a. The age of the structure is contemporary with (1) a designated landmark within its neighborhood, block, street frontage, or group of buildings, or (2) an historic period or event of significance to the City, or to the structure's neighborhood, block, street frontage, or group of buildings.

Downtown Berkeley is characterized by an extremely dense concentration of designated landmarks. In order to distill the analysis down to manageable numbers, the subject block on which 2138 Kittredge Street is located, and the block face opposite (the north side of Kittredge Street) are used herein as the study area. Within those constraints there are seven designated landmarks, including: the Tupper & Reed building, Hezlett's Silk Store, the Odd Fellows Temple, the Masonic Temple, Brooks Apartment Building, the A.H. Broad House/Storefronts, and the California Theater. All are Landmarks, except the A.H. Broad House/Storefronts, which is a Structure of Merit. Construction dates range from 1894 to 1913, with two bearing significant alterations dating to the mid-1920s and 1929-30. The Masonic Temple and Brooks Apartment Building are roughly contemporaneous with 2138 Kittredge Street, having been built within the same decade, in 1905 and 1906, respectively.

The property's age does not correspond to any period or event of significance to the City, having been built at at time of general growth and before the 1906 earthquake.

b. The structure is compatible in size, scale, style, materials or design with a designated landmark structure within its neighborhood, block, street frontage, or group of buildings.

Among the designated landmarks located in the study area defined above (see Specific Criteria (a)), 2138 Kittredge Street is compatible with the A.H. Broad House/Storefronts (Structure of Merit) in size, scale, style, materials, and design. Both are two-story, single-family, residential structures of Victorian-era styling, of wood frame construction, with later storefront additions dating

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B10. Significance: (continued)

to the mid-1920s and mid-1930s, that are of different materials and styling than the house to which they are attached. The other nearby Landmarks are mostly much larger, of distinctly different styles, and of different use-based design.

c. The structure is a good example of architectural design.

As a single-family dwelling, likely designed in the Free Classical sub-type of the Queen Anne style, the house no longer conveys its original appearance, nor is capable of indicating its true age or style. The later Georgian Revival front addition exhibits some characteristic features of the style, but by nature of it being an addition to an existing building of an entirely different style, is not a pure or good example and has some anomalies. Consequently, the architecture of 2138 Kittredge Street has little architectural merit and does not embody distinctive characteristics of either its original design and use, or the style and use imposed upon it in later years.

d. The structure has historical significance to the City and/or to the structure's neighborhood, block, street frontage, or group of buildings.

The property at 2138 Kittredge Street has been identified as part of a grouping of three properties exhibiting residential to commercial conversion via storefront addition. The group is "representative of residential uses that were adapted for commercial purposes as the twentieth century progressed, and as the commercial aspects of Shattuck Avenue began to extend beyond the main thoroughfare." (Archives & Architecture, 2015)

Integrity

In order to qualify for listing in the California Register, a property must possess significance under one of the aforementioned California Register criteria *and* have historic integrity according to seven aspects. Most, if not all, aspects of integrity must be met in order for the property to retain integrity. Integrity is not considered in the evaluation for Berkeley Landmark or Structure of Merit eligibility.

The property at 2138 Kittredge Street does not appear to possess the historic significance necessary to qualify for designation to the California Register; therefore, an analysis of its integrity is not required or included here.

Conclusion

Based on the above analysis, the property at 2138 Kittredge Street does not appear to be eligible for listing the California Register of Historical Resources or as a City of Berkeley Landmark. Because it has been identified as one of a grouping of three similar buildings with a somewhat unique use history, illustrated through physical alteration (SoM general criterion 1 and specific criterion D), and because it is contemporary in age and compatible in physical character with nearby Landmarks (SoM specific criteria A and B), multiple Structure of Merit criteria regarding its associations to similar nearby properties are met. Based on these conclusions, the property appears to qualify as a historical resource for the purposes of CEQA.

Sources

Ancestry.com: census and other vital records
Archives & Architecture, "Shattuck Avenue Commercial Corridor Historic Context & Survey," 28 May 2015.
Berkeley Architectural Heritage Association: block files, building permits, Ormsby Donogh collection
City of Berkeley Planning & Development Department microfische records
McAlester, Virginia & Lee, *A Field Guide to American Houses,* (New York: Alfred A. Knopf, 2003)
NETR Online, Historic Aerials
NewspaperArchive.com
Newspapers.com
Sanborn Fire Insurance Map archives via ProQuest and HIG
University of California Riverside, California Digital Newspaper Collection
University of California Santa Barbara Library, aerial photographs collection
Walker, Lester. *American Shelter.* Overlook Press, 1998.

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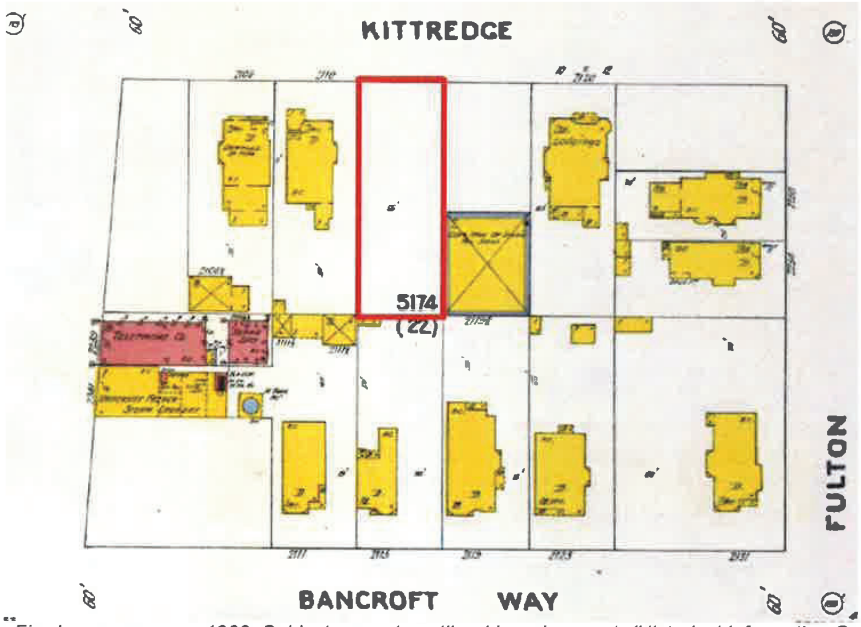
Historical Images:



Sanborn Fire Insurance map, 1903. Subject property outlined in red; vacant. (Historical Information Gatherers)

To Erect Large Building

The contract to erect a two-story and basement frame dwelling on Shattuck avenue and Kittredge street, for John C. Fitzpatrick, has been awarded to Contractors Pearson & Olsen. William H. Wharff is the architect. This contract calls for all concrete, mason, carpenter, plumbing and painting work, at a total cost of $4090. Payments are to be made as follows: Frame up, $1022.50; plastered, $1022.50; completed and accepter, $1022.50; thirty-five days after, $1022.50. The contract was let December 30 and the building is to be completed in seventy-five working days, with a forfeit of $5 a day. W. G. Black and Nils Person are sureties in bonds of $1022.50.

Construction notice, Berkeley Daily Gazette, *4 January 1904.*

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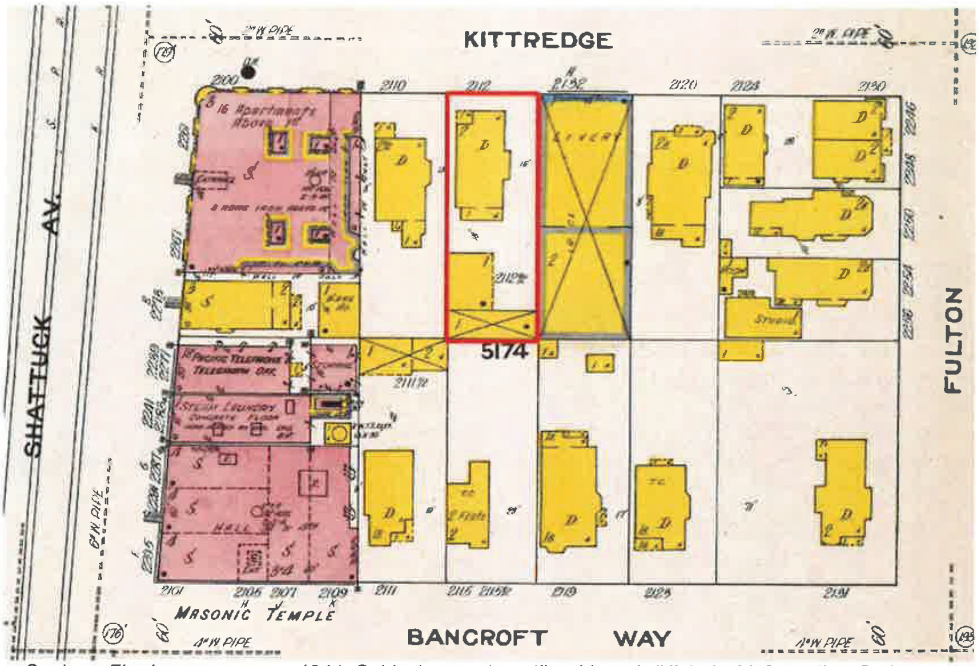
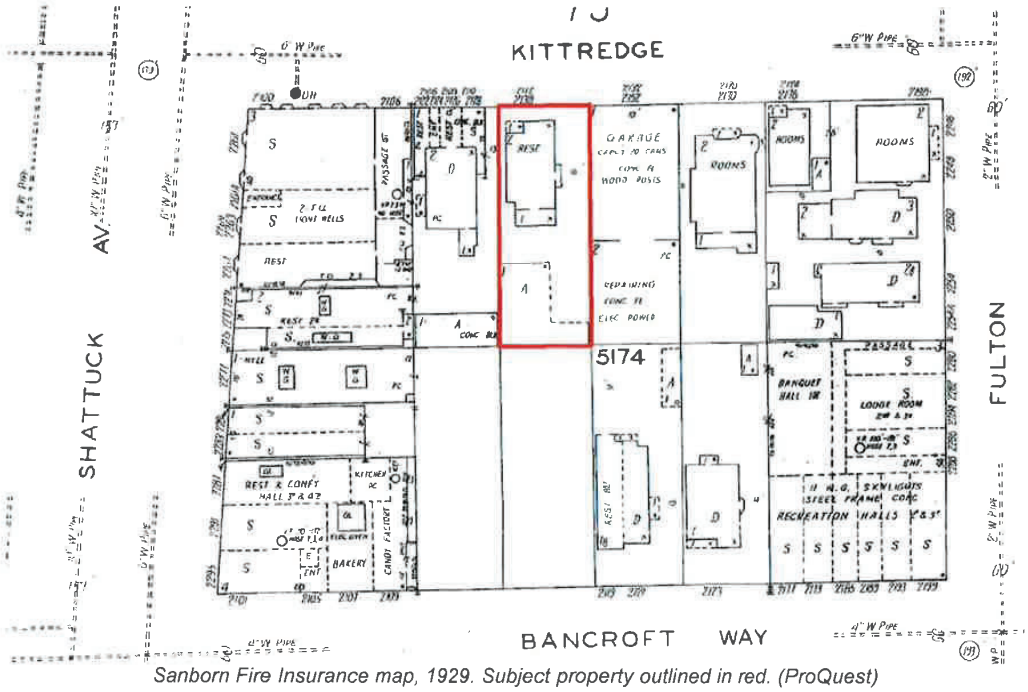
Historical Images:



Sanborn Fire Insurance map, 1911. Subject property outlined in red. (Historical Information Gatherers)



Sanborn Fire Insurance map, 1929. Subject property outlined in red. (ProQuest)

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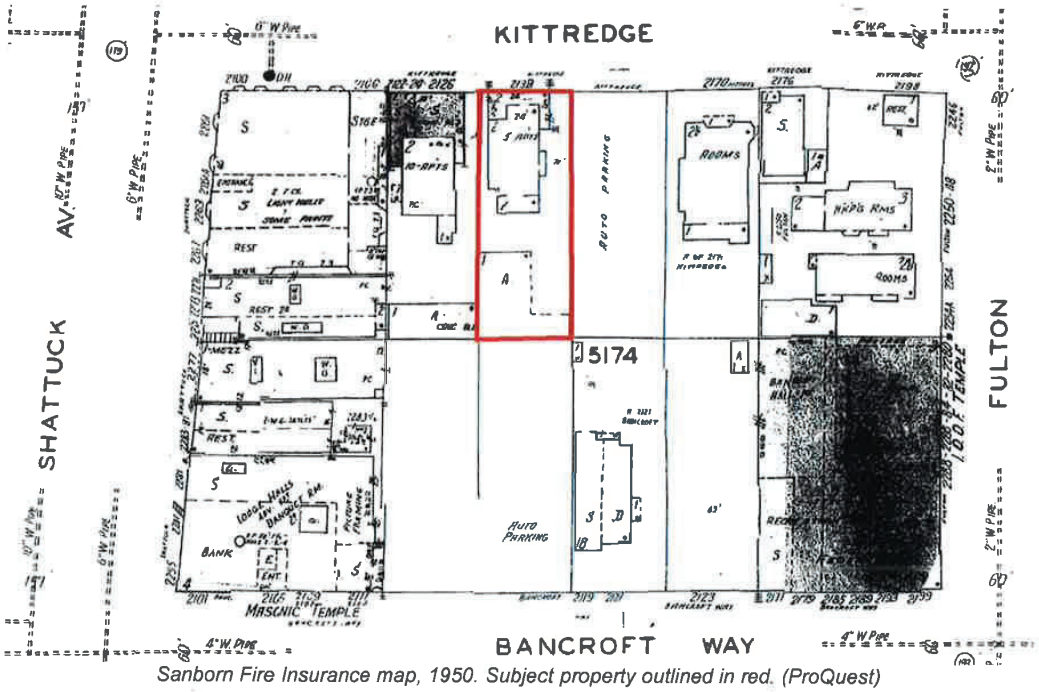
Historical Images:

2138 Kittredge Street, 1930s. (BAHA, Donogh Collection)



Sanborn Fire Insurance map, 1950. Subject property outlined in red. (ProQuest)

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Historical Images:

Aerial photograph, 1958. 2138 Kittredge Street circled. (U.C. Santa Barbara Library)

Aerial photograph, 1965. 2138 Kittredge Street circled. (U.C. Santa Barbara Library)

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Historical Images:

2138 Kittredge Street, looking southwest; 1978. (BAHA)

2138 Kittredge Street, looking northwest; 1978. (BAHA)

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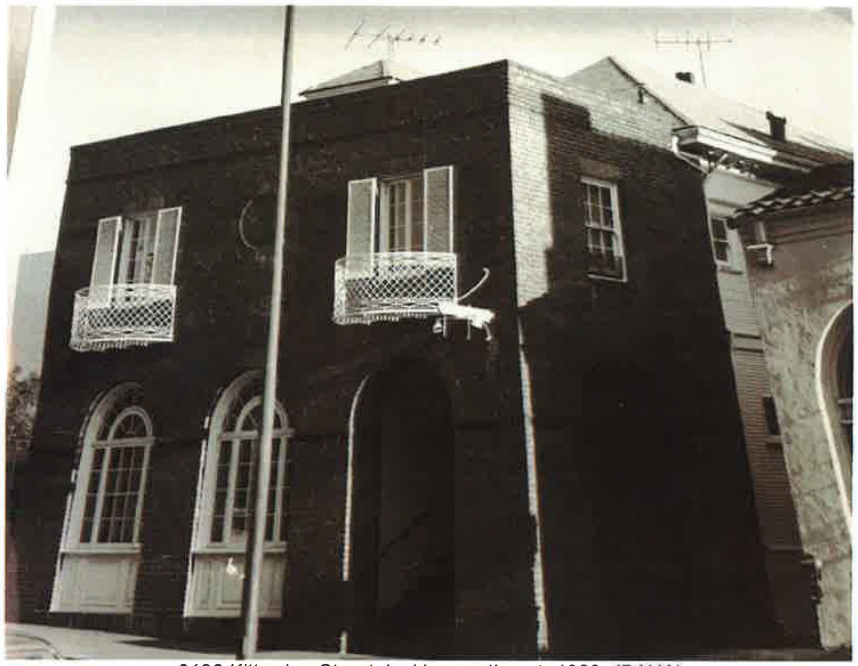
Historical Images:



2138 Kittredge Street, looking southeast; 1982. (BAHA)

Kittredge Street, looking east. 2138 Kittredge Street at far right; 1982. (BAHA)

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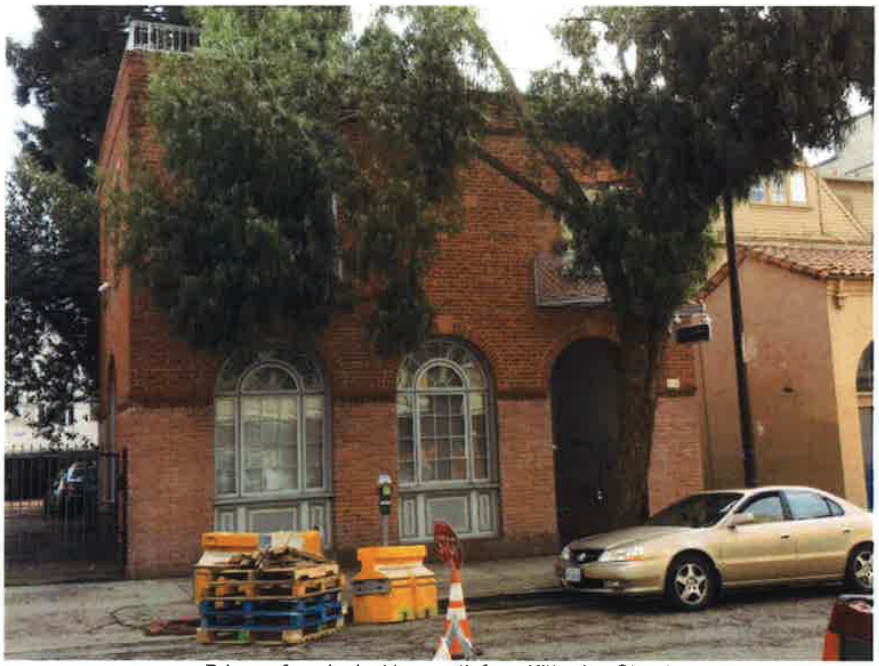
Current Images:



Primary facade, looking south from Kittredge Street.

Left: Primary facade, looking southeast. Right: Detail of primary entrance.

DPR 523L (1/95) *Required information

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Current Images:

First story of primary facade, left of primary entrance.

Second story of primary facade.

DPR 523L (1/95) (con't) *Required information

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Current Images:

West facade, looking southeast.

Lower east facade, looking southwest.

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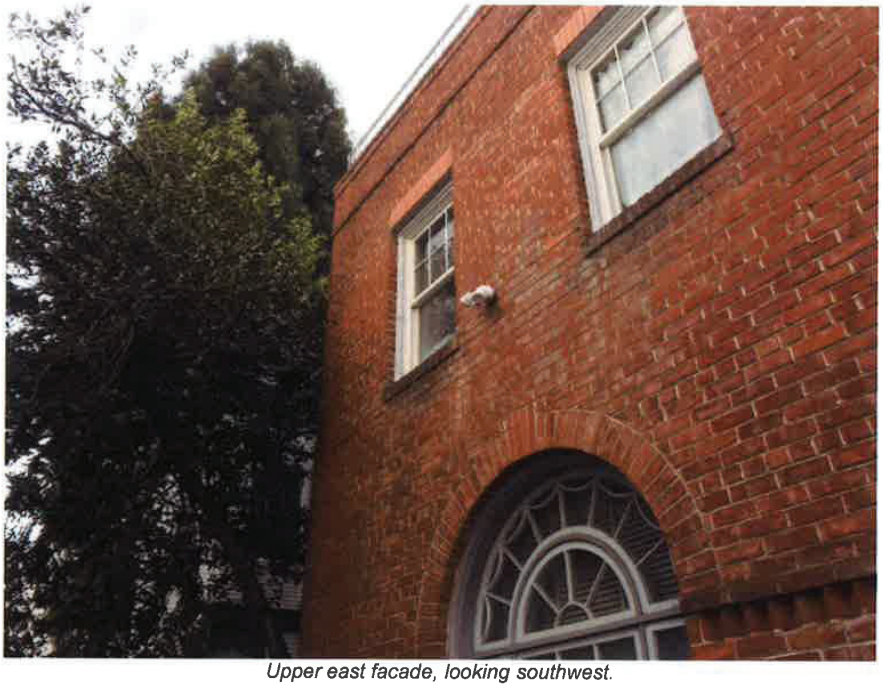
Current Images:



Upper east facade, looking southwest.

View to rear of lot, showing carport, looking south.

DPR 523L (1/95) *Required information

Attachment 4

NOTICE OF PUBLIC HEARING
BERKELEY CITY COUNCIL

LPC APPEAL: 2138 KITTREDGE STREET, LANDMARK APPLICATION LMIN2024-0006

The public may participate in this hearing by remote video or in-person.

Notice is hereby given by the City Council of the City of Berkeley that on **WEDNESDAY, JULY 23, 2025** at **6:00 P.M.** a public hearing will be conducted to consider an appeal against a decision by the Landmarks Preservation Commission for Landmark Application **#LMIN2024-0006 to designate the subject property located at 2138 Kittredge Street, known as the Fitzpatrick House and Pepper Tree Room, as a City Landmark.**

The hearing will be held on, July 23, 2025 at 6:00 p.m. in the School District Board Room, located at 1231 Addison Street, Berkeley CA 94702.

For further information, please contact Robert Rivera, Senior Planner at (510) 981-7480

A copy of the agenda material for this hearing will be available on the City's website at https://berkeleyca.gov/ as of July 14, 2025. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.**

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or e-mailed to council@berkeleyca.gov in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council 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 the City Council, 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 City Clerk. 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 City Clerk at (510) 981-6900 or clerk@berkeleyca.gov for further information.

_____
Mark Numainville, City Clerk

Mailed by: July 9, 2025
Noticed Pursuant to: Berkeley Municipal Code Section 23.404.040(B), Public Hearing Notice

NOTICE CONCERNING YOUR LEGAL RIGHTS*: If you object to a decision by the City Council to approve or deny (Code Civ. Proc. 1094.6(b)) or approve (Gov. Code 65009(c)(5) an appeal, the following requirements and restrictions apply: 1) Pursuant to Code of Civil Procedure Section 1094.6, no lawsuit challenging a City decision to deny or approve a Board or Commission decision may be*

filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a Board or Commission decision, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.

If you challenge the above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Berkeley at, or prior to, the public hearing. Background information concerning this proposal will be available by request from the City Clerk Department and posted on the City of Berkeley webpage prior to the public hearing.

INDEX TO ADMINISTRATIVE RECORD

2138 KITTREDGE STREET

LANDMARK INIATION: #LMIN2024-0006

Prepared: June 18, 2025

		DOCUMENT	DATE	PAGE	# of pages
A	**STAFF REPORTS**				
	1	LPC Materials: staff report and attachments	2/6/2025	1	80
B	**CAPTIONER'S RECORD and minutes of all hearings**				
	2	LPC meeting minutes	2/6/2025	81	2
C	**REMAINDER OF ADMINISTRATIVE RECORD**				
	3	Application materials	10/30/2024	83	30
	4	Property detail report	11/13/2024	113	2
	5	Notice of Initiation letter sent to property owner	11/14/2024	115	1
	6	Letter of objection from the attorney for applicant of the Use Permit application	12/30/2024	116	32
	7	Invoice of landmark initiation fee	12/31/2024	148	1
	8	Notice of Public Hearing postcard and mailing list	1/27/2025	149	18
	9	Notice of Public Hearing poster posted at the site	1/27/2025	167	1
	10	Property detail report	2/25/2025	168	2
	11	LPC Notice of Decision with Proof of Service letter	3/10/2025	170	39
	12	Appeal letter filed by Todd Williams of Fennemore Wendel	3/24/2025	209	38
	13	Appeal receipt letter from City Clerk to Appellant	4/9/2025	247	3
	14	Appeal reschedule letter from City Clerk to Appellant	6/17/2025	250	2

This attachment is on file and available for review at the City Clerk Department, or can be accessed from the City Council Website. Copies of the attachment are available upon request.

City Clerk Department
2180 Milvia Street
Berkeley, CA 94704
(510) 981-6900

or from:

The City of Berkeley's Website
http://www.berkeleyca.gov

Office of the City Manager

PUBLIC HEARING
July 23, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Jordan Klein, Director, Planning & Development Department

Subject: Zoning Adjustment Board Appeal: 2655 Shattuck, Use Permit #ZP2024-0057

RECOMMENDATION

Conduct a public hearing, and upon conclusion adopt a Resolution denying the appeal and affirming the Zoning Adjustment Board (ZAB) decision to approve Use Permit #ZP2024-0057 to demolish a one-story, 8,185-square-foot, non-residential building and construct an eight-story (85 feet), 84,399-square-foot mixed-use residential building containing 97 dwelling units (including ten Very Low-Income Density Bonus qualifying units), 2,117 square feet of ground-floor commercial space and 41 vehicle parking space, on a 23,527 square foot lot.

SUMMARY

On March 13, 2025, the ZAB approved Use Permit #ZP2024-0057 to demolish the existing one-story, non-residential building and construct an eight-story, mixed-use residential building containing a total 97 dwelling units, including ten Very Low-Income (VLI) units, 2,117 square feet of ground floor commercial space and 41 vehicle parking spaces. The project approval was based on findings that the project would not be detrimental to the general welfare of the City, aligns with the purpose of the zoning district, encourages the use of public transit, and facilitates the construction of affordable housing.

On March 26, 2025, the ZAB's decision was appealed by neighboring residents, who raised concerns that the approved project would be a detriment to their property and cause impacts related to safety, pollution, noise, traffic, and shade and shadows. They also claim the proposed project lacked prior public participation and does not include enough affordable housing units to satisfy the City's Inclusionary Housing Ordinance.

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

On December 4, 2023, the applicant submitted a Preliminary Use Permit application (PLN2023-0086) pursuant to SB 330.

On December 12, 2023, the SB 330 Preliminary Use Permit application was deemed complete, thereby vesting rights per SB 330.

On May 22, 2024, the applicant submitted a Use Permit application (#ZP2024-0057) pursuant to SB 330.

On June 12, 2024 the application was deemed incomplete.

On July 29, 2024 the application was updated and resubmitted.

On August 18, 2024 the application was deemed complete.

On February 6, 2025, the Landmarks Preservation Commission (LPC) took no action to initiate a Landmark or Structure of Merit designation and recommended that the ZAB approve the demolition.

On February 20, 2025, the Design Review Committee provided a favorable recommendation to the ZAB with recommendations for Final Design Review.

On February 27, 2025, the City mailed public hearing notices to property owners and occupants within 300 feet of the project site, as well as to interested neighborhood organizations. The City also posted notices at three nearby locations within the neighborhood.

On March 13, 2025, the ZAB held a public hearing for the Use Permit and received additional public comments. See Attachment 3 for the staff report submitted for ZAB consideration. Neighbors expressed both support and opposition to the project. Supporters appreciated the ground-floor commercial space and requested tenant improvements as a condition, while opponents raised concerns regarding potential impacts on their property related to safety, pollution, noise, traffic, and shade and shadows. The ZAB voted to approve the project with a 7-0-1-0 vote (Moved Allen, Second: Sanderson. Ayes: Kashani, Duffy, Gaffney, Mae Palmatier, Allen, Yung; Noes: None; Abstain: Thompson; Absent: None).

On March 26, 2025, neighboring residents filed an appeal of the ZAB's decision.

BACKGROUND

The project site is located along the northeast corner of Shattuck Avenue and Derby Street, within the Adeline Corridor Commercial District (C-AC). The project site is surrounded by primarily commercial uses and mixed-use buildings to the north, south, and west. A vacant auto sales site is located directly to the north of the project site. To the west, across Shattuck Avenue is a mix of commercial uses, the Berkeley Fire Station #5, and residential (apartment) uses. A student-oriented housing project has been recently constructed to the south of the site, across Derby Street. The surrounding

apartment and mixed-use buildings are between five and six stories in height. Existing single-family residences ranging from one to two stories are located to the east (behind the site), and to the south, also across Derby Street. The project site is served by several bus lines, with stops adjacent and nearby. The Ashby BART station is located approximately 0.5 miles to the south of the property.

Figure 1. Zoning

The proposed project would demolish the existing commercial building and construct an 84,399-square-foot mixed-use residential building containing 97 dwelling units (including ten Very Low-Income Density Bonus qualifying units), 2,117 square feet of ground-floor commercial space and 41 vehicle parking space. The proposed project is also providing 4,720 square-feet of useable open space, 48 bicycle parking spaces, and new street trees on Shattuck and Derby.

Street View

Figure 2: Site Plan/Ground Floor Plan

Figure 3: Shattuck Avenue Rendering Looking Southeast

Figure 4: South Elevation Facing Derby Street

Figure 5: East (Rear) Elevation Facing Existing Residential

Senate Bill 330 (Housing Crisis Act of 2019) and State Density Bonus

The proposed project qualifies as a housing development project under SB 330 and is requesting a density bonus under the State Density Bonus law. The total density bonus is calculated based on the site's base density and the allowable bonus granted for providing affordable housing. The base density reflects the maximum number of units allowed on the site while fully complying with applicable district development standards, including height, setbacks, usable open space, and parking requirements. The density bonus is then determined by the percentage of total units dedicated as affordable and their affordability level. For this site, the base density is 65 units. By proposing ten very low-income (VLI) units,15% of the total base units, the project qualifies for a 50% density bonus, increasing the maximum allowable density to 98 units. (See Table 1: Density Bonus)

Table 1: Density Bonus

Base Project Units [a]	Qualifying Units	Percent Density Bonus	Number of Density Bonus Units [a]	Proposed Project Units [a]
65	10 VLI Units (15% of base project)	50%	33 (50% of 65 units)	97 (32 used)

Notes:
a. Pursuant to Government Code 65915(q), all unit calculations are rounded up to the nearest whole number.

The proposed project is entitled to three concessions or incentives under Government Code Section 65915(d), as well as an unlimited number of development standard waivers under Government Code Section 65915(e). No concessions have been requested; however, the applicant is requesting five waivers from the following development standards:

- Waiver from BMC Section 23.204.150(E)(1)) to increase the FAR from 2.5 to 3.5
- Waiver from BMC Section 23.204.150(E)(1)) to increase the stories from 4 to 8 stories
- Waiver from BMC Section 23.204.150(E)(1)) to increase the height from 45 to 85 feet
- Waiver from BMC Section 23.204.150(E)(1)) to increase lot coverage from 70 to 74 percent
- Waiver from BMC Section 23.204.150(B)(3)(a), to reduce commercial lot depth from 30 feet to 27 feet 10 inches.

The waivers are requested because they are necessary to physically accommodate the additional 32 units as allowed under the State Density Bonus.

The City may only deny the waivers if it finds that the waivers 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 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. ZAB found that the project does not result in 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; therefore, the City cannot deny the requested waivers.

In addition, the project is subject to the Permit Streamlining Act (Chapter 4.5, beginning with Section 65920), which limits the number of public hearings to no more than five. The July 23, 2025 City Council meeting represents the fourth public hearing for the proposed project since the project application was deemed complete.

RATIONALE FOR RECOMMENDATION

The issues raised in the appellant's letter (Attachment 2) and staff's responses are detailed below. For the sake of brevity, the appeal issues are not re-stated in their entirety.

Issue 1: The appellants request that the project eliminate parking entirely in order to make the eastern wing shorter. If the parking is to remain, the appellant requests the driveway be moved from Derby Street to Shattuck in order to reduce traffic on Derby Street.

Response: Berkeley Municipal Code (BMC) Section 23.322.070(B), Off-Street Parking Maximums, regulates the maximum number of vehicle parking spaces allowed for residential development. This section states that residential projects may not exceed 0.5 off-street parking spaces per dwelling unit. Based on this standard, the project is permitted a maximum of 49 parking spaces and is proposing to provide 41 spaces, which is consistent with City requirements. The project is a housing development project under SB 330, and the development rights are considered vested. The City may not impose stricter parking limitations than those already allowed by code.

The request to relocate the driveway from Derby Street to Shattuck Avenue is not based on an objective development standard applicable to the project. Therefore, it cannot be required for an SB 330 project.

Issues 2: The appellant claims commercial space is unwarranted and request the removal of the commercial space in order to redesign the project with regards to height and circulation.

Response: Ground-floor commercial space is required under the C-AC Zoning District. BMC Section 23.204.150(B)(3)(a) "Commercial and Active Commercial Required," mandates that the first 30 feet of depth on the ground floor, measured from the building frontage, be reserved for commercial uses for all properties along the portion of

Shattuck Avenue between Dwight Way and Derby Street. The proposed project includes ground-floor commercial space with a depth of 27 feet and 10 inches and is requesting a waiver to reduce this requirement. The City does not have the authority to require the applicant to modify a waiver request or to redesign the project.

Issue 3: The appellant claims the proposed project would create shade impacts eastward along Derby Street and would further impact air, privacy and property values for the adjacent homes.

Response: The applicant submitted shadow studies illustrating sun angles at three times of day during the summer and winter solstices. The studies indicate new shadows would fall on the following nearby residences:

- Winter (2:48 PM): 2110, 2112, 2114, and 2116 Carleton Street and 2117 Derby Street, located to the northeast and east of the project site.

- Spring/Summer (5:12–5:30 PM): 2116, 2117, 2119, and 2123 Derby Street, located to the southeast and east of the site.

While the project would introduce new shadows on neighboring properties, these impacts would be limited in duration and extent and affect only portions of the buildings for a few hours of the day, only during certain times of the year. Such impacts are typical in a built urban environment and are not considered detrimental to the surrounding residential uses.

To address privacy, the proposed project includes trees and screening plants at the ground level as well as a landscaped roof on the second floor. In addition, all stories above the first floor are stepped back 20 feet from the nearest residential property line to further minimize potential privacy impacts.

Issue 4: The appellant argues that the ZAB hearing was premature because the public had not been provided an opportunity to review the "base project" prior to consideration of the proposed project. The appellant argues that, under the HAA and State Density Bonus law, a density bonus can only be granted after confirming that the base project complies with all zoning code requirements. The appellant further claims that this lack of transparency constitutes a violation of state law and warrants restarting the process.

Response: The proposed project was properly noticed and reviewed in accordance with City and State requirements. Under State Density Bonus law, the “base project” refers to a theoretical calculation of the maximum allowable density permitted by local zoning, not a separate proposal that requires design or discretionary review. The proposed project complies with all applicable zoning code requirements and objective design standards, except where waivers have been requested. Staff has followed all

procedures required by State law, and there are no legal grounds for denial of the project or for restarting the entitlement process.

Issue 5: The appellant argues that the City and the ZAB are incorrectly applying the Inclusionary Housing Ordinance and the affordable housing in-lieu fees are too low.

Response: The Inclusionary Housing Ordinance requires that all housing development projects dedicate at least 20 percent of the proposed project as below market rate units, pay an in-lieu fee, or a combination of both. If the proposed project is using the state density bonus, the 20 percent is calculated from the base project. The proposed project is providing 15 percent VLI below market rate units on site and will pay a prorated in-lieu fee, which is consistent with the requirements.

The affordable housing in-lieu fee was recently analyzed and revised. The study found that the current in-lieu fee level is similar to the City's typical contribution toward the cost of providing off-site affordable housing units in 100 percent affordable housing projects. Moreover, the in-lieu fee is automatically adjusted every two years, based on changes to the California Construction Cost Index.

ALTERNATIVE ACTIONS CONSIDERED
Pursuant to BMC Section 23.410.040(G), the Council may (1) continue the public hearing, (2) reverse, affirm, or modify the ZAB's decision, or (3) remand the matter to the ZAB.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS
The project approved by the ZAB is compliant with all applicable State and local environmental requirements, would be located in a transit-rich area, and would be built and operated according to current codes for energy conservation, waste reduction, and water conservation.

The proposed project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15332 ("Infill Development Project") and would not result in significant environmental effects.

CONTACT PERSON
Jordan Klein, Director, Planning & Development Department, (510) 981-7534
Anne Hersch, Land Use Planning Manager, (510) 981-7411
Robert Rivera, Senior Planner, (510) 981-7480

Attachments:
1: Draft Resolution

Exhibit A: Findings and Conditions, March 13, 2025
Exhibit B: Project Plans, August 26, 2024
2: ZAB Decision Appeal Letter, received March 26, 2025
3: ZAB Packet (Staff Report and attachments), dated March 13, 2025
4: Public Hearing Notice
5: Index to Administrative Record
6: Administrative Record

RESOLUTION NO. ##,###-N.S.

DENY THE APPEAL AND AFFIRM THE ZONING ADJUSTMENT BOARD DECISION TO APPROVE USE PERMIT #ZP2024-0057 TO DEMOLISH A ONE-STORY, 8,185-SQUARE-FOOT, NON-RESIDENTIAL BUILDING AND CONSTRUCT AN EIGHT-STORY (85-FEET), 84,399-SQUARE-FOOT MIXED USE BUILDING CONTAINING 97 DWELLING UNITS (INCLUDING 10 VERY LOW-INCOME, DENSITY BONUS QUALIFYING UNITS) AND 2,117 SQUARE FEET OF COMMERCIAL SPACE

WHEREAS, on December 4, 2023, the City received an SB330 Preliminary Use Permit application (PLN2023-0086); and

WHEREAS, on December 12, 2023, the SB 330 Preliminary Use Permit application (PLN2023-0086) was deemed complete; and

WHEREAS, on May 22, 2024, S.H. Kay, LLC (“applicant”) submitted a Use Permit Application (ZP2024-0057) to demolish a one-story, 8,185-square-foot, non-residential building and construct an eight-story (85-feet), 84,399-square-foot mixed use building containing 97 dwelling units (including 10 very low-income, density bonus qualifying units) and 2,117 square feet of commercial space; and

WHEREAS, on August 18, 2024, the Use Permit application (ZP2024-0057) was deemed complete; and

WHEREAS, on February 6, 2025, the Landmarks Preservation Commission (LPC) reviewed the demolition referral; and

WHEREAS, on February 20, 2025, the Design Review Committee conducted preliminary review and provided a favorable recommendation with suggested refinements; and

WHEREAS, on February 27, 2025, the City mailed public hearing notices to all adjacent property owners and occupants within 300 feet of the subject property, and to interested neighborhood organizations. Staff also posted the Notice of Public Hearing at three locations within the immediate vicinity of the subject site; and

WHEREAS, on March 13, 2025, the ZAB conducted a public hearing for the Use Permit application (ZP2024-0057). After considering the staff report, the administrative record, and hearing comments from staff, the applicant, and the members of the public, the ZAB approved the project by a vote of 7-0-1-0; and

WHEREAS, on March 26, 2025, neighbors of the proposed project (“appellants”) submitted an appeal of the ZAB decision to the City Clerk; and

WHEREAS, on or before July 9, 2025 staff posted the public hearing notice at the site and three nearby locations, and mailed notices to property owners and occupants within

300 feet of the project site, and to all registered neighborhood groups that cover this area. The Council must conduct a public hearing to resolve the appeal; and

WHEREAS, on July 23, 2025, the Council held a public hearing to consider the ZAB's decision, and in the opinion of this Council, the facts stated in, or ascertainable from the public record, including the staff report and comments made at the public hearing, warrant approving the project.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Berkeley hereby affirms the decision made by ZAB to approve a Use Permit #ZP2024-0057; adopts the Findings and Conditions of Approval in Exhibit A; and adopts the project plans in Exhibit B.

Exhibits
A: Findings and Conditions, March 13, 2025
B: Project Plans, dates August 26, 2024

PLANNING AND DEVELOPMENT

ZONING ADJUSTMENTS BOARD – FINDINGS

March 13, 2025

2655 Shattuck Avenue

Use Permit #ZP2024-0057 to demolish a one-story, 8,185-square-foot, non-residential building and construct an eight-story (85 feet), 84,399-square-foot mixed-use residential building containing 97 dwelling units (including ten Very Low-Income Density Bonus qualifying units) and 2,117 square feet of commercial space on a 23,527 square foot lot.

ZONING PERMITS REQUIRED

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.326.070 to demolish non- residential buildings
- Use Permit pursuant to BMC Section 23.204.020 to establish a mixed-use residential building
- Use Permit pursuant to BMC Section 23.204.030(A)(1) to establish a new main building or dwelling unit in the C-AC zoning district
- Administrative Use Permit pursuant to BMC Section 23.304.050 for projections above the height limit

CONCESSIONS/WAIVERS UNDER GOVERNMENT CODE SECTION 65915-65918

- Waiver from BMC Section 23.204.150(E)(1)) to increase the FAR from 2.5 to 3.5
- Waiver from BMC Section 23.204.150(E)(1)) to increase the stories from 4 to 8 stories
- Waiver from BMC Section 23.204.150(E)(1)) to increase the height from 45 to 85 feet
- Waiver from BMC Section 23.204.150(E)(1)) to increase lot coverage from 70 to 74 percent

I. CEQA FINDINGS

A. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code Section 21000, et seq. and California Code of Regulations, Section 15000, et seq.) pursuant to Section 15332 of the CEQA Guidelines ("In-Fill Development Projects").

B. The project meets all of the requirements of this exemption, as follows:

1. The project is consistent with the applicable General Plan designation and policies, and with the applicable zoning designation and regulations.
2. The project occurs within the Berkeley City limits on a project site of no more than five acres, and is surrounded by urban uses.
3. The parcels within the project site have previously been developed and have no value as habitat for endangered, rare or threatened species.
4. The project will not result in any significant effects relating to traffic, noise, air quality or water quality. The Traffic Impact Analysis prepared for the project was reviewed by the City Transportation Division which concurred with the findings of less than significant impacts. City Standard Conditions will address potential impacts related to traffic, noise, air quality, and water quality.
5. The site can be adequately served by all required utilities and public services.

C. Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project will not affect a historical resource.

II. HOUSING ACCOUNTABILTY ACT FINDINGS

A. 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.

B. The project includes construction of 84,399 square foot mixed-use building, including 97 dwelling units and 2,117 square feet of commercial uses. Because the base project complies with applicable, objective general plan and zoning standards, Section 65589.5(j) applies to this project. No significant, quantifiable, direct and unavoidable impacts, based on objective, identified written public health or safety standards, polices, or conditions, have been identified.

III. DENSITY BONUS FINDINGS

A. 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 65 units;

2. The project will provide at least ten Very Low Income (VLI) qualifying units in the 65-unit base project, as more fully set forth in Condition COA#33, Below Market Rate Units;

3. The project is entitled to a density increase of 50 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 three concessions or incentives. This equates to a density bonus of up to 33 units above the base project, for a total of up to 98 units.

D. 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.

a. Waiver from BMC Section 23.204.150(E)(1)) to increase the FAR from 2.5 to 3.5
b. Waiver from BMC Section 23.204.150(E)(1)) to increase the stories from 4 to 8 stories
c. Waiver from BMC Section 23.204.150(E)(1)) to increase the height from 45 to 85 feet
d. Waiver from BMC Section 23.204.150(E)(1)) to increase lot coverage from 70 to 74 percent

E. 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.

IV. FINDINGS FOR APPROVAL

A. As required by BMC Section 23.406.040(E), Findings for Approval, the project, under the circumstances of this particular case existing at the time at which the application is granted, will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City because:

1. The project is consistent with all applicable C-AC District standards and qualifies for concessions and waivers for the listed district standards granted pursuant to State Density Bonus, Government Code, Section 65915.

2. Shadows: The applicant submitted shadow studies documenting sun angles at three times throughout the day during the summer and winter solstice. New shadows will affect dwellings at the following locations:

- 2110, 2112, 2114 and 2116 Carleton Street and 2117 Derby Street to the northeast and east of the site in winter in the afternoon (2:48 pm).

- 2116, 2117, 2119, and 2123 Derby Street to the southeast and east of the site in May and June in the afternoon (5:12/5:30 pm).

3. Though the project will create new shadow impacts on neighboring residences, the impacts to neighboring properties will occur on limited areas and will only partially shade neighboring buildings for a limited time during the year, and only for a few hours of the day. The projected impacts will be in line with what is to be expected within a built urban environment. The shadow impacts from the project on adjacent residential uses will be reasonable and not detrimental.

4. Air: The proposed project will be consistent with the existing development and building-to-building separation pattern, or air, in this C-AC District neighborhood. Because the project will meet the required setbacks, the project will not unreasonably obstruct air.

5. Views: The view corridor as defined in BMC Section 23.502.020 (Glossary) includes views of the Berkeley Hills, San Francisco Bay, Mt. Tamalpais, or a significant landmark such as the campanile, Golden Gate Bridge, or any other views that substantially enhances the value and enjoyment of real property. The project's proposed location is in a generally flat neighborhood, developed with one- to six-story buildings, and includes some mature vegetation that obscures these views from off-street angles. Because significant views are generally not available in this neighborhood due to grade, current development patterns, and mature vegetation, the proposed project will not create detrimental impacts to views.

6. The project will be subject to the City's standard conditions of approval regarding construction noise and air quality, waste diversion, toxics, and stormwater requirements, which will ensure that the project will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the area or neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood or to the general welfare of the City.

V. OTHER FINDINGS FOR APPROVAL

A. As required by BMC Section 23.326.070(D), the Zoning Adjustments Board finds that the proposed demolition of the non-residential building at 2655 Shattuck Avenue will not be materially detrimental to the commercial needs and public interest of any affected neighborhood or the City, and that the demolition of the structure is required to allow a proposed new building or other proposed new use, sand is required for the furtherance of specific plans or projects sponsored by the City or other local district or authority.

The proposed demolition of the non-residential buildings will not be detrimental needs of the neighborhood, as the project redevelops an underutilized site with a new mixed-use, building that is compatible with existing development patterns along Shattuck Avenue. Pursuant to BMC Section 23.326.070(D)(1), demolition will not be materially detrimental to

the commercial needs and public interest because the new building will provide dwelling units and commercial space, and the new building will be compatible with adjacent and nearby commercial and residential uses in the C-AC District since there are existing mixed-use and multi-family residential buildings nearby. Pursuant to BMC Section 23.326.070(D)(2)(a), demolition is required to allow a proposed new building.

B. As required by BMC Section 23.204.030(A)(4), the project is consistent with the purposes of the underlying district.

1. Purposes of the C-AC District include:

- Implement the General Plan's designation for Adeline Corridor Mixed Use area, as well as the policies of the Adeline Corridor Specific Plan;

- Promote equitable access to housing by preserving existing affordable housing, preventing displacement, and producing a substantial number of new affordable housing units;

The project will be compatible with the purpose of the District because it will implement the polices of the Adeline Corridor Specific Plan, including commercial uses on the ground floor along Shattuck Avenue, creating a more attractive pedestrian experience on Shattuck Avenue by providing additional street trees and a pedestrian plaza, integrating a variety of landscape-based stormwater treatment elements, and the building architecture provides visual interest and integrates with the neighborhood. The project site is identified as an opportunity site in the Specific Plan. There is no existing housing on the site, but the project does contribute to the creation of affordable housing by providing ten VLI units.

2. Be compatible with the design and character within the District and adjacent residential neighborhoods;

The project would be compatible with the design and character of the District and adjacent residential neighborhoods because it would add a new mixed-use residential building at the intersection of Shattuck Avenue and Derby Street that is consistent with the patterns of development to west and south of the site, which consists of residential buildings and commercial uses ranging in height from five to six stories. The building has been designed to meet the setback requirements for buildings adjacent to residential zones and to reduce the height adjacent to existing single family residential uses to the rear of the property (east). The project also includes landscaping along the rear property line to provide a buffer to the existing residential uses. The project meets the transparency requirements for ground floor frontages.

3. Encourage utilization of public transit and off-street parking facilities in the area of the proposed building; and

The project will encourage utilization of public transit as there are bus stops located in front of the site, as well as nearby. The Ashby BART station is located 0.5 miles to the south of the site.

4. If a new residential development, that the proposed use or structure facilitates construction of affordable housing as defined by the US Department of Housing and Urban Development (HUD) Guidelines.

The proposed project will facilitate construction of affordable housing as it will provide ten below market rate units, specifically, ten Very Low Income units.

C. Use Permit for a Project in the C-AC District

As required by BMC Section 23.204.150(G)(1), the Zoning Adjustments Board finds that the proposed use or structure:

1. Is consistent with the purpose of the district;
2. Is compatible in design and character with the district and the adjacent residential neighborhoods;
3. Encourages utilization of public transit and off-street parking facilities in the area of the proposed building; and
4. Complies with the Adeline Corridor Specific Plan's adopted Mitigation Monitoring and Reporting Program (MMRP).

As discussed under Finding B., above, the project will be consistent with the purpose of the district, compatible in design and character with the district and adjacent residential neighborhoods, and encourage utilization of public transit and off-street parking facilities. The project will also comply with the Adeline Corridor Specific Plan's Mitigation Monitoring and Reporting Program during review of the building permit and during construction.

D. Use Permit for New Residential Development in the C-AC District

As required by BMC Section 23.204.150(G)(2), the Zoning Adjustments Board finds that the proposed use or structure facilitates the construction of affordable housing as defined by the U.S. Department of Housing and Urban Development (HUD) Guidelines. As discussed under Finding B, above, the project will facilitate construction of affordable housing as it will provide ten below market rate units.

E. Projections Above the Height Limit. As required by BMC Section 23.304.050(A), the Zoning Adjustments Board finds that the proposed rooftop equipment, which exceeds the district height limit, does not exceed 15 percent the average floor area of the building's floors. The project will include a staircase/elevator penthouse totaling 345 square feet that will extend ten feet over the 85-foot roof height. The penthouses represent less than three percent (3%) of the 13,742-square-foot average of all the floor areas. None of the equipment structures will be used as habitable or commercial space.

PLANNING AND DEVELOPMENT

USE PERMIT ZP2024-0057 CONDITIONS OF APPROVAL

March 13, 2025

2655 Shattuck Avenue

Use Permit #ZP2024-0057 to demolish a one-story, 8,185-square-foot, non-residential building and construct an eight-story (85 feet), 84,399-square-foot mixed-use residential building containing 97 dwelling units (including ten Very Low-Income Density Bonus qualifying units) and 2,117 square feet of commercial space on a 23,527 square foot lot.

I. STANDARD CONDITIONS OF APPROVAL FOR ALL PROJECTS

Pursuant to Berkeley Municipal Code (BMC) Title 23 Zoning Ordinance and Title 13 Public Peace, Morals, and Welfare, the following conditions, as well as all other applicable provisions of the Zoning Ordinance, apply to this Permit:

1. **Conditions and Mitigation Monitoring and Reporting Program Shall be Printed on Plans.** The conditions of this Permit shall be printed on the *second* sheet of each plan set submitted for a building permit pursuant to this Use Permit, under the title 'Use Permit Conditions.' *Additional sheets* may also be used if the *second* sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings.
2. **Compliance Required (BMC Section 23.102.050).** All land uses and structures in Berkeley must comply with the Zoning Ordinance and all applicable City ordinances and regulations. Compliance with the Zoning Ordinance does not relieve an applicant from requirements to comply with other federal, state, and City regulations that also apply to the property.
3. **Approval Limited to Proposed Project and Replacement of Existing Uses (BMC Sections 23.404.060(B)(1) and (2)):**
   - **A.** This Permit authorizes only the proposed project described in the application. In no way does an approval authorize other uses, structures or activities not included in the project description.
   - **B.** When the City approves a new use that replaces an existing use, any prior approval of the existing use becomes null and void when permits for the new use are exercised (e.g., building permit or business license issued). To re-establish the previously existing use, an applicant must obtain all permits required by the Zoning Ordinance for the use.

4. **Conformance to Approved Plans (BMC Section 23.404.060(B)(4)).** All work performed under an approved permit shall comply with the approved plans and any conditions of approval.
5. **Exercise and Expiration of Permits (BMC Section 23.404.060(C)):**
   - **A.** A permit authorizing a land use is exercised when both a valid City business license is issued (if required) and the land use is established on the property.
   - **B.** A permit authorizing construction is exercised when both a valid City building permit (if required) is issued and construction has lawfully begun.
   - **C.** The Zoning Officer may declare a permit lapsed if it is not exercised within one year of its issuance, except if the applicant has applied for a building permit or has made a substantial good faith effort to obtain a building permit and begin construction. The Zoning Officer may declare a permit lapsed only after 14 days written notice to the applicant. A determination that a permit has lapsed may be appealed to the ZAB in accordance with BMC Chapter 23.410, Appeals and Certification.
   - **D.** A permit declared lapsed shall be void and of no further force and effect. To establish the use or structure authorized by the lapsed permit, an applicant must apply for and receive City approval of a new permit.
6. **Permit Remains Effective for Vacant Property (BMC Section 23.404.060(D)).** Once a Permit for a use is exercised and the use is established, the permit authorizing the use remains effective even if the property becomes vacant. The same use as allowed by the original permit may be re-established without obtaining a new permit, except as set forth in Standard Condition #5 above.
7. **Permit Modifications (BMC Section 23.404.070).** No change in the use or structure for which this Permit is issued is permitted unless the Permit is modified by the Board. The Zoning Officer may approve changes to plans approved by the Board, consistent with the Board's policy adopted on May 24, 1978, which reduce the size of the project.
8. **Permit Revocation (BMC Section 23.404.080).** The City may revoke or modify a discretionary permit for completed projects due to: 1) violations of permit requirements; 2) Changes to the approved project; and/or 3) Vacancy for one year or more. However, no lawful residential use can lapse, regardless of the length of time of the vacancy. Proceedings to revoke or modify a permit may be initiated by the Zoning Officer, Zoning Adjustments Board (ZAB), or City Council referral.
9. **Pay Transparency Acknowledgement (BMC Section 13.104.030).** Prior to the issuance of a building permit for any Project subject to this Chapter:
   - **A.** A Responsible Representative of the Permittee shall certify under penalty of perjury that the Permittee has reviewed Chapter 13.104 of the Berkeley Municipal Code, and will be responsible for demonstrating compliance with this Chapter.

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 BMC Chapter 13.104 and with Labor Code sections 226(a) and 2810.5 for each employee who works on the Project.

10. **Pay Transparency Attestations following Project Completion (BMC Section 13.104.040).** 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 BMC Chapter 13.104 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

11. **Posting of Wage Theft Ordinance (BMC Section 13.104.050).** Each day work is performed on the Project, 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 BMC Chapter 13.104; (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.

12. **Wage Theft Prevention Conditions of Approval (BMC Section 13.104.060).** The requirements of BMC 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 BMC Chapter 1.28 and/or the revocation or modification of any Use Permit issued for the Project under BMC Chapter 23.404.

13. **Hold Harmless.** 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.

II. ADDITIONAL CONDITIONS IMPOSED BY THE ZONING ADJUSTMENTS BOARD

Pursuant to BMC Section 23.404.050(H) Conditions of Approval, the Zoning Adjustments Board attaches the following additional conditions to this Permit:

Prior to Submittal of Any Building Permit:

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

    ☐ **Project Liaison** _____

    Name Phone #

15. **Garage Exiting Traffic.** The applicant shall submit plans to propose a traffic restriction for vehicles exiting the garage on Derby Street to right-turns only. The proposal is subject to the review by the City's Transportation Engineer and review against Transportation mitigation measures in the Adeline Corridor Plan EIR and MMRP (including Mitigation Measure T-2).

16. **Address Assignment.** 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 Use Permit. The new address(es) shall be assigned in accordance with BMC Section 16.28.030 Assignment and Installation of Numbers, and, except for new buildings on vacant lots, entered into the City's database after the building permit is issued but prior to final inspection.

17. **Bird Safe Buildings.** Prior to submittal of the building permit, the applicant shall demonstrate compliance with the applicable bird safe building provisions in BMC Section 23.304.150, Bird Safe Buildings.

18. **Construction Noise Reduction Program.** 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 for construction listed above, as measures needed to ensure that construction complies with BMC Section 13.40.070, Prohibited Acts. 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:

    A. Construction equipment should be well maintained and used judiciously to be as quiet as practical.

    B. Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.

    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.

    D. Locate stationary noise-generating equipment as far as possible from sensitive receptors when adjoining construction sites. Construct temporary noise barriers or partial enclosures to acoustically shield such equipment where feasible.

    E. Prohibit unnecessary idling of internal combustion engines.

    F. If impact pile driving is required, pre-drill foundation pile holes to minimize the number of impacts required to seat the pile.

    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.

    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. Noise control blanket barriers can be rented and quickly erected.

    I. Route construction related traffic along major roadways and away from sensitive receptors where feasible.

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

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

    The study shall be reviewed and approved by the Building and Safety Division and the Zoning Officer prior to issuance of a grading permit. Upon completion of the project, the structures (or, in case of large buildings, of the portions of the structures) previously inspected will be resurveyed, and any new cracks or other changes shall be compared to pre-construction conditions and a determination shall be made as to whether the proposed project caused the damage. The findings shall be submitted to the Building and Safety Division and the Zoning Officer for review. If it is determined that project construction has resulted in damage to the structure, the damage shall be repaired to the pre-existing condition by the project sponsor, provided that the property owner approves of the repair

20. **Compliance with Conditions of Approval and Environmental Mitigations.** The building permit application is subject to verification of compliance of these Conditions of Approval and the Adeline Corridor Specific Plan Mitigation Monitoring and Reporting Program. The applicant shall be responsible for demonstrating compliance with all conditions of approval and mitigation measures per the timeline set forth by this use permit. The applicant shall deposit $10,000 with the City, or less with the approval of the Zoning Officer, to pay for the cost of monitoring compliance with these Conditions of Approval and other applicable conditions and regulations. Should compliance-monitoring expenses exceed the initial deposit, the applicant shall deposit additional funds to cover such additional expenses upon the request of the Zoning Officer; any unused deposit will be refunded to the applicant.

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

21. **Demolition.** Demolition of the existing building cannot commence until a complete application is submitted for the replacement building. In addition, all plans presented to the City to obtain a permit to allow the demolition are subject to these conditions.

22. **Construction Noise Management -** Public Notice Required. At least two weeks prior to initiating any construction activities at the site, the applicant shall provide notice to businesses and residents within 500 feet of the project site. This notice shall at a minimum provide the following: (1) project description, (2) description of construction activities during extended work hours and reason for extended hours, (3) daily construction schedule (i.e., time of day) and expected duration (number of months), (4) the name and phone number of the Project Liaison for the project that is responsible for responding to any local complaints, and (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.

23. **Construction Phases.** 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 his/her designee shall have the authority to require an on-site meeting with these individuals as necessary to ensure compliance with these conditions. The applicant shall notify the Zoning Officer of any changes to this schedule as soon as possible.

24. **Construction and Demolition Diversion.** Applicant shall submit a Construction Waste Management Plan that meets the requirements of BMC Chapter 19.37 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.

25. **Toxics.** The applicant shall contact the Toxics Management Division (TMD) at 1947 Center Street or (510) 981-7470 to determine which of the following documents are required and timing for their submittal:

    A. Phase I and Phase II Environmental Site Assessment (ESA) (per ASTM 1527). A recent Phase I ESA (less than 2 years old) shall be submitted to the Toxics Management Division for developments for: all new commercial, industrial and mixed-use developments and all improvement projects that require work 5 or more feet below grade, 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: City of Berkeley Community GIS Portal (arcgis.com)

    B. Depending on the findings in the Phase I, a Phase II or additional investigation may be necessary. Any available soils and groundwater analytical data available for projects listed in this section must also be submitted to TMD.

C. Environmental Site Clearance. The applicant shall provide environmental screening clearance from either the San Francisco Bay Regional Water Quality Control Board (RWQCB), Department of Toxic Substances Control (DTSC), or the Alameda County Department of Environmental Health's Local Oversight Program (LOP). Clearance from one of these regulatory agencies will ensure that the property meets development investigation and cleanup standards for the specific use proposed on the property. Environmental screening clearance shall be submitted to the City of Berkeley's Toxics Management Division prior to issuance of any building permits.

D. Soil and Groundwater Management Plan. A site-specific Soil and Groundwater Management Plan (SGMP) shall be submitted to Toxics Management Division (TMD) for all non-residential projects, and residential or mixed-use projects with more than four dwelling units, that: (1) are in the Environmental Management Area (EMA), as shown on the most recent City of Berkeley EMA map, and (2) propose any excavations deeper than 5 feet below grade or if significant soils removal is anticipated. The SGMP shall be submitted to the TMD with the project's building permit application and shall be approved by TMD prior to issuance of the building permit.

The SGMP shall comply with the hazardous materials and waste management standards required by BMC Section 15.12.100, the stormwater pollution prevention requirements of San Francisco Bay Regional Water Quality Control Board's Order No. R2-2009-0074, California hazardous waste generator regulations (Title 22 California Code of Regulations (CCR) 66260 et seq.), and the East Bay Municipal Utility District's Ordinance 311, and shall include the following:

i. procedures for soil and groundwater management including identification of pollutants and disposal methods;

ii. procedures to manage odors, dust and other potential nuisance conditions expected during development;

iii. notification to TMD within 24 hours of the discovery of any previously undiscovered contamination; and

iv. the name and phone number of the individual responsible for implementing the SGMP and who will respond to community questions or complaints.

TMD may require additional information or impose additional conditions as deemed necessary to protect human health and the environment. All requirements of the approved SGMP shall be deemed conditions of approval.

E. Demolitions & Renovations – Building Materials Survey. A hazardous materials survey for building materials and plans on hazardous materials and hazardous waste removal and disposal is required and must be prepared by qualified professionals, and submitted to the Toxics Management Division (TMD) prior to issuance of the building permit.

i. The survey shall include 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.

ii. If asbestos is identified, Bay Area Air Quality Management District Regulation 11-2-401.3 a notification must be made and the J number must be made available to the City of Berkeley Permit Service Center. Contractors must 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.)

iii. 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.

iv. Documentation evidencing disposal of hazardous waste in compliance with the survey shall be submitted to TMD within 30 days of the completion of the demolition.

Please note, the PCB Screening Form required by Public Works, Engineering, is a separate requirement and does not address the PCB identification requirement of the Toxics Management Division.

F. Hazardous Materials Business Plan. A Hazardous Materials Business Plan (HMBP) in compliance with BMC Section 15.12.040 and California Health & Safety Code, Chapter 6.95 Div. 20, shall be submitted to the Toxics Management Division through the California Environmental Reporting System: http://cers.calepa.ca.gov/ for chemicals used or stored on site during construction that exceed reporting thresholds. The reporting is required if your facility stores or handles hazardous materials in aggregate quantities equal to or greater than 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet of compressed gases, or generates any quantity of hazardous waste. This includes welding gases, emergency generator fuel, paints, etc.

Additionally, the business occupant must submit an HMBP within 30 days of starting operations.

G. Petroleum Storage. An (SPCC) Plan is required to be prepared and implemented for facilities with any one of the following:

i. aggregate aboveground petroleum storage capacities of 1,320 gallons or more stored in aboveground storage containers, tanks, oil-filled equipment, or

ii. one or more tank(s) in an underground area (TIUGA) with petroleum storage capacities of 55 gallons or greater. More information on TIUGAs can be found here: https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/tank-in-an-underground-area-tiuga/

The SPCC plan must be prepared prior to beginning operations and you must submit facility information to Toxics Management Division (TMD) through the California Environmental Reporting System: http://cers.calepa.ca.gov/. The SPCC plan will be reviewed during the site inspection and shall not be submitted in CERS or to the TMD.

Prior to Issuance of Any Building (Construction) Permit

26. **Final Design Review.** The Project requires approval of a Final Design Review application by the Design Review Committee.

27. **HVAC Noise Reduction.** 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.

28. **Interior Noise Levels.** 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.

29. **Solar Photovoltaic (Solar PV) and Battery Energy Storage Systems (ESS).** A solar PV system shall be installed, subject to specific limited exceptions, as specified by the Berkeley Energy Code (BMC Chapter 19.36). Energy storage system (ESS) readiness (new single-family, duplex, and townhouse homes) or ESS installation (new multifamily and most nonresidential buildings) shall be completed as specified by BMC Chapter 19.36. Location of the solar PV system and the ESS, if applicable, shall be noted on the construction plans. (Project required to meet applicable code at time of building permit application, if different from above.)

30. **Electric Vehicle (EV) Charging.** At least 10 percent of the project parking spaces for residential parking shall have installed Level 2 (40 amp) electric vehicle (EV) charging stations~~,~~ and at least 40 percent shall have installed low power Level 2 EV charging receptacles (20 amp), or any more stringent EV charging requirements as specified by the Berkeley Green Code (BMC Chapter 19.37). Required Level 2 charging stations and low power Level 2 EV charging receptacles shall be installed, maintained, and made available for building resident use. EV charging station installations, EV charging receptacles, and EV Capable spaces shall be noted on the construction plans. Public access parking spaces shall provide any applicable mandatory accessibility provisions. (Project required to meet applicable code at time of building permit application, if different from above.)

31. **Nonresidential Electric Vehicle (EV) Charging.** At least 10 percent of project parking spaces for nonresidential use shall have installed Level 2 (40 amp) electric vehicle (EV) charging stations and/or DC Fast Charging Stations, and least 20 percent shall be "EV Capable" equipped with raceway, electrical panel service capacity, and an electrical system to support future Level 2 (40 amp) EV charging stations, or any more stringent EV charging requirements, as specified by the Berkeley Green Code (BMC Chapter 19.37). EV charging station installations and EV Capable spaces shall be noted on the construction plans. Public access parking spaces shall provide any applicable mandatory accessibility provisions. (Project required to meet applicable code at time of building permit application, if different from above.)

32. **Water Efficient Landscaping.** Landscaping, totaling 500 square feet of more of new landscaping or 2,500 square feet or more of renovated irrigated area, shall comply with the State's Model Water Efficient Landscape Ordinance (MWELO). MWELO-compliant landscape documentation including a planting, grading, and irrigation plan shall be included in site plans. Water budget calculations are also required for landscapes of 2,500 square feet or more and shall be included in site plans. The reference evapotranspiration rate (ETo) for Berkeley is 41.8.

33. **Recycling and Organics Collection.** Applicant shall provide recycling and organics collection areas for occupants, clearly marked on plans, which comply with the Alameda County Organics Reduction and Recycling Ordinance (2021-02). Contact the Zero Waste Division at RecyclingProgram@berkeleyca.gov.

34. **Public Works ADA.** 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.

AFFORDABLE HOUSING REQUIREMENTS – RESIDENTIAL PROJECTS

35. **Affordable Housing Compliance Plan.** The final Affordable Housing Compliance Plan ("AHCP") must be certified by 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 must have the final AHCP certified prior to the issuance of the phase one building permit.

36. **Below Market Rate Units.** Ten Very-Low Income Below Market Rate rental dwelling units (BMR Units) shall be provided in the project. All affordable units provided pursuant to Section III, Density Bonus, of the permit findings shall be designated as BMR Units. All BMR units are required to comply with the stricter of the State Density Bonus Law (Government Code Section 65915) and BMC Section 23.328.030(A) Affordable Housing Requirements.

Summary table of project BMR units			
Code Section	**Extremely-Low Income (30% AMI)**	**Very-Low Income (50% AMI)**	**Low Income (80% AMI)**
BMC Chapter 23.328 (Inclusionary Housing)		10	
State Density Bonus Law (Gov. Code Section 65915)		10	
Total		10	

37. **Regulatory Agreement.** If BMR units are provided, the owner shall enter into a Regulatory Agreement that implements Government Code Section 65915, BMC Section 23.328.030, and other provisions for BMR units included in this Use Permit. The Regulatory Agreement may include any terms and affordability standards determined by the City to be necessary to ensure such compliance. The Regulatory Agreement will secure the property's obligation to comply with the requirements for providing BMR units as defined by BMC Chapter 23.328 and State Density Bonus Law (Government Code Section 65915). The applicant shall submit the Regulatory Agreement to the Department of Health, Housing, and Community Services for review and approval. All BMR units are required to comply with the Regulatory Agreement and the BMR Administrative Guidelines. Regulatory Agreements must be executed prior to the issuance of Building Permit, or, in the case of projects that receive approval from the Building Official for multiple phase construction permits, prior to the issuance of the phase one building permit.

38. **Payment of Affordable Housing In-Lieu Fee.** 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 $3,357,956.25 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. 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.

Prior to Demolition or Start of Construction:

39. **Construction Meeting.** The applicant shall request of the Zoning Officer an on-site meeting with City staff and key parties involved in the early phases of construction (e.g., applicant, general contractor, foundation subcontractors) to review these conditions and the construction schedule. The general contractor or applicant shall ensure that all subcontractors involved in subsequent phases of construction aware of the conditions of approval.

40. **Transportation Construction Plan.** 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:

    A. Alterations, closures, or blockages to sidewalks, pedestrian paths or vehicle travel lanes (including bicycle lanes);

    B. Storage of building materials, equipment, dumpsters, debris anywhere in the public ROW;

    C. Provision of exclusive contractor parking on-street; or

    D. Significant truck activity.

    Please contact the Office of Transportation 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 this Plan shall be available at all times at the construction site for review by City Staff.

41. **Construction/No Parking Permits.** Contact the Permit Service Center (PSC) at 1947 Center Street or 981-7500 for details on obtaining Construction/No Parking Permits (and associated signs and accompanying dashboard permits). Please note that the Zoning Officer and/or Traffic Engineer may limit off-site parking of construction-related vehicles if necessary to protect the health, safety or convenience of the surrounding neighborhood.

During Construction:

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

43. **Construction Hours- Exceptions.** It is recognized that certain construction activities, such as the placement of concrete, must be performed in a continuous manner and may require an extension of these work hours. Prior to initiating any activity that might require a longer period, the developer must notify the Zoning Officer and request an exception for a finite period of time. If the Zoning Officer approves the request, then two weeks prior to the expanded schedule, the developer shall notify businesses and residents within 500 feet of the project site describing the expanded construction hours. A copy of such notice and methodology for distributing the notice shall be provided in advance to the City for review and approval. The project shall not be allowed more than 15 extended working days.

44. **Project Construction Website.** The applicant shall establish a project construction website with the following information clearly accessible and updated monthly or more frequently as changes warrant.

    A. Contact information (i.e. “hotline” phone number, and email address) for the project construction manager

    B. Calendar and schedule of daily/weekly/monthly construction activities

    C. 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.

45. **Public Works - Implement Bay Area Air Quality Management District (BAAQMD)-** Recommended Measures during Construction. For all proposed projects, BAAQMD recommends implementing all the Basic Construction Mitigation Measures, listed below to meet the best management practices threshold for fugitive dust:

    A. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

    B. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

    C. 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.

    D. All vehicle speeds on unpaved roads shall be limited to 15 mph.

    E. 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.

    F. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

G. All construction equipment shall be maintained and properly tuned in accordance with manufacturer specifications. All equipment shall be checked by a certified visible emissions evaluator.

H. 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 phone number shall also be visible to ensure compliance with applicable regulations.

46. Air Quality - Diesel Particulate Matter Controls during Construction. All off-road construction equipment used for projects with construction lasting more than 2 months shall comply with one of the following measures:

A. 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 BAAQMD and OEHHA. 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

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.

C. In addition, a Construction Emissions Minimization Plan (Emissions Plan) shall be prepared that includes the following:

i. 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.

ii. 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.

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

48. **Low-Carbon Concrete.** The project shall maintain compliance with the Berkeley Green Code (BMC Chapter 19.37) including use of concrete mix design with a cement reduction of at least 25 percent. Documentation on concrete mix design shall be available at all times at the construction site for review by City Staff. (Project required to meet applicable code at time of building permit application, if different from above.)

49. **Avoid Disturbance of Nesting Birds.** 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 MBTA and CFGC, 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.

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

    A. In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist, historian or paleontologist to assess the significance of the find.

    B. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified professional would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Berkeley. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by the qualified professional according to current professional standards.

    C. In considering any suggested measure proposed by the qualified professional, the project applicant shall determine whether avoidance is necessary or feasible in light of factors such as the uniqueness of the find, project design, costs, and other considerations.

D. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation measures for cultural resources is carried out.

E. If significant materials are recovered, the qualified professional shall prepare a report on the findings for submittal to the Northwest Information Center.

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

52. Paleontological Resources (*Ongoing throughout demolition, grading, and/or construction*). 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 paleontologist (per Society of Vertebrate Paleontology standards [SVP 1995,1996]). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find. The paleontologist 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 paleontologist 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.

53. Halt Work/Unanticipated Discovery of Tribal Cultural Resources. In the event that cultural resources of Native American origin 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 City Planning Department within 24 hours. The City will again contact any tribes who have requested consultation under AB 52, 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.

54. Stormwater Requirements. The applicant shall demonstrate compliance with the requirements of the City's National Pollution Discharge Elimination System (NPDES) permit as described in BMC Section 17.20. The following conditions apply:

A. The project plans shall identify and show site-specific Best Management Practices (BMPs) appropriate to activities conducted on-site to limit to the maximum extent practicable the discharge of pollutants to the City's storm drainage system, regardless of season or weather conditions.

B. Trash enclosures and/or recycling area(s) shall be covered; no other area shall drain onto this area. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. Applicant shall contact the City of Berkeley and EBMUD for specific connection and discharge requirements. Discharges to the sanitary sewer are subject to the review, approval and conditions of the City of Berkeley and EBMUD.

C. Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration and minimize the use of fertilizers and pesticides that contribute to stormwater pollution. Where feasible, landscaping should be designed and operated to treat runoff. When and where possible, xeriscape and drought tolerant plants shall be incorporated into new development plans.

D. Design, location and maintenance requirements and schedules for any stormwater quality treatment structural controls shall be submitted to the Department of Public Works for review with respect to reasonable adequacy of the controls. The review does not relieve the property owner of the responsibility for complying with BMC Chapter 17.20 and future revisions to the City's overall stormwater quality ordinances. This review shall be shall be conducted prior to the issuance of a Building Permit.

E. All paved outdoor storage areas must be designed to reduce/limit the potential for runoff to contact pollutants.

F. All on-site storm drain inlets/catch basins must be cleaned at least once a year immediately prior to the rainy season. The property owner shall be responsible for all costs associated with proper operation and maintenance of all storm drainage facilities (pipelines, inlets, catch basins, outlets, etc.) associated with the project, unless the City accepts such facilities by Council action. Additional cleaning may be required by City of Berkeley Public Works Engineering Dept.

G. All private or public projects that create and/or replace 5,000 square feet or more of impervious surface must comply with Provision C.3 of the Alameda County NPDES permit and must incorporate stormwater controls to enhance water quality. Permit submittals shall include a Stormwater Requirement Checklist and detailed information showing how the proposed project will meet Provision C.3 stormwater requirements, including a) Site design measures to reduce impervious surfaces, promote infiltration, and reduce water quality impacts; b) Source Control Measures to keep pollutants out of stormwater runoff; c) Stormwater treatment measures that are hydraulically sized to remove pollutants from stormwater; d) an O & M (Operations and Maintenance) agreement for all stormwater treatment devices and installations; and e) Engineering calculations for all stormwater devices (both mechanical and biological). (Project required to meet applicable code at time of building permit application, if different from above.)

H. All on-site storm drain inlets must be labeled “No Dumping – Drains to Bay” or equivalent using methods approved by the City.

I. Most washing and/or steam cleaning must be done at an appropriately equipped facility that drains to the sanitary sewer. Any outdoor washing or pressure washing must be managed in such a way that there is no discharge or soaps or other pollutants to the storm drain. Sanitary connections are subject to the review, approval and conditions of the sanitary district with jurisdiction for receiving the discharge.

J. All loading areas must be designated to minimize “run-on” or runoff from the area. Accumulated waste water 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.

K. 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.

L. 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.

55. **Public Works.** Subject to approval of the Public Works Department, the applicant shall repair any damage to public streets and/or sidewalks by construction vehicles traveling to or from the project site.

56. **Public Works.** 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.

57. **Public Works.** The applicant shall ensure that all excavation accounts for surface and subsurface waters and underground streams so as not to adversely affect adjacent properties and rights-of-way.

58. **Public Works.** 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.

59. **Public Works.** 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 by 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.

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

61. **Public Works / Building and Safety.** 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.

Prior to Final Inspection or Issuance of Occupancy Permit:

62. **Compliance with Conditions and Environmental Mitigations.** The project shall conform to the plans and statements in the Use Permit. The developer is responsible for providing sufficient evidence to demonstrate compliance with the requirements throughout the implementation of this Use Permit. Occupancy is subject to verification of compliance to the Mitigation Monitoring and Reporting Program.

63. All landscape, site and architectural improvements shall be completed per the attached approved drawings dated December 20, 2024.

64. **Percent for Public Art.** Consistent with BMC Section 23.316, the applicant shall either pay the required in-lieu fee or provide the equivalent amount in a financial guarantee to be released after installation of the On-Site Publicly Accessible Art.

65. **Transportation Demand Management.** Prior to issuance of a Certificate of Occupancy, the property owner shall facilitate a site inspection by Land Use Division staff to confirm that the physical improvements required in BMC Sections 23.334.030(C) and 23.322.090 (bike parking) have been installed. A Parking and Transportation Demand Management (PTDM) 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.

    A. Consistent with 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.

    B. Consistent with BMC Section 23.334.030(B), at least one of the following transit benefits shall be offered, at no cost to the resident, for a period of ten 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.

        i. One monthly pass for unlimited local bus transit service for every bedroom in each dwelling unit, up to a maximum of two benefits per dwelling unit.

ii. Subject to the review and approval of the Zoning Officer in consultation with the Transportation Division Manager, a functionally equivalent transit benefit in an amount at least equal to the price of a non-discounted unlimited adult monthly pass for unlimited local bus transit service monthly local bus pass.

C. Consistent with BMC Section 23.334.030(C), 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, shall be provided. Transportation information shall include, but is not limited to, transit arrivals and departures for nearby transit routes.

D. Property owners may be required to pay administrative fees associated with compliance with this Condition.

At All Times:

66. **Compliance with Approved Plan.** The project shall conform to the plans and statements in the Use Permit.

67. **Transportation Demand Management Compliance.** A Transportation Demand Management compliance report shall be submitted to the Zoning Officer, on a form acceptable to the City, prior to occupancy, and on an annual basis for ten years thereafter, which demonstrates that the project complies with the applicable requirements. After three years of timely compliant submittals, staff has the option to accept less frequent submittals (minimum one every three years). Property owners may be required to pay administrative fees associated with compliance with this Condition, pursuant to BMC Section 23.334.040(B).

68. **Exterior Lighting.** All exterior lighting shall be energy efficient where feasible; and shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.

69. **Rooftop Projections.** No additional rooftop or elevator equipment shall be added to exceed the approved maximum roof height without submission of an application for a Use Permit Modification, subject to Board review and approval.

70. **Design Review.** Signage and any other exterior modifications, including but not limited to landscaping and lighting, shall be subject to Design Review approval.

71. **Drainage Patterns.** The applicant shall establish and maintain drainage patterns that do not adversely affect adjacent properties and rights-of-way. Drainage plans shall be submitted for approval of the Building & Safety Division and Public Works Department, if required.

72. **Electrical Meter.** Only one electrical meter fixture may be installed per dwelling unit.

73. **Loading.** All loading/unloading activities associated with deliveries to all uses shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. daily.

74. **Residential Permit Parking.** 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 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.

75. **Required Bike Parking.** Secure and on-site bike parking for at least 51 (45 long term and 6 short term [2 for commercial and 4 for residential]) bicycles shall be provided for the life of the building.

76. **Residential Electric Vehicle (EV) Charging.** Required Level 2 charging stations and low power Level 2 EV charging receptacles, as specified by the Berkeley Green Code (BMC Chapter 19.37) shall be maintained in good working condition and made available for building resident use. (Project required to meet applicable code at time of building permit application, if different from above.)

77. **Nonresidential Electric Vehicle (EV) Charging.** Required Level 2 charging stations and DC Fast Charge stations, as specified by the Berkeley Green Code (BMC Chapter 19.37) shall be maintained in *good working condition and made available for building occupant and/or visitor* use. (Project required to **meet applicable code at time of building permit application, if different from above.)**

78. **Tenant Notification.** The developer shall provide tenant notification, via a lease rider or deed covenant, that each dwelling unit is located in a mixed-use area that includes commercial, food service, and entertainment uses, and that each occupant shall not seek to impede their lawful operation.

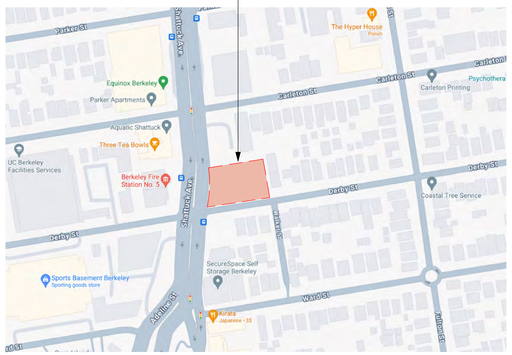
79. **Transit Subsidy Condition.** If 10 or more employees, the business operator shall reimburse employees the maximum non-taxable cost of commuting to and from work on public transportation (e.g., monthly passes) if they so commute, and a notice informing employees of the availability of such subsidy shall be permanently displayed in the employee area as per BMC Chapter 9.88.

2655 SHATTUCK AVE.

2655 SHATTUCK AVE., BERKELEY, CA 94704

KDN01 - DRC REVIEW - 08/26/24

2655 SHATTUCK AVE.

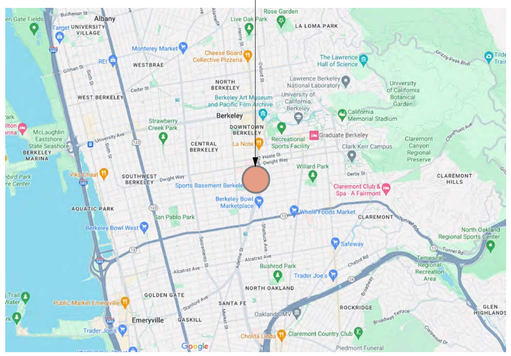


6 PROJECT LOCATION

N

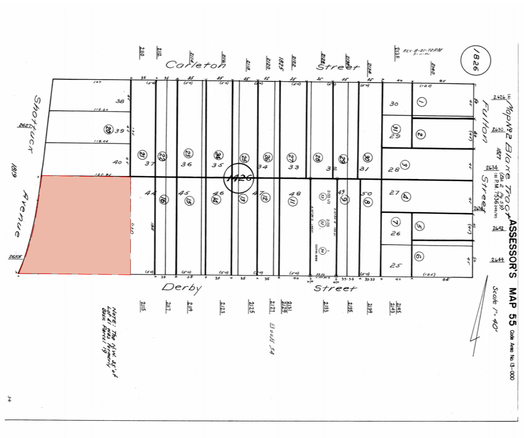
2 PROJECT DESCRIPTION

PROJECT LOCATION:
2655 SHATTUCK AVE.



5 VICINITY MAP

N



4 PARCEL MAP

N

For Assessment Use Only

1 PROJECT CONTACTS

OWNER:
S.H. KAY, LLC
1442A WALNUT ST #349,
BERKELEY, CA 94709

JOE KIDRON
kidron1@comast.net

CIVIL:
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Castro Valley, CA 94546

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BRIAN DORWARD
bdorward@greenwoodmoore.com

LANDSCAPE:
122 WEST DESIGN
(enter Street)
(enter City, State, Zip)

TEL:(510) 992-3122

CHRISTIAN MACKE
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ARCHITECT:
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BERKELEY, CA 94710

TEL:(510) 841-3555
FAX:(510) 841-1225

CHARLES KAHN
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TILL HOUTERMANS
till@studiokda.com

BRETT SPENCER
brett@studiokda.com

RESIDENTIAL UNIT MIX:					
UNIT TYPE:	STUDIO	1-BD	2-BD	3-BD	TOTAL:
LEVEL 1	0	0	0	0	0
LEVEL 2	14	5	4	0	23
LEVEL 3	14	5	4	0	23
LEVEL 4	14	5	4	0	23
LEVEL 5	7	5	6	0	18
LEVEL 6					
LEVEL 7	0	0	0	10	10
LEVEL 8					
TOTAL UNITS:	49	20	18	10	97
TOTAL BEDRMS:	49	20	36	30	135

THE SITE'S REDEVELOPMENT WILL INCLUDE THE DEMOLITION OF THE EXISTING VACANT BUILDING OCCUPYING 2655 SHATTUCK AVENUE, A 1-STORY 8,185 SF COMMERCIAL BUILDING TO ALLOW DEVELOPMENT OF A NEW 8 STORY, 83,479 SF MULTI-FAMILY MIXED-USE BUILDING. WE PROPOSE A ±2,117 SF RETAIL SPACE AT THE GROUND FLOOR WITH 97 UNITS OF MULTI-FAMILY RENTAL HOUSING. THE GROUND FLOOR WILL INCLUDE COMMERCIAL SPACE AS WELL AS A GENEROUS AMENITY SPACE, INTERIOR BIKE STORAGE, A PARKING GARAGE PROVIDING 41 RESIDENTIAL SPACES, AND UTILITY SPACES ACCESSED FROM SHATTUCK AVENUE AND DERBY STREET. THE 97 RESIDENTIAL UNITS ARE A MIX OF STUDIOS, 1 AND 2 BEDROOM UNITS WITH GENEROUS KITCHEN/DINING/LIVING ROOM AREAS AND 3-BEDROOM TOWNHOUSE UNITS. IN ADDITION, THERE IS A COMMON USABLE OPEN SPACE EXTERIOR COURTYARD AND AMENITY GARDEN AREA AT GRADE, A COMMON OUTDOOR ROOF-TOP DECK AT THE 6TH FLOOR, AND PRIVATE BALCONIES FOR THE TOWNHOME UNITS LOCATED AT THE 6TH AND 8TH FLOORS.

SHEET LIST

Sheet Number	Sheet Name	5/15/24 SB330 ENT. APP	8/26/24 DRC REVIEW	10/11/24 PLAN. REV. #2	12/16/24 Planning Rev. #3
GENERAL					
G000	TITLE SHEET	•	•	•	
G001	ZONING CODE INFORMATION	•	•	•	
G002.A	BASE PROJECT CALCULATIONS & DIAGRAM	•	•	•	
G002.B	DENSITY BONUS CALCULATIONS & DIAGRAM	•	•	•	
G002.C	AFFORDABLE HOUSING COMPLIANCE PLAN	•	•	•	
G003	OPEN SPACE CALCULATIONS	•	•	•	
G004	STREET CONTEXT ELEVATIONS	•	•	•	
G020	SHADOW STUDIES - DECEMBER, 21ST	•	•	•	
G021	SHADOW STUDIES - JUNE 21ST	•	•	•	
G022	SHADOW STUDIES - MAY 21ST	•	•	•	
G030	GREEN POINT HOME CHECKLIST	•	•	•	
G031	FACADE TRANSPARENCY	•	•	•	
CIVIL					
C0.0	COVER SHEET	•	•		
C0.1	ABBREVIATION AND LEGEND	•	•	•	
C1.0	TOPOGRAPHIC SURVEY AND DEMOLITION PLAN	•	•	•	
C2.0	SITE PLAN	•	•	•	
C3.0	UTILITY PLAN	•	•	•	
C4.0	GRADING PLAN	•	•	•	
C4.1	SECTIONS	•	•	•	
C5.0	STORMWATER CONTROL PLAN	•		•	

SHEET LIST

Sheet Number	Sheet Name	5/15/24 SB330 ENT. APP	8/26/24 DRC REVIEW	10/11/24 PLAN. REV. #2	12/16/24 Planning Rev. #3
C7.0	DETAILS	•	•	•	
C7.1	DRAINAGE DETAILS	•	•	•	
C7.2	CITY OF BERKELEY STANDARD DETAILS	•	•	•	
C7.3	CITY OF BERKELEY POLLUTION PREVENTION PLAN	•	•	•	
C7.4	EROSION CONTROL DETAILS	•	•	•	
LANDSCAPE					
L1.0	SCHEMATIC LANDSCAPE PLAN	•	•	•	
L1.1	SCHEMATIC LANDSCAPE PLAN - ROOF DECK	•	•	•	
L2.0	LANDSCAPE CONCEPT IMAGERY	•	•	•	
L3.0	PLANTING CONCEPT PLAN	•	•	•	
L3.1	PLANTING CONCEPT PLAN - ROOF DECK	•	•	•	
L3.2A	PLANTING SCHEDULES	•	•	•	
L3.2B	PLANTING CONCEPT IMAGERY	•	•	•	
L4.0	IRRIGATION HYDROZONE PLAN	•	•	•	
L4.1	IRRIGATION HYDROZONE PLAN - ROOF DECK	•	•	•	
L4.2A	IRRIGATION EQUIPMENT, NOTES AND WELO CALCS	•	•	•	
ARCHITECTURAL					
A100.A	SITE PLAN - EXISTING	•	•	•	
A100.B	SITE PLAN - PROPOSED	•	•	•	

SHEET LIST

Sheet Number	Sheet Name	5/15/24 SB330 ENT. APP	8/26/24 DRC REVIEW	10/11/24 PLAN. REV. #2	12/16/24 Planning Rev. #3
A100.C	PROPOSED LIGHTING PLAN - GROUND FLOOR	•	•	•	
A101	PROPOSED GROUND FLOOR PLAN	•	•	•	
A102	PROPOSED SECOND - FOURTH FLOOR PLAN	•	•	•	
A103	PROPOSED FIFTH FLOOR PLAN	•	•	•	
A104	PROPOSED SIXTH FLOOR PLAN	•	•	•	
A105	PROPOSED SEVENTH FLOOR PLAN	•	•	•	
A106	PROPOSED EIGHTH FLOOR PLAN	•	•	•	
A107	PROPOSED ROOF PLAN	•	•	•	
A200	PROPOSED EXTERIOR ELEVATIONS & MATERIALS	•	•	•	
A201	PROPOSED EXTERIOR ELEVATIONS & MATERIALS	•	•	•	
A202	PROPOSED EXTERIOR ELEVATIONS - BIRD SAFETY	•	•	•	
A203	PROPOSED EXTERIOR ELEVATIONS - BIRD SAFETY	•	•	•	
A300	PROPOSED BUIDLING SECTION	•	•	•	
A301	PROPOSED BUIDLING SECTION	○	•		
A400	PERSPECTIVE VIEWS	•	•	•	
A401	PERSPECTIVE VIEWS	•	•	•	
A402	PERSPECTIVE VIEWS	•	•	•	
A403	ENLARGED TOWNHOME PLAN	○	•	•	

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2655 SHATTUCK AVE.

2655 SHATTUCK AVE.,
BERKELEY, CA 94704

LICENSED ARCHITECT
CHARLES FEIDELSON KAHN
No. C-31027
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

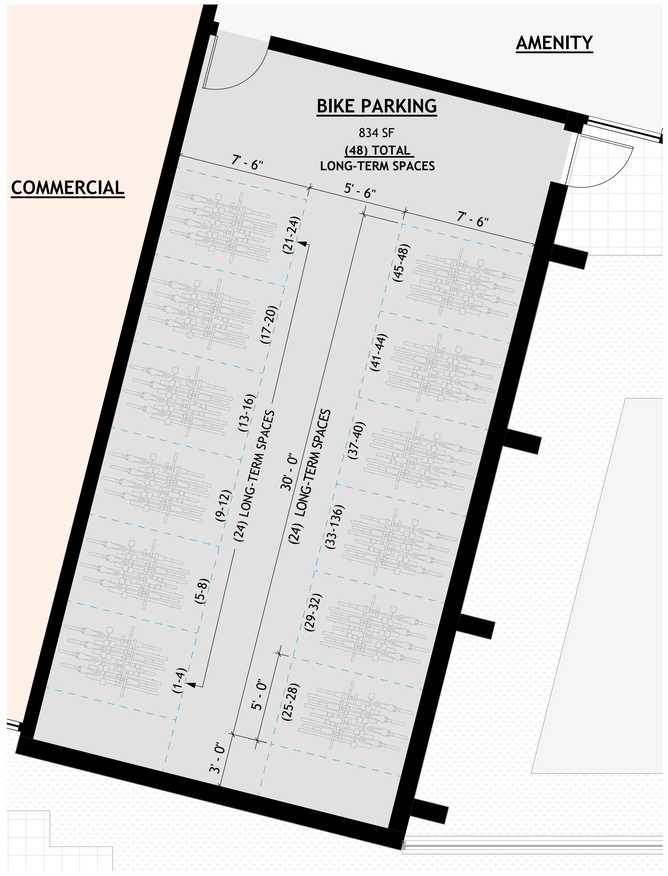
△	DATE	ISSUE RECORD
	5/15/24	DRC REVIEW
	8/26/24	DRC Review

PROJECT NO: KDN01

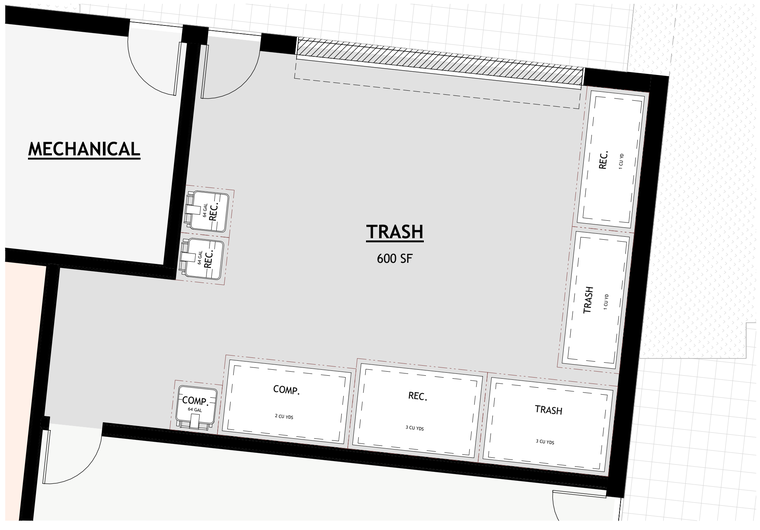
ISSUE DATE: 08/26/24

TITLE SHEET

G000



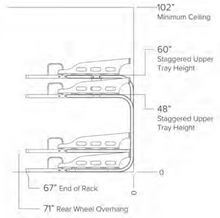
3 GROUND FLOOR PLAN
1/4" = 1'-0"

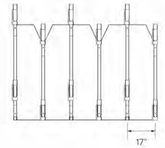


2 GROUND FLOOR PLAN
1/4" = 1'-0"

DERO | Dero Duplex

Submittal Sheet





CAPACITY Varies per configuration
Minimum 6 bike system required for stability

MATERIALS
Main frame tube: 2" 11g square tube
Connector plates: 1/4" plate
Bike trays: 11g plate

FINISHES
- **Galvanized** An after fabrication hot dipped galvanized finish is our standard option.
- **Powder Coat** Our powder coat finish assures a high level of adhesion and durability by following these steps: 1. Sandblast 2. Epoxy primer electrostatically applied 3. Final thick TGIC polyester powder coat
- **Stainless** 304 grade stainless steel material with external surfaces polished to a satin finish. All surfaces passivated.

MOUNT OPTIONS **Surface only** Each connector plate accepts 3/8" wedge anchors.

U-lock compatible

BICYCLE PARKING				
	Commercial Square Footage	Required	Proposed	Notes
Commercial Short-Term Spaces:	2,117	2	4	1 space / 2,000 sq ft
	Proposed Bedroom Count			
Residential Short-Term Spaces:	135	4	4	1 space / 40 Bedrooms
Residential Long-Term Spaces:		45	48	1 space / 3 Bedrooms

2655 SHATTUCK AVE.	
Waste, Recycling, & Compost Calculation	
Units	97
Bedrooms	135
Excess Capacity Factor	1
	135
50 gal/wk per 3 Occupants	2250 gal
Waste (40%)	900 gal
Recycling Paper (30%)	675 gal
Recycling Other (10%)	225 gal
Organics (20%)	450 gal

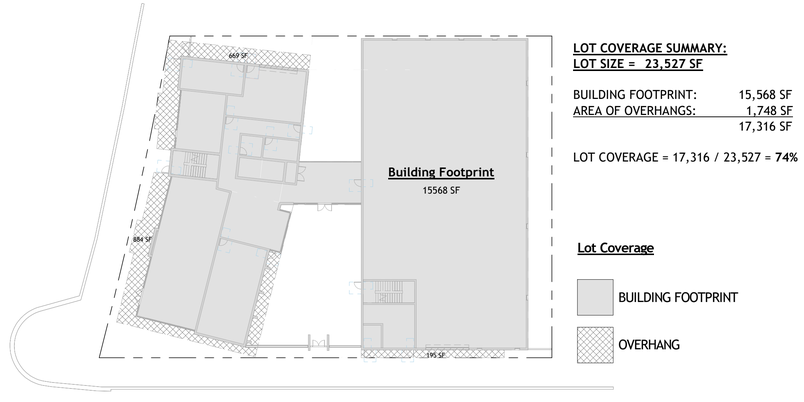
Container Calculation

Container Info		Quantities			
Type	Gal.	Waste	Recycling		Organics
			Paper	Other	
3 cu yd Bin	605	1	1	0	0
2 cu yd Bin	404	0	0	0	1
1 cu yd Bin	330	1	0	1	0
96 gal cart	96	0	0	0	0
64 gal cart	64	0	2	0	1
Total Capacity Provided (gal)		935	733	330	468
Total Capacity Req'd (gal)		900	675	225	450

ZONING CODE INFORMATION

SITE INFORMATION						
PROJECT ADDRESS:	2655 SHATTUCK AVE					
CROSS STREET:	DERBY ST.					
APN:	55-1826-18-2					
ZONING DISTRICT:	C-AC / SUBAREA SOUTH SHATTUCK / COMMERICAL (BTWN DWIGHT + DERBY)					
GENERAL PLAN AREA:	ADELINE CORRIDOR MIXED USE					
SPECIAL ZONING OVERLAYS:	NO					
ZONING ADJACENCIES:	NORTH	EAST	SOUTH	WEST		
	C-AC	R-2	C-AC + R-2	C-AC		
SEISMIC SAFTY						
EARTHQUAKE FAULT RUPTURE ZONE:	NO	LIQUEFACTION ZONE:		NO		
LANDSLIDE ZONE:	NO	UN-REINFORCED MASONRY BLDG:		NO		
HISTORICAL PRESERVATION						
LANDMARK / STRUCTURE OF MERIT:	NO	STRUCTURE > 40 YEARS OLD.:		NO		
ENVIROMENTAL SAFETY						
CREEK BUFFER:	NO	FIRE ZONE:		NO		
ENVIRONMENTAL AREA:	NO	FLOOD ZONE (100-YEAR OR 1%):		NO		

DEVELOPMENT STANDARDS	EXISTING	PERMITTED / REQUIRED	BASE PROJECT	PROPOSED	NOTES	EXCEPTION REQUESTED BY STATE DENSITY BONUS WAIVER OR MODIFICATION
YARDS AND HEIGHT						
FRONT YARD SETBACK (WEST):	0	0	0	0 (LVLS 2-6)		
SIDE YARD SETBACK (NORTH):	81'	0	3'-1"	1' (LVL 1)		
STREET SIDE SETBACK (SOUTH):	1'	0	2 0	0 (LVLS 2-5)		
REAR YARD SETBACK (ABBUTTING RES.):	40'	10' @ 35' 20' @ 45'	20'	10' (LVL 1)	2	
BUILDING STORIES:	1	4	4	8		REQUEST WAIVER
MAXIMUM BUILDING HEIGHT:	20'	45'	45'	85'		
AVERAGE MAXIMUM HEIGHT:	18'	N/A	43'	83'		REQUEST WAIVER
AREAS						
LOT AREA - SF:	23,527	-	23,527	23,527		
GROSS FLOOR AREA - SF:	8,185	58,830	58,500 2	84,399		
BUILDING FOOTPRINT - SF:	8,185	16,469	14,910	17,316		
LOT COVERAGE - SF:	35%	70%	63%	74%		REQUEST WAIVER
FLOOR AREA RATIO (FAR):	0.35	2.5	2.5	3.6		REQUEST WAIVER
COMMERCIAL AREA - SF:	8,185	-	3,246	2,117		
2 COMMERCIAL DEPTH:	135'	30'	30'	27' - 10"		REQUEST WAIVER
2 USABLE OPEN SPACE (UOS) - SF:	N/A	3880.0	3,002	4,720	*40 SF / UNIT. SEE TABLE ON G003 FOR UOS CALCULATION*	
2 PUBLIC USABLE OPEN SPACE - SF:	0	N/A	0	577	*SEE TABLE ON G003 FOR UOS CALCULATION*	
UNITS						
UNITS / ACRE:	0	120	120	180		REQUEST WAIVER
DWELLING UNITS:	0	65	65	97		
ARCHITECTURAL AND ROOFTOP ELEMENTS						
TOTAL ROOF AREA - SF:	N/A	N/A	N/A	13,742		
TOTAL AREA OF ARCH / ROOFTOP ELEMENTS - SF:	N/A	N/A	N/A	345		
3 FACADE TRANSPARENCY						
GROUND FLOOR TRANSPARENCY					*SEE G031 FOR CALCULATIONS*	
WEST ELEVATION	N/A	30% MIN.	N/A	58%		
SOUTH ELEVATION	N/A	30% MIN.	N/A	36%		
COMMERICAL TRANSPARENCY:						
WEST ELEVATION	N/A	65% MIN.	N/A	82%		
SOUTH ELEVATION	N/A	65% MIN.	N/A	97%		
VEHICLE PARKING REQUIREMENTS						
COMMERCIAL PARKING SPACES	24	0	0	0		
# ACCESSIBLE SPACES:	3	0	0	0		
# STANDARD SPACES:	21	0	0	0		
# COMPACT SPACES:	0	0	0	0		
# EV SPACES:	0	0	0	0		
# MOTORCYCLE SPACES:	0	0	0	0		
RESIDENTIAL PARKING SPACES	0	0	0	41		
# ACCESSIBLE SPACES:	0	0	0	2		
# STANDARD SPACES:	0	0	0	39		
# COMPACT SPACES:	0	0	0	0		
# EV SPACES:	0	0	0	8		
# MOTORCYCLE SPACES:	0	0	0	0		
BICYCLE PARKING						
COMMERCIAL SHORT -TERM:	0	2	0	4	*1 space / 2,000 sq ft*	
RESIDENTIAL SHORT-TERM:	0	4	0	4	*1 space / 40 Bedrooms*	
RESIDENTIAL LONG-TERM:	0	45	0	48	*1 space / 3 Bedrooms*	



LOT COVERAGE SUMMARY:
LOT SIZE = 23,527 SF

BUILDING FOOTPRINT:	15,568 SF
AREA OF OVERHANGS:	1,748 SF
	17,316 SF

LOT COVERAGE = 17,316 / 23,527 = **74%**

Lot Coverage

BUILDING FOOTPRINT

OVERHANG

1 LOT COVERAGE DIAGRAM
1" = 30'-0"

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2655 SHATTUCK AVE.

2655 SHATTUCK AVE.,
BERKELEY, CA 94704

LICENSED ARCHITECT
DANIELLE FEIDELSON KAHN
No. C-31807
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION
2	10/11/24	PLANNING RESPONSE 2
3	12/20/24	PLANNING RESPONSE 3

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

ZONING CODE INFORMATION

G001

Density Bonus - 8-Story

Project Address:	2655 Shattuck Ave
Project Code:	KDN01
Date:	5/17/2024

Base Project	Base # Units	Base # Units	% VLI units	# VLI Units	#VLI	Bonus %	# DB Units	# DB Units	Total Units
sq. ft. - see calculation below	base project/avg. unit size	Base Units/Max. Residential Density (rounded up)	VLI = Very Low Income <50 AMI	% VLI x Base # Units			%Bonus x Base # Units	%Bonus x Base # Units (rounded up)	base unit + DB Units (rounded up)
53,895	64.91	65.00	15.00%	9.75	10.00	50.00%	32.50	33.00	98

Base Project Residential Square Footage	Floor	Residential Sq. Footage Proposed	studio	1-bed	2-bed	3-bed
10,305	first	3,210	0	0	0	0
14,530	second	14,785	14	5	4	0
14,530	third	14,785	14	5	4	0
14,530	fourth	14,785	14	5	4	0
	fifth	14,785	7	5	6	0
	sixth	7,250				10
	Seventh	5,175				
	Eighth	5,765				
53,895	TOTAL	80,540				
		Units:	49	20	18	10
		Bedrooms:	49	20	36	30

Target SF:	80,843
Total SF:	80,540
Prop. Units:	97
Avg Unit SF:	830
Beds / SF:	597
Total	
97	
135	

%VLI	%DB
5%	20.0%
6%	22.5%
7%	25.0%
8%	27.5%
9%	30.0%
10%	32.5%
11%	35.0%
12%	38.7%
14%	46.3%
15%	50.0%

Non-Qualifying Residential Support	1,742
Commercial:	2,117
Total Gross SF:	84,399

AREA SUMMARY - BASE BUILDING

Level	Area	Unit Count
RESIDENTIAL AREA		
01 - GROUND FLOOR	10305 SF	8
02 - SECOND FLOOR	14530 SF	19
03 - THIRD FLOOR	14530 SF	19
04 - FOURTH FLOOR	14530 SF	19
	53895 SF	65
NON-QUALIFYING RESIDENTIAL AREA		
01 - GROUND FLOOR	1360 SF	0
	1360 SF	0
COMMERCIAL		
01 - GROUND FLOOR	2118 SF	0
01 - GROUND FLOOR	1127 SF	0
	3246 SF	0
	58500 SF	65

U.O.S. SUMMARY - BASE BUILDING

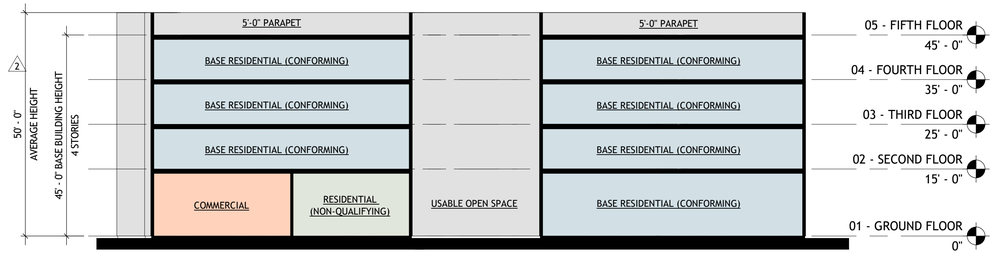
Level	Area
U.O.S.	
01 - GROUND FLOOR	3002 SF
	3002 SF

USABLE OPEN SPACE SUMMARY:

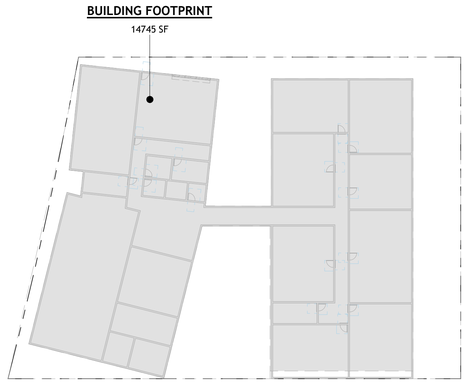
UOS REQUIRED: 40 SF / UNIT
40 SF x 65 UNITS = 2,600 SF
TOTAL PROPOSED: 3,002 SF

BASE PROJECT: LEGEND

- COMMERCIAL
- NON-QUALIFYING RESIDENTIAL AREA
- RESIDENTIAL AREA
- U.O.S.



5 BASE PROJECT SECTION
1/16" = 1'-0"



4 LOT COVERAGE DIAGRAM - BASE PROJECT
NOT TO SCALE

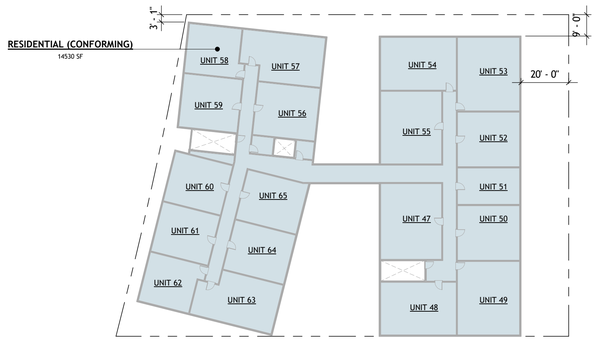
LOT COVERAGE SUMMARY:
LOT SIZE = 23,527 SF

BUILDING FOOTPRINT: 14,745 SF

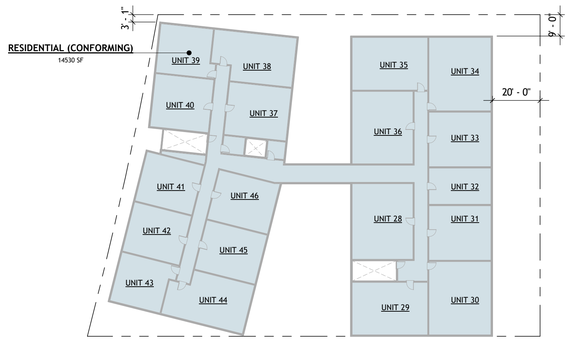
LOT COVERAGE = 14,745 / 23,527 = **63%**

LOT COVERAGE

BUILDING FOOTPRINT

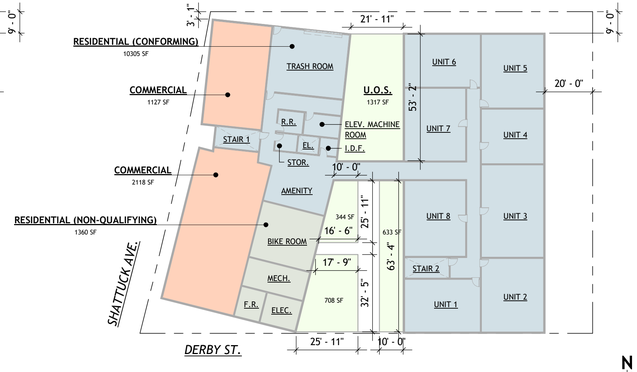


3 LEVEL 4
NOT TO SCALE



6 LEVEL 3
NOT TO SCALE

2 LEVEL 2
1" = 30'-0"



1 LEVEL 1
1" = 30'-0"

N

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DANIELLE FEIDELSON KAHN
No. C-31027
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION
2	10/11/24	PLANNING RESPONSE 2

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

BASE PROJECT CALCULATIONS & DIAGRAM

G002.A

Density Bonus - 8-Story

Project Address:	2655 Shattuck Ave
Project Code:	KDN01
Date:	5/17/2024

Base Project	Base # Units	Base # Units	% VLI units	# VLI Units	#VLI	Bonus %	# DB Units	# DB Units	Total Units
sq. ft. - see calculation below	base project/avg. unit size	Base Units/Max. Residential Density (rounded up)	VLI = Very Low Income <50 AMI	% VLI x Base # Units			%Bonus x Base # Units	%Bonus x Base # Units (rounded up)	base unit + DB Units (rounded up)
53,895	64.91	65.00	15.00%	9.75	10.00	50.00%	32.50	33.00	98

Base Project Residential Square Footage	Floor	Residential Sq. Footage Proposed	studio	1-bed	2-bed	3-bed
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14,530	second	14,785	14	5	4	0
14,530	third	14,785	14	5	4	0
14,530	fourth	14,785	14	5	4	0
	fifth	14,785	7	5	6	0
	sixth	7,250				10
	Seventh	5,175				
	Eighth	5,765				
53,895	TOTAL	80,540				
		Units:	49	20	18	10
		Bedrooms:	49	20	36	30

Target SF:	80,843
Total SF:	80,540
Prop. Units:	97
Avg Unit SF:	830
Beds / SF:	597
Total	
97	
135	

%VLI	%DB
5%	20.0%
6%	22.5%
7%	25.0%
8%	27.5%
9%	30.0%
10%	32.5%
11%	35.0%
12%	38.7%
14%	46.3%
15%	50.0%

Non-Qualifying Residential Support	1,742
Commercial:	2,117
Total Gross SF:	84,399

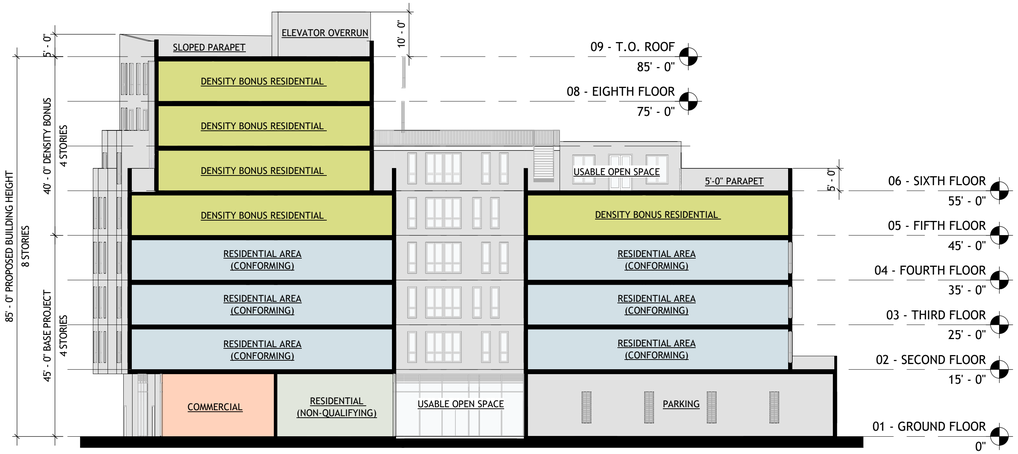
AREA SUMMARY - DENSITY BONUS

Level	Area	Unit Count
RESIDENTIAL AREA		
01 - GROUND FLOOR	3210 SF	0
02 - SECOND FLOOR	14785 SF	23
03 - THIRD FLOOR	14785 SF	23
04 - FOURTH FLOOR	14785 SF	23
05 - FIFTH FLOOR	14785 SF	18
06 - SIXTH FLOOR	7250 SF	0
07 - SEVENTH FLOOR	5175 SF	10
08 - EIGHTH FLOOR	5765 SF	0
	80540 SF	97
NON-QUALIFYING RESIDENTIAL AREA		
01 - GROUND FLOOR	1742 SF	0
	1742 SF	0
COMMERCIAL		
01 - GROUND FLOOR	2117 SF	0
	2117 SF	0
Grand total	84399 SF	97

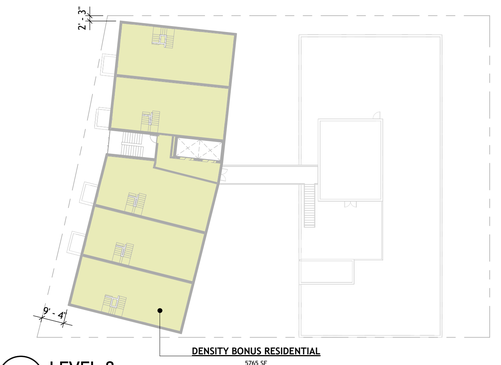
*REFER TO SHEET G003 FOR DENSITY BONUS U.O.S. CALCULATIONS AND DIAGRAMS

DENSITY BONUS LEGEND

- COMMERCIAL
- DENSITY BONUS
- RESIDENTIAL AREA
- NON-QUALIFYING RESIDENTIAL AREA
- PARKING
- U.O.S.
- PRIVATE U.O.S.
- COMMERCIAL U.O.S.

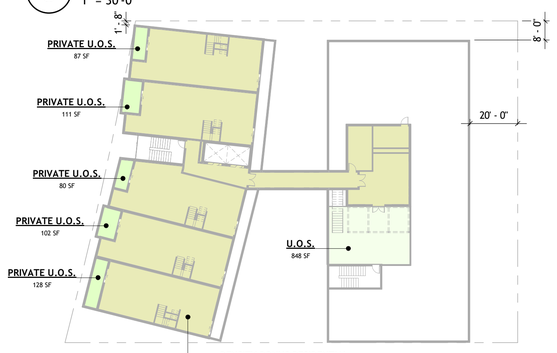


9 DENSITY BONUS PROPOSED SECTION
1/16" = 1'-0"

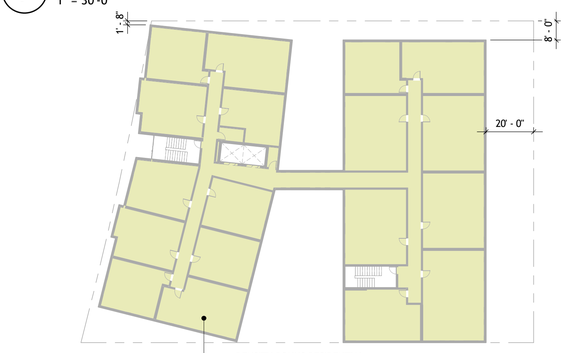


8 LEVEL 8
1" = 30'-0"

7 LEVEL 7
1" = 30'-0"

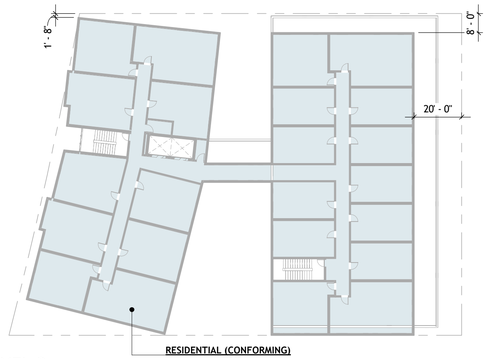


6 LEVEL 6
1" = 30'-0"

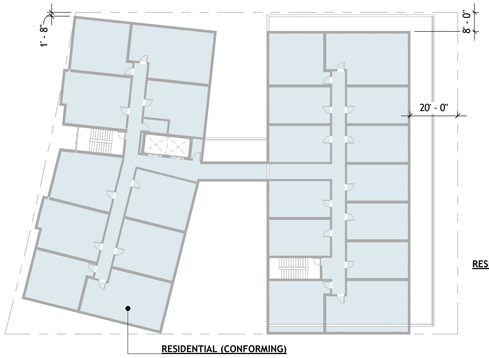


5 LEVEL 5
1" = 30'-0"

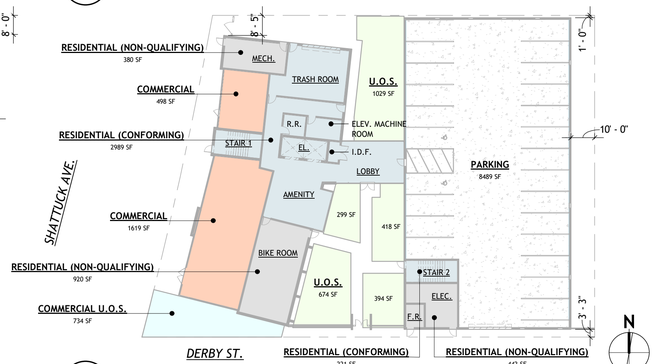
4 LEVEL 4
1" = 30'-0"



3 LEVEL 3
1" = 30'-0"



2 LEVEL 2
1" = 30'-0"



1 LEVEL 1
1" = 30'-0"

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LICENSED ARCHITECT DANIELLE FEIDELSON KAHN No. C-31027 01/31/2025 RENEWAL DATE STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

DENSITY BONUS CALCULATIONS & DIAGRAM

G002.B

Base Project Floor	Residential Unit Floor Area (SF)	# of Residential Units
02 - SECOND FLOOR	11429 SF	23
03 - THIRD FLOOR	11419 SF	23
04 - FOURTH FLOOR	11419 SF	23
05 - FIFTH FLOOR	11571 SF	18
06 - SIXTH FLOOR	5150 SF	0
07 - SEVENTH FLOOR	3730 SF	10
08 - EIGHTH FLOOR	4978 SF	0
TOTAL:	59697 SF	97

Final Residential Unit Floor Area (FP RUFA)	**59698**
Density Bonus	**50%**
1+ Density Bonus	**1.50**
Base Project Residential Unit Floor Area (BP RUFA) (FP RUFA / (1+DB)	**39799**

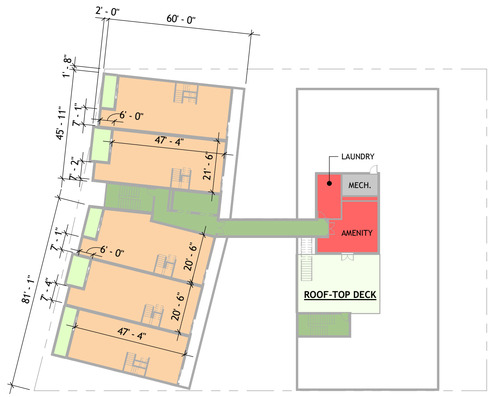
A	**Total Residential Unit Floor Area (SF) RUFA** (Base Project RUFA only for denisty projects)	
	39799	
B	**Total Residential Units** (Base Project only for density bonus projects)	
	65	
C	**Total BMR Units required (20% of B)**	
	13	
D	Total BMR Units Proposed	
	50% AMI (Very- Low Income)	10
	80% AMI (Lower Income)	0
	Total BMR Units	**10**
	Per Square Foot Fee based on Total Residential Unit Floor Area (Base Project only for density bonus projects)	
	$56.25	
	In Lieu Fee percentage calculation* (Affordable units required - affordabel units provided) / Affordable Units required	
	(* projects that provide no on-site affordable Units have a multiplier of 1)	**23.08%**
		(C-D) / C

RESIDENTIAL UNIT LEGEND

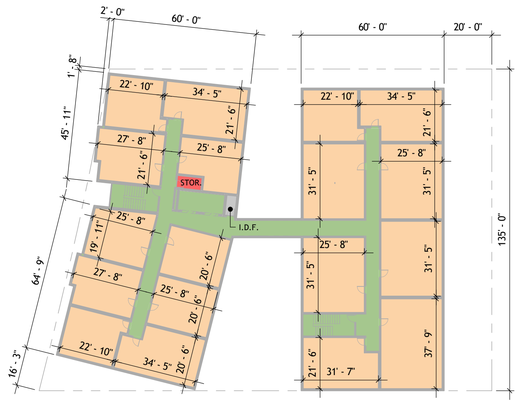
- COMMERCIAL
- RESIDENTIAL UNIT FLOOR AREA
- CIRCULATION
- AMENITY
- PARKING
- UTILITY
- P.O.P.O.S.
- U.O.S.
- PRIVATE U.O.S.

8 LEVEL 8
1" = 30'-0"

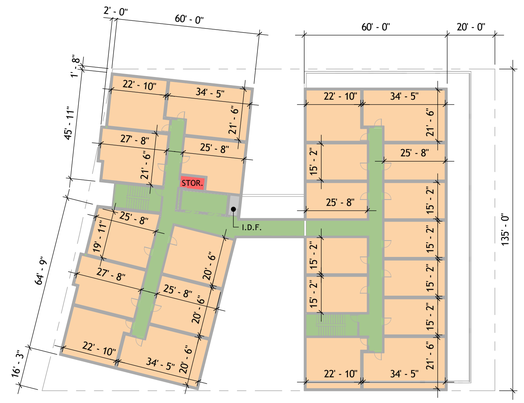
7 LEVEL 7
1" = 30'-0"



6 LEVEL 6
1" = 30'-0"



5 LEVEL 5
1" = 30'-0"



4 LEVEL 4
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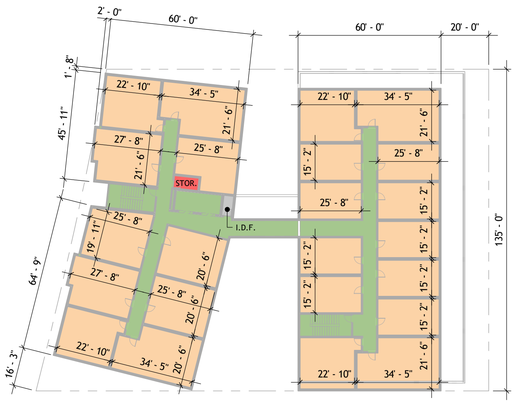
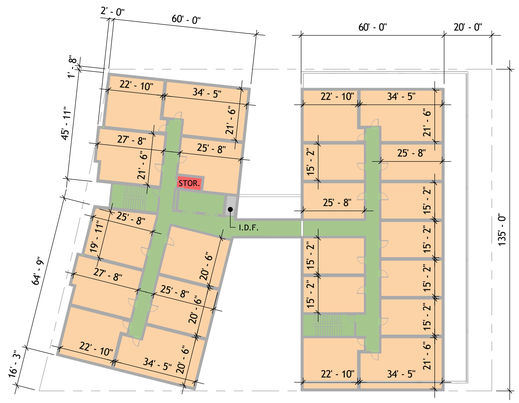
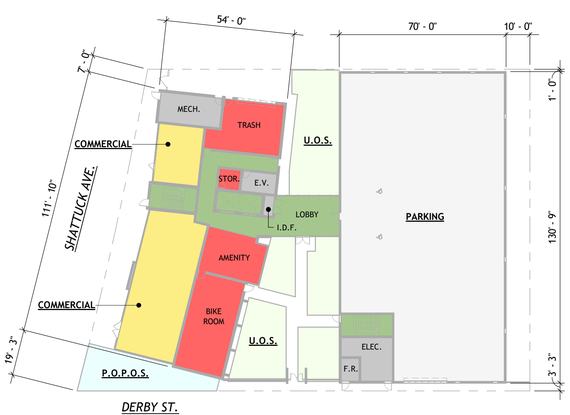


3 LEVEL 3
1" = 30'-0"



2 LEVEL 2
1" = 30'-0"



1 LEVEL 1
1" = 30'-0"

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STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

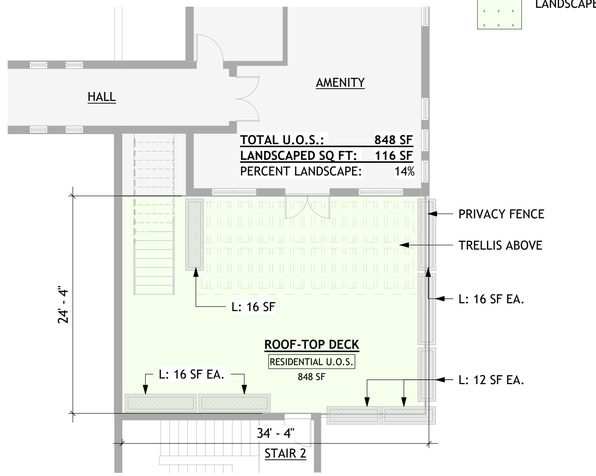
AFFORDABLE HOUSING COMPLIANCE PLAN

G002.C

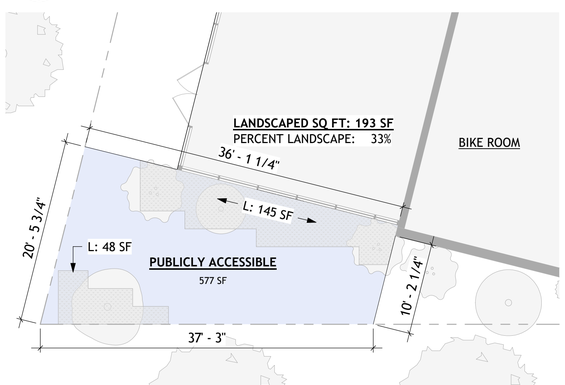
U.O.S. SUMMARY - DENSITY BONUS				
Floor	Total U.O.S. Per Floor	Public U.O.S. Hardscape (S.F.)	Public U.O.S. Landscape (S.F.)	Names/Locations
1	2,718	1,425	1,293	Exterior Courtyard + Amenity Garden
2	0	0	0	N/A
3	0	0	0	N/A
4	0	0	0	N/A
5	0	0	0	N/A
6	848	732	116	Roof-Top Deck
7	0	0	0	N/A
8	0	0	0	N/A
Non-publicly accessible UOS	3,566	2,157	1,409	*3,880 SF Required (40 SF / Unit)*
			40%	*1,409 SF Landscape Required (40% of UOS)*
Publicly accessible UOS	1,154 (577 x 2)	384	193	*1 sqft of publicly accessible open space = 2 sqft of required on-site open space*
			33%	
Total Usable Open Space	4,720			

USABLE OPEN SPACE

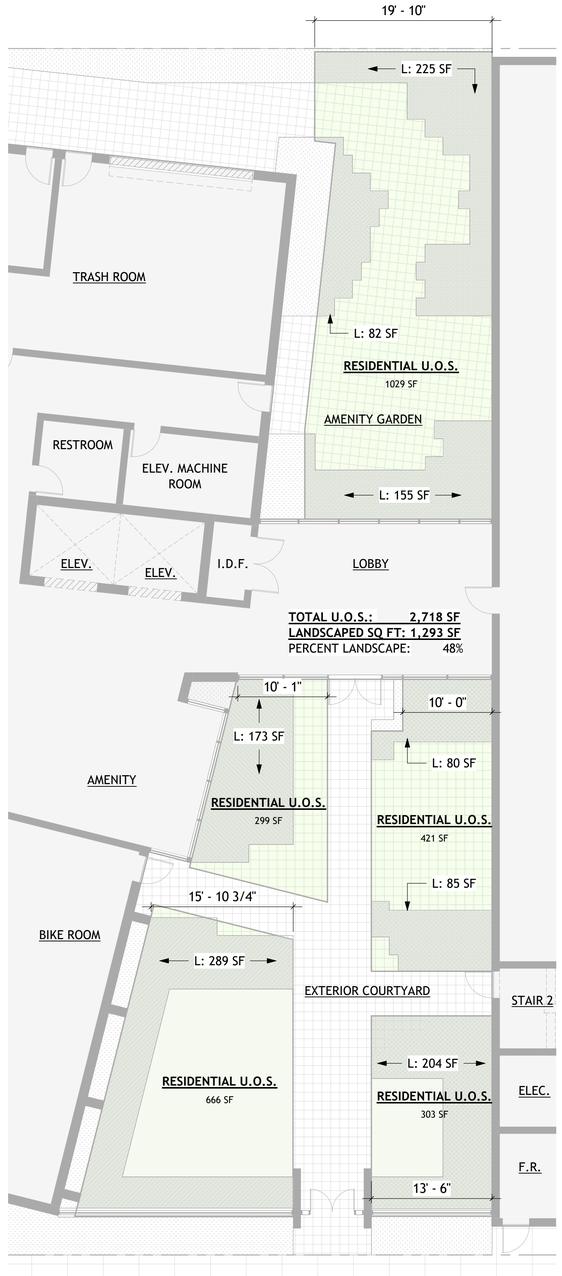
- NON - U.O.S
- PUBLICLY ACCESSIBLE U.O.S.
- RESIDENTIAL U.O.S.
- LANDSCAPED AREA



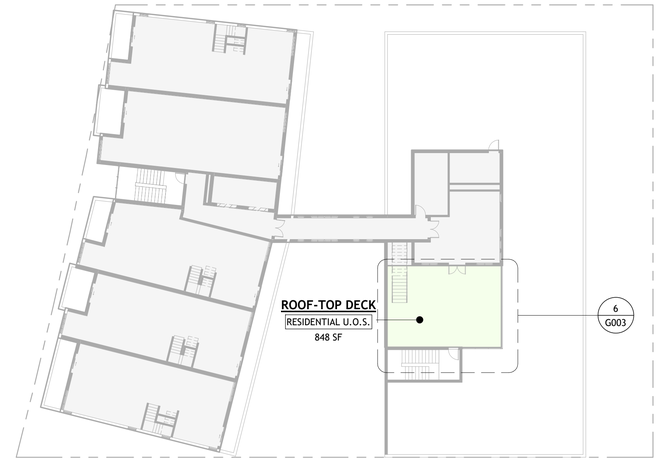
6 LEVEL 6 - ENLARGED ROOF-TOP DECK
1/8" = 1'-0"



5 LEVEL 1 - ENLARGED COMMERCIAL PLAZA
1/8" = 1'-0"



4 LEVEL 1 - ENLARGED ENTRY COURTYARD & AMENITY GARDEN
1/8" = 1'-0"



2 LEVEL 6
3/64" = 1'-0"

1 LEVEL 1
3/64" = 1'-0"

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2655 SHATTUCK AVE.

2655 SHATTUCK AVE.,
BERKELEY, CA 94704

LICENSED ARCHITECT
DANIELLE FEIDELSON KAHN
No. C-31027
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

OPEN SPACE CALCULATIONS

G003

2 STREET CONTEXT ELEVATION - PROPOSED
NOT TO SCALE

1 STREET CONTEXT ELEVATION - EXISTING
NOT TO SCALE

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	5/15/24	SB330 APPLICATION

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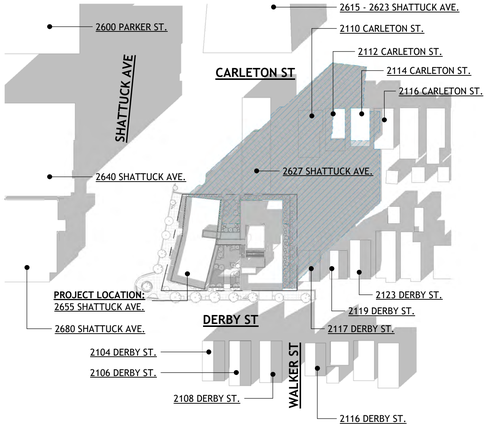
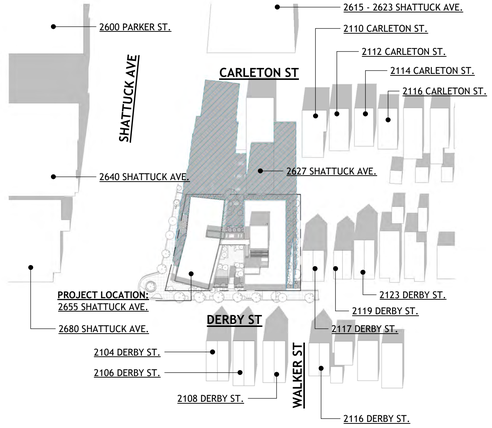
ISSUE DATE: 07/23/2024

STREET CONTEXT ELEVATIONS

G004



11 12/21 - 2:48 PM - COMBINED
1" = 100'-0"



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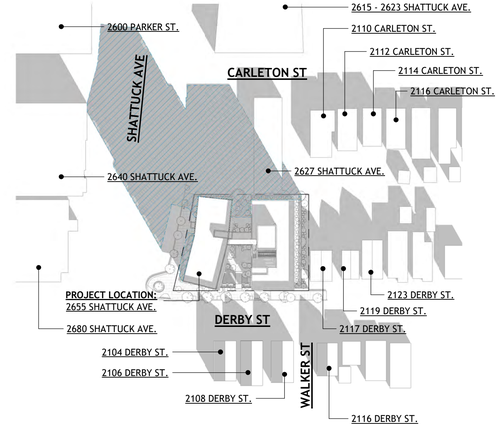

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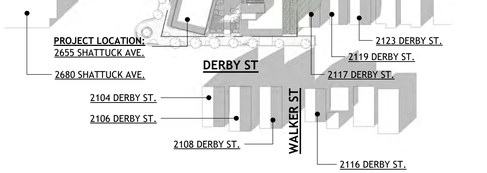

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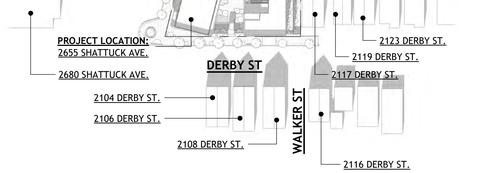

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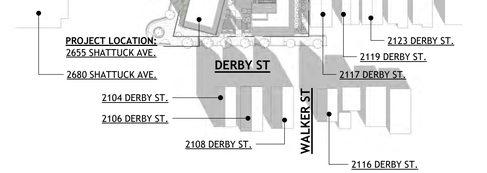

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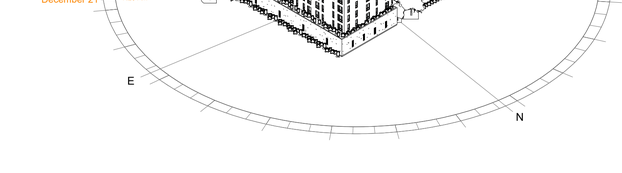
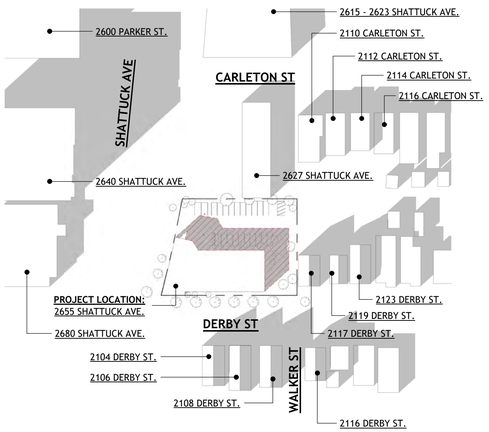
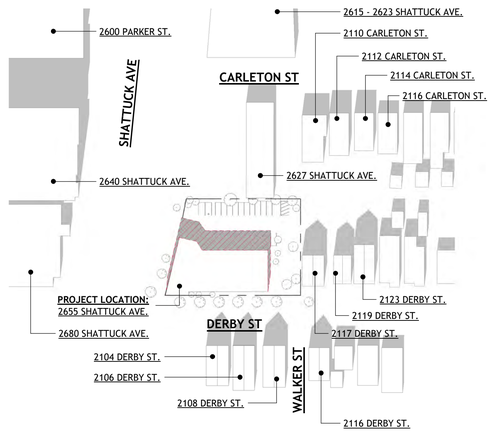
1" = 100'-0"



2 DECEMBER 21ST - SUN PATH
(SUNRISE - SUNSET)



9 12/21 - 2:48 PM - EXISTING
1" = 100'-0"



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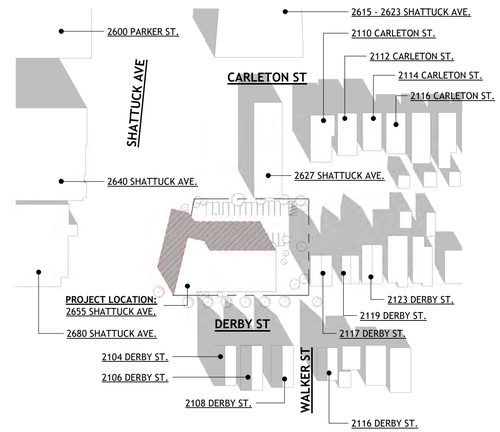
1" = 100'-0"



3 12/21 - 9:26 AM - EXISTING
1" = 100'-0"

EXISTING SHADOW

NEW SHADOW

OVERLAY SHADOW

1 Shadow Study Legend

N

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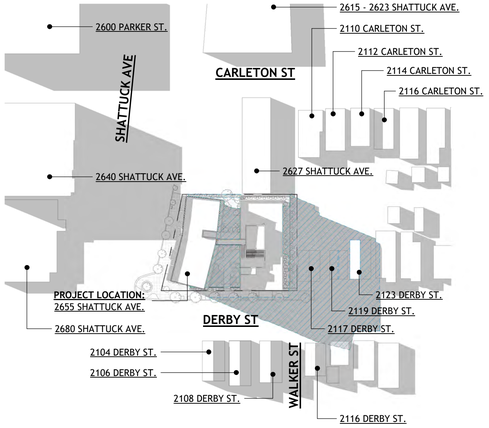
SHADOW STUDIES - DECEMBER, 21ST

G020



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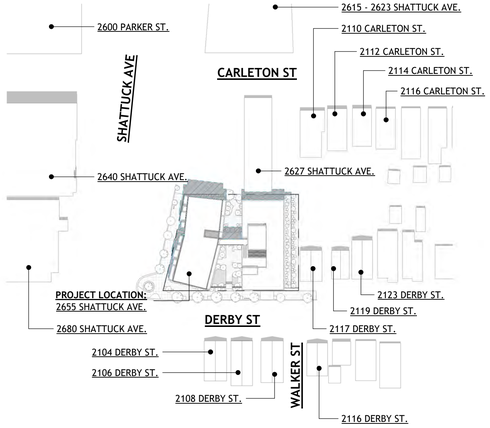
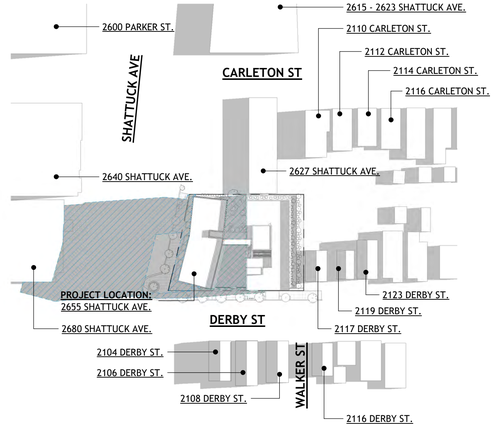
1" = 100'-0"



9 06/21 - 12:00 PM - COMBINED
1" = 100'-0"



8 06/21 - 6:52 AM - COMBINED
1" = 100'-0"

7 06/21 - 5:30 PM - PROPOSED
1" = 100'-0"

5 06/21 - 12:00 PM - PROPOSED
1" = 100'-0"

6 06/21 - 6:52 AM - PROPOSED
1" = 100'-0"

4 JUNE 21ST - SUN PATH
(SUNRISE - SUNSET)

3 06/21 - 5:30 PM - EXISTING
1" = 100'-0"

2 12/21 - 12:00 PM - EXISTING
1" = 100'-0"

1 06/21 - 6:52 AM - EXISTING
1" = 100'-0"

EXISTING SHADOW

NEW SHADOW

OVERLAY SHADOW

1 Shadow Study Legend

N

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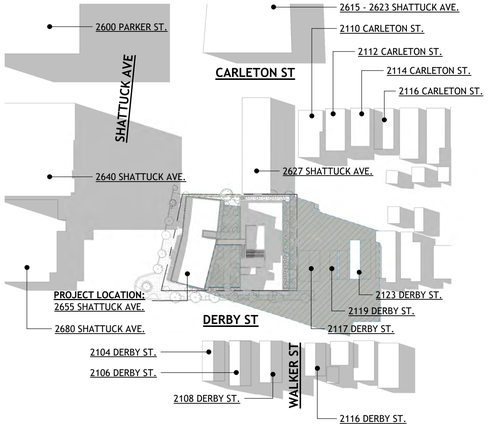
SHADOW STUDIES - JUNE 21ST

G021



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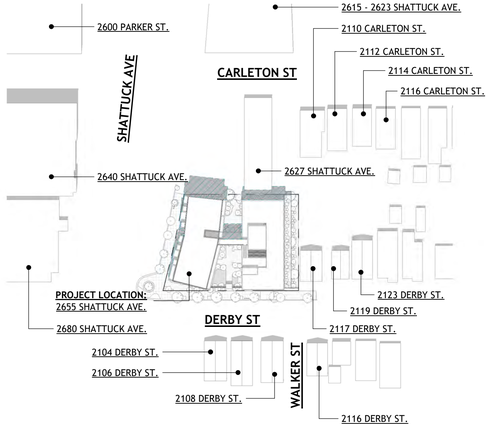
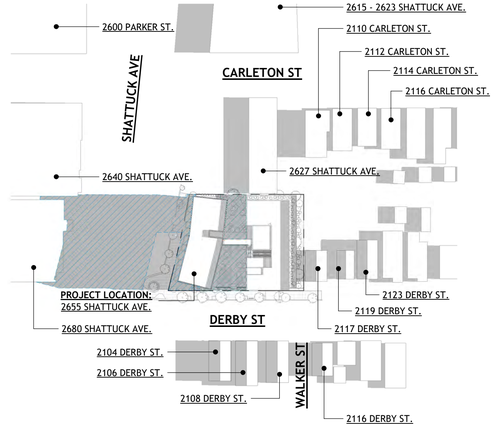


9 5/21 - 12:00 PM - COMBINED
1" = 100'-0"



8 5/21 - 7:00 AM - COMBINED
1" = 100'-0"

7 5/21 - 5:12 PM - PROPOSED
1" = 100'-0"

5 5/21 - 12:00 PM - PROPOSED
1" = 100'-0"

6 5/21 - 7:00 AM - PROPOSED
1" = 100'-0"

4 MAY 21ST - SUN PATH
(SUNRISE - SUNSET)

3 5/21 - 5:12 PM - EXISTING
1" = 100'-0"

2 5/21 - 12:00 PM - EXISTING
1" = 100'-0"

1 5/21 - 7:00 AM - EXISTING
1" = 100'-0"

EXISTING SHADOW

NEW SHADOW

OVERLAY SHADOW

1 Shadow Study Legend

N

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SHADOW STUDIES - MAY 21ST

G022

NEW HOME RATING SYSTEM, VERSION 9.1

GreenPointRated

MULTIFAMILY CHECKLIST

The GreenPoint Rated checklist tracks green features incorporated into the home. GreenPoint Rated is administered by Build It Green, a non-profit whose mission is to promote healthy, energy and resource-efficient buildings in California.

The minimum requirements of GreenPoint Rated are: verification of 50 or more points; Earn the following minimum points per category: Energy (35); Indoor Air Quality/Health (6), Resources (5), and Water (5); and meet the prerequisites CALGreen Mandatory, HI6.1, J5.1, J5.2, O1.

Directions for Use: Column A is a dropdown menu with the options of "Yes", "No", or "TBD" or a range of percentages to allocate points. Select the appropriate dropdown and the appropriate points will appear in the blue "points achieved" column.

The criteria for the green building practices listed below are described in the *GreenPoint Rated New Home Rating Manual*. For more information please visit **www.greenpointrated.com**.
Build It Green is not a code enforcement agency.
A home is only GreenPoint Rated if all features are verified by a Certified GreenPoint Rater through Build It Green.

New Home Multifamily Version 9.1

Points Targeted: 120
Certification Level Targeted: Gold
Compliance Pathway Targeted: All Electric High-Rise

POINTS REQUIRED (Minimum* Points; * = Largest Proxy)

Project Name: 2655 Shattuck Avenue
2655 Shattuck Avenue
Berkeley, CA
94704

	MEASURES	Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
	CALGreen							
Yes	**CALGreen Res** (REQUIRED)	4		*	*	*	*	
	A. SITE							
No	**A1. Construction Footprint** (Sub-Prescriptive Floor Beyond Local Ordinance OR 45% of IEAI Underlayment and Uninterrupted)	0				4		
	A2. Job Site Construction Waste Diversion							
TBD	A2.1 75% C&D Waste Diversion (**Including** Alternative/ Daily Cover)				2			
Yes	A2.2 Recycling Rates from Third-Party Verified Mixed-Use Waste Facility	1				1		
Yes	**A3. Recycled Content Base Material** (Minimum 20% Post-Consumer Content)	1				1		
Yes	**A4. Heat Island Effect Reduction (Non-Roof)**	2	1	1				
Yes	**A5. Construction Environmental Quality Management Plan including Flush-Out**	1		1				
	A6. Stormwater Control: Prescriptive Path							
Yes	A6.1 Permeable Paving Material	1					1	
Yes	A6.2 Filtration and/or Bio-Retention Fixtures	1					1	
Yes	A6.3 Non-Leaching Roofing Materials	1					1	
No	A6.4 Smart Stormwater Street Design	0	1					
No	**A7. Stormwater Control: Performance Path** (Capture and Treat 85% of Amount Runoff Emits)	0					0	
	B. FOUNDATION							
No	**B1. Low Carbon Concrete** (Minimum of 30%)	0			0			
No	**B2. Radon-Resistant Construction**	0						
No	**B3. Foundation Drainage System**	0			0			
No	**B4. Sealed Crawlspace**	0						
	B5. Structural Pest Controls							
No	B5.1 Termite Shields and Separated Exterior Wood-to-Concrete Connections	0				0		
No	B5.2 Plant Trunks, Bases, or Stems at Least 36 Inches from the Foundation	0				0		
	C. LANDSCAPE							
10.00%	Enter the landscape area percentage. Points capped at 3 if lw less than 10%							
Yes	**C1. Plants Grouped by Water Needs (Hydrozoning)**	1					1	
Yes	**C2. Three Inches of Organic Mulch in Planting Beds**	1					1	
	C3. Resource Efficient Landscapes							
Yes	C3.1 No Invasive Species Listed by Cal-IPC	1				1		
Yes	C3.2 Plants Chosen and Located to Grow to Natural Size (Limited Invasiveness)	1				1		
Yes	C3.3 Drought Tolerant, California Native, or Other Appropriate Species	1					1	
	C4. Minimal Turf in Landscape							
TBD	C4.1 No Turf on Slopes Exceeding 10% and No Overhead Sprinklers Installed in Areas Less Than Eight Feet Wide						2	
TBD	C4.2 Turf on a Small Percentage of Landscaped Area						0	
No	**C5. Trees to Moderate Building Temperature** (at least 10% of West-Facing Glazing and Walls Shaded)	0	1	1				
Yes	**C6. High-Efficiency Irrigation System**	2					2	
No	**C7. One Inch of Compost in the Top Six to Twelve inches of Soil** (with Soil Testing)	0					0	
	C8. Rainwater Harvesting System							
No	C8.1 Rainwater Harvesting System with 300 Gallon Storage Capacity	0					0	
No	C8.2 Rainwater to Flush Toilets or Meet 50% of Landscape Irrigation Demand	0					0	
No	**C9. Recycled Wastewater Irrigation System**	0					0	
Yes	**C10. Submeter or Dedicated Meter for Landscape Irrigation**	2					2	
TBD	**C11. Efficient Landscape Water Budget**						0	
	C12. Environmentally Preferable Materials for Site							
No	C12.1 Environmentally Preferable Materials for 70% of Hardscapes and Fencing	0				0		
No	C12.2 Play Structures and Surfaces Have an Average Recycled Content ≥ 20%	0				0		
Yes	**C13. Reduced Light Pollution** (Exterior lighting fixtures shielded and directed downward)	1	1					
No	**C14. Large Stature Tree(s)**	0	0					
No	**C15. Third Party Landscape Program Certification**	0					0	
No	**C16. Maintenance Contract with Certified Professional** (Bay-Friendly Qualified Professional in Equiv.)	0					0	
No	**C17. Community Garden**	0	0					
	D. STRUCTURAL FRAME AND BUILDING ENVELOPE							
	D1. Optimal Value Engineering							
No	D1.1 Joists, Rafters, and Studs at 24 Inches on Center	0		0			0	
No	D1.2 Non-Load Bearing Door and Window Headers Sized for Load	0					0	
No	D1.3 Advanced Framing Measures	0					0	
	D2. Construction Material Efficiencies							
No	D2.1 Prefabricated Wall or Roof Framing (Pre-assembled) walls and roof framing for at least 85% of project)	0					0	
No	D2.2 Prefabricated Modular Units	0					0	
No	**D3. Engineered Beams and Headers**	0					0	
No	**D4. Insulated Headers**	0		0				
	D5. FSC-Certified Wood							
No	D5.1 Dimensional Lumber, Studs, and Timber	0					0	
No	D5.2 Panel Products	0					0	
	D6. Solid Wall Systems							
No	D6.1 At Least 90% of Floors	0					0	
No	D6.2 At Least 90% of Exterior Walls	0		0			0	
No	D6.3 At Least 90% of Roofs	0		0			0	
No	**D7. Energy Heels on Roof Trusses**	0		0				
No	**D8. Overhange and Gutters**	0		0			0	
	D9. Reduced Pollution Entering the Home from the Garage							
No	D9.1 Detached or No Garage	0			0			
No	D9.2 Mitigation Strategies for Attached Garage	0			0			
	D10. Structural Pest and Rot Controls							
No	D10.1 All Wood Located At Least 12 Inches Above the Soil	0					0	
No	D10.2 Wood Framing Treating With Borates or Factory-Impregnated, or Wall Materials Other Than Wood	0					0	
No	**D11. Moisture-Resistant Materials in Wet Areas (such as Kitchen, Bathrooms, Utility Rooms, and Basements)**	0				0	0	
	E. EXTERIOR							
No	**E1. Environmentally Preferable Decking**	0					0	
No	**E2. Flashing Installation Third-Party Verified**	0					0	
No	**E3. Rain Screen Wall System**	0					0	
Yes	**E4. Durable and Non-Combustible Cladding Materials**	1					1	
No	**E5. Durable and Fire Resistant Roofing Materials or Assembly**	0					0	
No	**E6. Vegetated Roof**	0	0	0				
No	**E7. Cool Roof**	0					0	
	F. INSULATION							
	F1. Insulation with 30% Post-Consumer or 60% Post-Industrial Recycled Content							
Yes	F1.1 Walls and Floors	0.5					0.5	
Yes	F1.2 Ceilings	0.5					0.5	
	F2. Low-Emitting Insulation							
Yes	F2.1 Walls and Floors	0.5			0.5			
Yes	F2.2 Ceilings	0.5			0.5			
	F3. Low GWP Insulation That Does Not Contain Fire Retardants							
Yes	F3.1 Cavity Walls and Floors	1			1			
Yes	F3.2 Ceilings	1			1			
Yes	F3.3 Interior and Exterior Insulation	1			1			
	G. PLUMBING							
	G1. Efficient Distribution of Domestic Hot Water							

Project Name: 2655 Shattuck Avenue
2655 Shattuck Avenue
Berkeley, CA
94704

	MEASURES	Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
	G2. Install Water-Efficient Fixtures							
Yes	G2.1 WaterSense Showerheads 1.75 gpm	2					2	
Yes	G2.2 WaterSense Bathroom Faucets with ≤ 1.0 gpm	1					1	
V.1.1 gpf	G2.3 WaterSense Toilets with a Maximum Performance (MaP) Threshold of No Less Than 500 Grams / 28 gpf OR 1.1 gpf	2					2	
No	G2.4 U-Urinals with Flush Rate of ≤ 0.1 gpf	0					0	
No	**G3. Pre-Plumbing for Graywater System**	0					0	
No	**G4. Operational Graywater System**	0					0	
No	**G5. Thermostatic Shower Shut-Off Valve**	0					0	
Yes	**G6. Submeter Water for Tenants**	1					1	
	H. HEATING, VENTILATION, AND AIR CONDITIONING							
	H1. All Electric or Sealed Combustion Units							
No	H1.1 Sealed Combustion Furnace or Heat Pump	0			0			
No	H1.2 Sealed Combustion or Heat Pump Water Heater	0			0			
No	**H2. High Performing Zoned Hydronic Radiant Heating System**	0			0			
	H3. Effective Ductwork							
No	H3.1 Duct Mastic on Duct Joints and Seams	0			0			
No	H3.2 Pressure Balance the Ductwork System	0			0			
	H5. Advanced Practices for Cooling							
Yes	H5.1 ENERGY STAR® Ceiling Fans in Living Areas and Bedrooms	1		1				
No	H5.2 Operable Windows and Skylights Located to Induce Cross Ventilation in At Least One Room in 80% of Units.	0		0				
	H6. Whole House Mechanical Ventilation Practices to Improve Indoor Air Quality							
Yes	H6.1 Meet ASHRAE Standard 62.2-2019 Ventilation Residential Standards	Y	N	N	N	N	N	
No	H6.2 Advanced Ventilation Standards	0			0			
No	H6.3 Outdoor Air is Filtered and Tempered	0			0			
	H7. Effective Range Design and Installation							
No	H7.1 Effective Range Hood Ducting and Design	0			0			
No	H7.2 Automatic Range Hood Control	0			0			
No	**H8. High Efficiency HVAC Filter (MERV 16+)**	0			0			
No	**H9. Advanced Refrigerants** (low global warming potential refrigerants)	0			0			
I. RENEWABLE ENERGY								
0.00%	**I1. Onsite Renewable Generation (PV, Micro-Hydro, and Wind)**				75			
	I2. Low Carbon Homes							
No	I2.1 Near Zero Energy Home (offset at least 80% of annual site energy use)	0			0			
No	I2.2 Near Zero Energy Home with Flexibility Strategies (Meet I2.1 and less stringent than I3.)	0			0			
	I3. Energy Storage and Thermal Load Shifting							
No	I3.1 Battery Energy Storage System (**BESS**)	0		0				
No	I3.2 Auxiliary Thermal Energy Storage System or Pre-Heating of Hot Water	0		0				
No	I3.3 Pre-Cooling Equipment for AC	0		1				
No	**I4. Solar Hot Water Systems to Preheat Domestic Hot Water**	0		4				
J. BUILDING PERFORMANCE AND TESTING								
No	**J1. Third-Party Verification of Quality of Insulation Installation**	0				1		
No	**J2. Supply and Return Air Flow Testing**	0			1	1		
No	**J3. Compartmentalization of Units** (Interior-to-unconditioned pathways for indoor air (unbuilt/b) between units)	0			1	1		
No	**J4. All Electric or Combustion Appliance Safety Testing**	0				1		
All Electric High-Rise	**J5. Building Energy Performance**							**All Electric Compliance** - Multifamily must be all-electric and meet T24.
Select Climate Zone								Climate Zone Input
0.00%	J5.1 All Electric Home Meets or Outperforms Title 24 Part 6 (Required)	47		35+				EDRAs compliance margin from the Energy Use Summary (do not include renewables)
0.00%	J5.2 Non-Residential Spaces Outperform Title 24 (non-residential space 10" must do ≥20% of residential SF)			19				
Yes	**J6. Title 24 Prepared and Signed by a CABEC Certified Energy Analyst** (Required)	1		1				
No	**J7. Participation in Utility Program with Third-Party Plan Review**	0		1				
No	**J8. ENERGY STAR® for Homes**	0						
No	**J9. EPA Indoor airPlus Certification**	0				2		
	K. FINISHES							

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Project Name: 2655 Shattuck Avenue
2655 Shattuck Avenue
Berkeley, CA
94704

	MEASURES	Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
	K1. Entryways Designed to Reduce Tracked-In Contaminants							
No	K1.1 Entryways to Individual Units (Thickness/size/contrast at entrances and permanent measuring for when dirtiest)	0			1			
No	K1.2 Entryways to Buildings (Deficiency hard surfaces at entrances and built-in, permanent mats off mat or grill)	0			1			
Yes	**K2. Zero-VOC Interior Wall and Ceiling Paints**	2			2			
Yes	**K3. Low-VOC Caulks and Adhesives**	1			1			
	K4. Environmentally Preferable Materials for Interior Finish							
No	K4.1 Cabinets	0					0	
No	K4.2 Interior Trim	0					0	
No	K4.3 Shelving	0					0	
No	K4.4 Doors	0					0	
No	K4.5 Countertops	0					0	
	K5. Formaldehyde Emissions in Interior Finish Exceed CARB							
No	K5.1 Doors	0				1		
No	K5.2 Cabinets and Countertops	0				2		
No	K5.3 Interior Trim and Shelving	0				2		
No	**K6. Products That Comply With the Health Product Declaration Open Standard**	0				3		
No	**K7. Indoor Air Formaldehyde Testing** (Less Than 50 Parts Per Billion)	0				3		
No	**K8. Comprehensive Inclusion of Low Emitting Finishes**	0				1		
	K9. Durable Cabinets							
No	K9.1 Durable Cabinet Construction (Plywood for basework and doors, dovetail joints)	0					1	
No	K9.2 Durable Cabinet Hardware (Ball-bearing drawer slides, two-pin/screw metal hinges)	0					1	
No	**K10. At Least 25% of Interior Furniture Has Environmentally Preferable Attributes**	0					1	
L. FLOORING								
>75%	**L1. Environmentally Preferable Flooring**	2					2	
Yes	**L3. Durable Flooring** (no flooring by hard surface)	2				1	1	
No	**L4. Thermal Mass Flooring**	0		1				
M. APPLIANCES AND LIGHTING								
Yes	**M1. ENERGY STAR® Dishwasher**	1					1	
	M2. Efficient Clothes Washing and Drying							
60-	M2.1 CEE-Rated or ENERGY STAR® Clothes Washer	0		1			2	
No	M2.2 ENERGY STAR® Dryer	0		2				
No	M2.3 Solar Dryer/ Laundry Lines	0		0.5				
<20 Loads/ Year	**M3. Size-Efficient ENERGY STAR® Refrigerator**	0		2				
	M4. Permanent Centers for Waste Reduction Strategies							
No	M4.1 Built-In Recycling Center	0				1		
No	M4.2 Built-In Composting Center	0				1		
TBD	M4.3 Triple Trash Chutes in Multifamily Building (compost, recycle, and landfill)					1		
	M5. Lighting Efficiency							
Yes	M5.1 High-Efficacy Lighting	2		2				
Yes	M5.2 Lighting System Designed to IESNA Footcandle Standards or Designed by: Lighting Consultant	2		2				
Tier 1	**M6. Electric Vehicle Charging Stations and Infrastructure**	2		2	2			
Yes	**M7. Central Laundry**	1					1	
Yes	**M8. Gearless Elevator**	1		1				
Yes	**M9. Gas Infrastructure Removed for Major Alterations**	4			4			
TBD	**M10. All-Electric Commercial Kitchen**				4			
N. COMMUNITY*								
	N1. Smart Development							
Yes	N1.1 Infill Site	1	1				1	
No	N1.2 Designated Brownfield Site	0	1				1	
>50	N1.3 Conserve Resources by Increasing Density	2		2			2	
TBD	N1.4 Cluster Homes for Land Preservation	1	1				1	
	N1.5 Home Size Efficiency						10	
	Enter the area of the home, in square feet							
	Enter the number of bedrooms							
	N2. Home(s)/Development Located Near Major Transit Stop							

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NEW HOME RATING SYSTEM, VERSION 9.1

GreenPointRated

MULTIFAMILY CHECKLIST

The GreenPoint Rated checklist tracks green features incorporated into the home. GreenPoint Rated is administered by Build It Green, a non-profit whose mission is to promote healthy, energy and resource-efficient buildings in California.

The minimum requirements of GreenPoint Rated are: verification of 50 or more points; Earn the following minimum points per category: Energy (35); Indoor Air Quality/Health (6), Resources (5), and Water (5); and meet the prerequisites CALGreen Mandatory, HI6.1, J5.1, J5.2, O1.

Directions for Use: Column A is a dropdown menu with the options of "Yes", "No", or "TBD" or a range of percentages to allocate points. Select the appropriate dropdown and the appropriate points will appear in the blue "points achieved" column.

The criteria for the green building practices listed below are described in the *GreenPoint Rated New Home Rating Manual*. For more information please visit **www.greenpointrated.com**.
Build It Green is not a code enforcement agency.
A home is only GreenPoint Rated if all features are verified by a Certified GreenPoint Rater through Build It Green.

New Home Multifamily Version 9.1

Points Targeted: 120
Certification Level Targeted: Gold
Compliance Pathway Targeted: All Electric High-Rise

POINTS REQUIRED (Minimum* Points; * = Largest Proxy)

Project Name: 2655 Shattuck Avenue
2655 Shattuck Avenue
Berkeley, CA
94704

	MEASURES	Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
	O. DESIGN PROCESS							
No	**O9. Residents Are Offered Free or Discounted Transit Passes**	0	2					
No	**O10. Vandalism Deterrence Practices and Vandalism Management Plan**	0				1		
No	**O11. Smokefree Housing**	0			2			
No	**O12. Integrated Pest Management Plan**	0			1			
	P. DESIGN CONSIDERATIONS							
	P1. Acoustics: Noise and Vibration Control		1		1			
	Enter the number of Tier 1 practices							
	Enter the number of Tier 2 practices							
	P2. Mixed-Use Design Strategies							
No	P2.1 Tenant Improvement Requirements for Build-Outs	0			1		1	
No	P2.2 Commercial Loading Area Separated for Residential Area	0			1			
Yes	P2.3 Separate Mechanical and Plumbing Systems	1			1			
	P3. Commissioning							
Yes	P3.1 Design Phase	1		1	1			
No	P3.2 Construction Phase	0		2	1			
No	P3.3 Post-Construction Phase	0		2	1			
Yes	**P4. Building Enclosure Testing**	1		1	1	1		

Summary

Total Available Points in Specific Categories	387	49	104	90	37	57
Minimum Points Required in Specific Categories	50	2	29	6	6	9
Total Points Achieved	120.0	13.5	45.4	29.2	6.5	23.9

NOTE: The proposed project is designed to comply with the Berkeley Energy Code (BMC Chapter 19.36) and Berkeley Green Code (BMC Chapter 19.37) including solar PV system, battery energy storage, electric vehicle charging, and low-carbon concrete requirements. For building permit submittal, quantitative values for appliance fuel efficiency will be included in relevant building permit architectural sheets, and window and door schedules, and on architectural, plumbing, and mechanical sheets, matching those values stipulated in prescriptive or performance energy compliance documents.

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2655 SHATTUCK AVE.

2655 SHATTUCK AVE.,
BERKELEY, CA 94704

LICENSED ARCHITECT
DANIELLE FEIDELSON KAHN
No. C-31027
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

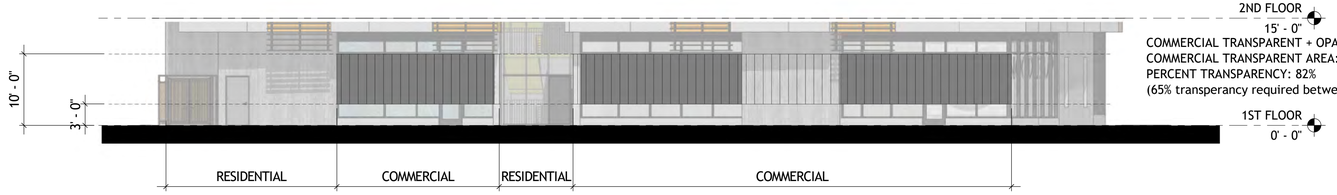
ISSUE DATE: 07/23/2024

GREEN POINT HOME CHECKLIST

G030

6 SOUTH ELEVATION COMMERCIAL TRANSPARENCY
1" = 10'-0"

5 SOUTH ELEVATION TOTAL GROUND FLOOR TRANSPARENCY
1" = 10'-0"



4 WEST ELEVATION COMMERCIAL TRANSPERANCY
1" = 10'-0"

3 WEST ELEVATION TOTAL GROUND FLOOR TRANSPARENCY
1" = 10'-0"

2 WEST ELEVATION
NOT TO SCALE

1 SOUTH ELEVATION
NOT TO SCALE

LEGEND:

TRANSPARENT + OPAQUE AREA

TRANSPARENT AREA

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2655 SHATTUCK AVE.,
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LICENSED ARCHITECT
DANIELLE FEIDELSON KAHN
No. C-31027
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION
3	12/20/24	PLANNING RESPONSE 3

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

FACADE TRANSPARENCY

3
G031

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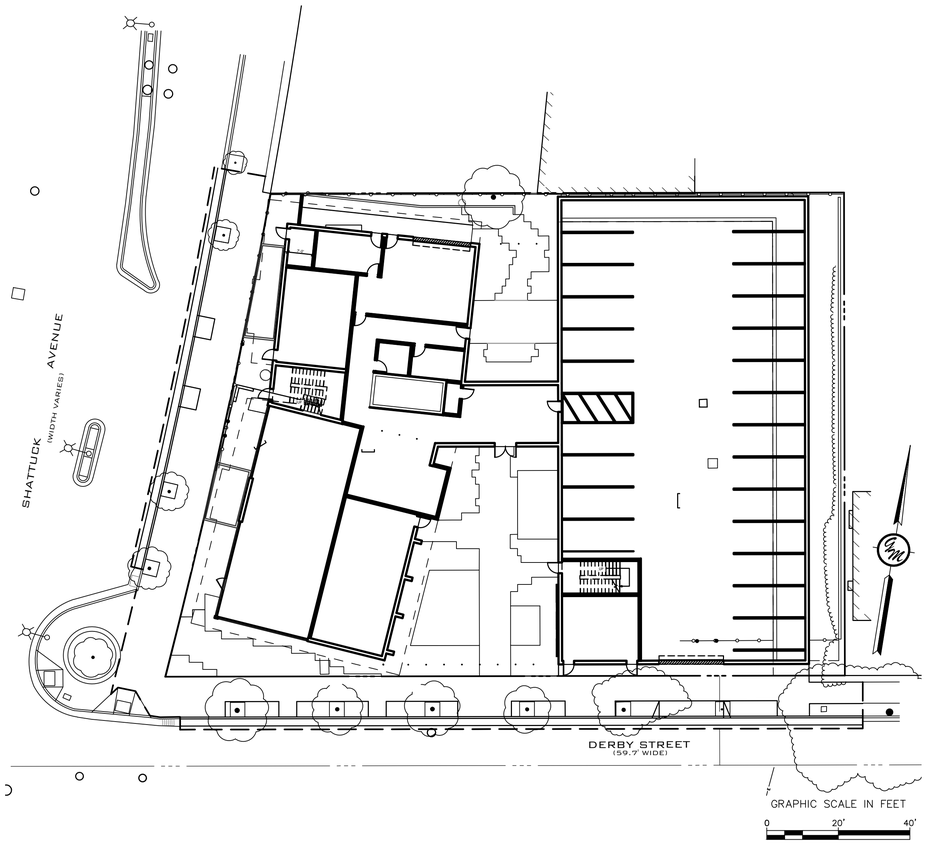
PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2



SITE

BASIS OF BEARINGS:

THE MONUMENT LINE IN FULTON STREET BETWEEN THE STANDARD ALAMEDA COUNTY MONUMENT FOUND AT DERBY STREET AND AT CARLTON STREET WAS TAKEN AS N 9°8'42" W AS SHOWN ON PARCEL MAP 11256, FILED IN BOOK 356 OF MAPS, AT PAGES 33 AND 34, ALAMEDA COUNTY RECORDS.

VERTICAL DATUM / BENCHMARK:

CITY OF BERKELEY VERTICAL DATUM BASED ON A DISC AND PUNCH IN A MONUMENT WELL LOCATED AT THE INTERSECTION OF DERBY STREET AND FULTON STREET, BEING CITY OF BERKELEY MONUMENT B0261.
ELEVATION = 166.45 FEET

BOUNDARY NOTE:

THE BOUNDARY LINES SHOWN WERE COMPILED FROM RECORD INFORMATION AND ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY.

TITLE REPORT NOTE:

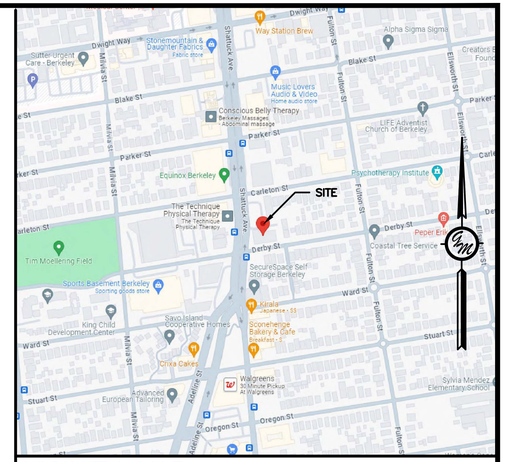
AS OF THE DATE OF THIS SURVEY A CURRENT TITE REPORT FOR THE SUBJECT PROPERTY HAS NOT BEEN PROVIDED TO THE SURVEYOR FOR EXAMINATION. THEREFORE, THERE MAY BE EASEMENTS OR OTHER ENCUMBRANCES ON OR APPURTENANT TO THE SURVEYED PROPERTY THAT EXIST OF RECORD BUT ARE NOT DELINEATED HEREON.

UTILITIES NOTE:

THE INFORMATION SHOWN ON THIS SURVEY REGARDING EXISTING UTILITIES IS APPROXIMATE ONLY, IS BASED ON VISUAL OBSERVATIONS AND HAS NOT BEEN VERIFIED AS BEING COMPLETE OR CORRECT. THE SURVEYOR/ENGINEER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE EXISTING UTILITY INFORMATION HEREON, NOR FOR THE PRESENCE OF OTHER UTILITIES WHICH MAY EXIST BUT ARE NOT SHOWN ON THIS SURVEY.

REFERENCES:

(1) --- MAP OF THE MEEK BOULEVARD TRACT FILED JULY 23RD, 1920 IN BOOK 6 OF MAPS AT PAGE 44, ALAMEDA COUNTY RECORDS..



VICINITY MAP

ENGINEER:
GREENWOOD & MOORE, INC.
JEFFERY MOORE
3111 CASTRO VALLEY BLVD,
CASTRO VALLEY, CA 94546
(510) 581-2772

OWNER/APPLICANT:
JOE KIDRON
S.H. KAY, LLC
1442 WALNUT ST., #349
BERKELEY, CA 94709

PROPERTY ADDRESS:
2655 SHATTUCK AVENUE
BERKELEY, CA 94704

ASSESSOR'S PARCEL NO:
APN: 55-1826-18-2

EXISTING AND PROPOSED ZONING:
C-AC ADELINE CORRIDOR COMMERCIAL

TOTAL AREA TO BE DIVIDED:
23,545± SQ.FT.

SANITARY SEWER BY:
CITY OF BERKELEY SANITARY DISTRICT

WATER SERVICE BY:
EAST BAY MUNICIPAL UTILITY DISTRICT

GAS & ELECTRIC SERVICE BY:
PACIFIC GAS & ELECTRIC COMPANY

FIRE PROTECTION BY:
CITY OF BERKLEY FIRE DEPARTMENT

PROJECT INFORMATION

SHEET NUMBER	SHEET TITLE
C0.0	COVER SHEET
C0.1	ABBREVIATION & LEGEND
C1.0	TOPOGRAPHIC SURVEY & DEMOLITION PLAN
C2.0	SITE PLAN
C3.0	UTILITY PLAN
C4.0	GRADING PLAN
C4.1	SECTIONS
C5.0	STORMWATER CONTROL PLAN
C7.0	DETAILS
C7.1	DRAINAGE DETAILS
C7.2	CITY OF BERKELEY STANDARD DETAILS
C7.3	CITY OF BERKELEY POLLUTION PREVENTION PLAN
C7.4	EROSION CONTROL DETAILS

SHEET INDEX

GREENWOOD & MOORE, INC
Civil Engineers • Designers
Land Surveyors • Planners
3111 Castro Valley Blvd., Ste. 200, Castro Valley, California, 94546
Tel: 510-581-2772 Fax: 510-581-2813 | www.greenwoodmoore.com

PRELIMINARY NOT FOR CONSTRUCTION
REGISTERED PROFESSIONAL ENGINEER
JEFFERY MOORE
No. C042628
Exp. 03/31/2025
STATE OF CALIFORNIA

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

COVER SHEET

CHECKED BY: XXX
DRAWN BY: STAFF
SCALE: 1"=20'
DATE 05/17/2024
PROJECT NO. 2024.018
PHASE NO. XX
SHEET NO. C0.0

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AB	AGGREGATE BASE
ABAG	ASSOCIATION OF BAY AREA GOVERNMENTS
ABS	ACRYLONITRILE BUTADIENE STYRENE
AC	ASPHALTIC CONCRETE
ACWD	ALAMEDA COUNTY WATER DISTRICT
AD	AREA DRAIN
ADA	AMERICAN DISABILITIES ACT
AE	ACCESS EASEMENT
AL	AREA LIGHT
ANC	ANCHOR
ANG PT	ANGLE POINT
AP	ANCHOR POLE
ARV	AIR RELIEF VALVE
ASB	AGGREGATE SUB-BASE
ASTM	AMERICAN SOCIETY FOR TESTING AND MATERIALS
BC	BEGINNING OF CURVE
BLDG	BUILDING
BOC	BACK OF CURB
BOW	BACK OF SIDEWALK
BM	BENCH MARK
BO	BLOWOFF
BPD	BACKFLOW PREVENTION DEVICE
BVC	BEGINNING OF VERTICAL CURVE
BVCE	BEGINNING OF VERTICAL CURB ELEVATION
BVCS	BEGINNING OF VERTICAL CURB STATION
BW	BOTTOM OF WALL
CATV	CABLE TELEVISION
C&G	CURB AND GUTTER
CB	CATCH BASIN
CFS	CUBIC FEET PER SECOND
CIP	CAST IRON PIPE
CL	CENTERLINE
CL II	CLASS 2
CLR	CLEAR
CMP	CORRUGATED METAL PIPE
CO	CLEANOUT
CONF	CONFORM
CONC	CONCRETE
COTG	CLEANOUT TO GRADE
CVSAN	CASTRO VALLEY SANITARY
CY	CUBIC YARDS
DI	DROP INLET/DRAIN INLET
DIP	DUCTILE IRON PIPE
DWG	DRAWING
DWY	DRIVEWAY
(E)	EXISTING
EA	EACH
EBMUD	EAST BAY MUNICIPALITY DISTRICT
EC	END OF CURVE
EG	EXISTING GRADE
ELEC	ELECTRIC
ELECTRO	ELECTROLIER
ELEV	ELEVATION
EP	EDGE OF PAVEMENT
EV	ELECTRIC VEHICLE
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
EVC	END OF VERTICLE CURVE
EVCE	END OF VERTICAL CURB ELEVATION
EVCS	END OF VERTICAL CURB ELEVATION
EW	EACH WAY
FM	FORCE MAIN
FC	FACE OF CURB
FDC	FIRE DEPARTMENT CONNECTION
FF	FINISH FLOOR
FG	FINISH GRADE
FH	FIRE HYDRANT
FI	FIELD INLET
FL	FLOWLINE
FS	FINISH SURFACE
G	GAS MAIN
GAS V	GAS VALVE
GB	GRADE BREAK
GM	GAS METER
GR	GRATE ELEVATION
GV	GATE VALVE
G&M	GREENWOOD&MOORE
HC	HANDICAP
HGL	HYDRAULIC GRADE LINE
HOR	HORIZONTAL
HP	HIGH POINT
INT	INTERSECTION
INV	INVERT ELEVATION
ISA	INTERNATIONAL SYMBOL OF ACCESSIBILITY
JP	JOINT POLE
JT	JOINT TRENCH
L	LENGTH
LAT	SEWER LATERAL
LBS	POUND
LF	LENGTH IN FEET
LP	LOW POINT
LS	LENGTH IN FEET
LT	LEFT
MAX	MAXIMUM
MH	MANHOLE
MIN	MINIMUM
MON	MONUMENT
(N)	NEW
NTS	NOT TO SCALE
OC	ON CENTER
OD	OUTSIDE DIAMETER
P	PAVEMENT
PCC	PORTLAND CONCRETE CEMENT
PCF	PER SQUARE FOOT
PG&E	PACIFIC GAS & ELECTRIC COMPANY
PI	POINT OF INTERSECTION
PIV	POST INDICATOR VALVE
POC	POINT OF CURVE
PRC	POINT OF REVERSE CURVATURE
PSDE	PRIVATE STORM DRAIN EASEMENT
PSI	POUND PER SQUARE INCH
PL	PROPERTY LINE
PT	POINT OF TANGENCY
PUE	PUBLIC UTILITY EASEMENT
PV	PAVEMENT
PVC	POLY VINYL CHLORIDE
PVI	POINT OF VERTICAL INTERSECTION
R	RADIUS
(R)	RADIAL LINE
RL	RIDGE LINE
RCP	REINFORCED CONCRETE PIPE
RIM	RIM ELEVATION
RT	RIGHT
ROW	RIGHT OF WAY
S	SLOPE
SD	STORM DRAIN
SDCO	STORM DRAIN CLEANOUT
SDE	STORM DRAIN EASEMENT
SDMH	STORM DRAIN MANHOLE
SF	SQUARE FEET
SHT	SHEET
SL	STREET LIGHT
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEANOUT/RISER
SSMH	SANITARY SEWER MANHOLE
STA	STATION
STD	STANDARD
SW	SIDEWALK
T	TELEPHONE LINE
TBO	TEMPORARY BLOWOFF
TC	TOP OF CURB
TELE	TELEPHONE
TS	TRAFFIC SIGNAL
TW	TOP OF WALL
TYP	TYPICAL
UNO	UNLESS NOTED OTHEWISE
USD	UNION SANITARY DISTRICT
VAR	VARIES
VC	VERTICAL CURVE
VCP	VITRIFIED CLAY PIPE
VERT	VERICAL
VIF	VERIFY IN FIELD
W	WATER
W/	WITH
W/O	WITHOUT
WM	WATER METER
WV	WATER VALVE
YL	YARD LIGHT

ABBREVIATIONS

EXISTING	PROPOSED	DESCRIPTION
		AREA LIGHT
BO	BO	BLOWOFF
		BRUSH LINE
		BUILDING
CTV	CTV	CABLE TV LINE
		CATCH BASIN
		CONCRETE
		CURB
		CURB & GUTTER
		CURB, GUTTER & SIDEWALK
		CUT/FILL LINE
		DAYLIGHT LINE
DI		DROP INLET
E	E	ELECTRIC LINE
		ELECTROLIER
X	X	FENCE
		FIRE HYDRANT
F	F	FIRE MAIN
		FLAG POLE
G	G	GAS MAIN
		GAS VALVE
GM UPA	GM UPA	GAS METER
		GUY ANCHOR
JT	JT	JOINT TRENCH
		MONUMENT
	CO	SANITARY SEWER CLEANOUT
SS	SS	SANITARY SEWER LINE
SSMH	SSMH	SANITARY SEWER MANHOLE
		SIGN
		SLOPE
SD		STORM DRAIN LINE
		STORM DRAIN MANHOLE
T	T	TELEPHONE LINE
		TELEPHONE VAULT
		TRAFFIC SIGNAL
		TRANSFORMER
		UTILITY POLE
		VALLEY GUTTER
		WALL
		WATER GATE VALVE
W	W	WATER MAIN
WM	WM	WATER METER
		WATER VALVE

LEGEND

GREENWOOD & MOORE, INC
Civil Engineers • Designers
Land Surveyors • Planners
3111 Castro Valley Blvd., Ste. 200, Castro Valley, California, 94546
Tel: 510-581-7272 Fax: 510-581-7813 www.greenwoodmoore.com

REGISTERED PROFESSIONAL ENGINEER
GREENWOOD & MOORE, INC.
No. CIV 12628
Exp. 06/31/2025
CIVIL
STATE OF CALIFORNIA

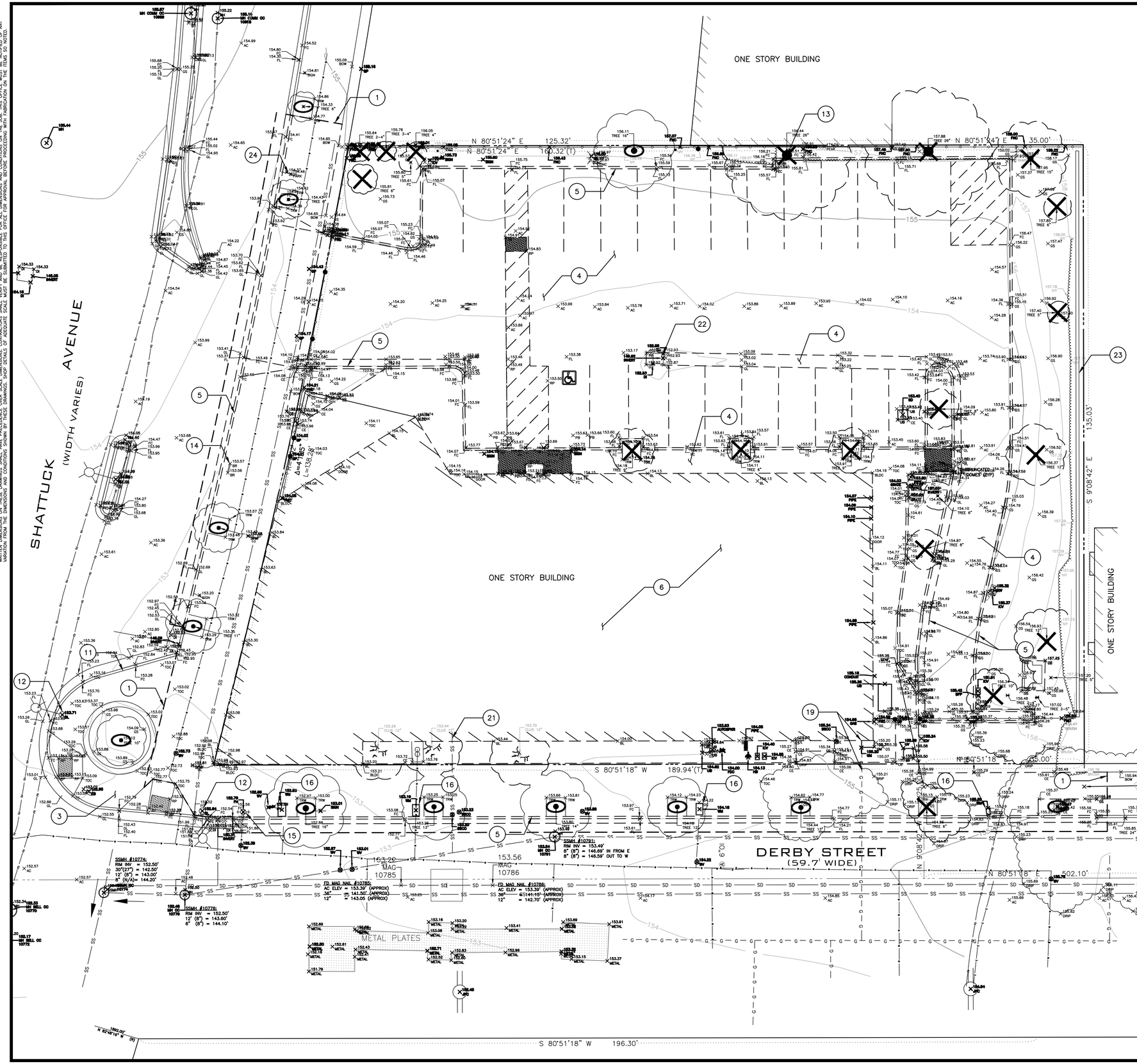
PRELIMINARY NOT FOR CONSTRUCTION

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

ABBREVIATION & LEGEND

CHECKED BY:	XXX
DRAWN BY:	STAFF
SCALE:	1"=20'
DATE	05/17/2024
PROJECT NO.	2024.018
PHASE NO.	XX
SHEET NO.	C0.1

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED BY THIS DRAWING ARE OWNED BY, AND THE PROPERTY OF THIS OFFICE AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON , AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF GREENWOOD & MOORE, INC.
WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB. THIS OFFICE MUST BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS AND MUST GIVE ITS WRITTEN APPROVAL TO SUCH VARIATIONS BEFORE PROCEEDING WITH THE WORK. IF ANY DISCREPANCY IS FOUND TO EXIST, OR APPROVAL WAS PROCEEDED WITH WITHOUT OBTAINING WRITTEN APPROVAL, THE OWNER SHALL BE HELD RESPONSIBLE FOR ANY AND ALL CORRECTIONS.



KEYNOTES: (#)

1. SAWCUT
2. LIMIT OF REMOVAL
3. (E) CONCRETE TO REMAIN
4. (E) CONCRETE/ASPHALT TO BE REMOVED
5. REMOVE (E) SIDEWALK, CURB, & GUTTER
6. (E) BUILDING & FOUNDATION TO BE DEMOLISHED, REFER TO ARCHITECTURAL AND STRUCTURAL DRAWINGS. PG&E TO DISCONNECT ELECTRIC AND GAS SERVICE PRIOR TO DEMOLITION OF THE (E) BUILDING.
7. REMOVE (E) FENCE AND/OR GATE
8. (E) SIGN TO BE RELOCATED
9. (E) SIGN TO REMAIN
10. (E) SIGN TO BE REMOVED
11. (E) CURB & GUTTER TO REMAIN
12. (E) LIGHT POLE TO REMAIN
13. REMOVE (E) LIGHT POLE
14. (E) BIKE RACKS TO REMAIN
15. (E) FIRE HYDRANT TO REMAIN AND BE PROTECTED FOR THE DURATION OF CONSTRUCTION ACTIVITIES
16. REMOVE (E) WATER METER. CAP AND ABANDON (E) WATER LATERAL PER EBMUD STANDARDS (BY EBMUD)
17. (E) UTILITY BOX TO REMAIN
18. (E) UTILITY BOX TO BE RELOCATED. REFER TO UTILITY PLAN FOR ADDITIONAL INFORMATION.
19. PG&E TO REMOVE (E) GAS METER AND GAS LATERAL PRIOR TO DEMOLITION OF THE BUILDING. CONTRACTOR TO VERIFY LOCATION IN FIELD. CAP & ABANDON PER PG&E STANDARDS & REQUIREMENTS.
20. PG&E TO REMOVE (E) ELECTRIC METERS AND ASSOCIATED ELECTRIC LINE PRIOR TO DEMOLITION OF THE BUILDING. COORDINATE REMOVAL WITH OWNER AND PG&E.
21. ABANDON (E) SEWER LATERAL PER CITY OF BERKELEY REQUIREMENTS. FOR BUILDING DEMOLITION AND LATERAL ABANDONMENT: WHEN A BUILDING IS TO BE DEMOLISHED AND THE EXISTING LATERAL IS NOT TO BE RE–USED, THE LATERAL SEWER SHALL BE DUG AND EXPOSED WHERE IT ENTERS THE MAIN.
    A. IF THE LATERAL ENTERS THE MAIN BY MEANS OF A FACTORY MANUFACTURED WYE OR TEE BRANCH, AND IF THE MAIN AND WYE OR TEE BRANCH ARE ALL IN GOOD, UNDAMAGED CONDITION, THE LATERAL SHALL BE DISCONNECTED AND THE BRANCH SHALL BE PLUGGED WITH AN EXPANDABLE NEOPRENE RUBBER PLUG AT THE MAIN. THE BRANCH PLUG SHALL BE SHALL BE ENCLOSED WITH A MINIMUM THICKNESS OF 6 INCHES OF 6 SACK, ¾" SIZE AGGREGATE. PORTLAND CEMENT CONCRETE. THE WYE BRANCH WITH RUBBER PLUG MUST BE INSPECTED AND APPROVED BY AN ENGINEERING INSPECTOR PRIOR TO ENCLOSURE WITH CONCRETE AND BACKFILL OF THE TRENCH.
    B. IF THE LATERAL ENTERS THE MAIN BY ANY METHOD OTHER THAN BY A FACTORY WYE OR TEE BRANCH, OR IF THE EXISTING MAIN, WYE OR TEE BRANCH IS DAMAGED IN ANY WAY, THE SECTION OF MAIN CONTAINING THE LATERAL ENTRY OPENING SHALL BE REMOVED AND REPLACED WITH A NEW SECTION OF PIPE OF THE SAME DIAMETER AS THE EXISTING MAIN. AN ENGINEERING INSPECTOR MUST INSPECT THE NEW MAIN SECTION BEFORE BACKFILL.
    C. THE ABANDONED LATERAL PIPE SHALL BE FILLED WITH SAND AND JETTED TO PREVENT THE PIPE FROM BECOMING A HOME FOR RODENTS OR OTHER DISEASE VECTORS.
    D. REMOVE (E) CLEANOUT FRAME & COVER.
22. REMOVE (E) DRAIN INLET & STORM DRAIN. CONTRACTOR TO FIELD VERIFY LOCATION.
23. (E) WALL TO REMAIN
24. (E) PARKING KIOSK TO REMAIN

X REMOVE (E) TREE AND/OR (E) STUMP

O (E) TREE TO REMAIN. PROTECT TREE DURING CONSTRUCTION

GRAPHIC SCALE IN FEET
0 10' 20'

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PRELIMINARY NOT FOR CONSTRUCTION
REGISTERED PROFESSIONAL ENGINEER
Nolan Moore
No. C063628
Exp. 03/31/2025
CIVIL
STATE OF CALIFORNIA

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55–1826–18–2

TOPOGRAPHIC SURVEY & DEMOLITION PLAN

CHECKED BY:	XXX
DRAWN BY:	STAFF
SCALE:	1"=10'
DATE	05/17/2024
PROJECT NO.	2024.018
PHASE NO.	XX
SHEET NO.	C1.0

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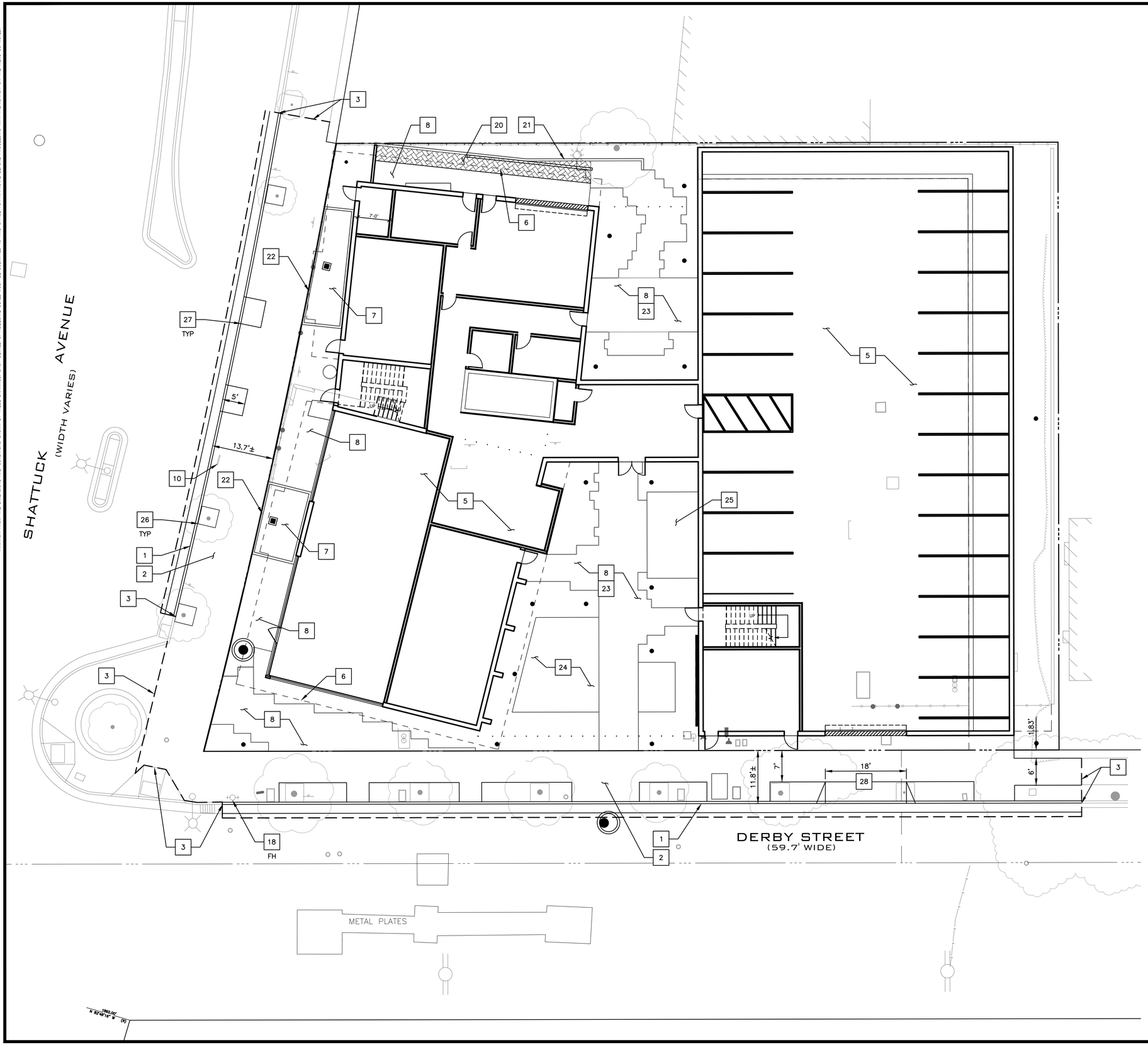

KEYNOTES #

1. (N) CONCRETE CURB & GUTTER PER CITY OF BERKELEY STANDARD DETAIL 8145. SEE DETAIL 1/C7.2
2. (N) CONCRETE SIDEWALK PER CITY BERKELEY STANDARD PLAN 8153. SEE DETAIL 2/C7.2
3. CONFORM TO EXISTING SAWCUT LINE
4. SAWCUT LINE. CONFORM TO (E) AC PER DETAIL 1/C7.0
5. (N) BUILDING. SEE ARCHITECTURAL PLANS
6. LINE OF BUILDING ABOVE
7. FLOW THROUGH PLANTER
8. (N) CONCRETE PAVING PER DETAIL 2/C7.0 TYPE 1.
9. (N) AC PAVING. MATCH (E) PAVEMENT SECTION OR AS DIRECTED BY CITY ENGINEER/INSPECTOR.
10. (E) BIKE RACK TO REMAIN
11. (E) SIGN TO REMAIN
12. RELOCATED 2-HOUR MAX PARKING SIGN. REFER TO DEMOLITION PLAN, SHEET C1.0 FOR ADDITIONAL INFORMATION
13. (E) PARKING METER TO REMAIN
14. (N) GATE BY OTHERS
15. PERMEABLE PAVERS PER DETAIL 9/C7.0
16. TRANSFORMER/ELECTRICAL BOX
17. (N) WATER METER
18. (E) FIRE HYDRANT
19. (E) ELECTRIC BOX TO REMAIN. REFER TO JOINT TRENCH DRAWING FOR ADDITIONAL INFORMATION
20. PERVIOUS PAVEMENT
21. 12" MAXIMUM HEIGHT CURB/WALL
22. RETAINING WALL AT FLOWTHROUGH PLANTER
23. SEE LANDSCAPE PLANS FOR PAVING TEXTURE, SCORING AND COLOR
24. DECOMPOSED GRANITE
25. RAISED DECK
26. MATCH (E) TREE PLANTER AT (E) TREE
27. (N) TREE PLANTER AT (N) TREE
28. (N) 18' DRIVEWAY PER CITY OF BERKELEY STANDARD DETAIL 8151

GRAPHIC SCALE IN FEET
0 10' 20'

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GREENWOOD-MOORE
No. CIVIL 28628
Exp. 03/31/2026
CIVIL
STATE OF CALIFORNIA

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

SITE PLAN

CHECKED BY:	XXX
DRAWN BY:	STAFF
SCALE:	1"=10'
DATE	05/17/2024
PROJECT NO.	2024.018
PHASE NO.	XX
SHEET NO.	C2.0

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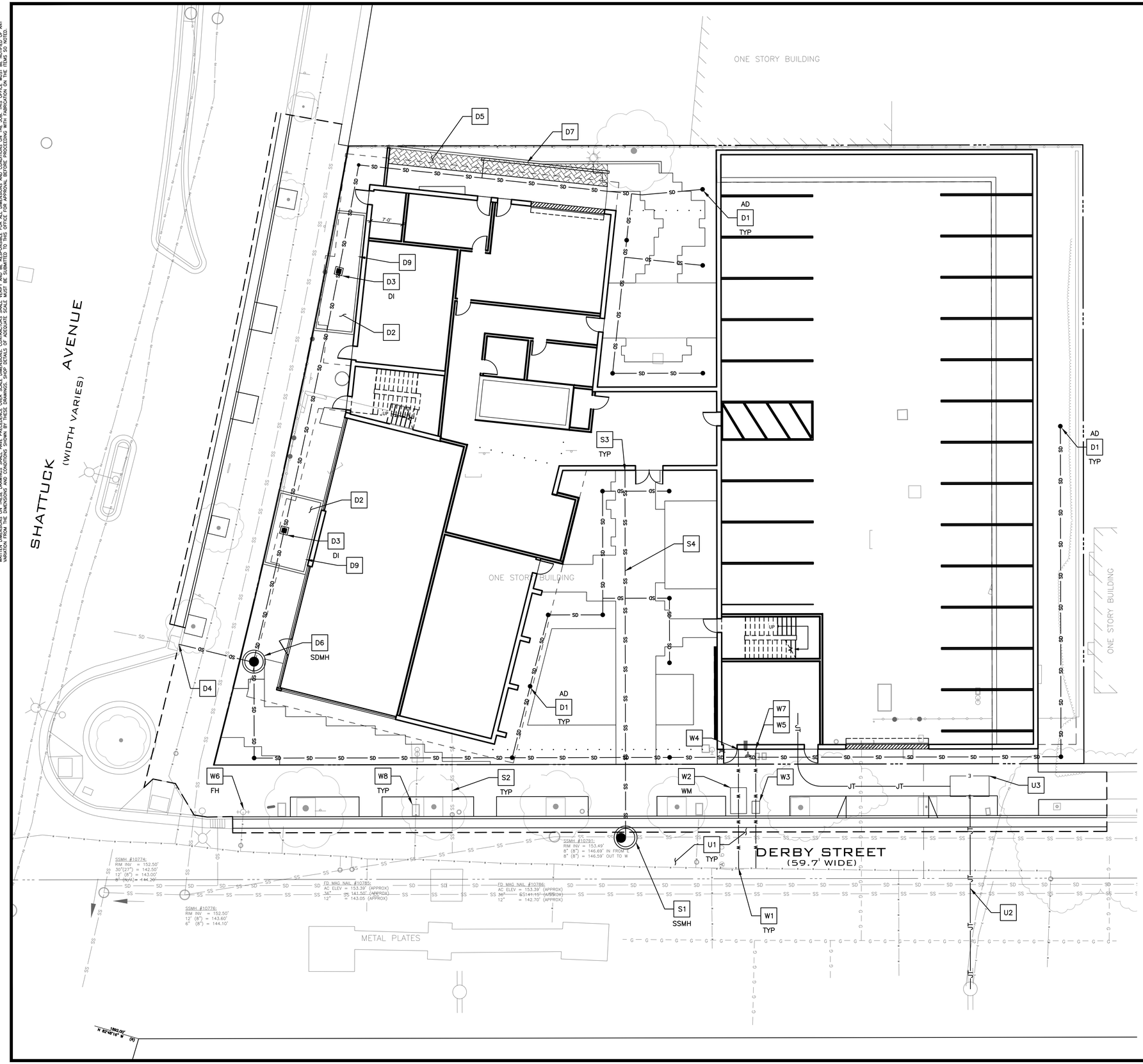

STORM DRAINAGE KEYNOTES D#

1. AREA DRAIN
2. FLOW THROUGH PLANTER
3. DRAIN INLET. GRATE TO BE 6" ABOVE FLOW THROUGH PLANTER FINISH GRADE
4. CONNECT TO (E) STORM DRAIN
5. PERMEABLE PAVERS
6. STORM DRAIN MANHOLE
7. TRENCH DRAIN
8. STORM WATER CLEANOUT
9. APPROXIMATE LOCATION OF RAIN WATER DOWNSPOUT TO OUTFALL INTO BIORETENTION AREA AT COBBLE DISSIPATOR

SEWER KEYNOTES S#

1. SSMH PER CITY OF BERKELEY STANDARD DETAIL 7895. SEE 4/C7.2 VERIFY EXISTING SEWER SIZE AND INVERT ELEVATION IN FIELD.
2. ABANDON (E) SEWER LATERAL. FOR BUILDING DEMOLITION AND LATERAL ABANDONMENT: WHEN A BUILDING IS TO BE DEMOLISHED AND THE EXISTING LATERAL IS NOT TO BE RE-USED, THE LATERAL SEWER SHALL BE DUG AND EXPOSED WHERE IT ENTERS THE MAIN.

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C. THE ABANDONED LATERAL PIPE SHALL BE FILLED WITH SAND AND JETTED TO PREVENT THE PIPE FROM BECOMING A HOME FOR RODENTS OR OTHER DISEASE VECTORS.

D. REMOVE (E) CLEANOUT FRAME & COVER.

3. SEWER TO BUILDING. VERIFY LOCATION, SIZE AND ELEVATION WITH PLUMBING PLANS
4. 6" HDPE SDR 17 S=0.01 MINIMUM SLOPE

WATER KEYNOTES W#

1. CONNECT TO EXISTING WATER LINE PER EBMUD STANDARDS AND REQUIREMENTS
2. RESIDENTIAL APARTMENT DOMESTIC WATER METER PER EBMUD STANDARDS AND REQUIREMENTS. VERIFY METER SIZE WITH EBMUD AND PLUMBING PLANS.
3. WATER METER AND CHECK VALVE FOR FIRE SERVICE PER EBMUD STANDARDS AND REQUIREMENTS.
4. WATER SERVICE TO APARTMENT BUILDING. VERIFY SIZE AND LOCATION WITH PLUMBING PLANS. PROVIDE BACKFLOW DEVICE AT BUILDING PER EBMUD STANDARDS AND REQUIREMENTS.
5. FIRE SERVICE TO BUILDING. SEE FIRE SERVICE PLANS BY OTHERS FOR MORE INFORMATION. PROVIDE BACKFLOW DEVICE AT BUILDING PER EBMUD STANDARDS AND REQUIREMENTS.
6. (E) FIRE HYDRANT
7. FIRE DEPARTMENT CONNECTION. SEE PLANS BY OTHERS.
   7.1. THE FDC SHALL BE INSTALLED NO HIGHER THAN 3-FEET FROM FINISHED GRADE, AND SHALL BE LOCATED SO THAT FIRE APPARATUS AND HOSE CONNECTED TO SUPPLY THE SYSTEM WILL NOT OBSTRUCT ACCESS TO THE BUILDINGS FOR OTHER FIRE APPARATUS.
   7.2. THE FDC SUPPLYING WATER TO THE STANDPIPE SYSTEM MUST CONSIST OF A THREE (3) 2-1/2-INCH INLET CONNECTION AND ONE (1) 5-INCH STORZ CONNECTION WITH A BUILT-IN DEBRIS SCREEN.
8. ABANDON (E) WATER SERVICE PER EBMUD STANDARDS AND REQUIREMENTS. (BY EBMUD)

UTILITY KEYNOTES U#

1. CONTRACTOR FIELD LOCATE (E) UTILITIES. NOTIFY ENGINEER OF ANY CONFLICTS WITH (E) UTILITIES.
2. JOINT TRENCH BY OTHERS. SEE JOINT TRENCH PLANS
3. TRANSFORMER (BY OTHERS)
4. ALL TRENCHING IN THE CITY RIGHT OF WAY TO BE PER CITY OF BERKELEY STANDARD DETAIL 8136. SEE 3/C7.2
5. PROVIDE 1' MINIMUM CLEARANCE AT UTILITY CROSSING. VIF

GRAPHIC SCALE IN FEET
0 10' 20'

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PRELIMINARY NOT FOR CONSTRUCTION
REGISTERED PROFESSIONAL ENGINEER
GREENWOOD & MOORE, INC.
No. C013628
Exp. 03/31/2026
CIVIL
STATE OF CALIFORNIA

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

UTILITY PLAN

CHECKED BY:	XXX
DRAWN BY:	STAFF
SCALE:	1"=10'
DATE	05/17/2024
PROJECT NO.	2024.018
PHASE NO.	XX
SHEET NO.	C3.0

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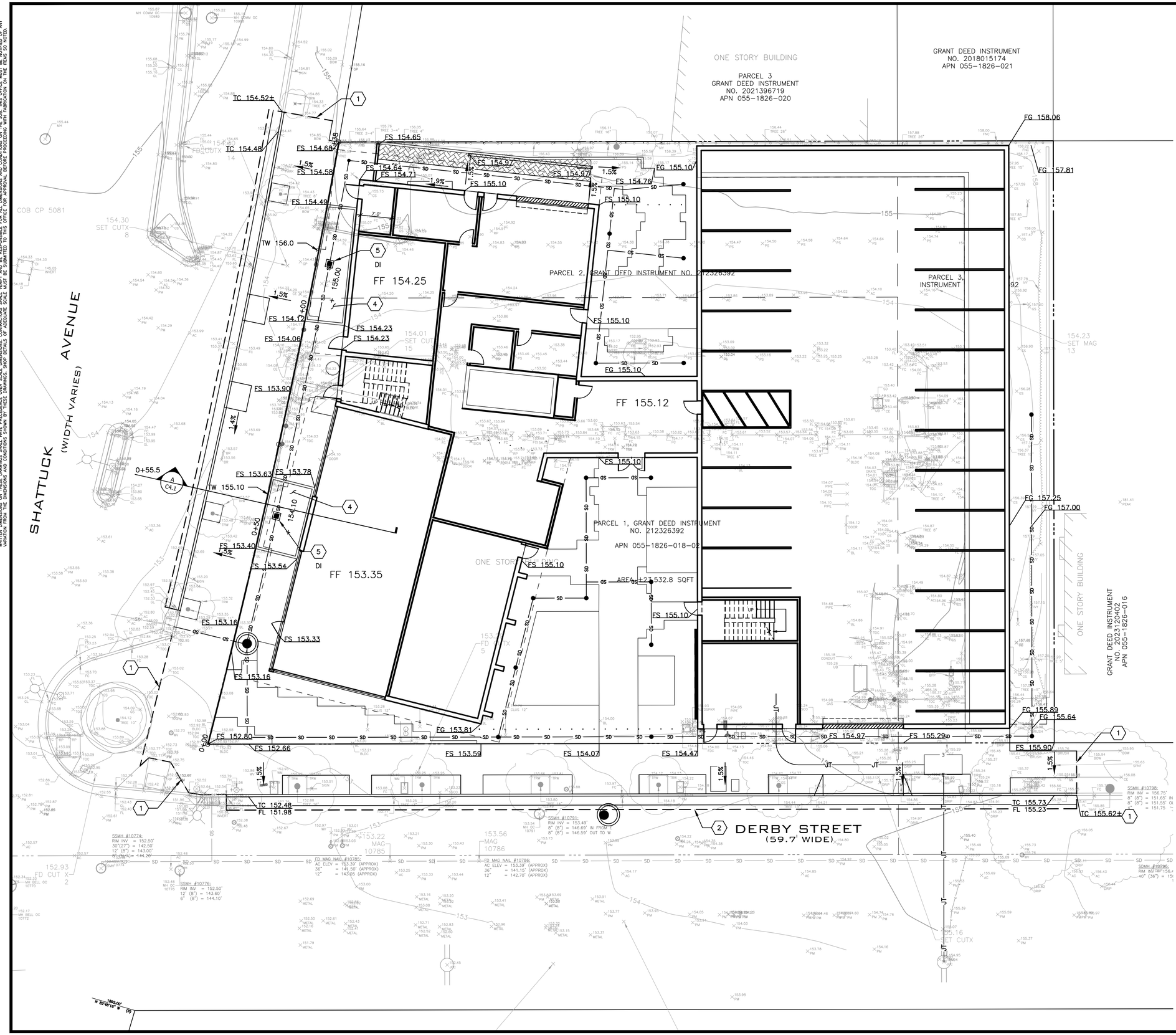

KEYNOTES:

1. CONFORM TO (E) AT SAWCUT LINE
2. SAWCUT PER 1/C7.0
3. ADJUST (E) UTILITY BOX COVER TO FINISH GRADE.
4. FLOWTHROUGH PLANTER
5. OVERFLOW DRAIN INLET. GRATE TO BE 6" ABOVE FINISH GRADE ELEVATION OF FLOW THROUGH PLANTER.

GRAPHIC SCALE IN FEET
0 10' 20'

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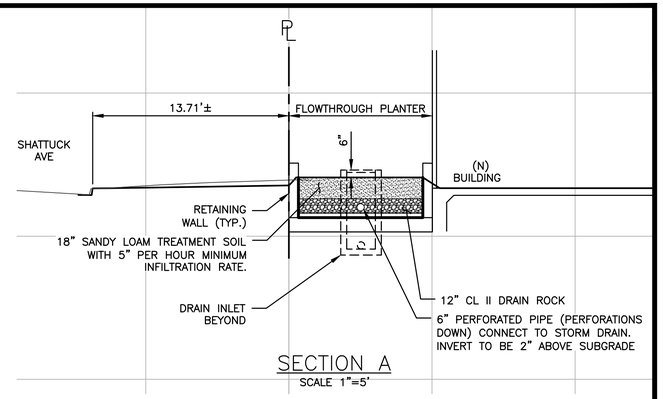
CIVIL
STATE OF CALIFORNIA

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

GRADING PLAN

CHECKED BY:	XXX
DRAWN BY:	STAFF
SCALE:	1"=10'
DATE	05/17/2024
PROJECT NO.	2024.018
PHASE NO.	XX
SHEET NO.	C4.0



SECTION A
SCALE 1"=5'

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PRELIMINARY NOT FOR CONSTRUCTION

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GREENWOOD-MOORE
No. CIVIL 28628
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STATE OF CALIFORNIA

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

SECTIONS

CHECKED BY:	XXX
DRAWN BY:	STAFF
SCALE:	AS SHOWN
DATE	05/17/2024
PROJECT NO.	2024.018
PHASE NO.	XX
SHEET NO.	C4.1

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KEYNOTES

1. FLOWTHROUGH PLANTER AT ROOF
2. FLOWTHROUGH PLANTER AT GRADE
3. SELF RETAINING
4. SELF TREATING
5. PERMEABLE PAVERS
6. OVERFLOW DRAINAGE INLET GRATE ON DROP INLET TO BE 6" ABOVE FINISH GRADE ELEVATION OF BIORETENTION AREA
7. DISCHARGE ROOF STORM WATER RUNOFF FROM DOWNSPOUT INTO BIORETENTION AREA AT COBBLE OUTFALL

ABBREVIATIONS

DMA – DRAINAGE MANAGEMENT AREA

TCM – TREATMENT CONTROL MEASURE

SRA – SELF RETAINING AREA

STA – SELF TREATING AREA

LEGEND

- DMA BOUNDARY
- FLOWTHROUGH PLANTER
- PERVIOUS PAVERS

	IMPERVIOUS AREA (SQ.FT)	PERVIOUS PAVEMENT (SQ.FT)	LANDSCAPE (SQ.FT)	TOTAL (SQ.FT)
EXISTING	19,206	0	4,317	23,523
PROPOSED	18,564	175	4,784	23,523

		a	b	c	d	e	f				
DRAINAGE MANAGEMENT AREA (DMA)	TREATMENT CONTROL MEASURES (TCM)	TOTAL DRAINAGE AREA (SF)	LANDSCAPING (SF)	IMPERVIOUS AREA (SF)	EFFECTIVE PERVIOUS AREA (SF)	EFFECTIVE IMPERVIOUS AREA (SF)	TREATMENT AREA REQUIRED (SF) *	TREATMENT AREA PROVIDED (SF)	DEPTH OF PONDING (INCHES)	TREATMENT TYPE	SIZING METHOD
DMA 1	TCM 1	9,643	1,330	8,313	1,330	8,446	338	1,330	N/A	FLOW THROUGH PLANTER	AREA METHOD*
DMA 2	TCM 2	7,538	323	7,215	323	7,247	290	311	N/A	FLOW THROUGH PLANTER	AREA METHOD*
DMA 3	SRA	2,336	898	1,438	898	1,528	61	0	N/A	SELF-RETAINING AREA	AREA METHOD*
DMA 4	SRA	1,497	837	660	837	744	30	175	N/A	PERVIOUS PAVEMENT	AREA METHOD*
DMA 5	STA	1,350	1,350	0	1,350	N/A	N/A	N/A	N/A	SELF-TREATING AREA	AREA METHOD*

*Required treatment area determined using Alameda County C3 Volume Capture method for bioretention sizing

SELF RETAINING AREAS					
	TREATMENT TYPE	IMPERVIOUS AREA (SF)	PERVIOUS PAVEMENT (SF)	LANDSCAPE (SF)	RATIO OF IMPERVIOUS AREA/PERVIOUS AREA (MUST BE LESS ≤ 2.0)
DMA 3	SRA	1,438	0	898	1.6
DMA 4	SRA	660	175	837	0.7

GRAPHIC SCALE IN FEET
0 10' 20'

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GREENWOOD-MOORE
No. CIVIL 28628
Exp. 03/31/2025
STATE OF CALIFORNIA

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

STORMWATER CONTROL PLAN

CHECKED BY: XXX
DRAWN BY: STAFF
SCALE: 1"=10'
DATE: 05/17/2024
PROJECT NO. 2024.018
PHASE NO. XX
SHEET NO. C5.0

NS
HIEVE A LONG TERM, IN–PLACE
O 10 IN/HR, CAPABLE OF
O CONSIST OF 60%–70% SAND

NICIPALITY FOR APPROVAL:
SOIL.
PLIER OR AN ACCREDITED
N SOIL MEETS THE
SPECIFICATION.
THE FINE SAND COMPONENT
ASTM D 422, STANDARD TEST
SIS OF SOILS.
OMPOST PERFORMED IN
G ASSURANCE (STA) STANDARDS,

OF MIXED BIORETENTION SOIL.
PERFORMED IN ACCORDANCE WITH
N OF COMPOST AND COMPOSTING
ON ORGANIC MATTER METHOD.
THE COMPOST COMPONENT IN
ANDARD TEST METHOD FOR

AND METHODS USED TO MIX THE
BIORETENTION SOIL.
ON ABOUT THE TESTING
(S), ADDRESS(ES), PHONE
AND QUALIFICATIONS OF
INCLUDING DATE OF CURRENT
PPROVED EQUAL.

WASTE COATING SUCH AS CLAY,
R ANY OTHER DELETERIOUS
THE NO. 200 SIEVE SHALL BE

LL BE ANALYZED BY AN
0, #40, #30 #8, #4, AND 3/8"
OVED BY MUNICIPALITY), AND MEET

F PASSING (BY WEIGHT)
MAX.
100
100
100
95
70
55
15
5

53 FOR FINE AGGREGATE COMPLY
MENTS.

SED, STABLE, WEED FREE ORGANIC
RIALS INCLUDING YARD DEBRIS,
LS NOT INCLUDING MANURE OR
PED BY THE US COMPOSTING
CERTIFIED THROUGH THE USCC
AM (A COMPOST TESTING AND

DELIVERY OF THE SOIL, THE
NALYSIS PERFORMED BY A
COMPOSTING COUNCIL'S COMPOST
NG APPROVED TEST METHODS FOR
POST (TMECC). THE LAB REPORT

ED AND INCLUDE ONE OF THE
GRASS CLIPPINGS, FOOD SCRAPS

DRY WEIGHT.
:1 AND C:N > 15:1
ARK BROWN COLOR AND A SOIL
OR PUTRID SMELL, CONTAINING
HOT (120F) UPON DELIVERY IS
OF THE FOLLOWING IS REQUIRED

HR
T BVS/
/DAY
GREES C) E.

RES IS SUFFICIENT TO INDICATE

TROL

CTAILING NUTRIENT CONTENT

R ABOVE PREFERRED
: SOLUBLE SHALL BE < 2.5 PPM
HOS/CM
VARY WITH PLANT SPECIES.
TURE
ALL BE ANALYZED BY AN
AND 1" SIEVES (ASTM D422 OR
THE FOLLOWING GRADATION.

F PASSING (BY WEIGHT)
MAX.
100
100
90
10

) AND 1100 DRY LBS/CUBIC

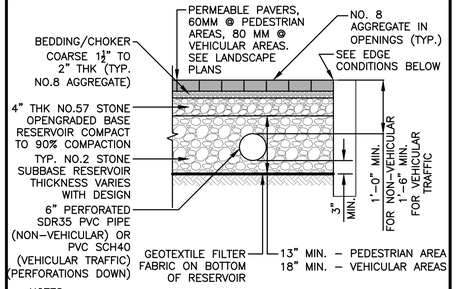
N 30%–55% OF DRY SOLIDS.
Y FREE OF INERT INGREDIENTS,
% BY WEIGHT OR VOLUME.
PROVIDE PROOF OF PROCESS TO
R EXAMPLE, TURNED WINDROWS
AT LEAST 5 TURNINGS DURING

MPN/4 GRAMS OF TS, OR

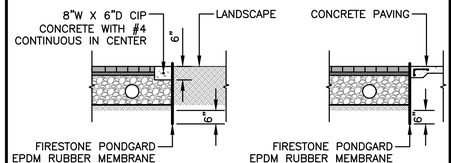
MERCURY, ETC.) PRODUCT MUST

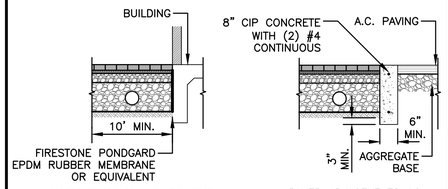
PLIER WILL TEST ALL COMPOST
OR TO APPLICATION. SAMPLES
LLECTION PROCESS PROTOCOL.
E OBTAINED FROM THE U.S.
ORIAL HIGHWAY, SUITE 275,
931.
E SHALL BE SENT TO AN
THE COMPOST SUPPLIER

NOTES 9



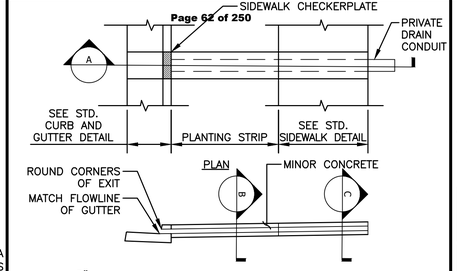
NOTES
1. ASTM NO.3 OR 4 STONE MAY BE SUBSTITUTED FOR NO.2 STONE
2. ASTM NO.89 OR 9 STONE MAY BE USED IN THE PAVERS OPENINGS
3. SPACE SUBDRAIN 10' MAX., SEE PLAN FOR LAYOUT
4. PAVERS CONSTRUCTED FROM NON–PERVIOUS CONCRETE SHALL HAVE 3/8" GAP BETWEEN PAVERS



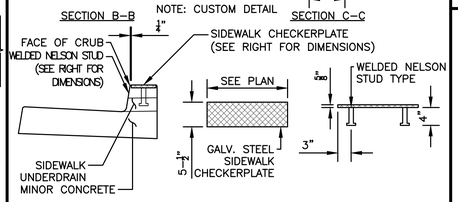


1 1/2"=1'–0"

PERVIOUS PAVERS 8



NOTE: CUSTOM DETAIL

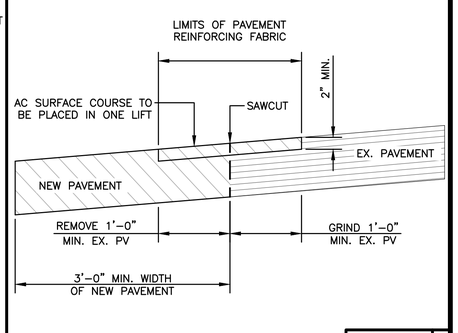


SIDEWALK UNDERDRAIN CHECKERPLATE SHALL BE GALVANIZED STEEL WITH AN EMBOSSED NONSKID PATTERN

SIDEWALK CHECKERPLATE DETAIL

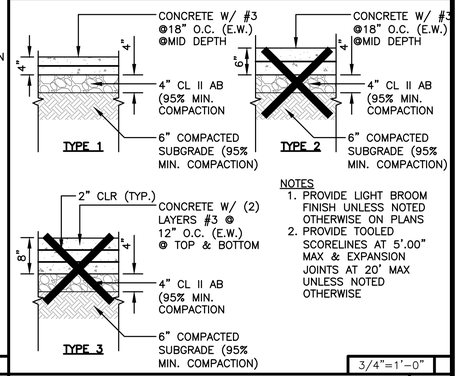
NOTES:
1. WHERE SIDEWALK UNDERDRAINS ARE INSTALLED AT LOCATIONS WHERE CURB, GUTTER, AND SIDEWALK IS EXISTING, REMOVE 24" OF CURB AND SIDEWALK SHALL BE SAWCUT AND REMOVED BETWEEN SCORELINES.
2. MULTIPLE PARALLEL SIDEWALK UNDERDRAINS SHALL HAVE 4" CLEAR BETWEEN EDGE OF PIPES.
3. FOR ADDITIONAL REQUIREMENTS, SEE PLAN 8144, "CONCRETE WORK NOTES."

SIDEWALK DRAIN CONDUIT 5



1"=1'–0"

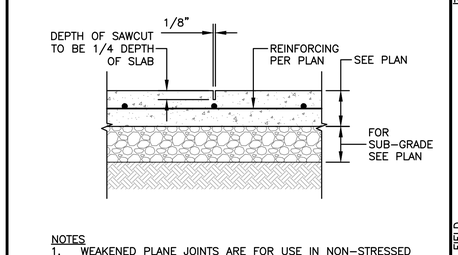
SAWCUT 1



NOTES
1. PROVIDE LIGHT BROOM FINISH UNLESS NOTED OTHERWISE ON PLANS
2. PROVIDE TOOLED SCORELINES AT 5'.00" MAX & EXPANSION JOINTS AT 20' MAX UNLESS NOTED OTHERWISE

3/4"=1'–0"

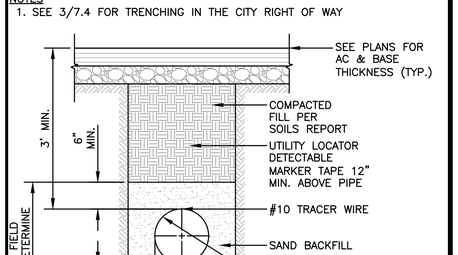
CONCRETE SLAB 2



NOTES
1. WEAKENED PLANE JOINTS ARE FOR USE IN NON–STRESSED SLABS SUPPORTED BY THE GRADE BELOW.
2. 5'–0" MAXIMUM SPACING RECOMMENDED (U.N.O. ON PLANS).
3. SEE SHOP DRAWINGS, BY OTHERS, FOR ALL CRACK CONTROL JOINTS AND CONSTRUCTION JOINTS IN DECORATIVE CONCRETE
4. SAWCUT JOINTS WITHIN 24 HOURS OF THE CONCRETE PLACEMENT.

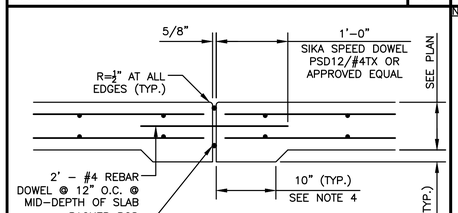
1 1/2"=1'–0"

CRACK CONTROL JOINT 6



3/4"=1'–0"

ASPHALT TRENCH 3

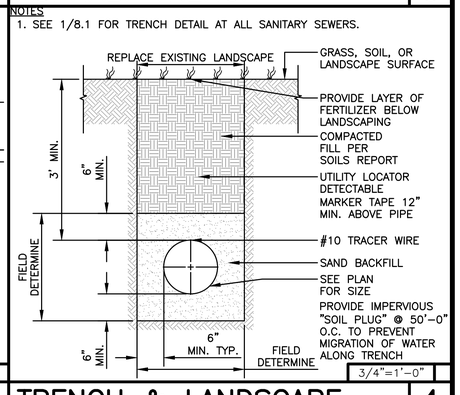


NOTES
1. PROVIDE CONSTRUCTION JOINTS AT 20' MAX. SPACING (BOTH DIRECTIONS) UNLESS NOTED OTHERWISE ON PLANS. SEE (5/C5.0) FOR CRACK CONTROL JOINTS
2. SEE SHOP DRAWINGS, BY OTHERS, FOR ALL CRACK CONTROL JOINTS AND CONSTRUCTION JOINTS IN DECORATIVE CONCRETE
3. CAULK ALL GAPS IN JOINTS W/ ELASTOMERIC SEALANT 30 DAYS AFTER CONCRETE PLACEMENT
4. AT 6" & 4" SLAB, THICKEN SLAB AS SHOWN

OR

1 1/2"=1'–0"

EXPANSION JOINT 7



NOTES
1. SEE 1/8.1 FOR TRENCH DETAIL AT ALL SANITARY SEWERS.

3/4"=1'–0"

TRENCH & LANDSCAPE 4

GREENWOOD & MOORE, INC
Civil Engineers • Designers
Land Surveyors • Planners
3111 Castro Valley Blvd., Ste. 200, Castro Valley, California, 94546
Tel: 510-581-2772 Fax: 510-581-6913 www.greenwoodmoore.com

REGISTERED PROFESSIONAL ENGINEER
JEFFREY R. MOORE
No. C042628
Exp. 03/31/2026
CIVIL
STATE OF CALIFORNIA

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55–1826–18–2

DETAILS

CHECKED BY: XXX
DRAWN BY: STAFF
SCALE: AS SHOWN
DATE 05/17/2024
PROJECT NO. 2024.018
PHASE NO. XX
SHEET NO. C7.0

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Central Precast

Title:	Date:	Dwg. No.
"ADA" WHEEL CHAIR PROOF FRAME AND GRATE DETAIL FOR DROP INLETS	05/15/03	CM
	Rev. —	Page No. 1–10

FRAME PLAN GRATE PLAN

MODEL	FRAMES A	B	C	BEARING ANGLE	SIDE BAR	GRATE J	K	P	BEARING BARS	BAND BAR	#
	IN	IN	IN	IN	IN	IN	IN	IN	IN	IN	BARS
CP1212 S H	12–3/8	12–3/8	15	1–1/2X1–1/2	1–1/2x1/4	14–3/4	12–1/8	12–1/16	1–1/4X3/16	1x3/16	21
CP1818 S H	18–3/8	18–3/8	21	1–1/2X1–1/2 2X1–1/2	1–1/2x1/4 2x1/4	20–5/8	18–1/8	18	1–1/4x3/16 1–3/4x3/16	1x3/16 1–1/2x3/16	31
CP1824 S H	18–3/8	24–3/8	21	1–1/2X1–1/2 2X1–1/2	1–1/2x1/4 2x1/4	20–5/8	18–1/8	18	1–1/4x3/16 1–3/4x3/16	1x3/16 1–1/2x3/16	31
CP2424 S H	24–3/8	24–3/8	27	1–1/2X1–1/2 2–1/2X1–1/2	1–1/2x1/4 2–1/2x1/4	26–3/4	24–1/8	23–15/16	1–1/4x3/16 2–1/4x3/16	1x3/16 2x3/16	41

S = SIDEWALK LOADS (300PSF)
H = HEAVY TRAFFIC LOADS (H20)

NOTES :

1. FRAME AND GRATES ARE HOT–DIPPED GALVANIZED AFTER FABRICATION PER ASTM SPEC. A–123.
2. FOR OPTIONAL GRATE LOCKING DEVICE SEE DWG. NO. LOCK, PAGE 1–7.
3. DETAIL–1 SEE PAGES 1–8, 1–9.

OR APPROVED EQUAL 7

Central Precast

Title:	Date:	Dwg. No.
CUSTOM PRECAST CONCRETE DROP INLETS	05/15/03	DI
	Rev. —	Page No. 1–2

DROP INLET TABLE

MODEL No.	CPC MODEL NAME	A IN	A MM	B IN	B MM	C IN	C MM
CP1212	EK	12	300	12	300	4	100
CP1818	CK	18	450	18	450	5	125
CP1824	1K*	18	450	24	600	5	125
CP2424	2K	24	600	24	600	5	125
CP2430	3K	24	600	30	750	5	125
CP3030	5K	30	750	30	750	6	150
CP2436	1L	24	600	36	900	6	150
CP3636	1M	36	900	36	900	6	150
CP2448	3L	24	600	48	1200	6	150
CP3648	3M	36	900	48	1200	6	150
CP4848	1R	48	1200	48	1200	6	150

NOTES :

1. FRAMES AND GRATES MAY BE SPECIFIED FOR PEDESTRIAN OR H20 TRAFFIC LOADING. ALL GRATES ARE BICYCLE PROOF. OPTIONAL GRATE LOCKING DEVICE AVAILABLE ON REQUEST SEE DRAWING "LOCK" ON PAGE 1–7. CLOSED–MESH GRATES OR CAST IRON FRAME AND GRATES ARE AVAILABLE ON REQUEST.
2. FOR SURFACE AND DISCHARGE OPTIONS AVAILABLE SEE DRAWING NO. "DI–SO" PAGE 1–6 AND "DI–DO" PAGE 1–5.
3. FRAMES AND GRATES DETAILS SEE PAGES 1–8, 1–9, AND 1–10.
4. WALL THICKNESSES ON ALL D.I.S. CAN BE CHANGED UPON REQUEST.
5. 18" WIDE D.I.'S REPLACE THE OLD 16" WIDE BOX BK & 1K.

OR APPROVED EQUAL 6

Central Precast

Title:	Date:	Dwg. No.
PEDESTRIAN (NON TRAFFIC) BICYCLE–PROOF FRAMES & GRATES FOR DROP INLETS	05/15/03	PG
	Rev. 02/24/04	Page No. 1–8

FRAME PLAN GRATE PLAN

MODEL No.	CPC MODEL NAME	FRAMES A	B	FRAME ANGLE	SIDE BAR	WEIGHT	GRATES J	K	BEARING BARS	BAND BARS	WEIGHT
		IN	IN	IN	IN	LBS.	IN	IN	IN	IN	LBS.
CP1212	EK	12–3/8	12–3/8	1–1/2x1–1/2x3/16	1–1/2x1/4	10	14–11/16	12–1/8	1–1/4X3/16	1–3/16	13
CP1818	CK	18–5/16	18–5/16	1–1/2x1–1/4x1/8	1–1/4 ∠	7	20–5/8	18–1/8	1X3/16	3/4x3/16	20
CP1824	1K*	18–5/16	24–3/8	1–1/2x1–1/2x3/16	1–1/2X1/4	7	20–5/8	24–1/8	1X3/16	3/4x3/16	20
CP2424	2K	24–3/8	24–3/8			20	26–11/16	24–1/8	1X3/16X3/18	3/4x3/16	44
CP2430	3K	24–3/8	30–3/8			23	26–11/16	30–1/8			54
CP2436	1L	24–3/8	36–3/8			25	26–11/16	36–1/8			65
CP2448	3L	24–3/8	48–3/8			38	26–11/16	48			88
CP3030	5K	30–3/8	30–3/8			24	32–11/16	30–1/8			78
CP3636	1M	36–3/8	36–3/8	1–3/4x1–3/4X3/16	1–3/4x1/4	29	39–11/16	36–1/8	1–1/2X3/16	1–1/4x1/16	96
CP3648	3M	36–3/8	48–3/8	1–3/4x1–3/4X3/16	1–3/4x1/4	42	39–11/16	48	1–1/2X3/16	1–1/4x1/16	128
CP4848	1R	48–3/8	48–3/8	2x1–1/2X3/16	2x1/4	46	50–11/16	48	1–3/4X3/16	1–1/2x1/16	227

NOTES :

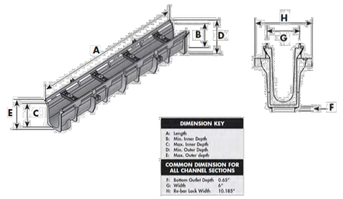
1. FRAMES AND GRATES ARE HOT–DIPPED GALVANIZED AFTER FABRICATION PER ASTM. SPEC. A–123.
2. FOR OPTIONAL GRATE LOCKING DEVICE SEE DWG. NO. LOCK, PAGE 1–7.

OR APPROVED EQUAL 4

NDS™ WE PUT WATER IN ITS PLACE
TECHNICAL SPECIFICATIONS

DURA SLOPE™ CHANNEL DRAINS

Specifications: NDS Dura Slope™ is a 6¼" wide, 48" long trench drain system with a built-in slope of 0.7%. Each channel section is molded of gray structural foam polyethylene with UV inhibitors and has a 4" inside diameter with a 2" radius bottom. The system consists of 4-foot channel sections including 24 pre-sloped channel sections and 9 neutral channel sections. The sloped channel sections enable the system to extend to a length of 96 feet with a continuous slope. Add neutral channels to extend the system run to an excess of 132 feet. By incorporating central collection through the use of the catch basin assembly, the Dura Slope™ trench drain system can be extended to lengths up to 266 feet. Dura Slope™ channels are designed with the pre-installed ProFit™ locking system, which maintains structural integrity during installation and locking devices for the grating. LevaLoc™ integral re-bar supports are located at 24" intervals along each side of the channel and contain an internal protruding knob designed to grip #3 or #4 re-bar (⅜"–½") for easier channel height adjustment during installation. DuraLoc™ tongue and groove ends connect allowing for a precise fit and ensure straight channel runs, incorporating an integral snap-lock feature that prevents joint movement during channel installation. Each channel section is molded with a bottom outlet allowing for system versatility and ensuring proper drainage. Expansion joints must be provided parallel to each side of the drain run.



DIMENSION KEY
A: Length
B: Min. Inner Depth
C: Max. Inner Depth
D: Min. Outer Depth
E: Max. Outer depth
COMMON DIMENSION FOR ALL CHANNEL SECTIONS
J: Bottom Outlet Depth 0.65"
K: Width 6.25"
H: Re-Bar Lock Width 15.187"

Lightweight 4 lb./modular sections
Easier handling and installation
Lower height (inch)
2" radius bottom
Minimizes debris build-up
ProfitSystem retained
Durable and inexpensive
Less breakage versus concrete
High chemical resistance
Bottom outlet on each channel section
System versatility
Requires fewer accessories
0.7% built-in slope
Maintain optimum flow rates throughout system

LevaLoc™ rebar supports with integral snap lock
• Leads channel and grate re-bar
• Assures level placement
ProFit™ locking system
• Integral locking design frame
• Snap-in position of locking rod
• Tamper resistant
Interlocking tongue and groove joints
• Ensures alignment
• Ensures straight channel runs
• Ensures watertight connection
Diverse 7" integral pipe hub
• Fits 4" pipe and corresponding fittings
• Pre-slot stamps or notes marked

PART NUMBERS	WEIGHT LBS	FLOW RATE GPM	LPM	A	DIMENSIONS (INCHES) B	C	D	E	PRODUCT CLASS
DS-096N	7.452	75	284	45"	3.998	3.998	5.354	5.760	2525
DS-101	7.534	75	284	45"	3.998	4.334	5.690	6.770	2525
DS-097N	7.812	89	337	45"	4.334	4.334	5.690	6.103	2525
DS-098	7.929	89	337	45"	4.334	4.670	6.030	6.106	2525
DS-ad93	8.269	103	390	45"	4.670	5.006	6.362	6.442	2525
DS-094	8.636	117	443	45"	5.006	5.342	6.698	6.778	2525
DS-096N	8.606	131	496	45"	5.342	5.342	6.790	7.111	2525
DS-095	8.956	131	496	45"	5.342	5.678	7.034	7.114	2525
DS-096	9.369	146	549	45"	5.678	6.014	7.370	7.450	2525
DS-097	9.781	160	602	45"	6.014	6.350	7.706	7.786	2525
DS-097N	10.040	173	655	45"	6.350	6.350	7.758	8.118	2525
DS-098	10.112	173	655	45"	6.350	6.686	8.042	8.122	2525
DS-099	10.454	187	708	45"	6.686	7.022	8.378	8.458	2525
DS-100	10.856	201	761	45"	7.022	7.358	8.714	8.794	2525
DS-100N	11.156	215	814	45"	7.358	7.358	8.716	9.127	2525
DS-101	11.228	215	814	45"	7.358	7.694	9.050	9.130	2525
DS-102	11.539	229	867	45"	7.694	8.030	9.386	9.466	2525
DS-103	11.971	243	920	45"	8.030	8.366	9.722	9.802	2525
DS-103N	12.271	257	973	45"	8.366	8.366	9.724	10.138	2525
DS-104	12.343	257	973	45"	8.366	8.702	10.058	10.138	2525
DS-105	13.714	271	1026	45"	8.702	9.038	10.394	10.474	2525
DS-106	13.086	285	1079	45"	9.038	9.374	10.730	10.810	2525
DS-106N	13.386	299	1132	45"	9.374	9.374	10.732	11.143	2525
DS-107	13.458	299	1132	45"	9.374	9.710	11.066	11.146	2525
DS-108	13.829	313	1185	45"	9.710	10.046	11.402	11.482	2525
DS-109	14.201	327	1238	45"	10.046	10.382	11.738	11.818	2525
DS-109N	14.501	341	1291	45"	10.382	10.382	11.740	12.154	2525
DS-110	14.573	341	1291	45"	10.382	10.718	12.074	12.154	2525
DS-111	14.945	355	1344	45"	10.718	11.054	12.410	12.490	2525
DS-112	15.316	368	1393	45"	11.054	11.390	12.746	12.826	2525
DS-112N	15.616	382	1446	45"	11.390	11.390	12.750	13.158	2525
DS-113	15.688	382	1446	45"	11.390	11.726	13.062	13.162	2525
DS-114	16.060	396	1499	45"	11.726	12.062	13.415	13.498	2525

4"
6¼"

851 N. Harvard Avenue
Lindsay, CA 93247
800-726-1994
Visit ndspro.com for specs, detail drawings, and case studies
NDS WE PUT WATER IN ITS PLACE

OR APPROVED EQUAL 1

NDS™ WE PUT WATER IN ITS PLACE
TECHNICAL SPECIFICATIONS

DURA SLOPE ACCESSORIES

	Part No.	Description	Color
	DS-122	ProFit™ Grate Lock	Black
	DS-123	Dura Slope Frame & End Cap Screws PH: # 6 x ¾" Use on DS-124 universal end cap & DS-127 Universal End Outlet downstream for (male) end. Use to attach DS-200 DI Frame to Channel	Steel
	DS-224	Universal End Cap Replaces DS-124, which will not work with DS-113 or deeper channels. Slides into upstream (female) end. Requires DS-123 screws on downstream (male) end.	Gray
	DS-227	Universal End Outlet Replaces DS-127, which will not work with DS-113 or deeper channels. Requires DS-123 screws for use on downstream (male) end. Fits to 4" S&D Pipe	Gray
2 ½"	DS-126	Bottom Outlet Adapter Fits to 4" S&D Pipe. DS-126 not required for Sch. 40 connection.	Gray
	629	Grate Screws FH # ¼"- 20 x 1½" Use with Grate # DS-231, DS-232, DS-670, DS-226 and 660-665. Use to secure grates in applications without DS-200 DI Frame	Steel
	DS-225	Dura Slope Ductile Iron Frame Screws FH # ¼"- 20 x 2½" Use to secure grates in applications that utilize DS-200 DI Frame.	Steel
6¼"	DS-200	Dura Slope Ductile Iron Frame Use with Dura Slope Drains (page 40), Dura Slope Catch Basins (page 42). To be used with DS-231 or DS-232 grates.	Black

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OR APPROVED EQUAL 2

GREENWOOD & MOORE, INC
Civil Engineers • Designers
Land Surveyors • Planners
3111 Castro Valley Blvd., Ste. 200, Castro Valley, California, 94546
Tel: 510-581-7272 Fax: 510-581-7313 www.greenwoodmoore.com

REGISTERED PROFESSIONAL ENGINEER
JEFFREY R. MOORE
No. C042628
Exp. 03/31/2026
CIVIL
STATE OF CALIFORNIA

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55–1826–18–2

DRAINAGE DETAILS

CHECKED BY: XXX
DRAWN BY: STAFF
SCALE: AS SHOWN
DATE 05/17/2024
PROJECT NO. 2024.018
PHASE NO. XX
SHEET NO. C7.1

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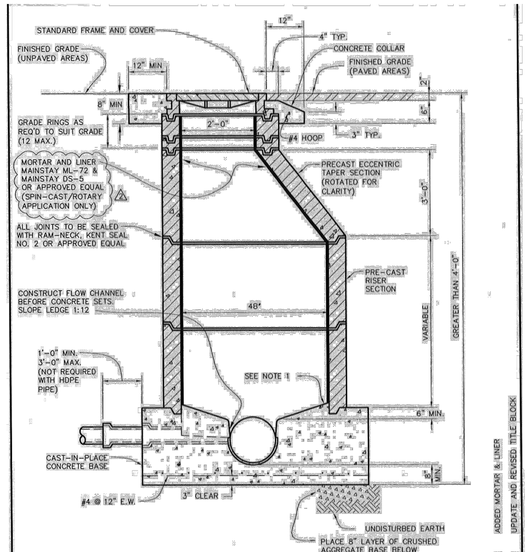
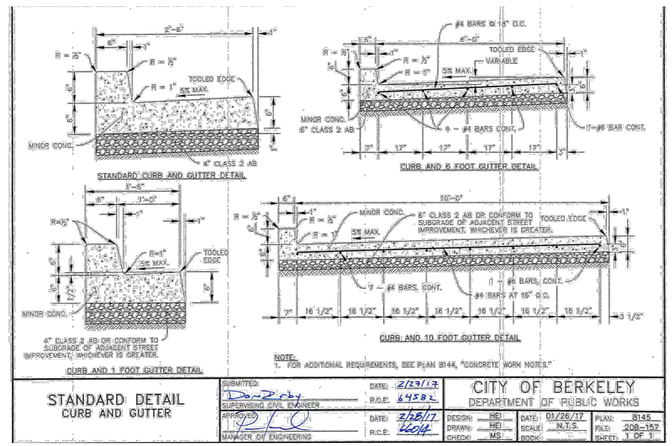


NOTES:
1. SET RISER SECTION IN 1:3 MORTAR MIX AND IN GROOVE FORMED IN BASE, OR POUR MONOLITHICALLY WITH BASE.
2. CAST-IN-PLACE CONCRETE FOR MANHOLE BASES AND CONCRETE COLLARS SHALL CONFORM TO SPEC. SECTION 201-1.1.2 AND BE CLASS 560-B-3250.

CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS					
SUBMITTED:	DATE: 5/12/15	STANDARD DETAIL PRECAST MANHOLE ECCENTRIC CONE			
SUPERVISING CIVIL ENGINEER	R.C.E. 54937 EXP. 6/30/16				
APPROVED:	DATE: 5/13/15	DESIGN: JR	DATE: 1/02	PLAN: 7895	
MANAGER OF ENGINEERING	R.C.E. 54314 EXP. 6/30/15	DRAWN: MS	SCALE: N.T.S.	FILE: 20-B-147	
		CHECK:	BOOK:		

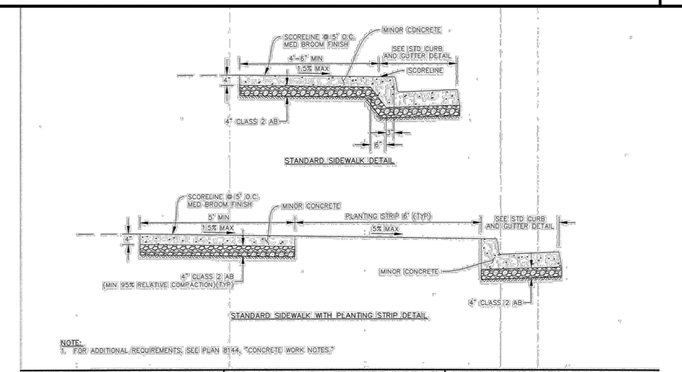
COB PRECAST MANHOLE | 4



NOTE:
1. FOR ADDITIONAL REQUIREMENTS, SEE PLAN 8146, "CONCRETE WORK NOTES."

STANDARD DETAIL CURB AND GUTTER					
SUBMITTED:	DATE: 2/27/17	CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS			
SUPERVISING CIVIL ENGINEER	R.C.E. 64582				
APPROVED:	DATE: 2/28/17	DESIGN: HEI	DATE: 01/26/17	PLAN: 8145	
MANAGER OF ENGINEERING	R.C.E. 66014	DRAWN: HEI	SCALE: N.T.S.	FILE: 20B-157	
		CHECK: MS	BOOK:	SHEET: 1 OF 1	

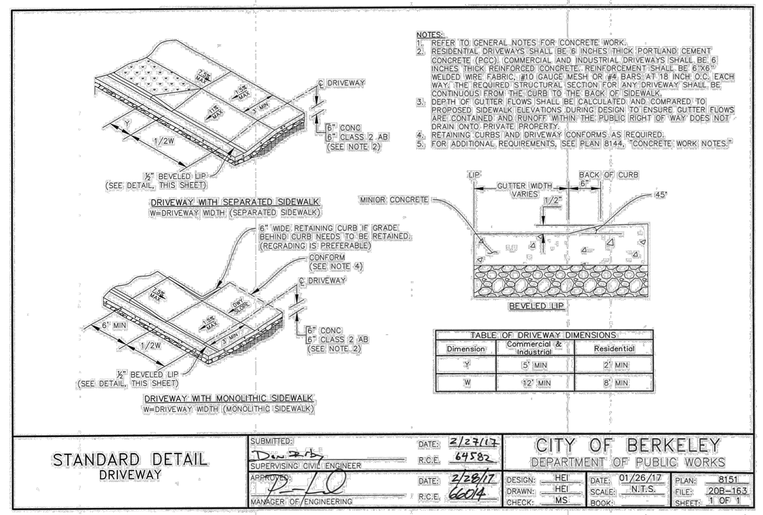
COB STANDARD CURB & GUTTER | 1



NOTE:
1. FOR ADDITIONAL REQUIREMENTS, SEE PLAN 8146, "CONCRETE WORK NOTES."

STANDARD DETAIL SIDEWALK					
SUBMITTED:	DATE: 2/27/17	CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS			
SUPERVISING CIVIL ENGINEER	R.C.E. 64582				
APPROVED:	DATE: 2/28/17	DESIGN: HEI	DATE: 01/26/17	PLAN: 8153	
MANAGER OF ENGINEERING	R.C.E. 66014	DRAWN: HEI	SCALE: N.T.S.	FILE: 20B-165	
		CHECK: MS	BOOK:	SHEET: 1 OF 1	

COB STANDARD SIDEWALK | 2

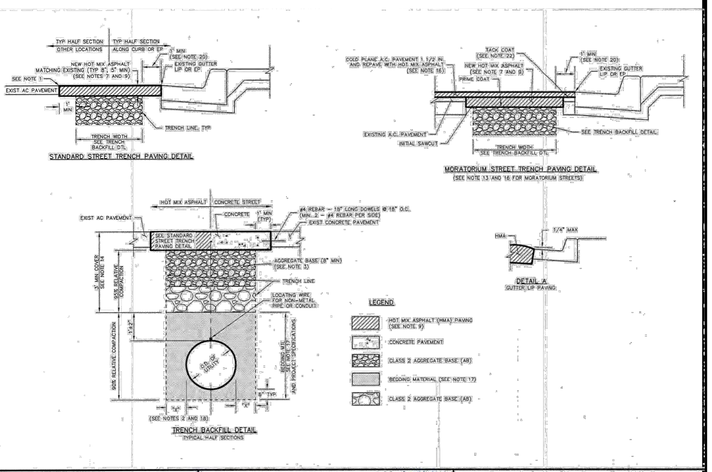


NOTES:
1. REFER TO GENERAL NOTES FOR CONCRETE WORK.
2. RESIDENTIAL DRIVEWAYS SHALL BE 6 INCHES THICK PORTLAND CEMENT CONCRETE (PCC). COMMERCIAL AND INDUSTRIAL DRIVEWAYS SHALL BE 6 INCHES THICK REINFORCED CONCRETE. REINFORCEMENT SHALL BE 6"X6" WELDED WIRE FABRIC, #10 GAUGE MESH OR #4 BARS AT 18 INCH O.C. EACH WAY. THE REQUIRED STRUCTURAL SECTION FOR ANY DRIVEWAY SHALL BE CONTINUOUS FROM THE CURB TO THE BACK OF SIDEWALK.
3. DEPTH OF GUTTER FLOWS SHALL BE CALCULATED AND COMPARED TO PROPOSED SIDEWALK ELEVATIONS DURING DESIGN TO ENSURE GUTTER FLOWS ARE CONTAINED AND RUNOFF WITHIN THE PUBLIC RIGHT OF WAY DOES NOT DRAIN ONTO PRIVATE PROPERTY.
4. RETAINING CURBS AND DRIVEWAY CONFORMS AS REQUIRED.
5. FOR ADDITIONAL REQUIREMENTS, SEE PLAN 8144, "CONCRETE WORK NOTES."

TABLE OF DRIVEWAY DIMENSIONS		
Dimension	Commercial & Industrial	Residential
'X'	5' MIN	2' MIN
W	12' MIN	8' MIN

STANDARD DETAIL DRIVEWAY					
SUBMITTED:	DATE: 2/27/17	CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS			
SUPERVISING CIVIL ENGINEER	R.C.E. 64582				
APPROVED:	DATE: 2/28/17	DESIGN: HEI	DATE: 01/26/17	PLAN: 8151	
MANAGER OF ENGINEERING	R.C.E. 66014	DRAWN: HEI	SCALE: N.T.S.	FILE: 20B-163	
		CHECK: MS	BOOK:	SHEET: 1 OF 1	

COB DRIVEWAY | 5



STANDARD DETAIL TRENCH EXCAVATION AND SURFACE RESTORATION					
SUBMITTED:	DATE: 7/6/16	CITY OF BERKELEY DEPARTMENT OF PUBLIC WORKS			
SUPERVISING CIVIL ENGINEER	R.C.E. 64582				
APPROVED:	DATE: 7/6/16	DESIGN: HEI	DATE: 06/2016	PLAN: 8136	
MANAGER OF ENGINEERING	R.C.E. 66014	DRAWN: HEI	SCALE:	FILE: 20-B-155	
		CHECK:	BOOK:	SHEET: 1 OF 2	

COB TRENCH EXCAVATION | 3

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STATE OF CALIFORNIA

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

CITY OF BERKELEY STANDARD DETAILS

CHECKED BY: XXX
DRAWN BY: STAFF
SCALE: 1"=10'
DATE: 05/17/2024
PROJECT NO. 2024.018
PHASE NO. XX
SHEET NO. C7.2

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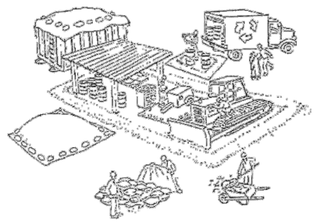
City of Berkeley's Pollution Prevention - It's Part of the Plan



Make sure your crews and subs do the job right!

Runoff from streets and other paved areas is a major source of pollution and damage to creeks and the San Francisco Bay. Construction activities can directly affect the health of creeks and the Bay unless contractors and crews plan ahead to keep dirt, debris, and other construction waste away from storm drains and local creeks. Following these guidelines and the project specifications will ensure your compliance with City of Berkeley requirements.

Materials storage & spill cleanup

Non-hazardous materials management

- Sand, dirt, and similar materials must be stored at least 10 feet (3 meters) from catch basins. All construction material must be covered with a tarp and contained with a perimeter control during wet weather or when rain is forecasted or when not actively being used within 14 days.
- Use (but don't overuse) reclaimed water for dust control as needed.
- Sweep or vacuum streets and other paved areas daily. Do not wash down streets or work areas with water!
- Recycle all asphalt, concrete, and aggregate base material from demolition activities. Comply with City of Berkeley Ordinances for recycling construction materials, wood, gyp board, pipe, etc.
- Check dumpsters regularly for leaks and to make sure they are not overfilled. Repair or replace leaking dumpsters promptly.
- Cover all dumpsters with a tarp at the end of every work day or during wet weather.

Hazardous materials management

- Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, county, state, and federal regulations.
- Store hazardous materials and wastes in water tight containers, store in appropriate secondary containment, and cover them at the end of every work day or during wet weather or when rain is forecasted.
- Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecasted within 24 hours.
- Be sure to arrange for appropriate disposal of all hazardous wastes.

Spill prevention and control

- Keep a stockpile of spill cleanup materials (rags, absorbents, etc.) available at the construction site at all times.
- When spills or leaks occur, contain them immediately and be particularly careful to prevent leaks and spills from reaching the gutter, street, or storm drain. Never wash spilled material into a gutter, street, storm drain, or creek!
- Dispose of all containment and cleanup materials properly.
- Report any hazardous materials spills immediately! Dial 911 or the City of Berkeley's Public Works Department by dialing 311

Construction Entrances and Perimeter

- Establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from site and tracking off site.
- Sweep or vacuum any street tracking immediately and secure sediment source to prevent further tracking.

Vehicle and equipment maintenance & cleaning

- Inspect vehicles and equipment for leaks frequently. Use drip pans to catch leaks until repairs are made; repair leaks promptly.
- Fuel and maintain vehicles on site only in a bermed area or over a drip pan that is big enough to prevent runoff.
- If you must clean vehicles or equipment on site, clean with water only in a bermed area that will not allow rinse water to run into gutters, streets, storm drains, or creeks.
- Do not clean vehicles or equipment on-site using soaps, solvents, degreasers, steam cleaning equipment, etc.

Earthwork & contaminated soils

- Keep excavated soil on the site where it will not collect in the street.
- Transfer to dump trucks should take place on the site, not in the street.
- Use fiber rolls, silt fences, or other control measures to minimize the flow of silt off the site.

- Earth moving activities are only allowed during dry weather by permit and as approved by the City Inspector in the Field.
- Mature vegetation is the best form of erosion control. Minimize disturbance to existing vegetation whenever possible.
- If you disturb a slope during construction, prevent erosion by securing the soil with erosion control fabric, or seed with fast-growing grasses as soon as possible. Place fiber rolls down-slope until soil is secure.
- If you suspect contamination (from site history, discoloration, odor, texture, abandoned underground tanks or pipes, or buried debris), call the Engineer for help in determining what should be done, and manage disposal of cntaminated soil according to their instructions.

Dewatering operations

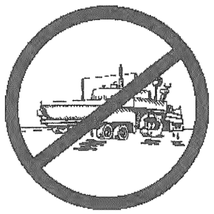
- Effectively manage all run-on, all runoff within the site, and all runoff that discharges from the site. Run-on from off site shall be directed away from all disturbed areas or shall collectively be in compliance.
- Reuse water for dust control, irrigation, or another on-site purpose to the greatest extent possible.

- Be sure to notify and obtain approval from the Engineer before discharging water to a street, gutter, or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- In areas of known contamination, testing is required prior to reuse or discharge of groundwater. Consult with the Engineer to determine what testing is required and how to interpret results. Contaminated groundwater must be treated or hauled off-site for proper disposal.

Saw cutting

- Always completely cover or barricade storm drain inlets when saw cutting. Use filter fabric, catch basin inlet filters, or sand/gravel bags to keep slurry out of the storm drain system.
- Shovel, absorb, or vacuum saw-cut slurry and pick up all waste as soon as you are finished in one location or at the end of each work day (whichever is sooner!).
- If saw cut slurry enters a catch basin, clean it up immediately.

Paving/asphalt work



- Always cover storm drain inlets and manholes when paving or applying seal coat, tack coat, slurry seal, or fog seal.
- Protect gutters, ditches, and drainage courses with sand/gravel bags, or earthen berms.
- Do not sweep or wash down excess sand from sand sealing into gutters, storm drains, or creeks. Collect sand and return it to the stockpile, or dispose of it as trash.
- Do not use water to wash down fresh asphalt concrete pavement.

Concrete, grout, and mortar storage & waste disposal

- Store concrete, grout, and mortar under cover, on pallets, and away from drainage areas. These materials must never reach a storm drain.
- Wash out concrete equipment/trucks off-site or into contained washout areas that will not allow discharge of wash water onto the underlying soil or onto the surrounding areas.

- Collect the wash water from washing exposed aggregate concrete and remove it for appropriate disposal off site.

Painting

- Never rinse paint brushes or materials in a gutter or street!
- Paint out excess water-based paint before rinsing brushes, rollers, or containers in a sink.
- Paint out excess oil-based paint before cleaning brushes in thinner.
- Filter paint thinners and solvents for reuse whenever possible. Dispose of oil-based paint sludge and unusable thinner as hazardous waste.

Landscape Materials

- Contain, cover, and store on pallets all stockpiled landscape materials (mulch, compost, fertilizers, etc.) during wet weather or when rain is forecasted or when not actively being used within 14 days.
- Discontinue the application of any erodible landscape material within 2 days of forecasted rain and during wet weather.

Storm drain polluters may be liable for fines of $10,000 or more per day!

For references and more detailed information:
www.cleanwaterprogram.org
www.cabmphandbooks.com

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BERKELEY, CA 94704
APN: 55-1826-18-2

CITY OF BERKELEY
POLLUTION PREVENTION
PLAN

CHECKED BY:	XXX
DRAWN BY:	STAFF
SCALE:	NO SCALE
DATE	05/17/2024
PROJECT NO.	2024.018
PHASE NO.	XX
SHEET NO.	C7.3

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EROSION CONTROL NOTES

TEMPORARY EROSION CONTROL MEASURES EFFECTIVE DURING RAINY SEASON – OCTOBER 1 TO APRIL 30

1. TEMPORARY EROSION CONTROL DEVICES SHOWN ON GRADING PLAN WHICH INTERFERE WITH THE WORK SHALL BE RELOCATED OR MODIFIED WHEN THE INSPECTOR SO DIRECTS AS THE WORK PROGRESSES.
2. EXCEPT AS OTHERWISE DIRECTED BY THE INSPECTOR, ALL DEVICES SHOWN ON THE EROSION CONTROL PLAN SHALL BE IN PLACE AT THE END OF EACH WORKING DAY. ALL EROSION CONTROL FACILITIES MUST BE INSPECTED AND REPAIRED AT THE END OF EACH WORKING DAY DURING THE RAINY SEASON AND MAINTAINED DURING THE RAINY SEASON (OCTOBER 1 TO APRIL 30).
3. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE PROVISIONS OF THE ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) "MANUAL OF STANDARDS FOR EROSION AND SEDIMENT CONTROL MEASURES" UNLESS OTHERWISE STATED WITHIN THESE GENERAL NOTES. CONTROL MEASURES ARE SUBJECT TO THE INSPECTION AND APPROVAL OF THE ENGINEERING DIVISION OF THE PUBLIC SERVICES DEPARTMENT. SCHEDULE AN ENGINEERING INSPECTION AT LEAST 48 HOURS PRIOR TO THE START OF ANY WORK.
4. ALL LOOSE SOIL AND DEBRIS SHALL BE REMOVED FROM THE STREET AREAS UPON STARTING OPERATIONS AND PERIODICALLY THEREAFTER AS DIRECTED BY THE INSPECTOR. THE SITE SHALL BE MAINTAINED SO AS TO MINIMIZE SEDIMENT LADEN RUNOFF TO ANY STORM DRAIN SYSTEM.
5. THE CONTRACTOR SHALL PLACE 3"–4" FRACTURED STONE AGGREGATE AS A GRAVEL ROADWAY (6" MINIMUM THICKNESS FOR THE FULL WIDTH AND 50 FEET LONG) AT EACH ROAD ENTRANCE TO THE SITE. ANY MUD THAT IS TRACKED ONTO PUBLIC STREETS SHALL BE REMOVED THE SAME DAY AS REQUIRED BY THE COUNTY ENGINEER. MINIMUM WIDTH OF GRAVEL ROADWAY IS 10 FEET.
6. A CONCRETE WASHOUT IS REQUIRED FOR ALL CONCRETE WORK. THE WASHOUT SHALL CONSIST OF A CONTAINMENT AREA ENCLOSED BY AN EARTHEN DIKE. PLASTIC TARP, COVERING THE CONTAINMENT AREA AND EARTHEN DIKE, SHALL BE STAKED IN AT OUTSIDE EDGE OF EARTHEN DIKE.
7. ADDITIONAL CONTAINMENT METHODS MUST BE PROVIDED FOR ANY WASTE STORAGE AREA, STOCKPILE/MATERIAL STORAGE AREA AND/OR CONSTRUCTION TOILET AREA.
8. THE PERSON RESPONSIBLE IMPLEMENTING, INSPECTING AND MAINTAINING THE EROSION AND SEDIMENT CONTROL MEASURES IS:

   CONTACT PERSON'S NAME: XXXXX
   TELEPHONE NUMBER: XXXXX

9. STAND–BY CREWS SHALL BE ALERTED BY THE PERMITTEE OR CONTRACTOR FOR EMERGENCY WORK DURING RAINSTORMS.
10. AFTER OCTOBER 1, ALL EROSION CONTROL MEASURES WILL BE INSPECTED DAILY AND AFTER EACH STORM. AFTER OCTOBER 1, BREACHES IN DIKES AND SWALES WILL BE REPAIRED AT THE CLOSE OF EACH DAY AND WHENEVER RAIN IS FORECAST.
11. AS A PART OF THE EROSION CONTROL MEASURES, UNDERGROUND STORM DRAIN FACILITIES AND CONCRETE SHALL BE INSTALLED COMPLETE AS SHOWN ON THE IMPROVEMENT PLANS.
12. ALL STORM DRAIN INLET STRUCTURES GREATER THAN FOUR FEET IN DEPTH SHALL HAVE STEPS INSTALLED PER THE LATEST ACCEPTED SAFETY STANDARDS. A 6" CONCRETE COVER SLAB SHALL BE INSTALLED OVER PIPE WITH LESS THAN 2.5 FEET OF COVER TO SUBGRADE. ALL PIPE TO BE CLASS III UNLESS OTHERWISE NOTED.
13. ALL GRADED AREAS, INCLUDING, BUT NOT LIMITED TO, CUT AND FILL SLOPES, STREETS, PARKING AREAS, AND BUILDING PADS SHALL BE HYDROSEEDED PER ABAG. IN ADDITION TO HYDROSEEDING, APPLICATION OF STRAW WITH A TACKIFIER OR MULCH MAY BE REQUIRED BY THE COUNTY ENGINEER.
14. IF ANY GRADING OPERATIONS, OTHER THAN LOT FINISH GRADING, ARE TO BE PERFORMED DURING THE RAINY SEASON, OCTOBER 1 THROUGH APRIL 30, AN EROSION CONTROL PLAN MUST BE SUBMITTED BY SEPTEMBER 1 AND THE PLAN MUST BE APPROVED BY THE COUNTY OF ALAMEDA PRIOR TO THE COMMENCEMENT OF ANY SUCH GRADING OPERATIONS.
15. TO MINIMIZE EROSION OF GRADED BANKS, ALL GRADED BANKS STEEPER THAN 2% AND HIGHER THAN 3 FEET, SHALL BE HYDROSEEDED, LANDSCAPED, OR SEALED. IN ADDITION TO HYDROSEEDING, APPLICATION OF STRAW WITH A TACKIFIER OR MULCH MAY BE REQUIRED BY THE COUNTY ENGINEER. IF THE PERMANENT STORM DRAIN SYSTEM IS NOT INSTALLED BY OCTOBER 1, TEMPORARY DITCHES SHALL BE CONSTRUCTED TO CONTAIN THE STORM WATER AND DIRECT IT, IN A MANNER THAT AVOIDS EROSION OF THE BANKS, TO THE EROSION AND SEDIMENT CONTROL FACILITIES.
16. ALL CUT AND FILL SLOPES ARE TO BE PROTECTED TO PREVENT OVERBANK FLOW USING 4" EARTH BERMS OR SILT FENCES.
17. ALL GRADED AREAS, INCLUDING, BUT NOT LIMITED TO, CUT AND FILL SLOPES, STREETS, PARKING AREAS, AND BUILDING PADS SHALL BE HYDROSEEDED PER COUNTY'S REQUIREMENT. SUGGESTED MIX DESIGN FOLLOWS:

'BLANDO' BROME	40 LBS/ACRE
ZORRO FESCUE	10 LBS/ACRE
HYKON ROSE CLOVER	9 LBS/ACRE
SUB CLOVER	5 LBS/ACRE
CALIFORNIA NATIVE WILDFLOWER	8 LBS/ACRE
FERTILIZER	300 LBS/ACRE
ORGANIC BINDER	100 LBS/ACRE
STRAW MULCH	4000 LBS/ACRE

18. BORROW AREAS AND TEMPORARY STOCKPILES SHALL BE PROTECTED WITH APPROPRIATE EROSION CONTROL MEASURES TO THE SATISFACTION OF THE COUNTY ENGINEER.
19. SANDBAGS, STRAW WATTLES AND/OR STRAW BALES SHALL BE STOCKPILED ON SITE AND PLACED AT INTERVALS SHOWN ON EROSION CONTROL PLANS, WHEN THE RAIN FORECAST IS 40% OR GREATER, OR WHEN DIRECTED BY THE INSPECTOR.
20. SANDBAGS REFERRED TO IN THE PRECEDING ITEMS MUST BE FULL. APPROVED SANDBAG FILL MATERIALS ARE DECOMPOSED GRANITE AND/OR GRAVEL, OR OTHER MATERIALS APPROVED BY THE INSPECTOR.
21. WHEN DIRECTED BY THE INSPECTOR, A 12–INCH BERM SHALL BE MAINTAINED ALONG THE TOP OF THE SLOPE OF THOSE FILLS ON WHICH GRADING IS NOT IN PROGRESS.
22. WHEN PAD ELEVATIONS OF ADJACENT LOTS OR ELEVATIONS BETWEEN THE STREET AND THE LOT ARE SEPARATED BY MORE THAN 6 FEET, A MINIMUM 12" BERM SHALL BE MAINTAINED ALONG THE PROPERTY LINE SEPARATING THE LOTS, AND THE BERM SHALL DIRECT THE WATER TO THE OUTLET. VELOCITY CHECK DAMS SHALL BE INSTALLED BETWEEN THE OUTLET ON THE LOT AND THE STREET.
23. PROVIDE VELOCITY CHECK DAMS IN ALL UNPAVED STREETS AT THE INTERVALS INDICATED BELOW IN NOTE #24. VELOCITY CHECK DAMS MAY BE CONSTRUCTED OF STRAW BALES, SANDBAGS OR OTHER EROSION RESISTANT MATERIALS APPROVED BY THE INSPECTOR, AND SHALL EXTEND COMPLETELY ACROSS THE STREET OR CHANNEL AT RIGHT ANGLES TO THE CENTERLINE. EARTH DIKES MAY NOT BE USED AS VELOCITY CHECK DAMS.
24. PROVIDE VELOCITY CHECK DAMS IN ALL UNPAVED GRADED CHANNELS AT THE INTERVALS INDICATED BELOW:

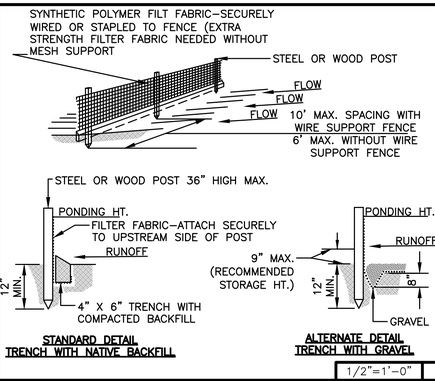
GRADE OF CHANNEL	INTERVAL
LESS THAN 3%	100 FEET
3% TO 6%	50 FEET
OVER 6%	25 FEET

25. SEWER OR STORM DRAIN TRENCHES THAT ARE OUT THROUGH BASIN DIKES OR BASIN INLET DIKES, SHALL BE PLUGGED WITH SANDBAGS FROM TOP OF PIPE TO TOP OF DIKE. SEWER LINES SHALL FIRST BE ENCASED IN CONCRETE BEFORE SANDBAGS ARE PLACED.
26. ALL OPEN UTILITY TRENCHES SHALL BE BLOCKED AT THE PRESCRIBED INTERVALS FROM THE BOTTOM TO TOP WITH A DOUBLE ROW OF SANDBAGS PRIOR TO BACKFILL. SEWER TRENCHES SHALL BE BLOCKED AT THE PRESCRIBED INTERVALS WITH A DOUBLE ROW OF SANDBAGS EXTENDING DOWNWARD, TWO SANDBAGS FROM THE GRADED SURFACE OF THE STREET. SANDBAGS ARE TO BE PLACED WITH ALTERNATE HEADER AND STRETCHER COURSES. THE INTERVALS PRESCRIBED BETWEEN SANDBAG LOCKING SHALL DEPEND ON THE SLOPE OF THE GROUND SURFACE, BUT NOT EXCEED THE FOLLOWING:

GRADE OF THE STREET	INTERVAL
LESS THAN 2%	AS REQUIRED
2% TO 4%	100 FEET
4% TO 10%	50 FEET
OVER 10%	25 FEET

27. AFTER STORM DRAIN, SANITARY SEWER AND UTILITY TRENCHES ARE BACKFILLED AND COMPACTED, THE SURFACES OVER SUCH TRENCHES SHALL BE MOUNDED SLIGHTLY TO PREVENT CHANNELING OF WATER IN THE TRENCH AREA. CARE SHOULD BE EXERCISED TO PROVIDE FOR CROSS FLOW AT FREQUENT INTERVALS WHERE TRENCHES ARE NOT ON THE CENTER LINE OF A CROWNED STREET.
28. SEDIMENT TRAPS SHALL BE CLEANED OUT PER INSPECTOR'S DIRECTION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CLEAN THE DESILTING BASINS AND THE SEDIMENT TRAPS.
29. THIS PLAN MAY NOT COVER ALL THE SITUATIONS THAT ARISE DURING CONSTRUCTION DUE TO UNANTICIPATED FIELD CONDITIONS. VARIATIONS MAY BE MADE TO THESE PLANS IN THE FIELD, SUBJECT TO APPROVAL OF THE COUNTY ENGINEER.
30. EROSION CONTROL STRUCTURES SHALL BE ADJUSTED BY THE CONTRACTOR TO REFLECT ALL CHANGES IN DRAINAGE AS STREETS AND BUILDING PADS ARE BEING INSTALLED.
31. INSTALL EXCELSIOR CURLEX II EROSION CONTROL BLANKET OR APPROVED EQUAL ON GRADED SLOPES STEEPER THAN 3:1. INSTALL PER MANUFACTURER'S RECOMMENDATIONS AND SPECIFICATIONS.

EROSION CONTROL NOTES | 10

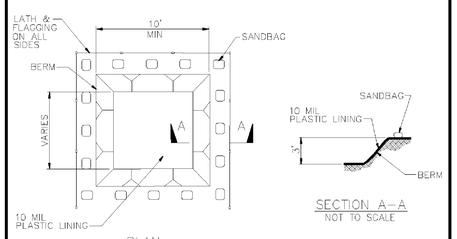


STANDARD DETAIL TRENCH WITH NATIVE BACKFILL

ALTERNATE DETAIL TRENCH WITH GRAVEL

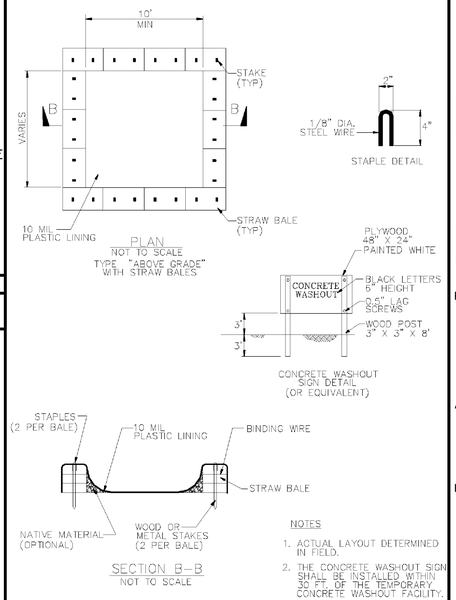
1/2"=1'–0"

SILT FENCE | 9



NOTES
1. ACTUAL LAYOUT DETERMINED IN FIELD.
2. THE CONCRETE WASHOUT SIGN SHALL BE INSTALLED WITHIN 30 FT. OF THE TEMPORARY CONCRETE WASHOUT FACILITY.

WM–8 CONCRETE WASTE MANAGEMENT | 7



NOTES
1. ACTUAL LAYOUT DETERMINED IN FIELD.
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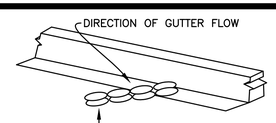
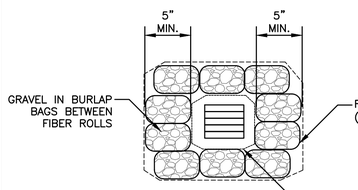
CONCRETE WASTE MANAGEMENT WM–8 | 8



NOTES
1. THICKNESS OF FILLED BAGS WHEN LAID FLAT SHALL NOT EXCEED 4".
2. ENSURE THERE ARE NO GAPS BETWEEN THE BAGS AND THE FACE OF CURB.
3. REMOVE ACCUMULATED SILT, DIRT, AND DEBRIS BEFORE IT EXCEEDS A THICKNESS OF 2" IN THE GUTTER.
4. INSPECT INLET PROTECTION DAILY DURING EXTENDED RAINFALL PERIODS AND BEFORE AND AFTER EACH RAIN EVENT.

1/2"=1'–0"

GRAVEL BAG CHECK DAM | 4

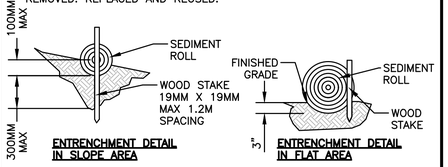


1/2"=1'–0"

INLET PROTECTION (UNPAVED AREAS) | 5

LIMITATIONS:
–DESIGNED FOR LOW SURFACE FLOWS NOT TO EXCEED 1 CFS FOR SMALL AREAS.
–DESIGNED FOR SHORT SLOPED OR SLOPES FLATTER THAN 3:1
– PRIMARY PURPOSE IS NOT SEDIMENT CONTROL, ALTHOUGH DO PROVIDE SOME SEDIMENT REMOVAL.

INSPECTION AND MAINTENANCE:
– REPAIR OR REPLACE SPLIT, TORN, UNRAVELING, OR SLUMPING FIBER ROLLS.
–INSPECT FIBER ROLLS WHEN RAIN IS FORECAST, FOLLOWING RAIN EVENTS AND AT LEAST DAILY DURING PROLONGED RAINFALL. PERFORM REQUIRED MAINTENANCE.
–IN MOST CASES, FIBER ROLLS DO NOT REQUIRE REMOVAL AND CAN BE ABANDONED IN PLACE. IF NOTE EXCESSIVELY SOILED, ROLLS MAY BE REMOVED. REPLACED AND REUSED.



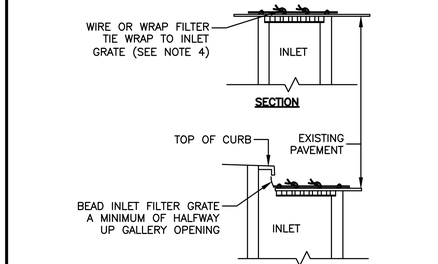
PURPOSE:
FIBER ROLLS (SEDIMENT LOGS OR WATTLES), COMPOSED OF BIO–DEGRADABLE FIBERS STUFFED IN A PHOTO–DEGRADEABLE OPEN WEAVE NETTING, ARE DESIGNED TO REDUCE SEDIMENT RUNOFF FROM DISTURBED SOILS INTO THE STORM DRAIN SYSTEM OR WATER–COURSES. FIBER ROLLS ARE POROUS AND ALLOW WATER TO FILTER THROUGH FIBERS AND TRAP SEDIMENT, INCREASE FILTRATION RATES, SLOW RUNOFF AND REDUCE SHEET AND HILL EROSION. WATTLES ALSO CREATE A FAVORABLE ENVIRONMENT FOR PLANT ESTABLISHMENT.

APPLICATION:
–ALONG THE FACE OF EXPOSED AND ERODIBLE SLOPES TO SHORTEN SLOPE LENGTH.
–AT GRADE BREAKS WHERE SLOPES TRANSITION TO A STEEPER SLOPE
–IN DRAINAGE SWALES TO SLOW FLOWS
–ALONG STREAMBANKS TO ASSIST STABILIZATION AND REVEGETATION

INSPECTION AND MAINTENANCE:
FOLLOW MANUFACTURER'S RECOMMENDATIONS FOR INSTALLATION. IN GENERAL, THESE WILL BE AS FOLLOWS:
–FINE GRADE THE SUBGRADE BY HAND DRESSING WHERE NECESSARY TO REMOVE LOCAL DEVIATIONS AND TO REMOVE LARGER STONES OR DEBRIS THAT WILL INHIBIT INTIMATE CONTACT OF THE FIBER ROLL WITH THE SUBGRADE.
–PRIOR TO ROLL INSTALLATION, CONTOUR A CONCAVE KEY TRENCH 50 TO 100MM (2 TO 4 INCHES) DEEP ALONG THE PROPOSED INSTALLATION ROUTE.
–SOIL EXCAVATION IN TRENCHING SHOULD BE PLACED ON THE UPHILL OR FLOW SIDE OF THE ROLL TO PREVENT WATER FROM UNDERCUTTING THE ROLL.
–PLACE FIBER ROLLS INTO THE KEY TRENCH AND STAKE ON BOTH SIDES OF THE ROLL WITHIN 6 FEET OF EACH END AND THEN EVERY SIX INCHES WITH 1" X 2" X 23" STAKES.
–STAKE ARE TYPICALLY DRIVEN IN ON ALTERNATING SIDES OF THE ROLL. WHEN MORE THAN ONE FIBER ROLL IS PLACED IN A ROW, THE ROLLS SHOULD BE BUTTED SECURELY TO ONE ANOTHER TO PROVIDE A TIGHT JOINT, NOT OVERLAPPED.

1/2"=1'–0"

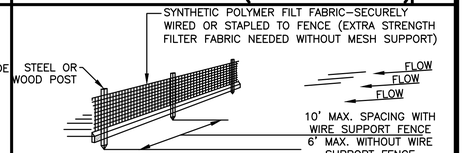
STRAW WATTLE | 6



NOTES:
1. FILTER FABRIC SHALL MEET CAL–TRANS OR HAY BAG SPECIFICATIONS.
2. FILTER MATERIAL AND GRATE SHALL OVERLAP INLET ON ALL SIDES BY A MINIMUM OF 1"
3. INLET FILTER GRATE SHALL BE MADE OF RE–BARS, CRISS CROSSED AT 6" (WELDED NUMBERED 3 OR TIED TOGETHER WITH WIRE) OR A PLATE WITH MINIMUM OF 75% OPEN AREA, BOTH OF SUFFICIENT STRENGTH TO PREVENT BENDING WHEN DRIVEN OVER BY A VEHICLE.
4. INLET FILTER GRATE SHALL BE SECURELY ATTACHED TO DRAIN INLET BY WIRE OR TIE–WRAPS (BEND OVER).
5. FILTERS SHALL BE INSPECTED WEEKLY AND AFTER EACH RAINFALL. REPAIRS, SEDIMENT/ DEBRIS REMOVAL SHALL BE MADE TO ASSURE EFFICIENCY OF FILTER SYSTEM.

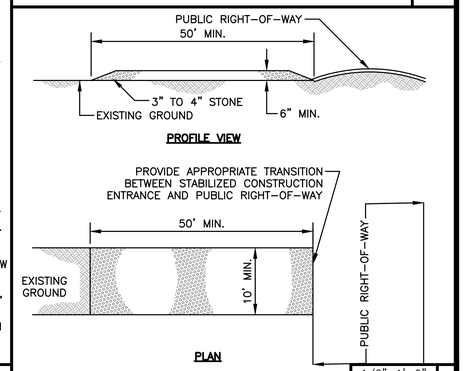
1/2"=1'–0"

INLET PROTECTION (PAVED AREAS) | 1



1/2"=1'–0"

SEDIMENT BASIN 1 | 2



1/2"=1'–0"

CONSTRUCTION ENTRANCE | 3

GREENWOOD & MOORE, INC
Civil Engineers • Designers
Land Surveyors • Planners
3111 Castro Valley Blvd. Ste. 200, Castro Valley, California, 94546
Tel: 510-581-7272 Fax: 510-581-8613 www.greenwoodmoore.com

REGISTERED PROFESSIONAL ENGINEER
JEFFREY R. MOORE
No. C042628
Exp. 03/31/2026
CIVIL
STATE OF CALIFORNIA

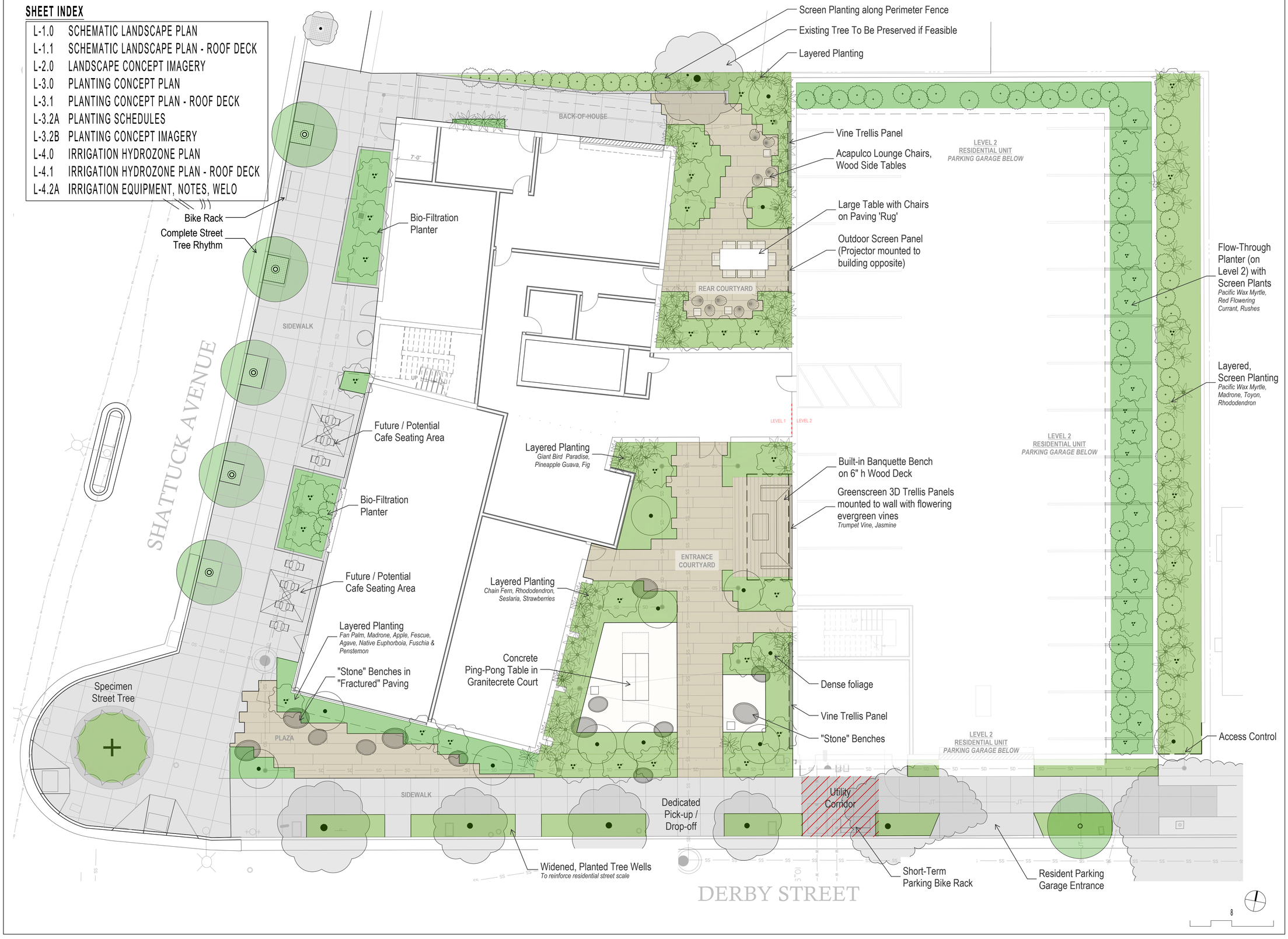
PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55–1826–18–2

EROSION CONTROL DETAILS

CHECKED BY:	XXX
DRAWN BY:	STAFF
SCALE:	1"=10'
DATE	05/17/2024
PROJECT NO.	2024.018
PHASE NO.	XX
SHEET NO.	C7.4

SHEET INDEX

L-1.0	SCHEMATIC LANDSCAPE PLAN
L-1.1	SCHEMATIC LANDSCAPE PLAN - ROOF DECK
L-2.0	LANDSCAPE CONCEPT IMAGERY
L-3.0	PLANTING CONCEPT PLAN
L-3.1	PLANTING CONCEPT PLAN - ROOF DECK
L-3.2A	PLANTING SCHEDULES
L-3.2B	PLANTING CONCEPT IMAGERY
L-4.0	IRRIGATION HYDROZONE PLAN
L-4.1	IRRIGATION HYDROZONE PLAN - ROOF DECK
L-4.2A	IRRIGATION EQUIPMENT, NOTES, WELO



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LANDSCAPE PLANS

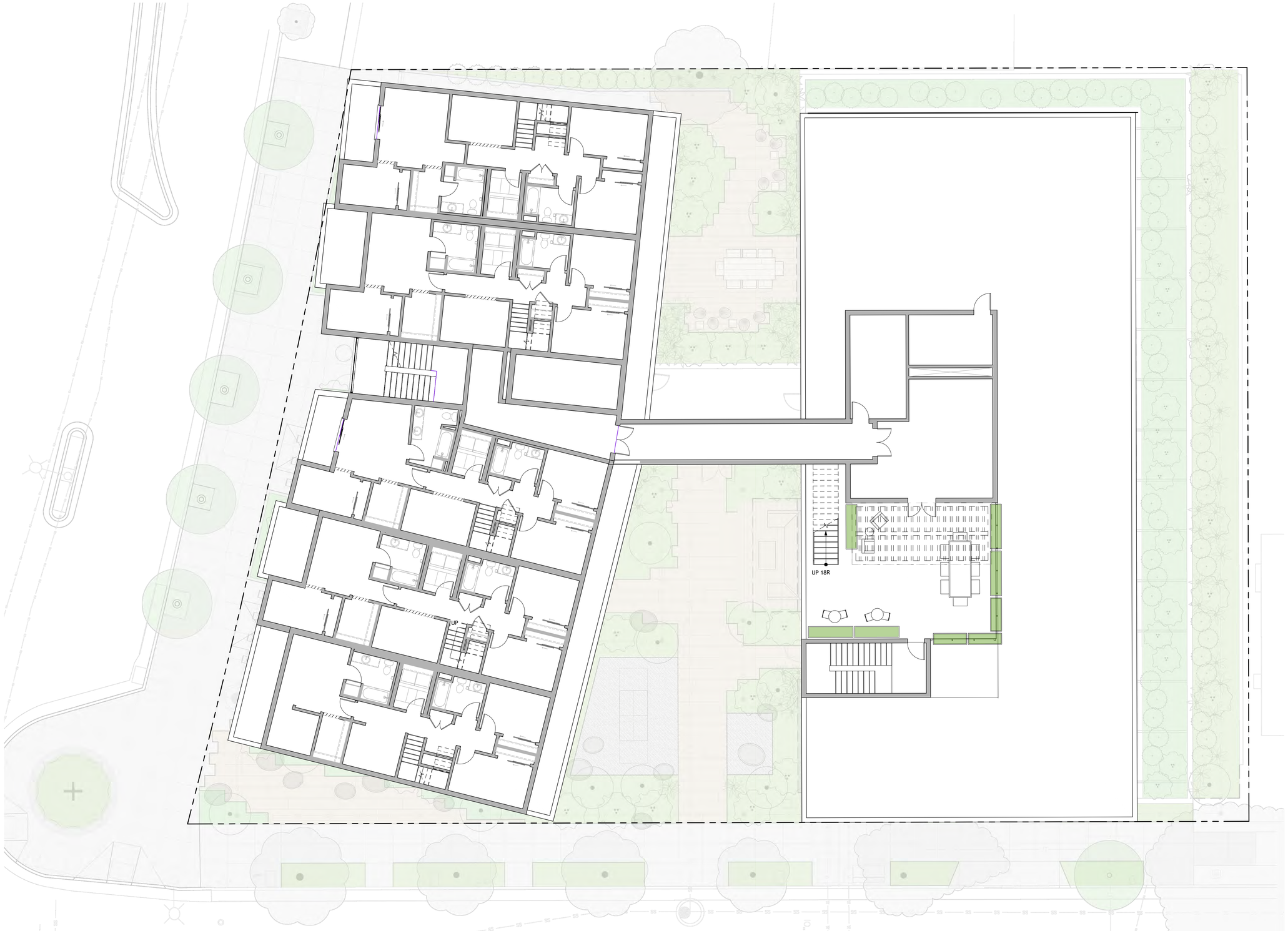
2655 Shattuck Ave, BERKELEY, CA

PHASE AGENCY SUBMITTAL
DATE 12-05-2024
REVISIONS

No.	Description	Date
1	AGENCY RE-SUBMITTAL	8/19/2024
2	AGENCY RE-SUBMITTAL	12/05/2024

SCHEMATIC LANDSCAPE PLAN

L-1.0



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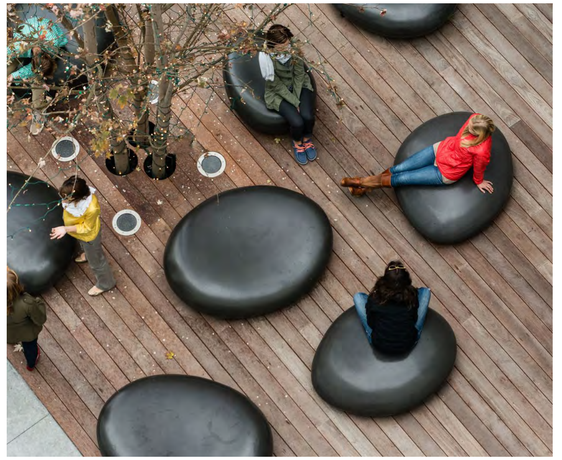
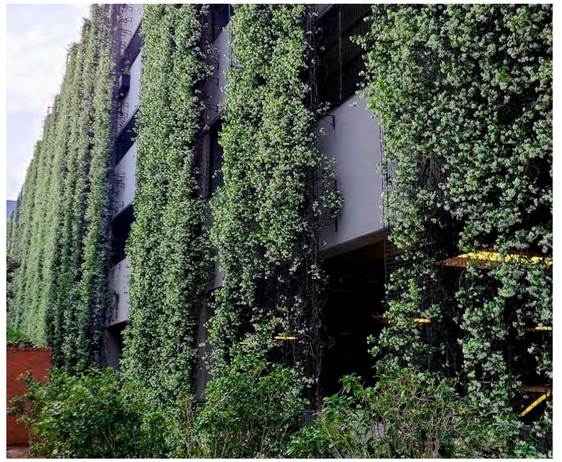
2	AGENCY RE-SUBMITTAL	12/05/2024

SCHEMATIC LANDSCAPE PLAN - ROOF DECK

L-1.1





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2	AGENCY RE-SUBMITTAL	12/05/2024

LANDSCAPE CONCEPT IMAGERY

L-2.0

PLANT SCHEDULE (ABBREVIATED)

(SEE SHEET L-3.2A FOR FULL SCHEDULE)

Symbol

Existing Tree to Remain

City Street Tree

Specimen Tree at Corner

Trees

Hedge and Screening

Streetscape - Shattuck Frontage

Streetscape - Derby Frontage

East Perimeter Buffer

Bio Treatment Planters

Courtyards

Vines

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2655 Shattuck Ave, BERKELEY, CA

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DATE 12-05-2024
REVISIONS

No.	Description	Date
1	AGENCY RE-SUBMITTAL	8/19/2024
2	AGENCY RE-SUBMITTAL	12/05/2024

PLANTING CONCEPT PLAN

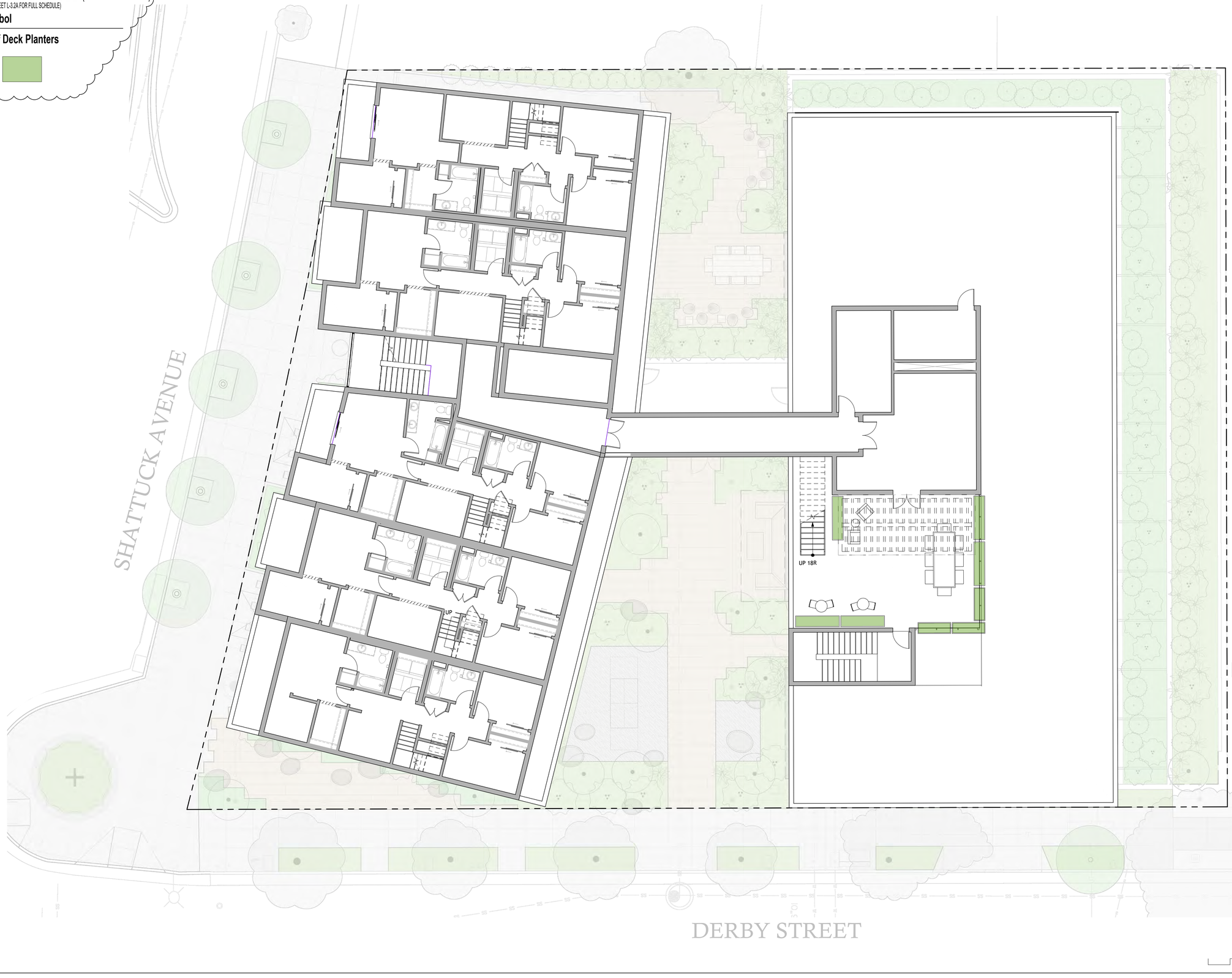
L-3.0

PLANT SCHEDULE (ABBREVIATED)

(SEE SHEET L-3.2A FOR FULL SCHEDULE)

Symbol

Roof Deck Planters



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2	AGENCY RE-SUBMITTAL	12/05/2024

PLANTING CONCEPT PLAN - ROOF DECK

L-3.1

PLANT SCHEDULE

Symbol	Common Name	*Botanical Name*	Quantity	Size	Wucols	Notes
Existing Tree to Remain						
City Street Tree						See Note 7 - 9 for City Street Tree Replacements
	Shattuck Ave Street Trees - Mix of Species Preferred			24" Box	M	
	Brisbane Box	*Lophostemon confertus*		Min.		Pollinator
	Sweetshade	*Hymenosporum flavum*				Pollinator
	Derby Street Tree			24" Box	M	
	London Plane	*Platanus x hispanica*		Min.		Pollinator
Specimen Tree at Corner						
	Specimen Tree			24" Box	L	
	Silverleaf Oak	*Quercus hypoleucoides*		Min.		
	Compton Oak	*Quercus x comptoniae*				
	Island Oak	*Quercus tomentella*				Native
Trees						
	Medium Accent Trees			24" Box	M / L	
	Pineapple Guava	*Feijoa sellowiana*		Min.		Pollinator
	'Mission' Edible Fig	*Ficus carica*				Pollinator
	Madrone	*Arbutus menziesii*				Pollinator
	Vine Maple	Acer circinatum				Pollinator
						Pollinator
	Foliage Accent					
	Giant Bird-of-Paradise	*Strelitzia nicolai*		#20/25 or	M / L	Pollinator
	New Zealand Flax	*Phormium tenax*		24" Box		
	Mediterranean Fan Palm	*Chamaerops humilis*				
	Fern Pine	*Podocarpus henkellii*				
	Evergreen Rhododendron	*Rhododendron var.*				Pollinator
Hedge and Screening						
	Bay laurel	*Laurus nobilis*		#15 Min.	L	Columns, Pollinator
	Purple Hopseed Bush	*Dodonaea viscosa 'Purpurea'*			L	
	Fern Pine	*Podocarpus henkellii*			M	Columns, Pollinator
	Pacific Wax Myrtle	*Myrica california*			M	Columns, Pollinator, Native
	Toyon	*Heteromeles arbutifolia*			L	Pollinator, Native
	'Bright 'N Tight' Carolina Laurel	*Prunus caroliniana 'Monus'*			L	Columns, Pollinator
Vines						
	Trumpet Vine	*Campsis radicans*		#15 Min.	L	At Vine Trellis Panels, Pollinator
	Jasmine	*Trachelospermum jasminoides*			M	Pollinator
	Creeping Fig	*Ficus pumila*			M	
Mixed Shrubs, Perennials, Grasses & Groundcover by Zone (All species to be size #1 minimum.)						
Streetscape - Shattuck Frontage						
	Dwarf Yeddo Hawthorn	*Rhaphiolepis umbellata 'Minor'*		#1	L	Pollinator
	Cleveland sage	*Salvia clevelandii**				Native Pollinator
	Wall Germander	*Teucrium chamaedrys*				Pollinator
	Pine Muhly	*Muhlenbergia dubia*				Native
Streetscape - Derby Frontage	Deer Grass	*Muhlenbergia rigens*				Native
	Groundcover Rosemary	*Rosmarinus p. 'Huntington Carpet'*				Pollinator
	Magenta Rockrose	*Cistus 'Sunset'*				Pollinator
	Upright Rosemary	*Rosmarinus o. 'Tuscan Blue'*				Pollinator
	Groundcover Manzanita	*Arctostaphylos 'Emerald Carpet'**				Native Pollinator
	California Fescue	*Festuca californica**				Native

PLANT SCHEDULE (cont.)

Symbol	Common Name	*Botanical Name*	Quantity	Size	Wucols	Notes
Mixed Shrubs, Perennials, Grasses & Groundcover by Zone (All species to be size #1 minimum.)						
East Perimeter Buffer						
	Pacific Wax Myrtle	*Myrica california*		#15 Min.	M	Native Pollinator
	Toyon	*Heteromeles arbutifolia*				Native Pollinator
	Rhododendron	*Rhododendron spp.*				Native Pollinator
	Madrone	*Arbutus spp.*				Native Pollinator
	'Eve Case' Coffeeberry	*Rhamnus californica 'Eve Case'*				Native Pollinator
Bio Treatment Planters						
	Pacific Wax Myrtle	*Myrica california*		#1	L	Staked at Fence / Wall, Native Pollinator
	Red Flowering Currant	*Ribes sanguineum*				Native Pollinator
	Berkeley Sedge	*Carex tumulicola**				Native
	Meadow Sedge	*Carex pansa**				Native
Courtyards						
	Giant Chain Fern	*Woodwardia fimbriata**		#1	M	Native
	Rhododendron	*Rhododendron spp.*				Pollinator
	Greenlee Moor Grass	*Sesleria 'Greenlee'*				
	Cut-leaf Philodendron	*Philodendron 'Xanadu'*				
	Tree Philodendron	*Philodendron selloum*				
	Western Sword Fern	*Polystichum fimbriata*				Native
	Japanese Tassel Fern	*Polystichum polyploides*				
	Cast-Iron Plan	*Aspidistra elatior*				
	Bromeliad spp,	*Bromeliad vars.*				
	Natal Lily	*Clivia miniata*				Pollinator
	Lily-of-the-Nile	*Agapanthus africanus*				Pollinator
	Lilyturf	*Liriope muscari*				Pollinator
	Cranesbill	*Geranium 'Rozanne'*				Pollinator
	Evergreen Huckleberry	*Vaccinium ovatum*				Native Pollinator
	'Eve Case' Coffeeberry	*Rhamnus californica 'Eve Case'*				Native Pollinator
	Manzanita species	*Arctostaphylos var.*				Native Pollinator
	Purple Heart	*Tradescantia purpurea*				
	Sweet Woodruff	*Gallium odoratum*				Native Pollinator
	Carpet Bugle	*Ajuga reptans*				Pollinator
	Mondo Grass	*Ophiopogon japonicus*				
	Alpine Strawberry	*Fragaria vesca*				Pollinator
	Yerba Buena	*Satureja douglasii*				Native Pollinator
	Bear's Breeches	*Acanthus mollis*				Pollinator
	Japanese forest grass	*Hakonechloa macra*				
	Sedge species	*Carex var.*				Native
Roof Deck Planters						
	Bay laurel	*Laurus nobilis*		#1	L	Pollinator
	Purple Hopseed Bush	*Dodonaea viscosa 'Purpurea'*			L	
	Fern Pine Textile	*Podocarpus henkelii*			M	
	Bamboo	*Bambusa textilis*			L	

PLANTING NOTES

1. PLANT SYMBOLS WITH MULTIPLE SPECIES LISTED MAY BE ANY OF THE SPECIES, AS AVAILABLE AT TIME OF INSTALLATION.
2. ALL PLANTING AREAS TO RECEIVE 3" LAYER COMPOSTED BARK MULCH (50% 'GARDEN MULCH' + 50% 'FOREST FLOOR BARK' BY: AMERICAN SOIL & STONE) CONTRACTOR TO SUBMIT SAMPLES FOR REVIEW AND APPROVAL.
3. ALL PLANTING AREAS TO RECEIVE 1" COMPOST TO TOP 6" - 12" OF SOIL PER HORTICULTURAL SOILS TEST RECOMMENDATIONS.
4. ALL PROPOSED PLANT SPECIES ARE CLIMATE-ADAPTED TO BERKELEY AND ARE INTENDED TO BE LOW-MAINTENANCE.
5. APPROXIMATELY 75% OF THE PROPOSED PLANTS OFFER SOURCES OF FOOD / NECTAR FOR AN ARRAY OF NATIVE POLLINATOR AND WILDLIFE SPECIES (BEES, HUMMINGBIRDS, BUTTERFLIES, INSECTS, ETC.)
6. APPROXIMATELY 50% OF THE PROPOSED PLANTS ARE CALIFORNIA NATIVE SPECIES WITH ENHANCED BENEFICIAL QUALITIES FOR NATIVE ANIMAL SPECIES HABITAT, FOOD AND OVERALL ADAPTABILITY.
7. PLANT CITY STREET TREES ACCORDANCE WITH THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) A300 (PART 6)-2012.
8. USE FLEXI-PAVE IN CITY STREET TREE WELLS
9. SEE CITY OF BERKELEY 'TREE PRESERVATION DURING CONSTRUCTION' RECOMMENDATIONS FOR TREE PROTECTION GUIDELINES.

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510.992.3122

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2655 SHATTUCK AVE
LANDSCAPE PLANS
2655 Shattuck Ave, BERKELEY, CA

PHASE AGENCY SUBMITTAL
DATE 12-05-2024
REVISIONS

No.	Description	Date
1	AGENCY RE-SUBMITTAL	8/19/2024
2	AGENCY RE-SUBMITTAL	12/05/2024

PLANTING SCHEDULES

L-3.2A

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2	AGENCY RE-SUBMITTAL	12/05/2024

PLANTING
CONCEPT IMAGERY

L-3.2B

HYDROZONES (ABBREVIATED)

SYMBOL	DESCRIPTION
	SHATTUCK FRONTAGE - LOW
	CORNER PLANTER - LOW
	COURTYARD NORTH - MODERATE
	COURTYARD SOUTH - MODERATE
	DERBY FRONTAGE - LOW
	DERBY STREET SCAPE - LOW
	EAST PERIMETER - MODERATE
	2ND FLOOR STORMWATER - LOW
	SHATTUCK STORMWATER - LOW
	ROOF DECK PLANTERS - LOW

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2655 SHATTUCK AVE
LANDSCAPE PLANS

2655 Shattuck Ave, BERKELEY, CA

PHASE AGENCY SUBMITTAL
DATE 12-05-2024
REVISIONS

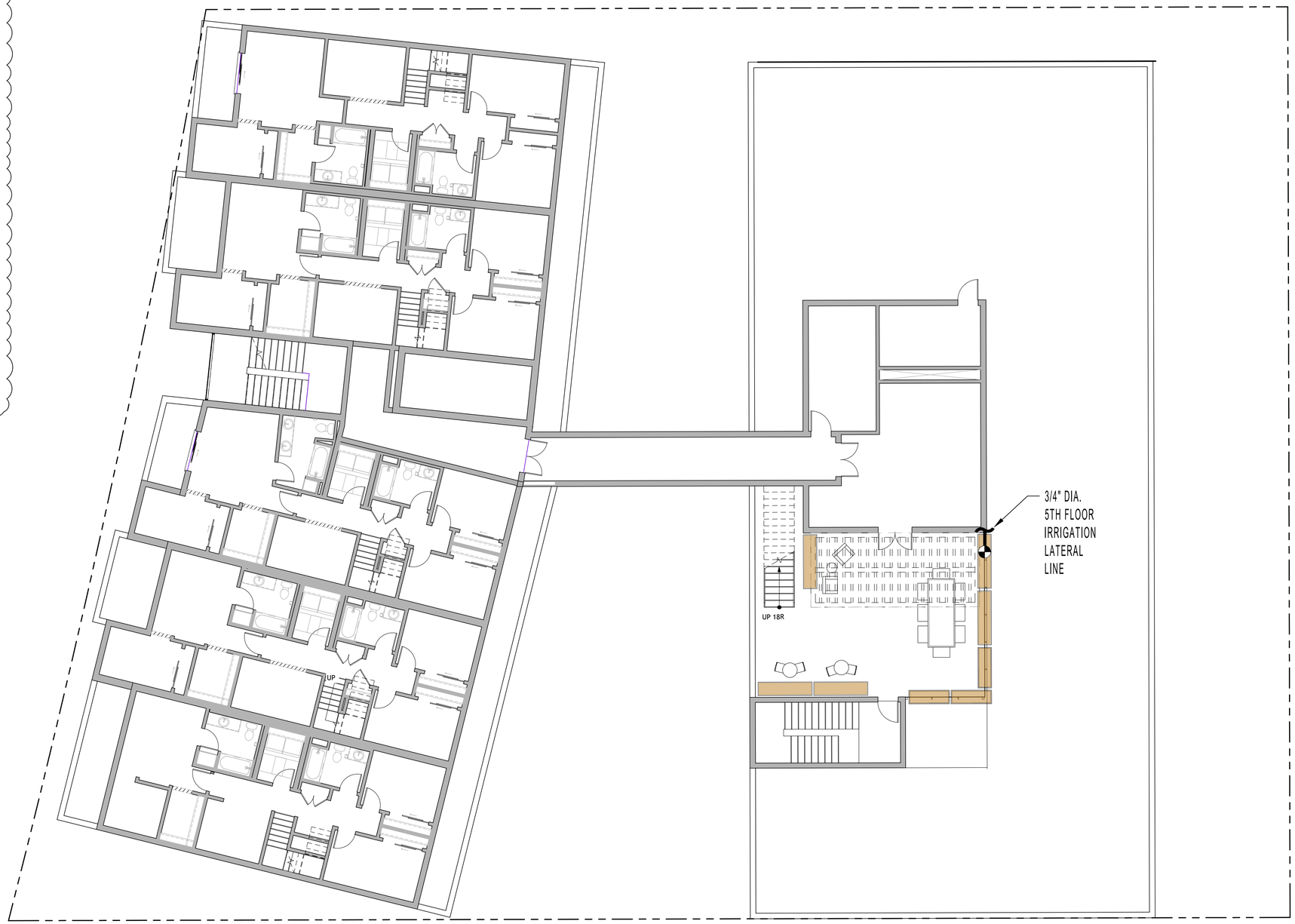
No.	Description	Date
1	AGENCY RE-SUBMITTAL	8/19/2024
2	AGENCY RE-SUBMITTAL	12/05/2024

IRRIGATION HYDROZONE PLAN

L-4.0

HYDROZONES (ABBREVIATED)

SYMBOL	DESCRIPTION
	SHATTUCK FRONTAGE - LOW
	CORNER PLANTER - LOW
	COURTYARD NORTH - MODERATE
	COURTYARD SOUTH - MODERATE
	DERBY FRONTAGE - LOW
	DERBY STREET SCAPE - LOW
	EAST PERIMETER - MODERATE
	2ND FLOOR STORMWATER - LOW
	SHATTUCK STORMWATER - LOW
	ROOF DECK PLANTERS - LOW



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2655 SHATTUCK AVE
LANDSCAPE PLANS
2655 Shattuck Ave, BERKELEY, CA

PHASE AGENCY SUBMITTAL
DATE 12-05-2024
REVISIONS

No.	Description	Date
1	AGENCY RE-SUBMITTAL	8/19/2024
2	AGENCY RE-SUBMITTAL	12/05/2024

IRRIGATION HYDROZONE PLAN - ROOF DECK

L-4.1

HYDROZONES

SYMBOL	DESCRIPTION	AREA		IRRIGATION EMITTER TYPE
	SHATTUCK FRONTAGE - LOW	120 SF	1*	IN-LINE DRIP, SEE NOTE 2
	CORNER PLANTER - LOW	142 SF	1*	IN-LINE DRIP, SEE NOTE 2
	COURTYARD NORTH - MODERATE	768 SF	2*	IN-LINE DRIP, SEE NOTE 2
	COURTYARD SOUTH - MODERATE	937 SF	2*	IN-LINE DRIP, SEE NOTE 2
	DERBY FRONTAGE - LOW	277 SF	2*	IN-LINE DRIP, SEE NOTE 2
	DERBY STREET SCAPE - LOW	411 SF	2*	IN-LINE DRIP, SEE NOTE 2
	EAST PERIMETER - MODERATE	1,087 SF	2*	POINT SOURCE, SEE NOTE 1
	2ND FLOOR STORMWATER - LOW	1,330 SF	2	IN-LINE DRIP, SEE NOTE 2
	SHATTUCK STORMWATER - LOW	312 SF	1*	IN-LINE DRIP, SEE NOTE 2
	ROOF DECK PLANTERS - LOW	98 SF	1*	IN-LINE DRIP, SEE NOTE 2
	TOTAL:	5,482 SF		

* **NOTE**: MULTIPLE VALVE QUANTITIES INDICATED WITHIN A SINGLE ZONE INDICATES VALVES FOR BOTH TREES AND SHRUBS / GROUNDCOVER WITHIN THE ZONE.

1. PLAN IS CONCEPTUAL AND SHOWN FOR COORDINATION AND REFERENCE
2. IRRIGATION SYSTEM SHALL EMPLOY A 'SMART' ET CONTROLLER

IRRIGATION EQUIPMENT

ITEM	SYMBOL	DESCRIPTION	MANUFACTURER	MODEL NO.
IRRIGATION POINT-OF-CONNECTION		REFER TO PLUMBING PLANS FOR LOCATION INFORMATION		
IRRIGATION 'SMART' CONTROLLER	A	IRRIGATION 'SMART' CONTROLLER MOUNTED ON WALL INSIDE WEATHERPROOF LOCKABLE CABINET, SWITCH AND SURGE PROTECTION - PROVIDE ON-SITE WEATHER SENSOR AND ENCLOSURE IN VICINITY AS DIRECTED BY ON-SITE OPERATOR	HUNTER	PRO-HC
FLOW METER	F	HC FLOW METER - PVC HOUSING - 1-INCH SIZE - WITHIN MASTER VALVE ENCLOSURE ASSEMBLY- REQUIRED HARD-WIRE	HUNTER	HC FLOW METER
SOIL MOISTURE SENSOR		SOIL CLIK - LOCATED IN FIELD AS DIRECTED BY OWNER - REQUIRES HARD-WIRE AND WALL PLACEMENT ADJACENT TO CONTROLLER	HUNTER	SOIL-CLIK
RAIN MOISTURE SENSOR		RAIN METER - LOCATED IN FIELD AS DIRECTED BY OWNER - REQUIRES HARD-WIRE AND WALL PLACEMENT ADJACENT TO CONTROLLER	HUNTER	RAIN-CLIK
MASTER CONTROL VALVE	M	MASTER CONTROL VALVE - 1-INCH SIZE - 24 VOLT IRRIGATION SOLENOID - THREADED ENDS - LOCATE MASTER VALVE BEFORE FLOW SENSOR	SUPERIOR	
DRIP VALVE STATION		DRIP VALVE STATION - DRIP ELECTRIC CONTROL VALVE ASSEMBLY - W/ PRESSURE REGULATING BASKET FILTER (200 POLY MESH /40 PSI SETTING) USE 3/4-INCH SIZE DRIP ELECTRIC CONTROL VALVE ASSEMBLY FOR FLOWS 4 GPM AND UNDER (USE 1-INCH SIZE FOR FLOWS 5 GPM THROUGH 14 GPM - USE 1-1/2 INCH SIZE FOR FLOWS 15 GPM AND GREATER)	HUNTER	
QUICK COUPLING VALVE		QUICK COUPLING VALVE - 1-INCH SIZE - POTABLE WATER USE - LOCKING RUBBER COVER MOUNTED IN ROUND BOX - PROVIDE VALVE KEY AND SWIVEL		
AIR RELIEF VALVE	A	AIR RELIEF VALVE - THREADED - 1/2-INCH MIPT- INSTALL WITHIN ROUND VALVE BOX - INSTALL UNITS AT HIGH POINTS OF DRIPLINE SYSTEMS AT 1 PER VALVE		
BALL FULL PORT VALVE / DRIPLINE FLUSH OUT ASSEMBLY	V	SCHEDULE 40 PVC BALL FULL PORT VALVE AND PVC FLEX HOSE TUBING INSTALLED WITHIN ROUND VALVE BOX - ADAPT TO INSTALL DRIPLINE TUBING AS REQUIRED - UNITS WHERE SHOWN LOCATED AT ENDS OF DRIPLINE SYSTEMS		
PRESSURIZED MAIN LINE - COPPER IRRIGATION WATER PIPING STUB OUT		DRY COPPER PIPING - 3/4-INCH SIZE PIPING STUB OUT - PIPING ROUTED THROUGH BUILDING AND ROOF DECKING(S) FOR IRRIGATION SYSTEM CONTINUATION PER MECHANICAL ENGINEER'S DRAWINGS - REFER TO MECHANICAL ENGINEER'S DRAWINGS FOR ACTUAL LOCATION - ROUTING OF PIPE TO IRRIGATION VALUE TO BE PROVIDED BY PLUMBING CONTRACTOR.		
LATERAL LINE		SCHEDULE 40 PVC - 3/4 INCH DIA. - AS SHOWN ON PLANS		
FLOW SENSOR CABLE		FLOW SENSOR SIGNAL CABLE AND CONDUIT - MULTIPLE WIRE PAIR SHIELDED CABLE INSTALLED WITH 1.25-INCH MINIMUM SIZE SCHEDULE 40 PVC CONDUIT - NO SPLICES PERMITTED	HYDROSCAPE	HSCST150

INDICATES CONNECTION TO ASSIGNED DRIP LINES, TYP.

WELO
Water Budget and Water Use Calculator

INSTRUCTIONS:

1. Enable macros.
2. Enter values in blue cells. Gray cells will automatically fill.
3. For ETo, refer to Appendix A of the ordinance, available here: https://www.water.ca.gov/Programs/Water-Use-And-Efficiency/Urban-Water-Use-Efficiency
4. Print this sheet and submit with Landscape Document Package for the Comprehensive Performance Compliance Pathway.

Date:	5/15/2024
Project Name:	2655 Shattuck Ave
Project Contact:	Christian Macke
Project Contact Email:	macke@122westdesign.com

PRINT

Maximum Applied Water Allowance (MAWA)	Project Type	ETo	ETAF	Special Landscape Area (SLA)	Total Landscape Area including SLA	MAWA (gal/yr)	
	Non-residential	41.8	0.45	-	5,482	**63,932**	MAWA =(ETo) * (0.62) *[(ETAF*LA) + ((1-ETAF) * SLA)].

Estimated Total Water Use (ETWU)	ETo	(SF * PF) / IE	SLA	ETWU (gal/yr)	
	41.8	2,440	-	**63,241**	ETWU =(ETo) * (0.62) *[(PF*SF/IE) + SLA]

Difference between MAWA and ETWU **691** **Project meets water budget.**

ETWU Calculation (Regular landscape areas)	Zone #	Description	Select Irrigation	Square Feet (SF)	Plant Factor (PF)	Irrigation Efficiency (IE)	(SF * PF) / IE
	1	Shattuck Frontage	Drip	120	0.20	0.81	30
	2	Corner Planter	Drip	142	0.50	0.81	88
	3	Courtyard - North	Drip	768	0.50	0.81	474
	4	Courtyard - South	Drip	937	0.50	0.81	578
	5	Derby Frontage	Drip	277	0.20	0.81	68
	6	Derby Streetscape	Drip	411	0.20	0.81	101
	7	East Perimeter	Drip	1,087	0.50	0.81	671
	8	2nd Floor Planter	Drip	1,330	0.20	0.81	328
	9	Shattuck Stormwater	Drip	312	0.20	0.81	77
	10	Roof Deck Planter	Drip	98	0.20	0.81	24
		Landscape area (not including SLA)		**5,482**			**2,440**

ETWU Calculation Special Landscape Areas (SLA)	Description	Square Feet (SF)	Plant Factor / Irrigation Efficiency (PF/IE)	(SF * PF) / IE
	Edible planting area	0	1.0	-
	Multi-use and sports field turf area		1.0	-
	Area irrigated with recycled water		1.0	-
	Pool		1.0	-
	Total SLA	**0**		**0**

Total Landscape Area (including SLA) from ETWU Calculation	**5,482**

IRRIGATION NOTES

1. **POINT-SOURCE DRIP** IRRIGATED AREAS USE 1/2" MAINLINE FOR DISTRIBUTION TO 1/4" IN-LINE DRIP TUBING WITH EMITTERS SPACED 6", WRAPPED AROUND INDIVIDUAL PLANTS. MAINLINE TO BE ROUTED SO THAT IT IS AS CLOSE TO EACH INDIVIDUAL PLANT AS POSSIBLE. IF PLANT IS OVER 24" AWAY FROM THE MAINLINE, USE A 1/4" SOLID LATERAL LINE TO CONNECT THE 1/4" IN-LINE DRIP TUBING TO THE 1/2" MAINLINE. WRAP PLANT ONCE WITH IN-LINE DRIP TUBING AROUND ROOTBALL PER THE FOLLOWING:
2. **IN-LINE DRIP** IRRIGATED AREAS USE 1/2" MAINLINE FOR DISTRIBUTION TO 1/4" IN-LINE DRIP TUBING WITH EMITTERS SPACED 6", TO COMPLETELY COVER THE DESIGNATED PLANTING AREA. SPACE DRIP TUBING TO COVER ENTIRE PLANTING AREA AS SHOWN IN THE STANDARD IN-LINE DRIP LAYOUT DETAIL.
3. **MP ROTATORS** IRRIGATED AREAS USE 1/2" MAINLINE FOR DISTRIBUTION TO HIGH-EFFICIENCY POP-UP ROTATING JET STREAM EMITTERS, SPACED TO ENSURE HEAD-TO-HEAD COVERAGE WITHIN DESIGNATED PLANTING AREAS. ALL EMITTERS TO BE 6" AWAY FROM HARDSCAPE EDGE TO AVOID OVER-SPRAY.

CONTAINER SIZE	IN-LINE DRIP TUBING PLACEMENT (FROM CENTER OF PLANT)
#1	3"
#5	4"
#15	5"
24" BOX	5" AND 10" (2 LOOPS)

IRRIGATION SYSTEM 'A' POINT-OF-CONNECTION NOTE

IRRIGATION POINT-OF-CONNECTION - CONNECT NEW COPPER PIPING TO NEW 1-INCH DOMESTIC WATER METER AND SERVICE LINE FOR IRRIGATION SUPPLY. WATER SERVICE CONNECTION PER EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD).

PEAK IRRIGATION DEMAND: TBD G.P.M.
SYSTEM DESIGN PRESSURE: 40 P.S.I.
EXISTING WATER PRESSURE (STATIC): TBD P.S.I.
IRRIGATED AREA OF COVERAGE: 5,679 SF

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2655 SHATTUCK AVE
LANDSCAPE PLANS
2655 Shattuck Ave, BERKELEY, CA

PHASE AGENCY SUBMITTAL
DATE 12-05-2024
REVISIONS

No.	Description	Date
1	AGENCY RE-SUBMITTAL	8/19/2024
2	AGENCY RE-SUBMITTAL	12/05/2024

IRRIGATION EQUIPMENT, NOTES, WELO CALCS

L-4.2A

SHATTUCK AVE

(E) GLOSSY PRIVET LIGUSTRUM LUCIDUM TO REMAIN

(E) CAJEPUT TREE MELALEUCA QUINQUENERVIA TO BE PRESERVED IF FEASIBLE

2655 SHATTUCK AVE.
1-STORY BUILDING

(E) CAJEPUT TREE MELALEUCA QUINQUENERVIA TO BE REMOVED

54' - 3" SETBACK

(E) DRIVEWAY & CURB CUT TO BE REMOVED

71' - 8" SETBACK

(E) PARKING TO BE DEMOLISHED

24 PARKING SPACES - 3 ACCESSIBLE

(E) GLOSSY PRIVET LIGUSTRUM LUCIDUM TO BE REMOVED

(E) GLOSSY PRIVET LIGUSTRUM LUCIDUM TO BE REMOVED

(E) GLOSSY PRIVET LIGUSTRUM LUCIDUM TO REMAIN

4" SETBACK

PROJECT LOCATION: 2665 SHATTUCK AVE.
APN:55-1826-18-2
EXISTING 1-STORY BUILDING TO BE DEMOLISHED

45' - 6" SETBACK

2117 DERBY ST.
1-STORY BUILDING

(E) GLOSSY PRIVET LIGUSTRUM LUCIDUM TO BE REMOVED

(E) GLOSSY PRIVET LIGUSTRUM LUCIDUM TO BE REMOVED

5' - 2" SETBACK

(E) UTILITIES

(E) BLACK OAK QUERCUS KELLOGGII TO REMAIN

(E) AMERICAN SYCAMORE PLATANUS OCCIDENTALIS TO REMAIN

(E) AMERICAN SYCAMORE PLATANUS OCCIDENTALIS TO REMAIN

DERBY ST

N

1 SITE PLAN - EXISTING
1/8" = 1'-0"

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2655 SHATTUCK AVE.

2655 SHATTUCK AVE.,
BERKELEY, CA 94704

LICENSED ARCHITECT
DANIELE FEIDELSON KAHN
No. C-31027
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION
1	7/26/24	PLANNING RESPONSE 1
2	10/11/24	PLANNING RESPONSE 2

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

SITE PLAN - EXISTING

A100.A

1 SITE PLAN - PROPOSED
1/8" = 1'-0"

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2655 SHATTUCK AVE.,
BERKELEY, CA 94704

LICENSED ARCHITECT
DANIELLE FEIDELSON KAHN
No. C-31027
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

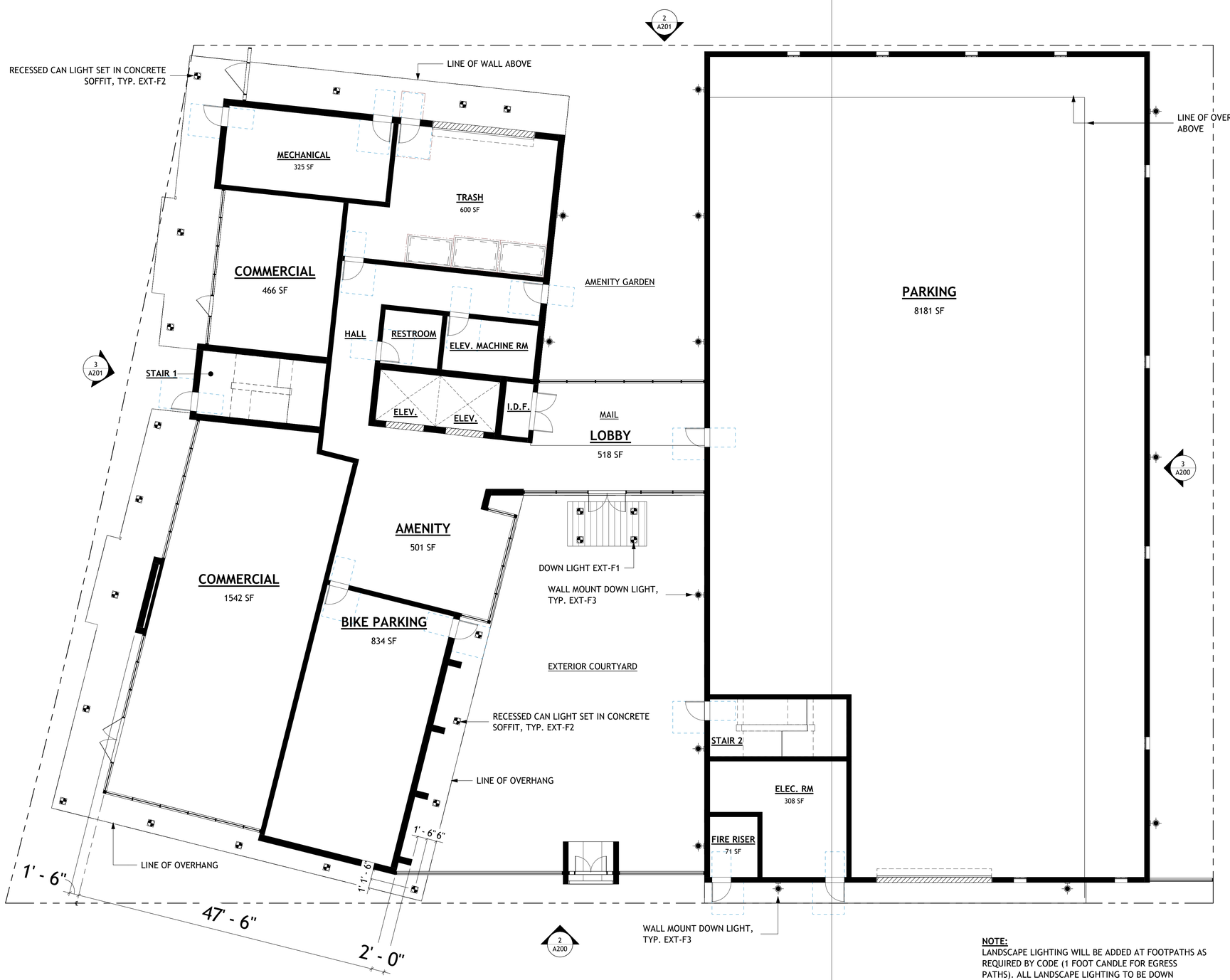
△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION
2	10/11/24	PLANNING RESPONSE 2

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

SITE PLAN - PROPOSED

A100.B



NOTE:
LANDSCAPE LIGHTING WILL BE ADDED AT FOOTPATHS AS REQUIRED BY CODE (1 FOOT CANDLE FOR EGRESS PATHS). ALL LANDSCAPE LIGHTING TO BE DOWN LIGHTING.

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

EXT-F1

TUBE ARCHITECTURAL DS-CD05

WAC LIGHTING

LED Ceiling Mounts

Fixture Type:

Catalog Number:

Project:

Location:

PRODUCT DESCRIPTION

The latest energy efficient LED technology in an appealing cylindrical profile delivers accent lighting. Comes in various light beam angle options.

FEATURES

- High performance exterior rated LED ceiling light
- Solid aluminum construction
- 30° visual cutoff angle or glare control
- 5 year warranty

SPECIFICATIONS

Input: Universal voltage 120V - 277VAC, 50/60Hz
Dimming: Electronic low voltage (ELV): 100% - 5%
0-10V: 100% - 1%
Light Source: High output 3 Step Mac Adam Ellipse COB
Rated life of 60,000 hours at L70
Finish: Electrostatically powder coated, white, black, bronze and graphite
Standards: IP65 rated, ETL & cETL wet location listed,
Energy Star® 2.2 rated. Title 24 JA8-2016 Compliant
Operating Temp: +13°F to 122°F (-25°C to 50°C)

ORDERING NUMBER

Diameter	Watt	Beam	Beam Angle	Color Temp	CRI	Reference Output¹ Lumens	Efficacy CBCP	Efficacy (Lm/W)	Light Distribution	Finish
DS-CD05 .25W	5 5inch	S Spot	10°	927 2700K 90	1825	16069	73			
				27 2700K 85	1746	12857	68			
				930 3000K 90	1895	16627	76			
				30 3000K 85	1249	12494	92			
				35 3500K 85	2302	12937	94			
				40 4000K 85	2370	13062	94			
		N Narrow	25°	927 2700K 90	1810	3285	72			
				27 2700K 85	2170	5335	87			
				930 3000K 90	1880	3470	75			
				30 3000K 85	2240	5497	90			
				35 3500K 85	2310	6737	93			
DS-CD05T .17W				40 4000K 85	2330	6863	94			
		F Flood	38°	927 2700K 90	1985	4515	79			
				27 2700K 85	2390	5417	97			
				930 3000K 90	1970	4685	74			
				30 3000K 85	2366	5681	96			
				35 3500K 85	2445	5812	98			
				40 4000K 85	2470	5870	98			

BK Black
WT White
BZ Bronze
GH Graphite

DS-CD05-_____

¹Reference output shown 25W output. Multiply by 0.7 to determine output for 17W combinations.

Example: **DS-CD05-9927-BK**

waclighting.com
Phone (800) 526.2588
Fax (800) 526.2585

Headquarters/Eastern Distribution Center
44 Harbor Park Drive
Port Washington, NY 11050

Central Distribution Center
1600 Distribution Ct
Lithia Springs, GA 30122

Western Distribution Center
1750 Archibald Avenue
Ontario, CA 91761

WAC Lighting retains the right to modify the design of our products at any time as part of the company's continuous improvement program. SEPT 2019

EXT-F2

R2FRDT-WD

WAC

2" FQ - Round Downlight Trim (Dim-To-Warm)

Fixture Type:

Catalog Number:

Project:

Location:

PRODUCT DESCRIPTION

The FQ Recessed series offers a complete line of high performance LED luminaires that combine high efficacy, efficiency and quality. The series features superlative glare control with 30° shielding, 35° vertical tilting and 360° horizontal rotation, and uniform floor-to-ceiling wall washing. Multiple power level options and a full line of round and square, trimmed and trimless luminaires offer versatile solutions for various lighting applications. Easy to order, install, and service.

FEATURES

- Two-piece die-cast construction
- Light engine mounted on trim with springs for easy replacement.
- 30° shielding angle design for better visual comfort
- Field-changeable beam angle with reflectors provided
- Accepts one Lens or glare control accessory
- 5 year WAC Lighting product warranty

SPECIFICATIONS

Construction: Durable die-cast aluminum construction
Input Universal 120-277V AC 50/60 Hz
Dimming: Electronic Low Voltage (ELV): 100%-1%
TRIAC: 100%-1%
0-10V: 100-1%
Light Source: High output 3-step Mac Adam Ellipse COB
Rated life of 50,000 hours at L70
Mounting: Heavy gauge retention clips support trim firmly. Safety cabling standard. Ceiling cutout Ø 3 1/2". Accomodates 1/2 " - 1" ceiling thickness
Finish: Electrostatically powder coated White, Black, Dark Bronze. Enamel coated Haze.
Standards: ETL & cETL Wet Location Listed, Energy Star 2.0, Title 24 JA8-2019 Compliant.

Model	Beam	Lumens	CBCP	Color Temp	CRI	Finishes	Reflector/Trim
R2FRDT Round Trim	15° 25° 40° 60°	1200 1000 800 600	4800 2500 1600 1100	WD 3000K 3500K	90	BK DB NICKEL WT	Wet Location Shower Trim (TRIM)

R2FRDT-WD-_____

Example: **R2FRDT-WD-BK** (Beam f 40° reflector H pre-installed, Beam W 55° reflector is Included.)

Please see next page for housing units (required)!

waclighting.com
Phone (800) 526.2588
Fax (800) 526.2585

Headquarters/Eastern Distribution Center
44 Harbor Park Drive
Port Washington, NY 11050

Central Distribution Center
1600 Distribution Ct
Lithia Springs, GA 30122

Western Distribution Center
1750 Archibald Avenue
Ontario, CA 91761

WAC Lighting retains the right to modify the design of our products at any time as part of the company's continuous improvement programs OCT 2022

EXT-F3

TUBE ARCHITECTURAL DS-WS05

WAC LIGHTING

LED Wall Mounts

Fixture Type:

Catalog Number:

Project:

Location:

PRODUCT DESCRIPTION

The latest energy efficient LED technology in an appealing cylindrical profile delivers accent and wall wash lighting. Comes in various light distribution and beam angle options.

FEATURES

- High performance exterior rated LED wall mount light
- Fixture can install upside down to alter light distribution
- Solid aluminum construction
- 3 year warranty

SPECIFICATIONS

Input: Universal voltage 120V - 277VAC, 50/60Hz
Dimming: Electronic low voltage (ELV): 100% - 5%
0-10V: 100% - 1%
Light Source: High output 3 Step Mac Adam Ellipse COB
Rated life of 60,000 hours at L70
Finish: Electrostatically powder coated, white, black, bronze and graphite
Standards: IP65 rated, ETL & cETL wet location listed,
Energy Star® 2.2 rated. Title 24 JA8-2016 Compliant
Operating Temp: +13°F to 122°F (-25°C to 50°C)

ORDERING NUMBER

Diameter	Watt	Beam	Beam Angle	Color Temp	CRI	Reference Output¹ Lumens	Efficacy CBCP	Efficacy (lm/w)	Light Distribution	Finish
DS-WS05 .5" .25W	5	S Straight up or down	10°	9275 2700K 90	1850	18501	73			
				27 2700K 85	1799	12927	68			
				9305 3000K 90	1930	16627	76			
				305 3000K 85	2265	12244	92			
				355 3500K 85	2350	12937	94			
				405 4000K 85	2370	13062	95			
		N Straight up or down	25°	9275 2700K 90	1810	3285	72			
				275 2700K 85	2170	5335	87			
				9305 3000K 90	1880	3478	75			
				305 3000K 85	2235	5497	90			
				355 3500K 85	2310	6747	93			
DS-WS05T .17W				405 4000K 85	2330	6863	94			
		F Straight up or down	38°	9275 2700K 90	1900	4313	30			
				275 2700K 85	2290	5174	93			
				9305 3000K 90	1850	4685	78			
				305 3000K 85	2390	5661	96			
				355 3500K 85	2465	5812	98			
				405 4000K 85	2470	5870	99			
		F Away from the wall	120°	927A 2700K 90	2060		80			
				27A 2700K 85	2400		96			
				930A 3000K 90	2070		81			
				30A 3000K 85	2520		101			
				35A 3500K 85	2525		101			
				40A 4000K 85	2605		104			
		F Towards the wall	120°	9278 2700K 90	2090		80			
				278 2700K 85	2400		96			
				9308 3000K 90	2075		81			
				308 3000K 85	2520		101			
				358 3500K 85	2575		103			
				408 4000K 85	2607		104			

BK Black
WT White
BZ Bronze
GH Graphite

DS-WS05-_____

¹Reference output shows 25W output. Multiply by 0.7 to determine output for 17W combinations.

Example: **DS-WS05-F930A-WT**

waclighting.com
Phone (800) 526.2588
Fax (800) 526.2585

Headquarters/Eastern Distribution Center
44 Harbor Park Drive
Port Washington, NY 11050

Central Distribution Center
1600 Distribution Ct
Lithia Springs, GA 30122

Western Distribution Center
1750 Archibald Avenue
Ontario, CA 91760

WAC Lighting retains the right to modify the design of our products at any time as part of the company's continuous improvement program. SEPT 2019

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LICENSED ARCHITECT
DANIELE FEIDELSON KAHN
No. C-31027
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

PROPOSED LIGHTING PLAN - GROUND FLOOR

N

A100.C

Proposed Residential

- COMMERCIAL
- RESIDENTIAL SUPPORT
- UTILITY
- PARKING

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

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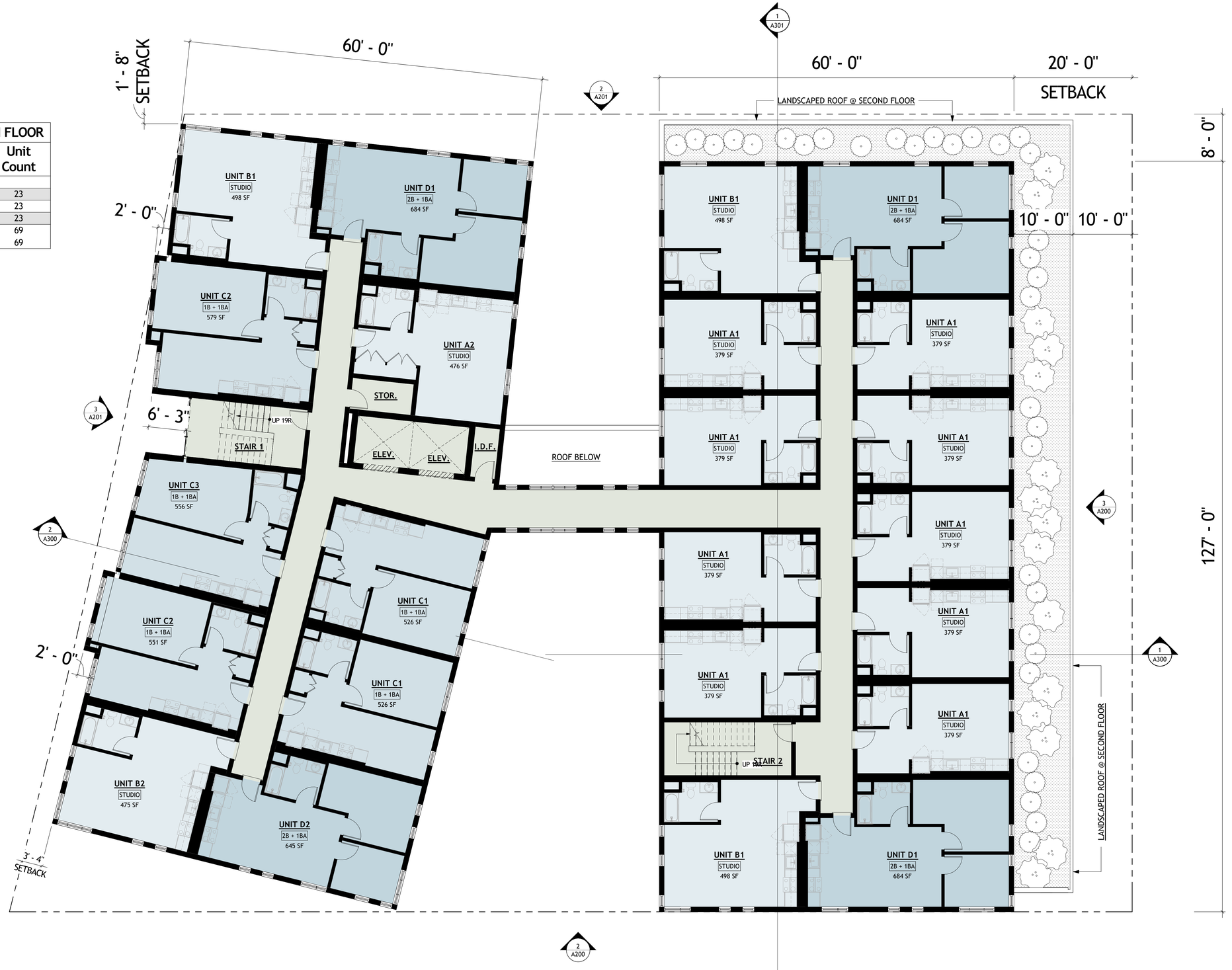
PROPOSED GROUND FLOOR PLAN

A101

AREA SUMMARY - SECOND-FOURTH FLOOR		
Level	Area	Unit Count
RESIDENTIAL AREA		
02 - SECOND FLOOR	14785 SF	23
03 - THIRD FLOOR	14785 SF	23
04 - FOURTH FLOOR	14785 SF	23
	44355 SF	69
2 Grand total	44355 SF	69

Proposed Residential

- STUDIO
- 1B + 1BA
- 2B + 1BA
- RESIDENTIAL SUPPORT



1 SECOND - FOURTH FLOOR PLAN
1/8" = 1'-0"

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PROPOSED SECOND - FOURTH FLOOR PLAN

A102

AREA SUMMARY - FIFTH FLOOR		
Level	Area	Unit Count
RESIDENTIAL AREA		
05 - FIFTH FLOOR	14785 SF	18
	14785 SF	18
Grand total	14785 SF	18

2

Proposed Residential

- STUDIO
- 1B + 1BA
- 2B + 1BA
- 3B + 1BA
- RESIDENTIAL SUPPORT

1 FIFTH FLOOR PLAN
1/8" = 1'-0"

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PROPOSED FIFTH FLOOR PLAN

A103

AREA SUMMARY - SIXTH FLOOR	
Level	Area
RESIDENTIAL AREA	
06 - SIXTH FLOOR	7250 SF
	7250 SF
Grand total	7250 SF

2

Proposed Residential

- 3B + 2.5BA
- RESIDENTIAL SUPPORT
- UTILITY
- U.O.S.
- PRIVATE U.O.S.

1 SIXTH FLOOR PLAN
1/8" = 1'-0"

N

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PROPOSED SIXTH FLOOR PLAN

A104

AREA SUMMARY - SEVENTH FLOOR		
Level	Area	Unit Count
RESIDENTIAL AREA		
05 - FIFTH FLOOR	14785 SF	18
	14785 SF	18
Grand total	14785 SF	18

2

Proposed Residential

- 3B + 2.5BA
- RESIDENTIAL SUPPORT
- PRIVATE U.O.S.

1 SEVENTH FLOOR PLAN
1/8" = 1'-0"

N

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PROPOSED SEVENTH FLOOR PLAN

A105

AREA SUMMARY - EIGHTH FLOOR	
Level	Area
RESIDENTIAL AREA	
08 - EIGHTH FLOOR	5765 SF
	5765 SF
Grand total	5765 SF

2

Proposed Residential

3B + 2.5BA

RESIDENTIAL SUPPORT

1 EIGHTH FLOOR PLAN
1/8" = 1'-0"

N

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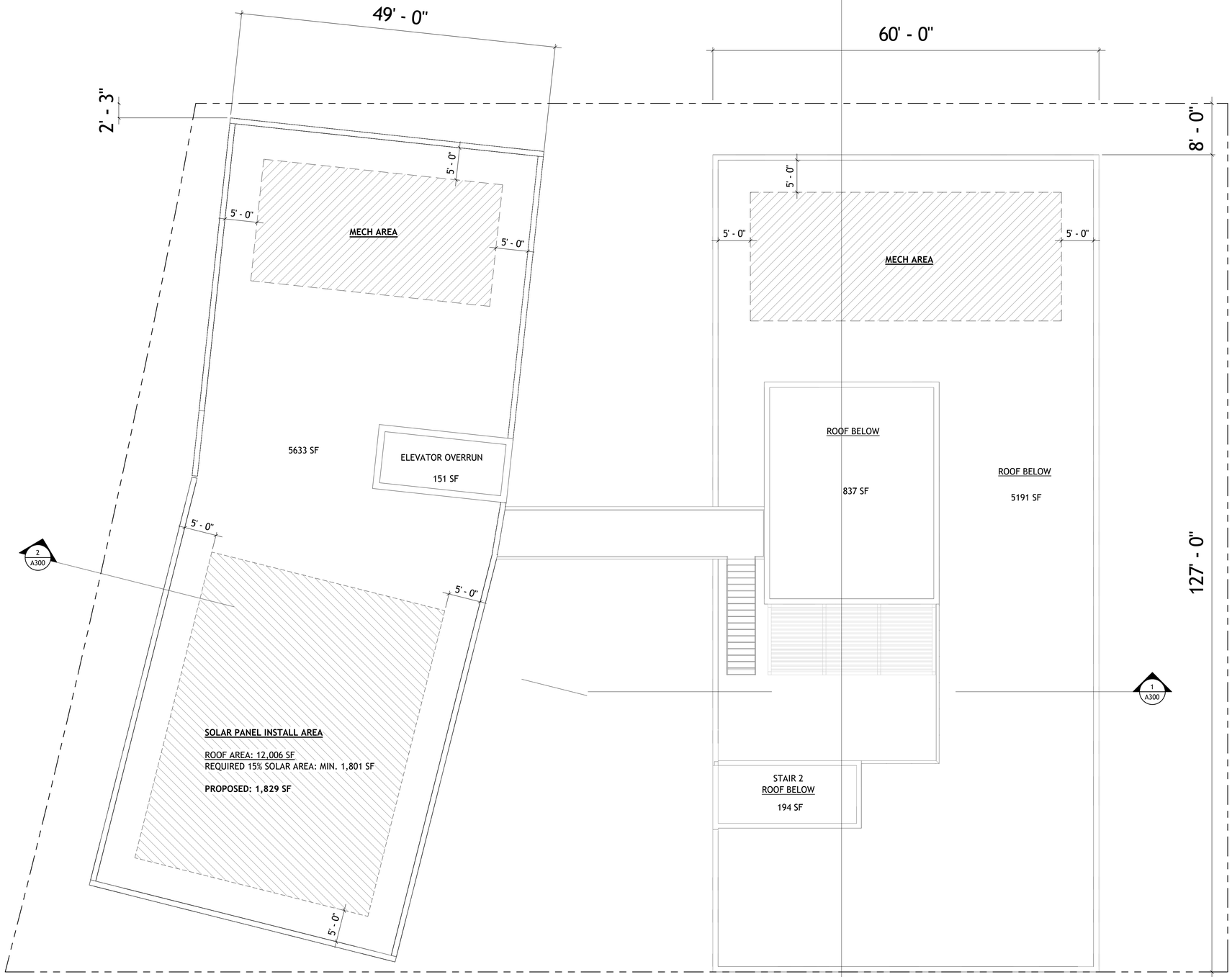
PROPOSED EIGHTH FLOOR PLAN

A106



1 ROOF PLAN
1/8" = 1'-0"

N

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PROPOSED ROOF PLAN

A107

3 EAST ELEVATION
1" = 10'-0"

2 SOUTH ELEVATION
1" = 10'-0"

M01
CEMENT PLASTER
COLOR: SW 7050 USEFUL GRAY

M02
CEMENT PLASTER
COLOR: SW 7046 ANONYMOUS

M03
HIGH PRESSURE LAMINATE
FUNDERMAX
COLOR: CINNAMON 5032 NT

M04
CEMENT PANEL
NICHIHA "NICHIFRONTIER"
COLOR: HAZELNUT

M05
VERTICAL BOARD FORMED CONCRETE
COLOR: NATURAL

M06
CEMENT PLASTER
COLOR: SW 6918 HUMOROUS GREEN

M07
TRELLIS WOOD GRAIN MEMBER
LONGBOARD ALUMINUM
COLOR: DARK ACACIA

M08
PAINTED METAL TRELLIS
COLOR: BLACK

M09
WOOD PRIVACY FENCE

M10
PAINTED METAL FENCE WITH WOOD GRAIN MEMBERS
COLORS: BLACK AND LONGBOARD ALUMINUM
COLOR: DARK ACACIA

M11
PAINTED METAL RAILING
COLOR: BLACK

M12
METAL MESH
MCNICHOLS, WIRE MESH, RECTANGULAR, 2"X4" MESH,
COLOR: GALVANIZED MTL

M13
ALUMINUM STOREFRONT
COLOR: BLACK

1 Material Legend

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PROPOSED EXTERIOR ELEVATIONS & MATERIALS

A200

3 WEST ELEVATION
1" = 10'-0"

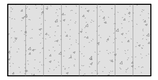
2 NORTH ELEVATION
1" = 10'-0"

M01
CEMENT PLASTER
COLOR: SW 7050 USEFUL GRAY

M02
CEMENT PLASTER
COLOR: SW 7046 ANONYMOUS

M03
HIGH PRESSURE LAMINATE
FUNDERMAX
COLOR: CINNAMON 5032 NT

M04
CEMENT PANEL
NICHIHA "NICHIFRONTIER"
COLOR: HAZELNUT



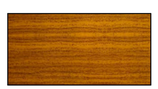
M05
VERTICAL BOARD FORMED CONCRETE
COLOR: NATURAL

M06
CEMENT PLASTER
COLOR: SW 6918 HUMOROUS GREEN

M07
TRELLIS WOOD GRAIN MEMBER
LONGBOARD ALUMINUM
COLOR: DARK ACACIA

M08
PAINTED METAL TRELLIS
COLOR: BLACK

M09
WOOD PRIVACY FENCE



M10
PAINTED METAL FENCE WITH WOOD GRAIN MEMBERS
COLORS: BLACK AND LONGBOARD ALUMINUM
COLOR: DARK ACACIA

M11
PAINTED METAL RAILING
COLOR: BLACK

M12
METAL MESH
MCNICHOLS, WIRE MESH, RECTANGULAR, 2"X4" MESH,
COLOR: GALVANIZED MTL

M13
ALUMINUM STOREFRONT
COLOR: BLACK

1 Material Legend

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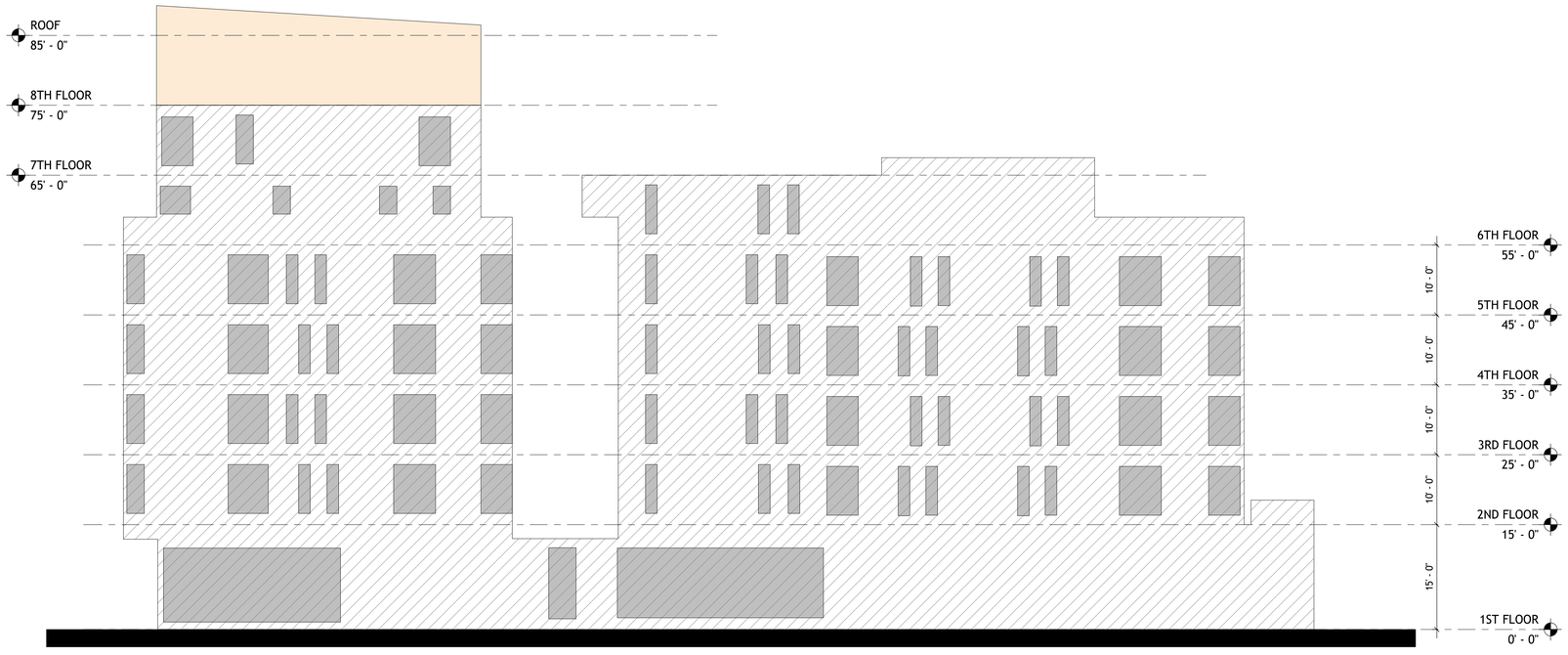
PROPOSED EXTERIOR ELEVATIONS & MATERIALS

A201

3 EAST ELEVATION
1" = 10'-0"



2 SOUTH ELEVATION
1" = 10'-0"

EAST ELEVATION:
TOTAL GLAZING AREA: 1,654 SF
TOTAL FACADE AREA: 9,542 SF

1,654 SF / 9,542 SF x 100 = 17%

SOUTH ELEVATION:
TOTAL GLAZING AREA: 2,132 SF
TOTAL FACADE AREA: 10,144 SF

2,132 SF / 10,144 SF x 100 = 21%

BIRD SAFE GLAZING

PER BIRD SAFE BUILDING REQUIREMENTS, ALL WINDOWS LOCATED WITHIN THE FIRST 75 FEET ABOVE GRADE WILL COMPLY WITH COMPLIANCE PATH 1. THESE WINDOWS ARE TO HAVE A WINDOW FILM INSTALLED BY FEATHER FRIENDLY, WHICH HAS A 2"X2" SPACED 1/4" DOT PATTERN. THIS PRODUCT HAS A THREAT FACTOR OF 20.

LEGEND

BIRD SAFE GLAZING AREA

NEW FACADE AREA

BUILDING HEIGHT OVER 75'-0"
NO BIRD SAFE GLAZING REQUIRED

1 BIRD SAFE GLAZING LEGEND

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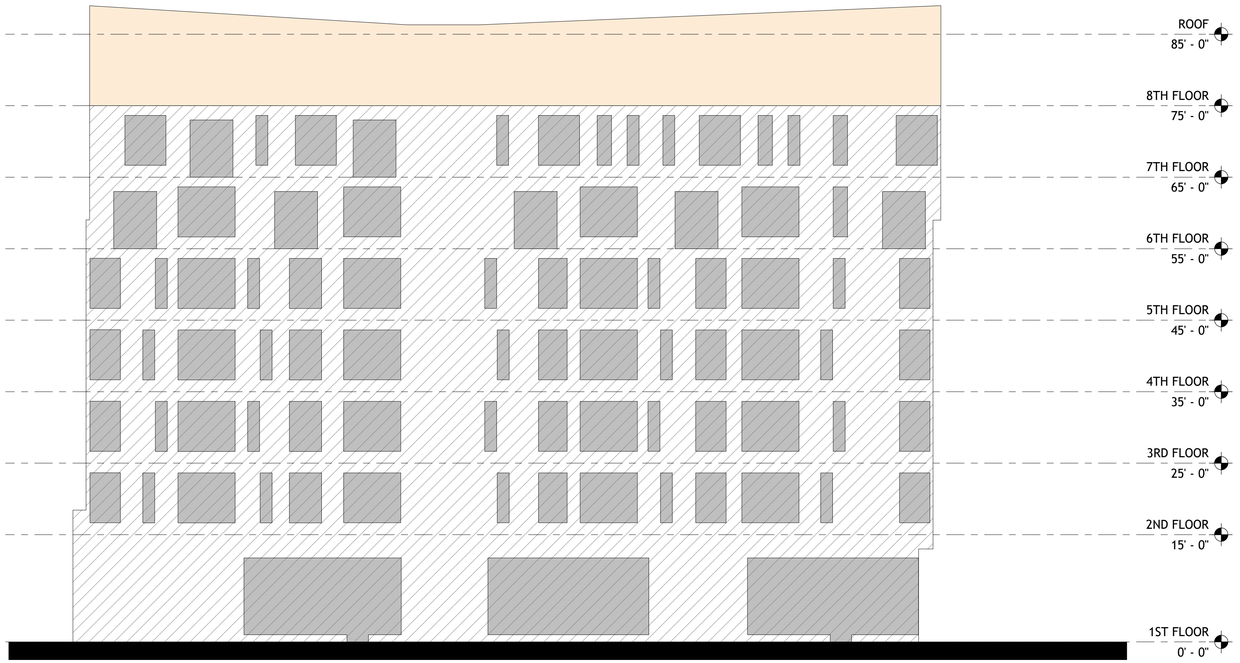
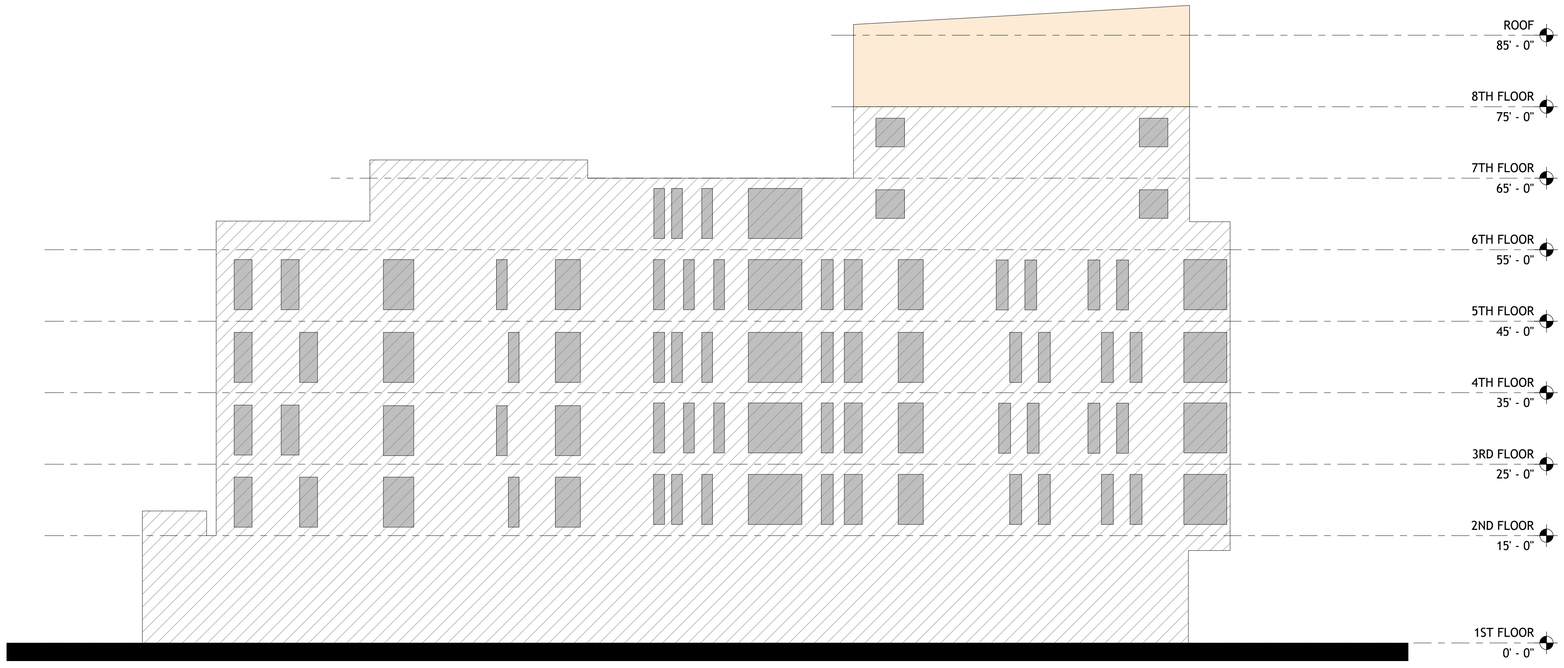
PROPOSED EXTERIOR ELEVATIONS - BIRD SAFETY

A202



3 WEST ELEVATION
1" = 10'-0"



2 NORTH ELEVATION
1" = 10'-0"

WEST ELEVATION:
TOTAL GLAZING AREA: 3,338 SF
TOTAL FACADE AREA: 8,900 SF

3,338 SF / 8,900 SF x 100 = 38%

NORTH ELEVATION:
TOTAL GLAZING AREA: 1,454 SF
TOTAL FACADE AREA: 9,712 SF

1,454 SF / 9,712 SF x 100 = 15%

BIRD SAFE GLAZING

PER BIRD SAFE BUILDING REQUIREMENTS, ALL WINDOWS LOCATED WITHIN THE FIRST 75 FEET ABOVE GRADE WILL COMPLY WITH COMPLIANCE PATH 1. THESE WINDOWS ARE TO HAVE A WINDOW FILM INSTALLED BY FEATHER FRIENDLY, WHICH HAS A 2"X2" SPACED 1/4" DOT PATTERN. THIS PRODUCT HAS A THREAT FACTOR OF 20.

LEGEND

BIRD SAFE GLAZING AREA

NEW FACADE AREA

BUILDING HEIGHT OVER 75'-0"
NO BIRD SAFE GLAZING REQUIRED

1 BIRD SAFE GLAZING LEGEND

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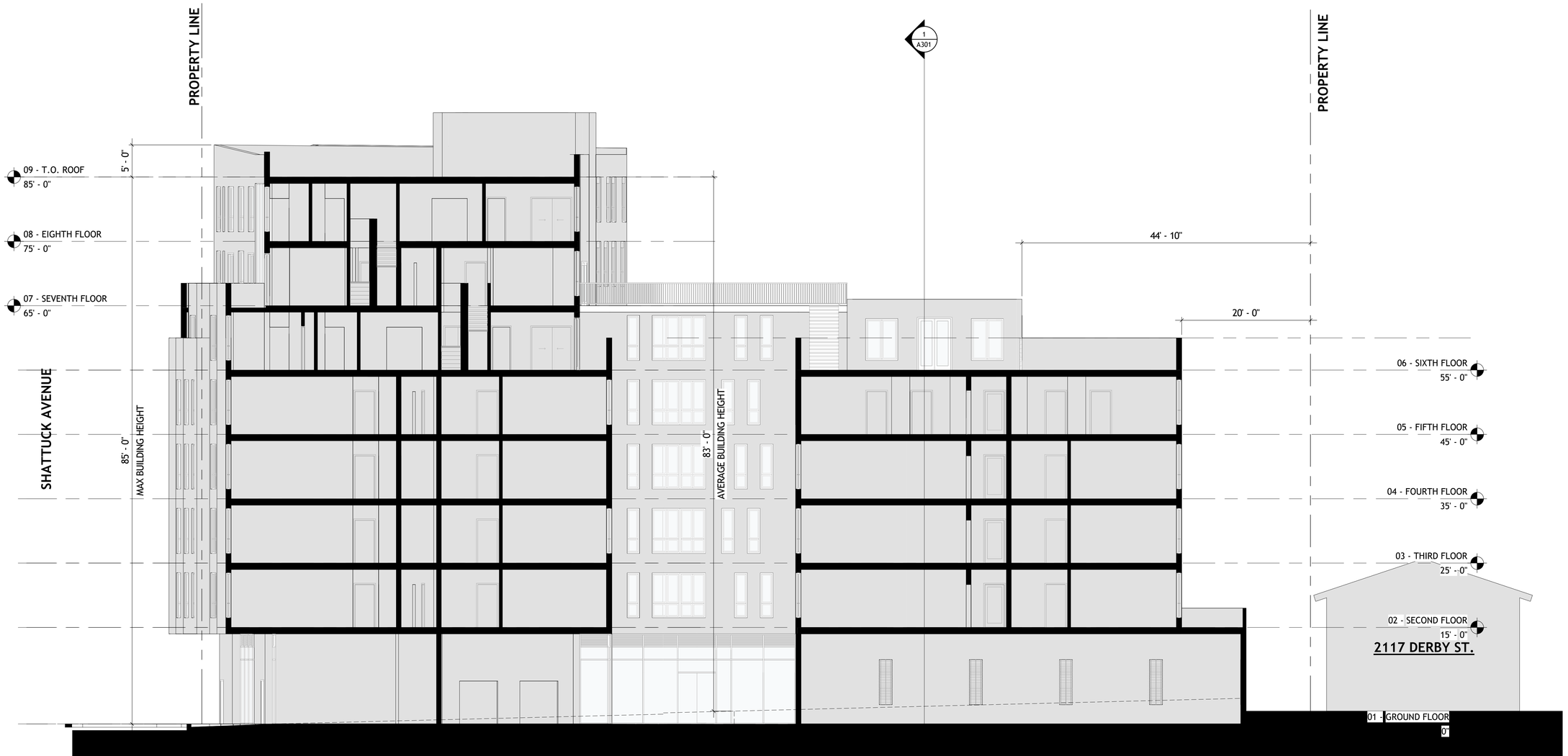
PROPOSED EXTERIOR ELEVATIONS - BIRD SAFETY

A203



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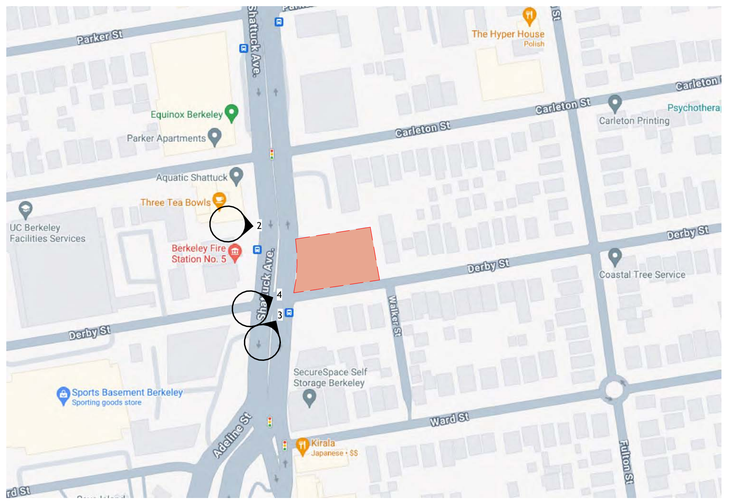
PROPOSED BUIDLING SECTION

A300

4 PERSPECTIVE 2 - CORNER OF SHATTUCK AVE. & DERBY ST. LOOKING NORTHEAST

2 PERSPECTIVE 1 - SHATTUCK AVE. LOOKING SOUTHEAST

3 PERSPECTIVE 2 - CORNER OF SHATTUCK AVE. & DERBY ST. LOOKING NORTHEAST



1 KEY MAP

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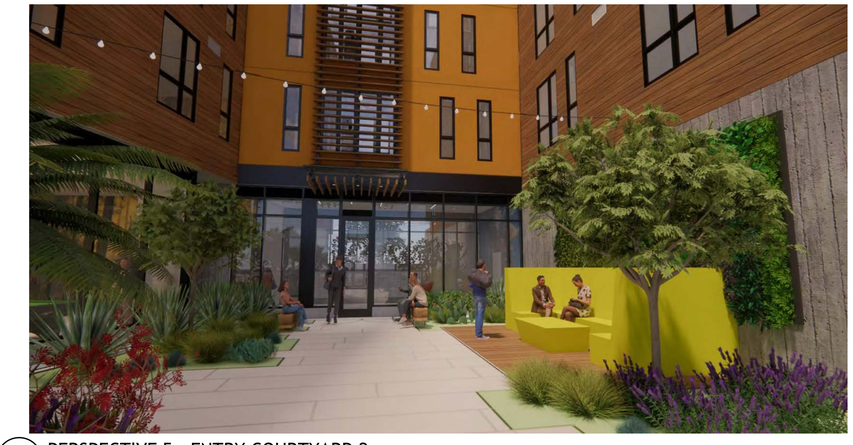
PERSPECTIVE VIEWS

A400

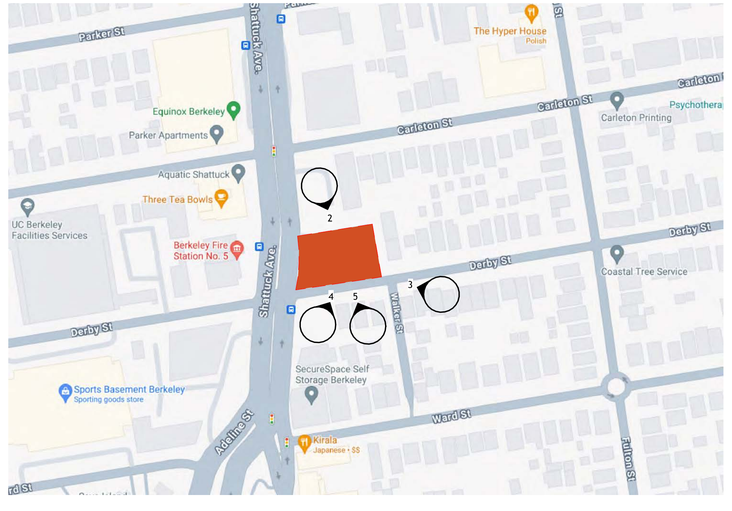
5 PERSPECTIVE 4 - ENTRY COURTYARD 1



4 PERSPECTIVE 5 - ENTRY COURTYARD 2

3 PERSPECTIVE 6 - ENLARGED AMENITY GARDEN

2 PERSPECTIVE 6 - ENLARGED AMENITY GARDEN



1 KEY MAP

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2655 SHATTUCK AVE.

2655 SHATTUCK AVE.,
BERKELEY, CA 94704

LICENSED ARCHITECT
DANIELLE FEIDELSON KAHN
No. C-31027
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

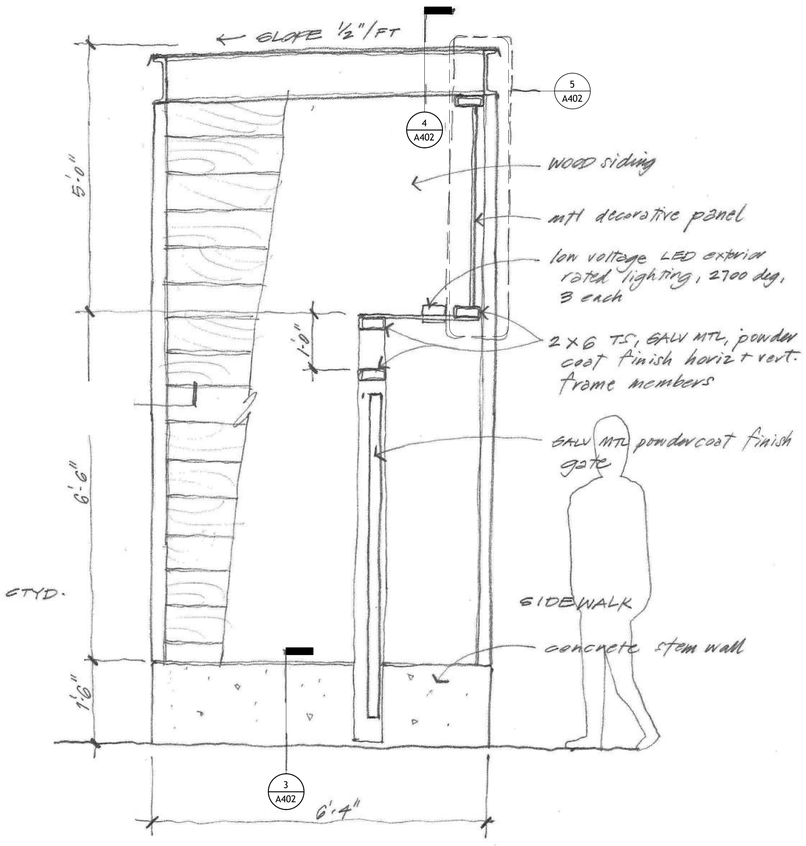
PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

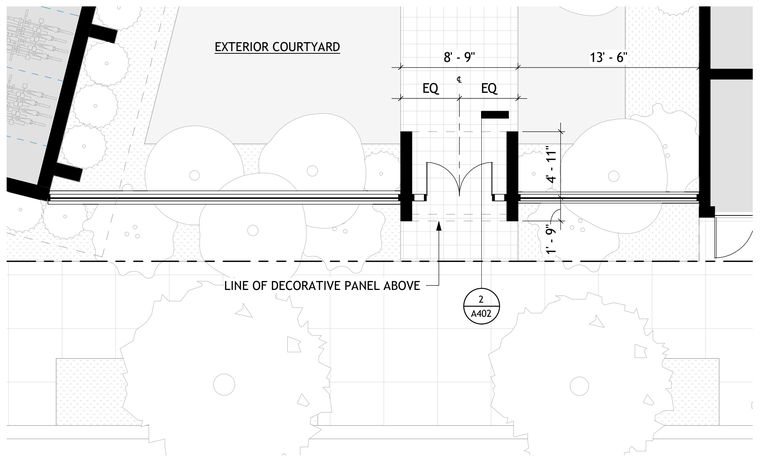
PERSPECTIVE VIEWS

A401

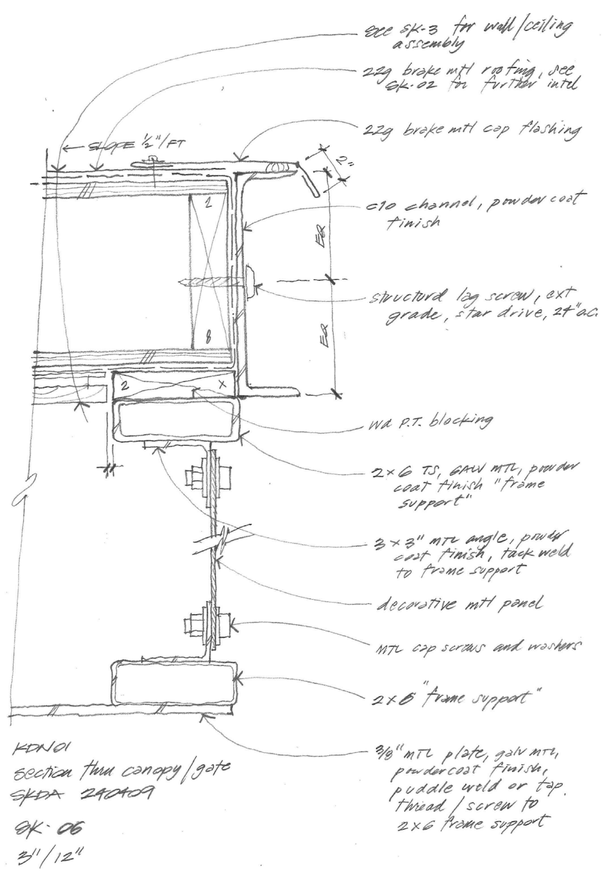
6 PERSPECTIVE 7 - ENLARGED ENTRY GATE



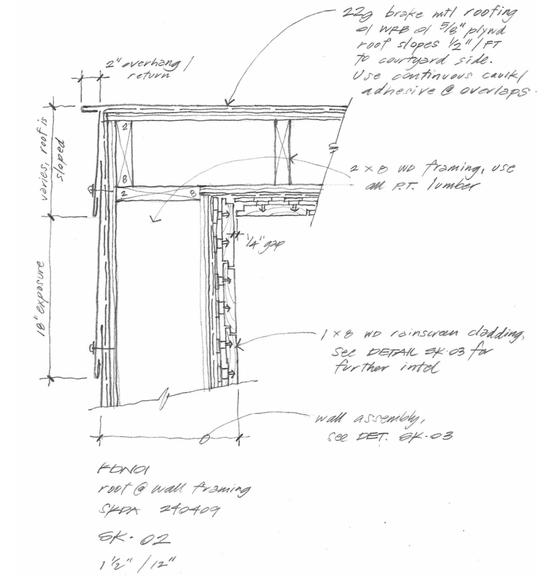
2 CROSS-SECTION @ ENTRY PORTAL
3/4" = 1'-0"



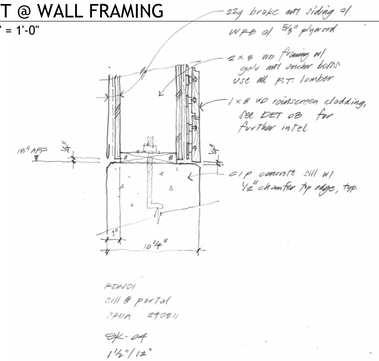
1 ENLARGED ENTRY GATE
3/16" = 1'-0"



5 CROSS-SECTION 1- ENLARGED ENTRY GATE
3" = 1'-0"



4 ROOF @ WALL FRAMING
1 1/2" = 1'-0"



3 FOUNDATION DETAIL @ ENTRY PORTAL
1 1/2" = 1'-0"

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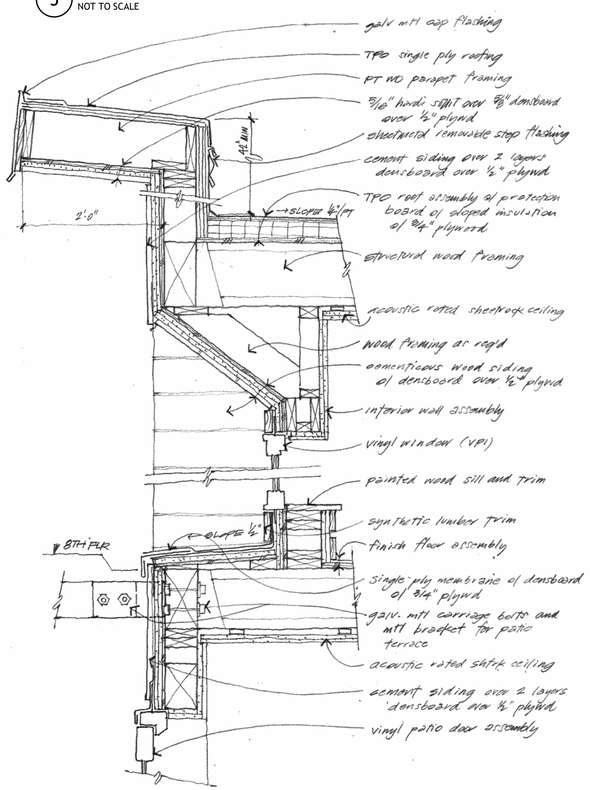
PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

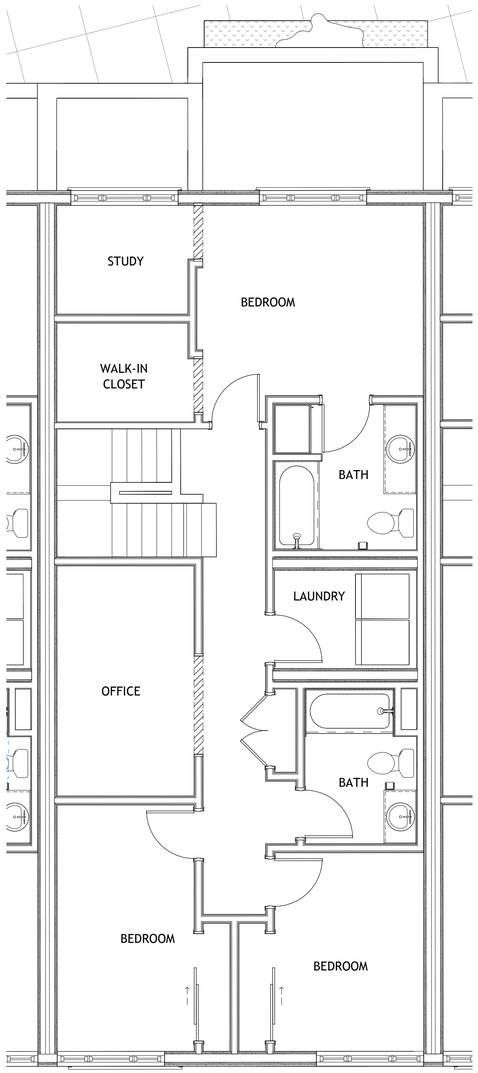
PERSPECTIVE VIEWS

A402

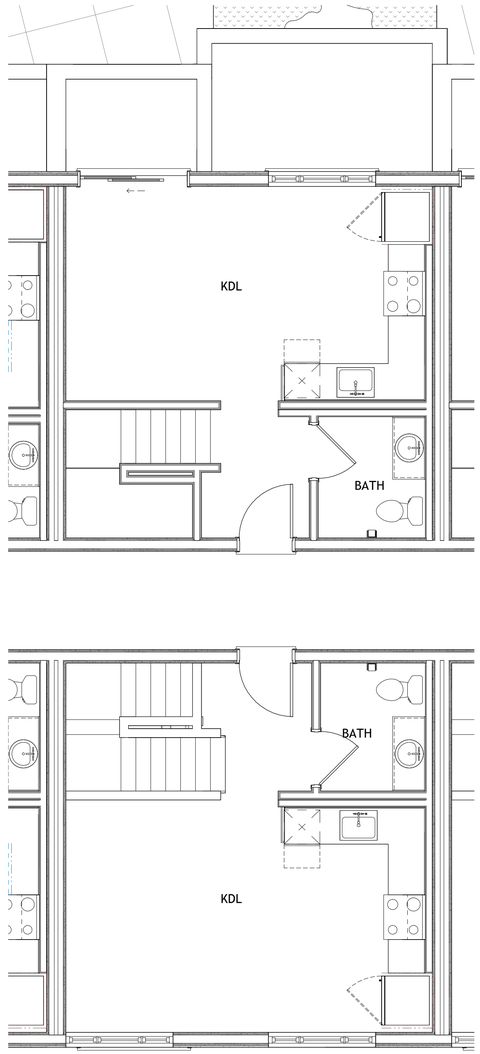
5 BRISE SOLEIL EXAMPLE
NOT TO SCALE



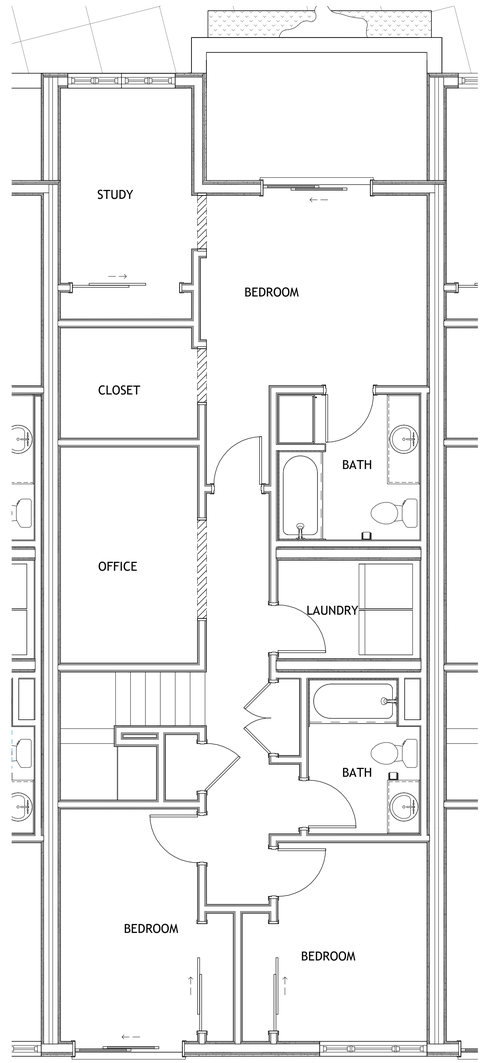
4 PARAPET, WINDOW, BRISE SOLEI DETAIL
1" = 1'-0"



3 ENLARGED PLAN - EIGHTH FLOOR
1/4" = 1'-0"



2 ENLARGED PLAN - SEVENTH FLOOR
1/4" = 1'-0"



1 ENLARGED PLAN - SIXTH FLOOR
1/4" = 1'-0"

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STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION
2	10/11/24	PLANNING RESPONSE 2

PROJECT NO: KDN01
ISSUE DATE: 07/23/2024

ENLARGED TOWNHOME PLAN

2
A403

CITY OF BERKELEY - CITY CLERK
2025 MAR 26 PM4:35

The neighbors adjacent and close to 2655 Shattuck wish to appeal the 3/13/2025 ZAB decision to approve this project.

Our appeal is based on our concerns regarding: safety, pollution, noise due to entrance/egress for cars on Derby; ill-considered parking plans that create detriments for neighboring properties; unnecessary commercial space in a residential building; detriments to neighboring properties' solar panels due to shade; height shade impacts well up Derby Street; lack of prior public participation in the "density bonus" process—even when requested; and lack of inclusionary affordable units.

We agree that there is a need for more housing. We understand too, and appreciate, that the architects have already made concessions in favor of the neighbors. But in order to mitigate further the harm to the character of the surrounding neighborhood, our appeal to reduce the massing and height is as follows.

(1) Please consider eliminating parking altogether, thereby making the eastern wing one story shorter. This is the way of the future; more and more cities are allotting space where cars are not allowed. And this corner of Shattuck is both very high on the walkable scale and across the street from a bus stop as well as midway between two Bart stations. If this seems unfeasible perhaps eliminate half the parking (adding another step-down) and assign spots to those with families of three or more.

If some or all parking must remain, as to the entrance, the city has an existing protected lane on Shattuck with an existing two-way driveway in/out of that protected lane. The decision of previous City rulings placed this driveway in that spot. The current plans have the driveway on Derby Street across from Walker. This will create more traffic hazards than the protected lane; this will endanger the bike way and pedestrians going to Berkeley High, Berkeley Bowl, and destinations on Telegraph, as well as the children and traffic in and around Walker Street. The City should honor is earlier commitments to traffic on this property dating back to when the lot was a video store. It is also a flagrant misuse of city infrastructure to not utilize the protected, extra

lane on Shattuck as they are used in downtown.

(2) Commercial space outside of a corner cafe is unwarranted. Commercial is not protected by the HAA state law. Removing the commercial space other than a cafe would allow for moving the driveway, lowering the height of the building, and possibly reconfiguring the parking.

(3) Shade: at eight stories this will be the tallest building around and it will create shade detriments eastward along Derby Spring Summer and Fall. It will also shade nearby solar panels in late spring and summer. The proximity of this looming 8-story structure is a severe detriment furthermore in terms of light, air, privacy and property values for the adjacent home to the immediate east.

(4) The ZAB hearing was premature and did not have the ability to rule on this project because no one saw the "base project." The HAA "density bonus" states that the bonus can only be awarded if the project meets all current zoning and code regulations. We requested in writing in December of 2023 to be apprised of each step in the process. We heard nothing back. So we had not seen the "base project" before the DRC meeting was scheduled. This cannot be hidden from the public and is an actionable violation of the HAA and other state laws. This process needs to start all over. The legal complaints are about what happened before the approved "density bonus" was granted—so the "immunity" from the HAA does not apply. This is about the process before that "bonus" was erroneously granted.

(5) The City and ZAB is in violation of the 20% inclusionary affordable housing requirement and the "in lieu" fees are too low to compensate.

Two further more general objections from some of the neighbors: Berkeley has already met its "market rate" housing requirements, California and the nation have a falling birth rate, and people are leaving California. But Berkeley has failed to do a census of available units, rates, etc., and so this building is likely surplus. Additionally it adds to the cumulative impact of many other apartment houses on Shattuck.

2701 Shattuck appears to be 70-80% vacant.

Berkeley needs a planning department that is responsive to the cities and residents. Right now the Planning Department is paid out of developers' fees. This is too cozy and gives the appearance of bias and conflict of interest. The city's conflict of interest laws should apply and the Planning Department should be put back on the general fund and paid accordingly.

Thank you for your consideration.
Signature page is attached to this appeal.
Note that while many more neighbors spoke of their strong objections at the March 13 meeting, this appeal is signed only by the closest neighbors because we did not understand the deadline until today, when there was no time to gather 25 signatures.

The undersigned wish to appeal the ZAB decision on 2655 Shattuck. We are all neighbors within 300 ft of this location

Name	Address	Signature	Date
Todd Darling	2106 Derby St Berkeley 94705		3/26/25
Linda Darling	2106 Derby St Berkeley 94705		3/26/25
Gail Brown	2124 Derby St	Gail Brown	3/26/25
	2124 Derby St	EUGENE TURITZ	3/26/25
Louise Rosenbrantz	2124 Derby St.	Louise Rosenbrantz	3/26/25
Eugenie Candau	2108 Derby St.	Eugenie Candau	3/26/25
Elizabeth Ditmars	2117 Derby St.		3/26/25
Monica Carroneri	2116 Derby St		3/26/25
KEVIN COUGHLIN	2703 WALKER ST		3.26.25

ZONING ADJUSTMENTS BOARD

STAFF REPORT

FOR BOARD ACTION
MARCH 13, 2025

2655 Shattuck Avenue

Use Permit #ZP2024-0057 to demolish a one-story, 8,185-square-foot, non-residential building and construct an eight-story (85 feet), 84,399-square-foot mixed-use residential building containing 97 dwelling units (including ten Very Low-Income Density Bonus qualifying units) and 2,117 square feet of commercial space on a 23,527 square foot lot.

I. Background

A. Land Use Designations:

- General Plan: ACMU – Adeline Corridor Mixed Use
- Zoning District: C-AC – Adeline Corridor Commercial

B. Zoning Permits Required:

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.326.070 to demolish non-residential buildings
- Use Permit pursuant to BMC Section 23.204.020 to establish a mixed-use residential building
- Use Permit pursuant to BMC Section 23.204.030(A)(1) to establish a new main building or dwelling unit in the C-AC zoning district
- Administrative Use Permit pursuant to BMC Section 23.304.050 for projections above the height limit

C. Concessions and Waivers and Pursuant to State Density Bonus Law (CA Gov't. Code Section 65915):

- Waiver from BMC Section 23.204.150(E)(1)) to increase the FAR from 2.5 to 3.5
- Waiver from BMC Section 23.204.150(E)(1)) to increase the stories from 4 to 8 stories

- Waiver from BMC Section 23.204.150(E)(1)) to increase the height from 45 to 85 feet
- Waiver from BMC Section 23.204.150(E)(1)) to increase lot coverage from 70 to 74 percent

D. CEQA Recommendation:

It is staff's recommendation to the Zoning Adjustments Board (ZAB) that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code Section 21000, et seq. and California Code of Regulations, Section15000, et seq.) pursuant to CEQA Guidelines Section 15332 ("In-Fill Development Projects").

E. Parties Involved:

- Applicant: Studio KDA, Till Houtermans, 1810 Sixth Street, Berkeley, CA 94710
- Property Owner: S.H. Kay, LLC, 1442A Walnut Street #349, Berkeley, CA 94709

Figure 1: Vicinity and Zoning Districts Map

Legend

C-AC: Adeline Corridor Commercial

R-2: Restricted Two-Family Residential

R-2A: Restricted Multiple-Family Residential

C-SA: South Area Commercial District

Figure 2: Site Plan/Ground Floor Plan

Figure 3: Landscaping Plan

Figure 4: Shattuck Avenue Rendering Looking Southeast

Figure 5: South Elevation Facing Derby Street

Figure 6: East (Rear) Elevation Facing Existing Residential

Table 1: Land Use Information

Location		Existing Use	Zoning District	General Plan Designation
Subject Property		Commercial Building	C-AC	Adeline Corridor Mixed Use
Surrounding Properties	North	Commercial Building (Previously Honda Sales Center)		
	West	Berkeley Fire Station 5, Apartments and Auto Sales		
	South	Apartments (The Shattuck) and Single Family Residences	C-AC and R-2	Adeline Corridor Mixed Use and Low Density Residential
	East	Single Family Residences	R-2	Low Medium Density Residential

Table 2: Special Characteristics

Characteristic	Applicability	Explanation
Affordable Child Care Fee for qualifying non-residential projects (Per Resolution 66,618-N.S.)	No	This fee applies to net newly constructed nonresidential gross floor area over 7,500 square feet. There is an existing 8,185 square feet of commercial on the site that will be demolished and replaced with 2,117 square feet of new commercial, for a net reduction of 6,068 commercial square feet; therefore the fee does not apply.
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 would provide 15 percent Below Market Rate (BMR) units (10 Very Low-Income (VLI) rate) and would be required to pay an in-lieu fee to satisfy the remainder of the requirement.
Alcohol Sales/Service Public Convenience or Necessity	No	Sale of alcohol is not proposed at this time.
Bird Safe Buildings (BMC 23.304.150)	Yes	The project complies with the bird safe building requirements.
Coast Live Oak Trees (BMC Chapter 6.52)	No	There are no Coast Live Oak (*Quercus agrifolia*) 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 10 Very Low-Income units, or 15 percent of the Base Project units, and qualifies for a 50 percent density bonus, or 10 bonus units. See Section III.B for discussion.
Hard Hats (BMC Chapter 13.107)	No	The project was vested under the Housing Crisis Act of 2019 prior to the January 1, 2024 effective date of the ordinance, and therefore these provisions do not apply.

Characteristic	Applicability	Explanation
Historic Resources	No	Portions of the existing building are more than 40 years old, and the project was forwarded to the Landmarks Preservation Commission (LPC) for review (BMC Section 23.326.070(C)). On February 6, 2025, the LPC took no action to initiate a Landmark or Structure of Merit designation and recommended that the ZAB approve the demolition. See Section IV.B for discussion.
Housing Accountability Act (HAA) (Gov't Code Section 65589.5(j))	Yes	The project meets the definition of a "Housing Development Project" per Government Code Section 65589.5(h)(2)[a]. 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. See Section V.A of this report for additional discussion on compliance with the Housing Accountability Act.
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).[a] See Section V.B of this report for additional discussion on the sections of SB 330 that apply to the project.
Public Art on Private Projects (BMC Chapter 23C.23)	Yes	The project is subject to the Percentage for Public Art on Private Projects Ordinance and will pay fees to meet the public art requirement (0.8% of total building permit valuation).
Rent Controlled Units	No	The project would not demolish rent controlled dwelling units.
Residential Preferred Parking (RPP)	Yes	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 State Seismic Hazard Zones map[b]
Soil/Groundwater Contamination	Yes	The project site is within the City's Environmental Management Area and is not on the Cortese List[c]. The applicant has submitted a Phase I report. No further investigation is recommended. Standard Conditions of Approval related to hazardous materials would apply.

Characteristic	Applicability	Explanation
Transit	Yes	The project area is served by the AC Transit lines 7, 18, F, 36, 800,and is 0.5 miles from the Downtown Berkeley Bay Area Rapid Transit (BART) station.

Notes:

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.

b. California Department of Conservation. DOC Maps: Geologic Hazards. Available: https://maps.conservation.ca.gov/geologichazards/

c. The Cortese List is an annually updated list of hazardous materials sites complied pursuant Government Code Section 65962.5.

Table 3: Project Chronology

Date	Action
December 4, 2023	SB 330 complete preliminary housing development project application submitted
May 22, 2024	SB 330 Use Permit Application submitted
June 12, 2024	Application deemed incomplete
July 29, 2024	Application resubmitted
August 18, 2024	Application deemed complete
February 6, 2025	Landmarks Preservation Commission hearing (demolition referral)
February 20, 2025	Design Review Committee Preliminary Design Review
February 27, 2025	Public hearing notices mailed/posted
March 13, 2025	ZAB hearing

Table 4: C-AC Development Standards BMC Sections 23.204.150 and 23.322 Parking and Loading

Standard		Existing	Proposed Total	Permitted/Required
Lot Area (sq. ft.)		23,527	No change	N/A
Gross Floor Area (sq. ft.)		8,185	84,399	N/A
Commercial Floor Area (sq. ft.)		8,185	2,117 (-6,068)	N/A
Floor Area Ratio		0.35	3.5	2.5 max
Dwelling Units	Total	0	97	65 units (consistent with base project)
	Affordable	0	10	0-14 (Less than 14% for a Tier 1 project in the South Shattuck Subarea)
Building Height (ft. - in.)	Maximum	20	85	45 max
	Stories	1	8	4 max
Building Setbacks (ft. - in.)	Front (Shattuck)	0	0	0 min
	Rear	40	10 at ground floor, 20 feet floors 2-5	10’ min at 35’ 20’ min at 45’
	Left Side (North)	81	0	0 min
	Street Side (Derby)	1	0	0 min
Lot Coverage (%)		35	74	70 max
Usable Open Space (sq. ft.)		N/A	4,720	3,880
Parking	Automobile – Commercial	24	0	0 min*
	Automobile - Residential	0	41	0 min/49 max**
	Bicycle – Commercial	0	4	2 (1 space/2,000 s.f.)
	Bicycle – Short Term	0	4	4 (1 space/40 bedrooms)
	Bicycle – Long Term	0	48	45 (1 space/3 bedrooms)

= Waiver requested to modify the district standard.

Abbreviations: sq.ft.= square feet; d.u.=dwelling unit; min.=minimum; max.=maximum; bldg. ht.=building height

* Pursuant to Assembly Bill 2097, no parking is required for commercial uses on a site located within ½-mile of a major transit stop.

**Pursuant to BMC Section 23.322.070, the maximum number of off-street parking spaces is 0.5 spaces per dwelling unit

II. Project Setting

A. Neighborhood/Area Description:

The project site is located along the northeast corner of Shattuck Avenue and Derby Street, within the Adeline Corridor Commercial District (C-AC). The project site is surrounded by primarily commercial uses and mixed-use buildings to the north, south, and west. A vacant auto sales site is located directly to the north of the project site. To the west, across Shattuck Avenue is a mix of commercial uses, the Berkeley Fire Station #5, and residential (apartment) uses. A student-oriented housing project has been recently constructed to the south of the site, across Derby Street. The surrounding apartment and mixed-use buildings are between five and six stories in height. Existing single-family residences ranging from one to two stories are located to the east (behind the site), and to the south, also across Derby Street. The project site is served by several bus lines, with stops adjacent and nearby. The Ashby BART station is located approximately 0.5 miles to the south of the property.

B. Site Conditions:

The 23,527 square foot site at 2655 Shattuck Avenue is currently occupied by a one-story (20-foot-tall) commercial building and parking lot, constructed in 1996-1997. The existing building is located on the southwest corner of the property, adjacent to City sidewalks, and the parking and landscaping are located along the northern and western portions of the site. There are several existing trees along the project boundary and in the parking areas. Existing street trees consist of six mature American Sycamore trees on Derby Street and four trees of mixed variety along Shattuck Avenue. The site is relatively flat and rectangular in shape. The parcel measures 135 feet wide and, given the curve of Shattuck Avenue, from approximately 161 to 190 feet deep, north to south, respectively.

C. C-AC District Regulatory Context:

In the C-AC District, development standards are based on the percentage of affordable units provided onsite as part of all residential and mixed-use projects (BMC 23.204.150(E)(2). The proposed project would be developed using the South Shattuck Subarea Tier 1 Development Standards for the State Density Bonus base project, with density bonus, concessions and waivers pursuant to State Density Bonus regulations.

III. Project Description

A. Proposed Project Details: The proposed project would demolish a commercial building and construct an 84,399-square-foot mixed-use building with the following primary components:

- Eight stories (85 feet in height)
- 97 dwelling units
  - 49 studio units
  - 20 1-bedroom units
  - 18 2-bedroom units
  - 10 3-bedroom units (townhomes)
- 135 total bedrooms
- Ten Very Low Income Units
- 2,117 square feet of commercial space
- 4,720 square feet of useable open space
  - Exterior courtyard and garden
  - Roof-top deck
  - Publicly accessible open space
- 48-space bicycle room
- 41 parking spaces
- New street trees on Shattuck (2) and Derby (1)
- New curb cut on Derby for parking and elimination of driveway on Shattuck

B. Base Project and Density Bonus:

The applicant has requested a density bonus under the State Density Bonus Law. Under the City's density bonus procedures, the "base project[1]" is 65 units, as the maximum allowable density for the site. The four-story base project and the resulting eight-story proposed project both have an average unit size of 830 square feet. By providing ten Very Low Income (VLI) BMR units on site (15 percent of the 65-unit base density), the project is eligible for a 50 percent density bonus, or 33 additional units. Therefore, the

[1] 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).

applicant proposes 33 additional units above the base density for a total of 98 dwelling units. Table 5, below includes the Density Bonus calculations.

Table 5: Density Bonus

Base Project Units [a]	Qualifying Units	Percent Density Bonus	Number of Density Bonus Units [a]	Proposed Project Units [a]
65	10 VLI Units (15% of base project)	50%	33 (50% of 65 units)	98 (32 used)

Notes:
a. Pursuant to Government Code 65915(q), all unit calculations are rounded up to the nearest whole number.
Abbreviations: % = percent

IV. Community Discussion

A. Neighbor/Community Concerns:

Prior to submitting this application to the city, the applicant invited interested neighborhood organizations as well as owners and occupants located within 300 feet of the project site to a project preview meeting. The meeting was held on May 1, 2024, and attended by seventeen individuals (meeting minutes are included as Attachment 5). A pre-application poster was installed on site by the applicant in April 2024.

Prior to the Design Review Committee meeting on February 20, 2025, three comment letters/emails were received by staff. The three letters/emails were from Berkeley citizens, and expressed concerns over the project's height, shadow impacts, parking garage entrance, density, and bas reliefs (See Attachment 6).

On February 27, 2025, the City mailed public hearing notices to property owners and occupants within 300 feet of the project site, and to interested neighborhood organizations. The City also posted notices within the neighborhood at nearby three locations. At the time of writing this report, staff had not received any communications regarding the project from the ZAB noticing.

B. Landmarks Preservation Commission:

The project involves demolition of one commercial building, portions of which are over 40 years in age. The existing 1996/1997 commercial building on the site replaced a 1923 automotive sales and service building along with a 1927 addition that housed auto uses. When the 1923/27 building was removed for its 1996/97 replacement, its front (west) and a portion of its south side facades were retained and attached to the new store building. Pursuant to BMC Section 23.326.070(C)(1), the proposed demolition was brought before the Landmarks Preservation Commission (LPC) for review. Preservation Architects prepared Department of Parks and Recreation (DPR) forms dated October 24, 2024 to evaluate the property and determined that the building proposed for demolition does not meet the criteria for the California Register or a City of Berkeley

Landmark or Structure of Merit. The LPC reviewed the demolition referral on February 6, 2025 and took no action.

C. Design Review Committee:

This project proposes development in a non-residential zoning district; therefore, it is subject to review by Design Review Committee (DRC) pursuant to BMC Section 23.406.070(B)(1). The project was referred to the DRC for Preliminary Design Review on February 20, 2025. A neighbor that had submitted a comment letter, reiterated their concerns with the Committee at the meeting, as did the member of the community concerned with the bas reliefs. The DRC provided a favorable recommendation to ZAB with the following conditions and recommendations for Final Design Review (FDR) [VOTE (7-0-0-0)]:

Conditions

- Retain the preserved friezes on Shattuck Avenue; Shattuck Avenue location is recommended.

Recommendations

Site Design

- Minimize impacts on the adjacent residence to the east; design refinements could include a stepped garden (C3 planter) and wall treatment.
- Step the wall on the fifth floor to achieve more light on adjacent residence to the east.

Exterior Finishes

- Consider additional material, detail, and color changes on the east elevation.
- Enhance overall color palette to be brighter.
- Consider more color and detail on the main stair on the Shattuck elevation.

Landscaping

- Give attention to garden amenity space (make more active),
- Protect trees on neighboring property to the east.

Windows

- Consider more windows on the 7th and 8th floor on the north and south elevations.
- Add details to the windows on the east facade, such as frames.

V. Issues and Analysis

A. CEQA Approach and Recommendation

It is staff's recommendation that the project qualifies for a Class 32 Categorical Exemption pursuant to CEQA Guidelines Section 15332 ("Infill Development Project"). The determination is made by ZAB. Specifically:

- 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 under CEQA Guidelines Section 15300.2, apply to the project. The project is not located in an environmentally sensitive area; 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; there are no designated scenic highways in the City of Berkeley; therefore, 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.

B. Housing Accountability Act Analysis:

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[2] 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 mixed-use building with at least two-thirds of the floor area in residential use. The Base Project includes Use Permits and/or Administrivia Use Permits[3] to for projections above the height limit, 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

[2] 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."
[3] 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."

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 reduced the density with respect to those units without basing its decision on the written findings under Section 65589.5(j), above.

As shown in Table 4 above, the project complies with the zoning standards. While the project may include an Administrative Use Permit 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.

Staff is not aware of specific adverse impacts that could occur with the construction of the of the project.

C. 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 affect 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)).

   The March 13, 2025 ZAB hearing represents the third public hearing for the proposed project since the project was deemed complete. The City can hold up to two 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.

As discussed in an DPR forms prepared for the project in October 2024, 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. The demolition referral was heard at the February 6, 2025 Landmark Preservation Commission meeting, and no action was taken. Therefore, it was determined the site is not a historic resource.

3. **Government Code Section 65950(a)(5)** requires a public agency to approve or disapprove a project within 60 days from the determination that the project is exempt from the CEQA. Should ZAB determine the application is categorically exempt from CEQA at the March 13, 2025 public hearing, the application must be approved or disapproved by May 12, 2025.

D. Density Bonus Concessions and Waivers:

The project is entitled to three[4] concessions (or incentives) under Government Code Section 65915(d), and an unlimited number of waivers under Section 65915(e).

1. **Concessions:** A concession is a modification of a development standard that reduces the cost of providing affordable housing. No concessions have been requested.
2. **Waivers:** 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 four waivers from the following development standards:
   - Waiver from BMC Section 23.204.150(E)(1)) to increase the FAR from 2.5 to 3.5
   - Waiver from BMC Section 23.204.150(E)(1)) to increase the stories from 4 to 8 stories
   - Waiver from BMC Section 23.204.150(E)(1)) to increase the height from 45 to 85 feet
   - Waiver from BMC Section 23.204.150(E)(1)) to increase lot coverage from 70 to 74 percent

The waivers are requested because they are necessary to physically accommodate the additional 33 units as allowed under the density bonus project on the site.

The City may only deny the waivers if it finds that the waivers 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 without

[4] Pursuant to Government Code Section 65915(d), projects that include at least 15 percent of the total units for very low income households shall receive three incentives or concessions.

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.[5]

E. Demolition of Nonresidential Buildings and Structures:

Pursuant to BMC Section 23.326.070 main nonresidential buildings may be demolished provided that the demolition will not be materially detrimental to the commercial needs and public interest of the impacted neighborhood and one of the following findings can be made: that the demolition of the structure is required to allow a proposed new building or other proposed new use; 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; will remove a structure which represents an un-abatable attractive nuisance to the public; or is required for the furtherance of specific plans or projects sponsored by the City or other local district or authority.

The proposed project includes the demolition of an 8,185-square-foot commercial building, and the construction of an 84,399-square-foot building which would provide 97 dwelling units, and 2,117 square feet of commercial space. Pursuant to BMC Section 23.326.070(D)(1), demolition would not be materially detrimental to the commercial needs and public interest because the new building would provide dwelling units and commercial space, and the new building would be compatible with adjacent and nearby commercial and residential uses in the C-AC District since there are existing mixed-use residential buildings nearby. Pursuant to BMC Section 23.326.070(D)(2)(a), demolition is required to allow a proposed new building.

F. Administrative Use Permit for Rooftop Projections

BMC Section 23.304.050(A) requires an Administrative Use Permit for roof-top projections, such as mechanical penthouses, elevator equipment rooms or stair towers, that would exceed the maximum height limit. Such projections are limited to no more than 15 percent of the average floor area of all of the building's floors and cannot be used as habitable space or for commercial purposes. The project would include a staircase/elevator penthouse totaling 345 square feet that would extend ten feet over the 85-foot roof height. The penthouses represent less than three percent (3%) of the 13,742-square-foot average of all the floor areas. The projection is, therefore, permissible.

VI. Other Considerations (Zoning and Land Use Considerations)

The following analyses of conformance with district purposes and the 2002 General Plan goals and policies are provided for informational purposes only, to provide context, because the proposed project is HAA-compliant. The following permits have been determined by the City to be included in the Base Project of the proposal, and are subject to Section 65589.5(j) of the HAA. See section V.B for discussion of the HAA. All permits

[5] See Footnote 5.

are subject to the C-AC District permit findings and General Non-Detriment findings discussed in sections VI.D.

A. Use Permit for New Floor Area in the C-AC District:

Pursuant to BMC Section 23.204.030(A)(4), to approve a Use Permit for new floor area in the C-AC District, ZAB must find that the proposed use or structure will:

1. *Be compatible with the purposes of the District*

Purposes of the C-AC District include:

- Implement the General Plan's designation for Adeline Corridor Mixed Use area, as well as the policies of the Adeline Corridor Specific Plan;
- Promote equitable access to housing by preserving existing affordable housing, preventing displacement, and producing a substantial number of new affordable housing units;

The project would be compatible with the purpose of the District because it would implement the polices of the Adeline Corridor Specific Plan, including commercial uses on the ground floor along Shattuck Avenue, creating a more attractive pedestrian experience on Shattuck Avenue by providing additional street trees and a pedestrian plaza, integrating a variety of landscape-based stormwater treatment elements, and the building architecture provides visual interest and integrates with the neighborhood. The project site is identified as an opportunity site in the Specific Plan. There is no existing housing on the site, but the project does contribute to the creation affordable housing by providing ten VLI units.

2. *Be compatible with the design and character within the District and adjacent residential neighborhoods;*

The project would be compatible with the design and character of the District and adjacent residential neighborhoods because it would add a new mixed-use residential building at the intersection of Shattuck Avenue and Derby Street that is consistent with the patterns of development to west and south of the site, which consists of residential buildings and commercial uses ranging in height from five to six stories. The building has been designed to meet the setback requirements for buildings adjacent to residential zones and to reduce the height adjacent to existing single family residential uses to the rear of the property (east). The project also includes landscaping along the rear property line to provide a buffer to the existing residential uses. The project meets the transparency requirements for ground floor frontages.

3. *Encourage utilization of public transit and off-street parking facilities in the area of the proposed building; and*

The project would encourage utilization of public transit as there are bus stops located in front of the site, as well as nearby. The Ashby BART station is located 0.5 miles to the south of the site.

4. *If a new residential development, that the proposed use or structure facilitates construction of affordable housing as defined by the US Department of Housing and Urban Development (HUD) Guidelines.*

   The proposed project would facilitate construction of affordable housing as it would provide ten below market rate units, specifically, ten Very Low Income units.

B. Use Permit for a Project in the C-AC District:

Pursuant to BMC Section 23.204.150(G)(1), to approve a Use Permit for a project in the C-AC District, ZAB must find that the proposed use or structure:

1. Is consistent with the purpose of the district;

2. Is compatible in design and character with the district and the adjacent residential neighborhoods;

3. Encourages utilization of public transit and off-street parking facilities in the area of the proposed building; and

4. Complies with the Adeline Corridor Specific Plan's adopted Mitigation Monitoring and Reporting Program (MMRP).

As discussed under VI.A., above, the project would be consistent with the purpose of the district, compatible in design and character with the district and adjacent residential neighborhoods and encourage utilization of public transit and off-street parking facilities. The project would also comply with the Adeline Corridor Specific Plan's Mitigation Monitoring and Reporting Program during review of the building permit and during construction.

C. Use Permit for New Residential Development in the C-AC District:

Pursuant to BMC Section 23.204.150(G)(2), to approve a Use Permit for new residential development in the C-AC District, ZAB must find that the proposed use or structure facilitates the construction of affordable housing as defined by the U.S. Department of Housing and Urban Development (HUD) Guidelines. As discussed under VI.A.4., above, the project would facilitate construction of affordable housing as it would provide ten below market rate units.

D. General Non-Detriment Finding:

BMC Section 23.406.040(E) states that before the ZAB approves an application for a Use Permit, it must find that the project, under the circumstances of this particular case existing at the time at which the application is granted, would not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or

working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City.

1. Shadows: The applicant submitted shadow studies documenting sun angles at three times throughout the day during the summer and winter solstice. New shadows would affect dwellings at the following locations:
   - 2110, 2112, 2114 and 2116 Carleton Street and 2117 Derby Street to the northeast and east of the site in winter in the afternoon (2:48 pm).
   - 2116, 2117, 2119, and 2123 Derby Street to the southeast and east of the site in May and June in the afternoon (5:12/5:30 pm).

   Though the project would create new shadow impacts on neighboring residences, the impacts to neighboring properties would occur on limited areas and would only partially shade neighboring buildings for a limited time during the year, and only for a few hours of the day. The projected impacts would be in line with what is to be expected within a built urban environment. The shadow impacts from the project on adjacent residential uses would be reasonable and not detrimental.
2. Air: The proposed project would be consistent with the existing development and building-to-building separation pattern, or air, in this C-AC District neighborhood. Because the project would meet the required setbacks, the project would not unreasonably obstruct air.
3. Views: The view corridor as defined in BMC Section 23.502.020 (Glossary) includes views of the Berkeley Hills, San Francisco Bay, Mt. Tamalpais, or a significant landmark such as the campanile, Golden Gate Bridge, or any other views that substantially enhances the value and enjoyment of real property. The project's proposed location is in a generally flat neighborhood, developed with one- to six-story buildings, and includes some mature vegetation that obscures these views from off-street angles. Because significant views are generally not available in this neighborhood due to grade, current development patterns, and mature vegetation, the proposed project would not create detrimental impacts to views.
4. The project is subject to the City's standard conditions of approval regarding construction noise and air quality, waste diversion, toxics, and stormwater requirements, thereby ensuring the project would not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the area or neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood or to the general welfare of the City.

E. 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 UD-16 Context**: The design and scale of new or remodeled buildings should respect the built environment in the area, particularly where the character of the built environment is largely defined by an aggregation of historically and architecturally significant buildings.
4. **Policy UD-24 Area Character**: Regulate new construction and alterations to ensure that they are truly compatible with and, where feasible, reinforce the desirable design characteristics of the particular area they are in.

   Staff Analysis: The project would reinforce the City's effort to redevelop underutilized sites in a way that would increase the quality of the built environment and provide new housing opportunities. The project would further improve the neighborhood character and quality of life by increasing existing street level activity and bringing in new residents along a major commercial and transit corridor. The project site is served by multiple bus lines, including local, rapid, and Transbay lines that operate along Bancroft, and a nearby BART Station. The design of the building would be compatible with the existing scale and design characteristics of the neighborhood, and would be consistent with the C-AC design standards and other zoning requirements.

5. **Policy LU-23 Transit-Oriented Development:** Encourage and maintain zoning that allows greater commercial and residential density and reduced residential parking requirements in areas with above-average transit service such as Downtown Berkeley.

   Staff Analysis: The project would help to encourage transit use and reduce greenhouse gas emissions from motor vehicles by constructing additional housing in close proximity to transit, jobs, and basic goods and services. Several transit lines have stops directly in front of and across the street from the project and the Ashby BART station, which has connecting service throughout the Bay Area, is located less than 0.5 miles from the project site.

6. **Policy H-19 Regional Housing Needs:** Encourage adequate housing production to meet City needs and the City's share of regional housing needs.

   Staff Analysis: The project would provide ten dwelling units for very low-income households, in addition to increasing the City's housing supply by adding new dwelling units in close proximity to basic goods and services and transit.

7. **Policy EM-5 "Green" Buildings**: Promote and encourage compliance with "green" building standards. (Also see Policies EM-8, EM-26, EM-35, EM-36, and UD-6.)
8. **Policy UD-33 Sustainable Design:** Promote environmentally sensitive and sustainable design in new buildings.

Staff Analysis: The proposed project would be constructed to the latest building codes which include green building standards.

F. Area Plan Consistency:

The Adeline Corridor Specific Plan, adopted in 2020, also contains several policies applicable to the project, including the following:

1. **3.1 Overall Mix of Uses:** Encourage a unique, diverse mix of community spaces, services, retail, housing, and creative workspaces along the corridor.
2. **3.3 Building Design:** Ensure that the massing, articulation, and design of buildings provides visual interest, integrates with the neighborhood, and creates a pleasant, pedestrian-oriented public realm.
3. **3.5 Ground Floor Frontage and Facades:** Ensure that ground floor frontages and façade design in the Adeline Area positively contribute to the pedestrian experience and street character.

Staff Analysis: The proposed project would contain residential and commercial space and would provide ten on-site affordable units. The building would support a pedestrian-oriented public realm as the garage entry would be located on Derby Street, away from the corner. The building would also contribute to the pedestrian experience and street character as there would not be blank walls along sidewalks and open space. The project meets the transparency requirements for ground floor frontages.

VII. 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 ("In-Fill Development Projects"); and
2. **APPROVE** Use Permit ZP2024-0057 pursuant to Section 23.406.040(D) and subject to the attached Findings and Conditions (see Attachment 1).

Attachments:
1. Findings
2. Conditions
3. Project Plans, received December 20, 2024
4. Adeline Corridor Specific Plan Mitigation, Monitoring, and Reporting Program
5. Neighborhood Meeting Notes
6. Public Comments
7. DRC Recommendation
8. Notice of Public Hearing

Staff Planner: Lisa Gordon, lgordon@rinconconsultants.com, (951) 202-9230.

PLANNING AND DEVELOPMENT

ZONING ADJUSTMENTS BOARD – FINDINGS

March 13, 2025

2655 Shattuck Avenue

Use Permit #ZP2024-0057 to demolish a one-story, 8,185-square-foot, non-residential building and construct an eight-story (85 feet), 84,399-square-foot mixed-use residential building containing 97 dwelling units (including ten Very Low-Income Density Bonus qualifying units) and 2,117 square feet of commercial space on a 23,527 square foot lot.

ZONING PERMITS REQUIRED

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.326.070 to demolish non- residential buildings
- Use Permit pursuant to BMC Section 23.204.020 to establish a mixed-use residential building
- Use Permit pursuant to BMC Section 23.204.030(A)(1) to establish a new main building or dwelling unit in the C-AC zoning district
- Administrative Use Permit pursuant to BMC Section 23.304.050 for projections above the height limit

CONCESSIONS/WAIVERS UNDER GOVERNMENT CODE SECTION 65915-65918

- Waiver from BMC Section 23.204.150(E)(1)) to increase the FAR from 2.5 to 3.5
- Waiver from BMC Section 23.204.150(E)(1)) to increase the stories from 4 to 8 stories
- Waiver from BMC Section 23.204.150(E)(1)) to increase the height from 45 to 85 feet
- Waiver from BMC Section 23.204.150(E)(1)) to increase lot coverage from 70 to 74 percent

I. CEQA FINDINGS

A. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code Section 21000, et seq. and California Code of Regulations, Section 15000, et seq.) pursuant to Section 15332 of the CEQA Guidelines ("In-Fill Development Projects").

B. The project meets all of the requirements of this exemption, as follows:

1. The project is consistent with the applicable General Plan designation and policies, and with the applicable zoning designation and regulations.
2. The project occurs within the Berkeley City limits on a project site of no more than five acres, and is surrounded by urban uses.
3. The parcels within the project site have previously been developed and have no value as habitat for endangered, rare or threatened species.
4. The project will not result in any significant effects relating to traffic, noise, air quality or water quality. The Traffic Impact Analysis prepared for the project was reviewed by the City Transportation Division which concurred with the findings of less than significant impacts. City Standard Conditions will address potential impacts related to traffic, noise, air quality, and water quality.
5. The site can be adequately served by all required utilities and public services.

C. Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project will not affect a historical resource.

II. HOUSING ACCOUNTABILTY ACT FINDINGS

A. 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.

B. The project includes construction of 84,399 square foot mixed-use building, including 97 dwelling units and 2,117 square feet of commercial uses. Because the base project complies with applicable, objective general plan and zoning standards, Section 65589.5(j) applies to this project. No significant, quantifiable, direct and unavoidable impacts, based on objective, identified written public health or safety standards, polices, or conditions, have been identified.

III. DENSITY BONUS FINDINGS

A. 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 65 units;

2. The project will provide at least ten Very Low Income (VLI) qualifying units in the 65-unit base project, as more fully set forth in Condition COA#33, Below Market Rate Units;
3. The project is entitled to a density increase of 50 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 three concessions or incentives. This equates to a density bonus of up to 33 units above the base project, for a total of up to 98 units.

D. 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.

a. Waiver from BMC Section 23.204.150(E)(1)) to increase the FAR from 2.5 to 3.5
b. Waiver from BMC Section 23.204.150(E)(1)) to increase the stories from 4 to 8 stories
c. Waiver from BMC Section 23.204.150(E)(1)) to increase the height from 45 to 85 feet
d. Waiver from BMC Section 23.204.150(E)(1)) to increase lot coverage from 70 to 74 percent

E. 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.

IV. FINDINGS FOR APPROVAL

A. As required by BMC Section 23.406.040(E), Findings for Approval, the project, under the circumstances of this particular case existing at the time at which the application is granted, will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City because:

1. The project is consistent with all applicable C-AC District standards and qualifies for concessions and waivers for the listed district standards granted pursuant to State Density Bonus, Government Code, Section 65915.

2. Shadows: The applicant submitted shadow studies documenting sun angles at three times throughout the day during the summer and winter solstice. New shadows will affect dwellings at the following locations:

- 2110, 2112, 2114 and 2116 Carleton Street and 2117 Derby Street to the northeast and east of the site in winter in the afternoon (2:48 pm).

- 2116, 2117, 2119, and 2123 Derby Street to the southeast and east of the site in May and June in the afternoon (5:12/5:30 pm).

3. Though the project will create new shadow impacts on neighboring residences, the impacts to neighboring properties will occur on limited areas and will only partially shade neighboring buildings for a limited time during the year, and only for a few hours of the day. The projected impacts will be in line with what is to be expected within a built urban environment. The shadow impacts from the project on adjacent residential uses will be reasonable and not detrimental.

4. Air: The proposed project will be consistent with the existing development and building-to-building separation pattern, or air, in this C-AC District neighborhood. Because the project will meet the required setbacks, the project will not unreasonably obstruct air.

5. Views: The view corridor as defined in BMC Section 23.502.020 (Glossary) includes views of the Berkeley Hills, San Francisco Bay, Mt. Tamalpais, or a significant landmark such as the campanile, Golden Gate Bridge, or any other views that substantially enhances the value and enjoyment of real property. The project's proposed location is in a generally flat neighborhood, developed with one- to six-story buildings, and includes some mature vegetation that obscures these views from off-street angles. Because significant views are generally not available in this neighborhood due to grade, current development patterns, and mature vegetation, the proposed project will not create detrimental impacts to views.

6. The project will be subject to the City's standard conditions of approval regarding construction noise and air quality, waste diversion, toxics, and stormwater requirements, which will ensure that the project will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the area or neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood or to the general welfare of the City.

V. OTHER FINDINGS FOR APPROVAL

A. As required by BMC Section 23.326.070(D), the Zoning Adjustments Board finds that the proposed demolition of the non-residential building at 2655 Shattuck Avenue will not be materially detrimental to the commercial needs and public interest of any affected neighborhood or the City, and that the demolition of the structure is required to allow a proposed new building or other proposed new use, sand is required for the furtherance of specific plans or projects sponsored by the City or other local district or authority.

The proposed demolition of the non-residential buildings will not be detrimental needs of the neighborhood, as the project redevelops an underutilized site with a new mixed-use, building that is compatible with existing development patterns along Shattuck Avenue. Pursuant to BMC Section 23.326.070(D)(1), demolition will not be materially detrimental to

the commercial needs and public interest because the new building will provide dwelling units and commercial space, and the new building will be compatible with adjacent and nearby commercial and residential uses in the C-AC District since there are existing mixed-use and multi-family residential buildings nearby. Pursuant to BMC Section 23.326.070(D)(2)(a), demolition is required to allow a proposed new building.

B. As required by BMC Section 23.204.030(A)(4), the project is consistent with the purposes of the underlying district.

1. Purposes of the C-AC District include:

- Implement the General Plan's designation for Adeline Corridor Mixed Use area, as well as the policies of the Adeline Corridor Specific Plan;

- Promote equitable access to housing by preserving existing affordable housing, preventing displacement, and producing a substantial number of new affordable housing units;

The project will be compatible with the purpose of the District because it will implement the polices of the Adeline Corridor Specific Plan, including commercial uses on the ground floor along Shattuck Avenue, creating a more attractive pedestrian experience on Shattuck Avenue by providing additional street trees and a pedestrian plaza, integrating a variety of landscape-based stormwater treatment elements, and the building architecture provides visual interest and integrates with the neighborhood. The project site is identified as an opportunity site in the Specific Plan. There is no existing housing on the site, but the project does contribute to the creation of affordable housing by providing ten VLI units.

2. Be compatible with the design and character within the District and adjacent residential neighborhoods;

The project would be compatible with the design and character of the District and adjacent residential neighborhoods because it would add a new mixed-use residential building at the intersection of Shattuck Avenue and Derby Street that is consistent with the patterns of development to west and south of the site, which consists of residential buildings and commercial uses ranging in height from five to six stories. The building has been designed to meet the setback requirements for buildings adjacent to residential zones and to reduce the height adjacent to existing single family residential uses to the rear of the property (east). The project also includes landscaping along the rear property line to provide a buffer to the existing residential uses. The project meets the transparency requirements for ground floor frontages.

3. Encourage utilization of public transit and off-street parking facilities in the area of the proposed building; and

The project will encourage utilization of public transit as there are bus stops located in front of the site, as well as nearby. The Ashby BART station is located 0.5 miles to the south of the site.

4. If a new residential development, that the proposed use or structure facilitates construction of affordable housing as defined by the US Department of Housing and Urban Development (HUD) Guidelines.

   The proposed project will facilitate construction of affordable housing as it will provide ten below market rate units, specifically, ten Very Low Income units.

C. Use Permit for a Project in the C-AC District

As required by BMC Section 23.204.150(G)(1), the Zoning Adjustments Board finds that the proposed use or structure:

1. Is consistent with the purpose of the district;
2. Is compatible in design and character with the district and the adjacent residential neighborhoods;
3. Encourages utilization of public transit and off-street parking facilities in the area of the proposed building; and
4. Complies with the Adeline Corridor Specific Plan's adopted Mitigation Monitoring and Reporting Program (MMRP).

As discussed under Finding B., above, the project will be consistent with the purpose of the district, compatible in design and character with the district and adjacent residential neighborhoods, and encourage utilization of public transit and off-street parking facilities. The project will also comply with the Adeline Corridor Specific Plan's Mitigation Monitoring and Reporting Program during review of the building permit and during construction.

D. Use Permit for New Residential Development in the C-AC District

As required by BMC Section 23.204.150(G)(2), the Zoning Adjustments Board finds that the proposed use or structure facilitates the construction of affordable housing as defined by the U.S. Department of Housing and Urban Development (HUD) Guidelines. As discussed under Finding B, above, the project will facilitate construction of affordable housing as it will provide ten below market rate units.

E. Projections Above the Height Limit. As required by BMC Section 23.304.050(A), the Zoning Adjustments Board finds that the proposed rooftop equipment, which exceeds the district height limit, does not exceed 15 percent the average floor area of the building's floors. The project will include a staircase/elevator penthouse totaling 345 square feet that will extend ten feet over the 85-foot roof height. The penthouses represent less than three percent (3%) of the 13,742-square-foot average of all the floor areas. None of the equipment structures will be used as habitable or commercial space.

PLANNING AND DEVELOPMENT

USE PERMIT ZP2024-0057 CONDITIONS OF APPROVAL

March 13, 2025

2655 Shattuck Avenue

Use Permit #ZP2024-0057 to demolish a one-story, 8,185-square-foot, non-residential building and construct an eight-story (85 feet), 84,399-square-foot mixed-use residential building containing 97 dwelling units (including ten Very Low-Income Density Bonus qualifying units) and 2,117 square feet of commercial space on a 23,527 square foot lot.

I. STANDARD CONDITIONS OF APPROVAL FOR ALL PROJECTS

Pursuant to Berkeley Municipal Code (BMC) Title 23 Zoning Ordinance and Title 13 Public Peace, Morals, and Welfare, the following conditions, as well as all other applicable provisions of the Zoning Ordinance, apply to this Permit:

1. **Conditions and Mitigation Monitoring and Reporting Program Shall be Printed on Plans.** The conditions of this Permit shall be printed on the *second* sheet of each plan set submitted for a building permit pursuant to this Use Permit, under the title 'Use Permit Conditions.' *Additional sheets* may also be used if the *second* sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings.
2. **Compliance Required (BMC Section 23.102.050).** All land uses and structures in Berkeley must comply with the Zoning Ordinance and all applicable City ordinances and regulations. Compliance with the Zoning Ordinance does not relieve an applicant from requirements to comply with other federal, state, and City regulations that also apply to the property.
3. **Approval Limited to Proposed Project and Replacement of Existing Uses (BMC Sections 23.404.060(B)(1) and (2)):**
   - **A.** This Permit authorizes only the proposed project described in the application. In no way does an approval authorize other uses, structures or activities not included in the project description.
   - **B.** When the City approves a new use that replaces an existing use, any prior approval of the existing use becomes null and void when permits for the new use are exercised (e.g., building permit or business license issued). To re-establish the previously existing use, an applicant must obtain all permits required by the Zoning Ordinance for the use.

4. **Conformance to Approved Plans (BMC Section 23.404.060(B)(4)).** All work performed under an approved permit shall comply with the approved plans and any conditions of approval.
5. **Exercise and Expiration of Permits (BMC Section 23.404.060(C)):**
   - **A.** A permit authorizing a land use is exercised when both a valid City business license is issued (if required) and the land use is established on the property.
   - **B.** A permit authorizing construction is exercised when both a valid City building permit (if required) is issued and construction has lawfully begun.
   - **C.** The Zoning Officer may declare a permit lapsed if it is not exercised within one year of its issuance, except if the applicant has applied for a building permit or has made a substantial good faith effort to obtain a building permit and begin construction. The Zoning Officer may declare a permit lapsed only after 14 days written notice to the applicant. A determination that a permit has lapsed may be appealed to the ZAB in accordance with BMC Chapter 23.410, Appeals and Certification.
   - **D.** A permit declared lapsed shall be void and of no further force and effect. To establish the use or structure authorized by the lapsed permit, an applicant must apply for and receive City approval of a new permit.
6. **Permit Remains Effective for Vacant Property (BMC Section 23.404.060(D)).** Once a Permit for a use is exercised and the use is established, the permit authorizing the use remains effective even if the property becomes vacant. The same use as allowed by the original permit may be re-established without obtaining a new permit, except as set forth in Standard Condition #5 above.
7. **Permit Modifications (BMC Section 23.404.070).** No change in the use or structure for which this Permit is issued is permitted unless the Permit is modified by the Board. The Zoning Officer may approve changes to plans approved by the Board, consistent with the Board's policy adopted on May 24, 1978, which reduce the size of the project.
8. **Permit Revocation (BMC Section 23.404.080).** The City may revoke or modify a discretionary permit for completed projects due to: 1) violations of permit requirements; 2) Changes to the approved project; and/or 3) Vacancy for one year or more. However, no lawful residential use can lapse, regardless of the length of time of the vacancy. Proceedings to revoke or modify a permit may be initiated by the Zoning Officer, Zoning Adjustments Board (ZAB), or City Council referral.
9. **Pay Transparency Acknowledgement (BMC Section 13.104.030).** Prior to the issuance of a building permit for any Project subject to this Chapter:
   - **A.** A Responsible Representative of the Permittee shall certify under penalty of perjury that the Permittee has reviewed Chapter 13.104 of the Berkeley Municipal Code, and will be responsible for demonstrating compliance with this Chapter.

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 BMC Chapter 13.104 and with Labor Code sections 226(a) and 2810.5 for each employee who works on the Project.

10. **Pay Transparency Attestations following Project Completion (BMC Section 13.104.040).** 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 BMC Chapter 13.104 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

11. **Posting of Wage Theft Ordinance (BMC Section 13.104.050).** Each day work is performed on the Project, 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 BMC Chapter 13.104; (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.

12. **Wage Theft Prevention Conditions of Approval (BMC Section 13.104.060).** The requirements of BMC 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 BMC Chapter 1.28 and/or the revocation or modification of any Use Permit issued for the Project under BMC Chapter 23.404.

13. **Hold Harmless.** 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.

II. ADDITIONAL CONDITIONS IMPOSED BY THE ZONING ADJUSTMENTS BOARD

Pursuant to BMC Section 23.404.050(H) Conditions of Approval, the Zoning Adjustments Board attaches the following additional conditions to this Permit:

Prior to Submittal of Any Building Permit:

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

☐ **Project Liaison** _____

Name Phone #

15. **Address Assignment.** 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 Use Permit. The new address(es) shall be assigned in accordance with BMC Section 16.28.030 Assignment and Installation of Numbers, and, except for new buildings on vacant lots, entered into the City's database after the building permit is issued but prior to final inspection.

16. **Bird Safe Buildings.** Prior to submittal of the building permit, the applicant shall demonstrate compliance with the applicable bird safe building provisions in BMC Section 23.304.150, Bird Safe Buildings.

17. **Construction Noise Reduction Program.** 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 for construction listed above, as measures needed to ensure that construction complies with BMC Section 13.40.070, Prohibited Acts. 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:

    C. Construction equipment should be well maintained and used judiciously to be as quiet as practical.

    D. Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.

    E. 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.

    F. Locate stationary noise-generating equipment as far as possible from sensitive receptors when adjoining construction sites. Construct temporary noise barriers or partial enclosures to acoustically shield such equipment where feasible.

    G. Prohibit unnecessary idling of internal combustion engines.

    H. If impact pile driving is required, pre-drill foundation pile holes to minimize the number of impacts required to seat the pile.

    I. 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.

    J. 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. Noise control blanket barriers can be rented and quickly erected.

    K. Route construction related traffic along major roadways and away from sensitive receptors where feasible.

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

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

    The study shall be reviewed and approved by the Building and Safety Division and the Zoning Officer prior to issuance of a grading permit. Upon completion of the project, the structures (or, in case of large buildings, of the portions of the structures) previously inspected will be resurveyed, and any new cracks or other changes shall be compared to pre-construction conditions and a determination shall be made as to whether the proposed project caused the damage. The findings shall be submitted to the Building and Safety Division and the Zoning Officer for review. If it is determined that project construction has resulted in damage to the structure, the damage shall be repaired to the pre-existing condition by the project sponsor, provided that the property owner approves of the repair

19. **Compliance with Conditions of Approval and Environmental Mitigations.** The building permit application is subject to verification of compliance of these Conditions of Approval and the Adeline Corridor Specific Plan Mitigation Monitoring and Reporting Program. The applicant shall be responsible for demonstrating compliance with all conditions of approval and mitigation measures per the timeline set forth by this use permit. The applicant shall deposit $10,000 with the City, or less with the approval of the Zoning Officer, to pay for the cost of monitoring compliance with these Conditions of Approval and other applicable conditions and regulations. Should compliance-monitoring expenses exceed the initial deposit, the applicant shall deposit additional funds to cover such additional expenses upon the request of the Zoning Officer; any unused deposit will be refunded to the applicant.

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

20. **Demolition.** Demolition of the existing building cannot commence until a complete application is submitted for the replacement building. In addition, all plans presented to the City to obtain a permit to allow the demolition are subject to these conditions.

21. **Construction Noise Management -** Public Notice Required. At least two weeks prior to initiating any construction activities at the site, the applicant shall provide notice to businesses and residents within 500 feet of the project site. This notice shall at a minimum provide the following: (1) project description, (2) description of construction activities during extended work hours and reason for extended hours, (3) daily construction schedule (i.e., time of day) and expected duration (number of months), (4) the name and phone number of the Project Liaison for the project that is responsible for responding to any local complaints, and (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.
22. **Construction Phases.** 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 his/her designee shall have the authority to require an on-site meeting with these individuals as necessary to ensure compliance with these conditions. The applicant shall notify the Zoning Officer of any changes to this schedule as soon as possible.
23. **Construction and Demolition Diversion.** Applicant shall submit a Construction Waste Management Plan that meets the requirements of BMC Chapter 19.37 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.
24. **Toxics.** The applicant shall contact the Toxics Management Division (TMD) at 1947 Center Street or (510) 981-7470 to determine which of the following documents are required and timing for their submittal:
    A. **Phase I and Phase II Environmental Site Assessment (ESA) (per ASTM 1527).** A recent Phase I ESA (less than 2 years old) shall be submitted to the Toxics Management Division for developments for: all new commercial, industrial and mixed-use developments and all improvement projects that require work 5 or more feet below grade, 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: City of Berkeley Community GIS Portal (arcgis.com)
    B. Depending on the findings in the Phase I, a Phase II or additional investigation may be necessary. Any available soils and groundwater analytical data available for projects listed in this section must also be submitted to TMD.

C. **Environmental Site Clearance.** The applicant shall provide environmental screening clearance from either the San Francisco Bay Regional Water Quality Control Board (RWQCB), Department of Toxic Substances Control (DTSC), or the Alameda County Department of Environmental Health's Local Oversight Program (LOP). Clearance from one of these regulatory agencies will ensure that the property meets development investigation and cleanup standards for the specific use proposed on the property. Environmental screening clearance shall be submitted to the City of Berkeley's Toxics Management Division prior to issuance of any building permits.

D. **Soil and Groundwater Management Plan**. A site-specific Soil and Groundwater Management Plan (SGMP) shall be submitted to Toxics Management Division (TMD) for all non-residential projects, and residential or mixed-use projects with more than four dwelling units, that: (1) are in the Environmental Management Area (EMA), as shown on the most recent City of Berkeley EMA map, and (2) propose any excavations deeper than 5 feet below grade or if significant soils removal is anticipated. The SGMP shall be submitted to the TMD with the project's building permit application and shall be approved by TMD prior to issuance of the building permit.

   The SGMP shall comply with the hazardous materials and waste management standards required by BMC Section 15.12.100, the stormwater pollution prevention requirements of San Francisco Bay Regional Water Quality Control Board's Order No. R2-2009-0074, California hazardous waste generator regulations (Title 22 California Code of Regulations (CCR) 66260 et seq.), and the East Bay Municipal Utility District's Ordinance 311, and shall include the following:

   i. procedures for soil and groundwater management including identification of pollutants and disposal methods;

   ii. procedures to manage odors, dust and other potential nuisance conditions expected during development;

   iii. notification to TMD within 24 hours of the discovery of any previously undiscovered contamination; and

   iv. the name and phone number of the individual responsible for implementing the SGMP and who will respond to community questions or complaints.

   TMD may require additional information or impose additional conditions as deemed necessary to protect human health and the environment. All requirements of the approved SGMP shall be deemed conditions of approval.

E. **Demolitions & Renovations – Building Materials Survey.** A hazardous materials survey for building materials and plans on hazardous materials and hazardous waste removal and disposal is required and must be prepared by qualified professionals, and submitted to the Toxics Management Division (TMD) prior to issuance of the building permit.

i. The survey shall include 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.

ii. If asbestos is identified, Bay Area Air Quality Management District Regulation 11-2-401.3 a notification must be made and the J number must be made available to the City of Berkeley Permit Service Center. Contractors must 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.)

iii. 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.

iv. Documentation evidencing disposal of hazardous waste in compliance with the survey shall be submitted to TMD within 30 days of the completion of the demolition.

Please note, the PCB Screening Form required by Public Works, Engineering, is a separate requirement and does not address the PCB identification requirement of the Toxics Management Division.

F. Hazardous Materials Business Plan. A Hazardous Materials Business Plan (HMBP) in compliance with BMC Section 15.12.040 and California Health & Safety Code, Chapter 6.95 Div. 20, shall be submitted to the Toxics Management Division through the California Environmental Reporting System: http://cers.calepa.ca.gov/ for chemicals used or stored on site during construction that exceed reporting thresholds. The reporting is required if your facility stores or handles hazardous materials in aggregate quantities equal to or greater than 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet of compressed gases, or generates any quantity of hazardous waste. This includes welding gases, emergency generator fuel, paints, etc.

Additionally, the business occupant must submit an HMBP within 30 days of starting operations.

G. Petroleum Storage. An (SPCC) Plan is required to be prepared and implemented for facilities with any one of the following:

i. aggregate aboveground petroleum storage capacities of 1,320 gallons or more stored in aboveground storage containers, tanks, oil-filled equipment, or

ii. one or more tank(s) in an underground area (TIUGA) with petroleum storage capacities of 55 gallons or greater. More information on TIUGAs can be found here: https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/tank-in-an-underground-area-tiuga/

The SPCC plan must be prepared prior to beginning operations and you must submit facility information to Toxics Management Division (TMD) through the California Environmental Reporting System: http://cers.calepa.ca.gov/. The SPCC plan will be reviewed during the site inspection and shall not be submitted in CERS or to the TMD.

Prior to Issuance of Any Building (Construction) Permit

25. **Final Design Review.** The Project requires approval of a Final Design Review application by the Design Review Committee.

26. **HVAC Noise Reduction.** 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.

27. **Interior Noise Levels.** 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.

28. **Solar Photovoltaic (Solar PV) and Battery Energy Storage Systems (ESS).** A solar PV system shall be installed, subject to specific limited exceptions, as specified by the Berkeley Energy Code (BMC Chapter 19.36). Energy storage system (ESS) readiness (new single-family, duplex, and townhouse homes) or ESS installation (new multifamily and most nonresidential buildings) shall be completed as specified by BMC Chapter 19.36. Location of the solar PV system and the ESS, if applicable, shall be noted on the construction plans. (Project required to meet applicable code at time of building permit application, if different from above.)

29. **Electric Vehicle (EV) Charging.** At least 10 percent of the project parking spaces for residential parking shall have installed Level 2 (40 amp) electric vehicle (EV) charging stations~~,~~ and at least 40 percent shall have installed low power Level 2 EV charging receptacles (20 amp), or any more stringent EV charging requirements as specified by the Berkeley Green Code (BMC Chapter 19.37). Required Level 2 charging stations and low power Level 2 EV charging receptacles shall be installed, maintained, and made available for building resident use. EV charging station installations, EV charging receptacles, and EV Capable spaces shall be noted on the construction plans. Public access parking spaces shall provide any applicable mandatory accessibility provisions. (Project required to meet applicable code at time of building permit application, if different from above.)
30. **Nonresidential Electric Vehicle (EV) Charging.** At least 10 percent of project parking spaces for nonresidential use shall have installed Level 2 (40 amp) electric vehicle (EV) charging stations and/or DC Fast Charging Stations, and least 20 percent shall be "EV Capable" equipped with raceway, electrical panel service capacity, and an electrical system to support future Level 2 (40 amp) EV charging stations, or any more stringent EV charging requirements, as specified by the Berkeley Green Code (BMC Chapter 19.37). EV charging station installations and EV Capable spaces shall be noted on the construction plans. Public access parking spaces shall provide any applicable mandatory accessibility provisions. (Project required to meet applicable code at time of building permit application, if different from above.)
31. **Water Efficient Landscaping.** Landscaping, totaling 500 square feet of more of new landscaping or 2,500 square feet or more of renovated irrigated area, shall comply with the State's Model Water Efficient Landscape Ordinance (MWELO). MWELO-compliant landscape documentation including a planting, grading, and irrigation plan shall be included in site plans. Water budget calculations are also required for landscapes of 2,500 square feet or more and shall be included in site plans. The reference evapotranspiration rate (ETo) for Berkeley is 41.8.
32. **Recycling and Organics Collection.** Applicant shall provide recycling and organics collection areas for occupants, clearly marked on plans, which comply with the Alameda County Organics Reduction and Recycling Ordinance (2021-02). Contact the Zero Waste Division at RecyclingProgram@berkeleyca.gov.
33. **Public Works ADA.** 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.

AFFORDABLE HOUSING REQUIREMENTS – RESIDENTIAL PROJECTS

34. **Affordable Housing Compliance Plan.** The final Affordable Housing Compliance Plan ("AHCP") must be certified by 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 must have the final AHCP certified prior to the issuance of the phase one building permit.

35. **Below Market Rate Units.** Ten Very-Low Income Below Market Rate rental dwelling units (BMR Units) shall be provided in the project. All affordable units provided pursuant to Section III, Density Bonus, of the permit findings shall be designated as BMR Units. All BMR units are required to comply with the stricter of the State Density Bonus Law (Government Code Section 65915) and BMC Section 23.328.030(A) Affordable Housing Requirements.

Summary table of project BMR units			
Code Section	**Extremely-Low Income (30% AMI)**	**Very-Low Income (50% AMI)**	**Low Income (80% AMI)**
BMC Chapter 23.328 (Inclusionary Housing)		10	
State Density Bonus Law (Gov. Code Section 65915)		10	
Total		10	

36. **Regulatory Agreement.** If BMR units are provided, the owner shall enter into a Regulatory Agreement that implements Government Code Section 65915, BMC Section 23.328.030, and other provisions for BMR units included in this Use Permit. The Regulatory Agreement may include any terms and affordability standards determined by the City to be necessary to ensure such compliance. The Regulatory Agreement will secure the property's obligation to comply with the requirements for providing BMR units as defined by BMC Chapter 23.328 and State Density Bonus Law (Government Code Section 65915). The applicant shall submit the Regulatory Agreement to the Department of Health, Housing, and Community Services for review and approval. All BMR units are required to comply with the Regulatory Agreement and the BMR Administrative Guidelines. Regulatory Agreements must be executed prior to the issuance of Building Permit, or, in the case of projects that receive approval from the Building Official for multiple phase construction permits, prior to the issuance of the phase one building permit.

37. **Payment of Affordable Housing In-Lieu Fee.** 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 $3,357,956.25 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. 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.

Prior to Demolition or Start of Construction:

38. **Construction Meeting.** The applicant shall request of the Zoning Officer an on-site meeting with City staff and key parties involved in the early phases of construction (e.g., applicant, general contractor, foundation subcontractors) to review these conditions and the construction schedule. The general contractor or applicant shall ensure that all subcontractors involved in subsequent phases of construction aware of the conditions of approval.

39. **Transportation Construction Plan.** 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:

    A. Alterations, closures, or blockages to sidewalks, pedestrian paths or vehicle travel lanes (including bicycle lanes);

    B. Storage of building materials, equipment, dumpsters, debris anywhere in the public ROW;

    C. Provision of exclusive contractor parking on-street; or

    D. Significant truck activity.

    Please contact the Office of Transportation 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 this Plan shall be available at all times at the construction site for review by City Staff.

40. **Construction/No Parking Permits.** Contact the Permit Service Center (PSC) at 1947 Center Street or 981-7500 for details on obtaining Construction/No Parking Permits (and associated signs and accompanying dashboard permits). Please note that the Zoning Officer and/or Traffic Engineer may limit off-site parking of construction-related vehicles if necessary to protect the health, safety or convenience of the surrounding neighborhood.

During Construction:

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

42. **Construction Hours- Exceptions.** It is recognized that certain construction activities, such as the placement of concrete, must be performed in a continuous manner and may require an extension of these work hours. Prior to initiating any activity that might require a longer period, the developer must notify the Zoning Officer and request an exception for a finite period of time. If the Zoning Officer approves the request, then two weeks prior to the expanded schedule, the developer shall notify businesses and residents within 500 feet of the project site describing the expanded construction hours. A copy of such notice and methodology for distributing the notice shall be provided in advance to the City for review and approval. The project shall not be allowed more than 15 extended working days.

43. **Project Construction Website.** The applicant shall establish a project construction website with the following information clearly accessible and updated monthly or more frequently as changes warrant.

    A. Contact information (i.e. “hotline” phone number, and email address) for the project construction manager

    B. Calendar and schedule of daily/weekly/monthly construction activities

    C. 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.

44. **Public Works - Implement Bay Area Air Quality Management District (BAAQMD)-** Recommended Measures during Construction. For all proposed projects, BAAQMD recommends implementing all the Basic Construction Mitigation Measures, listed below to meet the best management practices threshold for fugitive dust:

    A. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

    B. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

    C. 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.

    D. All vehicle speeds on unpaved roads shall be limited to 15 mph.

    E. 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.

    F. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

G. All construction equipment shall be maintained and properly tuned in accordance with manufacturer specifications. All equipment shall be checked by a certified visible emissions evaluator.

H. 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 phone number shall also be visible to ensure compliance with applicable regulations.

45. Air Quality - Diesel Particulate Matter Controls during Construction. All off-road construction equipment used for projects with construction lasting more than 2 months shall comply with one of the following measures:

A. 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 BAAQMD and OEHHA. 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

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.

C. In addition, a Construction Emissions Minimization Plan (Emissions Plan) shall be prepared that includes the following:

i. 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.

ii. 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.

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

47. **Low-Carbon Concrete.** The project shall maintain compliance with the Berkeley Green Code (BMC Chapter 19.37) including use of concrete mix design with a cement reduction of at least 25 percent. Documentation on concrete mix design shall be available at all times at the construction site for review by City Staff. (Project required to meet applicable code at time of building permit application, if different from above.)

48. **Avoid Disturbance of Nesting Birds.** 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 MBTA and CFGC, 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.

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

    A. In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist, historian or paleontologist to assess the significance of the find.

    B. If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified professional would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Berkeley. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by the qualified professional according to current professional standards.

    C. In considering any suggested measure proposed by the qualified professional, the project applicant shall determine whether avoidance is necessary or feasible in light of factors such as the uniqueness of the find, project design, costs, and other considerations.

D. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation measures for cultural resources is carried out.

E. If significant materials are recovered, the qualified professional shall prepare a report on the findings for submittal to the Northwest Information Center.

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

51. Paleontological Resources (*Ongoing throughout demolition, grading, and/or construction*). 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 paleontologist (per Society of Vertebrate Paleontology standards [SVP 1995,1996]). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find. The paleontologist 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 paleontologist 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.

52. Halt Work/Unanticipated Discovery of Tribal Cultural Resources. In the event that cultural resources of Native American origin 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 City Planning Department within 24 hours. The City will again contact any tribes who have requested consultation under AB 52, 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.

53. Stormwater Requirements. The applicant shall demonstrate compliance with the requirements of the City's National Pollution Discharge Elimination System (NPDES) permit as described in BMC Section 17.20. The following conditions apply:

A. The project plans shall identify and show site-specific Best Management Practices (BMPs) appropriate to activities conducted on-site to limit to the maximum extent practicable the discharge of pollutants to the City's storm drainage system, regardless of season or weather conditions.

B. Trash enclosures and/or recycling area(s) shall be covered; no other area shall drain onto this area. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. Applicant shall contact the City of Berkeley and EBMUD for specific connection and discharge requirements. Discharges to the sanitary sewer are subject to the review, approval and conditions of the City of Berkeley and EBMUD.

C. Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration and minimize the use of fertilizers and pesticides that contribute to stormwater pollution. Where feasible, landscaping should be designed and operated to treat runoff. When and where possible, xeriscape and drought tolerant plants shall be incorporated into new development plans.

D. Design, location and maintenance requirements and schedules for any stormwater quality treatment structural controls shall be submitted to the Department of Public Works for review with respect to reasonable adequacy of the controls. The review does not relieve the property owner of the responsibility for complying with BMC Chapter 17.20 and future revisions to the City's overall stormwater quality ordinances. This review shall be shall be conducted prior to the issuance of a Building Permit.

E. All paved outdoor storage areas must be designed to reduce/limit the potential for runoff to contact pollutants.

F. All on-site storm drain inlets/catch basins must be cleaned at least once a year immediately prior to the rainy season. The property owner shall be responsible for all costs associated with proper operation and maintenance of all storm drainage facilities (pipelines, inlets, catch basins, outlets, etc.) associated with the project, unless the City accepts such facilities by Council action. Additional cleaning may be required by City of Berkeley Public Works Engineering Dept.

G. All private or public projects that create and/or replace 5,000 square feet or more of impervious surface must comply with Provision C.3 of the Alameda County NPDES permit and must incorporate stormwater controls to enhance water quality. Permit submittals shall include a Stormwater Requirement Checklist and detailed information showing how the proposed project will meet Provision C.3 stormwater requirements, including a) Site design measures to reduce impervious surfaces, promote infiltration, and reduce water quality impacts; b) Source Control Measures to keep pollutants out of stormwater runoff; c) Stormwater treatment measures that are hydraulically sized to remove pollutants from stormwater; d) an O & M (Operations and Maintenance) agreement for all stormwater treatment devices and installations; and e) Engineering calculations for all stormwater devices (both mechanical and biological). (Project required to meet applicable code at time of building permit application, if different from above.)

H. All on-site storm drain inlets must be labeled “No Dumping – Drains to Bay” or equivalent using methods approved by the City.

I. Most washing and/or steam cleaning must be done at an appropriately equipped facility that drains to the sanitary sewer. Any outdoor washing or pressure washing must be managed in such a way that there is no discharge or soaps or other pollutants to the storm drain. Sanitary connections are subject to the review, approval and conditions of the sanitary district with jurisdiction for receiving the discharge.

J. All loading areas must be designated to minimize “run-on” or runoff from the area. Accumulated waste water 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.

K. 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.

L. 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.

54. **Public Works.** Subject to approval of the Public Works Department, the applicant shall repair any damage to public streets and/or sidewalks by construction vehicles traveling to or from the project site.

55. **Public Works.** 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.

56. **Public Works.** The applicant shall ensure that all excavation accounts for surface and subsurface waters and underground streams so as not to adversely affect adjacent properties and rights-of-way.

57. **Public Works.** 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.

58. **Public Works.** 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 by 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.

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

60. **Public Works / Building and Safety.** 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.

Prior to Final Inspection or Issuance of Occupancy Permit:

61. **Compliance with Conditions and Environmental Mitigations.** The project shall conform to the plans and statements in the Use Permit. The developer is responsible for providing sufficient evidence to demonstrate compliance with the requirements throughout the implementation of this Use Permit. Occupancy is subject to verification of compliance to the Mitigation Monitoring and Reporting Program.

62. All landscape, site and architectural improvements shall be completed per the attached approved drawings dated December 20, 2024.

63. **Percent for Public Art.** Consistent with BMC Section 23.316, the applicant shall either pay the required in-lieu fee or provide the equivalent amount in a financial guarantee to be released after installation of the On-Site Publicly Accessible Art.

64. **Transportation Demand Management.** Prior to issuance of a Certificate of Occupancy, the property owner shall facilitate a site inspection by Land Use Division staff to confirm that the physical improvements required in BMC Sections 23.334.030(C) and 23.322.090 (bike parking) have been installed. A Parking and Transportation Demand Management (PTDM) 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.

    A. Consistent with 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.

    B. Consistent with BMC Section 23.334.030(B), at least one of the following transit benefits shall be offered, at no cost to the resident, for a period of ten 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.

        i. One monthly pass for unlimited local bus transit service for every bedroom in each dwelling unit, up to a maximum of two benefits per dwelling unit.

ii. Subject to the review and approval of the Zoning Officer in consultation with the Transportation Division Manager, a functionally equivalent transit benefit in an amount at least equal to the price of a non-discounted unlimited adult monthly pass for unlimited local bus transit service monthly local bus pass.

C. Consistent with BMC Section 23.334.030(C), 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, shall be provided. Transportation information shall include, but is not limited to, transit arrivals and departures for nearby transit routes.

D. Property owners may be required to pay administrative fees associated with compliance with this Condition.

At All Times:

65. **Compliance with Approved Plan.** The project shall conform to the plans and statements in the Use Permit.
66. **Transportation Demand Management Compliance.** A Transportation Demand Management compliance report shall be submitted to the Zoning Officer, on a form acceptable to the City, prior to occupancy, and on an annual basis for ten years thereafter, which demonstrates that the project complies with the applicable requirements. After three years of timely compliant submittals, staff has the option to accept less frequent submittals (minimum one every three years). Property owners may be required to pay administrative fees associated with compliance with this Condition, pursuant to BMC Section 23.334.040(B).
67. **Exterior Lighting.** All exterior lighting shall be energy efficient where feasible; and shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
68. **Rooftop Projections.** No additional rooftop or elevator equipment shall be added to exceed the approved maximum roof height without submission of an application for a Use Permit Modification, subject to Board review and approval.
69. **Design Review.** Signage and any other exterior modifications, including but not limited to landscaping and lighting, shall be subject to Design Review approval.
70. **Drainage Patterns.** The applicant shall establish and maintain drainage patterns that do not adversely affect adjacent properties and rights-of-way. Drainage plans shall be submitted for approval of the Building & Safety Division and Public Works Department, if required.
71. **Electrical Meter.** Only one electrical meter fixture may be installed per dwelling unit.
72. **Loading.** All loading/unloading activities associated with deliveries to all uses shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. daily.

73. **Residential Permit Parking.** 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 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.
74. **Required Bike Parking.** Secure and on-site bike parking for at least 51 (45 long term and 6 short term [2 for commercial and 4 for residential]) bicycles shall be provided for the life of the building.
75. **Residential Electric Vehicle (EV) Charging.** Required Level 2 charging stations and low power Level 2 EV charging receptacles, as specified by the Berkeley Green Code (BMC Chapter 19.37) shall be maintained in good working condition and made available for building resident use. (Project required to meet applicable code at time of building permit application, if different from above.)
76. **Nonresidential Electric Vehicle (EV) Charging.** Required Level 2 charging stations and DC Fast Charge stations, as specified by the Berkeley Green Code (BMC Chapter 19.37) shall be maintained in *good working condition and made available for building occupant and/or visitor* use. (Project required to **meet applicable code at time of building permit application, if different from above.)**
77. **Tenant Notification.** The developer shall provide tenant notification, via a lease rider or deed covenant, that each dwelling unit is located in a mixed-use area that includes commercial, food service, and entertainment uses, and that each occupant shall not seek to impede their lawful operation.
78. **Transit Subsidy Condition.** If 10 or more employees, the business operator shall reimburse employees the maximum non-taxable cost of commuting to and from work on public transportation (e.g., monthly passes) if they so commute, and a notice informing employees of the availability of such subsidy shall be permanently displayed in the employee area as per BMC Chapter 9.88.

2655 SHATTUCK AVE.

2655 SHATTUCK AVE., BERKELEY, CA 94704

KDN01 - DRC REVIEW - 08/26/24

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2655 SHATTUCK AVE.

2655 SHATTUCK AVE., BERKELEY, CA 94704

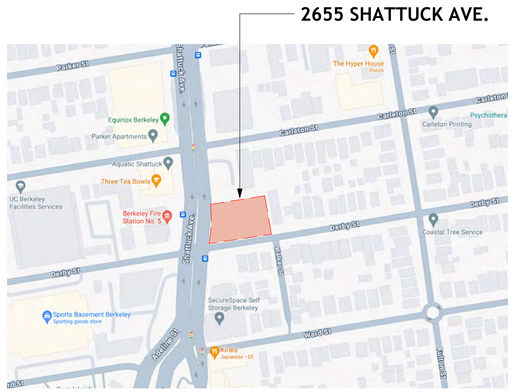
LICENSED ARCHITECT — CHARLES FRIEDERICH KAHN — No. C416027 — 01/31/2025 RENEWAL DATE — STATE OF CALIFORNIA

DRC REVIEW

RESIDENTIAL UNIT MIX:					
UNIT TYPE:	STUDIO	1-BD	2-BD	3-BD	TOTAL:
LEVEL 1	0	0	0	0	0
LEVEL 2	14	5	4	0	23
LEVEL 3	14	5	4	0	23
LEVEL 4	14	5	4	0	23
LEVEL 5	7	5	6	0	18
LEVEL 6					
LEVEL 7	0	0	0	10	10
LEVEL 8					
TOTAL UNITS:	49	20	18	10	97
TOTAL BEDRMS:	49	20	36	30	135

THE SITE'S REDEVELOPMENT WILL INCLUDE THE DEMOLITION OF THE EXISTING VACANT BUILDING OCCUPYING 2655 SHATTUCK AVENUE, A 1-STORY 8,185 SF COMMERCIAL BUILDING TO ALLOW DEVELOPMENT OF A NEW 8 STORY, 83,479 SF MULTI-FAMILY MIXED-USE BUILDING. WE PROPOSE A ±2,117 SF RETAIL SPACE AT THE GROUND FLOOR WITH 97 UNITS OF MULTI-FAMILY RENTAL HOUSING. THE GROUND FLOOR WILL INCLUDE COMMERCIAL SPACE AS WELL AS A GENEROUS AMENITY SPACE, INTERIOR BIKE STORAGE, A PARKING GARAGE PROVIDING 41 RESIDENTIAL SPACES, AND UTILITY SPACES ACCESSED FROM SHATTUCK AVENUE AND DERBY STREET. THE 97 RESIDENTIAL UNITS ARE A MIX OF STUDIOS, 1 AND 2 BEDROOM UNITS WITH GENEROUS KITCHEN/DINING/LIVING ROOM AREAS AND 3-BEDROOM TOWNHOUSE UNITS. IN ADDITION, THERE IS A COMMON USABLE OPEN SPACE EXTERIOR COURTYARD AND AMENITY GARDEN AREA AT GRADE, A COMMON OUTDOOR ROOF-TOP DECK AT THE 6TH FLOOR, AND PRIVATE BALCONIES FOR THE TOWNHOME UNITS LOCATED AT THE 6TH AND 8TH FLOORS.

6 PROJECT LOCATION



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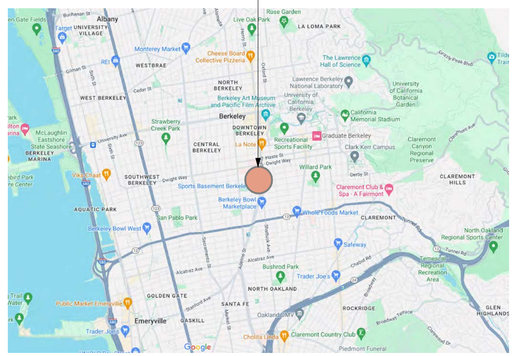
2 PROJECT DESCRIPTION

PROJECT LOCATION:
2665 SHATTUCK AVE.



5 VICINITY MAP

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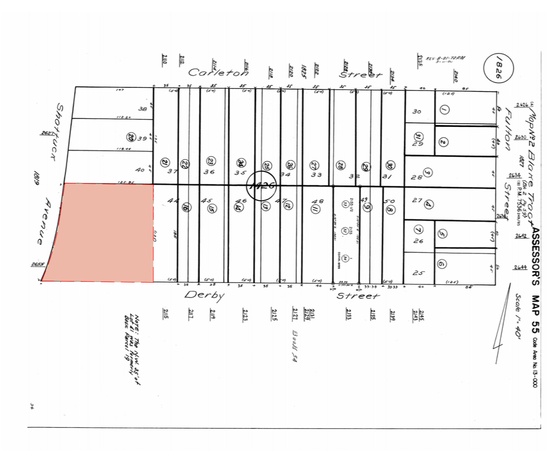

4 PARCEL MAP

N

1 PROJECT CONTACTS

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BERKELEY, CA 94709

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Castro Valley, CA 94546

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LANDSCAPE:
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(enter Street)
(enter City, State, Zip)

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For Assessment Use Only

SHEET LIST

Sheet Number	Sheet Name	5/15/24 SB330 ENT. APP	8/26/24 DRC REVIEW	10/11/24 PLAN. REV. #2	12/16/24 Planning Rev. #3
GENERAL					
G000	TITLE SHEET	•	•	•	
G001	ZONING CODE INFORMATION	•	•	•	
G002.A	BASE PROJECT CALCULATIONS & DIAGRAM	•	•	•	
G002.B	DENSITY BONUS CALCULATIONS & DIAGRAM	•	•	•	
G002.C	AFFORDABLE HOUSING COMPLIANCE PLAN	•	•	•	
G003	OPEN SPACE CALCULATIONS	•	•	•	
G004	STREET CONTEXT ELEVATIONS	•	•	•	
G020	SHADOW STUDIES - DECEMBER, 21ST	•	•	•	
G021	SHADOW STUDIES - JUNE 21ST	•	•	•	
G022	SHADOW STUDIES - MAY 21ST	•	•	•	
G030	GREEN POINT HOME CHECKLIST	•	•	•	
G031	FACADE TRANSPARENCY	•	•	•	
CIVIL					
C0.0	COVER SHEET	•	•		
C0.1	ABBREVIATION AND LEGEND	•	•	•	
C1.0	TOPOGRAPHIC SURVEY AND DEMOLITION PLAN	•	•	•	
C2.0	SITE PLAN	•	•	•	
C3.0	UTILITY PLAN	•	•	•	
C4.0	GRADING PLAN	•	•	•	
C4.1	SECTIONS	•	•	•	
C5.0	STORMWATER CONTROL PLAN	•		•	

SHEET LIST

Sheet Number	Sheet Name	5/15/24 SB330 ENT. APP	8/26/24 DRC REVIEW	10/11/24 PLAN. REV. #2	12/16/24 Planning Rev. #3
C7.0	DETAILS	•	•	•	
C7.1	DRAINAGE DETAILS	•	•	•	
C7.2	CITY OF BERKELEY STANDARD DETAILS	•	•	•	
C7.3	CITY OF BERKELEY POLLUTION PREVENTION PLAN	•	•	•	
C7.4	EROSION CONTROL DETAILS	•	•	•	
LANDSCAPE					
L1.0	SCHEMATIC LANDSCAPE PLAN	•	•	•	
L1.1	SCHEMATIC LANDSCAPE PLAN - ROOF DECK	•	•	•	
L2.0	LANDSCAPE CONCEPT IMAGERY	•	•	•	
L3.0	PLANTING CONCEPT PLAN	•	•	•	
L3.1	PLANTING CONCEPT PLAN - ROOF DECK	•	•	•	
L3.2A	PLANTING SCHEDULES	•	•	•	
L3.2B	PLANTING CONCEPT IMAGERY	•	•	•	
L4.0	IRRIGATION HYDROZONE PLAN	•	•	•	
L4.1	IRRIGATION HYDROZONE PLAN - ROOF DECK	•	•	•	
L4.2A	IRRIGATION EQUIPMENT, NOTES AND WELO CALCS	•	•	•	
ARCHITECTURAL					
A100.A	SITE PLAN - EXISTING	•	•	•	
A100.B	SITE PLAN - PROPOSED	•	•	•	

SHEET LIST

Sheet Number	Sheet Name	5/15/24 SB330 ENT. APP	8/26/24 DRC REVIEW	10/11/24 PLAN. REV. #2	12/16/24 Planning Rev. #3
A100.C	PROPOSED LIGHTING PLAN - GROUND FLOOR	•	•	•	
A101	PROPOSED GROUND FLOOR PLAN	•	•	•	
A102	PROPOSED SECOND - FOURTH FLOOR PLAN	•	•	•	
A103	PROPOSED FIFTH FLOOR PLAN	•	•	•	
A104	PROPOSED SIXTH FLOOR PLAN	•	•	•	
A105	PROPOSED SEVENTH FLOOR PLAN	•	•	•	
A106	PROPOSED EIGHTH FLOOR PLAN	•	•	•	
A107	PROPOSED ROOF PLAN	•	•	•	
A200	PROPOSED EXTERIOR ELEVATIONS & MATERIALS	•	•	•	
A201	PROPOSED EXTERIOR ELEVATIONS & MATERIALS	•	•	•	
A202	PROPOSED EXTERIOR ELEVATIONS - BIRD SAFETY	•	•	•	
A203	PROPOSED EXTERIOR ELEVATIONS - BIRD SAFETY	•	•	•	
A300	PROPOSED BUIDLING SECTION	•	•	•	
A301	PROPOSED BUIDLING SECTION	○	•		
A400	PERSPECTIVE VIEWS	•	•	•	
A401	PERSPECTIVE VIEWS	•	•	•	
A402	PERSPECTIVE VIEWS	•	•	•	
A403	ENLARGED TOWNHOME PLAN	○	•	•	

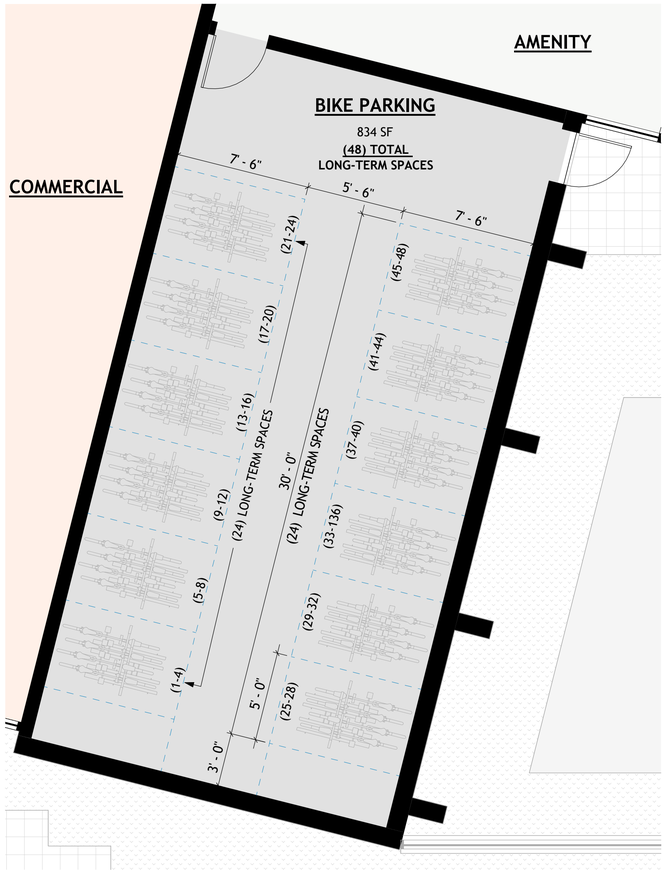
△	DATE	ISSUE RECORD
	5/15/24	DRC REVIEW
	8/26/24	DRC Review

PROJECT NO: KDN01

ISSUE DATE: 08/26/24

TITLE SHEET

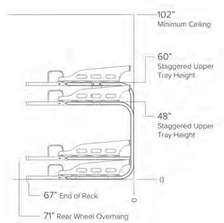
G000



3 GROUND FLOOR PLAN
1/4" = 1'-0"

DERO | Dero **Duplex**

Submittal Sheet

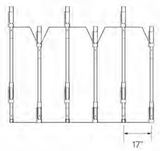


CAPACITY Varies per configuration
Minimum 6 bike system required for stability

MATERIALS **Main frame tube:** 2" 11g square tube
Connector plates: 1/4" plate
Bike trays: 11g plate

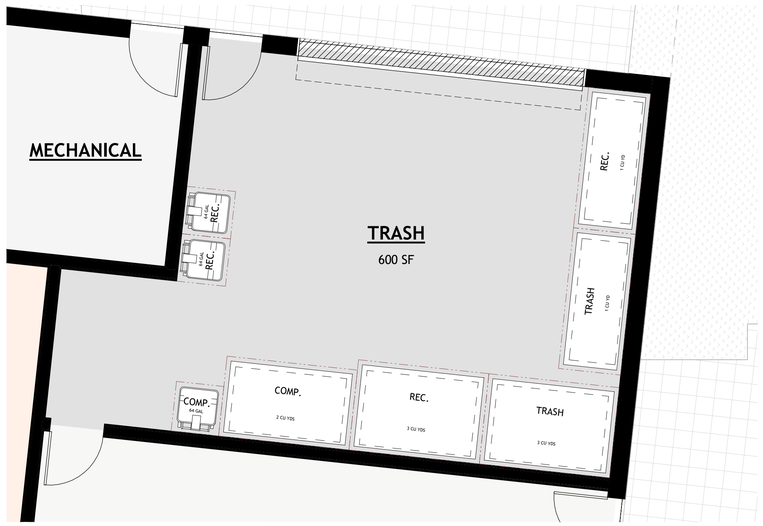
FINISHES
- ☐ **Galvanized** — An after fabrication hot dipped galvanized finish is our standard option.
- ☐ **Powder Coat** — Our powder coat finish assures a high level of adhesion and durability by following these steps: 1. Sandblast 2. Epoxy primer electrostatically applied 3. Final thick TGIC polyester powder coat
- ☐ **Stainless** — 304 grade stainless steel material with external surfaces polished to a satin finish. All surfaces passivated.

MOUNT OPTIONS **Surface only** — Each connector plate accepts 3/8" wedge anchors.



U-lock compatible

BICYCLE PARKING				
	Commercial Square Footage	Required	Proposed	Notes
Commercial Short-Term Spaces:	2,117	2	4	1 space / 2,000 sq ft
	Proposed Bedroom Count			
Residential Short-Term Spaces:	135	4	4	1 space / 40 Bedrooms
Residential Long-Term Spaces:		45	48	1 space / 3 Bedrooms



2 GROUND FLOOR PLAN
1/4" = 1'-0"

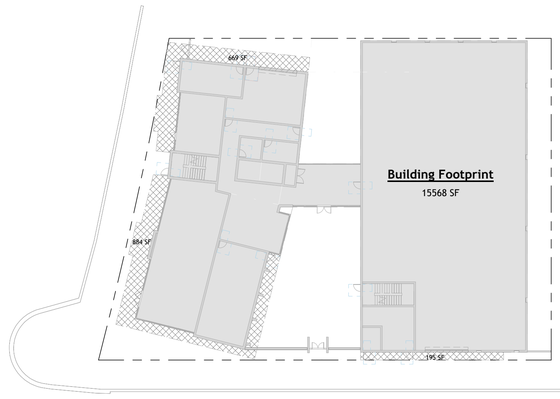
2655 SHATTUCK AVE.	
Waste, Recycling, & Compost Calculation	
Units	97
Bedrooms	135
Excess Capacity Factor	1
	135
50 gal/wk per 3 Occupants	2250 gal
Waste (40%)	900 gal
Recycling Paper (30%)	675 gal
Recycling Other (10%)	225 gal
Organics (20%)	450 gal

Container Calculation

Container Info		Quantities			
Type	Gal.	Waste	Recycling		Organics
			Paper	Other	
3 cu yd Bin	605	1	1	0	0
2 cu yd Bin	404	0	0	0	1
1 cu yd Bin	330	1	0	1	0
96 gal cart	96	0	0	0	0
64 gal cart	64	0	2	0	1
Total Capacity Provided (gal)		935	733	330	468
Total Capacity Req'd (gal)		900	675	225	450

ZONING CODE INFORMATION						
SITE INFORMATION						
PROJECT ADDRESS:	2655 SHATTUCK AVE					
CROSS STREET:	DERBY ST.					
APN:	55-1826-18-2					
ZONING DISTRICT:	C-AC / SUBAREA SOUTH SHATTUCK / COMMERICAL (BTWN DWIGHT + DERBY)					
GENERAL PLAN AREA:	ADELINE CORRIDOR MIXED USE					
SPECIAL ZONING OVERLAYS:	NO					
ZONING ADJACENCIES:	NORTH	EAST	SOUTH	WEST		
	C-AC	R-2	C-AC + R-2	C-AC		
SEISMIC SAFTY						
EARTHQUAKE FAULT RUPTURE ZONE:	NO	LIQUEFACTION ZONE:		NO		
LANDSLIDE ZONE:	NO	UN-REINFORCED MASONRY BLDG:		NO		
HISTORICAL PRESERVATION						
LANDMARK / STRUCTURE OF MERIT:	NO	STRUCTURE > 40 YEARS OLD:		NO		
ENVIROMENTAL SAFETY						
CREEK BUFFER:	NO	FIRE ZONE:		NO		
ENVIRONMENTAL AREA:	NO	FLOOD ZONE (100-YEAR OR 1%):		NO		

DEVELOPMENT STANDARDS	EXISTING	PERMITTED / REQUIRED	BASE PROJECT	PROPOSED	NOTES	EXCEPTION REQUESTED BY STATE DENSITY BONUS WAIVER OR MODIFICATION
YARDS AND HEIGHT						
FRONT YARD SETBACK (WEST):	0	0	0	0 (LVLS 2-6)		
SIDE YARD SETBACK (NORTH):	81'	0	3'-1"	1' (LVL 1)		
STREET SIDE SETBACK (SOUTH):	1'	0	2 0	0 (LVLS 2-5)		
REAR YARD SETBACK (ABBUTTING RES.):	40'	10' @ 35' 20' @ 45'	20'	10' (LVL 1)	2	
BUILDING STORIES:	1	4	4	8		REQUEST WAIVER
MAXIMUM BUILDING HEIGHT:	20'	45'	45'	85'		
AVERAGE MAXIMUM HEIGHT:	18'	N/A	43'	83'		REQUEST WAIVER
AREAS						
LOT AREA - SF:	23,527	-	23,527	23,527		
GROSS FLOOR AREA - SF:	8,185	58,830	58,500 2	84,399		
BUILDING FOOTPRINT - SF:	8,185	16,469	14,910	17,316		
LOT COVERAGE - SF:	35%	70%	63%	74%		REQUEST WAIVER
FLOOR AREA RATIO (FAR):	0.35	2.5	2.5	3.6		REQUEST WAIVER
COMMERCIAL AREA - SF:	8,185	-	3,246	2,117		
2 COMMERCIAL DEPTH:	135'	30'	30'	27' - 10"		REQUEST WAIVER
2 USABLE OPEN SPACE (UOS) - SF:	N/A	3880.0	3,002	4,720	*40 SF / UNIT. SEE TABLE ON G003 FOR UOS CALCULATION*	
2 PUBLIC USABLE OPEN SPACE - SF:	0	N/A	0	577	*SEE TABLE ON G003 FOR UOS CALCULATION*	
UNITS						
UNITS / ACRE:	0	120	120	180		REQUEST WAIVER
DWELLING UNITS:	0	65	65	97		
ARCHITECTURAL AND ROOFTOP ELEMENTS						
TOTAL ROOF AREA - SF:	N/A	N/A	N/A	13,742		
TOTAL AREA OF ARCH. / ROOFTOP ELEMENTS - SF:	N/A	N/A	N/A	345		
3 FAÇADE TRANSPARENCY						
GROUND FLOOR TRANSPARENCY					*SEE G031 FOR CALCULATIONS*	
WEST ELEVATION	N/A	30% MIN.	N/A	58%		
SOUTH ELEVATION	N/A	30% MIN.	N/A	36%		
COMMERICAL TRANSPARENCY:						
WEST ELEVATION	N/A	65% MIN.	N/A	82%		
SOUTH ELEVATION	N/A	65% MIN.	N/A	97%		
VEHICLE PARKING REQUIREMENTS						
COMMERCIAL PARKING SPACES	24	8	0	0		
# ACCESSIBLE SPACES:	3	0	0	0		
# STANDARD SPACES:	21	0	0	0		
# COMPACT SPACES:	0	0	0	0		
# EV SPACES:	0	0	0	0		
# MOTORCYCLE SPACES:	0	0	0	0		
RESIDENTIAL PARKING SPACES	0	0	0	41		
# ACCESSIBLE SPACES:	0	0	0	2		
# STANDARD SPACES:	0	0	0	39		
# COMPACT SPACES:	0	0	0	0		
# EV SPACES:	0	0	0	8		
# MOTORCYCLE SPACES:	0	0	0	0		
BICYCLE PARKING						
COMMERCIAL SHORT -TERM:	0	2	0	4	*1 space / 2,000 sq ft*	
RESIDENTIAL SHORT-TERM:	0	4	0	4	*1 space / 40 Bedrooms*	
RESIDENTIAL LONG-TERM:	0	45	0	48	*1 space / 3 Bedrooms*	



LOT COVERAGE SUMMARY:
LOT SIZE = 23,527 SF

BUILDING FOOTPRINT:	15,568 SF
AREA OF OVERHANGS:	1,748 SF
	17,316 SF

LOT COVERAGE = 17,316 / 23,527 = **74%**

Lot Coverage

BUILDING FOOTPRINT

OVERHANG

N

1 LOT COVERAGE DIAGRAM
1" = 30'-0"

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2655 SHATTUCK AVE.

2655 SHATTUCK AVE.,
BERKELEY, CA 94704

LICENSED ARCHITECT — JAMES FEIDELSON PANI — No. C-31607 — 07/31/2025 RENEWAL DATE — STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION
2	10/11/24	PLANNING RESPONSE 2
3	12/20/24	PLANNING RESPONSE 3

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

ZONING CODE INFORMATION

G001

Density Bonus - 8-Story

Project Address:	2655 Shattuck Ave
Project Code:	KDN01
Date:	5/17/2024

Base Project	Base # Units	Base # Units	% VLI units	# VLI Units	#VLI	Bonus %	# DB Units	# DB Units	Total Units
sq. ft. - see calculation below	base project/avg. unit size	Base Units/Max. Residential Density (rounded up)	VLI = Very Low Income <50 AMI	% VLI x Base # Units			%Bonus x Base # Units	%Bonus x Base # Units (rounded up)	base unit + DB Units (rounded up)
53,895	64.91	65.00	15.00%	9.75	10.00	50.00%	32.50	33.00	98

Base Project Residential Square Footage	Floor	Residential Sq. Footage Proposed	studio	1-bed	2-bed	3-bed			%VLI	%DB
10,305	first	3,210	0	0	0	0	Target SF:	80,843	5%	20.0%
14,530	second	14,785	14	5	4	0	Total SF:	80,540	6%	22.5%
14,530	third	14,785	14	5	4	0			7%	25.0%
14,530	fourth	14,785	14	5	4	0	Prop. Units:	97	8%	27.5%
	fifth	14,785	7	5	6	0			9%	30.0%
	sixth	7,250				10	Avg Unit SF:	830	10%	32.5%
	Seventh	5,175							11%	35.0%
	Eighth	5,765					Beds / SF:	597	12%	38.7%
53,895	TOTAL	80,540					Total		14%	46.3%
		Units:	49	20	18	10	97		15%	50.0%
		Bedrooms:	49	20	36	30	135			

Non-Qualifying Residential Support	1,742
Commercial:	2,117
Total Gross SF:	84,399

AREA SUMMARY - BASE BUILDING

Level	Area	Unit Count
RESIDENTIAL AREA		
01 - GROUND FLOOR	10305 SF	8
02 - SECOND FLOOR	14530 SF	19
03 - THIRD FLOOR	14530 SF	19
04 - FOURTH FLOOR	14530 SF	19
	53895 SF	65
NON-QUALIFYING RESIDENTIAL AREA		
01 - GROUND FLOOR	1360 SF	0
	1360 SF	0
COMMERCIAL		
01 - GROUND FLOOR	2118 SF	0
01 - GROUND FLOOR	1127 SF	0
	3246 SF	0
	58500 SF	65

U.O.S. SUMMARY - BASE BUILDING

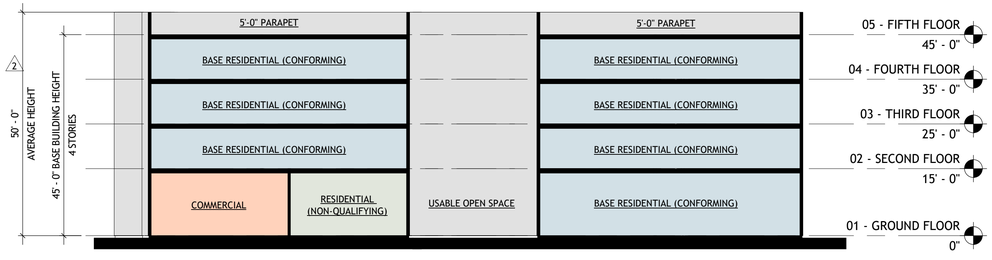
Level	Area
U.O.S.	
01 - GROUND FLOOR	3002 SF
	3002 SF

USABLE OPEN SPACE SUMMARY:

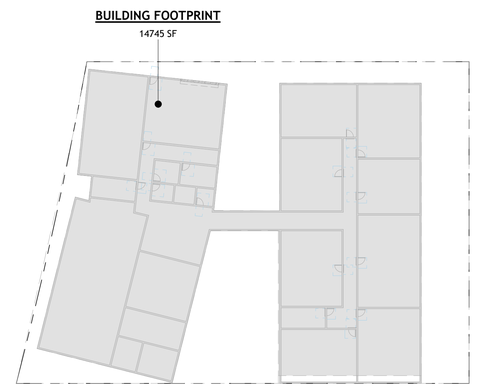
UOS REQUIRED: 40 SF / UNIT
40 SF x 65 UNITS = 2,600 SF
TOTAL PROPOSED: 3,002 SF

BASE PROJECT: LEGEND

- COMMERCIAL
- NON-QUALIFYING RESIDENTIAL AREA
- RESIDENTIAL AREA
- U.O.S.



5 BASE PROJECT SECTION
1/16" = 1'-0"



4 LOT COVERAGE DIAGRAM - BASE PROJECT
NOT TO SCALE

LOT COVERAGE SUMMARY:
LOT SIZE = 23,527 SF

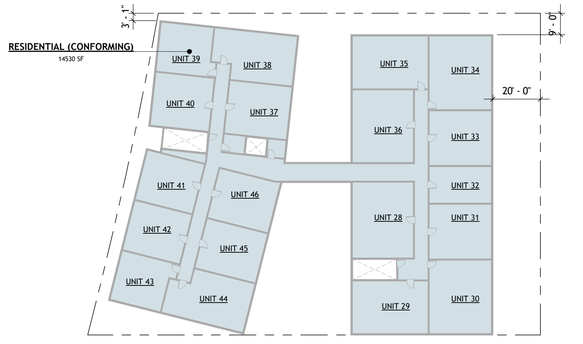
BUILDING FOOTPRINT: 14,745 SF

LOT COVERAGE = 14,745 / 23,527 = **63%**

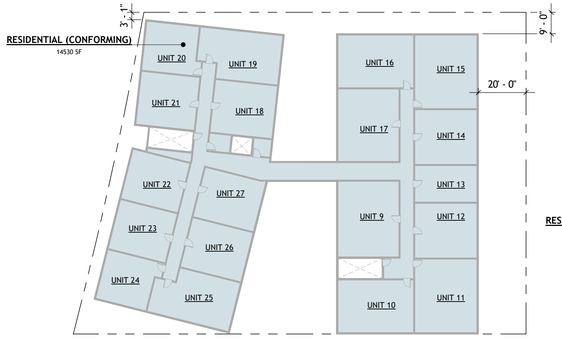
LOT COVERAGE

BUILDING FOOTPRINT

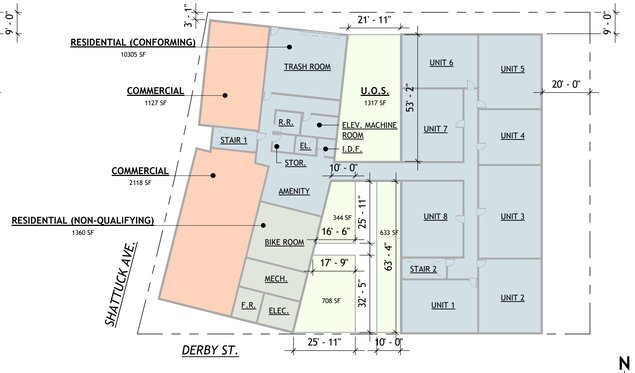
3 LEVEL 4
NOT TO SCALE



6 LEVEL 3
NOT TO SCALE



2 LEVEL 2
1" = 30'-0"



1 LEVEL 1
1" = 30'-0"

N

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2655 SHATTUCK AVE.

2655 SHATTUCK AVE.,
BERKELEY, CA 94704

LICENSED ARCHITECT
GINNGE FEIDELSON KANN
No. C-18027
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION
2	10/11/24	PLANNING RESPONSE 2

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

BASE PROJECT CALCULATIONS & DIAGRAM

G002.A

Density Bonus - 8-Story

Project Address:	2655 Shattuck Ave
Project Code:	KDN01
Date:	5/17/2024

Base Project	Base # Units	Base # Units	% VLI units	# VLI Units	#VLI	Bonus %	# DB Units	# DB Units	Total Units
sq. ft. - see calculation below	base project/avg. unit size	Base Units/Max. Residential Density (rounded up)	VLI = Very Low Income <50 AMI	% VLI x Base # Units			%Bonus x Base # Units	%Bonus x Base # Units (rounded up)	base unit + DB Units (rounded up)
53,895	64.91	65.00	15.00%	9.75	10.00	50.00%	32.50	33.00	98

Base Project Residential Square Footage	Floor	Residential Sq. Footage Proposed	studio	1-bed	2-bed	3-bed	%VLI	%DB
10,305	first	3,210	0	0	0	0	5%	20.0%
14,530	second	14,785	14	5	4	0	6%	22.5%
14,530	third	14,785	14	5	4	0	7%	25.0%
14,530	fourth	14,785	14	5	4	0	8%	27.5%
	fifth	14,785	7	5	6	0	9%	30.0%
	sixth	7,250					10%	32.5%
	Seventh	5,175				10	11%	35.0%
	Eighth	5,765					12%	38.7%
53,895	TOTAL	80,540					14%	46.3%
		Units:	49	20	18	10	15%	50.0%
		Bedrooms:	49	20	36	30		

Target SF:	80,843	
Total SF:	80,540	
Prop. Units:	97	
Avg Unit SF:	830	
Beds / SF:	597	
Total		
97		
135		

Non-Qualifying Residential Support	1,742
Commercial:	2,117
Total Gross SF:	84,399

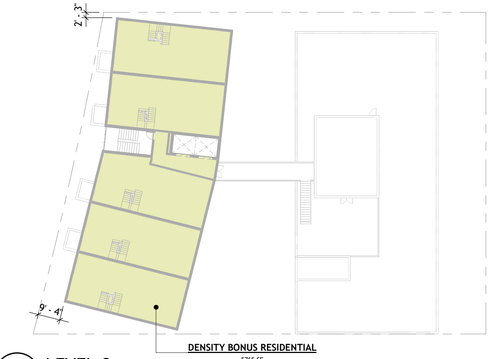
AREA SUMMARY - DENSITY BONUS

Level	Area	Unit Count
RESIDENTIAL AREA		
01 - GROUND FLOOR	3210 SF	0
02 - SECOND FLOOR	14785 SF	23
03 - THIRD FLOOR	14785 SF	23
04 - FOURTH FLOOR	14785 SF	23
05 - FIFTH FLOOR	14785 SF	18
06 - SIXTH FLOOR	7250 SF	0
07 - SEVENTH FLOOR	5175 SF	10
08 - EIGHTH FLOOR	5765 SF	0
	80540 SF	97
NON-QUALIFYING RESIDENTIAL AREA		
01 - GROUND FLOOR	1742 SF	0
	1742 SF	0
COMMERCIAL		
01 - GROUND FLOOR	2117 SF	0
	2117 SF	0
Grand total	84399 SF	97

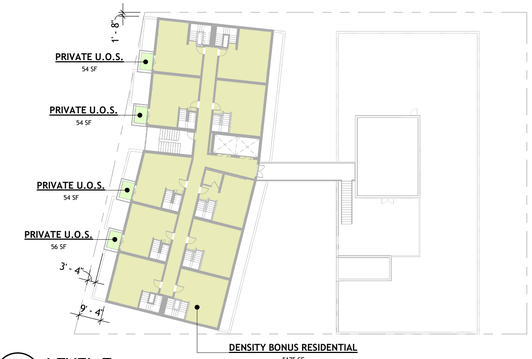
*REFER TO SHEET G003 FOR DENSITY BONUS U.O.S. CALCULATIONS AND DIAGRAMS

DENSITY BONUS LEGEND

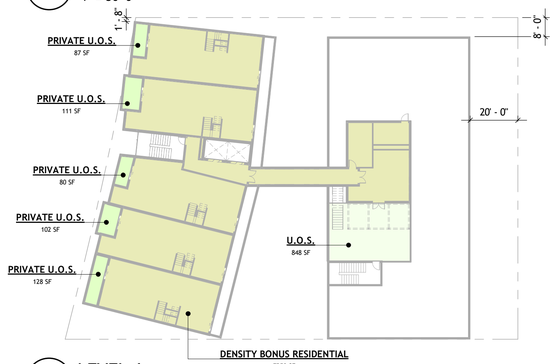
- COMMERCIAL
- DENSITY BONUS
- RESIDENTIAL AREA
- NON-QUALIFYING RESIDENTIAL AREA
- PARKING
- U.O.S.
- PRIVATE U.O.S.
- COMMERCIAL U.O.S.



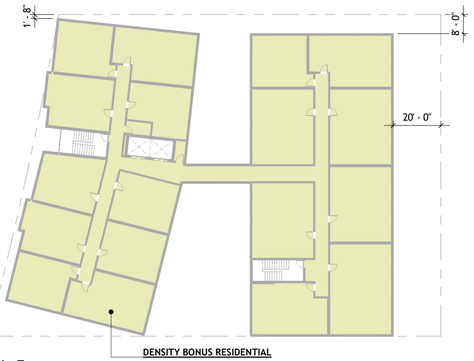
8 LEVEL 8
1" = 30'-0"



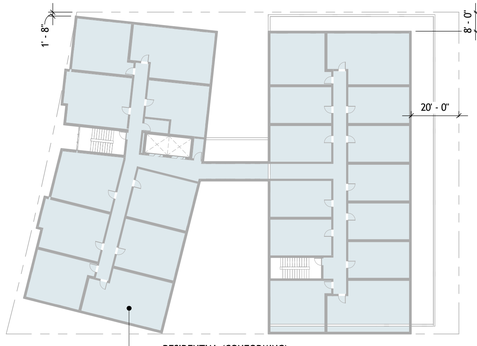
7 LEVEL 7
1" = 30'-0"



6 LEVEL 6
1" = 30'-0"



5 LEVEL 5
1" = 30'-0"



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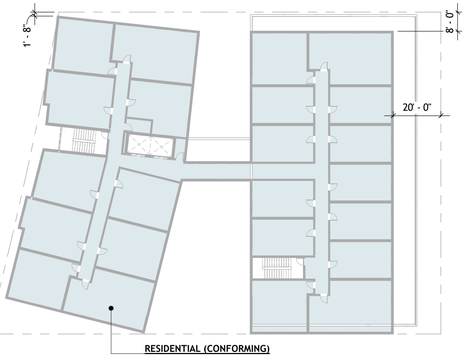

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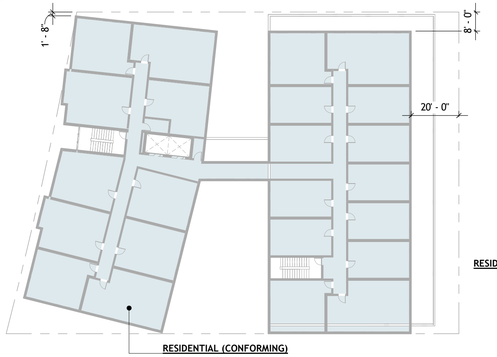

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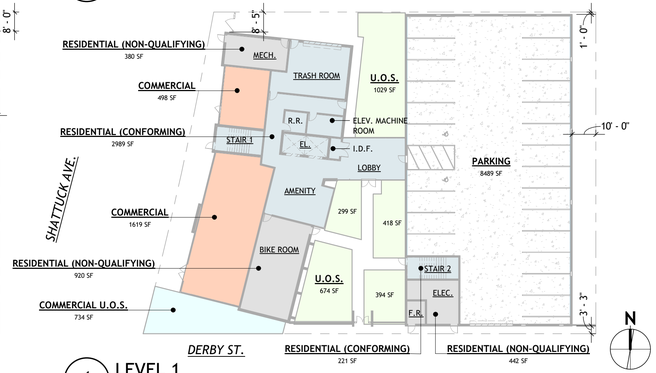

1 LEVEL 1
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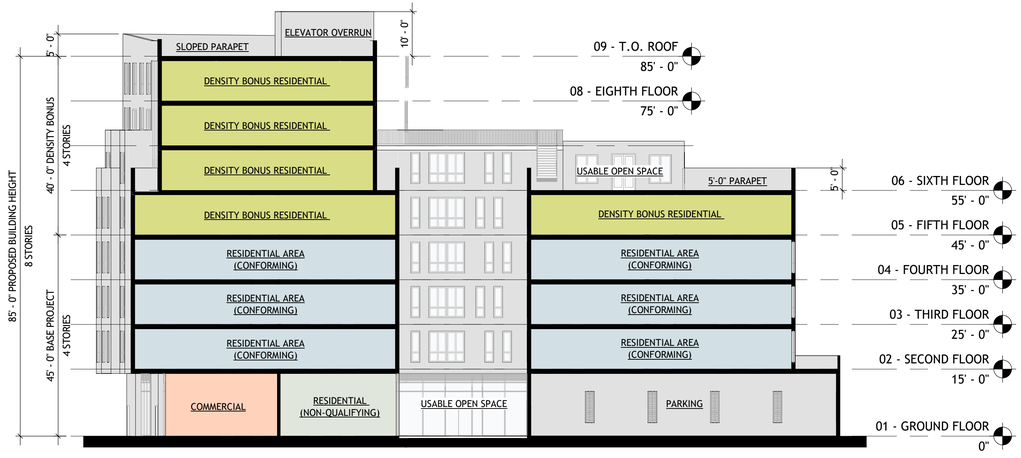

9 DENSITY BONUS PROPOSED SECTION
1/16" = 1'-0"

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No. C-18027
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

DENSITY BONUS CALCULATIONS & DIAGRAM

G002.B

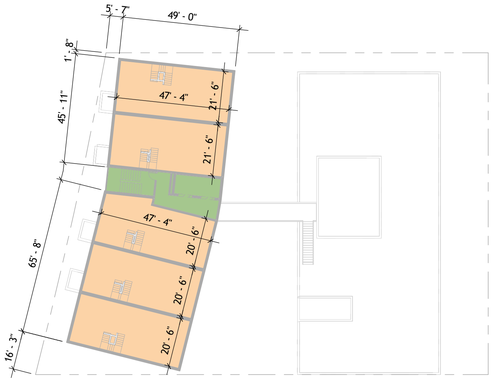
Base Project Floor	Residential Unit Floor Area (SF)	# of Residential Units
02 - SECOND FLOOR	11429 SF	23
03 - THIRD FLOOR	11419 SF	23
04 - FOURTH FLOOR	11419 SF	23
05 - FIFTH FLOOR	11571 SF	18
06 - SIXTH FLOOR	5150 SF	0
07 - SEVENTH FLOOR	3730 SF	10
08 - EIGHTH FLOOR	4978 SF	0
TOTAL:	59697 SF	97

Final Residential Unit Floor Area (FP RUFA)	**59698**
Density Bonus	**50%**
1+ Density Bonus	**1.50**
Base Project Residential Unit Floor Area (BP RUFA) (FP RUFA / (1+DB)	**39799**

A	**Total Residential Unit Floor Area (SF) RUFA** (Base Project RUFA only for denisty projects)	
	39799	
B	**Total Residential Units** (Base Project only for density bonus projects)	
	65	
C	**Total BMR Units required (20% of B)**	
	13	
D	Total BMR Units Proposed	
	50% AMI (Very- Low Income)	10
	80% AMI (Lower Income)	0
	Total BMR Units	**10**
	Per Square Foot Fee based on Total Residential Unit Floor Area (Base Project only for density bonus projects)	
	$56.25	
	In Lieu Fee percentage calculation* (Affordable units required - affordabel units provided) / Affordable Units required	
	(* projects that provide no on-site affordable Units have a multiplier of 1)	**23.08%**
		(C-D) / C

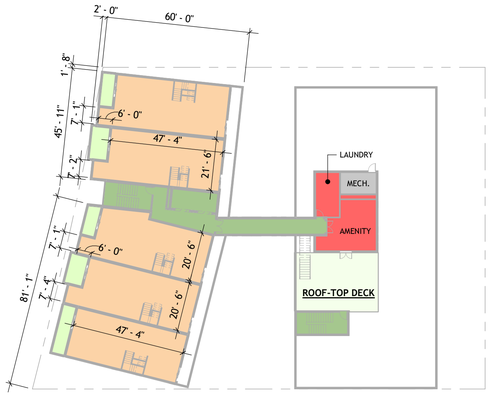
RESIDENTIAL UNIT LEGEND

- COMMERCIAL
- RESIDENTIAL UNIT FLOOR AREA
- CIRCULATION
- AMENITY
- PARKING
- UTILITY
- P.O.P.O.S.
- U.O.S.
- PRIVATE U.O.S.



8 LEVEL 8
1" = 30'-0"

7 LEVEL 7
1" = 30'-0"



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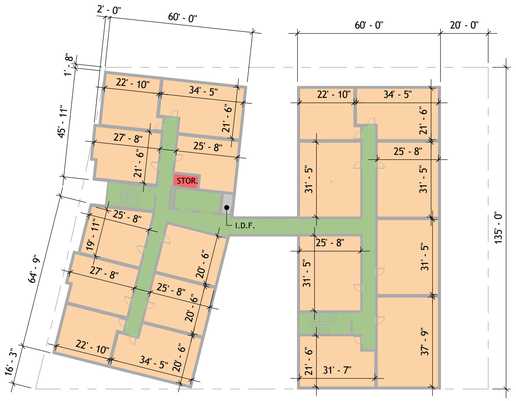

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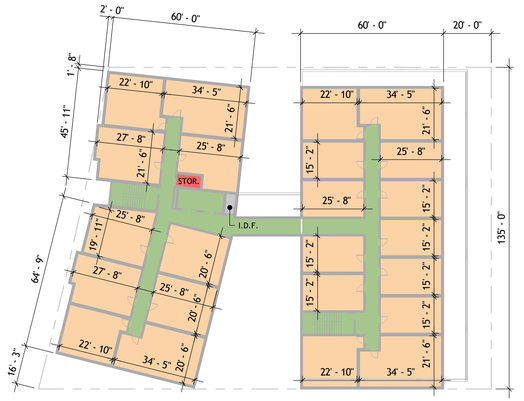

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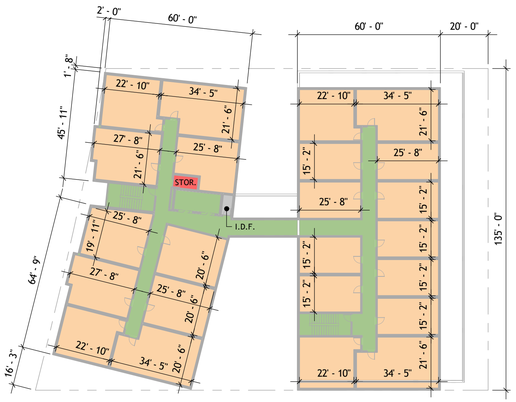

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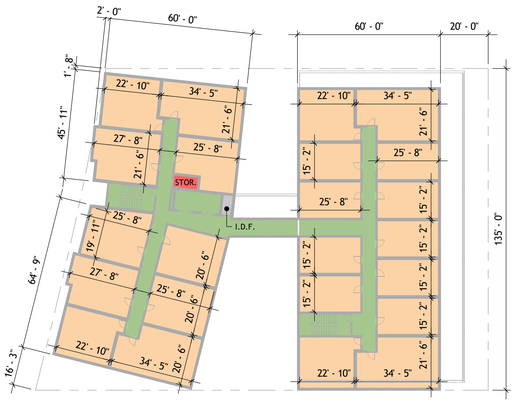

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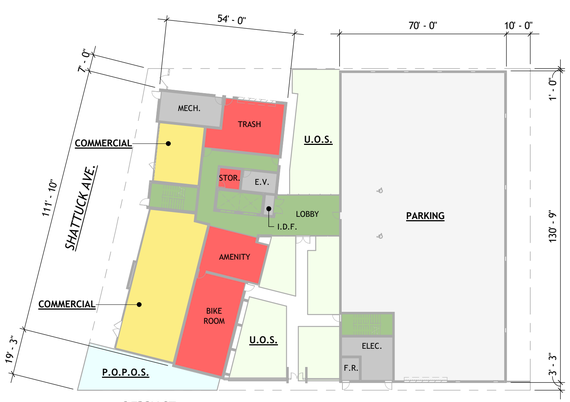

1 LEVEL 1
1" = 30'-0"

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PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

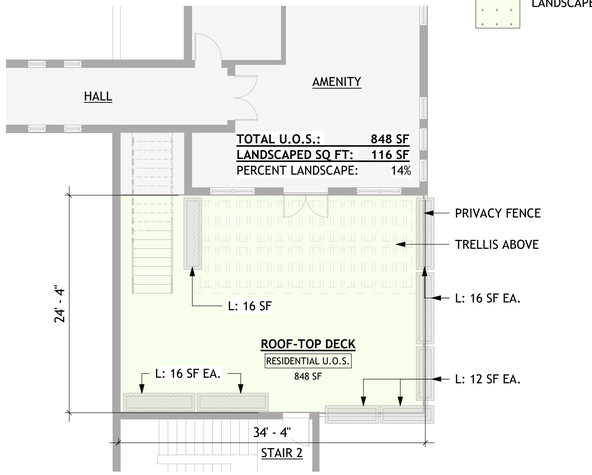
AFFORDABLE HOUSING COMPLIANCE PLAN

G002.C

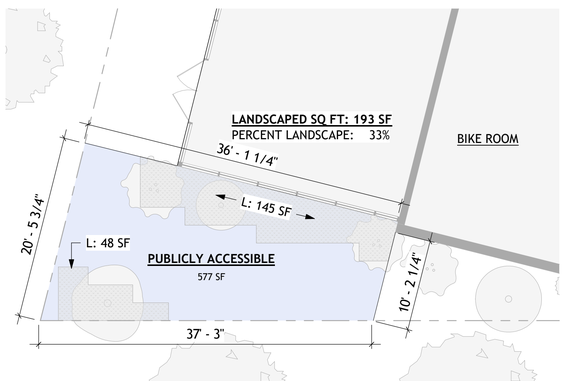
U.O.S. SUMMARY - DENSITY BONUS					
Floor	Total U.O.S. Per Floor	Public U.O.S. Hardscape (S.F.)	Public U.O.S. Landscape (S.F.)	Names/Locations	
1	2,718	1,425	1,293	Exterior Courtyard + Amenity Garden	
2	0	0	0	N/A	
3	0	0	0	N/A	
4	0	0	0	N/A	
5	0	0	0	N/A	
6	848	732	116	Roof-Top Deck	
7	0	0	0	N/A	
8	0	0	0	N/A	
Non-publicly accessible UOS	3,566	2,157	1,409	*3,880*	*SF Required (40 SF / Unit)*
			40%	*1,409*	*SF Landscape Required (40% of UOS)*
Publicly accessible UOS	1,154 (577 x 2)	384	193	*1 sqft of publicly accessible open space = 2 sqft of required on-site open space*	
			33%		
Total Usable Open Space	4,720				

USABLE OPEN SPACE

- NON - U.O.S
- PUBLICLY ACCESSIBLE U.O.S.
- RESIDENTIAL U.O.S.
- LANDSCAPED AREA



6 LEVEL 6 - ENLARGED ROOF-TOP DECK
1/8" = 1'-0"



5 LEVEL 1 - ENLARGED COMMERCIAL PLAZA
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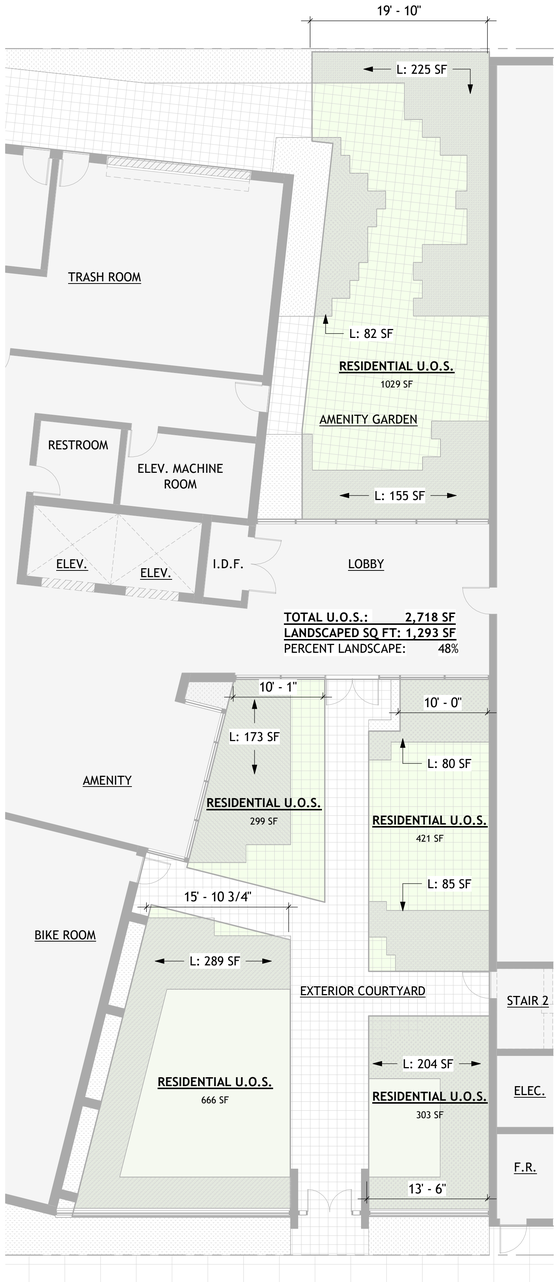
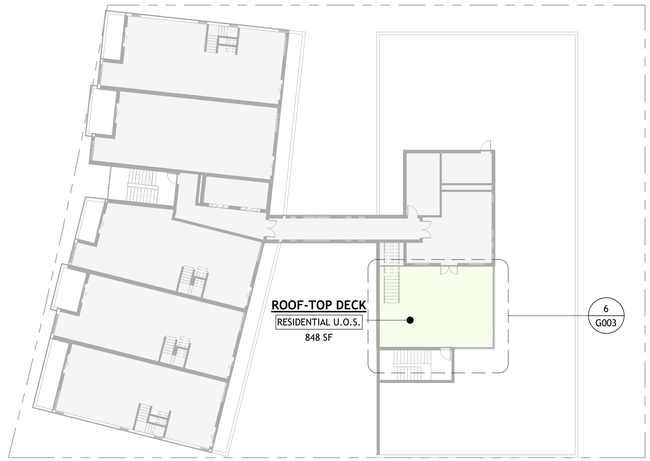


4 LEVEL 1 - ENLARGED ENTRY COURTYARD & AMENITY GARDEN
1/8" = 1'-0"



2 LEVEL 6
3/64" = 1'-0"

1 LEVEL 1
3/64" = 1'-0"

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OPEN SPACE CALCULATIONS

G003

2 STREET CONTEXT ELEVATION - PROPOSED
NOT TO SCALE

1 STREET CONTEXT ELEVATION - EXISTING
NOT TO SCALE

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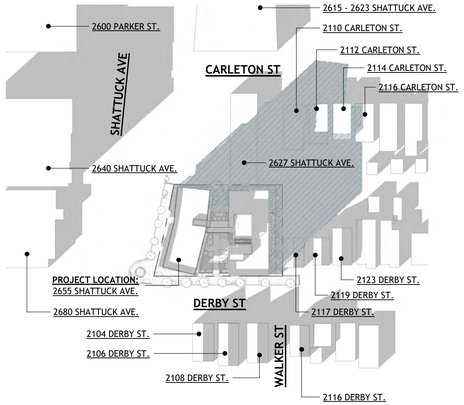
STREET CONTEXT ELEVATIONS

G004



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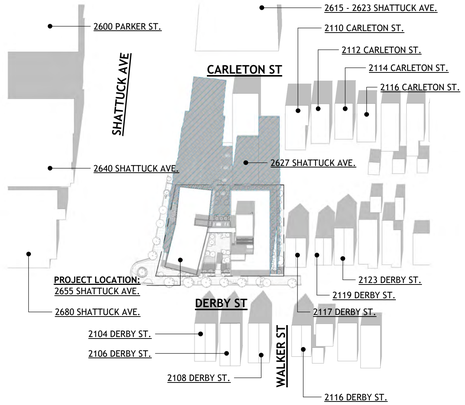
1" = 100'-0"



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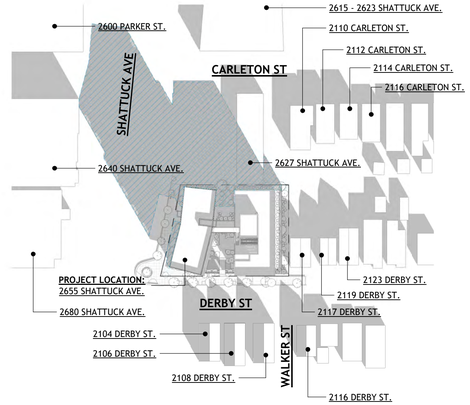

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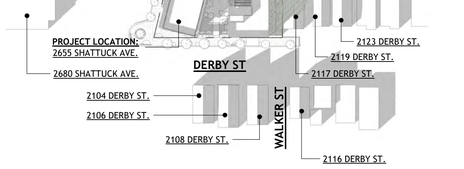

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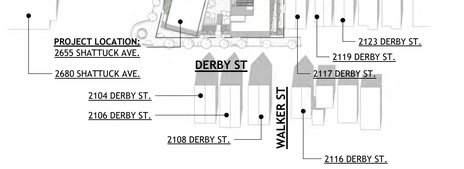

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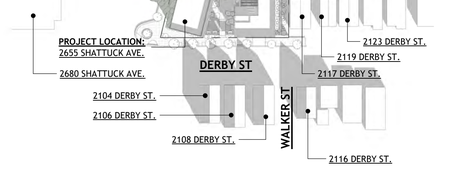

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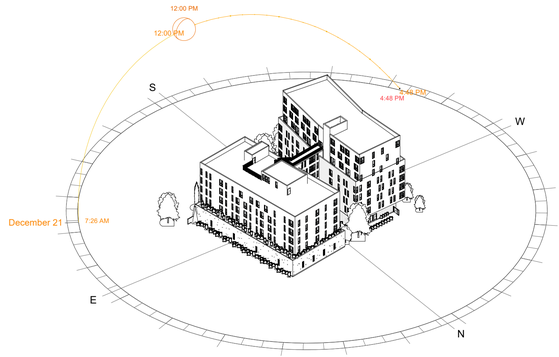
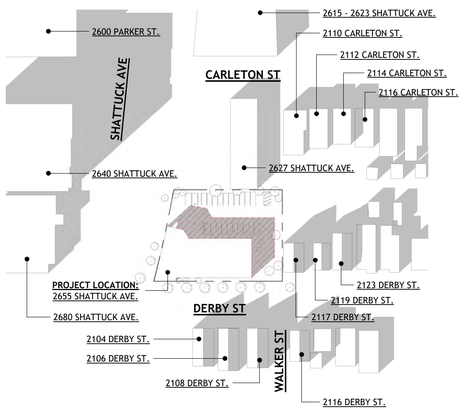


2 DECEMBER 21ST - SUN PATH
(SUNRISE - SUNSET)



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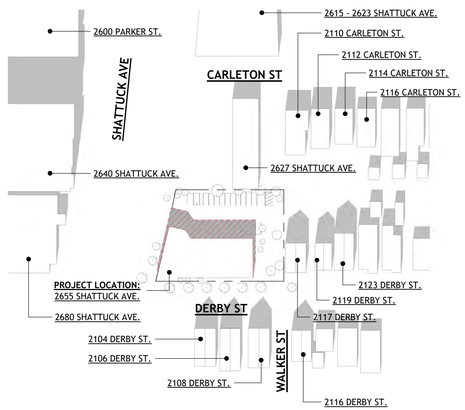

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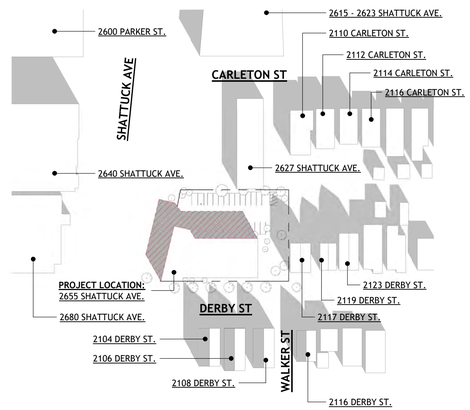

3 12/21 - 9:26 AM - EXISTING
1" = 100'-0"

EXISTING SHADOW

NEW SHADOW

OVERLAY SHADOW

1 Shadow Study Legend

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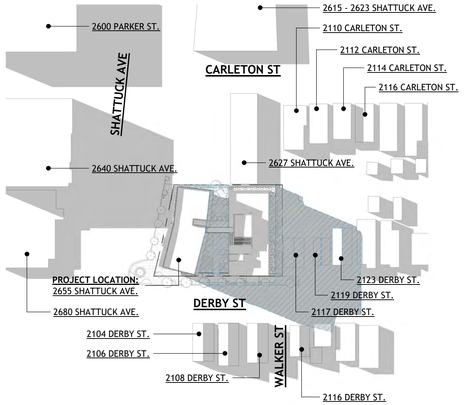
△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

SHADOW STUDIES - DECEMBER, 21ST

G020



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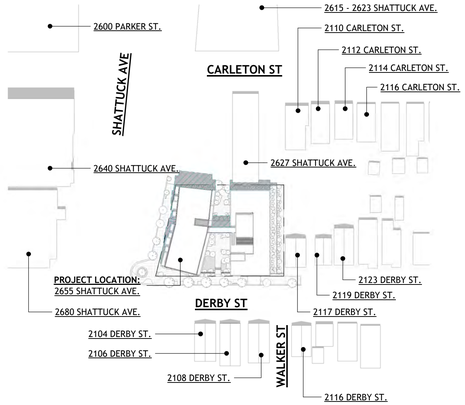

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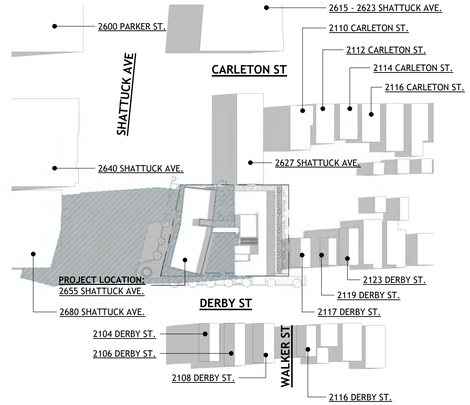

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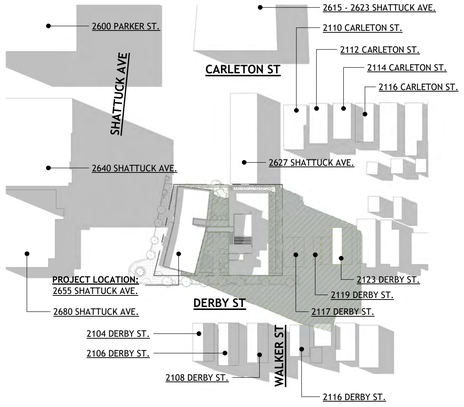

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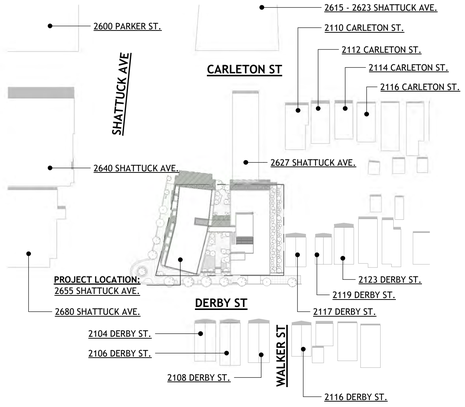

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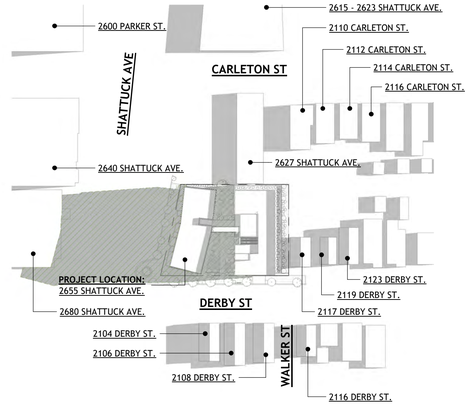

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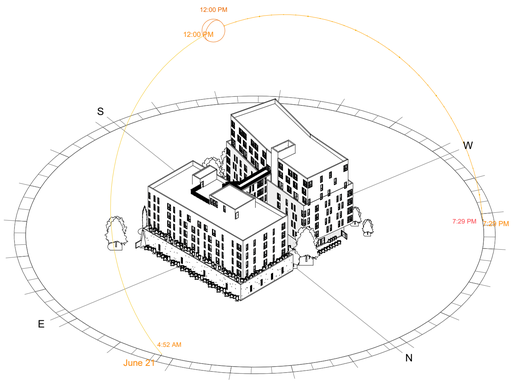
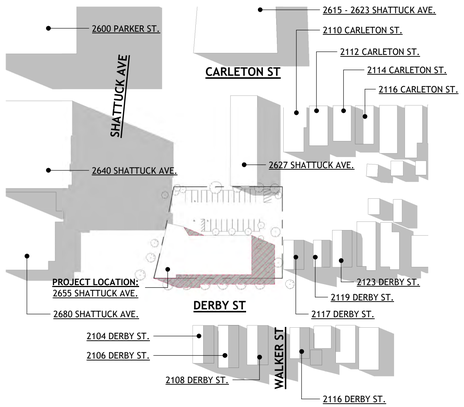


4 JUNE 21ST - SUN PATH
(SUNRISE - SUNSET)



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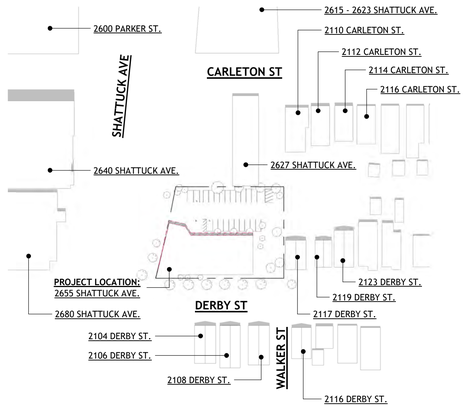

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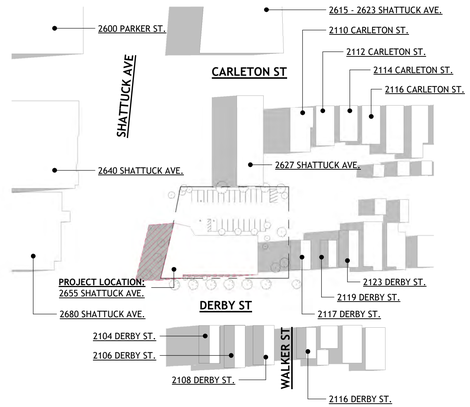

1 06/21 - 6:52 AM - EXISTING
1" = 100'-0"

EXISTING SHADOW

NEW SHADOW

OVERLAY SHADOW

1 Shadow Study Legend

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2655 SHATTUCK AVE.

2655 SHATTUCK AVE.,
BERKELEY, CA 94704

LICENSED ARCHITECT
JAMES FRIEDLEIN KEITH
No. C-18267
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

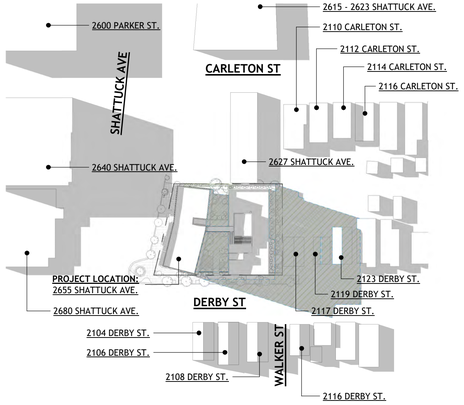
△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

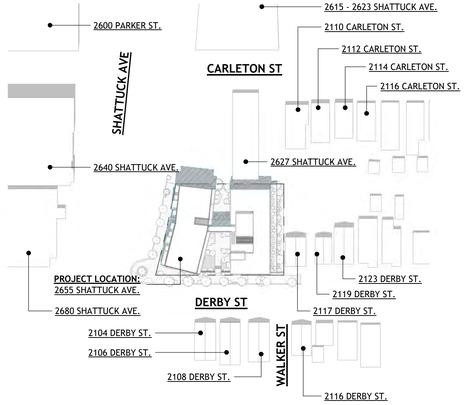
ISSUE DATE: 07/23/2024

SHADOW STUDIES - JUNE 21ST

G021



10 5/21 - 5:12 PM - COMBINED
1" = 100'-0"



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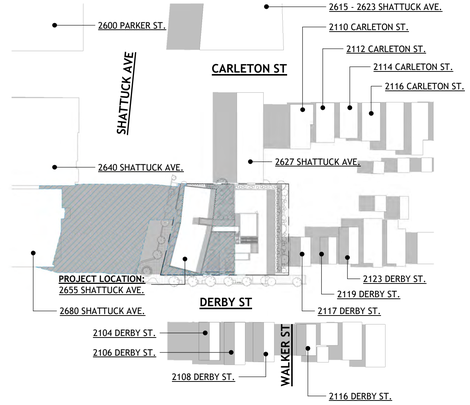

8 5/21 - 7:00 AM - COMBINED
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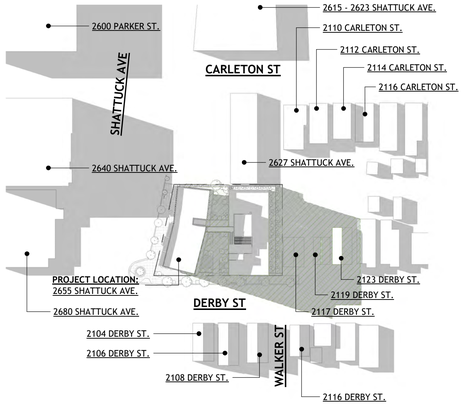

7 5/21 - 5:12 PM - PROPOSED
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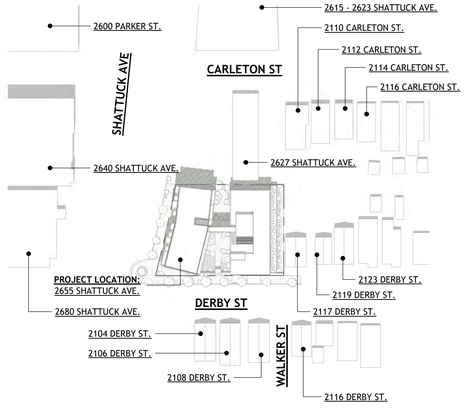

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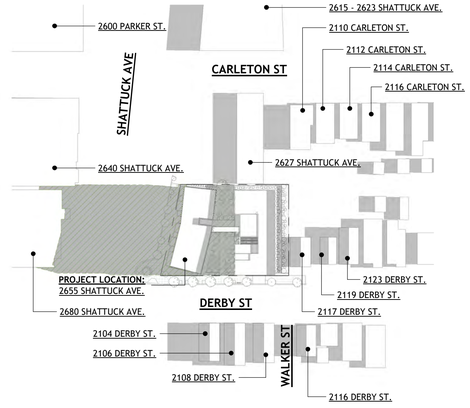

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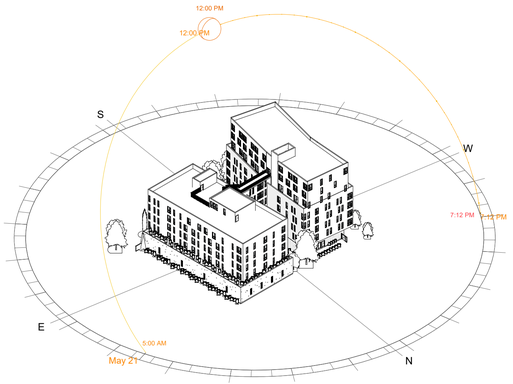
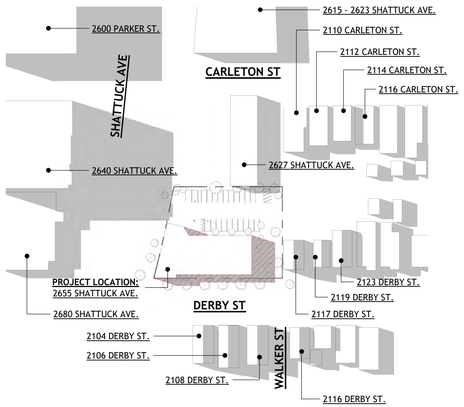
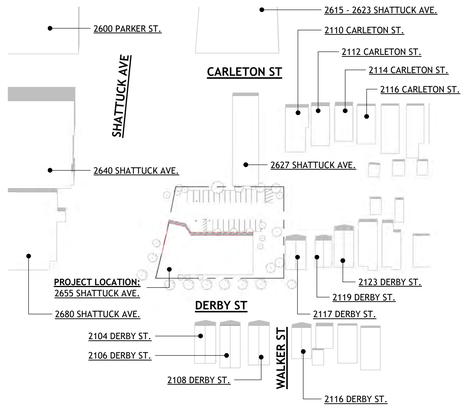


4 MAY 21ST - SUN PATH
(SUNRISE - SUNSET)



3 5/21 - 5:12 PM - EXISTING
1" = 100'-0"



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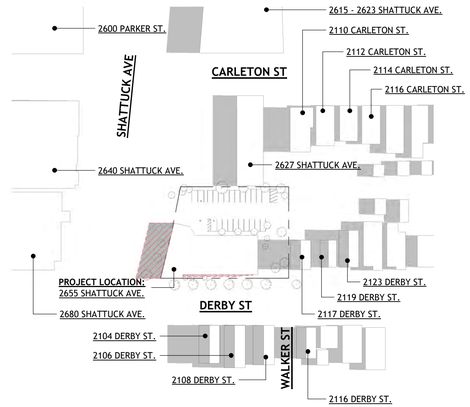

1 5/21 - 7:00 AM - EXISTING
1" = 100'-0"

EXISTING SHADOW

NEW SHADOW

OVERLAY SHADOW

1 Shadow Study Legend

N

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SHADOW STUDIES - MAY 21ST

G022

NEW HOME RATING SYSTEM, VERSION 9.1

MULTIFAMILY CHECKLIST

The GreenPoint Rated checklist tracks green features incorporated into the home. GreenPoint Rated is administered by Build It Green, a non-profit whose mission is to promote healthy, energy and resource-efficient buildings in California.

The minimum requirements of GreenPoint Rated are: verification of 50 or more points. Earn the following minimum points per category: Community (2) Energy (35), Indoor Air Quality/Health (6), Resources (5), and Water (5); and meet the prerequisites CALGreen Mandatory, Hknown, J.5.1, J6, O1.

Directions for Use: Column A is a dropdown menu with the options of "Yes", "No", or "TBD" or a range of percentages to allocate points. Select the appropriate dropdown and the appropriate points will appear in the blue "points achieved" column.

The criteria for the green building practices listed below are described in the *GreenPoint Rated New Home Rating Manual*. For more information please visit **www.greenpointrated.com**.
Build It Green is not a code enforcement agency.
A home is only GreenPoint Rated if all features are verified by a Certified GreenPoint Rater through Build It Green.
New Home Multifamily Version 9.1

Points Targeted: 120
Certification Level Targeted: Gold
Compliance Pathway Targeted: All Electric High-Rise

POINTS REQUIRED

Min. Points	Community	Energy	IAQ/Health	Resources	Water
0	2	35	6	5	5
Achieved* Points	53.1	49.5	10.5	14.5	10.5

* = Largest Prereq

Project Name: 2655 Shattuck Avenue
2655 Shattuck Avenue,
Berkeley,
94704

Points Achieved	MEASURES	Possible Points	Community	Energy	IAQ/Health	Resources	Water	Notes
CALGreen:								
Yes	**CALGreen Res (REQUIRED)**	4			1	1	1	1
A. SITE								
No	**A1. Construction Footprint** (Up to Prescriptive Floor Square Footage Limit Per Ordinance OR 40% of Site Undeveloped and Unbuildable)	1				1		
	A2. Job Site Construction Waste Diversion							
TBD	A2.1 70% C&D Waste Diversion **(including** Alternative Daily Cover)	2					2	
Yes	A2.2 Recycling Rates from Third-Party Verified Mixed-Use Waste Facility	1					1	
Yes	**A3. Recycled Content Base Material** (Minimum 20% Post-Consumer Content)	1					1	
Yes	**A4. Heat Island Effect Reduction (Non-Roof)**	2	1	1				
Yes	**A5. Construction Environmental Quality Management Plan including Flush-Out**	1			1			
	A6. Stormwater Control: Prescriptive Path							
Yes	A6.1 Permeable Paving Material	1					1	
Yes	A6.2 Filtration and/or Bio-Retention Features	1					1	
Yes	A6.3 Non-Leaching Roofing Materials	1					1	
No	A6.4 Smart Stormwater Street Design	1	1					
No	**A7. Stormwater Control: Performance Path** (Capture and Treat 85% of Amount Runoff (Onsite)	3					3	
B. FOUNDATION								
No	**B1. Low Carbon Concrete** (Minimum of 30%)	3					3	
No	**B2. Radon-Resistant Construction**	2			2			
No	**B3. Foundation Drainage System**	2					2	
No	**B4. Sealed Crawlspace**	1			1			
	B5. Structural Pest Controls							
No	B5.1 Termite Shields and Separated Exterior Wood-to-Concrete Connections	1					1	
No	B5.2 Plant Trunks, Bases, or Stems at Least 36 Inches from the Foundation	1					1	
C. LANDSCAPE								
19.00%	Enter the landscape-area percentage. Points capped at 5 for less than 15%							
Yes	**C1. Plants Grouped by Water Needs (Hydrozoning)**	1					1	
Yes	**C2. Three Inches of Organic Mulch in Planting Beds**	1					1	
	C3. Resource Efficient Landscapes							
Yes	C3.1 No Invasive Species Listed by Cal-IPC	1				1		
Yes	C3.2 Plants Chosen and Located to Grow to Natural Size (Limited Invasiveness)	1				1		
Yes	C3.3 Drought Tolerant, California Native, or Other Appropriate Species	3					3	
	C4. Minimal Turf in Landscape							
TBD	C4.1 No Turf on Slopes Exceeding 10% and No Overhead Sprinklers Installed in Areas Less Than Eight Feet Wide	2					2	
TBD	C4.2 Turf as a Small Percentage of Landscaped Area	2					2	
No	**C5. Trees to Moderate Building Temperature** (at least 50% of West Facing Glazing and Walls Shaded)	1	1					
Yes	**C6. High-Efficiency Irrigation System**	2					2	
No	**C7. One Inch of Compost in the Top Six to Twelve inches of Soil** (with Soil Testing)	2					2	
	C8. Rainwater Harvesting System							
No	C8.1 Rainwater Harvesting System with 300 Gallon Storage Capacity	1					1	
No	C8.2 Rainwater to Flush Toilets or Meet 50% of Landscape Irrigation Demand	3					3	
No	**C9. Recycled Wastewater Irrigation System**	2					2	
Yes	**C10. Submeter or Dedicated Meter for Landscape Irrigation**	2					2	
TBD	**C11. Efficient Landscape Water Budget**	1					1	

Project Name: 2655 Shattuck Avenue
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Points Achieved	MEASURES	Possible Points	Community	Energy	IAQ/Health	Resources	Water	Notes
	C12. Environmentally Preferable Materials for Site							
No	C12.1 Environmentally Preferable Materials for 70% of Hardscapes and Fencing	2				1		
No	C12.2 Play Structures and Surfaces Have an Average Recycled Content ≥ 20%	2				1		
Yes	**C13. Reduced Light Pollution** (Exterior lighting fixtures shielded and directed downward)	1	1					
No	**C14. Large Stature Tree(s)**	3	1					
No	**C15. Third Party Landscape Program Certification**	2					1	
No	**C16. Maintenance Contract with Certified Professional** (Bay-Friendly Qualified Professional in Equity)	2					1	
No	**C17. Community Garden**	2	2					
D. STRUCTURAL FRAME AND BUILDING ENVELOPE								
	D1. Optimal Value Engineering							
No	D1.1 Joists, Rafters, and Studs at 24 Inches on Center	2		1			2	
No	D1.2 Non-Load Bearing Door and Window Headers Sized for Load	2					1	
No	D1.3 Advanced Framing Measures	2					2	
	D2. Construction Material Efficiencies							
No	D2.1 Prefabricated Wall or Roof Framing (Pre-assembled) wall and roof framing for at least 85% of project)	2					2	
No	D2.2 Prefabricated Modular Units	2					6	
No	**D3. Engineered Beams and Headers**	1					1	
No	**D4. Insulated Headers**	1			1			
	D5. FSC-Certified Wood							
No	D5.1 Dimensional Lumber, Studs, and Timber	6					6	
No	D5.2 Panel Products	3					3	
	D6. Solid Wall Systems							
No	D6.1 At Least 90% of Floors	2					1	
No	D6.2 At Least 90% of Exterior Walls	4		1			1	
No	D6.3 At Least 90% of Roofs	2		1			1	
No	**D7. Energy Heels on Roof Trusses**	1		1				
No	**D8. Overhangs and Gutters**	1		1				
	D9. Reduced Pollution Entering the Home from the Garage							
No	D9.1 Detached or No Garage	2			2			
No	D9.2 Mitigation Strategies for Attached Garage	2			1			
	D10. Structural Pest and Rot Controls							
No	D10.1 All Wood Located At Least 12 Inches Above the Soil	2					1	
No	D10.2 Wood Framing Treating With Borates or Factory-Impregnated, or Wall Materials Other Than Wood	2					1	
No	**D11. Moisture-Resistant Materials in Wet Areas (such as Kitchen, Bathrooms, Utility Rooms, and Basements)**	2			1		1	
E. EXTERIOR								
No	**E1. Environmentally Preferable Decking**	2					1	
No	**E2. Flashing Installation Third-Party Verified**	2					2	
No	**E3. Rain Screen Wall System**	2					2	
Yes	**E4. Durable and Non-Combustible Cladding Materials**	1					1	
No	**E5. Durable and Fire Resistant Roofing Materials or Assembly**	2					1	
No	**E6. Vegetated Roof**	2	2	2				
No	**E7. Cool Roof**	2		1				
F. INSULATION								
	F1. Insulation with 30% Post-Consumer or 60% Post-Industrial Recycled Content							
Yes	F1.1 Walls and Floors	3.5					3.5	
Yes	F1.2 Ceilings	0.5					0.5	
	F2. Low-Emitting Insulation							
Yes	F2.1 Walls and Floors	3.5			3.5			
Yes	F2.2 Ceilings	0.5			0.5			
	F3. Low GWP Insulation That Does Not Contain Fire Retardants							
Yes	F3.1 Cavity Walls and Floors	1			1			
Yes	F3.2 Ceilings	1			1			
Yes	F3.3 Interior and Exterior Insulation	1			1			
G. PLUMBING								
	G1. Efficient Distribution of Domestic Hot Water							

Project Name: 2655 Shattuck Avenue
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Points Achieved	MEASURES	Possible Points	Community	Energy	IAQ/Health	Resources	Water	Notes
	G2. Install Water-Efficient Fixtures							
Yes	G2.1 WaterSense Showerheads 1.75 gpm	2					2	
Yes	G2.2 WaterSense Bathroom Faucets with ≤ 1.0 gpm	1					1	
1.1 gpf	G2.3 WaterSense Toilets with a Maximum Performance (MaP) Threshold of No Less than 500 Grams 1.28 gpf OR 1.1 gpf	2					2	
No	G2.4 Urinals with Flush Rate of ≤ 0.1 gpf	2					1	
No	**G3. Pre-Plumbing for Graywater System**	2					2	
No	**G4. Operational Graywater System**	3					3	
No	**G5. Thermostatic Shower Shut-Off Valve**	1					1	
Yes	**G6. Submeter Water for Tenants**	3					3	
H. HEATING, VENTILATION, AND AIR CONDITIONING								
	H1. All Electric or Sealed Combustion Units							
No	H1.1 Sealed Combustion Furnace or Heat Pump	3			3			
No	H1.2 Sealed Combustion or Heat Pump Water Heater	3			3			
No	**H2. High Performing Zoned Hydronic Radiant Heating System**	3			3			
	H3. Effective Ductwork							
No	H3.1 Duct Mastic on Duct Joints and Seams	3		1				
No	H3.2 Pressure Balance the Ductwork System	3		3				
	H5. Advanced Practices for Cooling							
Yes	H5.1 ENERGY STAR® Ceiling Fans in Living Areas and Bedrooms	1		1				
No	H5.2 Operable Windows and Skylights Located to Induce Cross Ventilation in At Least One Room in 80% of Units	3		3				
	H6. Whole House Mechanical Ventilation Practices to Improve Indoor Air Quality							
Yes	H6.1 Meet ASHRAE Standard 62.2-2019 Ventilation Residential Standards	4	0	0	0	0	0	
No	H6.2 Advanced Ventilation Standards	2			2			
No	H6.3 Outdoor Air Is Filtered and Tempered	3			3			
	H7. Effective Range Design and Installation							
No	H7.1 Effective Range Hood Ducting and Design	3			3			
No	H7.2 Automatic Range Hood Control	3			3			
No	**H8. High Efficiency HVAC Filter (MERV 16+)**	3			3			
Yes	**H9. Advanced Refrigerants** (low global warming potential (GWP) refrigerants)	1			1			
I. RENEWABLE ENERGY								
0.00%	**I1. Onsite Renewable Generation (PV, Micro Hydro, and Wind)**	25						
	I2. Low Carbon Homes							
No	I2.1 Near Zero Energy Home (offset at least 80% of annual site energy use)	2		2				
No	I2.2 Near Zero Energy Home with Flexibility Strategies (Need to 1 and any strategies from I2.)	2		2				
	I3. Energy Storage and Thermal Load Shifting							
No	I3.1 Battery Energy Storage System (BESS)	2		2				
No	I3.2 Auxiliary Thermal Energy Storage System or Pre-Heating of Hot Water	2		1				
No	I3.3 Pre-Cooling Equipment for AC	2		1				
No	**I4. Solar Hot Water Systems to Preheat Domestic Hot Water**	4		4				
J. BUILDING FIXTURE/APPLIANCE AND TESTING								
No	**J1. Third-Party Verification of Quality of Insulation Installation**	3			3			
No	**J2. Supply and Return Air Flow Testing**	3			3	3		
No	**J3. Compartmentalization of Units** (Minimum unit-to-exterior pressure, for indoor air (adjacent) between units)	3			3	3		
No	**J4. All Electric or Combustion Appliance Safety Testing**	3				3		
All Electric High-Rise	**J5. Building Energy Performance**							**All Electric Compliance** - Multifamily must be all-electric and meet T24.
Select Climate Zone								Climate Zone Input
0.00%	J5.1 All Electric Home Meets or Outperforms Title 24 Part 6 (Required)	41		DH				ECR2x compliance margin from the Energy Use Summary (do not include renewables)
0.00%	J5.2 Non-Residential Spaces Outperform Title 24 (non-residential spaces 50' must be ≥20% of residential SF)			15				
Yes	**J6. Title 24 Prepared and Signed by a CABEC Certified Energy Analyst** (Required)	1		1				
No	**J7. Participation in Utility Program with Third-Party Plan Review**	3		1				
No	**J8. ENERGY STAR® for Homes**	3		1				
No	**J9. EPA Indoor airPlus Certification**	3			3			
K. FINISHES								

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Points Achieved	MEASURES	Possible Points	Community	Energy	IAQ/Health	Resources	Water	Notes
	K1. Entryways Designed to Reduce Tracked-In Contaminants							
No	K1.1 Entryways to Individual Units (Hallways have 2 surfaces at entrances and (permanent) receiving for other storage)	2			1			
No	K1.2 Entryways to Buildings (Vestibules have surface at entrance, and (built-in, permanent) walk-off mat or grill)	2			1			
Yes	**K2. Zero-VOC Interior Wall and Ceiling Paints**	4			4			
Yes	**K3. Low-VOC Caulks and Adhesives**	1			1			
	K4. Environmentally Preferable Materials for Interior Finish							
No	K4.1 Cabinets	2					2	
No	K4.2 Interior Trim	2					2	
No	K4.3 Shelving	2					2	
No	K4.4 Doors	2					2	
No	K4.5 Countertops	1					1	
	K5. Formaldehyde Emissions in Interior Finish Exceed CARB							
No	K5.1 Doors	1			1			
No	K5.2 Cabinets and Countertops	2			2			
No	K5.3 Interior Trim and Shelving	2			2			
No	**K6. Products That Comply With the Health Product Declaration Open Standard**	2			2			
No	**K7. Indoor Air Formaldehyde Testing** (Less Than 50 Parts Per Billion)	3			3			
No	**K8. Comprehensive Inclusion of Low Emitting Finishes**	3			3			
	K9. Durable Cabinets							
No	K9.1 Durable Cabinet Construction (Plywood for casework and doors, dovetail joints)	1				1		
No	K9.2 Durable Cabinet Hardware (Ball bearing drawer slides, two-piercing-or-metal hinges)	1				1		
No	**K10. At Least 25% of Interior Furniture Has Environmentally Preferable Attributes**	2				1		
L. FLOORING								
#75%	**L1. Environmentally Preferable Flooring**	3				3		
Yes	**L3. Durable Flooring** (at Entryway to Unit (surfaces))	2			1	1		
No	**L4. Thermal Mass Flooring**	4		1				
M. APPLIANCES AND LIGHTING								
Yes	**M1. ENERGY STAR® Dishwasher**	1					1	
	M2. Efficient Clothes Washing and Drying							
60	M2.1 CEE-Rated or ENERGY STAR® Clothes Washer	2		1			2	
No	M2.2 ENERGY STAR® Dryer	2		2				
No	M2.3 Solar Dryer/ Laundry Lines	2		0.5				
<20 cubic feet	**M3. Size-Efficient ENERGY STAR® Refrigerator**	2		2				
	M4. Permanent Centers for Waste Reduction Strategies							
No	M4.1 Built-In Recycling Center	2				1		
No	M4.2 Built-In Composting Center	2				1		
TBD	M4.3 Triple Trash Chutes in Multifamily Building (Compost, recycle, and landfill)	3				1		
	M5. Lighting Efficiency							
Yes	M5.1 High-Efficacy Lighting	2		2				
Yes	M5.2 Lighting System Designed to IESNA Footcandle Standards or Designed by a Lighting Consultant	2		2				
Tier 1	**M6. Electric Vehicle Charging Stations and Infrastructure**	2		2	0			
Yes	**M7. Central Laundry**	1					1	
Yes	**M8. Gearless Elevator**	1		1				
Yes	**M9. Gas Infrastructure Removed for Major Alterations**	4			4			
TBD	**M10. All-Electric Commercial Kitchen**				0			
N. COMMUNITY								
	N1. Smart Development							
Yes	N1.1 Infill Site	3	1				1	
No	N1.2 Designated Brownfield Site	3	1				1	
>50	N1.3 Conserve Resources by Increasing Density	3		2			3	
TBD	N1.4 Cluster Homes for Land Preservation	3	1				1	
	N1.5 Home Size Efficiency						10	
	Enter the area of the home, in square feet							
	Enter the number of bedrooms							
	N2. Home(s)/Development Located Near Major Transit Stop							

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Points Achieved	MEASURES	Possible Points	Community	Energy	IAQ/Health	Resources	Water	Notes
No	**O9. Residents Are Offered Free or Discounted Transit Passes**	2	2					
No	**O10. Vandalism Deterrence Practices and Vandalism Management Plan**	1				1		
No	**O11. Smokefree Housing**	2				2		
No	**O12. Integrated Pest Management Plan**	2				1		
P. DESIGN CONSIDERATIONS								
	P1. Acoustics: Noise and Vibration Control	1	1			1		
	Enter the number of Tier 1 practices							
	Enter the number of Tier 2 practices							
	P2. Mixed-Use Design Strategies							
No	P2.1 Tenant Improvement Requirements for Build-Outs	2			1		1	
No	P2.2 Commercial Loading Area Separated for Residential Area	2			1			
Yes	P2.3 Separate Mechanical and Plumbing Systems	1			1			
	P3. Commissioning							
No	P3.1 Design Phase	3		1	1			
No	P3.2 Construction Phase	2		1	1			
No	P3.3 Post-Construction Phase	2		1	1			
Yes	**P4. Building Enclosure Testing**	3		1	1	1		

Summary

Total Available Points in Specific Categories	267	49	104	60	37	57
Minimum Points Required In Specific Categories	60	2	29	6	6	6
Total Points Achieved	120.0	53.1	49.5	29.0	13.5	25.0

NOTE: The proposed project is designed to comply with the Berkeley Energy Code (BMC Chapter 19.36) and Berkeley Green Code (BMC Chapter 19.37) including solar PV system, battery energy storage, electric vehicle charging, and low-carbon concrete requirements. For building permit submittal, quantitative values for appliance fuel efficiency will be included in relevant building permit architectural sheets, and window and door schedules, and on architectural, plumbing, and mechanical sheets, matching those values stipulated in prescriptive or performance energy compliance documents.

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2655 SHATTUCK AVE.

2655 SHATTUCK AVE.,
BERKELEY, CA 94704

LICENSED ARCHITECT
CHARLES FREDERICK PLANK
No. C016227
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

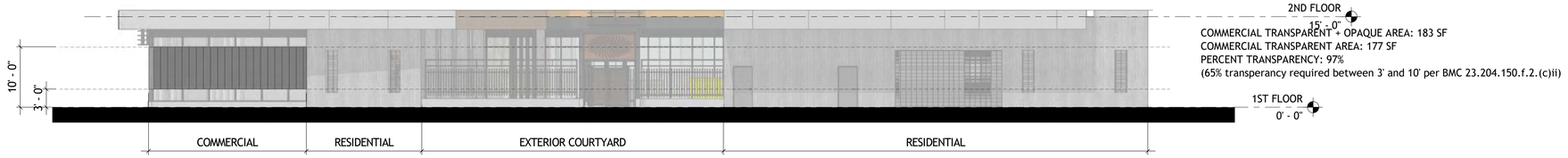
△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

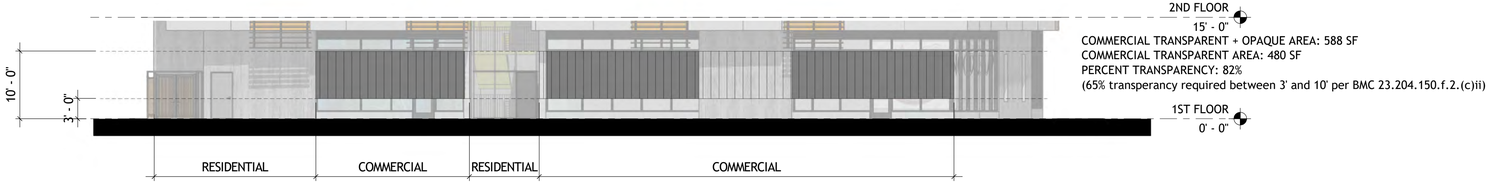
GREEN POINT HOME CHECKLIST

G030



6 SOUTH ELEVATION COMMERCIAL TRANSPARENCY
1" = 10'-0"

5 SOUTH ELEVATION TOTAL GROUND FLOOR TRANSPARENCY
1" = 10'-0"



4 WEST ELEVATION COMMERCIAL TRANSPERANCY
1" = 10'-0"

3 WEST ELEVATION TOTAL GROUND FLOOR TRANSPARENCY
1" = 10'-0"

2 WEST ELEVATION
NOT TO SCALE

1 SOUTH ELEVATION
NOT TO SCALE

LEGEND:

TRANSPARENT + OPAQUE AREA

TRANSPARENT AREA

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2655 SHATTUCK AVE.,
BERKELEY, CA 94704

LICENSED ARCHITECT
JAMES FRIEDLEIN
No. C-18267
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION
3	12/20/24	PLANNING RESPONSE 3

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

FACADE TRANSPARENCY

3
G031

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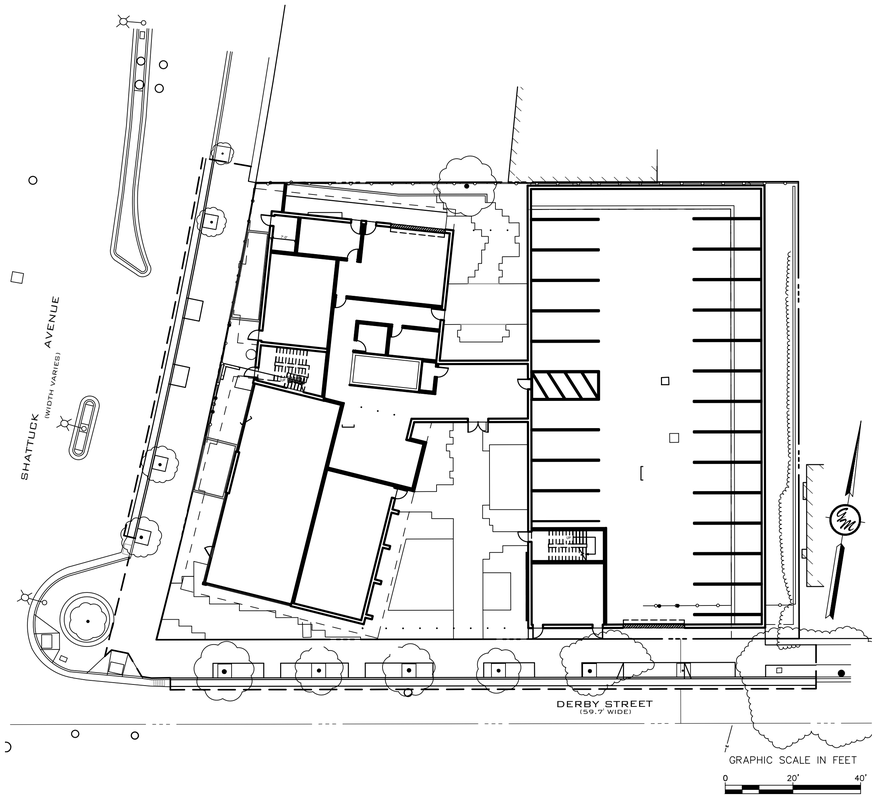
PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2



SITE

BASIS OF BEARINGS:

THE MONUMENT LINE IN FULTON STREET BETWEEN THE STANDARD ALAMEDA COUNTY MONUMENT FOUND AT DERBY STREET AND AT CARLTON STREET WAS TAKEN AS N 9°8'42" W AS SHOWN ON PARCEL MAP 11256, FILED IN BOOK 356 OF MAPS, AT PAGES 33 AND 34, ALAMEDA COUNTY RECORDS.

VERTICAL DATUM / BENCHMARK:

CITY OF BERKELEY VERTICAL DATUM BASED ON A DISC AND PUNCH IN A MONUMENT WELL LOCATED AT THE INTERSECTION OF DERBY STREET AND FULTON STREET, BEING CITY OF BERKELEY MONUMENT B0261.
ELEVATION = 166.45 FEET

BOUNDARY NOTE:

THE BOUNDARY LINES SHOWN WERE COMPILED FROM RECORD INFORMATION AND ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY.

TITLE REPORT NOTE:

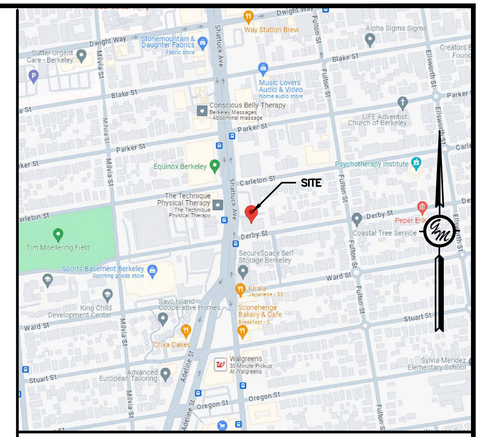
AS OF THE DATE OF THIS SURVEY A CURRENT TITE REPORT FOR THE SUBJECT PROPERTY HAS NOT BEEN PROVIDED TO THE SURVEYOR FOR EXAMINATION. THEREFORE, THERE MAY BE EASEMENTS OR OTHER ENCUMBRANCES ON OR APPURTENANT TO THE SURVEYED PROPERTY THAT EXIST OF RECORD BUT ARE NOT DELINEATED HEREON.

UTILITIES NOTE:

THE INFORMATION SHOWN ON THIS SURVEY REGARDING EXISTING UTILITIES IS APPROXIMATE ONLY, IS BASED ON VISUAL OBSERVATIONS AND HAS NOT BEEN VERIFIED AS BEING COMPLETE OR CORRECT. THE SURVEYOR/ENGINEER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE EXISTING UTILITY INFORMATION HEREON, NOR FOR THE PRESENCE OF OTHER UTILITIES WHICH MAY EXIST BUT ARE NOT SHOWN ON THIS SURVEY.

REFERENCES:

(1) --- MAP OF THE MEEK BOULEVARD TRACT FILED JULY 23RD, 1920 IN BOOK 6 OF MAPS AT PAGE 44, ALAMEDA COUNTY RECORDS..



VICINITY MAP

ENGINEER:
GREENWOOD & MOORE, INC.
JEFFERY MOORE
3111 CASTRO VALLEY BLVD,
CASTRO VALLEY, CA 94546
(510) 581-2772

OWNER/APPLICANT:
JOE KIDRON
S.H. KAY, LLC
1442 WALNUT ST., #349
BERKELEY, CA 94709

PROPERTY ADDRESS:
2655 SHATTUCK AVENUE
BERKELEY, CA 94704

ASSESSOR'S PARCEL NO:
APN: 55-1826-18-2

EXISTING AND PROPOSED ZONING:
C-AC ADELINE CORRIDOR COMMERCIAL

TOTAL AREA TO BE DIVIDED:
23,545± SQ.FT.

SANITARY SEWER BY:
CITY OF BERKELEY SANITARY DISTRICT

WATER SERVICE BY:
EAST BAY MUNICIPAL UTILITY DISTRICT

GAS & ELECTRIC SERVICE BY:
PACIFIC GAS & ELECTRIC COMPANY

FIRE PROTECTION BY:
CITY OF BERKELEY FIRE DEPARTMENT

PROJECT INFORMATION

SHEET NUMBER	SHEET TITLE
C0.0	COVER SHEET
C0.1	ABBREVIATION & LEGEND
C1.0	TOPOGRAPHIC SURVEY & DEMOLITION PLAN
C2.0	SITE PLAN
C3.0	UTILITY PLAN
C4.0	GRADING PLAN
C4.1	SECTIONS
C5.0	STORMWATER CONTROL PLAN
C7.0	DETAILS
C7.1	DRAINAGE DETAILS
C7.2	CITY OF BERKELEY STANDARD DETAILS
C7.3	CITY OF BERKELEY POLLUTION PREVENTION PLAN
C7.4	EROSION CONTROL DETAILS

SHEET INDEX

GREENWOOD & MOORE, INC
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Tel: 510/581-2772 Fax: 510/581-6813 www.greenwoodmoore.com

REGISTERED PROFESSIONAL ENGINEER
JEFFERY R. MOORE
No. C043628
Exp. 06/31/2026
CIVIL
STATE OF CALIFORNIA
PRELIMINARY PLANS NOT FOR CONSTRUCTION

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

COVER SHEET

CHECKED BY: XXX
DRAWN BY: STAFF
SCALE: 1"=20'
DATE 05/17/2024
PROJECT NO. 2024.018
PHASE NO. XX
SHEET NO. C0.0

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AB	AGGREGATE BASE
ABAG	ASSOCIATION OF BAY AREA GOVERNMENTS
ABS	ACRYLONITRILE BUTADIENE STYRENE
AC	ASPHALTIC CONCRETE
ACWD	ALAMEDA COUNTY WATER DISTRICT
AD	AREA DRAIN
ADA	AMERICAN DISABILITIES ACT
AE	ACCESS EASEMENT
AL	AREA LIGHT
ANC	ANCHOR
ANG PT	ANGLE POINT
AP	ANCHOR POLE
ARV	AIR RELIEF VALVE
ASB	AGGREGATE SUB-BASE
ASTM	AMERICAN SOCIETY FOR TESTING AND MATERIALS
BC	BEGINNING OF CURVE
BLDG	BUILDING
BOC	BACK OF CURB
BOW	BACK OF SIDEWALK
BM	BENCH MARK
BO	BLOWOFF
BPD	BACKFLOW PREVENTION DEVICE
BVC	BEGINNING OF VERTICAL CURVE
BVCE	BEGINNING OF VERTICAL CURB ELEVATION
BVCS	BEGINNING OF VERTICAL CURB STATION
BW	BOTTOM OF WALL
CATV	CABLE TELEVISION
C&G	CURB AND GUTTER
CB	CATCH BASIN
CFS	CUBIC FEET PER SECOND
CIP	CAST IRON PIPE
CL	CENTERLINE
CL II	CLASS 2
CLR	CLEAR
CMP	CORRUGATED METAL PIPE
CO	CLEANOUT
CONF	CONFORM
CONC	CONCRETE
COTG	CLEANOUT TO GRADE
CVSAN	CASTRO VALLEY SANITARY
CY	CUBIC YARDS
DI	DROP INLET/DRAIN INLET
DIP	DUCTILE IRON PIPE
DWG	DRAWING
DWY	DRIVEWAY
(E)	EXISTING
EA	EACH
EBMUD	EAST BAY MUNICIPALITY DISTRICT
EC	END OF CURVE
EG	EXISTING GRADE
ELEC	ELECTRIC
ELECTRO	ELECTROLIER
ELEV	ELEVATION
EP	EDGE OF PAVEMENT
EV	ELECTRIC VEHICLE
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
EVC	END OF VERTICLE CURVE
EVCE	END OF VERTICAL CURB ELEVATION
EVCS	END OF VERTICAL CURB ELEVATION
EW	EACH WAY
FM	FORCE MAIN
FC	FACE OF CURB
FDC	FIRE DEPARTMENT CONNECTION
FF	FINISH FLOOR
FG	FINISH GRADE
FH	FIRE HYDRANT
FI	FIELD INLET
FL	FLOWLINE
FS	FINISH SURFACE
G	GAS MAIN
GAS V	GAS VALVE
GB	GRADE BREAK
GM	GAS METER
GR	GRATE ELEVATION
GV	GATE VALVE
G&M	GREENWOOD&MOORE
HC	HANDICAP
HGL	HYDRAULIC GRADE LINE
HOR	HORIZONTAL
HP	HIGH POINT
INT	INTERSECTION
INV	INVERT ELEVATION
ISA	INTERNATIONAL SYMBOL OF ACCESSIBILITY
JP	JOINT POLE
JT	JOINT TRENCH
L	LENGTH
LAT	SEWER LATERAL
LBS	POUND
LF	LENGTH IN FEET
LP	LOW POINT
LS	LENGTH IN FEET
LT	LEFT
MAX	MAXIMUM
MH	MANHOLE
MIN	MINIMUM
MON	MONUMENT
(N)	NEW
NTS	NOT TO SCALE
OC	ON CENTER
OD	OUTSIDE DIAMETER
P	PAVEMENT
PCC	PORTLAND CONCRETE CEMENT
PCF	PER SQUARE FOOT
PG&E	PACIFIC GAS & ELECTRIC COMPANY
PI	POINT OF INTERSECTION
PIV	POST INDICATOR VALVE
POC	POINT OF CURVE
PRC	POINT OF REVERSE CURVATURE
PSDE	PRIVATE STORM DRAIN EASEMENT
PSI	POUND PER SQUARE INCH
PL	PROPERTY LINE
PT	POINT OF TANGENCY
PUE	PUBLIC UTILITY EASEMENT
PV	PAVEMENT
PVC	POLY VINYL CHLORIDE
PVI	POINT OF VERTICAL INTERSECTION
R	RADIUS
(R)	RADIAL LINE
RL	RIDGE LINE
RCP	REINFORCED CONCRETE PIPE
RIM	RIM ELEVATION
RT	RIGHT
ROW	RIGHT OF WAY
S	SLOPE
SD	STORM DRAIN
SDCO	STORM DRAIN CLEANOUT
SDE	STORM DRAIN EASEMENT
SDMH	STORM DRAIN MANHOLE
SF	SQUARE FEET
SHT	SHEET
SL	STREET LIGHT
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEANOUT/RISER
SSMH	SANITARY SEWER MANHOLE
STA	STATION
STD	STANDARD
SW	SIDEWALK
T	TELEPHONE LINE
TBO	TEMPORARY BLOWOFF
TC	TOP OF CURB
TELE	TELEPHONE
TS	TRAFFIC SIGNAL
TW	TOP OF WALL
TYP	TYPICAL
UNO	UNLESS NOTED OTHEWISE
USD	UNION SANITARY DISTRICT
VAR	VARIES
VC	VERTICAL CURVE
VCP	VITRIFIED CLAY PIPE
VERT	VERICAL
VIF	VERIFY IN FIELD
W	WATER
W/	WITH
W/O	WITHOUT
WM	WATER METER
WV	WATER VALVE
YL	YARD LIGHT

ABBREVIATIONS

EXISTING	PROPOSED	DESCRIPTION
		AREA LIGHT
BO	BO	BLOWOFF
		BRUSH LINE
		BUILDING
CTV	CTV	CABLE TV LINE
		CATCH BASIN
		CONCRETE
		CURB
		CURB & GUTTER
		CURB, GUTTER & SIDEWALK
		CUT/FILL LINE
		DAYLIGHT LINE
DI		DROP INLET
E	E	ELECTRIC LINE
		ELECTROLIER
X	X	FENCE
		FIRE HYDRANT
F	F	FIRE MAIN
		FLAG POLE
G	G	GAS MAIN
		GAS VALVE
GM UPA	GM UPA	GAS METER
		GUY ANCHOR
JT	JT	JOINT TRENCH
		MONUMENT
	CO	SANITARY SEWER CLEANOUT
SS	SS	SANITARY SEWER LINE
SSMH	SSMH	SANITARY SEWER MANHOLE
		SIGN
		SLOPE
SD		STORM DRAIN LINE
D		STORM DRAIN MANHOLE
T	T	TELEPHONE LINE
		TELEPHONE VAULT
		TRAFFIC SIGNAL
		TRANSFORMER
		UTILITY POLE
		VALLEY GUTTER
		WALL
		WATER GATE VALVE
W	W	WATER MAIN
WM	WM	WATER METER
		WATER VALVE

LEGEND

GREENWOOD & MOORE, INC
Civil Engineers • Designers
Land Surveyors • Planners
3111 Castro Valley Blvd., Ste. 200, Castro Valley, California, 94546
Tel: 510-537-2727 Fax: 510-537-2913 www.greenwoodmoore.com

REGISTERED PROFESSIONAL ENGINEER
JEFFREY R. MOORE
No. C043528
EXP. 03/31/2026
CIVIL
STATE OF CALIFORNIA

PRELIMINARY NOT FOR CONSTRUCTION

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

ABBREVIATION & LEGEND

CHECKED BY:	XXX
DRAWN BY:	STAFF
SCALE:	1"=20'
DATE	05/17/2024
PROJECT NO.	2024.018
PHASE NO.	XX
SHEET NO.	C0.1

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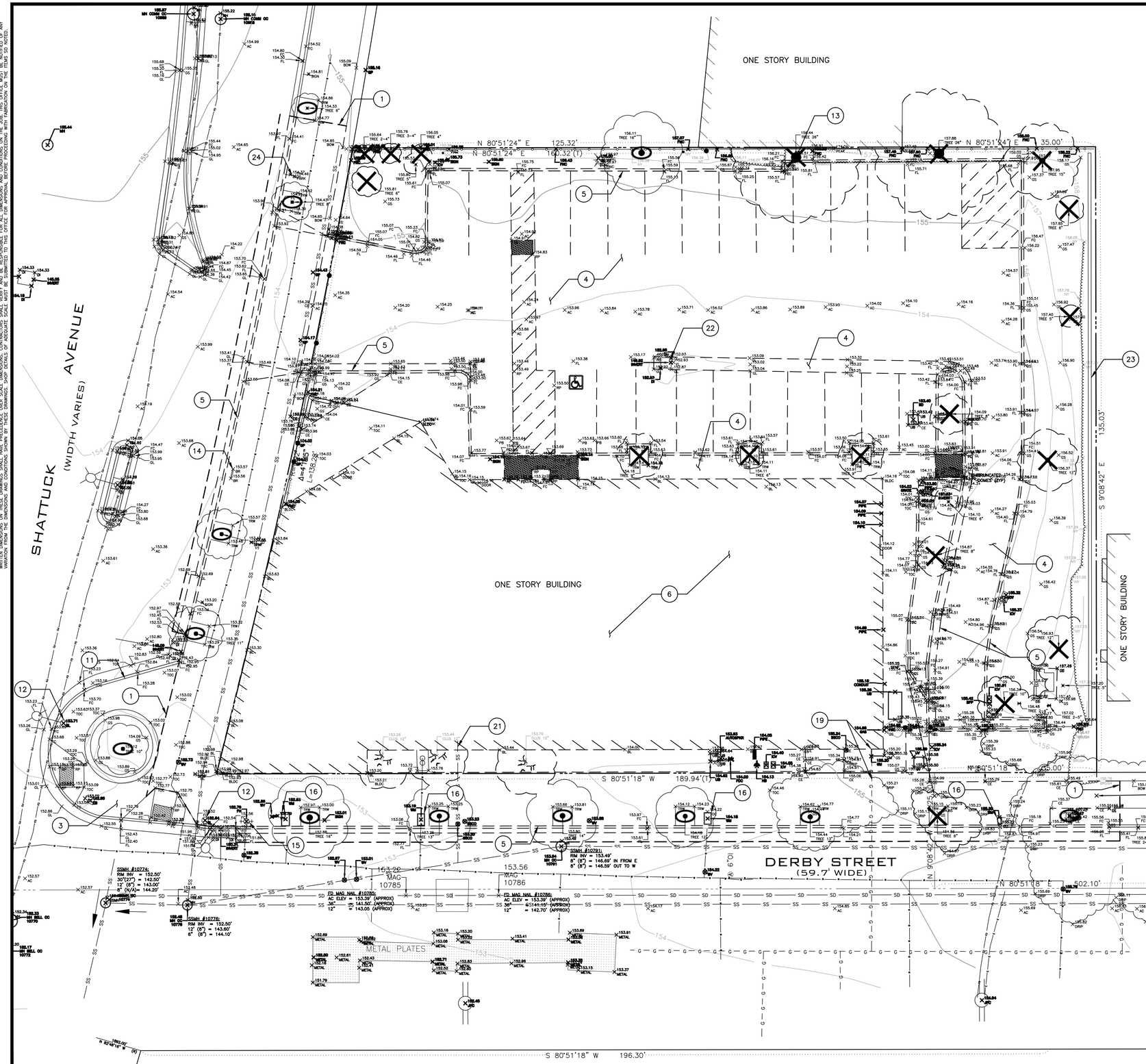

KEYNOTES: (#)

1. SAWCUT
2. LIMIT OF REMOVAL
3. (E) CONCRETE TO REMAIN
4. (E) CONCRETE/ASPHALT TO BE REMOVED
5. REMOVE (E) SIDEWALK, CURB, & GUTTER
6. (E) BUILDING & FOUNDATION TO BE DEMOLISHED, REFER TO ARCHITECTURAL AND STRUCTURAL DRAWINGS. PG&E TO DISCONNECT ELECTRIC AND GAS SERVICE PRIOR TO DEMOLITION OF THE (E) BUILDING.
7. REMOVE (E) FENCE AND/OR GATE
8. (E) SIGN TO BE RELOCATED
9. (E) SIGN TO REMAIN
10. (E) SIGN TO BE REMOVED
11. (E) CURB & GUTTER TO REMAIN
12. (E) LIGHT POLE TO REMAIN
13. REMOVE (E) LIGHT POLE
14. (E) BIKE RACKS TO REMAIN
15. (E) FIRE HYDRANT TO REMAIN AND BE PROTECTED FOR THE DURATION OF CONSTRUCTION ACTIVITIES
16. REMOVE (E) WATER METER. CAP AND ABANDON (E) WATER LATERAL PER EBMUD STANDARDS (BY EBMUD)
17. (E) UTILITY BOX TO REMAIN
18. (E) UTILITY BOX TO BE RELOCATED. REFER TO UTILITY PLAN FOR ADDITIONAL INFORMATION.
19. PG&E TO REMOVE (E) GAS METER AND GAS LATERAL PRIOR TO DEMOLITION OF THE BUILDING. CONTRACTOR TO VERIFY LOCATION IN FIELD. CAP & ABANDON PER PG&E STANDARDS & REQUIREMENTS.
20. PG&E TO REMOVE (E) ELECTRIC METERS AND ASSOCIATED ELECTRIC LINE PRIOR TO DEMOLITION OF THE BUILDING. COORDINATE REMOVAL WITH OWNER AND PG&E.
21. ABANDON (E) SEWER LATERAL PER CITY OF BERKELEY REQUIREMENTS. FOR BUILDING DEMOLITION AND LATERAL ABANDONMENT: WHEN A BUILDING IS TO BE DEMOLISHED AND THE EXISTING LATERAL IS NOT TO BE RE-USED, THE LATERAL SEWER SHALL BE DUG AND EXPOSED WHERE IT ENTERS THE MAIN.
    A. IF THE LATERAL ENTERS THE MAIN BY MEANS OF A FACTORY MANUFACTURED WYE OR TEE BRANCH, AND IF THE MAIN AND WYE OR TEE BRANCH ARE ALL IN GOOD, UNDAMAGED CONDITION, THE LATERAL SHALL BE DISCONNECTED AND THE BRANCH SHALL BE PLUGGED WITH AN EXPANDABLE NEOPRENE RUBBER PLUG AT THE MAIN. THE BRANCH PLUG SHALL BE SHALL BE ENCLOSED WITH A MINIMUM THICKNESS OF 6 INCHES OF 6 SACK, ¾" SIZE AGGREGATE. PORTLAND CEMENT CONCRETE. THE WYE BRANCH WITH RUBBER PLUG MUST BE INSPECTED AND APPROVED BY AN ENGINEERING INSPECTOR PRIOR TO ENCLOSURE WITH CONCRETE AND BACKFILL OF THE TRENCH.
    B. IF THE LATERAL ENTERS THE MAIN BY ANY METHOD OTHER THAN BY A FACTORY WYE OR TEE BRANCH, OR IF THE EXISTING MAIN, WYE OR TEE BRANCH IS DAMAGED IN ANY WAY, THE SECTION OF MAIN CONTAINING THE LATERAL ENTRY OPENING SHALL BE REMOVED AND REPLACED WITH A NEW SECTION OF PIPE OF THE SAME DIAMETER AS THE EXISTING MAIN. AN ENGINEERING INSPECTOR MUST INSPECT THE NEW MAIN SECTION BEFORE BACKFILL.
    C. THE ABANDONED LATERAL PIPE SHALL BE FILLED WITH SAND AND JETTED TO PREVENT THE PIPE FROM BECOMING A HOME FOR RODENTS OR OTHER DISEASE VECTORS.
    D. REMOVE (E) CLEANOUT FRAME & COVER.
22. REMOVE (E) DRAIN INLET & STORM DRAIN. CONTRACTOR TO FIELD VERIFY LOCATION.
23. (E) WALL TO REMAIN
24. (E) PARKING KIOSK TO REMAIN

X REMOVE (E) TREE AND/OR (E) STUMP

O (E) TREE TO REMAIN. PROTECT TREE DURING CONSTRUCTION

GREENWOOD & MOORE, INC
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PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

TOPOGRAPHIC SURVEY & DEMOLITION PLAN

CHECKED BY:	XXX
DRAWN BY:	STAFF
SCALE:	1"=10'
DATE	05/17/2024
PROJECT NO.	2024.018
PHASE NO.	XX
SHEET NO.	C1.0

PRELIMINARY NOT FOR CONSTRUCTION
REGISTERED PROFESSIONAL ENGINEER
No. C043628
EXP. 03/31/2026
CIVIL
STATE OF CALIFORNIA

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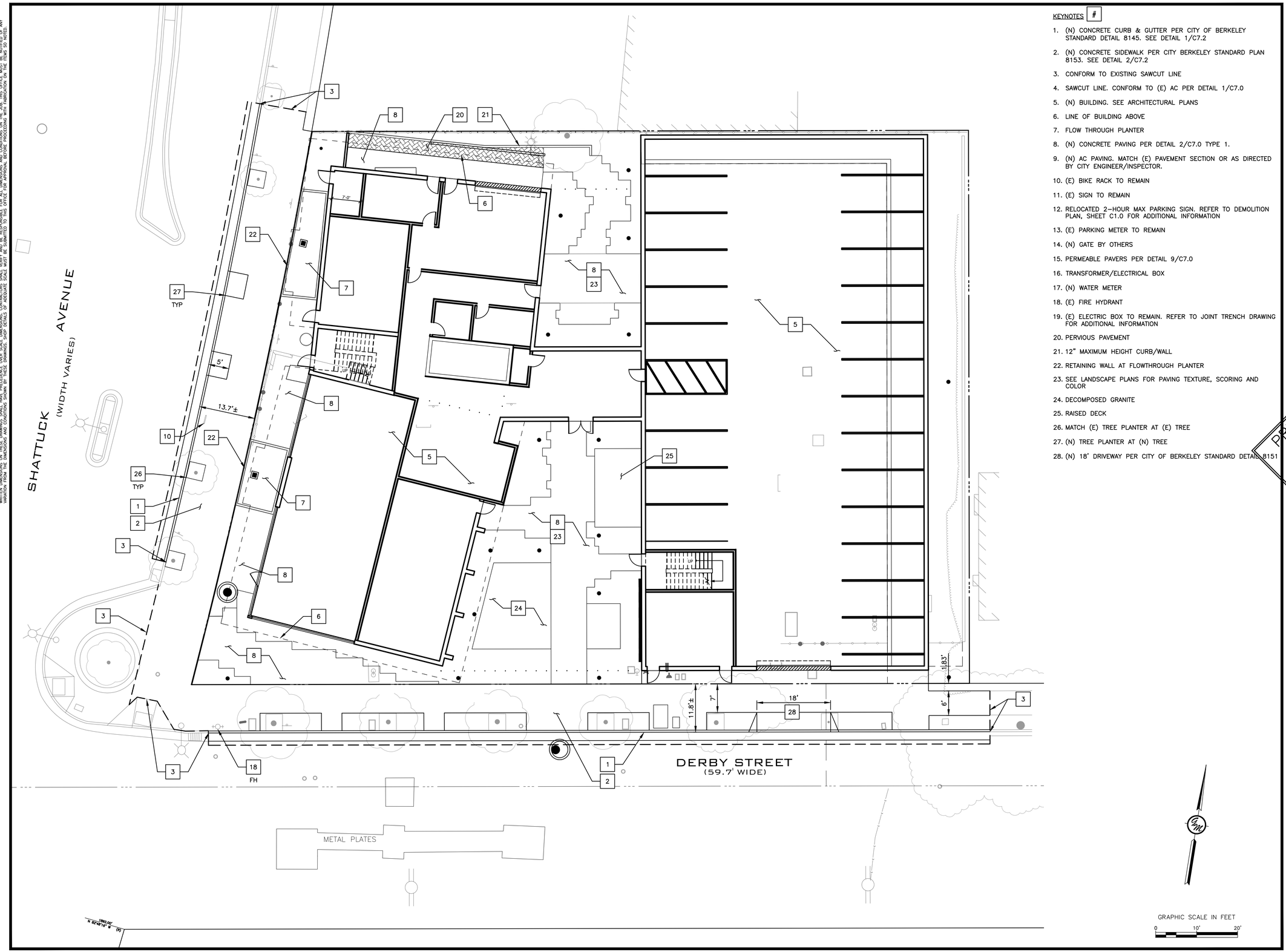

KEYNOTES #

1. (N) CONCRETE CURB & GUTTER PER CITY OF BERKELEY STANDARD DETAIL 8145. SEE DETAIL 1/C7.2
2. (N) CONCRETE SIDEWALK PER CITY BERKELEY STANDARD PLAN 8153. SEE DETAIL 2/C7.2
3. CONFORM TO EXISTING SAWCUT LINE
4. SAWCUT LINE. CONFORM TO (E) AC PER DETAIL 1/C7.0
5. (N) BUILDING. SEE ARCHITECTURAL PLANS
6. LINE OF BUILDING ABOVE
7. FLOW THROUGH PLANTER
8. (N) CONCRETE PAVING PER DETAIL 2/C7.0 TYPE 1.
9. (N) AC PAVING. MATCH (E) PAVEMENT SECTION OR AS DIRECTED BY CITY ENGINEER/INSPECTOR.
10. (E) BIKE RACK TO REMAIN
11. (E) SIGN TO REMAIN
12. RELOCATED 2-HOUR MAX PARKING SIGN. REFER TO DEMOLITION PLAN, SHEET C1.0 FOR ADDITIONAL INFORMATION
13. (E) PARKING METER TO REMAIN
14. (N) GATE BY OTHERS
15. PERMEABLE PAVERS PER DETAIL 9/C7.0
16. TRANSFORMER/ELECTRICAL BOX
17. (N) WATER METER
18. (E) FIRE HYDRANT
19. (E) ELECTRIC BOX TO REMAIN. REFER TO JOINT TRENCH DRAWING FOR ADDITIONAL INFORMATION
20. PERVIOUS PAVEMENT
21. 12" MAXIMUM HEIGHT CURB/WALL
22. RETAINING WALL AT FLOWTHROUGH PLANTER
23. SEE LANDSCAPE PLANS FOR PAVING TEXTURE, SCORING AND COLOR
24. DECOMPOSED GRANITE
25. RAISED DECK
26. MATCH (E) TREE PLANTER AT (E) TREE
27. (N) TREE PLANTER AT (N) TREE
28. (N) 18' DRIVEWAY PER CITY OF BERKELEY STANDARD DETAIL 8151

GRAPHIC SCALE IN FEET
0 10' 20'

GREENWOOD & MOORE, INC
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Land Surveyors • Planners
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Tel. 510-681-2727 Fax. 510-681-2613 www.greenwoodmoore.com

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JEFFREY R. MOORE
No. C031528
Exp. 03/31/2026
CIVIL
STATE OF CALIFORNIA

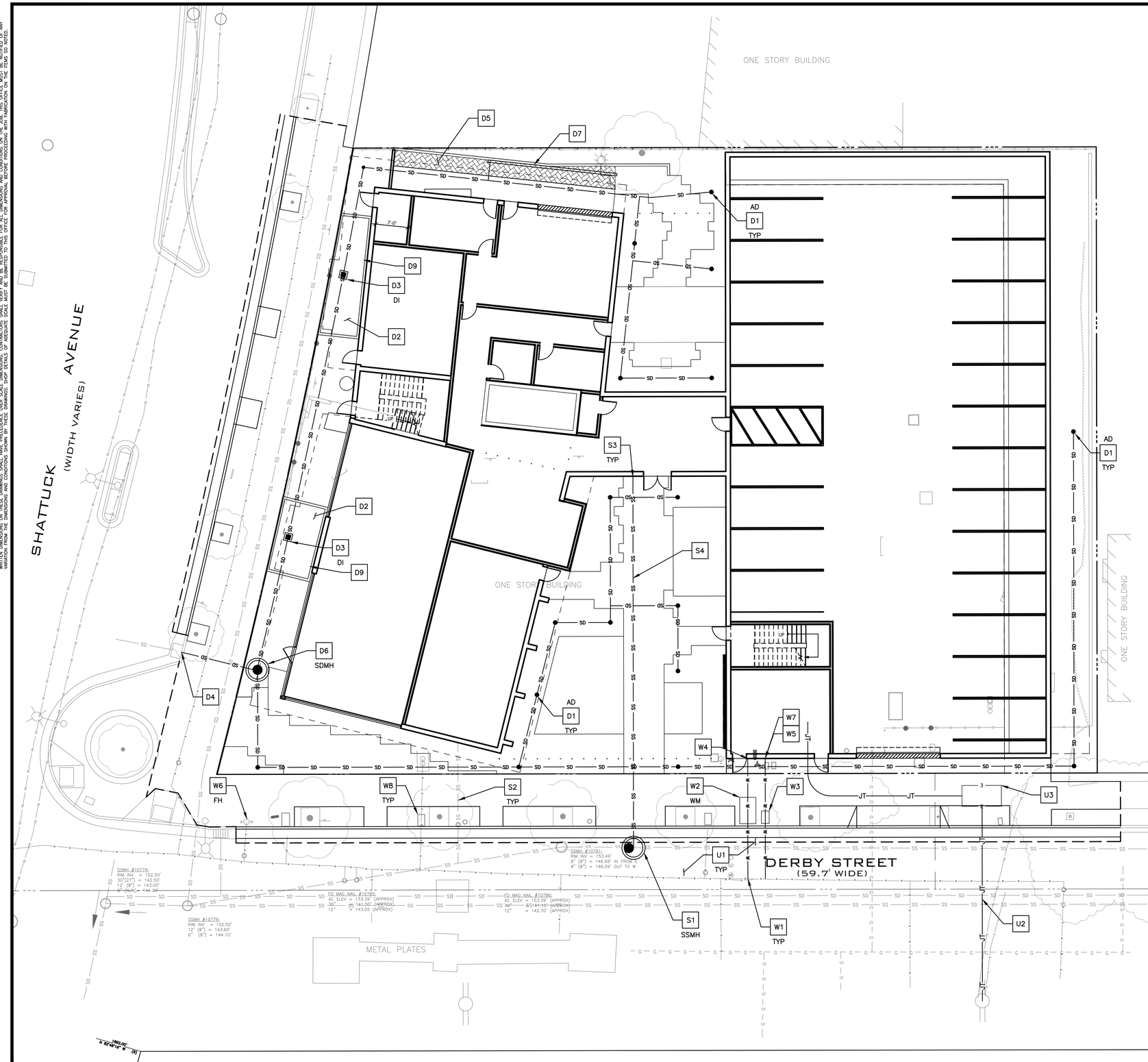
PRELIMINARY NOT FOR CONSTRUCTION

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

SITE PLAN

CHECKED BY:	XXX
DRAWN BY:	STAFF
SCALE:	1"=10'
DATE	05/17/2024
PROJECT NO.	2024.018
PHASE NO.	XX
SHEET NO.	C2.0

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED BY THIS DRAWING ARE OWNED BY, AND THE PROPERTY, OF THIS OFFICE AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON, AND IN CONNECTION WITH, THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF GREENWOOD & MOORE, INC. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB. THIS OFFICE MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. SHOP DETAILS OF ACCURATE SCALE MUST BE SUBMITTED TO THIS OFFICE FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION ON THE ITEMS SO NOTED



STORM DRAINAGE KEYNOTES D#

1. AREA DRAIN
2. FLOW THROUGH PLANTER
3. DRAIN INLET. GRATE TO BE 6" ABOVE FLOW THROUGH PLANTER FINISH GRADE
4. CONNECT TO (E) STORM DRAIN
5. PERMEABLE PAVERS
6. STORM DRAIN MANHOLE
7. TRENCH DRAIN
8. STORM WATER CLEANOUT
9. APPROXIMATE LOCATION OF RAIN WATER DOWNSPOUT TO OUTFALL INTO BIORETENTION AREA AT COBBLE DISSIPATOR

SEWER KEYNOTES S#

1. SSMH PER CITY OF BERKELEY STANDARD DETAIL 7895. SEE 4/C7.2 VERIFY EXISTING SEWER SIZE AND INVERT ELEVATION IN FIELD.
2. ABANDON (E) SEWER LATERAL. FOR BUILDING DEMOLITION AND LATERAL ABANDONMENT: WHEN A BUILDING IS TO BE DEMOLISHED AND THE EXISTING LATERAL IS NOT TO BE RE-USED, THE LATERAL SEWER SHALL BE DUG AND EXPOSED WHERE IT ENTERS THE MAIN.

A. IF THE LATERAL ENTERS THE MAIN BY MEANS OF A FACTORY MANUFACTURED WYE OR TEE BRANCH, AND IF THE MAIN AND WYE OR TEE BRANCH ARE ALL IN GOOD, UNDAMAGED CONDITION, THE LATERAL SHALL BE DISCONNECTED AND THE BRANCH SHALL BE PLUGGED WITH AN EXPANDABLE NEOPRENE RUBBER PLUG AT THE MAIN. THE BRANCH PLUG SHALL BE SHALL BE ENCLOSED WITH A MINIMUM THICKNESS OF 6 INCHES OF 6 SACK, ¼" SIZE AGGREGATE. PORTLAND CEMENT CONCRETE. THE WYE BRANCH WITH RUBBER PLUG MUST BE INSPECTED AND APPROVED BY AN ENGINEERING INSPECTOR PRIOR TO ENCLOSURE WITH CONCRETE AND BACKFILL OF THE TRENCH.

B. IF THE LATERAL ENTERS THE MAIN BY ANY METHOD OTHER THAN BY A FACTORY WYE OR TEE BRANCH, OR IF THE EXISTING MAIN, WYE OR TEE BRANCH IS DAMAGED IN ANY WAY, THE SECTION OF MAIN CONTAINING THE LATERAL ENTRY OPENING SHALL BE REMOVED AND REPLACED WITH A NEW SECTION OF PIPE OF THE SAME DIAMETER AS THE EXISTING MAIN. AN ENGINEERING INSPECTOR MUST INSPECT THE NEW MAIN SECTION BEFORE BACKFILL.

C. THE ABANDONED LATERAL PIPE SHALL BE FILLED WITH SAND AND JETTED TO PREVENT THE PIPE FROM BECOMING A HOME FOR RODENTS OR OTHER DISEASE VECTORS.

D. REMOVE (E) CLEANOUT FRAME & COVER.

3. SEWER TO BUILDING. VERIFY LOCATION, SIZE AND ELEVATION WITH PLUMBING PLANS
4. 6" HDPE SDR 17 S=0.01 MINIMUM SLOPE

WATER KEYNOTES W#

1. CONNECT TO EXISTING WATER LINE PER EBMUD STANDARDS AND REQUIREMENTS
2. RESIDENTIAL APARTMENT DOMESTIC WATER METER PER EBMUD STANDARDS AND REQUIREMENTS. VERIFY METER SIZE WITH EBMUD AND PLUMBING PLANS.
3. WATER METER AND CHECK VALVE FOR FIRE SERVICE PER EBMUD STANDARDS AND REQUIREMENTS.
4. WATER SERVICE TO APARTMENT BUILDING. VERIFY SIZE AND LOCATION WITH PLUMBING PLANS. PROVIDE BACKFLOW DEVICE AT BUILDING PER EBMUD STANDARDS AND REQUIREMENTS.
5. FIRE SERVICE TO BUILDING. SEE FIRE SERVICE PLANS BY OTHERS FOR MORE INFORMATION. PROVIDE BACKFLOW DEVICE AT BUILDING PER EBMUD STANDARDS AND REQUIREMENTS.
6. (E) FIRE HYDRANT
7. FIRE DEPARTMENT CONNECTION. SEE PLANS BY OTHERS.
   7.1. THE FDC SHALL BE INSTALLED NO HIGHER THAN 3-FEET FROM FINISHED GRADE, AND SHALL BE LOCATED SO THAT FIRE APPARATUS AND HOSE CONNECTED TO SUPPLY THE SYSTEM WILL NOT OBSTRUCT ACCESS TO THE BUILDINGS FOR OTHER FIRE APPARATUS.
   7.2. THE FDC SUPPLYING WATER TO THE STANDPIPE SYSTEM MUST CONSIST OF A THREE (3) 2-1/2-INCH INLET CONNECTION AND ONE (1) 5-INCH STORZ CONNECTION WITH A BUILT-IN DEBRIS SCREEN.
8. ABANDON (E) WATER SERVICE PER EBMUD STANDARDS AND REQUIREMENTS. (BY EBMUD)

UTILITY KEYNOTES U#

1. CONTRACTOR FIELD LOCATE (E) UTILITIES. NOTIFY ENGINEER OF ANY CONFLICTS WITH (E) UTILITIES.
2. JOINT TRENCH BY OTHERS. SEE JOINT TRENCH PLANS
3. TRANSFORMER (BY OTHERS)
4. ALL TRENCHING IN THE CITY RIGHT OF WAY TO BE PER CITY OF BERKELEY STANDARD DETAIL 8136. SEE 3/C7.2
5. PROVIDE 1' MINIMUM CLEARANCE AT UTILITY CROSSING. VIF

GRAPHIC SCALE IN FEET
0 10' 20'

GREENWOOD & MOORE, INC
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Land Surveyors • Planners
3111 Citrus Valley Blvd., Ste. 200, Citrus Valley, California, 94546
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PRELIMINARY NOT FOR CONSTRUCTION
REGISTERED PROFESSIONAL ENGINEER
JEFFREY R. MOORE
No. C043628
EXP. 03/31/2026
CIVIL
STATE OF CALIFORNIA

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

UTILITY PLAN

CHECKED BY:	XXX
DRAWN BY:	STAFF
SCALE:	1"=10'
DATE	05/17/2024
PROJECT NO.	2024.018
PHASE NO.	XX
SHEET NO.	C3.0

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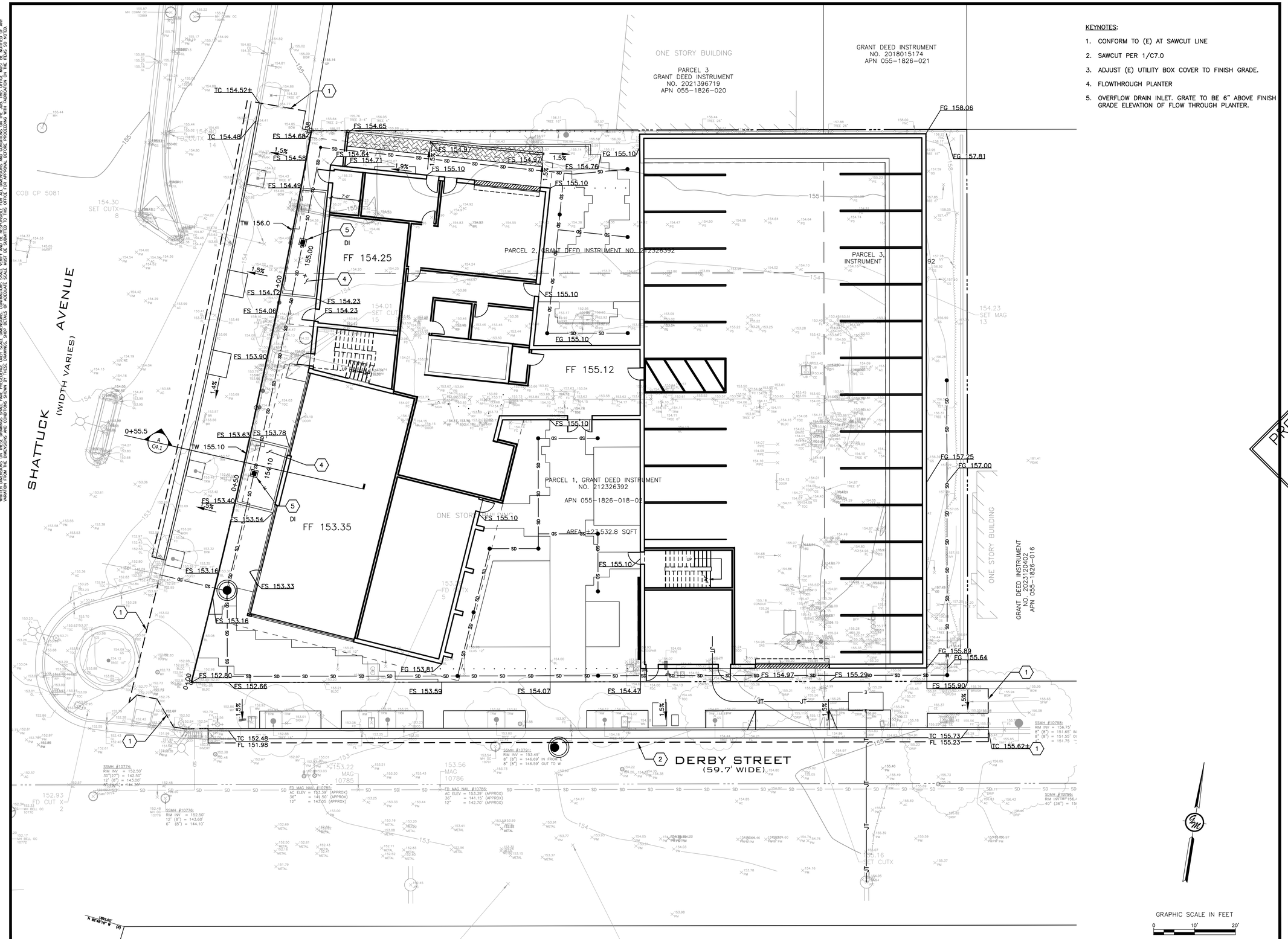

KEYNOTES:

1. CONFORM TO (E) AT SAWCUT LINE
2. SAWCUT PER 1/C7.0
3. ADJUST (E) UTILITY BOX COVER TO FINISH GRADE.
4. FLOWTHROUGH PLANTER
5. OVERFLOW DRAIN INLET. GRATE TO BE 6" ABOVE FINISH GRADE ELEVATION OF FLOW THROUGH PLANTER.

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REGISTERED PROFESSIONAL ENGINEER
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Exp. 03/31/2026
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STATE OF CALIFORNIA

PRELIMINARY NOT FOR CONSTRUCTION

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

GRADING PLAN

CHECKED BY:	XXX
DRAWN BY:	STAFF
SCALE:	1"=10'
DATE	05/17/2024
PROJECT NO.	2024.018
PHASE NO.	XX
SHEET NO.	C4.0

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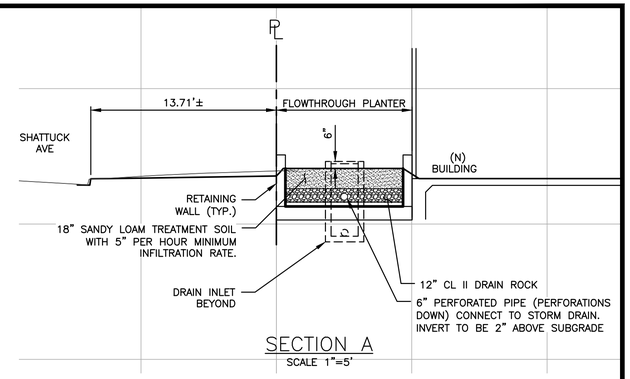

SECTION A
SCALE 1"=5'

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PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

SECTIONS

CHECKED BY: XXX
DRAWN BY: STAFF
SCALE: AS SHOWN
DATE: 05/17/2024
PROJECT NO.: 2024.018
PHASE NO.: XX
SHEET NO.: C4.1

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KEYNOTES

1. FLOWTHROUGH PLANTER AT ROOF
2. FLOWTHROUGH PLANTER AT GRADE
3. SELF RETAINING
4. SELF TREATING
5. PERMEABLE PAVERS
6. OVERFLOW DRAINAGE INLET GRATE ON DROP INLET TO BE 6" ABOVE FINISH GRADE ELEVATION OF BIORETENTION AREA
7. DISCHARGE ROOF STORM WATER RUNOFF FROM DOWNSPOUT INTO BIORETENTION AREA AT COBBLE OUTFALL

ABBREVIATIONS

DMA – DRAINAGE MANAGEMENT AREA
TCM – TREATMENT CONTROL MEASURE
SRA – SELF RETAINING AREA
STA – SELF TREATING AREA

LEGEND

DMA BOUNDARY
FLOWTHROUGH PLANTER
PERVIOUS PAVERS

	IMPERVIOUS AREA (SQ.FT)	PERVIOUS PAVEMENT (SQ.FT)	LANDSCAPE (SQ.FT)	TOTAL (SQ.FT)
EXISTING	19,206	0	4,317	23,523
PROPOSED	18,564	175	4,784	23,523

DRAINAGE MANAGEMENT AREA (DMA)	TREATMENT CONTROL MEASURES (TCM)	a TOTAL DRAINAGE AREA (SF)	b LANDSCAPING (SF)	c IMPERVIOUS AREA (SF)	d EFFECTIVE PERVIOUS AREA (SF)	e EFFECTIVE IMPERVIOUS AREA (SF)	f TREATMENT AREA REQUIRED (SF) *	TREATMENT AREA PROVIDED (SF)	DEPTH OF PONDING (INCHES)	TREATMENT TYPE	SIZING METHOD
DMA 1	TCM 1	9,643	1,330	8,313	1,330	8,446	338	1,330	N/A	FLOW THROUGH PLANTER	AREA METHOD*
DMA 2	TCM 2	7,538	323	7,215	323	7,247	290	311	N/A	FLOW THROUGH PLANTER	AREA METHOD*
DMA 3	SRA	2,336	898	1,438	898	1,528	61	0	N/A	SELF-RETAINING AREA	AREA METHOD*
DMA 4	SRA	1,497	837	660	837	744	30	175	N/A	PERVIOUS PAVEMENT	AREA METHOD*
DMA 5	STA	1,350	1,350	0	1,350	N/A	N/A	N/A	N/A	SELF-TREATING AREA	AREA METHOD*

*Required treatment area determined using Alameda County C3 Volume Capture method for bioretention sizing

SELF RETAINING AREAS					
	TREATMENT TYPE	IMPERVIOUS AREA (SF)	PERVIOUS PAVEMENT (SF)	LANDSCAPE (SF)	RATIO OF IMPERVIOUS AREA/PERVIOUS AREA (MUST BE LESS ≤ 2.0)
DMA 3	SRA	1,438	0	898	1.6
DMA 4	SRA	660	175	837	0.7

GRAPHIC SCALE IN FEET
0 10' 20'

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CIVIL
STATE OF CALIFORNIA

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

STORMWATER CONTROL PLAN

CHECKED BY: XXX
DRAWN BY: STAFF
SCALE: 1"=10'
DATE: 05/17/2024
PROJECT NO. 2024.018
PHASE NO. XX
SHEET NO. C5.0

NS
IEVE A LONG TERM, IN-PLACE
) 10 IN/HR, CAPABLE OF
) CONSIST OF 60%-70% SAND

NICIPALITY FOR APPROVAL:
SOIL.
PLIER OR AN ACCREDITED
N SOIL MEETS THE
SPECIFICATION.
THE FINE SAND COMPONENT
ASTM D 422, STANDARD TEST
SIS OF SOILS.
OMPOST PERFORMED IN
G ASSURANCE (STA) STANDARDS,

)F MIXED BIORETENTION SOIL.
PERFORMED IN ACCORDANCE WITH
N OF COMPOST AND COMPOSTING
)N ORGANIC MATTER METHOD.
THE COMPOST COMPONENT IN
NDARD TEST METHOD FOR

AND METHODS USED TO MIX THE
BIORETENTION SOIL.
ON ABOUT THE TESTING
I(S), ADDRESS(ES), PHONE
AND QUALIFICATIONS OF
INCLUDING DATE OF CURRENT
PPROVED EQUAL.

'ASTE COATING SUCH AS CLAY,
R ANY OTHER DELETERIOUS
THE NO. 200 SIEVE SHALL BE

LL BE ANALYZED BY AN
), #40, #30 #8, #4, AND 3/8"
)VED BY MUNICIPALITY), AND MEET

' PASSING (BY WEIGHT)
MAX.
100
100
100
95
70
55
15
5

:3 FOR FINE AGGREGATE COMPLY
MENTS.

SED, STABLE, WEED FREE ORGANIC
RIALS INCLUDING YARD DEBRIS,
S NOT INCLUDING MANURE OR
PED BY THE US COMPOSTING
CERTIFIED THROUGH THE USCC
M (A COMPOST TESTING AND

ELIVERY OF THE SOIL, THE
NALYSIS PERFORMED BY A
COMPOSTING COUNCIL'S COMPOST
IG APPROVED TEST METHODS FOR
OST (TMECC). THE LAB REPORT

:D AND INCLUDE ONE OF THE
GRASS CLIPPINGS, FOOD SCRAPS

DRY WEIGHT.
:1 AND C:N > 15:1
ARK BROWN COLOR AND A SOIL
OR PUTRID SMELL, CONTAINING
HOT (120F) UPON DELIVERY IS
OF THE FOLLOWING IS REQUIRED

IR
T BVS/
'DAY
GREES C) E.

RES IS SUFFICIENT TO INDICATE

TROL

TAILING NUTRIENT CONTENT

: ABOVE PREFERRED
: SOLUBLE SHALL BE < 2.5 PPM
HOS/CM
VARY WITH PLANT SPECIES.
TURE
ALL BE ANALYZED BY AN
AND 1" SIEVES (ASTM D422 OR
THE FOLLOWING GRADATION.

' PASSING (BY WEIGHT)
MAX.
100
100
90
10

) AND 1100 DRY LBS/CUBIC

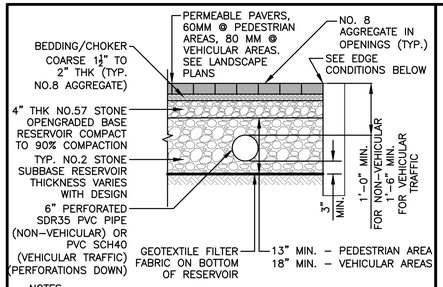
) 30%-55% OF DRY SOLIDS.
Y FREE OF INERT INGREDIENTS,
% BY WEIGHT OR VOLUME.
PROVIDE PROOF OF PROCESS TO
R EXAMPLE, TURNED WINDROWS
AT LEAST 5 TURNINGS DURING

MPN/4 GRAMS OF TS, OR

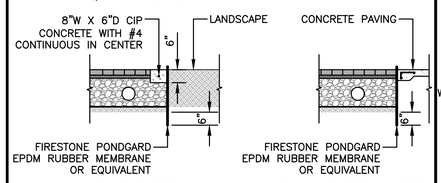
MERCURY, ETC.) PRODUCT MUST

PLIER WILL TEST ALL COMPOST
OR TO APPLICATION. SAMPLES
LLECTION PROCESS PROTOCOL.
E OBTAINED FROM THE U.S.
ORIAL HIGHWAY, SUITE 275,
)31,
E SHALL BE SENT TO AN
THE COMPOST SUPPLIER

NOTES 9

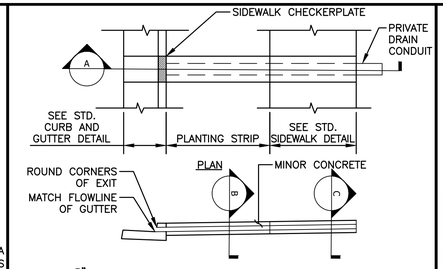


NOTES
1. ASTM NO.3 OR 4 STONE MAY BE SUBSTITUTED FOR NO.2 STONE
2. ASTM NO.89 OR 9 STONE MAY BE USED IN THE PAVERS OPENINGS
3. SPACE SUBDRAIN 10' MAX., SEE PLAN FOR LAYOUT
4. PAVERS CONSTRUCTED FROM NON-PERVIOUS CONCRETE SHALL HAVE 3/8" GAP BETWEEN PAVERS



1 1/2"=1'-0"

PERVIOUS PAVERS 8

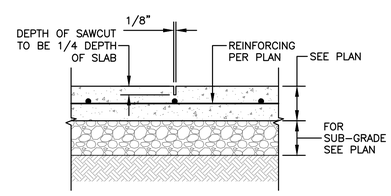


SIDEWALK UNDERDRAIN CHECKERPLATE SHALL BE GALVANIZED STEEL WITH AN EMBOSSED NONSKID PATTERN

SIDEWALK CHECKERPLATE DETAIL

NOTES:
1. WHERE SIDEWALK UNDERDRAINS ARE INSTALLED AT LOCATIONS WHERE CURB, GUTTER, AND SIDEWALK IS EXISTING, REMOVE 24" OF CURB AND SIDEWALK SHALL BE SAWCUT AND REMOVED BETWEEN SCORELINES.
2. MULTIPLE PARALLEL SIDEWALK UNDERDRAINS SHALL HAVE 4" CLEAR BETWEEN EDGE OF PIPES.
3. FOR ADDITIONAL REQUIREMENTS, SEE PLAN 8144, "CONCRETE WORK NOTES."

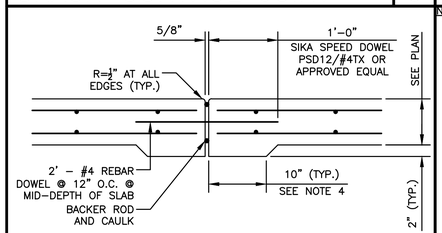
SIDEWALK DRAIN CONDUIT 5



NOTES
1. WEAKENED PLANE JOINTS ARE FOR USE IN NON-STRESSED SLABS SUPPORTED BY THE GRADE BELOW.
2. 5'-0" MAXIMUM SPACING RECOMMENDED (U.N.O. ON PLANS).
3. SEE SHOP DRAWINGS, BY OTHERS, FOR ALL CRACK CONTROL JOINTS AND CONSTRUCTION JOINTS IN DECORATIVE CONCRETE
4. SAWCUT JOINTS WITHIN 24 HOURS OF THE CONCRETE PLACEMENT.

1 1/2"=1'-0"

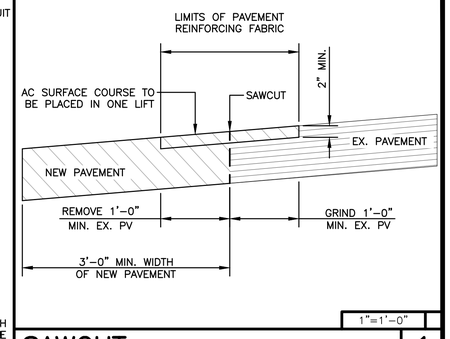
CRACK CONTROL JOINT 6



NOTES
1. PROVIDE CONSTRUCTION JOINTS AT 20' MAX. SPACING (BOTH DIRECTIONS) UNLESS NOTED OTHERWISE ON PLANS. SEE 5/C5.0) FOR CRACK CONTROL JOINTS
2. SEE SHOP DRAWINGS, BY OTHERS, FOR ALL CRACK CONTROL JOINTS AND CONSTRUCTION JOINTS IN DECORATIVE CONCRETE
3. CAULK ALL GAPS IN JOINTS W/ ELASTOMERIC SEALANT 30 DAYS AFTER CONCRETE PLACEMENT
4. AT 6" & 4" SLAB, THICKEN SLAB AS SHOWN FOR

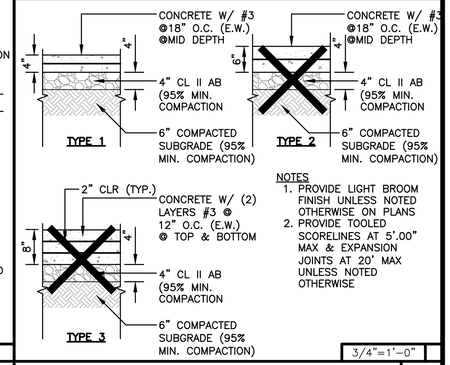
1 1/2"=1'-0"

EXPANSION JOINT 7



1"=1'-0"

SAWCUT 1

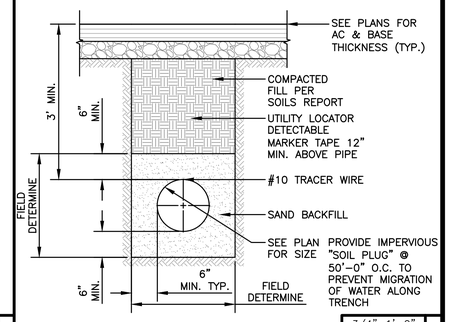


NOTES
1. PROVIDE LIGHT BROOM FINISH UNLESS NOTED OTHERWISE ON PLANS
2. PROVIDE TOOLED SCORELINES AT 5'.00" MAX & EXPANSION JOINTS AT 20' MAX UNLESS NOTED OTHERWISE

3/4"=1'-0"

CONCRETE SLAB 2

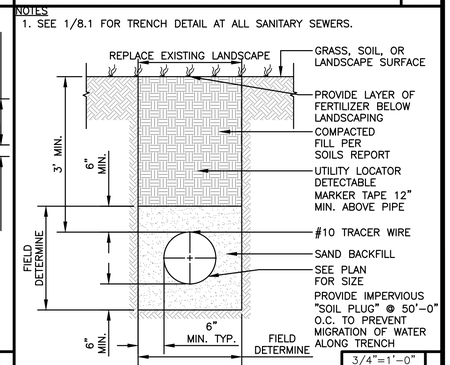
NOTES
1. SEE 3/7.4 FOR TRENCHING IN THE CITY RIGHT OF WAY



3/4"=1'-0"

ASPHALT TRENCH 3

NOTES
1. SEE 1/8.1 FOR TRENCH DETAIL AT ALL SANITARY SEWERS.



3/4"=1'-0"

TRENCH & LANDSCAPE 4

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BERKELEY, CA 94704
APN: 55-1826-18-2

DETAILS

CHECKED BY: XXX
DRAWN BY: STAFF
SCALE: AS SHOWN
DATE 05/17/2024
PROJECT NO. 2024.018
PHASE NO. XX
SHEET NO. C7.0

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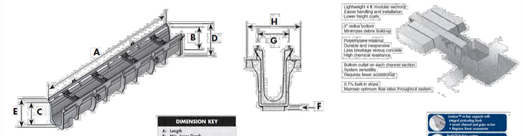
NDS™ WE PUT WATER IN ITS PLACE

TECHNICAL SPECIFICATIONS

DURA SLOPE™ CHANNEL DRAINS

Specifications: NDS Dura Slope™ is a 6¼" wide, 48" long trench drain system with a built-in slope of 0.7%. Each channel section is molded of gray structural foam polyethylene with UV inhibitors and has a 4" inside diameter with a 2" radius bottom. The system consists of 4-foot channel sections including 24 pre-sloped channel sections and 9 neutral channel sections. The sloped channel sections enable the system to extend to a length of 96 feet with a continuous slope. Add neutral channels to extend the system run to an excess of 132 feet. By incorporating central collection through the use of the catch basin assembly, the Dura Slope™ trench drain system can be extended to lengths up to 266 feet. Dura Slope™ channels are designed with the pre-installed ProFit™ locking system, which maintains structural integrity during installation and locking devices for the grating. LeveLoc™ integral re-bar supports are located at 24" intervals along each side of the channel and contain an internal protruding knob designed to grip #3 or #4 re-bar (⅜"ø - ½") for easier channel height adjustment during installation. DuraLoc™ tongue and groove ends connect allowing for a precise fit and ensure straight channel runs, incorporating an integral snap-lock feature that prevents joint movement during channel installation. Each channel section is molded with a bottom outlet allowing for system versatility and ensuring proper drainage. Expansion joints must be provided parallel to each side of the drain run.



DIMENSION KEY

A: Length
B: Max. Inner Depth
C: Min. Inner Depth
D: Min. Outer Depth
E: Max. Outer Depth

COMMON DIMENSION FOR ALL CHANNEL SECTIONS

F: Bottom Outlet Depth 0.43"
G: Width 6"
H: Re-bar Lock Width 10.193"

PART NUMBERS	WEIGHT (LBS)	FLOW RATE GPM	LPM	DIMENSIONS (INCHES) A	B	C	D	E	PRODUCT CLASS
DS-090N	7.452	75	284	48"	3.898	3.899	5.354	5.700	2525
DS-091	7.554	74	280	48"	3.898	4.304	5.895	6.170	2525
DS-091N	7.618	89	337	48"	3.898	4.304	5.895	6.170	2525
DS-092	7.909	89	337	48"	4.304	4.670	6.035	6.536	2525
DS-w093	8.269	103	390	48"	4.670	5.004	6.362	6.442	2525
DS-094	8.630	117	443	48"	5.004	5.342	6.688	6.775	2525
DS-094N	8.926	131	496	48"	5.342	5.342	6.700	7.111	2525
DS-095	9.288	145	548	48"	5.342	5.679	7.043	7.452	2525
DS-096	9.769	145	548	48"	5.679	6.014	7.373	7.452	2525
DS-097	9.741	159	602	48"	6.014	6.350	7.706	7.786	2525
DS-097N	10.040	173	655	48"	6.350	6.350	7.706	8.119	2525
DS-098	10.112	173	650	48"	6.350	6.686	8.042	8.122	2525
DS-099	10.464	187	708	48"	6.686	7.022	8.379	8.458	2525
DS-100	10.858	201	761	48"	7.022	7.358	8.714	8.794	2525
DS-101	11.228	215	814	48"	7.358	7.694	9.050	9.130	2525
DS-101	11.228	215	814	48"	7.358	7.694	9.050	9.130	2525
DS-102	11.599	229	867	48"	7.694	8.030	9.386	9.466	2525
DS-103	11.971	243	920	48"	8.030	8.366	9.722	9.802	2525
DS-103N	12.273	257	973	48"	8.366	8.366	9.724	10.135	2525
DS-104	12.643	257	973	48"	8.366	8.702	10.060	10.138	2525
DS-105	12.714	271	1026	48"	8.702	9.038	10.394	10.474	2525
DS-106	13.086	285	1079	48"	9.038	9.374	10.730	10.810	2525
DS-106N	13.386	299	1132	48"	9.374	9.374	10.733	11.143	2525
DS-107	13.458	299	1132	48"	9.374	9.710	11.066	11.146	2525
DS-108	13.829	313	1185	48"	9.710	10.046	11.402	11.482	2525
DS-109	14.201	327	1238	48"	10.046	10.382	11.738	11.818	2525
DS-110	14.573	341	1291	48"	10.382	10.718	12.074	12.154	2525
DS-110	14.573	341	1291	48"	10.382	10.718	12.074	12.154	2525
DS-111	14.945	355	1344	48"	10.719	11.054	12.410	12.490	2525
DS-112	15.316	368	1393	48"	11.054	11.390	12.746	12.826	2525
DS-112N	15.616	382	1446	48"	11.390	11.390	12.765	13.158	2525
DS-113	15.688	382	1446	48"	11.390	11.726	13.082	13.162	2525
DS-114	16.060	396	1499	48"	11.726	12.062	13.418	13.498	2525

851 N. Harvard Avenue
Lindsay, CA 93247
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REGISTERED PROFESSIONAL ENGINEER
JEFFREY R. MOORE
No. C042628
Exp. 03/31/2026
CIVIL
STATE OF CALIFORNIA

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

DRAINAGE DETAILS

CHECKED BY: XXX
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DATE: 05/17/2024
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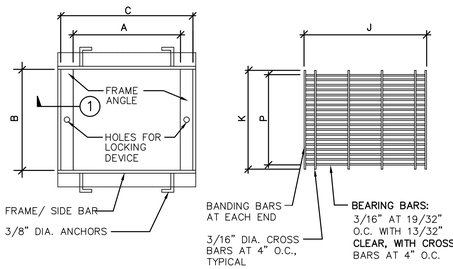
SHEET NO.: C7.1

Central Precast

Title: "ADA" WHEEL CHAIR PROOF FRAME AND GRATE DETAIL FOR DROP INLETS | Date: 05/15/03 | Rev. — | Dwg. No. CM | Page No. 1–10



FRAME PLAN GRATE PLAN

MODEL	FRAMES A IN	B IN	C IN	BEARING ANGLE IN	SIDE BAR IN	GRATE J IN	K IN	P IN	BEARING BARS IN	BAND BAR IN	# BARS
CP1212 S	12–3/8	12–3/8	15	1–1/2X1–1/2	1–1/2x1/4	14–3/4	12–1/8	12–1/16	1–1/4X3/16	1x3/16	21
CP1818 S H	18–3/8	18–3/8	21	1–1/2X1–1/2 2X1–1/2	1–1/2x1/4 2x1/4	20–5/8	18–1/8	18	1–1/4x3/16 1–3/4x3/16	1x3/16 1–1/2x3/16	31
CP1824 S H	18–3/8	24–3/8	21	1–1/2X1–1/2 2X1–1/2	1–1/2x1/4 2x1/4	20–5/8	18–1/8	18	1–1/4x3/16 1–3/4x3/16	1x3/16 1–1/2x3/16	31
CP2424 S H	24–3/8	24–3/8	27	1–1/2X1–1/2 2–1/2X1–1/2	1–1/2x1/4 2–1/2x1/4	26–3/4	24–1/8	23–15/16	1–1/4x3/16 2–1/4x3/16	1x3/16 2x3/16	41

S = SIDEWALK LOADS (300PSF)
H = HEAVY TRAFFIC LOADS (H20)

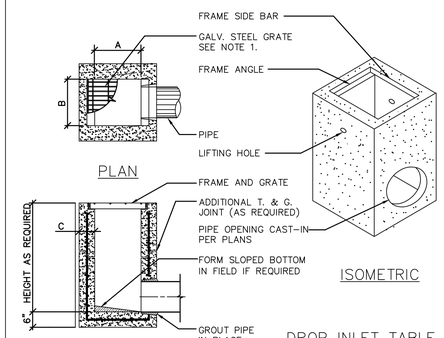
NOTES :

1. FRAME AND GRATES ARE HOT–DIPPED GALVANIZED AFTER FABRICATION PER ASTM SPEC. A–123.
2. FOR OPTIONAL GRATE LOCKING DEVICE SEE DWG. NO. LOCK, PAGE 1–7.
3. DETAIL–1 SEE PAGES 1–8, 1–9.

OR APPROVED EQUAL | 7

Central Precast

Title: CUSTOM PRECAST CONCRETE DROP INLETS | Date: 05/15/03 | Rev. — | Dwg. No. DI | Page No. 1–2



TYPICAL SECTION

NOTES :

1. FRAMES AND GRATES MAY BE SPECIFIED FOR PEDESTRIAN OR H20 TRAFFIC LOADING. ALL GRATES ARE BICYCLE PROOF. OPTIONAL GRATE LOCKING DEVICE AVAILABLE ON REQUEST SEE DRAWING "LOCK" ON PAGE 1–7. CLOSED–MESH GRATES OR CAST IRON FRAME AND GRATES ARE AVAILABLE ON REQUEST.
2. FOR SURFACE AND DISCHARGE OPTIONS AVAILABLE SEE DRAWING NO. "DI–SO" PAGE 1–6 AND "DI–DO" PAGE 1–5.
3. FRAMES AND GRATES DETAILS SEE PAGES 1–8, 1–9, AND 1–10.
4. WALL THICKNESSES ON ALL D.I.S. CAN BE CHANGED UPON REQUEST.
5. 18" WIDE D.I.'S REPLACE THE OLD 16" WIDE BOX BK & 1K.

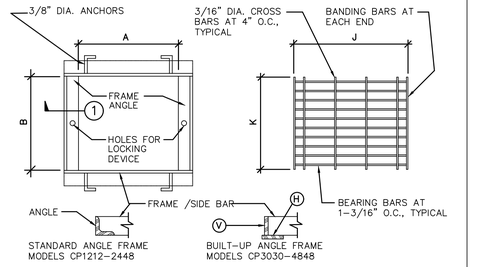
DROP INLET TABLE

MODEL No.	CPC MODEL NAME	A IN	A MM	B IN	B MM	C IN	C MM
CP1212	EK	12	300	12	300	4	100
CP1818	CK	18	450	18	450	5	125
CP1824	1K*	18	450	24	600	5	125
CP2424	2K	24	600	24	600	5	125
CP2430	3K	24	600	30	750	5	125
CP3030	5K	30	750	30	750	6	150
CP2436	1L	24	600	36	900	6	150
CP3636	1M	36	900	36	900	6	150
CP2448	3L	24	600	48	1200	6	150
CP3648	3M	36	900	48	1200	6	150
CP4848	1R	48	1200	48	1200	6	150

OR APPROVED EQUAL | 6

Central Precast

Title: PEDESTRIAN (NON TRAFFIC) BICYCLE–PROOF FRAMES & GRATES FOR DROP INLETS | Date: 05/15/03 | Rev. 02/24/04 | Dwg. No. PG | Page No. 1–8



DETAIL – 1

FRAME PLAN GRATE PLAN

MODEL No.	CPC MODEL NAME	FRAMES A IN	B IN	FRAME ANGLE IN	SIDE BAR IN	WEIGHT LBS.	GRATES J IN	K IN	BEARING BARS IN	BANDING BARS IN	WEIGHT LBS.
CP1212	EK	12–3/8	12–3/8	1–1/2x1–1/2X3/16	1–1/2x1/4	10	14–11/16	12–1/8	1–1/4X3/16	1–3/16	13
CP1818	CK	18–5/16	18–5/16	1–1/2x1–1/4x1/8	1–1/4 ∠	7	20–5/8	18–1/8	1X3/16	3/4x3/16	20
CP1824	1K*	18–5/16	24–3/8	1–1/2x1–1/2x3/16	1–1/2X1/4	7	20–5/8	24–1/8	1X3/16	3/4x3/16	20
CP2424	2K	24–3/8	24–3/8			20	26–11/16	24–1/8	1X3/16X3/16	3/4x3/16	44
CP2430	3K	24–3/8	30–3/8			23	26–11/16	30–1/8			54
CP2436	1L	24–3/8	36–3/8			25	26–11/16	36–1/8			65
CP2448	3L	24–3/8	48–3/8			38	26–11/16	48			88
CP3030	5K	30–3/8	30–3/8			24	32–11/16	30–1/8			78
CP3636	1M	36–3/8	36–3/8	1–3/4x1–3/4X3/16	1–3/4x1/4	29	39–11/16	36–1/8	1–1/2X3/16	1–1/4x1/16	96
CP3648	3M	36–3/8	48–3/8	1–3/4x1–3/4X3/16	1–3/4x1/4	42	39–11/16	48	1–1/2X3/16	1–1/4x1/16	128
CP4848	1R	48–3/8	48–3/8	2x1–1/2X3/16	2x1/4	46	50–11/16	48	1–3/4X3/16	1–1/2x1/16	227

NOTES :

1. FRAMES AND GRATES ARE HOT–DIPPED GALVANIZED AFTER FABRICATION PER ASTM. SPEC. A–123.
2. FOR OPTIONAL GRATE LOCKING DEVICE SEE DWG. NO. LOCK, PAGE 1–7.

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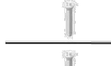
TECHNICAL SPECIFICATIONS

DURA SLOPE ACCESSORIES

	Part No.	Description	Color
	DS-122	ProFit™ Grate Lock	Black
	DS-123	Dura Slope Frame & End Cap Screws PH. # 6 x ¾" Use on DS-124 universal end cap & DS-127 Universal End Outlet downstream for (male) end. Use to attach DS-200 DI Frame to Channel	Steel
	DS-224	Universal End Cap Replaces DS-124, which will not work with DS-113 or deeper channels. Slides into upstream (female) end. Requires DS-123 screws on downstream (male) end.	Gray
	DS-227	Universal End Outlet Replaces DS-127, which will not work with DS-113 or deeper channels. Requires DS-123 screws for use on downstream (male) end. Fits to 4" S&D Pipe	Gray
2 ¼"	DS-126	Bottom Outlet Adapter Fits to 4" S&D Pipe. DS-126 not required for Sch. 40 connection.	Gray
	629	Grate Screws FH # ¼"- 20 x 1½" Use with Grate # DS-231, DS-232, DS-670, DS-226 and 660-665. Use to secure grates in applications without DS-200 DI Frame	Steel
	DS-225	Dura Slope Ductile Iron Frame Screws FH # ¼"-20 x 2¼" Use to secure grates in applications that utilize DS-200 DI Frame	Steel
6¼"	DS-200	Dura Slope Ductile Iron Frame Use with Dura Slope Drains (page 40). Dura Slope Catch Basins (page 42). To be used with DS-231 or DS-232 grates.	Black

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800-726-1994

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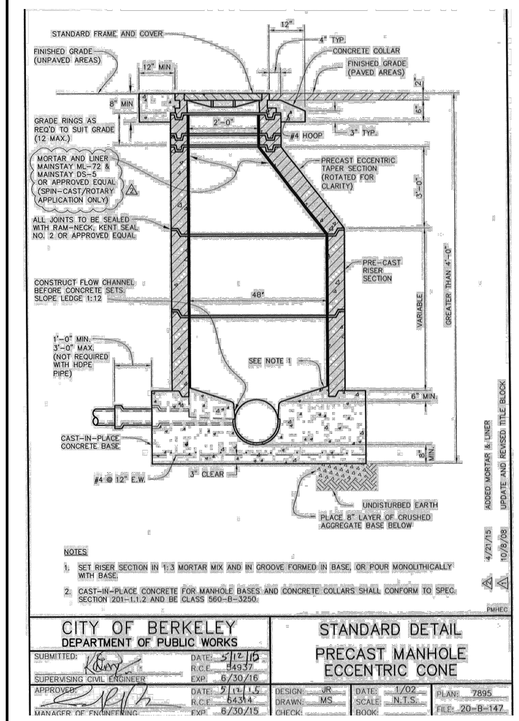
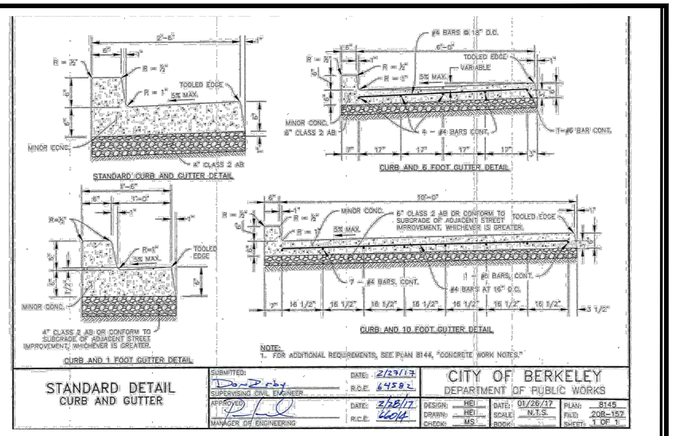
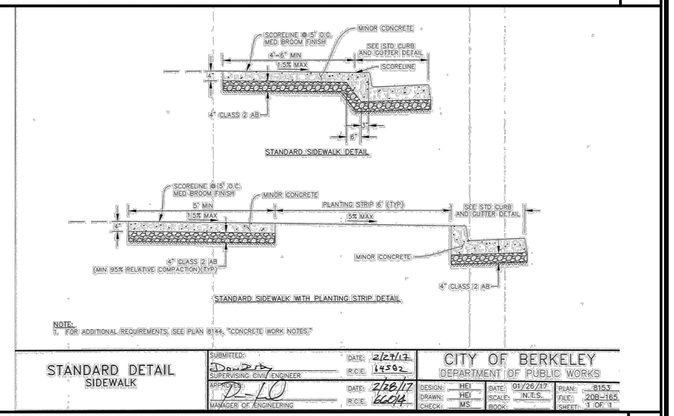


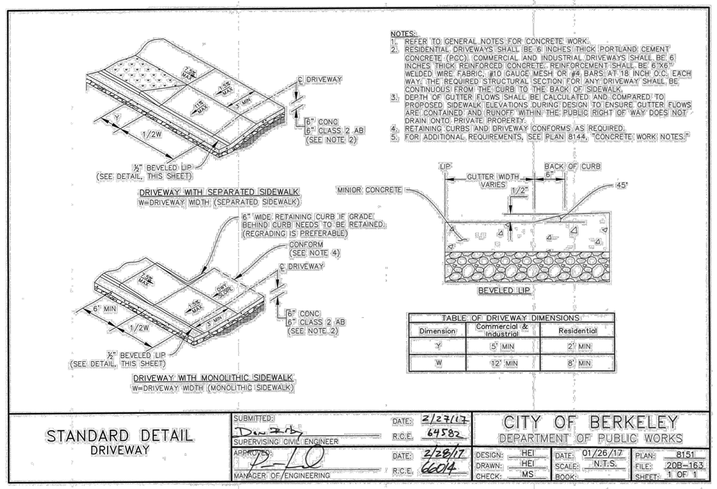
COB PRECAST MANHOLE | 4



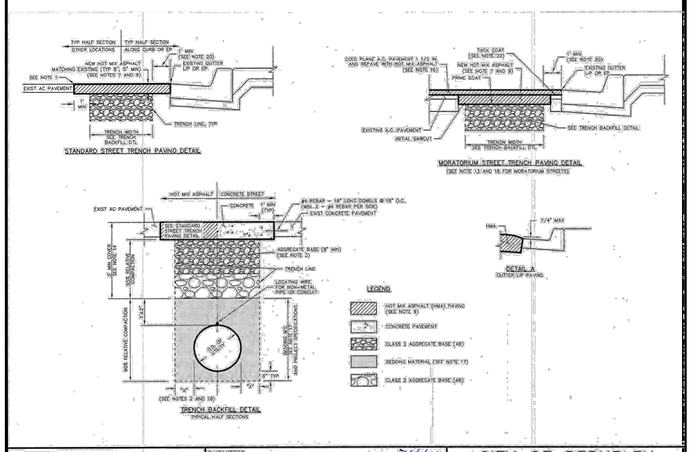
COB STANDARD CURB & GUTTER | 1



COB STANDARD SIDEWALK | 2



COB DRIVEWAY | 5



COB TRENCH EXCAVATION | 3

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CITY OF BERKELEY STANDARD DETAILS

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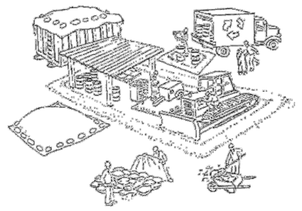
City of Berkeley's Pollution Prevention - It's Part of the Plan



Make sure your crews and subs do the job right!

Runoff from streets and other paved areas is a major source of pollution and damage to creeks and the San Francisco Bay. Construction activities can directly affect the health of creeks and the Bay unless contractors and crews plan ahead to keep dirt, debris, and other construction waste away from storm drains and local creeks. Following these guidelines and the project specifications will ensure your compliance with City of Berkeley requirements.

Materials storage & spill cleanup

Non-hazardous materials management

- Sand, dirt, and similar materials must be stored at least 10 feet (3 meters) from catch basins. All construction material must be covered with a tarp and contained with a perimeter control during wet weather or when rain is forecasted or when not actively being used within 14 days.
- Use (but don't overuse) reclaimed water for dust control as needed.
- Sweep or vacuum streets and other paved areas daily. Do not wash down streets or work areas with water!
- Recycle all asphalt, concrete, and aggregate base material from demolition activities. Comply with City of Berkeley Ordinances for recycling construction materials, wood, gyp board, pipe, etc.
- Check dumpsters regularly for leaks and to make sure they are not overfilled. Repair or replace leaking dumpsters promptly.
- Cover all dumpsters with a tarp at the end of every work day or during wet weather.

Hazardous materials management

- Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, county, state, and federal regulations.
- Store hazardous materials and wastes in water tight containers, store in appropriate secondary containment, and cover them at the end of every work day or during wet weather or when rain is forecasted.
- Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecasted within 24 hours.
- Be sure to arrange for appropriate disposal of all hazardous wastes.

Spill prevention and control

- Keep a stockpile of spill cleanup materials (rags, absorbents, etc.) available at the construction site at all times.
- When spills or leaks occur, contain them immediately and be particularly careful to prevent leaks and spills from reaching the gutter, street, or storm drain. Never wash spilled material into a gutter, street, storm drain, or creek!
- Dispose of all containment and cleanup materials properly.
- Report any hazardous materials spills immediately! Dial 911 or the City of Berkeley's Public Works Department by dialing 311

Construction Entrances and Perimeter

- Establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from site and tracking off site.
- Sweep or vacuum any street tracking immediately and secure sediment source to prevent further tracking.

Vehicle and equipment maintenance & cleaning

- Inspect vehicles and equipment for leaks frequently. Use drip pans to catch leaks until repairs are made; repair leaks promptly.
- Fuel and maintain vehicles on site only in a bermed area or over a drip pan that is big enough to prevent runoff.
- If you must clean vehicles or equipment on site, clean with water only in a bermed area that will not allow rinse water to run into gutters, streets, storm drains, or creeks.
- Do not clean vehicles or equipment on-site using soaps, solvents, degreasers, steam cleaning equipment, etc.

Earthwork & contaminated soils

- Keep excavated soil on the site where it will not collect in the street.
- Transfer to dump trucks should take place on the site, not in the street.
- Use fiber rolls, silt fences, or other control measures to minimize the flow of silt off the site.

- Earth moving activities are only allowed during dry weather by permit and as approved by the City Inspector in the Field.
- Mature vegetation is the best form of erosion control. Minimize disturbance to existing vegetation whenever possible.
- If you disturb a slope during construction, prevent erosion by securing the soil with erosion control fabric, or seed with fast-growing grasses as soon as possible. Place fiber rolls down-slope until soil is secure.
- If you suspect contamination (from site history, discoloration, odor, texture, abandoned underground tanks or pipes, or buried debris), call the Engineer for help in determining what should be done, and manage disposal of contaminated soil according to their instructions.

Dewatering operations

- Effectively manage all run-on, all runoff within the site, and all runoff that discharges from the site. Run-on from off site shall be directed away from all disturbed areas or shall collectively be in compliance.
- Reuse water for dust control, irrigation, or another on-site purpose to the greatest extent possible.

- Be sure to notify and obtain approval from the Engineer before discharging water to a street, gutter, or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- In areas of known contamination, testing is required prior to reuse or discharge of groundwater. Consult with the Engineer to determine what testing is required and how to interpret results. Contaminated groundwater must be treated or hauled off-site for proper disposal.

Saw cutting

- Always completely cover or barricade storm drain inlets when saw cutting. Use filter fabric, catch basin inlet filters, or sand/gravel bags to keep slurry out of the storm drain system.
- Shovel, absorb, or vacuum saw-cut slurry and pick up all waste as soon as you are finished in one location or at the end of each work day (whichever is sooner!).
- If saw cut slurry enters a catch basin, clean it up immediately.

Paving/asphalt work

- Always cover storm drain inlets and manholes when paving or applying seal coat, tack coat, slurry seal, or fog seal.
- Protect gutters, ditches, and drainage courses with sand/gravel bags, or earthen berms.
- Do not sweep or wash down excess sand from sand sealing into gutters, storm drains, or creeks. Collect sand and return it to the stockpile, or dispose of it as trash.
- Do not use water to wash down fresh asphalt concrete pavement.

Concrete, grout, and mortar storage & waste disposal

- Store concrete, grout, and mortar under cover, on pallets, and away from drainage areas. These materials must never reach a storm drain.
- Wash out concrete equipment/trucks off-site or into contained washout areas that will not allow discharge of wash water onto the underlying soil or onto the surrounding areas.

- Collect the wash water from washing exposed aggregate concrete and remove it for appropriate disposal off site.

Painting

- Never rinse paint brushes or materials in a gutter or street!
- Paint out excess water-based paint before rinsing brushes, rollers, or containers in a sink.
- Paint out excess oil-based paint before cleaning brushes in thinner.
- Filter paint thinners and solvents for reuse whenever possible. Dispose of oil-based paint sludge and unusable thinner as hazardous waste.

Landscape Materials

- Contain, cover, and store on pallets all stockpiled landscape materials (mulch, compost, fertilizers, etc.) during wet weather or when rain is forecasted or when not actively being used within 14 days.
- Discontinue the application of any erodible landscape material within 2 days of forecasted rain and during wet weather.

Storm drain polluters may be liable for fines of $10,000 or more per day!

For references and more detailed information:
www.cleanwaterprogram.org
www.cabmphandbooks.com

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REGISTERED PROFESSIONAL ENGINEER
JEFFREY R. MOORE
No. C042628
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CIVIL
STATE OF CALIFORNIA

PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55-1826-18-2

CITY OF BERKELEY
POLLUTION PREVENTION
PLAN

CHECKED BY:	XXX
DRAWN BY:	STAFF
SCALE:	NO SCALE
DATE	05/17/2024
PROJECT NO.	2024.018
PHASE NO.	XX
SHEET NO.	C7.3

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED BY THIS DRAWING ARE OWNED BY AND THE PROPERTY OF THIS OFFICE AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF GREENWOOD & MOORE, INC. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB. THIS OFFICE MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. SHOP DETAILS OF ACCURATE SCALE MUST BE SUBMITTED TO THIS OFFICE FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION ON THE ITEMS SO NOTED

EROSION CONTROL NOTES

TEMPORARY EROSION CONTROL MEASURES EFFECTIVE DURING RAINY SEASON – OCTOBER 1 TO APRIL 30

1. TEMPORARY EROSION CONTROL DEVICES SHOWN ON GRADING PLAN WHICH INTERFERE WITH THE WORK SHALL BE RELOCATED OR MODIFIED WHEN THE INSPECTOR SO DIRECTS AS THE WORK PROGRESSES.
2. EXCEPT AS OTHERWISE DIRECTED BY THE INSPECTOR, ALL DEVICES SHOWN ON THE EROSION CONTROL PLAN SHALL BE IN PLACE AT THE END OF EACH WORKING DAY. ALL EROSION CONTROL FACILITIES MUST BE INSPECTED AND REPAIRED AT THE END OF EACH WORKING DAY DURING THE RAINY SEASON AND MAINTAINED DURING THE RAINY SEASON (OCTOBER 1 TO APRIL 30).
3. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE PROVISIONS OF THE ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) "MANUAL OF STANDARDS FOR EROSION AND SEDIMENT CONTROL MEASURES" UNLESS OTHERWISE STATED WITHIN THESE GENERAL NOTES. CONTROL MEASURES ARE SUBJECT TO THE INSPECTION AND APPROVAL OF THE ENGINEERING DIVISION OF THE PUBLIC SERVICES DEPARTMENT. SCHEDULE AN ENGINEERING INSPECTION AT LEAST 48 HOURS PRIOR TO THE START OF ANY WORK.
4. ALL LOOSE SOIL AND DEBRIS SHALL BE REMOVED FROM THE STREET AREAS UPON STARTING OPERATIONS AND PERIODICALLY THEREAFTER AS DIRECTED BY THE INSPECTOR. THE SITE SHALL BE MAINTAINED SO AS TO MINIMIZE SEDIMENT LADEN RUNOFF TO ANY STORM DRAIN SYSTEM.
5. THE CONTRACTOR SHALL PLACE 3"–4" FRACTURED STONE AGGREGATE AS A GRAVEL ROADWAY (6" MINIMUM THICKNESS FOR THE FULL WIDTH AND 50 FEET LONG) AT EACH ROAD ENTRANCE TO THE SITE. ANY MUD THAT IS TRACKED ONTO PUBLIC STREETS SHALL BE REMOVED THE SAME DAY AS REQUIRED BY THE COUNTY ENGINEER. MINIMUM WIDTH OF GRAVEL ROADWAY IS 10 FEET.
6. A CONCRETE WASHOUT IS REQUIRED FOR ALL CONCRETE WORK. THE WASHOUT SHALL CONSIST OF A CONTAINMENT AREA ENCLOSED BY AN EARTHEN DIKE. PLASTIC TARP, COVERING THE CONTAINMENT AREA AND EARTHEN DIKE, SHALL BE STAKED IN AT OUTSIDE EDGE OF EARTHEN DIKE.
7. ADDITIONAL CONTAINMENT METHODS MUST BE PROVIDED FOR ANY WASTE STORAGE AREA, STOCKPILE/MATERIAL STORAGE AREA AND/OR CONSTRUCTION TOILET AREA.
8. THE PERSON RESPONSIBLE IMPLEMENTING, INSPECTING AND MAINTAINING THE EROSION AND SEDIMENT CONTROL MEASURES IS:

   CONTACT PERSON'S NAME: XXXXX
   TELEPHONE NUMBER: XXXXX

9. STAND–BY CREWS SHALL BE ALERTED BY THE PERMITTEE OR CONTRACTOR FOR EMERGENCY WORK DURING RAINSTORMS.
10. AFTER OCTOBER 1, ALL EROSION CONTROL MEASURES WILL BE INSPECTED DAILY AND AFTER EACH STORM. AFTER OCTOBER 1, BREACHES IN DIKES AND SWALES WILL BE REPAIRED AT THE CLOSE OF EACH DAY AND WHENEVER RAIN IS FORECAST.
11. AS A PART OF THE EROSION CONTROL MEASURES, UNDERGROUND STORM DRAIN FACILITIES AND CONCRETE SHALL BE INSTALLED COMPLETE AS SHOWN ON THE IMPROVEMENT PLANS.
12. ALL STORM DRAIN INLET STRUCTURES GREATER THAN FOUR FEET IN DEPTH SHALL HAVE STEPS INSTALLED PER THE LATEST ACCEPTED SAFETY STANDARDS. A 6" CONCRETE COVER SLAB SHALL BE INSTALLED OVER PIPE WITH LESS THAN 2.5 FEET OF COVER TO SUBGRADE. ALL PIPE TO BE CLASS III UNLESS OTHERWISE NOTED.
13. ALL GRADED AREAS, INCLUDING, BUT NOT LIMITED TO, CUT AND FILL SLOPES, STREETS, PARKING AREAS, AND BUILDING PADS SHALL BE HYDROSEEDED PER ABAG. IN ADDITION TO HYDROSEEDING, APPLICATION OF STRAW WITH A TACKIFIER OR MULCH MAY BE REQUIRED BY THE COUNTY ENGINEER.
14. IF ANY GRADING OPERATIONS, OTHER THAN LOT FINISH GRADING, ARE TO BE PERFORMED DURING THE RAINY SEASON, OCTOBER 1 THROUGH APRIL 30, AN EROSION CONTROL PLAN MUST BE SUBMITTED BY SEPTEMBER 1 AND THE PLAN MUST BE APPROVED BY THE COUNTY OF ALAMEDA PRIOR TO THE COMMENCEMENT OF ANY SUCH GRADING OPERATIONS.
15. TO MINIMIZE EROSION OF GRADED BANKS, ALL GRADED BANKS STEEPER THAN 2% AND HIGHER THAN 3 FEET, SHALL BE HYDROSEEDED, LANDSCAPED, OR SEALED. IN ADDITION TO HYDROSEEDING, APPLICATION OF STRAW WITH A TACKIFIER OR MULCH MAY BE REQUIRED BY THE COUNTY ENGINEER. IF THE PERMANENT STORM DRAIN SYSTEM IS NOT INSTALLED BY OCTOBER 1, TEMPORARY DITCHES SHALL BE CONSTRUCTED TO CONTAIN THE STORM WATER AND DIRECT IT, IN A MANNER THAT AVOIDS EROSION OF THE BANKS, TO THE EROSION AND SEDIMENT CONTROL FACILITIES.
16. ALL CUT AND FILL SLOPES ARE TO BE PROTECTED TO PREVENT OVERBANK FLOW USING 4" EARTH BERMS OR SILT FENCES.
17. ALL GRADED AREAS, INCLUDING, BUT NOT LIMITED TO, CUT AND FILL SLOPES, STREETS, PARKING AREAS, AND BUILDING PADS SHALL BE HYDROSEEDED PER COUNTY'S REQUIREMENT. SUGGESTED MIX DESIGN FOLLOWS:

'BLANDO' BROME	40 LBS/ACRE
ZORRO FESCUE	10 LBS/ACRE
HYKON ROSE CLOVER	9 LBS/ACRE
SUB CLOVER	5 LBS/ACRE
CALIFORNIA NATIVE WILDFLOWER	8 LBS/ACRE
FERTILIZER	300 LBS/ACRE
ORGANIC BINDER	100 LBS/ACRE
STRAW MULCH	4000 LBS/ACRE

18. BORROW AREAS AND TEMPORARY STOCKPILES SHALL BE PROTECTED WITH APPROPRIATE EROSION CONTROL MEASURES TO THE SATISFACTION OF THE COUNTY ENGINEER.
19. SANDBAGS, STRAW WATTLES AND/OR STRAW BALES SHALL BE STOCKPILED ON SITE AND PLACED AT INTERVALS SHOWN ON EROSION CONTROL PLANS, WHEN THE RAIN FORECAST IS 40% OR GREATER, OR WHEN DIRECTED BY THE INSPECTOR.
20. SANDBAGS REFERRED TO IN THE PRECEDING ITEMS MUST BE FULL. APPROVED SANDBAG FILL MATERIALS ARE DECOMPOSED GRANITE AND/OR GRAVEL, OR OTHER MATERIALS APPROVED BY THE INSPECTOR.
21. WHEN DIRECTED BY THE INSPECTOR, A 12–INCH BERM SHALL BE MAINTAINED ALONG THE TOP OF THE SLOPE OF THOSE FILLS ON WHICH GRADING IS NOT IN PROGRESS.
22. WHEN PAD ELEVATIONS OF ADJACENT LOTS OR ELEVATIONS BETWEEN THE STREET AND THE LOT ARE SEPARATED BY MORE THAN 6 FEET, A MINIMUM 12" BERM SHALL BE MAINTAINED ALONG THE PROPERTY LINE SEPARATING THE LOTS, AND THE BERM SHALL DIRECT THE WATER TO THE OUTLET. VELOCITY CHECK DAMS SHALL BE INSTALLED BETWEEN THE OUTLET ON THE LOT AND THE STREET.
23. PROVIDE VELOCITY CHECK DAMS IN ALL UNPAVED STREETS AT THE INTERVALS INDICATED BELOW IN NOTE #24. VELOCITY CHECK DAMS MAY BE CONSTRUCTED OF STRAW BALES, SANDBAGS OR OTHER EROSION RESISTANT MATERIALS APPROVED BY THE INSPECTOR, AND SHALL EXTEND COMPLETELY ACROSS THE STREET OR CHANNEL AT RIGHT ANGLES TO THE CENTERLINE. EARTH DIKES MAY NOT BE USED AS VELOCITY CHECK DAMS.
24. PROVIDE VELOCITY CHECK DAMS IN ALL UNPAVED GRADED CHANNELS AT THE INTERVALS INDICATED BELOW:

GRADE OF CHANNEL	INTERVAL
LESS THAN 3%	100 FEET
3% TO 6%	50 FEET
OVER 6%	25 FEET

25. SEWER OR STORM DRAIN TRENCHES THAT ARE OUT THROUGH BASIN DIKES OR BASIN INLET DIKES, SHALL BE PLUGGED WITH SANDBAGS FROM TOP OF PIPE TO TOP OF DIKE. SEWER LINES SHALL FIRST BE ENCASED IN CONCRETE BEFORE SANDBAGS ARE PLACED.
26. ALL OPEN UTILITY TRENCHES SHALL BE BLOCKED AT THE PRESCRIBED INTERVALS FROM THE BOTTOM TO TOP WITH A DOUBLE ROW OF SANDBAGS PRIOR TO BACKFILL. SEWER TRENCHES SHALL BE BLOCKED AT THE PRESCRIBED INTERVALS WITH A DOUBLE ROW OF SANDBAGS EXTENDING DOWNWARD, TWO SANDBAGS FROM THE GRADED SURFACE OF THE STREET. SANDBAGS ARE TO BE PLACED WITH ALTERNATE HEADER AND STRETCHER COURSES. THE INTERVALS PRESCRIBED BETWEEN SANDBAG LOCKING SHALL DEPEND ON THE SLOPE OF THE GROUND SURFACE, BUT NOT EXCEED THE FOLLOWING:

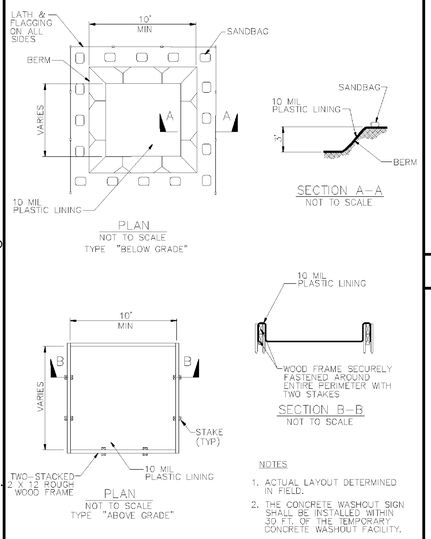
GRADE OF THE STREET	INTERVAL
LESS THAN 2%	AS REQUIRED
2% TO 4%	100 FEET
4% TO 10%	50 FEET
OVER 10%	25 FEET

27. AFTER STORM DRAIN, SANITARY SEWER AND UTILITY TRENCHES ARE BACKFILLED AND COMPACTED, THE SURFACES OVER SUCH TRENCHES SHALL BE MOUNDED SLIGHTLY TO PREVENT CHANNELING OF WATER IN THE TRENCH AREA. CARE SHOULD BE EXERCISED TO PROVIDE FOR CROSS FLOW AT FREQUENT INTERVALS WHERE TRENCHES ARE NOT ON THE CENTER LINE OF A CROWNED STREET.
28. SEDIMENT TRAPS SHALL BE CLEANED OUT PER INSPECTOR'S DIRECTION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CLEAN THE DESILTING BASINS AND THE SEDIMENT TRAPS.
29. THIS PLAN MAY NOT COVER ALL THE SITUATIONS THAT ARISE DURING CONSTRUCTION DUE TO UNANTICIPATED FIELD CONDITIONS. VARIATIONS MAY BE MADE TO THESE PLANS IN THE FIELD, SUBJECT TO APPROVAL OF THE COUNTY ENGINEER.
30. EROSION CONTROL STRUCTURES SHALL BE ADJUSTED BY THE CONTRACTOR TO REFLECT ALL CHANGES IN DRAINAGE AS STREETS AND BUILDING PADS ARE BEING INSTALLED.
31. INSTALL EXCELSIOR CURLEX II EROSION CONTROL BLANKET OR APPROVED EQUAL ON GRADED SLOPES STEEPER THAN 3:1. INSTALL PER MANUFACTURER'S RECOMMENDATIONS AND SPECIFICATIONS.

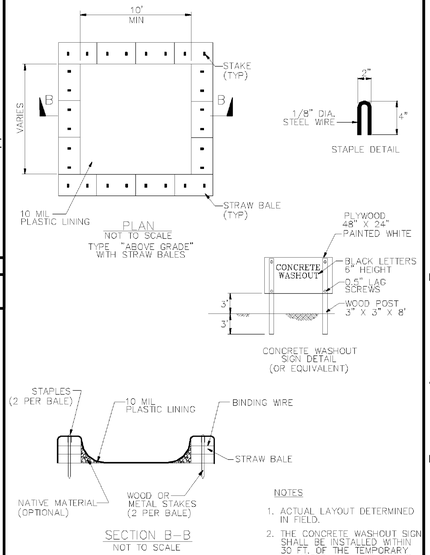
EROSION CONTROL NOTES | 10

1/2"=1'–0"

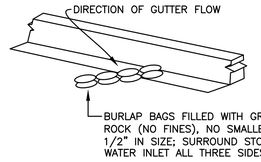
SILT FENCE | 9



WM–8 CONCRETE WASTE MANAGEMENT | 7



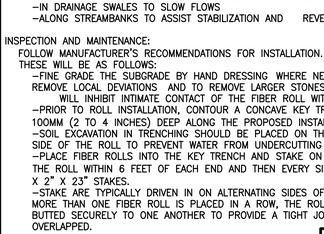
CONCRETE WASTE MANAGEMENT WM–8 | 8



NOTES
1. THICKNESS OF FILLED BAGS WHEN LAID FLAT SHALL NOT EXCEED 4".
2. ENSURE THERE ARE NO GAPS BETWEEN THE BAGS AND THE FACE OF CURB.
3. REMOVE ACCUMULATED SILT, DIRT, AND DEBRIS BEFORE IT EXCEEDS A THICKNESS OF 2" IN THE GUTTER.
4. INSPECT INLET PROTECTION DAILY DURING EXTENDED RAINFALL PERIODS AND BEFORE AND AFTER EACH RAIN EVENT.

1/2"=1'–0"

GRAVEL BAG CHECK DAM | 4

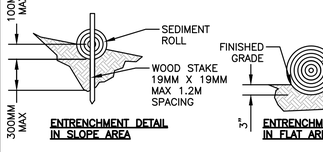


1/2"=1'–0"

INLET PROTECTION (UNPAVED AREAS) | 5

LIMITATIONS:
–DESIGNED FOR LOW SURFACE FLOWS NOT TO EXCEED 1 CFS FOR SMALL AREAS.
–DESIGNED FOR SHORT SLOPED OR SLOPES FLATTER THAN 3:1
– PRIMARY PURPOSE IS NOT SEDIMENT CONTROL, ALTHOUGH DO PROVIDE SOME SEDIMENT REMOVAL.

INSPECTION AND MAINTENANCE:
– REPAIR OR REPLACE SPLIT, TORN, UNRAVELING, OR SLUMPING FIBER ROLLS.
–INSPECT FIBER ROLLS WHEN RAIN IS FORECAST, FOLLOWING RAIN EVENTS AND AT LEAST DAILY DURING PROLONGED RAINFALL. PERFORM REQUIRED MAINTENANCE.
–IN MOST CASES, FIBER ROLLS DO NOT REQUIRE REMOVAL AND CAN BE ABANDONED IN PLACE. IF NOTE EXCESSIVELY SOILED, ROLLS MAY BE REMOVED. REPLACED AND REUSED.



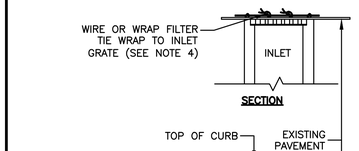
PURPOSE:
FIBER ROLLS (SEDIMENT LOGS OR WATTLES), COMPOSED OF BIO–DEGRADABLE FIBERS STUFFED IN A PHOTO–DEGRADEABLE OPEN WEAVE NETTING, ARE DESIGNED TO REDUCE SEDIMENT RUNOFF FROM DISTURBED SOILS INTO THE STORM DRAIN SYSTEM OR WATER–COURSES. FIBER ROLLS ARE POROUS AND ALLOW WATER TO FILTER THROUGH FIBERS AND TRAP SEDIMENT, INCREASE FILTRATION RATES, SLOW RUNOFF AND REDUCE SHEET AND HILL EROSION. WATTLES ALSO CREATE A FAVORABLE ENVIRONMENT FOR PLANT ESTABLISHMENT.

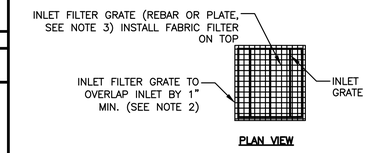
APPLICATION:
–ALONG THE FACE OF EXPOSED AND ERODIBLE SLOPES TO SHORTEN SLOPE LENGTH.
–AT GRADE BREAKS WHERE SLOPES TRANSITION TO A STEEPER SLOPE
–IN DRAINAGE SWALES TO SLOW FLOWS
–ALONG STREAMBANKS TO ASSIST STABILIZATION AND REVEGETATION

INSPECTION AND MAINTENANCE:
FOLLOW MANUFACTURER'S RECOMMENDATIONS FOR INSTALLATION. IN GENERAL, THESE WILL BE AS FOLLOWS:
–FINE GRADE THE SUBGRADE BY HAND DRESSING WHERE NECESSARY TO REMOVE LOCAL DEVIATIONS AND TO REMOVE LARGER STONES OR DEBRIS THAT WILL INHIBIT INTIMATE CONTACT OF THE FIBER ROLL WITH THE SUBGRADE.
–PRIOR TO ROLL INSTALLATION, CONTOUR A CONCAVE KEY TRENCH 50 TO 100MM (2 TO 4 INCHES) DEEP ALONG THE PROPOSED INSTALLATION ROUTE.
–SOIL EXCAVATION IN TRENCHING SHOULD BE PLACED ON THE UPHILL OR FLOW SIDE OF THE ROLL TO PREVENT WATER FROM UNDERCUTTING THE ROLL.
–PLACE FIBER ROLLS INTO THE KEY TRENCH AND STAKE ON BOTH SIDES OF THE ROLL WITHIN 6 FEET OF EACH END AND THEN EVERY SIX INCHES WITH 1" X 2" X 23" STAKES.
–STAKE ARE TYPICALLY DRIVEN IN ON ALTERNATING SIDES OF THE ROLL. WHEN MORE THAN ONE FIBER ROLL IS PLACED IN A ROW, THE ROLLS SHOULD BE BUTTED SECURELY TO ONE ANOTHER TO PROVIDE A TIGHT JOINT, NOT OVERLAPPED.

1/2"=1'–0"

STRAW WATTLE | 6

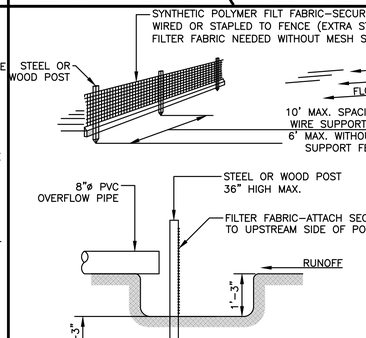




NOTES:
1. FILTER FABRIC SHALL MEET CAL–TRANS OR HAY BAG SPECIFICATIONS.
2. FILTER MATERIAL AND GRATE SHALL OVERLAP INLET ON ALL SIDES BY A MINIMUM OF 1"
3. INLET FILTER GRATE SHALL BE MADE OF RE–BARS, CRISS CROSSED AT 6" (WELDED NUMBERED 3 OR TIED TOGETHER WITH WIRE) OR A PLATE WITH MINIMUM OF 75% OPEN AREA, BOTH OF SUFFICIENT STRENGTH TO PREVENT BENDING WHEN DRIVEN OVER BY A VEHICLE.
4. INLET FILTER GRATE SHALL BE SECURELY ATTACHED TO DRAIN INLET BY WIRE OR TIE–WRAPS (BEND OVER).
5. FILTERS SHALL BE INSPECTED WEEKLY AND AFTER EACH RAINFALL. REPAIRS, SEDIMENT/ DEBRIS REMOVAL SHALL BE MADE TO ASSURE EFFICIENCY OF FILTER SYSTEM.

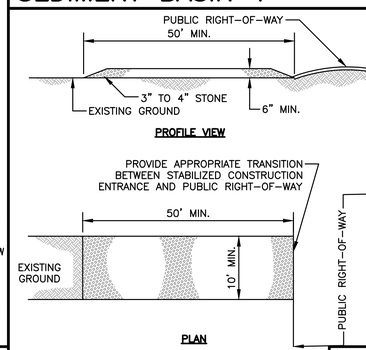
1/2"=1'–0"

INLET PROTECTION (PAVED AREAS) | 1



1/2"=1'–0"

SEDIMENT BASIN 1 | 2



1/2"=1'–0"

CONSTRUCTION ENTRANCE | 3

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STATE OF CALIFORNIA

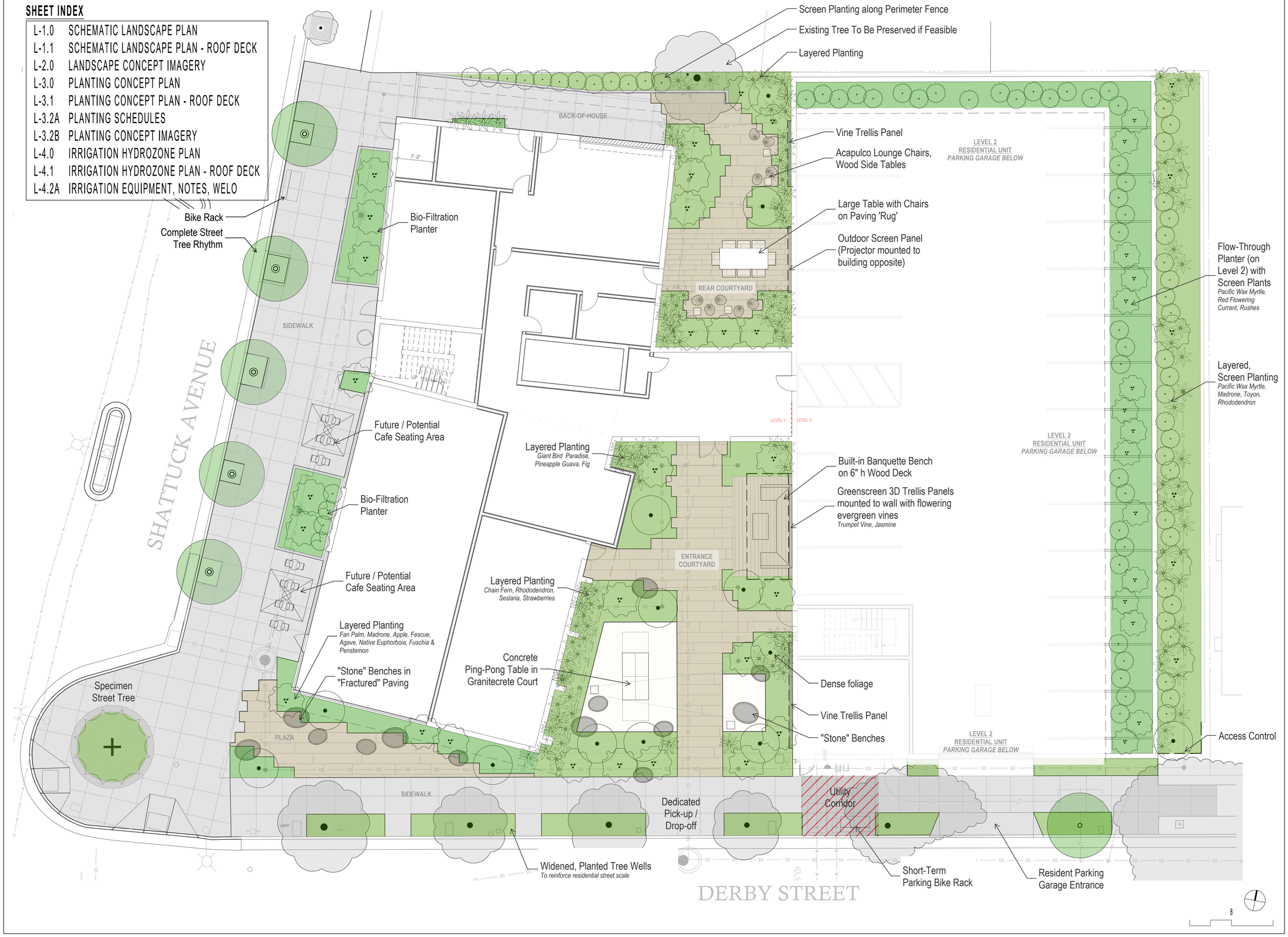
PRELIMINARY PLANS
2655 SHATTUCK AVENUE
BERKELEY, CA 94704
APN: 55–1826–18–2

EROSION CONTROL DETAILS

CHECKED BY:	XXX
DRAWN BY:	STAFF
SCALE:	1"=10'
DATE	05/17/2024
PROJECT NO.	2024.018
PHASE NO.	XX
SHEET NO.	C7.4

SHEET INDEX

L-1.0	SCHEMATIC LANDSCAPE PLAN
L-1.1	SCHEMATIC LANDSCAPE PLAN - ROOF DECK
L-2.0	LANDSCAPE CONCEPT IMAGERY
L-3.0	PLANTING CONCEPT PLAN
L-3.1	PLANTING CONCEPT PLAN - ROOF DECK
L-3.2A	PLANTING SCHEDULES
L-3.2B	PLANTING CONCEPT IMAGERY
L-4.0	IRRIGATION HYDROZONE PLAN
L-4.1	IRRIGATION HYDROZONE PLAN - ROOF DECK
L-4.2A	IRRIGATION EQUIPMENT, NOTES, WELO



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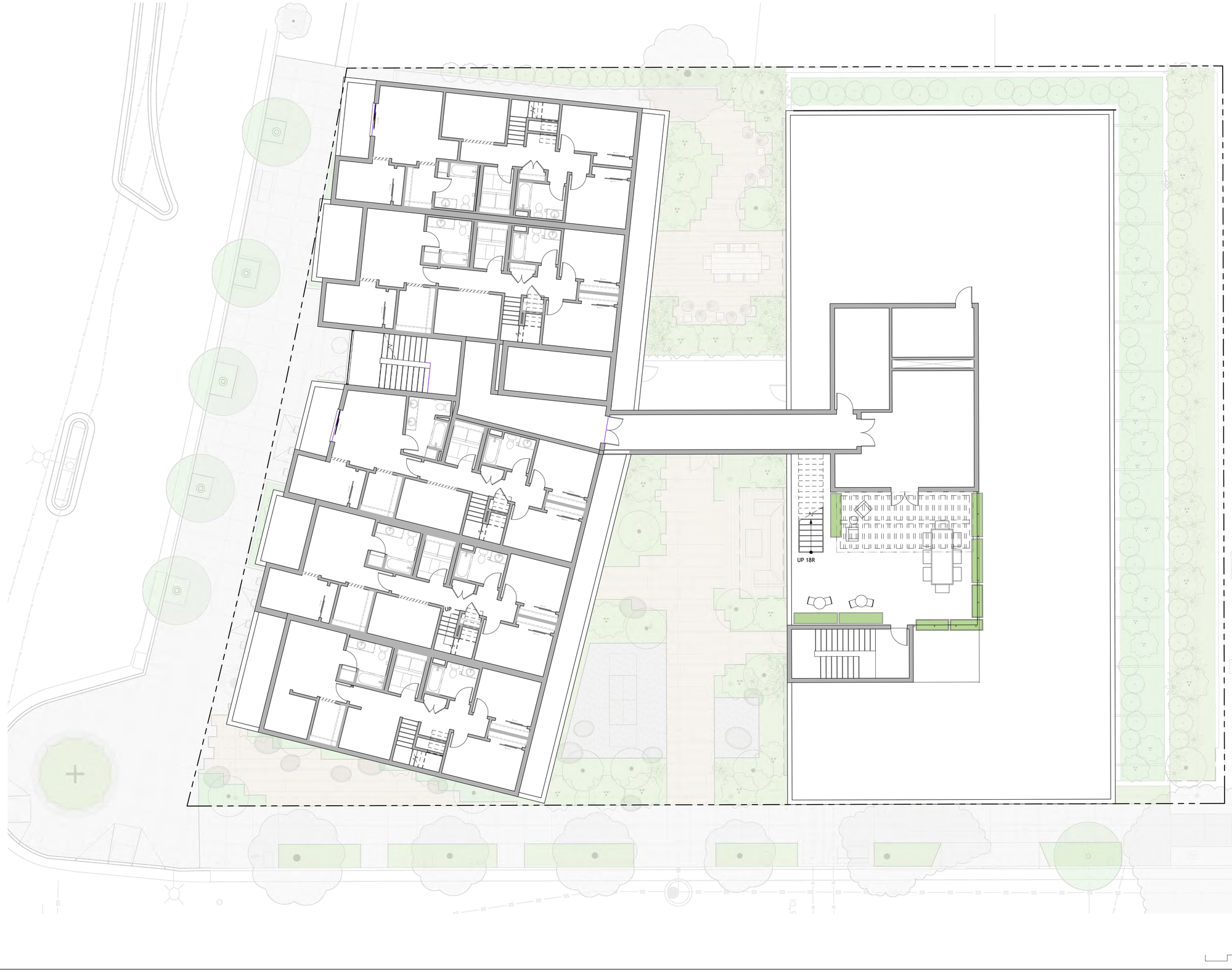
2655 SHATTUCK AVE
LANDSCAPE PLANS
2655 Shattuck Ave, BERKELEY, CA

PHASE AGENCY SUBMITTAL
DATE 12-05-2024
REVISIONS

No.	Description	Date
1	AGENCY RE-SUBMITTAL	8/19/2024
2	AGENCY RE-SUBMITTAL	12/05/2024

SCHEMATIC LANDSCAPE PLAN

L-1.0



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LANDSCAPE PLANS

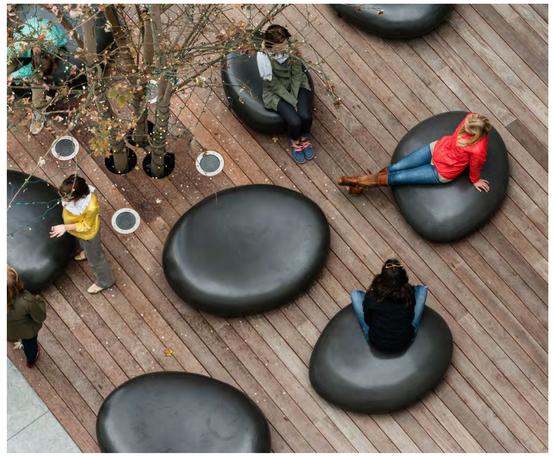
2655 Shattuck Ave, BERKELEY, CA

PHASE AGENCY SUBMITTAL
DATE 12-05-2024
REVISIONS

No.	Description	Date
1	AGENCY RE-SUBMITTAL	8/19/2024
2	AGENCY RE-SUBMITTAL	12/05/2024

SCHEMATIC LANDSCAPE PLAN - ROOF DECK

L-1.1



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2655 SHATTUCK AVE
LANDSCAPE PLANS

2655 Shattuck Ave, BERKELEY, CA

PHASE AGENCY SUBMITTAL
DATE 12-05-2024
REVISIONS

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1	AGENCY RE-SUBMITTAL	8/19/2024
2	AGENCY RE-SUBMITTAL	12/05/2024

LANDSCAPE CONCEPT IMAGERY

L-2.0

PLANT SCHEDULE (ABBREVIATED)

(SEE SHEET L-3.2A FOR FULL SCHEDULE)

Symbol

Existing Tree to Remain

City Street Tree

Specimen Tree at Corner

Trees

Hedge and Screening

Streetscape - Shattuck Frontage

Streetscape - Derby Frontage

East Perimeter Buffer

Bio Treatment Planters

Courtyards

Vines

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2	AGENCY RE-SUBMITTAL	12/05/2024

PLANTING CONCEPT PLAN

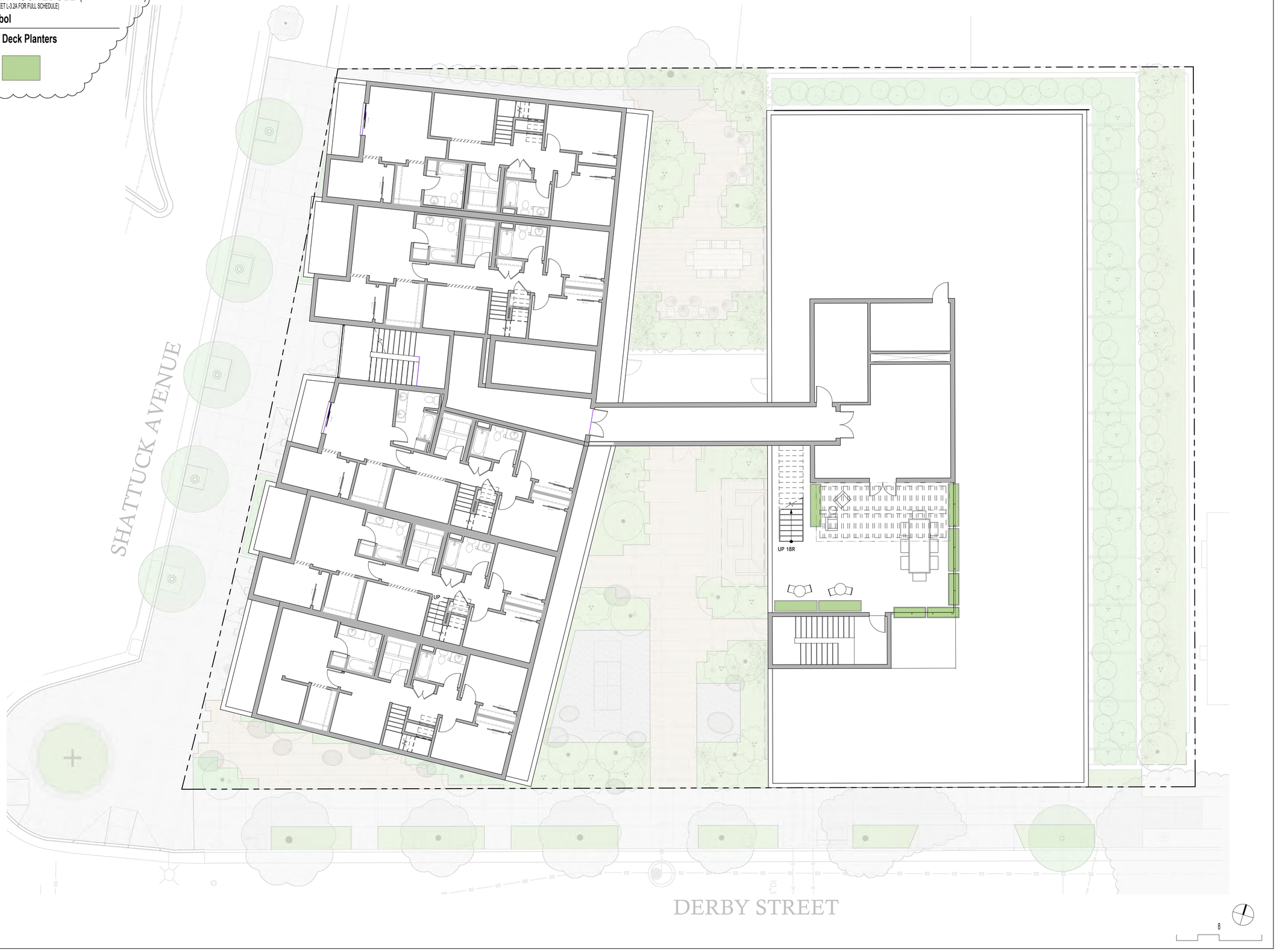
L-3.0

PLANT SCHEDULE (ABBREVIATED)

(SEE SHEET L-3.2A FOR FULL SCHEDULE)

Symbol

Roof Deck Planters



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2655 SHATTUCK AVE
LANDSCAPE PLANS

2655 Shattuck Ave, BERKELEY, CA

PHASE AGENCY SUBMITTAL
DATE 12-05-2024
REVISIONS

No.	Description	Date
1	AGENCY RE-SUBMITTAL	6/19/2024
2	AGENCY RE-SUBMITTAL	12/05/2024

PLANTING CONCEPT PLAN - ROOF DECK

L-3.1

PLANT SCHEDULE

Symbol	Common Name	*Botanical Name*	Quantity	Size	Wucols	Notes
Existing Tree to Remain						
						See Note 7 - 9 for City Street Tree Replacements
City Street Tree						
	Shattuck Ave Street Trees - Mix of Species Preferred			24" Box	M	
	Brisbane Box	*Lophostemon confertus*		Min.		Pollinator
	Sweetshade	*Hymenosporum flavum*				Pollinator
	Derby Street Tree			24" Box	M	
	London Plane	*Platanus x hispanica*		Min.		Pollinator
Specimen Tree at Corner						
	Specimen Tree			24" Box	L	
	Silverleaf Oak	*Quercus hypoleucoides*		Min.		
	Compton Oak	*Quercus x comptoniae*				
	Island Oak	*Quercus tomentella*				Native
Trees						
	Medium Accent Trees			24" Box	M / L	
	Pineapple Guava	*Feijoa sellowiana*		Min.		Pollinator
	'Mission' Edible Fig	*Ficus carica*				Pollinator
	Madrone	*Arbutus menziesii*				Pollinator
	Vine Maple	Acer circinatum				Pollinator
						Pollinator
	Foliage Accent					
	Giant Bird-of-Paradise	*Strelitzia nicolai*		#20/25 or	M / L	Pollinator
	New Zealand Flax	*Phormium tenax*		24" Box		
	Mediterranean Fan Palm	*Chamaerops humilis*				
	Fern Pine	*Podocarpus henkellii*				
	Evergreen Rhododendron	*Rhododendron var.*				Pollinator
Hedge and Screening						
	Bay laurel	*Laurus nobilis*		#15 Min	L	Columns, Pollinator
	Purple Hopseed Bush	*Dodonaea viscosa 'Purpurea'*			L	
	Fern Pine	*Podocarpus henkellii*			M	Columns, Pollinator
	Pacific Wax Myrtle	*Myrica california*			M	Columns, Pollinator, Native
	Toyon	*Heteromeles arbutifolia*			L	Pollinator, Native
	'Bright 'N Tight' Carolina Laurel	*Prunus caroliniana 'Monus'*			L	Columns, Pollinator
Vines						
	Trumpet Vine	*Campsis radicans*		#15 Min.	L	At Vine Trellis Panels, Pollinator
	Jasmine	*Trachelospermum jasminoides*			M	Pollinator
	Creeping Fig	*Ficus pumila*			M	
Mixed Shrubs, Perennials, Grasses & Groundcover by Zone (All species to be size #1 minimum.)						
Streetscape - Shattuck Frontage						
	Dwarf Yeddo Hawthorn	*Rhaphiolepis umbellata 'Minor'*		#1	L	Pollinator
	Cleveland sage	*Salvia clevelandii**				Native Pollinator
	Wall Germander	*Teucrium chamaedrys*				Pollinator
	Pine Muhly	*Muhlenbergia dubia*				Native
Streetscape - Derby Frontage	Deer Grass	*Muhlenbergia rigens*				Native
	Groundcover Rosemary	*Rosmarinus p. 'Huntington Carpet'*				Pollinator
	Magenta Rockrose	*Cistus 'Sunset'*				Pollinator
	Upright Rosemary	*Rosmarinus o. 'Tuscan Blue'*				Pollinator
	Groundcover Manzanita	*Arctostaphylos 'Emerald Carpet'**				Native Pollinator
	California Fescue	*Festuca californica**				Native

PLANT SCHEDULE (cont.)

Symbol	Common Name	*Botanical Name*	Quantity	Size	Wucols	Notes
Mixed Shrubs, Perennials, Grasses & Groundcover by Zone (All species to be size #1 minimum.)						
East Perimeter Buffer						
	Pacific Wax Myrtle	*Myrica california*		#15 Min.	M	Native Pollinator
	Toyon	*Heteromeles arbutifolia*				Native Pollinator
	Rhododendron	*Rhododendron spp.*				Native Pollinator
	Madrone	*Arbutus spp.*				Native Pollinator
	'Eve Case' Coffeeberry	*Rhamnus californica 'Eve Case'*				Native Pollinator
Bio Treatment Planters						
	Pacific Wax Myrtle	*Myrica california*		#1	L	Staked at Fence / Wall, Native Pollinator
	Red Flowering Currant	*Ribes sanguineum*				Native Pollinator
	Berkeley Sedge	*Carex tumulicola**				Native
	Meadow Sedge	*Carex pansa**				Native
Courtyards						
	Giant Chain Fern	*Woodwardia fimbriata**		#1	M	Native
	Rhododendron	*Rhododendron spp.*				Pollinator
	Greenlee Moor Grass	*Sesleria 'Greenlee'*				
	Cut-leaf Philodendron	*Philodendron 'Xanadu'*				
	Tree Philodendron	*Philodendron selloum*				
	Western Sword Fern	*Polystichum fimbriata*				Native
	Japanese Tassel Fern	*Polystichum polyploides*				
	Cast-Iron Plan	*Aspidistra elatior*				
	Bromeliad spp,	*Bromeliad vars.*				
	Natal Lily	*Clivia miniata*				Pollinator
	Lily-of-the-Nile	*Agapanthus africanus*				Pollinator
	Lilyturf	*Liriope muscari*				Pollinator
	Cranesbill	*Geranium 'Rozanne'*				Pollinator
	Evergreen Huckleberry	*Vaccinium ovatum*				Native Pollinator
	'Eve Case' Coffeeberry	*Rhamnus californica 'Eve Case'*				Native Pollinator
	Manzanita species	*Arctostaphylos var.*				Native Pollinator
	Purple Heart	*Tradescantia purpurea*				
	Sweet Woodruff	*Gallium odoratum*				Native Pollinator
	Carpet Bugle	*Ajuga reptans*				Pollinator
	Mondo Grass	*Ophiopogon japonicus*				
	Alpine Strawberry	*Fragaria vesca*				Pollinator
	Yerba Buena	*Satureja douglasii*				Native Pollinator
	Bear's Breeches	*Acanthus mollis*				Pollinator
	Japanese forest grass	*Hakonechloa macra*				
	Sedge species	*Carex var.*				Native
Roof Deck Planters						
	Bay laurel	*Laurus nobilis*		#1	L	Pollinator
	Purple Hopseed Bush	Dodonaea viscosa 'Purpurea'			L	
	Fern Pine Textile	Podocarpus henkellii			M	
	Bamboo	Bambusa textilis			L	

PLANTING NOTES

1. PLANT SYMBOLS WITH MULTIPLE SPECIES LISTED MAY BE ANY OF THE SPECIES, AS AVAILABLE AT TIME OF INSTALLATION.
2. ALL PLANTING AREAS TO RECEIVE 3" LAYER COMPOSTED BARK MULCH (50% 'GARDEN MULCH' + 50% 'FOREST FLOOR BARK' BY: AMERICAN SOIL & STONE) CONTRACTOR TO SUBMIT SAMPLES FOR REVIEW AND APPROVAL.
3. ALL PLANTING AREAS TO RECEIVE 1" COMPOST TO TOP 6" - 12" OF SOIL PER HORTICULTURAL SOILS TEST RECOMMENDATIONS.
4. ALL PROPOSED PLANT SPECIES ARE CLIMATE-ADAPTED TO BERKELEY AND ARE INTENDED TO BE LOW-MAINTENANCE.
5. APPROXIMATELY 75% OF THE PROPOSED PLANTS OFFER SOURCES OF FOOD / NECTAR FOR AN ARRAY OF NATIVE POLLINATOR AND WILDLIFE SPECIES (BEES, HUMMINGBIRDS, BUTTERFLIES, INSECTS, ETC.)
6. APPROXIMATELY 50% OF THE PROPOSED PLANTS ARE CALIFORNIA NATIVE SPECIES WITH ENHANCED BENEFICIAL QUALITIES FOR NATIVE ANIMAL SPECIES HABITAT, FOOD AND OVERALL ADAPTABILITY.
7. PLANT CITY STREET TREES ACCORDANCE WITH THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) A300 (PART 6)-2012.
8. USE FLEXI-PAVE IN CITY STREET TREE WELLS
9. SEE CITY OF BERKELEY 'TREE PRESERVATION DURING CONSTRUCTION' RECOMMENDATIONS FOR TREE PROTECTION GUIDELINES.

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2655 Shattuck Ave, BERKELEY, CA

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PLANTING SCHEDULES

L-3.2A

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2	AGENCY RE-SUBMITTAL	12/05/2024

PLANTING
CONCEPT IMAGERY

L-3.2B

HYDROZONES (ABBREVIATED)

SYMBOL	DESCRIPTION
	SHATTUCK FRONTAGE - LOW
	CORNER PLANTER - LOW
	COURTYARD NORTH - MODERATE
	COURTYARD SOUTH - MODERATE
	DERBY FRONTAGE - LOW
	DERBY STREET SCAPE - LOW
	EAST PERIMETER - MODERATE
	2ND FLOOR STORMWATER - LOW
	SHATTUCK STORMWATER - LOW
	ROOF DECK PLANTERS - LOW

PROPERTY LINE

MOUNT CONTROLLER TO EXTERIOR WALL

IRRIGATION POINT-OF-CONNECTION & BACKFLOW PREVENTER

7'-0"

SHATTUCK AVENUE

DERBY STREET

8

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2655 SHATTUCK AVE
LANDSCAPE PLANS

2655 Shattuck Ave, Berkeley, CA

PHASE AGENCY SUBMITTAL
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No.	Description	Date
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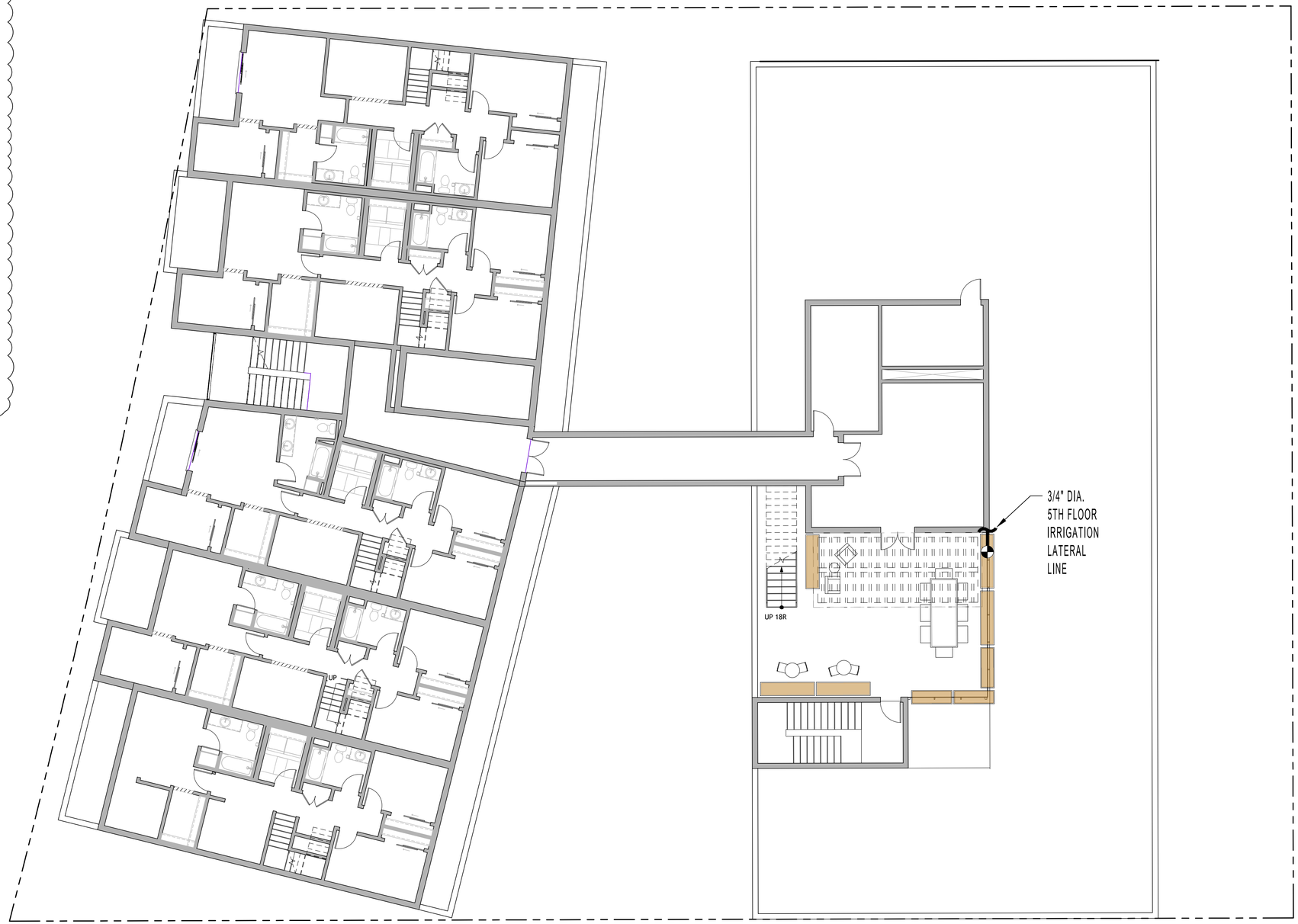
2	AGENCY RE-SUBMITTAL	12/05/2024

IRRIGATION HYDROZONE PLAN

L-4.0

HYDROZONES (ABBREVIATED)

SYMBOL	DESCRIPTION
	SHATTUCK FRONTAGE - LOW
	CORNER PLANTER - LOW
	COURTYARD NORTH - MODERATE
	COURTYARD SOUTH - MODERATE
	DERBY FRONTAGE - LOW
	DERBY STREET SCAPE - LOW
	EAST PERIMETER - MODERATE
	2ND FLOOR STORMWATER - LOW
	SHATTUCK STORMWATER - LOW
	ROOF DECK PLANTERS - LOW



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2655 SHATTUCK AVE
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2655 Shattuck Ave, BERKELEY, CA

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IRRIGATION HYDROZONE PLAN - ROOF DECK

L-4.1

HYDROZONES

SYMBOL	DESCRIPTION	AREA		IRRIGATION EMITTER TYPE
	SHATTUCK FRONTAGE - LOW	120 SF	1*	IN-LINE DRIP, SEE NOTE 2
	CORNER PLANTER - LOW	142 SF	1*	IN-LINE DRIP, SEE NOTE 2
	COURTYARD NORTH - MODERATE	768 SF	2*	IN-LINE DRIP, SEE NOTE 2
	COURTYARD SOUTH - MODERATE	937 SF	2*	IN-LINE DRIP, SEE NOTE 2
	DERBY FRONTAGE - LOW	277 SF	2*	IN-LINE DRIP, SEE NOTE 2
	DERBY STREET SCAPE - LOW	411 SF	2*	IN-LINE DRIP, SEE NOTE 2
	EAST PERIMETER - MODERATE	1,087 SF	2*	POINT SOURCE, SEE NOTE 1
	2ND FLOOR STORMWATER - LOW	1,330 SF	2	IN-LINE DRIP, SEE NOTE 2
	SHATTUCK STORMWATER - LOW	312 SF	1*	IN-LINE DRIP, SEE NOTE 2
	ROOF DECK PLANTERS - LOW	98 SF	1*	IN-LINE DRIP, SEE NOTE 2
	TOTAL:	5,482 SF		

* **NOTE**: MULTIPLE VALVE QUANTITIES INDICATED WITHIN A SINGLE ZONE INDICATES VALVES FOR BOTH TREES AND SHRUBS / GROUNDCOVER WITHIN THE ZONE.

1. PLAN IS CONCEPTUAL AND SHOWN FOR COORDINATION AND REFERENCE
2. IRRIGATION SYSTEM SHALL EMPLOY A 'SMART' ET CONTROLLER

IRRIGATION EQUIPMENT

ITEM	SYMBOL	DESCRIPTION	MANUFACTURER	MODEL NO.
IRRIGATION POINT-OF-CONNECTION	⊠	REFER TO PLUMBING PLANS FOR LOCATION INFORMATION		
IRRIGATION 'SMART' CONTROLLER	A	IRRIGATION 'SMART' CONTROLLER MOUNTED ON WALL INSIDE WEATHERPROOF LOCKABLE CABINET, SWITCH AND SURGE PROTECTION - PROVIDE ON-SITE WEATHER SENSOR AND ENCLOSURE IN VICINITY AS DIRECTED BY ON-SITE OPERATOR	HUNTER	PRO-HC
FLOW METER	F	HC FLOW METER - PVC HOUSING - 1-INCH SIZE - WITHIN MASTER VALVE ENCLOSURE ASSEMBLY- REQUIRED HARD-WIRE	HUNTER	HC FLOW METER
SOIL MOISTURE SENSOR		SOIL CLIK - LOCATED IN FIELD AS DIRECTED BY OWNER - REQUIRES HARD-WIRE AND WALL PLACEMENT ADJACENT TO CONTROLLER	HUNTER	SOIL-CLIK
RAIN MOISTURE SENSOR		RAIN METER - LOCATED IN FIELD AS DIRECTED BY OWNER - REQUIRES HARD-WIRE AND WALL PLACEMENT ADJACENT TO CONTROLLER	HUNTER	RAIN-CLIK
MASTER CONTROL VALVE	M	MASTER CONTROL VALVE - 1-INCH SIZE - 24 VOLT IRRIGATION SOLENOID - THREADED ENDS - LOCATE MASTER VALVE BEFORE FLOW SENSOR	SUPERIOR	
DRIP VALVE STATION		DRIP VALVE STATION - DRIP ELECTRIC CONTROL VALVE ASSEMBLY - W/ PRESSURE REGULATING BASKET FILTER (200 POLY MESH /40 PSI SETTING) USE 3/4-INCH SIZE DRIP ELECTRIC CONTROL VALVE ASSEMBLY FOR FLOWS 4 GPM AND UNDER (USE 1-INCH SIZE FOR FLOWS 5 GPM THROUGH 14 GPM - USE 1-1/2 INCH SIZE FOR FLOWS 15 GPM AND GREATER)	HUNTER	
QUICK COUPLING VALVE		QUICK COUPLING VALVE - 1-INCH SIZE - POTABLE WATER USE - LOCKING RUBBER COVER MOUNTED IN ROUND BOX - PROVIDE VALVE KEY AND SWIVEL		
AIR RELIEF VALVE	A	AIR RELIEF VALVE - THREADED - 1/2-INCH MIPT- INSTALL WITHIN ROUND VALVE BOX - INSTALL UNITS AT HIGH POINTS OF DRIPLINE SYSTEMS AT 1 PER VALVE		
BALL FULL PORT VALVE / DRIPLINE FLUSH OUT ASSEMBLY	V	SCHEDULE 40 PVC BALL FULL PORT VALVE AND PVC FLEX HOSE TUBING INSTALLED WITHIN ROUND VALVE BOX - ADAPT TO INSTALL DRIPLINE TUBING AS REQUIRED - UNITS WHERE SHOWN LOCATED AT ENDS OF DRIPLINE SYSTEMS		
PRESSURIZED MAIN LINE - COPPER IRRIGATION WATER PIPING STUB OUT		DRY COPPER PIPING - 3/4-INCH SIZE PIPING STUB OUT - PIPING ROUTED THROUGH BUILDING AND ROOF DECKING(S) FOR IRRIGATION SYSTEM CONTINUATION PER MECHANICAL ENGINEER'S DRAWINGS - REFER TO MECHANICAL ENGINEER'S DRAWINGS FOR ACTUAL LOCATION - ROUTING OF PIPE TO IRRIGATION VALUE TO BE PROVIDED BY PLUMBING CONTRACTOR.		
LATERAL LINE	INDICATES CONNECTION TO ASSIGNED DRIP LINES, TYP.	SCHEDULE 40 PVC - 3/4 INCH DIA. - AS SHOWN ON PLANS		
FLOW SENSOR CABLE		FLOW SENSOR SIGNAL CABLE AND CONDUIT - MULTIPLE WIRE PAIR SHIELDED CABLE INSTALLED WITH 1.25-INCH MINIMUM SIZE SCHEDULE 40 PVC CONDUIT - NO SPLICES PERMITTED	HYDROSCAPE	HSCST150

WELO
Water Budget and Water Use Calculator

INSTRUCTIONS:

1. Enable macros.
2. Enter values in blue cells. Gray cells will automatically fill.
3. For Eto, refer to Appendix A of the ordinance, available here: https://www.water.ca.gov/Programs/Water-Use-And-Efficiency/Urban-Water-Use-Efficiency
4. Print this sheet and submit with Landscape Document Package for the Comprehensive Performance Compliance Pathway.

Date:	5/15/2024
Project Name:	2655 Shattuck Ave
Project Contact:	Christian Macke
Project Contact Email:	macke@122westdesign.com

PRINT

Maximum Applied Water Allowance (MAWA)	Project Type	ETo	ETAF	Special Landscape Area (SLA)	Total Landscape Area including SLA	MAWA (gal/yr)	
	Non-residential	41.8	0.45	-	5,482	63,932	MAWA =(ETo) * (0.62) *[(ETAF*LA) + ((1-ETAF) * SLA)].

Estimated Total Water Use (ETWU)	ETo	(SF * PF) / IE	SLA	ETWU (gal/yr)	
	41.8	2,440	-	63,241	ETWU =(ETo) * (0.62) *[(PF*SF/IE) + SLA]

Difference between MAWA and ETWU 691 **Project meets water budget.**

ETWU Calculation (Regular landscape areas)	Zone #	Description	Select Irrigation	Square Feet (SF)	Plant Factor (PF)	Irrigation Efficiency (IE)	(SF * PF) / IE
	1	Shattuck Frontage	Drip	120	0.20	0.81	30
	2	Corner Planter	Drip	142	0.50	0.81	88
	3	Courtyard - North	Drip	768	0.50	0.81	474
	4	Courtyard - South	Drip	937	0.50	0.81	578
	5	Derby Frontage	Drip	277	0.20	0.81	68
	6	Derby Streetscape	Drip	411	0.20	0.81	101
	7	East Perimeter	Drip	1,087	0.50	0.81	671
	8	2nd Floor Planter	Drip	1,330	0.20	0.81	328
	9	Shattuck Stormwater	Drip	312	0.20	0.81	77
	10	Roof Deck Planter	Drip	98	0.20	0.81	24
		Landscape area (not including SLA)		**5,482**			**2,440**

ETWU Calculation Special Landscape Areas (SLA)	Description	Square Feet (SF)	Plant Factor / Irrigation Efficiency (PF/IE)	(SF * PF) / IE
	Edible planting area	0	1.0	-
	Multi-use and sports field turf area		1.0	-
	Area irrigated with recycled water		1.0	-
	Pool		1.0	-
	Total SLA	**0**		**0**

Total Landscape Area (including SLA) from ETWU Calculation	**5,482**

IRRIGATION NOTES

1. **POINT-SOURCE DRIP** IRRIGATED AREAS USE 1/2" MAINLINE FOR DISTRIBUTION TO 1/4" IN-LINE DRIP TUBING WITH EMITTERS SPACED 6", WRAPPED AROUND INDIVIDUAL PLANTS. MAINLINE TO BE ROUTED SO THAT IT IS AS CLOSE TO EACH INDIVIDUAL PLANT AS POSSIBLE. IF PLANT IS OVER 24" AWAY FROM THE MAINLINE, USE A 1/4" SOLID LATERAL LINE TO CONNECT THE 1/4" IN-LINE DRIP TUBING TO THE 1/2" MAINLINE. WRAP PLANT ONCE WITH IN-LINE DRIP TUBING AROUND ROOTBALL PER THE FOLLOWING:

2. IN-LINE DRIP IRRIGATED AREAS USE 1/2" MAINLINE FOR DISTRIBUTION TO 1/4" IN-LINE DRIP TUBING WITH EMITTERS SPACED 6", TO COMPLETELY COVER THE DESIGNATED PLANTING AREA. SPACE DRIP TUBING TO COVER ENTIRE PLANTING AREA AS SHOWN IN THE STANDARD IN-LINE DRIP LAYOUT DETAIL.

3. MP ROTATORS IRRIGATED AREAS USE 1/2" MAINLINE FOR DISTRIBUTION TO HIGH-EFFICIENCY POP-UP ROTATING JET STREAM EMITTERS, SPACED TO ENSURE HEAD-TO-HEAD COVERAGE WITHIN DESIGNATED PLANTING AREAS. ALL EMITTERS TO BE 6" AWAY FROM HARDSCAPE EDGE TO AVOID OVER-SPRAY.

CONTAINER SIZE	**IN-LINE DRIP TUBING PLACEMENT** (FROM CENTER OF PLANT)
#1	3"
#5	4"
#15	5"
24" BOX	5" AND 10" (2 LOOPS)

IRRIGATION SYSTEM 'A' POINT-OF-CONNECTION NOTE

IRRIGATION POINT-OF-CONNECTION - CONNECT NEW COPPER PIPING TO NEW 1-INCH DOMESTIC WATER METER AND SERVICE LINE FOR IRRIGATION SUPPLY. WATER SERVICE CONNECTION PER EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD).

PEAK IRRIGATION DEMAND: TBD G.P.M.
SYSTEM DESIGN PRESSURE: 40 P.S.I.
EXISTING WATER PRESSURE (STATIC): TBD P.S.I.
IRRIGATED AREA OF COVERAGE: 5,679 SF

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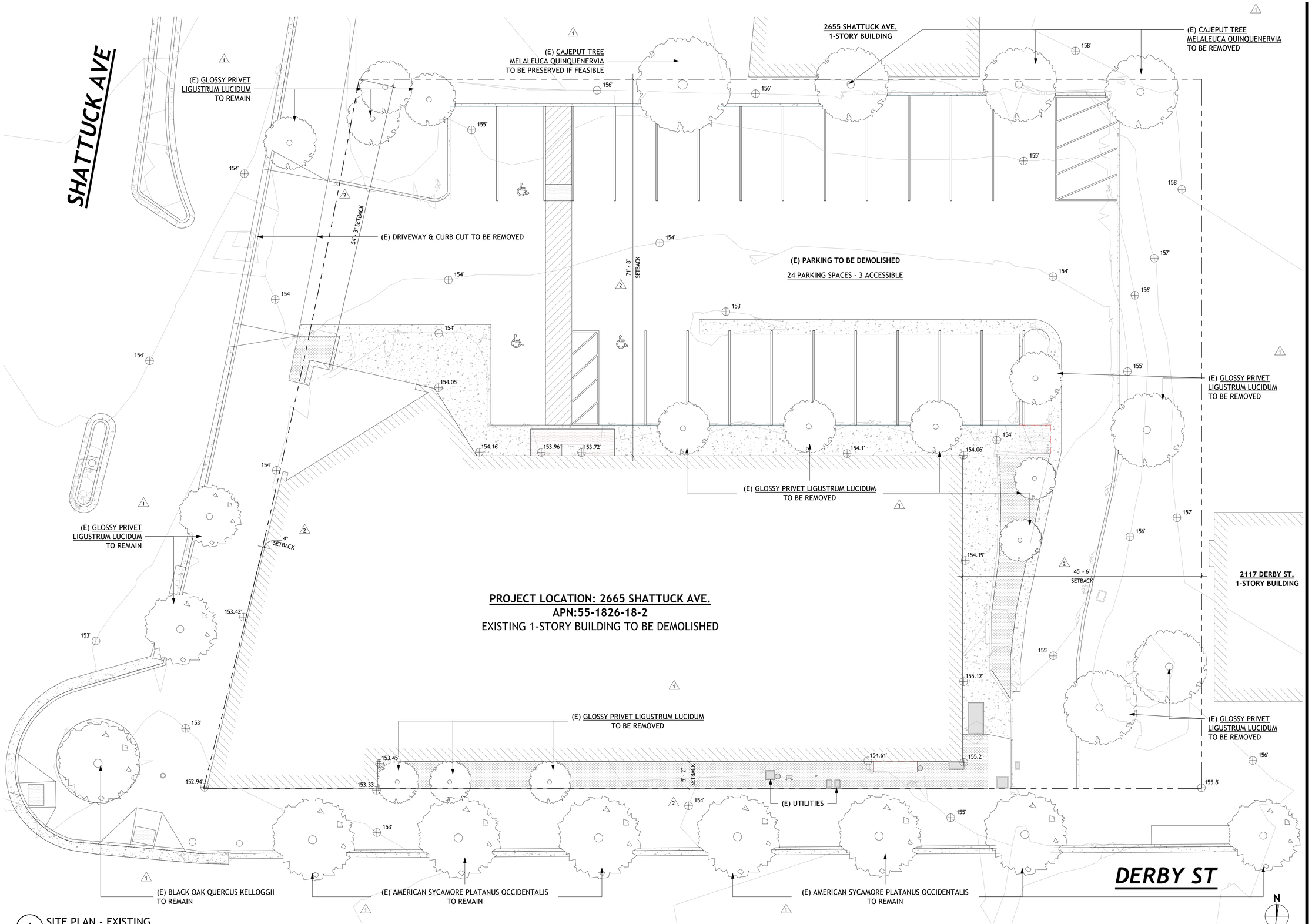
IRRIGATION EQUIPMENT, NOTES, WELO CALCS

L-4.2A



1 SITE PLAN - EXISTING
1/8" = 1'-0"

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LICENSED ARCHITECT
JAMES FEIDELSON KAHN
No. C-31802
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION
1	7/26/24	PLANNING RESPONSE 1
2	10/11/24	PLANNING RESPONSE 2

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

SITE PLAN - EXISTING

A100.A

1 SITE PLAN - PROPOSED
1/8" = 1'-0"

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LICENSED ARCHITECT
CHARLES FEIDELSON KUNZ
No. C-18022
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

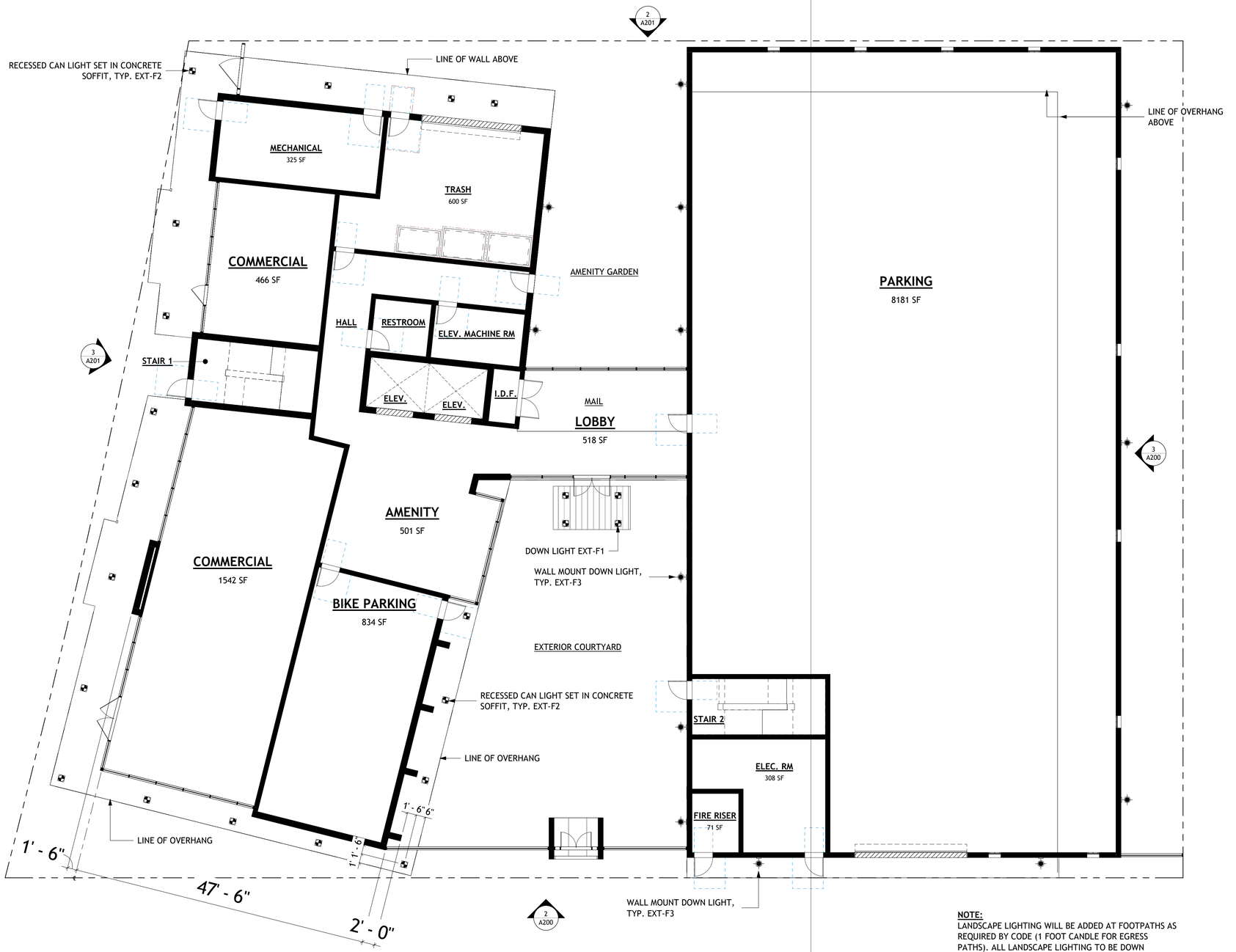
△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION
2	10/11/24	PLANNING RESPONSE 2

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

SITE PLAN - PROPOSED

A100.B



NOTE:
LANDSCAPE LIGHTING WILL BE ADDED AT FOOTPATHS AS REQUIRED BY CODE (1 FOOT CANDLE FOR EGRESS PATHS). ALL LANDSCAPE LIGHTING TO BE DOWN LIGHTING.

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

EXT-F1

TUBE ARCHITECTURAL DS-CD05 — WAC LIGHTING

LED Ceiling Mounts

Fixture Type:
Catalog Number:
Project:
Location:

PRODUCT DESCRIPTION

The latest energy efficient LED technology in an appealing cylindrical profile delivers accent lighting. Comes in various light beam angle options.

FEATURES

- High performance exterior rated LED ceiling light
- Solid aluminum construction
- 10° visual cutoff angle - wi glare control
- 5 year warranty

SPECIFICATIONS

Input: Universal voltage 120V - 277VAC, 50/60Hz
Dimming: Electronic low voltage (ELV) ; 100% - 5%
0-10V: 100% -1%
Light Source: High-output 3 Step Mac Adam Ellipse COB. Rated life of 60,000 hours at L70
Finish: Electrostatically powder coated; white, black, bronze and graphite
Standards: IP65 rated, ETL & cETL wet location listed, Energy Star® 2.2 rated. Title 24 JA8-2016 Compliant
Operating Temp: -13°F to 122°F (-25°C to 50°C)

ORDERING NUMBER

Diameter	Width	Beam: Beam Angle	Color	*Temp	CRI	Reference Output * Lumens	CBCP	Efficacy (Lm/W)	Light Distribution	Finish
DS-CD05 7⅛"	4⅛"	S (Spot) 10°	927	2700K	90	1825	10050	73		BK Black
			930	3000K	90	1945	12615	78		BZ Bronze
			935	3500K	90	1985	14027	79		GH Graphite
			38	3500K	80	1895	13944	82		
			35	3500K	85	2300	13431	94		
			40	4000K	85	2375	13862	95		
		N Narrow 25°	927	2700K	90	1810	5286	72		
			27	2700K	80	2139	6333	82		
			930	3000K	90	1980	6474	79		
			35	3500K	85	2275	6653	91		
			40	4000K	85	2350	6747	92		
		F Flood 38°	927	2700K	90	1800	3013	76		
			27	2700K	80	2086	3417	91		
			930	3000K	90	1970	3301	78		
			35	3500K	85	2260	3683	90		
			40	4000K	85	2340	3812	98		

DS-CD05-_____-____

Example: **DS-CD05-9027-BK**

*Reference output shows 25W output. Multiply by 0.7 to determine output for 17W combinations.

waclighting.com
Phone (800) 526.2588
Fax (800) 526.2585

Headquarters Eastern Distribution Center
44 Harbor Park Drive
Port Washington, NY 11050

Central Distribution Center
1600 Distribution Ct
Lithia Springs, GA 30122

Western Distribution Center
1750 Archibald Avenue
Ontario, CA 91761

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EXT-F2

R2FRDT-WD

2" FQ - Round Downlight Trim (Dim-To-Warm) — WAC

Fixture Type:
Catalog Number:
Project:
Location:

PRODUCT DESCRIPTION

The FQ Recessed series offers a complete line of high performance LED luminaires that provide outstanding functionality and quality. The series features superlative glare control, smooth dimming, a wide selection of field adjustable distribution, and uniform flicker-free ceiling wall washing. Multiple power level options and a full line of round and square, trimmed and trimless luminaires offer versatile solutions for various lighting applications. Easy to order, install, and service.

FEATURES

- Two-piece die-cast construction
- Light engine mounted on trim with springs for easy replacement
- 30° shielding angle design for better visual comfort
- Field changeable beam angle with reflectors provided
- Accepts one Lens or glare control accessory
- 5 year WAC Lighting product warranty

SPECIFICATIONS

Construction: Durable die-cast aluminum construction
Input: Universal 120-277V AC 50/60 Hz
Dimming: Electronic Low Voltage (ELV): 100%-1%
TRIAC: 100%-1%
0-10V: 100-1%
Light Source: High output 3-step Mac Adam Ellipse COB
Rated life of 50,000 hours at L70
Mounting: Heavy gauge extension clips support trim firmly. Safety cabling standard. Ceiling cutout: Ø 3 1/2". Accommodates 1/2 " - 1 " ceiling thickness
Finish: Electrostatically powder coated White, Black, Dark Bronze, Graphite and Natural Metal
Standards: ETL & cETL Wet Location Listed. Energy Star 2.0, Title 24 JA8 2019 Compliant.

Model	Beam	Lumens	CBCP	Color Temp	CRI	Finishes	Reflector/Trim
R2FRDT Mounted Rear	2 40°	484	1128	WD 3000K (warm)	90	BK Black DB Dark Bronze NZWT White WT White	Baked Enamel Matte White Specular
	W 25°	592	1230				

R2FRDT-WD-__

Example: **R2FRDT-WD-BK** (Beam F 40° reflector is pre-installed, Beam W 65° reflector is included.)

Please see next page for housing units (required).

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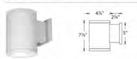
EXT-F3

TUBE ARCHITECTURAL DS-WS05 — WAC LIGHTING

LED Wall Mounts



Fixture Type:
Catalog Number:
Project:
Location:

PRODUCT DESCRIPTION

The latest energy efficient LED technology in an appealing cylindrical profile delivers accent and wall wash lighting. Comes in various light distribution and beam angle options.

FEATURES

- High performance exterior rated LED wall mount light
- Fixture can install upside down to alter light distribution
- Solid aluminum construction
- 5 year warranty

SPECIFICATIONS

Input: Universal voltage 120V - 277VAC, 50/60Hz
Dimming: Electronic low voltage (ELV) ; 100% - 5%
0-10V: 100% -1%
Light Source: High output 5 Step Mac Adam Ellipse COB
Rated life of 60,000 hours at L70
Finish: Electrostatically powder coated; white, black, bronze and graphite
Standards: IP65 rated, ETL & cETL wet location listed, Energy Star® 2.2 rated. Title 24 JA8-2016 Compliant
Operating Temp: -13°F to 122°F (-25°C to 50°C)

ORDERING NUMBER

Diameter	Width	Beam: Beam Angle	Color Temp	CRI	Reference Output * Lumens	CBCP	Efficacy (Lm/W)	Light Distribution	Finish
DS-WS05 7"	2.5W	S Straight up or down 10°	9275	2700K	90	1825	10050	73		BK Black WT White BZ Bronze GH Graphite
			275	2700K	80	2160	12615	88		
			9305	3000K	90	1895	10437	76		
			305	3000K	80	2300	12694	92		
			355	3500K	85	2350	12637	94		
			405	4000K	85	2375	13062	95		
		N Straight up or down 25°	9275	2700K	90	1910	3280	77		
			275	2700K	80	2160	3717	91		
			9305	3000K	90	1880	3478	75		
			305	3000K	80	2275	3643	91		
			355	3500K	85	2330	3747	93		
			405	4000K	85	2350	3863	94		
DS-WS05 11" 3.5W		F Straight up or down 38°	9275	2700K	90	1940	4515	70		
			275	2700K	80	2260	5417	81		
			9305	3000K	90	2000	4800	72		
			305	3000K	80	2265	5087	96		
			355	3500K	85	2345	5812	98		
			405	4000K	85	2470	5670	99		
DS-WS05-_____-____		F Evenly Distributed Top to Bottom Wall Wash 38°	927A	2700K	90	2000		80		
			27A	2700K	80	2400		96		
			930A	3000K	90	2075	N/A	83		
			30A	3000K	80	2530		101		
			35A	3500K	85	2575		103		
			40A	4000K	85	2600		104		
		F Evenly Distributed Top to Bottom Wall Wash 38°	9278	2700K	90	2005		80		
			278	2700K	85	2400		96		
			938	3000K	90	2075	N/A	83		
			938	3000K	90	2535		101		
			358	3500K	85	2575		103		
			408	4000K	85	2600		104		

DS-WS05-_____-____

Example: **DS-WS05-F930A-WT**

*Reference output shows 25W output. Multiply by 0.7 to determine output for 17W combinations.

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LICENSED ARCHITECT
FRANCES FEIDELSON, JOHN
No. C-41027
07/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

PROPOSED LIGHTING PLAN - GROUND FLOOR

A100.C

Proposed Residential

- COMMERCIAL
- RESIDENTIAL SUPPORT
- UTILITY
- PARKING

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

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LICENSED ARCHITECT
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No. C-18007
07/31/2025
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STATE OF CALIFORNIA

DRC REVIEW

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	5/15/24	SB330 APPLICATION
2	10/11/24	PLANNING RESPONSE 2

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

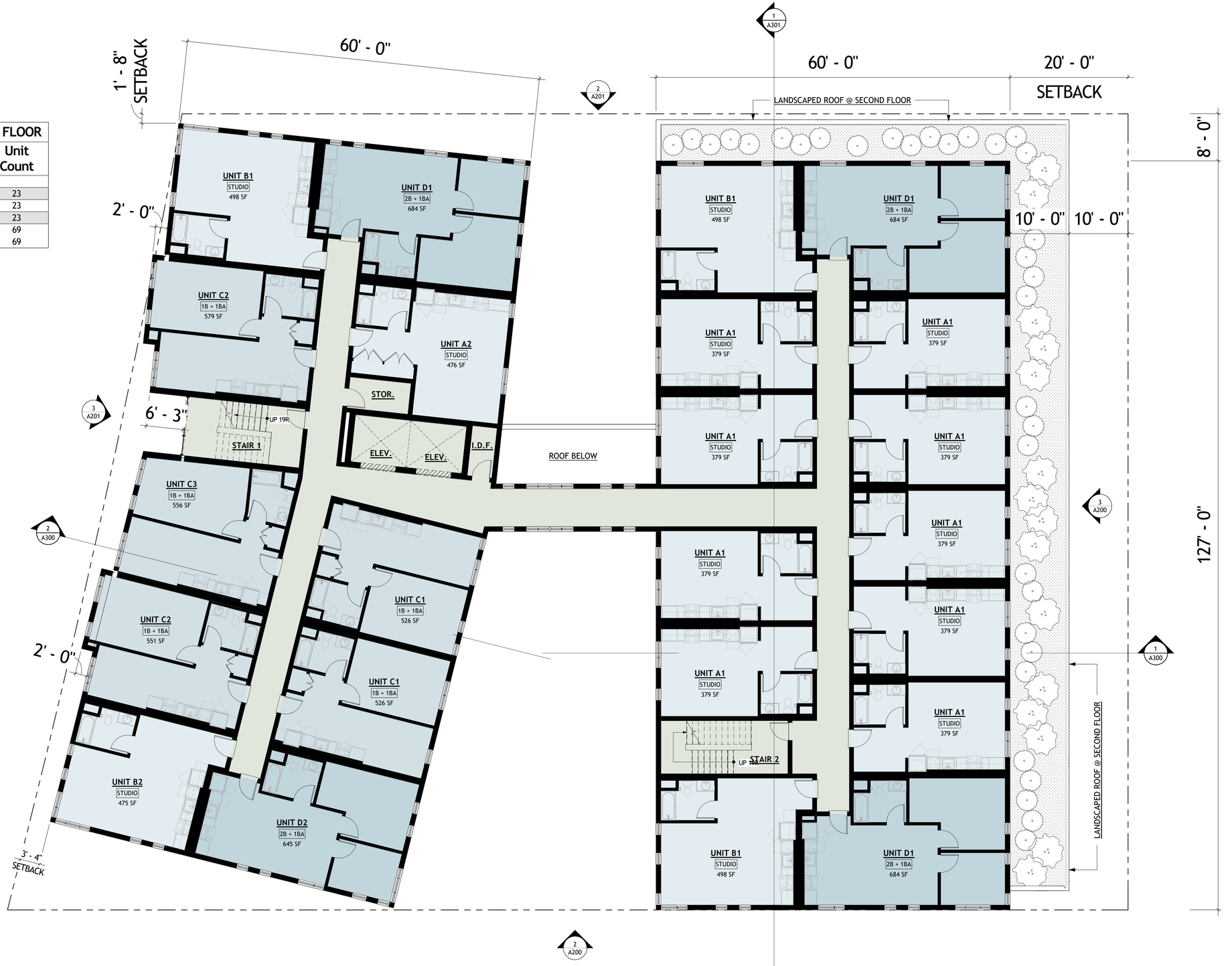
PROPOSED GROUND FLOOR PLAN

A101

AREA SUMMARY - SECOND-FOURTH FLOOR		
Level	Area	Unit Count
RESIDENTIAL AREA		
02 - SECOND FLOOR	14785 SF	23
03 - THIRD FLOOR	14785 SF	23
04 - FOURTH FLOOR	14785 SF	23
	44355 SF	69
2 Grand total	44355 SF	69

Proposed Residential

- STUDIO
- 1B + 1BA
- 2B + 1BA
- RESIDENTIAL SUPPORT



1 SECOND - FOURTH FLOOR PLAN
1/8" = 1'-0"

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No. C-31802
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STATE OF CALIFORNIA

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	5/15/24	SB330 APPLICATION
2	10/11/24	PLANNING RESPONSE 2

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

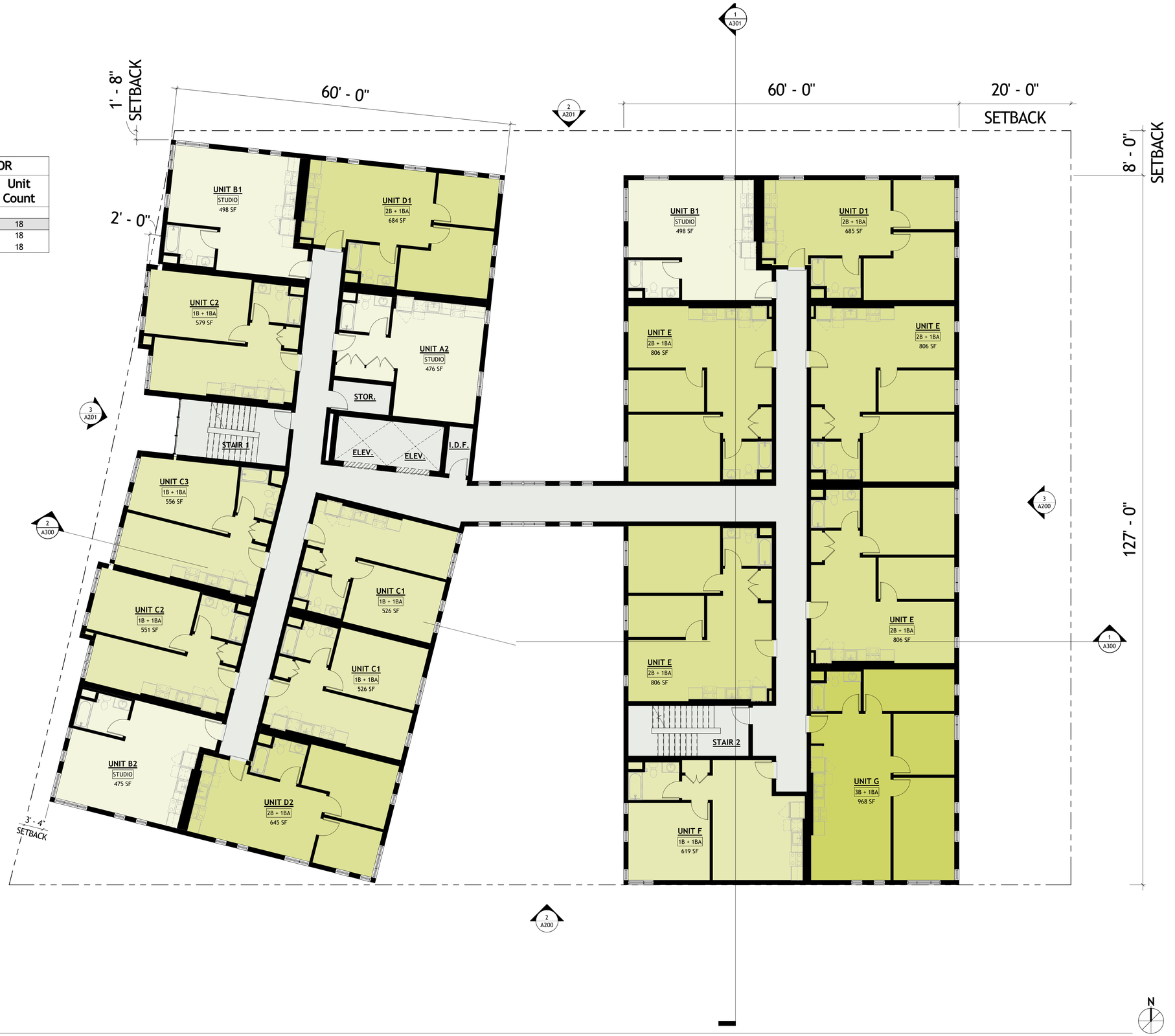
PROPOSED SECOND - FOURTH FLOOR PLAN

A102

AREA SUMMARY - FIFTH FLOOR		
Level	Area	Unit Count
RESIDENTIAL AREA		
05 - FIFTH FLOOR	14785 SF	18
	14785 SF	18
Grand total	14785 SF	18

Proposed Residential

- STUDIO
- 1B + 1BA
- 2B + 1BA
- 3B + 1BA
- RESIDENTIAL SUPPORT



1 FIFTH FLOOR PLAN
1/8" = 1'-0"

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LICENSED ARCHITECT CHARLES FRIEDLSON KAHN No. C-16927 01/31/2025 RENEWAL DATE STATE OF CALIFORNIA

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	5/15/24	SB330 APPLICATION
2	10/11/24	PLANNING RESPONSE 2

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

PROPOSED FIFTH FLOOR PLAN

A103

AREA SUMMARY - SIXTH FLOOR	
Level	Area
RESIDENTIAL AREA	
06 - SIXTH FLOOR	7250 SF
	7250 SF
Grand total	7250 SF

2

Proposed Residential

- 3B + 2.5BA
- RESIDENTIAL SUPPORT
- UTILITY
- U.O.S.
- PRIVATE U.O.S.

1 SIXTH FLOOR PLAN
1/8" = 1'-0"

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LICENSED ARCHITECT
DENNIS FEIDELSON
No. C-18022
01/31/2025
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STATE OF CALIFORNIA

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2	10/11/24	PLANNING RESPONSE 2

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

PROPOSED SIXTH FLOOR PLAN

A104

AREA SUMMARY - SEVENTH FLOOR		
Level	Area	Unit Count
RESIDENTIAL AREA		
05 - FIFTH FLOOR	14785 SF	18
	14785 SF	18
Grand total	14785 SF	18

2

Proposed Residential

- 3B + 2.5BA
- RESIDENTIAL SUPPORT
- PRIVATE U.O.S.

1 SEVENTH FLOOR PLAN
1/8" = 1'-0"

N

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JAMES FRIEDMAN PAPA
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	5/15/24	SB330 APPLICATION
2	10/11/24	PLANNING RESPONSE 2

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

PROPOSED SEVENTH FLOOR PLAN

A105

AREA SUMMARY - EIGHTH FLOOR	
Level	Area
RESIDENTIAL AREA	
08 - EIGHTH FLOOR	5765 SF
	5765 SF
Grand total	5765 SF

2

Proposed Residential

3B + 2.5BA

RESIDENTIAL SUPPORT

1 EIGHTH FLOOR PLAN
1/8" = 1'-0"

N

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SHANNAS FEIDELSON KAHN
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	5/15/24	SB330 APPLICATION
2	10/11/24	PLANNING RESPONSE 2

PROJECT NO: KDN01

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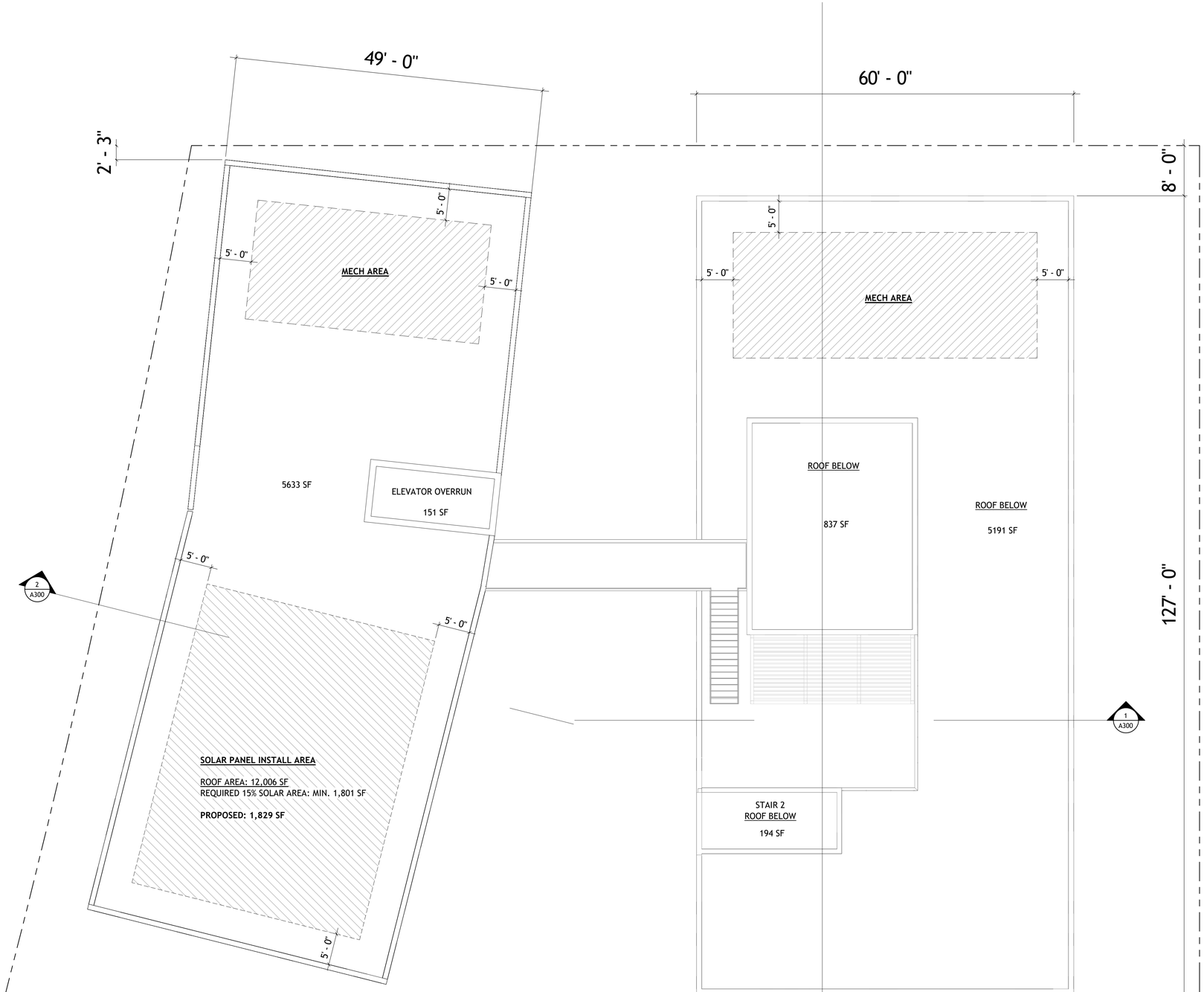
PROPOSED EIGHTH FLOOR PLAN

A106



1 ROOF PLAN
1/8" = 1'-0"

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LICENSED ARCHITECT
DAMIAN FRIEDBOSKY
No. C-31627
01/31/2025
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STATE OF CALIFORNIA

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	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

PROPOSED ROOF PLAN

A107

3 EAST ELEVATION
1" = 10'-0"

2 SOUTH ELEVATION
1" = 10'-0"

M01
CEMENT PLASTER
COLOR: SW 7050 USEFUL GRAY

M02
CEMENT PLASTER
COLOR: SW 7046 ANONYMOUS

M03
HIGH PRESSURE LAMINATE
FUNDERMAX
COLOR: CINNAMON 5032 NT

M04
CEMENT PANEL
NICHIHA "NICHIFRONTIER"
COLOR: HAZELNUT

M05
VERTICAL BOARD FORMED CONCRETE
COLOR: NATURAL

M06
CEMENT PLASTER
COLOR: SW 6918 HUMOROUS GREEN

M07
TRELLIS WOOD GRAIN MEMBER
LONGBOARD ALUMINUM
COLOR: DARK ACACIA

M08
PAINTED METAL TRELLIS
COLOR: BLACK

M09
WOOD PRIVACY FENCE

M10
PAINTED METAL FENCE WITH WOOD GRAIN MEMBERS
COLORS: BLACK AND LONGBOARD ALUMINUM
COLOR: DARK ACACIA

M11
PAINTED METAL RAILING
COLOR: BLACK

M12
METAL MESH
MCNICHOLS, WIRE MESH, RECTANGULAR, 2"X4" MESH,
COLOR: GALVANIZED MTL

M13
ALUMINUM STOREFRONT
COLOR: BLACK

1 Material Legend

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07/31/2025
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STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

PROPOSED EXTERIOR ELEVATIONS & MATERIALS

A200

3 WEST ELEVATION
1" = 10'-0"

2 NORTH ELEVATION
1" = 10'-0"

M01
CEMENT PLASTER
COLOR: SW 7050 USEFUL GRAY

M02
CEMENT PLASTER
COLOR: SW 7046 ANONYMOUS

M03
HIGH PRESSURE LAMINATE
FUNDERMAX
COLOR: CINNAMON 5032 NT

M04
CEMENT PANEL
NICHIHA "NICHIFRONTIER"
COLOR: HAZELNUT

M05
VERTICAL BOARD FORMED CONCRETE
COLOR: NATURAL

M06
CEMENT PLASTER
COLOR: SW 6918 HUMOROUS GREEN

M07
TRELLIS WOOD GRAIN MEMBER
LONGBOARD ALUMINUM
COLOR: DARK ACACIA

M08
PAINTED METAL TRELLIS
COLOR: BLACK

M09
WOOD PRIVACY FENCE

M10
PAINTED METAL FENCE WITH WOOD GRAIN MEMBERS
COLORS: BLACK AND LONGBOARD ALUMINUM
COLOR: DARK ACACIA

M11
PAINTED METAL RAILING
COLOR: BLACK

M12
METAL MESH
MCNICHOLS, WIRE MESH, RECTANGULAR, 2"X4" MESH,
COLOR: GALVANIZED MTL

M13
ALUMINUM STOREFRONT
COLOR: BLACK

1 Material Legend

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BERKELEY, CA 94704

LICENSED ARCHITECT
JAMES FRIDELSON FAIA
No. C-31802
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

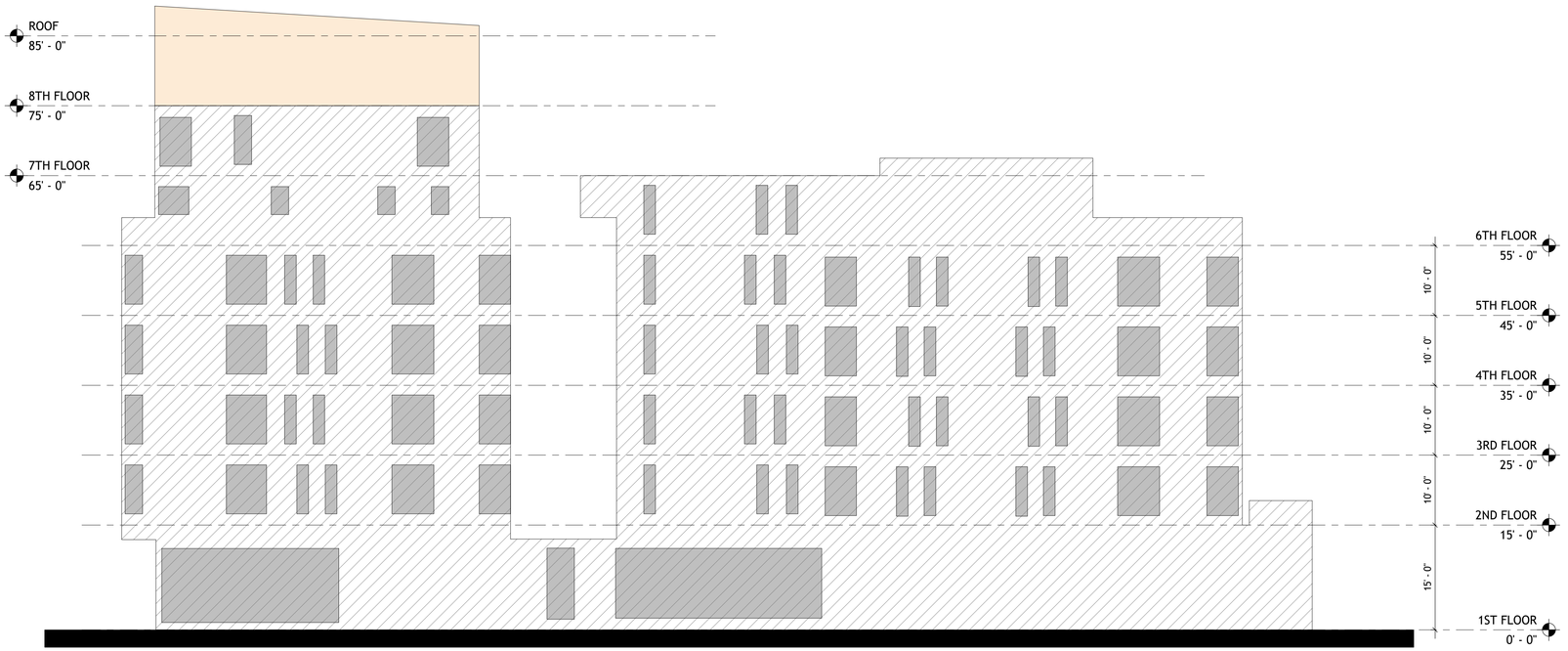
PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

PROPOSED EXTERIOR ELEVATIONS & MATERIALS

A201

3 EAST ELEVATION
1" = 10'-0"



2 SOUTH ELEVATION
1" = 10'-0"

EAST ELEVATION:
TOTAL GLAZING AREA: 1,654 SF
TOTAL FACADE AREA: 9,542 SF

1,654 SF / 9,542 SF x 100 = 17%

SOUTH ELEVATION:
TOTAL GLAZING AREA: 2,132 SF
TOTAL FACADE AREA: 10,144 SF

2,132 SF / 10,144 SF x 100 = 21%

BIRD SAFE GLAZING

PER BIRD SAFE BUILDING REQUIREMENTS, ALL WINDOWS LOCATED WITHIN THE FIRST 75 FEET ABOVE GRADE WILL COMPLY WITH COMPLIANCE PATH 1. THESE WINDOWS ARE TO HAVE A WINDOW FILM INSTALLED BY FEATHER FRIENDLY, WHICH HAS A 2"X2" SPACED 1/4" DOT PATTERN. THIS PRODUCT HAS A THREAT FACTOR OF 20.

LEGEND

BIRD SAFE GLAZING AREA

NEW FACADE AREA

BUILDING HEIGHT OVER 75'-0"
NO BIRD SAFE GLAZING REQUIRED

1 BIRD SAFE GLAZING LEGEND

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2655 SHATTUCK AVE.

2655 SHATTUCK AVE.,
BERKELEY, CA 94704

LICENSED ARCHITECT
CHARLES FEIDELSON KAHN
No. C-31802
01/11/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

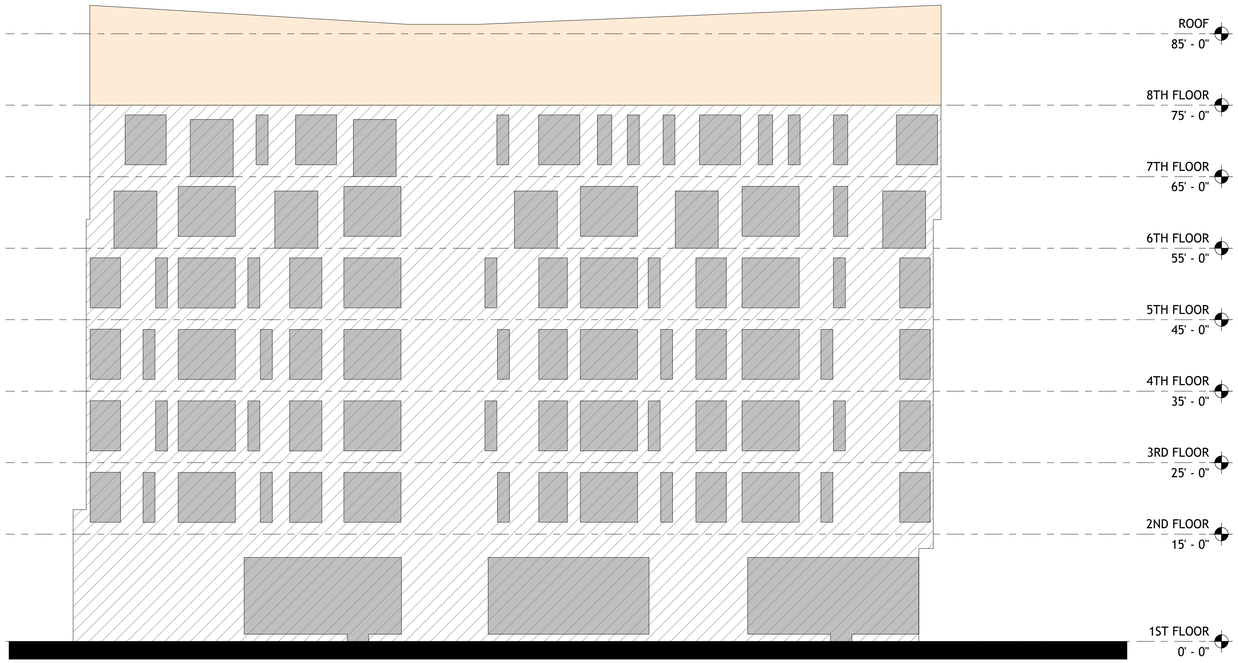
△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

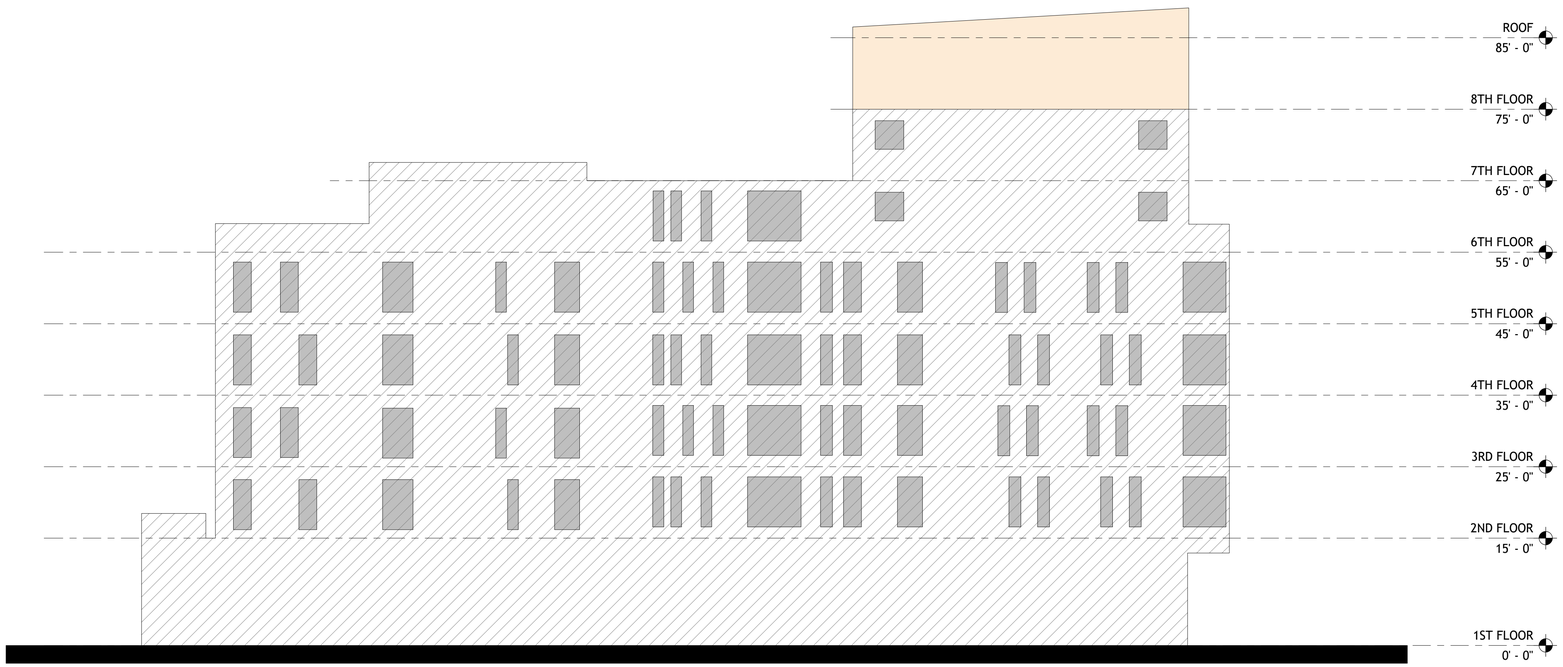
ISSUE DATE: 07/23/2024

PROPOSED EXTERIOR ELEVATIONS - BIRD SAFETY

A202



3 WEST ELEVATION
1" = 10'-0"



2 NORTH ELEVATION
1" = 10'-0"

WEST ELEVATION:
TOTAL GLAZING AREA: 3,338 SF
TOTAL FACADE AREA: 8,900 SF

3,338 SF / 8,900 SF x 100 = 38%

NORTH ELEVATION:
TOTAL GLAZING AREA: 1,454 SF
TOTAL FACADE AREA: 9,712 SF

1,454 SF / 9,712 SF x 100 = 15%

BIRD SAFE GLAZING

PER BIRD SAFE BUILDING REQUIREMENTS, ALL WINDOWS LOCATED WITHIN THE FIRST 75 FEET ABOVE GRADE WILL COMPLY WITH COMPLIANCE PATH 1. THESE WINDOWS ARE TO HAVE A WINDOW FILM INSTALLED BY FEATHER FRIENDLY, WHICH HAS A 2"X2" SPACED 1/4" DOT PATTERN. THIS PRODUCT HAS A THREAT FACTOR OF 20.

LEGEND

BIRD SAFE GLAZING AREA

NEW FACADE AREA

BUILDING HEIGHT OVER 75'-0"
NO BIRD SAFE GLAZING REQUIRED

1 BIRD SAFE GLAZING LEGEND

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LICENSED ARCHITECT
CHARLES FEIDELSON KAHN
No. C-31802
01/11/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

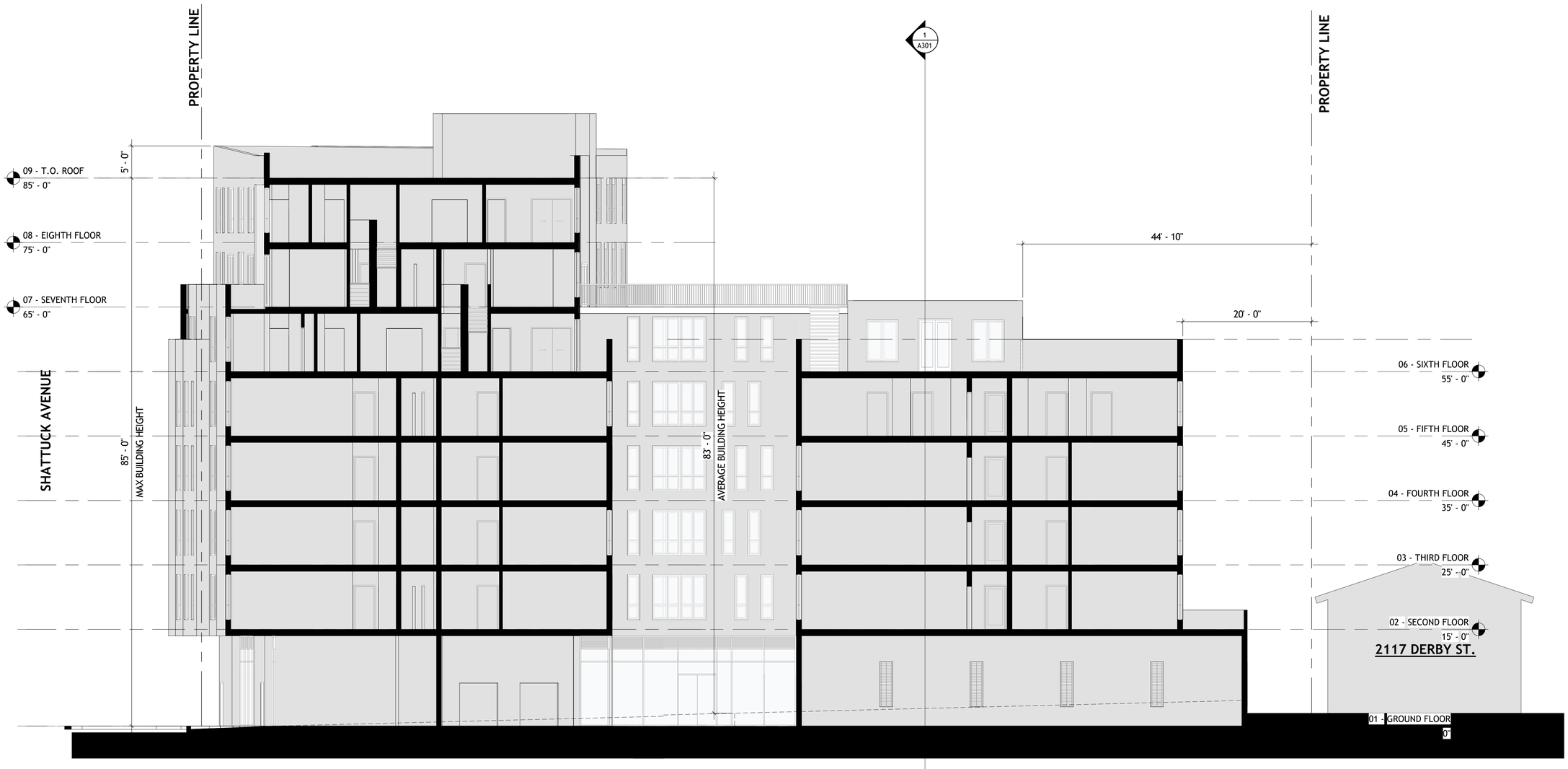
△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

PROPOSED EXTERIOR ELEVATIONS - BIRD SAFETY

A203



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BERKELEY, CA 94704

LICENSED ARCHITECT
CHARLES FEIDELSON CHAN
No. C-31027
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

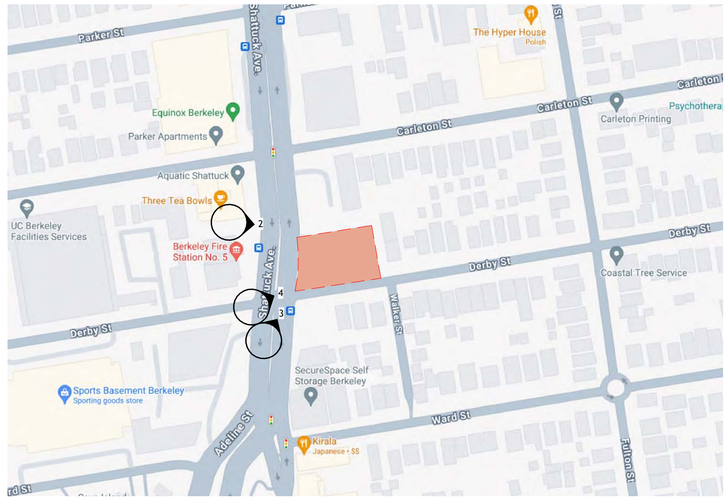
PROPOSED BUIDLING SECTION

A300

4 PERSPECTIVE 2 - CORNER OF SHATTUCK AVE. & DERBY ST. LOOKING NORTHEAST

2 PERSPECTIVE 1 - SHATTUCK AVE. LOOKING SOUTHEAST

3 PERSPECTIVE 2 - CORNER OF SHATTUCK AVE. & DERBY ST. LOOKING NORTHEAST



1 KEY MAP

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BERKELEY, CA 94704

LICENSED ARCHITECT
CHARLES FREDERICK SMITH
No. C-31027
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

PERSPECTIVE VIEWS

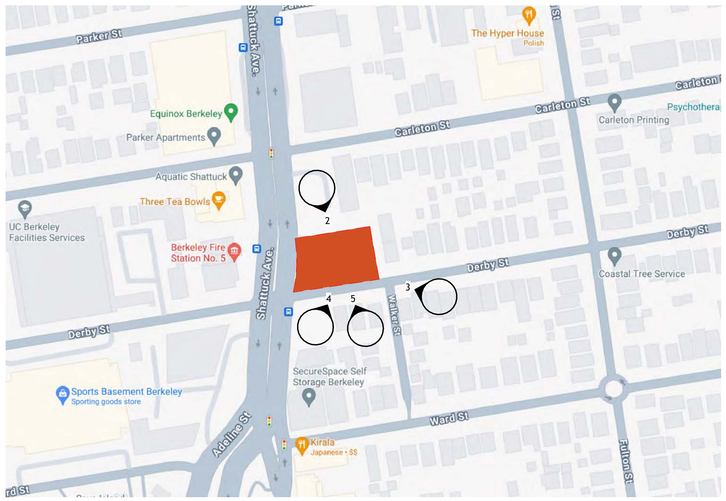
A400

5 PERSPECTIVE 4 - ENTRY COURTYARD 1

4 PERSPECTIVE 5 - ENTRY COURTYARD 2

3 PERSPECTIVE 6 - ENLARGED AMENITY GARDEN

2 PERSPECTIVE 6 - ENLARGED AMENITY GARDEN



1 KEY MAP

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BERKELEY, CA 94704

LICENSED ARCHITECT
CHARLES FREDERICK EAMES
No. C-31822
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

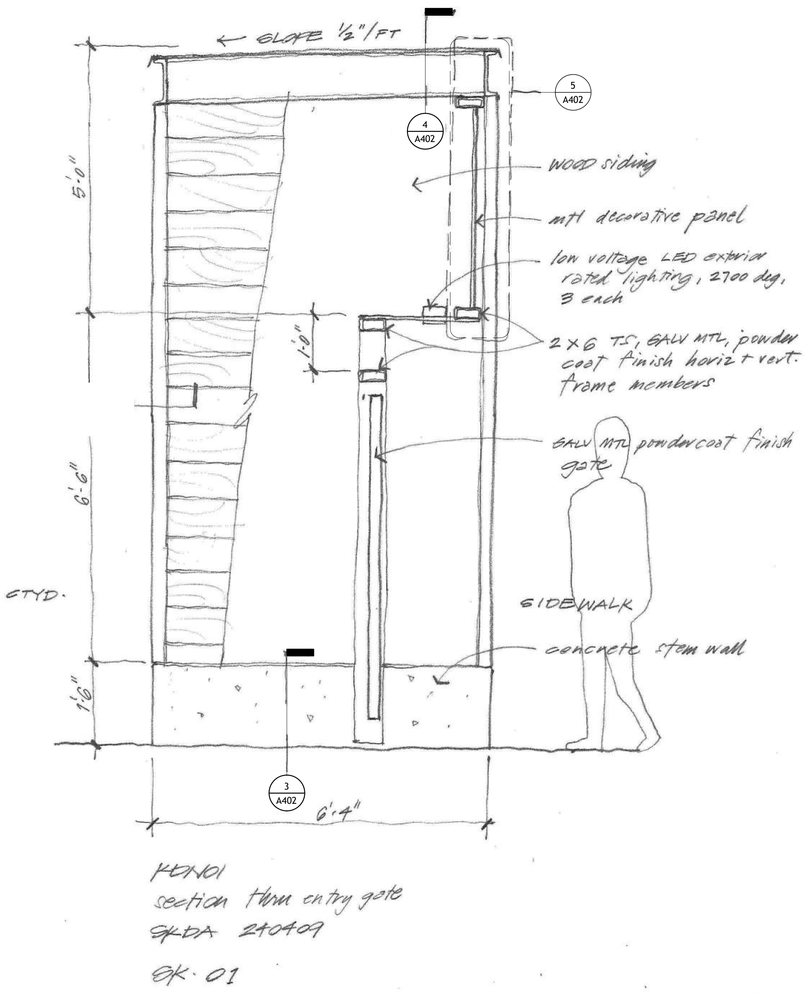
PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

PERSPECTIVE VIEWS

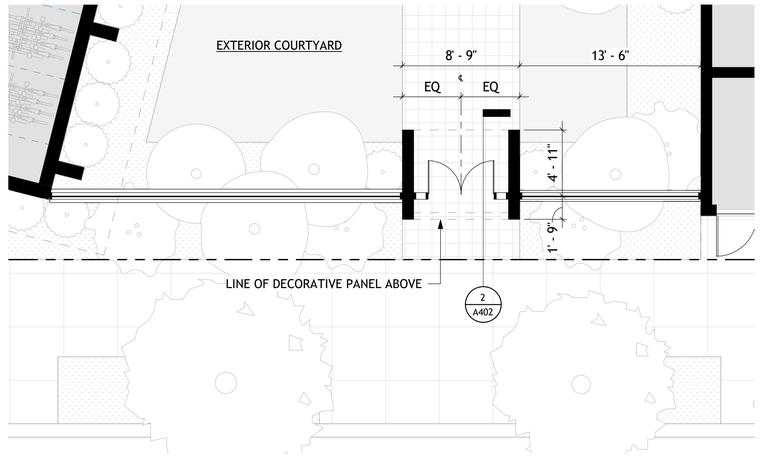
A401

6 PERSPECTIVE 7 - ENLARGED ENTRY GATE



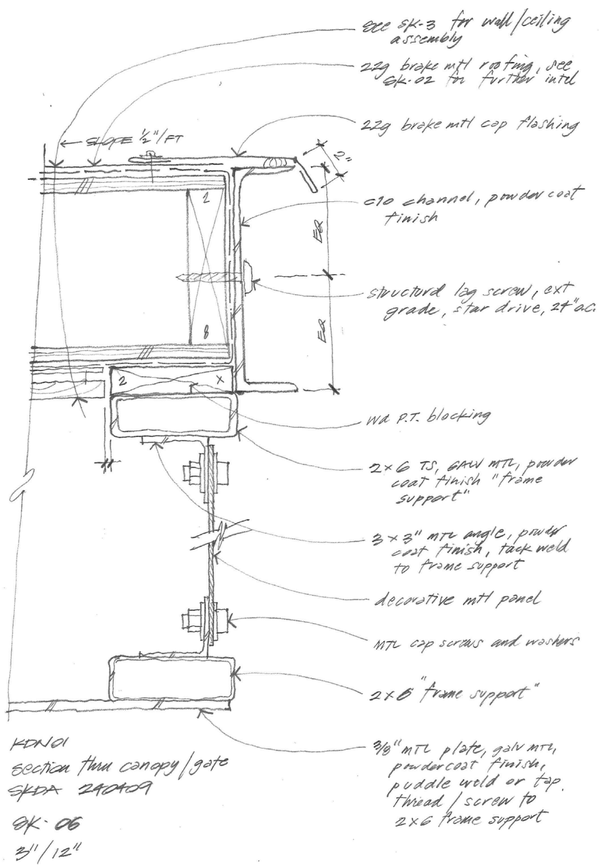
KDN01
section thru entry gate
SKDA 240409
EK-01

2 CROSS-SECTION @ ENTRY PORTAL
3/4" = 1'-0"



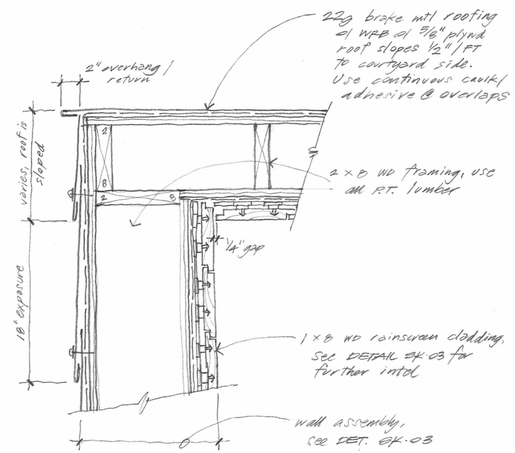
DERBY ST

1 ENLARGED ENTRY GATE
3/16" = 1'-0"



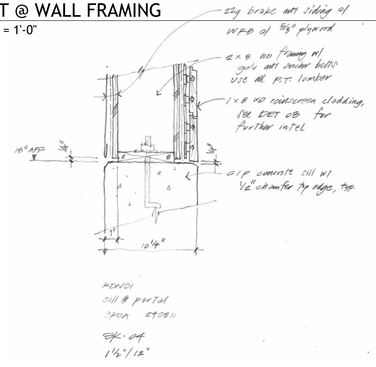
KDN01
section thru canopy/gate
SKDA 240409
EK-06
3'1/12"

5 CROSS-SECTION 1- ENLARGED ENTRY GATE
3" = 1'-0"



KDN01
roof @ wall framing
SKDA 240409
EK-02
1½" / 12"

4 ROOT @ WALL FRAMING
1 1/2" = 1'-0"



KDN01
sill @ portal
SKDA 240911
EK-04
1½"/12"

3 FOUNDATION DETAIL @ ENTRY PORTAL
1 1/2" = 1'-0"

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BERKELEY, CA 94704

LICENSED ARCHITECT
JAMES FRIDESON EVANS
No. C-36022
07/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION

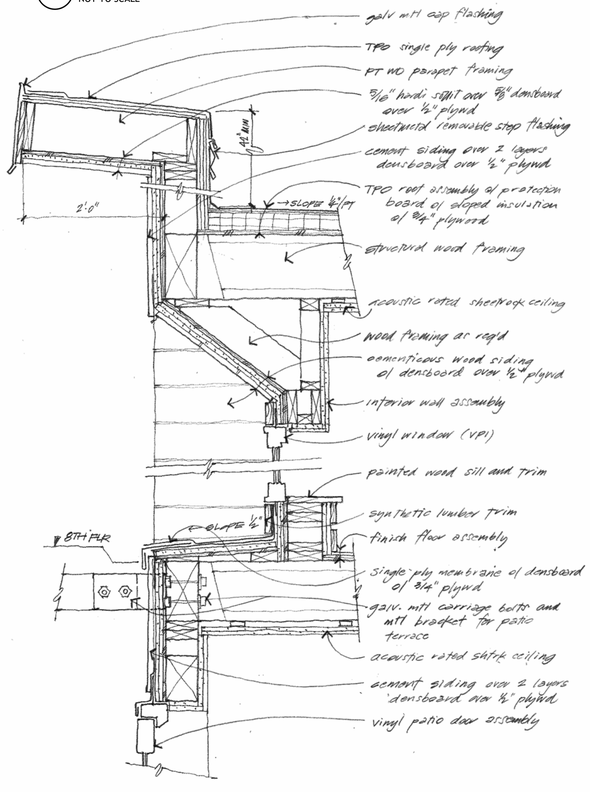
PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

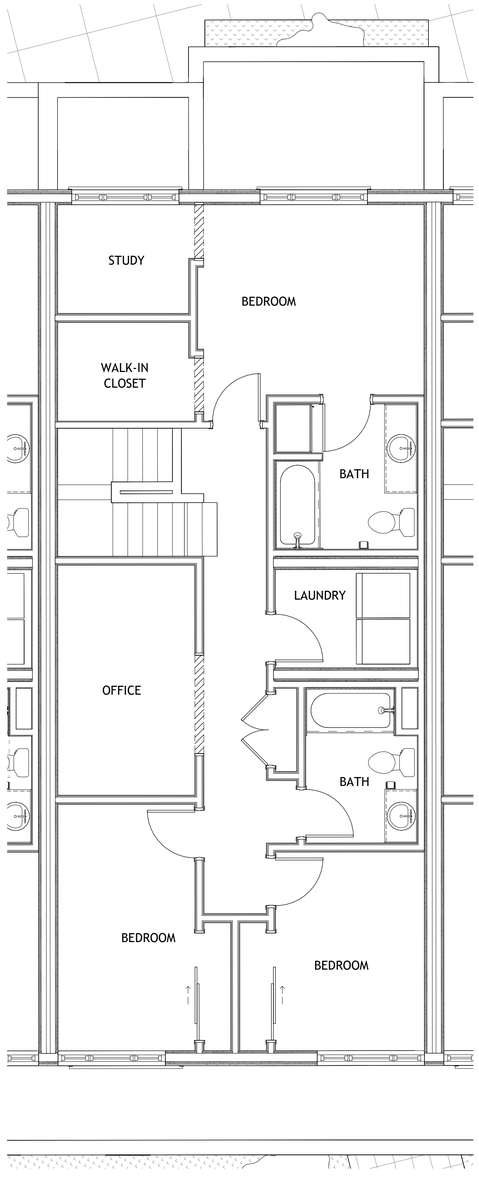
PERSPECTIVE VIEWS

A402

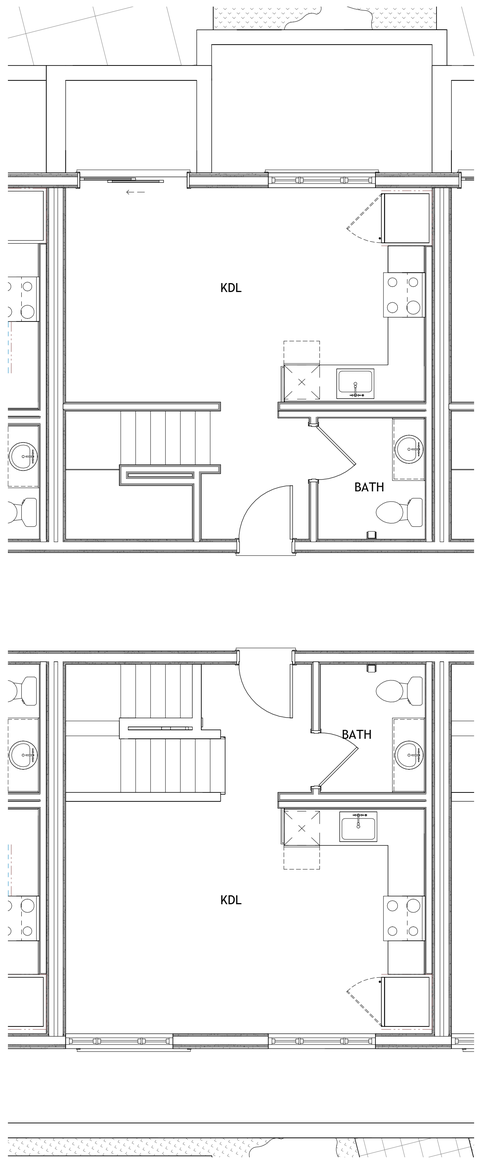
5 BRISE SOLEIL EXAMPLE
NOT TO SCALE



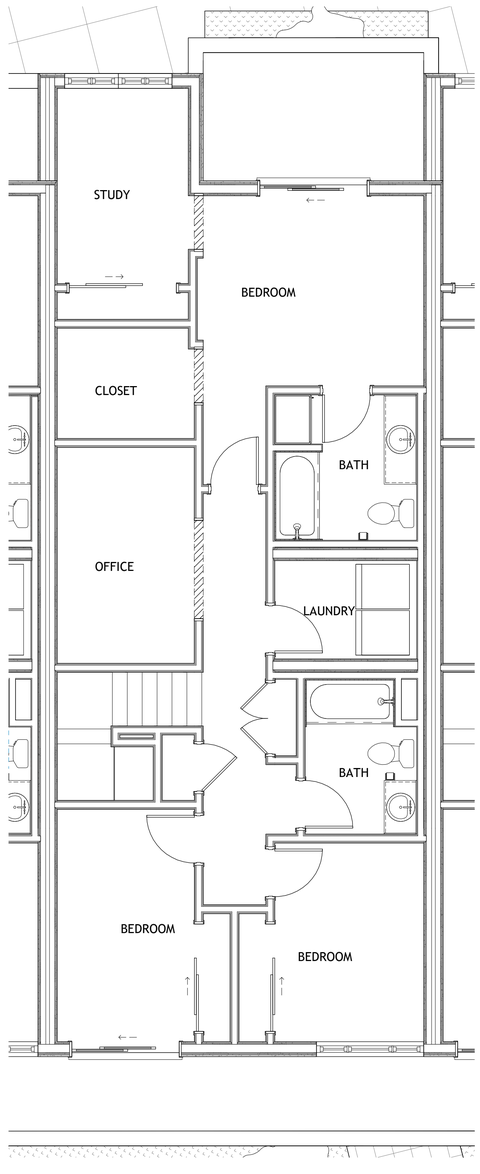
4 PARAPET, WINDOW, BRISE SOLEI DETAIL
1" = 1'-0"



3 ENLARGED PLAN - EIGHTH FLOOR
1/4" = 1'-0"



2 ENLARGED PLAN - SEVENTH FLOOR
1/4" = 1'-0"



1 ENLARGED PLAN - SIXTH FLOOR
1/4" = 1'-0"

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BERKELEY, CA 94704

LICENSED ARCHITECT
DAWSON FEIDELSON FANN
No. C-31807
01/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

DRC REVIEW

△	DATE	ISSUE RECORD
	5/15/24	SB330 APPLICATION
2	10/11/24	PLANNING RESPONSE 2

PROJECT NO: KDN01

ISSUE DATE: 07/23/2024

ENLARGED TOWNHOME PLAN

2

A403

Appendix B

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program

The Environmental Impact Report (EIR) identifies the applicable mitigation measures that will be implemented to reduce the impacts associated with the Adeline Corridor Specific Plan. The California Environmental Quality Act (CEQA) requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in section 21081.6(a)(1) of the Public Resources Code:

> *...the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment*.

Section 21081.6 also provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined as part of adopting a mitigated negative declaration.

The mitigation monitoring table lists those mitigation measures that may be included as conditions of approval for the project. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The project applicant will have the responsibility for implementing the measures, and the various City of Berkeley departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Compliance Verification		
				Initial	Date	Comments
AIR QUALITY						
AQ-1: Construction Emissions Measures.						
As part of the City's development approval process, the City shall require applicants for future development projects in the Plan Area to comply with the current Bay Area Air Quality Management 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 BAAQMD CEQA Guidelines).	Review of all demolition, grading, and building permits to ensure compliance.	Prior to permit approval and during construction.	City of Berkeley Department of Planning & Development.			
AIR-2: Health Risk Assessments.						
As part of the City's development approval process, the City shall require applicants for future development projects in the Plan Area to implement the Bay Area Air Quality Management District Guidelines and State Office of Environmental Health Hazard Assessment policies and procedures requiring health risk assessments (HRA) for residential development and other sensitive receptors near sources of toxic air contaminants, including freeways and roadways with over 10,000 vehicles per day. Based on the results of the HRA, identify and implement measures (such as air filtration systems, waterproofed caulking on windows and doors, and/or requirements for closed windows) to reduce potential exposure to particulate matter, carbon monoxide, diesel fumes, and other potential health hazards. Measures identified in HRAs shall be included into the site development plan as a component of a proposed project.	Verify HRA completed and measures to reduce TACs have been incorporated into plans as appropriate.	Prior to issuance of building permit.	City of Berkeley Department of Planning & Development.			
BIOLOGICAL RESOURCES						
BIO-1: Special-status Bat Species Avoidance and Minimization.						
For projects in the Plan Area, focused surveys to determine the presence/absence of roosting bats shall be conducted prior to the initiation of demolition of buildings and removal of mature trees large enough to contain crevices and hollows that could support bat roosting. If active maternity roosts are identified, a qualified biologist	If applicable, project plans shall include project-specific mitigation	During individual environmental review	City of Berkeley Department of Planning & Development.			

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Compliance Verification		
				Initial	Date	Comments
shall establish avoidance buffers applicable to the species, the roost location and exposure, and the proposed construction activity in the area. If active non-maternity day or night roosts are found on the project site, measures shall be implemented to passively relocate bats from the roosts prior to the onset of construction activities. Such measures may include removal of roosting site during the time of day the roost is unoccupied or the installation of one-way doors, allowing the bats to leave the roost but not to re-enter. These measures shall be presented in a Bat Passive Relocation Plan that shall be submitted to, and approved by, CDFW.	measures to reduce impacts to bat species.					
GREENHOUSE GAS EMISSIONS						
GHG-1: All-Electric New Construction.						
All new buildings constructed in the Plan Area shall be built as all-electric with no natural gas connection to the building, except where new natural gas connections are permitted under the City's Natural Gas Infrastructure Ordinance (BMC Chapter 12.80). This includes all appliances such as electric cooking, clothes drying, water heating, space heating, and air conditioning. Projects shall not be required to employ methods of construction the exceed the requirements of the California Building Standards Code (inclusive of any local amendments approved for enforcement in the City of Berkeley) or install appliances the exceed standards for energy efficiency established under the federal Energy Policy and Conservation Act, as amended, 42 U.S.C. § 6201 *et seq.*	Verify project plans are all-electric, or GHG reduction has occurred through specified means.	Prior to issuance of building permit	City of Berkeley Department of Planning & Development			
GHG-2: Electric Vehicle (EV) Readiness and EV Chargers						
All new development projects in the Plan Area shall conform to the following EV infrastructure requirements or an equivalent City of Berkeley adopted ordinance which meets or exceeds those standards: b. Single Family Homes and Duplexes	Verify project plans meet EV requirements.	Prior to issuance of building permit	City of Berkeley Department of Planning & Development			

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Compliance Verification		
				Initial	Date	Comments
▫ At least one parking space per dwelling unit with on-site parking to be equipped with raceway, wiring, and power to support a future Level 2[1] EV charging station c. Multi-Family Buildings ▫ 20% of parking spaces to be equipped with raceways, wiring, and power to support future Level 2 EV charging stations ▫ 80% of parking spaces to be equipped with connecting raceways (no additional electric service capacity required) d. Non-Residential Buildings ▫ 10% of parking spaces must have Level 2 charging stations installed (a DC Fast Charge station) may be installed in place of 10 required Level 2 stations) ▫ 40% of parking spaces to be equipped with connecting raceways (no additional electric service capacity required) ▫ [1] Level 2 circuit: 40+ Amp, 208/240v AC (standard household washer/dryer outlet), charges approximately 25-30 mile driving distance per hour						
GHG-3 Solar Photovoltaic Power.						
All new buildings, with the exception of accessory buildings and structures, proposed in the Plan Area shall install solar photovoltaic energy systems or purchase 100% carbon neutral or renewable energy through an electric utility serving Berkeley. Solar photovoltaic equipment shall be shown on all plans submitted for individual projects in the Plan Area	Verify project plans meet solar requirements.	Prior to issuance of building permit	City of Berkeley Department of Planning & Development			
NOISE AND VIBRATION						
N-2: Construction-Related Noise Reduction Measures.						
Development projects in the Plan Area that involve construction activities shall apply the following measures during construction for the purpose of reducing construction-related noise:	Review and approve site-specific noise reduction program for the project.	Monitoring during construction.	City of Berkeley Department of			

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Compliance Verification		
				Initial	Date	Comments
▪ **Construction Timing.** Construction activities shall be restricted to the daytime hours of between 7:00 AM and 7:00 PM on weekdays, or between 9:00 AM and 8:00 PM on weekends and legal holidays. ▪ **Mufflers.** Construction equipment shall be properly maintained and all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds, as applicable, shall be in good condition and appropriate for the equipment. During construction, all equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers, consistent with manufacturers' standards. ▪ **Electrical Power.** Electrical power, rather than diesel equipment, shall be used to run compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities. ▪ **Equipment Staging.** All stationary equipment shall be staged as far away as feasible from adjacent noise-sensitive receptors. ▪ **Equipment Idling.** Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use. ▪ **Workers' Radios.** All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near construction activity. ▪ **Smart Back-up Alarms.** Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction. ▪ **Disturbance Coordinator.** The applicant shall designate a disturbance coordinator who shall be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall require that reasonable measures warranted to	Monitor compliance with approved noise reduction program.		Planning and Development.			

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Compliance Verification		
				Initial	Date	Comments
correct the problem be implemented. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site. ▪ **Additional Noise Attenuation Techniques.** During construction activity that is immediately adjacent to noise-sensitive receptors, temporary sound barriers may be installed and maintained, at the discretion of the City's Department of Planning and Development. Temporary sound barriers, if installed, shall block line of sight between noise-generating construction equipment and adjacent residential windows and shall be placed as close to the source equipment as feasible. Mobile sound barriers may be used as appropriate to attenuate construction noise near the source equipment. During the building construction phase, temporary sound barriers may be applied to generators and cranes used on-site.						
N-3: Vibration Reduction Measures.						
Applicants for new development that would involve construction activity in the Plan Area shall implement the following measures to reduce exposure to vibration from construction activities: ▪ **Best Available Technology.** The applicant shall use the best available technology to reduce construction-related vibration on construction sites within 100 feet of institutional land uses that are sensitive to vibration, and within 50 feet of historic buildings, so that vibration levels do not exceed guidelines in the Federal Transit Administration's *Transit Noise and Vibration Impact Assessment Manual* for annoyance and damage to fragile structures. Appropriate technology may include, but is not limited to: ▫ Drilling of piles instead of pile driving for foundation work ▫ Static rollers instead of vibratory rollers for paving activity ▫ Smaller and well-maintained equipment ▪ **Construction Scheduling.** The applicant shall coordinate with adjacent institutional land uses that are sensitive to vibration	Review and approve site-specific vibration reduction program. Monitor compliance with approved noise reduction program.	Monitoring during construction.	City of Berkeley Department of Planning and Development.			

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Responsible Agency	Compliance Verification		
				Initial	Date	Comments
and schedule vibration-generating construction activities during less sensitive times of day.						
TRANSPORTATION AND TRAFFIC						
T-2 Signal Warrant Study and Signalization.						
Development projects tiering from the Adeline Street Specific Plan EIR with primary automobile access on one of the following local streets that is currently controlled by a stop-sign at the intersection with a major street shall evaluate traffic operations and the MUTCD signal warrants at the intersection: ▪ Shattuck Avenue at Blake, Parker, and Derby Streets ▪ Adeline Street at Stuart, Russell, Essex, Woolsey, Fairview, and Harmon Streets The signal warrant study shall be completed as part of the environmental review process for the development project. If the intersection meets the signal warrants and the development project would add ten or more trips to the critical movement that operates at LOS F during the AM and/or PM peak hour, the study shall identify improvements to mitigate the impact. The improvements may consist of signalizing the intersection, and/or restricting one or more movements at the intersection. The study shall also evaluate the secondary effects of the identified improvement, such as traffic diverted to other streets due to turn restrictions. The development project shall install the identified improvement.	Verify evaluation of signal warrants has occurred. If signal warrant met, verify improvements developed and installed.	Prior to issuance of building permit.	City of Berkeley Department of Planning and Development.			

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Attachment 1G

2655 Shattuck Ave. Berkeley CA 94704
Proposed Project
Neighborhood Meeting

studio KDA

Wednesday May 1st 2024, at 6-7pm

The proposed project at 2655 Shattuck Avenue would replace the existing commercial building with a new 8 story mixed use residential / commercial development. The proposed building will include 95 new units and a roof deck amenity space along with a ground floor garden courtyard. The project seeks to utilize the state density bonus and will provide some below market rate units.

There will be a brief presentation and then time for questions and general discussion.

When:	Wednesday May 1st, 6:00pm- 7:00pm
Zoom:	myux?44zx5;|jq3;ttr 3zx4d=759>;79698Du|iBqKu7fKN=YNDO{8m r=9N\ <R Jr SWzxd6
Meeting ID:	82049624143
Passcode:	589484
Phone:	(US) +1 253-205-0468

SCAN TO CONNECT

For questions regarding the meeting, email: till@studiokda.com

2655 Shattuck - Neighborhood Meeting

05/01/2024

Attendees:

Studio KDA: Till Houtermans; Buddy Williams, Brett Spencer
Landscape: Christian Macke
Janet Sluis
Sally Bean
Ed (?)
Elizabeth Ditmars
Eugenie Candau
(iPad)
(iPad 3) – Louise
Ivan Ditmars
Karen P.
Mark Goudy
Ben Bartlett
Elizabeth Partridge
Tom Ratcliff
George (?)
Mark P.
Frank (?)
Tina R. Posner (Councilmember)

Presentation

1. Location map and aerial view of site
2. Existing and proposed site plan
3. Building section
4. Renderings of proposed project
5. Elevations of proposed project
6. Ground floor plans, typical floor plan and roof plan
7. Landscape plans and planting.

Questions Asked:

Karen P: -

1. **"Will this recording be available to the public?"**

   Answer - We will review with the city to see if they can make the recording available through the city portal.

2. **"It would be nice to have another in-person neighborhood meeting" (stated as a request)**
3. **"What are the plans for the commercial space?"**

   Answer - Currently that is not known.

4. **"Request to have a solid wall at the roof top deck to prevent noise pollution"**
5. **"Will the diagonal parking on Shattuck Ave. remain?"**

   Answer - This project is not making any changes to the parking.

6. **"Request for plenty of room on the sidewalk for multiple people to walk?"**
7. **"Request for café seating area on Derby vs. Shattuck"**
8. **"Is there publicly accessible green space?"**

   Answer - Only the proposed "plaza" area on the south west corner of the site.

Ed:

1. **"When are the drawings available to the public?"**

   Answer - In about 6 to 8 weeks. A few weeks after the application is submitted.

2. **"What are the effects of the shadows on the neighboring buildings on Carleton?"**

   Answer - It is being studied and will be shown in the submitted drawings.

3. **"What is the construction timeline?"**

   Answer - Once construction starts it will likely take between 18-24 months.

iPad (name not displayed):

4. **"How many units of affordable housing we plan to include and what sizes will they be?"**

   Answer - About 10 very low-income units.

5. **"Concern about darkness in the exterior courtyard, but appreciates attempt to provide courtyard which could deter tenants from using roof top deck?"**

Elizabeth Ditmars:

6. **"Seconded request for prevention against noise pollution"**

Tom Ratcliff:

7. **"Is there a way for the public to view current project status to voice their opinions on the design?"**

   Answer - Once the project is submitted the city will make all documents available for public and the status of the review should also be available.

Ivan Ditmars:

8. **"What are the 'thought' bubbles on previously submitted drawings?"**

   Answer - Revision clouds

9. **"What are the floor plans for the base building?" "Is there any documentation on what the base building is?"**

   Answer - The submitted drawings will have floor plans for base building project.

10. **"Pre-application states no Creek Buffer, however there is a culverted creek running under Derby?"**

    Answer – None of the maps we have seen show a culverted creek.

11. **"Three large sycamore trees along East property line – what will the grading/foundation be along the property line, and will these affect the sycamores?"**

    Answer – The foundations can be designed to be shallow to provide minimal impact on trees.

12. **"Will the planting on the east property line be leveled?"**

    Answer – No. The intention is to keep as much of the existing grade as possible.

13. **"Can we preserve the façade of the existing building?"**

    Answer – This is very unlikely but perhaps the reliefs can be preserved.

14. **"Can we keep the existing curb cuts for parking/how can a potential traffic diverter at Derby & Fulton effect the parking entry currently off Derby? (Worries about increase in traffic on Derby)"**

    Answer – We looked into keeping the entry on Shattuck, but it makes the building very inefficient in its use of space by now having a driveway that needs to lead to the rear of the property.

Sally Bean:

15. **"Will there need to be a trench placed on the North side of the property line"**

    Answer – Some trenching will be required but likely not parallel to the street.

Jacob, Melinda

Subject: FW: 2655 Shattuck(ZP2024-0057): Base plans

From: Elizabeth Ditmars <ditmars@berkeley.edu>
Sent: Wednesday, February 19, 2025 11:56 AM
To: Burns, Anne M <ABurns@berkeleyca.gov>
Subject: Re: 2655 Shattuck(ZP2024-0057): Base plans

Dear Anne,

Thank you so much for taking the initiative to respond to my message forwarded to you by Katrina Lapira. As you suggested I will copy here for the Design Review Committee the concerns I've enumerated before. Changes will be in square brackets.

Briefly, some concerns are:

(1) the placement of the parking entrance on Derby St. right on the southeast corner. When DaVita leased the building from the current property owner, S.H. Kay, LLC, who purchased the property from Reel [Hollywood] Video, they had planned in 2012 for an entrance on Derby St. (and not so far east), but the neighbors prevailed against them--to the point of their installing a fence, building up the curb, and planting a plane tree that would block any future attempts (the shorter tree in the series that is thriving along Derby to Shattuck). **[After a meeting with Til Houtermans last May the entrance was moved from the southeast corner (i.e., right on the property line) to farther west on Derby towards Shattuck. I still believe it would make a lot more sense to use the entrance from Shattuck already constructed to isolate the main traffic flow from an entrance. Avoiding increased traffic and congestion on the otherwise more peaceful Derby Street would be best.]**

(2) the bas-reliefs. DaVita also honored the preservation of the unusual bas-reliefs and the beautiful neoclassical facade. I understand landmark status would be a long shot, but there is some very interesting history here: see http://quirkyberkeley.com/berkeley-relief/ **[At the very least, I would hope this bit of Berkeley history can somehow avoid destruction.]**

(3) trees. There are three very tall sycamores just east of the property line (between DaVita and 2117 Derby St.) whose roots would surely be damaged by the construction. In addition to the loss of greenery and carbon capture, they would cause destruction to the house if they should fall. **[One of them does lean towards the house.]** Along the northern property line there are also healthy and beautiful trees, if not quite as tall as the sycamores on the east side.

(4) light. Related to this, of course, is the loss of the prospect of solar panels on the west slope of the roof of 2117 Derby St., which I as new owner was planning on installing along with a new roof. **[We have now installed a new roof (and new heat pumps, copper pipes, tankless water heater, etc.), so adding solar would have been the next logical step.]**

(5) density bonus and the calculation thereof. **[Some of our neighbors are more conversant in this...]**

I will not mention the heartbreak from what would be the utter loss of privacy, with the windows of 28 new apartments looking directly east onto 2117 Derby's house and the whole extent of the yard. That's 7 apartments times 4 stories (of 5: 1st floor is parking). Why not exchange the larger apartments on stories 2-5 that are on the east side of the taller building, without a good view, with those 28 apartments? That would make (only) 16 different apartments peering at us--and watching the sun rise. **[I see on the new plans that some larger apartments have been moved to the east side in response to this concern, for which I thank the architects. Still, the total privacy in the back yard that we have enjoyed for 30-plus years would be destroyed even by a smaller number of apartments. Also, along with the loss of half the sky (I've looked at the shade studies), there would never again be a dark night or quiet day. No more plants that need sun, likely no more haven for wildlife. And, from a financial point of view, a considerable loss of property value.]**

Sincerely yours,
Elizabeth Ditmars

On 2/19/25 10:10 AM, Burns, Anne M wrote:

Hello, Elizabeth: I was just reading through your email below. As the post notice noted, we do have a Design Review Committee meeting tomorrow evening, and 2655 Shattuck is on the agenda. The DRC is a committee of the Zoning Adjustments Board, and it is one piece of a larger use permit application. They will be making a recommendation to ZAB tomorrow evening and not an approval of the Use Permit. We are in the process of putting any correspondence to the DRC that we received on this project on-line so that both the DRC and the public can review it. Do you have a minute for a phone call? If so, thank you. If not, please let me know if it's OK with you if I upload the email below. It does show your struggle to get information, and for that I'm sorry, but your design related questions further below might get lost. Can you send an email directly to me addressing the Design Review Committee with those questions below? If I can receive it in the next few hours, we can upload it before the meeting. If after, we will need to upload it on-line after the meeting, but should be able to get it to the DRC at the meeting. Thanks. – Anne Burns (510) 981-7415

From: Lapira, Katrina <KLapira@berkeleyca.gov>
Sent: Wednesday, February 19, 2025 9:15 AM
To: Elizabeth Ditmars <ditmars@berkeley.edu>
Cc: Lisa Gordon <lgordon@rinconconsultants.com>; Burns, Anne M <ABurns@berkeleyca.gov>
Subject: RE: 2655 Shattuck(ZP2024-0057): Base plans

Hi Elizabeth,

Thanks for your message.

I am actually no longer with the Land Use Planning Division and am now with the Rent Stabilization Board.

The project planner now assigned to your project is Lisa Gordon, copied here. Please forward your questions to Lisa. If you would like to reach out to Design Review staff directly, please contact Anne Burns, also copied on this message.

To review records related to a specific Zoning Project, please checkout the Citizens Access Portal, select the zoning tab, and then enter in the appropriate address/ permit number.

Thanks,

Katrina Lapira (she/her)
Associate Planner
(510) 981-4921

Rent Stabilization Board
2000 Center Street, Suite 400 | Berkeley, CA 94704
rentboard.berkeleyca.gov

We Moved! Our NEW office is located at 2000 Center Street, Suite 400

From: Elizabeth Ditmars <ditmars@berkeley.edu>
Sent: Monday, February 17, 2025 9:09 AM
To: Lapira, Katrina <KLapira@berkeleyca.gov>
Subject: Re: 2655 Shattuck: Base plans

Hello Katrina,

I've just seen the attached notice on a pole by the building at 2655 Shattuck. It looks like the KDA project is being reviewed, but I don't know what stage the February 20 meeting represents. The plans look to me identical to plans about which the neighbors had a zoom meeting with Till Houtermans last year on May 1, but with a few very minor alterations (as a result of that helpful meeting) such as the better placement of the garage entrance. I assume, from looking at the current plan, that those alterations were made on August 27 of 2024, augmented currently by shade studies and and more detailed landscape plans.

No need to read the trailing earlier emails, but could you tell me what stage of the potential process this meeting represents? Our neighbors rather expected to receive notification of any important meetings.

Thank you,
Elizabeth Ditmars

On 1/19/24 11:51 AM, Lapira, Katrina wrote:

> Hi Elizabeth,
>
> Thanks for your message.
>
> Linked here are the pre-application plans for a tentative project at 2655 Shattuck Avenue. The base project diagrams and calculations are shown on sheets G003.A-B. Please note – the Use Permit application for this tentative project has not been submitted at the time of this writing. That said, the linked plans do not reflect the final base and proposed project.
>
> If you have any initial feedback on the plans, I recommend that you contact the applicant directly. Below is their contact information –
>
> Till Houtermans, Studio KDA
> till@studiokda.com
>
> Let me know if you are able to access the plans and thanks,

Katrina Lapira (she/her)
Associate Planner
City of Berkeley | Land Use Planning Division
klapira@berkeleyca.gov

From: Elizabeth Ditmars <ditmars@berkeley.edu>
Sent: Thursday, January 18, 2024 5:43 PM
To: Posner, Tina <TPosner@berkeleyca.gov>; Planning Dept. Mailbox <Planning@berkeleyca.gov>; Chang, James <jchang@berkeleyca.gov>; Bartlett, Ben <BBartlett@berkeleyca.gov>
Cc: permits <permits@berkeleyca.gov>; Ching/Battles <battles.ca@sonic.net>; Ivan <iditmars@gmail.com>; Todd Darling <todddarlingfilms@gmail.com>; Linda Jensen Darling <jensendarling@berkeley.edu>; Louise Rosenkrantz <lrosenkrantz44@gmail.com>; Eugene Turitz <eugeneturitz@gmail.com>; gail brown <gmbrown600@yahoo.com>; Eugenie Candau <eugeniecandau1@gmail.com>; marianne sluis <mqsluis@mac.com>
Subject: Re: 2655 Shattuck: Base plans

Dear Ms. Posner, and Attn: Mr. Klein of the Planning Department,

I am resending the email(s) below (without the link to the "Complete SB 330 Preliminary Development Application for 2655 Shattuck Avenue (PLN2023-0086). [dated 12/12/23]").

My neighbors and I are requesting the base plans on which any density bonus depends. We consider this urgent and would appreciate hearing back before we feel the need to take further action.

Thank you,
Betsy Ditmars

On 1/12/24 3:29 PM, Posner, Tina wrote:

> Good Afternoon Elizabeth,
>
> Apologies for missing this! We have reached out to city staff and will keep you all posted once we receive word back.
>
> Thank you.
>
> Warmly,
> Tina R. Posner
>
> Legislative Aide
> Pronouns: She/Her/Hers
> Office of Vice Mayor Ben Bartlett
> City of Berkeley, District 3
> 2180 Milvia Street, 5th Floor
> Berkeley, CA 94704
> (510) 981-7130 (Office)
> (510) 463-4320 (Mobile)

From: Elizabeth Ditmars <ditmars@berkeley.edu>
Sent: Friday, January 12, 2024 11:52 AM
To: Chang, James <jchang@berkeleyca.gov>; Bartlett, Ben <BBartlett@berkeleyca.gov>
Cc: Posner, Tina <TPosner@berkeleyca.gov>; permits <permits@berkeleyca.gov>; Ching/Battles <battles.ca@sonic.net>; Ivan <iditmars@gmail.com>; Todd Darling <todddarlingfilms@gmail.com>; Linda Jensen Darling <jensendarling@berkeley.edu>; Louise Rosenkrantz <lrosenkrantz44@gmail.com>; Eugene Turitz <eugeneturitz@gmail.com>; gail brown <gmbrown600@yahoo.com>; Eugenie Candau <eugeniecandau1@gmail.com>; Thomas Ratcliff <thomastratcliff@gmail.com>; marianne sluis <mqsluis@mac.com>
Subject: Re: 2655 Shattuck

Hello James, Thanks for calling me from Santiago, Chile!

You suggested I reply all to your earlier email in order to encourage a response, and that I make some additions to the cc list.

Since the December 18 email below I have learned that the application of architect Till Houtermans at Studio KDA is complete. A link to the plans is added below.

The citizen access portal shows:

> Complete SB 330 Preliminary Development Application for 2655 Shattuck Avenue (PLN2023-0086). [dated 12/12/23]

Stated on that page is:

> “Please submit a complete zoning project application no later than June 9, 2024.”

How do I find out about the progress of this going forward?

Briefly, some concerns are:

> (1) the placement of the parking entrance on Derby St. right on the southeast corner. When DaVita leased the building from the current property owner, S.H. Kay, LLC, who purchased the property from Reel [Hollywood] Video, they had planned in 2012 for an entrance on Derby St. (and not so far east), but the neighbors prevailed against them--to the point of their installing a fence, building up the curb, and planting a plane tree that would block any future attempts (the shorter tree in the series that is thriving along Derby to Shattuck).
>
> (2) the bas-reliefs. DaVita also honored the preservation of the unusual bas-reliefs and the beautiful neoclassical facade. I understand landmark status would be a long shot, but there is some very interesting history here: see http://quirkyberkeley.com/berkeley-relief/

(3) trees. There are three very tall sycamores just east of the property line (between DaVita and 2117 Derby St.) whose roots would surely be damaged by the construction. In addition to the loss of greenery and carbon capture, they would cause destruction to the house if they should fall. Along the northern property line there are also healthy and beautiful trees, if not quite as tall as the sycamores on the east side.

(4) light. Related to this, of course, is the loss of the prospect of solar panels on the west slope of the roof of 2117 Derby St., which I as new owner was planning on installing along with a new roof.

(5) density bonus and the calculation thereof.

I will not mention the heartbreak from what would be the utter loss of privacy, with the windows of 28 new apartments looking directly east onto 2117 Derby's house and the whole extent of the yard. That's 7 apartments times 4 stories (of 5: 1st floor is parking). Why not exchange the larger apartments on stories 2-5 that are on the east side of the taller building, without a good view, with those 28 apartments? That would make (only) 16 different apartments peering at us--and watching the sun rise.

Thank you for your attention to this -
Betsy Ditmars

On 12/21/23 8:21 PM, Chang, James wrote:

> Hi Elizabeth,
>
> Let's follow up on this in the new year. My personal cell is 415-527-7765. If you don't hear back from an email, please call/text me when you can. I also have Tina on this email thread.
>
> Best regards,
> James Chang
> Chief of Staff
> Office of Vice Mayor Ben Bartlett
> City of Berkeley, District 3
> 2180 Milvia Street, 5th Floor
> Berkeley, CA 94704
> (415) 527-7765 Cell
> (510) 981-7130 Work
> bbartlett@cityofberkeley.info
> Pronouns: he/him/his
> Please sign up for District 3's email list here:
> www.councilmemberbartlett.com/mailing_list

-----Original Message-----
From: Elizabeth Ditmars
<ditmars@berkeley.edu>
Sent: Monday, December 18, 2023 11:01 AM
To: Bartlett, Ben
<BBartlett@berkeleyca.gov>
Cc: Chang, James <jchang@berkeleyca.gov>
Subject: 2655 Shattuck

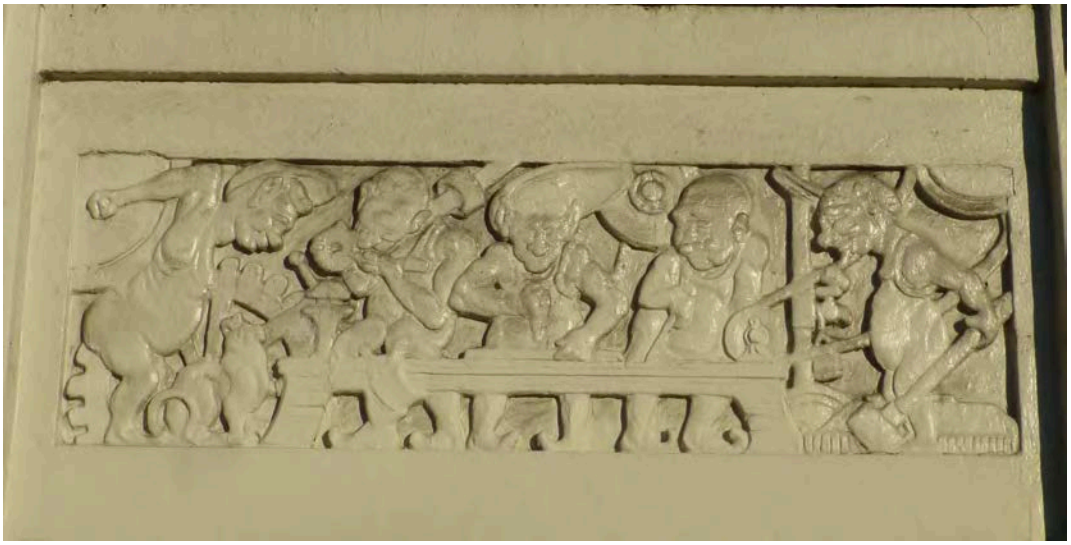
WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hello Mr. Bartlett,

Todd Darling suggests I get in touch with you. I am the neighbor immediately to the east, at 2117 Derby St., to the DaVita lot where Studio KDA has proposed 5 and 8 story building. After 30 years of renting this house I finally bought it and am proceeding to make extensive repairs (including a new roof). So my son and I have some specific questions and concerns we would appreciate discussing with you.

It's a busy time of year. If an in-person meeting is not feasible could we perhaps schedule a phone call?

Thank you,
Elizabeth (Betsy) Ditmars



February 17, 2025

Dear DRC members:

I'm writing in regard to a new building project at 2655 Shattuck, at the corner of Derby Street. This project is on your February 20, 2025 agenda.

The project involves the demolition of the existing building at that address. That building dates, in part, back to 1923, but was substantially rebuilt in the 1990s. The original 1920s building was built for Cochran McCarrron, who located his Chevrolet business there. This was in the early heyday of auto-oriented development on South Shattuck.

The original building was designed by Walter Ratcliff, Jr. who is, or should be, known to all of you as one of Berkeley's most prolific and accomplished architects of the first half of the 20th century. He founded what is now The Ratcliff Architects firm.

The remnant of the original building facade includes two pieces of art, which appear to be cast bas reliefs. I've included pictures of them with this letter. They were originally placed over entrances to the building when it was an auto showroom.

Both sculptures, which are perhaps 5 x 2 feet on their face, and are of unknown thickness, show a whimsical scene of men working on construction / assembly of automobiles. The imagery presented is almost as if they are part of a fantasy or cartoon scene and the figures look like gnomes, elves, or trolls. In part of one panel (see left, above) a cat is curiously watching the fabrication of auto parts.

These panels are, to me, clearly work by an artist, not standardized “off the shelf” architectural ornamentation. The two panels also show completely different scenes.

I am not aware, present or past, of any similar artistic ornamentation on buildings constructed for auto industry use in Berkeley. This art may well be unique and a rare expression of Berkeley’s economic and artistic history.

I also recall that when the current building was modified in the 1990s the preservation of these panels was an important part of the design considerations.

The historic evaluation for the building done in October 1924 refers somewhat dismissively to the facade having *“ornamental features, including cast plaques, those retained features do not embody any exceptional artistic intent or artistry.”*

There is no evidence or rationale offered for this claim, and it should be dismissed as unsupported. The writer shows no evidence of having done any research or analysis of the art and does not even describe it.

The building, as noted, was designed by Walter Ratcliff, Jr. Ratcliff incorporated whimsical figures in another one of his projects on Shattuck Avenue, the former Scandinavian Designs building at the corner of Addison Street in Downtown. It has varied relief figures of gnomes or elves, as well as bears, as part of column capitals.

Ratcliff is also known to have hired on at least one occasion noted California artist Joseph Jacinto Mora to do a bas relief for one of his buildings in Berkeley. “Jo” Mora was a highly regarded artist and designer who worked extensively in the Bay Area, particularly in the early 20th century. He was particularly known for his sculptures and his clever, cartoonish, drawings and maps of California scenes and settings. To my eye, the artistic style of the 2655 Shattuck relief sculptures recalls his work, although there are others who could have done it.

It is also possible the sculpture design was sketched by Ratcliff or a designer in his office, and fabricated by craftspeople, or done by some other local sculptor. We don’t know at this point, although there are avenues of possible research.

In any event, whoever the designer or artist was, these two bas reliefs are not creative works to be lost, destroyed, or discarded.

They should be salvaged from the building during demolition. They could be saw cut or otherwise detached from the structure.

It was encouraging to hear at the Landmarks Preservation Commission meeting a representative of the owner express interest in exploring this option.

I am writing to request that you support their salvage / reuse and recommend to the ZAB that preservation of the artworks be a condition of the proposed project.

At least two possible futures could be envisioned for this salvaged art:

(1) they might be incorporated into the landscape of the new building as sculptural elements.

(2) they might be given to the City of Berkeley and re-used as public sculpture, ideally along the South Shattuck Corridor which is Berkeley's historic "auto row" district.

In either case, the relocation / reuse of these two small sculptures would easily be feasible / affordable in the context of the large, multi-million dollar, building project proposed for this site.

I would also like to call the attention of the Committee to the California Art Preservation Act, adopted in 1979. It offers protections against destruction of works of fine art, including sculpture. It may have application in this case.

Sincerely,

Steven Finacom

The 1995 photograph (TSH Architects), above, shows the 1923 auto showroom before the 1990s remodel. The sculptural panels are visible above the two doorways at either end of the structure. Below are 2025 photographs of the panels in situ on the current building facade, where the doorways have been changed into windows.

To: Berkeley City Planning;
Design Review Committee
Developers and Architects

This Disaster on Derby should not even be appearing before you at this time. They claim they have a “density bonus”, but in our view this is a premature statement. They should not have standing. For more than a year, at least two people adjacent to this location have requested to be kept in the loop at each stage. We have heard exactly zero from the Planning Dept. until the notice was seen on a lamp post, facing away from Derby, last Friday Feb 15.

Prior “density bonus” rewards went to 2701 Shattuck in a suspicious manner and was not deserved. But, we caught it too late. Therefore, with this project we asked to be kept apprised from the beginning. The City has not been forthright, or transparent.

The list of problems with this poor design will be long.
This building is twice the size of the next largest building. Massing is completely out of scale.
The building goes deep into an old neighborhood that has small houses, and is densely packed with people.
The building at 2701 Shattuck is still 80% or more vacant, so our Derby/Walker Street neighborhood is still the most densely occupied part of this area. The developers and their “density uber alles” has thus far failed.
This building will shade and deny solar access to our solar array and our neighbors.
The presentation tries to avoid presenting the impact on Derby St and Walker St. The sun studies are backwards from normal presentation. Normally, NORTH is at the top of the page. If you look at their compass of the building, NORTH is at the bottom. The orientation of the street map appears correct.
The shade encroaches on our solar panels at 5:30 pm on June 21. There are another three hours of day light on that day. So, we can expect this building to significantly decrease our solar output on the days of the summer when electricity demands are highest. There are other impacts of the shade, but this one jumps out.

The distance between the flat, blank wall of a five-story structure is scant feet from two story and one-story homes that are adjacent. This does not appear to be even the set-back used by 2701 Shattuck. They are giving their neighbors a flat concrete wall 60 fee high, along with dozens of windows to peer into their homes and yards. The level of disrespect is obvious with this design. Proposing five stories of peering eyes at short distance should embarrass them.

Derby Street and Walker street are used by high school, college and middle school students walking every day. Walker St. and Derby have a lot of children living here. The garage door for the Disaster on Derby is exactly across from Walker Street, next to residential housing. This is backwards – the front of this building has a carve out where cars could pull in from Shattuck. They put the main flow of cars where it will do the most damage, and has the smallest space to fit. All the noise, exhaust, traffic, congestion, and pollution of various types is placed furthest

into the existing residential neighborhood, and avoids the commercial strip of Shattuck. Allegedly this is a “commercial” property, so why do they project the traffic, pollution and congestion furthest into the existing community? This is disrespectful. In black and white, each page of their design proving they do not care for actual tax paying residents of Berkeley.

The percentage of affordable units of any description is not readily apparent from the design. How many? And more importantly – how many square feet? What percentage of the total square footage is that? How many bedrooms?

Berkeley has a gross over supply of tiny apartments. The proponents of “density” like to whine about families and teachers and firemen driving from far away. But, Berkeley does not promote building housing that a family can fit into. The City Planning Department and the developers allies on council are hypocritical on this point. They use the needs of families as a rhetorical too, but offer nothing to help them, and oppose higher levels of affordable housing.

This presents a design problem for the City. There is a demographic cliff happening. School age people will trend lower for twenty years, so the need for greater dorms for UC is actually on the decline. Secondly, AI has replaced tech workers en masse. The techies are departing. So, the worker housing that Silicon Valley has off-loaded onto Berkeley and Berkeley has stupidly accepted, will not pay off. The tech workers these structures were built for are leaving! So, we will have a lot of under-utilized space, built for the wrong people, and will continue to make Berkeley look like a ghost town.

Then there is the commercial space which will remain empty and adds 20 feet of height to the building needlessly. Get rid of it. There is a cray glut of first floor commercial space in Berkeley. How many more gyms do we need? Council got rid of the commercial space at 2701 Shattuck and that allowed the neighbors to suggest a re-configured building that seriously improved the building’s impact. Lose the commercial space and the designers could ameliorate the disrespectful design at the rear of the building.

The extra structures on top of the building should be removed. There are smarter ways to have roof access etc., and they should take care of them because the building is already too tall.

The 2701 Shattuck construction was allowed to start at 7, and it was a daily problem for two years. We will not suffer the same ever again. Starting time for construction should be at 8 am or we are guaranteed problems. The City refuses to monitor work hours. They regularly woke us up at 6 am.

Keep in mind that our house and the homes on either side are 112 years old. They are classic, well-kept Craftsmen. The other homes on the street are similarly old, and similarly well kept. This building makes no effort to fit in, and in fact it is a brutalist slap in the community’s face.

We oppose this structure. We will have more to say as we analyze the plans, and neighbors will present some of them.

Due to long arranged work plans we will not be able to attend this meeting, which was announced with very short notice. The lack of transparency, communication and respect for the neighborhood is glaringly obvious. City Planning does not work for the citizens and residents of Berkeley, they are paid by the developers – literally. The City needs to require better notification and transparency about the process.

Sincerely
Todd Darling
Linda Jensen Darling
Derby St.

Lisa Gordon

From: Lisa Gordon
Sent: Thursday, February 20, 2025 4:52 PM
To: Todd Darling
Cc: Gong, Sharon; Burns, Anne M; Betsy Ditmars; Bartlett, Ben
Subject: RE: [EXT] Re: Comments for DRC re: 2655 Shattuck; NOTE: No address provided on notice

Good Afternoon,

Please see below for a response to your questions.

Best,
Lisa

From: Todd Darling <todddarlingfilms@gmail.com>
Sent: Thursday, February 20, 2025 9:39 AM
To: Lisa Gordon <lgordon@rinconconsultants.com>
Cc: Gong, Sharon <sgong@berkeleyca.gov>; Burns, Anne M <aburns@berkeleyca.gov>; Betsy Ditmars <ditmars@berkeley.edu>; Bartlett, Ben <bbartlett@cityofberkeley.info>
Subject: [EXT] Re: Comments for DRC re: 2655 Shattuck; NOTE: No address provided on notice

CAUTION: This email originated from outside of Rincon Consultants. Be cautious before clicking on any links, or opening any attachments, until you are confident that the content is safe .

Dear Ms. Gordon,

Thanks for contacting me with the information below.

Let me start with some questions. My neighbor Betsy Ditmar and I both emailed Jordan Klein in December of 2023 and asked to be kept apprised of the “density bonus “ application, and any other steps in the process. Our understanding of the “density bonus” law is that the base plan has to be in line with all local zoning regulations, etc. We have seen other density bonuses granted when this consideration was not made public and was in fact given in error.

The base project is consistent with the objective zoning regulations. On Page 13 (sheet G0002.A), there are exhibits of the base project that show the project is consistent with height, setbacks and other zoning standards. https://berkeleyca.gov/sites/default/files/documents/2025-02-20_DRC_Item_IV.3_2655%20Shattuck_Staff%20Report%20and%20Attachments.pdf

We also asked to be kept apprised of any other parts of the process. We heard nothing until a notice was posted on Feb 15,2025. So our question would be why it took so long to hear back?

Here is the project chronology –

Date	Action
December 4, 2023	SB 330 complete preliminary housing development project application submitted
May 22, 2024	SB 330 Use Permit Application submitted
June 12, 2024	Application deemed incomplete
July 29, 2024	Application resubmitted
August 18, 2024	Application deemed complete
February 6, 2025	Landmarks Preservation Commission (demo referrals are not publicly noticed)
February 20, 2025	Design Review Committee meeting
February 27, 2025 – ANTICIPATED/ PENDING	Public hearing notices mailed/posted
March 13, 2025 - ANTICIPATED/ PENDING	ZAB hearing

I took over as the project planner in November 2024. Between May 2024 and now, the application has been in design review, with the applicant revising and resubmitting exhibits to comply with staff comments and these actions are not typically "noticed" to the public. Usually, when a neighbor asks for updates on the project, we provide updates on hearings. I apologize that updates regarding the submittals or comment letters were not provided to you.

Has the "density bonus" been granted or considered? Isn't the public entitled to know and follow this process?

No, the project has not been approved at this time. The project is anticipated to go to the Zoning Adjustments Board on March 13th. You should receive a public hearing notice on or around February 27th for that date, but now I know you and Betsy have requested regular updates, I will make sure to reach out to you directly to confirm the date.

The public can follow the process, including viewing all submittals and correspondence regarding the project (or any project) on the City's Accela page: Accela Citizen Access You do need to create an account, but can search for projects via addresses or project numbers.

When we last checked the people proposing this project did not actually own the land. Is it possible to get a "density bonus" on land not owned by those making the proposal?? It seems such a valuable entitlement should not be awarded to people who don't actually own the land. This seems inappropriate for the city to give a bonus to someone not invested in the land, proposing something that may not get built, and may not fit the city's needs in the future.

It is typical for property owners to authorize an Architectural Firm or Planning Consultant to act as their applicant or agent to process an entitlement. The land use entitlement, including the density bonus, runs with the land on which it is approved.

These concerns make us wonder :is this trip to the DRC is premature?

The project is ready for DRC review. The application was deemed complete in August 2024. Since that time, the applicant has updated the plans to ensure the plans are consistent with City requirements.

I would also note that almost 70% of the project is one bedroom and mostly studios. Given the professed interest by Council members asking for housing for teachers, firefighters and families in general- does this plan comport with their wishes?

The project includes ten (10) townhomes with three-bedrooms and sixteen (16) two-bedroom units. One of the townhomes and two of the two-bedroom units are reserved for Very Low-Income units. The City is limited in our ability to require unit types due to State Density Bonus Law; however, I do think that this project provides a good mix of units.

Our concerns with the design are material. I will mention two. This project will shade our solar panels - and at the peak season of when electricity is needed on the grid. The shade is also lessens our quality of life and our property's value.

The City considers shadow impacts on neighboring residences when making the non-detriment finding for all Use Permits. In most cases, this is a subjective assessment of whether a project would create a "substantial loss of direct sunlight" for a neighboring residential use. While shadow studies provide information on proposed shading, the ultimate analysis to make the required finding is subjective as the Zoning Ordinance does not define what constitutes a substantial, unreasonable or significant impact. In practice, the amount of shading from new development that is deemed "reasonable" and "insignificant" varies. Pursuant to California Government Code Section 65580.5, housing development projects (which this application is) are only subject to objective general plan and zoning standards. Even though the shading standards are considered subjective, staff did review the shade studies provided. There will be an informational finding in the ZAB staff report for the shade impacts and the shadow studies will be included in the staff report package presented to ZAB for their review.

The garage door situated across from Walker Street- as detailed by my letter thrusts all the negatives noise, exhaust, congestion, interface with pedestrians and bicycles deep into our residential neighborhood. The garage entrance should be on the Shattuck side where there is already a cut out.

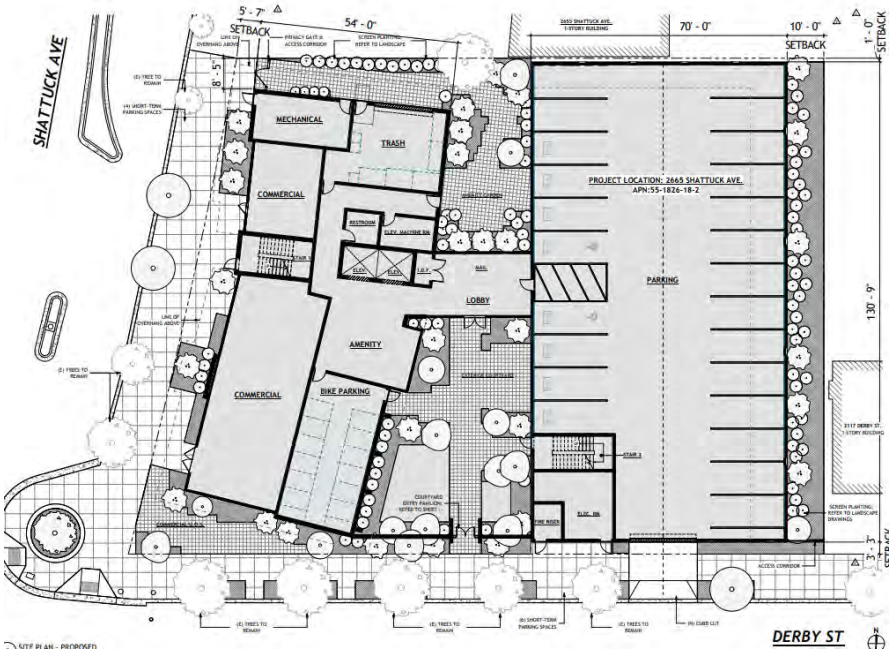
Regarding the location of the garage – The applicant did look into relocating the entrance to Shattuck Avenue but determined that it was not the best use of space on the site. Also, Shattuck Avenue is the busier roadway, for vehicular traffic and pedestrians, so reducing driveways on Shattuck is important to create a better pedestrian environment.

The project is located in the Adeline Corridor Specific Plan which has design strategies for parking and activation of primary street frontages. Strategies include locating parking and vehicle areas behind, within, or under buildings; limiting parking on the primary street frontage, minimizing the visual impact of parking and parking garage entrances on primary street frontages; providing active uses on ground floors on primary frontages; ensuring that ground floor uses and facade design in the Adeline Area positively contribute to the pedestrian experience and street character. So, locating the parking entrance on Derby is consistent with the Specific Plan.

The parking lot can accommodate 41 vehicles. The applicant submitted an Air Quality Assessment that determined that the project would not result in new odor sources, substantial traffic leading to CO hotspots, or result in any adverse impacts to air quality. The project does not create enough vehicle trips to warrant a traffic study to look at congestion.

The Adeline Corridor Specific Plan EIR looked at noise impacts from vehicle trips associated with new development in the Specific Plan area and found that noise level increases would be less than significant. Due to existing noise levels in the area, the increase in noise levels from new trips will not be perceptible – it will blend with existing noises in the area.

The bike parking is closer to Shattuck than to Walker Street. See exhibit below (in blue).



I could go on, but let's start with these concerns. Please reply to Betsy and I.

One last question- your email is from "RinconAssociates". So I take it you are an outside contractor? Could you clarify this relationship to the City ? Are you able to access the city's email system etc so you can see earlier communications? And as an outside consultant- who exactly do you represent? The city? The developers?

I work for a Planning and Environmental Consulting Firm (Rincon Consultants). The City of Berkeley has a contract with Rincon to provide Senior Level Planning review services. So, I work on behalf of the City of Berkeley in the role of a City Senior Planner, basically an extension of City staff. I do not have access to City emails or files. I have access to Accela, which is where all the project files, exhibits and comment letters are posted. Accela Citizen Access

Prior to working for Rincon, I was the Planning Manager and Senior Planner for the City of Menifee in Riverside County California for over 10 years.

Thanks for your time and consideration. We look forward to hearing back from you. If you need any more information from me- don't hesitate to email.

Thank you for your comments and for taking the time to participate in the planning process. Please let me know if you have any additional questions and I will do my best to answer them.

Best,
Todd Darling
Derby St.

On Wednesday, February 19, 2025, Lisa Gordon <lgordon@rinconconsultants.com> wrote:

Good Afternoon,

My name is Lisa Gordon and I am assigned as the project planner for the Use Permit at 2655 Shattuck.

I read your comment letter and wanted to reach out to provide you with information on the density bonus and affordable units. Because this project is going to Design Review Committee (DRC) on 2/20, and not to the Zoning Adjustments Board (ZAB), the density bonus and affordability information is not included in the Design Review Committee staff report discussion.

Here is a summary of the Density bonus:

Base Project Units [a]	**Qualifying Units**	**Percent Density Bonus per State Law**	**Number of Density Bonus Units Allowed**[a]	**Proposed Project Units** [a]
65	10 VLI Units (15% of base project)	50%	33 (50% of 65 units)	98 (32 used)
Notes: a. Pursuant to Government Code 65915(q), all unit calculations are rounded up to the nearest whole number. Abbreviations: % = percent				

Additional information on the density bonus is available in the plan set – see page 13 of 66 - https://berkeleyca.gov/sites/default/files/documents/2025-02-20_DRC_Item_IV.3_2655%20Shattuck_Staff%20Report%20and%20Attachments.pdf

Here is the information on the units, unit type and affordability:

PROJECT UNIT TYPES AND AFFORDABILITY LEVELS

Unit Type	Market Rate	Very-Low Income Affordable (50% AMI)	Low-Income Affordable (80% AMI)	TOTAL
Studio	44	5		49
One Bedroom	18	2		20
Two Bedroom	16	2		18
Three Bedroom	9	1		10
Four Bedroom				
Five Bedroom				
TOTAL	87	10		97

The square footage of the units varies, but you can see the unit sizes on sheets 50-54. https://berkeleyca.gov/sites/default/files/documents/2025-02-20_DRC_Item_IV.3_2655%20Shattuck_Staff%20Report%20and%20Attachments.pdf

It is anticipated that the project will go to ZAB on March 13th.

Please let me know if you have any additional questions.

Thank you,

Lisa

From: Todd Darling <todddarlingfilms@gmail.com>
Sent: Tuesday, February 18, 2025 12:42 PM
To: Burns, Anne M <ABurns@berkeleyca.gov>
Cc: Bartlett, Ben <BBartlett@berkeleyca.gov>
Subject: Comments for DRC re: 2655 Shattuck; NOTE: No address provided on notice

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

Dear Ms. Burns

Sadly, this notice (see attachment) says email to an address and none is provided. Kindly forward to the committee. I maybe 30 minutes late, but given the late notice to the neighborhood and the actual lack of email address on the notice, maybe some grace can be granted.

My notes to be distributed to the panel are attached as a PDF. They are incomplete as this is a lot to digest.

Thanks for forwarding to the Committee

Best,

Todd Darling

cc: Ben Bartlett

Planning and Development Department
Land Use Planning Division

MEMORANDUM

Date: February 20, 2025

To: Zoning Adjustments Board

From: Anne Burns, Design Review Committee Secretary

Subject: Preliminary Design Review- 2655 Shattuck Avenue
ZP2024-0057 & DRCP 2024-0005

Project Description: Demolition of an existing commercial building and construct an 83,479, 8-story (85 feet) mixed use residential building containing 97 dwelling units (10 Very Low-Income units Density Bonus qualifying units), 1,619 square feet of commercial space.

Action: The Design Review Committee (DRC) held a preliminary design review meeting on the subject project on February 20, 2025, based on the applicant's plans dated February 4, 2025.

The DRC voted to forward the project to the Zoning Adjustments Board (ZAB) with a favorable recommendation on the project design. The DRC also included a condition* that the project should retain the preserved friezes from the existing building on-site. The following is the draft summary recorded by the Secretary.

This summary includes the recommendations that were provided to the applicant for Final Design Review during review of the building permit.

Site Design

- Minimize impacts on the adjacent residence to the east; design refinements could include a stepped garden (C3 planter) and wall treatment.
- Step the wall on the fifth floor to achieve more light on adjacent residence to the east.
- Retain the preserved friezes on Shattuck Avenue (COA of Design Review Committee)*; Shattuck Avenue location is recommended.

Exterior Finishes

- Consider additional material, detail, and color changes on the east elevation.
- Enhance overall color palette to be brighter.
- Consider more color and detail on the main stair on the Shattuck elevation.

Landscaping

- Give attention to garden amenity space (make more active).
- Protect trees on neighboring property to the east.

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Windows

- Consider more windows on the 7th and 8th floor on the north and south elevations.
- Add details to the windows on the east facade, such as frames.

ZONING ADJUSTMENTS BOARD

NOTICE OF PUBLIC HEARING

2655 Shattuck Avenue

Use Permit #ZP2024-0057 to demolish a one-story, 8,185-square-foot, non-residential building and construct an eight-story (85-feet), 84,399-square-foot mixed use building containing 97 dwelling units (including 10 Very Low-Income units Density Bonus qualifying units) and 2,117 square feet of commercial space.

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.

When: Thursday, March 13, 2025, 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: ACMU – Adeline Corridor Mixed Use
- Zoning: C-AC – Adeline Corridor Commercial

B. Zoning Permits Required:

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.326.070 to demolish non-residential buildings
- Use Permit pursuant to BMC Section 23.204.020 to establish a mixed-use residential building
- Use Permit pursuant to BMC Section 23.204.030(A)(1) to establish a new main building or dwelling unit in the C-AC zoning district
- Administrative Use Permit pursuant to BMC Section 23.304.050 for projections above the height limit

C. Concessions and Waivers and Pursuant to State Density Bonus Law (CA Gov't. Code Section 65915.

- Waiver from BMC Section 23.204.150(E)(1)) to increase the FAR from 2.5 to 3.5
- Waiver from BMC Section 23.204.150(E)(1)) to increase the stories from 4 to 8 stories
- Waiver from BMC Section 23.204.150(E)(1)) to increase the height from 45 to 85 feet
- Waiver from BMC Section 23.204.150(E)(1)) to increase lot coverage from 70 to 74 percent

D. CEQA Recommendation: Categorically exempt pursuant to Section 15332 of the CEQA Guidelines ("In-fill Development Projects").

E. Parties Involved:

- Applicant - Studio KDA, Till Houtermans, 1810 Sixth Street, Berkeley, CA 94710
- Property Owner - S.H. Kay, LLC, 1442A Walnut Street #349, Berkeley, CA 94709

Further Information:
All application materials are available online at:
https://aca.cityofberkeley.info/CitizenAccess/Welcome.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, Lisa Gordon, at (805) 324-7207 or lgordon@rinconconsultants.com or Sharon Gong, at (510) 981-7010 or sgong@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.

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. 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@cityofberkeley.info) to request hard-copies or electronic copies.

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

1. If you challenge the decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice.
2. You must appeal to the City Council within fourteen (14) days after the Notice of Decision of the action of the Zoning Adjustments Board is mailed. It is your obligation to notify the Land Use Planning Division in writing of your desire to receive a Notice of Decision when it is completed.
3. Pursuant to Code of Civil Procedure Section 1094.6(b) and Government Code Section 65009(c)(1), no lawsuit challenging a City Council decision, as defined by Code of Civil Procedure Section 1094.6(e), regarding a use permit, variance or other permit may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure Section 1094.6(b). Any lawsuit not filed within that ninety (90) day period will be barred.
4. Pursuant to Government Code Section 66020(d)(1), notice is hereby given to the applicant that the 90-day protest period for any fees, dedications, reservations, or other exactions included in any permit approval begins upon final action by the City, and that any challenge must be filed within this 90-day period.
5. If you believe that this decision or any condition attached to it denies you any reasonable economic

use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a “taking” of property for public use without just compensation under the California or United States Constitutions, the following requirements apply:

A. That this belief is a basis of your appeal.
B. Why you believe that the decision or condition constitutes a "taking" of property as set forth above.
C. All evidence and argument in support of your belief that the decision or condition constitutes a “taking” as set forth above. If you do not do so, you will waive any legal right to claim that your property has been taken, both before the City Council and in court.

Attachment 4

NOTICE OF PUBLIC HEARING
BERKELEY CITY COUNCIL

ZAB APPEAL: 2655 SHATTUCK AVENUE, USE PERMIT ZP2024-0057

The public may participate in this hearing by remote video or in-person.

Notice is hereby given by the City Council of the City of Berkeley that on **WEDNESDAY, JULY 23, 2025** at **6:00 P.M.** a public hearing will be conducted to consider an appeal against a decision by the Zoning Adjustment Board to approve **Zoning Permit #ZP2024-0057 to demolish a one-story, 8,185-square-foot, non-residential building and construct an eight-story (85-feet), 84,399-square-foot mixed use building containing 97 dwelling units (including 10 Very Low-Income, density bonus qualifying units) and 2,117 square feet of commercial space.**

The hearing will be held on, July 23, 2025 at 6:00 p.m. in the School District Board Room, located at 1231 Addison Street, Berkeley CA 94702.

For further information, please contact Robert Rivera, Senior Planner at (510) 981-7480

A copy of the agenda material for this hearing will be available on the City's website at https://berkeleyca.gov/ as of July 14, 2025. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.**

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or e-mailed to council@berkeleyca.gov in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council 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 the City Council, 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 City Clerk. 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 City Clerk at (510) 981-6900 or clerk@berkeleyca.gov for further information.

_____

Mark Numainville, City Clerk

Mailed by: July 9, 2025
Noticed Pursuant to: Berkeley Municipal Code Section 23.404.040(B), Public Hearing Notice

NOTICE CONCERNING YOUR LEGAL RIGHTS*: If you object to a decision by the City Council to approve or deny(Code Civ. Proc. §1094.6(b)) or approve (Gov. Code 65009(c)(5) an appeal, the*

following requirements and restrictions apply: 1) Pursuant to Code of Civil Procedure Section 1094.6, no lawsuit challenging a City decision to deny or approve a Zoning Adjustments Board decision may be filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a Zoning Adjustments Board decision, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.

If you challenge the above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Berkeley at, or prior to, the public hearing. Background information concerning this proposal will be available at the City Clerk Department and posted on the City of Berkeley webpage prior to the public hearing.

This attachment is on file and available for review at the City Clerk Department, or can be accessed from the City Council Website. Copies of the attachment are available upon request.

City Clerk Department
2180 Milvia Street
Berkeley, CA 94704
(510) 981-6900

or from:

The City of Berkeley's Website
http://www.berkeleyca.gov

Communications

All communications submitted to the City Council are public record. Communications are not published directly to the City's website. Copies of individual communications are available for viewing at the City Clerk Department and through Records Online.

City Clerk Department
2180 Milvia Street
Berkeley, CA 94704
(510) 981-6900

Records Online
https://records.cityofberkeley.info/

To search for communications associated with a particular City Council meeting using Records Online:

1. Select Search Type = “Public – Communication Query (Keywords)”
2. From Date: Enter the date of the Council meeting
3. To Date: Enter the date of the Council meeting (this may match the From Date field)
4. Click the “Search” button
5. Communication packets matching the entered criteria will be returned
6. Click the desired file in the Results column to view the document as a PDF