INDEX TO ADMINISTRATIVE RECORD

2708 PRINCE STREET

USE PERMIT #ZP2024-0024

Prepared: December 31, 2024

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ZONING ADJUSTMENTS BOARD

STAFF REPORT

FOR BOARD ACTION
SEPTEMBER 12, 2024

2708 Prince Street

Use Permit #ZP2024-0024 to demolish an existing 13 foot 9-inch-tall one-story 1,052 square-foot house and accessory building (garage), and construct a new 24 foot 4-inch-tall two-story 3,118 square-foot duplex.

I. Background

A. Land Use Designations:

- General Plan: MDR– Medium Density Residential
- Zoning District: R2-A– Restricted Multiple-Family Residential

B. Zoning Permits Required:

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.326.020(B) to demolish a dwelling unit
- Use Permit pursuant to BMC Section 23.202.020(A) to construct a two-family dwelling

C. CEQA Recommendation:

It is staff's recommendation to the Zoning Adjustments Board (ZAB) that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code Section 21000, et seq. and California Code of Regulations, Section15000, et seq.) pursuant to CEQA Guidelines Section 15303 ("New Construction").

D. Parties Involved:

- Applicant: Jeff Svitak, 3037 Redwood Street, San Diego
- Property Owner: Linda Joseph, 2700 Prince Street, Berkeley

Figure 1: Vicinity and Zoning Districts Map



Legend

Site Boundary

R-1: Single-Family Residential

R-2: Restricted Two-Family Residential

R-2A: Restricted Multiple-Family Residential

N

Figure 2: Site Plan

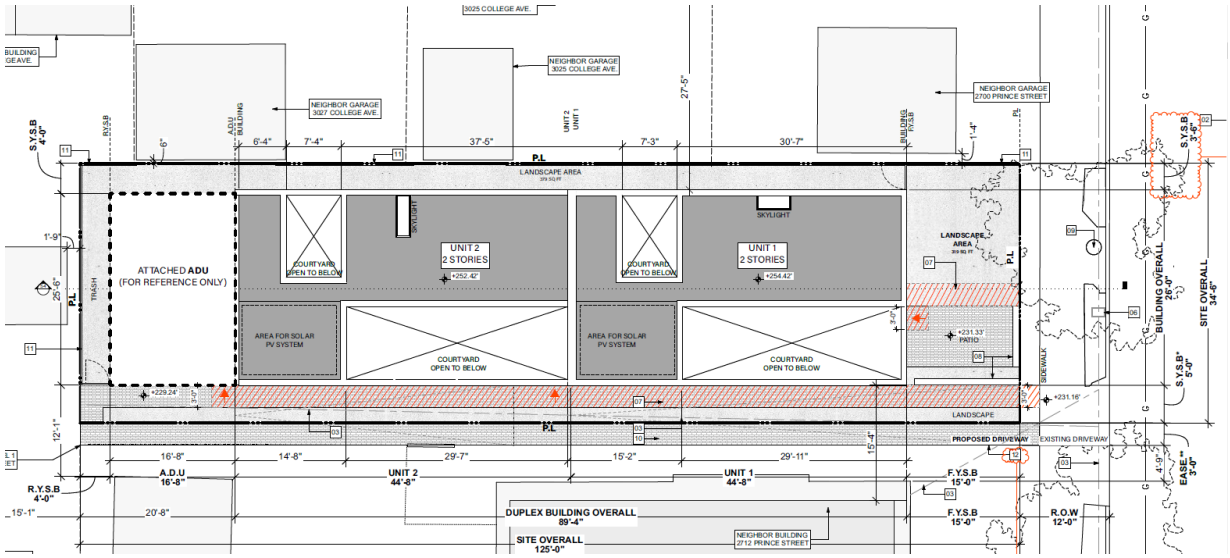


Figure 3: North Elevation (Prince Street)

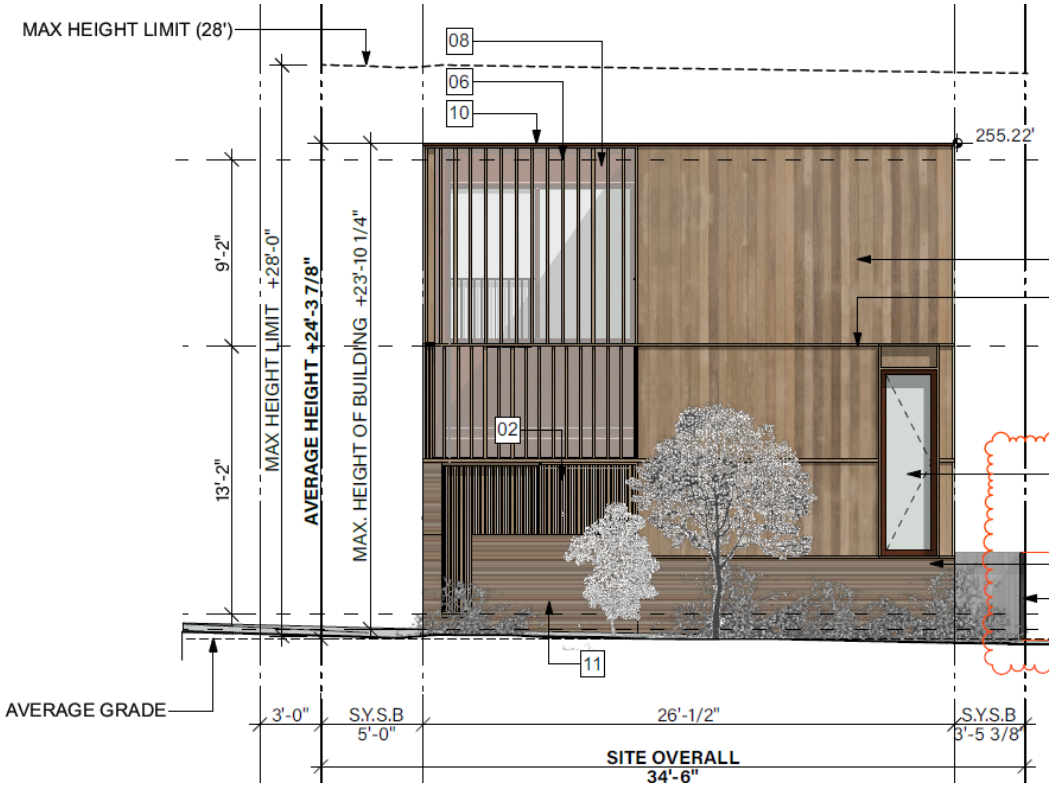


Figure 4: West Elevation

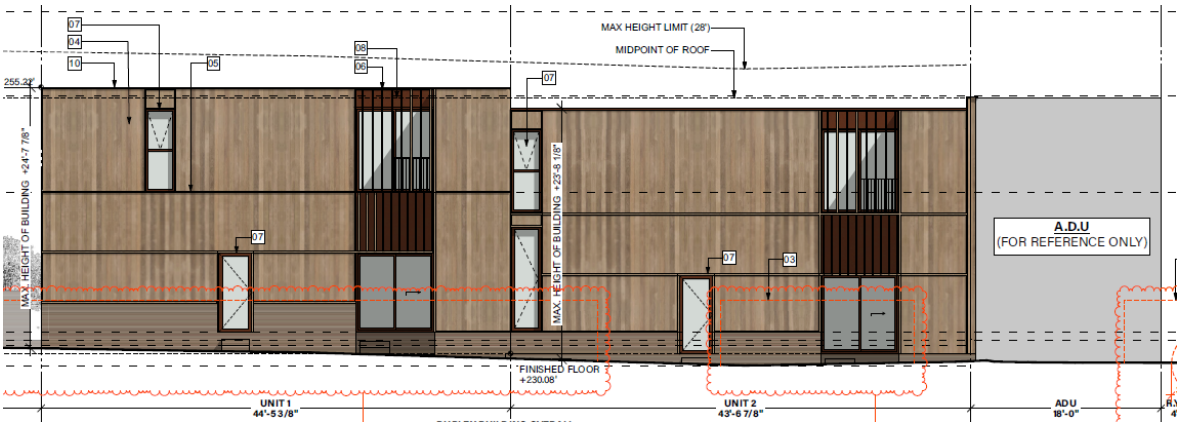


Table 1: Land Use Information

Location		Existing Use	Zoning District	General Plan Designation
Subject Property		Single-family dwelling	R-2A	Medium Density Residential
Surrounding Properties	North			
	South	Multi-family (4 units)		
	East	Single-family dwelling	R-2 (Restricted Two-Family Residential)	Low Medium Density Residential
	West	Two single-family dwellings, two multi-family buildings (4 units each)	R-2A	Medium Density Residential

Table 2: Special Characteristics

Characteristic	Applicability	Explanation
Affordable Child Care Fee for qualifying non-residential projects (Per Resolution 66,618-N.S.)	No	This fee applies to net newly constructed nonresidential gross floor area over 7,500 square feet. The project would only involve new residential floor area, therefore the fee does not apply.
Affordable Housing Fee for qualifying non-residential projects (Per Resolution 66,617-N.S.)		
Affordable / Inclusionary Housing Requirements (BMC Chapter 23.328)	No	The project is a housing development project, as defined in BMC 23.328.020[a]. The project would provide 5,000 square feet or less of residential unit floor area and is not part of a larger housing development project, and is exempt from the inclusionary housing provisions.
Coast Live Oak Trees (BMC Chapter 6.52)	No	There are no Coast Live Oak (*Quercus agrifolia*) trees on the project site.
Creeks	No	No creek or culvert, as defined by BMC Chapter 17.08, exists on or within 30 feet of the project site.
Density Bonus	No	The project is not requesting a Density Bonus.
Historic Resources	No	The Historic Resource Evaluation prepared by Mark Hulbert (October 4, 2023, revised April 12, 2024) concluded that the property does not meet the criteria for the California Register or City of Berkeley Structure of Merit or Landmark.
Housing Accountability Act (HAA) (Gov't Code Section 65589.5(j))	Yes	The project meets the definition of a "Housing Development Project" per Government Code Section 65589.5(h)(2)[b]. The project complies with applicable, objective general plan and zoning standards, and thus section (j) of the Housing Accountability Act does apply, and the project cannot be denied at the density proposed unless the findings for denial can be made. See Section

Characteristic	Applicability	Explanation
		V.B of this report for additional discussion on compliance with the Housing Accountability Act.
Housing Crisis Act of 2019 (SB 330)	Yes	The project meets the definition of a "Housing Development Project" per Government Code Section 65589.5(h)(2).[b] See Section V.C of this report for additional discussion on the sections of SB 330 that apply to the project.
Rent Controlled Units	No	The subject building is a single-family dwelling and therefore not subject to rent control provisions pursuant to BMC Chapter 13.76. See Section III.B, Replacement of Demolished Units.
Residential Preferred Parking (RPP)	Yes	The site is located in an RPP zone. The project is not eligible for RPP permits per BMC Section 14.72.080(C)(1) as no permits shall be issued to residents in newly constructed residential units.
Seismic Hazards (SHMA)	No	The project site is not located within an area susceptible to landslide/liquefaction/fault rupture as shown on the State Seismic Hazard Zones map.[c]
Soil/Groundwater Contamination	No	The project site is not located within the City's Environmental Management Area and is not on the Cortese List.[d] Standard Conditions of Approval related to hazardous materials would apply.
Transit	Yes	The project area is served by the AC Transit lines 6, 7, 51B, and 79. The nearest bus stops are approximately 400 to the south, near the intersection of College Avenue and Woolsey Street, and approximately 0.2 miles to the north, near the intersection of Ashby Avenue and College Avenue.

Notes:

a. BMC 23.328.020(E) defines a "Housing Development Project" for purposes of inclusionary housing requirements as "a development project, including a Mixed-Use Residential project involving the new construction of at least one Residential Unit. Projects with one or more buildings or projects including multiple contiguous parcels under common ownership or control shall be considered as a sole Housing Development Project and not as individual projects.

b. Government Code Section 65589.5(h)(2) "Housing development project" means a use consisting of any of the following: (A) residential units only, (B) mixed-use developments consisting of residential and nonresidential uses in which at least two-thirds of the square footage is designated for residential use, and (C) transitional or supportive housing.

c. California Department of Conservation. DOC Maps: Geologic Hazards. Available: https://maps.conservation.ca.gov/geologichazards/

d. The Cortese List is an annually updated list of hazardous materials sites complied pursuant Government Code Section 65962.5.

Table 3: Project Chronology

Date	Action
February 16, 2024	Use Permit Application submitted
March 7, 2024	Application deemed complete
August 29, 2024	Public hearing notices mailed/posted
September 12, 2024	ZAB hearing

Table 4: R-2A Development Standards BMC Sections 23.202.090 and 23.322 Parking and Loading

Standard		Existing	Proposed Total	Permitted/ Required
Lot Area (sq. ft.)		4,312	No change	5,000 min
Gross Floor Area (sq. ft.)		1,052	3,118	N/A
Dwelling Units	Total	1	2	2 max (one dwelling unit/1,650 square-feet of lot area, and one additional dwelling unit is allowed for remaining lot area between 1,300 and 1,650 square feet)
Building Height (ft. - in.)	Average	13'-9"	24'-4"	max
	Stories	1	2	3 max
Building Setbacks (ft. - in.)	Front (Prince Street)	16'-7"	15'	15' min
	Rear	54'-11"	22'	15' min
	Left Side	7'	5'	3.45' min (10 percent of the lot width per BMC Section 23.304.030(B)(2))
	Right Side	3'-1"	3'-6"	3.45' min (10 percent of the lot width per BMC Section 23.304.030(B)(2))
Lot Coverage (%)		24	40	40 max
Usable Open Space (sq. ft.)		2,139	645	600 min (300/dwelling)
Parking	Automobile	1	0	1 max, 0 required

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 subject site is located on the south side of Prince Street, between College Avenue and Claremont Avenue. The proposed project is in a residential neighborhood that primarily consists of one- and two-story residential properties, which include single-family, duplexes, and multi-family dwellings. A church is located across the street.

B. Site Conditions:

The 4,312-square-foot lot is generally rectangular-shaped and oriented north to south, with frontage on Prince Street. The project site is relatively flat and is developed with a one-story residential building and a garage. An easement along the left side of the property provides shared 8-foot wide vehicular access to the site and the adjacent flag lot at 2710 Prince Street, with a 5-foot easement on the subject site and a 3-foot easement on the flag lot 2710 Prince Street.

III. Project Description

A. Proposed Project Details: The proposed project would demolish the existing dwelling and garage, and construct a two-story duplex. Each three-bedroom dwelling would be approximately 1,500 square feet in area. Approximately 400 square feet of shared useable open space would be located in the front setback, and each dwelling would have 145 square feet of private useable open space in patios adjacent to each dwelling. Additional landscaping spaces would be located at the ground level between the walls of the living area, and would be open to the sky. Since those landscaping spaces would not meet the minimum dimensions for useable open space they would not count toward useable open space. An ADU would be attached at the rear of the duplex, and is shown only for reference since it is not subject to discretionary review.

B. Replacement of Demolished Units:

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

The existing unit is not considered a “protected” unit as defined in Section 66300(d) because it was not rent-controlled or designated as affordable or occupied by lower income households, within the last five years. The dwelling unit proposed to be demolished is vacant, and is not subject to tenant relocation provisions.

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 February 2024. On August 29, 2024, the City mailed public hearing notices to property owners and occupants within 300 feet of the project site, and to interested neighborhood organizations. The City also posted notices within the neighborhood at nearby three locations. At the time of writing this report, staff has received letters in opposition to the project from two parties. The rear yard of the neighbor at 3025 College Avenue is next to the proposed duplex, and they are concerned about light and air, and density impacts, and have asked the applicant to reduce the massing of the project, or break up the wall on the west elevation with architectural screens, as was done on the east elevation. The rear yard of the neighbor at 3027 College Avenue is close to the proposed ADU, and they are concerned about the ADU setbacks and the density of the project. The neighbor at 3025 College Avenue also requested a later hearing date because they would be unable to attend in person. Because the proposal is a housing development project that complies with the Housing Accountability Act, staff did not delay the hearing. Staff provided information on how to join the ZAB hearing remotely. See Attachment 4 for all correspondence.

On August 9, 2024, staff visited the home of the neighbor at 3025 College Avenue to view the existing conditions. The neighbor shared their concerns about the massing of the proposed project, the loss of light to their patio, and the impacts to the existing trees.

B. Landmark Preservation Commission / Design Review Committee Review:

This project is not subject to review by the Design Review Committee or the Landmarks Preservation Commission because it is not located in a residential district subject to design review, or a 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 that the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303 ("New Construction or Conversion of Small Structures"). The project complies with this exemption because a duplex is proposed in a residential zone in an urbanized area, and is below the size threshold for this exemption. 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 site is currently characterized as developed by the California Natural Diversity Database;[1] 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;[2] 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;[3] 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. Housing Accountability Act Analysis:

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

1. The development would have a specific adverse impact on public health or safety[4] unless disapproved, or approved at a lower density; and

2. There is no feasible method to satisfactorily mitigate or avoid the specific adverse impact, other than the disapproval, or approval at a lower density.

The project is a "housing development project" consisting of all residential uses. As shown in Table 4 above, the project complies with the zoning standards. The ZAB has the discretion to approve, deny, or modify the request according to the zoning findings, provided the action does not reduce the project density or effectively deny the project by making it infeasible, unless the ZAB is also able to make the required findings for denial set forth under Section 65589.5(j), above.

[1] California Department of Fish and Wildlife. California Natural Diversity Database. Available: https://apps.wildlife.ca.gov/bios6/?tool=cnddbqv

[2] 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

[3] California Environmental Protection Agency. Cortese List Data Resources. Available: https://calepa.ca.gov/sitecleanup/corteselist/

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

Staff is not aware of specific adverse impacts that could occur with the construction of the project.

C. Housing Crisis Act of 2019 – Senate Bill (SB) 330:

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

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

   The September 12, 2024 ZAB hearing represents the first public hearing for the proposed project since the project was deemed complete. The City can hold up to four additional public hearings on this project, if needed. One of those hearings must be reserved for any possible appeal to the City Council.

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

   As discussed in an historic resource evaluation prepared for the project on October 4, 2023, and revised April 12, 2024, the property does not appear to be historically significant, and therefore is not eligible for listing on the California Register of Historical Resources, or as a City of Berkeley Landmark or Structure of Merit.

3. **Government Code Section 65950(a)(5)** requires a public agency to approve or disapprove a project within 60 days from the determination that the project is exempt from the CEQA. Should ZAB determine the application is categorically exempt from CEQA at the September 12, 2024 public hearing, the application must be approved or disapproved by November 11, 2024.

D. Elimination of Dwelling Units through Demolition:

1. BMC Section 23.326.020(B) allows the ZAB to approve a Use Permit to eliminate or demolish a dwelling unit only if the elimination of the dwelling unit would not be materially detrimental to the housing needs and public interest of any affected neighborhood or the City. The project would replace one dwelling unit with two dwelling units. The increase in the number of housing units would help meet the City's need for additional housing and Regional Housing Needs Assessment target, and thus the Finding under BMC Section 23.326.020(B) would be met. The project would also provide housing in proximity to regional transit, bicycle facilities, retail, and services, therefore reducing vehicle miles traveled, and air quality and greenhouse gas emission impacts. The proposed project would not be materially detrimental to the housing needs and public interest of the affected neighborhood and the City.

2. The project is compliant with all provisions of Government Code Section 66300(d) for the demolition and replacement of residential units.

3. BMC Section 23.326.030(B) allows the ZAB to approve the demolition of a single dwelling unit provided that the building was not removed from the rental market under the Ellis Act during the proceeding five years and there have been no verified cases of harassment, or threatened or actual eviction during the immediately preceding three years. Rent Stabilization Board staff reviewed the property records and determined that the existing units have not been removed from the rental market under the Ellis Act at any time during the preceding five years, and there is no record of any verified cases of harassment or threatened or actual illegal eviction. (Attachment 5)

4. The dwelling proposed to be demolished is vacant, and is not subject to tenant relocation provisions pursuant to BMC Chapter 23.326.

VI. Other Considerations (Zoning and Land Use Considerations)

The following analyses of conformance with district purposes, and the 2002 General Plan goals and policies are provided for informational purposes only, to provide context, because the proposed project is HAA-compliant. See section V.B for discussion of the HAA. All permits are subject to the General Non-Detriment findings discussed in section VI.B.

A. District Purpose:

Pursuant to BMC Section 23.202.090(A), the proposed project is consistent with the purpose of the R-2A District because the proposed project would help maintain the medium-density residential concentration of the existing neighborhood through the development of a duplex on a single lot. The proposed project would provide usable open space beyond the 300-square-foot minimum per dwelling unit required in the R-2A District, and would not conflict with any of the principles of the district purpose.

B. General Non-Detriment Finding:

BMC Section 23.406.040(E) states that before the ZAB approves an application for a Use Permit, it must find that the project, under the circumstances of this particular case existing at the time at which the application is granted, would not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City.

1. Shadows: The applicant submitted shadow studies documenting sun angles at different three times throughout the day during the summer and winter solstice. New shadows would affect dwellings at the following locations:

- 3025 College Avenue, west of the project site, casting new shadows on the summer solstice two hours after sunrise.
- 2712 Prince Street, east of the project site, casting new shadows on the summer solstice two hours before sunset.
- 2700 Prince Street and 3025 College Avenue, west of the project site, casting new shadows on the winter solstice two hours after sunrise.
- 2712 Prince Street, east of the project site, casting new shadows on the winter solstice two hours before sunset.

Though the project will create new shadow impacts on neighboring residences, the projected impacts would be in line with what is be expected within a built urban environment. The shadow impacts from the project on adjacent residential uses would be reasonable and not detrimental.

2. Air: The proposed project would be consistent with the existing development and building-to-building separation pattern, or air, in this R-2A District neighborhood. Because the project would meet the required setbacks, the project would not unreasonably obstruct air.

3. Views: The view corridor as defined in BMC Section 23.502.020 (Glossary) includes views of the Berkeley Hills, San Francisco Bay, Mt. Tamalpais, or a significant landmark such as the campanile, Golden Gate Bridge, or any other views that substantially enhances the value and enjoyment of real property. The project's proposed location is in a generally flat neighborhood, developed with one- to two-story buildings, and includes some mature vegetation that obscures these views from off-street angles. Because significant views are generally not available in this neighborhood due to grade, current development patterns, and mature vegetation, the proposed project would not create detrimental impacts to views.

4. The project is subject to the City's standard conditions of approval regarding construction noise and air quality, waste diversion, toxics, and stormwater requirements, thereby ensuring the project would not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the area or neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood or to the general welfare of the City.

C. 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.

5. **Policy UD-32 Shadows**: New buildings should be designed to minimize impacts on solar access and minimize detrimental shadows.

6. **Policy H-19 Regional Housing Needs:** Encourage adequate housing production to meet City needs and the City's share of regional housing needs.

7. **Policy EM-5 "Green" Buildings**: Promote and encourage compliance with "green" building standards. (Also see Policies EM-8, EM-26, EM-35, EM-36, and UD-6.)

8. **Policy UD-33 Sustainable Design:** Promote environmentally sensitive and sustainable design in new buildings.

Staff Analysis: The proposed replacement of one single-family dwelling with a duplex would be consistent with neighboring land uses. The proposed size and design would be compatible with the existing scale and design characteristics of the neighborhood, and would be consistent with zoning requirements. Since the project is consistent with

zoning requirements, shadow impacts would not be detrimental. By adding two dwellings, the project would support regional housing needs. The project would be subject to standard conditions of approval that promote sustainable building design, including solar PV systems.

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 15303 of the CEQA Guidelines ("New Construction"); and
2. **APPROVE** Use Permit ZP2024-0024 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 August 26, 2024
3. Notice of Public Hearing
4. Correspondence Received
5. Email from Rent Stabilization Board staff, dated August 1, 2024

Staff Planner: Allison Riemer, ariemer@berkeleyca.gov, (510) 981-7433

ATTACHMENT 1

FINDINGS AND CONDITIONS

SEPTEMBER 12, 2024

2708 Prince Street

Use Permit #ZP2024-0024 to demolish an existing 13 foot 9-inch-tall one-story 1,052 square-foot house and accessory building (garage), and construct a new 24 foot 4-inch-tall two-story 3,118 square-foot duplex.

ZONING PERMITS REQUIRED

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.326.020(B) to demolish a dwelling unit
- Use Permit pursuant to BMC Section 23.202.020(A) to construct a two-family dwelling

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 15303 of the CEQA Guidelines ("New Construction").

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 will not affect any historical resource.

II. HOUSING ACCOUNTABILTY ACT FINDINGS

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

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

III. FINDINGS FOR APPROVAL

A. 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, will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City because:

1. The proposed project is consistent with the purpose of the R-2A District because the proposed project will help maintain the medium-density residential concentration of the existing neighborhood through the development of a duplex on a single lot. The proposed project will provide usable open space beyond the 300-square-foot minimum per dwelling unit required in the R-2A District, and will not conflict with any of the principles of the district purpose.
2. The proposed duplex will have an average height of 24-feet 4-inches, and will be below the 28-foot average height allowed in the R-2A District. Though the project will create new shadow impacts to abutting lots, the impacts will be minimal as they are limited to certain times of the day and not outside of what is expected in a built urban environment.
3. The proposed project will meet the required setbacks, and therefore the project will not unreasonably obstruct air.
4. Due to grade, current development patterns, and mature vegetation, views as defined in BMC Section 23.502.020, are generally not available in this neighborhood. As a result, the proposed project will not create detrimental impacts to views.
5. The project will be subject to the City's standard conditions of approval regarding construction noise and air quality, waste diversion, toxics, and stormwater requirements, which will ensure that the project will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the area or neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood or to the general welfare of the City.

IV. OTHER FINDINGS FOR APPROVAL

A. As required by BMC 23.326.020(B), the elimination or demolition of a dwelling unit will not be materially detrimental to the housing needs and public interest of any affected neighborhood or the City. The project will replace one demolished dwelling unit with two dwelling units. The increase in the number of housing units would help meet the City's need for additional housing and Regional Housing Needs Assessment target.

C. Pursuant to BMC Section 23.326.030(B), the elimination or demolition of a single dwelling unit is permissible because the existing unit has not been removed from the rental market under the Ellis Act at any time during the preceding five years, or there is no record of any verified cases of harassment or threatened or actual illegal eviction.

V. 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.

VI. 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. **Address Assignment.** The applicant shall file an "Address Assignment Request Application" with the Permit Service Center (1947 Center Street) for any address change or new address associated with this Use Permit. The new address(es) shall be assigned in accordance with BMC 16.28.030, and, except for new buildings on vacant lots, entered into the City's database after the building permit is issued but prior to final inspection.

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

12. **Demolition.** Demolition of the existing building cannot commence until a complete application is submitted for the replacement building. In addition, all plans presented to the City to obtain a permit to allow the demolition are subject to these conditions.

13. **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.

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

   A. **Phase I and Phase II Environmental Site Assessment (ESA) (per ASTM 1527).** A recent Phase I ESA (less than 2 years old) shall be submitted to the Toxics Management Division for developments for: all new commercial, industrial and mixed-use developments and all improvement projects that require work 5 or more feet below grade, and all new residential buildings with more than four dwelling units located in the Environmental Management Area (or EMA). The EMA can be viewed at: City of Berkeley Community GIS Portal (arcgis.com)

   B. Depending on the findings in the Phase I, a Phase II or additional investigation may be necessary. Any available soils and groundwater analytical data available for projects listed in this section must also be submitted to TMD.

C. Environmental Site Clearance. The applicant shall provide environmental screening clearance from either the San Francisco Bay Regional Water Quality Control Board (RWQCB), Department of Toxic Substances Control (DTSC), or the Alameda County Department of Environmental Health's Local Oversight Program (LOP). Clearance from one of these regulatory agencies will ensure that the property meets development investigation and cleanup standards for the specific use proposed on the property. Environmental screening clearance shall be submitted to the City of Berkeley's Toxics Management Division prior to issuance of any building permits.

D. Soil and Groundwater Management Plan. A site-specific Soil and Groundwater Management Plan (SGMP) shall be submitted to Toxics Management Division (TMD) for all non-residential projects, and residential or mixed-use projects with more than four dwelling units, that: (1) are in the Environmental Management Area (EMA), as shown on the most recent City of Berkeley EMA map, and (2) propose any excavations deeper than 5 feet below grade or if significant soils removal is anticipated. The SGMP shall be submitted to the TMD with the project's building permit application and shall be approved by TMD prior to issuance of the building permit.

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

i. procedures for soil and groundwater management including identification of pollutants and disposal methods;

ii. procedures to manage odors, dust and other potential nuisance conditions expected during development;

iii. notification to TMD within 24 hours of the discovery of any previously undiscovered contamination; and

iv. the name and phone number of the individual responsible for implementing the SGMP and who will respond to community questions or complaints.

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

E. Demolitions & Renovations – Building Materials Survey. A hazardous materials survey for building materials and plans on hazardous materials and hazardous waste removal and disposal is required and must be prepared by qualified professionals, and submitted to the Toxics Management Division (TMD) prior to issuance of the building permit.

i. The survey shall include the identification of all materials to be disturbed for lead-based paints, PCB containing equipment and caulking, hydraulic fluids, refrigerants, treated wood, and mercury containing devices (including fluorescent light bulbs and mercury switches), asbestos and other hazardous materials and chemicals.

ii. If asbestos is identified, Bay Area Air Quality Management District Regulation 11-2-401.3 a notification must be made and the J number must be made available to the City of Berkeley Permit Service Center. Contractors must follow state regulations where there is asbestos-related work involving 100 square feet or more of asbestos containing material (8 Cal. Code Regs. §1529, §341.6 et seq.)

iii. The report to the TMD shall include, in addition to the survey, plans on hazardous materials and hazardous waste removal and disposal that comply with State and Federal codes including California Code of Regulations (CCR) 66260 et seq.

iv. Documentation evidencing disposal of hazardous waste in compliance with the survey shall be submitted to TMD within 30 days of the completion of the demolition.

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

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

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

G. Petroleum Storage. An (SPCC) Plan is required to be prepared and implemented for facilities with any one of the following:

i. aggregate aboveground petroleum storage capacities of 1,320 gallons or more stored in aboveground storage containers, tanks, oil-filled equipment, or

ii. one or more tank(s) in an underground area (TIUGA) with petroleum storage capacities of 55 gallons or greater. More information on TIUGAs can be found here: https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/tank-in-an-underground-area-tiuga/

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

Prior to Issuance of Any Building (Construction) Permit

15. **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.
16. **Solar Photovoltaic (Solar PV) and Battery Energy Storage Systems (ESS).** A solar PV system shall be installed, subject to specific limited exceptions, as specified by the Berkeley Energy Code (BMC Chapter 19.36). Energy storage system (ESS) readiness (new single-family, duplex, and townhouse homes) or ESS installation (new multifamily and most nonresidential buildings) shall be completed as specified by BMC Chapter 19.36. Location of the solar PV system and the ESS, if applicable, shall be noted on the construction plans. (Project required to meet applicable code at time of building permit application, if different from above.)
17. **Recycling and Organics Collection.** Applicant shall provide recycling and organics collection areas for occupants, clearly marked on plans, which comply with the Alameda County Organics Reduction and Recycling Ordinance (2021-02). Contact the Zero Waste Division at recyclingprogram@berkeleyca.gov.
18. **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:

19. **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:

20. **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.
21. **Public Works - Implement Bay Area Air Quality Management District (BAAQMD)-** Recommended Measures during Construction. For all proposed projects, BAAQMD recommends implementing all the Basic Construction Mitigation Measures, listed below to meet the best management practices threshold for fugitive dust:

A. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

B. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

C. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

D. All vehicle speeds on unpaved roads shall be limited to 15 mph.

E. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

F. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

G. All construction equipment shall be maintained and properly tuned in accordance with manufacturer specifications. All equipment shall be checked by a certified visible emissions evaluator.

H. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

22. Air Quality - Diesel Particulate Matter Controls during Construction. All off-road construction equipment used for projects with construction lasting more than 2 months shall comply with one of the following measures:

A. The project applicant shall prepare a health risk assessment that demonstrates the project's on-site emissions of diesel particulate matter during construction will not exceed health risk screening criteria after a screening-level health risk assessment is conducted in accordance with current guidance from BAAQMD and OEHHA. The health risk assessment shall be submitted to the Land Use Planning Division for review and approval prior to the issuance of building permits; or

B. All construction equipment shall be equipped with Tier 2 or higher engines and the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type (Tier 4 engines automatically meet this requirement) as certified by the California Air Resources Board (CARB). The equipment shall be properly maintained and tuned in accordance with manufacturer specifications.

C. In addition, a Construction Emissions Minimization Plan (Emissions Plan) shall be prepared that includes the following:

i. An equipment inventory summarizing the type of off-road equipment required for each phase of construction, including the equipment manufacturer, equipment identification number, engine model year, engine certification (tier rating), horsepower, and engine serial number. For all VDECS, the equipment inventory shall also include the technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date.

ii. A Certification Statement that the Contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of contract. The Emissions Plan shall be submitted to the Public Works Department for review and approval prior to the issuance of building permits.

23. **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.

24. **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.)

25. **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.

26. **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.

27. **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.

28. **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.

29. **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.

30. **Stormwater Requirements.** The applicant shall demonstrate compliance with the requirements of the City's National Pollution Discharge Elimination System (NPDES) permit as described in BMC Section 17.20. The following conditions apply:

A. The project plans shall identify and show site-specific Best Management Practices (BMPs) appropriate to activities conducted on-site to limit to the maximum extent practicable the discharge of pollutants to the City's storm drainage system, regardless of season or weather conditions.

B. Trash enclosures and/or recycling area(s) shall be covered; no other area shall drain onto this area. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. Applicant shall contact the City of Berkeley and EBMUD for specific connection and discharge requirements. Discharges to the sanitary sewer are subject to the review, approval and conditions of the City of Berkeley and EBMUD.

C. Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration and minimize the use of fertilizers and pesticides that contribute to stormwater pollution. Where feasible, landscaping should be designed and operated to treat runoff. When and where possible, xeriscape and drought tolerant plants shall be incorporated into new development plans.

D. Design, location and maintenance requirements and schedules for any stormwater quality treatment structural controls shall be submitted to the Department of Public Works for review with respect to reasonable adequacy of the controls. The review does not relieve the property owner of the responsibility for complying with BMC Chapter 17.20 and future revisions to the City's overall stormwater quality ordinances. This review shall be shall be conducted prior to the issuance of a Building Permit.

E. All paved outdoor storage areas must be designed to reduce/limit the potential for runoff to contact pollutants.

F. All on-site storm drain inlets/catch basins must be cleaned at least once a year immediately prior to the rainy season. The property owner shall be responsible for all costs associated with proper operation and maintenance of all storm drainage facilities (pipelines, inlets, catch basins, outlets, etc.) associated with the project, unless the City accepts such facilities by Council action. Additional cleaning may be required by City of Berkeley Public Works Engineering Dept.

G. All on-site storm drain inlets must be labeled "No Dumping – Drains to Bay" or equivalent using methods approved by the City.

H. Most washing and/or steam cleaning must be done at an appropriately equipped facility that drains to the sanitary sewer. Any outdoor washing or pressure washing must be managed in such a way that there is no discharge or soaps or other pollutants to the storm drain. Sanitary connections are subject to the review, approval and conditions of the sanitary district with jurisdiction for receiving the discharge.

I. 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.

31. **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.

32. **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.

33. **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.

34. **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.

35. **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.

36. **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.

37. **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:

38. **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.

39. All landscape, site and architectural improvements shall be completed per the attached approved drawings received August 26, 2024.

At All Times:

40. **Compliance with Approved Plan.** The project shall conform to the plans and statements in the Use Permit.

41. **Exterior Lighting.** All exterior lighting shall be energy efficient where feasible; and shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.

42. **Rooftop Projections.** No additional rooftop or elevator equipment shall be added to exceed the approved maximum roof height without submission of an application for a Use Permit Modification, subject to Board review and approval.

43. **Drainage Patterns.** The applicant shall establish and maintain drainage patterns that do not adversely affect adjacent properties and rights-of-way. Drainage plans shall be submitted for approval of the Building & Safety Division and Public Works Department, if required.

44. **Electrical Meter.** Only one electrical meter fixture may be installed per dwelling unit.

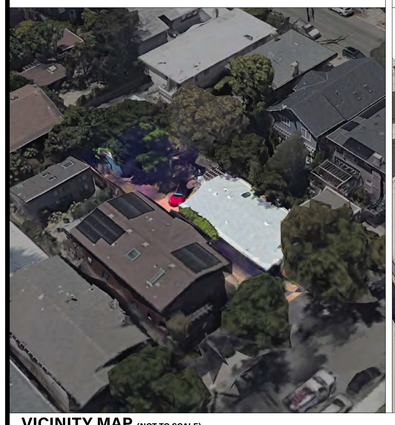
45. **Loading.** All loading/unloading activities associated with deliveries to all uses shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. daily.

46. **Residential Permit Parking.** No Residential Permit Parking (RPP) permits shall be issued to project residents, nor shall commercial placards be issued to non-residential occupants and/or users of the site. The Finance Department, Customer Service Center shall add these addresses to the list of addresses ineligible for RPP permits. The property owner shall notify all tenants of rental units, and/or buyers of condominium units, of this restriction in leases and/or contracts.

EXTERIOR RENDERING (FOR REFERENCE ONLY)



EXISTING BUILDING



PROPOSED BUILDING



VICINITY MAP (NOT TO SCALE)



DEVELOPMENT SUMMARY

PROJECT NAME:	PRINCE ROW HOUSES
PROJECT ADDRESS:	2708 PRINCE ST BERKELEY CA 94705
APN:	538-250-10-00
LOT AREA:	4,312 SF
DETAILED SCOPE OF WORK:	- DEMOLITION OF EXISTING ONE STORY HOUSE AND GARAGE. - NEW CONSTRUCTION OF DUPLEX BUILDING WITH TWO-DWELLING UNITS (2 STORIES, 24'-4" ft. AVERAGE HEIGHT) - NEW CONSTRUCTION OF ATTACHED A.D.U (3 STORIES, 25' HEIGHT)
ZONING DATA:	R-2A (MEDIUM DENSITY RESIDENTIAL)
EXISTING USE TYPE:	RESIDENTIAL
PROPOSED USE TYPE:	RESIDENTIAL
BUILDING CODE CONSTRUCTION TYPE:	TYPE V-B
GOVERNING CODES:	2024 CALIFORNIA STANDARDS BUILDING CODE BERKELEY MUNICIPAL CODE (BMC)
REQUIRED DISCRETIONARY PERMITS:	A.U.P

ZONING CODE DATA

ZONE R-2A	EXISTING	REQUIRED/ALLOWED		PROPOSED
NUMBER OF DWELLINGS	1	n/a		2 + 1
PARKING	1	n/a		0
BIKE PARKING **[1]**	0	n/a		0
FRONT YARD SETBACK (F.Y.S.B) (FT)	15'	15'		15'
SIDE YARD SETBACK (S.Y.S.B) (FT)	3.1'	DUPLEX BUILDING	3.45' **[2]**	3.45'
		ADU	4'	4'
SIDE YARD SETBACK (EASEMENT) (FT)	7.1'	DUPLEX BUILDING	4'	5'
		ADU	4'	5'
REAR YARD SETBACK (FT) **[2]**	55'	DUPLEX BUILDING	15'	20'-8"
		ADU	4'	4'
AVERAGE BUILDING HEIGHT (FT)	14'	DUPLEX BUILDING	28' **[3]**	25'-4"
		ADU	25'	25'
BUILDING STORIES	1	DUPLEX BUILDING	3	2
		ADU	n/a	3
LOT AREA (SF)				4,312
GROSS FLOOR AREA (SF)	1,052	DUPLEX BUILDING	n/a	3,106
		ADU	850 sf. max. for Studio or 1B and 1,000 sf. for 2+ bedrooms **[4]**	774
		TOTAL		3,880
GARAGE AREA (SF) **[5]**	237	n/a		0
BUILDING FOOTPRINT (SF)	1,309	DUPLEX BUILDING	n/a	1,714
		ADU	n/a	459
		TOTAL		2,173
LOT COVERAGE (SF) **[6]**	24%	DUPLEX BUILDING	40% max (2 stories)	40%
		ADU	n/a	n/a
		TOTAL		40%
F.A.R	0.2	DUPLEX BUILDING	n/a	0.7
		ADU	n/a	0.2
LANDSCAPE AREAS (SF)	2,139	n/a		1,403
USABLE OPEN SPACE (SF)	2,139	DUPLEX BUILDING	min 600 SF	657
		ADU	n/a	n/a
IMPERVIOUS SURFACE		DUPLEX BUILDING	n/a	1,714
		ADU	n/a	459
		TOTAL		2,173

03

[1] Dwelling Units (fewer than four) and Accessory Dwelling Units - No Spaces Required. Per BMC - Bicycle Plan, Appendix F

[2] Rear and Side Setback Reductions allowed on district R-2A and on a lot with two or more main buildings with dwelling units. AUP permit required. Per BMC 23.304.030, Table 23.304-1

Side setback (S.Y.S.B): 1st and 2nd stories = 10% of lot width (34'-6" x .1 = 3.45') or 3 ft. Whichever is greater.

Side setback (Easement): (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126) per Survey Plan

[3] Maximum 35 ft. with AUP. Per BMC 23.202.090, Table 23.202-8

[4] Per BMC 23.306.030

[5] Garage area not counted towards Groos Floor area Per BMC 23F.04.

[6] Per BMC 23.202.080

SHEET INDEX

● = NEW OR REVISED
○ = NO CHANGE

SHEET NO. & TITLE		SUBMISSION: Z.P.A SUBMITTAL	Z.P.A RE-SUBMITTAL	Z.P.A RE-SUBMITTAL	03 Z.AB MEETING
	DATE:	02.16.24	04.20.24	05.17.24	09.12.24
G	**GENERAL**				
G01	COVER SHEET	●	●	●	●
G02	RENDERINGS (FOR REFERENCE ONLY)	●	○	○	○
A	**ARCHITECTURE**				
A100	ARCHITECTURAL SITE PLAN	●	●	○	●
A100.1	COMMUNITY OUTREACH		●	○	●
A101	LANDSCAPE AND USABLE OPEN SPACE PLAN	●	●	○	●
A102	LOT COVERAGE DIAGRAM AND CALCULATIONS	●	●	●	●
A103	FLOOR PLANS	●	●	○	●
A104	EXISTING BUILDING PLANS	●	●	○	○
A105	PROPOSED EXTERIOR ELEVATIONS	●	●	○	●
R	**RESOURCE**				
A106	STREET STRIP ELEVATION	●	○	○	○
R01	SITE SURVEY	●	○	○	○
R02	SITE PHOTOGRAPHS	●	○	○	○
R03	SHADOW STUDY	●	●	●	○
R04	SHADOW STUDY - NEIGHBORS ELEVATIONS	●	●	●	○
L	**LANDSCAPE**				
L1.0	LANDSCAPE PLAN	●	○	○	●
L1.1	PLANT SCHEDULE	●	○	○	●
L1.2	PLANTING NOTES AND DETAILS	●	○	○	●
L1.3	PLANTING NOTES AND DETAILS	●	○	○	●
L1.4	MWELO CHECKLIST CALCS	●	○	○	●

PROJECT DIRECTORY

OWNER:
LINDA JOSEPH
2700 Prince Street
Berkeley, CA 94705

CONTACT: Linda Joseph
PHONE: 415.235.3897
EMAIL: ljoseph97@gmail.com

SURVEYOR:
BAY AREA LAND SURVEYING, INC.
350 Townsend Street, 839
San Francisco, CA 94107

CONTACT: Keith Bush
PHONE: 510.223.5167
EMAIL: info@balsinc.net

ARCHITECT:
JEFF SVITAK INC.
3037 Redwood Street
San Diego, CA 92013

CONTACT: Tomas Tironi
PHONE: 619.372.0779
EMAIL: tomas@jeffsvitak.com

LANDSCAPE ARCHITECT:
COSTELLO KENNEDY
16 De La Guerra Road
San Rafael, CA 94903

CONTACT: Teresa Kennedy
PHONE: 415.686.0423
EMAIL:kennedypartyof5@gmail.com

SYMBOL LEGEND

- +100.00' — FLOOR / STORY LEVEL
- STEP
- 101 — UNIT NUMBER
- W-1 — WALL TAG
- W-1 — WINDOW TAG
- D-1 — DOOR TAG
- F-1 — FLOOR TAG
- F-1 / F-1 — FINISH TRANSITION
- K01 — KEYNOTE
- UP — RISE (STAIRS)
- DN — DOWN (STAIRS)
- 1'-0" — DIMENSION
- A — GRID LINE
- 1 / A100 — ELEVATION / SECTION MARKER
- A100 — INTERIOR ELEVATION MARKER
- 1 / A100 — DETAIL CLOUD
- 1 / A100 — DETAIL SECTION
- 1 — REVISION CLOUD
- PROPERTY LINE

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www.jeffsvitak.com

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JEFF SVITAK
C-38300
10/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

PRINCE

2708 PRINCE ST
BERKELEY CA 94705
APN: 052-1563-036

ISSUED FOR:		DATE:
Z.P.A SUBMITTAL		02.16.2024
Z.P.A RE-SUBMITTAL		04.20.2024
Z.P.A RE-SUBMITTAL		05.17.2024
ZAB MEETING	03	09.12.2024

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G01
COVER SHEET

SHEET # 1 OF 21

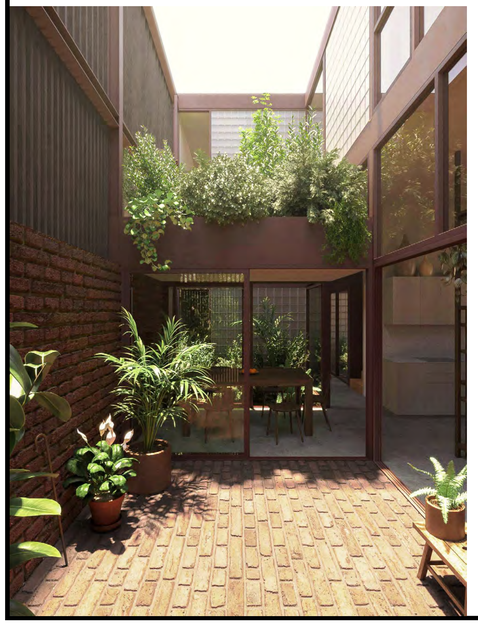


FRONT FACADE LOOKING FROM PRINCE ST



SIDE FACADE LOOKING FROM ALLEY / EASEMENT

ENTRY COURT



LIVING ROOM AND ENTRY COURT



A.D.U LIVING ROOM



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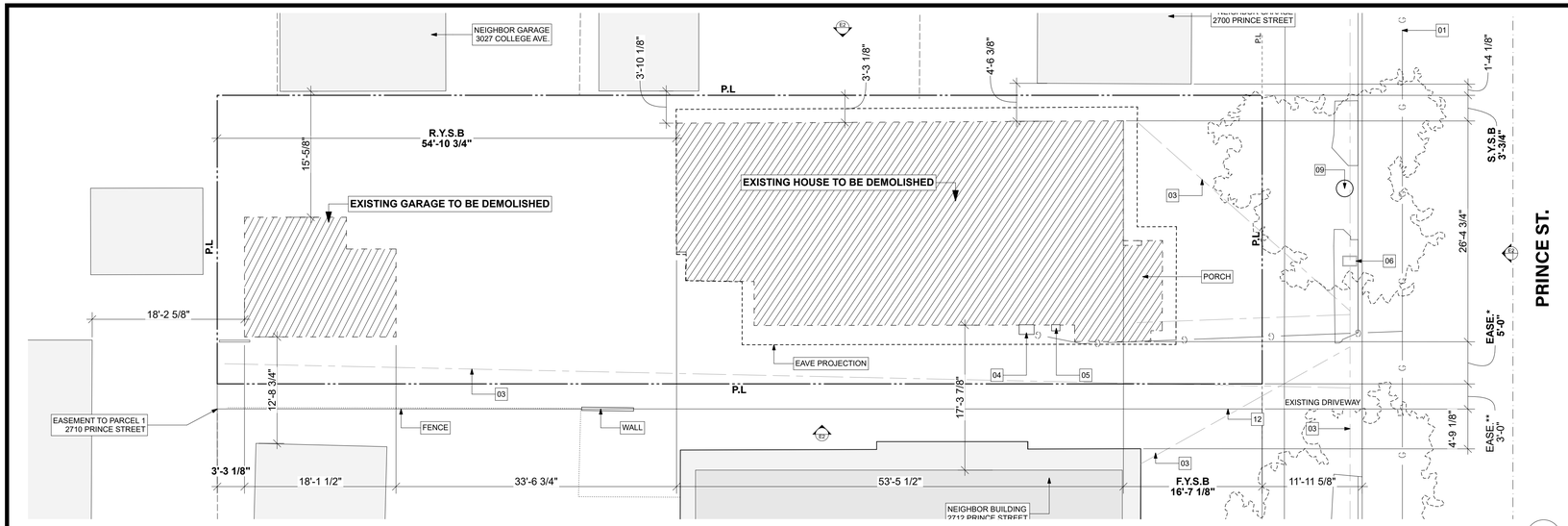
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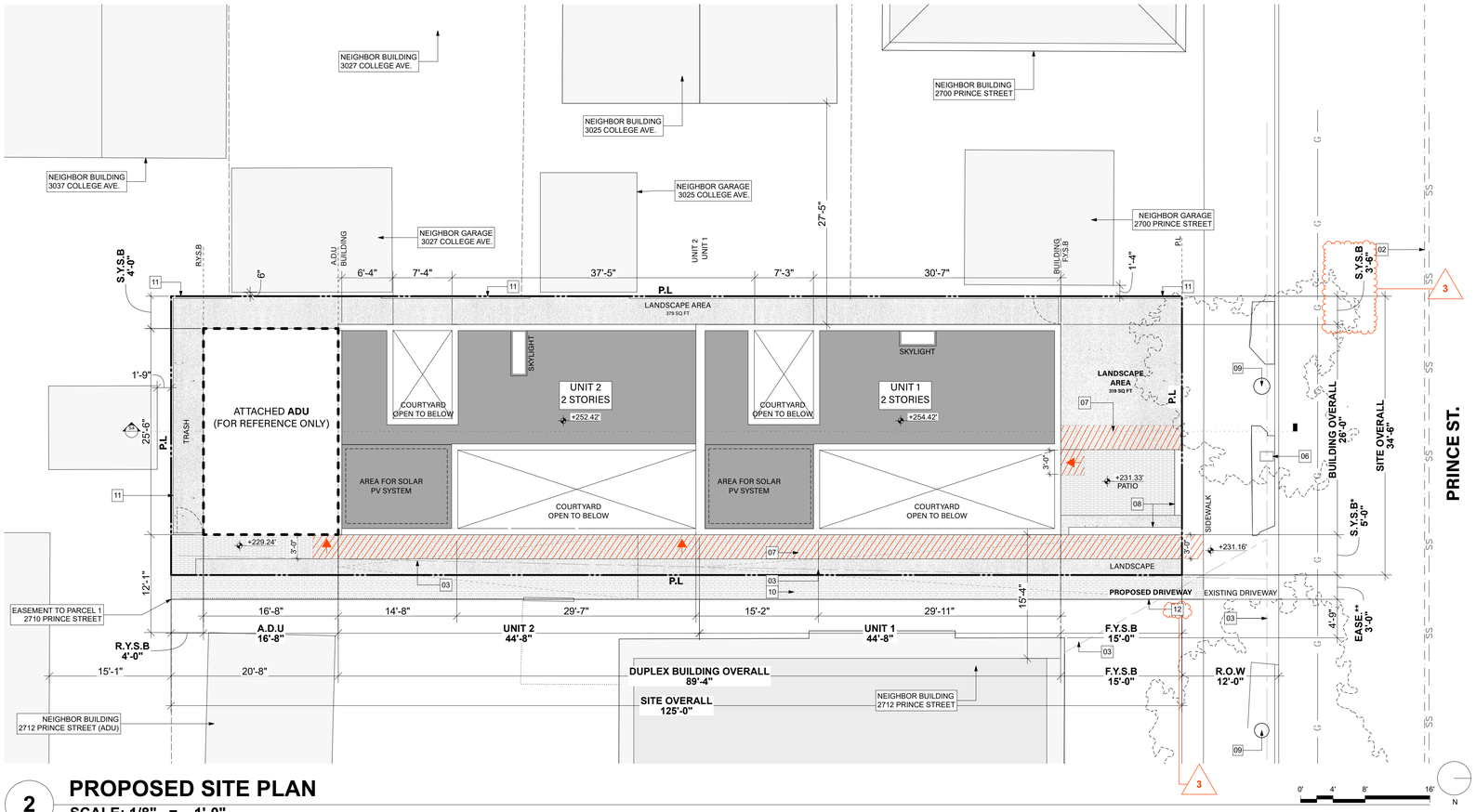
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G02
RENDERINGS (FOR REFERENCE ONLY)

SHEET # 2 OF 21



1 EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"



2 PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"

SITE PLAN GENERAL NOTES:

A. PARKING SPACE SHOWN IN GROUND FLOOR PLAN (SHEET N. A101).
B. TRASH/SOLID WASTE STORAGE AREA SHOWN IN FLOOR GROUND FLOOR PLAN (SHEET N. A101).
C. EASEMENT* = (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126)
EASEMENT**= 3' WIDE EASEMENT (2002-273924, PARCEL 2) CARLO (1998-273924, PARCEL 2)
D. BICYCLE PARKING NOT REQUIRED, PER BMC BICYCLE PLAN, APPENDIX F

ARCHITECTURAL SITE PLAN KEYNOTES:

01. GAS LINE UNDERGROUND (PER SURVEY PLANS)
02. SEWER LINE UNDERGROUND (PER SURVEY PLANS)
03. OVERHEAD WIRE (PER SURVEY PLANS)
04. GAS METER (PER SURVEY PLANS)
05. ELECTRIC METER (PER SURVEY PLANS)
06. WATER METER
07. PATHWAY(S) FROM RESIDENTIAL UNITS TO PUBLIC R.O.W
08. FENCE - BRICK WALL (5 FT. HEIGHT)
09. EXISTING TREE (TO REMAIN) - CHINAR TREE, 24" T; 12' DRIP LINE
10. NEW DRIVEWAY - BRICK PAVERS
11. FENCE - WOODEN PAINTED BOARDS (6 FT. HEIGHT)
3 12. PROPOSED DRIVEWAY TO PROVIDE ACCESS TO 2710 PRINCE STREET

ABREVIATIONS:

P.L:	PROPERTY LINE
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK
EASE.	EASEMENT
R.O.W:	RIGHT OF WAY

LEGEND:

- PROPERTY LINE
- ROOF
- ROOF CAP
- BRICK PAVER
- LANDSCAPING
- PATHWAY(S) FROM RESIDENTIAL STRUCTURES TO PUBLIC R.O.W
- EXISTING STRUCTURES TO BE DEMOLISHED

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3037 Redwood St.
San Diego, CA 92104
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C-38300
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APN: 052-1563-036

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A100
ARCHITECTURAL SITE PLAN

I HAVE REVIEWED THE PLANS FOR A DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF TWO 1,524 sq. ft. SINGLE FAMILY HOMES AND ONE 830 sq.ft. ADU, 24' AVERAGE HIGH, AT 2708 PRINCE ST. BERKELEY, CA 94705

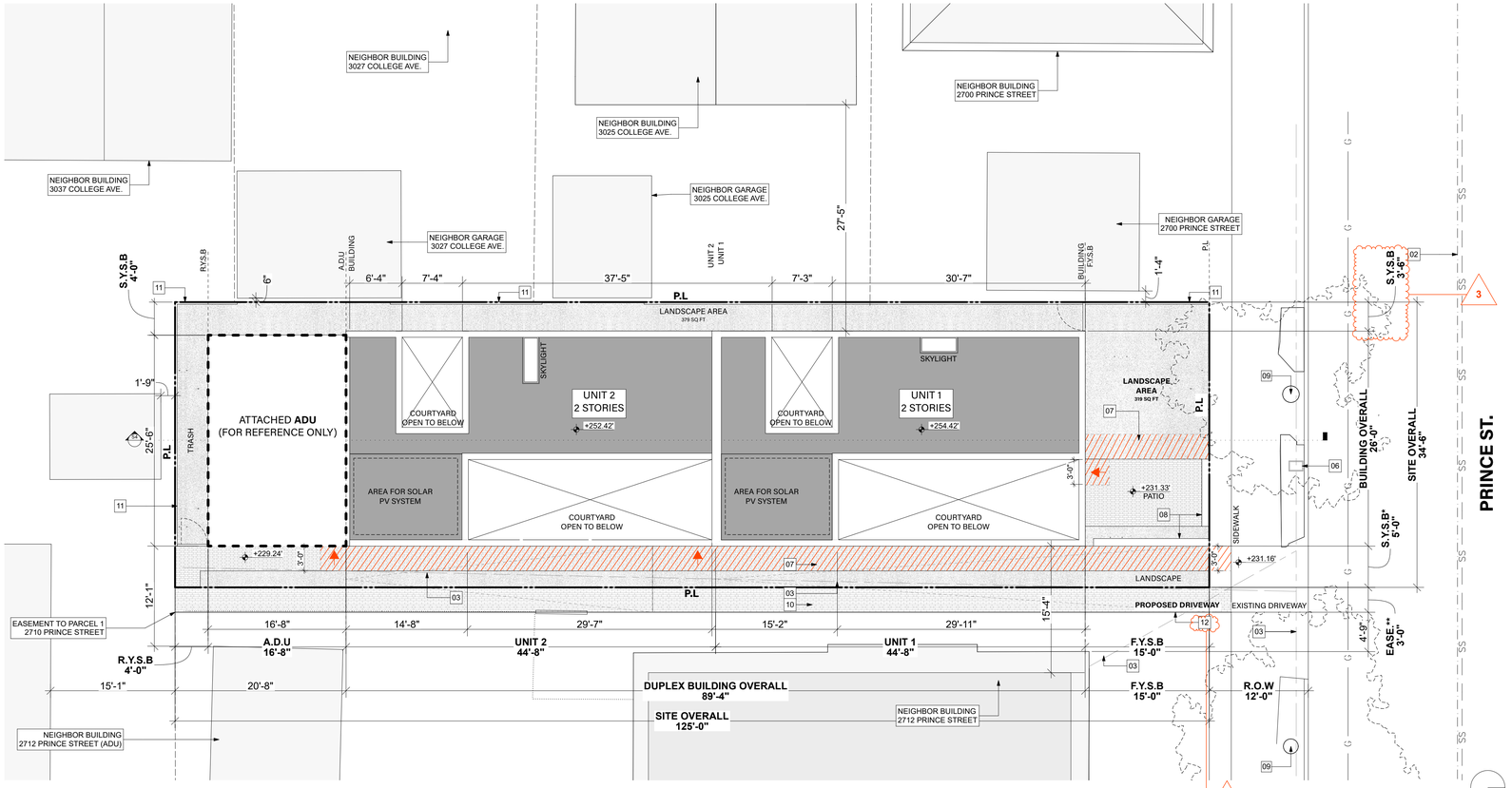
NAME (printed)	SIGNATURE	ADDRESS	RENTER OR OWNER	DATE	HAVE NO OBJECTIONS	HAVE OBJECTIONS (STATE BRIEFLY)	HAVE NO COMMENT
SHAYLA GR		2712 PRINCE ST	OWNER	2/8/24	NO	N/A	Love it!
Dorian Morello		2703 Prince St.	owner	2/8/24	NO	N/A	looks great!
Benjamin Yu		2715 Prince St.	church & Elder	2/9/24	No	N/A	Great!
WINFIELD & BLOOM		3037 COLLEGE	OWNER	2/9/24	NO	N/A	—
JOSEPH THOMAS		2701 PRINCE	OWNER	2/9/24	NO	N/A	Good
JUNE CARLO		2710 PRINCE	OWNER	2/10/24	No	N/A	Looks good
David Carlo		2710 PRINCE	owner	2/10/24	No	N/A	Good!
Brendan Byrne		2701 Prince #2	Renter	2/10/24	No objections	N/A	Looks great!
Elizabeth Garcia		2701 Prince #1	Renter	2/10/24	No	N/A	Looks great!
Austin Pollock		2703 Prince #3	Renter	2/10/24	NO	N/A	—
Edith Yu		3027 COLLEGE	OWNER	2/10/24	MAY BE	BLDG. TAKEN UP ENTIRE PROPERTY.	—
Sheila Moran		3025 College Ave	Owner	2/12/24	No Sore	Shading of Plants and back of House	—

I HAVE REVIEWED THE PLANS FOR A DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF TWO 1,524 sq. ft. SINGLE FAMILY HOMES AND ONE 830 sq.ft. ADU, 24' AVERAGE HIGH, AT 2708 PRINCE ST. BERKELEY, CA 94705

NAME (printed)	SIGNATURE	ADDRESS	RENTER OR OWNER	DATE	HAVE NO OBJECTIONS	HAVE OBJECTIONS (STATE BRIEFLY)	HAVE NO COMMENT
Catherine Wright		2712A Prince St Berkeley, Ca 94705	Renter	04/10/2024	NO Objections	N/A	NO Comments
WINFIELD BLOOM		3037 college Apt B	Owner	04/9/2024	NO	NA	NO
		3037 college Apt C	Owner				
		3037 college apt A	Owner				
Robert H Kerr		3037 college B	Renter	12 Year	No	No	No
Linda M- Joseph		2701 Prince Street #1	Owner	4/12/2024	No	No	No
		2701 Prince Apt 2	Owner				
		Apt 3	Owner				
		Apt 4	Owner				

1 COMMUNITY OUTREACH

NOT TO SCALE



2 PROPOSED SITE PLAN

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

SITE PLAN GENERAL NOTES:

A. PARKING SPACE SHOWN IN GROUND FLOOR PLAN (SHEET N. A101).
B. TRASH/SOLID WASTE STORAGE AREA SHOWN IN FLOOR GROUND FLOOR PLAN (SHEET N. A101).
C. EASEMENT* = (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126)
EASEMENT**= 3' WIDE EASEMENT (2002-273924, PARCEL 2) CARLO (1998-273924, PARCEL 2)
D. BICYCLE PARKING NOT REQUIRED, PER BMC BICYCLE PLAN, APPENDIX F

KEYNOTES

01. GAS LINE UNDERGROUND (PER SURVEY PLANS)
02. SEWER LINE UNDERGROUND (PER SURVEY PLANS)
03. OVERHEAD WIRE (PER SURVEY PLANS)
04. GAS METER (PER SURVEY PLANS)
05. ELECTRIC METER (PER SURVEY PLANS)
06. WATER METER
07. PATHWAY(S) FROM RESIDENTIAL UNITS TO PUBLIC R.O.W
08. FENCE - BRICK WALL (5 FT. HEIGHT)
09. EXISTING TREE (TO REMAIN) - CHINAR TREE, 24" T; 12' DRIP LINE
10. NEW DRIVEWAY - BRICK PAVERS
11. FENCE - WOODEN PAINTED BOARDS (6 FT. HEIGHT)
12. PROPOSED DRIVEWAY TO PROVIDE ACCESS TO 2710 PRINCE STREET

ABBREVIATIONS:

P.L:	PROPERTY LINE
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK
EASE.	EASEMENT
R.O.W:	RIGHT OF WAY

LEGEND:

PROPERTY LINE
ROOF
ROOF CAP
BRICK PAVER
LANDSCAPING
PATHWAY(S) FROM RESIDENTIAL STRUCTURES TO PUBLIC R.O.W
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PRINCE

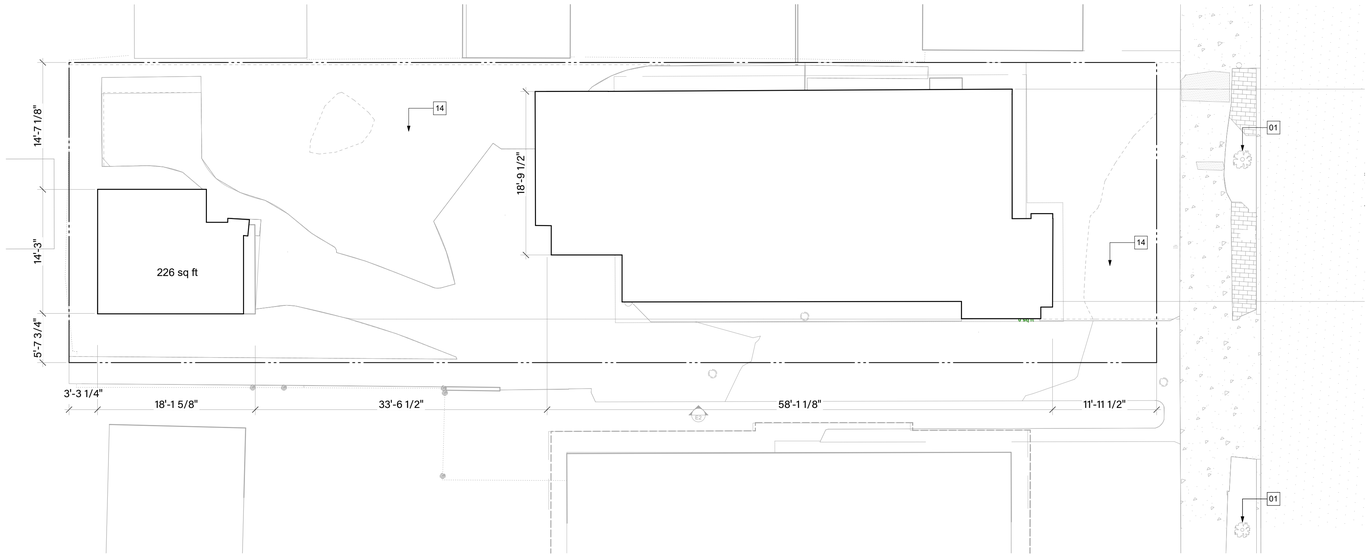
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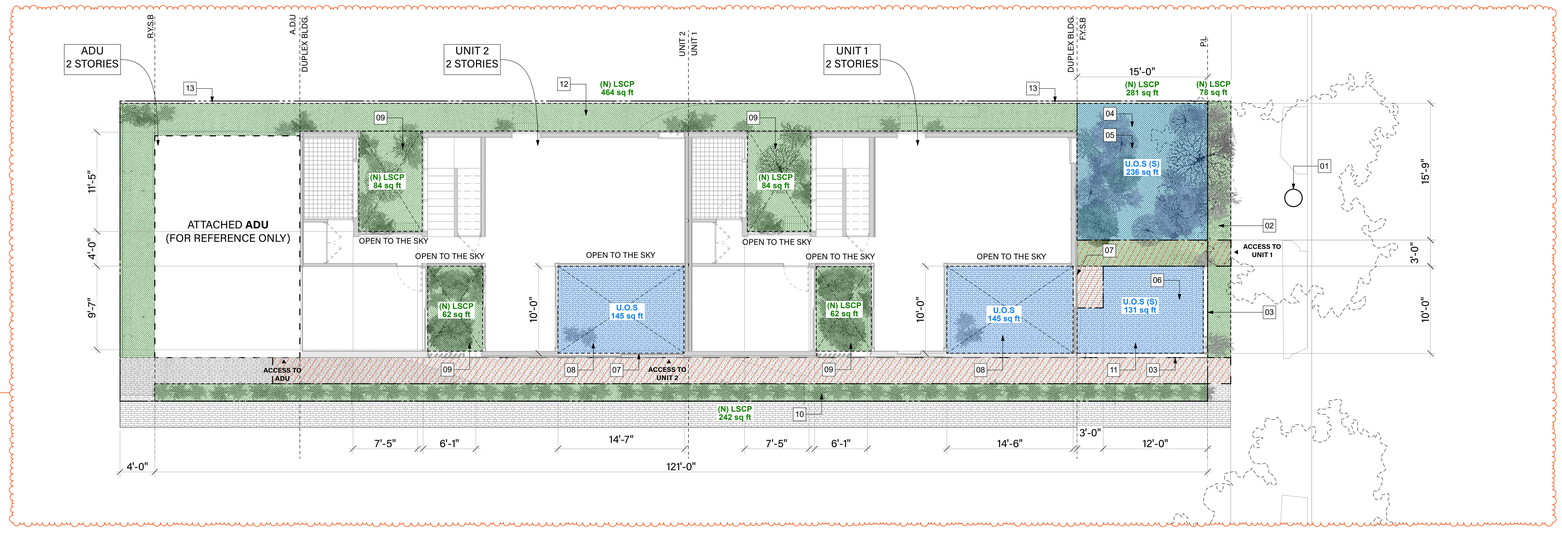
A100.1
COMMUNITY OUTREACH



1 EXISTING LANDSCAPE AND USABLE OPEN SPACE PLAN

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

0' 4' 8' 16' N



2 PROPOSED LANDSCAPE AND USABLE OPEN SPACE PLAN

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

0' 4' 8' 16' N

3

CALCULATIONS:

	EXISTING (SF)	REQUIRED (SF)	PROPOSED (SF)	NOTES
USABLE OPEN SPACE (SF)	2,139	300	UNIT 1	
			145	private
			184	shared
			329	subtotal
		300	UNIT 2	
			145	private
			184	shared
			329	subtotal
			657	**total**
LANDSCAPED USABLE OPEN SPACE - (SF)		253	327	(40% of total)
LANDSCAPED AREAS (SF)	1,571	n/a	1,403	

* ALL LANDSCAPE AREAS AND USABLE OPEN SPACE CALCULATIONS PER **BMC 23.304.090**

LANDSCAPE AND USABLE OPEN SPACE PLAN KEYNOTES:

01. EXISTING TREE (TO REMAIN) - CHINAR TREE, 24" T; 12' DRIP LINE
02. NEW LANDSCAPING - UTILITY EASEMENT - MULCH SURFACE
03. FENCE - BRICK WALL (5 FT. HEIGHT)
04. NEW LANDSCAPING - FRONT YARD - PLANTER + MULCH SURFACES
05. (SHARED) USABLE OPEN SPACE - LANDSCAPE (PART OF 40% LANDSCAPING REQ)
06. (SHARED) USABLE OPEN SPACE - BRICK PAVEMENT
07. SLIDING ENTRY DOOR - WOODEN STUD CURTAIN SYSTEM
08. USABLE OPEN SPACE - BRICK PAVEMENT
09. NEW LANDSCAPING - PATIOS - PLANTER
10. NEW LANDSCAPING - DRIVEWAY - PLANTER
11. NEW LANDSCAPING - ENTRY - PLANTER
12. NEW LANDSCAPING - SIDE YARD SETBACK - GRAVEL
13. FENCE - WOODEN PAINTED BOARDS (6 FT. HEIGHT)
14. EXISTING LANDSCAPING - TO BE REMOVED

ABREVIATIONS:

U.O.S:	USABLE OPEN SPACE
U.O.S (S):	USABLE OPEN SPACE (SHARED)
LSCP:	LANDSCAPE
G.R:	GROUND SHOT
S.F:	SQUARE FOOT
N:	NEW OR PROPOSED
R.Y.S.B:	REAR YARD SET BACK

LEGEND:

- BRICK WALL
- WOOD FRAMED WALL
- BRICK PAVEMENT
- PROPERTY LINE
- PLANTER / LANDSCAPING
- USABLE OPEN SPACE (U.O.S)
- GROUND SHOT
- PATHWAY(S) FROM RESIDENTIAL STRUCTURES TO PUBLIC R.O.W

3

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APN: 052-1563-036

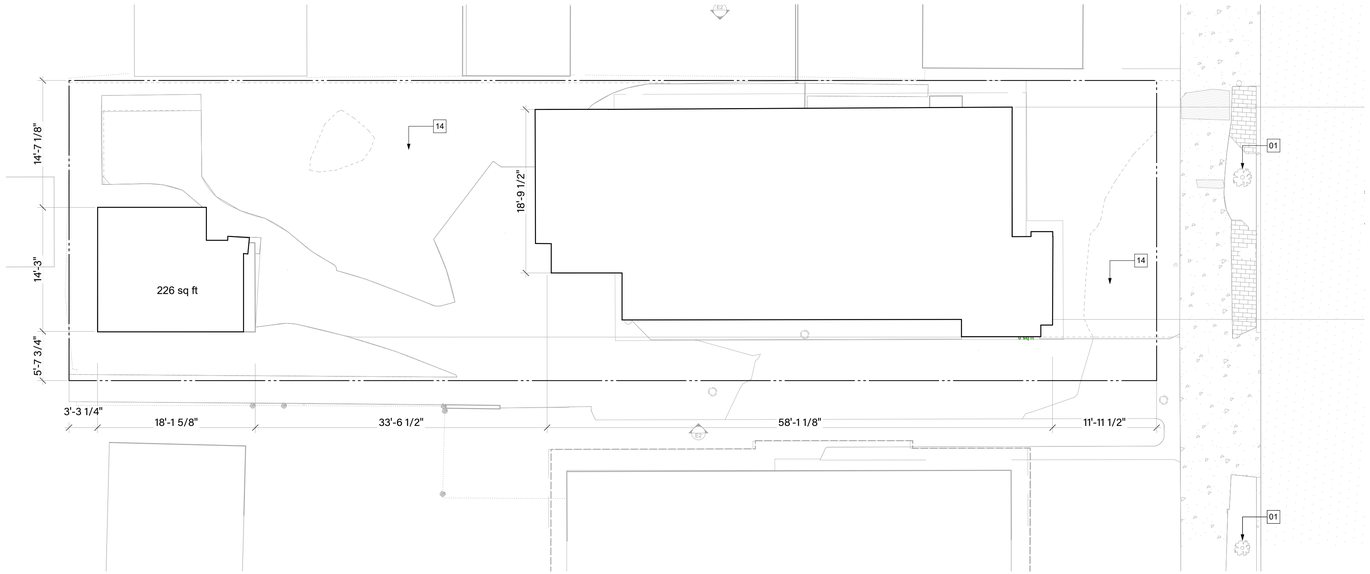
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Z.P.A RE-SUBMITTAL		04.20.2024
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ZAB MEETING	03	09.12.2024

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A101
LANDSCAPE AND USABLE OPEN SPACE PLAN

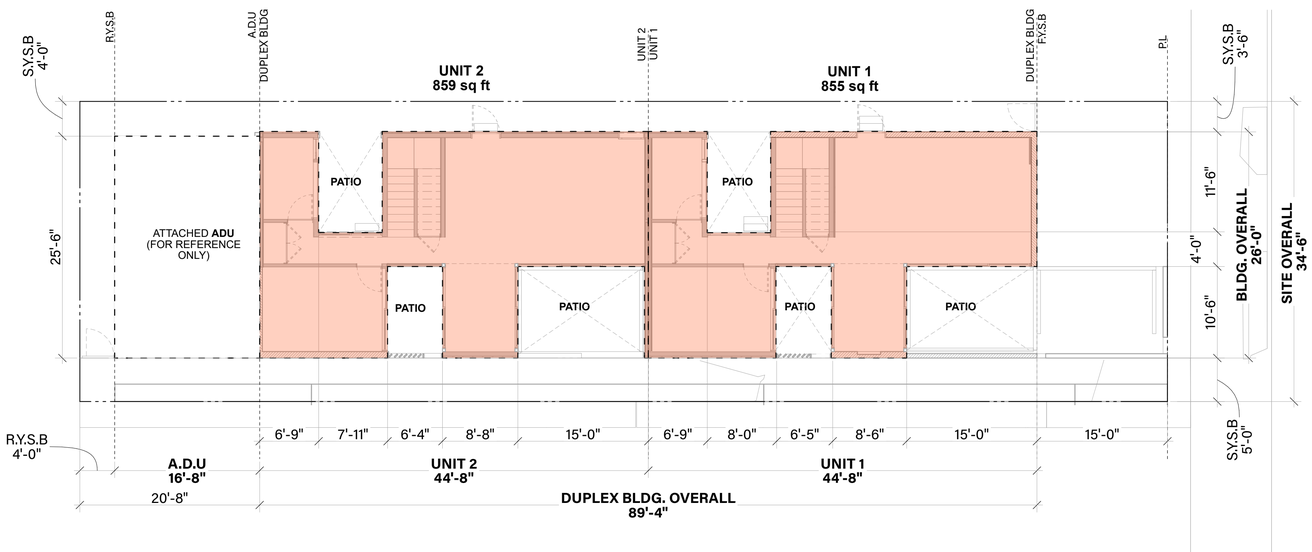
SHEET # 5 OF 21



1 EXISTING LOT COVERAGE

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

0' 4' 8' 16' N



2 PROPOSED LOT COVERAGE

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

0' 4' 8' 16' N

CALCULATIONS

GROSS FLOOR AREA*	EXISTING	UNIT 1	UNIT 2	ADU**
1ST FLOOR	1,052	855	859	227
2ND FLOOR		694	698	307
3RD FLOOR		-	-	264
SUBTOTAL		1,549	1,557	798
SUBTOTAL 2		3,106		798
TOTAL		**3,904**		

LOT AREA				4,312
	EXISTING	UNIT 1	UNIT 2	ADU
BUILDING FOOTPRINT	1,309	855	859	0**
LOT COVERAGE SUBTOTAL	24%	19.8%	19.9%	0.0%
LOT COVERAGE TOTAL	24%	**40%**		

* Gross area calculations per BMC 23.106.030

** ADU is excluded from the calculation per BMC 23.106.020

subtract up to 800 sq. ft. of the ADU footprint from the total proposed lot coverage for the site (BMC Section 23.106.020(B)(4))

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
G.R:	GROUND SHOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK

LEGEND:

- BRICK WALL
- WOOD FRAMED WALL
- PROPERTY LINE
- GROSS AREA
- GARAGE AREA
- EXISTING HOUSE AREA

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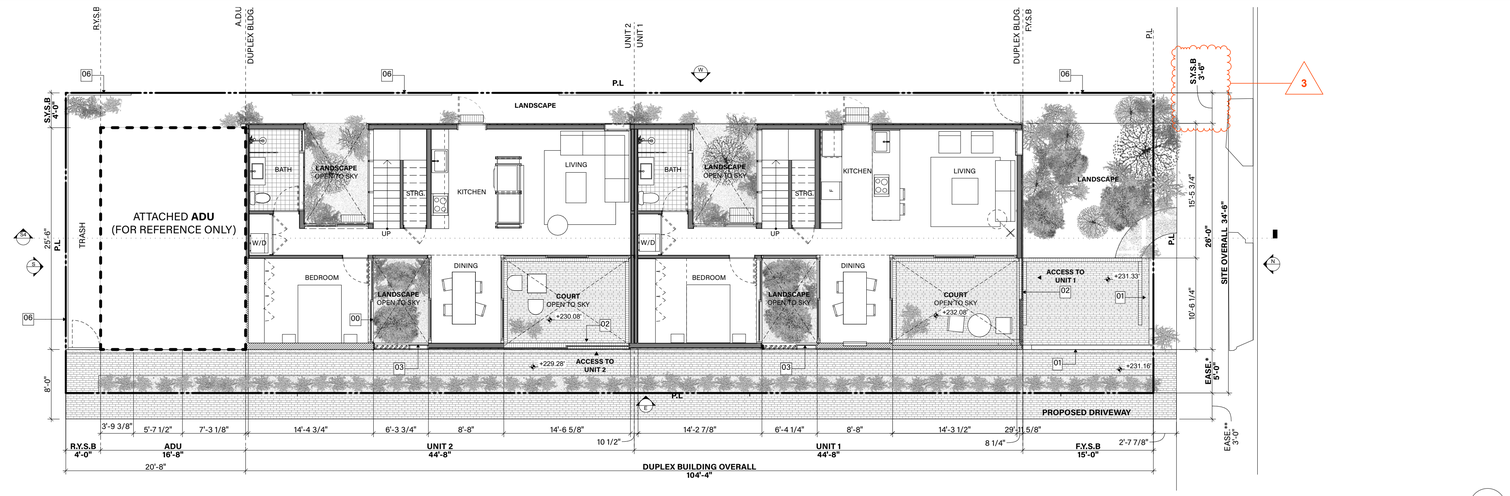
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A102

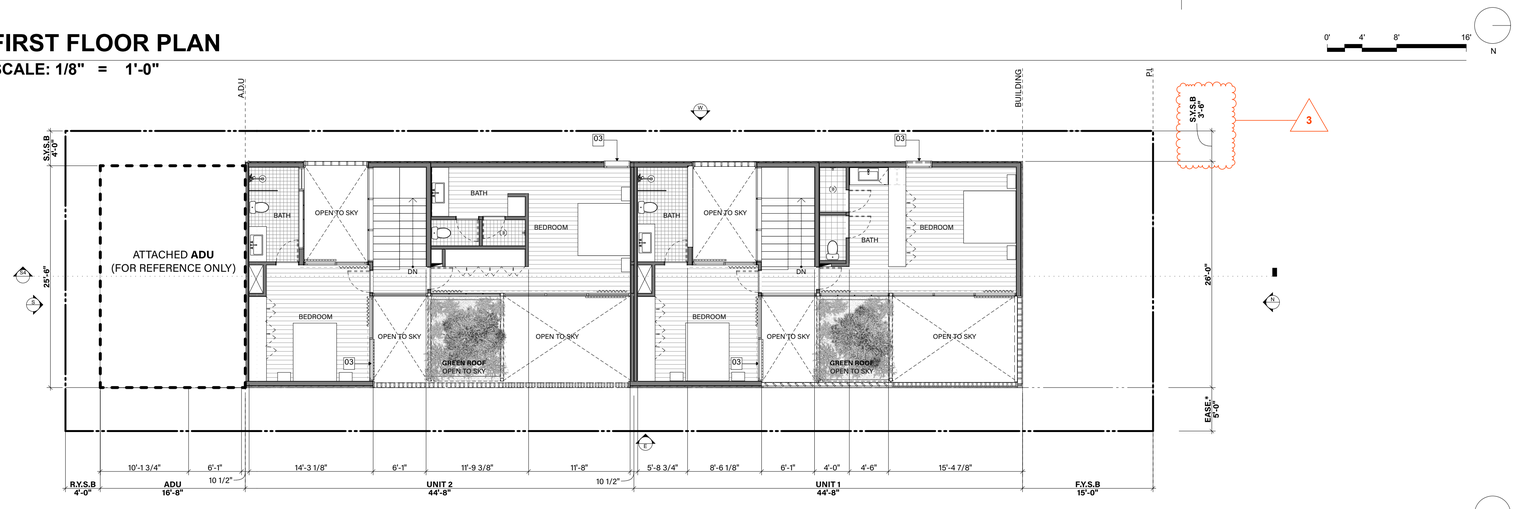
LOT COVERAGE DIAGRAM AND CALCULATIONS

SHEET # 6 OF 21



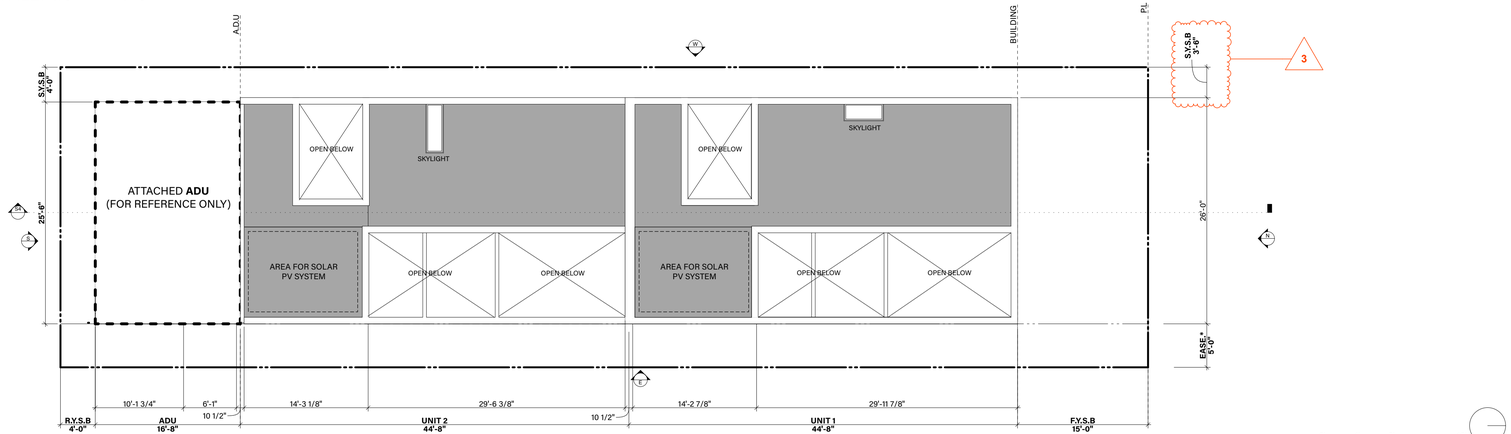
1 FIRST FLOOR PLAN

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



2 SECOND FLOOR PLAN

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



3 THIRD FLOOR PLAN

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

FLOOR PLANS GENERAL NOTES:

A. EASEMENT* = (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126)
EASEMENT**= 3' WIDE EASEMENT (2002-273924, PARCEL 2) CARLO (1998-273924, PARCEL 2)

B. BICYCLE PARKING NOT REQUIRED, PER BMC BICYCLE PLAN, APPENDIX F

FLOOR PLANS KEYNOTES:

01. FENCE - BRICK WALL (5 FT. HEIGHT)
02. SLIDING ENTRY DOOR - WOODEN STUD SCREEN SYSTEM
03. EMERGENCY ESCAPE AND RESCUE OPENING.
IN ACCORDANCE TO CALIFORNIA RESIDENTIAL CODE, S. R310.1
04. NEW ELECTRICAL METER(S)
05. TRASH/SOLID WASTE STORAGE AREA
06. FENCE - WOODEN PAINTED BOARDS (6 FT. HEIGHT)
07. BATTERY ENERGY STORAGE
08. ELECTRIC VEHICLE CHARGING

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK

LEGEND:

PROPERTY LINE
WOOD FLOOR
TILE
BRICK PAVER
LANDSCAPING
BRICK WALL
WOOD FRAMED WALL
ROOF
ROOF CAP

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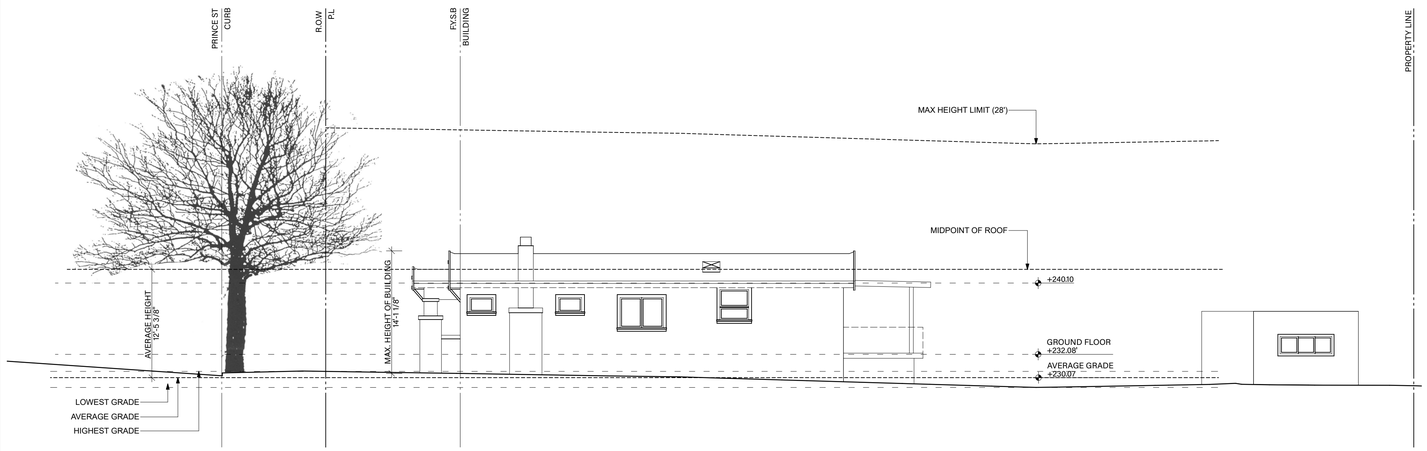
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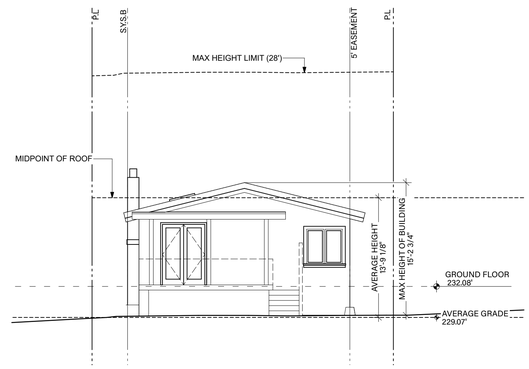
A103
FLOOR PLANS



1 WEST ELEVATION

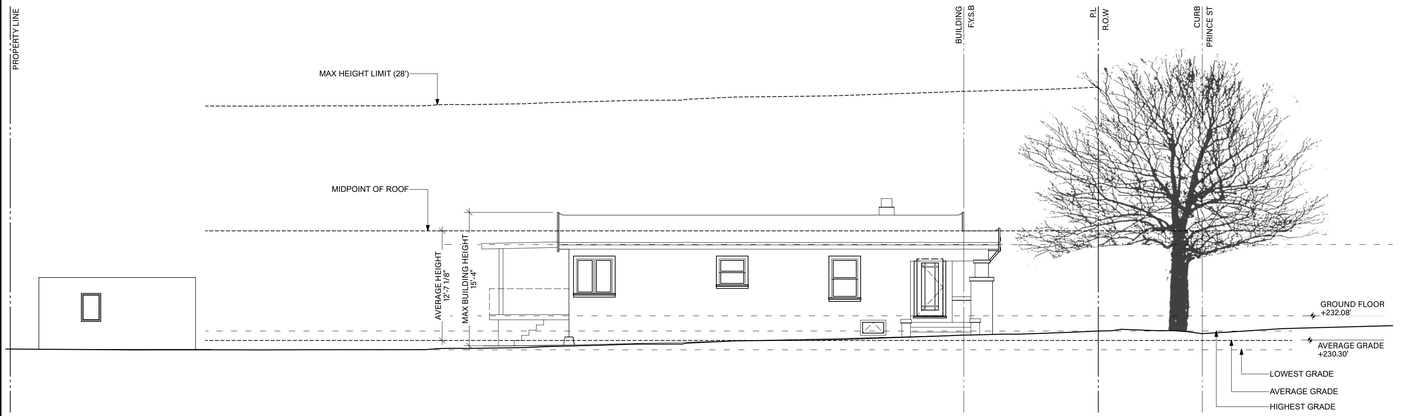
SCALE: 1/8" = 1'-0"

0' 4' 8' 16'



4 SOUTH ELEVATION

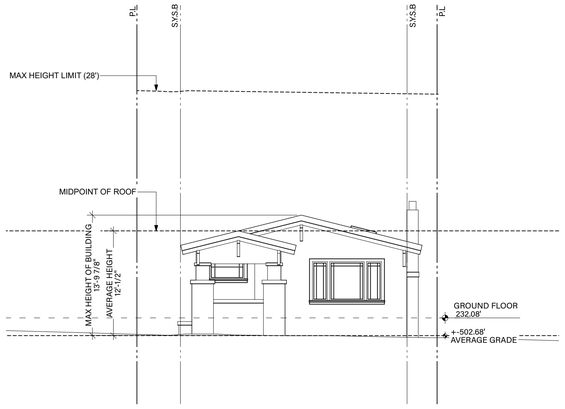
SCALE: 1/8" = 1'-0"



2 EAST ELEVATION

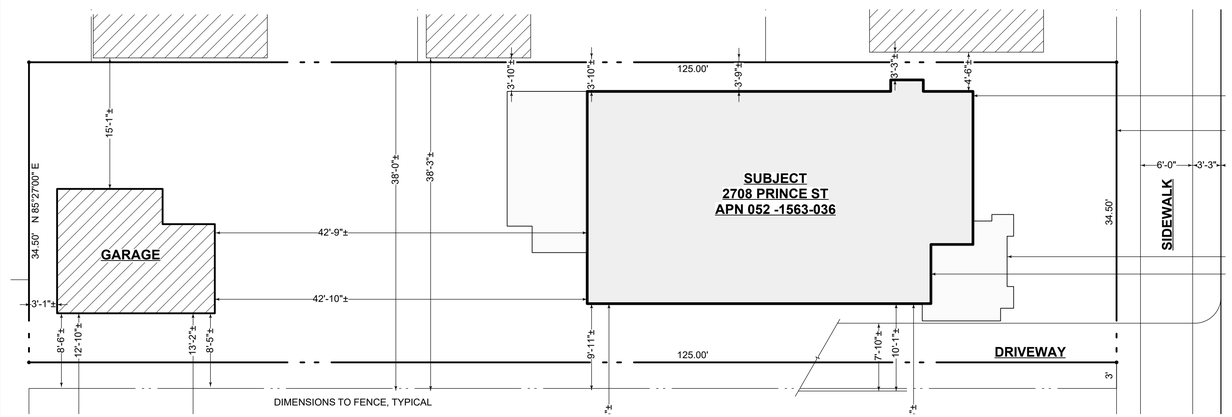
SCALE: 1/8" = 1'-0"

0' 4' 8' 16'



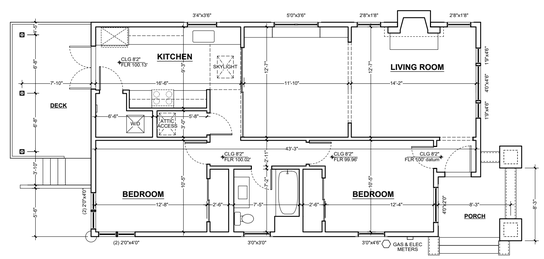
3 NORTH ELEVATION

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



5 SITE PLAN

NOT TO SCALE



6 FLOOR PLAN

NOT TO SCALE

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A104
EXISTING BUILDING PLANS



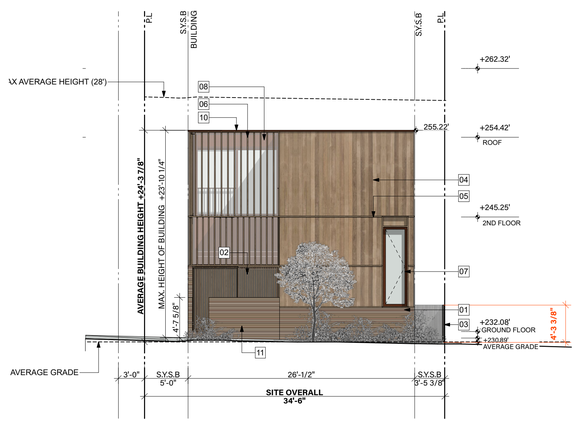
1 WEST ELEVATION
SCALE: 1/8" = 1'-0"

0' 4' 8' 16'



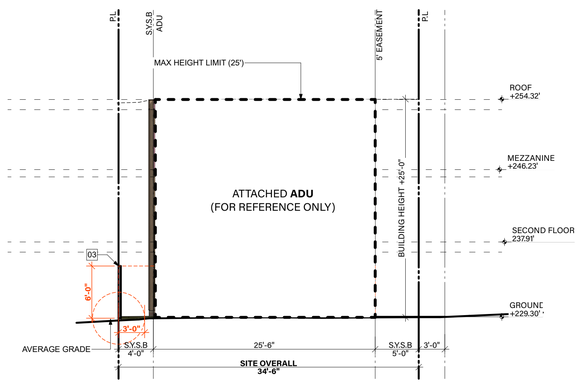
2 EAST ELEVATION
SCALE: 1/8" = 1'-0"

0' 4' 8' 16'



3 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

0' 4' 8' 16'



4 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

0' 4' 8' 16'

PROPOSED EXTERIOR ELEVATIONS KEYNOTES:

01. BRICK WALL
02. SLIDING ENTRY DOOR - WOODEN STUD SCREEN SYSTEM
03. FENCE - PAINTED WOOD, 6' HEIGHT
04. WALL - NATURAL WOOD VERTICAL SIDING
05. WOOD REVEAL
06. WOODEN STUD SCREEN SYSTEM
07. WINDOW / DOOR - ALUMINUM FRAME (COLOR: RAL 3007) AND WOOD TRIM
08. (BEHIND) CEMENT BOARD PANEL (COLOR: RAL 3007)
09. EMERGENCY ESCAPE AND RESCUE OPENING
10. PARAPET CAP - PAINTED SHEET METAL
11. FENCE - BRICK WALL, 5' HEIGHT

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
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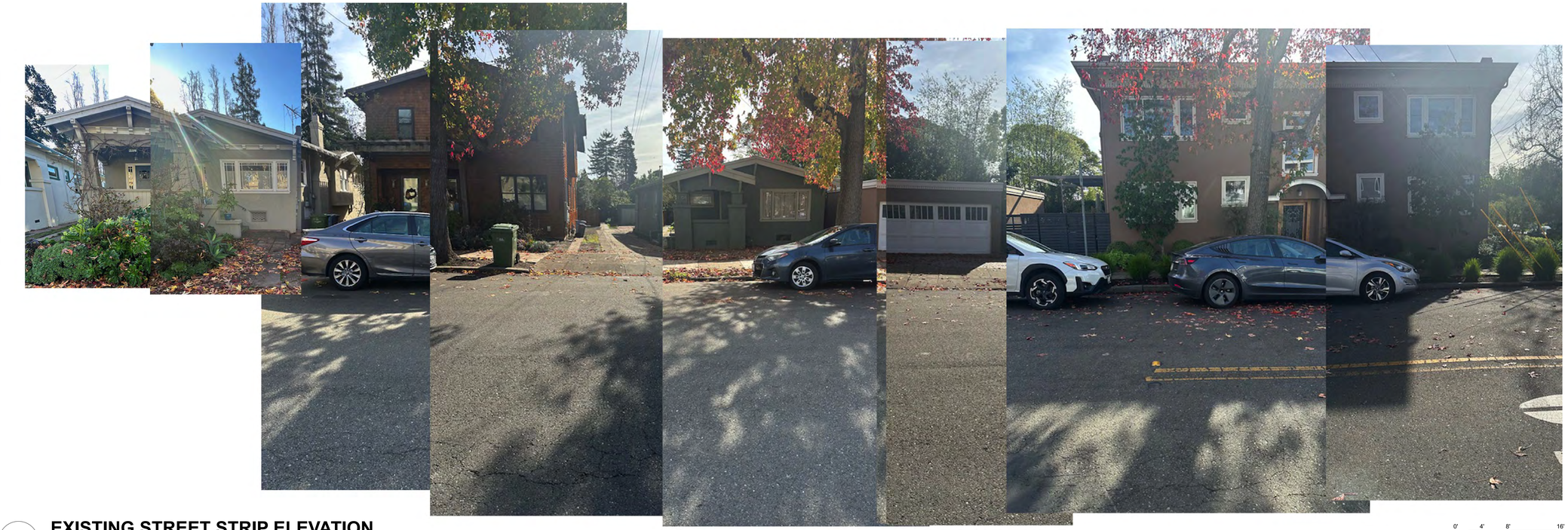
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A105
PROPOSED EXTERIOR ELEVATIONS

SHEET # 9 OF 21



0' 4' 8' 16'

1 EXISTING STREET STRIP ELEVATION

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



0' 4' 8' 16'

2 PROPOSED STREET STRIP ELEVATION

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

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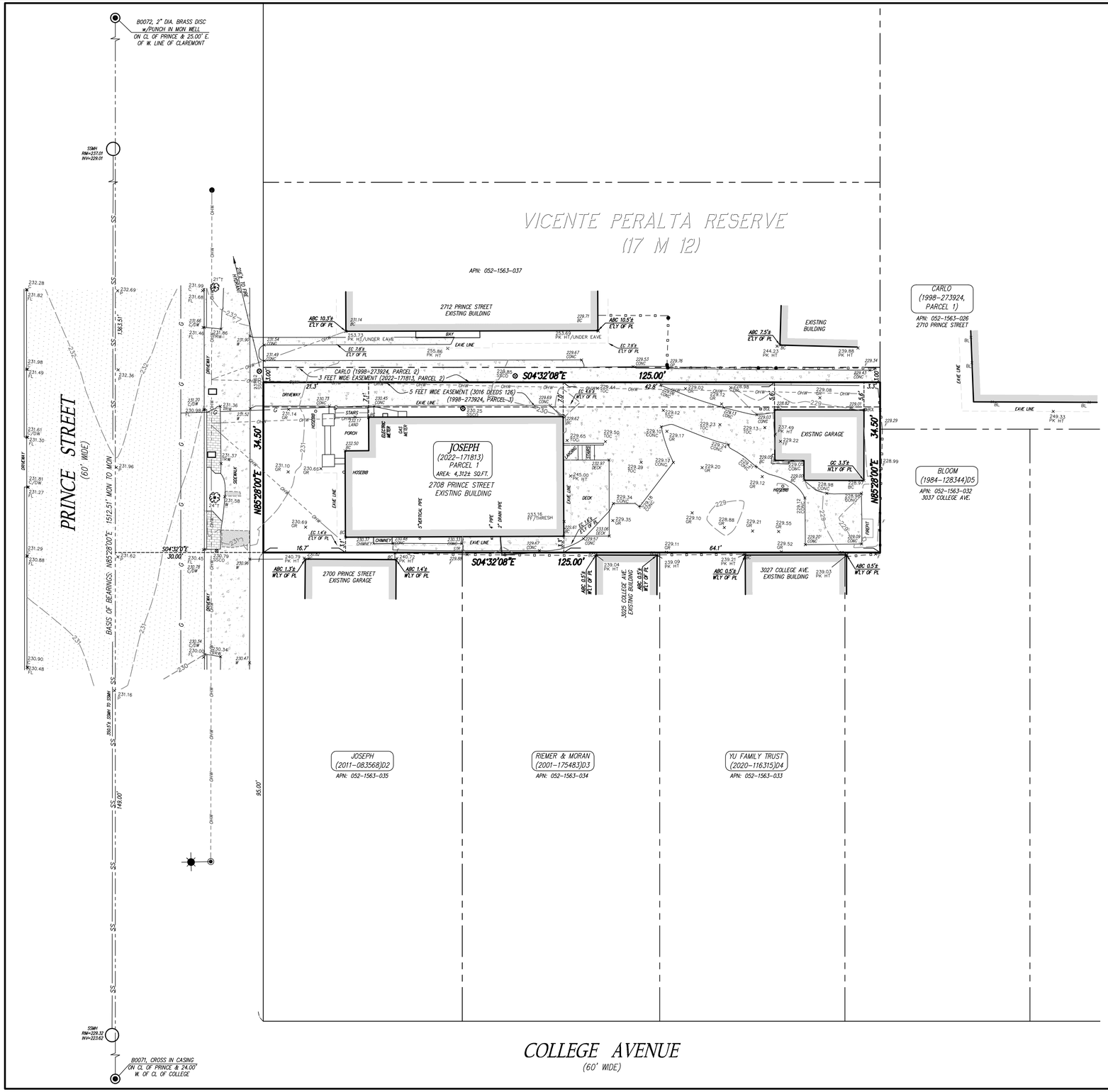
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A106
STREET STRIP ELEVATION



GRAPHIC SCALE
0 5 10 20
(IN FEET)
1 inch = 10 ft.

OWNER:
LINDA JOSEPH
2700 PRINCE STREET
BERKELEY, CA 94705

BASIS OF BEARINGS:
MONUMENT LINE IN PRINCE STREET
BEARING: N85°28'00"E.

MAP REFERENCES:
R1 MAP OF THE COLBY TRACT (19 M 76)
R2 MAP OF PARK SIDE, CLAREMONT (21 M 33)
R3 PARCEL MAP NO. 4334 (149 M 68)
R4 CITY OF BERKELY MONUMENT CARDS

BENCHMARK:
B2144, 2" DIA. DISC CITY OF BERKELEY BRASS DISK w/PUNCH IN MONUMENT WELL ELEVATION = 224.49, BASED UPON CITY OF BERKELEY.

LEGEND

◉	FOUND CITY MONUMENT AS NOTED
	BUILDING FOOTPRINT
	ASPHALT
	CONCRETE
( )	RECORD DATA PER (140 M 26)
(D,X)	RECORDED DEEDS
#"T	DIAMETER OF TREE (INCHES)
ABC	ADJACENT BUILDING CORNER
BC	BUILDING CORNER
BL	BUILDING LINE
C	TOP OF CURB
CONC	CONCRETE
DW	DRIVEWAY
EB	ELECTRIC BOX
EM	ELECTRIC METER
EC	EAVE CORNER
F	FENCE
FF	FINISHED FLOOR
FH	FIRE HYDRANT
FL	FLOWLINE
GC	GARAGE CORNER
GR	GROUND SHOT
GM	GAS METER
GP	GATE POST
INV	INVERT
JP	JOINT POLE
JP/SL	JOINT POLE/STREET LAMP
P	PAVEMENT
PL	PROPERTY LINE
PK HT	PEAK HEIGHT
OHW	OVERHEAD WIRE
SS	SANITARY SEWER LINE
SSMH	SANITARY SEWER MANHOLE
SSCO	SANITARY SEWER CLEAN OUT
STR	STAIR
TOC	TOP OF CONCRETE
TRW	TREE WELL
W	BACK OF SIDEWALK
WM	WATER METER

ADJACENT PARCEL/LOT LINE
EASEMENT LINE
MONUMENT LINE
SUBJECT PROPERTY
TIE LINE
WOOD FENCE

LICENSED LAND SURVEYOR KEITH S. BUSH No. 8494 STATE OF CALIFORNIA

KEITH S. BUSH, L.S. 8494
DATE: 07/21/2023

BOUNDARY & TOPOGRAPHIC SURVEY

THAT REAL PROPERTY DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED OCTOBER 14, 2022 SERIES NO. 2022-171813 ALAMEDA COUNTY RECORDS
CITY OF BERKELEY, ALAMEDA COUNTY, STATE OF CALIFORNIA
JULY, 2023 SCALE: 1" = 10'

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

APN: 052-1563-036 SHEET 1 OF 1 22-4844

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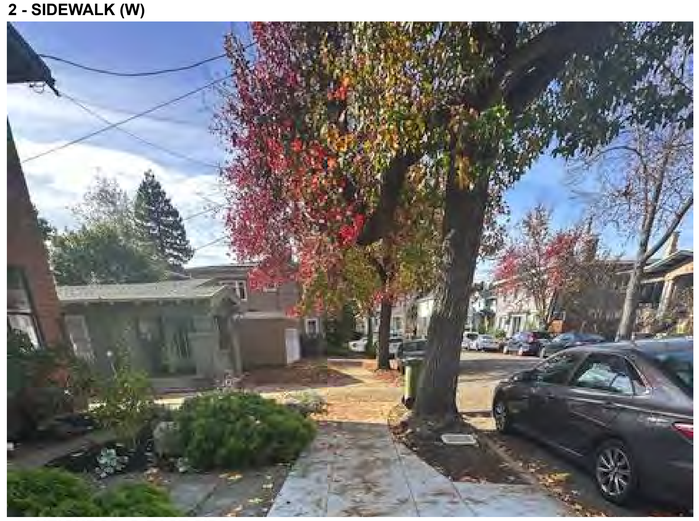
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R01
SITE SURVEY

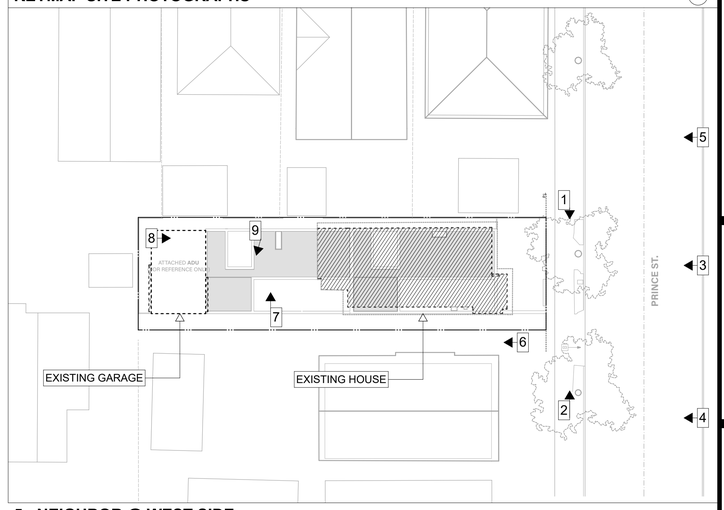
1 - SIDEWALK (E)



2 - SIDEWALK (W)



KEYMAP SITE PHOTOGRAPHS



3 - ACROSS THE STREET (S)



4 - NEIGHBOR @ EAST SIDE



5 - NEIGHBOR @ WEST SIDE



6 - EASEMENT (S)



7 - WITHIN SITE (W)



8 - 9 - WITHIN SITE





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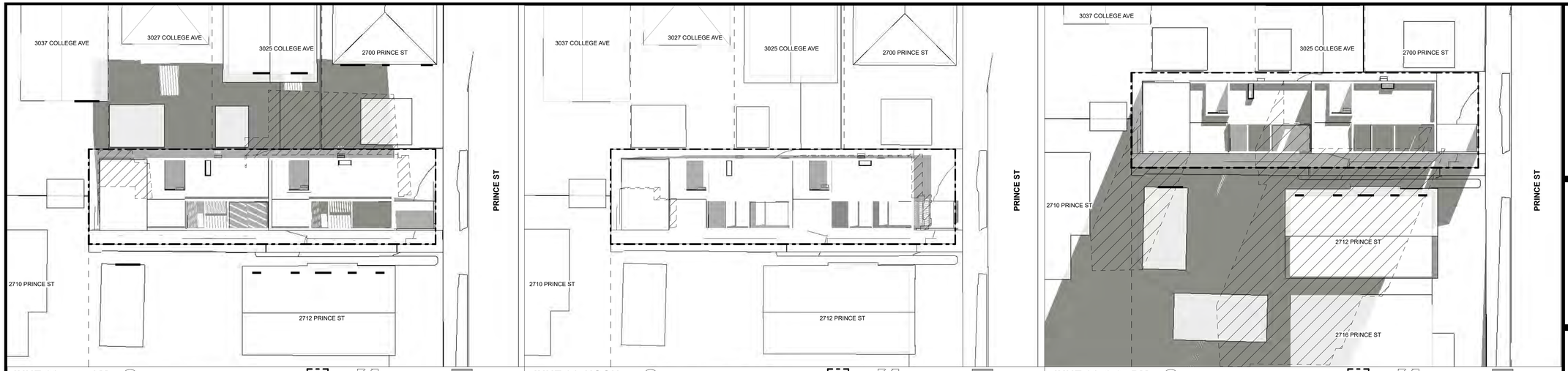
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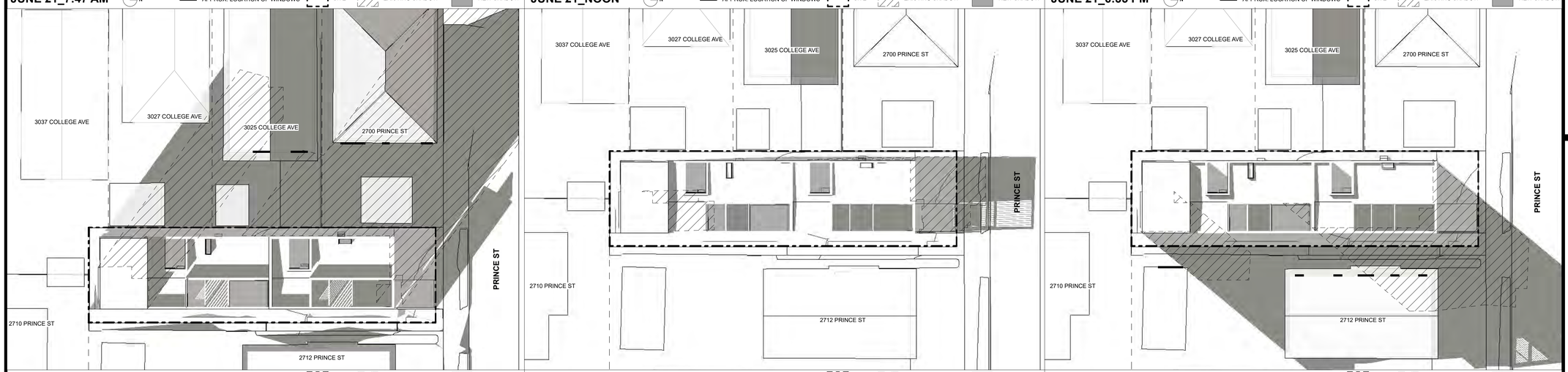
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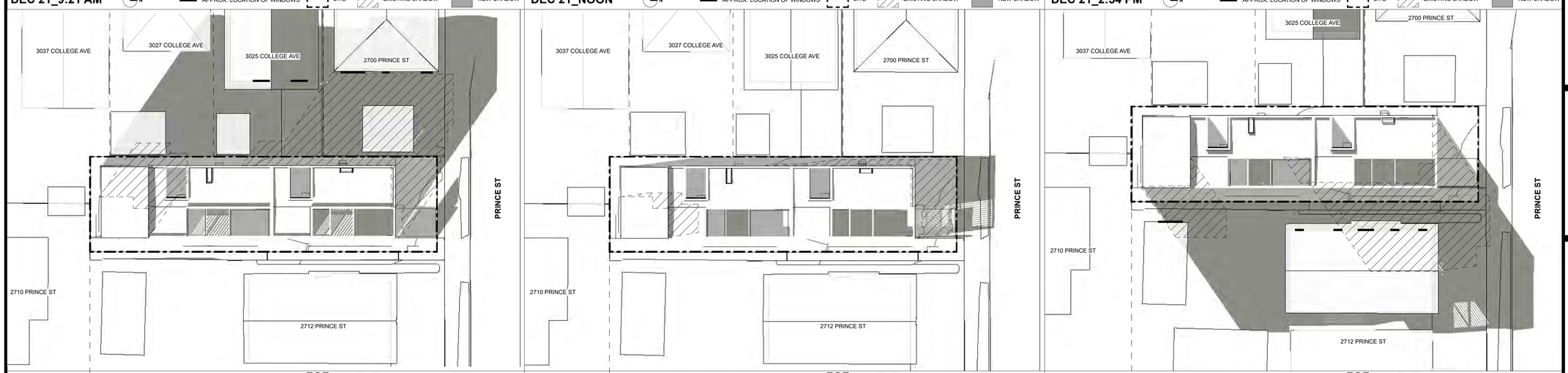
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R02
SITE PHOTOGRAPHS

SHEET # 12 OF 21







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JEFF SVITAK
C-38700
10/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

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PRINCE

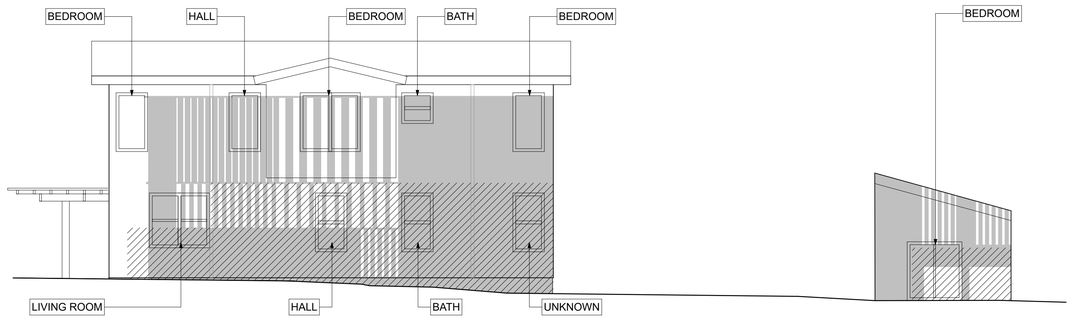
2708 PRINCE ST
BERKELEY CA 94705
APN: 052-1563-036

ISSUED FOR:		DATE:
Z.P.A SUBMITTAL		02.16.2024
Z.P.A RE-SUBMITTAL		04.20.2024
Z.P.A RE-SUBMITTAL		05.17.2024
ZAB MEETING	03	09.12.2024

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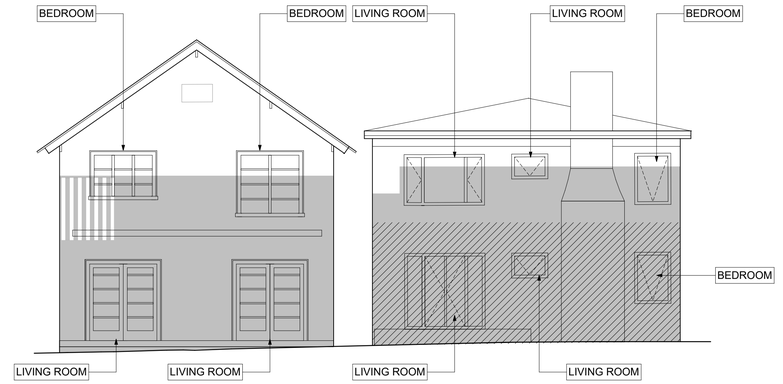
R03
SHADOW STUDY



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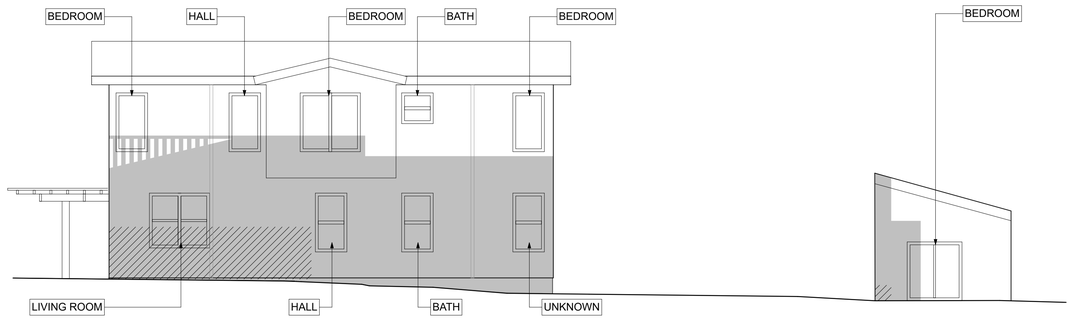
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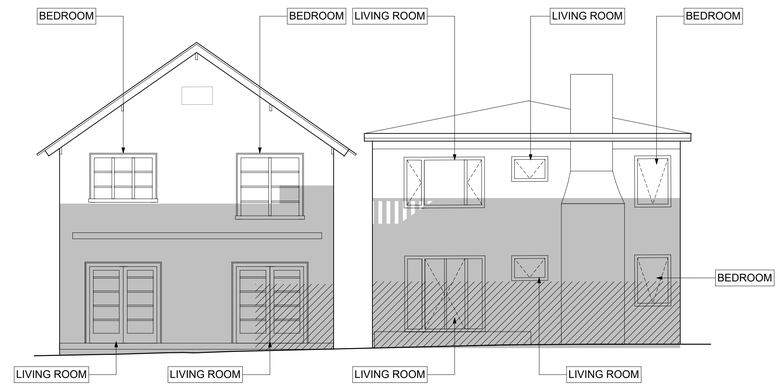
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PRINCE ST. 2712 | PRINCE ST. 2712 - ADU

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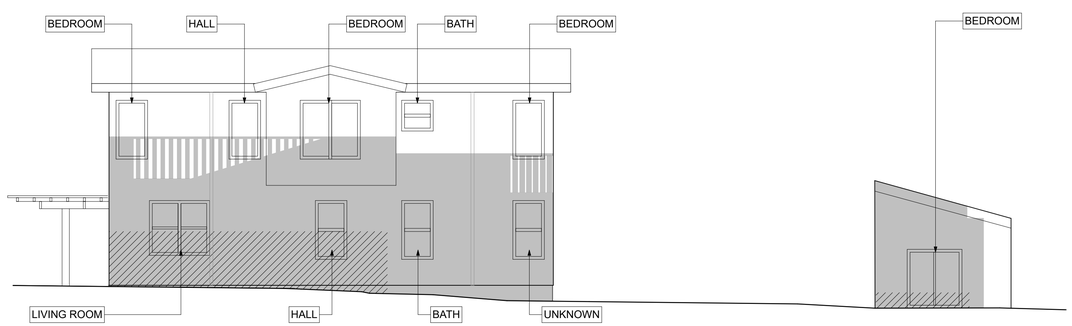
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COLLEGE AVE. 3025 | PRINCE ST. 2700

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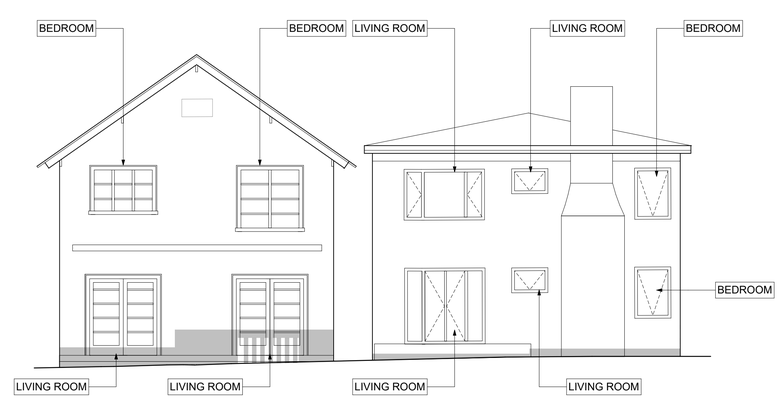
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PRINCE ST. 2712 | PRINCE ST. 2712 - ADU

EASTERN NEIGHBORS - FEB 18_3:51 PM

EXISTING SHADOW | NEW SHADOW



COLLEGE AVE. 3025 | PRINCE ST. 2700

JUNE 21_7:47 AM

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3037 Redwood St.
San Diego, CA 92104
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SEAL

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JEFF SVITAK
C-38300
10/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

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PRINCE

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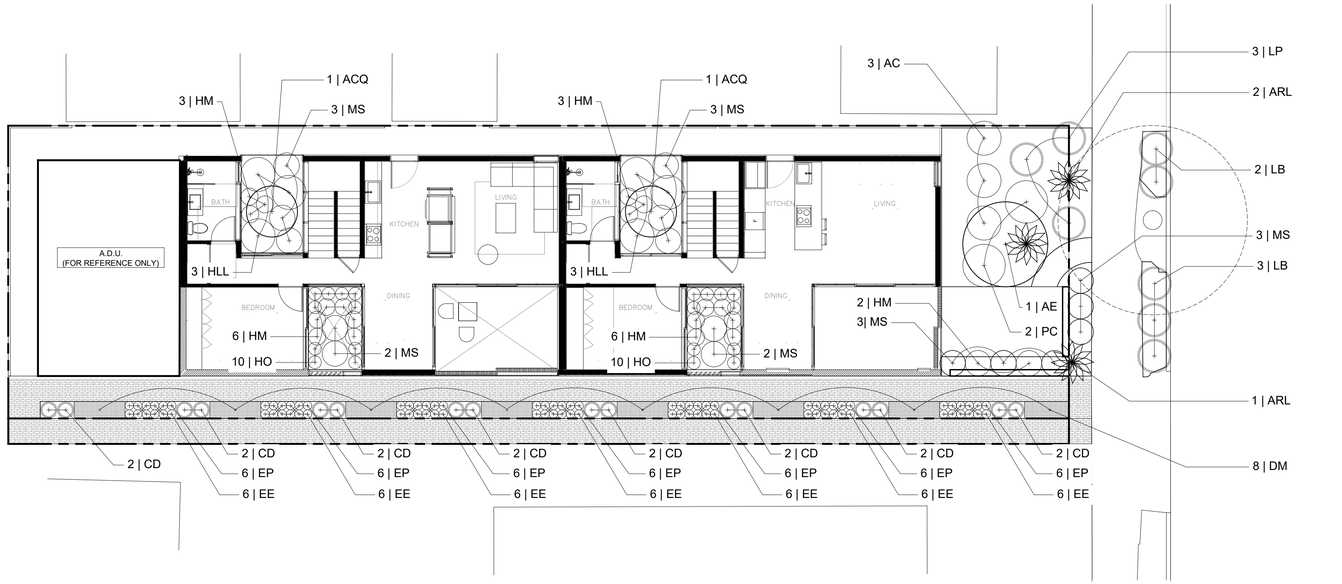
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R04

SHADOW STUDY - NEIGHBORS ELEVATIONS

SHEET # 14 OF 21

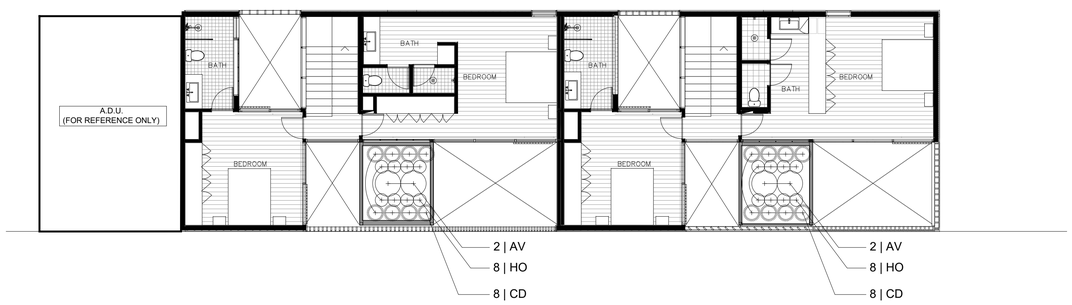


NORTH

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

0 4' 8' 16'

GROUND FLOOR PLANTING PLAN
1/8"=1'-0"



NORTH

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

0 4' 8' 16'

SECOND FLOOR PLANTING PLAN
1/8"=1'-0"

I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE PRESCRIPTIVE COMPLIANCE OPTION TO THE MWELO

TOTAL LANDSCAPE AREA: 1,403 SF
TOTAL LAWN AREA: 0 SF

TOTAL PLANTS WITH WULCOLS PLANT FACTOR <=0.3: **(88%)**

costello kennedy
LANDSCAPE ARCHITECTURE
16 de la Guerra Road San Rafael, CA 94903
ph:415-479-7552 www.costellokennedy.com

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PRINCE STREET TOWNHOMES
2708 PRINCE STREET
BERKELEY, CA 94705

revisions:

LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
No. 5709
08-25-2024
Date
STATE OF CALIFORNIA

LANDSCAPE PLAN
08-25-2024
AS NOTED
L1.0

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	TYPE	QU	SIZE	HEIGHT X WIDTH	WATER USE
ACC	ACER 'CRIMSON QUEEN'	DWARF JAPANESE MAPLE	TREE	2	24" BOX	10'X10'	M
AI	ACACIA ITEAPHYLLA	ELDERBERRY	TREE	1	15 GAL - MULTI	10'X10'	L
AC	ACACIA 'COUSIN ITT'	RIVER WATTLE	SHRUB	3	5 GAL	4'X4'	L
ARL	AGAVE ATTENUATA 'RAY OF LIGHT'	FOX TAIL AGAVE	SUCCULENT	3	5 GAL	4'X4'	L
LP	LOMANDRA 'PLATINUM BEAUTY'	VARIEGATED MAT RUSH	GRASS	3	1 GAL	4'X4'	L
LB	LOMANDRA 'BREEZE'	MAT RUSH	GRASS	5	1 GAL	4'X4'	L
PC	PLECTRANTHUS CILIATUS 'DREDGE'	SPUR FLOWER	GROUNDCOVER	2	5 GAL	1.5'X5'	L
AV	ASPIDISTRA ELIATOR 'VARIEGATA'	CAST IRON PLANT	SHRUB	10	5 GAL	3'X3'	L
MS	MAHONIA 'SOFT CARESS'	OREGON GRAPE	SHRUB	16	5 GAL	3'X3'	L
HLL	HYDRANGEA PANICULATA 'LITTLE LIME'	HARDY HYDRANGEA	SHRUB	3	5 GAL	4'X4'	M
CD	CAREX DIVULSA	BERKELEY SEDGE	GRASS	34	1 GAL	2'X2'	L
HM	HELLEBORUS 'MOLLY'S WHITE'	LENTEN ROSE	PERENNIAL	20	1 GAL	2'X2'	L
HO	HEUCHERA 'OBSIDIAN'	CORAL BELLS	PERENNIAL	36	4" POT	1.5'X1.5'	L
EE	ECHEVERIA ELEGANS	HEN AND CHICKS	SUCCULENT	36	4" POT	6"X12"	L
EP	ECHEVERIA 'PURL VON NURNBERG'	HEN AND CHICKS	SUCCULENT	36	4" POT	12"X12"	L
DM	DYMONDIA MARGARETAE	DYMONDIA	GROUNDCOVER	8	LANDSCAPE FLAT**	FLAT	L
**	LANDSCAPE FLAT TO BE CUT INTO 16 PIECES AND SPACED 12" OC						

PLANT IMAGES


Acer 'Crimson Queen'


Acacia iteaphylla


Acacia 'Cousin Itt'


Agave attenuata' ray of Light'


Lomandra 'Platinum Beauty'


Plectranthus ciliatus 'Dredge'


Aspidistra 'Variegata'


Mahonia 'Soft Caress'


Hydrangea 'Little Lime'


Carex divulsa


Helleborus 'Molly's White'


Heuchera 'Obsidian'


Echeveria elegans


Echeveria 'Purl Von Nurnberg'


Dymondia

I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE PRESCRIPTIVE COMPLIANCE OPTION TO THE MWELO

TOTAL LANDSCAPE AREA: 1,403 SF
TOTAL LAWN AREA: 0 SF

TOTAL PLANTS WITH WULCOLS PLANT FACTOR <=0.3: **(88%)**

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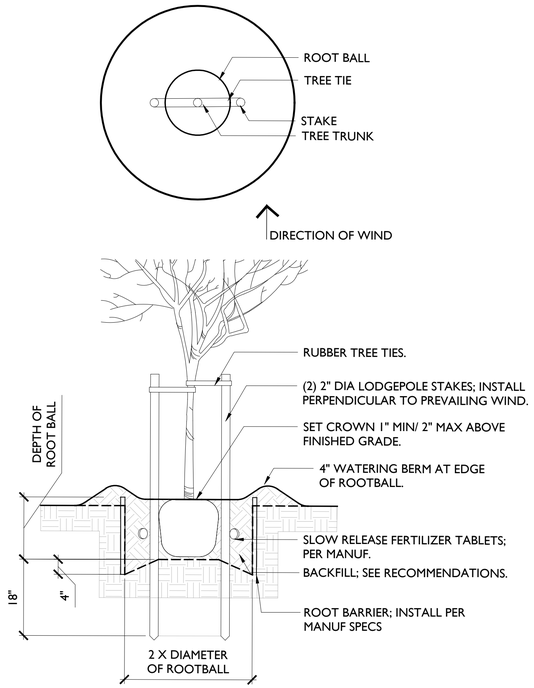
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BERKELEY, CA 94705

revisions:

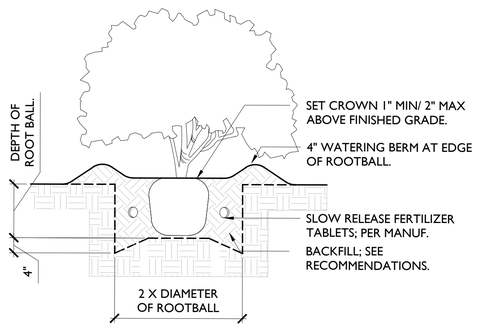
LICENSED LANDSCAPE ARCHITECTS
MATTHEW A. KENNEDY
08-25-2024
STATE OF CALIFORNIA

PLANT SCHEDULE

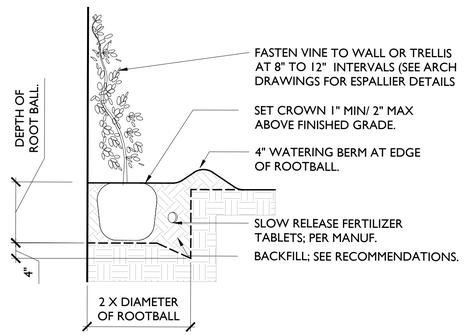
date: 08-25-2024
scale: AS NOTED
sheet: L1.1



1 TREE PLANTING
NO SCALE



2 SHRUB PLANTING
NO SCALE



3 VINE PLANTING DETAIL
NO SCALE

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PRINCE STREET TOWNHOMES
2708 PRINCE STREET
BERKELEY, CA 94705

revisions:

LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
No. 6064
08-25-2024
Date
STATE OF CALIFORNIA

PLANTING NOTES AND DETAILS

date: 08-25-2024

scale: AS NOTED

sheet: L1.2

PLANTING NOTES

1. SEE COMPLETE SPECIFICATIONS MANUAL THAT HAS BEEN CREATED FOR THIS JOB FOR ADDITIONAL NOTES AND REQUIREMENTS. REPORT ANY DISCREPANCIES TO LANDSCAPE ARCHITECT.

2. EXAMINE SITE OF PROPOSED WORK NOTING EXISTING CONDITIONS AND THE PROPOSED PLANTING AS SHOWN ON THE PLAN. ALERT LANDSCAPE ARCHITECT OF DISCREPANCIES.

3. ALL WORK SHALL BE IN STRICT ACCORDANCE WITH SOUND NURSERY PRACTICE AND SHALL INCLUDE MAINTENANCE AND WATERING OF ALL MATERIALS INSTALLED IN THIS CONTRACT UNTIL FINAL ACCEPTANCE BY CLIENT OR LANDSCAPE ARCHITECT.

4. ALL PLANTS SHALL BE NURSERY GROWN, AND SHALL BE IN ACCORDANCE WITH THE AMERICAN NURSERYMEN ASSOCIATION STANDARDS IN ALL WAYS (SEE AMERICAN STANDARD FOR NURSERY STOCK SPONSORED BY AMERICAN ASSOCIATION OF NURSERYMEN, INC, CURRENT EDITION).

5. ALL PLANTS TO BE REVIEWED BY LANDSCAPE ARCHITECT FOR VARIETY, SIZE AND CONDITION PRIOR TO INSTALLATION.

6. PLANT LIST IS FOR CONTRACTOR CONVENIENCE ONLY, VERIFY PLANT QUANTITIES WITH THE PLAN.

7. SUBMIT THE FOLLOWING TO THE LANDSCAPE ARCHITECT FOR APPROVAL BEFORE DELIVERY: SAMPLES AND CERTIFIED ANALYSES OF FERTILIZER, MINERALS AND SOIL AMENDMENTS, STATING SOURCE, PHYSICAL/CHEMICAL COMPOSITION AND QUANTITY AVAILABLE.

8. CONTRACTOR TO EXERCISE DUE CARE WHEN EXCAVATING WITHIN THE ROOT ZONE OF EXISTING VEGETATION TO REMAIN. ALL EXCAVATION WITHIN THIS ZONE SHALL BE PERFORMED WITH HAND TOOLS. SEE ARBORIST REPORT FOR ADDITIONAL REQUIREMENTS AROUND EXISTING TREES.

9. IN THE EVENT THAT UNDERGROUND CONSTRUCTION WORK OR OBSTRUCTIONS ARE ENCOUNTERED IN ANY PLANT PIT EXCAVATION WORK TO BE DONE, ALTERNATE LOCATIONS MAY BE SELECTED BY CLIENT OR LANDSCAPE ARCHITECT. WHERE THESE LOCATIONS CANNOT BE CHANGED, REMOVE THE OBSTRUCTION TO A DEPTH OF NOT LESS THAN THREE (3) FEET BELOW GRADE AND NO LESS THAN SIX (6) INCHES BELOW BOTTOM OF BALL OR ROOTS WHEN PLANT IS PROPERLY SET AT THE REQUIRED GRADE. CONTACT LANDSCAPE ARCHITECT IMMEDIATELY FOR A RESOLUTION BEFORE CONTINUING WORK IN THAT AREA.

10. ALL PLANTING AREAS SHALL BE CLEANED AND WEEDED WITH ALL SURFACE DEBRIS CONSTRUCTION DEBRIS, CONTAMINANTS, BASEROCK LAYERS, AND STONES LARGER THAN ONE INCH IN DIAMETER TO BE REMOVED FROM SITE.

11. TO ESTABLISH PROPER SOIL FERTILITY AND TEXTURE PROVIDE SOIL SAMPLES (ONE PER 10,000 SQUARE FEET LANDSCAPED AREA AND ONE PER 50 CUBIC YARDS OF IMPORTED TOPSOIL) TO A CERTIFIED SOIL TESTING LABORATORY. TEST FOR SOIL FERTILITY, DRAINAGE, AND TEXTURE AND PROVIDE AMENDMENT AND FERTILIZER RECOMMENDED FOR ALL AREAS TO BE PLANTED. CONTRACTOR SHALL REVIEW TEST RESULTS WITH THE LANDSCAPE ARCHITECT AND WILL AMEND SOIL AND PLANTER BACKFILL AS SPECIFIED BY THE TESTING LAB.

12. PRIOR TO AMENDING SOIL, CONTRACTOR SHALL DIG SEVERAL PLANT PITS AND FILL WITH WATER TO TEST FOR DRAINAGE. IF WATER DOES NOT DRAIN WITHIN 24 HOURS, PROVIDE METHODS TO IMPROVE DRAINAGE FOR REVIEW BY LANDSCAPE ARCHITECT.

13. AMEND SOIL IN PLANTING AREAS BY APPLYING FOUR (4) CUBIC YARDS OF COMPOST/ 1,000 SF TO A DEPTH OF (6) INCHES INTO LANDSCAPE AREAS (UNLESS CONTRA-INDICATED BY A SOILS TEST). THIS SHALL BE DONE IN TWO EQUAL LAYERS TO INSURE AN EVEN DISTRIBUTION TO THE PROPER DEPTH.

14. REMAINING SOIL PREPARATION SHALL BE ON A PER PLANT BASIS ACCORDING TO PLANTING DETAILS AND SPECIFICATIONS.

15. WHEREVER TOPSOIL IS REQUIRED TO RAISE GRADE TO FINISHED ELEVATIONS, CONTRACTOR SHALL USE ONLY HIGH QUALITY TOPSOIL TO BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. INSTALL TOPSOIL AS FOLLOWS:

    a. RIP SUBSURFACE AS PREVIOUSLY DESCRIBED
    b. LAY DOWN 4" OF TOPSOIL AND ROTOTILL INTO 4" OF RIPPED SUBGRADE
    c. LAY DOWN REMAINING TOPSOIL

16. FERTILIZER: DROP FERTILIZER TABLETS (AGRIFORM 20-10-5 NPK, OR EQUAL) ALONGSIDE ROOTBALL WHEN BACKFILL IS TWO-THIRDS IN PLACE, ACCORDING TO THE FOLLOWING SCHEDULE.

1 GALLON	2 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
5 GALLON	3 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
15 GALLON	5 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
24" BOX	8 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
36" BOX	12 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
48" BOX	16 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
60" BOX	20 TABS	(21 GRAM AGRIFORM PLANT TABLETS)

FOR 4" POTS AND CELL-PACKS, USE OSMOCOTE 18-6-12 FORMULA AT THE MANUFACTURER'S RECOMMENDED APPLICATION RATE, SPREAD EVENLY THROUGHOUT THE PLANTING AREA.

17. ALL PLANTS SHALL BE PLACED IN THE LOCATIONS SHOWN ON THE PLANTING PLAN AND THE APPROVAL OF THE LANDSCAPE ARCHITECT AND CLIENT SHALL BE OBTAINED PRIOR TO PLANTING. THE LANDSCAPE ARCHITECT SHOULD BE INFORMED SEVEN (7)DAYS IN ADVANCE OF PLANTING.

18. PLANT AND STAKE ALL TREES AND SHRUBS PER PLANTING DETAILS. PLANT CROWN TO BE THREE (3) INCHES ABOVE GRADE FOR ALL SHRUBS AND TREES.

19. INSTALL THREE (3) INCH LAYER OF APPROVED MULCH IN ALL PLANTING AREAS EXCEPT IN TURF AREAS, CREEPING OR ROOTING GROUND COVERS, OR DIRECT SEEDING APPLICATIONS WHERE MUCH IS CONTRA-INDICATED. SUBMIT SAMPLE FOR LANDSCAPE ARCHITECT'S APPROVAL PRIOR TO DELIVERY OF MULCH TO JOB SITE.

20. APPLY WEED BARRIER FABRIC TO ALL PLANTING BEDS BELOW MULCH.

21. PLANTS SHALL BE WATERED TWO TIMES, THOROUGHLY, BY HAND IMMEDIATELY AFTER PLANTING. PLANTS DAMAGED FROM WATER STRESS BEFORE OR AFTER PLANTING WILL NOT BE ACCEPTED.

22. CONTRACTOR TO BE RESPONSIBLE FOR ALL FINISH GRADES IN PLANTING AREAS AND FOR ANY FINE GRADING REQUIRED FOR SURFACE DRAINAGE AND UNIFORMITY TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT.

23. CONTRACTOR TO GUARANTEE ALL PLANT MATERIAL PER SPECIFICATION PACKAGE.

24. ALL POTS TO HAVE A DEDICATED IRRIGATION RISER TIED INTO AUTOMATIC IRRIGATION SYSTEM, AND HAVE A DEDICATED DRAINLINE TIED INTO STORM DRAINAGE SYSTEM.

25. INSTALL LINEAR ROOT BARRIER 24" DEEP WHERE TREES ARE WITHIN 5' OF PAVEMENT

IRRIGATON NOTES

1. IRRIGATION TO BE DESIGN BUILD AND BE AN AUTOMATIC DRIP IRRIGATION SYSTEM
2. AUTOMATIC IRRIGATION CONTROLLERS ARE REQUIRED AND MUST USE EVAPOTRANSPIRATION OR SOIL MOISTURE SENSOR DATA AND PROVIDE A RAIN SENSOR WHOSE SIGNAL IS COMPATIBLE WITH THE MASTER CONTROL VALVE
3. IRRIGATION CONTROLLERS SHALL BE OF A TYPE WHICH DOES NOT LOSE PROGRAMMING DATA IN THE EVENT THE PRIMARY POWER SOURCE IS INTERRUPTED.
4. PRESSURE REGULATORS SHALL BE INSTALLED ON THE IRRIGATION SYSTEM TO ENSURE THE DYNAMIC PRESSURE OF THE SYSTEM IS WITHIN THE MANUFACTURERS RECOMMENDED PRESSURE RANGE.
5. MANUAL SHUT-OFF VALVES (SUCH AS A GATE VALVE, BALL VALVE, OR BUTTERFLY VALVE) SHALL BE INSTALLED AS CLOSE AS POSSIBLE TO THE POINT OF CONNECTION OF THE WATER SUPPLY.
6. ALL IRRIGATION EMISSION DEVICES MUST MEET THE REQUIREMENTS SET IN THE ANSI STANDARD, ASABE/ICC 802-2014. "LANDSCAPE IRRIGATION SPRINKLER AND EMITTER STANDARD," ALL SPRINKLER HEADS INSTALLED IN THE LANDSCAPE MUST DOCUMENT A DISTRIBUTION UNIFORMITY LOW QUARTER OF 0.65 OR HIGHER USING THE PROTOCOL DEFINED IN ASABE/ICC 802-2014.
7. AREAS LESS THAN TEN (10) FEET IN WIDTH IN ANY DIRECTION SHALL BE IRRIGATED WITH SUBSURFACE IRRIGATION OR OTHER MEANS THAT PRODUCES NO RUNOFF OR OVERSPRAY
8. FOR NON-RESIDENTIAL PROJECTS WITH LANDSCAPE AREAS OF 1,000 SQ. FT. OR MORE, A PRIVATE SUBMETER(S) TO MEASURE LANDSCAPE WATER USE SHALL BE INSTALLED

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ph:415-479-7552 www.costellokennedy.com

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PRINCE STREET TOWNHOMES
2708 PRINCE STREET
BERKELEY, CA 94705

revisions:

LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
08-25-2024
STATE OF CALIFORNIA

PLANTING NOTES AND DETAILS

date: 08-25-2024

scale: AS NOTED

sheet: L1.3

2708 PRINCE STREET

MWELO PRESCRIPTIVE COMPLIANCE CHECKLIST

ITEM	NOTES
LANDSCAPE DESIGN PLAN	
1. Attach a landscape plan indicating the following:	SEE PLANTING PLANS ON SHEET L1.0
a. Turf areas	NA
b. High water use planting areas	NA
c. Moderate water use planting areas	12% LANDSCAPE AREA
d. Low water use planting areas	88% LANDSCAPE AREA
e. Water features including swimming pools	NA
f. Edible planting areas	NA
g. Areas irrigated with recycled water	NA
SOIL	
1. Incorporate compost at a rate of at least 4 cubic yards per 1,000 square feet to a depth of 6 inches into the landscape area (unless contra-indicated by a soil test).	SEE PLANTING NOTE 13 ON SHEET L1.3
This project will apply 5.61 cubic yards of compost	
2. A minimum 3-inch layer of recycled mulch shall be applied on all exposed soil surfaces of planting areas except turf areas, or direct seeding applications where mulch is contra-indicated	SEE PLANTING NOTE 19 ON SHEET L1.3
PLANTS	
1. Plant material shall comply with the following:	
a. Residential projects only:	
I. 75% of landscape area shall consist of plants that use little or no summerwater (WUCOLS plant factor of 0.3 or lower), excluding edibles or areasusing recycled water.	SEE PLANT SCHEDULE ON SHEET L1.1
II. No more than 25% of the landscape area will be planted with high waterusing plants	SEE PLANT SCHEDULE ON SHEET L1.1
b. Non-residential projects only :	
I. 100% of the landscape area shall consist of plants that use little or nosummer water (WUCOLS plant factor of 0.3 or lower), excluding edibles or areas using recycled water	NA
c. No invasive plants are planted. No plant species listed by the California Invasive Plant Council's "Don't Plant a Pest" brochure as invasive in the San Francisco Bay Area shall be planted.	NA
2. The use of turf shall comply with all of the following:	
a. In nonresidential areas, turf is not used	NA
b. In residential areas:	
I. Turf, high water use plants, and water features shall, combined, notexceed 25% of the landscape area	NO TURF IS SPECIFIED
II. Turf shall not be planted on slopes which exceed a slope of 1 foot verticalelevation change for every 4 feet or horizontal length	NO TURF IS SPECIFIED
III. Turf is prohibited in parkways less than 10 feet wide. Exception: Parkwayis adjacent to a parking strip and used to exit and enter vehicles AND turf is irrigated with subsurface irrigation	NO TURF IS SPECIFIED
WUCOLS plants database can be found online at: http://ucanr.edu/sites/WUCOLS/	
"Don't Plant a Pest" brochure can be found at http://cal-ipc.org/landscaping/dpp/	
IRRIGATION	
1. Automatic irrigation controllers are required and must use evapotranspiration or soil moisture data and utilize a rain sensor.	SEE IRRIGATION NOTES ON SHEET L1.3
2. Irrigation controllers should be the type which does not lose programming data in the event the primary power source is interrupted	SEE IRRIGATION NOTES ON SHEET L1.3
3. Pressure regulators are installed on the irrigation system to ensure dynamic pressure of the components are within the manufacturer's recommended pressure range.	SEE IRRIGATION NOTES ON SHEET L1.3
4. Manual-shut-off valves (such as gate, ball or butterfly valves) are installed as close as possible to the point of connection of the water supply.	SEE IRRIGATION NOTES ON SHEET L1.3
5. All irrigation emission devices must meet the requirements set in the ANSIstandard ASABE/ICC 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard." All sprinkler heads installed must have a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.	SEE IRRIGATION NOTES ON SHEET L1.3
6. Areas less than 10 feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.	SEE IRRIGATION NOTES ON SHEET L1.4
7. For non-residential projects with landscape areas of 1,000 sf or more, a private submeter(s) to measure landscape water use shall be installed.	NA

I certify the above information and agree to comply with these Prescriptive Compliance requirements for the Water Efficient Landscape Plan Review.

Applicant Signature : _____

Matthew Kennedy, Costello Kennedy Landscape Architecture

Date: 8-25-2024

PROJECT NAME:	**2708 PRINCE STREET**
PROJECT ADDRESS:	2708 PRINCE STREET
PREPARED BY:	Matthew Kennedy Costello Kennedy Landscape Architecture 16 De La Guerra Rd San Rafael, CA 94903 415-479-7552 costellokennedy@gmail.com
	"I agree to comply with the requirements of the prescriptive compliance option to the MWELO"
	Signed:

PART ONE	**MAXIMUM APPLIED WATER ALLOWANCE (MAWA)**	
		MAWA = Eto x .62 x [(ETAF x HA) + ((1-ETAF) X SLA)]
	Yearly Eto	41.8
	CONVERSION FACTOR	0.62
	ETAF	0.45
	TOTAL IRRIGATED LANDSCAPE AREA	1,403 SQUARE FEET
	SPECIAL LANDSCAPE AREA (SLA)	0 SQUARE FEET
	LANDSCAPE WATER ALLOWANCE	**16,362 GALLONS PER YEAR**
	TOTAL ACRE FEET	0.05 ACRE FEET
PART TWO	**ESTIMATED TOTAL WATER USE (ETWU)**	
	*AVERAGE ETAF AND ETWU CALCULATED PER WATER EFFICIENT LANDSCAPE WORKSHEET	
	AVERAGE ETAF FOR REGULAR LANDSCAPE AREAS (TOTAL ETAF X AREA / TOTAL AREA)	0.26
	ETWU FOR REGULAR LANDSCAPE AREAS	**14,548 GALLONS PER YEAR**
	SITE WIDE ETAF	0.26
	ETWU FOR ALL LANDSCAPE AREAS	**14,548 GALLONS PER YEAR**
	TOTAL ACRE FEET	0.04 ACRE FEET

2708 PRINCE STREET

PRELIMINARY WATER EFFICIENT LANDSCAPE WORKSHEET

Reference Evapotranspiration (Eto) **41.8**

ZONE NO.	PLANT TYPE	HYDROZONE * (PLANT WATER USE)	PLANT FACTOR	IRRIGATION METHOD **	IRRIGATION EFFICIENCY (IE)	ETAF (PF/IE)	HYDROZONE AREA (square feet) (HA)	ETAF x HA	ESTIMATED TOTAL WATER USE (ETWU)	% LANDSCAPE AREA
REGULAR LANDSCAPE AREA										
1	TREES	MW	0.5	DRIP	0.81	0.405	16	6	256	1%
2	SHRUBS	MW	0.5	DRIP	0.81	0.405	153	62	2,448	11%
3	TREES	LW	0.3	DRIP	0.81	0.243	16	4	154	1%
4	SHRUBS	LW	0.3	DRIP	0.81	0.243	787	191	7,554	56%
5	GROUNDCOVERS	LW	0.3	DRIP	0.81	0.243	243	59	2,332	17%
6	ROOFDECK	LW	0.3	DRIP	0.81	0.243	188	46	1,805	13%
TOTALS (REGULAR LANDSCAPE AREAS)							1,403	368	14,548	100%
SPECIAL LANDSCAPE AREA										
NA	NA	NA	NA	NA	NA	1	0	0	0	0%
TOTALS (SPECIAL LANDSCAPE AREAS)							**0**	**0**	**0**	**0%**

HYDROZONE SUMMARY

Hydrozone Description *	Total Square Feet	% of Landscape
Cool Season Turf (CST)	0	0%
Warm Season Turf (WST)	0	0%
High Water Use Plants (HW)	0	0%
Bioretention Plants (BR)	0	0%
Medium Water Use Plants (MW)	169	12%
Low Water Use Plants (LW)	1,234	88%
Very Low Water Use Plants (VLW)	0	0%
Water Feature	0	0%
Special Landscape Area (SLA)	0	0%
TOTAL	**1,403**	**100%**

Irrigation Method **	Total Square Feet	% of Landscape
Rotor (FC-R, PC-R)	0	0%
Multi-Stream Rotor (MR)	0	0%
Spray (S)	0	0%
Bubbler (B)	0	0%
Drip (D)	1,403	100%
In-Line Drip (DL)	0	0%
Micro Spray (MS)	0	0%
Other (O)	0	0%
TOTAL	**1,403**	**100%**

costello kennedy
LANDSCAPE ARCHITECTURE
16 de la Guerra Road San Rafael, CA 94903
ph:415-479-7552 www.costellokennedy.com

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LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
08-25-2024
STATE OF CALIFORNIA

MWELO CHECKLIST CALCS

date: 08-25-2024

scale: AS NOTED

sheet: L1.4

ZONING ADJUSTMENTS BOARD

NOTICE OF PUBLIC HEARING

2708 Prince Street

Use Permit #ZP2024-0024 to demolish an existing 13 foot 9-inch-tall one-story 1,052 square-foot house and accessory building (garage), and construct a new 24 foot 4-inch-tall two-story 3,118 square-foot duplex.

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, September 12, 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: MDR– Medium Density Residential
- Zoning: R2-A– Restricted Multiple-Family Residential

B. Zoning Permits Required:

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.326.020(B) to demolish a dwelling unit

- Use Permit pursuant to BMC Section 23.202.020(A) to construct a two-family dwelling

C. CEQA Recommendation: Categorically exempt pursuant to Section 15303 of the CEQA Guidelines ("New Construction").

D. Parties Involved:

- Applicant — Jeff Svitak, 3037 Redwood Street, San Diego
- Property Owner — Linda Joseph, 2700 Prince Street, Berkeley

Further Information:
All application materials are available online at:
https://aca.cityofberkeley.info/CitizenAccess/Welcome.aspx.

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

Questions about the project should be directed to the project planner, Allison Riemer, at (510) 981-7433 or ariemer@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@cityofberkeley.info) to request hard-copies or electronic copies.

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

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

Jacob, Melinda

From: Zoning Adjustments Board (ZAB)
Subject: FW: 2708 Prince Request to ZAB for Continuance --grounds in support

From: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Sent: Wednesday, September 4, 2024 4:18 PM
To: Rena Rickles <rena@rickleslaw.com>; Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>
Cc: Robert Riemer <robert@av.co>
Subject: RE: 2708 Prince Request to ZAB for Continuance --grounds in support

Thank you. This will be in the packet.

Best,
Samantha

From: Rena Rickles <rena@rickleslaw.com>
Sent: Wednesday, September 04, 2024 3:11 PM
To: Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>
Cc: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>; Robert Riemer <robert@av.co>
Subject: 2708 Prince Request to ZAB for Continuance --grounds in support
Importance: High

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Good afternoon Samantha,

Would you please provide this letter and the attachment to the ZAB Chair and members as well as to the applicant ASAP? It is our belief that waiting until the hearing date for a determination of our request places an undue burden on my client, the applicant and Staff especially where, as here, the grounds are compelling, there is not statutory prohibition for this continuance, nor any substantive threat to the policy of moving housing proposals through expeditiously.
With the continuance, it is likely that a design compromise (not loved by any but acceptable to all) can be reached a ZAB hearing where all parties are present. Without the Continuance, my client is denied meaningful participation, resulting in a continuance to resolve issues, and/or a City Council appeal which could be avoided.

Thank you for your assistance.

Should you have any questions please get back to me via email or my mobile phone (number below)

Rena

RENA RICKLES
Law offices of Rena Rickles
1970 Broadway, Suite 1100
Oakland, CA 94612
Phone: (510) 452-1600
Mobile: (510) 326-4899
Fax: (510) 451-4115
Rena@RicklesLaw.com

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RENA RICKLES
ATTORNEY AT LAW

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

September 4, 2024

Yes Duffy, Chairperson
Members Zoning Adjustments Board ("ZAB")
1947 Center Street, 3rd Floor
Berkeley, CA 94704
Via email: ZAB@Berkeleyca.gov

Re: 2708 Prince Street, September 12, 2024, Agenda, Continuance Request Urgent Based on a Party's physical inability to be present; public policy to provide reasonable opportunity to be heard.

Dear Chair Duffy and ZAB members,

On behalf of Robert Riemer and Sheila Moran, ("Riemer's") the immediate and most impacted neighbor to the above-captioned project, I am asking that you reverse the Staff position and grant the Riemer's request for a 4-week continuance to the October 10, 2024 meeting because they have a scheduled family tradition vacation to Spain for the month of September.[1] Staff's denial was not based on any statutory mandated deadline but on "long-standing policy" .

It is our position that where one party cannot physically be present, and that information was well known to staff,[2] and the request is a *de minimus* extension, well within statutory requirements, that public policy demands that this very brief continuance be granted.

Asking the ZAB on the night of the hearing for a continuance places an undue burden on all parties (like preparing for a final that may not be administered), we are asking for a pre-hearing determination, or, at least notice to all parties that a continuance is being requested.[3]

The underlying facts which are both persuasive and not in dispute and which for reasons of public policy and courtesy require this continuance are:

- The Riemer's are immediately adjacent to this proposal and are the most negatively impacted by the project design (we believe the developer made design modifications with the other surrounding neighbors to obtain their support).
- The developers did not reach out to the Reimers, as they did with the other neighbors, to discuss alternate design solutions.
- Robert discovered the change in date from August to September only by accident: he in good faith reached out to the developer to request a meeting to discuss the design of the proposed project; the developer refused to consider any modifications and stated that he would see him at the ZAB in September.

---

[1] Staff's grounds are that "it is our long-standing practice that housing developments that are subject to the Housing Accountability Act ("HAA") and the Housing Crisis Act (HCA") are promptly taken to the ZAB for action once the staff review and analysis is completed."
[2] See attached email thread (between the Riemers and Staff) of the grounds for and request of a continuance.
[3] . "You or your client may request a hearing continuation to the ZAB through public comment at the hearing (in person or remotely) and/or in writing," ZAB secretary.

- The Riemer's opposition is focused on the design: They will face a 24' high, uninterrupted wall, 3' 4" from the property line, running the full length of the property. A dispute which can often be resolved and disposed of at a ZAB hearing.
- **Participation via Zoom under these facts** where there is a 9-hour time difference, and a high likelihood (not helped by the length of the time the connection would have to work) of broken and/or poor connection for himself and his exhibits, **means that he is denied meaningful participation.**
- This is the Riemer's only request, and it is of a short duration.
- There has been no mention of harm to the developer and/or the creation of new housing which would result by granting this *de minimis* request.

Conclusion

it has been my experience, in over 30 years of appearing before ZAB, that under significantly less persuadable facts, a onetime continuance is customarily granted as a courtesy. This request, even under confines of the HAA and HCA, is allowed.

If this request is denied and because of technical and physical limitations the Riemer's cannot reasonably participate in the September 12, 2024, hearing, the matter will have to be continued to the next ZAB hearing date, October 10, 2024, and/or appealed to the City Council.

Thus, in the interests of sound public policy, expediency, lack of harm to the developer, and fairness dictate the granting of this reasonable and *di minimus* request.

Thank you in advance for your attention to this important matter. If you have any questions, please feel free to call me at 510-326-4899.

Very sincerely yours,



Attachment: email thread between the Riemer's and Staff re: continuance want to take a bath club or a family?

EMAIL THREAD BETWEEN ROBERT RIEMER AND PLANNING STAFF REQUESTING A CONTINUANCE FROM THE SEPTEMBER 12, 2024 ZAB HEARING
In reverse order

Hi Rena,
As Samantha noted, it is our long-standing practice that housing development projects that are subject to the requirements of the Housing Accountability Act and the Housing Crisis Act are promptly taken to ZAB for action once staff review and analysis is completed, regardless of whether that is strictly required by the statutes. Scheduling the hearing for ZAB is a procedural matter and is not appealable.
Jordan

Jordan Klein
Director, Department of Planning & Development
City of Berkeley
Phone: (510) 774-1337
jklein@berkeleyca.gov

From: Rena Rickles <rena@rickleslaw.com>
Sent: Friday, August 30, 2024 5:21 PM
To: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Cc: Robert Riemer <robert@av.co>; Klein, Jordan <JKlein@berkeleyca.gov>
Subject: RE: 2708 Prince Street: Statutory limitation Critical Need for Continuance of September 12th date-- Unacceptable response Under the facts of this case and public policy

Good afternoon Samantha,
Thank you for responding so quickly. In your answer you said that both the Housing Accountability Act and the Housing Crisis Act as put limitations on your ability to grant a continuance.
My question is, does moving this matter to the first Meeting in October violate any of the time limitations set out in either statute?

I have reviewed both statutes and I do not see anything in the language that would prohibit moving this matter to October. I would appreciate you advising me as to whether I have missed something in the language of either or both statutes.
Best,
Rena

RENA RICKLES
Law offices of Rena Rickles
1970 Broadway, Suite 1100
Oakland, CA 94612
Phone: (510) 452-1600
Mobile: (510) 326-4899
Fax: (510) 451-4115
Rena@RicklesLaw.com

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From: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Sent: Tuesday, August 27, 2024 4:24 PM
To: Rena Rickles <rena@rickleslaw.com>
Cc: Robert Riemer <robert@av.co>; Klein, Jordan <JKlein@berkeleyca.gov>
Subject: RE: 2708 Prince Street: Critical Need for Continuance of September 12th date-- Unacceptable response Under the facts of this case and public policy

Thank you for reaching out, Rena.

This housing development project is slated for the September 12, 2024 Zoning Adjustments Board (ZAB) hearing, and the date is not being changed. As previously noted, housing development projects that are subject to the requirements of the Housing Accountability Act and the Housing Crisis Act are taken to ZAB for action once staff review and analysis is completed. Scheduling the hearing for ZAB is a procedural matter, not an action on the permit, and is not appealable.

At the hearing, ZAB may approve, modify, or deny the application, or continue the hearing to a future date. You or your client may request a hearing continuation to the ZAB through public comment at the hearing (in person or remotely) and/or in writing. Correspondence to ZAB that are submitted no later than 5 pm on September 4 will be included with the staff report and other project documents. I've included the full schedule for submitting written comments below. While this correspondence will be included, I recommend provide comments in writing to ZAB.

Schedule for correspondence to ZAB with dates added (also published on each ZAB agenda):

Written comments must be directed to the ZAB Secretary at the Land Use Planning Division (Attn: ZAB Secretary), 1947 Center Street, Second Floor, Berkeley CA 94704, 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.

Correspondence received by 5:00 PM eight days before this public hearing (September 4) – 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, 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 (September 10)** – will be conveyed to the Board in a Supplemental Communications and Reports, which is released around noon one day before the public hearing.
- **Correspondence received by 12:00 PM the day of this public hearing (September 12)** will be provided to the Board at the hearing.
- **Correspondence received after 12:00 PM the day of** this public hearing will be saved in the project administrative record.

Best,
Samantha

From: Rena Rickles <rena@rickleslaw.com>
Sent: Monday, August 26, 2024 5:52 PM
To: Klein, Jordan <JKlein@berkeleyca.gov>; Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Cc: Robert Riemer <robert@av.co>
Subject: 2708 Prince Street: Critical Need for Continuance of September 12th date-- Unacceptable

response Under the facts of this case and public policy
Importance: High

Dear Jordan and Samantha,
I represent Robert Riemer, who along with his wife live adjacent to this proposed project and are clearly and uniquely, the most negatively impacted by it. I have left Samantha to voicemails on this matter, hence this email to both of you. Their opposition is not to the project itself but to its current design which disproportionately affects only them.
Under the circumstances which I am about to recite below, I find it unconscionable and a [1]major injustice to deny Robert Riemer's reasonable and timely request for continuance in this matter. The justification in Samantha's last email misstates the grounds upon which Robert Riemer's requests this continuance. Never in my almost 30 years of appearing before the Zoning Adjustments Board, have I known of a continuance being denied the persuasive facts in this case. In fact, it's been my experience that under significantly less persuadable facts a onetime continuance is customarily granted. This is especially true whereas here there is no harm to developer by this minor delay. Therefore, it escapes me why in this instance it is being denied to Robert Reimer.

I have a twofold request: 1) grant Robert Riemer's request for a continuance to October from the currently scheduled September 12th hearing date; or, 2) provide me with the avenue to appeal your denial as well as your grounds for denying this timely and reasonable request

..
The facts as I understand them are this:

- As soon as Robert Riemer became aware of the details of this proposed project (late this spring I believe), he immediately contacted Planner Alison Reimer, both to learn more about the specifics of the project, and to advise her that he would be opposing it.
- At that time Allison Reimer advised Robert Riemer (no relation) that the hearing would be scheduled sometime in August.
- Accordingly, in early July, Robert Reimer booked his and his family's annua one month trip to Spain for the month of September. At no time since early spring did Allison Riemer advise Robert Riemer that the Hearing date had been moved to September 12th. (True Robert Riemer was not an official party to this matter, but his presence and interest were well known to planning, and at least as a courtesy he should have been consulted regarding the change in date.
- Robert discovered the change in date only by accident: he in good faith reached out to the developer to request a meeting to discuss the design that was proposed project; the developer refused to consider any modifications and stated that he would see him at the ZAB Hi in September.
- Robert Riemer immediately acted to request a continuance. This was his first and only request for a continuance.
- Contrary to what was stated in your denial, Robert Riemer will be in Europe which is a far cry from the inconvenience of not being in the area. The alternative " Participation", Zoom, in this case is illusory. It amounts to a denial of participation. There is a nine-hour time-zone difference and the ability to maintain a Zoom connection on Zoom throughout the length of a ZAB hearing is minuscule.
- Robbie Carman It is well known to all three of us that not being physically present to organize speakers and documents in the week before the hearing constitutes a major disadvantage. (it is also not possible for me to appear in Robert Riemer's stead as I will be in the Midwest attending my husband's 60th high school reunion, followed immediately by a large family reunion there).

Thank you in advance for your attention to this very important matter. If you have any questions, please feel free to call me at 510-326-4899.
Best,
Rena

[1] Edited/removed unintended communication which occurred due to the vagaries of voice activated communication

On Aug 21, 2024, at 9:56 AM, Updegrave, Samantha <SUpdegrave@berkeleyca.gov> wrote:

Good morning, Robert.

I understand that you will be out of the area on September 12, and that it is disappointing to not be able to attend the hearing in person. You may participate in the hearing virtually and also provide direct written comments to the ZAB, which if received by 5pm on Wednesday, September 4, will be included with the staff report that is sent to the commissioners on the following day. The link to join the meeting remotely will be available on the final agenda, which is posted by the end of the day on September 5.

The hearing date was not delayed from August – the staff analysis was not complete therefore the project was not ready for final action. This is why dates remain tentative until the notices are posted, to ensure that they are ready to be heard. Once a housing development project is ready for ZAB action, it is scheduled at the next available hearing.

This email will be included in the communications attachment that ZAB receives, however, it does not contain your specific concerns related to the project. I encourage you to provide separate written comments to ZAB that address your concerns or questions, in addition to joining remotely from a computer or mobile device.

Best,
Samantha

From: Robert Riemer <robert@av.co>
Sent: Tuesday, August 20, 2024 4:03 PM
To: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Cc: Riemer, Allison <ARiemer@berkeleyca.gov>; Klein, Jordan <JKlein@berkeleyca.gov>; Rena Rickles <rena@rickleslaw.com>
Subject: Re: *4th Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Hi Samantha, good to hear back. But as the initial August date was delayed to accommodate some other parties' needs or vacation schedules, I am upset that my many diligent requests to discuss in advance the impact of my unavailability during 3 weeks in September have been unanswered. Early on, I made myself a known party to this matter and I worked to avoid all of this by reaching out, but I still was not advised of your date until at least 10 days after the Applicant was advised of it. Even as of July 22, the September 12 date was only tentative.

From a public policy and due process perspective this project should have fair voice by not just one but by both sides. This is a uniquely drawn project which will have a unique impact on the neighborhood with density front and center and with very precedential impact. I should be granted the courtesy of being allowed to attend in person especially when it's clear that others' availability was taken into account.

Again I'm offering my time to speak with you - I am free all week.

Sincerely,

Robert Riemer
COO, Artis Ventures
c: 415.517.9498
e: robert@av.co

On Aug 20, 2024, at 10:01 AM, Updegrave, Samantha <SUpdegrave@berkeleyca.gov> wrote:

Good morning, Robert.

Thank you for reaching out about the Zoning Adjustments Board (ZAB) hearing for the project at 2708 Prince Street, and your patience while I assessed the project's readiness for action. I understand that you have been contact with the owner or applicant at various stages of the project, as well as the project planner Allison.

The project is slated for the next ZAB hearing on September 12, 2024 and, at this time, will not be moved to a later date. This is a housing development project that will demolish a single-family dwelling and construct a new duplex, and is subject to the requirements of the Housing Accountability Act and the Housing Crisis Act. As such, taking the project to ZAB for action once our review and analysis is completed is a City priority under State requirements.

I understand that you expected an earlier hearing date and are now requesting staff to consider a later date because you will be out of town for the month of September. All ZAB hearings are a hybrid format which provides the opportunity to attend in person or remotely via video conferencing. These meetings are conducted in accordance with the Brown Act, Govt' Code Section 54950, linked here for reference. Correspondence that you've already shared with staff, including myself, will be included as an attachment to the staff report for ZAB. You may submit additional written comments to the ZAB as well. If you provide comments no later than 5 pm on September 4, they will also be included with the staff report. (see below)

The public hearing notice will be mailed and posted on site Thursday. The final agenda with the link to join the hearing remotely and the staff report will be posted one week prior, on September 5. (Note that the draft agenda is also posted this week, however, it will not have the meeting link or staff report.) We will email you the link and the PDF copies of the notice, agenda, and staff report as a courtesy to ensure you receive them.

Here is the information regarding submitting additional written comments to the ZAB. This information is also in the agenda.

Written comments must be directed to the ZAB Secretary at the Land Use Planning Division (Attn: ZAB Secretary), 1947 Center Street, Second Floor, Berkeley CA 94704, 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.

Correspondence received by 5:00 PM eight days before this public hearing (September 4) – 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, 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 (September 10)** – will be conveyed to the Board in a Supplemental Communications and Reports, which is released around noon one day before the public hearing.
- **Correspondence received by 12:00 PM the day of this public hearing (September 12)** will be provided to the Board at the hearing.
- **Correspondence received after 12:00 PM the day of** this public hearing will be saved in the project administrative record.

Best,
Samantha

<image001.png>**Samantha Updegrave**, LEED AP (she/her)
Zoning Officer, Principal Planner
Planning and Development, Land Use Division
1947 Center St., 2nd Floor, Berkeley, CA 94704
Phone: (510) 981.7414

Website: www.berkeleyca.gov
Email: supdegrave@berkeleyca.gov
***The Permit Service Center (PSC)*, including the zoning counter, is open *between 8:30 am – 2:30 pm (final check in at 2:00 pm) Monday through Thursday*.**
To limit the spread of COVID-19, face masks and social distancing are required when visiting our offices, and some Planning staff continue to work remotely.

All permit-related and Zoning services are available online. Please visit us online for more information.

From: Robert Riemer <robert@av.co>
Sent: Thursday, August 15, 2024 12:17 PM
To: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Cc: Riemer, Allison <ARiemer@berkeleyca.gov>
Subject: Re: *4th Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Hi Samantha, forgive my pressing, I've been seeking some transparency into this scheduling and not getting a lot of help. Stressing that I will be absolutely unable to attend a video meeting in September. I'm not just a "member of the public" in this matter, but a party directly adjacent with a direct and not just a general interest. Do you have a moment this afternoon?

Robert Riemer
c: 415.517.9498
e: robert@av.co

On Aug 13, 2024, at 4:19 PM, Robert Riemer <robert@av.co> wrote:

Hi Samantha, it is good to hear from you, but I do believe we should speak before the date is in fact set which is why I have been reaching out. How about 10 minutes tomorrow, say around 10 a.m.?

Robert Riemer

On Aug 13, 2024, at 3:53 PM, Updegrave, Samantha <SUpdegrave@berkeleyca.gov> wrote:

Good afternoon, Robert.

Sorry for the delay in responding. As you probably gathered from my out of office reply, I have just returned to work yesterday, and I'm currently going through emails and calls. I received your emails, and will be looking at 2708 Prince Street later this week. I will let you know by the end of the week when the project will go to ZAB for hearing.

Best,
Samantha

From: Robert Riemer <robert@av.co>
Sent: Tuesday, August 13, 2024 11:41 AM
To: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Subject: Re: *3d Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Hi Samantha, just a quick follow up on the below. Do you have a moment to speak today? Write back, thanks!

Robert Riemer
c: 415.517.9498
e: robert@av.co

On Aug 11, 2024, at 11:54 AM, Robert Riemer <robert@av.co> wrote:

Hello Samantha, hope you are well. Could I ask you a favor? I'd like to take a minute to discuss the ZAB hearing with you, as you can see I've been voicing this issue with Planning since Mid-July. I am free tomorrow at 10:00 forward! I promise not to take too much of your time.

Thank you very much in advance,

Robert Riemer
3025 College Ave
c: 415.517.9498
e: robert@av.co

Begin forwarded message:

From: "Crane, Fatema" <FCrane@berkeleyca.gov>
Subject: RE: *2d Follow up* 2708 Prince Street: Critical Need for Continuance of September 13th date
Date: July 31, 2024 at 4:10:12 PM PDT
To: Robert Riemer <robert@av.co>
Cc: "Riemer, Allison" <ARiemer@berkeleyca.gov>

Thanks for your message.
Allison has returned to the office and is currently catching up on emails and other messages. She'll be in touch with you shortly.
We have had positive experiences with hearing participation from abroad, this includes our staff as well as members of the public. Again, I do hope you will consider joining a hearing using video conferencing as an option.
Your patience is appreciated.
Sincerely,
Fatema

_____

Fatema Crane (pronouns: s/her)
Principal Planner, LPC Secretary
Land Use Planning Division
Planning & Development Dept.
City of Berkeley

Direct tel.: 510-981-7413
Office tel.: 510-981-7410

As a cost-savings measure, the City will close non-essential offices (including Planning & Development) on the second Friday of each month. Please also note these upcoming City Holiday closures and observations: Labor Day, September 2; Indigenous Peoples' Day, October 14; Veterans' Day, November 11; and Thanksgiving, November 28 & 29.

My regular office hours are Monday through Thursday, 8:30AM to 6:30PM, and *every other* Friday until 5PM.

From: Robert Riemer <robert@av.co>
Sent: Wednesday, July 31, 2024 3:51 PM
To: Crane, Fatema <FCrane@berkeleyca.gov>
Cc: Riemer, Allison <ARiemer@berkeleyca.gov>
Subject: Re: *2d Follow up* 2708 Prince Street: Critical Need for Continuance of September 13th date

Hi Fatema, just a note of follow up post our conversation last week. I really appreciate you speaking with me and I followed with a voicemail Monday, but I feel the need to write a quick follow to reiterate what I stated on the call.

Attendance via Zoom in September will not work due to time differences and known connectivity issues and if they proceed while I am out of town it would deny me due process. I intentionally made myself a known party to this matter early on, and I worked to avoid this situation by reaching out early but I still was not advised of the date until at least 10 days after the Applicant was. I just want to respectfully restate that I would definitely appeal to the City Council if this proceeds in September, which would be guaranteed to cost everyone much added time and money. The ZAB should have the opportunity to resolve this in a manner not guaranteed to generate an appeal.

Thank you and please keep me posted!

Robert Riemer
COO, Artis Ventures
499 Jackson St. | Suite 400
San Francisco, CA | 94111
c: 415.517.9498
e: robert@av.co

On Jul 22, 2024, at 7:34 PM, Crane, Fatema <FCrane@berkeleyca.gov> wrote:

Rob,
Thanks for your message.
Allison is presently departing on a (well-deserved) vacation, so I would like to assist you in her absence. Our staff will confer with the ZAB Secretary and schedule the Use Permit hearing for the proposal at 2708 Prince Street on the next available meeting date. Unfortunately, the August 8 ZAB meeting is not possible, and the September 12 date is more likely though that date is only tentative at this time. *Tentative* Use Permit hearing dates are suggested as part of our estimated timeline for the regulatory review of entitlement requests, but the actual hearing date is confirmed only when the requisite 14-day Public Hearing Notice has been issued. Your patience and understanding are appreciated.

All interested parties would be able to attend the Use Permit hearing either in-person or remotely via video conferencing – this is the City's established meeting format for both ZAB and City Council meetings, and these meetings are conducted in accordance with the Brown Act, Govt' Code Section 54950, linked here for reference.

ZAB meeting agendas are posted on-line one week in advance, and Use Permit Public Hearing Notices are mailed and posted at the project site 14 days prior to the meeting, in accordance with Berkeley Municipal Code 23.404.040 (linked here for reference).

We will ensure that you receive a Public Hearing Notice for the Use Permit consideration at 2708 Prince Street. Because we are aware that you may be traveling, we will provide a copy via email transmittal as a courtesy. The Notice will include information about one's legal rights and instructions for filing an appeal.

I understand that you expected the Prince Street ZAB hearing to occur sooner, as early as August. I sympathize with your disappointment. Please consider making arrangements to attend remotely via video conferencing and, at a minimum, to share a written statement to ZAB in the meantime. Staff will include your statement with the hearing materials.

Please reply or telephone me directly with further questions.

Sincerely,
Fatema Crane

_____

Fatema Crane (pronouns: s/her)
Principal Planner, LPC Secretary
Land Use Planning Division
Planning & Development Dept.
City of Berkeley

Direct tel.: 510-981-7413
Office tel.: 510-981-7410

From: Robert Riemer <robert@av.co>
Sent: Thursday, July 18, 2024 3:46 PM
To: Riemer, Allison <ARiemer@berkeleyca.gov>
Cc: Klein, Jordan <JKlein@berkeleyca.gov>; Planning Dept. Mailbox <Planning@berkeleyca.gov>
Subject: 2708 Prince Street: Critical Need for Continuance of September 13th date

Dear Allison,

The current communicated (“tentative”) date, is impossible for us. This email is a request for a Continuance without which would constitute a denial of due process, because of the following compelling grounds:

• I have not previously requested a Continuance in this matter;

• I have reviewed all our correspondence commencing in May, where you initially stated that this matter would likely be on the August docket; accordingly I cleared my August calendar in order to be available to prepare for and attend the ZAB hearing;

• It was not until I was sent a letter on July 7, when the architect/Applicant advised that the ZAB hearing would be in September that I was made aware that the hearing would not be in August. You yourself did not advise me to confirm this asserted date, until you replied to my email on July 17;

• I had stated that unless the architect/Applicant made certain adjustments in the design which would reduce the negative impact of the current design on me and the neighborhood, I would have to oppose the project. Therefore, I am a known party to this matter. Yet, it appears that you advised only the applicant and not me of the September date;

• Had you asked me of my availability at any time during this process, I could have told you that a September date was impossible for me to attend. My annual family vacation in Europe is in September. This year we booked the vacation on June 22 for a trip from September 7 through the 29th. (I can provide proof if you so desire);

• Granting my request is in the interest of public policy and because it reduces the time and expense for all parties: If the ZAB hearing proceeds during my absence, I will have no choice but to appeal to the

City Council, which would most likely remand this matter to the ZAB for reconsideration or, hold a hearing de novo. It is possible that the ZAB would resolve this matter in a way (via a compromise) that would render an appeal unnecessary, saving all parties both time and money;

• Your suggestion that I attend via Zoom does not resolve the due process issues. In addition to 8-9 hour time difference, Zoom connections from Europe are known to be spotty and unreliable which will be compounded by the hours waiting for my matter to be called;

Therefore, I am respectfully submitting my request for a Continuance in this matter. If you are not willing to do so, please advise me on how to appeal your decision.

Sincerely,

Robert Riemer
c: 415.517.9498
e: robert@av.co

On Jul 17, 2024, at 10:50 AM, Riemer, Allison <ARiemer@berkeleyca.gov> wrote:

Hi Robert,

It looks like the project will be going to ZAB on September 12. The meeting will be in a hybrid format, and you can join via Zoom. I'll forward the link to the agenda with the Zoom link. The agenda will be ready on the Thursday or Friday before the meeting.

Best,
Allison

From: Robert Riemer <robert@av.co>
Sent: Friday, July 12, 2024 10:35 AM
To: Riemer, Allison <ARiemer@berkeleyca.gov>
Subject: Re: 2708 Prince- lot coverage and usable open space

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.
Hi Allison, hope you are doing well this summer.

I left you a vm regarding Zab meeting. No news on when that would transpire and it appears the project has not moved beyond CEQA determination. I am out of country 9/1/24-9/22/24.

Many thanks, looking forward to hearing from you.

Robert Riemer
c: 415.517.9498
e: robert@av.co

On May 9, 2024, at 4:49 PM, Riemer, Allison <ARiemer@berkeleyca.gov> wrote:

Hi Rob,

A trellis counts toward lot coverage. This is not stated in the Berkeley Municipal Code, but is a longstanding Zoning Officer interpretation of the Code. The lot coverage example diagram includes a trellis.

Lot coverage defined in the BMC.
Building, defined in the Glossary: Building. An enclosed structure having a roof and supported by columns or walls.
Useable open space

Best,
Allison
Allison Riemer, AICP (she/her)
Associate Planner
Land Use Planning Division | (510) 981-7433
1947 Center Street, 2nd Floor | Berkeley, CA 94704
ariemer@berkeleyca.gov

The Permit Service Center (PSC), including the Zoning Counter, is open between 8:30 am – 2:30 pm (final check in at 2:00 pm) Monday through Thursday.

Zoning Project Submittal Requirements (updated October 2023)
General Planning Department questions: Planning@berkeleyca.gov
Zoning questions: ZoningCounter@berkeleyca.gov
Planning Department Forms
City of Berkeley holidays and reduced service days

Jacob, Melinda

Subject: FW: Link: Please Help Me???

From: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Sent: Wednesday, September 4, 2024 5:20 PM
To: cypanjun@hotmail.com
Cc: Jacob, Melinda <MJacob@berkeleyca.gov>
Subject: RE: Link: Please Help Me???

Hi Doris,

Thank you for reaching out.

We do not provide copies of materials to members of the public for their personal distribution, and cannot provide you with 60 postcards for our upcoming hearing. You are welcome to make copies of and distribute any publicly available materials on your own.

The City fulfilled the notice obligations for the September 12, 2024 Zoning Adjustments Board public hearing, including posting the draft agenda, mailed postcards, and onsite posting. The final agenda with links to the staff report and a link to join the meeting remotely will be posted online here by the end of the business day tomorrow: https://berkeleyca.gov/your-government/boards-commissions/zoning-adjustments-board

Best,
Samantha, ZAB Secretary

Samantha Updegrave, LEED AP (she/her/they)
Principal Planner, Zoning Officer
Land Use Planning Division
City of Berkeley, Planning and Development Department
supdegrave@berkeleyca.gov

From: Doris Nassiry <cypanjun@hotmail.com>
Sent: Wednesday, September 4, 2024 2:19 PM
To: Jacob, Melinda <MJacob@berkeleyca.gov>
Subject: Re: Link: Please Help Me???

Hello, again, Melinda, Please tell me if I could please get at least 60 more of the blue postcards some time today?? I can come downtown ti get then, Neghvors on Prince haven't all recieved the card, so we're going to deliver them to various neighbors ourselves. Please call me at (510) 409-1030 to tell me if I can get those postcards. Many thanks. Doris

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From: Jacob, Melinda <MJacob@berkeleyca.gov>
Sent: Wednesday, September 4, 2024 9:01 AM
To: Doris Nassiry <cypanjun@hotmail.com>
Subject: RE: Link: Please Help Me???

Hello Doris. I'm responding to your voicemail about the postcard notices for 2708 Prince Street. As per the noticing requirements, we send out notices to property owners, tenants/occupants and neighborhood groups that are within 300 feet of the project property. I've attached an electronic copy of the list of addresses who received the notices.

Thanks,
Melinda

Melinda Jacob
Office Specialist II
Planning and Development, Land Use Division
1947 Center St., 2nd Floor, Berkeley, CA 94704
Phone: (510) 981-7421
Website: **www.berkeleca.gov.**,**Email:** mjacob@berkeleyca.gov
REDUCED LAND USE HOURS ARE IN EFFECT! Land Use / Zoning counter services are available at the Permit Service Center (PSC) between 8:30 am – 2:30 pm (final check in at 2:00 pm) Monday through Thursday. *To limit the spread of COVID-19, face masks and social distancing are required when visiting our offices, and some Planning staff continue to work remotely.*

Construction & Development | City of Berkeley (berkeleyca.gov)
https://berkeleyca.gov/construction-development/permits-design-parameters/permit-process/permit-service-center
Zoning Lookup | City of Berkeley (berkeleyca.gov)

From: Doris Nassiry <cypanjun@hotmail.com>
Sent: Tuesday, September 3, 2024 9:58 AM
To: Jacob, Melinda <MJacob@berkeleyca.gov>
Subject: Re: Link: Please Help Me???

Hi, Thanks so much. I'll look forward to receiving your draft agenda on Thursday.....be well. Doris

---

From: Jacob, Melinda <MJacob@berkeleyca.gov>
Sent: Tuesday, September 3, 2024 9:56 AM
To: Doris Nassiry <cypanjun@hotmail.com>
Subject: RE: Link: Please Help Me???

Hello Ms. Nassiry. The link I sent to you is the **draft agenda** for the upcoming meeting, which doesn't have the zoom link yet (indicated by the highlighted parts). The final agenda, which gets posted this Thursday at 5pm, will have the zoom links. I will email you the final agenda once I post it on Thursday.

Sorry for the confusion. I should've explained that to you in the email.

Thanks,
Melinda

Melinda Jacob
Office Specialist II
Planning and Development, Land Use Division
1947 Center St., 2nd Floor, Berkeley, CA 94704
Phone: (510) 981-7421
Website: **www.berkeleca.gov.**,**Email:** mjacob@berkeleyca.gov
REDUCED LAND USE HOURS ARE IN EFFECT! Land Use / Zoning counter services are available at the Permit Service Center (PSC) between 8:30 am – 2:30 pm (final check in at 2:00 pm) Monday

***through Thursday**. To limit the spread of COVID-19, face masks and social distancing are required when visiting our offices, and some Planning staff continue to work remotely.*

Construction & Development | City of Berkeley (berkeleyca.gov)
https://berkeleyca.gov/construction-development/permits-design-parameters/permit-process/permit-service-center
Zoning Lookup | City of Berkeley (berkeleyca.gov)

From: Doris Nassiry <cypanjun@hotmail.com>
Sent: Tuesday, September 3, 2024 9:52 AM
To: Jacob, Melinda <MJacob@berkeleyca.gov>
Subject: Re: Link: Please Help Me???

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hello, again, Melinda, Please send me JUST the link to access where people can sign up to attend the zoom access to the September hearing re: 2708 Prince Street. I tried, but failed to access that link.....I've been unable to find/access the link. The purpose of such meetings is to invite and engage Berkeley residents in local issues, but the complicated details on this website are very cumbersome, Please copy and paste the link to me, so we can easily access the sing-up to attend the zoom option. Many thanks. Doris

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From: Jacob, Melinda <MJacob@berkeleyca.gov>
Sent: Tuesday, September 3, 2024 8:38 AM
To: cypanjun@hotmail.com <cypanjun@hotmail.com>
Subject: Link

https://berkeleyca.gov/sites/default/files/legislative-body-meeting-agendas/2024-09-12_ZAB%20Agenda.pdf

Melinda Jacob
Office Specialist II
Planning and Development, Land Use Division
1947 Center St., 2nd Floor, Berkeley, CA 94704
Phone: (510) 981-7421
Website: **www.berkeleca.gov.**,**Email:** mjacob@berkeleyca.gov
***REDUCED LAND USE HOURS ARE IN EFFECT! Land Use / Zoning counter services are available at the Permit Service Center (PSC) between 8:30 am – 2:30 pm (final check in at 2:00 pm) Monday through Thursday**. To limit the spread of COVID-19, face masks and social distancing are required when visiting our offices, and some Planning staff continue to work remotely.*

Construction & Development | City of Berkeley (berkeleyca.gov)
https://berkeleyca.gov/construction-development/permits-design-parameters/permit-process/permit-service-center
Zoning Lookup | City of Berkeley (berkeleyca.gov)

Riemer, Allison

From: Updegrave, Samantha
Sent: Tuesday, August 27, 2024 5:02 PM
To: Riemer, Allison
Subject: FW: 2708 Prince Street: Critical Need for Continuance of September 12th date-- Unacceptable response Under the facts of this case and public policy

Follow Up Flag: Follow up
Flag Status: Flagged

Internal

From: Updegrave, Samantha
Sent: Tuesday, August 27, 2024 4:24 PM
To: Rena Rickles <rena@rickleslaw.com>
Cc: Robert Riemer <robert@av.co>; Klein, Jordan <JKlein@berkeleyca.gov>
Subject: RE: 2708 Prince Street: Critical Need for Continuance of September 12th date-- Unacceptable response Under the facts of this case and public policy

Thank you for reaching out, Rena.

This housing development project is slated for the September 12, 2024 Zoning Adjustments Board (ZAB) hearing, and the date is not being changed. As previously noted, housing development projects that are subject to the requirements of the Housing Accountability Act and the Housing Crisis Act are taken to ZAB for action once staff review and analysis is completed. Scheduling the hearing for ZAB is a procedural matter, not an action on the permit, and is not appealable.

At the hearing, ZAB may approve, modify, or deny the application, or continue the hearing to a future date. You or your client may request a hearing continuation to the ZAB through public comment at the hearing (in person or remotely) and/or in writing. Correspondence to ZAB that are submitted no later than 5 pm on September 4 will be included with the staff report and other project documents. I've included the full schedule for submitting written comments below. While this correspondence will be included, I recommend provide comments in writing to ZAB.

Schedule for correspondence to ZAB with dates added (also published on each ZAB agenda):

> Written comments must be directed to the ZAB Secretary at the Land Use Planning Division (Attn: ZAB Secretary), 1947 Center Street, Second Floor, Berkeley CA 94704, 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.
>
> **Correspondence received by 5:00 PM eight days before this public hearing (September 4) – 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, 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 (September 10)** – will be conveyed to the Board in a Supplemental Communications and Reports, which is released around noon one day before the public hearing.
> - **Correspondence received by 12:00 PM the day of this public hearing (September 12)** will be provided to the Board at the hearing.

- **Correspondence received after 12:00 PM the day of** this public hearing will be saved in the project administrative record.

Best,
Samantha

From: Rena Rickles <rena@rickleslaw.com>
Sent: Monday, August 26, 2024 5:52 PM
To: Klein, Jordan <JKlein@berkeleyca.gov>; Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Cc: Robert Riemer <robert@av.co>
Subject: 2708 Prince Street: Critical Need for Continuance of September 12th date-- Unacceptable response Under the facts of this case and public policy
Importance: High

Dear Jordan and Samantha,
I represent Robert Riemer, who along with his wife live adjacent to this proposed project and are clearly and uniquely, the most negatively impacted by it. I have left Samantha to voicemails on this matter, hence this email to both of you. Their opposition is not to the project itself but to its current design which disproportionately affects only them. Under the circumstances which I am about to recite below, I find it unconscionable and a Looking for John River High School Call Sharon Bloomberg Mobile I'm so pale I don't know I'm sorry Elliot Elliott I'll be right home I'm talking to you I'm home major injustice to deny Robert Riemer's reasonable and timely request for continuance in this matter. The justification in Samantha's last email misstates the grounds upon which Robert Riemer's requests this continuance. Never in my almost 30 years of appearing before the Zoning Adjustments Board, have I known of a continuance being denied the persuasive facts in this case. In fact, it's been my experience that under significantly less persuadable facts a onetime continuance is customarily granted. This is especially true whereas here there is no harm to developer by this minor delay. Therefore, it escapes me why in this instance it is being denied to Robert Reimer.

I have a twofold request: 1) grant Robert Riemer's request for a continuance to October from the currently scheduled September 12th hearing date; or, 2) provide me with the avenue to appeal your denial as well as your grounds for denying this timely and reasonable request

..
The facts as I understand them are this:

- As soon as Robert Riemer became aware of the details of this proposed project (late this spring I believe), he immediately contacted Planner Alison Reimer, both to learn more about the specifics of the project, and to advise her that he would be opposing it.
- At that time Allison Reimer advised Robert Riemer (no relation) that the hearing would be scheduled sometime in August.
- Accordingly, in early July, Robert Reimer booked his and his family's annua one month trip to Spain for the month of September. At no time since early spring did Allison Riemer advise Robert Riemer that the Hearing date had been moved to September 12th. (True Robert Riemer was not an official party to this matter, but his presence and interest were well known to planning, and at least as a courtesy he should have been consulted regarding the change in date.
- Robert discovered the change in date only by accident: he in good faith reached out to the developer to request a meeting to discuss the design that was proposed project; the developer refused to consider any modifications and stated that he would see him at the ZAB Hi in September.
- Robert Riemer immediately acted to request a continuance. This was his first and only request for a continuance.
- Contrary to what was stated in your denial, Robert Riemer will be in Europe which is a far cry from the inconvenience of not being in the area. The alternative " Participation", Zoom, in this case is illusory. It amounts to a denial of participation. There is a nine-hour time-zone difference and the ability to maintain a Zoom connection on Zoom throughout the length of a ZAB hearing is minuscule.

Riemer, Allison

From: Updegrave, Samantha
Sent: Tuesday, August 27, 2024 5:12 PM
To: Riemer, Allison
Subject: FW: 2708 Prince Street: Critical Need for Continuance of September 12th date-- Unacceptable response Under the facts of this case and public policy

Importance: High

Internal

From: Rena Rickles <rena@rickleslaw.com>
Sent: Monday, August 26, 2024 5:52 PM
To: Klein, Jordan <JKlein@berkeleyca.gov>; Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Cc: Robert Riemer <robert@av.co>
Subject: 2708 Prince Street: Critical Need for Continuance of September 12th date-- Unacceptable response Under the facts of this case and public policy
Importance: High

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and interest were well known to planning, and at least as a courtesy he should have been consulted regarding the change in date.

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- Robbie Carman It is well known to all three of us that not being physically present to organize speakers and documents in the week before the hearing constitutes a major disadvantage. (it is also not possible for me to appear in Robert Riemer's stead as I will be in the Midwest attending my husband's 60th high school reunion, followed immediately by a large family reunion there).

Thank you in advance for your attention to this very important matter. If you have any questions, please feel free to call me at 510-326-4899.
Best,
Rena

0

RENA RICKLES
Law offices of Rena Rickles
1970 Broadway, Suite 1100
Oakland, CA 94612
Phone: (510) 452-1600
Mobile: (510) 326-4899
Fax: (510) 451-4115
Rena@RicklesLaw.com

STATEMENT OF CONFIDENTIALITY:
The information contained in this electronic message and any attachments to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. If you are not the intended recipient, or the person responsible for delivering the email to the intended recipient, be advised you have received this message in error and that any use, dissemination, forwarding, printing, or copying is strictly prohibited. Please notify the sender immediately, and destroy all copies of this message and any attachments.

From: Robert Riemer <robert@av.co>
Sent: Thursday, August 22, 2024 12:37 PM
To: Rena Rickles <rena@rickleslaw.com>
Subject: Re: *4th Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Texting with Igor. He agrees go to Jordan.
And fact correction on Samantha's em
Sent from Rena Rickles I Phone. All mistakes are the fault of a hyperactive autocorrect or failure to proofread dictated message

On Aug 21, 2024, at 9:56 AM, Updegrave, Samantha <SUpdegrave@berkeleyca.gov> wrote:

Good morning, Robert.

I understand that you will be out of the area on September 12, and that it is disappointing to not be able to attend the hearing in person. You may participate in the hearing virtually and also provide direct written comments to the ZAB, which if received by 5pm on Wednesday, September 4, will be included with the staff report that is sent to the commissioners on the following day. The link to join the meeting remotely will be available on the final agenda, which is posted by the end of the day on September 5.

The hearing date was not delayed from August – the staff analysis was not complete therefore the project was not ready for final action. This is why dates remain tentative until the notices are posted, to ensure that they are ready to be heard. Once a housing development project is ready for ZAB action, it is scheduled at the next available hearing.

Riemer, Allison

From: Riemer, Allison
Sent: Friday, August 23, 2024 10:23 AM
To: Robert Riemer
Subject: RE: *6h Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Hi Robert,

Thank you for sharing your concerns with me about the impact of the massing and setbacks on your yard and home. I will make note of them in the staff report. If you have another letter you want to share that explains your concerns you should email it to zab@berkelyca.gov by 5 PM on September 4 so that it will be included in the ZAB packet.

Best,
Allison

From: Robert Riemer <robert@av.co>
Sent: Tuesday, August 20, 2024 10:09 AM
To: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Cc: Riemer, Allison <ARiemer@berkeleyca.gov>; Klein, Jordan <JKlein@berkeleyca.gov>
Subject: Re: *6h Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

All - just bringing the whole group back to the chain from my original notification July 18. As you indicated you'd let me know *when* the date would be set, I have some urgency in seeking a discussion prior to the ZAB meeting date being set, and I am not hearing back. I really understand the press of business, but I registered my interest in the timing for the ZAB meeting back in early May.

Allison, I really appreciate you having come by my home a couple of Fridays ago to view the impact, and now that some time has passed, I thought it would be fair to hear your thoughts on what we discussed. Let me know when you have time for that.

Many thanks again.

Robert Riemer
c: 415.517.9498
e: robert@av.co

> On Aug 19, 2024, at 2:58 PM, Robert Riemer <robert@av.co> wrote:
>
> Hi Samantha, dropping in another follow up here. Wish to speak with you for the below stated purposes, in advance of any date-setting. I am generally available. Many thanks,
>
> Robert Riemer
> c: 415.517.9498
> e: robert@av.co

> On Aug 15, 2024, at 12:17 PM, Robert Riemer <robert@av.co> wrote:

Riemer, Allison

From: Updegrave, Samantha
Sent: Wednesday, August 21, 2024 9:57 AM
To: Robert Riemer
Cc: Riemer, Allison; Rena Rickles
Subject: RE: *4th Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Good morning, Robert.

I understand that you will be out of the area on September 12, and that it is disappointing to not be able to attend the hearing in person. You may participate in the hearing virtually and also provide direct written comments to the ZAB, which if received by 5pm on Wednesday, September 4, will be included with the staff report that is sent to the commissioners on the following day. The link to join the meeting remotely will be available on the final agenda, which is posted by the end of the day on September 5.

The hearing date was not delayed from August – the staff analysis was not complete therefore the project was not ready for final action. This is why dates remain tentative until the notices are posted, to ensure that they are ready to be heard. Once a housing development project is ready for ZAB action, it is scheduled at the next available hearing.

This email will be included in the communications attachment that ZAB receives, however, it does not contain your specific concerns related to the project. I encourage you to provide separate written comments to ZAB that address your concerns or questions, in addition to joining remotely from a computer or mobile device.

Best,
Samantha

From: Robert Riemer <robert@av.co>
Sent: Tuesday, August 20, 2024 4:03 PM
To: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Cc: Riemer, Allison <ARiemer@berkeleyca.gov>; Klein, Jordan <JKlein@berkeleyca.gov>; Rena Rickles <rena@rickleslaw.com>
Subject: Re: *4th Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Hi Samantha, good to hear back. But as the initial August date was delayed to accommodate some other parties' needs or vacation schedules, I am upset that my many diligent requests to discuss in advance the impact of my unavailability during 3 weeks in September have been unanswered. Early on, I made myself a known party to this matter and I worked to avoid all of this by reaching out, but I still was not advised of your date until at least 10 days after the Applicant was advised of it. Even as of July 22, the September 12 date was only tentative.

From a public policy and due process perspective this project should have fair voice by not just one but by both sides. This is a uniquely drawn project which will have a unique impact on the neighborhood with density front and center and with very precedential impact. I should be granted the courtesy of being allowed to attend in person especially when it's clear that others' availability was taken into account.

Again I'm offering my time to speak with you - I am free all week.

Sincerely,

Riemer, Allison

From: Robert Riemer <robert@av.co>
Sent: Tuesday, August 20, 2024 4:03 PM
To: Updegrave, Samantha
Cc: Riemer, Allison; Klein, Jordan; Rena Rickles
Subject: Re: *4th Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Hi Samantha, good to hear back. But as the initial August date was delayed to accommodate some other parties' needs or vacation schedules, I am upset that my many diligent requests to discuss in advance the impact of my unavailability during 3 weeks in September have been unanswered. Early on, I made myself a known party to this matter and I worked to avoid all of this by reaching out, but I still was not advised of your date until at least 10 days after the Applicant was advised of it. Even as of July 22, the September 12 date was only tentative.

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Again I'm offering my time to speak with you - I am free all week.

Sincerely,

Robert Riemer
COO, Artis Ventures
c: 415.517.9498
e: robert@av.co

> On Aug 20, 2024, at 10:01 AM, Updegrave, Samantha <SUpdegrave@berkeleyca.gov> wrote:
>
> Good morning, Robert.
>
> Thank you for reaching out about the Zoning Adjustments Board (ZAB) hearing for the project at 2708 Prince Street, and your patience while I assessed the project's readiness for action. I understand that you have been contact with the owner or applicant at various stages of the project, as well as the project planner Allison.
>
> The project is slated for the next ZAB hearing on September 12, 2024 and, at this time, will not be moved to a later date. This is a housing development project that will demolish a single-family dwelling and construct a new duplex, and is subject to the requirements of the Housing Accountability Act and the Housing Crisis Act. As such, taking the project to ZAB for action once our review and analysis is completed is a City priority under State requirements.
>
> I understand that you expected an earlier hearing date and are now requesting staff to consider a later date because you will be out of town for the month of September. All ZAB hearings are a hybrid format which provides the opportunity to attend in person or remotely via video conferencing. These meetings are conducted in accordance with the Brown Act, Govt' Code Section 54950, linked here for reference. Correspondence that you've already shared with staff, including myself, will be included as an attachment to the staff report for ZAB. You may submit additional written comments to the ZAB as well.

Riemer, Allison

From: Robert Riemer <robert@av.co>
Sent: Tuesday, August 20, 2024 10:09 AM
To: Updegrave, Samantha
Cc: Riemer, Allison; Klein, Jordan
Subject: Re: *6h Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Follow Up Flag: Follow up
Flag Status: Flagged

All - just bringing the whole group back to the chain from my original notification July 18. As you indicated you'd let me know *when* the date would be set, I have some urgency in seeking a discussion prior to the ZAB meeting date being set, and I am not hearing back. I really understand the press of business, but I registered my interest in the timing for the ZAB meeting back in early May.

Allison, I really appreciate you having come by my home a couple of Fridays ago to view the impact, and now that some time has passed, I thought it would be fair to hear your thoughts on what we discussed. Let me know when you have time for that.

Many thanks again.

Robert Riemer
c: 415.517.9498
e: robert@av.co

> On Aug 19, 2024, at 2:58 PM, Robert Riemer <robert@av.co> wrote:
>
> Hi Samantha, dropping in another follow up here. Wish to speak with you for the below stated purposes, in advance of any date-setting. I am generally available. Many thanks,
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> e: robert@av.co
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> > Hi Samantha, forgive my pressing, I've been seeking some transparency into this scheduling and not getting a lot of help. Stressing that I will be absolutely unable to attend a video meeting in September. I'm not just a "member of the public" in this matter, but a party directly adjacent with a direct and not just a general interest. Do you have a moment this afternoon?
> >
> > Robert Riemer
> > c: 415.517.9498
> > e: robert@av.co

Riemer, Allison

From: Robert Riemer <robert@av.co>
Sent: Monday, August 19, 2024 2:59 PM
To: Updegrave, Samantha
Cc: Riemer, Allison
Subject: Re: *5th Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Hi Samantha, dropping in another follow up here. Wish to speak with you for the below stated purposes, in advance of any date-setting. I am generally available. Many thanks,

Robert Riemer
c: 415.517.9498
e: robert@av.co

> On Aug 15, 2024, at 12:17 PM, Robert Riemer <robert@av.co> wrote:
>
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>
> Robert Riemer
> c: 415.517.9498
> e: robert@av.co
>
> > On Aug 13, 2024, at 4:19 PM, Robert Riemer <robert@av.co> wrote:
> >
> > Hi Samantha, it is good to hear from you, but I do believe we should speak before the date is in fact set which is why I have been reaching out. How about 10 minutes tomorrow, say around 10 a.m.?
> >
> > Robert Riemer
> >
> > > On Aug 13, 2024, at 3:53 PM, Updegrave, Samantha <SUpdegrave@berkeleyca.gov> wrote:
> > >
> > > Good afternoon, Robert.
> > >
> > > Sorry for the delay in responding. As you probably gathered from my out of office reply, I have just returned to work yesterday, and I'm currently going through emails and calls. I received your emails, and will be looking at 2708 Prince Street later this week. I will let you know by the end of the week when the project will go to ZAB for hearing.

Riemer, Allison

From: Updegrave, Samantha
Sent: Tuesday, August 27, 2024 5:03 PM
To: Riemer, Allison
Subject: FW: *3d Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Internal

From: Updegrave, Samantha
Sent: Tuesday, August 13, 2024 3:54 PM
To: Robert Riemer <robert@av.co>
Cc: Riemer, Allison <ARiemer@berkeleyca.gov>
Subject: RE: *3d Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Good afternoon, Robert.

Sorry for the delay in responding. As you probably gathered from my out of office reply, I have just returned to work yesterday, and I'm currently going through emails and calls. I received your emails, and will be looking at 2708 Prince Street later this week. I will let you know by the end of the week when the project will go to ZAB for hearing.

Best,
Samantha

From: Robert Riemer <robert@av.co>
Sent: Tuesday, August 13, 2024 11:41 AM
To: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Subject: Re: *3d Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Hi Samantha, just a quick follow up on the below. Do you have a moment to speak today? Write back, thanks!

Robert Riemer
c: 415.517.9498
e: robert@av.co

> On Aug 11, 2024, at 11:54 AM, Robert Riemer <robert@av.co> wrote:
>
> Hello Samantha, hope you are well. Could I ask you a favor? I'd like to take a minute to discuss the ZAB hearing with you, as you can see I've been voicing this issue with Planning since Mid-July. I am free tomorrow at 10:00 forward! I promise not to take too much of your time.
>
> Thank you very much in advance,
>
> Robert Riemer
> 3025 College Ave

c: 415.517.9498
e: robert@av.co

Begin forwarded message:

From: "Crane, Fatema" <FCrane@berkeleyca.gov>
Subject: RE: *2d Follow up* 2708 Prince Street: Critical Need for Continuance of September 13th date
Date: July 31, 2024 at 4:10:12 PM PDT
To: Robert Riemer <robert@av.co>
Cc: "Riemer, Allison" <ARiemer@berkeleyca.gov>

Thanks for your message.
Allison has returned to the office and is currently catching up on emails and other messages. She'll be in touch with you shortly.
We have had positive experiences with hearing participation from abroad, this includes our staff as well as members of the public. Again, I do hope you will consider joining a hearing using video conferencing as an option.
Your patience is appreciated.
Sincerely,
Fatema

_____
Fatema Crane (pronouns: s/her)
Principal Planner, LPC Secretary
Land Use Planning Division
Planning & Development Dept.
City of Berkeley

Direct tel.: 510-981-7413
Office tel.: 510-981-7410

As a cost-savings measure, the City will close non-essential offices (including Planning & Development)
on the second Friday of each month. Please also note these upcoming City Holiday closures and observations: Labor Day, September 2; Indigenous Peoples' Day, October 14; Veterans' Day, November 11; and Thanksgiving, November 28 & 29.

My regular office hours are Monday through Thursday, 8:30AM to 6:30PM, and *every other* Friday until 5PM.

From: Robert Riemer <robert@av.co>
Sent: Wednesday, July 31, 2024 3:51 PM
To: Crane, Fatema <FCrane@berkeleyca.gov>
Cc: Riemer, Allison <ARiemer@berkeleyca.gov>
Subject: Re: *2d Follow up* 2708 Prince Street: Critical Need for Continuance of September 13th date

Riemer, Allison

From: Robert Riemer <robert@av.co>
Sent: Tuesday, August 13, 2024 4:20 PM
To: Updegrave, Samantha
Cc: Riemer, Allison
Subject: Re: *3d Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Hi Samantha, it is good to hear from you, but I do believe we should speak before the date is in fact set which is why I have been reaching out. How about 10 minutes tomorrow, say around 10 a.m.?

Robert Riemer

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Samantha

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To: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Subject: Re: *3d Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

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c: 415.517.9498
e: robert@av.co

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Riemer, Allison

From: Updegrave, Samantha
Sent: Tuesday, August 27, 2024 5:13 PM
To: Riemer, Allison
Subject: FW: *3d Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Internal

From: Robert Riemer <robert@av.co>
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To: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Subject: Re: *3d Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

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> Thank you very much in advance,
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> Robert Riemer
> 3025 College Ave
> c: 415.517.9498
> e: robert@av.co
>
> > Begin forwarded message:
> >
> > **From:** "Crane, Fatema" <FCrane@berkeleyca.gov>
> > **Subject: RE: *2d Follow up* 2708 Prince Street: Critical Need for Continuance of September 13th date**
> > **Date:** July 31, 2024 at 4:10:12 PM PDT
> > **To:** Robert Riemer <robert@av.co>
> > **Cc:** "Riemer, Allison" <ARiemer@berkeleyca.gov>

Riemer, Allison

From: Crane, Fatema
Sent: Wednesday, July 31, 2024 4:10 PM
To: Robert Riemer
Cc: Riemer, Allison
Subject: RE: *2d Follow up* 2708 Prince Street: Critical Need for Continuance of September 13th date

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks for your message.
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Sincerely,
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Fatema Crane (pronouns: s/her)
Principal Planner, LPC Secretary
Land Use Planning Division
Planning & Development Dept.
City of Berkeley

Direct tel.: 510-981-7413
Office tel.: 510-981-7410

As a cost-savings measure, the City will close non-essential offices (including Planning & Development) on the second Friday of each month. Please also note these upcoming City Holiday closures and observations: Labor Day, September 2; Indigenous Peoples' Day, October 14; Veterans' Day, November 11; and Thanksgiving, November 28 & 29.

My regular office hours are Monday through Thursday, 8:30AM to 6:30PM, and *every other* Friday until 5PM.

From: Robert Riemer <robert@av.co>
Sent: Wednesday, July 31, 2024 3:51 PM
To: Crane, Fatema <FCrane@berkeleyca.gov>
Cc: Riemer, Allison <ARiemer@berkeleyca.gov>
Subject: Re: *2d Follow up* 2708 Prince Street: Critical Need for Continuance of September 13th date

Hi Fatema, just a note of follow up post our conversation last week. I really appreciate you speaking with me and I followed with a voicemail Monday, but I feel the need to write a quick follow to reiterate what I stated on the call.

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Thank you and please keep me posted!

Robert Riemer
COO, Artis Ventures
499 Jackson St. | Suite 400
San Francisco, CA | 94111
c: 415.517.9498
e: robert@av.co

> On Jul 22, 2024, at 7:34 PM, Crane, Fatema <FCrane@berkeleyca.gov> wrote:
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Please reply or telephone me directly with further questions.

Sincerely,
Fatema Crane

_____

Fatema Crane (pronouns: s/her)
Principal Planner, LPC Secretary
Land Use Planning Division
Planning & Development Dept.
City of Berkeley

Direct tel.: 510-981-7413
Office tel.: 510-981-7410

From: Robert Riemer <robert@av.co>
Sent: Thursday, July 18, 2024 3:46 PM
To: Riemer, Allison <ARiemer@berkeleyca.gov>
Cc: Klein, Jordan <JKlein@berkeleyca.gov>; Planning Dept. Mailbox <Planning@berkeleyca.gov>
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c: 415.517.9498
e: robert@av.co

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> **Sent:** Friday, July 12, 2024 10:35 AM
> **To:** Riemer, Allison <ARiemer@berkeleyca.gov>
> **Subject:** Re: 2708 Prince- lot coverage and usable open space

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> Allison Riemer, AICP (she/her)
> Associate Planner
> Land Use Planning Division | (510) 981-7433
> 1947 Center Street, 2nd Floor | Berkeley, CA 94704
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Received
JUL 24 2024
Land Use Planning

July 14, 2024

Edith Yu
3027 College Ave.
Berkeley, CA 94705

Allison Riemer
Planning & Development
City of Berkeley

Dear Ms Riemer,

Thank you for talking with me on July 3rd regarding the proposed development at 2708 Prince Street.

I found the so-called ADU in the proposed plan questionable. As you have informed me that an ADU needed to have a 4' setback from the property line and a 5' separation from the main building, the proposed "ADU" is directly connected to the proposed main building. It is really a third row residence in disguise in order to circumvent the 20' setback requirement from the back (south) property line. I have enclosed a diagrammatic section showing the proper placement of the true ADU.

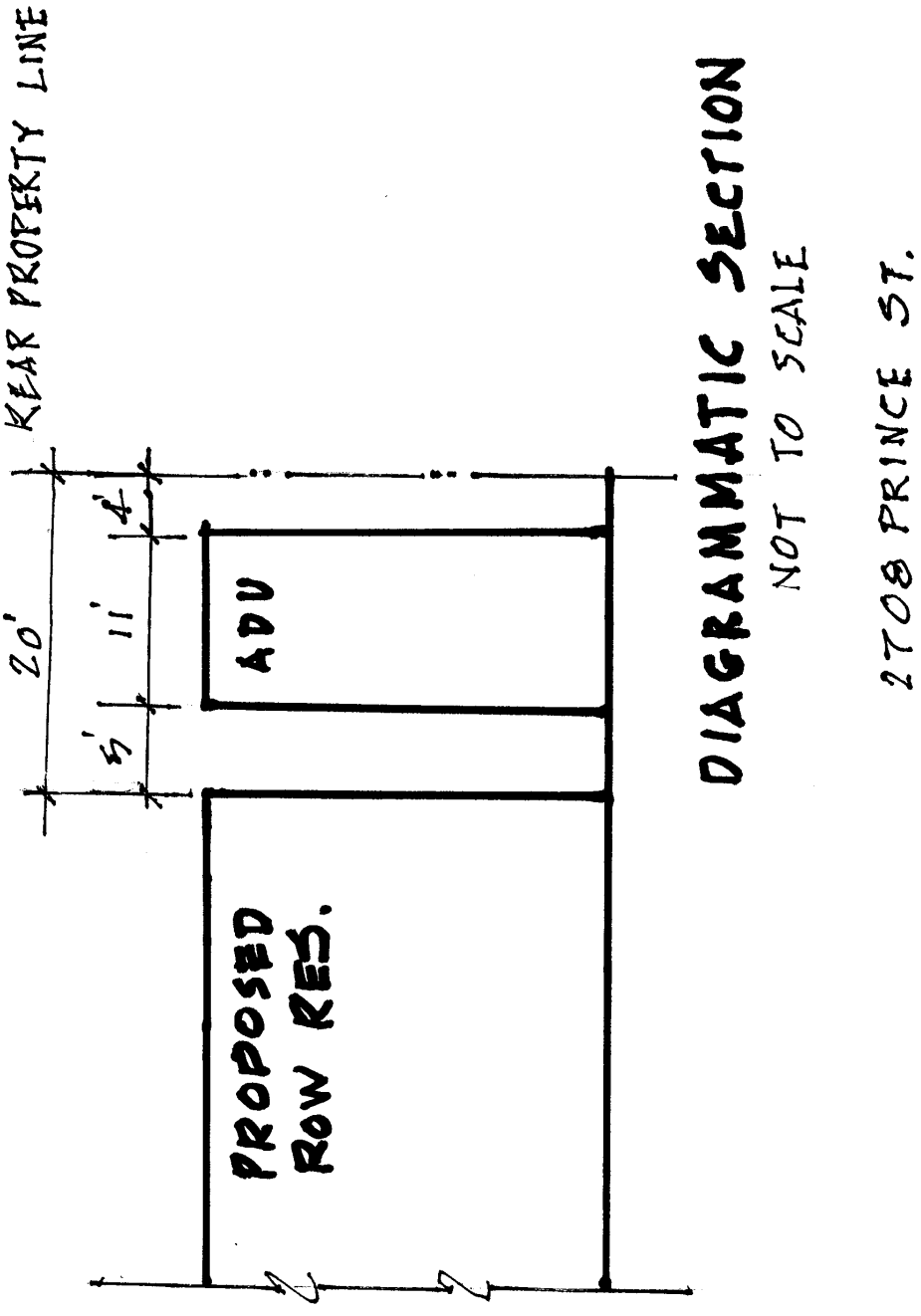
This is a small site, 4,313 sq. ft. The proposed plan will increase the floor area from 1,052 sq. ft. to 3,882 sq. ft. If approved, it will certainly set a bad precedent for other developers to follow and increase the density of the Elmwood Residential Area astronomically.

I hope you will consider these comments in reviewing the proposed development for 2708 Prince St.

Sincerely,

Edith Yu

enclosure



DIAGRAMMATIC SECTION
NOT TO SCALE
2708 PRINCE ST.

Riemer, Allison

From: Crane, Fatema
Sent: Monday, July 22, 2024 7:35 PM
To: robert@av.co
Cc: Riemer, Allison
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City of Berkeley

Direct tel.: 510-981-7413
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Cc: Klein, Jordan <JKlein@berkeleyca.gov>; Planning Dept. Mailbox <Planning@berkeleyca.gov>
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Follow Up Flag: Follow up
Flag Status: Flagged

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Allison Riemer, AICP (she/her)
Associate Planner
Land Use Planning Division | (510) 981-7433
1947 Center Street, 2nd Floor | Berkeley, CA 94704
ariemer@berkeleyca.gov

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Riemer, Allison

From: Linda Joseph <ljoseph97@gmail.com>
Sent: Sunday, July 7, 2024 3:08 PM
To: Robert Riemer
Cc: Riemer, Allison
Subject: Re: 2708 Prince Impact | Following up
Attachments: 24_0703_JSI Response .pdf

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Hi Robert,

Thank you for your invitation to meet at your home. I humbly decline.
Please see our response in the attached letter. We look forward to presenting and defending our design at ZAB. We will see you there.

-cheers, linda

On Wed, Jul 3, 2024 at 3:15 PM Robert Riemer <robert@av.co> wrote:

> Hi Linda, hope all is well. I understand some delay due to travel since my original letter. Thought I would follow up on my meeting request to see when both you and Allison would be available for a meeting at my home.
>
> Sincerely,
>
> Robert Riemer
> c: 415.517.9498
> e: robert@av.co
>
> On Thu, Jun 27, 2024 at 8:15 AM Linda Joseph <ljoseph97@gmail.com> wrote:
>
> > Hi Robert,
> >
> > I have been out of the country and just got back last night. I have received your email and have forwarded it to my architect. We will let you know how we plan to proceed.
> >
> > Thanks.
> >
> > Cheers,
> > Linda

On Jun 21, 2024, at 3:02 PM, Robert Riemer <robert@av.co> wrote:

Hi Linda, please see attached.

Robert Riemer
c: 415.517.9498
e: robert@av.co

ROBERT RIEMER AND SHEILA MORAN
3025 COLLEGE AVE. I BERKELEY, CA 94705
415.517.9498 I ROBERT@AV.CO

June 21, 2024

Linda Joseph
2708 Prince St.
Berkeley CA. 94705
e: ljoseph97@gmail.com

Re: 2708 Proposed Construction Project ZP2024-0024

Dear Ms. Joseph,

The purpose of this letter is to express our opposition to the proposed project at 2708 Prince as currently drawn. It is our hope that by meeting with you we can arrive at design compromises, which will reduce the now designed project's complete and unreasonable blockage of our air and light to a reasonable level, taking into consideration all of/ the facts of this application.

The problem we see with your project is that it stuffs far too much structure on a narrow substandard-sized lot. The design provides no relief from the shading and blockage of airflow caused by the uninterrupted 24' wall. In addition, the east side aesthetic which is as little as 3' 5 3/8" from our property (per the 4/20/24 Resub Packet) creates a suffocating feeling to that entire side of our property.

Moreover, the attached ADU structure extends this visual barrier far to the south, further boxing in property to the west. Together this significantly robs us of light and sky in our home and over our patio, which is much closer to the property line. True, the wall on your side is open to the sky, letting in light and air for your clients, but we face an uninterrupted suffocating 2-story closed wall.

With regards to density, the intent of the "5-bedroom rule" is to prevent the transformation of a residential neighborhood into a dormitory environment, especially where, such as here, this vast expansion is packed into a narrow substandard sized lot. Here, the impact of 5+ (here it is 6) bedrooms is the same, regardless of whether it is "new construction" or an "addition", the impact on the residents surrounding your property is the same. Others in the immediate neighborhood are impacted by the significant density of this project on the narrow lot.

The neighbors who support or are not opposed are either not impacted at all or not impacted to the extent we are.[1] Yet, all three of the east bordered properties (one being

[1] There is a dramatic difference between the east and west elevations of this development project. The east side design features include screening of the enclosed

yours, one ours, and the third being the Yu residence, one lot south) are bearing almost the entire negative aesthetic, loss of light and airflow burden of this design decision. Your drawings barely reveal, if at all, the full destructive impact your design has upon us. They poorly illustrate the proximity to our neighboring property, and there is no comparable presentation of the east facing walls within the drawings to truly allow one to evaluate the aesthetic consequence.

This imbalance can be corrected by a/ providing the same design aesthetic to both sides or b/ reducing the massing of the overall project, or some combination of the two.

We request that you install story poles to best depict the impact. While story poles are not required in this zone for new development, we believe that the facts of this development mandate them.

As we said at the beginning of this letter, we hope that we could come to a meeting of the minds and avoid having to formally oppose your development. We are inviting you and your team to our home to see for yourself the impact your current design would have. At our meeting we would like to explore possible design alternatives that would minimize the impact of your current design.

Very truly yours,



Robert Riemer



Sheila Moran

Cc: Allison Riemer, Planner
Edith Yu

"open spaces" which significantly breaks up this building visually and allows midday and afternoon light to filter through. This is well illustrated on sheet 14 of the drawings. Nearly all the meaningful aesthetics that allow pass-through light and the appearance of reduced density are pointed in that property's direction, while we face basically a single walled structure, covering the entire east side of our property. This west facing structure and aesthetic is barely displayed in the drawings.

Riemer, Allison

From: Riemer, Allison
Sent: Monday, June 10, 2024 11:21 AM
To: Robert Riemer
Subject: RE: 2708 Prince- lot coverage and usable open space

Hi Robert,

I don't know of other projects with a similar patio area. Per BMC Section 23.304.030(B)(2) the applicant can reduce the side setback since the lot is less than 40 feet wide. This provision is used throughout the City in the R-1 to R-2A Zoning Districts. So the applicant could build a solid wall with a side setback of 3.45 ft. You could look at past ZAB agendas to find similar projects, but the setback reduction also applies to building permits and AUPs (which don't go to ZAB unless appealed).

Best,
Allison

From: Robert Riemer <robert@av.co>
Sent: Wednesday, May 22, 2024 2:56 PM
To: Riemer, Allison <ARiemer@berkeleyca.gov>
Subject: Re: 2708 Prince- lot coverage and usable open space

That's a big help. It might save time later if I could know how to find a few examples of residential projects

1. Which have included significant walled in but roofless structures into the open space calculation;
2. Which have obtained setback exception due to narrowness of property

The big concern is this contiguous wall (seems to have been approved due to the lot coverage rule) just 3 feet from my property line has an outsized impact, essentially walls us in as we have a shallow backard. I would love to know of similar projects - how might I find this out?

Thank you so much!

Robert Riemer
COO, Artis Ventures
499 Jackson St. | Suite 400
San Francisco, CA | 94111
c: 415.517.9498
e: robert@av.co

> On May 22, 2024, at 9:19 AM, Riemer, Allison <ARiemer@berkeleyca.gov> wrote:
>
> Hi Robert,
>
> Based on the due dates and my schedule I think this project could be on August 8 agenda.

Best,
Allison

From: Robert Riemer <robert@av.co>
Sent: Wednesday, May 22, 2024 8:52 AM
To: Riemer, Allison <ARiemer@berkeleyca.gov>
Subject: Re: 2708 Prince- lot coverage and usable open space

Thank you - based on where the project has progressed to date would that be a month? Longer?

Robert Riemer
COO, Artis Ventures
499 Jackson St. | Suite 400
San Francisco, CA | 94111
c: 415.517.9498
e: robert@av.co

On Wed, May 22, 2024 at 8:36 AM Riemer, Allison <ARiemer@berkeleyca.gov> wrote:

> Hi Robert,
>
> The public hearing posters are posted and the postcards are mailed two weeks before the ZAB meeting.
>
> Best,
> Allison

From: Robert Riemer <robert@av.co>
Sent: Wednesday, May 22, 2024 6:34 AM
To: Riemer, Allison <ARiemer@berkeleyca.gov>
Subject: Re: 2708 Prince- lot coverage and usable open space

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hi Allison, just a quick follow up on the below. Thank you.

Robert Riemer
c: 415.517.9498
e: robert@av.co

On Mon, May 20, 2024 at 12:47 PM Robert Riemer <robert@av.co> wrote:

> Hi Allison, hope you are well. My notes Is this project set for a ZAB meeting this summer? Once the date is set, how will all of the neighbors be notified? Thank you.
>
> Robert Riemer
> COO, Artis Ventures
> 499 Jackson St. | Suite 400
> San Francisco, CA | 94111

c: 415.517.9498
e: robert@av.co

On May 9, 2024, at 4:49 PM, Riemer, Allison <ARiemer@berkeleyca.gov> wrote:

Hi Rob,

A trellis counts toward lot coverage. This is not stated in the Berkeley Municipal Code, but is a longstanding Zoning Officer interpretation of the Code. The lot coverage example diagram includes a trellis.

Lot coverage defined in the BMC.
Building, defined in the Glossary: Building. An enclosed structure having a roof and supported by columns or walls.
Useable open space

Best,
Allison

Allison Riemer, AICP (she/her)
Associate Planner
Land Use Planning Division | (510) 981-7433
1947 Center Street, 2nd Floor | Berkeley, CA 94704
ariemer@berkeleyca.gov

The Permit Service Center (PSC), including the Zoning Counter, is open between 8:30 am – 2:30 pm (final check in at 2:00 pm) Monday through Thursday.

Zoning Project Submittal Requirements (updated October 2023)
General Planning Department questions: Planning@berkeleyca.gov
Zoning questions: ZoningCounter@berkeleyca.gov
Planning Department Forms
City of Berkeley holidays and reduced service days

Riemer, Allison

From: Bursell, Lief
Sent: Thursday, August 1, 2024 10:15 AM
To: Riemer, Allison
Subject: Re: 2708 Prince Street Demolition Proposal

Hi Allison,

That is definitely doable, though I am not sure that a memo is necessary if the unit is actually vacant. I can tell you through this email that we have no record of Ellis Act evictions, or cases of harassments or illegal eviction at 2708 Prince Street. That is really what the primary content of the memo, as the bulk of the Demo Ord. requirements do not apply to a SFH demo.

One thing I am concerned is that the owner paid registration fees to the Rent Board for FY 2025, which she would only need to do if she intended to keep renting the unit after the previous tenant moved-out in April. I would like to know more more about this, has she rented the unit to a new tenant, or did she pay regiustration fees for FY 2025 mistakenly - and actually intends to leave the unit vacant until the building is demolished.

Please confirm if you still think you need a memo or if this email suffices for the Demo Ord. findings.

Best,
Lief

From: Riemer, Allison <ARiemer@berkeleyca.gov>
Sent: Thursday, August 1, 2024 9:53 AM
To: Bursell, Lief <LBursell@berkeleyca.gov>
Subject: RE: 2708 Prince Street Demolition Proposal

Internal

Hi Lief,

This project is tentatively going to ZAB on September 12. Would you be able to prepare a memo in the next couple of weeks?

Best,
Allison

From: Bursell, Lief <LBursell@berkeleyca.gov>
Sent: Wednesday, April 10, 2024 11:34 AM
To: Linda Joseph <ljoseph97@gmail.com>
Cc: jeff@jeffsvitak.com; Riemer, Allison <ARiemer@berkeleyca.gov>; John Fingerle <johnfingerle@gmail.com>
Subject: RE: 2708 Prince Street Demolition Proposal

Thanks Linda,

2708 PRINCE STREET PROJECT – ZAB PACKAGE - RIEMER





PROPOSED

2708 PRINCE STREET PROJECT – ZAB PACKAGE – RIEMER
EXHIBITS TABLE OF CONTENTS

1. Personal Statement
2. Obstruction of Sunlight and Air
    a. Eastern / SE Views – 2d Floor
    b. Eastern View Backyard
3. Prince St. Photos illustrate relative distances between properties
4. 1st Floor Views – Breakfast in the Dark
5. Shadow Study Comparison /
6. Commentary on Neighborhood Support
7. Findings in Favor of Denial

1. PERSONAL STATEMENT

Dear Chairperson Duffy and Members Zoning Adjustments Board ("ZAB")

I, Robert Riemer, and my wife Sheila are writing you because we need the ZAB's help. We are looking at a major loss of natural light generally, and specifically obliteration of our morning sun all year (see Applicant shadow studies), due a barrier wall to the East.

The project at 2708 Prince, has a unique design that has greatly increased the walled coverage of the lot. Our home to the west absorbs the entire negative impact of this design. We believe the owner or architect should have foreseen this concern and should have consulted with us at the design stage as they appear to have done with the other immediate neighbor. If they had done this then we, too, could have supported or at least not opposed this project. We all could have avoided the time and money of preparing materials for you, the anguish of being in Europe for the hearing and thus not having the ability to address you, and the time and cost of appealing to the City Council.

Our request is simply for the design impacts to be mitigated for us as was done for one neighbor. We see this design as hostile to us and the neighborhood because the air and light of the setbacks and open space are exclusively reserved for the occupants. All because the design intentionally walls in open space which walls out our light and air. All detriment from this design is directed a tour home and yard.

With a more conventional design there would be some breaks in the structure to allow air and light so pass through to us. We face a high oppressive solid wall from both the front and side, directly facing the project. Our morning sun is unnecessarily obliterated, and we drink our morning coffee in the dark or in artificial light.

We always expected that the 2708 property might be sold, and then torn down and replaced by a 2-story home, but it was reasonable to believe that any such replacement structure would be in a similar footprint. This is what we saw happen at 2710 Prince. But through aggressive implementation of walled open space whereby enclosed space (using "wooden stud screen systems") that's open to the sky they have reduced the lot coverage, allowing for the large walled envelope. Especially when the rules we are talking about revolve around the notion of density of building.

I firmly believe that where there is a) design of "open space" so far as b) to cover a substandard sized or very narrow lot c) within such an extremely short distance from neighboring properties, it is paramount that thoughtfulness of the design be considered and subject to ZAB approval. Does this expansion as designed, present an unreasonable detriment to the neighbors or the neighborhood? We believe it does because there are reasonable design alternatives that can mitigate the detriment to us. Since the architect and owner did not meet with us during the design stage, refused to discuss modifications or meet with us to see the impact, we need and are asking you, the ZAB, to require modifications that will effectively mitigate the detriment to or, DENY if the architect and owner, stonewall you as they did us.

Very truly yours,

Robert Riemer

Sheila Moran

2. Obstruction of Sunlight, Air

EASTERN VIEW (PRESENT) 5:00 P.M. **PROJECTED**











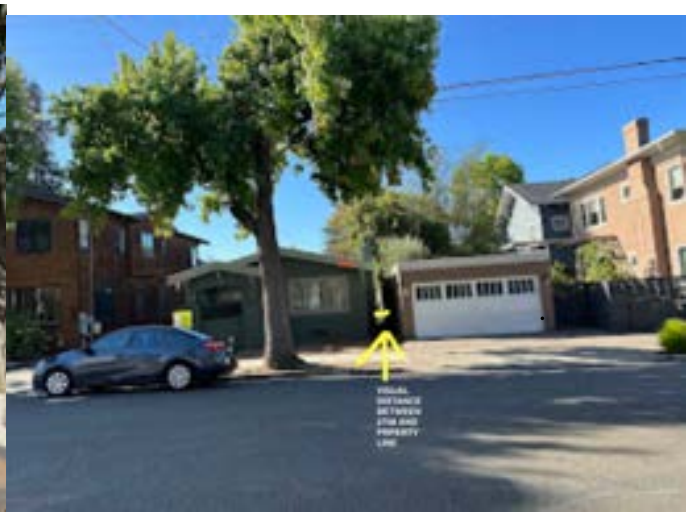


OBSTRUCTION OF SUNLIGHT, AIR AND LIGHT. PRESENT AND AS PLANNED

- **TOP: VIEW LOOKING DUE EAST FROM 2D FLOOR. Uninterrupted structure with no light pass**
- **MIDDLE: VIEW LOOKING SE FROM 2D FLOOR. Uninterrupted structure with minimal light**
- **BOTTOM: VIEW FROM YARD LOOKING DUE EAST**

3. **PRINCE ST. DISTANCE BETWEEN PROPERTIES:**
Relative distance between properties dictate reasonable to accord greater mitigation to our home. Distance between purple vertical lines below show 3′4″ distance between project and our property line.







4. **1st FLOOR VIEW FACING EAST IN A.M**

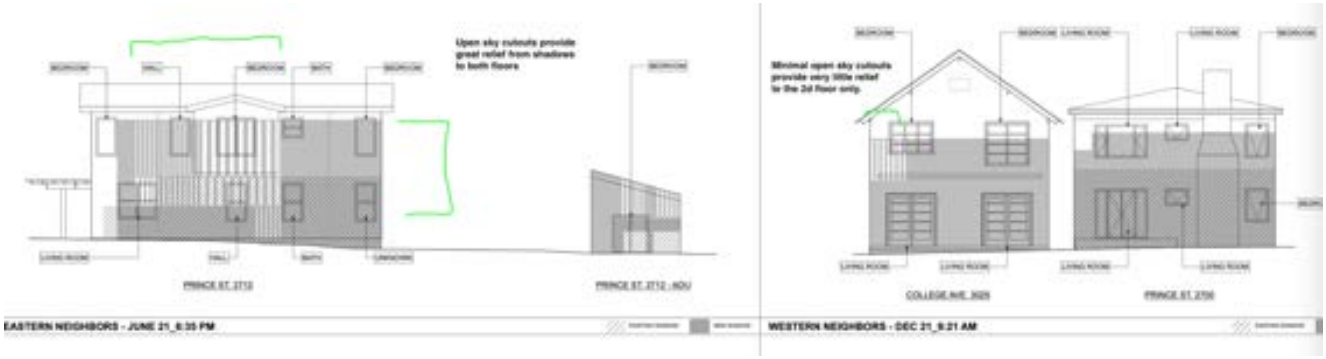
BEFORE



AFTER



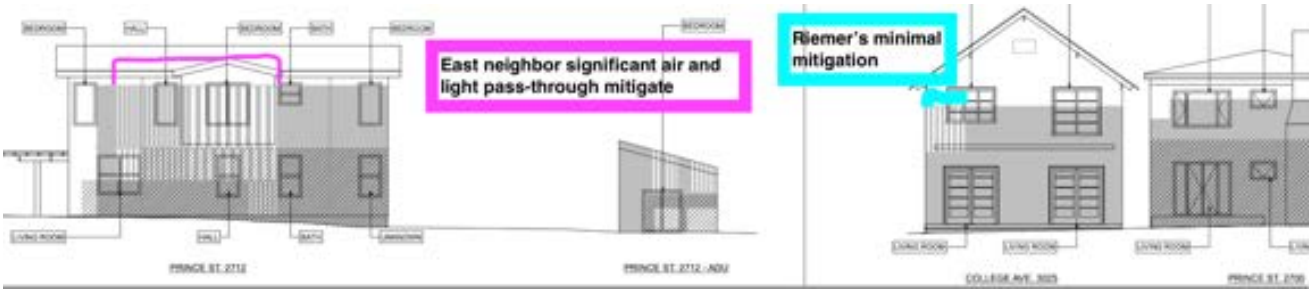
5. **Shadow Study Comparison**



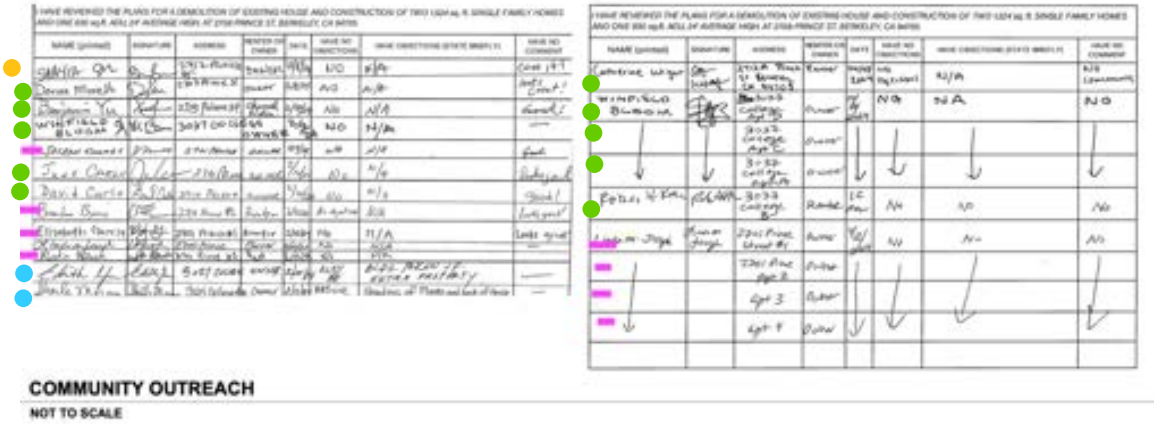
Comparison of Elevations



light and air. Riemer's (right) have miniscule amount of mitigation. 2710 Prince is owned by the developer.



6. Commentary on neighborhood support:



COMMUNITY OUTREACH
NOT TO SCALE

And the community outreach survey is misleading. There are mostly No Comments, but 8 of 22 initials were owner of or residents of units owned by developer. And at least one was consulted on design in advance. This gives the impression of overwhelming support.

- PURPLE: OWNER OF 2708 OR LIVE IN BUILDING OWNED BY DEVELOPER JOSEPH
- YELLOW: CONSULTED IN ADVANCE
- BLUE: RIEMER / YU ARE ADJACENT AND ARE NOT DIRECTLY IMPACTED PROPERTIES TO WEST
- NON COLOR CODED ARE NOT ADJACENT.

RENA RICKLES
ATTORNEY AT LAW

1970 BROADWAY, SUITE 1100
OAKLAND, CA 94612
TEL: (510) 452-1600 ● FAX: (510) 451-4111

September 9, 2024

Yes Duffy, Chairperson
Members Zoning Adjustments Board ("ZAB")
1947 Center Street, 3rd Floor
Berkeley, CA 94704
Via email: ZAB@Berkeleyca.gov

Re: 2708 Prince Street, Under the Circumstances of this Application the Finding of Non-Detriment Cannot Be Made; Request Denial or Design Modification.

Dear Chair Duffy and Members of the ZAB:

This office represents Sheila Moran and Robert Riemer ("Riemer") who have lived at 3205 College Avenue for 25 years and whose home lies directly west of the proposed project and, who, because of the unique architectural features of the proposed project, are the most negatively impacted by the project as designed. Their air and sunlight will be obstructed by a 24', 89.4' long (excl the planned ADU) solid wall, situated less than four feet from their property line. The shadow studies conducted by Applicants show that for 12 months/year, the Riemer's will lose their morning sun.[1]

Our request is that you either DENY the project or, or that you require that Applicant modify their design so it will not obstruct their air and light.

To approve this application, the ZAB must make the findings set out in 23.406.040 of the Zoning Ordinance. Those findings must be based on the facts of this particular case and under the circumstances existing at the time the decision is made. Here, creating a 24'high, 89.4' long, solid wall, across the entire east side of the Riemer's home, blocking their morning light, the finding of non-detriment cannot be made.(Exhibits 2-4) As Such, Under 23.406.040(E))5,the ZAB Must Deny The Application or Require Modifications to Mitigate the Detriment.

[1] The Community outreach misleads the amount of community support. It is only addresses that are not impacted, or belong to applicant or her tenants, or obtained the design modifications we are seeking who support or are indifferent. Addresses impacted oppose the project.(See Item 6)

Admittedly Berkeley does not have residential design review, but when it is the design that creates the detriment, the ZAB has the authority to request that the portions of the design that causes detriment be modified, especially here where the design can be [and has] been modified to the benefit of others, with no loss in density.

This letter addresses the "Use Permit for to construct a two-family dwelling." The design of this two-family dwelling places all the open space and setbacks inside solid walls, just feet from the property line, akin to the condominiums in Southern California, (e.g., Venice or Palm Desert) where each unit lies within gates. There the gated walls are 6-8'; here, they are 24' high. Moreover, this two-family dwelling is a linear duplex whereby the units will run front-to-back, without separation nor openings for light and air. An ADU, before you for information only, will be appended, also without a break, to the rear of the two lengthy units, making the 24' high wall 110' long.

Under the circumstances of this case, 1) where the 24' high wall blocks morning sun all year, and 2) significantly obstructs eastern light 24/7, and 3) where that design can be modified, the finding of non-detriment cannot be made.

Comparing the distances between the properties and the eastern elevation to the western elevation (facing the Riemer's) , reveals a significantly disparate design and impact: On one, where the abutting properties are set 8' apart, there are multiple open spaces, open both to the sky and the adjacent property.(Ex. 3) The side facing the Reimers has no breaks in the 24' high wall. (Ex. 5) East and West Elevations) Similar cut-outs on the side facing the Riemer's would significantly enhance the amount of sunlight and air coming through mitigating the detriment to them. Also, by separating each of the units, additional space for light and air can be created.

The shadow studies also show that1) the obliteration of morning detriment to the Riemer's home is significant and, 2) that because of design modifications, the detriment to 2917 Prince
is, by comparison, greatly reduced Taken together, the comparative, shadow studies, elevations, photographic images reveal the disparate impacts on the Riemer's compared to the other neighbor (this neighbor, surprisingly that neighbor supports the project as is). (See Sheila and Robert's personal statement, (Ex.1, 2 and 4)), comparison of elevations and shadow studies.

The photographs taken by Robert and Sheila from their home and yard show the extreme loss to their existing air and light if this design is approved. (Ex. 4, 6). Instead of looking out into the open air, they will be staring at a 24' high blank wall—a significant obstruction that can be mitigated.[2]

Rei[2] Story Poles would show the precise loss of light and air, Applicant and Staff denied Robert's request.

Applicants did not work with Riemer's to resolve design differences; further they refused Riemer's request to discuss the design and to meet on the site.

At no time during the road to ZAB did Applicants reach out or accept an invitation by the Riemer's to meet, notwithstanding that on the first page on Use Permits, Planning writes the "applicants should work with the neighbors to resolve differences." Not just the one you want to talk to. The file will show that the Riemer's wrote to Applicants to discuss resolution, to request story poles and lastly to please visit their home. All requests were summarily denied.

CONCLUSION

As shown above, this design creates major loss of light and air to the Reimers—a major detriment. Because this detriment can be greatly reduced by design modifications not offered to them, makes the detriment an "unreasonable detriment" proscribed by the requisite Use Permit Findings (23.406.04.E1,4,and 5) Thus even though the project itself (is appropriate , it is the design which creates the detriment and precludes a finding of no detriment.

The language in the Use Permit criteria for adequate findings, was intended to guide the decision-maker (ZAB) to look at each case separately, to decide "detriment" on a case-by-case basis. Findings require "projects "designed to be compatible with their neighbors." Here, the Riemer's will lose two hours of their morning sun, will stare daily at a solid 24' high wall looming over the rear part of their house just 3.4' from the property line, running the entire length side of their rear yard open space. With the requested modifications similar to those for the neighbor on the other side, the Reimer's detriment will be similarly greatly reduced. That is clearly not only detriment, but unreasonable detriment. Thus, the Findings for approval, under 23.406.040, cannot be met.

Since the ZAB has the power, and the duty under the Use Permit Ordinance, we ask that the ZAB DENY the project as designed and/or modify the design to significantly reduce the detriment to the Riemer's.

Very truly yours,



Jacob, Melinda

From: Zoning Adjustments Board (ZAB)
Subject: FW: 2708 Prince Street ZAB Application
Attachments: CENA letter to ZAB 2708 Prince 10 September 2024.docx

From: CENA Board <claremontelmwoodboard@gmail.com>
Sent: Tuesday, September 10, 2024 1:17 PM
To: Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>
Subject: 2708 Prince Street ZAB Application

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Attached please find a letter from the Claremont Elmwood Neighborhood Association in opposition to the 2708 Prince Street Application. Please confirm receipt of this email. Thanks.

Board of Directors
Claremont Elmwood Neighborhood Association

Claremont Elmwood Neighborhood Association
PO Box 5108
Berkeley, CA 94705
E-Mail: info@claremontelmwocd.org
Website: www.claremontelmwood.org

10 September, 2024

To: Zoning Adjustments Board

RE: 2708 Prince Street Application, 12 September, 2024

The Claremont Elmwood Neighborhood Association (CENA) respectfully requests that the Berkeley Zoning Adjustments Board (ZAB) to deny the application for 2708 Prince Street, or alternatively, to require design modifications that would preserve the historic look and feel of Prince Street.

The applicant for 2708 Prince Street has submitted plans for a duplex on a R-2A lot that substantially complies with almost all of the zoning requirements for that particular district. However, the lot at 2708 Prince is currently occupied by an historic, 103 year old craftsman style bungalow. The 2700 block of Prince Street is a substantially intact example of the Berkeley streetcar suburb that was developed along with the streetcars that ran along College Avenue. Many such streets in Berkeley are highly valued by both the current residents and prospective buyers, and as such, should be preserved, while still allowing for additional residential density under existing laws.

We have set forth pictures of several properties in close proximity to the project to provide the existing context on Prince Street, and we would also point to the application for an addition to 2738 Prince Street, which is included in this packet. The applicant for 2738 Prince Street has designed the addition in a very sensitive way to preserve the look and feel of the neighborhood.

BMC Section 23.326.020(B) allows the ZAB to approve a Use Permit to eliminate or demolish a dwelling unit only if the elimination of the dwelling unit would not be materially detrimental to the housing needs and public interest of any affected neighborhood or the City. We believe that the design of this project would be materially detrimental to the neighborhood based on the jarring, out of context design, and that the ZAB should not approve the demolition. There is no evidence that the staff report considered the design in the context of the existing built environment, and we ask the ZAB to please consider these impacts and reject the demolition permit.

CENA letter to ZAB re: 2708 Prince Street

BMC Section 23.406.040(E) states that before the ZAB approves an application for a Use Permit, it must find that the project, under the circumstances of this particular case existing at the time at which the application is granted, would not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City.

In the section of the staff report concerning Section 23.406.040(E) there is no discussion at all of the impact of this project on the historic character of Prince Street. As we noted above, we believe this project is materially detrimental to the neighborhood, and the Use Permit should be rejected under the General Detriment standard.



2700 Prince (next door to the West)

CENA letter to ZAB re: 2708 Prince Street



2712 Prince (next door to the east)

CENA letter to ZAB re: 2708 Prince Street



2708 Prince (current photo)

CENA letter to ZAB re: 2708 Prince Street



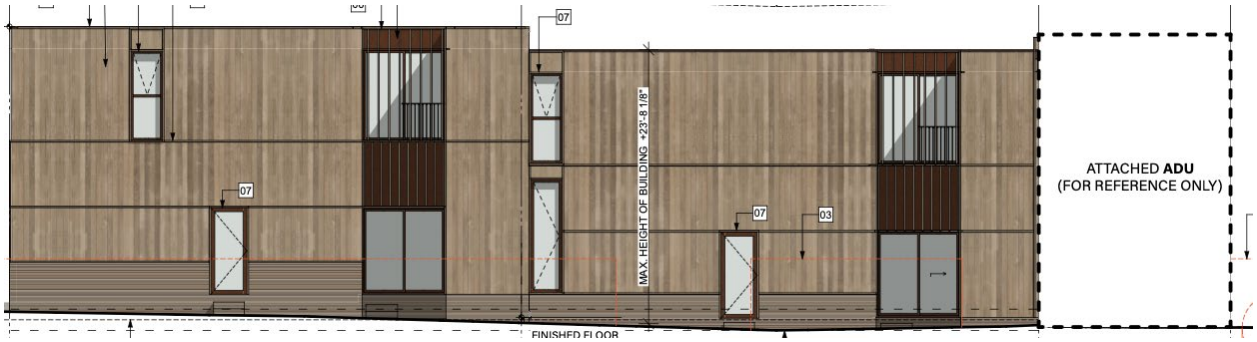
2701 Prince2708

CENA letter to ZAB re: 2708 Prince Street



2708 Prince proposed

CENA letter to ZAB re: 2708 Prince Street



2708 Prince proposed

Jacob, Melinda

From: Zoning Adjustments Board (ZAB)
Subject: FW: Please don't make a hasty decision: consider the Zoning Regulations, etc.

From: Doris Nassiry <cypanjun@hotmail.com>
Sent: Monday, September 9, 2024 10:34 PM
To: Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>
Subject: Please don't make a hasty decision: consider the Zoning Regulations, etc.

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hello, Zoning Adjustments Board, These comments are in regards to the Property Development proposals for 2708 Prince Street. From several other neighbors who have deeper knowledge about specific rules and regulations re: a development like this one, there are some major rules that have not been adhered to. Please follow the Law re: setback minimums from the rear property line as well as the required minimum distance between each structure.

It's not just the law that your Board must comply with, but it's also the serious risk that if you don't require compliance with the law and zoning regulations, you would potentially allow other developers to 'follow suit' and assume that by allowinf any risky precedent to move forward, you would potentially be permitting future development projects to disregard zoning guidelines. We, as a City, cannot allow that to happen. We entrust you to enforce all the laws.

No one is 'above the law(s)'. We entrust your Board to fully study, understand and always enforce ALL laws.

Thank you for holding the Hearing on September 12, 2024. Please don't rush your decision: take the necesssary time to review every detail and ensure that all laws have been followed. Development with integrity is the only way to ensure that the standards are met. DFN/ Elmwood resident since 1963.

Jeff
Svitak
Inc.

July 3, 2024

Robert Riemer and Sheila Moran
3025 College Ave.
Berkeley, CA 94705
e: robert@av.co

Re: Reimer 2708 Prince 6.21.2024

Dear Mr. Riemer and Ms. Moran,

We are in receipt of your letter of concern regarding the design for the proposed structure at 2708 Prince St. While we respect your opinion on the matter, we don't believe that there is complete or unreasonable blockage to air and light for your property.

In response to the reasonable level of light and air: There is over 30' of space between the proposed building and your home. This far exceeds the requirements for setbacks (current rear setback is 15' in this zone) which are designated by the planning department as reasonable for both light and air.

In response to "stuffing too much structure on a narrow lot": The project as designed, is compliant with the municipal code zoning standards allowed for the property, and sufficiently below the allowable buildable volume, which is 3 stories and up to 35' high. The project is only two stories and is 24' high and it doesn't utilize any allowable projections which could extend into the setbacks even further. So, by-right, a lot more could be stuffed in. Moreover, it appears the existing trees between the two properties will be blocking more of the light and air than the building would. So, I don't believe the new structure will negatively impact or "suffocate" your property more than it

3037 redwood street
san diego ca 92104
858 518 1816
jeff@jeffsvitak.com

Jeff
Svitak
Inc.

currently is. Also, if you look at the design, there is relief in terms of garden cut outs along the east side of the proposed building.

In response to the attached ADU: This part of the proposed building is not adjacent to your property, so I am not totally understanding that concern. However, the ADU is a much-needed housing strategy as a response to the housing crisis at local, state and national levels. This is why it is allowed to be permitted ministerially, without any required additional zoning or use-permits.

In response to the density: I believe the 5-bedroom rule is to limit the number of tenants in a single home. The project as designed contains (2) modest size homes with 3 bedrooms each. All of this is within the rights of the allowable zone. There is in fact no density limit on the property, only lot coverage limitations, so the density of (2) units and (1) ADU might be considered low in consideration to what could be allowable.

In response to the destructive impact of the design: We pride ourselves on design and take a lot of time and consideration to all components of the building design. The elevation of the east wall can be seen on sheet A105 of our submitted application. We do provide the same design aesthetic to both sides of the building. There was careful consideration to maintain the privacy of both the new residents of the proposed building and all the neighboring buildings while still allowing sufficient light and air to everyone. If the building were to be flipped as you propose, your privacy would be impacted in a way where you would be looking straight into a bedroom or living room of the new building. I would find that situation to be more negatively impactful.

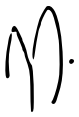
3037 redwood street
san diego ca 92104
858 518 1816
jeff@jeffsvitak.com

Jeff
Svitak
Inc.

With any new project, we understand there will be impacts to neighbors, and we aim to be respectful and helpful wherever possible. We have already deeply considered the design regarding the site restraints and surrounding context. While we understand you do not agree, we believe the project is fitting for the neighborhood and the surrounding environment and it is compliant with the existing zoning regulations.

We would look forward to continuing this dialogue and commentary in regards to our design at the ZAB meeting, which I understand is tentatively scheduled for September 12th.

Kind regards,



Jeff Svitak, Architect

Cc: Allison Reimer, Planner

3037 redwood street
san diego ca 92104
858 518 1816
jeff@jeffsvitak.com

ROBERT RIEMER AND SHEILA MORAN
3025 COLLEGE AVE. I BERKELEY, CA 94705
415.517.9498 I ROBERT@AV.CO

September 9, 2024

Jeff Svitak, 3037 Redwood Street, San Diego jeff@jeffsvitak.com
Linda Joseph, 2700 Prince Street, Berkeley ljoseph97@gmail.com
ZAB@berkeleyca.gov

Re: 2708 Prince; response to your July 3 letter rejecting my offer to meet and reach a compromise; re-offer to meet, confer and settle.

Dear Mr. Svitak,

By this letter, my wife Sheila and I would like to address your comments and counter what we believe are some misstatements in your July 3, 2024, response to our request for a meeting, and/or modification of your design. And we are again asking you to meet with us on our return from Europe to discuss modifications to your proposed design.

Neither of us can say for certain how the Zoning Adjustments Board ("ZAB") or the City Council will decide on your proposal. As now designed, the entire burden of the detriment of your designs falls upon our home and our yard. We are hoping that if you are willing to make design changes to your proposal which will allow you to keep your proposed density but diminish its significant harm to us and our enjoyment of our home. If this can happen, we both can "control the outcome" in the most beneficial way for both of us.

Our objection with your project as designed are: 1) the entire detriment falls on us, you have not made comparable design mitigations as you did with your eastern neighbor; and 2) by creating and leveraging the walled in "open space" on your property you have a) created 24' high 89'4" long wall (110' with the ADU) blocking our eastern air and light and, b) presented a vision of a large dormitory-structure look to our entire street.

By walling in your project, your design defeats the intended benefits of the required side yards and open space for us and our neighborhood.
The required setbacks and open space may be technically satisfied; however, your design creates an envelope that looms as a single wall over the 3 western properties. Moreover, any breaks in light and air provided to your eastern neighbor are denied to us. (See comparison of eastern elevation [facing us] to your western elevation.) There, through "wooden stud screen system" you allowed air and light to pass through to your eastern neighbor but did nothing similar for us. We face the solid, 24' high 89'4" long wall (110' with the ADU) long wall, with the mere ~3'4" – 4' distance from our property line, obliterating the morning sun 12 months a year.

Walling off the front of the project affronts our neighborhood character.
It is not the increased density but the gated solid wall that transforms the look of our residential neighborhood to that of industrial warehouse/dormitory industrial zone.

The design significantly mitigates the loss of air and light to your eastern neighbors; there is no mitigation for your neighbors to the west.
The shadow studies and the two elevations show this disparity. Your claim that the existing vegetation creates the blockage omits the obvious: the trees provide through passage for light and air, trees can be trimmed and thinned to provide for light and air, and trees are not permanent. The unbroken wall facing our home does not, and is indeed permanent.

The neighborhood "support" sheet you submitted is misleading: examination of addresses of supporters reveals that those addresses are ones that 1) you own; 2) have received design concessions mitigating impact; or, 3) are not impacted.
I was informed by the owner that there was a compromise with the east and south abutting neighbors. Why not reach out to us as well? Looking at the plans, it is easy to understand why the owner at 2710 said it "looks great."

Had you similarly consulted with us during the design phase and worked with us as you did with the owner of 2710 Prince, we, too, would not have opposed the project. You not only did not consult with us during the design phase; you refused my offer in July to meet and confer.

Story Poles would have shown the impact of your project on us; you refused our request to provide them.
While you are not required to install story poles, they would have provided an objective visual impact of your project on us. i.e., story poles would have revealed the full destructive impact and aesthetic consequence of the current design in a way that elevations cannot do. Again, while not mandated, we believe that the facts of this development mandate them.

The ADU design (before the ZAB for "information") compounds the blockage of air and light.

As stated at the outset, we do not know how the ZAB or Council will vote: we are asking, again, that you meet with us, provide us with comparable mitigation that you provided the other contiguous neighbor. Then, while neither of us will be thrilled, we can move forward now with certainty regarding your project and its impact upon us.

Very truly yours,

Robert Riemer Sheila Moran

Cc: Allison Riemer, Planner / Zoning Adjustments Board

Jacob, Melinda

From: Zoning Adjustments Board (ZAB)
Subject: FW: 2708 Prince_Architects response to Robert Riemer submission _Late Communication
Attachments: 24_0911_JSI Response .pdf

From: Jeff Svitak <jeff@jeffsvitak.com>
Sent: Wednesday, September 11, 2024 5:02 PM
To: Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>
Cc: Riemer, Allison <ARiemer@berkeleyca.gov>; Linda Joseph <ljoseph97@gmail.com>; Tomas Tironi <tomas@jeffsvitak.com>
Subject: 2708 Prince_Architects response to Robert Riemer submission _Late Communication

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Dear Members of the Zoning Adjustment Board,

Please find attached our response to the document submitted earlier today from Robert Riemer in regards to our project.

This letter outlines the misrepresentations displayed in Mr. Riemer's documents.

Please feel free to reach out with any comments or questions.

Thank you,

Jeff Svitak

858.518.1816

www.jeffsvitak.com

J S I

SUPPLEMENTAL COMMUNICATIONS PART 2 - ITEM #4
ZAB 2024-09-12
Page 2 of 18

Jeff
Svitak
Inc.

September 11, 2024

Dear Members of the Zoning Adjustment Board,

We are writing this letter and attached documents to clarify the misrepresentations presented by Robert Riemer about our project designed at 2708 Prince Street.

We have designed the project within all the required zoning regulations set in place by the City of Berkeley, and contrary to Mr. Reimers claims, we have carefully studied the site in detail, in addition to the relationship to all the (6) neighbors directly adjacent to the property and to the larger neighborhood context.

The first misrepresentation from Mr. Riemer is that we mitigated the design for one neighbor and not for him. This statement is false. We had originally misinterpreted a section of the zoning code and through findings with the city planner, made modifications to the building footprint to comply with the zoning regulations.

The second misrepresentation is that we have designed an “uninterrupted structure with no light pass” adjacent to his property. This is false. We have designed 2 setbacks in the massing along the west wall that are 15’ deep x 8’ wide with landscaping occurring in these voids. The screen walls are almost completely open with minor screening that we believe is important to maintain some degree of privacy. These screens will not have any significant impact on blocking light or air. The images presented in Mr. Riemer’s document are also very misleading and heavily exaggerated from the actual conditions of his rear yard. He will receive natural light through the building

3037 redwood street
san diego ca 92104
858 518 1816
jeff@jeffsvitak.com

Jeff
Svitak
Inc.

cut outs and the primary blockage of light is coming from the trees on his property.

The third misrepresentation is relative distance between properties. This is misleading. The distance is more critically drawn by the actual separation between structures. We have designed to our required side yard setback and have not pursued any of the allowable projections into this setback. We also are adjacent to the rear yard or Mr. Reimers property, which maintains a 15' minimum rear setback allocating at the very least, 18'-6" of space between the structures. Moreover, Mr. Reimers home currently sits at approximately 27'-5" away from our proposed structure.

The fourth misrepresentation is the commentary on the neighborhood support. This is false. Our client, Linda Joseph, only owns the property at 2700 and the subject property at 2708 Prince Street. Also, all the neighbors received the exact same consultation on the project which is required by the City of Berkeley.

We have provided some documentation (attached here) which visually clarifies the misrepresentations created in Mr. Riemer's document.

Kind regards,

Jeff Svitak, Architect

3037 redwood street
san diego ca 92104
858 518 1816
jeff@jeffsvitak.com

2. Obstruction of Sunlight, Air

EASTERN VIEW (PRESENT) 5:00 P.M. **PROJECTED**

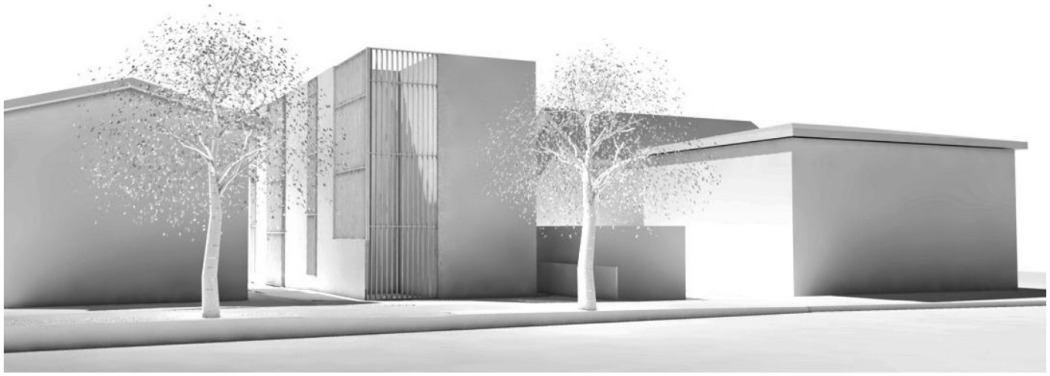


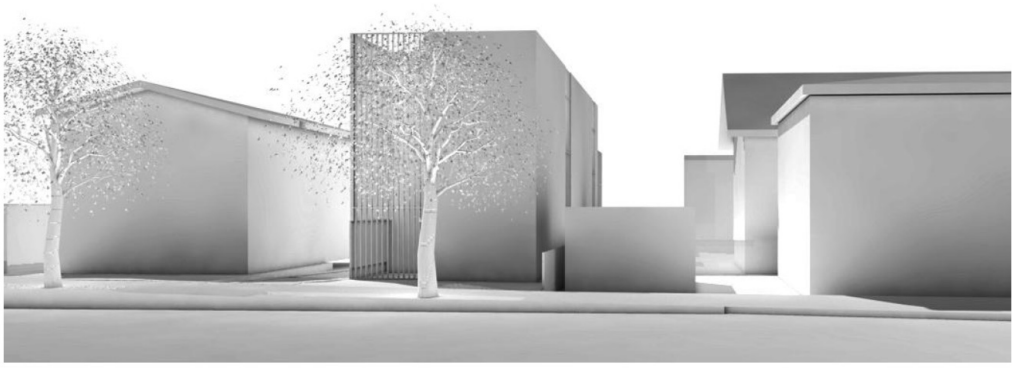
OBSTRUCTION OF SUNLIGHT, AIR AND LIGHT. PRESENT AND AS PLANNED

- **TOP: VIEW LOOKING DUE EAST FROM 2D FLOOR.** ~~**Uninterrupted structure with no light pass**~~
- **MIDDLE: VIEW LOOKING SE FROM 2D FLOOR.** ~~**Uninterrupted structure with minimal light**~~
- **BOTTOM: VIEW FROM YARD LOOKING DUE EAST**

SUNLIGHT PROJECTED THROUGH SCREEN WALL

1. ALLOWABLE PROJECT AVERAGE HEIGHT: **28 ft.** (up to **35 ft** with additional AUP)*





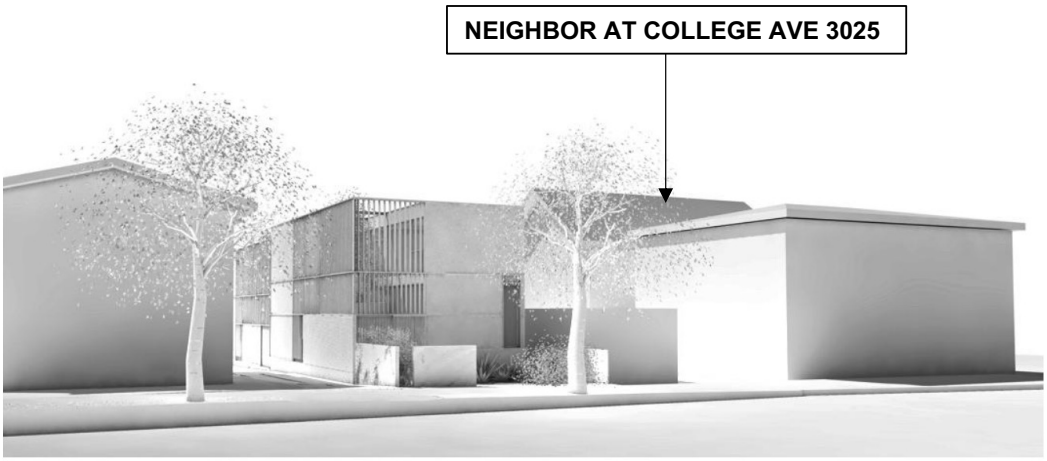
**** PER CITY OF BERKELEY PLANNING AND DEVELOPMENT DEPARTMENT***

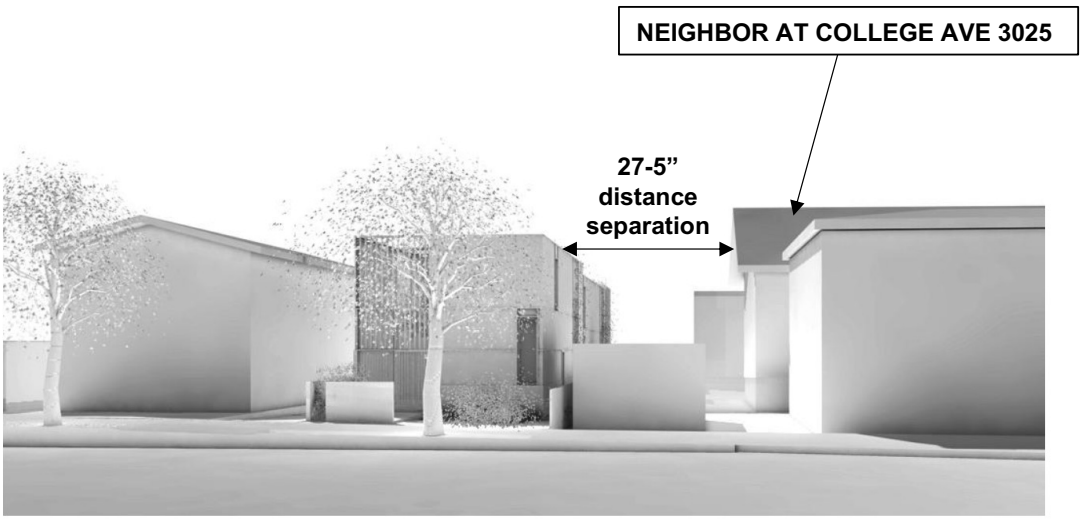
2. PROPOSED PROJECT AVERAGE HEIGHT: **25-4" ft.**





2. PROPOSED PROJECT AVERAGE HEIGHT: **25-4" ft.**





Jacob, Melinda

Subject: FW: 2708 Prince Impact | Following up
Attachments: 2708 Prince Riemer Svitak 9.9.24.pdf; 24_0703_JSI Response .pdf

From: Robert Riemer <robert@av.co>
Sent: Monday, September 9, 2024 7:54 AM
To: Linda Joseph <ljoseph97@gmail.com>; jeff@jeffsvitak.com; zab@berkeleyca
Cc: Riemer, Allison <ARiemer@berkeleyca.gov>; Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Subject: Re: 2708 Prince Impact | Following up

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hello Jeff / Linda, please see attached.

Regards,

Robert Riemer
COO, Artis Ventures
499 Jackson St. | Suite 400
San Francisco, CA | 94111
c: 415.517.9498
e: robert@av.co

On Jul 7, 2024, at 3:07 PM, Linda Joseph <ljoseph97@gmail.com> wrote:

Hi Robert,

Thank you for your invitation to meet at your home. I humbly decline.
Please see our response in the attached letter. We look forward to presenting and defending our design at ZAB. We will see you there.

-cheers, linda

On Wed, Jul 3, 2024 at 3:15 PM Robert Riemer <robert@av.co> wrote:

> Hi Linda, hope all is well. I understand some delay due to travel since my original letter. Thought I would follow up on my meeting request to see when both you and Allison would be available for a meeting at my home.
>
> Sincerely,

Robert Riemer
c: 415.517.9498
e: robert@av.co

On Thu, Jun 27, 2024 at 8:15 AM Linda Joseph <ljoseph97@gmail.com> wrote:

> Hi Robert,
>
> I have been out of the country and just got back last night. I have received your email and have forwarded it to my architect. We will let you know how we plan to proceed.
>
> Thanks.
>
> Cheers,
> Linda
>
> > On Jun 21, 2024, at 3:02 PM, Robert Riemer <robert@av.co> wrote:
> >
> > Hi Linda, please see attached.
> >
> > Robert Riemer
> > c: 415.517.9498
> > e: robert@av.co

ROBERT RIEMER AND SHEILA MORAN
3025 COLLEGE AVE. I BERKELEY, CA 94705
415.517.9498 I ROBERT@AV.CO

September 9, 2024

Jeff Svitak, 3037 Redwood Street, San Diego jeff@jeffsvitak.com
Linda Joseph, 2700 Prince Street, Berkeley ljoseph97@gmail.com
ZAB@berkeleyca.gov

Re: 2708 Prince; response to your July 3 letter rejecting my offer to meet and reach a compromise; re-offer to meet, confer and settle.

Dear Mr. Svitak,

By this letter, my wife Sheila and I would like to address your comments and counter what we believe are some misstatements in your July 3, 2024, response to our request for a meeting, and/or modification of your design. And we are again asking you to meet with us on our return from Europe to discuss modifications to your proposed design.

Neither of us can say for certain how the Zoning Adjustments Board ("ZAB") or the City Council will decide on your proposal. As now designed, the entire burden of the detriment of your designs falls upon our home and our yard. We are hoping that if you are willing to make design changes to your proposal which will allow you to keep your proposed density but diminish its significant harm to us and our enjoyment of our home. If this can happen, we both can "control the outcome" in the most beneficial way for both of us.

Our objection with your project as designed are: 1) the entire detriment falls on us, you have not made comparable design mitigations as you did with your eastern neighbor; and 2) by creating and leveraging the walled in "open space" on your property you have a) created 24' high 89'4" long wall (110' with the ADU) blocking our eastern air and light and, b) presented a vision of a large dormitory-structure look to our entire street.

By walling in your project, your design defeats the intended benefits of the required side yards and open space for us and our neighborhood.
The required setbacks and open space may be technically satisfied; however, your design creates an envelope that looms as a single wall over the 3 western properties. Moreover, any breaks in light and air provided to your eastern neighbor are denied to us. (See comparison of eastern elevation [facing us] to your western elevation.) There, through "wooden stud screen system" you allowed air and light to pass through to your eastern neighbor but did nothing similar for us. We face the solid, 24' high 89'4" long wall (110' with the ADU) long wall, with the mere ~3'4" – 4' distance from our property line, obliterating the morning sun 12 months a year.

Walling off the front of the project affronts our neighborhood character.
It is not the increased density but the gated solid wall that transforms the look of our residential neighborhood to that of industrial warehouse/dormitory industrial zone.

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The neighborhood "support" sheet you submitted is misleading: examination of addresses of supporters reveals that those addresses are ones that 1) you own; 2) have received design concessions mitigating impact; or, 3) are not impacted.
I was informed by the owner that there was a compromise with the east and south abutting neighbors. Why not reach out to us as well? Looking at the plans, it is easy to understand why the owner at 2710 said it "looks great."

Had you similarly consulted with us during the design phase and worked with us as you did with the owner of 2710 Prince, we, too, would not have opposed the project. You not only did not consult with us during the design phase; you refused my offer in July to meet and confer.

Story Poles would have shown the impact of your project on us; you refused our request to provide them.
While you are not required to install story poles, they would have provided an objective visual impact of your project on us. i.e., story poles would have revealed the full destructive impact and aesthetic consequence of the current design in a way that elevations cannot do. Again, while not mandated, we believe that the facts of this development mandate them.

The ADU design (before the ZAB for "information") compounds the blockage of air and light.

As stated at the outset, we do not know how the ZAB or Council will vote: we are asking, again, that you meet with us, provide us with comparable mitigation that you provided the other contiguous neighbor. Then, while neither of us will be thrilled, we can move forward now with certainty regarding your project and its impact upon us.

Very truly yours,

Robert Riemer Sheila Moran

Cc: Allison Riemer, Planner / Zoning Adjustments Board

Jeff
Svitak
Inc.

July 3, 2024

Robert Riemer and Sheila Moran
3025 College Ave.
Berkeley, CA 94705
e: robert@av.co

Re: Reimer 2708 Prince 6.21.2024

Dear Mr. Riemer and Ms. Moran,

We are in receipt of your letter of concern regarding the design for the proposed structure at 2708 Prince St. While we respect your opinion on the matter, we don't believe that there is complete or unreasonable blockage to air and light for your property.

In response to the reasonable level of light and air: There is over 30' of space between the proposed building and your home. This far exceeds the requirements for setbacks (current rear setback is 15' in this zone) which are designated by the planning department as reasonable for both light and air.

In response to "stuffing too much structure on a narrow lot": The project as designed, is compliant with the municipal code zoning standards allowed for the property, and sufficiently below the allowable buildable volume, which is 3 stories and up to 35' high. The project is only two stories and is 24' high and it doesn't utilize any allowable projections which could extend into the setbacks even further. So, by-right, a lot more could be stuffed in. Moreover, it appears the existing trees between the two properties will be blocking more of the light and air than the building would. So, I don't believe the new structure will negatively impact or "suffocate" your property more than it

3037 redwood street
san diego ca 92104
858 518 1816
jeff@jeffsvitak.com

Jeff
Svitak
Inc.

currently is. Also, if you look at the design, there is relief in terms of garden cut outs along the east side of the proposed building.

In response to the attached ADU: This part of the proposed building is not adjacent to your property, so I am not totally understanding that concern. However, the ADU is a much-needed housing strategy as a response to the housing crisis at local, state and national levels. This is why it is allowed to be permitted ministerially, without any required additional zoning or use-permits.

In response to the density: I believe the 5-bedroom rule is to limit the number of tenants in a single home. The project as designed contains (2) modest size homes with 3 bedrooms each. All of this is within the rights of the allowable zone. There is in fact no density limit on the property, only lot coverage limitations, so the density of (2) units and (1) ADU might be considered low in consideration to what could be allowable.

In response to the destructive impact of the design: We pride ourselves on design and take a lot of time and consideration to all components of the building design. The elevation of the east wall can be seen on sheet A105 of our submitted application. We do provide the same design aesthetic to both sides of the building. There was careful consideration to maintain the privacy of both the new residents of the proposed building and all the neighboring buildings while still allowing sufficient light and air to everyone. If the building were to be flipped as you propose, your privacy would be impacted in a way where you would be looking straight into a bedroom or living room of the new building. I would find that situation to be more negatively impactful.

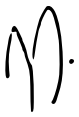
3037 redwood street
san diego ca 92104
858 518 1816
jeff@jeffsvitak.com

Jeff
Svitak
Inc.

With any new project, we understand there will be impacts to neighbors, and we aim to be respectful and helpful wherever possible. We have already deeply considered the design regarding the site restraints and surrounding context. While we understand you do not agree, we believe the project is fitting for the neighborhood and the surrounding environment and it is compliant with the existing zoning regulations.

We would look forward to continuing this dialogue and commentary in regards to our design at the ZAB meeting, which I understand is tentatively scheduled for September 12th.

Kind regards,



Jeff Svitak, Architect

Cc: Allison Reimer, Planner

3037 redwood street
san diego ca 92104
858 518 1816
jeff@jeffsvitak.com

Jacob, Melinda

From: Zoning Adjustments Board (ZAB)
Subject: FW: 2708 Prince Street
Attachments: Neighborhood context.JPG

From: David Trachtenberg <david@trachtenbergarch.com>
Sent: Wednesday, September 11, 2024 3:44 PM
To: Riemer, Allison <ARiemer@berkeleyca.gov>; Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>
Cc: Linda Joseph <ljoseph97@gmail.com>; Jeff Svitak <jeff@jeffsvitak.com>
Subject: 2708 Prince Street

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Dear Ms. Riemer and Member of the Zoning Adjustments Board,

I am writing in support of the proposed project at 2708 Prince Street. I have lived around the corner from the site for 24 years and know the neighborhood well. This project respects all of the required setbacks and height restrictions applicable to this site. I see no grounds for denying or modifying the project. I also think that the proposed project represents a rare level of architectural distinction that will, when finally built, add to Berkeley's remarkable architectural heritage.

Please see the attached illustration, which shows the subject property in the larger context of the block. Some years back, the owners of 2716 (the property just to the east of the proposed project) lifted an existing one-story bungalow and added a new ground floor underneath, thus creating a larger two-story house. They also extended the rear of the house and added a rear ADU.

If our application had employed the identical massing strategy as 2716 Prince Street, the impact on 3025 College would have been identical, and we are certain that the neighbor would be making the same complaint as they are making about our current proposal.

If you accept the argument that the owners of 3025 College are making, then you are saying that you would deny even raising the existing bungalow up to a two-story building. I do not believe that you would or could make that determination.

Kind regards,
David Trachtenberg, Principal
STACKHOUSE | DE LA PENA | TRACHTENBERG
2421 Fourth Street Berkeley, CA 94710 510 649.1414 x12
www.SDTArch.com


2708
2716
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College Ave
College Ave
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3457 Arlington Avenue, Ste. 104
Riverside, CA 92506
951-779-0787 (V)
www.QuickCaption.com

CITY OF BERKELEY

ZONING ADJUSTMENTS BOARD

SEPTEMBER 12, 2024

THE FIRST ITEM IS ITEM #4. IT'S 2708 PRINCE STREET. I SEE THAT WE HAVE A COUPLE PEOPLE TO SPEAK ON IT FROM THE PUBLIC IN PERSON. THEN WE WILL GO TO THE ONLINE AS WELL. FIRST WE WILL HAVE A PRESENTATION FROM PLANNING STAFF.

>> Clerk: ALLISON RIEMER IS HERE TO PRESENT ON BEHALF OF STAFF.

>> THIS IS A USE PERMIT TO DEMOLISH A ONE-STORY HOUSE AND GARAGE AND CONSTRUCT A NEW TWO-STORY DUPLEX AT 2708 PRINCE STREET. THE SITE IS ON THE SOUTH SIDE OF PRINCE STREET BETWEEN COLLEGE AND CLAREMONT AVENUE. AND THE RIGHT OR WEST SIDE PROPERTY LINE IS ADJACENT TO THE REAR YARDS OF THE LOTS ON COLLEGE AVENUE. AND THE PROJECT IS IN A RESIDENTIAL NEIGHBORHOOD THAT CONSISTS MOSTLY OF ONE AND TWO STORY RESIDENTIAL PROPERTIES. THE LOT IS ABOUT 4,000 SQUARE FEET IN SIZE, WITH A WIDTH 34.5 FEET AND IT'S

125 FEET IN LENGTH AND THERE'S A ONE STORY RESIDENTIAL BUILDING AND A GARAGE. THERE'S AN EASEMENT ALONG THE LEFT, OR EAST SIDE OF THE PROPERTY, WHICH PROVIDES SHARED ACCESS TO THE ADJACENT FLAG LOT. SO THERE'S A FIVE-FOOT EASEMENT ON THE SUBJECT LOT AND THREE FOOT EASEMENT, SO IT EQUALS EIGHT FEET OF TOTAL ACCESS. THE PROJECT WOULD DEMOLISH AND CONSTRUCT A TWO-STORY DUPLEX. A HISTORIC RESOURCE EVALUATION FOUND THAT THE PROPERTY DOESN'T MEET THE CRITERIA FOR THE CALIFORNIA REGISTER OR CITY OF BERKELEY'S STRUCTURE OF MERIT FOR LANDMARK. ONLY THE DEMOLITION OF A NON-RESIDENTIAL BUILDING WOULD BE REFERRED TO THE LANDMARKS PRESERVATION COMMISSION. SO THIS DEMOLITION IS NOT SUBJECT TO LPC REVIEW. SO THE PROJECT IS IN THE R28 DISTRICT AND IT'S NOT SUBJECT TO REVIEW BY THE DESIGN REVIEW COMMITTEE. THE EXISTING UNIT IS NOT CONSIDERED PROTECTED UNDER STATE LAW BECAUSE IT WASN'T RENT CONTROLLED OR DESIGNATED BY AFFORDABLE OR OCCUPIED BY LOW-INCOME RESIDENTS IN THE LAST FIVE YEARS. IT'S NOT SUBJECT TO TENANT RELOCATION PROVISIONS. NO PARKING IS PROPOSED. SINCE THE PROPERTY IS LESS THAN FOUR FEET WIDE THE ALLOWED SETBACKS ARE 10% OF THE LOT WIDTH, RIGHT AND WEST SETBACK IS 3.5 FEET AND THAT MEETS THIS REQUIREMENT. THE PROPOSED LEFT OR EAST SIDE IS FIVE FEET TO ALLOW FOR THE ACCESS EASEMENT. PEDESTRIAN ACCESS WOULD BE ALONG THE EAST SIDE OF THE BUILDING. THE PROPOSED BUILDING IS 26 FEET WIDE. ABOUT 400 SQUARE FEET OF SHARED USE OPEN SPACE WOULD BE IN THE FRONT SETBACK. AND EACH DWELLING

WOULD HAVE 145 SQUARE FEET OF PRIVATE USABLE OPEN SPACE IN PATIOS ADJACENT TO EACH DWELLING AND THERE ARE ADDITIONAL LANDSCAPING SPACES BETWEEN THE WALLS OF THE LIVING AREA AND THOSE WOULD BE OPEN TO THE SKY. SINCE THOSE AREAS DON'T MEET THE MINIMUM DIMENSIONS TO USABLE OPEN SPACE, THEY WOULDN'T COUNT TOWARD USABLE OPEN SPACE. AN A.D.U. WOULD BE ATTACHED AT THE REAR OF THE DUPLEX. BUT IT'S ONLY SHOWN FOR REFERENCE BECAUSE IT'S NOT SUBJECT TO DISCRETIONARY REVIEW. SO I DO WANT TO LET ZAB KNOW THERE WAS A PRINTING ERROR. IN THE PLANS IN YOUR PACKET, THE ELEVATIONS WERE A LITTLE INCOMPLETE. THE ONLINE VERSION OF THE PLANS ARE CORRECT AND I BELIEVE THE APPLICANT PROVIDED CORRECT COPIES OF THE ELEVATIONS TONIGHT. SO THE PROPOSED HEIGHT IS 24 FEET 4 INCHES, TWO STORIES. WHERE 28 FEET AND THREE STORIES IS ALLOWED. AND THE WEST SIDE ELEVATION, THE REAR YARD ABUT THE HOUSES ON COLLEGE. AND THE EAST SIDE ELEVATION WOULD ABUT THE ACCESS EASEMENT TO 2710 PRINCE. THE LEFT SIDE, SHADOWS WOULD INCREASE IN THE MORNING. THE NEW SHADOWS ARE THE SHADED AREAS. AND THE HATCHING IS EXISTING. AND THEN ON THE EAST SIDE, THE SHADOWS WOULD INCREASE AROUND THE AFTERNOON OR EVENING. SO THE PROJECT WOULD MEET THE REQUIRED SETBACKS WHERE 15 FEET IS REQUIRED UP FRONT AND REAR AND 3.5 FEET IS REQUIRED AT THE SIDES. AND ALTHOUGH THE PROJECT WOULD CREATE NEW SHADOW IMPACTS ON THE NEIGHBORING RESIDENCES, THOSE IMPACTS WOULD BE IN LINE WITH WHAT IS EXPECTED FOR A BUILT URBAN

ENVIRONMENT. THE SHADOW IMPACTS FROM THE PROJECT WOULD BE REASONABLE AND NOT DETRIMENTAL. SO THE PROJECT IS A HOUSING DEVELOPMENT PROJECT BECAUSE IT CONSISTS OF ALL RESIDENTIAL USES AND APPLIES TO ALL APPLICABLE ZONING STANDARDS, INCLUDING SETBACKS, LOT COVERAGE, USABLE OPEN SPACE AND HEIGHT. AND ZAB HAS THE DISCRETION TO APPROVE, MODIFY OR DENY THE REQUEST. BUT CAN'T REDUCE THE DENSITY OR DENY THE PROJECT BY MAKING IT INFEASIBLE, UNLESS THE ZAB IS ABLE TO MAKE REQUIRED FINDINGS UNDER THE HOUSING ACCOUNTABILITY ACT. STAFF RECOMMENDS ZAB FIND THAT THE PROPERTY IS CATEGORICALLY EXEMPT FROM CEQA AND APPROVE THE USE PERMITS. THANK YOU.

>> Chair Duffy: THANK YOU. ALLISON RIEMER, THANK YOU SO MUCH. AT THIS TIME, ARE THERE ANY OTHER MEMBERS OF THE BOARD THAT HAVE QUESTIONS FOR ALLISON? BOARD MEMBER SANDERSON?

>> D. Sanderson: HI THERE. I HAVE A QUESTION ABOUT THE DISTANCE OF THE 3025 COLLEGE. I NOTICED THE HOUSE DOESN'T GO ALL THE WAY BACK TO THE REAR PROPERTY LINE. DO YOU KNOW WHAT THE DISTANCE IS BETWEEN THAT HOUSE AND ITS REAR PROPERTY LINE? YOU CAN LOOK IT UP AND COME BACK TO ME LATER, IF YOU WANT.

>> ALLISON RIEMER: 27 FEET, 5 INCHES IS GIVEN FROM THAT HOUSE FOR THE PROPOSED DUPLEX. SO I WOULD SAY IT'S 25 FEET.

>> D. Sanderson: OKAY. ALL RIGHT, THANK YOU.

>> Chair Duffy: SO IF THE SIDE YARD SETBACK IS FOUR FEET AND 27.5 -- SORRY, 27 FOOT, FIVE INCHES, IT WOULD BE 27 FEET, MINUS FOUR, SO IT'S 23 FEET, FIVE INCHES.

>> I GUESS THREE AND A HALF FEET. WE CAN CALL IT, THE REQUIRED SETBACK IS THREE FOOT, SIX INCHES.

>> Chair Duffy: GOT IT. THANK YOU.

>> Chair Duffy: THANK YOU VERY MUCH FOR YOUR PRESENTATION. NOW WE WILL MOVE TO THE APPLICANT. THE APPLICANT HAS FIVE MINUTES. WE WELCOME YOU TO THE ZONING ADJUSTMENTS BOARD. BEAR WITH US JUST ONE MORE MINUTE.

>> Chair Duffy: WELCOME TO THE PUBLIC MEETING. WE ARE WORKING ON A TECHNICAL DIFFICULTY RIGHT NOW. WE WILL GET ROLLING IN A MOMENT. THIS IS THE ZONING ADJUSTMENTS BOARD FOR THE CITY OF BERKELEY. IF YOU HAVE, AS A MEMBER OF THE PUBLIC, IF YOU HAVE QUESTIONS, OR COMMENTS, YOU CAN SUBMIT THEM ON A GREEN CARD AND THERE'S A GREEN CARD BACK ON THE TABLE OVER THERE AND THEN YOU WILL BE ABLE TO SPEAK ON ANY OF THE ITEMS WE HAVE ON OUR AGENDA TONIGHT.

>> Clerk: YOU SHOULD BE ABLE TO SHARE SCREEN.

>> Chair Duffy: THERE WE GO. GREAT, THANK YOU.

>> WE ARE GOOD TO GO.

>> Chair Duffy: THANK YOU FOR YOUR PATIENCE EVERYBODY, AND WELCOME.

>> MY NAME IS JEFF SVITAK I'M REPRESENTING THE APPLICANT, WE ARE THE ARCHITECTS OF THE PROJECT.

>> Clerk: CAN YOU BRING THE MICROPHONE A LITTLE CLOSER.

>> OKAY, SO WE ARE THE ARCHITECTS OF THE PROJECT. SORRY, A LOT OF TECHNICAL PROBLEMS THERE.

>> THANK YOU, SORRY ABOUT THAT. SO AS ALLISON MENTIONED, THIS IS A FAIRLY NARROW SITE. IT'S ON PRINCE STREET. I WILL WALK YOU THROUGH A LITTLE OF OUR PROCESS HOW WE GOT TO THE CONCLUSIONS ON THE BUILDING YOU ARE SEEING NOW. SO THIS SITE, YOU HAVE ALREADY SEEN. HERE IS A QUICK SURVEY OF THE EXISTING HOUSE ON THE EXISTING PROPERTY. YOU CAN SEE THE WORKABLE AREA WE HAD TO WORK IN, JUST OVER 25 FEET WIDE. PROGRAMMATICALLY WE WANTED TO ADD DENSITY TO THE SITE. PUTTING A DUPLEX, REPLACING A SINGLE FAMILY HOME. WE ARE TRYING TO CREATE COMFORTABLE LIVING ENVIRONMENTS FOR THE PEOPLE WHO ARE GOING TO LIVE HERE. SO, AS ALLISON MENTIONED, THE EXISTING HOUSE, ONE OF THE FIRST DECISIONS WE MADE WAS TO DO A DETERMINATION, IT WAS DETERMINED NOT HISTORIC. AT THAT POINT, IN ORDER TO ACHIEVE THE PROGRAM WE DECIDED TO REMOVE THE HOUSE AND REAR GARAGE AND START FRESH. HERE IS A QUICK LAYOUT OF THE MASSING, WHERE YOU CAN SEE SORT OF ADJACENCIES TO THE NEIGHBORS. THE CHALLENGE IS WE ARE SURROUNDED BY SIX DIFFERENT NEIGHBORS. WE HAVE SIX NEIGHBORS ADJOINING THE PROPERTY AND WE HAVE 25 FEET EFFECTIVELY TO PRINCE STREET AS AN OPENING. WE HAD TO CREATE OPENINGS WITHIN THE PROPERTY TO MAKE

USABLE OUTDOOR SPACES TO THE UNITS TO BRING IN LIGHT AND AIR. YOU CAN SEE WITH THESE DEEP COURTYARD CUT OUTS, THEY CARRY THROUGH THE ENTIRE BUILDING. YOU CAN SEE THE MASSING IS BROKEN UP, DELIVERING INTERNAL CORE SPACES TO HAVE PLENTY OF LIGHT AND AIR TO THESE UNITS INSIDE. HERE IS A COUPLE VIEWS OF THE EXTERIOR. THERE WAS A SERIES OF SCREENS AND THESE SCREENS ARE OPEN. THEY HAVE VARYING DEGREES OF OPENNESS, THAT IS RELATED TO THE NEIGHBORS. AND TO MAINTAIN PRIVACY WITHIN THE SPACES. SO CERTAIN BEDROOM SPACES, FOR EXAMPLE, GET A TIGHTER SCREEN. CERTAIN COMMON SPACE IN THE UNITS GET AN OPEN SCREEN, THERE'S INTERNAL GARDENS, WE EXPRESS THAT TO THE OUTSIDE WHERE IT BECOMES A MORE INTIMATE SPACE INSIDE, IT'S A MORE DENSE FENCE. WINDOW PLACEMENT, PRIVACY AND MAINTAINING LIGHT AND AIR THROUGHOUT OUR SPACES. YOU CAN SEE HERE AN INTERNAL SPACE IN THE PROJECT AND EXTERNAL SPACE AND HOW THAT IS RELATABLE. ANOTHER COMPONENT WE CONSIDERED HEAVILY WAS THE MASSING. WE DIDN'T WANT TO STICK OUT IN CONTEXT OF THE NEIGHBORHOOD. WE DIDN'T GO TO THE MAX HEIGHT. ON THE LEFT-HAND SIDE WE ARE ZONED UP TO 35-FEET HIGH FOR A THREE-STORY PROJECT. OUR AVERAGE HEIGHT IS 34 FEET FIVE INCHES. YOU CAN SEE THE SEPARATION DISTANCE CONSIDERED TO THE NEIGHBORS AND HOW THAT IS RELATING TO THE SCALE OF THE SURROUNDING COMMUNITY AND HOW IT IS FITTING IN WITH ITS ADJACENT NEIGHBORS. LASTLY, WE ARCHITECTS ALWAYS PAY ATTENTION TO CONTEXT. THIS WAS SOMETHING IMPORTANT TO US, WE TOOK A LOT OF

TIME WALKING AROUND THE NEIGHBORHOOD, CONSIDERING WHAT IS THERE, THE FABRIC OF THE NEIGHBORHOOD, THE HERITAGE IN BERKELEY. WE WANTED TO INTEGRATE THOSE INGREDIENTS IN THE PROJECT. YOU CAN SEE SOME IMAGERY FROM THE SURROUNDING ARCHITECTURE. WE INTEGRATED THOSE SAME EXACT DETAILING ELEMENTS IN THE BUILDING.

>> Chair Duffy: ONE MINUTE LEFT.

>> THANK YOU. THIS IS THE LAST SLIDE. DAVID, DID YOU WANT -- THAT'S IT. THANK YOU ALL TOO MUCH.

>> Chair Duffy: SORRY TO INTERRUPT YOU WITH YOUR LAST MINUTE AND YOU WERE EVEN UNDER FIVE MINUTES. GREAT, NOW IF THERE ARE ANY BOARD MEMBERS WHO HAVE QUESTIONS THE APPLICANT. BOARD MEMBER MATTHEWS? -- SANDERSON?

>> D. Sanderson: I DON'T WANT TO DISAPPOINT ANYBODY BY NOT HAVING A QUESTION. THIS IS A SILLY QUESTION, BUT ON SHEET L5, THE ELEVATIONS. IF YOU LOOK AT THE WESTERN ELEVATION, I UNDERSTAND THERE'S A BLANK SPACE WHERE THE A.D.U. IS GOING TO GO. BUT THESE OTHER WHITE SPACES, WHAT DO THOSE REPRESENT? OPENINGS?

>> THOSE ARE WINDOWS.

>> D. Sanderson: AHHH, OKAY. AND SO THEN ON THE EAST ELEVATION, THESE BIG WHITE SQUARES ARE WINDOWS. BIG WINDOWS?

>> YEAH, IF IT'S A BIG WHITE SQUARE, MOST LIKELY IF IT'S THIN WHITE SQUARES, SORRY, I DON'T HAVE THE ELEVATION IN FRONT OF ME,

THAT'S THE SLATS OF THE SCREEN AND OPENING TO GLASS BEYOND -- BEHIND.

>> D. Sanderson: OKAY. WAIT A MINUTE. HANG ON. I'VE GOT TO GET CAUGHT UP HERE. OKAY, NEVER MIND, THE NEW DRAWINGS ARE BETTER.

>> YEAH, I'M SORRY. WE HAD AN ERROR ON THE PRINTED DRAWINGS. THAT'S WHY THOSE LOOKED VERY SILLY. SORRY ABOUT THAT.

>> Chair Duffy: GO AHEAD.

>> COMMISSIONER YUNG: MY UNDERSTANDING OF OCCUPANCY, THERE'S A RESIDENTIAL TYPE TWO UNIT, EVEN THOUGH THE THIRD UNIT, WE AREN'T CONSIDERING THE A.D.U. IN OUR DISCRETIONARY REVIEW, BUT WHAT BUILDING IN THE OCCUPANCY CODE IS THIS? IF THAT QUESTION MAKES SENSE AT ALL.

>> IT'S STILL CONSIDERED RESIDENTIAL OCCUPANCY, IT WILL BE CONSIDERED A DUPLEX.

>> Chair Duffy: ANY OTHER QUESTIONS FOR THE APPLICANT AT THIS TIME? SEEING NONE, OKAY. THEN NOW WE WILL MOVE TO PUBLIC COMMENT. AND WE'VE GOT PUBLIC COMMENT IN PERSON AND THEN PUBLIC COMMENT ONLINE. WE HAVE TWO CARDS TO SPEAK IN PERSON HERE. WE HAVE REUBEN ARNOLD AND DAVID TRACHTENBERG. REUBEN, WELCOME. YOU HAVE TWO MINUTES. ONCE YOU ARRIVE AT THE PODIUM. WELCOME.

>> HI THERE, REUBEN ARNOLD, I WANTED TO SPEAK IN STRONG SUPPORT OF THIS PROJECT. I'M A HOMEOWNER AT 2738 PRINCE, SUBJECT OF THE CONSENT CALENDAR FROM EARLIER, A NEIGHBOR OF THE SUBJECT PROPERTY. MY WIFE AND I MOVED TO ELMWOOD, LOVE THE NEIGHBORHOOD,

HAPPY TO PUT DOWN ROOTS IN OUR NEIGHBORHOOD. THIS IS THE KIND OF DENSIFICATION WE WANT TO SEE, THE MIX OF USES AND MIX OF INCOME AND HOUSING TYPES. I THINK, YOU KNOW, AS A PERSON WHO LIVES ON THE BLOCK, JUST REALLY, REALLY EXCITED TO SEE THIS KIND OF PROJECT. WAS EXCITED WHEN I FIRST SAW THE YELLOW SIGN, JUST WANTED TO SHOW SUPPORT.

>> Chair Duffy: THANK YOU. AND THANK YOU FOR COMING IN PERSON. NEXT WE HAVE DAVID TRACHTENBERG. YOU HAVE TWO MINUTES AND WELCOME.

>> HI, DAVID TRACHTENBERG. I'M A NEIGHBOR, I LIVE AROUND THE CORNER FROM THIS PROJECT. I'VE LIVED IN THE NEIGHBORHOOD FOR 24 YEARS, KNOW THE NEIGHBORHOOD VERY WELL. WHEN I FOUND OUT THIS PROJECT WAS GOING TO BE APPEALED I WANTED TO COME AND SUPPORT IT. I SENT YOU A LEGAL THE OTHER DAY, DO YOU HAVE THE DIAGRAM YOU CAN PUT UP?

>> I DON'T THINK WE CAN.

>> Chair Duffy: YOU WILL HAVE TO EXPLAIN IT.

>> USE YOUR WORDS, DAVID. THE BUILDING RIGHT TO THE EAST OF THIS WAS A ONE-STORY BUNGALOW, WHICH SOME YEARS AGO WAS RAISED UP AS IS TYPICALLY DONE AROUND HERE. THEY ALSO ADDED SOME SQUARE FOOTAGE TO THE BACK OF THE HOUSE AND THEY ADDED AN A.D.U. MY CONTENTION IS THAT, IF THIS ARCHITECT WOULD HAVE TAKEN THE SAME TACT OF THAT, RAISED THE BUNGALOW, PUT A FLOOR UNDER, PUT AN A.D.U., THE NEIGHBOR COMPLAINING WOULD HAVE THE EXACT SAME

COMPLAINT. I DON'T SEE IF YOU COULD APPROVE THAT PROJECT, YOU CAN'T APPROVE THIS. I THINK IT'S FULL COMPLIANT AND IT'S AN EXTRAORDINARY CONTRIBUTION TO BERKELEY'S ARCHITECTURAL HERITAGE. I THINK IT'S QUITE AN INCREDIBLE ARCHITECTURAL DESIGN, SO I HOPE YOU WILL SUPPORT IT.

>> Chair Duffy: THANK YOU. OKAY. AND THAT'S ALL FOR IN-PERSON PUBLIC COMMENT. NOW WE WILL MOVE TO ONLINE. WE WILL BEGIN WITH RENA RICKLES AND THEN EDITH, AND THEN KELLY. RENA, WELCOME BACK. THANK YOU FOR YOUR PATIENCE AND GO FOR IT.

>> Chair Duffy: I'M GOING TO CLICK "ALLOW TO TALK". SOMETIMES WE BOTH PUSH IT. I SEE THERE'S TWO MICS ON THE SCREEN. HELLO. RENA RICKLES, WELCOME. ARE YOU THERE? WELL, I KNOW YOU ARE THERE, BUT IS YOUR TECHNOLOGY WORKING? WE UNMUTED YOU FROM OUR SIDE. WE HEARD YOU FOR A MOMENT. I STILL SEE YOU IN OUR LIST.

>> YOU HAVE UNMUTED KELLY.

>> Chair Duffy: IT SAYS I UNMUTED KELLY. BUT I HAVE UNMUTED RENA RICKLES. RENA RICKLES, IF YOU ARE THERE, PLEASE SPEAK. WE CAN DEFINITELY COME BACK TO YOU. WE HAVE TWO OTHER SPEAKERS. WE HAVE DAN YU, WHICH EDITH YU, AND KELLY. NEXT, EDITH YU. WELCOME.

>> THANK YOU. I AM A RESIDENT -- [MUTED] CAN YOU HEAR ME?

>> Chair Duffy: CAN YOU HEAR US?

>> CAN YOU HEAR ME?

>> Clerk: CAN WE PLEASE START THEIR TIME OVER?

>> Chair Duffy: WE WILL START THEIR TIME OVER. WHAT'S HAPPENING, THERE'S ACTUALLY A SCREEN SHARE HAPPENING, I AM CLICKING YOUR SCREEN AND YOU ARE CLICKING SOME OF MY SCREEN, SO THE MUTING IS GETTING CANCELLED OUT. EDITH YU, WELCOME, AGAIN.

>> THANK YOU, I'M THE RESIDENT AT 2307 COLLEGE AVENUE. I'M A WEST SIDE NEIGHBOR OF THIS PROJECT. CAN YOU HEAR ME?

>> Chair Duffy: WE CAN HEAR YOU LOUD AND CLEAR.

>> OKAY. AND I HAVE NO OBJECTION TO THE TWO BUILDINGS OF THE DUPLEX PROPOSED HERE. BUT MY OBJECTION IS THE THIRD UNIT BUILDING THAT'S ATTACHED IN THE BACK OF THE SECOND DUPLEX UNIT. AND IT'S CALLED HERE A.D.U. I THINK THIS IS NOT WHAT YOU CALL A.D.U. I THINK, DON'T BE FOOLED BY DECEPTION. BECAUSE, WHAT IT IS, IS A THIRD BUILDING UNIT TO THIS DUPLEX. AND IN DISGUISE OF AN A.D.U. TO CIRCUMVENT THE REQUIREMENT OF A REAR YARD SETBACK REQUIRED BY THE BERKELEY ZONING ORDINANCE. SO WHAT YOU ARE ASKED TO APPROVE HERE IS NOT A DUPLEX, TWO-BUILDING DUPLEX, BUT A THIRD-BUILDING TRIPLEX, 3,900-4,000 SQUARE FEET. I THINK THAT WE SHOULD NOT BE THE VICTIM OF THIS CLEVER DECEPTION. IF THIS BUILDING OF THE DUPLEX IS APPROVED, IT SHOULD HAVE A CONDITION THAT REQUIRES THAT THIS REAR YARD SETBACK IS BEING RESPECTED AND PROTECTED. THAT IN THE FUTURE, IN THIS REAR YARD PROTECTION AREA, THERE SHOULD BE NO FURTHER BUILDING, WHETHER IT'S CALLED AN A.D.U., OR BY ANY OTHER NAME. THANK YOU.

>> Chair Duffy: EDITH, THANK YOU FOR YOUR COMMENTS. OKAY, NEXT WE HAVE KELLY HAMMARGREN.

>> OKAY, CAN YOU HEAR ME?

>> Chair Duffy: WE CAN HEAR YOU.

>> OKAY, I HAVE A COUPLE OF CONCERNS WITH THIS PROJECT. AND IF DAVID TRACHTENBERG IS STILL PRESENT, MAYBE HE COULD TALK TO THE ARCHITECTS ABOUT INCREASING THE NUMBER OF LOCALLY-NATIVE PLANTS. BECAUSE THIS PROJECT IS DEFINITELY LACKING IN NATIVE PLANTS AND THEY COULD DO A LOT BETTER. SO TO THE ARCHITECTS, DAVID TRACHTENBERG COULD REALLY GIVE YOU SOME HELP. HE HAS DONE QUITE A BIT OF RESEARCH ON THIS RECENTLY. AND SO I WOULD SUGGEST THAT YOU ALL GET TOGETHER AND TALK ABOUT IMPROVING THE LANDSCAPING AND ADDING SOME KEYSTONE PLANTS WHERE YOU CAN FOR POLLINATION. BECAUSE IF WE HAVE WHAT YOU HAVE PLANNED NOW, THEN IT REALLY HARMS BIODIVERSITY IN THE COMMUNITY. AND THE OTHER COMMENT I HAVE ON THIS IS THAT I'M REALLY CONCERNED ABOUT THE AMOUNT OF HARDSCAPE ON THE LAND WITH THIS PROJECT. IT LOOKS LIKE IT'S JUST GOING TO BE ALL, ALMOST ALL HARDSCAPE. AND THAT REALLY IMPACTS WATER RUN-OFF AND LONG TERM, IF THIS IS THE DIRECTION WE ARE GOING, WE ARE GOING TO HAVE A LOT MORE PROBLEMS WITH MICROCLIMATE, WATER RUNOFF. SO I WOULD SUGGEST THAT THEY ALSO LOOK AT WAYS TO USE PERMEABLE PAVING WHEREVER POSSIBLE AND CONSIDER WHAT THEY CAN DO TO NOT HAVE SO MUCH HARD SCAPE EVERYWHERE. SO THOSE ARE MY TWO COMMENTS.

>> Chair Duffy: THANK YOU VERY MUCH, KELLY HAMMARGREN. NOW, RENA RICKLES, I KNOW YOUR HAND IS RAISED. WELCOME. WE CANNOT HEAR YOU, RENA RICKLES. IF YOU ARE HAVING TECHNICAL PROBLEMS. I CAN SEE YOU ARE PART OF THE MEETING AND YOUR HAND IS RAISED AND THAT YOU HAVE UNMUTED. AND WE ARE PREPARED TO HEAR YOU SPEAK. NORMALLY WE WOULD MOVE ON BUT I KNOW EARLIER THE TECHNOLOGY DID WORK. WE WILL WAIT ANOTHER 20 SECONDS AND HOPEFULLY YOUR TECHNOLOGY WORKS.

>> Clerk: TRY BY PHONE?

>> Chair Duffy: THAT'S A GOOD IDEA, THANK YOU. OKAY. TWENTY SECONDS IS UP. RENA RICKLES, HERE IS ANOTHER WAY TO JOIN, I THINK THIS MIGHT ALSO WORK FOR YOU. YOU CAN JOIN BY PHONE. I WILL SAY THE NUMBER YOU CAN DIAL. AND THEN THE WEB ID THAT YOU CAN PUT IN, AND THEN YOU CAN COMMENT THAT WAY TOO. THE PHONE NUMBER YOU CAN DIAL IS 1-669-444-9171. AND THE WEB ID THAT YOU CAN ENTER: 85908112052. THAT'S 859-0811-2052. I'M GOING TO TRY ANOTHER WAY. STILL NOTHING.

>> Clerk: [OFF MIC]

>> Chair Duffy: THANKS FOR YOUR PATIENCE, EVERYBODY. GOING TO SEE, ESPECIALLY SINCE WE KNOW THAT RENA RICKLES HAS WISHED TO SPEAK AND ALREADY SPOKEN.

>> YES DUFFY, THIS IS KELLY AGAIN, SHE MAY NEED TO UNMUTE ON THE SCREEN. THERE'S SOMETHING WEIRD WITH THE ZOOM TONIGHT.

>> Chair Duffy: INTERESTING. THANK YOU. OH GREAT. SHE CAN HEAR US. I'M CLICKING "ASK TO UNMUTE". AND IT'S NOT WORKING. SO HOW ABOUT WE GO BACK TO THE PHONE? OH, YEAH. THAT WORKS TOO. TEXT HER A PHOTO OF THE NUMBER. YEAH, ONLINE SHE HAS PERMISSION TO TALK. AT THIS POINT WE WILL WAIT FOR, IF RENA RICKLES IS ABLE TO CALL IN. THEN WE WILL BE ABLE TO ANSWER THAT, IN THE ZOOM. WE HAVE NEVER HAD THIS HAPPEN BEFORE LIKE THIS. RENA RICKLES, IF YOU ARE ABLE TO JOIN ON ZOOM, THE TECHNOLOGY ISSUES ON YOUR SIDE, WE CANNOT OVERCOME IT. YOU ARE THE LAST SPEAKER. WE WILL GIVE YOU ONE MINUTE TO DO YOUR BEST. I SAW SOMEONE JUST CALLED IN. I WILL CLICK "ASK TO UNMUTE". I DON'T KNOW WHO THAT IS.
>> Chair Duffy: WE ARE CLOSE. THERE'S A PHONE NUMBER DIALED IN. I CAN'T ASK A PHONE TO UNMUTE. THEY NEED TO PRESS * 9. IF YOU PRESS *9. MAYBE THAT'S HOW RENA RICKLES WAS IN ON OUR PARTICIPANT LIST HERE. WE ARE CLOSE. WE HAVE A PHONE NUMBER UP HERE. ALL RIGHT, SO I SEE... I SEE ITS MUTED. I THINK IF YOU PRESS *9, I MIGHT BE ABLE TO UNMUTE YOU, AND ALLOW YOU TO SPEAK. OKAY, YOU RAISED YOUR HAND WITH *9. GREAT. IT LOOKS LIKE YOUR PHONE IS MUTED. I'M GOING TO CLICK "ASK TO UNMUTE". TO RECOGNIZE YOU.
>> Chair Duffy: HELLO?
>> AM I ON? [ECHOING]
>> Clerk: CAN YOU PLEASE MUTE THE SPEAKER ON YOUR COMPUTER?
>> ALL RIGHT, CAN YOU HEAR ME? [ECHOING]

>> Clerk: RENA, YOU NEED TO MUTE THE SPEAKER ON YOUR COMPUTER, OTHERWISE WE CAN'T HEAR YOU.

>> Chair Duffy: GOT IT. WE CAN HEAR YOU.

>> THIS WAS SO FRUSTRATING, I KEPT PRESSING UNMUTE ON MY COMPUTER AND... NOTHING HAPPENED.

>> Chair Duffy: I'M SURE.

>> THANK YOU FOR BEING PATIENT AND STICKING WITH IT.

>> Chair Duffy: GREAT.

>> I'M GLAD IT FINALLY STARTED TO WORK.

>> Chair Duffy: YOU HAVE TWO MINUTES, AND WELCOME.

>> THANK YOU VERY MUCH. CHAIR DUFFY AND MEMBERS OF ZAB. I REPRESENT THE RIEMERS WHO ARE TO THE WEST. THEY WOULD LIKE SOME DESIGN TWEAKS SO THEY CAN GET SOME LIGHT. WE HAVE A REQUEST FOR A CONTINUANCE, WHICH WE MADE AS SOON AS WE FOUND OUT THE DATE WAS SEPTEMBER WHEN THEY WOULD BE IN EUROPE. THERE'S NO WAY HE CAN PARTICIPATE. HIS LAST COMMUNICATION WITH THE APPLICANT, HE SAID "WOULD YOU MEET, WOULD YOU COME OVER", THE ANSWER WAS NO BUT I WOULD BE GLAD TO DISCUSS IT WITH YOU AT THE ZAB. HERE WE ARE, AND WE CAN'T. I WOULD STILL LIKE YOU TO CONSIDER THE CONTINUANCE, JUST A THREE WEEK ONE WHICH KEEPS YOU WITHIN STATUTORY RULES, TO ALLOW THE PARTIES TO TALK ABOUT MINOR DESIGN CHANGES. THE ISSUE FROM OUR END IS WE ARE ONLY TALKING ABOUT THE USE PERMIT FOR THE CONSTRUCTION AND LACK OF DETRIMENT. I DON'T THINK YOU CAN SHOW NON DETRIMENT. THE SHADOW STUDY IN THE PACKET

SHOWS IT ALL. THEY ARE DARK IN THE ENTIRE A.M. EVERY MORNING THROUGHOUT THE YEAR. FOR THE REST OF THE DAY, THEY ARE LOOKING AT 89 FOOT, 24 FOOT HIGH, BLANK WALL WITH VERY LITTLE CUT-OUTS. TO REPLY TO MR. TRACHTENBERG, 2716 WOULD BE VERY ACCEPTABLE. THE DIFFERENCE BETWEEN 2816, THE A.D.U. IS WAY IN THE BACK. THERE'S BROKEN SPACE BETWEEN THE ONE HOUSE. THAT DOESN'T OCCUR HERE. THE FEW SLATS THAT DO EXIST ARE NEVER GOING TO GET SUN IN, ESPECIALLY WINTER, OR ANY LIGHT IN, BECAUSE THE SUN WILL ACTUALLY NOT BE BEHIND THE SLATS, THEY WILL BE AT AN ANGLE SO THEY DO NOT GET ANY LIGHT.

>> Chair Duffy: IF YOU CAN WRAP UP, THAT WOULD BE GREAT.

>> THE DESIGN, IT LOOKS WONDERFUL FOR THE OCCUPANT. IT DOESN'T WORK WELL FOR THEM. IF THEY CAN GET SOME CUT-OUTS ON THAT SIDE TO ALLOW FOR SOME LIGHT AND AIR TO COME THROUGH, THE DESIGN WOULD BE FAR MORE SENSITIVE, AND IT WOULD WORK FOR THEM, WE THINK WE COULD WORK IT OUT. IT SHOULDN'T TAKE MUCH. WE THINK WHAT IS IN THE PERIOD OF TIME BETWEEN THIS HEARING AND THE NEXT ONE, THEY COULD WORK OUT SOME DESIGN IDEAS EVEN WITH MR. TRACHTENBERG PRESENT.

>> Chair Duffy: THANK YOU VERY MUCH.

>> IT'S A SMALL CHANGE. OKAY, THANK YOU.

>> Chair Duffy: THANK YOU, AND THANKS FOR ENDURING TO BE ABLE TO ATTEND. THAT'S VERY IMPORTANT TO US THAT EVERYBODY CAN. SO WE HAVE NO MORE PUBLIC COMMENT. AT THIS TIME. AND TYPICALLY FOR THE

APPLICANTS AFTER THE PUBLIC COMMENT PERIOD, WE GIVE YOU A COUPLE MINUTES TO ADDRESS ANY COMMENTS THAT YOU HEARD, IF YOU WISH. YOU DON'T HAVE TO. AND THEN, AT WHICH TIME WE WILL CLOSE THE PUBLIC COMMENT PERIOD AND THE BOARD WILL DISCUSS AND MAKE A DECISION. SO YOU'VE GOT TWO MINUTES.

>> THANK YOU. I CAN'T COMMENT ON BEHALF OF OUR CLIENT, WHO WAS RECEIVED THE REQUEST TO MEET WITH MR. RIMER. SO I'M NOT SURE THE DETAILS OF THE SITUATION THERE. WE WERE ASKED TO BE HERE TO PRESENT OUR WORK TONIGHT. I CAN SAY WE DID CONSIDER IN ALL OF OUR DESIGN PHASES, THE IMPACT ON THE NEIGHBOR, AND ALL THE NEIGHBORS, ALL SIX NEIGHBORS. YOU KNOW, IT'S NOT THE EASIEST PROJECT WHEN YOU HAVE SIX PEOPLE SURROUNDING YOU AND YOU HAVE JUST A SLIVER OF DAYLIGHT TO THE STREET. I THINK THE DAYLIGHT THAT MR. RIMER IS GETTING FAR, FAR, FAR EXCEEDS THE DAYLIGHT THAT OUR UNITS ARE GETTING. AND YOU KNOW, I THINK THE 27.5 FEET OF SPACE HE HAS BETWEEN OUR TWO STRUCTURES IS MORE THAN ENOUGH AND SUFFICIENT FOR LIGHT AND AIR, ESPECIALLY IN AN URBAN CONDITION.

>> Chair Duffy: OKAY, THANK YOU. ALL RIGHT. ANY QUESTIONS FROM THE BOARD FOR THE APPLICANT WHILE THEY ARE HERE, AND THE PUBLIC COMMENT PERIOD IS STILL OPEN? SEEING NONE, -- OH, BOARD MEMBER MATTHEWS. SORRY, SANDERSON.

>> D. Sanderson: THAT'S OKAY, I GO BY WHATEVER YOU CALL ME. SO I HAD A QUESTION ABOUT YOUR LANDSCAPE PLAN. THE MATERIALS THAT ARE

ON THE PATH THAT GOES TO, THE SHARED EASEMENT, IS THAT ALREADY PAVED?

>> CURRENTLY ITS PAVED BUT OUR PROPOSAL IS A BRICK WALKWAY WITH LANDSCAPE IN BETWEEN. WE HAVE TO LEAVE PAVING BECAUSE IT'S A DRIVEWAY.

>> D. Sanderson: OKAY. SO YOU ARE GOING TO CONVERT IT TO A BRICK DRIVEWAY? NO.

>> IT WILL BE -- IT'S EFFECTIVELY TWO ROWS OF BRICK PER CAR. AND IN BETWEEN WILL BE A LANDSCAPE PATHWAY.

>> D. Sanderson: ARE THE BRICKS PUT IN WITH CONCRETE OR SAND?

>> NO, SAND.

>> D. Sanderson: GOOD, SO IT IS PERMEABLE.

>> YES.

>> D. Sanderson: THAT ANSWERS THAT QUESTION. AND ON THE OTHER SIDE, IS THERE A PATH ON THE OTHER SIDE OF THE HOUSE OR LANDSCAPE?

>> LANDSCAPE.

>> D. Sanderson: OKAY, SO THE EXPOSED SURFACES ARE PERMEABLE.

>> THE EXPOSED SURFACES ARE PERMEABLE.

>> Chair Duffy: I HAVE A QUESTION, GIVEN THAT YOU AUTHORED THE SHADOW STUDIES FOR THE PROJECT. I KNOW THE PLANS NORTH IS TO THE RIGHT, ACTUALLY, THIS PROJECT AS IT IS LONG, IT'S THAT THE FRONT OF THE BUILDING IS REALLY POINTING NORTH. SO IT'S LONG LIKE

THIS, RIGHT? COULD YOU JUST SPEAK TO THE SHADOW AFTER 12:00 P.M.? AND ITS IMPACTS ON ANY BUILDINGS THAT ARE TO THE WEST?

>> I WOULD HAVE TO LOOK AT THAT DRAWING.

>> Chair Duffy: OH THAT'S FINE THEN.

>> I DON'T HAVE IT IN FRONT OF ME, UNFORTUNATELY.

>> Chair Duffy: THAT'S TOTALLY FINE. I WAS JUST GETTING TECHNICAL. I DON'T ALWAYS ASK ABOUT SHADOWS AND I THINK I KNOW THE ANSWER TO MY OWN QUESTION. BUT I THINK --

>> IS THERE A SPECIFIC IMAGE YOU ARE LOOKING AT?

>> Chair Duffy: WELL, NO SPECIFIC HOUR OR TIME, IT'S JUST THAT MY ASSUMPTIONS HERE ARE THAT, GIVEN THAT THE PROJECT RUNS NORTH/SOUTH, THE SUN AFTER 12:00 P.M. WILL ONLY CAST SHADOWS TO THE EAST, AND THERE WILL BE NO CAST SHADOWS TO THE PROPERTIES ON THE WEST.

>> THAT'S CORRECT.

>> Chair Duffy: AND THOSE ARE THE PROPERTIES CONCERNING THE REAR YARD OF 27 FEET AWAY?

>> THAT'S CORRECT.

>> Chair Duffy: OKAY, THANK YOU. ANY OTHER QUESTIONS? BOARD MEMBER THOMPSON?

>> M. Thompson: CAN YOU SPEAK TO THE CALLER WHO SPOKE ABOUT THE A.D.U. IN THE BACK? AS OPPOSED TO A TRIPLEX VERSUS A.D.U. AND THAT CONFLICT?

>> SURE. I UNDERSTAND WHAT SHE IS SAYING. AND YOU KNOW, WHEN WE GO THROUGH OUR PROGRAMMING OF A BUILDING, WE LOOK AT, YOU KNOW, THE OPTIONS ALLOCATED TO US IN THE ZONING CODE. AND THE WAY WE HAVE CONFIGURED THE STRUCTURE MEETS ALL THE REQUIREMENTS THAT ARE ALLOCATED TO US IN THE ZONING CODE. AND THAT'S HOW WE DESIGNED OUR PROJECT.

>> CAN I JUST -- THIS ONE HERE? [OFF MIC] WE ARE AWARE OF THE SETBACKS -- WE ARE RESPECTING THE FOUR-FEET SETBACK FROM THE REAR SIDE, JUST AS THE CODE REQUIRES. AND WE ARE ACTUALLY DOING A VERY SMALL UNIT WHICH IS BELOW THE 850 SQUARE FEET THAT THE CODE REQUIRES FOR THE A.D.U. WE ARE JUST BUILDING 700 SQUARE FEET FOR THE A.D.U. IT'S JUST STUDIO UNITS. THAT'S ALL. THANK YOU.

>> Chair Duffy: THANK YOU. AT THIS TIME, SEEING NO MORE QUESTIONS FOR THE APPLICANT, I WILL MAKE A MOTION TO CLOSE THE PUBLIC HEARING. ALL THOSE IN FAVOR SAY AYE. ALL THOSE AGAINST SAY NAY? OKAY, THE PUBLIC HEARING IS NOW CLOSED AND THE BOARD CAN DISCUSS. BOARD MEMBER GAFFNEY

>> Vice Chair Gaffney: ALL RIGHT, THANK EVERYONE WHO SPOKE TODAY. VERY INTERESTING. JUST TO REITERATE THAT POINT ABOUT THE A.D.U. FOR EDITH, THAT IS NOT WITHIN OUR PURVIEW, THAT IS NOT SOMETHING WE WILL BE DISCUSSING TODAY. IT WAS JUST INCLUDED FOR REFERENCE. JUST KNOW ABOUT THE FUTURE AND WHAT THEY ARE DOING WITH IT, BUT WE WON'T BE DISCUSSING ANYTHING ABOUT THAT, ONLY

ABOUT THE TWO FRONT DUPLEXES TODAY. AND MY ANALYSIS OF THIS AFTERWARDS IS THAT, IT CLEARLY DOES MEET ALL OF THE DEVELOPMENT STANDARDS. IF ANYTHING, IT COULD HAVE BEEN TALLER, YOU COULD HAVE DONE THINGS TO MAKE THE MATH BIGGER BUT YOU KEPT IT WITHIN REASONABLE LIMITS AND REALLY WORKED WITH THE CHARACTER OF THE NEIGHBORHOOD TO MAKE SURE IT REALLY FITS IN. I THINK THE MATERIALS USED ALSO WORK WELL WITH THE CHARACTER OF THE NEIGHBORHOOD. THE MASSING AND HOUSING ACCOUNTABILITY ACT PROJECT, WE NEED THE DENSITY AND I THINK THIS IS A BEAUTIFUL REPRESENTATION OF THE DENSITY WE NEED. AND WITH THAT I WOULD LIKE TO MAKE A MOTION TO APPROVE THIS PROJECT, AS PROPOSED. I'M HAPPY TO HEAR ANY FEEDBACK.

>> D. Sanderson: I WILL SECOND YOUR MOTION.

>> Chair Duffy: OKAY, WE HAVE A MOTION TO APPROVE.

>> D. Sanderson: CAN I ADD ON ABOUT THE A.D.U. ISSUE?

>> Chair Duffy: PLEASE DO.

>> D. Sanderson: I WANTED TO EXPLAIN TO THE SPEAKER, EDITH, WE CANNOT PUT A CONDITION OF APPROVAL ON THIS PROJECT THAT SAYS THEY CANNOT BUILD AN A.D.U. STATE LAW ALLOWS THEM TO BUILD THAT A.D.U. AND PROHIBITS US FROM PROHIBITING IT. I UNDERSTAND YOUR CONCERN. BUT WITH ACCESSORY DWELLING UNITS, THEY HAVE TO BE ALLOWED TO BE PUT ON THE PROPERTY AND THAT'S THE ONLY PLACE TO PUT IT ON THE PROPERTY. SO, I'M SORRY IF IT'S UPSETTING. I CAN

UNDERSTAND THAT. BUT WE, THE STATE HAS TAKEN AWAY OUR POWER TO DO THAT.

>> Chair Duffy: THANK YOU BOARD MEMBER SANDERSON. BOARD MEMBER YUNG?

>> BOARD MEMBER YUNG: I JUST WANTED TO SHARE A FEW COMMENTS. I THINK AS MORE TIME GOES ON, I'M MORE IN THE MIND SET OF WANTING TO USE THIS AS AN OPPORTUNITY TO EDUCATE THE PUBLIC. THERE WAS RESEARCH THAT JUST CAME OUT AT THE UNIVERSITY OF NORTH CAROLINA LOOKING AT PLANNING COMMISSION MEETINGS IN THE BAY AREA, THE REPRESENTATION OF PEOPLE WHO SHOW UP AT THE MEETINGS ARE DEEPLY NON REPRESENTATIVE OF THE COMMUNITY AS A WHOLE. AS NEW RESEARCH COMES OUT, IT HELPS US TO PAY ATTENTION. IN URBAN PLANNING FOR MORE THAN HALF A CENTURY I THINK THERE'S BEEN A MINDSET THAT MORE OUTREACH AND MORE DISCUSSIONS IS MORE DEMOCRATIC. I THINK GIVEN THE RESEARCH WE NOW HAVE AND OUTCOMES WE HAVE SEEN, I THINK IT'S SUPPORTED BY THE RESEARCH TO SAY ITS ACTUALLY UNDEMOCRATIC AND WORKING AGAINST THE INTEREST OF MOST OF THE MEMBERS OF THE COMMUNITY. I UNDERSTAND, I WAS LOOKING AT SOME OF YOUR WORK. YOU ARE A SAN DIEGO BASED ARCHITECT?

>> YES.

>> DID YOU TRAVEL ALL THE WAY UP HERE TO THIS MEETING?

>> YES.

>> I'M SORRY YOU ARE EXPENDING THE CARBON TO DO THAT, WE SHOULDN'T HAVE TO DO THAT FOR THIS PROJECT.

>> JUST A COUPLE DAYS AGO KAMALA HARRIS MENTIONED THE HOUSING SHORTAGE TWICE. PRESIDENT OBAMA AT THE D.N.C. WHEN TALKING ABOUT THE CANDIDATES KAMALA HARRIS SAID WE NEED TO ADDRESS THE HOUSING SHORTAGE. THIS IS NO LONGER A CONVERSATION OF [INDISCERNIBLE] [WONKS?] STATE A.D.U. ALLOWS FOR DETACHED UNITS. WE ARE AGO NOTIC TO THAT. -AGNOSTIC TO THAT. STATE LAW ALLOWS FOR MULTI-FAMILY BUILDINGS TO HAVE TWO A.D.U.'S SO THEY COULD HAVE HAD A WHOLE OTHER UNIT IF THEY WANTED TO. I WANTED TO ADDRESS A LETTER FROM RENA. I SEE YOU ARE AN ATTORNEY AND REPRESENTING CLIENTS. I'M NOT SURE IF YOU ARE A PRACTICING LAND USE ATTORNEY. I WANT TO MAKE YOU AWARE OF SEVERAL LAWS, THE LACK OF IN YOUR LETTER WAS NEGLIGENT. WE ARE BY STATE LAW, NOT ABLE TO USE FINDINGS LIKE DETRIMENT TO SHADOWS TO DENY A PROJECT ANY MORE. ALSO THE HOUSING ACCOUNTABILITY ACT FINDINGS OF DENIAL MAKE IT SO WE CAN'T DENY THIS PROJECT DESPITE YOUR RECOMMENDATION. I THINK THE MOVE TOWARD OBJECTIVE STANDARDS IS GREAT, WE COULD HAVE MORE DIVERSITY OF DESIGN AND ARCHITECTS TO COME IN TO TOWN AND DEMONSTRATE THEIR SKILLS. IN THIS PROJECT, I SEE RADCLIFFE, MODERN CALIFORNIA, A LITTLE IRVING GIL, IT'S A BEAUTIFUL PROJECT AND WILL ENHANCE THE NEIGHBORHOOD. HUGE FAN OF THE GLASS BLOCKS ON THE INSIDE. VERY BEAUTIFUL. THANK YOU.

>> Chair Duffy: OKAY.

>> [OFF MIC]

>> D. Sanderson: I WOULD LIKE TO ADD A FOOT NOTE TO WHAT WAS JUST SAID. I WANT EDITH TO UNDERSTAND THAT WE APPRECIATE HER COMMENT. SHE MAY BE ONE PERSON HAS A PERFECT RIGHT TO EXPRESS HER CONCERNS AND WE MAY NOT BE ABLE TO ADDRESS THE CONCERNS AND WE MAY BE ABLE TO, IN THIS CASE WE APPRECIATE YOUR EXPRESSION AND CONCERN AND WE ARE NOT ABLE TO ACCOMMODATE THAT DUE TO STATE LAW RESTRICTIONS. SO I JUST WANT YOU TO UNDERSTAND THAT, WHILE IT IS, WE MAKE DECISIONS BASED ON WHAT IS BEST FOR THE OVERALL CITY, [OFF MIC] THANK YOU.

>> Chair Duffy: THANK YOU. BOARD MEMBER THOMPSON?

>> M. Thompson: I APPRECIATE THE DESIGN, IT LOOKS REALLY GOOD, IN MY OPINION. ESPECIALLY WHEN I WALKED AROUND THE REAR OF THE CURRENT PROPERTY, I THINK THE DESIGN WOULD BE A BIG IMPROVEMENT TO THE AREA. AND IF THE NEIGHBORS ON COLLEGE, IF THEY HAVE TO LOOK AT SOMETHING, LOOK AT THIS LOT, THE WOOD LOOKS GREAT. AND I THINK IT WILL BLEND IN NICE WITH THE TREES THAT ARE THERE.

>> Chair Duffy: OKAY. ANY OTHER COMMENTS? OKAY, SEEING NONE. THE MOTION IS ON THE TABLE AND HAS BEEN SECONDED. AND NOW WE WILL TAKE A VOTE.

>> Clerk: THANK YOU. THIS IS TO APPROVE THE USE PERMIT AT 2708 PRINCE STREET. COMMISSIONER DUFFY?

>> Chair Duffy: YES.

>> VICE CHAIR GAFFNEY?

>> Vice Chair Gaffney: YES.

>> COMMISSIONER THOMPSON?

>> M. Thompson: YES.

>> COMMISSIONER YUNG?

>> YES.

>> Clerk: COMMISSIONER SANDERSON?

>> D. Sanderson: YES.

>> Clerk: THE VOTE PASSES.

>> Chair Duffy: 2708 PRINCE STREET, IN TWO WEEKS FOLLOWING THE NOTICE OF DECISION, IF THERE ARE NO APPEALS THEN YOU HAVE YOUR USE PERMIT. IF IT'S APPEALED TO CITY COUNCIL, THEN IT GOES TO CITY COUNCIL. IF YOU DON'T HAVE A USE PERMIT AT THAT TIME. THANK YOU, EVERYBODY. THANK YOU TO THE MEMBERS OF THE PUBLIC FOR CALLING IN AND COMING IN, AS ALWAYS. EVERYBODY IS WELCOME. THE PUBLIC COMMENT PERIOD IS CLOSED. I GO BY THE RULES AND I'M VERY FAIR.

Zoning Project Application

Land Use / Zoning

Planning and Development

All new uses, structures, and modifications to structures in the City of Berkeley are required to be in conformance with the Zoning Ordinance.

Information on different types of permits can be found at the links below.

Overview of the Permitting Process
https://www.cityofberkeley.info/Planning_and_Development/Permit_Service_Center/Permitting_Process.aspx

Types of Permits
https://www.cityofberkeley.info/Planning_and_Development/Home/Types_of_Land_Use_Permits.aspx

Zoning Project Submittal Requirements
https://tinyurl.com/rahe8ld

*Dedicated Consultant Review involves a competitive bid process to select an outside consultant. Please note: The consultant costs are *in addition* to Use Permit fees already paid.

Land Use / Zoning
1947 Center Street
2nd Floor
Berkeley, CA 94704
Phone: 510-981-7410
TDD: 510-981-7450
planning@cityofberkeley.info

(This box for staff use only.)

DATE STAMP HERE

ZP20___-_____

☐ Administrative Use Permit ☐ Variance
☐ Use Permit ☐ Modification of any of the Above

Zoning District(s):_____

Intake Planner:_____

Project Information:

Project Address: **2708 Prince St., Berkeley, CA 94705** Unit/Suite #:_____

Assessor Parcel Number: **052-1563-036**

Project Description: **Demolition of an existing one story house and garage.**

New construction of 2 row-single-family houses (2 stories tall) and one attached ADU (3 stories tall)

at the rear side of a lot located in the R-2A zone, adding a total footprint of 1,680 sq. ft.

and lot coverage of 38% (not including ADU) plus an area of 1,181 square foot for landscaping.

Dedicated Consultant Review* requested for UP(PH)? ☐ (Check box if requested)

Property Owner's Name: **Linda Joseph**

Owner's Mailing Address: **2700 Prince St. Berkeley, CA 94705**

Phone #: **415.235.3897**

Email: **ljoseph97@gmail.com**

Applicant's Name (or enter "same"): **Jeff Svitak**

Applicant's Mailing Address: **3037 Redwood St. San Diego, CA 92013**

Phone #: **(858) 518-1816**

Email: **jeff@jeffsvitak.com**

Under penalty of perjury, I certify that:
(1) the application materials are true and complete to the best of my knowledge;
(2) the attached paper and electronic copies of this application are the same; and
(3) I agree to pay all expenses associated with this application.
*(*Owner's signature, or signed letter authorizing applicant to apply on owner's behalf, is required for all applications)*

Applicant Signature:	**Owner Signature:**
Printed Name: **Jeff Svitak**	Printed Name: **Linda Joseph**
Date: **2/16/2024**	Date: **2/16/2024**

Jeff
Svitak
Inc.

PRINCE ROW HOUSES, 2708 Prince St. Berkeley, CA 94705
02.16.2024

Applicant's Statement

Dear Sir/Madam:

We propose to construct a new attached single-family home (2) and one (1) attached ADU at 2708 Prince St. in Berkeley. The project, as generally described our "Zoning Submittal" drawings dated 2.16.2024 , consists of 2 (+ 1 ADU) dwelling units, adding a total Gross Floor Area of 3,052 sq. ft. (+ 830 sq. ft ADU) and a total 38% of lot coverage. A discretionary use permit (AUP) is also needed to comply with setback reductions.

Zoning
The 4,312 sq. ft. lot is within the R-2A District.

Parking
No residential parking spaces nor bicycle parking are required. One (1) parking space is proposed for the project.

Building Height
The base project height allowed with a Use Permit in the R-2A zone is 28'. The proposed project will be 24'-8".

Setbacks/Yards
Setbacks are as follows in the R-2A Zone:

Front		Interior Side		Street Side		Rear	
Required	Proposed	Required	Proposed	Required	Proposed	Required	Proposed
15'	15'	4'	3.45' (with setback reduction, AUP required)	n/a	n/a	22'	20'

Project Benefits
Includes 2 additional dwelling units on the lot. Adds new landscaped areas, including a front yard garden that will enrich the sidewalk experience for pedestrians. Incorporates natural as well as local materials that are typically found in the neighborhood. Includes passive energy design solutions such as cross ventilation and sunlight in every room.

Thank you for your consideration of this application.

Sincerely,

Jeff Svitak
Architect

Jeff
Svitak
Inc.

PRINCE ROW HOUSES, 2708 Prince St. Berkeley, CA 94705
02.16.2024

Berkeley Energy Code and Green Code - Applicant's Statement

Dear Sir/Madam:

The project is designed to comply with the Berkeley Energy Code (BMC Chapter 19.36) and Berkeley Green Code (BMC Chapter 19.37). Corresponding features are shown in sheet plans #3 and #6.

Thank you for your consideration of this application.

Sincerely,

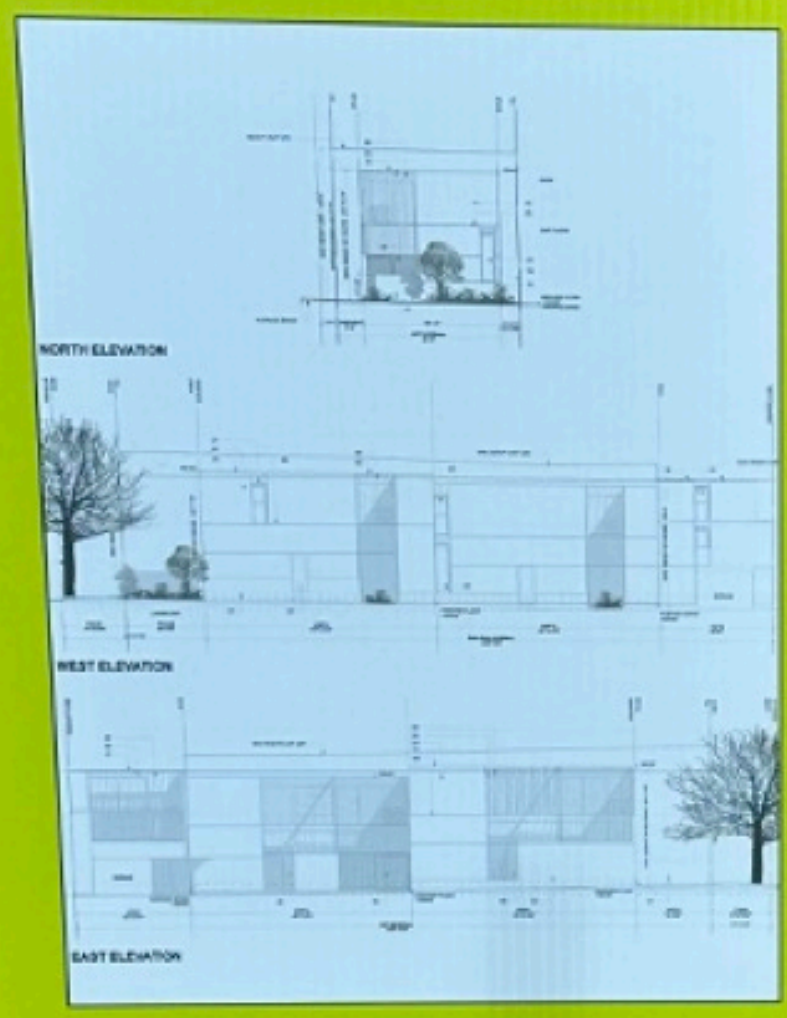
Jeff Svitak
Architect






2708
PROPOSED PROJECT
PROJECT INFORMATION
2708 Prince St. Berkeley, CA 94705
Proposed new construction of two row single-family houses (2 stories tall) and one attached Accesory Dwelling Unit (3 stories tall) at the rear side of the lot.
The building (s) maximum height is 25 feet.
APPLICANT INFORMATION
Jeff Svitak Inc.
3037 Redwood St. San Diego, CA 92104
(858) 518-1816
info@jeffsvitak.com
www.jeffsvitak.com
For more information check the Planning Department Web Page:
www.cityofberkeley.info/planning
or call 510-981-7410
Public Notices:

PROPOSED PROJECT



PROJECT INFORMATION

2708 Prince St. Berkeley, CA 94705

Proposed new construction of two row single-family houses (2 stories tall) and one attached Accesory Dwelling Unit (3 stories tall) at the rear side of the lot.
The building (s) maximum height is 25 feet.

APPLICANT INFORMATION

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Public Notices:

DATE: 2/14/2024



INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

PROJECT INFORMATION

Project Address(es):

2708 PRINCE ST
BERKELEY, CA 94706

Unit(s)/Suite(s) #:

2708

Assessor Parcel Number(s):

052-1563-036

The Zoning Project Submittal Requirements packet describes all of the materials required to submit a complete Zoning Project Application to the Land Use Division of the Planning and Development Department.

The checklist on pages 1-2 of this packet must be completed, signed, and submitted with the Application. You must initial each Section and check each box that corresponds to an item submitted for review.

Staff will verify that the minimum submittal requirements have been included within 30 days of receiving an application submittal, per Government Code Section 65943 (30-Day Review Period). Applications that are missing the materials will be deemed incomplete and not accepted for permit processing review. During the permit processing review, you may be required to clarify, amplify, correct, or supplement the information listed in the submittal requirements per Government Code Section 65944 (Agency Acceptance of Applications).

Section 1 is a checklist of materials required for all projects. Sections 2-7 are checklists of materials that may be required based on the project type or location.

Each submittal requirement on the checklist is described further in this packet, starting on page 3. Each description identifies whether an item is required, and indicates how to prepare each document, drawing, material, and/or report. Hyperlinked forms and instructions are also online under Land Use at **https://berkeleyca.gov/construction-development/permits-design-parameters/permit-types/permit-forms**.

All documents, reports and plans must be provided in digital format, unless requested in hard copy. Printed plans are required prior to public meetings and/or hearings. See the **Guide to Submitting a Zoning Project Application** for details on how to submit, review timing, and digital plans and document.

☑ SECTION 1 - REQUIRED FOR ALL PROJECTS

☑ **A. Completed Application**

- ☑ **1. Zoning Project Application Form**
- ☑ **2. Completed Copy of This Zoning Project Submittal Requirements Checklist (Pages 1-2)**

☑ **B. Applicant Statement/Waiver Request**

❑ **C. Payment of Application Fees**

☑ **D. Hazardous Waste and Substance Statement**

☑ **E. Tabulation Form**

☑ **F. Pre-Application Yellow Poster**

☑ **G. Pre-Application Neighborhood Contact**

APPLICANT'S INITIALS

JSI

INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

☑ SECTION 2 - PLANS REQUIRED FOR ALL DEVELOPMENT PROJECTS INVOLVING NEW STRUCTURES, ADDITIONS, DEMOLITIONS, OR EXTERIOR ALTERATIONS

PLAN SET (I.E. ARCHITECTURAL DRAWINGS)

- ☑ **A. Site Plan**
- ☑ **B. Landscape and Usable Open Space Plan**
- ☑ **C. Lot Coverage Diagram**
- ☑ **D. Floor Plans**
- ☑ **E. Building Elevations**
- ☑ **F. Street Strip Elevation**
- ☐ **G. Section Drawings**
- ☑ **H. Boundary and/or Topographic Survey**
- ☐ **I. Grading Plan**

APPLICANT'S INITIALS

JSI

☑ SECTION 3 - SUPPORTING DOCUMENTS, STUDIES, GRAPHICS, AND DEPICTIONS

- ☑ **A. Site Photographs**
- ☑ **B. Shadow Study**
- ☐ **C. Story Pole Plan**
- ☐ **D. Arborist Report**
- ☐ **E. Structural Evaluation**
- ☐ **F. Parking Survey**
- ☐ **G. Transportation Demand Management**
- ☐ **H. Photo Simulations**
- ☐ **I. Public Art Declaration**
- ☐ **J. Bird Safe Requirements**

APPLICANT'S INITIALS

JSI

☑ SECTION 4 - ENVIRONMENTAL REVIEW

- ☐ **A. Creek Protection Documentation**
- ☑ **B. Historic Resource Evaluation**
- ☐ **C. Geotechnical and Seismic Hazard Investigation**
- ☐ **D. Phase I or Phase II Site Assessment**
- ☐ **E. Transportation Impact Study**
- ☐ **F. State General Construction Permit**
- ☐ **G. Stormwater Requirements Checklist**

APPLICANT'S INITIALS

JSI

☐ SECTION 5 - REQUIRED FOR HOUSING DEVELOPMENT PROJECTS SUBJECT TO AFFORDABLE HOUSING REQUIREMENTS

- ☐ **A. Affordable Housing Compliance Plan (Preliminary)**
- ☐ **B. Anti-Discrimination Housing Policies**
- ☐ **C. Density Bonus Eligibility Statement**
- ☐ **D. Area of Potential Effects (APE) Statement**

APPLICANT'S INITIALS

JSI

☑ SECTION 6 - LANDSCAPE AND GREEN BUILDING REQUIREMENTS

- ☑ **A. WELO Landscape Requirements**
- ☑ **B. Berkeley Energy Code and Berkeley Green Code**
- ☐ **C. Green Building Requirements**

APPLICANT'S INITIALS

JSI

INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

☐ SECTION 7 - RELATED LAND USE PLANNING DIVISION APPLICATIONS

- ❑ **A. Design Review Application**
- ❑ **B. Structural Alteration Permit**
- ❑ **C. Zoning Use Questionnaire**
- ❑ **D. Home Occupation Questionnaire - Class II and III**

APPLICANT'S INITIALS

JSI

APPLICANT'S SIGNATURE:

Printed Name: JEFF SVITAK

Date: 2/16/2024

INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 1 - REQUIRED FOR ALL PROJECTS

☑ A. **ZONING PROJECT APPLICATION PACKET**

1. **Zoning Project Application Form**
2. **Zoning Project Submittal Requirements** (Checklist on pages 1 and 2)

☑ B. **APPLICANT STATEMENT/REQUEST TO WAIVE A SUBMITTAL REQUIREMENT**

Submit a written statement (in a separate document) that briefly describes the proposed project and how it satisfies the findings required by the Zoning Ordinance, as well as any request to waive a submittal requirement.

For applications to modify a prior permit, **submit** the following information

1. Describe the proposed changes from the approved project
2. Clearly list and describe all changes from the approved project and the basis for the change

☐ C. **PAYMENT OF LAND USE PLANNING APPLICATION FEES**

Submit required fees to the cashier in the Permit Service Center or pay through the Online Permit Portal. Review of your application will not begin until the fees are paid in full.

If supplemental technical studies are required, a Peer Review deposit will be required (e.g., Traffic Impact Analysis, Geotechnical Report, Arborist Report).

☑ D. **HAZARDOUS WASTE AND SUBSTANCES STATEMENT**

— **Required for all projects,** pursuant to Government Code Section 65928.

☑ E. **TABULATION FORM**

Required for all projects.

Submit the form as a separate document, completely filling out each column, using the applicable development standards of the Zoning Ordinance as a guide.

☑ F. **PRE-APPLICATION YELLOW POSTER**

Required for all Projects

Install the poster prior to submittal, and submit color photos that clearly show the poster installed at the front of the site and that clearly show the sign content.

Yellow Poster Instructions

Small Project Sample Poster and fillable PDF template

Large Project Sample Poster and fillable PDF template

(Large poster required for projects that include four or more stories, State Density Bonus, Floor Area Ratio greater than 2.0, or more than 10,000 square feet gross floor area.)

INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 1 - REQUIRED FOR ALL PROJECTS

☑ **G. PRE-APPLICATION NEIGHBORHOOD CONTACT AND OUTREACH INSTRUCTIONS**

Required for the following projects:

- **All projects located in a Residential District, and all non-residential projects that abut a Residential District are required to contact all abutting and confronting residential occupants and residential property owners to advise them of the proposed development prior to submitting a zoning project application.**
- **All projects of community or neighborhood interest, which consist of the following:**
  i. Any project in a Residential District that would create 6 or more bedrooms on a parcel within ½ mile of the UC Campus (or the area confined by Grant Avenue on the west, Derby Street on the south, and Rose Street on the north), or
  ii. Any project in a Non-Residential District that includes three or more stories, State Density Bonus, Floor Area Ratio greater than 2.0, or more than 10,000 square feet gross floor area.
  iii. Are required to contact all property owners, residents, and neighborhood organizations within 300 feet of the project site to advise them of the proposed development.
- **All residential projects that propose to alter an existing dwelling unit or eliminate a dwelling unit that is subject to the Rent Ordinance (BMC Chapter 13.76) through demolition, including elimination of a dwelling unit through** conversion, are required to provide all sitting tenants notice of the application no later than the date the application is submitted to the City.

INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 2 - PLANS REQUIRED FOR ALL DEVELOPMENT PROJECTS INVOLVING NEW STRUCTURES, ADDITIONS, DEMOLITIONS, OR EXTERIOR ALTERATIONS

☑ **PLAN SET** (I.E. ARCHITECTURAL DRAWINGS) **– GENERAL REQUIREMENTS**

1. **All plans (items A – I) must be included in a single plan set, fully dimensioned, and include:**
   - — Name of person preparing plans (licensed architect required for certain projects, see Item 3 below)
   - — Dates of preparation and revision
   - — Project address
   - — Graphic scale (see Item 2 below for minimum scales)
   - — North arrow
   - — Legend describing all symbols and notations
   - — Building Code construction and occupancy types

   Notes: For applications to modify a prior permit, the plans must clearly show the approved and modified project, and you must "cloud" all changes from the approved project.

   For plan resubmittals during review, provide the date of revision on all sheets and "cloud" all changes to previous information. Plan resubmittals must include the full plan set, not individual plan sheets. Staff cannot collate or update your plans for you.

2. **Electronic Plans Requirements:**

   See the **Zoning Project Application Guide to Submitting** for digital plans and document standards.

   Note that these plans are often released to the public on paper no larger than 8½" x 11", and that you must format your plans so that all images and text are legible at this size.

   Hard copy plan sets may be required by the project planner, if necessary to facilitate project review.

   Design Review Committee, Landmarks Preservation Commission, and Use Permit applications only, 12 copies of 11" x 17" or 12" x 18" plan sets must be submitted at least two weeks prior to the public meeting or hearing.

3. **Architect or Engineer Required for Certain Projects**
   Plans that require preparation by a licensed California architect or engineer under the California Architects Practice Act (Business and Professions Code Sections 5537 and 6737) shall bear the architect or engineer's stamp and signature on each sheet. **This requirement may be waived for projects involving only minor alterations or repairs; consult with a planner. For further information, visit www.cab.ca.gov**

4. **Change of Use**
   Applications that ***only*** propose to **change the type of activity or use** occurring within the building must submit the following site-related information:

   — **Site Plan** showing the following:
   a. Property lines and lot dimensions

   b. Existing and proposed building footprint(s), dimensions, setbacks (required, existing and proposed), and projections such as eaves, balconies and bays. Show all buildings , including garages, sheds, etc.

   c. Driveways and parking spaces with dimensions, location of handicapped parking spaces, bicycle racks, and security gates.

   — **Floor Plans** showing the following:
   d. All floors, including mezzanines, basements, and attics

   e. Use of all rooms (existing and proposed), per the California Building Code

   f. For buildings with multiple commercial tenant spaces, label the use of each tenant space within the subject building

   Note: *For changes to existing buildings, provide separate plans for existing and proposed conditions, or if changes are limited, used dashed lines for demolished features and solid lines for new features.*

INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 2 - PLANS REQUIRED FOR ALL DEVELOPMENT PROJECTS INVOLVING NEW STRUCTURES, ADDITIONS, DEMOLITIONS, OR EXTERIOR ALTERATIONS

☑ **A. SITE PLAN**

Required for all projects.
The Site Plan must show the following:

— Property lines and lot dimensions
— Existing and proposed building footprint(s) (dimensioned), setbacks (required, existing and proposed), and projections such as eaves, balconies, and bays. Show all accessory structures, such as garages, sheds, etc.
— Delineation of proposed additions, if any, with shading, hatching or another appropriate method
— Any portions of neighboring buildings within 20 feet of property lines, including the building-to-building separation (measured in feet)
— Pathway(s) from the residential structure to the public right of way
— Driveways and parking spaces with dimensions, location of ADA spaces, and security gates
— Trash/solid waste storage area
— Bicycle racks (short-term bicycle parking) subject to the Berkeley Bicycle Plan – Appendix F – Facility Design Toolbox
— Utility meters / boxes / equipment for all wet and dry utilities – including above-ground and under-ground, in conformance with utility company standards, including on the site and in the public right of way (subject to approval by the Public Works Department).
— Decks, patios, hot tubs, and all unenclosed accessory structures

Note: The City of Berkeley Community GIS Portal is an online resource indicating site features and characteristics listed above, which are required to be shown on the Site Plan

☑ **B. LANDSCAPE AND USABLE OPEN SPACE PLAN**

Required for all projects
The Landscape Plan must show the following:

— Fully dimension all areas that qualify as existing and proposed Usable Open Space, in compliance with the applicable zoning district development standard and BMC Section 23.304.090; and
— Any existing landscaping to remain and to be removed
— All proposed landscaping, including all existing and proposed trees, including street trees (indicate species, trunk diameter, drip line), hedge rows, and ground cover
— All paved areas and surface treatments
— Fences and retaining walls (materials and height)
— Significant natural features such as creeks (indicate banks or culvert outline), and prominent landforms.

☑ **C. LOT COVERAGE DIAGRAM AND CALCULATIONS**

Required for all residential Projects (or the residential portion of a mixed-use project).

— **Submit** the Lot Coverage Diagram and calculations, using the Site Plan as a base map, which must show the fully dimensioned diagrams to depict existing and proposed lot coverage in compliance with the applicable zoning district development standard and BMC Section 23.106.020.

☑ **D. FLOOR PLANS**

Required for all projects
The Floor Plan (s) must show the following

— All floors, including mezzanines, basements, and attics
— Trash room pursuant to Public Works Department requirements
— Long-Term Bicycle parking, showing location of lockers or racks suitable for secure locks and subject to the Berkeley Bicycle Plan – Appendix F – Facility Design Toolbox
— Use of all rooms (existing and proposed), per the California Building Code
— For changes to existing buildings, provide separate plans for existing and proposed conditions, or if changes are limited, use dashed lines for demolished features and solid lines for new features.

INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 2 - REQUIRED FOR ALL DEVELOPMENT PROJECTS INVOLVING NEW STRUCTURES, ADDITIONS, DEMOLITIONS, OR EXTERIOR ALTERATIONS

☑ **E. BUILDING ELEVATIONS**

Required for all projects.
The Elevations must show the following:

— All exterior features and openings, including finishes and materials
— Existing and proposed building height (as defined in BMC Sections 23.106.090), see Instructions linked below), finished floor elevations, and existing and finished grades (within five feet of the building).
— Adjacent features such as fences, landscaping, and other buildings and property lines.
— For changes to existing buildings, provide separate elevations for existing and proposed conditions, or if changes are limited, used dashed lines for demolished features and solid lines for new features.

Height Instructions –Average Building Height*
(Residential districts, except R-S, R-SMU, and R-BMU)

Height Instructions –Maximum Building Height*
(Hillside Overlay, R-S, R-SMU, and R-BMU, Commercial, and Manufacturing districts)

*In the Hillside Overlay ("H"), both average and maximum building height apply.

☑ **F. STREET STRIP ELEVATION**

Required for any new main buildings.

Submit a street elevation exhibit showing existing conditions on the parcel and the proposed project in elevation view; include at least two (2) parcels on either side of the subject parcel on a single sheet. Minimum scale is 1/8" = 1'.

☐ **G. SECTION DRAWINGS**

Required for the following projects:

— **New main buildings in the "H" District.**
— **Additions exceeding 14 feet in average height in the "H" District.**

Submit drawings that show adjacent uphill or downhill buildings where views may be affected. Minimum scale is 1/8" = 1'. Show existing and proposed finished grades.

☑ **H. BOUNDARY AND/OR TOPOGRAPHIC SURVEY**

Required for the following projects:

— **Any new main building.**
— **Expansions of a building footprint or the creation of accessory building/structures less than two feet from, or within, a required setback.**

Submit a survey meeting the following requirements:

1. Wet-stamped, signed by a licensed CA surveyor or appropriately licensed civil engineer
2. Minimum scale of 1/10" = 1'
3. All property lines, curb and sidewalk, spot elevations, existing structures, building dimensions, and setbacks to all property lines
4. For projects in the "H" District, survey must be no more than five years old and must show contour lines with minimum 5-foot intervals.

☐ **I. CONCEPTUAL GRADING PLAN**

Required for projects with more than 50 cubic yards of cut and/or fill.

Submit a survey meeting the following requirements:

1. Prepared by a licensed surveyor, architect or engineer
2. Estimated quantities and locations of cut and fill
3. Existing and final elevations

INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 3 - SUPPORTING DOCUMENTS, STUDIES, GRAPHICS, AND DEPICTIONS

☑ **A. SITE PHOTOGRAPHS**

Required for all projects.

Submit one set of exterior photos, that meet the following requirements:

1. Use captions or a key indicating the location (perspective) of each photo.
2. Provide an adequate number of photos to show entire project site and all adjacent buildings for context. Where possible, take wide-angle shots showing project site and adjacent buildings together.

☑ **B. SHADOW STUDY**

Required for the following projects:

- **Buildings exceeding 14 feet in average height, located in or adjacent to a residential (R) district (excluding ADUs)**
- **Additions exceeding 14 feet in average height on sites adjacent to a residential use**
- **Projects in either the C-T or C-DMU District, requiring a Use Permit to increase the maximum building height/number of stories**

Shadow Study Instructions

☐ **C. STORY POLE PLAN**

Required for the following projects:

- **New main buildings exceeding 14 feet in average height in the "H" District (excluding ADUs)**
- **Additions exceeding 14 feet in average height in the "H" District**

Story Pole Instructions

☐ **D. ARBORIST REPORT**

Required for projects involving any construction activity (including excavation, trenching, demolition, paving, storage of materials, and parking of vehicles) within the drip line of a Coast Live Oak (quercus agrifolia) tree with a circumference of at least 18 inches at 4 feet above the ground (or at least 26 inches aggregate circumference for a multi-stemmed tree). Submit

1. A report by a certified arborist assessing the project's impacts on the affected tree(s) (tree may be located either on- or off-site) and recommending preservation measures both during and after construction, as applicable.
2. Deposit of $460 for the first two hours of peer review of report (additional funds may be required for more complicated projects or site visits)

Tree Protection Instructions

Coast Live Oak Tree Ordinance

☐ **E. STRUCTURAL EVALUATION**

Required for any project that is not a demolition, but is removing between 25 and 49 percent of a main building's exterior wall and between 25 and 49 percent of a main building's roof framing (including in-kind replacement of existing framing), in order to confirm the feasibility of retaining the remaining portions of any wall and roof.

A Structural Evaluation is not required for projects requesting a Use Permit for demolition.

Submit a demolition diagram that indicates the percentage of each wall and roof that is proposed to be replaced or removed, as well as a report by an independent, fully credentialed structural engineer that evaluates whether, in the operator's opinion, retention of structural elements not proposed for removal is actually feasible.

☐ **F. PARKING SURVEY**

Required for projects requesting a waiver of any required off-street vehicular parking spaces pursuant to the Zoning Ordinance, located in a Commercial or Manufacturing District (C, M, MM, or MU) .

Parking Survey Instructions

INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 3 - SUPPORTING DOCUMENTS, STUDIES, GRAPHICS, AND DEPICTIONS

☐ **G. TRANSPORTATION DEMAND MANAGEMENT (TDM) AND BICYCLE PARKING SUPPLEMENTAL APPLICATION**

Required projects creating five or more new dwelling units or Group Living Accommodation rooms

TDM required for projects creating 10 or more dwelling units outside of the C-DMU. (Not required for projects where 50 percent of total units are affordable, ADUs, projects located in ES-R, or projects on properties in the Hillside overlay on narrow streets 26-feet wide or less.)

Bicycle parking required for projects creating five or more new dwelling units and/or Group Living Accommodation rooms.

TDM Program and Bicycle Parking Supplemental Application

☐ **H. PHOTO SIMULATIONS**

Required for a project creating any of the following:

— **Wireless telecommunications projects**

— **A "Large Scale Development Project," which consists of project located in a non-residential district that proposes any of the following:**

– Density Bonus under Section 65919 of California State Law,

– Three or more stories in height,

– Floor Area Ratio more than 2.00, or

– 10,000 square feet or more of gross floor area.

Photo Simulation Instructions

☐ **I. PUBLIC ART DECLARATION**

Required for any of the following projects:

— **A new commercial or industrial building**

— **A project that creates five or more dwelling units**

— **An addition of more than 10,000 square feet to any commercial or industrial building**

Public Art Allocation Declaration form

☐ **J. BIRD SAFE REQUIREMENTS**

Required for any of the following projects:[1]

Nonresidential projects: New construction/addition

Nonresidential Projects: New or replacement windows on existing buildings, unless all facades are Lower Hazard Facades

Residential and Mixed-Use Projects: New construction/addition of 10,000 sq. ft. or more AND more than 35 feet average height

Residential Mixed-Use Projects: New or replacement windows on existing buildings of 10,000 sq. ft. or more AND more than 35 ft. average height unless all facades are Lower Hazard Facades

— **Complete Bird Safe Building Requirements Attestation**

— **For projects that include Lower Hazard Facades, diagrams and calculations that show the percentage of façade area consisting of transparent or reflective material, such as windows or High-Risk Features (as defined in BMC Section 23.304.150)**

(1) Certain projects are exempt. See **BMC 23.304.150**

See Bird Safe Building Requirements Information and Submittal Checklist.

INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 4 - ENVIRONMENTAL REVIEW

☐ **A. CREEK PROTECTION DOCUMENTATION**

Required for any project within 40 feet of the centerline of an open creek, and/or within 25 feet of a culverted creek, that is protected by the Creeks Ordinance

Creek Protection Instructions

Note: Applies even if a protected creek or culvert has not yet been identified by the City.

☑ **B. HISTORIC RESOURCE EVALUATION**

Required for:

— **Demolition of a non-residential building 40 or more years old, subject to referral to the Landmarks Preservation Commission in accordance with BMC Section 23.326**

— **Demolition/Substantial Change of any building 40 or more years old subject to environmental review pursuant to CEQA**

Submit: State of California Department of Parks and Recreation (DPR) 523 forms. Evaluation(s) to include references to development history documentation (including but not limited to photographs, building permits, Sanborn maps, and directory listings); completed by a qualified historian, architectural historian or historic architect. Provide supplemental information in accordance with the Landmarks Preservation Ordinance criteria (BMC Section 3.24.110).

Waiver for residential additions/alterations: The Environmental Review Officer may waive this requirement for residential addition and alteration proposals after determining that the project complies with preservation standards and environmental practices OR that qualified sources other than an HRE can provide the relevant information.

California guidelines (Instructions for Recording Historical Features)

☐ **C. GEOTECHNICAL AND SEISMIC HAZARD INVESTIGATIONN**

Required for all development projects intended for human occupancy located in a State-designated Seismic Hazard Zone, as defined by the California Seismic Hazards Mapping Act and Alquist-Priolo Earthquake Fault Zoning Act, as shown on the State's Environmental Constraints Map.

Exemptions:

For projects located in any State-designated Seismic Hazard Zone (PRC 2693, i.e. liquefaction, landslide, and earthquake shaking):

— Single-family wood-frame or steel-frame dwellings to be built on parcels of land for which geologic reports have been approved pursuant to an approved subdivision map;

— A single-family wood-frame or steel-frame dwelling not exceeding two stories when that dwelling is not part of a development of four or more dwellings; or

— Alterations or additions to any structure within a seismic hazard zone which do not exceed either 50 percent of the value of the structure or 50 percent of the existing floor area of the structure.

If located in the Alquist-Priolo Fault Zone (PRC 2621.6 and 2621.7):

— Single-family wood-frame or steel-frame dwellings to be built on parcels of land for which geologic reports have been approved pursuant to an approved subdivision map;

— A single-family wood-frame or steel-frame dwelling not exceeding two stories when that dwelling is not part of a development of four or more dwellings; and

— Alterations or additions to any structure if the value of the alteration or addition does not exceed 50 percent of the value of the structure; or

— Conversion of an existing apartment complex into a condominium

Submit the following:

1. Geotechnical report satisfying the California Building Code and requirements of Special Publication 117A (for landslide and liquefaction zones) and/or California Geological Survey Note 49 (for fault zones); and

2. Deposit of $1,500 for peer review of report (additional funds may be required for more complicated projects.

INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 4 - ENVIRONMENTAL REVIEW

☐ **D. PHASE I OR II SITE ASSESSMENT**

Required for any project that includes the following:

— **Excavation of 5 or more feet below grade**

— **A site with a history of soil and/or groundwater contamination (see the Hazardous Waste and Substances Statement)**

— **A site within an Environmental Management Area (see Community GIS Portal)**

Submit: A recent Page I and/or Phase II Site Assessment (less than 2 years old)

Note: Depending on the findings in the Phase I, a Phase II or additional investigation may be necessary in order to determine the appropriate environmental review pathway under CEQA. If the Phase II indicates the exceedance of Environmental Screening Levels, clearance from one of the following agencies must be submitted prior to final action on a zoning permit application:

- San Francisco Bay Regional Water Quality Control Board (RWQCB)
- Department of Toxic Substances Control (DTSC)
- Alameda County Department of Environmental Health's Local Oversight Program (LOP)

Contact the Toxics Management Division (510) 981-7460 for more information.

☐ **E. TRANSPORTATION IMPACT STUDY**

Required for projects that do not meet at least one of the City's screening criteria for determining if detailed VMT or vehicular parking analysis is necessary.

Consult with the Transportation Division for a copy of the screening criteria and thresholds at (510) 981-7010

☐ **F. STATE GENERAL CONSTRUCTION PERMIT**

Required for projects disturbing one acre or more of soil (or less than one acre if part of a larger development plan that disturbs one acre or more).

Submit a copy of the Notice of Intent (NOI) submitted for the State General Construction Permit, and Storm Water Pollution Prevention Plan (SWPPP) prior to building permit issuance.

Construction Stormwater General Permits

☐ **G. STORMWATER REQUIREMENTS CHECKLIST**

Required for projects creating or replacing 2,500 square feet or more of impervious surface, including single-family dwellings. Includes new buildings, additions, and alterations to existing roofs that affect drainage; does not include maintenance/re-surfacing of existing impervious surfaces.

INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 5 - REQUIRED FOR PROJECTS SUBJECT TO AFFORDABLE HOUSING REQUIREMENTS

☐ **A. AFFORDABLE HOUSING COMPLIANCE PLAN (PRELIMINARY)**

Required for Housing Development Projects with more than 5,000 square feet of residential unit floor area

Submit following:

1. Completed Affordable Housing Compliance Plan

2. Affordable Housing Compliance Plan Sheet(s) (in the plan set)

- Residential Unit Floor Area Diagrams (BMC Section 23.328.020 Definitions)
- On-site Below Market Rate unit calculations
- In-Lieu Fee calculations

See BMC 23.328 Inclusionary Housing and the Affordable Housing Compliance Plan Application for additional information.

☐ **B. ANTI-DISCRIMINATION HOUSING POLICIES**

Required for a project creating any of the following:

— **Five or more new dwelling units and/or five or more live/work units**

— **New dwelling units and/or live/work units on lots whose size and zoning designation is such to allow construction of five or more dwelling units**

— **One to four (new dwelling units and/or five or more live/work units, which are added to an existing one to four-unit property developed after August 14, 1986, and the resulting number of units totals five or more**

— **Additional condominium units, resulting in five or more condominium units converted and/or created after August 14, 1986 on the site**

Submit a written statement answering the following questions and provide the requested documentation, if applicable:

– Does the applicant or sponsor, including the applicant or sponsor's parent company, subsidiary, or any other business or entity with an ownership share of at least 30 percent of the applicant's company, engage in the business of developing real estate, owning properties, or leasing or selling individual dwelling units in states or jurisdictions outside of California?

– If the answer to (1) is yes, which?

– If the answer to (1) is yes, does the applicant or sponsor, as defined in (1), have policies in individual states that prohibit discrimination based on sexual orientation, gender identity, and/or gender expression in the sale, lease, or financing of any dwelling units enforced on every property in the state or states where the applicant or sponsor has an ownership or financial interest?

– If the answer to (1) is yes, does the applicant or sponsor, as defined in (1), have a national policy that prohibits discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the United States where the applicant or sponsor has an ownership or financial interest in property?

– If the answer to (3) or (4) is yes, please provide a copy of that policy or policies as part of this application.

The Land Use Division will not accept an application as complete unless the applicant provides a response to this section. The processing of and recommendations or determinations made by the Land Use Division regarding an application will be unaffected by the applicant's response to this section.

INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 5 - REQUIRED FOR PROJECTS SUBJECT TO AFFORDABLE HOUSING REQUIREMENTS

☐ **C. DENSITY BONUS ELIGIBILITY STATEMENT**

Required for projects requesting a density bonus pursuant to Government Code Section 65915

Submit the following information:

1. A written statement that includes the following information:

a. Number of "base project" units

b. Number and percent of affordable units and level of affordability

c. Percent density bonus requested and allowed pursuant to Government Code Section 65915

d. Waivers or modifications of development standards necessary to physically accommodate "density bonus" units (e.g., increased height or FAR, reduced setbacks or parking, etc.)

e. Explanation of why each waiver or modification is needed to accommodate "density bonus" units

f. If the project is requesting an incentive or concession, describe each incentive or concession being requested in addition to (or instead of) waivers or modifications necessary to accommodate density bonus

2. Plans showing a "base project" that complies with all applicable Zoning Ordinance requirements. For staff to effectively review your density bonus project, a combination of diagrams, compliance tables and calculation tables must be included in the project plan set:

a. Base Project and Proposed Project diagrams, per floor

b. Base Project and Proposed Project development standards compliance tables

c. Residential floor area calculations and diagrams (per floor; can be combined with Base Project and Proposed Project diagrams)

d. Maximum allowable residential density calculation table

e. Usable open space and lot coverage diagrams and calculations

f. Base Project, Density Bonus, and Proposed Project residential floor area table

Your project planner can provide examples of preferred diagram and table formats.

State Density Bonus - Procedures

☐ **D. AREA OF POTENTIAL EFFECTS (APE) STATEMENT**

Required for projects seeking federal funds (either directly or through the City of Berkeley Housing Trust Fund).

Submit a statement identifying the project's "Area of Potential Effects" as defined in federal regulations (36 CFR Part 800). Contact the Housing Department at (510) 981-5400 for more information and requirements.

INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 6 - LANDSCAPE AND GREEN BUILDING REQUIREMENTS

☑ **A. WELO LANDSCAPE REQUIREMENTS**

Required for projects with either:

— **500 square feet or more of new, or**

— **2,500 square feet or more of renovated irrigated area.**

These projects must comply with water efficient landscaping as specified in the Model Water Efficient Landscape Ordinance (MWELO) and East Bay Municipal Utility District (EBMUD) Water Efficiency Review: Section 31 Regulations and MWELO Compliance, and all applicable measures in the Bay Friendly Basics checklist.

Submit WELO-compliant landscape documentation including a planting, grading, and irrigation plan. Water budget calculations are also required for landscapes of 2,500 square feet or more. The reference evapotranspiration rate (ETo) for Berkeley is 41.8.

See Green Building requirements.

☑ **B. BERKELEY ENERGY CODE AND BERKELEY GREEN CODE**

Required for newly constructed buildings (buildings that have never before been used or occupied for any purpose).

Submit the following:

1. A statement, and corresponding features on plans, that the proposed project is designed to comply with the Berkeley Energy Code (BMC Chapter 19.36) and Berkeley Green Code (BMC Chapter 19.37) including solar PV system, battery energy storage, electric vehicle charging, and low-carbon concrete requirements. Note that for building permit submittal, quantitative values for appliance fuel efficiency must be included in relevant building permit architectural sheets, and window and door schedules, and on architectural, plumbing, and mechanical sheets, matching those values stipulated in prescriptive or performance energy compliance documents.

Note: Carefully consider the Building Code prior to submitting a Use Permit application. Per the standard Conditions of Approval for all development projects, only the Zoning Adjustments Board may approve a modification to the use or structure for which the Permit is issued, except that the Zoning Officer may approve changes that do not expand, intensify, or substantially change the use or building.

The California Energy Design Assistance (CEDA) Program provides free energy design assistance, financial incentives, and operational energy savings to new commercial, public, multifamily (4 stories or more), industrial, and agricultural buildings. CEDA application must occur while a project is in early design phases.

See Green Building requirements.

☐ **C. GREEN BUILDING REQUIREMENTS**

Required for newly constructed buildings and additions of more than 20,000 square feet for projects located in the Commercial-Downtown Mixed-Use District (C-DMU).

Submit a completed LEED Checklist / Scorecard (typically for commercial projects), showing that the proposed project is on track for LEED Gold certification or above, or a completed GreenPoint Rated (GPR) Checklist (for residential and most mixed-use projects), showing that the proposed project is on track for GPR Silver certification or above.

See Green Building requirements.

INFORMATION CITY OF BERKELEY **LAND USE PLANNING**

ZONING PROJECT APPLICATION SUBMITTAL REQUIREMENTS

SECTION 7 - RELATED LAND USE PLANNING DIVISION APPLICATIONS

☐ **A. DESIGN REVIEW APPLICATION**

Required for:

- **Projects with new construction and/or exterior changes in non-residential districts**
- **Mixed use, and community and institutional projects in R-3 within the Southside Plan Area**
- **Commercial, mixed-use, and community and institutional projects in R-4, R-S and R-SMU Districts**
- **Other projects as required by the Zoning Officer**

Submit separate Design Review application form per the Design Review Submittal Requirements.

☐ **B. STRUCTURAL ALTERATIONS SUBMITTAL**

Required for exterior alterations to designated City Landmarks, Structures of Merit, and structures within a Historic District (and interior alterations to such structures if publicly owned).

Submit separate Structural Alteration Permit application, per the Structural Alteration Permit & Design Review Submittal Requirements.

☐ **C. ZONING USE QUESTIONNAIRE**

Required for projects that establish a new business or create a new commercial space with the tenant/operator already selected.

☐ **D. HOME OCCUPATION QUESTIONNAIRE – CLASS II AND III**

Required for Class II or Class III Home Occupations that establish a new home-based business.

Submit a Zoning Permit Application (Section 1.A, above), and fill out the Class II and III Home Occupation Questionnaire.

PLANNING & DEVELOPMENT
Land Use Planning, 1947 Center Street, Berkeley, CA 94704
Tel: 510.981.7410 TDD: 510.981.6903 Fax: 510.981.7420 Email: Planning@CityofBerkeley.info

TABULATION FORM

Project Address: **2708 Prince St., Berkeley, CA 94705** Date: **2/16/2024**

Applicant's Name: **Jeff Svitak**

Zoning District **R-2A**

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

		Existing	Proposed	Permitted/ Required
Units, Parking Spaces & Bedrooms				
Number of Dwelling Units	(#)	1	2	n/a
Number of Parking Spaces	(#)	1	1	n/a
Number of Bedrooms (R-1, R-1A, R-2, R-2A, and R-3 only)	(#)	2	6 (not including ADU)	n/a
Yards and Height				
Front Yard Setback	(Feet)	15	15	15
Side Yard Setbacks: (facing property)	Left: (Feet)	7.1	5	4
	Right: (Feet)	3.1	3.45	3.45 (with setback reduction)
Rear Yard Setback	(Feet)	55	20 (not including ADU)	22
Building Height*	(# Stories)	1	2	3
Average*	(Feet)	12	24	n/a
Maximum*	(Feet)	14	24.6	28
Areas				
Lot Area	(Square-Feet)	4,312	n/a	n/a
Gross Floor Area* Total Area Covered by All Floors	(Square-Feet)	1,052	3,052 (not including ADU)	n/a
Building Footprint* Total of All Structures	(Square-Feet)	1,300	1,680	n/a
Lot Coverage* (Footprint/Lot Area)	(%)	24	38	40
Useable Open Space*	(Square-Feet)	2,139	633	600
Floor Area Ratio* Non-Residential only	(Except ES-R)	0.2	0.4	0.4

*See Definitions – Zoning Ordinance Title 23F.

Revised: 05/15

PLANNING & DEVELOPMENT
Land Use Planning, 1947 Center Street, Berkeley, CA 94704
Tel: 510.981.7410 TDD: 510.981.7474 Email: Planning@cityofberkeley.info

HAZARDOUS WASTE AND SUBSTANCES STATEMENT

Pursuant to the Permit Streamlining Act (PSA), a development permit application may not be accepted as complete unless and until the applicant has submitted a signed statement indicating whether the proposed project site or any alternative site(s) is on the lists of hazardous waste sites compiled pursuant to Government Code Section 65962.5 by the California Secretary for Environmental Protection.

Data lists / maps are available at the following websites (check multiple lists and categories):

http://www.calepa.ca.gov/SiteCleanup/CorteseList/

https://www.envirostor.dtsc.ca.gov/public/

Applicant's Information:

Name: Jeff Svitak

Street Address: 3037 Redwood St.

City, State, Zip Code: San Diego, CA 92013

Phone Number: 858.518.1816 Email: info@jeffsvitak.com

Project Information:

Address: 2708 Prince St.

City, State, Zip Code: Berkeley, CA 94705

Assessor's book, page, and parcel number: 052-1563-036

Specify any list that the site appears on:

n/a

Regulatory identification number: n/a

Date of list: n/a

Site Use (if known):

Past: Residential Present: Residential

Proposed: Residential

Submittals (check all that are available):

__Phase I Report __Phase II Report __Closure Letter __Other: ZAP

Applicant's verification:

Signature: _____ Date: 2.16.2024

PRESERVATION ARCHITECTURE

October 4, 2023

2708 Prince St., Berkeley
City of Berkeley Historical Evaluation

This historical and historic architectural evaluation addresses the existing property and building at the above address per the City of Berkeley's historical and cultural resource evaluation criteria. This overall effort has been based on the review of City of Berkeley permit records, U.S. census records (heritagequest.org), Oakland/Berkeley telephone directories (loc.org, sfpl.org, berkeleypubliclibrary.org), historic newspapers (@CDNC.org), Alameda County property records, along with general historical and architectural research.

The subject parcel at 2708 Prince St. (APN 52-1563-36) is located on the south side of Prince St. near the intersection of College Ave. and houses a single-story single-family residence (figs.1-2)

As delineated below, per the City of Berkeley's *Landmarks Preservation Ordinance (LPO)*, the residential property and building located at 2708 Prince St. are not eligible for designation as a City of Berkeley Landmark or Structure of Merit.

Summary Description (figs.3-6)

The subject residential property lies on the south side of Prince St., the site flat, its small house standing behind a shallow front yard. The lot measures 34.5 ft. wide by 125 feet deep for an area of some 4,312.5 square feet yet has a 5 foot wide strip along its eastern side that is a dedicated access easement shared with the separate property to the rear (lot #26).

The wood frame, single family house is a single-story over a crawl space with a floor area of approximately 1,060 square feet. Its plan is a simple rectangle with a projecting front corner. Front gabled roofs are low-sloped, including the forward porch extension, which is entered via a portal with a set of concrete steps at the east side, the east-facing entry door within. Exterior walls are stucco finished with wood windows, doors and trims. Overhanging roof eaves are wood framed, the front eaves trimmed and bracketed. The low-slope roofs are not visible from the street yet are presumed to be composition roll or shingle roofing. A stucco clad chimney stands at the west side wall. At the rear of the house is a raised wood deck under a wood trellis. A concrete paved driveway crosses the east side of the property to a small garage at the rear.

The 2708 Prince St. residence is a small single-story c1920 Craftsman Bungalow and which stylistic label is based on its bracketed front gabled eaves, robust porch pillars, stepped arched porch openings front and side, and frontward divided-lite wood door and windows.

Summary History

A February 1918 grant deed recorded the grantee was Calmur J. Struble and grantors P. O. Boyd and Edward & Catherine Larmer, the latter the subsequent builder of the subject residence for Struble. That 1918 deed included the subject parcel (#36) along with the rearward parcel (#26).

The subject, single-family house was permitted and constructed in 1918. That February 1918 permit record and construction notice identified owner C. J. Struble and builder Edward Larmer, the latter presumably the designer as the construction notice stated none under architect (*Building & Engineering News*; Feb. 20, 1918; p18).

446 17th Street #302 Oakland 94612
510 418 0285 mhulbert@earthlink.net

Per County deed records, in June 1919, Struble sold the overall property and its residence to Arthur J. Hughes. Hughes in turn transacted the property and residence to Sadie M. Hunter who, in August 1920, deeded the property to Bertha K. Rolfes. In November 1920, Rolfes divided and sold the rearward parcel to W. D. and Emerena Holmes, which deed included the 3 foot wide strip of land along the eastern property line of the subject lot as well as the shared 5 foot wide access easement across the eastern side the subject lot, and which 1920 transactions formed the extant 2708 and 2710 Prince St. parcels.

A garage was permitted in 1936 for a subsequent owner, E. B. Redman. Miscellaneous subsequent permits were for interior and repair work, so the exterior of the residence appears largely unchanged from its origins except for the rear deck, which recently replaced an earlier and smaller rear porch seen in the c1981 Sanborn map. That and an earlier Sanborn each depicted the detached garage in the southwest corner of the lot, so the garage may have been relocated or the maps were not accurate with respect to the garage.

Prior to construction of the subject and range of surrounding buildings, per the 1911 Sanborn map, a large parcel occupied the southeast corner at College and Prince. The residence and shed thereon were presumably removed after 1915, when it was listed in the directory under the name Elizabeth T. White and, prior to 1918, when the subject house was built (as was the adjacent apartment building at 2700 Prince).

The first identified resident of 2708 Prince St. was Grace Lansing, who was listed in the 1920 census at 2708 Prince and further identified as a renter. The 1930 census found Kate D. Flynn residing at and owner of 2708 Prince, where Flynn was first listed in the 1922 directory. By 1933, the occupants were Edward B. and Angie Redman, who were listed at this address in the 1940 census and who were last listed in the 1946 directory. Based on directories, permits and deeds, subsequent owners/occupants included: Beatrice Feldman (1947-1955); Ethel Downey (1956-1967); O. J. Kleinkopf (1968-1994); and Marcos Ancinas (1994-2022).

Associated Persons

The individual directly associated with the origins of the residence at 2708 Prince St. was Calmur J. Struble (1868-12968). Struble briefly owned and developed its house but did not reside on the subject property. In early 20th century censuses, he was recorded as an attorney (1920, residing on Dwight Way), a broker (1940, on Arch St.) and a real estate proprietor (1950, on Sonoma St.). In the construction periodical where the 2708 Prince project and its owner was announced, there are no other recorded projects for Struble in the period. Under present research efforts, no further detail for Struble presents itself.

Evaluation

The subject property and building have not been previously considered or evaluated for historical potential.

Based on Berkeley's *LPO* criteria (from sec.*3.24.110 Landmarks, historic districts and structures of merit--Designation--Criteria for consideration*), this effort concludes with a Berkeley Landmark/Structure of Merit evaluation, first under the Landmarks criteria followed by Structure of Merit criteria.

3.24.110 Landmarks, historic districts and structures of merit--Designation--Criteria for consideration.

A. Landmarks and historic districts. General criteria which the commission shall use when considering structures, sites and areas for landmark or historic district designation are as follows:

1. Architectural merit:

a. Property that is the first, last, only or most significant architectural property of its type in the region;

The subject residential building is not the first, last, only or most significant residence of its type in the City of Berkeley.

b. Properties that are prototypes of or outstanding examples of periods, styles, architectural movements or construction, or examples of the more notable works of the best surviving work in a region of an architect, designer or master builder; or

As summarized, 2708 Prince is a small single-story c1920 Craftsman Bungalow. Of this common early-20th century house style, the subject residence is a simple and small example. Moreover, there are other and better homes of this very style on the immediate block, many dozens throughout the surrounding neighborhood and many others in the surrounding neighborhoods of Berkeley and Oakland. Its being a small single story is a limiting factor, as is the narrow parcel width. Many better examples of Craftsman Bungalows are 2-stories and/or more broad in profile – as Craftsmans are characteristically expansive. There was no architect while the builder and presumed designer, Edward Larmer, is without identifiable importance

c. Architectural examples worth preserving for the exceptional values they add as part of the neighborhood fabric.

This small residential building has no exceptional values to offer to the neighborhood fabric.

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

The subject 1918 residence falls under the historic context of single-family residential development in Berkeley and the San Francisco Bay region in the early 20th century. In that broad context, the subject house was one of a large number of residences of its type and style built in the 1910s-1920s in the immediate vicinity as well as throughout the Bay Area and California. Thus, in its historic period and context, there are no specifically associated events or patterns of any identifiable historic importance.

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

The subject residential building has no educational value.

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

The subject property and its building do not embody and express historic value.

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

The subject property and building are not listed on the National Register.

B. Structures of merit. Criteria which the commission shall use when considering a structure for structure of merit designation are as follows:

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

2. Specific criteria include, but are not limited to one or more of the following:

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

The subject residential building is not contemporary with a designated landmark within its neighborhood – nearby landmarks include several unrelated College Ave. commercial resources – or with any historic period or event of identifiable significance specific to the City of Berkeley or its neighborhoods.

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

The subject building is not compatible with a designated structure within its neighborhood, etc.

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

This residential building is a highly modest example of architectural design.

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

The subject residential building has no identifiable historical significance relative to the City of Berkeley or to its neighborhood, etc.

In conclusion, the property and building at 2708 Prince St. in Berkeley do not have potential historical significance under the criteria of the City of Berkeley's LPO.

Signed:



Mark Hulbert
Preservation Architect & Historic Resources Consultant

attached: figs.1-6 (pp.5-7)



Fig.1 – 2708 Prince St. (highlghted) – Location aerial (Google Earth, 2023, north is up)

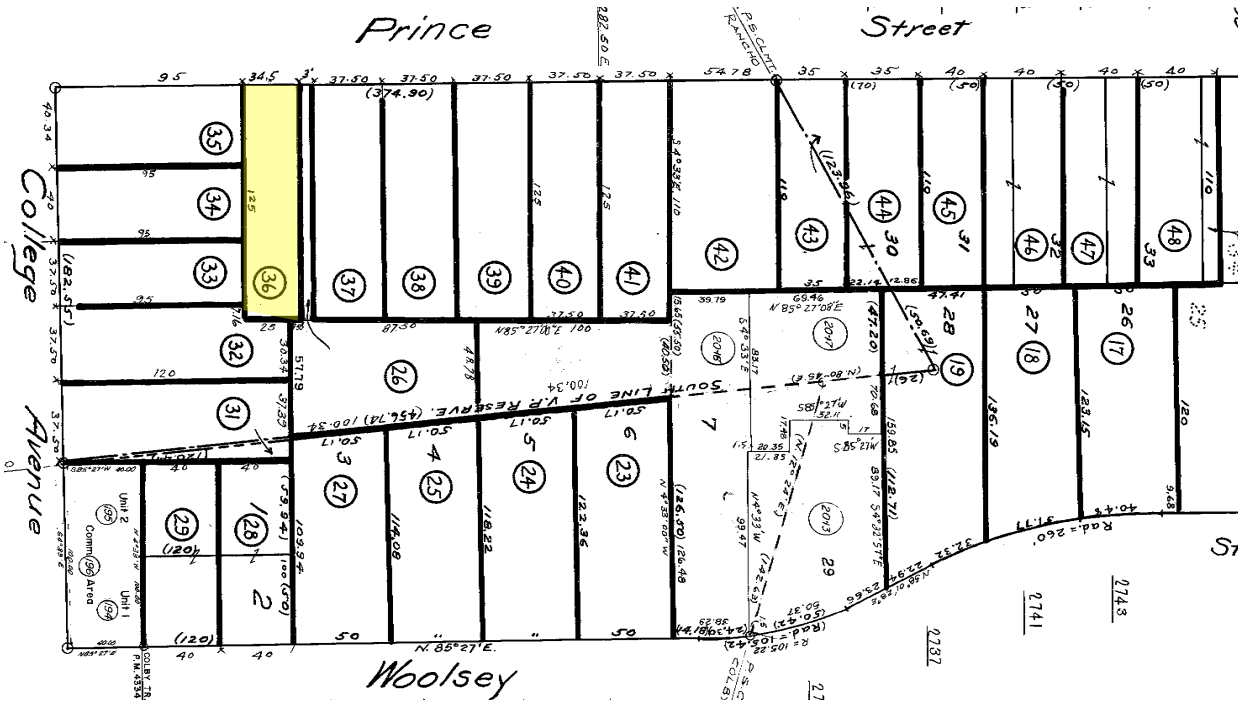


Fig.2 – 2708 Prince St. (highlighted) – from Assessor's Parcel Map (north is up)



Fig.3 – 2708 Prince St. – Front (north) from street (figs.3-5, MH 2023)



Fig.4 – 2708 Prince St. – Front (north) and east side with garage beyond



Fig.5 – 2708 Prince St. – Rear



Fig.6 – 2708 Prince St. – Garage

State of California ☐ The Resources Agency Primary #
DEPARTMENT OF PARKS AND RECREATION HRI #
PRIMARY RECORD Trinomial
NRHP Status Code
Other Listings
Review Code Reviewer Date

Page 1 **of** 4 ***Resource Name or #:** 2708 Prince St., Berkeley, CA
P1. Other Identifier: None

***P2. Location:** ☐ **Not for Publication** ■ **Unrestricted**
***a. County** Alameda
***b. USGS 7.5' Quad** Oakland West **Date** 2021
c. Address 2708 Prince St. City Berkeley Zip 94705
d. UTM: Zone __, _____ mE/ _____ mN
e. Other Locational Data: Assessor's Parcel Number: 52-1563-36

***P3a. Description:**
The subject residential property lies on the south side of Prince St., the site flat, its small house standing behind a shallow front yard. The lot measures 34.5 ft. wide by 125 feet deep for an area of some 4,312.5 square feet yet has a 5 foot wide strip along its eastern side that is a dedicated access easement shared with the separate property behind (lot #26, 2810 Prince St.). The house plan is a simple rectangle with a projecting front corner. Front gabled roofs are low-sloped, including the forward porch extension, which is entered via steps and a portal at the east side, the east-facing entry door within. Exterior walls are stucco finished with wood windows, doors and trims. Overhanging roof eaves are wood framed, the front eaves trimmed and bracketed. A stucco clad chimney stands at the west side wall. A driveway crosses the east side of the property to a small garage at the rear.

P5a. Photograph



Fig.1 – 2708 Prince St., front (north) from street

***P3b. Resource Attributes:** HP2: Single-family property
***P4. ResourcesPresent:** ■ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other
P5b. Description of Photo: (view, date, accession #)
Fig.1) MH 2023;
2) Sanborn map c1981
***P6. Date Constructed/Age and Source:** ■ Historic ☐ Prehistoric ☐ Both
1918 (bldg.permit #6873)
***P7. Owner and Address:**
Linda Joseph
2700 Prince St.
Berkeley, CA 94705
***P8. Recorded by:**
Mark Hulbert
446 17th St. #302
Oakland, CA 94612
***P9. Date Recorded:**
October 4, 2023
***P10. Survey Type:**
Intensive
***P11. Report Citation:**
none

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

State of California ☐ The Resources Agency Primary #
DEPARTMENT OF PARKS AND RECREATION HRI#

BUILDING, STRUCTURE, AND OBJECT RECORD

***Resource Name or #:** 2708 Prince St., Berkeley ***NRHP Status Code**
Page 2 **of** 4

B1. Historic Name: --
B2. Common Name: 2708 Prince St.
B3. Original Use: Single-family residence B4. Present Use: same
***B5. Architectural Style:** Craftsman Bungalow
***B6. Construction History:**

The subject, single-family house was permitted and constructed in 1918 on a recently created parcel. The original permit record and construction notice identified owner C. J. Struble and builder Edward Larmer, the latter presumably the designer as the construction notice stated none under architect. A garage was permitted in 1936 for a subsequent owner, E. B. Redman. Miscellaneous subsequent permits were for interior and repair work, so the residence is largely unchanged from its origins except for the rear deck, which recently replaced an earlier and smaller rear porch. (cont. on p3)

***B7. Moved?** ■No ☐Yes ☐Unknown **Date:** **Original Location:**
***B8. Related Features:** None
B9a. Architect: none b. Builder: Edward Larmer
***B10. Significance: Theme** -- **Area** --
Period of Significance -- **Property Type** Residential **Applicable Criteria** --

Per the following evaluation, the subject property and building do not meet any California Register (CR) criteria so are not CR eligible. (cont. on p3)

B11. Additional Resource Attributes: none

***B12. References:**
City of Berkeley permit records; 1929,1950 and c1981 Sanborn maps (@sfpl.org and City of Berkeley planning); 1910-1950 U.S. censuses (@heritagequest.org); Building & Engineering News (@sfpl.org); Alameda County directories (@loc.org, berkeleypubliclibrary.org, sfpl.org); Alameda County Assessor.

B13. Remarks:

***B14. Evaluator:** Mark Hulbert, Preservation Arch.
***Date of Evaluation:** October 4, 2023

(This space reserved for official comments.)

(Sketch Map with north arrow required.)

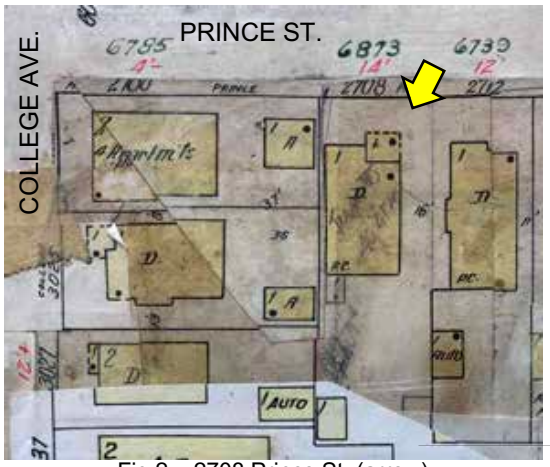


Fig.2 – 2708 Prince St. (arrow)

North

Construction History (cont. from p2)

A February 1918 grant deed recorded the grantee was Calmur J. Struble and grantors P. O. Boyd and Edward & Catherine Larmer, the latter the subsequent builder of the subject residence for Struble. That 1918 deed included the subject parcel (#36) along with the rearward parcel (#26, 2710 Prince). Per County deed records, in June 1919, Struble sold the overall property and its residence to Arthur J. Hughes. Hughes in turn transacted the property and residence to Sadie M. Hunter who, in August 1920, deeded the property to Bertha K. Rolfes. In November 1920, Rolfes divided and sold the rearward parcel to W. D. and Emerena Holmes, which deed included the 3 foot wide strip of land along the eastern property line of the subject lot as well as the shared 5 foot wide access easement across the eastern side of the subject lot, and which 1920 transactions formed the extant 2708 and 2710 Prince St. parcels.

Prior to construction of the subject and range of surrounding buildings, per the 1911 Sanborn map, a large parcel occupied the southeast corner at College and Prince. At the address 3025 College Ave., the residence and shed thereon were removed after 1915, when that residence was listed in the directory under the name Elizabeth T. White, and prior to 1918, when the subject house was built (as was the adjacent apartment building at 2700 Prince).

Struble briefly owned and developed its house but did not reside on the subject property. The first identified resident was Grace Lansing, who was listed in the 1920 census at 2708 Prince and further identified as a renter. The 1930 census found Kate D. Flynn residing at and owner of 2708 Prince, where Flynn was first listed in the 1922 directory. By 1933, the occupants were Edward B. and Angie Redman, who were listed at this address in the 1940 census and who were last listed in the 1946 directory. Based on directories, permits and deeds, subsequent owners/occupants included: Beatrice Feldman (1947-1955); Ethel Downey (1956-1967); O. J. Kleinkopf (1968-1994); and Marcos Ancinas (1994-2022).

Significance (cont. from p2)

Associated Persons

The individual directly associated with the origins of the residence at 2708 Prince St. was Calmur J. Struble (1868-1968). As noted, Struble did not reside on the subject property. In early 20th century censuses, he was recorded as an attorney (1920, residing on Dwight Way), a broker (1940, on Arch St.) and a real estate proprietor (1950, on Sonoma St.). In the construction periodical where the 2708 Prince project (not yet identified by address but by its location) and its owner was announced (*Building & Engineering News*, Feb. 20, 1918, p18), there are no other recorded projects for Struble in the period. Under present research efforts, no further detail for Struble presents itself.

Evaluation

The following addresses historic resource potential per the four California Register of Historical Resources (CR) evaluation criteria:

Under ***CR criterion 1*****,** the 1918 residence falls under the historic context of single-family residential development in Berkeley and the San Francisco Bay region in the early 20th century.

In that broad context, the subject house was one of a large number of residences of its type and style built in the 1910s-1920s in the immediate vicinity as well as throughout the Bay Area. Thus, in its historic period and context, there are no specifically associated events or patterns of any identifiable historic importance. (cont. on p4)

State of California - The Resources Agency Primary#
DEPARTMENT OF PARKS AND RECREATION HRI #
Trinomial

CONTINUATION SHEET

Property Name: 2708 Prince St., Berkeley
Page 4 of 4

Evaluation (cont. from p3)

Under ***CR criterion 2*****,** no persons of potential historical importance are associated with the subject property.

Under ***CR criterion 3*****,** in terms of its design and construction, 2708 Prince is a small single-story c1920 Craftsman Bungalow and which stylistic label is minimally based on its bracketed front gabled eaves, robust porch pillars, stepped arched porch openings front and side, and frontward divided-lite wood door and windows. Of this common early-20th century house style, the subject residence is a simple and small example. Moreover, there are other and better homes of this very style and period on the immediate block, many dozens throughout the surrounding neighborhood and many others in the surrounding neighborhoods of Berkeley and Oakland.

That this house is a single story is a limiting factor, as is the narrow parcel width. Many better examples of Craftsman Bungalows are 2-stories and/or more broad in profile, as Craftsmans are characteristically expansive. There is additionally no identified architect while the builder and presumed designer, Edward Larmer, is without identifiable importance.

As the subject house does not embody design or construction distinction or embody artistry, is not the work of any identifiable architect or of an historically important builder, the residence at 2708 Prince St. does not meet *CR criterion 3.*

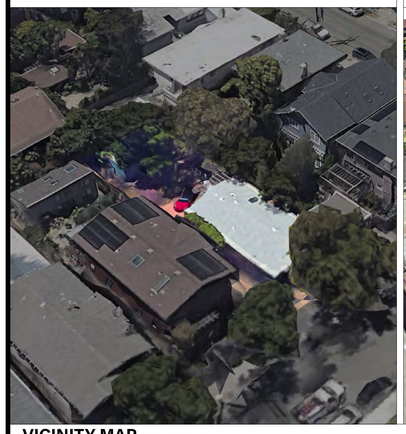
Lastly, under ***CR criterion 4,*** beyond the current effort, the subject property and house have not yielded any historical information and do not have further historical information potential.

In conclusion, the property and residence at 2708 Prince St. in Berkeley do not meet any CR criteria so are not CR eligible.

EXTERIOR RENDERING (FOR REFERENCE ONLY)



EXISTING BUILDING



PROPOSED BUILDING



VICINITY MAP (NOT TO SCALE)



DEVELOPMENT SUMMARY

PROJECT NAME:	PRINCE ROW HOUSES
PROJECT ADDRESS:	2708 PRINCE ST BERKELEY CA 94705
APN:	538-250-10-00
LOT AREA:	4,312 SF
DETAILED SCOPE OF WORK:	- DEMOLITION OF EXISTING ONE STORY HOUSE AND GARAGE. - NEW CONSTRUCTION OF 2 ROW-SINGLE-FAMILY HOUSES (2 STORIES, 24 ft. AVERAGE HIGH) - NEW CONSTRUCTION OF ATTACHED A.D.U (3 STORIES, 25 ft. HIGH)
ZONING DATA:	R-2A (MEDIUM DENSITY RESIDENTIAL)
EXISTING USE TYPE:	RESIDENTIAL
PROPOSED USE TYPE:	RESIDENTIAL
BUILDING CODE CONSTRUCTION TYPE:	TYPE V-B
GOVERNING CODES:	2024 CALIFORNIA STANDARDS BUILDING CODE BERKELEY MUNICIPAL CODE (BMC)
REQUIRED DISCRETIONARY PERMITS:	A.U.P

ZONING CODE DATA

ZONE R-2A	EXISTING	REQUIRED		PROPOSED
NUMBER OF DWELLINGS	1	n/a		2 + 1
PARKING	1	n/a		1
BIKE PARKING*	0	n/a		n/a
FRONT YARD SETBACK (F.Y.S.B) (FT)	15'	15'		15'
SIDE YARD SETBACK (S.Y.S.B) (FT)	3.1'	BUILDING 1	3.45'**	3.45'
		BUILDING 2	3.45'**	3.45'
		ADU	4'	3.45'
SIDE YARD SETBACK (EASEMENT) (FT)	7.1'	BUILDING 1	4'	5'
		BUILDING 2	4	5
		ADU	4'	5
REAR YARD SETBACK (FT)	55'	BUILDING 1	22'	20'
		BUILDING 2	22'	20'
		ADU	4'	0**
BUILDING HEIGHT (FT)	14'	BUILDING 1	28'	24'-8"
		BUILDING 2	28'	23'-7"
		ADU	25' (attached)	25'
BUILDING STORIES	1	BUILDING 1	3	2
		BUILDING 2	3	2
		ADU	n/a	3
LOT AREA (SF)				4,312
LOT AREA (ACRES)				0.10
GROSS FLOOR AREA (SF)	1,052	BUILDING 1	n/a	1524
		BUILDING 2	n/a	1528
		TOTAL	n/a	3052
		ADU	850 sf. max. for Studio or 1B and 1,000 sf. for 2+ bedrooms***	830
GARAGE AREA (SF) ****	237	n/a		394
BUILDING FOOTPRINT (SF)	1,309	BUILDING 1	n/a	840
		BUILDING 2	n/a	840
		TOTAL	n/a	1,680
		ADU	n/a	110
LOT COVERAGE (SF)*****	24%	BUILDING 1	40% (2 stories)	19%
		BUILDING 2		19%
		TOTAL		38%
		ADU	n/a	n/a
F.A.R	0.2	BUILDING 1	n/a	0.4
		BUILDING 2	n/a	0.4
		ADU	n/a	0.2
LANDSCAPE AREAS (SF)	2,139	n/a		1,181
USABLE OPEN SPACE (SF)	2,139	BUILDING 1	300 SF	329
		BUILDING 2	300 SF	305
		TOTAL	600 SF	633
		ADU	n/a	n/a

* Dwelling Units (fewer than four) and Accessory Dwelling Units - No Spaces Required. Per BMC - Bicycle Plan, Appendix F

** Rear and Side Setback Reductions allowed on district R-2A and on a lot with two or more main buildings with dwelling units. AUP permit required. Per BMC 23.304.030, Table 23.304-1

Side setback (S.Y.S.B): 1st and 2nd stories = 10% of lot width or 3 ft. Whichever is greater. 3rd story= 6 ft

Side setback (Easement): (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126) per Survey Plan

*** Per BMC 23.306.030

**** Garage area not counted towards Groos Floor area Per BMC 23F.04.

***** Per BMC 23.202.080

SHEET INDEX

● = NEW OR REVISED
○ = NO CHANGE

SHEET NO. & TITLE		SUBMISSION: Z.P.A SUBMITTAL DATE: 02.16.24
G	**GENERAL**	
G01	COVER SHEET	●
G02	RENDERINGS (FOR REFERENCE ONLY)	●
A	**ARCHITECTURE**	
A100	ARCHITECTURAL SITE PLAN	●
A101	LANDSCAPE AND USABLE OPEN SPACE PLAN	●
A102	LOT COVERAGE DIAGRAM AND CALCULATIONS	●
A103	FLOOR PLANS	●
A104	EXISTING EXTERIOR ELEVATIONS	●
A105	PROPOSED EXTERIOR ELEVATIONS	●
R	**RESOURCE**	
A106	STREET STRIP ELEVATION	●
R01	SITE SURVEY	●
R02	SITE PHOTOGRAPHS	●
R03	SHADOW STUDY	●
R04	SHADOW STUDY - NEIGHBORS ELEVATIONS	●
L	**LANDSCAPE**	
L1.0	LANDSCAPE PLAN	●
L1.1	PLANT SCHEDULE	●
L1.2	PLANTING NOTES AND DETAILS	●
L1.3	PLANTING NOTES AND DETAILS	●
L1.4	MWELO CHECKLIST CALCS	●

PROJECT DIRECTORY

OWNER:
LINDA JOSEPH
2700 Prince Street
Berkeley, CA 94705

CONTACT: Linda Joseph
PHONE: 415.235.3897
EMAIL: ljoseph97@gmail.com

SURVEYOR:
BAY AREA LAND SURVEYING, INC.
350 Townsend Street, 839
San Francisco, CA 94107

CONTACT: Keith Bush
PHONE: 510.223.5167
EMAIL: info@balsinc.net

ARCHITECT:
JEFF SVITAK INC.
3037 Redwood Street
San Diego, CA 92013

CONTACT: Tomas Tironi
PHONE: 619.372.0779
EMAIL: tomas@jeffsvitak.com

LANDSCAPE ARCHITECT:
COSTELLO KENNEDY
16 De La Guerra Road
San Rafael, CA 94903

CONTACT: Teresa Kennedy
PHONE: 415.686.0423
EMAIL:kennedypartyof5@gmail.com

SYMBOL LEGEND

- +100.00' — FLOOR / STORY LEVEL
- STEP
- 101 — UNIT NUMBER
- W-1 — WALL TAG
- W-1 — WINDOW TAG
- D-1 — DOOR TAG
- F-1 — FLOOR TAG
- F-1 F-1 — FINISH TRANSITION
- K01 — KEYNOTE
- UP — RISE (STAIRS)
- DN — DOWN (STAIRS)
- 1'-0" — DIMENSION
- A — GRID LINE
- 1 / A100 — ELEVATION / SECTION MARKER
- A100 — INTERIOR ELEVATION MARKER
- 1 / A100 — DETAIL CLOUD
- 1 A100 — DETAIL SECTION
- 1 — REVISION CLOUD
- PROPERTY LINE

Jeff Svitak Inc.
3037 Redwood St.
San Diego, CA 92104
www.jeffsvitak.com

SEAL



NOT FOR CONSTRUCTION

PRINCE

2708 PRINCE ST
BERKELEY CA 94705
APN: 052-1563-036

ISSUED FOR: DATE:

Z.P.A SUBMITTAL 02.16.2024

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G01
COVER SHEET

SHEET # 1 OF 19



FRONT FACADE LOOKING FROM PRINCE ST



SIDE FACADE LOOKING FROM ALLEY / EASEMENT

ENTRY COURT



LIVING ROOM AND ENTRY COURT



A.D.U LIVING ROOM



Jeff Svitak Inc.

3037 Redwood St.
San Diego, CA 92104
www.jeffsvitak.com

SEAL

LICENSED ARCHITECT
JEFF SVITAK
C-38700
10/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

PRINCE

2708 PRINCE ST
BERKELEY CA 94705
APN: 052-1563-036

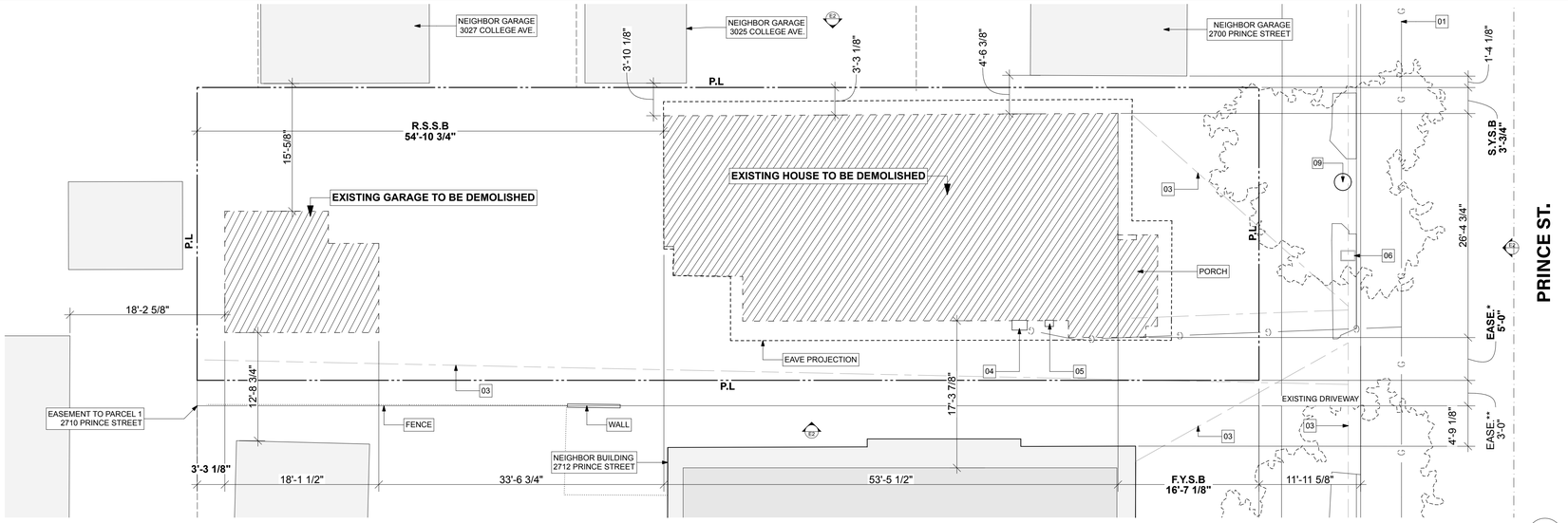
ISSUED FOR:	DATE:
Z.P.A SUBMITTAL	02.16.2024

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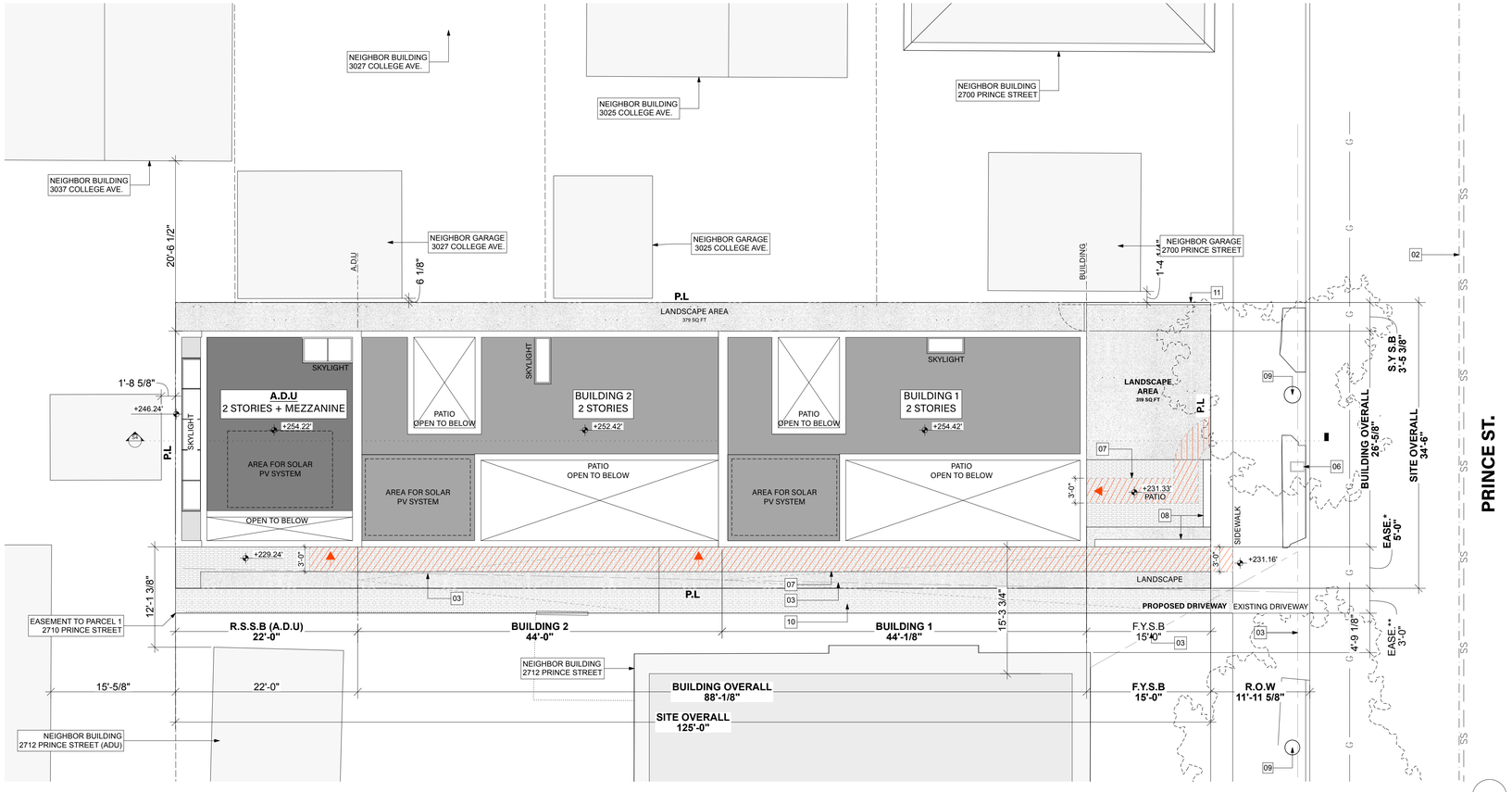
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G02
RENDERINGS
(FOR REFERENCE ONLY)

SHEET # 2 OF 19



1 EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"



2 PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"

SITE PLAN GENERAL NOTES:

A. PARKING SPACE SHOWN IN GROUND FLOOR PLAN (SHEET N. A101).
B. TRASH/SOLID WASTE STORAGE AREA SHOWN IN FLOOR GROUND FLOOR PLAN (SHEET N. A101).
C. EASEMENT* = (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126)
EASEMENT**= 3' WIDE EASEMENT (2002-273924, PARCEL 2) CARLO (1998-273924, PARCEL 2)
D. BICYCLE PARKING NOT REQUIRED, PER BMC BICYCLE PLAN, APPENDIX F

ARCHITECTURAL SITE PLAN KEYNOTES:

01. GAS LINE UNDERGROUND (PER SURVEY PLANS)
02. SEWER LINE UNDERGROUND (PER SURVEY PLANS)
03. OVERHEAD WIRE (PER SURVEY PLANS)
04. GAS METER (PER SURVEY PLANS)
05. ELECTRIC METER (PER SURVEY PLANS)
06. WATER METER
07. PATHWAY(S) FROM RESIDENTIAL UNITS TO PUBLIC R.O.W
08. FENCE - BRICK WALL (5 FT. HEIGHT)
09. EXISTING TREE (TO REMAIN) - CHINAR TREE, 24" T; 12' DRIP LINE
10. NEW DRIVEWAY - BRICK PAVERS
11. FENCE - WOODEN PAINTED BOARDS (6.5 FT. HEIGHT)

ABREVIATIONS:

P.L:	PROPERTY LINE
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.S.S.B:	REAR SIDE SETBACK
EASE.	EASEMENT
R.O.W:	RIGHT OF WAY

LEGEND:

- PROPERTY LINE
- ROOF
- ROOF CAP
- BRICK PAVER
- LANDSCAPING
- PATHWAY(S) FROM RESIDENTIAL STRUCTURES TO PUBLIC R.O.W
- EXISTING STRUCTURES TO BE DEMOLISHED

COMMUNITY OUTREACH:

I HAVE REVIEWED THE PLANS FOR A DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF TWO 1,524 sq. ft. SINGLE FAMILY HOMES AND ONE 830 sq.ft. ADU, 24' AVERAGE HIGH, AT 2708 PRINCE ST. BERKELEY, CA 94705

NAME (printed)	SIGNATURE	ADDRESS	RENTER OR OWNER	DATE	HAVE NO OBJECTIONS	HAVE OBJECTIONS (STATE BRIEFLY)	HAVE NO COMMENT
SHAYLA GIN		2712 PRINCE ST	OWNER	2/8/24	NO	N/A	LOVE IT!
Dorian Morello		2703 Prince St	owner	2/8/24	no	n/a	looks great!
Benjamin Yu		2715 Prince St	Owner	2/9/24	No	N/A	Good!
WINFIELD BLOOM		3037 COLLEGE AVE	OWNER	2/10/24	NO	N/A	—
JOSEPH THOMAS		2700 Prince	owner	2/11/24	no	n/a	Great
Jane Carlo		2710 Prince	bay area	2/11/24	no	n/a	Looks good
David Carlo		2710 Prince	owner	3/10/24	no	n/a	Good!
Brenda Bone		2701 Prince #2	Renter	3/11/24	No objection	N/A	Looks great!
Elizabeth Garcia		2701 Prince #1	Renter	2/10/24	No	N/A	Looks great!
Kristin Pollock		2720 Prince #3	Owner	2/10/24	NO	N/A	—
Edith Yu		3027 College Ave	owner	2/14/24	NO	PROJECT DESTROYS PARKING	—
Nicole Morello		3025 College Ave	Owner	2/10/24	No objection	Shadows of Plants and lack of House	—

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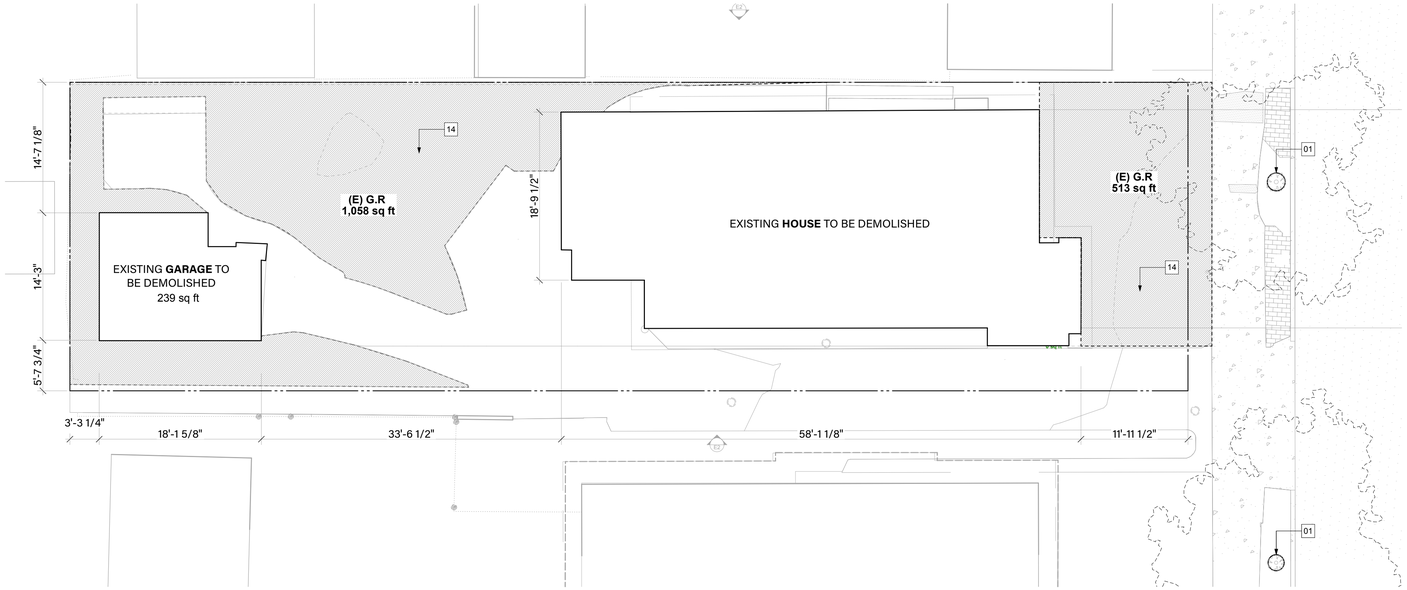
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A100
ARCHITECTURAL SITE PLAN

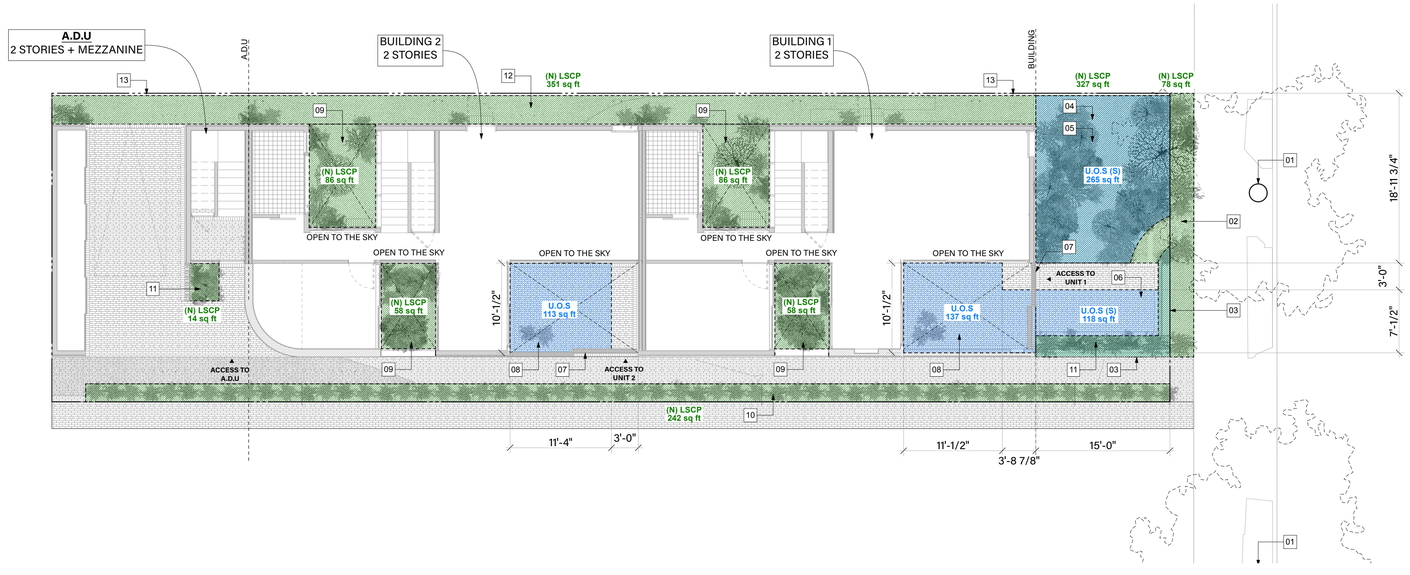
SHEET # 3 OF 19



1 EXISTING LANDSCAPE AND USABLE OPEN SPACE PLAN

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

0' 4' 8' 16' N



2 PROPOSED LANDSCAPE AND USABLE OPEN SPACE PLAN

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

0' 4' 8' 16' N

CALCULATIONS:

	EXISTING (SF)	REQUIRED (SF)	PROPOSED (SF)	NOTES
USABLE OPEN SPACE (SF)	2,139	BUILDING 1 = 300	BUILDING 1	
			137	private
			192	shared
			329	total
		BUILDING 2 = 300	BUILDING 2	
			113	private
			192	shared
			305	total
		ADU = n/a	n/a	
			633	**TOTAL**
LANDSCAPED USABLE OPEN SPACE - (SF)		253	327	(40% of total)

* ALL LANDSCAPE AREAS AND USABLE OPEN SPACE CALCULATIONS PER **BMC 23.304.090**

LANDSCAPE AND USABLE OPEN SPACE PLAN KEYNOTES:

01. EXISTING TREE (TO REMAIN) - CHINAR TREE, 24" T; 12' DRIP LINE
02. NEW LANDSCAPING - UTILITY EASEMENT - MULCH SURFACE
03. FENCE - BRICK WALL (5 FT. HEIGHT)
04. NEW LANDSCAPING - FRONT YARD - PLANTER + MULCH SURFACES
05. (SHARED) USABLE OPEN SPACE - LANDSCAPE (PART OF 40% LANDSCAPING REQ)
06. (SHARED) USABLE OPEN SPACE - BRICK PAVEMENT
07. SLIDING ENTRY DOOR - WOODEN STUD CURTAIN SYSTEM
08. USABLE OPEN SPACE - BRICK PAVEMENT
09. NEW LANDSCAPING - PATIOS - PLANTER
10. NEW LANDSCAPING - DRIVEWAY - PLANTER
11. NEW LANDSCAPING - ENTRY - PLANTER
12. NEW LANDSCAPING - SIDE YARD SETBACK - GRAVEL
13. FENCE - WOODEN PAINTED BOARDS (6.5 FT. HEIGHT)
14. EXISTING LANDSCAPING - TO BE REMOVED

ABREVIATIONS:

U.O.S:	USABLE OPEN SPACE
LSCP:	LANDSCAPE
G.R:	GROUND SHOT
S.F:	SQUARE FOOT
N:	NEW OR PROPOSED

LEGEND:

- BRICK WALL
- WOOD FRAMED WALL
- BRICK PAVEMENT
- PROPERTY LINE
- PLANTER / LANDSCAPING
- USABLE OPEN SPACE (U.O.S)
- GROUND SHOT

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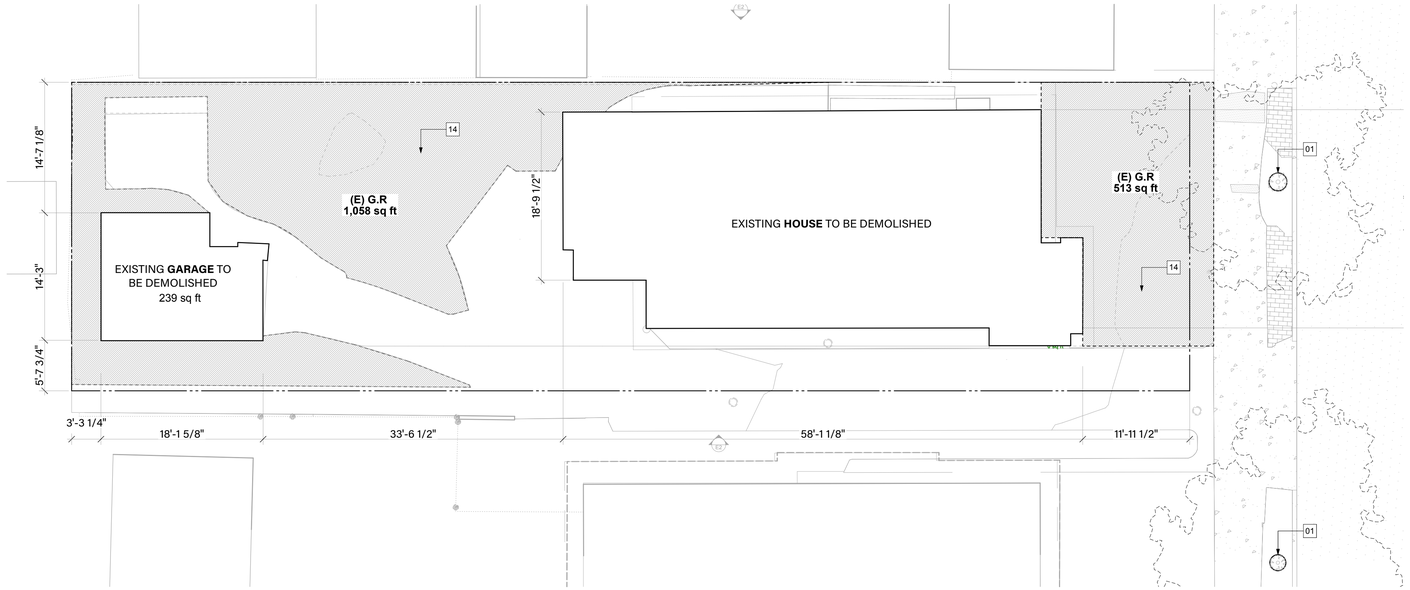
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A101
LANDSCAPE AND USABLE OPEN SPACE PLAN

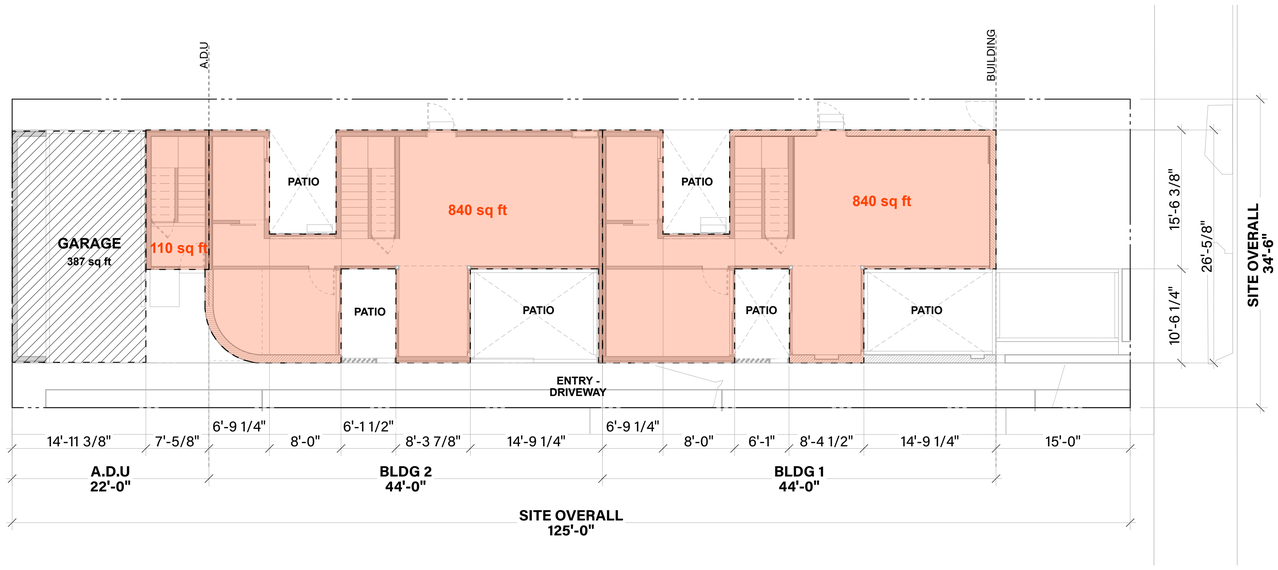
SHEET # 4 OF 19



1 EXISTING LOT COVERAGE

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

0' 4' 8' 16' N



2 PROPOSED LOT COVERAGE

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

0' 4' 8' 16' N

CALCULATIONS

GROSS FLOOR AREA*	EXISTING	BUILDING 1	BUILDING 2	ADU
1ST FLOOR	1,052	**840**	**840**	**110**
2ND FLOOR		684	688	448
3RD FLOOR		-	-	272
GARAGE		-	-	n/a**
SUBTOTAL		1,524	1,528	830
TOTAL				3,882

LOT AREA				4,312
	EXISTING	BUILDING 1	BUILDING 2	ADU
BUILDING FOOTPRINT	1,309	840	840	n/a***
LOT COVERAGE	24%	19%	19%	n/a***
LOT COVERAGE TOTAL	24%	38%		n/a***

* Gross area calculations per BMC 23.106.030

** Garage area not counted towards Groos Floor area Per BMC 23F.04.

*** ADU is excluded from the calculation per BMC 23.106.020

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
G.R:	GROUND SHOT

LEGEND:

- BRICK WALL
- WOOD FRAMED WALL
- PROPERTY LINE
- GROSS AREA
- GARAGE AREA
- EXISTING HOUSE AREA

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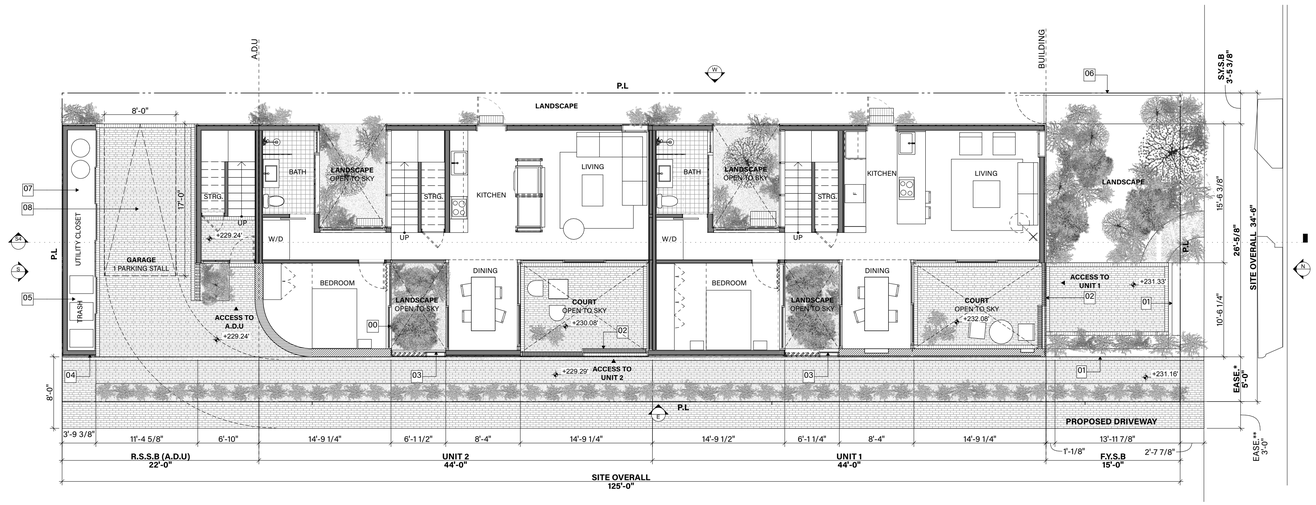
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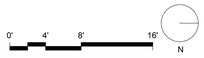
A102
LOT COVERAGE DIAGRAM AND CALCULATIONS

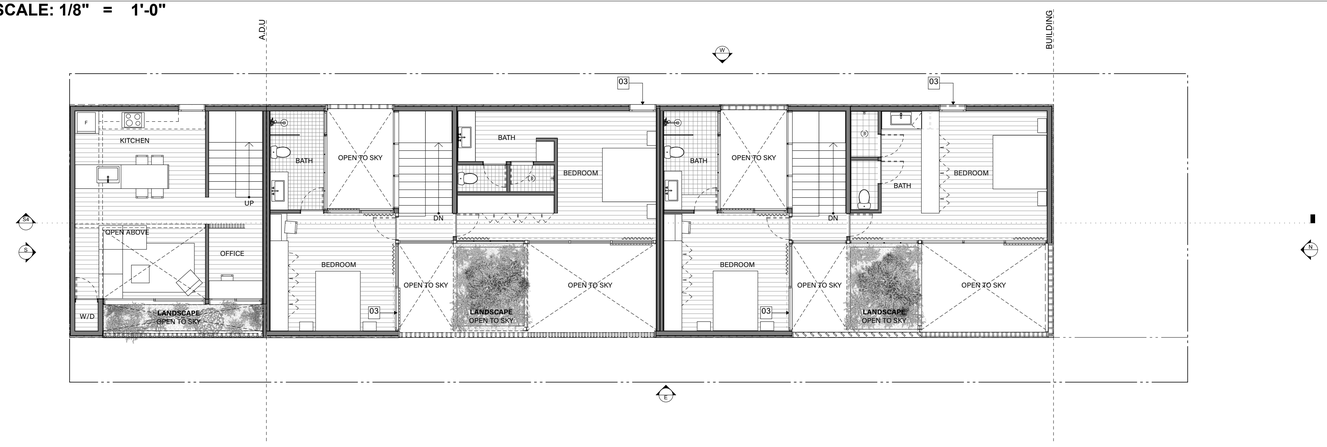
SHEET # 5 OF 19



1 FIRST FLOOR PLAN

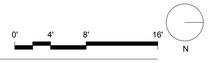
SCALE: 1/8" = 1'-0"

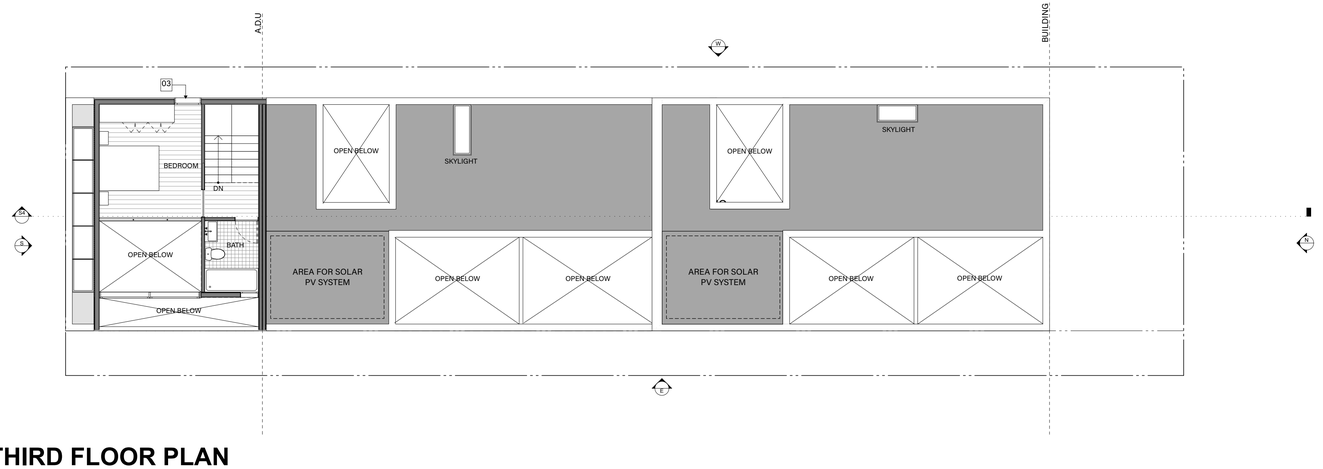




2 SECOND FLOOR PLAN

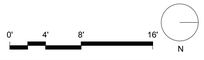
SCALE: 1/8" = 1'-0"





3 THIRD FLOOR PLAN

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



FLOOR PLANS GENERAL NOTES:

A. EASEMENT* = (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126)
EASEMENT**= 3' WIDE EASEMENT (2002-273924, PARCEL 2) CARLO (1998-273924, PARCEL 2)

B. BICYCLE PARKING NOT REQUIRED, PER BMC BICYCLE PLAN, APPENDIX F

FLOOR PLANS KEYNOTES:

01. FENCE - BRICK WALL (5 FT. HEIGHT)
02. SLIDING ENTRY DOOR - WOODEN STUD SCREEN SYSTEM
03. EMERGENCY ESCAPE AND RESCUE OPENING.
IN ACCORDANCE TO CALIFORNIA RESIDENTIAL CODE, S. R310.1
04. NEW ELECTRICAL METER(S)
05. TRASH/SOLID WASTE STORAGE AREA
06. FENCE - WOODEN PAINTED BOARDS (6.5 FT. HEIGHT)
07. BATTERY ENERGY STORAGE
08. ELECTRIC VEHICLE CHARGING

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.S.S.B:	REAR SIDE SETBACK

LEGEND:

- PROPERTY LINE
- WOOD FLOOR
- TILE
- BRICK PAVER
- LANDSCAPING
- BRICK WALL
- WOOD FRAMED WALL
- ROOF
- ROOF CAP

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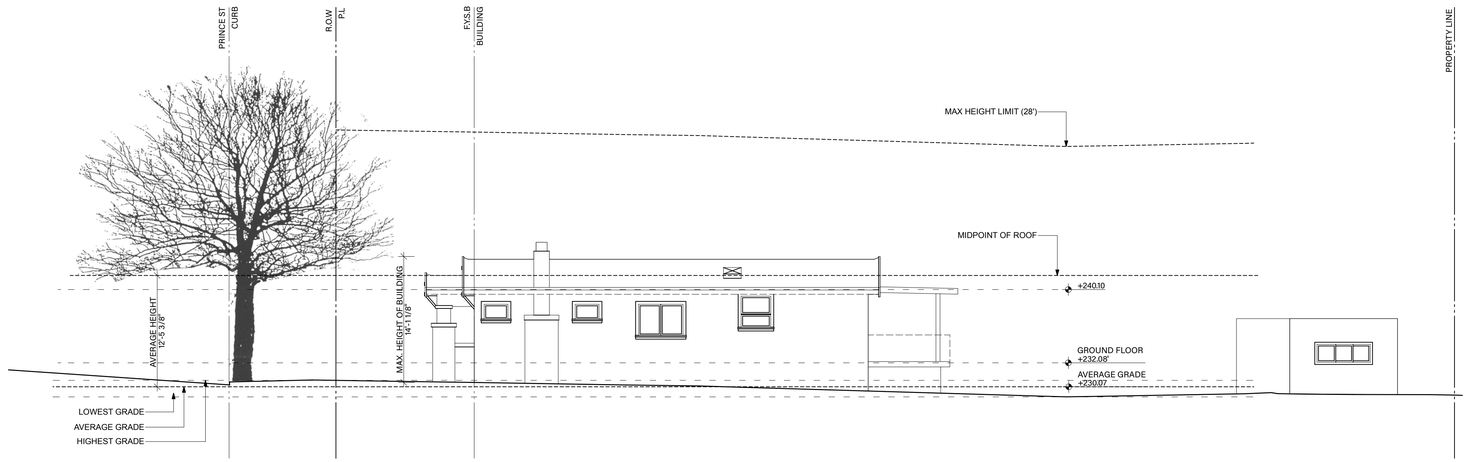
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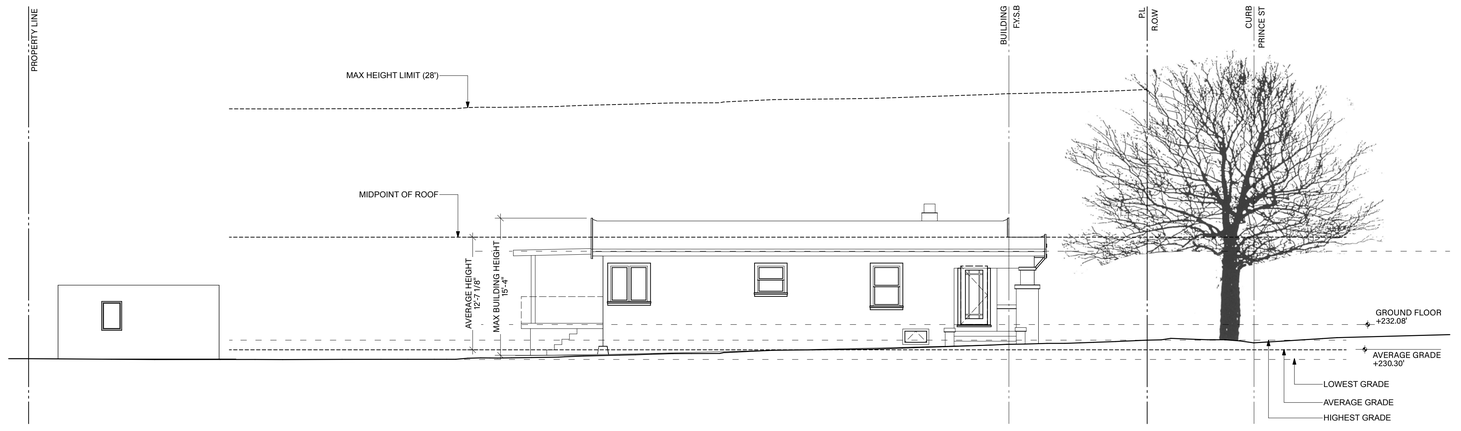
A103
FLOOR PLANS



1 WEST ELEVATION

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

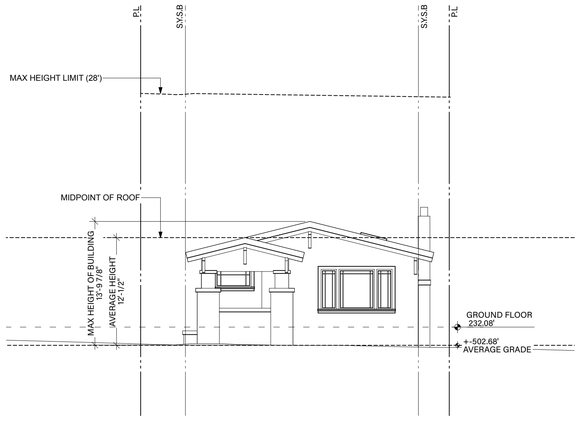
0' 4' 8' 16'



1 EAST ELEVATION

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

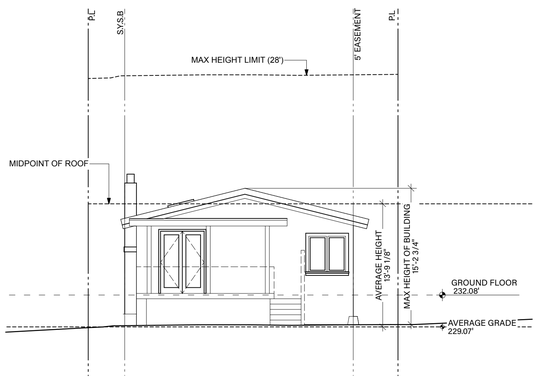
0' 4' 8' 16'



3 NORTH ELEVATION

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

0' 4' 8' 16'



4 SOUTH ELEVATION

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

0' 4' 8' 16'

EXISTING EXTERIOR ELEVATIONS KEYNOTES:

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.S.S.B:	REAR SIDE SETBACK

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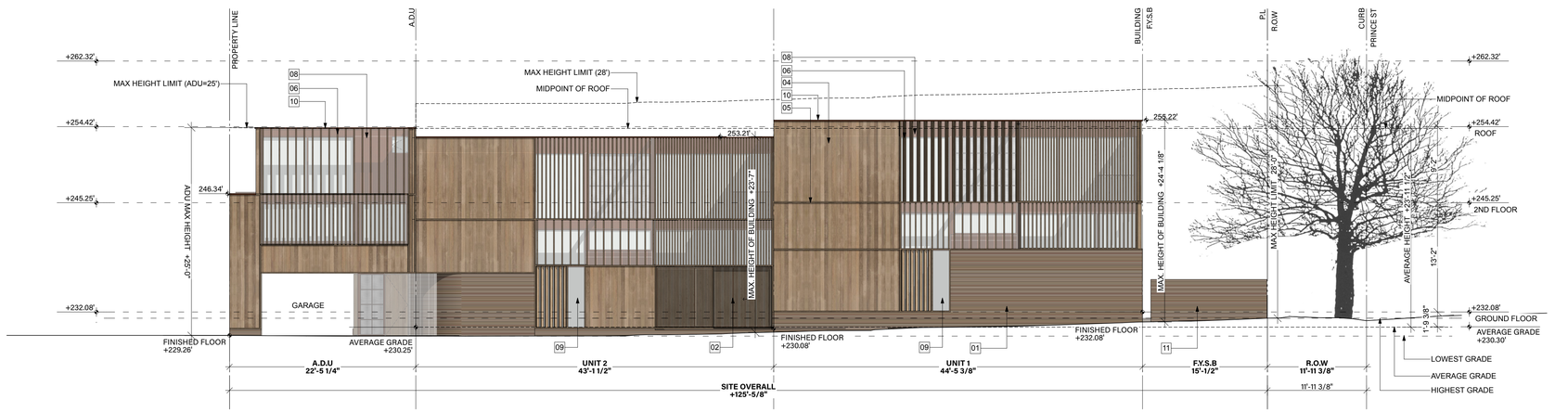
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A104
EXISTING EXTERIOR ELEVATIONS

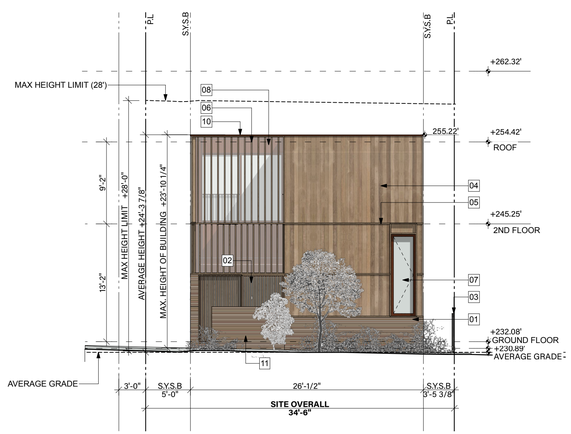
SHEET # 7 OF 19



1 **WEST ELEVATION**
SCALE: 1/8" = 1'-0"



2 **EAST ELEVATION**
SCALE: 1/8" = 1'-0"



3 **NORTH ELEVATION**
SCALE: 1/8" = 1'-0"



4 **SOUTH ELEVATION**
SCALE: 1/8" = 1'-0"

PROPOSED EXTERIOR ELEVATIONS KEYNOTES:

01. BRICK WALL
02. SLIDING ENTRY DOOR - WOODEN STUD SCREEN SYSTEM
03. FENCE - PAINTED WOOD, 6.5' HEIGHT
04. WALL - NATURAL WOOD VERTICAL SIDING
05. WOOD REVEAL
06. WOODEN STUD SCREEN SYSTEM
07. WINDOW / DOOR - ALUMINUM FRAME (COLOR: RAL 3007) AND WOOD TRIM
08. (BEHIND) CEMENT BOARD PANEL (COLOR: RAL 3007)
09. EMERGENCY ESCAPE AND RESCUE OPENING
10. PARAPET CAP - PAINTED SHEET METAL
11. FENCE - BRICK WALL, 5' HEIGHT

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.S.S.B:	REAR SIDE SETBACK

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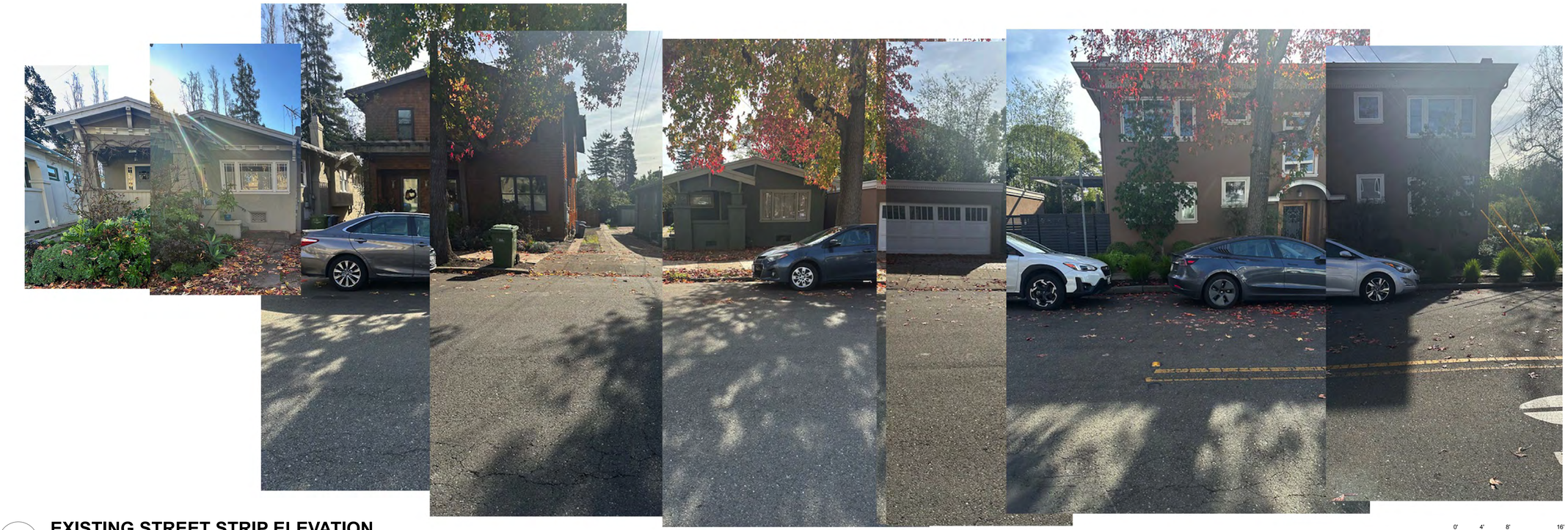
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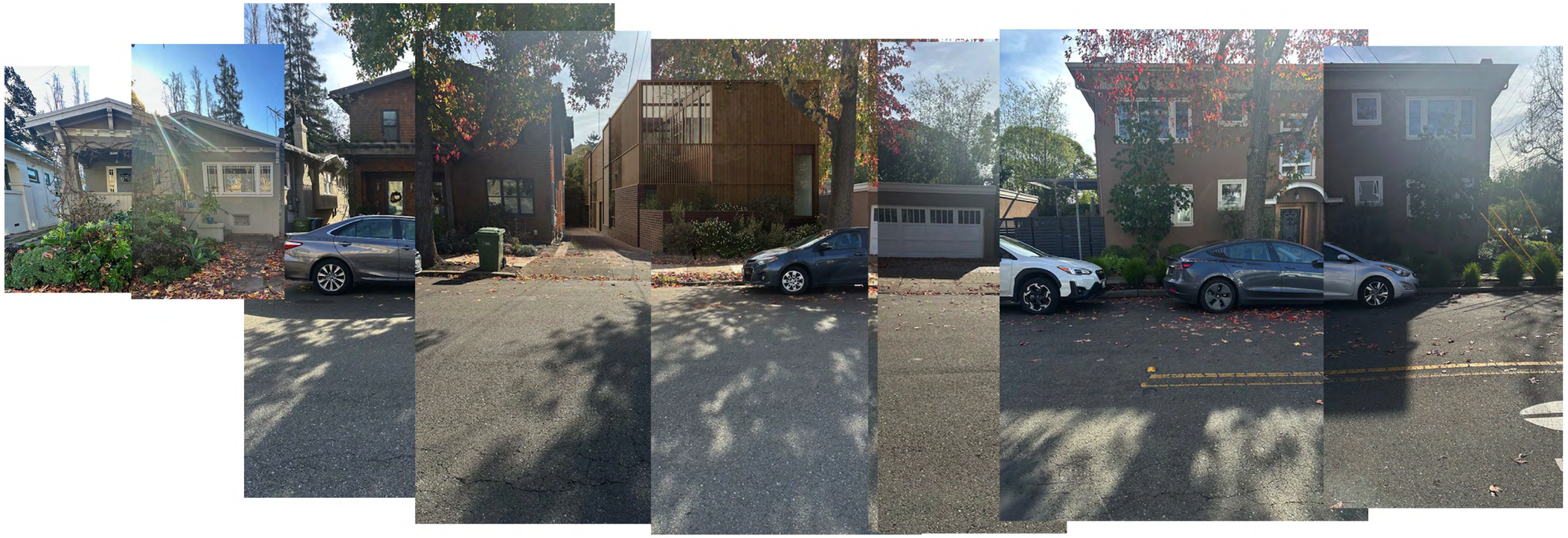
A105
PROPOSED EXTERIOR ELEVATIONS



0' 4' 8' 16'

1 EXISTING STREET STRIP ELEVATION

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



0' 4' 8' 16'

2 PROPOSED STREET STRIP ELEVATION

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

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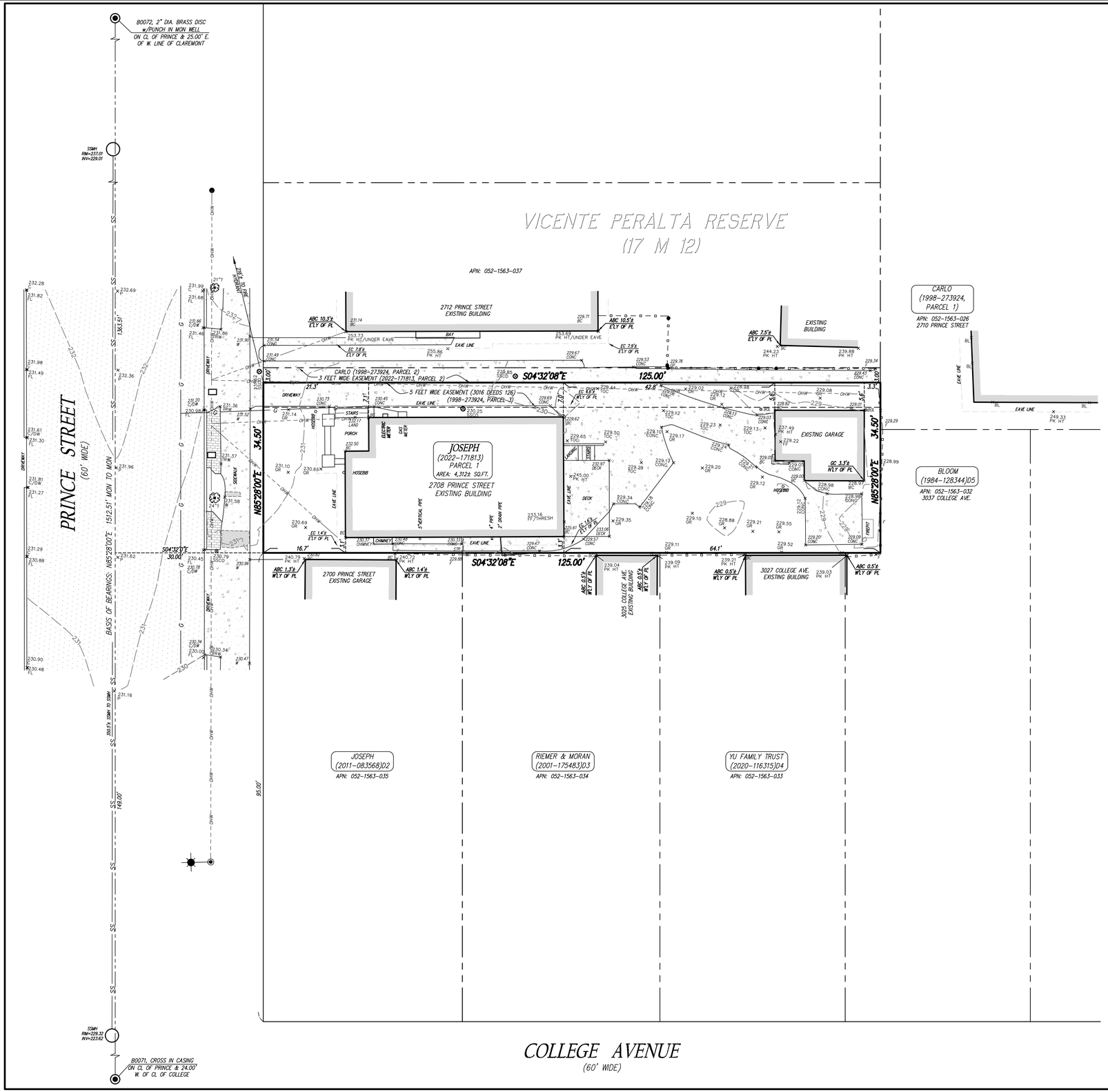
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A106
STREET STRIP ELEVATION

SHEET # 9 OF 19



GRAPHIC SCALE
0 5 10 20
(IN FEET)
1 inch = 10 ft.

OWNER:
LINDA JOSEPH
2700 PRINCE STREET
BERKELEY, CA 94705

BASIS OF BEARINGS:
MONUMENT LINE IN PRINCE STREET
BEARING: N85°28'00"E.

MAP REFERENCES:
R1 MAP OF THE COLBY TRACT (19 M 76)
R2 MAP OF PARK SIDE, CLAREMONT (21 M 33)
R3 PARCEL MAP NO. 4334 (149 M 68)
R4 CITY OF BERKELY MONUMENT CARDS

BENCHMARK:
B2144, 2" DIA. DISC CITY OF BERKELEY
BRASS DISK w/PUNCH IN MONUMENT WELL
ELEVATION = 224.49, BASED UPON
CITY OF BERKELEY.

LEGEND

◉	FOUND CITY MONUMENT AS NOTED
	BUILDING FOOTPRINT
	ASPHALT
	CONCRETE
( )	RECORD DATA PER (140 M 26)
(DX)	RECORDED DEEDS
#"T	DIAMETER OF TREE (INCHES)
ABC	ADJACENT BUILDING CORNER
BC	BUILDING CORNER
BL	BUILDING LINE
C	TOP OF CURB
CONC	CONCRETE
DW	DRIVEWAY
EB	ELECTRIC BOX
EM	ELECTRIC METER
EC	EAVE CORNER
F	FENCE
FF	FINISHED FLOOR
FH	FIRE HYDRANT
FL	FLOWLINE
GC	GARAGE CORNER
GR	GROUND SHOT
GM	GAS METER
GP	GATE POST
INV	INVERT
JP	JOINT POLE
JP/SL	JOINT POLE/STREET LAMP
P	PAVEMENT
PL	PROPERTY LINE
PK HT	PEAK HEIGHT
OHW	OVERHEAD WIRE
SS	SANITARY SEWER LINE
SSMH	SANITARY SEWER MANHOLE
SSCO	SANITARY SEWER CLEAN OUT
STR	STAIR
TOC	TOP OF CONCRETE
TRW	TREE WELL
W	BACK OF SIDEWALK
WM	WATER METER

ADJACENT PARCEL/LOT LINE
EASEMENT LINE
MONUMENT LINE
SUBJECT PROPERTY
TIE LINE
WOOD FENCE

LICENSED LAND SURVEYOR KEITH S. BUSH No. 8494 STATE OF CALIFORNIA

KEITH S. BUSH, L.S. 8494
DATE: 07/21/2023

BOUNDARY & TOPOGRAPHIC SURVEY

THAT REAL PROPERTY DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED OCTOBER 14, 2022 SERIES NO. 2022-171813 ALAMEDA COUNTY RECORDS
CITY OF BERKELEY, ALAMEDA COUNTY, STATE OF CALIFORNIA
JULY, 2023 SCALE: 1" = 10'

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

APN: 052-1563-036 SHEET 1 OF 1 22-4844

Jeff Svitak Inc.
3037 Redwood St.
San Diego, CA 92104
www.jeffsvitak.com

SEAL

PRINCE
2708 PRINCE ST
BERKELEY CA 94705
APN: 052-1563-036

ISSUED FOR:	DATE:
Z.P.A SUBMITTAL	02.16.2024

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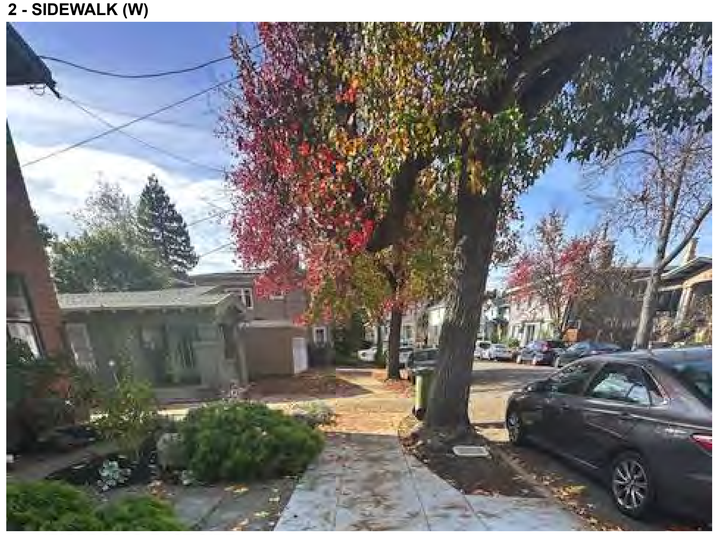
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R01
SITE SURVEY

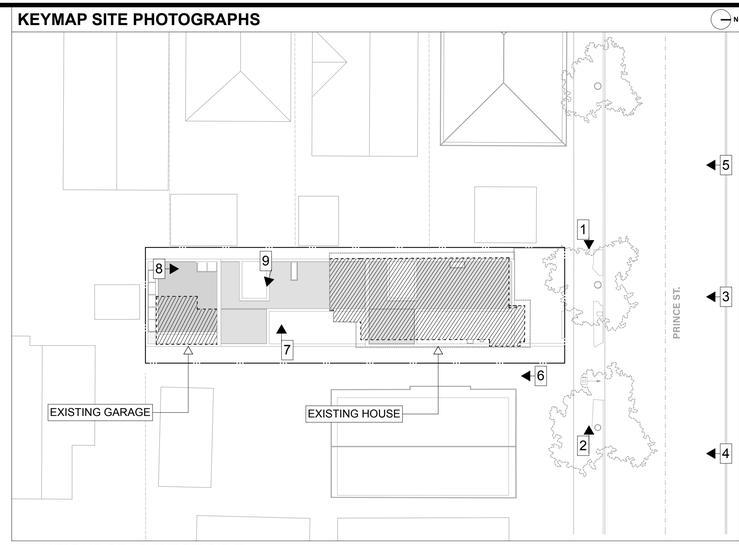
1 - SIDEWALK (E)



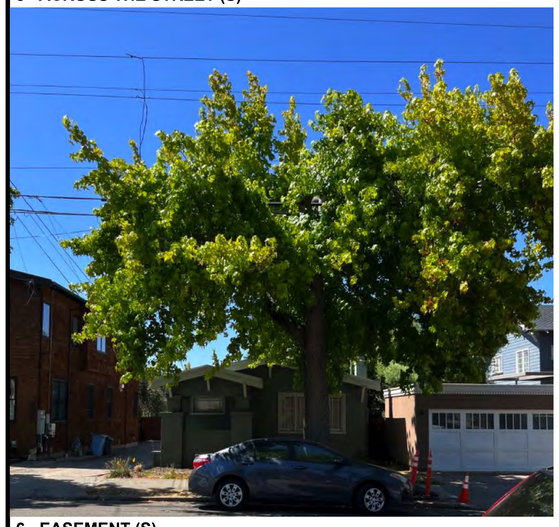
2 - SIDEWALK (W)



KEYMAP SITE PHOTOGRAPHS



3 - ACROSS THE STREET (S)



4 - NEIGHBOR @ EAST SIDE



5 - NEIGHBOR @ WEST SIDE



6 - EASEMENT (S)



7 - WITHIN SITE (W)



8 - 9 - WITHIN SITE





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San Diego, CA 92104
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JEFF SVITAK
C-38300
10/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

PRINCE

2708 PRINCE ST
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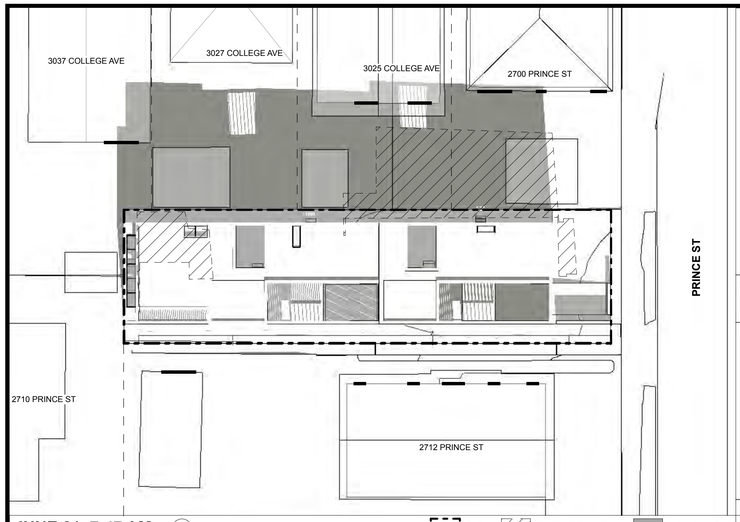
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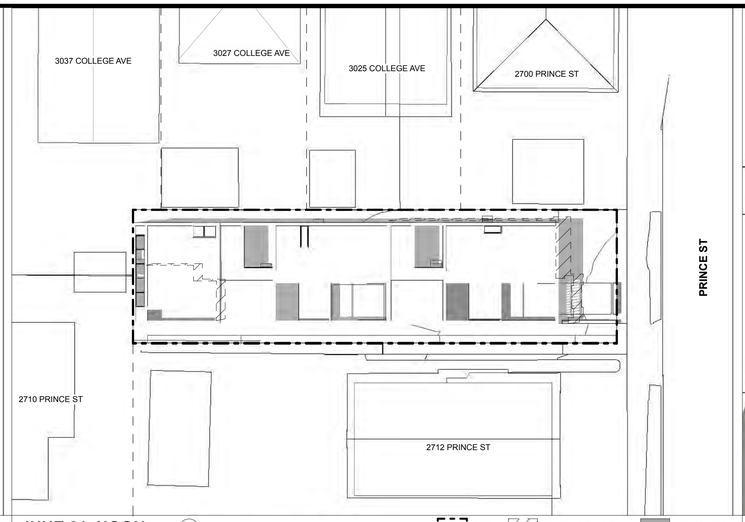
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R02
SITE PHOTOGRAPHS

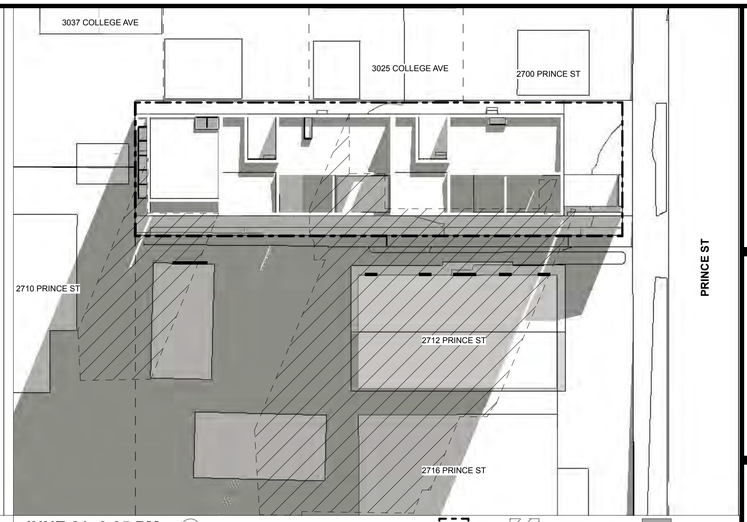
SHEET # 11 OF 19



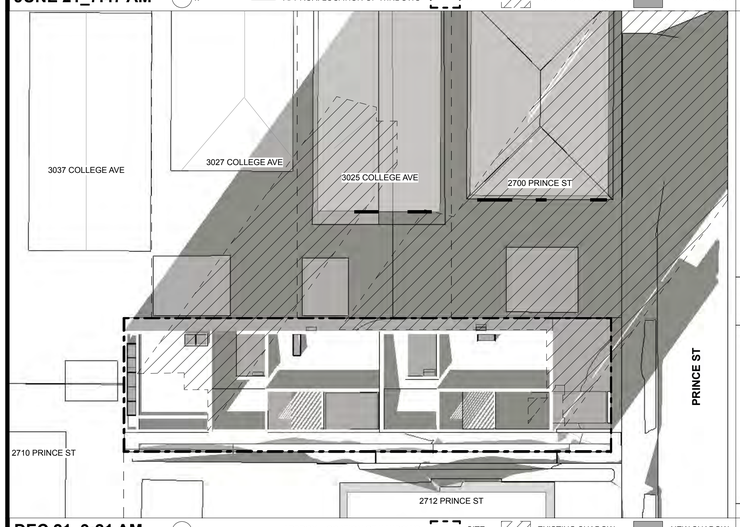
JUNE 21_7:47 AM — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



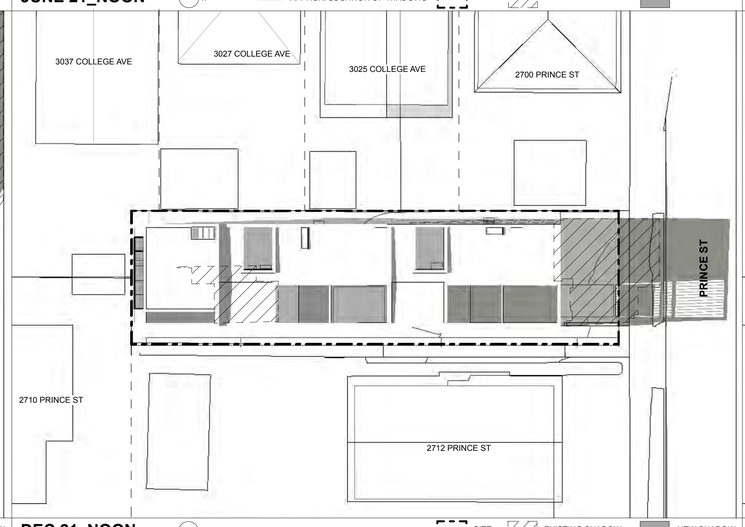
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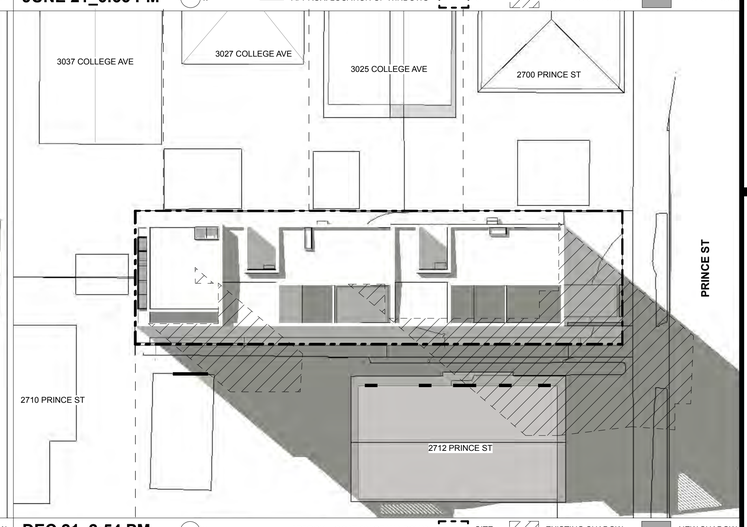
JUNE 21_6:35 PM — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



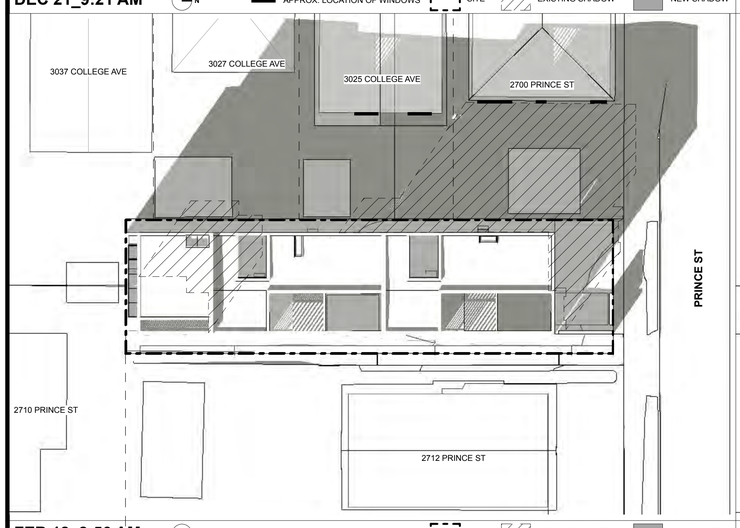
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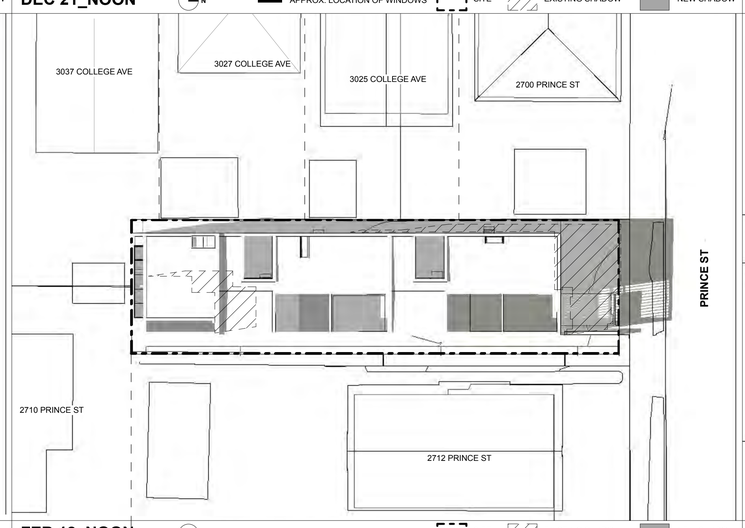
DEC 21_NOON — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



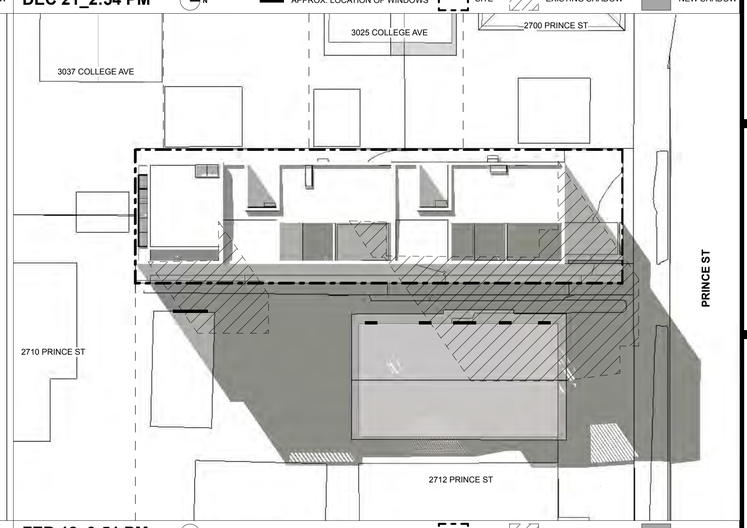
DEC 21_2:54 PM — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



FEB 18_8:56 AM — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



FEB 18_NOON — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



FEB 18_3:51 PM — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW

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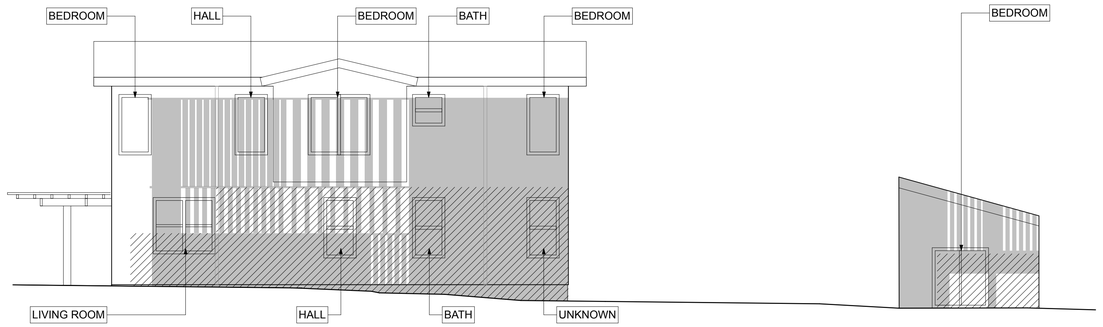
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APN: 052-1563-036

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R03
SHADOW STUDY

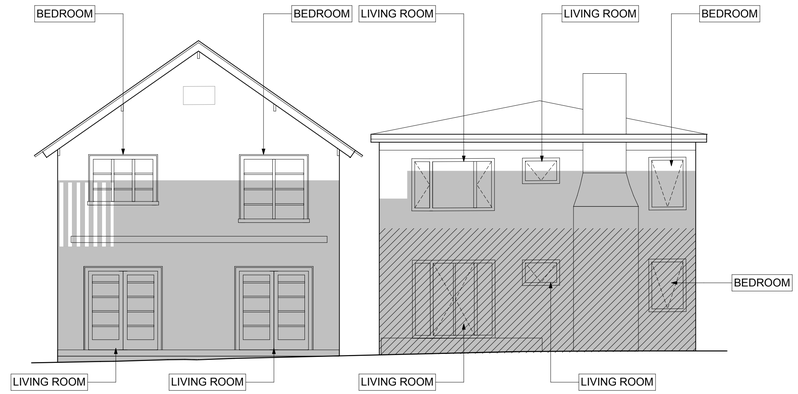


PRINCE ST. 2712

PRINCE ST. 2712 - ADU

EASTERN NEIGHBORS - JUNE 21_6:35 PM

EXISTING SHADOW NEW SHADOW

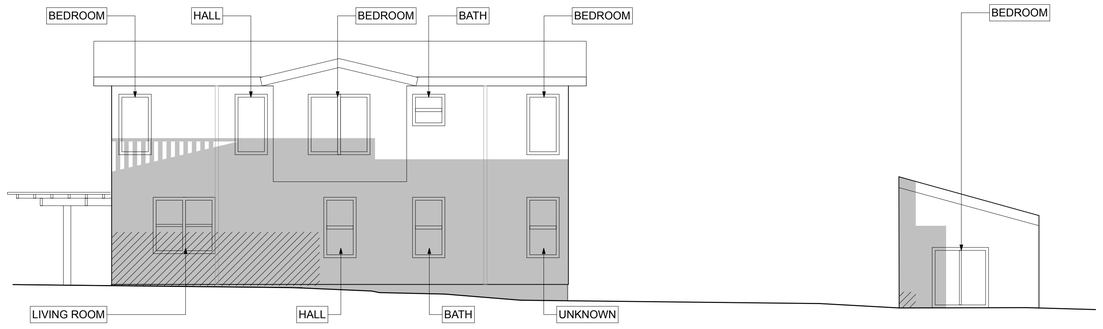


COLLEGE AVE. 3025

PRINCE ST. 2700

WESTERN NEIGHBORS - DEC 21_9:21 AM

EXISTING SHADOW NEW SHADOW

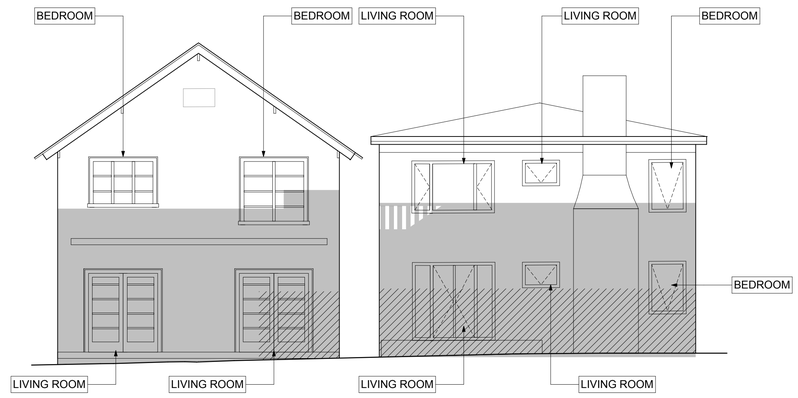


PRINCE ST. 2712

PRINCE ST. 2712 - ADU

EASTERN NEIGHBORS - DIC 21_2:54 PM

EXISTING SHADOW NEW SHADOW

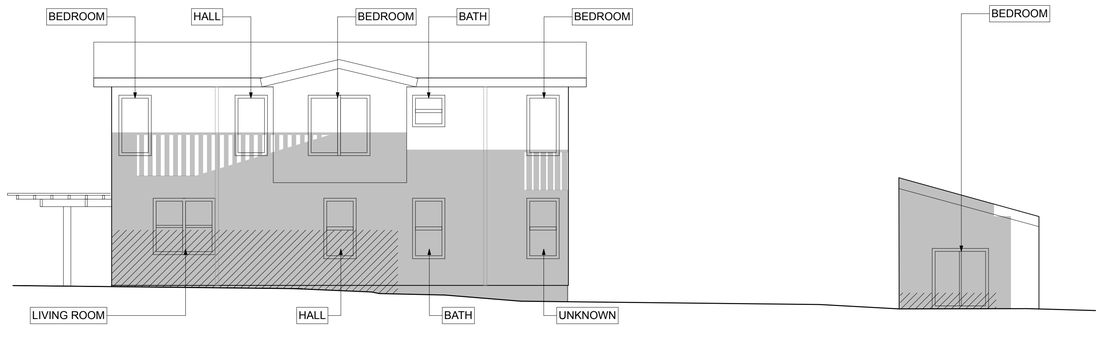


COLLEGE AVE. 3025

PRINCE ST. 2700

WESTERN NEIGHBORS - FEB 18_8:56 AM

EXISTING SHADOW NEW SHADOW



PRINCE ST. 2712

PRINCE ST. 2712 - ADU

EASTERN NEIGHBORS - FEB 18_3:51 PM

EXISTING SHADOW NEW SHADOW

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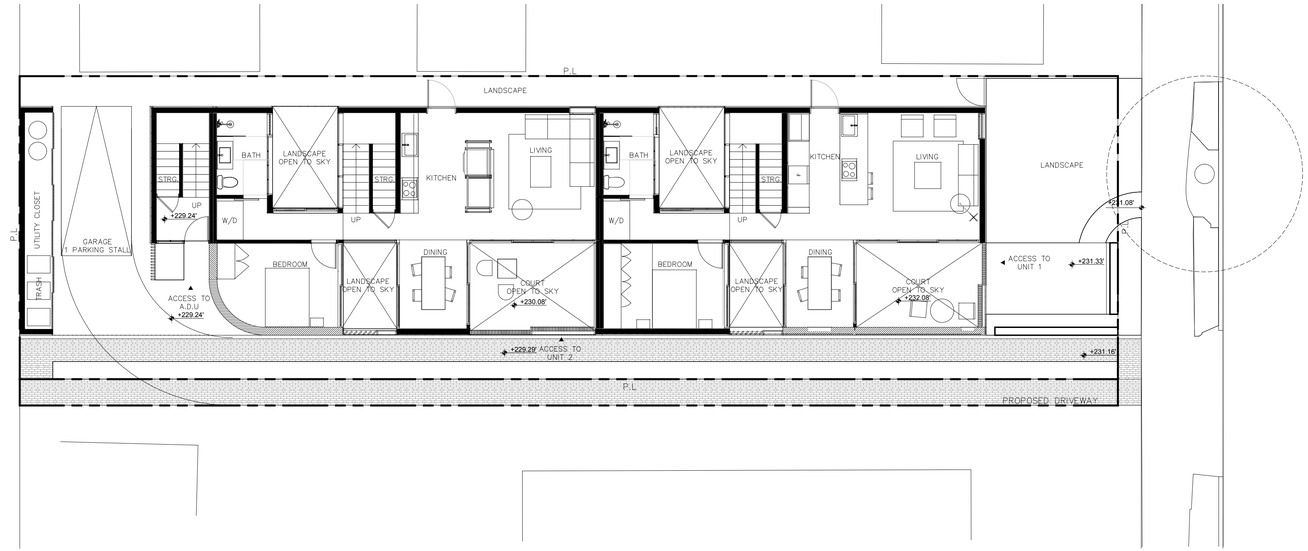
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R04

SHADOW STUDY - NEIGHBORS ELEVATIONS

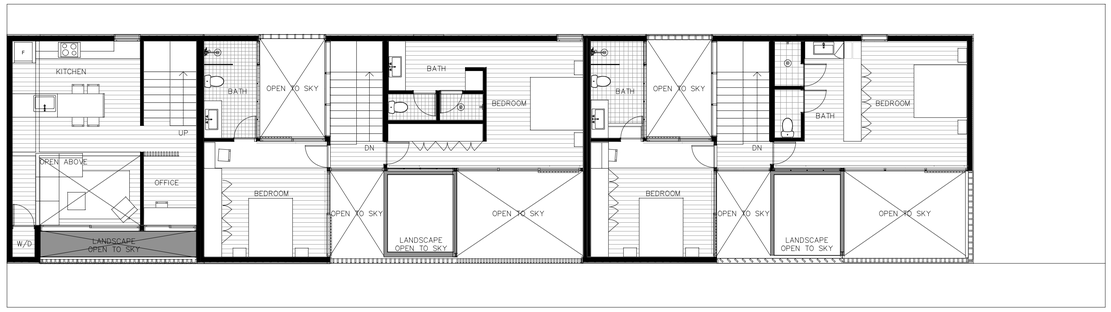
SHEET # 13 OF 19



NORTH

SCALE: 1/8" = 1'- 0"
0 4' 8' 16'

GROUND FLOOR PLANTING PLAN
1/8"=1'-0"



NORTH

SCALE: 1/8" = 1'- 0"
0 4' 8' 16'

SECOND FLOOR PLANTING PLAN
1/8"=1'-0"

I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE PRESCRIPTIVE COMPLIANCE OPTION TO THE MWELO

TOTAL LANDSCAPE AREA: 1,193 SF
TOTAL LAWN AREA: 0 SF

TOTAL PLANTS WITH WULCOLS PLANT FACTOR <=0.3: **(100%)**

costello kennedy
LANDSCAPE ARCHITECTURE
16 de la Guerra Road San Rafael, CA 94903
ph:415-479-7552 www.costellokennedy.com

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PRINCE STREET TOWNHOMES
2708 PRINCE STREET
BERKELEY, CA 94705

revisions:

LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
Number 05-2024
Renewal Date 01-31-2024
Date
STATE OF CALIFORNIA

LANDSCAPE PLAN
date: 02-16-2024
scale: AS NOTED
sheet: L1.0

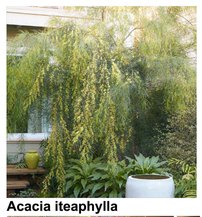
PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	TYPE	QU	SIZE	HEIGHT X WIDTH	WATER USE
PS	PRUNUS SERRULATA 'KWANZAN'	FLOWERING PLUM	TREE		24" BOX	20'X20'	L
SN	SAMBUCUS NIGRA 'BLACK LACE'	ELDERBERRY	TREE		15 GAL - MULTI	15'X10'	L
AI	ACACIA ITEAPHYLLA	WILLOW WALLOW	TREE		15 GAL - MULTI	15'X10'	L
AC	ACACIA 'COUSIN ITT'	RIVER WATTLE	SHRUB		5 GAL	4'X4'	L
WW	WESTRINGIA 'WYNNABIE GEM HIGHLIGHT'	COAST ROSEMARY	SHRUB		5 GAL	4'X4'	L
LPP	LOROPETALUM 'PURPLE PIXIE'	FRINGE FLOWER	SHRUB		5 GAL	3'X5'	L
PC	PLECTRANTHUS CILIATUS 'DREDGE'	SPUR FLOWER	GROUNDCOVER		5 GAL	1.5'X5'	L
AV	ASPIDISTRA ELIATOR 'VARIEGATA'	CAST IRON PLANT	SHRUB		5 GAL	3'X3'	L
MS	MAHONIA 'SOFT CARESS'	OREGON GRAPE	SHRUB		5 GAL	3'X3'	L
LP	LOMANDRA 'PLATINUM BEAUTY'	VARIEGATED MAT RUSH	GRASS		1 GAL	4'X4'	L
CD	CAREX DIVULSA	BERKELEY SEDGE	GRASS		1 GAL	2'X2'	L
AE	AEONIUM ESCOBARII	AEONIUM	SUCCULENT		1 GAL	1.5'X5'	L
HM	HELLEBORUS 'MOLLY'S WHITE'	LENTEN ROSE	PERENNIAL		1 GAL	2'X2'	L
HO	HEUCHERA 'OBSIDIAN'	CORAL BELLS	PERENNIAL		4" POT	1.5'X1.5'	L
EE	ECHEVERIA ELEGANS	HEN AND CHICKS	SUCCULENT		4" POT	6"X12"	L
EP	ECHEVERIA 'PURL VON NURNBERG'	HEN AND CHICKS	SUCCULENT		4" POT	12"X12"	L
DM	DYMONDIA MARGARETAE	DYMONDIA	GROUNDCOVER		LANDSCAPE FLAT**	FLAT	L
**	LANDSCAPE FLAT TO BE CUT INTO 16 PICES AND SPACED 12" OC						

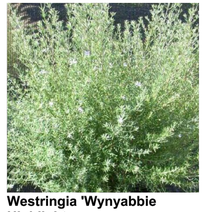
PLANT IMAGES


Prunus serrulata 'Kwanzan'


Sambucus 'Black Lace'


Acacia iteaphylla


Acacia 'Cousin Itt'


Westringia 'Wynyabbie Highlight


Loropetalum 'Purple Pixie'


Plectranthus ciliatus 'Dredge'


Aspidistra 'Variegata'


Mahonia 'Soft Caress'


Lomandra 'Platinum Beauty'


Carex divulsa


Aeonium escobarii


Helleborus 'Molly's White'


Heuchera 'Obsidian'


Echeveria elegans


Echeveria 'Purl Von Nurnberg'


Dymondia

I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE PRESCRIPTIVE COMPLIANCE OPTION TO THE MWELO

TOTAL LANDSCAPE AREA: 1,096 SF
TOTAL LAWN AREA: 0 SF

TOTAL PLANTS WITH WULCOLS PLANT FACTOR <=0.3: **(100%)**

costello kennedy
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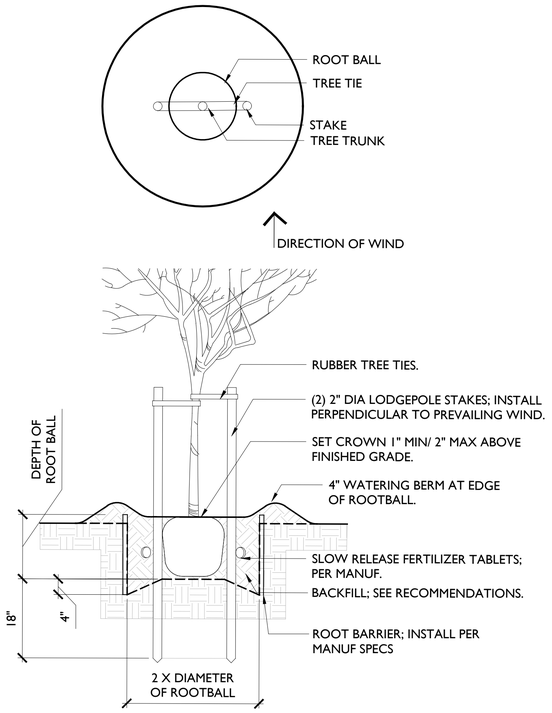
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2708 PRINCE STREET
BERKELEY, CA 94705

revisions:

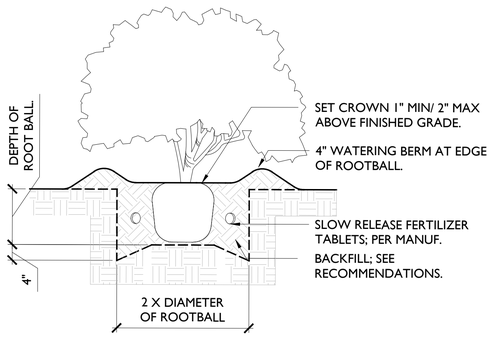
LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
Signed: 03-2024
Renewal Date: 01-31-2024
Date
STATE OF CALIFORNIA

PLANT SCHEDULE

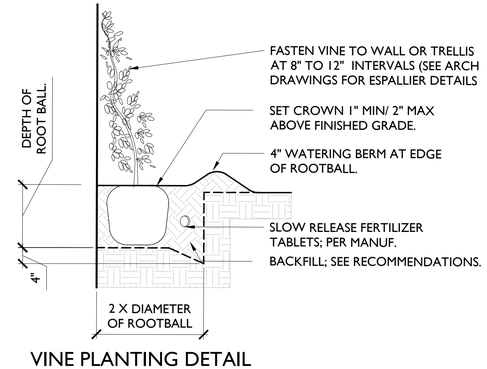
date: 02-16-2024
scale: AS NOTED
sheet: L1.1



1 TREE PLANTING
NO SCALE



2 SHRUB PLANTING
NO SCALE



3 VINE PLANTING DETAIL
NO SCALE

costello
kennedy
LANDSCAPE ARCHITECTURE
16 de la Guerra Road San Rafael, CA 94903
ph:415-479-7552 www.costellokennedy.com

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BERKELEY, CA 94705

revisions:

LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
Signature
03-2024
Date
STATE OF CALIFORNIA

PLANTING NOTES AND DETAILS

date: 02-16-2024
scale: AS NOTED
sheet: L1.2

PLANTING NOTES

1. SEE COMPLETE SPECIFICATIONS MANUAL THAT HAS BEEN CREATED FOR THIS JOB FOR ADDITIONAL NOTES AND REQUIREMENTS. REPORT ANY DISCREPANCIES TO LANDSCAPE ARCHITECT.

2. EXAMINE SITE OF PROPOSED WORK NOTING EXISTING CONDITIONS AND THE PROPOSED PLANTING AS SHOWN ON THE PLAN. ALERT LANDSCAPE ARCHITECT OF DISCREPANCIES.

3. ALL WORK SHALL BE IN STRICT ACCORDANCE WITH SOUND NURSERY PRACTICE AND SHALL INCLUDE MAINTENANCE AND WATERING OF ALL MATERIALS INSTALLED IN THIS CONTRACT UNTIL FINAL ACCEPTANCE BY CLIENT OR LANDSCAPE ARCHITECT.

4. ALL PLANTS SHALL BE NURSERY GROWN, AND SHALL BE IN ACCORDANCE WITH THE AMERICAN NURSERYMEN ASSOCIATION STANDARDS IN ALL WAYS (SEE AMERICAN STANDARD FOR NURSERY STOCK SPONSORED BY AMERICAN ASSOCIATION OF NURSERYMEN, INC, CURRENT EDITION).

5. ALL PLANTS TO BE REVIEWED BY LANDSCAPE ARCHITECT FOR VARIETY, SIZE AND CONDITION PRIOR TO INSTALLATION.

6. PLANT LIST IS FOR CONTRACTOR CONVENIENCE ONLY, VERIFY PLANT QUANTITIES WITH THE PLAN.

7. SUBMIT THE FOLLOWING TO THE LANDSCAPE ARCHITECT FOR APPROVAL BEFORE DELIVERY: SAMPLES AND CERTIFIED ANALYSES OF FERTILIZER, MINERALS AND SOIL AMENDMENTS, STATING SOURCE, PHYSICAL/CHEMICAL COMPOSITION AND QUANTITY AVAILABLE.

8. CONTRACTOR TO EXERCISE DUE CARE WHEN EXCAVATING WITHIN THE ROOT ZONE OF EXISTING VEGETATION TO REMAIN. ALL EXCAVATION WITHIN THIS ZONE SHALL BE PERFORMED WITH HAND TOOLS. SEE ARBORIST REPORT FOR ADDITIONAL REQUIREMENTS AROUND EXISTING TREES.

9. IN THE EVENT THAT UNDERGROUND CONSTRUCTION WORK OR OBSTRUCTIONS ARE ENCOUNTERED IN ANY PLANT PIT EXCAVATION WORK TO BE DONE, ALTERNATE LOCATIONS MAY BE SELECTED BY CLIENT OR LANDSCAPE ARCHITECT. WHERE THESE LOCATIONS CANNOT BE CHANGED, REMOVE THE OBSTRUCTION TO A DEPTH OF NOT LESS THAN THREE (3) FEET BELOW GRADE AND NO LESS THAN SIX (6) INCHES BELOW BOTTOM OF BALL OR ROOTS WHEN PLANT IS PROPERLY SET AT THE REQUIRED GRADE. CONTACT LANDSCAPE ARCHITECT IMMEDIATELY FOR A RESOLUTION BEFORE CONTINUING WORK IN THAT AREA.

10. ALL PLANTING AREAS SHALL BE CLEANED AND WEEDED WITH ALL SURFACE DEBRIS CONSTRUCTION DEBRIS, CONTAMINANTS, BASEROCK LAYERS, AND STONES LARGER THAN ONE INCH IN DIAMETER TO BE REMOVED FROM SITE.

11. TO ESTABLISH PROPER SOIL FERTILITY AND TEXTURE PROVIDE SOIL SAMPLES (ONE PER 10,000 SQUARE FEET LANDSCAPED AREA AND ONE PER 50 CUBIC YARDS OF IMPORTED TOPSOIL) TO A CERTIFIED SOIL TESTING LABORATORY. TEST FOR SOIL FERTILITY, DRAINAGE, AND TEXTURE AND PROVIDE AMENDMENT AND FERTILIZER RECOMMENDED FOR ALL AREAS TO BE PLANTED. CONTRACTOR SHALL REVIEW TEST RESULTS WITH THE LANDSCAPE ARCHITECT AND WILL AMEND SOIL AND PLANTER BACKFILL AS SPECIFIED BY THE TESTING LAB.

12. PRIOR TO AMENDING SOIL, CONTRACTOR SHALL DIG SEVERAL PLANT PITS AND FILL WITH WATER TO TEST FOR DRAINAGE. IF WATER DOES NOT DRAIN WITHIN 24 HOURS, PROVIDE METHODS TO IMPROVE DRAINAGE FOR REVIEW BY LANDSCAPE ARCHITECT.

13. AMEND SOIL IN PLANTING AREAS BY APPLYING FOUR (4) CUBIC YARDS OF COMPOST/ 1,000 SF TO A DEPTH OF (6) INCHES INTO LANDSCAPE AREAS (UNLESS CONTRA-INDICATED BY A SOILS TEST). THIS SHALL BE DONE IN TWO EQUAL LAYERS TO INSURE AN EVEN DISTRIBUTION TO THE PROPER DEPTH.

14. REMAINING SOIL PREPARATION SHALL BE ON A PER PLANT BASIS ACCORDING TO PLANTING DETAILS AND SPECIFICATIONS.

15. WHEREVER TOPSOIL IS REQUIRED TO RAISE GRADE TO FINISHED ELEVATIONS, CONTRACTOR SHALL USE ONLY HIGH QUALITY TOPSOIL TO BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. INSTALL TOPSOIL AS FOLLOWS:

    a. RIP SUBSURFACE AS PREVIOUSLY DESCRIBED
    b. LAY DOWN 4" OF TOPSOIL AND ROTOTILL INTO 4" OF RIPPED SUBGRADE
    c. LAY DOWN REMAINING TOPSOIL

16. FERTILIZER: DROP FERTILIZER TABLETS (AGRIFORM 20-10-5 NPK, OR EQUAL) ALONGSIDE ROOTBALL WHEN BACKFILL IS TWO-THIRDS IN PLACE, ACCORDING TO THE FOLLOWING SCHEDULE.

1 GALLON	2 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
5 GALLON	3 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
15 GALLON	5 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
24" BOX	8 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
36" BOX	12 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
48" BOX	16 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
60" BOX	20 TABS	(21 GRAM AGRIFORM PLANT TABLETS)

FOR 4" POTS AND CELL-PACKS, USE OSMOCOTE 18-6-12 FORMULA AT THE MANUFACTURER'S RECOMMENDED APPLICATION RATE, SPREAD EVENLY THROUGHOUT THE PLANTING AREA.

17. ALL PLANTS SHALL BE PLACED IN THE LOCATIONS SHOWN ON THE PLANTING PLAN AND THE APPROVAL OF THE LANDSCAPE ARCHITECT AND CLIENT SHALL BE OBTAINED PRIOR TO PLANTING. THE LANDSCAPE ARCHITECT SHOULD BE INFORMED SEVEN (7)DAYS IN ADVANCE OF PLANTING.

18. PLANT AND STAKE ALL TREES AND SHRUBS PER PLANTING DETAILS. PLANT CROWN TO BE THREE (3) INCHES ABOVE GRADE FOR ALL SHRUBS AND TREES.

19. INSTALL THREE (3) INCH LAYER OF APPROVED MULCH IN ALL PLANTING AREAS EXCEPT IN TURF AREAS, CREEPING OR ROOTING GROUND COVERS, OR DIRECT SEEDING APPLICATIONS WHERE MUCH IS CONTRA-INDICATED.
SUBMIT SAMPLE FOR LANDSCAPE ARCHITECT'S APPROVAL PRIOR TO DELIVERY OF MULCH TO JOB SITE.

20. APPLY WEED BARRIER FABRIC TO ALL PLANTING BEDS BELOW MULCH.

21. PLANTS SHALL BE WATERED TWO TIMES, THOROUGHLY, BY HAND IMMEDIATELY AFTER PLANTING. PLANTS DAMAGED FROM WATER STRESS BEFORE OR AFTER PLANTING WILL NOT BE ACCEPTED.

22. CONTRACTOR TO BE RESPONSIBLE FOR ALL FINISH GRADES IN PLANTING AREAS AND FOR ANY FINE GRADING REQUIRED FOR SURFACE DRAINAGE AND UNIFORMITY TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT.

23. CONTRACTOR TO GUARANTEE ALL PLANT MATERIAL PER SPECIFICATION PACKAGE.

24. ALL POTS TO HAVE A DEDICATED IRRIGATION RISER TIED INTO AUTOMATIC IRRIGATION SYSTEM, AND HAVE A DEDICATED DRAINLINE TIED INTO STORM DRAINAGE SYSTEM.

25. INSTALL LINEAR ROOT BARRIER 24" DEEP WHERE TREES ARE WITHIN 5' OF PAVEMENT

IRRIGATON NOTES

1. IRRIGATION TO BE DESIGN BUILD AND BE AN AUTOMATIC DRIP IRRIGATION SYSTEM
2. AUTOMATIC IRRIGATION CONTROLLERS ARE REQUIRED AND MUST USE EVAPOTRANSPIRATION OR SOIL MOISTURE SENSOR DATA AND PROVIDE A RAIN SENSOR WHOSE SIGNAL IS COMPATIBLE WITH THE MASTER CONTROL VALVE
3. IRRIGATION CONTROLLERS SHALL BE OF A TYPE WHICH DOES NOT LOSE PROGRAMMING DATA IN THE EVENT THE PRIMARY POWER SOURCE IS INTERRUPTED.
4. PRESSURE REGULATORS SHALL BE INSTALLED ON THE IRRIGATION SYSTEM TO ENSURE THE DYNAMIC PRESSURE OF THE SYSTEM IS WITHIN THE MANUFACTURERS RECOMMENDED PRESSURE RANGE.
5. MANUAL SHUT-OFF VALVES (SUCH AS A GATE VALVE, BALL VALVE, OR BUTTERFLY VALVE) SHALL BE INSTALLED AS CLOSE AS POSSIBLE TO THE POINT OF CONNECTION OF THE WATER SUPPLY.
6. ALL IRRIGATION EMISSION DEVICES MUST MEET THE REQUIREMENTS SET IN THE ANSI STANDARD, ASABE/ICC 802-2014. "LANDSCAPE IRRIGATION SPRINKLER AND EMITTER STANDARD," ALL SPRINKLER HEADS INSTALLED IN THE LANDSCAPE MUST DOCUMENT A DISTRIBUTION UNIFORMITY LOW QUARTER OF 0.65 OR HIGHER USING THE PROTOCOL DEFINED IN ASABE/ICC 802-2014.
7. AREAS LESS THAN TEN (10) FEET IN WIDTH IN ANY DIRECTION SHALL BE IRRIGATED WITH SUBSURFACE IRRIGATION OR OTHER MEANS THAT PRODUCES NO RUNOFF OR OVERSPRAY
8. FOR NON-RESIDENTIAL PROJECTS WITH LANDSCAPE AREAS OF 1,000 SQ. FT. OR MORE, A PRIVATE SUBMETER(S) TO MEASURE LANDSCAPE WATER USE SHALL BE INSTALLED

costello
kennedy
LANDSCAPE ARCHITECTURE
16 de la Guerra Road San Rafael, CA 94903
ph:415-479-7552 www.costellokennedy.com

THESE PLANS ARE CONSIDERED PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS THEY BEAR THE ARCHITECT'S SEAL AND WET SIGNATURE ALONG WITH THE GOVERNING AGENCY'S REVIEW SEAL OF APPROVAL AND WET SIGNATURE. **COSTELLO KENNEDY LANDSCAPE ARCHITECTURE** EXPRESSLY RESERVES COMMON LAW COPYRIGHT AND OTHER PROPRIETARY RIGHTS TO ALL DESIGNS AND INFORMATION IN THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY, WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION OF **COSTELLO KENNEDY** LANDSCAPE ARCHITECTURE.

PRINCE STREET
2708 PRINCE STREET
BERKELEY, CA 94705

revisions:

LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
Number 03-2024
Renewal Date 01-31-2024
Date
STATE OF CALIFORNIA

PLANTING NOTES AND DETAILS

date: 02-16-2024

scale: AS NOTED

sheet: L1.3

2708 PRINCE STREET

MWELO PRESCRIPTIVE COMPLIANCE CHECKLIST

ITEM	NOTES
LANDSCAPE DESIGN PLAN	
1. Attach a landscape plan indicating the following:	SEE PLANTING PLANS ON SHEET L1.0
a. Turf areas	NA
b. High water use planting areas	NA
c. Moderate water use planting areas	NA
d. Low water use planting areas	100% LANDSCAPE AREA
e. Water features including swimming pools	NA
f. Edible planting areas	NA
g. Areas irrigated with recycled water	NA
SOIL	
1. Incorporate compost at a rate of at least 4 cubic yards per 1,000 square feet to adepth of 6 inches into the landscape area (unless contra-indicated by a soil test).	SEE PLANTING NOTE 13 ON SHEET L1.3
This project will apply 4.38 cubic yards of compost	
2. A minimum 3-inch layer of recycled mulch shall be applied on all exposed soil surfaces of planting areas except turf areas, or direct seeding applications where mulch is contra-indicated	SEE PLANTING NOTE 19 ON SHEET L1.3
PLANTS	
1. Plant material shall comply with the following:	
a. Residential projects only:	
I. 75% of landscape area shall consist of plants that use little or no summerwater (WUCOLS plant factor of 0.3 or lower), excluding edibles or areasusing recycled water.	NA
II. No more than 25% of the landscape area will be planted with high waterusing plants	NA
b. Non-residential projects only (including multifamily residential):	
I. 100% of the landscape area shall consist of plants that use little or nosummer water (WUCOLS plant factor of 0.3 or lower), excluding edibles or areas using recycled water	SEE PLANT SCHEDULE ON SHEET L1.1
c. No invasive plants are planted. No plant species listed by the California Invasive Plant Council's "Don't Plant a Pest" brochure as invasive in the San Francisco Bay Area shall be planted.	SEE PLANT SCHEDULE ON SHEET L1.1
2. The use of turf shall comply with all of the following:	
a. In nonresidential areas, turf is not used	NO TURF IS SPECIFIED
b. In residential areas:	
I. Turf, high water use plants, and water features shall, combined, notexceed 25% of the landscape area	NA
II. Turf shall not be planted on slopes which exceed a slope of 1 foot verticalelevation change for every 4 feet or horizontal length	NA
III. Turf is prohibited in parkways less than 10 feet wide. Exception: Parkwayis adjacent to a parking strip and used to exit and enter vehicles AND turf is irrigated with subsurface irrigation	NA
WUCOLS plants database can be found online at: http://ucanr.edu/sites/WUCOLS/	
"Don't Plant a Pest" brochure can be found at http://cal-ipc.org/landscaping/dpp/	
IRRIGATION	
1. Automatic irrigation controllers are required and must use evapotranspiration or soil moisture data and utilize a rain sensor.	SEE IRRIGATION NOTES ON SHEET L1.3
2. Irrigation controllers should be the type which does not lose programming data in the event the primary power source is interrupted	SEE IRRIGATION NOTES ON SHEET L1.3
3. Pressure regulators are installed on the irrigation system to ensure dynamic pressure of the components are within the manufacturer's recommended pressure range.	SEE IRRIGATION NOTES ON SHEET L1.3
4. Manual-shut-off valves (such as gate, ball or butterfly valves) are installed as close as possible to the point of connection of the water supply.	SEE IRRIGATION NOTES ON SHEET L1.3
5. All irrigation emission devices must meet the requirements set in the ANSIstandard ASABE/ICC 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard." All sprinkler heads installed must have a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.	SEE IRRIGATION NOTES ON SHEET L1.3
6. Areas less than 10 feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.	SEE IRRIGATION NOTES ON SHEET L1.4
7. For non-residential projects with landscape areas of 1,000 sf or more, a private submeter(s) to measure landscape water use shall be installed.	SEE IRRIGATION NOTES ON SHEET L1.3
I certify the above information and agree to comply with these Prescriptive Compliance requirements for the Water Efficient Landscape Plan Review.	
Applicant Signature : _____	
Matthew Kennedy, Costello Kennedy Landscape Architecture	
Date: _____	

PROJECT NAME:	**2708 PRINCE STREET**
PROJECT ADDRESS:	2708 PRINCE STREET
PREPARED BY:	Matthew Kennedy Costello Kennedy Landscape Architecture 16 De La Guerra Rd San Rafael, CA 94903 415-479-7552 costellokennedy@gmail.com
	"I agree to comply with the requirements of the prescriptive compliance option to the MWELO"
	Signed:

PART ONE	**MAXIMUM APPLIED WATER ALLOWANCE (MAWA)**	
		MAWA = Eto x .62 x [(ETAF x HA) + ((1-ETAF) X SLA)]
	Yearly Eto	41.8
	CONVERSION FACTOR	0.62
	ETAF	0.45
	TOTAL IRRIGATED LANDSCAPE AREA	1,096 SQUARE FEET
	SPECIAL LANDSCAPE AREA (SLA)	0 SQUARE FEET
	LANDSCAPE WATER ALLOWANCE	**12,782 GALLONS PER YEAR**
	TOTAL ACRE FEET	0.04 ACRE FEET

PART TWO	**ESTIMATED TOTAL WATER USE (ETWU)**	
	*AVERAGE ETAF AND ETWU CALCULATED PER WATER EFFICIENT LANDSCAPE WORKSHEET	
	AVERAGE ETAF FOR REGULAR LANDSCAPE AREAS (TOTAL ETAF X AREA / TOTAL AREA)	0.24
	ETWU FOR REGULAR LANDSCAPE AREAS	**10,520 GALLONS PER YEAR**
	SITE WIDE ETAF	0.24
	ETWU FOR ALL LANDSCAPE AREAS	**10,520 GALLONS PER YEAR**
	TOTAL ACRE FEET	0.03 ACRE FEET

2708 PRINCE STREET

PRELIMINARY WATER EFFICIENT LANDSCAPE WORKSHEET

Reference Evapotranspiration (Eto) **41.8**

ZONE NO.	PLANT TYPE	HYDROZONE * (PLANT WATER USE)	PLANT FACTOR	IRRIGATION METHOD **	IRRIGATION EFFICIENCY (IE)	ETAF (PF/IE)	HYDROZONE AREA (square feet) (HA)	ETAF x HA	ESTIMATED TOTAL WATER USE (ETWU)	% LANDSCAPE AREA
REGULAR LANDSCAPE AREA										
1	TREES	MW	0.3	DRIP	0.81	0.243	64	16	614	6%
2	SHRUBS	LW	0.3	DRIP	0.81	0.243	601	146	5,769	55%
3	GROUNDCOVERS	LW	0.3	DRIP	0.81	0.243	243	59	2,332	22%
4	ROOFDECK	LW	0.3	DRIP	0.81	0.243	188	46	1,805	17%
TOTALS (REGULAR LANDSCAPE AREAS)							1,096	266	10,520	100%
SPECIAL LANDSCAPE AREA										
NA	NA	NA	NA	NA	NA	1	0	0	0	0%
TOTALS (SPECIAL LANDSCAPE AREAS)							**0**	**0**	**0**	**0%**

HYDROZONE SUMMARY

Hydrozone Description *	Total Square Feet	% of Landscape
Cool Season Turf (CST)	0	0%
Warm Season Turf (WST)	0	0%
High Water Use Plants (HW)	0	0%
Bioretention Plants (BR)	0	0%
Medium Water Use Plants (MW)	0	0%
Low Water Use Plants (LW)	1,096	100%
Very Low Water Use Plants (VLW)	0	0%
Water Feature	0	0%
Special Landscape Area (SLA)	0	0%
TOTAL	**1096**	**100%**

Irrigation Method **	Total Square Feet	% of Landscape
Rotor (FC-R, PC-R)	0	0%
Multi-Stream Rotor (MR)	0	0%
Spray (S)	0	0%
Bubbler (B)	0	0%
Drip (D)	1096	100%
In-Line Drip (DL)	0	0%
Micro Spray (MS)	0	0%
Other (O)	0	0%
TOTAL	**1096**	**100%**

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PRINCE STREET TOWNHOMES
2708 PRINCE STREET
BERKELEY, CA 94705

revisions:

LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
Expires 03-31-2024
STATE OF CALIFORNIA

MWELO CHECKLIST CALCS

date: 02-16-2024

scale: AS NOTED

sheet: L1.4

Planning and Development Department
Land Use Planning Division

March 07, 2024

Sent via email to:
Jeff@JeffSvitak.com

Jeff Svitak
3037 Redwood Street
San Diego, CA. 92013

Re: Application Status Complete–Use Permit #ZP2024-0024 for 2708 Prince Street

Dear Jeff,

Thank you for your Zoning Permit application submittal received on February 16, 2024, for the demolition of an existing one-story house and accessory structure (garage) and the construction of a new duplex with an attached ADU at the rear side of lot for a total 1680 sq. ft., referenced above. The application has been evaluated for completeness with the submittal checklist and application guidelines.

Application – Based on the initial review, the following zoning permit is required:

- Tier 2 Use Permit for the construction of 2 new dwelling units in the R-2A zoning district.

Pursuant to the Permit Streamlining Act (Government Code Chapter 4.5 Title 7), the application has been deemed complete as of March 07, 2024. The project planner assigned to this project is Allison Riemer and can be contacted at ARiemer@Berkeleyca.gov and (510) 981-7433.

Advisory Comment:

- One additional Use Permit will be charged for the demolition of the single-family residence and accessory structure at a later date.
- Additional Use Permits and/or Use Permits may be found by assigned planner.

Next Steps
The project planner will contact you within 30 days of the date of this letter with a CEQA determination.

Permit Processing Review
During the course of review, the project planner may request that the applicant correct, clarify, amplify, or otherwise supplement the details provided in the application. This may result in additional fees for zoning permits, CEQA review costs, and other processes/reviews, as needed based on the City's adopted fee schedule.

If you have any questions about the project, please contact the project planner, Allison Riemer contact at ARiemer@Berkeleyca.gov and (510) 981-7433.

Sincerely,

Samella Stover
Planning Technician
(510) 981-7425
SStover@Berkeleyca.gov

Planning and Development Department
Land Use Planning Division

April 5, 2024
Jeff Svitak
3037 Redwood Street
San Diego, CA. 92013

Sent via email to:
Jeff@JeffSvitak.com

Re: Application Processing – California Environmental Quality Act (CEQA) and Additional Information Required –Use Permit #ZP2024-0024 for 2708 Prince Street.

Dear Jeff Svitak,

Thank you for the Zoning Permit application submittal deemed complete on March 7, 2024, for the demolition of an existing 13 foot 9-inch-tall one-story 1,052 square-foot house and accessory structure (garage), and the construction of a new 24 foot 4-inch-tall two-story 3,052 square-foot duplex with an attached accessory dwelling unit (ADU). The application has been evaluated for the level of environmental review required, and readiness for final action according to the submittal checklist and application guidelines.

Required Zoning Permit(s)

Based on my review, the following zoning permits are required:

- Use Permit, pursuant Berkeley Municipal Code (BMC) Section 23.326.020(B) to demolish a dwelling unit
- Use Permit, pursuant to BMC Section 23.202.020(A) to construct a two-family dwelling
- Administrative Use Permit, pursuant to BMC Section 23.304.080 to add a fence that exceeds 6 feet in height.

Level of Review Under the California Environmental Quality Act

Under the California Environmental Quality Act (CEQA), staff determines whether an environmental impact report, a negative declaration, or a mitigated negative declaration will be required, depending on the type of project. This determination will be made within 30 days of an application being deemed complete. If a project is exempt from CEQA, staff recommends an exemption determination to either the Zoning Officer or the Zoning Adjustments Board (ZAB), depending on the type of permit.

It is Staff's recommendation that this project meets the criteria for a **Categorical Exemption**, pursuant to CEQA Guidelines Section 15303 ("New Construction"), provided that the Air Quality Analysis requested below is submitted. However, the final determination is made by the Zoning Adjustments Board (ZAB).

CEQA Review Items

1. Air Quality Analysis. An Air Quality Assessment report is needed for the CEQA determination. The Bay Area Air Quality Management District's (BAAQMD) 2022 CEQA Guidelines (Guidelines) identifies preliminary screening criteria for construction and operation activities. These

Guidelines were developed to assist lead agencies, such as the City of Berkeley, in evaluating air quality and climate impacts from proposed land use projects and plans in the San Francisco Bay Area Air Basin (SFBAAB). When screening a project that may qualify for a Categorial Exemption the City needs to determine if any of the exceptions under CEQA Guidelines Section 15300.2 are applicable to the project. Section 15300.2(c) requires that the City determine whether the project would result in a significant impact to the environment, and needs to consider all the topic areas covered in CEQA Appendix G – including air quality. According to Chapter 4, *Screening for Criteria Air Pollutants and Precursors*, construction projects that include demolition do not meet the screening criteria and cannot be considered to result in a less-than-significant impact related to criteria air pollutants and precursors. This means that in order to substantiate a decision to process a development project that includes both demolition and construction with a categorical exemption (such as 2708 Prince), we need the applicant to provide an Air Quality Assessment that indicates whether the project can comply with criteria air pollutant screening thresholds. This Air Quality Assessment Report is required for the CEQA determination by ZAB. If we do not receive the Air Quality Assessment, an Initial Study may be required.

Action Items – Corrections, Clarifications, and/or Supplemental Information Required

1. Pay the Additional Invoice: Only the primary permit fee was assessed during the completeness review. Please see the attached invoice for the additional zoning permits and/or reviews, noted above, that are required for your project. These fees must be paid prior to scheduling or taking final action on the application. There are two options for payment: electronically through the Berkeley's Online Permit Portal, or at the Permit Service Center during normal business hours, Monday – Thursday (cashier closed 12:30-1:30pm).
2. ADU: Since a discretionary zoning permit is not required for the ADU, please remove it from the plans, or label as "reference only" on all applicable sheets. If you include the ADU in the plans, please correct the following
    a. Dimension the 4-foot side and rear setbacks. An AUP to reduce the rear setback does not apply since the proposed building is a duplex (one building with two attached units). Furthermore, the AUP is not applicable to ADUs since only a by-right building permit is required. The garage and ADU need to meet the required setbacks.
3. Applicant Statement: To support the required findings for the demolition of the existing dwelling, please verify whether BMC Section 23.326.030(B)(2) applies.
4. Tabulation Form: Maximum height is not applicable to the duplex project because it is all residential and not in the Hillside Overlay. The average height reported should be the tallest average height (24 ft. 4 in.).
5. Neighborhood Contact: Provide proof of contact for the following neighbors:
    a. 3037 College occupants (Units A, B, C, and D)
    b. 2700 Prince occupants (Units 1, 2, 3, and 4)
    c. 2712 Prince occupant for Unit A
6. Plans: On sheet G01, please update the average height to match the Tabulation Form. Since the building is a duplex, it is one building, not two, so there will be one average height. The ADU footprint is close to 500 sq. ft., not 110 sq. ft., please correct on sheet G01.

7. Site Plan:
    a. Use a darker line weight to delineate the property line in the site plan and all sheets that show the property line.
    b. Per the Submittal Requirements, dimension the proposed building footprints (the ADU building footprint on sheet G01 is incorrect).
    c. Dimension the required/proposed setbacks on all applicable sheets.
    d. In the proposed site plan, what does "R.S.S.B." mean? Please only use common abbreviations in the drawings if full words do not fit.
8. Landscaping and Useable Open Space Plan: Per the Submittal Requirements, fully dimension all areas that qualify as Useable Open Space. Fully dimension the landscaped areas.
9. Lot Coverage: Fully dimension the proposed lot coverage diagram. If you include the ADU and garage in the plans, subtract up to 800 sq. ft. of the ADU footprint from the total proposed lot coverage for the site (BMC Section 23.106.020(B)(4)). Please only use common abbreviations in the drawings if full words do not fit (what does "G.R." mean?). Update the table on sheet A102 and the Tabulation Form if the lot coverage is corrected.
10. Existing Floor Plan: Provide an existing floor plan to verify the number of existing dwelling units and bedrooms.
11. Elevations: Show the proposed fence in an elevation, and dimension the height from the lowest existing grade point within a 3-foot radius to the highest point of the fence (BMC Section 23.304.080(B)).
12. Shadow Study: Provide elevations showing the impacts of shadows cast onto neighboring residences during the morning of the summer solstice.
13. Historic Resource Evaluation: Please have the consultant address the following;
    a. Confirm you have visited the Berkeley Architectural Heritage Association Archives.
    b. Provide a historic photo, if possible.
    c. The building is a referred to as a "c1920" residence, but the date of construction is known. Please only refer to it as a 1918 residence.
    d. Please discuss any exterior modifications under Construction History, including whether they were permitted or not.
14. Stormwater Requirements Checklist: Verify the amount of proposed impervious surface, and include the ADU footprint if it will be shown in the plans. Provide the checklist if applicable (page 13 of the Submittal Requirements).

Next Steps

Please submit responses to **all** requested items at once, and not incrementally. Be sure to include a written response and pay the attached invoice. If you take no action to address the above items within 60 days, the application may be deemed withdrawn and returned to you. Please use this BOX link for your project and email me when you've uploaded. Once revised information is submitted, staff will review the application within 30 days.

Advisory comments – Application Processing Review

During the course of review, the project planner may request that the applicant correct, clarify, amplify, or otherwise supplement the details provided in the application according to the Zoning Project

Application Submittal Requirements. This may result in revisions to the information provided with your submittal, additional fees for zoning permits, CEQA review costs, and other processes/reviews, as needed based on the City's adopted fee schedule.

If you have any questions about the requested information, please reach out to me directly. Thank you in advance for your cooperation.

Sincerely,

Allison Riemer, AICP
Associate Planner
510-981-7433
ariemer@berkeleyca.gov

J S I

jeffsvitak.com

2708 PRINCE_USE PERMIT #ZP2024-0024_ RESPOND LETTER

04.20.2024

PLANNING AND DEVELOPMENT DEPARTMENT_LAND USE PLANNING DIVISION
CORRECTIONS REQ'D: RESPONSE ITEMS

ISSUE NO.	RESPONSE TEXT:	SHEET NO.
1 (CEQA)	CEQA Air Quality Assessment will be provided separately	n/a
1	Additional Invoice has been payed and is attached.	n/a
2	ADU setbacks have been updated and labeled as "reference only"	All sheets
3	BMC Section 23.326.030(B)(2) does not apply.	n/a
4	Tabulation form revised	n/a
5	Neighborhood Contact updated.	A100.1
6	Average height and ADU footprint updated.	G01-A102
7	a. Darker line to delineate PL has been provided. b. Building footprints dimensions revised. c. All setbacks have been revised. d. R.S.S.B has been updated to R.**Y**.S.B	All sheets. A102 All sheets All sheets
8.	Landscaping and Usable Open Space Plan has been revised.	A101
9.	Lot Coverage diagram has been updated and the ADU's footprint (which is less than 800 SF) has been subtracted for the lot coverage calculations. "G.R" is the abbreviation for Ground Shot (landscape)	A102
10.	Existing floor plan is provided.	A104
11.	Proposed fence has been updated to 6' height at its lowest point (S-W corner of the lot) and continued with a straight line along both West and South sides, shown in elevations (dashed line)	A105
12.	Shadow Study: New elevation has been provided.	R04
13.	Historic Resource Evaluation respond letter is included	n/a
14.	Impervious surface is 2,139 SF (as shown in G001). Therefore, project is not applicable for Stormwater Requirements.	n/a

Thank you,

Jeff Svitak, Architect

CITY OF BERKELEY

Permit Service Center
1947 Center St, 3rd floor
Berkeley, CA 94704

RECEIPT
ZP2024-0024

Receipt Date:
4/10/2024

Receipt Number:
757524

Applicant Information

JEFF SVITAK
3037 REDWOOD STREET
SAN DIEGO CA 92013

Property Information

Parcel Number: 052 156303600

Project Information

Type:	Planning
Group:	Zoning Permit
Category:	NA
Sub-Category:	NA
Project:	UP: 2708 PRINCE STREET
Work Description:	the demolition of an existing one-story house and accessory structure (garage) and the construction of 2 row single-family residences with an attached ADU at the rear side of lot for a total 1680 sq. ft.

Location

2708 PRINCE St
BERKELEY, CA 94705

Payor: Linda M Joseph	**Payment Status:** Paid	**Date Printed:** 4/10/2024
Cashier: RGONZALEZ	**Payment Method:** Credit Card	**Auth:** 1597

Fees:	**Amount**
ADDCPF_ACP97 - Community Planning Fee (15%)	$138.00
AUP080 - AUP: Additional Administrative Use Permits	$460.00
Total:	**$598.00**

Property Address:
2708 PRINCE St
BERKELEY, CA 94705

BERKELEY-PERMIT SVC CT
1947 CENTER ST 3RD FLOO
BERKELEY, CA 94704
04/10/2024 13:06:25
CREDIT CARD
VISA SALE
Card # XXXXXXXXXXXX5713
Chip Card: CHASE VISA
AID: A0000000031010
SEQ #: 4
Batch #: 1597
INVOICE 4
Approval Code: 08751D
Entry Method: Chip Read
Mode: Issuer
SALE AMOUNT $598.00
CUSTOMER COPY

PRESERVATION ARCHITECTURE

October 4, 2023 rev. April 12, 2024

2708 Prince St., Berkeley
City of Berkeley Historical Evaluation

This historical and historic architectural evaluation addresses the existing property and building at the above address per the City of Berkeley's historical and cultural resource evaluation criteria. This overall effort has been based on the review of City of Berkeley permit records, U.S. census records (heritagequest.org), Oakland/Berkeley telephone directories (loc.org, sfpl.org, berkeleypubliclibrary.org), historic newspapers (@CDNC.org), Alameda County property records, Berkeley Architectural Association (BAHA) archives, along with general historical and architectural research. No original or early drawings or photos have been located.

The subject parcel at 2708 Prince St. (APN 52-1563-36) is located on the south side of Prince St. near the intersection of College Ave. and houses a single-story single-family residence (figs.1-2)

As delineated below, per the City of Berkeley's *Landmarks Preservation Ordinance (LPO)*, the residential property and building located at 2708 Prince St. are not eligible for designation as a City of Berkeley Landmark or Structure of Merit.

Summary Description (figs.3-6)

The subject residential property lies on the south side of Prince St., the site flat, its small house standing behind a shallow front yard. The lot measures 34.5 ft. wide by 125 feet deep for an area of some 4,312.5 square feet yet has a 5 foot wide strip along its eastern side that is a dedicated access easement shared with the separate property to the rear (lot #26).

The wood frame, single family house is a single-story over a crawl space with a floor area of approximately 1,060 square feet. Its plan is a simple rectangle with a projecting front corner. Front gabled roofs are low-sloped, including the forward porch extension, which is entered via a portal with a set of concrete steps at the east side, the east-facing entry door within. Exterior walls are stucco finished with wood windows, doors and trims. Overhanging roof eaves are wood framed, the front eaves trimmed and bracketed. The low-slope roofs are not visible from the street yet are presumed to be composition roll or shingle roofing. A stucco clad chimney stands at the west side wall. At the rear of the house is a raised wood deck under a wood trellis. A concrete paved driveway crosses the east side of the property to a small garage at the rear.

The 2708 Prince St. residence is a small single-story c1920 Craftsman Bungalow and which stylistic label is based on its bracketed front gabled eaves, robust porch pillars, stepped arched porch openings front and side, and frontward divided-lite wood door and windows.

Summary History

A February 1918 grant deed recorded the grantee was Calmur J. Struble and grantors P. O. Boyd and Edward & Catherine Larmer, the latter the subsequent builder of the subject residence for Struble. That 1918 deed included the subject parcel (#36) along with the rearward parcel (#26).

The subject, single-family house was permitted and constructed in 1918. That February 1918 permit record and construction notice identified owner C. J. Struble and builder Edward Larmer, the latter

446 17th Street #302 Oakland 94612
510 418 0285 mhulbert@earthlink.net

presumably the designer as the construction notice stated none under architect (*Building & Engineering News*; Feb. 20, 1918; p18).

Per County deed records, in June 1919, Struble sold the overall property and its residence to Arthur J. Hughes. Hughes in turn transacted the property and residence to Sadie M. Hunter who, in August 1920, deeded the property to Bertha K. Rolfes. In November 1920, Rolfes divided and sold the rearward parcel to W. D. and Emerena Holmes, which deed included the 3 foot wide strip of land along the eastern property line of the subject lot as well as the shared 5 foot wide access easement across the eastern side the subject lot, and which 1920 transactions formed the extant 2708 and 2710 Prince St. parcels.

A garage was permitted in 1936 for a subsequent owner, E. B. Redman. Miscellaneous subsequent permits were for interior and repair work, so the exterior of the residence appears largely unchanged from its origins except for the rear deck, which recently replaced an earlier and smaller rear porch seen in the c1981 Sanborn map. That and an earlier Sanborn each depicted the detached garage in the southwest corner of the lot, so the garage may have been relocated or the maps were not accurate with respect to the garage.

Prior to construction of the subject and range of surrounding buildings, per the 1911 Sanborn map, a large parcel occupied the southeast corner at College and Prince. The residence and shed thereon were presumably removed after 1915, when it was listed in the directory under the name Elizabeth T. White and, prior to 1918, when the subject house was built (as was the adjacent apartment building at 2700 Prince).

The first identified resident of 2708 Prince St. was Grace Lansing, who was listed in the 1920 census at 2708 Prince and further identified as a renter. The 1930 census found Kate D. Flynn residing at and owner of 2708 Prince, where Flynn was first listed in the 1922 directory. By 1933, the occupants were Edward B. and Angie Redman, who were listed at this address in the 1940 census and who were last listed in the 1946 directory. Based on directories, permits and deeds, subsequent owners/occupants included: Beatrice Feldman (1947-1955); Ethel Downey (1956-1967); O. J. Kleinkopf (1968-1994); and Marcos Ancinas (1994-2022).

Associated Persons

The individual directly associated with the origins of the residence at 2708 Prince St. was Calmur J. Struble (1868-12968). Struble briefly owned and developed its house but did not reside on the subject property. In early 20th century censuses, he was recorded as an attorney (1920, residing on Dwight Way), a broker (1940, on Arch St.) and a real estate proprietor (1950, on Sonoma St.). In the construction periodical where the 2708 Prince project and its owner was announced, there are no other recorded projects for Struble in the period. Under present research efforts, no further detail for Struble presents itself.

Evaluation

The subject property and building have not been previously considered or evaluated for historical potential.

Based on Berkeley's *LPO* criteria (from sec.*3.24.110 Landmarks, historic districts and structures of merit--Designation--Criteria for consideration*), this effort concludes with a Berkeley

Landmark/Structure of Merit evaluation, first under the Landmarks criteria followed by Structure of Merit criteria.

3.24.110 Landmarks, historic districts and structures of merit--Designation--Criteria for consideration.

A. Landmarks and historic districts. General criteria which the commission shall use when considering structures, sites and areas for landmark or historic district designation are as follows:

1. *Architectural merit:*

   a. Property that is the first, last, only or most significant architectural property of its type in the region;

   The subject residential building is not the first, last, only or most significant residence of its type in the City of Berkeley.

   b. Properties that are prototypes of or outstanding examples of periods, styles, architectural movements or construction, or examples of the more notable works of the best surviving work in a region of an architect, designer or master builder; or

   As summarized, 2708 Prince is a small single-story 1918 Craftsman Bungalow. Of this common early-20th century house style, the subject residence is a simple and small example. Moreover, there are other and better homes of this very style on the immediate block, many dozens throughout the surrounding neighborhood and many others in the surrounding neighborhoods of Berkeley and Oakland. Its being a small single story is a limiting factor, as is the narrow parcel width. Many better examples of Craftsman Bungalows are 2-stories and/or more broad in profile – as Craftsmans are characteristically expansive. There was no architect while the builder and presumed designer, Edward Larmer, is without identifiable importance

   c. Architectural examples worth preserving for the exceptional values they add as part of the neighborhood fabric.

   This small residential building has no exceptional values to offer to the neighborhood fabric.

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

   The subject 1918 residence falls under the historic context of single-family residential development in Berkeley and the San Francisco Bay region in the early 20th century. In that broad context, the subject house was one of a large number of residences of its type and style built in the 1910s-1920s in the immediate vicinity as well as throughout the Bay Area and California. Thus, in its historic period and context, there are no specifically associated events or patterns of any identifiable historic importance.

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

   The subject residential building has no educational value.

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

   The subject property and its building do not embody and express historic value.

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

   The subject property and building are not listed on the National Register.

B. *Structures of merit. Criteria which the commission shall use when considering a structure for structure of merit designation are as follows:*

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

2. *Specific criteria include, but are not limited to one or more of the following:*

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

   The subject residential building is not contemporary with a designated landmark within its neighborhood – nearby landmarks include several unrelated College Ave. commercial resources – or with any historic period or event of identifiable significance specific to the City of Berkeley or its neighborhoods.

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

   The subject building is not compatible with a designated structure within its neighborhood, etc.

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

   This residential building is a highly modest example of architectural design.

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

   The subject residential building has no identifiable historical significance relative to the City of Berkeley or to its neighborhood, etc.

In conclusion, the property and building at 2708 Prince St. in Berkeley do not have potential historical significance under the criteria of the City of Berkeley's LPO.

Signed:



Mark Hulbert
Preservation Architect & Historic Resources Consultant

attached: figs.1-6 (pp.5-7)



Fig.1 – 2708 Prince St. (highlghted) – Location aerial (Google Earth, 2023, north is up)

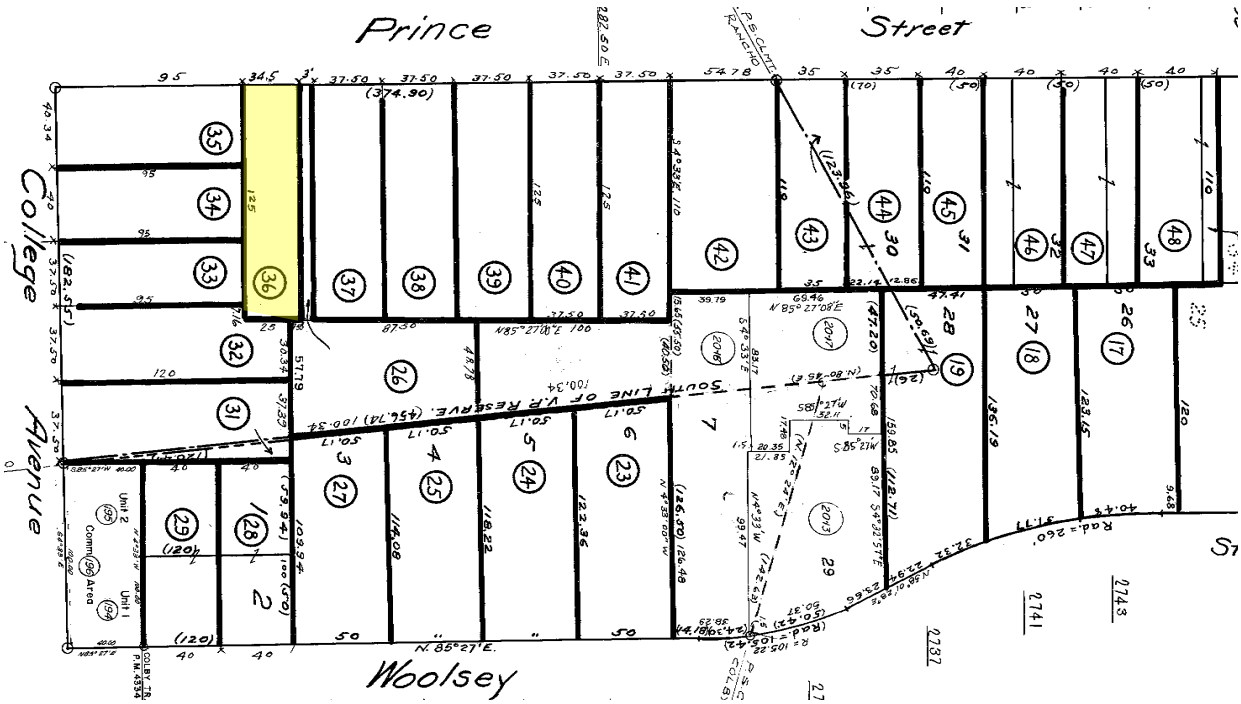


Fig.2 – 2708 Prince St. (highlighted) – from Assessor's Parcel Map (north is up)



Fig.3 – 2708 Prince St. – Front (north) from street (figs.3-5, MH 2023)



Fig.4 – 2708 Prince St. – Front (north) and east side with garage beyond



Fig.5 – 2708 Prince St. – Rear



Fig.6 – 2708 Prince St. – Garage

State of California ☐ The Resources Agency Primary #
DEPARTMENT OF PARKS AND RECREATION HRI #
PRIMARY RECORD Trinomial
NRHP Status Code
Other Listings
Review Code Reviewer Date

Page 1 **of** 4 ***Resource Name or #:** 2708 Prince St., Berkeley, CA
P1. Other Identifier: None

***P2. Location:** ☐ **Not for Publication** ■ **Unrestricted**
***a. County** Alameda
***b. USGS 7.5' Quad** Oakland West **Date** 2021
c. Address 2708 Prince St. City Berkeley Zip 94705
d. UTM: Zone __, _____ mE/ _____ mN
e. Other Locational Data: Assessor's Parcel Number: 52-1563-36

***P3a. Description:**
The subject residential property lies on the south side of Prince St., the site flat, its small house standing behind a shallow front yard. The lot measures 34.5 ft. wide by 125 feet deep for an area of some 4,312.5 square feet yet has a 5 foot wide strip along its eastern side that is a dedicated access easement shared with the separate property behind (lot #26, 2810 Prince St.). The house plan is a simple rectangle with a projecting front corner. Front gabled roofs are low-sloped, including the forward porch extension, which is entered via steps and a portal at the east side, the east-facing entry door within. Exterior walls are stucco finished with wood windows, doors and trims. Overhanging roof eaves are wood framed, the front eaves trimmed and bracketed. A stucco clad chimney stands at the west side wall. A driveway crosses the east side of the property to a small garage at the rear. (cont.p3)

P5a. Photograph



Fig.1 – 2708 Prince St., front (north) from street

***P3b. Resource Attributes:** HP2: Single-family property
***P4. ResourcesPresent:** ■ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other
P5b. Description of Photo: (view, date, accession #)
Fig.1) MH 2023;
2) Sanborn map c1981
***P6. Date Constructed/Age and Source:** ■ Historic ☐ Prehistoric ☐ Both
1918 (bldg.permit #6873)
***P7. Owner and Address:**
Linda Joseph
2700 Prince St.
Berkeley, CA 94705
***P8. Recorded by:**
Mark Hulbert
446 17th St. #302
Oakland, CA 94612
***P9. Date Recorded:**
October 4, 2023; April 12, 2024
***P10. Survey Type:**
Intensive
***P11. Report Citation:**
none

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

State of California ☐ The Resources Agency Primary #
DEPARTMENT OF PARKS AND RECREATION HRI# _____
BUILDING, STRUCTURE, AND OBJECT RECORD

***Resource Name or #:** 2708 Prince St., Berkeley ***NRHP Status Code** _____
Page 2 **of** 4

B1. Historic Name: --
B2. Common Name: 2708 Prince St.
B3. Original Use: Single-family residence B4. Present Use: same
***B5. Architectural Style:** Craftsman Bungalow
***B6. Construction History:**

The subject, single-family house was permitted and constructed in 1918 on a recently created parcel. The original permit record and construction notice identified owner C. J. Struble and builder Edward Larmer, the latter presumably the designer as the construction notice stated none under architect. A garage was permitted in 1936 for a subsequent owner, E. B. Redman. Miscellaneous subsequent permits were for interior and identified repair work, so the residence is largely unchanged from its origins except for the rear deck, which recently replaced an earlier and smaller rear porch and for which no permit was found. No original drawings or early photos have been located. (cont. on p3)

***B7. Moved?** ■No ☐Yes ☐Unknown **Date:** _____ **Original Location:** _____
***B8. Related Features:** None
B9a. Architect: none b. Builder: Edward Larmer
***B10. Significance: Theme** -- **Area** --
Period of Significance -- **Property Type** Residential **Applicable Criteria** --

Per the following evaluation, the subject property and building do not meet any California Register (CR) criteria so are not CR eligible. (cont. on p3)

B11. Additional Resource Attributes: none

***B12. References:**
City of Berkeley permit records; 1929,1950 and c1981 Sanborn maps (@sfpl.org and City of Berkeley planning); 1910-1950 U.S. censuses (@heritagequest.org); Building & Engineering News (@sfpl.org); Alameda County directories (@loc.org, berkeleypubliclibrary.org, sfpl.org); Alameda County Assessor; Berkeley Architectural Heritage Association (BAHA) archives.

B13. Remarks:

***B14. Evaluator:** Mark Hulbert, Preservation Architect
***Date of Evaluation:** October 4, 2023; rev.4/12/2024

(This space reserved for official comments.)

(Sketch Map with north arrow required.)

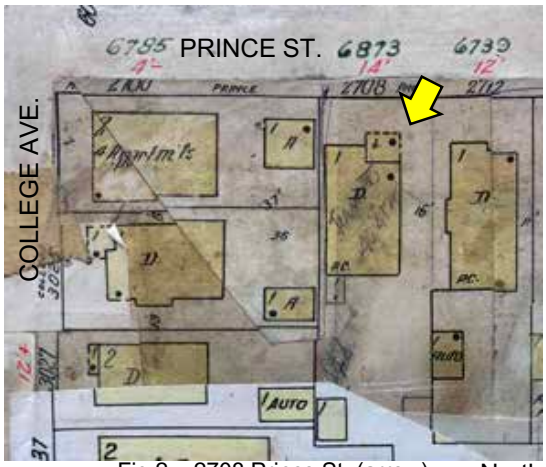


Fig.2 – 2708 Prince St. (arrow)

State of California - The Resources Agency Primary#
DEPARTMENT OF PARKS AND RECREATION HRI #
Trinomial

CONTINUATION SHEET

Property Name: 2708 Prince St., Berkeley
Page 3 of 4

Construction History (cont. from p2)

A February 1918 grant deed recorded the grantee was Calmur J. Struble and grantors P. O. Boyd and Edward & Catherine Larmer, the latter the subsequent builder of the subject residence for Struble. That 1918 deed included the subject parcel (#36) along with the rearward parcel (#26, 2710 Prince). Per County deed records, in June 1919, Struble sold the overall property and its residence to Arthur J. Hughes. Hughes in turn transacted the property and residence to Sadie M. Hunter who, in August 1920, deeded the property to Bertha K. Rolfes. In November 1920, Rolfes divided and sold the rearward parcel to W. D. and Emerena Holmes, which deed included the 3 foot wide strip of land along the eastern property line of the subject lot as well as the shared 5 foot wide access easement across the eastern side of the subject lot, and which 1920 transactions formed the extant 2708 and 2710 Prince St. parcels.

Prior to construction of the subject and range of surrounding buildings, per the 1911 Sanborn map, a large parcel occupied the southeast corner at College and Prince. At the address 3025 College Ave., the residence and shed thereon were removed after 1915, when that residence was listed in the directory under the name Elizabeth T. White, and prior to 1918, when the subject house was built (as was the adjacent apartment building at 2700 Prince).

Struble briefly owned and developed its house but did not reside on the subject property. The first identified resident was Grace Lansing, who was listed in the 1920 census at 2708 Prince and further identified as a renter. The 1930 census found Kate D. Flynn residing at and owner of 2708 Prince, where Flynn was first listed in the 1922 directory. By 1933, the occupants were Edward B. and Angie Redman, who were listed at this address in the 1940 census and who were last listed in the 1946 directory. Based on directories, permits and deeds, subsequent owners/occupants included: Beatrice Feldman (1947-1955); Ethel Downey (1956-1967); O. J. Kleinkopf (1968-1994); and Marcos Ancinas (1994-2022).

Significance (cont. from p2)

Associated Persons

The individual directly associated with the origins of the residence at 2708 Prince St. was Calmur J. Struble (1868-1968). As noted, Struble did not reside on the subject property. In early 20th century censuses, he was recorded as an attorney (1920, residing on Dwight Way), a broker (1940, on Arch St.) and a real estate proprietor (1950, on Sonoma St.). In the construction periodical where the 2708 Prince project (not yet identified by address but by its location) and its owner was announced (*Building & Engineering News*, Feb. 20, 1918, p18), there are no other recorded projects for Struble in the period. Under present research efforts, no further detail for Struble presents itself.

Evaluation

The following addresses historic resource potential per the four California Register of Historical Resources (CR) evaluation criteria:

Under ***CR criterion 1*****,** the 1918 residence falls under the historic context of single-family residential development in Berkeley and the San Francisco Bay region in the early 20th century.

In that broad context, the subject house was one of a large number of residences of its type and style built in the 1910s-1920s in the immediate vicinity as well as throughout the Bay Area. Thus, in its historic period and context, there are no specifically associated events or patterns of any identifiable historic importance. (cont. on p4)

State of California - The Resources Agency Primary#
DEPARTMENT OF PARKS AND RECREATION HRI #
Trinomial

CONTINUATION SHEET

Property Name: 2708 Prince St., Berkeley
Page 4 of 4

Evaluation (cont. from p3)

Under ***CR criterion 2*****,** no persons of potential historical importance are associated with the subject property.

Under ***CR criterion 3*****,** in terms of its design and construction, 2708 Prince is a small single-story 1918 Craftsman Bungalow and which stylistic label is minimally based on its bracketed front gabled eaves, robust porch pillars, stepped arched porch openings front and side, and frontward divided-lite wood door and windows. Of this common early-20th century house style, the subject residence is a simple and small example. Moreover, there are other and better homes of this very style and period on the immediate block, many dozens throughout the surrounding neighborhood and many others in the surrounding neighborhoods of Berkeley and Oakland.

That this house is a single story is a limiting factor, as is the narrow parcel width. Many better examples of Craftsman Bungalows are 2-stories and/or more broad in profile, as Craftsmans are characteristically expansive. There is additionally no identified architect while the builder and presumed designer, Edward Larmer, is without identifiable importance.

As the subject house does not embody design or construction distinction or embody artistry, is not the work of any identifiable architect or of an historically important builder, the residence at 2708 Prince St. does not meet *CR criterion 3.*

Lastly, under ***CR criterion 4,*** beyond the current effort, the subject property and house have not yielded any historical information and do not have further historical information potential.

In conclusion, the property and residence at 2708 Prince St. in Berkeley do not meet any CR criteria so are not CR eligible.

PLANNING & DEVELOPMENT
Land Use Planning, 1947 Center Street, Berkeley, CA 94704
Tel: 510.981.7410 TDD: 510.981.6903 Fax: 510.981.7420 Email: Planning@CityofBerkeley.info

TABULATION FORM

Project Address: **2708 Prince St., Berkeley, CA 94705** Date: **2/16/2024**

Applicant's Name: **Jeff Svitak**

Zoning District **R-2A**

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

		Existing	Proposed	Permitted/ Required
Units, Parking Spaces & Bedrooms				
Number of Dwelling Units	(#)	1	2	n/a
Number of Parking Spaces	(#)	1	1	n/a
Number of Bedrooms (R-1, R-1A, R-2, R-2A, and R-3 only)	(#)	2	6 (not including ADU)	n/a
Yards and Height				
Front Yard Setback	(Feet)	15	15	15
Side Yard Setbacks: (facing property)	Left: (Feet)	7.1	5	4
	Right: (Feet)	3.1	3.45	3.45 (with setback reduction)
Rear Yard Setback	(Feet)	55	20 (not including ADU)	22
Building Height*	(# Stories)	1	2	3
Average*	(Feet)	12	24'-4"	n/a
Maximum*	(Feet)	14	24'-4"	28
Areas				
Lot Area	(Square-Feet)	4,312	n/a	n/a
Gross Floor Area* Total Area Covered by All Floors	(Square-Feet)	1,052	3,052 (not including ADU)	n/a
Building Footprint* Total of All Structures	(Square-Feet)	1,300	1,680	n/a
Lot Coverage* (Footprint/Lot Area)	(%)	24	38	40
Useable Open Space*	(Square-Feet)	2,139	645	600
Floor Area Ratio* Non-Residential only	(Except ES-R)	0.2	0.4	0.4

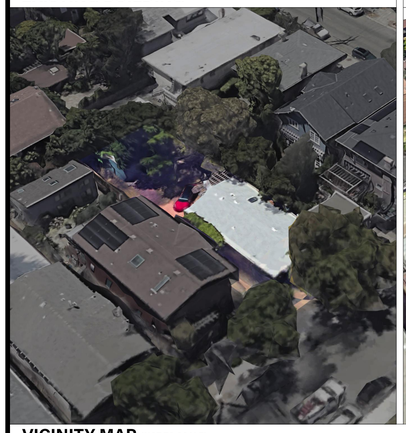
*See Definitions – Zoning Ordinance Title 23F.

Revised: 05/15

EXTERIOR RENDERING (FOR REFERENCE ONLY)



EXISTING BUILDING



PROPOSED BUILDING



VICINITY MAP (NOT TO SCALE)



DEVELOPMENT SUMMARY

PROJECT NAME:	PRINCE ROW HOUSES
PROJECT ADDRESS:	2708 PRINCE ST BERKELEY CA 94705
APN:	538-250-10-00
LOT AREA:	4,312 SF
DETAILED SCOPE OF WORK:	- DEMOLITION OF EXISTING ONE STORY HOUSE AND GARAGE. - NEW CONSTRUCTION OF DUPLEX BUILDING WITH TWO-DWELLING UNITS (2 STORIES, 24'-4" ft. AVERAGE HEIGHT) - NEW CONSTRUCTION OF ATTACHED A.D.U (3 STORIES, 25' HEIGHT)
ZONING DATA:	R-2A (MEDIUM DENSITY RESIDENTIAL)
EXISTING USE TYPE:	RESIDENTIAL
PROPOSED USE TYPE:	RESIDENTIAL
BUILDING CODE CONSTRUCTION TYPE:	TYPE V-B
GOVERNING CODES:	2024 CALIFORNIA STANDARDS BUILDING CODE BERKELEY MUNICIPAL CODE (BMC)
REQUIRED DISCRETIONARY PERMITS:	A.U.P

01

ZONING CODE DATA

ZONE R-2A	EXISTING	REQUIRED		PROPOSED
NUMBER OF DWELLINGS	1	n/a		2 + 1
PARKING	1	n/a		1
BIKE PARKING*	0	n/a		n/a
FRONT YARD SETBACK (F.Y.S.B) (FT)	15'	15'		15'
SIDE YARD SETBACK (S.Y.S.B) (FT)	3.1'	DUPLEX BUILDING	3.45'**	3.45'
		ADU	4'	4'
SIDE YARD SETBACK (EASEMENT) (FT)	7.1'	DUPLEX BUILDING	4'	5'
		ADU	4'	5'
REAR YARD SETBACK (FT)	55'	DUPLEX BUILDING	22'	22'
		ADU	4'	4'
AVERAGE BUILDING HEIGHT (FT)	14'	DUPLEX BUILDING	28'	24'-4"
		ADU	25'	25'
BUILDING STORIES	1	DUPLEX BUILDING	3	2
		ADU	n/a	3
LOT AREA (SF)				4,312
LOT AREA (ACRES)				0.10
GROSS FLOOR AREA (SF)	1,052	DUPLEX BUILDING	n/a	3,052
		ADU	850 sf. max. for Studio or 1B and 1,000 sf. for 2+ bedrooms***	768
		TOTAL		3,820
GARAGE AREA (SF) ****	237	n/a		275
BUILDING FOOTPRINT (SF)	1,309	DUPLEX BUILDING	n/a	1680
		ADU	n/a	459
		TOTAL		2,139
LOT COVERAGE (SF)*****	24%	DUPLEX BUILDING	40% max (2 stories)	38%
		ADU	n/a	n/a
		TOTAL		38%
F.A.R	0.2	DUPLEX BUILDING	n/a	0.7
		ADU	n/a	0.2
LANDSCAPE AREAS (SF)	2,139	n/a		1286
USABLE OPEN SPACE (SF)	2,139	DUPLEX BUILDING	min 600 SF	645
		ADU	n/a	n/a
IMPERVIOUS SURFACE		DUPLEX BUILDING	n/a	1680
		ADU	n/a	459
		TOTAL		2139

* Dwelling Units (fewer than four) and Accessory Dwelling Units - No Spaces Required. Per BMC - Bicycle Plan, Appendix F

** Rear and Side Setback Reductions allowed on district R-2A and on a lot with two or more main buildings with dwelling units. AUP permit required. Per BMC 23.304.030, Table 23.304-1

Side setback (S.Y.S.B): 1st and 2nd stories = 10% of lot width or 3 ft. Whichever is greater. 3rd story= 6 ft

Side setback (Easement): (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126) per Survey Plan

*** Per BMC 23.306.030

**** Garage area not counted towards Groos Floor area Per BMC 23F.04.

***** Per BMC 23.202.080

SHEET INDEX

● = NEW OR REVISED
○ = NO CHANGE

SHEET NO. & TITLE		SUBMISSION: Z.P.A SUBMITTAL (DATE 02.16.24)	01 Z.P.A RE-SUBMITTAL (DATE 04.20.24)
G	**GENERAL**		
G01	COVER SHEET	●	●
G02	RENDERINGS (FOR REFERENCE ONLY)	●	○
A	**ARCHITECTURE**		
A100	ARCHITECTURAL SITE PLAN	●	●
A100.1	COMMUNITY OUTREACH		●
A101	LANDSCAPE AND USABLE OPEN SPACE PLAN	●	●
A102	LOT COVERAGE DIAGRAM AND CALCULATIONS	●	●
A103	FLOOR PLANS	●	●
A104	EXISTING BUILDING PLANS	●	●
A105	PROPOSED EXTERIOR ELEVATIONS	●	●
R	**RESOURCE**		
A106	STREET STRIP ELEVATION	●	○
R01	SITE SURVEY	●	○
R02	SITE PHOTOGRAPHS	●	○
R03	SHADOW STUDY	●	●
R04	SHADOW STUDY - NEIGHBORS ELEVATIONS	●	●
L	**LANDSCAPE**		
L1.0	LANDSCAPE PLAN	●	○
L1.1	PLANT SCHEDULE	●	○
L1.2	PLANTING NOTES AND DETAILS	●	○
L1.3	PLANTING NOTES AND DETAILS	●	○
L1.4	MWELO CHECKLIST CALCS	●	○

PROJECT DIRECTORY

OWNER:
LINDA JOSEPH
2700 Prince Street
Berkeley, CA 94705

CONTACT: Linda Joseph
PHONE: 415.235.3897
EMAIL: ljoseph97@gmail.com

SURVEYOR:
BAY AREA LAND SURVEYING, INC.
350 Townsend Street, 839
San Francisco, CA 94107

CONTACT: Keith Bush
PHONE: 510.223.5167
EMAIL: info@balsinc.net

ARCHITECT:
JEFF SVITAK INC.
3037 Redwood Street
San Diego, CA 92013

CONTACT: Tomas Tironi
PHONE: 619.372.0779
EMAIL: tomas@jeffsvitak.com

LANDSCAPE ARCHITECT:
COSTELLO KENNEDY
16 De La Guerra Road
San Rafael, CA 94903

CONTACT: Teresa Kennedy
PHONE: 415.686.0423
EMAIL:kennedypartyof5@gmail.com

SYMBOL LEGEND

- +100.00' — FLOOR / STORY LEVEL
- STEP
- 101 — UNIT NUMBER
- W-1 — WALL TAG
- W-1 — WINDOW TAG
- D-1 — DOOR TAG
- F-1 — FLOOR TAG
- F-1 F-1 — FINISH TRANSITION
- K01 — KEYNOTE
- UP — RISE (STAIRS)
- DN — DOWN (STAIRS)
- 1'-0" — DIMENSION
- A — GRID LINE
- 1 / A100 — ELEVATION / SECTION MARKER
- A100 — INTERIOR ELEVATION MARKER
- 1 / A100 — DETAIL CLOUD
- 1 / A100 — DETAIL SECTION
- 1 — REVISION CLOUD
- PROPERTY LINE

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C-38700
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STATE OF CALIFORNIA

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PRINCE

2708 PRINCE ST
BERKELEY CA 94705
APN: 052-1563-036

ISSUED FOR:		DATE:
Z.P.A SUBMITTAL		0216.2024
Z.P.A RE-SUBMITTAL	01	04.20.2024

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G01
COVER SHEET

SHEET # 1 OF 20

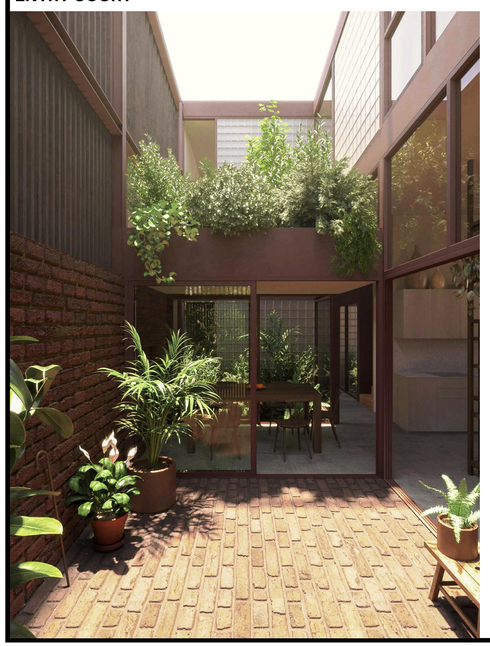


FRONT FACADE LOOKING FROM PRINCE ST

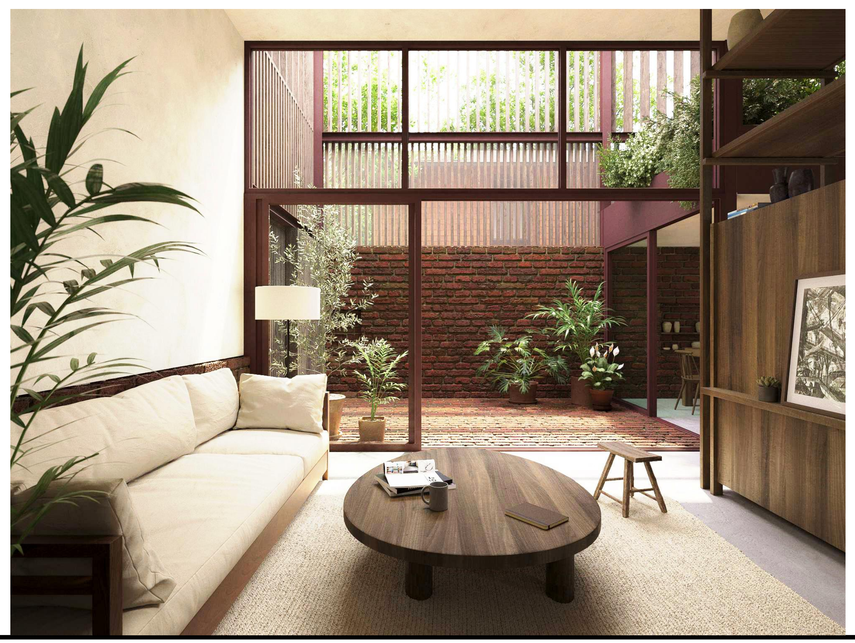


SIDE FACADE LOOKING FROM ALLEY / EASEMENT

ENTRY COURT



LIVING ROOM AND ENTRY COURT



A.D.U LIVING ROOM



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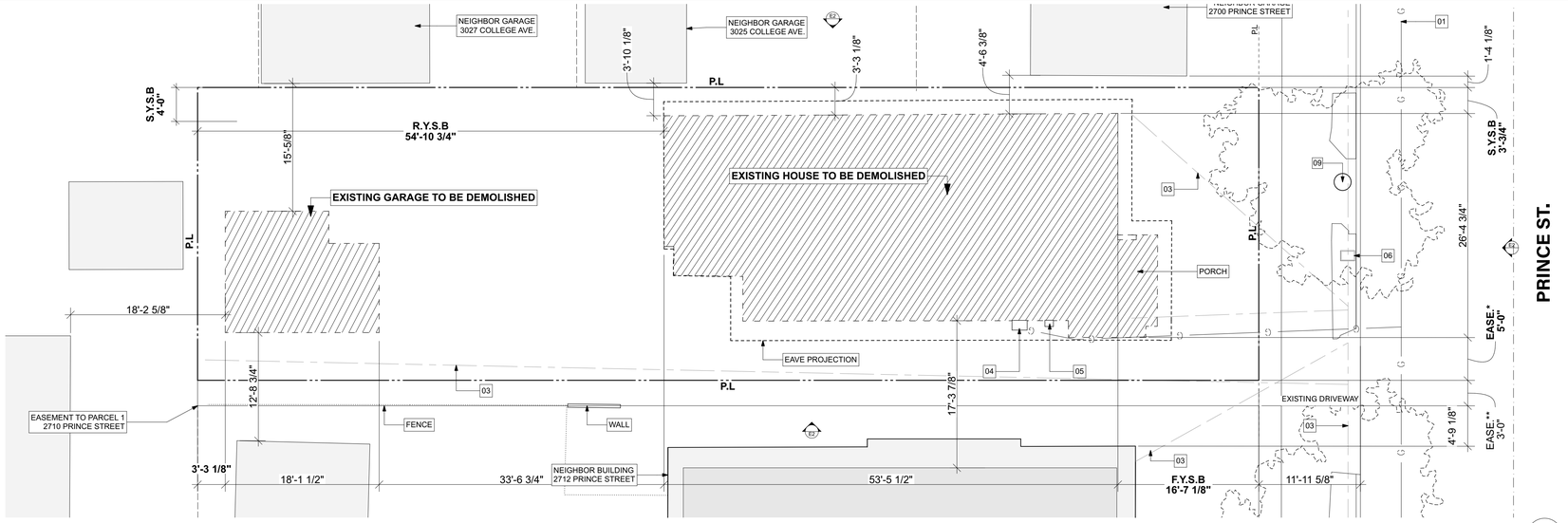
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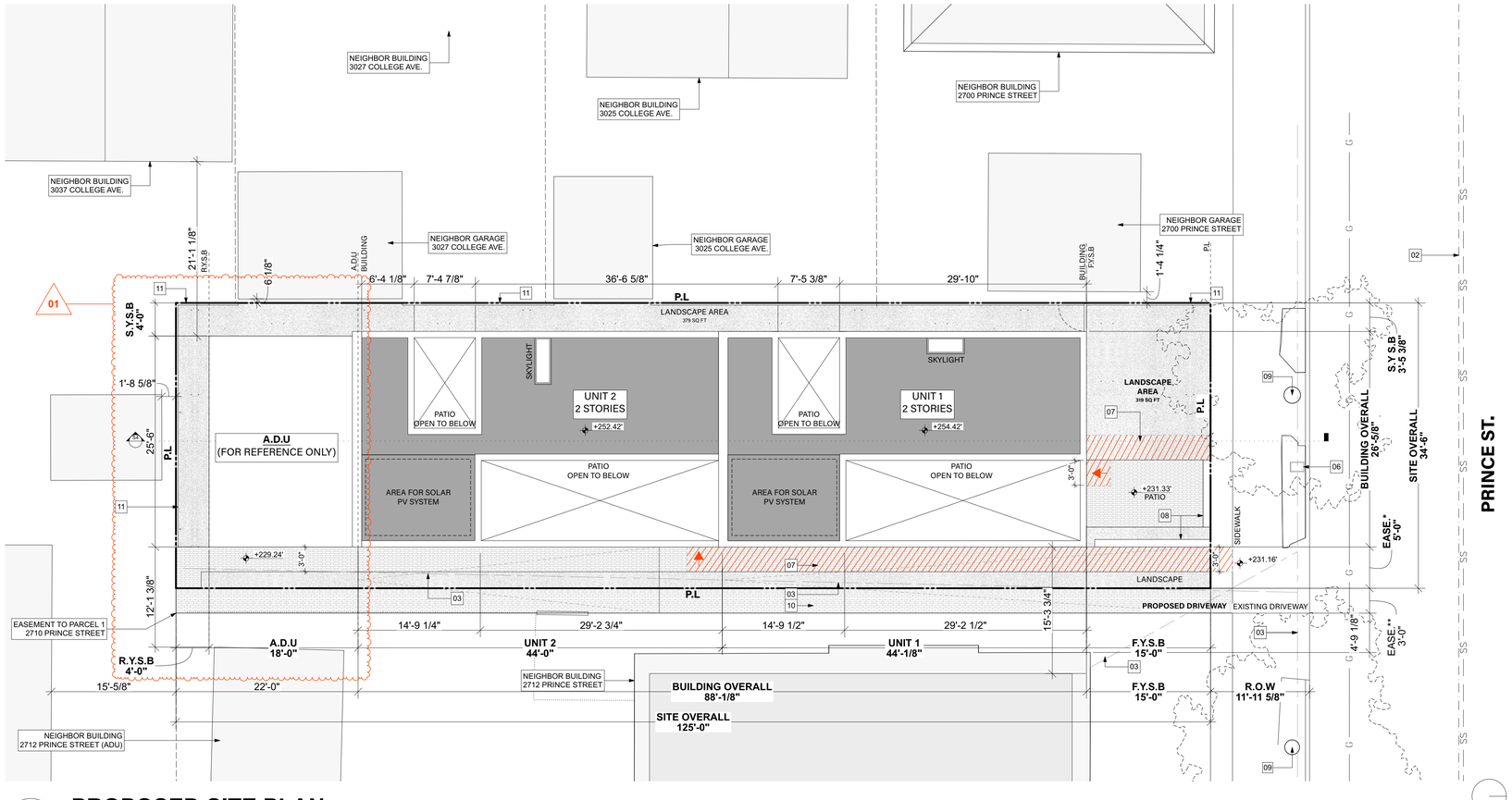
G02
RENDERINGS (FOR REFERENCE ONLY)



1 EXISTING SITE PLAN

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

0' 4' 8' 16' N



2 PROPOSED SITE PLAN

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

0' 4' 8' 16' N

SITE PLAN GENERAL NOTES:

A. PARKING SPACE SHOWN IN GROUND FLOOR PLAN (SHEET N. A101).
B. TRASH/SOLID WASTE STORAGE AREA SHOWN IN FLOOR GROUND FLOOR PLAN (SHEET N. A101).
C. EASEMENT* = (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126)
EASEMENT**= 3' WIDE EASEMENT (2002-273924, PARCEL 2) CARLO (1998-273924, PARCEL 2)
D. BICYCLE PARKING NOT REQUIRED, PER BMC BICYCLE PLAN, APPENDIX F

ARCHITECTURAL SITE PLAN KEYNOTES:

01. GAS LINE UNDERGROUND (PER SURVEY PLANS)
02. SEWER LINE UNDERGROUND (PER SURVEY PLANS)
03. OVERHEAD WIRE (PER SURVEY PLANS)
04. GAS METER (PER SURVEY PLANS)
05. ELECTRIC METER (PER SURVEY PLANS)
06. WATER METER
07. PATHWAY(S) FROM RESIDENTIAL UNITS TO PUBLIC R.O.W
08. FENCE - BRICK WALL (5 FT. HEIGHT)
09. EXISTING TREE (TO REMAIN) - CHINAR TREE, 24" T; 12' DRIP LINE
10. NEW DRIVEWAY - BRICK PAVERS
01 **11.** FENCE - WOODEN PAINTED BOARDS (6 FT. HEIGHT)

ABREVIATIONS:

P.L:	PROPERTY LINE
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
01 R.Y.S.B:	REAR YARD SETBACK
EASE.:	EASEMENT
R.O.W:	RIGHT OF WAY

LEGEND:

- PROPERTY LINE
- ROOF
- ROOF CAP
- BRICK PAVER
- LANDSCAPING
- PATHWAY(S) FROM RESIDENTIAL STRUCTURES TO PUBLIC R.O.W
- EXISTING STRUCTURES TO BE DEMOLISHED

Jeff Svitak Inc.
3037 Redwood St.
San Diego, CA 92104
www.jeffsvitak.com

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A100
ARCHITECTURAL SITE PLAN

I HAVE REVIEWED THE PLANS FOR A DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF TWO 1,524 sq. ft. SINGLE FAMILY HOMES AND ONE 830 sq.ft. ADU, 24' AVERAGE HIGH. AT 2708 PRINCE ST. BERKELEY, CA 94705

NAME (printed)	SIGNATURE	ADDRESS	RENTER OR OWNER	DATE	HAVE NO OBJECTIONS	HAVE OBJECTIONS (STATE BRIEFLY)	HAVE NO COMMENT
CHAYCA SM		2712 PRINCE ST	OWNER	2/8/24	NO	N/A	LOVE IT!
Dorian Morello		2707 Prince St.	owner	2/8/24	NO	N/A	looks Great!
Benjamin Yu		2715 Prince St.	church Elder	2/9/24	No	N/A	Good!
WINFIELD BLOOM		3037 COLLEGE	OWNER	2/9/24	NO	N/A	—
JOSEPH THOMAS		2701 PRINCE	OWNER	2/9/24	NO	N/A	Good
JUNE CARLO		2710 Prince	OWNER	2/10/24	NO	N/A	Looks good
David Carlo		2710 Prince	owner	2/10/24	NO	N/A	Good!
Brendan Byrne		2701 Prince #2	Renter	2/10/24	No objection	N/A	Looks great!
Elizabeth Garcia		2701 Prince#1	Renter	2/10/24	No	N/A	Looks great!
Kristin Pollock		2700 Prince	Owner	2/10/24	No	N/A	—
Austin Pollock		2701 Prince #3	Rent	2/10/24	NO	N/A	
Edith Yu		3027 COLLEGE	OWNER	2/10/24	MAY BE	BLDG. TAKEN UP ENTIRE PROPERTY.	—
Marie Moran		3005 College Ave	Owner	2/12/24	Not sure	Shading of Plants and back of House	—

I HAVE REVIEWED THE PLANS FOR A DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF TWO 1,524 sq. ft. SINGLE FAMILY HOMES AND ONE 830 sq.ft. ADU, 24' AVERAGE HIGH. AT 2708 PRINCE ST. BERKELEY, CA 94705

NAME (printed)	SIGNATURE	ADDRESS	RENTER OR OWNER	DATE	HAVE NO OBJECTIONS	HAVE OBJECTIONS (STATE BRIEFLY)	HAVE NO COMMENT
Catherine Wright		2712A Prince St Berkeley, CA 94705	Renter	04/10/2024	NO objections	N/A	NO comments
WINFIELD BLOOM		3037 college Apt B	Owner	04/19/2024	NO	NA	NO
		3037 College Apt C	Owner				
		3037 college apt A	Owner				
Robert H. Kerr		3037 college B	Renter	12 year	No	NO	No
Linda M. Joseph		2701 Prince Street #1	Owner	4/12/2024	No	No	NO
		2701 Pine Apt 2	Owner				
		Apt 3	Owner				
		Apt 4	Owner				

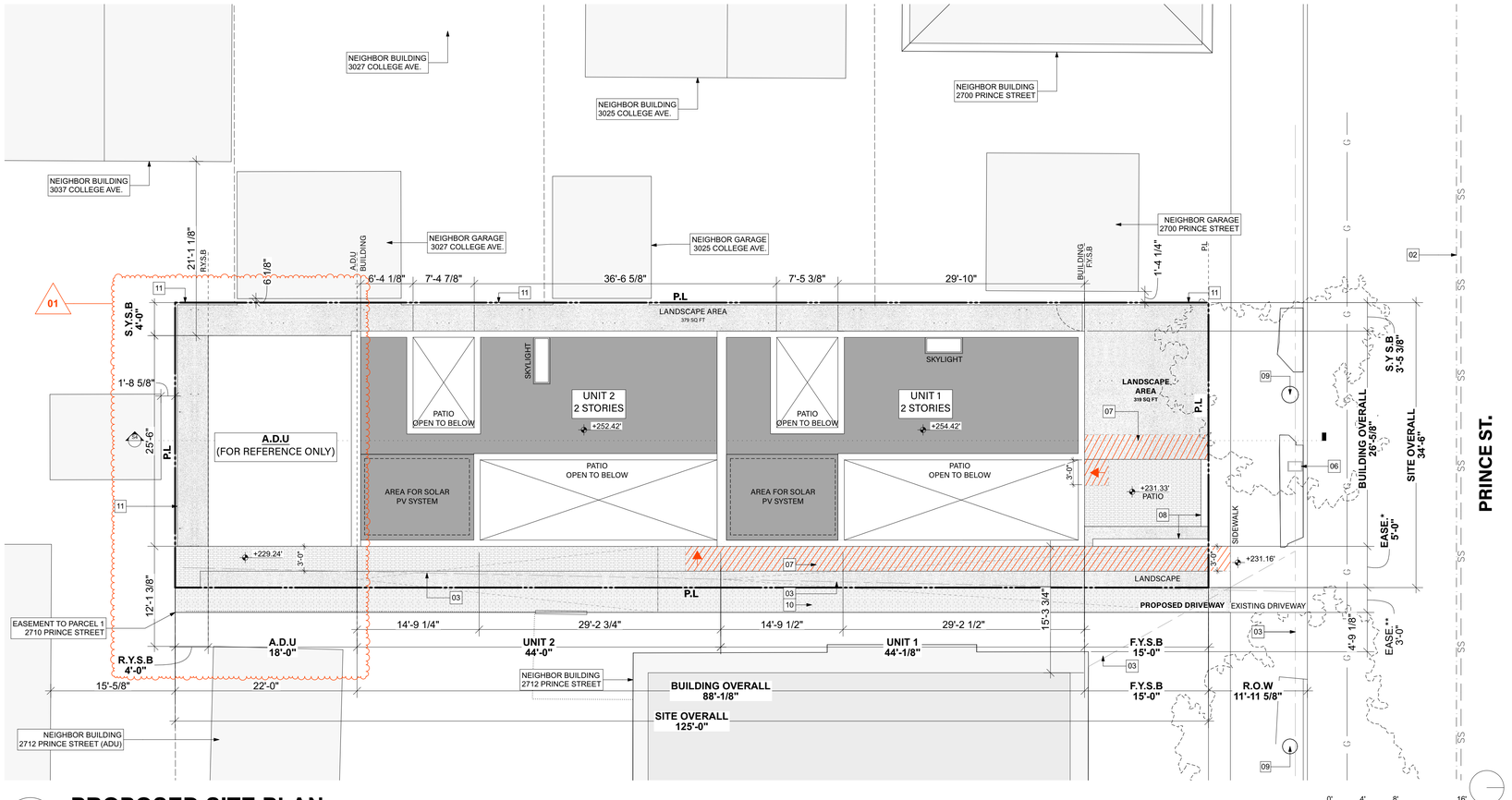
01

01

01

1 COMMUNITY OUTREACH

NOT TO SCALE



2 PROPOSED SITE PLAN

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

SITE PLAN GENERAL NOTES:

A. PARKING SPACE SHOWN IN GROUND FLOOR PLAN (SHEET N. A101).
B. TRASH/SOLID WASTE STORAGE AREA SHOWN IN FLOOR GROUND FLOOR PLAN (SHEET N. A101).
C. EASEMENT* = (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126)
EASEMENT** = 3' WIDE EASEMENT (2002-273924, PARCEL 2) CARLO (1998-273924, PARCEL 2)
D. BICYCLE PARKING NOT REQUIRED, PER BMC BICYCLE PLAN, APPENDIX F

KEYNOTES

01. GAS LINE UNDERGROUND (PER SURVEY PLANS)
02. SEWER LINE UNDERGROUND (PER SURVEY PLANS)
03. OVERHEAD WIRE (PER SURVEY PLANS)
04. GAS METER (PER SURVEY PLANS)
05. ELECTRIC METER (PER SURVEY PLANS)
06. WATER METER
07. PATHWAY(S) FROM RESIDENTIAL UNITS TO PUBLIC R.O.W
08. FENCE - BRICK WALL (5 FT. HEIGHT)
09. EXISTING TREE (TO REMAIN) - CHINAR TREE, 24" T; 12' DRIP LINE
10. NEW DRIVEWAY - BRICK PAVERS
11. FENCE - WOODEN PAINTED BOARDS (6 FT. HEIGHT)

01

ABREVIATIONS:

P.L:	PROPERTY LINE
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK
EASE.	EASEMENT
R.O.W:	RIGHT OF WAY

01

LEGEND:

- PROPERTY LINE
- ROOF
- ROOF CAP
- BRICK PAVER
- LANDSCAPING
- PATHWAY(S) FROM RESIDENTIAL STRUCTURES TO PUBLIC R.O.W
- EXISTING STRUCTURES TO BE DEMOLISHED

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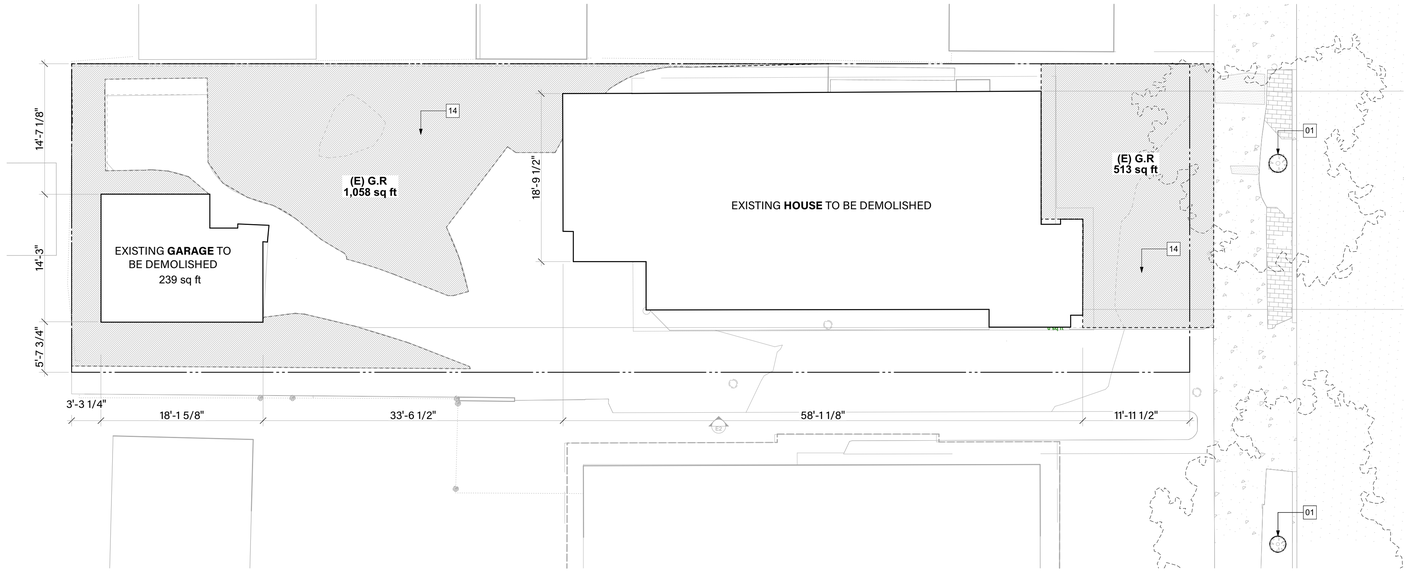
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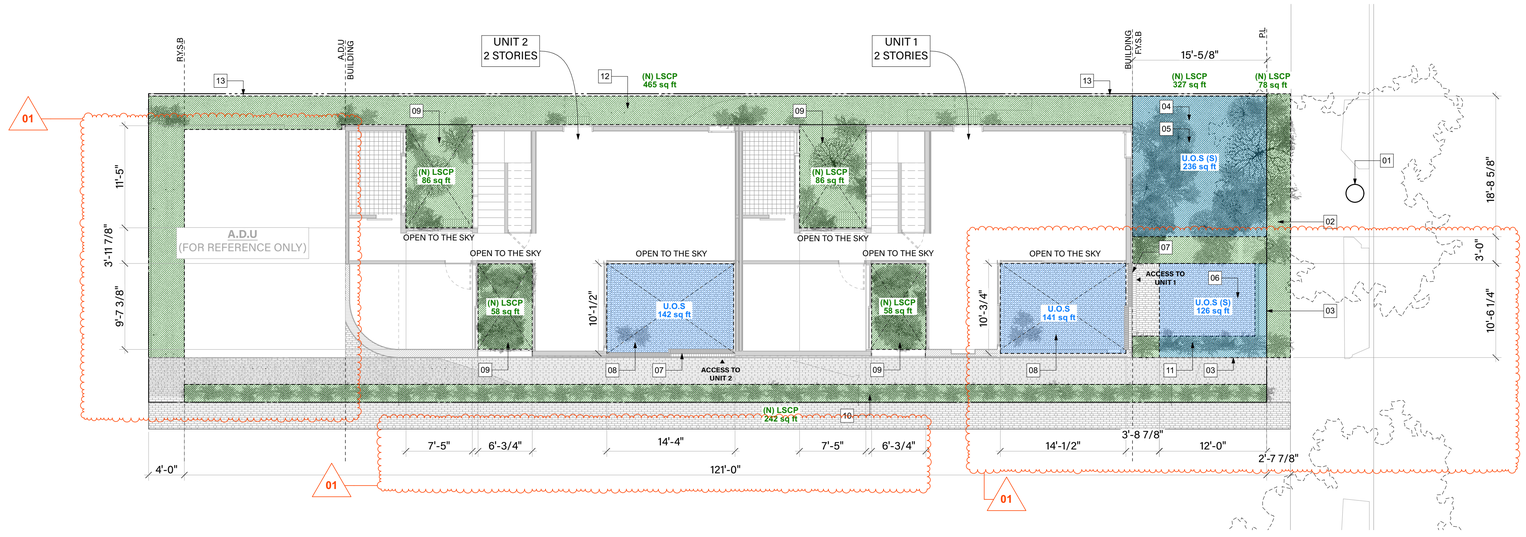
A100.1
COMMUNITY OUTREACH



1 EXISTING LANDSCAPE AND USABLE OPEN SPACE PLAN

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

0' 4' 8' 16' N



2 PROPOSED LANDSCAPE AND USABLE OPEN SPACE PLAN

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

0' 4' 8' 16' N

CALCULATIONS:

	EXISTING (SF)	REQUIRED (SF)	PROPOSED (SF)	NOTES
USABLE OPEN SPACE (SF)	2,139	300	UNIT 1	
			141	private
			181	shared
			322	subtotal
		300	UNIT 2	
			142	private
			181	shared
			323	subtotal
			645	**total**
LANDSCAPED USABLE OPEN SPACE - (SF)		253	327	(40% of total)
LANDSCAPED AREAS (SF)	1,571	n/a	1,286	

ALL LANDSCAPE AREAS AND USABLE OPEN SPACE CALCULATIONS PER **BMC 23.304.090**

LANDSCAPE AND USABLE OPEN SPACE PLAN KEYNOTES:

01. EXISTING TREE (TO REMAIN) - CHINAR TREE, 24" T; 12' DRIP LINE
02. NEW LANDSCAPING - UTILITY EASEMENT - MULCH SURFACE
03. FENCE - BRICK WALL (5 FT. HEIGHT)
04. NEW LANDSCAPING - FRONT YARD - PLANTER + MULCH SURFACES
05. (SHARED) USABLE OPEN SPACE - LANDSCAPE (PART OF 40% LANDSCAPING REQ)
06. (SHARED) USABLE OPEN SPACE - BRICK PAVEMENT
07. SLIDING ENTRY DOOR - WOODEN STUD CURTAIN SYSTEM
08. USABLE OPEN SPACE - BRICK PAVEMENT
09. NEW LANDSCAPING - PATIOS - PLANTER
10. NEW LANDSCAPING - DRIVEWAY - PLANTER
11. NEW LANDSCAPING - ENTRY - PLANTER
12. NEW LANDSCAPING - SIDE YARD SETBACK - GRAVEL
13. FENCE - WOODEN PAINTED BOARDS (6 FT. HEIGHT)
14. EXISTING LANDSCAPING - TO BE REMOVED

ABREVIATIONS:

U.O.S:	USABLE OPEN SPACE
U.O.S (S):	USABLE OPEN SPACE (SHARED)
LSCP:	LANDSCAPE
G.R:	GROUND SHOT
S.F:	SQUARE FOOT
N:	NEW OR PROPOSED
R.Y.S.B:	REAR YARD SET BACK

LEGEND:

- BRICK WALL
- WOOD FRAMED WALL
- BRICK PAVEMENT
- PROPERTY LINE
- PLANTER / LANDSCAPING
- USABLE OPEN SPACE (U.O.S)
- GROUND SHOT

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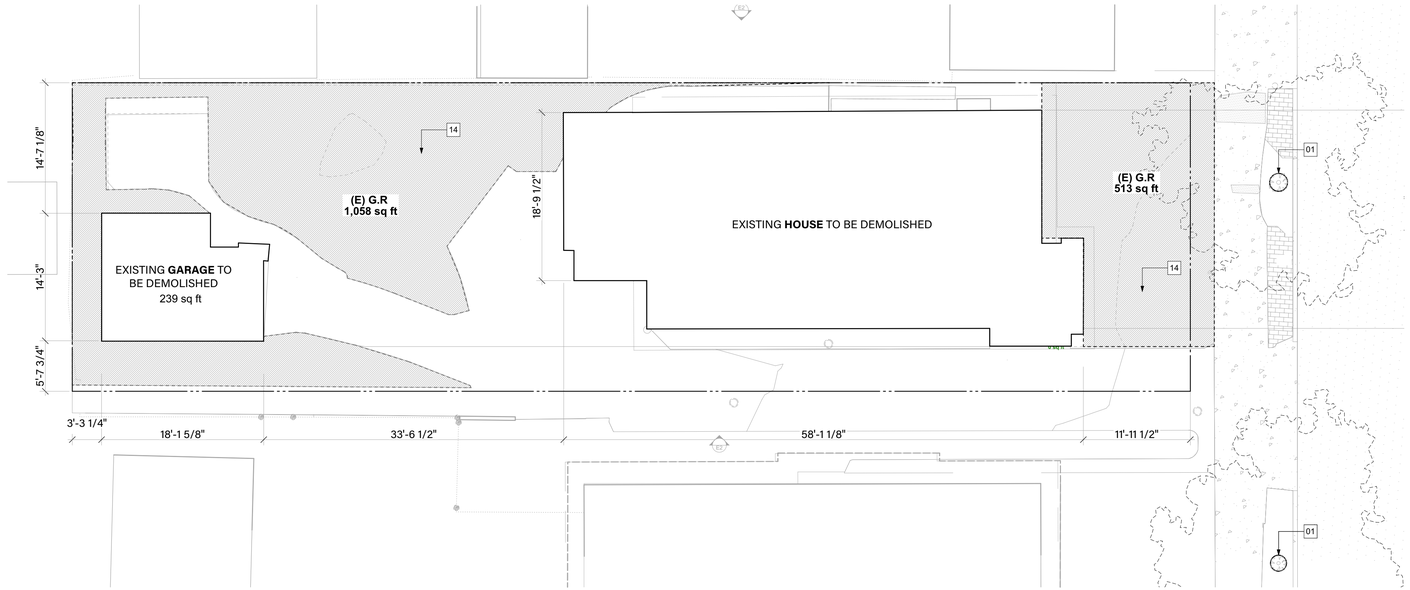
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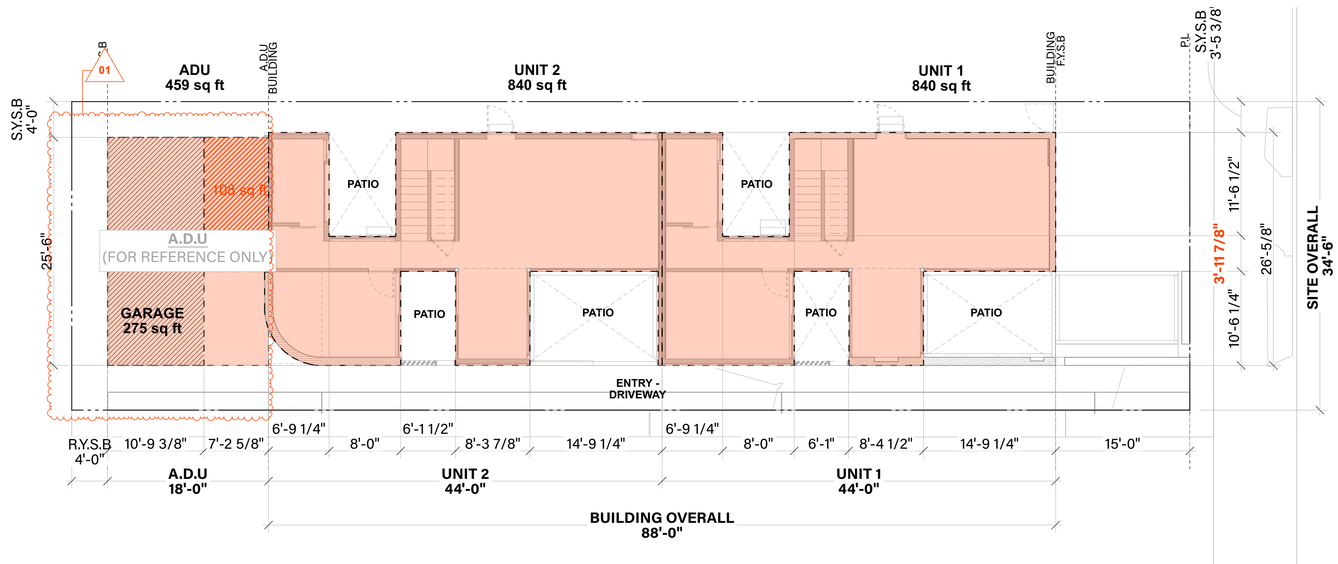
A101
LANDSCAPE AND USABLE OPEN SPACE PLAN

SHEET # 5 OF 20



1 EXISTING LOT COVERAGE

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



2 PROPOSED LOT COVERAGE

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

CALCULATIONS

01

GROSS FLOOR AREA*	EXISTING	UNIT 1	UNIT 2	ADU
1ST FLOOR	1,052	840	840	108
2ND FLOOR		684	688	388
3RD FLOOR		-	-	272
GARAGE		-	-	275
SUBTOTAL		1,524	1,528	768
TOTAL		**4,650**		

LOT AREA	4,312

	EXISTING	UNIT 1	UNIT 2	ADU
BUILDING FOOTPRINT	1,309	840	840	0****
LOT COVERAGE	24%	19%	19%	0%
LOT COVERAGE TOTAL	24%	**38%**		

* Gross area calculations per BMC 23.106.030

** Garage area not counted towards Groos Floor area Per BMC 23F.04.

*** ADU is excluded from the calculation per BMC 23.106.020

****subtract up to 800 sq. ft. of the ADU footprint from the total proposed lot coverage for the site (BMC Section 23.106.020(B)(4))

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
G.R:	GROUND SHOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK

LEGEND:

- BRICK WALL
- WOOD FRAMED WALL
- PROPERTY LINE
- GROSS AREA
- GARAGE AREA
- EXISTING HOUSE AREA

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10/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

PRINCE

2708 PRINCE ST
BERKELEY CA 94705
APN: 052-1563-036

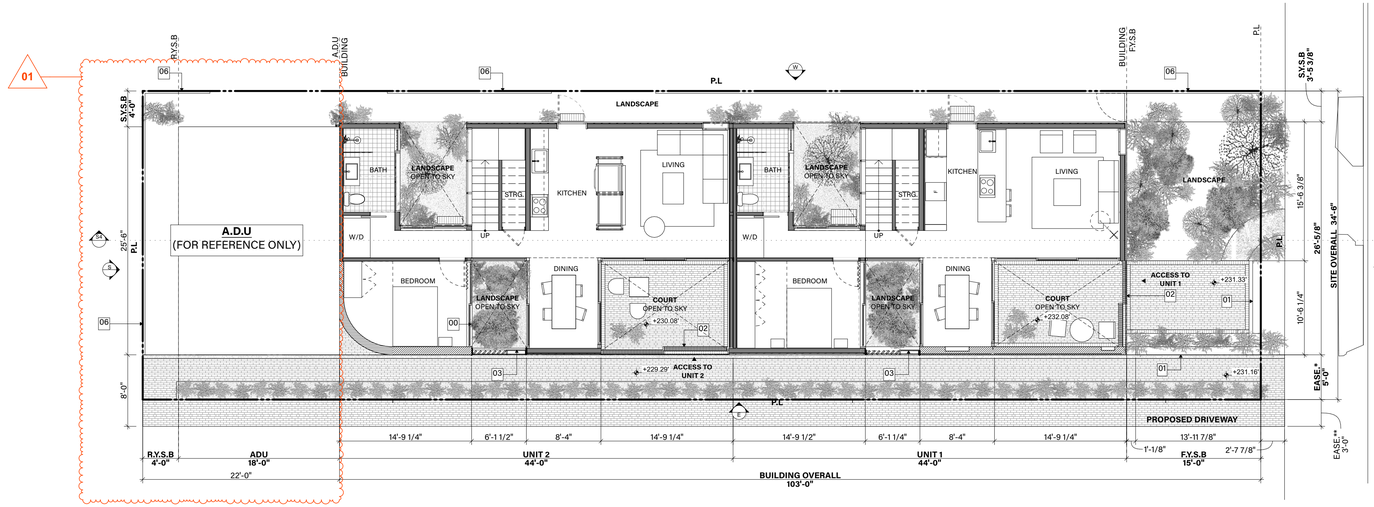
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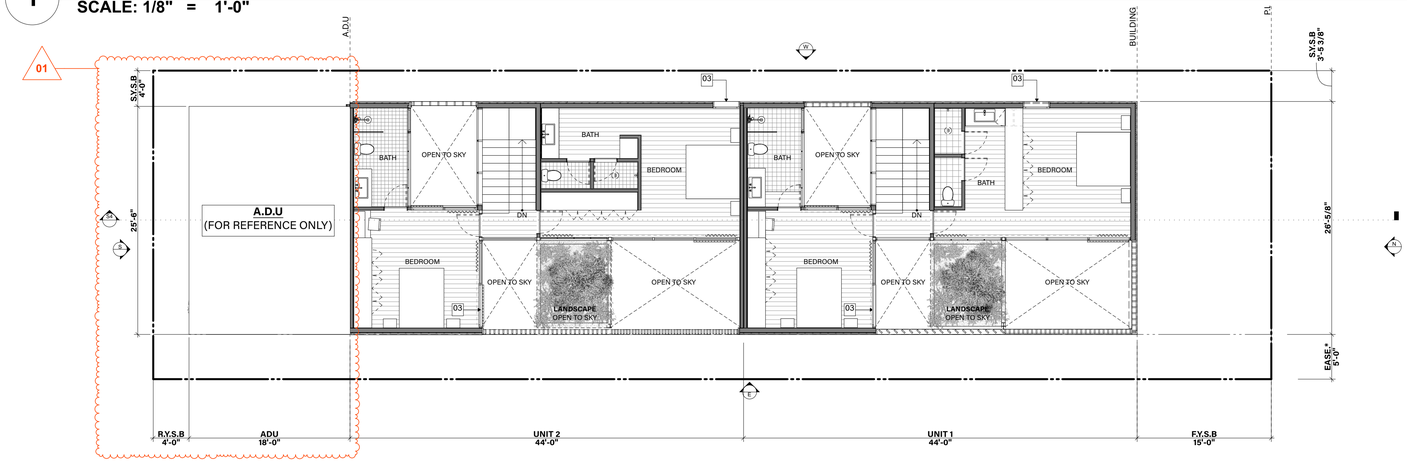
A102
LOT COVERAGE DIAGRAM AND CALCULATIONS

SHEET # 6 OF 20



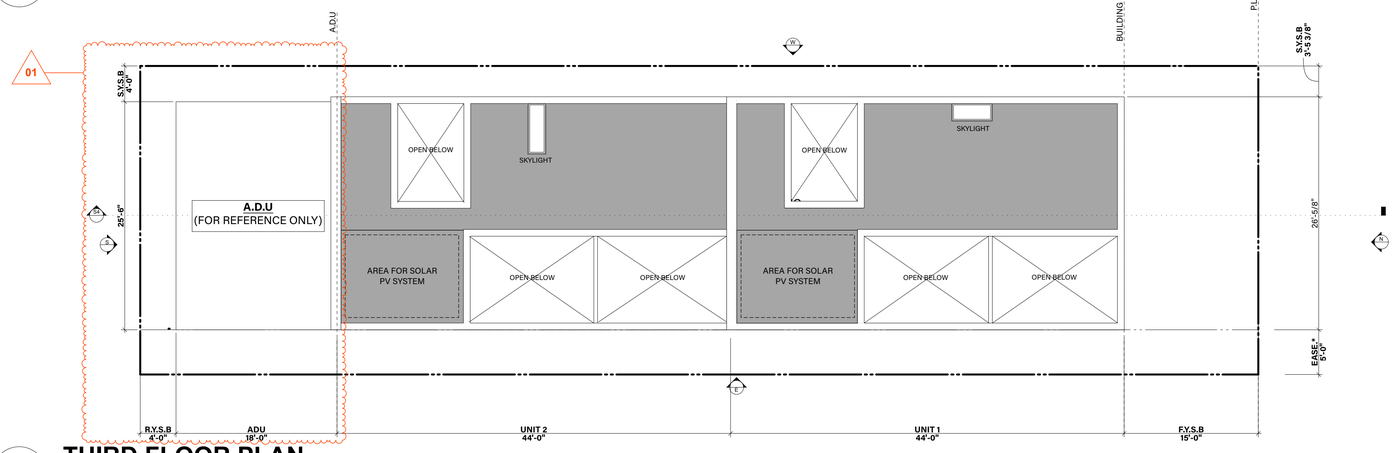
1 FIRST FLOOR PLAN

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



2 SECOND FLOOR PLAN

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



3 THIRD FLOOR PLAN

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

FLOOR PLANS GENERAL NOTES:

A. EASEMENT* = (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126)
EASEMENT**= 3' WIDE EASEMENT (2002-273924, PARCEL 2) CARLO (1998-273924, PARCEL 2)

B. BICYCLE PARKING NOT REQUIRED, PER BMC BICYCLE PLAN, APPENDIX F

FLOOR PLANS KEYNOTES:

01 FENCE - BRICK WALL (5 FT. HEIGHT)
02. SLIDING ENTRY DOOR - WOODEN STUD SCREEN SYSTEM
03. EMERGENCY ESCAPE AND RESCUE OPENING.
IN ACCORDANCE TO CALIFORNIA RESIDENTIAL CODE, S. R310.1
04. NEW ELECTRICAL METER(S)
05. TRASH/SOLID WASTE STORAGE AREA
06. FENCE - WOODEN PAINTED BOARDS (6 FT. HEIGHT)
07. BATTERY ENERGY STORAGE
08. ELECTRIC VEHICLE CHARGING

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK

LEGEND:

PROPERTY LINE
WOOD FLOOR
TILE
BRICK PAVER
LANDSCAPING
BRICK WALL
WOOD FRAMED WALL
ROOF
ROOF CAP

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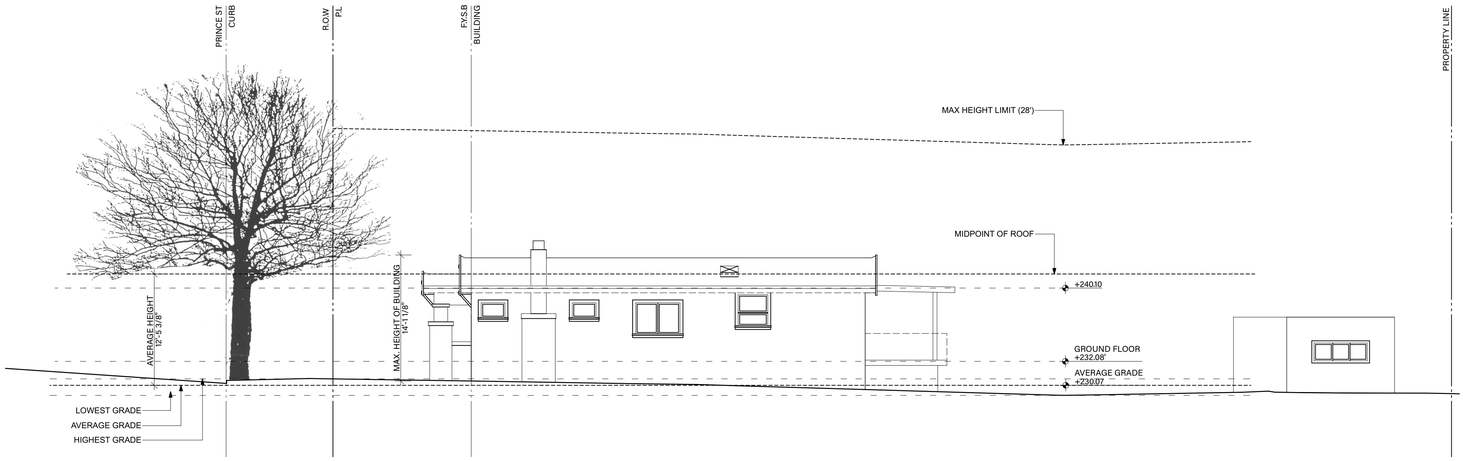
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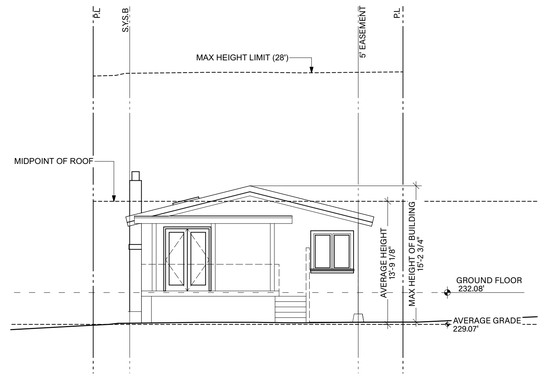
A103
FLOOR PLANS



1 WEST ELEVATION

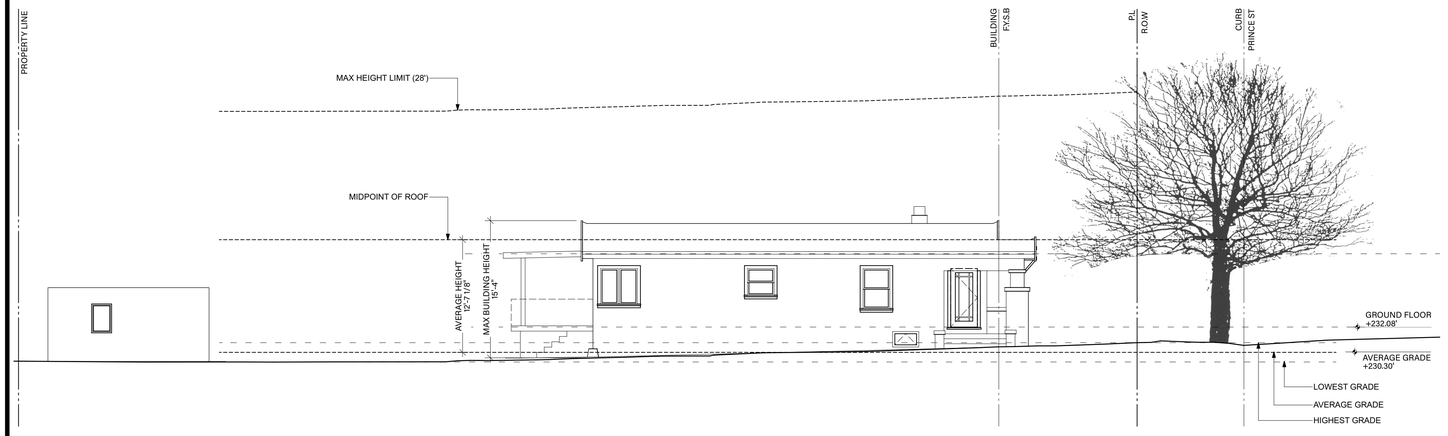
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0' 4' 8' 16'



4 SOUTH ELEVATION

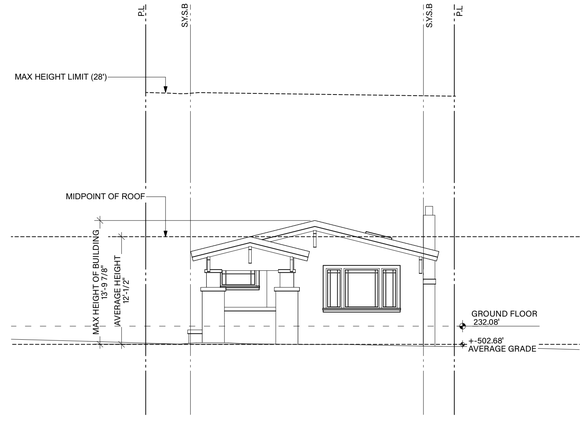
SCALE: 1/8" = 1'-0"



2 EAST ELEVATION

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

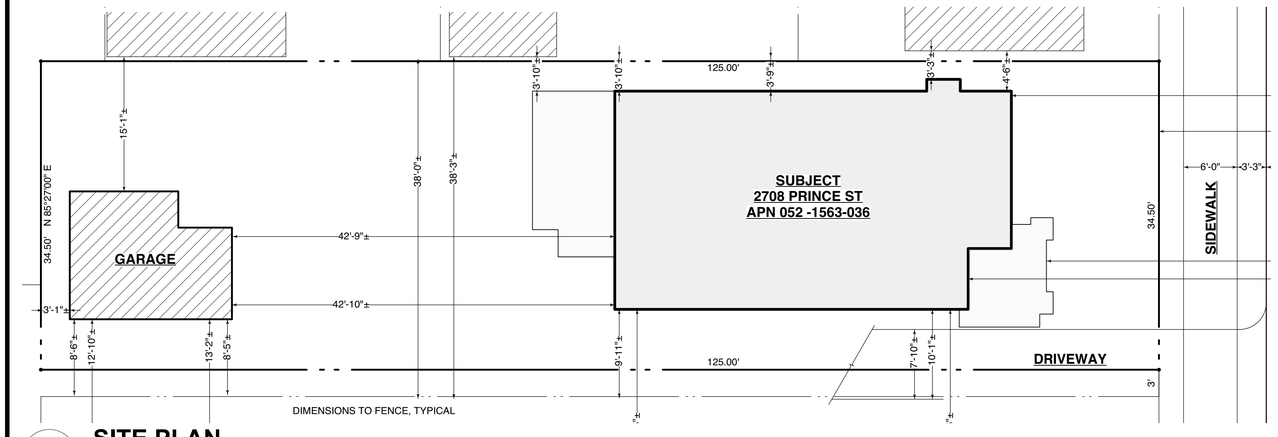
0' 4' 8' 16'



3 NORTH ELEVATION

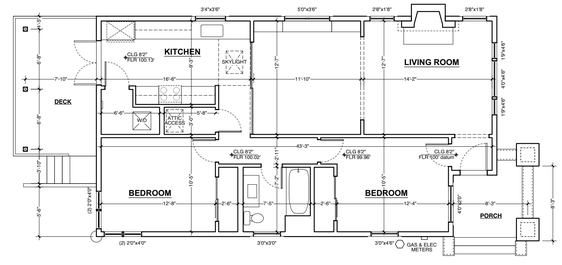
SCALE: 1/8" = 1'-0"

01



5 SITE PLAN

NOT TO SCALE



6 FLOOR PLAN

NOT TO SCALE

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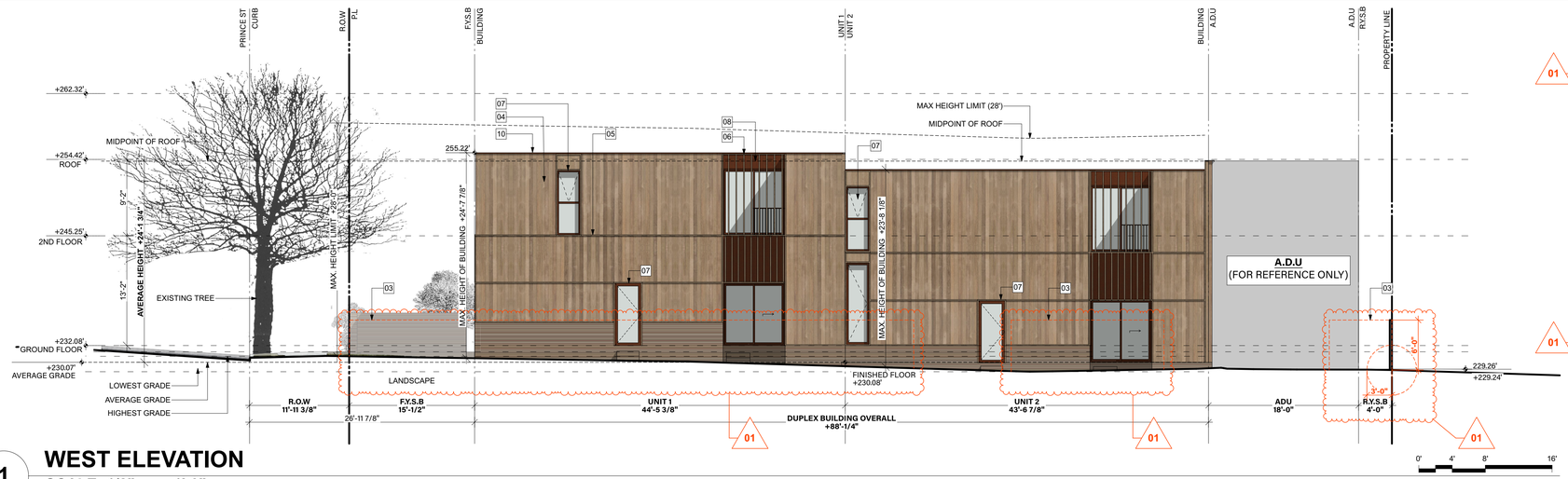
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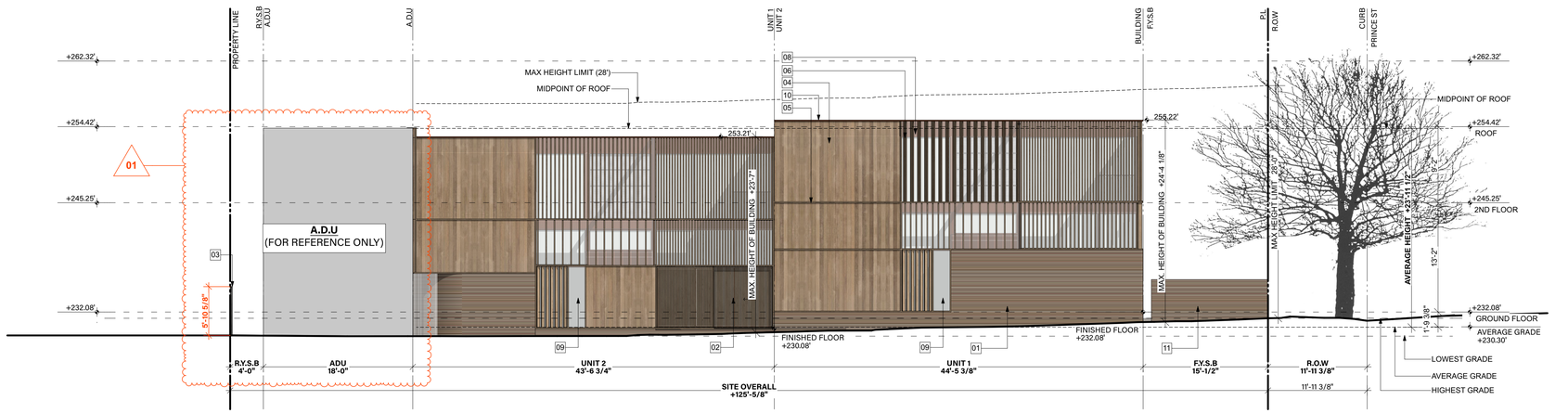
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A104
EXISTING
BUILDING PLANS



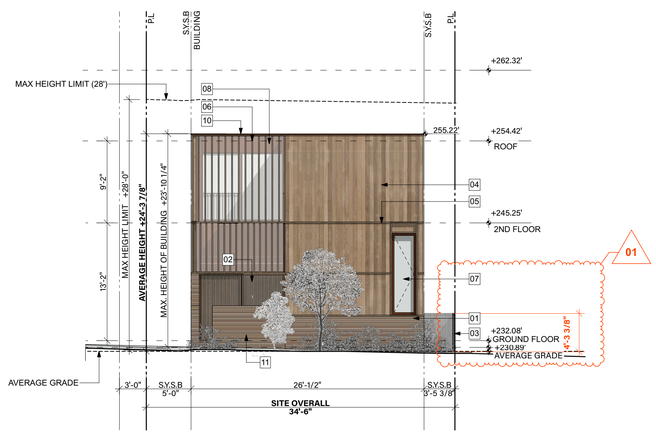
1 WEST ELEVATION

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



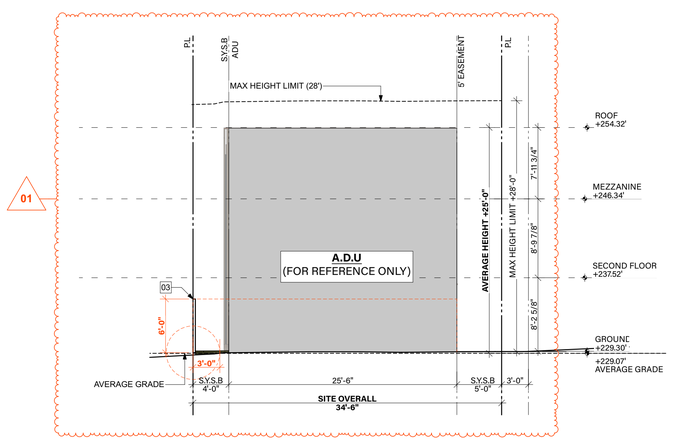
2 EAST ELEVATION

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



3 NORTH ELEVATION

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



4 SOUTH ELEVATION

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

PROPOSED EXTERIOR ELEVATIONS KEYNOTES:

01. BRICK WALL
02. SLIDING ENTRY DOOR - WOODEN STUD SCREEN SYSTEM
03. FENCE - PAINTED WOOD, 6' HEIGHT
04. WALL - NATURAL WOOD VERTICAL SIDING
05. WOOD REVEAL
06. WOODEN STUD SCREEN SYSTEM
07. WINDOW / DOOR - ALUMINUM FRAME (COLOR: RAL 3007) AND WOOD TRIM
08. (BEHIND) CEMENT BOARD PANEL (COLOR: RAL 3007)
09. EMERGENCY ESCAPE AND RESCUE OPENING
10. PARAPET CAP - PAINTED SHEET METAL
11. FENCE - BRICK WALL, 5' HEIGHT

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK

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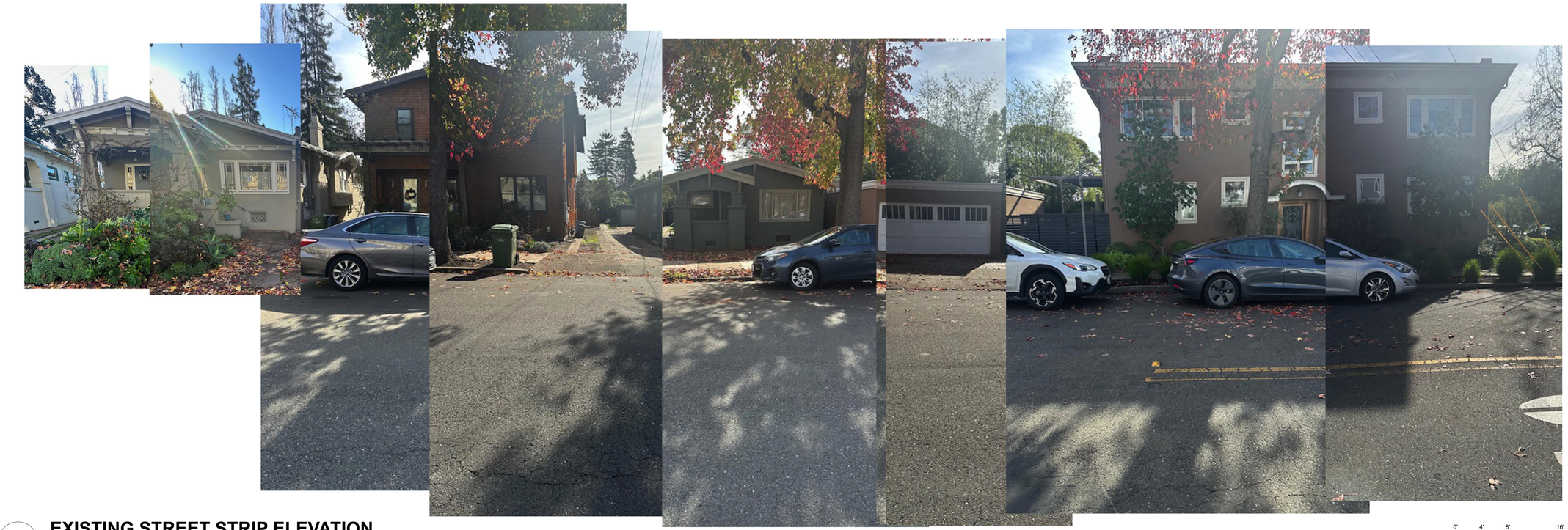
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A105
PROPOSED EXTERIOR ELEVATIONS

SHEET # 9 OF 20



1 **EXISTING STREET STRIP ELEVATION**
SCALE: 1/8" 1' = 1'-0"

0' 4' 8' 16'



2 **PROPOSED STREET STRIP ELEVATION**
SCALE: 1/8" 1' = 1'-0"

0' 4' 8' 16'

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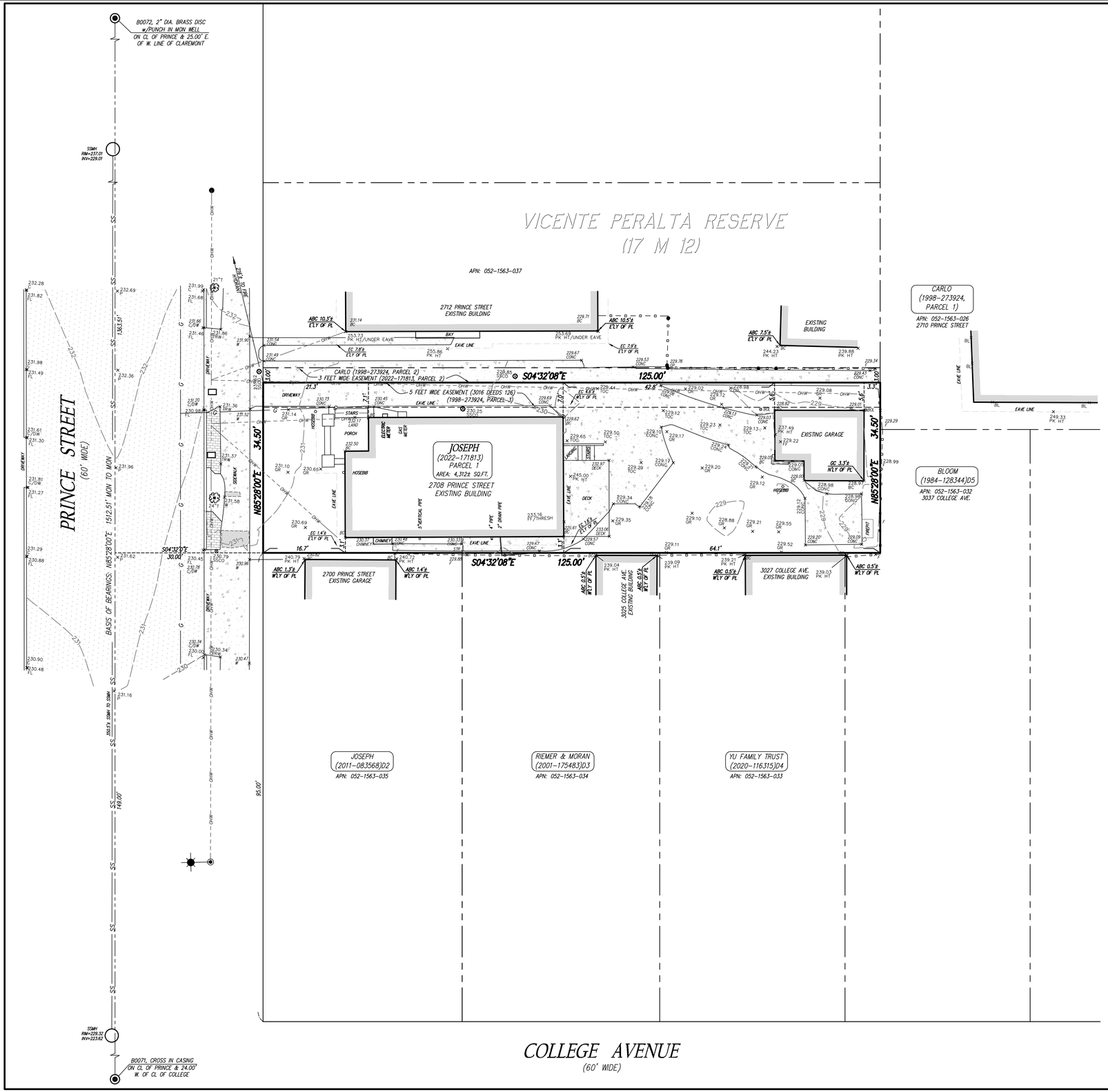
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A106
STREET STRIP ELEVATION

SHEET # 10 OF 20



GRAPHIC SCALE
0 5 10 20
(IN FEET)
1 inch = 10 ft.

OWNER:
LINDA JOSEPH
2700 PRINCE STREET
BERKELEY, CA 94705

BASIS OF BEARINGS:
MONUMENT LINE IN PRINCE STREET
BEARING: N85°28'00"E.

MAP REFERENCES:
R1 MAP OF THE COLBY TRACT (19 M 76)
R2 MAP OF PARK SIDE, CLAREMONT (21 M 33)
R3 PARCEL MAP NO. 4334 (149 M 68)
R4 CITY OF BERKELY MONUMENT CARDS

BENCHMARK:
B2144, 2" DIA. DISC CITY OF BERKELEY
BRASS DISK w/PUNCH IN MONUMENT WELL
ELEVATION = 224.49, BASED UPON
CITY OF BERKELEY.

LEGEND

⊙	FOUND CITY MONUMENT AS NOTED
	BUILDING FOOTPRINT
	ASPHALT
	CONCRETE
( )	RECORD DATA PER (140 M 26)
(DX)	RECORDED DEEDS
#"T	DIAMETER OF TREE (INCHES)
ABC	ADJACENT BUILDING CORNER
BC	BUILDING CORNER
BL	BUILDING LINE
C	TOP OF CURB
CONC	CONCRETE
DW	DRIVEWAY
EB	ELECTRIC BOX
EM	ELECTRIC METER
EC	EAVE CORNER
F	FENCE
FF	FINISHED FLOOR
FH	FIRE HYDRANT
FL	FLOWLINE
GC	GARAGE CORNER
GR	GROUND SHOT
GM	GAS METER
GP	GATE POST
INV	INVERT
JP	JOINT POLE
JP/SL	JOINT POLE/STREET LAMP
P	PAVEMENT
PL	PROPERTY LINE
PK HT	PEAK HEIGHT
OHW	OVERHEAD WIRE
SS	SANITARY SEWER LINE
SSMH	SANITARY SEWER MANHOLE
SSCO	SANITARY SEWER CLEAN OUT
STR	STAIR
TOC	TOP OF CONCRETE
TRW	TREE WELL
W	BACK OF SIDEWALK
WM	WATER METER

ADJACENT PARCEL/LOT LINE
EASEMENT LINE
MONUMENT LINE
SUBJECT PROPERTY
TIE LINE
WOOD FENCE

LICENSED LAND SURVEYOR KEITH S. BUSH No. 8494 STATE OF CALIFORNIA

KEITH S. BUSH, L.S. 8494
DATE: 07/21/2023

BOUNDARY & TOPOGRAPHIC SURVEY

THAT REAL PROPERTY DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED OCTOBER 14, 2022 SERIES NO. 2022-171813 ALAMEDA COUNTY RECORDS
CITY OF BERKELEY, ALAMEDA COUNTY, STATE OF CALIFORNIA
JULY, 2023 SCALE: 1" = 10'

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

APN: 052-1563-036 SHEET 1 OF 1 22-4844

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San Diego, CA 92104
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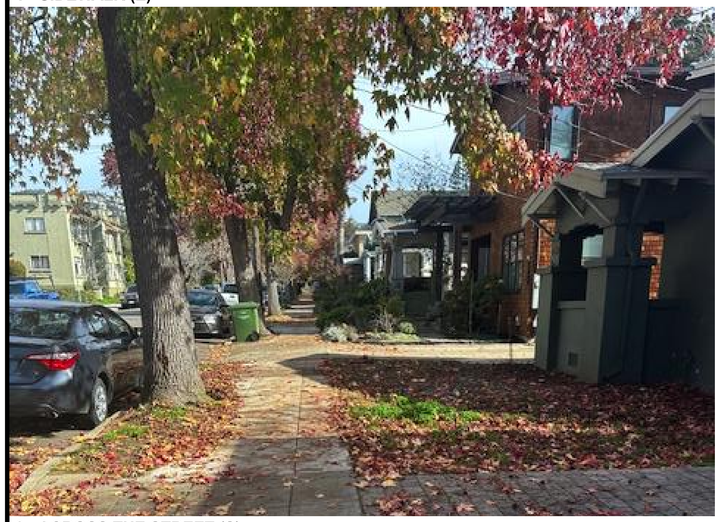
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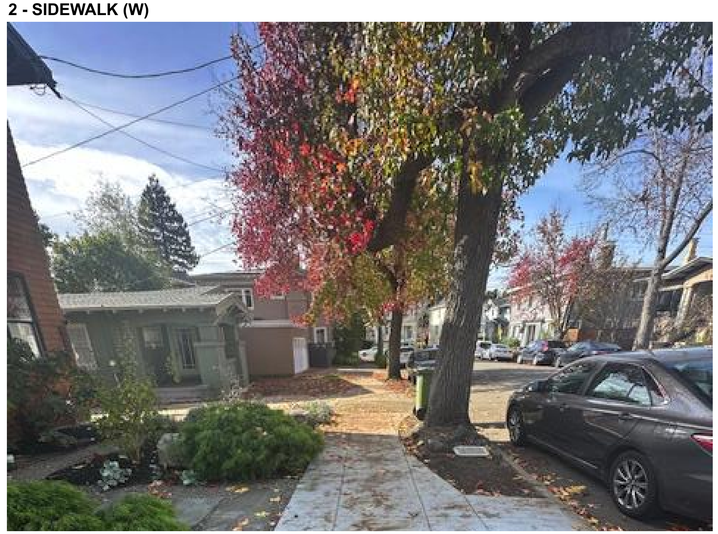
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R01
SITE SURVEY

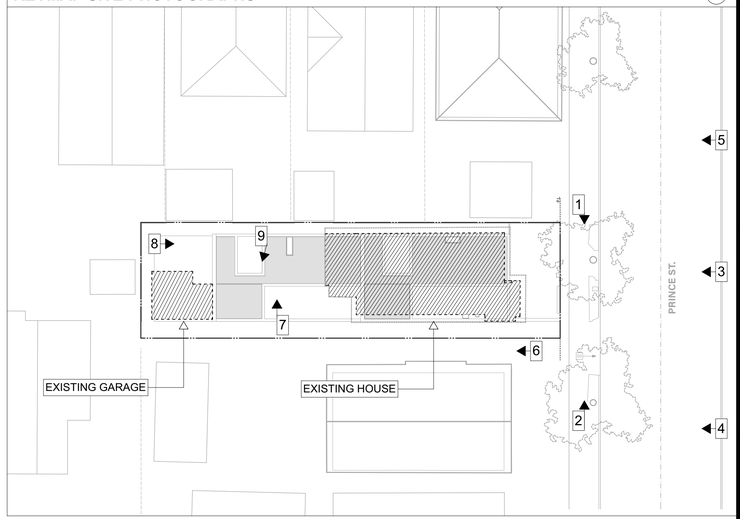
1 - SIDEWALK (E)



2 - SIDEWALK (W)



KEYMAP SITE PHOTOGRAPHS



3 - ACROSS THE STREET (S)



4 - NEIGHBOR @ EAST SIDE



5 - NEIGHBOR @ WEST SIDE



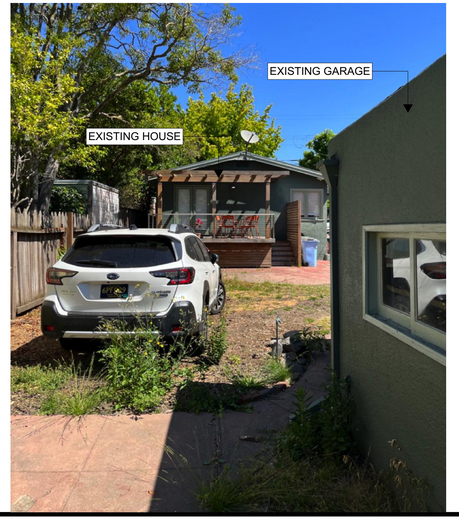
6 - EASEMENT (S)



7 - WITHIN SITE (W)



8 - 9 - WITHIN SITE





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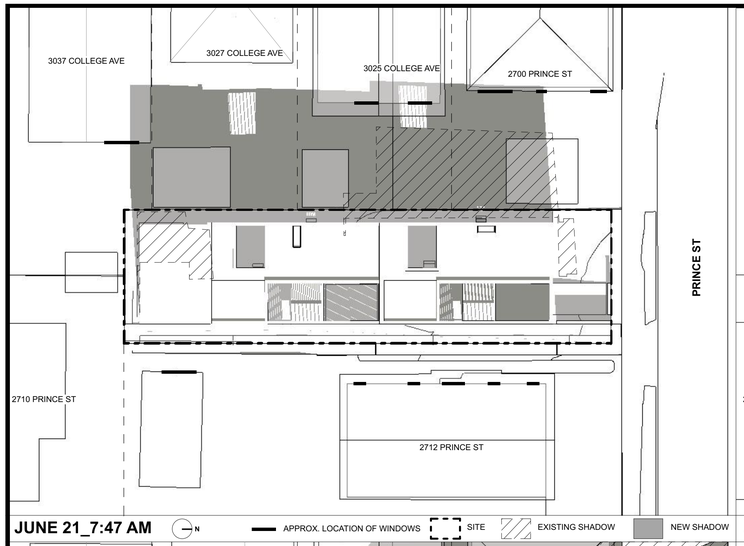
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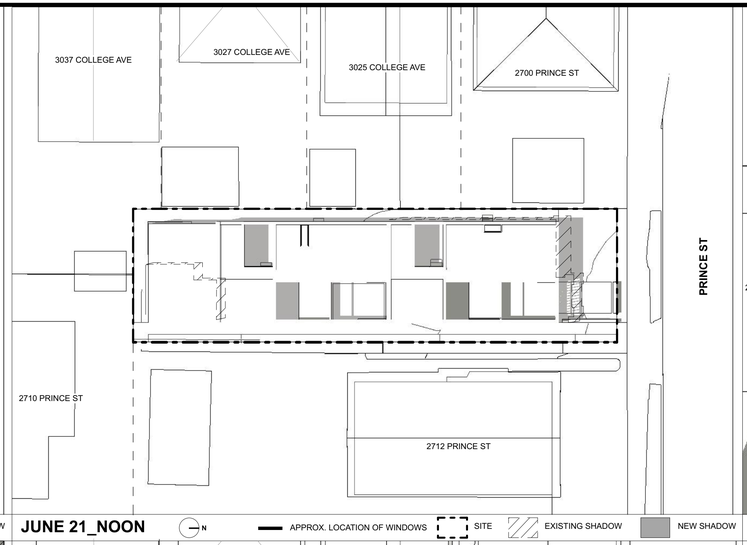
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R02
SITE PHOTOGRAPHS

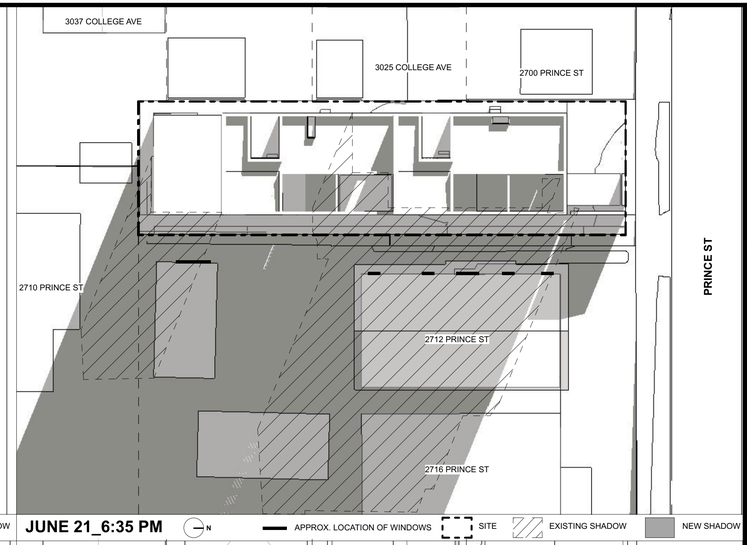
SHEET # 12 OF 20



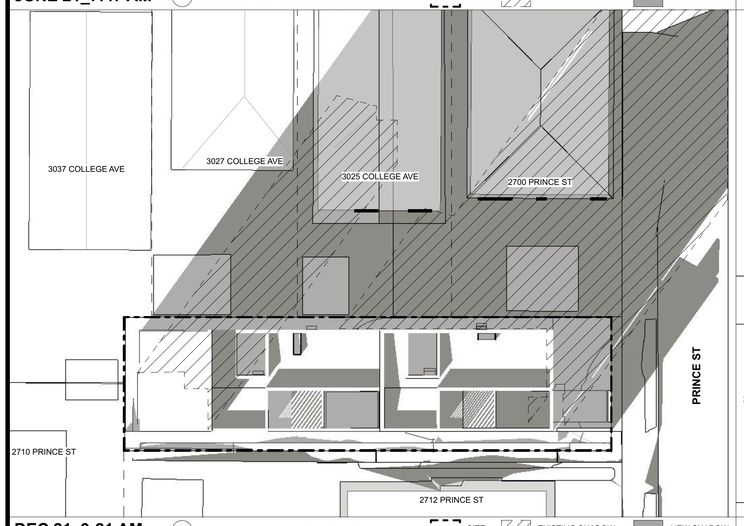
JUNE 21_7:47 AM — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



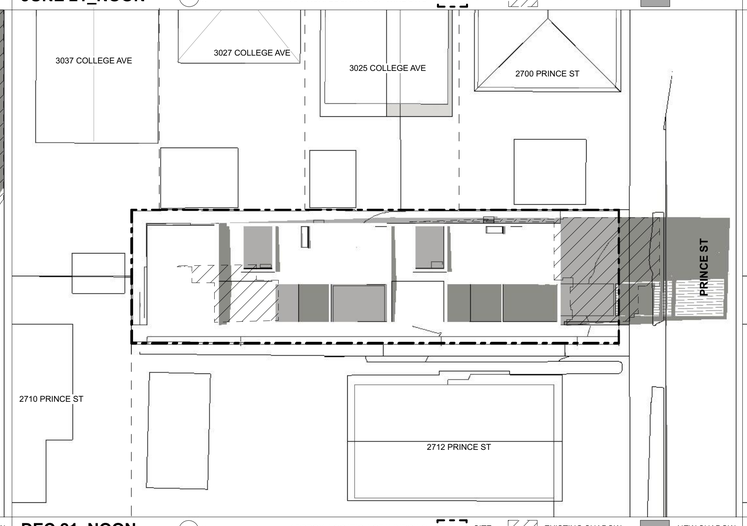
JUNE 21_NOON — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



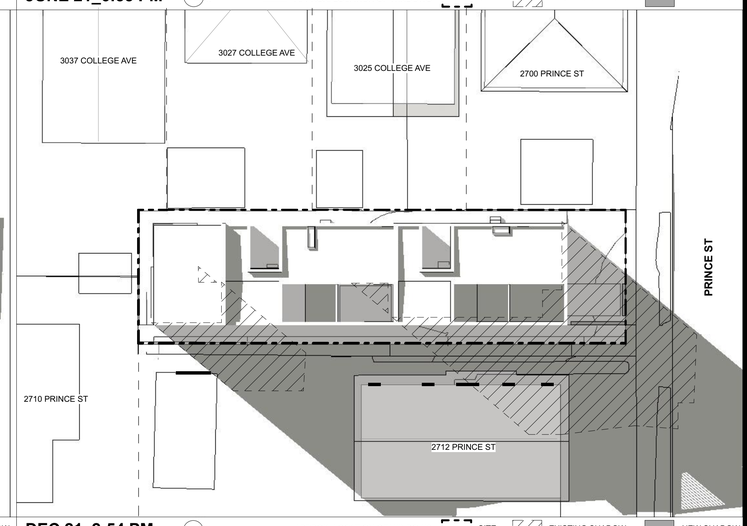
JUNE 21_6:35 PM — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



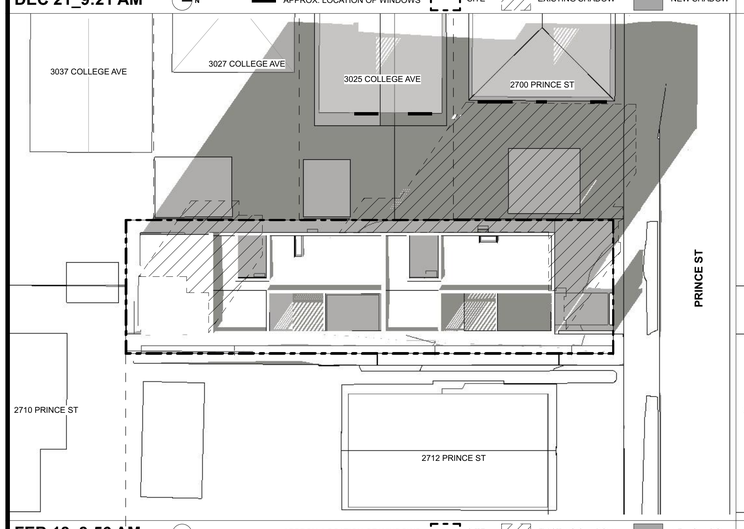
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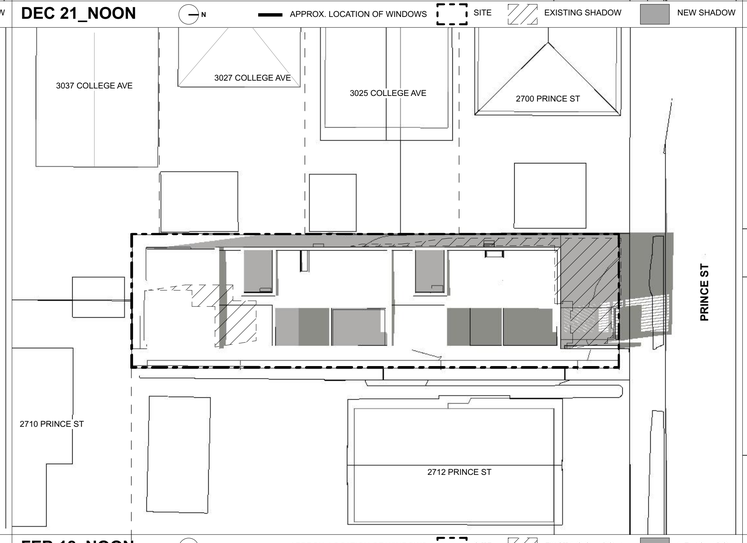
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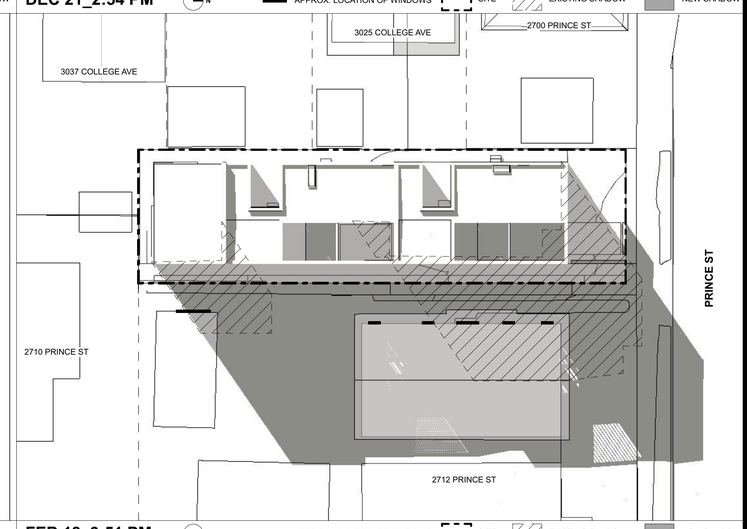
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FEB 18_8:56 AM — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



FEB 18_NOON — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



FEB 18_3:51 PM — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW

Jeff Svitak Inc.

3037 Redwood St.
San Diego, CA 92104
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JEFF SVITAK
C-38700
10/31/2025
RENEWAL DATE
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PRINCE

2708 PRINCE ST
BERKELEY CA 94705
APN: 052-1563-036

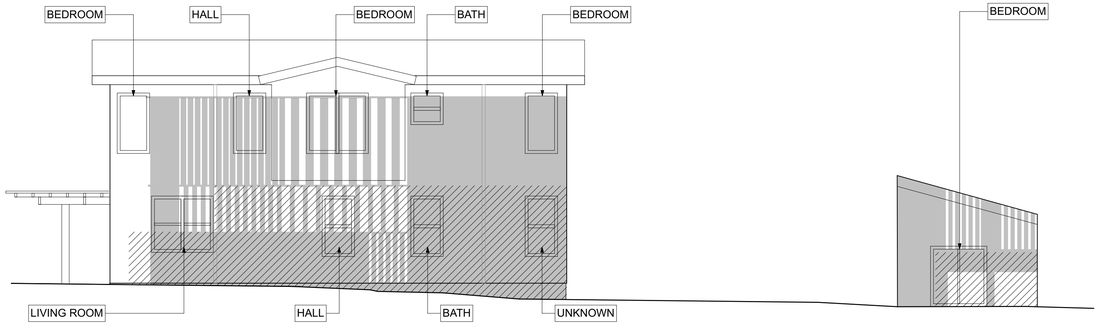
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Z.P.A SUBMITTAL		02.16.2024
Z.P.A RE-SUBMITTAL	01	04.20.2024

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R03
SHADOW STUDY

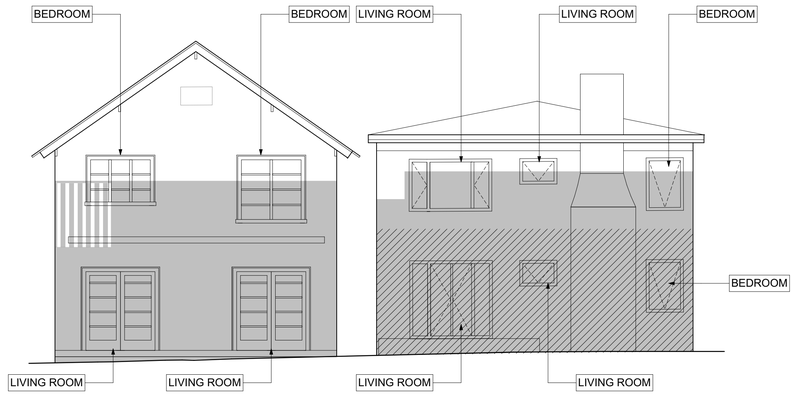
SHEET # 13 OF 20



PRINCE ST. 2712 | PRINCE ST. 2712 - ADU

EASTERN NEIGHBORS - JUNE 21_6:35 PM

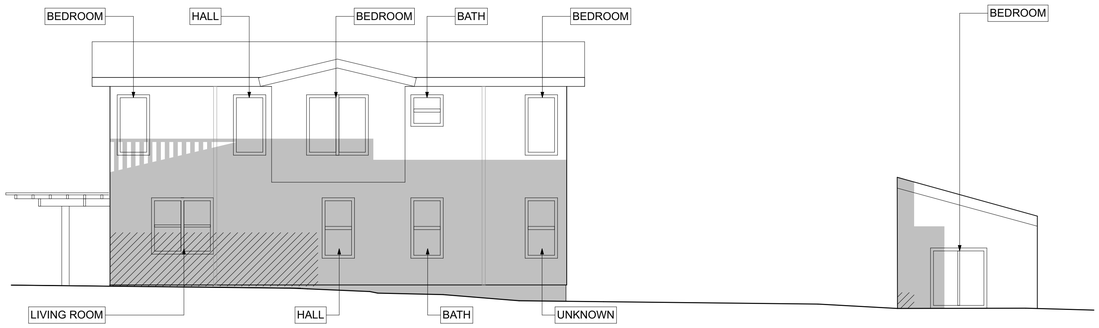
EXISTING SHADOW | NEW SHADOW



COLLEGE AVE. 3025 | PRINCE ST. 2700

WESTERN NEIGHBORS - DEC 21_9:21 AM

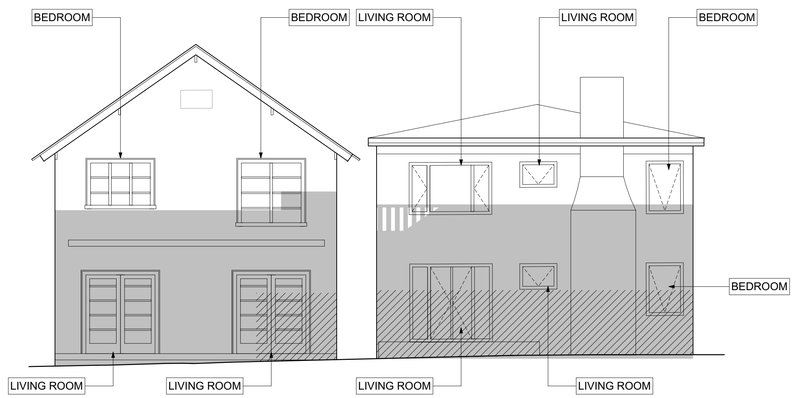
EXISTING SHADOW | NEW SHADOW



PRINCE ST. 2712 | PRINCE ST. 2712 - ADU

EASTERN NEIGHBORS - DIC 21_2:54 PM

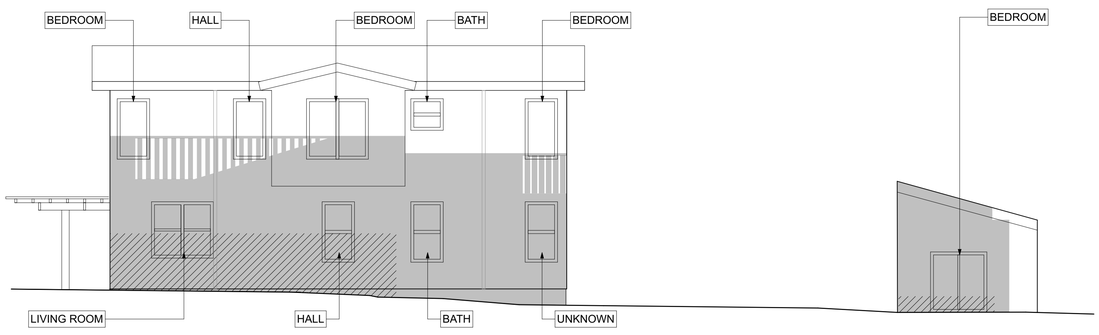
EXISTING SHADOW | NEW SHADOW



COLLEGE AVE. 3025 | PRINCE ST. 2700

WESTERN NEIGHBORS - FEB 18_8:56 AM

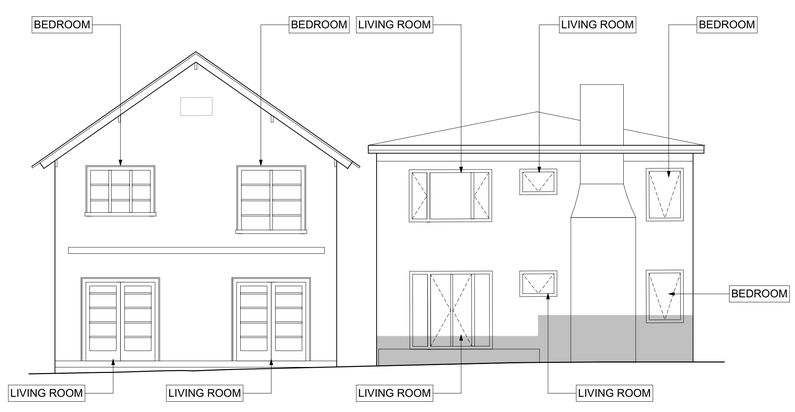
EXISTING SHADOW | NEW SHADOW



PRINCE ST. 2712 | PRINCE ST. 2712 - ADU

EASTERN NEIGHBORS - FEB 18_3:51 PM

EXISTING SHADOW | NEW SHADOW



COLLEGE AVE. 3025 | PRINCE ST. 2700

JUNE 21_7:47 AM

EXISTING SHADOW | NEW SHADOW

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PRINCE

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BERKELEY CA 94705
APN: 052-1563-036

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Z.P.A. SUBMITTAL		02.16.2024
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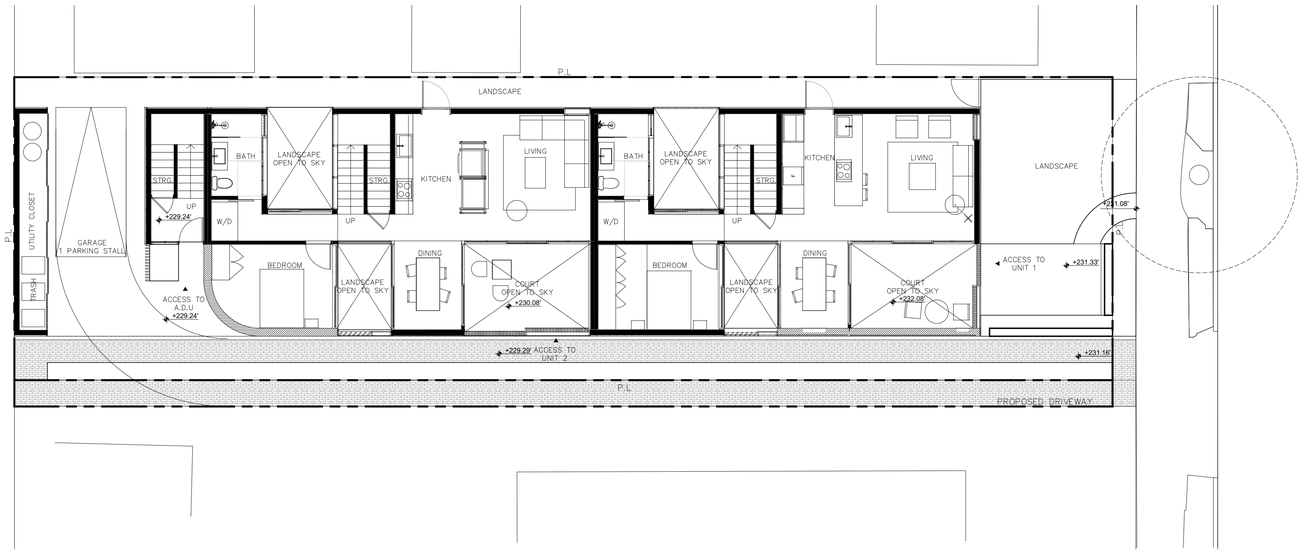
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R04
SHADOW STUDY - NEIGHBORS ELEVATIONS

SHEET # 14 OF 20

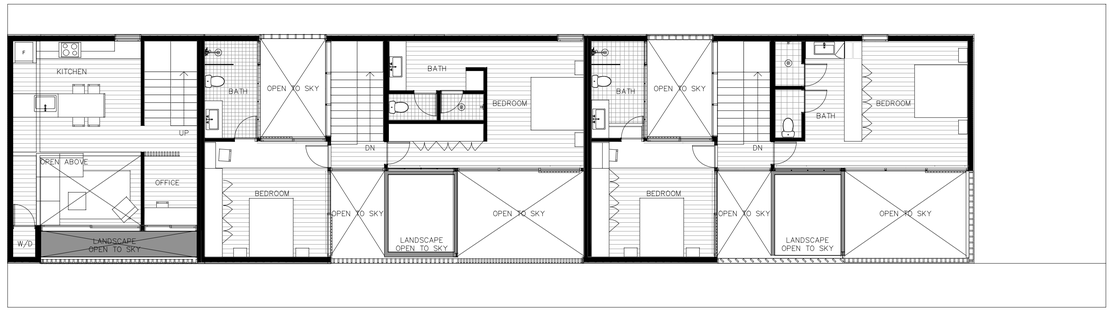


NORTH

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

0 4' 8' 16'

GROUND FLOOR PLANTING PLAN
1/8"=1'-0"



NORTH

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

0 4' 8' 16'

SECOND FLOOR PLANTING PLAN
1/8"=1'-0"

I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE PRESCRIPTIVE COMPLIANCE OPTION TO THE MWELO

TOTAL LANDSCAPE AREA: 1,193 SF
TOTAL LAWN AREA: 0 SF

TOTAL PLANTS WITH WULCOLS PLANT FACTOR <=0.3: **(100%)**

costello kennedy
LANDSCAPE ARCHITECTURE
16 de la Guerra Road San Rafael, CA 94903
ph:415-479-7552 www.costellokennedy.com

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PRINCE STREET TOWNHOMES
2708 PRINCE STREET
BERKELEY, CA 94705

revisions:

LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
Signature
03-2024
Renewal Date
01-01-2024
Date
STATE OF CALIFORNIA

LANDSCAPE PLAN

date: 02-16-2024
scale: AS NOTED
sheet: L1.0

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	TYPE	QU	SIZE	HEIGHT X WIDTH	WATER USE
PS	PRUNUS SERRULATA 'KWANZAN'	FLOWERING PLUM	TREE		24" BOX	20'X20'	L
SN	SAMBUCUS NIGRA 'BLACK LACE'	ELDERBERRY	TREE		15 GAL - MULTI	15'X10'	L
AI	ACACIA ITEAPHYLLA	WILLOW WALLOW	TREE		15 GAL - MULTI	15'X10'	L
AC	ACACIA 'COUSIN ITT'	RIVER WATTLE	SHRUB		5 GAL	4'X4'	L
WW	WESTRINGIA 'WYNNABIE GEM HIGHLIGHT'	COAST ROSEMARY	SHRUB		5 GAL	4'X4'	L
LPP	LOROPETALUM 'PURPLE PIXIE'	FRINGE FLOWER	SHRUB		5 GAL	3'X5'	L
PC	PLECTRANTHUS CILIATUS 'DREDGE'	SPUR FLOWER	GROUNDCOVER		5 GAL	1.5'X5'	L
AV	ASPIDISTRA ELIATOR 'VARIEGATA'	CAST IRON PLANT	SHRUB		5 GAL	3'X3'	L
MS	MAHONIA 'SOFT CARESS'	OREGON GRAPE	SHRUB		5 GAL	3'X3'	L
LP	LOMANDRA 'PLATINUM BEAUTY'	VARIEGATED MAT RUSH	GRASS		1 GAL	4'X4'	L
CD	CAREX DIVULSA	BERKELEY SEDGE	GRASS		1 GAL	2'X2'	L
AE	AEONIUM ESCOBARII	AEONIUM	SUCCULENT		1 GAL	1.5'X5'	L
HM	HELLEBORUS 'MOLLY'S WHITE'	LENTEN ROSE	PERENNIAL		1 GAL	2'X2'	L
HO	HEUCHERA 'OBSIDIAN'	CORAL BELLS	PERENNIAL		4" POT	1.5'X1.5'	L
EE	ECHEVERIA ELEGANS	HEN AND CHICKS	SUCCULENT		4" POT	6"X12"	L
EP	ECHEVERIA 'PURL VON NURNBERG'	HEN AND CHICKS	SUCCULENT		4" POT	12"X12"	L
DM	DYMONDIA MARGARETAE	DYMONDIA	GROUNDCOVER		LANDSCAPE FLAT**	FLAT	L
**	LANDSCAPE FLAT TO BE CUT INTO 16 PICES AND SPACED 12" OC						

PLANT IMAGES


Prunus serrulata 'Kwanzan'


Sambucus 'Black Lace'


Acacia iteaphylla


Acacia 'Cousin Itt'


Westringia 'Wynyabbie Highlight


Loropetalum 'Purple Pixie'


Plectranthus ciliatus 'Dredge'


Aspidistra 'Variegata'

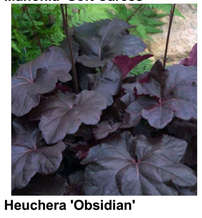

Mahonia 'Soft Caress'


Lomandra 'Platinum Beauty'


Carex divulsa


Aeonium escobarii


Helleborus 'Molly's White'


Heuchera 'Obsidian'


Echeveria elegans


Echeveria 'Purl Von Nurnberg'


Dymondia

I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE PRESCRIPTIVE COMPLIANCE OPTION TO THE MWELO

TOTAL LANDSCAPE AREA: 1,096 SF
TOTAL LAWN AREA: 0 SF

TOTAL PLANTS WITH WULCOLS PLANT FACTOR <=0.3: **(100%)**

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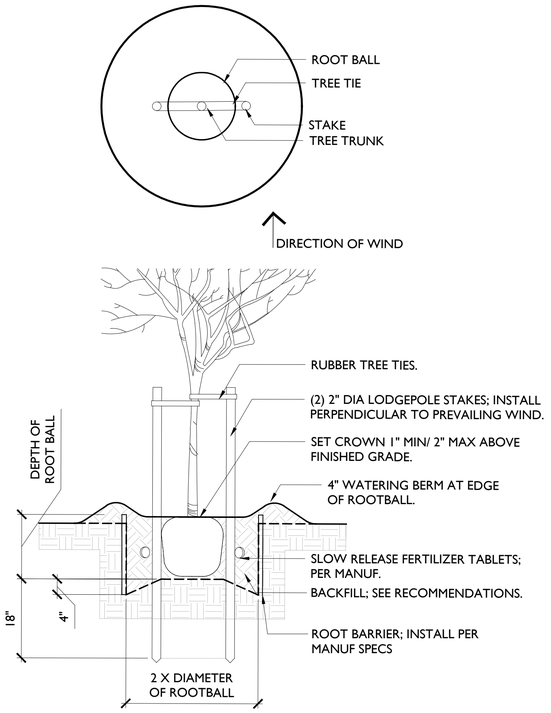
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2708 PRINCE STREET
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revisions:

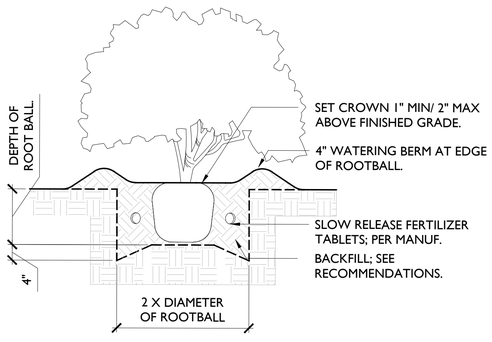
LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
Signature
03-2024
Renewal Date
01-31-2024
Date
STATE OF CALIFORNIA

PLANT SCHEDULE

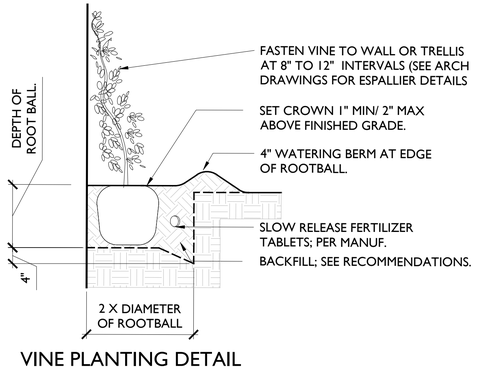
date: 02-16-2024
scale: AS NOTED
sheet: L1.1



1 TREE PLANTING
NO SCALE



2 SHRUB PLANTING
NO SCALE



3 VINE PLANTING DETAIL
NO SCALE

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revisions:

LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
Signature
03-2024
Renewal
xx-xx-2024
Date
STATE OF CALIFORNIA

PLANTING NOTES AND DETAILS

date: 02-16-2024
scale: AS NOTED
sheet: L1.2

PLANTING NOTES

1. SEE COMPLETE SPECIFICATIONS MANUAL THAT HAS BEEN CREATED FOR THIS JOB FOR ADDITIONAL NOTES AND REQUIREMENTS. REPORT ANY DISCREPANCIES TO LANDSCAPE ARCHITECT.

2. EXAMINE SITE OF PROPOSED WORK NOTING EXISTING CONDITIONS AND THE PROPOSED PLANTING AS SHOWN ON THE PLAN. ALERT LANDSCAPE ARCHITECT OF DISCREPANCIES.

3. ALL WORK SHALL BE IN STRICT ACCORDANCE WITH SOUND NURSERY PRACTICE AND SHALL INCLUDE MAINTENANCE AND WATERING OF ALL MATERIALS INSTALLED IN THIS CONTRACT UNTIL FINAL ACCEPTANCE BY CLIENT OR LANDSCAPE ARCHITECT.

4. ALL PLANTS SHALL BE NURSERY GROWN, AND SHALL BE IN ACCORDANCE WITH THE AMERICAN NURSERYMEN ASSOCIATION STANDARDS IN ALL WAYS (SEE AMERICAN STANDARD FOR NURSERY STOCK SPONSORED BY AMERICAN ASSOCIATION OF NURSERYMEN, INC, CURRENT EDITION).

5. ALL PLANTS TO BE REVIEWED BY LANDSCAPE ARCHITECT FOR VARIETY, SIZE AND CONDITION PRIOR TO INSTALLATION.

6. PLANT LIST IS FOR CONTRACTOR CONVENIENCE ONLY, VERIFY PLANT QUANTITIES WITH THE PLAN.

7. SUBMIT THE FOLLOWING TO THE LANDSCAPE ARCHITECT FOR APPROVAL BEFORE DELIVERY: SAMPLES AND CERTIFIED ANALYSES OF FERTILIZER, MINERALS AND SOIL AMENDMENTS, STATING SOURCE, PHYSICAL/CHEMICAL COMPOSITION AND QUANTITY AVAILABLE.

8. CONTRACTOR TO EXERCISE DUE CARE WHEN EXCAVATING WITHIN THE ROOT ZONE OF EXISTING VEGETATION TO REMAIN. ALL EXCAVATION WITHIN THIS ZONE SHALL BE PERFORMED WITH HAND TOOLS. SEE ARBORIST REPORT FOR ADDITIONAL REQUIREMENTS AROUND EXISTING TREES.

9. IN THE EVENT THAT UNDERGROUND CONSTRUCTION WORK OR OBSTRUCTIONS ARE ENCOUNTERED IN ANY PLANT PIT EXCAVATION WORK TO BE DONE, ALTERNATE LOCATIONS MAY BE SELECTED BY CLIENT OR LANDSCAPE ARCHITECT. WHERE THESE LOCATIONS CANNOT BE CHANGED, REMOVE THE OBSTRUCTION TO A DEPTH OF NOT LESS THAN THREE (3) FEET BELOW GRADE AND NO LESS THAN SIX (6) INCHES BELOW BOTTOM OF BALL OR ROOTS WHEN PLANT IS PROPERLY SET AT THE REQUIRED GRADE. CONTACT LANDSCAPE ARCHITECT IMMEDIATELY FOR A RESOLUTION BEFORE CONTINUING WORK IN THAT AREA.

10. ALL PLANTING AREAS SHALL BE CLEANED AND WEEDED WITH ALL SURFACE DEBRIS CONSTRUCTION DEBRIS, CONTAMINANTS, BASEROCK LAYERS, AND STONES LARGER THAN ONE INCH IN DIAMETER TO BE REMOVED FROM SITE.

11. TO ESTABLISH PROPER SOIL FERTILITY AND TEXTURE PROVIDE SOIL SAMPLES (ONE PER 10,000 SQUARE FEET LANDSCAPED AREA AND ONE PER 50 CUBIC YARDS OF IMPORTED TOPSOIL) TO A CERTIFIED SOIL TESTING LABORATORY. TEST FOR SOIL FERTILITY, DRAINAGE, AND TEXTURE AND PROVIDE AMENDMENT AND FERTILIZER RECOMMENDED FOR ALL AREAS TO BE PLANTED. CONTRACTOR SHALL REVIEW TEST RESULTS WITH THE LANDSCAPE ARCHITECT AND WILL AMEND SOIL AND PLANTER BACKFILL AS SPECIFIED BY THE TESTING LAB.

12. PRIOR TO AMENDING SOIL, CONTRACTOR SHALL DIG SEVERAL PLANT PITS AND FILL WITH WATER TO TEST FOR DRAINAGE. IF WATER DOES NOT DRAIN WITHIN 24 HOURS, PROVIDE METHODS TO IMPROVE DRAINAGE FOR REVIEW BY LANDSCAPE ARCHITECT.

13. AMEND SOIL IN PLANTING AREAS BY APPLYING FOUR (4) CUBIC YARDS OF COMPOST/ 1,000 SF TO A DEPTH OF (6) INCHES INTO LANDSCAPE AREAS (UNLESS CONTRA-INDICATED BY A SOILS TEST). THIS SHALL BE DONE IN TWO EQUAL LAYERS TO INSURE AN EVEN DISTRIBUTION TO THE PROPER DEPTH.

14. REMAINING SOIL PREPARATION SHALL BE ON A PER PLANT BASIS ACCORDING TO PLANTING DETAILS AND SPECIFICATIONS.

15. WHEREVER TOPSOIL IS REQUIRED TO RAISE GRADE TO FINISHED ELEVATIONS, CONTRACTOR SHALL USE ONLY HIGH QUALITY TOPSOIL TO BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. INSTALL TOPSOIL AS FOLLOWS:

    a. RIP SUBSURFACE AS PREVIOUSLY DESCRIBED
    b. LAY DOWN 4" OF TOPSOIL AND ROTOTILL INTO 4" OF RIPPED SUBGRADE
    c. LAY DOWN REMAINING TOPSOIL

16. FERTILIZER: DROP FERTILIZER TABLETS (AGRIFORM 20-10-5 NPK, OR EQUAL) ALONGSIDE ROOTBALL WHEN BACKFILL IS TWO-THIRDS IN PLACE, ACCORDING TO THE FOLLOWING SCHEDULE.

1 GALLON	2 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
5 GALLON	3 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
15 GALLON	5 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
24" BOX	8 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
36" BOX	12 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
48" BOX	16 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
60" BOX	20 TABS	(21 GRAM AGRIFORM PLANT TABLETS)

FOR 4" POTS AND CELL-PACKS, USE OSMOCOTE 18-6-12 FORMULA AT THE MANUFACTURER'S RECOMMENDED APPLICATION RATE, SPREAD EVENLY THROUGHOUT THE PLANTING AREA.

17. ALL PLANTS SHALL BE PLACED IN THE LOCATIONS SHOWN ON THE PLANTING PLAN AND THE APPROVAL OF THE LANDSCAPE ARCHITECT AND CLIENT SHALL BE OBTAINED PRIOR TO PLANTING. THE LANDSCAPE ARCHITECT SHOULD BE INFORMED SEVEN (7)DAYS IN ADVANCE OF PLANTING.

18. PLANT AND STAKE ALL TREES AND SHRUBS PER PLANTING DETAILS. PLANT CROWN TO BE THREE (3) INCHES ABOVE GRADE FOR ALL SHRUBS AND TREES.

19. INSTALL THREE (3) INCH LAYER OF APPROVED MULCH IN ALL PLANTING AREAS EXCEPT IN TURF AREAS, CREEPING OR ROOTING GROUND COVERS, OR DIRECT SEEDING APPLICATIONS WHERE MUCH IS CONTRA-INDICATED.
SUBMIT SAMPLE FOR LANDSCAPE ARCHITECT'S APPROVAL PRIOR TO DELIVERY OF MULCH TO JOB SITE.

20. APPLY WEED BARRIER FABRIC TO ALL PLANTING BEDS BELOW MULCH.

21. PLANTS SHALL BE WATERED TWO TIMES, THOROUGHLY, BY HAND IMMEDIATELY AFTER PLANTING. PLANTS DAMAGED FROM WATER STRESS BEFORE OR AFTER PLANTING WILL NOT BE ACCEPTED.

22. CONTRACTOR TO BE RESPONSIBLE FOR ALL FINISH GRADES IN PLANTING AREAS AND FOR ANY FINE GRADING REQUIRED FOR SURFACE DRAINAGE AND UNIFORMITY TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT.

23. CONTRACTOR TO GUARANTEE ALL PLANT MATERIAL PER SPECIFICATION PACKAGE.

24. ALL POTS TO HAVE A DEDICATED IRRIGATION RISER TIED INTO AUTOMATIC IRRIGATION SYSTEM, AND HAVE A DEDICATED DRAINLINE TIED INTO STORM DRAINAGE SYSTEM.

25. INSTALL LINEAR ROOT BARRIER 24" DEEP WHERE TREES ARE WITHIN 5' OF PAVEMENT

IRRIGATON NOTES

1. IRRIGATION TO BE DESIGN BUILD AND BE AN AUTOMATIC DRIP IRRIGATION SYSTEM
2. AUTOMATIC IRRIGATION CONTROLLERS ARE REQUIRED AND MUST USE EVAPOTRANSPIRATION OR SOIL MOISTURE SENSOR DATA AND PROVIDE A RAIN SENSOR WHOSE SIGNAL IS COMPATIBLE WITH THE MASTER CONTROL VALVE
3. IRRIGATION CONTROLLERS SHALL BE OF A TYPE WHICH DOES NOT LOSE PROGRAMMING DATA IN THE EVENT THE PRIMARY POWER SOURCE IS INTERRUPTED.
4. PRESSURE REGULATORS SHALL BE INSTALLED ON THE IRRIGATION SYSTEM TO ENSURE THE DYNAMIC PRESSURE OF THE SYSTEM IS WITHIN THE MANUFACTURERS RECOMMENDED PRESSURE RANGE.
5. MANUAL SHUT-OFF VALVES (SUCH AS A GATE VALVE, BALL VALVE, OR BUTTERFLY VALVE) SHALL BE INSTALLED AS CLOSE AS POSSIBLE TO THE POINT OF CONNECTION OF THE WATER SUPPLY.
6. ALL IRRIGATION EMISSION DEVICES MUST MEET THE REQUIREMENTS SET IN THE ANSI STANDARD, ASABE/ICC 802-2014. "LANDSCAPE IRRIGATION SPRINKLER AND EMITTER STANDARD," ALL SPRINKLER HEADS INSTALLED IN THE LANDSCAPE MUST DOCUMENT A DISTRIBUTION UNIFORMITY LOW QUARTER OF 0.65 OR HIGHER USING THE PROTOCOL DEFINED IN ASABE/ICC 802-2014.
7. AREAS LESS THAN TEN (10) FEET IN WIDTH IN ANY DIRECTION SHALL BE IRRIGATED WITH SUBSURFACE IRRIGATION OR OTHER MEANS THAT PRODUCES NO RUNOFF OR OVERSPRAY
8. FOR NON-RESIDENTIAL PROJECTS WITH LANDSCAPE AREAS OF 1,000 SQ. FT. OR MORE, A PRIVATE SUBMETER(S) TO MEASURE LANDSCAPE WATER USE SHALL BE INSTALLED

costello
kennedy
LANDSCAPE ARCHITECTURE
16 de la Guerra Road San Rafael, CA 94903
ph:415-479-7552 www.costellokennedy.com

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PRINCE STREET
2708 PRINCE STREET
BERKELEY, CA 94705

revisions:

LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
Number 03-2024
Renewal Date 01-31-2026
Date
STATE OF CALIFORNIA

PLANTING NOTES AND DETAILS

date: 02-16-2024

scale: AS NOTED

sheet: L1.3

2708 PRINCE STREET

MWELO PRESCRIPTIVE COMPLIANCE CHECKLIST

ITEM	NOTES
LANDSCAPE DESIGN PLAN	
1. Attach a landscape plan indicating the following:	SEE PLANTING PLANS ON SHEET L1.0
a. Turf areas	NA
b. High water use planting areas	NA
c. Moderate water use planting areas	NA
d. Low water use planting areas	100% LANDSCAPE AREA
e. Water features including swimming pools	NA
f. Edible planting areas	NA
g. Areas irrigated with recycled water	NA
SOIL	
1. Incorporate compost at a rate of at least 4 cubic yards per 1,000 square feet to adepth of 6 inches into the landscape area (unless contra-indicated by a soil test).	SEE PLANTING NOTE 13 ON SHEET L1.3
This project will apply 4.38 cubic yards of compost	
2. A minimum 3-inch layer of recycled mulch shall be applied on all exposed soil surfaces of planting areas except turf areas, or direct seeding applications where mulch is contra-indicated	SEE PLANTING NOTE 19 ON SHEET L1.3
PLANTS	
1. Plant material shall comply with the following:	
a. Residential projects only:	
I. 75% of landscape area shall consist of plants that use little or no summerwater (WUCOLS plant factor of 0.3 or lower), excluding edibles or areasusing recycled water.	NA
II. No more than 25% of the landscape area will be planted with high waterusing plants	NA
b. Non-residential projects only (including multifamily residential):	
I. 100% of the landscape area shall consist of plants that use little or nosummer water (WUCOLS plant factor of 0.3 or lower), excluding edibles or areas using recycled water	SEE PLANT SCHEDULE ON SHEET L1.1
c. No invasive plants are planted. No plant species listed by the California Invasive Plant Council's "Don't Plant a Pest" brochure as invasive in the San Francisco Bay Area shall be planted.	SEE PLANT SCHEDULE ON SHEET L1.1
2. The use of turf shall comply with all of the following:	
a. In nonresidential areas, turf is not used	NO TURF IS SPECIFIED
b. In residential areas:	
I. Turf, high water use plants, and water features shall, combined, notexceed 25% of the landscape area	NA
II. Turf shall not be planted on slopes which exceed a slope of 1 foot verticalelevation change for every 4 feet or horizontal length	NA
III. Turf is prohibited in parkways less than 10 feet wide. Exception: Parkwayis adjacent to a parking strip and used to exit and enter vehicles AND turf is irrigated with subsurface irrigation	NA
WUCOLS plants database can be found online at: http://ucanr.edu/sites/WUCOLS/	
"Don't Plant a Pest" brochure can be found at http://cal-ipc.org/landscaping/dpp/	
IRRIGATION	
1. Automatic irrigation controllers are required and must use evapotranspiration or soil moisture data and utilize a rain sensor.	SEE IRRIGATION NOTES ON SHEET L1.3
2. Irrigation controllers should be the type which does not lose programming data in the event the primary power source is interrupted	SEE IRRIGATION NOTES ON SHEET L1.3
3. Pressure regulators are installed on the irrigation system to ensure dynamic pressure of the components are within the manufacturer's recommended pressure range.	SEE IRRIGATION NOTES ON SHEET L1.3
4. Manual-shut-off valves (such as gate, ball or butterfly valves) are installed as close as possible to the point of connection of the water supply.	SEE IRRIGATION NOTES ON SHEET L1.3
5. All irrigation emission devices must meet the requirements set in the ANSIstandard ASABE/ICC 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard." All sprinkler heads installed must have a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.	SEE IRRIGATION NOTES ON SHEET L1.3
6. Areas less than 10 feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.	SEE IRRIGATION NOTES ON SHEET L1.4
7. For non-residential projects with landscape areas of 1,000 sf or more, a private submeter(s) to measure landscape water use shall be installed.	SEE IRRIGATION NOTES ON SHEET L1.3
I certify the above information and agree to comply with these Prescriptive Compliance requirements for the Water Efficient Landscape Plan Review.	
Applicant Signature : _____	
Matthew Kennedy, Costello Kennedy Landscape Architecture	
Date: _____	

PROJECT NAME:	**2708 PRINCE STREET**
PROJECT ADDRESS:	2708 PRINCE STREET
PREPARED BY:	Matthew Kennedy
	Costello Kennedy Landscape Architecture
	16 De La Guerra Rd
	San Rafael, CA 94903
	415-479-7552
	costellokennedy@gmail.com
	"I agree to comply with the requirements of the prescriptive compliance option to the MWELO"
	Signed:

PART ONE	**MAXIMUM APPLIED WATER ALLOWANCE (MAWA)**		
		MAWA = Eto x .62 x [(ETAF x HA) + ((1-ETAF) X SLA)]	
	Yearly Eto	41.8	
	CONVERSION FACTOR	0.62	
	ETAF	0.45	
	TOTAL IRRIGATED LANDSCAPE AREA	1,096	SQUARE FEET
	SPECIAL LANDSCAPE AREA (SLA)	0	SQUARE FEET
	LANDSCAPE WATER ALLOWANCE	**12,782**	**GALLONS PER YEAR**
	TOTAL ACRE FEET	0.04	ACRE FEET
PART TWO	**ESTIMATED TOTAL WATER USE (ETWU)**		
	*AVERAGE ETAF AND ETWU CALCULATED PER WATER EFFICIENT LANDSCAPE WORKSHEET		
	AVERAGE ETAF FOR REGULAR LANDSCAPE AREAS (TOTAL ETAF X AREA / TOTAL AREA)	0.24	
	ETWU FOR REGULAR LANDSCAPE AREAS	**10,520**	**GALLONS PER YEAR**
	SITE WIDE ETAF	0.24	
	ETWU FOR ALL LANDSCAPE AREAS	**10,520**	**GALLONS PER YEAR**
	TOTAL ACRE FEET	0.03	ACRE FEET

2708 PRINCE STREET

PRELIMINARY WATER EFFICIENT LANDSCAPE WORKSHEET

Reference Evapotranspiration (Eto) **41.8**

ZONE NO.	PLANT TYPE	HYDROZONE * (PLANT WATER USE)	PLANT FACTOR	IRRIGATION METHOD **	IRRIGATION EFFICIENCY (IE)	ETAF (PF/IE)	HYDROZONE AREA (square feet) (HA)	ETAF x HA	ESTIMATED TOTAL WATER USE (ETWU)	% LANDSCAPE AREA
REGULAR LANDSCAPE AREA										
1	TREES	MW	0.3	DRIP	0.81	0.243	64	16	614	6%
2	SHRUBS	LW	0.3	DRIP	0.81	0.243	601	146	5,769	55%
3	GROUNDCOVERS	LW	0.3	DRIP	0.81	0.243	243	59	2,332	22%
4	ROOFDECK	LW	0.3	DRIP	0.81	0.243	188	46	1,805	17%
TOTALS (REGULAR LANDSCAPE AREAS)							1,096	266	10,520	100%
SPECIAL LANDSCAPE AREA										
NA	NA	NA	NA	NA	NA	1	0	0	0	0%
TOTALS (SPECIAL LANDSCAPE AREAS)							**0**	**0**	**0**	**0%**

HYDROZONE SUMMARY

Hydrozone Description *	Total Square Feet	% of Landscape
Cool Season Turf (CST)	0	0%
Warm Season Turf (WST)	0	0%
High Water Use Plants (HW)	0	0%
Bioretention Plants (BR)	0	0%
Medium Water Use Plants (MW)	0	0%
Low Water Use Plants (LW)	1,096	100%
Very Low Water Use Plants (VLW)	0	0%
Water Feature	0	0%
Special Landscape Area (SLA)	0	0%
TOTAL	**1096**	**100%**

Irrigation Method **	Total Square Feet	% of Landscape
Rotor (FC-R, PC-R)	0	0%
Multi-Stream Rotor (MR)	0	0%
Spray (S)	0	0%
Bubbler (B)	0	0%
Drip (D)	1096	100%
In-Line Drip (DL)	0	0%
Micro Spray (MS)	0	0%
Other (O)	0	0%
TOTAL	**1096**	**100%**

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PRINCE STREET TOWNHOMES
2708 PRINCE STREET
BERKELEY, CA 94705

revisions:

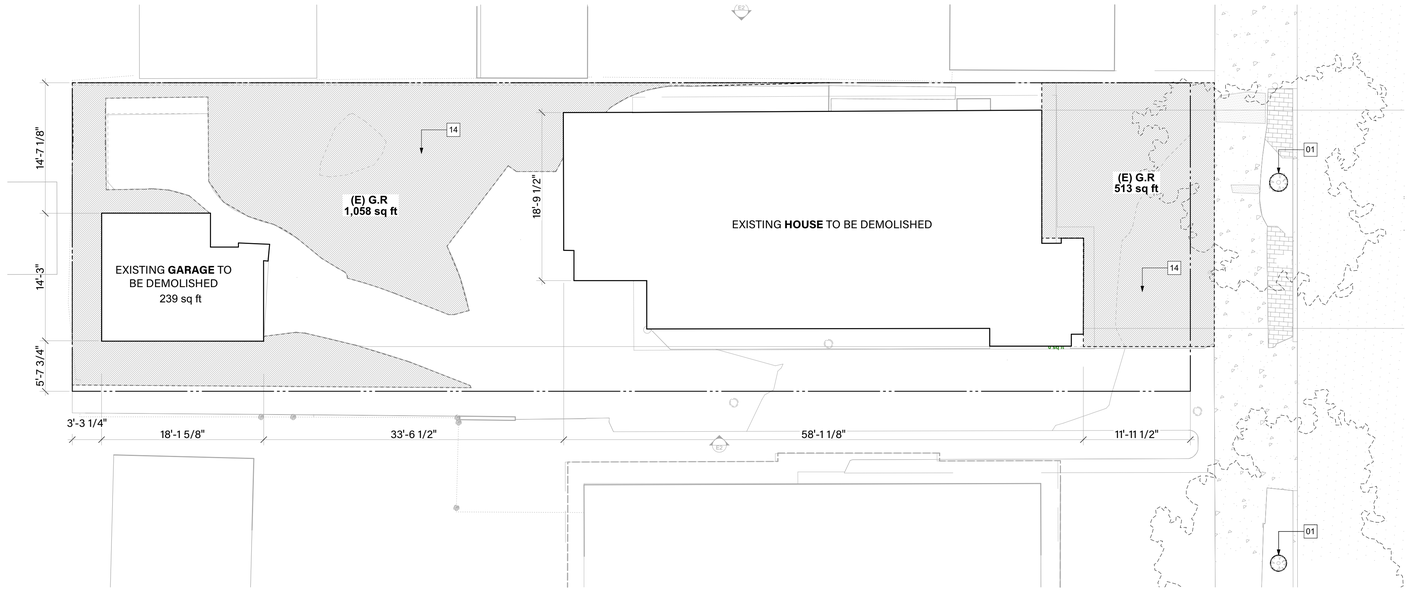
LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
Expires 03-31-2024
STATE OF CALIFORNIA

MWELO CHECKLIST CALCS

date: 02-16-2024

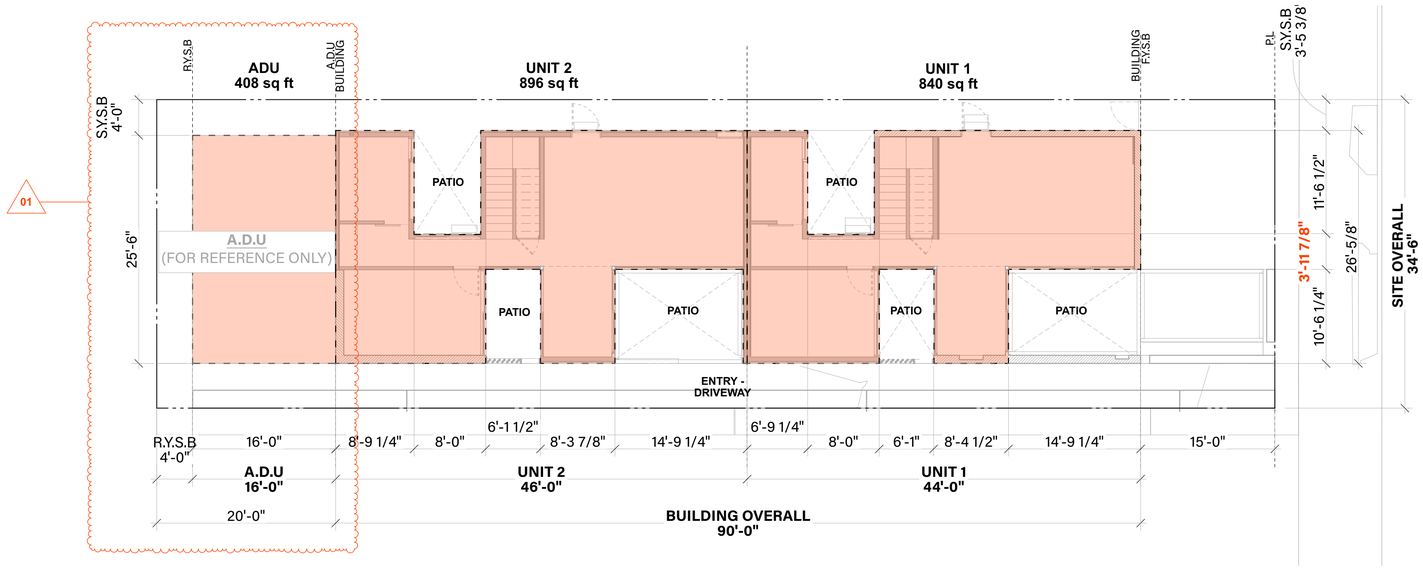
scale: AS NOTED

sheet: L1.4



1 EXISTING LOT COVERAGE

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



2 PROPOSED LOT COVERAGE

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

CALCULATIONS

GROSS FLOOR AREA*	EXISTING	UNIT 1	UNIT 2	ADU
1ST FLOOR	1,052	840	896	108
2ND FLOOR		684	688	388
3RD FLOOR		-	-	272
GARAGE		-	-	275
SUBTOTAL		1,524	1,584	768
TOTAL		**4,706**		

LOT AREA	4,312

	EXISTING	UNIT 1	UNIT 2	ADU
BUILDING FOOTPRINT	1,309	840	896	0****
LOT COVERAGE	24%	19%	21%	0%
LOT COVERAGE TOTAL	24%	**40%**		

* Gross area calculations per BMC 23.106.030

** Garage area not counted towards Groos Floor area Per BMC 23F.04.

*** ADU is excluded from the calculation per BMC 23.106.020

****subtract up to 800 sq. ft. of the ADU footprint from the total proposed lot coverage for the site (BMC Section 23.106.020(B)(4))

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
G.R:	GROUND SHOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK

LEGEND:

BRICK WALL

WOOD FRAMED WALL

PROPERTY LINE

GROSS AREA

GARAGE AREA

EXISTING HOUSE AREA

Jeff Svitak Inc.
3037 Redwood St.
San Diego, CA 92104
www.jeffsvitak.com

SEAL

LICENSED ARCHITECT
JEFF SVITAK
C-38700
10/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

PRINCE

2708 PRINCE ST
BERKELEY CA 94705
APN: 052-1563-036

ISSUED FOR:		DATE:
Z.P.A SUBMITTAL		02.16.2024
Z.P.A RE-SUBMITTAL	01	04.20.2024

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A102
LOT COVERAGE DIAGRAM AND CALCULATIONS

SHEET # 6 OF 20

GEOFFREY H. HORNEK
Environmental Air Quality and Acoustical Consulting
1032 Irving Street, #768
San Francisco, CA 94122
(414) 241-0236
ghornek@sonic.net

May 14, 2024

Subject: 2708 Prince Street Residential Project – Analysis Addressing California Environmental Quality Act (CEQA) Air Quality and Greenhouse Gas (GHG) Impacts with Respect Bay Area Air Quality Management District (BAAQMD) and City of Berkeley Screening Criteria.

Mr. Tomas Tironi
Jeff Svitak, Inc.
3037 Redwood Street
San Diego, CA 92104
www.jeffsvitak.com

Dear Mr. Tironi:

This letter assesses the impacts of the air pollutant and GHG emissions of the proposed development (the Project) for your client, Ms. Linda Joseph, involving the construction of two (2) single-family residential units and one (1) ADU at 2708 Prince Street in the City of Berkeley with the demolition of an existing single-family residential unit on that site. Presented below is my assessment of its potential for project-specific and cumulative impacts on local/regional air quality and global greenhouse gas emissions and its conformance with BAAQMD and City of Berkeley CEQA screening criteria.

This Project site is in the Northern Alameda/Western Contra Costa climatological sub-region of the Bay Area. In most parts of this sub-region, the air pollution potential is low due to the steady westerly marine wind flow. However, Berkeley's predominantly urban environment includes many stationary sources of air pollutants, and major freeways/highways/high-traffic-volume roadways, which are major air pollutant sources. The dispersion of pollutant emissions from these local sources is sometimes constrained by the confining terrain of the East Bay hills and by regularly occurring seasonal episodes of atmospheric stability with resultant elevated ambient pollutant concentrations.

In the Bay Area, CEQA air quality issues are typically evaluated using the BAAQMD methodologies and significance thresholds as specified in their *CEQA Air Quality Guidelines* (2022)[1]. The major air pollutant emissions requiring evaluation are ozone precursors – specifically reactive organic compounds (ROG) and nitrogen oxides (NOx) - and two forms of airborne particulate matter - PM10 and PM2.5. Health risks from project and cumulative airborne exposures to toxic air contaminants (TACs) also require evaluation, especially regarding small-diameter particulate emissions from diesel-powered construction equipment (DPM), the TAC responsible for most of California's cumulative cancer risk from airborne TAC exposures. Finally, emissions of the most common greenhouse gases (GHG) also require evaluation, including carbon dioxide (CO2), methane (CH4), and nitrous oxide (N2O), with their cumulative total as expressed in carbon-dioxide-equivalent units (CO2e).

Significance Criteria

According to the *CEQA Air Quality Guidelines*, any project would have a significant potential for causing a local air quality standard violation, or making a cumulatively considerable contribution to a regional air quality problem if its pollutant emissions or TAC impacts would exceed any of the thresholds presented in **Table AQ-1** during construction or operation.

There are no similar BAAQMD quantitative significance thresholds for GHG emissions. However, quantification and disclosure of project construction and operational GHG emissions is recommended for CEQA documents. For residential development projects, the following project design elements are recommended to justify finding a less-than-significant GHG impact:

- No natural gas appliances or natural gas plumbing (all electric).
- Avoidance of wasteful, inefficient, or unnecessary energy use.
- Project vehicle miles traveled (VMT) substantially below the regional average consistent with the current version of the California Climate Change Scoping Plan (i.e., 15 percent or more below the existing regional average VMT per capita)
- Compliance with the off-street electric vehicle requirements of the State energy code (CALGreen).

Project Air Pollutant Impact Assessment

The *CEQA Air Quality Guidelines* recommend quantification of construction-related and operational air pollutant emissions using the California Emissions Estimator Model (CalEEMod). This was done for Project sources using CalEEMod Version 2022.1[2] initialized with the model's "Residential – Single Family" land use subtype with a specification of three (3) single family units to be constructed at 2708 Prince Street with the demolition of an existing single-family unit on that lot. Project construction and operational emissions were estimated using CalEEMod's internal defaults supplied by the model for the equipment, motor

[1] https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines
[2] http://caleemod.com/

vehicles, phases, schedules, etc. associated with this land use subtype. The Project average daily air pollutant emissions during construction, and the average daily and annual operational air pollutant emissions are shown in **Table AQ-2, Table AQ-3 and Table AQ-4**, respectively, and compared with the applicable BAAQMD significance threshold for each pollutant.

Table AQ-1: CEQA Air Quality Significance Thresholds

Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (pounds/day)	**Average Daily Emissions (pounds/day)**	**Annual Average Emissions (tons/year)**
Criteria Air Pollutants			
ROG	54	54	10
NO_X	54	54	10
PM_{10}	82*	82	15
$PM_{2.5}$	54*	54	10
Fugitive Dust	BAAQMD Best Management Practices (BMPs)	Not Applicable	
Project-Level Health Risk/Hazard/PM2.5 Thresholds			
Excess Cancer Risk	10 per one million		
Chronic or Acute Hazard Index	1.0		
Incremental annual average $PM_{2.5}$	0.3 µg/m^3		
Cumulative Health Risk/Hazard/PM2.5 Thresholds (total contribution from all sources within the Project site Zone of Influence)			
Excess Cancer Risk	100 per one million		
Chronic Hazard Index	10.0		
Annual Average $PM_{2.5}$	0.8 µg/m^3		

Notes:
*PM_{10} and $PM_{2.5}$ thresholds for construction apply only to exhaust emissions and do not include the fugitive dust component.
µg/m^3 = micrograms per cubic meter

Table AQ-2: Project Construction Pollutant Emissions (average lbs./day)

Year	Phase	ROG	NO_X	PM_{10} (Exhaust)	$PM_{2.5}$ (Exhaust)
		Daily Average (lbs./day)			
2024	Demolition	0.00	0.00	0.00	0.00
2024	Site Preparation	0.00	0.01	0.00	0.00
2024	Grading	0.01	0.06	0.00	0.00
2024	Building Construction	0.08	0.79	0.04	0.03
2025	Building Construction	0.07	0.69	0.03	0.03
2025	Paving	0.01	0.06	0.00	0.00
2025	Architectural Coating	0.23	0.01	0.00	0.00
	Maximum Daily Average	**0.31**	**1.00**	**0.04**	**0.04**
	Significance Thresholds	**54**	**54**	**82**	**54**
	Significant Impact?	**No**	**No**	**No**	**No**

Table AQ-3: Project Daily Operational Air Pollutant Emissions (average lbs./day)

Emission Source	ROG	NO_x	PM_{10}	$PM_{2.5}$
Total Buildout (3 Units Single-Family Residential)				
Mobile	0.09	0.07	0.00	0.00
Area	0.16	0.00	0.00	0.00
Energy	0.00	0.04	0.00	0.00
Total	0.24	0.10	0.00	0.00
Significance Thresholds	**54**	**54**	**82**	**54**
Significant Impact?	**No**	**No**	**No**	**No**

Table AQ-4: Project Annual Operational Air Pollutant Emissions (tons/year)

Emission Source	ROG	NO_x	PM_{10}	$PM_{2.5}$
Total Buildout (3 Units Single-Family Residential)				
Mobile	0.02	0.01	0.00	0.00
Area	0.03	0.00	0.00	0.00
Energy	0.00	0.01	0.00	0.00
Total	0.04	0.02	0.00	0.00
Significance Thresholds	**10**	**10**	**15**	**10**
Significant Impact?	**No**	**No**	**No**	**No**

The BAAQMD significance thresholds for Project air pollutant emissions would not be exceeded (or even closely approached) under any circumstances.

The *CEQA Air Quality Guidelines* require the implementation of the following basic **Fugitive Dust Best Management Practices (BMPs)** to assure that ambient particulate standards are not exceeded during construction at local sensitive receptors:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off site shall be covered.
- 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.
- All vehicle speeds on unpaved surfaces shall be limited to 15 miles per hour.
- 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.
- A publicly visible sign shall be posted with the telephone number and person to contact at the City of Berkeley regarding dust complaints. This person shall respond and take corrective action for any complaint with 48 hours.

Ambient Toxic Air Contaminant (TAC) concentrations produced by Project sources and by other substantial TAC sources within 1000 feet of a Project site (i.e., termed the "zone of influence" by the *CEQA Air Quality Guidelines*) are considered significant if they exceed the BAAQMD CEQA health risk thresholds at sensitive receptors within the zone. A database of Bay Area permitted stationary emissions sources is available online (BAAQMD, *Stationary Source Screening Map*)[3]; no listed stationary TAC sources are within the Project site's zone of influence (i.e., the red circle centered on the Project site, as shown in **Figure 1)**. A database of health impacts from mobile source TAC emissions in the Bay Area is also available online (BAAQMD, *Mobile Source Screening Map*)[4].

The cancer risk from exposure to a particular TAC is the probability of developing cancer from lifetime exposure (i.e., 70 years) to it. Following health risk assessment (HRA) methodology established by the BAAQMD, the Project's incremental cancer risk from DPM emitted by construction equipment was estimated by applying established DPM toxicity factors to the DPM concentration estimated by the SCREEN3 dispersion model at the residential receptors adjacent to the Project site.

The likelihood of non-cancer adverse chronic health risk from exposure to a particular TAC is measured using a hazard index (HI), which is defined as the ratio of a project's incremental annual TAC concentration to a published reference exposure level (REL) for the particular TAC of interest. If the HI is greater than 1.0, then the impact is considered to be significant. The Project's HI from DPM emitted by construction equipment was estimated relative to its established REL.

Additional project-level and cumulative annual ambient concentration thresholds for PM2.5 emitted by the construction equipment have also been set by the BAAQMD.

Table TAC-1 shows the Project construction cancer risk, chronic hazard index, and PM2.5 increments, and the contribution of increments from other local stationary and mobile TAC sources within the zone of influence. The Project cancer risk and chronic hazard impacts at maximally exposed sensitive receptors (MESRs; in this case, the area's predominant residential uses surrounding the Project site) are all below the corresponding significance thresholds. However, the screening model predicts that Project construction equipment emissions could exceed the BAAQMD's project-level significance threshold for annual PM2.5 concentrations (0.3 µg/m3). Local PM2.5 levels could be brought well under the BAAQMD PM2.5 threshold by requiring that all Project diesel-powered on-site construction equipment have EPA-rated Tier 4 engines.

3 https://baaqmd.maps.arcgis.com/apps/webappviewer/index.html?id=845658c19eae4594b9f4b805fb9d89a3

4 https://mtc.maps.arcgis.com/apps/instant/sidebar/index.html?appid=c5f9b1a40326409a89076bdc0d95e429

Figure 1: Project Site and Vicinity Showing Zone of Influence and Included TAC Sources

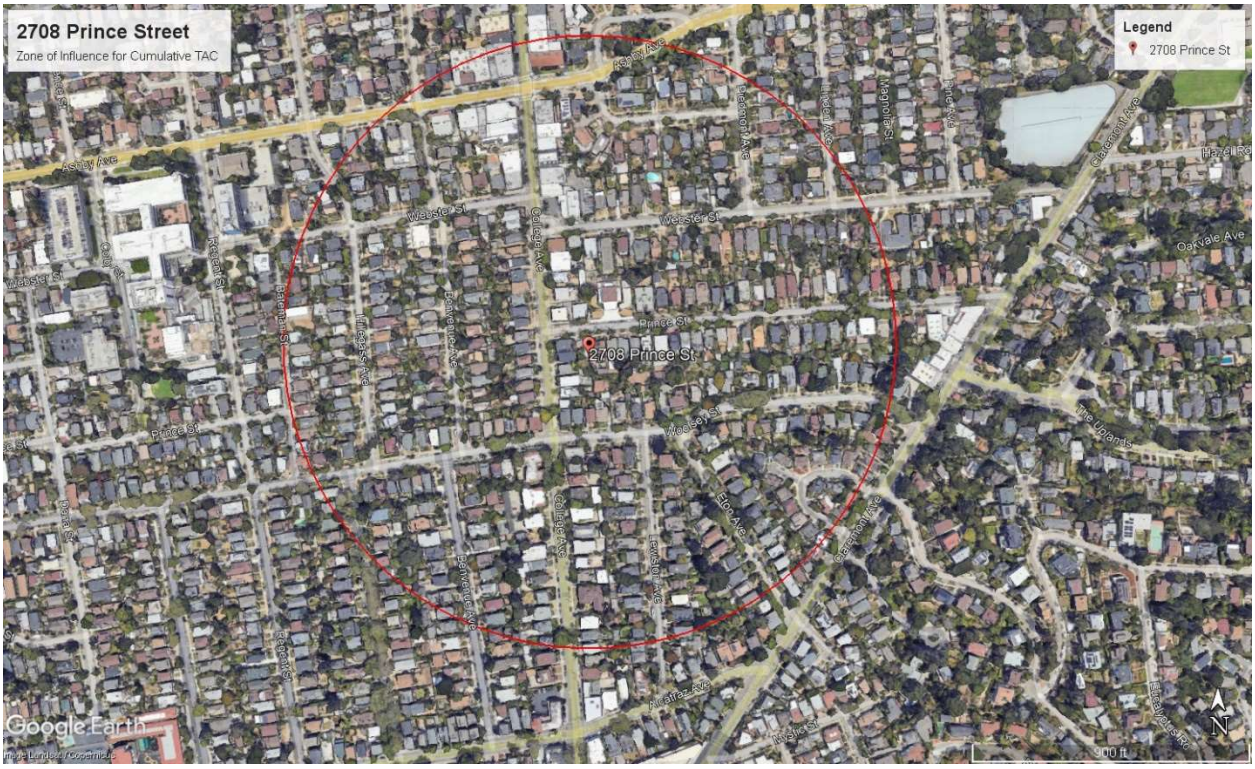


Table TAC-1: Project and Cumulative TAC Impacts on Existing Maximum Exposed Residential Receptors (MESR) in the Project Site Vicinity

BAAQMD Source #	Facility	Address	Cancer Risk	Chronic Hazard Index	$PM_{2.5}$ Concentration
From Local Permitted Stationary Sources*					
No BAAQMD-listed stationary TAC sources within 1000 feet of the Project site					
From Local Mobile Sources**					
Ashby Avenue, College Avenue, et al			39.86	0.11	0.26
From Project Construction Sources***					
Project Construction TAC Impacts (without Tier 4 equipment)			6.37	0.16	**0.82**
Project Construction TAC Impacts (with Tier 4 equipment)			0.64	0.02	0. 08
Project-Level Significance Thresholds			10	1.0	0.3
Significant Project Construction Impact (without Tier 4 equipment)?			No	No	**Yes**
Significant Project Construction Impact (with Tier 4 equipment?			No	No	No
From Cumulative Sources					
Cumulative Sources TAC Impact (with Tier 4 equipment)			40.49	0.12	0.34
Cumulative Significance Thresholds			100	10	0.8
Significant Cumulative Impact?			No	No	No

*The BAAQMD's Stationary Source Screening Map shows no TAC sources within 1000 feet of the Project site.
** BAAQMD Mobile Source Screening Map shows the listed estimates of mean cancer risk, hazard index, and $PM_{2.5}$ on/near the project site.
***Project construction cancer risk, chronic hazard and $PM_{2.5}$ increments were estimated by the SCREEN3 dispersion model using Project construction equipment PM2.5 annual emission estimates from the CalEEMod model.

Project Greenhouse Gas Emission Impacts

The Project's CalEEMod model estimates GHG emissions during Project construction would be about 69.4 metric tons of CO2e. The *CEQA Air Quality Guidelines* includes recommended BMPs to reduce GHG emissions from construction-related activities (see Attachment A for the complete list; BMPs are to be selected from and/or adapted to this list as appropriate to the project type and scale).

Project operational GHG emissions during the first year or operation (2025) from all source categories and their totals are shown in **Table GHG-1** below:

Table GHG-1: Project Annual Operational Greenhouse Gas Emissions (metric tons/year)

Emission Source	CO2	CH4	N2O	CO2e
Total Buildout (3 Units Single-Family Residential)				
Mobile	21.7	0.001	0.001	22.1
Area	0.1	0.000	0.000	0.1
Energy	9.1	0.001	0.000	9.1
Water	0.3	0.004	0.000	0.4
Waste	0.2	0.017	0.000	0.6
Total	31.3	0.022	0.001	32.3

Recent amendments/additions to CEQA have identified a project's vehicle miles traveled (VMT) as the main metric of impact for transportation analysis, and in related fields such as air quality and greenhouse gas emissions analysis. Consequently, the City of Berkeley has developed its approach to addressing VMT impacts consistent with CEQA requirements, as specified in *City of Berkeley VMT Criteria and Thresholds* (*Berkeley VMT Criteria*, June 29, 2020). The City of Berkeley uses the Alameda County Transportation Commission (CTC) travel demand model as the primary source of information on countywide VMT forecasts. For projects in Berkeley, the metric *"Household VMT per Capita"* is used for residential uses and is consistent with the Alameda CTC model metric.

Berkeley VMT Criteria simplifies the analysis of smaller, less complex projects using a screening process to identify land use projects that can be expected to cause a less-than-significant impact without more detailed study. The identified screening criterion with particular applicability to the Project under consideration in this report is:

- **Projects in Low VMT Areas**: Projects that are located in low-VMT areas and that have characteristics similar to other uses already located in those areas can be presumed to generate VMT at similar rates. Maps of the low-VMT residential areas in Berkeley (i.e., 15% lower or more than the baseline regional average) are given in the *Berkeley VMT Criteria* figure *Household VMT Per Capita, 2020*.

Note that the 15% VMT reduction requirement in Berkeley's "Low VMT" screening criterion above is identical to the BAAQMD's "design element" requirement for a project's less-than-significant GHG emissions impact. The Project site at 2708 Prince Street is in a low VMT area identified in the *Berkeley VMT Criteria* document map, and is adjacent to main transit routes along College and Ashby Avenues, and less than a mile from the Rockridge BART station.

Report Recommendations

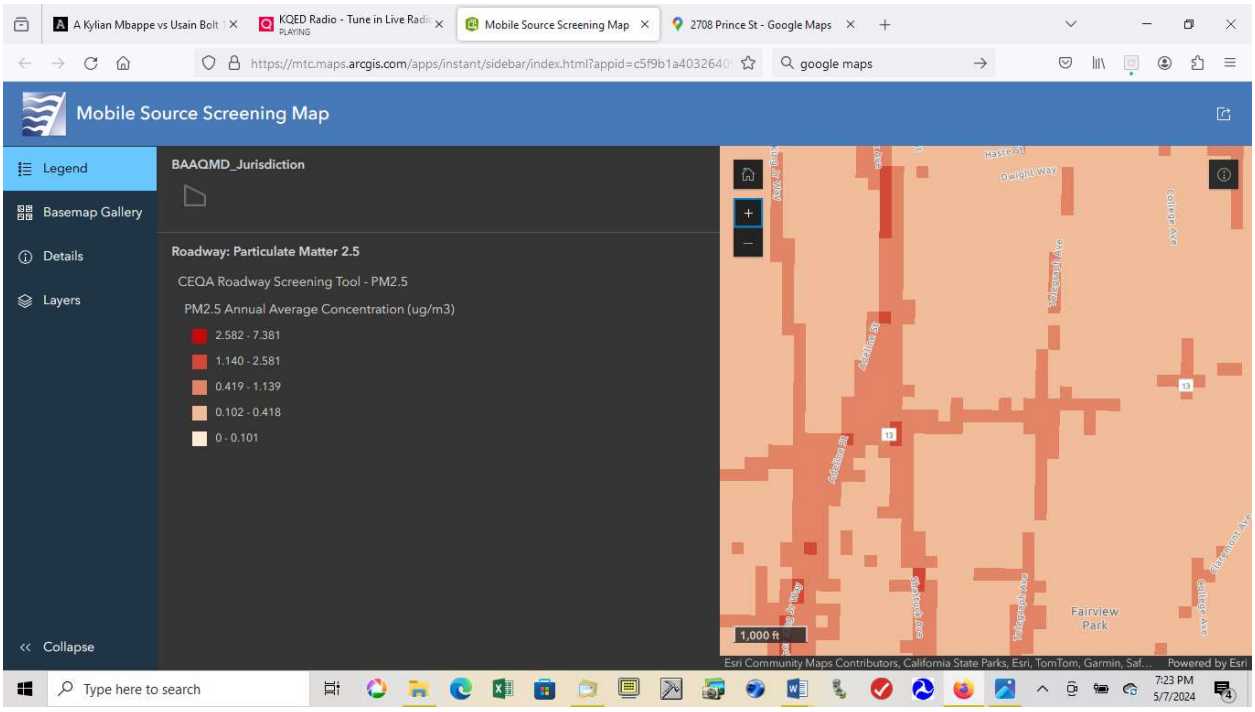
- Implement Measures to Reduce TAC Health Risk in the Surrounding Residential Neighborhood during Project Construction. Project dispersion modeling determined that PM2.5 emitted from diesel-powered construction equipment would substantially exceed the BAAQMD threshold at the MESR in the surrounding neighborhood. This is due to a combination of factors: the quantity of PM2.5 emitted by the equipment (initially assumed to have state-average emission rates as specified by the CalEEMod model), the relatively small area of the Project site (which concentrates the pollutants on site at the start of dispersion), and the relatively high residential density of the surrounding neighborhood (which places the MESR closer to the area of active emissions). Nothing can be done about site size or local neighborhood character, but construction PM2.5 emissions can be reduced. Thus, all Project construction equipment shall have Tier 4 diesel engines to reduce the modeled locally high PM2.5 levels to below BAAQMD project-level significance threshold (as shown in **Table TAC-1**).

- Implement Measures to Reduce Energy Use from Natural Gas in the New Residential Units to the Maximum Feasible Extent. The maximum benefit (100%) would come from the Project residential units being all-electric (i.e., no internally installed natural gas appliances or natural gas plumbing). But the majority of the benefit would be maintained by limiting gas appliances only to kitchen stoves (allowing about 95% of total residential energy to be electrical) or to kitchen stoves and hot water heaters or boilers (allowing about 75% of total residential energy to be electrical). In addition, wasteful, inefficient, or unnecessary energy use shall be avoided, and the Project residential units shall include electric vehicle charging stations, all as required by the City of Berkeley and/or State of California energy code (CALGreen).

- Consider Additional Design Measures to Reduce Indoor Exposure of the Future Project Residents to the Locally High Mobile-Source PM2.5 background near the Ashby Avenue/College Avenue Intersection. The BAAQMD recommends installing outdoor-to-indoor air filtration systems having a Minimum Efficiency Reporting Value (MERV) of 13 or greater to provide an 80 percent or greater reduction from outdoor levels for buildings containing air-pollutant-sensitive populations in areas with relatively high PM2.5 levels. BAAQMD regional ambient PM2.5 contour maps show elevated PM2.5 levels around the Ashby/College intersection and nearby sections of those streets (as shown in **Figure 2**). Future Project residents would benefit from the inclusion of appropriately configured versions of the above-described air filtration system. These systems would not replace

the residential units' primary source of naturally supplied air (i.e., windows operable as the residents' will), but could be activated as desired by the residents during periods of high ambient pollutant concentrations (i.e., BAAQMD air quality alerts).

Figure 2: BAAQMD Mobile Source Screening Map (Partial) Showing Ambient PM2.5 Levels in South Berkeley including the Project Site and Vicinity



Project CalEEMod emission model summary output and the Excel health risk model summary spreadsheet are also included in this letter's Attachment A to support the above-presented findings.

Sincerely,

Geoffrey H. Hornek

Attachment A

Recommended BMPs to reduce GHG emissions from construction-related activities
CEQA Air Quality Guidelines **(BAAQMD, Chapter 6 – Project-Level Climate Impacts – Table 6-1)**

- Use zero-emission and hybrid-powered equipment to the greatest extent possible, particularly if emissions are occurring near sensitive receptors or located within a BAAQMD-designated Community Air Risk Evaluation (CARE) area or Assembly Bill 617 community.
- Require all diesel-fueled off-road construction equipment be equipped with EPA Tier 4 Final compliant engines or better as a condition of contract.
- Require all on-road heavy-duty trucks to be zero emissions or meet the most stringent emissions standard, such as model year (MY) 2024 to 2026, as a condition of contract.
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to no more than 2 minutes (A 5-minute limit is required by the state airborne toxics control measure [Title 13, Sections 2449(d)(3) and 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site and develop an enforceable mechanism to monitor idling time to ensure compliance with this measure.
- Prohibit off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day.
- Use California Air Resources Board–approved renewable diesel fuel in off-road construction equipment and on-road trucks.
- Use U.S. Environmental Protection Agency SmartWay certified trucks for deliveries and equipment transport.
- Require all construction equipment is maintained and properly tuned in accordance with manufacturer’s specifications. Equipment should be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Where grid power is available, prohibit portable diesel engines and provide electrical hook ups for electric construction tools, such as saws, drills and compressors, and using electric tools whenever feasible.
- Where grid power is not available, use alternative fuels, such as propane or solar electrical power, for generators at construction sites.
- Encourage and provide carpools, shuttle vans, transit passes, and/or secure bicycle parking to construction workers and offer meal options onsite or shuttles to nearby meal destinations for construction employees.
- Reduce electricity use in the construction office by using LED bulbs, powering off computers every day, and replacing heating and cooling units with more efficient ones.
- Minimize energy used during site preparation by deconstructing existing structures to the greatest extent feasible.
- Recycle or salvage nonhazardous construction and demolition debris, with a goal of recycling at least 15% more by weight than the diversion requirement in Title 24.

- Use locally sourced or recycled materials for construction materials (goal of at least 20% based on costs for building materials and based on volume for roadway, parking lot, sidewalk and curb materials). Wood products used should be certified through a sustainable forestry program.
- Use low-carbon concrete, minimize the amount of concrete used and produce concrete on-site if it is more efficient and lower emitting than transporting ready-mix.
- Develop a plan to efficiently use water for adequate dust control since substantial amounts of energy can be consumed during the pumping of water.
- Include all requirements in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant on- or off-road construction equipment for use prior to any ground-disturbing and construction activities.

Planning and Development Department
Land Use Planning Division

May 17, 2024
Jeff Svitak
3037 Redwood Street
San Diego, CA. 92013

Sent via email to:
Jeff@JeffSvitak.com

Re: Application Processing – California Environmental Quality Act (CEQA) and Additional Information Required –Use Permit #ZP2024-0024 for 2708 Prince Street.

Dear Jeff Svitak,

Thank you for the Zoning Permit application submittal deemed complete on March 7, 2024, for the demolition of an existing 13 foot 9-inch-tall one-story 1,052 square-foot house and accessory structure (garage), and the construction of a new 24 foot 4-inch-tall two-story 3,052 square-foot duplex with an attached accessory dwelling unit (ADU). The application has been evaluated for the level of environmental review required, and readiness for final action according to the submittal checklist and application guidelines. Thank you for providing revised materials on April 17, April 30, May 16, and May 17.

Required Zoning Permit(s)

Based on my review, the following zoning permits are required:

- Use Permit, pursuant Berkeley Municipal Code (BMC) Section 23.326.020(B) to demolish a dwelling unit
- Use Permit, pursuant to BMC Section 23.202.020(A) to construct a two-family dwelling

Level of Review Under the California Environmental Quality Act

Under the California Environmental Quality Act (CEQA), staff determines whether an environmental impact report, a negative declaration, or a mitigated negative declaration will be required, depending on the type of project. This determination will be made within 30 days of an application being deemed complete. If a project is exempt from CEQA, staff recommends an exemption determination to either the Zoning Officer or the Zoning Adjustments Board (ZAB), depending on the type of permit.

It is Staff's recommendation that this project meets the criteria for a **Categorical Exemption**, pursuant to CEQA Guidelines Section 15303 ("New Construction"), provided that the Air Quality Analysis requested below is submitted. However, the final determination is made by the Zoning Adjustments Board (ZAB).

CEQA Review Items

1. Air Quality Analysis. An Air Quality Assessment report was provided on May 16, 2024 and is under review by staff.

Action Items – Corrections, Clarifications, and/or Supplemental Information Required

1. Lot Coverage: Please update sheet G01 to match the lot coverage in the revised sheet submitted on May 17, 2024.
2. Shadow Study: Why is there no new shading at the rear of 3025 College in the morning on the summer solstice, when that building is closer to the new building than 2700 Prince? Please revise or explain.

Next Steps

Please submit responses to **all** requested items at once, and not incrementally. Be sure to include a written response. If you take no action to address the above items within 60 days, the application may be deemed withdrawn and returned to you. Please use this BOX link for your project and email me when you've uploaded. Once revised information is submitted, staff will review the application within 30 days.

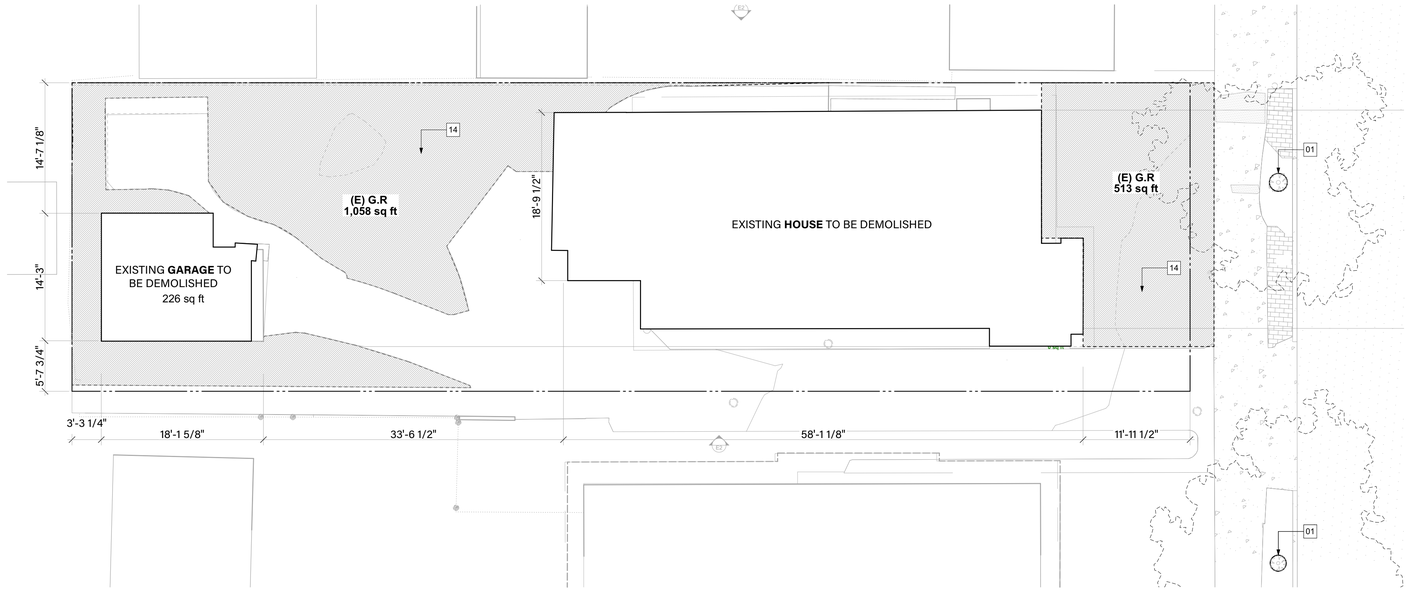
Advisory comments – Application Processing Review

During the course of review, the project planner may request that the applicant correct, clarify, amplify, or otherwise supplement the details provided in the application according to the Zoning Project Application Submittal Requirements. This may result in revisions to the information provided with your submittal, additional fees for zoning permits, CEQA review costs, and other processes/reviews, as needed based on the City's adopted fee schedule.

If you have any questions about the requested information, please reach out to me directly. Thank you in advance for your cooperation.

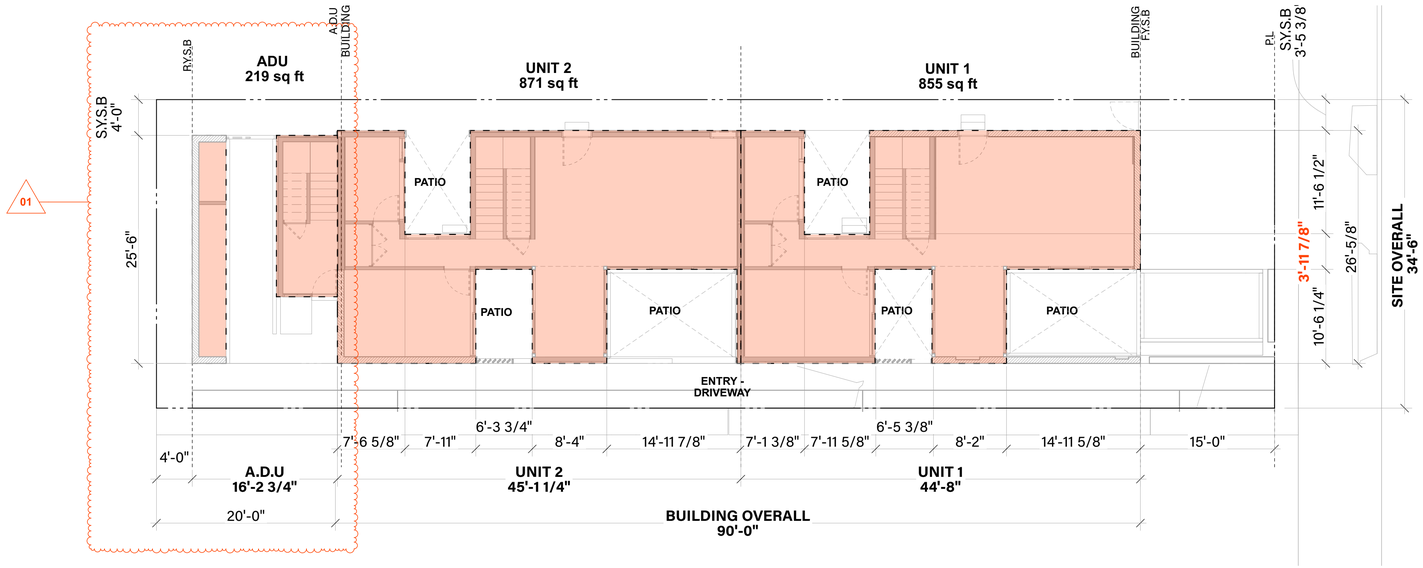
Sincerely,

Allison Riemer, AICP
Associate Planner
510-981-7433
ariemer@berkeleyca.gov



1 EXISTING LOT COVERAGE

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



2 PROPOSED LOT COVERAGE

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

CALCULATIONS

GROSS FLOOR AREA*	EXISTING	UNIT 1	UNIT 2	ADU
1ST FLOOR	1,052	855	871	219
2ND FLOOR		694	698	359
3RD FLOOR		-	-	248
GARAGE		-	-	
SUBTOTAL		1,549	1,569	826
TOTAL		**4,774**		

LOT AREA	4,312

	EXISTING	UNIT 1	UNIT 2	ADU
BUILDING FOOTPRINT	1,309	855	871	0****
LOT COVERAGE	24%	20%	20%	0%
LOT COVERAGE TOTAL	24%	**40%**		

* Gross area calculations per BMC 23.106.030

** Garage area not counted towards Groos Floor area Per BMC 23F.04.

*** ADU is excluded from the calculation per BMC 23.106.020

****subtract up to 800 sq. ft. of the ADU footprint from the total proposed lot coverage for the site (BMC Section 23.106.020(B)(4))

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
G.R:	GROUND SHOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK

LEGEND:

BRICK WALL

WOOD FRAMED WALL

PROPERTY LINE

GROSS AREA

GARAGE AREA

EXISTING HOUSE AREA

Jeff Svitak Inc.
3037 Redwood St.
San Diego, CA 92104
www.jeffsvitak.com

SEAL

LICENSED ARCHITECT
JEFF SVITAK
C-38200
10/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

PRINCE

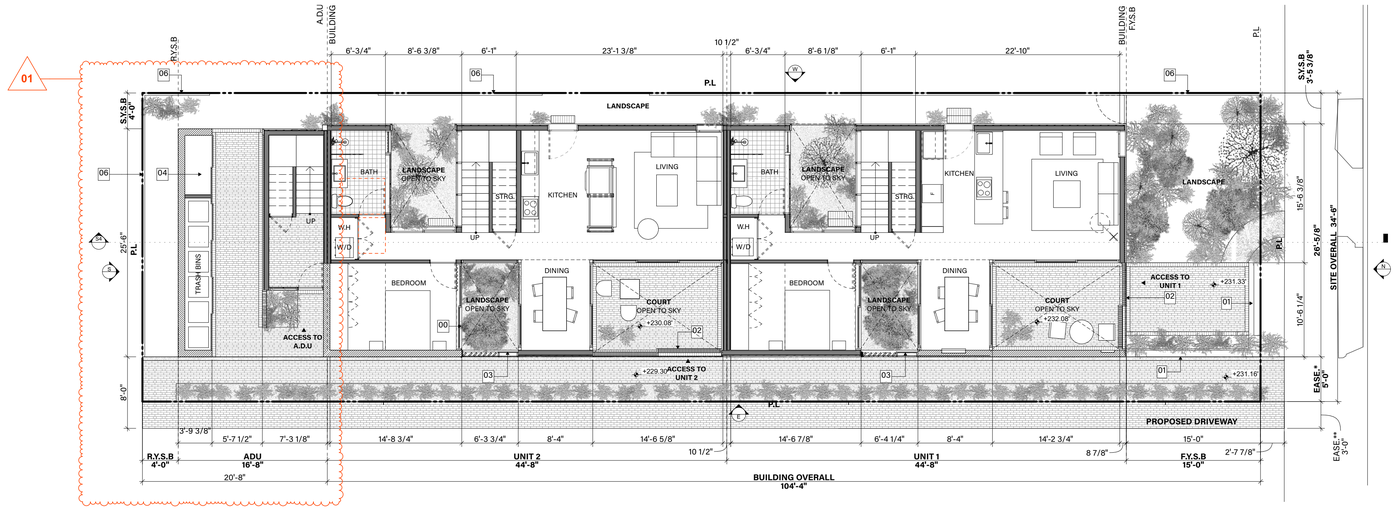
2708 PRINCE ST
BERKELEY CA 94705
APN: 052-1563-036

ISSUED FOR:		DATE:
Z.P.A SUBMITTAL		02.16.2024
Z.P.A RE-SUBMITTAL	01	04.20.2024

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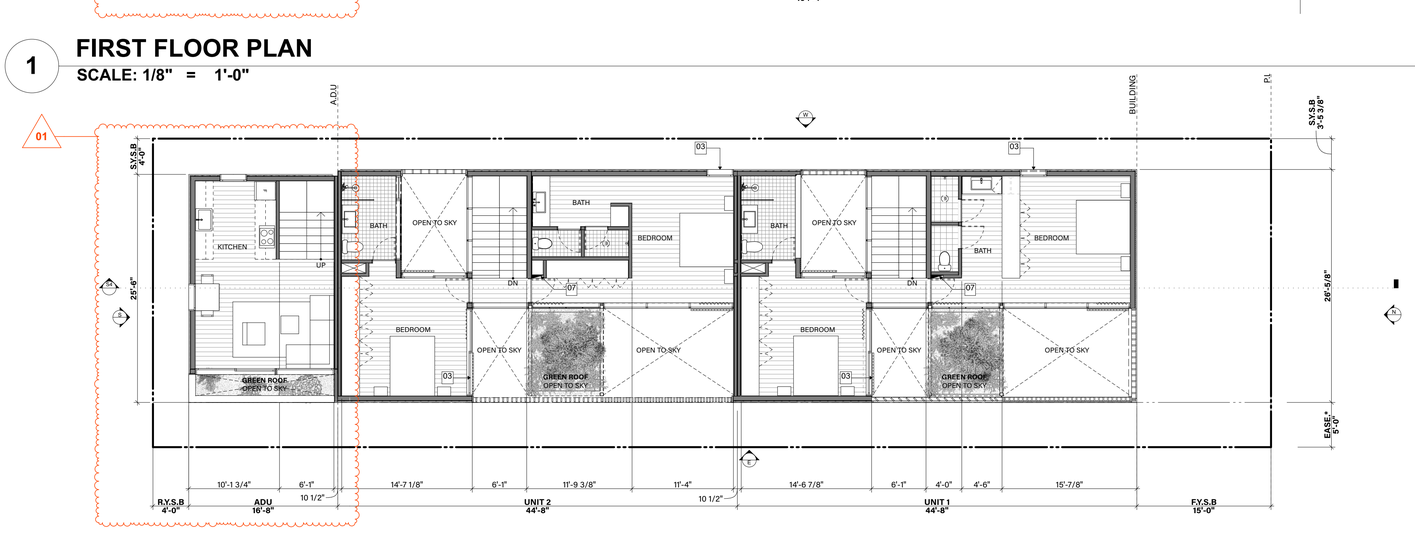
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A102
LOT COVERAGE DIAGRAM AND CALCULATIONS



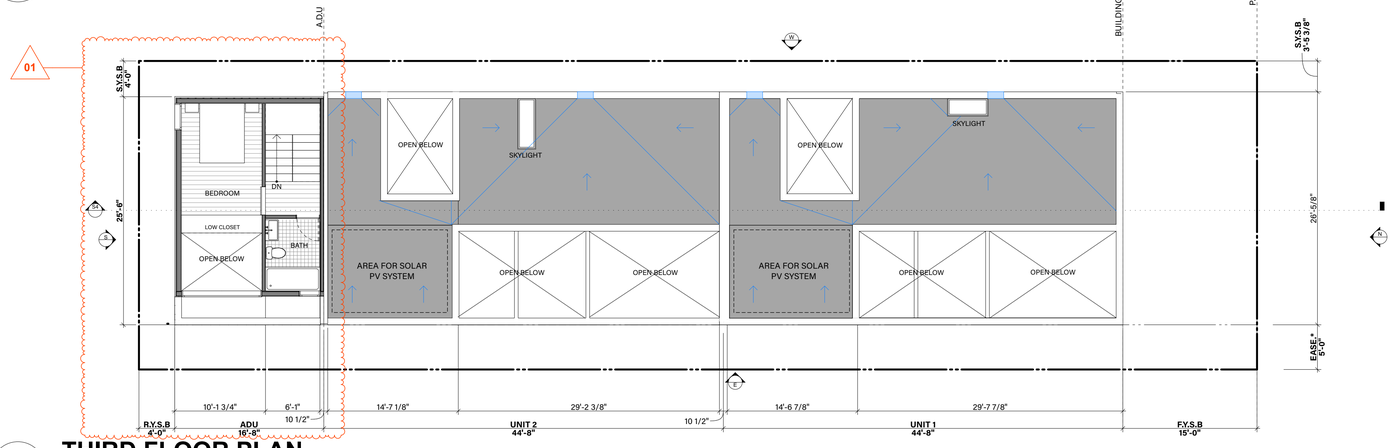
1 FIRST FLOOR PLAN

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



2 SECOND FLOOR PLAN

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



3 THIRD FLOOR PLAN

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

FLOOR PLANS GENERAL NOTES:

A. EASEMENT* = (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126)
EASEMENT*** = 3' WIDE EASEMENT (2002-273924, PARCEL 2) CARLO (1998-273924, PARCEL 2)

B. BICYCLE PARKING NOT REQUIRED, PER BMC BICYCLE PLAN, APPENDIX F

FLOOR PLANS KEYNOTES:

01

01. FENCE - BRICK WALL (5 FT. HEIGHT)
02. SLIDING ENTRY DOOR - WOODEN STUD SCREEN SYSTEM
03. EMERGENCY ESCAPE AND RESCUE OPENING.
IN ACCORDANCE TO CALIFORNIA RESIDENTIAL CODE, S. R310.1
04. NEW ELECTRICAL METER(S)
05. TRASH/SOLID WASTE STORAGE AREA
06. FENCE - WOODEN PAINTED BOARDS (6 FT. HEIGHT)
07. ELECTRICAL SUB-PANEL

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK

01

LEGEND:

- PROPERTY LINE
- WOOD FLOOR
- TILE
- BRICK PAVER
- LANDSCAPING
- BRICK WALL
- WOOD FRAMED WALL
- ROOF
- ROOF CAP

Jeff Svitak Inc.
3037 Redwood St.
San Diego, CA 92104
www.jeffsvitak.com

SEAL

LICENSED ARCHITECT
JEFF SVITAK
C-38700
10/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

PRINCE

2708 PRINCE ST
BERKELEY CA 94705
APN: 052-1563-036

ISSUED FOR:		DATE:
Z.P.A SUBMITTAL		02.16.2024
Z.P.A RE-SUBMITTAL	01	04.20.2024

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A103
FLOOR PLANS

J S I

jeffsvitak.com

2708 PRINCE_USE PERMIT #ZP2024-0024_ RESPOND LETTER

05.17.2024

PLANNING AND DEVELOPMENT DEPARTMENT_LAND USE PLANNING DIVISION
CORRECTIONS REQ'D: RESPONSE ITEMS

ISSUE NO.	RESPONSE TEXT:	SHEET NO.
1.	Lot coverage updated.	G001
2.	Shadow Study has been updated	R04

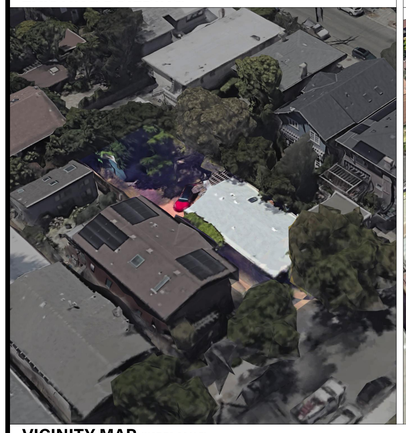
Thank you,

Jeff Svitak, Architect

EXTERIOR RENDERING (FOR REFERENCE ONLY)



EXISTING BUILDING



PROPOSED BUILDING



VICINITY MAP (NOT TO SCALE)



DEVELOPMENT SUMMARY

PROJECT NAME:	PRINCE ROW HOUSES
PROJECT ADDRESS:	2708 PRINCE ST BERKELEY CA 94705
APN:	538-250-10-00
LOT AREA:	4,312 SF
DETAILED SCOPE OF WORK:	- DEMOLITION OF EXISTING ONE STORY HOUSE AND GARAGE. - NEW CONSTRUCTION OF DUPLEX BUILDING WITH TWO-DWELLING UNITS (2 STORIES, 24'-4" ft. AVERAGE HEIGHT) - NEW CONSTRUCTION OF ATTACHED A.D.U (3 STORIES, 25' HEIGHT)
ZONING DATA:	R-2A (MEDIUM DENSITY RESIDENTIAL)
EXISTING USE TYPE:	RESIDENTIAL
PROPOSED USE TYPE:	RESIDENTIAL
BUILDING CODE CONSTRUCTION TYPE:	TYPE V-B
GOVERNING CODES:	2024 CALIFORNIA STANDARDS BUILDING CODE BERKELEY MUNICIPAL CODE (BMC)
REQUIRED DISCRETIONARY PERMITS:	A.U.P

02

ZONING CODE DATA

ZONE R-2A	EXISTING	REQUIRED		PROPOSED
NUMBER OF DWELLINGS	1	n/a		2 + 1
PARKING	1	n/a		1
BIKE PARKING*	0	n/a		n/a
FRONT YARD SETBACK (F.Y.S.B) (FT)	15'	15'		15'
SIDE YARD SETBACK (S.Y.S.B) (FT)	3.1'	DUPLEX BUILDING	3.45'**	3.45'
		ADU	4'	4'
SIDE YARD SETBACK (EASEMENT) (FT)	7.1'	DUPLEX BUILDING	4'	5'
		ADU	4'	5'
REAR YARD SETBACK (FT) **	55'	DUPLEX BUILDING	22'	20'
		ADU	4'	4'
AVERAGE BUILDING HEIGHT (FT)	14'	DUPLEX BUILDING	28'	24'-4"
		ADU	25'	25'
BUILDING STORIES	1	DUPLEX BUILDING	3	2
		ADU	n/a	3
LOT AREA (SF)				4,312
LOT AREA (ACRES)				0.10
GROSS FLOOR AREA (SF)	1,052	DUPLEX BUILDING	n/a	3,118
		ADU	850 sf. max. for Studio or 1B and 1,000 sf. for 2+ bedrooms***	774
		TOTAL		3,892
GARAGE AREA (SF) ****	237	n/a		275
BUILDING FOOTPRINT (SF)	1,309	DUPLEX BUILDING	n/a	1726
		ADU	n/a	459
		TOTAL		2,185
LOT COVERAGE (SF)*****	24%	DUPLEX BUILDING	40% max (2 stories)	40%
		ADU	n/a	n/a
		TOTAL		40%
F.A.R	0.2	DUPLEX BUILDING	n/a	0.7
		ADU	n/a	0.2
LANDSCAPE AREAS (SF)	2,139	n/a		1286
USABLE OPEN SPACE (SF)	2,139	DUPLEX BUILDING	min 600 SF	645
		ADU	n/a	n/a
IMPERVIOUS SURFACE		DUPLEX BUILDING	n/a	1726
		ADU	n/a	459
		TOTAL		2185

* Dwelling Units (fewer than four) and Accessory Dwelling Units - No Spaces Required. Per BMC - Bicycle Plan, Appendix F

** Rear and Side Setback Reductions allowed on district R-2A and on a lot with two or more main buildings with dwelling units. AUP permit required. Per BMC 23.304.030, Table 23.304-1

Side setback (S.Y.S.B): 1st and 2nd stories = 10% of lot width or 3 ft. Whichever is greater. 3rd story= 6 ft

Side setback (Easement): (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126) per Survey Plan

*** Per BMC 23.306.030

**** Garage area not counted towards Groos Floor area Per BMC 23F.04.

***** Per BMC 23.202.080

SHEET INDEX

● = NEW OR REVISED
○ = NO CHANGE

SHEET NO. & TITLE		SUBMISSION: Z.P.A SUBMITTAL (DATE 02.16.24)	01 Z.P.A RE-SUBMITTAL (DATE 04.20.24)	02 Z.P.A RE-SUBMITTAL
G	**GENERAL**			
G01	COVER SHEET	●	●	●
G02	RENDERINGS (FOR REFERENCE ONLY)	●	○	○
A	**ARCHITECTURE**			
A100	ARCHITECTURAL SITE PLAN	●	●	○
A100.1	COMMUNITY OUTREACH		●	○
A101	LANDSCAPE AND USABLE OPEN SPACE PLAN	●	●	○
A102	LOT COVERAGE DIAGRAM AND CALCULATIONS	●	●	●
A103	FLOOR PLANS	●	●	○
A104	EXISTING BUILDING PLANS	●	●	○
A105	PROPOSED EXTERIOR ELEVATIONS	●	●	○
R	**RESOURCE**			
A106	STREET STRIP ELEVATION	●	○	○
R01	SITE SURVEY	●	○	○
R02	SITE PHOTOGRAPHS	●	○	○
R03	SHADOW STUDY	●	●	●
R04	SHADOW STUDY - NEIGHBORS ELEVATIONS	●	●	●
L	**LANDSCAPE**			
L1.0	LANDSCAPE PLAN	●	○	○
L1.1	PLANT SCHEDULE	●	○	○
L1.2	PLANTING NOTES AND DETAILS	●	○	○
L1.3	PLANTING NOTES AND DETAILS	●	○	○
L1.4	MWELO CHECKLIST CALCS	●	○	○

PROJECT DIRECTORY

OWNER:
LINDA JOSEPH
2700 Prince Street
Berkeley, CA 94705

CONTACT: Linda Joseph
PHONE: 415.235.3897
EMAIL: ljoseph97@gmail.com

SURVEYOR:
BAY AREA LAND SURVEYING, INC.
350 Townsend Street, 839
San Francisco, CA 94107

CONTACT: Keith Bush
PHONE: 510.223.5167
EMAIL: info@balsinc.net

ARCHITECT:
JEFF SVITAK INC.
3037 Redwood Street
San Diego, CA 92013

CONTACT: Tomas Tironi
PHONE: 619.372.0779
EMAIL: tomas@jeffsvitak.com

LANDSCAPE ARCHITECT:
COSTELLO KENNEDY
16 De La Guerra Road
San Rafael, CA 94903

CONTACT: Teresa Kennedy
PHONE: 415.686.0423
EMAIL:kennedypartyof5@gmail.com

SYMBOL LEGEND

- +100.00' — FLOOR / STORY LEVEL
- STEP
- 101 — UNIT NUMBER
- W-1 — WALL TAG
- W-1 — WINDOW TAG
- D-1 — DOOR TAG
- F-1 — FLOOR TAG
- F-1 F-1 — FINISH TRANSITION
- K01 — KEYNOTE
- UP — RISE (STAIRS)
- DN — DOWN (STAIRS)
- 1'-0" — DIMENSION
- A — GRID LINE
- 1 / A100 — ELEVATION / SECTION MARKER
- A100 — INTERIOR ELEVATION MARKER
- 1 / A100 — DETAIL CLOUD
- 1 / A100 — DETAIL SECTION
- 1 — REVISION CLOUD
- PROPERTY LINE

Jeff Svitak Inc.
3037 Redwood St.
San Diego, CA 92104
www.jeffsvitak.com

SEAL

LICENSED ARCHITECT
JEFF SVITAK
C-38700
10/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

PRINCE

2708 PRINCE ST
BERKELEY CA 94705
APN: 052-1563-036

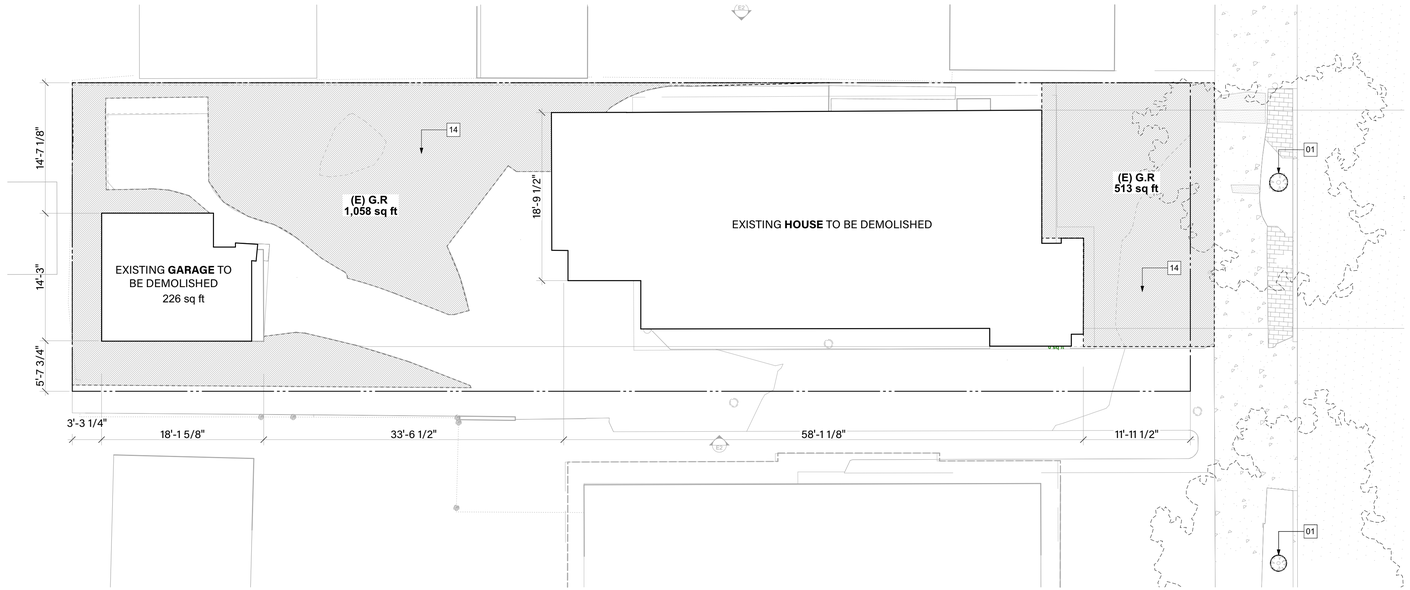
ISSUED FOR:		DATE:
Z.P.A SUBMITTAL		0216.2024
Z.P.A RE-SUBMITTAL	01	04.20.2024
Z.P.A RE-SUBMITTAL	02	0517.2024

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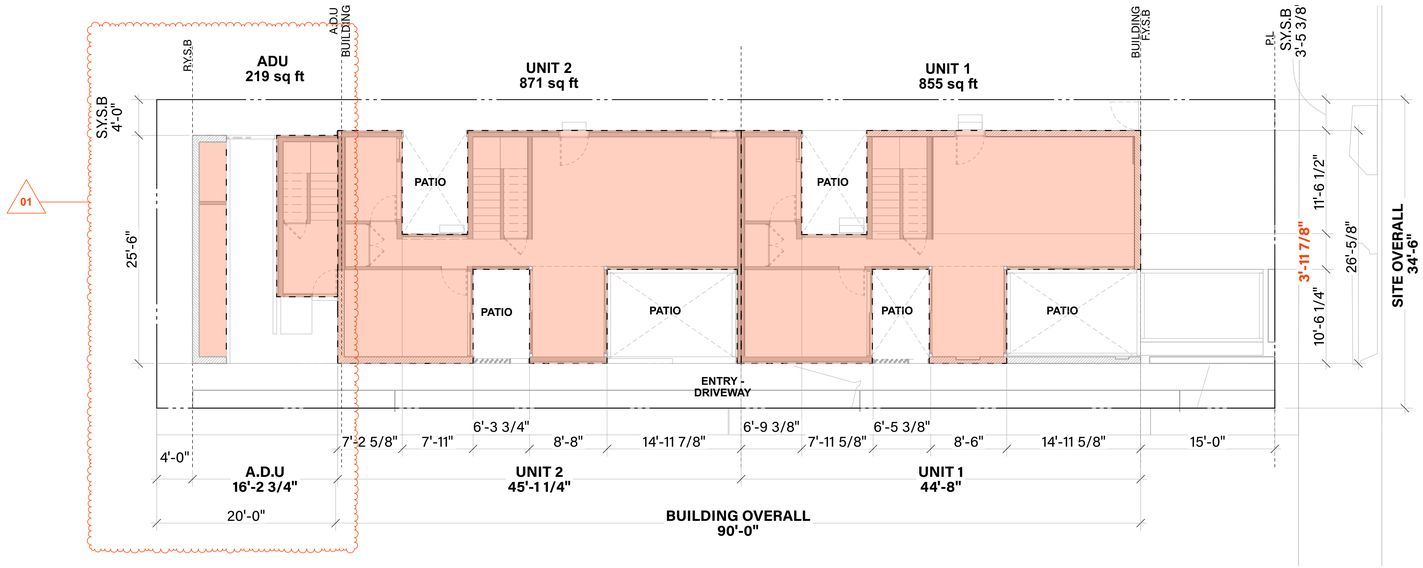
G01
COVER SHEET

SHEET # 1 OF 20



1 EXISTING LOT COVERAGE

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



2 PROPOSED LOT COVERAGE

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

CALCULATIONS

GROSS FLOOR AREA*	EXISTING	UNIT 1	UNIT 2	ADU
1ST FLOOR	1,052	855	871	219
2ND FLOOR		694	698	359
3RD FLOOR		-	-	248
GARAGE		-	-	
SUBTOTAL		1,549	1,569	826
TOTAL		**4,774**		

LOT AREA	4,312			
	EXISTING	UNIT 1	UNIT 2	ADU
BUILDING FOOTPRINT	1,309	855	871	0****
LOT COVERAGE	24%	20%	20%	0%
LOT COVERAGE TOTAL	24%	**40%**		

* Gross area calculations per BMC 23.106.030

** Garage area not counted towards Groos Floor area Per BMC 23F.04.

*** ADU is excluded from the calculation per BMC 23.106.020

****subtract up to 800 sq. ft. of the ADU footprint from the total proposed lot coverage for the site (BMC Section 23.106.020(B)(4))

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
G.R:	GROUND SHOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK

LEGEND:

BRICK WALL

WOOD FRAMED WALL

PROPERTY LINE

GROSS AREA

GARAGE AREA

EXISTING HOUSE AREA

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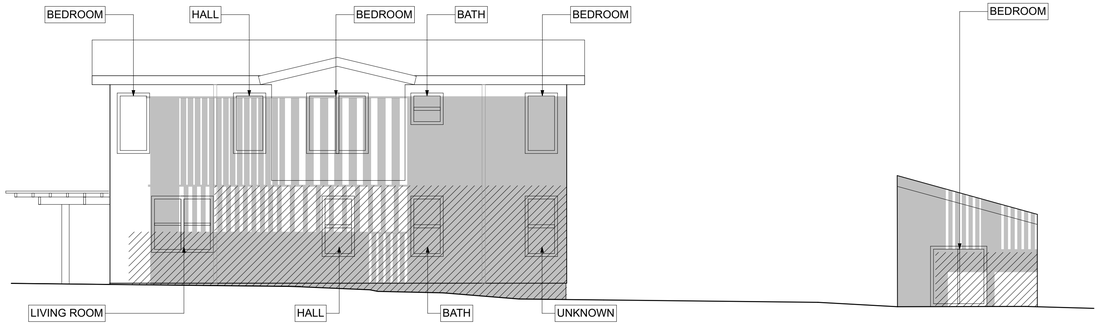
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A102
LOT COVERAGE DIAGRAM AND CALCULATIONS

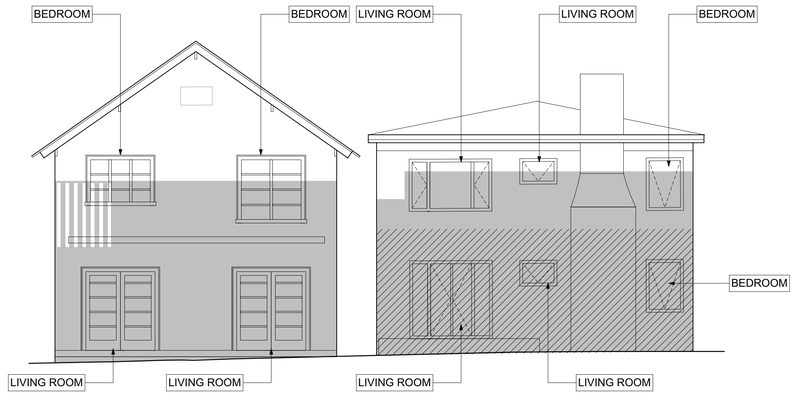
SHEET # 6 OF 20



PRINCE ST. 2712 | PRINCE ST. 2712 - ADU

EASTERN NEIGHBORS - JUNE 21_6:35 PM

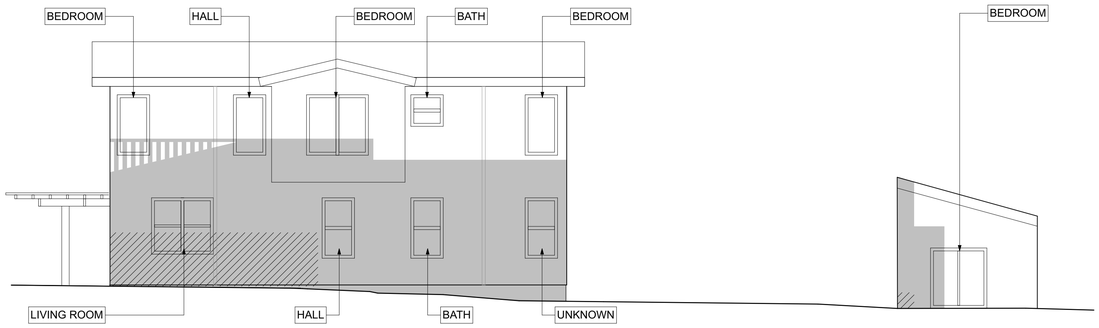
EXISTING SHADOW | NEW SHADOW



COLLEGE AVE. 3025 | PRINCE ST. 2700

WESTERN NEIGHBORS - DEC 21_9:21 AM

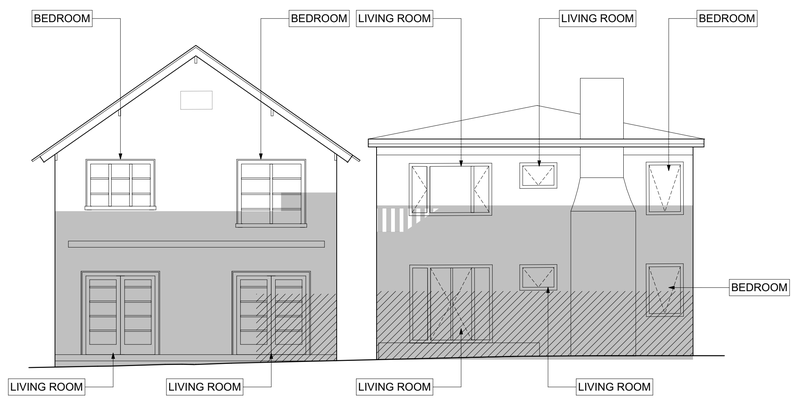
EXISTING SHADOW | NEW SHADOW



PRINCE ST. 2712 | PRINCE ST. 2712 - ADU

EASTERN NEIGHBORS - DIC 21_2:54 PM

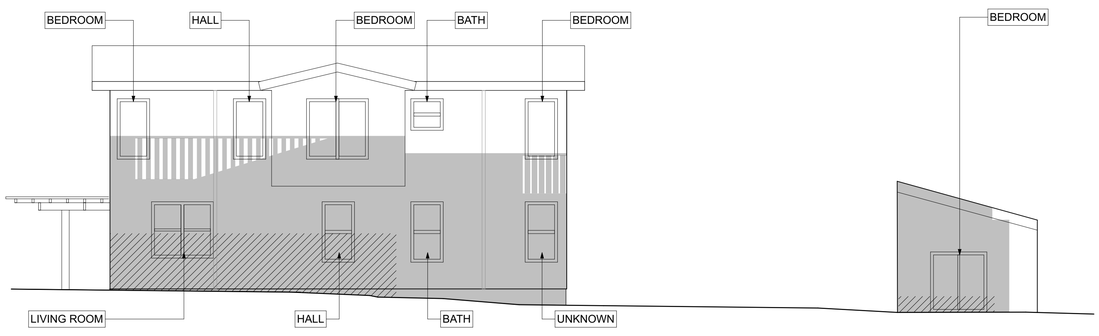
EXISTING SHADOW | NEW SHADOW



COLLEGE AVE. 3025 | PRINCE ST. 2700

WESTERN NEIGHBORS - FEB 18_8:56 AM

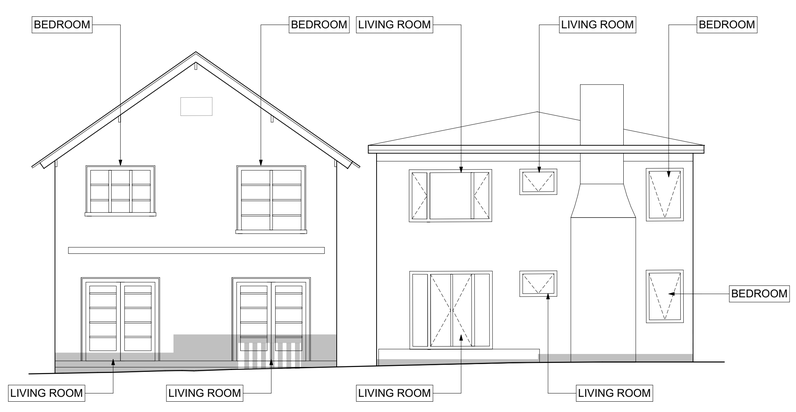
EXISTING SHADOW | NEW SHADOW



PRINCE ST. 2712 | PRINCE ST. 2712 - ADU

EASTERN NEIGHBORS - FEB 18_3:51 PM

EXISTING SHADOW | NEW SHADOW



COLLEGE AVE. 3025 | PRINCE ST. 2700

JUNE 21_7:47 AM

EXISTING SHADOW | NEW SHADOW

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San Diego, CA 92104
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02

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R04
SHADOW STUDY - NEIGHBORS ELEVATIONS

SHEET # 14 OF 20

Riemer, Allison

From: Riemer, Allison
Sent: Monday, June 10, 2024 11:21 AM
To: Robert Riemer
Subject: RE: 2708 Prince- lot coverage and usable open space

Hi Robert,

I don't know of other projects with a similar patio area. Per BMC Section 23.304.030(B)(2) the applicant can reduce the side setback since the lot is less than 40 feet wide. This provision is used throughout the City in the R-1 to R-2A Zoning Districts. So the applicant could build a solid wall with a side setback of 3.45 ft. You could look at past ZAB agendas to find similar projects, but the setback reduction also applies to building permits and AUPs (which don't go to ZAB unless appealed).

Best,
Allison

From: Robert Riemer <robert@av.co>
Sent: Wednesday, May 22, 2024 2:56 PM
To: Riemer, Allison <ARiemer@berkeleyca.gov>
Subject: Re: 2708 Prince- lot coverage and usable open space

That's a big help. It might save time later if I could know how to find a few examples of residential projects

1. Which have included significant walled in but roofless structures into the open space calculation;
2. Which have obtained setback exception due to narrowness of property

The big concern is this contiguous wall (seems to have been approved due to the lot coverage rule) just 3 feet from my property line has an outsized impact, essentially walls us in as we have a shallow backard. I would love to know of similar projects - how might I find this out?

Thank you so much!

Robert Riemer
COO, Artis Ventures
499 Jackson St. | Suite 400
San Francisco, CA | 94111
c: 415.517.9498
e: robert@av.co

> On May 22, 2024, at 9:19 AM, Riemer, Allison <ARiemer@berkeleyca.gov> wrote:
>
> Hi Robert,
>
> Based on the due dates and my schedule I think this project could be on August 8 agenda.

Best,
Allison

From: Robert Riemer <robert@av.co>
Sent: Wednesday, May 22, 2024 8:52 AM
To: Riemer, Allison <ARiemer@berkeleyca.gov>
Subject: Re: 2708 Prince- lot coverage and usable open space

Thank you - based on where the project has progressed to date would that be a month? Longer?

Robert Riemer
COO, Artis Ventures
499 Jackson St. | Suite 400
San Francisco, CA | 94111
c: 415.517.9498
e: robert@av.co

On Wed, May 22, 2024 at 8:36 AM Riemer, Allison <ARiemer@berkeleyca.gov> wrote:

> Hi Robert,
>
> The public hearing posters are posted and the postcards are mailed two weeks before the ZAB meeting.
>
> Best,
> Allison

From: Robert Riemer <robert@av.co>
Sent: Wednesday, May 22, 2024 6:34 AM
To: Riemer, Allison <ARiemer@berkeleyca.gov>
Subject: Re: 2708 Prince- lot coverage and usable open space

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hi Allison, just a quick follow up on the below. Thank you.

Robert Riemer
c: 415.517.9498
e: robert@av.co

On Mon, May 20, 2024 at 12:47 PM Robert Riemer <robert@av.co> wrote:

> Hi Allison, hope you are well. My notes Is this project set for a ZAB meeting this summer? Once the date is set, how will all of the neighbors be notified? Thank you.
>
> Robert Riemer
> COO, Artis Ventures
> 499 Jackson St. | Suite 400
> San Francisco, CA | 94111

c: 415.517.9498
e: robert@av.co

On May 9, 2024, at 4:49 PM, Riemer, Allison <ARiemer@berkeleyca.gov> wrote:

Hi Rob,

A trellis counts toward lot coverage. This is not stated in the Berkeley Municipal Code, but is a longstanding Zoning Officer interpretation of the Code. The lot coverage example diagram includes a trellis.

Lot coverage defined in the BMC.
Building, defined in the Glossary: Building. An enclosed structure having a roof and supported by columns or walls.
Useable open space

Best,
Allison
Allison Riemer, AICP (she/her)
Associate Planner
Land Use Planning Division | (510) 981-7433
1947 Center Street, 2nd Floor | Berkeley, CA 94704
ariemer@berkeleyca.gov

The Permit Service Center (PSC), including the Zoning Counter, is open between 8:30 am – 2:30 pm (final check in at 2:00 pm) Monday through Thursday.

Zoning Project Submittal Requirements (updated October 2023)
General Planning Department questions: Planning@berkeleyca.gov
Zoning questions: ZoningCounter@berkeleyca.gov
Planning Department Forms
City of Berkeley holidays and reduced service days

Planning and Development Department
Land Use Planning Division

June 13, 2024
Jeff Svitak
3037 Redwood Street
San Diego, CA. 92013

Sent via email to:
Jeff@JeffSvitak.com

Re: Application Processing – California Environmental Quality Act (CEQA) and Additional Information Required –Use Permit #ZP2024-0024 for 2708 Prince Street.

Dear Jeff Svitak,

Thank you for the Zoning Permit application submittal deemed complete on March 7, 2024, for the demolition of an existing 13 foot 9-inch-tall one-story 1,052 square-foot house and accessory structure (garage), and the construction of a new 24 foot 4-inch-tall two-story 3,052 square-foot duplex with an attached accessory dwelling unit (ADU). The application has been evaluated for the level of environmental review required, and readiness for final action according to the submittal checklist and application guidelines. Thank you for providing revised materials on April 17, April 30, May 16, and May 17.

Required Zoning Permit(s)

Based on my review, the following zoning permits are required:

- Use Permit, pursuant Berkeley Municipal Code (BMC) Section 23.326.020(B) to demolish a dwelling unit
- Use Permit, pursuant to BMC Section 23.202.020(A) to construct a two-family dwelling

Level of Review Under the California Environmental Quality Act

Under the California Environmental Quality Act (CEQA), staff determines whether an environmental impact report, a negative declaration, or a mitigated negative declaration will be required, depending on the type of project. This determination will be made within 30 days of an application being deemed complete. If a project is exempt from CEQA, staff recommends an exemption determination to either the Zoning Officer or the Zoning Adjustments Board (ZAB), depending on the type of permit.

It is Staff's recommendation that this project meets the criteria for a **Categorical Exemption**, pursuant to CEQA Guidelines Section 15303 ("New Construction"), provided that the Air Quality Analysis requested below is submitted. However, the final determination is made by the Zoning Adjustments Board (ZAB).

Action Items – Corrections, Clarifications, and/or Supplemental Information Required

1. Applicant Statement: Please update the applicant statement to indicate compliance with the recommendations in the Air Quality memo:
    a. During construction, use zero-emission and hybrid-powered equipment to the greatest extent possible.
    b. All project construction equipment shall have Tier 4 diesel engines.

c. Limit vehicle idling to no more than 2 minutes. Provide signage to inform workers of idling limits.
d. Prohibit off-road diesel-powered equipment from being in the "on" position for more than 10 hours per day.
e. Where grid power is available, prohibit portable diesel engines and provide electrical hook ups for electric construction tools, such as saws, drills and compressors, and using electric tools whenever feasible.
f. Where grid power is not available, use alternative fuels, such as propane or solar electrical power, for generators at construction sites.
g. Use locally sourced or recycled materials for construction materials (goal of at least 20% based on costs for building materials and based on volume for roadway, parking lot, sidewalk and curb materials). Wood products used should be certified through a sustainable forestry program.
h. Include all requirements in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant on- or off-road construction equipment for use prior to any ground-disturbing and construction activities.
i. Limit the use of gas appliances to kitchen stoves, or kitchen stoves and hot water heaters or boilers.
j. Install outdoor-to-indoor air filtration systems with a Minimum Efficiency Reporting Value (MERV) of 13 or greater in the new dwellings.

Next Steps

Please submit responses to **all** requested items at once, and not incrementally. Be sure to include a written response. If you take no action to address the above items within 60 days, the application may be deemed withdrawn and returned to you. Please use this BOX link for your project and email me when you've uploaded. Once revised information is submitted, staff will review the application within 30 days.

Advisory comments – Application Processing Review

During the course of review, the project planner may request that the applicant correct, clarify, amplify, or otherwise supplement the details provided in the application according to the Zoning Project Application Submittal Requirements. This may result in revisions to the information provided with your submittal, additional fees for zoning permits, CEQA review costs, and other processes/reviews, as needed based on the City's adopted fee schedule.

If you have any questions about the requested information, please reach out to me directly. Thank you in advance for your cooperation.

Sincerely,

Allison Riemer, AICP

Associate Planner
510-981-7433
ariemer@berkeleyca.gov

Jeff
Svitak
Inc.

PRINCE ROW HOUSES, 2708 Prince St. Berkeley, CA 94705
06.13.2024

Applicant's Statement

Dear Sir/Madam:

We propose to construct a new attached single-family home (2) and one (1) attached ADU at 2708 Prince St. in Berkeley. The project, as generally described our "Zoning Submittal" drawings dated 5.17.2024 , consists of 2 (+ 1 ADU) dwelling units, adding a total Building Footprint of 1.726 sq. ft. (+ 219 sq. ft ADU) and a total 40% of lot coverage. A discretionary use permit (AUP) is also needed to comply with setback reductions.

Zoning
The 4,312 sq. ft. lot is within the R-2A District.

Parking
No residential parking spaces nor bicycle parking are required.

Building Height
The base project height allowed with a Use Permit in the R-2A zone is 28'. The proposed project will be 24'-8".

Setbacks/Yards
Setbacks are as follows in the R-2A Zone:

Front		Interior Side		Street Side		Rear	
Required	Proposed	Required	Proposed	Required	Proposed	Required	Proposed
15'	15'	4'	3.45' (with setback reduction, AUP required)	n/a	n/a	22'	22'

Project Benefits
Includes 2 additional dwelling units on the lot. Adds new landscaped areas, including a front yard garden that will enrich the sidewalk experience for pedestrians. Incorporates natural as well as local materials that are typically found in the neighborhood. Includes passive energy design solutions such as cross ventilation and sunlight in every room.

Berkeley Energy Code and Green Code

The project is designed to comply with the Berkeley Energy Code (BMC Chapter 19.36) and Berkeley Green Code (BMC Chapter 19.37). Corresponding features are shown in sheet plans #3 and #6.

California Environmental Quality Act (CEQA) Air Quality

The project is designed to comply with the recommendations in the Air Quality Assessment provided on May 14, 2024, by Environmental Consultant Geoffrey H. Hornek:

1. During construction, use zero-emission and hybrid-powered equipment to the greatest extent possible.
2. All project construction equipment shall have Tier 4 diesel engines.
3. Limit vehicle idling to no more than 2 minutes. Provide signage to inform workers of idling limits. Prohibit off-road diesel-powered equipment from being in the "on" position for more than 10 hours per day.
4. Where grid power is available, prohibit portable diesel engines and provide electrical hook ups for electric construction tools, such as saws, drills and compressors, and using electric tools whenever feasible.
   Where grid power is not available, use alternative fuels, such as propane or solar electrical power, for generators at construction sites.
5. Use locally sourced or recycled materials for construction materials (goal of at least 20% based on costs for building materials and based on volume for roadway, parking lot, sidewalk and curb materials). Wood products used should be certified through a sustainable forestry program.
6. Include all requirements in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant on- or off- road construction equipment for use prior to any ground-disturbing and construction activities.
7. Limit the use of gas appliances to kitchen stoves, or kitchen stoves and hot water heaters or boilers.
8. Install outdoor-to-indoor air filtration systems with a Minimum Efficiency Reporting Value (MERV) of 13 or greater in the new dwellings

Thank you for your consideration of this application.

Sincerely,

Jeff Svitak
Architect

Planning and Development Department
Land Use Planning Division

June 28, 2024
Jeff Svitak
3037 Redwood Street
San Diego, CA. 92013

Sent via email to:
Jeff@JeffSvitak.com

Re: Application Processing –Use Permit #ZP2024-0024 for 2708 Prince Street.

Dear Jeff Svitak,

Thank you for the Zoning Permit application submittal deemed complete on March 7, 2024, for the demolition of an existing 13 foot 9-inch-tall one-story 1,052 square-foot house and accessory structure (garage), and the construction of a new 24 foot 4-inch-tall two-story 3,052 square-foot duplex with an attached accessory dwelling unit (ADU). The application has been evaluated for the level of environmental review required, and readiness for final action according to the submittal checklist and application guidelines. Thank you for providing revised materials on April 17, April 30, May 16, May 17, and June 13.

Required Zoning Permit(s)

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- Use Permit, pursuant Berkeley Municipal Code (BMC) Section 23.326.020(B) to demolish a dwelling unit
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It is Staff's recommendation that this project meets the criteria for a **Categorical Exemption**, pursuant to CEQA Guidelines Section 15303 ("New Construction"). However, the final determination is made by the Zoning Adjustments Board (ZAB).

Project Review

Now that your Use Permit application is deemed complete and is being reviewed, I will work to finish my analysis of this project, and prepare the staff report and recommendations for consideration by the ZAB at the public hearing.

Advisory comments – Application Processing Review

During the course of review, the project planner may request that the applicant correct, clarify, amplify, or otherwise supplement the details provided in the application according to the Zoning Project Application Submittal Requirements. This may result in revisions to the information provided with your submittal, additional fees for zoning permits, CEQA review costs, and other processes/reviews, as needed based on the City's adopted fee schedule.

Sincerely,

Allison Riemer, AICP
Associate Planner
510-981-7433
ariemer@berkeleyca.gov

Jeff
Svitak
Inc.

July 3, 2024

Robert Riemer and Sheila Moran
3025 College Ave.
Berkeley, CA 94705
e: robert@av.co

Re: Reimer 2708 Prince 6.21.2024

Dear Mr. Riemer and Ms. Moran,

We are in receipt of your letter of concern regarding the design for the proposed structure at 2708 Prince St. While we respect your opinion on the matter, we don't believe that there is complete or unreasonable blockage to air and light for your property.

In response to the reasonable level of light and air: There is over 30' of space between the proposed building and your home. This far exceeds the requirements for setbacks (current rear setback is 15' in this zone) which are designated by the planning department as reasonable for both light and air.

In response to "stuffing too much structure on a narrow lot": The project as designed, is compliant with the municipal code zoning standards allowed for the property, and sufficiently below the allowable buildable volume, which is 3 stories and up to 35' high. The project is only two stories and is 24' high and it doesn't utilize any allowable projections which could extend into the setbacks even further. So, by-right, a lot more could be stuffed in. Moreover, it appears the existing trees between the two properties will be blocking more of the light and air than the building would. So, I don't believe the new structure will negatively impact or "suffocate" your property more than it

3037 redwood street
san diego ca 92104
858 518 1816
jeff@jeffsvitak.com

Jeff
Svitak
Inc.

currently is. Also, if you look at the design, there is relief in terms of garden cut outs along the east side of the proposed building.

In response to the attached ADU: This part of the proposed building is not adjacent to your property, so I am not totally understanding that concern. However, the ADU is a much-needed housing strategy as a response to the housing crisis at local, state and national levels. This is why it is allowed to be permitted ministerially, without any required additional zoning or use-permits.

In response to the density: I believe the 5-bedroom rule is to limit the number of tenants in a single home. The project as designed contains (2) modest size homes with 3 bedrooms each. All of this is within the rights of the allowable zone. There is in fact no density limit on the property, only lot coverage limitations, so the density of (2) units and (1) ADU might be considered low in consideration to what could be allowable.

In response to the destructive impact of the design: We pride ourselves on design and take a lot of time and consideration to all components of the building design. The elevation of the east wall can be seen on sheet A105 of our submitted application. We do provide the same design aesthetic to both sides of the building. There was careful consideration to maintain the privacy of both the new residents of the proposed building and all the neighboring buildings while still allowing sufficient light and air to everyone. If the building were to be flipped as you propose, your privacy would be impacted in a way where you would be looking straight into a bedroom or living room of the new building. I would find that situation to be more negatively impactful.

3037 redwood street
san diego ca 92104
858 518 1816
jeff@jeffsvitak.com

Jeff
Svitak
Inc.

With any new project, we understand there will be impacts to neighbors, and we aim to be respectful and helpful wherever possible. We have already deeply considered the design regarding the site restraints and surrounding context. While we understand you do not agree, we believe the project is fitting for the neighborhood and the surrounding environment and it is compliant with the existing zoning regulations.

We would look forward to continuing this dialogue and commentary in regards to our design at the ZAB meeting, which I understand is tentatively scheduled for September 12th.

Kind regards,



Jeff Svitak, Architect

Cc: Allison Reimer, Planner

3037 redwood street
san diego ca 92104
858 518 1816
jeff@jeffsvitak.com

Riemer, Allison

From: Robert Riemer <robert@av.co>
Sent: Monday, August 19, 2024 2:59 PM
To: Updegrave, Samantha
Cc: Riemer, Allison
Subject: Re: *5th Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Hi Samantha, dropping in another follow up here. Wish to speak with you for the below stated purposes, in advance of any date-setting. I am generally available. Many thanks,

Robert Riemer
c: 415.517.9498
e: robert@av.co

> On Aug 15, 2024, at 12:17 PM, Robert Riemer <robert@av.co> wrote:
>
> Hi Samantha, forgive my pressing, I've been seeking some transparency into this scheduling and not getting a lot of help. Stressing that I will be absolutely unable to attend a video meeting in September. I'm not just a "member of the public" in this matter, but a party directly adjacent with a direct and not just a general interest. Do you have a moment this afternoon?
>
> Robert Riemer
> c: 415.517.9498
> e: robert@av.co
>
> > On Aug 13, 2024, at 4:19 PM, Robert Riemer <robert@av.co> wrote:
> >
> > Hi Samantha, it is good to hear from you, but I do believe we should speak before the date is in fact set which is why I have been reaching out. How about 10 minutes tomorrow, say around 10 a.m.?
> >
> > Robert Riemer
> >
> > > On Aug 13, 2024, at 3:53 PM, Updegrave, Samantha <SUpdegrave@berkeleyca.gov> wrote:
> > >
> > > Good afternoon, Robert.
> > >
> > > Sorry for the delay in responding. As you probably gathered from my out of office reply, I have just returned to work yesterday, and I'm currently going through emails and calls. I received your emails, and will be looking at 2708 Prince Street later this week. I will let you know by the end of the week when the project will go to ZAB for hearing.

Riemer, Allison

From: Robert Riemer <robert@av.co>
Sent: Tuesday, August 20, 2024 10:09 AM
To: Updegrave, Samantha
Cc: Riemer, Allison; Klein, Jordan
Subject: Re: *6h Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Follow Up Flag: Follow up
Flag Status: Flagged

All - just bringing the whole group back to the chain from my original notification July 18. As you indicated you'd let me know *when* the date would be set, I have some urgency in seeking a discussion prior to the ZAB meeting date being set, and I am not hearing back. I really understand the press of business, but I registered my interest in the timing for the ZAB meeting back in early May.

Allison, I really appreciate you having come by my home a couple of Fridays ago to view the impact, and now that some time has passed, I thought it would be fair to hear your thoughts on what we discussed. Let me know when you have time for that.

Many thanks again.

Robert Riemer
c: 415.517.9498
e: robert@av.co

> On Aug 19, 2024, at 2:58 PM, Robert Riemer <robert@av.co> wrote:
>
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>
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> >
> > Robert Riemer
> > c: 415.517.9498
> > e: robert@av.co

Riemer, Allison

From: Riemer, Allison
Sent: Friday, August 23, 2024 10:23 AM
To: Robert Riemer
Subject: RE: *6h Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Hi Robert,

Thank you for sharing your concerns with me about the impact of the massing and setbacks on your yard and home. I will make note of them in the staff report. If you have another letter you want to share that explains your concerns you should email it to zab@berkelyca.gov by 5 PM on September 4 so that it will be included in the ZAB packet.

Best,
Allison

From: Robert Riemer <robert@av.co>
Sent: Tuesday, August 20, 2024 10:09 AM
To: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Cc: Riemer, Allison <ARiemer@berkeleyca.gov>; Klein, Jordan <JKlein@berkeleyca.gov>
Subject: Re: *6h Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

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Allison, I really appreciate you having come by my home a couple of Fridays ago to view the impact, and now that some time has passed, I thought it would be fair to hear your thoughts on what we discussed. Let me know when you have time for that.

Many thanks again.

Robert Riemer
c: 415.517.9498
e: robert@av.co

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> Robert Riemer
> c: 415.517.9498
> e: robert@av.co
>
> > On Aug 15, 2024, at 12:17 PM, Robert Riemer <robert@av.co> wrote:

Riemer, Allison

From: Updegrave, Samantha
Sent: Tuesday, August 27, 2024 5:12 PM
To: Riemer, Allison
Subject: FW: 2708 Prince Street: Critical Need for Continuance of September 12th date-- Unacceptable response Under the facts of this case and public policy

Importance: High

Internal

From: Rena Rickles <rena@rickleslaw.com>
Sent: Monday, August 26, 2024 5:52 PM
To: Klein, Jordan <JKlein@berkeleyca.gov>; Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Cc: Robert Riemer <robert@av.co>
Subject: 2708 Prince Street: Critical Need for Continuance of September 12th date-- Unacceptable response Under the facts of this case and public policy
Importance: High

Dear Jordan and Samantha,
I represent Robert Riemer, who along with his wife live adjacent to this proposed project and are clearly and uniquely, the most negatively impacted by it. I have left Samantha to voicemails on this matter, hence this email to both of you. Their opposition is not to the project itself but to its current design which disproportionately affects only them. Under the circumstances which I am about to recite below, I find it unconscionable and a Looking for John River High School Call Sharon Bloomberg Mobile I'm so pale I don't know I'm sorry Elliot Elliott I'll be right home I'm talking to you I'm home major injustice to deny Robert Riemer's reasonable and timely request for continuance in this matter. The justification in Samantha's last email misstates the grounds upon which Robert Riemer's requests this continuance. Never in my almost 30 years of appearing before the Zoning Adjustments Board, have I known of a continuance being denied the persuasive facts in this case. In fact, it's been my experience that under significantly less persuadable facts a onetime continuance is customarily granted. This is especially true whereas here there is no harm to developer by this minor delay. Therefore, it escapes me why in this instance it is being denied to Robert Reimer.

I have a twofold request: 1) grant Robert Riemer's request for a continuance to October from the currently scheduled September 12th hearing date; or, 2) provide me with the avenue to appeal your denial as well as your grounds for denying this timely and reasonable request

..
The facts as I understand them are this:

- As soon as Robert Riemer became aware of the details of this proposed project (late this spring I believe), he immediately contacted Planner Alison Reimer, both to learn more about the specifics of the project, and to advise her that he would be opposing it.
- At that time Allison Reimer advised Robert Riemer (no relation) that the hearing would be scheduled sometime in August.
- Accordingly, in early July, Robert Reimer booked his and his family's annua one month trip to Spain for the month of September. At no time since early spring did Allison Riemer advise Robert Riemer that the Hearing date had been moved to September 12th. (True Robert Riemer was not an official party to this matter, but his presence

and interest were well known to planning, and at least as a courtesy he should have been consulted regarding the change in date.

- Robert discovered the change in date only by accident: he in good faith reached out to the developer to request a meeting to discuss the design that was proposed project; the developer refused to consider any modifications and stated that he would see him at the ZAB Hi in September.
- Robert Riemer immediately acted to request a continuance. This was his first and only request for a continuance.
- Contrary to what was stated in your denial, Robert Riemer will be in Europe which is a far cry from the inconvenience of not being in the area. The alternative " Participation", Zoom, in this case is illusory. It amounts to a denial of participation. There is a nine-hour time-zone difference and the ability to maintain a Zoom connection on Zoom throughout the length of a ZAB hearing is minuscule.
- Robbie Carman It is well known to all three of us that not being physically present to organize speakers and documents in the week before the hearing constitutes a major disadvantage. (it is also not possible for me to appear in Robert Riemer's stead as I will be in the Midwest attending my husband's 60th high school reunion, followed immediately by a large family reunion there).

Thank you in advance for your attention to this very important matter. If you have any questions, please feel free to call me at 510-326-4899.
Best,
Rena

0

RENA RICKLES
Law offices of Rena Rickles
1970 Broadway, Suite 1100
Oakland, CA 94612
Phone: (510) 452-1600
Mobile: (510) 326-4899
Fax: (510) 451-4115
Rena@RicklesLaw.com

STATEMENT OF CONFIDENTIALITY:
The information contained in this electronic message and any attachments to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. If you are not the intended recipient, or the person responsible for delivering the email to the intended recipient, be advised you have received this message in error and that any use, dissemination, forwarding, printing, or copying is strictly prohibited. Please notify the sender immediately, and destroy all copies of this message and any attachments.

From: Robert Riemer <robert@av.co>
Sent: Thursday, August 22, 2024 12:37 PM
To: Rena Rickles <rena@rickleslaw.com>
Subject: Re: *4th Follow up* 2708 Prince Street: Critical Need for Continuance of September 12th date

Texting with Igor. He agrees go to Jordan.
And fact correction on Samantha's em
Sent from Rena Rickles I Phone. All mistakes are the fault of a hyperactive autocorrect or failure to proofread dictated message

On Aug 21, 2024, at 9:56 AM, Updegrave, Samantha <SUpdegrave@berkeleyca.gov> wrote:

Good morning, Robert.

I understand that you will be out of the area on September 12, and that it is disappointing to not be able to attend the hearing in person. You may participate in the hearing virtually and also provide direct written comments to the ZAB, which if received by 5pm on Wednesday, September 4, will be included with the staff report that is sent to the commissioners on the following day. The link to join the meeting remotely will be available on the final agenda, which is posted by the end of the day on September 5.

The hearing date was not delayed from August – the staff analysis was not complete therefore the project was not ready for final action. This is why dates remain tentative until the notices are posted, to ensure that they are ready to be heard. Once a housing development project is ready for ZAB action, it is scheduled at the next available hearing.

Riemer, Allison

From: Updegrave, Samantha
Sent: Tuesday, August 27, 2024 5:02 PM
To: Riemer, Allison
Subject: FW: 2708 Prince Street: Critical Need for Continuance of September 12th date-- Unacceptable response Under the facts of this case and public policy

Follow Up Flag: Follow up
Flag Status: Flagged

Internal

From: Updegrave, Samantha
Sent: Tuesday, August 27, 2024 4:24 PM
To: Rena Rickles <rena@rickleslaw.com>
Cc: Robert Riemer <robert@av.co>; Klein, Jordan <JKlein@berkeleyca.gov>
Subject: RE: 2708 Prince Street: Critical Need for Continuance of September 12th date-- Unacceptable response Under the facts of this case and public policy

Thank you for reaching out, Rena.

This housing development project is slated for the September 12, 2024 Zoning Adjustments Board (ZAB) hearing, and the date is not being changed. As previously noted, housing development projects that are subject to the requirements of the Housing Accountability Act and the Housing Crisis Act are taken to ZAB for action once staff review and analysis is completed. Scheduling the hearing for ZAB is a procedural matter, not an action on the permit, and is not appealable.

At the hearing, ZAB may approve, modify, or deny the application, or continue the hearing to a future date. You or your client may request a hearing continuation to the ZAB through public comment at the hearing (in person or remotely) and/or in writing. Correspondence to ZAB that are submitted no later than 5 pm on September 4 will be included with the staff report and other project documents. I've included the full schedule for submitting written comments below. While this correspondence will be included, I recommend provide comments in writing to ZAB.

Schedule for correspondence to ZAB with dates added (also published on each ZAB agenda):

> Written comments must be directed to the ZAB Secretary at the Land Use Planning Division (Attn: ZAB Secretary), 1947 Center Street, Second Floor, Berkeley CA 94704, 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.
>
> **Correspondence received by 5:00 PM eight days before this public hearing (September 4) – 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, 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 (September 10)** – will be conveyed to the Board in a Supplemental Communications and Reports, which is released around noon one day before the public hearing.
> - **Correspondence received by 12:00 PM the day of this public hearing (September 12)** will be provided to the Board at the hearing.

- **Correspondence received after 12:00 PM the day of** this public hearing will be saved in the project administrative record.

Best,
Samantha

From: Rena Rickles <rena@rickleslaw.com>
Sent: Monday, August 26, 2024 5:52 PM
To: Klein, Jordan <JKlein@berkeleyca.gov>; Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Cc: Robert Riemer <robert@av.co>
Subject: 2708 Prince Street: Critical Need for Continuance of September 12th date-- Unacceptable response Under the facts of this case and public policy
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Planning and Development Department
Land Use Planning Division
1947 Center Street, 2nd Floor
Berkeley, CA 94704

ZONING ADJUSTMENTS BOARD
NOTICE OF PUBLIC HEARING

SUBJECT: **2708 Prince Street**
Use Permit #ZP2024-0024

WHEN: **Thursday, September 12, 2024.**
Meeting starts at 7:00 pm.

WHERE: **Berkeley Unified School District Board Room, 1231 Addison Street, Berkeley** (Wheelchair Accessible) **with remote/hybrid option (via Zoom)**

«NAME1»
«NAME2»
«ADDRESS1» «ADDRESS2»

Planning and Development Department
Land Use Planning Division
1947 Center Street, 2nd Floor
Berkeley, CA 94704

ZONING ADJUSTMENTS BOARD
NOTICE OF PUBLIC HEARING

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«Next Record»«NAME1»
«NAME2»
«ADDRESS1» «ADDRESS2»

	PROJECT: 2708 Prince Street, Use Permit #ZP2024-0024 to demolish an existing 13 foot 9-inch-tall one-story 1,052 square-foot house and accessory building (garage), and construct a new 24 foot 4-inch-tall two-story 3,118 square-foot duplex. **CEQA RECOMMENDATION:** Categorically exempt pursuant to Section 15303 of the CEQA Guidelines ("New Construction").
Submit written comments: Land Use Division Attn: ZAB Secretary 1947 Center Street, Second Floor Berkeley, CA 94704 or via e-mail: **zab@berkeleyca.gov** **Post and Mail Date: August 29, 2024**	**All persons are welcome to attend the hearing virtually or in person. Comments may be made verbally at the public hearing and/or in writing before the hearing.** If your contact information is included in any communication to the Board, it will become part of the public record, and will be accessible on the City Website. All **application materials** are available by searching the address or permit number under the Zoning tab at https://aca.cityofberkeley.info/CitizenAccess/Welcome.aspx. **Draft agenda** posted online 14 days before the hearing. **Final agenda with Zoom link and staff reports** posted online six days before the hearing. 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. **Disability-related accommodation(s) requests** to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418(V) or 981-6347(TDD) at least three business days before the meeting date.
NOTICE CONCERNING YOUR LEGAL RIGHTS: 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.	

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Internal

NAME1	NAME2	ADDRESS1	ADDRESS2
MAITEN LLC	1060 BLOOMFIELD RD	SEBASTOPOL CA	95472
SOEHNGEN JAN	1181 DELAWARE ST	BERKELEY CA	94702
COMMON AREA OF TR 6736 75 THRU 84	123 LANGTON ST	SAN FRANCISCO CA	94103
BERKELEY CONDO BUILDERS LLC	1319 LEAVENWORTH ST	SAN FRANCISCO CA	94109
AZARBIJANI KAMAL Y & PARICHEHR TRS	1399 SPRINGHILL RD	PETALUMA CA	94952
JOSEPH CATHERINE TR	14 LORITA AVE	PIEDMONT CA	94611
PACOE TRAVIS & JUSON JUSTINE TRS	1432 WILLARD ST	SAN FRANCISCO CA	94117
WEINTRAUB GERALD D TR	1519 OXFORD ST D	BERKELEY CA	94709
SAWYER JACK TR	2330 PARKER ST	BERKELEY CA	94704
JOSEPH BERNADETTE	26 MANOR DR	PIEDMONT CA	94611
JACKSON DAVID B & BABETTE TRS & JACKSON ANTHONY	2633 ELLSWORTH ST	BERKELEY CA	94704
MARCOS IRENE TR	2633 WOOLSEY ST	BERKELEY CA	94705
MOSCATO STEFANO & HOLMQUIST KRISTEN	2635 WOOLSEY ST	BERKELEY CA	94705
FLOURNOY REBECCA E & MARDESICH ANDREW J	2637 WOOLSEY ST	BERKELEY CA	94705
JOSEPH LINDA M	2700 PRINCE ST	BERKELEY CA	94705
MAAS MICHAEL L & LIN F	2701 WOOLSEY ST	BERKELEY CA	94705
YEE DARREN A & DEREK	2704 WEBSTER ST	BERKELEY CA	94705
MORELLO DORIAN & ARTHUR P	2707 PRINCE ST	BERKELEY CA	94705
JACOBS THOMAS TR	2708 WEBSTER ST 2	BERKELEY CA	94705
CARLO JUNE M & DAVID A	2710 PRINCE ST	BERKELEY CA	94705
CHARNEY HARRIET TR	2710 WOOLSEY ST	BERKELEY CA	94705
ROSENZWEIG SANDRA F & TAYLOR MICHAEL W TRS	2711 WOOLSEY ST	BERKELEY CA	94705
GRUNDLER MARY E TR	2714 PRINCE ST	BERKELEY CA	94705
HARRIS JOANNA G TR	2714 WOOLSEY ST	BERKELEY CA	94705
CHINESE FOR CHRIST BERKELEY CHURCH	2715 PRINCE ST	BERKELEY CA	94705
HOFMEISTER SCOTT T & WONG BRIAN M	2715 WOOLSEY ST	BERKELEY CA	94705
DUNAWAY SUZANN TR	2716 PRINCE ST	BERKELEY CA	94705
BRETT STEVEN J & PAMELA E TRS	2718 PRINCE ST	BERKELEY CA	94705
BERNOU JACQUES F & ELEA A TRS	2718 WEBSTER ST	BERKELEY CA	94705
SWARTZ JONATHAN	2719 WOOLSEY ST	BERKELEY CA	94705
NASH LAURIE L TR	2722 PRINCE ST	BERKELEY OR	94705
LAIRD NANCY F & TAD O TRS	2722 WEBSTER ST	BERKELEY CA	94705
LUCERO OASII TR	2725 PRINCE ST 1	BERKELEY CA	94705
WU ALBERT TR	2725 PRINCE ST 10	BERKELEY CA	94705
YEH ANNIE S	2725 PRINCE ST 3	BERKELEY CA	94705
HESS ERICA M	2725 PRINCE ST 4	BERKELEY CA	94705
ALEF AMANDA B & ALEF MICHAEL & LIS I TRS	2725 PRINCE ST 7	BERKELEY CA	94705
SCHAFER CYNTHIA L	2725 PRINCE ST 8	BERKELEY CA	94705
ERVIN STEPHANIE & GUZMAN MIGUEL	2725 PRINCE ST 9	BERKELEY CA	94705
WONG HENRY K TR	2728 WEBSTER ST	BERKELEY CA	94705

Internal

SCHWENDINGER ROBERT J & BETTY R	2729 PRINCE ST	BERKELEY CA	94705
GOLDSTEIN MARY J TR	2731 PRINCE ST	BERKELEY CA	94705
HYDE JULIAN & PAMELA TRS	2732 PRINCE ST	BERKELEY CA	94705
YUNG STANLEY & WEI MIN TRS	2734 PRINCE ST	BERKELEY CA	94705
LEVINSON SALLY O TR & LEVINSON JOHN W TR ETAL	2941 TELEGRAPH AVE	BERKELEY CA	94705
KAZEROONI HOMAYOON & SHOJI AUDREY J	3012 COLLEGE AVE	BERKELEY CA	94705
SEQUOIA EAST LLC	3014 COLLEGE AVE	BERKELEY CA	94705
COMMON AREA OF PM 6740 70 THRU 73	3017 COLLEGE AVE	BERKELEY CA	94705
DAVIDSON JAMES W	3017 COLLEGE AVE 1	BERKELEY CA	94705
DREW MICHAEL	3017 COLLEGE AVE 2	BERKELEY CA	94705
SNYDER HILARY	3017 COLLEGE AVE 3	BERKELEY CA	94705
ESLER DAVID P TR	3017 COLLEGE AVE 4	BERKELEY CA	94705
FOSTER HILARY S & GECKELER WALTER C TRS	3018 COLLEGE AVE 1	BERKELEY CA	94705
RIEMER ROBERT A & MORAN SHEILA A TRS	3025 COLLEGE AVE	BERKELEY CA	94705
DESERIO RALPH V 3RD	3027 BENVENUE	BERKELEY CA	94705
YU EDITH W TR	3027 COLLEGE AVE	BERKELEY CA	94705
DUSTER TROY TR	3031 BENVENUE AVE	BERKELEY CA	94705
GREENSPAN ELI & HERBERT VICTORIA E	3032 3034 COLLEGE AVE	BERKELEY CA	94705
NEWTON JOYCE M TR	3033 BENVENUE AVE	BERKELEY CA	94705
WELLS DANIEL K & THOMAS KATHERINE M	3036 COLLEGE AVE	BERKELEY CA	94705
BLOOM WINFIELD M	3037 COLLEGE AVE	BERKELEY CA	94705
KAUFMAN RHODA H TR	3039 BENVENUE AVE	BERKELEY CA	94705
ROGERS MARLENE	3039 COLLEGE AVE	BERKELEY CA	94705
EVANS ANDREW & SAMUEL	3040 COLLEGE AVE	BERKELEY CA	94705
STUART IAN W & DEBOUVERIE AUDREY N	3040 COLLEGE AVE 2	BERKELEY CA	94705
RADFORD ROBERT & HIRMAND HELEN	3042 COLLEGE AVE	BERKELEY CA	94705
DAVIS GREGORY H JR TR	3043 BENVENUE AVE	BERKELEY CA	94705
REED ERIC	3045 COLLEGE AVE 2	BERKELEY CA	94705
HENRY STEPHEN F & MARY K TRS	3047 BENVENUE AVE	BERKELEY CA	94705
DAWE JUSTIN & SHNIDER SARA TRS	3048 COLLEGE AVE	BERKELEY CA	94705
SCHNEIDER EMILY TR	3049 BENVENUE AVE	BERKELEY CA	94705
KOHLI SAVEENA	3050 COLLEGE AVE 3	BERKELEY CA	94705
LEPE ALEC J	3050 COLLEGE AVE 4	BERKELEY CA	94705
STANFORD DONALD & KAWACHI MILDRED M TRS	3100 LEWISTON AVE	BERKELEY CA	94705
KATZ STACEY TR	3103 COLLEGE AVE	BERKELEY CA	94705
VIRSIK FRANK & EVA M TRS	3107 LEWISTON AVE	BERKELEY CA	94705
PHILLIPS JACK L & MARGARET C	3182 CAMPUS DR #144	SAN MATEO CA	94403
CHU GEORGE & LU YUMING	4016 91 ST AVE SE	MERCER ISLAND WA	98040
STREETER DAVID J TR & STREETER DAVID J TR	416 FOXWOOD CT	WINDSOR CA	95492
LOMBARDI GERALD H & NORRIS HELEN L TRS	43 ELLSWORTH ST	SAN FRANCISCO CA	94110
TANNIRAT DARLENE	4311 BROOKSIDE ST	IRVINE CA	92604

Internal

RUBINSTEIN JAN & JANE & WILLIAMS SALLY M	546 PANORAMIC HWY	MILL VALLEY CA	94941
FISCHER MARNI & JEAN SHREM TRS	651 CLAYTON AVE	EL CERRITO CA	94530
COOPER ADAM S & ASHLY A ETAL	6519 VALLEY VIEW RD	OAKLAND CA	94611
CHIU EDMUND S & BONNETTE S TRS	815 BIG BEND DR	PACIFICA CA	94044
DEJANVRY ALAIN F & BARBARA A TRS	84 OAK RIDGE RD	BERKELEY CA	94705
SIINO JOSEPH K & SHERI L TRS	863 4TH ST W	SONOMA CA	95476
COMMON AREA FOR PARCEL MAP 8506	P.O. BOX 1440	SANTA CRUZ CA	95061
SU SHAYLA TR	P.O. BOX 5691	BERKELEY CA	94705
MONTCLAIR MOUNTAIN LLC	PO BOX 13315-311	OAKLAND CA	94661
DAVIS STEVEN M	PO BOX 141	ALAMO CA	94507
OCCUPANT(S)	2631 WOOLSEY ST	BERKELEY CA	94705
OCCUPANT(S)	2700 PRINCE ST 1	BERKELEY CA	94705
OCCUPANT(S)	2700 PRINCE ST 2	BERKELEY CA	94705
OCCUPANT(S)	2700 PRINCE ST 3	BERKELEY CA	94705
OCCUPANT(S)	2700 PRINCE ST 4	BERKELEY CA	94705
OCCUPANT(S)	2700 WEBSTER ST	BERKELEY CA	94705
OCCUPANT(S)	2700 WEBSTER ST 1	BERKELEY CA	94705
OCCUPANT(S)	2700 WEBSTER ST 2	BERKELEY CA	94705
OCCUPANT(S)	2700 WEBSTER ST 3	BERKELEY CA	94705
OCCUPANT(S)	2700 WEBSTER ST 4	BERKELEY CA	94705
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OCCUPANT(S)	2700 WOOLSEY ST 4	BERKELEY CA	94705
OCCUPANT(S)	2701 PRINCE ST	BERKELEY CA	94705
OCCUPANT(S)	2701 PRINCE ST 1	BERKELEY CA	94705
OCCUPANT(S)	2701 PRINCE ST 2	BERKELEY CA	94705
OCCUPANT(S)	2701 PRINCE ST 3	BERKELEY CA	94705
OCCUPANT(S)	2701 PRINCE ST 4	BERKELEY CA	94705
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OCCUPANT(S)	2703 WOOLSEY ST 1	BERKELEY CA	94705
OCCUPANT(S)	2703 WOOLSEY ST 3	BERKELEY CA	94705
OCCUPANT(S)	2703 WOOLSEY ST 4	BERKELEY CA	94705
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OCCUPANT(S)	2704 WEBSTER ST 2	BERKELEY CA	94705
OCCUPANT(S)	2704 WEBSTER ST A	BERKELEY CA	94705
OCCUPANT(S)	2708 PRINCE ST	BERKELEY CA	94705
OCCUPANT(S)	2708 WEBSTER ST	BERKELEY CA	94705
OCCUPANT(S)	2708 WEBSTER ST 1	BERKELEY CA	94705
OCCUPANT(S)	2708 WEBSTER ST 3	BERKELEY CA	94705

Internal

OCCUPANT(S)	2708 WEBSTER ST 4	BERKELEY CA	94705
OCCUPANT(S)	2709 WOOLSEY ST	BERKELEY CA	94705
OCCUPANT(S)	2712 PRINCE ST	BERKELEY CA	94705
OCCUPANT(S)	2713 WOOLSEY ST	BERKELEY CA	94705
OCCUPANT(S)	2716 WEBSTER ST	BERKELEY CA	94705
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OCCUPANT(S)	2718 WEBSTER ST 2	BERKELEY CA	94705
OCCUPANT(S)	2722 WEBSTER ST	BERKELEY CA	94705
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OCCUPANT(S)	2725 PRINCE ST 2	BERKELEY CA	94705
OCCUPANT(S)	2725 PRINCE ST 5	BERKELEY CA	94705
OCCUPANT(S)	2725 PRINCE ST 6	BERKELEY CA	94705
OCCUPANT(S)	2726 PRINCE ST	BERKELEY CA	94705
OCCUPANT(S)	2727 WOOLSEY ST	BERKELEY CA	94705
OCCUPANT(S)	2728 PRINCE ST	BERKELEY CA	94705
OCCUPANT(S)	2730 PRINCE ST	BERKELEY CA	94705
OCCUPANT(S)	2731 WOOLSEY ST	BERKELEY CA	94705
OCCUPANT(S)	3001 COLLEGE AV	BERKELEY CA	94705
OCCUPANT(S)	3001 COLLEGE AV A	BERKELEY CA	94705
OCCUPANT(S)	3001 COLLEGE AV B	BERKELEY CA	94705
OCCUPANT(S)	3001 COLLEGE AV C	BERKELEY CA	94705
OCCUPANT(S)	3001 COLLEGE AV D	BERKELEY CA	94705
OCCUPANT(S)	3001 COLLEGE AV E	BERKELEY CA	94705
OCCUPANT(S)	3001 COLLEGE AV F	BERKELEY CA	94705
OCCUPANT(S)	3001 COLLEGE AV G	BERKELEY CA	94705
OCCUPANT(S)	3001 COLLEGE AV H	BERKELEY CA	94705
OCCUPANT(S)	3001 COLLEGE AV I	BERKELEY CA	94705
OCCUPANT(S)	3001 COLLEGE AV J	BERKELEY CA	94705
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OCCUPANT(S)	3011 COLLEGE AV A	BERKELEY CA	94705
OCCUPANT(S)	3011 COLLEGE AV B	BERKELEY CA	94705
OCCUPANT(S)	3014 COLLEGE AV 4	BERKELEY CA	94705
OCCUPANT(S)	3014 COLLEGE AV A	BERKELEY CA	94705
OCCUPANT(S)	3014 COLLEGE AV B	BERKELEY CA	94705
OCCUPANT(S)	3016 COLLEGE AV	BERKELEY CA	94705

Internal

OCCUPANT(S)	3017 COLLEGE AV	BERKELEY CA	94705
OCCUPANT(S)	3018 COLLEGE AV	BERKELEY CA	94705
OCCUPANT(S)	3020 COLLEGE AV	BERKELEY CA	94705
OCCUPANT(S)	3020 COLLEGE AV 1	BERKELEY CA	94705
OCCUPANT(S)	3020 COLLEGE AV 2	BERKELEY CA	94705
OCCUPANT(S)	3020 COLLEGE AV 3	BERKELEY CA	94705
OCCUPANT(S)	3020 COLLEGE AV 4	BERKELEY CA	94705
OCCUPANT(S)	3020 COLLEGE AV 5	BERKELEY CA	94705
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OCCUPANT(S)	3026 COLLEGE AV	BERKELEY CA	94705
OCCUPANT(S)	3028 COLLEGE AV	BERKELEY CA	94705
OCCUPANT(S)	3029 BENVENUE AV	BERKELEY CA	94705
OCCUPANT(S)	3029 BENVENUE AV 2A	BERKELEY CA	94705
OCCUPANT(S)	3030 COLLEGE AV	BERKELEY CA	94705
OCCUPANT(S)	3030 COLLEGE AV A	BERKELEY CA	94705
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OCCUPANT(S)	3033 BENVENUE AV	BERKELEY CA	94705
OCCUPANT(S)	3034 COLLEGE AV	BERKELEY CA	94705
OCCUPANT(S)	3035 BENVENUE AV	BERKELEY CA	94705
OCCUPANT(S)	3036 COLLEGE AV	BERKELEY CA	94705
OCCUPANT(S)	3037 COLLEGE AV	BERKELEY CA	94705
OCCUPANT(S)	3037 COLLEGE AV A	BERKELEY CA	94705
OCCUPANT(S)	3037 COLLEGE AV B	BERKELEY CA	94705
OCCUPANT(S)	3037 COLLEGE AV C	BERKELEY CA	94705
OCCUPANT(S)	3037 COLLEGE AV D	BERKELEY CA	94705
OCCUPANT(S)	3040 COLLEGE AV 1	BERKELEY CA	94705
OCCUPANT(S)	3042 COLLEGE AV 1	BERKELEY CA	94705
OCCUPANT(S)	3042 COLLEGE AV 2	BERKELEY CA	94705
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OCCUPANT(S)	3046 COLLEGE AV 4	BERKELEY CA	94705
OCCUPANT(S)	3046 COLLEGE AV 5	BERKELEY CA	94705
OCCUPANT(S)	3047 BENVENUE AV	BERKELEY CA	94705
OCCUPANT(S)	3048 COLLEGE AV 1	BERKELEY CA	94705
OCCUPANT(S)	3048 COLLEGE AV 2	BERKELEY CA	94705
OCCUPANT(S)	3048 COLLEGE AV 3	BERKELEY CA	94705
OCCUPANT(S)	3048 COLLEGE AV 4	BERKELEY CA	94705

Internal

OCCUPANT(S)	3050 COLLEGE AV	BERKELEY CA	94705
OCCUPANT(S)	3050 COLLEGE AV 1	BERKELEY CA	94705
OCCUPANT(S)	3050 COLLEGE AV 2	BERKELEY CA	94705
OCCUPANT(S)	3050 COLLEGE AV A	BERKELEY CA	94705
OCCUPANT(S)	3050 COLLEGE AV A2	BERKELEY CA	94705
OCCUPANT(S)	3050 COLLEGE AV B	BERKELEY CA	94705
OCCUPANT(S)	3050 COLLEGE AV C	BERKELEY CA	94705
OCCUPANT(S)	3100 COLLEGE AV	BERKELEY CA	94705
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OCCUPANT(S)	3100 COLLEGE AV 10	BERKELEY CA	94705
OCCUPANT(S)	3100 COLLEGE AV 11	BERKELEY CA	94705
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OCCUPANT(S)	3100 COLLEGE AV 6	BERKELEY CA	94705
OCCUPANT(S)	3100 COLLEGE AV 7	BERKELEY CA	94705
OCCUPANT(S)	3100 COLLEGE AV 8	BERKELEY CA	94705
OCCUPANT(S)	3100 COLLEGE AV 9	BERKELEY CA	94705
OCCUPANT(S)	3102 LEWISTON AV	BERKELEY CA	94705
Claremont Elmwood Neighborhood Group	P.O. BOX 5108	BERKELEY CA 94705	
South Shattuck Neighbors	2133 DERBY ST	BERKELEY CA 94705	
University of California, Facilities Services	A&E Building, Room 300 University of California Berkeley	Berkeley, CA 94720-1382	
Urban Creeks Council	861 REGAL RD	BERKELEY CA 94708	
Bananas Inc.	5232 CLAREMONT AVE	OAKLAND CA 94618	
Berkeley Central Library	2090 KITTREDGE STREET	BERKELEY CA 94704	
Adams Broadwell Joseph & Cardoza	601 GATEWAY BLVD. Su 1000	SOUTH SAN FRANCISCO CA 94080	
Bateman Neighborhood Association	3029 HILLEGASS AVE, BERKELEY CA 94705	BERKELEY CA 94705	
Jeff Svitak	3037 Redwood Street	San Diego CA 92013	

ROBERT RIEMER AND SHEILA MORAN
3025 COLLEGE AVE. I BERKELEY, CA 94705
415.517.9498 I ROBERT@AV.CO

September 9, 2024

Jeff Svitak, 3037 Redwood Street, San Diego jeff@jeffsvitak.com
Linda Joseph, 2700 Prince Street, Berkeley ljoseph97@gmail.com
ZAB@berkeleyca.gov

Re: 2708 Prince; response to your July 3 letter rejecting my offer to meet and reach a compromise; re-offer to meet, confer and settle.

Dear Mr. Svitak,

By this letter, my wife Sheila and I would like to address your comments and counter what we believe are some misstatements in your July 3, 2024, response to our request for a meeting, and/or modification of your design. And we are again asking you to meet with us on our return from Europe to discuss modifications to your proposed design.

Neither of us can say for certain how the Zoning Adjustments Board ("ZAB") or the City Council will decide on your proposal. As now designed, the entire burden of the detriment of your designs falls upon our home and our yard. We are hoping that if you are willing to make design changes to your proposal which will allow you to keep your proposed density but diminish its significant harm to us and our enjoyment of our home. If this can happen, we both can "control the outcome" in the most beneficial way for both of us.

Our objection with your project as designed are: 1) the entire detriment falls on us, you have not made comparable design mitigations as you did with your eastern neighbor; and 2) by creating and leveraging the walled in "open space" on your property you have a) created 24' high 89'4" long wall (110' with the ADU) blocking our eastern air and light and, b) presented a vision of a large dormitory-structure look to our entire street.

By walling in your project, your design defeats the intended benefits of the required side yards and open space for us and our neighborhood.
The required setbacks and open space may be technically satisfied; however, your design creates an envelope that looms as a single wall over the 3 western properties. Moreover, any breaks in light and air provided to your eastern neighbor are denied to us. (See comparison of eastern elevation [facing us] to your western elevation.) There, through "wooden stud screen system" you allowed air and light to pass through to your eastern neighbor but did nothing similar for us. We face the solid, 24' high 89'4" long wall (110' with the ADU) long wall, with the mere ~3'4" – 4' distance from our property line, obliterating the morning sun 12 months a year.

Walling off the front of the project affronts our neighborhood character.
It is not the increased density but the gated solid wall that transforms the look of our residential neighborhood to that of industrial warehouse/dormitory industrial zone.

The design significantly mitigates the loss of air and light to your eastern neighbors; there is no mitigation for your neighbors to the west.
The shadow studies and the two elevations show this disparity. Your claim that the existing vegetation creates the blockage omits the obvious: the trees provide through passage for light and air, trees can be trimmed and thinned to provide for light and air, and trees are not permanent. The unbroken wall facing our home does not, and is indeed permanent.

The neighborhood "support" sheet you submitted is misleading: examination of addresses of supporters reveals that those addresses are ones that 1) you own; 2) have received design concessions mitigating impact; or, 3) are not impacted.
I was informed by the owner that there was a compromise with the east and south abutting neighbors. Why not reach out to us as well? Looking at the plans, it is easy to understand why the owner at 2710 said it "looks great."

Had you similarly consulted with us during the design phase and worked with us as you did with the owner of 2710 Prince, we, too, would not have opposed the project. You not only did not consult with us during the design phase; you refused my offer in July to meet and confer.

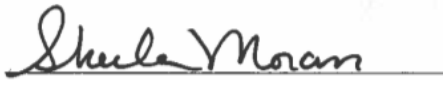
Story Poles would have shown the impact of your project on us; you refused our request to provide them.
While you are not required to install story poles, they would have provided an objective visual impact of your project on us. i.e., story poles would have revealed the full destructive impact and aesthetic consequence of the current design in a way that elevations cannot do. Again, while not mandated, we believe that the facts of this development mandate them.

The ADU design (before the ZAB for "information") compounds the blockage of air and light.

As stated at the outset, we do not know how the ZAB or Council will vote: we are asking, again, that you meet with us, provide us with comparable mitigation that you provided the other contiguous neighbor. Then, while neither of us will be thrilled, we can move forward now with certainty regarding your project and its impact upon us.

Very truly yours,





Robert Riemer Sheila Moran
Cc: Allison Riemer, Planner / Zoning Adjustments Board

Jacob, Melinda

Subject: FW: 2708 Prince; Forwarded Email from Robert Riemer; inability to attend, even virtually tonight

Importance: High

From: Rena Rickles <rena@rickleslaw.com>
Sent: Thursday, September 12, 2024 1:17 PM
To: Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>; Jacob, Melinda <MJacob@berkeleyca.gov>; Updegrave, Samantha <SUpdegrave@berkeleyca.gov>; Riemer, Allison <ARiemer@berkeleyca.gov>
Cc: Robert Riemer <robert@av.co>
Subject: 2708 Prince; Forwarded Email from Robert Riemer; inability to attend, even virtually tonight
Importance: High

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

To Chairperson Duffy and Members of the Zoning Adjustments Board:

I am forwarding the email from my client. Because of physical limitations, he was unable to sent this directly to you:

"We believe that with ZAB support, we could negotiate some design tweaks that while we don't love them, we would accept them and the matter could be resolved in one hearing. We requested and were denied a short continuance. For the reasons below, we believe that this short continuance would expedite an amicable resolution.

To demonstrate our commitment to resolving this matter promptly, we have already made two attempts to meet with the developer. We believe that with some design modifications the impact on our home and yard can be significantly reduced, without Ms. Joseph losing density. We remain open to discussing this option further upon my return on September 28, 2024.

Because of the below, I have to accept that I cannot participate tonight.

- We are in the northern coast of Spain (Camino de Santiago),
- The 7:00 PM ZAB start time is 3:00 AM my time. At that hour, it is unreasonable to expect me to be to cogently explain our detriment, and even more importantly, respond to ZAB questions or negotiate modifications. In addition,
- Our room has no internet.
- Internet connectivity from here is, at best, unreliable.
- Public spaces are outside (45 degrees) and no privacy.

I urge Zab to grant a continuance to October 12, 2024, and stipulate that both parties meet promptly to explore alternative settlement possibilities."

Robert Riemer
COO, Artis Ventures
499 Jackson St. | Suite 400

San Francisco, CA | 94111
c: 415.517.9498
e: robert@av.co

RENA RICKLES
Law offices of Rena Rickles
1970 Broadway, Suite 1100
Oakland, CA 94612
Phone: (510) 452-1600
Mobile: (510) 326-4899
Fax: (510) 451-4115
Rena@RicklesLaw.com

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Jacob, Melinda

From: Zoning Adjustments Board (ZAB)
Subject: FW: 2817 Prince --Rebuttal to Applicant September 11 submission
Attachments: 2718 Prince Rebuttal to September 11 Applicant response.pdf

From: Rena Rickles <rena@rickleslaw.com>
Sent: Thursday, September 12, 2024 3:58 PM
To: Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>; Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Cc: Riemer, Allison <ARiemer@berkeleyca.gov>; Robert Riemer <robert@av.co>
Subject: 2817 Prince --Rebuttal to Applicant September 11 submission

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Good afternoon Samantha,

As I received Applicant's response late this morning, and had appointments this afternoon, I will have to submit drawings/exhibits to supplement my written rebuttal very late this afternoon.

Please call me (510-326-4899) if you have any questions.

Best,

Rena

RENA RICKLES
Law offices of Rena Rickles
1970 Broadway, Suite 1100
Oakland, CA 94612
Phone: (510) 452-1600
Mobile: (510) 326-4899
Fax: (510) 451-4115
Rena@RicklesLaw.com

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RENA RICKLES
ATTORNEY AT LAW

1970 BROADWAY, SUITE 1100in a
OAKLAND, CA 94612
TEL: (510) 452-1600 ● FAX: (510) 451-4115

September 12, 2024,

Chairperson, Duffy
Zoning Adjustments Board Members
Via Email: ZAB@BerkeleyCa.gov

Re: 2708 Prince; Rebuttal to Applicant's September 11, 2024 Response

Dear Chair Duffy and ZAB Members:

Our reading of the Applicant's response which I received mid-morning today, including David Tractenberg's support letter, is that if one disregards the red herrings and misstatements, the facts show that this matter can be resolved amicably and expeditiously and satisfy the mandates of City of Berkely Use Permit findings of "non-detriment."[1]

Applicant's responses miss the point, or misstate the facts, even facts submitted by Applicant.

There were four allegations and our rebuttal:

1. Changes to design were not made for the neighbor to the east but to the neighbor to the south: The fact is that the design modifications were made to minimize detriment to a neighbor. Our point was that changes could be made to the eastern elevation to mitigate the detriment to the Riemer's without reducing density. The fact is Applicant did not even try to do so and rebuffed all of Robert's requests to meet to discuss changes.
2. Some light does pass through, the wall has two 8' cuts: The fact is that if Applicant's submitted shadow study is accurate, because of sun angles in the AM, the light allowed is negligible. If these new illustrations are accurate; then the shadow study is not. The real issue to meet Use Permit findings is subjective. Is there a detriment and can it be reasonably resolved? Yes
3. Alleges Ms. Joseph does not control the properties we allege she does. By example 2701 Prince is owned by the George Trust.

[1] I will provide more detail tonight as I will attend the meeting via Zoom as I cannot attend in person due to physical limitations (fractured shoulder, cannot drive.)

4. The separation of the structures of 27' is not relevant here if the shadow study is accurate: it shows the Riemer's home and their entire yard in darkness for morning hours all year.
   a. The ADU (p. 18 of their submission) depicted by Applicant is not the one shown in the plans. The one in the plans is connected, with no break and is two stories high, not the tiny structure shown by Applicant.

   b. Contrary to Mr. Tractenberg's suggestion, 2716's design is one that the Riemer's would accept. It has an open back yard with a large separation from the main building and is sensitively designed to minimize detriments to the immediate neighbors.

   c. The issue for a Use Permit is not just what is allowable, it is whether a design which is allowable constitutes deteriment. This one does.

   d. The "response" uses 5:00 PM to discuss view, light and air impacts. The detriment occurs in the morning hours. The massing impacts are that of looming over the Riemer yard at all times. When design changes can be reasonably made, the detriment is unreasonable.

This office will submit exhibits to support these points via a separate email this afternoon.

Very truly yours,



Jacob, Melinda

From: Zoning Adjustments Board (ZAB)
Subject: FW: 2817 Prince --Rebuttal to Applicant September 11 submission

From: Rena Rickles <rena@rickleslaw.com>
Sent: Thursday, September 12, 2024 5:25 PM
To: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>; Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>
Cc: Riemer, Allison <ARiemer@berkeleyca.gov>; Robert Riemer <robert@av.co>
Subject: RE: 2817 Prince --Rebuttal to Applicant September 11 submission

Hi Samantha—

I cannot attend tonight's meeting. While I am in town, I have a fractured shoulder (which prevented me from leaving town for my husband's reunion) which prevents me from driving.

To be clear, neither my written rebuttal nor exhibits can be uploaded for tonight? I can send you the exhibits in a PDF if you can upload them. Or, I can attempt to do so via share screen if the Chair will permit me to do so.

Rena

RENA RICKLES
Law offices of Rena Rickles
1970 Broadway, Suite 1100
Oakland, CA 94612
Phone: (510) 452-1600
Mobile: (510) 326-4899
Fax: (510) 451-4115
Rena@RicklesLaw.com

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From: Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Sent: Thursday, September 12, 2024 5:01 PM
To: Rena Rickles <rena@rickleslaw.com>; Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>
Cc: Riemer, Allison <ARiemer@berkeleyca.gov>; Robert Riemer <robert@av.co>
Subject: RE: 2817 Prince --Rebuttal to Applicant September 11 submission

Hi Rena,

The deadline for submitting correspondence to ZAB was noon today. If you have additional materials that you would like them to receive, please bring 10 – 12 copies to the hearing at the BUSD Boardroom. There are nine commissioners, and one copy will go to the project file. The others if provided will be for public perusal.

Best,
Samantha

From: Rena Rickles <rena@rickleslaw.com>
Sent: Thursday, September 12, 2024 3:58 PM
To: Zoning Adjustments Board (ZAB) <Planningzab@berkeleyca.gov>; Updegrave, Samantha <SUpdegrave@berkeleyca.gov>
Cc: Riemer, Allison <ARiemer@berkeleyca.gov>; Robert Riemer <robert@av.co>
Subject: 2817 Prince --Rebuttal to Applicant September 11 submission

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Good afternoon Samantha,

As I received Applicant's response late this morning, and had appointments this afternoon, I will have to submit drawings/exhibits to supplement my written rebuttal very late this afternoon.

Please call me (510-326-4899) if you have any questions.

Best,

Rena

RENA RICKLES
Law offices of Rena Rickles
1970 Broadway, Suite 1100
Oakland, CA 94612
Phone: (510) 452-1600
Mobile: (510) 326-4899
Fax: (510) 451-4115
Rena@RicklesLaw.com

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Planning and Development Department
Land Use Planning Division

PROOF OF SERVICE

DATE: September 17, 2024

TO: Whom It May Concern

FROM: Melinda Jacob, OSII

SUBJECT: **USE PERMIT #ZP2024-0024 – 2708 PRINCE STREET**

I, the undersigned, certify that I am employed in the City of Berkeley, County of Alameda, California; that I am over eighteen years of age; that I am not a party to the within action; and that my business address is 1947 Center Street, Berkeley, California 94704. On this date, I served the following documents:

ZONING ADJUSTMENTS BOARD NOTICE OF DECISION

On the parties stated below by placing true copies thereof in sealed envelope(s) addressed as shown below by the following means of service:

Jeff Svitak 3037 Redwood Street San Diego, CA 92013	Linda Joseph 2700 Prince Street Berkeley, CA 94705

☒ By First Class Mail - I am readily familiar with the City's practice for collecting and processing of correspondence for mailing. Under the practice, the correspondence is deposited with the U.S. Postal Service on the same day as collected, with First Class postage thereon fully prepaid, in Berkeley, California, for mailing to the addressee following ordinary business practices.

☐ By Personal Service - I caused each such envelope to be given to the City of Berkeley mail service person to personally deliver to the office of the addressee.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 17, 2024 at Berkeley, California.

Melinda A. Jacob

Melinda Jacob, OSII

ZONING ADJUSTMENTS BOARD

NOTICE OF DECISION

DATE OF BOARD DECISION: **September 12, 2024**
DATE NOTICE MAILED: **September 17, 2024**
APPEAL PERIOD EXPIRATION: **October 1, 2024**
EFFECTIVE DATE OF PERMIT (Barring Appeal or Certification)[1]: **October 2, 2024**

2708 Prince Street

Use Permit #ZP2024-0024 to demolish an existing 13 foot 9-inch-tall one-story 1,052 square-foot house and accessory building (garage), and construct a new 24 foot 4-inch-tall two-story 3,118 square-foot duplex.

The Zoning Adjustments Board of the City of Berkeley, upon conducting a public hearing, **APPROVED** the following permits:

Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.326.020(B) to demolish a dwelling unit

- Use Permit pursuant to BMC Section 23.202.020(A) to construct a two-family dwelling

ZONING: R2-A, Restricted Multiple-Family Residential District

APPLICANT: Jeff Svitak, 3037 Redwood Street, San Diego, CA 92013

PROPERTY OWNER: Linda Joseph, 2700 Prince Street, Berkeley, CA 94705

ENVIRONMENTAL REVIEW STATUS: Categorically exempt pursuant to Section 15303 of the CEQA Guidelines ("New Construction").

FINDINGS, CONDITIONS AND APPROVED PLANS ARE ATTACHED TO THIS NOTICE

[1] Pursuant to BMC Section 23.410.050(C), the City Council Certifications, the City Council may take an action to review ZAB's decision on a Use Permit or Variance. This action is called certification and has the same effect as an appeal. Any member of the City Council may initiate the certification process of a ZAB decision during the 14-day appeal period after the notice of the ZAB's decision is issued. However, the Council's deadline to certify a project is suspended or tolled when the Council is on recess. Therefore, in all cases where the 14-day appeal period is scheduled to end during a Council recess, the certification deadline is extended to and through the day before the next regularly scheduled City Council meeting following any recess. *Extension of the certification deadline has no effect on the appeal deadline.*

	Yes	No	Abstain	Absent	Recused
DUFFY	X				
KAHN				X	
YUNG	X				
O'KEEFE				X	
JERSEY				X	
SANDERSON	X				
THOMPSON	X				
GAFFNEY	X				
VACANT					
BOARD VOTE:	**5**	**0**	**0**	**3**	**0**



ATTEST:
Samantha Updegrave, Zoning Adjustments Board Secretary

PUBLICATION OF NOTICE:

Pursuant to BMC Section 23.404.050, this notice shall be mailed to the applicant at the mailing address stated in the application and to any person who requests such notification by filing a written request with the Zoning Officer on or before the date of the Board action. This notice shall also be filed with the City Clerk. In addition, the notice shall be forwarded to the Zoning Adjustments Board and to the Main Library. The notice shall also be posted at a bulletin board at the Zoning Counter. The City Clerk shall make the notice available to interested members of the Council and the public.

FURTHER INFORMATION:

Questions about the project should be directed to the project planner, Allison Riemer at (510) 981-7433 or ariemer@berkeleyca.gov. All project application materials, including full-size plans, may be viewed online at: https://aca.cityofberkeley.info/CitizenAccess/Welcome.aspx. or in the Permit Service Center at the Zoning Counter at 1947 Center Street, Third Floor, during normal office hours.

TO APPEAL THIS DECISION (see Section 23.410 of the Berkeley Municipal Code):

To appeal a decision of the Zoning Adjustments Board to the City Council you must:

1. Submit a letter clearly and concisely setting forth the grounds for the appeal to the City Clerk, located at 2180 Milvia Street, 1st Floor, Berkeley. The City Clerk's telephone number is (510) 981-6900.
2. Submit the required appeal fee (checks and money orders payable to "City of Berkeley"):
   A. The fee for persons other than the applicant is $1500. This fee may be reduced to $500 if the appeal is signed by persons who lease or own at least 50 percent of the parcels or dwelling units within 300 feet of the project site, or at least 25 such persons (not including dependent children), whichever is less.
   B. The fee for all appeals by Applicants is $5,520.
3. The appeal must be received prior to 5:00 p.m. on the "APPEAL PERIOD EXPIRATION" date shown on page 1 (if the close of the appeal period falls on a weekend or holiday, then the appeal period expires the following business day).

If no appeal is received, the permit will be issued on the first business day following expiration of the appeal period, and the project may proceed at that time.

NOTICE CONCERNING YOUR LEGAL RIGHTS:

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

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

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

ATTACHMENT 1

FINDINGS AND CONDITIONS

SEPTEMBER 12, 2024

2708 Prince Street

Use Permit #ZP2024-0024 to demolish an existing 13 foot 9-inch-tall one-story 1,052 square-foot house and accessory building (garage), and construct a new 24 foot 4-inch-tall two-story 3,118 square-foot duplex.

ZONING PERMITS REQUIRED

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.326.020(B) to demolish a dwelling unit
- Use Permit pursuant to BMC Section 23.202.020(A) to construct a two-family dwelling

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 15303 of the CEQA Guidelines ("New Construction").

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 will not affect any historical resource.

II. HOUSING ACCOUNTABILTY ACT FINDINGS

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

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

III. FINDINGS FOR APPROVAL

A. 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, will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City because:

1. The proposed project is consistent with the purpose of the R-2A District because the proposed project will help maintain the medium-density residential concentration of the existing neighborhood through the development of a duplex on a single lot. The proposed project will provide usable open space beyond the 300-square-foot minimum per dwelling unit required in the R-2A District, and will not conflict with any of the principles of the district purpose.

2. The proposed duplex will have an average height of 24-feet 4-inches, and will be below the 28-foot average height allowed in the R-2A District. Though the project will create new shadow impacts to abutting lots, the impacts will be minimal as they are limited to certain times of the day and not outside of what is expected in a built urban environment.

3. The proposed project will meet the required setbacks, and therefore the project will not unreasonably obstruct air.

4. Due to grade, current development patterns, and mature vegetation, views as defined in BMC Section 23.502.020, are generally not available in this neighborhood. As a result, the proposed project will not create detrimental impacts to views.

5. The project will be subject to the City's standard conditions of approval regarding construction noise and air quality, waste diversion, toxics, and stormwater requirements, which will ensure that the project will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the area or neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood or to the general welfare of the City.

IV. OTHER FINDINGS FOR APPROVAL

A. As required by BMC 23.326.020(B), the elimination or demolition of a dwelling unit will not be materially detrimental to the housing needs and public interest of any affected neighborhood or the City. The project will replace one demolished dwelling unit with two dwelling units. The increase in the number of housing units would help meet the City's need for additional housing and Regional Housing Needs Assessment target.

C. Pursuant to BMC Section 23.326.030(B), the elimination or demolition of a single dwelling unit is permissible because the existing unit has not been removed from the rental market under the Ellis Act at any time during the preceding five years, or there is no record of any verified cases of harassment or threatened or actual illegal eviction.

V. 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.

VI. 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. **Address Assignment.** The applicant shall file an "Address Assignment Request Application" with the Permit Service Center (1947 Center Street) for any address change or new address associated with this Use Permit. The new address(es) shall be assigned in accordance with BMC 16.28.030, and, except for new buildings on vacant lots, entered into the City's database after the building permit is issued but prior to final inspection.

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

12. **Demolition.** Demolition of the existing building cannot commence until a complete application is submitted for the replacement building. In addition, all plans presented to the City to obtain a permit to allow the demolition are subject to these conditions.

13. **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.

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

   A. **Phase I and Phase II Environmental Site Assessment (ESA) (per ASTM 1527).** A recent Phase I ESA (less than 2 years old) shall be submitted to the Toxics Management Division for developments for: all new commercial, industrial and mixed-use developments and all improvement projects that require work 5 or more feet below grade, and all new residential buildings with more than four dwelling units located in the Environmental Management Area (or EMA). The EMA can be viewed at: City of Berkeley Community GIS Portal (arcgis.com)

   B. Depending on the findings in the Phase I, a Phase II or additional investigation may be necessary. Any available soils and groundwater analytical data available for projects listed in this section must also be submitted to TMD.

C. **Environmental Site Clearance.** The applicant shall provide environmental screening clearance from either the San Francisco Bay Regional Water Quality Control Board (RWQCB), Department of Toxic Substances Control (DTSC), or the Alameda County Department of Environmental Health's Local Oversight Program (LOP). Clearance from one of these regulatory agencies will ensure that the property meets development investigation and cleanup standards for the specific use proposed on the property. Environmental screening clearance shall be submitted to the City of Berkeley's Toxics Management Division prior to issuance of any building permits.

D. **Soil and Groundwater Management Plan**. A site-specific Soil and Groundwater Management Plan (SGMP) shall be submitted to Toxics Management Division (TMD) for all non-residential projects, and residential or mixed-use projects with more than four dwelling units, that: (1) are in the Environmental Management Area (EMA), as shown on the most recent City of Berkeley EMA map, and (2) propose any excavations deeper than 5 feet below grade or if significant soils removal is anticipated. The SGMP shall be submitted to the TMD with the project's building permit application and shall be approved by TMD prior to issuance of the building permit.

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

i. procedures for soil and groundwater management including identification of pollutants and disposal methods;

ii. procedures to manage odors, dust and other potential nuisance conditions expected during development;

iii. notification to TMD within 24 hours of the discovery of any previously undiscovered contamination; and

iv. the name and phone number of the individual responsible for implementing the SGMP and who will respond to community questions or complaints.

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

E. **Demolitions & Renovations – Building Materials Survey.** A hazardous materials survey for building materials and plans on hazardous materials and hazardous waste removal and disposal is required and must be prepared by qualified professionals, and submitted to the Toxics Management Division (TMD) prior to issuance of the building permit.

i. The survey shall include the identification of all materials to be disturbed for lead-based paints, PCB containing equipment and caulking, hydraulic fluids, refrigerants, treated wood, and mercury containing devices (including fluorescent light bulbs and mercury switches), asbestos and other hazardous materials and chemicals.

ii. If asbestos is identified, Bay Area Air Quality Management District Regulation 11-2-401.3 a notification must be made and the J number must be made available to the City of Berkeley Permit Service Center. Contractors must follow state regulations where there is asbestos-related work involving 100 square feet or more of asbestos containing material (8 Cal. Code Regs. §1529, §341.6 et seq.)

iii. The report to the TMD shall include, in addition to the survey, plans on hazardous materials and hazardous waste removal and disposal that comply with State and Federal codes including California Code of Regulations (CCR) 66260 et seq.

iv. Documentation evidencing disposal of hazardous waste in compliance with the survey shall be submitted to TMD within 30 days of the completion of the demolition.

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

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

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

G. Petroleum Storage. An (SPCC) Plan is required to be prepared and implemented for facilities with any one of the following:

i. aggregate aboveground petroleum storage capacities of 1,320 gallons or more stored in aboveground storage containers, tanks, oil-filled equipment, or

ii. one or more tank(s) in an underground area (TIUGA) with petroleum storage capacities of 55 gallons or greater. More information on TIUGAs can be found here: https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/tank-in-an-underground-area-tiuga/

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

Prior to Issuance of Any Building (Construction) Permit

15. **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.
16. **Solar Photovoltaic (Solar PV) and Battery Energy Storage Systems (ESS).** A solar PV system shall be installed, subject to specific limited exceptions, as specified by the Berkeley Energy Code (BMC Chapter 19.36). Energy storage system (ESS) readiness (new single-family, duplex, and townhouse homes) or ESS installation (new multifamily and most nonresidential buildings) shall be completed as specified by BMC Chapter 19.36. Location of the solar PV system and the ESS, if applicable, shall be noted on the construction plans. (Project required to meet applicable code at time of building permit application, if different from above.)
17. **Recycling and Organics Collection.** Applicant shall provide recycling and organics collection areas for occupants, clearly marked on plans, which comply with the Alameda County Organics Reduction and Recycling Ordinance (2021-02). Contact the Zero Waste Division at recyclingprogram@berkeleyca.gov.
18. **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:

19. **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:

20. **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.
21. **Public Works - Implement Bay Area Air Quality Management District (BAAQMD)-** Recommended Measures during Construction. For all proposed projects, BAAQMD recommends implementing all the Basic Construction Mitigation Measures, listed below to meet the best management practices threshold for fugitive dust:

A. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

B. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

C. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

D. All vehicle speeds on unpaved roads shall be limited to 15 mph.

E. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

F. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

G. All construction equipment shall be maintained and properly tuned in accordance with manufacturer specifications. All equipment shall be checked by a certified visible emissions evaluator.

H. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

22. Air Quality - Diesel Particulate Matter Controls during Construction. All off-road construction equipment used for projects with construction lasting more than 2 months shall comply with one of the following measures:

A. The project applicant shall prepare a health risk assessment that demonstrates the project's on-site emissions of diesel particulate matter during construction will not exceed health risk screening criteria after a screening-level health risk assessment is conducted in accordance with current guidance from BAAQMD and OEHHA. The health risk assessment shall be submitted to the Land Use Planning Division for review and approval prior to the issuance of building permits; or

B. All construction equipment shall be equipped with Tier 2 or higher engines and the most effective Verified Diesel Emission Control Strategies (VDECS) available for the engine type (Tier 4 engines automatically meet this requirement) as certified by the California Air Resources Board (CARB). The equipment shall be properly maintained and tuned in accordance with manufacturer specifications.

C. In addition, a Construction Emissions Minimization Plan (Emissions Plan) shall be prepared that includes the following:

i. An equipment inventory summarizing the type of off-road equipment required for each phase of construction, including the equipment manufacturer, equipment identification number, engine model year, engine certification (tier rating), horsepower, and engine serial number. For all VDECS, the equipment inventory shall also include the technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date.

ii. A Certification Statement that the Contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of contract. The Emissions Plan shall be submitted to the Public Works Department for review and approval prior to the issuance of building permits.

23. **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.

24. **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.)

25. **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.

26. **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.

27. **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.

28. **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.

29. **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.

30. **Stormwater Requirements.** The applicant shall demonstrate compliance with the requirements of the City's National Pollution Discharge Elimination System (NPDES) permit as described in BMC Section 17.20. The following conditions apply:

A. The project plans shall identify and show site-specific Best Management Practices (BMPs) appropriate to activities conducted on-site to limit to the maximum extent practicable the discharge of pollutants to the City's storm drainage system, regardless of season or weather conditions.

B. Trash enclosures and/or recycling area(s) shall be covered; no other area shall drain onto this area. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. Applicant shall contact the City of Berkeley and EBMUD for specific connection and discharge requirements. Discharges to the sanitary sewer are subject to the review, approval and conditions of the City of Berkeley and EBMUD.

C. Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration and minimize the use of fertilizers and pesticides that contribute to stormwater pollution. Where feasible, landscaping should be designed and operated to treat runoff. When and where possible, xeriscape and drought tolerant plants shall be incorporated into new development plans.

D. Design, location and maintenance requirements and schedules for any stormwater quality treatment structural controls shall be submitted to the Department of Public Works for review with respect to reasonable adequacy of the controls. The review does not relieve the property owner of the responsibility for complying with BMC Chapter 17.20 and future revisions to the City's overall stormwater quality ordinances. This review shall be shall be conducted prior to the issuance of a Building Permit.

E. All paved outdoor storage areas must be designed to reduce/limit the potential for runoff to contact pollutants.

F. All on-site storm drain inlets/catch basins must be cleaned at least once a year immediately prior to the rainy season. The property owner shall be responsible for all costs associated with proper operation and maintenance of all storm drainage facilities (pipelines, inlets, catch basins, outlets, etc.) associated with the project, unless the City accepts such facilities by Council action. Additional cleaning may be required by City of Berkeley Public Works Engineering Dept.

G. All on-site storm drain inlets must be labeled "No Dumping – Drains to Bay" or equivalent using methods approved by the City.

H. Most washing and/or steam cleaning must be done at an appropriately equipped facility that drains to the sanitary sewer. Any outdoor washing or pressure washing must be managed in such a way that there is no discharge or soaps or other pollutants to the storm drain. Sanitary connections are subject to the review, approval and conditions of the sanitary district with jurisdiction for receiving the discharge.

I. 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.

31. **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.

32. **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.

33. **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.

34. **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.

35. **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.

36. **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.

37. **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:

38. **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.

39. All landscape, site and architectural improvements shall be completed per the attached approved drawings received August 26, 2024.

At All Times:

40. **Compliance with Approved Plan.** The project shall conform to the plans and statements in the Use Permit.

41. **Exterior Lighting.** All exterior lighting shall be energy efficient where feasible; and shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.

42. **Rooftop Projections.** No additional rooftop or elevator equipment shall be added to exceed the approved maximum roof height without submission of an application for a Use Permit Modification, subject to Board review and approval.

43. **Drainage Patterns.** The applicant shall establish and maintain drainage patterns that do not adversely affect adjacent properties and rights-of-way. Drainage plans shall be submitted for approval of the Building & Safety Division and Public Works Department, if required.

44. **Electrical Meter.** Only one electrical meter fixture may be installed per dwelling unit.

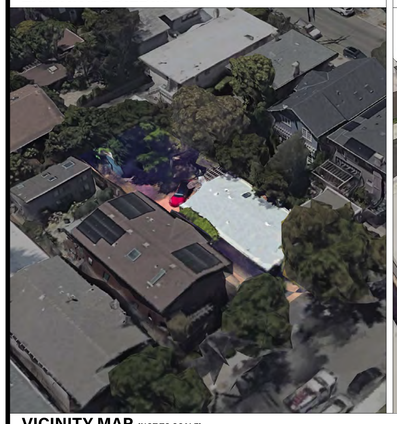
45. **Loading.** All loading/unloading activities associated with deliveries to all uses shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. daily.

46. **Residential Permit Parking.** No Residential Permit Parking (RPP) permits shall be issued to project residents, nor shall commercial placards be issued to non-residential occupants and/or users of the site. The Finance Department, Customer Service Center shall add these addresses to the list of addresses ineligible for RPP permits. The property owner shall notify all tenants of rental units, and/or buyers of condominium units, of this restriction in leases and/or contracts.

EXTERIOR RENDERING (FOR REFERENCE ONLY)



EXISTING BUILDING



PROPOSED BUILDING



VICINITY MAP (NOT TO SCALE)



DEVELOPMENT SUMMARY

PROJECT NAME:	PRINCE ROW HOUSES
PROJECT ADDRESS:	2708 PRINCE ST BERKELEY CA 94705
APN:	538-250-10-00
LOT AREA:	4,312 SF
DETAILED SCOPE OF WORK:	- DEMOLITION OF EXISTING ONE STORY HOUSE AND GARAGE. - NEW CONSTRUCTION OF DUPLEX BUILDING WITH TWO-DWELLING UNITS (2 STORIES, 24'-4" ft. AVERAGE HEIGHT) - NEW CONSTRUCTION OF ATTACHED A.D.U (3 STORIES, 25' HEIGHT)
ZONING DATA:	R-2A (MEDIUM DENSITY RESIDENTIAL)
EXISTING USE TYPE:	RESIDENTIAL
PROPOSED USE TYPE:	RESIDENTIAL
BUILDING CODE CONSTRUCTION TYPE:	TYPE V-B
GOVERNING CODES:	2024 CALIFORNIA STANDARDS BUILDING CODE BERKELEY MUNICIPAL CODE (BMC)
REQUIRED DISCRETIONARY PERMITS:	A.U.P

ZONING CODE DATA

ZONE R-2A	EXISTING	REQUIRED/ALLOWED		PROPOSED
NUMBER OF DWELLINGS	1	n/a		2 + 1
PARKING	1	n/a		0
BIKE PARKING **[1]**	0	n/a		0
FRONT YARD SETBACK (F.Y.S.B) (FT)	15'	15'		15'
SIDE YARD SETBACK (S.Y.S.B) (FT)	3.1'	DUPLEX BUILDING	3.45' **[2]**	3.45'
		ADU	4'	4'
SIDE YARD SETBACK (EASEMENT) (FT)	7.1'	DUPLEX BUILDING	4'	5'
		ADU	4'	5'
REAR YARD SETBACK (FT) **[2]**	55'	DUPLEX BUILDING	15'	20'-8"
		ADU	4'	4'
AVERAGE BUILDING HEIGHT (FT)	14'	DUPLEX BUILDING	28' **[3]**	25'-4"
		ADU	25'	25'
BUILDING STORIES	1	DUPLEX BUILDING	3	2
		ADU	n/a	3
LOT AREA (SF)				4,312
GROSS FLOOR AREA (SF)	1,052	DUPLEX BUILDING	n/a	3,106
		ADU	850 sf. max. for Studio or 1B and 1,000 sf. for 2+ bedrooms **[4]**	774
		TOTAL		3,880
GARAGE AREA (SF) **[5]**	237	n/a		0
BUILDING FOOTPRINT (SF)	1,309	DUPLEX BUILDING	n/a	1,714
		ADU	n/a	459
		TOTAL		2,173
LOT COVERAGE (SF) **[6]**	24%	DUPLEX BUILDING	40% max (2 stories)	40%
		ADU	n/a	n/a
		TOTAL		40%
F.A.R	0.2	DUPLEX BUILDING	n/a	0.7
		ADU	n/a	0.2
LANDSCAPE AREAS (SF)	2,139	n/a		1,403
USABLE OPEN SPACE (SF)	2,139	DUPLEX BUILDING	min 600 SF	657
		ADU	n/a	n/a
IMPERVIOUS SURFACE		DUPLEX BUILDING	n/a	1,714
		ADU	n/a	459
		TOTAL		2,173

03

[1] Dwelling Units (fewer than four) and Accessory Dwelling Units - No Spaces Required. Per BMC - Bicycle Plan, Appendix F

[2] Rear and Side Setback Reductions allowed on district R-2A and on a lot with two or more main buildings with dwelling units. AUP permit required. Per BMC 23.304.030, Table 23.304-1

Side setback (S.Y.S.B): 1st and 2nd stories = 10% of lot width (34'-6" x .1 = 3.45') or 3 ft. Whichever is greater.

Side setback (Easement): (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126) per Survey Plan

[3] Maximum 35 ft. with AUP. Per BMC 23.202.090, Table 23.202-8

[4] Per BMC 23.306.030

[5] Garage area not counted towards Groos Floor area Per BMC 23F.04.

[6] Per BMC 23.202.080

SHEET INDEX

● = NEW OR REVISED
○ = NO CHANGE

PLANS APPROVED BY ZONING ADJUSTMENTS BOARD
SIGNATURE
September 12, 2024
DATE
* Findings and Conditions

SHEET NO. & TITLE		SUBMISSION: Z.P.A SUBMITTAL	Z.P.A RE-SUBMITTAL	Z.P.A RE-SUBMITTAL	Z.A.B MEETING 03
		DATE: 02.16.24	04.20.24	05.17.24	09.12.24
G	**GENERAL**				
G01	COVER SHEET	●	●	●	●
G02	RENDERINGS (FOR REFERENCE ONLY)	●	○	○	○
A	**ARCHITECTURE**				
A100	ARCHITECTURAL SITE PLAN	●	●	○	●
A100.1	COMMUNITY OUTREACH		●	○	●
A101	LANDSCAPE AND USABLE OPEN SPACE PLAN	●	●	○	●
A102	LOT COVERAGE DIAGRAM AND CALCULATIONS	●	●	●	●
A103	FLOOR PLANS	●	●	○	●
A104	EXISTING BUILDING PLANS	●	●	○	○
A105	PROPOSED EXTERIOR ELEVATIONS	●	●	○	●
R	**RESOURCE**				
A106	STREET STRIP ELEVATION	●	○	○	○
R01	SITE SURVEY	●	○	○	○
R02	SITE PHOTOGRAPHS	●	○	○	○
R03	SHADOW STUDY	●	●	●	○
R04	SHADOW STUDY - NEIGHBORS ELEVATIONS	●	●	●	○
L	**LANDSCAPE**				
L1.0	LANDSCAPE PLAN	●	○	○	●
L1.1	PLANT SCHEDULE	●	○	○	●
L1.2	PLANTING NOTES AND DETAILS	●	○	○	●
L1.3	PLANTING NOTES AND DETAILS	●	○	○	●
L1.4	MWELO CHECKLIST CALCS	●	○	○	●

PROJECT DIRECTORY

OWNER:
LINDA JOSEPH
2700 Prince Street
Berkeley, CA 94705

CONTACT: Linda Joseph
PHONE: 415.235.3897
EMAIL: ljoseph97@gmail.com

SURVEYOR:
BAY AREA LAND SURVEYING, INC.
350 Townsend Street, 839
San Francisco, CA 94107

CONTACT: Keith Bush
PHONE: 510.223.5167
EMAIL: info@balsinc.net

ARCHITECT:
JEFF SVITAK INC.
3037 Redwood Street
San Diego, CA 92013

CONTACT: Tomas Tironi
PHONE: 619.372.0779
EMAIL: tomas@jeffsvitak.com

LANDSCAPE ARCHITECT:
COSTELLO KENNEDY
16 De La Guerra Road
San Rafael, CA 94903

CONTACT: Teresa Kennedy
PHONE: 415.686.0423
EMAIL:kennedypartyof5@gmail.com

SYMBOL LEGEND

- +100.00' — FLOOR / STORY LEVEL
- STEP
- 101 — UNIT NUMBER
- W-1 — WALL TAG
- W-1 — WINDOW TAG
- D-1 — DOOR TAG
- F-1 — FLOOR TAG
- F-1 F-1 — FINISH TRANSITION
- K01 — KEYNOTE
- UP — RISE (STAIRS)
- DN — DOWN (STAIRS)
- 1'-0" — DIMENSION
- A — GRID LINE
- 1 / A100 — ELEVATION / SECTION MARKER
- A100 — INTERIOR ELEVATION MARKER
- 1 / A100 — DETAIL CLOUD
- 1 A100 — DETAIL SECTION
- 1 — REVISION CLOUD
- PROPERTY LINE

Jeff Svitak Inc.
3037 Redwood St.
San Diego, CA 92104
www.jeffsvitak.com

SEAL

LICENSED ARCHITECT
JEFF SVITAK
C-38300
10/31/2025
RENEWAL DATE
STATE OF CALIFORNIA

NOT FOR CONSTRUCTION

PRINCE

2708 PRINCE ST
BERKELEY CA 94705
APN: 052-1563-036

ISSUED FOR:		DATE:
Z.P.A SUBMITTAL		02.16.2024
Z.P.A RE-SUBMITTAL		04.20.2024
Z.P.A RE-SUBMITTAL		05.17.2024
Z.A.B MEETING	03	09.12.2024

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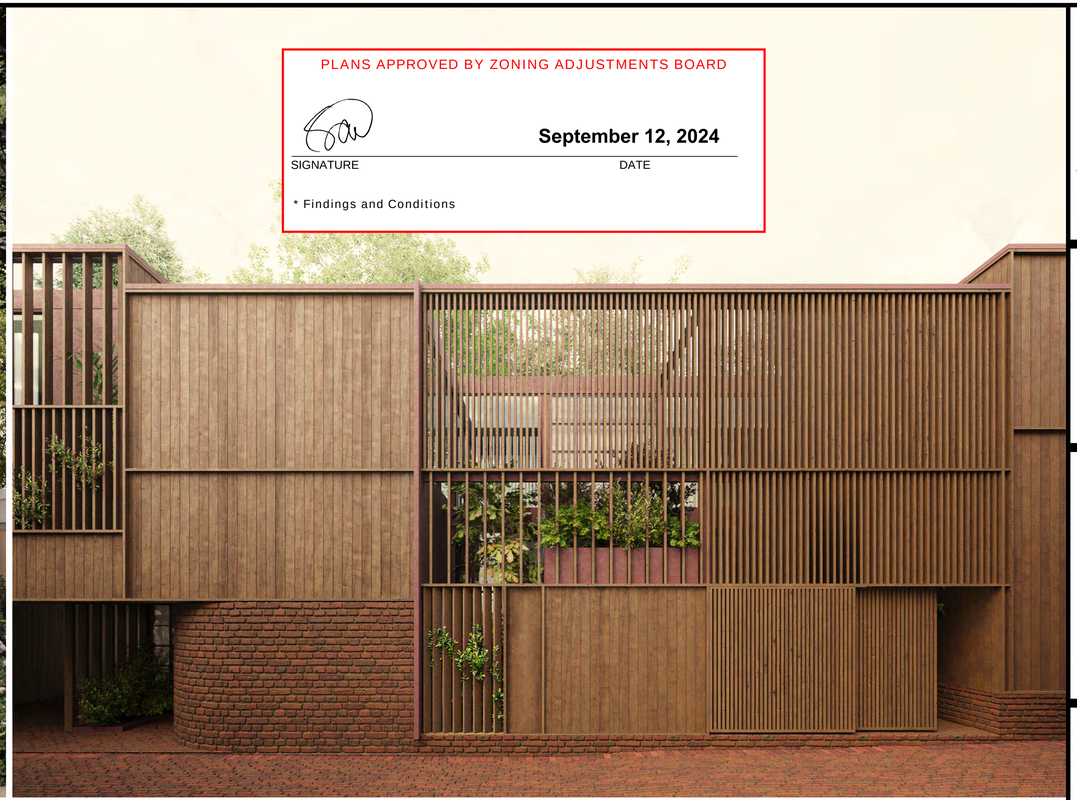
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G01
COVER SHEET

SHEET # 1 OF 21



FRONT FACADE LOOKING FROM PRINCE ST



SIDE FACADE LOOKING FROM ALLEY / EASEMENT

PLANS APPROVED BY ZONING ADJUSTMENTS BOARD

SIGNATURE

September 12, 2024
DATE

* Findings and Conditions

ENTRY COURT



LIVING ROOM AND ENTRY COURT



A.D.U LIVING ROOM



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PRINCE

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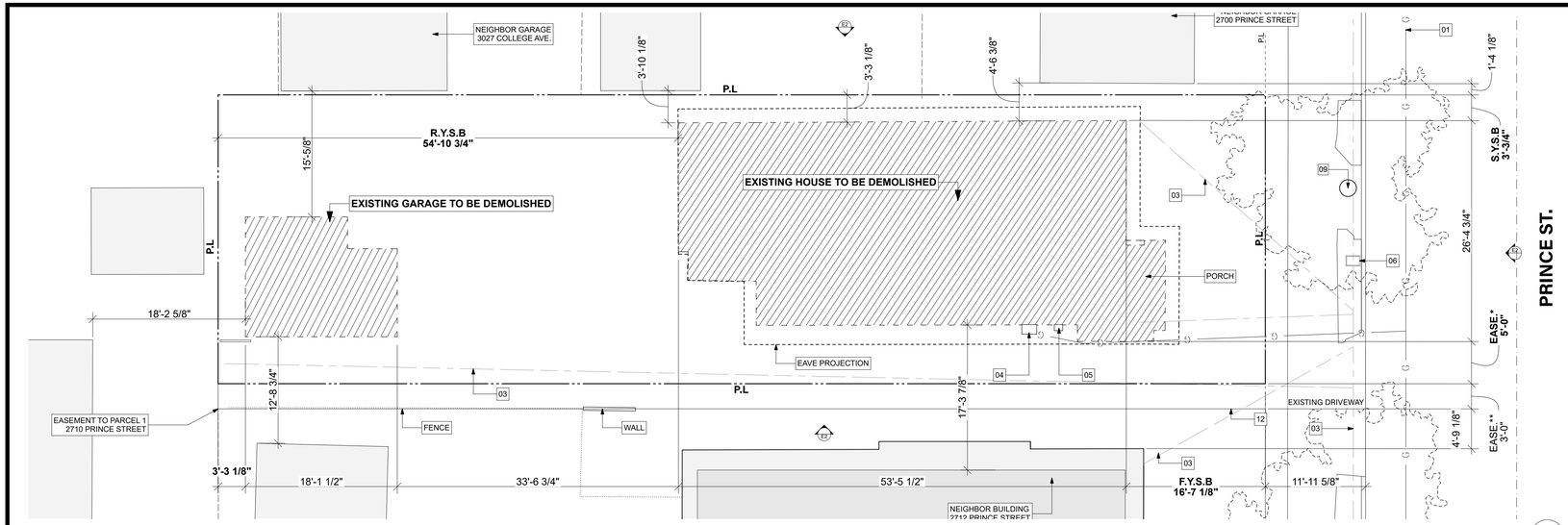
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ZAB MEETING	03	09.12.2024

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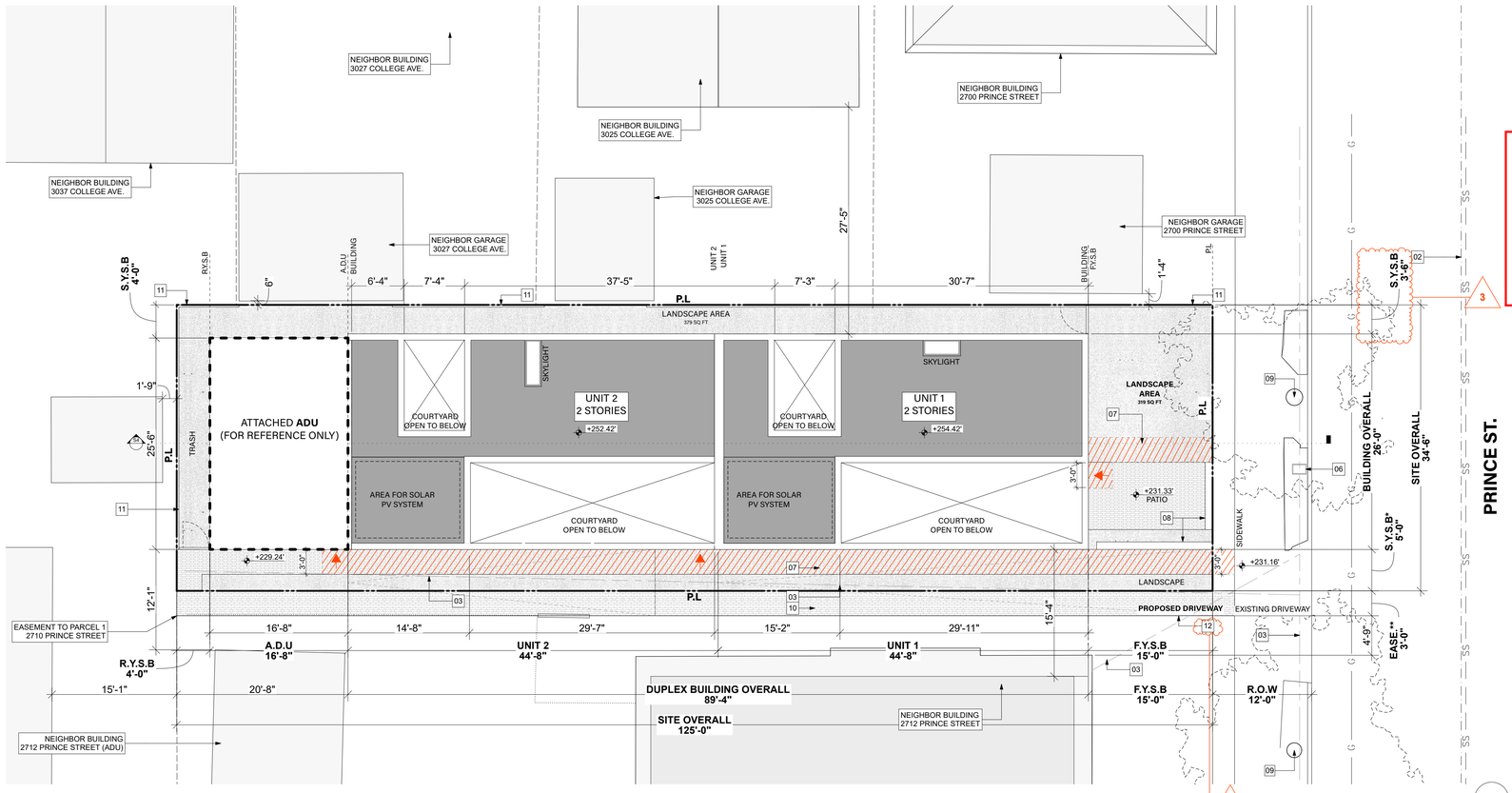
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G02
RENDERINGS (FOR REFERENCE ONLY)

SHEET # 2 OF 21



1 EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"



2 PROPOSED SITE PLAN
SCALE: 1/8" = 1'-0"

SITE PLAN GENERAL NOTES:

A. PARKING SPACE SHOWN IN GROUND FLOOR PLAN (SHEET N. A101).
B. TRASH/SOLID WASTE STORAGE AREA SHOWN IN FLOOR GROUND FLOOR PLAN (SHEET N. A101).
C. EASEMENT* = (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126)
EASEMENT**= 3' WIDE EASEMENT (2002-273924, PARCEL 2) CARLO (1998-273924, PARCEL 2)
D. BICYCLE PARKING NOT REQUIRED, PER BMC BICYCLE PLAN, APPENDIX F

ARCHITECTURAL SITE PLAN KEYNOTES:

01. GAS LINE UNDERGROUND (PER SURVEY PLANS)
02. SEWER LINE UNDERGROUND (PER SURVEY PLANS)
03. OVERHEAD WIRE (PER SURVEY PLANS)
04. GAS METER (PER SURVEY PLANS)
05. ELECTRIC METER (PER SURVEY PLANS)
06. WATER METER
07. PATHWAY(S) FROM RESIDENTIAL UNITS TO PUBLIC R.O.W
08. FENCE - BRICK WALL (5 FT. HEIGHT)
09. EXISTING TREE (TO REMAIN) - CHINAR TREE, 24" T; 12' DRIP LINE
10. NEW DRIVEWAY - BRICK PAVERS
11. FENCE - WOODEN PAINTED BOARDS (6 FT. HEIGHT)
12. PROPOSED DRIVEWAY TO PROVIDE ACCESS TO 2710 PRINCE STREET

3

ABREVIATIONS:

P.L:	PROPERTY LINE
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK
EASE.	EASEMENT
R.O.W:	RIGHT OF WAY

LEGEND:

- PROPERTY LINE
- ROOF
- ROOF CAP
- BRICK PAVER
- LANDSCAPING
- PATHWAY(S) FROM RESIDENTIAL STRUCTURES TO PUBLIC R.O.W
- EXISTING STRUCTURES TO BE DEMOLISHED

PLANS APPROVED BY ZONING ADJUSTMENTS BOARD

September 12, 2024

SIGNATURE DATE

* Findings and Conditions

Jeff Svitak Inc.
3037 Redwood St.
San Diego, CA 92104
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NOT FOR CONSTRUCTION

PRINCE

2708 PRINCE ST
BERKELEY CA 94705
APN: 052-1563-036

ISSUED FOR:		DATE:
Z.P.A SUBMITTAL		02.16.2024
Z.P.A RE-SUBMITTAL		04.20.2024
Z.P.A RE-SUBMITTAL		05.17.2024
ZAB MEETING	03	09.12.2024

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A100
ARCHITECTURAL SITE PLAN

I HAVE REVIEWED THE PLANS FOR A DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF TWO 1,524 sq. ft. SINGLE FAMILY HOMES AND ONE 830 sq.ft. ADU, 24' AVERAGE HIGH. AT 2708 PRINCE ST. BERKELEY, CA 94705

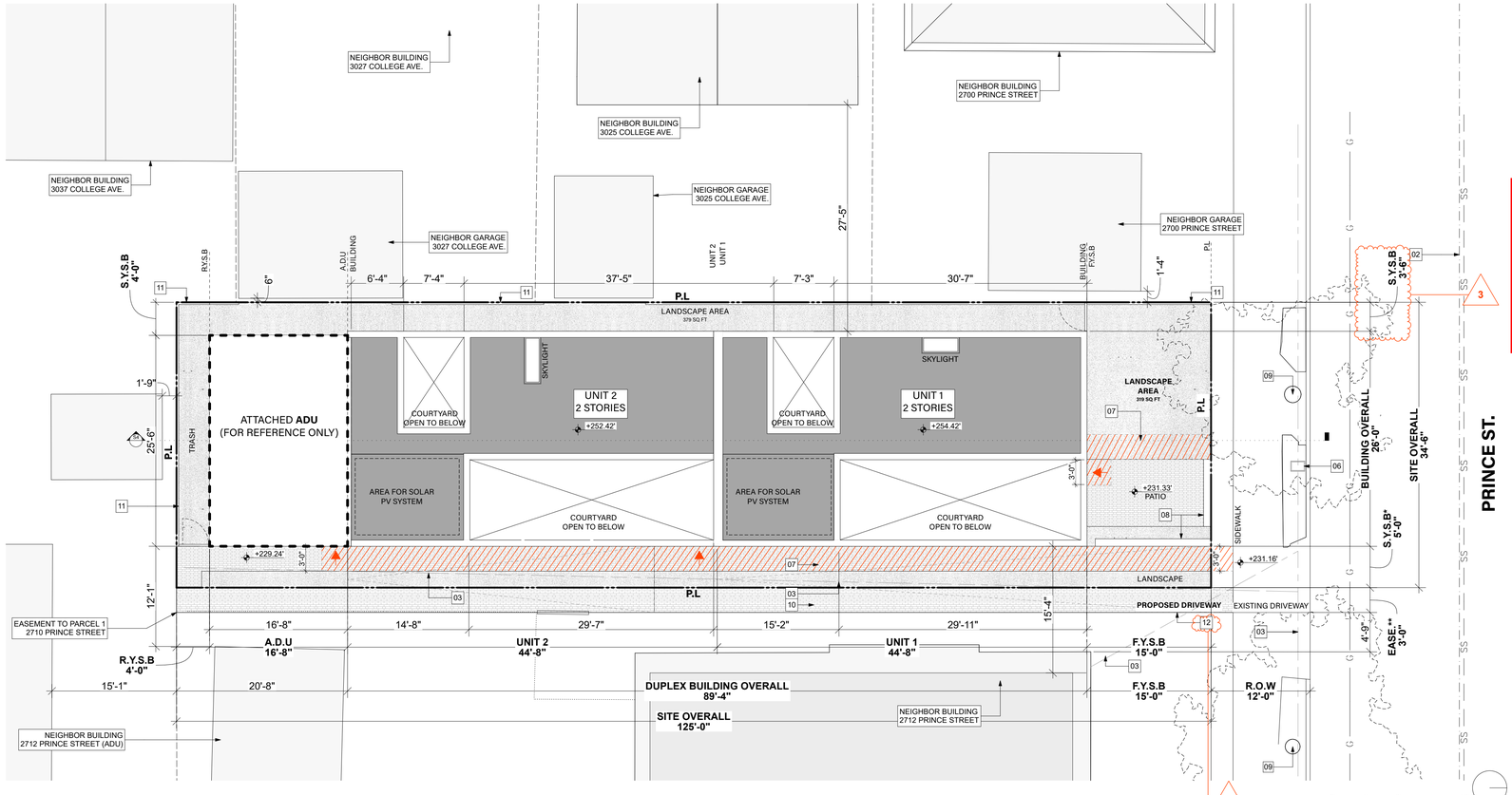
NAME (printed)	SIGNATURE	ADDRESS	RENTER OR OWNER	DATE	HAVE NO OBJECTIONS	HAVE OBJECTIONS (STATE BRIEFLY)	HAVE NO COMMENT
CHAO CA SU		2712 PRINCE ST	OWNER	2/8/24	NO	N/A	Love it!
Dorian Morello		2703 Prince St.	owner	2/8/24	NO	N/A	looks Great!
Benjamin Yu		2715 Prince St.	Church Elder.	2/9/24	No	N/A	Good!
WINFIELD & BLOOM		3037 COLLEGE	OWNER	2/9/24	NO	N/A	—
JOSEPH THOMAS		2701 PRINCE	OWNER	2/9/24	NO	N/A	Good.
JUNE CARLO		2710 PRINCE	OWNER	2/10/24	NO	N/A	looks good
David Carlo		2710 PRINCE	owner	2/10/24	NO	N/A	good!
Brendan Byrne		2701 Prince #2	Renter	2/10/24	No objections	N/A	Looks great!
Elizabeth Garcia		2701 Prince #1	Renter	2/10/24	No	N/A	Looks great!
Kristen Joseph		2700 Prince	Owner	2/10/24	No	N/A	—
Austin Pollock		2701 Prince #3	Rent	2/10/24	NO	N/A	
Edith Lin		3027 CLIFF	OWNR	2/10/24	MAY BE	BLDG. TAKEN UP. ENTIRE PROPERTY.	—
Marie Moore		3025 College the Owner		2/12/24	Not Sure	Shading of Plants and back of House	—

I HAVE REVIEWED THE PLANS FOR A DEMOLITION OF EXISTING HOUSE AND CONSTRUCTION OF TWO 1,524 sq. ft. SINGLE FAMILY HOMES AND ONE 830 sq.ft. ADU, 24' AVERAGE HIGH. AT 2708 PRINCE ST. BERKELEY, CA 94705

NAME (printed)	SIGNATURE	ADDRESS	RENTER OR OWNER	DATE	HAVE NO OBJECTIONS	HAVE OBJECTIONS (STATE BRIEFLY)	HAVE NO COMMENT
Catherine Wright		2712A Prince St Berkeley, Ca 94705	Renter	04/19/2024	NO Objections	N/A	NO Comments
WINFIELD BLOOM		3037 College Apt D	Owner	04/19/2024	NO	NA	NO
		3037 College Apt C	Owner				
		3037 College apt A	Owner				
Robert H Kerr		3037 College B	Renter	12 Apr	No	NO	No
Linda M- Joseph		2701 Prince Street #1	Owner	4/12/2024	No	No	No
		2701 Pine Apt 2	Owner				
		Apt 3	Owner				
		Apt 4	Owner				

1 COMMUNITY OUTREACH

NOT TO SCALE



2 PROPOSED SITE PLAN

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

SITE PLAN GENERAL NOTES:

A. PARKING SPACE SHOWN IN GROUND FLOOR PLAN (SHEET N. A101).
B. TRASH/SOLID WASTE STORAGE AREA SHOWN IN FLOOR GROUND FLOOR PLAN (SHEET N. A101).
C. EASEMENT* = (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126)
EASEMENT**= 3' WIDE EASEMENT (2002-273924, PARCEL 2) CARLO (1998-273924, PARCEL 2)
D. BICYCLE PARKING NOT REQUIRED, PER BMC BICYCLE PLAN, APPENDIX F

KEYNOTES

01. GAS LINE UNDERGROUND (PER SURVEY PLANS)
02. SEWER LINE UNDERGROUND (PER SURVEY PLANS)
03. OVERHEAD WIRE (PER SURVEY PLANS)
04. GAS METER (PER SURVEY PLANS)
05. ELECTRIC METER (PER SURVEY PLANS)
06. WATER METER
07. PATHWAY(S) FROM RESIDENTIAL UNITS TO PUBLIC R.O.W
08. FENCE - BRICK WALL (5 FT. HEIGHT)
09. EXISTING TREE (TO REMAIN) - CHINAR TREE, 24" T; 12' DRIP LINE
10. NEW DRIVEWAY - BRICK PAVERS
11. FENCE - WOODEN PAINTED BOARDS (6 FT. HEIGHT)
12. PROPOSED DRIVEWAY TO PROVIDE ACCESS TO 2710 PRINCE STREET

ABBREVIATIONS:

P.L:	PROPERTY LINE
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK
EASE.	EASEMENT
R.O.W:	RIGHT OF WAY

LEGEND:

- PROPERTY LINE
- ROOF
- ROOF CAP
- BRICK PAVER
- LANDSCAPING
- PATHWAY(S) FROM RESIDENTIAL STRUCTURES TO PUBLIC R.O.W
- EXISTING STRUCTURES TO BE DEMOLISHED

PLANS APPROVED BY ZONING ADJUSTMENTS BOARD

SIGNATURE

September 12, 2024

DATE

* Findings and Conditions

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3037 Redwood St.
San Diego, CA 92104
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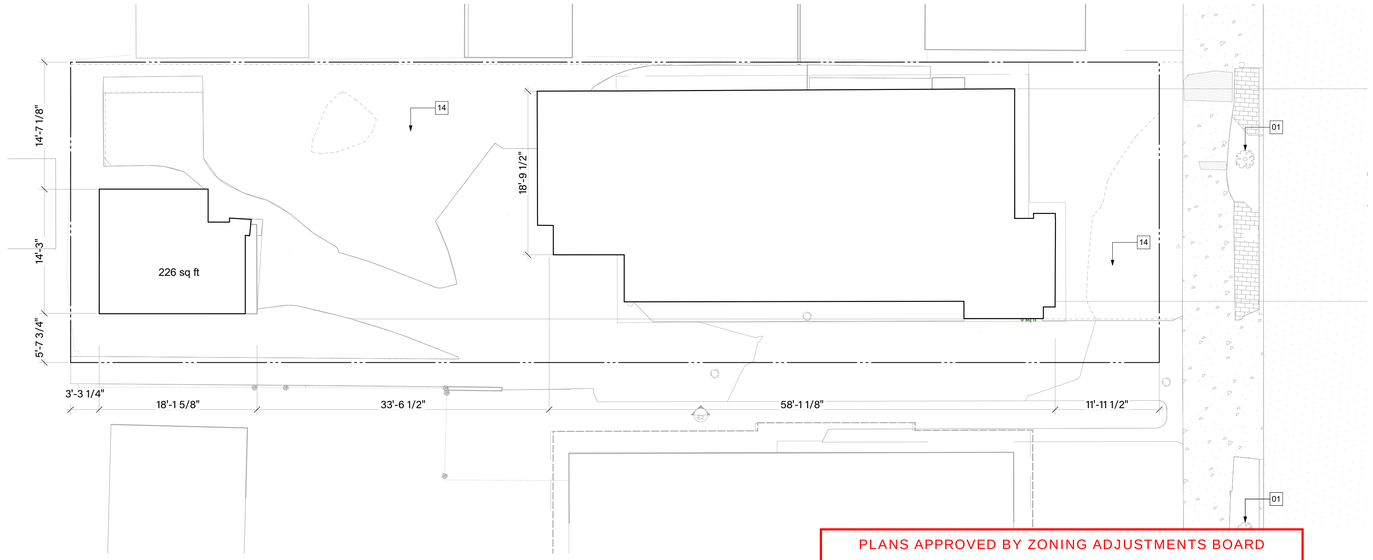
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A100.1
COMMUNITY OUTREACH



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September 12, 2024

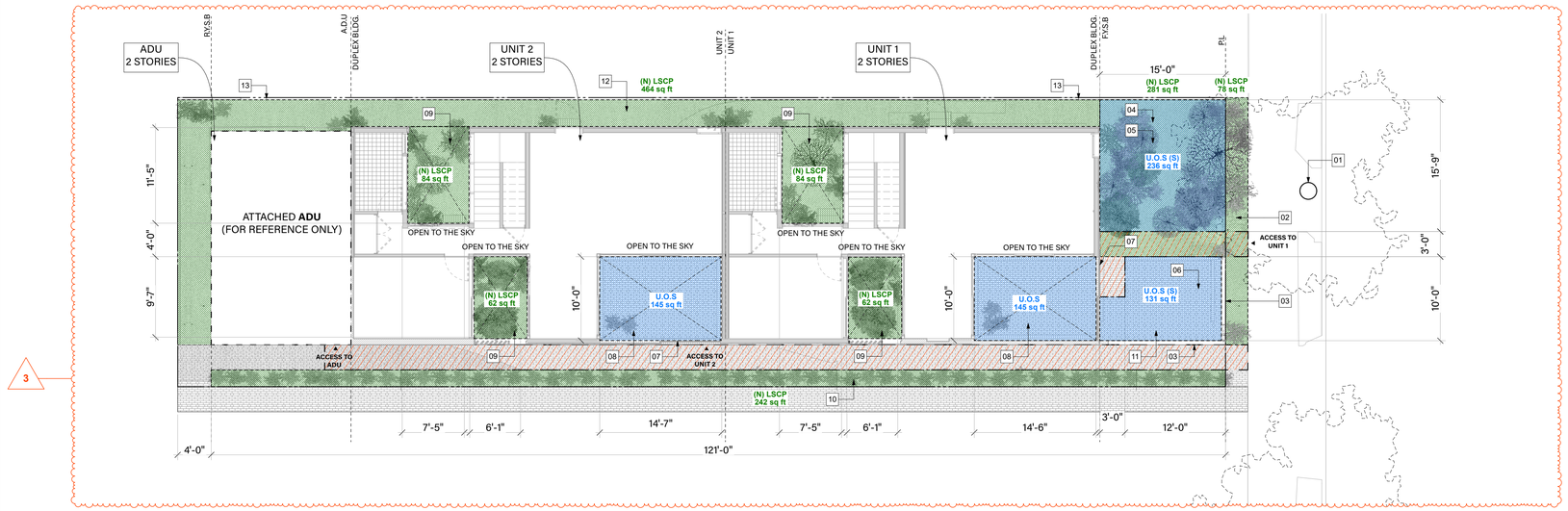
DATE

* Findings and Conditions

1 EXISTING LANDSCAPE AND USABLE OPEN SPACE PLAN

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

0' 4' 8' 16' N



0' 4' 8' 16' N

2 PROPOSED LANDSCAPE AND USABLE OPEN SPACE PLAN

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

CALCULATIONS:

	EXISTING (SF)	REQUIRED (SF)	PROPOSED (SF)	NOTES
USABLE OPEN SPACE (SF)	2,139	300	UNIT 1	
			145	private
			184	shared
			329	subtotal
		300	UNIT 2	
			145	private
			184	shared
			329	subtotal
			657	**total**
LANDSCAPED USABLE OPEN SPACE - (SF)		253	327	(40% of total)
LANDSCAPED AREAS (SF)	1,571	n/a	1,403	

* ALL LANDSCAPE AREAS AND USABLE OPEN SPACE CALCULATIONS PER **BMC 23.304.090**

LANDSCAPE AND USABLE OPEN SPACE PLAN KEYNOTES:

01. EXISTING TREE (TO REMAIN) - CHINAR TREE, 24" T; 12' DRIP LINE
02. NEW LANDSCAPING - UTILITY EASEMENT - MULCH SURFACE
03. FENCE - BRICK WALL (5 FT. HEIGHT)
04. NEW LANDSCAPING - FRONT YARD - PLANTER + MULCH SURFACES
05. (SHARED) USABLE OPEN SPACE - LANDSCAPE (PART OF 40% LANDSCAPING REQ)
06. (SHARED) USABLE OPEN SPACE - BRICK PAVEMENT
07. SLIDING ENTRY DOOR - WOODEN STUD CURTAIN SYSTEM
08. USABLE OPEN SPACE - BRICK PAVEMENT
09. NEW LANDSCAPING - PATIOS - PLANTER
10. NEW LANDSCAPING - DRIVEWAY - PLANTER
11. NEW LANDSCAPING - ENTRY - PLANTER
12. NEW LANDSCAPING - SIDE YARD SETBACK - GRAVEL
13. FENCE - WOODEN PAINTED BOARDS (6 FT. HEIGHT)
14. EXISTING LANDSCAPING - TO BE REMOVED

ABREVIATIONS:

U.O.S:	USABLE OPEN SPACE
U.O.S (S):	USABLE OPEN SPACE (SHARED)
LSCP:	LANDSCAPE
G.R:	GROUND SHOT
S.F:	SQUARE FOOT
N:	NEW OR PROPOSED
R.Y.S.B:	REAR YARD SET BACK

LEGEND:

- BRICK WALL
- WOOD FRAMED WALL
- BRICK PAVEMENT
- PROPERTY LINE
- PLANTER / LANDSCAPING
- USABLE OPEN SPACE (U.O.S)
- GROUND SHOT
- PATHWAY(S) FROM RESIDENTIAL STRUCTURES TO PUBLIC R.O.W

3

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APN: 052-1563-036

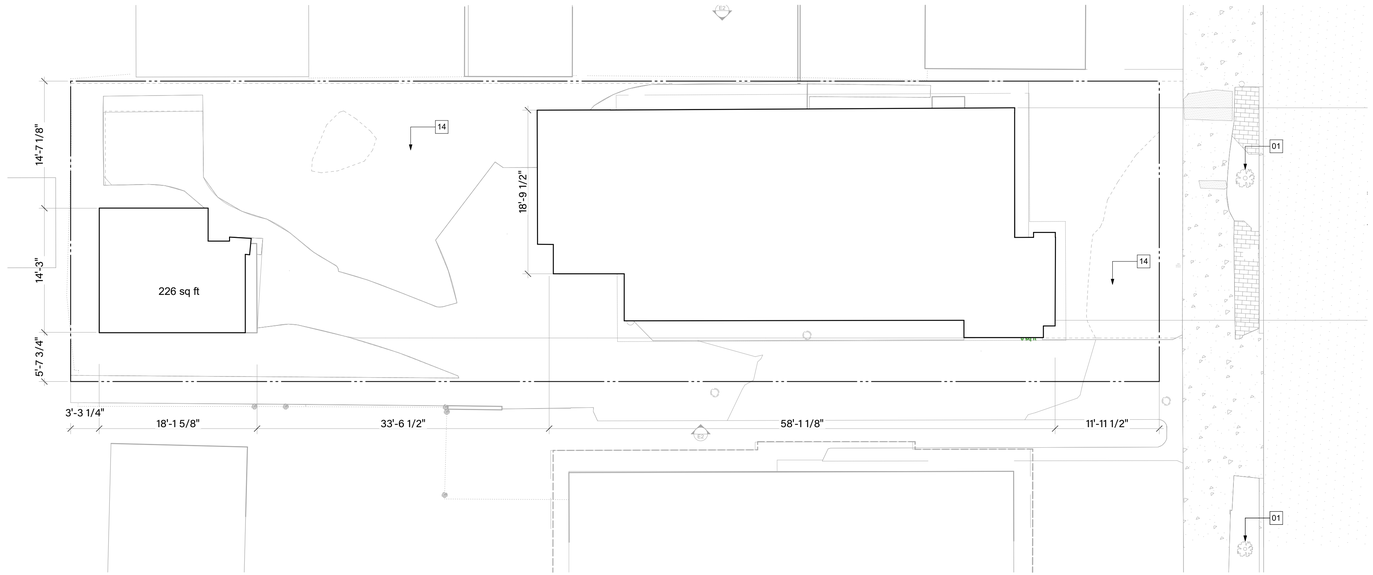
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A101
LANDSCAPE AND USABLE OPEN SPACE PLAN

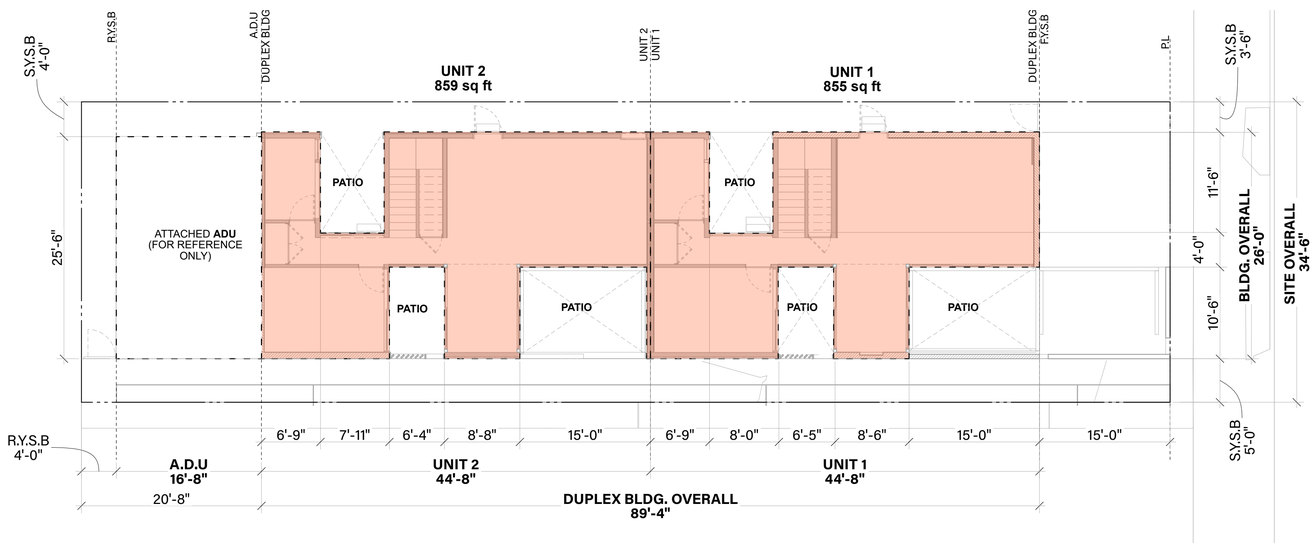
SHEET # 5 OF 21



1 EXISTING LOT COVERAGE

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

0' 4' 8' 16' N



2 PROPOSED LOT COVERAGE

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

0' 4' 8' 16' N

CALCULATIONS

GROSS FLOOR AREA*	EXISTING	UNIT 1	UNIT 2	ADU**
1ST FLOOR	1,052	855	859	227
2ND FLOOR		694	698	307
3RD FLOOR		-	-	264
SUBTOTAL		1,549	1,557	798
SUBTOTAL 2		3,106		798
TOTAL		**3,904**		

LOT AREA				4,312
	EXISTING	UNIT 1	UNIT 2	ADU
BUILDING FOOTPRINT	1,309	855	859	0**
LOT COVERAGE SUBTOTAL	24%	19.8%	19.9%	0.0%
LOT COVERAGE TOTAL	24%	**40%**		

* Gross area calculations per BMC 23.106.030

** ADU is excluded from the calculation per BMC 23.106.020

subtract up to 800 sq. ft. of the ADU footprint from the total proposed lot coverage for the site (BMC Section 23.106.020(B)(4))

PLANS APPROVED BY ZONING ADJUSTMENTS BOARD

SIGNATURE

September 12, 2024

DATE

* Findings and Conditions

ABBREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
G.R:	GROUND SHOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK

LEGEND:

BRICK WALL

WOOD FRAMED WALL

PROPERTY LINE

GROSS AREA

GARAGE AREA

EXISTING HOUSE AREA

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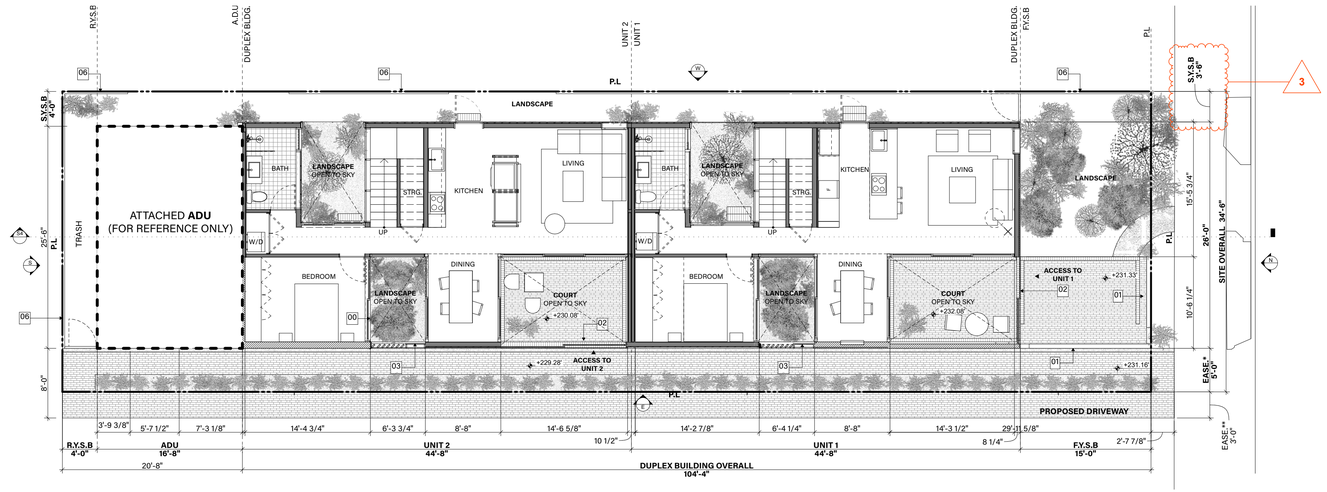
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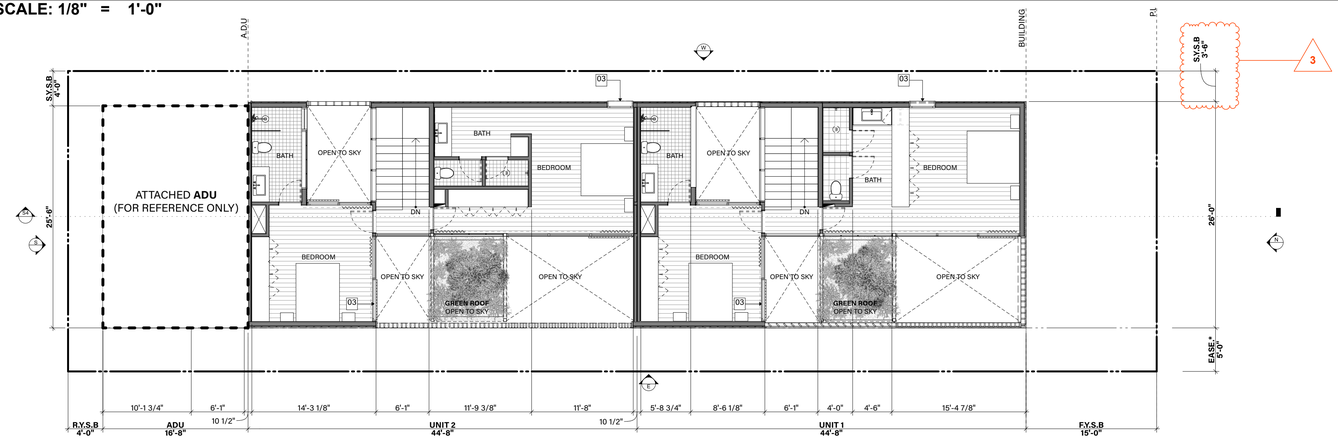
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A102

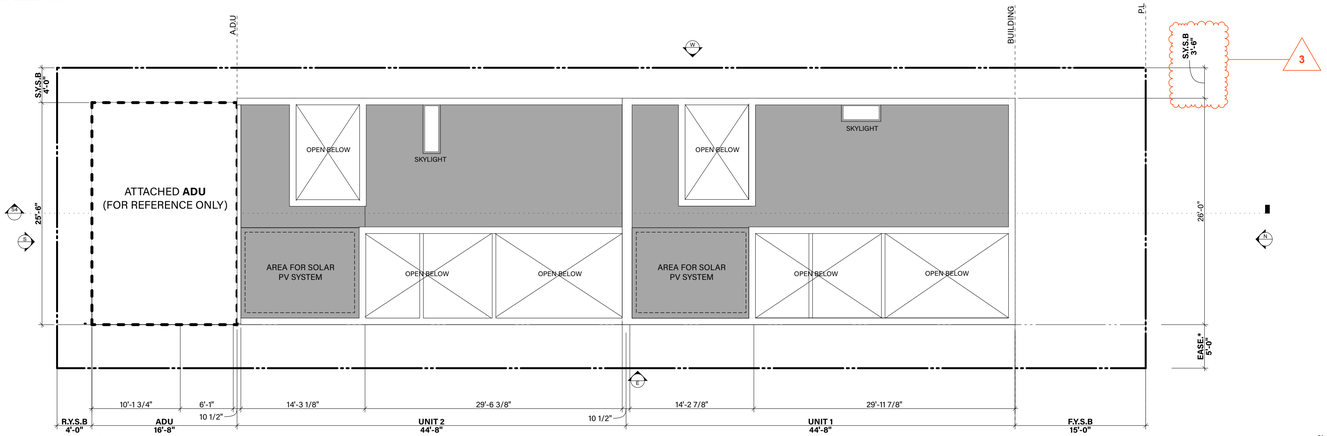
LOT COVERAGE DIAGRAM AND CALCULATIONS



1 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



2 SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



3 THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"

FLOOR PLANS GENERAL NOTES:

A. EASEMENT* = (1998-273924, PARCEL 3) 5' WIDE EASEMENT (3016 DEEDS 126)
EASEMENT**= 3' WIDE EASEMENT (2002-273924, PARCEL 2) CARLO (1998-273924, PARCEL 2)

B. BICYCLE PARKING NOT REQUIRED, PER BMC BICYCLE PLAN, APPENDIX F

FLOOR PLANS KEYNOTES:

01. FENCE - BRICK WALL (5 FT. HEIGHT)
02. SLIDING ENTRY DOOR - WOODEN STUD SCREEN SYSTEM
03. EMERGENCY ESCAPE AND RESCUE OPENING.
IN ACCORDANCE TO CALIFORNIA RESIDENTIAL CODE, S. R310.1
04. NEW ELECTRICAL METER(S)
05. TRASH/SOLID WASTE STORAGE AREA
06. FENCE - WOODEN PAINTED BOARDS (6 FT. HEIGHT)
07. BATTERY ENERGY STORAGE
08. ELECTRIC VEHICLE CHARGING

PLANS APPROVED BY ZONING ADJUSTMENTS BOARD

September 12, 2024

SIGNATURE DATE

* Findings and Conditions

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK

LEGEND:

PROPERTY LINE
WOOD FLOOR
TILE
BRICK PAVER
LANDSCAPING
BRICK WALL
WOOD FRAMED WALL
ROOF
ROOF CAP

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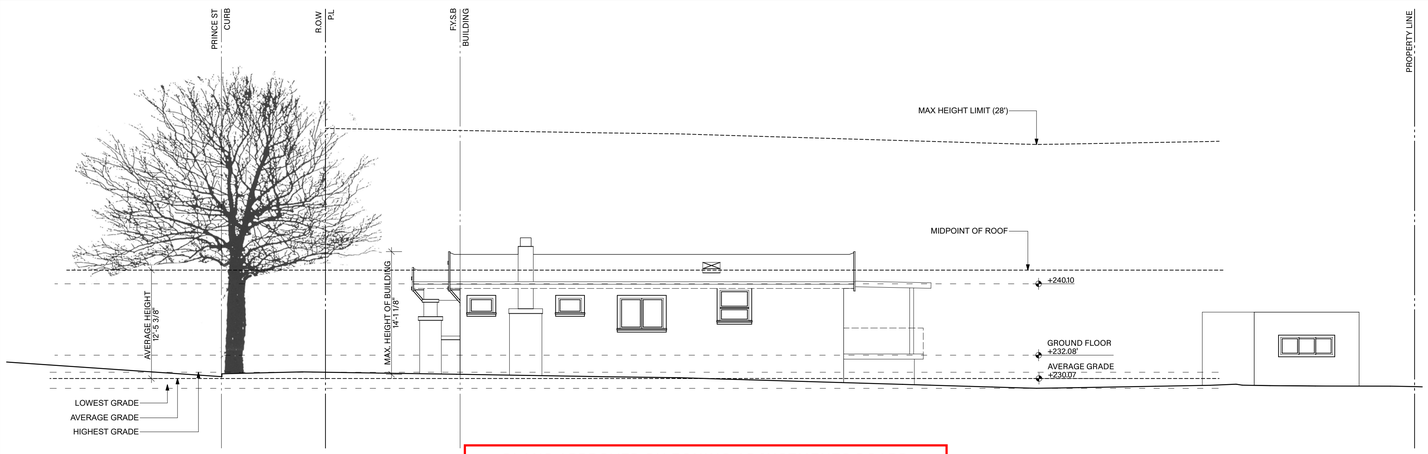
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A103
FLOOR PLANS



1 WEST ELEVATION

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

PLANS APPROVED BY ZONING ADJUSTMENTS BOARD

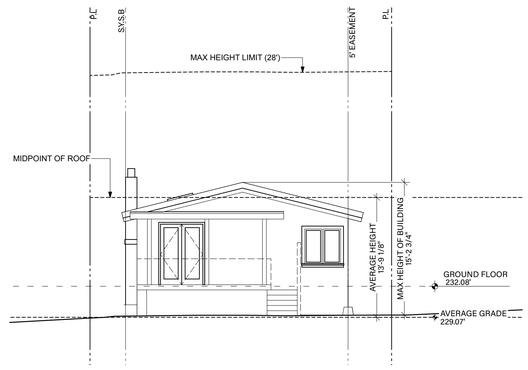
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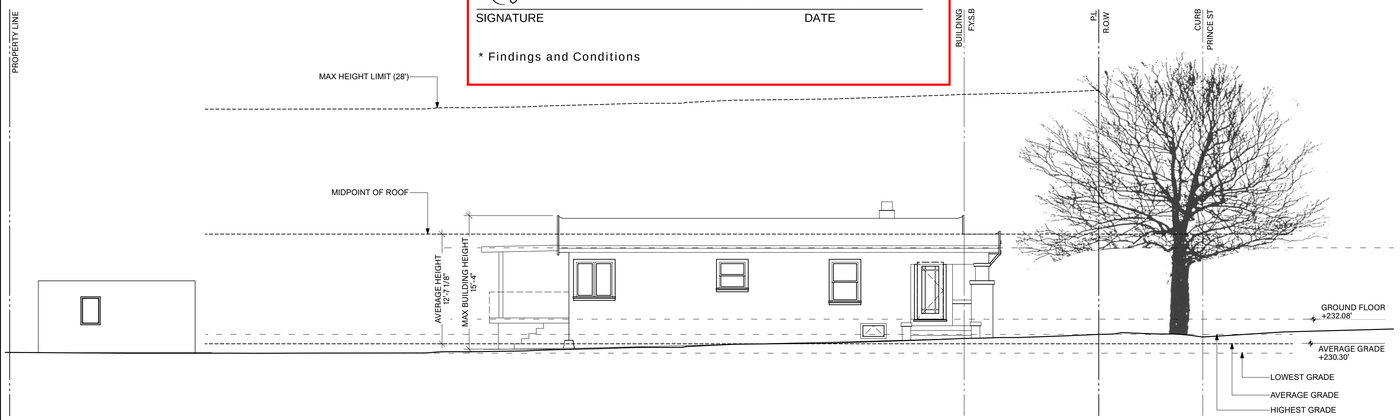
* Findings and Conditions

0' 4' 8' 16'



4 SOUTH ELEVATION

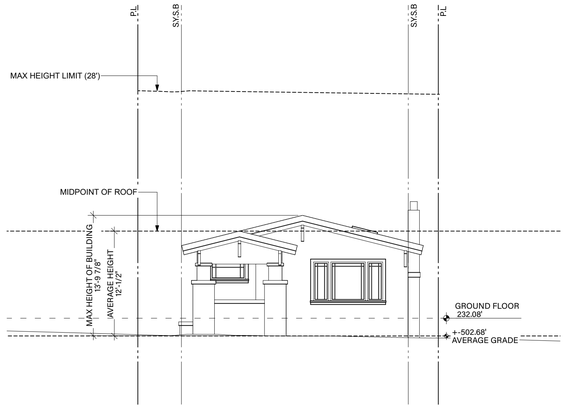
SCALE: 1/8" = 1'-0"



2 EAST ELEVATION

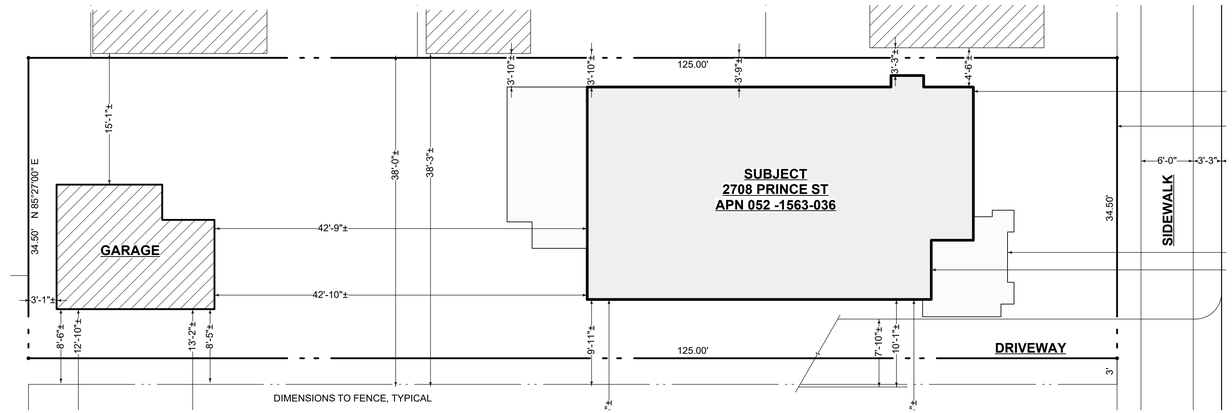
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0' 4' 8' 16'



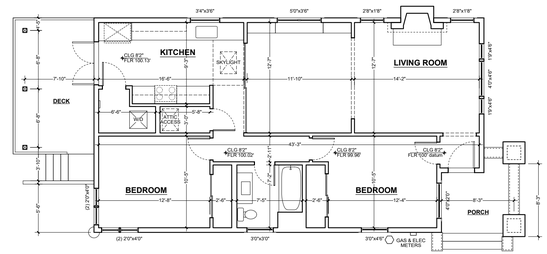
3 NORTH ELEVATION

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



5 SITE PLAN

NOT TO SCALE



6 FLOOR PLAN

NOT TO SCALE

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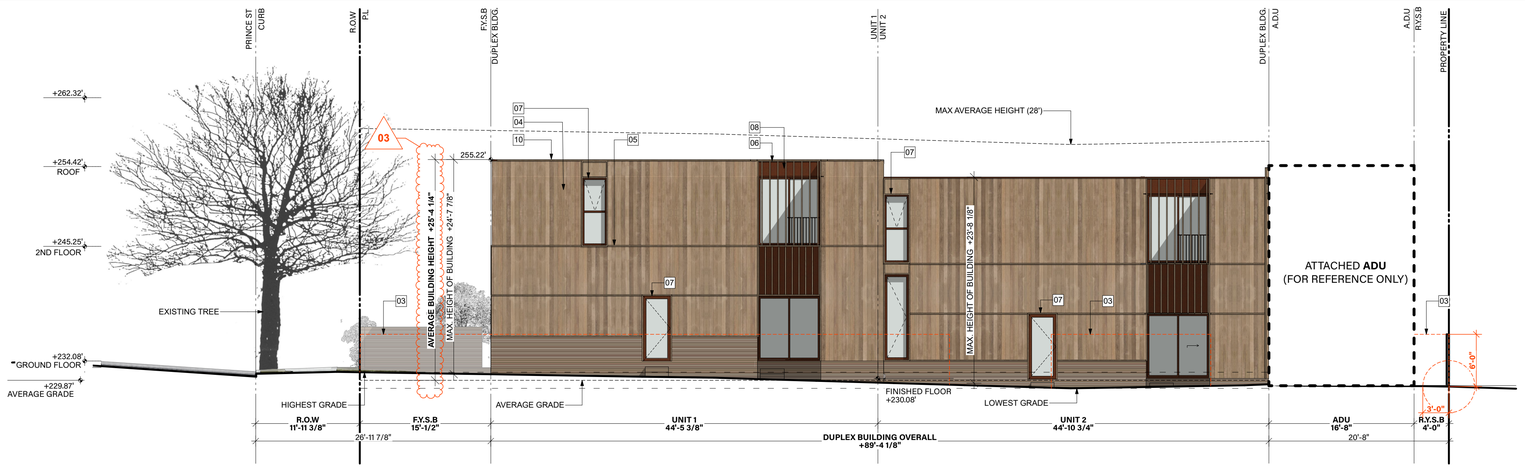
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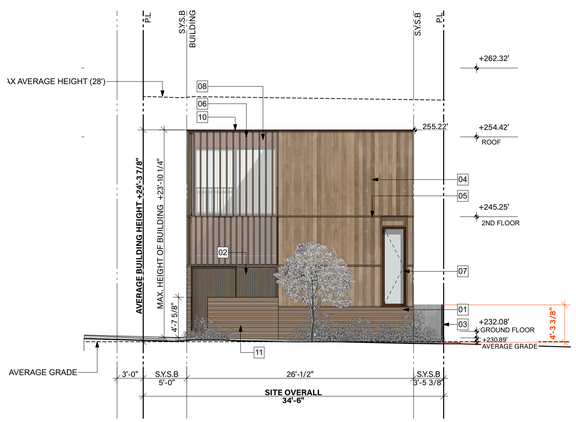
A104
EXISTING BUILDING PLANS



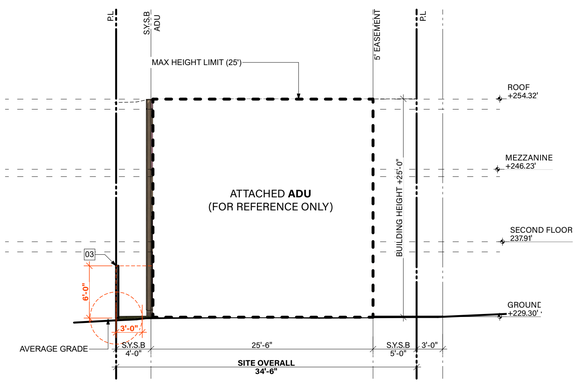
1 WEST ELEVATION
SCALE: 1/8" = 1'-0"



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



4 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

PROPOSED EXTERIOR ELEVATIONS KEYNOTES:

01. BRICK WALL
02. SLIDING ENTRY DOOR - WOODEN STUD SCREEN SYSTEM
03. FENCE - PAINTED WOOD, 6' HEIGHT
04. WALL - NATURAL WOOD VERTICAL SIDING
05. WOOD REVEAL
06. WOODEN STUD SCREEN SYSTEM
07. WINDOW / DOOR - ALUMINUM FRAME (COLOR: RAL 3007) AND WOOD TRIM
08. (BEHIND) CEMENT BOARD PANEL (COLOR: RAL 3007)
09. EMERGENCY ESCAPE AND RESCUE OPENING
10. PARAPET CAP - PAINTED SHEET METAL
11. FENCE - BRICK WALL, 5' HEIGHT

ABREVIATIONS:

A.D.U:	ACCESSORY DWELLING UNIT
SQ. FT.:	SQUARE FOOT
S.Y.S.B:	SIDE YARD SETBACK
F.Y.S.B:	FRONT YARD SETBACK
R.Y.S.B:	REAR YARD SETBACK

PLANS APPROVED BY ZONING ADJUSTMENTS BOARD

SIGNATURE

September 12, 2024
DATE

* Findings and Conditions

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3037 Redwood St.
San Diego, CA 92104
www.jeffsvitak.com

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JEFF SVITAK
C-38700
10/31/2025
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RINCE

2708 PRINCE ST
BERKELEY CA 94705
APN: 052-1563-036

ISSUED FOR:		DATE:
Z.P.A SUBMITTAL		02.16.2024
Z.P.A RE-SUBMITTAL		04.20.2024
Z.P.A RE-SUBMITTAL		05.17.2024
ZAB MEETING	03	09.12.2024

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A105
PROPOSED EXTERIOR ELEVATIONS



1 **EXISTING STREET STRIP ELEVATION**
SCALE: 1/8" 1' = 1'-0"

0' 4' 8' 16'

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2 **PROPOSED STREET STRIP ELEVATION**
SCALE: 1/8" 1' = 1'-0"

0' 4' 8' 16'

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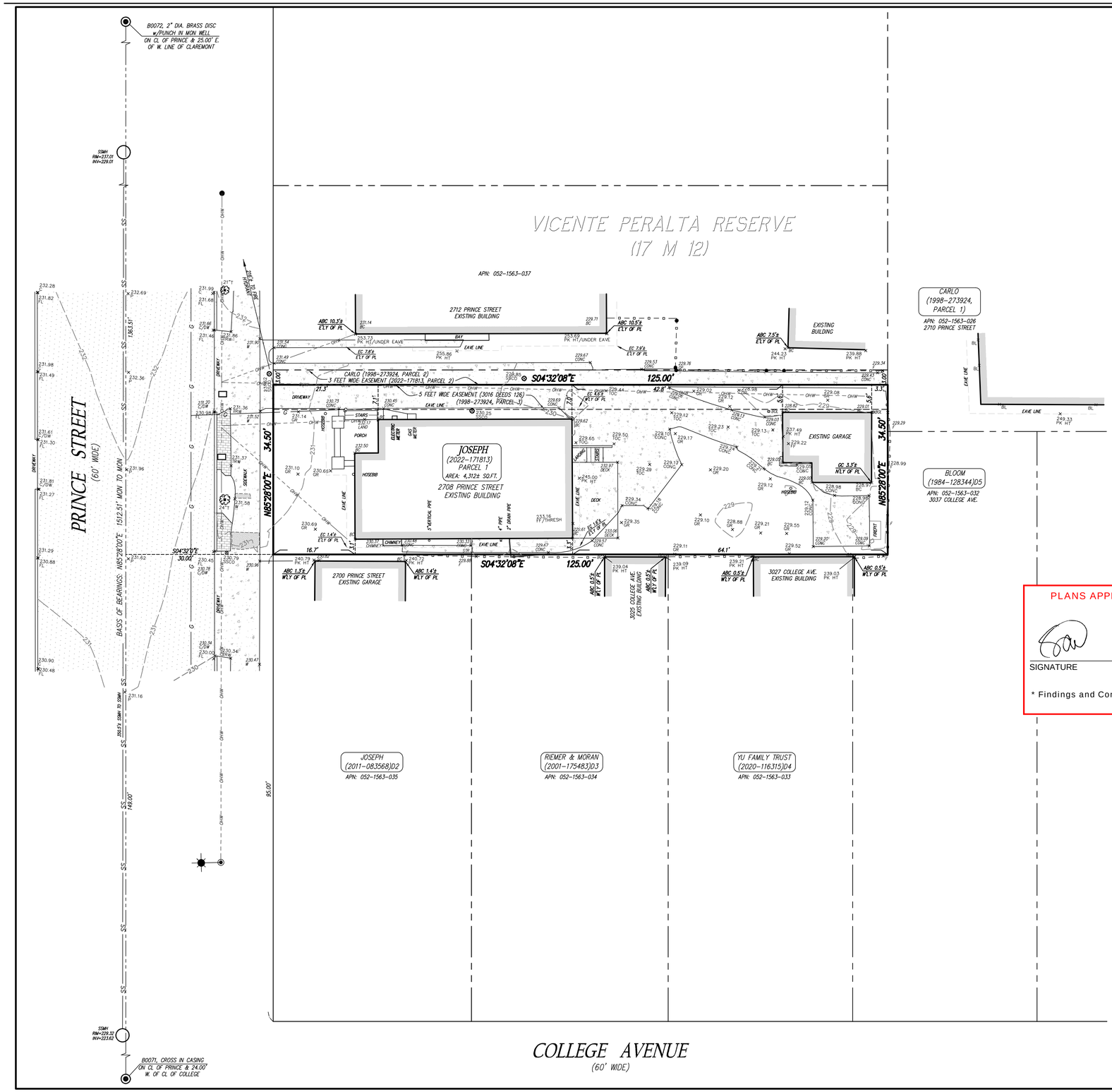
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A106
STREET STRIP ELEVATION

SHEET # 10 OF 21



GRAPHIC SCALE
0 5 10 20
(IN FEET)
1 inch = 10 ft.

OWNER:
LINDA JOSEPH
2700 PRINCE STREET
BERKELEY, CA 94705

BASIS OF BEARINGS:
MONUMENT LINE IN PRINCE STREET
BEARING: N85°28'00"E.

MAP REFERENCES:
R1 MAP OF THE COLBY TRACT (19 M 76)
R2 MAP OF PARK SIDE, CLAREMONT (21 M 33)
R3 PARCEL MAP NO. 4334 (149 M 68)
R4 CITY OF BERKELEY MONUMENT CARDS

BENCHMARK:
B2144, 2" DIA. DISC CITY OF BERKELEY
BRASS DISK w/PUNCH IN MONUMENT WELL
ELEVATION = 224.49, BASED UPON
CITY OF BERKELEY.

LEGEND

◉	FOUND CITY MONUMENT AS NOTED
	BUILDING FOOTPRINT
	ASPHALT
	CONCRETE
( )	RECORD DATA PER (140 M 26)
(DX)	RECORDED DEEDS
#"T	DIAMETER OF TREE (INCHES)
ABC	ADJACENT BUILDING CORNER
BC	BUILDING CORNER
BL	BUILDING LINE
C	TOP OF CURB
CONC	CONCRETE
DW	DRIVEWAY
EB	ELECTRIC BOX
EM	ELECTRIC METER
EC	EAVE CORNER
F	FENCE
FF	FINISHED FLOOR
FH	FIRE HYDRANT
FL	FLOWLINE
GC	GARAGE CORNER
GR	GROUND SHOT
GM	GAS METER
GP	GATE POST
INV	INVERT
JP	JOINT POLE
JP/SL	JOINT POLE/STREET LAMP
P	PAVEMENT
PL	PROPERTY LINE
PK HT	PEAK HEIGHT
OHW	OVERHEAD WIRE
SS	SANITARY SEWER LINE
SSMH	SANITARY SEWER MANHOLE
SSCO	SANITARY SEWER CLEAN OUT
STR	STAIR
TOC	TOP OF CONCRETE
TRW	TREE WELL
W	BACK OF SIDEWALK
WM	WATER METER

ADJACENT PARCEL/LOT LINE
EASEMENT LINE
MONUMENT LINE
SUBJECT PROPERTY
TIE LINE
WOOD FENCE

PLANS APPROVED BY ZONING ADJUSTMENTS BOARD

SIGNATURE — September 12, 2024 — DATE

* Findings and Conditions

LICENSED LAND SURVEYOR KEITH S. BUSH No. 8494 STATE OF CALIFORNIA

KEITH S. BUSH, L.S. 8494
DATE: 07/21/2023

BOUNDARY & TOPOGRAPHIC SURVEY

THAT REAL PROPERTY DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED OCTOBER 14, 2022 SERIES NO. 2022-171813 ALAMEDA COUNTY RECORDS
CITY OF BERKELEY, ALAMEDA COUNTY, STATE OF CALIFORNIA
JULY, 2023 SCALE: 1" = 10'

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

APN: 052-1563-036 SHEET 1 OF 1 22-4844

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3037 Redwood St.
San Diego, CA 92104
www.jeffsvitak.com

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PRINCE
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BERKELEY CA 94705
APN: 052-1563-036

ISSUED FOR:	DATE:
Z.P.A SUBMITTAL	02.16.2024

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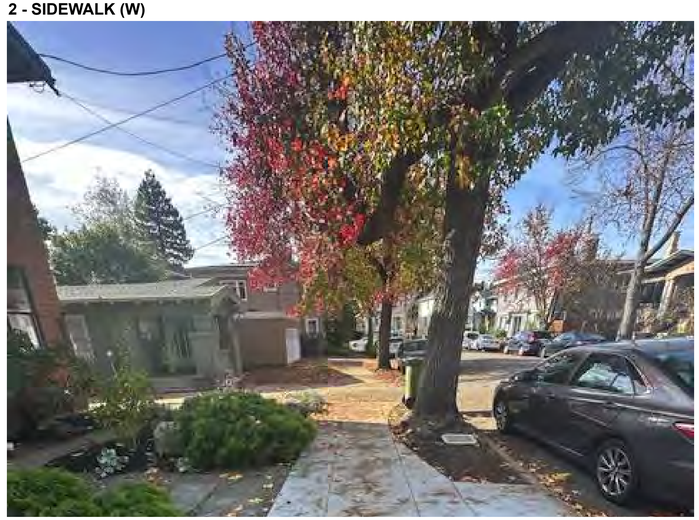
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R01
SITE SURVEY

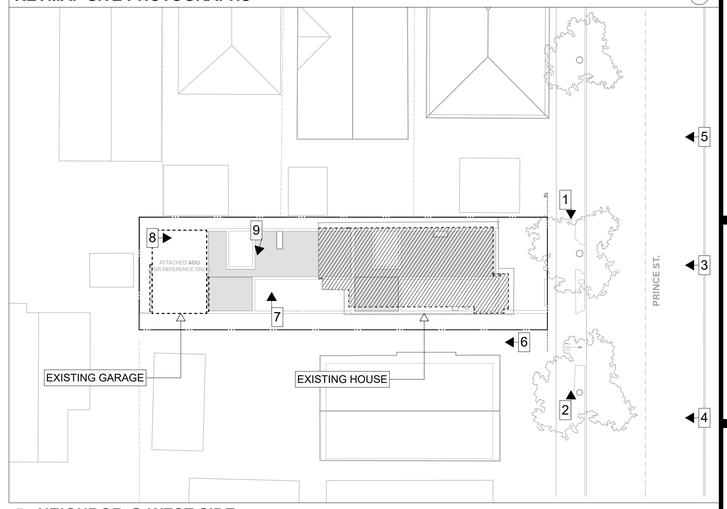
1 - SIDEWALK (E)



2 - SIDEWALK (W)



KEYMAP SITE PHOTOGRAPHS



3 - ACROSS THE STREET (S)



4 - NEIGHBOR @ EAST SIDE



5 - NEIGHBOR @ WEST SIDE



6 - EASEMENT (S)

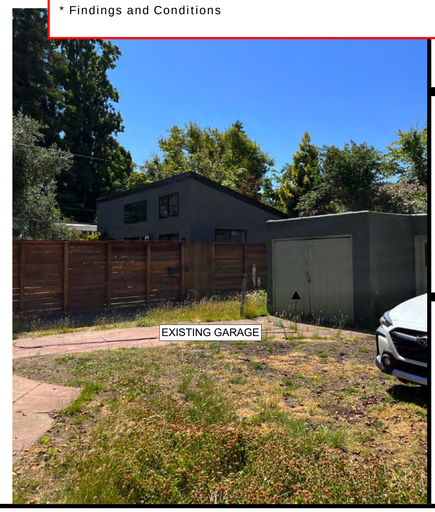


7 - WITHIN SITE (W)



8 - 9 - WITHIN SITE





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PLANS APPROVED BY ZONING ADJUSTMENTS BOARD

SIGNATURE

September 12, 2024
DATE

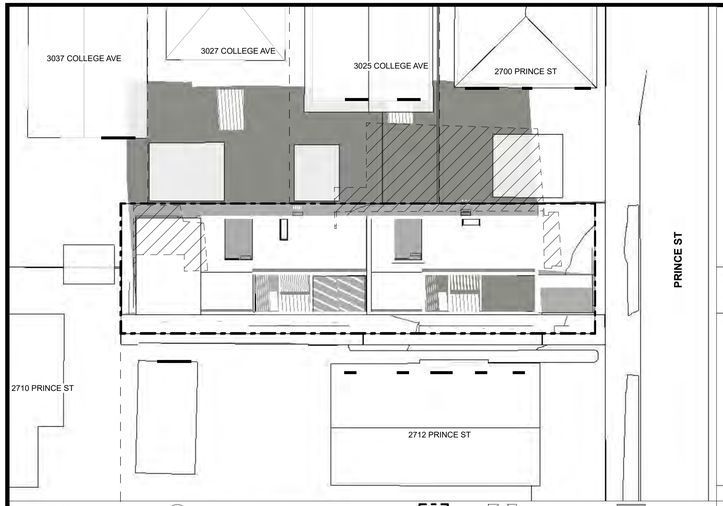
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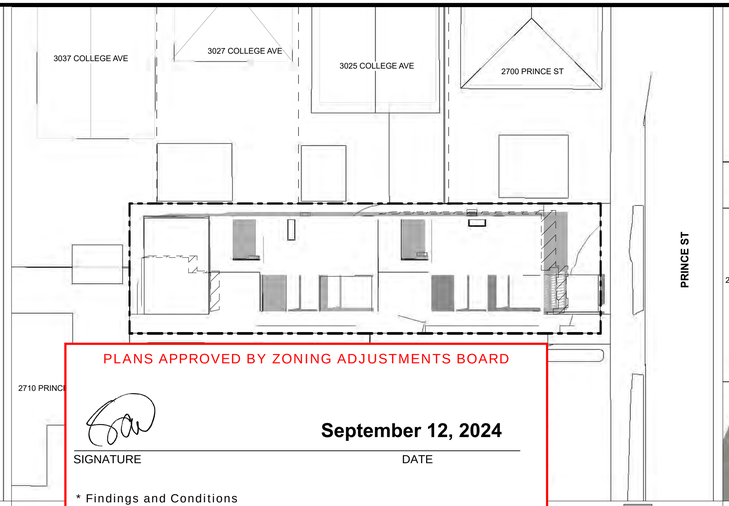
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R02
SITE PHOTOGRAPHS

SHEET # 12 OF 21



JUNE 21_7:47 AM — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW

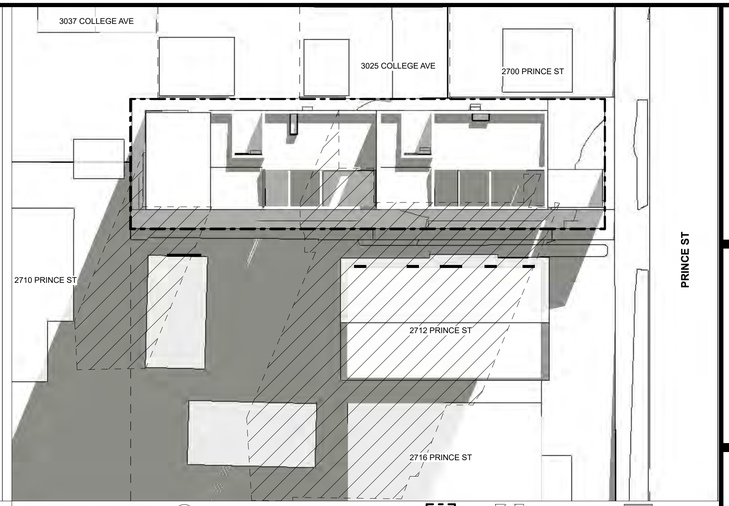


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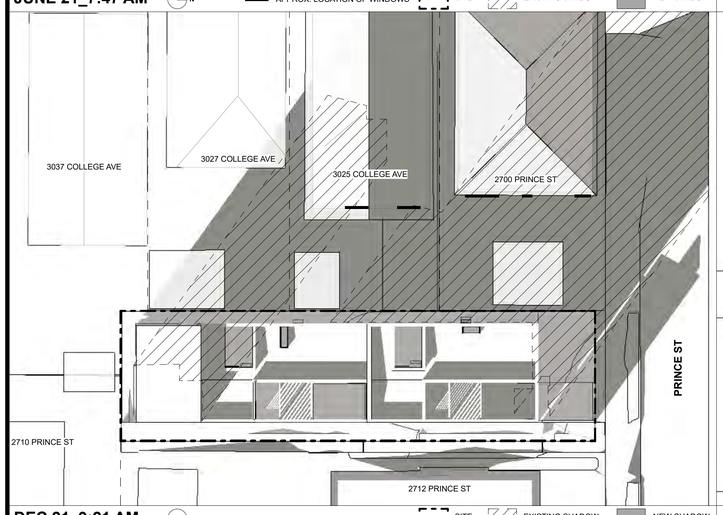
SIGNATURE — DATE: **September 12, 2024**

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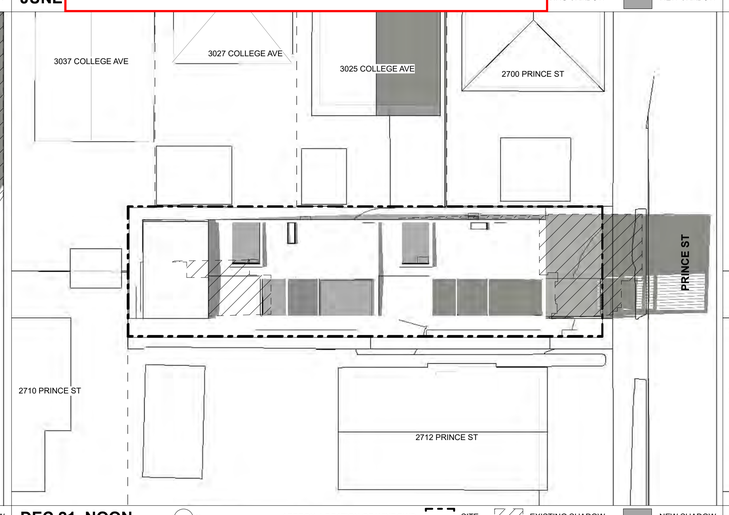
JUNE — TING SHADOW — NEW SHADOW



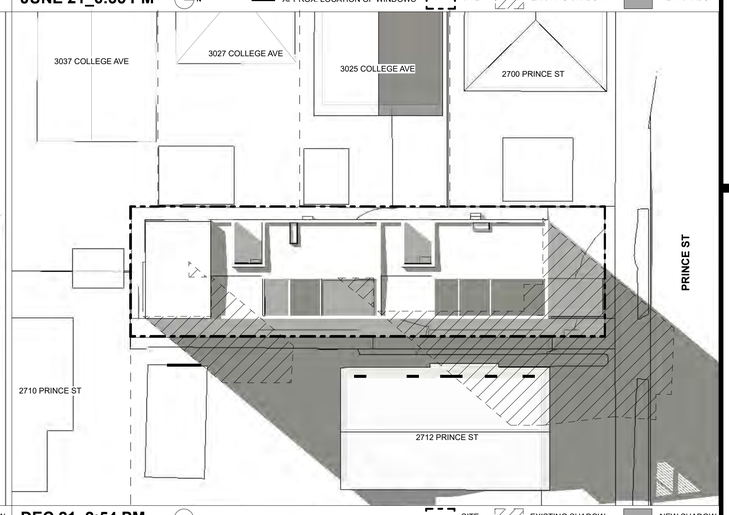
JUNE 21_6:35 PM — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



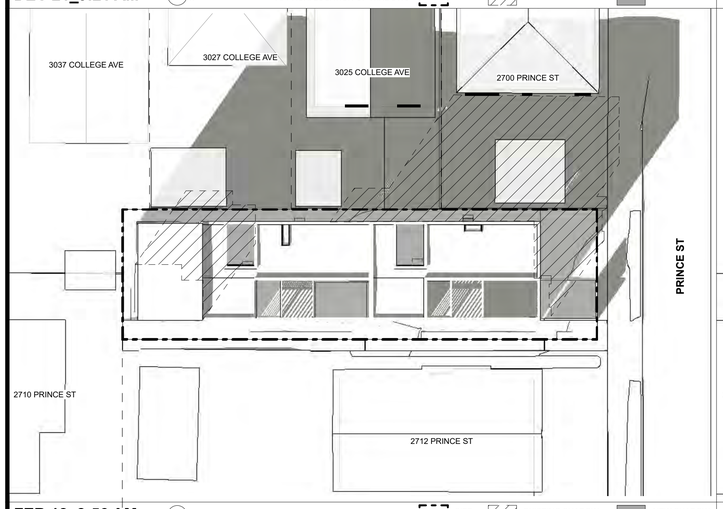
DEC 21_9:21 AM — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



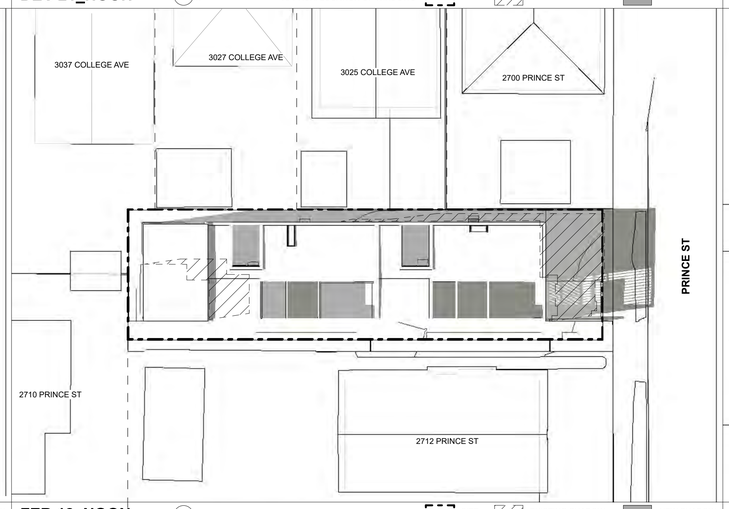
DEC 21_NOON — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



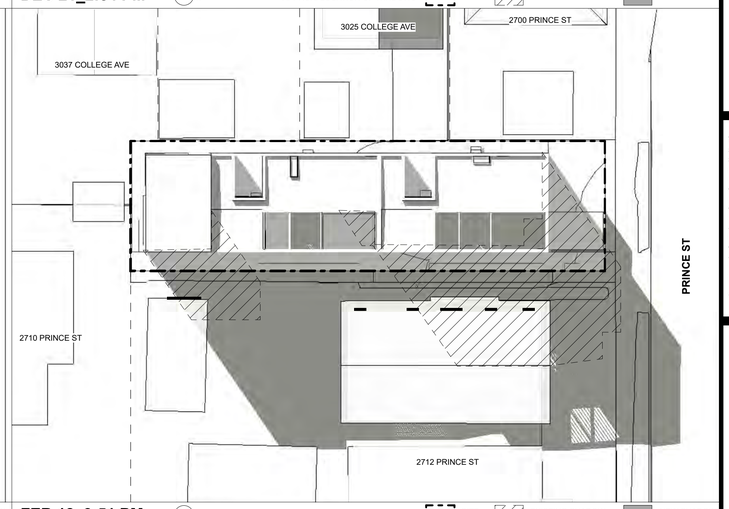
DEC 21_2:54 PM — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



FEB 18_8:56 AM — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



FEB 18_NOON — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW



FEB 18_3:51 PM — N — APPROX. LOCATION OF WINDOWS — SITE — EXISTING SHADOW — NEW SHADOW

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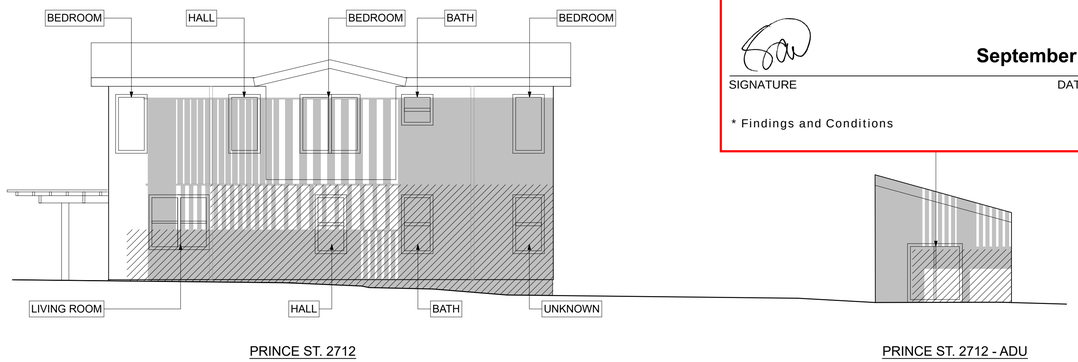
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APN: 052-1563-036

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R03
SHADOW STUDY



PRINCE ST. 2712 | PRINCE ST. 2712 - ADU

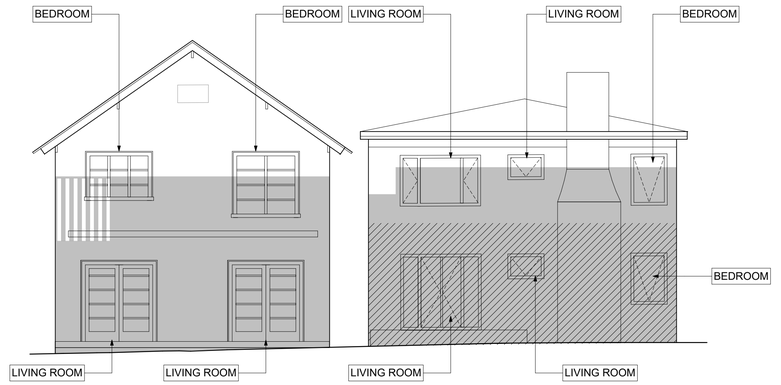
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SIGNATURE | DATE: September 12, 2024

* Findings and Conditions

EASTERN NEIGHBORS - JUNE 21_6:35 PM

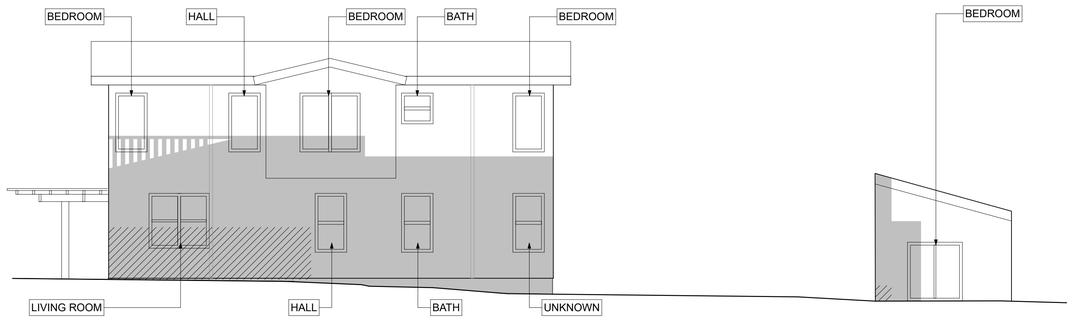
EXISTING SHADOW | NEW SHADOW



COLLEGE AVE. 3025 | PRINCE ST. 2700

WESTERN NEIGHBORS - DEC 21_9:21 AM

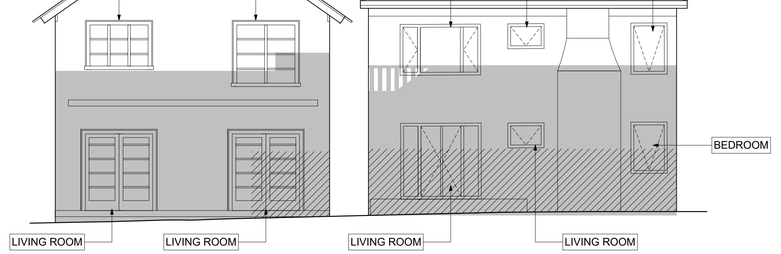
EXISTING SHADOW | NEW SHADOW



PRINCE ST. 2712 | PRINCE ST. 2712 - ADU

EASTERN NEIGHBORS - DIC 21_2:54 PM

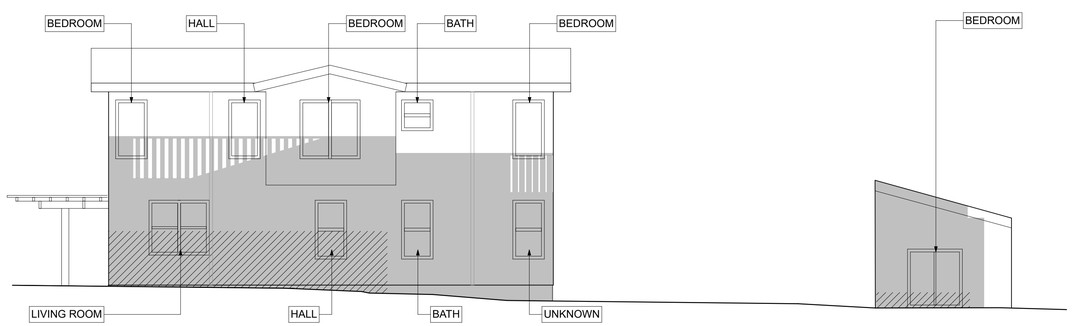
EXISTING SHADOW | NEW SHADOW



COLLEGE AVE. 3025 | PRINCE ST. 2700

WESTERN NEIGHBORS - FEB 18_8:56 AM

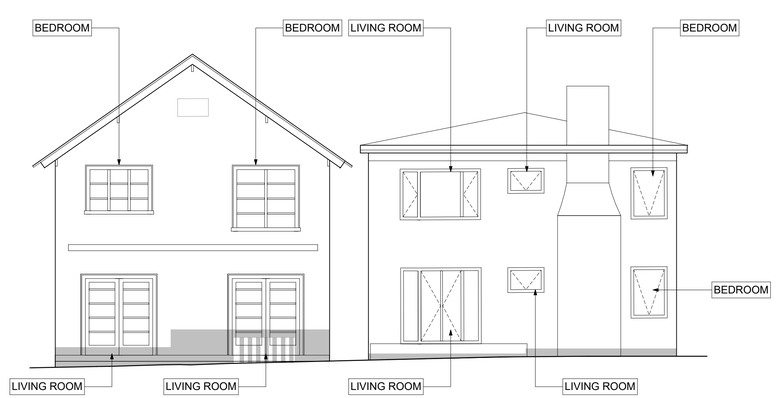
EXISTING SHADOW | NEW SHADOW



PRINCE ST. 2712 | PRINCE ST. 2712 - ADU

EASTERN NEIGHBORS - FEB 18_3:51 PM

EXISTING SHADOW | NEW SHADOW



COLLEGE AVE. 3025 | PRINCE ST. 2700

JUNE 21_7:47 AM

EXISTING SHADOW | NEW SHADOW

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PRINCE

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BERKELEY CA 94705
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ZAB MEETING	03	09.12.2024

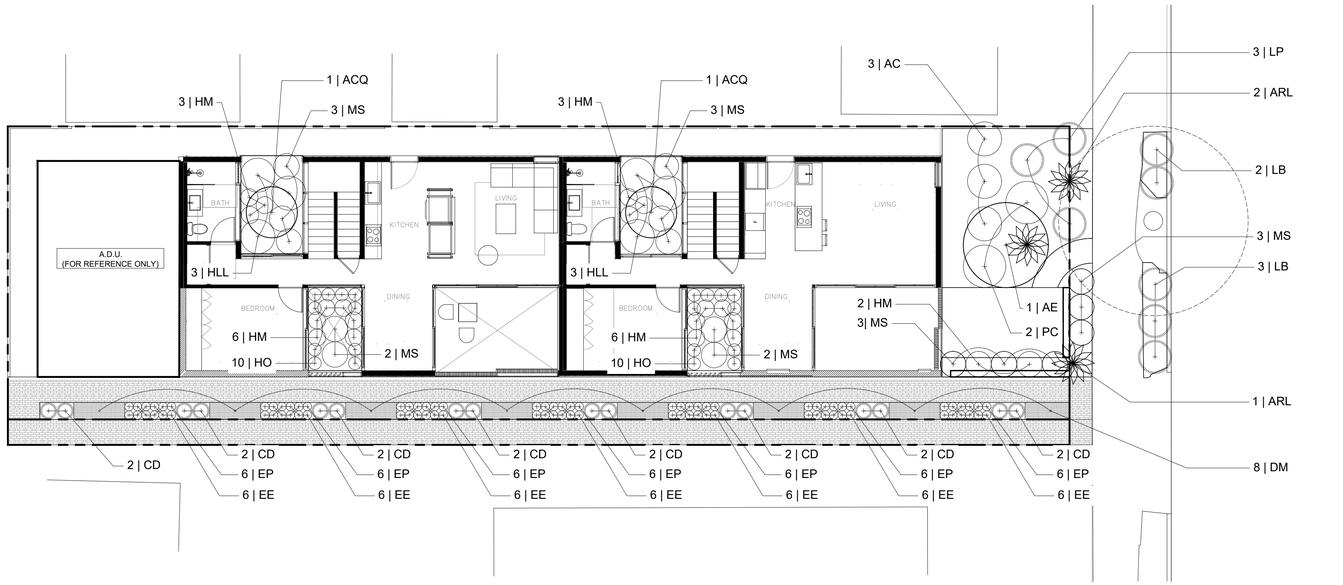
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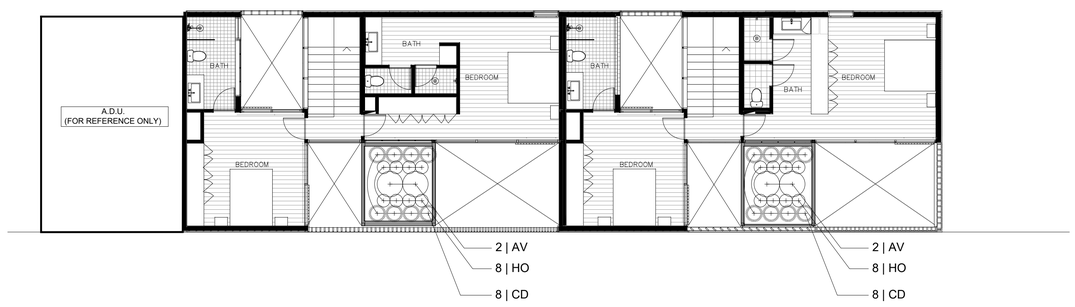
R04

SHADOW STUDY - NEIGHBORS ELEVATIONS

SHEET # 14 OF 21



GROUND FLOOR PLANTING PLAN
1/8"=1'-0"



SECOND FLOOR PLANTING PLAN
1/8"=1'-0"

PLANS APPROVED BY ZONING ADJUSTMENTS BOARD

SIGNATURE

September 12, 2024
DATE

* Findings and Conditions

I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE PRESCRIPTIVE COMPLIANCE OPTION TO THE MWELO

TOTAL LANDSCAPE AREA: 1,403 SF
TOTAL LAWN AREA: 0 SF

TOTAL PLANTS WITH WULCOLS PLANT FACTOR <=0.3: **(88%)**

costello kennedy
LANDSCAPE ARCHITECTURE
16 de la Guerra Road San Rafael, CA 94903
ph:415-479-7552 www.costellokennedy.com

THESE PLANS ARE CONSIDERED PRELIMINARY AND NOT FOR CONSTRUCTION UNLESS THEY BEAR THE ARCHITECT'S SEAL AND WET SIGNATURE ALONG WITH THE GOVERNING AGENCY'S REVIEW SEAL OF APPROVAL AND WET SIGNATURE. **COSTELLO KENNEDY LANDSCAPE ARCHITECTURE** EXPRESSLY RESERVES COMMON LAW COPYRIGHT AND OTHER PROPRIETARY RIGHTS TO ALL DESIGNS AND INFORMATION IN THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY,WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION OF **COSTELLO KENNEDY** LANDSCAPE ARCHITECTURE.

PRINCE STREET TOWNHOMES
2708 PRINCE STREET
BERKELEY, CA 94705

revisions:

LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
No. 5986
08-25-2024
STATE OF CALIFORNIA

LANDSCAPE PLAN
08-25-2024
AS NOTED
L1.0

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	TYPE	QU	SIZE	HEIGHT X WIDTH	WATER USE
ACC	ACER 'CRIMSON QUEEN'	DWARF JAPANESE MAPLE	TREE	2	24" BOX	10'X10'	M
AI	ACACIA ITEAPHYLLA	ELDERBERRY	TREE	1	15 GAL - MULTI	10'X10'	L
AC	ACACIA 'COUSIN ITT'	RIVER WATTLE	SHRUB	3	5 GAL	4'X4'	L
ARL	AGAVE ATTENUATA 'RAY OF LIGHT'	FOX TAIL AGAVE	SUCCULENT	3	5 GAL	4'X4'	L
LP	LOMANDRA 'PLATINUM BEAUTY'	VARIEGATED MAT RUSH	GRASS	3	1 GAL	4'X4'	L
LB	LOMANDRA 'BREEZE'	MAT RUSH	GRASS	5	1 GAL	4'X4'	L
PC	PLECTRANTHUS CILIATUS 'DREDGE'	SPUR FLOWER	GROUNDCOVER	2	5 GAL	1.5'X5'	L
AV	ASPIDISTRA ELIATOR 'VARIEGATA'	CAST IRON PLANT	SHRUB	10	5 GAL	3'X3'	L
MS	MAHONIA 'SOFT CARESS'	OREGON GRAPE	SHRUB	16	5 GAL	3'X3'	L
HLL	HYDRANGEA PANICULATA 'LITTLE LIME'	HARDY HYDRANGEA	SHRUB	3	5 GAL	4'X4'	M
CD	CAREX DIVULSA	BERKELEY SEDGE	GRASS	34	1 GAL	2'X2'	L
HM	HELLEBORUS 'MOLLY'S WHITE'	LENTEN ROSE	PERENNIAL	20	1 GAL	2'X2'	L
HO	HEUCHERA 'OBSIDIAN'	CORAL BELLS	PERENNIAL	36	4" POT	1.5'X1.5'	L
EE	ECHEVERIA ELEGANS	HEN AND CHICKS	SUCCULENT	36	4" POT	6"X12"	L
EP	ECHEVERIA 'PURL VON NURNBERG'	HEN AND CHICKS	SUCCULENT	36	4" POT	12"X12"	L
DM	DYMONDIA MARGARETAE	DYMONDIA	GROUNDCOVER	8	LANDSCAPE FLAT**	FLAT	L
**	LANDSCAPE FLAT TO BE CUT INTO 16 PIECES AND SPACED 12" OC						

PLANT IMAGES


Acer 'Crimson Queen'


Acacia iteaphylla


Acacia 'Cousin Itt'


Agave attenuata' ray of Light'


Lomandra 'Platinum Beauty'


Plectranthus ciliatus 'Dredge'


Aspidistra 'Variegata'


Mahonia 'Soft Caress'

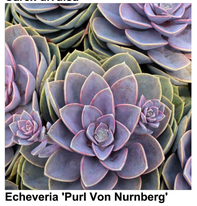

Hydrangea 'Little Lime'


Carex divulsa


Helleborus 'Molly's White'


Heuchera 'Obsidian'


Echeveria elegans


Echeveria 'Purl Von Nurnberg'


Dymondia

PLANS APPROVED BY ZONING ADJUSTMENTS BOARD

SIGNATURE

September 12, 2024
DATE

* Findings and Conditions

I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE PRESCRIPTIVE COMPLIANCE OPTION TO THE MWELO

TOTAL LANDSCAPE AREA: 1,403 SF
TOTAL LAWN AREA: 0 SF

TOTAL PLANTS WITH WULCOLS PLANT FACTOR <=0.3: **(88%)**

costello kennedy
LANDSCAPE ARCHITECTURE
16 de la Guerra Road San Rafael, CA 94903
ph:415-479-7552 www.costellokennedy.com

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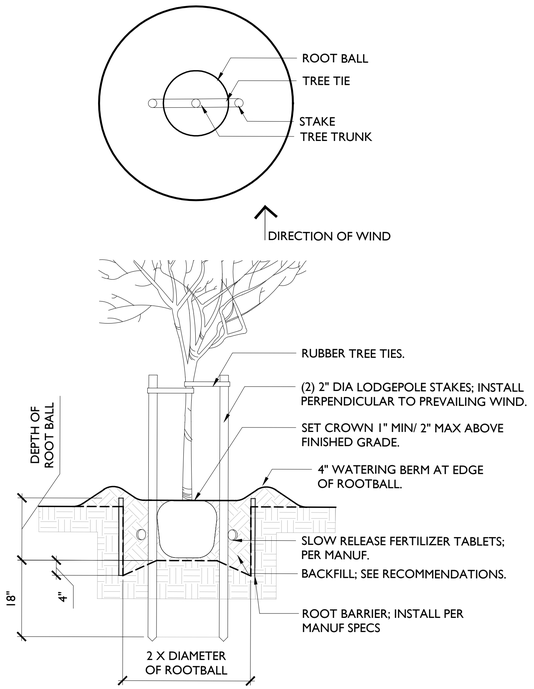
PRINCE STREET TOWNHOMES
2708 PRINCE STREET
BERKELEY, CA 94705

revisions:

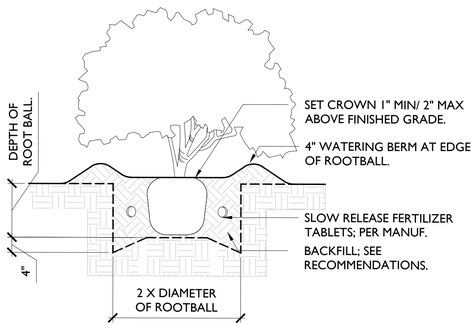
LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
08-25-2024
STATE OF CALIFORNIA

PLANT SCHEDULE

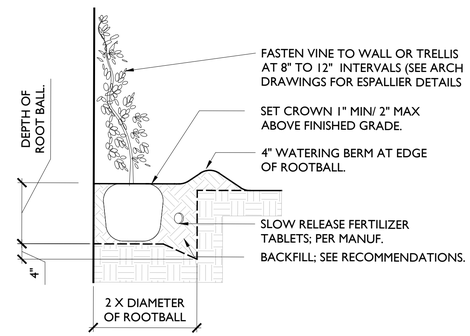
date: 08-25-2024
scale: AS NOTED
sheet: L1.1



1 TREE PLANTING
NO SCALE



2 SHRUB PLANTING
NO SCALE



3 VINE PLANTING DETAIL
NO SCALE

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BERKELEY, CA 94705

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LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
08-25-2024
STATE OF CALIFORNIA

PLANTING NOTES AND DETAILS

date: 08-25-2024
scale: AS NOTED
sheet: L1.2

PLANTING NOTES

1. SEE COMPLETE SPECIFICATIONS MANUAL THAT HAS BEEN CREATED FOR THIS JOB FOR ADDITIONAL NOTES AND REQUIREMENTS. REPORT ANY DISCREPANCIES TO LANDSCAPE ARCHITECT.
2. EXAMINE SITE OF PROPOSED WORK NOTING EXISTING CONDITIONS AND THE PROPOSED PLANTING AS SHOWN ON THE PLAN. ALERT LANDSCAPE ARCHITECT OF DISCREPANCIES.
3. ALL WORK SHALL BE IN STRICT ACCORDANCE WITH SOUND NURSERY PRACTICE AND SHALL INCLUDE MAINTENANCE AND WATERING OF ALL MATERIALS INSTALLED IN THIS CONTRACT UNTIL FINAL ACCEPTANCE BY CLIENT OR LANDSCAPE ARCHITECT.
4. ALL PLANTS SHALL BE NURSERY GROWN, AND SHALL BE IN ACCORDANCE WITH THE AMERICAN NURSERYMEN ASSOCIATION STANDARDS IN ALL WAYS (SEE AMERICAN STANDARD FOR NURSERY STOCK SPONSORED BY AMERICAN ASSOCIATION OF NURSERYMEN, INC, CURRENT EDITION).
5. ALL PLANTS TO BE REVIEWED BY LANDSCAPE ARCHITECT FOR VARIETY, SIZE AND CONDITION PRIOR TO INSTALLATION.
6. PLANT LIST IS FOR CONTRACTOR CONVENIENCE ONLY, VERIFY PLANT QUANTITIES WITH THE PLAN.
7. SUBMIT THE FOLLOWING TO THE LANDSCAPE ARCHITECT FOR APPROVAL BEFORE DELIVERY: SAMPLES AND CERTIFIED ANALYSES OF FERTILIZER, MINERALS AND SOIL AMENDMENTS, STATING SOURCE, PHYSICAL/CHEMICAL COMPOSITION AND QUANTITY AVAILABLE.
8. CONTRACTOR TO EXERCISE DUE CARE WHEN EXCAVATING WITHIN THE ROOT ZONE OF EXISTING VEGETATION TO REMAIN. ALL EXCAVATION WITHIN THIS ZONE SHALL BE PERFORMED WITH HAND TOOLS. SEE ARBORIST REPORT FOR ADDITIONAL REQUIREMENTS AROUND EXISTING TREES.
9. IN THE EVENT THAT UNDERGROUND CONSTRUCTION WORK OR OBSTRUCTIONS ARE ENCOUNTERED IN ANY PLANT PIT EXCAVATION WORK TO BE DONE, ALTERNATE LOCATIONS MAY BE SELECTED BY CLIENT OR LANDSCAPE ARCHITECT. WHERE THESE LOCATIONS CANNOT BE CHANGED, REMOVE THE OBSTRUCTION TO A DEPTH OF NOT LESS THAN THREE (3) FEET BELOW GRADE AND NO LESS THAN SIX (6) INCHES BELOW BOTTOM OF BALL OR ROOTS WHEN PLANT IS PROPERLY SET AT THE REQUIRED GRADE. CONTACT LANDSCAPE ARCHITECT IMMEDIATELY FOR A RESOLUTION BEFORE CONTINUING WORK IN THAT AREA.
10. ALL PLANTING AREAS SHALL BE CLEANED AND WEEDED WITH ALL SURFACE DEBRIS CONSTRUCTION DEBRIS, CONTAMINANTS, BASEROCK LAYERS, AND STONES LARGER THAN ONE INCH IN DIAMETER TO BE REMOVED FROM SITE.
11. TO ESTABLISH PROPER SOIL FERTILITY AND TEXTURE PROVIDE SOIL SAMPLES (ONE PER 10,000 SQUARE FEET LANDSCAPED AREA AND ONE PER 50 CUBIC YARDS OF IMPORTED TOPSOIL) TO A CERTIFIED SOIL TESTING LABORATORY. TEST FOR SOIL FERTILITY, DRAINAGE, AND TEXTURE AND PROVIDE AMENDMENT AND FERTILIZER RECOMMENDED FOR ALL AREAS TO BE PLANTED. CONTRACTOR SHALL REVIEW TEST RESULTS WITH THE LANDSCAPE ARCHITECT AND WILL AMEND SOIL AND PLANTER BACKFILL AS SPECIFIED BY THE TESTING LAB.
12. PRIOR TO AMENDING SOIL, CONTRACTOR SHALL DIG SEVERAL PLANT PITS AND FILL WITH WATER TO TEST FOR DRAINAGE. IF WATER DOES NOT DRAIN WITHIN 24 HOURS, PROVIDE METHODS TO IMPROVE DRAINAGE FOR REVIEW BY LANDSCAPE ARCHITECT.
13. AMEND SOIL IN PLANTING AREAS BY APPLYING FOUR (4) CUBIC YARDS OF COMPOST/ 1,000 SF TO A DEPTH OF (6) INCHES INTO LANDSCAPE AREAS (UNLESS CONTRA-INDICATED BY A SOILS TEST). THIS SHALL BE DONE IN TWO EQUAL LAYERS TO INSURE AN EVEN DISTRIBUTION TO THE PROPER DEPTH.
14. REMAINING SOIL PREPARATION SHALL BE ON A PER PLANT BASIS ACCORDING TO PLANTING DETAILS AND SPECIFICATIONS.
15. WHEREVER TOPSOIL IS REQUIRED TO RAISE GRADE TO FINISHED ELEVATIONS, CONTRACTOR SHALL USE ONLY HIGH QUALITY TOPSOIL TO BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION. INSTALL TOPSOIL AS FOLLOWS:
    a. RIP SUBSURFACE AS PREVIOUSLY DESCRIBED
    b. LAY DOWN 4" OF TOPSOIL AND ROTOTILL INTO 4" OF RIPPED SUBGRADE
    c. LAY DOWN REMAINING TOPSOIL
16. FERTILIZER: DROP FERTILIZER TABLETS (AGRIFORM 20-10-5 NPK, OR EQUAL) ALONGSIDE ROOTBALL WHEN BACKFILL IS TWO-THIRDS IN PLACE, ACCORDING TO THE FOLLOWING SCHEDULE.

1 GALLON	2 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
5 GALLON	3 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
15 GALLON	5 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
24" BOX	8 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
36" BOX	12 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
48" BOX	16 TABS	(21 GRAM AGRIFORM PLANT TABLETS)
60" BOX	20 TABS	(21 GRAM AGRIFORM PLANT TABLETS)

FOR 4" POTS AND CELL-PACKS, USE OSMOCOTE 18-6-12 FORMULA AT THE MANUFACTURER'S RECOMMENDED APPLICATION RATE, SPREAD EVENLY THROUGHOUT THE PLANTING AREA.

17. ALL PLANTS SHALL BE PLACED IN THE LOCATIONS SHOWN ON THE PLANTING PLAN AND THE APPROVAL OF THE LANDSCAPE ARCHITECT AND CLIENT SHALL BE OBTAINED PRIOR TO PLANTING. THE LANDSCAPE ARCHITECT SHOULD BE INFORMED SEVEN (7)DAYS IN ADVANCE OF PLANTING.
18. PLANT AND STAKE ALL TREES AND SHRUBS PER PLANTING DETAILS. PLANT CROWN TO BE THREE (3) INCHES ABOVE GRADE FOR ALL SHRUBS AND TREES.
19. INSTALL THREE (3) INCH LAYER OF APPROVED MULCH IN ALL PLANTING AREAS EXCEPT IN TURF AREAS, CREEPING OR ROOTING GROUND COVERS, OR DIRECT SEEDING APPLICATIONS WHERE MUCH IS CONTRA-INDICATED. SUBMIT SAMPLE FOR LANDSCAPE ARCHITECT'S APPROVAL PRIOR TO DELIVERY OF MULCH TO JOB SITE.
20. APPLY WEED BARRIER FABRIC TO ALL PLANTING BEDS BELOW MULCH.
21. PLANTS SHALL BE WATERED TWO TIMES, THOROUGHLY, BY HAND IMMEDIATELY AFTER PLANTING. PLANTS DAMAGED FROM WATER STRESS BEFORE OR AFTER PLANTING WILL NOT BE ACCEPTED.
22. CONTRACTOR TO BE RESPONSIBLE FOR ALL FINISH GRADES IN PLANTING AREAS AND FOR ANY FINE GRADING REQUIRED FOR SURFACE DRAINAGE AND UNIFORMITY TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT.
23. CONTRACTOR TO GUARANTEE ALL PLANT MATERIAL PER SPECIFICATION PACKAGE.
24. ALL POTS TO HAVE A DEDICATED IRRIGATION RISER TIED INTO AUTOMATIC IRRIGATION SYSTEM, AND HAVE A DEDICATED DRAINLINE TIED INTO STORM DRAINAGE SYSTEM.
25. INSTALL LINEAR ROOT BARRIER 24" DEEP WHERE TREES ARE WITHIN 5' OF PAVEMENT

IRRIGATON NOTES

1. IRRIGATION TO BE DESIGN BUILD AND BE AN AUTOMATIC DRIP IRRIGATION SYSTEM
2. AUTOMATIC IRRIGATION CONTROLLERS ARE REQUIRED AND MUST USE EVAPOTRANSPIRATION OR SOIL MOISTURE SENSOR DATA AND PROVIDE A RAIN SENSOR WHOSE SIGNAL IS COMPATIBLE WITH THE MASTER CONTROL VALVE
3. IRRIGATION CONTROLLERS SHALL BE OF A TYPE WHICH DOES NOT LOSE PROGRAMMING DATA IN THE EVENT THE PRIMARY POWER SOURCE IS INTERRUPTED.
4. PRESSURE REGULATORS SHALL BE INSTALLED ON THE IRRIGATION SYSTEM TO ENSURE THE DYNAMIC PRESSURE OF THE SYSTEM IS WITHIN THE MANUFACTURERS RECOMMENDED PRESSURE RANGE.
5. MANUAL SHUT-OFF VALVES (SUCH AS A GATE VALVE, BALL VALVE, OR BUTTERFLY VALVE) SHALL BE INSTALLED AS CLOSE AS POSSIBLE TO THE POINT OF CONNECTION OF THE WATER SUPPLY.
6. ALL IRRIGATION EMISSION DEVICES MUST MEET THE REQUIREMENTS SET IN THE ANSI STANDARD, ASABE/ICC 802-2014. "LANDSCAPE IRRIGATION SPRINKLER AND EMITTER STANDARD," ALL SPRINKLER HEADS INSTALLED IN THE LANDSCAPE MUST DOCUMENT A DISTRIBUTION UNIFORMITY LOW QUARTER OF 0.65 OR HIGHER USING THE PROTOCOL DEFINED IN ASABE/ICC 802-2014.
7. AREAS LESS THAN TEN (10) FEET IN WIDTH IN ANY DIRECTION SHALL BE IRRIGATED WITH SUBSURFACE IRRIGATION OR OTHER MEANS THAT PRODUCES NO RUNOFF OR OVERSPRAY
8. FOR NON-RESIDENTIAL PROJECTS WITH LANDSCAPE AREAS OF 1,000 SQ. FT. OR MORE, A PRIVATE SUBMETER(S) TO MEASURE LANDSCAPE WATER USE SHALL BE INSTALLED

PLANS APPROVED BY ZONING ADJUSTMENTS BOARD

SIGNATURE — DATE: September 12, 2024

* Findings and Conditions

costello kennedy
LANDSCAPE ARCHITECTURE
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ph:415-479-7552 www.costellokennedy.com

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PRINCE STREET TOWNHOMES
2708 PRINCE STREET
BERKELEY, CA 94705

revisions:

LICENSED LANDSCAPE ARCHITECT — MATTHEW A. KENNEDY — 06-25-2024 — STATE OF CALIFORNIA

PLANTING NOTES AND DETAILS

date: 08-25-2024
scale: AS NOTED
sheet: L1.3

2708 PRINCE STREET
MWELO PRESCRIPTIVE COMPLIANCE CHECKLIST

ITEM	NOTES
LANDSCAPE DESIGN PLAN	
1. Attach a landscape plan indicating the following:	SEE PLANTING PLANS ON SHEET L1.0
a. Turf areas	NA
b. High water use planting areas	NA
c. Moderate water use planting areas	12% LANDSCAPE AREA
d. Low water use planting areas	88% LANDSCAPE AREA
e. Water features including swimming pools	NA
f. Edible planting areas	NA
g. Areas irrigated with recycled water	NA
SOIL	
1. Incorporate compost at a rate of at least 4 cubic yards per 1,000 square feet to a depth of 6 inches into the landscape area (unless contra-indicated by a soil test).	SEE PLANTING NOTE 13 ON SHEET L1.3
This project will apply **5.61** cubic yards of compost	
2. A minimum 3-inch layer of recycled mulch shall be applied on all exposed soil surfaces of planting areas except turf areas, or direct seeding applications where mulch is contra-indicated	SEE PLANTING NOTE 19 ON SHEET L1.3
PLANTS	
1. Plant material shall comply with the following:	
a. Residential projects only:	
I. 75% of landscape area shall consist of plants that use little or no summerwater (WUCOLS plant factor of 0.3 or lower), excluding edibles or areasusing recycled water.	SEE PLANT SCHEDULE ON SHEET L1.1
II. No more than 25% of the landscape area will be planted with high waterusing plants	SEE PLANT SCHEDULE ON SHEET L1.1
b. Non-residential projects only :	
I. 100% of the landscape area shall consist of plants that use little or nosummer water (WUCOLS plant factor of 0.3 or lower), excluding edibles or areas using recycled water	NA
c. No invasive plants are planted. No plant species listed by the California Invasive Plant Council's "Don't Plant a Pest" brochure as invasive in the San Francisco Bay Area shall be planted.	NA
2. The use of turf shall comply with all of the following:	
a. In nonresidential areas, turf is not used	NA
b. In residential areas:	
I. Turf, high water use plants, and water features shall, combined, notexceed 25% of the landscape area	NO TURF IS SPECIFIED
II. Turf shall not be planted on slopes which exceed a slope of 1 foot verticalelevation change for every 4 feet or horizontal length	NO TURF IS SPECIFIED
III. Turf is prohibited in parkways less than 10 feet wide. Exception: Parkwayis adjacent to a parking strip and used to exit and enter vehicles AND turf is irrigated with subsurface irrigation	NO TURF IS SPECIFIED
WUCOLS plants database can be found online at: http://ucanr.edu/sites/WUCOLS/	
"Don't Plant a Pest" brochure can be found at http://cal-ipc.org/landscaping/dpp/	
IRRIGATION	
1. Automatic irrigation controllers are required and must use evapotranspiration or soil moisture data and utilize a rain sensor.	SEE IRRIGATION NOTES ON SHEET L1.3
2. Irrigation controllers should be the type which does not lose programming data in the event the primary power source is interrupted	SEE IRRIGATION NOTES ON SHEET L1.3
3. Pressure regulators are installed on the irrigation system to ensure dynamic pressure of the components are within the manufacturer's recommended pressure range.	SEE IRRIGATION NOTES ON SHEET L1.3
4. Manual-shut-off valves (such as gate, ball or butterfly valves) are installed as close as possible to the point of connection of the water supply.	SEE IRRIGATION NOTES ON SHEET L1.3
5. All irrigation emission devices must meet the requirements set in the ANSIstandard ASABE/ICC 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard." All sprinkler heads installed must have a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.	SEE IRRIGATION NOTES ON SHEET L1.3
6. Areas less than 10 feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.	SEE IRRIGATION NOTES ON SHEET L1.4
7. For non-residential projects with landscape areas of 1,000 sf or more, a private submeter(s) to measure landscape water use shall be installed.	NA

I certify the above information and agree to comply with these Prescriptive Compliance requirements for the Water Efficient Landscape Plan Review.

Applicant Signature : _____

Matthew Kennedy, Costello Kennedy Landscape Architecture

Date: 8-25-2024

PROJECT NAME:	**2708 PRINCE STREET**
PROJECT ADDRESS:	2708 PRINCE STREET
PREPARED BY:	Matthew Kennedy Costello Kennedy Landscape Architecture 16 De La Guerra Rd San Rafael, CA 94903 415-479-7552 costellokennedy@gmail.com
	"I agree to comply with the requirements of the prescriptive compliance option to the MWELO"
	Signed:

PART ONE	**MAXIMUM APPLIED WATER ALLOWANCE (MAWA)**	
		MAWA = Eto x .62 x [(ETAF x HA) + ((1-ETAF) X SLA)]
	Yearly Eto	41.8
	CONVERSION FACTOR	0.62
	ETAF	0.45
	TOTAL IRRIGATED LANDSCAPE AREA	1,403 SQUARE FEET
	SPECIAL LANDSCAPE AREA (SLA)	0 SQUARE FEET
	LANDSCAPE WATER ALLOWANCE	**16,362 GALLONS PER YEAR**
	TOTAL ACRE FEET	0.05 ACRE FEET
PART TWO	**ESTIMATED TOTAL WATER USE (ETWU)**	
	*AVERAGE ETAF AND ETWU CALCULATED PER WATER EFFICIENT LANDSCAPE WORKSHEET	
	AVERAGE ETAF FOR REGULAR LANDSCAPE AREAS (TOTAL ETAF X AREA / TOTAL AREA)	0.26
	ETWU FOR REGULAR LANDSCAPE AREAS	**14,548 GALLONS PER YEAR**
	SITE WIDE ETAF	0.26
	ETWU FOR ALL LANDSCAPE AREAS	**14,548 GALLONS PER YEAR**
	TOTAL ACRE FEET	0.04 ACRE FEET

2708 PRINCE STREET
PRELIMINARY WATER EFFICIENT LANDSCAPE WORKSHEET

Reference Evapotranspiration (Eto) **41.8**

ZONE NO.	PLANT TYPE	HYDROZONE * (PLANT WATER USE)	PLANT FACTOR	IRRIGATION METHOD **	IRRIGATION EFFICIENCY (IE)	ETAF (PF/IE)	HYDROZONE AREA (square feet) (HA)	ETAF x HA	ESTIMATED TOTAL WATER USE (ETWU)	% LANDSCAPE AREA
REGULAR LANDSCAPE AREA										
1	TREES	MW	0.5	DRIP	0.81	0.405	16	6	256	1%
2	SHRUBS	MW	0.5	DRIP	0.81	0.405	153	62	2,448	11%
3	TREES	LW	0.3	DRIP	0.81	0.243	16	4	154	1%
4	SHRUBS	LW	0.3	DRIP	0.81	0.243	787	191	7,554	56%
5	GROUNDCOVERS	LW	0.3	DRIP	0.81	0.243	243	59	2,332	17%
6	ROOFDECK	LW	0.3	DRIP	0.81	0.243	188	46	1,805	13%
TOTALS (REGULAR LANDSCAPE AREAS)							1,403	368	14,548	100%
SPECIAL LANDSCAPE AREA										
NA	NA	NA	NA	NA	NA	1	0	0	0	0%
TOTALS (SPECIAL LANDSCAPE AREAS)							**0**	**0**	**0**	**0%**

HYDROZONE SUMMARY

Hydrozone Description *	Total Square Feet	% of Landscape
Cool Season Turf (CST)	0	0%
Warm Season Turf (WST)	0	0%
High Water Use Plants (HW)	0	0%
Bioretention Plants (BR)	0	0%
Medium Water Use Plants (MW)	169	12%
Low Water Use Plants (LW)	1,234	88%
Very Low Water Use Plants (VLW)	0	0%
Water Feature	0	0%
Special Landscape Area (SLA)	0	0%
TOTAL	**1,403**	**100%**

Irrigation Method **	Total Square Feet	% of Landscape
Rotor (FC-R, PC-R)	0	0%
Multi-Stream Rotor (MR)	0	0%
Spray (S)	0	0%
Bubbler (B)	0	0%
Drip (D)	1,403	100%
In-Line Drip (DL)	0	0%
Micro Spray (MS)	0	0%
Other (O)	0	0%
TOTAL	**1,403**	**100%**

PLANS APPROVED BY ZONING ADJUSTMENTS BOARD

SIGNATURE

September 12, 2024
DATE

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BERKELEY, CA 94705

revisions:

LICENSED LANDSCAPE ARCHITECT
MATTHEW A. KENNEDY
08-25-2024
STATE OF CALIFORNIA

MWELO CHECKLIST CALCS

date: 08-25-2024

scale: AS NOTED

sheet: L1.4

RENA RICKLES
ATTORNEY AT LAW

1970 BROADWAY, SUITE 1100
OAKLAND, CA 94612
TEL: (510) 452-1600 • FAX: (510) 451-4115

CITY OF BERKELEY - CITY CLERK
2024 SEP 30 AM8:34

October 1, 2024

Mayor Jesse Arreguin
Councilmembers City of Berkeley
2180 Milvia Street
Berkeley, CA 94704
Via hand delivery: Berkeley City Clerk 2180 Milvia Street, first floor

Re: 2708 Prince Street, Appeal from ZAB decision; failure to consider design modifications to a housing 'project' that would reduce detriment but would not reduce density.

Dear Mayor Arreguin and Berkeley City Councilmembers:

This office represents Sheila Moran and Robert Riemer ("Riemer" or "Riemers") who live directly to the west of the proposed project. The west elevation of the project as designed would block out their morning sun, and create a 24' high solid wall, 89' long, which would loom over the most of their home and entire rear yard. They made a modest request: modify the solid wall with cutouts that would admit sunshine and break up the overbearing nature of the wall. These modifications could be made without reducing the size or density of the proposed property.

The ZAB rejected their request on the grounds that SB 330 Housing Accountability Act did not allow for considerations of detriment on a housing project, and, that design before them did not show detriment. A decision that in this case was incorrect as a matter of fact and law.

On behalf of the Riemers, I am appealing on the following general grounds:

- The evidence does not support the findings;
- As such, the findings do not support the decision; and
- Acting as it did the ZAB acted in excess of or without jurisdiction.

Mistake in Fact: Material Inconsistencies Between the Project Design as Presented by Staff and That Presented by Applicant and their Architect Witness at the Hearing.

The Riemers' objection to the project's design was directed at the western elevation's looming, 24' high, unbroken 89' long wall, 3.25' from the property line. (110' feet when the ADU is added) All they asked for was to have cut outs in that wall (similar to the cut-outs on Applicant's eastern elevation) that would allow a break in the massing and allow for the passage of some light.

The drawings in the packet showed zero light coming from the proposed project—a solid wall, a fact confirmed by the shadow study. The drawings provided by

Applicant in their response to our letter, showed wall light coming through the side screening onto the Riemers house and yard. If this drawing by Applicant is correct, the shadow study is not and vice versa. The drawings upon which Mr. Trachtenberg commented showed breaks between the units and between the units and the proposed ADU.[1]

Mistake in law: ZAB Members (incorrectly) Accused the Riemers of not Mentioning/Considering SB 330[2], by Asking the ZAB to Consider detriment When That Consideration would not result in a Reduction in Density.

The Riemer's request was for minor modifications in the proposed design which would not decrease the project's density. The Housing Accountability Act ("HAA") does not prohibit design modifications that do not decrease density, nor modifications that do not make the project economically infeasible. The Riemer's design modification requests could not reasonably be interpreted to be economically infeasible. Therefore, statements by ZAB members to the effect that we should have included discussion of the HAA were erroneous as a matter of law.

The Housing Accountability Act does not preclude consideration of detriment when considering a housing project that requires a Use Permit.

Applicant's proposal to build a new duplex requires a Use Permit. Granting of a Use Permit under Berkeley's Zoning Law demands a finding of "non-detriment." Berkeley's Zoning Ordinances require a Use Permit for a new single-family house. There is no rationale to support a legal conclusion that the findings of non-detriment should not be applied to a new multi-unit structure.

Consulting with impacted neighbors during the application process has long been an inherent requirement for approval in Berkeley; to drop that requirement would constitute a major step backward in Berkeley's land use public policy.

The Planning Department's written instructions require working with adjacent neighbors. Here, Applicants admitted that they did not meet with the Riemer's to discuss their concerns. Instead, they made impact analysis based on their "calculations." The Riemers made three requests to the Applicant to meet at their home to consider design changes which would reduce the detrimental impact. Applicants declined every request.

Planning Denied the Riemer's Reasonable (and only) Request to Move th e Hearing to October. That Denial constituted de facto denial of their ability to participate in the hearing.

The Riemer's communicated their concern regarding the loss of light and air to Planning last spring and numerous times after. Planning emailed Robert Riemer

[1] Moreover, Mr. Trachtenberg wrote and testified that the project before you were essentially the same as his design at 2716 Prince. If that were the proposal the Riemers would not have objected.

[2] SB 330, the Housing Crisis Act/Housing Accounting Act Prohibits denying a housing project or approving it conditional on reduction of density. The two names will be used interchangeably.

that the ZAB hearing would be in August, Relying on that representation, Robert, made non-refundable reservations for three weeks in Spain from September 6-26. It was Applicant, not Staff that told the Riemers that the hearing date would be September 12. Robert immediately requested a short continuance to October 12 because and Sheila would have no reasonable ability to participate. Staff denied the request, stating Zoom access would allow participation.

Zoom under these circumstance was not participation: 1) the 9-hour time difference, meant attending @ 3:00 AM; 2) there was no internet connection at their tiny hotel; 3) the Zoom connection failed from my home in Oakland; and, 4) screen sharing is not allowed on Zoom calls which prevented either of us to provide drawings disputing Applicant's late submission allegations of non-detriment.

CONCLUSION

The Riemers need your help to obtain their very minimal ask: Some cut-outs in the 89' (110' with the ADU) solid wall confronting the back half of their home and entire back yard. These cut outs will allow some light and air flow to flow through and break up what is now a monotonous wall. And will not result in any reduction in density. In fact, Applicant made similar cuts for air flow and light on his eastern elevation.

Their repeated written requests to the Applicant were summarily dismissed. Their participation before ZAB was marred by their inability to physically appear and by technical failures of the Zoom connect. Perhaps if they had been able to appeal and participate the ZAB result would have been different.[3]

As set out above, the errors in fact and law during the hearing call out for Council intervention.

Finally, by granting this appeal the City Council can show that it will continue to require sensitive designs as it moves forward in its mission to address the housing crisis by significantly increasing the density in residential districts.

Very truly yours,

Rena Rickles

[3] In fact, Zoom technical issues prevented my participation on screen from Oakland, and the phone connection was almost as bad notwithstanding the above and beyond efforts from ZAB members to make it work.

City Clerk Department

October 4, 2024

Robert Riemer
3025 College Ave.
Berkeley, CA 94705

Rena Rickles
Attorney at Law
1970 Broadway, Suite 1100
Oakland, CA 94612

RE: 2708 Prince Street – Appeal ZAB Decision Use Permit #2024-0024

Dear Appellant:

This will acknowledge receipt of your appeal of the Zoning Adjustments Board decision of September 12, 2024, approving the following permits:

- Use Permit pursuant to Berkeley Municipal Code (BMC) Section 23.326.020(B) to demolish a dwelling unit
- Use Permit pursuant to BMC Section 23.202.020(A) to construct a two-family dwelling

Your appeal has been referred to the Planning Department.

The Planning Department will transmit to Council a statement setting forth the reasons for the Zoning Adjustments Board decision. This report, as well as a copy of the appeal, will appear on the Council agenda of **January 21, 2025**.

This meeting of the Council will commence at 6:00 p.m. and will be held in the School District Board Room located at 1231 Addison Street. The meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.

Pursuant to the City Council Rules of Procedure, this appeal will appear on the City Council's agenda as a public hearing. Time shall be provided for five-minute presentations each by the appellant and applicant. Where the appellant is not the applicant, the appellants collectively shall have five minutes to comment and the applicant shall have five minutes to comment. Where the appellant is the applicant, the

applicant/appellant shall have five minutes to comment and the persons supporting the action of the board or commission on appeal shall have five minutes to comment.

After the conclusion of the five-minute comment periods, members of the public may comment on the appeal pursuant to the Rules of Procedure in effect for the Council meeting.

The Council will then deliberate and determine to do one of three things: 1) continue the public hearing; 2) based on the record of the Council's consideration and hearing, reverse or affirm, wholly or partly, or modify any decision, determination, condition or requirement of the Board's original action; or 3) remand the matter to the Board to reconsider the application, or any revisions thereto submitted after the Board's action.

Communications to the City Council that are received by the City Clerk pursuant to the following deadlines will be accepted and distributed as follows:

Submission Deadline	**Distributed**	**Packet**
January 6, 2025, by 5:00 p.m. (Monday)	Twelve days before the meeting (Thursday)	Agenda Packet
January 14, 2025, by 5:00 p.m. (Tuesday)	Five days before the meeting (Thursday)	Supplemental 1
January 21, 2025, 12:00 p.m. (Tuesday)	By 5:00 pm the day of the meeting (Tuesday)	Supplemental 2

Communications should be submitted directly to the City Clerk to ensure receipt by all Councilmembers. Electronic communications may be submitted to council@berkeleyca.gov for immediate distribution to the Mayor, each City Councilmember, and the City Clerk for inclusion in the official record. Please note that for communications submitted in hardcopy, if the communication includes maps or photos or any other material not reproducible on a copy machine, fifteen copies should be provided to the City Clerk.

Please note that Berkeley's Lobbyist Registration Act (Berkeley Municipal Code Chapter 2.09) is effective beginning on January 1, 2020. Information and resources regarding the Lobbyist Registration Act are available from the City's website at: https://berkeleyca.gov/your-government/lobbyist-registration

If you have any additional questions regarding this matter, please do not hesitate to contact me at (510) 981-6908.

A copy of the staff report and a City Council agenda will be available from this office upon request after 4:00 p.m. on Thursday, January 9, 2025 or can be viewed on our website at: https://berkeleyca.gov/your-government/city-council/city-council-agendas.

Sincerely,

Mark Numainville
City Clerk

cc: Jordan Klein, Director of Planning
Anne Hersch, Land Use Planning Manager
Allison Riemer, Staff Planner
Farimah Brown, City Attorney
Jeff Svitak (Applicant)
Linda Joseph (Owner)

NOTICE CONCERNING YOUR LEGAL RIGHTS: If you object to a decision by the City Council to approve or deny an appeal, the following requirements and restrictions apply: 1) Pursuant to Code of Civil Procedure Section 1094.6 and Government Code Section 65009(c)(1)(E), no lawsuit challenging a City decision to deny or approve a Zoning Adjustments Board decision may be filed and served on the City more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) Pursuant to Government Code Section 66020(d)(1), 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. 3) In any lawsuit that may be filed against a City Council decision to approve or deny a Zoning Adjustments Board decision, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.