



ZONING ADJUSTMENTS BOARD – STAFF REPORT

FOR BOARD ACTION

MAY, 22, 2025

2660-2680 Bancroft Way

Use Permit #ZP2024-0029 to demolish the parking lot ancillary to the Bancroft Hotel at 2680 Bancroft Way to construct a 32,241 square-foot, 8-story (88 feet) multifamily building with 79 dwelling units (including 9 Very Low-Income units); and convert the City Landmark Bancroft Hotel (16,216 square feet) on the abutting lot at 2680 Bancroft Way to commercial offices, resulting in a 48,457 square-foot mixed-use project.

I. Background

A. Land Use Designations:

- General Plan: R-SMU (Residential Mixed-Use)
- Zoning District: R-SMU (Residential Southside Mixed-Use District)

B. Zoning Permits Required:¹

- Use Permit, under BMC Section 23.202.020(A) to construct a multifamily residential building;
- Use Permit, under BMC Section 23.202.140(E)(3) to increase the maximum height from 60 and 4 stories to 65 feet and 5 stories in the R-SMU District, Sub-Area 2;
- Administrative Use Permit, under BMC Section 23.202.140(E)(5), to increase lot coverage for a main building that contains dwelling units, contains group living accommodations, or is located north of Durant Avenue;
- Administrative Use Permit, under BMC Section 23.304.030(B)(2) to reduce the front, side, and rear setbacks on a lot with two or more main buildings with dwelling units;
- Administrative Use Permit, under BMC Section 23.304.050(A) to allow rooftop projections that exceed the district's height limit; and
- Administrative Use Permit, under BMC Section 23.304.080(A) to allow fences above

¹ ZP2024-0029 was vested on December 21, 2023, before the Southside plan's effective date, and is subject to the development standards and waivers that were in place at the time of vesting.

6 feet in height on a lot line or within a required setback.

C. Waivers and Pursuant to State Density Bonus Law (CA Gov't. Code Section 65915) applied to the proposed multifamily at 2660 Bancroft Way:²

- Waiver of BMC Section 23.202.140(E)(1), to allow the proposed building height to be 88 feet and eight stories where a maximum of 65 feet and 5 stories are allowed
- Waiver of BMC Section 23.202.140(E)(3) to reduce front, side, and rear setbacks for stories 1-3 as follows:
 - Rear setback-1st-3rd, Reduce the required 10-foot minimum setback to 5 feet.
 - Interior side setback-1st and 2nd stories, reduce the required 4-foot minimum to 5 feet.
 - Interior side setback-3rd story, reduce the required 6-foot minimum to 4 feet.
 - Interior side setback-4th story, reduce the required 8-foot minimum to 5 feet.
 - Rear setback-4th story, reduce the required 17-foot minimum setback to 5 feet.
- Waiver of BMC Section 23.202.140(E)(1), to reduce the minimum front, and reduce setbacks above 65 feet, 5 stories as follows:
 - Interior side setback-5th story, reduce the required 10-foot minimum to 5 feet.
 - Rear setback-5th story, reduce the required 19-foot minimum to 5 feet.
- Waiver of BMC Section 23.202.110(E)(2) to provide 2,160 square feet of Usable Open Space where 3,160 square feet is required
- Waiver of BMC Section BMC 23.304.090(B)(7) to provided 471 square feet of landscaped Usable Open Space where 1,264 square feet is required;
- Waiver of BMC Section 23.202.110(E)(2) to exceed the lot coverage maximum of 40% by building up to 73% coverage of the lot; and
- Waiver of BMC Section BMC Section 23.304.050(A) to allow rooftop projections to exceed 15% of average floor area.

D. Concessions Pursuant to State Density Bonus Law (CA Gov't. Code Section 65915): No concessions

A. CEQA Recommendation:

It is staff's recommendation to the Zoning Adjustments Board 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

² Ibid (footnote 1. on p.1)

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Regulations, Section 15000, et seq.) pursuant to CEQA Guidelines Section 15332 ("Class 32 Infill Exemption").

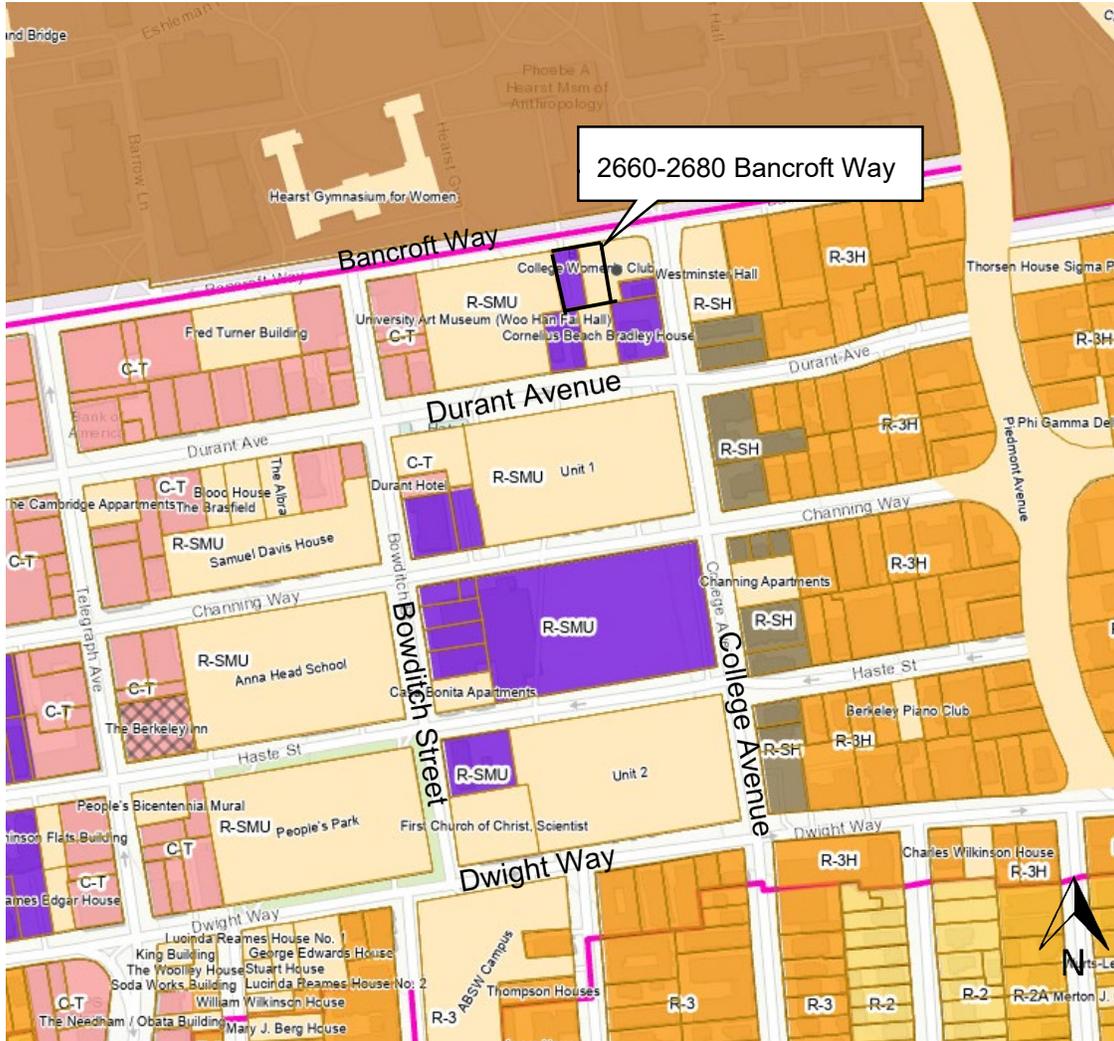
B. Project Recommendation:

Approval. The project is, on balance, consistent with the Zoning Ordinance and General Plan.

C. Parties Involved:

- Applicant/Property Owner: AMI, LLC, 2300 College Avenue, Berkeley, CA

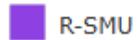
Figure 1: Vicinity and Zoning Districts Map



C-T Commercial Telegraph District



R-SMU-Residential Southside Mixed-Use District



Multiple-Family Residential District



R-2A Restricted Two-Family District



Southside Plan Area



Landmark/Structure of Merit

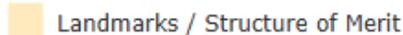
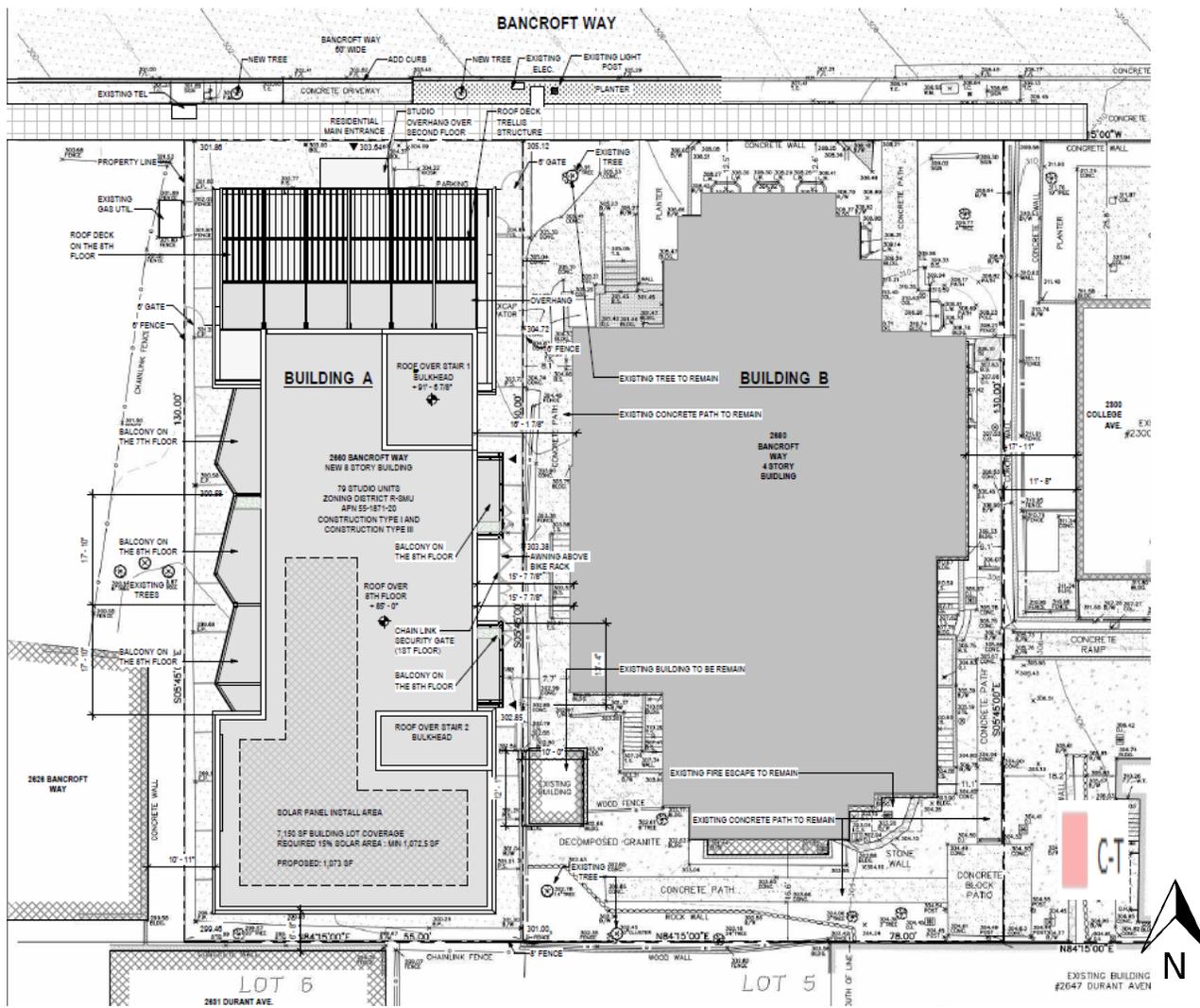


Figure 2: Site Plan



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Figure 3: Street Strip North Elevation of multifamily (right) and commercial (left) building



Figure 4: 2680 Bancroft Way West elevation (top image) and North elevation (bottom image)-No Changes proposed

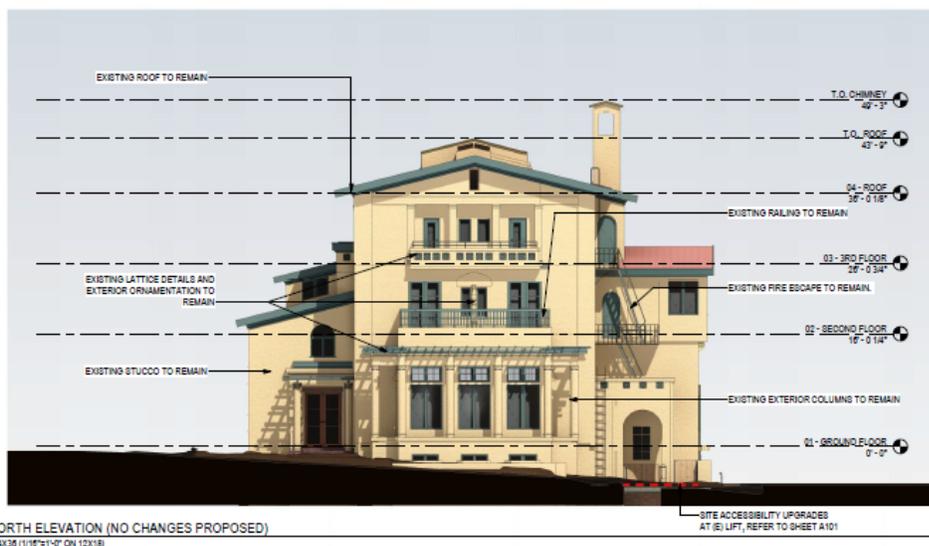
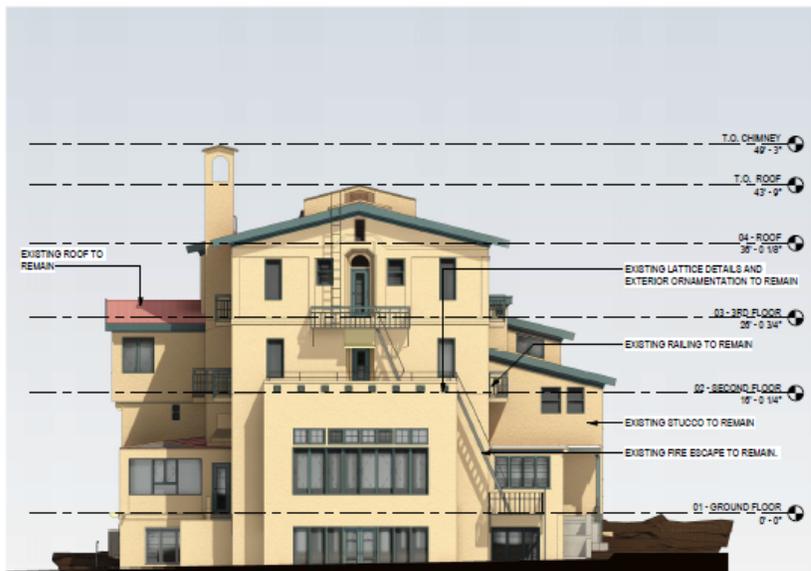


Figure 5: 2680 Bancroft Way East elevation (top image) and South elevation (bottom image)-No Changes proposed



2 EXISTING EAST ELEVATION (NO CHANGES PROPOSED)
 A205 1/8" = 1'-0" ON 24X36 (1/16"=1'-0" ON 12X18)



1 EXISTING SOUTH ELEVATION (NO CHANGES PROPOSED)
 A205 1/8" = 1'-0" ON 24X36 (1/16"=1'-0" ON 12X18)

Figure 6: 2660 Bancroft (Multifamily Building) North Elevation

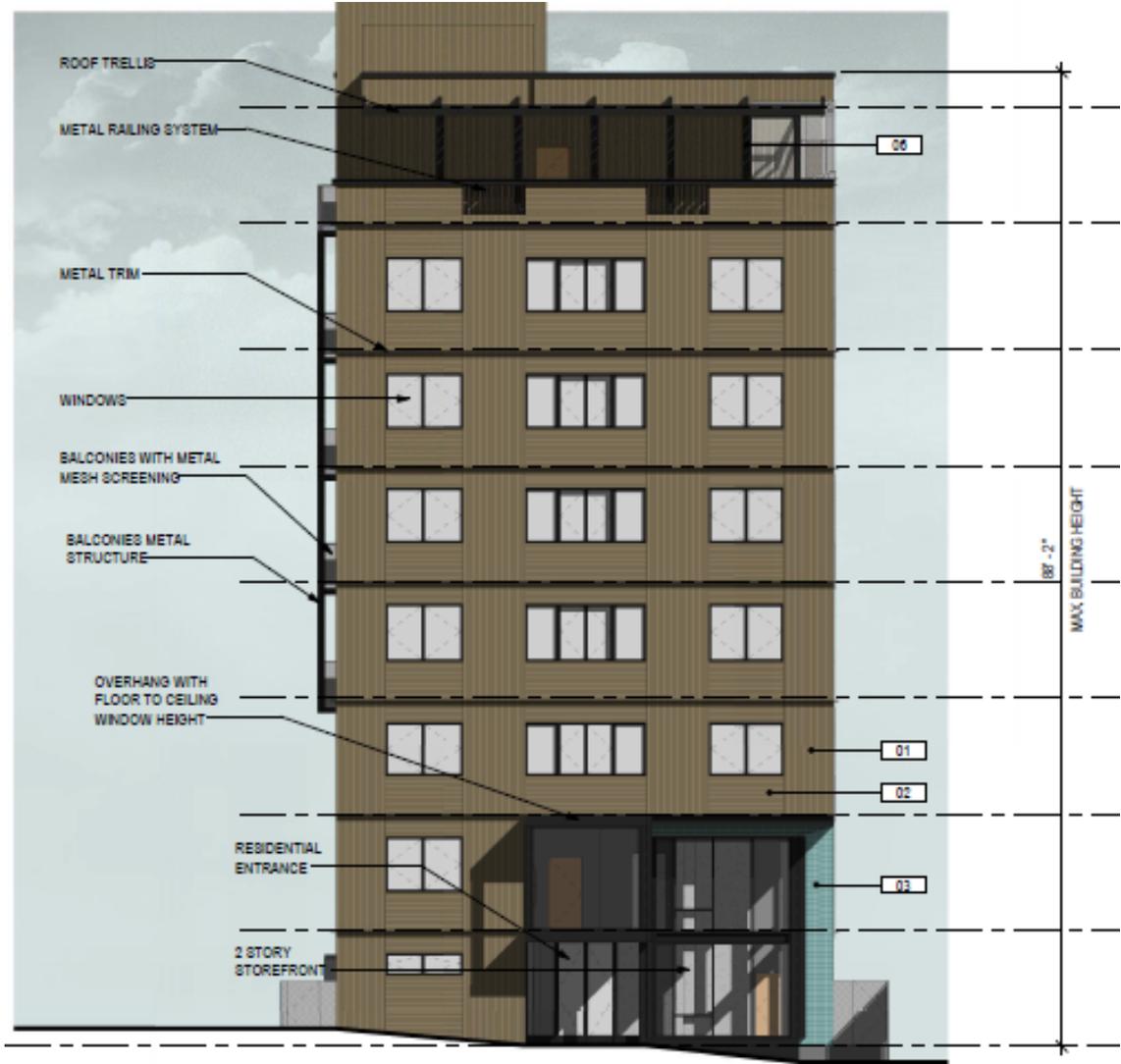


Figure 7: 2660 Bancroft Way (Multifamily Building) South Elevation



Figure 8: 2660 Bancroft Way (Multifamily Building) East Elevation



Figure 9: 2660 Bancroft Way (Multifamily Building) West Elevation



Table 1: Land Use Information

Location		Existing Use	Zoning District	General Plan Designation
Subject Property		Parking Lot	R-SMU	Residential Mixed-Use
Surrounding Properties	North	University of California	R-5H	Institutional
	South	Group Living Accommodation	R-SMU	Residential Mixed-Use
	East	Group Living Accommodation		
	West	Laboratory		

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 not construct new non-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)	Yes	The project is a housing development project, as defined in BMC 23.328.020 ^a , and would provide at least 20 percent of residential units, pay an in-lieu fee based on the residential unit floor area of the project, or a combination. The project would provide 9 Below Market Rate (BMR) units (Very Low-Income (VLI) rate) and would be required to pay an in-lieu fee to satisfy the remainder of the requirement.
Bird Safe Buildings (BMC Section 23.304.150)	Yes	The project is subject to these requirements because the project was vested under SB330 on December 23, 2023, after the effective date of the Bird Safe ordinance. A condition of approval to demonstrate compliance at building permit is included in this permit
Coast Live Oak Trees (BMC Chapter 6.52)	No	There are no Coast Live Oak (<i>Quercus agrifolia</i>) trees on the project site.
Creeks	No	No creek or culvert, as defined by BMC Chapter 17.08, exists on or within 30 feet of the project site.
Density Bonus	Yes	The project would provide 9 Very Low-Income units, or 15 percent of the Base Project units, and qualifies for a 50 percent density bonus, or 27 bonus units (27 taken). See Section III.B for discussion.
Hard Hats (BMC Chapter 13.107)	No	These provisions do not apply to this project because the project was vested under SB330 on

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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 not construct new non-residential floor area; therefore, the fee does not apply.
Affordable Housing Fee for qualifying non-residential projects (Per Resolution 66,617-N.S.)		
		December 21, 2023, prior to the effective date of the Hard Hats Ordinance
Historic Resources	Yes	Bancroft Hotel is a City Landmark However, a Project Impact Analysis (PIA) prepared by Left Coast Architecture (February 26, 2024) concluded that the proposed conversion construction at 2660 Bancroft would not touch the historic landmark and as a result would be no impact to the form or the integrity of 2680 Bancroft Way or its environment. (See attachment 5)
Housing Accountability Act (HAA) (Gov't Code Section 65589.5(j))	Yes	The project meets the definition of a "Housing Development Project" per Government Code Section 65589.5(h)(2) ^a . The base project complies with applicable, objective general plan and zoning standards, and thus section (j) of the Housing Accountability Act applies, and the project cannot be denied at the density proposed unless the findings for denial can be made. See Section V.A of this report for additional discussion on compliance with the Housing Accountability Act.
Housing Crisis Act of 2019 (SB 330)	Yes	The project meets the definition of a "Housing Development Project" per Government Code Section 65589.5(h)(2). ^b See Section V.B of this report for additional discussion on the sections of SB 330 that apply to the project.
Prevailing Wages in the Southside Plan Area BMC Chapter 13.108)	No	An SB 330 Application was completed for this application on December 21, 2023 and the project was vested under the Housing Crisis Act of 2019, prior to the effective date of the ordinance (the March 1, 2024). Therefore, these provisions do not apply.
Rent Controlled Units	No	The project does not propose the demolition of rent controlled units.
Residential Preferred Parking (RPP)	No	The site is located in an RPP zone. However, 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. ^d
Soil/Groundwater Contamination	Yes	The project site is located within the City's Environmental Management Area. However, the

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 not construct new non-residential floor area; therefore, the fee does not apply.
Affordable Housing Fee for qualifying non-residential projects (Per Resolution 66,617-N.S.)		
		site is not on the Cortese List. The applicant has submitted a Phase I and Phase II report. A request for Agency oversight was sent to the San Francisco Regional Water Quality Board (SFRWQB) on August 2, 2023. On August 24, 2023, the SFRWQCB determined that unless new data becomes available that conditions have changed, a cleanup case will not be opened. Standard Conditions of Approval related to hazardous materials would apply. ^e
Transit	Yes	The project site is served by Alameda County Transit lines 7, 36, 51B, and 52 and less than one mile from the Bay Area Rapid Transit (BART) Downtown Berkeley Station.
<p>Notes:</p> <p>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.</p> <p>b. Project vested under SB 330 on/before April 1, 2023, prior to effective date of new inclusionary housing requirements and is therefore subject to the Affordable Housing Mitigations in BMC 22.20.065 that was in effect at the time of vesting.</p> <p>c. 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.</p> <p>d. California Department of Conservation. DOC Maps: Geologic Hazards. Available: https://maps.conservation.ca.gov/geologic/hazards/</p> <p>e. Cortese List is an annually updated list of hazardous materials sites compiled pursuant Government Code Section 65962.5.</p>		

Table 3: Project Chronology

Date	Action
December 21, 2024 (vesting date)	SB 330 complete Preliminary Housing Development Project Application submitted
February 29, 2024	SB 330 Use Permit Application submitted
April 30, 2024	Application deemed complete
May 30, 2024	Application processing ^a
October 23, 2024	Application resubmitted
November 19, 2024	Application processing ^a

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Date	Action
April 17, 2025	Design Review Committee meeting
May 8, 2024	Public hearing notices mailed/posted
May 22, 2025	ZAB hearing
Notes: a. Application processing reflects the project compliance review, including CEQA if applicable, after the application is deemed complete. Submittals are reviewed within 30 days of receipt, pursuant to the Permit Streamlining Act.	

Table 4: (R-SMU) Development Standards BMC Sections 23.202.140 and 23.322 Parking and Loading for 2660 Bancroft Way³

Standard	Existing	Addition/ (Reduction)	Proposed Total	Permitted/ Required
Lot Area (sq. ft.)	17,290 (total)	No change	No change	n/a
	7,150 (multifamily)			
	10,140 (Bancroft Hotel)			

Gross Floor Area (sq. ft.)	Bancroft Hotel: 16,216	Bancroft Hotel:0	No change	n/a
	Multifamily building: 0	+32,241 Multifamily (new gross floor area)	Multifamily building 32,241	
Floor Area Ratio (FAR)	Bancroft Hotel: 1.5	Bancroft Hotel:0	No change	No maximum

³ Ibid (footnote 1. on p.1)

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		Multifamily building: 0	Multifamily +4.6	Multifamily 4.6	
Dwelling Units	Total	Multifamily: 0	79	79	81 max
	Affordable	Multifamily: 0	9	9	n/a
Height	Maximum	Bancroft Hotel 49'-0"	Multifamily +88'-0"	+88'-0"	65'-0" max (with Use Permit)
		Multifamily: 0	8 stories	8	
	Stories	Bancroft Hotel: 4	Bancroft Hotel: 0	No change	4 max
		Multifamily 0	Multifamily: 8	8	
Building Setbacks (ft. - in.)	Front	Bancroft hotel 13'-0"	Bancroft Hotel: 0	No change	10'-0" minimum
		Multifamily:0'-0"	Multifamily: 8'-0"	8'-0"	
	Rear	Bancroft Hotel 1-3 story Rear 10'-0" 4 th story 17'-0"	Bancroft Hotel: 0	No change	Min 10'-0" (stories 1-3)
		Multifamily: 0	5'-0"	5'-0"	Min 17'-0" (fourth story) Min 19'-0" (fifth story)
	Left Side (west)	Bancroft Hotel 1-2 story 8'-0" 3 rd story 6'-9" 4 th story 19'-0"	Bancroft Hotel: 0	No change	Min 4'-0" (stories 1-2)
		Multifamily 0'-0"	Multifamily (stories 1-5) +5'-0"	5'-0"	Min 6'-0" (third story) Min 8'-0" (fourth story) Min 10'-0" (fifth story)
	Right Side (east)	Bancroft Hotel 1-2 story 6'-0" 3 rd story 12'-0" 4 th story 21'-0"	Bancroft Hotel: 0	No change	Min 4'-0" (stories 1-2) Min 6'-0" (third story)

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		Multifamily 0'-0"	Multifamily (stories 1-5) +5'-0"	5'-0"	Min 8'-0" (fourth story) Min 10'-0" (fifth story)
Lot Coverage (%)		Bancroft Hotel: 57%	Bancroft Hotel: 0	No change	40% max
		Multifamily: 0	Multifamily +73%	73%	
Usable Open Space (sq. ft.)		Bancroft hotel: 0	Bancroft Hotel: 0	No change	40 sq. ft. per dwelling min
		Multifamily: 0	Multifamily: +3,160	3,160	
Parking	Automobile	Bancroft Hotel: 0	Bancroft Hotel no change	Bancroft Hotel: 0	0 min ^a n/a
		Multifamily: 28	Multifamily: -28	Multifamily: -28	
	Bicycle	Bancroft Hotel: 0	Bancroft Hotel: +8 long term +1 short term	Bancroft Hotel: 9	Non-residential 2 long-term per 2,500 square feet of gross floor area
		Multifamily: 0	Multifamily: +34 long term +2 short term	Multifamily: 36	1 short-term per 10,000 square-feet of gross floor area Residential: 1 long-term space min per 3 bedrooms 1 short-term per 40 bedrooms
<p>■ = Waiver requested to modify the district standard</p> <p>Abbreviations: sq. ft. = square feet; max. = maximum; min. = minimum; n/a = not applicable; % = percent; avg. = average, ft = feet ('), in. = inches (")</p>					
<p>Notes:</p> <p>a. AB-2097, effective January 1, 2023, prohibits local jurisdictions from requiring minimum parking for most non-residential uses.</p>					

II. Project Setting

A. Neighborhood/Area Description:

The project site is situated at the northeast corner of Bancroft Way and College Avenue, directly across from the University of California, Berkeley campus, within the Southside Plan Area. This neighborhood features a mix of multi-family residential buildings and group living accommodations, ranging from 2 to 10 stories in height, as well as hotels, a laboratory, and several small food establishments primarily catering to the local student population. The area is walkable and is located just 0.2 miles from Alameda County (AC) Transit lines 7, 36, 51B, and 52. Additionally, it is less than 1 mile from the Downtown Berkeley Bay Area Rapid Transit (BART) station.

B. Site Conditions:

The project site consists of two flat lots located along Bancroft Way, oriented north-south. The first lot, 2660 Bancroft Way, measures 7,150 square feet, while the second lot, 2680 Bancroft Way, is 10,140 square feet. Both lots are rectangular and have frontages along Bancroft Way. The topography in the area is generally flat, gently sloping downward to the west. The buildings, parking area, and driveway occupy the lots, with a broad concrete sidewalk running alongside the buildings on Ellsworth Street and Bancroft Way. In front of the residential buildings, there are three existing street trees, and small landscape planters are situated between the sidewalk and the structures. While there is no landscaping along the Bancroft Way frontage, two bike racks are present. The Tang Center, located to the west of the site, and has a roof that extends to the property line.

The lot at 2660 Bancroft Way is home to the landmarked Bancroft Hotel, while 2680 Bancroft Way serves as the hotel's ancillary parking lot. A Historic Resource Evaluation, conducted by Left Coast Architecture on February 26, 2024, found that the proposed project involves only an interior conversion of the hotel, with no alterations to the exterior of the city landmark. Therefore, the project would not significantly impact the character-defining features of this historic resource.

III. Project Description

A. Proposed Project Details:

The proposed project would construct an 8-story multifamily building with 79 units and convert one existing landmark hotel building to commercial offices with the following primary components:

- Convert a 16,200 square-foot hotel to commercial offices at 2680 Bancroft Way.
- Demolish an approximately 7,200 square-foot parking lot at 2660 Bancroft Way.
- Construct a 32,248 square-foot multi-family residential building, with 79 units (9 VLI) approximately 88 feet in maximum height at 2660 Bancroft Way.
- Create 2 short-term bicycle parking spots and 34 long-term bicycle parking spots at 2660 Bancroft Way.
- Create 9 bicycle parking spots at 2680 Bancroft Way.
- Construct an 8-foot tall security gate, approximately 32 feet in length, within the side (east) setback 3.5 feet from the property line shared between 2660 and 2680 Bancroft Way.

B. Base Project and Density Bonus:

The applicant has requested a density bonus under the State Density Bonus Law. By committing to provide 9 VLI units, the project is eligible for a density bonus under Government Code Section 65915. Under the City's density bonus procedures, the "base project⁴" is 54 units, as the maximum allowable density for the site. The 6-story base project and the resulting 8-story proposed project both have an average unit size of 300 square feet. By providing 9 Very Low Income (VLI) BMR units on site (15 percent of the 54 - unit base density), the project is eligible for a 50 percent density bonus, or 27 additional units. Therefore, the applicant proposes 25 additional units above the base density for a total of 79 dwelling units. Table 5, below includes the Density Bonus calculations.

⁴ Per the [City's Density Bonus Procedures \(DBP\)](#), the base project is the largest project allowed on the site that is fully compliant with district development standards (i.e. height, setbacks, usable open space, parking, etc.), or, the *maximum allowable density* for the site. The City uses the DBP to calculate the maximum allowable density for a site where there is no density standard in the zoning district, and to determine the number of units in the proposed project, which is the number of base project units plus the number of density bonus units that can be added according to the percentage of BMR units proposed, per Government Code, Section 65915(f).

Table 5: Density Bonus

Base Project Units ^a	Qualifying Units	Percent Density Bonus	Number of Density Bonus Units ^a	Proposed Project Units ^a
54	9 (15% of base project)	50%	27 (50% of 54 units)	Project proposes 79 of 81 Density Bonus units (utilized 25 of the allowed 27 density units)
Notes: a. Pursuant to Government Code 65915(q), all unit calculations are rounded up to the next whole number. Abbreviations: % = percent				

IV. Community Discussion

A. Neighbor/Community Concerns:

Prior to submitting this application to the city, the applicant invited interested neighborhood organizations as well as owners and occupants located within 300 feet of the project site to a project preview meeting. The meeting was held on January 10, 2024, and attended by zero individuals and prior to submitting this application, the applicant installed a pre-application poster on site in February of 2024. On May 6, 2025, the City mailed public hearing notices to property owners and occupants within 300 feet of the project site, and to interested neighborhood organizations. The City also posted notices within the neighborhood at nearby three locations. At the time of writing this report, staff had not received any communications regarding the project

B. Design Review Committee:

On April 17, 2025, the Design Review Committee (DRC) reviewed the project design for 2660 Bancroft Way, and offered recommendations for Final Design Review (Please see attachment 4).

V. Issues and Analysis

A. CEQA Approach and Recommendation

It is staff's recommendation that the project qualifies for a Class 32 Categorical Exemption pursuant to CEQA Guidelines Section 15332 ("Infill Development Projects"). The determination is made by ZAB. Specifically:

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- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- The project site is within city limits on a project site of fewer than five acres that is substantially surrounded by urban uses.
- The project site has no value as habitat for endangered, rare or threatened species.
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- The site can be adequately served by all required utilities and public services.

Additionally, none of the exceptions to eligibility for a categorical exemption as listed under CEQA Guidelines Section 15300.2, apply to the project. The project is not located in an environmentally sensitive area; the cumulative impact of successive projects of the same type in the same place, over time would not be significant; there are no “unusual circumstances” at the project site that would result in significant environmental effects; there are no designated scenic highways in the City of Berkeley; therefore, the project site is not in view of a state scenic highway; the site is not included on a list compiled pursuant to Section 65962.5 of the Government Code; and the project would not result in a substantial adverse change in the significance of a historical resource.

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 safety⁵ 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 at least two-thirds of the floor area in residential use. The Base Project includes Use Permits and Administrative Use Permits⁶ to exceed the maximum height, number of stories, modify setbacks,

⁵ 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.”

⁶ The City has determined that the “protections afforded by the HAA and the definition of a base project for density bonus calculations apply to a housing development project up to and including the maximum development allowed with use permits and/or administrative use permits.”

reduce usable open space, increase allowable lot coverage and complies with applicable, objective general plan and zoning standards. Government Code Section 65589.5(j)(3) provides that a request for a density bonus “shall not constitute a valid basis on which to find a proposed housing development project is inconsistent, not in compliance, or not in conformity, with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision specified in this subdivision.” Therefore, the City may not deny the Base Project or density bonus request or reduced the density with respect to those units without basing its decision on the written findings under Section 65589.5(j), above.

As shown in Table 4, Development Standards⁷, above, the project complies with the zoning standards. While the project may include other Use Permits or Administrative Use Permits to modify standards not associated with the base project, there are no objective criteria in the findings therefore the project still complies with the HAA. The ZAB has the discretion to approve, deny, or modify the request according to the zoning findings, provided the action does not reduce the project density or effectively deny the project by making it infeasible, unless the ZAB is also able to make the required findings for denial set forth under Section 65589.5(j), above.

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

⁷ Ibid (footnote 1 on p. 1)

The May 22, 2025 ZAB hearing represents the second public hearing for the proposed project since the project was deemed complete. The City can hold up to three 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 a historic resource evaluation prepared for the project on February 26, 2024, the proposal involves two structures on two separate abutting parcels. The property at 2660 Bancroft Way is a surface parking lot and is not the location of historical resources. Therefore, it is not historically significant and not eligible for listing on the California Register of Historical Resources or as a City of Berkeley Landmark or Structure of Merit. Nonetheless, 2680 Bancroft Way, historically known as the College Women's Club, was designated as a Berkeley City Landmark (#39) in 1979 and is listed in the National Register of Historic Places (#820002157). However, because no exterior changes are proposed to the landmark building at 2680 Bancroft Way, the historic resource evaluation concluded that the project would comply with Secretary of Interior (SOI) Standards for Rehabilitation and conforms with the SOI standards for the treatment of Historic Properties. As a result, the project would not significantly impact a historical resource and could be considered categorically exempt from CEQA.

- 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 the application must be approved or disapproved by July 21, 2025.

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

The project is entitled to three concessions (or incentives) under Government Code Section 65915(d), and an unlimited number of waivers under Section 65915(e).

- 1. Concession:** No concessions have been requested for this project.
- 2. Waivers:** A waiver is a modification of a development standard that would otherwise physically preclude the construction of the project with the permitted density bonus and concessions. The applicant is requesting four waivers from the following development standards:

- A. Waiver of BMC Section 23.202.140(E)(1), to allow the proposed building height to be 88 feet and eight stories where a maximum of 65 feet and 5 stories are allowed
 - B. Waiver of BMC Section 23.202.140(E)(3) to reduce front, side, and rear setbacks for stories 1-3 as follows:
 - Rear setback-1st-3rd, Reduce the required 10-foot minimum setback to 5 feet.
 - Interior side setback-1st and 2nd stories, reduce the required 4-foot minimum to 5 feet.
 - Interior side setback-3rd story, reduce the required 6-foot minimum to 4 feet.
 - Interior side setback-4th story, reduce the required 8-foot minimum to 5 feet.
 - Rear setback-4th story, reduce the required 17-foot minimum setback to 5 feet.
 - C. Waiver of BMC Section 23.202.140(E)(1), to reduce the minimum front, and reduce setbacks above 65 feet, 5 stories as follows:
 - Interior side setback-5th story, reduce the required 10-foot minimum to 5 feet.
 - Rear setback-5th story, reduce the required 19-foot minimum to 5 feet.
 - D. Waiver of BMC Section 23.202.110(E)(2) to provide 2,160 square feet of Usable Open Space where 3,160 square feet is required
 - E. Waiver of BMC Section BMC 23.304.090(B)(7) to provided 471 square feet of landscaped Usable Open Space where 1,264 square feet is required;
 - F. Waiver of BMC Section 23.202.110(E)(2) to exceed the lot coverage maximum of 40% by building up to 73% coverage of the lot; and
 - G. Waiver of BMC Section BMC Section 23.304.050(A) to allow rooftop projections to exceed 15% of average floor area.
3. The waivers are requested because they are necessary to physically accommodate the additional 27 units as allowed under the density bonus project on the site.

The City may only deny the waivers if it finds that the waivers would have a specific adverse impact upon public health and safety, or the physical environment, or on any real property listed in the California Register of Historical Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low-income, very-low income, and moderate-income households, or if the waiver would be contrary to State or Federal law. Staff believes such a finding cannot be made.⁸

E. Use Permit for Increased Height and FAR

BMC Section 23.202.140(E)(3) requires a Use Permit to increases the height to 65 feet and 5 stories in the R-SMU, Sub-Area 2. Pursuant to BMC Section 23.202.23(F)(3), the ZAB may allow the increased height (up to 65 feet and 5 stories) with a use permit upon finding that 50 percent or more of the total building floor area is designated for residential

⁸ See Footnote 5.

use and that the project meets the purposes of the R-SMU district. The project is a Mixed-Use Residential development and 32, 241 square feet of the total 48,4578 of the total floor area of the mixed-use project is designated for residential uses, therefore, more than 50% of the total building floor area is dedicated to residential use. As described in Finding VI. B., the project meets the purposes of the R-SMU district.

F. Administrative Use Permit for Setback Reductions in Residential Districts

BMC Section 23.202.140(E)(5) allows for reductions to front, rear, and side setbacks for any main building with dwelling units or any building north of Durant Avenue if the finding can be made that the reduction is appropriate given the setbacks and architectural design of surrounding buildings. The project proposes a reduction in the front, side and rear setbacks.

The project site is bounded by College Avenue to the east and Bancroft Way to the north. The site is surrounded by non-residential uses to the north, east and west. The ground level of the existing commercial building at 2680 Bancroft Way is set back 13 feet from the front property line, 10 feet from the rear, and 8 feet on the left interior side, and 6 feet on the right interior side. No changes are being proposed to the design or setbacks of the Bancroft Hotel.

The reduced setbacks proposed the multifamily building at 2660 Bancroft Way would be appropriate because of the general setback patterns of surrounding buildings which built to the sidewalk and the neighboring properties located about approximately 3-5 feet from the proposed project's rear property line. The reduction in the rear setback for the residential multifamily building is appropriate given the existing building setbacks, setback and architecture of surrounding buildings and the location of the project in a developed urban area.

G. Administrative Use Permit for Increase to Lot Coverage

BMC Section 23.202.140(E)(5) allows for an increase in lot coverage up to 100 percent for a main building that contains dwelling units if a finding can be made that the increase is appropriate given the setbacks and architectural design of surrounding buildings. The allowed lot coverage for a five-story building located on an interior lot is 40% lot north of Durant Avenue. The project proposes a lot coverage of 80% for the proposed multifamily building. The project site is located in an urban area where it is typical for buildings to cover large portions of lots. The existing lot coverage for the site is 66%. The increase in lot coverage to 80% would be appropriate given the setbacks and architectural design of surrounding buildings.

H. Administrative Use Permit for Rooftop Projections

BMC Section 23.304.050(A) requires an Administrative Use Permit for roof-top projections, such as mechanical penthouses, elevator equipment rooms or stair towers, that would exceed the maximum height limit. Such projections are limited to no more

than 15 percent of the average floor area of all of the building's floors and cannot be used as habitable space or for commercial purposes.

The project would include a mechanical room, one bulkhead screening the elevator shaft, and on bulkhead screening a stairwell, totaling 958 square feet that would extend approximately 7 feet above the 85-foot roof height. The screening wall enclosures, in total, represents 23 percent of the 4,130-square-foot average of all the floor, which exceeds the allowable 15% limit, and permissible with an AUP.

I. Administrative Use Permit for Fence Height

Pursuant to BMC 23.304.080(A), the ZAB may approve a fence height greater than 6 feet along a lot line or within the required lot line setbacks for a main building. The project is proposing an 8-foot tall chain-link security fence within a required interior side setback approximately 32 feet in length on the eastern side of the building. The fence would provide an additional security measure for the proposed bike parking. Although it would exceed height of the proposed 6-foot privacy fence on the lot line, by 2 feet, it would be placed approximately 3.5 feet from the property line and as a result would not be expected to create new unreasonable detriments to light, air, or views.

VI. Other Considerations (Zoning and Land Use Considerations)

The following analyses of conformance with district purposes, and the 2002 General Plan goals and policies are provided for informational purposes only, to provide context, because the proposed project is HAA-compliant. The following permits have been determined by the City to be included in the Base Project of the proposal, and are subject to Section 65589.5(j) of the HAA. See Section V.B for discussion of the HAA. All permits are subject to the R-SMU District permit findings in VI.D and the General Non-Detriment findings discussed in sections VI.A.

J. 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. The project is consistent with all applicable R-SMU District standards and qualifies for concessions and waivers for the listed district standards granted pursuant to State Density Bonus, Government Code, Section 65915.

Shadows: The applicant submitted shadow studies that recorded angles and lengths of projected shadows, resulting from the proposed 8-story residential building at 2660 Bancroft Way, two hours before sunrise, at 12 PM, and two hours after sunset during both the summer and winter solstices. The studies indicate that the shadows cast by the proposed 8-story residential building would not differ significantly from

the existing shadows. However, there would be an increase in shadows on the eastern exterior wall of the hotel located at 2680 Bancroft Way on the neighboring lot, as well as complete shade on a residential structure at 2647 Durant Avenue two hours before sunrise during the summer solstice.

The shadow impacts diminish throughout the day, remaining confined to the subject property at 12 PM and two hours after sunset on the summer solstice. Although the shadows would slightly increase for the existing hotel, which is to be converted into commercial offices as part of this proposal, there would also be some shading of a residence on an adjacent property to the southeast, two hours before sunset. Given that the subject site is located in the Residential Southside Mixed-Use District (R-SMU), which permits heights of up to 65 feet and 5 stories with a use permit and allows rooftop projections beyond the base height, these shadow impacts on neighboring residential areas are expected. They fall within the norms of this zoning district and are not deemed detrimental.

Air: The project involves constructing an 8-story residential building on a vacant parking lot at 2660 Bancroft Way. The building will feature a 5-foot setback on the rear and sides, and an 8-foot front setback for stories 1-8. While this deviates from the setback requirements specified in the project-vested R-SMU standards, it is permissible under a density bonus waiver. Nonetheless, the proposed setbacks align with the existing development patterns and building separations in this R-SMU neighborhood.

Views: The proposed project will not obstruct significant views in the neighborhood, as the area is mostly flat and developed with three buildings ranging from two to eight stories. Furthermore, there are limited significant views, as defined in BMC Section 23.502.020 (Defined Terms), available to residences in the vicinity.

2. 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.

K. District Purpose:

1. Implement General Plan and Southside Plan policy by encouraging high-density, multi-story residential development close to major shopping, transportation, and employment centers;
2. Make housing available for persons who desire a convenient location, but who require relatively small amounts of usable open space, yet assure adequate light, air, privacy and usable open space to promote and protect their physical and

mental health;

3. Protect adjacent properties from unreasonable obstruction of light and air;
4. Permit the construction of residential structures, such as apartments and residential hotels, which will provide housing opportunities for transient or seasonal residents;
5. Permit the construction of institutional, neighborhood serving retail, and office uses when such uses are not detrimental to the immediate neighborhood;
6. Provide locations for relocation of office space from other locations in the Southside Plan area;
7. Encourage the construction of new housing and mixed-use development on vacant properties and surface parking lots;
8. Encourage the redevelopment of single-story structures that are not historically significant resources with housing and mixed-use development; and

Protect and enhance historically and architecturally significant buildings by ensuring that new development and alterations complement their existing architectural character.

1. The proposed residential development is a high-density, multi-story residential development close to shopping, transportation and employment centers. The project site is three blocks east of Downtown Berkeley and within one miles of the Downtown Berkeley BART Station. The apartment project provides open space areas and amenities for residents and is close to other recreational opportunities. The project would redevelop an underutilized site containing one surface level parking lot in a densely developed area of the city is well served by public transit. The existing façade of the landmark building on the abutting hotel which would be converted to commercial office spaces as part of this proposal will be retained to ensure that the new development complements the existing architectural character of the building and neighborhood. The project is consistent with the General Plan and Southside Area Plan. The project therefore, is consistent with the district purpose of the R-SMU zone.

L. General Plan Consistency:

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

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

3. **Policy UD-16 Context:** The design and scale of new or remodeled buildings should respect the built environment in the area, particularly where the character of the built environment is largely defined by an aggregation of historically and architecturally significant buildings.
4. **Policy UD-24 Area Character:** Regulate new construction and alterations to ensure that they are truly compatible with and, where feasible, reinforce the desirable design characteristics of the particular area they are in.

Staff Analysis: The project would reinforce the City's effort to redevelop underutilized sites in a way that would increase the quality of the built environment and provide new housing opportunities. The project would further improve the neighborhood character and quality of life by increasing existing street level activity and bringing in new residents along a major commercial and transit corridor. The project site is served by multiple bus lines, including local, rapid, and Transbay lines that operate along Bancroft, and a nearby BART Station. The existing façade of the landmark building would be retained, and the proposed residential building would be designed to ensure that the new development complements the existing architectural character of the building and neighborhood.

5. **Policy LU-23 Transit-Oriented Development:** Encourage and maintain zoning that allows greater commercial and residential density and reduced residential parking requirements in areas with above-average transit service such as Downtown Berkeley.
6. Staff Analysis: Encourage and maintain zoning that allows greater residential density and commercial density, reduced residential parking requirements in areas with above-average transit service such as Downtown Berkeley.
7. **Policy H-19 Regional Housing Needs:** Encourage adequate housing production to meet City needs and the City's share of regional housing needs.

Staff Analysis: The project would provide 9 dwelling units for very low-income household, 70 market rate units which would increase the City's housing supply and new dwelling units in close proximity to the university and transit.

M. Area Plan Consistency: Southside Area Plan

Southside Area Plan, adopted in 2024, also contains several policies applicable to the project, including the following:

The Southside Area Plan, adopted in 2011, also contains several policies applicable to the project, including the following:

1. Policy LU-A1.A: Encourage a variety of housing types to be built in the Southside, including houses, condominiums, townhouses, apartment buildings, group living quarters, and loft-style housing, and encourage owner-occupied housing, rental housing, cooperatives, and co-housing.

2. Policy LU-A1.B.: Require that new housing developments include units that are affordable to households that qualify as low income through the City's inclusionary housing ordinance or other regulatory mechanism in a manner consistent with State law.
3. Policy LU-A3: Maintain the current supply of housing in the Southside.
4. Policy LU-C1: Suitable sites that are the highest priority for redevelopment and reuse in the Southside, in order of priority, include:
 - Vacant properties;
 - Surface parking lots and single-level parking garages on Bancroft, Durant, and Telegraph Avenue;
 - Underutilized lots with single-story structures that are not historically significant resources on Bancroft, Durant, and Telegraph;
 - Surface parking lots and single-level parking garages on all other streets; and
 - Underutilized lots with single-story structures that are not historically significant resources on all other streets.
5. Policy LU-D1: Encourage development of infill buildings along the south side of Bancroft Way so that it becomes a more vital corridor serving students and other users of the Southside.
6. Policy LU-D3: Improve the pedestrian environment along Bancroft Way with better bus stops, wider sidewalks wherever possible, sidewalk lighting, additional street trees, and other streetscape amenities.
7. Policy LU-F12: Conserve and rehabilitate the existing architectural and historic resources in the Residential Mixed-Use Subarea.
8. Policy LU-F13: Utilize the Southside Design Guidelines to ensure that the design of new buildings is compatible with existing buildings in the Residential Mixed-Use Subarea and will not detract from the significance of nearby landmark and historically significant buildings and sites.

Staff Analysis: The project would develop an underutilized site and provides 79 dwelling units, including 9 very low-income housing units. The project does not propose exterior changes to the landmark hotel on the abutting site. and as a result, would not detract from its significance.

9. Policy LU-F18: Encourage and support transit and other alternatives to automobile use in the Southside.

ZONING ADJUSTMENTS BOARD
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Staff Analysis: Consistent with the policies of the Southside Plan, the project would provide no off-street parking and would also include long-term bike storage, thereby encouraging other modes of transportation including transit and cycling.

10. Policy CC – D1: Preserve and maintain architecturally and historically important buildings in the area, including both landmarked and non-landmarked structures whenever feasible.

Staff Analysis: The project only proposes changes to the use of the existing landmarked building and would retain the exterior façade, preserving the architectural and historical significance of the building. The project is consistent with the applicable goals and policies of the Southside Area Plan.

VII. Recommendation

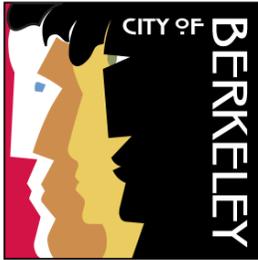
Because of the project's consistency with the Zoning Ordinance and General Plan, and minimal impact on surrounding properties, staff recommends that the Zoning Adjustments Board:

1. **FIND** that the project is categorically exempt from the provisions of the CEQA pursuant to Section 15332 of the CEQA Guidelines ("Infill Exemption"); and
2. **APPROVE** ZP2024-0029 pursuant to Section 23.406.040(D) and subject to the attached Findings and Conditions (see Attachment 1).

Attachments:

1. Findings
2. Conditions
3. Project Plans, received March 6, 2024
4. Design Review Committee Recommendation Memo, April 17, 2025
5. Project Impact Analysis, February 23, 2024
6. Notice of Public Hearing, May 22, 2025
7. Exhibit A: Mitigation, Monitoring, and Reporting Program

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PLANNING AND
DEVELOPMENT

ZONING ADJUSTMENTS BOARD – FINDINGS

May 22, 2025

2660-2680 Bancroft Way

Use Permit #ZP2024-0029 to demolish the parking lot ancillary to the Bancroft Hotel at 2680 Bancroft Way to construct a 32,241 square-foot, 8-story (88 feet) multifamily building with 79 dwelling units (including 9 Very Low-Income units); and convert the City Landmark Bancroft Hotel (16,216 square feet) on the abutting lot at 2680 Bancroft Way to commercial offices, resulting in a 48,457 square-foot mixed-use project.

ZONING PERMITS REQUIRED¹

- Use Permit, under BMC Section 23.202.020(A) to construct a multifamily residential building;
- Use Permit, under BMC Section 23.202.140(E)(3) to increase the maximum height from 60 and 4 stories to 65 feet and 5 stories in the R-SMU District, Sub-Area 2;
- Administrative Use Permit, under BMC Section 23.202.140(E)(5), to increase lot coverage for a main building that contains dwelling units, contains group living accommodations, or is located north of Durant Avenue;
- Administrative Use Permit, under BMC Section 23.304.030(B)(2) to reduce the front, side, and rear setbacks on a lot with two or more main buildings with dwelling units;
- Administrative Use Permit, under BMC Section 23.304.050(A) to allow rooftop projections that exceed the district's height limit; and
- Administrative Use Permit, under BMC Section 23.304.080(A) to allow fences above 6 feet in height on a lot line or within a required side setback.

¹ ZP2024-0029 was vested on December 21, 2023, before the Southside plan's effective date, and is subject to the development standards and waivers that were in place at the time of vesting.

WAIVERS UNDER GOVERNMENT CODE SECTION 65915-65918²

- Waiver of BMC Section 23.202.140(E)(1), to allow the proposed building height to be 88 feet and eight stories where a maximum of 65 feet and 5 stories are allowed.
- Waiver of BMC Section 23.202.140(E)(3) to reduce front, side, and rear setbacks for stories 1-3 as follows:
 - Rear setback-1st-3rd, reduce the required 10-foot minimum setback to 5 feet.
 - Interior side setback-1st and 2nd stories, reduce the required 4-foot minimum to 5 feet.
 - Interior side setback-3rd story, reduce the required 6-foot minimum to 4 feet.
 - Interior side setback-4th story, reduce the required 8-foot minimum to 5 feet.
 - Rear setback-4th story, reduce the required 17-foot minimum setback to 5 feet.
- Waiver of BMC Section 23.202.140(E)(1), to reduce the minimum front, and reduce setbacks above 65 feet, 5 stories as follows:
 - Interior side setback-5th story, reduce the required 10-foot minimum to 5 feet.
 - Rear setback-5th story, reduce the required 19-foot minimum to 5 feet.
- Waiver of BMC Section 23.202.110(E)(2) to provide 2,160 square feet of Usable Open Space where 3,160 square feet is required
- Space to reduce the amount of landscaped space from 1,264 square feet, required for 79 units, to 471 square feet;
- Waiver of BMC Section 23.202.110(E)(2) to exceed the lot coverage maximum of 40% by building up to 73% coverage of the lot; and
- Waiver of BMC Section 23.304.050(A) to allow rooftop projections to exceed 15% of average floor area.

Concessions Pursuant to State Density Bonus Law (CA Gov't. Code Section 65915): N/A

I. CEQA FINDINGS

- A. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code Section 21000, et seq. and California Code of Regulations, Section 15000, et seq.) pursuant to Section 15332 of the CEQA Guidelines ("Infill Exemption").
- B. The project meets all of the requirements of this exemption, as follows:
 - 1. The project is consistent with the applicable General Plan designation and policies, and with the applicable zoning designation and regulations.

² Ibid (footnote 1 on p.1)

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2. The project occurs within the Berkeley City limits on a project site of no more than five acres, and is surrounded by urban uses.
 3. The parcels within the project site have previously been developed and have no value as habitat for endangered, rare or threatened species.
 4. The project will not result in any significant effects relating to traffic, noise, air quality or water quality. The Traffic Impact Analysis prepared for the project was reviewed by the City Transportation Division which concurred with the findings of less than significant impacts. City Standard Conditions will address potential impacts related to traffic, noise, air quality, and water quality.
 5. The site can be adequately served by all required utilities and public services.
- C. Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project will not affect any historical resource.

II. HOUSING ACCOUNTABILITY 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 a "housing development project". Because the base project complies with applicable, objective general plan and zoning standards, Section 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. DENSITY BONUS FINDINGS

- A. Pursuant to Government Code Section 65915, the Zoning Adjustments Board finds that:
1. Under the City's methodology for implementing density bonuses, the base project consists of 54 units;
 2. The project will provide at least 9 qualifying units in the 54-unit base project, as more fully set forth in Condition "Number of Market Rate Units";
 3. The project is entitled to a density increase of 50 percent over the otherwise maximum allowable residential density under the Zoning Ordinance and General Plan Land Use Element, under the requirements of Government Code Section 65915(b) and (f). This equates to a density bonus of up to 27 units above the base

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project, for a total of up 81 units. However, the applicant chose to utilize 25 out of the allowed 27 density bonus units for a total of 79 units.

B. In accordance with Government Code Section 65915(e) the Zoning Adjustments Board hereby grants the following waivers to modify development standards as necessary to accommodate these density bonus units:

1. Waiver of BMC Section 23.202.140(E)(1), to construct a main building up to approximately 88 feet in maximum height and up to 8 stories, exceeding the R-SMU, Sub-Area 2 limit where a maximum of 65 feet, and 5 stories is allowed with a Use Permit:
2. Waiver of BMC Section 23.202.140(E)(3) to reduce front, side, and rear setbacks for stories 1-3 as follows:
 - Rear setback-1st-3rd, reduce the required 10-foot minimum setback to 5 feet.
 - Interior side setback-1st and 2nd stories, reduce the required 4-foot minimum to 5 feet.
 - Interior side setback-3rd story, reduce the required 6-foot minimum to 4 feet.
 - Interior side setback-4th story, reduce the required 8-foot minimum to 5 feet.
 - Rear setback-4thstory, reduce the required 17-foot minimum setback to 5 feet.
3. Waiver of BMC Section 23.202.140(E)(1), to reduce the minimum front, and reduce setbacks above 65 feet, 5 stories as follows:
 - Interior side setback-5th story, reduce the required 10-foot minimum to 5 feet.
 - Rear setback-5th story, reduce the required 19-foot minimum to 5 feet.
4. Waiver of BMC Section 23.202.110(E)(2) to provide 2,160 square feet of Usable Open Space where 3,160 square feet is required
5. Space to reduce the amount of landscaped space from 1,264 square feet, required for 79 units, to 471 square feet;
6. Waiver of BMC Section 23.202.110(E)(2) to exceed the lot coverage maximum of 40% by building up to 73% coverage of the lot; and
7. Waiver of BMC Section 23.304.050(A) to allow rooftop projections to exceed 15% of average floor area.

D. In accordance with Government Code Section 65915(e), in order to allow construction of the proposed project with the density permitted under State law, the Zoning Adjustments Board finds that the approval of waivers is required 1) to construct the proposed project at the density permitted under State law; 2) approval of requested waivers will not have a specific adverse impact upon public health and safety, or the physical environment, or on any real property listed in the California Register of Historical Resources; and 3) approval of the requested waivers will not be contrary to State or Federal law.

IV. FINDINGS FOR APPROVAL

A. 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. 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. The project includes construction of 79 dwelling units.

B. As required by BMC Section 23.406.040(E), Findings for Approval, the project, under the circumstances of this particular case existing at the time at which the application is granted, will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City because:

1. Shadows: According to the shadow studies submitted for the project new Shadow impacts will occur during summer month and spring months around the hours of sunrise on the proposed commercial offices at 2680 Bancroft Way and adjacent neighboring property located southeast of the project site.

Increased Shadow impacts on adjacent residential uses are to be expected because the subject site is located in the Residential Southside Mixed-Use District (R-SMU), which allows a maximum height of up to 65 feet and 5 stories in sub area 2 of the R-SMU with a use permit. Roof top projections are allowed to exceed the maximum base height of 65 feet with an Administrative Use permit (96 feet in total maximum height including rooftop projections). While there will be no changes to the height of the building at 2680 Bancroft Way, the multifamily building will increase to 85 feet from to the top of the trellis and an additional 11 feet from the highest point of the roof to the top of the proposed rooftop projections resulting in an increase in shadows as described above. However, the increase to shadows, resulting from the project will be expected as result of the proposed height, and considered reasonable in a developed urban environment. The project will not be detrimental to sunlight.

2660-2680 BANCROFT WAY (ADDRESS) - USE PERMIT #ZP2024-0032
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2. Air: The project will not propose any changes in the footprint of the building at 2680 Bancroft Way, but will construct a new 8-story building residential building at 2660 Bancroft Way with a 5-foot rear and side setbacks and an 8-foot front setback for stories 1-8 . While this deviates from the development standards for Sub-Area 2 of the R-SMU, at the time this project was vested, it aligns with existing development patterns in the R-SMU neighborhood and is permissible under the requested density bonus waiver.
3. Views: The proposed project does not result in additional obstruction of significant views in the neighborhood because the area is generally flat, developed with three- to eight-story buildings, with limited availability of significant views as defined in BMC Section 23.502.020 (Defined Terms) available to residences in the area.
4. The project will be subject to the City's standard conditions of approval regarding construction noise and air quality, waste diversion, toxics, and stormwater requirements, which will ensure that the project will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the area or neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood or to the general welfare of the City.

V. OTHER FINDINGS FOR APPROVAL

- A. As required by BMC Section 23.202.140(A) (District Purpose)** the project is consistent with the purposes of the underlying district.

The project is consistent with the purposes of the underlying district. In addition to converting an existing hotel to commercial offices that will serve the district, the proposed residential development is a high-density, multi-story residential development close to shopping, transportation and employment centers. The project site is seven blocks east of Downtown Berkeley and within one mile-of the Downtown Berkeley BART Station. The apartment project would provide open space areas for residents that complies with a wavier granted under density bonus law and is close to other recreational opportunities. The project will redevelop an underutilized site containing a surface parking lot building and construct 79 apartment units, including 9 below market rate units.

- A. As required by BMC Section 23.202.140(E)(3) (Building Height)**, the Zoning Adjustments Board finds that the height increase to 65 feet and 5 stories in Sub-Area 2 is allowed because:

50 percent or more of the total building floor area is designated for residential use and the project meets the purposes of the R-SMU district. The project is a Mixed-Use Residential development and 32,241 square feet of the 48,457 total floor area of the mixed-use project is designated for residential uses, therefore, more than 50% of the total building floor area is dedicated to residential use. As described in Finding A. above, the project meets the purposes of the R-SMU district.

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B. As required by BMC Section 23.202.140(E)(5) (Setbacks), the Zoning Adjustments Board finds the reduction in setbacks is allowed because:

The setbacks proposed for the project will be generally consistent with the existing buildings and surrounding buildings. The project site is located north of Durant Avenue and is bounded by College Avenue to the east and Bancroft Way to the north surrounded by non-residential uses to the north, east and west. The existing residential buildings south of the property are located approximately 5 feet from the proposed project's rear property line. The reduction in the rear setback is appropriate given the existing building setback and the location of the project in a developed urban area.

C. As required by BMC Section 23.202.140(E)(5), (Lot Coverage) the Zoning Adjustments Board finds that the increase in lot coverage beyond the 40% limit is permissible because:

The allowed lot coverage is 40% for an 8-story building located on an interior lot north of Durant Avenue. The project proposes a lot coverage of 73%. The project site is located in an urban area where it is typical for buildings to cover large portions of lots. The proposed lot coverage of 73% would be appropriate given the setbacks and architectural design of surrounding buildings.

D. As required by BMC Section 23.304.050(A)(rooftop projections) the Zoning Adjustments Board finds that the proposed rooftop equipment is permissible because:

The rooftop projections include a bulkhead to screen the elevator shaft that will extend 11 feet beyond the 85-foot maximum height, a bulkhead to screen the stairwell measured from finished grade to the top of the roof extending approximately 8 feet beyond the maximum height. All proposed rooftop projections exceed the district height limit for the district and is permissible with an AUP, pursuant to BMC Section 23.304.050(A). None of the equipment screening structures will be used as habitable or commercial space. The project will include screening walls for an elevator shaft, and two bulkheads, totaling 958 square feet of roof area. The screening enclosures represent 23 percent of the 4,130-square-foot average of all the floor areas, which exceed the allowable 15% limit, and permissible with a density bonus waiver.

E. As required by BMC Section 23.304.050(A) (Fences), the Zoning Adjustments Board finds a fence greater than 6 feet in height along the property line is permissible because:

The 8-foot fence chain-link fence, 32 feet in length, and 3.5 feet from the side interior lot line will exceed the 6-foot privacy on the eastern property line. However, due to the location in relation to the property line and neighboring building in addition to the chain-link material which allows light to pass, the fence will not create unreasonable detriments to sunlight or air.



USE PERMIT ZP2024-0029 CONDITIONS OF APPROVAL

May 22, 2025

2660-2680 Bancroft Way

Use Permit #ZP2024-0029 to demolish the parking lot ancillary to the Bancroft Hotel at 2680 Bancroft Way to construct a 32,241 square-foot, 8-story (88 feet) multifamily building with 79 dwelling units (including 9 Very Low-Income units); and convert the City Landmark Bancroft Hotel (16,216 square feet) on the abutting lot at 2680 Bancroft Way to commercial offices, resulting in a 48,457 square-foot mixed-use project.

I. STANDARD CONDITIONS OF APPROVAL FOR ALL PROJECTS

Pursuant to Berkeley Municipal Code (BMC) Title 23 Zoning Ordinance and Title 13 Public Peace, Morals, and Welfare, the following conditions, as well as all other applicable provisions of the Zoning Ordinance, apply to this Permit:

1. **Conditions and Mitigation Monitoring and Reporting Program Shall be Printed on Plans.** The conditions of this Permit shall be printed on the *second* sheet of each plan set submitted for a building permit pursuant to this Use Permit, under the title 'Use Permit Conditions.' *Additional sheets* may also be used if the *second* sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings.
2. **Compliance Required (BMC Section 23.102.050).** All land uses and structures in Berkeley must comply with the Zoning Ordinance and all applicable City ordinances and regulations. Compliance with the Zoning Ordinance does not relieve an applicant from requirements to comply with other federal, state, and City regulations that also apply to the property.
3. **Approval Limited to Proposed Project and Replacement of Existing Uses (BMC Sections 23.404.060(B)(1) and (2)):**
 - A. This Permit authorizes only the proposed project described in the application. In no way does an approval authorize other uses, structures or activities not included in the project description.
 - B. When the City approves a new use that replaces an existing use, any prior approval of the existing use becomes null and void when permits for the new use are exercised (e.g., building permit or business license issued). To re-establish the previously existing use, an applicant must obtain all permits required by the Zoning Ordinance for the use.

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

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

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

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

6. Permit Remains Effective for Vacant Property (BMC Section 23.404.060(D)). Once a Permit for a use is exercised and the use is established, the permit authorizing the use remains effective even if the property becomes vacant. The same use as allowed by the original permit may be re-established without obtaining a new permit, except as set forth in Standard Condition #5 above.

7. Permit Modifications (BMC Section 23.404.070). No change in the use or structure for which this Permit is issued is permitted unless the Permit is modified by the Board. The Zoning Officer may approve changes to plans approved by the Board, consistent with the Board's policy adopted on May 24, 1978, which reduce the size of the project.

8. Permit Revocation (BMC Section 23.404.080). The City may revoke or modify a discretionary permit for completed projects due to: 1) violations of permit requirements; 2) Changes to the approved project; and/or 3) Vacancy for one year or more. However, no lawful residential use can lapse, regardless of the length of time of the vacancy. Proceedings to revoke or modify a permit may be initiated by the Zoning Officer, Zoning Adjustments Board (ZAB), or City Council referral.

9. Pay Transparency Acknowledgement (BMC Section 13.104.030). Prior to the issuance of a building permit for any Project subject to this Chapter:

- A. A Responsible Representative of the Permittee shall certify under penalty of perjury that the Permittee has reviewed Chapter 13.104 of the Berkeley Municipal Code, and will be responsible for demonstrating compliance with this Chapter.
- B. The Permittee shall provide to the City a Contractor Pay Transparency Acknowledgment on a form approved by the City for this purpose. A Responsible Representative of the Permittee shall certify under penalty of perjury that the Contractor and all Qualifying Subcontractors performing work on the Project will comply with BMC Chapter 13.104 and with Labor Code sections 226(a) and 2810.5 for each employee

who works on the Project.

- 10. Pay Transparency Attestations following Project Completion (BMC Section 13.104.040).** Within 10 days of the approved final inspection of any Project subject to this Chapter, each Permittee shall provide to the City for each Contractor and Qualifying Subcontractor a Pay Transparency Attestation on a form approved by the City. On each Pay Transparency Attestation, a Responsible Representative of the Contractor or Qualifying Subcontractor shall attest under penalty of perjury that the Contractor or Qualifying Subcontractor complied with BMC Chapter 13.104 and Labor Code sections 226(a) and 2810.5 for each employee who performed work on the Project. The City will maintain Pay Transparency Attestation forms for period of at least three years after their date of receipt by the City
- 11. Posting of Wage Theft Ordinance (BMC Section 13.104.050).** Each day work is performed on the Project, each Permittee shall post, and keep posted in a conspicuous location where it may be easily read by employees during the hours of the workday, a notice that: (A) contains the text of BMC Chapter 13.104; (B) explains that workers can report violations of Labor Code sections 226 and 2810.5 to the Labor Commissioner of the State of California; and (C) provides current contact information, including office address, telephone number, and email address of the Labor Commissioner of the State of California.
- 12. Wage Theft Prevention Conditions of Approval (BMC Section 13.104.060).** The requirements of BMC Sections 13.104.030 through 13.104.050 shall be included as conditions of approval of any Use Permit or Zoning Certificate for any Project that is subject to this Chapter. Failure to comply with the requirements of any provision of this Chapter shall be grounds for issuance of an administrative citation under BMC Chapter 1.28 and/or the revocation or modification of any Use Permit issued for the Project under BMC Chapter 23.404.
- 13. Hold Harmless.** The permittee agrees as a condition of approval of this application to indemnify, protect, defend with counsel selected by the City, and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents, from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorney's fees and disbursements (collectively, "Claims") arising out of or in any way relating to the approval of this application, any actions taken by the City related to this entitlement, or any environmental review conducted under the California Environmental Quality Act, Public Resources Code Section 210000 et seq., for this entitlement and related actions. The indemnification shall include any Claims that may be asserted by any person or entity, including the permittee, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents. The permittee's duty to defend the City shall not apply in those instances when the permittee has asserted the Claims, although the permittee shall still have a duty to indemnify, protect and hold harmless the City.

II. ADDITIONAL CONDITIONS IMPOSED BY THE ZONING ADJUSTMENTS BOARD

Pursuant to BMC Section 23.404.050(H) Conditions of Approval, the Zoning Adjustments Board attaches the following additional conditions to this Permit:

Prior to Submittal of Any Building Permit:

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

Project Liaison _____

Name

Phone #

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

16. Removal of Parking from the Property Deed Restriction for 2660 Bancroft Way Prior to issuance of any building permit, the existing deed restriction for 2660 Bancroft Way requiring 4 off-street parking spaces be dedicated for the Bancroft Hotel at 2680 Bancroft Way must be removed from the Property Deed Restriction (2660 Bancroft Way), and recorded with the Alameda County clerk Recorder's Office.

17. Bird Safe Buildings. Prior to submittal of the building permit, the applicant shall demonstrate compliance with the applicable bird safe building provisions in BMC Section 23.304.150, Bird Safe Buildings.

18. Construction Noise Reduction Program. The applicant shall develop a site-specific noise reduction program prepared by a qualified acoustical consultant to reduce construction noise impacts to the maximum extent feasible, subject to review and approval of the Zoning Officer. The noise reduction program shall include the time limits for construction listed above, as measures needed to ensure that construction complies with BMC Section 13.40.070, Prohibited Acts. The noise reduction program should include, but shall not be limited to, the following available controls to reduce construction noise levels as low as practical:

- A. Construction equipment should be well maintained and used judiciously to be as quiet as practical.
- B. Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- C. Utilize "quiet" models of air compressors and other stationary noise sources where technology exists. Select hydraulically or electrically powered equipment and avoid pneumatically powered equipment where feasible.
- D. Locate stationary noise-generating equipment as far as possible from sensitive receptors when adjoining construction sites. Construct temporary noise barriers or partial enclosures to acoustically shield such equipment where feasible.
- E. Prohibit unnecessary idling of internal combustion engines.
- F. If impact pile driving is required, pre-drill foundation pile holes to minimize the number of impacts required to seat the pile.
- G. Construct solid plywood fences around construction sites adjacent to operational business, residences or other noise-sensitive land uses where the noise control plan analysis determines that a barrier would be effective at reducing noise.
- H. Erect temporary noise control blanket barriers, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.
- I. Route construction related traffic along major roadways and away from sensitive receptors where feasible.

19. Damage Due to Construction Vibration. The project applicant shall submit screening level analysis prior to, or concurrent with demolition building permit. If a screening level analysis shows that the project has the potential to result in damage to structures, a structural engineer or other appropriate professional shall be retained to prepare a vibration impact assessment (assessment). The assessment shall consider project specific information such as the composition of the structures, location of the various types of equipment used during each phase of the project, as well as the soil characteristics in the project area, in order to determine whether project construction may cause damage to any of the structures identified as potentially impacted in the screening level analysis. If the assessment finds that the project may cause damage to nearby structures, the structural engineer or other appropriate professional shall recommend design means and methods of construction that to avoid the potential damage, if feasible. The assessment and its recommendations shall be reviewed and approved by the Building and Safety Division and the Zoning Officer. If there are no feasible design means or methods to eliminate the potential for damage, the structural engineer or other appropriate professional shall undertake study of existing conditions (study) of any structures (or, in case of large buildings, of the portions of the structures) that may experience damage.

This study shall establish the baseline condition of these structures, including, but not limited to, the location and extent of any visible cracks or spalls; and include written descriptions and photographs.

The study shall be reviewed and approved by the Building and Safety Division and the Zoning Officer prior to issuance of a grading permit. Upon completion of the project, the structures (or, in case of large buildings, of the portions of the structures) previously inspected will be resurveyed, and any new cracks or other changes shall be compared to pre-construction conditions and a determination shall be made as to whether the proposed project caused the damage. The findings shall be submitted to the Building and Safety Division and the Zoning Officer for review. If it is determined that project construction has resulted in damage to the structure, the damage shall be repaired to the pre-existing condition by the project sponsor, provided that the property owner approves of the repair

20. Compliance with Conditions of Approval and Environmental Mitigations. The building permit application is subject to verification of compliance of these Conditions of Approval and the adopted Mitigation Monitoring and Reporting Program (Attachment __ - Exhibit 7). The applicant shall be responsible for demonstrating compliance with all conditions of approval and mitigation measures per the timeline set forth by this use permit. The applicant shall deposit \$10,000 with the City, or less with the approval of the Zoning Officer, to pay for the cost of monitoring compliance with these Conditions of Approval and other applicable conditions and regulations. Should compliance-monitoring expenses exceed the initial deposit, the applicant shall deposit additional funds to cover such additional expenses upon the request of the Zoning Officer; any unused deposit will be refunded to the applicant.

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

21. Demolition. Demolition of the existing parking lot at 2660 Bancroft Way cannot commence until a complete application is submitted for the replacement building. In addition, all plans presented to the City to obtain a permit to allow the demolition are subject to these conditions.

22. Construction Noise Management - Public Notice Required. At least two weeks prior to initiating any construction activities at the site, the applicant shall provide notice to businesses and residents within 500 feet of the project site. This notice shall at a minimum provide the following: (1) project description, (2) description of construction activities during extended work hours and reason for extended hours, (3) daily construction schedule (i.e., time of day) and expected duration (number of months), (4) the name and phone number of the Project Liaison for the project that is responsible for responding to any local complaints, and (5) that construction work is about to commence. The liaison would determine the cause of all construction-related complaints (e.g., starting too early, bad muffler, worker parking, etc.) and institute reasonable measures to correct the problem. A copy of such notice and methodology for distributing the notice shall be provided in advance to the City for review and approval.

23. Construction Phases. The applicant shall provide the Zoning Officer with a schedule of major construction phases with start dates and expected duration, a description of the activities and anticipated noise levels of each phase, and the name(s) and phone number(s) of the individual(s) directly supervising each phase. The Zoning Officer or his/her designee shall have the authority to require an on-site meeting with these individuals as necessary to ensure compliance with these conditions. The applicant shall notify the Zoning Officer of any changes to this schedule as soon as possible.

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

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

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

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

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

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

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

- i. procedures for soil and groundwater management including identification of pollutants and disposal methods;
- ii. procedures to manage odors, dust and other potential nuisance conditions expected during development;

- iii. notification to TMD within 24 hours of the discovery of any previously undiscovered contamination; and
- iv. the name and phone number of the individual responsible for implementing the SGMP and who will respond to community questions or complaints.

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

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

- i. The survey shall include the identification of all materials to be disturbed for lead-based paints, PCB containing equipment and caulking, hydraulic fluids, refrigerants, treated wood, and mercury containing devices (including fluorescent light bulbs and mercury switches), asbestos and other hazardous materials and chemicals.
- ii. If asbestos is identified, Bay Area Air Quality Management District Regulation 11-2-401.3 a notification must be made and the J number must be made available to the City of Berkeley Permit Service Center. Contractors must follow state regulations where there is asbestos-related work involving 100 square feet or more of asbestos containing material (8 Cal. Code Regs. §1529, §341.6 et seq.)
- iii. The report to the TMD shall include, in addition to the survey, plans on hazardous materials and hazardous waste removal and disposal that comply with State and Federal codes including California Code of Regulations (CCR) 66260 et seq.
- iv. Documentation evidencing disposal of hazardous waste in compliance with the survey shall be submitted to TMD within 30 days of the completion of the demolition. Please note, the PCB Screening Form required by Public Works, Engineering, is a separate requirement and does not address the PCB identification requirement of the Toxics Management Division.

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

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

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

- i. aggregate aboveground petroleum storage capacities of 1,320 gallons or more stored in aboveground storage containers, tanks, oil-filled equipment, or
- ii. one or more tank(s) in an underground area (TIUGA) with petroleum storage capacities of 55 gallons or greater. More information on TIUGAs can be found here: <https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/tank-in-an-underground-area-tiuga/>

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

Prior to Issuance of Any Building (Construction) Permit

- 26. Percent for Public Art.** Consistent with BMC Section 23.316, the applicant shall either pay the required in-lieu fee or provide the equivalent amount in a financial guarantee to be released after installation of the On-Site Publicly Accessible Art.
- 27. Final Design Review.** The Project requires approval of a Final Design Review application by the Design Review Committee.
- 28. 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.
- 29. Interior Noise Levels.** Prior to issuance of a building permit, the applicant shall submit a report to the Building and Safety Division and the Zoning Officer by a qualified acoustic engineer certifying that the interior residential portions of the project will achieve interior noise levels of no more than 45 Ldn (Average Day-Night Levels). If the adopted Building Code imposes a more restrictive standard for interior noise levels, the report shall certify compliance with this standard.
- 30. 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.)

31. 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.

32. Public Works ADA. Plans submitted for building permit shall include replacement of sidewalk, curb, gutter, and other streetscape improvements, as necessary to comply with current City of Berkeley standards for accessibility.

AFFORDABLE HOUSING REQUIREMENTS – RESIDENTIAL PROJECTS

33. Affordable Housing Compliance Plan. The final Affordable Housing Compliance Plan (“AHCP”) must be certified by the Zoning Officer and the Department of Health, Housing, and Community Services prior to the issuance of Building Permit. Projects that receive approval from the Building Official for multiple phase construction permits must have the final AHCP certified prior to the issuance of the phase one building permit.

34. Below Market Rate Units. 9 Very-Low Income, and rental dwelling units (BMR Units) shall be provided in the project. All affordable units provided pursuant to California Government Code Section 6915, Density Bonus, of the permit findings shall be designated as BMR Units. All BMR units are required to comply with the stricter of the State Density Bonus Law (Government Code Section 65915) BMC Section 23.328.030(A) Affordable Housing Requirements.

Summary table of project BMR units			
Code Section	Extremely-Low Income (30% AMI)	Very-Low Income (50% AMI)	Low Income (80% AMI)
BMC Chapter 23.328 (Inclusionary Housing)	0	9	0
State Density Bonus Law (Gov. Code Section 65915)	0	9	0
Total	0	9	0

35. Regulatory Agreement. If BMR units are provided, the owner shall enter into a Regulatory Agreement that implements Government Code Section 65915, BMC Section 23.328.030, and other provisions for BMR units included in this Use Permit. The Regulatory Agreement may include any terms and affordability standards determined by the City to be necessary to ensure such compliance. The Regulatory Agreement will secure the property’s obligation to comply with the requirements for providing BMR units as defined by BMC Chapter 23.328 and State Density Bonus Law (Government Code Section 65915). The applicant shall submit the Regulatory Agreement to the Department of Health, Housing, and Community Services for review and approval. All BMR units are required to comply with the Regulatory

Agreement and the BMR Administrative Guidelines. Regulatory Agreements must be executed prior to the issuance of Building Permit, or, in the case of projects that receive approval from the Building Official for multiple phase construction permits, prior to the issuance of the phase one building permit.

36. Payment of Affordable Housing In-Lieu Fee. The Affordable Housing In-Lieu Fee shall be paid as required by BMC Section 23.328.030(B) and Resolution 70,698 N.S. The fee for this project is \$880,143.75 and is subject to proration to reflect any affordable units provided. Any adjustments to the fee and the final fee amount will be determined prior to building permit issuance as part of the Affordable Housing Compliance Plan approval. The In-Lieu Fee shall be paid prior to the issuance of the first Certificate of Occupancy, or if no Certificate of Occupancy is required, prior to the final inspection of the Project. Nothing in these conditions shall be interpreted to prohibit, or to require modification of the Use Permit or Regulatory Agreement to allow, the provision of additional BMR units, or additional affordability, then are required in the foregoing provisions.

37. Dwellings Approved as Rental Units / Condo Map. Dwellings that are approved as rental units, but in which a condo map is approved prior to issuance of an occupancy permit, shall be subject to the affordability requirements within BMC 23.328 in effect on March 31, 2023.

Prior to Demolition or Start of Construction:

38. Construction Meeting. The applicant shall request of the Zoning Officer an on-site meeting with City staff and key parties involved in the early phases of construction (e.g., applicant, general contractor, foundation subcontractors) to review these conditions and the construction schedule. The general contractor or applicant shall ensure that all subcontractors involved in subsequent phases of construction aware of the conditions of approval.

39. Transportation Construction Plan. The applicant and all persons associated with the project are hereby notified that a Transportation Construction Plan (TCP) may be required, particularly for the following activities:

- A. Alterations, closures, or blockages to sidewalks, pedestrian paths or vehicle travel lanes (including bicycle lanes);
- B. Storage of building materials, equipment, dumpsters, debris anywhere in the public ROW;
- C. Provision of exclusive contractor parking on-street; or
- D. Significant truck activity.

Please contact the Office of Transportation at (510) 981-7010, or 1947 Center Street, and ask to speak to a traffic engineer. In addition to other requirements of the Traffic Engineer, this plan shall include the locations of material and equipment storage, trailers, worker parking, a schedule of site operations that may block traffic, and provisions for traffic control. The TCP shall be stamped and signed by a registered engineer prior to submittal. The TCP shall be consistent with any other requirements of the construction phase. A current copy of this Plan shall be available at all times at the construction site for review by City Staff.

40. Construction/No Parking Permits. Contact the Permit Service Center (PSC) at 1947 Center Street or 981-7500 for details on obtaining Construction/No Parking Permits (and associated signs and accompanying dashboard permits). Please note that the Zoning

Officer and/or Traffic Engineer may limit off-site parking of construction-related vehicles if necessary to protect the health, safety or convenience of the surrounding neighborhood.

During Construction:

- 41. Construction Hours.** Construction activity shall be limited to between the hours of 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.
- 42. Construction Hours- Exceptions.** It is recognized that certain construction activities, such as the placement of concrete, must be performed in a continuous manner and may require an extension of these work hours. Prior to initiating any activity that might require a longer period, the developer must notify the Zoning Officer and request an exception for a finite period of time. If the Zoning Officer approves the request, then two weeks prior to the expanded schedule, the developer shall notify businesses and residents within 500 feet of the project site describing the expanded construction hours. A copy of such notice and methodology for distributing the notice shall be provided in advance to the City for review and approval. The project shall not be allowed more than 15 extended working days.
- 43. Project Construction Website.** The applicant shall establish a project construction website with the following information clearly accessible and updated monthly or more frequently as changes warrant.
- A. Contact information (i.e. "hotline" phone number, and email address) for the project construction manager
 - B. Calendar and schedule of daily/weekly/monthly construction activities
 - C. The final Conditions of Approval, Mitigation Monitoring and Reporting Program, Transportation Construction Plan, Construction Noise Reduction Program, and any other reports or programs related to construction noise, air quality, and traffic.
- 44. Public Works - Implement Bay Area Air Quality Management District (BAAQMD)- Recommended Measures during Construction.** For all proposed projects, BAAQMD recommends implementing all the Basic Construction Mitigation Measures, listed below to meet the best management practices threshold for fugitive dust:
- A. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - B. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - C. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - D. All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - E. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - F. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]).

Clear signage shall be provided for construction workers at all access points.

- G. All construction equipment shall be maintained and properly tuned in accordance with manufacturer specifications. All equipment shall be checked by a certified visible emissions evaluator.
- H. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

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

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

46. Construction and Demolition Diversion. Divert debris according to your plan and collect required documentation. Get construction debris receipts from sorting facilities in order to verify diversion requirements. Upload recycling and disposal receipts if using [Green Halo](#) and submit online for City review and approval prior to final inspection. Alternatively, complete the [Construction Waste Management Plan](#) and present it, along with your construction debris receipts, to the Building Inspector by the final inspection to demonstrate diversion rate compliance. The Zoning Officer may request summary reports at more frequent intervals, as necessary to ensure compliance with this requirement.

- 47. Low-Carbon Concrete.** The project shall maintain compliance with the Berkeley Green Code (BMC Chapter 19.37) including use of concrete mix design with a cement reduction of at least 25 percent. Documentation on concrete mix design shall be available at all times at the construction site for review by City Staff. (Project required to meet applicable code at time of building permit application, if different from above.)
- 48. Avoid Disturbance of Nesting Birds.** Initial site disturbance activities, including vegetation and concrete removal, shall be prohibited during the general avian nesting season (February 1 to August 30), if feasible. If nesting season avoidance is not feasible, the applicant shall retain a qualified biologist to conduct a preconstruction nesting bird survey to determine the presence/absence, location, and activity status of any active nests on or adjacent to the project site. The extent of the survey buffer area surrounding the site shall be established by the qualified biologist to ensure that direct and indirect effects to nesting birds are avoided. To avoid the destruction of active nests and to protect the reproductive success of birds protected by the MBTA and CFGC, nesting bird surveys shall be performed not more than 14 days prior to scheduled vegetation and concrete removal. In the event that active nests are discovered, a suitable buffer (typically a minimum buffer of 50 feet for passerines and a minimum buffer of 250 feet for raptors) shall be established around such active nests and no construction shall be allowed inside the buffer areas until a qualified biologist has determined that the nest is no longer active (e.g., the nestlings have fledged and are no longer reliant on the nest). No ground-disturbing activities shall occur within this buffer until the qualified biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Nesting bird surveys are not required for construction activities occurring between August 31 and January 31.
- 49. Archaeological Resources (Ongoing throughout demolition, grading, and/or construction).** Pursuant to CEQA Guidelines section 15064.5(f), "provisions for historical or unique archaeological resources accidentally discovered during construction" should be instituted. Therefore:
- A.** In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the project applicant and/or lead agency shall consult with a qualified archaeologist, historian or paleontologist to assess the significance of the find.
 - B.** If any find is determined to be significant, representatives of the project proponent and/or lead agency and the qualified professional would meet to determine the appropriate avoidance measures or other appropriate measure, with the ultimate determination to be made by the City of Berkeley. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and/or a report prepared by the qualified professional according to current professional standards.
 - C.** In considering any suggested measure proposed by the qualified professional, the project applicant shall determine whether avoidance is necessary or feasible in light of factors such as the uniqueness of the find, project design, costs, and other considerations.
 - D.** If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation measures for cultural resources is carried out.
 - E.** If significant materials are recovered, the qualified professional shall prepare a report on

the findings for submittal to the Northwest Information Center.

50. Human Remains (Ongoing throughout demolition, grading, and/or construction). In the event that human skeletal remains are uncovered at the project site during ground-disturbing activities, all work shall immediately halt and the Alameda County Coroner shall be contacted to evaluate the remains, and following the procedures and protocols pursuant to Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and all excavation and site preparation activities shall cease within a 50-foot radius of the find until appropriate arrangements are made. If the agencies determine that avoidance is not feasible, then an alternative plan shall be prepared with specific steps and timeframe required to resume construction activities. Monitoring, data recovery, determination of significance and avoidance measures (if applicable) shall be completed expeditiously.

51. Paleontological Resources (Ongoing throughout demolition, grading, and/or construction). In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards [SVP 1995,1996]). The qualified paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the City determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the City for review and approval.

53. Resources (Ongoing throughout demolition, grading, and/or construction).

A. *Qualified Archeologist.* The project applicant shall retain a qualified archeologist prior to excavations or ground disturbance that will exceed three feet in depth. The Qualified Paleontologist shall direct all mitigation measures related to paleontological resources. A qualified professional archeologist is defined by the SVP standards as an individual preferably with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least two years (SVP 2010).

B. *Worker Environmental Awareness Program (WEAP).* Prior to ground disturbance, the applicant shall incorporate information on archeological resources into the Project's Worker Environmental Awareness Training (WEAP) materials, or a stand-alone Archeological Resources WEAP shall be submitted to the Department of Planning and Development at the City of Berkeley. The qualified paleontologist or his or her designee shall conduct training for construction personnel regarding the appearance of fossils and the procedures for notifying archeological staff should fossils be discovered by construction staff. The Archeological WEAP training shall be fulfilled simultaneously with the overall WEAP training, or at the first preconstruction meeting at which a qualified archeologist attends prior to ground disturbance. Printed literature (handouts) shall accompany the initial training. Following the initial WEAP training, all new workers and

contractors must be trained prior to conducting ground disturbance work.

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

the project geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. The report shall be submitted to the Department of Planning and Development at the City of Berkeley. If the monitoring efforts produced fossils, then a copy of the report shall also be submitted to the designated museum repository.

52. Halt Work/Unanticipated Discovery of Tribal Cultural Resources. In the event that cultural resources of Native American origin are identified during construction, all work within 50 feet of the discovery shall be redirected. The project applicant and project construction contractor shall notify the City Planning Department within 24 hours. The City will again contact any tribes who have requested consultation under AB 52, as well as contact a qualified archaeologist, to evaluate the resources and situation and provide recommendations. If it is determined that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with State guidelines and in consultation with Native American groups. If the resource cannot be avoided, additional measures to avoid or reduce impacts to the resource and to address tribal concerns may be required.

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

- A.** The project plans shall identify and show site-specific Best Management Practices (BMPs) appropriate to activities conducted on-site to limit to the maximum extent practicable the discharge of pollutants to the City's storm drainage system, regardless of season or weather conditions.
- B.** Trash enclosures and/or recycling area(s) shall be covered; no other area shall drain onto this area. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. Applicant shall contact the City of Berkeley and EBMUD for specific connection and discharge requirements. Discharges to the sanitary sewer are subject to the review, approval and conditions of the City of Berkeley and EBMUD.
- C.** Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration and minimize the use of fertilizers and pesticides that contribute to stormwater pollution. Where feasible, landscaping should be designed and operated to treat runoff. When and where possible, xeriscape and drought tolerant plants shall be incorporated into new development plans.
- D.** Design, location and maintenance requirements and schedules for any stormwater quality treatment structural controls shall be submitted to the Department of Public Works for review with respect to reasonable adequacy of the controls. The review does not relieve the property owner of the responsibility for complying with BMC Chapter 17.20 and future revisions to the City's overall stormwater quality ordinances. This review shall be 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.** private or public projects that create and/or replace 5,000 square-feet or more of impervious surface must comply with Provision C.3 of the Alameda County NPDES permit and must incorporate stormwater controls to enhance water quality. Permit submittals shall include a Stormwater Requirement Checklist and detailed information showing how the proposed project will meet Provision C.3 stormwater requirements, including a) Site design measures to reduce impervious surfaces, promote infiltration, and reduce water quality impacts; b) Source Control Measures to keep pollutants out of stormwater runoff; c) Stormwater treatment measures that are hydraulically sized to remove pollutants from stormwater; d) an O & M (Operations and Maintenance) agreement for all stormwater treatment devices and installations; and e) Engineering calculations for all stormwater devices (both mechanical and biological). (Project required to meet applicable code at time of building permit application, if different from above.)
- H.** All on-site storm drain inlets must be labeled “No Dumping – Drains to Bay” or equivalent using methods approved by the City.
- I.** Most washing and/or steam cleaning must be done at an appropriately equipped facility that drains to the sanitary sewer. Any outdoor washing or pressure washing must be managed in such a way that there is no discharge or soaps or other pollutants to the storm drain. Sanitary connections are subject to the review, approval and conditions of the sanitary district with jurisdiction for receiving the discharge.
- J.** All loading areas must be designated to minimize “run-on” or runoff from the area. Accumulated waste water that may contribute to the pollution of stormwater must be drained to the sanitary sewer or intercepted and pretreated prior to discharge to the storm drain system. The property owner shall ensure that BMPs are implemented to prevent potential stormwater pollution. These BMPs shall include, but are not limited to, a regular program of sweeping, litter control and spill cleanup.
- K.** Sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry to the storm drain system. If any cleaning agent or degreaser is used, wash water shall not discharge to the storm drains; wash waters should be collected and discharged to the sanitary sewer. Discharges to the sanitary sewer are subject to the review, approval and conditions of the sanitary district with jurisdiction for receiving the discharge.
- L.** The applicant is responsible for ensuring that all contractors and sub-contractors are aware of and implement all stormwater quality control measures. Failure to comply with the approved construction BMPs shall result in the issuance of correction notices, citations, or a project stop work order.

54. Public Works. Subject to approval of the Public Works Department, the applicant shall repair any damage to public streets and/or sidewalks by construction vehicles traveling to or from the project site.

55. Public Works. All piles of debris, soil, sand, or other loose materials shall be covered at night and during rainy weather with plastic at least one-eighth millimeter thick and secured

to the ground.

- 56. Public Works.** The applicant shall ensure that all excavation accounts for surface and subsurface waters and underground streams so as not to adversely affect adjacent properties and rights-of-way.
- 57. Public Works.** The project sponsor shall maintain sandbags or other devices around the site perimeter during the rainy season to prevent on-site soils from being washed off-site and into the storm drain system. The project sponsor shall comply with all City ordinances regarding construction and grading.
- 58. Public Works.** Prior to any excavation, grading, clearing, or other activities involving soil disturbance during the rainy season the applicant shall obtain approval of an erosion prevention plan by the Building and Safety Division and the Public Works Department. The applicant shall be responsible for following these and any other measures required by the Building and Safety Division and the Public Works Department.
- 59. Public Works.** The removal or obstruction of any fire hydrant shall require the submission of a plan to the City's Public Works Department for the relocation of the fire hydrant during construction.
- 60. Public Works / Building and Safety.** If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Public Works Department and the Building & Safety Division, and carry out any necessary corrective action to their satisfaction.

Prior to Final Inspection or Issuance of Occupancy Permit:

- 61. Compliance with Conditions and Environmental Mitigations.** The project shall conform to the plans and statements in the Use Permit. The developer is responsible for providing sufficient evidence to demonstrate compliance with the requirements throughout the implementation of this Use Permit. Occupancy is subject to verification of compliance to the Mitigation Monitoring and Reporting Program.
- 62.** All landscape, site and architectural improvements shall be completed per the attached approved drawings dated March 6, 2024.
- 63. Transportation Demand Management.** Prior to issuance of a Certificate of Occupancy, the property owner shall facilitate a site inspection by Land Use Division staff to confirm that the physical improvements required in BMC Sections 23.334.030(C) and 23.322.090 (bike parking) have been installed. A Parking and Transportation Demand Management (PTDM) compliance report documenting that the programmatic measures required in BMC Sections 23.334.030(C) and 23.322.090 are implemented shall be submitted to the Land Use Division prior to occupancy, and on an annual basis thereafter, which demonstrates that the project is compliant with the applicable requirements in these sections.
 - A.** Consistent with BMC Section 23.334.030(A), all parking spaces provided for residents be leased or sold separate from the rental or purchase of dwelling units for the life of the dwelling units. The property owner shall notify all residents of this restriction in leases and/or contracts, and shall provide sample leases and/or contracts including such notification to the project planner prior to issuance of Certificate of Occupancy or final inspection.

At All Times:

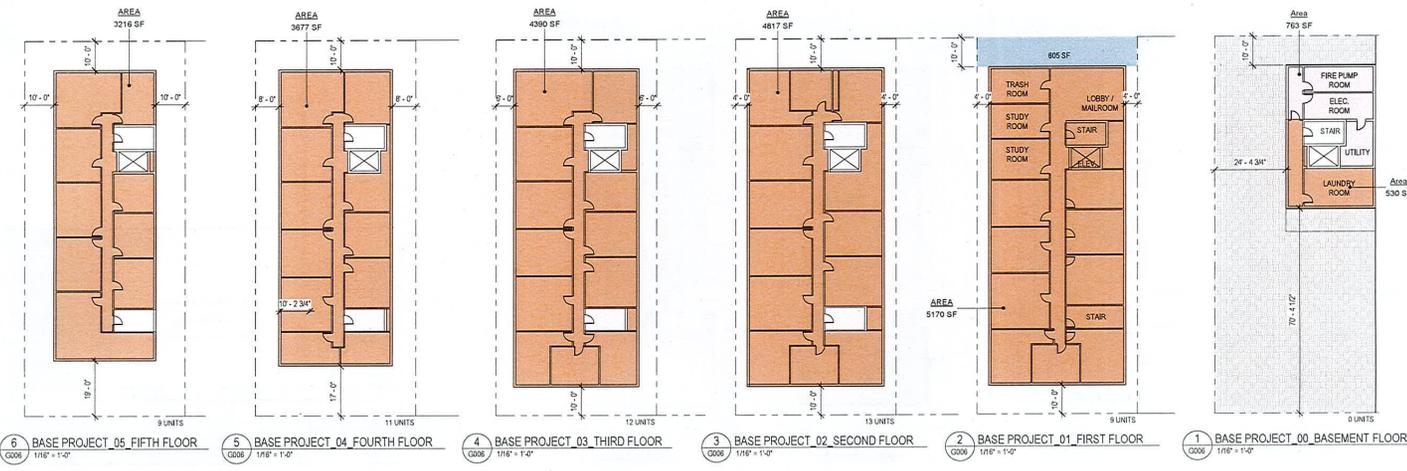
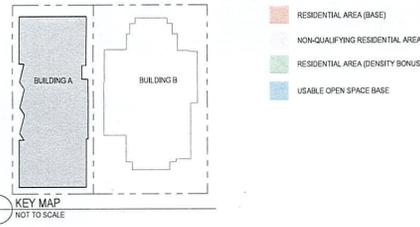
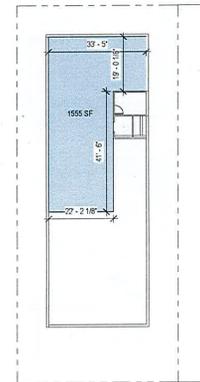
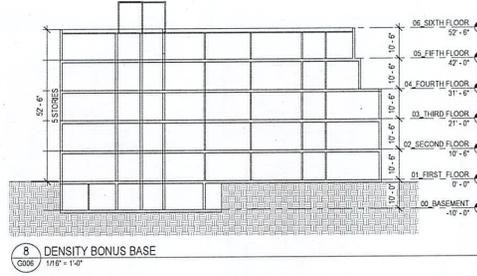
- 64. Compliance with Approved Plan.** The project shall conform to the plans and statements in the Use Permit.
- 65. Transportation Demand Management Compliance.** A Transportation Demand Management compliance report shall be submitted to the Zoning Officer, on a form acceptable to the City, prior to occupancy, and on an annual basis for ten years thereafter, which demonstrates that the project complies with the applicable requirements. After three years of timely compliant submittals, staff has the option to accept less frequent submittals (minimum one every three years). Property owners may be required to pay administrative fees associated with compliance with this Condition, pursuant to BMC Section 23.334.040(B).
- 66. 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.
- 67. 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.
- 68. Design Review.** Signage and any other exterior modifications, including but not limited to landscaping and lighting, shall be subject to Design Review approval.
- 69. 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.
- 70. Electrical Meter.** Only one electrical meter fixture may be installed per dwelling unit.
- 71. 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.
- 72. 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.
- 73. Required Bike Parking.** Secure and on-site at least 1 Long-Term bike parking space per every 3, and 1 short term bike parking space shall be provided for every 40 bedrooms for the life of the residential building at 2660 Bancroft Way. 1 short-term parking space for every 10,000 square feet of gross floor area, and 2 long-term bike parking spaces for every 2,500 square feet of gross floor shall be provided for the life of the commercial building at 2680 Bancroft Way. f
- Transit Subsidy Condition.** If 10 or more employees, the business operator shall reimburse employees the maximum non-taxable cost of commuting to and from work on public transportation (e.g., monthly passes) if they so commute, and a notice informing employees of the availability of such subsidy shall be permanently displayed in the employee area as

per BMC Chapter 9.88.

74. Periodic Review and Reporting. The City may require periodic review of this approved project to verify compliance with permit requirements and conditions of approval. The permit holder or property owner is responsible for complying with any periodic reporting, monitoring, or assessments requirement. This permit is subject to the provisions of BMC Section 23.404.080 (Permit Revocation) if violations of the permit requirements are found by the Zoning Officer.

75. This permit is subject to review, imposition of additional conditions, or revocation if factual complaint is received by the Zoning Officer that the maintenance or operation of this establishment is violating any of these or other required conditions or is detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood or is detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

Base...	Base # Units	Base # Units	Avg Unit...	% VLI units	# VLI	Bonus %	# DB Units	# DB Units	Total Units																																												
vs. R. - see calculation below	base project's unit size	Base Units/Max. Residential Density (rounded up)	Base SF / Base Units	VLI = Very Low Income >= 80 AMI	% VLI + Base # Units	% VLI + Base # Units	% Bonus + Base # Units (rounded up)	% Bonus + Base # Units (rounded up)	base unit + DB Units (rounded up)																																												
21,800	53.42	54.00	408.11	15%	8.10	9.00	50.0%	27.00	27.00																																												
<table border="1"> <thead> <tr> <th>Base Project Residential Square Footage</th> <th>Floor</th> <th>Residential Sq. Footage (Proposed)</th> <th>Studio</th> </tr> </thead> <tbody> <tr><td>530</td><td>basement</td><td></td><td>8</td></tr> <tr><td>3,370</td><td>1st</td><td>3,097</td><td>8</td></tr> <tr><td>4,817</td><td>2nd</td><td>3,889</td><td>10</td></tr> <tr><td>4,360</td><td>3rd</td><td>4,035</td><td>11</td></tr> <tr><td>3,677</td><td>4th</td><td>4,342</td><td>11</td></tr> <tr><td>3,218</td><td>5th</td><td>4,242</td><td>11</td></tr> <tr><td></td><td>bath</td><td>4,242</td><td>11</td></tr> <tr><td></td><td>laundry</td><td>4,242</td><td>11</td></tr> <tr><td></td><td>length</td><td>3,154</td><td>8</td></tr> <tr><td>21,800</td><td>TOTAL</td><td>32,241</td><td>79</td></tr> </tbody> </table>										Base Project Residential Square Footage	Floor	Residential Sq. Footage (Proposed)	Studio	530	basement		8	3,370	1st	3,097	8	4,817	2nd	3,889	10	4,360	3rd	4,035	11	3,677	4th	4,342	11	3,218	5th	4,242	11		bath	4,242	11		laundry	4,242	11		length	3,154	8	21,800	TOTAL	32,241	79
Base Project Residential Square Footage	Floor	Residential Sq. Footage (Proposed)	Studio																																																		
530	basement		8																																																		
3,370	1st	3,097	8																																																		
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21,800	TOTAL	32,241	79																																																		
				Total Square Footage: 32,241		Proposed Units: 79		Average Unit Size: 408																																													



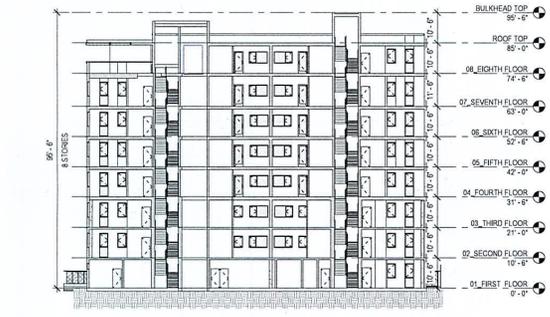
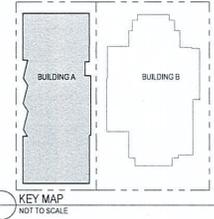
studioKDA
 ARCHITECTURE
 2650-2680
 BANCROFT WAY
 2681 - 2683 BANCROFT WAY
 BERKELEY, CA
 DRC & ZAB

PROJECT ISSUE RECORD	ISSUE NUMBER	ISSUE DESCRIPTION	DATE	STATUS
1	0001	USE FINAL APPLICATION		

G006

Base #	Base # Units	Base # Units	Avg Unit	% VLI Units	# VLI	# VLI	Dens %	# DB Units	# DB Units	Total Units
NO. 5 - see calculation below	base projecting unit size	Base Units/Max. Residential Density (rounded up)	Base SF / Base Units	VLI = Very Low Income + SD AMI	% VLI Base # Units (rounded up)	% VLI Base # Units (rounded up)	N/D	% Bonus x Base # Units (rounded up)	# Units (rounded up)	base unit + DB units (rounded up)
21,800	53.42	54.00	408.11	15%	8.10	9.00	50.2%	27.00	27.00	81
Base Project Residential Square Footage										
	Floor	Residential Sq. Footage Proposed	Studio	Total Square Footage: 32,241		Proposed Units: 79		Average Unit Size: 408		
530	basement			5%	20.0%					
5,710	1st	3,007	6	6%	22.5%					
4,817	2nd	3,807	10	7%	25.0%					
4,360	3rd	4,206	11	8%	27.5%					
3,977	4th	4,242	11	9%	30.0%					
3,216	5th	4,242	11	10%	32.5%					
	6th	4,242	11	11%	35.0%					
	7th	4,242	11	12%	37.5%					
	8th	4,242	11	14%	40.0%					
	9th	3,504	8	15%	42.5%					
21,800	TOTAL	32,241	79							

- RESIDENTIAL AREA (BASE)
- NON-QUALIFYING RESIDENTIAL AREA
- RESIDENTIAL AREA (DENSITY BONUS)
- USABLE OPEN SPACE BASE



9 DENSITY BONUS PROPOSED
1/16" = 1'-0"

SCALE: 1/16" = 1'-0"



studioKCA
ARCHITECTURE

2660-2680
BANCROFT WAY
BERKELEY, CA

2661-2680 BANCROFT WAY
BERKELEY, CA

DRC & ZAB

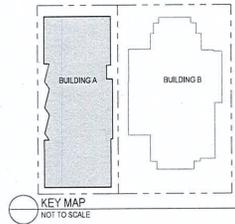
PROJECT ISSUE RECORD

NO.	ISSUE	DATE	STATUS
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2	ISSUE		
3	ISSUE		
4	ISSUE		
5	ISSUE		
6	ISSUE		
7	ISSUE		
8	ISSUE		
9	ISSUE		
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17	ISSUE		
18	ISSUE		
19	ISSUE		
20	ISSUE		

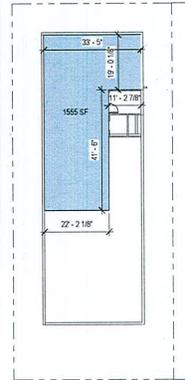
PROJECT # _____ SHEET _____

DENSITY BONUS CALC PROPOSED

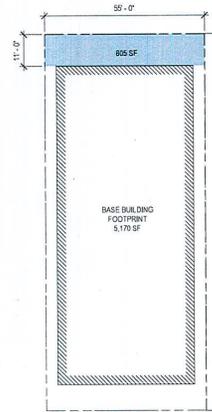
G007



PARCEL WITH BUILDING B WILL BE LANDSCAPED USABLE OPEN SPACE ON THE GROUND FLOOR BUT THERE ARE NOT NON-RESIDENTIAL USABLE OPEN SPACE REQUIREMENTS



7 ROOF TOP UOS - BASE
 C009 1/16" = 1'-0"



6 1ST FLOOR UOS - BASE
 C009 1/16" = 1'-0"

UNIT	TYPE	AREA	PERCENT
40 SF X 79 UNITS	Private	3,150 SF	61%
PROPOSED COMMON	Common	1,888 SF	37%
TOTAL PROPOSED		5,038 SF	100%

UOS CALCS PROPOSED BUILDING:

UOS REQUIRED: 48 SF PER UNIT = 3,150 SF
 PROPOSED PRIVATE = 3,150 SF
 PROPOSED COMMON = 1,888 SF
TOTAL PROPOSED = 5,038 SF

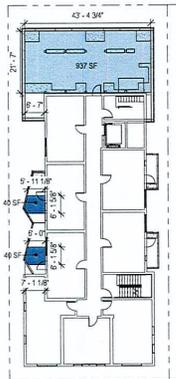
LANDSCAPED UOS:
 40% OF REQUIRED UOS = 1,260 SF
 REQUIRED: 40% OF 3,150 = 1,260 SF
TOTAL PROVIDED = 1,260 SF

LOT COVERAGE:
 MAX. BLDG. BOUNDARY AREA = 5,215 SF
 LOT SIZE = 7,150 SF
LOT COVERAGE = 5,215 / 7,150 = 73%
 MAX LOT COVERAGE ALLOWED = 48%

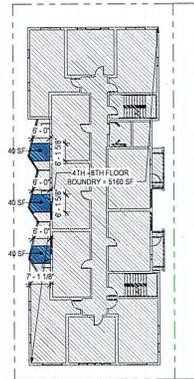
UOS CALCS BASE BUILDING:

UOS REQUIRED: 48 SF PER UNIT = 2,160 SF
 40 SF X 54 UNITS = 2,160 SF
TOTAL PROPOSED = 2,160 SF

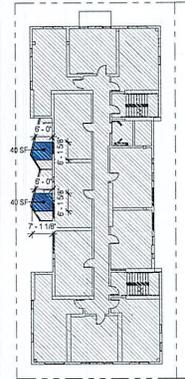
LOT COVERAGE:
 MAX. BLDG. BOUNDARY AREA = 5,170 SF
 LOT SIZE = 7,150 SF
LOT COVERAGE = 5,170 / 7,150 = 72%



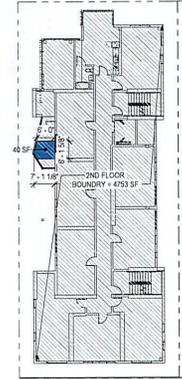
5 8TH FLOOR UOS DIAGRAM
 C009 1/16" = 1'-0"



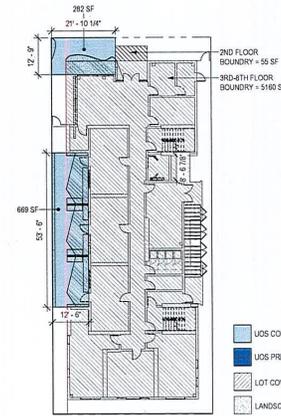
4 4TH, 5TH, 6TH & 7TH FLOORS UOS - PROPOSED
 C009 1/16" = 1'-0"



3 3RD FLOOR UOS - PROPOSED
 C009 1/16" = 1'-0"



2 2ND FLOOR UOS - PROPOSED
 C009 1/16" = 1'-0"



1 1ST FLOOR UOS - PROPOSED
 C009 1/16" = 1'-0"

UOS COMMON
 UOS PRIVATE
 LOT COVERAGE
 LANDSCAPED UOS



2660-2680
 BANCROFT WAY

2660 - 2680 BANCROFT WAY
 BERKELEY, CA



DRC & ZAB

PROJECT ISSUE RECORDED	DATE	DESCRIPTION
1		
2		
3		
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20		

PROJECT # _____ DATE _____

LOT COVERAGE USABLE OPEN SPACE CALCS

G009



1 BIRD SAFETY EAST ELEVATION
 G019 1/8" = 1'-0"

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 619.443.3333 | studiokda.com

2660-2680
 BANCROFT WAY
 2660 - 2680 BANCROFT WAY
 BERKELEY, CA

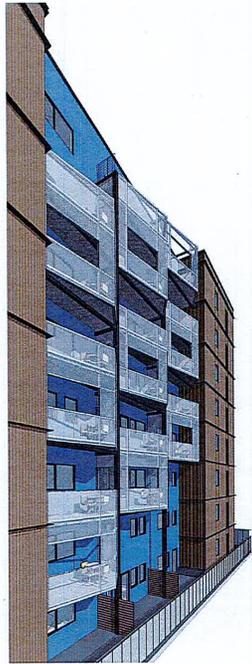
DRC & ZAB

PROJECT ISSUE RECORD	
NO.	DESCRIPTION

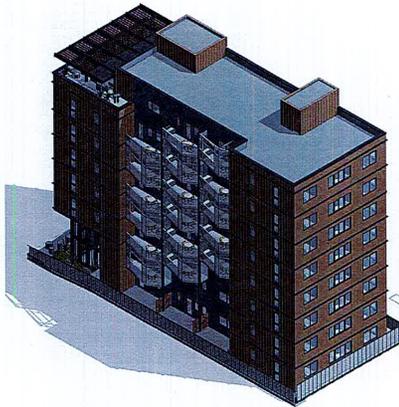
PROJECT # SHEET

BIRD SAFETY EXTERIOR
 EAST ELEVATION
 BUILDING A

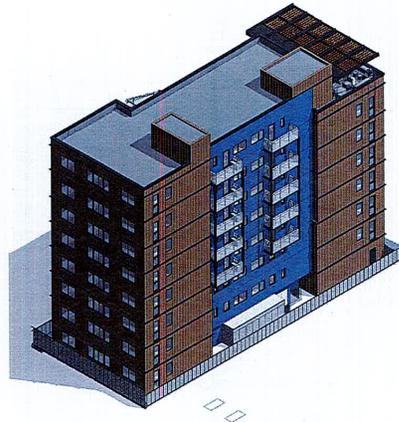
G019



5 ISOMETRIC CLOSE UP WEST
 G024



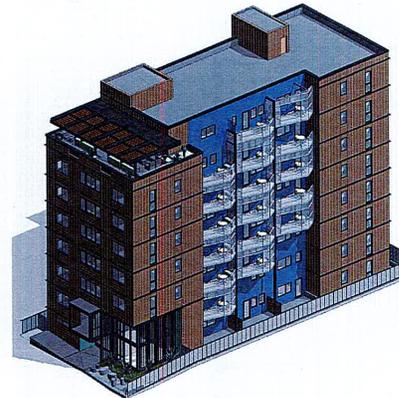
4 ISOMETRIC VIEW SOUTH WEST
 G024



2 ISOMETRIC VIEW SOUTH EAST
 G024



3 ISOMETRIC VIEW NORTH EAST
 G024



1 ISOMETRIC VIEW NORTH WEST
 G024

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2660-2680
 BANCROFT WAY

2660 - 2680 BANCROFT WAY
 BERKELEY, CA



DRC & ZAB

PROJECT ISSUE RECORD

DATE	ISSUE	DESCRIPTION	STATUS

PROJECT # SHEET #

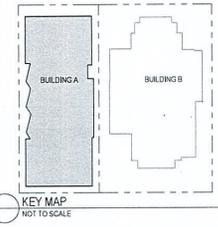
AERIAL PERSPECTIVES
 BUILDING A

G024

STUDIO KDA ARCH

Base...	Base # Units	Base # Units	Avg. UNLT.	% VLI Units	# VLI	# VLI	Bonus %	# DB Units	# DB Units	Total Units
10, 11, see calculation below	base projecting unit cost	Base LH/Max Residential Density (rounded up)	Base SF / Base Units	VLI = Very Low Income <50 AMI	% VLI Base # units	% VLI Base # Units (rounded up)	% DB	# Bonus # Base # Units (rounded up)	# Bonus # Base # Units (rounded up)	base unit + DB units (rounded up)
21,800	53.42	54.30	408.11	15%	8.10	9.00	50.0%	27.00	27.00	81
Base Project Residential Square Footage										
530	Basement									
5,170	Unit	3,097	8							
4,817	Storage	3,067	10							
4,390	Third	4,395	11							
3,077	Fourth	4,242	11							
3,216	Fifth	2,942	11							
	Sixth	4,242	11							
	Seventh	4,342	11							
	Eighth	3,150	8							
21,800	TOTAL	32,241								
			79	0						79

- RESIDENTIAL AREA (BASE)
- NON-QUALIFYING RESIDENTIAL AREA
- RESIDENTIAL AREA (DENSITY BONUS)
- USABLE OPEN SPACE BASE



9 DENSITY BONUS PROPOSED
 0007 1/16" = 1'-0"



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2660-2680
 BANCROFT WAY

2660-2680 BANCROFT WAY
 BENEVOLE, CA

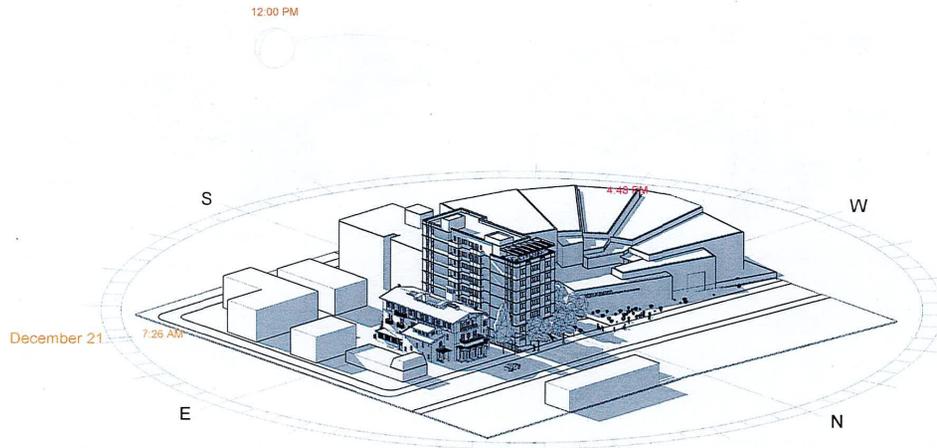
DRC & ZAB

PROJECT ISSUE RECORD

NO.	ISSUE	DATE	STATUS
1	ISSUE		
2	ISSUE		
3	ISSUE		

DENSITY BONUS CALC. PROPOSED

G007



SHADOW LEGEND:

- EXISTING SHADOW
- NEW SHADOW
- NO SHADOW



KEY MAP
 NOT TO SCALE



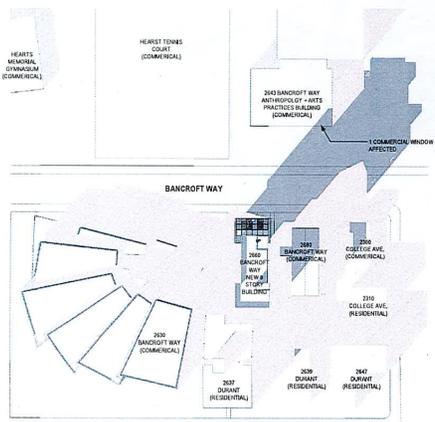
2660-2680
 BANCROFT WAY

2660 - 2680 BANCROFT WAY
 BERKELEY, CA

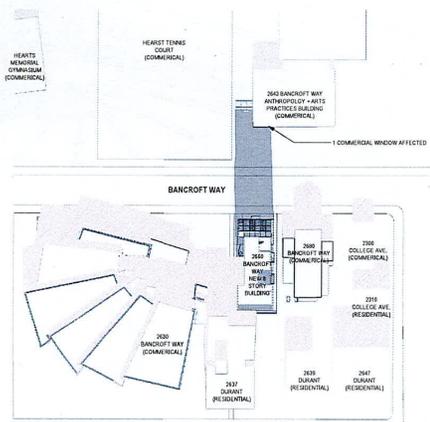


DRC & ZAB

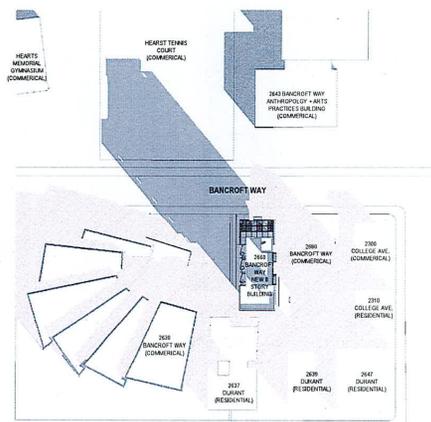
1 SHADOW STUDY - DEC 21
 G012



4 12/21 PROPOSED - 2:53 PM
 G012 1" = 80'-0"



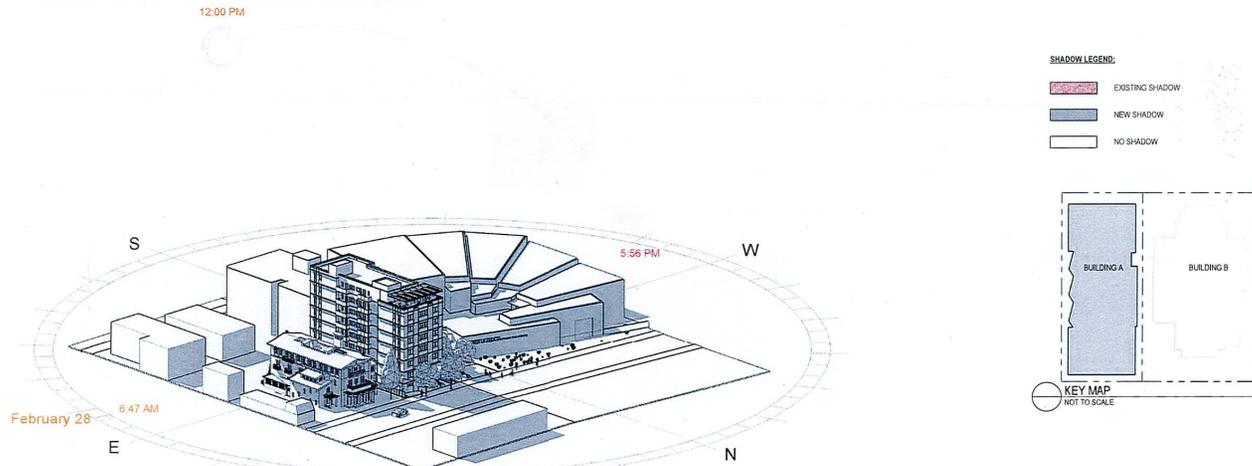
2 12/21 PROPOSED - NOON
 G012 1" = 80'-0"



3 12/21 PROPOSED - 9:21 AM
 G012 1" = 80'-0"

PROJECT ISSUE RECORD	
1	PREP (SEE FINDER)
2	APPLICATION
3	ISSUE (SEE COMMENTS)
4	ISSUE (SEE COMMENTS)
5	ISSUE (SEE COMMENTS)
6	ISSUE (SEE COMMENTS)
7	ISSUE (SEE COMMENTS)
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46	ISSUE (SEE COMMENTS)
47	ISSUE (SEE COMMENTS)
48	ISSUE (SEE COMMENTS)
49	ISSUE (SEE COMMENTS)
50	ISSUE (SEE COMMENTS)

SHADOW STUDIES-DEC
 21 BUILDING A
 G012



SHADOW LEGEND:
 [Red hatched box] EXISTING SHADOW
 [Blue box] NEW SHADOW
 [White box] NO SHADOW



KEY MAP
 NOT TO SCALE



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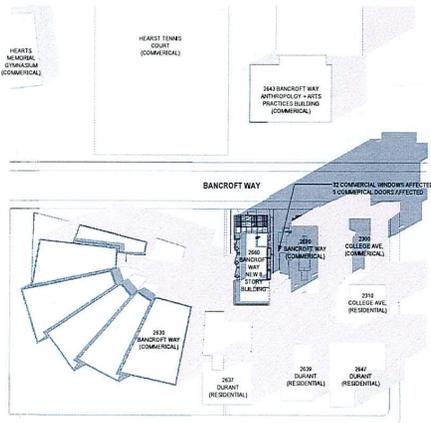
**2660-2680
 BANCROFT WAY**

2660 - 2680 BANCROFT WAY
 BERKELEY, CA

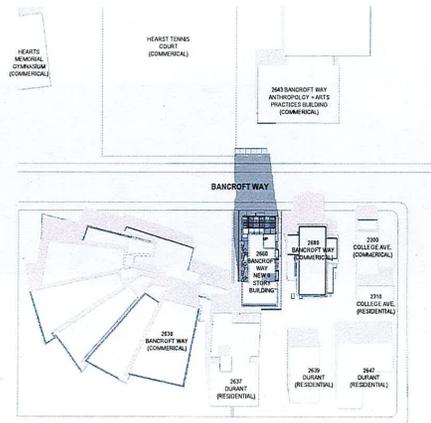


DRC & ZAB

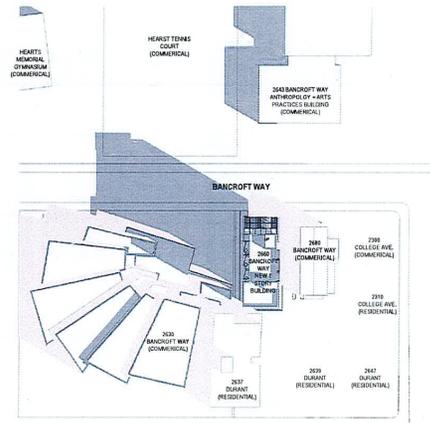
1 SHADOW STUDY - JAN 12
 G014



4 02/28 PROPOSED - 4.01 PM
 G014 1" = 60'-0"



2 02/28 PROPOSED - NOON
 G014 1" = 60'-0"



3 02/28 PROPOSED - 8.42 AM
 G014 1" = 60'-0"

PROJECT ISSUE RECORD

NO.	DATE	DESCRIPTION
1	02/28/25	ISSUE RECORD
2	02/28/25	ISSUE RECORD
3	02/28/25	ISSUE RECORD

PROJECT # DDP#

SHADOW STUDIES - FEB 28
 BUILDING A

G014



1 BIRD SAFETY EAST ELEVATION
 0019 1/8" = 1'-0"

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 PHONE: (415) 843-8300
 FAX: (415) 843-8301

2660-2680
 BANCROFT WAY

3000 - 2660 BANCROFT WAY
 BERKELEY, CA

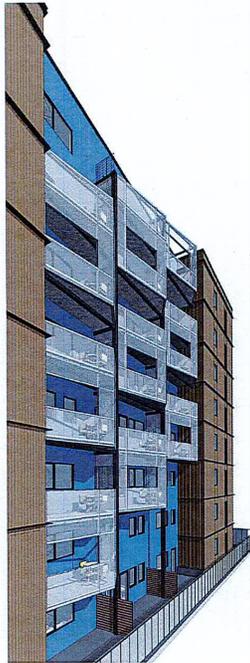
DRC & ZAB

PROJECT ISSUE RECORD	DATE	DESCRIPTION

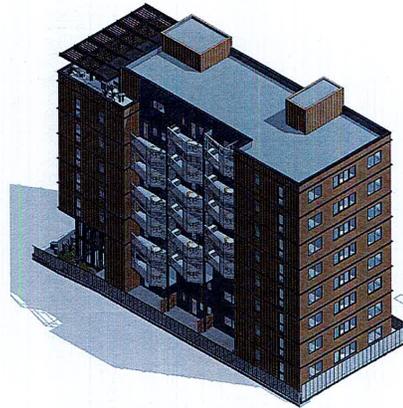
PROJECT # DRAWING #

BIRD SAFETY EXTERIOR
 EAST ELEVATION
 BUILDING A

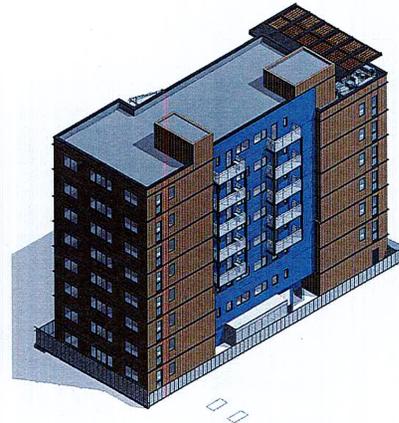
G019



5 ISOMETRIC CLOSE UP WEST
 G024



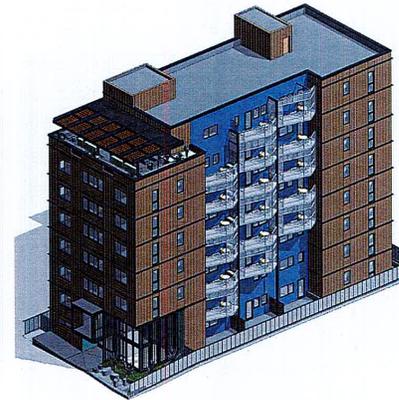
4 ISOMETRIC VIEW SOUTH WEST
 G024



2 ISOMETRIC VIEW SOUTH EAST
 G024



3 ISOMETRIC VIEW NORTH EAST
 G024



1 ISOMETRIC VIEW NORTH WEST
 G024

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2660-2680
 BANCROFT WAY

2660 - 2680 BANCROFT WAY
 BERKELEY, CA

DRC & ZAB

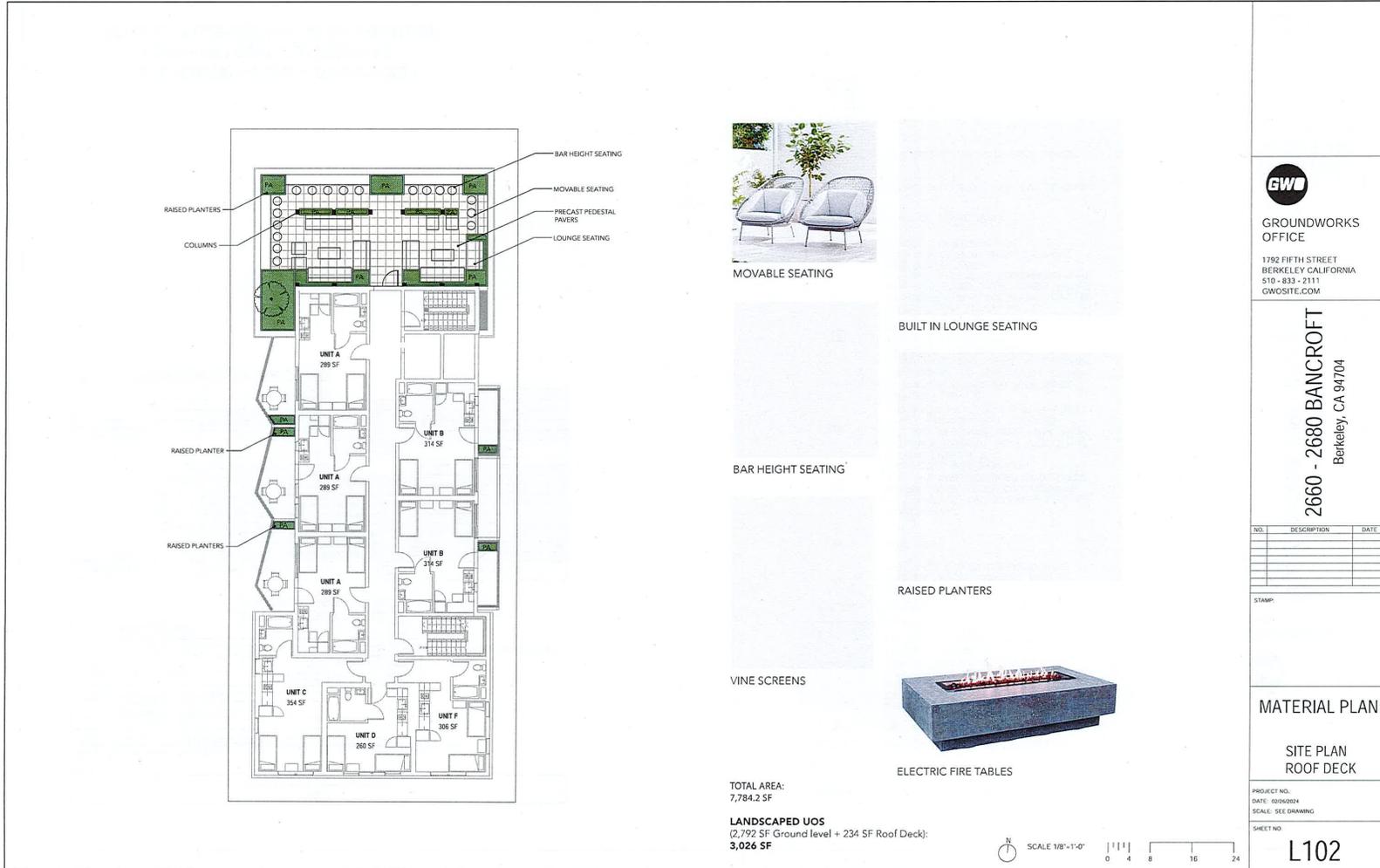
PROJECT ISSUE RECORD

NO.	DATE	DESCRIPTION
1		ISSUE FOR PERMIT APPLICATION

PROJECT # SHEET

AERIAL PERSPECTIVES
 BUILDING A

G024



WELD
Water Budget and Water Use Calculator

INSTRUCTIONS:
1. Enable macros.
2. Enter values in blue cells. Gray cells will automatically fill.
3. For file, click to download. All of the information available here: <https://www.water.ca.gov/Programs/Water-Use-And-Efficiency/Tools/Water-Use-Efficiency>
4. Print this sheet and submit with Landscape Document Package for the Comprehensive Performance Compliance Pathway.

Date: 2024.02.26
Project Name: 2660-2680 BANCROFT
Project Contact: Ning Zhang
Project Contact Email: zhang@groundworksoffice.com

Maximum Applied Water Allowance (MAWA)	Project Type	ETa	ETAP	Special Landscape Area (SLA)	Total Landscape Area Including SLA	MAWA (gpyr)
	Non-residential	41.8	0.45	-	3,119	36,374

MAWA - ETa * (ETAP * SLA) = (ETAW * SLA)

Estimated Total Water Use (ETWU)	ETa	(SP * PPF) / IE	SLA	ETWU (gpyr)
	41.8	1.153	-	29,873

ETWU - ETa * (SP * PPF) / IE = SLA

Difference between MAWA and ETWU: 6,497 Project meets water budget.

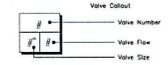
ETWU Calculation (Regular landscape areas)	Zone #	Description	Select Irrigation	Square Feet (SF)	Plant Factor (PF)	Irrigation Efficiency (IE)	(SP * PF) / IE	ETWU (gpyr)
	1	L1 Grass	Drp	445	0.30	0.81	165	165
	2	L1 GC	Drp	2,477	0.35	0.81	569	569
	3	L1 Pst	Drp	11	0.30	0.81	4	4
	4	L1 Tree - L	Bubbler	52	0.40	0.81	26	26
	5	L1 Tree - M	Bubbler	56	0.60	0.81	9	9
	6	L1 Tree - H	Bubbler	26	0.90	0.81	0	0
	7	L1 GC & Vine	Drp	54	0.00	0.81	0	0
	8	R GC	Drp	149	0.00	0.81	0	0
	9	R GC & Vine	Drp	111	0.00	0.81	0	0
		Landscape area (not including SLA)		3,119				1,153

ETWU Calculation (Special Landscape Areas (SLA))	Description	Square Feet (SF)	Plant Factor / Irrigation Efficiency (PF/IE)	(SP * PF) / IE
	Cable planting area		1.0	-
	Multi-use and sports field turf area		1.0	-
	Area irrigated with recycled water		1.0	-
	Pool	0	1.0	0
	Total SLA	0		0

Total Landscape Area (including SLA) from ETWU Calculation: 3,119

*FOR SCHEMATIC PRICING PURPOSES ONLY,
DESIGN AND CONSTRUCTION TO BE
PROVIDED BY LICENSED IRRIGATION SPECIALIST*

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY	PSI
v	BUBBLER	11	-
☐	RAIN BIRD LFV-100 1" 1" LOW FLOW DV VALVE AREA TO RECEIVE DRIPLINE	22	
☐	RAIN BIRD XFD-06-18 XFD ON-SURFACE PRESSURE COMPENSATING LANDSCAPE DRIPLINE. 0.6 GPH EMITTERS AT 18" O.C. DRIPLINE LATERALS SPACED AT 18" APART, WITH EMITTERS OFFSET FOR TRIANGULAR PATTERN. UV RESISTANT. SPECIFY XF INSERT FITTINGS.	2,012 L.F.	
⊖	RAIN BIRD 100-HV-MB 1" ELECTRIC REMOTE CONTROL VALVE 1" WITH MALE X BARB CONFIGURATION.	12	
⊕	HOSE BIBB	1	
⊙	HUNTER IBV 1" 1", 1-1/2", 2", AND 3" BRASS ELECTRIC MASTER VALVE, GLOBE CONFIGURATION, WITH NPT THREADED INLET/OUTLET, FOR COMMERCIAL/MUNICIPAL USE. NETAFIM 61BF636 3" NETAFIM BACKFLUSH VALVE SIZE 3", 16", 20", AND 24" EPOXY MEDIA, IRON BODY, 3-WAY HYDRAULICALLY OPERATED DIAPHRAGM VALVE, WITH LOW PRESSURE RAIN BIRD ESP-LXD 50 STATION, 2-WIRE DECODER BASED CONTROLLER. (1) ESP-LXD 50-STATION, INDOOR/OUTDOOR, PLASTIC WALL-MOUNT ENCLOSURE. SYSTEM REQUIREMENTS: RAIN BIRD FD-XXX-TURF FIELD DECODERS, PAIGE ELECTRIC CABLE P70720 & RAIN BIRD WC20 DRY SPLICES ONLY. GROUND SYSTEM W/ (X) LSP-1 TURF LINE SURGE PROTECTORS IN RAIN BIRD ROUND VALVE BOXES. INSTALL PER MANUFACTURERS RECOMMENDATIONS.	1	
⊕	RAIN BIRD RSD-BEX RAIN SENSOR, WITH METAL LATCHING BRACKET, EXTENSION WIRE.	1	
POC	POINT OF CONNECTION	1	
---	IRRIGATION LATERAL LINE: PVC SCHEDULE 40	- L.F.	
=====	PIPE SLEEVE: PVC CLASS 200 SDR 21	- L.F.	



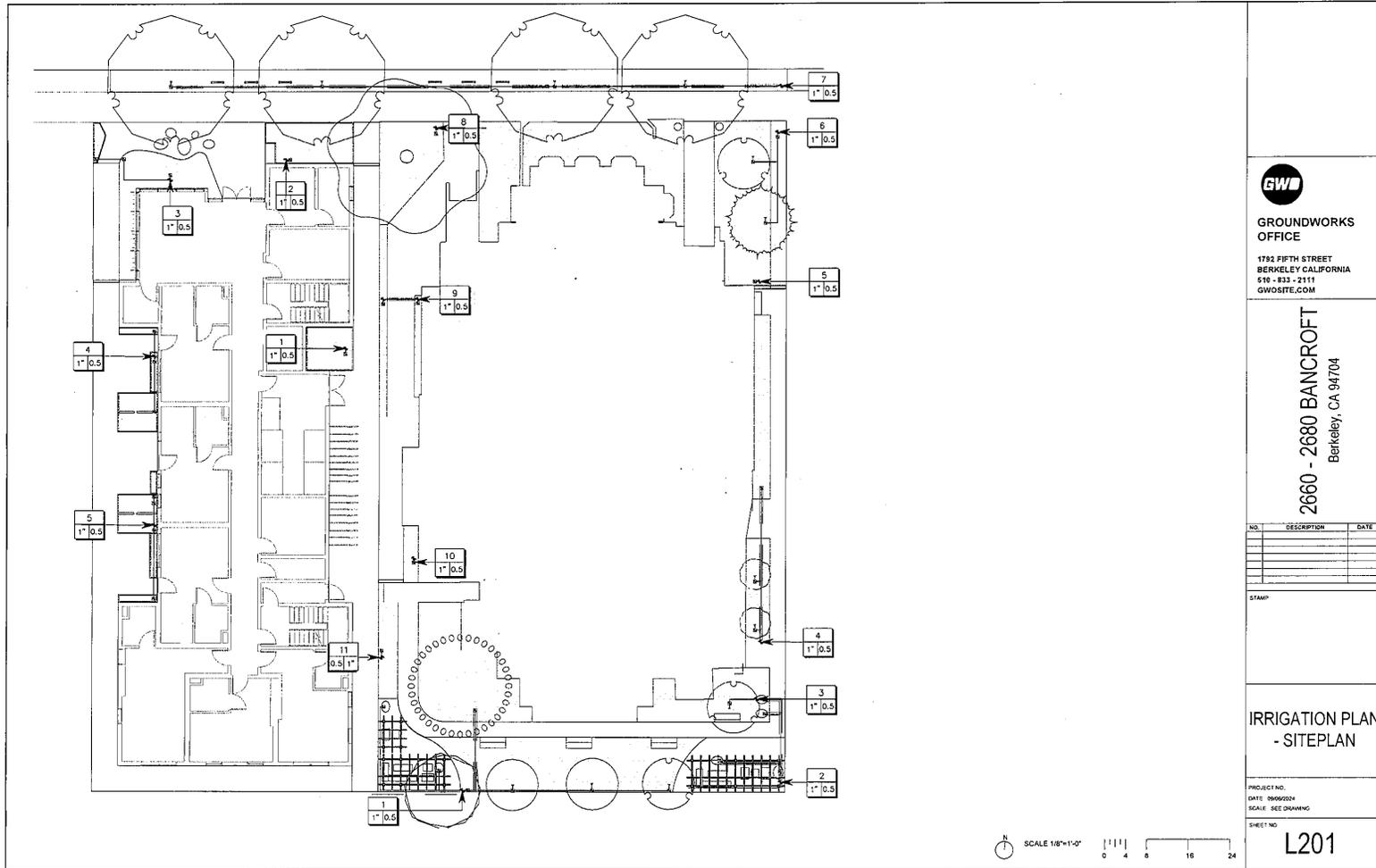
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IRRIGATION SCHEDULE AND CALCULATIONS

PROJECT NO.
DATE: 05/05/2024
SCALE: SEE DRAWING
SHEET NO.
L200



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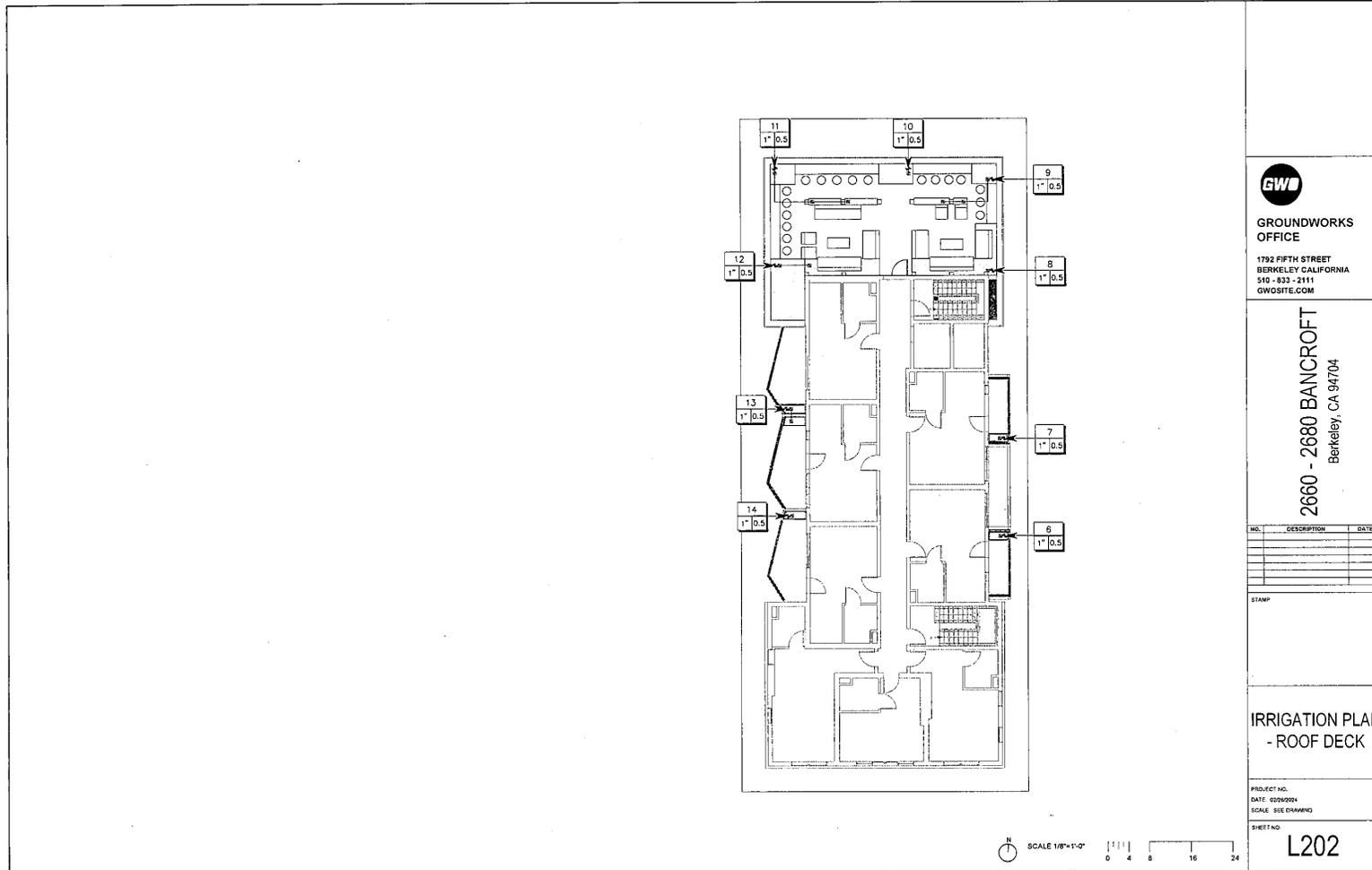
NO.	DESCRIPTION	DATE

STAMP

IRRIGATION PLAN
 - SITEPLAN

PROJECT NO:
 DATE: 09/06/2024
 SCALE: SEE DRAWING

SHEET NO:
L201



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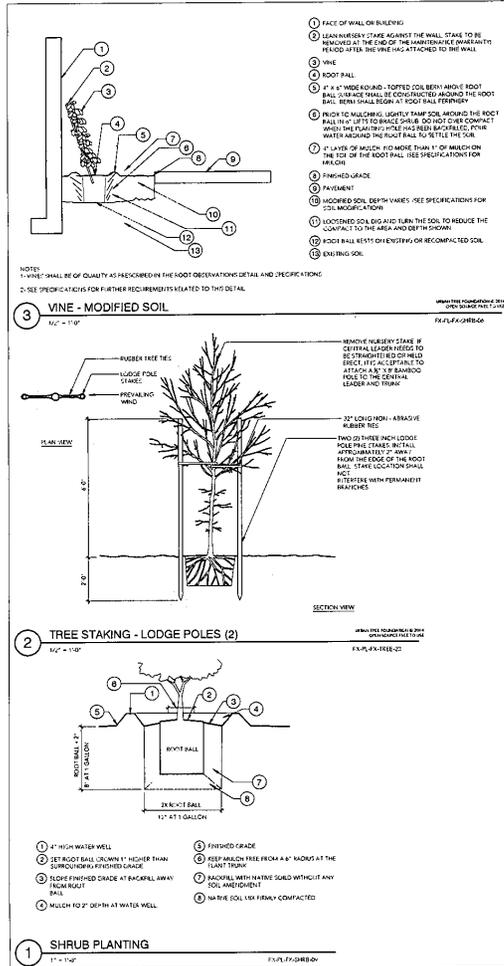
STAMP

IRRIGATION PLAN
 - ROOF DECK

PROJECT NO.
 DATE: 02/02/24
 SCALE: SEE DRAWING

SHEET NO.
L202





SYMBOL	CODE	BOTANICAL NAME	COMMON NAME	SIZE	WINDS	NATIVE (N)	POLLINATOR (P)
(X)	ARC HUR	ARCTOSTAPHYLOS MANZANITA 'DL HURD'	DL HURD COMMON MANZANITA	24"	Very low	Y	ATTRACT BUTTERFLIES
(X)	CEA VAN	CEANOTHUS V. 'YAN VAN'	YAN VAN COMMON LEUC	36"	Very low	Y	ATTRACT BUTTERFLIES
(X)	EXEM F	EXISTING TREE TO BE REMOVED	EXISTING TREE				N/A
(X)	LAV CAL	LABRILLARIA CALIFORNICA	BAY LAUREL	36"	Medium	Y	ATTRACT BUTTERFLIES
(X)	EXJAC	ACER PALMATUM	JAPANESE MAPLE		Moderate	EXISTING	
(X)	EXCOR	CORYLINE SPP.	CORYLINE SPP.		Low	EXISTING	
(X)	EXJEM	SEQUOIA SEMPERVIRENS	COAST REDWOOD		High	EXISTING	
(X)	TRAF CO	TRACHYCARPUS FORTUNEI	MONMEL PALM	36"	Low	N	
(X)	ULM EM	ULMUS PROPINQUA 'J.F. SIEBERICH'	EMERALD SUNSHINE ELM	36"	Low	N	ATTRACT BIRDS
(X)	ARC BEN	ARCTOSTAPHYLOS EDWARDSII 'BIO SUR'	BIO SUR LITTLE BAY MANZANITA	18 GAL	Low	Y	ATTRACT BIRDS, BEES, BUTTERFLIES
(X)	CEA VAN	CEANOTHUS GIBBERUS 'HORIZONTALIS YANZEE POINT'	YANZEE POINT CEANOTHUS	5 GAL	Low	Y	ATTRACT BIRDS
(X)	ERI ERI	ERIGONIA ERIOGONIA	CALIFORNIA GOLDENRUSH	2 GAL	Low	Y	ATTRACT BIRDS, BUTTERFLIES
(X)	POL CAL	POLYPODIUM CALIFORNICUM	CALIFORNIA POLYPODY	1 GAL	Very low	Y	
(X)	LOM LON	LOMANORA LONGIFOLIA	MAT RUSH	1 GAL	Low	Y	ATTRACT BIRDS
(X)	ACH MIL	ACHILLEA MILEFOLIUM	COMMON YARROW	1 GAL	Low	Y	ATTRACT BIRDS, BEES, BUTTERFLIES
(X)	DPH AUR	DIPLOCLUS ALPINEUM	STONEY MONKEYFLOWER	1 GAL	Very low	Y	ATTRACT BIRDS, BEES, BUTTERFLIES
(X)	EPH CAL	EPHEDRUM CALIFORNICUM	CALIFORNIA FUCHSIA	1 GAL	Low	Y	ATTRACT BIRDS, BUTTERFLIES
(X)	ERI CAL	ERIGONIA CALIFORNICA	SEASIDE DANDY	1 GAL	Low	Y	ATTRACT BIRDS, BUTTERFLIES
(X)	ESC CAL	ESCHSCHOLZIA CALIFORNICA	CALIFORNIA POPPY	1 GAL	Very low	Y	ATTRACT BIRDS, BEES, BUTTERFLIES
(X)	DOG LUS	DOGWOOD CALIFORNICA	DOGWOOD	1 GAL	Low	Y	ATTRACT BIRDS
(X)	IRI CAL	IRIDIUM CALIFORNICUM	IRIDIUM	1 GAL	Low	Y	ATTRACT BIRDS
(X)	IRI CAL	IRIDIUM CALIFORNICUM	IRIDIUM	1 GAL	Low	Y	ATTRACT BIRDS
(X)	SAL SPA	SALVIA SPARTACHA	HUMBLEDUCK SAGE	1 GAL	Low	Y	ATTRACT BIRDS, BEES, BUTTERFLIES
(X)	SAL BEE	SALVIA 'BEE'S BUZZ'	BEE'S BUZZ SAGE	1 GAL	Low	Y	ATTRACT BIRDS, BEES, BUTTERFLIES
(X)	SIS BEE	SISYRINCHION MELLOW	BLUE-EYED GRASS	1 GAL	Very low	Y	ATTRACT BUTTERFLIES
(X)	JUN PAT	JUNCEUS PATENS	CALIFORNIA GRAY BUSH	1 GAL	Low	Y	ATTRACT BUTTERFLIES
(X)	JUN ELK	JUNCEUS PATENS 'ELK BLUE'	CALIFORNIA GRAY BUSH 'ELK BLUE'		Low	Y	ATTRACT BUTTERFLIES
(X)	AGAVE DES	AGAVE DESERTI	DESERT AGAVE	3 GAL	N/A	Y	ATTRACT BUTTERFLIES
(X)	ARIST CAL	ARISTOLOCHA CALIFORNICA	CALIFORNIA DUTCHMAN'S PIPE	1 GAL	Low	Y	ATTRACT BUTTERFLIES
(X)	CAL CAL	CALISTEGIA MACROSTEGIA VAR. CYCLOSTEGIA 'CANDY CANE'	COASTAL MORNING GLORY 'CANDY CANE'	1 GAL	Low	Y	ATTRACT BIRDS, BUTTERFLIES
(X)	OLE BEA	OLEA FRUTICOSA	OLIVARIAN BEARD	1 GAL	Medium	Y	ATTRACT BUTTERFLIES
(X)	FIG CAL	FIGUS MONA	CREeping FIG	1 GAL	Medium	Y	ATTRACT BIRDS
(X)	LONG HOP	LONGICORN HOPBLOSSOM	CALIFORNIA HONEY-SUCKLE	1 GAL	Low	Y	ATTRACT BIRDS, BUTTERFLIES

GRASS	448 SF
CAREX FLUMMOSA / BARNACLE SCRUB	20%
FESTUCA CALIFORNICA / CALIFORNIA FESCUE	20%
FESTUCA BREVICORNIS / BROAD FESCUE	20%
FESTUCA RUBRA / RED FESCUE	20%

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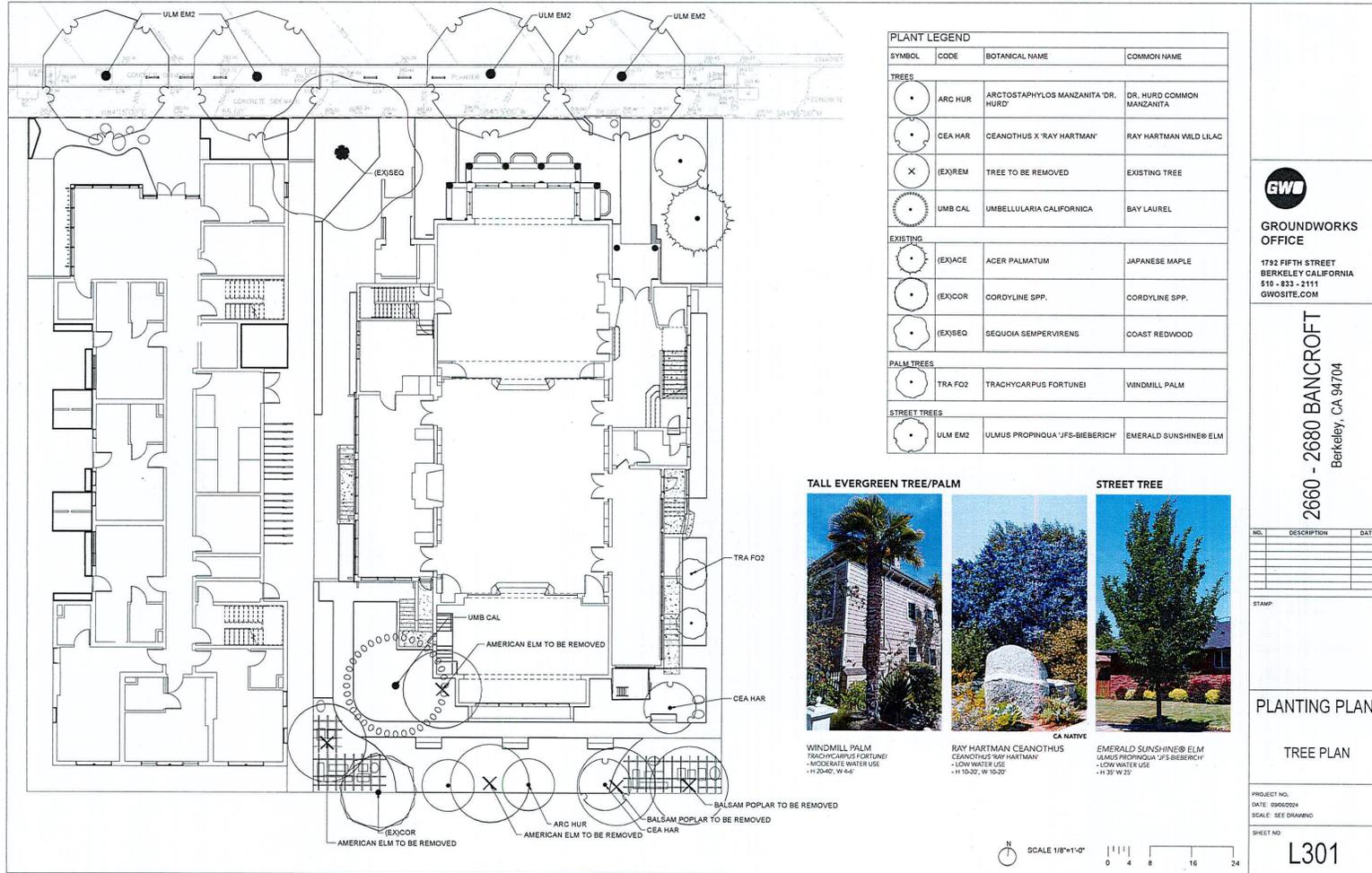
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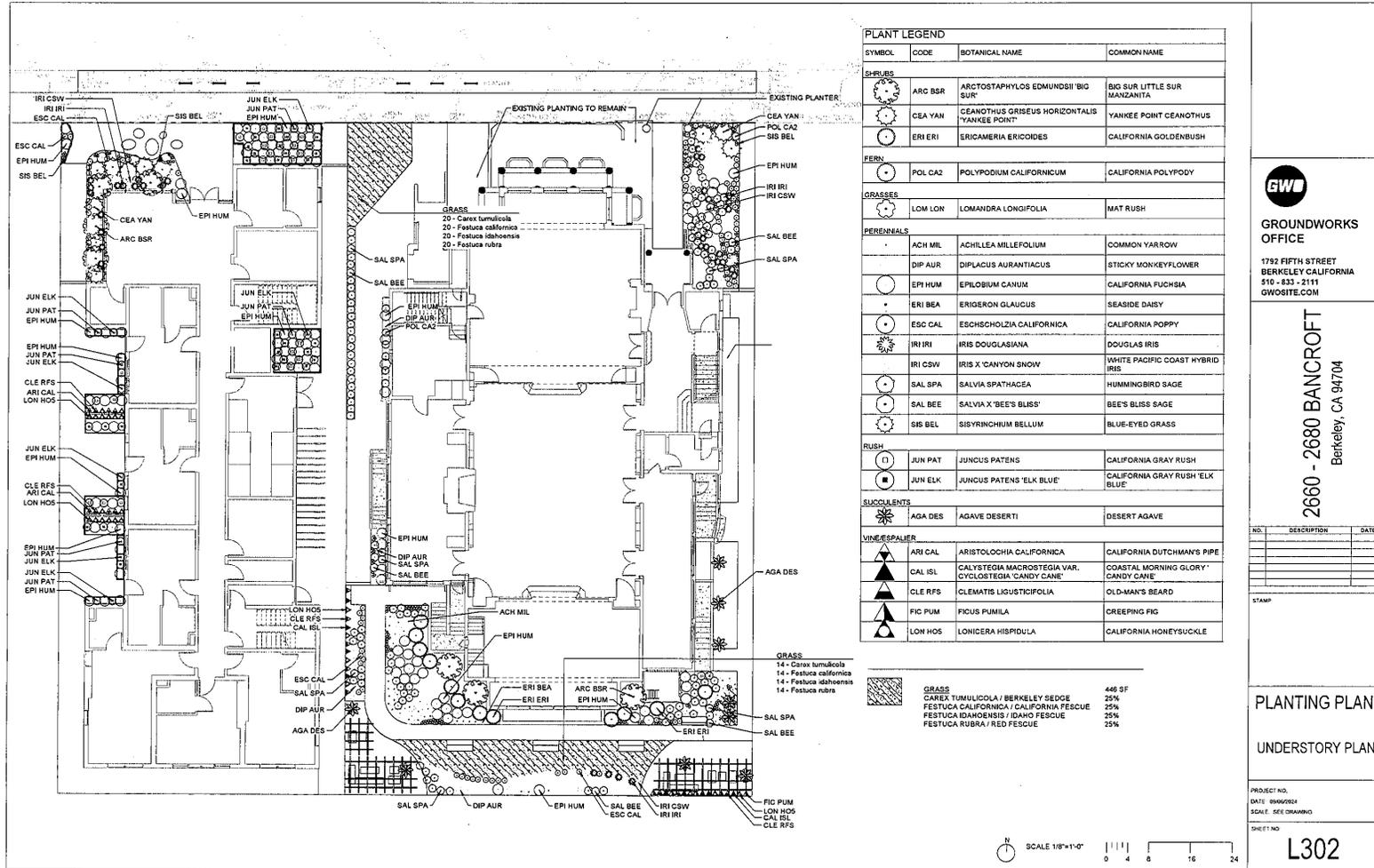
STAMP

PLANTING PLANS
FULL SCHEDULE

PROJECT NO.
DATE: 08/09/2024
SCALE: SEE DRAWING

SHEET NO.
L300





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STAMP

PLANTING PLAN
 UNDERSTORY PLAN

PROJECT NO.
 DATE: 08/09/20
 SCALE: SEE DRAWING

SHEET NO.
L302

EVERGREEN SHRUB				PERENNIAL			
							
CALIFORNIA GOLDENBUSH ERICAMERIA ERICOIDES - LOW - H 2'-3', W 3'-4" - FALL CA NATIVE	YANKEE POINT CEANOTHUS CEANOTHUS THYRSIFLORUS VAR. GRISSEUS 'YANKEE POINT' - LOW WATER USE - H 1'-2', W 10'-12" - SPRING CA NATIVE	BIG SUR MANZANITA ARCTOSTAPHYLOS EDWARDSII 'BIG SUR' - LOW - H 3'-6', W 6'-8" - LATE WINTER / EARLY SPRING CA NATIVE	DR. HURD MANZANITA ARCTOSTAPHYLOS MANZANITA 'DR. HURD' - VERY LOW WATER USE - H 10'-15', W 8'-10" - LATE WINTER / EARLY SPRING CA NATIVE	COMMON YARROW ACHILLEA MILLEFOLIUM - LOW WATER USE - H 1'-2' - SPRING / SUMMER CA NATIVE	SEASIDE DAISY ERIGERON GLAUCUS - LOW WATER USE - H 1'-2', W 6"-8" - SPRING / SUMMER (YEAR AROUND) CA NATIVE	DOUGLAS IRIS IRIS DOUGLASSIANA - LOW WATER USE - H 1'-2', W 6"-8" - LATE WINTER / EARLY SPRING CA NATIVE	
							
CALIFORNIA FUCHSIA EPILOBIA CANUM - LOW - H 1'-2', W 1'-2" - MID-SUMMER / FALL CA NATIVE	CALIFORNIA POPPY ESCHSCHOLZIA CALIFORNICA - VERY LOW WATER USE - H 1'-2', W 1'-2" - LATE WINTER / SUMMER CA NATIVE	STICKY MONKEY FLOWER DIPYLAEUS ALBIMACULATUS - VERY LOW WATER USE - H 1'-3', W 1'-3" - SPRING / SUMMER CA NATIVE	WHITE PACIFIC COAST HYBRID IRIS IRIEX X CANTON SNOW - VERY LOW WATER USE - H 1'-2", W 1'-2" - LATE WINTER / SUMMER CA NATIVE	BLUE-EYED GRASS SYRINCHIUM BELLUM - LOW WATER USE - H 1'-2", W 1" - SPRING CA NATIVE	BEE'S BLISS SAGE SALVIA 'BEE'S BLISS' - LOW - H 1'-2', W 6"-8" - LATE WINTER / SUMMER CA NATIVE	HUMMINGBIRD SAGE SALVIA SPATHACEA - LOW WATER USE - H 1'-2', W 6"-8" - LATE WINTER / SUMMER CA NATIVE	
							
IDAHO FESCUE FESTUCA IDAHOENSIS AND CVLS - VERY LOW WATER USE - H 1'-10" W 2'-3" - YEAR AROUND CA NATIVE	RED FESCUE FESTUCA RUBRA - LOW WATER USE - H 1'-2" W 1'-2" - SPRING / SUMMER CA NATIVE	CALIFORNIA FESCUE FESTUCA CALIFORNICA AND CVLS - LOW WATER USE - H 1'-2" W 1'-2" - SPRING / SUMMER CA NATIVE	MAT RUSH LOMANDIA LONGIFOLIA - VERY LOW WATER USE - H 2'-6" W 2'-6" - YEAR AROUND CA NATIVE	BERKELEY SEDGE CAREX TUMULICOEA - LOW WATER USE - H 1'-1" W 1'-2" - SPRING CA NATIVE	POLYPODIUM CALIFORNICUM CALIFORNIA POLYPODY - VERY LOW WATER USE - H 1'-1.5' W 1.5' CA NATIVE	DESERT AGAVE AGAVE DESERTI - LOW WATER USE - H 1'-10' W 3' CA NATIVE	
							
OLD-MAN'S BEARD CLEMATIS LIGUSTICIFOLIA - MODERATE WATER USE - W 3'-6" - SUMMER CA NATIVE	CALIFORNIA HONEYSUCKLE LONICERA HISPIDULA - LOW WATER USE - W 8" - SPRING / SUMMER CA NATIVE	CALIFORNIA DUTCHMAN'S PIPE ARISTOLOCHIA CALIFORNICA - LOW WATER USE - W 12-20" - WINTER / SPRING CA NATIVE	COASTAL MORNING GLORY 'CANDY CANE' CALISTEGIA MACROSTEGIA VAR. CYCLOSTEGIA 'CANDY CANE' - MODERATE WATER USE - W 6" - SPRING TO FALL CA NATIVE	CREeping FIG FIGUS FUMARIA - MODERATE WATER USE - W 6" MATCH TO EXISTING AT MASONRY WALL CA NATIVE	CALIFORNIA GRAY RUSH JUNCUS PATENS - LOW - H 2', W 2" - SPRING / SUMMER CA NATIVE	CALIFORNIA GRAY RUSH 'ELK BLUE' JUNCUS PATENS 'ELK BLUE' - LOW - H 2', W 2" - SPRING / SUMMER CA NATIVE	

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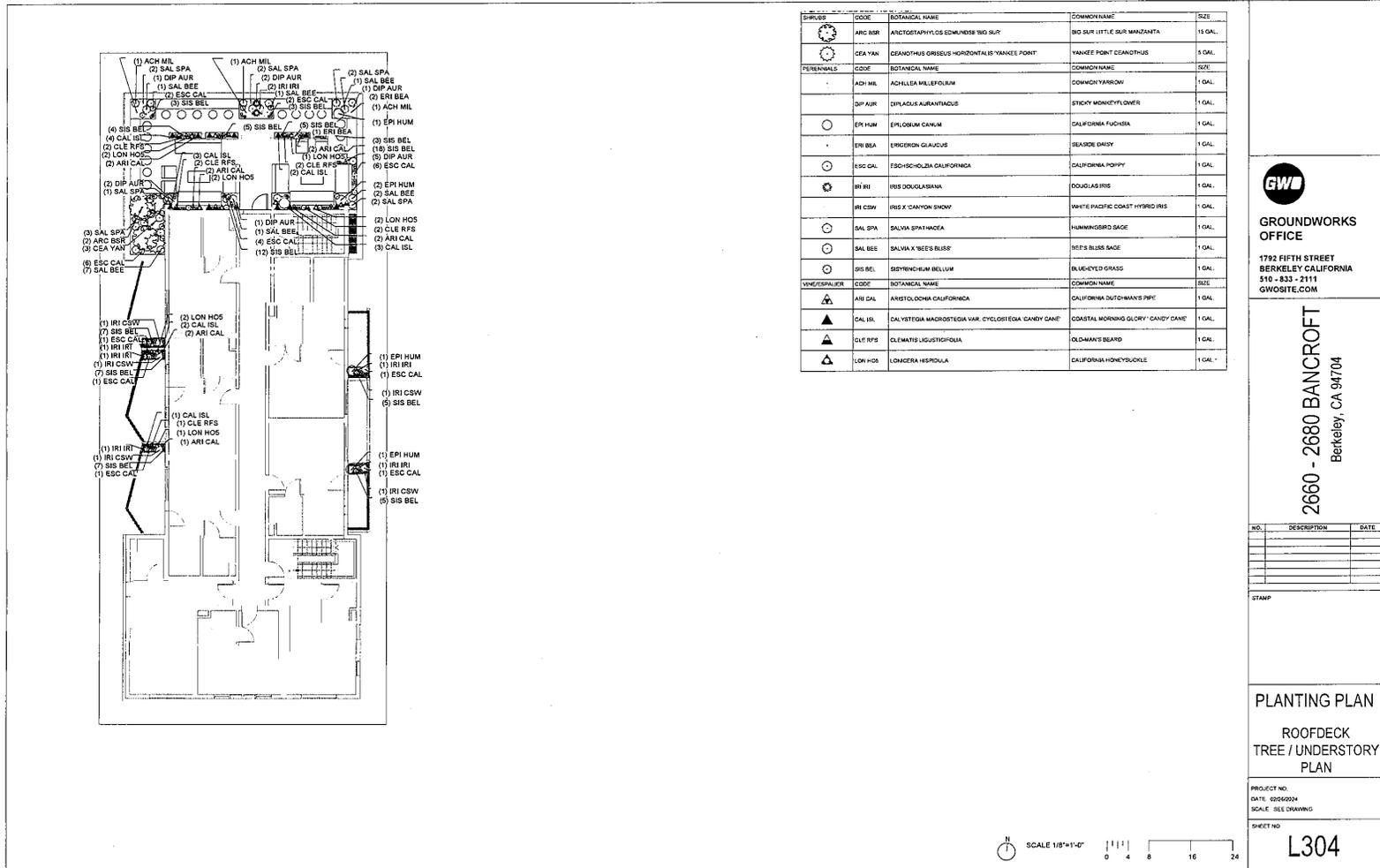
NO.	DESCRIPTION	DATE

STAMP

PROJECT NO.
 DATE: 03/06/2024
 SCALE: SEE DRAWING
 SHEET NO.

PLANTING PLAN
 PLANT PALETTE

L303



SHRUB					
					
YANKEE POINT CEANOTHUS <i>CEANOTHUS THYRSIFLORUS</i> VAR. <i>GRISEUS</i> 'YANKEE POINT' - LOW - H 3'-2', W 10-12" - SPRING CA NATIVE	BIG SUR MANZANITA <i>ARCTOSTAPHYLOS EDMUNDSII</i> 'BIG SUR' - LOW - H 3-6', W 4-6" - LATE WINTER / EARLY SPRING CA NATIVE				
PERENNIAL					
					
CALIFORNIA FUCHSIA <i>EPILOBIUM CANUM</i> - LOW - H 1'-2', W 1'-2" - MID SUMMER / FALL CA NATIVE	COMMON YARROW <i>ACHILLEA MILLEFOLIUM</i> - LOW - H 1'-3" - SPRING / SUMMER CA NATIVE	HUMMINGBIRD SAGE <i>SALVIA SPATHACEA</i> - LOW - H 1'-3', W 4-5" - LATE WINTER / SUMMER CA NATIVE	CALIFORNIA POPPY <i>ESCHSCHOLZIA CALIFORNICA</i> - VERY LOW - H 1'-2', W 1'-2" - LATE WINTER / SUMMER CA NATIVE	STICKY MONKEY FLOWER <i>DIPLOCLADUS AURANTIACUS</i> - VERY LOW - H 1'-3', W 1'-3" - SPRING / SUMMER CA NATIVE	BLUE-EYED GRASS <i>SISYRINCHIUM BELLUM</i> - LOW - H 1' W 1" - SPRING CA NATIVE
					
BEE'S BLISS SAGE <i>SALVIA 'BEE'S BLISS'</i> - LOW - H 1'-2', W 6-8" - LATE WINTER / SUMMER CA NATIVE	DOUGLAS IRIS <i>IRIS DOUGLASSIANA</i> - LOW - H 1'-2', W 4-5" - LATE WINTER / EARLY SPRING CA NATIVE	WHITE PACIFIC COAST HYBRID IRIS <i>IRIS 'CANYON SNOW'</i> - VERY LOW - H 1'-2', W 1'-2" - LATE WINTER / SUMMER CA NATIVE	SEASIDE DAISY <i>ERIGERON GAUCUS</i> - LOW - H 1'-2', W 1'-2" - SPRING / SUMMER (YEAR AROUND) CA NATIVE		
VINE					
					
OLD-MAN'S BEARD <i>CLEMATIS LIGUSTICIFOLIA</i> - MODERATE - W 2-4' - SUMMER CA NATIVE	CALIFORNIA HONEYSUCKLE <i>LONICEERA HISPIDULA</i> - LOW - W 8' - SPRING / SUMMER CA NATIVE	CALIFORNIA DUTCHMAN'S PIPE <i>ARISTOLOCHIA CALIFORNICA</i> - LOW - W 12-20" - WINTER / SPRING CA NATIVE	COASTAL MORNING GLORY 'CANDY CANE' <i>CALYPSOEGIA MACROSTEGIA</i> VAR. <i>CYCLOSTEGIA 'CANDY CANE'</i> - MODERATE - W 6' - SPRING TO FALL CA NATIVE		



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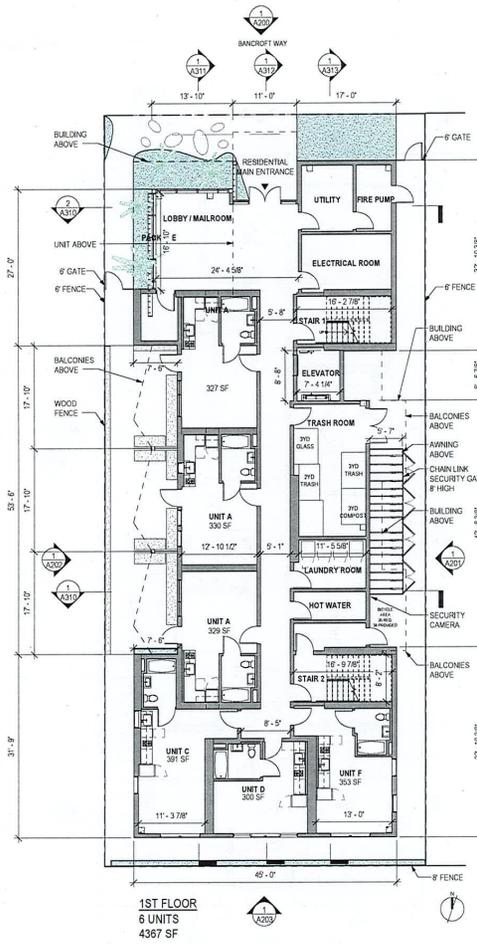
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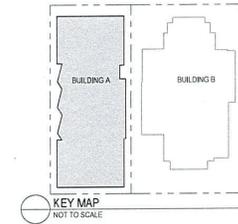
PLANTING PLAN
 ROOFDECK
 TREE / UNDERSTORY
 PALETTE

PROJECT NO.
 DATE: 08/20/24
 SCALE: SEE DRAWING

SHEET NO.
L305



1 1ST FLOOR PLAN
 A101 1/8" = 1'-0"



2660-2680
 BANCROFT WAY
 BERKELEY, CA

2660-2680 BANCROFT WAY
 BERKELEY, CA



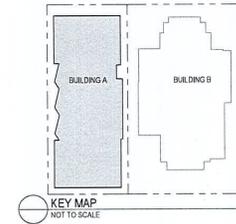
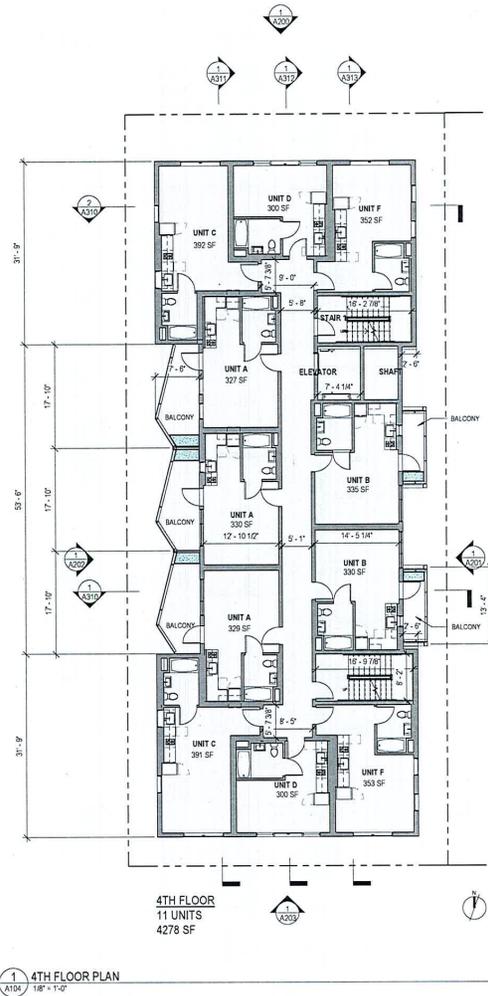
DRC & ZAB

PROJECT/ISSUE RECORD	
1	ISSUE
2	APPLICATION
3	PERMITS
4	CONSTRUCTION
5	AS-BUILT
6	
7	
8	
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10	
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15	
16	
17	
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20	

PROJECT # DRP#1

1ST FLOOR PLAN
 BUILDING A

A101



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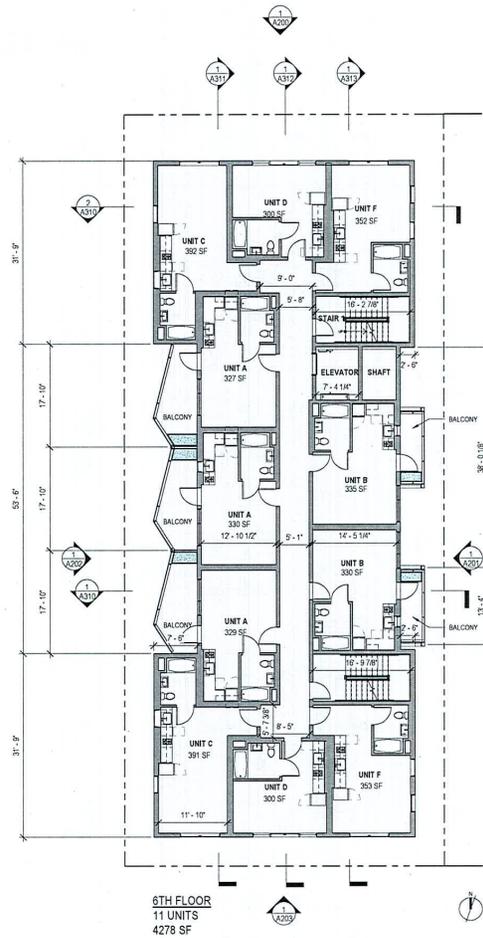
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PROJECT # _____ DRP# _____

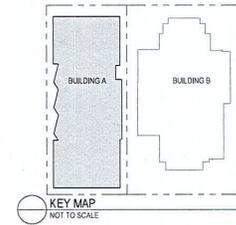
4TH FLOOR PLAN
 BUILDING A

A104

IMPRINTS DESIGN



1 6TH FLOOR PLAN
 A106 1/8" = 1'-0"



CONTRACT NO. 2024-0001
 PROJECT NO. 2024-0001
 DRAWING NO. 6TH FLOOR PLAN
 DATE: 05/22/2025

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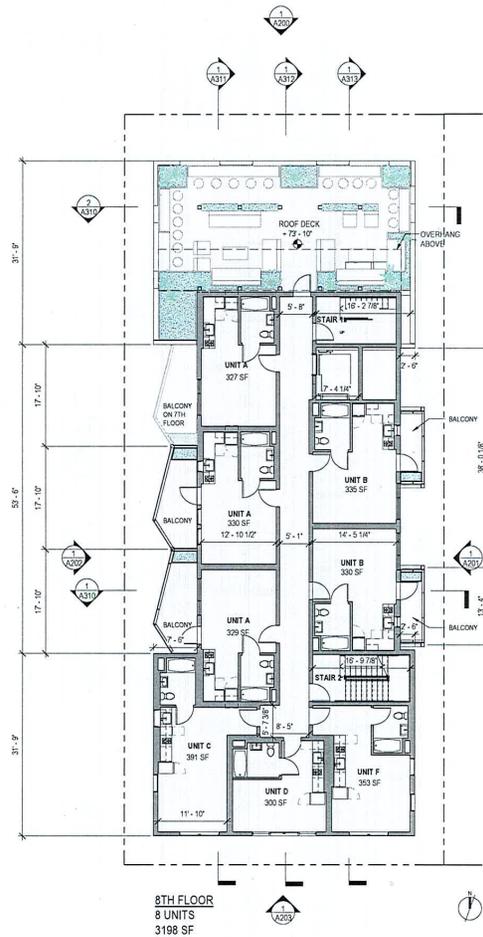
NO.	PROJECT ISSUE NO. CODE	DATE	DESCRIPTION
1	ISSUE	05/22/2025	ISSUE NO. 1
2	ISSUE	05/22/2025	ISSUE NO. 2

PROJECT NO. 2024-0001

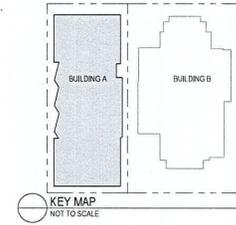
6TH FLOOR PLAN
 BUILDING A

A106

DATE PLOTTED: 05/22/2025 10:11 AM

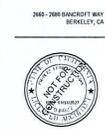


1 8TH FLOOR PLAN
 A108 1/8" = 1'-0"



2660-2680
 BANCROFT WAY

2660-2680 BANCROFT WAY
 BERKELEY, CA



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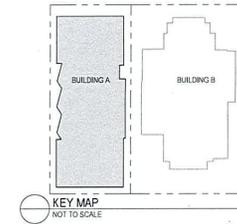
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3	ISSUE
4	ISSUE
5	ISSUE
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10	ISSUE
11	ISSUE
12	ISSUE
13	ISSUE
14	ISSUE
15	ISSUE
16	ISSUE
17	ISSUE
18	ISSUE
19	ISSUE
20	ISSUE

PROJECT # 01991

8TH FLOOR PLAN
 BUILDING A

A108

DATE: 04/15/24



1 EAST ELEVATION - LIGHTING SIGNAGE
 A211 1/8" = 1'-0"



2660-2680
 BANCROFT WAY

2660-2680 BANCROFT WAY
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DRC & ZAB

A	PROJECT ISSUE RECORD
1	ISSUE
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PROJECT # DDP1
 LIGHTING SIGNAGE
 BUILDING A

A211



Public

Planning and Development Department
Land Use Planning Division

MEMORANDUM

Date: April 17, 2025
To: Zoning Adjustments Board
From: Anne Burns, Design Review Committee Secretary
Subject: Preliminary Design Review- 2680 Bancroft Way
ZP2025-0029 & DRCP2025-0014

Project Description: To demolish the existing parking lot and construct a multi-family residential, 8-story, 79-unit building (9 VLI) at 2660 Bancroft (APN 55-1871-20), and convert an existing City Landmark hotel into offices at 2680 Bancroft (APN 55- 1871-1-3), in the R-SMU Zoning District.

Action: The Design Review Committee (DRC) held a preliminary design review meeting on the subject project on April 17, 2025 based on the applicant's plans received March 7, 2025.

The DRC voted to forward the project to the Zoning Adjustments Board (ZAB) with a favorable recommendation on the project design. The following is the draft summary recorded by the Secretary.

This summary includes the recommendations that were provided to the applicant for Final Design Review during review of the building permit.

Site Design

- *Better transition at base; Northeast corner is tight.*
- *Look at 2nd floor bay so it is not too imposing over the sidewalk; recommend shared space in this location.*
- *South and west elevations need sun controls.*

Exterior Finishes

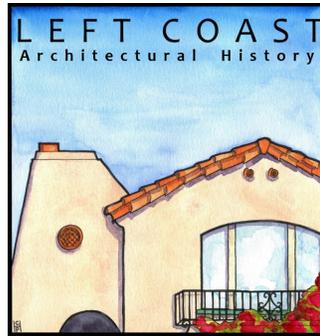
- *Consider an alternate material for the faux wood grain cladding, such as board-formed concrete pattern instead.*
- *Recommend integral colored stucco*
- *Recommend cladding on south side as well.*
- *Color on east could be a different blue than the west side.*

Windows / Building Details

- *Recommend more vertical lines.*

Public

- *Look carefully at window proportions and details, as well as horizontal bands; more windows would be better; consider these to be a design element.*
- *Better integrate east balconies into the building design.*
- *Look at 8th floor unit facing west for potential window increases.*
- *Consider some relief in the corridors.*



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

Memorandum

Date:	26 February 2024
To:	Rhoades Planning Group
From:	Caitlin Hibma, Principal/Architectural Historian Left Coast Architectural History
Re:	2660-2680 Bancroft Way, Berkeley Project Impacts Analysis - Secretary of the Interior's Standards for Rehabilitation

The following memorandum constitutes Left Coast Architectural History's Project Impacts Analysis for a proposed project at 2660-2680 Bancroft Way. The proposed project incorporates two parcels addressed 2660 and 2680 Bancroft Way; APNs 55-1871-20 and 55-1871-1-3, respectively.

The properties are not located within a historic district. The parcel addressed 2660 Bancroft Way is not the location of any historic resources. It is currently a surface parking lot and will be the site of new construction under the proposed project. The parcel addressed 2680 Bancroft Way, historically known as the College Women's Club, is designated as a Berkeley City Landmark (#39, designated 1979) and listed in the National Register of Historic Places (#82002157, designated 1982). It therefore, qualifies as a historical resource under the California Environmental Quality Act (CEQA). As such, a Project Impact Analysis must be performed which evaluates the potential impacts of any proposed project on the resource pursuant to Section 15064.5(b) of the CEQA Guidelines.”

This memorandum uses the CEQA-prescribed Secretary of the Interior's Standards for the Treatment of Historic Properties. The Secretary of the Interior’s Standards for Rehabilitation are herein applied (per Code of Federal Regulations, Title 36, Chapter 1, Part 68.3 (b)) and proposed project drawings titled “2660-2680 Bancroft Way, SB 330 Preliminary Application” authored by Studio KDA, 5 December 2023, are used as the basis for analysis.

Character Defining Features

National Register documentation for 2680 Bancroft Way and visual observation is used here to identify the character defining features that express the property's historic significance (high architectural merit and association with a master architect). They include:

- Four-story (three over raised basement level) main mass with three-story (two over raised basement level) projecting bays on east and west sides
- Shallowly pitched gable and shed roof forms

- Boxed eaves with decorative fascia (buttons) and paneled soffits
- Stucco exterior cladding
- Applied stucco/plaster ornament (flat trim/corner definition/beltcourses, pilasters, sunburst panel)
- Multi-lite, wood sash, casement windows
- Leaded and stained glass in some windows
- Prominent three-part window groupings on each story of primary facade
- Decorative pergola with Classical columns at first story of primary facade
- Small balconies and terraces with decorative railings
- Decorative tilework
- Chimneys with decorative caps

Proposed Project Overview

The proposed project will convert the historic tourist hotel building at 2680 Bancroft Way (historic building) to a commercial office use. It will do this by retaining and rehabilitating the existing building. It will make no changes to the building's exterior.

The new building at 2660 Bancroft Way (new construction) will be constructed adjacent to the west side of the historic building, at a distance of approximately 16 feet. It will be an eight-story, Contemporary style, residential building with a rectangular plan and a flat roof. It will be clad with fiber cement wood-look siding with accents in stucco, tile, and metal panel and trim. The primary fenestration type will be metal-sash casement windows; single, paired, and in four-part banks. The building will have wide, shallow recessed bays on the east and west sides that incorporate balconies with metal structure and metal mesh railings; rectilinear balconies on the east side (facing the historic building) and angled balconies on the west side. A rooftop trellis will also have a metal structure and metal railings. The primary facade will feature a two-story, metal frame, plate glass entrance assembly, with projecting and recessed sections, partially overhung by the upper stories.

Analysis According to the Secretary of the Interior's Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.

The historic building was designed and constructed as a dormitory/hotel style residence for college women. The proposed project will convert the building from its present use as a tourist hotel to a commercial office use. The change in use will require no exterior alterations to the building, thus maintaining its distinctive materials, features, spaces and spatial relationships. Adjacent new construction will not factor into the use of the historic building.

Based on the above, the proposed project will comply with Standard 1.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.

The character of the historic building will be retained and preserved, as the exterior of the building will not be altered by the proposed project, and no distinctive materials, features, spaces or spatial relationships will be removed or altered. Adjacent new construction will not result in the removal of any distinctive materials or features from the historic building. The presence of the surface parking lot to the west of the historic building is not distinctive or significant and is, in fact, something of an anomaly in a dense urban downtown environment. The filling of that void with adjacent new construction will not remove or negate any distinctive spatial

relationships with the historic building.

Therefore, the proposed project will comply with Standard 2.

3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

As the proposed project will not make any exterior changes to the historic building, there will be no attempt to add conjectural features or elements that would create a false sense of historical development. The adjacent new construction will make loose aesthetic reference to the historic building in its tall vertical facade form, projecting and recessed decks and overhanging bays, fenestration patterns, and use of trellises and balconies; however, it will not directly mimic or borrow any architectural features found on the historic building.

Therefore, the project complies with Standard 3.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

The historic building does not appear to have undergone many substantial alterations in the course of its history. Comparison of historic and current images suggests that window replacement has occurred, the one-story portion of the west projecting bay was likely enclosed, and the stick-work railing on the second story balcony of the front facade has been replaced. None of these alterations is associated with the building's architectural significance, or gained significance in their own right, and the proposed project will not make any changes to those features.

Therefore, the project complies with Standard 4.

5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.

The distinctive materials, features, finishes, construction and craftsmanship of the historic building will be preserved, as the exterior of the building will not be altered by the proposed project. Adjacent new construction will not result in any alteration or removal of distinctive materials or features from the historic building.

Therefore, the project complies with Standard 5.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

The historic building is in good condition and the proposed project does not intend to address or remedy any issues of deteriorated exterior fabric or features.

Therefore, the proposed project complies with Standard 6.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

No chemical or physical treatments will be used in relation to the proposed project, as cleaning and/or removal of existing finishes and materials related to the historic fabric of the property are not part of the scope. If, for any reason, such treatments are required, the gentlest means possible will be used.

Therefore, the project complies with Standard 7.

8. Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

There are no known archaeological resources on the subject properties. The proposed project does not intend to undertake any major ground-disturbing activities that would potentially uncover or impact archaeological deposits at the site of the historic building. In the event that demolition and/or construction activities related to the proposed new building uncover any archaeological resources in the course of work, all work will be halted and appropriate mitigation measures will be taken.

Therefore, the project complies with Standard 8.

9. New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

The proposed project will not make any new additions or exterior alterations to the historic building; therefore, no historic materials or features will be destroyed and there will be no need to ensure that work is compatible but differentiated. Adjacent new construction will not physically touch the historic building and so will not have any impact on distinctive materials or features. The adjacent new construction will make loose aesthetic reference to the historic building in its tall vertical facade form, projecting and recessed decks and overhanging bays, fenestration patterns, and use of trellises and balconies in an effort to achieve general compatibility; however, it will not mimic the architecture or features of the historic building and, therefore, will be readily differentiated as a modern design. The new construction will be taller than the historic building, but will have a similarly narrow facade width and overall depth, as well as similarly proportioned story heights, fenestration, and features. Therefore, overall proportioning will be compatible, while size will provide some differentiation. The loss of the adjacent non-significant surface parking lot and presence of a new building will not destroy any distinctive spatial relationships.

Therefore, the project complies with Standard 9.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

New construction at 2660 Bancroft Way will not physically touch or otherwise affect the historic building at 2680 Bancroft Way. If the new building at 2660 Bancroft Way were to be demolished in the future, there would be no impact to the form or integrity of 2680 Bancroft Way or its environment. The proposed project will not make any exterior changes to the historic building; therefore, the essential form and character of the historic building will be unimpaired.

Therefore, the project complies with Standard 10.

Conclusion

In summary, the above analysis finds that the proposed project at 2660-2680 Bancroft Way complies with the Secretary of the Interior's Standards for Rehabilitation. Per the California Code of Regulations, a project that has been determined to conform with the Secretary of the Interior's Standards for the Treatment of Historic Properties can generally be considered to be a project that will not cause a significant impact to a historical resource (14 CCR Section 15126.4(b)(1)) and means that the project can be considered categorically exempt from CEQA (14 CCR Section 15331).

Thank you for your consideration.

Sincerely,



Principal/Architectural Historian, Left Coast Architectural History



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

2660-2680 Bancroft Way

Use Permit #ZP2024-0029 to demolish the parking lot ancillary to the Bancroft Hotel at 2680 Bancroft Way to construct a 32,241 square-foot, 8-story (88 feet) multifamily building with 79 dwelling units (including 9 Very Low-Income units); and convert the City Landmark Bancroft Hotel (16,216 square feet) on the abutting lot at 2680 Bancroft Way to commercial offices, resulting in a 48,457 square-foot mixed-use project.

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, May 22, 2025, 7:00 pm

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

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

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

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

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

A. Land Use Designations:

- General Plan: General Plan: R-SMU (Residential Mixed-Use)
- Zoning: R-SMU (Residential Southside Mixed-Use District)

B. Zoning Permits Required:

- Use Permit, under BMC Section 23.202.020(A) to construct a multifamily residential building;
- Use Permit, under BMC Section 23.202.140(E)(3) to increase the height limit to 65 feet and 5 stories in the R-SMU District, Sub-Area 2;
- Administrative Use Permit, under BMC Section 23.202.140(E)(5), to increase lot coverage up to 100 percent for a main building that contains dwelling units, contains group living accommodations, or is located north of Durant Avenue;
- Administrative Use Permit, under BMC Section 23.304.030(B)(2) to reduce the front, side, and rear setbacks on a lot with two or more main buildings with dwelling units;
- Administrative Use Permit, under BMC Section 23.304.050(A) to allow rooftop projections that exceed the district's height limit; and
- Administrative Use Permit, under BMC Section 23.304.080(A) to allow fences above 6 feet in height on a lot line or within a required setback

D. Waivers Requested Pursuant to State Density Bonus Law (California Government Code Section 65915):

- Waiver of BMC Section 23.202.140(E)(1), to exceed height
- Waiver of BMC Section 23.202.140(E)(1), to reduce minimum front, side, and rear setbacks above 6 stories/65 feet
- Waiver of BMC Section 23.202.110(E)(2) to reduce minimum required usable open space
- Waiver of BMC Section 23.202.110(E)(2) to reduce minimum landscaped usable open space

E. CEQA Recommendation: Categorically exempt pursuant to Section 15332 of the CEQA Guidelines ("Class 32 In-fill Development").

F. Project Recommendation: Approve Use Permit #ZP2024-0029 pursuant to BMC Section 23.406.040(D)

G. Parties Involved:

- Applicant AMI, LLC, 2300 College Avenue, Berkeley, CA

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, Cecelia Mariscal, at (510) 981-7439 or cmariscal@berkeleyca.gov.

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

Communication Disclaimer:

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

Written Comments, Communications, and Reports:

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

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

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

- **Correspondence received by 5:00 PM, two days before** this public hearing, will be conveyed to the Board in a Supplemental Communications and Reports #1, which is released around noon one day before the public hearing.
- **Correspondence received by 12:00 PM, the day of** this public hearing, will be conveyed to the Board in a Supplemental Communications and Reports #2, which is released around noon the day of the public hearing.
- **Correspondence received after 12:00 PM, the day of** this public hearing will be saved in the project administrative record.



Accessibility Information / ADA Disclaimer:

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

SB 343 Disclaimer:

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

Notice Concerning Your Legal Rights:

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

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

MITIGATION MONITORING PROGRAM

This Draft Mitigation Monitoring Program (MMP) has been formulated based upon the findings of the Environmental Impact Report (EIR) prepared for the City of Berkeley Draft Southside Plan. The MMP, which is provided in Table 1 of this section, lists mitigation measures recommended in the EIR for the proposed project and identifies mitigation monitoring requirements. The Final MMP must be adopted when the City Council makes a final decision on the project.

This MMP has been prepared to comply with the requirements of State law (Public Resources Code Section 21081.6). State law requires the adoption of an MMP when mitigation measures are required to avoid significant impacts. The MMP is intended to ensure compliance during implementation of the project.

The MMP is organized in a matrix format. The first column identifies the impact and the second column identifies the level of significance of the impact without mitigation. The third column identifies the mitigation measure that would be implemented for each project impact and the fourth column identifies the level of significance of the impact with the mitigation measure. The fifth column, entitled "Monitoring Responsibility," refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The sixth column, entitled "Monitoring Timing," refers to when the monitoring will occur to ensure that the mitigation action is completed. The seventh column, entitled "Verification," is for the lead agency to provide verification that the measures have been implemented. These mitigation measures include any minor revisions made as a result of the Response to Comments Document.

Table 1: Mitigation Monitoring Program

Impact Statement	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
A. Land Use						
<i>There are no significant land use impacts.</i>						
B. Population, Employment and Housing						
<i>There are no significant population, employment and housing impacts</i>						
C. Transportation and Circulation						
TRANS-1: Potential new construction would significantly affect operations of the Parker Street/Warring Street intersection under Existing Plus Project Conditions.	S	TRANS-1: Remove the stop signs on Warring Street while maintaining stop signs on Parker Street at the Clark Kerr Campus exit. This action will reduce long southbound queues along Warring Street. The side street approach would operate at LOS F; however, the minor street volumes are low and would not meet the peak hour signal warrant. Install a high visibility crosswalk system on the north side of the Clark Kerr exit driveway to permit pedestrians to alert drivers to pedestrian crossings.	SU	City of Berkeley Planning and Development and Public Works Department	To be implemented when it is determined that a project or projects will cause delays at the intersection of more than two seconds from 2007 conditions (as shown in the DEIR) while continuing to operate at an LOS E. Projects will be reviewed during the discretionary approval process and will be required, as necessary, to address impacts through conditions of approval or contribution to a transportation services fee that would provide fair-share funding for improvements. The City cannot guarantee that the improvements will occur by a certain time or prior to a potentially significant impact due to a lack of funding.	

Impact Statement	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
<p><u>TRANS-3</u>: Potential new construction would cause a significant cumulative impact at the intersection of Bancroft Way/Piedmont Avenue.</p>	<p>S</p>	<p><u>TRANS-3</u>: Re-stripe the existing cross section for north and south bound traffic on Piedmont Avenue to accommodate two lanes of traffic in each direction. The additional lanes will prevent through traffic from being blocked by turning movements. Provide crosswalks only on the north and west sides of the intersection to eliminate pedestrian conflicts with vehicles on the south approach. Relocate the existing northbound bus zone to the north of the intersection to accommodate the second moving traffic lane, and eliminate parking north of Bancroft Way. With implementation of this mitigation measure the intersection would operate at LOS C.</p>	<p>SU</p>	<p>City of Berkeley Planning and Development and Public Works Department</p>	<p>To be implemented when it is determined that a project or projects will exacerbate LOS F conditions at the intersection during the AM peak hour and/or cause operating conditions at the intersection to deteriorate from LOS E to LOS F during the PM peak hour. Projects will be reviewed during the discretionary approval process and will be required, as necessary, to address impacts through conditions of approval or contribution to a transportation services fee that would provide fair-share funding for improvements. The City cannot guarantee that the improvements will occur by a certain time or prior to a potentially significant impact due to a lack of funding.</p>	
<p><u>TRANS-4</u>: Potential new construction would cause a significant cumulative impact at the intersection of Durant Avenue/Piedmont Avenue.</p>	<p>S</p>	<p><u>TRANS-4</u>: Re-stripe the existing cross section for north and south bound traffic on Piedmont Avenue to accommodate two lanes of traffic in each direction. The additional lanes will prevent through traffic from being blocked by turning movements. To accommodate two lanes of traffic during the PM peak period, parking would have to be prohibited along Piedmont Avenue between Bancroft Way and 100 feet south of Durant Avenue. With implementation of this mitigation measure the intersection would operate at LOS C.</p>	<p>SU</p>	<p>City of Berkeley Planning and Development and Public Works Department</p>	<p>To be implemented when it is determined that a project or projects will exacerbate LOS F conditions at the intersection during the AM peak hour and/or cause operating conditions at the intersection to deteriorate from LOS E to LOS F during the PM peak hour. Projects will be reviewed during the discretionary approval process and will be required, as necessary, to address impacts through conditions of approval or contribution to a transportation services fee that would provide fair-share funding for improvements. The City cannot guarantee that the improvements will occur by a certain time or prior to a potentially significant impact due to a lack of funding.</p>	

Impact Statement	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
<p><u>TRANS-5:</u> Potential new construction would cause a significant cumulative impact at the intersection of Channing Way/Fulton Street.</p>	<p>S</p>	<p><u>TRANS-5:</u> Signalize the Channing Way/Fulton Street intersection. With implementation of this mitigation measure the intersection would operate at LOS C. The traffic signal shall provide pedestrian countdown signal indications, bicycle and emergency vehicle detection and necessary equipment capable of transit priority operations.</p>	<p>SU</p>	<p>City of Berkeley Planning and Development and Public Works Department</p>	<p>To be implemented when it is determined that a project or projects will cause operating conditions at the intersection to deteriorate from LOS E to LOS F during the PM peak hour. Projects will be reviewed during the discretionary approval process and will be required, as necessary, to address impacts through conditions of approval or contribution to a transportation services fee that would provide fair-share funding for improvements. The City cannot guarantee that the improvements will occur by a certain time or prior to a potentially significant impact due to a lack of funding.</p>	
<p><u>TRANS-6:</u> Potential new construction would cause a significant cumulative impact at the intersection of Parker Street/Warring Street.</p>	<p>S</p>	<p><u>TRANS-6:</u> Implementation of Mitigation Measure TRANS-1 (Remove the stop signs on Warring Street while maintaining stop signs on Parker Street at the Clark Kerr Campus exit) would reduce the cumulative impact on the Parker Street/Warring Street intersection to the less-than-significant level.</p>	<p>SU</p>	<p>City of Berkeley Planning and Development and Public Works Department</p>	<p>To be implemented when it is determined that a project or projects will exacerbate LOS E operations at the intersection by more than 3 seconds from 2007 conditions (as shown in the DEIR) and/or exacerbate LOS F operations at the intersection by increasing the volume-to-capacity ratio by more than 0.01. Projects will be reviewed during the discretionary approval process and will be required, as necessary, to address impacts through conditions of approval or contribution to a transportation services fee that would provide fair-share funding for improvements. The City cannot guarantee that the improvements will occur by a certain time or prior to a potentially significant impact due to a lack of funding.</p>	

Impact Statement	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
<p><u>TRANS-7:</u> Construction on development sites in the Southside area can disrupt pedestrian sidewalks at the vehicle access interface when either driveways or curb-cuts are introduced.</p>	<p>S</p>	<p><u>TRANS-7:</u> The City shall require all new development to design the vehicle access points to new development sites as driveways. A 6-foot sidewalk width, or 6 feet of clearance on sidewalks, shall be maintained across each new driveway that is in line with the primary walking corridor along the street.</p>	<p>LTS</p>	<p>City of Berkeley Planning and Development and Public Works Department</p>	<p>Prior to design approval.</p>	
<p><u>TRANS-8:</u> Vehicles and bicycles currently encroach into crosswalks, which may increase as new development allowed pursuant to the Project generates additional trips.</p>	<p>S</p>	<p><u>TRANS-8:</u> At all signalized intersections and mid-block locations within the Southside area the City shall install limit lines five feet in advance of the crosswalks and install “Turning Traffic Must Yield to Pedestrians” signage consistent with the <i>California Manual on Uniform Traffic Control Devices for Streets and Highways (FHWA’s MUTCD 2003 Edition, as amended for use in California)</i>.</p>	<p>LTS</p>	<p>City of Berkeley Planning and Development and Public Works Department</p>	<p>To be implemented within 5 years through the City’s CIP process</p>	
<p><u>TRANS-9:</u> Certain elements of the Southside area’s pedestrian facilities are in disrepair or require upgrade to be ADA compliant, which may worsen as development resulting from the Project generates additional pedestrian trips.</p>	<p>S</p>	<p><u>TRANS-9:</u> The City shall implement Policy T-C4 of the Draft Southside Plan and develop a program for sidewalk and intersection repairs and upgrades. Such a plan should inventory the existing system, identify deficiencies, and prioritize necessary improvements, including ongoing maintenance.</p>	<p>SU</p>	<p>City of Berkeley Planning and Development and Public Works Department</p>	<p>To be implemented when City confirms that conditions warrant its implementation</p>	

Impact Statement	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
<p><u>TRANS-10</u>: The Project will increase bicycle activity, including along the Bancroft Way and Durant Avenue corridors where there are no bicycle facilities, which can create unsafe conditions.</p>	S	<p><u>TRANS-10</u>: The City shall install Class II bike lanes on Bancroft Way between Dana Street and Fulton Street and on Durant Avenue west of College Avenue. The City shall install shared roadway markings on Bancroft Way west of Fulton Street and east of Dana Street as well as on Durant Avenue east of College Avenue. The shared roadway markings shall be located 11 feet from the face of curb to highlight the preferred bicycle travel path to avoid open vehicle doors.</p>	SU	City of Berkeley Planning and Development and Public Works Department	To be implemented when City confirms that conditions warrant its implementation	
<p><u>TRANS-14</u>: The Project will bring additional activity to the Southside, including increased vehicular trips. There is a limited amount of short-term parking in the Southside area, which is needed to minimize drivers having to recirculate through the Southside area in search of available parking.</p>	S	<p><u>TRANS-14</u>: The City shall implement Policy T-F1 of the Draft Southside Plan to improve short term parking opportunities. The City shall explore increasing parking fees to promote use of off-street lots and short-term on-street parking, upgrading its parking enforcement technology to capture long term parkers who move their cars every two hours to avoid ticketing, and pricing parking based on demand.</p>	SU	City of Berkeley Planning and Development and Public Works Department	To be implemented when City confirms that conditions warrant its implementation	

Impact Statement	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
D. Air Quality						

Impact Statement	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
<p><u>AIR-1</u>: Demolition and construction period activities could generate significant dust, exhaust, and organic emissions.</p>	<p>S</p>	<p><u>AIR-1</u>: Consistent with guidance from the BAAQMD, the following actions shall be required of construction contracts and will be incorporated into standard conditions of approval for future development projects.</p> <p><i>Demolition.</i> The following controls shall be implemented during demolition:</p> <ul style="list-style-type: none"> • Water during demolition of structures and break-up of pavement to control dust generation; • Cover all trucks hauling demolition debris from the site; and • Use dust-proof chutes to load debris into trucks whenever feasible. <p><i>Construction.</i> The following controls shall be implemented at all construction sites:</p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily and more often during windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers to control dust; • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard; • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites; • Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality; 	<p>LTS</p>	<p>City of Berkeley Building and Safety Division</p>	<p>Throughout demolition and construction period</p>	

Impact Statement	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
AIR-1 <i>Continued</i>		<ul style="list-style-type: none"> • Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets; • Apply non-toxic soil stabilizers to inactive construction areas; • Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.); • Limit traffic speeds on unpaved roads to 15 mph; • Install sandbags or other erosion control measures to prevent silt runoff to public roadways; • Replant vegetation in disturbed areas as quickly as possible; • Install baserock at entryways for all exiting trucks, and wash off the tires or tracks of all trucks and equipment in designated areas before leaving the site; and • Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph. • Implementation of this mitigation measure would reduce construction and demolition air quality impacts to a less-than-significant level. 				

Impact Statement	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
<p><u>AIR-2</u>: Project operational emissions would exceed the BAAQMD thresholds of significance for ozone precursors.</p>	S	<p><u>AIR-2</u>: Changes in land use and zoning and policies in the Draft Southside Plan encourage mixed uses, transit use, pedestrian, and bicycle accessibility, and the provision of limited parking (e.g., LU-D1, LU-E1, LU-F8, LU-F10, LU-F14, T-A1, T-A2, T-A3, T-A4, T-A5, T-C1, T-C4, T-C5, T-C6, T-E1, T-E3, T-E4, T-G3, T-H1). These Plan features would help to reduce new construction-related trips and lower regional emissions. However, even with these reductions, the regional emissions associated with development anticipated to occur with implementation of the Plan would exceed BAAQMD significance thresholds. Additional measures to reduce this impact are not available; therefore, the Project's regional air quality impacts would remain significant and unavoidable.</p>	SU	City of Berkeley Planning and Development and Public Works Department	The changes to land use and zoning policies will be implemented with the adoption of the Southside Plan. The impact will continue to be Significant and Unavoidable because adoption of these mitigation measures will still not mitigate the air quality within the San Francisco Bay Area air basin.	
<p>E. Noise</p>						
<p><i>There are no significant noise impacts</i></p>						
<p>F. Public Facilities and Services</p>						
<p><i>There are no significant public facilities and services impacts</i></p>						
<p>G. Utilities and Infrastructure</p>						
<p><i>There are no significant utilities and infrastructures impacts</i></p>						

Impact Statement	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
H. Paleontological and Cultural Resources						
<p><u>CULT-1</u>: Ground-disturbing activities associated with new construction and associated underground utility installation could result in the destruction of paleontological resources.</p>	S	<p><u>CULT-1</u>: Should fossils be encountered during construction or site preparation activities, such works shall be halted in the vicinity of the find. A qualified paleontologist shall be contacted to evaluate the nature of the find and determine if mitigation is necessary. All feasible recommendations of the paleontologist shall be implemented. Mitigation may include, but is not limited to, in-field documentation and recovery of the specimen(s), laboratory analysis, the preparation of a report detailing the methods and findings of the investigation, and curation at an appropriate paleontological collections facility.</p>	LTS	City of Berkeley Planning and Development Department	During demolition, grading, and construction activity	

Impact Statement	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
<p><u>CULT-2</u>: Ground-disturbing activities associated with new construction and associated utility installation could result in destruction of unidentified subsurface archaeological deposits.</p>	<p>S</p>	<p><u>CULT-2</u>: During project-specific environmental review for individual development projects within the Southside area, the City shall apply the conditions of approval and the criteria for determining archaeological impacts required by the City of Berkeley General Plan. If such a system of review is not yet in place, the City shall, prior to the approval of any development pursuant to the Project involving ground disturbance, establish a development process with comparable conditions of approval and safeguards against potential impacts to archaeological deposits. Such conditions and safeguards may include, but are not limited to, archaeological sensitivity assessments, site-specific investigations, intensive surface surveys, and/or subsurface archaeological testing prior to project clearance.</p>	<p>LTS</p>	<p>City of Berkeley Planning and Development Department</p>	<p>Prior to approval</p>	

Impact Statement	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
<p>CULT-3: Ground-disturbing activities associated with new construction and associated utility installation could result in destruction of unanticipated archaeological discoveries.</p>	<p>S</p>	<p>CULT-3: If unanticipated deposits of prehistoric or historical archaeological materials are encountered during construction activities, all work within 50 feet of the discovery shall be redirected until a qualified archaeologist can be contacted to evaluate the situation, determine if the deposit qualifies as a historical or archaeological resource, and provide recommendations. If the deposit does not qualify as a historical or archaeological resource, then no further protection or study is necessary. If the deposit does qualify as a historical or archaeological resource, then the impacts to the deposit shall be avoided by project activities. If the deposits cannot be avoided, adverse impacts to the deposit must be mitigated. Mitigation may include, but is not limited to, archaeological data recovery. Upon completion of the archaeological assessment, a report should be prepared documenting methods, findings, and recommendations. The report should be submitted to the City, the project proponent, and the NWIC.</p>	<p>LTS</p>	<p>City of Berkeley Planning and Development Department</p>	<p>During construction activity</p>	

Impact Statement	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation	Monitoring Responsibility	Monitoring Timing	Verification (Date and Initials)
<p><u>CULT-4</u>: Ground-disturbing activities associated with new construction and associated utility installation could result in destruction or disturbance of human remains, including those interred outside of formal cemeteries.</p>	S	<p><u>CULT-4</u>: If human remains are encountered during construction activities, all work within 50 feet of the remains should be redirected and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. The archaeologist shall recover scientifically-valuable information, as appropriate and in accordance with the recommendations of the MLD.</p> <p>Upon completion of the archaeological assessment, a report should be prepared documenting methods and results, as well as recommendations regarding the treatment of the human remains and any associated archaeological materials. The report should be submitted to the City, the project proponent, and the NWIC.</p>	LTS	City of Berkeley Planning and Development Department	During construction activity	

Source: LSA Associates, Inc., 2009.