



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

FOR BOARD ACTION
October 13, 2022

3003 Dwight Way

Use Permit #ZP2021-0052 to add a pool, pool house, greenhouse, retaining walls, and fences on the undeveloped portion of the site.

I. Background

A. Land Use Designations:

- General Plan: LDR – Low Density Residential
- Zoning: ES-R – Environmental Safety-Residential

B. Zoning Permits Required:

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.304.060(C)(1) to construct an accessory building (pool house) that exceeds 100 square feet;
- Use Permit pursuant to BMC Section 23.304.060(C)(1) to construct an accessory building (greenhouse) that exceeds 100 square feet;
- Use Permit pursuant to BMC Section 23.304.060(C)(2)(b)(i) to deviate from accessory building standards;
- Use Permit pursuant to BMC Section 23.304.070(D)(1)(b) to add an unenclosed outdoor spa/hot tub;
- Administrative Use Permit pursuant to BMC Section 23.304.070(B) to add a retaining wall in a setback; and
- Administrative Use Permit pursuant to BMC Section 23.304.080(A) to add a fence that exceeds 4 feet in height.

C. CEQA Recommendation: It is staff's recommendation that ZAB adopt the proposed negative declaration prepared pursuant to Article 6 of the CEQA Guidelines. The determination is made by ZAB. All environmental documents are available online: <https://aca.cityofberkeley.info/CitizenAccess/Welcome.aspx>.

D. Parties Involved:

- Applicant Ivor Brown, 1144 65th Street, #E, Oakland
- Owner Jonathan Logan, 3003 Dwight Way, Berkeley

Figure 1: Vicinity Map

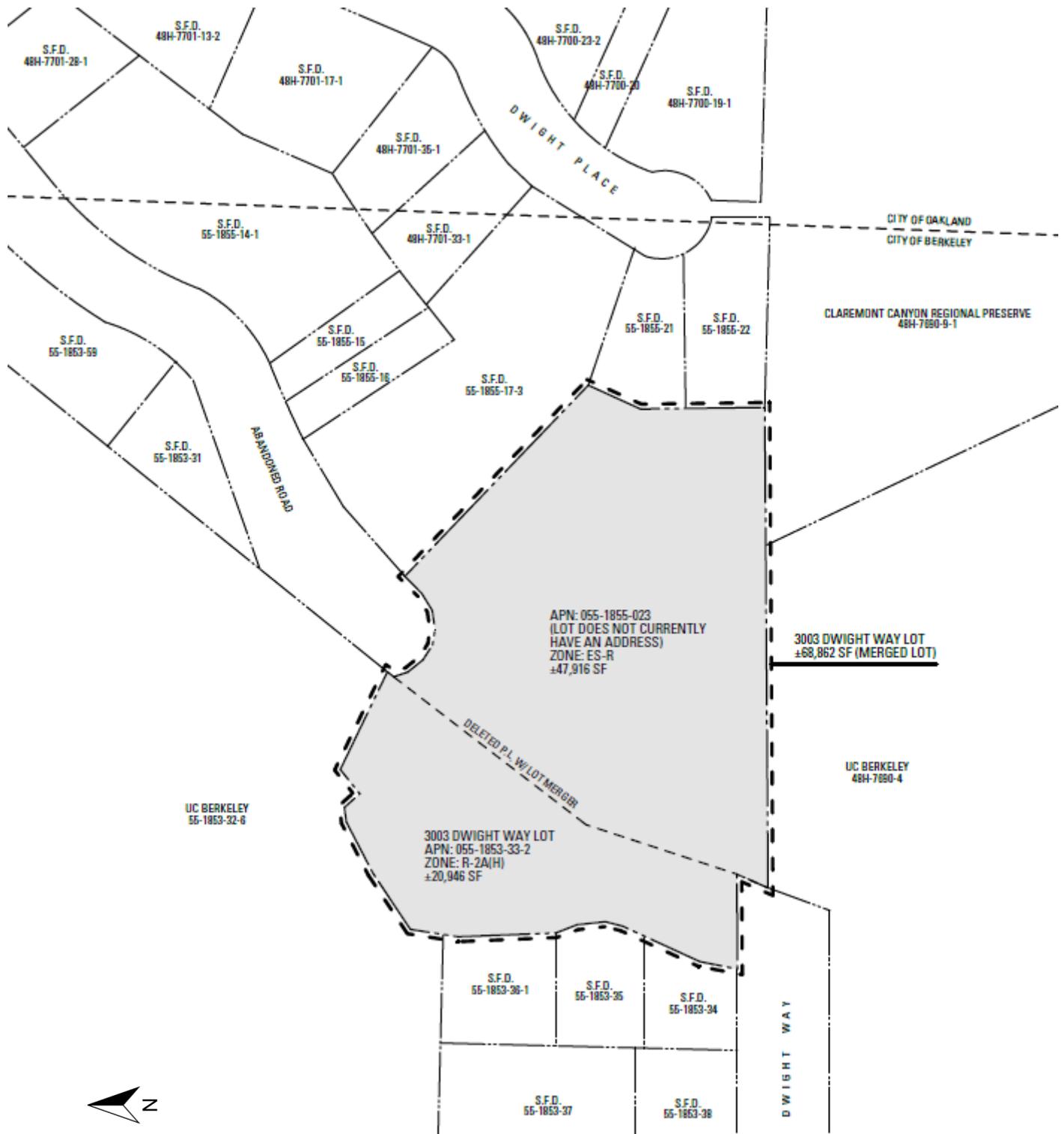
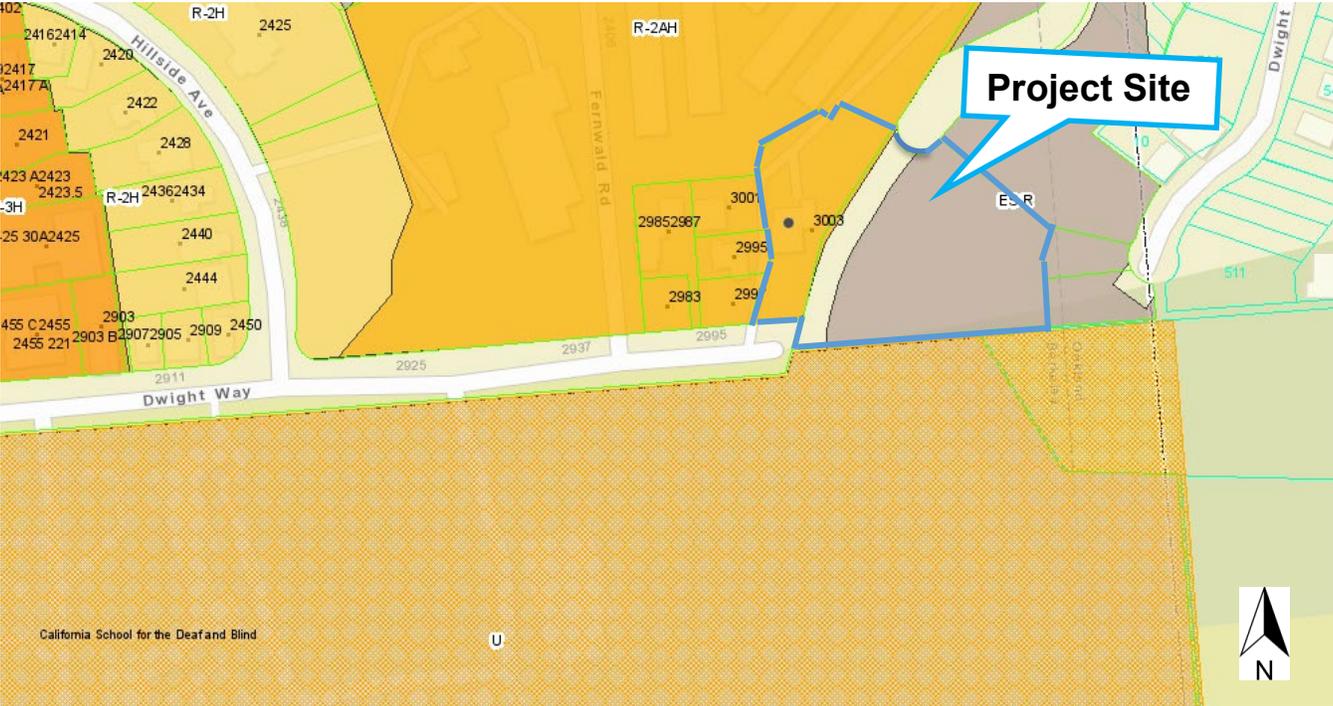


Figure 2: Zoning Map



Legend

ES-R:	Environmental Safety-Residential District
R-2AH:	Restricted Multiple-Family Residential District, Hillside Overlay
U	Unclassified

Figure 3: Full Site Plan

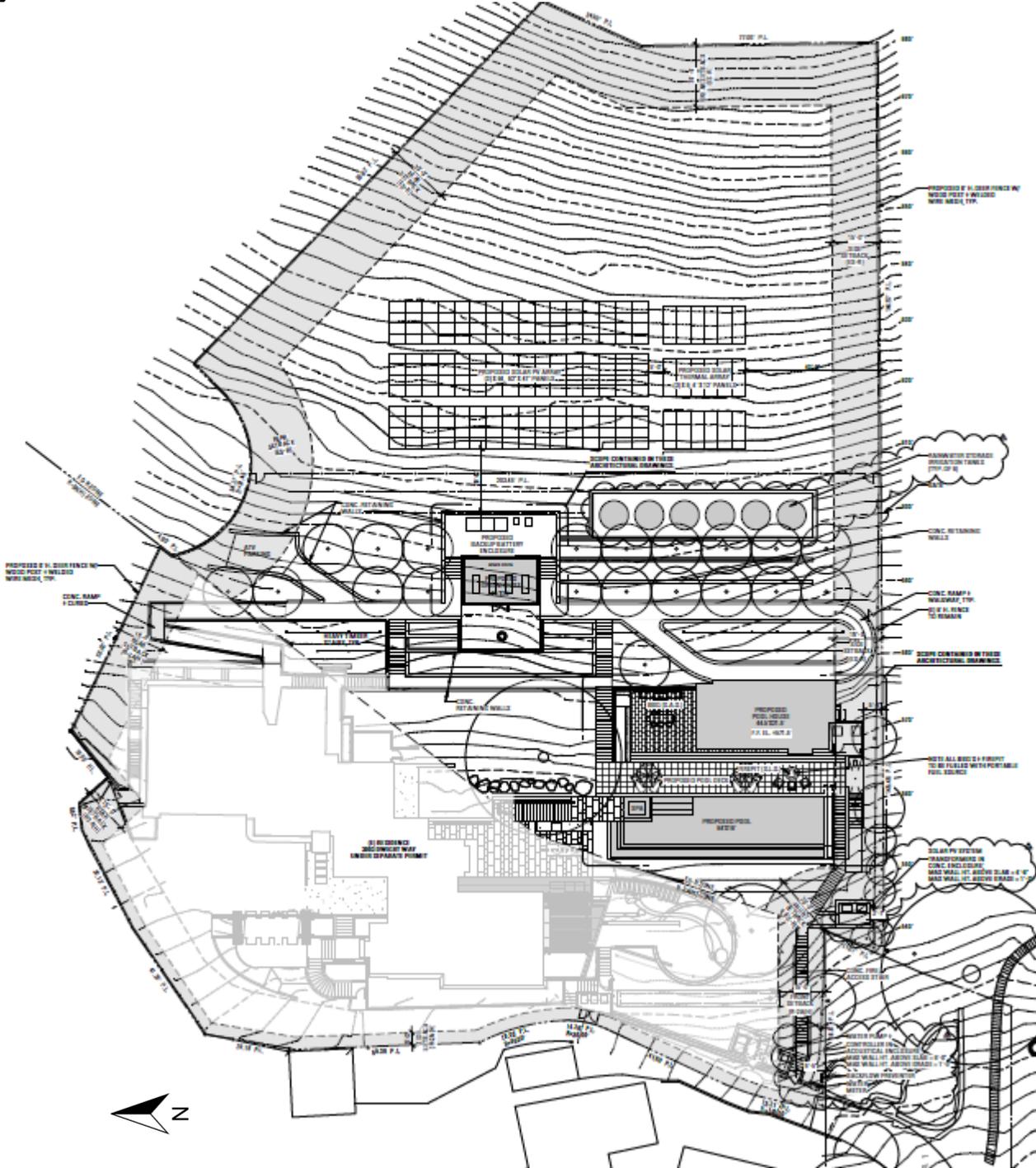


Figure 4: Partial Site Plan

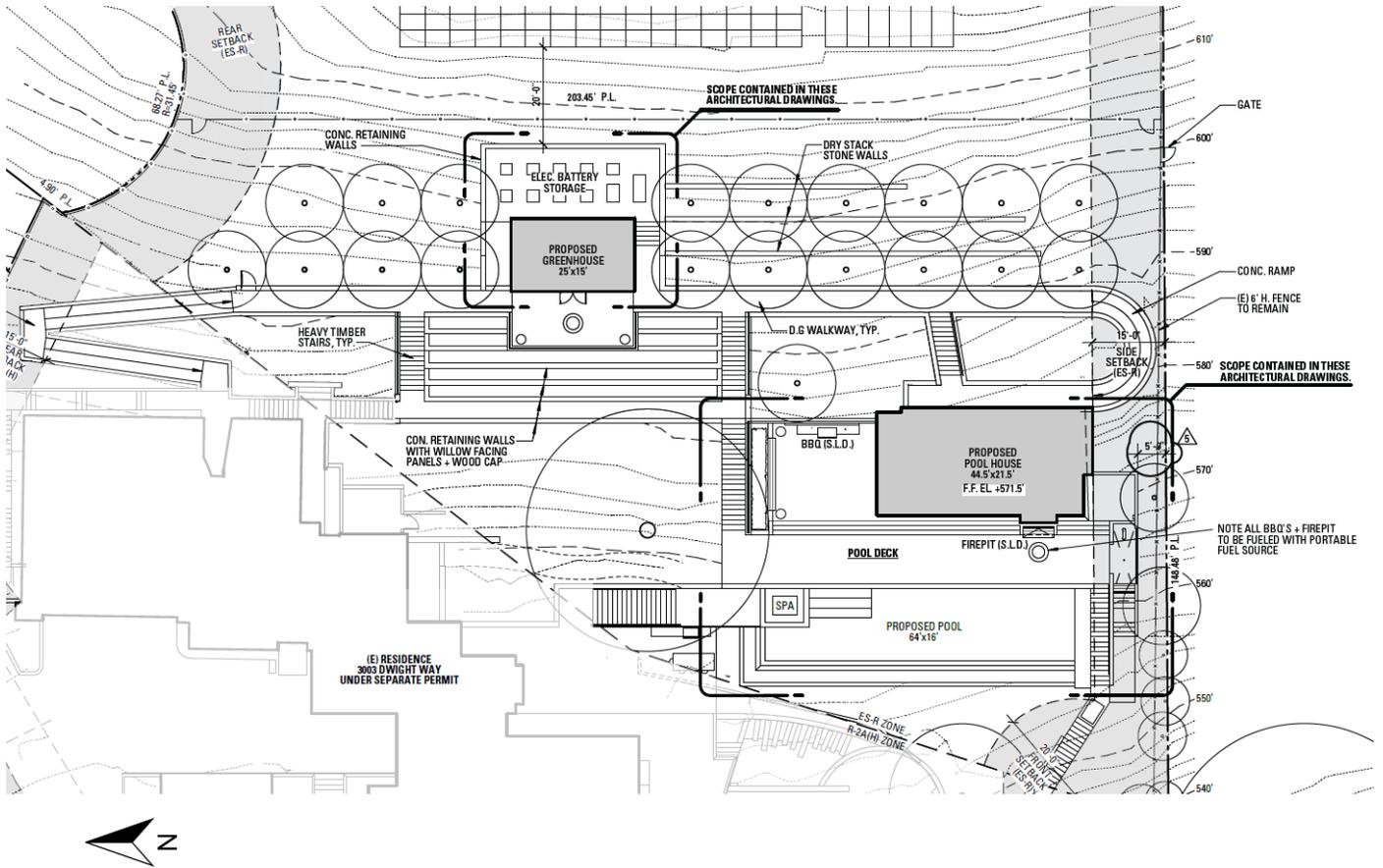


Figure 5: Proposed Pool House West Elevation



Figure 4: Proposed Greenhouse North Elevation

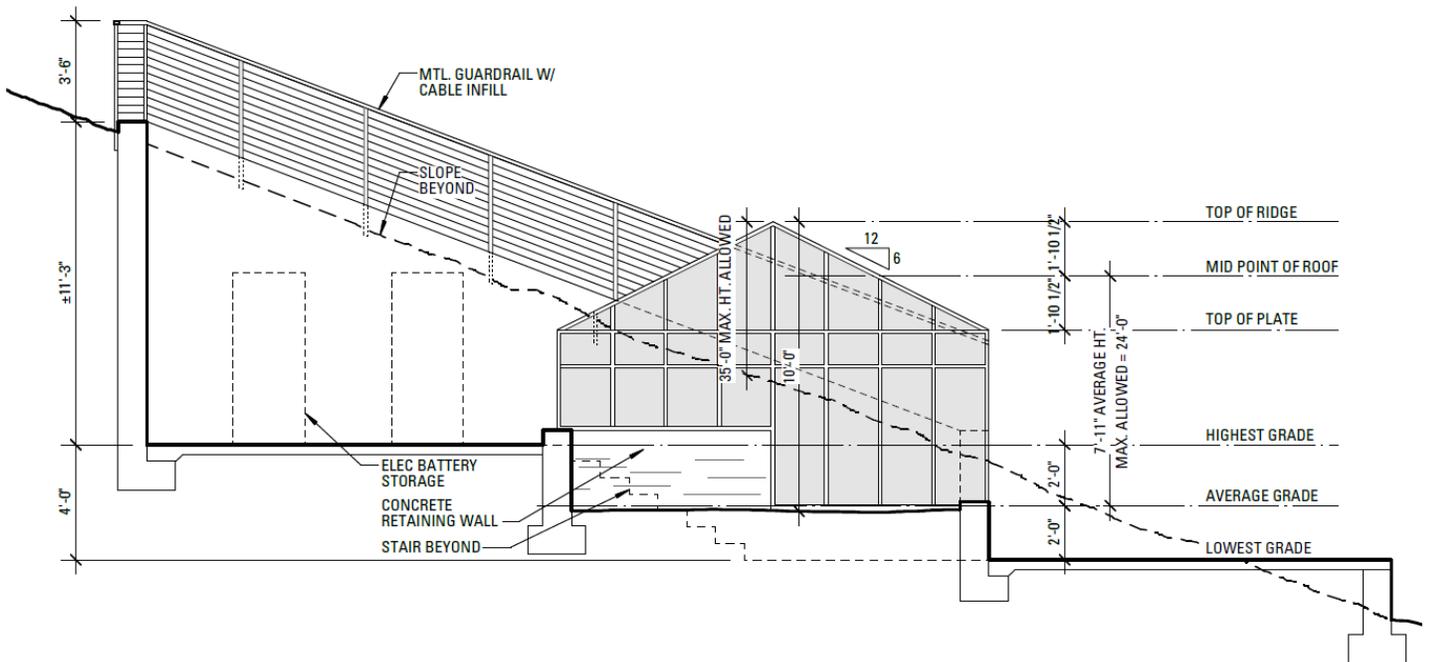


Table 1: Land Use Information

Location		Existing Use	Zoning District	General Plan Designation
Subject Property		Single-Family Dwelling	R-2AH – Restricted Multiple-Family Residential, Hillside Overlay; ES-R – Environmental Safety-Residential District	LDR – Low Density Residential; MDR – Medium Density Residential
Surrounding Properties	North	Open space, undeveloped	R-2AH – Restricted Multiple-Family Residential, Hillside Overlay; ES-R – Environmental Safety-Residential District	LDR – Low Density Residential; MDR – Medium Density Residential
	South	Institution (UC Berkeley)	U – Unclassified	Open Space
	East	Open space, undeveloped	ES-R – Environmental Safety-Residential District	LDR – Low Density Residential
	West	Single-Family Dwellings	R-2AH – Restricted Multiple-Family Residential	MDR – Medium Density Residential

Table 2: Special Characteristics

Characteristic	Applies to Project?	Explanation
Creeks (Per BMC Section 17.08.045)	No	No creek or culvert, as defined by BMC Chapter 17.08, exists on or within 30' of the site.
Historic Resources (Per Gov't Code §15064.5, BMC Chapter 3.24 or BMC Chapter 23C.08)	No	The subject property is not a historical resource pursuant to CEQA Guidelines Section 15064.5 and, therefore, does not represent an exemption to the categorical exemptions of Section 15300.2. The project does not propose the demolition or substantial alteration of a building over 40 years old.
Housing Accountability Act (Per Gov't Code Section 65589.5(j))	No	The project is not a "housing development project," as no additional units would be created. Therefore, the HAA findings do not apply to this project.
Oak Trees (Per BMC Section 6.52.010)	Yes	There are two existing oak trees on the site. COA #15 requires that the Tree Protection Plan from the arborist report dated January 22, 2021 be included in the building permit plan set.
Residential Preferred Parking (RPP)	Yes	The project site is within City of Berkeley Residential Preferred Parking Zone I.
Seismic Hazards Mapping Act (Per State Hazards Mapping Act)	No	The project site is located in an area susceptible to earthquake fault rupture, and landslides, as defined by the State Seismic Hazards Mapping Act (SHMA). The project is not subject to additional review to comply with the SHMA because accessory buildings are exempt.
Soil/Groundwater Contamination	No	The site is not located within the City's Environmental Management Area and is not on the Cortese List.
Transit Access	Yes	Bus stops for AC transit routes 51B, and 79, are within 0.2-0.5 miles of the project site on Piedmont Crescent and College Avenue

Table 3: Project Chronology

Date	Action
March 31, 2021	Application submitted
April 30, 2021	Application deemed incomplete
June 15, 2021	Revised application materials submitted
July 9, 2021	Application deemed incomplete
January 27, 2022	Revised application materials submitted
February 25, 2022	Application deemed incomplete
March 29, 2022	Application deemed incomplete
April 22, 2022	Revised application materials submitted
May 13, 2022	Revised application materials submitted
May 24, 2022	Application deemed incomplete
June 1, 2022	Revised application materials submitted
August 30, 2022	Publication of the IS/ND
September 29, 2022	End of 30-day Comment Period
September 28, 2022	Revised application materials submitted
September 28, 2022	Application deemed complete
September 29, 2022	ZAB Public hearing notices mailed/posted
October 13, 2022	ZAB hearing

Table 4: Development Standards

ES-R Development Standards BMC Sections 23.202.070		Existing	Proposed Total	Permitted/ Required
Lot Area (sq. ft.)		20,946 (lot with dwelling)/ 47,916 (undeveloped lot)	68,862 ¹	25,000 min
Dwelling Units on Lot		1	No Change	1 main dwelling unit
Bedrooms		4	No Change	AUP required for fifth bedroom in R-2A
Gross Floor Area (Sq. ft.)		10,807	13,910	n/a
Building Height (Greenhouse)	Average	n/a	7'-11"	n/a
	Stories	n/a	1	n/a
Building Height (Pool House)	Average	n/a	24'	n/a
	Stories	n/a	2	n/a
Building Setbacks (ft.) (Greenhouse)	Front	n/a	140'	50% of lot depth
	Rear	n/a	150'	n/a.
	Left Side	n/a	82'	4' min.
	Right Side	n/a	109'	4' min.
Building Setbacks (ft.) (Pool House)	Front	n/a	22'-7"	50% of lot depth
	Rear	n/a	200'	n/a.
	Left Side	n/a	105'	4' min.
	Right Side	n/a	5'-9"	4' min.
Lot Coverage (%)		27 (R-2AH lot only)	11 (w/lot merger)	30 max. (ES-R)
Usable Open Space (sq. ft.)		3,000+	No Change	400 min.
Parking (BMC 23.322)		5	No Change	1 min. for existing dwellings

II. Project Setting

A. Neighborhood/Area Description: The subject property is located at the eastern end of Dwight Way, east of Hillside Avenue. The area is residential in nature and consists predominantly of two- and three-story single-family dwellings, and is near UC

¹ Lot Line Adjustment #364 approved by Public Works, but not yet recorded with Alameda County.

Berkeley's Clark Kerr Campus, the Oakland border, and the Claremont Canyon Regional Preserve (East Bay Regional Park District).

- B. Site Conditions:** The subject property is comprised of two parcels. The first is 20,946 square feet in area, with an existing 10,807 square foot three-story single-family dwelling, and is in the R-2A District, Hillside Overlay. The second parcel is 47,916 square feet in area, undeveloped, and in the ES-R District.

III. Project Description

The project would add a pool, pool house, greenhouse, retaining walls, solar array and battery storage, and fences on the undeveloped half of the site. At the R-2AH portion of the site, closest to the driveway off Dwight Way, a water pump and controller would be added in the front setback, with a 6-foot high wall, 9 feet 5 inches from the front property line. A concrete fire access stair would be added in the front and side setbacks to provide access from Dwight Way to the pool house. Transformers for the solar energy system would be added in the front and side setbacks, with a 4-foot 6-inch high wall, and a minimum setback of 3 feet 7 inches. Retaining walls ranging in height from 2.2 to 3.59 feet in height would be added in the rear and side setbacks for concrete ramps. An 8-foot deer fence would be added at the far sides of the property. The pool would contain a spa. The pool house would have a side setback of 5 feet 9 inches, but the majority of the building would have a side setback of 17 feet. The two-story pool house would have an average height of 24 feet, with the mechanical equipment for the pool and pool house below the first level of the pool house. The greenhouse would have an average height of 7 feet 11 inches.

IV. Community Discussion

- A. Neighbor/Community Concerns:** On April 20, 2021, the City mailed postcards to neighboring property owners and occupants within 300 feet to inform the public of the receipt of a Zoning Permit application at this site². Staff received two communications from neighbors expressing concern about a former right-of-way that went through the larger parcel. The City quitclaimed the right-of-way to the property owner in 1994. When reviewing the lot merger City survey staff and the City Attorney's office confirmed it was abandoned and no longer public right-of-way.

On September 29, 2022, the City mailed notices for the ZAB hearing to property owners and occupants within a 300-foot radius, to interested neighborhood organizations, and the City posted notices within the neighborhood in three locations. At the time of writing this report, staff has received two letters of support.

- B. Committee Review:** This project is not subject to review by the Design Review Committee or the Landmarks Preservation Commission because it is not located in a commercial or manufacturing district, and does not involve the demolition of a non-

² To comply with Public Health Orders related to Covid-19, the standard protocol for installation of a Project Yellow Poster and/or neighborhood contact, and signatures were waived at the time this project application was submitted.

residential building.

V. Issues and Analysis

A. Initial Study-Negative Declaration: In the ES-R District, most discretionary entitlements are not exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) (BMC Section 23.202.070(F)(1)). An Initial Study-Negative Declaration (IS/ND) was prepared to inform the ZAB and the general public of potential project impacts. The IS/ND found that all potential impacts are less than significant without mitigation, with implementation of the City's standard conditions of approval.

The Notice of Intent (NOI) to adopt the IS/ND was published on August 30, 2022 and posted on the City's website and filed with State Clearinghouse (SCH #2022080696) for distribution to interested state and regional agencies. The public comment period began on August 30, 2022 and closed on September 29, 2022. One comment letter was received.

David J. Rehnstrom, Manager of Water Distribution Planning for the East Bay Municipal Utility District (EBMUD), stated that the applicant shall comply with EBMUD's Private Sewer Lateral Ordinance, and California's Model Water Efficient Landscape Ordinance (MWELO). With the implementation of the City's standard conditions of approval, project impacts will be reduced to less than significant levels.

B. New Accessory Buildings that Exceed 100 Square Feet: Pursuant to BMC Section 23.304.060(C)(1), new accessory buildings and enclosed accessory structures are permitted with a Use Permit in the ES-R District. Use Permits are required for the new pool house and green house. The greenhouse would be located near the middle of lot, and is not likely to be visible because it would be less than 8 feet in average height. The pool house would be built into the hillside. An Initial Study was prepared to assess the impact of the proposed development. Conformance with building and fire code will be confirmed during review of the building permit.

C. Deviate from Accessory Building Standards: Pursuant to BMC Section 23.304.060(C)(2)(b)(i), deviations from the accessory building standards in Table 23.304-7 requires approval of a Use Permit in the ES-R District. The proposed pool house will be located within the first half of the lot depth, with a height of 24 feet, less than 6 feet from the side property line. The portion of the building closest to the property line will be much lower than 24 feet, and that is also where the outdoor shower would be located. Since this lot is very large, oddly shaped, and is rather steep, it is not logical to locate the pool house outside of the first half of the lot depth, which would also be far from the dwelling.

D. Unenclosed Hot Tub: Pursuant to BMC Section 23.304.070(D)(1)(b), a Use Permit is required to add an unenclosed hot tub in the ES-R District. The spa/hot tub is part of the proposed pool and will be located more than 73 feet from the side lot line.

Operation is subject to Conditions of Approval #46 – 49 as well as the controls imposed under BMC Chapter 13.40 as it relates to maximum noise levels.

E. Fence that Exceeds 4 Feet in Height: Pursuant to BMC Section 23.304.080(A), an Administrative Use Permit is required to add a fence that exceeds 4 feet in height in ES-R District. An 8-foot deer fence with wood posts and wire mesh would be added on the far sides of the property to delineate parcel boundaries and keep deer out. An existing 6-foot fence would remain in the area near the pool house.

F. Retaining Walls in Setbacks: Pursuant to BMC Section 23.304.070(B), an Administrative Use Permit is required to add an unenclosed accessory structure, including retaining walls, in a required setback. Retaining walls ranging in height from 2.20 to 3.59 feet in height would be added in the rear and side setbacks for concrete ramps to provide access to the improvements from the dwelling. The retaining walls are necessary to provide access on a step site.

G. General Non-Detriment for Use Permits and Administrative Use Permits: Pursuant to BMC Section 23.406.040, the Board may issue a Use Permit if it meets the findings for non-detriment. An analysis of sunlight/shadows, air, and views follows:

Sunlight/Shadow: Although the pool house is above 14 feet in average height, the pool house would not result in a significant loss of direct sunlight on abutting residences, and any shading impacts are not deemed detrimental because the pool house would be far from nearby residences, and would be adjacent to open space.

Air: The accessory buildings and accessory structures are found to be consistent with the existing development and building-to-building separation pattern – or air – in the ES-R neighborhood because the buildings and structures would largely comply with the required setbacks, and would not exceed height or story limits. Therefore, there would be minimal, if any, air impacts.

Views: The accessory buildings and accessory structures would not result in obstruction of significant views in the neighborhood as defined in BMC Section 23.502 (Glossary). The new buildings and structures would be lower in height than the existing three-story residence, dwellings on Dwight Place are above the subject property, so views would not be affected, and the parcel is largely surrounded by open space.

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

1. Policy LU-7–Neighborhood Quality of Life, Action A: Require that new development be consistent with zoning standards and compatible with the scale, historic character, and surrounding uses in the area.
2. 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.

3. 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.
4. Policy UD-32–Shadows: New buildings should be designed to minimize impacts on solar access and minimize detrimental shadows.
5. 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.)
6. Policy UD-33–Sustainable Design: Promote environmentally sensitive and sustainable design in new buildings.

Staff Analysis: As discussed above, the project would not substantially block views, or cast shadows, or create impacts on adjacent neighbors. The proposed accessory buildings and accessory structures meet the ES-R District development standards, and the improvements would follow State and local green building standards. Additionally, the project is consistent with the single-family use and residential design character of other buildings in the vicinity.

VI. Recommendation

Because of the project’s consistency with the Zoning Ordinance and General Plan, and its minimal impact on surrounding properties, staff recommends that the Zoning Adjustments Board **APPROVE** Use Permit #ZP2021-0052 pursuant to 23.406.040(D) and subject to the attached Findings and Conditions (see Attachment 1).

Attachments:

1. Findings and Conditions
2. Project Plans, dated September 28, 2022
3. Notice of Public Hearing
4. Correspondence Received

Staff Planner: Allison Riemer, ariemer@cityofberkeley.info, (510) 981-7433

ATTACHMENT 1

FINDINGS AND CONDITIONS

OCTOBER 13, 2022

3003 Dwight Way

Use Permit #ZP2021-0052 to add a pool, pool house, greenhouse, retaining walls, and fences on the undeveloped portion of the site.

PERMITS REQUIRED

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.304.060(C)(1) to construct an accessory building (pool house) that exceeds 100 square feet;
- Use Permit pursuant to BMC Section 23.304.060(C)(1) to construct an accessory building (greenhouse) that exceeds 100 square feet;
- Use Permit pursuant to BMC Section 23.304.060(C)(2)(b)(i) to deviate from accessory building standards;
- Use Permit pursuant to BMC Section 23.304.070(D)(1)(b) to add an unenclosed outdoor spa/hot tub;
- Administrative Use Permit pursuant to BMC Section 23.304.070(B) to add a retaining wall in a setback; and
- Administrative Use Permit pursuant to BMC Section 23.304.080(A) to add a fence that exceeds 4 feet in height.

I. CEQA FINDINGS

1. The Notice of Intent (NOI) to adopt a CEQA Negative Declaration and Initial Study (IS-ND) were published on August 30, 2022 and the public review period ended at 5:00 P.M. on September 29, 2022. The IS-ND was submitted to the State Clearinghouse (SCH #2022080696) for distribution to interested state and regional agencies. One comment letter was received, and a response to the comments was provided. No changes to the IS-ND were made as a result.

The Zoning Adjustments Board has considered the Negative Declaration together with comments received during the public review process, and finds, on the basis of the whole record before it, that: (1) no potentially significant effects were identified that could not be reduced to less than significant levels by implementation of the City's standard conditions of approval, (2) there is no substantial evidence the project will have a significant effect on the environment, and (3) the Negative Declaration reflects the lead agency's independent judgment and analysis. The record of proceedings upon which this decision is based is located at the Land Use Division of the Planning Department, 1947 Center Street, 2nd Floor, Berkeley, California 94704.

II. FINDINGS FOR APPROVAL

1. As required by Section 23.406.040(E)(1) of the BMC, the project, under the circumstances of this particular case existing at the time at which the application is granted, would not be

detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City because:

- A. The project is consistent with all applicable ES-R District standards;
- B. 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 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.

III. OTHER FINDINGS FOR APPROVAL

- 1. As required by BMC Section 23.302.060(C)(2)(b)(ii), the Zoning Adjustments Board finds that:
 - A. The greenhouse will be less than 8 feet in height and will be far from nearby residences. The pool house will not result in a significant loss of direct sunlight on abutting residences, and any shading impacts are not deemed detrimental because the pool house will be far from nearby residences, and will be adjacent to open space.
 - B. Air and privacy impacts will be minimal as the accessory buildings and accessory structures will be far from nearby residences.
 - C. The accessory buildings and accessory structures will not result in obstruction of significant views in the neighborhood as defined in BMC Section 23.502 (Glossary). The new buildings and structures will be lower in height than the existing three-story residence, dwellings on Dwight Place are above the subject property, so views will not be affected, and the parcel is largely surrounded by open space.
- 2. As required by BMC Section 23.302.070(D)(2) the spa pump will be mounted and enclosed so that its sound will not be audible over a property line of the adjacent lot because Operation is subject to Conditions of Approval #46-49 as well as the controls imposed under BMC Chapter 13.40 as it relates to maximum noise levels.

IV. STANDARD CONDITIONS OF APPROVAL FOR ALL PROJECTS

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

1. Conditions Shall be Printed on Plans

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

2. Compliance Required (BMC Section 23.102.050)

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

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

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

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

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

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

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

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

Once a Permit for a use is exercised and the use is established, the permit authorizing the use remains effective even if the property becomes vacant. The same use as allowed by the original

permit may be re-established without obtaining a new permit, except as set forth in Standard Condition #5 above.

7. Permit Modifications (BMC Section 23.404.070)

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

8. Permit Revocation (BMC Section 23.404.080)

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

9. Indemnification Agreement

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

V. ADDITIONAL CONDITIONS IMPOSED BY THE ZONING ADJUSTMENTS BOARD

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

Prior to Submittal of Any Building Permit:

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

Project Liaison _____
Name Phone #

11. Tree Protection Measures. Include the Tree Protection Plan from the Arborist Report dated January 22, 2021 in the plans.
12. Geotechnical Plan Review. The Geotechnical Consultant should review and approve all geotechnical aspects of the project building and grading plans (i.e., site preparation and grading, site surface and subsurface drainage improvements and design parameters for the proposed foundations, retaining walls, pool and shoring concepts, as applicable) to ensure that their recommendations have been properly incorporated.

The Geotechnical Consultant should review the proposed greenhouse, retaining wall, and solar array concepts and provide supplemental recommendations, as necessary, or confirm they are proposed and designed in accordance with their general recommendations and design criteria. The Project Geotechnical Consultant and Project Team should consider the potential for water to be ejected from the proposed pool during seismic shaking.

The results of the geotechnical plan review and the final design plans should be submitted to the City for review by the City Engineer prior to issuance of building permits. A "clean" geotechnical plan review letter may be required by the City prior to issuance of building permits.

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

13. Construction and Demolition Diversion. Applicant shall submit a [Construction Waste Management Plan](#) that meets the requirements of BMC Chapter 19.37 including 100% diversion of asphalt, concrete, excavated soil and land-clearing debris and a minimum of 65% diversion of other nonhazardous construction and demolition waste.
14. 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. Environmental Site Assessments:
- 1) Phase I & Phase II Environmental Site Assessments (latest ASTM 1527-13). A recent Phase I ESA (less than 2 years old*) shall be submitted to TMD for developments for:
 - All new commercial, industrial and mixed use developments and all large improvement projects.
 - All new residential buildings with 5 or more dwelling units located in the Environmental Management Area (or EMA).

- EMA is available online at: http://www.cityofberkeley.info/uploadedFiles/IT/Level_3_-_General/ema.pdf
- 2) Phase II ESA is required to evaluate Recognized Environmental Conditions (REC) identified in the Phase I or other RECs identified by TMD staff. The TMD may require a third party toxicologist to review human or ecological health risks that may be identified. The applicant may apply to the appropriate state, regional or county cleanup agency to evaluate the risks.
 - 3) If the Phase I is over 2 years old, it will require a new site reconnaissance and interviews. If the facility was subject to regulation under Title 15 of the Berkeley Municipal Code since the last Phase I was conducted, a new records review must be performed.
- B. Soil and Groundwater Management Plan:
- 1) A Soil and Groundwater Management Plan (SGMP) shall be submitted to TMD for all non-residential projects, and residential or mixed-use projects with five or more dwelling units, that: (1) are in the Environmental Management Area (EMA) and (2) propose any excavations deeper than 5 feet below grade. The SGMP shall be site specific and identify procedures for soil and groundwater management including identification of pollutants and disposal methods. The SGMP will identify permits required and comply with all applicable local, state and regional requirements.
 - 2) The SGMP shall require notification to TMD of any hazardous materials found in soils and groundwater during development. The SGMP will provide guidance on managing odors during excavation. The SGMP will provide the name and phone number of the individual responsible for implementing the SGMP and post the name and phone number for the person responding to community questions and complaints.
 - 3) TMD may impose additional conditions as deemed necessary. All requirements of the approved SGMP shall be deemed conditions of approval of this Use Permit.
- C. Building Materials Survey:
- 1) Prior to approving any permit for partial or complete demolition and renovation activities involving the removal of 20 square or lineal feet of interior or exterior walls, a building materials survey shall be conducted by a qualified professional. The survey shall include, but not be limited to, identification of any lead-based paint, asbestos, polychlorinated biphenyl (PBC) containing equipment, hydraulic fluids in elevators or lifts, refrigeration systems, treated wood and mercury containing devices (including fluorescent light bulbs and mercury switches). The Survey shall include plans on hazardous waste or hazardous materials removal, reuse or disposal procedures to be implemented that fully comply state hazardous waste generator requirements (22 California Code of Regulations 66260 et seq). The Survey becomes a condition of any building or demolition permit for the project. 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. 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.
- D. Hazardous Materials Business Plan:
- 1) A Hazardous Materials Business Plan (HMBP) in compliance with BMC Section 15.12.040 shall be submitted electronically at <http://cers.calepa.ca.gov/> within 30 days if on-site hazardous materials exceed BMC 15.20.040. HMBP requirement can be found at <http://ci.berkeley.ca.us/hmr/>

Prior to Issuance of Any Building (Construction) Permit

15. Parcel Merger. The applicant shall secure approval of Lot Line Adjustment #364.

16. Accessory Building: All owners of record of the subject property shall sign and record with the Alameda County Clerk-Recorder a "Notice of Limitation on Use of Property" (available from Land Use Planning Division) and provide a recorded copy thereof to the project planner. This Notice of Limitation shall stipulate that no part of this accessory building shall be used or converted to use as a dwelling unit unless and until permission is requested of the City of Berkeley and authorized a Use Permit, Administrative Use Permit, or Zoning Certificate, whichever is applicable. This limitation shall include the explicit acknowledgment that a full bathroom and cooking facilities may be installed, as long as the cooking facilities do not constitute a Kitchen per BMC Section 23.502. This limitation may not be revised or removed from this property without the prior written permission of the Zoning Officer of the City of Berkeley.
17. 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.
18. 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 (ET_o) for Berkeley is 41.8.
19. Prohibition of Natural Gas Infrastructure in New Buildings. The project shall comply with the City of Berkeley Prohibition of Natural Gas Infrastructure in New Buildings (BMC Chapter 12.80).
20. 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.

During Construction:

21. Construction Hours. Construction activity shall be limited to between the hours of 8:00 AM and 6:00 PM on Monday through Friday, and between 9:00 AM and Noon on Saturday. No construction-related activity shall occur on Sunday or any Federal Holiday.
22. Geotechnical Construction Inspections. The Project Geotechnical Consultant should inspect, test (as needed), and approve all geotechnical aspects of the project construction. The inspections should include, but not necessarily be limited to: site preparation and grading, site surface and subsurface drainage improvements, and excavations for pool shells, foundations and retaining walls prior to the placement of steel and concrete. The Project Geotechnical Consultant should inspect excavations for conformance with their subsurface findings and recommendations. The Project Geotechnical Consultant should also review and approve temporary shoring designs, as applicable. The results of these inspections and the as-built conditions of the project should be described by the geotechnical consultant in a letter and submitted to the City Engineer for review prior to final (as-built) project approval.

- 23. Public Works - Implement 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's 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.
- 24. Construction and Demolition Diversion.** Divert debris according to your plan and collect required documentation. Get construction debris receipts from sorting facilities in order to verify diversion requirements. Upload recycling and disposal receipts if using [Green Halo](#) and submit online for City review and approval prior to final inspection. Alternatively, complete the second page of the original [Construction Waste Management Plan](#) and present it, along with your construction debris receipts, to the Building Inspector by the final inspection to demonstrate diversion rate compliance. The Zoning Officer may request summary reports at more frequent intervals, as necessary to ensure compliance with this requirement.
- 25. 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%. Documentation on concrete mix design shall be available at all times at the construction site for review by City Staff.
- 26. Transportation Construction Plan.** The applicant and all persons associated with the project are hereby notified that a Transportation Construction Plan (TCP) is required for all phases of construction, particularly for the following activities:
- Alterations, closures, or blockages to sidewalks, pedestrian paths or vehicle travel lanes (including bicycle lanes);
 - Storage of building materials, dumpsters, debris anywhere in the public ROW;
 - Provision of exclusive contractor parking on-street; or
 - Significant truck activity.

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

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

27. 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.
28. 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.
29. 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.
30. 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.
31. 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.
32. Stormwater Requirements. The applicant shall demonstrate compliance with the requirements of the City's National Pollution Discharge Elimination System (NPDES) permit as described in BMC Section 17.20. The following conditions apply:
- A. The project plans shall identify and show site-specific Best Management Practices (BMPs) appropriate to activities conducted on-site to limit to the maximum extent practicable the discharge of pollutants to the City's storm drainage system, regardless of season or weather conditions.

- B. Trash enclosures and/or recycling area(s) shall be covered; no other area shall drain onto this area. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. Applicant shall contact the City of Berkeley and EBMUD for specific connection and discharge requirements. Discharges to the sanitary sewer are subject to the review, approval and conditions of the City of Berkeley and EBMUD.
 - C. Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration and minimize the use of fertilizers and pesticides that contribute to stormwater pollution. Where feasible, landscaping should be designed and operated to treat runoff. When and where possible, xeriscape and drought tolerant plants shall be incorporated into new development plans.
 - D. Design, location and maintenance requirements and schedules for any stormwater quality treatment structural controls shall be submitted to the Department of Public Works for review with respect to reasonable adequacy of the controls. The review does not relieve the property owner of the responsibility for complying with BMC Chapter 17.20 and future revisions to the City's overall stormwater quality ordinances. This review shall be shall be conducted prior to the issuance of a Building Permit.
 - E. All paved outdoor storage areas must be designed to reduce/limit the potential for runoff to contact pollutants.
 - F. All on-site storm drain inlets/catch basins must be cleaned at least once a year immediately prior to the rainy season. The property owner shall be responsible for all costs associated with proper operation and maintenance of all storm drainage facilities (pipelines, inlets, catch basins, outlets, etc.) associated with the project, unless the City accepts such facilities by Council action. Additional cleaning may be required by City of Berkeley Public Works Engineering Dept.
 - G. All on-site storm drain inlets must be labeled "No Dumping – Drains to Bay" or equivalent using methods approved by the City.
 - H. Most washing and/or steam cleaning must be done at an appropriately equipped facility that drains to the sanitary sewer. Any outdoor washing or pressure washing must be managed in such a way that there is no discharge or soaps or other pollutants to the storm drain. Sanitary connections are subject to the review, approval and conditions of the sanitary district with jurisdiction for receiving the discharge.
 - I. Sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry to the storm drain system. If any cleaning agent or degreaser is used, wash water shall not discharge to the storm drains; wash waters should be collected and discharged to the sanitary sewer. Discharges to the sanitary sewer are subject to the review, approval and conditions of the sanitary district with jurisdiction for receiving the discharge.
 - J. The applicant is responsible for ensuring that all contractors and sub-contractors are aware of and implement all stormwater quality control measures. Failure to comply with the approved construction BMPs shall result in the issuance of correction notices, citations, or a project stop work order.
- 33. 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.

34. Public Works. The applicant shall ensure that all excavation takes into account surface and subsurface waters and underground streams so as not to adversely affect adjacent properties and rights-of-way.
35. 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.
36. 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.
37. 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.
38. Public Works. 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:

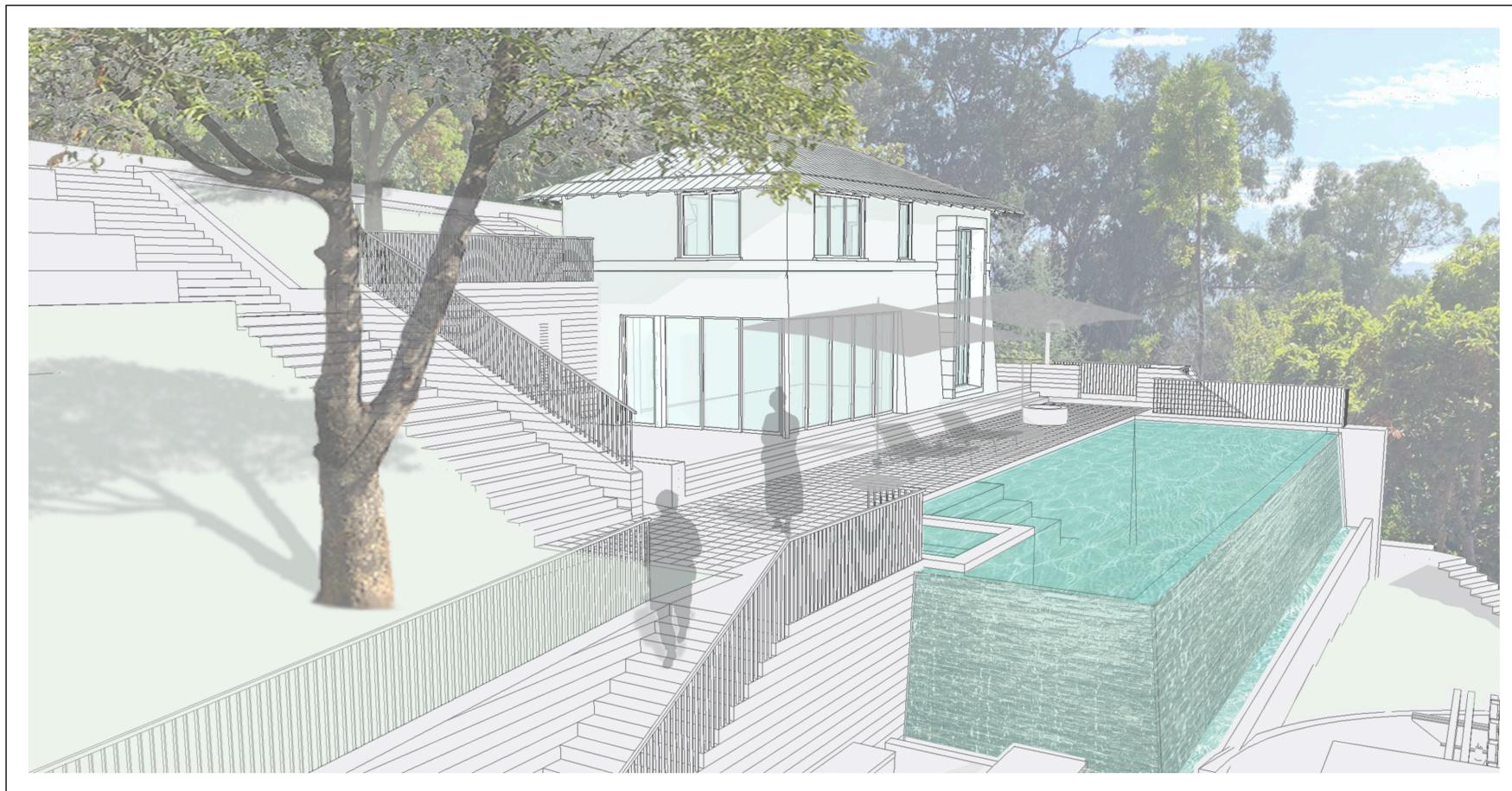
39. Compliance with Conditions. The project shall conform to the plans and statements in the Use Permit. The developer is responsible for providing sufficient evidence to demonstrate compliance with the requirements throughout the implementation of this Use Permit.
40. Compliance with Approved Plan. The project shall conform to the plans and statements in the Use Permit. All landscape, site and architectural improvements shall be completed per the attached approved drawings received September 28, 2022, except as modified by conditions of approval.

At All Times:

41. 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.
42. 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.
43. 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.
44. Electrical Meter. Only one electrical meter fixture may be installed per dwelling unit.

Hot Tub Conditions:

45. The pump shall be mounted, enclosed and maintained to prevent noise from disturbing the occupants of neighboring properties.
 46. The hot tub shall be equipped with safety features in accordance with the California Building Code.
 47. This permit shall be subject to review and modification as necessary to alleviate excessive noise or disturbance to the neighborhood.
 48. Mechanical operation and use must adhere to the exterior noise standards of BMC Section 13.40.050.
-



3003 DWIGHT WAY BERKELEY, CA 94704

BUTTRICK PROJECTS ARCHITECTURE+DESIGN

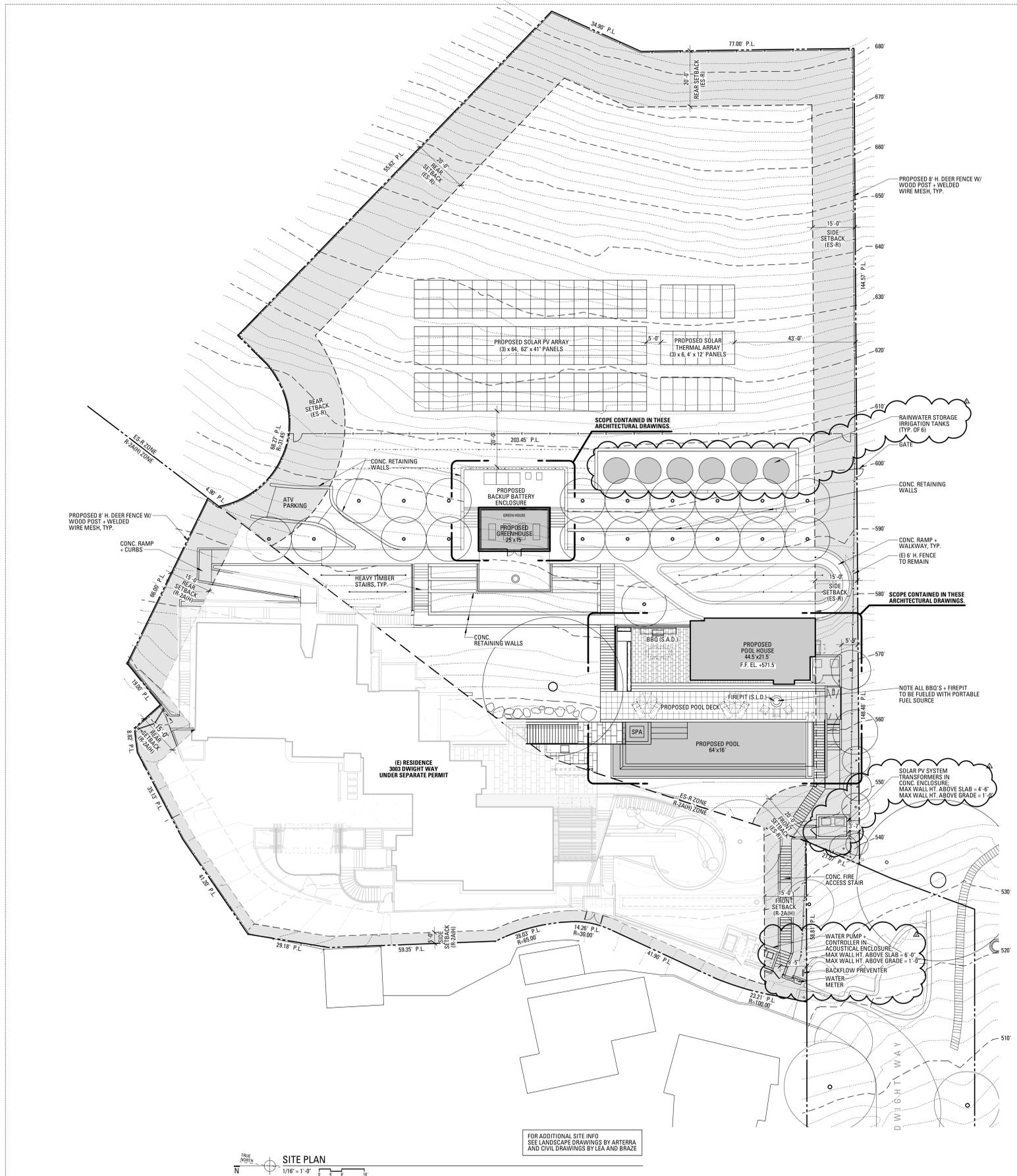
NON-RESIDENTIAL ACCESSORY BUILDINGS AND STRUCTURES

PLAN SET TABLE OF CONTENTS

ARCHITECTURAL (BPA+D)	LANDSCAPE (ARTERRA)	CIVIL (LEA & BRAZE)
A0 TITLE SHEET	L0.0 COVER SHEET	C1.0 TITLE SHEET
A1 SITE PLAN	L3.0 FULL PLANTING PLAN	C1.1 SITE PLAN
A1.1 LOT COVERAGE / OPEN SPACE PLAN	L3.1 ENLARGED PLANTING PLAN - UNDER OAK AND KITCHEN PLANTING	C2.0 GRADING + DRAINAGE PLAN
A2 POOL HOUSE BASEMENT PLAN	L3.2 ENLARGED PLANTING PLAN - BELOW POOL PLANTING	C2.1 GRADING + DRAINAGE PLAN
A3 POOL HOUSE PLANS	L3.3 ENLARGED PLANTING PLAN - FIRE STAIR PLANTING	C2.2 GRADING + DRAINAGE PLAN
A4 POOL HOUSE SECTIONS	L3.4 ENLARGED PLANTING PLAN - EAST SCREENING PLANTING	C5.0 GRADING SPECIFICATIONS
A5 POOL HOUSE ELEVATIONS	L3.5 ENLARGED PLANTING PLAN - PRODUCTION GARDEN PLANTING	SW1 STORMWATER POLLUTION PREVENTION
A6 GREENHOUSE PLAN + ELEVATIONS	L3.6 ENLARGED PLANTING PLAN - SOLAR ARRAY PLANTING	
	L3.7 PLANTING DETAILS	
	L4.0 IRRIGATION LAYOUT PLAN	

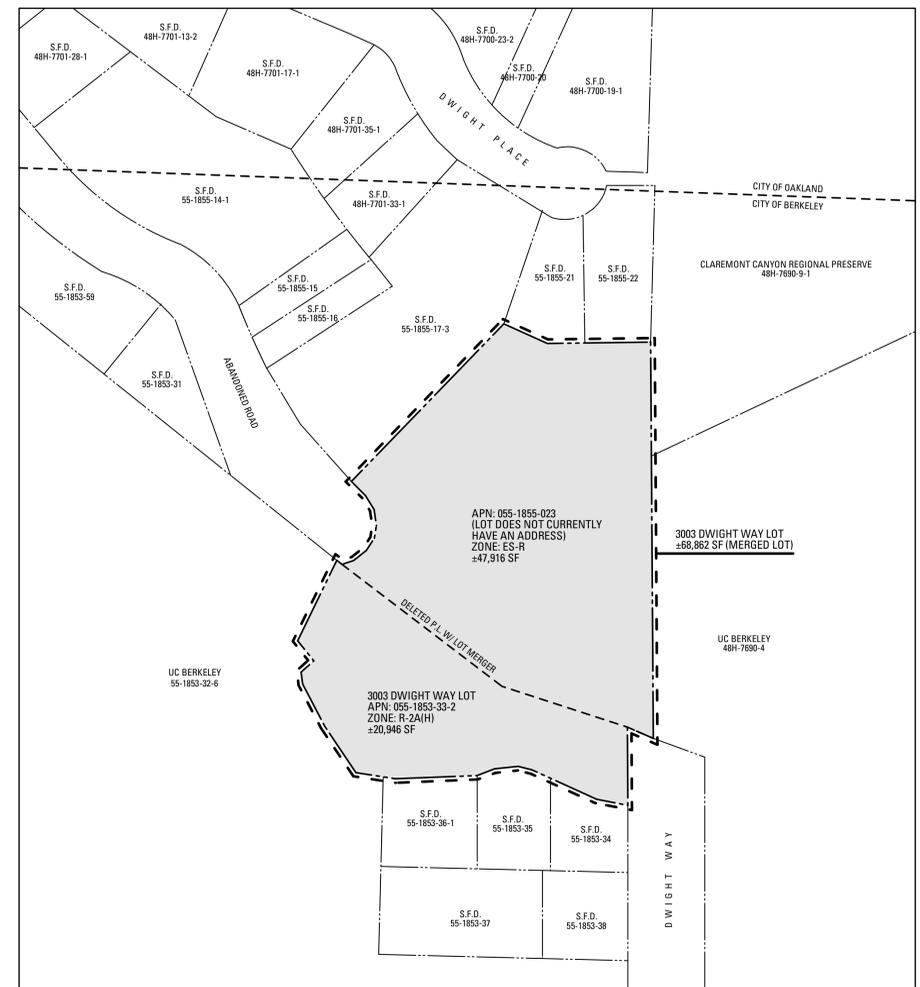
PLANNING DEPARTMENT INFORMATION

APN:	55-1853-33-02 / 55-1855-23
ZONING DISTRICT:	R-2AH / ES-R
LOT AREA:	20,946 SF + 47,916 SF = 68,862 SF total
OCCUPANCY:	R-3



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

FOR ADDITIONAL SITE INFO SEE LANDSCAPE DRAWINGS BY ARTERRA AND CIVIL DRAWINGS BY LEA AND BRAZE



VICINITY MAP
1" = 50'-0"
N

NOTE
(2) EXISTING LOTS WILL BE MERGED INTO (1) LOT THROUGH A SEPARATE APPLICATION TO BE CONSIDERED IN PARALLEL WITH THIS ZONING APPLICATION

Name (printed)	Signature	Address	Renter or Owner	Date	Have no objections	Have objections (Please state briefly)	Have no comment
DONNA CHRISTY	<i>[Signature]</i>	2995 DWIGHT WAY BERKELEY, CA 94704	OWNER	01.23.2021		HAVE CONCERNS ABOUT THE NOISES COMING FROM THE POOL AREA IN OCCASIONAL PEOPLE'S GATHERING	
JULIE MUNRO	<i>[Signature]</i>	2997 DWIGHT WAY BERKELEY, CA 94704	OWNER	02.23.2021		1. PRIVACY PROTECTION FROM THE POOLHOUSE 2. PROPOSAL TO WIDEN THE DRIVEWAY 3. SAFETY ISSUE HAVING A LARGE BODY OF WATER ON THE HILL ABOVE THE HOUSE 4. NOISE FROM WATER PUMP.	
ROBERTO ODOM	<i>[Signature]</i>	3001 DWIGHT WAY BERKELEY, CA 94704	OWNER	01.28.2021	NO		NO
MARCUS GANDARA ELIZABETH GAZZANO	<i>[Signature]</i>	560 + 520 DWIGHT PLACE BERKELEY, CA 94704	OWNER	01.08.2021	NO		NO
CONSTANCE CHOI	<i>[Signature]</i>	511 DWIGHT PLACE BERKELEY, CA 94704	OWNER	01.11.2021	NO		NO
UNIVERSITY OF CALIFORNIA	NO SIGNATURE AVAILABLE: CERTIFIED LETTER OF NOTIFICATION SENT 03.19.21	OPEN PARCELS TO THE NORTH + SOUTH OF SITE	OWNER				

NOTE: SIGNATURES HAVE BEEN COPIED AND PASTED FROM INDIVIDUAL ACKNOWLEDGMENT SHEETS.

NEIGHBOR SIGNATURES
N.T.S.



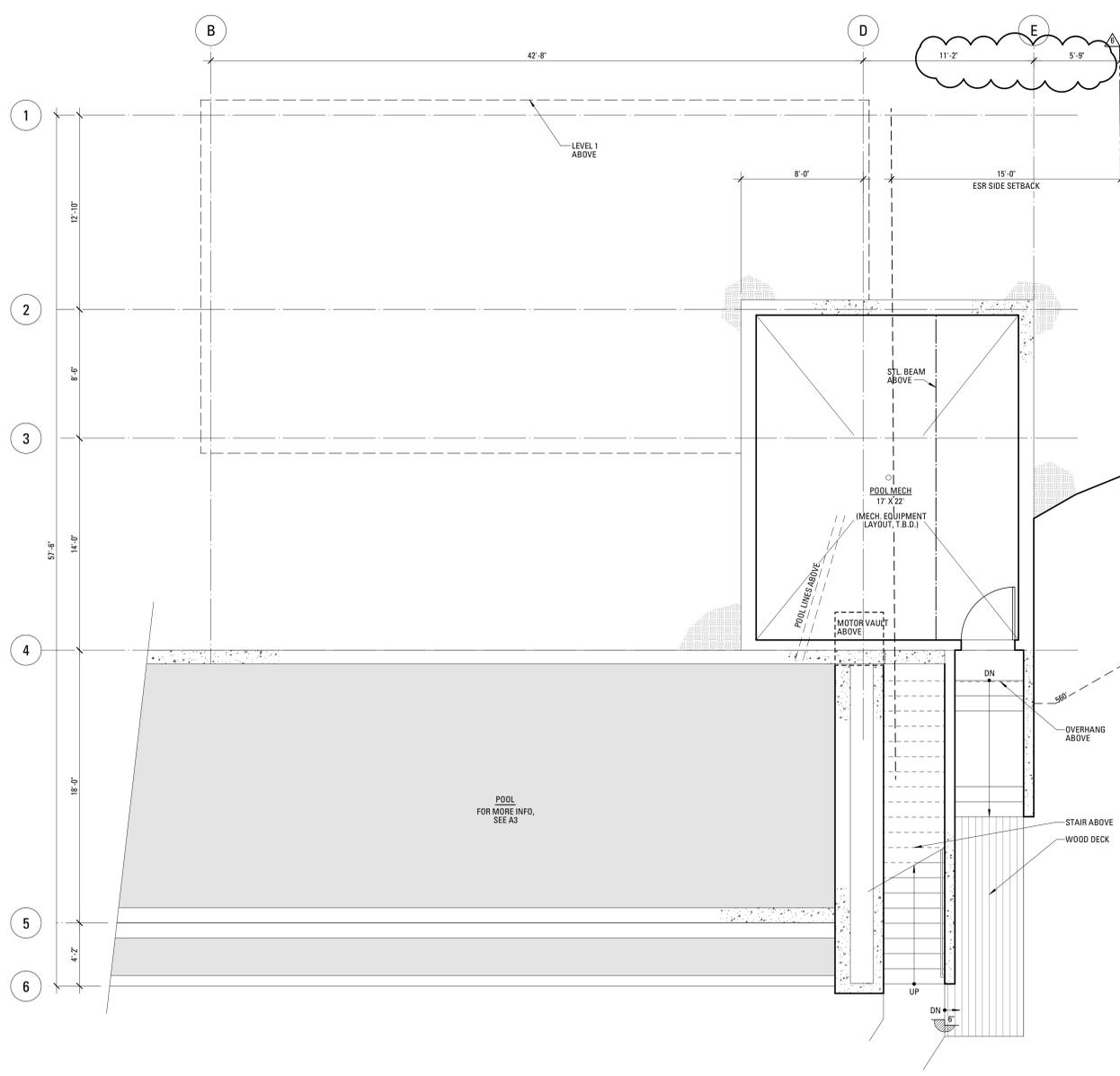
LEGEND + AREA TOTALS

- EXISTING LOT COVERAGE
- EXISTING USABLE OPEN SPACE
- PROPOSED LOT COVERAGE
- PROPOSED USABLE OPEN SPACE

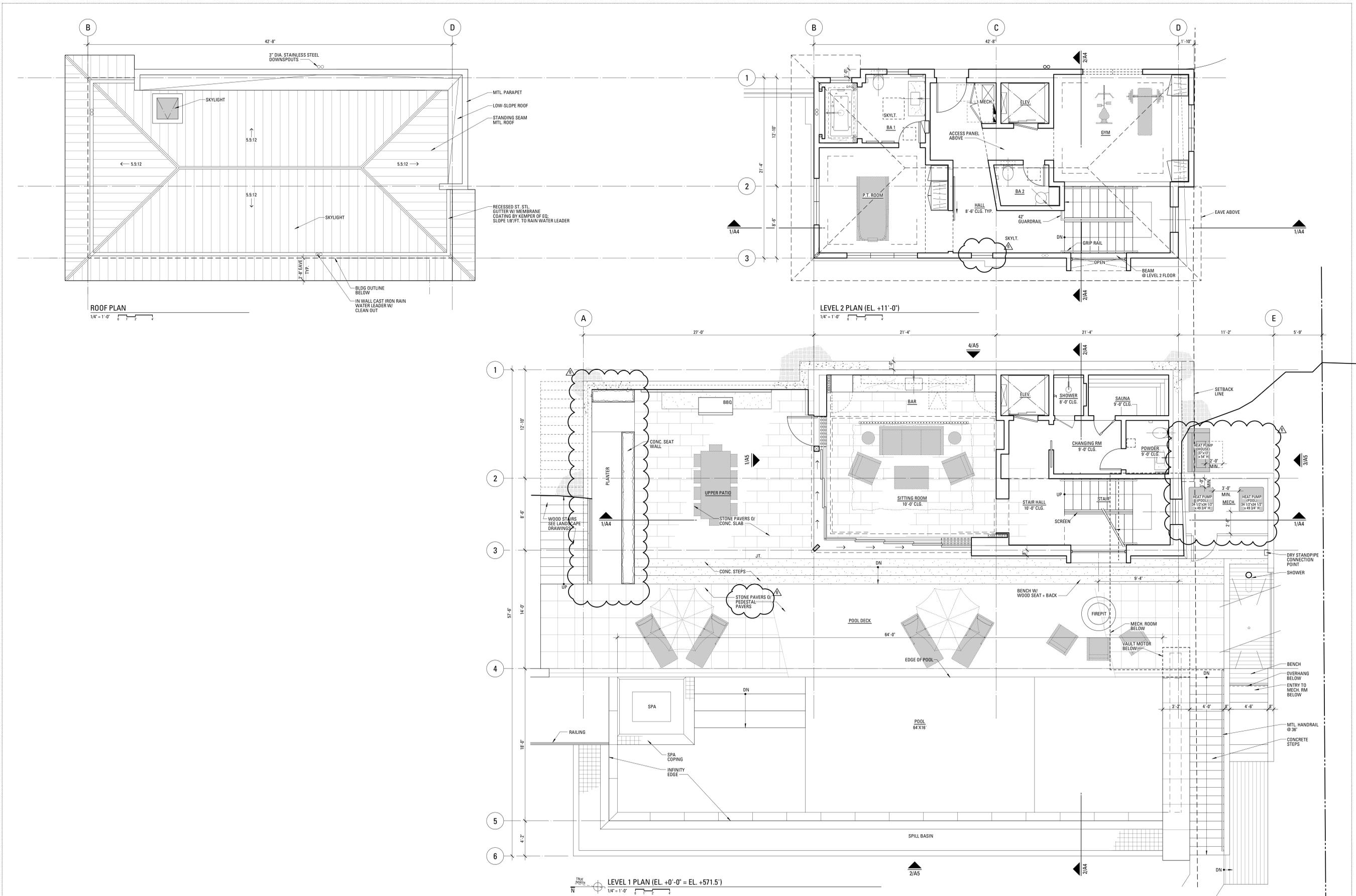
AREA TOTALS

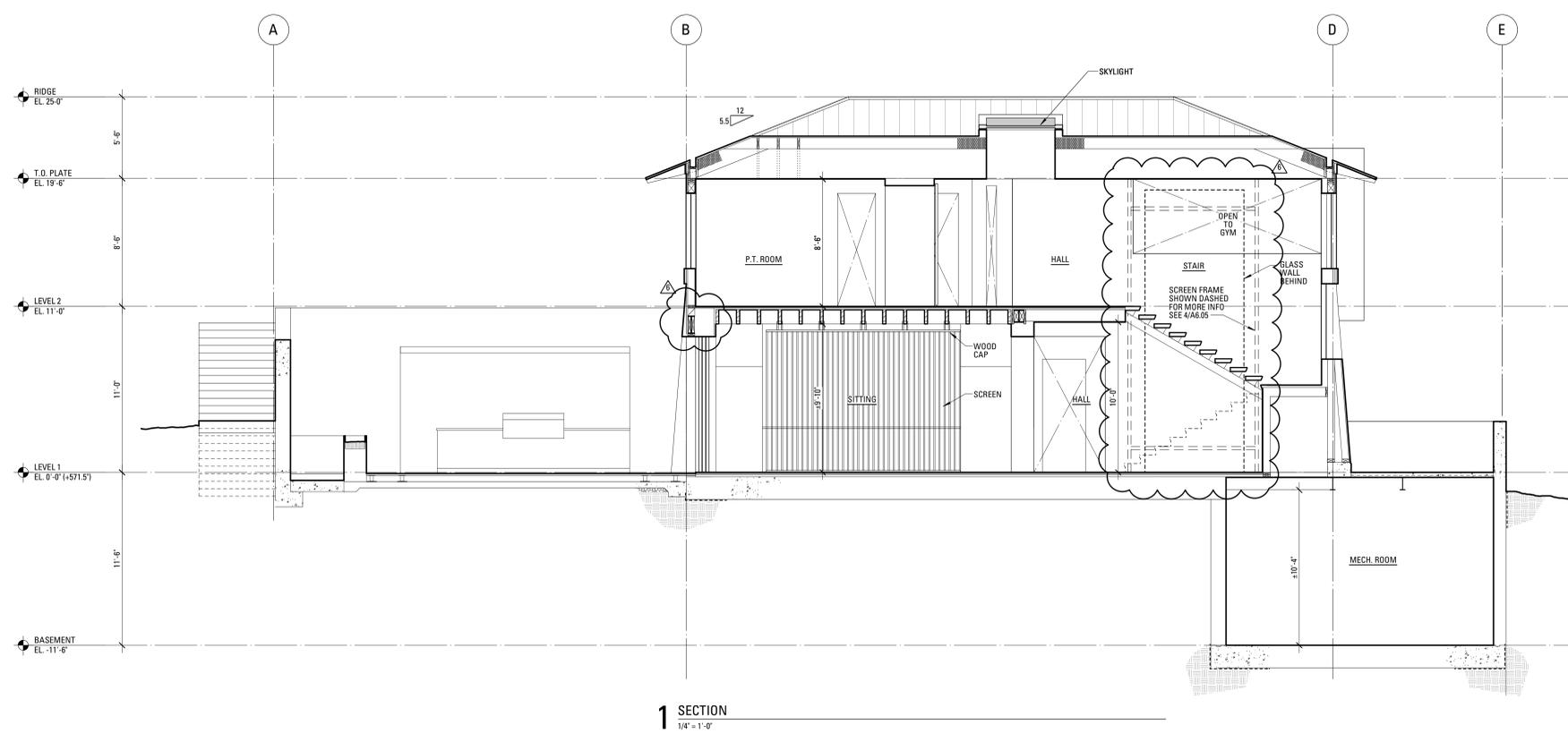
EXISTING LOT COVERAGE:	5,679 SF	EXISTING USABLE OPEN SPACE:	4,501 SF
PROPOSED NEW LOT COVERAGE:	1,816 SF	PROPOSED NEW USABLE OPEN SPACE:	2,015 SF
TOTAL LOT COVERAGE:	7,495 SF	TOTAL USABLE OPEN SPACE:	6,516 SF

EXISTING GROSS FLOOR AREA:		EXISTING FLOOR AREA RATIO:	NA
MAIN HOUSE	10,807 SF	PROPOSED FLOOR AREA RATIO:	
STORAGE C	423 SF	(ES-R LOT ONLY)	
PROPOSED GROSS FLOOR AREA:		2,880 SF / 47,916 SF =	0.06
POOL HOUSE	2,205 SF		
GREENHOUSE	375 SF		
TOTAL GROSS FLOOR AREA	13,910 SF		

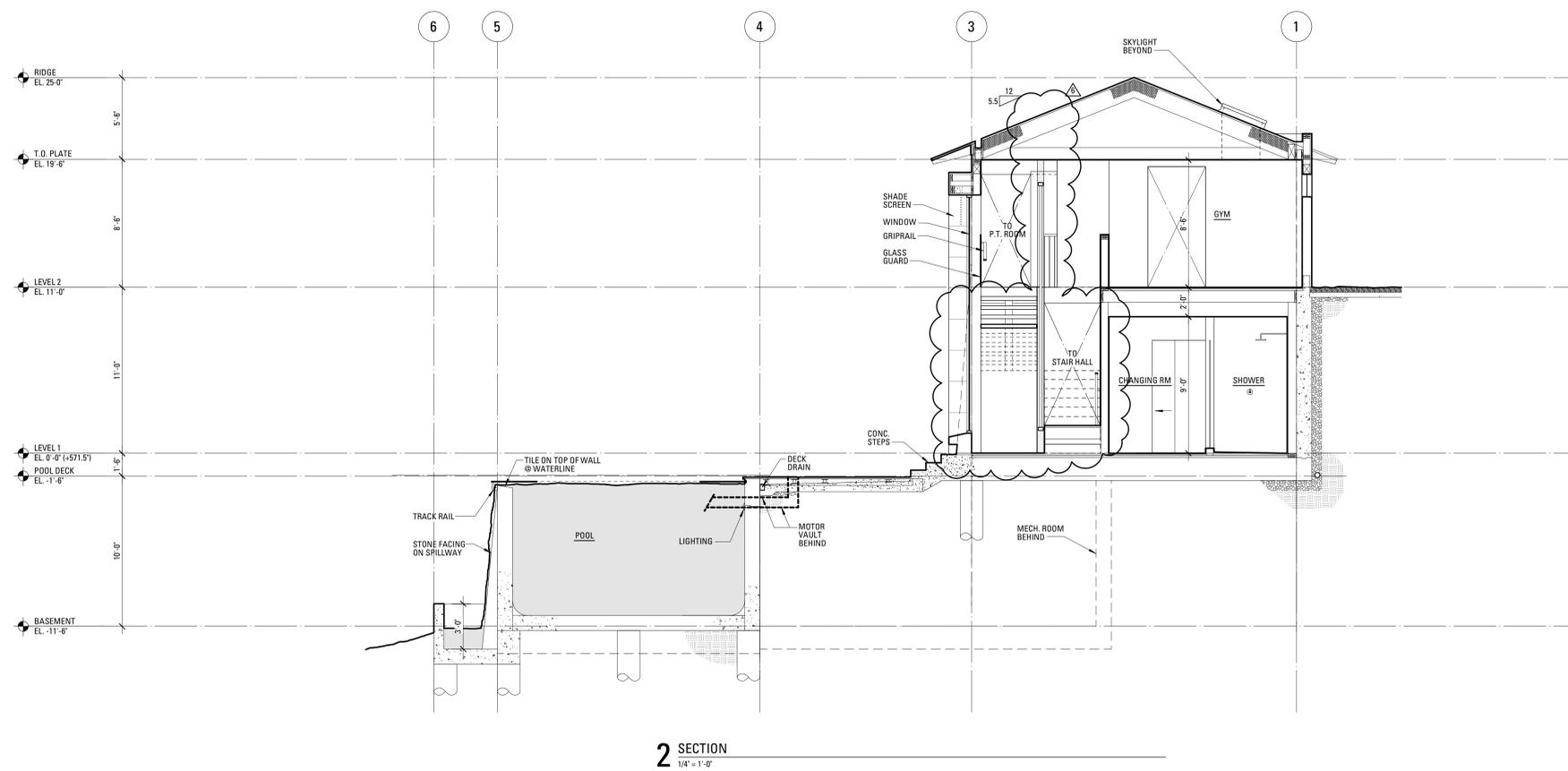


TRUE NORTH
BASEMENT PLAN (EL. -11'-6")
1/4" = 1'-0"

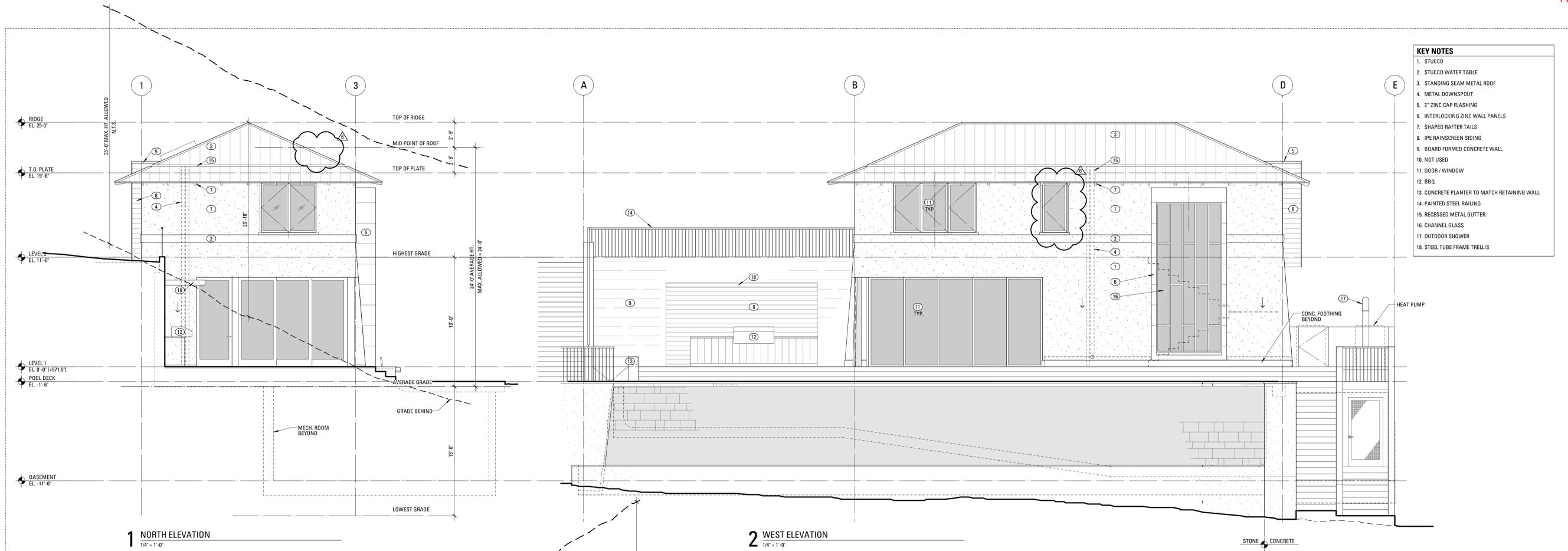




1 SECTION
 1/4" = 1'-0"



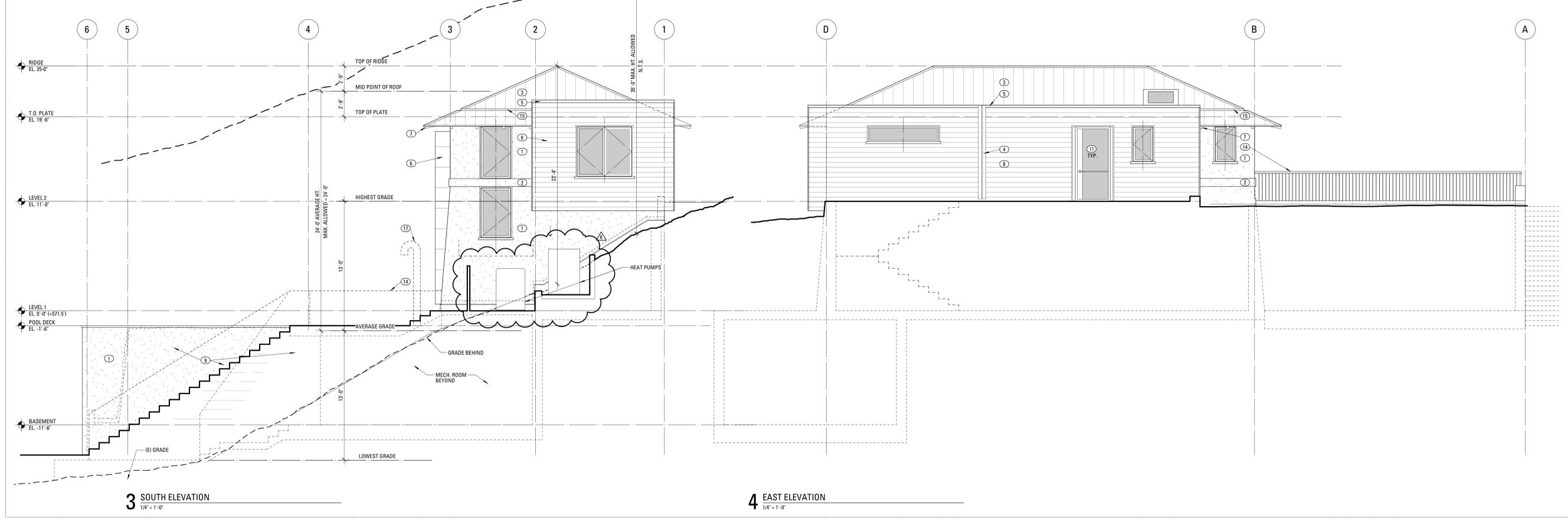
2 SECTION
 1/4" = 1'-0"



KEY NOTES	
1.	STUCCO
2.	STUCCO WATER TABLE
3.	STANDING SEAM METAL ROOF
4.	METAL DOWNSPOUT
5.	2" ZINC CAP FLASHING
6.	INTERLOCKING ZINC WALL PANELS
7.	SHAPED RAFTER TAILS
8.	IPE RAINSCREEN SIDING
9.	BOARD FORMED CONCRETE WALL
10.	NOT USED
11.	DOOR / WINDOW
12.	BBQ
13.	CONCRETE PLANTER TO MATCH RETAINING WALL
14.	PAINTED STEEL RAILING
15.	RECESSED METAL GUTTER
16.	CHANNEL GLASS
17.	OUTDOOR SHOWER
18.	STEEL TUBE FRAME TRELLIS

1 NORTH ELEVATION
1/4" = 1'-0"

2 WEST ELEVATION
1/4" = 1'-0"



3 SOUTH ELEVATION
1/4" = 1'-0"

4 EAST ELEVATION
1/4" = 1'-0"

ARTERRA
LANDSCAPE ARCHITECTS
88 MISSOURI, SAN FRANCISCO 94107
415.861.3100
arterrast.com



PROJECT DIRECTORY

ARCHITECT: BPA&D
1144 5TH STREET, #E
OAKLAND CA 94608
510.594.8700

LANDSCAPE ARCHITECT:
ARTERRA LANDSCAPE ARCHITECTS
88 MISSOURI ST.
SAN FRANCISCO, CA 94107
415-861-3100

STRUCTURAL ENGINEER:
GFDS ENGINEERING
99 GREEN ST. THIRD FLOOR
SAN FRANCISCO CA 94111
415.512.1301

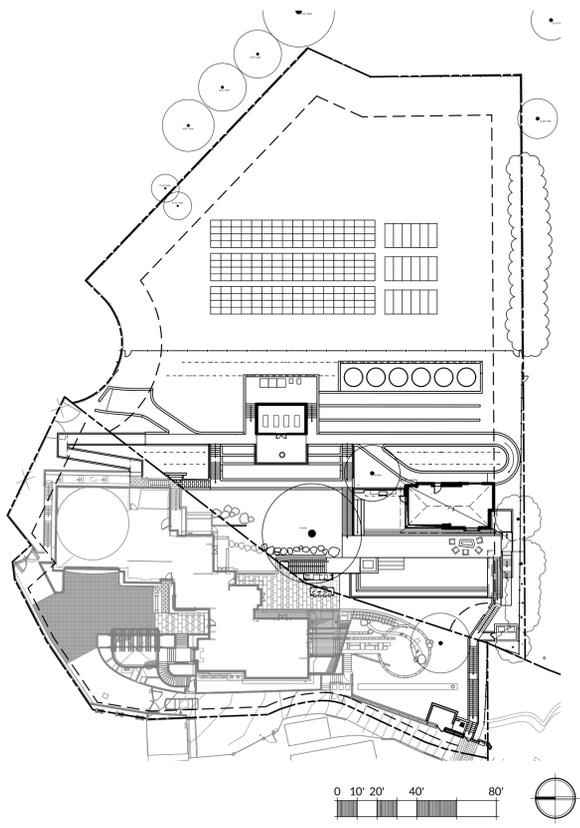
CIVIL ENGINEER: LEA AND BRAZE
7567 AMADOR VALLEY BLVD #300
DUBLIN, CA 94568
925.734.6788

SURVEYOR: QUIET RIVER LAND SERVICES
6747 SIERRA CT, SUITE K
DUBLIN, CA 94568
925.734.6788

IRRIGATION: BROOKWATER IRRIGATION CONSULTANTS
480 ST. JOHN ST #220,
PLEASANTON, CA 94566
925.855.0417

ARBORIST: JAMES GOODRUM CONSULTING ARBORIST
415.490.7316

SOILS ENGINEER: ALAN KROPP & ASSOCIATES
2140 SHATTUCK AVE.
BERKELEY CA 94704
510.841.5095



ABBREVIATION LEGEND		MISC	MISCELLANEOUS
+/-	PLUS OR MINUS	MIN	MINIMUM
ADD	ADDENDUM, ADDITON	MTL	METAL
A.D.	AREA DRAIN	(N)	NEW
ADD'L	ADDITIONAL	NA	NOT APPLICABLE
AGGR	AGGREGATE	NOM	NOMINAL
AR	ARBORIST REPORT	NIC	NOT IN CONTRACT
ARCH	ARCHITECTURAL	NTS	NOT TO SCALE
BLDG	BUILDING	OC	ON CENTER
BO	BOTTOM OF	OD	OUTSIDE DIAMETER
BW	BOTTOM OF WALL	PA	PLANTED AREA
CLR	CLEAR	PIP	POURED IN PLACE
CJ	CONTROL JOINT	PL	PROPERTY LINE
CMU	CONCRETE MASONRY UNIT	PLYWD	PLYWOOD
CONC	CONCRETE	POB	POINT OF BEGINNING
CONT	CONTINUOUS	POC	POINT OF CONNECTION
CTR	CENTER	POO	POINT OF ORIGIN
DG	DECOMPOSED GRANITE	PP	POWER POLE
DIA	DIAMETER	PSI	PER SQUARE INCH
DIM	DIMENSION	PT	PRESSURE TREATED
DN	DOWN	PTDF	PRESSURE TREATED DOUGLAS FIR
DS	DOWNSPOUT	RAD	RADIUS
DWGS	DRAWINGS	REF	REFERENCE
(E)	EXISTING	REINF	REINFORCED
EA	EACH	REV	REVISION
EJ	EXPANSION JOINT	ROW	RIGHT OF WAY
ENG	ENGINEER	RWD	REDWOOD
EQ	EQUAL	SAD	SEE ARCHITECTURAL DRAWINGS
EQUIP	EQUIPMENT	SCD	SEE CIVIL DRAWINGS
EXP	EXPANSION	SCHED	SCHEDULE
EXT	EXTERIOR	SECT	SECTION
FFE	FINISHED FLOOR ELEVATION	SF	SQUARE FEET
FG	FINISHED GRADE	SIM	SIMILAR
FIXT	FIXTURE	SMD	SEE MECHANICAL DRAWINGS
FOC	FACE OF CONCRETE	SPEC	SPECIFICATION
FOF	FACE OF FINISH	SPD	SEE PLUMBING DRAWINGS
FOPLY	FACE OF PLYWOOD	SSD	SEE STRUCTURAL DRAWINGS
FOS	FACE OF STUD	SS	STAINLESS STEEL
FS	FINISHED SURFACE	SSD	SEE STRUCTURAL DRAWINGS
FTG	FOOTING	STD	STANDARD
FUT	FUTURE	STRUCT	STRUCTURAL
GALV	GALVANIZED	SQ	SQUARE
GFI	GROUND FAULT INTERRUPT	TBD	TO BE DETERMINED
HB	HOSE BIBB	TBR	TO BE REMOVED
HDR	HEADER	T&G	TONGUE AND GROOVE
HT	HEIGHT	TC	TOP OF CURB
ID	INSIDE DIAMETER	TME	TO MATCH EXISTING
JST	JOIST	TOC	TOP OF CONCRETE
JT	JOINT	TW	TOP OF WALL
LA	LANDSCAPE ARCHITECT	TYP	TYPICAL
LOW	LIMIT OF WORK	VIF	VERIFY IN FIELD
LSK	LANDSCAPE SKETCH	WL	WATER LEVEL
MAX	MAXIMUM	WM	WATER METER
MFR	MANUFACTURER	W/O	WITHOUT

DWIGHT WAY POOL HOUSE LANDSCAPE IMPROVEMENTS

3003 DWIGHT WAY
BERKELEY CA

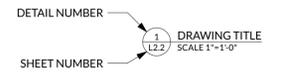
PROJECT DESCRIPTION

Addition of paving, planting, pool, outdoor kitchen, and greenhouse

SITE LOCATION



SYMBOL LEGEND	
	ALIGN
	DN
	HOSE BIBB
	GAS
	ELECTRICAL OUTLET
	SPOT ELEVATION
	PROPERTY LINE
	EXISTING CONTOUR
	PROPOSED CONTOUR
	CENTER LINE
	MATERIALS CALLOUT
	REVISION CLOUD & NUMBER
	SETBACK LINE
	TREE TO BE REMOVED



SHEET INDEX	
LPH0.00	COVER SHEET
LPH3.10	FULL PLANTING PLAN
LPH3.11	ENLARGED PLANTING PLAN-UNDER OAK AND KITCHEN
LPH3.12	ENLARGED PLANTING PLAN-BELOW POOL
LPH3.13	ENLARGED PLANTING-FIRE STAIR
LPH3.14	ENLARGED PLANTING PLAN-EAST SCREENING
LPH3.15	ENLARGED PLANTING PLAN-PRODUCTION GARDEN
LPH3.16	ENLARGED PLANTING PLAN-SOLAR ARRAY
LPH3.17	SITE SECTION
LPH3.20	PLANTING DETAILS
LPH4.00	IRRIGATION LAYOUT PLAN
LPH4.01	IRRIGATION NOTES

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SCALE: AS NOTED



COVER SHEET

LPH0.00

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SCALE: 1"=20'-0"



FULL
PLANTING PLAN

LPH3.10

PLANTING NOTES

GENERAL

This planting design applies hydrozone/xeriscape principles including native and low water use plants grouped with like water and sun needs. Any substitutions or revisions shall comply with these principles and be approved by the Landscape Architect.

This project complies with the criteria of the Model Water Efficient Landscape Ordinance, Appendix D, Prescriptive Requirements. Irrigated landscape area is less than 2500 square feet.

PREPARATION

Planting shall be performed by persons familiar with this type of work and under the supervision of a qualified planting foreman.

Landscape contractor is responsible for amending soil in all planter areas and bringing all planting areas up to finish grade.

SOIL AMENDMENT

Provide 2" cover of Diestil turkey manure (LYNGSO), over all planted areas. Till well into soil. Amend plant pits with soil mix.

Do not till soil under existing tree canopies. Amend plant pits only.

Do not deliver or place plants on site until soil is amended and Bill of Lading for amendments has been submitted to the Landscape Architect for approval.

PLANTING

Select plant material that is healthy, vigorous, natural in form and free of pests and disease. All plant material to be approved by the Landscape Architect prior to planting.

Plant selection has been carefully coordinated with the homeowner, with specific varieties being selected for specific reasons. Confirm final varieties prior to ordering. If plant material specified is not available, Landscape Architect may select alternative varieties. No unapproved substitutions will be accepted on site.

Deeply soak each plant in the pot, prior to planting. And then thoroughly soak the plant pit, after planting. Ensure that plant crowns are set slightly higher than existing grade, to ensure positive drainage and to avoid crown rot.

Remove all existing stakes, ties and labels from plant material, at time of planting. Leave labels on roses and fruit trees.

Double stake all trees, 15 gallon and 24" box, with rubber & wire tree ties. Use three stakes for larger trees.

MULCH

Finish all planter areas with 3" minimum of Premium Arbor mulch (LYNGSO), or approved equal. Leave planters in a clean, smooth condition. Hold mulch back 2" from crown of trees. Apply 4 cubic yards of amendments per 1,000 SF of landscaping tilled to a depth of six inches. Do not bury crowns.

HILLSIDE PLANTINGS (25% slope and greater)

Prepare plant pits as detailed and install plants and sub irrigation lines.

Install Jute Mesh after planting of larger container plantings and installation of sub irrigation.

Plant smaller plant material (1 gallon and 4") and surface irrigation after installation of jute mesh.

Mulch entire area after all planting, irrigation and jute mesh are installed. Completely cover mesh with a minimum 3" of mulch. (some jurisdictions are now requiring 3")

LAWN PLANTING

Prepare soil as detailed, including sand layer and gopher wire.

Confirm sod type, prior to ordering.

Thoroughly soak and roll soil to settle and smooth, prior to installation of sod.

Confirm finish grade, relative to paved areas, prior to installation of sod.

Keep sod irrigated and mowed through 30-day establishment period

AT COMPLETION

Refer to Irrigation Notes & Specifications.

Ensure that irrigation emitters are properly placed so that root balls receive water and crown of plant will not rot.

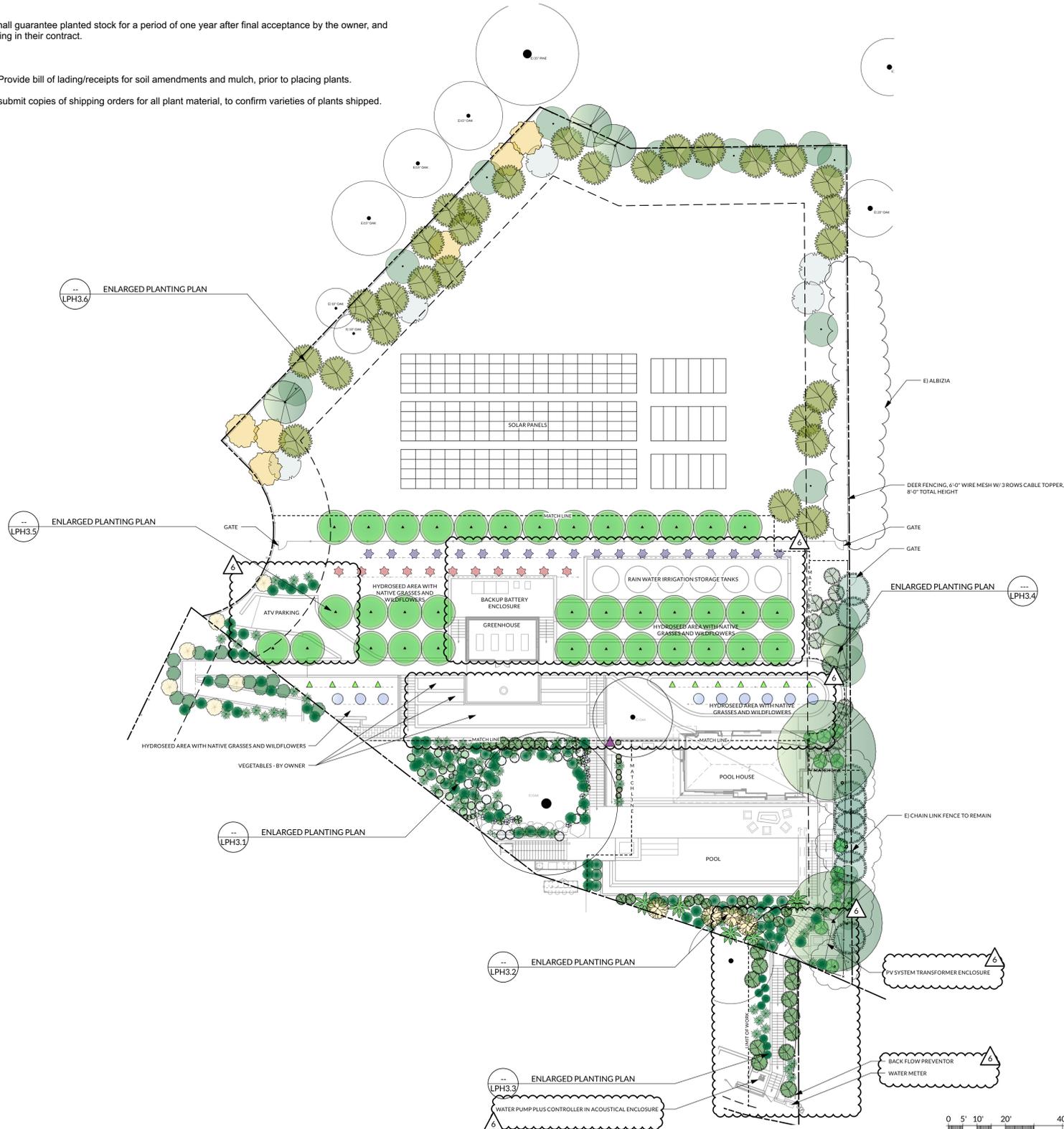
The contractor shall maintain all planted stock for a period of thirty days after final acceptance by the owner. Refer to general notes.

The contractor shall guarantee planted stock for a period of one year after final acceptance by the owner, and include this wording in their contract.

SUBMITTALS

A. Contractor to Provide bill of lading/receipts for soil amendments and mulch, prior to placing plants.

B. Contractor to submit copies of shipping orders for all plant material, to confirm varieties of plants shipped.



Plant List	Qty	ID	Botanical Name	Common Name	Scheduled Size	WUCOLS	Remarks
Trees							
4	APB		Acer palmatum 'Bihou'	Japanese Maple	24" Box	M	
36	FTP		Fruit Tree spp.	Fruit Tree	Bare Root	M	
51	PRC		Prunus caroliniana	Carolina Cherry Laurel	24" Box	L	
13	OAS		Quercus agrifolia	Coast Live Oak	24" Box	VL	
2	QUA		Quercus agrifolia	Coast Live Oak	48" Box	VL	
Shrubs							
33	AIT		Acacia cognata 'Covain III'	Covain III Little River Wattle	15 Gal	L	
7	ARE		Arctostaphylos 'Emerald Carpet'	Emerald Carpet Manzanita	5 Gal	M	
12	CAW		Camellia sasanqua 'White Doves'	White Doves Camellia	15 Gal	M	
12	CAC		Carpenteria californica	California Bush Anemone	15 Gal	M	
20	CSF		Ceanothus 'Snow Flurry'	Snow Flurry California Lilac	15 Gal	L	
6	CST		Cotinus coggygria	Golden Spirit Smoke Tree	15 Gal	L	
24	FRM		Fremontodendron californicum	California Flannelbush	15 Gal	VL	
12	HQP		Hydrangea quercifolia 'Pee Wee'	Pee Wee Oak Leaf Hydrangea	15 Gal	M	
22	LAS		Lantana setotiviana 'Monna'	White Lantana Trailing Lantana	5 Gal	L	
5	MMH		Melanthus major	Honeybush	15 Gal	M	
9	PIT		Pittosporum tenuifolium	Kohuhu	15 Gal	M	
112	RAL		Rhamnus alternus	Italian Buckthorn	15 Gal	L	
13	RHA		Rhamnus californica 'Eve Case'	Eve Case Coffeeberry	5 Gal	L	
28	RSB		Rhamnus californica 'Mound San Bruno'	Mound San Bruno Coffeeberry	15 Gal	L	
11	RUR		Rubus spp.	Raspberry	5 Gal	M	
19	RUU		Rubus urinus	Pacific Blackberry	5 Gal	L	
9	VAB		Vaccinium spp.	Blueberry spp.	5 Gal	M	
Perennials							
11	AGS		Agapanthus 'Snow Storm'	'Snow Storm' Lily Of The Nile	1 Gal	M	
7	IANH		Anemone hybrida 'Honorable Jobert'	Honorable Jobert Windflower	1 Gal	M	
12	NEF		Nigella x baccata	Catmint	1 Gal	L	
72	WOO		Woodwardia fimbriata	Giant Chain Fern	15 Gal	M	
Vines							
1	PSF		Passiflora 'Lavender Lady'	Lavender Lady Passion Flower	15 Gal	M	
11	VIG		Vitis spp.	Roger's Red Grape	5 Gal	L	
Ornamental Grasses							
52	PBL-1		Lomandra 'Platinum Beauty'	Platinum Beauty Lomandra	1 Gal	L	
15	LOM-1		Lomandra longifolia 'Breeze'	Breeze Dwarf Mat Rush	1 Gal	L	
Cacti & Succulents							
13	AEA		Aeonium arboreum	Green Aeonium	5 Gal	L	

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SCALE: 1/4"=1'-0"



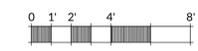
ENLARGED
PLANTING PLAN-
LARGE OAK

LPH3.11



Plant List	Qty	ID	Botanical Name	Common Name	Scheduled Size	WUCOLS	Remarks
Trees							
Shrubs							
	18	AIT	Acacia cognata 'Cousin Itt'	Cousin Itt Little River Wattle	15 Gal	L	
	7	ARE	Arctostaphylos 'Emerald Carpet'	Emerald Carpet Manzanita	5 Gal	M	
	12	HQP	Hydrangea quercifolia 'Pee Wee'	Pee Wee Oak Leaf Hydrangea	15 Gal	M	
	22	LAS	Lantana selowiana 'Moomi'	White Lightnin' Trailing Lantana	5 Gal	L	
	5	RSB	Rhamnus californica 'Mound San Bruno'	Mound San Bruno Coffeeberry	15 Gal	L	
Perennials							
	11	AGS	Agapanthus 'Snow Storm'	'Snow Storm' Lily Of The Nile	1 Gal	M	
	7	ANH	Anemone hybrida 'Honorine Jobert'	Honorine Jobert Windflower	1 Gal	M	
	12	NEF	Nepeta x faassoni	Catmint	1 Gal	L	
	35	WOO	Woodwardia fimbriata	Giant Chain Fern	15 Gal	M	
Vines							
Ornamental Grasses							
	18	AIT	Acacia cognata 'Cousin Itt'	Cousin Itt Little River Wattle	15 Gal	L	
	13	AEA	Aeonium arborescens	Green Aeonium	5 Gal	L	
	11	AGS	Agapanthus 'Snow Storm'	'Snow Storm' Lily Of The Nile	1 Gal	M	
	7	ANH	Anemone hybrida 'Honorine Jobert'	Honorine Jobert Windflower	1 Gal	M	
	7	ARE	Arctostaphylos 'Emerald Carpet'	Emerald Carpet Manzanita	5 Gal	M	
	12	HQP	Hydrangea quercifolia 'Pee Wee'	Pee Wee Oak Leaf Hydrangea	15 Gal	M	
	22	LAS	Lantana selowiana 'Moomi'	White Lightnin' Trailing Lantana	5 Gal	L	
	24	PBL-1	Lomandra 'Platinum Beauty'	Platinum Beauty Lomandra	1 Gal	L	
	12	NEF	Nepeta x faassoni	Catmint	1 Gal	L	
	1	PSF	Passiflora 'Lavender Lady'	Lavender Lady Passion Flower	15 Gal	M	
	5	RSB	Rhamnus californica 'Mound San Bruno'	Mound San Bruno Coffeeberry	15 Gal	L	
	35	WOO	Woodwardia fimbriata	Giant Chain Fern	15 Gal	M	
	0						
Cacti & Succulents							
	13	AEA	Aeonium arborescens	Green Aeonium	5 Gal	L	

NOTE: LIST SHOWN FOR DEFINITION OF ZONE, USE MASTER LIST FOR ORDERING



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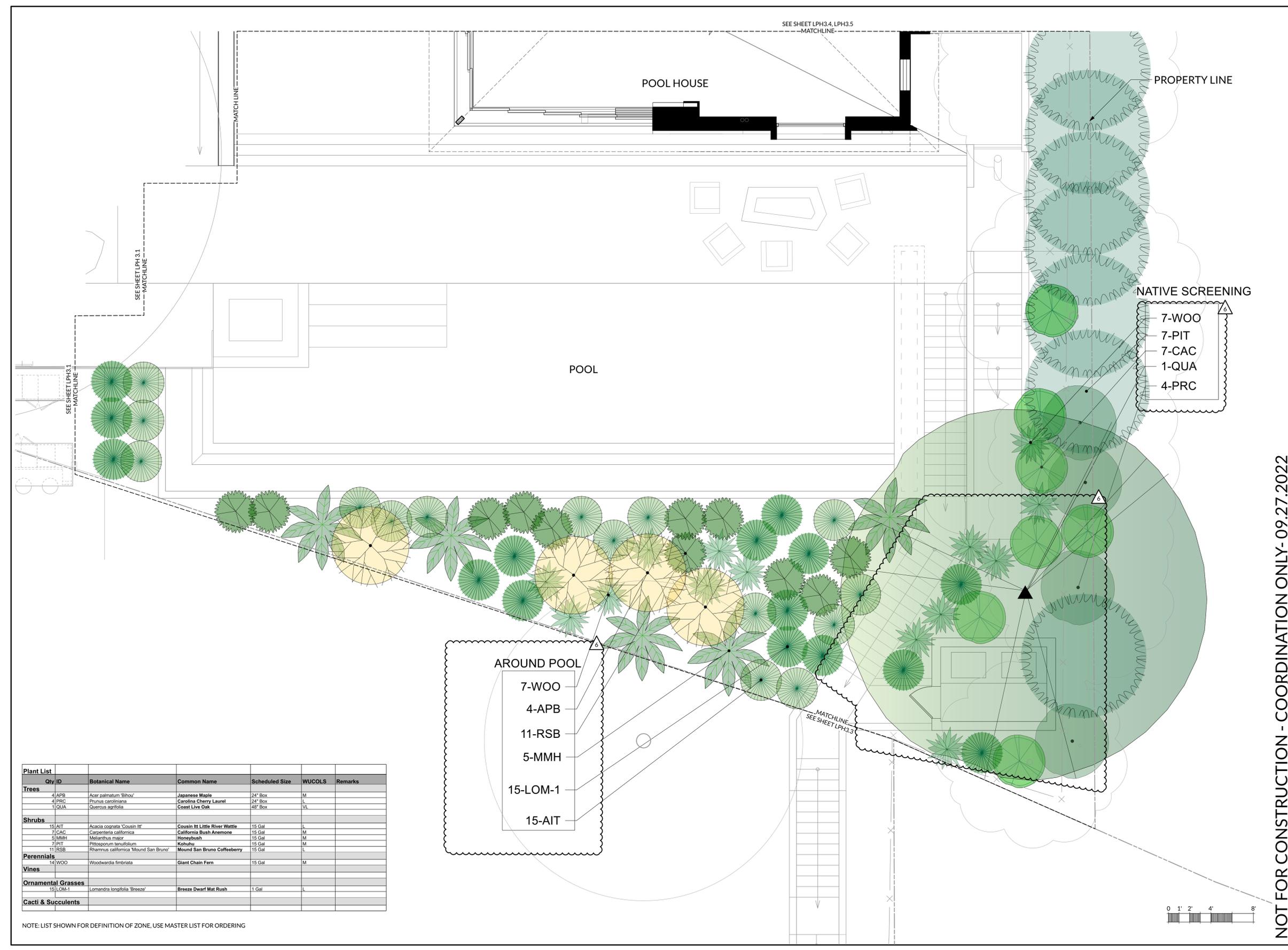
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SCALE: 1/4"=1'-0"



ENLARGED
PLANTING PLAN-
BELOW POOL

LPH3.12



Plant List	Qty	ID	Botanical Name	Common Name	Scheduled Size	WUCOLS	Remarks
Trees	4	APB	Asar palmatum 'Bihou'	Japanese Maple	24" Box	M	
	4	PRC	Prunus caroliniana	Carolina Cherry Laurel	24" Box	L	
	1	QUA	Quercus agrifolia	Coast Live Oak	48" Box	VL	
Shrubs	15	AJT	Acacia cognata 'Cousin III'	Cousin III Little River Wattle	15 Gal	L	
	7	CAC	Carpenteria californica	California Bush Anemone	15 Gal	M	
	5	MMH	Melasthus major	Honeybush	15 Gal	M	
	7	PIT	Pittosporum tenuifolium	Kohuhu	15 Gal	M	
	11	RSB	Rhamnus californica 'Mound San Bruno'	Mound San Bruno Coffeeberry	15 Gal	L	
Perennials	14	WOO	Woodwardia fimbriata	Giant Chain Fern	15 Gal	M	
Vines							
Ornamental Grasses	15	LOM-1	Lomandra longifolia 'Breeze'	Breeze Dwarf Mat Rush	1 Gal	L	
Cacti & Succulents							

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SCALE: 1/4"=1'-0"



ENLARGED
PLANTING PLAN-
FIRE STAIR

LPH3.13



Plant List	Qty	ID	Botanical Name	Common Name	Scheduled Size	WUCOLS	Remarks
Trees							
Shrubs							
	12	RSB	Rhamnus californica 'Mound San Bruno'	Mound San Bruno Coffeeberry	15 Gal	L	
Perennials							
	8	WOO	Woodwardia fimbriata	Giant Chain Fern	15 Gal	M	
Vines							
Ornamental Grasses							
	8	PBL-1	Lomandra 'Platinum Beauty'	Platinum Beauty Lomandra	1 Gal	L	
	12	RSB	Rhamnus californica 'Mound San Bruno'	Mound San Bruno Coffeeberry	15 Gal	L	
	8	WOO	Woodwardia fimbriata	Giant Chain Fern	15 Gal	M	
	0						
Cacti & Succulents							

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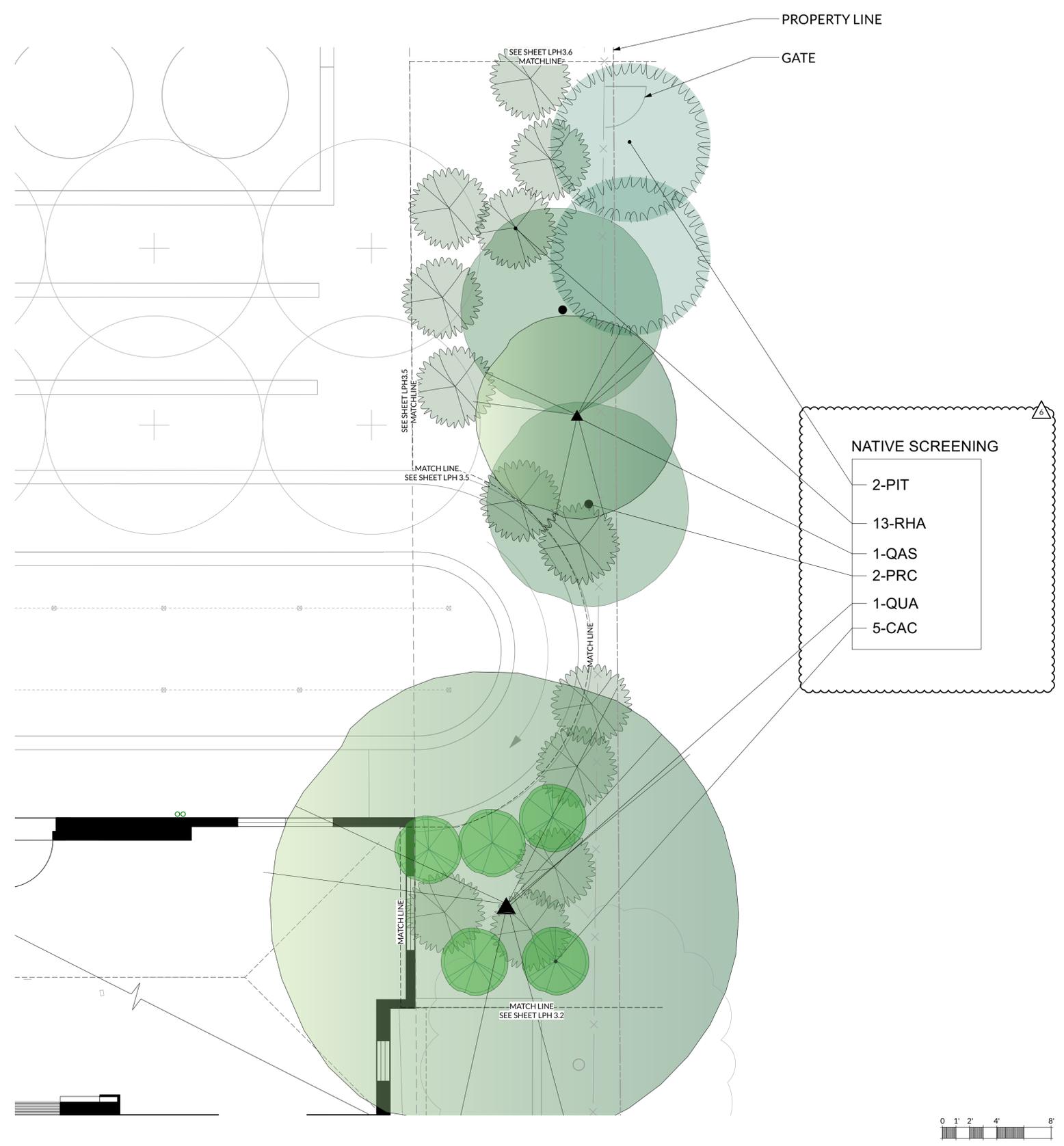
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SCALE: 1/4"=1'-0"



ENLARGED
PLANTING PLAN-
NATIVE SCREENING

LPH3.14



Plant List	Qty	ID	Botanical Name	Common Name	Scheduled Size	WUCOLS	Remarks
Trees							
	2	PRC	<i>Prunus caroliniana</i>	Carolina Cherry Laurel	24" Box	L	
	1	QUA	<i>Quercus agrifolia</i>	Coast Live Oak	48" Box	VL	
	1	QAS	<i>Quercus agrifolia</i>	Coast Live Oak	24" Box	VL	
Shrubs							
	5	CAC	<i>Carpenteria californica</i>	California Bush Anemone	15 Gal	M	
	2	PIT	<i>Photinia tenuifolium</i>	Kobuki	15 Gal	M	
Perennials							
	13	RHA	<i>Rhamnus californica</i> 'Eve Case'	Eve Case Coffeeberry	5 Gal	L	
Vines							
Ornamental Grasses							
Cacti & Succulents							

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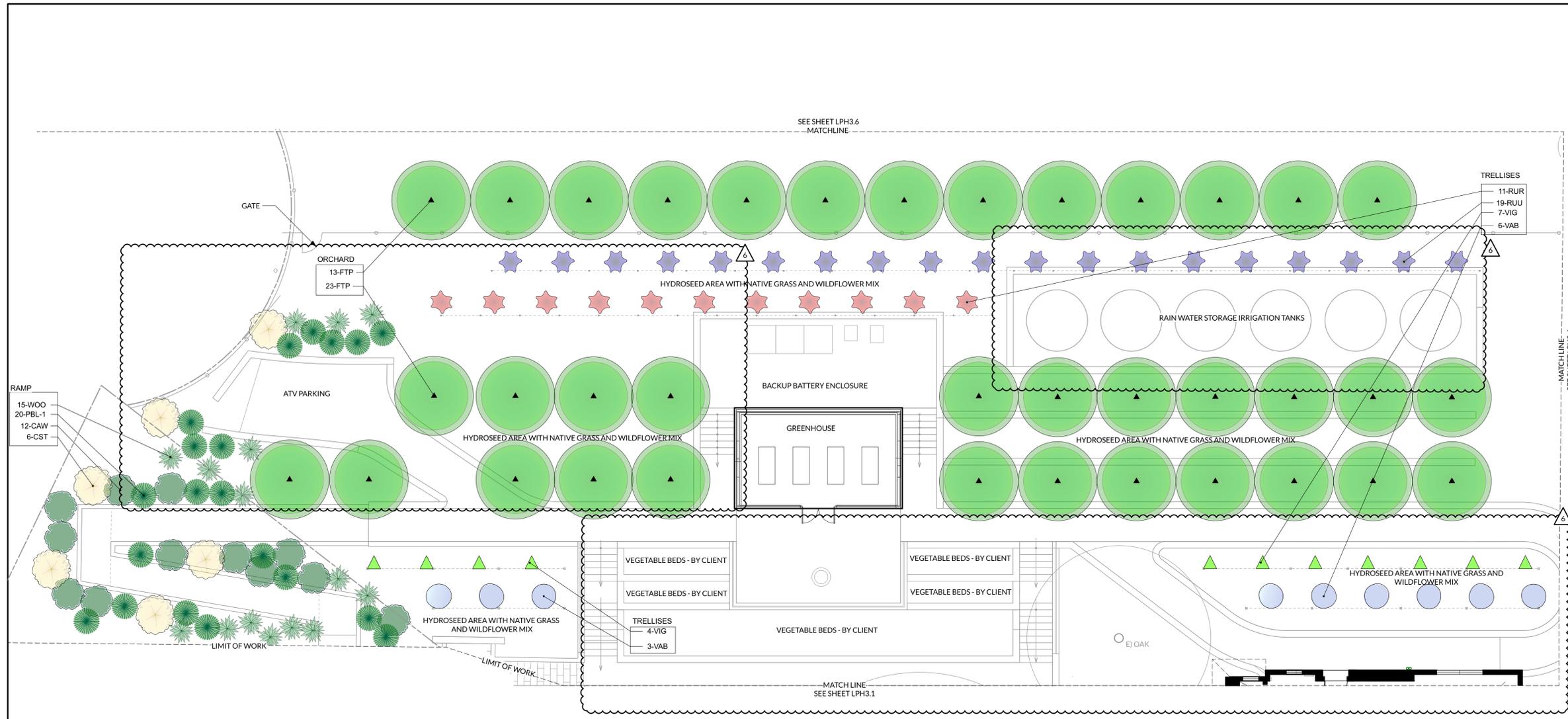
SCALE: 1/8"=1'-0"



ENLARGED
PLANTING PLAN-
PRODUCTION GARDEN

LPH3.15

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Plant List						
Qty	ID	Botanical Name	Common Name	Scheduled Size	WUCOLS	Remarks
Trees						
36	FTP	Fruit Tree spp.	Fruit Tree	Bare Root	M	
Shrubs						
12	CAW	Camellia sasanqua 'White Doves'	White Doves Camellia	15 Gal	M	
6	CST	Cotinus coggygria	Golden Spirit Smoke Tree	15 Gal	L	
11	RUR	Rubus spp.	Raspberry	5 Gal	M	
19	RUU	Rubus ursinus	Pacific Blackberry	5 Gal	L	
9	VAB	Vaccinium spp.	Blueberry spp.	5 Gal	M	
Perennials						
15	WOO	Woodwardia fimbriata	Giant Chain Fern	15 Gal	M	
Vines						
11	VIG	Vitis spp.	Roger's Red Grape	5 Gal	L	
Ornamental Grasses						
Cacti & Succulents						

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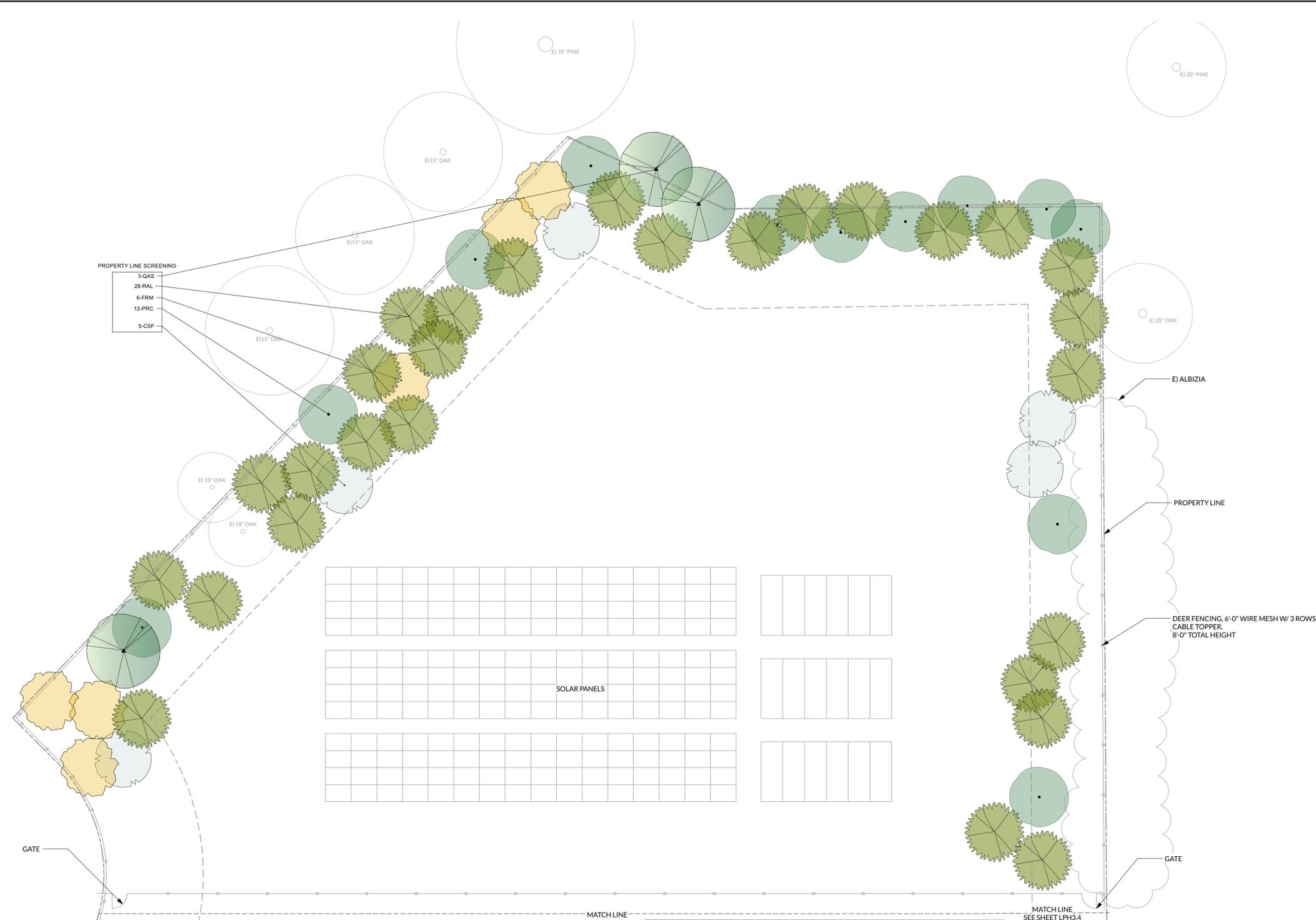
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SCALE: 1"=10'-0"



ENLARGED
PLANTING PLAN-
SOLAR ARRAY

LPH3.16



PROPERTY LINE SCREENING

3-QAS
28-RAL
6-FRM
12-PRC
5-CSF

Plant List	Qty	ID	Botanical Name	Common Name	Scheduled Size	WUCOLS	Remarks
Trees							
	12	PRC	Prunus caroliniana	Carolina Cherry Laurel	24" Box	L	
	3	QAS	Quercus agrifolia	Coast Live Oak	24" Box	VI	
Shrubs							
	5	CSF	Ceanothus thyrsiflorus 'Snow Flurry'	Snow Flurry California Lilac	15 Gall	L	
	6	FRM	Fremontodendron californicum	California Flamebush	15 Gall	VI	
	28	RAL	Rhamnus alaternus	Italian Buckthorn	15 Gall	L	
Perennials							
Vines							
Ornamental Grasses							
Cacti & Succulents							

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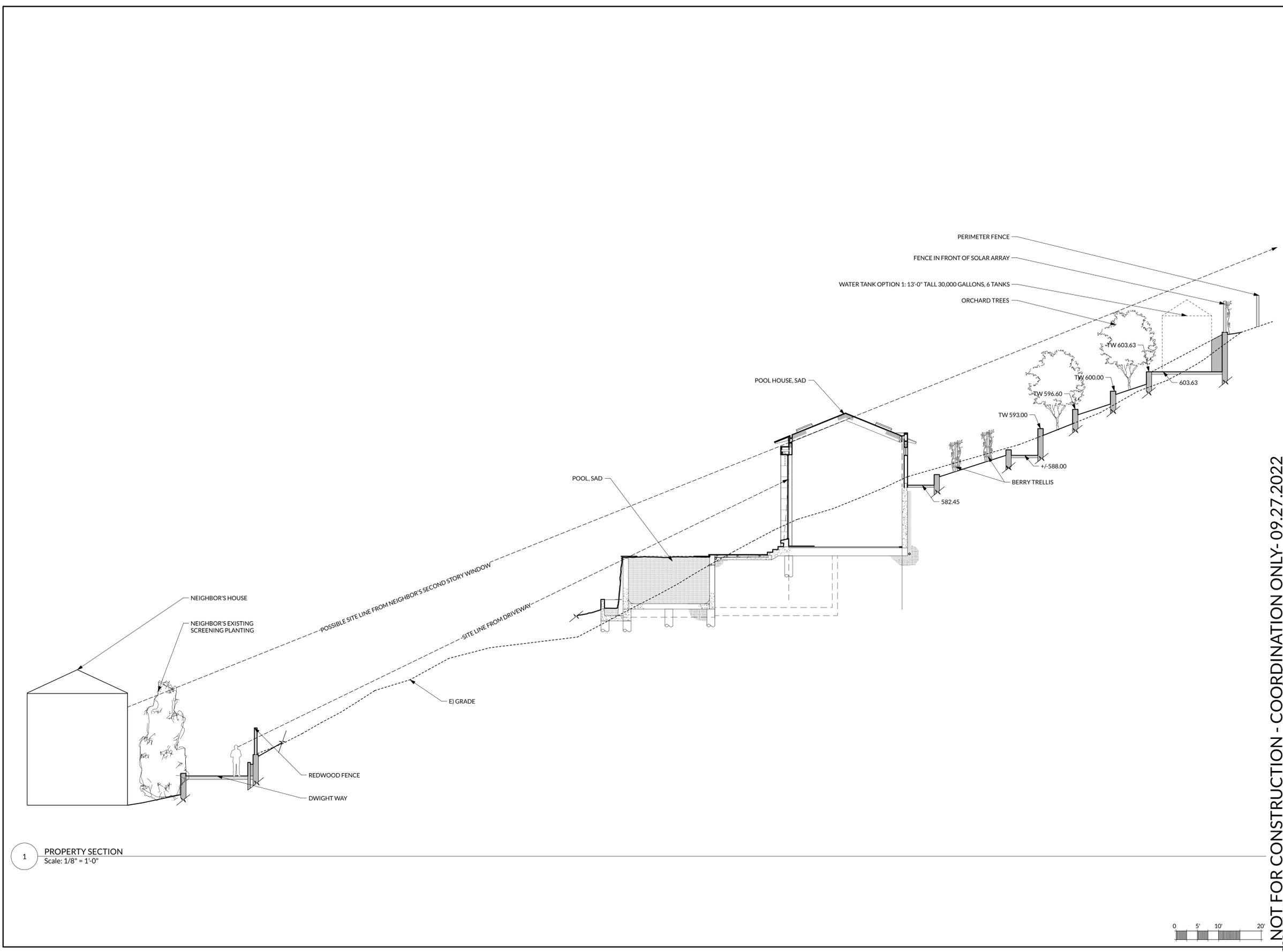
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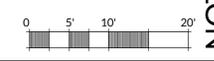


SITE SECTION

LPH3.17



1 PROPERTY SECTION
Scale: 1/8" = 1'-0"



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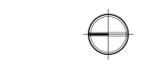


DWIGHT WAY RESIDENCE
3003 DWIGHT WAY
BERKELEY, CALIFORNIA
APN: 055-185-303301

NOT FOR CONSTRUCTION - COORDINATION ONLY-09.27.2022

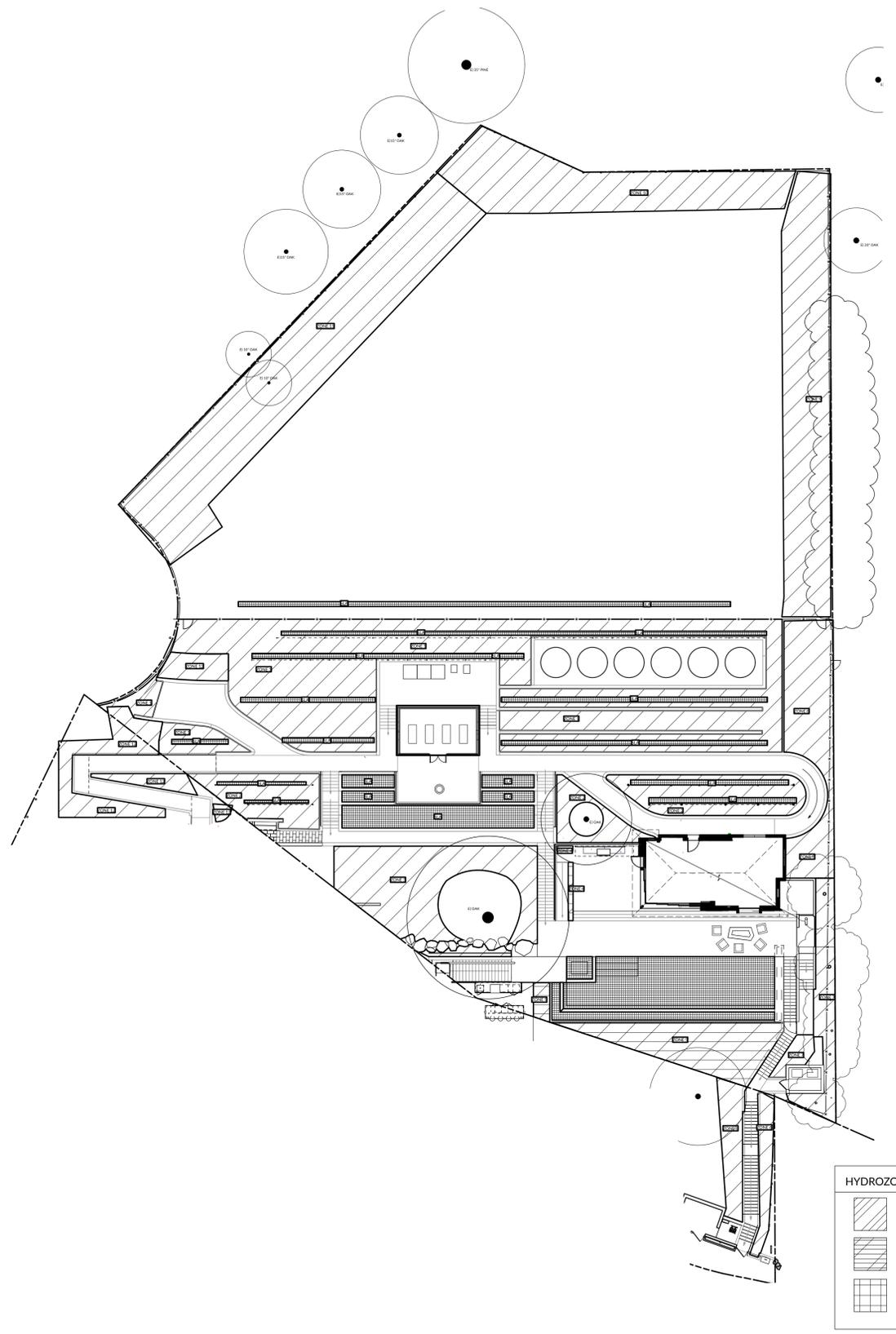
DATE:	ISSUE:
03.10.2021	PLANNING SUBMITTAL
04.30.2021	PRICING SET
01.14.2022	PLANNING SUBMITTAL R2
09.27.22	PLANNING SUBMITTAL REV 6

SCALE: 1"=20'-0"



IRRIGATION ZONE
PLAN/WELO
CALCULATIONS

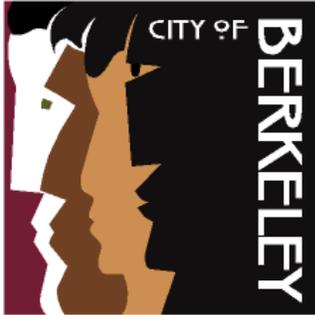
LPH4.00



HYDROZONE WATER USE LEGEND

[Diagonal lines /]	LOW
[Diagonal lines \]	MODERATE
[Grid pattern]	SLA

WATER EFFICIENT LANDSCAPE WORKSHEET						
City:	Berkeley	Reference ET _o :	41.80			
ETWU Equation: $ET_w = 0.62 \times ((PF \times HA) / IE) + SLA$						
MAWA Equation: $(ET_w) \times (0.62) \times [(0.55 \times LA) + (1.0 - 0.55) \times SLA]$						
Irrigation Efficiency for spray is 0.75 and drip is 0.81. Minimum IE is 0.71.						
Plant Water Use Type		Plant Factor				
Very Low		0 - 0.1				
Low		0.2 - 0.3				
Medium		0.4 - 0.6				
High		0.7 - 1.0				
SLA		1				
Hydrozone Number	Irrigation Method	Plant Water Use Type	Plant Factor (PF)	Hydrozone Area (HA) without SLA (SF)	Irrigation Efficiency (IE)	ETAF x AREA (SF)
Zone 1	Spray	Very Low	0.10	4,133	0.75	551
Zone 2	Spray	Very Low	0.10	1,190	0.75	159
Zone 3	Drip	Low	0.30	1,251	0.81	463
Zone 4	Drip	Moderate	0.50	34	0.81	21
Zone 5	Drip	Moderate	0.50	790	0.81	488
Zone 6	Drip	Low	0.30	469	0.81	174
Zone 7	Drip	Low	0.30	536	0.81	199
Zone 8	Drip	Low	0.30	926	0.81	343
Zone 9	Drip	Very Low	0.10	1,987	0.81	245
Zone 10	Drip	Very Low	0.10	1,552	0.81	192
Zone 11	Drip	Very Low	0.10	2,954	0.81	365
Zone 12	Drip	Moderate	0.50	793	0.81	490
				Total:		3688
SLA				1.00	2982	1.00
Sum					19,597	
Results						
MAWA =	271,604	ETWU =	172,860 Gallons			
			23,108 Cubic Feet			
			231 HCF			
			0.53 Acre-feet			
			0.17 Millions of Gallons			
ETWU complies with MAWA						
ETAF Calculations						
Regular Landscape Areas						
Total ETAF x Area		3688				
Average ETAF		0.22				
ETAF is below .55						
All Landscape Areas						
Total ETAF x Area		3688.00				
Total Area		19597				
Sitewide ETAF		0.19				
NOTE: 'VERY LOW' ZONES WILL BE TEMPORARY IRRIGATION FOR ESTABLISHMENT PERIOD ONLY						



Z O N I N G
A D J U S T M E N T S
B O A R D
NOTICE OF PUBLIC HEARING

3003 Dwight Way

Use Permit #ZP2021-0052 to add a pool, pool house, greenhouse, retaining walls, and fences on the undeveloped half of the site.

The Zoning Adjustments Board of the City of Berkeley will hold a public hearing on the above matter, pursuant to Zoning Ordinance Section 23.406.040.D, on October 13, 2022, conducted via Zoom, see the Agenda for details at:

https://berkeleyca.gov/sites/default/files/legislative-body-meeting-agendas/2022-10_13_ZAB_Agenda.pdf. The meeting starts at 7:00 p.m.

PUBLIC ADVISORY: Pursuant to Government Code Section 54953(e) and the state declared emergency, this meeting of the Zoning Adjustments Board (ZAB) will be conducted exclusively through teleconference and Zoom videoconference. The COVID-19 state of emergency continues to directly impact the ability of the members to meet safely in person and presents imminent risks to the health of attendees. Therefore, no physical meeting location will be available.

A. Land Use Designations:

- General Plan: LDR – Low Density Residential
- Zoning: ES-R – Environmental Safety-Residential

B. Zoning Permits Required:

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.304.060(C)(1) to construct an accessory building (pool house) that exceeds 100 square feet;
- Use Permit pursuant to BMC Section 23.304.060(C)(1) to construct an accessory building (greenhouse) that exceeds 100 square feet;
- Use Permit pursuant to BMC Section 23.304.060(C)(2)(b)(i) to deviate from accessory building standards;
- Use Permit pursuant to BMC Section 23.304.070(D)(1)(b) to add an unenclosed outdoor spa/hot tub;
- Administrative Use Permit pursuant to BMC Section 23.304.070(B) to add a retaining wall in a setback; and
- Administrative Use Permit pursuant to BMC Section 23.304.080(A) to add a fence that exceeds 4 feet in height.

C. CEQA Recommendation: Adopt the proposed negative declaration prepared pursuant to Article 6 of the CEQA Guidelines.

D. Parties Involved:

- Applicant Ivor Brown, 1144 65th Street, #E, Oakland
- Owner Jonathan Logan, 3003 Dwight Way, Berkeley

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, Allison Riemer, at (510) 981-7433 or ariemer@cityofberkeley.info.

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

Communication Disclaimer:

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website.

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

Communications and Reports:

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

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

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

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

- **Correspondence received after 5:00 PM two days before** this public hearing will be saved in the project administrative record.

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



Accessibility Information / ADA Disclaimer:

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

SB 343 Disclaimer:

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

Notice Concerning Your Legal Rights:

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

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

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

RENA RICKLES
ATTORNEY AT LAW

1970 BROADWAY, SUITE 1200
OAKLAND, CA 94612
TEL: (510) 452-1600 • FAX: (510) 451-4115

October 5, 2022

Charles Kahn, Chairperson,
Zoning Adjustments Board ("ZAB") Members
1947 Center Street
Berkeley, CA 94704

Via email: ZAB@CityofBerkeley.info; Ariemer@CityofBerkeley.info

Re: 3003 Dwight Way: ZAB Hearing October 13, 2022, INVITATION FOR SITE VISIT 3003 Dwight way.

Dear Chair Kahn and ZAB Members:

On behalf of Jon Logan, I am inviting each of you to visit 3003 Dwight Way, Jon Logan's home and location of proposed pool and pool house. It is an unusual site and seeing it in person with one of the principal architects may be helpful to your assessment of the project.

Either of the principal architects from Buttrick Projects Architecture + Design, Jerome Buttrick or Ivor Brown, will make themselves available to meet with you at the site. Please contact them no later than the morning of the day you would like to visit to arrange the time you would like to meet.

Jerome Buttrick: jerome@buttrickprojects.com; 510-282-1426

Ivor Brown: ivor@buttrickprojects.com; 510-551-6366

Covid—Safety protocols: The meeting will be outdoors: masks optional,

Very truly yours,



Cc: Allison Riemer, Planner
Jerome Buttrick
Ivor Brown
Jon Logan
Steve Buckley



13108 San Pablo Ave., CA 94805 – Telephone 510.233.8015

BOARD OF DIRECTORS: 10/5/22

Marco Gonzales—Board President
Public School Administrator,
West Contra Costa USD

Angel Abundez
Director of Client Services,
P3 Adaptive

Robert Aguillo, Jr.
Community Bank Director,
Golden Pacific Bank

Lucero Arellano
Multicultural & Rural Arts Specialist, Ret.,
California Arts Council

Sylvia Mullally
Learning Consultant/Translator

Eugene Rodriguez
Executive Director

Lucina Rodriguez
External Program Coordinator,
Music and Dance Teacher,
Los Cenzontles Lead Singer

Fabiola Trujillo
Academy Program Manager, Singing
Teacher, Los Cenzontles Lead Singer

Verenice Velazquez
Development and Communications
Coordinator

BOARD OF ADVISORS:

David Hidalgo

Jonathan Logan

Robert Mailer Anderson

Marisol 'La Marisol' Hernandez

Linda Ronstadt

Rick Swig

Charles Kahn, Chairperson
Zoning Adjustments Board Members
1947 Center Street
Berkeley, CA 94704

Via email: ZAB@cityofberkeley.info; Ariemer@cityofberkeley.info

Support 3003 Dwight Way Application

I write this letter of support on behalf of Jon Logan and his application before you to build a pool and pool house.

For the past 30 years I have directed Los Cenzontles Cultural Arts Academy, a non-profit Mexican American organization in San Pablo. We provide arts education to Latino children of working class immigrants, perform traditional Mexican music, and create media that tell the stories of our community. The impact of our work extends well beyond San Pablo and Richmond. We have had an especially close relationship with Berkeley cultural organizations. For example, for decades we have performed at the Freight and Salvage and La Peña Cultural Center.

Jon has generously provided financial support, guidance, and time to us for over fifteen years. As our first major donor, he provided the seed money for us to be able to expand our network of support. That means so much to a grassroots organization like ours and I can't imagine our growth without him.

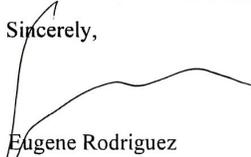
Jon gives more than financial support. In the time that we have known him he has become a dear friend of mine and the members of our organization, most of whom grew up in our working class, Latino neighborhood. To the young people in our program, he is family. I got to know Jon in a more familiar way in 2011 when our group opened a show for Ry Cooder at the Great American Music Hall. Jon, a great fan of music, stood outside in the long line just to see the show. Jon has had spinal surgery but, for us, he stood in a long line for a venue that did not have chairs. Luckily, I was able to find balcony seats for him.

Jon's appreciation for multi-cultural arts and culture is broad and deep. In 2016, we traveled to Cuba with Jon who sponsored our musical tour as well as our documentary "Conexiones, A Cuban Mexican Connection", a heartfelt film that has broadcast on PBS affiliates nationwide. Jon is also a musician with whom we have jammed on many occasions and he currently sits on our Board of Advisors. He is warm and truly connected to our community. I know many in the arts world who appreciate his generous support of Bay Area culture and beyond.

I know that he has been working for over six years for his dream home, a home where he can enjoy his music and where he can nurture his health needs. I have seen his plans. Jon has worked hard to create a property that blends with, and enhances, the surrounding space while protecting its fragile environment. His extraordinary generosity has certainly earned him such a place.

Please let me know if I can provide any additional information.

Sincerely,


Eugene Rodriguez
Executive Director

Los Cenzontles Cultural Arts Academy

Jacob, Melinda

From: Zoning Adjustments Board (ZAB)
Subject: FW: Jon Logan home

From: Stewart Owen <stewart@roble22.com>
Sent: Wednesday, October 5, 2022 10:59 AM
To: Zoning Adjustments Board (ZAB) <Planningzab@cityofberkeley.info>; Riemer, Allison <ARiemer@cityofberkeley.info>
Subject: Jon Logan home

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.

Chair Charles Kahn
Zoning Adjustments Board
ZAB Board Members
1947 Center
Berkeley, CA

To whom it may concern:

I am more than pleased to write in support of Jon Logan and his effort to create and build his dream home here in Berkeley.

Now, I've known Jon for a long time. But that's not surprising, it's hard to be involved in anything worthwhile in the Bay Area and not end up knowing Jon.

If money is needed to get the job done, if time and expertise and energy are required, if there's a table to be bought at a fundraiser or a roll-up your sleeves and let's figure out how to accomplish this meeting – you'll find Jon right in the middle of things. Social justice – there's Jon. LBGT issues – Jon. Equity and Inclusion – Jon. Education and Opportunity – Jon. The arts and supporting local artists – Jon.

I had heard Jon's name for years – after all, every charitable organization and non-profit has his name on a list of people to talk to for help. But I hadn't met him and then one day I got a call from Susie Medak, the Managing Director of Berkeley Rep, who said "I'm having lunch with a fellow named Jon Logan, do you want to join us?"

Of course, I jumped at the chance and I have to say, he didn't disappoint – smart, funny, passionate, opinionated, cantankerous and full of energy; if he believed in what you were doing he was ready and willing to support you.

In the years since I've continued to see him put his money and time where his mouth is – supporting voting rights in the South, funding progressive journalism here and around the

country, being an Executive Producer on films on everyone and everything from Barbara Lee to the Academy Award nominated Crip Camp, backing Howard University's efforts to digitize all of the back issues of black-run newspapers (before they're lost to history) – I could go on and on and on....but you get the idea.

Now he wants to create his dream house and I fully support that. It's the right thing to do for Jon and for the city of Berkeley.

I know his reasons are many.

First, for health reasons – Jon has had a series of spinal surgeries (with more to come I suspect) and the ability to have a home that he can get around in and will continue to be able to function in and one in which he can support his physical therapy needs is critical. This house has been designed to be just that.

Second, to support his charitable and social justice efforts – given his mobility issues, Jon needs a place where he can meet and the house will be both a haven and a support for his charitable efforts.

Third, because the house and the yard and the clean-up that he's doing will create a safer environment in what is a Wildland Fire Area.

And finally, the home just be a great addition to the city of Berkeley, today and in the years to come.

I know he's been working on this for a long time and I know he's made every effort to do things right and to involve the community in the process.

Please support and approve his efforts. The city will be better off for it.

It really will.

Stewart Owen

FREDERICK C. HERTZ
ATTORNEY • MEDIATOR



5335 COLLEGE AVENUE, SUITE 27A • OAKLAND, CA 94618
T: 510-834-4114 E: Fred@FrederickHertz.com

October 3, 2022
Charles Kahn, Chairperson
Zoning Adjustments Board ("ZAB") Members
City of Berkeley, CA 94704

Re: 3003 Dwight Way, October 13, ZAB meeting. Letter of Support

Dear Chairperson Kahn and Members of the Zoning Adjustments Board:

I write in support of Jon Logan's application for approval of his pool house and pool project. The remodel of his home, as I understand it, has already been approved.

I have known Jon for more than twenty years, mostly in connection with his significant contributions to the public benefit of the cities of Berkeley and Oakland and the LGBT community of the San Francisco Bay Area. I first met Jon while he was a board member of the AIDS Center in Oakland, and then, again, when we worked together to support the LGBT family organization, Our Family. Jon and I were both board members of this organization, and Jon worked tirelessly to expand and support these programs, first for people with AIDS and then for lesbian and gay families. Jon and I later worked jointly to support the first nationally recognized documentary film on gay refugees, *Unsettled*, which was broadcast on PBS several years ago.

Throughout his long-standing role as a philanthropist and activist, Jon has given his time, his expertise, and his resources to support so many of these important causes. He also has been a stalwart supporter of public advocacy and journalism, through the Center of Investigative Reporting. But of particular relevance to this application, Jon has always opened his home for fundraisers, meetings, and social gatherings for so many in the progressive and LGBT communities. I am confident that Jon will continue in his role as a steward and community activist, and that his home will continue to be a benefit for the broader social activist communities of our city.

I urge you to approve this application, in recognition of the important work that Jon has done for our community – and the work he will continue to do.

Very truly yours,

Frederick Hertz