



Zoning Adjustments Board Staff Report

APP # ZP2024-0060

August 14, 2025

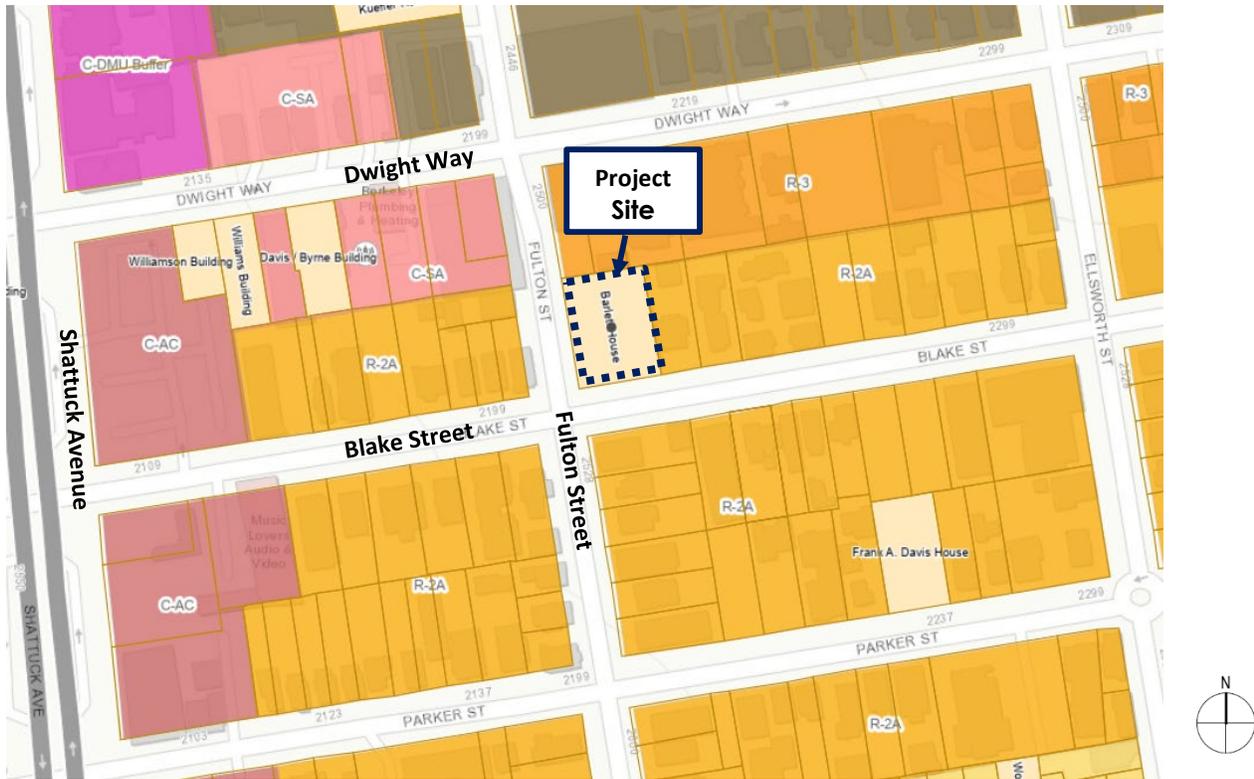
Use Permit for Project at 2201-2205 Blake Street



Quick Facts	Project Description:
<p>Applicant: Hannah Micallef, Studio KDA</p> <p>Project Address: 2201-2205 Blake Street</p> <p>Site Size: 13,500 sq. ft.</p>	<p>The applicant is seeking approval to subdivide an existing 13,500 square-foot lot with two Landmarked duplexes to two lots; add a three-story (31 feet), 3,600 square-foot duplex with a two-car garage and one off-street parking space in the upper lot; and convert the existing one-story (15 feet) 430 square-foot stable building to a single-family dwelling and relocate it to the lower lot.</p>
<p>GP Land Use: Medium Density Residential</p> <p>Zoning: Restricted Multiple-Family Residential (R-2A)</p> <p>CEQA: Section 15303</p> <p>Date Submitted: May 23, 2024</p> <p>Vesting Date: March 12, 2024</p> <p>Date Deemed Complete: November 22, 2024</p> <p>Project Planner: Allison Riemer</p>	<p style="text-align: center;">Zoning Permits Requested:</p> <p>A Use Permit Public Hearing is required for the following permits:</p> <ol style="list-style-type: none"> New Construction. BMC Section 23.202.020 (A) “Allowed Land Uses” to construct a two-family dwelling (Parcel A). New Construction. BMC Section 23.202.020(A) “Allowed Land Uses” to add a single-family dwelling (Parcel B). Height. BMC Section 23.202.090(D) “Development Standards” to permit a dwelling with an average height above 28 feet and up to 35 feet in the R-2A. Setbacks. BMC Section 23.304.030(B)(2) “Setback Reductions” to permit a reduced rear setback on a lot with two or more main buildings with dwelling units. Building Separation. BMC Section 23.304.040(A) “Separation Reductions” to permit a reduced building separation on a lot with two or more main buildings with dwelling units. Parking. BMC Section 23.322.070(D)(1) “Off-Street Parking Maximum” to exceed the off-street parking maximum in a residential district. * <p>*Denotes required findings.</p>
	<p style="text-align: center;">Staff Recommendation:</p> <p>Staff recommends that ZAB determine the project is exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines (“New Construction”) and approve ZP2024-0060 pursuant to Section 23.406.040(E) “Findings for Approval” and subject to the attached Findings and Conditions of Approval.</p>

ZONING MAP

Figure 1: Vicinity and Zoning Districts Map



Comparison of Adjacent Properties			
Vicinity	Current Use	Zoning	GP
North	Multi-family	R-3	Medium Density Residential
South		R-2A	
East			
West			

AERIAL VIEW



EXISTING STREET ELEVATION (FULTON STREET)



BACKGROUND

Subject Site

The subject site is located on the northeast corner of Fulton Street and Blake Street, between Dwight Way and Parker Street, in the R-2A District. This is a residential neighborhood, and commercial uses are

located 0.2 miles to the west near and on Shattuck Avenue. The 13,500-square-foot lot is rectangular-shaped, with the longer frontage along Fulton Street, and the shorter frontage on Blake Street. The project site is relatively flat and is developed with two, two-story City of Berkeley Landmark duplexes, known as the Bartlett Houses. At the rear of the lot is the former 432 square-foot stable (Building B in the plans). There is a curb cut off of Fulton Street which leads to an unpaved parking area including four existing off-street parking spaces.

Site History

2201 Blake Street was built as a single-family home in 1877, and 2205 Blake Street was built as a duplex in 1892. A stable is located behind 2205 Blake at the northeast corner of the property and was likely constructed in 1895. A second unit was added to the second floor of 2201 Blake Street, 2517 Fulton Street, around the 1960s. On December 5, 2005, the Landmarks Preservation Commission (LPC) designated the Bartlett Houses (2201 and 2205 Blake Street) as a City of Berkeley Landmark. A Structural Alteration Permit was submitted at the same time as this Use Permit application because the proposed project involves exterior changes at a Landmark site. No exterior changes are proposed to the historic residential buildings.

ANALYSIS

Project Scope

The proposed project would:

1. Remove the four existing parking spaces.
2. Add a new three-story duplex at the rear of the lot (Building A), with a two-car garage.
3. Relocate the stable (Building B) behind 2201 Blake Street (Building D) and convert it to a dwelling.
4. Add an uncovered parking space in front of Building A.
5. Subdivide the lot. Parcel A would contain the duplex at 2205-2207 Blake Street, the new duplex, and three parking spaces. Parcel B would contain the duplex at 2201 Blake Street and the new dwelling in the former stable building (Building B).

Findings

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

Environmental Review

The project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303 ("New Construction") because three dwellings are proposed, and up to six dwellings are allowed under this exemption in urbanized areas.

ADVISORY BODY REVIEW

Landmarks Preservation Commission Review:

The project site contains the Landmark Bartlett Houses, and a Structural Alteration Permit was approved for the project at the February 6, 2025 Landmark Preservation Commission meeting.

Design Review Committee Review

Design Review does not apply to the project because it is in a residential district.

COMMUNITY NOTIFICATION

Prior to submitting this application, the applicant installed a pre-application poster on site in May 2024. On July 31, 2025, the City mailed public hearing notices to property owners and occupants within 300 feet of the project site, and to interested neighborhood organizations. The City also posted notices within the neighborhood at three nearby locations. At the time of writing this report, staff had not received any communication regarding the project.

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 safety¹ 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 disapproval, or approval at a lower density.

The project is a “housing development project” consisting of three new dwelling units. Therefore, the City may not deny the project or reduce the density without basing its decision on the written findings under Section 65589.5(j), above.

The ZAB has the discretion to approve, deny, or modify the Use Permits or Administrative Use Permits 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

¹ 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.”

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 August 14, 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 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 site is a historic resource because it has been a City of Berkeley Landmark since 2005.

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.

Evidence: The project would be compliant with the General Plan's Infill Development policy because it would add three dwellings in a residential neighborhood, which are compatible with neighboring land uses.

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.

Evidence: The project would add three new dwellings which would be consistent with the zoning standards and historic character of the area because single-family and multi-family dwellings are allowed and consistent with existing development.

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.

Evidence: The design and scale of the new dwellings would respect the built environment in the area because the dilapidated stable would be adaptively reused as a dwelling, and the new duplex would be similar to but differentiated from the existing duplexes, and the design of both has been approved by LPC.

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

Evidence: The project would comply with the General Plan's Regional Housing Needs policy because it would add three dwelling units.

Attachments

1. Tables 1-4: Project Chronology, Special Characteristics, Development Standards
2. Draft Findings
3. Conditions of Approval
4. Project Plans, March 12, 2025
5. Notice of Public Hearing

Attachment 1

Tables 1-4: Project Chronology, Special Characteristics, Development Standards

Table 1: Project Chronology

Date	Action
March 12, 2024 (vesting date)	SB 330 complete Preliminary Housing Development Project Application submitted
May 23, 2024	SB 330 Use Permit Application submitted
June 21, 2024	Application deemed incomplete
July 23, 2024	Application resubmitted
August 23, 2024	Application deemed incomplete
September 11, 2024	Application resubmitted
October 10, 2024	Application deemed incomplete
October 25, 2024	Application resubmitted
November 22, 2024	Application deemed complete
December 12, 2024	Application processing ^a
March 12, 2025	Application resubmitted
April 9, 2025	Application processing
July 31, 2025	Public hearing notices mailed/posted
August 14, 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	These fees apply to net newly constructed nonresidential gross floor area over 7,500 square feet. The project would not create nonresidential floor area; therefore, the fee does not apply.
Affordable Housing Fee for qualifying non-residential projects (Per Resolution 66,617-N.S.)		
Affordable / Inclusionary Housing Requirements (BMC Chapter 23.328)	No	The project is a housing development project, as defined in BMC 23.328.020 ^a , and would provide 5,000 square feet or less of residential unit floor area and is not part of a larger housing development project, and is exempt from the inclusionary housing provisions.
Bird Safe Buildings (BMC Section 23.304.150)	No	The project is exempt from these provisions because the project gross floor area is less than 10,000 square feet.
Coast Live Oak Trees (BMC Chapter 6.52)	No	There are no Coast Live Oak (<i>Quercus agrifolia</i>) trees on the project site.

Creeks	No	No creek or culvert, as defined by BMC Chapter 17.08, exists on or within 30 feet of the project site.
Density Bonus	No	The project would not utilize a density bonus.
Hard Hats (BMC Chapter 13.107)	No	These provisions do not apply to this project because the project does not involve the construction, alteration, or demolition of 50,000 square feet of floor area.
Historic Resources	Yes	The project site contains the Landmark Bartlett Houses, and a Structural Alteration Permit was approved for the project at the February 6, 2025 Landmark Preservation Commission meeting.
Housing Accountability Act (HAA) (Gov't Code Section 65589.5(j))	Yes	The project meets the definition of a "Housing Development Project" per Government Code Section 65589.5(h)(2)b. The project complies with applicable, objective general plan and zoning standards, and thus section (j) of the Housing Accountability Act does apply, and the project cannot be denied at the density proposed unless the findings for denial can be made.
Housing Crisis Act of 2019 (SB 330)	Yes	The project meets the definition of a "Housing Development Project" per Government Code Section 65589.5(h)(2) ^b .
Rent Controlled Units	Yes	The existing duplex units are rent controlled, and would not be affected by the proposed project.
Residential Preferred Parking (RPP)	Yes	The site is located in an RPP zone. The project is not eligible for RPP permits per BMC Section 14.72.080(C)(1) as no permits shall be issued to residents in newly constructed residential units.
Seismic Hazards (SHMA)	No	The project site is not located within an area susceptible to landslide/liquefaction/fault rupture as shown on the State Seismic Hazard Zones map. ^c
Soil/Groundwater Contamination	No	The project site is not within the City's Environmental Management Area and is not on the Cortese List. ^d Standard Conditions of Approval related to hazardous materials would apply.
Transit	Yes	The project area is served by the AC Transit lines 6, 7, 18, F, 36, 51B, and is 0.6 miles from the Downtown Berkeley Bay Area Rapid Transit (BART) station
<p>Notes:</p> <p>a. BMC 23.328.020(E) defines a "Housing Development Project" for purposes of inclusionary housing requirements as "a development project, including a Mixed-Use Residential project involving the new construction of at least one Residential Unit. Projects with one or more buildings or projects including multiple contiguous parcels under common ownership or control shall be considered as a sole Housing Development Project and not as individual projects.</p> <p>b. Government Code Section 65589.5(h)(2) "Housing development project" means a use consisting of any of the following: (A) residential units only, (B) mixed-use developments consisting of residential and nonresidential uses in which at least two-thirds of the square footage is designated for residential use, and (C) transitional or supportive housing.</p> <p>c. California Department of Conservation. DOC Maps: Geologic Hazards. Available: https://maps.conservation.ca.gov/geologic Hazards/</p> <p>d. The Cortese List is an annually updated list of hazardous materials sites compiled pursuant Government Code Section 65962.5.</p>		

Table 3: Parcel A (Upper Lot/Corner Lot) – R-2A Development Standards BMC Sections 23.202.090 and 23.322 Parking and Loading

Standard		Existing (Combined Lot)	Proposed Total (Parcel A)	Permitted/ Required
Lot Area (sq. ft.)		13,500	7,425	5,000
Gross Floor Area (sq. ft.)		5,391	6,155	N/A
Dwelling Units	Total	4	4	4 permitted (one dwelling per 1,650 sq. ft. of lot area, one additional dwelling unit for remaining lot area between 1,300 and 1,650 sq. ft.)
	Bedrooms	11	13	N/A to new dwellings
Building Height (ft. - in.)	Average	30 ft. (Bldg C)	31 ft. – 5 in. (Bldg A)	35 max with AUP
Building Setbacks (ft. - in.)	Front (south) (Blake Street)	21 ft. – 5 in. (Bldg C)	96 ft. - 5 in. (Bldg A)	15 ft. min
	West Street Side	20 ft. – 3 in. (Bldg D)	49 ft. – 7 in. (Bldg A)	6-10 ft. (street side)
	East Interior Side	1 ft. – 6 in. (Bldg C)	4 ft. (Bldg A)	4 ft. (interior)
	Rear (north)	2 ft. – 9 in. (Bldg B)	3 ft. (Bldg A)	15 ft. min (may be reduced with an AUP)
Lot Coverage (%)		24	38	40 max (corner lot w/ 3-story dwelling)
Usable Open Space (sq. ft.)		6,500	1,292	1,200 (300 sq. ft. per dwelling)
Automobile Parking		4 (off-street parking spaces)	3 (2 garage, 1 uncovered)	0 required; 2 max (0.5 per dwelling unit per BMC Section 23.322.070)

Table 4: Parcel B (Lower Lot/Interior Lot) – R-2A Development Standards BMC Sections 23.202.090 and 23.322 Parking and Loading

Standard		Existing (Combined Lot)	Proposed Total (Parcel B)	Permitted/ Required
Lot Area (sq. ft.)		13,500	7,425	5,000
Gross Floor Area (sq. ft.)		5,391	3,327	N/A
Dwelling Units	Total	4	3	4 permitted (one dwelling per 1,650 sq. ft. of lot area, one additional dwelling unit for remaining lot area between 1,300 and 1,650 sq. ft.)
	Bedrooms	11	6	N/A to new dwellings
Building Height (ft. - in.)	Average	30 ft. (Bldg D)	14 ft. – 8 in. (Bldg B)	35 max with AUP
Building Setbacks (ft. - in.)	Front (south) (Blake Street)	11 ft. – 6 in. (Bldg D)	104 ft. - 6 in. (Bldg B)	15 ft. min
	West Interior Side	20 ft. – 3 in. (Bldg D)	4 ft. (Bldg B)	4 ft.
	East Interior Side	1 ft. – 6 in. (Bldg C)	5 ft. - 1 in. (Bldg B)	4 ft.
	Rear (north)	2 ft. – 9 in. (Bldg B)	0 ft. (Bldg B)	15 ft. min (may be reduced with an AUP)
Lot Coverage (%)		24	33	40 max (interior lot w/ 2-story dwelling)
Usable Open Space (sq. ft.)		6,500	2,666	900 (300 sq. ft. per dwelling)
Automobile Parking		4 (off-street parking spaces)	0	0 required; 2 max (0.5 per dwelling unit per BMC Section 23.322.070)



Zoning Adjustments Board Findings

APP # ZP2024-0060

August 14, 2025

Use Permit for a Project at 2201-2205 Blake Street

Quick Facts	Project Description:
<p>Applicant: Hannah Micallef, Studio KDA</p> <p>Property Owner: Nathan George</p> <p>Project Address: 2201-2205 Blake Street</p> <p>Site Size: 13,500 square feet</p>	<p>The applicant is seeking approval to subdivide an existing 13,500 square-foot lot with two Landmarked duplexes to two lots; add a three-story (31 feet), 3,600 square-foot duplex with a two-car garage and one off-street parking space in the upper lot; and convert the existing one-story (15 feet) 430 square-foot stable building to a single-family dwelling and relocate it to the lower lot.</p>
<p>GP Land Use: Medium Density Residential</p> <p>Zoning: Restricted Multiple-Family Residential (R-2A)</p> <p>CEQA: Section 15303</p> <p>Date Submitted: May 23, 2024</p> <p>Date Deemed Complete: November 22, 2024</p> <p>Project Planner: Allison Riemer</p>	<p style="text-align: center;">Permits Requested:</p> <ol style="list-style-type: none"> 1. New Construction. BMC Section 23.202.020 (A) “Allowed Land Uses” to construct a two-family dwelling (Parcel A). 2. New Construction. BMC Section 23.202.020(A) “Allowed Land Uses” to add a single-family dwelling (Parcel B). 3. Height. BMC Section 23.202.090(D) “Development Standards” to permit a dwelling with an average height above 28 feet and up to 35 feet in the R-2A. 4. Setbacks. BMC Section 23.304.030(B)(2) “Setback Reductions” to permit a reduced rear setback on a lot with two or more main buildings with dwelling units. 5. Building Separation. BMC Section 23.304.040(A) “Separation Reductions” to permit a reduced building separation on a lot with two or more main buildings with dwelling units. 6. Parking. BMC Section 23.322.070(D)(1) “Off-Street Parking Maximum” to exceed the off-street parking maximum in a residential district. * <p>*Denotes required findings.</p>
	<p style="text-align: center;">CEQA:</p> <p>The project is exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines (“New Construction”).</p>

I. CEQA

The project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15303 (“New Construction or Conversion of Small Structures”).

Evidence: Three dwellings are proposed, and up to six dwellings are allowed in urbanized areas, per CEQA Guidelines Section 15303.(b).

II. FINDINGS FOR APPROVAL

1. As required by BMC Section 23.406.040(E)(1) “Findings for Approval,” to approve a Use Permit, the ZAB finds 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 three new dwellings units will comply with the required R-2A zoning standards, including usable open space and lot coverage. 1,292 square-feet of Usable Open Space is provided on Parcel A where 1,200 square-feet is required, and 2,666 square-feet of Usable Open Space is provided on Parcel B where 900. square-feet is required. The proposed parcels will comply with the lot coverage limit of 40 percent. The proposed height of the duplex is 31 feet 5 inches, and a height of up to 35 is permissible with approval of an AUP. No additional findings are required.

(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: Sunlight, air, views, and privacy findings can be made for adding three dwellings in the R-2A District, where three dwellings are allowed:

Sunlight: The average height of the proposed three-story duplex is about 31 feet. The applicant submitted shadow studies documenting sun angles at three times throughout the day during the summer and winter solstice. New shadows will affect dwellings at the following locations:

- 2511 Fulton Street, north of the project site, casting new shadows on the winter solstice two hours after sunrise at a window on the first floor, and three on the second floor on the west elevation.
- 2211 Blake Street, east of the project site, casting new shadows on the summer solstice two hours before sunset at two windows at the second floor on the west elevation.

Based on the shadow analysis provided by the applicant, shadow impacts to neighboring residences will be limited to certain times of year, and during certain hours of the day, and shadow impacts will not be detrimental. Therefore, though the project will create new shadow impacts on neighboring residences, the projected impacts will be in line with what is expected within a built urban environment.

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Air: An AUP is requested for reduced rear setbacks for the duplex (Building A) and single-family dwelling (Building B). Reduced rear setbacks are allowed in the R-2A District on lots with two or more main buildings with dwelling units, and there is no minimum setback required, and no additional findings are required. The reduced rear setback will be 3 feet for Building A, and 0 feet for Building B. Building A will be next to the rear yards of the dwellings to the north, and Building B will be next to the driveway for parcel A.

An AUP is requested for a reduced building separation between Building A and 2205 Blake Street (Building C). The required building separation is 16 feet, and the applicant has requested a 14-foot separation. A reduced building separation is allowed in the R-2A District on lots with two or more main buildings with dwelling units with approval of an AUP, and there is no minimum separation required, and no additional findings are required.

Because the project will meet the required setbacks and building separation (with approval of AUPs for reduced rear setbacks and a reduced building separation), the project will be consistent with the existing development and building-to-building separation pattern, or air, in this R-2A District neighborhood.

Views: Because the project site is located on a relatively flat lot, in a neighborhood with one to four-story buildings and includes some mature vegetation that obscures views from off-street angles, it will not obstruct any significant view corridors as defined in BMC Section 23.502.020(V)(12)¹;

Privacy: There will be no windows on the north elevation of Building B, which will face the rear of the residential building at 2511 Fulton Street. Windows on the north elevation of Building A will face the rear of the new duplex at 2204 Dwight Way (which is under the same ownership as the subject project), and the multifamily building at 2206 Dwight Way. Building A will be 9 feet from the duplex at 2204 Dwight Way, and 21 feet from the multifamily building at 2206 Dwight Way. There may be privacy impacts because of the proximity of residential uses, but such impacts are typical in an urban environment and will not be detrimental.

2. As required by BMC Section 23.406.040(E)(2) "Findings for Approval," 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.

Off Street Parking Maximum

¹ View Corridor - A significant view of the Berkeley Hills, San Francisco Bay, Mt. Tamalpais, or a significant landmark such as the Campanile, Golden Gate Bridge, and Alcatraz Island or any other significant vista that substantially enhances the value and enjoyment of real property.

The project is a new residential project with two or more units on a parcel within 0.25 miles of a major transit stop (as defined by Section [21064.3](#) of the California Public Resources Code), and is therefore subject to an off-street parking maximum of 0.5 spaces per unit. Three parking spaces and two new dwellings are proposed on Parcel A.

As required by BMC Section 23.322.070(D)(2) "Off-Street Parking Maximums for Residential Development," ZAB must make one or both of the following findings:

- (a) Trips to the use or uses to be served, and the apparent demand for additional parking, cannot be satisfied by the amount of parking permitted by this section, by transit service which exists or is likely to be provided in the foreseeable future, or by more efficient use of existing on-street and off-street parking available in the area; or
- (b) The anticipated residents of the proposed project have special needs or require reasonable accommodation that relate to disability, health or safety that require the provision of additional off-street residential parking.

Evidence: The units in the duplex (Building A) will be sold as condominiums. To accommodate inter-generational families that may require closer proximity to parking, at least one off-street parking space is required for each unit. Building A is over 49 feet from Fulton Street and reliance on available street parking within a reasonable distance is challenging, particularly for a wide range of ages that could be part of the household, including families with young children and older individuals. Each unit in the duplex will contain three bedrooms and could be occupied by people who cannot rely on transit or biking for all trips. The third parking space may be used by a future resident of Building B or Building A. Per the Berkeley Green Code, a listed raceway, wiring, and load capacity for future electric vehicle charging will be required for each off-street parking space.

Housing Accountability Act

As required by the Housing Accountability Act, Government Code Section 65589.5(j), 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 three dwelling units. Because the 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.

3. As required by BMC Section 23.406.040(E)(3) "Findings for Approval," the ZAB considers the following (a and b) in making findings:

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(a) The proposed land use;

Evidence: The proposed land use meets the findings for approval because the proposed multi-family residential use is consistent with the R2-A District purposes. The project exceeds the required Useable Open Space which aligns with the R-2A District purpose to “encourage the development of medium-density residential areas characterized by small multiple-family and garden-type apartment structures with a maximum of open space.”

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

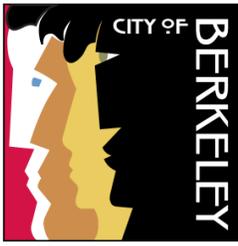
Evidence: The project will add a duplex and a detached single-family home that satisfy the R-2A District development standards. The new duplex will be less than 32 feet in average height, and the new single-family home will be less than 15 feet in average height, and both buildings will not exceed the 35-foot height limit. The project will also not exceed the allowable lot coverage.

4. As required by BMC Section 23.406.040(E)(4) “Findings for Approval,” required findings shall be made based on the circumstances existing at the time a decision is made on the application.

Evidence: This finding is met because the application has been reviewed based on the current zoning standards, general plan policies, environmental conditions, and site context as of the date of the decision.

5. As required by BMC Section 23.406.040(E)(5) “Findings for Approval,” the ZAB shall deny a Use Permit application if it determines that it is unable to make any of the required findings.

Evidence: This finding does not apply because the ZAB has determined that all required findings for approval can be made based on the submitted application material, documents, and staff analysis.



PLANNING AND
DEVELOPMENT

USE PERMIT ZP2024-0060

CONDITIONS OF APPROVAL

August 14, 2025

The Bartlett Houses 2201-2205 Blake Street

Use Permit #ZP2024-0060 to subdivide an existing 13,500 square-foot lot with two Landmarked duplexes to two lots; add a three-story (31 feet), 3,600 square-foot duplex with a two-car garage and one off-street parking space in the upper lot; and convert the existing one-story (15 feet) 430 square-foot stable building to a single-family dwelling and relocate it to the lower lot.

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 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. HARD HATS (BMC Section 13.107). Pursuant to BMC Chapter 13.107 "Establishing Healthcare and Apprenticeship Standards for Private Development" projects within City limits consisting of construction of either a new building, addition to an existing building, alteration of existing floor area, or demolition of 50,000 square feet or more of floor area shall be subject to the requirements of this Chapter. The combination of alterations, additions and/or demolition that impacts 50,000 square feet or more of floor area shall be subject to the requirements of this Chapter. This includes compliance with the requirements contained in BMC Sections 13.107.040 - 13.107.090.

A. Prior to Building Permit issuance and during project construction, the applicant shall comply with the following sections and submit the required document(s):

- i. BMC Section 13.107.040(a)-(d), Apprenticeship Requirements
- ii. BMC Section 13.107.050(a)-(e), Health Care Expenditures

iii. Submit: Contractor Prequalification Questionnaire

B. At the time Building Permit Issuance, the applicant shall comply with the following section and submit the required document(s):

- i. BMC Section 13.107.060, Required Applicant and Contractor Statements
- ii. Submit: Applicant Declaration
- iii. Submit: Statement of Compliance seven days before contractor starts work

C. Within 30 Days of completing each contractor's respective work

- i. BMC Section 13.107.060, Required Applicant and Contractor Statements
- ii. Submit: Contractor Satisfaction Statement

D. Prior to Issuance of Certificate of Occupancy, or prior to approved final inspection for alterations, additions, or demolition projects that do not change the occupancy class of the structure or space:

- i. BMC Section 13.107.060, Required Applicant and Contractor Statements
- ii. Submit: Applicant Certification of Compliance

E. During Project Construction, the applicant shall comply with the following sections:

- i. BMC Section 13.107.070(a)-(b), Notice and Posting
- ii. BMC Section 13.107.080, Retaliation Prohibited

F. On-Going and at least three years after receiving approved Final Inspection, the applicant shall comply with the following section:

- i. BMC Section 13.107.090, Retention of Records

10. 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:

11. 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 #

12. Landmarks Preservation Commission – Structural Alteration Permit. Prior to submittal of the building permit, the applicant shall demonstrate compliance with the Structural Alteration Permit (LMSAP2024-0004) for this project.

13. 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.

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

14. 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.

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

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

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

- C. Environmental Site Clearance.** The applicant shall provide environmental screening clearance from either the San Francisco Bay Regional Water Quality Control Board (RWQCB), Department of Toxic Substances Control (DTSC), or the Alameda County Department of Environmental Health's Local Oversight Program (LOP). Clearance from one of these regulatory agencies will ensure that the property meets development investigation and cleanup standards for the specific use proposed on the property. Environmental screening clearance shall be submitted to the City of Berkeley's Toxics Management Division prior to issuance of any building permits.
- D. Soil and Groundwater Management Plan.** A site-specific Soil and Groundwater Management Plan (SGMP) shall be submitted to Toxics Management Division (TMD) for all non-residential projects, and residential or mixed-use projects with more than four dwelling units, that: (1) are in the Environmental Management Area (EMA), as shown on the most recent City of Berkeley EMA map, and (2) propose any excavations deeper than 5 feet below grade or if significant soils removal is anticipated. The SGMP shall be submitted to the TMD with the project's building permit application and shall be approved by TMD prior to issuance of the building permit.

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

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

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

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

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

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

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

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

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

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

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

Prior to Issuance of Any Building (Construction) Permit

- 16. Parcel Merger/Lot Line Adjustment.** The applicant shall secure approval of any parcel merger and/or lot line adjustment associated with this Use Permit.
- 17. 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.
- 18. 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.
- 19. 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.)
- 20. Electric Vehicle (EV) Charging.** Each dwelling unit shall install a listed raceway, wiring, and load capacity to allow for future Level 2 (40 amp) plug-in electric vehicle (EV) charging system installation, or any more stringent EV charging requirements as specified by the Berkeley Green Code (BMC Chapter 19.37). Readiness for EV charging and EV charging station installations shall be noted on the construction plans. (Project required to meet applicable code at time of building permit application, if different from above.)
- 21. 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.
- 22. Public Works ADA.** Plans submitted for building permit shall include replacement of sidewalk, curb, gutter, and other streetscape improvements, as necessary to comply with current City of Berkeley standards for accessibility.

Prior to Demolition or Start of Construction:

23. 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:

24. Construction Hours. Construction activity shall be limited to between the hours of 8:00 AM and 6:00 PM on Monday through Friday, and between 9:00 AM and Noon on Saturday. No construction-related activity shall occur on Sunday or any Federal Holiday.

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

- A.** All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- B.** All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- C.** All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- D.** All vehicle speeds on unpaved roads shall be limited to 15 mph.
- E.** All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- F.** Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- G.** All construction equipment shall be maintained and properly tuned in accordance with manufacturer specifications. All equipment shall be checked by a certified visible emissions evaluator.
- H.** Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

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

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

27. 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.

28. 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.)

29. 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.

30. 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.

- 31. 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.
- 32. 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.
- 33. 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.
- 34. Stormwater Requirements.** The applicant shall demonstrate compliance with the requirements of the City's National Pollution Discharge Elimination System (NPDES) permit as described in BMC Section 17.20. The following conditions apply:
- A.** The project plans shall identify and show site-specific Best Management Practices (BMPs) appropriate to activities conducted on-site to limit to the maximum extent practicable the discharge of pollutants to the City's storm drainage system, regardless of season or weather conditions.

- B.** Trash enclosures and/or recycling area(s) shall be covered; no other area shall drain onto this area. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. Applicant shall contact the City of Berkeley and EBMUD for specific connection and discharge requirements. Discharges to the sanitary sewer are subject to the review, approval and conditions of the City of Berkeley and EBMUD.
- C.** Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration and minimize the use of fertilizers and pesticides that contribute to stormwater pollution. Where feasible, landscaping should be designed and operated to treat runoff. When and where possible, xeriscape and drought tolerant plants shall be incorporated into new development plans.
- D.** Design, location and maintenance requirements and schedules for any stormwater quality treatment structural controls shall be submitted to the Department of Public Works for review with respect to reasonable adequacy of the controls. The review does not relieve the property owner of the responsibility for complying with BMC Chapter 17.20 and future revisions to the City's overall stormwater quality ordinances. This review shall be conducted prior to the issuance of a Building Permit.
- E.** All paved outdoor storage areas must be designed to reduce/limit the potential for runoff to contact pollutants.
- F.** All on-site storm drain inlets/catch basins must be cleaned at least once a year immediately prior to the rainy season. The property owner shall be responsible for all costs associated with proper operation and maintenance of all storm drainage facilities (pipelines, inlets, catch basins, outlets, etc.) associated with the project, unless the City accepts such facilities by Council action. Additional cleaning may be required by City of Berkeley Public Works Engineering Dept.
- G.** All on-site storm drain inlets must be labeled "No Dumping – Drains to Bay" or equivalent using methods approved by the City.
- H.** Most washing and/or steam cleaning must be done at an appropriately equipped facility that drains to the sanitary sewer. Any outdoor washing or pressure washing must be managed in such a way that there is no discharge or soaps or other pollutants to the storm drain. Sanitary connections are subject to the review, approval and conditions of the sanitary district with jurisdiction for receiving the discharge.
- I.** All loading areas must be designated to minimize "run-on" or runoff from the area. Accumulated waste water that may contribute to the pollution of stormwater must be drained to the sanitary sewer or intercepted and pretreated prior to discharge to the storm drain system. The property owner shall ensure that BMPs are implemented to prevent potential stormwater pollution. These BMPs shall include, but are not limited to, a regular program of sweeping, litter control and spill cleanup.

- J.** Sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry to the storm drain system. If any cleaning agent or degreaser is used, wash water shall not discharge to the storm drains; wash waters should be collected and discharged to the sanitary sewer. Discharges to the sanitary sewer are subject to the review, approval and conditions of the sanitary district with jurisdiction for receiving the discharge.
- K.** The applicant is responsible for ensuring that all contractors and sub-contractors are aware of and implement all stormwater quality control measures. Failure to comply with the approved construction BMPs shall result in the issuance of correction notices, citations, or a project stop work order.
- 35. 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.
- 36. 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.
- 37. 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.
- 38. 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.
- 39. 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.
- 40. 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.
- 41. 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:

- 42. Compliance with Conditions.** The project shall conform to the plans and statements in the Use Permit. The developer is responsible for providing sufficient evidence to demonstrate compliance with the requirements throughout the implementation of this Use Permit.
- 43.** All landscape, site and architectural improvements shall be completed per the attached approved drawings dated March 12, 2025.

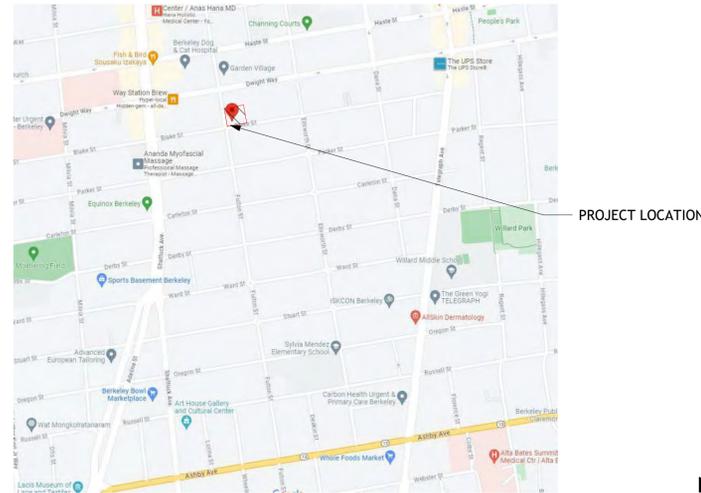
At All Times:

- 44. Compliance with Approved Plan.** The project shall conform to the plans and statements in the Use Permit.
- 45. 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.
- 46. 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.
- 47. 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.
- 48. Electrical Meter.** Only one electrical meter fixture may be installed per dwelling unit.
- 49. 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.
- 50. 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.
- 51. Residential Electric Vehicle (EV) Charging.** Required Level 2 charging stations and low power Level 2 EV charging receptacles, as specified by the Berkeley Green Code (BMC Chapter 19.37) shall be maintained in good working condition and made available for building resident use. (Project required to meet applicable code at time of building permit application, if different from above.)

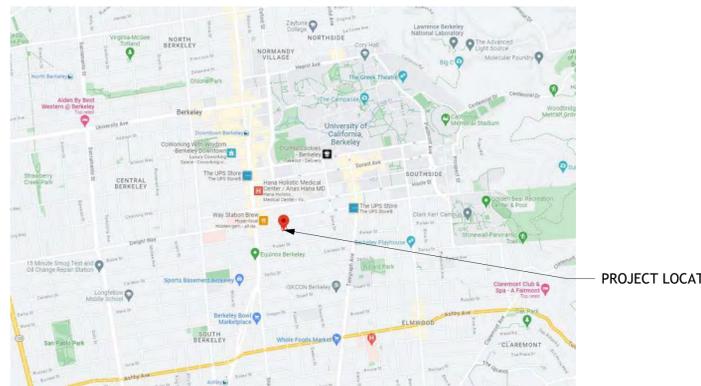
BLAKE DUPLEX

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NDG01 - 2201-2207 BLAKE ST. NEW RESIDENTIAL USE PERMIT APPLICATION - 3/12/25

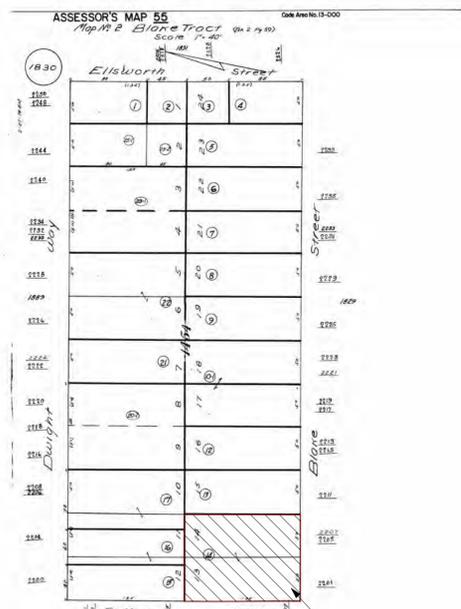


6 LOCATION MAP



4 VICINITY MAP

For Assessment Use Only



5 ASSESSOR'S MAP

ZONING CODE INFORMATION				
SITE INFORMATION				
ADDRESS	2201 - 2205 BLAKE STREET, BERKELEY, CA, 94704			
APN	55-1830-14			
ZONING DISTRICT	R-2A			
ADJACENT ZONING	NORTH	EAST	SOUTH	WEST
	R-3	R-2A	R-2A	R-2A
SPECIAL ZONING OVERLAYS	NONE			
SEISMIC SAFETY				
ALQUIST PRIORO	NO		LIQUEFACTION ZONE	
LANDSLIDE ZONE	NO		UNREINFORCED MASONRY	
HISTORIC INFO				
LANDMARK / STRUCTURE OF MERIT	YES			
ENVIRONMENTAL SAFETY				
CREEK BUFFER	NONE		FIRE ZONE	
ENVIRONMENTAL MGMT	NO		FLOOD ZONE	
			NO	
BUILDING DATA PER PLANNING CODE				
	EXISTING	PERMITTED / REQUIRED	PROPOSED PROJECT	NOTES / CODE REFERENCE
PROPOSED PARCEL 'A' (NEW CORNER LOT)				
LOT INFO				
LOT AREA	13,500	-	7,425	
LOT COVERAGE	24% (COMBINED LOT)	40%	38%	TABLE 23.202.090
BUILDING FOOTPRINT INFO				
BUILDING A	-	-	1587	
BUILDING C	1265	-	1265	NO CHANGE
AREAS				
BUILDING A GROSS FLOOR AREA	-	-	3,659	
BUILDING C GROSS FLOOR AREA	2496	-	2,496	NO CHANGE
USABLE OPEN SPACE	6500	1,200 (300 / UNIT)	1,292	
SETBACKS				
FRONT YARD SETBACKS	11'-6" (BLDG. D), 21'-5" (BLDG. C)	15'	96'-5" (BLDG. A)	
SIDE YARD SETBACK (EAST)	1'-6" (BLDG. C)	4'	4' (BLDG. A)	
SIDE YARD SETBACK (WEST)	20'-3" (BLDG. D)	6'	49'-7" (BLDG. A)	REAR YARD SETBACK REDUCTION WITH AUP PER 23.304.030(B)(2)
REAR YARD SETBACK	2'-9" (BLDG. B ORIG. LOCATION)	15'	3' (BLDG. A)	
HEIGHT / STORIES				
BUILDING A MAX BLDG HEIGHT	-	35 FT (WITH AUP)	35'	
BUILDING A # STORIES	-	3	3	
BUILDING C MAX BLDG HEIGHT	32'	35 FT (WITH AUP)	32'	NO CHANGE
BUILDING C # STORIES	2	3	2	NO CHANGE
BUILDING USES				
BUILDING A	-	-	RESIDENTIAL	
BUILDING C	RESIDENTIAL	-	RESIDENTIAL	NO CHANGE
UNIT COUNT				
BUILDING A	-	-	2	(2) NEW
BUILDING C	-	-	-	
3-BEDROOM	1	-	1	(1) EXISTING
4-BEDROOM	1	-	1	(1) EXISTING
TOTAL	2	-	2	(2) EXISTING + (2) NEW
PROPOSED PARCEL 'B' (NEW INTERIOR LOT)				
LOT INFO				
LOT AREA	13,500	-	6075	
LOT COVERAGE	24% (COMBINED LOT)	40%	33%	TABLE 23.202.090
BUILDING FOOTPRINT INFO				
BUILDING B	432	-	432	(E) BLDG RELOCATED
BUILDING D	1576	-	1576	NO CHANGE
AREAS				
BUILDING B GROSS FLOOR AREA	-	-	432	
BUILDING D GROSS FLOOR AREA	2895	-	2895	NO CHANGE
USABLE OPEN SPACE	6500	1,800 (300 / UNIT)	2,666	
SETBACKS				
FRONT YARD SETBACKS	11'-6" (BLDG. D), 21'-5" (BLDG. C)	15'	104'-6" (BLDG. B)	
SIDE YARD SETBACK (EAST)	1'-6" (BLDG. C)	4'	5'-1" (BLDG. B)	
SIDE YARD SETBACK (WEST)	20'-3" (BLDG. D)	4'	4' (BLDG. B)	REAR YARD SETBACK REDUCTION WITH AUP PER 23.304.030(B)(2)
REAR YARD SETBACK	2'-9" (BLDG. B ORIG. LOCATION)	15'	0	
HEIGHT / STORIES				
BUILDING B MAX BLDG HEIGHT	15'-1"	35 FT (WITH AUP)	15'-1"	NO CHANGE
BUILDING B # STORIES	1	3	1	NO CHANGE
BUILDING D MAX BLDG HEIGHT	32'-6"	35 FT (WITH AUP)	32'-6"	NO CHANGE
BUILDING D # STORIES	2	3	2	NO CHANGE
BUILDING USES				
BUILDING B	STABLE	-	RESIDENTIAL	
BUILDING D	RESIDENTIAL	-	RESIDENTIAL	NO CHANGE
UNIT COUNT				
BUILDING B	-	-	1	(1) RELOCATED FROM BUILDING D
BUILDING D	-	-	-	
1-BEDROOM	1	-	-	(1) RELOCATED TO BUILDING B
3-BEDROOM	1	-	1	(1) EXISTING
TOTAL	2	-	2	(1) EXISTING + (1) RELOCATED
PARKING				
RESIDENTIAL CAR PARKING	2	-	3	(1) SURFACE SPACE, (2) CAR GARAGE

PROPOSED (N) UNIT AREAS	
UNIT 1	1885 SF
UNIT 2	1669 SF
UNIT 3	432 SF

NOTES:
• THE PROPOSED PROJECT IS DESIGNED TO COMPLY WITH THE BERKELEY ENERGY CODE (CBC CHAPTER 19.36) AND BERKELEY GREEN CODE (BMC CHAPTER 19.37). SEE THE ROOF PLAN (2/A102) FOR SOLAR PV LOCATIONS.



2201-2207 Blake Street
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2201-2207
BLAKE ST. NEW
RESIDENTIAL
USE PERMIT
APPLICATION

SHEET LIST		
SHEET #	SHEET NAME	USE PERMIT
GENERAL		
G000	COVER SHEET & PROJECT INFO	•
G001	SITE CHARACTERISTIC MAPS	•
G003	PROPOSED LOT COVERAGE PARCEL A	•
G004	PROPOSED LOT COVERAGE PARCEL B	•
G005	PROPOSED USABLE OPEN SPACE PARCEL A	•
G006	PROPOSED USABLE OPEN SPACE PARCEL B	•
G010	SHADOW STUDIES - JUNE 21	•
G011	SHADOW STUDIES - DEC. 21	•
G012	SHADOW STUDIES - MAY 17	•
G013	EXISTING SITE PHOTOGRAPHS	•
G014	STREET STRIP ELEVATIONS	•
G015	STREET STRIP ELEVATIONS	•
LANDSCAPE		
L001	LANDSCAPE PLAN	•
SURVEY		
S1	SURVEY	•
ARCHITECTURE		
A100	SITE PLAN	•
A100A	SITE PLAN PARCEL A	•
A100B	SITE PLAN PARCEL B	•
A101	FLOOR PLANS	•
A102	FLOOR PLANS	•
A103	EXISTING STABLE FLOOR PLAN AND ELEVATIONS	•
A104	PROPOSED STABLE FLOOR PLAN AND ELEVATIONS	•
A200	ELEVATIONS	•
A200A	ELEVATIONS	•
A201	ELEVATIONS	•

OWNER:
NATHAN GEORGE
9101 BURNING TREE RD.
BETHESDA, MD 20817
TEL: (919) 272-8061
nathan@ndgre.com

ARCHITECT:
Studio KDA
1810 6TH ST.
BERKELEY, CA 94710
TEL: (510) 841-3555
charles@studiokda.com
HANNAH MICALFEE
hannah@studiokda.com

SURVEYOR:
MORAN ENGINEERING, INC.
1930 SHATTUCK AVE, SUITE A
BERKELEY, CA 94704
TEL: (510) 848-1930
JIM MORAN
jmoran@moraneng.com

2 PROJECT TEAM

THE PROPOSED PROJECT INCLUDES:
1. RELOCATION AND RESIDENTIAL CONVERSION OF (E) STRUCTURE (BLDG. B), AT THE NORTH-EAST CORNER OF THE LOT, SEE PLAN A100
2. CONSTRUCTION OF (N) 3-STORY DUPLEX (BLDG. A) WITH A 2-CAR GARAGE & 1 OFF STREET PARKING SPACE
3. (N) DRIVEWAY FROM FULTON ST.

UNDER SEPARATE APPLICATION:
• PARCEL MAP APPLICATION FOR A LOT SPLIT INTO 2 LOTS : PARCEL A & PARCEL B. SEE A100 AND G003

1 PROJECT NARRATIVE

PROJECT ISSUE RECORD:	
5/22/24	PLANNING SUBMITTAL
7/23/24	COMMENTS I
9/11/24	COMMENTS II
10/25/24	COMMENTS III
3/12/25	COMMENTS IV

PROJECT #: NDG01
ISSUE DATE: 3/12/25

COVER SHEET & PROJECT INFO

G000



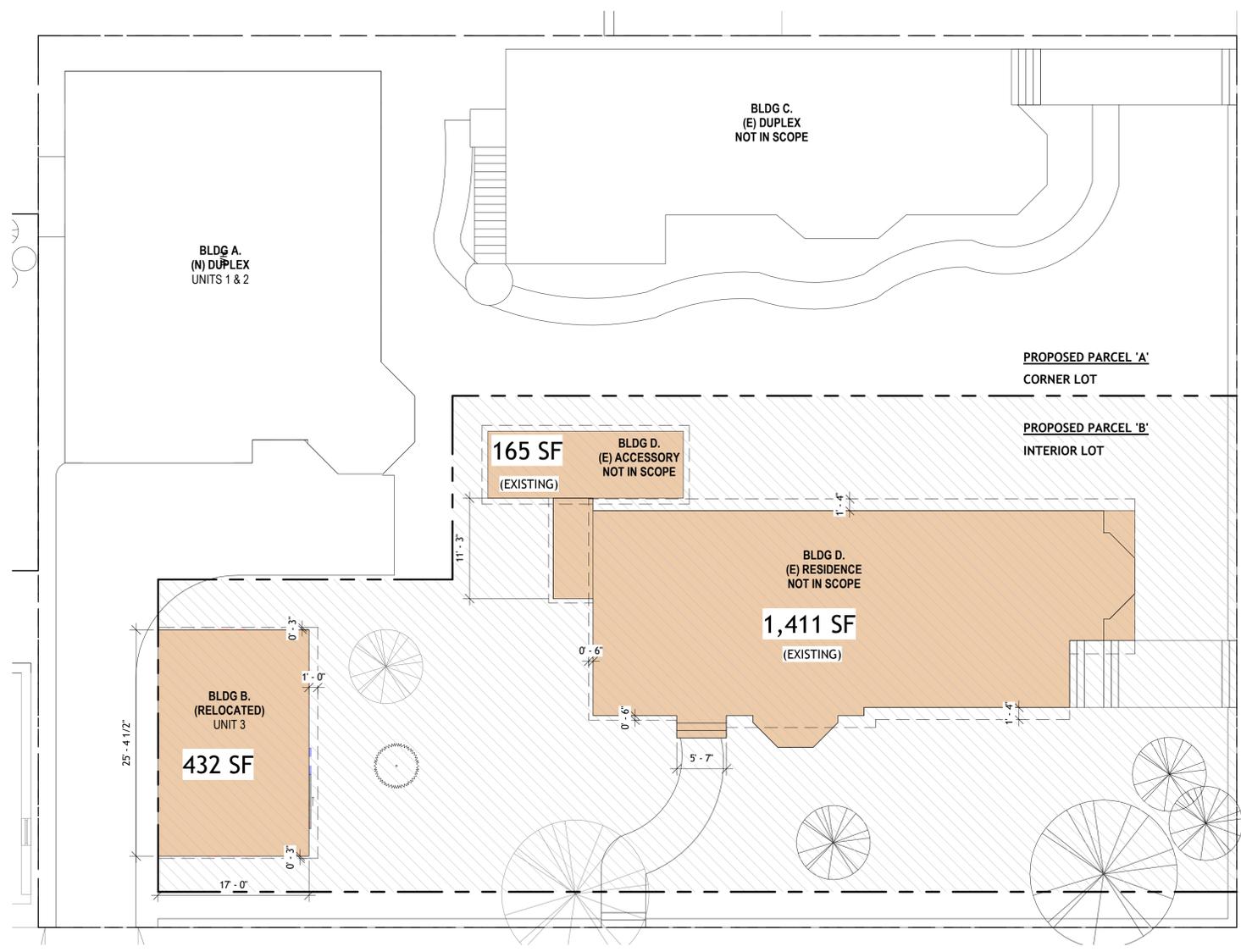
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 BLAKE ST. NEW
 RESIDENTIAL
 USE PERMIT
 APPLICATION**



1
 G004 LOT COVERAGE DIAGRAM - PARCEL B
 1/8" = 1'-0"

BLAKE ST

- LOT COVERAGE: PROPOSED PARCEL 'B' (INTERIOR LOT)
- PROPOSED PARCEL 'B'
- PROPOSED (N) INTERIOR LOT COVERAGE
- PROPERTY LINE
- LINE OF ROOF EAVE

LOT AREA = 6,075 SF (40%) COVERAGE ALLOWED

PROPOSED LOT COVERAGE:
 BUILDING B: 432 SF
 BUILDING D: 1,411 SF
 BUILDING D ACCESSORY: 165 SF
 2,008 SF (33%)

LOT COVERAGE LEGEND
 1/4" = 1'-0"

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PROJECT #: NDG01

ISSUE DATE: 3/12/25

PROPOSED LOT COVERAGE PARCEL B

G004



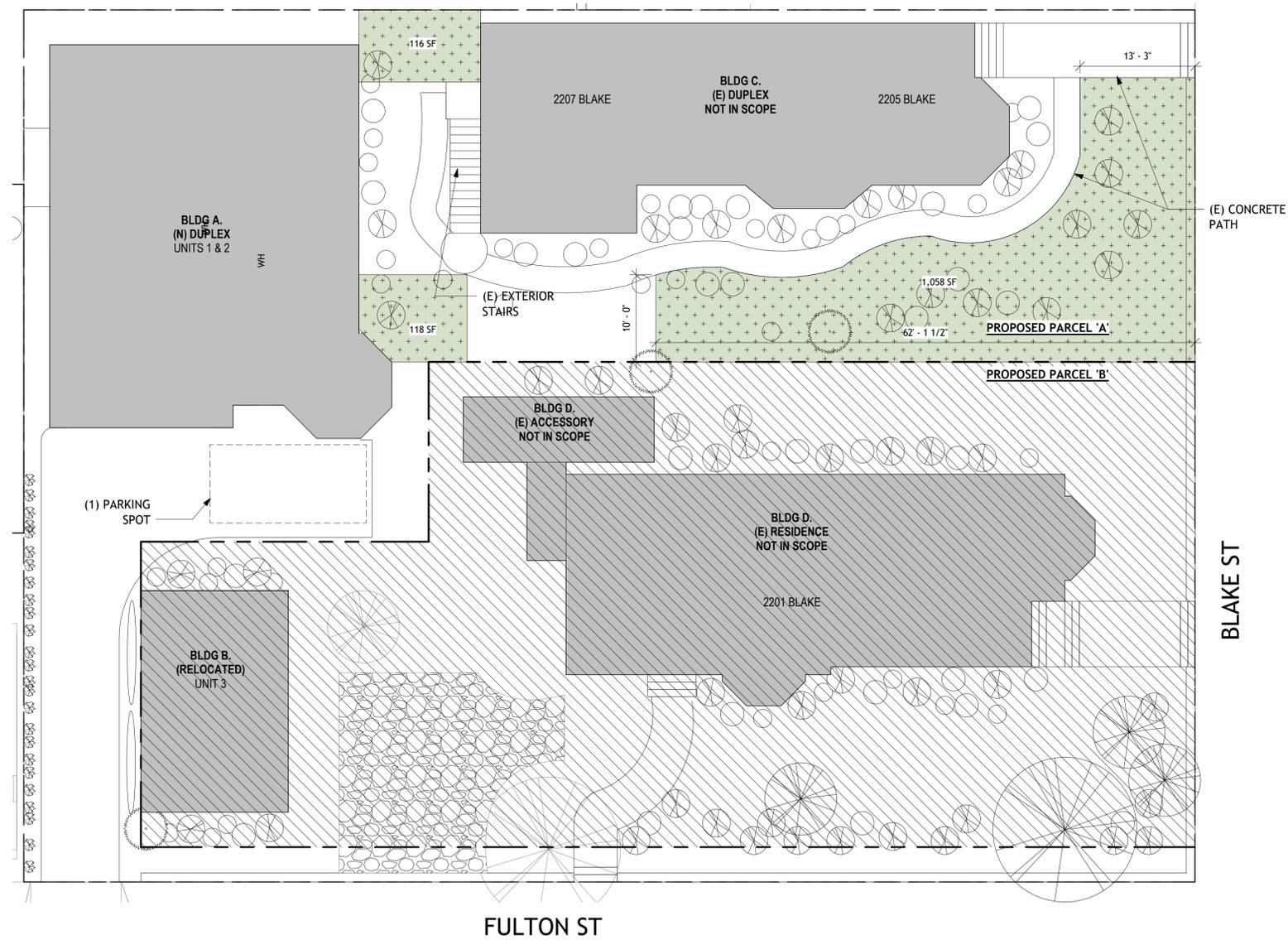
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USABLE OPEN SPACE: PROPOSED PARCEL 'A'

REQUIRED:
 4 UNITS (300 SF PER UNIT)
 300 SF X 4 UNITS = 1200 SF
 40% LANDSCAPED OF SF = 480 SF

PROPOSED:
 TOTAL USABLE OPEN SPACE: 1,292 SF
 LANDSCAPED: 1,292 SF

- USABLE OPEN SPACE
- LANDSCAPED USABLE OPEN SPACE
- ADJACENT LOT

1 USABLE OPEN SPACE DIAGRAM - PARCEL A
 G005 1/8" = 1'-0"



USABLE OPEN SPACE LEGEND

PROJECT ISSUE RECORD:

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10/25/24	COMMENTS III
3/12/25	COMMENTS IV

PROJECT #: NDG01
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PROPOSED USABLE OPEN SPACE PARCEL A

G005



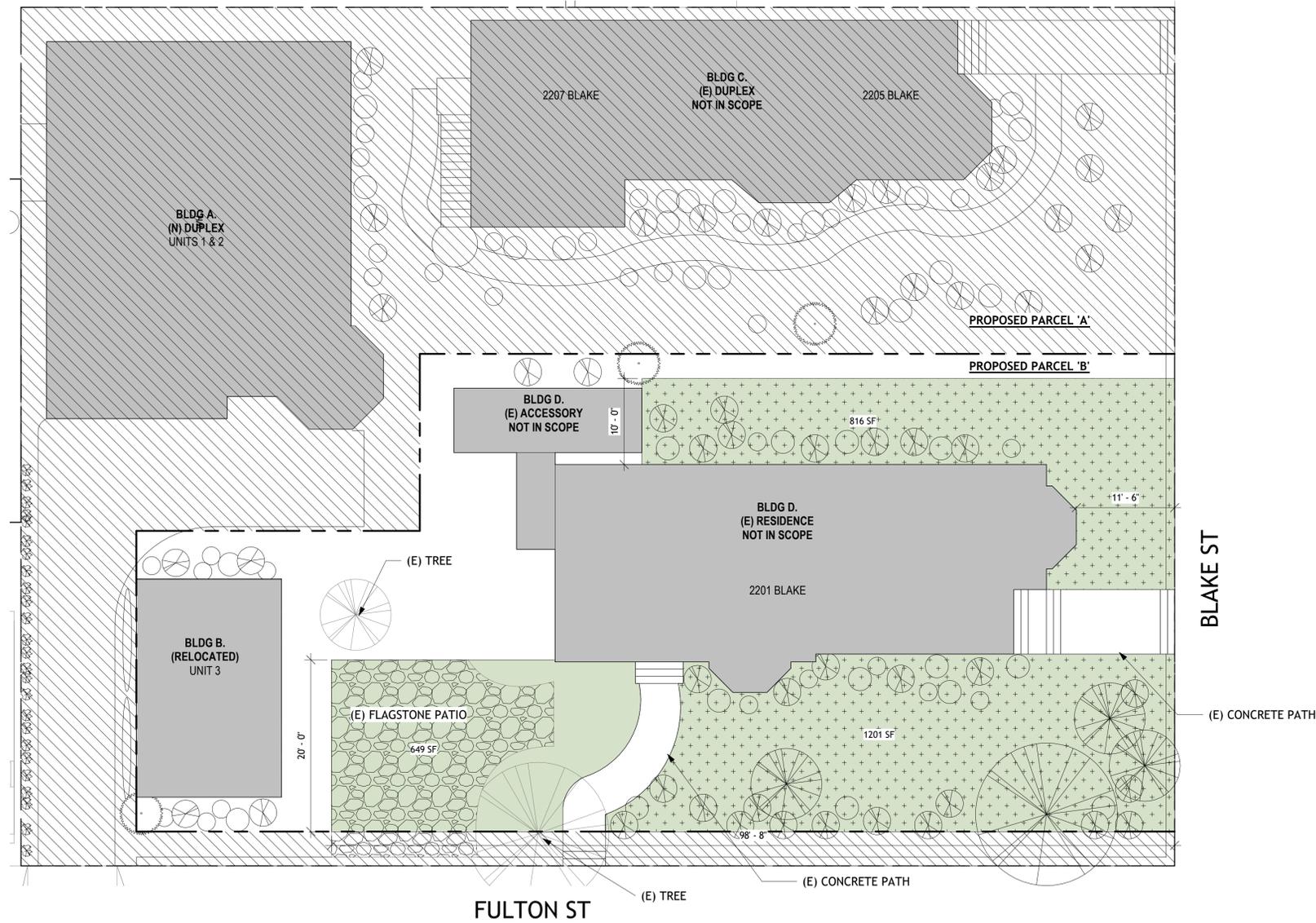
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USABLE OPEN SPACE: PROPOSED PARCEL 'B'

REQUIRED:
 2 UNITS (300 SF PER UNIT)
 300 SF X 2 UNITS = 600 SF
 40% LANDSCAPED OF SF = 240 SF

PROPOSED:
 TOTAL USABLE OPEN SPACE: 2,666 SF
 LANDSCAPED: 2,666 SF

- USABLE OPEN SPACE
- LANDSCAPED USABLE OPEN SPACE
- ADJACENT LOT

1 USABLE OPEN SPACE DIAGRAM - PARCEL B
 G006 1/8" = 1'-0"



USABLE OPEN SPACE LEGEND
 1/4" = 1'-0"

PROJECT ISSUE RECORD:

DATE	ISSUE	COMMENTS
5/22/24	PLANNING SUBMITTAL	
7/23/24	COMMENTS I	
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3/12/25	COMMENTS IV	

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PROPOSED USABLE
 OPEN SPACE PARCEL B

G006



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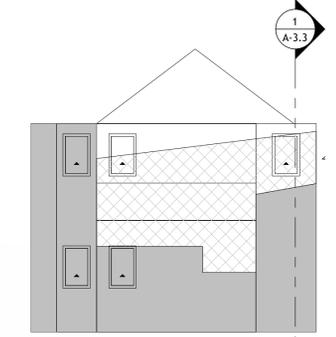
**2201-2207
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 APPLICATION**

PLAN LEGEND

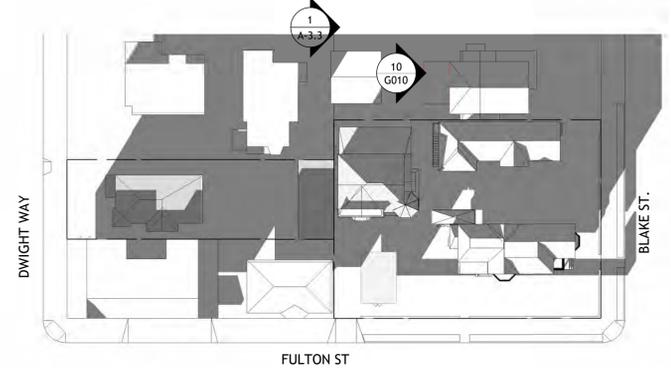
- NEW SHADOW
- WALL AFFECTED BY NEW SHADOW

ELEVATION LEGEND

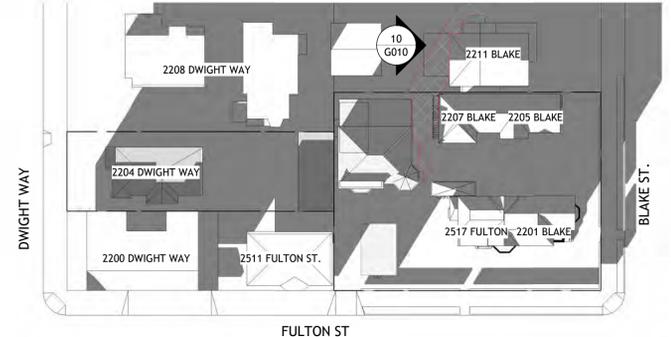
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- EXISTING SHADOW



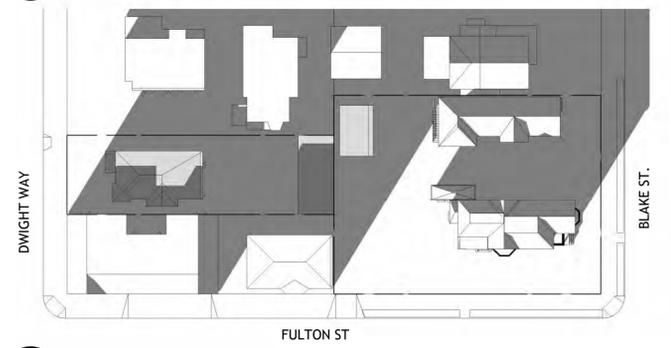
10
 G010 PROPOSED SHADOW ON 2211 BLAKE- JUNE 21 6.35 PM
 3/32" = 1'-0"



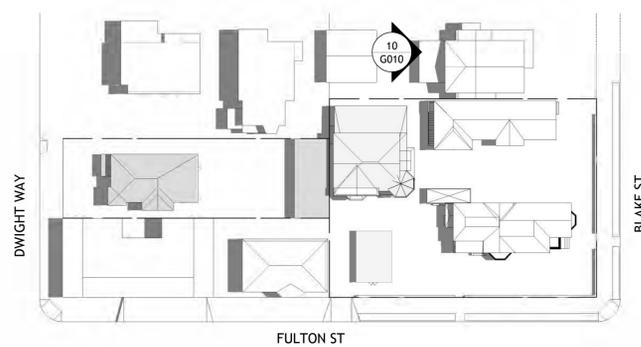
9
 G010 SHADOW STUDY PROPOSED - JUNE 21 6.35 PM
 1" = 40'-0"



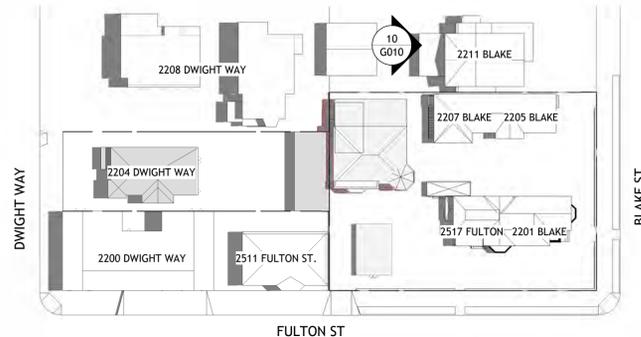
8
 G010 SHADOW STUDY COMBINED - JUNE 21 6.35 PM
 1" = 40'-0"



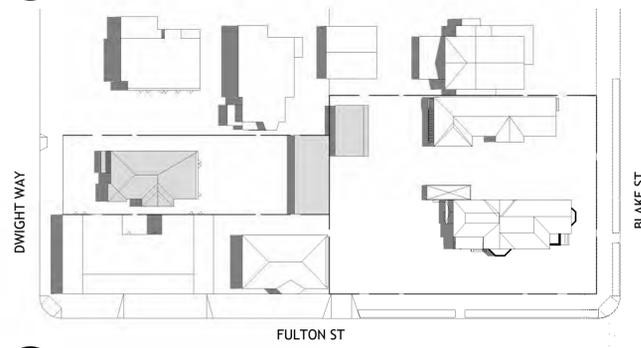
7
 G010 SHADOW STUDY EXISTING - JUNE 21 6.35 PM
 1" = 40'-0"



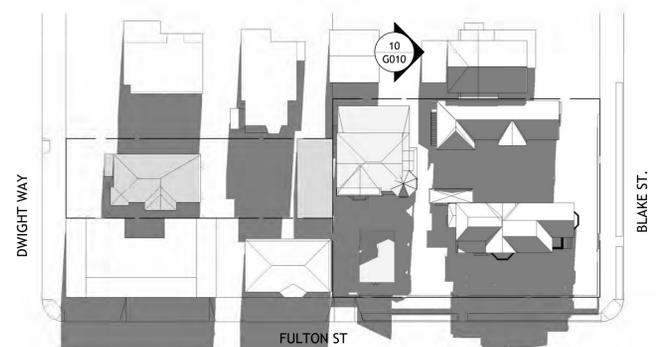
6
 G010 SHADOW STUDY PROPOSED - JUNE 21 NOON
 1" = 40'-0"



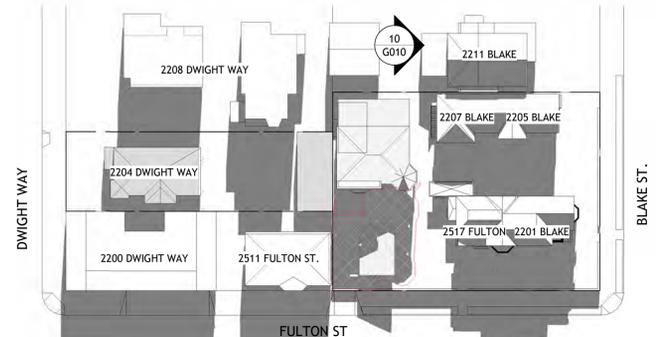
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 G010 SHADOW STUDY COMBINED - JUNE 21 NOON
 1" = 40'-0"



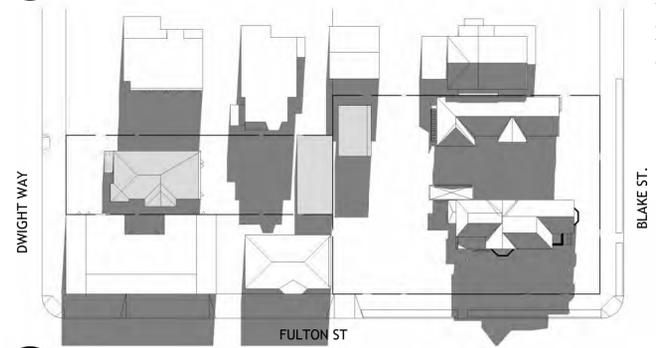
4
 G010 SHADOW STUDY EXISTING - JUNE 21 NOON
 1" = 40'-0"



3
 G010 SHADOW STUDY PROPOSED - JUNE 21 7.47 AM
 1" = 40'-0"



2
 G010 SHADOW STUDY COMBINED - JUNE 21 7.47 AM
 1" = 40'-0"



1
 G010 SHADOW STUDY EXISTING - JUNE 21 7.47 AM
 1" = 40'-0"



G010

PROJECT ISSUE RECORD:

DATE	DESCRIPTION
5/22/24	PLANNING SUBMITTAL
7/23/24	COMMENTS I
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3/12/25	COMMENTS IV

PROJECT #: NDG01

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SHADOW STUDIES - JUNE 21



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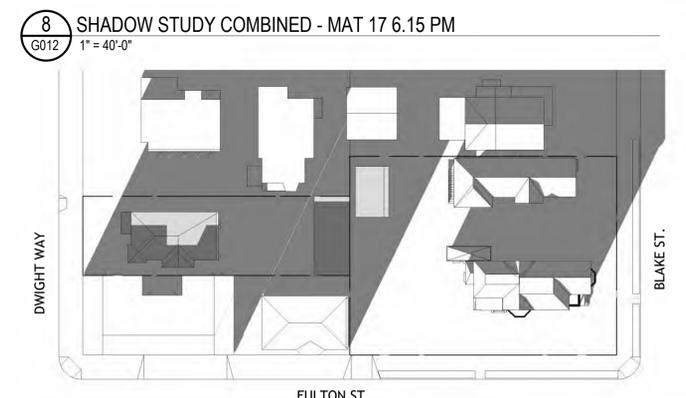
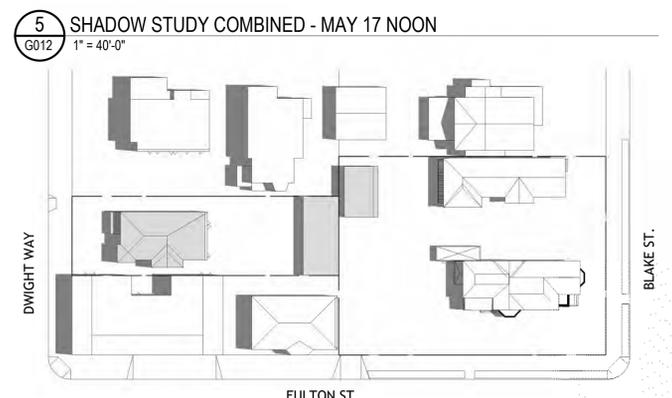
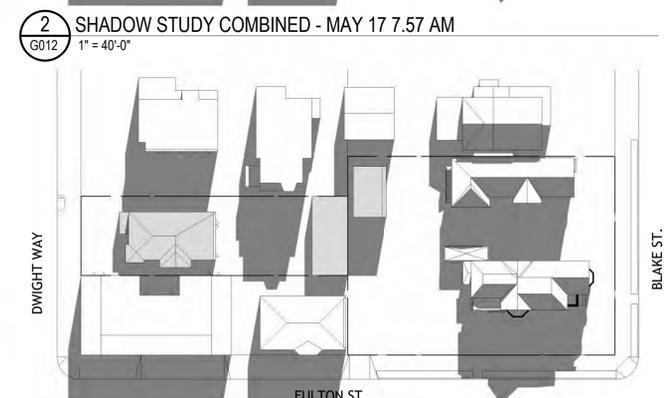
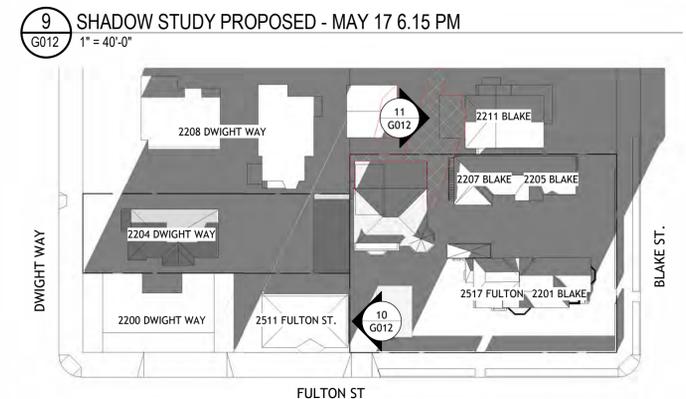
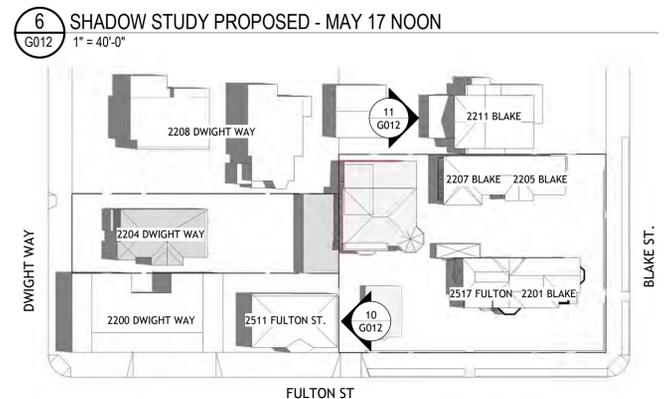
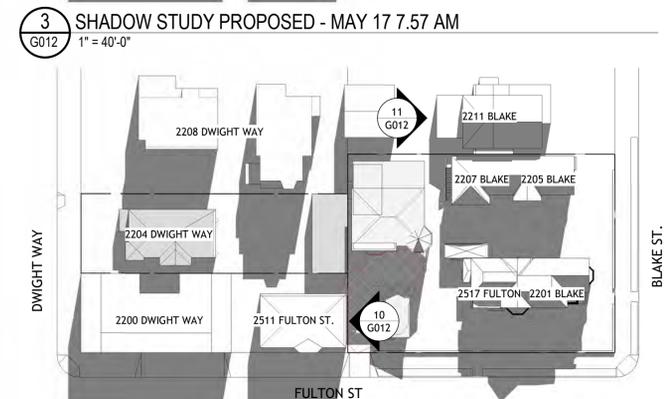
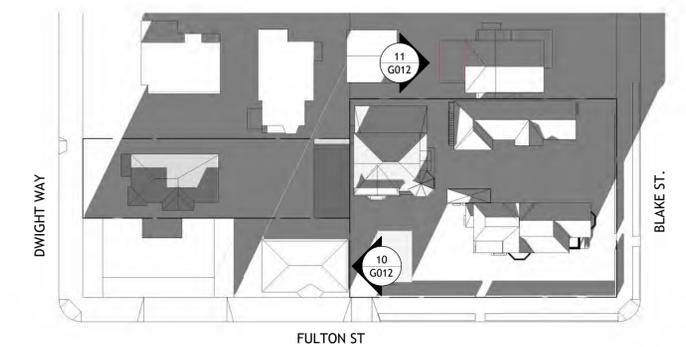
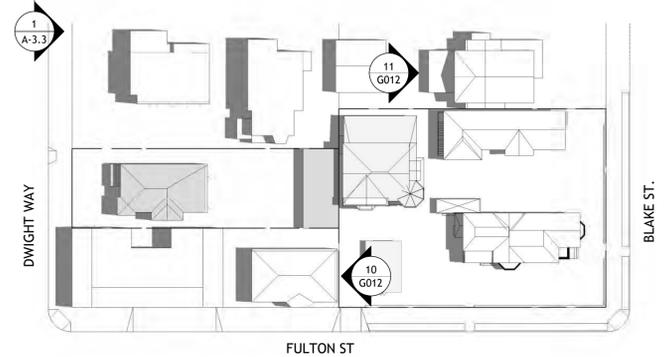
**2201-2207
BLAKE ST. NEW
RESIDENTIAL
USE PERMIT
APPLICATION**

PLAN LEGEND

- NEW SHADOW
- WALL AFFECTED BY NEW SHADOW

ELEVATION LEGEND

- NEW SHADOW
- EXISTING SHADOW



PROJECT ISSUE RECORD:

DATE	DESCRIPTION
5/22/24	PLANNING SUBMITTAL
7/23/24	COMMENTS I
9/11/24	COMMENTS II
10/25/24	COMMENTS III
3/12/25	COMMENTS IV

PROJECT #: NDG01

ISSUE DATE: 3/12/25

SHADOW STUDIES - MAY 17

G012

3/12/2025 5:47:04 PM



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 RESIDENTIAL
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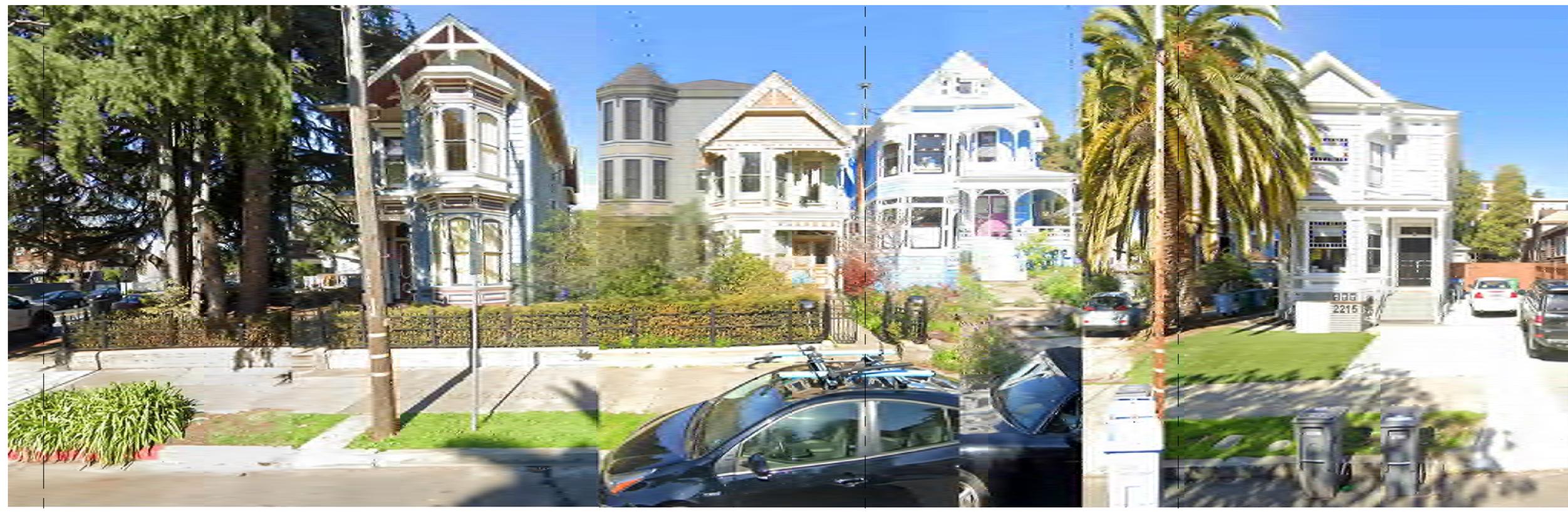


2200 DWIGHT

2511 FULTON

2201 BLAKE

2 PROPOSED STREET STRIP ELEVATION - FULTON ST.
 G015 1/8" = 1'-0"



2201 BLAKE

2205 BLAKE

2211 BLAKE

2213 BLAKE

PROJECT ISSUE RECORD:

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10/25/24	COMMENTS III
3/12/25	COMMENTS IV

PROJECT #: NDG01

ISSUE DATE: 3/12/25

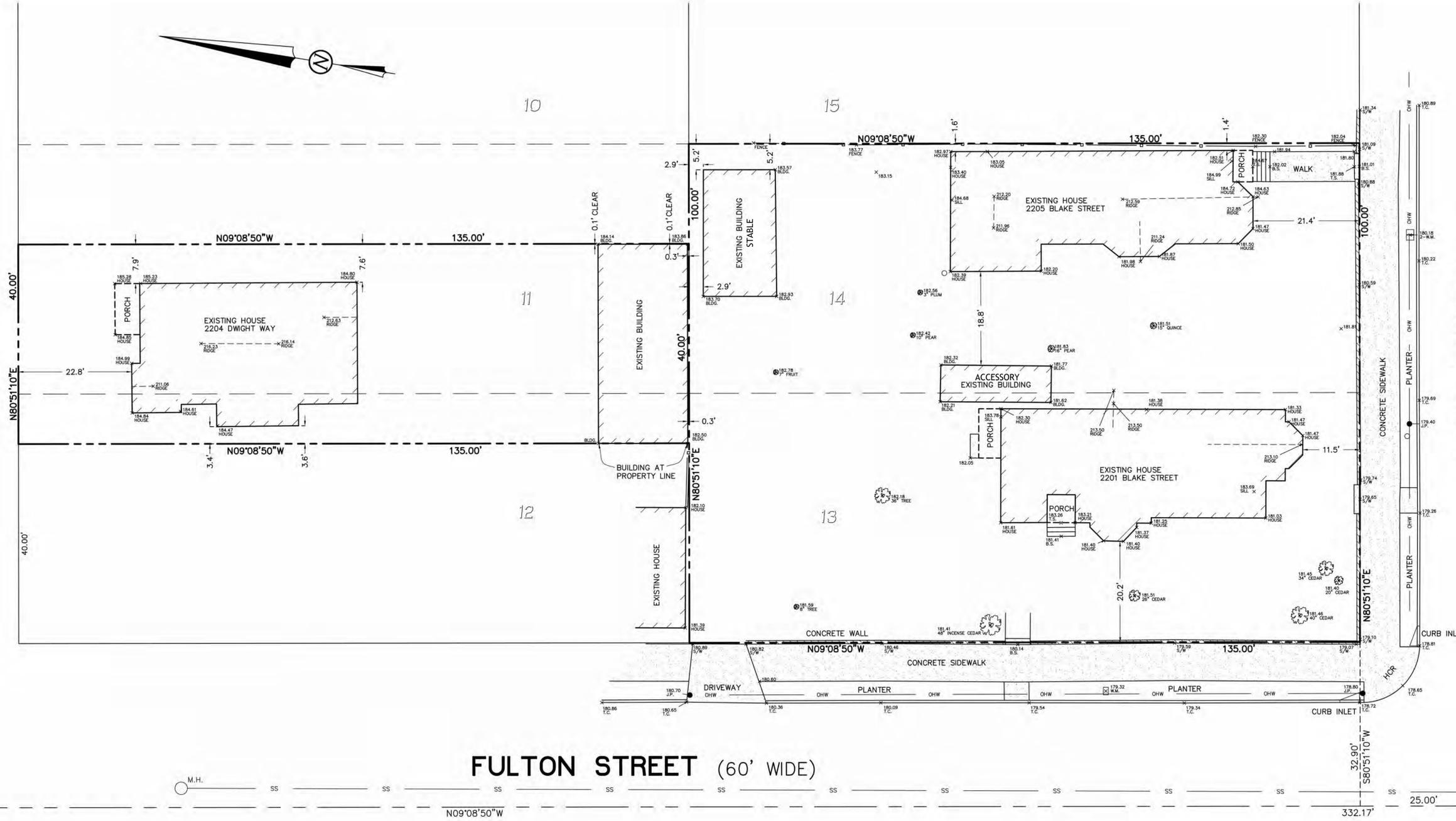
STREET STRIP
 ELEVATIONS

G015

1 PROPOSED STREET STRIP ELEVATION - BLAKE ST.
 G015 1/8" = 1'-0"

DWIGHT WAY (60' WIDE)

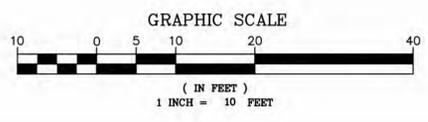
BLAKE STREET (60' WIDE)



FULTON STREET (60' WIDE)

- LEGEND**
- BLDG. BUILDING
 - B.S. BASE OF STEPS
 - C.O. CLEAN OUT
 - F.H. FIRE HYDRANT
 - HCR HANDICAP RAMP
 - J.P. JOINT POLE
 - M.H. MANHOLE
 - OHW OVERHEAD WIRES
 - SS SANITARY SEWER
 - S/W SIDEWALK
 - T.C. TOP OF CURB
 - T.S. TOP OF STEPS
 - W.M. WATER METER
 - MONUMENT

ELEVATIONS ARE BASED ON CITY OF BERKELEY DATUM.



HOUSE LOCATION SURVEY

LOTS 13, 14, AND A PORTION OF LOTS 11 AND 12, BLOCK 1454,
 MAP NO. 2 BLAKE TRACT (2 M 59)
 LOCATED AT 2201-2205 BLAKE STREET AND 2204 DWIGHT WAY
 CITY OF BERKELEY, COUNTY OF ALAMEDA, CALIFORNIA
 APRIL 12, 2013 SCALE: 1" = 10'

MORAN ENGINEERING, INC.

CIVIL ENGINEERS \ LAND SURVEYORS
 1930 SHATTUCK AVENUE, SUITE A
 BERKELEY, CALIFORNIA 94704
 (510) 848-1930

F.B. NO. 1315 DWIGHT_BLAKE-HL.DWG JOB NO. 13-8524

S1



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BLAKE DUPLEX

2201-2207 Blake Street
 Berkeley, CA 94704

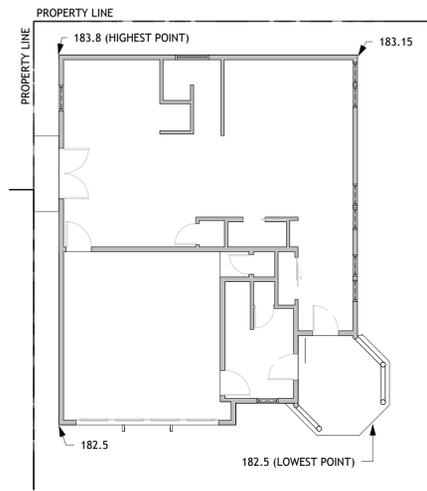


**2201-2207
 BLAKE ST. NEW
 RESIDENTIAL
 USE PERMIT
 APPLICATION**

PROJECT ISSUE RECORD:	
5/22/24	PLANNING SUBMITTAL
7/23/24	COMMENTS I
9/11/24	COMMENTS II
10/25/24	COMMENTS III
3/12/25	COMMENTS IV

PROJECT #: NDG01
 ISSUE DATE: 3/12/25
 ELEVATIONS

A200



3 BLDG. A GRADE POINTS
 A200 1" = 10'-0"

MATERIAL LEGEND
 NOT TO SCALE

- P-1 MAIN BODY PAINT SW-3860 SAGE
- P-2 ACCENT PAINT SW-3861 AVOCADO
- P-3 ACCENT PAINT SW-0028 CAEN STONE
- P-5 ACCENT PAINT SW-0032 NEEDLEPOINT NAVY
- R-1 ASPHALT SHINGLES
- S-1 HORIZONTAL V-RUSTIC PAINTED SIDING



2 SOUTH ELEVATION
 A200 1/4" = 1'-0"



1 WEST ELEVATION
 A200 1/4" = 1'-0"



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

2201-2205 Blake Street

Use Permit #ZP2024-0060 to subdivide an existing 13,500 square-foot lot with two Landmarked duplexes to two lots; add a three-story (31 feet), 3,600 square-foot duplex with a two-car garage and one off-street parking space in the upper lot; and convert the existing one-story (15 feet) 430 square-foot stable building to a single-family dwelling and relocate it to the lower lot.

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, August 14, 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: MDR– Medium Density Residential
- Zoning: R-2A– Restricted Multiple-Family Residential District

B. Zoning Permits Required:

- **New Construction.** BMC Section 23.202.020 (A) “**Allowed Land Uses**” to construct a two-family dwelling (Parcel A).
- **New Construction.** BMC Section 23.202.020(A) “**Allowed Land Uses**” to add a single-family dwelling (Parcel B).
- **Height.** BMC Section 23.202.090(D) “**Development Standards**” to permit a dwelling with an average height above 28 feet and up to 35 feet in the R-2A.
- **Setbacks.** BMC Section 23.304.030(B)(2) “**Setback Reductions**” to permit a reduced rear setback on a lot with two or more main buildings with dwelling units.
- **Building Separation.** BMC Section 23.304.040(A) “**Separation Reductions**” to permit a reduced building separation on a lot with two or more main buildings with dwelling units.
- **Parking.** BMC Section 23.322.070(D)(1) “**Off-Street Parking Maximum**” to exceed the off-street parking maximum in a residential district.

C. CEQA Exemption Determination: Categorically exempt pursuant to Section 15303 of the CEQA Guidelines (“New Construction or Conversion of Small Structures”).

D. Project Recommendation: Approve Use Permit #ZP2024-0060, pursuant to BMC Section 23.406.040(E) “**Findings for Approval.**”

E. Parties Involved:

- Applicant Hannah Micallef, 1810 Sixth Street, Berkeley
- Property Owner Nathan George, 9101 Burning Tree Road, Bethesda, MD

Further Information:

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

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

Questions about the project should be directed to the project planner, Allison Riemer, at (510) 981-7433 or ariemer@berkeleyca.gov.

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

Communication Disclaimer:

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

Written Comments, Communications, and Reports:

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

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

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

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