

ORDINANCE NO. 7,932-N.S.

LOT LINE ADJUSTMENTS AT 1401 CARLETON STREET AND 1423 WARD STREET

BE IT ORDAINED by the City Council of Berkeley as follows:

Section 1. The Council finds as follows:

- a. On April 20, 2021, the City Council authorized staff to apply for grant funding and execute the Santa Fe Trackbed to Park Conversion Project should grant funds be awarded with Resolution No. 69,802-N.S.
- b. On March 14, 2022, the City accepted grant funding and executed a contract with the Statewide Park Development and Community Revitalization Grant Program.
- c. The boundary and topographic survey of the site and its surroundings done for the Project show 1401 Carleton Street and 1423 Ward Street have portions of the main dwelling encroaching onto City Property.
- d. The encroachments of 1401 Carleton Street and 1423 Ward Street need to be resolved as they impact the City's usable future open space and the neighbors' future safety and access.
- e. The City Council authorizes the City Manager or his/her designee to execute lot line adjustments with 1401 Carleton Street and 1423 Ward Street to resolve existing main dwelling encroachments onto the City's Santa Fe Trackbed to Park Conversion Project Site and update the existing nonconforming lots to conforming lots.

Section 2. AUTHORIZATION FOR CITY MANAGER TO EXECUTE LOT LINE ADJUSTMENTS AT 1401 Carleton Street and 1423 Ward Street.

The City Manager or his/her designee is hereby authorized to execute lot line adjustments with 1401 Carleton Street and 1423 Ward Street. The lot line adjustment applications shall be substantially in the form attached hereto as Exhibit "A."

Section 3. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on July 30, 2024 this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Hahn, Humbert, Kesarwani, Lunaparra, Taplin, Tregub, Wengraf, and Arreguin.

Noes: None.

Absent: None.



Planning Department  
Engineering Division

**APPLICATION FOR SUBDIVISION,  
LAND DIVISION AND/OR LOT LINE ADJUSTMENT  
(CERTIFICATE OF COMPLIANCE)**

This application is to be used for the submission of a **Tract Map** or a **Parcel Map** for the purpose of a subdivision of land, and for the submission of a **Lot Line Adjustment**, as defined in the **Subdivision Map Act** (current revision) and in the **City of Berkeley Municipal Code, Title 21**.

Please use the **APPLICATION FOR CONDOMINIUM** if the proposed project is a new condominium or a condominium conversion, as defined in **Section 783** of the **California Civil Code**.

**INSTRUCTIONS:**

Please answer the following questions, checking the appropriate boxes and/or supplying the requested information. Be as complete as possible, attaching additional sheets or supplemental data as required. Respond to all of the questions. If the question does not apply to your project, please mark **N/A** where an answer is requested.

Your attention is directed to the "NOTE" section at the end of this application. Incomplete applications will be returned to the applicant.

If you have any questions, it is suggested that you first consult the State of California's Subdivision Map Act (current revision) and the City of Berkeley's **Municipal Code, Title 21**. If you wish further information, please call the **Subdivision Engineer** at **(510) 981-6409**.

It is your responsibility as the applicant to make certain that your proposal conforms to all of the requirements (Zoning/Current Planning, Planning, Public Works, etc.) for land divisions and lot line adjustments in the City of Berkeley, or that the appropriate variances, waivers, use permits, etc., have been obtained/approved.

1. Please check and give the appropriate map number below if this application is for a:  
 Tract Map No. \_\_\_\_\_     Vesting Tentative Map  
 Parcel Map No. \_\_\_\_\_     Lot Line Adjustment     Certificate of Compliance
2. This subdivision contains \_\_\_\_\_ parcels/lots.
3. Address of property: 1401 Carleton Street

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4. Record Lot(s)/Block/Tract (or portions thereof – refer to the title report legal description, or deed)  
Lot 28 in Block 23 of the Map of Mathews Tract, Berkeley, Oakland Township, Subdivide, 1888 filed August 7, 1888, in Book 10 of Maps at page 29, in the Office of the County Recorder of Alameda County.



APPLICATION FOR SUBDIVISION, LAND DIVISION AND/OR LOT LINE ADJUSTMENT

12. Complete the following table, attach additional sheets as needed when applying for a Tract Map using the same format as shown below:

DESCRIPTION OF PROPOSED PARCELS AND IMPROVEMENTS

Parcel	A	B	C	D	E
Area (Sq. ft.)	3,386	14,169			
Proposed Use	Residential	public park			
Proposed Structures (Y/N)	N (existing)	N			
Proposed Access: Strips (Lineal ft.)	N (existing)	N/A			
R.O.W. Frontage: (Lineal ft.)	35.25	76.26			

13. Are there any easements in/on/over the site? If so, please describe:

No

14. Are there any utilities in an abutting public right-of-way(s) or easements?

Check all that apply and show on Tentative Map:

Gas  X       Electricity  X       Telephone  X   
 Water  X       Storm  X       Sanitary  X

15. The nearest fire hydrant is  50  feet from the farthest parcel as measured along the public right-of-way and/or proposed access roads.

16. Is any utility construction proposed?      Yes \_\_\_\_\_      No  X

If yes, please describe: \_\_\_\_\_

17. Is any sanitary sewer construction proposed?      Yes \_\_\_\_\_      No  X

If yes, please describe: \_\_\_\_\_

18. Is any private sanitary sewer construction (main or lateral) proposed?      Yes \_\_\_\_\_      No  X

If yes, please describe: \_\_\_\_\_

APPLICATION FOR SUBDIVISION, LAND DIVISION AND/OR LOT LINE ADJUSTMENT

19. Is any grading/excavation proposed? Yes  No

If yes, please describe: City will remediate the contaminants left behind from the site's historic railroad use as part of the Santa Fe Trackbed to Park Conversion project.

20. Is any demolition proposed? Yes  No

If yes, please describe: City will remove the existing fence and construct a new one along the new, shared property line as part of the Santa Fe Trackbed to Park Conversion project.

21. Is "off-street" parking provided as required by the City's Zoning Ordinance? Yes  No

If no, please describe: \_\_\_\_\_

22. Describe any proposed construction of private access roads/strips. Will all passages or driveways (proposed or existing) be sufficient size so as to permit the entry of fire fighting equipment?

No proposed construction of private access roads/strips. This lot line adjustment will resolve existing encroachments onto City property and update 1401 Carleton into a conforming lot.

23. Briefly describe any other proposed improvements:

City will construct a new dog park after soil remediation.

24. Will any variances, waivers, use permits, etc., be required for this application? Yes  No

25. If so, have the variances, waivers, use permits, etc., been obtained?

Yes  No  Applied for \_\_\_\_\_

NOTE: If applying with a VESTING Tentative Map, written approval from the Board of Adjustments, in the form of APPROVED variances, permits, etc., is required PRIOR to applying for a land division.

If yes, please show the appropriate permit number \_\_\_\_\_ or date granted \_\_\_\_\_, and a description:

If applied for, city date, agency, application data, and a brief description: \_\_\_\_\_

**NOTE: THIS IS NOT AN APPLICATION FOR SUCH VARIANCE, PERMITS, ETC., WHICH MUST BE MADE WITH THE APPROPRIATE DEPARTMENTS.**

APPLICATION FOR SUBDIVISION, LAND DIVISION AND/OR LOT LINE ADJUSTMENT

The acceptance of a completed application by the City of Berkeley does not constitute the approval of any application, nor does it guarantee that such application will be approved by the appropriate agency/agencies.

Once accepted by the City of Berkeley, all fees required for the submission of this application are non-refundable.

SIGNATURES OF APPLICANT AND ALL OWNERS OF RECORD (attach additional sheets, as needed):

OWNER (PRINT NAME) OWNER'S SIGNATURE DATE

APPLICANT (PRINT NAME) APPLICANT'S SIGNATURE DATE

DO NOT WRITE BELOW THIS LINE

FILING DATE OF APPLICATION: \_\_\_\_\_



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**INSTRUCTIONS:**

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1. Please check and give the appropriate map number below if this application is for a:

\_\_\_ Tract Map No. \_\_\_\_\_ \_\_\_ Vesting Tentative Map  
\_\_\_ Parcel Map No. \_\_\_\_\_   x   Lot Line Adjustment \_\_\_ Certificate of Compliance

2. This subdivision contains \_\_\_\_\_ parcels/lots.

3. Address of property:   1423 Ward Street  

\_\_\_\_\_

4. Record Lot(s)/Block/Tract (or portions thereof – refer to the title report legal description, or deed)  
  Lot 7, Block 3, Map of San Pablo Park, filed November 21, 1906 in Book 22 of Maps, Page 1, Alameda County Records.



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DESCRIPTION OF PROPOSED PARCELS AND IMPROVEMENTS

Parcel	A	B	C	D	E
Area (Sq. ft.)	3,147	16,011			
Proposed Use	Residential	public park			
Proposed Structures (Y/N)	N (existing)	N			
Proposed Access: Strips (Lineal ft.)	N (existing)	N/A			
R.O.W. Frontage: (Lineal ft.)	32.29	94.35			

13. Are there any easements in/on/over the site? If so, please describe:

No

14. Are there any utilities in an abutting public right-of-way(s) or easements?

Check all that apply and show on Tentative Map:

Gas  X       Electricity  X       Telephone  X   
 Water  X       Storm \_\_\_\_\_      Sanitary  X

15. The nearest fire hydrant is  9  feet from the farthest parcel as measured along the public right-of-way and/or proposed access roads.

16. Is any utility construction proposed?      Yes \_\_\_\_\_      No  X

If yes, please describe: \_\_\_\_\_

17. Is any sanitary sewer construction proposed?      Yes \_\_\_\_\_      No  X

If yes, please describe: \_\_\_\_\_

18. Is any private sanitary sewer construction (main or lateral) proposed?      Yes \_\_\_\_\_      No  X

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If no, please describe: \_\_\_\_\_

22. Describe any proposed construction of private access roads/strips. Will all passages or driveways (proposed or existing) be sufficient size so as to permit the entry of fire fighting equipment?

No proposed construction of private access roads/strips. This lot line adjustment will resolve existing encroachments onto City property and update 1423 Ward into a conforming lot.

23. Briefly describe any other proposed improvements:

City will construct a new teaching garden and outdoor classroom after soil remediation.

24. Will any variances, waivers, use permits, etc., be required for this application? Yes  No

25. If so, have the variances, waivers, use permits, etc., been obtained?

Yes  No  Applied for \_\_\_\_\_

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