



# Zoning Adjustments Board Staff Report

**ZP2024-0070**

**July 24, 2025**

**Use Permit for a Project at 2442 Haste Street (image not to scale)**



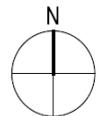
Project Facts	Project Description:
<p><b>Applicant:</b> Jason Andre, Studio KDA</p> <p><b>Project Address:</b> 2442 Haste St</p> <p><b>GP Land Use:</b> AC Avenue Commercial</p> <p><b>Zoning:</b> C-T Telegraph Avenue Commercial</p> <p><b>CEQA:</b> Exempt pursuant to Section 15332 (“In-Fill Development Projects”)</p> <p><b>Date Submitted:</b> June 5, 2024</p> <p><b>Vesting Date:</b> February 6, 2024</p> <p><b>Date Deemed Complete:</b> October 8, 2024</p> <p><b>Project Planner:</b> Nilu Karimzadegan</p> <p><b>Report Prepared by:</b> Joshua Muller</p>	<p>The applicant is seeking approval to demolish an existing three-story residential building (including four rent-controlled units), and construct an eight-story (85 feet) 39,646-square-foot residential building with 38 units (including 1 Extremely Low-Income unit, 1 Very Low-Income unit and 2 Low Income Density Bonus qualifying/replacement units).</p>
	<p style="text-align: center;"><b>Zoning Permits Requested:</b></p> <ol style="list-style-type: none"> <li><b>Demolition.</b> BMC Section 23.326.030(A) to demolish a building constructed before June 1980 on a property containing two or more dwelling units</li> <li><b>Construction.</b> BMC Section 23.204.020(B)(2) to construct a multi-family residential building in the Telegraph Avenue Commercial (C-T) District.</li> <li><b>New Floor Area.</b> BMC Section 23.204.030(A)(1)(c) for the construction of a new main building with more than 1,500 square feet of new floor area.</li> <li><b>Height Increase.</b> (Administrative Use Permit) BMC Section 23.304.050(A) to exceed building height limits with rooftop architectural elements which exceed the maximum height limit for the district.</li> </ol>
	<p style="text-align: center;"><b>Staff Recommendation:</b></p> <p>Staff recommends that ZAB determine the project is exempt from CEQA pursuant to Section 15183.3 of the CEQA Guidelines (“Streamlining for Infill Projects”) and approve ZP2023-0163 pursuant to Section 23.406.040(D) and subject to the attached Findings and Conditions of Approval.</p>

**ZONING MAP (not to scale)**



**Legend**

- Site Boundary
- C-T: Telegraph Avenue Commercial
- R-SMU: Residential Southside Mixed Use
- R-3: Multiple-Family Residential



**Figure 1: Vicinity and Zoning Districts Map**

Comparison of Adjacent Properties			
Vicinity	GP Land Use	Zoning	Current Use
North	Avenue Commercial	C-T	Mixed-use Residential
South		C-T	Residential
East		C-T	Vacant, formerly Retail
West	Residential Mixed Use	Residential Southside Mixed Use District (R-SMU)	Multifamily Residential

**AERIAL (not to scale)**



**STREET ELEVATION (not to scale)**



## **BACKGROUND**

### **Subject Site**

The subject site is located on Haste Street near the intersection of Haste Street and Telegraph Avenue. It is within the Telegraph Avenue Commercial (C-T) District as well as the South Side Plan area. The property site is adjacent to residential and mixed-use buildings to the North, West and South, and commercial buildings to the East. The adjacent structures range in height from one story (2437 Dwight Way) to four stories (2400 and 2444 Haste Street). The property abutting the rear is the James Edgar House, a Structure of Merit designated in December 1981. The project site is located in an area where multiple modes of public transportation are available, including local and Transbay AC Transit bus lines, the UC Berkeley Bear Transit shuttle, multiple bikeshare docking stations and the Downtown Berkeley BART station.

### **Site History**

The project site is 2442 Haste Street (Assessor's Parcel Number 55-1881-18). 2442 Haste is a flat rectangular lot 6,750 square feet large developed with a three-story multifamily residential building approximately 5,663 square feet. There is a driveway along the western portion of the lot connecting to an 11-stall parking lot.

The existing building is the Hutchinson Flats Building, a three-story residential structure with four rent-controlled units. These units are registered with the Berkeley Rent Board. The building was constructed in 1904 in the Colonial Revival style, and was designated a Structure of Merit by the Landmarks Preservation Commission at their September 5, 2024 regular meeting.

There are existing metered parking spaces along the Haste frontage.

## **ANALYSIS**

### **Project Scope**

The proposed project would demolish the existing three-story residential building to allow for the construction of a new eight-story residential development with the following primary components:

- 8 stories, 90 feet to the top of the roof parapet,
- 38 units – 2 one-bedroom units, 13 three-bedroom units, 16 four-bedroom units and 7 five-bedroom units.

### **Findings**

Draft findings for approval can be found in Attachment 2 to the staff report.

### **Environmental Review**

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:

- 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.

**Base Project and Density Bonus**

The applicant has requested a density bonus under the State Density Bonus Law. Under the City’s density bonus procedures, the “base project<sup>1</sup>” is 31 units, as the maximum allowable density for the site. The eight-story base project and the resulting eight-story proposed project both have an average unit size of 1,023 square feet. By providing 2 Very Low Income (VLI) BMR units on site (5 percent of the 31-unit base density), the project is eligible for a 20 percent density bonus, or 7 additional units. Therefore, the applicant proposes 7 additional units above the base density for a total of 38 dwelling units. Table 5, below includes the Density Bonus calculations.

Base Project Units <sup>a</sup>	Qualifying Units	Percent Density Bonus	Number of Density Bonus Units <sup>a</sup>	Proposed Project Units <sup>a</sup>
31	2 VLI Units (5% of base project)	20%	7 (23% # units)	38
Notes: a. Pursuant to Government Code 65915(q), all unit calculations are rounded up to the next whole number. Abbreviations: % = percent				

**Concession and Waivers Pursuant to State Density Bonus Law (CA Govt. Code Section 65915)**

A **concession** is a modification of a development standard that reduces the cost of providing affordable housing. The City may only deny the concession if it finds that the concession 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-

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<sup>1</sup> 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).

income, very-low income, and moderate-income households, or if the concession would be contrary to State or Federal law. Staff believes such a finding cannot be made.

The project is entitled to one concession (or incentive) under Government Code Section 65915(d), and an unlimited number of waivers under Section 65915(e).

- The applicant is requesting one concession for the project to eliminate the Percentage for Public Art on Private Projects requirements pursuant to BMC Section 23.316.

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 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.<sup>2</sup>

The applicant is requesting 5 waivers from the following development standards:

- **Interior Side Setback.** Waiver of BMC Section 23.304.030(C)(2) to reduce left (west) side setback from the minimum 5 feet requirement to 3 feet.
- **Building Height.** Waiver of BMC Section 23.304.050(A) to exceed building height limits with rooftop architectural elements which exceed the maximum height limit for the district.
- **Ground Floor Units.** Waiver of BMC Section 23.204.110(B)(3) to construct residential uses on the ground floor without a ground floor commercial use.
- **Bicycle Parking.** Waiver of BMC Section 23.322.090(A)(2) to reduce the required long-term residential bicycle parking spaces from 46 spaces to 0 spaces.
- **Useable Open Space.** Waiver of BMC Section 23.204.110(D)(1) to permit the reduce the minimum open space requirement of 1,527 square feet to 0 square feet.

### Elimination of Dwelling Units through Demolition

BMC Section 23.326.020(B)<sup>3</sup> allows the ZAB to approve a Use Permit to eliminate or demolish a dwelling unit only if the elimination of the dwelling unit would not be materially detrimental to the housing needs and public interest of any affected neighborhood or the City.

Evidence: The project would replace 4 rent-controlled (“protected”) dwelling units with 38 dwelling units (including 1 unit affordable to Extremely Low-Income households, 1 unit affordable to Very Low-Income households, and 2 units affordable to Low-Income households). The increase in the number of housing units would help meet the City’s need for additional housing and Regional Housing Needs Assessment target, and thus the Finding under BMC Section 23.326.020(B) would be met. The project would also provide housing in proximity to regional transit, bicycle facilities, retail, and services, therefore reducing vehicle miles traveled, and air quality and greenhouse gas emission

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<sup>2</sup> See Footnote 5.

<sup>3</sup> The project secured vesting of BMC Chapter 23.326 provisions in effect prior to August 2024, when the chapter was revised. Current replacement requirements in this Chapter do not apply to the project. Vested BMC tenant protection provisions do apply to the project.

impacts. The proposed project would not be materially detrimental to the housing needs and public interest of the affected neighborhood and the City.

The project is compliant with all provisions of Government Code Sections 66300-66301 for the demolition and replacement of residential units.

Per BMC Section 23.326.030(A)(2)(a), demolition is not allowed if the building was removed from the rental market under the Ellis Act during the preceding five years, or there have been verified cases of harassment, or threatened or actual illegal eviction during the preceding five years.

Evidence: Rent Stabilization Board staff reviewed the property records and determined that the existing units have not been removed from the rental market under the Ellis Act at any time during the preceding five years, or there is no record of any verified cases of harassment or threatened or actual illegal eviction. (Attachment 7)

Tenant protection provisions in the Government Code 66300 and BMC Chapter 23.326 would apply to the project, including prior rental rate, relocation expenses, and rights of first refusal in the new building. Conditions of approval have been added to the permit to ensure the implementation of tenant protections.

BMC Section 23.326.030(A)(3) allows the ZAB to approve demolition of a building constructed before June 1980 on a property containing two or more dwelling units if one or more of the following findings can be met: the building containing the units is hazardous or unusable and is infeasible to repair; the building containing the units will be moved to a different location within Berkeley with no net loss of units and no change in the affordability levels of the units; the demolition is necessary to permit construction of special housing needs facilities such as, but not limited to, childcare centers and affordable housing developments that serve the greater good of the entire community; the demolition is necessary to permit construction approved pursuant to BMC Chapter 23.326 Demolition and Dwelling Unit Control, of at least the same number of dwelling units.

Evidence: The project proposes 38 units (including 1 unit affordable to Extremely Low-Income households, 1 unit affordable to Very Low-Income households, and 2 units affordable to Low-Income households), which would exceed the existing number of dwelling units. The demolition of the existing structure would be necessary to permit the construction of the new units on the property.

## **ADVISORY BODY REVIEW**

### **Landmarks Preservation Commission**

The project is not subject to review by the Landmark Preservation Commission because it does not involve the demolition of a nonresidential building over 40 years in age. Additionally, while the property was designated a Structure of Merit by the Landmarks Preservation Commission at their September 5, 2024 regular meeting, the project's SB 330 Preliminary Application vested prior to LPC's designation; therefore, the Structure of Merit designation does not apply to the project.<sup>4</sup>

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<sup>4</sup> The SB 330 Preliminary Application serves to vest for the project the policies, standards, and fees that are in effect at the time that it is deemed complete. This includes any determination of whether the site is an historic site, pursuant to *Impact of SB 330 on Landmarks Preservation Commission Review of Housing Development Projects Memorandum*, July 8, 2020, City of Berkeley. The LPC and the City are prohibited by state law from denying or imposing conditions on a housing development project based on any cultural or historic resources protections imposed after that date. The City's obligation to assess project impact on cultural resources under CEQA is not affected by this determination.

### Design Review Committee Review: Preliminary Design Review

On June 19, 2025, the Design Review Committee (DRC) reviewed the project design for 2442 Haste Street, gave a favorable recommendation on the design as presented, and provided the following direction for Final Design Review:

#### *Recommendations:*

##### *Site Design / Neighborhood Context*

- Further refine the ground floor transformer area so the main entrance remains the focal point.

##### *Exterior Finishes*

- Recommend a quieter North elevation; consider more terra cotta.
- Balance verticality with more horizontal lines on North elevation.
- Refine color palette and material transitions; proposed yellow color is bold and should be reviewed in the sun, and with the whole color palette, before FDR.
- Colors should work better together; too many are similar saturation.
- Material and color transitions on the side elevations appear to be arbitrary; review for FDR.
- Recommend brighter finishes in corridors and balconies.

##### *Landscaping*

- Recommend using all native plants if possible.
- Increase landscape at the street edge as much as possible.
- Consider landscape on balconies.

##### *Building Details*

- Recommend a stronger base and top to the building.
- Show signage, as well as all exterior details at FDR.

### Community Meeting

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 virtually on April 11, 2024, and attended by one individual (meeting minutes are included as Attachment 6). Prior to submitting this application, the applicant installed a pre-application poster on site in June 2024.

### POLICY CONSISTENCY

#### Housing Accountability Act

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

1. The development would have a specific adverse impact on public health or safety<sup>5</sup> unless disapproved, or approved at a lower density; and

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<sup>5</sup> 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.”

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 a mixed-use building with at least two-thirds of the floor area in residential use, including four live/work units. The Base Project includes Use Permits and/or Administrative Use Permits<sup>6</sup> to modify the height, setbacks and driveway length, 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.

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 have not identified any adverse impacts that could occur with the construction of the project.

#### **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:

**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)).

Evidence: The July 24, 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.

**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

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<sup>6</sup> 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.”

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.

Evidence: The applicant included a Historic Resource Evaluation (DPR 523 forms) prepared by Connor Ishiguro Turnbull Preservation Consulting with the initial submittal. The report found that the building was designed by Thomas Newsom, and was constructed in 1904 as a rental property. The building was designed in the Colonial Revival style with Victorian embellishments, which is one of multiple styles within the College Homestead Tract. The resident and tenant history did not yield any prominent or historical persons who were associated with the property. The evaluation concluded that the property does not meet Landmark or Structure of Merit status per the City of Berkeley or the California Register of Historical Resources Significance criteria.

### 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 demolish an existing 4-unit residential building and construct a 38-unit residential building within the Telegraph Avenue Commercial (C-T) District. The project would increase the number of housing units and residential density within the Southside Plan Area and an area that is serviced by multiple transit lines and modes. Additionally, the project would be constructed to meet GreenPoint standards for multifamily construction and would be conditioned to comply with City of Berkeley green construction and energy efficiency requirements.

The Telegraph Avenue Commercial (C-T) District features a diverse range of uses, building heights, frontage designs, and architectural styles. There is not a unifying design language within the district for buildings of a specific use or similar scale. The project would construct a residential building adjacent to the Telegraph Avenue corridor. Residential uses are an allowed use within the district and are compatible with the Land Use section of the Southside Plan. Additionally, per the project plans, the base project would meet the objective zoning standards for the C-T District. The project would construct a residential building that is of a comparable height and scale to other recently approved and built residential and mixed-use projects within the C-T District and the Southside Plan area.

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

Staff Analysis: The extent of the new shadow impacts from the project on the site's adjacent areas would be limited to a few hours of the day, during certain times of the year, and would not be unreasonable for a development in the dense, Telegraph Avenue area that allows building heights up to 85 feet, with 0 or 5-foot setbacks from property lines, by right. All other new shadows created during the aforementioned times would impact non-residential buildings in the vicinity.

The additional height above the district limits from the density bonus would cast shadows in the affected directions further than if the project were limited to the base district height standards. The proposal would include waivers for additional height beyond the district height limits to accommodate the density bonus units (see Section V.F for a discussion of waivers) and allow a 90-foot-tall (including a 5-foot parapet), 8-story building. Overall, the shadow impacts from the project would be reasonable and not detrimental.

6. **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.

Staff Analysis: The project would increase density of the parcel by creating 38 residential units in an area with a significant confluence of multi-modal transit options. Multiple AC Transit and Bear Transit (U.C. Berkeley) routes are within blocks of the project. Additionally, a condition of approval on the project would restrict residents from enrolling in City residential parking programs.

7. **Policy LU-25 Affordable Housing Development:** Encourage development of affordable housing in the Downtown Plan area, the Southside Plan area, and other transit-oriented locations.
8. **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 construct 38 residential units, including one Extremely Low-Income (ELI) unit, one Very-Low Income (VLI) unit and two Low Income (LI) units that are a mix of one, three, four, and five-bedroom units. The proposed units would increase the number of units within the Southside Area and would produce housing units that work toward meeting the housing production goals of the City and the City's Regional Housing Needs Allocation (RHNA) for unit count and affordability requirements.

9. **Policy EM-5 "Green" Buildings:** Promote and encourage compliance with "green" building standards. (Also see Policies EM-8, EM-26, EM-35, EM-36, and UD-6.)
10. **Policy UD-33 Sustainable Design:** Promote environmentally sensitive and sustainable design in new buildings.

Staff Analysis: The proposed building would be all-electric and include a solar PV system and battery energy storage. The construction would also meet low-carbon requirements. Per the GreenPoint rated New Home Multifamily Checklist included in the plans, the project would exceed the minimum points required in the design and construction-related categories.

### Southside Plan Consistency

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

1. **Policy LU-A1:** Provide incentives to encourage development of a variety of different housing types that are affordable to students, University employees, and employees of Southside businesses.
2. **Policy LU-A3:** Maintain the current supply of housing in the Southside.
3. **Policy LU-E3:** The specific location of land uses and the design of new buildings in each subarea should reinforce the pedestrian, bicycle, and transit orientation of the Southside.
4. **Policy ED-B1:** Improve the physical appearance and sense of safety in the district.
5. **Policy CC-F8:** Take into account shading impacts on adjacent structures and sidewalks in reviews of building design in an effort to allow as much natural light as possible.
6. **Policy PS-A6:** Encourage property owners to provide outdoor lighting around their buildings, to maintain and prune landscaping as needed for safety and visibility, and to reduce the number of dark, underutilized areas on their sites.

### 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 ("In-Fill Development Projects"); and
2. **APPROVE** ZP2024-0070 pursuant to Section 23.406.040(D) and subject to the attached Findings and Conditions (see Attachments 1 and 2).

### Attachments

1. Tables 1-3: Project Chronology, Special Characteristics, Development Standards
2. Draft Findings
3. Draft Conditions of Approval
4. Southside Plan Mitigation, Monitoring, and Reporting Program
5. Project Plans, received June 5, 2025
6. Notice of Public Hearing
7. Community Meeting Minutes, dated April 11, 2024
8. Rent Stabilization Board memo, dated August 9, 2024

**Attachment 1**

Tables 1-3: Project Chronology, Special Characteristics, Development Standards

**Table 1: Project Chronology**

Date	Action
February 6, 2024 (vesting date)	SB 330 complete Preliminary Housing Development Project Application submitted
June 5, 2024	SB 330 Use Permit Application submitted
October 8, 2024	Application deemed complete
June 19, 2025	Preliminary Design Review at DRC
July 10, 2025	Public hearing notices mailed/posted
July 24, 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 2: Special Characteristics**

Characteristic	Applicability	Explanation
Affordable Child Care Fee for qualifying non-residential projects (Per Resolution 66,618-N.S.)	No	The project is a fully residential housing development project and the fees are therefore not applicable.
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 <sup>a</sup> , and would provide at least 20 percent of the base project residential units, pay an in-lieu fee based on the residential unit floor area of the base project, or a combination. The project would provide 2 Below Market Rate (BMR) units – 1 at Extremely Low-Income (ELI) and 1 at Very Low-Income (VLI) affordability – 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 and a condition of approval to demonstrate compliance at building permit is included in the 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 2 Very Low-Income units, or 5 percent of the Base Project units, and qualifies for a 20 percent density bonus, or 7 bonus units (7 taken). See Section III.C for discussion.
Hard Hats (BMC Chapter 13.107)	No	The project is less than 50,000 square feet and therefore not subject to these requirements.

Historic Resources	No	The existing building is more than 40 years old, but because it is a residential structure it does not require a demolition referral to the Landmarks Preservation Commission. The Historic Resource Evaluation prepared by Connor Turnbull Preservation Consulting (January 12, 2023) concluded that the property does not meet the criteria for either a City Landmark or Structure of Merit. See Section IV.B for discussion.
Housing Accountability Act (HAA) (Gov't Code Section 65589.5(j))	Yes	The proposed project is to construct 38 residential units only and therefore meets the definition of a "Housing Development Project" per Government Code Section 65589.5(h)(2) <sup>b</sup> . 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.B of this report for additional discussion on compliance with the Housing Accountability Act.
Housing Crisis Act of 2019 (SB 330)	Yes	The project meets the definition of a "Housing Development Project" per Government Code Section 65589.5(h)(2). <sup>b</sup> See Section V.C of this report for additional discussion on the sections of SB 330 that apply to the project.
Opportunity Site	No	The subject property is not listed as an Opportunity Site in Table C-10 of the Housing Element or in the Southside Plan.
Prevailing Wages in the Southside Plan Area (BMC Chapter 13.108)	No	The project was vested under the Housing Crisis Act of 2019 prior to the March 1, 2024 effective date of the ordinance, and therefore these provisions do not apply.
Rent Controlled Units	Yes	The project would demolish 4 rent controlled dwelling units. See Section III.B, Replacement of Demolished Units.
Residential Preferred Parking (RPP)	Yes	The site is located in an RPP zone. The project is not eligible for RPP permits per BMC Section 14.72.080(C)(1) as no permits shall be issued to residents in newly constructed residential units.
Seismic Hazards (SHMA)	No	The project site is not located within an area susceptible to landslide/liquefaction/fault rupture as shown on the <a href="#">State Seismic Hazard Zones</a> map. <sup>c</sup>
Soil/Groundwater Contamination	No	The project site not located within the City's Environmental Management Area and is not on the Cortese List. <sup>d</sup> Standard Conditions of Approval related to hazardous materials would apply.
Transit	Yes	The project is located in the vicinity of multiple local and Transbay AC Transit lines as well as two Bear Transit lines. The project is approximately 0.8 miles from the Downtown Berkeley BART station. The project is also adjacent to a Bay Wheels bikeshare dock.
<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>		

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

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

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

**Table 3: Telegraph Avenue Commercial (C-T) District Development Standards BMC Sections 23.204.130 and 23.322 Parking and Loading**

Standard		Existing	Addition/ (Reduction)	Proposed Total	Permitted/ Required
Lot Area (sq. ft.)		6,750	0	6,750	n/a
Gross Floor Area (sq. ft.)		5,663	+ 33,983	39,646	54,000
Floor Area Ratio		0.8	4.9	5.7	8.0 max.
Density (units/acre)		26	+219	245	200 min; No max.
Dwelling Units	Total	4 units	+34	38 units	30 units min.
	Affordable	n/a	+4	+4	n/a
Building Height (ft. - in.)	Maximum	35'	+58'-6"	93'-6"	85' max 35' min
	Front (Haste Street)	12'-10"	-12'-10"	0'	No min.
Building Setbacks <sup>a</sup> (ft. - in.)	Rear	57'	-52'	5'	n/a (adjacent to non-residential district)
	Left Side	3'-9"	-9"	3'	n/a (adjacent to non-residential district)
	Right Side	3'-9"	-3"	3'-6"	5' min.
Lot Coverage (%)		25%	+56%	81%	100% max
Usable Open Space (sq. ft.)		325	-325	0	1,550 sq. ft. (40 sq. ft./1,000 Res sq. ft.) min
Parking	Automobile	11	-11	0	n/a
	Bicycle – Short-term	0	+4	4	4 spaces min (1 space/40 bedrooms).
	Bicycle – Long-term	0	0	0	45 spaces min (1 space/3 bedrooms).
<p><span style="background-color: #d9ead3; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> = Concession or 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. In the C-T district, there are no minimum setbacks for a property abutting/confronting a non-residential district. The right setback in the above table refers to the requirements for a property abutting/confronting a residential district per BMC 23.304.030(C)(2).</p>					



## Zoning Adjustments Board Findings

**ZP2024-0070**

**July 24, 2025**

**Use Permit for a Project at 2442 Haste Street**

Project Facts	Project Description:	
<p><b>Applicant:</b> Jason Andre, Studio KDA</p> <p><b>Project Address:</b> 2442 Haste St</p> <p><b>GP Land Use:</b> AC Avenue Commercial</p> <p><b>Zoning:</b> C-T Telegraph Avenue Commercial</p> <p><b>CEQA:</b> Exempt pursuant to Section 15332 (“In-Fill Development Projects”)</p> <p><b>Date Submitted:</b> June 5, 2024</p> <p><b>Vesting Date:</b> February 6, 2024</p> <p><b>Date Deemed Complete:</b> October 8, 2024</p> <p><b>Project Planner:</b> Nilu Karimzadegan</p> <p><b>Report Prepared by:</b> Joshua Muller</p>	<p>The applicant is seeking approval to demolish an existing three-story residential building (including four rent-controlled units), and construct an eight-story (85 feet) 39,646-square-foot residential building with 38 units (including 1 Extremely Low-Income unit, 1 Very Low-Income unit and 2 Low Income Density Bonus qualifying/replacement units).</p>	
	Permits Requested:	
	<ol style="list-style-type: none"> <li><b>Demolition.</b> BMC Section 23.326.030(A) to demolish a building constructed before June 1980 on a property containing two or more dwelling units.</li> <li><b>Construction.</b> BMC Section 23.204.020(B)(2) to construct a multi-family residential building in the Telegraph Avenue Commercial (C-T) District.</li> <li><b>New Floor Area.</b> BMC Section 23.204.030(A)(1)(c) for the construction of a new main building with more than 1,500 square feet of new floor area.</li> <li><b>Height Increase.</b> (Administrative Use Permit) BMC Section 23.304.050(A) to exceed building height limits with rooftop architectural elements which exceed the maximum height limit for the district.</li> </ol>	
	Waivers	Concessions
<ol style="list-style-type: none"> <li><b>Interior Side Setback</b></li> <li><b>Building Height</b></li> <li><b>Ground Floor Units</b></li> <li><b>Bicycle Parking</b></li> <li><b>Usable Open Space</b></li> </ol>	<ol style="list-style-type: none"> <li><b>Percentage for Public Art on Private Projects</b></li> </ol>	
CEQA		
<p>The project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to CEQA Guidelines Section 15332 (“In-Fill Development Projects”).</p>		

### Categorical Exemption

The project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15332 (“In-Fill Development Projects”).

Evidence: The project is consistent with the applicable General Plan designation and policies, and with the applicable zoning designation and regulations. The project occurs within the Berkeley City limits on a project site of no more than five acres, and is surrounded by urban uses. The parcels within the project site have previously been developed and have no value as habitat for endangered, rare or threatened species. The project will not result in any significant effects relating to traffic, noise, air quality or water quality. The project scope 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. The site can be adequately served by all required utilities and public services.

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.

### **FINDINGS FOR APPROVAL**

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As required by BMC Section 23.406.040 (E) (1-4) “Findings for Approval,” the following findings shall be made:

1. To approve a Use Permit, the ZAB shall find that the proposed project or use:
  - (a) Will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or visiting in the area or neighborhood of the proposed use; and

Evidence: The project will not be detrimental to the health safety, peace, morals, comfort or general welfare of person residing or visiting in the area because the project is consistent with all applicable C-T District standards and qualifies for concessions and waivers for the listed district standards granted pursuant to State Density Bonus, Government Code, Section 65915.

Additionally, the proposed residential building will contain uses that are allowed land uses within the C-T district and will augment the existing mixed-use character of the surrounding area within the district. Additionally, the proposed scope and scale of the development is consistent with the policies of the Southside Plan (see Section VI.C. for specific policies), and therefore will not create circumstances detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood, or to the general welfare of the City

- (b) Will not 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.

Evidence: The project will not be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood or general welfare of the city because the extent of the new shadow impacts from the project on the site's adjacent areas will be limited to a few hours of the day, during certain times of the year, and will not be unreasonable for a development in the dense, Telegraph Avenue area that allows building heights up to 85 feet, with 0 or 5-foot setbacks from property lines, by right.

The additional height above the district limits from the density bonus will cast shadows in the affected directions further than if the project were limited to the base district height standards. The proposal will include waivers for additional height beyond the district height limits to accommodate the density bonus units (see Section V.F for a discussion of waivers) and allow a 90-foot-tall (including a 5-foot parapet), 8-story building. Overall, the shadow impacts from the project will be reasonable and not detrimental.

Additionally, 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.

2. To approve the Use Permit, the ZAB must also make any other Use Permit findings specifically required by the Zoning Ordinance for the proposed project.

### **Chapter 23.326: Demolition and Dwelling Unit Controls**

BMC 23.326.020(B), the elimination or demolition of a dwelling unit will not be materially detrimental to the housing needs and public interest of any affected neighborhood or the City. The project will replace 4 demolished dwelling units with 38 dwelling units (1 unit affordable to Extremely Low-Income households, 1 unit affordable to Very Low-Income households and 1 unit affordable to Low-Income households). The increase in the number of housing units would help meet the City's need for additional housing and Regional Housing Needs Assessment target.

### **State Density Bonus**

- 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 31 units;
  2. The project will provide at least 2 qualifying units in the 31-unit base project, as more fully set forth in Condition 34;

3. The project is entitled to a density increase of 20 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), plus one concession or incentive. This equates to a density bonus of up to 7 units above the base project, for a total of up to 38 units.
- B. In accordance with Government Code Section 65915(d) and (k), the Zoning Adjustments Board hereby grants the following concessions in order to provide for affordable housing costs:
1. Concession from BMC Section 23.316 to eliminate the Percentage for Public Art on Private Projects requirement.
- C. 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.
- a. Waiver from BMC Section 23.304.030(C)(2) to reduce left (west) side setback from the minimum 5 feet requirement to 3 feet.
  - b. Waiver from BMC Section 23.204.110(D)(1) to permit the reduce the minimum open space requirement of 1,527 square feet to 0 square feet.
  - c. Waiver from BMC Section 23.322.090(A)(2) to reduce the required long-term residential bicycle parking spaces from 46 spaces to 0 spaces.
  - d. Waiver from BMC Section 23.204.110(B)(3) to construct residential uses on the ground floor without a ground floor commercial use.
  - e. Waiver from BMC Section 23.304.050(A) to exceed building height limits with rooftop architectural elements which exceed the maximum height limit for the district.
- 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.

### **Housing Accountability Act**

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.

Evidence: The project includes construction of 38 residential units. 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.

### **Chapter 23.204: C-T Telegraph Avenue Commercial District**

As required by BMC Section 23.204.110(E), the following findings shall be made:

1. Is compatible with the purposes of the district;
2. Encourages and maintains the present street frontage of the district;
3. Does not interfere with the continuity of retail or compatible service facilities at the ground level;
4. Does not interrupt a continuous wall of building facades;
5. Is compatible in design and character with the district and the adjacent residential neighborhoods;
6. Does not generate traffic or parking demand significantly beyond the capacity of the district or significantly increase impacts on adjacent residential neighborhoods; and
7. Complies with the Southside Plan's adopted Mitigation Monitoring Program (MMP)

Evidence: The project would construct a 38-unit residential building within the Telegraph Avenue Commercial (C-T) District. The project would increase the density of residential units near the Telegraph Avenue corridor and within the overall district. The additional units would be located in an area with multiple transit options and modes and would therefore promote trips without increasing vehicular traffic from the additional residents. The construction of additional units within the C-T district would create a more diverse range of unit types for current and potential residents within the district. Additionally, the project would be conditioned to comply with all applicable Berkeley Ordinances regarding indoor noise limits, green construction and energy efficiency. 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.

### **Chapter 23.304: General Development Standards**

As required by BMC Section 23.304.050(A), the other building and site features, including but not limited to, mechanical penthouses, elevator equipment rooms and cupolas, domes, turrets and other architectural elements may not exceed 15% of the average floor area of all of the building's stories.

Evidence: The base project will include staircase and elevator penthouses totaling approximately 500 square feet that will extend 8.5 feet over the 85-foot roof height and 6.5 feet over the proposed parapet. The penthouses represent less than 13 percent (12.2) of the 4,088-square-foot average of all the floor areas. The projection is, therefore, permissible.

3. When taking action on a Use Permit, the ZAB shall consider in its findings:

(a) The proposed land use; and

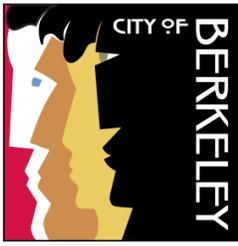
Evidence: The proposed land use is multi-family residential, which matches the existing land use and is allowed in the Telegraph Avenue Commercial District with a Use Permit.

(b) The structure or addition that accommodates the use.

Evidence: The project proposes to demolish an existing three-story residential building (including four rent-controlled units) and construct an eight-story (85 feet) 39,646 square-foot residential building with 38 units (including 1 Extremely Low-Income unit, 1 Very Low-Income unit, and 2 Low-Income units).

4. Required findings shall be made based on the circumstances existing at the time a decision is made on the application.

Evidence: The Zoning Adjustments Board has reviewed the project plans, staff report and attachments prior to taking action on the application at its regular meeting on July 24, 2025.



PLANNING AND  
DEVELOPMENT

# USE PERMIT ZP2024-0070

## CONDITIONS OF APPROVAL

July 24, 2025

### 2442 Haste Street

Use Permit #ZP2024-0070 to demolish an existing three-story residential building (including four rent-controlled units), and construct an eight-story (85 feet) 39,646-square-foot residential building with 38 units (including 1 Extremely Low-Income unit, 1 Very Low-Income unit and 2 Low Income Density Bonus qualifying/replacement units).

#### 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. Tenant Protections.**

- a. Prior Rental Rate.** Pursuant to Government Code Section 66300.6(b)(3), any existing residents will be allowed to occupy their units until six months before the start of construction activities with proper notice and, if asked to leave, shall be allowed to return at their prior rental rate if the demolition does not proceed and the property is returned to the rental market.
- b. Requirement for Relocation Expenses.** Pursuant to BMC 23.326.030(A)(5)(c),
  - i. the applicant shall provide qualified tenants assistance with moving expenses equivalent to those in Chapter 13.84 (Relocation Services and Payments for Residential Tenant Households), and
  - ii. shall subsidize the rent differential for a comparable replacement unit, in the same neighborhood if feasible, until new units are ready for occupancy. Funding for the rent differential shall be guaranteed in a manner approved by the City. The applicant shall submit proof of implementation that includes an overall building tenant relocation plan and relocation agreements all applicable tenant households prior to submittal for building permits.
- c. Siting Tenants Rights.** Pursuant to BMC 23.326.030(A)(5)(d),
  - i. sitting tenants who are displaced as a result of demolition shall be provided the right of first refusal to move into the new building, and
  - ii. tenants of units that are demolished shall have the right of first refusal to rent new below market rate units designated to replace the units that were demolished, at the rent that would have applied if they had remained in place, as long as their tenancy continues.
  - iii. Income restrictions do not apply to displaced tenants.

**16. 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.

- 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 3). 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 building cannot commence until a complete application is submitted for the replacement building. In addition, all plans presented to the City to obtain a permit to allow the demolition are subject to these conditions.

**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 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. Final Design Review.** The Project requires approval of a Final Design Review application by the Design Review Committee.

**27. 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.

**28. 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.

**29. 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.)

**30. 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](mailto:RecyclingProgram@berkeleyca.gov).

**31. 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**

**32. 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.

**33. Below Market Rate Units.** One Extremely-Low Income, one Very-Low Income, and two Low Income Below Market Rate rental dwelling units (BMR Units) shall be provided in the project. All affordable units provided pursuant to the Density Bonus section 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 and BMC Section 23.326.030 Elimination of Dwelling Units through Demolition. All affordable units provided as replacement units pursuant to Section V.A, Demolition, of the permit findings, shall be designated as BMR Units. Any Extremely-Low Income replacement units provided shall be classified as Very-Low Income units to fulfill State Density Bonus Law.

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)	1	1	0
State Density Bonus Law (Gov. Code Section 65915)	1 (counts as 1 VLI for Density Bonus qualifying)	1	2 [per G.C. Section 65915(c)(3)(C), replacement)
BMC Chapter 23.326 (Demolition), vested prior to August 2024	1	1	2
<b>Total</b>	1	1	2

- 34. 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.
- 35. 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 \$1,016,409.38, 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.

**Prior to Demolition or Start of Construction:**

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- 36. 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.
- 37. 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.

**38. 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:**

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**39. Construction Hours.** Construction activity shall be limited to between the hours of 7:00 AM and 6:00 PM on Monday through Friday, and between 9:00 AM and 4:00 PM on Saturday. No construction-related activity shall occur on Sunday or any Federal Holiday.

**40. 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.

**41. 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.

**42. Public Works - Implement Bay Area Air District (BAAD)-Recommended Measures during Construction.** For all proposed projects, BAAD 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.

**43. 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 BAAD 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.

**44. 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.

- 45. 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.)
- 46. 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.
- 47. 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.

**48. 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.

**49. 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.

**50. Archeological 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:
- i. *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.
  - ii. *Preparation and Curation of Recovered Fossils.*** Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent 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.

- iii. *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.

**51. 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.

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

- A. The project plans shall identify and show site-specific Best Management Practices (BMPs) appropriate to activities conducted on-site to limit to the maximum extent practicable the discharge of pollutants to the City's storm drainage system, regardless of season or weather conditions.
- B. Trash enclosures and/or recycling area(s) shall be covered; no other area shall drain onto this area. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. Applicant shall contact the City of Berkeley and EBMUD for specific connection and discharge requirements. Discharges to the sanitary sewer are subject to the review, approval and conditions of the City of Berkeley and EBMUD.
- C. Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration and minimize the use of fertilizers and pesticides that contribute to stormwater pollution. Where feasible, landscaping should be designed and operated to treat runoff. When and where possible, xeriscape and drought tolerant plants shall be incorporated into new development plans.
- D. Design, location and maintenance requirements and schedules for any stormwater quality treatment structural controls shall be submitted to the Department of Public Works for review with respect to reasonable adequacy of the controls. The review does not relieve the property owner of the responsibility for complying with BMC Chapter 17.20 and future revisions to the City's overall stormwater quality ordinances. This review shall be conducted prior to the issuance of a Building Permit.
- E. All paved outdoor storage areas must be designed to reduce/limit the potential for runoff to contact pollutants.

- F. All on-site storm drain inlets/catch basins must be cleaned at least once a year immediately prior to the rainy season. The property owner shall be responsible for all costs associated with proper operation and maintenance of all storm drainage facilities (pipelines, inlets, catch basins, outlets, etc.) associated with the project, unless the City accepts such facilities by Council action. Additional cleaning may be required by City of Berkeley Public Works Engineering Dept.
  - G. All 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.
- 53. 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.

- 54. 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.
- 55. 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.
- 56. 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.
- 57. 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.
- 58. 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.
- 59. 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:**

- 60. 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.
- 61.** All landscape, site and architectural improvements shall be completed per the attached approved drawings dated June 5, 2025.
- 62. 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.
- B. Consistent with BMC Section 23.334.030(C), publicly-available, real-time transportation information in a common area, such as a lobby or elevator bay, on televisions, computer monitors or other displays readily visible to residents and/or visitors, shall be provided. Transportation information shall include, but is not limited to, transit arrivals and departures for nearby transit routes.
- C. Property owners may be required to pay administrative fees associated with compliance with this Condition.

**At All Times:**

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- 63. Compliance with Approved Plan.** The project shall conform to the plans and statements in the Use Permit.
- 64. 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).
- 65. 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.
- 66. 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.
- 67. Design Review.** Signage and any other exterior modifications, including but not limited to landscaping and lighting, shall be subject to Design Review approval.
- 68. 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.
- 69. Electrical Meter.** Only one electrical meter fixture may be installed per dwelling unit.
- 70. 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.

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- 71. 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.
- 72. Required Bike Parking.** Secure and on-site short-term bike parking for at least four bicycles shall be provided for the life of the building.
- 73. Tenant Notification.** The developer shall provide tenant notification, via a lease rider or deed covenant, that each dwelling unit is located in a mixed-use area that includes commercial, food service, and entertainment uses, and that each occupant shall not seek to impede their lawful operation.
- 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.

## **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)
<b>A. Land Use</b>						
<i>There are no significant land use impacts.</i>						
<b>B. Population, Employment and Housing</b>						
<i>There are no significant population, employment and housing impacts</i>						
<b>C. Transportation and Circulation</b>						
<u>TRANS-1</u> : Potential new construction would significantly affect operations of the Parker Street/Warring Street intersection under Existing Plus Project Conditions.	S	<u>TRANS-1</u> : 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>	S	<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>	LTS	City of Berkeley Planning and Development and Public Works Department	Prior to design approval.	
<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>	S	<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>	LTS	City of Berkeley Planning and Development and Public Works Department	To be implemented within 5 years through the City’s CIP process	
<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>	S	<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>	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)
<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>AIR-1: Demolition and construction period activities could generate significant dust, exhaust, and organic emissions.</p>	<p>S</p>	<p>AIR-1: 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"> <li>• Water during demolition of structures and break-up of pavement to control dust generation;</li> <li>• Cover all trucks hauling demolition debris from the site; and</li> <li>• Use dust-proof chutes to load debris into trucks whenever feasible.</li> </ul> <p><i>Construction.</i> The following controls shall be implemented at all construction sites:</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;</li> <li>• 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;</li> <li>• 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;</li> </ul>	<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"> <li>• Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets;</li> <li>• Apply non-toxic soil stabilizers to inactive construction areas;</li> <li>• Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);</li> <li>• Limit traffic speeds on unpaved roads to 15 mph;</li> <li>• Install sandbags or other erosion control measures to prevent silt runoff to public roadways;</li> <li>• Replant vegetation in disturbed areas as quickly as possible;</li> <li>• 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</li> <li>• Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.</li> <li>• Implementation of this mitigation measure would reduce construction and demolition air quality impacts to a less-than-significant level.</li> </ul>				

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><b>E. Noise</b></p>						
<p><i>There are no significant noise impacts</i></p>						
<p><b>F. Public Facilities and Services</b></p>						
<p><i>There are no significant public facilities and services impacts</i></p>						
<p><b>G. Utilities and Infrastructure</b></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)
<b>H. Paleontological and Cultural Resources</b>						
<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><b>CULT-2:</b> 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><b>CULT-2:</b> 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><u>CULT-3</u>: Ground-disturbing activities associated with new construction and associated utility installation could result in destruction of unanticipated archaeological discoveries.</p>	<p>S</p>	<p><u>CULT-3</u>: 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. 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.



# 2442 HASTE ST.

2442 HASTE STREET,  
BERKELEY, CA 94704

HEE01 - ENTITLEMENTS - 4/15/2025

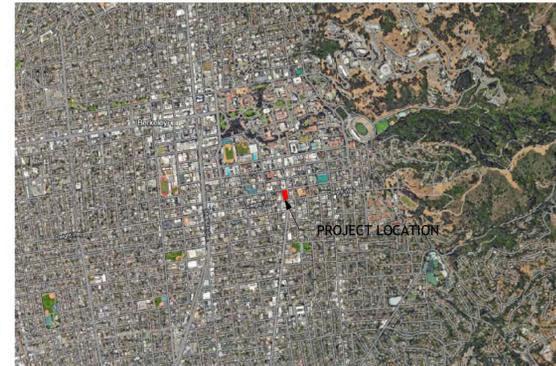


THE PROPOSED PROJECT WILL REPLACE THE EXISTING 3-STORY, (4) UNIT RESIDENTIAL BUILDING WITH A NEW, 8-STORY, (38) UNIT BUILDING. THE (4) EXISTING UNITS WILL BE REPLACED IN THE PROPOSED PROJECT. THE PROJECT SEEKS TO UTILIZE THE STATE DENSITY BONUS AND WILL PROVIDE (4) BELOW MARKET RATE REPLACEMENT UNITS.

ZONING CODE INFORMATION					
<b>SITE INFORMATION</b>					
PROJECT ADDRESS:	2442 Haste St. Berkeley, CA 94704				
CROSS STREET:	Telegraph Ave.				
APN:	55-1881-18				
ZONING DISTRICT:	C-T				
GENERAL PLAN AREA:	Avenue Commercial				
SPECIAL ZONING OVERLAYS:	None				
ZONING ADJACENCIES:	NORTH	EAST	SOUTH	WEST	
	CT	CT	CT	R-SMU	
<b>SEISMIC SAFETY</b>					
EARTHQUAKE FAULT RUPTURE ZONE:	NO	LIQUEFACTION ZONE:		NO	
LANDSLIDE ZONE:	NO	UN-REINFORCED MASONRY BLDG:		NO	
<b>HISTORICAL PRESERVATION</b>					
LANDMARK / STRUCTURE OF MERIT:	NO	STRUCTURE > 40 YEARS OLD:		NO	
<b>ENVIRONMENTAL SAFETY</b>					
CREEK BUFFER:	NONE	FIRE ZONE:		1	
ENVIRONMENTAL AREA:	NONE	FLOOD ZONE (100-YEAR OR 1%):		NO	
<b>DEVELOPMENT STANDARDS</b>					
	EXISTING	PROPOSED	PERMITTED / REQUIRED	NOTES:	EXCEPTION REQUESTED BY STATE DENSITY BONUS WAIVER OR MODIFICATION
<b>YARDS AND HEIGHT</b>					
FRONT YARD SETBACK	12'-10"	0'	0'	CONFORMS	
SIDE YARD SETBACK (EAST)	3'-9"	3'-6"	0'	CONFORMS	
SIDE YARD SETBACK (WEST)	3'-9"	3'-0"	5'-0"	5' AT GROUND	Waiver requested
REAR YARD SETBACK	57'-0"	5'-0"	0'	CONFORMS	
BUILDING STORIES	3	8	-		
MAXIMUM HEIGHT	35'-0"	85'-0"	85'-0"		
<b>AREAS</b>					
LOT AREA-SF	6,750	6,750	-		
GROSS FLOOR AREA-SF	5,663	39,646	54,000	*Per 8.0 FAR	
BUILDING FOOTPRINT-SF	1,705	5,459			
LOT COVERAGE-SF	25%	81%	100%	CONFORMS	
FLOOR AREA RATIO (FAR)	0.84	5.87	8.0	CONFORMS	
USABLE OPEN SPACE (UOS)- SF	N/A	0	1,550	40 SF / 1,000 Res SF	Waiver requested
<b>VEHICLE PARKING AND LOADING</b>					
RESIDENTIAL PARKING SPACES:	11	0	0	CONFORMS	
<b>BICYCLE PARKING</b>					
RESIDENTIAL SHORT-TERM:	0	4	4	140 BR / 40 = 4	
RESIDENTIAL LONG-TERM:	0	0	45	140 BR / 3 = 47	Waiver requested
<b>UNITS</b>					
DWELLING UNITS	4	38	-		
<b>RESIDENTIAL UNIT MIX:</b>					
<b>UNIT TYPE:</b>	<b>1-BD / 1-BA</b>	<b>3-BD / 2-BA</b>	<b>4-BD / 2-BA</b>	<b>5-BD / 2-BA</b>	<b>TOTAL:</b>
LEVEL 1	1	1	1	0	3
LEVEL 2	1	0	3	1	5
LEVEL 3	0	2	2	1	5
LEVEL 4	0	2	2	1	5
LEVEL 5	0	2	2	1	5
LEVEL 6	0	2	2	1	5
LEVEL 7	0	2	2	1	5
LEVEL 8	0	2	2	1	5
<b>TOTAL UNITS:</b>	<b>2</b>	<b>13</b>	<b>16</b>	<b>7</b>	<b>38</b>
<b>TOTAL BEDROOMS:</b>	<b>2</b>	<b>39</b>	<b>64</b>	<b>35</b>	<b>140</b>



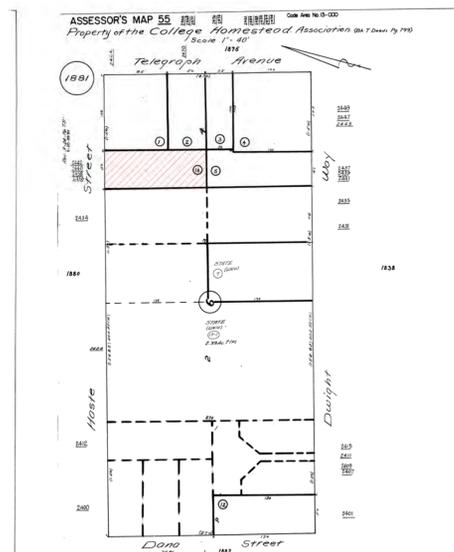
8 LOCATION MAP  
N.T.S.



7 VICINITY MAP  
N.T.S.

5 ZONING CODE INFORMATION

2 PROJECT DESCRIPTION



6 PARCEL MAP  
N.T.S.

4 PROJECT TEAM

<b>OWNER:</b> 2442 HASTE STREET, LLC. 3483 IRONWOOD DR. SAN RAMON, CA 94582 CONTACT: EDDY GUO LI EDDYLIGOLD@GMAIL.COM	<b>ARCHITECT:</b> STUDIO KDA 1810 6TH ST. BERKELEY, CA 94710 TEL: (510) 841-3555 CONTACTS: CHARLES KAHN, AIA CHARLES@STUDIOKDA.COM ERIK WATERMAN ERIK@STUDIOKDA.COM	<b>CIVIL/SURVEYOR:</b> STERLING CONSULTANTS 46560 FREMONT BLVD, SUITE 205 FREMONT, CA 94538 TEL: (510) 344-8957 CONTACT: KEVIN TORBET KTORBET@STERLINGCONSULTANTS.COM
<b>LANDSCAPE:</b> RIPLEY DESIGN 1615 BONANZA ST., SUITE 314 WALNUT CREEK, CA 94596 CONTACT: WILL GREEN WILL@RIPLEYDESIGN.COM	<b>ARBORIST:</b> WILSON & ASSOCIATES STREET ADDRESS BERKELEY, CA 94707 CONTACT: CHARLES WILSON CWILSON815@GMAIL.COM	<b>HISTORIC CONSULTANT:</b> PRESERVATION CONSULTANTING 106 SUMMIT DR. CORTE MADERA, CA 94925 CONTACT: CONNOR ISHIGURO TURNBULL CONNOR@TURNBULLPRESERVATION.COM

SHEET #	SHEET NAME	ENTITLEMENT	SHEET #	SHEET NAME	ENTITLEMENT
<b>GENERAL</b>			<b>LANDSCAPE</b>		
G000	PROJECT INFORMATION	•	L1	PRELIMINARY SITE PLAN	•
G002	DENSITY BONUS & UOS CALCULATIONS - BASE	•	L2	PRELIMINARY SITE PLAN - 8TH FLOOR AND 2ND FLOOR	•
G003	DENSITY BONUS & UOS CALCS - PROPOSED	•	L3	PRELIMINARY SITE DETAILS	•
G004	AFFORDABLE HOUSING COMPLIANCE PLAN	•	L4	PRELIMINARY HYDROZONE/IRRIGATION PLAN	•
G005	STREET STRIP ELEVATIONS	•	L5	PROPOSED PLANT IMAGERY	•
G006	PERSPECTIVE RENDERINGS	•	<b>ARCHITECTURAL</b>		
G007	SHADOW STUDIES - DECEMBER 21ST	•	A100	SITE PLAN	•
G008	SHADOW STUDIES - JUNE 21ST	•	A101	FIRST FLOOR PLAN	•
G009	SHADOW STUDIES - APRIL 1ST	•	A102	SECOND AND THIRD FLOOR PLAN	•
G010	SHADOW STUDIES - ELEVATIONS	•	A103	FOURTH AND FIFTH FLOOR PLAN	•
<b>CIVIL SHEETS</b>			A104	SIXTH AND SEVENTH FLOOR PLAN	•
C1	TOPOGRAPHIC & BOUNDARY SURVEY	•	A105	EIGHTH FLOOR AND ROOF PLAN	•
C2	PRELIMINARY DEMO PLAN	•	A200	EXTERIOR ELEVATIONS	•
C3	PRELIMINARY GRADING & DRAINAGE PLAN	•	A201	EXTERIOR ELEVATIONS	•
C3.1	PRELIMINARY EARTHWORK QUANTITY PLAN	•	A300	BUILDING SECTION	•
C4	PRELIMINARY UTILITY PLAN	•	A500	TYPICAL DETAILS	•
C5	PRELIMINARY STORMWATER CONTROL PLAN	•			

1 SHEET INDEX

△	DATE	ISSUE RECORD

PROJECT NO: HEE01  
ISSUE DATE: 4/15/25

PROJECT INFORMATION

G000



Project Address:		2442 HASTE ST							
Base Project	Base Project Units	Base Project Units	% VLI units	# VLI Units	#VLI Units	% Bonus	# Bonus Units	# Bonus Units	Total Units Allowed
sq. ft. - see calculation below	base project/avg. unit size	Base Units/Max. Residential Density (Round down)	Per 65915, VLI = Very Low Income <50 AMI	% VLI x Base # Units	(Round Up)	Per 65915	% Bonus x Base # Units (rounded up)	% Bonus x Base # Units (rounded up)	base unit + DB Units
32,707	1,055	31.00	5%	1.55	2.00	20.0%	6.20	7.00	38

Base Project Residential Area (SF)	Floor Level	Proposed Project Residential Area (SF)
N/A	BASEMENT	N/A
3,828	1st	4,371
4,459	2nd	4,944
4,210	3rd	4,944
4,210	4th	4,944
4,210	5th	4,944
4,210	6th	4,944
4,210	7th	4,896
3,370	8th	4,896
<b>32,707</b>	<b>TOTAL</b>	<b>38,883</b>

BASE AREA 32,707 SF X 20% DB = 6,541 SF  
32,707 SF + 6,541 SF = 39,248 SF DB MAX AREA

**DENSITY BONUS BMR (VLI) UNIT MIX**  
5% VLI FOR 20% DENSITY BONUS  
5% VLI UNITS OF 32 BASE UNIT = 1.6 = 2 UNITS

MARKET	VLI	LI	TOTAL	TOT. BEDS
1-BEDROOM:	1	1	0	2
3-BEDROOM:	13	1	0	14
4-BEDROOM:	14	0	1	15
5-BEDROOM:	6	0	1	7
	34	2	2	38

Base Project # of Units	Floor Level	Proposed Project # of Units
		N/A
4	1st	3
4	2nd	5
4	3rd	5
4	4th	5
4	5th	5
4	6th	5
4	7th	5
4	8th	5
<b>31</b>	<b>TOTAL</b>	<b>38</b>

Proposed Residential Area: 38,883  
Proposed Units: 38  
Average Unit Size: 1,023

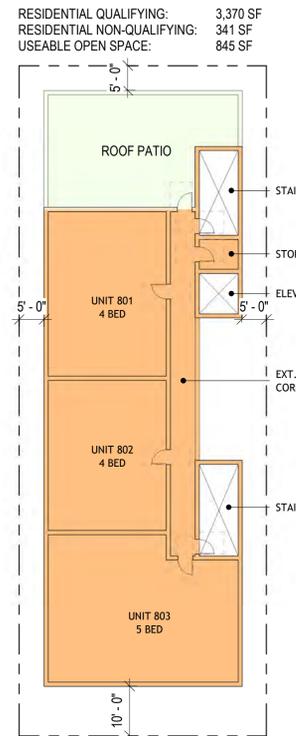
BASE PROJECT UNIT MIX	TOTAL UNITS	TOT. BEDS
1-BEDROOM:	3	3
3-BEDROOM:	2	6
4-BEDROOM:	14	56
5-BEDROOM:	12	60
	31	125

AFFORDABLE UNIT %	VERY LOW INCOME BONUS
5%	20.0%
6%	22.5%
7%	25.0%
8%	27.5%
9%	30.0%
10%	32.5%
11%	35.0%
12%	38.7%
15%	50.0%

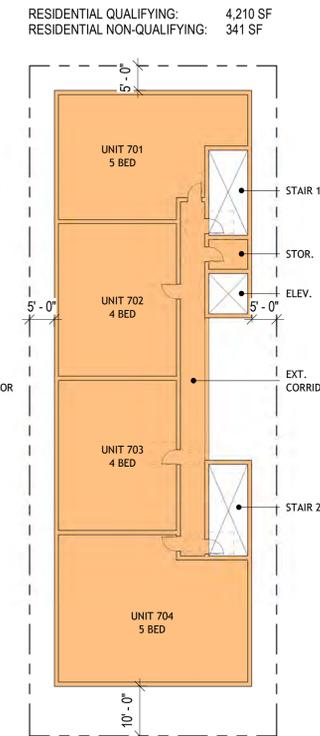
USEABLE OPEN SPACE CALCULATION TABLE		
BASE PROJECT		
DWELLING UNITS		31
UNITS W/ PVT. BALCONY		0
<b>TOTAL UNITS</b>		<b>31</b>
U.O.S. / UNIT	40 SF / 1000 SF	
<b>TOTAL RES. SF</b>		<b>37,372</b>
TOTAL U.O.S. REQUIRED	32,707 / 1,000 x 40 SF =	1,308 SF
TOTAL U.O.S. PROVIDED		1,345 SF
TOTAL U.O.S. LANDSCAPING...	1,308 SF X 40% =	523 SF
TOTAL U.O.S. LANDSCAPING...		600 SF
<b>USABLE OPEN SPACE</b>		
U.O.S. Plan Floor # OR Unit #	Balcony SQ.FT	Minimum Dimension Required in all directions (ft)
ROOF PATIO	845	10'
REG. U.O.S.	500	PER BMC 23.304.090 B.3
<b>TOTAL U.O.S.</b>	<b>1,345</b>	



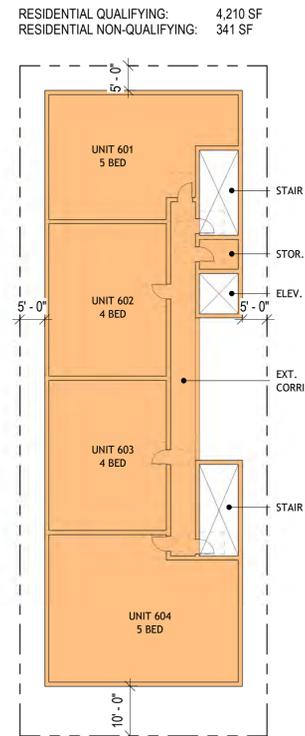
10 DENSITY BONUS BASE SECTION



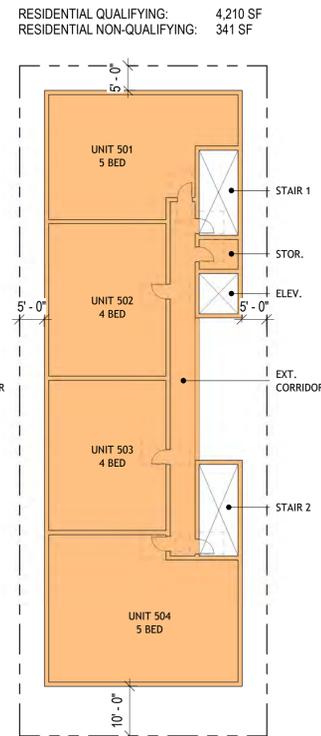
8 BASE PROJECT - 8TH FLOOR  
N.T.S.



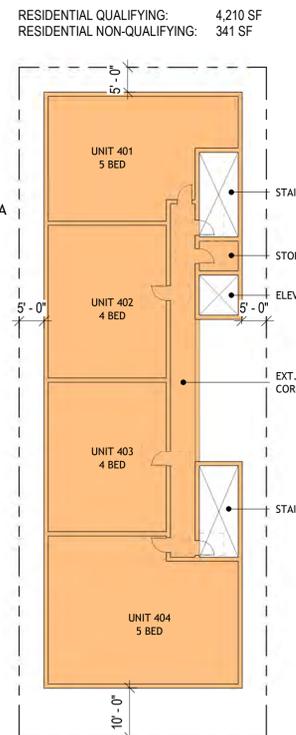
7 BASE PROJECT - 7TH FLOOR  
N.T.S.



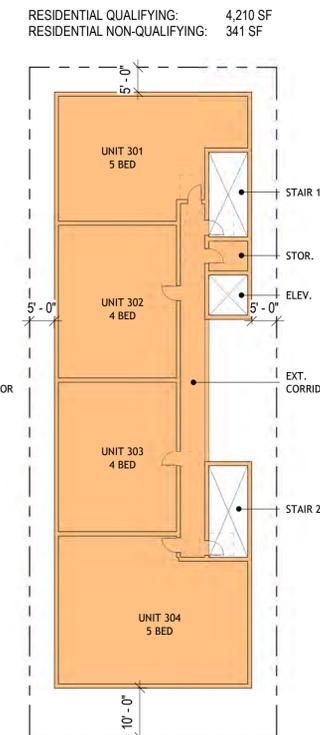
6 BASE PROJECT - 6TH FLOOR  
N.T.S.



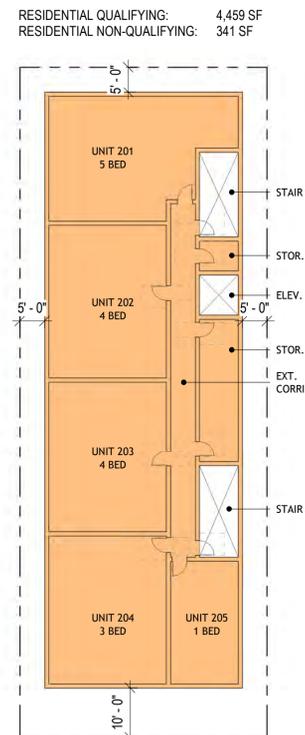
5 BASE PROJECT - 5TH FLOOR  
N.T.S.



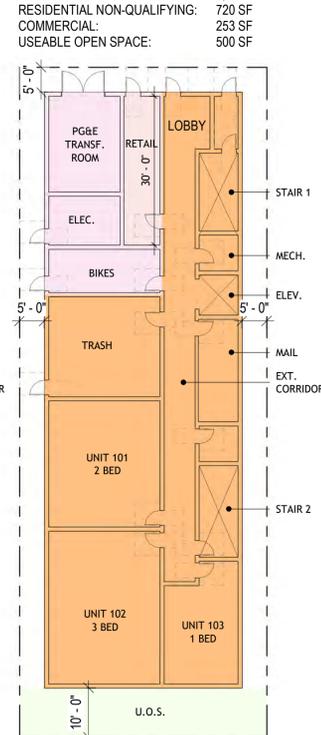
4 BASE PROJECT - 4TH FLOOR  
1/16" = 1'-0"



3 BASE PROJECT - 3RD FLOOR  
N.T.S.



2 BASE PROJECT - 2ND FLOOR  
N.T.S.



1 BASE PROJECT - 1ST FLOOR  
N.T.S.

- BASE RESIDENTIAL
- COMMERCIAL
- DENSITY BONUS
- NON-QUALIFYING RESIDENTIAL AREA
- U.O.S.



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2442 HASTE ST.

2442 HASTE STREET,  
BERKELEY, CA 94704



ENTITLEMENTS

△	DATE	ISSUE RECORD

PROJECT NO: HEE01  
ISSUE DATE: 4/15/25

DENSITY BONUS & UOS  
CALCULATIONS - BASE

G002

Project Address: 2442 HASTE ST									
Base Project	Base Project Units	Base Project Units	% VLI Units	# VLI Units	# VLI Units	% Bonus	# Bonus Units	# Bonus Units	Total Units Allowed
sq. ft. - see calculation below	base project/avg. unit size	Base Units/Max. Residential Density (Round down)	Per 65915, VLI = Very Low Income <50 AMI	% VLI x Base # Units	(Round Up)	Per 65915	% Bonus x Base # Units (rounded up)	% Bonus x Base # Units (rounded up)	base unit + DB Units (rounded up)
32,707	1,055	31.00	5%	1.55	2.00	20.0%	6.20	7.00	38

Base & Proposed Density Bonus Project Areas		
Base Project Residential Area (SF)	Floor Level	Proposed Project Residential Area (SF)
N/A	BASEMENT	N/A
3,828	1st	4,371
4,459	2nd	4,944
4,210	3rd	4,944
4,210	4th	4,944
4,210	5th	4,944
4,210	6th	4,944
4,210	7th	4,896
3,370	8th	4,896
<b>32,707</b>	<b>TOTAL</b>	<b>38,883</b>

BASE AREA 32,707 SF X 20% DB = 6,541 SF  
32,707 SF + 6,541 SF = 39,248 SF DB MAX AREA

**DENSITY BONUS BMR (VLI) UNIT MIX**  
5% VLI FOR 20% DENSITY BONUS  
5% VLI UNITS OF 32 BASE UNIT = 1.6 = 2 UNITS

	MARKET	VLI	LI	TOTAL	TOT. BEDS
1-BEDROOM:	1	1	0	2	200%
3-BEDROOM:	13	1	0	14	
4-BEDROOM:	14	0	1	15	
5-BEDROOM:	6	0	1	7	
	34	2	2	38	

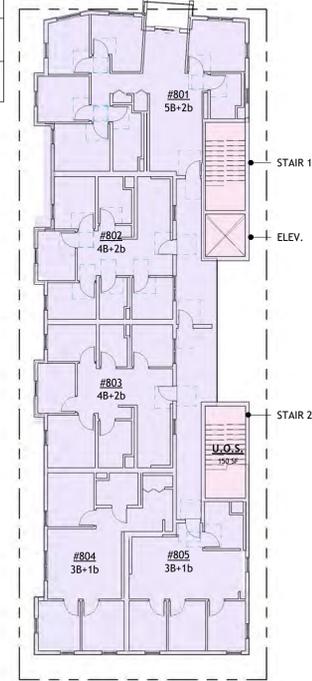
Base & Proposed Density Bonus Units		
Base Project # of Units	Floor Level	Proposed Project # of Units
		N/A
4	1st	3
4	2nd	5
4	3rd	5
4	4th	5
4	5th	5
4	6th	5
4	7th	5
4	8th	5
<b>31</b>	<b>TOTAL</b>	<b>38</b>

Proposed Residential Area: 38,883  
Proposed Units: 38  
Average Unit Size: 1,023

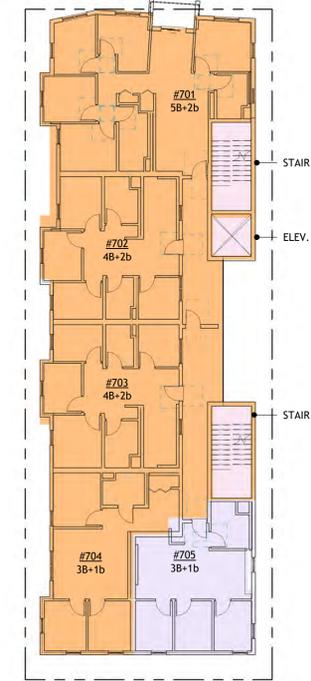
BASE PROJECT UNIT MIX		
	TOTAL UNITS	TOT. BEDS
1-BEDROOM:	3	3
3-BEDROOM:	2	6
4-BEDROOM:	14	56
5-BEDROOM:	12	60
	31	125

DENSITY BONUS CHART	
AFFORDABLE UNIT %	VERY LOW INCOME BONUS
5%	20.0%
6%	22.5%
7%	25.0%
8%	27.5%
9%	30.0%
10%	32.5%
11%	35.0%
12%	38.7%
15%	50.0%

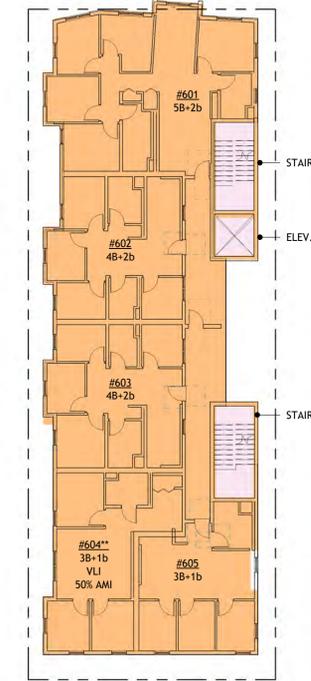
TOTAL RESIDENTIAL AREA QUALIFYING: 4,896 SF  
TOTAL RESIDENTIAL AREA NON-QUALIFYING: 341 SF



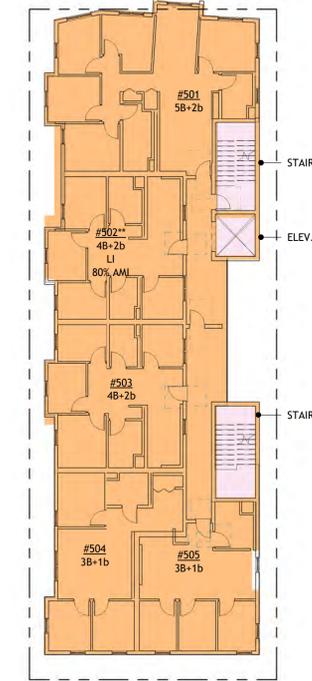
TOTAL RESIDENTIAL AREA QUALIFYING: 4,896 SF  
TOTAL RESIDENTIAL AREA NON-QUALIFYING: 341 SF



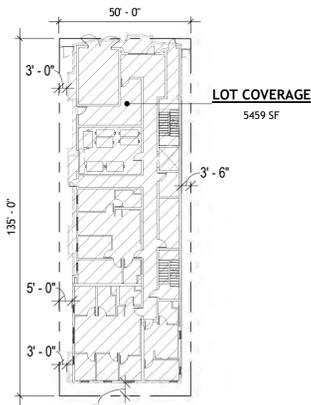
TOTAL RESIDENTIAL AREA QUALIFYING: 4,944 SF  
TOTAL RESIDENTIAL AREA NON-QUALIFYING: 341 SF  
BMR UNIT: #604 (VLI, 50% AMI)



TOTAL RESIDENTIAL AREA QUALIFYING: 4,944 SF  
TOTAL RESIDENTIAL AREA NON-QUALIFYING: 341 SF  
BMR UNIT: #502 (LI, 80% AMI) - NOT INCL. IN DENSITY BONUS



USEABLE OPEN SPACE CALCULATION TABLE	
DENSITY PROJECT	
DWELLING UNITS	38
UNITS W/ PVT. BALCONY	0
<b>TOTAL UNITS</b>	<b>38</b>
U.O.S. / UNIT	40 SF / 1000 SF
<b>TOTAL RES. SF</b>	<b>38,883</b>
TOTAL U.O.S. REQUIRED	38,883 / 1,000 x 40 SF = 1,555 SF
TOTAL U.O.S. PROVIDED	0 SF
<b>TOTAL U.O.S. LANDSCAPING REQUIRED</b>	<b>1,550 SF X 40% = 620 SF</b>
TOTAL U.O.S. LANDSCAPING PROVIDED	0 SF
USABLE OPEN SPACE	
U.O.S. Plan Floor # OR Unit #	Balcony SQ.FT
ROOF PATIO	0
REG. U.O.S.	0
<b>TOTAL U.O.S.</b>	<b>0</b>



10 LOT COVERAGE DIAGRAM  
1" = 30'-0"

8 PROPOSED - 8TH FLOOR PLAN  
1/16" = 1'-0"

7 PROPOSED - 7TH FLOOR PLAN  
1/16" = 1'-0"

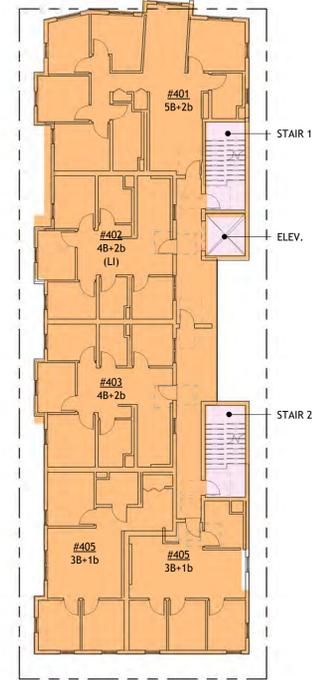
6 PROPOSED - 6TH FLOOR PLAN  
1/16" = 1'-0"

5 PROPOSED - 5TH FLOOR PLAN  
1/16" = 1'-0"



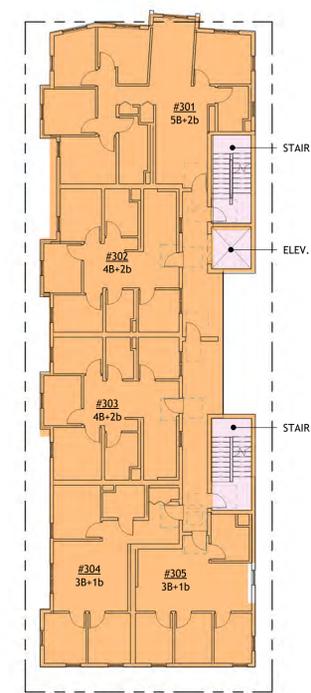
9 DENSITY BONUS PROPOSED SECTION  
1/16" = 1'-0"

TOTAL RESIDENTIAL AREA QUALIFYING: 4,944 SF  
TOTAL RESIDENTIAL AREA NON-QUALIFYING: 341 SF



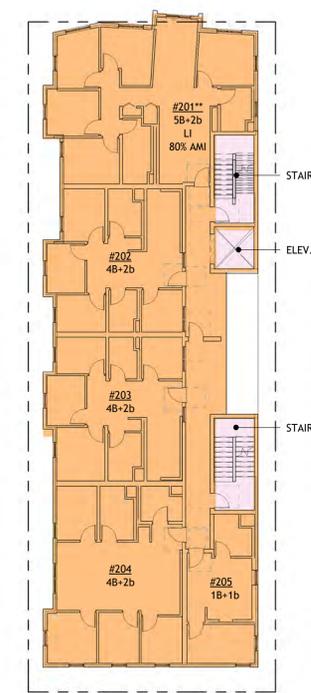
4 PROPOSED - 4TH FLOOR PLAN  
1/16" = 1'-0"

TOTAL RESIDENTIAL AREA QUALIFYING: 4,944 SF  
TOTAL RESIDENTIAL AREA NON-QUALIFYING: 341 SF  
BMR UNIT: #305 (LI, 30% AMI)



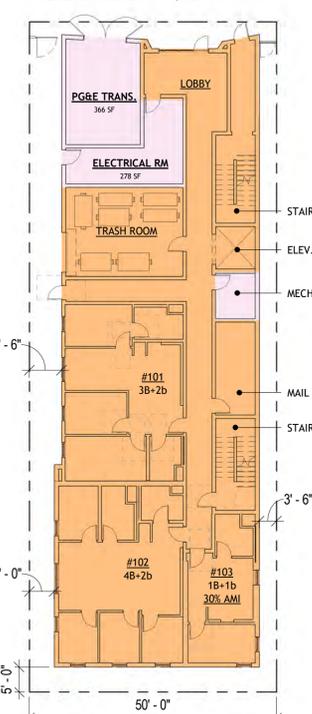
3 PROPOSED - 3RD FLOOR PLAN  
1/16" = 1'-0"

TOTAL RESIDENTIAL AREA QUALIFYING: 4,944 SF  
TOTAL RESIDENTIAL AREA NON-QUALIFYING: 341 SF  
BMR UNIT: #201 (LI, 80% AMI)



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

**HASTE ST.**  
TOTAL RESIDENTIAL AREA QUALIFYING: 4,229 SF  
TOTAL RESIDENTIAL AREA NON-QUALIFYING: 707 SF



1 PROPOSED - 1ST FLOOR PLAN  
1/16" = 1'-0"

BASE RESIDENTIAL  
COMMERCIAL  
DENSITY BONUS  
NON-QUALIFYING RESIDENTIAL AREA  
U.O.S.



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2442 HASTE ST.

2442 HASTE STREET,  
BERKELEY, CA 94704



ENTITLEMENTS

△	DATE	ISSUE RECORD

PROJECT NO: HEE01

ISSUE DATE: 4/15/25

DENSITY BONUS & UOS  
CALCS - PROPOSED

G003



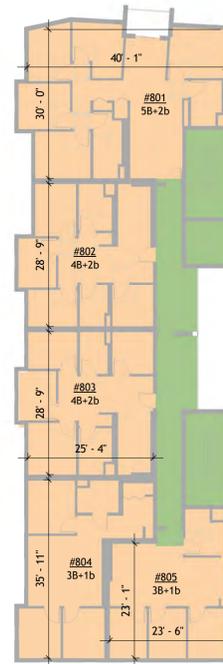
ENTITLEMENTS

PROPOSED PROJECT	FP RUFA	# OF RESIDENTIAL UNITS
1	2,180	3
2	4,059	5
3	4,059	5
4	4,059	5
5	4,059	5
6	4,059	5
7	4,032	5
8	4,032	5
<b>TOTAL</b>	<b>30,539</b>	<b>38</b>

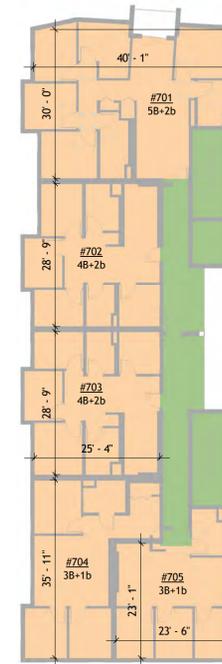
BASE PROJECT RESIDENTIAL FLOOR AREA CALC:		
BP RUFA = 30,539 SF / 120%		25,450 SF

IN LIEU FEE PERCENTAGE CALCULATION	
Affordable Units Required - Affordable Units Provided	71%
Affordable Units Required	

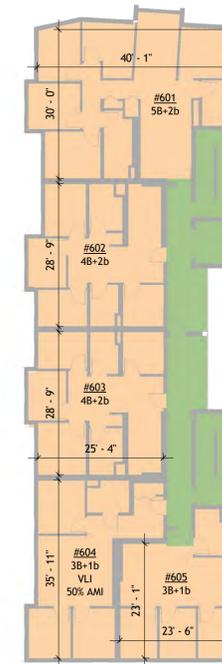
AFFORDABLE HOUSING FEE DUE CALCULATION		
A	TOTAL RES. UNIT FLOOR AREA (BASE)	25,450
B	TOTAL RES. UNITS (BASE)	31
C	TOTAL BMR UNITS REQ'D (20% OF B)	7
D	TOTAL BMR UNITS PROPOSED	
	50% AMI (VL)	1
	80% AMI (L)	1
	<b>TOTAL AFFORDABLE UNITS PROVIDED</b>	<b>2</b>
PER SQUARE FOOT FEE		\$56.25
	x	
RUFA (BASE)		25,450
	x	
IN LIEU FEE %		71%
	<b>TOTAL FEE DUE</b>	<b>\$1,016,409.38</b>



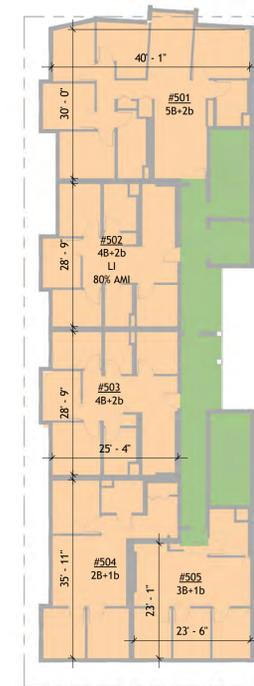
8 AFFORDABILITY - 8TH FL.  
N.T.S.



7 AFFORDABILITY PLAN - 7TH FL.  
N.T.S.



6 AFFORDABILITY PLAN - 6TH FL.  
N.T.S.

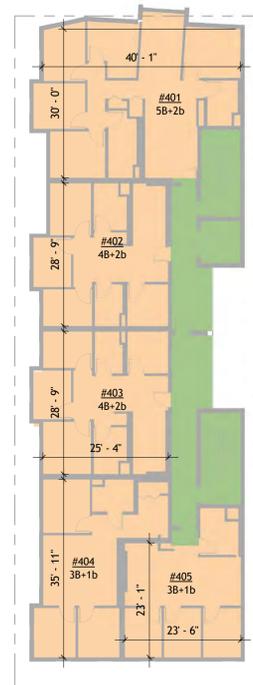


5 AFFORDABILITY PLAN - 5TH FL.  
N.T.S.

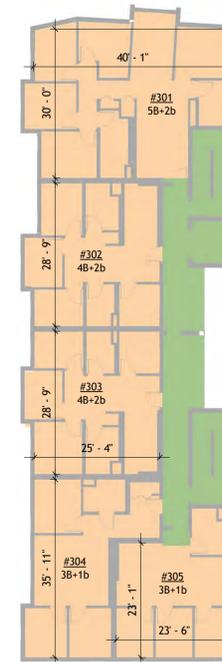
Existing Unit Table		(E) Inclusion Level By AMI
Unit No.	Type	
2436	4-Bedrooms	> 100% AMI
2438	5-Bedrooms	> 100% AMI
2440A	3-Bedrooms	> 100% AMI
2440B	1-Bedroom	Unknown
TOTAL (E) UNITS: 4		
TOTAL BEDS: 13		

Inclusionary Unit Table		RES. UNIT FLOOR AREA SF	Replacement BMR Unit Per BMC 23.326.030	Extremely Low Income (ELI) < 30% AMI	Very Low Income (VLI) < 50% AMI	Low Income (LI) < 80% AMI	Moderate Income (MI) < 100% AMI	Market Rate (MR) > 100% AMI	Density Bonus Unit	Inclusionary Unit	Very Low Income (VLI) < 50% AMI
UNIT No.	TYPE										
103	1-Bedroom	354	x	x					x	x	x
604	3-Bedrooms	665	x		x				x	x	x
502	4-Bedrooms	723	x			x					
201	5-Bedrooms	1,157	x			x					
TOTAL (N) UNITS: 4											
TOTAL BEDS: 13											

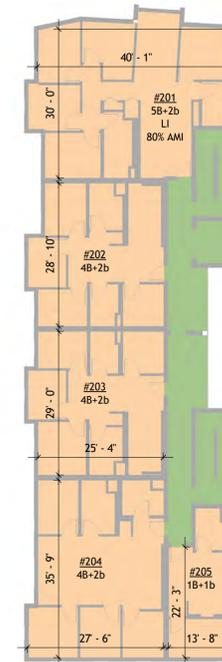
- RESIDENTIAL UNIT FLOOR AREA
- CIRCULATION
- AMENITY
- UTILITY
- RESIDENTIAL U.O.S.



4 AFFORDABILITY PLAN - 4TH FL.  
N.T.S.



3 AFFORDABILITY - 3RD FL.  
N.T.S.



2 AFFORDABILITY - 2ND FL.  
N.T.S.



1 AFFORDABILITY - 1ST FL.  
N.T.S.

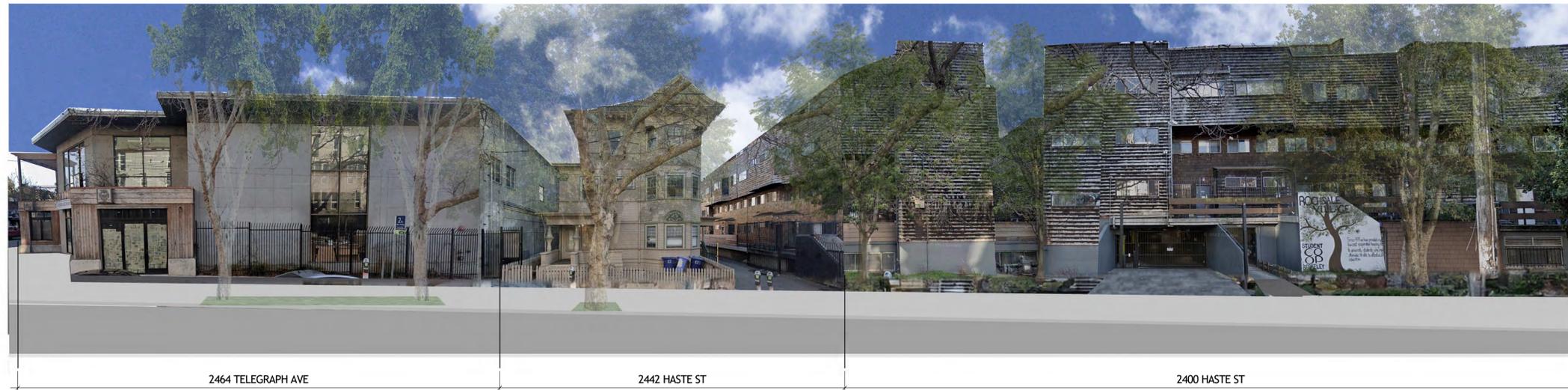


△	DATE	ISSUE RECORD

PROJECT NO: HEE01  
ISSUE DATE: 4/15/25

AFFORDABLE HOUSING COMPLIANCE PLAN

G004



② STREET STRIP ELEVATION - EXISTING  
 N.T.S.



① STREET STRIP ELEVATION - PROPOSED  
 N.T.S.

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ENTITLEMENTS

△	DATE	ISSUE RECORD

PROJECT NO: HEE01

ISSUE DATE: 4/15/25

STREET STRIP  
 ELEVATIONS

G005



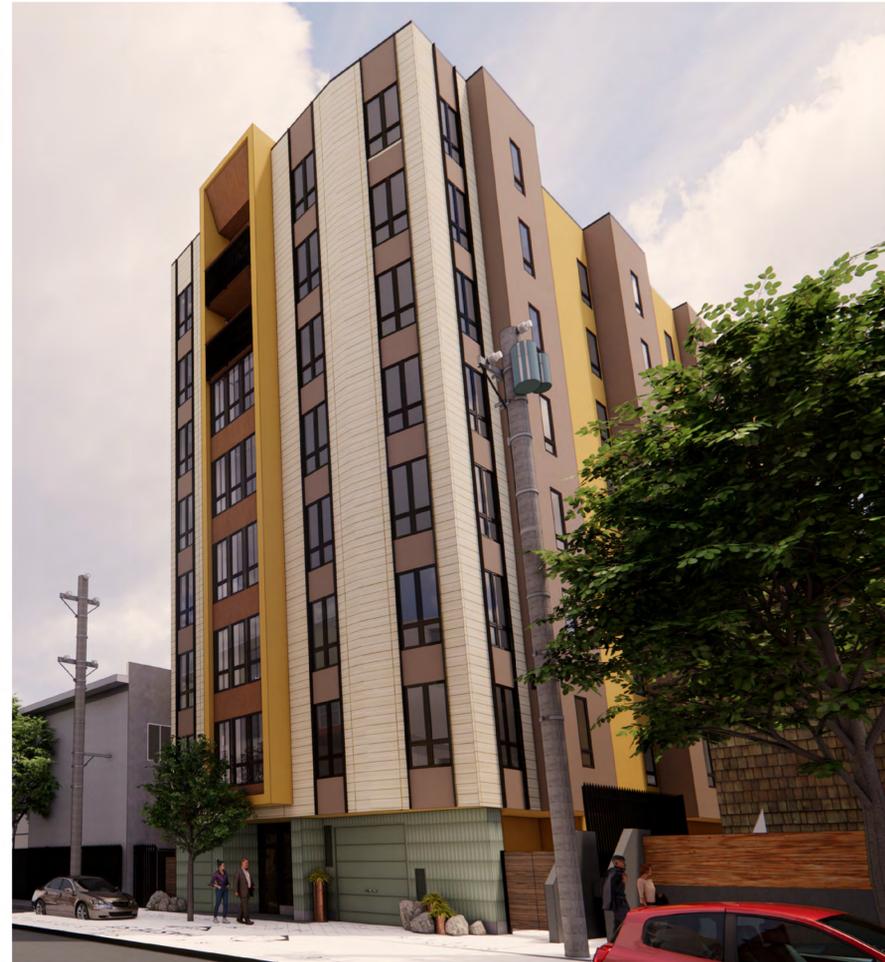
4 STREET PERSPECTIVE 4 - FACING NORTH



2 STREET PERSPECTIVE 2 - FACING NORTHWEST



3 STREET PERSPECTIVE 3 - FACING NORTHEAST



1 STREET PERSPECTIVE 1 - FACING NORTHWEST

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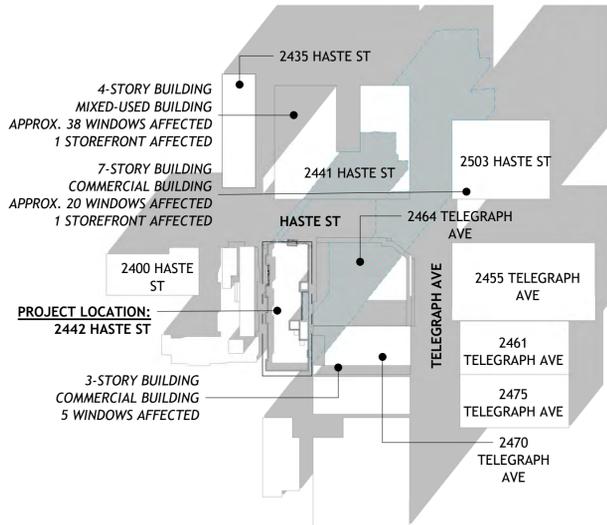
△	DATE	ISSUE RECORD

PROJECT NO: HEE01

ISSUE DATE: 4/15/25

PERSPECTIVE RENDERINGS

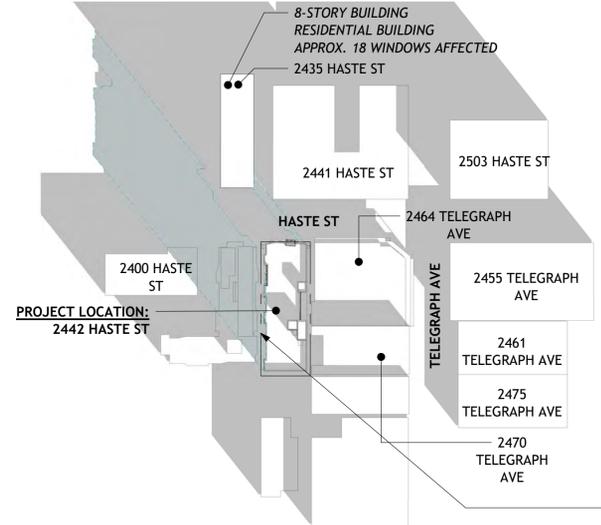
G006



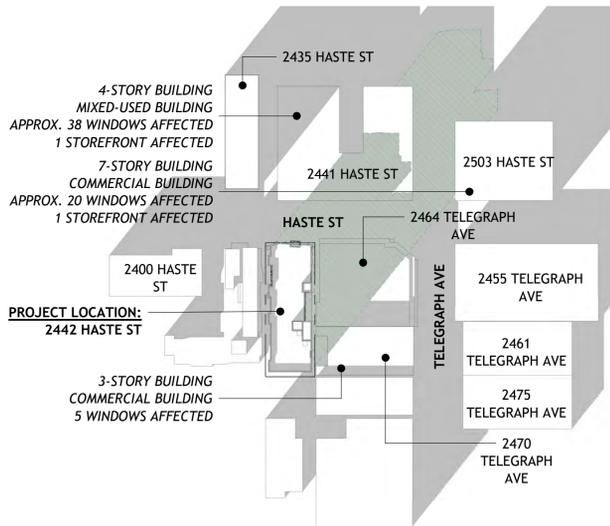
10 12/21 - 2:48 PM - OVERLAY



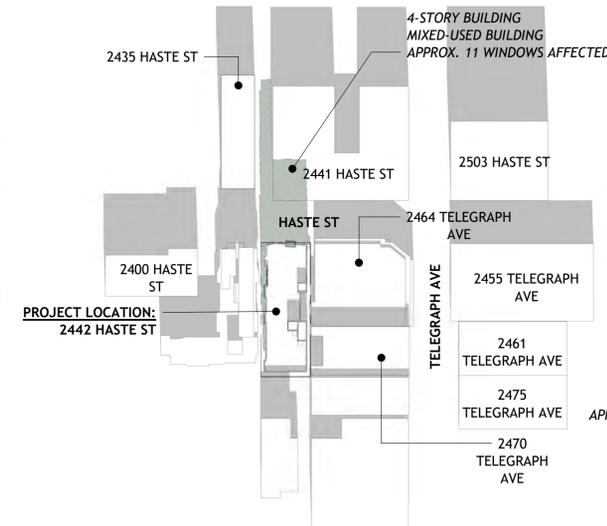
7 12/21 - NOON - OVERLAY



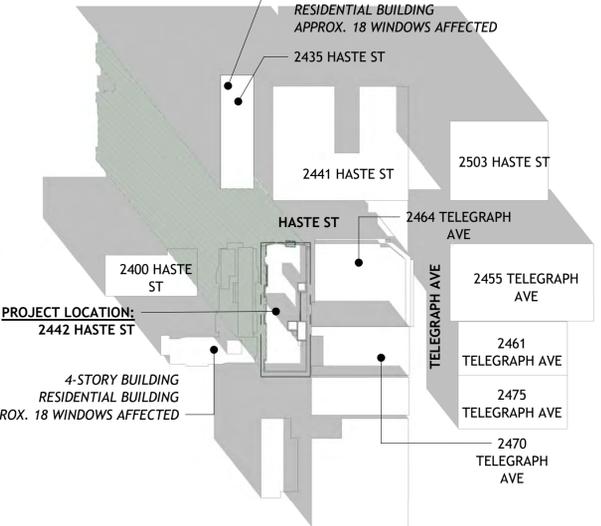
4 12/21 - 9:26 AM - OVERLAY



9 12/21 - 2:48 PM - PROPOSED



6 12/21 - 12:00 PM - PROPOSED

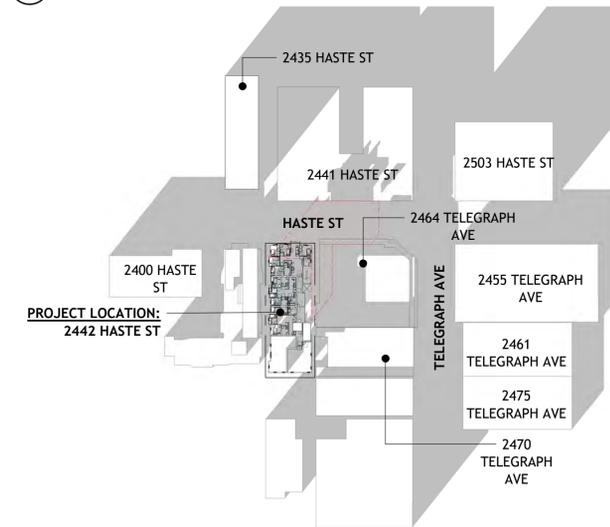


3 12/21 - 9:26 AM - PROPOSED

**NOTE: SEE G010 FOR ELEVATION OF EXISTING AND PROPOSED SHADOW OVERLAY ON 2400 HASTE ST. (NEIGHBORING BUILDING TO THE WEST OF THE PROJECT)**

**SHADOW LEGEND:**  
 EXISTING SHADOW  
 NEW SHADOW  
 OVERLAY SHADOW

SHADOW LEGEND



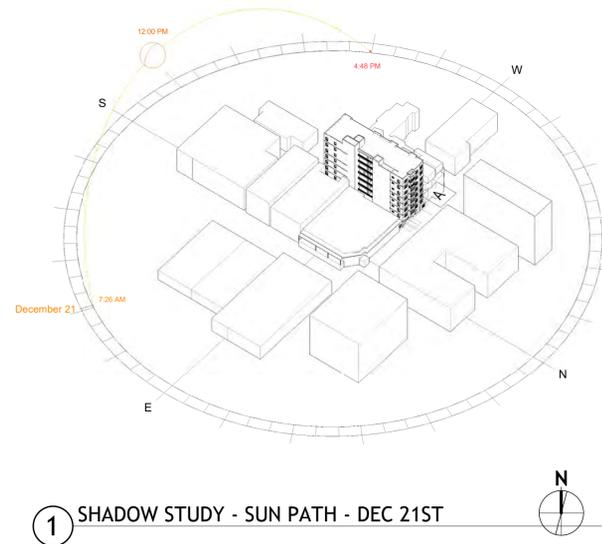
8 12/21 - 2:48 PM - EXISTING



5 12/21 - 12:00 PM - EXISTING



2 12/21 - 9:26 AM - EXISTING



1 SHADOW STUDY - SUN PATH - DEC 21ST



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ENTITLEMENTS

△	DATE	ISSUE RECORD

PROJECT NO: HEE01  
ISSUE DATE: 4/15/25

SHADOW STUDIES -  
DECEMBER 21ST

**G007**



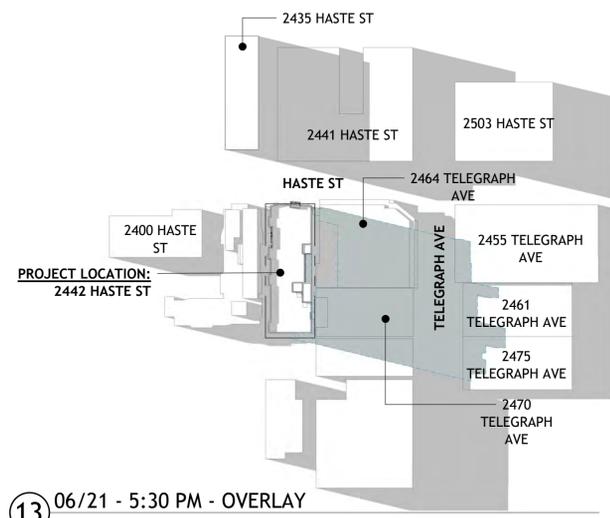
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2442 HASTE ST.

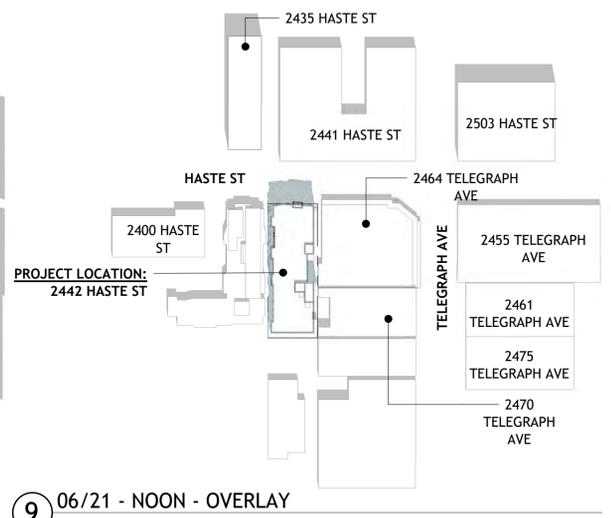
2442 HASTE STREET,  
BERKELEY, CA 94704



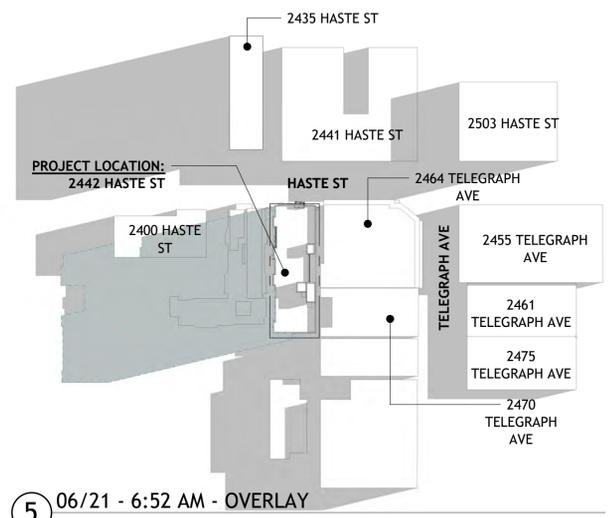
ENTITLEMENTS



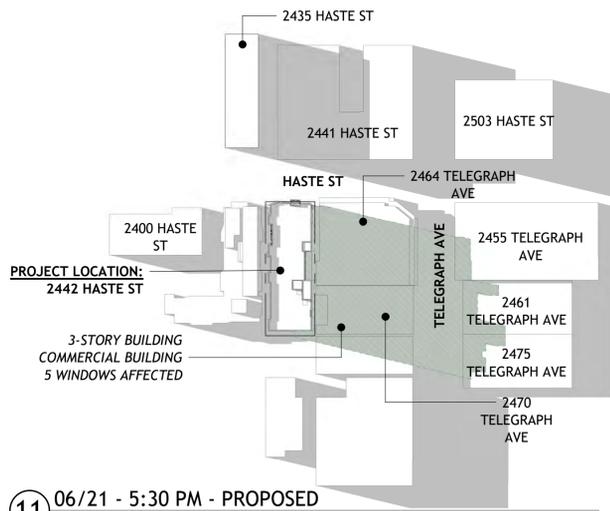
13 06/21 - 5:30 PM - OVERLAY



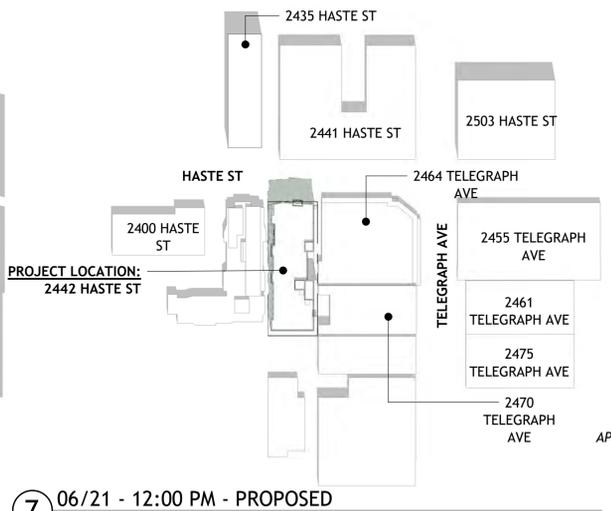
9 06/21 - NOON - OVERLAY



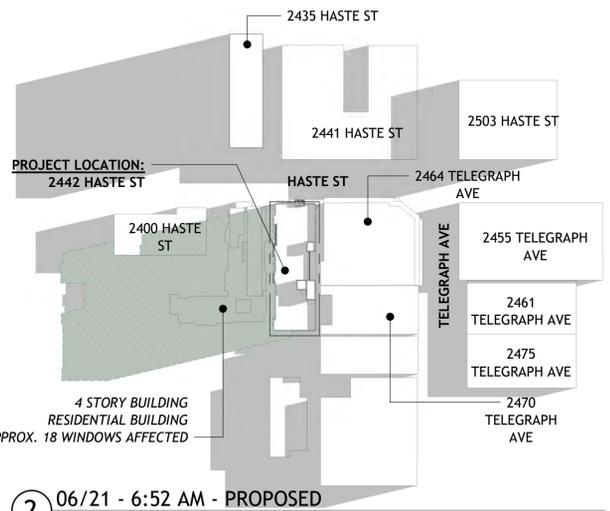
5 06/21 - 6:52 AM - OVERLAY



11 06/21 - 5:30 PM - PROPOSED



7 06/21 - 12:00 PM - PROPOSED

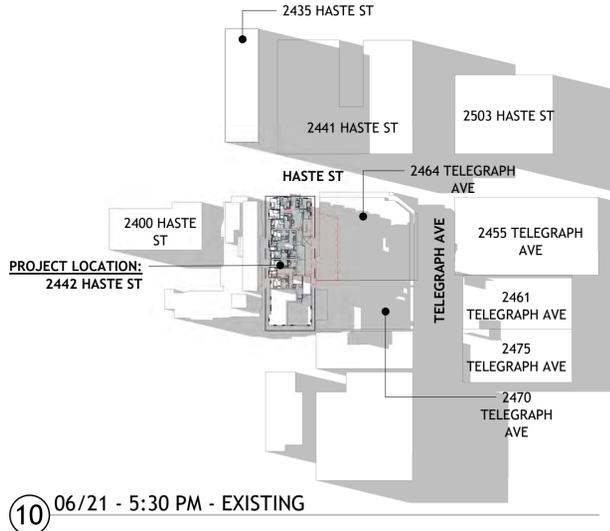


2 06/21 - 6:52 AM - PROPOSED

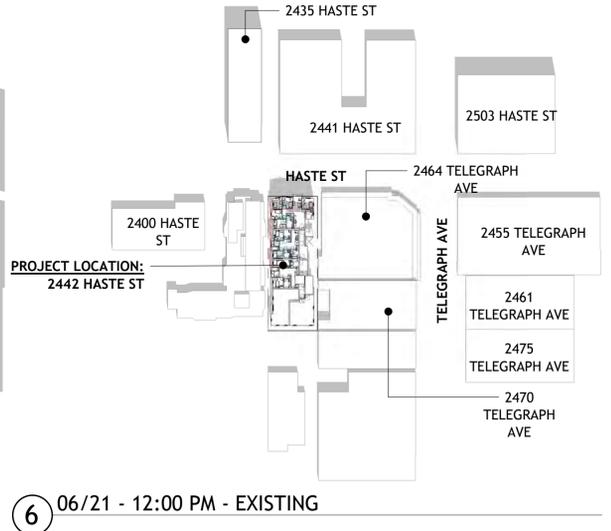
**SHADOW LEGEND:**

- EXISTING SHADOW
- NEW SHADOW
- OVERLAY SHADOW

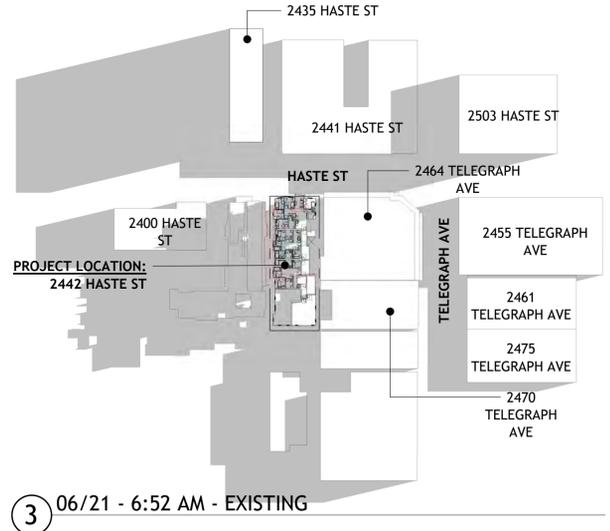
SHADOW LEGEND



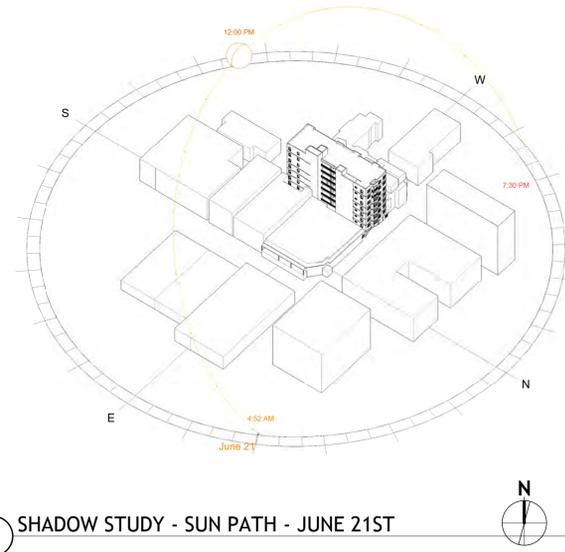
10 06/21 - 5:30 PM - EXISTING



6 06/21 - 12:00 PM - EXISTING



3 06/21 - 6:52 AM - EXISTING

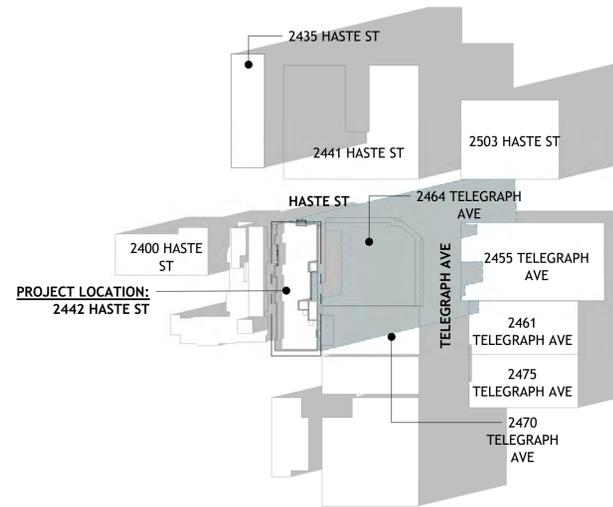


1 SHADOW STUDY - SUN PATH - JUNE 21ST

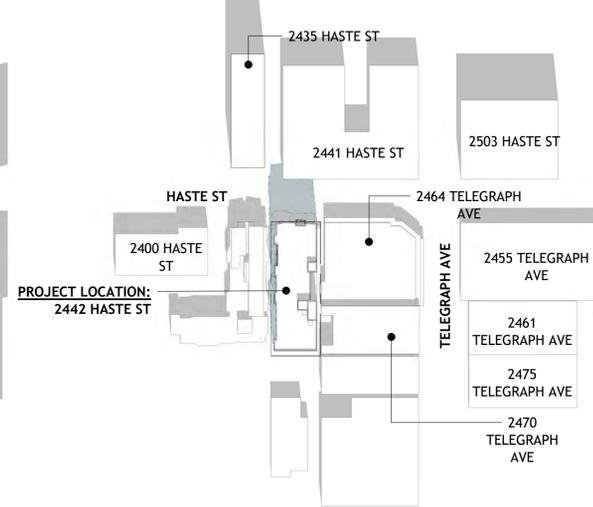
△	DATE	ISSUE RECORD

PROJECT NO: HEE01  
ISSUE DATE: 4/15/25  
SHADOW STUDIES - JUNE 21ST

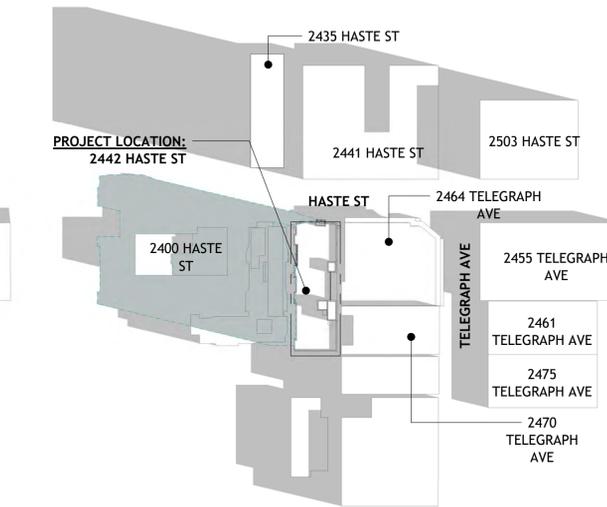
G008



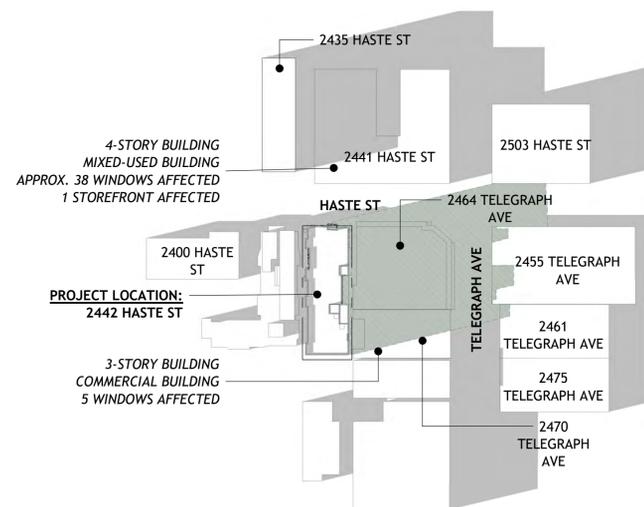
13 04/01 - 4:27 PM - OVERLAY



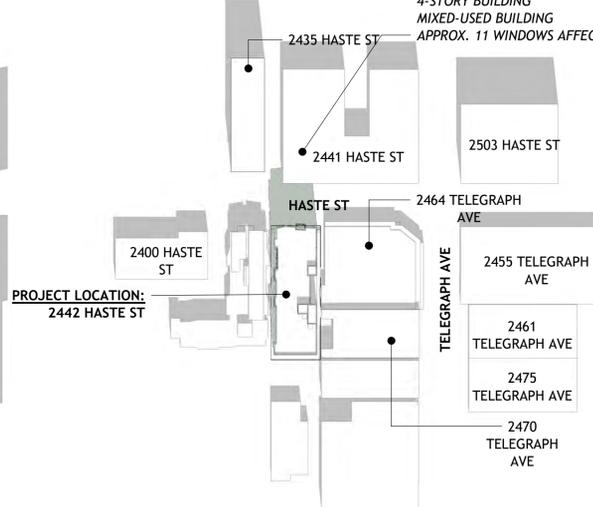
9 04/01 - NOON - OVERLAY



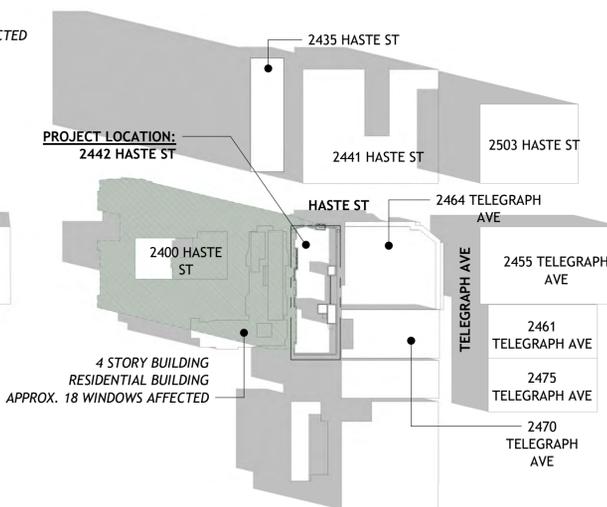
5 04/01 - 7:59 AM - OVERLAY



11 04/01 - 4:27 PM - PROPOSED



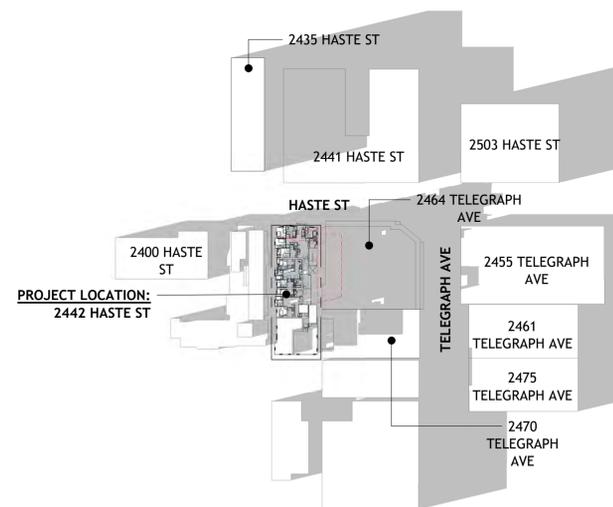
7 04/01 - 12:00 PM - PROPOSED



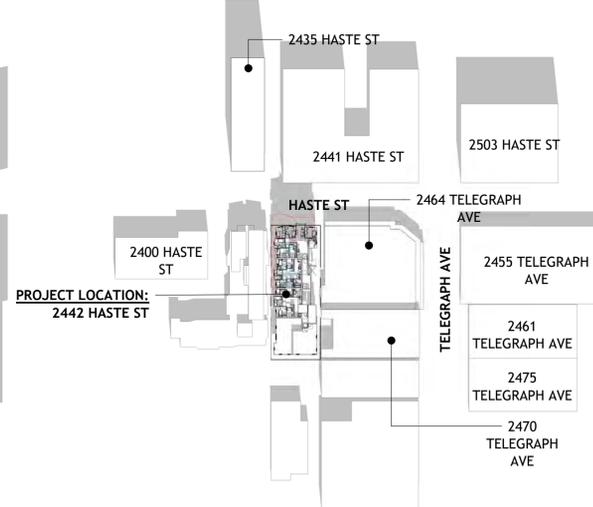
2 04/01 - 7:59 AM - PROPOSED



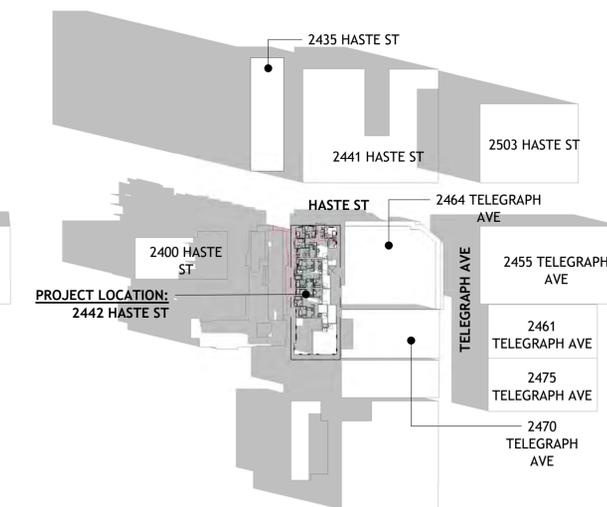
SHADOW LEGEND



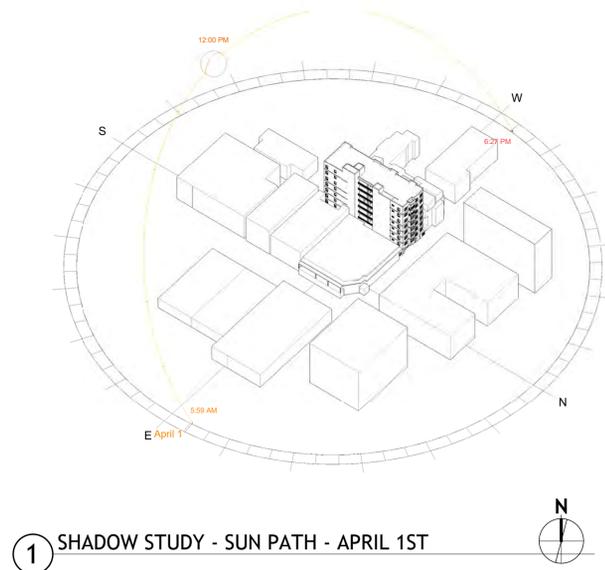
10 04/01 - 4:27 PM - EXISTING



6 04/01 - 12:00 PM - EXISTING



3 04/01 - 7:59 AM - EXISTING



1 SHADOW STUDY - SUN PATH - APRIL 1ST

△	DATE	ISSUE RECORD

PROJECT NO: HEE01  
ISSUE DATE: 4/15/25  
SHADOW STUDIES - APRIL 1ST





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2442 HASTE ST.

2442 HASTE STREET,  
BERKELEY, CA 94704



ENTITLEMENTS

NEW HOME RATING SYSTEM, VERSION 8.0		MULTIFAMILY CHECKLIST		Points Targeted	142
		Points Available	Points Earned	Compliance Level Targeted	Platinum
The GreenPoint Rated checklist points green features incorporated into the home. GreenPoint Rated is administered by Built In Green. A green building certification is awarded based on the number of points earned. The maximum number of points is 142. The minimum number of points required for certification is 100. The maximum number of points required for certification is 100. The maximum number of points required for certification is 100.					
<b>MEASURES</b>					
<b>GREEN</b>					
Yes	CA Green Res (REQUIRED)	14	14	1	1
<b>A SITE</b>					
Yes	A1. Construction Footprint (See GreenPoint Rated Green Building Checklist 8.0 for details)	54	54	1	1
Yes	A2. Job Site Construction Waste Diversion	73	73	2	2
Yes	A2.1 75% C&D Waste Diversion (Including Materials Daily Check)	73	73	2	2
Yes	A2.2 Recycling Rates from Third Party Vendor (Mixed Use Waste Facility)	73	73	2	2
Yes	A3. Recycled Content Base Material (Minimum 20% Recycled Content)	73	73	2	2
Yes	A4. Heat Island Effect Reduction (Non-Roof)	73	73	2	2
Yes	A5. Construction Environmental Quality Management Plan Including Flush-Out	73	73	2	2
Yes	A6. Stormwater Control: Prescriptive Path	73	73	2	2
Yes	A6.1 Permeable Parking Material	73	73	2	2
Yes	A6.2 Filtration and/or Bio-Retention Features	73	73	2	2
Yes	A6.3 Non-Leaching Roofing Materials	73	73	2	2
Yes	A6.4 Smart Stormwater Street Design	73	73	2	2
Yes	A7. Stormwater Control: Performance Path (Stormwater Treatment and/or Stormwater Storage)	73	73	2	2
<b>A FOUNDATION</b>					
Yes	B1. Fly Ash and/or Slag in Concrete (Minimum 10%)	14	14	1	1
Yes	B2. Radon-Resistant Construction	14	14	2	2
Yes	B3. Foundation Drainage System	14	14	2	2
Yes	B4. Radon Gas Concentration Testing	14	14	2	2
Yes	B5. Sealed Post Connections	14	14	2	2
Yes	B5.1 Terminate Sheeps and Separated Exterior Work-in-Concrete Connections	14	14	2	2
Yes	B5.2 Post Trusses, Beams, or Slabs at Least 30 Inches from the Foundation	14	14	2	2
<b>C LANDSCAPE</b>					
Yes	C1. Plants Grouped by Water Needs (Hydrozoning)	14	14	1	1
Yes	C2. Three Inches of Mulch in Planting Beds	14	14	1	1
Yes	C3. Resource Efficient Landscapes	14	14	1	1
Yes	C3.1 No Invasive Species Listed by CalIPC	14	14	1	1
Yes	C3.2 Plants Chosen and Located to Grow in Natural Site (Local Native Plants)	14	14	1	1
Yes	C3.3 Drought Tolerant, California Native, Mediterranean Species, or Other Appropriate Species	14	14	1	1
Yes	C4. Minimal Turf in Landscape	14	14	2	2
Yes	C4.1 Turf in Lawn Areas Exceeding 10% and No Overhead Sprinklers Installed in Lawn Areas (Turf in Lawn Areas Exceeding 10% and No Overhead Sprinklers Installed in Lawn Areas)	14	14	2	2
Yes	C4.2 Turf on a Small Percentage of Landscaped Area	14	14	2	2
Yes	C5. Trees to Moderate Building Temperature (or Less 50% of Total Planting and Walk Areas)	14	14	1	1
Yes	C6. High-Efficiency Irrigation System	14	14	2	2
Yes	C7. One Inch of Compost in the Top Six to Twelve Inches of Soil (Low Soil Usage)	14	14	2	2
Yes	C8. Subsoiler Harrowing System	14	14	2	2
Yes	C9. Recycled Wastewater Irrigation System	14	14	2	2
Yes	C10. Subsoiler or Dedicated Meter for Landscape Irrigation	14	14	2	2
Yes	C11. Landscape Meets Water Budget	14	14	2	2

© Built In Green GreenPoint Rated New Home Multifamily Checklist Version 7.0

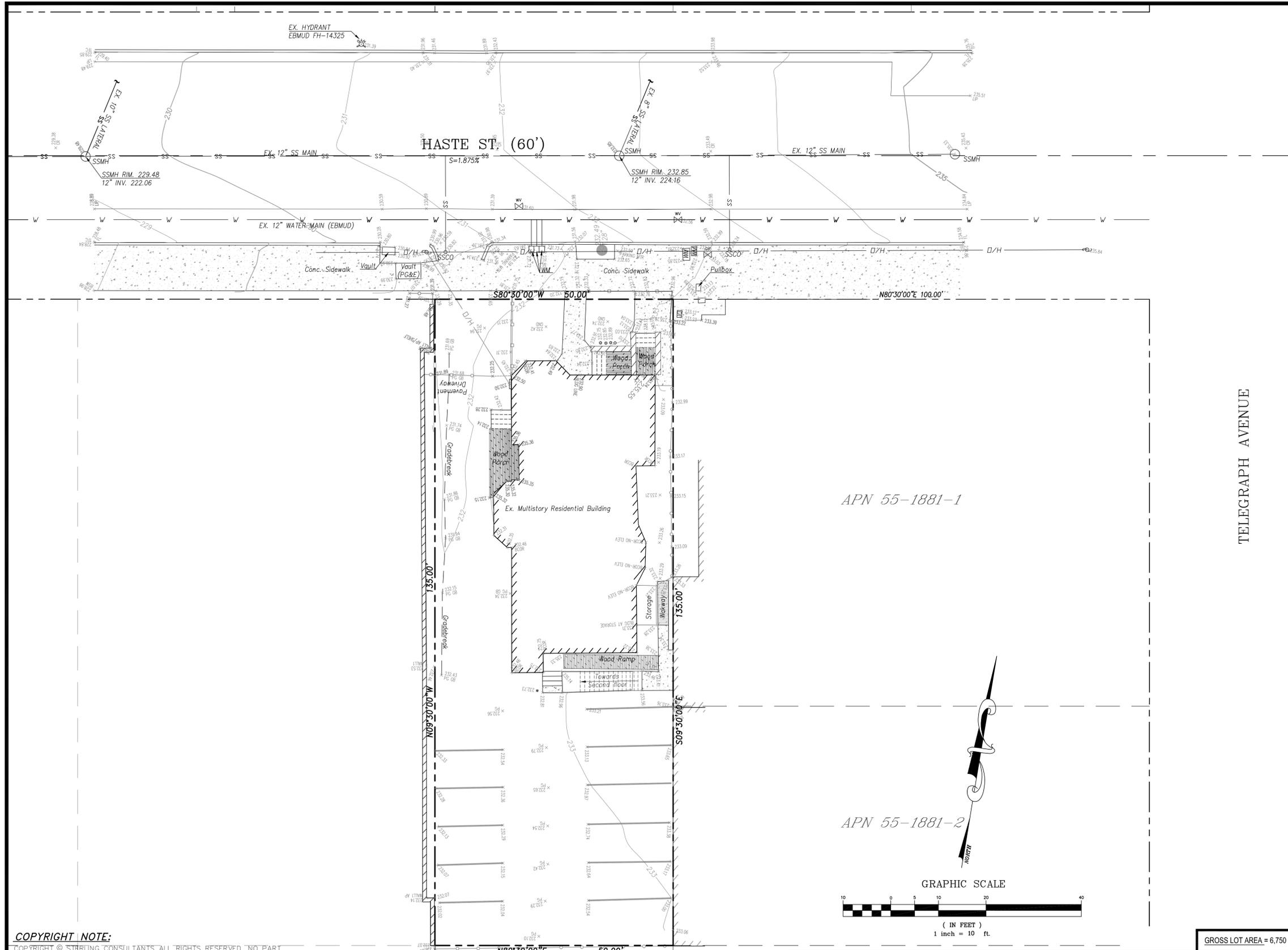
NEW HOME RATING SYSTEM, VERSION 8.0		MULTIFAMILY CHECKLIST		Points Targeted	142
		Points Available	Points Earned	Compliance Level Targeted	Platinum
<b>ENVIRONMENTALLY PREFERABLE MATERIALS FOR SITE</b>					
Yes	C12. Environmentally Preferable Materials for Site	10	10	1	1
Yes	C12.1 Environmentally Preferable Materials for 75% of Non-Plant Landscaped Elements and Fencing	10	10	1	1
Yes	C12.2 Play Structures and Surfaces Have an Average Recycled Content ≥ 20%	10	10	1	1
<b>REDUCED LIGHT POLLUTION</b>					
Yes	C13. Reduced Light Pollution (See GreenPoint Rated Green Building Checklist 8.0 for details)	10	10	1	1
<b>CONSTRUCTION MATERIAL EFFICIENCIES</b>					
Yes	D1. Optimal Value Engineering	10	10	1	1
Yes	D1.1 Joists, Rafters, and Studs at 24 Inches On Center	10	10	1	1
Yes	D1.2 Non-Load Bearing Chair and Window Headers Sized for Load	10	10	1	1
Yes	D1.3 Absorbed Framing Measures	10	10	1	1
Yes	D2. Construction Material Efficiencies (See GreenPoint Rated Green Building Checklist 8.0 for details)	10	10	1	1
<b>ENVIRONMENTALLY PREFERABLE MATERIALS FOR INTERIORS</b>					
Yes	D3. Engineered Lumber	10	10	1	1
Yes	D3.1 Engineered Beams and Headers	10	10	1	1
Yes	D3.2 Wood Joists or Web Trusses for Floors	10	10	1	1
Yes	D3.3 Engineered Lumber for Roof Joists	10	10	1	1
Yes	D3.4 Engineered or Finger-Jointed Studs for Vertical Applications	10	10	1	1
Yes	D3.5 OSB for Subfloor	10	10	1	1
Yes	D3.6 OSB for Roof and Floor Sheathing	10	10	1	1
Yes	D4. Insulated Headers	10	10	1	1
Yes	D5. FSC-Certified Wood	10	10	1	1
Yes	D5.1 Dimensional Lumber, Studs, and Trim	10	10	1	1
Yes	D5.2 Panel Products	10	10	1	1
<b>SOLID WALL SYSTEMS</b>					
Yes	D6.1 At Least 90% of Floors	10	10	1	1
Yes	D6.2 At Least 90% of Exterior Walls	10	10	1	1
Yes	D6.3 At Least 90% of Roofs	10	10	1	1
<b>ENERGY HEATS ON ROOF TRUSSES</b>					
Yes	D7. Energy Heats on Roof Trusses	10	10	1	1
<b>OVERHANGS AND GUTTERS</b>					
Yes	D8. Overhangs and Gutters	10	10	1	1
<b>REDUCED POLLUTION ENTERING THE HOME FROM THE GARAGE</b>					
Yes	D9.1 Sealed Garage	10	10	2	2
Yes	D9.2 Sealed Garage and Not Connected	10	10	2	2
Yes	D9.3 All Wood Located at Least 12 Inches Above the Soil	10	10	1	1
Yes	D9.4 Wood Framing Trussing With Brakes or Factory Impregnated, or Wall Materials	10	10	1	1
Yes	D9.5 Other Wood Framing	10	10	1	1
Yes	D9.6 Moisture-Resistant Materials in Wet Areas (such as Kitchens, Bathrooms, Utility Rooms, and Basements)	10	10	1	1
<b>EXTERIOR</b>					
Yes	E1. Environmentally Preferable Decking	10	10	1	1
Yes	E2. Flashing Installation Third-Party Verified	10	10	2	2
Yes	E3. Rain-Screen Wall System	10	10	2	2
Yes	E4. Durable and Non-Combustible Cladding Materials	10	10	1	1
Yes	E5. Durable Roofing Materials	10	10	1	1
Yes	E5.1 Durable and Fire-Resistant Roofing Materials or Alternatives	10	10	1	1
Yes	E5.2 Roofing Material for Single Roofing	10	10	1	1
Yes	E6. Vegetated Roof	10	10	2	2
<b>REGULATION</b>					
Yes	F1. Insulation with 20% Post-Consumer or 60% Post-Industrial Recycled Content	10	10	0.5	0.5
Yes	F1.1 Walls and Floors	10	10	0.5	0.5
Yes	F2. Insulation that Meets the CDPH Standard Method—Residential for Low Emissions	10	10	0.5	0.5
Yes	F2.1 Walls and Floors	10	10	0.5	0.5

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NEW HOME RATING SYSTEM, VERSION 8.0		MULTIFAMILY CHECKLIST		Points Targeted	142
		Points Available	Points Earned	Compliance Level Targeted	Platinum
<b>PLUMBING</b>					
Yes	G1. Efficient Distribution of Domestic Hot Water	10	10	0.5	0.5
Yes	G1.1 Insulated Hot Water Pipes	10	10	0.5	0.5
Yes	G1.2 Water-Save Volume Limit for Hot Water Distribution	10	10	0.5	0.5
Yes	G1.3 Increased Efficiency in Hot Water Distribution	10	10	0.5	0.5
<b>INSTALL WATER-EFFICIENT FIXTURES</b>					
Yes	G2.1 Water-Save Showerheads 1.8 gpm with Matching Compensation Valve	10	10	2	2
Yes	G2.2 Water-Save Bathroom Faucets with 1.0 gpm	10	10	1	1
Yes	G2.3 Water-Save Toilets with a Maximum Flushwater (MFL) Threshold of No Less Than 500 Grams (1.0 gal) OR 1.1 gal	10	10	2	2
Yes	G2.4 Urinals with Flush Rates of 0.5 gpm	10	10	1	1
<b>PRE-PLUMBING FOR GRAYWATER SYSTEM</b>					
Yes	G3. Pre-Plumbing for Graywater System	10	10	1	1
<b>OPERATIONAL GRAYWATER SYSTEM</b>					
Yes	G4. Operational Graywater System	10	10	2	2
<b>THERMOSTATIC SHOWER VALVE OR AUTO-DIVERSION TUB SHOWER</b>					
Yes	G5. Thermostatic Shower Valve or Auto-Diversion Tub Shower	10	10	1	1
<b>SUBMITTER WATER FOR TENANTS</b>					
Yes	G6. Submitter Water for Tenants	10	10	2	2
<b>Mechanical Ventilation (MERV) REQUIREMENTS</b>					
<b>H1. Sealed Construction Limits</b>					
Yes	H1.1 Sealed Construction Envelope	10	10	1	1
Yes	H1.2 Sealed Combustion Water Heater	10	10	2	2
<b>H2. High-Performing Zoned Hydronic Radiant Heating System</b>					
Yes	H2.1 High-Performing Zoned Hydronic Radiant Heating System	10	10	1	1
<b>H3. Effective Ductwork</b>					
Yes	H3.1 Duct Mastic on Duct Joints and Seams	10	10	1	1
Yes	H3.2 Pressure Balance the Ductwork System	10	10	1	1
<b>H4. ENERGY STAR® Bathroom Fans Per HVH Standards with Air Flow Verified</b>					
Yes	H4.1 ENERGY STAR® Bathroom Fans Per HVH Standards with Air Flow Verified	10	10	1	1
<b>H5. Advanced Practices for Cooling</b>					
Yes	H5.1 ENERGY STAR® Ceiling Fans in Living Areas and Bedrooms	10	10	1	1
Yes	H5.2 Operable Windows and Skylights Located to Allow Cross Ventilation in At Least One Room of 80% of Units	10	10	1	1
<b>H6. Whole Home Mechanical Ventilation Practices to Improve Indoor Air Quality</b>					
Yes	H6.1 Meet ASHRAE Standard 62.2-2016 Residential Standards	10	10	2	2
Yes	H6.2 Exhaust Ventilation Exhausts Located to Allow Cross Ventilation in At Least One Room of 80% of Units	10	10	2	2
Yes	H6.3 Outdoor Air is Filtered and Treated	10	10	1	1
<b>H7. Effective Range Design and Installation</b>					
Yes	H7.1 Effective Range Hood Design and Installation	10	10	1	1
Yes	H7.2 Exhaust Range Hood Control	10	10	1	1
<b>H8. High-Efficiency HVAC Filter (MERV 10+)</b>					
Yes	H8.1 High-Efficiency HVAC Filter (MERV 10+)	10	10	1	1
<b>RENEWABLE ENERGY</b>					
<b>I1. Onsite Renewable Generation (Solar PV, Solar Thermal, and Wind)</b>					
Yes	I1.1 Onsite Renewable Generation (Solar PV, Solar Thermal, and Wind)	10	10	20	20
<b>I2. Low Carbon Homes</b>					
Yes	I2.1 Near Zero Energy Home (net-zero or energy plus)	10	10	2	2
Yes	I2.2 Low Carbon Home (net-zero or energy plus)	10	10	2	2
<b>I3. Energy Storage</b>					
Yes	I3.1 Energy Storage	10	10	1	1
<b>I4. Solar Hot Water Systems to Preheat Domestic Hot Water</b>					
Yes	I4.1 Solar Hot Water Systems to Preheat Domestic Hot Water	10	10	2	2
<b>I5. Photovoltaic System for Multifamily Projects</b>					
Yes	I5.1 Photovoltaic System for Multifamily Projects	10	10	1	1
<b>INTERNAL PERFORMANCE TESTING</b>					
Yes	J1. Third-Party Verification of Quality of Insulation Installation	10	10	1	1
Yes	J2. Supply and Return Air Flow Testing	10	10	1	1
Yes	J3. Mechanical Ventilation Testing	10	10	1	1
Yes	J4. All Electric or Combustion Appliance Safety Testing	10	10	1	1

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NEW HOME RATING SYSTEM, VERSION 8.0		MULTIFAMILY CHECKLIST		Points Targeted	142
		Points Available	Points Earned	Compliance Level Targeted	Platinum
<b>MEASURES</b>					
<b>GREEN</b>					
Yes	CA Green Res (REQUIRED)	14	14	1	1
<b>A SITE</b>					
Yes	A1. Construction Footprint (See GreenPoint Rated Green Building Checklist 8.0 for details)	54	54	1	1
Yes	A2. Job Site Construction Waste Diversion	73	73	2	2
Yes	A2.1 75% C&D Waste Diversion (Including Materials Daily Check)	73	73	2	2
Yes	A2.2 Recycling Rates from Third Party Vendor (Mixed Use Waste Facility)	73	73	2	2
Yes	A3. Recycled Content Base Material (Minimum 20% Recycled Content)	73	73	2	2
Yes	A4. Heat Island Effect Reduction (Non-Roof)	73	73	2	2
Yes	A5. Construction Environmental Quality Management Plan Including Flush-Out	73	73	2	2
Yes	A6. Stormwater Control: Prescriptive Path	73	73	2	2
Yes	A6.1 Permeable Parking Material	73	73	2	2
Yes	A6.2 Filtration and/or Bio-Retention Features	73	73	2	2
Yes	A6.3 Non-Leaching Roofing Materials	73	73	2	2
Yes	A6.4 Smart Stormwater Street Design	73	73	2	2
Yes	A7. Stormwater Control: Performance Path (Stormwater Treatment and/or Stormwater Storage)	73	73	2	2
<b>A FOUNDATION</b>					
Yes	B1. Fly Ash and/or Slag in Concrete (Minimum 10%)	14	14	1	1
Yes	B2. Radon-Resistant Construction	14	14	2	2
Yes	B3. Foundation Drainage System	14	14	2	2
Yes	B4. Radon Gas Concentration Testing	14	14	2	2
Yes	B5. Sealed Post Connections	14	14	2	2
Yes	B5.1 Terminate Sheeps and Separated Exterior Work-in-Concrete Connections	14	14	2	2
Yes	B5.2 Post Trusses, Beams, or Slabs at Least 30 Inches from the Foundation	14	14	2	2
<b>C LANDSCAPE</b>					
Yes	C1. Plants Grouped by Water Needs (Hydrozoning)	14	14	1	1
Yes	C2. Three Inches of Mulch in Planting Beds	14	14	1	1
Yes	C3. Resource Efficient Landscapes	14	14	1	1
Yes	C3.1 No Invasive Species Listed by CalIPC	14	14	1	1
Yes	C3.2 Plants Chosen and Located to Grow in Natural Site (Local Native Plants)	14	14	1	1
Yes	C3.3 Drought Tolerant, California Native, Mediterranean Species, or Other Appropriate Species	14	14	1	1
Yes	C4. Minimal Turf in Landscape	14	14	2	2
Yes	C4				



**LEGEND**

SYMBOL	DESCRIPTIONS
---	BOUNDARY / RIGHT-OF-WAY LINE
- - - -	EASEMENT LINE
—(L)—	CENTERLINE (L)
=====	RETAINING WALL
—○—	SANITARY SEWER LINE AND MANHOLE OR CLEANOUT
□	DRAIN INLET
2%	PERCENT GRADE
x 607.0	EXISTING GRADE ELEVATION
185	EXISTING CONTOUR w/ ELEVATION
●	EXISTING TREE w/ DBH

**ABBREVIATIONS**

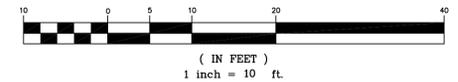
AC	AIR CONDITIONER UNIT
AD	AREA DRAIN
AP	ASPHALT PAVEMENT
BFP	BACKFLOW PREVENTOR
BSL	BUILDING SETBACK LINE
BSW	BACK OF WALK
BW	BOTTOM OF WALL (EXPOSED FACE)
CONC.	CONCRETE
DBH	DIAMETER AT BREAST HEIGHT
DI	DRAINAGE INLET
DM	DEADMAN ANCHOR
EP	EDGE OF PAVEMENT
EX	EXISTING
FF	FINISHED FLOOR ELEVATION
FG	FINISHED GARAGE ELEVATION
FH	FIRE HYDRANT
FL	FLOW LINE ELEVATION
FW	FACE OF WALL
GM	GAS METER
JP	JOINT POLE
MB	MAILBOX
O/H	OVERHEAD
PB	PULLBOX
PL	PROPERTY LINE
PSE	PUBLIC SERVICE EASMENT
PUE	PUBLIC UTILITY EASEMENT
R=	RADIUS OF CURVE
Δ=	INCLUDED ANGLE OF CURVE
L=	LENGTH OF CURVE
SSCO	SANITARY SEWER CLEAN-OUT
SSMH	SANITARY SEWER MANHOLE
VG	VALLEY GUTTER
SL	STREET LIGHT
WCE	WIRE CLEARANCE EASEMENT
WM	WATER METER
WV	WATER VALVE
WW	WALKWAY

TELEGRAPH AVENUE

APN 55-1881-1

APN 55-1881-2

GRAPHIC SCALE



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GROSS LOT AREA = 6,750 SF (0.1549)

BOUNDARY: BOUNDARY BASED UPON FIELD SURVEY PERFORMED BY OR UNDER DIRECTION OF HELMUT KORSTICK, PLS 7739.



DATE:	BY:	DATE:	REVISIONS:	CITY APPR:
MARCH 07, 2025				
SCALE: AS NOTED				
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DESIGNED: DSK/KT				
ENGINEER: DSK				
MANAGER: DSK				

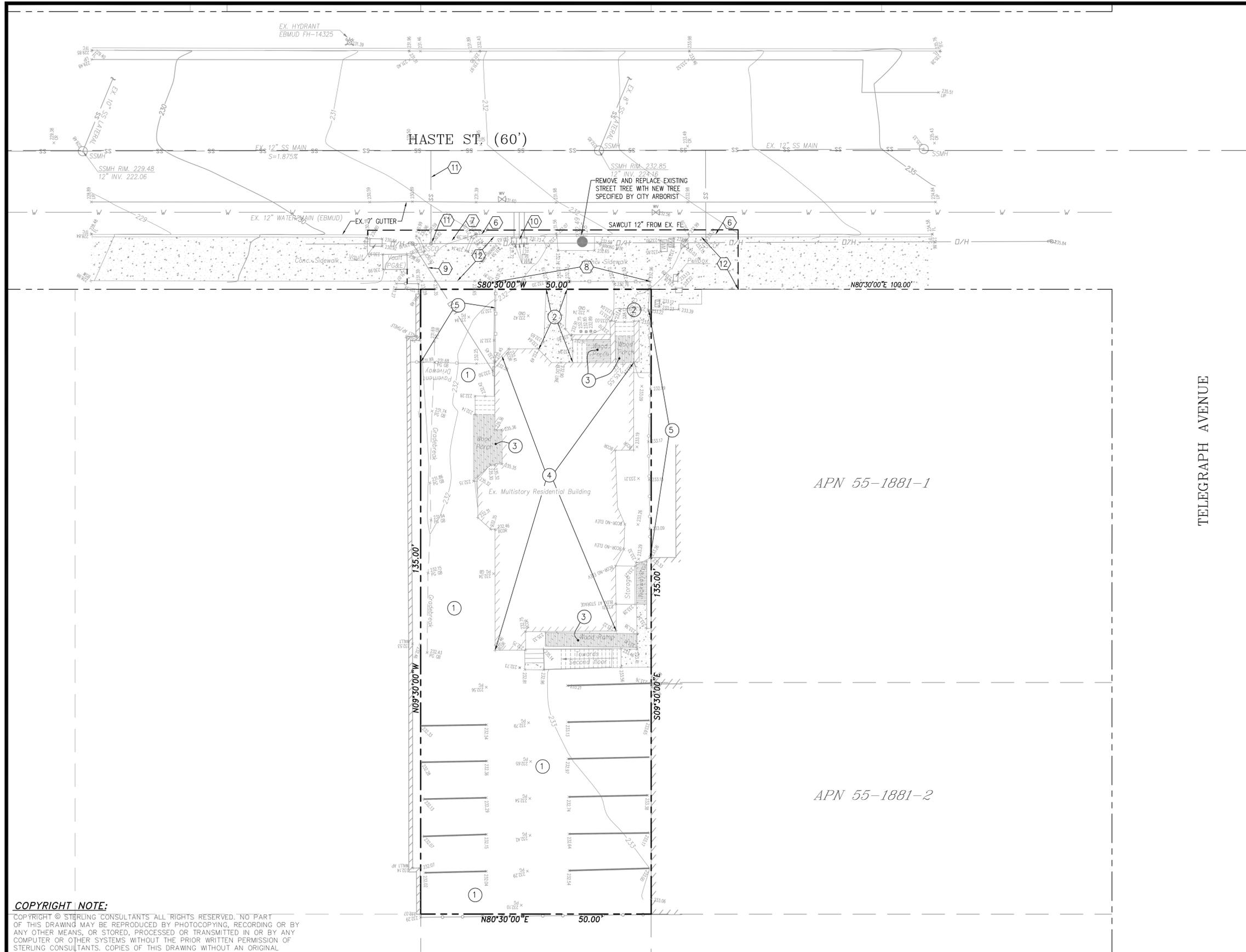
PREPARED BY, OR UNDER THE DIRECTION OF:  
*[Signature]*  
REGISTERED PROFESSIONAL SURVEYOR  
DILIP S. KISHANANI  
C 51620  
STATE OF CALIFORNIA

PREPARED BY:  
**STERLING CONSULTANTS**  
46560 FREMONT BOULEVARD, SUITE NO. 205  
FREMONT, CA 94538  
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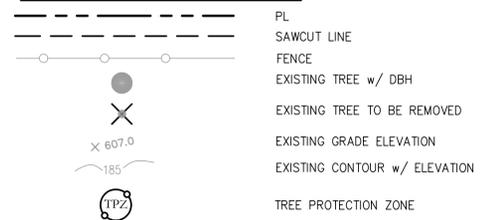
PREPARED FOR:  
2442 HASTE STREET, LLC  
3483 IRONWOOD DR  
SAN RAMON, CA 94582

APN: 055-1881-18  
**TOPOGRAPHIC & BOUNDARY SURVEY**  
CITY OF BERKELEY COUNTY OF ALAMEDA CALIFORNIA

2442 HASTE STREET SHEET NO. **C1**  
JOB NO. 2023-23



**DEMOLITION LEGEND**



**ABBREVIATIONS**

- ASPH. ASPHALT
- CONC. CONCRETE
- EP EDGE OF PAVEMENT
- EX EXISTING
- GM GAS METER
- MB MAIL BOX
- SS SANITARY SEWER
- SSCO SANITARY SEWER CLEAN-OUT
- WM WATER METER
- WV WATER VALVE
- JP JOINT POLE
- TPZ TREE PROTECTION ZONE

**DEMOLITION NOTES:**

1. CONTRACTOR SHALL OBTAIN A DEMOLITION PERMIT FROM THE CITY OF BERKELEY BUILDING DEPARTMENT PRIOR TO START OF DEMOLITION.
2. THE PROPERTY LINE SHALL BE THE LIMITS OF DEMOLITION UNDER THE GRADING PERMIT. DEMOLITION WITHIN CITY RIGHT-OF-WAY SHALL BE DONE UNDER AN ENCROACHMENT PERMIT WITH THE CITY OF BERKELEY.
3. CONTRACTOR SHALL COORDINATE UTILITY DISCONNECTIONS WITH THE RESPECTIVE UTILITY AGENCIES PRIOR TO START OF DEMOLITION ON THE SITE.
4. UTILITIES TO BE ABANDONED WITHIN THE AREAS OF PROPOSED IMPROVEMENTS SHALL BE REMOVED IN THEIR ENTIRETY OR ABANDONED IN PLACE PER RECOMMENDATIONS IN THE PROJECT SOILS REPORT.

**ONSITE REMOVAL NOTES**

- 1 — REMOVE EXISTING ASPHALT PAVEMENT
- 2 — REMOVE EXISTING CONCRETE
- 3 — REMOVE EXISTING WOOD PORCH
- 4 — REMOVE EXISTING BUILDING
- 5 — REMOVE EXISTING FENCE

**OFFSITE REMOVAL NOTES**

- 6 — REMOVE EXISTING CURB
- 7 — REMOVE EXISTING CONCRETE DRIVEWAY APRON
- 8 — REMOVE EXISTING FENCE
- 9 — REMOVE EXISTING OVERHEAD WIRE
- 10 — REMOVE EXISTING WATER METERS & ABANDON SERVICES
- 11 — REMOVE EXISTING SEWER CLEANOUT & ABANDON SERVICE
- 12 — REMOVE EXISTING SIDEWALK

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ENGINEER: DSK					
MANAGER: DSK					
	NO.	BY	DATE	REVISIONS	CITY APPR

PREPARED BY, OR UNDER THE DIRECTION OF:

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FREMONT, CA 94538  
sterlingconsultants@gmail.com PHONE: 510.344.8955

PREPARED FOR:

2442 HASTE STREET, LLC  
3483 IRONWOOD DR  
SAN RAMON, CA 94582

APN: 055-1881-18

2442 HASTE STREET

**PRELIMINARY DEMOLITION PLAN**

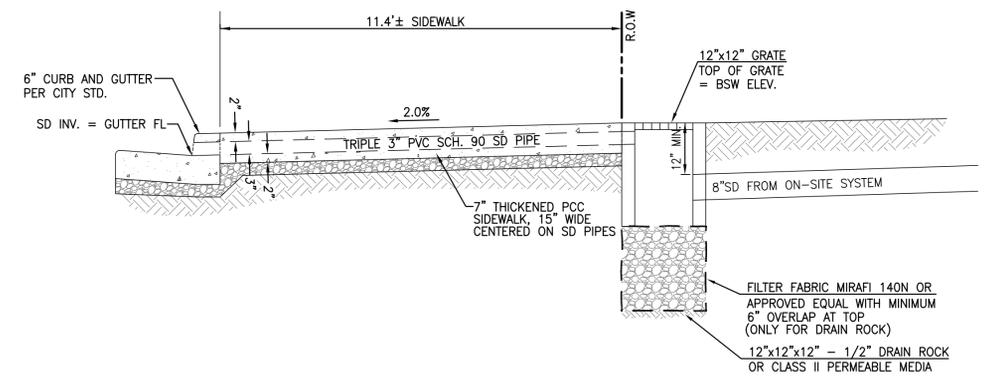
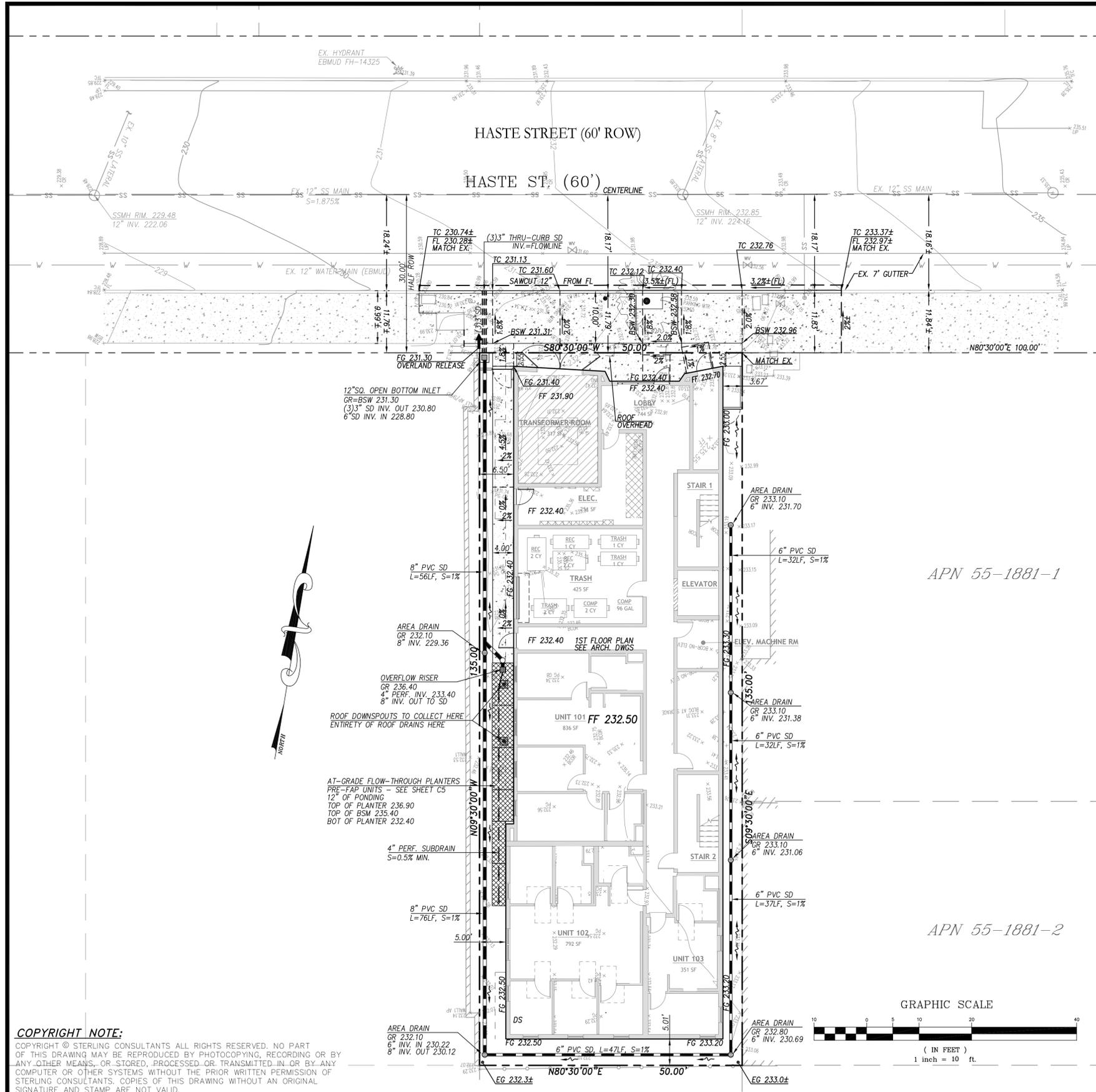
CITY OF BERKELEY COUNTY OF ALAMEDA CALIFORNIA

SHEET NO. **C2**

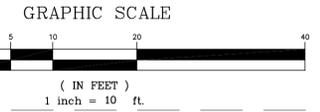
JOB NO. 2023-23

**GRADING NOTES:**

1. SITE GRADING & EXCAVATIONS SHALL ADHERE TO ALL RECOMMENDATIONS CONTAINED IN THE PROJECT GEOTECHNICAL REPORT.
2. ALL GRADES SHOWN ARE FINISHED GRADES, UNLESS OTHERWISE NOTED.
3. ALL CUT AND FILL SLOPES AT THE BOUNDARY LINES SHALL BE CONSTRUCTED IN SUCH A MANNER THAT ADJACENT FENCES WILL NOT BE DAMAGED. GRADING SHALL CONFORM AT BOUNDARY LINES.
4. ALL CUT SLOPES SHALL BE ROUNDED TO MEET EXISTING GRADES AND BLEND WITH SURROUNDING TOPOGRAPHY. ALL GRADED SLOPES OVER FIVE FEET IN HEIGHT SHALL BE PLANTED WITH SUITABLE GROUND COVER.
5. DURING GRADING OPERATIONS, THE CONTRACTOR SHALL IMPLEMENT DUST CONTROL MEASURES BOTH ON-SITE. STREETS SHALL BE SWEEPED PER REQUIREMENTS SPECIFIED IN BLUEPRINT FOR CLEAN BAY.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF SAID GRADING. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR DISTRIBUTING ANY EXCESS MATERIAL OR SUPPLY MATERIAL FOR DEFICIENCIES TO BRING PAVEMENT OR LOTS TO REQUIRED GRADE. CLARIFICATION OF GRADING SHALL BE DONE BY THE ENGINEER.
7. WASTEWATER GENERATED DURING CONSTRUCTION SHALL NOT BE DISCHARGED TO THE STORM DRAIN SYSTEM. THIS INCLUDES WASTE FROM PAINTING, SAWCUTTING, CONCRETE WORK, ETC. THE CONTRACTOR SHALL MAKE ARRANGEMENTS TO ELIMINATE DISCHARGES TO THE STORM DRAIN SYSTEM AND, IF NECESSARY, PROVIDE AN AREA FOR ON-SITE WASHING ACTIVITIES DURING CONSTRUCTION. MATERIALS WHICH COULD CONTAMINATE STORM RUNOFF SHALL BE STORED IN AREAS WHICH ARE DESIGNED TO PREVENT EXPOSURE TO RAINFALL AND TO NOT ALLOW STORM WATER TO RUN ONTO THE AREA.
8. FLUSHING OF STREETS/PARKING LOTS TO REMOVE DIRT AND CONSTRUCTION DEBRIS IS PROHIBITED UNLESS PROPER SEDIMENT CONTROLS ARE USED. AREAS REQUIRING CLEANING SHOULD BE SWEEPED.
9. WHERE UNSTABLE OR UNSUITABLE MATERIALS ARE ENCOUNTERED DURING SUBGRADE PREPARATION, THE AREA IN QUESTION SHALL BE OVER EXCAVATED AND REPLACED BY SELECT BACKFILL MATERIAL AS NEEDED.
10. WHERE ABANDONED UNDERGROUND STRUCTURES ARE ENCOUNTERED IN THE STREET AREAS, REMOVE TO SUFFICIENT DEPTH TO ALLOW UNDERGROUND LINES TO CROSS, BACKFILL AND COMPACT DURING ROUGH GRADING. THE INSPECTOR MAY REQUIRE FURTHER WORK TO BE DONE IF VISUAL INSPECTION INDICATES SO DURING CONSTRUCTION.
11. PRIOR TO ANY GRADING, DEMOLITION OF THE SITE SHOULD BE COMPLETED. DEMOLITION SHOULD INCLUDE THE COMPLETE REMOVAL OF ALL SURFACE AND SUBSURFACE STRUCTURES. IF ANY OF THE FOLLOWING ARE ENCOUNTERED: TREE ROOT SYSTEMS, CONCRETE, SEPTIC TANKS, GAS OR OIL TANKS, STORM INLETS, IRRIGATION PIPES, FOUNDATIONS, ASPHALT, DEBRIS AND TRASH, THESE SHOULD ALSO BE REMOVED, WITH THE EXCEPTION OF ITEMS SPECIFIED BY THE OWNER FOR SALVAGE.
12. EARTHWORK QUANTITIES IF SHOWN ON THESE PLANS ARE APPROXIMATE ESTIMATED QUANTITIES AND ARE FURNISHED FOR THE CITY OF BERKELEY'S INFORMATION ONLY. THE ACTUAL AMOUNT MAY VARY DEPENDING ON COMPACTION, CONSOLIDATION, STRIPPING AND THE CONTRACTOR'S METHOD OF OPERATION.
13. REMOVE AND REPLACE ALL DAMAGED CURB, GUTTER AND SIDEWALK ALONG PROJECT FRONTAGE.



OPEN-BOTTOM INLET WITH THRU-CURB DRAIN  
NOT TO SCALE



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ENGINEER: DSK					
MANAGER: DSK					
NO.	BY	DATE	REVISIONS	CITY APPR	

PREPARED BY, OR UNDER THE DIRECTION OF:

PREPARED BY:

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PREPARED FOR:

2442 HASTE STREET, LLC  
 3483 IRONWOOD DR  
 SAN RAMON, CA 94582

APN: 055-1881-18

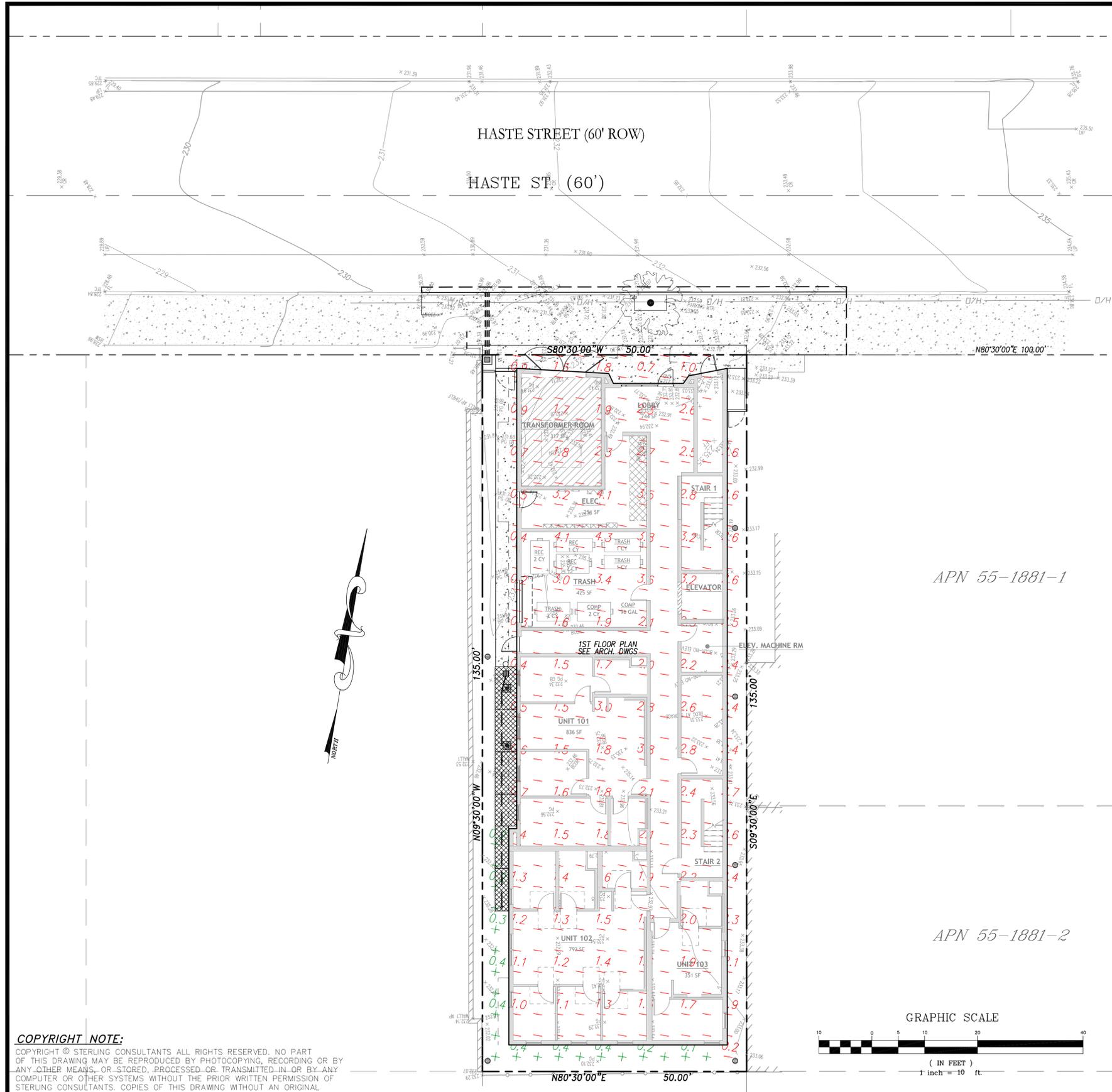
2442 HASTE STREET

**PRELIMINARY GRADING & DRAINAGE PLAN**

CITY OF BERKELEY COUNTY OF ALAMEDA CALIFORNIA

SHEET NO. **C3**

JOB NO. 2023-23



**EARTHWORK LEGEND**

- 2.0 CUT DEPTH AT TICK MARK
- 0.1 FILL DEPTH AT TICK MARK

**EARTHWORK SUMMARY**

MEASURED RAW CUT :	435 CY
<small>(ASSUMED 24" THICK SLAB SECTION)</small>	
MEASURED RAW FILL :	10 CY
<b>ESTIMATED EXCESS:</b>	<b>425 CY</b>

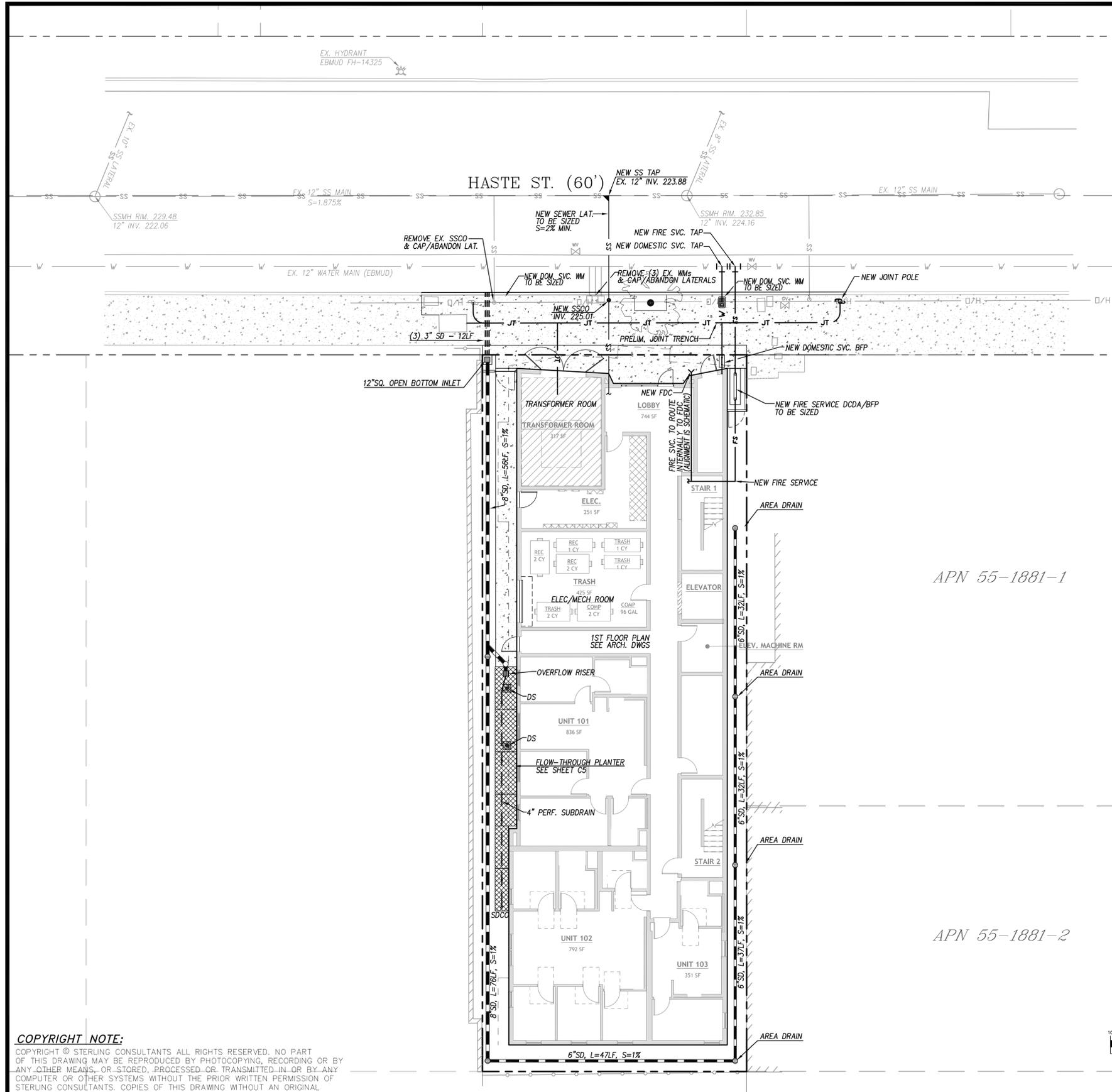
EARTHWORK QUANTITIES SHOWN HEREON ARE APPROXIMATE ONLY FOR ESTABLISHMENT OF FEES. CONTRACTORS SHALL BASE BID AND OR CONTRACT AMOUNTS UPON THEIR OWN EARTHWORK ESTIMATES FOR COMPLETION OF THE WORK SHOWN HEREON, NOT ON THE QUANTITIES SHOWN ABOVE.

QUANTITIES MAY CHANGE PRIOR TO GRADING BASED ON REQUIREMENTS OF ANY REMEDIAL WORK THAT MAY BE NEEDED, OR REMOVAL OF UNSUITABLE SOILS OR MATERIALS FROM THE SITE.

NO ADJUSTMENTS HAVE BEEN APPLIED FOR SHRINK OR SWELL.

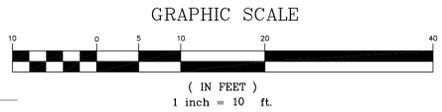
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SCALE: AS NOTED						
DRAWN: DSK/KT						
DESIGNED: DSK/KT						
ENGINEER: DSK						
MANAGER: DSK						
	NO.	BY	DATE	REVISIONS	CITY APPR	
				CITY OF BERKELEY	COUNTY OF ALAMEDA	CALIFORNIA
						JOB NO. 2023-23



APN 55-1881-1

APN 55-1881-2



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SCALE: AS NOTED					
DRAWN: DSK/KT					
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ENGINEER: DSK					
MANAGER: DSK					
	NO.	BY	DATE	REVISIONS	CITY APPR

PREPARED BY, OR UNDER THE DIRECTION OF:

PREPARED BY:

46560 FREMONT BOULEVARD, SUITE NO. 205  
 FREMONT, CA 94538  
 Isterlingconsultants@gmail.com PHONE: 510.344.8955

PREPARED FOR:

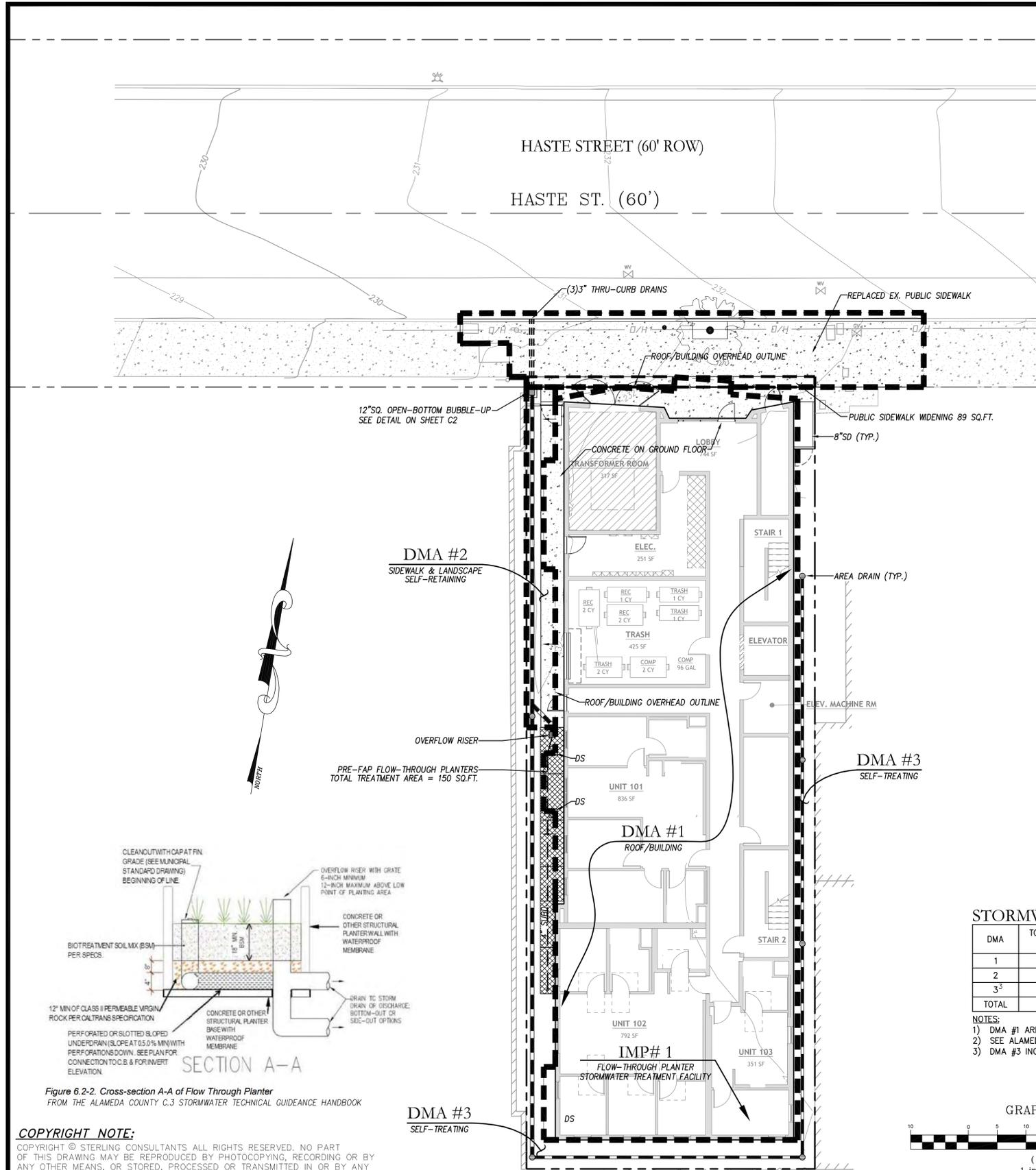
2442 HASTE STREET, LLC  
 3483 IRONWOOD DR  
 SAN RAMON, CA 94582

APN: 055-1881-18 2442 HASTE STREET

## PRELIMINARY UTILITY PLAN

CITY OF BERKELEY COUNTY OF ALAMEDA CALIFORNIA

SHEET NO. **C4**  
 JOB NO. 2023-23



**Tournesol**

### Bioretention Planters, GFRC

#### DIMENSIONS

- Module maximum dimensions 96\"/>
- Connect multiple modules to extend length

**INCLUDED WITH PLANTER**

- Planter
- Clean-out
- Drainpipe
- Overflow
- 4\"/>

**OPTIONAL ACCESSORIES**

- Splash Box
- Level Spreader

**CUSTOMER SUPPLIED**

- Media
- Landscape Fabric
- Fabric Sleeve (optional)

**SAMPLE PRE-FABRICATED FLOW-THROUGH PLANTER**

#### Worksheet for Calculating the Combination Flow and Volume Method

Instructions: After completing Section 1, make a copy of this Excel file for each Drainage Management Area within the project. Enter information specific to the project and DMA in the cells shaded in yellow. Cells shaded in light blue contain formulas and values that will be automatically calculated.

##### 1.0 Project Information

1-1 Project Name:	2442 Haste St, Berkeley
1-2 City application ID:	
1-3 Site Address or APN:	2442 Haste St, Berkeley
1-4 Tract or Parcel Map No.:	
1-5 Site Mean Annual Precip. (MAP) <sup>1</sup> :	26.0 Inches
Refer to the Mean Annual Precipitation Map in Appendix D of the C.3 Technical Guidance to determine the MAP, in inches, for the site. <a href="#">Click here for map</a>	
1-6 Applicable Rain Gauge <sup>2</sup> :	Oakland
Enter "Oakland Airport" if the site MAP is 16.4 inches or greater. Enter "San Jose" if the site MAP is less than 16.4 inches.	
MAP adjustment factor is automatically calculated as: <b>1.42</b>	
(The "Site Mean Annual Precipitation (MAP)" is divided by the MAP for the applicable rain gauge, shown in Table 5.2, below.)	

##### 2.0 Calculate Percentage of Impervious Surface for Drainage Management Area (DMA)

2-1 Name of DMA:	DMA #1 (Roof)		
For items 2-2 and 2-3, enter the areas in square feet for each type of surface within the DMA.			
Type of Surface	Area of surface type within DMA (Sq. Ft.)	Adjust Pervious Surface	Effective Impervious Area
2-2 Impervious surface	5,522	1.0	5,522
2-3 Pervious surface	0	0.1	
Total DMA Area (square feet) =		5,522	
		Total Effective Impervious Area (EIA)	5,522 Square feet

##### 3.0 Calculate Unit Basin Storage Volume in Inches

Table 5-2: Unit Basin Storage Volumes (in inches) for 80 Percent Capture Using 48-Hour Drawdowns			
Applicable Rain Gauge	Mean Annual Precipitation (in)	Unit Basin Storage Volume (in) for Applicable Runoff Coefficients	Coefficient of 1.00
Oakland Airport	15.35		0.67
San Jose	14.4		0.56

3-1 Unit basin storage volume from Table 5.2: **0.67** Inches  
(The coefficient for this method is 1.00, due to the conversion of any landscaping to effective impervious area)

3-2 Adjusted unit basin storage volume: **0.95** Inches  
(The unit basin storage volume is adjusted by applying the MAP adjustment factor.)

3-3 Required Capture Volume (in cubic feet): **437** Cubic feet  
(The adjusted unit basin storage volume [inches] is multiplied by the size of the DMA and converted to feet)

##### 4.0 Calculate the Duration of the Rain Event

4-1 Rainfall intensity: **0.2** Inches per hour

4-2 Divide Item 3-2 by Item 4-1: **4.75** Hours of Rain Event Duration

##### 5.0 Preliminary Estimate of Surface Area of Treatment Measure

5-1 4% of DMA impervious surface: **221** Square feet

5-2 Area 25% smaller than item 5-1: **166** Square feet

5-3 Volume of treated runoff for area in Item 5-2: **328** Cubic feet (Item 5-2 \* 5 inches per hour \* 1/12 \* Item 4-2)

##### 6.0 Initial Adjustment of Depth of Surface Ponding Area

6-1 Subtract Item 5-3 from Item 3-3: **109** Cubic feet (Amount of runoff to be stored in ponding area)

6-2 Divide Item 6-1 by Item 5-2: **0.7** Feet (Depth of stored runoff in surface ponding area)

6-3 Convert Item 6-2 from ft to inches: **7.9** Inches (Depth of stored runoff in surface ponding area)

6-4 If ponding depth in Item 6-3 meets your target depth, skip to Item 8-1. If not, continue to Step 7-1.

##### 7.0 Optimize Size of Treatment Measure

7-1 Enter an area larger or smaller than Item 5-2: **147** Sq.ft. (enter larger area if you need less ponding depth; smaller for more depth.)

7-2 Volume of treated runoff for area in Item 7-1: **291** Cubic feet (Item 7-1 \* 5 inches per hour \* 1/12 \* Item 4-2)

7-3 Subtract Item 7-2 from Item 3-3: **146** Cubic feet (Amount of runoff to be stored in ponding area)

7-4 Divide Item 7-3 by Item 7-1: **0.99** Feet (Depth of stored runoff in surface ponding area)

7-5 Convert Item 7-4 from feet to inches: **11.93** Inches (Depth of stored runoff in surface ponding area)

7-6 If the ponding depth in Item 7-5 meets target, stop here. If not, repeat Steps 7-1 through 7-5 until you obtain target depth.

##### 8.0 Surface Area of Treatment Measure for DMA

8-1 Final surface area of treatment\*: **147** Square feet (Either Item 5-2 or final amount in Item 7-1)

\*Note: Check with the local jurisdiction as to its policy regarding the minimum biotreatment surface area allowed.

#### STORMWATER TREATMENT MEASURES SUMMARY TABLE

DMA	TOTAL TRIBUTARY AREA (SQ.FT.)	IMPERVIOUS AREA (SQ.FT.)	PERVIOUS AREA (SQ.FT.)	DRAINS TO IMP. #	SIZING METHOD	TREATMENT METHOD	REQUIRED TREATMENT AREA	TREATMENT AREA PROVIDED	PONDING DEPTH
1	5,522 <sup>1</sup>	5,522	0	IMP #1	COMBINATION FLOW-VOLUME <sup>2</sup>	FLOW-THRU PLANTER	147 SQ.FT.	150 SQ.FT.	12 INCHES
2	256	113	143	SELF-RETAINING	2:1 MAX IMP. TO PERV. RATIO	SELF-RETAINING	2:1 MAX IMPERVIOUS TO PERVIOUS	0.79:1	N/A
3 <sup>3</sup>	986	0	986	SELF-TREATING	N/A	SELF-TREATING	N/A	N/A	N/A
TOTAL	6,764 <sup>1</sup>	5,635	1,129						

- NOTES:
- DMA #1 AREA INCLUDES 16 SQ.FT. OF ROOF OVERHANG THAT ENCROACHES IN THE PUBLIC RIGHT-OF-WAY. TOTAL ONSITE AREA IS 6,750 SQ.FT.
  - SEE ALAMEDA COUNTY COMBINATION FLOW AND VOLUME SIZING METHOD WORKSHEET ABOVE.
  - DMA #3 INCLUDES ALL REMAINING AREA NOT COUNTED IN DMAs 1 & 2.

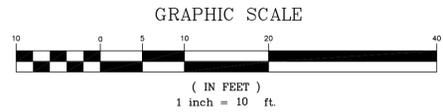
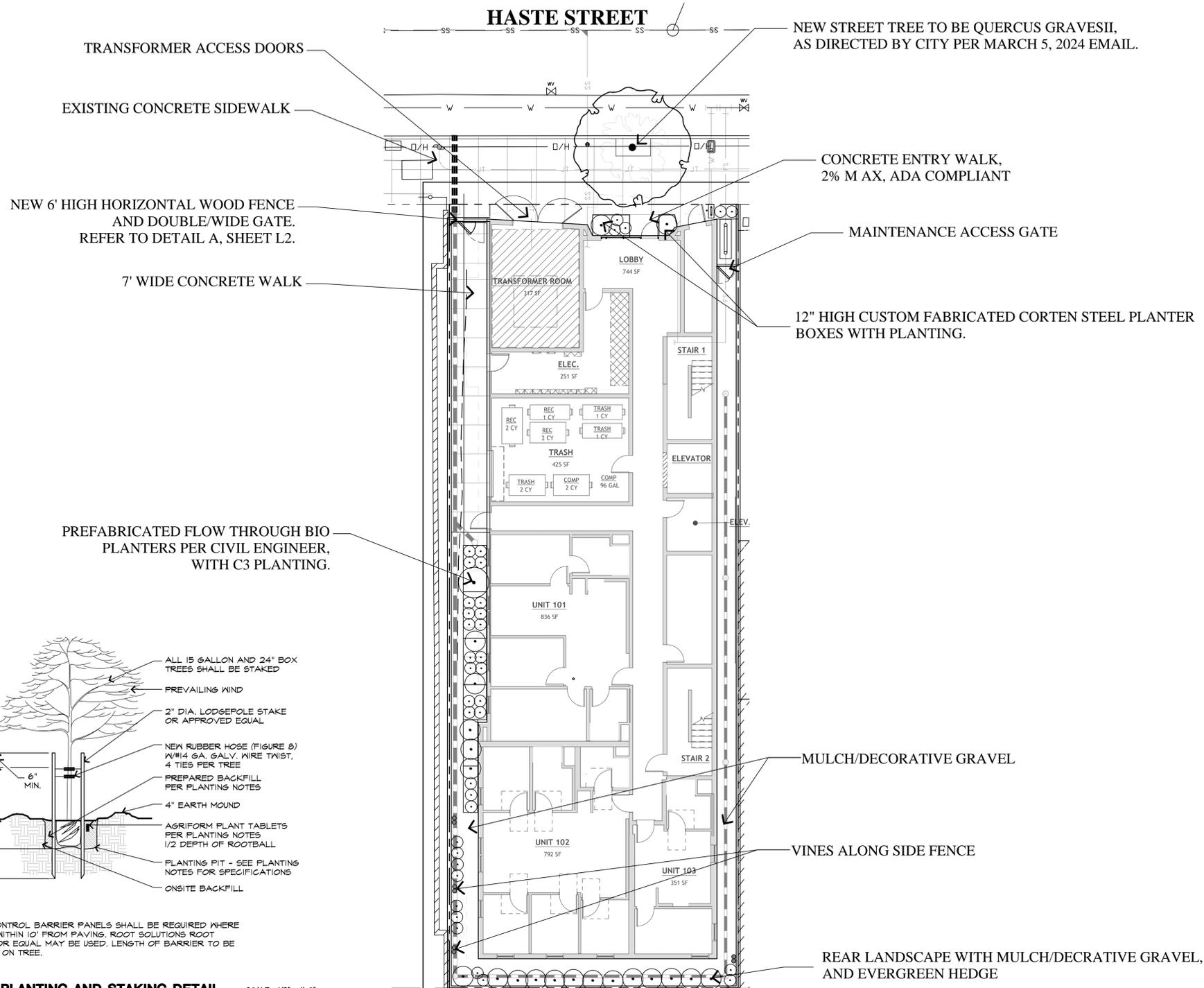


Figure 6.2-2. Cross-section A-A of Flow Through Planter FROM THE ALAMEDA COUNTY C.3 STORMWATER TECHNICAL GUIDANCE HANDBOOK

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DATE: MARCH 07, 2025	PREPARED BY, OR UNDER THE DIRECTION OF:	PREPARED BY:	APN: 055-1881-18	2442 HASTE STREET	SHEET NO.
SCALE: AS NOTED		<b>STERLING CONSULTANTS</b>	2442 HASTE STREET, LLC 3483 IRONWOOD DR SAN RAMON, CA 94582		<b>C5</b>
DRAWN: DSK/KT		46560 FREMONT BOULEVARD, SUITE NO. 205 FREMONT, CA 94538 sterlingconsultants@gmail.com PHONE: 510.344.8955		<b>PRELIMINARY STORMWATER CONTROL PLAN</b>	
DESIGNED: DSK/KT				CITY OF BERKELEY	COUNTY OF ALAMEDA
ENGINEER: DSK					CALIFORNIA
MANAGER: DSK	NO. BY DATE REVISIONS CITY APPR				JOB NO. 2023-23



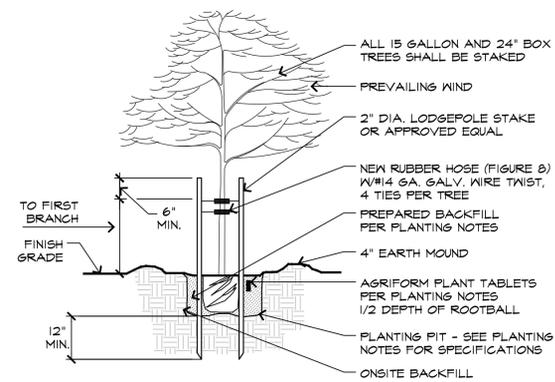
**PRELIMINARY PROPOSED PLANT PALETTE**

BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
<b>STREET TREES</b>			
QUERCUS GRAVESII	GRAVES OAK	24" BOX	LOW
<b>SHRUBS</b>			
CAREX TUMULICOLA* (N)	BERKELEY SEDGE	1 GALLON	MED
CHORONOPETALUM TECTORUM*	CAPE RUSH	5 GALLON	LOW
EUONYMUS J. 'GREEN SPIRES'	GREEN SPIRES EUONYMUS	5 GALLON	LOW
IRIS DOUGLASSII (N)	PACIFIC COAST IRIS	1 GALLON	LOW
JUNCUS SPP.* (N)	RUSH	1 GALLON	MED
LAVATERA ASSERGENTIFLORA (N)	CA TREE MALLOW	5 GALLON	LOW
MAHONIA REPENS (N/P)	DWARF OREGON GRAPE	5 GALLON	LOW
RHAMNUS CAL. 'LITTLE SUR' (N)	DWARF COFFEEBERRY	5 GALLON	LOW
RIBES AUREUM* (N) (P)	GOLDEN CURRANT	5 GALLON	LOW
WESTRINGIA F. 'GREY BOX'	DWARF COAST ROSEMARY	5 GALLON	LOW
<b>VINES</b>			
GELSEMIUM SEMPERVIRENS	CAROLINA JESSAMINE	5 GALLON	LOW
TRACHELOSPERMUM JASMINOIDES	STAR JASMINE	5 GALLON	LOW

\* - C3 BIO RETENTION PLANTS  
(N) - CALIFORNIA NATIVE PLANTS - APPROXIMATELY 35% OF TOTAL SHRUBS WILL BE CALIFORNIA NATIVE  
(P) - POLLINATOR PLANT - SOURCES ARE WWW.CNPS.ORG AND CALSCAPE.ORG.  
STD. - STANDARD FORM

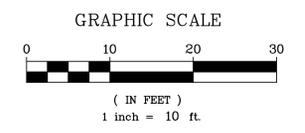
**NOTES:**

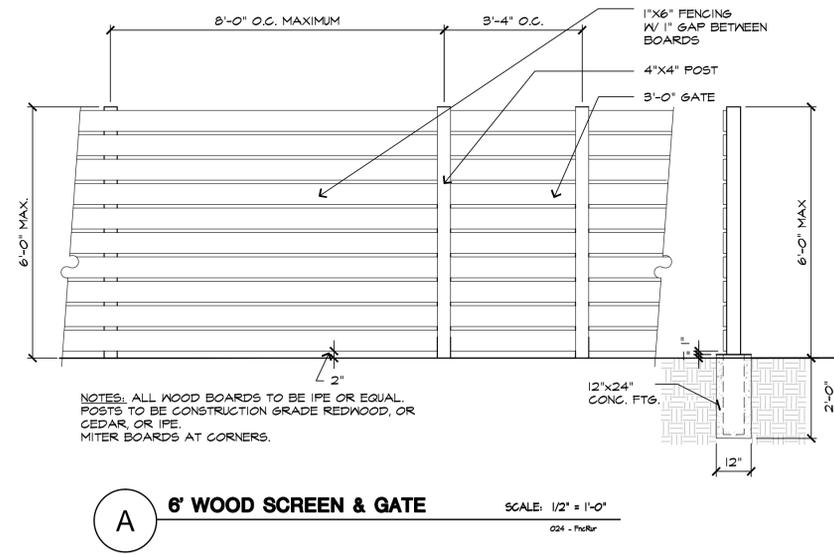
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2. TREES BE PLANTED WITHIN 3' OF HARDSCAPE ELEMENTS, SHALL HAVE A LINEAR ROOT BARRIER INSTALLED ADJACENT TO THE HARDSCAPE ELEMENT AT TIME OF TREE PLANTING.
3. LANDSCAPE AND IRRIGATION SHALL COMPLY WITH CITY'S CURRENT WATER-EFFICIENT LANDSCAPE ORDINANCE.
4. ALL PLANTING AREAS SHALL BE AUTOMATICALLY IRRIGATED PER CITY STANDARDS, USING LOW-FLOW SPRAY, BUBBLERS OR DRIP METHODS.
5. ALL PLANTING AREAS SHALL BE MULCHED TO A MINIMUM DEPTH OF 3" TO ACHIEVE A MINIMUM 6% ORGANIC MATTER IN SOIL COMPOSITION BASED ON A MWEL0 SPECIFIED SOIL ANALYSIS RESULTS FOR THE SITE SOIL.



NOTE:  
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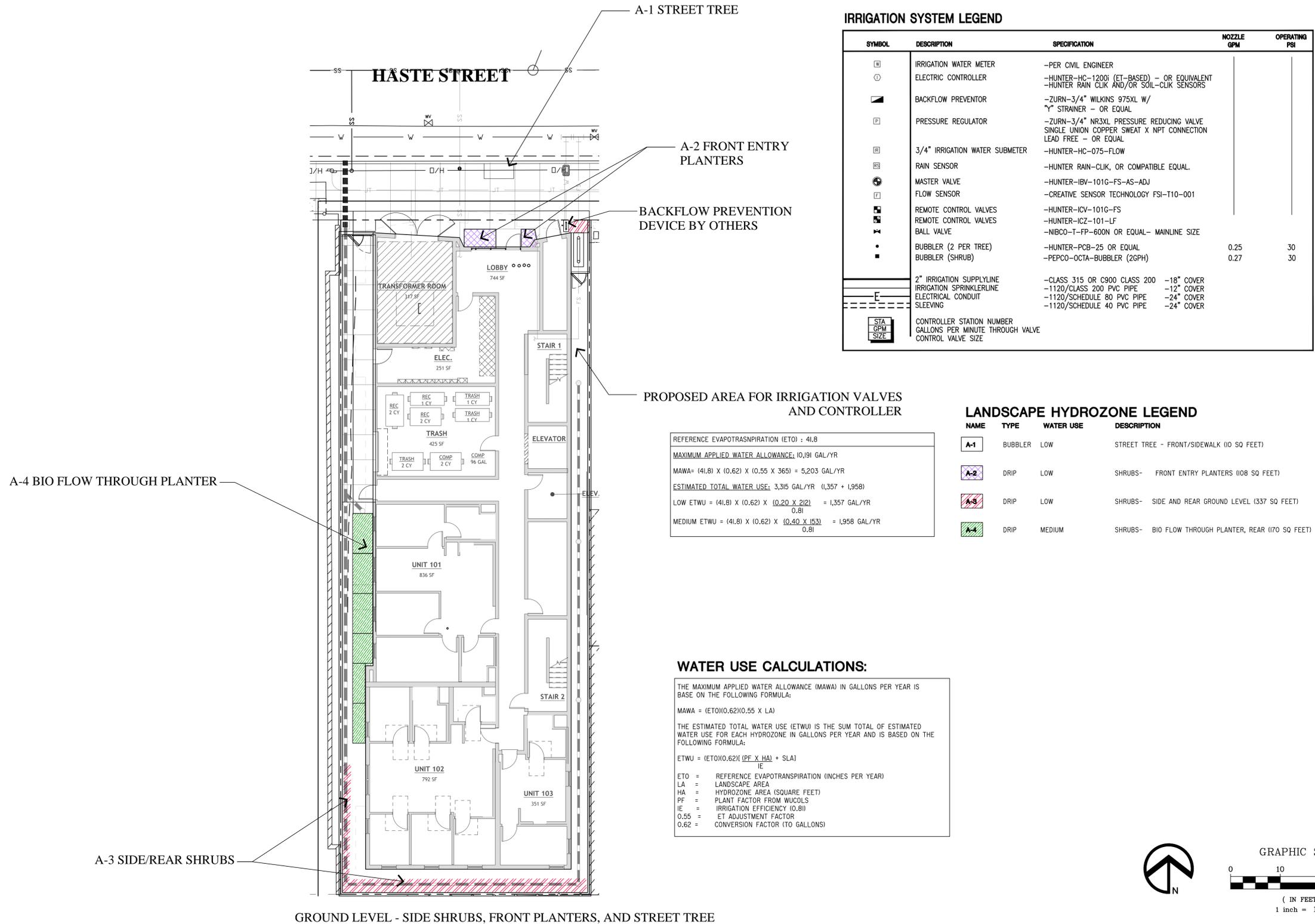
**A TREE PLANTING AND STAKING DETAIL** SCALE: 1/2" = 1'-0"  
024 - TreesPkg

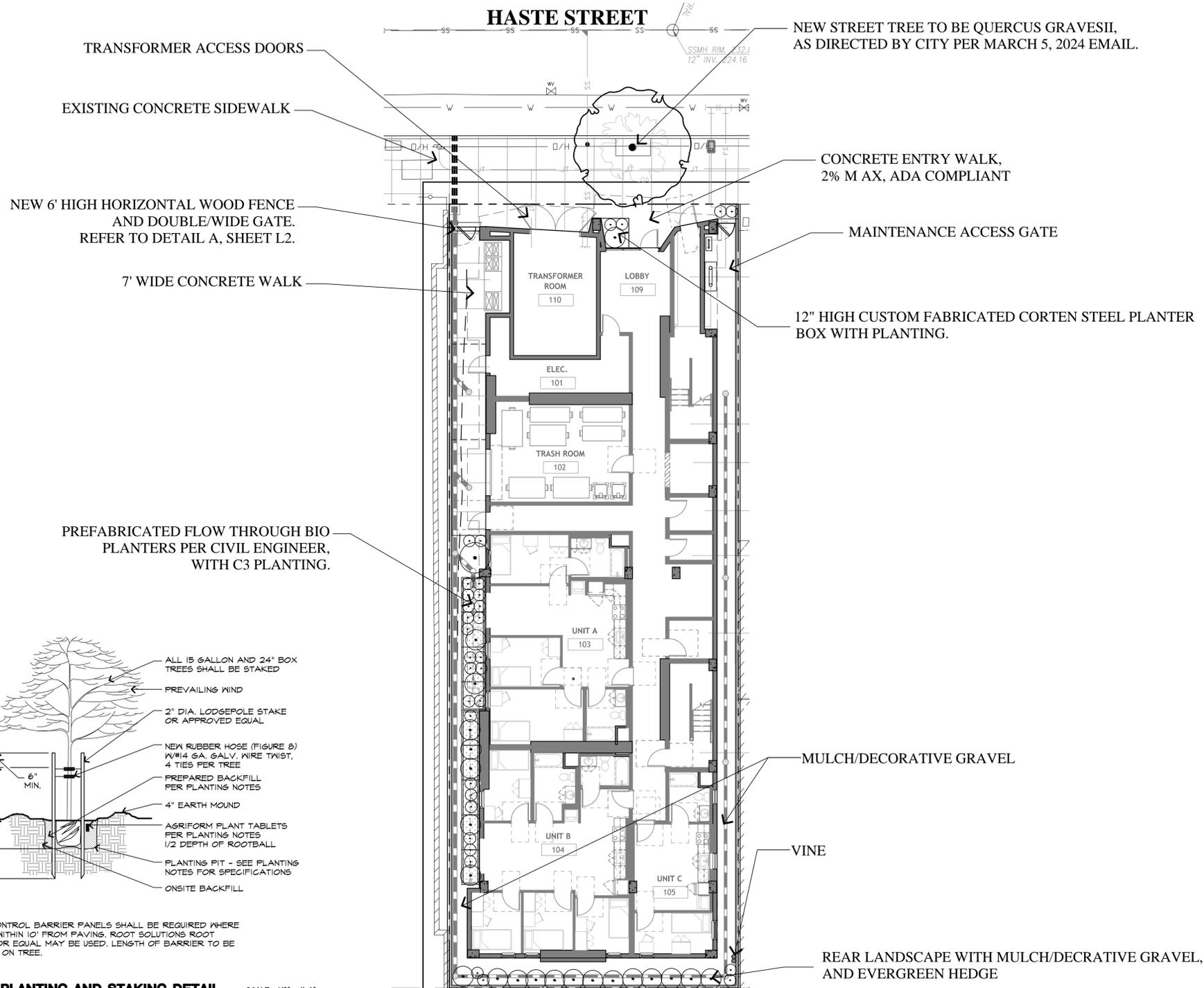




CORTEN STEEL PLANTER EXAMPLES







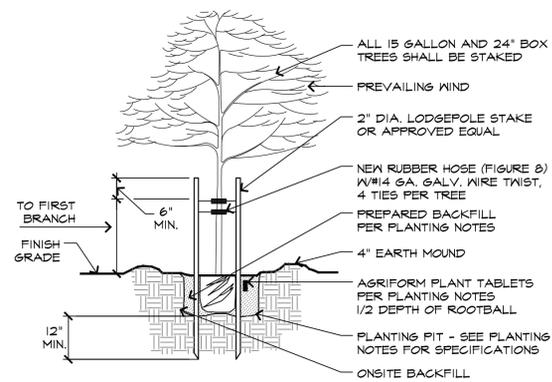
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RHAMNUS CAL. 'LITTLE SUR' (N)	DWARF COFFEEBERRY	5 GALLON	LOW
RIBES AUREUM* (N) (P)	GOLDEN CURRANT	5 GALLON	LOW
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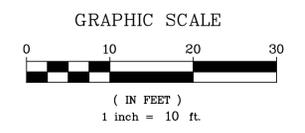
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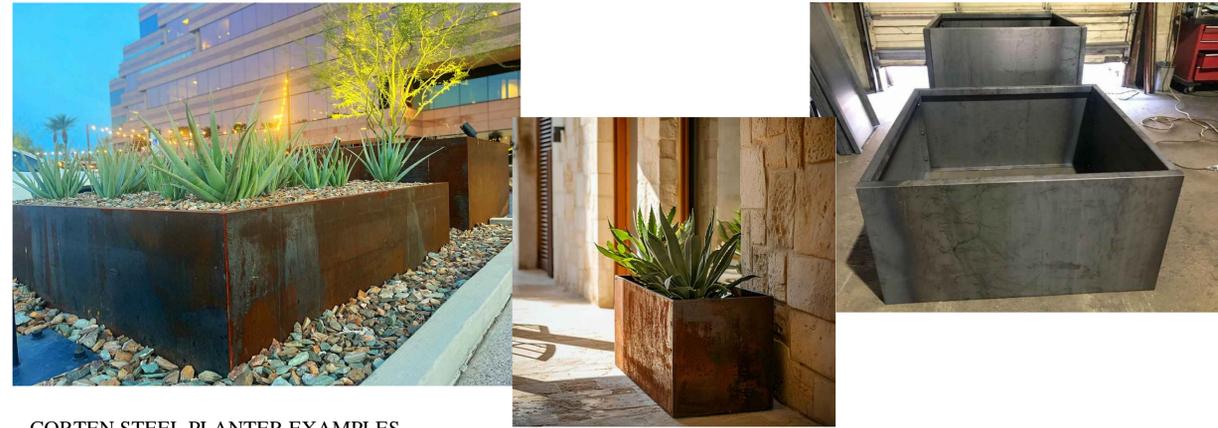
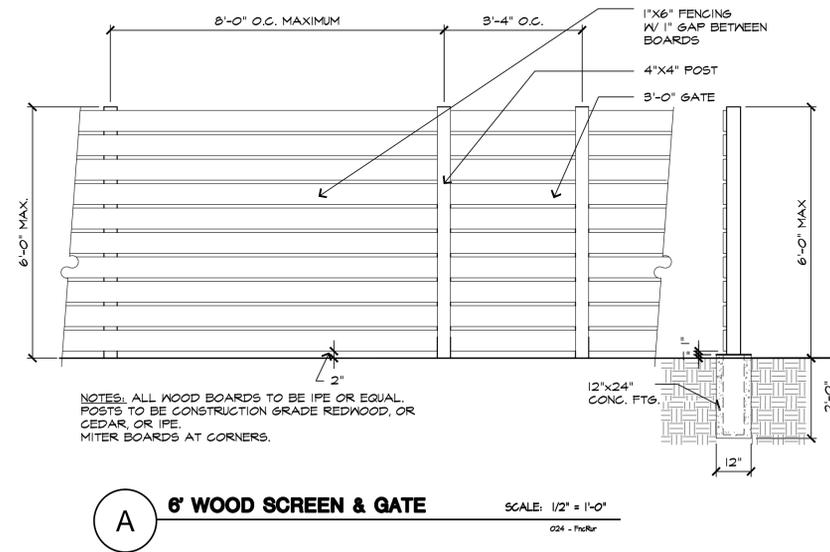
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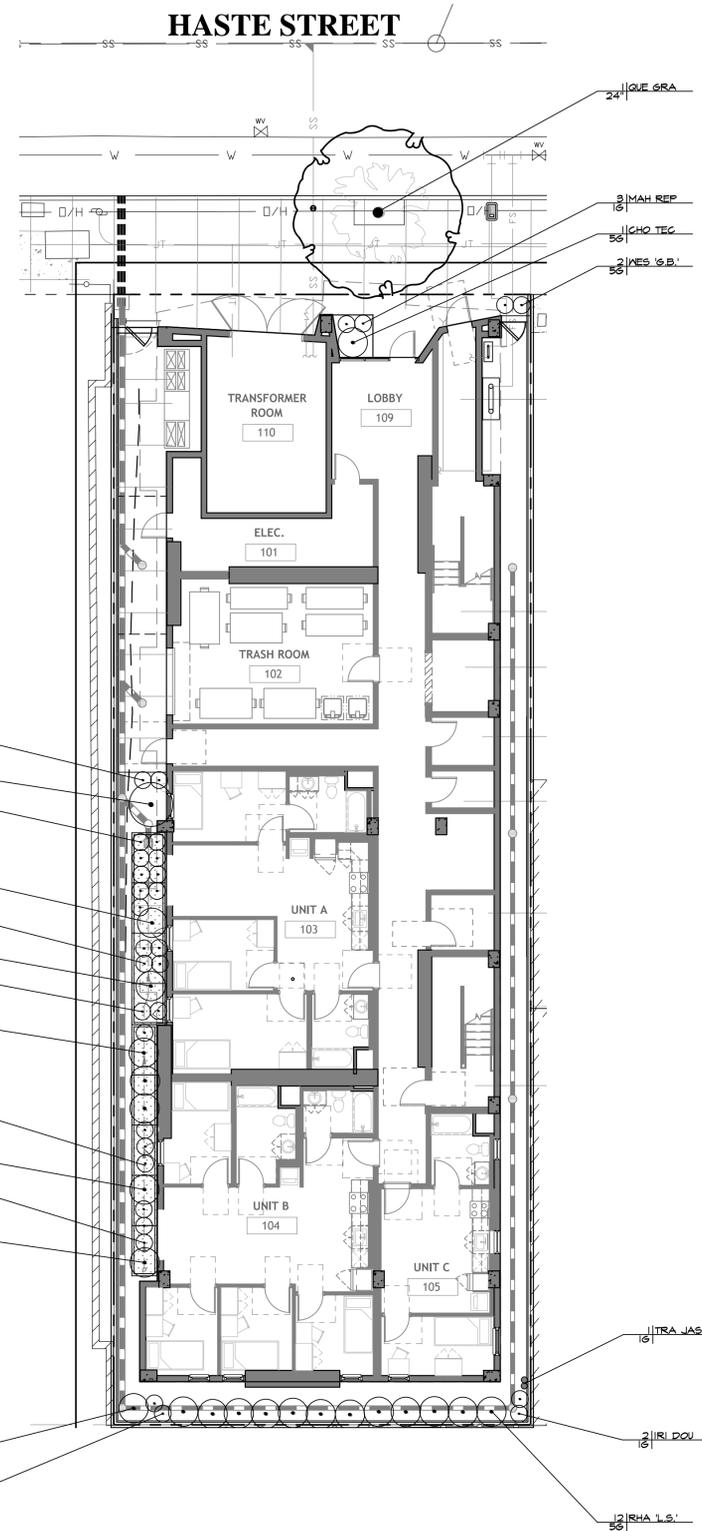
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024 - TreesPkg





CORTEN STEEL PLANTER EXAMPLES



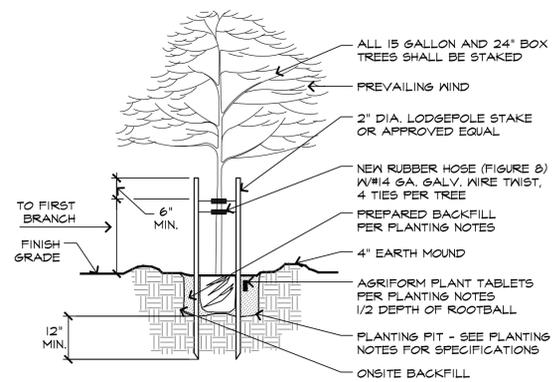
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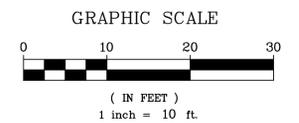
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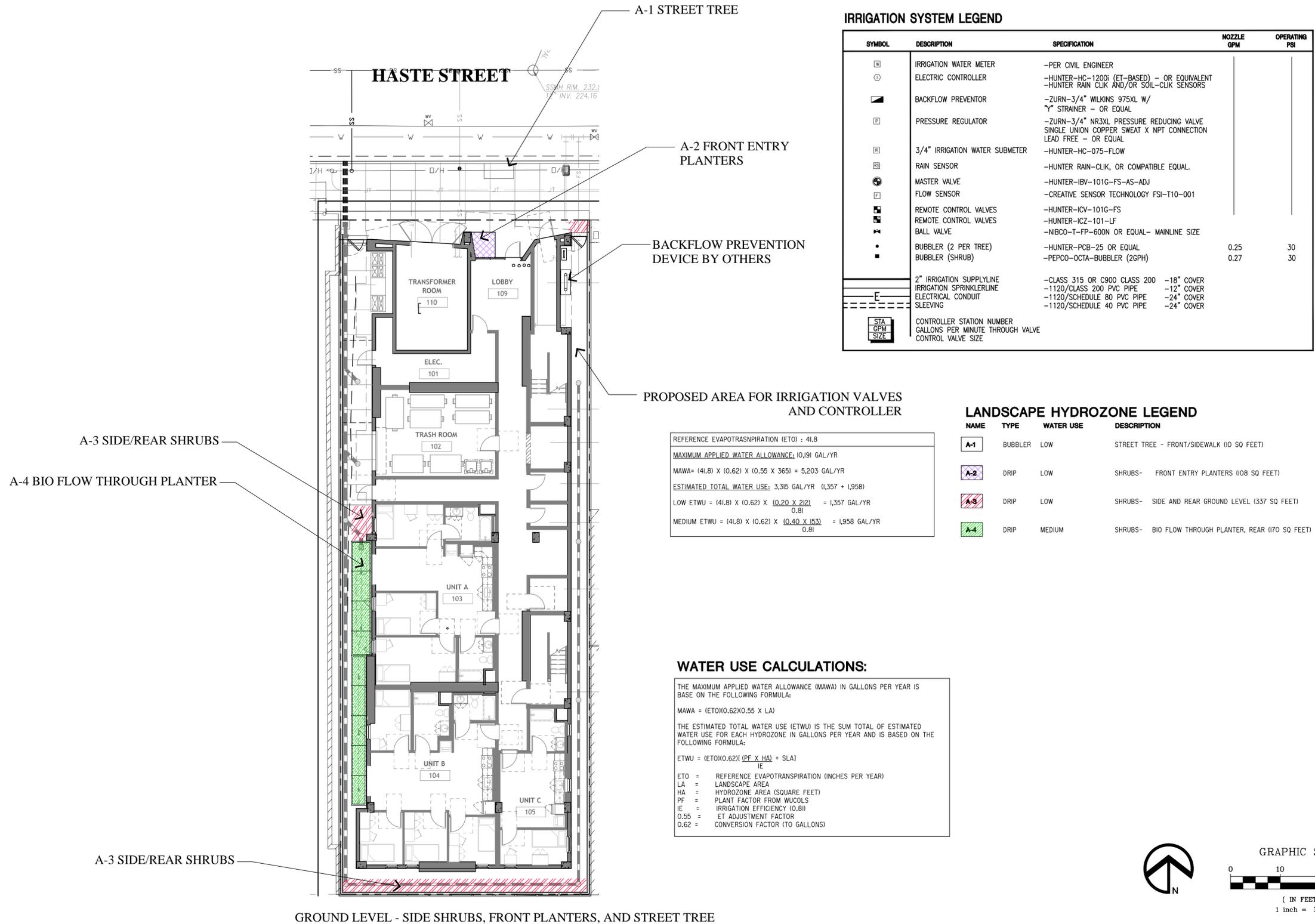
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**A TREE PLANTING AND STAKING DETAIL** SCALE: 1/2" = 1'-0"  
024 - TreesPlanting





**IRRIGATION SYSTEM LEGEND**

SYMBOL	DESCRIPTION	SPECIFICATION	NOZZLE GPM	OPERATING PSI
⊠	IRRIGATION WATER METER	-PER CIVIL ENGINEER		
⊙	ELECTRIC CONTROLLER	-HUNTER-HC-1200i (ET-BASED) - OR EQUIVALENT -HUNTER RAIN CLIK AND/OR SOIL-CLIK SENSORS		
⊠	BACKFLOW PREVENTOR	-ZURN-3/4" WILKINS 975XL W/ "Y" STRAINER - OR EQUAL		
⊠	PRESSURE REGULATOR	-ZURN-3/4" NR3XL PRESSURE REDUCING VALVE SINGLE UNION COPPER SWEAT X NPT CONNECTION LEAD FREE - OR EQUAL		
⊠	3/4" IRRIGATION WATER SUBMETER	-HUNTER-HC-075-FLOW		
⊠	RAIN SENSOR	-HUNTER RAIN-CLIK, OR COMPATIBLE EQUAL.		
⊠	MASTER VALVE	-HUNTER-IBV-101G-FS-AS-ADJ		
⊠	FLOW SENSOR	-CREATIVE SENSOR TECHNOLOGY FSI-T10-001		
⊠	REMOTE CONTROL VALVES	-HUNTER-ICV-101G-FS		
⊠	REMOTE CONTROL VALVES	-HUNTER-ICZ-101-LF		
⊠	BALL VALVE	-NIBCO-T-FP-600N OR EQUAL- MAINLINE SIZE		
●	BUBBLER (2 PER TREE)	-HUNTER-PCB-25 OR EQUAL	0.25	30
●	BUBBLER (SHRUB)	-PEPCO-OCTA-BUBBLER (2GPH)	0.27	30
---	2" IRRIGATION SUPPLYLINE	-CLASS 315 OR C900 CLASS 200	-18" COVER	
---	IRRIGATION SPRINKLERLINE	-1120/CLASS 200 PVC PIPE	-12" COVER	
---	ELECTRICAL CONDUIT	-1120/SCHEDULE 80 PVC PIPE	-24" COVER	
---	SLEEVING	-1120/SCHEDULE 40 PVC PIPE	-24" COVER	
⊠	STA	CONTROLLER STATION NUMBER		
⊠	GPM	GALLONS PER MINUTE THROUGH VALVE		
⊠	SIZE	CONTROL VALVE SIZE		

**LANDSCAPE HYDROZONE LEGEND**

NAME	TYPE	WATER USE	DESCRIPTION
A-1	BUBBLER	LOW	STREET TREE - FRONT/SIDEWALK (10 SQ FEET)
A-2	DRIP	LOW	SHRUBS- FRONT ENTRY PLANTERS (108 SQ FEET)
A-3	DRIP	LOW	SHRUBS- SIDE AND REAR GROUND LEVEL (337 SQ FEET)
A-4	DRIP	MEDIUM	SHRUBS- BIO FLOW THROUGH PLANTER, REAR (170 SQ FEET)

REFERENCE EVAPOTRANSPIRATION (ETO) : 41.8

MAXIMUM APPLIED WATER ALLOWANCE: 10,191 GAL/YR

MAWA= (41.8) X (0.62) X (0.55 X 365) = 5,203 GAL/YR

ESTIMATED TOTAL WATER USE: 3,315 GAL/YR (1,357 + 1,958)

LOW ETWU = (41.8) X (0.62) X  $\frac{(0.20 \times 212)}{0.81}$  = 1,357 GAL/YR

MEDIUM ETWU = (41.8) X (0.62) X  $\frac{(0.40 \times 153)}{0.81}$  = 1,958 GAL/YR

**WATER USE CALCULATIONS:**

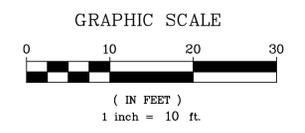
THE MAXIMUM APPLIED WATER ALLOWANCE (MAWA) IN GALLONS PER YEAR IS BASE ON THE FOLLOWING FORMULA:

MAWA = (ETO)(0.62)(0.55 X LA)

THE ESTIMATED TOTAL WATER USE (ETWU) IS THE SUM TOTAL OF ESTIMATED WATER USE FOR EACH HYDROZONE IN GALLONS PER YEAR AND IS BASED ON THE FOLLOWING FORMULA:

ETWU = (ETO)(0.62)(  $\frac{PF \times HA}{IE}$  ) + SLA)

ETO = REFERENCE EVAPOTRANSPIRATION (INCHES PER YEAR)  
 LA = LANDSCAPE AREA  
 HA = HYDROZONE AREA (SQUARE FEET)  
 PF = PLANT FACTOR FROM WUCOLS  
 IE = IRRIGATION EFFICIENCY (0.81)  
 0.55 = ET ADJUSTMENT FACTOR  
 0.62 = CONVERSION FACTOR (TO GALLONS)



GROUND LEVEL - SIDE SHRUBS, FRONT PLANTERS, AND STREET TREE



QUERCUS GRAVESII - GRAVES OAK  
 (AS SPECIFIED BY CITY OF BERKELEY)  
**STREET TREE**



JUNCUS PATENS 'ELK BLUE'  
 CALIFORNIA GREY RUSH  
**CALIFORNIA NATIVE**



GELSEMIUM SEMPERVIRENS (VINE)  
 CAROLINA JESSAMINE



LAVATERA ASSERGENTIFLORA  
 TREE MALLOW  
**CALIFORNIA NATIVE**



RHAMNUS CAL. 'LITTLE SUR' -  
 DWARF COFFEEBERRY  
**CALIFORNIA NATIVE**



EUONYMUS J. 'GREEN SPIRE'  
 GREEN SPIRE EUONYMUS

**FRONT AND SIDES**



RIBES AUREUM - GOLDEN CURRANT  
**CALIFORNIA NATIVE**



CHONDROPETALUM TECTORUM  
 CAPE REED



MAHONIA REPENS - LOW OREGON GRAPE  
**CALIFORNIA NATIVE**



JUNCUS PATENS 'ELK BLUE'  
 CALIFORNIA GREY RUSH  
**CALIFORNIA NATIVE**



PACIFIC COAST IRIS  
 IRIS PACIFIC COAST HYBRID  
**CALIFORNIA NATIVE**



CAREX TUMULICOLA 'DIVULOSA'  
 BERKELEY SEDGE  
**CALIFORNIA NATIVE**

**BIO RETENTION/FLOW THROUGH PLANTERS**





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2442 HASTE ST.

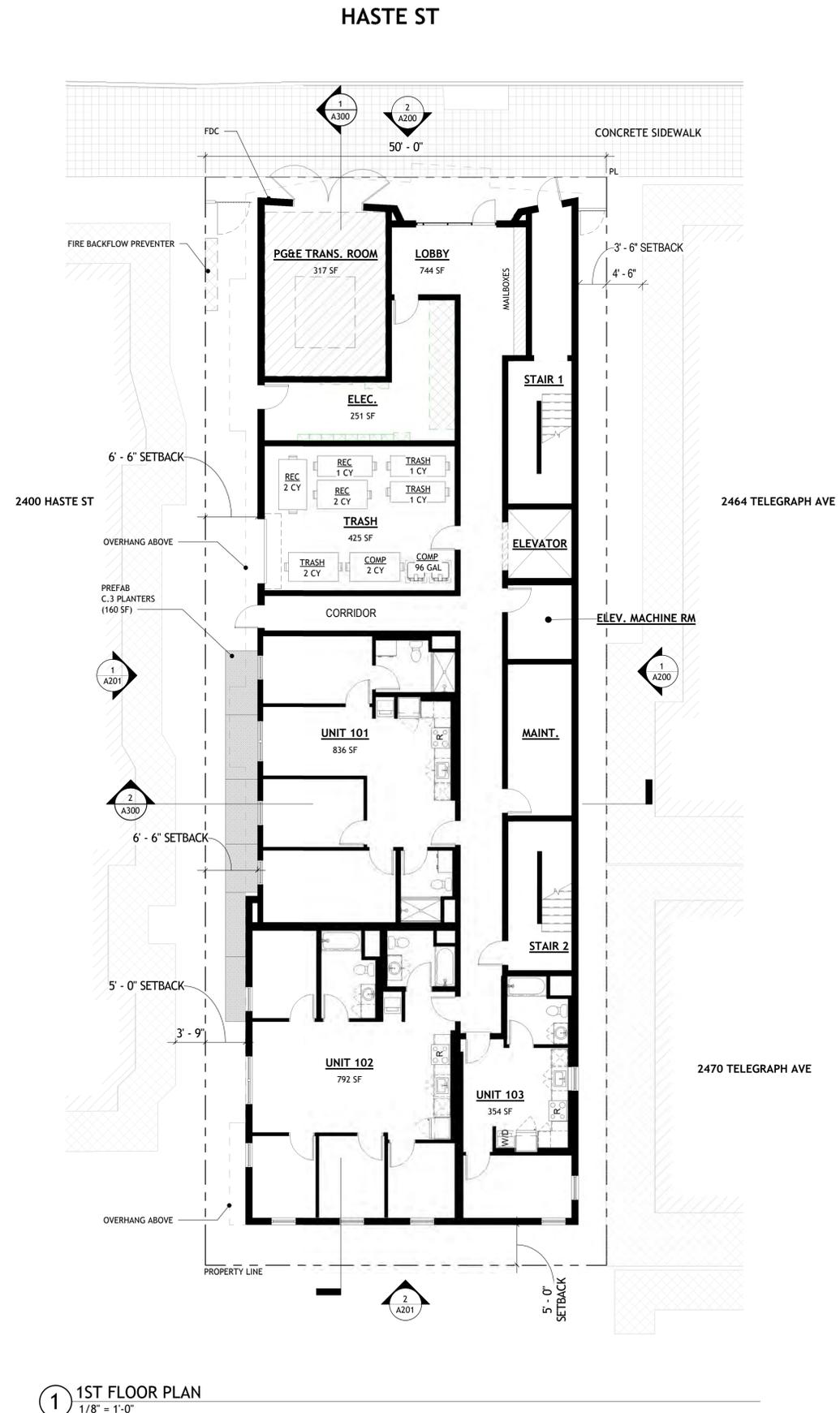
2442 HASTE STREET,  
BERKELEY, CA 94704



ENTITLEMENTS

Waste, Recycling, & Compost Calculation					
Units	36				
Bedrooms	135				
Excess Capacity Factor	.1				
	135				
50 gal/wk per 3 Occupants	2250 gal				
Waste (40%)	900 gal				
Recycling Paper (30%)	675 gal				
Recycling Other (10%)	225 gal				
Organics (20%)	450 gal				
Container Calculation					
Container Info		Quantities			
Type	Gal.	Waste	Recycling Paper	Other	Organics
2 cu yd Bin	404	1	2	0	1
1 cu yd Bin	330	2	0	1	0
96 gal cart	96	0	0	0	0
64 gal cart	64	0	0	0	1
<b>Total Capacity Provided (gal)</b>	<b>1064</b>	<b>808</b>	<b>330</b>	<b>468</b>	
<b>Total Capacity Req'd (gal)</b>	<b>900</b>	<b>675</b>	<b>225</b>	<b>450</b>	

2 WASTE, RECYCLING & COMPOST CALCULATIONS



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

△	DATE	ISSUE RECORD

PROJECT NO: HEE01

ISSUE DATE: 4/15/25

FIRST FLOOR PLAN

A101



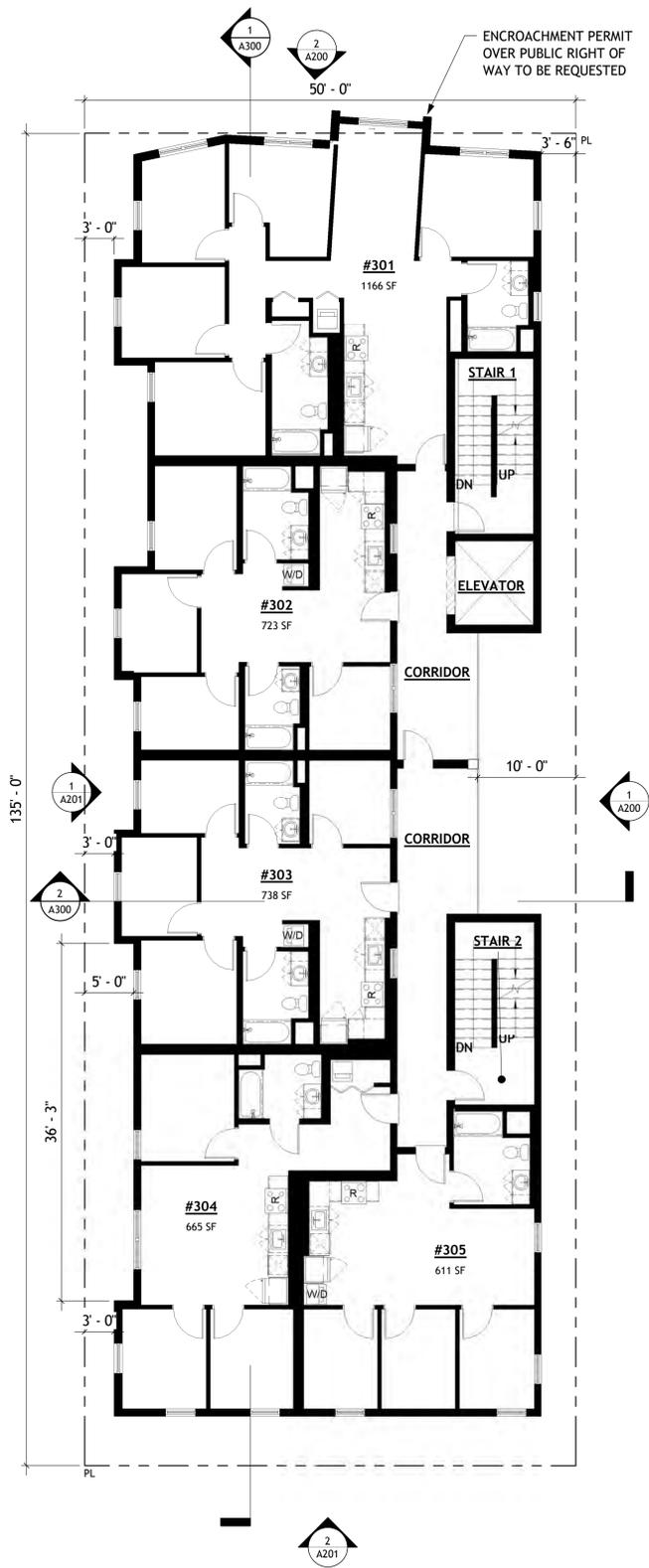
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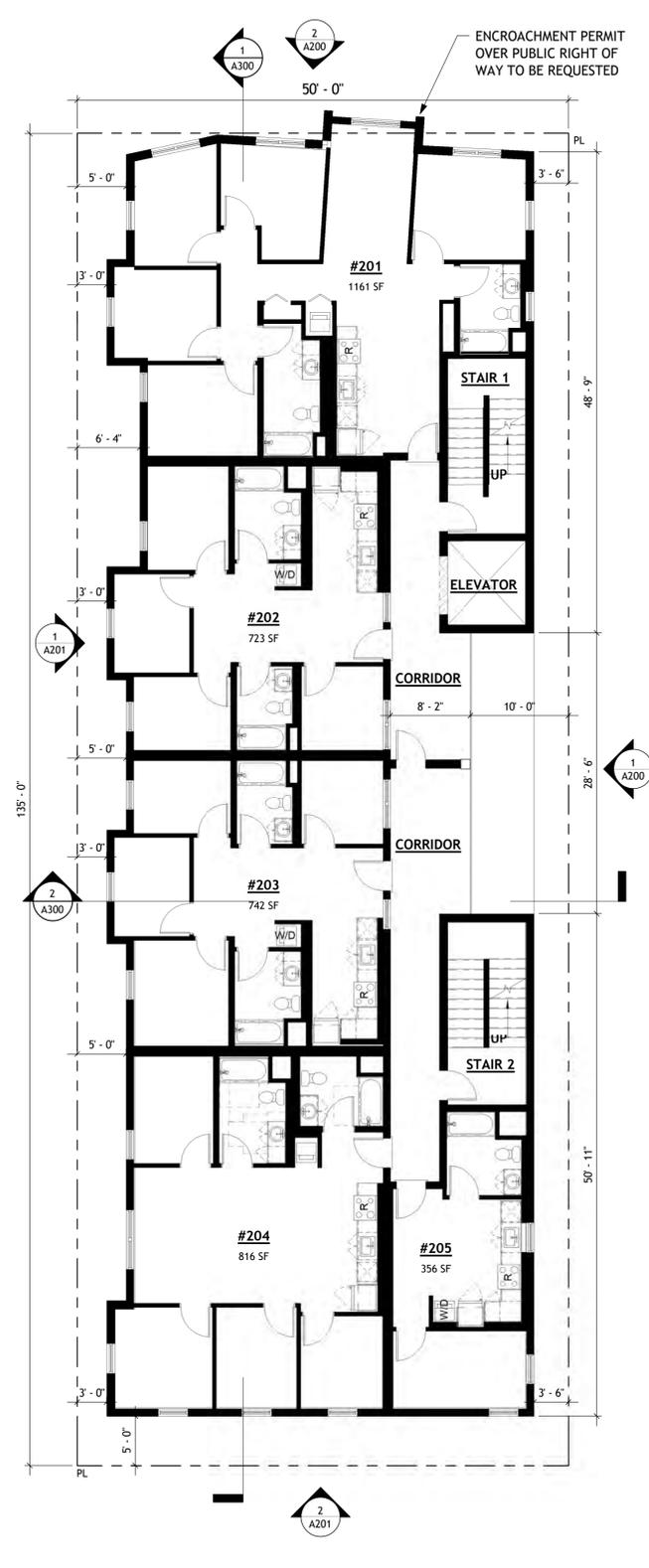
2442 HASTE STREET,  
 BERKELEY, CA 94704



ENTITLEMENTS



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



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

△	DATE	ISSUE RECORD

PROJECT NO: HEE01

ISSUE DATE: 4/15/25

SECOND AND THIRD  
 FLOOR PLAN



A102



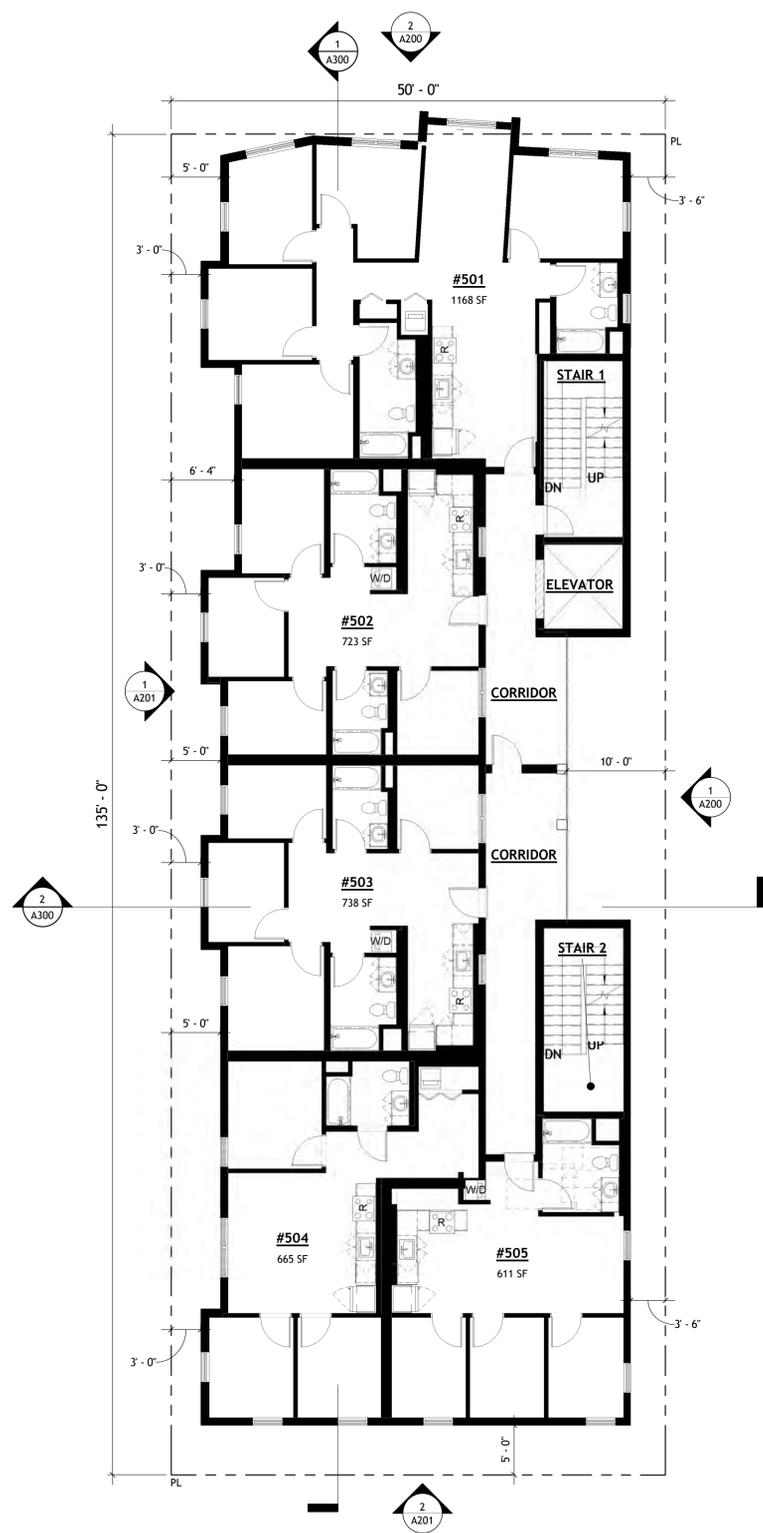
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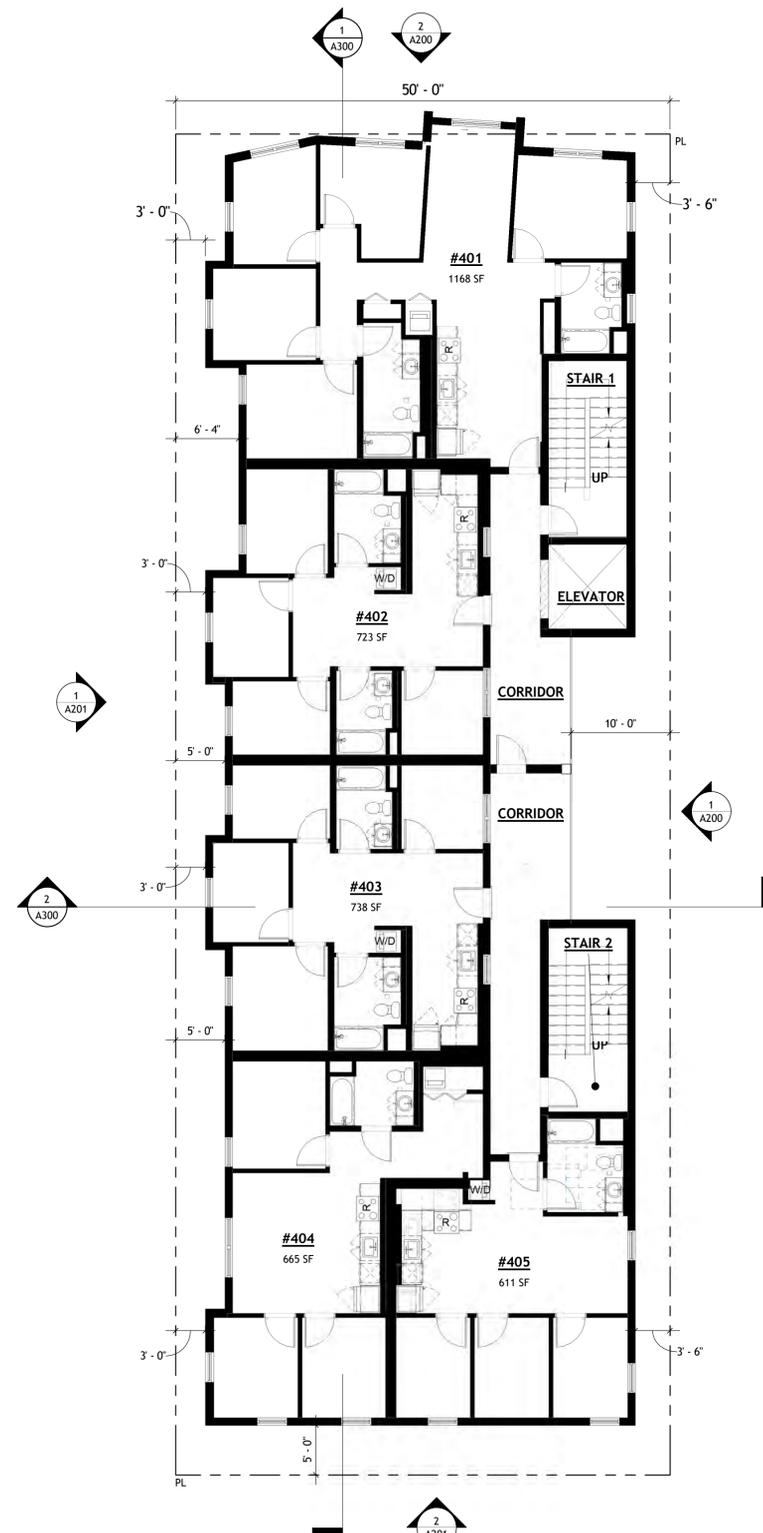
2442 HASTE STREET,  
 BERKELEY, CA 94704



ENTITLEMENTS



2 5TH FLOOR PLAN  
 1/8" = 1'-0"



1 4TH FLOOR PLAN  
 1/8" = 1'-0"



△	DATE	ISSUE RECORD

PROJECT NO: HEE01  
 ISSUE DATE: 4/15/25

FOURTH AND FIFTH  
 FLOOR PLAN

A103



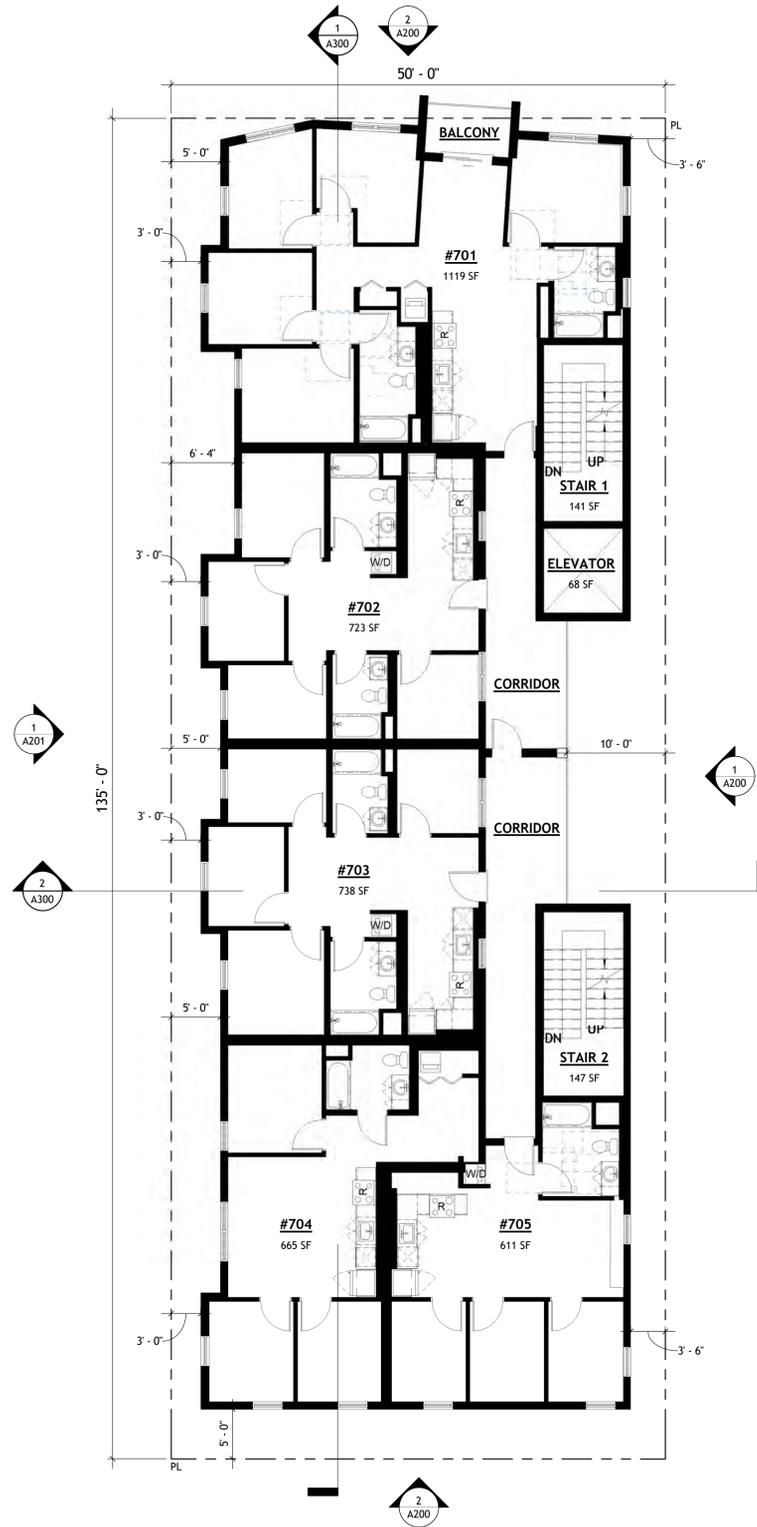
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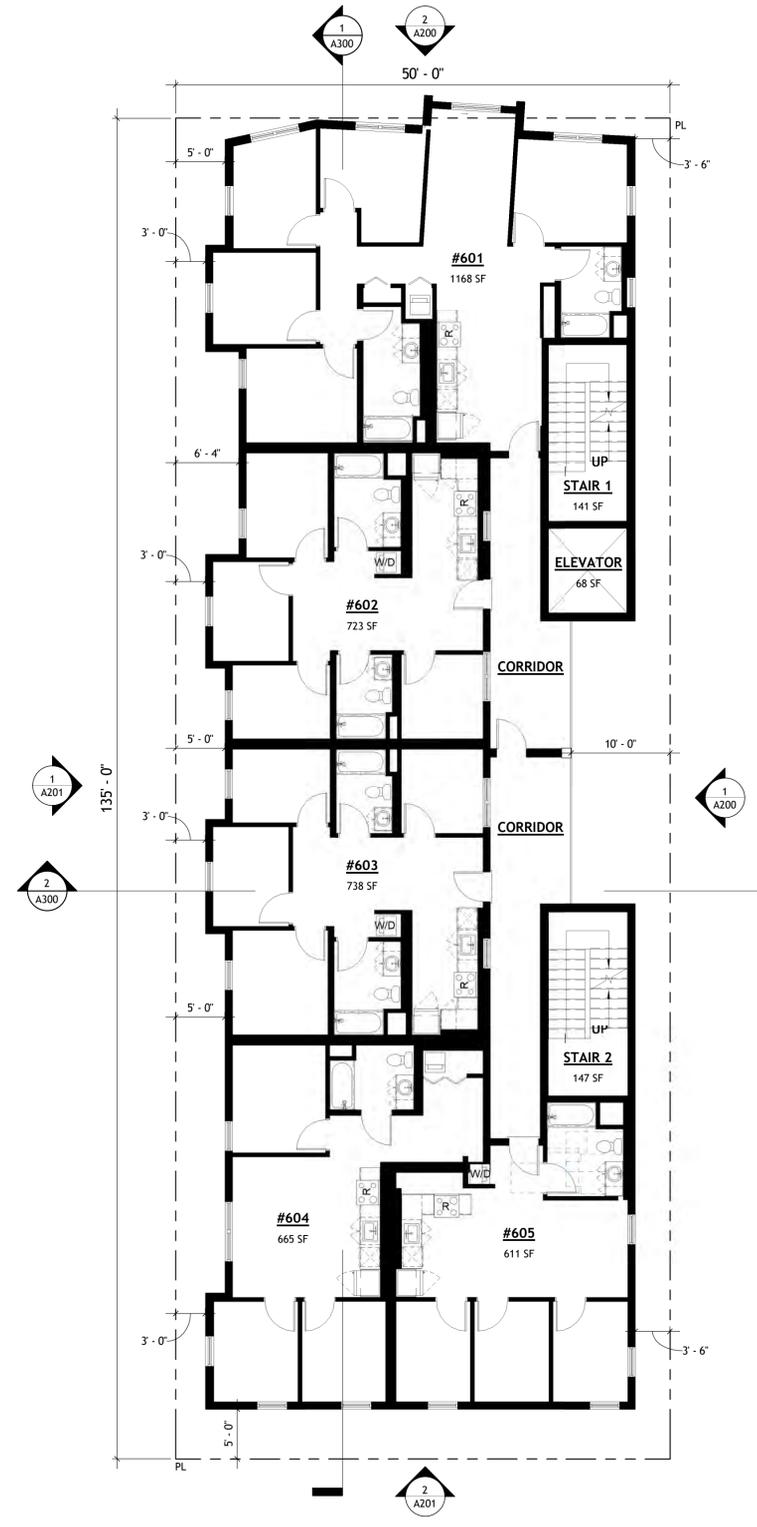
2442 HASTE STREET,  
 BERKELEY, CA 94704



ENTITLEMENTS



2 7TH FLOOR PLAN  
 1/8" = 1'-0"



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



△	DATE	ISSUE RECORD

PROJECT NO: HEE01

ISSUE DATE: 4/15/25

SIXTH AND SEVENTH  
 FLOOR PLAN

A104



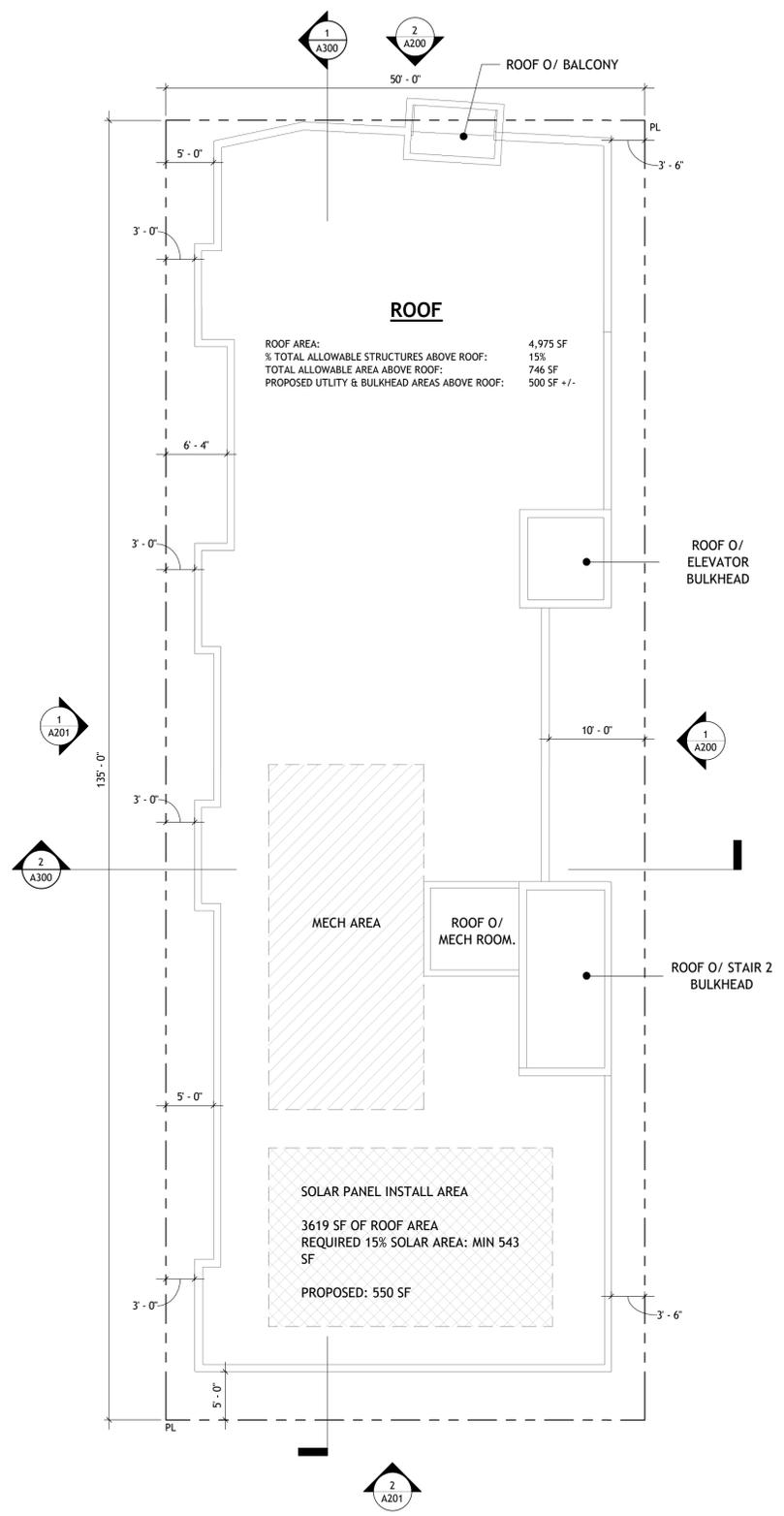
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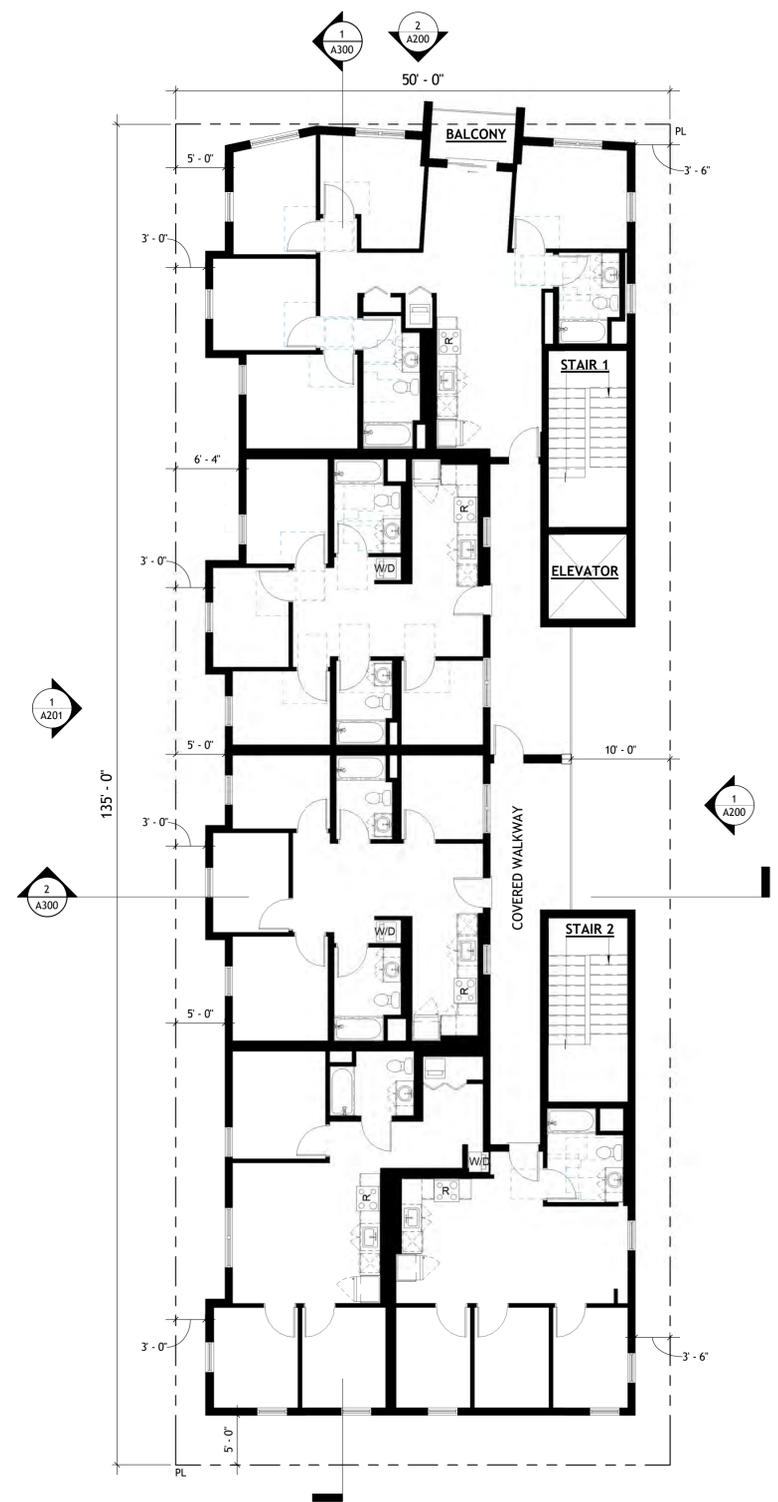
2442 HASTE STREET,  
 BERKELEY, CA 94704



ENTITLEMENTS



2 ROOF PLAN  
 1/8" = 1'-0"



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



A105

Δ	DATE	ISSUE RECORD

PROJECT NO: HEE01

ISSUE DATE: 4/15/25

EIGHTH FLOOR AND ROOF PLAN



F1  
4 EXTERIOR LIGHT FIXTURES



F2  
3 MATERIAL LEGEND

	M1 - TERRA COTTA TILE MOEDING ALPHATON - IVORY		M4 - HIGH PRESURE LAMINATE (HPL) SIDING - FUNDERMAX - FANGO		M7 - CAST-IN-PLACE CONCRETE
	M2 - HIGH PRESURE LAMINATE (HPL) SIDING - FUNDERMAX - MUSTARD		M5 - CERAMIC TILE - VITA BOLE - GREEN		M8 - PAINTED STUCCO - MUSTARD TO MATCH (M2)
	M3 - HIGH PRESURE LAMINATE (HPL) SIDING - FUNDERMAX - AMAZON		M6 - WINDOW MULLIONS AND EASTERN FACADE VERTICAL FINIS - ARCHITECTURAL BRONZE		M9 - PAINTED STUCCO - GRAY TO MATCH (M4)

3 MATERIAL LEGEND



2 NORTH ELEVATION  
1/8" = 1'-0"



1 EAST ELEVATION  
1/8" = 1'-0"

**BIRD SAFE BUILDING COMPLIANCE**  
PER BIRD SAFE BUILDING REQUIREMENTS, SECTION 23.304.150, ALL WINDOWS LOCATED BETWEEN THE GROUND AND 75 FEET ABOVE GRADE WILL COMPLY WITH OPTION 1, THREAT FACTOR RATING OF 30 OR LESS.

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2442 HASTE ST.

2442 HASTE STREET,  
BERKELEY, CA 94704

ENTITLEMENTS

△	DATE	ISSUE RECORD

PROJECT NO: HEE01  
ISSUE DATE: 4/15/25

EXTERIOR ELEVATIONS

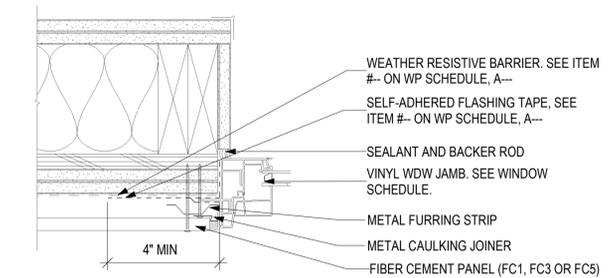
A200



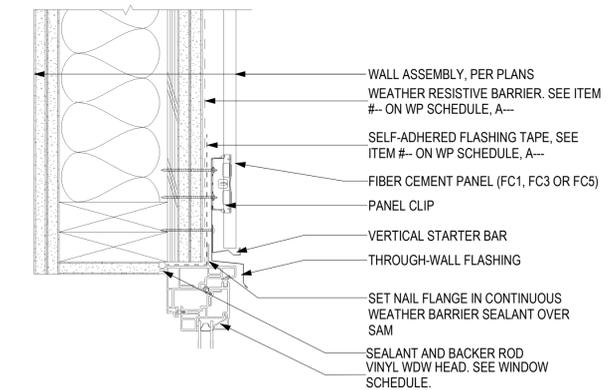




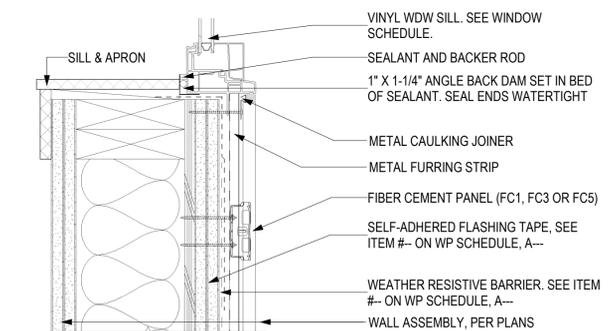
ENTITLEMENTS



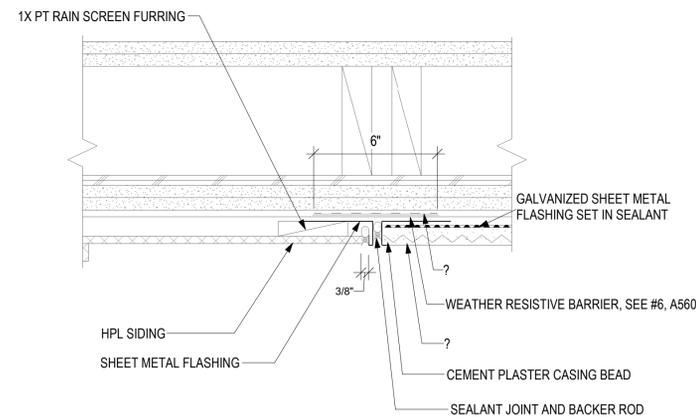
3 WDW JAMB @ HPL PANEL SIM  
A500 3" = 1'-0"



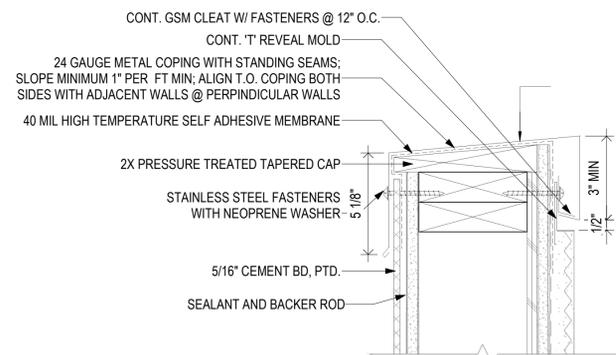
2 WDW HEAD @ HPL PANEL SIM  
A500 3" = 1'-0"



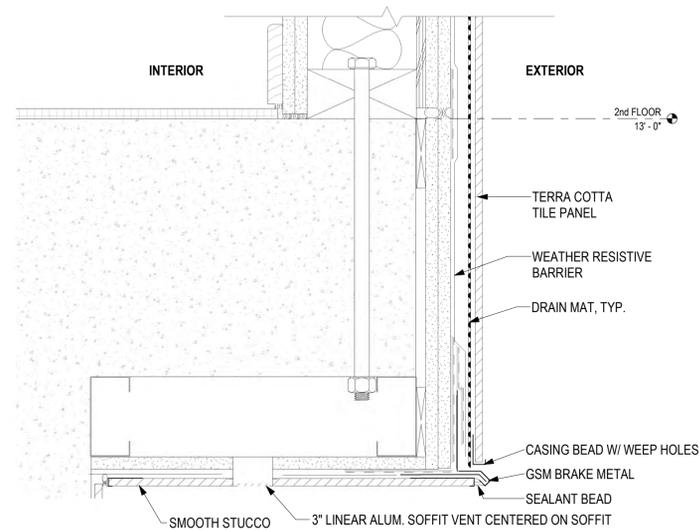
1 WDW SILL @ HPL PANEL SIM  
A500 3" = 1'-0"



5 HPL / CEMENT PLASTER VERTICAL JOINT  
A500 3" = 1'-0"



4 PARAPET COPING  
A500 3" = 1'-0"



6 CANTILEVERED CONCRETE @ TERRA COTTA TILE PANEL  
A500 3" = 1'-0"

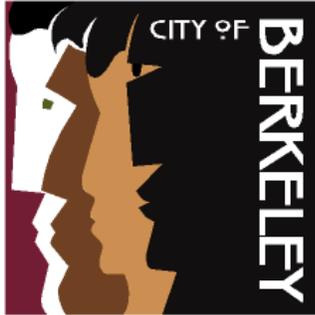
△	DATE	ISSUE RECORD

PROJECT NO: HEE01

ISSUE DATE: 4/15/25

TYPICAL DETAILS

A500



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

## 2442 Haste Street

**Use Permit #ZP2024-0070 to demolish an existing three-story residential building (including four rent-controlled units), and construct an eight-story (85 feet) 39,646-square-foot residential building with 38 units (including 1 Extremely Low-Income unit, 1 Very Low-Income unit and 2 Low Income Density Bonus qualifying/replacement units).**

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, July 24, 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: AC Avenue Commercial
- Zoning District: C-T Telegraph Avenue Commercial

**B. Zoning Permits Required:**

- Use Permit, pursuant to Berkeley Municipal Code (BMC) Section 23.326.030(A) to demolish a building constructed before June 1980 on a property containing two or more dwelling units.
- Use Permit, pursuant to BMC Section 23.204.020(B)(2) to construct a multi-family residential building in the Telegraph Avenue Commercial (C-T) District.
- Use Permit, pursuant to BMC Section 23.204.030(A)(1)(c) for the construction of a new main building with more than 1,500 square feet of new floor area.
- Administrative Use Permit pursuant to BMC Section 23.304.050(A) to exceed building height limits with rooftop architectural elements which exceed the maximum height limit for the district.

**C. Concessions and Waivers Requested Pursuant to State Density Bonus Law (California Government Code Section 65915):**

- Concession from BMC Section 23.316 to eliminate the Percentage for Public Art on Private Projects requirement.
- Waiver from BMC Section 23.304.030(C)(2) to reduce left (west) side setback from the minimum 5 feet requirement to 3 feet.
- Waiver from BMC Section 23.204.110(D)(1) to permit the reduce the minimum open space requirement of 1,527 square feet to 0 square feet.
- Waiver from BMC Section 23.322.090(A)(2) to reduce the required long-term residential bicycle parking spaces from 46 spaces to 0 spaces.
- Waiver from BMC Section 23.204.110(B)(3) to construct residential uses on the ground floor without a ground floor commercial use.
- Waiver from BMC Section 23.304.050(A) to exceed building height limits with rooftop architectural elements which exceed the maximum height limit for the district.

**D. CEQA Exemption Determination:** Pursuant to Government Code Section 65589.5, it is staff's determination that the project is categorically exempt under Section 15332 ("Infill Development Projects") of the CEQA Guidelines.

**D. Project Recommendation:** Approve Use Permit #ZP20234-0070, pursuant to BMC Section 23.406.040(D)

**E. Parties Involved:**

- Applicant: Jason Andre, Studio KDA, 1810 6th Street, Berkeley, CA 94710
- Property Owner: 2442 Haste Street, LLC, 3483 Ironwood Dr. San Ramon, CA 94582

**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 planners, Nilu Karimzadegan, at (510) 981-7430 or [NKarimzadegan@berkeleyca.gov](mailto:NKarimzadegan@berkeleyca.gov) and Joshua Muller at (510) 981-7488 or [jmuller@berkeleyca.gov](mailto:jmuller@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](mailto: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](mailto: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.
-



INVITATION MAILED TO ALL  
ADDRESSES WITHIN 300'



**2442 Haste St.  
Berkeley, CA 94704  
Proposed Project  
Neighborhood Meeting**

**April 11, 2024 Time 6:30-7:30 pm**

The proposed project at 2442 Haste Street would replace the existing 3-story building with a new 8 story all residential development. The proposed building will include 36 new units and a roof deck amenity space. The project seeks to utilize the state density bonus and will provide some below market rate units.

**There will be a brief presentation and then time for questions and general discussion.**

<b>When:</b>	04/11/2024 6:30 – 7:30 pm
<b>Zoom:</b>	<a href="https://us06web.zoom.us/j/85341656760?pwd=dmHGfj6vQOVaOSocqe1nqaHxhtwkae.1">https://us06web.zoom.us/j/85341656760?pwd=dmHGfj6vQOVaOSocqe1nqaHxhtwkae.1</a>
<b>Meeting ID:</b>	85341656760
<b>Passcode:</b>	318935
<b>Phone:</b>	+1 507-473-4847



SCAN TO CONNECT

For questions regarding the meeting, email: [erik@studiokda.com](mailto:erik@studiokda.com)

ONE NEIGHBOR ATTENDED  
THE ZOOM CALL

Neighborhood Meeting Notes – 04/11/2024

Attendees:

Studio KDA: Buddy Williams, Erik Waterman

Public:

Fred Shardon, current occupant at 2442 Haste

**Questions asked:**

“What is the construction timeline?”

**Once construction starts it will likely take between 18-24 months.**



**Rent Stabilization Board**

August 9, 2024

To: Waqar Shah, Associate Planner, Planning & Development Department

From: Matt Brown, General Counsel

By: Lief Bursell, Senior Planner

Subject: **2442 Haste Street**

On June 26, 2024, you wrote to Mr. Bursell informing him of a new application to demolish an existing four-unit residential building at 2442 Haste Street. The project would create a new 8-story residential building with thirty-six new dwelling units, three of which are identified as below-market rate (BMR) units. You requested that we provide information related to the property’s rental history and status under the Rent Stabilization and Eviction for Good Cause Ordinance (“Ordinance”) that are relevant to Berkeley Municipal Code (BMC) Chapter 23.326 (“Demolition Ordinance”).

**Property History**

Alameda County records show that 2442 Haste Street is owned by 2442 Haste Street LLC as of October 5, 2015. City of Berkeley records indicate that the building originally contained up to six units but was later converted into four (4) dwelling units. A 2012 Zoning Research Letter confirmed 2442 Haste Street contains four legal dwelling units.

Rent Stabilization Board records also indicate 2442 Haste Street contains four (4) dwelling units.

**Rental History and Rent Control Status**

Rent Stabilization Board records show that all four units are currently rented and registered with the Rent Board. Three of the four tenancies began in 2023, and there is one long-term tenancy that has been in place since 1997. All units at 2442 Haste Street are rent-controlled and fully subject to the Ordinance.

**Current Tenancies (as of August 9, 2024):**

Unit Address	Occupancy Status	Current Tenancy Start Date
2436 Haste St.	Rented	06/01/2023
2438 Haste St.	Rented	08/01/2023
2440 Haste St. #A	Rented	08/01/2023
2440 Haste St. #B	Rented	06/01/1997

### **Ellis Act**

The building at 2442 Haste Street has not been removed from the rental market under the Ellis Act at any time during the preceding five (5) years.

### **Harassment or Illegal Eviction**

The Rent Stabilization Board has no record of any verified cases of harassment or threatened or actual illegal evicting occurring for the rental units at 2442 Haste Street.

### **BMC 23.326 and SB 330**

Both Berkeley Municipal Code (BMC) Chapter 23.326 and Housing Crisis Act of 2019 Senate Bill (SB) 330 apply to this project. Both regulations require certain tenant protections, such as the right of first refusal and relocation assistance. However, SB 330 does not supersede local ordinances with greater restrictions on the demolition of residential dwelling units or local ordinances that require greater relocation assistance to displaced households (Cal. Gov. Code 66300.6(c)). For instance, tenant relocation protections in BMC 23.326 are greater than those provided by SB 330, but they only apply to sitting tenants at the time the application for demolition is submitted to the City. Tenants who move in after the application is submitted would qualify for the less protective relocation requirements in SB 330 if the owner informed them about the proposed demolition and that demolition constitutes good cause for eviction.

Under Berkeley's Demolition Ordinance, returning tenants have the right to rent the new replacement unit at the rent level that would have applied if they remained in their former unit. Landlords may petition the Board for a rent adjustment on the new unit pursuant to the rules associated with the addition of space/services.

### **Mitigating the Loss of Rent-Controlled Units**

The development application proposes to create three BMR units consisting of one 3-bedroom unit, one 4-bedroom unit and one studio unit that is intended as a replacement unit for an existing rent-controlled tenant. The applicant also refers to these unit as "rent-controlled" units in the applicant's statement for the project, this should be clarified since it appears the intention is to create permanently affordable units and rent control is a separate form of rent regulation.

On December 21, 2023, the Berkeley Rent Board passed Resolution 23-43, which authorizes the Rent Board's Executive Director or the Rent Board Chairperson to appeal decisions of the Zoning Adjustment Board that allow for the elimination of rent-controlled residential units without adequately mitigating their loss with at least an equal number of permanently affordable replacement units.

The Rent Board has worked closely with the City Council, through the 4x4 Joint Task Force Committee on Housing, to put forth a policy that requires one-for-one replacement of rent-controlled units with at least an equal number of below-market-rate replacement units. This policy is reflected in both the existing Demolition Ordinance replacement provisions and the newly amended Demolition Ordinance that was passed by Council on June 25, 2024.

2442 Haste Street contains four rent-controlled units, and their loss is best mitigated by the creation of at least four below-market-rate replacement units.

**Recommendation**

Rent Stabilization Board staff recommends the following:

1. That the applicant increases the number of below-market-rate replacement units to at least four to better mitigate the loss of more affordable rent-controlled housing units.
2. That the ZAB adopt the following Use Permit conditions to fulfill the requirements of Berkeley's Demolition Ordinance and state law:
  - a. **Prior Rental Rate.** Pursuant to Government Code Section 66300.6(b)(3), any existing residents will be allowed to occupy their units until six months before the start of construction activities with proper notice and, if asked to leave, shall be allowed to return at their prior rental rate if the demolition does not proceed and the property is returned to the rental market.
  - b. **Requirement for Relocation Expenses.** Pursuant to BMC 23.326.030(A)(5)(c),
    - (i) the applicant shall provide qualified tenants assistance with moving expenses equivalent to those in Chapter 13.84 (Relocation Services and Payments for Residential Tenant Households), and
    - (ii) shall subsidize the rent differential for a comparable replacement unit, in the same neighborhood if feasible, until new units are ready for occupancy. Funding for the rent differential shall be guaranteed in a manner approved by the City. The applicant shall submit proof of implementation that includes an overall building tenant relocation plan and relocation agreements all applicable tenant households prior to submittal for building permits.
  - c. **Siting Tenants Rights.** Pursuant to BMC 23.326.030(A)(5)(d),
    - (i) sitting tenants who are displaced as a result of demolition shall be provided the right of first refusal to move into the new building, and
    - (ii) tenants of units that are demolished shall have the right of first refusal to rent new below market rate units designated to replace the units that were demolished, at the rent that would have applied if they had remained in place, as long as their tenancy continues.
    - (iii) Income restrictions do not apply to displaced tenants.

Please feel free to contact Mr. Bursell with any further questions regarding this matter.

Sincerely,



Matt Brown  
General Counsel