

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
FEBRUARY 22, 2024

2901-03 Deakin Street

Use Permit #ZP2023-0074 to lift the existing duplex 10 feet 6 inches for a total average height of 23 feet 8 inches to create a new first floor and add an eight bedroom on a lot that is nonconforming to density and setbacks.

I. Background

A. Land Use Designations:

- General Plan: Low Medium Density Residential (LMDR)
- Zoning District: Restricted Two-Family Residential District (R-2)

B. Zoning Permits Required:

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.324.050(D)(3) for an addition to a structure that exceeds residential density;
- Use Permit pursuant BMC 23.202.030(B)(1) to add a bedroom to a lot beyond a fifth;
- Administrative Use Permit (AUP) pursuant to BMC Section 23.202.080 to construct a major residential addition over 14 feet in average height;
- Administrative Use Permit (AUP) pursuant to BMC Section 23.324.050 to horizontally extend a building wall projecting into a minimum required setback.

C. Concessions and Waivers and Pursuant to State Density Bonus Law (CA Gov't. Code Section 65915):

- N/A

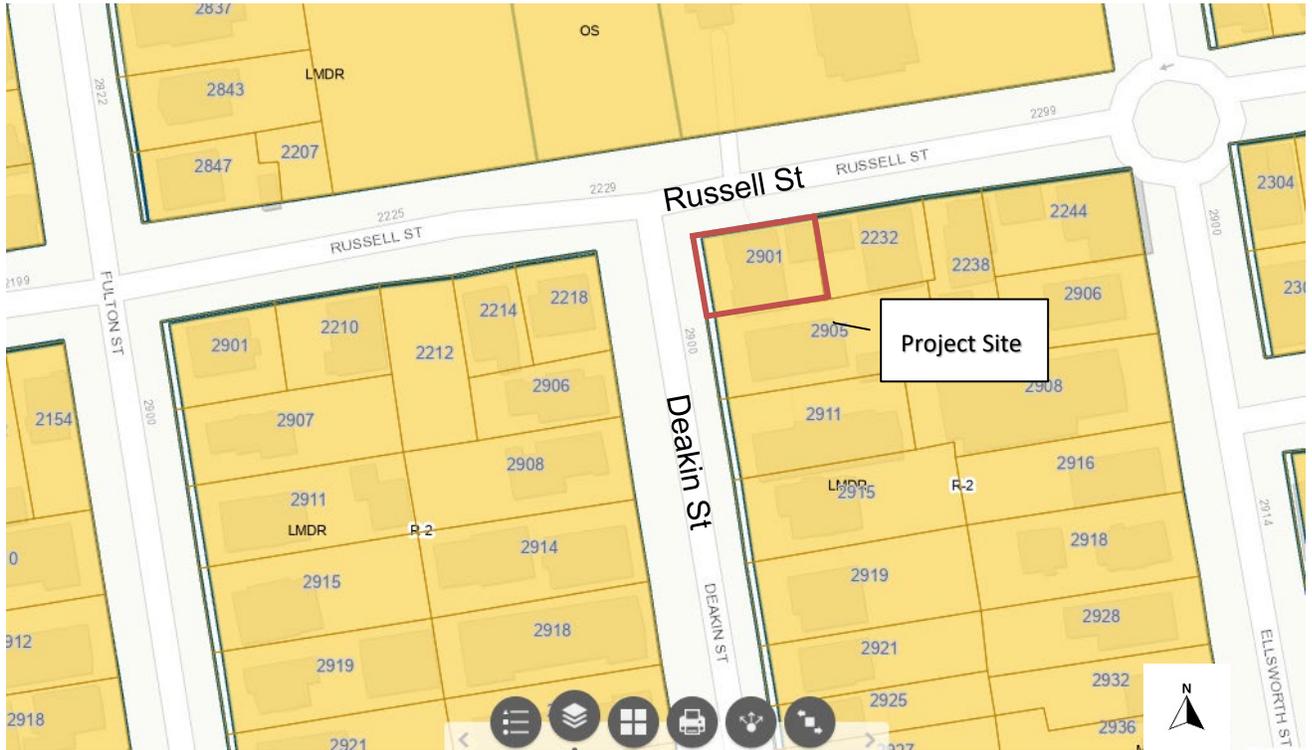
D. CEQA Recommendation:

It is staff's recommendation to the Zoning Adjustments Board (ZAB) that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code Section 21000, et seq. and California Code of Regulations, Section 15000, et seq.) pursuant to CEQA Guidelines Section 15301 ("Existing Facilities").

E. Parties Involved:

- Applicant: Rueytsu Huang, Todd Jersey Architecture, 1321 8th Street
Site 2 Berkeley
- Property Owner: Margret Leventhal, 1805 Martin Luther King Jr., Berkeley

Figure 1: Vicinity and Zoning Districts Map



R-2 = Restricted Two-Family Residential District
LMDR = Low Medium Density Residential

Figure 3: 1st floor Plan

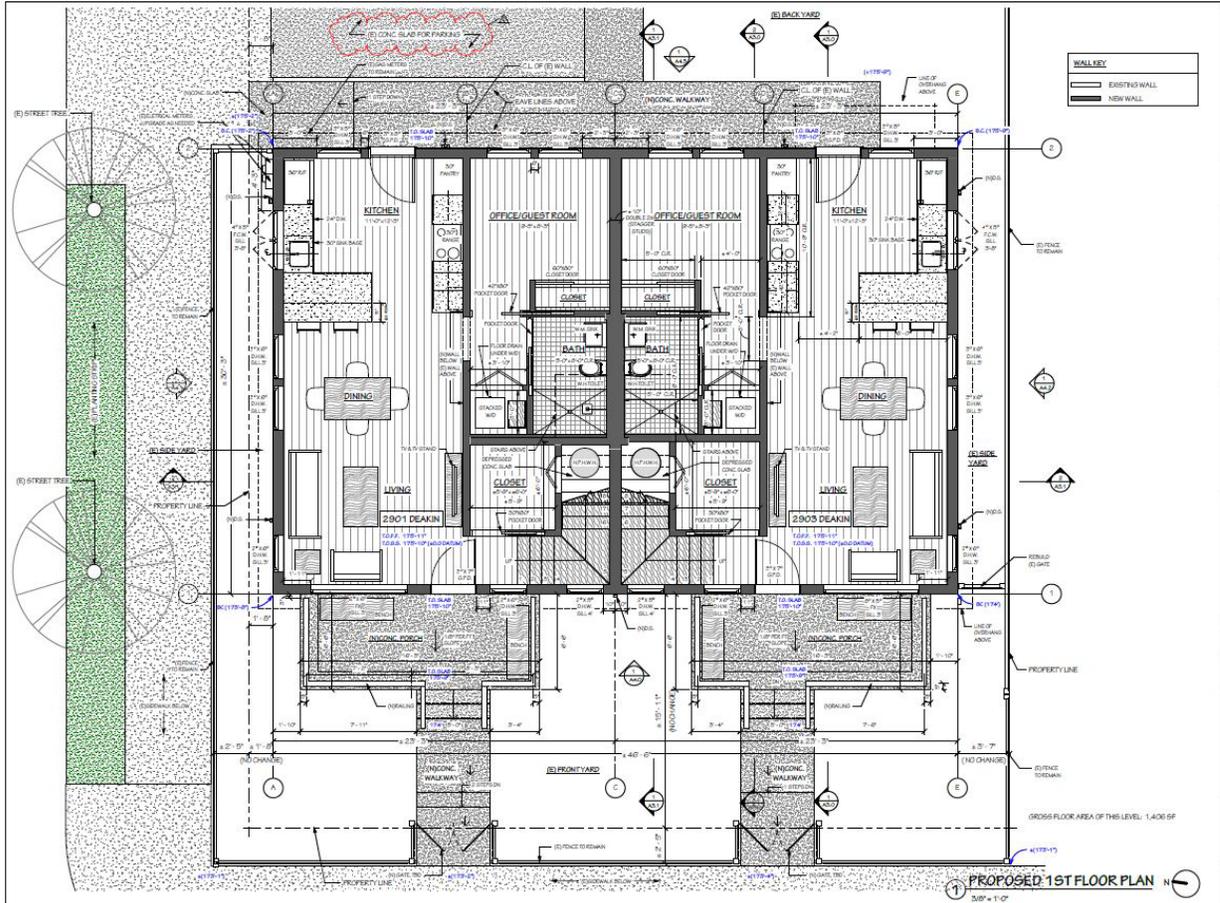


Figure 4 : 2nd Floor Plan

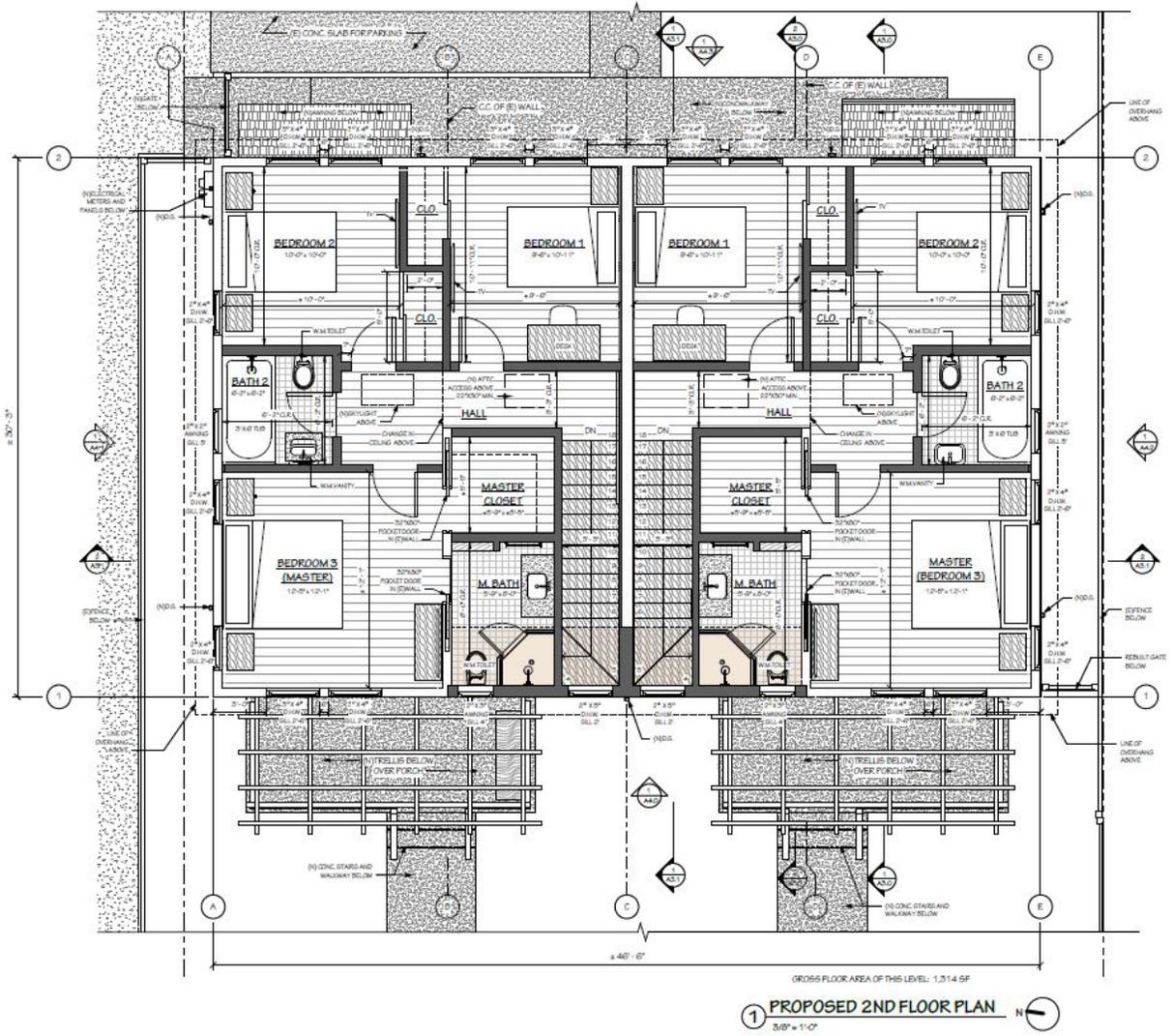


Figure 4: Elevations

South Elevation

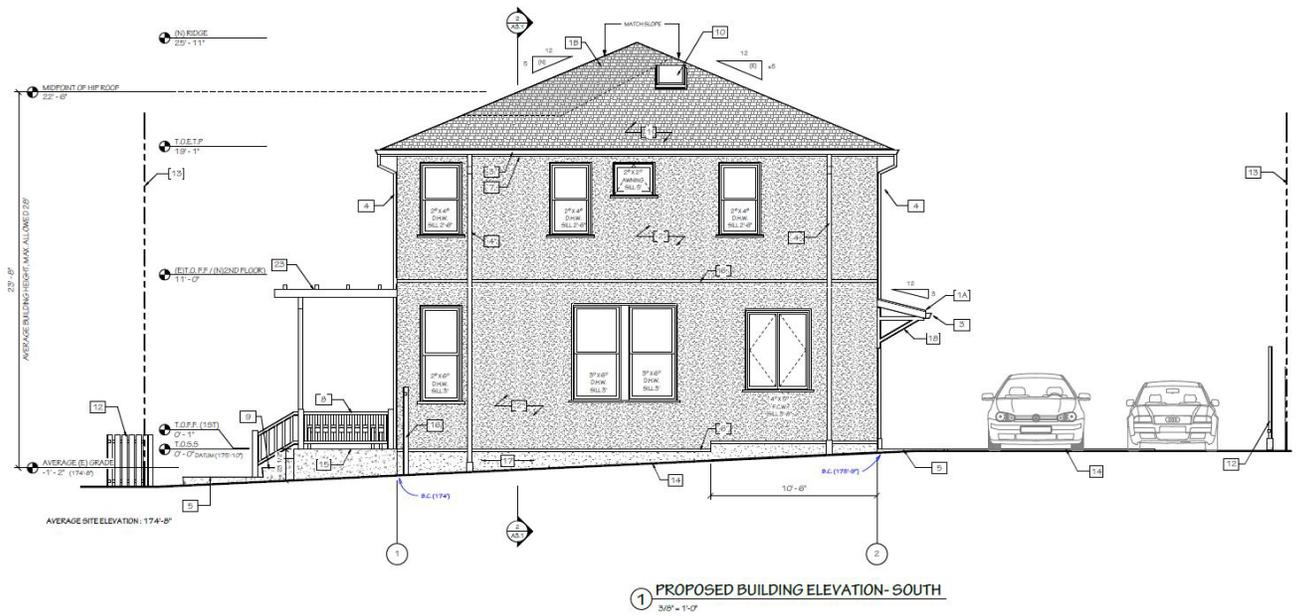
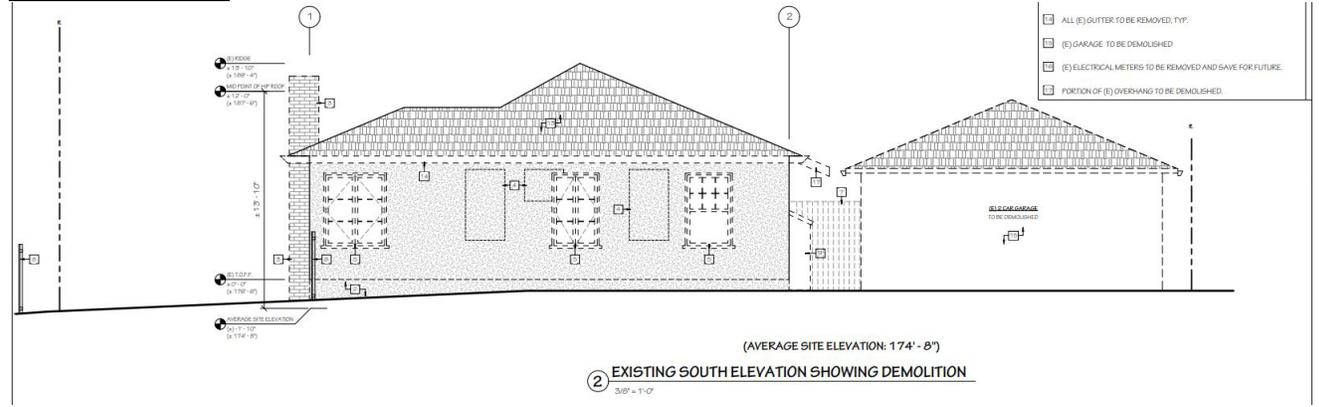


Table 1: Land Use Information

Location		Existing Use	Zoning District	General Plan Designation
Subject Property		Two-family Dwelling	R-2	LMDR
Surrounding Properties	North	School (Sylvia Mendez Elementary School)	R-2	Open Space
	South	Single-Family Dwelling	R-2	LMDR
	East	Single-Family Dwelling	R-2	LMDR
	West	Single-Family Dwelling	R-2	LMDR

Table 2: Special Characteristics

Characteristic	Applicability	Explanation
Affordable Child Care Fee for qualifying non-residential projects (Per Resolution 66,618-N.S.)	No	This fee applies to net newly constructed nonresidential gross floor area over 7,500 square feet. The project would only construct new residential floor area; therefore, the fee does not apply.
Affordable Housing Fee for qualifying non-residential projects (Per Resolution 66,617-N.S.)	No	This fee applies to net newly constructed nonresidential gross floor area over 7,500 square feet. The project would only construct new residential floor area; therefore, the fee does not apply.
Affordable / Inclusionary Housing Requirements (BMC Chapter 23.328)	No	This project would not result in the construction of a new building and is not part of a larger housing development project. Therefore, the project is exempt from the inclusionary housing provisions.
Coast Live Oak Trees (BMC Chapter 6.52)	No	There are no Coast Live Oak (<i>Quercus agrifolia</i>) trees on the project site.
Creeks	No	No creek or culvert, as defined by BMC Chapter 17.08, exists on or within 30 feet of the project site.
Density Bonus	No	The project is not requesting a Density Bonus.
Historic Resources	Yes	The existing building is more than 40 years old, and was forwarded to the Landmarks Preservation Commission (LPC) for review (BMC Section 23.326.070(C)). On November 22, 2023, the LPC took no action to initiate a Landmark or Structure of Merit designation and recommended that the ZAB approve the project.
Housing Accountability Act (HAA) (Gov't Code Section 65589.5(j))	No	The project is an addition to a single-family dwelling and does not include any new dwelling units, therefore, it is not a "housing development project" ^a and the Housing Accountability Act does not apply.
Housing Crisis Act of 2019 (SB 330)	No	The project is an addition to a single-family dwelling and does not include any new dwelling units, therefore, it is not a "housing development project" ^b and SB 330 does not apply.

Characteristic	Applicability	Explanation
Natural Gas Prohibition (BMC Chapter 12.80)	No	This project would not result in the construction of a new building and is therefore not subject to the natural gas prohibition.
Rent Controlled Units	No	The project would not demolish rent controlled dwelling units, Therefore, this does not apply
Residential Preferred Parking (RPP)	Yes	The site is located in an RPP zone. The project does not include a proposal to expand current off-street parking.
Seismic Hazards (SHMA)	No	The project site is not located within an area susceptible to landslide/liquefaction/fault rupture as shown on the State Seismic Hazard Zones map.
Soil/Groundwater Contamination	No	The project site not located within the City's Environmental Management Area and is not on the Cortese List. Standard Conditions of Approval related to hazardous materials would apply.
Transit	Yes	The site is located 0.16 miles away from AC Transit Route 6 on the corner of Telegraph Ave and Russell St. and 0.60 miles from the Ashby BART Station.

Table 3: Project Chronology

Date	Action
6/26/23	Use Permit Application submitted
7/25/23	Application deemed incomplete
12/15/23	Application resubmitted
12/20/23	Application deemed complete
2/8/24	Public hearing notices mailed/posted
2/22/24	ZAB hearing

**Table 4: R-2 Restricted Two-Family Residential District Development Standards
 BMC Sections 23.202.080 and 23.322 Parking and Loading**

Standard		Existing	Proposed Total	Permitted/ Required
Lot Area (sq. ft.)		3,722	No change	5,000 min
Gross Floor Area (sq. ft.)		1,314	2,720	N/A
Dwelling Units	Total	2	No change	1 max
Building Height (ft. - in.)	Average	13 ft, 10 in	23 ft, 8 in	35' max
	Stories	1	2	3 max
Building Setbacks	Front (Deakin Street)	15 ft, 1 in	No change	20 ft min

Standard		Existing	Proposed Total	Permitted/ Required
(ft. - in.)	Rear	25 ft, 10 in	No change	20 ft min
	Left Side (Street Side)	1 ft, 8 in	No change	10 ft min
	Right Side	3 ft, 7 in	No change	4 ft min
Lot Coverage (%)		49	45	45 max
Usable Open Space (sq. ft.)		1,340	837	400 min per unit
Parking	Automobile	2	No change	1 min
Abbreviations: sq. ft. = square feet; max. = maximum; min. = minimum; n/a = not applicable; % = percent; avg. = average, ft = feet ('), in. = inches (")				

II. Project Setting

A. Neighborhood/Area Description:

The project site is located on the corner of Deakin Street and Russell Street in a low medium density residential neighborhood comprised of single- and two-family dwellings ranging from single to two story structures. Sylvia Mendez Elementary School is located across the street from the project site.

B. Site Conditions:

The project site is a relatively flat and rectangularly shaped. The lot is 52 feet wide along Derby Street, and approximately 72 feet deep. The site is developed with a one-story duplex and a two-car detached garage at the rear. There are no protected Coast Live oak trees on the site.

III. Project Description

A. Proposed Project Details:

The project proposes to expand an existing 1,341 square foot duplex by raising the single-story building 9 feet 10 inches to a maximum height of 23 feet 8 inches to create a new lower level. A new first floor will be constructed underneath the raised level. The proposed plans show identical floorplans for both 2901 and 2903 Deakin Street. The new first level includes an office/guest room, bath, living, and kitchen area for each unit. The proposed second floor will consist of three bedrooms and two baths for each unit. The office/guest room meets the definition of a bedroom pursuant to BMC Section 13.42.020.¹ There is a total of eight bedrooms proposed on site. The existing two-car

¹ Pursuant to BMC Section 13.42.020, a "Bedroom" means any Habitable Space in a Dwelling Unit or habitable Accessory Structure other than a kitchen or living room that is intended for or capable of being used for sleeping with a door that closes the room off from other common space such as living and kitchen areas that is at least 70 square feet in area, exclusive of closets and other appurtenant space, and meets Building Code standards for egress, light and ventilation. A room identified as a den, library, study, loft, dining room, or other extra room that satisfies this definition will be considered a bedroom for the purposes of applying this requirement.

garage will be demolished but the concrete pad will remain for parking. The project will also vertically extend the non-conforming front and side setbacks; and expand the structure on a lot nonconforming for the reason of residential density.

IV. Community Discussion

A. Neighbor/Community Concerns:

Prior to submitting this application to the city, a pre-application poster was installed on site by the applicant in May 2023. On February 8, 2024, the City mailed public hearing notices to property owners and occupants within 300 feet of the project site. The City also posted notices within the neighborhood at nearby three locations. At the time of writing this report, staff had not received any communications regarding the project.

B. Landmark Preservation Commission Review:

The applicant submitted a Historic Resource Evaluation (HRE) on November 22, 2023 and staff determined that the building was not a historical resource. Therefore, the project would not result in an impact to a historical resource

C. Design Review Committee:

This project is not subject to review by the Design Review Committee because it is not located in a residential district subject to design review, commercial or manufacturing district, and does not involve the demolition of a nonresidential building, respectively.

V. Issues and Analysis

A. CEQA Approach and Recommendation

It is staff's recommendation to ZAB that the project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines Section 15301 ("Existing Facilities"). The project complies with this exemption as the project consists of an alteration of an existing private structure involving no expansion of the existing footprint. In addition, none of the exceptions to eligibility for a categorical exemption as listed under CEQA Guidelines Section 15300.2, apply to the project:

- The project is currently characterized as developed by the California Natural Diversity Database;² therefore, it is not located in an environmentally sensitive area;
- The cumulative impact of successive projects of the same type in the same place, over time would not be significant;
- There are no "unusual circumstances" at the project site that would result in significant environmental effects;
- There are no eligible or designated scenic highways within the City of Berkeley;³ therefore, the project site is not in view of a state scenic highway;
- The site is not included on a list compiled pursuant to Government Code Section 65962.5;⁴ and
- The project would not result in a substantial adverse change in the significance of a historical resource.

The CEQA determination is made by ZAB, as the decision-making body.

B. Addition to a Structure on a Parcel with Nonconforming Residential Density

Pursuant to BMC Section 23.324.050(D)(3), additions and/or enlargements of lawful nonconforming structures that are nonconforming by reason of exceeding lot coverage, floor area ratio, or residential density are permitted with a Use Permit if the existing use of the property is conforming, the addition/enlargement complies with all applicable laws, and the addition/enlargement does not increase lot coverage or exceed the height limit.

The proposed project would add a 1,406 square feet addition by lifting the house from 13 feet 10 inches to 23 feet 8 inches to create a new lower level and reconfigure the second level. All this work would occur within the existing footprint and would not increase the nonconformity. The addition is consistent with the height standards of the district, does not create a new dwelling unit, and the residential density would remain unchanged.

² California Department of Fish and Wildlife. California Natural Diversity Database. Available: <https://apps.wildlife.ca.gov/bios6/?tool=cnddbqv>

³ California Department of Transportation. California Scenic Highway Program's Scenic Highway System List. Available: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>

⁴ California Environmental Protection Agency. Cortese List Data Resources. Available: <https://calepa.ca.gov/sitecleanup/corteselist/>

C. Alteration of Structure in Nonconforming Setbacks

Pursuant to BMC Section 23.324.050(D) additions or enlargements of lawful nonconforming structures that vertically or horizontally extend into a nonconforming setback are permitted with an Administrative Use Permit if the addition and/or enlargement does not increase or exacerbate any nonconforming setbacks and does not exceed the calculated height limits. The existing residential structure would maintain a nonconforming setback on the left side, along Russell Street, and on the right side. The setback on the left side would remain 1 foot 8 inches, where the required setback distance is 10 feet. The setback on the right side would remain 3 feet 6 inches where 4 feet is the required. The proposed project would also lift the building by 9 feet 10 inches for an average height of 23 feet 8 inches, which is consistent the underlying requirement that allows 35 feet with a Use Permit.

D. General Non-Detriment Finding:

Staff believes the project would not be detrimental to the health, safety, peace, morals, comfort, or general welfare of residents or workers in the area because it would be consistent with the development pattern in the area. The applicant proposes to construct a single-family dwelling in a neighborhood developed with single-family dwellings. The siting/design of the proposed structure would be compatible with the surrounding built environment. Staff believes that the proposed project would not unreasonably obstruct sunlight, privacy, air, or views as analyzed below:

1. Sunlight/Shadow: Shadow studies submitted by the applicant document the existing and proposed shadow effects at three times each day during the summer and winter solstices, and the spring equinox. The studies show that the new second story addition would cast new shadows on neighboring yards and buildings at certain times of year and times of day. However, while the proposed dwelling would cast new shadows, impacts would be limited in duration and effect and would not substantially diminish sunlight for the affected residences. The proposed second story building would cast new shadows on 2234/2236 Russell Street during the summer evenings and would cast new shadows in the backyard of 2905 Deakin Street as well. Staff recommends that the Board find that these potential impacts are non-detrimental.
2. Privacy: The proposed dwelling would have first and second floor windows on all sides. However, the south elevation facing 2905 Deakin Street, includes only three small windows on the second story in an effort to reduce privacy impacts. The dwelling is setback 50 feet from 2234 Russell Street with a garage between the two dwellings. The other windows on the west and north elevations are facing the street. The dwelling meets the R-2 Zoning District development standards, except for the nonconforming density and setbacks requested with an UP and AUP. Privacy impacts from the project would not be detrimental.
3. Air: Staff believes the proposed project would be consistent with the existing development and building-to-building separation pattern – or air – in this R-2 District neighborhood. The building would meet the setback requirement in the

rear, and would not further reduce the existing setbacks in the front and side yards. In addition, the lot coverage is improved and decreased to below the maximum allowable 45 percent and the project exceeds the useable open space requirements.

4. Views: The proposed project would not result in additional obstruction of significant views in the neighborhood because there are limited significant views as defined in BMC Section 23.502.020 (Defined Terms) available to residences in the area. The area is generally flat, developed with one- to two-story buildings, and includes some mature vegetation which provides visual screening.

VI. Other Considerations (Zoning and Land Use Considerations)

A. District Purpose:

The purpose of the R-2 district is to:

1. Implement the General Plan by encouraging the development of low medium-density residential areas characterized by a reasonably open and spacious type of development with a pattern of housing types ranging from single-family to duplexes and small apartment structures;
2. Make available housing for persons who desire a range of housing choice with a relatively large amount of open space; and
3. Protect adjacent properties from unreasonable obstruction of light and air.

Staff Analysis: Pursuant to BMC Section 23.202.080, the project is consistent with development allowed in the R-2 District, is maintaining the existing use and pattern of development, maintains open space, and would not unreasonably obstruct light, air, and views. Therefore, the project aligns with the purpose of the District and is compatible with intensity of use.

B. General Plan Consistency:

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

1. **Policy LU-3 Infill Development**: Encourage infill development that is architecturally and environmentally sensitive, embodies principles of sustainable planning and construction, and is compatible with neighboring land uses and architectural design and scale.
2. **Policy LU-7 Neighborhood Quality of Life, Action A**: Require that new development be consistent with zoning standards and compatible with the scale, historic character, and surrounding uses in the area.
3. **Policy UD-16 Context**: The design and scale of new or remodeled buildings should respect the built environment in the area, particularly where the character of the built

environment is largely defined by an aggregation of historically and architecturally significant buildings.

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

Staff Analysis: The proposed project is consistent with the above General Plan policies as the modifications to the existing duplex are in character with surrounding neighborhood. As discussed above, the proposed remodel lifts the existing duplex structure and adds an additional floor below resulting in a new first floor area over 1,406 square feet. This remodel is compatible with the alterations proposed on other medium density residential lots to enhance the quality of life without disturbing the built environment.

VII. Recommendation

Because of the project's consistency with the Zoning Ordinance and General Plan, and minimal impact on surrounding properties, staff recommends that the Zoning Adjustments Board:

- 1. FIND** that the project is categorically exempt from the provisions of the CEQA pursuant to Section 15301 of the CEQA Guidelines ("Existing Facilities"); and
- 2. APPROVE** Use Permit **ZP2023-0074** pursuant to Section 23.406.040(D) and subject to the attached Findings and Conditions (see Attachment 1).

Attachments:

1. Findings and Conditions
2. Project Plans, received December 15, 2023
3. Notice of Public Hearing

Staff Planner: Brian Garvey, bgarvey@berkeleyca.gov, (510) 981-7424

ATTACHMENT (# 1)

FINDINGS AND CONDITIONS

FEBRUARY 22, 2024

2901-03 Deakin Street

Use Permit #ZP2023-0074 to lift the existing duplex 10 feet 6 inches for a total average height of 23 feet 8 inches to create a new first floor and add an eight bedroom on a lot that is nonconforming to density and setbacks.

ZONING PERMITS REQUIRED

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.324.050(D)(3) for an addition to a structure that exceeds residential density;
- Use Permit pursuant BMC 23.202.030(B)(1) to add a bedroom to a lot beyond a fifth;
- Administrative Use Permit (AUP) pursuant to BMC Section 23.202.080 to construct a major residential addition over 14 feet in average height;
- Administrative Use Permit (AUP) pursuant to BMC Section 23.324.050 to horizontally extend a building wall projecting into a minimum required setback.

I. CEQA FINDINGS

- A.** The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations, §15000, et seq.) pursuant to Section 153301 of the CEQA Guidelines (“Existing Facilities”).
- B.** Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project would not affect any historical resource.

II. FINDINGS FOR APPROVAL

- 1.** As required by Section 23.406.040(E) 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 proposed project maintains conformance to the Restricted Two-Family Residential District Residential (R-2) district standards (BMC Section 23.202.080); and

- B. The project proposes to expand an existing 1,341 square foot duplex by raising the single-story building 9 feet 10 inches to a maximum height of 23 feet 8 inches to create a new lower level. The proposed project consistent with the underlying development standards and detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood; and
- C. The project is subject to the City's standard conditions of approval regarding construction noise and air quality, waste diversion, toxics, and stormwater requirements, thereby ensuring the project would not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the area or neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood or to the general welfare of the City.

I. OTHER FINDINGS FOR APPROVAL

- 2. As required by BMC Section 23.324.050(D)(3), the Zoning Adjustments Board (ZAB) must find that an addition to building that exceed the maximum residential density does not increase the nonconformity or exceed the height limit of the underlying zoning district. The proposed project adds 1,406 square feet over 14 feet in height to an existing duplex on a lot that exceeds the maximum residential density. The addition is consistent with the height standards of the district and does not result in an additional dwelling unit on the lot.
- 3. Pursuant to BMC Section 23.324.050(D)(1)(c) additions and/or enlargements of lawful nonconforming structures in a nonconforming setback are permitted with an Administrative Use Permit if the addition and/or enlargement does not increase or exacerbate any nonconforming setbacks and does not exceed the calculated height limits. The existing residential structure maintains a nonconforming setback on the left side (Russell Street) of 1 foot 8 inches, where the required setback distance is 10 feet and 3 feet 6 inches on the right side where 4 feet is the required setback distance. The proposed project vertically extends the structure by 9 feet 10 inches for a maximum height of 23 feet 8 inches, which is consistent the underlying requirement that allows 35 feet with a Use Permit.
- 4. Pursuant to BMC Section 23.202.030(A)(1)(a), the proposed major residential addition is permissible and non-detrimental with respect to potential impact on sunlight, air, and views for the following reasons:
 - 1. Sunlight/Shadow: Shadow studies submitted by the applicant document the existing and proposed shadow effects at three times each day during the summer and winter solstices, and the spring equinox. The studies show that the new second story addition would cast new shadows on neighboring yards and buildings at certain times of year and times of day. However, while the proposed dwelling would cast new shadows, impacts would be limited in duration and effect and would not substantially diminish sunlight for the affected residences. The proposed second story building would cast new shadows on 2234/2236 Russell Street during the summer evenings and would cast new shadows in the backyard of 2905 Deakin Street as well. Staff recommends that the Board find that these potential impacts are non-detrimental.

2. Privacy: The proposed dwelling would have first and second floor windows on all sides. However, the south elevation facing 2905 Deakin Street, includes only three small windows on the second story in an effort to reduce privacy impacts. The dwelling is setback 50 feet from 2234 Russell Street with a garage between the two dwellings. The other windows on the west and north elevations are facing the street. The dwelling meets the R-2 Zoning District development standards, except for the nonconforming density and setbacks requested with an UP and AUP. Privacy impacts from the project would not be detrimental.
3. Air: Staff believes the proposed project would be consistent with the existing development and building-to-building separation pattern – or air – in this R-2 District neighborhood. The building would meet the setback requirement in the rear, and would not further reduce the existing setbacks in the front and side yards. In addition, the lot coverage is improved and decreased to below the maximum allowable 45 percent and the project exceeds the useable open space requirements.
4. Views: The proposed project would not result in additional obstruction of significant views in the neighborhood because there are limited significant views as defined in BMC Section 23.502.020 (Defined Terms) available to residences in the area. The area is generally flat, developed with one- to two-story buildings, and includes some mature vegetation which provides visual screening.

III. 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.
2. **Compliance Required (BMC Section 23.102.050).** All land uses and structures in Berkeley must comply with the Zoning Ordinance and all applicable City ordinances and regulations. Compliance with the Zoning Ordinance does not relieve an applicant from requirements to comply with other federal, state, and City regulations that also apply to the property.
3. **Approval Limited to Proposed Project and Replacement of Existing Uses (BMC Sections 23.404.060(B)(1) and (2)):**
 - A. This Permit authorizes only the proposed project described in the application. In no way does an approval authorize other uses, structures or activities not included in the project description.
 - B. When the City approves a new use that replaces an existing use, any prior approval of the existing use becomes null and void when permits for the new use are exercised (e.g., building permit or business license issued). To re-establish the previously existing use, an applicant must obtain all permits required by the Zoning Ordinance for the use.

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

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

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

- A.** A permit authorizing a land use is exercised when both a valid City business license is issued (if required) and the land use is established on the property.
 - B.** A permit authorizing construction is exercised when both a valid City building permit (if required) is issued and construction has lawfully begun.
 - C.** The Zoning Officer may declare a permit lapsed if it is not exercised within one year of its issuance, except if the applicant has applied for a building permit or has made a substantial good faith effort to obtain a building permit and begin construction. The Zoning Officer may declare a permit lapsed only after 14 days written notice to the applicant. A determination that a permit has lapsed may be appealed to the ZAB in accordance with 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. Hold Harmless. The permittee agrees as a condition of approval of this application to indemnify, protect, defend with counsel selected by the City, and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents, from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorney’s fees and disbursements (collectively, “Claims”) arising out of or in any way relating to the approval of this application, any actions taken by the City related to this entitlement, or any environmental review conducted under the California Environmental Quality Act, Public Resources Code Section 210000 et seq., for this entitlement and related actions. The indemnification shall include any Claims that may be asserted by any person or entity, including the permittee, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents. The permittee’s duty to defend the City shall not apply in those instances when the permittee has asserted the Claims, although the permittee shall still have a duty to indemnify, protect and hold harmless the City.

IV. ADDITIONAL CONDITIONS IMPOSED BY THE ZONING ADJUSTMENTS BOARD

Pursuant to BMC 23.404.050(H), 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. Construction and Demolition Diversion. Applicant shall submit a [Construction Waste Management Plan](#) that meets the requirements of BMC Chapter 19.37 including 100 percent diversion of asphalt, concrete, excavated soil and land-clearing debris and a minimum of 65 percent diversion of other nonhazardous construction and demolition waste.

12. Toxics. The applicant shall contact the Toxics Management Division (TMD) at 1947 Center Street or (510) 981-7470 to determine which of the following documents are required and timing for their submittal:

- A. Phase I and Phase II Environmental Site Assessment (ESA) (per ASTM 1527).** A recent Phase I ESA (less than 2 years old) shall be submitted to the Toxics Management Division for developments for: all new commercial, industrial and mixed-use developments and all improvement projects that require work 5 or more feet below grade, and all new residential buildings with more than four dwelling units located in the Environmental Management Area (or EMA). The EMA can be viewed at: [City of Berkeley Community GIS Portal \(arcgis.com\)](http://arcgis.com)
- B.** Depending on the findings in the Phase I, a Phase II or additional investigation may be necessary. Any available soils and groundwater analytical data available for projects listed in this section must also be submitted to TMD.
- C. Environmental Site Clearance.** The applicant shall provide environmental screening clearance from either the San Francisco Bay Regional Water Quality Control Board (RWQCB), Department of Toxic Substances Control (DTSC), or the Alameda County Department of Environmental Health's Local Oversight Program (LOP). Clearance from one of these regulatory agencies will ensure that the property meets development investigation and cleanup standards for the specific use proposed on the property. Environmental screening clearance shall be submitted to the City of Berkeley's Toxics Management Division prior to issuance of any building permits.
- D. Soil and Groundwater Management Plan.** A site-specific Soil and Groundwater Management Plan (SGMP) shall be submitted to Toxics Management Division (TMD) for all non-residential projects, and residential or mixed-use projects with more than four dwelling units, that: (1) are in the Environmental Management Area (EMA), as shown on the most recent City of Berkeley EMA map, and (2) propose any excavations deeper than 5 feet below grade or if significant soils removal is anticipated. The SGMP shall be submitted to the TMD with the project's building permit application and shall be approved by TMD prior to issuance of the building permit.

The SGMP shall comply with the hazardous materials and waste management standards required by BMC Section 15.12.100, the stormwater pollution prevention requirements of San Francisco Bay Regional Water Quality Control Board's Order No. R2-2009-0074, California hazardous waste generator regulations (Title 22 California Code of Regulations (CCR) 66260 et seq.), and the East Bay Municipal Utility District's Ordinance 311, and shall include the following:

- i. procedures for soil and groundwater management including identification of pollutants and disposal methods;
- ii. procedures to manage odors, dust and other potential nuisance conditions expected during development;
- iii. notification to TMD within 24 hours of the discovery of any previously undiscovered contamination; and
- iv. the name and phone number of the individual responsible for implementing the SGMP and who will respond to community questions or complaints.

TMD may require additional information or impose additional conditions as deemed necessary to protect human health and the environment. All requirements of the approved SGMP shall be deemed conditions of approval.

- E. Demolitions & Renovations – Building Materials Survey.** A hazardous materials survey for building materials and plans on hazardous materials and hazardous waste removal and disposal is required and must be prepared by qualified professionals, and submitted to the Toxics Management Division (TMD) prior to issuance of the building permit.
- i. The survey shall include the identification of all materials to be disturbed for lead-based paints, PCB containing equipment and caulking, hydraulic fluids, refrigerants, treated wood, and mercury containing devices (including fluorescent light bulbs and mercury switches), asbestos and other hazardous materials and chemicals.
 - ii. If asbestos is identified, Bay Area Air Quality Management District Regulation 11-2-401.3 a notification must be made and the J number must be made available to the City of Berkeley Permit Service Center. Contractors must follow state regulations where there is asbestos-related work involving 100 square feet or more of asbestos containing material (8 Cal. Code Regs. §1529, §341.6 et seq.)
 - iii. The report to the TMD shall include, in addition to the survey, plans on hazardous materials and hazardous waste removal and disposal that comply with State and Federal codes including California Code of Regulations (CCR) 66260 et seq.
 - iv. Documentation evidencing disposal of hazardous waste in compliance with the survey shall be submitted to TMD within 30 days of the completion of the demolition.

Please note, the PCB Screening Form required by Public Works, Engineering, is a separate requirement and does not address the PCB identification requirement of the Toxics Management Division.

- F. Hazardous Materials Business Plan.** A Hazardous Materials Business Plan (HMBP) in compliance with BMC Section 15.12.040 and California Health & Safety Code, Chapter 6.95 Div. 20, shall be submitted to the Toxics Management Division through the California Environmental Reporting System: <http://cers.calepa.ca.gov/> for chemicals used or stored on site during construction that exceed reporting thresholds. The reporting is required if your facility stores or handles hazardous materials in aggregate quantities equal to or greater than 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet of compressed gases, or generates any quantity of hazardous waste. This includes welding gases, emergency generator fuel, paints, etc.

Additionally, the business occupant must submit an HMBP within 30 days of starting operations.

- G. Petroleum Storage.** An (SPCC) Plan is required to be prepared and implemented for facilities with any one of the following:
- i. aggregate aboveground petroleum storage capacities of 1,320 gallons or more stored in aboveground storage containers, tanks, oil-filled equipment, or
 - ii. one or more tank(s) in an underground area (TIUGA) with petroleum storage capacities of 55 gallons or greater. More information on TIUGAs can be found here: <https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/tank-in-an-underground-area-tiuga/>

The SPCC plan must be prepared prior to beginning operations and you must submit facility information to Toxics Management Division (TMD) through the California Environmental Reporting System: <http://cers.calepa.ca.gov/>. The SPCC plan will be reviewed during the site inspection and shall not be submitted in CERS or to the TMD.

Prior to Issuance of Any Building (Construction) Permit

- 13. 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.
- 14. Recycling and Organics Collection.** Applicant shall provide recycling and organics collection areas for occupants, clearly marked on plans, which comply with the Alameda County Organics Reduction and Recycling Ordinance (2021-02). Contact the Zero Waste Division's Recycling Program Manager, Julia A. Heath, at jheath@berkeleyca.gov.
- 15. 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.

Prior to Demolition or Start of Construction:

- 16. Construction/No Parking Permits.** Contact the Permit Service Center (PSC) at 1947 Center Street or 981-7500 for details on obtaining Construction/No Parking Permits (and associated signs and accompanying dashboard permits). Please note that the Zoning Officer and/or Traffic Engineer may limit off-site parking of construction-related vehicles if necessary to protect the health, safety or convenience of the surrounding neighborhood.

During Construction:

- 17. 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.
- 18. Public Works - Implement Bay Area Air Quality Management District (BAAQMD)- Recommended Measures during Construction.** For all proposed projects, BAAQMD recommends implementing all the Basic Construction Mitigation Measures, listed below to meet the best management practices threshold for fugitive dust:
- H. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - I. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - J. 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.

- K. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- L. 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.
- M. 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.
- N. All construction equipment shall be maintained and properly tuned in accordance with manufacturer specifications. All equipment shall be checked by a certified visible emissions evaluator.
- O. 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.
- 19. Air Quality - Diesel Particulate Matter Controls during Construction.** All off-road construction equipment used for projects with construction lasting more than 2 months shall comply with one of the following measures:
- P. The project applicant shall prepare a health risk assessment that demonstrates the project's on-site emissions of diesel particulate matter during construction will not exceed health risk screening criteria after a screening-level health risk assessment is conducted in accordance with current guidance from BAAQMD and OEHHA. The health risk assessment shall be submitted to the Land Use Planning Division for review and approval prior to the issuance of building permits; or
- Q. All construction equipment shall be equipped with Tier 2 or higher engines and the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type (Tier 4 engines automatically meet this requirement) as certified by the California Air Resources Board (CARB). The equipment shall be properly maintained and tuned in accordance with manufacturer specifications.
- R. In addition, a Construction Emissions Minimization Plan (Emissions Plan) shall be prepared that includes the following:
- iii. An equipment inventory summarizing the type of off-road equipment required for each phase of construction, including the equipment manufacturer, equipment identification number, engine model year, engine certification (tier rating), horsepower, and engine serial number. For all VDECS, the equipment inventory shall also include the technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date.
 - iv. A Certification Statement that the Contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of contract. The Emissions Plan shall be submitted to the Public Works Department for review and approval prior to the issuance of building permits.

- 20. Construction and Demolition Diversion.** Divert debris according to your plan and collect required documentation. Get construction debris receipts from sorting facilities in order to verify diversion requirements. Upload recycling and disposal receipts if using [Green Halo](#) and submit online for City review and approval prior to final inspection. Alternatively, complete the [Construction Waste Management Plan](#) and present it, along with your construction debris receipts, to the Building Inspector by the final inspection to demonstrate diversion rate compliance. The Zoning Officer may request summary reports at more frequent intervals, as necessary to ensure compliance with this requirement.
- 21. Low-Carbon Concrete.** The project shall maintain compliance with the Berkeley Green Code (BMC Chapter 19.37) including use of concrete mix design with a cement reduction of at least 25 percent. Documentation on concrete mix design shall be available at all times at the construction site for review by City Staff. (Project required to meet applicable code at time of building permit application, if different from above.)
- 22. 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.
- 23. 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.
- 24. 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.
- 25. 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.
- F. *Paleontological Worker Environmental Awareness Program (WEAP).* Prior to ground disturbance, the applicant shall incorporate information on paleontological resources into the Project's Worker Environmental Awareness Training (WEAP) materials, or a stand-alone Paleontological Resources WEAP shall be submitted to the Department of Planning and Development at the City of Berkeley. The Qualified Paleontologist or his or her designee shall conduct training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. The Paleontological WEAP training shall be fulfilled simultaneously with the overall WEAP training, or at the first preconstruction meeting at which a Qualified Paleontologist attends prior to ground disturbance. Printed literature (handouts) shall accompany the initial training. Following the initial WEAP training, all new workers and contractors must be trained prior to conducting ground disturbance work.

- G. *Paleontological Monitoring.*** The extent of required paleontological monitoring for the project shall be determined by the Qualified Paleontologist based on an evaluation of the previously undisturbed geologic units exposed during ground disturbing activity. The Qualified Paleontologist shall conduct an initial spot check and evaluation of geologic conditions for ground disturbing activity for excavations between 5-10 feet below ground surface (BGS). The evaluation shall be based on field evidence including lithology of geologic units and results of micro-screening or other inspections for fossil resources. If the paleontologist determines that geologic units exposed between 5-10 feet BGS have high paleontological sensitivity, then full-time monitoring shall be conducted for the duration of ground disturbing activity. If sediments between 5-10 feet BGS are determined to not be paleontological sensitive, spot checks should be conducted again for ground disturbance between 10-15 feet BGS and again for ground disturbance between 15-20 feet BGS, and again to the full depth of ground disturbance. If spot checks indicate low or no paleontological sensitivity, or if full time monitoring results in no fossil discoveries once the full depth of ground disturbance has been reached, paleontological monitoring can be discontinued for the remainder of project activity. Monitoring shall be reinstated if any new ground disturbances are required to depths exceeding previous depths of previous work, and reduction or suspension shall be reconsidered by the Qualified Paleontologist at that time.
- H.** In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. A Qualified Paleontologist shall evaluate the find before restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, the Qualified Paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources:
- i. *Salvage of Fossils.*** If fossils are discovered, the paleontological monitor shall have the authority to halt or temporarily divert construction equipment within 50 feet of the find until the monitor and/or lead paleontologist evaluate the discovery and determine if the fossil may be considered significant. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case, the Construction Contractor may be requested to supply heavy equipment and an operator to assist in the rapid removal of a large fossil specimen(s) or sediment sample(s). Bulk matrix sampling may be necessary to recover small invertebrates or micro-vertebrates from within paleontologically- sensitive Quaternary old alluvial deposits.
 - ii. *Preparation and Curation of Recovered Fossils.*** Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection (such as the UCMP), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Qualified Paleontologist.

- iii. *Final Paleontological Mitigation Report.* Upon completion of ground disturbing activity (and curation of fossils if necessary) the Qualified Paleontologist shall prepare a final report describing the results of the paleontological monitoring efforts associated with the project. The report shall include a summary of the field and laboratory methods, an overview of the project geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. The report shall be submitted to the Department of Planning and Development at the City of Berkeley. If the monitoring efforts produced fossils, then a copy of the report shall also be submitted to the designated museum repository.

26. 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.

27. 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 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. All loading areas must be designated to minimize “run-on” or runoff from the area. Accumulated waste water that may contribute to the pollution of stormwater must be drained to the sanitary sewer or intercepted and pretreated prior to discharge to the storm drain system. The property owner shall ensure that BMPs are implemented to prevent potential stormwater pollution. These BMPs shall include, but are not limited to, a regular program of sweeping, litter control and spill cleanup.
- J. 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.
- K. 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.
- 28. Public Works.** Subject to approval of the Public Works Department, the applicant shall repair any damage to public streets and/or sidewalks by construction vehicles traveling to or from the project site.
- 29. 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.
- 30. Public Works.** The applicant shall ensure that all excavation accounts for surface and subsurface waters and underground streams so as not to adversely affect adjacent properties and rights-of-way.
- 31. 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.

- 32. 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.
- 33. 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.
- 34. Public Works / Building and Safety.** If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Public Works Department and the Building & Safety Division, and carry out any necessary corrective action to their satisfaction.

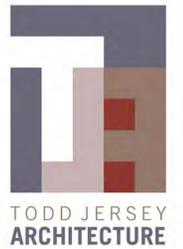
Prior to Final Inspection or Issuance of Occupancy Permit:

- 35. 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.
- 36.** All landscape, site and architectural improvements shall be completed per the attached approved drawings dated December 15, 2023.

At All Times:

- 37. Compliance with Approved Plan.** The project shall conform to the plans and statements in the Use Permit.
- 38. 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.
- 39. Loading.** All loading/unloading activities associated with deliveries to all uses shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. daily.

2901 - 2903 DEAKIN STREET REMODEL & ADDITIONS



SHEET INDEX

GENERAL

TO COVER SHEET
TO.2 PROJECT SITE AND SITE CONTEXT PHOTOGRAPHS
TO.3 COMMUNITY OUTREACH PLAN
CO SURVEY

ARCHITECTURAL

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AE1.1 EXISTING FLOOR PLAN SHOWING DEMOLITION
AE1.2 EXISTING ELEVATIONS SHOWING DEMOLITION
AE1.3 EXISTING ELEVATIONS SHOWING DEMOLITION
AE1.4 DETERMINATION REGARDING STRUCTURAL EVALUATION

A1.0 PROPOSED SITE PLAN/ ROOF PLAN
A1.1 LANDSCAPE /USABLE OPEN SPACE DIAGRAM AND LOT COVERAGE DIAGRAM
A1.2 SHADOW STUDY WINTER SOLSTICE
A1.3 SHADOW STUDY SUMMER SOLSTICE
A1.4 SHADOW STUDY APPLICATION DATE
A2.0 PROPOSED FIRST FLOOR PLAN
A2.1 PROPOSED SECOND LEVEL PLAN
A3.0 PROPOSED BUILDING SECTIONS
A3.1 PROPOSED BUILDING SECTIONS
A4.0 PROPOSED BUILDING ELEVATION- WEST
A4.1 PROPOSED BUILDING ELEVATION- NORTH
A4.2 PROPOSED BUILDING ELEVATION- SOUTH
A4.3 PROPOSED BUILDING ELEVATION- EAST

PROJECT DATA

1. APN:	52-1580-1
2. LOT SIZE:	±3,722 SF (3715)
3. GENERAL PLAN:	LOW MEDIUM DENSITY RESIDENTIAL
4. ZONING:	R-2
5. OCCUPANCY TYPE:	R3
6. CONSTRUCTION TYPE:	VB
7. EXISTING NO. OF STORY:	1
8. EXISTING BUILDING HEIGHT (AVERAGE HEIGHT):	±13'-10"
9. EXISTING TOTAL FLOOR AREA OF HOUSE:	± 1,314 SF
10. EXISTING FLOOR AREA OF GARAGE:	± 409 SF (TO BE DEMOLISHED)
11. EXISTING PARKING SPACE:	2
12. EXISTING COVERAGE:	49%
13. PROPOSED NO. OF STORY:	2
14. PROPOSED BUILDING HEIGHT (AVERAGE HEIGHT):	±23'-8"
15. PROPOSED TOTAL FLOOR AREA OF THE HOUSE:	2,720 SF
16. FLOOR AREA INCREASE OF THE HOUSE:	1,406 SF
17. SITE COVERAGE AFTER REMODEL:	45%
18. PARKING SPACE AFTER REMODEL:	2
19. FIRE ZONE:	2
20. BUILDING SPRINKLERED BEFORE REMODEL? (Y/N)	NO
21. BUILDING SPRINKLERED AFTER REMODEL? (Y/N)	NO
22. SEISMIC HAZARDS (FAULT, LANDSLIDE, LIQUEFACTION) ZONE:	NO



PERSPECTIVE VIEW:
FROM THE STREET LOOKING SOUTH EAST SHOWING NEW HOUSE AFTER REMODELING

PROJECT NAME
2901-2903 DEAKIN STREET
REMODEL & ADDITIONS

PROJECT ADDRESS
2901-2903 DEAKIN ST,
BERKELEY, CA 94705

OWNER INFO.
MARGRET LEVENTHAL

SUBMITAL TYPE
PLANNING REVIEW

DATE PRINTED
5/17/2023

REVISIONS

- RESPONSE TO 1ST PLANNING COMMENTS- 20230802
- RESPONSE TO PLANNING COMMENTS- 20231214

NOTES

CHECKED BY
T. JERSEY

DRAWN BY
R HUANG

SHEET TITLE
COVER SHEET

STAMP
TODD JERSEY ARCHITECTURE
T.0

TODD JERSEY ARCHITECTURE, INC.
1321 8TH STREET, SUITE #2, BERKELEY, CALIFORNIA
(510) 528-5477 WWW.TODDJERSEYARCHITECTURE.COM

TABULATION FORM



TABULATION FORM

Project Address: 2901-2903 Deakin St Date: 12/14/2023
Applicant's Name: Rueytsu Huang
Zoning District: R-2

Please print in ink the following numerical information for your Administrative Use Permit, Use Permit, or Variance application:

	Existing	Proposed	Permitted/ Required ¹
Units, Parking Spaces & Bedrooms			
Number of Dwelling Units (#)	2	2	2
Number of Parking Spaces (#)	2	2	2
Number of Bedrooms (#) (R-1, R-1A, R-2, R-2A, and R-3 only)	2	6	N/A
Yards and Height			
Front Yard Setback (Feet)	29'-1"	29'-1"	20'
Side Yard Setbacks: (facing property)			
Left: (Feet)	15'-11"	15'-11"	20'
Right: (Feet)	3'-7"	3'-7"	4'
Rear Yard Setback (Feet)	25'-10"	25'-10"	20'
Building Height* (# Stories)	1	2	3
Average* (Feet)	13'-10"	23'-8"	28'
Maximum* (Feet)	N/A	N/A	N/A
Areas			
Lot Area (Square-Feet)	3,722	3,722	4,500
Gross Floor Area* (Square-Feet)	1,314	2,720	N/A
Total Area Covered by All Floors			
Building Footprint* (Square-Feet)	1,828	1,674	1,675
Total of All Structures			
House: 1,419			
Garage: 409			
Lot Coverage* (%)	49%	45%	45%
Residential districts only (Building Footprint/Lot Area)			
Useable Open Space* (Square-Feet)	1,340	837	800
Floor Area Ratio* (%)	N/A	N/A	N/A
Non-Residential districts only (Except ES-R)			

*See Glossary - BMC Chapter 23.502 Revised: 12/21

¹ See development standards for the Zoning District, per the Berkeley Municipal Code, Chapters 23.202 and 23.204 g. Useable forms & instructions/land use planning forms/word files/forms_zoning project application/december 2021 - bzo related/zoning project application_form.docx

FLOOR AREA TABULATION

FLOOR	DUPLEX RESIDENCE		GARAGE	
	EXISTING (SQ.FT)	PROPOSED (SQ.FT)	EXISTING (SQ.FT)	PROPOSED (SQ.FT)
FIRST	1,314	1,406	409	0
SECOND	N/A	1,314	N/A	0
TOTAL	1,314	2,720	409	0

PROJECT TEAM DIRECTORY

OWNER: MARGRET LEVENTHAL
1805 MARTIN LUTHER KING JR. WAY
BERKELEY, CA 94705
MAGGIE@LOKELANI.COM
(510) 851-1776

ARCHITECT: TODD JERSEY, AIA
TODD JERSEY ARCHITECTURE, INC.
1321 8TH STREET, SUITE #2
BERKELEY, CA 94710
TODD@TODDJERSEYARCHITECTURE.COM
(510) 334-3626

APPLICABLE CODES

- 2022 CALIFORNIA BUILDING CODE (CBC)
- 2022 CALIFORNIA RESIDENTIAL CODE (CRC)
- 2022 CALIFORNIA FIRE CODE (CFC)
- 2022 CALIFORNIA MECHANICAL CODE (CMC)
- 2022 CALIFORNIA PLUMBING CODE (CPC)
- 2022 CALIFORNIA ELECTRICAL CODE (CEC)
- 2022 CALIFORNIA GREEN BUILDING CODE STANDARDS (CGBS)
- 2022 CALIFORNIA ENERGY CODE
- CITY OF BERKELEY CODE AMMENDMENTS: ZONING AND BUILDING

PROJECT DESCRIPTIONS/APPLICANT STATEMENT

THE SUBMITTAL PROPOSES TO EXPAND AN EXISTING 1,341 SF DUPLEX RESIDENCE ON A CORNER LOT AT 2901-2903 DEAKIN ST IN BERKELEY. THE EXISTING SINGLE STORY BUILDING WILL BE LIFTED 10 FEET-6 INCHES AND REMODELED AS A NEW SECOND LEVEL. A NEW FIRST LEVEL WILL THEN BE CONSTRUCTED UNDERNEATH THE RAISED LEVEL.

THE EXISTING CHIMNEYS WILL BE DEMOLISHED. THE RECESSED FRONT PORCH SPACE WILL BE INFILLED AND BUILT INTO THE TWO-STORY MASSING. THE FIRST LEVEL AND SECOND LEVEL WILL HAVE THE SAME RECTANGULAR FOOTPRINTS. THE ROOF USED TO COVER THE PORCH WILL BE DEMOLISHED, REBUILT AND INTEGRATED WITH THE PARTIAL NEW ROOF BUILT ON TOP OF THE EXISTING ROOF TO SIMPLIFY THE ROOF FORM. THE COMPLETED ROOF FORM WILL BE A SIMPLE HIP ROOF.

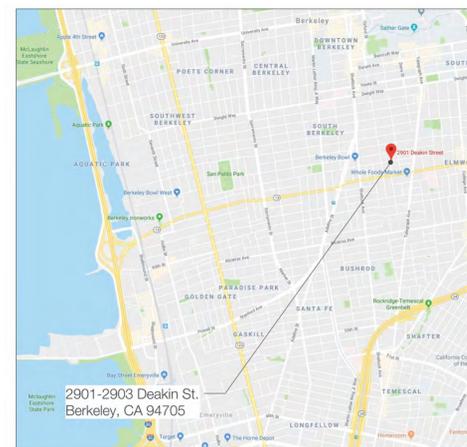
AFTER THE REMODEL, THE TOTAL GROSS FLOOR BECOMES 2,720 SF. THE NEW BUILDING HEIGHT IS 23 FEET - 8 INCHES AND IS UNDER THE MAXIMUM HEIGHT ALLOWED IN THIS ZONE. THE EXISTING DETACHED TWO-CAR GARAGE WILL BE DEMOLISHED BUT THE CONCRETE SLAB WILL BE PRESERVED FOR PARKING. A NEW PORCH FOR EACH UNIT WILL BE ADDED TO THE FRONT OF THE HOUSE.

THE NEW BUILDING WILL BE BUILT TO PASSIVE HOUSE STANDARDS AND REPRESENTS THE HIGHEST LEVEL OF ENERGY EFFICIENCY IN THE INDUSTRY.

THIS APPLICATION REQUIRES THESE PERMITS:

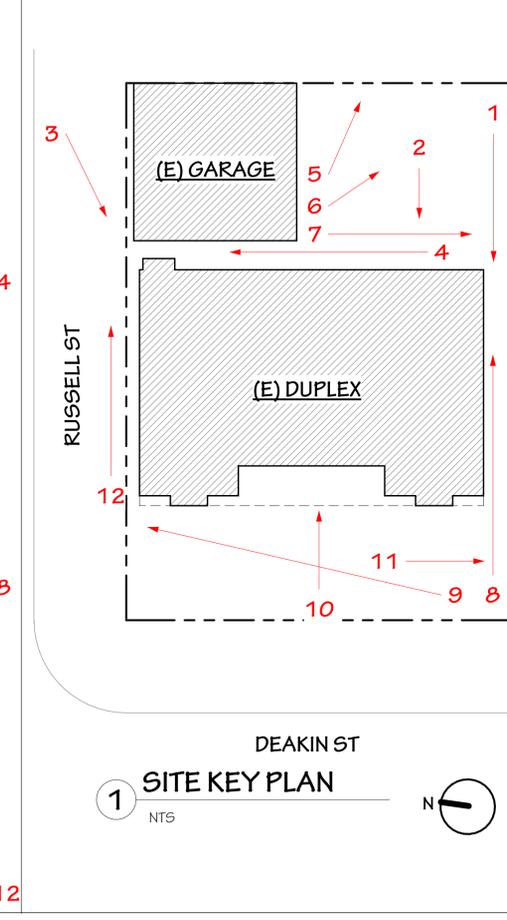
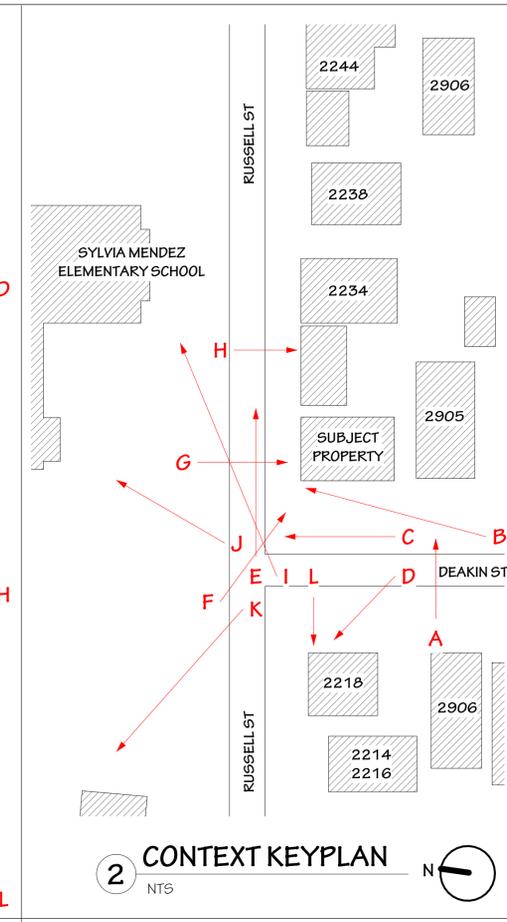
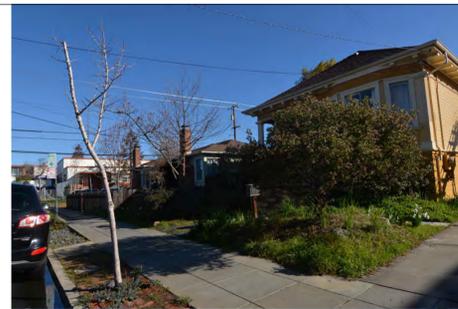
- THE PROJECT PROPOSES A MAJOR ADDITION THAT EXCEEDS 15% OF THE LOT AREA. WE ARE APPLYING FOR AN ADMINISTRATIVE USE PERMIT (AUP).
- THE ADDITION EXCEEDS THE 14 FEET ADDITION AVERAGE HEIGHT LIMIT. WE ARE APPLYING FOR AN ADMINISTRATIVE USE PERMIT (AUP).
- THE EXISTING STRUCTURE WAS BUILT BEFORE PLANNING AND ZONING RESTRICTIONS AND HAS NONCONFORMING FRONT AND SIDE SETBACKS. TO LIFT THE STRUCTURE, WE WILL BE INCREASING THE HEIGHT OF THESE NON-CONFORMING WALLS. WE ARE APPLYING FOR AN ADMINISTRATIVE USE PERMIT (AUP) TO BUILD ADDITIONS THAT VERTICALLY EXTEND THE NON-CONFORMING FRONT AND SIDE SETBACKS.
- THE EXISTING SINGLE-STORY DUPLEX DOES NOT CONFORM WITH THE MINIMUM LOT SIZE. THE PROPOSED PROJECT REMAINS A DUPLEX AND DOES NOT EXACERBATE THE NONCONFORMING STATUS. WE ARE APPLYING FOR AN ADMINISTRATIVE USE PERMIT (AUP).

VICINITY MAP



LOCATION MAP





PROJECT NAME
 2901-2903 DEAKIN STREET
 REMODEL & ADDITIONS

PROJECT ADDRESS
 2901-2903 DEAKIN ST,
 BERKELEY, CA 94705

OWNER INFO.
 MARGRET LEVENTHAL

SUBMITAL TYPE
 PLANNING REVIEW

DATE PRINTED
 5/17/2023

REVISIONS
 1 RESPONSE TO 1ST PLANNING COMMENTS- 20230902
 2 RESPONSE TO PLANNING COMMENTS- 20231214

CHECKED BY
 T. JERSEY

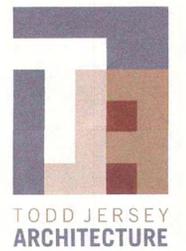
DRAWN BY
 Z. XU

SHEET TITLE
 PROJECT SITE AND
 SITE CONTEXT
 PHOTOGRAPHS

STAMP
 LICENSED ARCHITECT
 TODD C. JERSEY
 No. 73120
 STATE OF CALIFORNIA

SHEET NUMBER
 10.2

TODD JERSEY ARCHITECTURE, INC.
 1321 8TH STREET, SUITE #2, BERKELEY, CALIFORNIA
 (510) 528-5477 WWW.TODDJERSEYARCHITECTURE.COM



PROJECT NAME
2901-2903 DEAKIN STREET
REMODEL & ADDITIONS

PROJECT ADDRESS
2901-2903 DEAKIN ST,
BERKELEY, CA 94705

OWNER INFO.
MARGRET LEVENTHAL

SUBMITTAL TYPE
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DATE PRINTED
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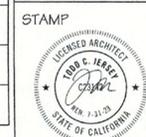
REVISIONS

NOTES

CHECKED BY
T. JERSEY

DRAWN BY
R. HUANG

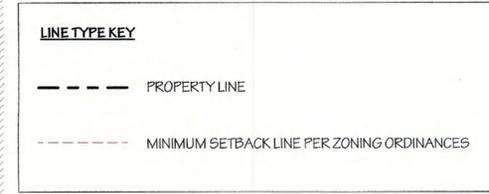
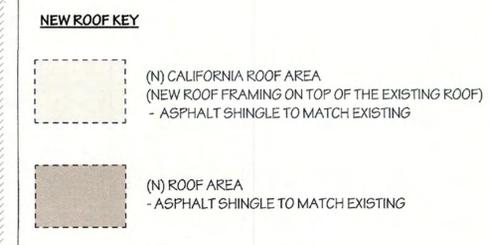
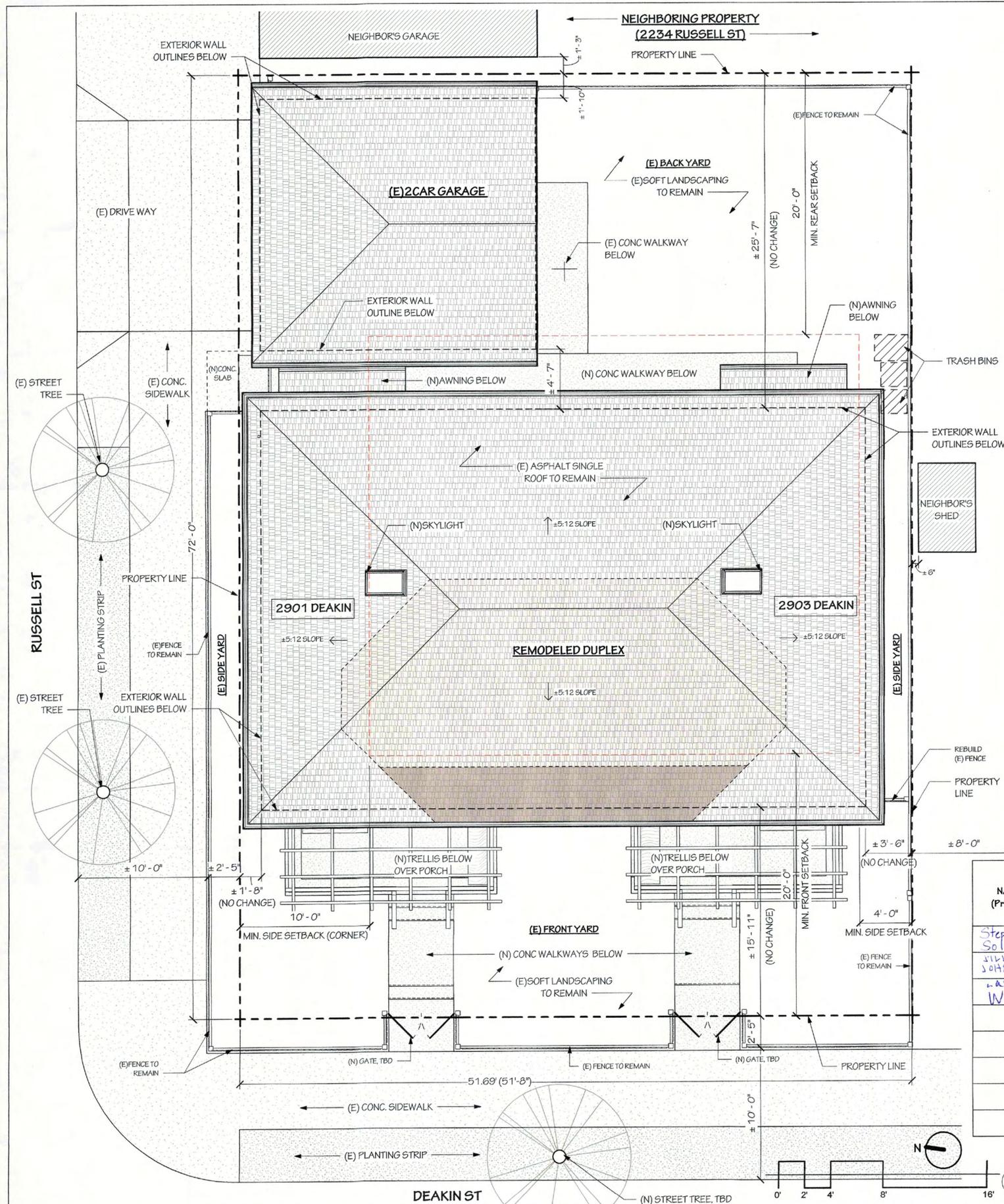
SHEET TITLE
COMMUNITY
OUTREACH PLAN



SHEET NUMBER

10.3

TODD JERSEY ARCHITECTURE, INC.
1321 8TH STREET, SUITE #2, BERKELEY, CALIFORNIA
(510) 528-5477 WWW.TODDJERSEYARCHITECTURE.COM



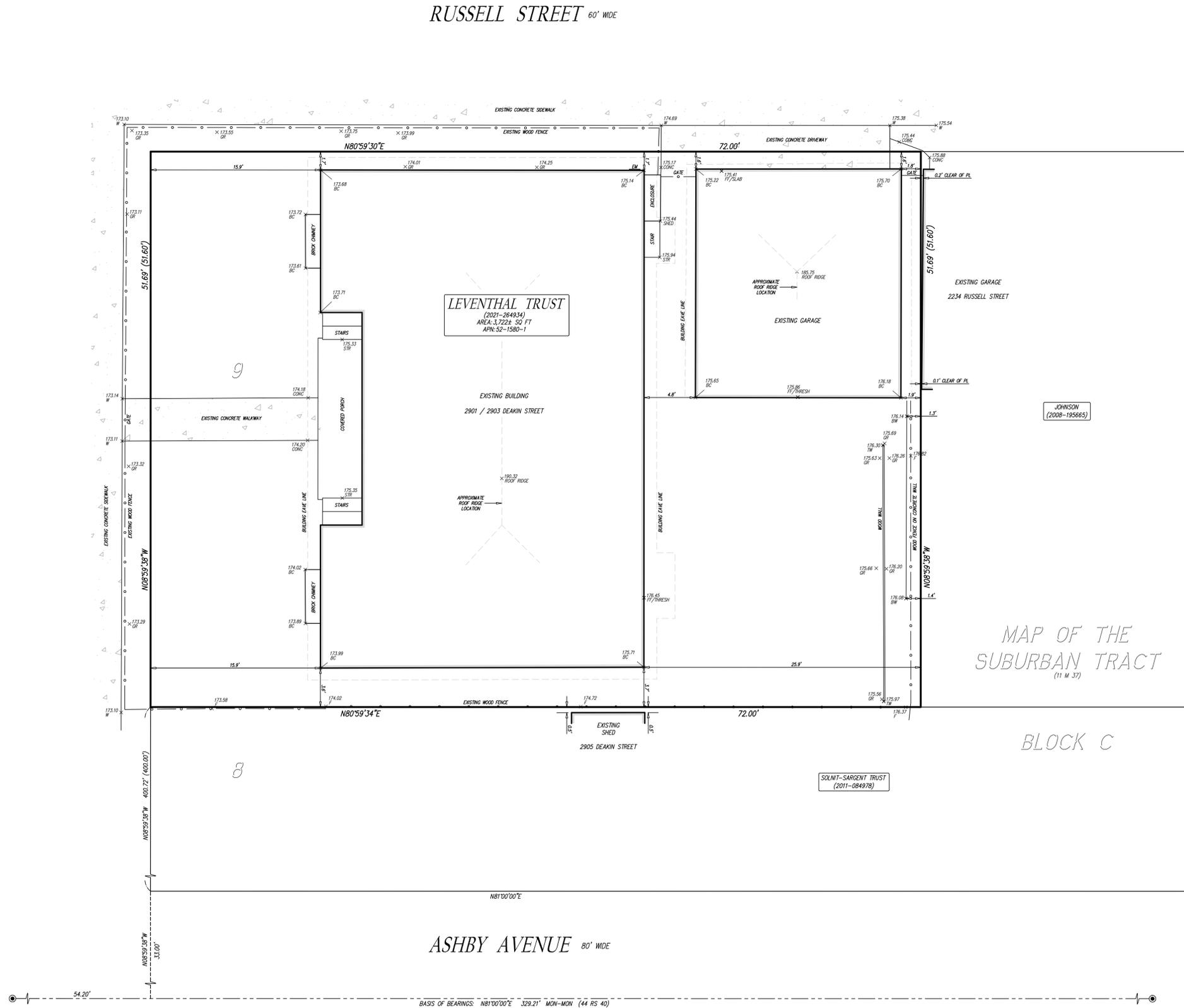
NEIGHBORING
PROPERTY
(2905 DEAKIN ST)



I HAVE REVIEWED THE PLANS FOR THE PROPOSED REMODEL AND ADDITIONS AT 2901-2903 DEAKIN ST

NAME (Printed)	SIGNATURE	ADDRESS (# STREET)	RENTER or OWNER	DATE	HAVE NO OBJECTIONS (X)	HAVE OBJECTIONS (PLEASE STATE BRIEFLY)	HAVE NO COMMENT (X)
Stephen Solnit	<i>Stephen Solnit</i>	2905 Deakin St.	Owner	5/13/23	X		Great project!
JILL JOHNSON	<i>Jill Johnson</i>	2224 RUSSELL ST. BERKELEY		6/13/23	X		
AURA WEST	<i>Aura West</i>	2218 RUSSELL ST	owner	5/22/23	X		

1 PROPOSED SITE PLAN - COMMUNITY OUTREACH
1/4" = 1'-0"



- LEGEND**
- FOUND STANDARD CITY OF BERKELEY STREET WELL MONUMENT
 - () RECORD DATA PER (11 M 37)
 - BC BUILDING CORNER
 - BW BOTTOM OF WALL
 - CONC CONCRETE
 - EM ELECTRIC METER
 - F FENCE
 - FF FINISHED FLOOR
 - GR GROUND SPOT ELEVATION
 - STR STAIR
 - TW TOP OF WALL
 - W BACK OF SIDEWALK
-
- SUBJECT PROPERTY
 - RIGHT OF WAY/ADJACENT LOT LINE
 - MONUMENT LINE
 - TIE LINE
 - FENCELINE

OWNER:
 MARGARET ELAINE LEVENTHAL
 TRUSTEE OF THE MARGARET ELAINE LEVENTHAL REVOCABLE TRUST
 2901-2903 DEAKIN STREET
 BERKELEY, CA 94705

BASIS OF BEARINGS:
 MONUMENT LINE WITHIN ASHBY AVENUE PER RECORD OF SURVEY NO. 2935 (44 RS 40)
 BEARING: N81°00'00"E

BENCHMARK:
 CITY OF BERKELEY BENCHMARK DESIGNATION 597E241
 CUT SQUARE LOCATED ON THE TOP OF SOUTH CURB LINE OF RUSSELL STREET AT
 THE WEST SIDE OF THE DRIVEWAY TO 2901 DEAKIN STREET
 ELEV: 174.45' (CITY OF BERKELEY VERTICAL DATUM)

- NOTE:**
- 1) THIS MAP HAS BEEN PREPARED TO DEPICT EXISTING SITE CONDITIONS LIMITED TO BUILDINGS AND PERIMETER FEATURES WITH RESPECT TO THE PROPERTY LINES - NOT A FULL SITE SURVEY.
 - 2) EXISTING BUILDINGS SHOWN HEREON DEPICT FIELD SURVEYED LOCATION AT GROUND LEVEL. MEASUREMENTS TAKEN AT EXTERIOR FINISHED SIDING/TRIM.
 - 3) EASEMENTS OF RECORD (IF ANY) NOT SHOWN - NO TITLE REPORT WAS PROVIDED TO THE SURVEYOR.
 - 4) DIMENSIONS SHOWN AT RIGHT ANGLE TO PROPERTY LINE - UNLESS OTHERWISE NOTED.
 - 5) DISTANCES SHOWN IN US SURVEY FEET AND DECIMALS THEREOF.

SURVEYOR'S STATEMENT:
 THIS MAP CORRECTLY REPRESENTS A FIELD SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE CALIFORNIA LAND SURVEYORS ACT AT THE REQUEST OF MARGARET LEVENTHAL IN JANUARY, 2023.



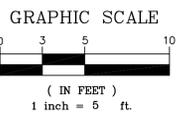
Ryan C. Engel
 RYAN C. ENGEL, PLS 9022
 DATE: 02/15/2023

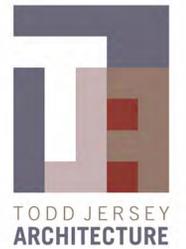
BOUNDARY & FEATURE LOCATION SURVEY

THAT REAL PROPERTY DESCRIBED IN THAT CERTAIN DEED
 RECORDED AUGUST 2, 2021
 SERIES NO. 2021-264934
 OFFICIAL RECORDS ALAMEDA COUNTY
 BEING A PORTION OF LOT 9, BLOCK C
 MAP OF THE SUBURBAN TRACT (11 M 37)
 CITY OF BERKELEY, ALAMEDA COUNTY, CALIFORNIA
 FEBRUARY, 2023 SCALE: 1" = 5'

BA LS BAY AREA LAND SURVEYING INC
 3065 RICHMOND PARKWAY, SUITE 101
 RICHMOND, CA 94806
 (510) 223-5167

C0





PROJECT NAME
 2901-2903 DEAKIN STREET
 REMODEL & ADDITIONS

PROJECT ADDRESS
 2901-2903 DEAKIN ST,
 BERKELEY, CA 94705

OWNER INFO.
 MARGRET LEVENTHAL

SUBMITTAL TYPE
 PLANNING REVIEW

DATE PRINTED
 5/17/2023

REVISIONS

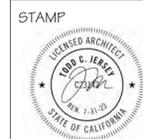
- 1 RESPONSE TO 1ST PLANNING COMMENTS- 20230802
- 2 RESPONSE TO PLANNING COMMENTS- 20231214

NOTES

CHECKED BY
 T. JERSEY

DRAWN BY
 Z. XU

SHEET TITLE
 (E) SITE PLAN / ROOF
 PLAN SHOWING
 DEMOLITION



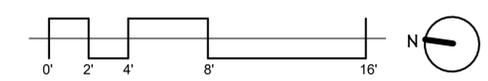
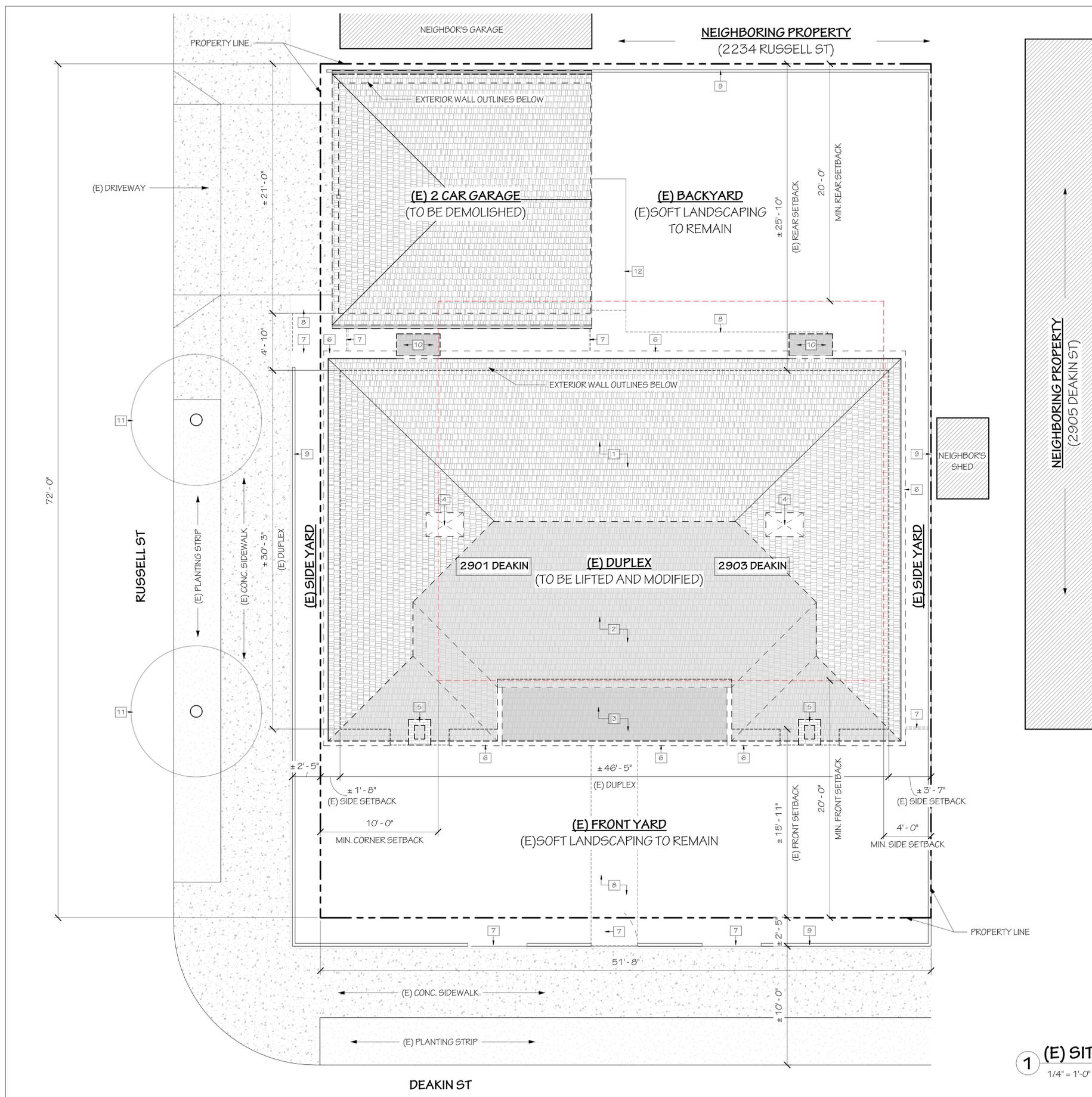
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AE1.0

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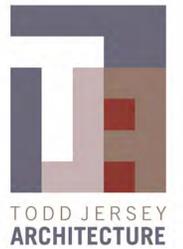
LINE TYPE KEY	
	PROPERTY LINE
	MINIMUM SETBACK LINE PER ZONING ORDINANCES
	EXTERIOR WALL OUTLINE BELOW
	GROUND LEVEL ELEMENTS TO BE DEMOLISHED

DEMOLITION KEY	
	AREA OF (E) ROOF TO REMAIN
	AREA OF (E) ROOF SHEATHING AND SHINGLES TO BE REMOVED
	AREA OF (E) ROOF ASSEMBLY TO BE DEMOLISHED

DEMOLITION NOTES	
1	PORTION OF (E) ROOF TO REMAIN.
2	PORTION OF (E) ROOF SHEATHING AND SHINGLES TO BE REMOVED. (E) ROOF FRAMING TO REMAIN
3	PORTION OF ENTIRE (E) ROOF ASSEMBLY TO BE DEMOLISHED.
4	AREA OF (E) ROOF TO BE DEMOLISHED FOR FUTURE SKYLIGHTS. SEE PROPOSED ROOF PLAN FOR EXACT DIMENSION AND LOCATION ON A 1.0.
5	(E) CHIMNEY AND FIREPLACE TO BE DEMOLISHED.
6	ALL (E) GUTTER TO BE REMOVED.
7	PORTION OF (E) FENCE TO BE REMOVED.
8	(E) CONCRETE WALKWAY TO BE DEMOLISHED.
9	(E) FENCE TO BE REMAIN.
10	(E) OVERHANG TO BE DEMOLISHED.
11	(E) STREET TREES TO REMAIN.
12	(E) CONCRETE WALKWAY TO REMAIN.



1 (E) SITE PLAN / ROOF PLAN SHOWING DEMOLITION
 1/4" = 1'-0"



PROJECT NAME
2901-2903 DEAKIN STREET
REMODEL & ADDITIONS

PROJECT ADDRESS
2901-2903 DEAKIN ST,
BERKELEY, CA 94705

OWNER INFO.
MARGRET LEVENTHAL

SUBMITAL TYPE
PLANNING REVIEW

DATE PRINTED
5/17/2023

REVISIONS

- 1 RESPONSE TO 1ST PLANNING COMMENTS- 20230802
- 2 RESPONSE TO PLANNING COMMENTS- 20231214

NOTES

CHECKED BY
T. JERSEY

DRAWN BY
Z. XU

SHEET TITLE
EXISTING FLOOR PLAN
SHOWING DEMOLITION

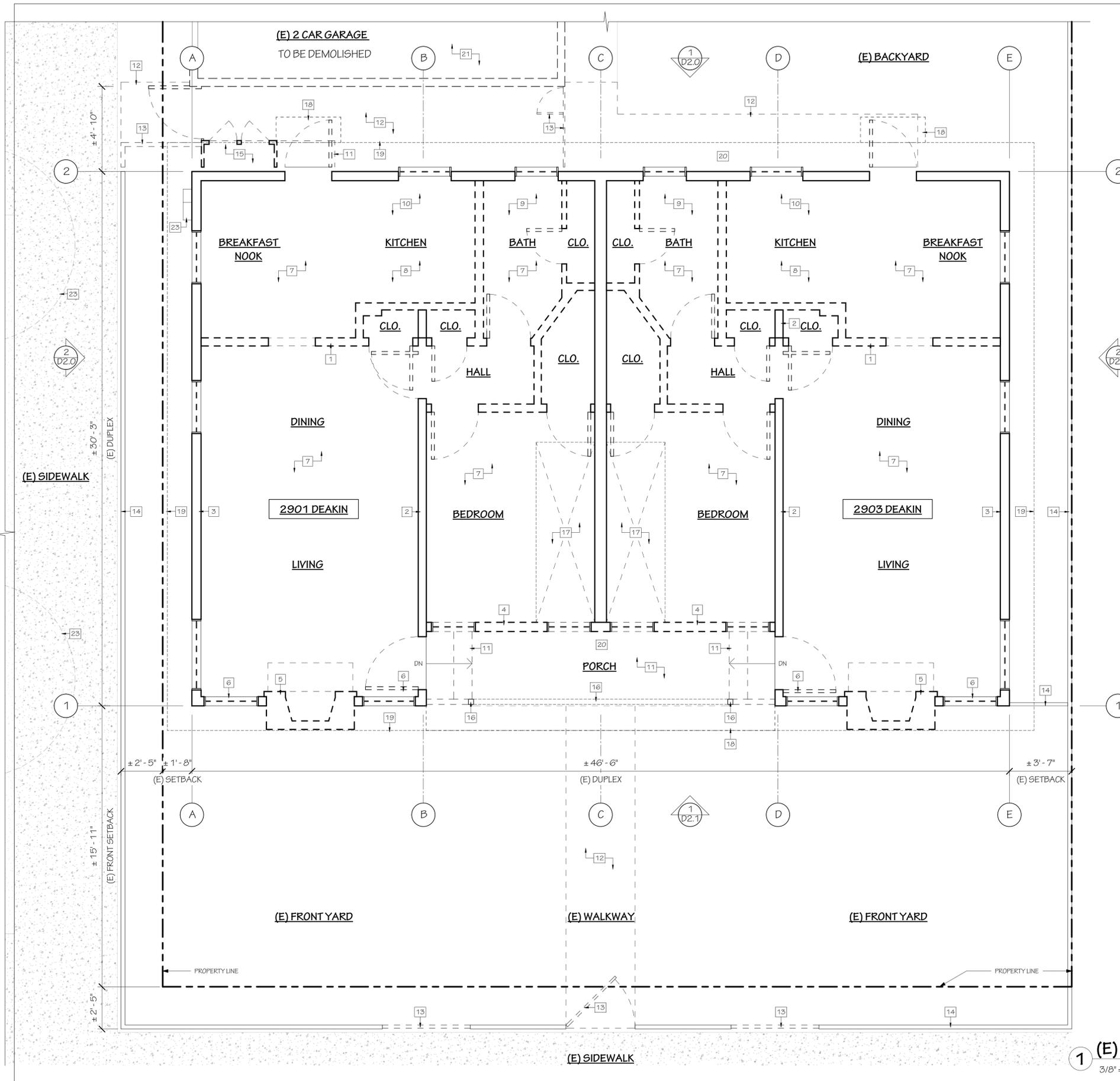
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SHEET NUMBER
AE1.1

TODD JERSEY ARCHITECTURE, INC.
1321 8TH STREET, SUITE #2, BERKELEY, CALIFORNIA
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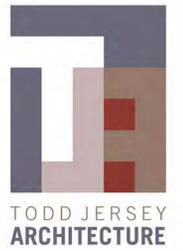
DEMOLITION KEY	
[- - - -]	(E) TO BE DEMOLISHED
[_____]	(E) TO REMAIN
[- - - -]	(E) ROOF TO REMAIN
[- - - -]	(E) SHEATHING & SHINGLES TO BE REMOVED
[- - - -]	(E) ROOF ASSEMBLY TO BE DEMOLISHED

DEMOLITION NOTES	
1	ALL EXISTING INTERIOR WALLS TO BE DEMOLISHED UNLESS OTHERWISE NOTED, TYP.
2	EXISTING INTERIOR WALLS TO REMAIN.
3	ALL EXISTING EXTERIOR WALLS TO REMAIN UNLESS OTHERWISE NOTED, TYP.
4	EXISTING EXTERIOR WALLS TO BE DEMOLISHED, PATCH AND REPAIR AS NEEDED.
5	EXISTING FIREPLACE AND CHIMNEY TO BE DEMOLISHED, PATCH AND REPAIR TO MATCH ADJACENT WALLS.
6	ALL EXISTING WINDOW & DOOR TO BE REMOVED, TYP. PATCH AND REPAIR WALL AS NEEDED.
7	ALL EXISTING FLOOR FINISH TO BE REMOVED, TYP. INSPECT FOR DRYROT, REPLACE SUBFLOOR AS NEEDED, SAND DOWN SUBFLOOR TO LEVEL TO RECEIVE (N) FLOOR FINISH.
8	ALL EXISTING BUILD-IN FURNITURE AND MILLWORKS TO BE REMOLISHED, TYP.
9	ALL PLUMBING FIXTURE TO BE REMOVED, TYP.
10	ALL ELECTRICAL AND GAS APPLIANCES TO BE REMOVED, TYP.
11	EXTERIOR CONCRETE STEPS AND PORCH TO BE DEMOLISHED.
12	EXISTING CONCRETE WALKWAY TO BE DEMOLISHED.
13	PORTION OF (E) FENCE TO BE REMOVED, VERIFY LOCATION AND DIMENSION WITH PROPOSED SITE PLAN ON A1.0
14	(E) FENCE TO REMAIN AND MODIFIED, SEE NOTE 13.
15	(E) EXTERIOR STORAGE TO BE DEMOLISHED, (E) PGNE GAS METERS TO REMAIN. PATCH AND REPAIR (E) EXTERIOR WALL AS NEEDED.
16	(E) COLUMNS AND (E) BEAM ABOVE TO BE DEMOLISHED.
17	PORTION OF (E) FLOOR TO BE DEMOLISHED FOR FUTURE STAIR, VERIFY LOCATION AND DIMENSION WITH PROPOSED SECOND LEVEL PLAN ON A2.1
18	PORTION OF (E) OVERHANG TO BE DEMOLITION, SEE EXISTING ROOF PLAN SHOWING DEMOLITION ON AE1.0 FOR MORE INFORMATION.
19	LINE OF (E) OVERHANG ABOVE
20	ALL (E) ELECTRICAL FIXTURES TO BE REMOVED AND CAP CIRCUIT FOR FUTURE USE, TYP.
21	(E) GARAGE TO BE DEMOLISHED
22	(E) ELECTRICAL METERS TO REMAIN
23	(E) STREET TREES TO REMAIN



GROSS FLOOR AREA: 1314 SF

1 (E) FLOOR PLAN SHOWING DEMOLITION N
3/8" = 1'-0"



PROJECT NAME
 2901-2903 DEAKIN STREET
 REMODEL & ADDITIONS

PROJECT ADDRESS
 2901-2903 DEAKIN ST,
 BERKELEY, CA 94705

OWNER INFO.
 MARGRET LEVENTHAL

SUBMITAL TYPE
 PLANNING REVIEW

DATE PRINTED
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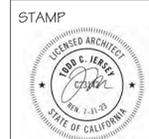
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NOTES

CHECKED BY
 T. JERSEY

DRAWN BY
 Z. XU

SHEET TITLE
 EXISTING ELEVATIONS
 SHOWING DEMOLITION

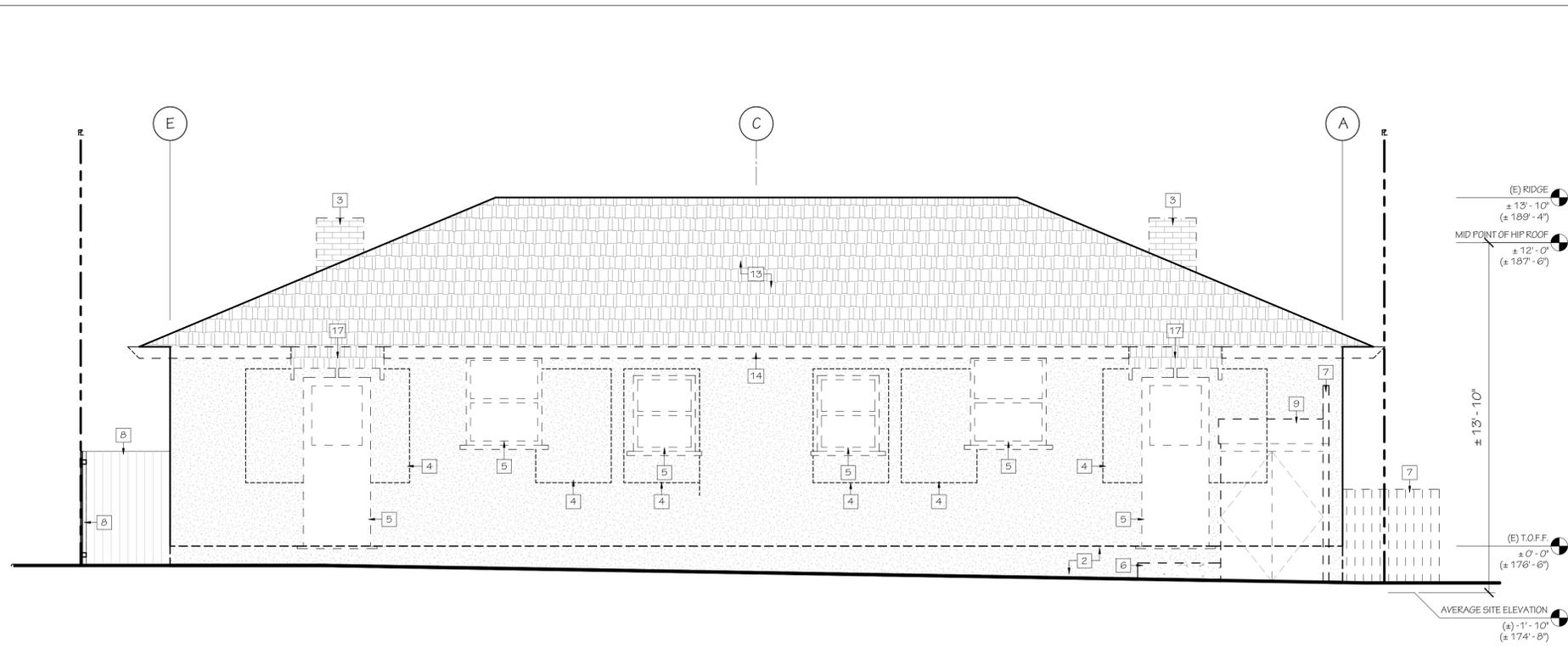


SHEET NUMBER
AE1.2

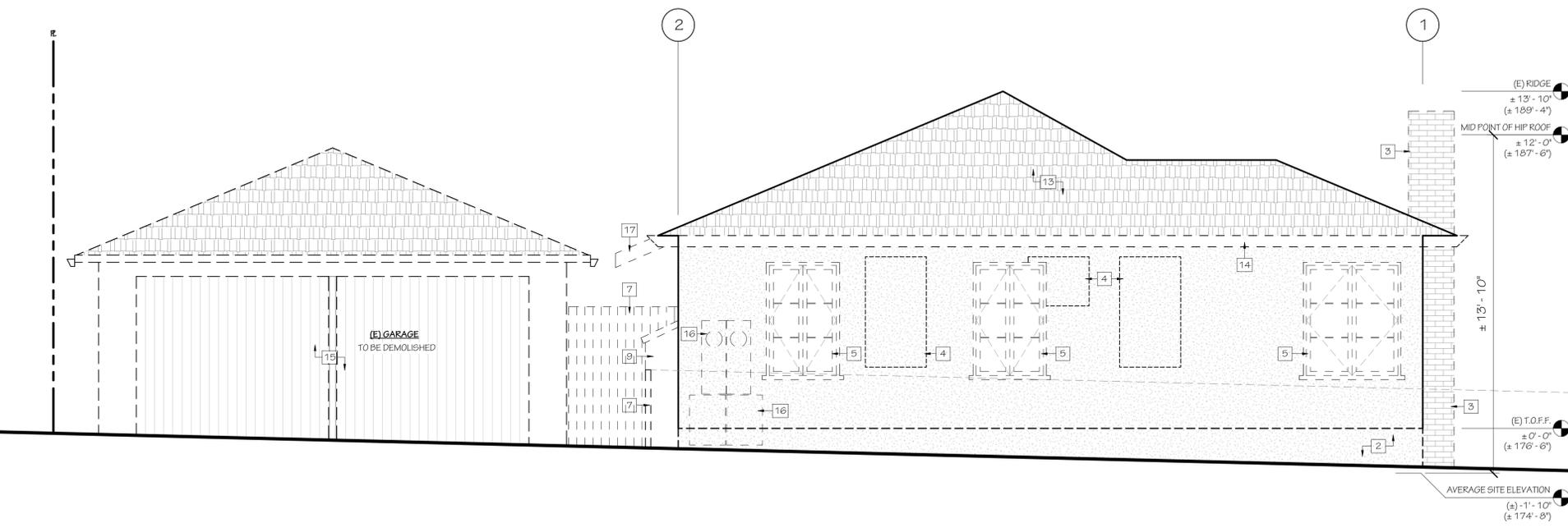
TODD JERSEY ARCHITECTURE, INC.
 1321 8TH STREET, SUITE #2, BERKELEY, CALIFORNIA
 (510) 528-5477 WWW.TODDJERSEYARCHITECTURE.COM

DEMOLITION KEY	
[- - - -]	(E) TO BE DEMOLISHED
[_____]	(E) TO REMAIN
[- - - -]	(E) SHEATHING & SHINGLES TO BE REMOVED
[- - - -]	(E) ROOF ASSEMBLY TO BE DEMOLISHED

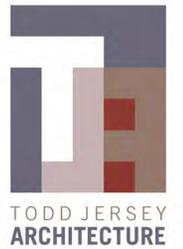
DEMOLITION NOTES	
1	(E) EXTERIOR WALLS TO BE DEMOLISHED, PATCH AND REPAIR AS NEEDED.
2	(E) CRAWLSPACE AND FOUNDATION TO BE DEMOLISHED, (E) SILL PLATE AND FLOOR ASSEMBLY TO REMAIN.
3	EXISTING FIREPLACE AND CHIMNEY TO BE DEMOLISHED, PATCH AND REPAIR TO MATCH ADJACENT WALLS.
4	PORTION OF (E) EXTERIOR WALLS TO BE DEMOLISH FOR (N) WINDOW OPENING, VERIFY WINDOW SIZE AND LOCATION PER PROPOSED ELEVATIONS ON A4.0 SERIES.
5	ALL EXISTING WINDOW & DOOR TO BE REMOVED, TYP. PATCH AND REPAIR WALL AS NEEDED.
6	EXTERIOR CONCRETE STEPS AND PORCH TO BE DEMOLISHED.
7	PORTION OF (E) FENCE TO BE REMOVED, VERIFY LOCATION AND DIMENSION WITH PROPOSED SITE PLAN ON A1.0
8	(E) FENCE TO REMAIN AND MODIFIED PER DEMOLITION PLAN ON AE1.0
9	(E) EXTERIOR STORAGE TO BE DEMOLISHED, (E) PGNE GAS METERS TO REMAIN, PATCH AND REPAIR (E) EXTERIOR WALL AS NEEDED.
10	(E) COLUMNS AND (E) BEAM ABOVE TO BE DEMOLISHED.
11	PORTION OF ENTIRE ROOF ASSEMBLY TO BE DEMOLISHED, SEE (E) ROOF PLAN SHOWING DEMOLITION ON AE1.1 FOR MORE INFORMATION.
12	PORTION OF ROOF SHEATHING AND SHINGLES TO BE REMOVED, (E) ROOF FRAMING TO REMAIN, SEE (E) ROOF PLAN SHOWING DEMOLITION ON AE1.1 FOR MORE INFORMATION.
13	(E) ROOF TO BE REMAIN AND MODIFIED PER NOTE 11 & 12.
14	ALL (E) GUTTER TO BE REMOVED, TYP.
15	(E) GARAGE TO BE DEMOLISHED
16	(E) ELECTRICAL METERS TO BE REMOVED AND SAVE FOR FUTURE.
17	PORTION OF (E) OVERHANG TO BE DEMOLISHED.



(AVERAGE SITE ELEVATION: 174' - 8")
1 EXISTING EAST ELEVATION SHOWING DEMOLITION
 3/8" = 1'-0"



(AVERAGE SITE ELEVATION: 174' - 8")
2 EXISTING NORTH ELEVATION SHOWING DEMOLITION
 3/8" = 1'-0"



PROJECT NAME
 2901-2903 DEAKIN STREET
 REMODEL & ADDITIONS

PROJECT ADDRESS
 2901-2903 DEAKIN ST,
 BERKELEY, CA 94705

OWNER INFO.
 MARGRET LEVENTHAL

SUBMITAL TYPE
 PLANNING REVIEW

DATE PRINTED
 5/17/2023

REVISIONS

- 1 RESPONSE TO 1ST PLANNING COMMENTS- 20230802
- 2 RESPONSE TO PLANNING COMMENTS- 20231214

NOTES

CHECKED BY
 T. JERSEY

DRAWN BY
 Z. XU

SHEET TITLE
 EXISTING ELEVATIONS
 SHOWING DEMOLITION

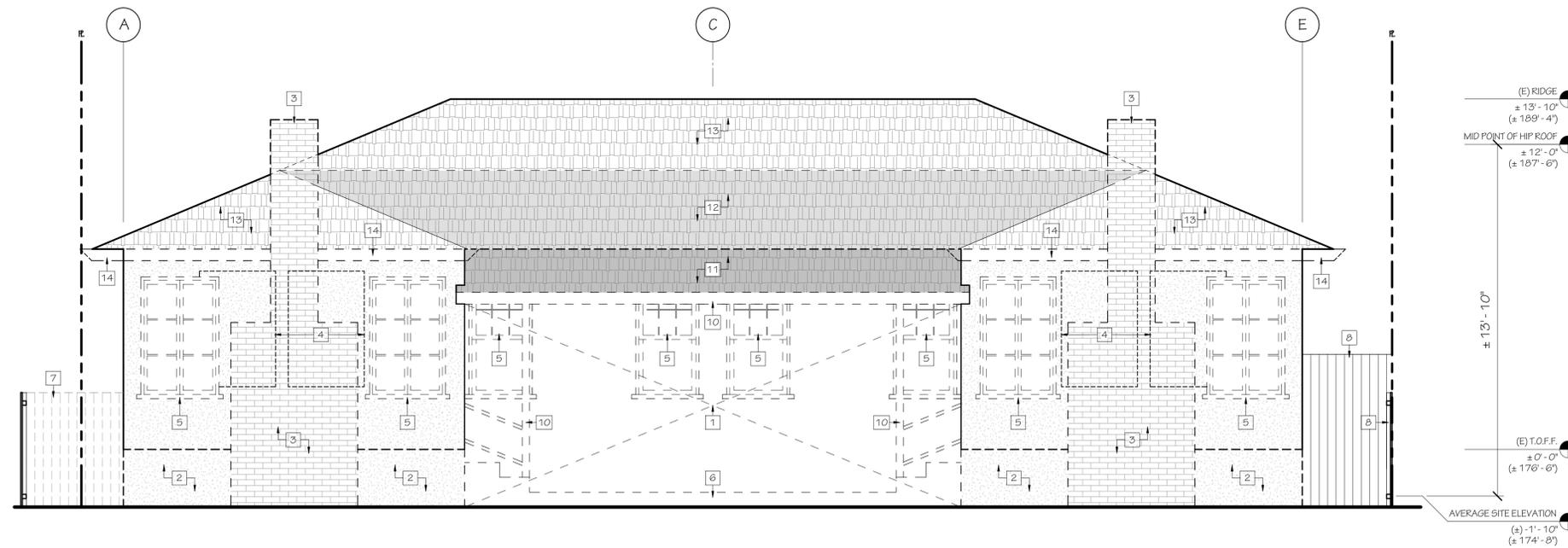


SHEET NUMBER
AE1.3

TODD JERSEY ARCHITECTURE, INC.
 1321 8TH STREET, SUITE #2, BERKELEY, CALIFORNIA
 (510) 528-5477 WWW.TODDJERSEYARCHITECTURE.COM

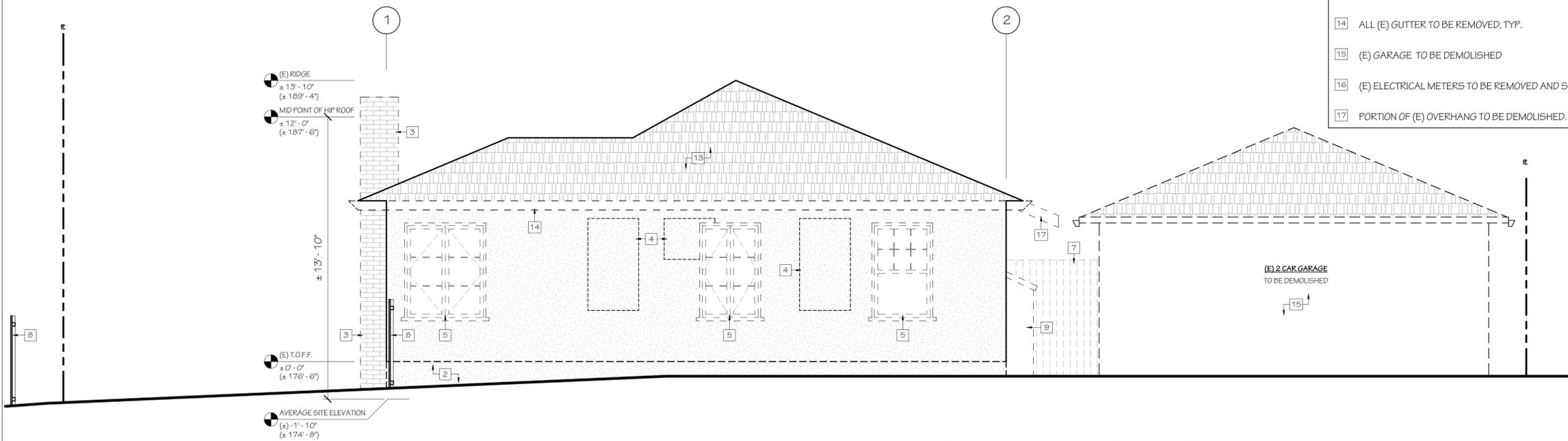
DEMOLITION KEY	
[- - - -]	(E) TO BE DEMOLISHED
[_____]	(E) TO REMAIN
[- - - -]	(E) SHEATHING & SHINGLES TO BE REMOVED
[- - - -]	(E) ROOF ASSEMBLY TO BE DEMOLISHED

DEMOLITION NOTES	
1	(E) EXTERIOR WALLS TO BE DEMOLISHED, PATCH AND REPAIR AS NEEDED.
2	(E) CRAWLSPACE AND FOUNDATION TO BE DEMOLISHED, (E) SILL PLATE AND FLOOR ASSEMBLY TO REMAIN.
3	EXISTING FIREPLACE AND CHIMNEY TO BE DEMOLISHED, PATCH AND REPAIR TO MATCH ADJACENT WALLS.
4	PORTION OF (E) EXTERIOR WALLS TO BE DEMOLISH FOR (N) WINDOW OPENING, VERIFY WINDOW SIZE AND LOCATION PER PROPOSED ELEVATIONS ON A4.0 SERIES.
5	ALL EXISTING WINDOW & DOOR TO BE REMOVED, TYP. PATCH AND REPAIR WALL AS NEEDED.
6	EXTERIOR CONCRETE STEPS AND PORCH TO BE DEMOLISHED.
7	PORTION OF (E) FENCE TO BE REMOVED, VERIFY LOCATION AND DIMENSION WITH PROPOSED SITE PLAN ON A1.0
8	(E) FENCE TO REMAIN AND MODIFIED PER DEMOLITION PLAN ON AE1.0
9	(E) EXTERIOR STORAGE TO BE DEMOLISHED, (E) PGNE GAS METERS TO REMAIN, PATCH AND REPAIR (E) EXTERIOR WALL AS NEEDED.
10	(E) COLUMNS AND (E) BEAM ABOVE TO BE DEMOLISHED.
11	PORTION OF ENTIRE ROOF ASSEMBLY TO BE DEMOLISHED, SEE (E) ROOF PLAN SHOWING DEMOLITION ON AE1.1 FOR MORE INFORMATION.
12	PORTION OF ROOF SHEATHING AND SHINGLES TO BE REMOVED, (E) ROOF FRAMING TO REMAIN, SEE (E) ROOF PLAN SHOWING DEMOLITION ON AE1.1 FOR MORE INFORMATION.
13	(E) ROOF TO BE REMAIN AND MODIFIED PER NOTE 11 & 12.
14	ALL (E) GUTTER TO BE REMOVED, TYP.
15	(E) GARAGE TO BE DEMOLISHED
16	(E) ELECTRICAL METERS TO BE REMOVED AND SAVE FOR FUTURE.
17	PORTION OF (E) OVERHANG TO BE DEMOLISHED.



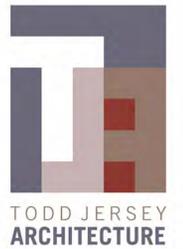
(AVERAGE SITE ELEVATION: 174' - 8")

1 EXISTING WEST ELEVATION SHOWING DEMOLITION
 3/8" = 1'-0"



(AVERAGE SITE ELEVATION: 174' - 8")

2 EXISTING SOUTH ELEVATION SHOWING DEMOLITION
 3/8" = 1'-0"



PROJECT NAME
2901-2903 DEAKIN STREET
REMODEL & ADDITIONS

PROJECT ADDRESS
2901-2903 DEAKIN ST,
BERKELEY, CA 94705

OWNER INFO.
MARGRET LEVENTHAL

SUBMITAL TYPE
PLANNING REVIEW

DATE PRINTED
5/17/2023

- REVISIONS
- 1 RESPONSE TO 1ST PLANNING COMMENTS- 20230802
 - 2 RESPONSE TO PLANNING COMMENTS- 20231214

NOTES

CHECKED BY
T. JERSEY

DRAWN BY
R. HUANG

SHEET TITLE
DETERMINATION
REGARDING
STRUCTURAL
EVALUATION



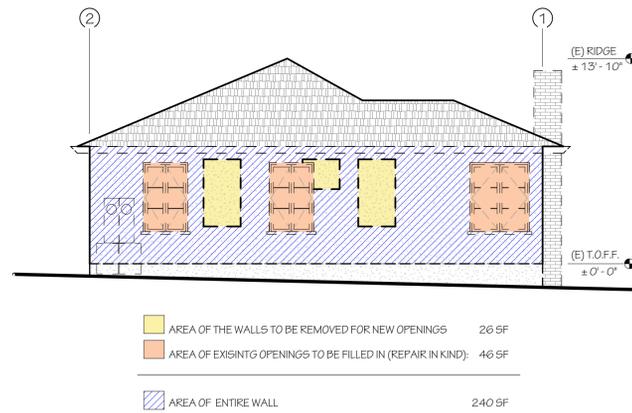
SHEET NUMBER

AE1.4

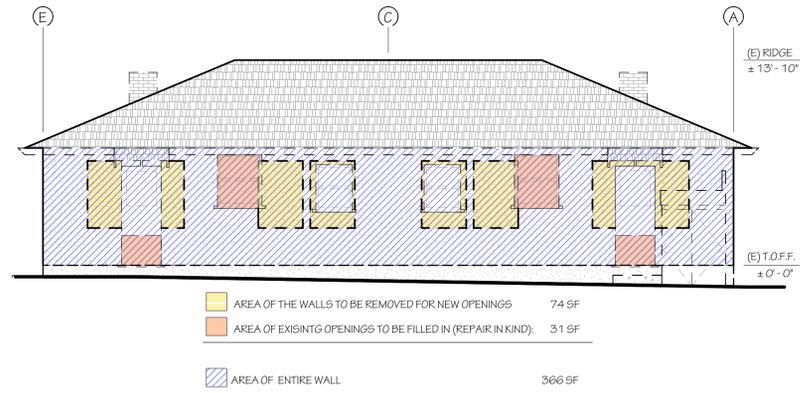
TODD JERSEY ARCHITECTURE, INC.
1321 8TH STREET, SUITE #2, BERKELEY, CALIFORNIA
(510) 528-5477 WWW.TODDJERSEYARCHITECTURE.COM

DETERMINATION REGARDING STRUCTURAL EVALUATION:

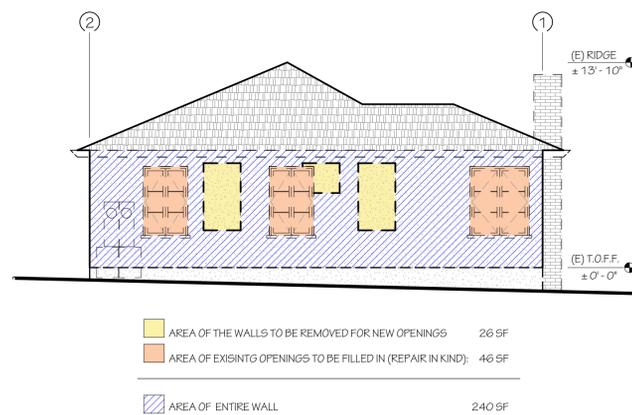
BASED ON THE PERCENTAGES OF THE ROOF FRAMINGS AND EXTERIOR WALLS TO BE REMOVED, THE PROPOSED PROJECT IS NOT REQUIRED TO DO STRUCTURAL EVALUATION.



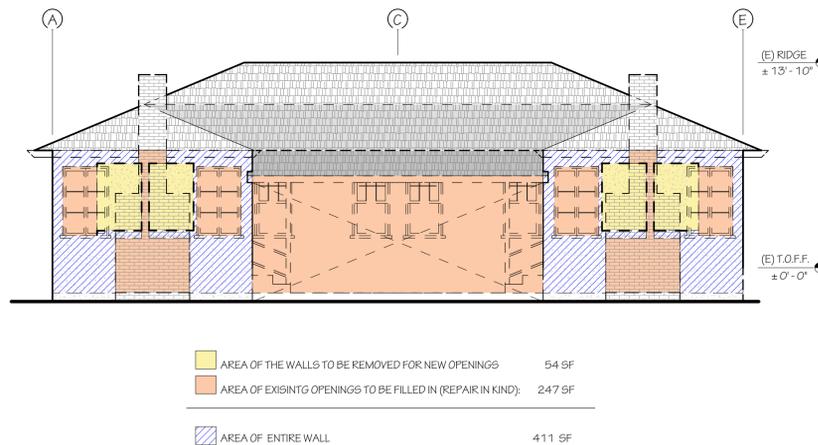
5 EXISTING SOUTH ELEVATION DEMOLITION DIAGRAM
3/16" = 1'-0"



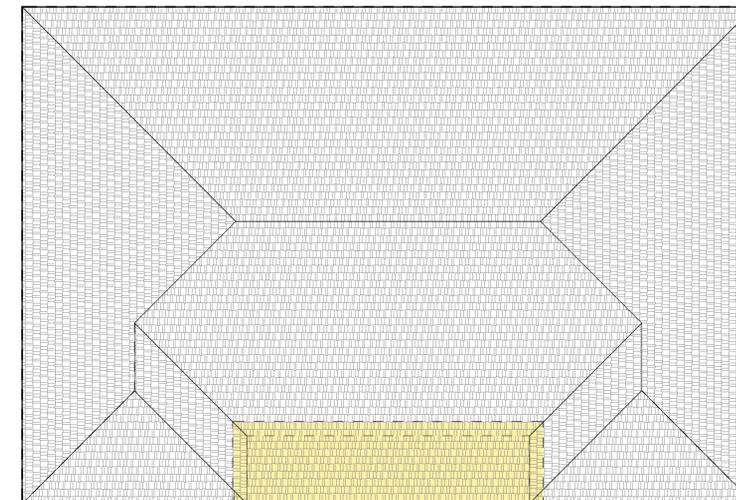
3 EXISTING EAST ELEVATION DEMOLITION DIAGRAM
3/16" = 1'-0"



4 EXISTING NORTH ELEVATION DEMOLITION DIAGRAM
3/16" = 1'-0"



2 EXISTING WEST ELEVATION DEMOLITION DIAGRAM
3/16" = 1'-0"



- (E) ROOF TO BE DEMOLISHED 115 SF
- (E) ROOF AREA 1,641 SF

1 EXISTING ROOF DEMOLITION DIAGRAM
3/16" = 1'-0"

PERCENTAGE OF THE WALL REMOVED OR REPAIRED

TOTAL WALL FRAMING TO BE REMOVED:	180 SF
TOTAL WALL FRAMING TO BE REPAIRED:	370 SF
SUBTOTAL:	550 SF
TOTAL WALL AREA:	1,257 SF
PERCENTAGE OF THE WALL TO BE REMOVED OR REPAIRED:	43.8%

PERCENTAGE OF THE ROOF FRAMING REMOVED OR REPAIRED:

TOTAL ROOF FRAMING TO BE REPAIRED:	0 SF
TOTAL ROOF FRAMING TO BE REMOVED:	115 SF
TOTAL ROOF AREA:	1,641 SF
PERCENTAGE OF THE ROOF TO BE REMOVED:	7%



TODD JERSEY
 ARCHITECTURE

PROJECT NAME
 2901-2903 DEAKIN STREET
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PROJECT ADDRESS
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OWNER INFO.
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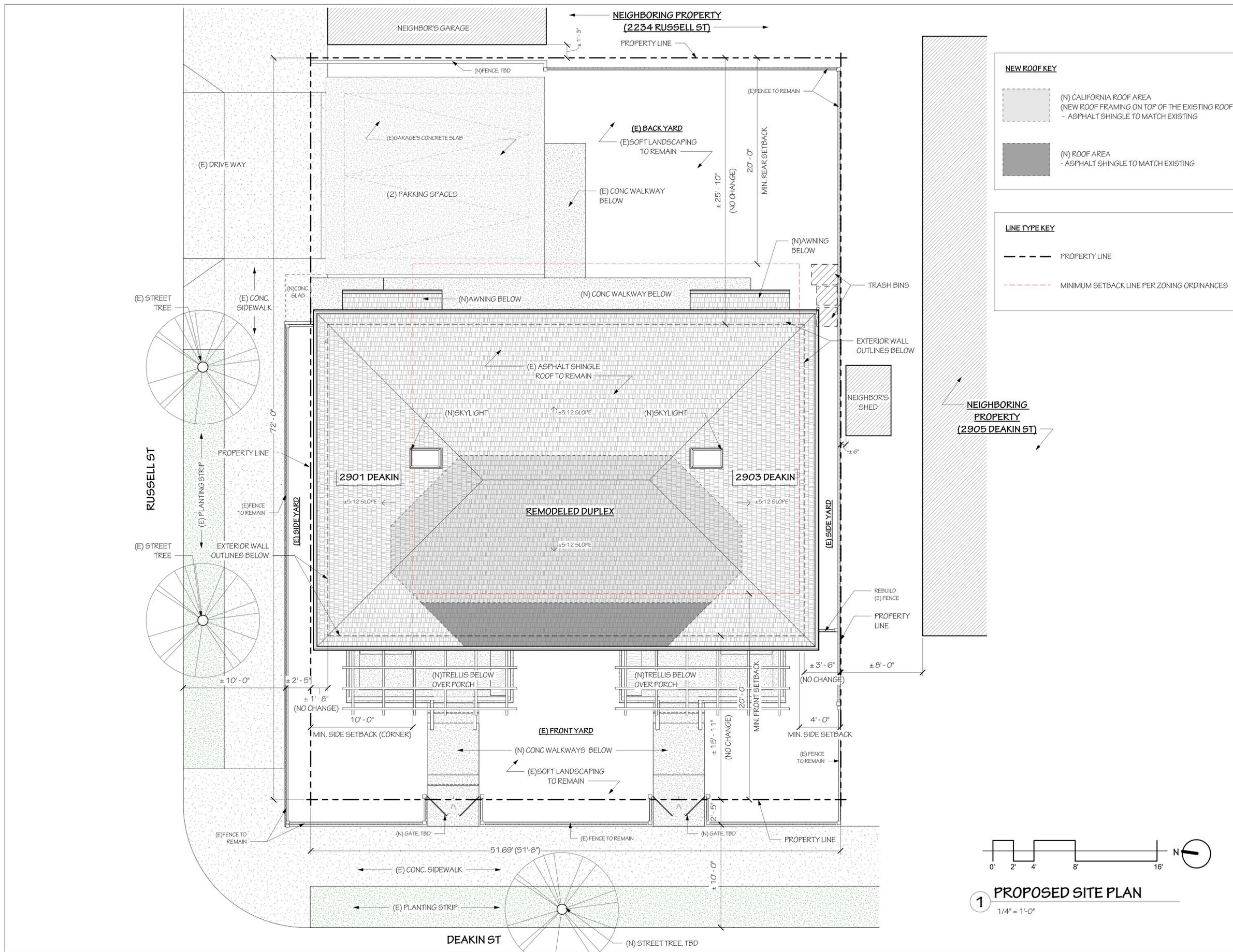
SHEET TITLE
 PROPOSED SITE PLAN/
 ROOF PLAN



SHEET NUMBER

A1.0

TODD JERSEY ARCHITECTURE, INC.
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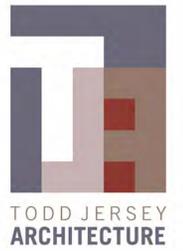
NEW ROOF KEY

- (N) CALIFORNIA ROOF AREA
 (NEW ROOF FRAMING ON TOP OF THE EXISTING ROOF)
 - ASPHALT SHINGLE TO MATCH EXISTING
- (N) ROOF AREA
 - ASPHALT SHINGLE TO MATCH EXISTING

LINE TYPE KEY

- PROPERTY LINE
- - - - - MINIMUM SETBACK LINE PER ZONING ORDINANCES

1 PROPOSED SITE PLAN
 1/4" = 1'-0"



PROJECT NAME
 2901-2903 DEAKIN STREET
 REMODEL & ADDITIONS

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 2901-2903 DEAKIN ST,
 BERKELEY, CA 94705

OWNER INFO.
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SUBMITAL TYPE
 PLANNING REVIEW

DATE PRINTED
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- 1 RESPONSE TO 1ST PLANNING COMMENTS- 20230902
 - 2 RESPONSE TO PLANNING COMMENTS- 20231214

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 R. HUANG

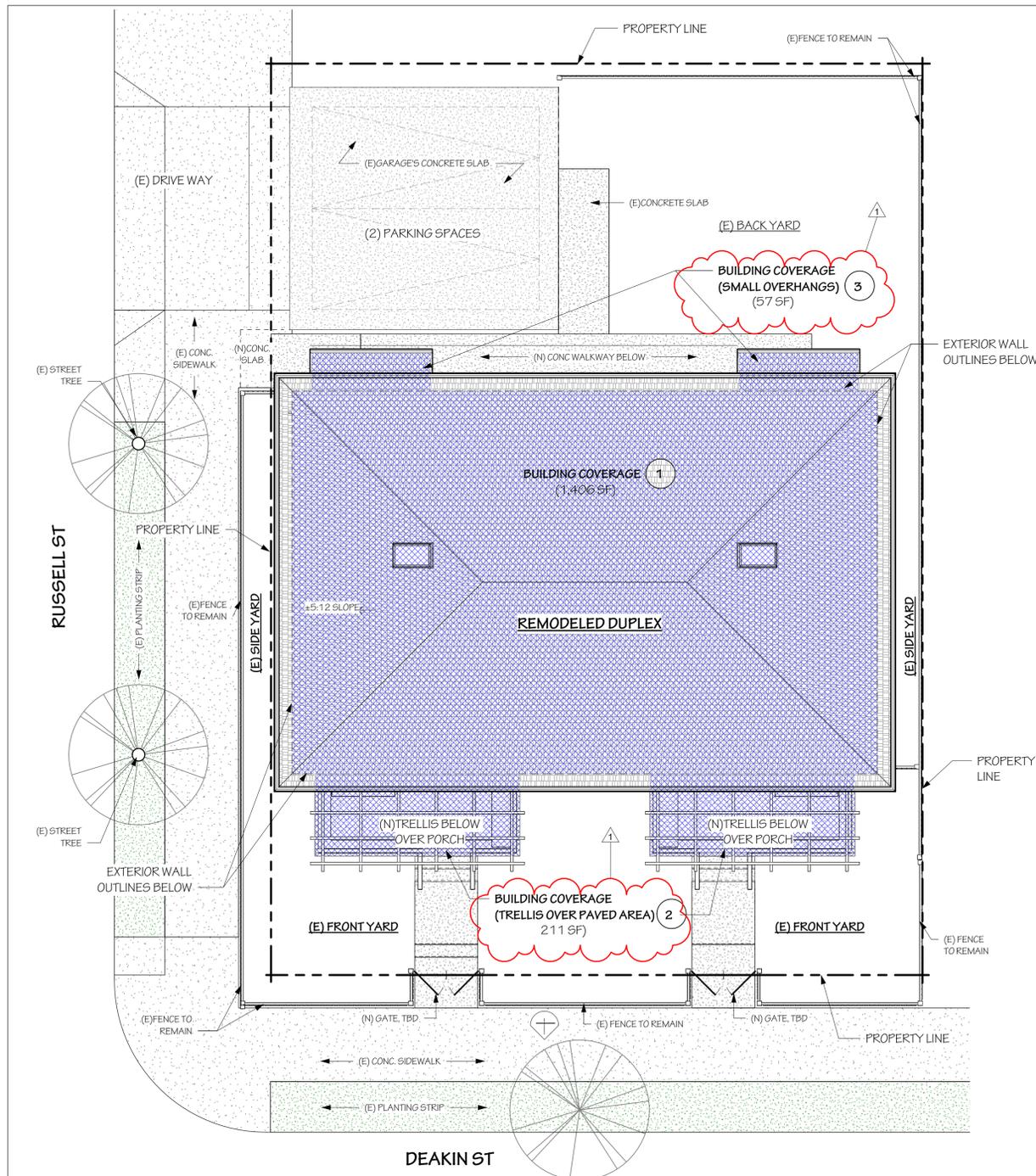
SHEET TITLE
 LANDSCAPE/USABLE
 OPEN SPACE DIAGRAM
 AND LOT COVERAGE
 DIAGRAM



SHEET NUMBER

A1.1

TODD JERSEY ARCHITECTURE, INC.
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KEY

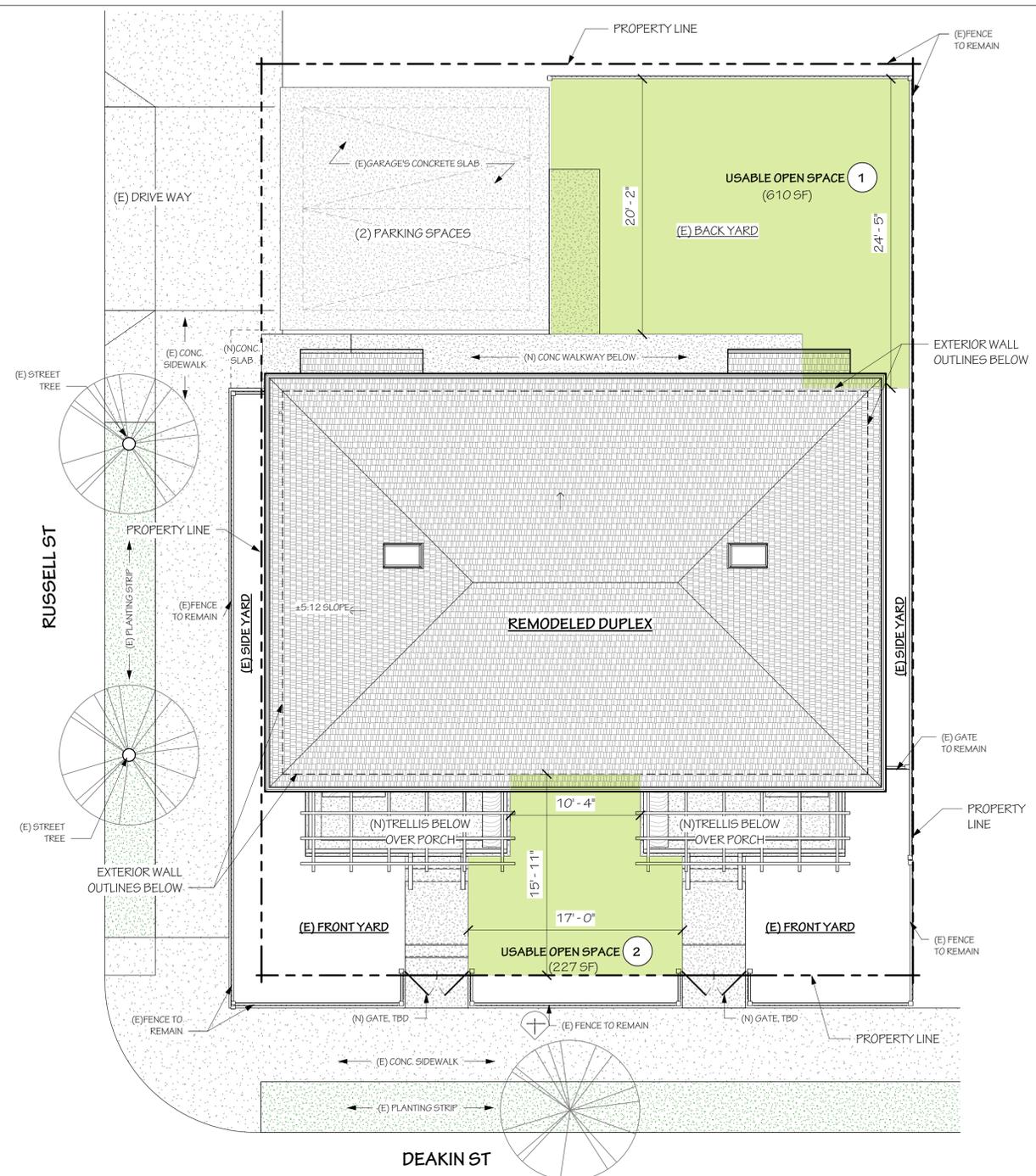
COVERED AREA

TOTAL COVERED AREA: 1,674 SF
 (HOUSE: 1,406 SF + TRELLIS OVER PAVED AREA: 211 SF + SMALL OVERHANGS: 57 SF = 1,674 SF)

SITE: 3,722 SF

LOT COVERAGE = 45%
 (45% MAXIMUM)

2 LOT COVERAGE DIAGRAM
 3/16" = 1'-0"



KEY

USABLE OPEN SPACE

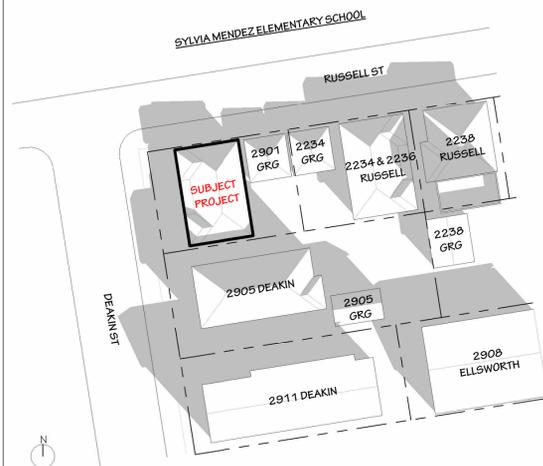
MINIMUM REQUIRED: 800 SF (400 SF x 2 UNITS)

TOTAL PROVIDED: 816 SF
 (610 SF + 227 SF = 837 SF)

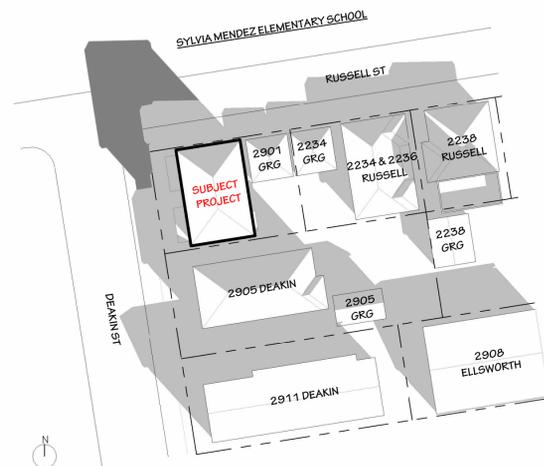
1 LANDSCAPE/USABLE OPEN SPACE DIAGRAM
 3/16" = 1'-0"

BEFORE CONSTRUCTION

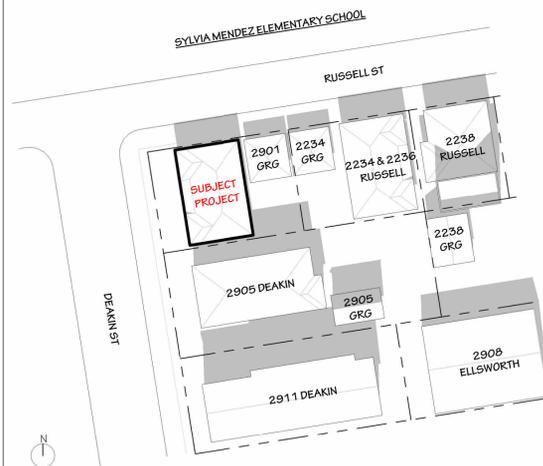
AFTER CONSTRUCTION



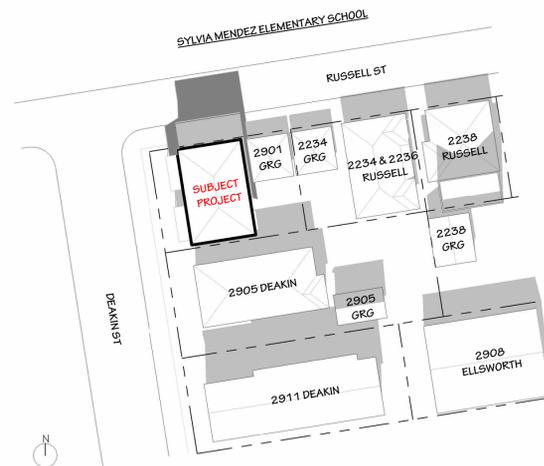
2 HOUR AFTER SUNRISE (DEC 21ST - 9:06 AM)



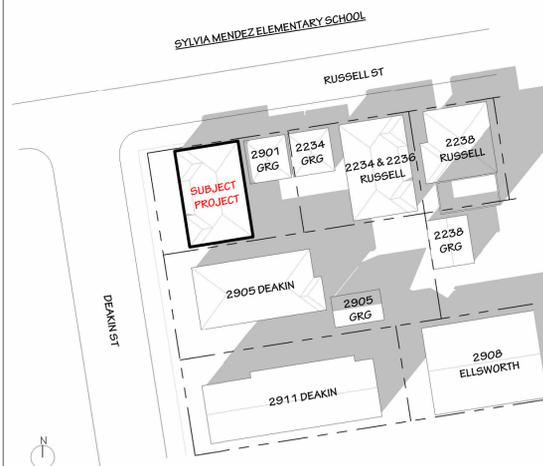
2 HOUR AFTER SUNRISE (DEC 21ST - 9:06 AM)



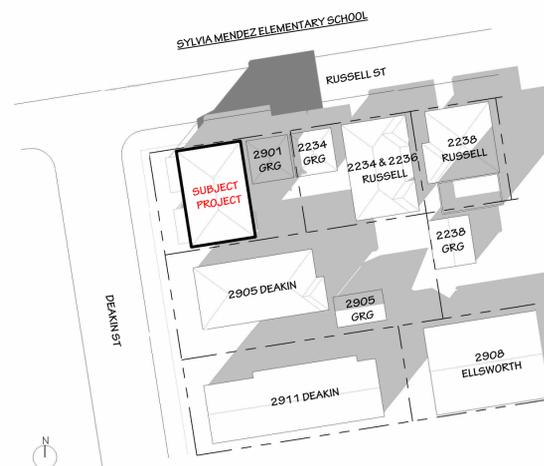
NOON (DEC 21ST - 12:00 PM)



NOON (DEC 21ST - 12:00 PM)



2 HOUR BEFORE SUNSET (DEC 21ST - 2:50 PM)

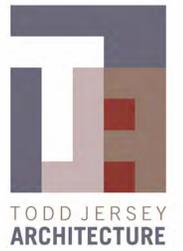


2 HOUR BEFORE SUNSET (DEC 21ST - 2:50 PM)

SUMMARY

THERE IS **NO SHADOW IMPACT** FROM THE PROPOSED ADDITIONS OF THE PROJECT TO THE NEIGHBORING PROPERTIES AT **ANY TIME OF THE DAY.**

NOTE:
 BUILDINGS BEING SHADOWED BY THE PROPOSED PROJECT ARE SHOWN IN THE DIAGRAMS.



PROJECT NAME
 2901-2903 DEAKIN STREET
 REMODEL & ADDITIONS

PROJECT ADDRESS
 2901-2903 DEAKIN ST,
 BERKELEY, CA 94705

OWNER INFO.
 MARGRET LEVENTHAL

SUBMITAL TYPE
 PLANNING REVIEW

DATE PRINTED
 5/17/2023

REVISIONS
 RESPONSE TO 1ST PLANNING COMMENTS- 20230802

NOTES

CHECKED BY
 T. JERSEY

DRAWN BY
 Z. XU

SHEET TITLE
 SHADOW STUDY
 WINTER SOLSTICE



SHEET NUMBER
A1.2

TODD JERSEY ARCHITECTURE, INC.
 1321 8TH STREET, SUITE #2, BERKELEY, CALIFORNIA
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BEFORE CONSTRUCTION

AFTER CONSTRUCTION

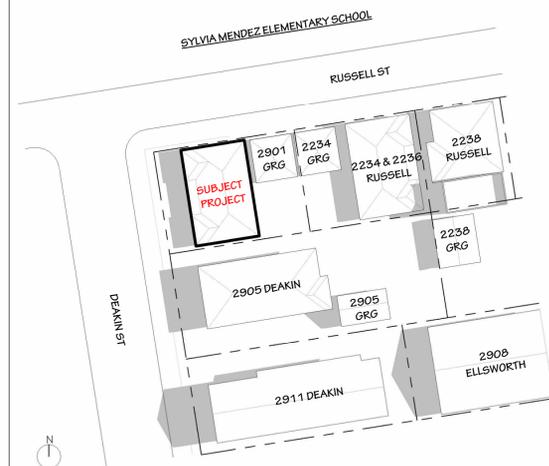
SUMMARY

THERE IS **NO SHADOW IMPACT** FROM THE PROPOSED ADDITIONS OF THE PROJECT TO THE NEIGHBORING PROPERTIES AT **2 HOUR AFTER SUNRISE AND NOON.**

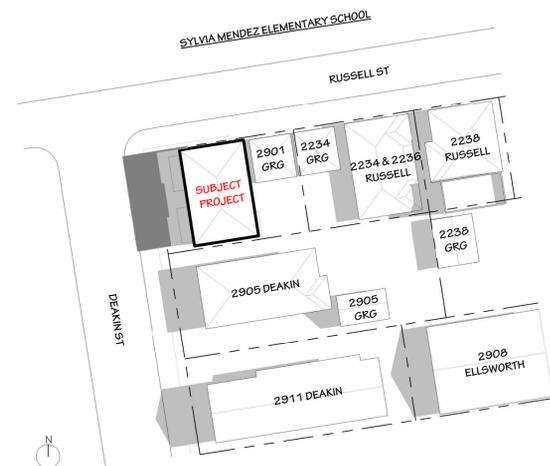
THERE IS **MINOR IMPACT** FROM THE PROPOSED ADDITIONS OF THE PROJECT TO THE NEIGHBORING PROPERTY **2234&2236 RUSSELL ST WEST SIDE, 2238 RUSSELL ST** (ON FENCE ONLY ADJ TO 2238 GARAGE/STORAGE) WEST SIDE & **2905 DEAKIN ST NORTH SIDE** AT **2 HOUR BEFORE SUNSET** (AREA IDENTIFIED IN RED IN PLAN AND PHOTO).

NOTE:
 BUILDINGS BEING SHADOWED BY THE PROPOSED PROJECT ARE SHOWN IN THE DIAGRAMS.

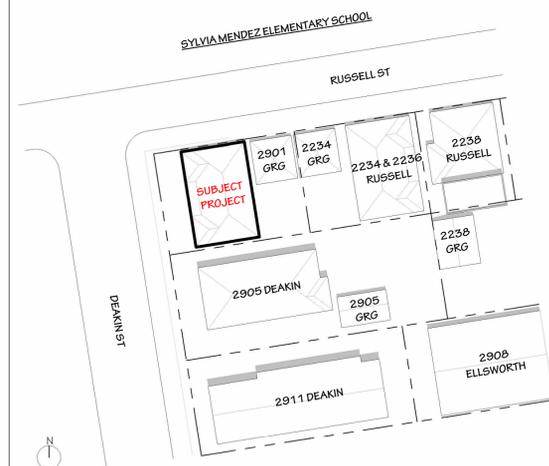
SHADOW ON BUILDING AFTER CONSTRUCTION



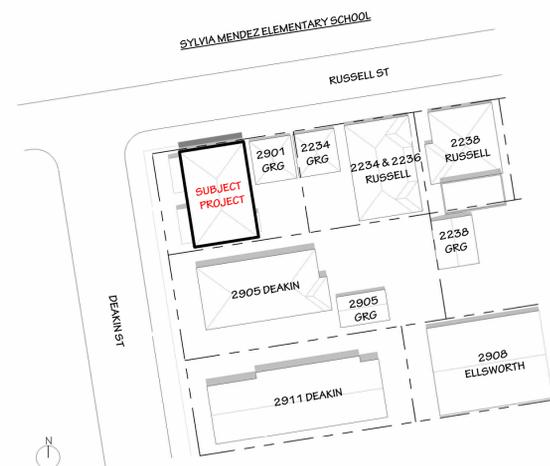
2 HOUR AFTER SUNRISE (JUN 21ST - 7:49 AM)



2 HOUR AFTER SUNRISE (JUN 21ST - 7:49 AM)



NOON (JUN 21ST - 12:00 PM)



NOON (JUN 21ST - 12:00 PM)



2 HOUR BEFORE SUNSET (JUN 21ST - 6:26 PM)



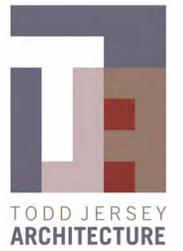
2 HOUR BEFORE SUNSET (JUN 21ST - 6:26 PM)



2234 RUSSELL ST WEST SIDE & 2238 RUSSELL ST WEST SIDE - 2 HOUR BEFORE SUNSET (JUN 21ST - 6:26 PM)



2905 DEAKIN ST - NORTH SIDE - 2 HOUR BEFORE SUNSET (JUN 21ST - 6:26 PM)



PROJECT NAME
 2901-2903 DEAKIN STREET
 REMODEL & ADDITIONS

PROJECT ADDRESS
 2901-2903 DEAKIN ST,
 BERKELEY, CA 94705

OWNER INFO.
 MARGRET LEVENTHAL

SUBMITAL TYPE
 PLANNING REVIEW

DATE PRINTED
 5/17/2023

REVISIONS
 RESPONSE TO 1ST PLANNING COMMENTS- 20230802

NOTES

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 T. JERSEY

DRAWN BY
 Z. XU

SHEET TITLE
 SHADOW STUDY
 SUMMER SOLSTICE

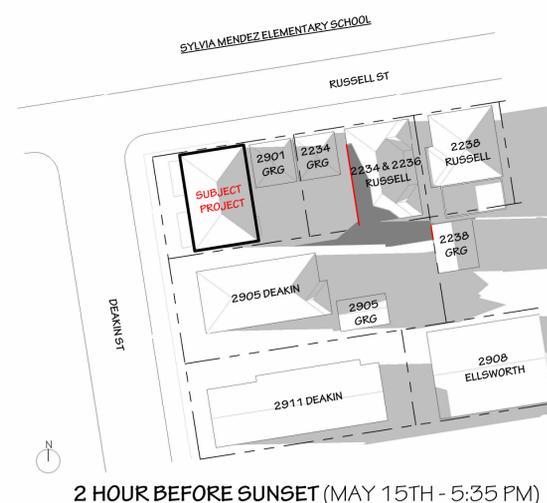
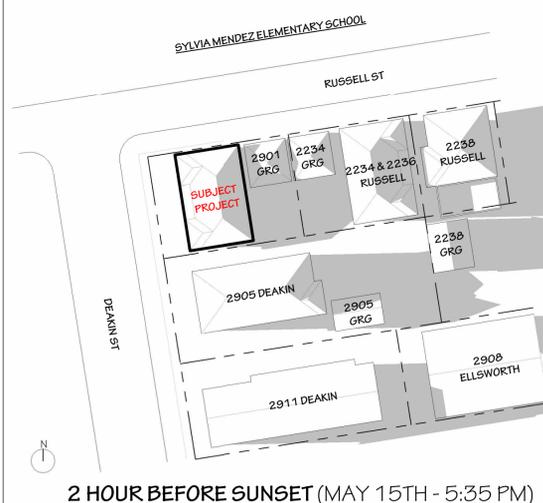
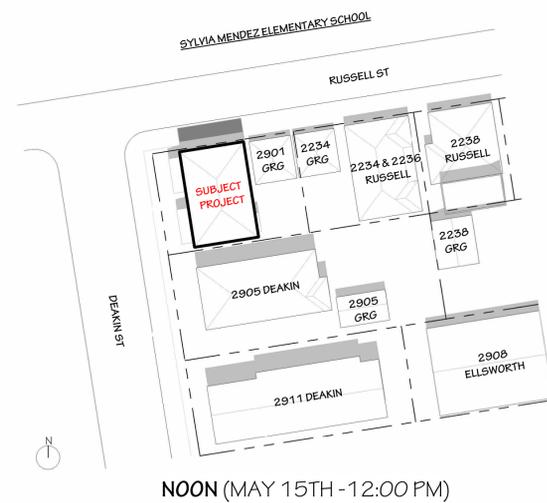
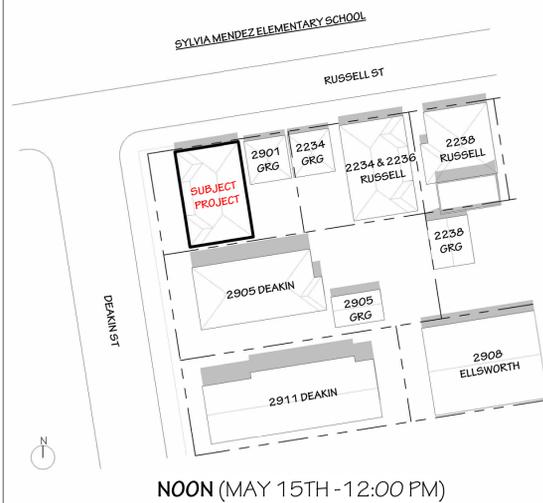
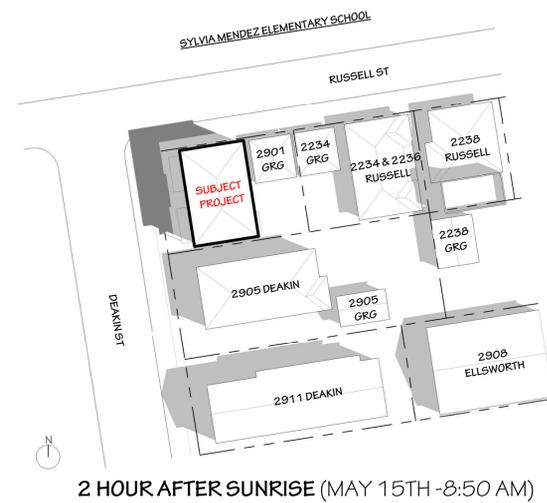
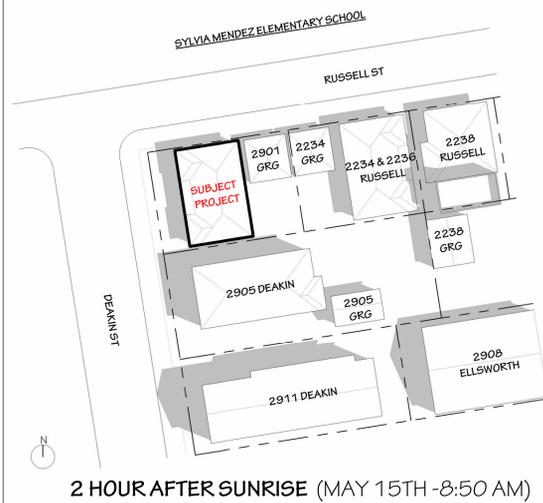


SHEET NUMBER
A1.3

TODD JERSEY ARCHITECTURE, INC.
 1321 8TH STREET, SUITE #2, BERKELEY, CALIFORNIA
 (510) 528-5477 WWW.TODDJERSEYARCHITECTURE.COM

BEFORE CONSTRUCTION

AFTER CONSTRUCTION



SUMMARY

THERE IS **NO SHADOW IMPACT** FROM THE PROPOSED ADDITIONS OF THE PROJECT TO THE NEIGHBORING PROPERTIES AT **2 HOUR AFTER SUNRISE AND NOON.**

THERE IS **MINOR IMPACT** FROM THE PROPOSED ADDITIONS OF THE PROJECT TO THE NEIGHBORING PROPERTY **2234&2236 RUSSELL ST** WEST SIDE AND **2238 RUSSELL ST** (ON FENCE ONLY ADJ TO 2238 GARAGE/STORAGE) WEST SIDE AT **2 HOUR BEFORE SUNSET** (AREA IDENTIFIED IN RED IN PLAN AND PHOTO).

NOTE:
 BUILDINGS BEING SHADOWED BY THE PROPOSED PROJECT ARE SHOWN IN THE DIAGRAMS.

SHADOW ON BUILDING AFTER CONSTRUCTION

2238 RUSSELL
 ON FENCE ONLY

2236 RUSSELL
 DOOR

2236 RUSSELL
 KITCHEN

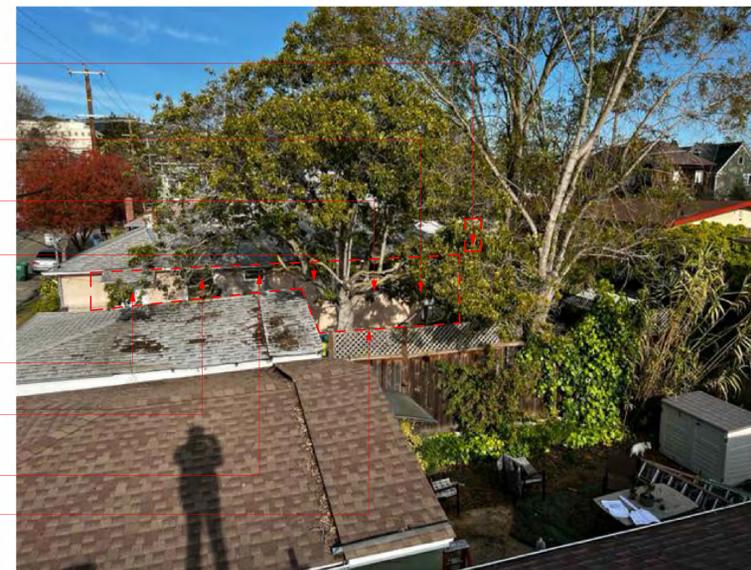
2236 RUSSELL
 BATH

2234 RUSSELL
 DOOR

2234 RUSSELL
 KITCHEN

2234 RUSSELL
 BATH

AREA IN SHADOW



2234&2236 RUSSELL ST WEST SIDE & 2238 RUSSELL ST WEST SIDE - 2 HOUR BEFORE SUNSET (MAY 15TH - 5:35 PM)

 TODD JERSEY ARCHITECTURE	
PROJECT NAME 2901-2903 DEAKIN STREET REMODEL & ADDITIONS	
PROJECT ADDRESS 2901-2903 DEAKIN ST, BERKELEY, CA 94705	
OWNER INFO. MARGRET LEVENTHAL	
SUBMITAL TYPE PLANNING REVIEW	
DATE PRINTED 5/17/2023	
REVISIONS ⚠️ RESPONSE TO 1ST PLANNING COMMENTS- 20230802	
NOTES	
CHECKED BY T. JERSEY	
DRAWN BY Z. XU	
SHEET TITLE SHADOW STUDY APPLICATION DATE	
STAMP 	SHEET NUMBER A1.4
TODD JERSEY ARCHITECTURE, INC. 1321 8TH STREET, SUITE #2, BERKELEY, CALIFORNIA (510) 528-5477 WWW.TODDJERSEYARCHITECTURE.COM	



TODD JERSEY
 ARCHITECTURE

PROJECT NAME
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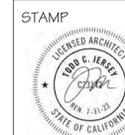
- REVISIONS
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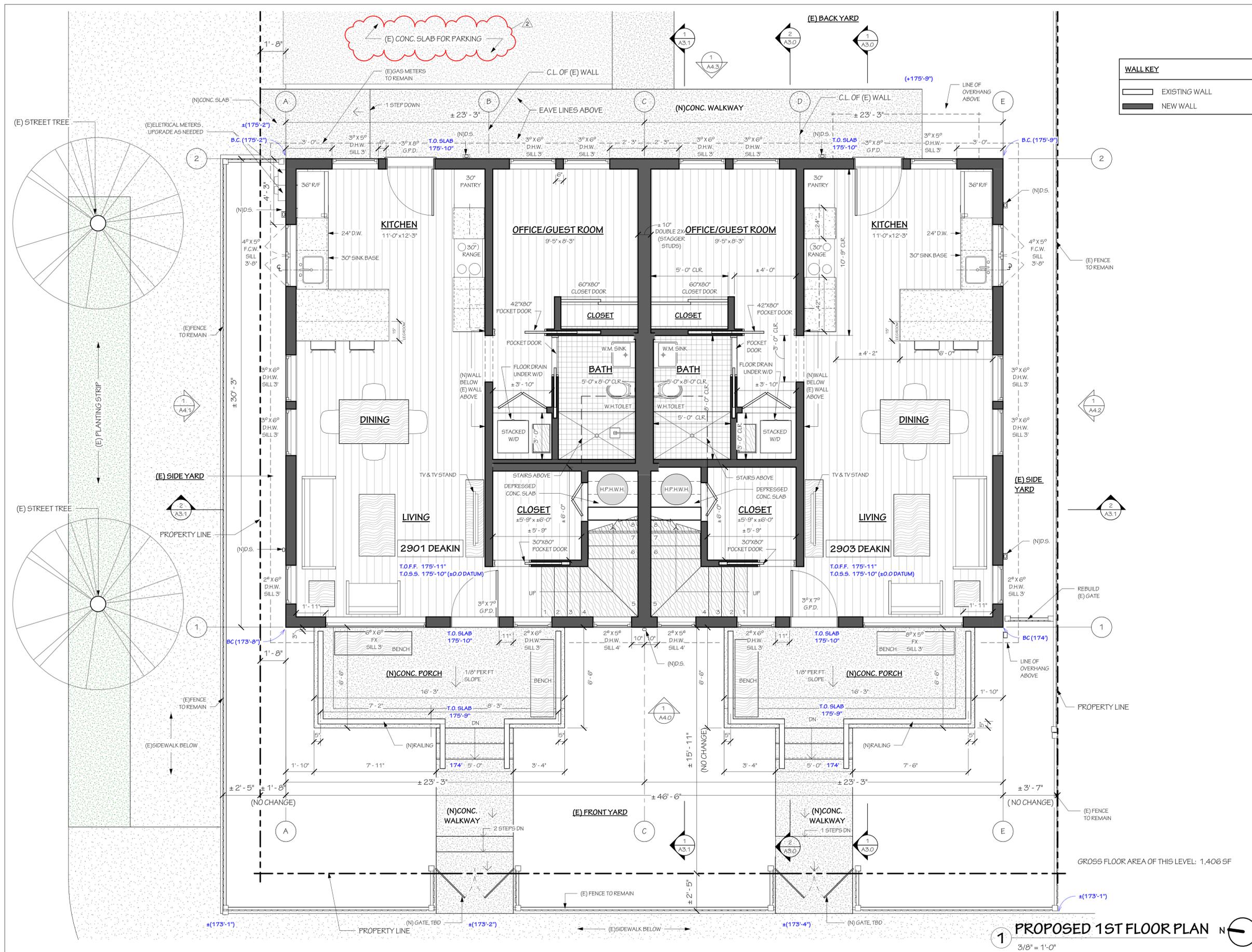
SHEET TITLE
 PROPOSED FIRST
 FLOOR PLAN



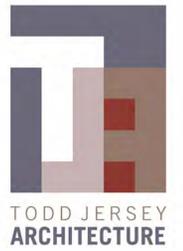
SHEET NUMBER

A2.0

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 1321 8TH STREET, SUITE #2, BERKELEY, CALIFORNIA
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1 PROPOSED 1ST FLOOR PLAN N
 3/8" = 1'-0"



PROJECT NAME
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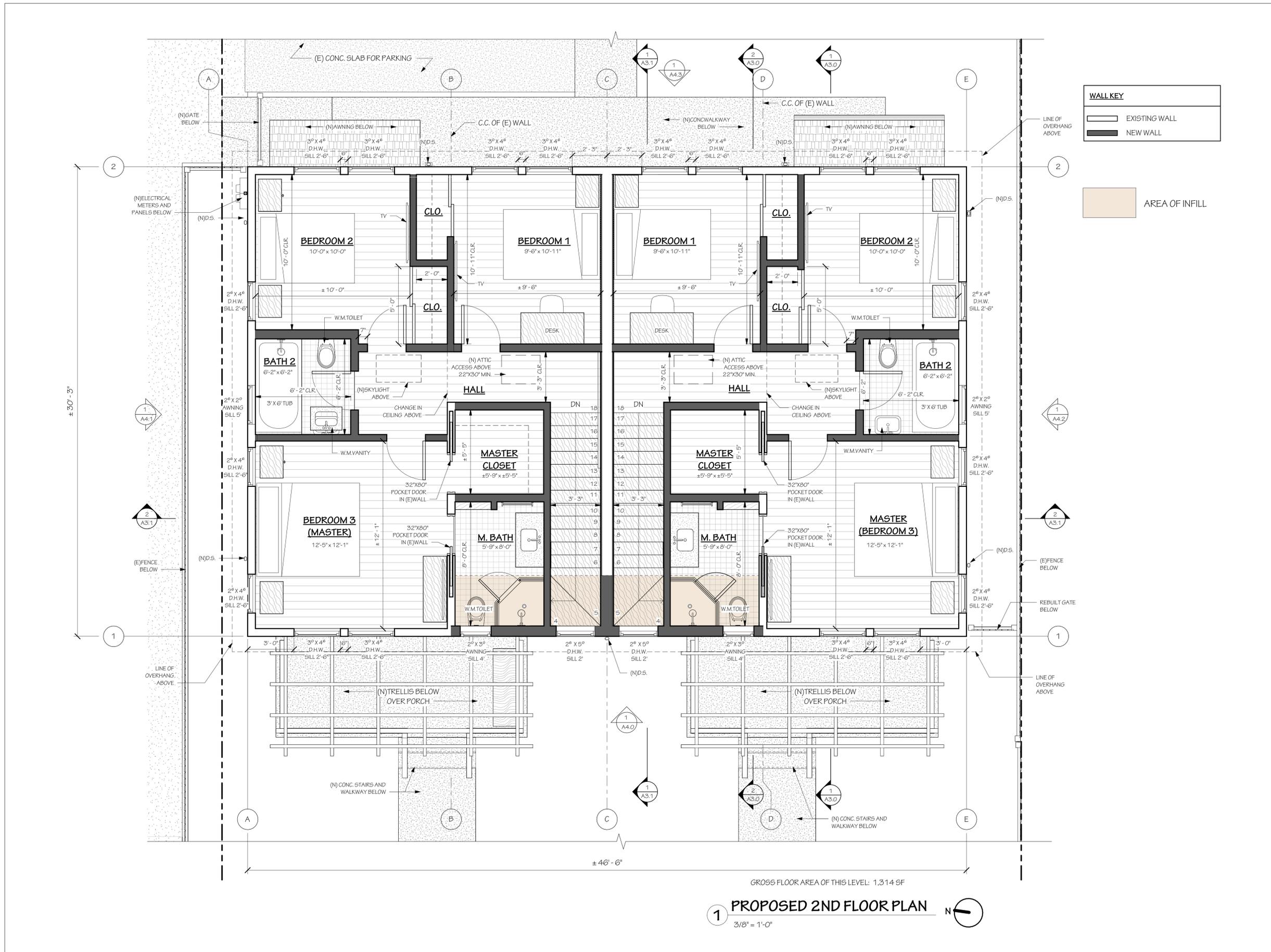
SHEET TITLE
 PROPOSED 2ND FLOOR
 PLAN



SHEET NUMBER

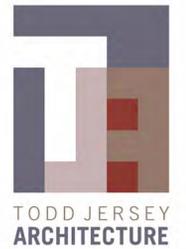
A2.1

TODD JERSEY ARCHITECTURE, INC.
 1321 8TH STREET, SUITE #2, BERKELEY, CALIFORNIA
 (510) 528-5477 WWW.TODDJERSEYARCHITECTURE.COM



GROSS FLOOR AREA OF THIS LEVEL: 1,314 SF

1 PROPOSED 2ND FLOOR PLAN
 3/8" = 1'-0"



PROJECT NAME
 2901-2903 DEAKIN STREET
 REMODEL & ADDITIONS

PROJECT ADDRESS
 2901-2903 DEAKIN ST,
 BERKELEY, CA 94705

OWNER INFO.
 MARGRET LEVENTHAL

SUBMITAL TYPE
 PLANNING REVIEW

DATE PRINTED
 5/17/2023

REVISIONS

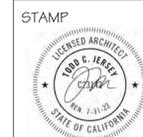
- 1. RESPONSE TO 1ST PLANNING COMMENTS- 20230802
- 2. RESPONSE TO PLANNING COMMENTS- 20231214

NOTES

CHECKED BY
 T. JERSEY

DRAWN BY
 R. HUANG

SHEET TITLE
 PROPOSED BUILDING
 SECTIONS



SHEET NUMBER
A3.0

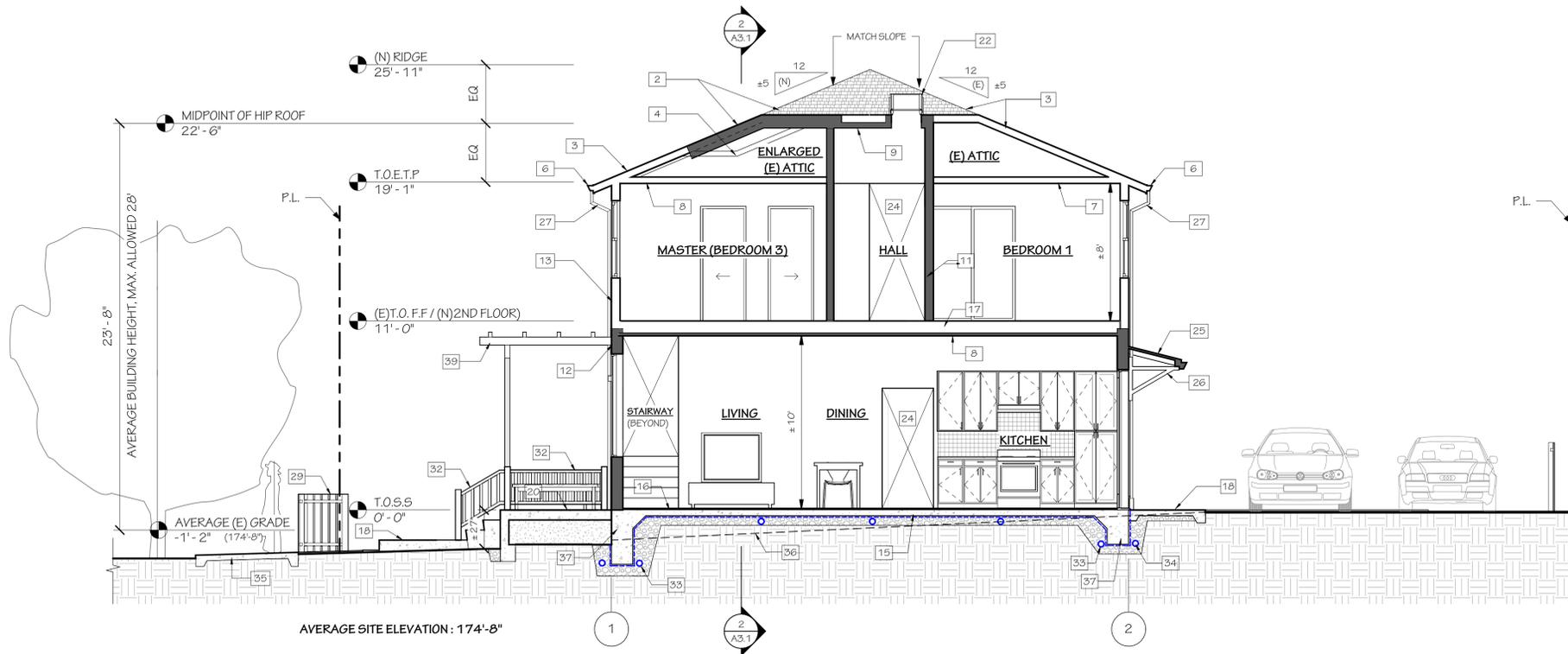
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WALL KEY	
	EXISTING WALL
	NEW WALL

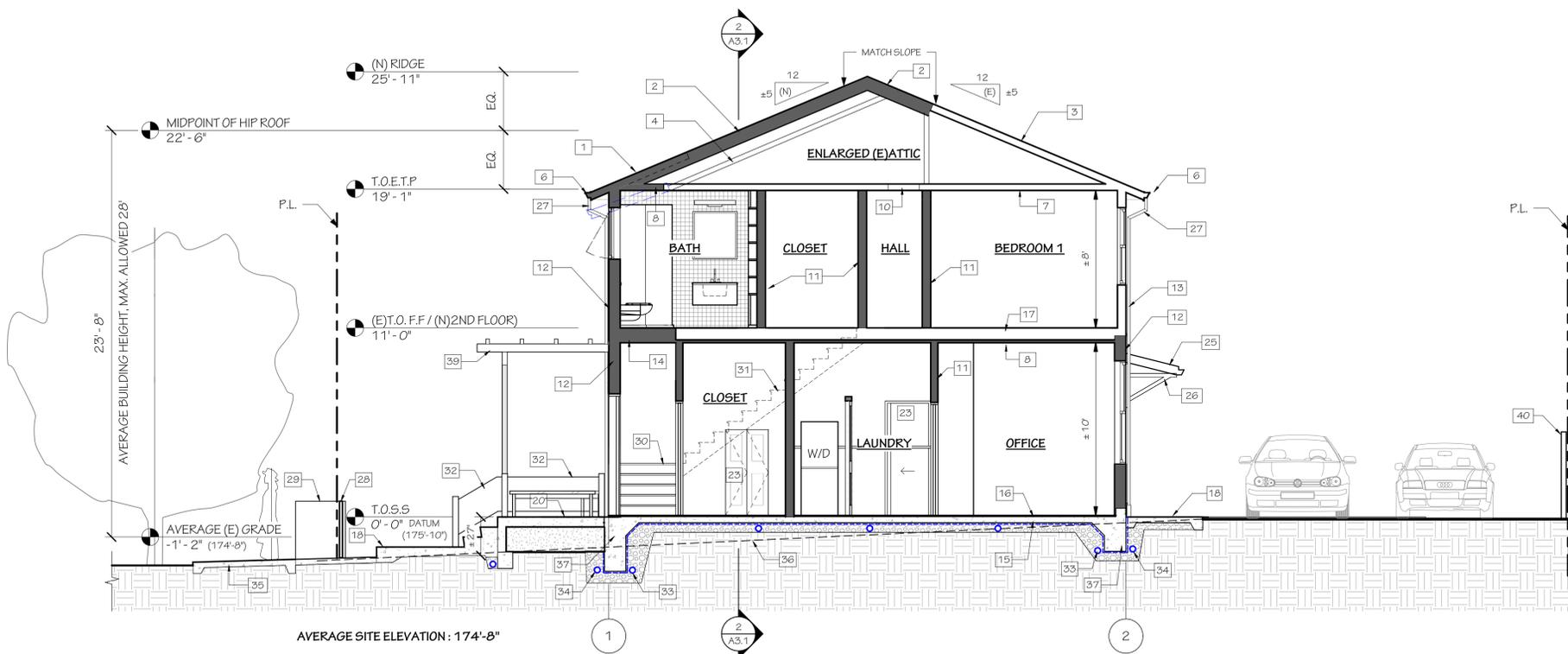
LINE KEY	
	OUTLINES OF EXISTING WALLS AND ROOFS TO BE DEMOLISHED
	WATER PROOFING MEMBRANCE (SEE OUTLINE SPECIFICATIONS)
	EXISTING GRADE

KEYNOTES:

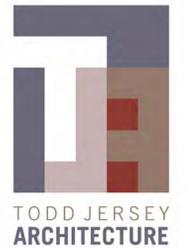
1. (N) ROOF (ASPHALT SHINGLE TO MATCH EXISTING)
2. (N) ROOF BUILT ABOVE (E) ROOF FRAMING (CALIFORNIA ROOF FRAMING)
3. (E) ROOF RAISED (ASPHALT SHINGLE)
4. (E) ROOF FRAMING TO REMAIN
5. (E) ROOF ASSEMBLY TO BE DEMOLISHED
6. (N) GUTTER
7. (E) CEILING FRAMING TO REMAIN W/ (N) GYPSUM BOARD FINISH
8. (N) CEILINGS
9. (N) VAULTED CEILING
10. (N) ATTIC ACCESS (22" X 30" MINIMUM ROUGH OPENING)
11. (N) 2X4 INTERIOR WALLS
12. (N) 2X6 EXTERIOR WALLS
13. (E) 2X4 EXTERIOR WALLS TO REMAIN
14. (N) FLOOR, FLOORING TBD
15. (N) 4" CONCRETE SLAB
16. (N) FLOORING, TBD
17. (E) FLOOR FRAMING (RAISED)
18. (N) CONCRETE WALKWAY (MIN. 1/8" TO 1 FT SLOPE AWAY FROM THE HOUSE)
19. (N) CONCRETE STAIRS
20. (N) CONCRETE PORCH
21. (N) FACE OF CONCRETE
22. (N) SKYLIGHT
23. (N) DOOR BEYOND
24. (N) OPENING BEYOND
25. (N) AWNING
26. (N) BRACKET
27. (N) DOWNSPOUT
28. (N) GATE, TBD
29. (E) FENCE TO REMAIN
30. (N) STAIRS
31. (N) STAIRS BEHIND
32. (N) RAILINGS
33. (N) UNDERSLAB DRAINAGE, TBD
34. (N) PERIMETER FRENCH DRAIN, TBD
35. (E) SIDEWALK
36. (E) GRADE
37. (N) CONCRETE FOUNDATION
38. (N) HANDRAIL
39. (N) TRELLIS
40. (N) FENCE, TBD



1 PROPOSED BUILDING CROSS SECTION A1
 1/4" = 1'-0"



2 PROPOSED BUILDING CROSS SECTION A2
 1/4" = 1'-0"



PROJECT NAME
 2901-2903 DEAKIN STREET
 REMODEL & ADDITIONS

PROJECT ADDRESS
 2901-2903 DEAKIN ST,
 BERKELEY, CA 94705

OWNER INFO.
 MARGRET LEVENTHAL

SUBMITAL TYPE
 PLANNING REVIEW

DATE PRINTED
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REVISIONS

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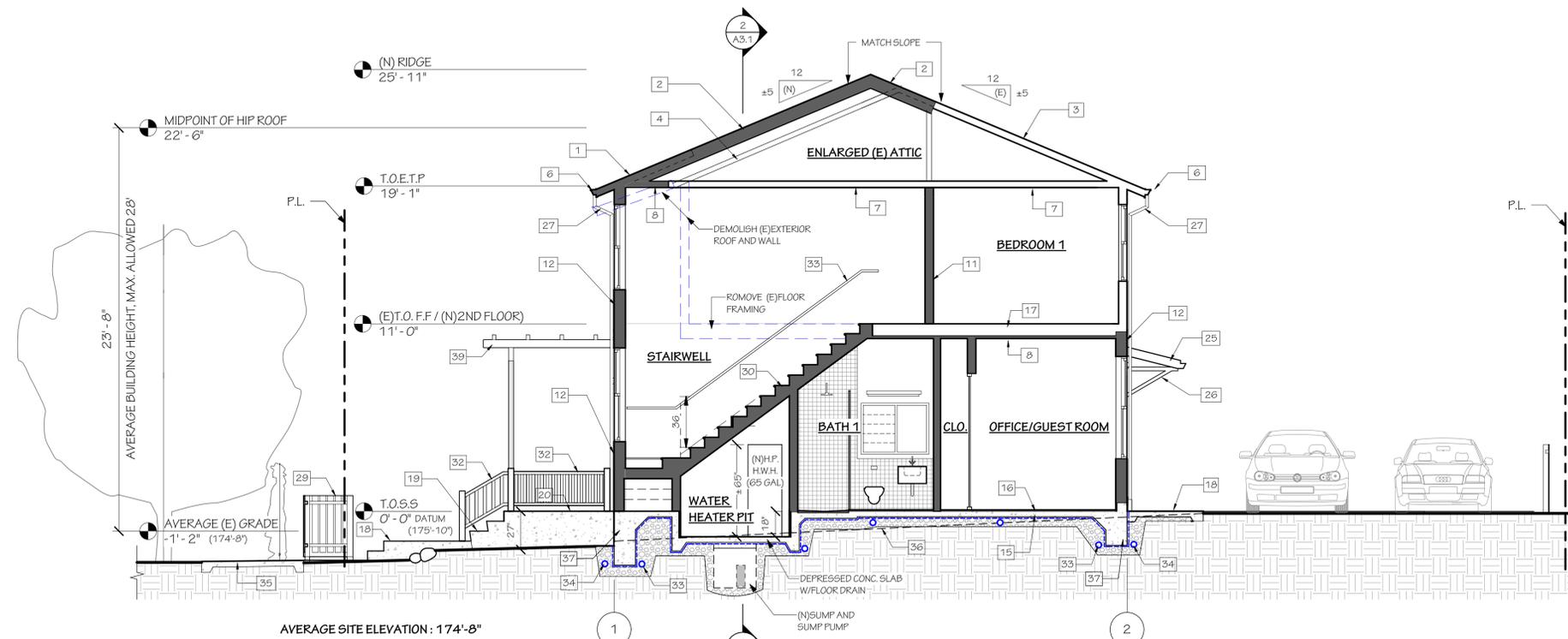
SHEET TITLE
 PROPOSED BUILDING
 SECTION



SHEET NUMBER

A3.1

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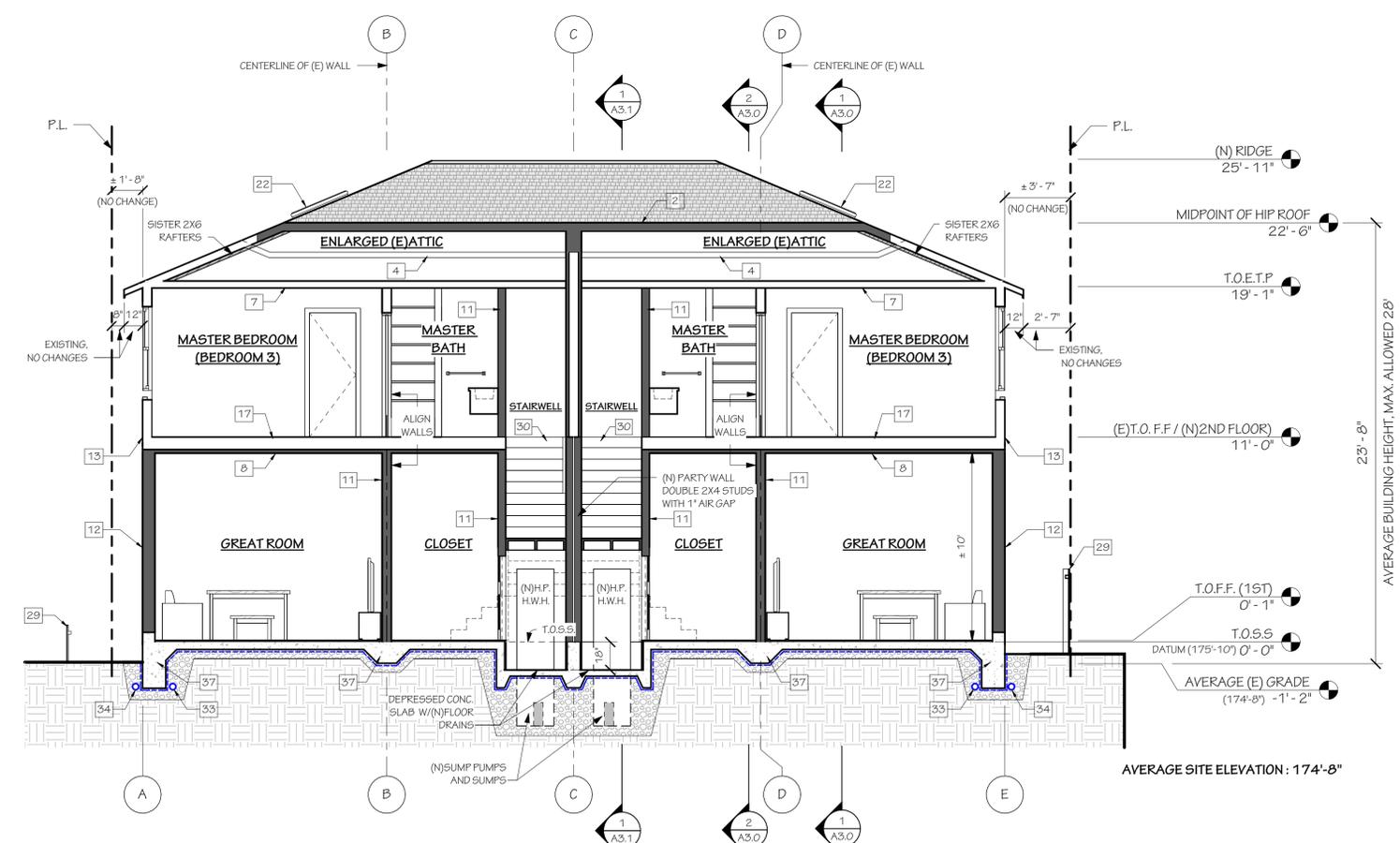


1 PROPOSED BUILDING CROSS SECTION A3
 1/4" = 1'-0"

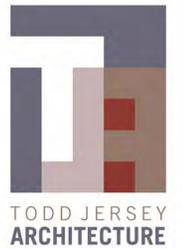
WALL KEY	
	EXISTING WALL
	NEW WALL

LINE KEY	
	OUTLINES OF EXISTING WALLS AND ROOFS TO BE DEMOLISHED
	WATER PROOFING MEMBRANCE (SEE OUTLINE SPECIFICATIONS)
	EXISTING GRADE

- KEYNOTES:**
1. (N)ROOF (ASPHALT SHINGLE TO MATCH EXISTING)
 2. (N)ROOF BUILT ABOVE (E)ROOF FRAMING (CALIFORNIA ROOF FRAMING)
 3. (E)ROOF RAISED (ASPHALT SHINGLE)
 4. (E)ROOF FRAMING TO REMAIN
 5. (E)ROOF ASSEMBLY TO BE DEMOLISHED
 6. (N)GUTTER
 7. (E)CEILING FRAMING TO REMAIN W/ (N)GYPSUM BOARD FINISH
 8. (N)CEILING
 9. (N)VAULTED CEILING
 10. (N)ATTIC ACCESS (22" X30" MINIMUM ROUGH OPENING)
 11. (N)2X4 INTERIOR WALLS
 12. (N)2X6 EXTERIOR WALLS
 13. (E)2X4 EXTERIOR WALLS TO REMAIN
 14. (N)FLOOR, FLOORING TBD
 15. (N)4" CONCRETE SLAB
 16. (N)FLOORING, TBD
 17. (E)FLOOR FRAMING (RAISED)
 18. (N)CONCRETE WALKWAY (MIN. 1/8" TO 1FT SLOPE AWAY FROM THE HOUSE)
 19. (N)CONCRETE STAIRS
 20. (N)CONCRETE PORCH
 21. (N)FACE OF CONCRETE
 22. (N)SKYLIGHT
 23. (N)DOOR BEYOND
 24. (N)OPENING BEYOND
 25. (N)AWNING
 26. (N)BRACKET
 27. (N)DOWNSPOUT
 28. (N)GATE, TBD
 29. (E)FENCE TO REMAIN
 30. (N)STAIRS
 31. (N)STAIRS BEHIND
 32. (N)RAILINGS
 33. (N)UNDERSLAB DRAINAGE, TBD
 34. (N)PERIMETER FRENCH DRAIN, TBD
 35. (E)SIDEWALK
 36. (E)GRADE
 37. (N)CONCRETE FOUNDATION
 38. (N)HANDRAIL
 39. (N)TRELLIS
 40. (N)FENCE, TBD



2 PROPOSED BUILDING SECTION B1
 1/4" = 1'-0"



PROJECT NAME
 2901-2903 DEAKIN STREET
 REMODEL & ADDITIONS

PROJECT ADDRESS
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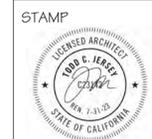
REVISIONS
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NOTES

CHECKED BY
 T. JERSEY

DRAWN BY
 R. HUANG

SHEET TITLE
 PROPOSED BUILDING
 ELEVATION- WEST



SHEET NUMBER

A4.0

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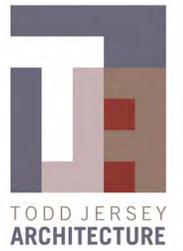
NEW ROOF KEY

- (N) ROOF (CALIFORNIA ROOF AREA)
 - ASPHALT SHINGLE TO MATCH EXISTING
- (N) ROOF AREA
 - ASPHALT SHINGLE TO MATCH EXISTING

- KEY:**
- (E) ASPHALT SHINGLE ROOF
 - 1A: AREA OF NEW ROOF - COLOR TO MATCH EXISTING
 - 1B: AREA OF NEW CALIFORNIA ROOF - COLOR TO MATCH EXISTING
 - STUCCO SYSTEM- COLOR TO MATCH EXISTING OR NEW COLOR TBD
 - GALV. GUTTER - COLOR TBD
 - 3"x4" GALV DOWNSPOUT - COLOR TBD TO MATCH GUTTER
 - CONCRETE SLAB- 1/8" TO 1' SLOPE AWAY FROM HOUSE
 - G.S.M. WATER TABLE
 - REDWOOD FASCIA, MATCH (E)
 - (N) RAILING, 28" IN HEIGHT, STYLE TBD
 - (N) CONCRETE STAIRS
 - DECK MOUNTED SKYLIGHT
 - EXT. WALL MOUNTED LIGHT FIXTURE W/ MOTION SENSOR
 - EXISTING WOODEN FENCE TO REMAIN
 - PROPERTY LINE
 - FINISHED GRADE
 - (N) CONCRETE PORCH
 - (N) GATE & FENCE, TBD
 - FACE ON CONCRETE
 - REDWOOD BRACKET
 - DOGGY DOOR
 - SOFFIT VENT
 - (N) UPGRADED ELECTRIC METERS AND PANELS AT THE SAME LOCATION
 - GSM FLASHING
 - WOODEN TRELLIS



1 PROPOSED BUILDING ELEVATION- WEST
 3/8" = 1'-0"



PROJECT NAME
 2901-2903 DEAKIN STREET
 REMODEL & ADDITIONS

PROJECT ADDRESS
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 BERKELEY, CA 94705

OWNER INFO.
 MARGRET LEVENTHAL

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DRAWN BY
 R. HUANG

SHEET TITLE
 PROPOSED BUILDING
 ELEVATION- NORTH



SHEET NUMBER

A4.1

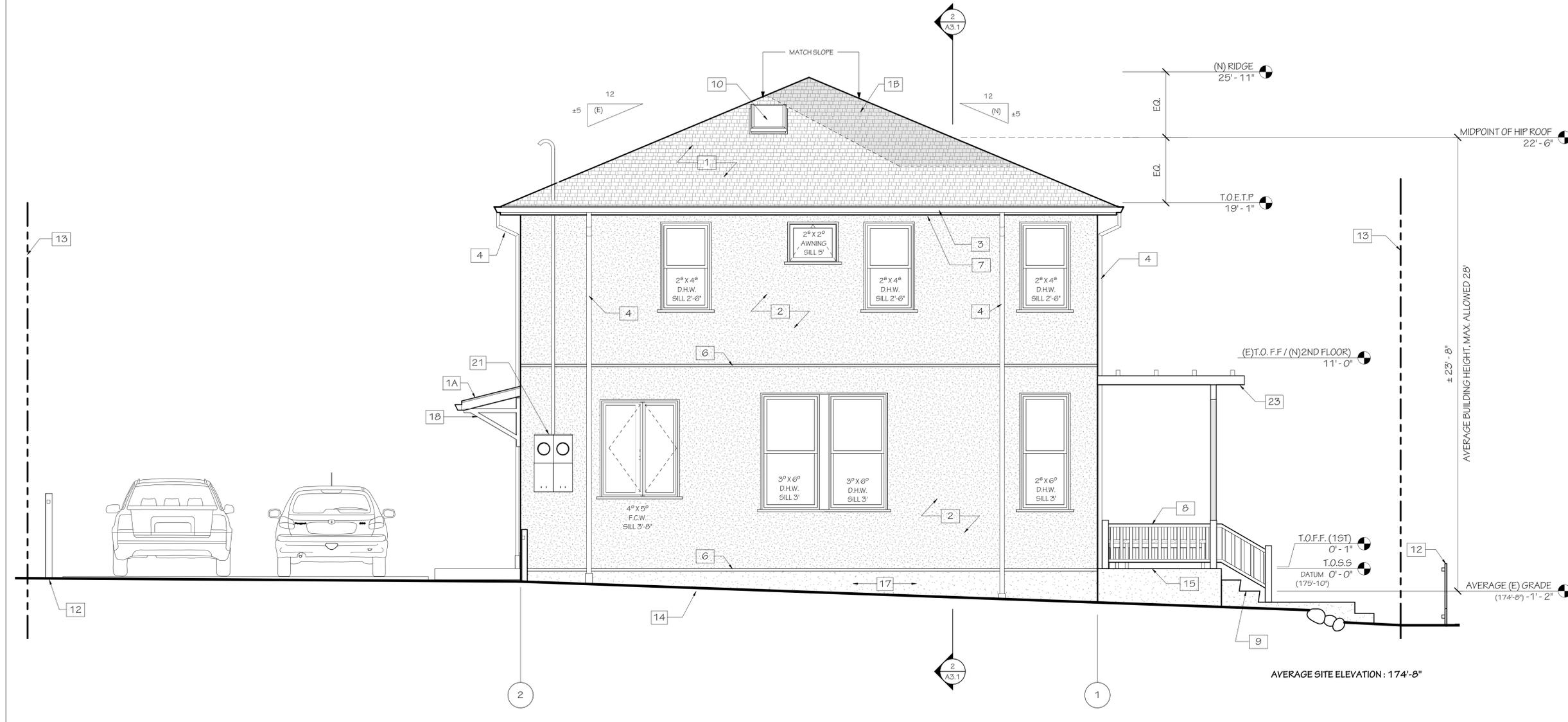
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 (510) 528-5477 WWW.TODDJERSEYARCHITECTURE.COM

NEW ROOF KEY

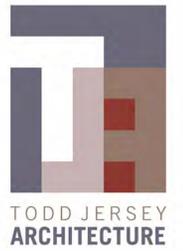
(N) ROOF (CALIFORNIA ROOF AREA)
 - ASPHALT SHINGLE TO MATCH EXISTING

(N) ROOF AREA
 - ASPHALT SHINGLE TO MATCH EXISTING

- KEY:**
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 - EXISTING WOODEN FENCE TO REMAIN
 - PROPERTY LINE
 - FINISHED GRADE
 - (N) CONCRETE PORCH
 - (N) GATE & FENCE, TBD
 - FACE ON CONCRETE
 - REDWOOD BRACKET
 - DOGGY DOOR
 - SOFFIT VENT
 - (N) UPGRADED ELECTRIC METERS AND PANELS AT THE SAME LOCATION
 - GSM FLASHING
 - WOODEN TRELLIS



1 PROPOSED BUILDING ELEVATION- NORTH
 3/8" = 1'-0"



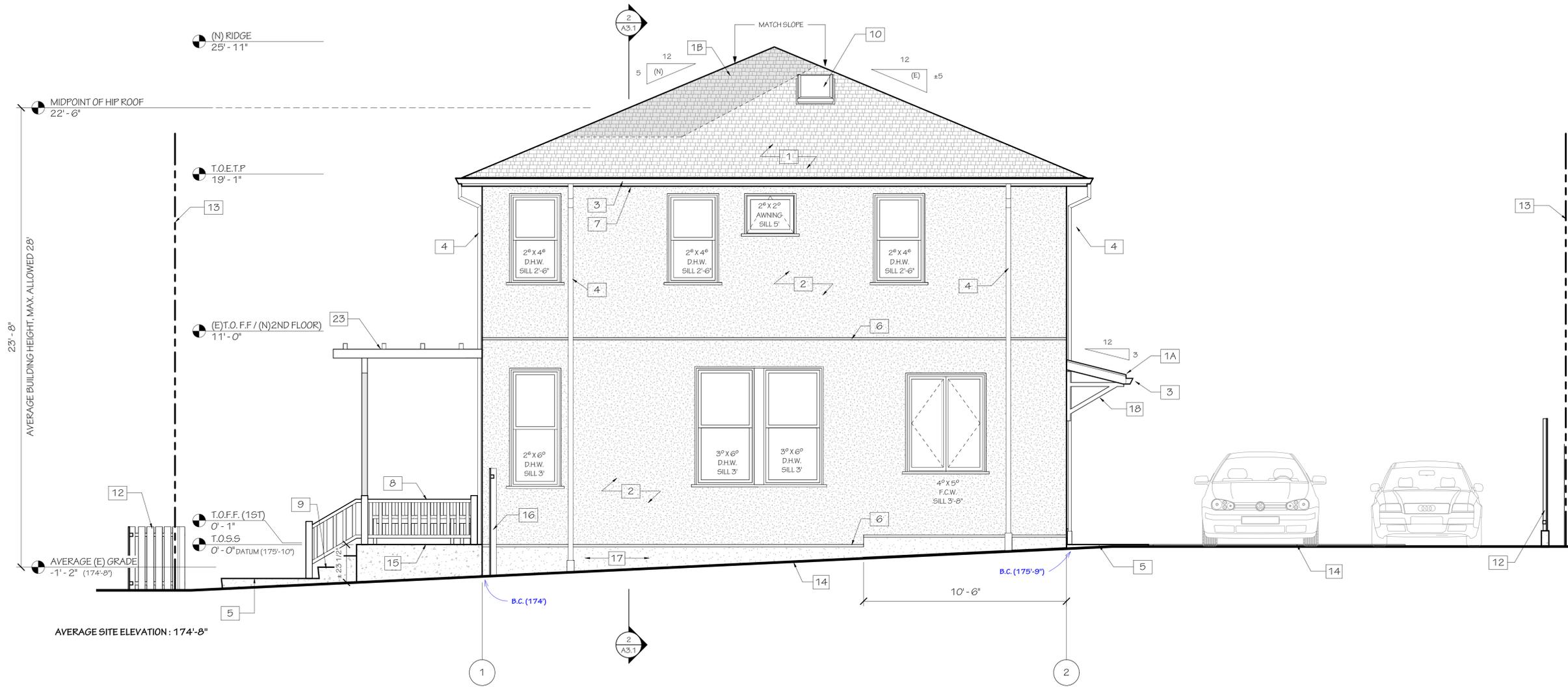
KEY:

1. (E) ASPHALT SHINGLE ROOF
- 1A: AREA OF NEW ROOF - COLOR TO MATCH EXISTING
- 1B: AREA OF NEW CALIFORNIA ROOF - COLOR TO MATCH EXISTING
2. STUCCO SYSTEM- COLOR TO MATCH EXISTING OR NEW COLOR TBD
3. GALV. GUTTER - COLOR TBD
4. 3"x4" GALV DOWNSPOUT - COLOR TBD TO MATCH GUTTER
5. CONCRETE SLAB- 1/8" TO 1' SLOPE AWAY FROM HOUSE
6. G.S.M. WATER TABLE
7. REDWOOD FASCIA, MATCH (E)
8. (N)RAILING, 28" IN HEIGHT, STYLE TBD
9. (N) CONCRETE STAIRS
10. DECK MOUNTED SKYLIGHT
11. EXT. WALL MOUNTED LIGHT FIXTURE W/ MOTION SENSOR
12. EXISTING WOODEN FENCE TO REMAIN
13. PROPERTY LINE
14. FINISHED GRADE
15. (N)CONCRETE PORCH
16. (N)GATE & FENCE, TBD
17. FACE ON CONCRETE
18. REDWOOD BRACKET
19. DOGGY DOOR
20. SOFFIT VENT
21. (N) UPGRADED ELECTRIC METERS AND PANELS AT THE SAME LOCATION
22. G5M FLASHING
23. WOODEN TRELLIS

NEW ROOF KEY

(N) ROOF (CALIFORNIA ROOF AREA)
- ASPHALT SHINGLE TO MATCH EXISTING

(N) ROOF AREA
- ASPHALT SHINGLE TO MATCH EXISTING



1 PROPOSED BUILDING ELEVATION- SOUTH
 3/8" = 1'-0"

PROJECT NAME
 2901-2903 DEAKIN STREET
 REMODEL & ADDITIONS

PROJECT ADDRESS
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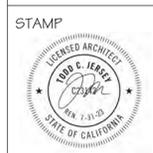
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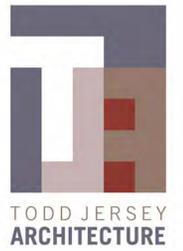
DRAWN BY
 R. HUANG

SHEET TITLE
 PROPOSED BUILDING
 ELEVATION- SOUTH



SHEET NUMBER
A4.2

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 1321 8TH STREET, SUITE #2, BERKELEY, CALIFORNIA
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PROJECT NAME
 2901-2903 DEAKIN STREET
 REMODEL & ADDITIONS

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 R. HUANG

SHEET TITLE
 PROPOSED BUILDING
 ELEVATION- EAST



SHEET NUMBER

A4.3

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 1321 8TH STREET, SUITE #2, BERKELEY, CALIFORNIA
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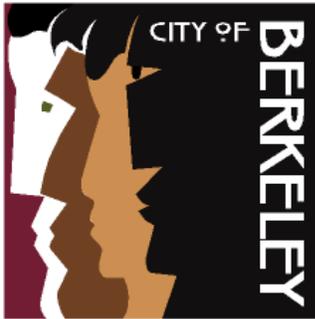
NEW ROOF KEY

- (N) ROOF (CALIFORNIA ROOF AREA)
 - ASPHALT SHINGLE TO MATCH EXISTING
- (N) ROOF AREA
 - ASPHALT SHINGLE TO MATCH EXISTING

- KEY:**
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 - 1A: AREA OF NEW ROOF - COLOR TO MATCH EXISTING
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 - STUCCO SYSTEM- COLOR TO MATCH EXISTING OR NEW COLOR TBD
 - GALV. GUTTER - COLOR TBD
 - 3"x4" GALV DOWNSPOUT - COLOR TBD TO MATCH GUTTER
 - CONCRETE SLAB- 1/8" TO 1" SLOPE AWAY FROM HOUSE
 - G.S.M. WATER TABLE
 - REDWOOD FASCIA, MATCH (E)
 - (N) RAILING, 28" IN HEIGHT, STYLE TBD
 - (N) CONCRETE STAIRS
 - DECK MOUNTED SKYLIGHT
 - EXT. WALL MOUNTED LIGHT FIXTURE W/ MOTION SENSOR
 - EXISTING WOODEN FENCE TO REMAIN
 - PROPERTY LINE
 - FINISHED GRADE
 - (N) CONCRETE PORCH
 - (N) GATE & FENCE, TBD
 - FACE ON CONCRETE
 - REDWOOD BRACKET
 - DOGGY DOOR
 - SOFFIT VENT
 - (N) UPGRADED ELECTRIC METERS AND PANELS AT THE SAME LOCATION
 - GSM FLASHING
 - WOODEN TRELLIS



1 PROPOSED BUILDING ELEVATION- EAST
 3/8" = 1'-0"



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

2901-03 Deakin Street

Use Permit #ZP2023-0074 to lift the existing duplex 10 feet 6 inches for a total average height of 23 feet 8 inches to create a new first floor and add an eighth bedroom on a lot is nonconforming to density and setbacks.

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

When: Thursday, February 22, 2024, 7:00 pm

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

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

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

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

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

A. Land Use Designations:

- General Plan: Low Medium Density Residential (LMDR)
- Zoning: Restricted Two-Family Residential District (R-2)

B. Zoning Permits Required:

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.324.050(D)(3) for an addition to a structure that exceeds residential density;

- Use Permit pursuant BMC 23.202.030(B)(1) to add a bedroom to a lot beyond a fifth;
- Administrative Use Permit (AUP) pursuant to BMC Section 23.202.080 to construct a major residential addition over 14 feet in average height;
- Administrative Use Permit (AUP) pursuant to BMC Section 23.324.050 to horizontally extend a building wall projecting into a minimum required setback.

C. CEQA Recommendation: Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).

D. Parties Involved:

- Applicant Rueytsu Huang, Todd Jersey Architecture, 1321 8th Street Site 2
Berkeley
- Property Owner Margret Leventhal, 1805 Martin Luther King Jr., 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, Brian Garvey, at (510) 981-7424 or bgarvey@berkeleyca.gov.

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

Communication Disclaimer:

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

Written Comments, Communications, and Reports:

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

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

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

- **Correspondence received by 5:00 PM two days before** this public hearing, will be conveyed to the Board in a Supplemental Communications and Reports, 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.



Accessibility Information / ADA Disclaimer:

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

SB 343 Disclaimer:

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

Notice Concerning Your Legal Rights:

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

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