

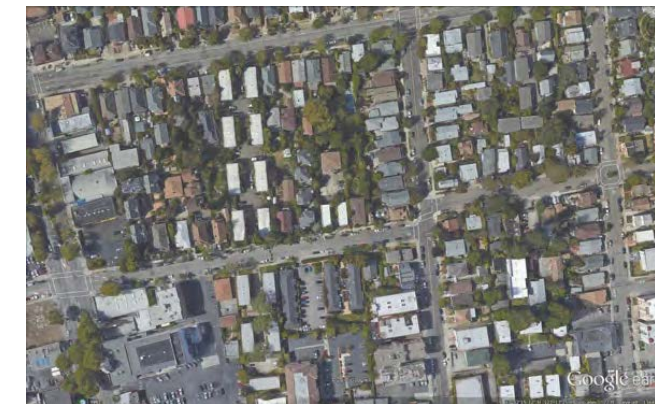


PROJECT:
HEARST GARDENS
BERKELEY, CA 94702

DESCRIPTION:
 DEVELOPMENT OF TWO EXISTING LOTS AT HEARST STREET BETWEEN SAN PABLO & CURTIS STREET. THE EXISTING LOTS ARE OVER 21,000 SF, AND CURRENTLY HAVE 7 RESIDENCES ON SITE. ALL OF THESE ARE TO BE MAINTAINED AND RENOVATED. THERE WILL BE 6 HOMES ADDED TO THE SITE. UNITS ARE ARRANGED AROUND A CENTRAL PASEO THAT PROVIDES ACCESS TO ALL UNITS AND AMPLE OPEN SPACE.

SITE ADDRESS:
 1155, 1157, 1159, 1161, 1163 & 1173 HEARST AVE.
 BERKELEY, CA 94704

ASSESSOR'S PARCEL #: LOT @ 1173: 057 208601300
 LOT @ 1157: 057 208601400



APPLICANT:
 RHOADES PLANNING GROUP
 46 SHATTUCK SQUARE, SUITE 11
 BERKELEY, CA 94704
 info@rhodesplanninggroup.com

ARCHITECT:
 DEVI DUTTA-CHOUDHURY, AIA
 DEVI DUTTA ARCHITECTURE INC.
 928 CARLETON STREET
 BERKELEY, CA 94710
 [510] 705-1937
 hello@devidutta.com

OWNER:
 HEARST AVE COTTAGES, LLC
 46 SHATTUCK SQUARE, SUITE 11
 BERKELEY, CA 94704

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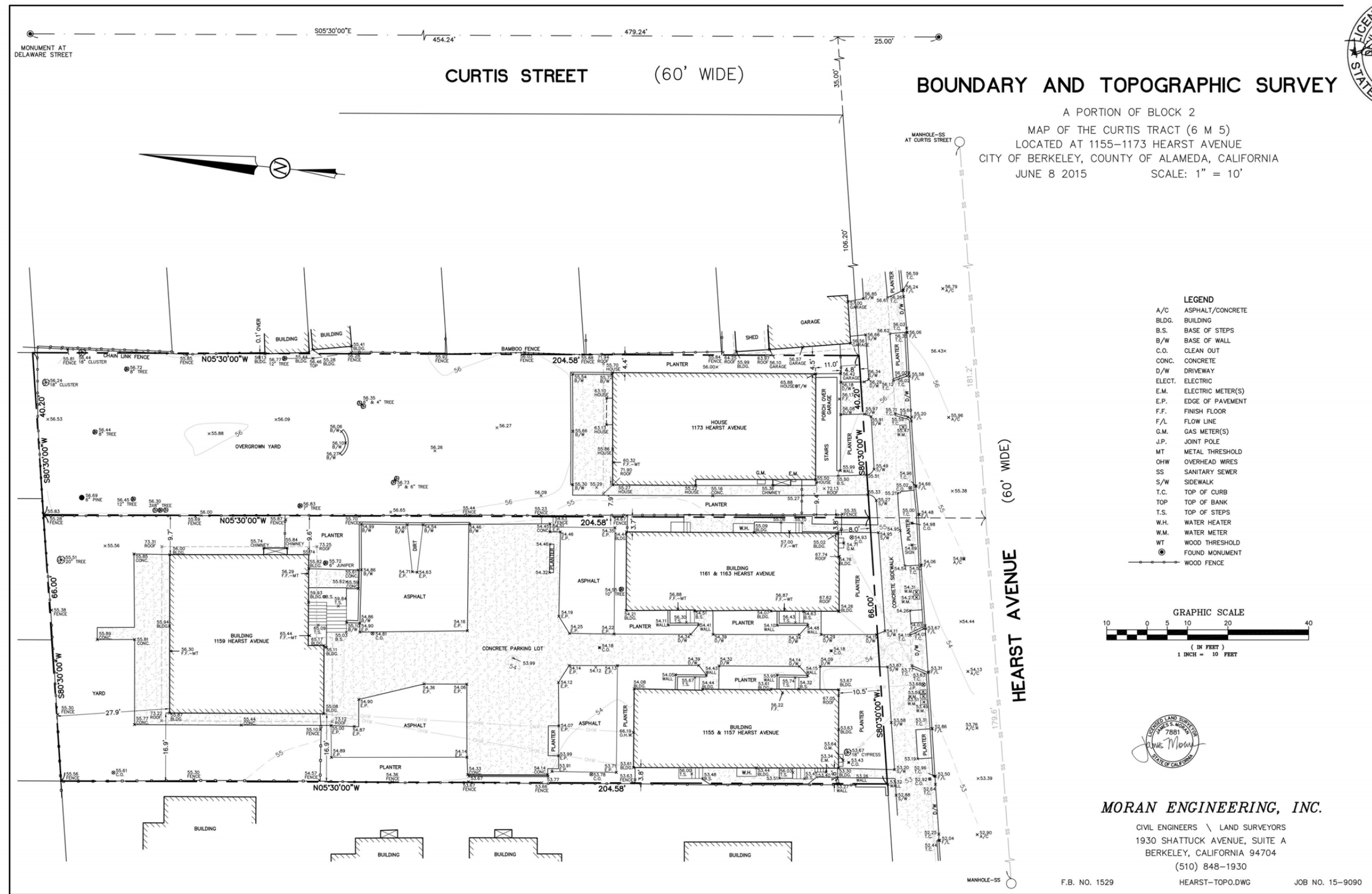
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ZONING INFORMATION:

GENERAL PLAN:	MDR
ZONING DISTRICT:	R-2A
FLOOD ZONE:	NO
FIRE ZONE:	1
ENV. MGMT. AREA:	NO
LANDMARK STRUCT. MERIT:	NO
LOT AREA 1173:	8,204 SF
LOT AREA: 1157	13,469 SF
TOTAL:	21,673 SF



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

F.B. NO. 1529 HEARST-TOPO.DWG JOB NO. 15-9090



HEIGHT & STORIES	ZONING:	EXISTING:	PROPOSED:
STORIES:	2 ALLOWED	2	2
HEIGHT:	28' AVG	23' MAX	28' MAX
SETBACKS (MIN. DIMENSIONS SHOWN - SEE SETBACK DIAGRAM, A0.3)			
FRONT	15'	4'-10" - 10'-5.5"	4' - 9" - 7'-10" ADDITION CONTINUE EXIST. SETBACK
SIDE	4' @ 1ST STORY 4' @ 2ND STORY	3'-10" @ WEST 4'- 6" @ EAST	3'-10" - 5'-3.5"
BACK	15'	28'-8" - 143'-8"	16'-3" - 21'-1"
BUILDING SEPARATION	8' @ 1ST STORY 12' @ 2ND STORY	13'- 3"	A - B: 19' - 4" B - C: 12' - 5" C - D: 40' - 4" D - E: 15' - 8 1/2" E - F: 15' - 5" F - G: 8' - 0" AUP REQ. A - G: 14' - 6"
LOT AREA			
	@ 1173 @ 1157	8,204 SF 13,469 SF	8,204 SF 13,469 SF
LOT COVERAGE	2 - STORY: 40%	@ 1173: 17.5% @1157: 26%	@ 1173: 3,275 SF: 39.9% @ 1157: 5,170 SF: 38.9%
PARKING: CARS			
RESIDENTIAL	1/UNIT 13 REQUIRED	7 (1 COVERED @ CAMELLIA; 6 @ SURFACE LOT)	13 10 UNCOVERED @ SURFACE LOT 2 COVERED @ GERANIUM 1 COVERED @ CAMELLIA
PARKING: BIKE			
RESIDENTIAL	NONE REQUIRED	0	13

DENSITY:	ZONING:	EXISTING:	PROPOSED:
* NOTE: SEE SHEET A0.8 FOR UNIT MIX AND SIZES			
ALLOWED 1173 HEARST: 1157 HEARST:	1 / 1650 SF LOT AREA 8,204/1650 = 5 UNITS 13,469/1650 = 8 UNITS	1 UNIT 6 UNITS	4 NEW UNITS = 5 TOTAL 2 NEW UNITS = 8 TOTAL
OPEN SPACE (SEE OPEN SPACE DIAGRAM, A0.3)			
	300 SF / UNIT X 13 = 3900 SF @ 1173: 5 X 300 = 1500 SF @ 1157: 8 X 300 = 2400 SF	@ 1173: 5,599 SF @ 1157: 2,560 SF	SEE A0.3
BUILDING OCCUPANCY PER CBC.			
R-3 (SINGLE FAMILY RESIDENTIAL DUPLEXES)			
PROPOSED CONSTRUCTION TYPE			
TYPE VB CONSTRUCTION THROUGHOUT - WOOD FRAMING, NON-RATED PER CALIFORNIA RESIDENTIAL CODE			
EXCAVATION			
APPROXIMATELY 55 CUBIC YARDS, FOR NEW FOUNDATIONS ONLY.			



- LEGEND**
- PEDESTRIAN WALKWAY, PERMEABLE
 - PLANTING (NOT COUNTING TOWARDS OPEN SPACE)
 - OPEN SPACE
 - NON-CONFORMING SETBACKS & BUILDING SEPARATION
 - DRIVEWAY AND PARKING
 - PROPERTY LINE
 - REQUIRED SETBACK
 - OPEN SPACE ABOVE
 - LOT AREA CHANGE

PROVIDED OPEN SPACE

1157 HEARST

AZALEA 1: 216 SF PRIVATE OPEN SPACE
 84 SF COMMON OPEN SPACE PROVIDED AT OPEN SPACE #4 & #5

AZALEA 2: 300 SF COMMON AT #4 & #5

BEGONIA 1: 300 SF COMMON AT #4 & #5

BEGONIA 2: 300 SF COMMON AT #4 & #5

FREESIA 1: 300 SF COMMON AT #4 & #5

FREESIA 2: 300 SF COMMON AT #4 & #5

GERANIUM 1: 240 SF PRIVATE
 60 SF COMMON OPEN SPACE PROVIDED AT OPEN SPACE #4 & #5

GERANIUM 2: 220 SF PRIVATE
 80 SF COMMON OPEN SPACE PROVIDED AT OPEN SPACE #4 & #5

1173 HEARST

CAMELLIA: 300 SF COMMON AT OPEN SPACE #1, #2 & #3

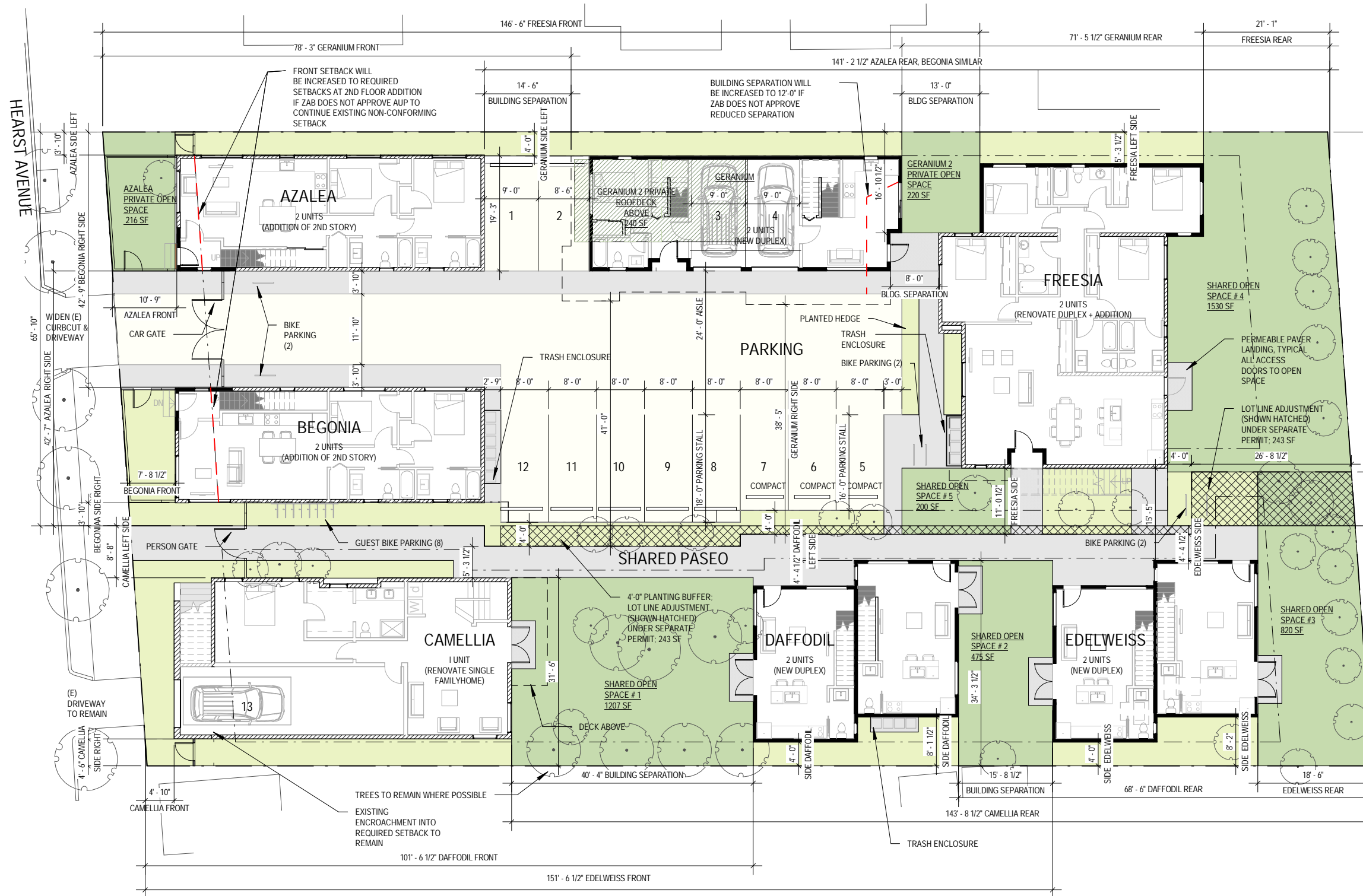
DAFFODIL 1: 300 SF COMMON AT #1, #2 & #3

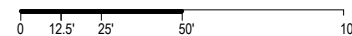
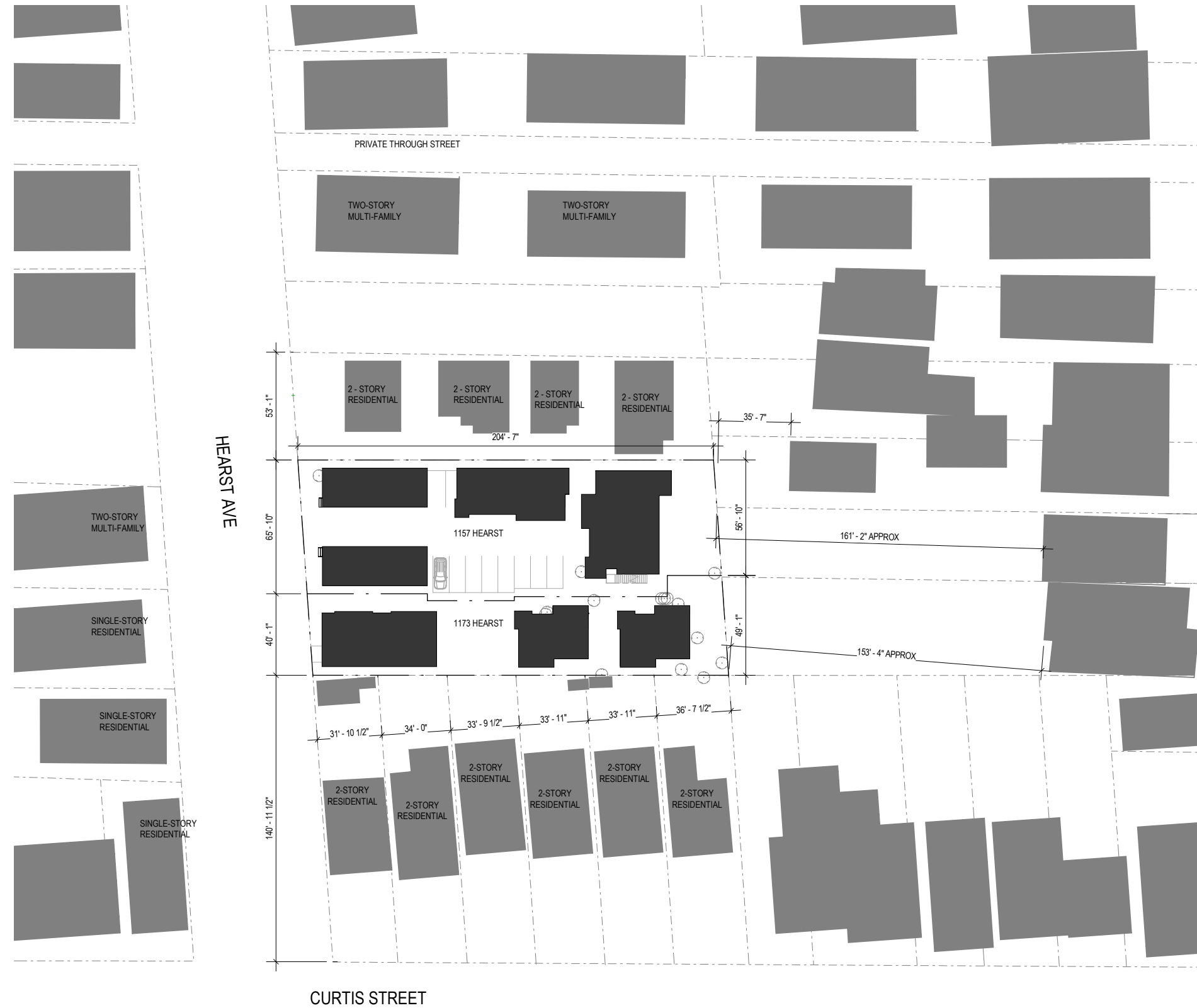
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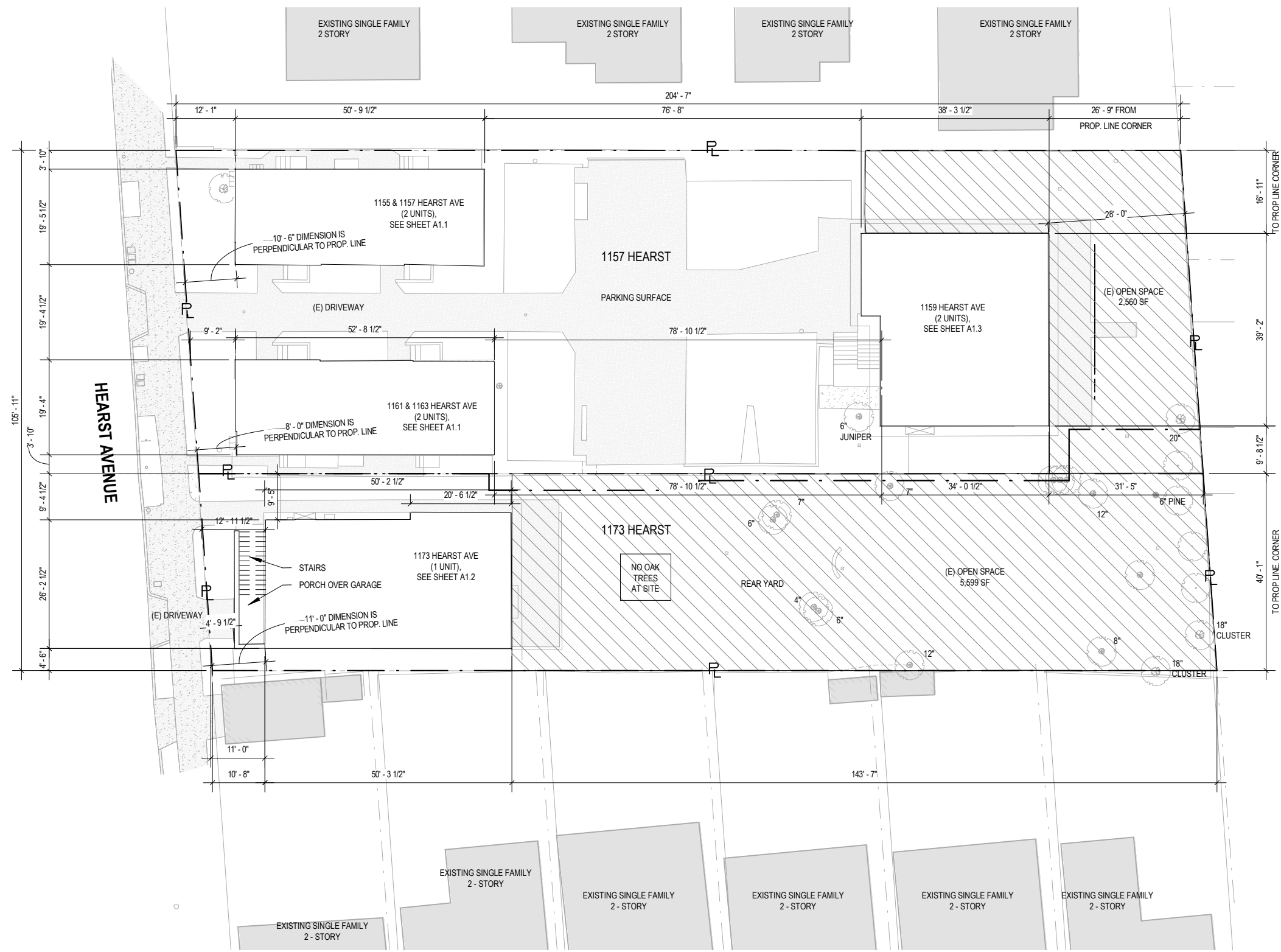
EDELWEISS 1: 300 SF COMMON AT #1, #2 & #3

EDELWEISS 2: 300 SF COMMON AT #1, #2 & #3

TOTAL PRIVATE O.S.	1157	1173
TOTAL COMMON O.S.	679	0
TOTAL OPEN SPACE PROVIDED	1730	2502
TOTAL OPEN SPACE REQUIRED	2409 SF	2502 SF
TOTAL OPEN SPACE REQUIRED	2400 SF	1500 SF







BACKYARD OF 1159 HEARST AVE.



BACKYARD OF 1173 HEARST AVE.



BACKYARD OF 1173 HEARST AVE.



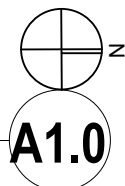
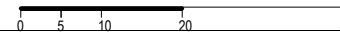
BACKYARD OF 1173 HEARST AVE.

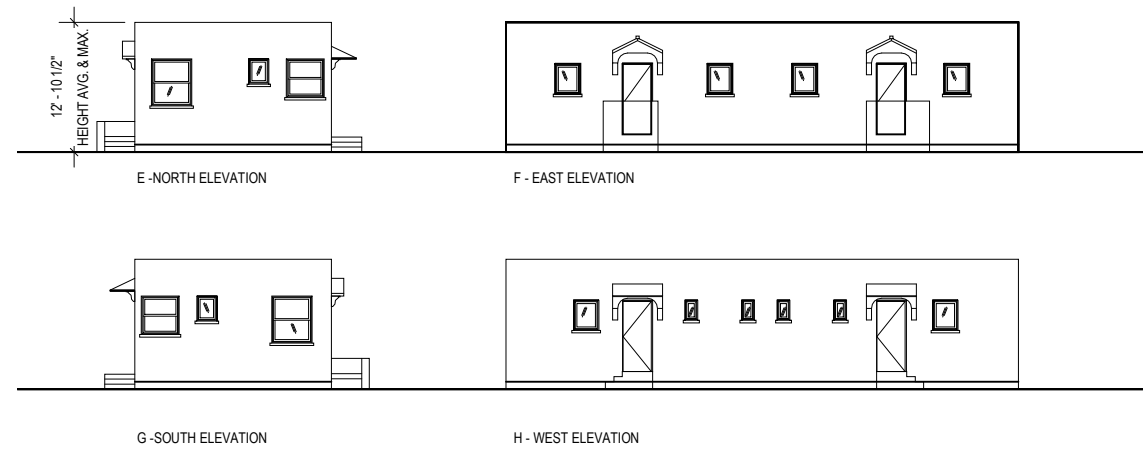
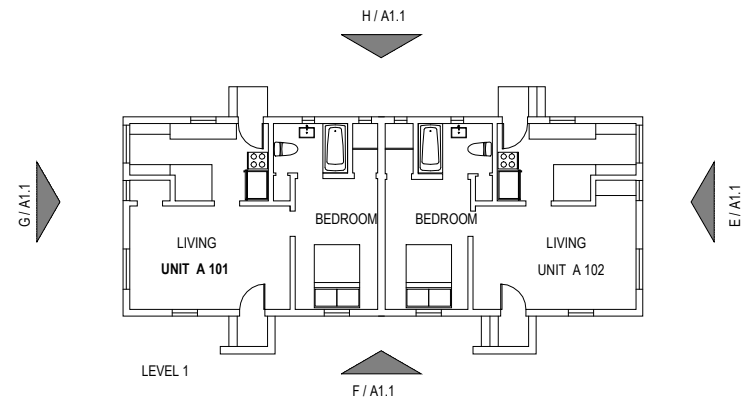
HEARST GARDENS

DEVI DUTTA ARCHITECTURE

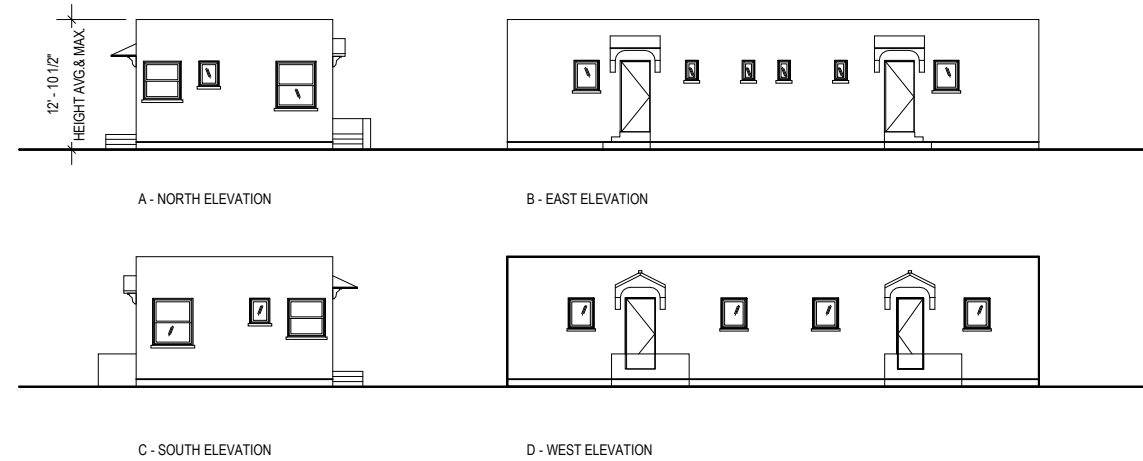
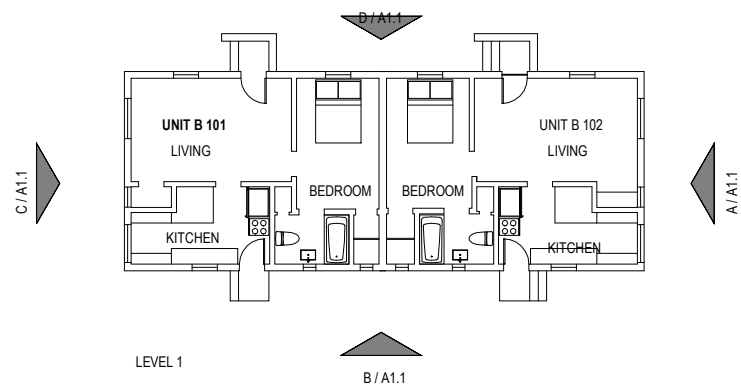
EXISTING SITE PLAN

SCALE: 1" = 20'-0"

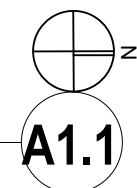
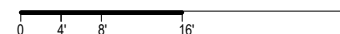


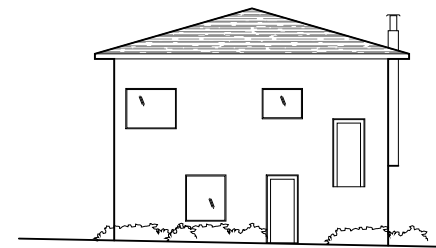
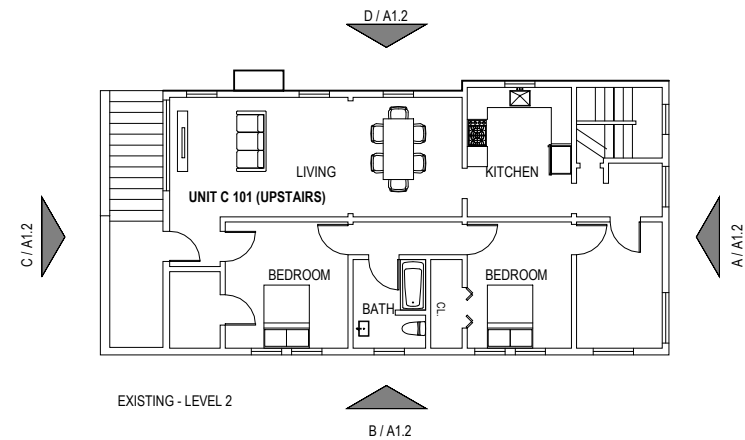


2 AZALEA 1155 & 1157 HEARST
 1/16" = 1'-0"

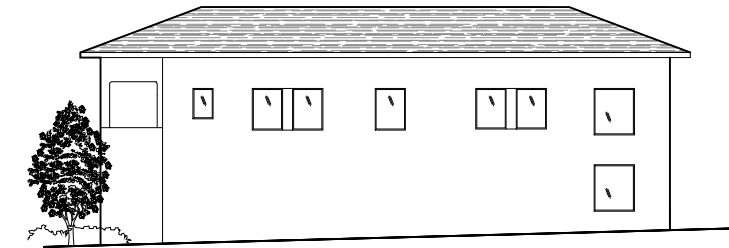


1 BEGONIA 1161 & 1163 HEARST
 1/16" = 1'-0"

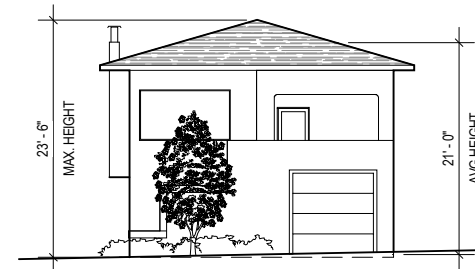
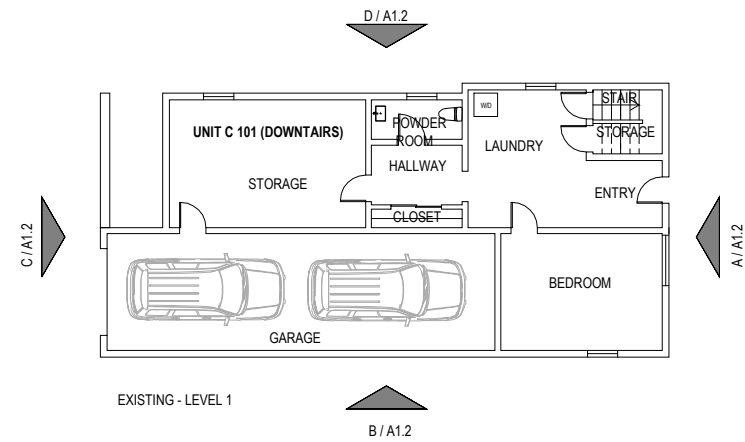




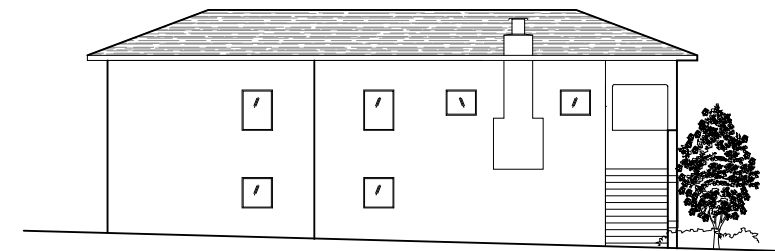
A - EXISTING NORTH ELEVATION



B - EXISTING EAST ELEVATION

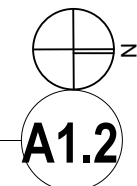
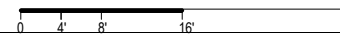


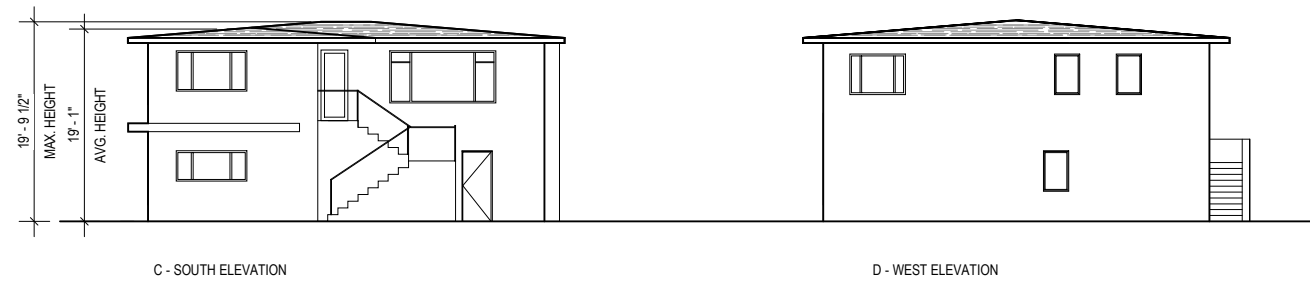
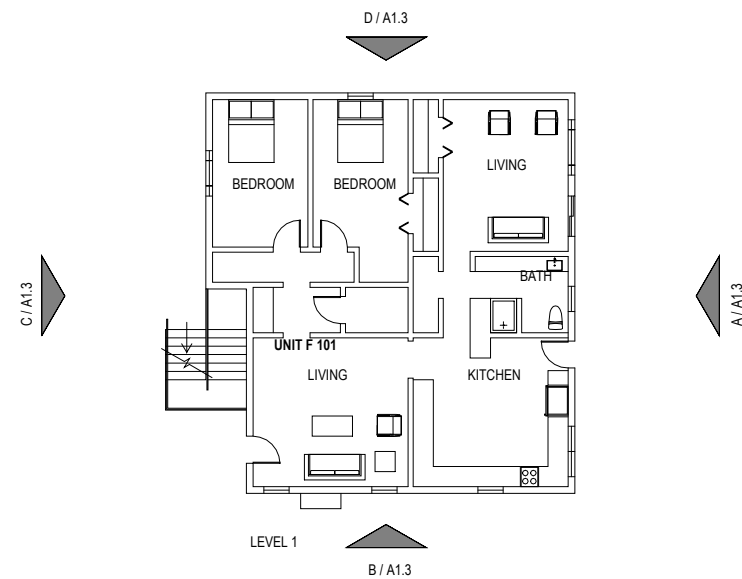
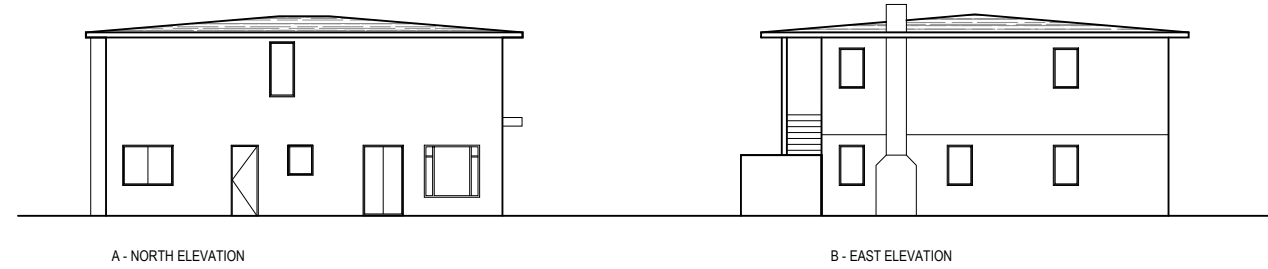
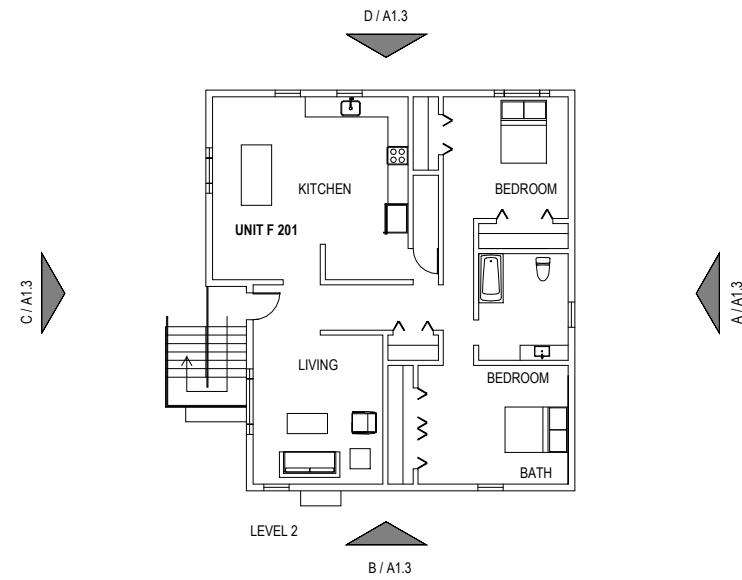
C - EXISTING SOUTH ELEVATION



D - EXISTING WEST ELEVATION

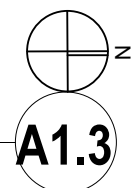
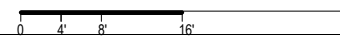
**EXISTING PLANS & ELEVATIONS - CAMELIA / 1173
 HEARST**
 1/16" = 1'-0"

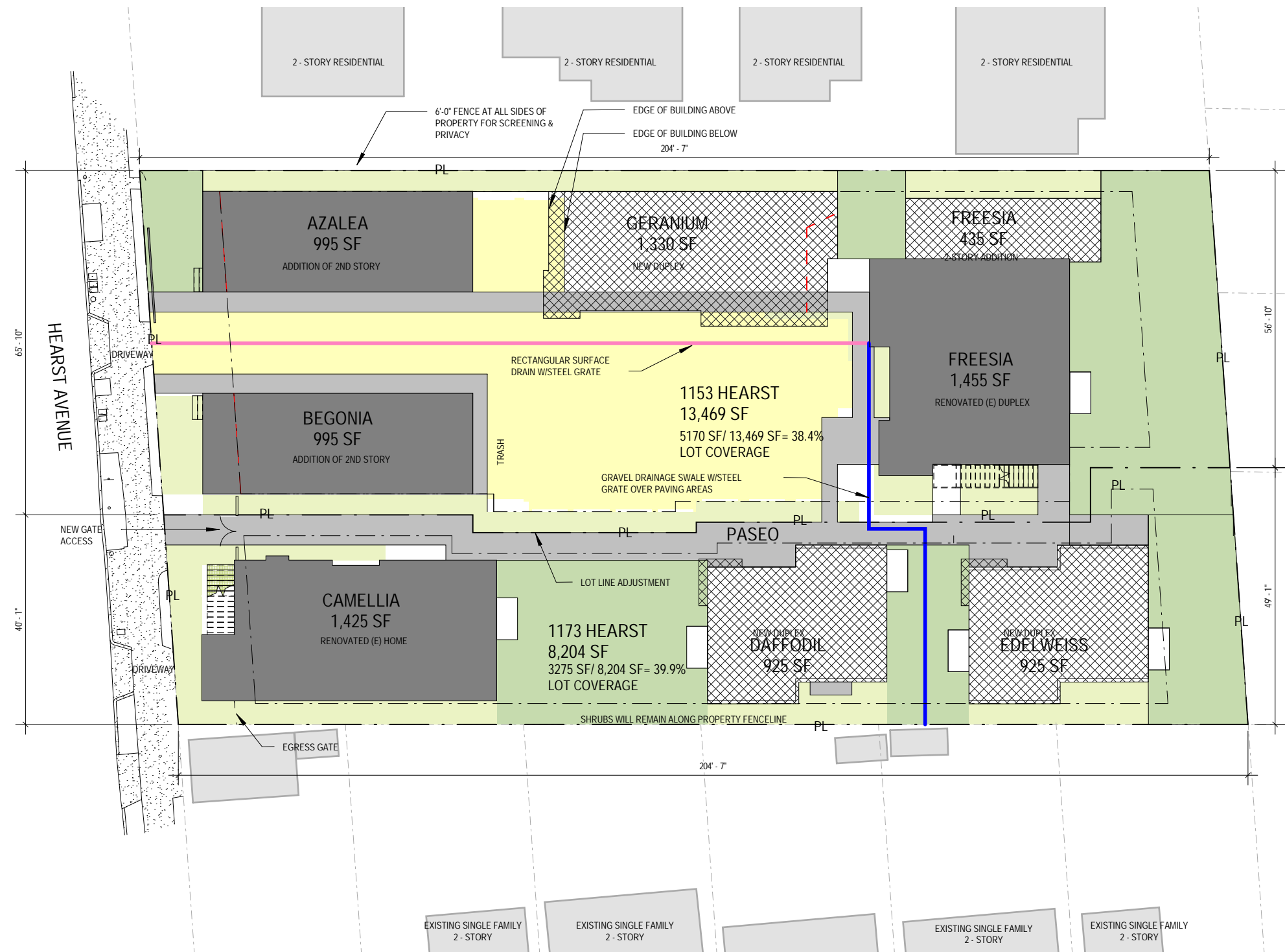




EXISTING PLANS & ELEVATIONS - FREESIA / 1179

1 HEARST
 1/16" = 1'-0"

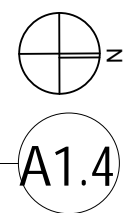
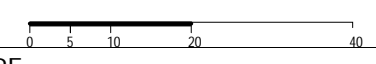


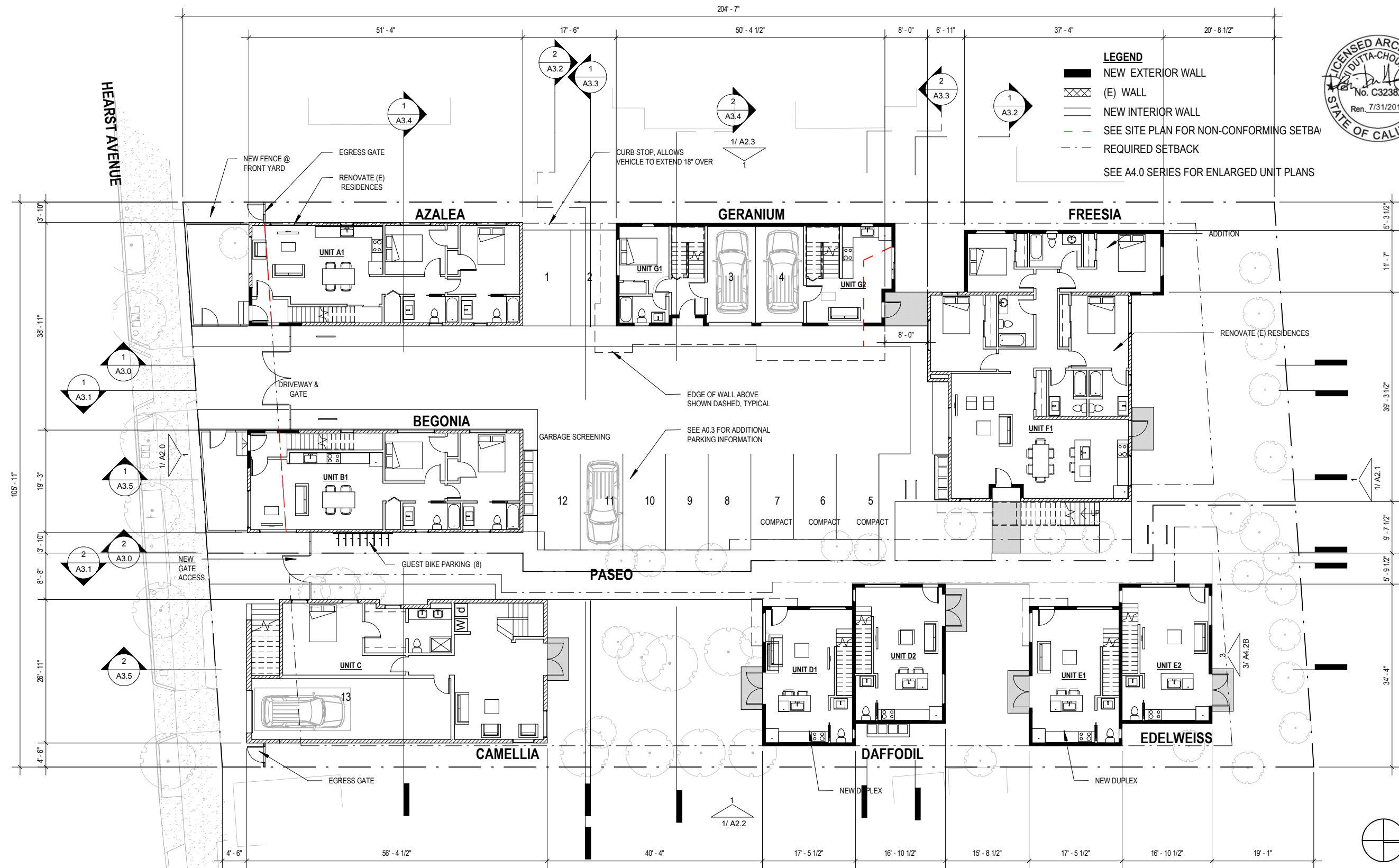


- LEGEND**
- NEW BUILDING AREA
 - RENOVATED BUILDING (e)
 - OPEN SPACE AND PLANTING, SEE A0.3 FOR AREAS
 - NON-CONFORMING SETBACKS & BUILDING SEPARATION
 - DRIVEWAY AND PARKING
 - PROPERTY LINE
 - REQUIRED SETBACK

HYDROLOGY NOTES

Unless modified by the City's Building & Safety Division and/or Department of Public Works, the drainage system shall be designed and installed as presented in the Stormwater and Flooding Assessment and Mitigation Design prepared by Clearwater Hydrology, dated January 7, 2016 and as well as all recommendations of the peer review prepared by Balance Hydrologics on March 16, 2017.





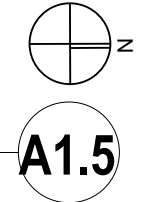
LEGEND

- NEW EXTERIOR WALL
- ▨ (E) WALL
- NEW INTERIOR WALL
- - - SEE SITE PLAN FOR NON-CONFORMING SETBA
- REQUIRED SETBACK

SEE A4.0 SERIES FOR ENLARGED UNIT PLANS

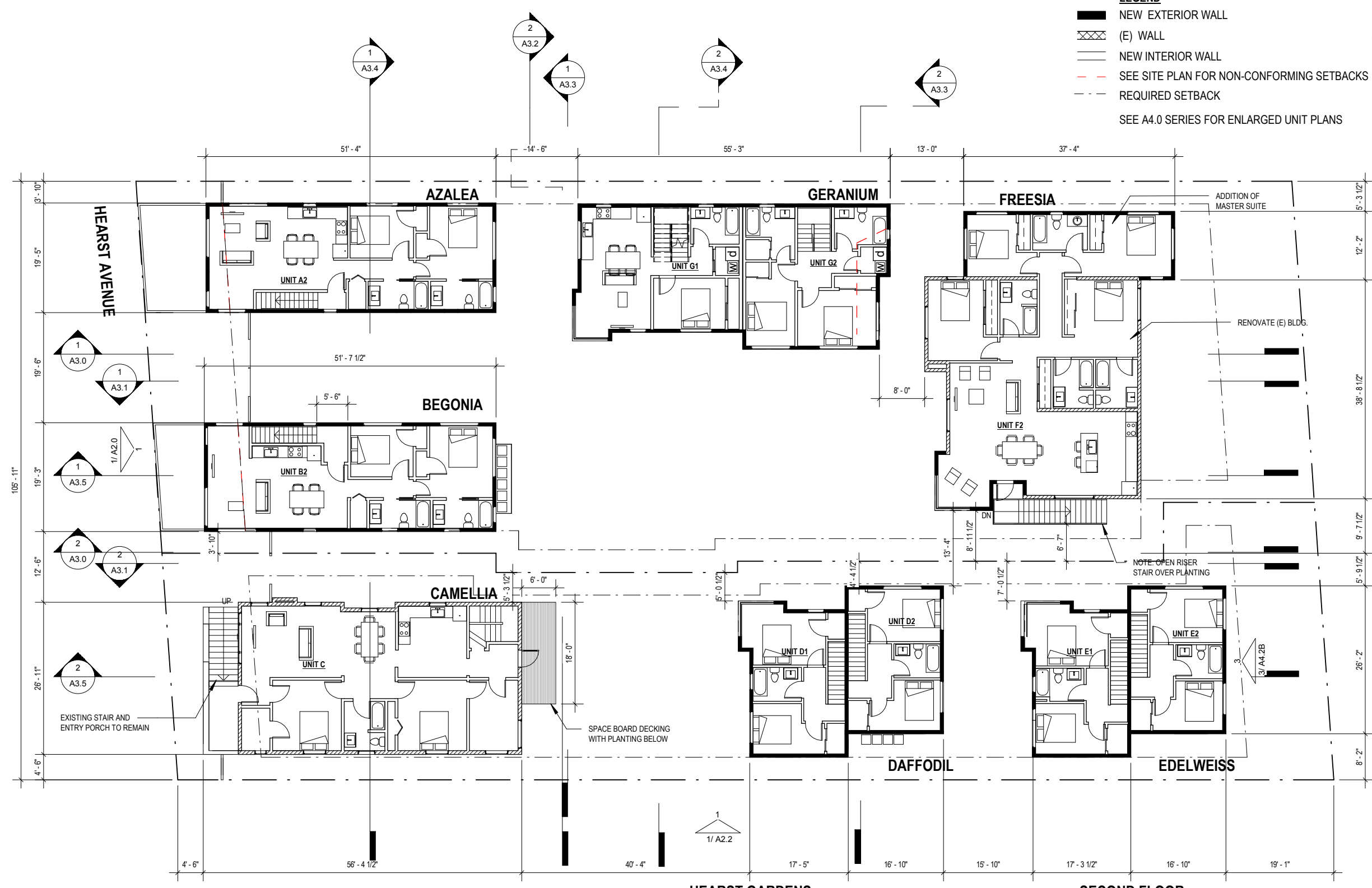
HEARST GARDENS
 DEVI DUTTA ARCHITECTURE
 GROUND FLOOR
 SCALE: 1/16" = 1'-0"

ZAB 6.8.2018





- LEGEND**
- NEW EXTERIOR WALL
 - ▨ (E) WALL
 - NEW INTERIOR WALL
 - - - SEE SITE PLAN FOR NON-CONFORMING SETBACKS
 - - - REQUIRED SETBACK
- SEE A4.0 SERIES FOR ENLARGED UNIT PLANS

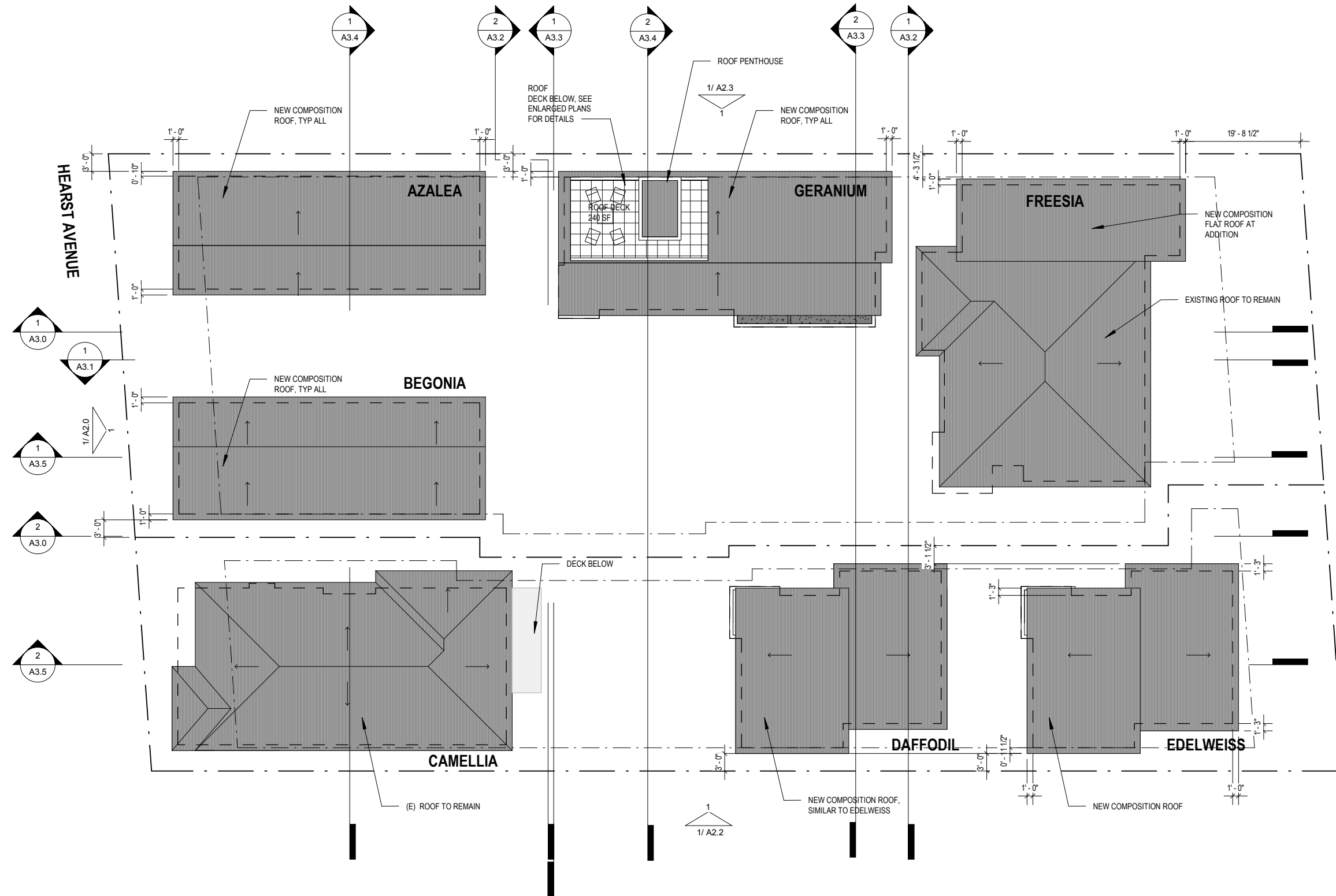


ZAB 6.8.2018

HEARST GARDENS
 DEVI DUTTA ARCHITECTURE

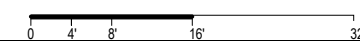
SECOND FLOOR
 SCALE: 1/16" = 1'-0"

A1.6



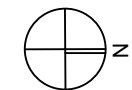
HEARST GARDENS

DEVI DUTTA ARCHITECTURE



ROOF PLAN

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

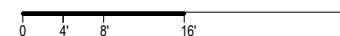
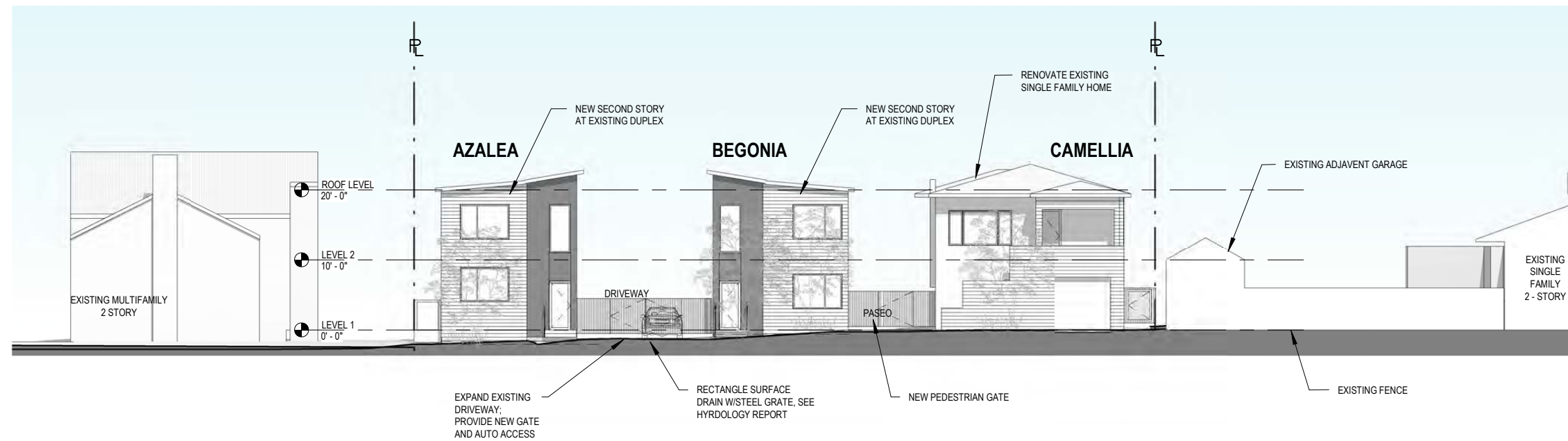


A1.8



- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER

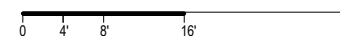
SEE A4.0 SERIES FOR ENLARGED ELEVATIONS









- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER

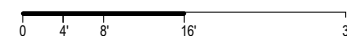
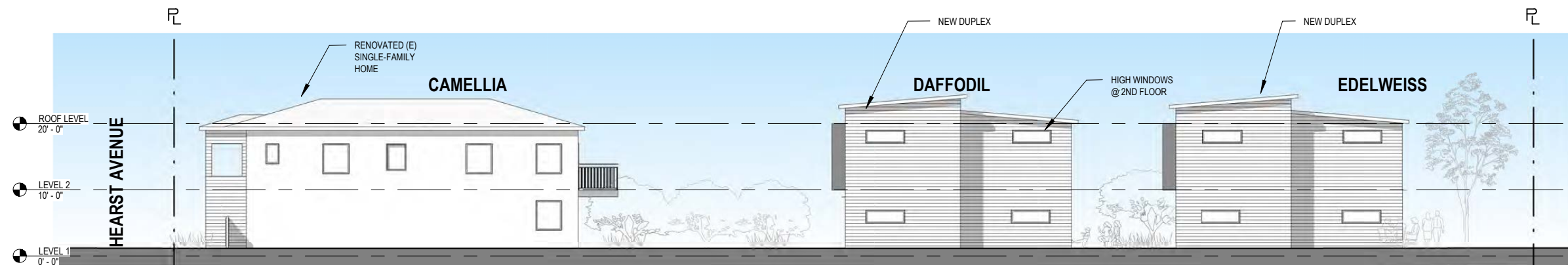
SEE A4.0 SERIES FOR ENLARGED ELEVATIONS





- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER

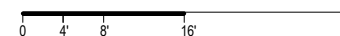
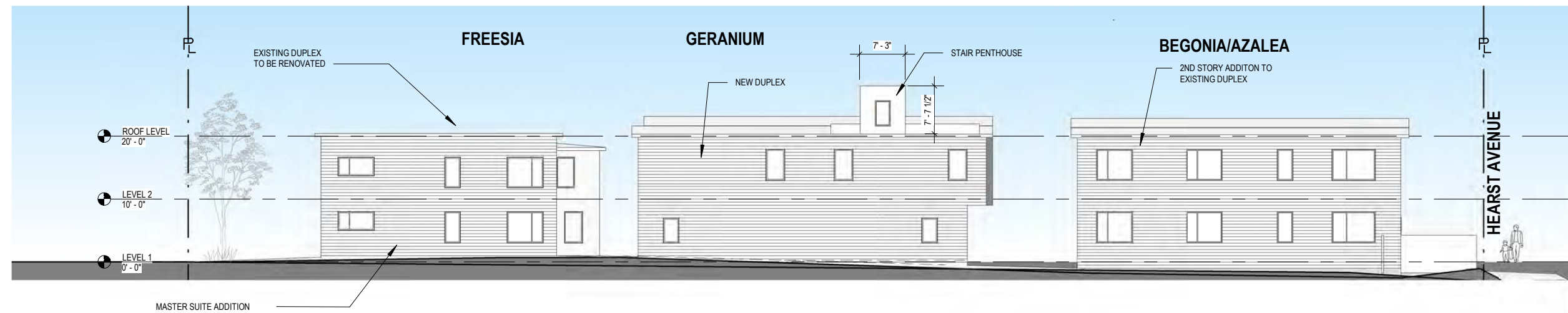
SEE A4.0 SERIES FOR ENLARGED ELEVATIONS

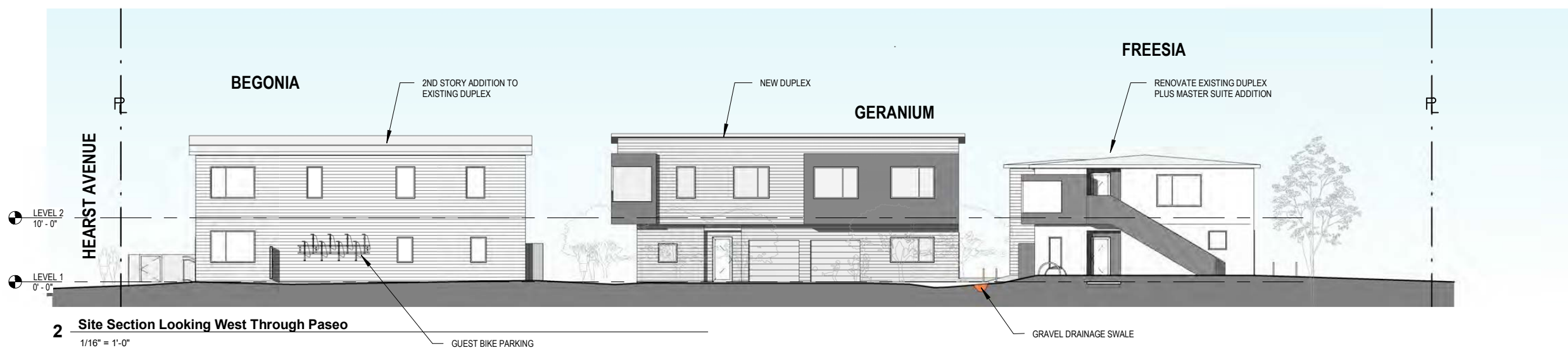
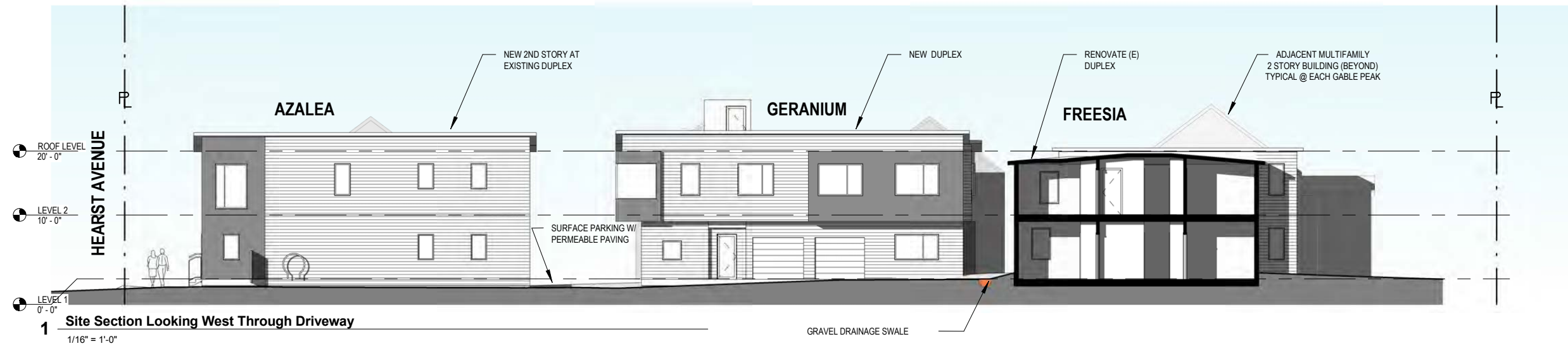




- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER

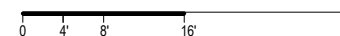
SEE A4.0 SERIES FOR ENLARGED ELEVATIONS





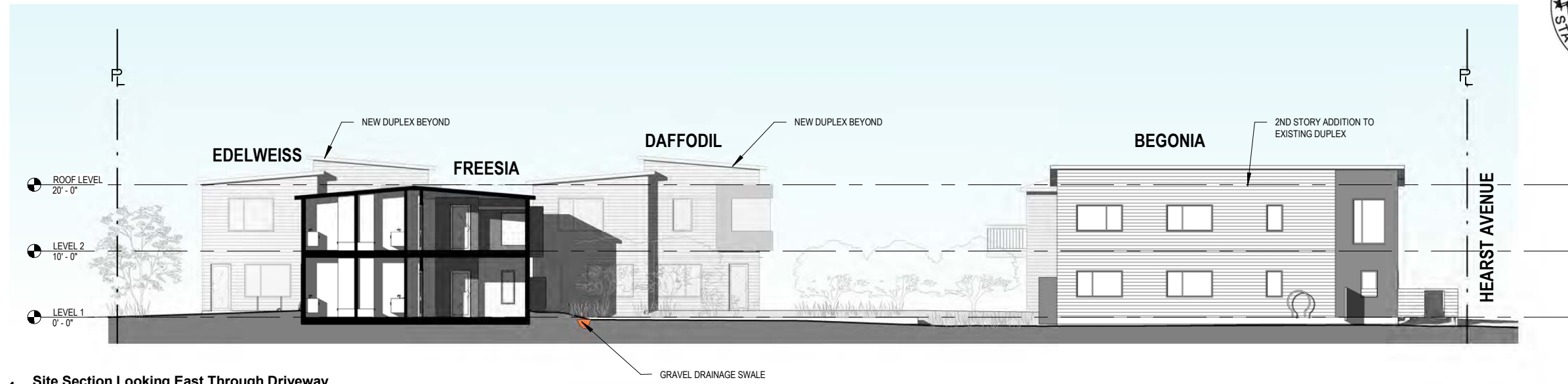
HEARST GARDENS

DEVI DUTTA ARCHITECTURE

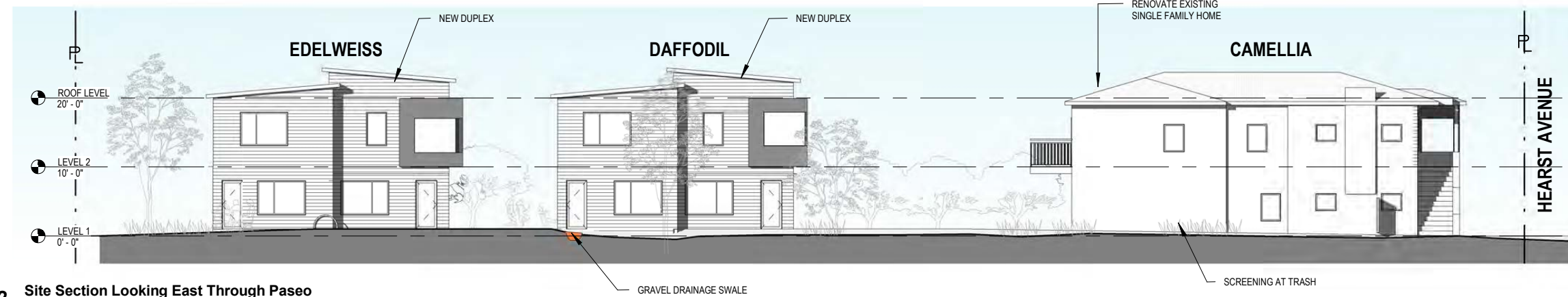


SITE SECTIONS LOOKING WEST

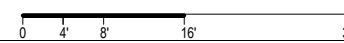
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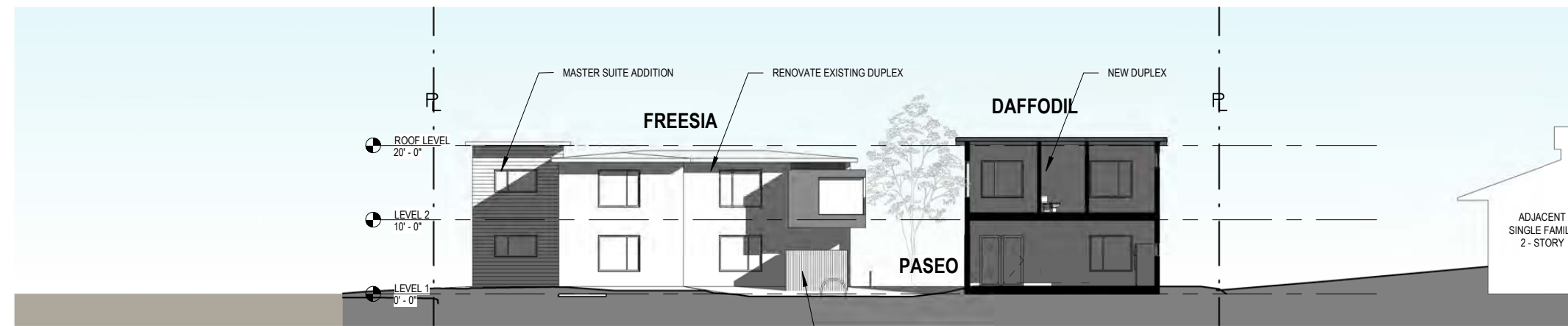


1 Site Section Looking East Through Driveway
 1/16" = 1'-0"

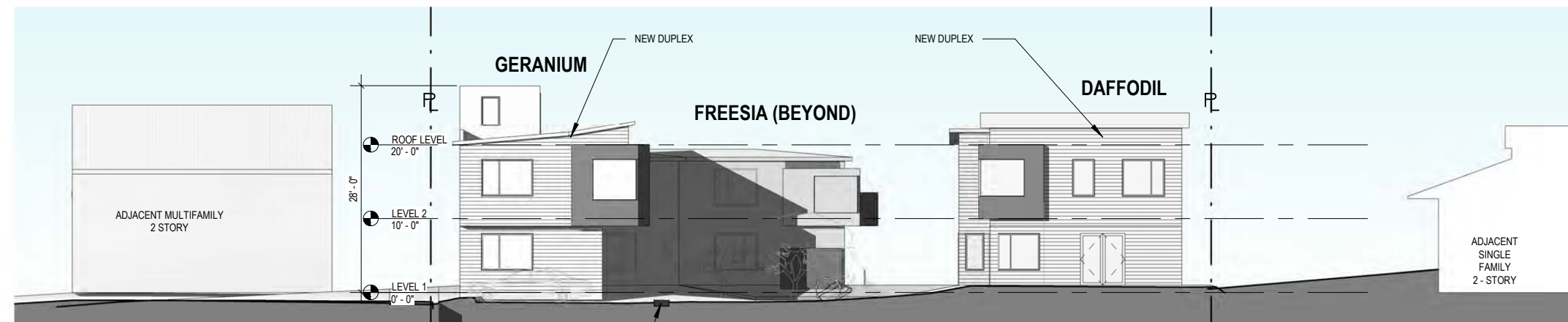


2 Site Section Looking East Through Paseo
 1/16" = 1'-0"





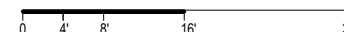
1 Site Section Looking North @ Freesia Building
 1/16" = 1'-0"



2 Site Section Looking North
 1/16" = 1'-0"

RECTANGULAR SURFACE
 DRAINAGE W/STEEL GRATE

HEARST GARDENS
 DEVI DUTTA ARCHITECTURE

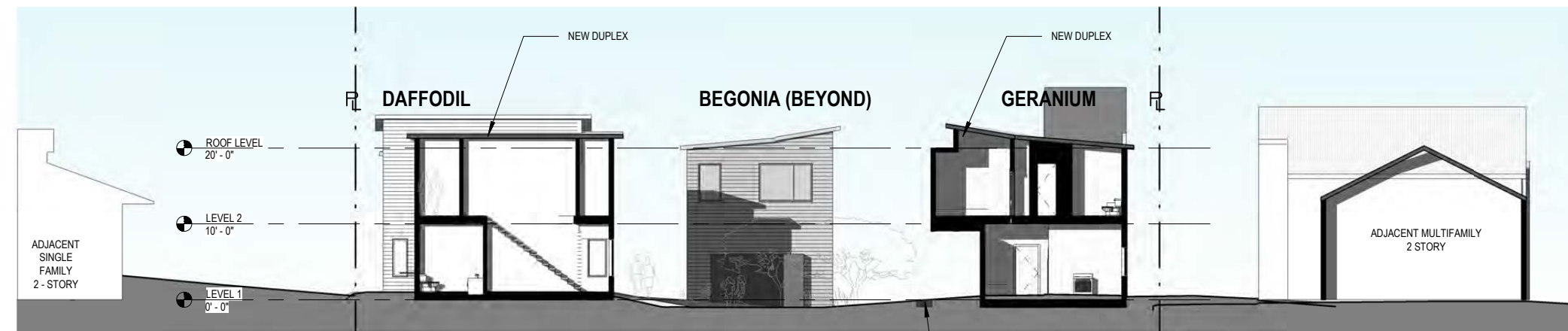


SITE SECTIONS LOOKING NORTH
 SCALE: 1/16" = 1'-0"



1 Site Section Looking South

1/16" = 1'-0"



2 Site Section Looking South @ Parking Lot

1/16" = 1'-0"

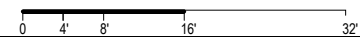
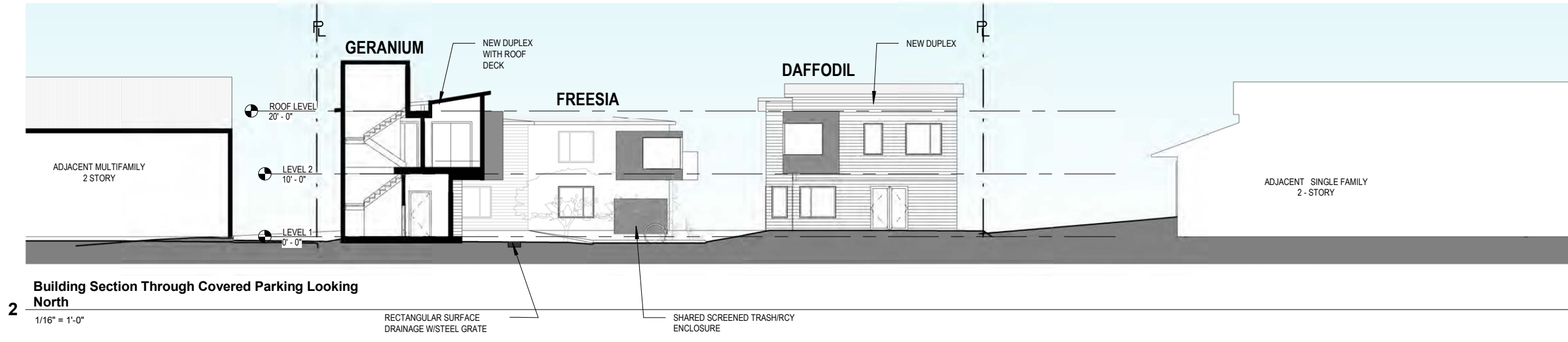
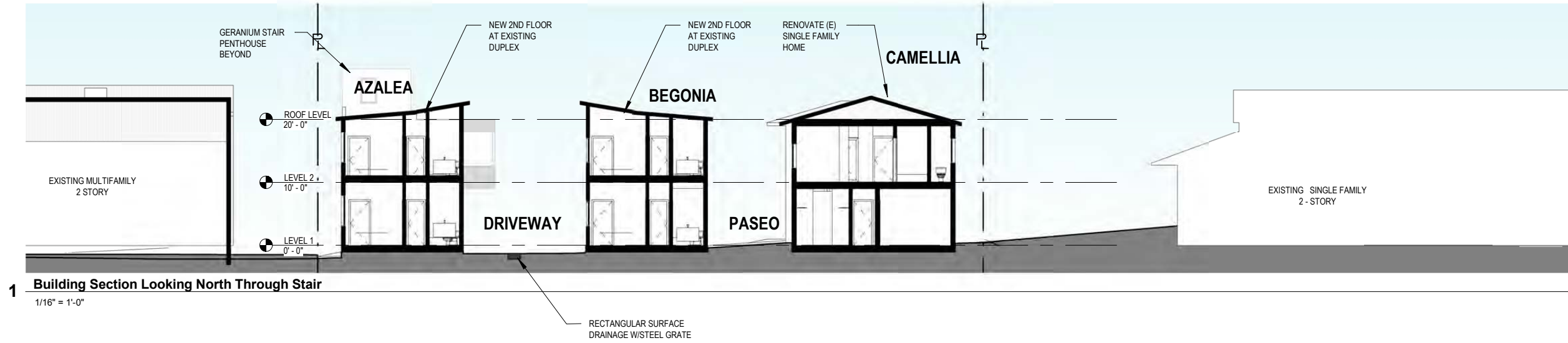
HEARST GARDENS

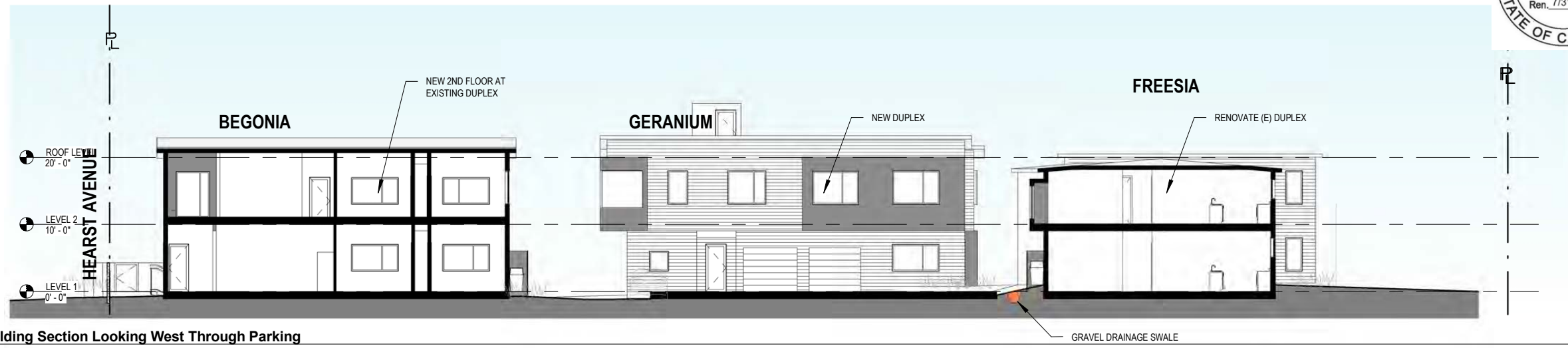
DEVI DUTTA ARCHITECTURE



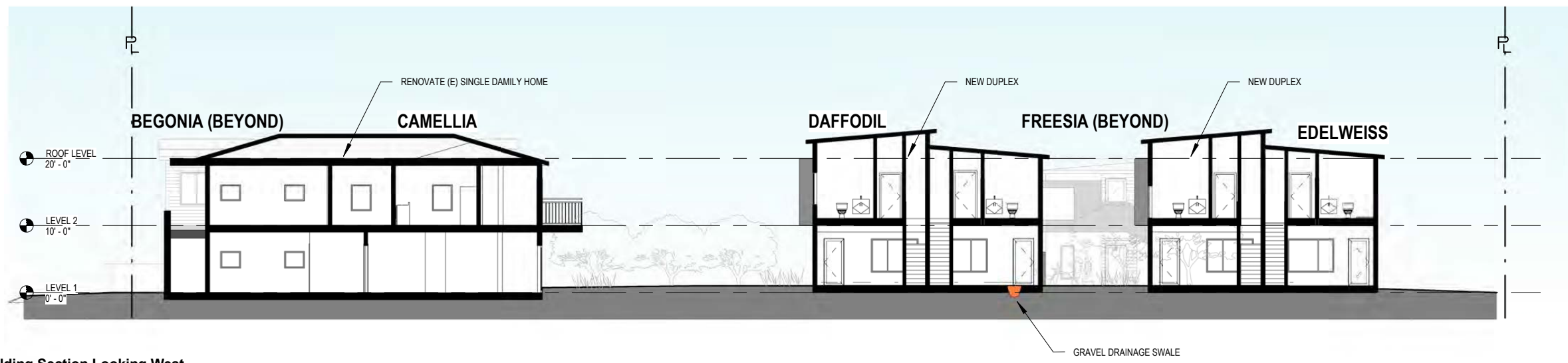
SITE SECTIONS LOOKING SOUTH

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

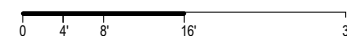




1 Building Section Looking West Through Parking
 1/16" = 1'-0"



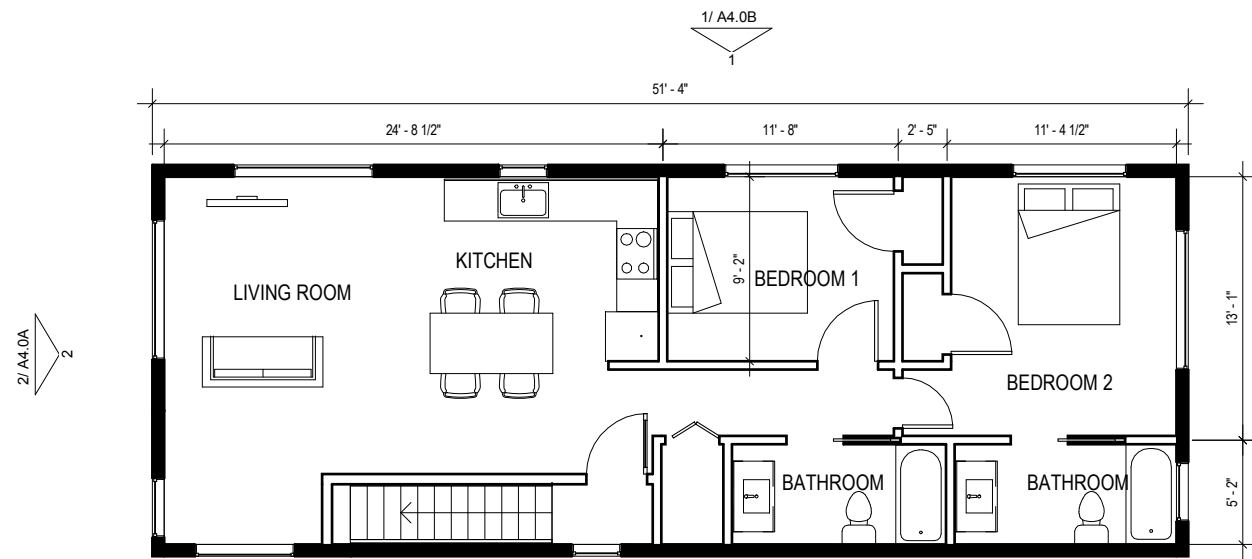
2 Building Section Looking West
 1/16" = 1'-0"



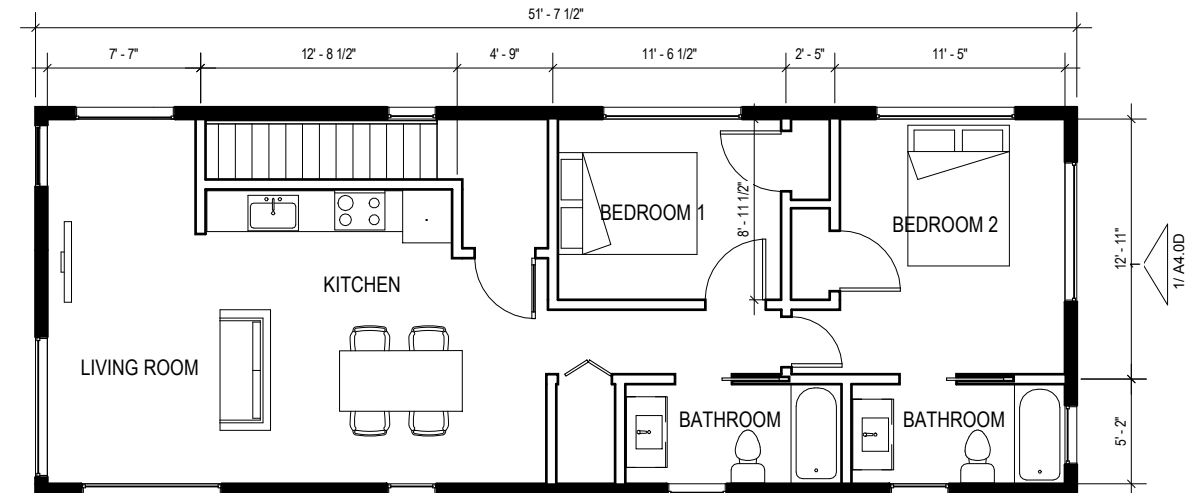


- LEGEND**
- NEW EXTERIOR WALL
 - ▨ (E) WALL
 - NEW INTERIOR WALL
 - - - SEE SITE PLAN FOR NON-CONFORMING SETBACK
 - - - REQUIRED SETBACK

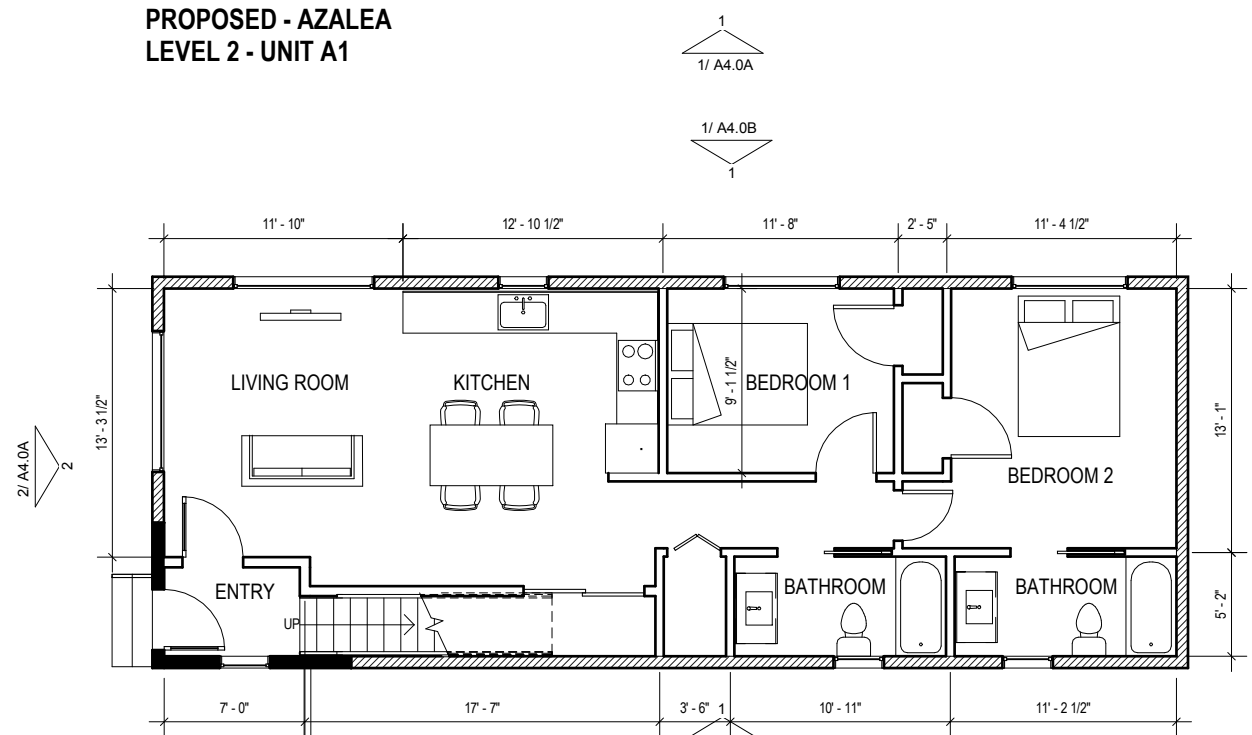
2/ A4.0D A4.0 SERIES FOR ENLARGED UNIT PLANS



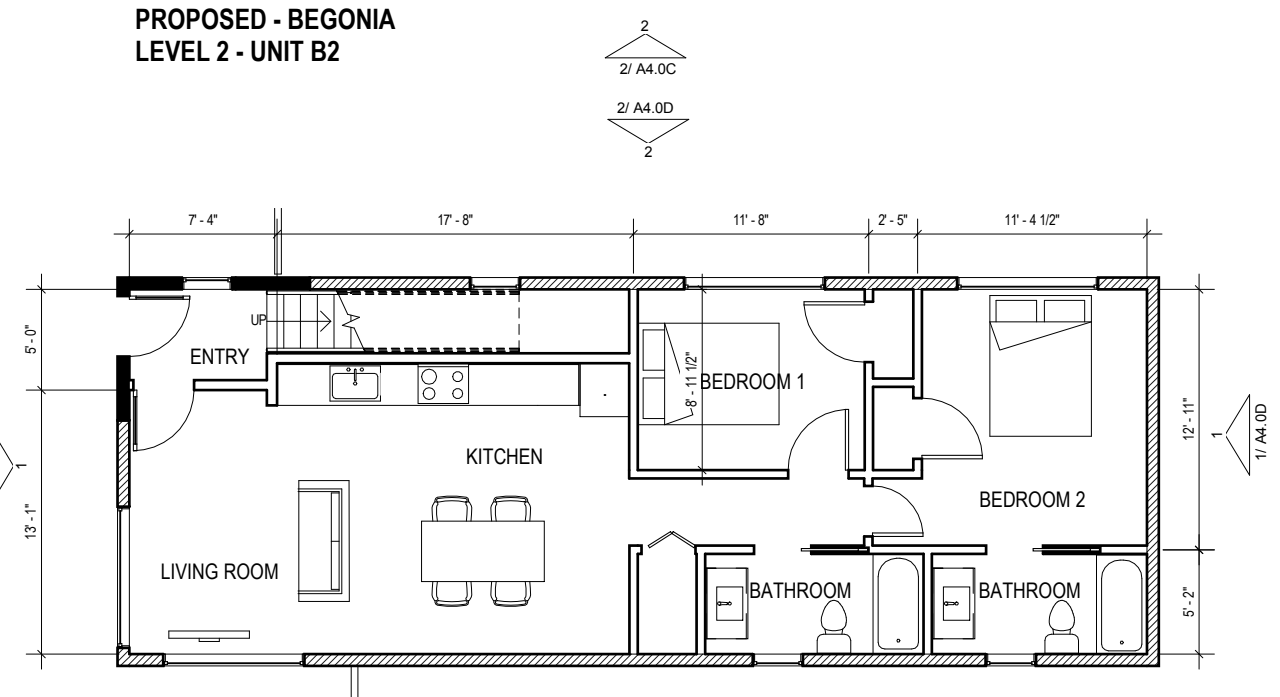
**PROPOSED - AZALEA
 LEVEL 2 - UNIT A1**



**PROPOSED - BEGONIA
 LEVEL 2 - UNIT B2**



**PROPOSED - AZALEA
 LEVEL 1 - UNIT A1**



**PROPOSED - BEGONIA
 LEVEL 1 - UNIT B1**

HEARST GARDENS

DEVI DUTTA ARCHITECTURE







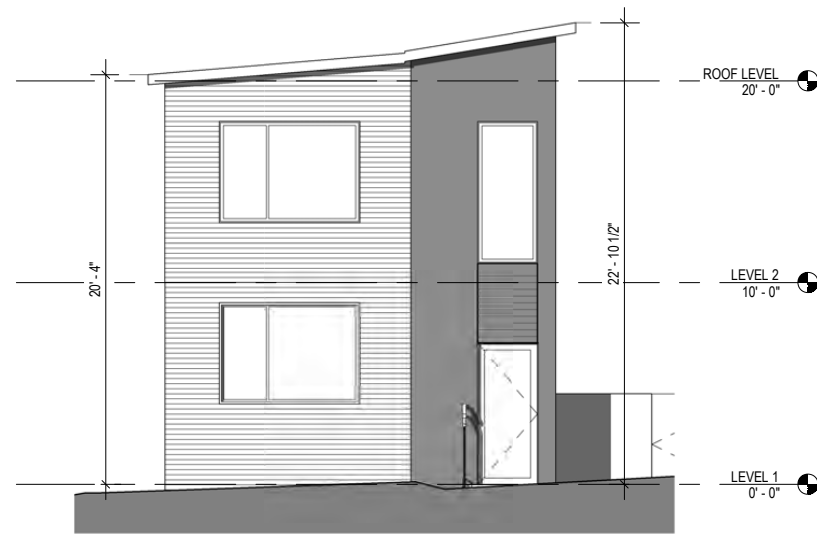
AZALEA & BEGONIA PLANS

SCALE: As indicated

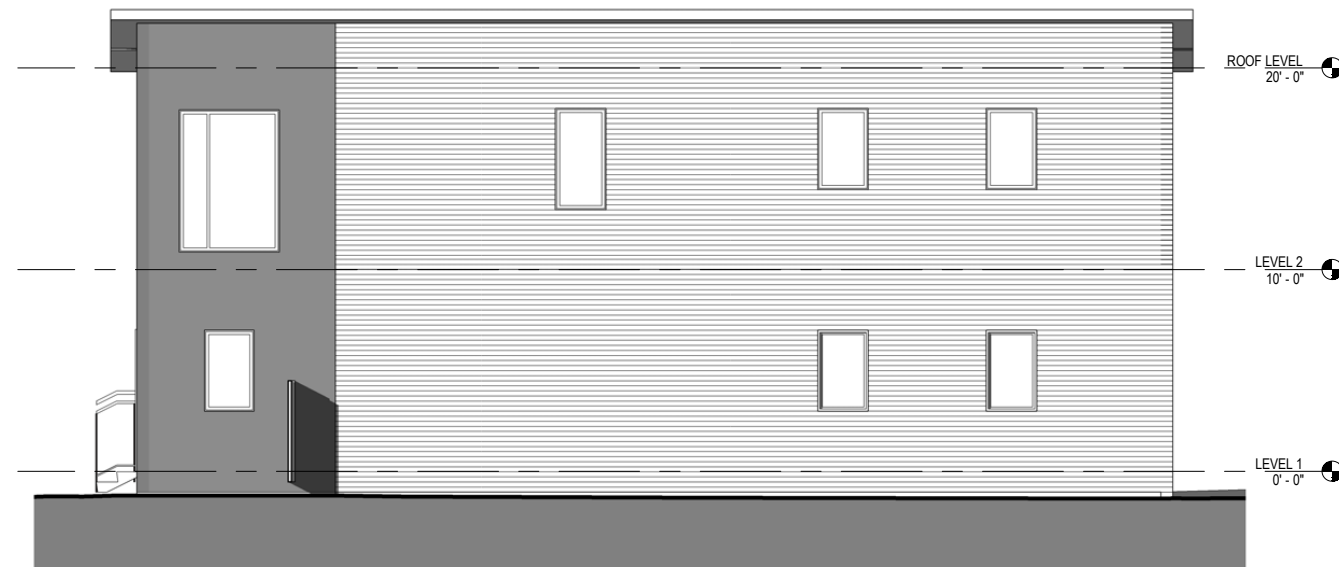




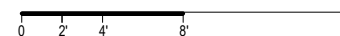
- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER







2 AZALEA SOUTH ELEVATION
 1/8" = 1'-0"

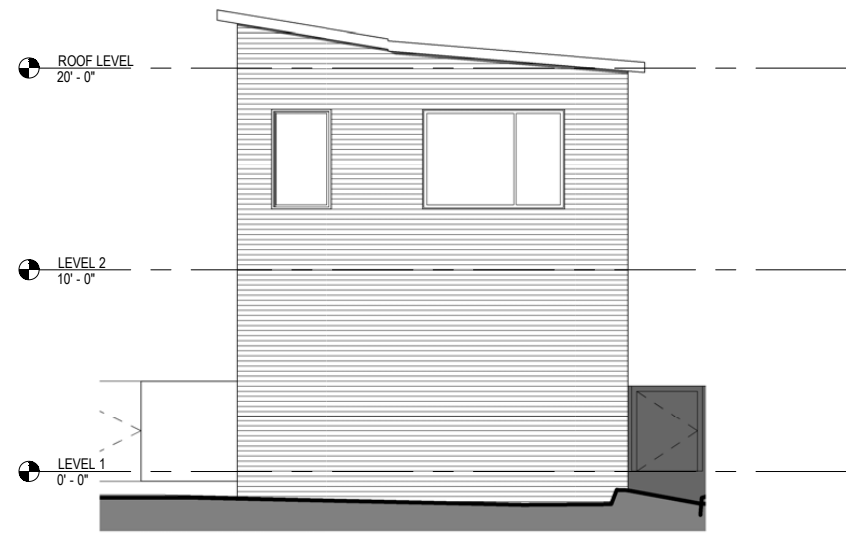


1 AZALEA EAST ELEVATION
 1/8" = 1'-0"





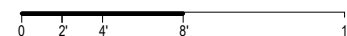
- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER







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



1 AZALEA WEST ELEVATION
 1/8" = 1'-0"





- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER







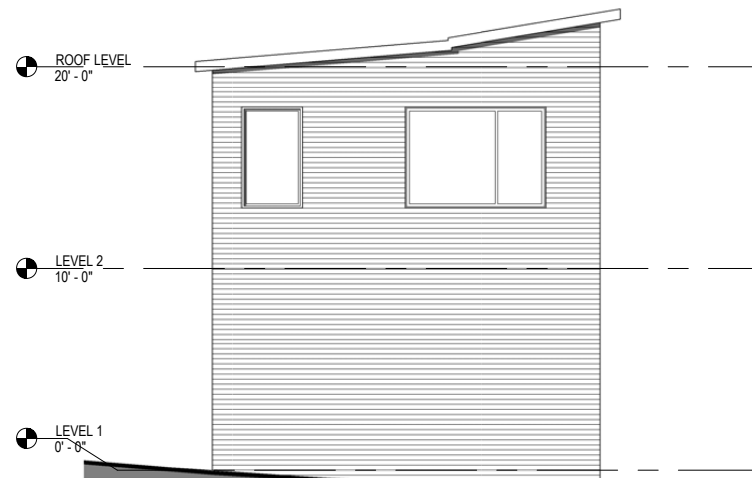
1 BEGONIA SOUTH ELEVATION
 1/8" = 1'-0"



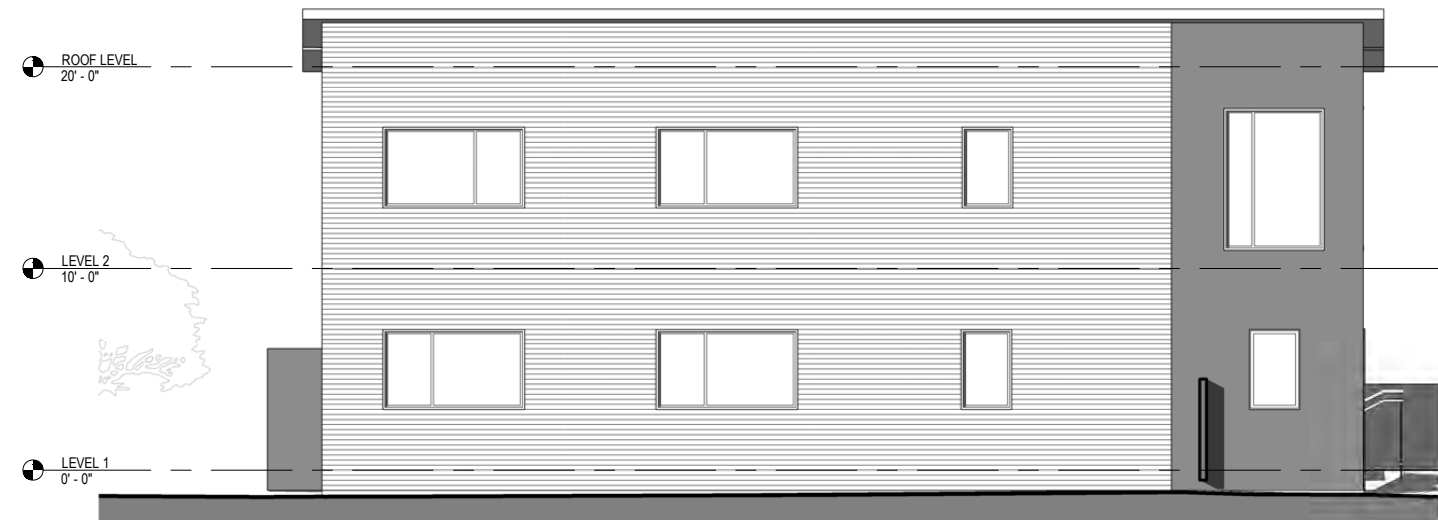
2 BEGONIA EAST ELEVATION
 1/8" = 1'-0"



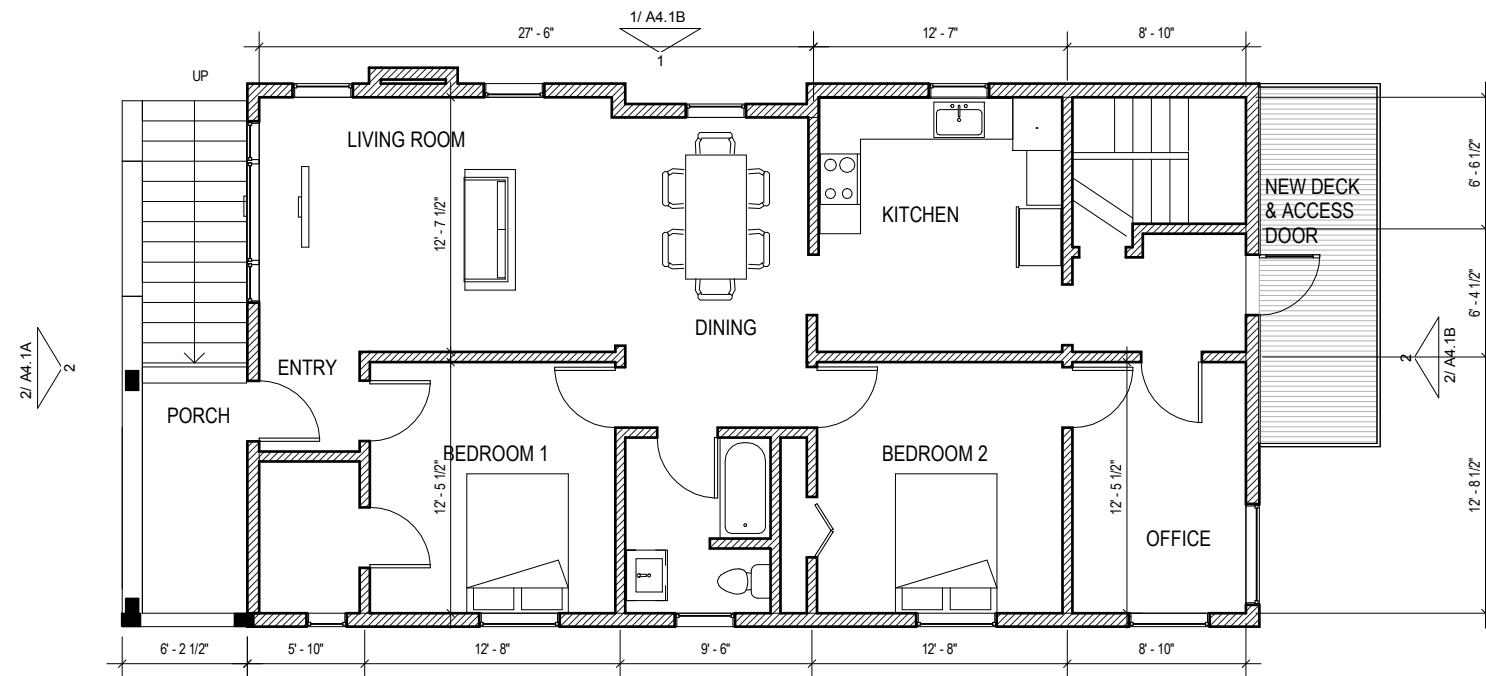
- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER



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

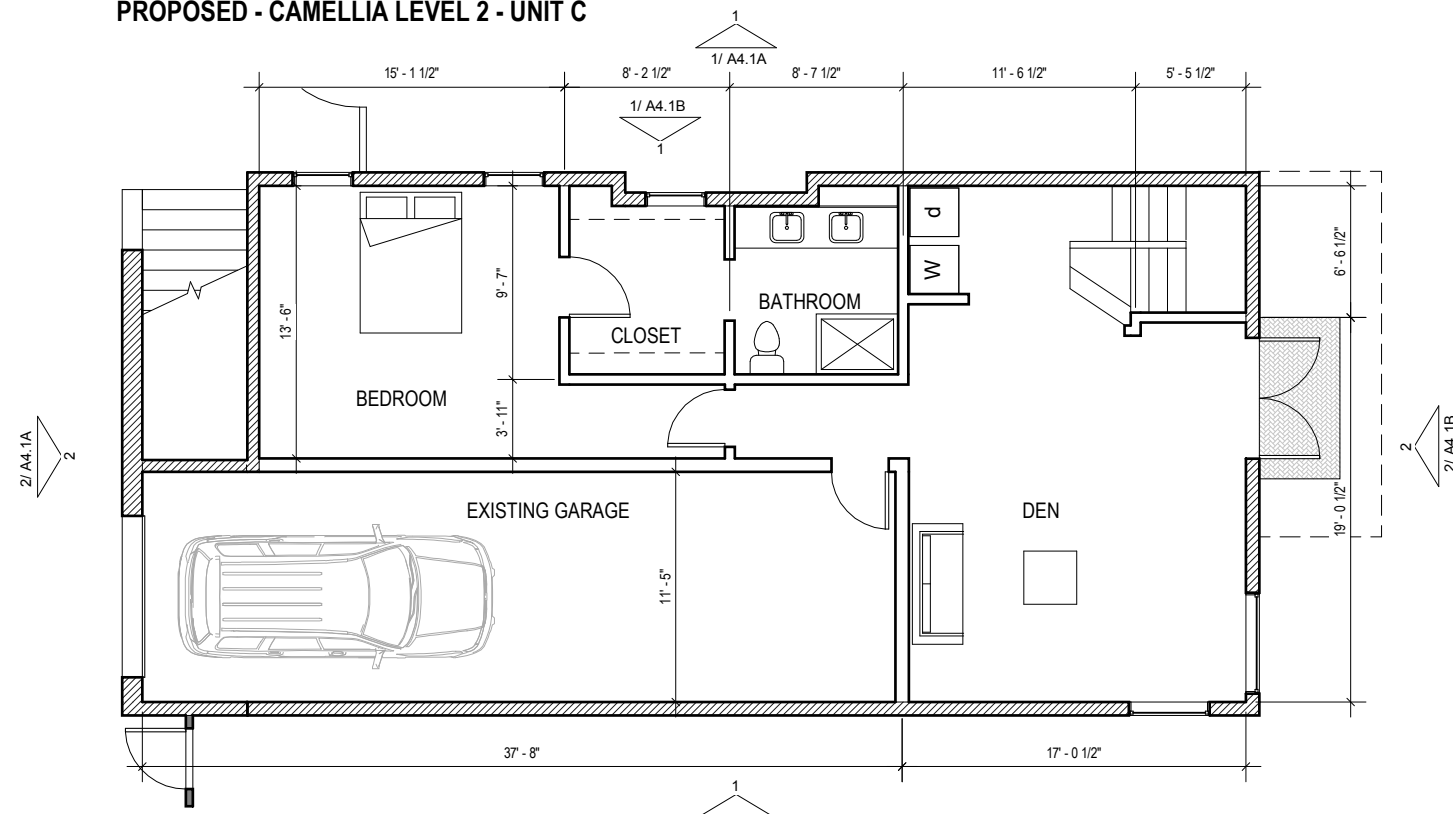


2 BEGONIA WEST ELEVATION
1/8" = 1'-0"



PROPOSED - CAMELLIA LEVEL 2 - UNIT C

- LEGEND**
- NEW EXTERIOR WALL
 - ▨ (E) WALL
 - NEW INTERIOR WALL
 - - - SEE SITE PLAN FOR NON-CONFORMING SETBACK
 - - - REQUIRED SETBACK



PROPOSED - CAMELLIA BASEMENT PLAN

HEARST GARDENS

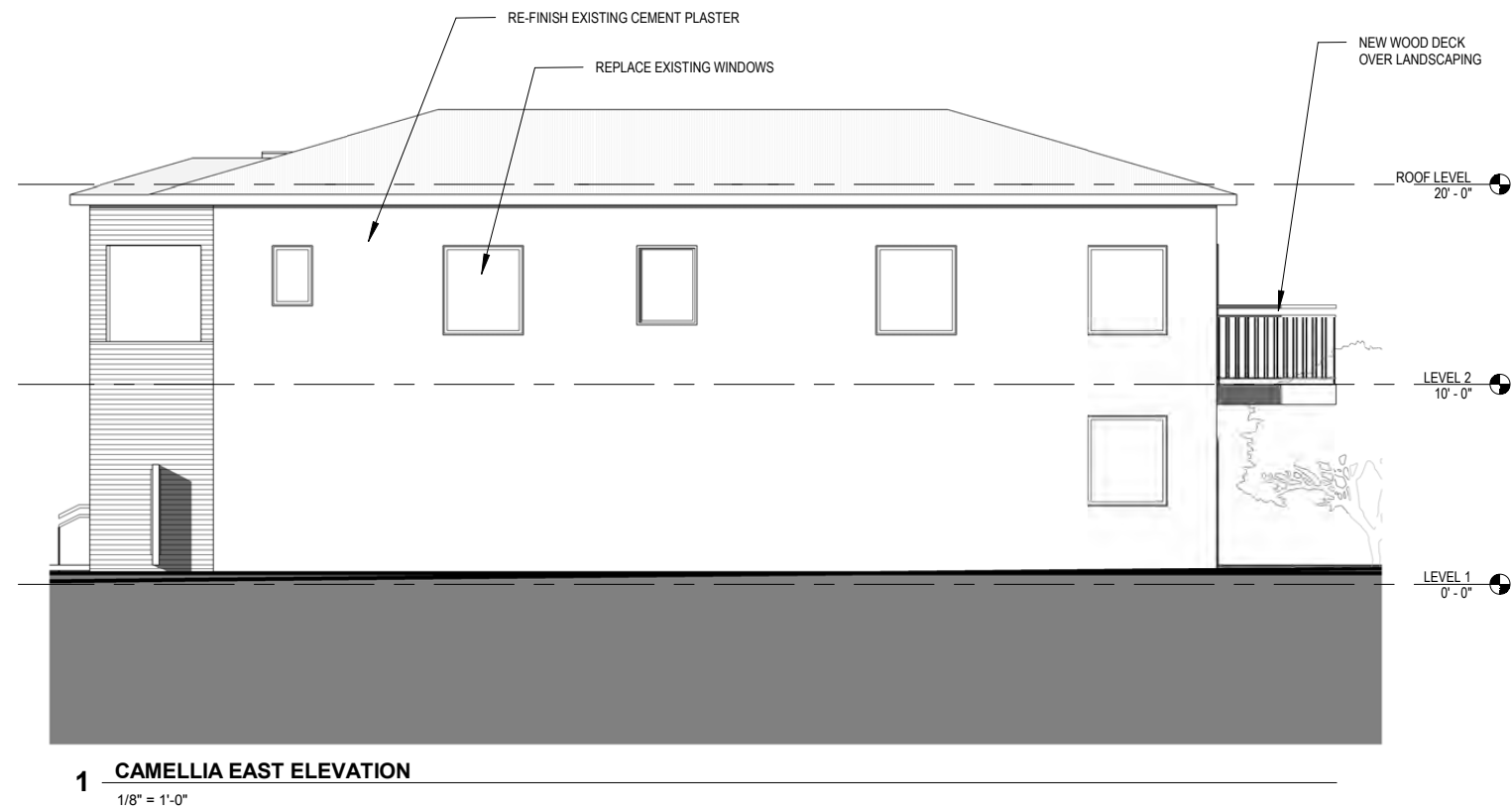
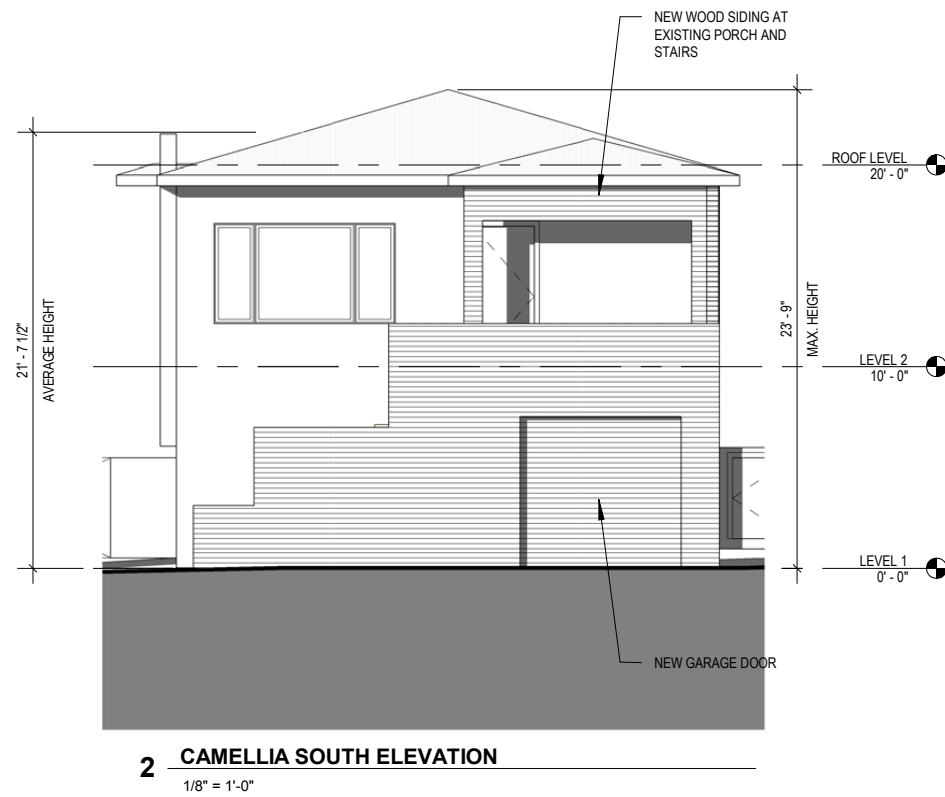
DEVI DUTTA ARCHITECTURE

CAMELLIA PLANS

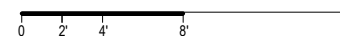
SCALE: As indicated



- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER



HEARST GARDENS







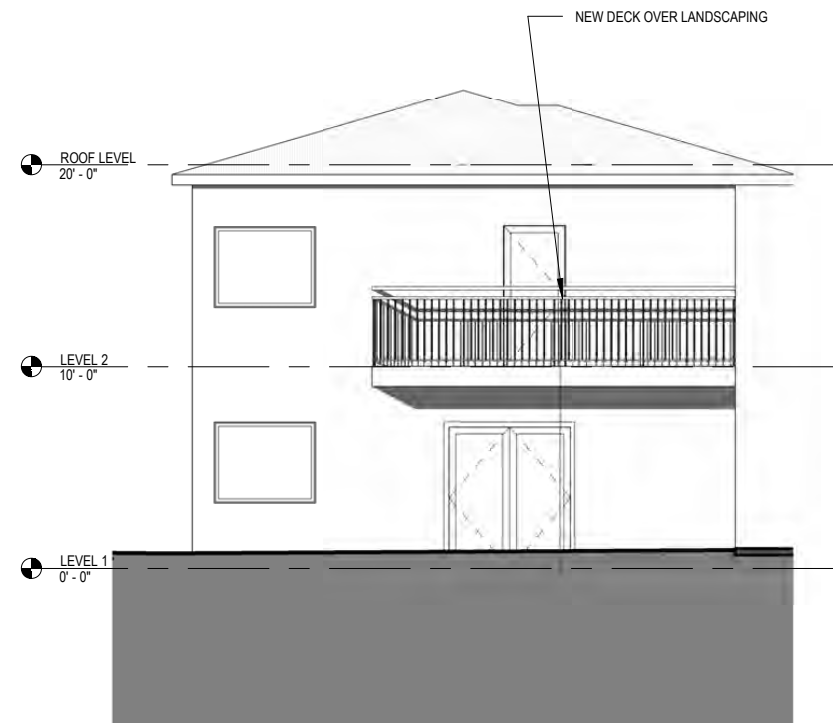
DEVI DUTTA ARCHITECTURE

CAMELLIA ELEVATIONS

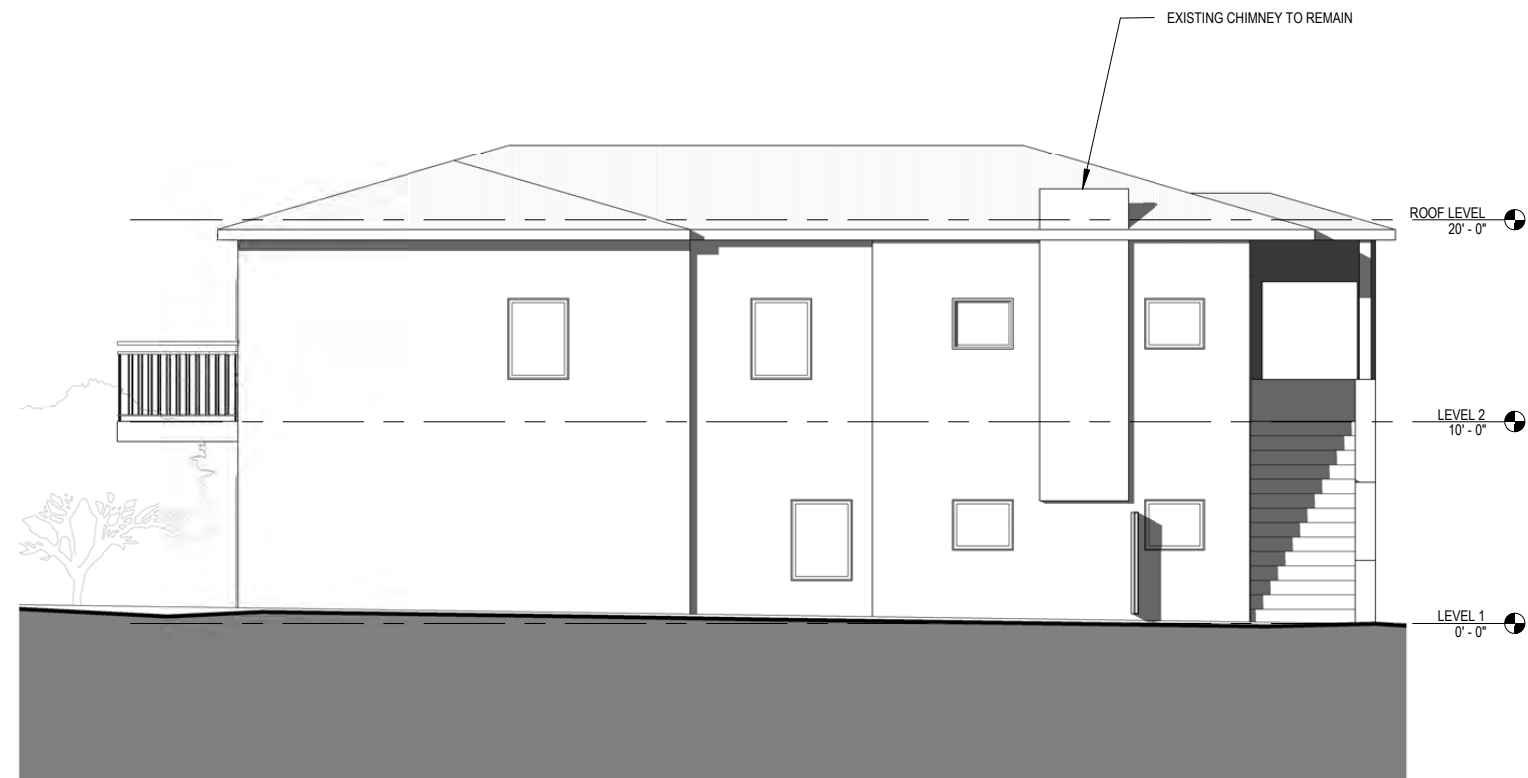
SCALE: As indicated



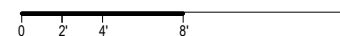
- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER

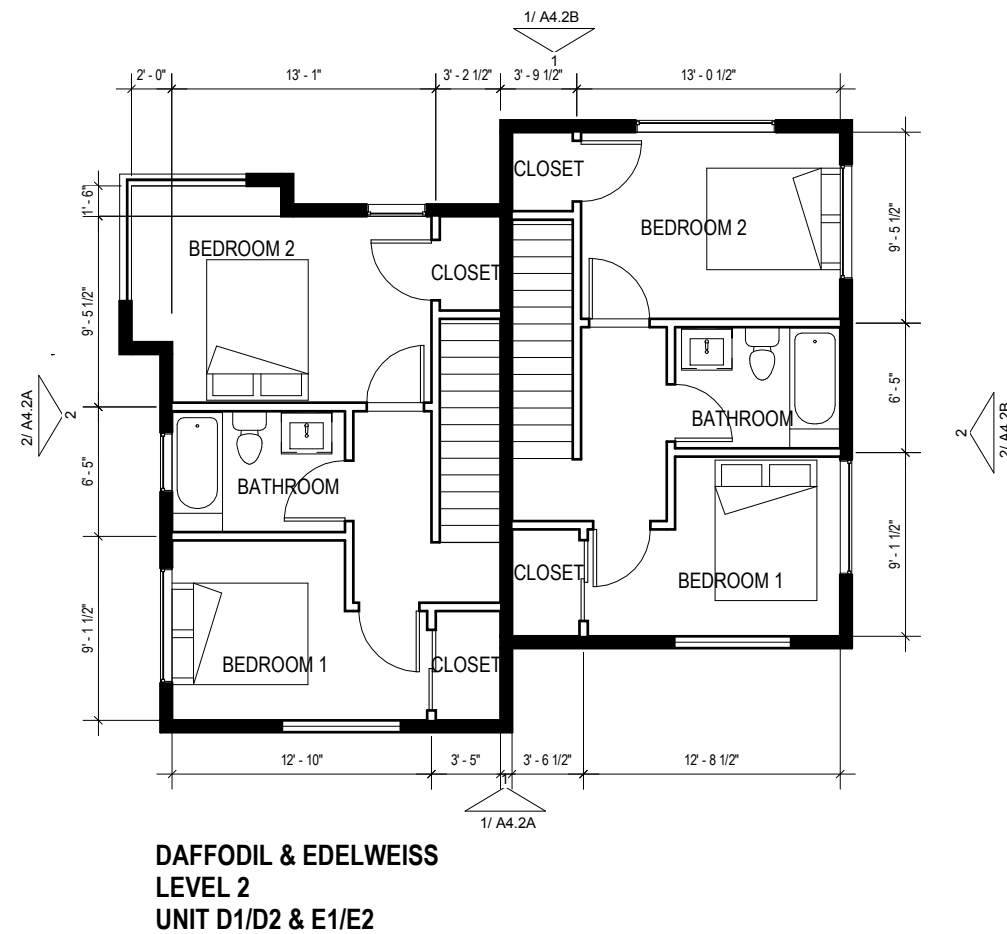
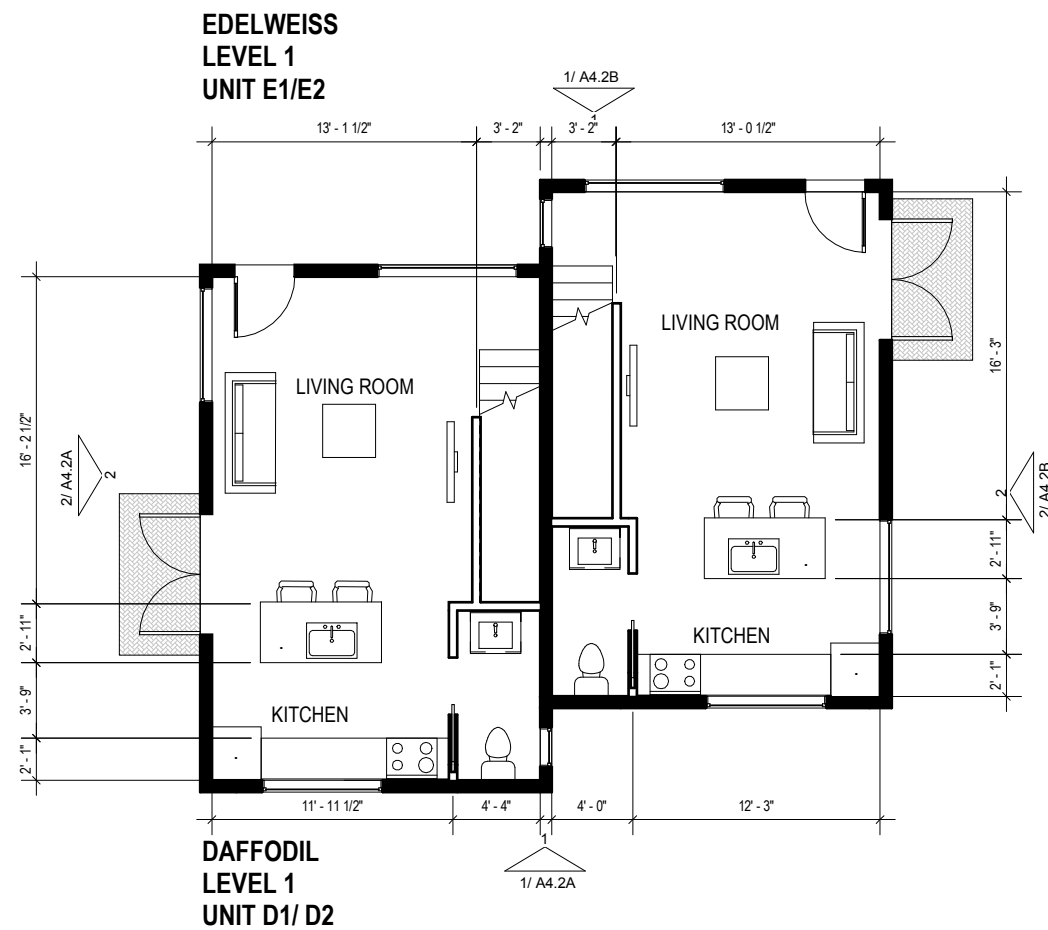
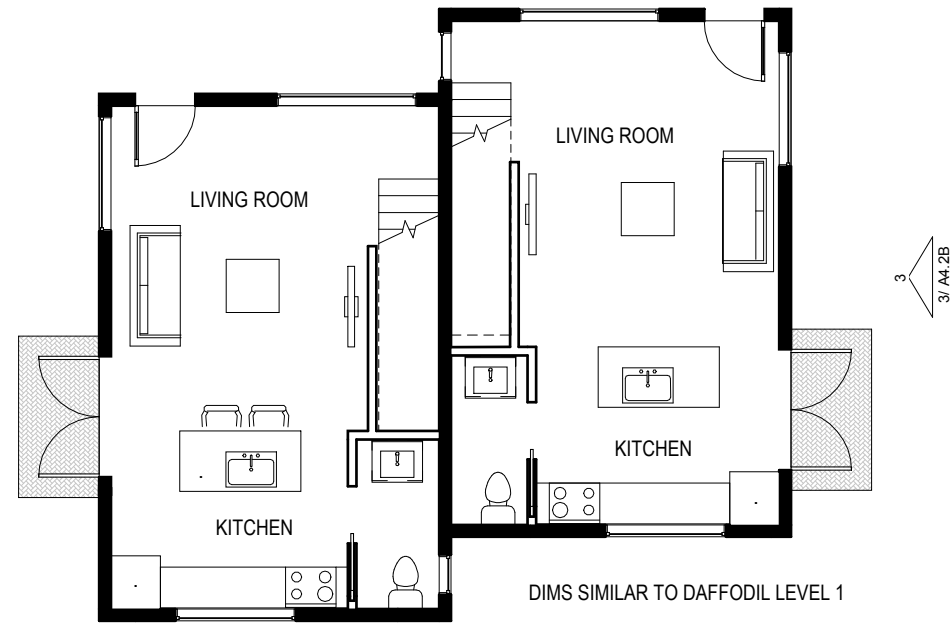


2 CAMELLIA NORTH ELEVATION
 1/8" = 1'-0"



1 CAMELLIA WEST ELEVATION
 1/8" = 1'-0"



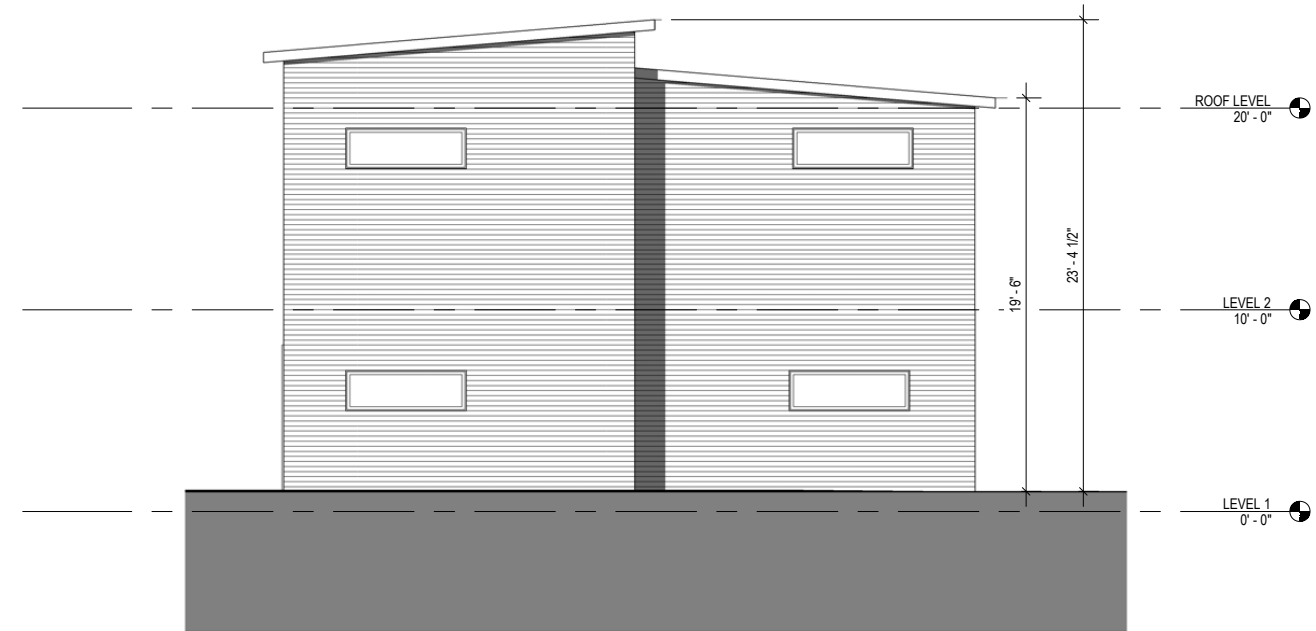




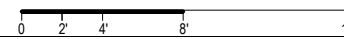
- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER



2 DAFFODIL & EDELWEISS SOUTH ELEVATION
 1/8" = 1'-0"

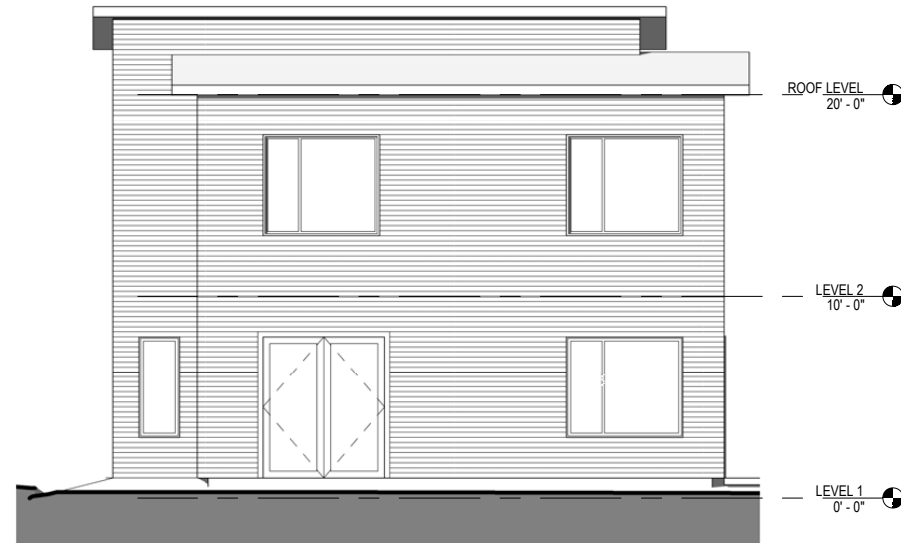


1 DAFFODIL & EDELWEISS EAST ELEVATION
 1/8" = 1'-0"





- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER



3 EDELWEISS NORTH ELEVATION
 1/8" = 1'-0"

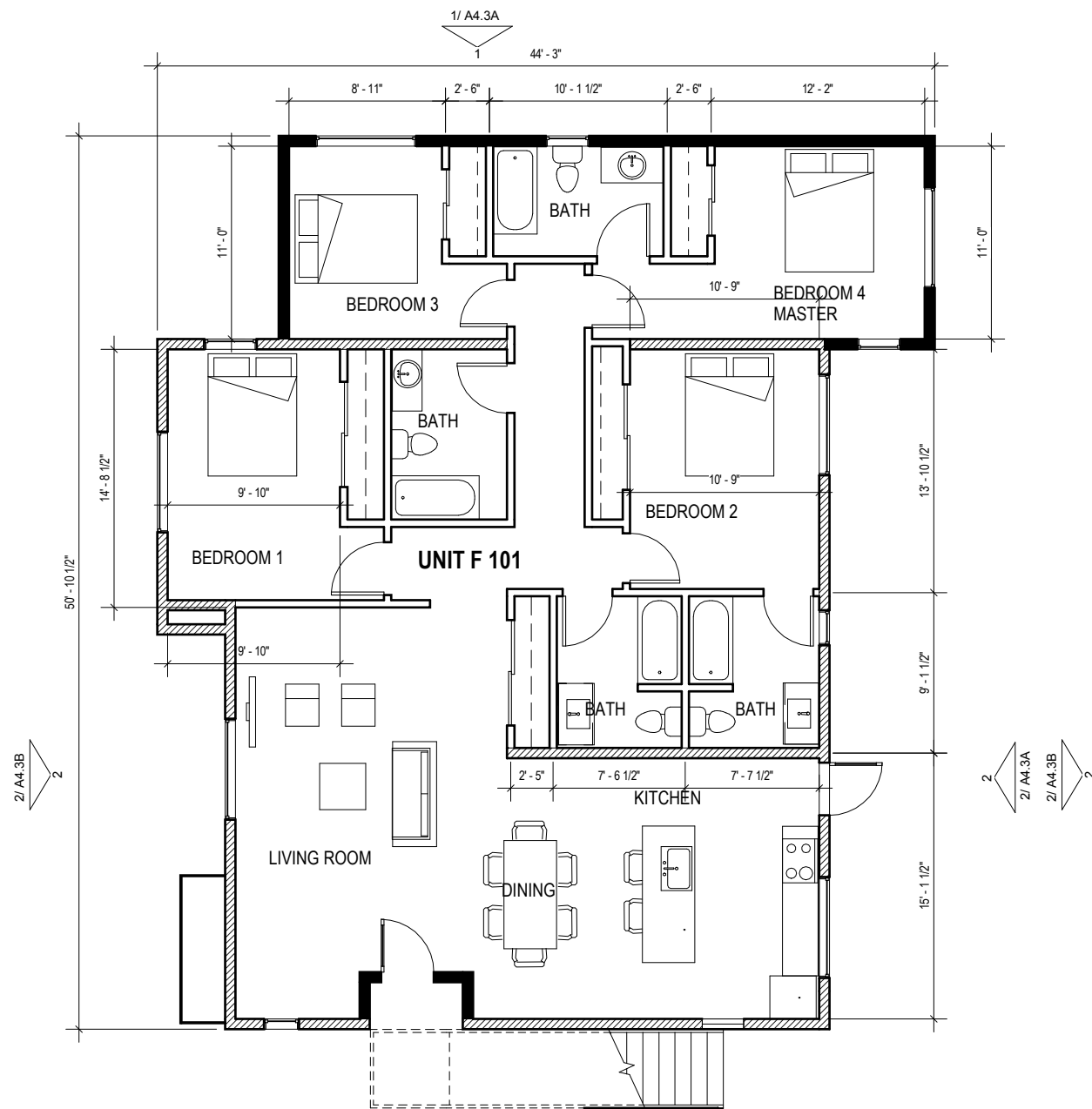


2 DAFFODIL NORTH ELEVATION
 1/8" = 1'-0"

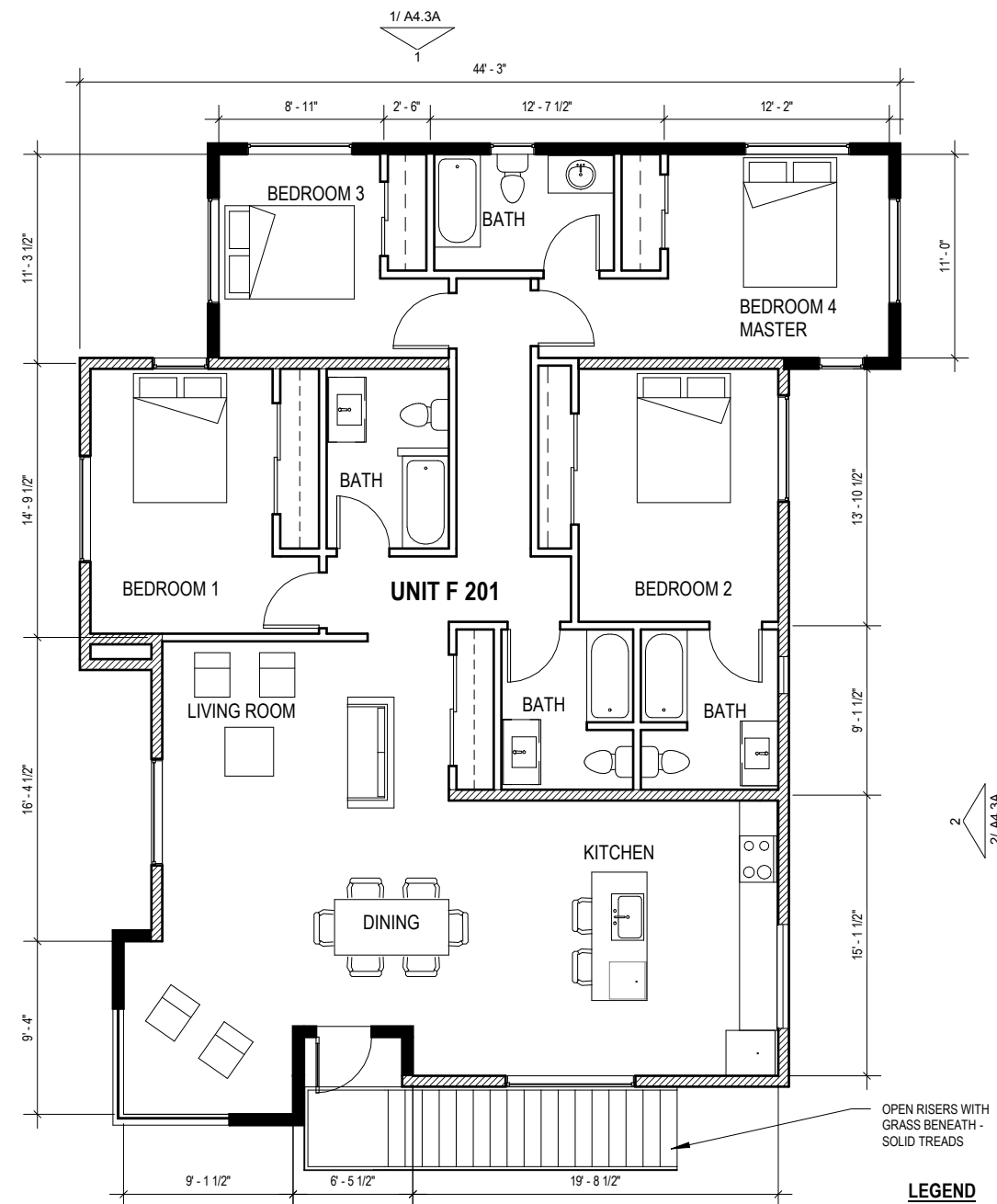


1 DAFFODIL & EDELWEISS WEST ELEVATION
 1/8" = 1'-0"





**FRESIA
 LEVEL 1 - UNIT F1**

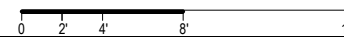


**FRESIA
 LEVEL 2 - UNIT F2**



- OPEN RISERS WITH GRASS BENEATH - SOLID TREADS
- LEGEND**
- █ NEW EXTERIOR WALL
 - ▨ (E) WALL
 - NEW INTERIOR WALL
 - - - SEE SITE PLAN FOR NON-CONFORMING SETBACKS
 - - - REQUIRED SETBACK

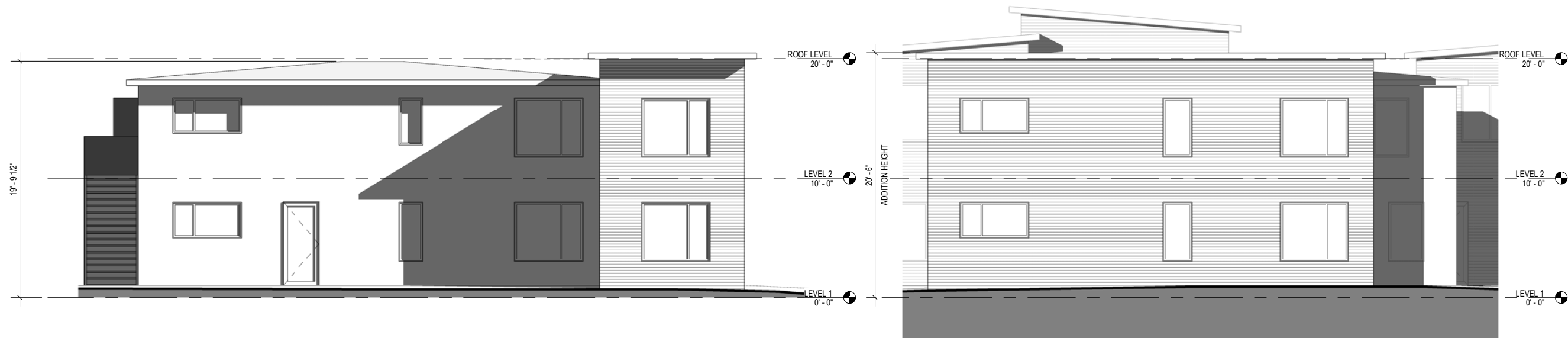
HEARST GARDENS
 DEVI DUTTA ARCHITECTURE



FRESIA PLANS
 SCALE: As indicated

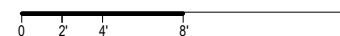


- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER



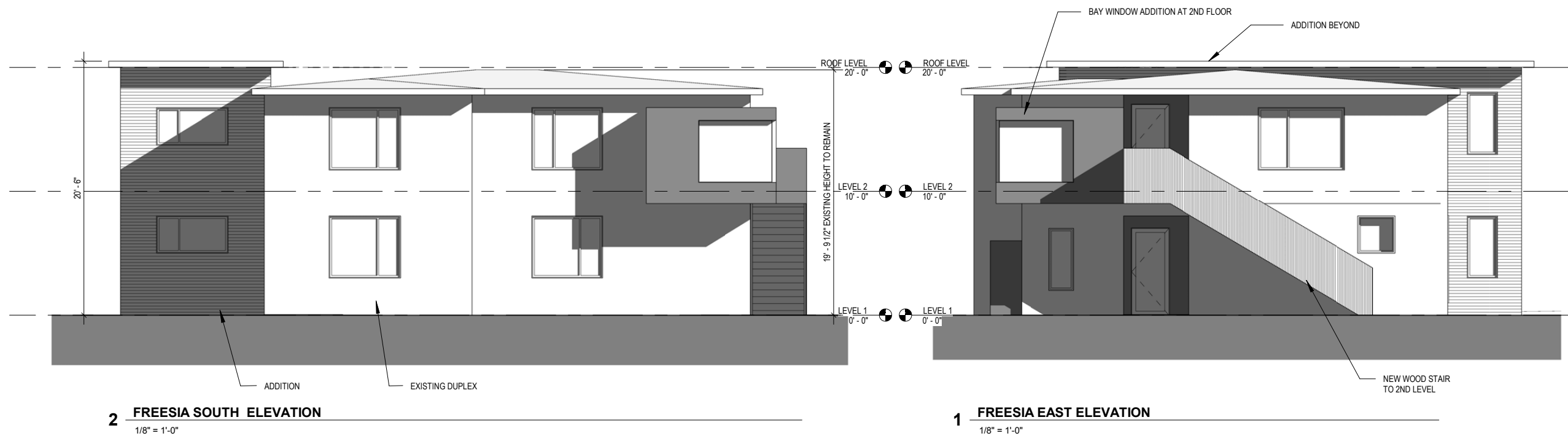
2 FREESIA NORTH ELEVATION
 1/8" = 1'-0"

1 FREESIA WEST ELEVATION
 1/8" = 1'-0"



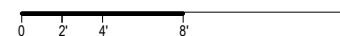


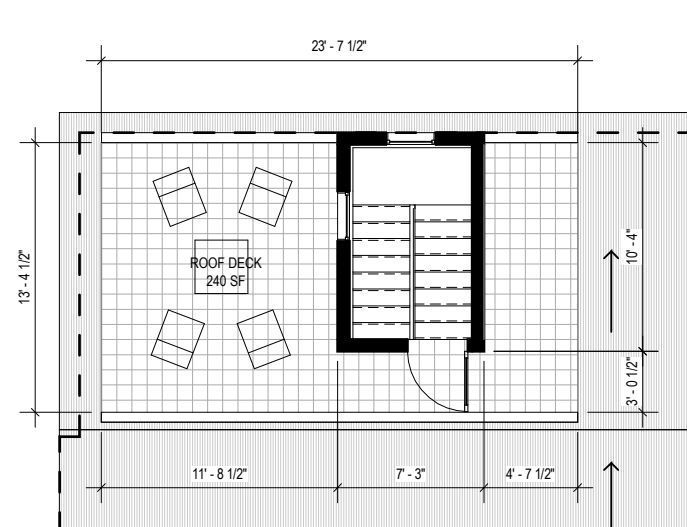
- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER



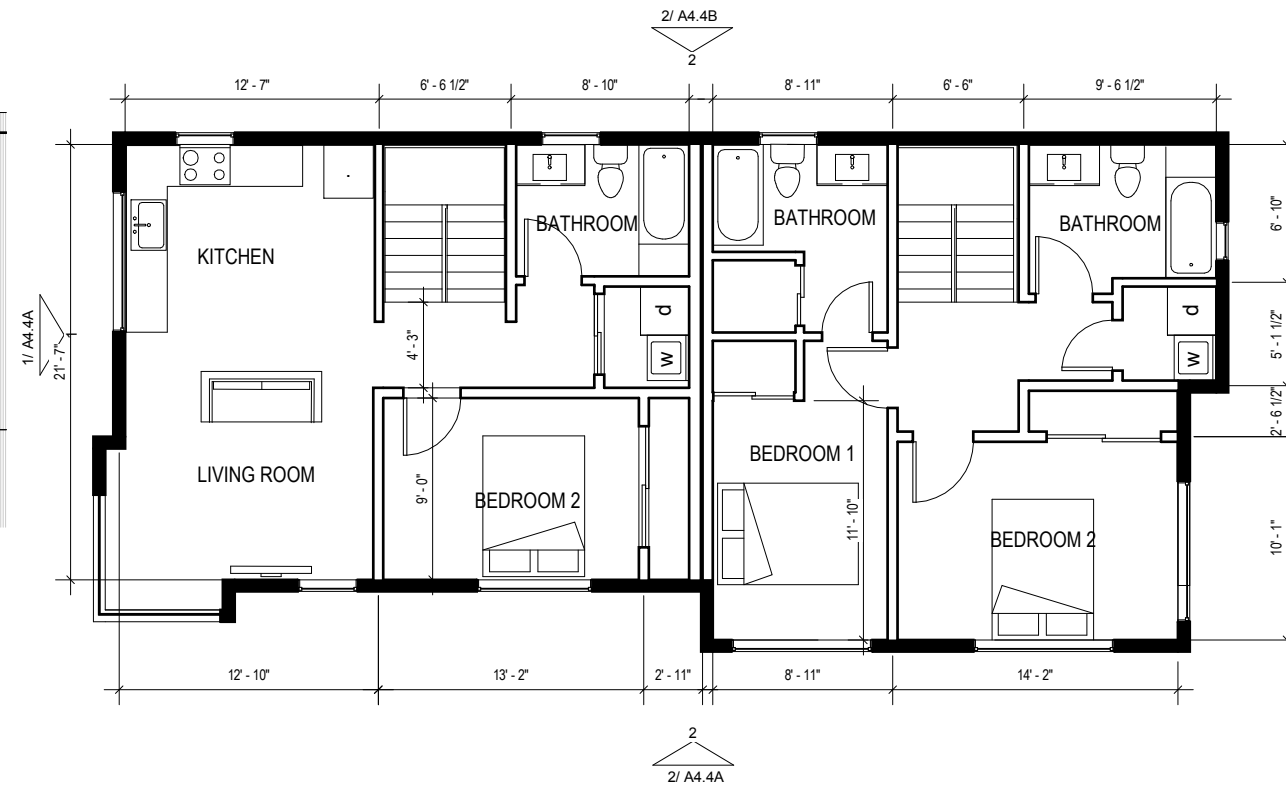
2 FREESIA SOUTH ELEVATION
 1/8" = 1'-0"

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

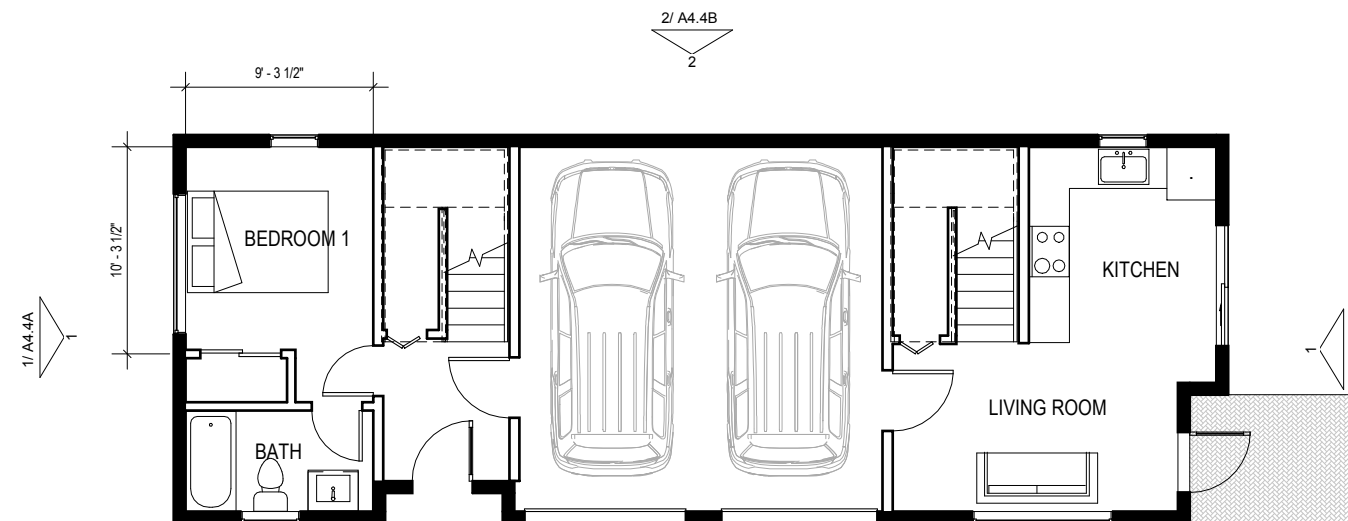




3 ROOF DECK - PARTIAL PLAN
 1/8" = 1'-0"



2 GERANIUM LEVEL 2
 1/8" = 1'-0"

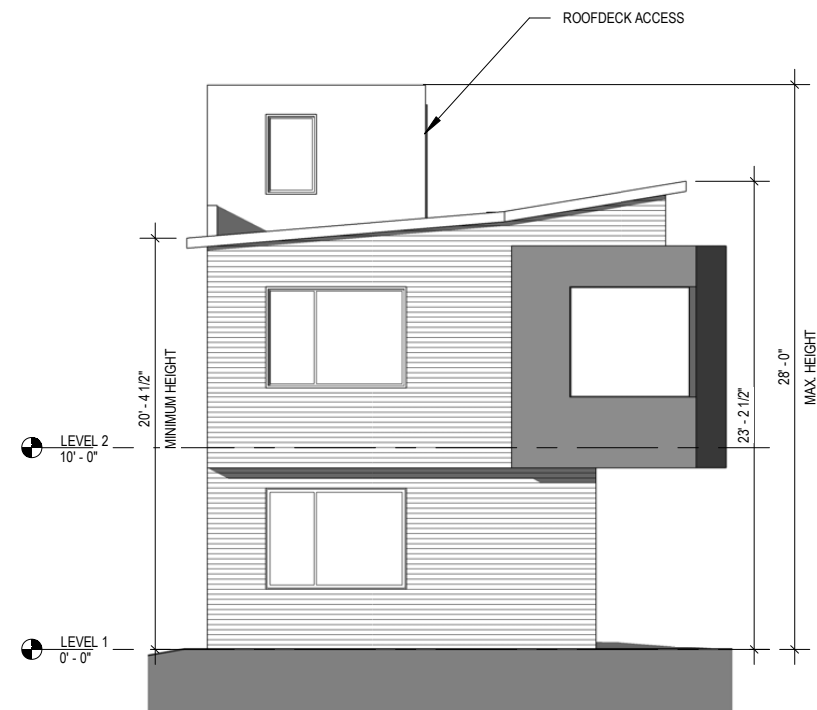


1 GERANIUM LEVEL 1
 1/8" = 1'-0"

- LEGEND**
- NEW EXTERIOR WALL
 - (E) WALL
 - NEW INTERIOR WALL
 - SEE SITE PLAN FOR NON-CONFORMING SETBACKS
 - REQUIRED SETBACK



- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER



1 GERANIUM SOUTH ELEVATION
 1/8" = 1'-0"



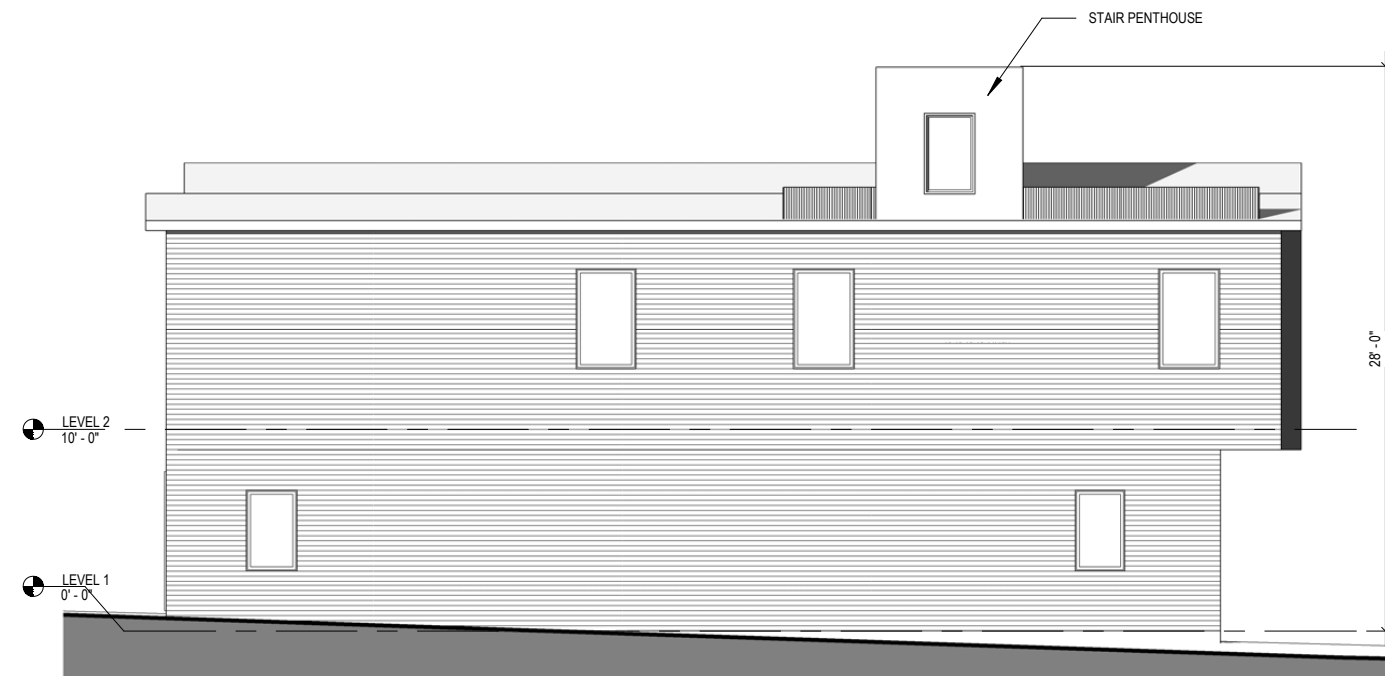
2 GERANIUM EAST ELEVATION
 1/8" = 1'-0"



- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER



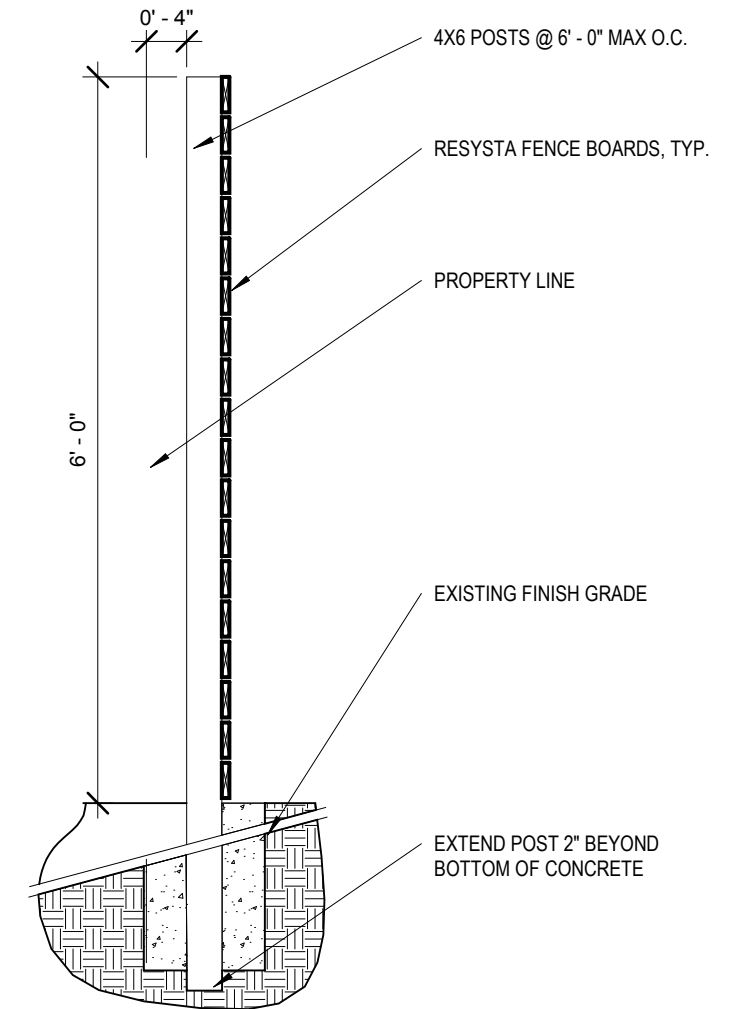
1 GERANIUM NORTH ELEVATION
 1/8" = 1'-0"



2 GERANIUM WEST ELEVATION
 1/8" = 1'-0"

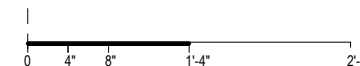


CEDAR FENCE ALONG PROPERTY LINE



1 CEDAR FENCE DETAIL
3/4" = 1'-0"

HEARST GARDENS



DEVI DUTTA ARCHITECTURE

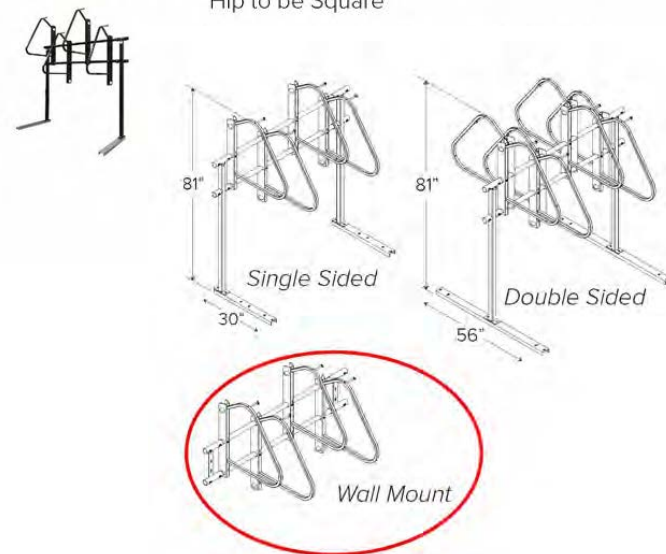
FENCE DETAIL

SCALE: 3/4" = 1'-0"



ULTRA SPACE SAVER SQUARED

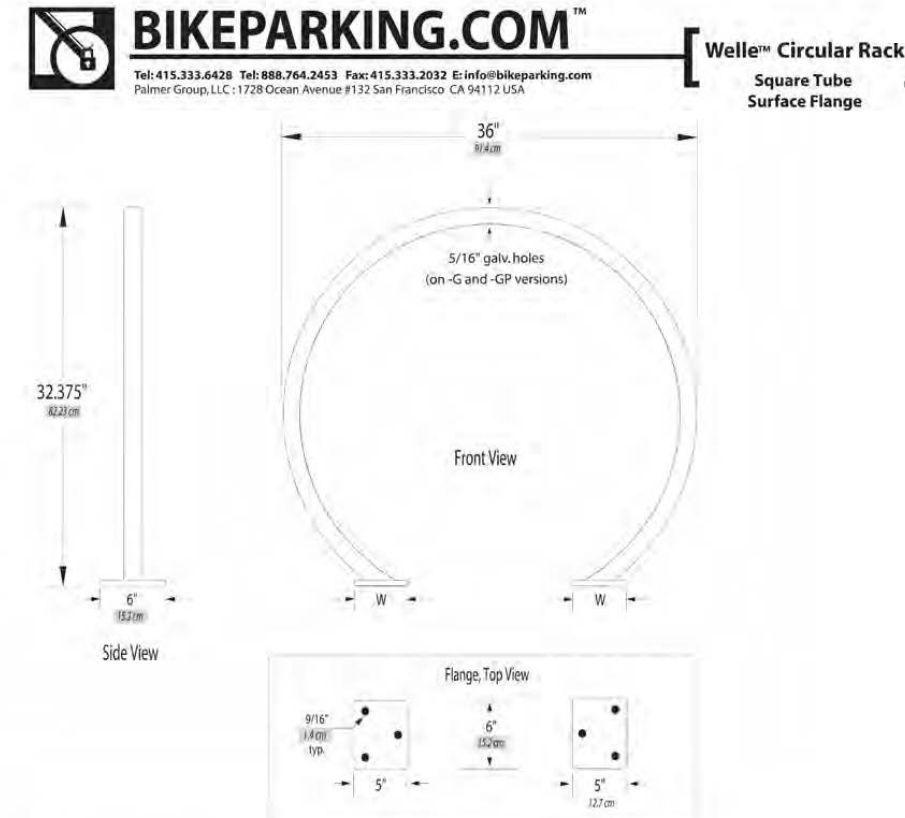
Hip to be Square



WALL MOUNT, SQUARE PROFILE BIKE STORAGE. LOCATED ON EAST WALL OF BEGONIA BUILDING.



DARK GREY POWDERCOAT FINISH AT BIKE STORAGE



Welle™ Circular Rack Square Tube Surface Flange						
Tubing	Model	Weight	Finish Options	Hoop	Surface Mount Flanges (Same material as Hoop)	Anchors (Not Provided)
Square Tube	WC002-SQ-SF	38 lbs 17.3 kg	-G Hot Dipped Galvanized -P Powder Coated (color) -GP Hot Dipped Galvanized with Powder Coat (color) Top Coat -SS Stainless #4 Brush Finish	-G, -P, -GP 2" x 2" x 0.188" Square Tube (Regular Steel) (12.7mm) 51 mm x 51 mm x 5 mm -SS 2" x 2" x 0.188" Square Tube (304 SS Alloy) 51 mm x 51 mm x 5 mm	(2) 5" x 6" x 3/8" Plates (127 mm x 152 mm x 10 mm) each with (3) 9/16" Holes (14 mm)	(2) 1/2" x 2.75" (12 mm x 7 cm) Rawl Spike (4) 1/2" x 3.75" (13 mm x 95 mm) Wedge Anchor Bolt

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2012.04.11

GROUND ANCHORED, SQUARE PROFILE BIKE STORAGE CIRCULAR RACK. 2 BIKES PER RACK. LOCATED ALONG THE PASEO, AND FLANKING THE DRIVEWAY BETWEEN AZALEA AND BEGONIA.





	OCCUPANCY	SPRINKLERED?	CONST. TYPE	HEIGHT & NUMBER OF STORIES
AZALEA	R-3	SPRINKLERED	V-B	2-STORIES
BEGONIA	R-3	SPRINKLERED	V-B	2-STORIES
CAMELLIA	R-3	SPRINKLERED	V-B	2-STORIES
DAFFODILE	R-3	SPRINKLERED	V-B	2-STORIES
EDELWEISS	R-3	SPRINKLERED	V-B	2-STORIES
FREESIA	R-3	SPRINKLERED	V-B	2-STORIES
GERANIUM	R-3	SPRINKLERED	V-B	2-STORIES + STAIR PENTHOUSE

ALL HOMES SUBJECT TO 2016 CALIFORNIA BUILDING CODE
 ALL HOMES TO BE EQUIPPED WITH RESIDENTIAL SPRINKLER SYSTEM

— EXIT PATH
 - - - ASSUMED PROPERTY LINE

1 GROUND PLAN BUILDING CODE & EXITING
 3/64" = 1'-0"

Mendez, Leslie

From: Mia Perkins <mia@rhoadesplanninggroup.com>
Sent: Monday, July 02, 2018 11:09 AM
To: Chen, Vincent
Cc: Mendez, Leslie; Mark Rhoades
Subject: FW: follow up re. 1824 Curtis Street Creek Issues
Attachments: 1155-73 Hearst_Hydrology Report_1.7.16.pdf; 2017-03-16
_RPT_PeerReview_Hydrology_Balance Hydrologics_1155-75 Hearst.pdf;
CH_FinalDesignRpt_Rhoades-HearstAve_Revised7_12_2017.pdf

Hi Vincent,

We wanted you to have the hydrology report that was prepared by the applicant and submitted with the original use permit application. It was performed by Clearwater Hydrology, dated Jan. 7, 2016. That report was then peer reviewed by the City's hydrology consultant, dated Mar. 16, 2017. Based on the peer review, the applicant asked Clearwater Hydrology to revise its original report. The revised report is dated July 12, 2017. The revised report was also peer reviewed and was accepted by the City's consultant with no further directions for revision. I have attached all three reports here.

Thanks very much,
Mia Perkins

From: Chen, Vincent [<mailto:VChen@cityofberkeley.info>]
Sent: Friday, June 29, 2018 6:45 PM
To: Mendez, Leslie <LMendez@cityofberkeley.info>; 'Rain Sussman' <rain.sussman@gmail.com>
Cc: 'Lucas Paz' <lucas.paz@terraphase.com>; Mark Rhoades <mark@rhoadesplanninggroup.com>; Mia Perkins <mia@rhoadesplanninggroup.com>
Subject: RE: follow up re. 1824 Curtis Street Creek Issues

Hi Leslie,

The summary of my meeting with Rain is generally correct. I like to add a few things. I explained to Rain that this branch of the creek is a historical trace and not regulated under the Creek Ordinance (BMC 17.08). That means there is no requirement to determine location of the creek or obtain a creek permit as a development project on a creek site would typically be required to do.

Here is my feedback after taking a close look at Mr. Paz's comments/concerns:

1. The Urban Creek Council may have classified this area as "filled wetlands" and as "seismically unstable and subject to liquefaction" but that is not necessarily the viewpoint of Public Works. Rain and I reviewed a number of liquefaction maps that showed areas along certain creeks as being potential liquefaction sites but this particular branch was not so designated.
2. Therefore the following statements by Mr. Paz are statements I cannot fully endorse.
 - a. Public health and safety is at risk if the above issues are not addressed.
 - b. The City's previously assumed CEQA categorical exemption for the project (for residential infill projects) is not appropriate because the project site is in a sensitive environment and is subject to unusual circumstances associated with the buried creek directly under the site.
 - c. Project construction is proposed in potential wetland/riparian habitat located in the existing vegetated open space area on the site (biological assessment and wetland delineation may be needed to determine potential impacts and appropriate mitigation if necessary).
3. I did echoed the concern that a soil study/report should be provided in that any development project would need to know soil characteristics in order to design and size proper footings and foundation and to generally

confirm that the soil is capable of supporting the proposed building loads. It was my understanding from Rain that there are no soil report at this time. As part of the study soil borings may be needed to determine soil type and characteristics and to determine groundwater level.

I informed Rain that if soil characteristics and water level affect the location/configuration/size of proposed buildings on the development parcel the time to make these changes is during the Use Permit stage and not Building Permit stage. I stated that Planning could (not necessarily should) require the soil study as a condition of approval. By the Building Permit stage any major design changes may need to return to ZAB. By not resolving these issues early on the developer is taking his/her own risk potentially having to return to ZAB if the soil cannot support the buildings as proposed.

Let me know if you have any questions.

Vincent

From: Mendez, Leslie
Sent: Thursday, June 28, 2018 5:29 PM
To: 'Rain Sussman' <rain.sussman@gmail.com>; Chen, Vincent <VChen@cityofberkeley.info>
Cc: Lucas Paz <lucas.paz@terraphase.com>; Mark Rhoades <mark@rhoadesplanninggroup.com>; 'Mia Perkins' <mia@rhoadesplanninggroup.com>
Subject: RE: follow up re. 1824 Curtis Street Creek Issues

Hello Rain,

Thank you for passing this on. I too am passing it on to the applicant (cc'd above). I do think it would have been helpful if I had been included, or at least made aware of this meeting. I probably would not have contributed much, but, in the least I could have corroborated the summary provided.

That said, Vincent, please confirm that you concur with the summary as stated below (especially the highlighted areas) or else please provide any revisions that you feel appropriate. This is essential as it will be passed on to the Zoning Adjustments Board and is now part of the administrative record of this project.

Also please note, hydrology is not a land use issue and is not within the purview of the ZAB (or zoning). It is, and obviously is a concern prior to issuance of a building permit and should and is a concern of the project developer.

Thank you.

Leslie

Leslie Mendez | Senior Planner | City of Berkeley
Planning and Development | Land Use Planning Division
1947 Center Street, 2nd Floor | Berkeley, CA 94704
☎ 510. 981.7426 | 📠 510. 981.7420
✉ lmendez@CityofBerkeley.info

From: Rain Sussman [<mailto:rain.sussman@gmail.com>]
Sent: Thursday, June 28, 2018 4:53 PM
To: Chen, Vincent <VChen@cityofberkeley.info>

Cc: Mendez, Leslie <LMendez@cityofberkeley.info>; Lucas Paz <lucas.paz@terraphase.com>

Subject: follow up re. 1824 Curtis Street Creek Issues

Hi Vincent,

I really appreciate your taking the time to meet with me on Tuesday, and your valuable input about the underground creek on my property.

I have copied Leslie Mendez here, so that you can follow up with her re. our mutual concerns. (She is the City Planner for the proposed development at 1155-1173 Hearst Avenue, permit #ZP2016-0028. The permit application is still being reviewed for completion by the planning dept. and no ZAB hearing has been set yet.)

I have also copied Lucas Paz of Terraphase Engineering, who has been working with me and whose summary recommendations I have pasted below. (we reviewed these together when we met.)

Comments from Lucas Paz, PhD, CPESC, QSD:

- Previous mapping and records the City maintains demonstrate that a historic tributary/northern fork of Strawberry Creek underlies the proposed development site. The creek was subject to uncontrolled fill when the area was originally developed. However, there are no records of engineered fill, culvert, or storm drain installation. The current existing curb and gutter street drainage system serving this area is subject to frequent flooding. Water comes up to and floods the surface during even modest storm conditions as the subsurface is saturated.

- A Focused Geotechnical and Groundwater Investigation is necessary to address the following:
 - An evaluation is necessary to determine subsurface drainage conditions so that existing groundwater release preferential pathways are not impacted during the construction project. A geotechnical and groundwater evaluation would allow for a proper evaluation of the surface and subsurface conditions of the site to determine impacts of the proposed development on the surrounding properties. (Information on site soil properties and depth to groundwater is also needed to support design of proposed site facilities)

 - Characterize on-site soil conditions to support site-specific geotechnical structural design and stormwater management/LID measures

 - Establish local groundwater/subsurface conditions and associated wet weather flow paths

 - Design recommendations to support structural stability of the proposed development – Note that the Urban Creeks Council previously determined that this northern branch of Strawberry Creek was filled with non-engineered soil and debris prior to development. They classified the area as “filled wetlands” and as “seismically unstable and subject to liquefaction”.

- Public health and safety is at risk if the above issues are not addressed.
- The City's previously assumed CEQA categorical exemption for the project (for residential infill projects) is not appropriate because the project site is in a sensitive environment and is subject to unusual circumstances associated with the buried creek directly under the site.
- Project construction is proposed in potential wetland/riparian habitat located in the existing vegetated open space area on the site (biological assessment and wetland delineation may be needed to determine potential impacts and appropriate mitigation if necessary).

In our meeting, you echoed Dr. Paz's concerns, and opined that the Planning Department should exercise its power to ensure that the soils study and groundwater study are completed *before* a permit is issued, through imposing discretionary conditions on the applicant. You emphasized that it is the responsibility of the applicant, and not the City, to complete these studies as part of the required due diligence before use permit approval.

You went on to say that a soils report is necessary for the structural engineers to know how big of a footing is needed on whether they must build piles or go down to bedrock for the foundation. You talked about the need to find out whether there is a culvert or some kind of pipe, versus just debris filling the creek bed. You also talked about the need for a study that involved borings to identify the actual location of the creek bed, saying it "may take a lot of borings to find it." You talked about the importance of locating the creek bed in order to determine appropriate placement of the new structures to be built (i.e. not on top of the creek bed).

You also talked about the importance of borings for determining the water table, another important factor for engineers to consider in order to ensure that the structure is safe. We talked about the relationship between water table/groundwater and liquefaction hazard and looked at a number of maps. We discussed the subsidence and settling of the foundation on my neighbor's property at 1826 Curtis, which is related to groundwater problems.

Multiple hydrology reports that have been prepared by 3 engineering firms echo your statements about the importance of geotechnical studies (two of which are attached here).

You said "The time to do it is before the use permit is issued," through imposing conditions of approval.

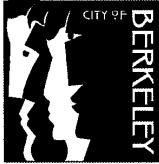
I appreciate your reaching out to Leslie Mendez to discuss these concerns directly with her, so that she can take the appropriate steps to insure that the proper studies are done and the project proceeds in a safe manner.

Warmly,

Rain

--

Rain Sussman, LCSW
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connect via [facebook](#), [linkedIn](#), [twitter](#)



Rent Stabilization Board

July 3, 2018

To: Leslie Mendez, Senior Planner, Planning & Development Department

From: Jay Kelekian, Executive Director

By: Lief Bursell, Associate Management Analyst

Subject: **1155-73 Hearst Avenue**

The following information on the rental history and status under the Rent Stabilization Ordinance of the properties at 1157 and 1173 Hearst Avenue. We have also included a recommendation on proposed conditions of approval related to the work proposed to the existing, tenant occupied buildings.

Property History

1157 Hearst Avenue is listed as owned by Hearst Avenue Cottage LLC with a purchase date of January 22, 2015. Alameda County records indicate the property has a county use designation of "Residential Property 5+ Units". City of Berkeley records show that the property at 1157 Hearst Avenue originally contained two duplex structures built in 1926. A 3rd structure containing a single residential unit was constructed in 1957. In 1985 a zoning application was submitted requesting the City acknowledge the 3rd structure as a duplex in order to add a 2nd meter for the lower unit addressed 1159 Hearst Ave #B. Since address 1159 Hearst Ave. #B is currently active, it appears the City allowed the owner to legalize this unit.

1173 Hearst Avenue is also listed as owned by Hearst Avenue Cottage LLC with a purchase date of January 22, 2015. Alameda County records indicate the property has a county use designation of "Single Family Residential Home". City of Berkeley records show that the existing building at 1173 Hearst Avenue was constructed in 1927 for use as a single family home.

Rental History

Rent Stabilization Board records also reflect that 1157 Hearst Avenue and 1173 Hearst Avenue are separate properties:

1173 Hearst Avenue contains one dwelling that is exempt from rent regulation per the Costa Hawkins Rental Housing Act. Previously this property contained a second unit with the address 1173 Hearst Ave. #Lower that was rented and under rent control from 1980 through 1996. The unit was claimed as "not available for rent" from 2000 until 2015 when the current owner claimed this unit had been removed because it was unpermitted. Rent Board staff inspected the property and verified the 2nd kitchen had been removed from the lower level, and that the

property was being rented as a single dwelling. On July 2, 2015 1173 Hearst Avenue #Lower was inactivated.

The property at 1157 Hearst Avenue contains six (6) dwelling units. The following table includes the address, occupancy status, date tenancy began, and rent ceiling for each unit:

Address	Occupancy Status	Tenancy Began	2018 Rent Ceiling	No. Bedrooms
1155 Hearst Ave.	Rented	8/10/2011	\$1,170.91	1
1157 Hearst Ave.	Rented	7/1/2009	\$1,135.22	1
1159 Hearst Ave. #A	Rented	5/31/1980	\$1,259.56	1
1159 Hearst Ave. #B	Rented	6/14/1997	\$1,136.65	3
1161 Hearst Ave.	Rented	10/15/2015	\$624.85	1
1163 Hearst Ave.	Rented	12/12/2011	\$1,226.66	1

Ellis Act

No buildings at either 1157 or 1173 Hearst Avenue have been removed from the rental market under the Ellis Act at any time during the preceding five (5) years.

Harassment or Illegal Eviction

The Rent Board has no record of any verified cases of harassment or threatened or actual illegal eviction occurring at either 1157 or 1173 Hearst Avenue.

Rent Control Status

Rent Board records indicate that all six units at 1157 Hearst Avenue are “controlled rental units” with a history of being rented and fully subject to the Rent Stabilization Ordinance. The property at 1173 Hearst Avenue has a history of being a rent controlled duplex, but is now exempt from rent regulation per Costa Hawkins as long as the property only contains a single dwelling unit.

Project Analysis

The project proposes to build 6 new condominium units by creating 3 new duplex structures, and substantially improve the 7 existing units through renovation and the addition of new floor area. Two of the duplex structures are proposed on the 1173 Hearst parcel, and the 3rd duplex structure is proposed for the 1157 Hearst Avenue parcel. Since there are no proposed changes to the existing units, there is no impact to their existing tenant protections or rent control status. The 6 proposed units would qualify for the “new construction” exemption from rent control if the project is approved, but they would be subject to the eviction protections.

While there are no changes proposed that will impact the existing tenant protections that apply to these properties, the renovation of the existing buildings will cause the existing units to become temporary uninhabitable. The applicant has indicated that the owners intend to construct the new units first, and then to renovate the existing buildings at a later date when the units are vacant. We recommend the Zoning Adjustments Board (ZAB) include conditions of approval to ensure the work does not take place until the units are voluntarily vacated by the existing tenants and have drafted language for two conditions for the ZAB’s consideration (see the recommendation section).

The applicant also mentioned that the owner may wish to convert the existing units to condominiums at some point in the future. This is a separate application process under Berkeley's Condominium Conversion Ordinance, which provides ample protection to the existing tenants by providing them with the right to stay in the unit, stabilized rent, and the exclusive right to purchase their unit as a condominium.

Recommendation

Since the application proposes both interior and exterior alteration to the existing, tenant occupied units, we recommend the Zoning Adjustments Board attach the following conditions of approval to the project:

1. Prior to building permit approval for any interior improvements, renovations or additions to the existing buildings at 1157 and 1173 Hearst Avenue, the property owner shall provide proof that all tenants have voluntarily vacated or proof that the owner and tenants have come to a written agreement on a plan for temporary relocation.
2. The property owner shall provide a minimum of 2 weeks written notice to existing tenants prior to performing any exterior work to any of the existing, tenant occupied buildings.

Conditions of approval are typically included to reduce the impact of construction to neighboring properties, but in this case there will also be significant impacts to the existing tenants who live on site. Individual tenants may also have specific concerns related to how the development will impact the accessibility and livability of their units during construction. If the standard conditions of approval do not address these concerns, we recommend that the ZAB consider including additional conditions that specifically mitigate the projects impact to the existing tenant households.

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

Mendez, Leslie

From: Mendez, Leslie
Sent: Thursday, July 05, 2018 10:19 AM
To: 'Mia Perkins'; 'Mark Rhoades'
Subject: RE: Unit information 1155-73 Hearst

Other clarifications I requires are regarding lot coverage. It is unclear from the lot coverage schematic on page A1.4 what the white blocks represent. The light grey color is also not in the legend.

What are the white areas? What areas are counted towards lot coverage? Please specify. And remember to include into the lot coverage calculation any area that is paved with decking over it, such as the area at the rear of Camellia. So, if you can resubmit the lot coverage schematic that clarifies the areas being included and the square footage of those areas. And (as verified when we know what areas are being counted towards lot coverage), ensure the second story overhangs on daffodil and Edelweiss are counted.

In addition, if you add up the footprints of 1153 Hearst Avenue you get 5,210 square feet, not 5,170 square feet. And a coverage of 38.7 not 38.4.

Please revise this page and resubmit (email is fine).

Thanks,
 Leslie

From: Mendez, Leslie
Sent: Thursday, July 05, 2018 9:50 AM
To: 'Mia Perkins' <mia@rhoadesplanninggroup.com>; Mark Rhoades <mark@rhoadesplanninggroup.com>
Subject: Unit information 1155-73 Hearst

Hello,

Can you please verify the information in this chart and fill in the missing boxes? This wasn't included in the recent submittal, and due to the removal of some bays, I'm sure the square footage has changed a bit in some of the units.

Thanks.

Building	Unit #	Unit Type		Unit Gross Floor Area	
		Existing	Proposed	Existing	Proposed

Azalea	A101	1 Bed, 1 Bath		496	
Azalea	A102	1 Bed, 1 Bath		496	
Begonia	B101	1 Bed, 1 Bath		551	
Begonia	B102	1 Bed, 1 Bath		551	
Camelia	C101	2 Bed, 1 Bath		2,348	
Daffodil	D101	n/a		n/a	
Daffodil	D102	n/a		n/a	
Edelweiss	E101	n/a		n/a	
Edelweiss	E102	n/a		n/a	
Freesia	F101	3 Bed, 3 Bath		1,831	
Freesia	F201	3 Bed, 3 Bath		1,648	
Geranium	G201	n/a		n/a	
Geranium	G202	n/a		n/a	

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- LEGEND**
- PEDESTRIAN WALKWAY, PERMEABLE
 - PLANTING (NOT COUNTING TOWARDS OPEN SPACE)
 - OPEN SPACE
 - NON-CONFORMING SETBACKS & BUILDING SEPARATION
 - DRIVEWAY AND PARKING
 - PROPERTY LINE
 - REQUIRED SETBACK
 - OPEN SPACE ABOVE
 - LOT AREA CHANGE

PROVIDED OPEN SPACE

1157 HEARST

AZALEA 1: 216 SF PRIVATE OPEN SPACE
 84 SF COMMON OPEN SPACE PROVIDED AT OPEN SPACE #4 & #5

AZALEA 2: 300 SF COMMON AT #4 & #5

BEGONIA 1: 300 SF COMMON AT #4 & #5

BEGONIA 2: 300 SF COMMON AT #4 & #5

FREESIA 1: 300 SF COMMON AT #4 & #5

FREESIA 2: 300 SF COMMON AT #4 & #5

GERANIUM 1: 240 SF PRIVATE
 60 SF COMMON OPEN SPACE PROVIDED AT OPEN SPACE #4 & #5

GERANIUM 2: 220 SF PRIVATE
 80 SF COMMON OPEN SPACE PROVIDED AT OPEN SPACE #4 & #5

1173 HEARST

CAMELLIA: 300 SF COMMON AT OPEN SPACE #1, #2 & #3

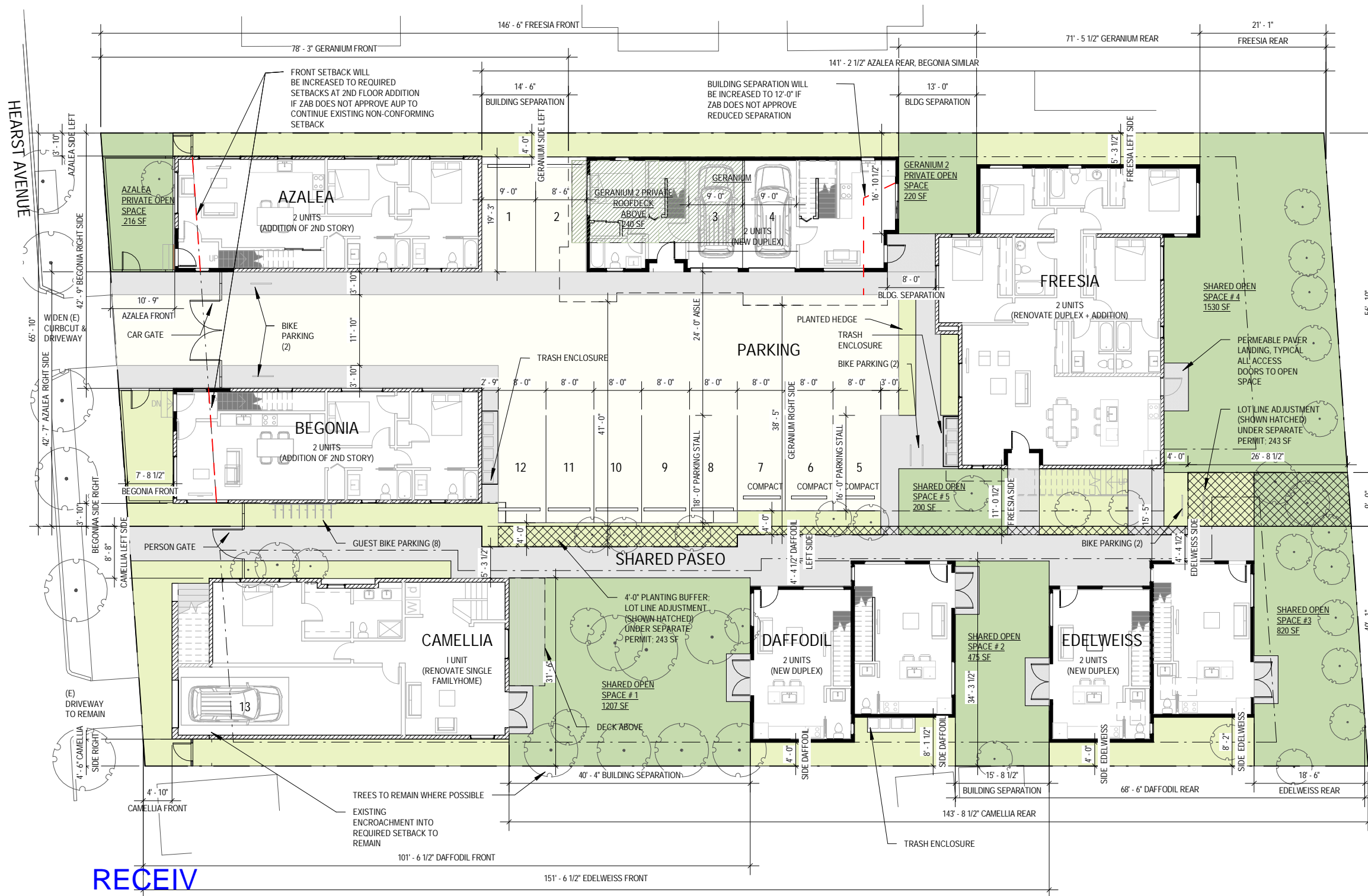
DAFFODIL 1: 300 SF COMMON AT #1, #2 & #3

DAFFODIL 2: 300 SF COMMON AT #1, #2 & #3

EDELWEISS 1: 300 SF COMMON AT #1, #2 & #3

EDELWEISS 2: 300 SF COMMON AT #1, #2 & #3

	1157	1173
TOTAL PRIVATE O.S.	679	0
TOTAL COMMON O.S.	1730	2502
TOTAL OPEN SPACE PROVIDED	2409 SF	2502 SF
TOTAL OPEN SPACE REQUIRED	2400 SF	1500 SF



RECEIVED

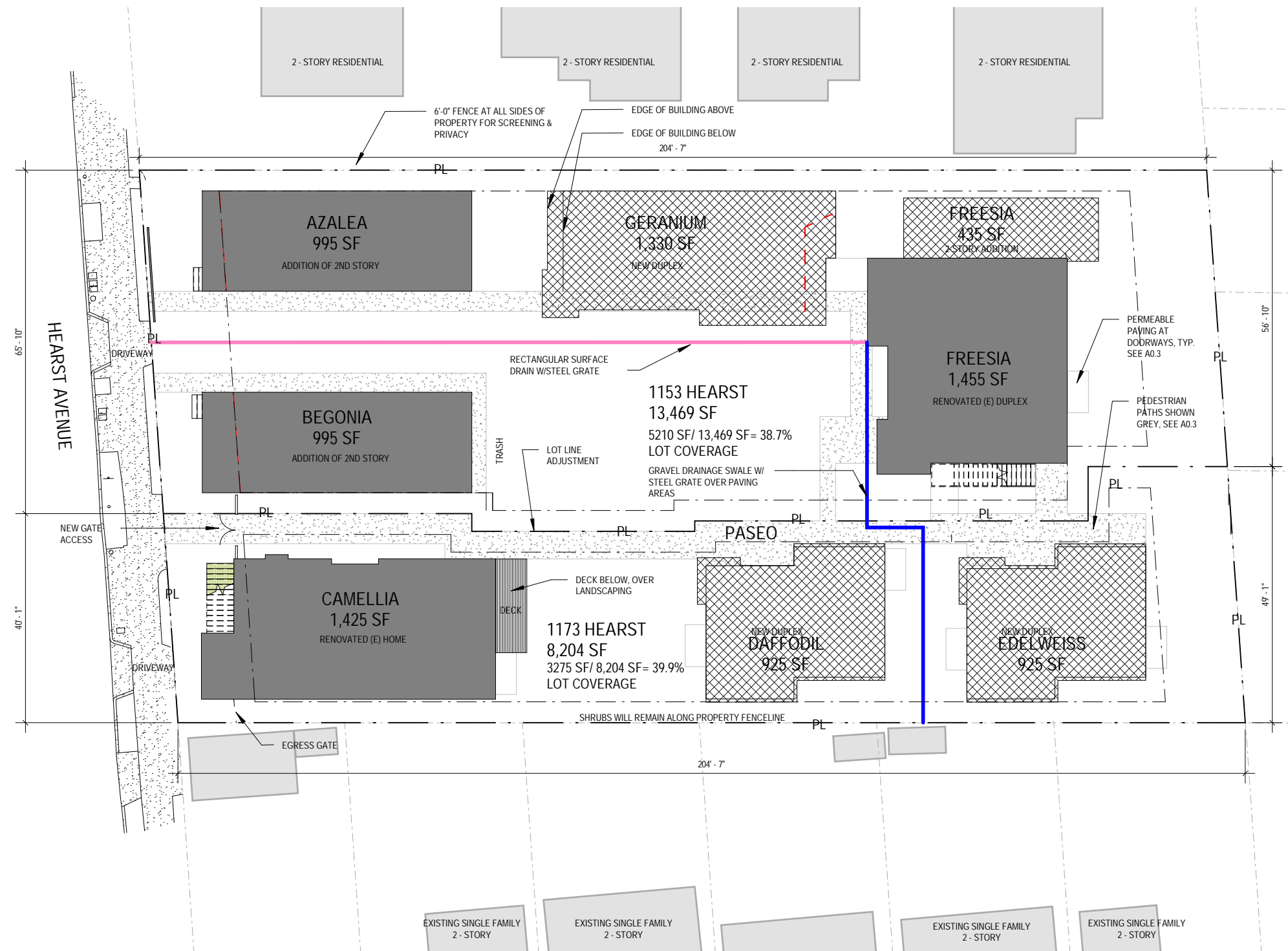
JUL 07

LAND USE
 ZAB 6.8.2018

HEARST GARDENS
 DEVI DUTTA ARCHITECTURE

SITEPLAN, SETBACKS & OPEN SPACE
 SCALE: As indicated

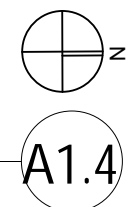
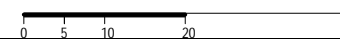
A0.3



- LEGEND**
- NEW BUILDING AREA
 - RENOVATED (E) BUILDING
 - PEDESTRIAN PATHS
 - NON-CONFORMING SETBACKS & BUILDING SEPARATION
 - PROPERTY LINE
 - REQUIRED SETBACK

HYDROLOGY NOTES

Unless modified by the City's Building & Safety Division and/or Department of Public Works, the drainage system shall be designed and installed as presented in the Stormwater and Flooding Assessment and Mitigation Design prepared by Clearwater Hydrology, dated January 7, 2016 and as well as all recommendations of the peer review prepared by Balance Hydrologics on March 16, 2017.

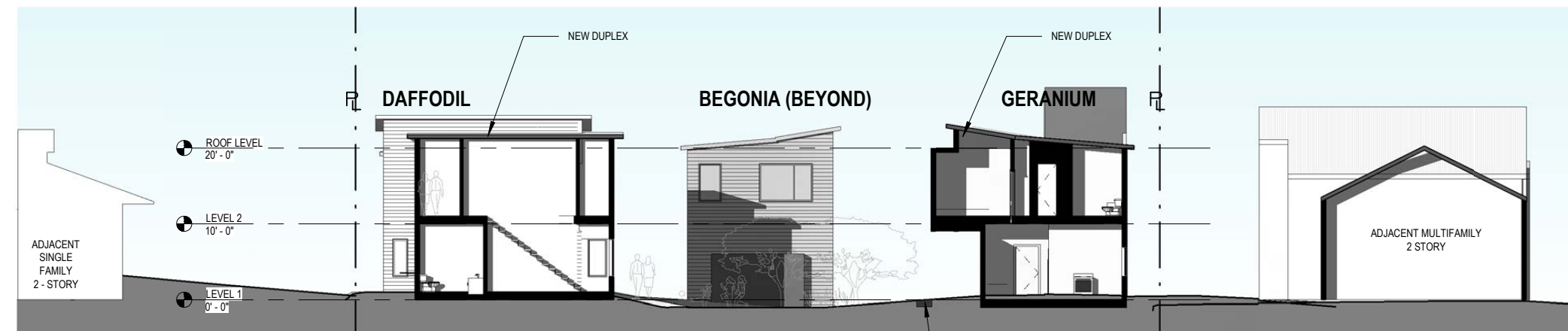




1 Site Section Looking South

1/16" = 1'-0"

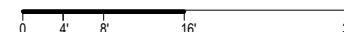
SCREENED, SHARED TRASH & RECYCLING ENCLOSURE

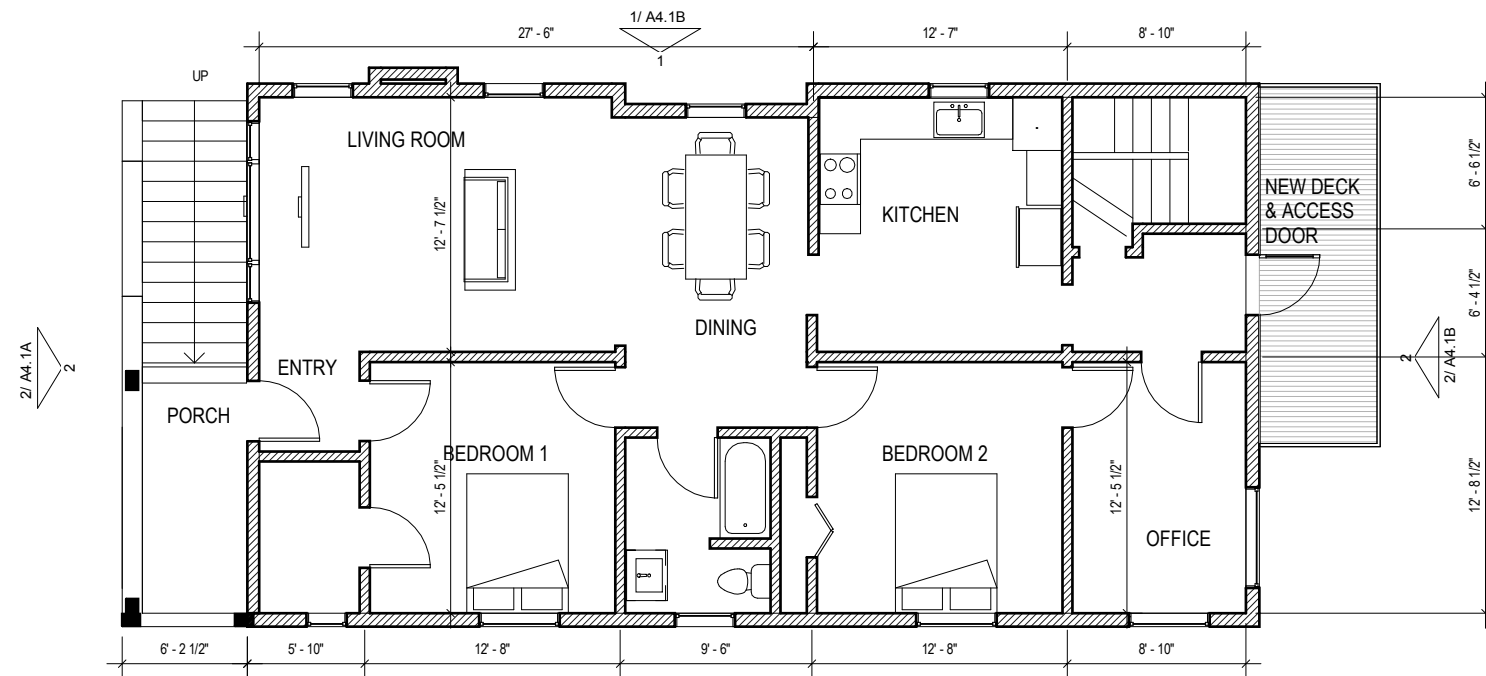


2 Site Section Looking South @ Parking Lot

1/16" = 1'-0"

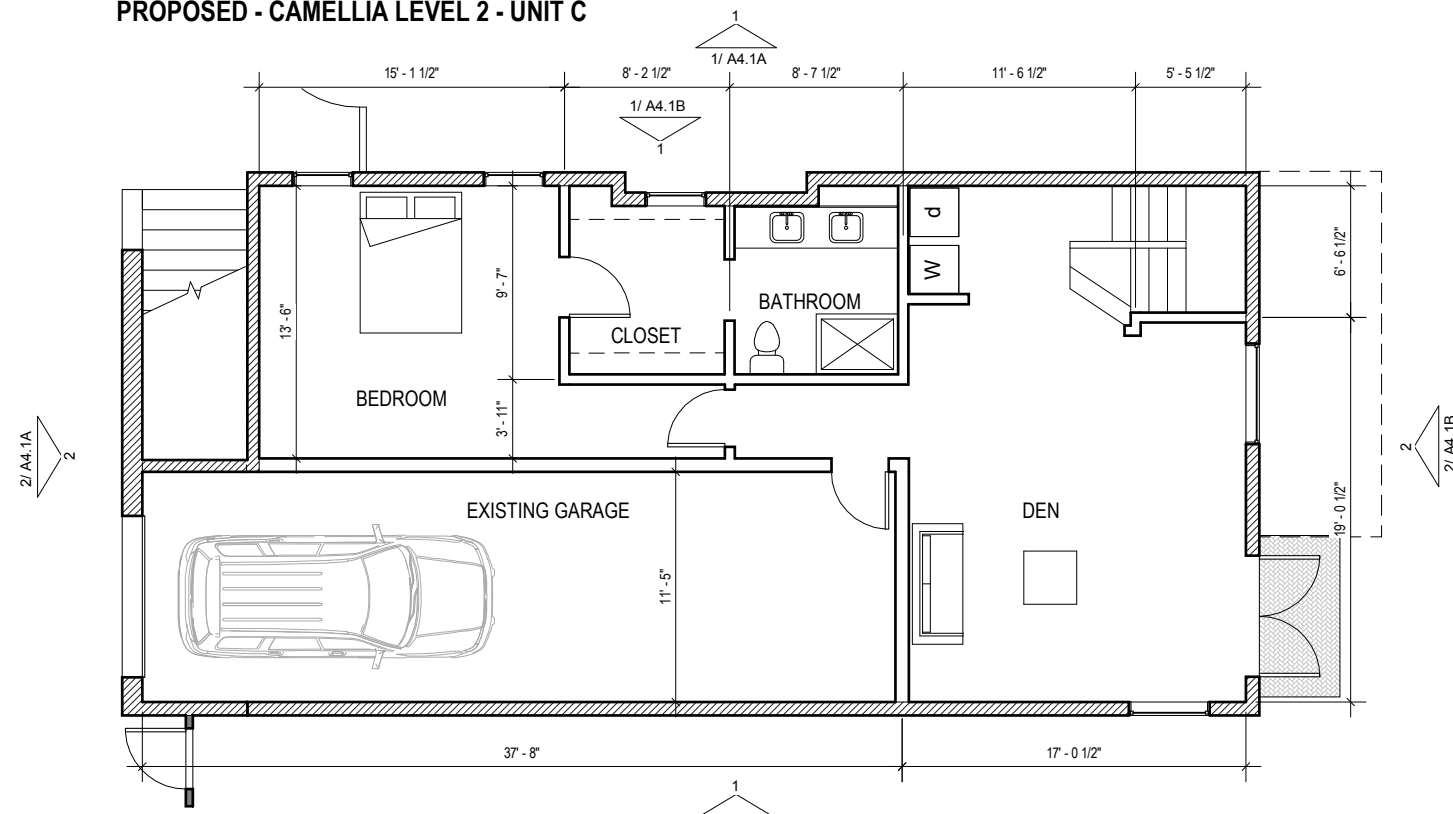
RECTANGULAR SURFACE DRAIN W/ STEEL GRATE









PROPOSED - CAMELLIA LEVEL 2 - UNIT C

- LEGEND**
- NEW EXTERIOR WALL
 - ▨ (E) WALL
 - NEW INTERIOR WALL
 - - - SEE SITE PLAN FOR NON-CONFORMING SETBACK
 - - - REQUIRED SETBACK
- SEE A4.0 SERIES FOR ENLARGED UNIT PLANS

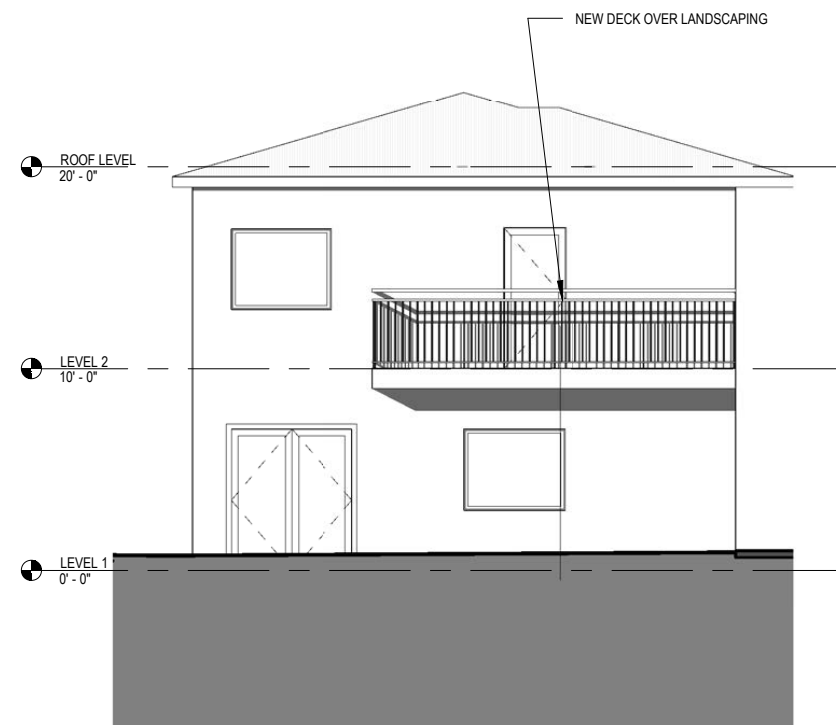


PROPOSED - CAMELLIA BASEMENT PLAN

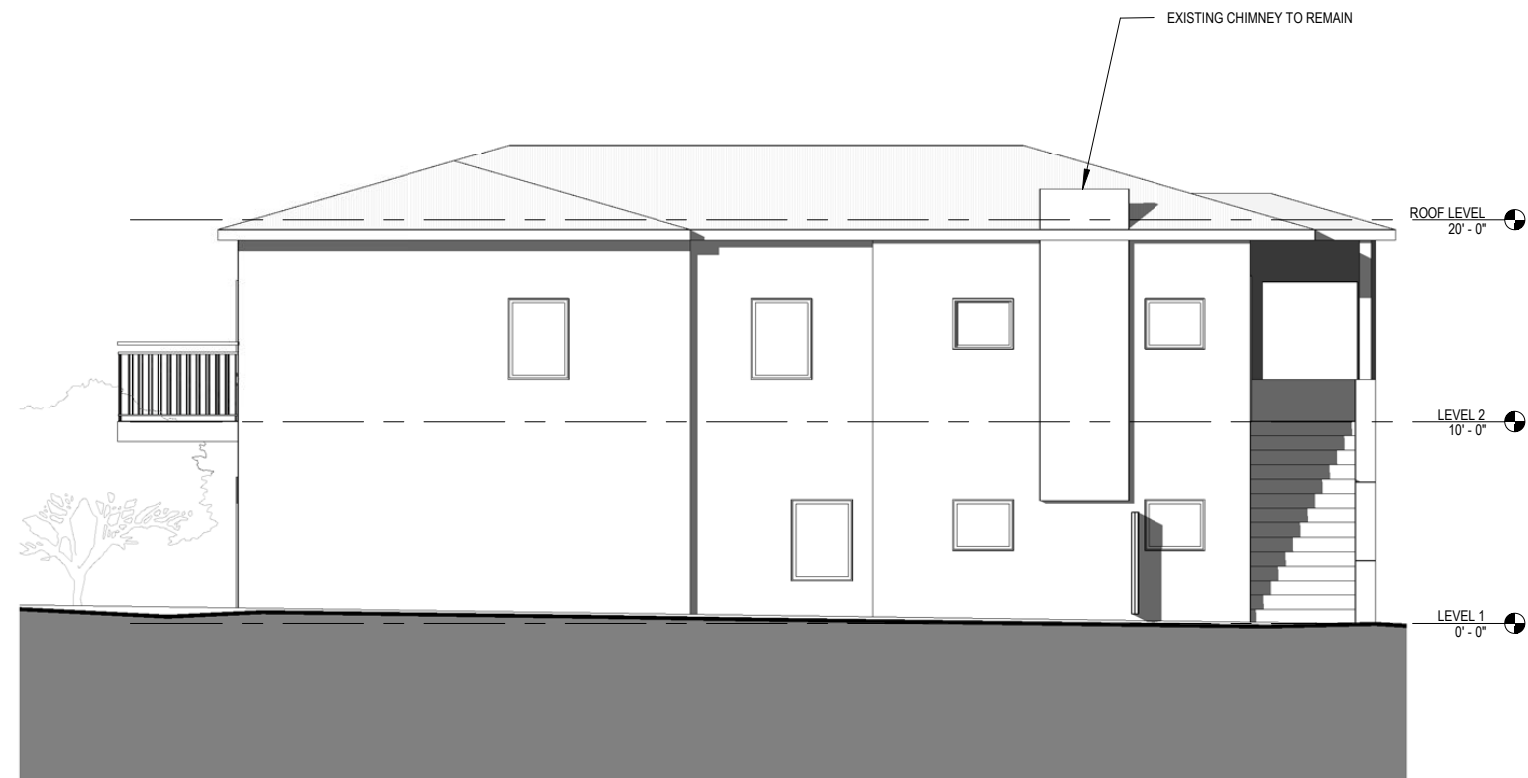


- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER

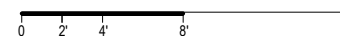
SEE A4.0 SERIES FOR ENLARGED ELEVATIONS



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



1 CAMELLIA WEST ELEVATION
 1/8" = 1'-0"



Mendez, Leslie

From: Mia Perkins <mia@rhoadesplanninggroup.com>
Sent: Monday, July 09, 2018 11:25 AM
To: Mendez, Leslie
Subject: Hearst revisions
Attachments: 1155-1173 Hearst_unit area spreadsheet.xlsx; Hearst Garden_6_7_2018 - Sheet - A0-3 - SITEPLAN, SETBACKS & OPEN SPACE.pdf.pdf; Hearst Garden_6_7_2018 - Sheet - A1-4 - LOT COVERAGE & HYDROLOGY.pdf.pdf; Hearst Garden_6_7_2018 - Sheet - A3-3 - SITE SECTIONS LOOKING SOUTH.pdf.pdf; Hearst Garden_6_7_2018 - Sheet - A4-1 - CAMELLIA PLANS.pdf.pdf; Hearst Garden_6_7_2018 - Sheet - A4-1B - CAMELLIA ELEVATIONS.pdf.pdf

Hi Leslie,

Please find attached: unit area spreadsheet, revised Page A1.4 & revised Page A0.3. Devi also revised Pages A4.1, A4.1B and A3.3 since they involve Camellia and she moved the back door on Camellia so it was no longer under the back deck.

Regarding the specifics that you listed in your email:

1. On Page A1.4, the white blocks are permeable paving areas for yard access for the units. They are clearly labeled on Page A0.3. The light grey areas are paths which are labeled on Page A0.3. Devi is a bit restricted with the Revit program she is using as far as turning data off and on, so she tried to make Page A1.4 only about lot coverage and hydrology. The attached revised A1.4 has been simplified.
2. Devi has moved the back door to Camellia that was previously located under the deck. It is now to the side of the deck.
3. The calculation for total building footprint area for 1153 has been corrected to 5,210 and lot coverage of 38.7%.

Thanks very much,
Mia

Mia Perkins
RhoadesPlanningGroup
510.545.4341

Building	Unit #	Unit Type		Unit Gross Floor Area	
		Existing	Proposed	Existing	Proposed
Azalea	A1	1 Bed, 1 Bath	2 Bed, 2 Bath	499	995
Azalea	A2	1 Bed, 1 Bath	2 Bed, 2 Bath	496	995
Begonia	B1	1 Bed, 1 Bath	2 Bed, 2 Bath	499	995
Begonia	B2	1 Bed, 1 Bath	2 Bed, 2 Bath	496	995
Camelia	C	2 Bed, 1.5 Bath	3 Bed, 2 Bath	2293*	2293*
Daffodil	D1	n/a	2 Bed, 1.5 Bath	n/a	940
Daffodil	D2	n/a	2 Bed, 1.5 Bath	n/a	883
Edelweiss	E1	n/a	2 Bed, 1.5 Bath	n/a	940
Edelweiss	E2	n/a	2 Bed, 1.5 Bath	n/a	883
Freesia	F1	2 Bed, 1 Bath	4 Bed, 4 Bath	1,372	1,837
Freesia	F2	2 Bed, 1 Bath	4 Bed, 4 Bath	1,372	1,877
Geranium	G1	n/a	2 Bed, 2 Bath	n/a	1001*
Geranium	G2	n/a	2 Bed, 2 Bath	n/a	966*

* does not include interior garage area



NEW HOME RATING SYSTEM, VERSION 6.0

MULTIFAMILY CHECKLIST

Total Points Targeted: 133

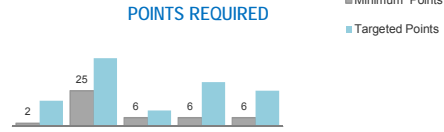
Certification Level: Gold

The GreenPoint Rated checklist tracks green features incorporated into the home. GreenPoint Rated is administered by Build It Green, a non-profit whose mission is to promote healthy, energy and resource efficient buildings in California. The minimum requirements of GreenPoint Rated are: verification of 50 or more points; Earn the following minimum points per category: Community (2) Energy (25), Indoor Air Quality/Health (6), Resources (6), and Water (8); and meet the prerequisites CALGreen Mandatory, E5.2, H6.1, J5.1, O1, O7.

The criteria for the green building practices listed below are described in the GreenPoint Rated Single Family Rating Manual. For more information please visit www.builditgreen.org/greenpointrated
 Build It Green is not a code enforcement agency.

A home is only GreenPoint Rated if all features are verified by a Certified GreenPoint Rater through Build It Green. This is the public version of the Checklist and cannot be used for certification.

New Home Multifamily Version 6.0.2



HEARST GARDENS		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
Measures								
CALGreen								
TBD	CALGreen Res (REQUIRED)				1	1	1	1
A. SITE								
Yes	A1. Construction Footprint	1					1	
A2. Job Site Construction Waste Diversion								
TBD	A2.1 65% C&D Waste Diversion (Including Alternative Daily Cover)						2	
TBD	A2.2 65% C&D Waste Diversion (Excluding Alternative Daily Cover)						2	
TBD	A2.3 Recycling Rates from Third-Party Verified Mixed-Use Waste Facility						1	
Yes	A3. Recycled Content Base Material	1					1	
Yes	A4. Heat Island Effect Reduction (Non-Roof)	1	1					
TBD	A5. Construction Environmental Quality Management Plan Including Flush-Out				1			
A6. Stormwater Control: Prescriptive Path								
Yes	A6.1 Permeable Paving Material	1					1	
Yes	A6.2 Filtration and/or Bio-Retention Features	1					1	
No	A6.3 Non-Leaching Roofing Materials	0					1	
Yes	A6.4 Smart Stormwater Street Design	1	1					
TBD	A7. Stormwater Control: Performance Path						3	
B. FOUNDATION								
TBD	B1. Fly Ash and/or Slag in Concrete						1	
Yes	B2. Radon-Resistant Construction	2			2			
Yes	B3. Foundation Drainage System	2					2	
No	B4. Moisture Controlled Crawlspace	0			1			
B5. Structural Pest Controls								
Yes	B5.1 Termite Shields and Separated Exterior Wood-to-Concrete Connections	1					1	
Yes	B5.2 Plant Trunks, Bases, or Stems at Least 36 Inches from the Foundation	1					1	
C. LANDSCAPE								
60.00%	Enter the landscape area percentage							
Yes	C1. Plants Grouped by Water Needs (Hydrozoning)	1					1	
Yes	C2. Three Inches of Mulch in Planting Beds	1					1	
C3. Resource Efficient Landscapes								
Yes	C3.1 No Invasive Species Listed by Cal-IPC	1					1	
Yes	C3.2 Plants Chosen and Located to Grow to Natural Size	1					1	
Yes	C3.3 Drought Tolerant, California Native, Mediterranean Species, or Other Appropriate Species	3					3	
C4. Minimal Turf in Landscape								
No	C4.1 No Turf on Slopes Exceeding 10% and No Overhead Sprinklers Installed in Areas Less Than Eight Feet Wide	0					2	
No	C4.2 Turf on a Small Percentage of Landscaped Area	0					2	
Yes	C5. Trees to Moderate Building Temperature	3	1	1			1	
Yes	C6. High-Efficiency Irrigation System	2					2	
Yes	C7. One Inch of Compost in the Top Six to Twelve Inches of Soil	2					2	
No	C8. Rainwater Harvesting System	0					3	
No	C9. Recycled Wastewater Irrigation System	0					1	
Yes	C10. Submeter or Dedicated Meter for Landscape Irrigation	2					2	
TBD	C11. Landscape Meets Water Budget						2	
C12. Environmentally Preferable Materials for Site								
Yes	C12.1 Environmentally Preferable Materials for 70% of Non-Plant Landscape Elements and Fencing	1					1	
No	C12.2 Play Structures and Surfaces Have an Average Recycled Content ≥20%	0					1	
Yes	C13. Reduced Light Pollution	1	1					
Yes	C14. Large Stature Tree(s)	1	1					
No	C15. Third Party Landscape Program Certification	0					1	
No	C16. Maintenance Contract with Certified Professional	0					1	
No	C17. Community Garden	0	2					
D. STRUCTURAL FRAME AND BUILDING ENVELOPE								
D1. Optimal Value Engineering								
No	D1.1 Joists, Rafters, and Studs at 24 Inches on Center	0		1			2	
No	D1.2 Non-Load Bearing Door and Window Headers Sized for Load	0					1	
No	D1.3 Advanced Framing Measures	0					2	
TBD	D1.4 Advanced Framing Measures	0					1	
D2. Construction Material Efficiencies								
D3. Engineered Lumber								
No	D3.1 Engineered Beams and Headers	0					1	
No	D3.2 Wood I-Joists or Web Trusses for Floors	0					1	
Yes	D3.3 Engineered Lumber for Roof Rafters	1					1	
No	D3.4 Engineered or Finger-Jointed Studs for Vertical Applications	0					1	
TBD	D3.5 OSB for Subfloor						0.5	
TBD	D3.6 OSB for Wall and Roof Sheathing						0.5	
TBD	D4. Insulated Headers		1					
D5. FSC-Certified Wood								
TBD	D5.1 Dimensional Lumber, Studs, and Timber						6	
TBD	D5.2 Panel Products						3	
D6. Solid Wall Systems								
TBD	D6.1 At Least 90% of Floors						1	
TBD	D6.2 At Least 90% of Exterior Walls			1			1	
TBD	D6.3 At Least 90% of Roofs			1			1	
TBD	D7. Energy Heels on Roof Trusses			1				
24 inches	D8. Overhangs and Gutters	2		1			1	
D9. Reduced Pollution Entering the Home from the Garage								
No	D9.1 Detached Garage	0					2	
Yes	D9.2 Mitigation Strategies for Attached Garage	1			1			

HEARST GARDENS		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
D10. Structural Pest and Rot Controls							
No	D10.1 All Wood Located At Least 12 Inches Above the Soil	0				1	
Yes	D10.2 Wood Framing Treating With Borates or Factory-Impregnated, or Wall Materials Other Than Wood	1				1	
Yes	D11. Moisture-Resistant Materials in Wet Areas (such as Kitchen, Bathrooms, Utility Rooms, and Basements)	2			1	1	
E. EXTERIOR							
Yes	E1. Environmentally Preferable Decking	1				1	
TBD	E2. Flashing Installation Third-Party Verified					2	
TBD	E3. Rain Screen Wall System					2	
Yes	E4. Durable and Non-Combustible Cladding Materials	1				1	
E5. Durable Roofing Materials							
Yes	E5.1 Durable and Fire Resistant Roofing Materials or Assembly	1				1	
TBD	E5.2 Roofing Warranty for Shingle Roofing		R	R	R	R	R
No	E6. Vegetated Roof	0	2	2			
F. INSULATION							
F1. Insulation with 30% Post-Consumer or 60% Post-Industrial Recycled Content							
TBD	F1.1 Walls and Floors					1	
TBD	F1.2 Ceilings					1	
F2. Insulation that Meets the CDPH Standard Method—Residential for Low Emissions							
TBD	F2.1 Walls and Floors				1		
TBD	F2.2 Ceilings				1		
F3. Insulation That Does Not Contain Fire Retardants							
TBD	F3.1 Cavity Walls and Floors				1		
TBD	F3.2 Ceilings				1		
TBD	F3.3 Interior and Exterior Insulation				1		
G. PLUMBING							
G1. Efficient Distribution of Domestic Hot Water							
Yes	G1.1 Insulated Hot Water Pipes	1		1			
Yes	G1.2 WaterSense Volume Limit for Hot Water Distribution	1				1	
Yes	G1.3 Increased Efficiency in Hot Water Distribution	2				2	
G2. Install Water-Efficient Fixtures							
Yes	G2.1 WaterSense Showerheads with Matching Compensation Valve	2				2	
Yes	G2.2 WaterSense Bathroom Faucets	1				1	
Yes	G2.3 WaterSense Toilets with a Maximum Performance (MaP) Threshold of No Less Than 500 Grams	1				1	
Yes	G2.4 Urinals with Flush Rate of ≤ 0.1 Gallons/Flush	1				1	
TBD	G3. Pre-Plumbing for Graywater System					1	
TBD	G4. Operational Graywater System					3	
Yes	G5. Submeter Water for Tenants	2				2	
H. HEATING, VENTILATION, AND AIR CONDITIONING							
H1. Sealed Combustion Units							
TBD	H1.1 Sealed Combustion Furnace				1		
TBD	H1.2 Sealed Combustion Water Heater				2		
Yes	H2. High Performing Zoned Hydronic Radiant Heating System	2		1	1		
H3. Effective Ductwork							
TBD	H3.1 Duct Mastic on Duct Joints and Seams			1			
TBD	H3.2 Pressure Balance the Ductwork System			1			
Yes	H4. ENERGY STAR® Bathroom Fans Per HVI Standards with Air Flow Verified	1			1		
H5. Advanced Practices for Cooling							
TBD	H5.1 ENERGY STAR Ceiling Fans in Living Areas and Bedrooms			1			
Yes	H5.2 Operable Windows and Skylights Located to Induce Cross Ventilation in At Least One Room in 80% of Units	1		1			
H6. Whole House Mechanical Ventilation Practices to Improve Indoor Air Quality							
TBD	H6.1 Meet ASHRAE Standard 62.2-2010 Ventilation Residential Standards		R	R	R	R	R
TBD	H6.2 Advanced Ventilation Standards				1		
Yes	H6.3 Outdoor Air Ducted to Bedroom and Living Areas	2			2		
H7. Effective Range Design and Installation							
Yes	H7.1 Effective Range Hood Ducting and Design	1			1		
TBD	H7.2 Automatic Range Hood Control				1		
I. RENEWABLE ENERGY							
No	I1. Pre-Plumbing for Solar Water Heating	0		1			
Yes	I2. Preparation for Future Photovoltaic Installation	1		1			
	I3. Onsite Renewable Generation (Solar PV, Solar Thermal, and Wind)			25			
I4. Net Zero Energy Home							
TBD	I4.1 Near Zero Energy Home			2			
TBD	I4.2 Net Zero Electric			4			
No	I5. Solar Hot Water Systems to Preheat Domestic Hot Water	0		4			
No	I6. Photovoltaic System for Multifamily Projects	0		12			
J. BUILDING PERFORMANCE AND TESTING							
TBD	J1. Third-Party Verification of Quality of Insulation Installation				1		
TBD	J2. Supply and Return Air Flow Testing			1	1		
TBD	J3. Mechanical Ventilation Testing and Low Leakage				1		
TBD	J4. Combustion Appliance Safety Testing				1		
2013	J5. Building Performance Exceeds Title 24 Part 6						
10.0%	J5.1 Home Outperforms Title 24	25		30			
10.0%	J5.2 Non-Residential Spaces Outperform Title 24	10		15			
Yes	J6. Title 24 Prepared and Signed by a CABEC Certified Energy Analyst	1		1			
TBD	J7. Participation in Utility Program with Third-Party Plan Review			1			
TBD	J8. ENERGY STAR for Homes			1			
No	J9. EPA Indoor airPlus Certification				1		
K. FINISHES							
K1. Entryways Designed to Reduce Tracked-In Contaminants							
Yes	K1.1 Entryways to Individual Units	1			1		
Yes	K1.2 Entryways to Buildings	1			1		
TBD	K2. Zero-VOC Interior Wall and Ceiling Paints				2		
TBD	K3. Low-VOC Caulks and Adhesives				1		
K4. Environmentally Preferable Materials for Interior Finish							
TBD	K4.1 Cabinets				2		
TBD	K4.2 Interior Trim				2		
TBD	K4.3 Shelving				2		
TBD	K4.4 Doors				2		
Yes	K4.5 Countertops	1			1		
K5. Formaldehyde Emissions in Interior Finish Exceed CARB							
TBD	K5.1 Doors				1		
TBD	K5.2 Cabinets and Countertops				2		
TBD	K5.3 Interior Trim and Shelving				2		
TBD	K6. Products That Comply With the Health Product Declaration Open Standard				2		
TBD	K7. Indoor Air Formaldehyde Level Less Than 27 Parts Per Billion				2		
No	K8. Comprehensive Inclusion of Low Emitting Finishes				1		
TBD	K9. Durable Cabinets				2		
TBD	K10. At Least 25% of Interior Furniture Has Environmentally Preferable Attributes				1		

HEARST GARDENS		Points Achieved	Community	Energy	IAQ/Health	Resources	Water
L. FLOORING							
≥25%	L1. Environmentally Preferable Flooring	1				3	
TBD	L2. Low-Emitting Flooring Meets CDPH 2010 Standard Method—Residential				3		
Yes	L3. Durable Flooring	1				1	
TBD	L4. Thermal Mass Flooring		1				
M. APPLIANCES AND LIGHTING							
Yes	M1. ENERGY STAR® Dishwasher	1					1
TBD	M2. CEE-Rated Clothes Washer			1			2
<25 cubic feet	M3. Size-Efficient ENERGY STAR Refrigerator	1		2			
	M4. Permanent Centers for Waste Reduction Strategies						
No	M4.1 Built-In Recycling Center	0				1	
No	M4.2 Built-In Composting Center	0				1	
	M5. Lighting Efficiency						
Yes	M5.1 High-Efficacy Lighting	2		2			
TBD	M5.2 Lighting System Designed to IESNA Footcandle Standards or Designed by Lighting Consultant			2			
No	M6. Central Laundry	0					1
TBD	M7. Gearless Elevator		1				
N. COMMUNITY							
	N1. Smart Development						
Yes	N1.1 Infill Site	2	1			1	
No	N1.2 Designated Brownfield Site	0	1		1		
>35	N1.3 Conserve Resources by Increasing Density	4		2		2	
TBD	N1.4 Cluster Homes for Land Preservation		1			1	
	N1.5 Home Size Efficiency	9				9	
900	Enter the area of the home, in square feet						
2	Enter the number of bedrooms						
Yes	N2. Home(s)/Development Located Within 1/2 Mile of a Major Transit Stop	2	2				
	N3. Pedestrian and Bicycle Access						
10	N3.1 Pedestrian Access to Services Within 1/2 Mile of Community Services	2	2				
10	Enter the number of Tier 1 services						
10	Enter the number of Tier 2 services						
Yes	N3.2 Connection to Pedestrian Pathways	1	1				
TBD	N3.3 Traffic Calming Strategies		2				
TBD	N3.4 Sidewalks Buffered from Roadways and 5-8 Feet Wide		1				
Yes	N3.5 Bicycle Storage for Residents	1	1				
No	N3.6 Bicycle Storage for Non-Residents	0	1				
1 space per unit	N3.7 Reduced Parking Capacity	2	2				
	N4. Outdoor Gathering Places						
Yes	N4.1 Public or Semi-Public Outdoor Gathering Places for Residents	1	1				
No	N4.2 Public Outdoor Gathering Places with Direct Access to Tier 1 Community Services	0	1				
	N5. Social Interaction						
Yes	N5.1 Residence Entries with Views to Callers	1	1				
Yes	N5.2 Entrances Visible from Street and/or Other Front Doors	1	1				
Yes	N5.3 Porches Oriented to Street and Public Space	1	1				
Yes	N5.4 Social Gathering Space	1	1				
	N6. Passive Solar Design						
TBD	N6.1 Heating Load			2			
TBD	N6.2 Cooling Load			2			
	N7. Adaptable Building						
TBD	N7.1 Universal Design Principles in Units		1		1		
TBD	N7.2 Full-Function Independent Rental Unit		1				
	N8. Affordability						
TBD	N8.1 Dedicated Units for Households Making 80% of AMI or Less		2				
TBD	N8.2 Units with Multiple Bedrooms for Households Making 80% of AMI or Less		1				
TBD	N8.3 At Least 20% of Units at 120% AMI or Less are For Sale		1				
	N9. Mixed-Use Developments						
TBD	N9.1 Live/Work Units Include a Dedicated Commercial Entrance		1				
No	N9.2 At Least 2% of Development Floor Space Supports Mixed Use	0	1				
TBD	N9.3 Half of the Non-Residential Floor Space is Dedicated to Community Service		1				
O. OTHER							
Yes	O1. GreenPoint Rated Checklist in Blueprints	Y	R	R	R	R	R
TBD	O2. Pre-Construction Kickoff Meeting with Rater and Subcontractors			0.5		1	0.5
TBD	O3. Orientation and Training to Occupants—Conduct Educational Walkthroughs			0.5	0.5	0.5	0.5
TBD	O4. Builder's or Developer's Management Staff are Certified Green Building Professionals			0.5	0.5	0.5	0.5
TBD	O5. Home System Monitors			2			1
	O6. Green Building Education						
TBD	O6.1 Marketing Green Building		2				
TBD	O6.2 Green Building Signage			0.5			0.5
TBD	O7. Green Appraisal Addendum			R	R	R	R
TBD	O8. Detailed Durability Plan and Third-Party Verification of Plan Implementation					1	
TBD	O9. Residents Are Offered Free or Discounted Transit Passes		2				
TBD	O10. Vandalism Deterrence Practices and Vandalism Management Plan					1	
P. DESIGN CONSIDERATIONS							
	P1. Acoustics: Noise and Vibration Control		1		1		
	Enter the number of Tier 1 practices						
	Enter the number of Tier 2 practices						
	P2. Mixed-Use Design Strategies						
No	P2.1 Tenant Improvement Requirements for Build-Outs	0		1			1
No	P2.2 Commercial Loading Area Separated for Residential Area	0		1			
No	P2.3 Separate Mechanical and Plumbing Systems	0		1			
	P3. Commissioning						
TBD	P3.1 Design Phase			1	1		
TBD	P3.2 Construction Phase			1	1		
TBD	P3.3 Post-Construction Phase			1	1		
TBD	P4. Building Enclosure Testing			1	1	1	
Summary							
Total Available Points in Specific Categories		381	43	138	61	86	53
Minimum Points Required in Specific Categories		50	2	25	6	6	6
Total Points Achieved		133.0	18.0	48.0	11.0	31.0	25.0



Planning and Development Department
Land Use Planning Division
1947 Center Street, 2nd Floor
Berkeley, CA 94704

Zoning Adjustments Board NOTICE OF PUBLIC HEARING

SUBJECT: 1155-1173 Hearst Avenue
Use Permit #ZP2016-0028

WHEN: Thursday, August 23, 2018.
Meeting starts at 7:00 pm.


WHERE: Council Chambers, Maudelle Shirek Bldg.
2134 Martin Luther King Jr. Way, 2nd Floor.
Wheelchair accessible.

«NAME1»

«NAME2»

«ADDRESS1»

«ADDRESS2», «ADDRESS3»

	SUBJECT: 1155-1173 Hearst Avenue Use Permit #ZP2016-0028 to develop two parcels, including the substantial rehabilitation of the existing seven dwelling units and construction of six new dwelling units.
CEQA STATUS: Categorically exempt pursuant to Section 15332 of the CEQA Guidelines ("In-Fill Development Projects").	
NOTICE CONCERNING YOUR LEGAL RIGHTS: If you challenge the decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing or in written correspondence delivered to the Board at, or prior to, the public hearing.	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. Send written comments to: Zoning Adjustments Board, 1947 Center Street, 2nd Floor, Berkeley, CA 94704, or e-mail to: ZAB@cityofberkeley.info . To ensure inclusion in the packet, submit correspondence seven (7) days before the hearing. For any correspondence submitted less than seven days before the meeting, submit 15 copies for staff to deliver to the Board at its meeting. For more information, call the Land Use Planning division (510) 981-7410. This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418(V) or 981-6347(TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.
Post and Mail Date: August 8, 2018	PLEASE NOTE: If your contact information is included in any communication to the Board, it will become part of the public record, and will be accessible on the City Website.
The Zoning Application for this project is available at the Permit Service Center, 1947 Center Street, Berkeley, and at our website: http://www.cityofberkeley.info/zoningapplications	
The agenda and staff report for this meeting will be available 3 to 5 days prior to this meeting at the Permit Service Center, 1947 Center Street, Berkeley, and at our website: http://www.cityofberkeley.info/zoningadjustmentsboard	

NAME1	NAME2	ADDRESS1	ADDRESS2	ADDRESS3
West Branch, Berkeley Public Library	WENDY HYMAN (OCCUPANT)	1125 UNIVERSITY AVE	BERKELEY	CA 94702
South Oceanview Neighborhood Association	ALLAN ACACIA (OCCUPANT)	1815 EIGHTH ST	BERKELEY	CA 94710
Addison-Acton Sreet Neighborhood Group	ALEXANDRA WHITE	1351 ADDISON ST	BERKELEY	CA 94702
Schoolhouse-Lincoln Creeks Watershed Neighborhood Assoc.	JENNIFER PEARSON	1546 MILVIA ST	BERKELEY	CA 94709
California Delaware McGee Neighborhood Association	MERRILIE MITCHELL	1612 DELAWARE ST	BERKELEY	CA 94703
Berkeley McGee Neighborhood Group	DEA LEE HARRISON	1627 BERKELEY WAY	BERKELEY	CA 94703
Milvia-King Alliance	ERIKA SHORE	1731 MILVIA ST	BERKELEY	CA 94709
University of California, Facilities Services	E. Marthinsen	A&E Building, Room 300	BERKELEY	CA 94720
Public Notice Journal	Philip Millenbah	PO Box 330356	San Francisco	CA 94133
Urban Creeks Council	CAROLE SCHEMMERLING (OPT)	861 REGAL RD	BERKELEY	CA 94708
Bananas Inc.	ARLYCE CURRIE	5232 CLAREMONT AVE	OAKLAND	CA 94618
Berkeley Central Library	MAIN REFERENCE DESK	2090 KITTREDGE STREET	BERKELEY	CA 94704
Adams Broadwell Joseph & Cardoza	Janet Laurain	601 GATEWAY BLVD. Su 1000	SOUTH SAN FRANCISCO	CA 94080
057 208607700	COMMON AREA OF PM 7738 74 75 &	1126 DELAWARE ST	BERKELEY CA	94702
057 208607600	COHEN MICHAEL B	1126 DELAWARE ST 3	BERKELEY CA	94702
057 208604300	HAGEN KATHLEEN F TR	1128 DELAWARE ST	BERKELEY CA	94702
057 208604900	VERGA RUFO	1129 HEARST AVE A	BERKELEY CA	94702
057 208605000	MOORE WILLIAM H SR & LIUMOORE	1129 HEARST AVE B	BERKELEY CA	94702
057 208605100	GREEN JEFFREY H & JAISSER ANNI	1129 HEARST AVE C	BERKELEY CA	94702
057 208605200	GANESHALINGAM MOHAN & KAO JANI	1129 HEARST AVE D	BERKELEY CA	94702
057 208604600	COMMON AREA PM 4294 43 THRU 45	1130 DELAWARE ST	BERKELEY CA	94702
057 208601800	PICKARD REBEKAH & REBEKAH R	1131 HEARST AVE	BERKELEY CA	94702
057 208604400	CHOW EMILY & HANSEN SVEN J	1132 DELAWARE ST	BERKELEY CA	94702
057 208502000	BENNET YOHANNES	1134 HEARST AVE	BERKELEY CA	94702
058 213002803	FREED ELLEN B	1139 DELAWARE ST	BERKELEY CA	94702
057 208606000	WATANABE ANDREW T & CARL K & S	1140 1/2 DELAWARE ST	BERKELEY CA	94702
057 208606100	COMMON AREA OF PM 6439 59 & 60	1140 DELAWARE ST	BERKELEY CA	94702
057 208605900	RUDOY JOHN D & GUNASEKERA GESH	1140 DELAWARE ST 1	BERKELEY CA	94702
057 208601601	CORY CAROLYN L	1141 HEARST AVE	BERKELEY CA	94702
057 208603800	NITZ MARIE TR & PENNA NICOLE TR	1142 DELAWARE ST	BERKELEY CA	94702
057 208603900	KENDALL DAVID P & WATSON ERIN	1144 DELAWARE ST	BERKELEY CA	94702
057 208604000	SHAIN PAUL L & GETZ BARBARA TR	1146 DELAWARE ST	BERKELEY CA	94702
057 208605600	SHINDEL ALAN W & ROWEN TAMI S	1147 HEARST AVE	BERKELEY CA	94702
057 208604100	ORMSBY PAMELA A TR	1148 DELAWARE ST	BERKELEY CA	94702
057 208604200	COURTEMANCHE MATHIEU & KASSAM	1150 DELAWARE ST	BERKELEY CA	94702
058 213002700	ALLEN EDISON JR & SIGRID	1151 DELAWARE ST	BERKELEY CA	94702
057 208605400	GIANOPOULOS DENO	1151 HEARST AVE	BERKELEY CA	94702
057 208600102	JOYNT PATRICK R & CHU KAREN T	1156 DELAWARE ST	BERKELEY CA	94702
057 208502400	VONDELING JOHANNA E & GADELLE	1164 HEARST AVE	BERKELEY CA	94702
058 213002403	SHAH REHMAN & RAZIA ETAL	1187 DELAWARE ST	BERKELEY CA	94702
058 213002303	FRETZ MICHAEL T & BUCHANAN ELI	1191 DELAWARE ST	BERKELEY CA	94702
057 208601200	CLINGMAN CURTIS D & THORESEN M	1195 HEARST AVE	BERKELEY CA	94702

057 208500100	WONG BETTY	1198 HEARST AVE	BERKELEY CA	94702
057 208200200	SALAS FLOYD TR & ORTALDA CLAIR	1206 DELAWARE ST	BERKELEY CA	94702
057 208204000	COMMON AREA OF PM 6777 38 & 39	1209 HEARST AVE	BERKELEY CA	94702
057 208303200	WOOG SYLVIE & SPRAGUE CLAUDE T	1210 HEARST AVE	BERKELEY CA	94702
057 208203900	JACALA VINCE A & FERRER MARY Y	1211 HEARST AVE	BERKELEY CA	94702
057 208605800	COMMON AREA OF PM 5717 54 THRU	1256 QUEENS RD	BERKELEY CA	94708
058 213002500	SCHMIER ERIC S TR & SCHMIER KE	1475 POWELL ST 201	EMERYVILLE CA	94608
057 208605500	BASKENT DENIZ & SARAMPALIS ANA	1600 MACARTHUR BLVD	OAKLAND CA	94602
057 208202100	HARLEY GEORGE J & PAGE ALLYSON	1787 SONOMA AVE	BERKELEY CA	94707
057 208202800	RONQUILLO RAYMOND M TR & BATES	1801 CURTIS ST	BERKELEY CA	94702
057 208203100	HOTCHKISS CHRISTINE L & LOCKET	1801 CURTIS ST 1	BERKELEY CA	94702
057 208202900	RASTRULLO JACQUELINE M & NORON	1801 CURTIS ST 2	BERKELEY CA	94702
057 208203000	NAKAISHI MICHELLE & HILGERT JE	1801 CURTIS ST 3	BERKELEY CA	94702
057 208600101	HOENACK FRANK	1802 CURTIS ST	BERKELEY CA	94702
057 208600300	DALY LUCINDA A	1806 CURTIS ST	BERKELEY CA	94702
057 208600400	MASON CARRIE A	1810 CURTIS ST	BERKELEY CA	94702
057 208202401	AMES ALEXANDER K TR & BROOKES	1811 CURTIS ST	BERKELEY CA	94702
057 208600500	PRINS ALMA G & WOODLIEF BLAZE	1812 CURTIS ST	BERKELEY CA	94702
057 208600600	WILLIAMS ROLF S & MAJOR TEAL A	1814 CURTIS ST	BERKELEY CA	94702
057 208202301	CURRY DAMIEN X & BILLSTROM AMY	1815 CURTIS ST	BERKELEY CA	94702
057 208600700	SHULMAN STACEY R TR	1818 CURTIS ST	BERKELEY CA	94702
057 208202600	MICHAEL JOSEPH R	1819 1/2 CURTIS ST	BERKELEY CA	94702
057 208202700	CASEY GERALD J & KATHLEEN L	1819 CURTIS ST	BERKELEY CA	94702
057 208600800	REYSEN BRENDA J & LINDA	1820 CURTIS ST	BERKELEY CA	94702
057 208600900	SUSSMAN RAIN	1824 CURTIS ST	BERKELEY CA	94702
057 208601000	VENUGOPAL VIJAYAKUMAR	1826 CURTIS ST	BERKELEY CA	94702
057 208203200	HRDLICKA SANDRA L	1827 CURTIS ST	BERKELEY CA	94702
057 208601100	WADLE DAWN M	1828 CURTIS ST	BERKELEY CA	94702
057 208303300	COMMON AREA OF PM 5808 31 & 32	1901 CURTIS ST	BERKELEY CA	94702
057 208303100	KURZ PAMELA L	1901 CURTIS ST 1	BERKELEY CA	94702
057 208303000	ROBERTS WILLIAM E & RANDICE M	1905 CURTIS ST	BERKELEY CA	94702
057 208302900	PARSONS DAVID & KESSEL KRISTIN	1907 CURTIS ST	BERKELEY CA	94702
057 208302800	MORENO KATHY & DAVID TRS	1913 CURTIS ST	BERKELEY CA	94702
057 208500200	AKSOMBOON SOMCHAI & KWANRUAN T	1920 CURTIS ST	BERKELEY CA	94702
057 208502500	1931 SAN PABLO PARTNERS LLC	1931 SAN PABLO AVE 107	BERKELEY CA	94702
057 208601400	HEARST AVENUE COTTAGES LLC	1958 UNIVERSITY AVE A	BERKELEY CA	94704
057 208606800	COMMON AREA OF PM 7392 66 & 67	21 OCEAN VIEW RD	CAPE ELIZABETH ME	4107
057 208500401	MOK FRANNIE S TR	212 9TH ST 211	OAKLAND CA	94607
057 208601701	RESOURCES FOR COMMUNITY DEVELO	2220 OXFORD ST	BERKELEY CA	94704
057 208605300	WHELAN MICHAEL & CARTY PAUL	29 GREENWOOD CT	ORINDA CA	94563
057 208502100	SEYRANIAN COLLEEN & PALMER KEN	4144 REDWOOD RD	OAKLAND CA	94619
057 208302700	WYLDE RACHEL C & AIDAN G	4321 GILBERT ST	OAKLAND CA	94611
057 208500500	GREER GREGORY C & JAFFE FULL F	585 MANDANA BLVD	OAKLAND CA	94610

057 208600200	FINK ROBERT W & FOX KIMBERLY S	5856 W 74TH ST	LOS ANGELES CA	90045
057 208302600	ROSENBERG CHARLES J & FAN WENH	6033 SHADYGROVE DR	CUPERTINO CA	95014
057 208501004	RITZ LLC	6149 VIEWCREST DR	OAKLAND CA	94619
058 213002600	CLARKE LYDIA J & TIMOTHY	743 COLUSA AVE	EL CERRITO CA	94530
057 208502306	ALAN WOFYSY & ASSOCIATES	PO BOX 2210	SAN FRANCISCO CA	94126
057 208605700	AZIMI PARVIN H & AZIMI HOSS TR	PO BOX 2334	ORINDA CA	94563
057 208500300	OPPENHEIMER 1530 LLC	PO BOX 9395	BERKELEY CA	94709
	Occupant	1123 HEARST AVE	Berkeley, CA	94702
	Occupant	1130 HEARST AVE	Berkeley, CA	94702
	Occupant	1131 HEARST AVE	Berkeley, CA	94702
	Occupant	1132 HEARST AVE	Berkeley, CA	94702
	Occupant	1133 HEARST AVE	Berkeley, CA	94708
	Occupant	1133 HEARST AVE A	Berkeley, CA	94702
	Occupant	1133 HEARST AVE B	Berkeley, CA	94702
	Occupant	1133 HEARST AVE C	Berkeley, CA	94702
	Occupant	1133 HEARST AVE D	Berkeley, CA	94702
	Occupant	1134 DELAWARE ST	Berkeley, CA	94702
	Occupant	1134 DELAWARE ST A	Berkeley, CA	94702
	Occupant	1134 DELAWARE ST B	Berkeley, CA	94702
	Occupant	1134 DELAWARE ST C	Berkeley, CA	94702
	Occupant	1134 DELAWARE ST D	Berkeley, CA	94702
	Occupant	1134 DELAWARE ST E	Berkeley, CA	94702
	Occupant	1134 DELAWARE ST F	Berkeley, CA	94702
	Occupant	1134 DELAWARE ST G	Berkeley, CA	94702
	Occupant	1134 DELAWARE ST H	Berkeley, CA	94702
	Occupant	1135 HEARST AVE	Berkeley, CA	94708
	Occupant	1135 HEARST AVE A	Berkeley, CA	94702
	Occupant	1135 HEARST AVE B	Berkeley, CA	94702
	Occupant	1135 HEARST AVE C	Berkeley, CA	94702
	Occupant	1135 HEARST AVE D	Berkeley, CA	94702
	Occupant	1136 DELAWARE ST	Berkeley, CA	94702
	Occupant	1136 DELAWARE ST A	Berkeley, CA	94702
	Occupant	1136 DELAWARE ST B	Berkeley, CA	94702
	Occupant	1136 DELAWARE ST C	Berkeley, CA	94702
	Occupant	1136 DELAWARE ST D	Berkeley, CA	94702
	Occupant	1136 HEARST AVE	Berkeley, CA	94702
	Occupant	1136 HEARST AVE A	Berkeley, CA	94702
	Occupant	1136 HEARST AVE B	Berkeley, CA	94702
	Occupant	1136 HEARST AVE C	Berkeley, CA	94702
	Occupant	1136 HEARST AVE D	Berkeley, CA	94702
	Occupant	1137 HEARST AVE	Berkeley, CA	94708
	Occupant	1137 HEARST AVE A	Berkeley, CA	94702
	Occupant	1137 HEARST AVE B	Berkeley, CA	94702

Occupant	1137 HEARST AVE C	Berkeley, CA	94702
Occupant	1137 HEARST AVE D	Berkeley, CA	94702
Occupant	1138 DELAWARE ST	Berkeley, CA	94702
Occupant	1138 DELAWARE ST A	Berkeley, CA	94702
Occupant	1138 DELAWARE ST B	Berkeley, CA	94702
Occupant	1138 DELAWARE ST C	Berkeley, CA	94702
Occupant	1138 DELAWARE ST D	Berkeley, CA	94702
Occupant	1138 HEARST AVE A	Berkeley, CA	94702
Occupant	1138 HEARST AVE B	Berkeley, CA	94702
Occupant	1138 HEARST AVE C	Berkeley, CA	94702
Occupant	1138 HEARST AVE D	Berkeley, CA	94702
Occupant	1139 DELAWARE ST A	Berkeley, CA	94702
Occupant	1139 HEARST AVE	Berkeley, CA	94702
Occupant	1139 HEARST AVE A	Berkeley, CA	94702
Occupant	1139 HEARST AVE B	Berkeley, CA	94702
Occupant	1139 HEARST AVE C	Berkeley, CA	94702
Occupant	1139 HEARST AVE D	Berkeley, CA	94702
Occupant	1140 HEARST AVE	Berkeley, CA	94702
Occupant	1140 HEARST AVE A	Berkeley, CA	94702
Occupant	1140 HEARST AVE B	Berkeley, CA	94702
Occupant	1140 HEARST AVE C	Berkeley, CA	94702
Occupant	1140 HEARST AVE D	Berkeley, CA	94702
Occupant	1141 1/2 HEARST AVE	Berkeley, CA	94702
Occupant	1141 HEARST AVE 1/2	Berkeley, CA	94702
Occupant	1142 DELAWARE ST A	Berkeley, CA	94702
Occupant	1142 DELAWARE ST B	Berkeley, CA	94702
Occupant	1142 HEARST AVE A	Berkeley, CA	94702
Occupant	1142 HEARST AVE B	Berkeley, CA	94702
Occupant	1142 HEARST AVE C	Berkeley, CA	94702
Occupant	1142 HEARST AVE D	Berkeley, CA	94702
Occupant	1143 HEARST AVE	Berkeley, CA	94702
Occupant	1144 1/2 DELAWARE ST	Berkeley, CA	94702
Occupant	1144 HEARST AVE	Berkeley, CA	94702
Occupant	1144 HEARST AVE A	Berkeley, CA	94702
Occupant	1144 HEARST AVE B	Berkeley, CA	94702
Occupant	1144 HEARST AVE C	Berkeley, CA	94702
Occupant	1144 HEARST AVE D	Berkeley, CA	94702
Occupant	1146 HEARST AVE A	Berkeley, CA	94702
Occupant	1146 HEARST AVE B	Berkeley, CA	94702
Occupant	1146 HEARST AVE C	Berkeley, CA	94702
Occupant	1146 HEARST AVE D	Berkeley, CA	94702
Occupant	1148 HEARST AVE A	Berkeley, CA	94702
Occupant	1148 HEARST AVE B	Berkeley, CA	94702

Occupant	1148 HEARST AVE C	Berkeley, CA	94702
Occupant	1148 HEARST AVE D	Berkeley, CA	94702
Occupant	1150 HEARST AVE	Berkeley, CA	94702
Occupant	1150 HEARST AVE B	Berkeley, CA	94702
Occupant	1150 HEARST AVE C	Berkeley, CA	94702
Occupant	1150 HEARST AVE D	Berkeley, CA	94702
Occupant	1153 DELAWARE ST	Berkeley, CA	94702
Occupant	1154 HEARST AVE A	Berkeley, CA	94702
Occupant	1154 HEARST AVE B	Berkeley, CA	94702
Occupant	1154 HEARST AVE C	Berkeley, CA	94702
Occupant	1154 HEARST AVE D	Berkeley, CA	94702
Occupant	1155 HEARST AVE	Berkeley, CA	94702
Occupant	1156 HEARST AVE	Berkeley, CA	94702
Occupant	1156 HEARST AVE A	Berkeley, CA	94702
Occupant	1156 HEARST AVE B	Berkeley, CA	94702
Occupant	1156 HEARST AVE C	Berkeley, CA	94702
Occupant	1156 HEARST AVE D	Berkeley, CA	94702
Occupant	1157 HEARST AVE	Berkeley, CA	94702
Occupant	1158 HEARST AVE A	Berkeley, CA	94702
Occupant	1158 HEARST AVE B	Berkeley, CA	94702
Occupant	1158 HEARST AVE C	Berkeley, CA	94702
Occupant	1158 HEARST AVE D	Berkeley, CA	94702
Occupant	1159 HEARST AVE	Berkeley, CA	94702
Occupant	1159 HEARST AVE A	Berkeley, CA	94702
Occupant	1159 HEARST AVE B	Berkeley, CA	94702
Occupant	1160 HEARST AVE	Berkeley, CA	94702
Occupant	1160 HEARST AVE A	Berkeley, CA	94702
Occupant	1160 HEARST AVE B	Berkeley, CA	94702
Occupant	1160 HEARST AVE C	Berkeley, CA	94702
Occupant	1160 HEARST AVE D	Berkeley, CA	94702
Occupant	1161 HEARST AVE	Berkeley, CA	94702
Occupant	1163 HEARST AVE	Berkeley, CA	94702
Occupant	1173 HEARST AVE	Berkeley, CA	94702
Occupant	1173 HEARST AVE B	Berkeley, CA	94702
Occupant	1175 UNIVERSITY AVE	Berkeley, CA	94702
Occupant	1177 DELAWARE ST	Berkeley, CA	94702
Occupant	1179 DELAWARE ST	Berkeley, CA	94702
Occupant	1181 DELAWARE ST	Berkeley, CA	94702
Occupant	1183 DELAWARE ST	Berkeley, CA	94702
Occupant	1193 DELAWARE ST	Berkeley, CA	94702
Occupant	1202 DELAWARE ST	Berkeley, CA	94702
Occupant	1204 DELAWARE ST	Berkeley, CA	94702
Occupant	1206 DELAWARE ST	Berkeley, CA	94702

Occupant	1208 DELAWARE ST	Berkeley, CA	94702
Occupant	1804 CURTIS ST	Berkeley, CA	94702
Occupant	1813 CURTIS ST	Berkeley, CA	94702
Occupant	1821 CURTIS ST	Berkeley, CA	94702
Occupant	1823 CURTIS ST	Berkeley, CA	94702
Occupant	1825 CURTIS ST	Berkeley, CA	94702
Occupant	1827 CURTIS ST A	Berkeley, CA	94702
Occupant	1827 CURTIS ST B	Berkeley, CA	94702
Occupant	1903 CURTIS ST A	Berkeley, CA	94702
Occupant	1903 CURTIS ST B	Berkeley, CA	94702
Occupant	1905 CURTIS ST A	Berkeley, CA	94702
Occupant	1905 CURTIS ST B	Berkeley, CA	94702
Occupant	1915 CURTIS ST	Berkeley, CA	94702
Occupant	1916 CURTIS ST	Berkeley, CA	94702
Occupant	1917 CURTIS ST	Berkeley, CA	94702
Occupant	1917 CURTIS ST A	Berkeley, CA	94702
Occupant	1917 CURTIS ST B	Berkeley, CA	94702
Occupant	1918 CURTIS ST	Berkeley, CA	94702
Occupant	1930 CURTIS ST	Berkeley, CA	94702
Occupant	1930 CURTIS ST 1	Berkeley, CA	94702
Occupant	1930 CURTIS ST 10	Berkeley, CA	94702
Occupant	1930 CURTIS ST 11	Berkeley, CA	94702
Occupant	1930 CURTIS ST 12	Berkeley, CA	94702
Occupant	1930 CURTIS ST 2	Berkeley, CA	94702
Occupant	1930 CURTIS ST 3	Berkeley, CA	94702
Occupant	1930 CURTIS ST 4	Berkeley, CA	94702
Occupant	1930 CURTIS ST 5	Berkeley, CA	94702
Occupant	1930 CURTIS ST 6	Berkeley, CA	94702
Occupant	1930 CURTIS ST 7	Berkeley, CA	94702
Occupant	1930 CURTIS ST 8	Berkeley, CA	94702
Occupant	1930 CURTIS ST 9	Berkeley, CA	94702
Occupant	1931 SAN PABLO AVE	Berkeley, CA	94702
Occupant	1931 SAN PABLO AVE 101	Berkeley, CA	94702
Occupant	1931 SAN PABLO AVE 102	Berkeley, CA	94702
Occupant	1931 SAN PABLO AVE 103	Berkeley, CA	94702
Occupant	1931 SAN PABLO AVE 104	Berkeley, CA	94702
Occupant	1931 SAN PABLO AVE 105	Berkeley, CA	94702
Occupant	1931 SAN PABLO AVE 106	Berkeley, CA	94702
Occupant	1931 SAN PABLO AVE 108	Berkeley, CA	94702
Occupant	1931 SAN PABLO AVE 109	Berkeley, CA	94702
Occupant	1931 SAN PABLO AVE 110	Berkeley, CA	94702
Occupant	1935 SAN PABLO AVE	Berkeley, CA	94703
Occupant	1937 SAN PABLO AVE	Berkeley, CA	94703

Occupant	1941 SAN PABLO AVE	Berkeley, CA	94702
Occupant	1944 CURTIS ST	Berkeley, CA	94702
Occupant	1944 CURTIS ST 1	Berkeley, CA	94702
Occupant	1944 CURTIS ST 10	Berkeley, CA	94702
Occupant	1944 CURTIS ST 11	Berkeley, CA	94702
Occupant	1944 CURTIS ST 12	Berkeley, CA	94702
Occupant	1944 CURTIS ST 13	Berkeley, CA	94702
Occupant	1944 CURTIS ST 14	Berkeley, CA	94702
Occupant	1944 CURTIS ST 15	Berkeley, CA	94702
Occupant	1944 CURTIS ST 16	Berkeley, CA	94702
Occupant	1944 CURTIS ST 17	Berkeley, CA	94702
Occupant	1944 CURTIS ST 2	Berkeley, CA	94702
Occupant	1944 CURTIS ST 3	Berkeley, CA	94702
Occupant	1944 CURTIS ST 4	Berkeley, CA	94702
Occupant	1944 CURTIS ST 5	Berkeley, CA	94702
Occupant	1944 CURTIS ST 6	Berkeley, CA	94702
Occupant	1944 CURTIS ST 7	Berkeley, CA	94702
Occupant	1944 CURTIS ST 8	Berkeley, CA	94702
Occupant	1944 CURTIS ST 9	Berkeley, CA	94702
Occupant	1970 CURTIS ST	Berkeley, CA	94702
Occupant	1970 CURTIS ST 1	Berkeley, CA	94702
Occupant	1970 CURTIS ST 10	Berkeley, CA	94702
Occupant	1970 CURTIS ST 11	Berkeley, CA	94702
Occupant	1970 CURTIS ST 12	Berkeley, CA	94702
Occupant	1970 CURTIS ST 13	Berkeley, CA	94702
Occupant	1970 CURTIS ST 14	Berkeley, CA	94702
Occupant	1970 CURTIS ST 15	Berkeley, CA	94702
Occupant	1970 CURTIS ST 16	Berkeley, CA	94702
Occupant	1970 CURTIS ST 17	Berkeley, CA	94702
Occupant	1970 CURTIS ST 18	Berkeley, CA	94702
Occupant	1970 CURTIS ST 19	Berkeley, CA	94702
Occupant	1970 CURTIS ST 2	Berkeley, CA	94702
Occupant	1970 CURTIS ST 3	Berkeley, CA	94702
Occupant	1970 CURTIS ST 4	Berkeley, CA	94702
Occupant	1970 CURTIS ST 5	Berkeley, CA	94702
Occupant	1970 CURTIS ST 6	Berkeley, CA	94702
Occupant	1970 CURTIS ST 7	Berkeley, CA	94702
Occupant	1970 CURTIS ST 8	Berkeley, CA	94702
Occupant	1970 CURTIS ST 9	Berkeley, CA	94702
Hearst Avenue Cottages, LLC	c/o Rhoades Planning Group	46 Shattuck Square, Suite 11	Berkeley, CA 94704

Mendez, Leslie

From: Chun, Peter
Sent: Thursday, August 23, 2018 10:17 AM
To: 'Mia Perkins'
Cc: Mendez, Leslie; Mark Rhoades
Subject: RE: 1155-1173 Hearst site plan

Mia,

Thank you.

Leslie, this plan per the response below is good to go.

Thanks,

Peter Chun, T.E.
Associate Traffic Engineer
Transportation Division – Public Works Department
City of Berkeley
1947 Center Street, 4th Floor
Berkeley, CA 94704
(510) 981-6445

From: Mia Perkins [mailto:mia@rhoadesplanninggroup.com]
Sent: Thursday, August 23, 2018 9:58 AM
To: Chun, Peter <PChun@cityofberkeley.info>
Cc: Mendez, Leslie <LMendez@cityofberkeley.info>; Mark Rhoades <mark@rhoadesplanninggroup.com>
Subject: 1155-1173 Hearst site plan

Hi Peter,

Please see attached site plan. Regarding your 4 points below:

- A. Please see attached site plan for location of driveway gate.
- B. The ADA space was removed (see site plan).
- C. The compact spaces have a dimension of 8' wide (see site plan).
- D. Planted hedges were added between Freesia and the parking area (see site plan).

Thanks,
Mia

From: Chun, Peter [mailto:PChun@cityofberkeley.info]
Sent: Thursday, May 31, 2018 3:27 PM
To: Mark Rhoades <mark@rhoadesplanninggroup.com>; Mendez, Leslie <LMendez@cityofberkeley.info>
Subject: RE: Hearst updated site plan

Mark,

The plan looks fine. I would like a request statement about the compact spaces. The guidance I have allows for 10% of spaces can be compact. This plan is requesting two additional compact spaces. I believe the it was discussed that there is a offsetting easement that the compact spaces will help to establish. Please include this in the statement. Here are a few additional comments:

- a. Please show the proposed driveway gate location per our discussion.
- b. It appears that the ADA space was not required.
- c. The compact spaces only need to be 8 'wide.
- d. The Freesia unit will be subject to everyone's headlights at night. Something to think about.

Let me know if you have further questions.

Thank you,

Peter

From: Mark Rhoades [<mailto:mark@rhoadesplanninggroup.com>]
Sent: Thursday, May 31, 2018 9:01 AM
To: Chun, Peter <PChun@cityofberkeley.info>; Mendez, Leslie <LMendez@cityofberkeley.info>
Subject: FW: Hearst updated site plan

Peter,

Please see the attached revised site plan for 1155-1173 Hearst Avenue. We were able to turn the parking spaces at the end of the row so that all of the spaces now oppose one another. I think we also have appropriate buffer locations for doors, pedestrians AND turning movement.

Let me know if this is acceptable. We would sure like to get this wrapped and back to the Zoning Adjustments Board.

Best,

Mark Rhoades
www.RhoadesPlanningGroup.com
510.545.4341

From: Devi Dutta-Choudhury [<mailto:hello@devidutta.com>]
Sent: Wednesday, May 30, 2018 6:40 PM
To: Mia Perkins <mia@rhoadesplanninggroup.com>; Mark Rhoades <mark@rhoadesplanninggroup.com>
Subject: Hearst updated site plan

Mark/Mia - here is the updated site plan. Hopefully we've covered everything here.

Devi Dutta **ARCHITECTURE** Inc.
928 Carleton Street, Berkeley, CA 94710
[415/794-0923](tel:4157940923) mobile
[510/705-1937](tel:5107051937) office
www.devidutta.com

PROOF OF SERVICE

DATE: August 30, 2018
TO: Whom It May Concern
FROM: Melinda Jacob, OSII
SUBJECT: **USE PERMIT #ZP2016-0028 – 1155-73 HEARST AVENUE**

I, the undersigned, certify that I am employed in the City of Berkeley, County of Alameda, California; that I am over eighteen years of age; that I am not a party to the within action; and that my business address is 2120 Milvia Street, Berkeley, California 94704. On this date, I served the following documents:

**DECISION OF ZONING ADJUSTMENTS BOARD FOR
USE PERMIT #ZP2016-0028 – 1155-73 HEARST AVENUE**

On the parties stated below by placing true copies thereof in sealed envelope(s) addressed as shown below by the following means of service:

Hearst Avenue Cottages, LLC
c/o Rhoades Planning Group
46 Shattuck Square, #11
Berkeley, CA 94704

- By First Class Mail - I am readily familiar with the City's practice for collecting and processing of correspondence for mailing. Under the practice, the correspondence is deposited with the U.S. Postal Service on the same day as collected, with First Class postage thereon fully prepaid, in Berkeley, California, for mailing to the addressee following ordinary business practices.
- By Personal Service - I caused each such envelope to be given to the City of Berkeley mail service person to personally deliver to the office of the addressee.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 30, 2018 at Berkeley, California.

Melinda A. Jacob

Melinda Jacob, OSII

DATE OF BOARD DECISION: August 23, 2018
DATE NOTICE MAILED: August 30, 2018
APPEAL PERIOD EXPIRATION: September 13, 2018¹
EFFECTIVE DATE OF PERMIT (Barring Appeal or Certification)²: September 25, 2018

1155-73 Hearst Avenue

Use Permit #ZP2016-0028 to develop two parcels, including the substantial rehabilitation of the existing seven dwelling units and construction of six new dwelling units.

The Zoning Adjustments Board of the City of Berkeley, after conducting a public hearing, **APPROVED** the following permits:

- Use Permit for construction of dwelling units, under BMC Section 23D.32.030
- Use Permit for the addition of a sixth or greater bedroom in existing dwellings on a parcel, under BMC 23D.32.050.A
- Administrative Use Permit to construct residential additions greater than 14' in average height, BMC Section 23D.32.070.C
- Administrative Use Permit to allow an extension of a non-conforming front and side yard, BMC Section 23C.04.070.B
- Administrative Use Permit to reduce the building separation from 8' on the first floor and 12' on the second floor to 6'-1", BMC Section 23D.32.070.D.4

¹ Pursuant to BMC Section 23A.08.030, the appeal period begins on the first business day following the date the Notice of Decision is mailed. Pursuant to BMC Section 1.04.080, any deadline that falls on a non-business day is extended until the next business day.

² Pursuant to BMC Section 23B.32.090, the City Council may certify any ZAB decision for review during the 14-day appeal period after the notice of the ZAB's decision is issued. Certification has the same effect as an appeal. However, BMC Section 1.04.070 suspends or "tolls" the Council's deadline to certify when the Council is on recess. Thus, in cases where the 14-day appeal period is scheduled to *end* during a Council recess, the certification deadline is extended past the end of the recess for the remainder of the appeal period. In cases where the appeal period *begins* during a Council recess, the certification deadline is extended until 14 days after the first Council meeting after the recess. *Extension of the certification deadline has no effect on the appeal deadline.*

APPLICANT: Hearst Avenue Cottages, LLC c/o Rhoades Planning Group, 46 Shattuck Square, Suite 11, Berkeley, CA 94704

ZONING DISTRICT: R-2A – Restricted Multiple-Family Residential

ENVIRONMENTAL REVIEW STATUS: Categorically exempt pursuant to Section 15332 of the CEQA Guidelines (“In-Fill Development Projects”).

The Zoning Application and application materials for this project is available online at:
<http://www.cityofberkeley.info/zoningapplications>

FINDINGS, CONDITIONS AND APPROVED PLANS ARE ATTACHED TO THIS NOTICE

BOARD VOTE: 8-0-1-0

YES: CLARKE, HAUSER, KAHN, KIM, O'KEEFE, OLSON, SIMON-WEISBERG, ZANERI

NO:

ABSTAIN: POBLET

ABSENT:

TO APPEAL THIS DECISION (see Section 23B.32.050 of the Berkeley Municipal Code):

To appeal a decision of the Zoning Adjustments Board to the City Council you must:

1. Submit a letter clearly and concisely setting forth the grounds for the appeal to the City Clerk, located at 2180 Milvia Street, 1st Floor, Berkeley; or by facsimile to (510) 981-6901. The City Clerk's telephone number is (510) 981-6900.
2. Submit the required appeal fee (checks and money orders payable to “City of Berkeley”):
 - a. The fee for persons other than the applicant is \$500. This fee may be reduced to \$100 if the appeal is signed by persons who lease or own at least 50 percent of the parcels or dwelling units within 300 feet of the project site, or at least 25 such persons (not including dependent children), whichever is less.
 - b. The fee for all appeals by Applicants is \$2500.
3. The appeal must be received prior to 5:00 p.m. on the "APPEAL PERIOD EXPIRATION"

date shown above (if the close of the appeal period falls on a weekend or holiday, then the appeal period expires the following business day).

If no appeal is received, the permit will be issued on the first business day following expiration of the appeal period, and the project may proceed at that time.

NOTICE CONCERNING YOUR LEGAL RIGHTS:

If you object to this decision, the following requirements and restrictions apply:

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

If you do not do so, you will waive any legal right to claim that your property has been taken, both before the City Council and in court.

PUBLIC COMMENT:

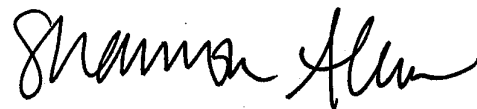
Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in 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.

FURTHER INFORMATION:

Questions about the project should be directed to the project planner, Leslie Mendez, at (510) 981-7410 or lmendez@cityofberkeley.info. All project application materials, including full-size plans, may be viewed at the Land Use Planning Division, 1947 Center Street, 2nd floor, Monday through Friday from 8:30 a.m. to 4 p.m. (except on holidays and reduced service days; check City's website for details).

ATTACHMENTS:

1. Findings and Conditions
2. Project Plans, received **JUNE 8, 2018**



ATTEST:

Shannon Allen, Secretary
Zoning Adjustments Board

cc: City Clerk
Building and Safety Division
Central Library - Reference Desk
Public Works Engineering Division
ZAB Members
First Source
Amy Davidson, Housing Department

Applicant/Property Owner:
Hearst Avenue Cottages, LLC
c/o Rhoades Planning Group
46 Shattuck Square, Suite 11
Berkeley, CA 94704

Attachment 1

Findings and Conditions

AUGUST 23, 2018

1155-1173 Hearst Street

Use Permit #ZP2016-0028 to develop two parcels, including the substantial rehabilitation of the existing seven dwelling units and constructing six new dwelling units.

PERMITS REQUIRED

- Use Permit for construction of dwelling units, under BMC Section 23D.32.030
- Use Permit for the addition of a sixth or greater bedroom in existing dwellings on a parcel, under BMC 23D.32.050.A
- Administrative Use Permit to construct residential additions greater than 14' in average height, BMC Section 23D.32.070.C
- Administrative Use Permit to allow an extension of a non-conforming front and side yard, BMC Section 23C.04.070.B
- Administrative Use Permit to reduce the building separation from 8' on the first floor and 12' on the second floor to 6'-1", BMC Section 23D.32.070.D.4

I. CEQA FINDING

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations, §15000, et seq.) pursuant to Section 15332 of the CEQA Guidelines ("In-Fill Development"). Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project would not affect any historical resource.

II. FINDINGS FOR APPROVAL

1. As required by Section 23B.28.050.A of the Zoning Ordinance, the project, under the circumstances of this particular case existing at the time at which the application is granted, would not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City because:
 - The project will add six new housing units to the City's housing stock and will comply with the City's Inclusionary Ordinance by either providing one below market rate unit for a Low Income Household and payment into the Affordable Housing Trust Fund of the remainder 0.2 unit fee, or payment of the in-lieu fee.
 - The project's proposed massing contributes to the continued evolution of the City's development landscape. The project design was modified in several ways to respect the lower density single-family dwellings fronting Curtis Street. The final development plan will renovate and rehabilitate the existing dwellings to match the style and materials

of the new construction for a cohesive and attractive street presence that fits well with the surrounding mix of architectural styles.

- As the properties to the east of the subject site front Curtis Street and have rear yards abutting the subject site, the building separation between the Curtis Street Neighbors and the new construction ranges from approximately 36 feet to 42 feet. The properties abutting to the north and fronting Delaware Street have more substantial rear yard areas, resulting in a proposed main building separation of approximately 175 feet and more. Buildings to the west are closest due to the abutting side yard orientation to the subject lot. But with building separation ranging from approximately 8.5 feet to 18 feet, the project's proposed massing will be compatible with the four neighboring two-story buildings to the west.
 - Shadow impacts from the project are expected to affect direct sunlight on certain residential windows. However, these areas will still experience indirect lighting during these hours, as well as have direct light from other windows. At no time of year will the proposed project cause adjacent properties to lose access to direct sunlight from all the windows throughout the whole day at any time of the year. Such shading impacts are to be expected in an infill urbanized area and are not deemed detrimental.
 - The project site is located one block east of San Pablo Avenue and one block north of University Avenue, two major transit thoroughfares. The project will add eleven additional residential units located within one quarter mile of the San Pablo/University intersection that is served by the following AC Transit bus lines: 72 Rapid, 49, 51B, 52, FS, G, 72, 72M, 800 and 802. The project helps encourage transit use and reduce greenhouse gas emissions from motor vehicles by constructing additional housing in close proximity to transit, jobs, basic goods and services.
 - The project meets the purposes of the Restricted Multiple-family Residential District as it will provide smaller multiple-family garden-type apartment structures with the maximum feasible amount of useable open space on the property. The buildings will be constructed with sufficient separation on the subject lot, and with ample distance with abutting single-family neighbors. Light and air, therefore, will not be unreasonably obstructed. Based on the proposed two-story height of the building, the existing structures around the site, and the generally flat topography of the neighborhood, the project will not affect significant views enjoyed by neighboring residents. The project will further not be detrimental to the neighborhood as it would be subject to the City's standard conditions of approval regarding construction noise and air quality, waste diversion, toxics, and stormwater requirements, thereby ensuring the project would not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the area or neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood or to the general welfare of the City.
2. Pursuant to BMC 23C.04.070.C, the proposed vertical extensions of the non-conforming front and side yard setbacks of Azalea and Begonia are permissible as they will not further reduce existing non-conforming yards.
 3. Pursuant to BMC Section 23D.32.050, the project, when completed, would change the existing configuration of the duplexes to four two-bedroom dwelling units and two four-bedroom dwelling units. Both the two-unit layout and the four-unit layout are designed to be

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occupied by single households within a development of six other newly constructed two-bedroom units. The renovated dwellings are designed to provide for a range of family composition and is not expected to lead to formation of a mini-dorm.

4. Pursuant to BMC 23D.070.D.4 the project the reduction in the building to building separation between Freesia and Geranium from the District minimum of 8' on the first floor and 12' on the second floor down to 6'-1" is permissible as the minimum distance is only at one horizontal plane between the buildings; otherwise the separation ranges from 8 feet to 13 feet. The current building layout and juxtaposition provides adequate air and light between the buildings. With the proposed added condition that the north facing window of the northeast bedroom in Geranium be a minimum of 68 inches from finished floor level, privacy between residents of the two opposing units will be ensured.
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III. STANDARD CONDITIONS OF APPROVAL FOR ALL PROJECTS

The following conditions, as well as all other applicable provisions of the Zoning Ordinance, apply to this Permit:

1. Conditions Shall be Printed on Plans

The conditions of this Permit shall be printed on the *second* sheet of each plan set submitted for a building permit pursuant to this Use Permit, under the title 'Use Permit Conditions.' *Additional sheets* may also be used if the *second* sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings; 8-1/2" by 11" sheets are not acceptable.

2. Applicant Responsible for Compliance with Conditions

The applicant shall ensure compliance with all of the following conditions, including submittal to the project planner of required approval signatures at the times specified. Failure to comply with any condition may result in construction being stopped, issuance of a citation, and/or modification or revocation of the Use Permit.

3. Uses Approved Deemed to Exclude Other Uses (Section 23B.56.010)

- A. This Permit authorizes only those uses and activities actually proposed in the application, and excludes other uses and activities.
- B. Except as expressly specified herein, this Permit terminates all other uses at the location subject to it.

4. Modification of Permits (Section 23B.56.020)

No change in the use or structure for which this Permit is issued is permitted unless the Permit is modified by the Zoning Officer, except that the Zoning Officer may approve changes that do not expand, intensify, or substantially change the use or building.

5. Plans and Representations Become Conditions (Section 23B.56.030)

Except as specified herein, the site plan, floor plans, building elevations and/or any additional information or representations, whether oral or written, indicating the proposed structure or manner of operation submitted with an application or during the approval process are deemed conditions of approval.

6. Subject to All Applicable Laws and Regulations (Section 23B.56.040)

The approved use and/or construction is subject to, and shall comply with, all applicable City Ordinances and laws and regulations of other governmental agencies. Prior to construction, the applicant shall identify and secure all applicable permits from the Building and Safety Division, Public Works Department and other affected City divisions and departments.

7. Exercised Permit for Use Survives Vacancy of Property (Section 23B.56.080)

Once a Permit for a use is exercised and the use is established, that use is legally recognized, even if the property becomes vacant, except as set forth in Standard Condition #8, below.

8. Exercise and Lapse of Permits (Section 23B.56.100)

- A. A permit for the use of a building or a property is exercised when, if required, a valid City business license has been issued, and the permitted use has commenced on the property.
- B. A permit for the construction of a building or structure is deemed exercised when a valid City building permit, if required, is issued, and construction has lawfully commenced.
- C. A permit may be declared lapsed and of no further force and effect if it is not exercised within one year of its issuance, except that permits for construction or alteration of structures or buildings may not be declared lapsed if the permittee has: (1) applied for a building permit; or, (2) made substantial good faith efforts to obtain a building permit and begin construction, even if a building permit has not been issued and/or construction has not begun.

9. Indemnification Agreement

The applicant shall hold harmless, defend, and indemnify the City of Berkeley and its officers, agents, and employees against any and all liability, damages, claims, demands, judgments or other losses (including without limitation, attorney's fees, expert witness and consultant fees and other litigation expenses), referendum or initiative relating to, resulting from or caused by, or alleged to have resulted from, or caused by, any action or approval associated with the project. The indemnity includes without limitation, any legal or administrative challenge, referendum or initiative filed or prosecuted to overturn, set aside, stay or otherwise rescind any or all approvals granted in connection with the Project, any environmental determination made for the project and granting any permit issued in accordance with the project. This indemnity includes, without limitation, payment of all direct and indirect costs associated with any action specified herein. Direct and indirect costs shall include, without limitation, any attorney's fees, expert witness and consultant fees, court costs, and other litigation fees. City shall have the right to select counsel to represent the City at Applicant's expense in the defense of any action specified in this condition of approval. City shall take reasonable steps to promptly notify the Applicant of any claim, demand, or legal actions that may create a claim for indemnification under these conditions of approval.

IV. ADDITIONAL CONDITIONS IMPOSED BY THE ZONING OFFICER

Pursuant to BMC 23B.32.040.D, the following additional conditions are added to this Permit:

Prior to Submittal of Any Building Permit:

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

Project Liaison _____
Name Phone #

- 11. Plan Set Revisions. The plan set shall be revised to reflect the following changes:
 - The north facing window of the northeast bedroom in **Geranium** be a minimum of 68 inches from finished floor level to ensure privacy between residents of the two opposing units.

- The roof deck on **Geranium** shall be moved to the east side of the roof and the roof access shall not include any windows and shall be reduced in massing (i.e. sloped) to limit impacts to the western neighbors.
- All west facing windows on **Freesia** and **Geranium** shall, subject to review and approval by the Zoning Officer, be redesigned to ensure privacy for the residents of the building to the west. This may include, but is not limited to, frosted glass and/or clerestory design.
- A maximum of three full bathrooms are permitted in the two **Freesia** dwelling units.

12. Address Assignment. The applicant shall file an "Address Assignment Request Application" with the Permit Service Center (2120 Milvia Street) for any address change or new address associated with this Use Permit. The new address(es) shall be assigned and entered into the City's database prior to the applicant's submittal of a building permit application for that unit.

Prior to Issuance of Any Building Permit:

13. Geotechnical Report. The applicant shall submit to the Building and Safety Division a geotechnical report that addresses the subsurface water conditions in and in the immediate vicinity of the project site. A civil engineer shall be employed to draft plans in conformance with all recommendations of the Geotechnical and Hydrology reports.
14. Demolition Schematic. The applicant shall include a sheet within the plan set for each existing building (Azalea, Begonia, Camellia, and Freesia) that clearly shows the surface area of each exterior wall and the roof that is to be removed and that is to remain. A percentage calculation for the sum of the exterior walls to be removed and for the roof shall be included. A building permit will not be issued unless it is confirmed that the project would not result in a demolition as defined in BMC 23F.04.010.
15. Tenant Relocation. Prior to building permit issuance for any interior improvements, renovations or addition to the existing dwelling units (1955-57 Hearst, 1959 A & B Hearst, 1961-63 Hearst, and 1973 Hearst) the property owner shall provide proof that all tenants have voluntarily vacated or proof that the owner and tenants have come to a written agreement on a plan for relocation.
16. Parcel Merger. The applicant shall secure approval of any parcel merger and/or lot line adjustment associated with this Use Permit.
17. Percent for Art: Consistent with BMC §23C.23, prior to issuance of a building permit the applicant shall either pay the required in-lieu fee or provide the equivalent amount in a financial guarantee to be released after installation of the On-Site Publicly Accessible Art.
18. Construction Noise Management - Public Notice Required. At least thirty calendar days prior to initiating any construction activities at the site, the applicant shall provide notice to existing residents on the project site, including (1) description of construction activities, (2) daily construction schedule (i.e., time of day) and expected duration (number of months), (3) the name and phone number of the Noise Management Individual for the project, and (4) designate a "construction liaison" that would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to

correct the problem. A copy of such notice and methodology for distributing the notice shall be provided in advance to the City for review and approval.

The public notice shall also state that the applicant will hold a community meeting every six months from the start of construction to the conclusion of construction for all active building permits related to this Use Permit pursuant Condition of Approval number 32; that the existing tenants have the option to temporarily relocate during construction for all active building permits related to this Use Permit pursuant to Condition of Approval number 31; and that parking shall be provided on or off site during all construction in compliance with Condition of Approval number 30.

- 19. Construction Noise Reduction Program.** The applicant shall develop a site specific noise reduction program prepared by a qualified acoustical consultant to reduce construction noise impacts to the maximum extent feasible, subject to review and approval of the Zoning Officer. The noise reduction program shall include the time limits for construction listed above, as measures needed to ensure that construction complies with BMC Section 13.40.070. The noise reduction program should include, but shall not be limited to, the following available controls to reduce construction noise levels as low as practical:
- Construction equipment should be well maintained and used judiciously to be as quiet as practical.
 - Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
 - Utilize “quiet” models of air compressors and other stationary noise sources where technology exists. Select hydraulically or electrically powered equipment and avoid pneumatically powered equipment where feasible.
 - Locate stationary noise-generating equipment as far as possible from sensitive receptors when adjoining construction sites. Construct temporary noise barriers or partial enclosures to acoustically shield such equipment where feasible.
 - Prohibit unnecessary idling of internal combustion engines.
 - If impact pile driving is required, pre-drill foundation pile holes to minimize the number of impacts required to seat the pile.
 - Construct solid plywood fences around construction sites adjacent to operational business, residences or other noise-sensitive land uses where the noise control plan analysis determines that a barrier would be effective at reducing noise.
 - Erect temporary noise control blanket barriers, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.
 - Route construction related traffic along major roadways and away from sensitive receptors where feasible.

20. 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.
21. Drainage Plan. Unless modified by the City's Building & safety Division and/or Department of Public Works, plans submitted for building permit shall include the drainage design as presented in Stormwater and Flooding Assessment and Mitigation Design for the Hearst Avenue Project, prepared by Clearwater Hydrology, dated January 7, 2016 as revised July 12, 2017, and all recommendations of the peer review prepared by Balance Hydrologics.
22. Electric Vehicle (EV) Charging. At least 10% of the project parking spaces for residential parking shall be pre-wired to allow for future Level 2 (240 Volt/40 amp) plug-in electric vehicle (EV) charging system installation, as specified by the Office of Energy and Sustainable Development. Any Level 2 EV charging systems installed at parking spaces will be counted toward the applicable pre-wiring requirement. Pre-wiring for EV charging and EV charging station installations shall be noted on site plans.
23. Recycling and Organics Collection. Applicant shall provide recycling and organics collection areas for occupants, clearly marked on site plans, which comply with the Alameda County Mandatory Recycling Ordinance (ACWMA Ordinance 2012-01).
24. Water Efficient Landscaping. Applicant shall provide an updated Bay-Friendly Basics Landscape Checklist that includes detailed notes of any measures that will not be fully met at the project. Landscape improvements shall be consistent with the current versions of the State's Water Efficient Landscape Ordinance (WELO) and the East Bay Municipal Utility District's Section 31: Water Efficiency Requirements.
25. Construction and Demolition. Applicant shall submit a Waste Diversion Form and Waste Diversion Plan that meet the diversion requirements of BMC Chapters 19.24 and 19.37.
26. 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.
27. First Source Agreement. The applicant and/or end user(s) shall enter into a First Source Agreement with the City of Berkeley. First Source promotes the hiring of local residents on local projects. The agreement requires contractors/employers to engage in good faith efforts to hire locally, including utilizing graduates of local job training programs. Please call (510) 981-4970 for further information, or visit the City's Employment Programs office at 2180 Milvia, 1st Floor.
28. Toxics. The applicant shall contact the Toxics Management Division (TMD) at 2120 Milvia, 3rd Floor or (510) 981-7470 to determine which of the following documents are required and timing for their submittal:

A. Environmental Site Assessments:

- 1) Phase I & Phase II Environmental Site Assessments (latest ASTM 1527-13). A recent Phase I ESA (less than 6 months old*) shall be submitted to TMD for developments for:
 - All new commercial, industrial and mixed use developments and all large improvement projects.
 - All new residential buildings with 5 or more dwelling units located in the Environmental Management Area (or EMA).
 - EMA is available online at:
 - http://www.cityofberkeley.info/uploadedFiles/IT/Level_3_-_General/ema.pdf
- 2) Phase II ESA is required to evaluate Recognized Environmental Conditions (REC) identified in the Phase I or other RECs identified by TMD staff. The TMD may require a third party toxicologist to review human or ecological health risks that may be identified. The applicant may apply to the appropriate state, regional or county cleanup agency to evaluate the risks.
- 3) If the Phase I is over 6 months old, it will require a new site reconnaissance and interviews. If the facility was subject to regulation under Title 15 of the Berkeley Municipal Code since the last Phase I was conducted, a new records review must be performed.

B. Soil and Groundwater Management Plan:

- 1) A Soil and Groundwater Management Plan (SGMP) shall be submitted to TMD for all non-residential projects, and residential or mixed-use projects with five or more dwelling units, that: (1) are in the Environmental Management Area (EMA) and (2) propose any excavations deeper than 5 feet below grade. The SGMP shall be site specific and identify procedures for soil and groundwater management including identification of pollutants and disposal methods. The SGMP will identify permits required and comply with all applicable local, state and regional requirements.
- 2) The SGMP shall require notification to TMD of any hazardous materials found in soils and groundwater during development. The SGMP will provide guidance on managing odors during excavation. The SGMP will provide the name and phone number of the individual responsible for implementing the SGMP and post the name and phone number for the person responding to community questions and complaints.
- 3) TMD may impose additional conditions as deemed necessary. All requirements of the approved SGMP shall be deemed conditions of approval of this Use Permit.

C. Building Materials Survey:

- 1) Prior to approving any permit for partial or complete demolition and renovation activities involving the removal of 20 square or lineal feet of interior or exterior walls, a building materials survey shall be conducted by a qualified professional. The survey shall include, but not be limited to, identification of any lead-based paint, asbestos, polychlorinated biphenyl (PBC) containing equipment, hydraulic fluids in elevators or lifts, refrigeration systems, treated wood and mercury containing devices (including fluorescent light bulbs and mercury switches). The Survey shall include plans on hazardous waste or hazardous materials removal, reuse or disposal procedures to be implemented that fully comply state hazardous waste generator requirements (22 California Code of Regulations 66260 et seq). The Survey becomes a condition of any building or demolition permit for the project. 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. 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.

D. Hazardous Materials Business Plan:

- 1) A Hazardous Materials Business Plan (HMBP) in compliance with BMC Section 15.12.040 shall be submitted electronically at <http://cers.calepa.ca.gov/> within 30 days if on-site hazardous materials exceed BMC 15.20.040. HMBP requirement can be found at <http://ci.berkeley.ca.us/hmr/>

Prior to Construction:

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

During Construction:

30. Tenant Parking. During any construction related to this Use Permit, the applicant/property owner shall ensure that parking is provided to existing tenants per their lease agreement either on-site or in an alternative location within the area bounded by San Pablo Avenue to the west, Francisco Street to the north, Chestnut Street to the east, and University Avenue to the south.
31. Temporary Relocation. During any construction related to this Use Permit, existing tenants may choose to temporary relocate and the applicant/property owner shall accommodate the request and provide the same benefits and protections as in the Relocation Ordinance, BMC Section 13.84.
32. Neighborhood Construction Meetings. The applicant will hold a community meeting every six months from the start of construction to the conclusion of construction for all active building permits related to this Use Permit.
33. Existing Perimeter Vegetation. The applicant shall retain all perimeter vegetation on the property during all phases of construction.
34. 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.
35. 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.
- 36. 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.
- 37. 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.

38. 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 12:00 PM on Saturday. No construction-related activity shall occur on Sunday or any Federal Holiday.
39. Transportation Construction Plan. The applicant and all persons associated with the project are hereby notified that a Transportation Construction Plan (TCP) is required for all phases of construction, particularly for the following activities:
 - Alterations, closures, or blockages to sidewalks or pedestrian paths
 - Alterations, closures, or blockages to vehicle travel lanes (including bicycle lanes)
 - Storage of building materials, dumpsters, debris anywhere in the public ROW
 - Provision of exclusive contractor parking on-street relevant
 - Significant truck activity.

The applicant shall secure the City Traffic Engineer's approval of a TCP. Please contact the Office of Transportation at 981-7010, or 1947 Center Street, 3rd floor, and ask to speak to a traffic engineer. In addition to other requirements of the Traffic Engineer, this plan shall include the locations of material and equipment storage, trailers, worker parking, a schedule of site operations that may block traffic, and provisions for traffic control. The TCP shall be consistent with any other requirements of the construction phase.

Contact the Permit Service Center (PSC) at 2120 Milvia 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. A current copy of this Plan shall be available at all times at the construction site for review by City Staff.

40. Stormwater Requirements. The applicant shall demonstrate compliance with the requirements of the City's National Pollution Discharge Elimination System (NPDES) permit as described in BMC Section 17.20. The following conditions apply:
 - A. The project plans shall identify and show site-specific Best Management Practices (BMPs) appropriate to activities conducted on-site to limit to the maximum extent practicable the discharge of pollutants to the City's storm drainage system, regardless of season or weather conditions.
 - B. Trash enclosures and/or recycling area(s) shall be covered; no other area shall drain onto this area. Drains in any wash or process area shall not discharge to the storm drain system; these drains should connect to the sanitary sewer. Applicant shall contact the City of Berkeley and EBMUD for specific connection and discharge requirements. Discharges to the sanitary sewer are subject to the review, approval and conditions of the City of Berkeley and EBMUD.
 - C. Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration and minimize the use of fertilizers and pesticides that contribute to stormwater pollution. Where feasible, landscaping should be designed and operated to treat runoff.

- When and where possible, xeriscape and drought tolerant plants shall be incorporated into new development plans.
- D. Design, location and maintenance requirements and schedules for any stormwater quality treatment structural controls shall be submitted to the Department of Public Works for review with respect to reasonable adequacy of the controls. The review does not relieve the property owner of the responsibility for complying with BMC Chapter 17.20 and future revisions to the City's overall stormwater quality ordinances. This review shall be shall be conducted prior to the issuance of a Building Permit.
 - E. All paved outdoor storage areas must be designed to reduce/limit the potential for runoff to contact pollutants.
 - F. All on-site storm drain inlets/catch basins **must** be cleaned at least once a year immediately prior to the rainy season. The property owner shall be responsible for all costs associated with proper operation and maintenance of all storm drainage facilities (pipelines, inlets, catch basins, outlets, etc.) associated with the project, unless the City accepts such facilities by Council action. Additional cleaning may be required by City of Berkeley Public Works Engineering Dept.
 - G. All private or public projects that create and/or replace 10,000 square feet or more of impervious surface must comply with Provision C.3 of the Alameda County NPDES permit and must incorporate stormwater controls to enhance water quality. Permit submittals shall include a Stormwater Requirement Checklist and detailed information showing how the proposed project will meet Provision C.3 stormwater requirements, including a) Site design measures to reduce impervious surfaces, promote infiltration, and reduce water quality impacts; b) Source Control Measures to keep pollutants out of stormwater runoff; c) Stormwater treatment measures that are hydraulically sized to remove pollutants from stormwater; d) an O & M (Operations and Maintenance) agreement for all stormwater treatment devices and installations; and e) Engineering calculations for all stormwater devices (both mechanical and biological).
 - H. All on-site storm drain inlets must be labeled "No Dumping – Drains to Bay" or equivalent using methods approved by the City.
 - I. Most washing and/or steam cleaning must be done at an appropriately equipped facility that drains to the sanitary sewer. Any outdoor washing or pressure washing must be managed in such a way that there is no discharge or soaps or other pollutants to the storm drain. Sanitary connections are subject to the review, approval and conditions of the sanitary district with jurisdiction for receiving the discharge.
 - J. All loading areas must be designated to minimize "run-on" or runoff from the area. Accumulated waste water that may contribute to the pollution of stormwater must be drained to the sanitary sewer or intercepted and pretreated prior to discharge to the storm drain system. The property owner shall ensure that BMPs are implemented to prevent potential stormwater pollution. These BMPs shall include, but are not limited to, a regular program of sweeping, litter control and spill cleanup.
 - K. Sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris. If pressure washed, debris must be trapped and collected to prevent entry to the storm drain system. If any cleaning agent or degreaser is used, wash water shall not discharge to the storm drains; wash waters should be collected and discharged to the sanitary sewer. Discharges to the sanitary sewer are subject to the review, approval and conditions of the sanitary district with jurisdiction for receiving the discharge.

L. The applicant is responsible for ensuring that all contractors and sub-contractors are aware of and implement all stormwater quality control measures. Failure to comply with the approved construction BMPs shall result in the issuance of correction notices, citations, or a project stop work order.

41. Public Works - Implement 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:
- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - 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.
 - 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.
 - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
 - 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.
42. 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.
43. Public Works. The applicant shall ensure that all excavation takes into account surface and subsurface waters and underground streams so as not to adversely affect adjacent properties and rights-of-way.
44. 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.
45. 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.

46. 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.
47. Public Works. 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.
48. Public Works. The applicant shall inform the contractor of the potential for high groundwater and that a temporary de-watering method during construction may become necessary. Temporary construction dewatering methods may include sumps and pumps placed in a low spot within the excavations. Several sumps and pumps may be required depending on the magnitude of water encountered. The design and implementation of temporary construction de-watering is considered the responsibility of the contractor. Caution should be exercised to prevent softening of the subgrade soils exposed within the excavations. Equipment operated upon saturated subgrade soils tends to cause rutting and weakening, which will require over-excavation of the weakened subgrade. Standing water within the excavation can also cause weakening of the subgrade soils. A temporary mud slab or gravel pad may be needed at the base of the garage and/or parking lifts excavations to provide a clean, dry working area.

Prior to Final Inspection or Issuance of Occupancy Permit:

49. Access Agreement. Subject to review and approval by the Zoning Officer, an access agreement shall be recorded with the title of the properties with the County and a copy shall be provided to the planner that provides for the following:
 - Parking access for dwelling units in Edelweiss and Daffodil on 1155-63 Hearst (current APN 057-2086-014-00); and
 - Cross access for all units for all common Useable Open Space Areas on both parcels (current APNs 057-2086-014-00 and 057-2086-0130-00).
50. Regulatory Agreement for Ownership Units. Prior to the issuance of a certificate of occupancy, the applicant shall enter into an inclusionary housing agreement providing for compliance with the requirements of Berkeley Municipal Code (BMC) Chapter 23C.12. The inclusionary housing agreement shall include, but not be limited to, the following conditions:
 - A. Sales prices of inclusionary units. If inclusionary housing units (i.e. condominiums) are provided on site, the sales price shall not exceed three (3) times eighty percent (80%) of the Area Median Income (hereinafter referred to as "AMI") as of the date of the sale the unit. Allowable sale prices shall be determined in accordance with BMC 23C.12.090.
 - B. In-Lieu Fee. Instead of providing the 1.2 inclusionary (i.e. 2 ownership) units on site, the applicant may pay an in-lieu fee for any or all portion of the 1.2 required inclusionary units in accordance with BMC Section 23C.12.035 and 23C.12.040.E.1.

51. Determination of Area Median Income (AMI).

The “AMI” (Area Median Income) shall be based on the income standards for the Oakland Primary Metropolitan Statistical Area reported by the United States Department of Housing and Urban Development (HUD). In the event HUD discontinues establishing such income standards, AMI shall be based on income standards determined by the California State Department of Housing and Community Development (HCD). If such income standards are no longer in existence, the City will designate another appropriate source or method for determining the median household income.

The applicable AMI for the purpose of determining the allowable rent or sale price for each unit (but not for the purpose of determining eligibility for occupancy of a BMR unit) shall be determined in accordance with the following table:

Unit Size	AMI Standard
Studio unit	AMI for a one person household
One-bedroom unit	AMI for a two person household
Two-bedroom unit	AMI for a three person household
Three-bedroom unit	AMI for a four person household

52. Nothing in these conditions shall be interpreted to prohibit, or to require modification of the Use Permit or Regulatory Agreement to allow, the provision of additional BMR units, or additional affordability, than are required in the foregoing provisions.

53. 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.

54. Compliance with Approved Plan. The project shall conform to the plans and statements in the Use Permit. All landscape, site and architectural improvements shall be completed per the attached approved drawings dated June 8, 2018, except as modified by conditions of approval, including:

- The north facing window of the northeast bedroom in **Geranium** be a minimum of 68 inches from finished floor level to ensure privacy between residents of the two opposing units.
- The roof deck on **Geranium** shall be moved to the east side of the roof and the roof access shall not include any windows and shall be reduced in massing (i.e. sloped) to limit impacts to the western neighbors.
- All west facing windows on **Freesia** and **Geranium** shall, subject to review and approval by the Zoning Officer, be redesigned to ensure privacy for the residents of the building to the west. This may include, but is not limited to, frosted glass and/or clerestory design.
- A maximum of three full bathrooms are permitted in the two **Freesia** dwelling units.

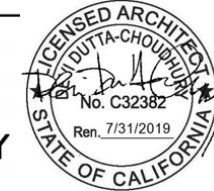
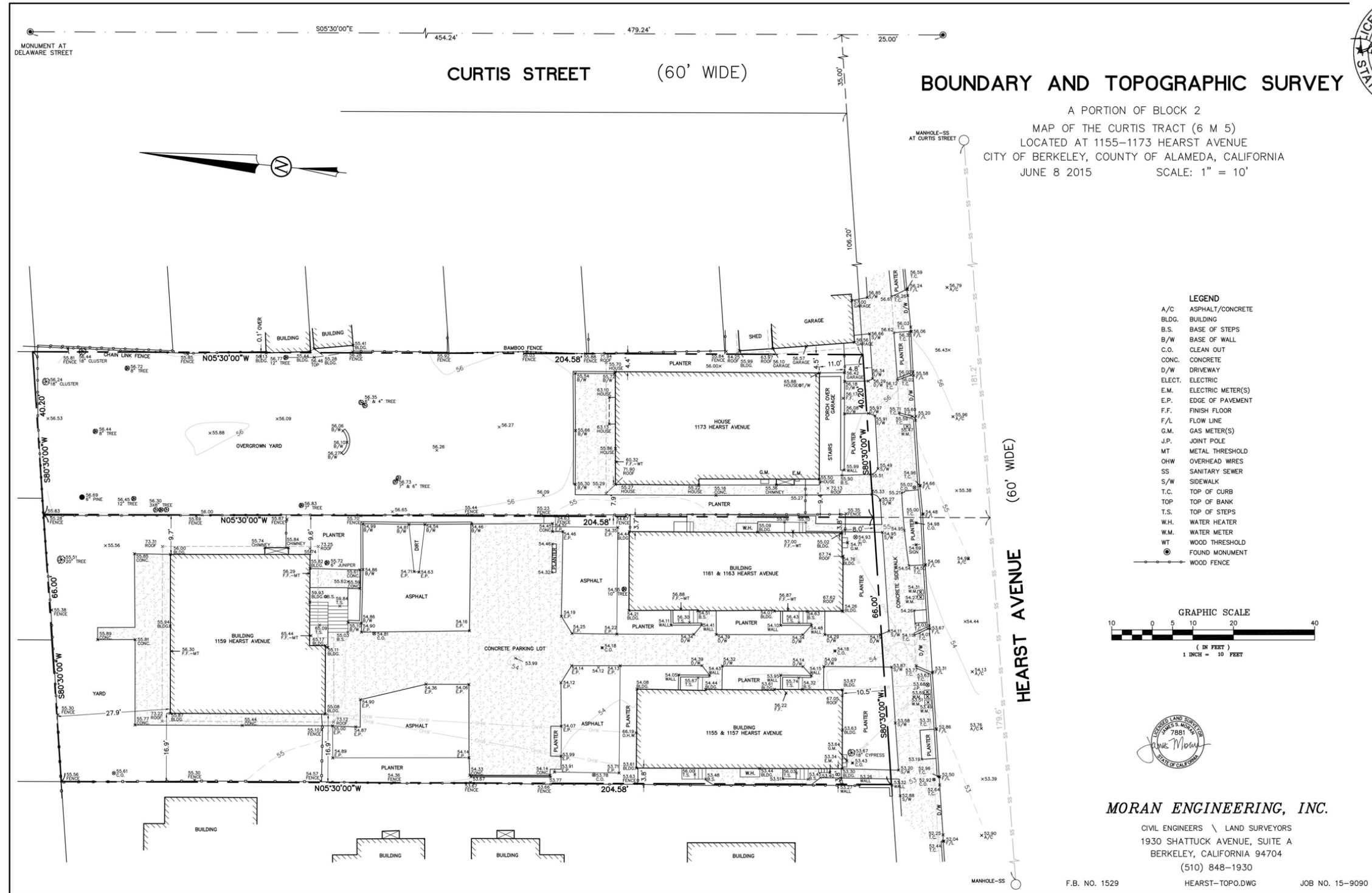
55. Construction and Demolition Diversion. A Waste Diversion Report, with receipts or weigh slips documenting debris disposal or recycling during all phases of the project, must be completed and submitted for approval to the City’s Building and Safety Division. The Zoning Officer may request summary reports at more frequent intervals, as necessary to ensure compliance with this requirement. A copy of the Waste Diversion Plan shall be available at all times at the construction site for review by City Staff.

1155-1173 HEARST AVENUE- USE PERMIT ZP #2016-0028
August 23, 2018

FINDINGS & CONDITIONS
Page 17 of 17

At All Times:

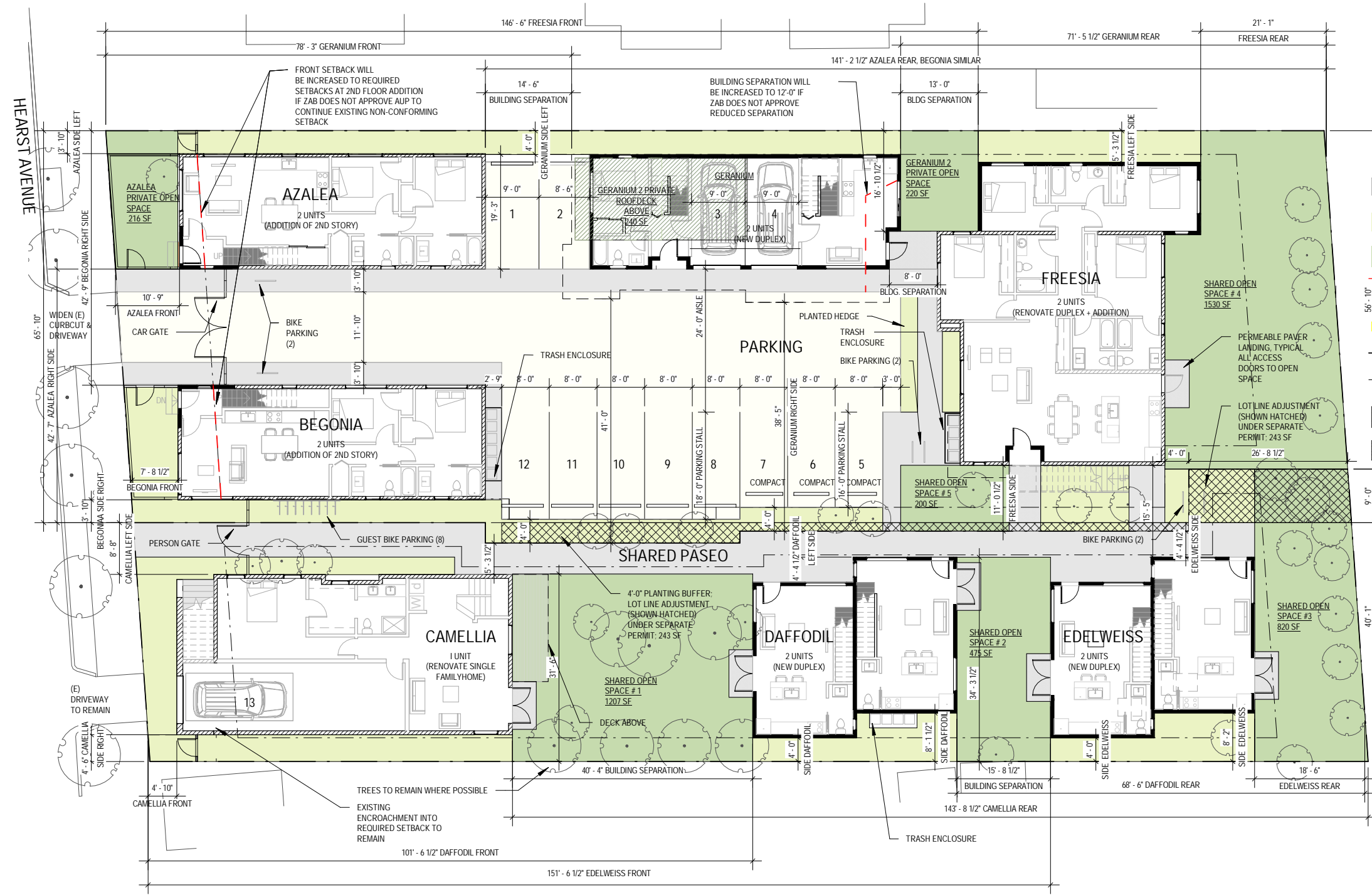
56. Exterior Lighting. All exterior lighting shall be energy efficient where feasible; and shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
 57. Drainage Patterns. The applicant shall establish and maintain drainage patterns that do not 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.
 58. Electrical Meter. Only one electrical meter fixture may be installed per dwelling unit.
 59. Parking to be Leased or Sold Separately. The seven existing units are guaranteed one parking space per unit as part of the lease or future sale. For the eleven newly constructed units, parking spaces shall be leased or sold separately.
 60. Bike Parking. Secure and on-site bike parking for a minimum of 19 bicycles shall be provided for the life of the building.
 61. Geranium and Freesia Windows. The north facing window of the northeast bedroom in Geranium shall be a minimum of 68 inches from finished floor level to ensure privacy between residents of the two opposing units. The west facing windows of both Geranium and Freesia shall retain the location and treatment as approved by the Zoning Officer pursuant to Condition of Approval number 54 to ensure privacy for the residents of the dwellings to the west.
-





HEIGHT & STORIES	ZONING:	EXISTING:	PROPOSED:
STORIES:	2 ALLOWED	2	2
HEIGHT:	28' AVG	23' MAX	28' MAX
SETBACKS (MIN. DIMENSIONS SHOWN - SEE SETBACK DIAGRAM, A0.3)			
FRONT	15'	4'-10" - 10'-5.5"	4' - 9" - 7'-10" ADDITION CONTINUE EXIST. SETBACK
SIDE	4' @ 1ST STORY 4' @ 2ND STORY	3'-10" @ WEST 4'- 6" @ EAST	3'-10" - 5'-3.5"
BACK	15'	28'-8" - 143'-8"	16'-3" - 21'-1"
BUILDING SEPARATION	8' @ 1ST STORY 12' @ 2ND STORY	13'- 3"	A - B: 19' - 4" B - C: 12' - 5" C - D: 40' - 4" D - E: 15' - 8 1/2" E - F: 15' - 5" F - G: 8' - 0" AUP REQ. A - G: 14' - 6"
LOT AREA			
	@ 1173 @ 1157	8,204 SF 13,469 SF	8,204 SF 13,469 SF
LOT COVERAGE			
	2 - STORY: 40%	@ 1173: 17.5% @1157: 26%	@ 1173: 3,275 SF: 39.9% @ 1157: 5,170 SF: 38.9%
PARKING: CARS			
RESIDENTIAL	1/UNIT 13 REQUIRED	7 (1 COVERED @ CAMELLIA; 6 @ SURFACE LOT)	13 10 UNCOVERED @ SURFACE LOT 2 COVERED @ GERANIUM 1 COVERED @ CAMELLIA
PARKING: BIKE			
RESIDENTIAL	NONE REQUIRED	0	13

DENSITY:	ZONING:	EXISTING:	PROPOSED:
* NOTE: SEE SHEET A0.8 FOR UNIT MIX AND SIZES			
ALLOWED 1173 HEARST: 1157 HEARST:	1 / 1650 SF LOT AREA 8,204/1650 = 5 UNITS 13,469/1650 = 8 UNITS	1 UNIT 6 UNITS	4 NEW UNITS = 5 TOTAL 2 NEW UNITS = 8 TOTAL
OPEN SPACE (SEE OPEN SPACE DIAGRAM, A0.3)			
	300 SF / UNIT X 13 = 3900 SF @ 1173: 5 X 300 = 1500 SF @ 1157: 8 X 300 = 2400 SF	@ 1173: 5,599 SF @ 1157: 2,560 SF	SEE A0.3
BUILDING OCCUPANCY PER CBC.			
R-3 (SINGLE FAMILY RESIDENTIAL DUPLEXES)			
PROPOSED CONSTRUCTION TYPE			
TYPE VB CONSTRUCTION THROUGHOUT - WOOD FRAMING, NON-RATED PER CALIFORNIA RESIDENTIAL CODE			
EXCAVATION			
APPROXIMATELY 55 CUBIC YARDS, FOR NEW FOUNDATIONS ONLY.			



- LEGEND**
- PEDESTRIAN WALKWAY, PERMEABLE
 - PLANTING (NOT COUNTING TOWARDS OPEN SPACE)
 - OPEN SPACE
 - NON-CONFORMING SETBACKS & BUILDING SEPARATION
 - DRIVEWAY AND PARKING
 - PROPERTY LINE
 - REQUIRED SETBACK
 - OPEN SPACE ABOVE
 - LOT AREA CHANGE

PROVIDED OPEN SPACE

1157 HEARST

AZALEA 1: 216 SF PRIVATE OPEN SPACE
 84 SF COMMON OPEN SPACE PROVIDED AT OPEN SPACE #4 & #5

AZALEA 2: 300 SF COMMON AT #4 & #5

BEGONIA 1: 300 SF COMMON AT #4 & #5

BEGONIA 2: 300 SF COMMON AT #4 & #5

FRESIA 1: 300 SF COMMON AT #4 & #5

FRESIA 2: 300 SF COMMON AT #4 & #5

GERANIUM 1: 240 SF PRIVATE
 60 SF COMMON OPEN SPACE PROVIDED AT OPEN SPACE #4 & #5

GERANIUM 2: 220 SF PRIVATE
 80 SF COMMON OPEN SPACE PROVIDED AT OPEN SPACE #4 & #5

1173 HEARST

CAMELLIA: 300 SF COMMON AT OPEN SPACE #1, #2 & #3

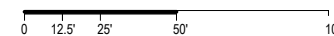
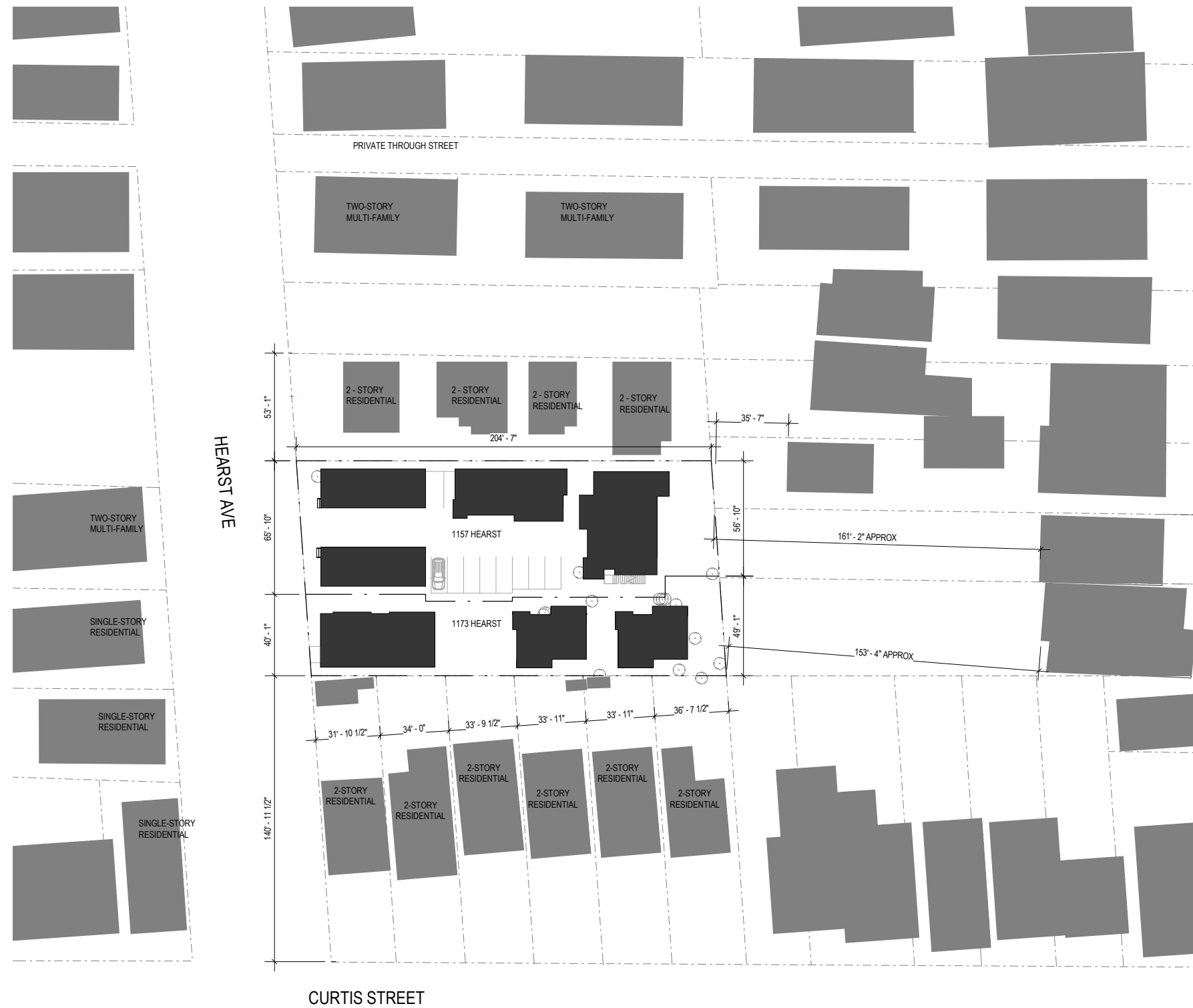
DAFFODIL 1: 300 SF COMMON AT #1, #2 & #3

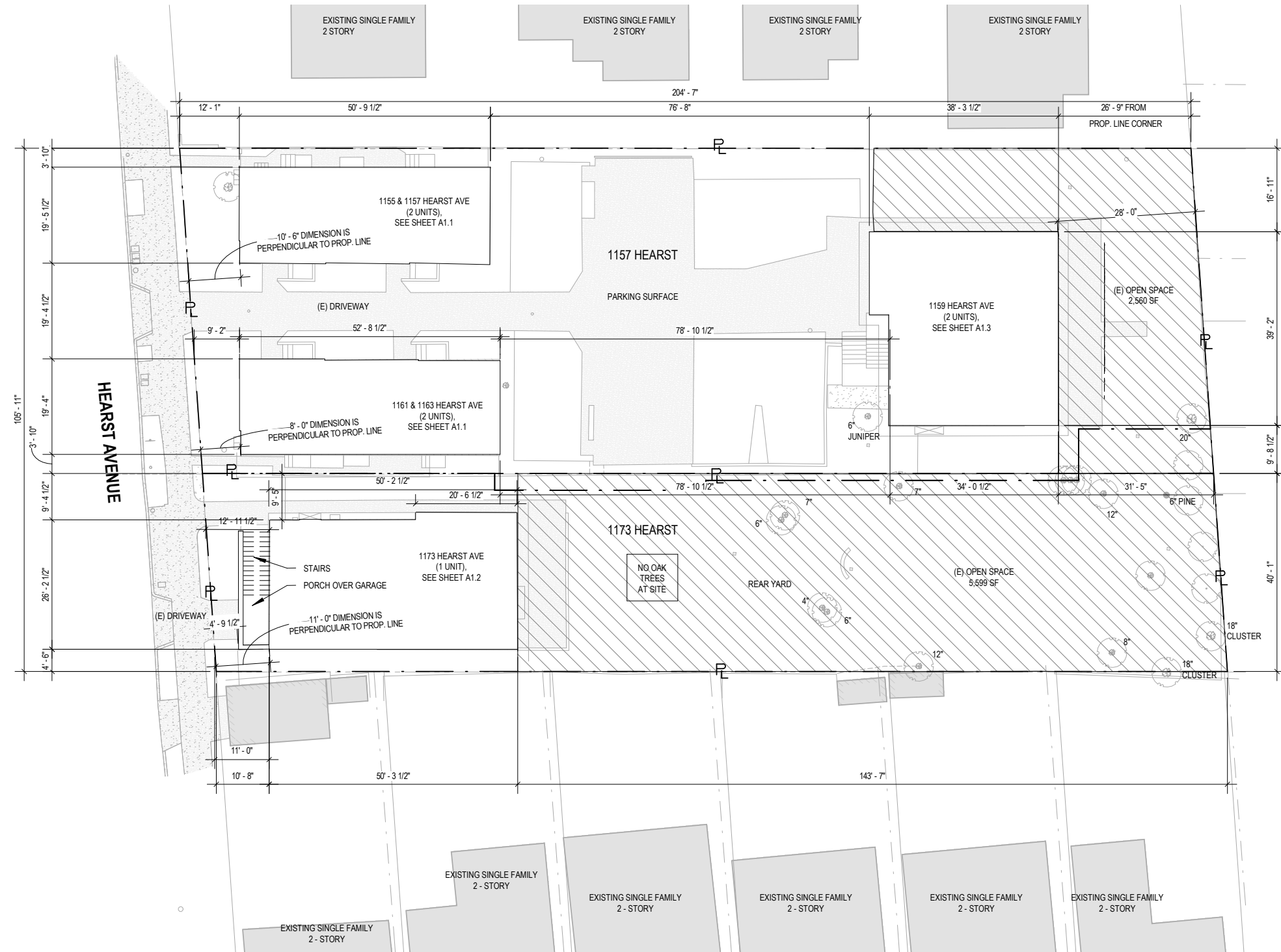
DAFFODIL 2: 300 SF COMMON AT #1, #2 & #3

EDELWEISS 1: 300 SF COMMON AT #1, #2 & #3

EDELWEISS 2: 300 SF COMMON AT #1, #2 & #3

TOTAL PRIVATE O.S.	1157	1173
TOTAL COMMON O.S.	679	0
TOTAL OPEN SPACE PROVIDED	2409 SF	2502 SF
TOTAL OPEN SPACE REQUIRED	2400 SF	1500 SF





BACKYARD OF 1159 HEARST AVE.



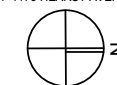
BACKYARD OF 1173 HEARST AVE.



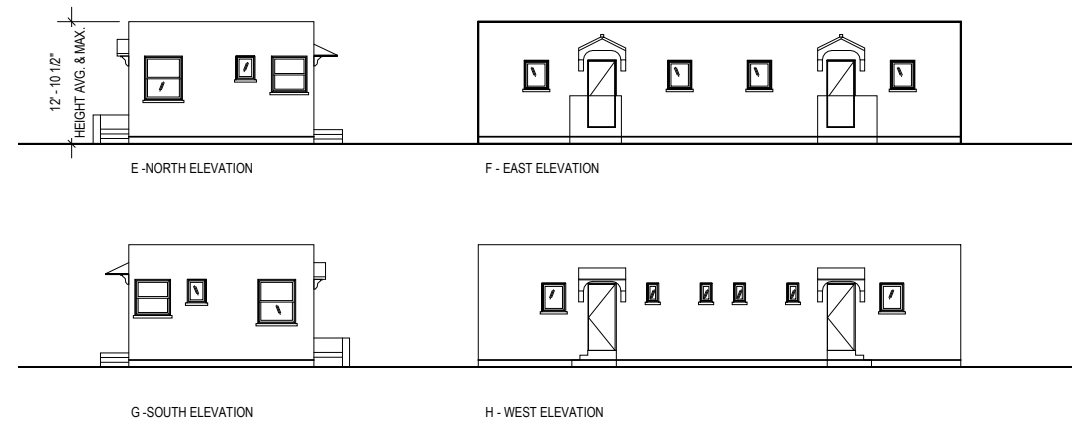
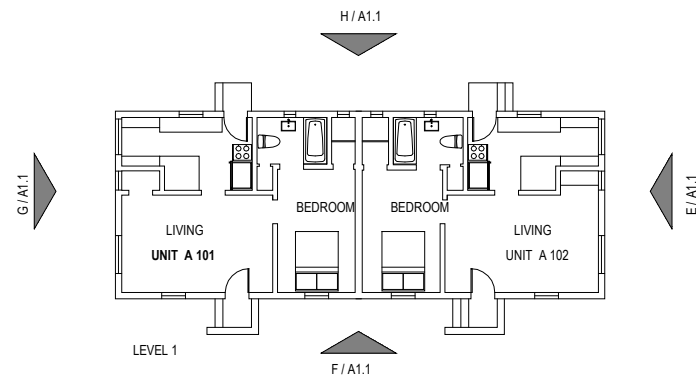
BACKYARD OF 1173 HEARST AVE.



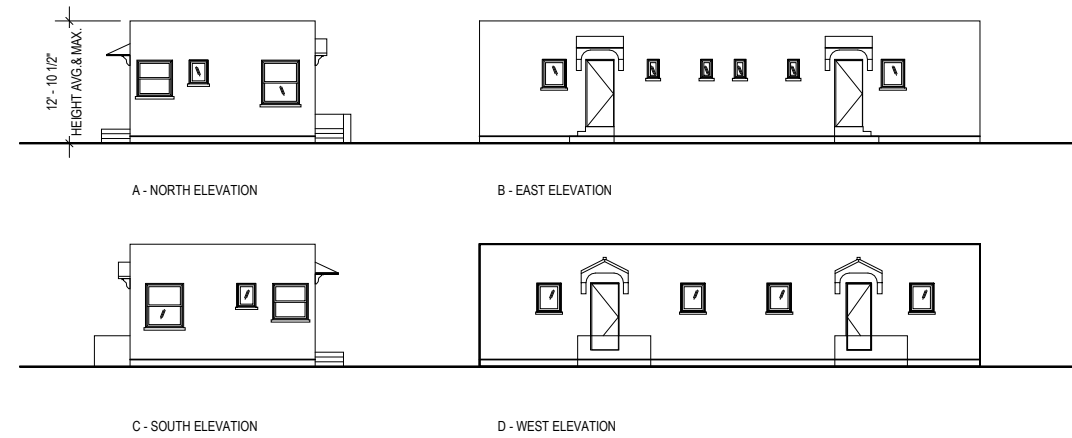
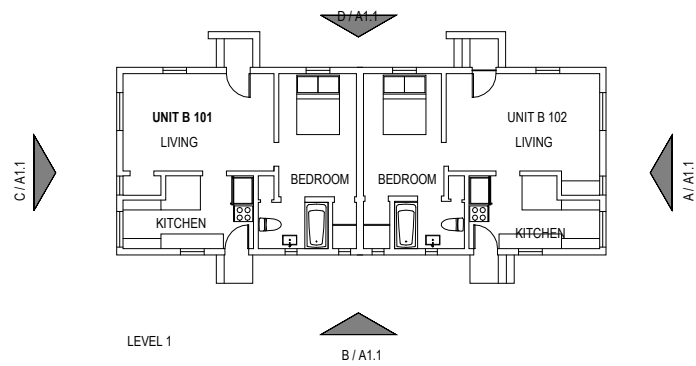
BACKYARD OF 1173 HEARST AVE.



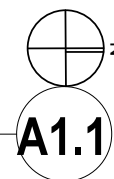
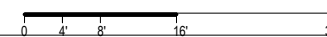
A1.0

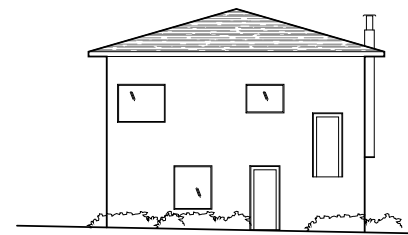
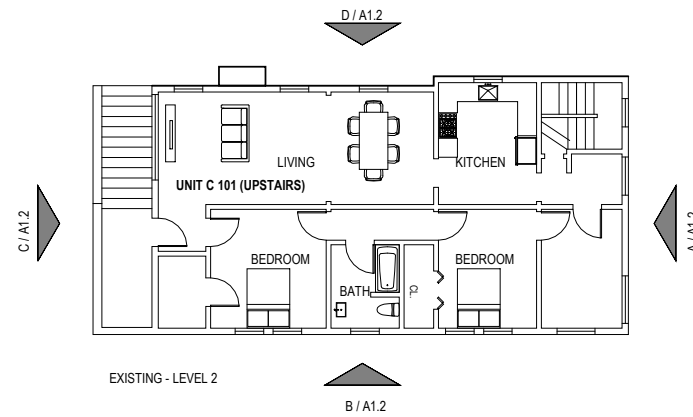


2 AZALEA 1155 & 1157 HEARST
 1/16" = 1'-0"

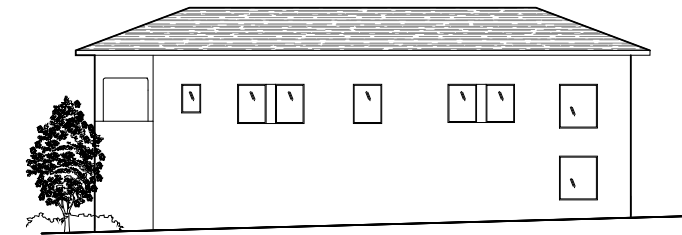


1 BEGONIA 1161 & 1163 HEARST
 1/16" = 1'-0"

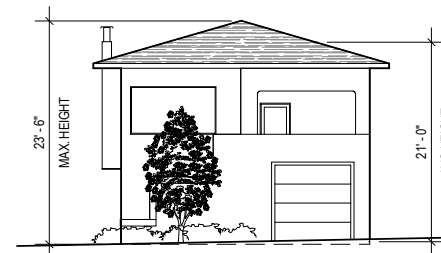
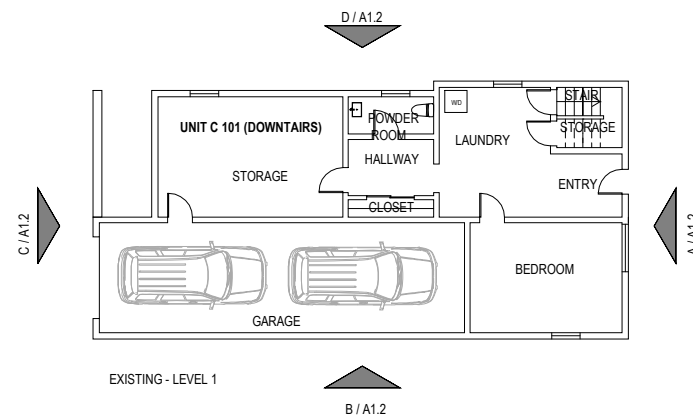




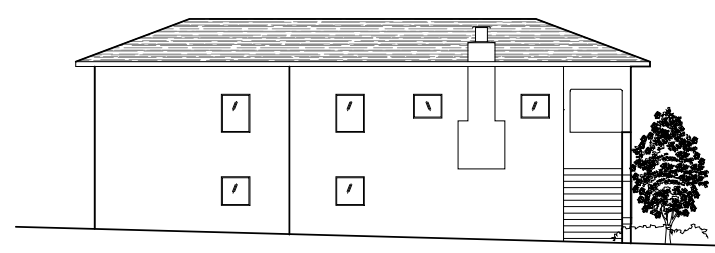
A - EXISTING NORTH ELEVATION



B - EXISTING EAST ELEVATION

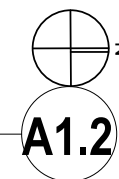
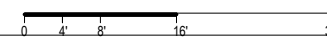


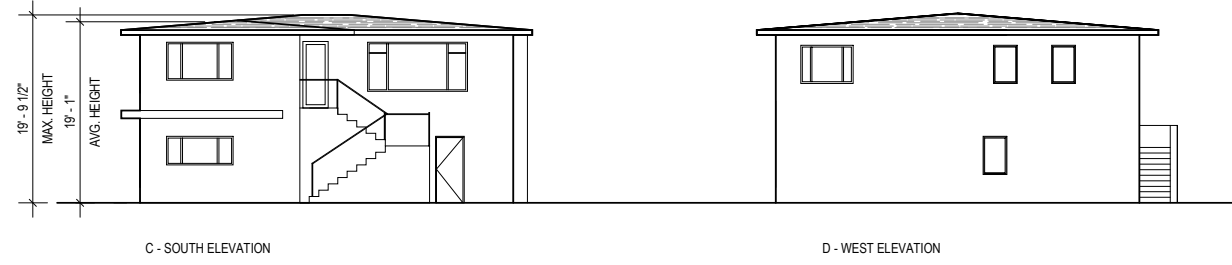
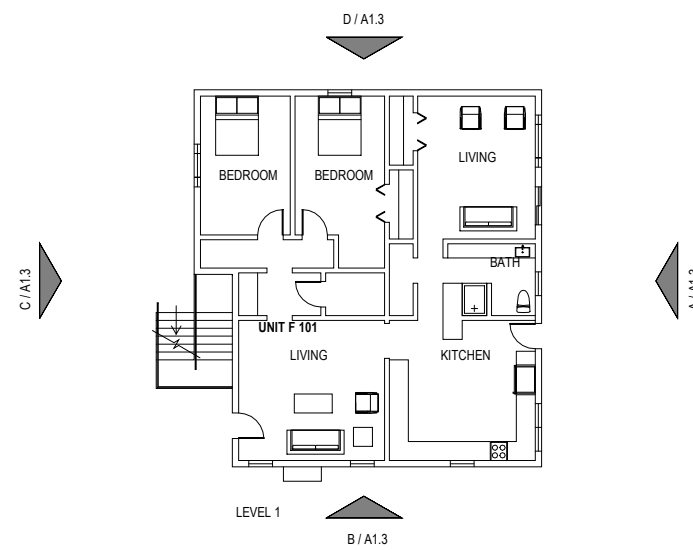
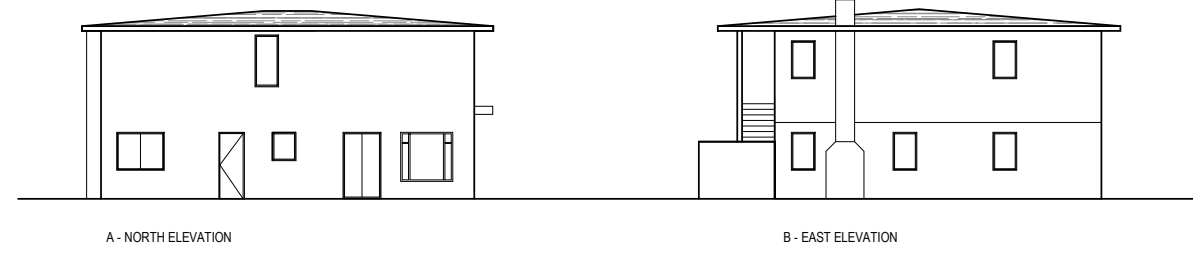
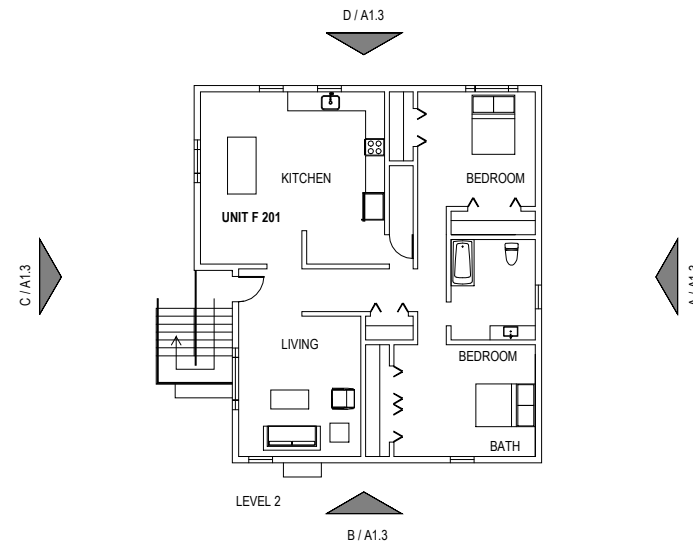
C - EXISTING SOUTH ELEVATION



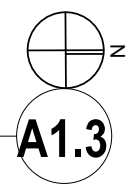
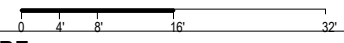
D - EXISTING WEST ELEVATION

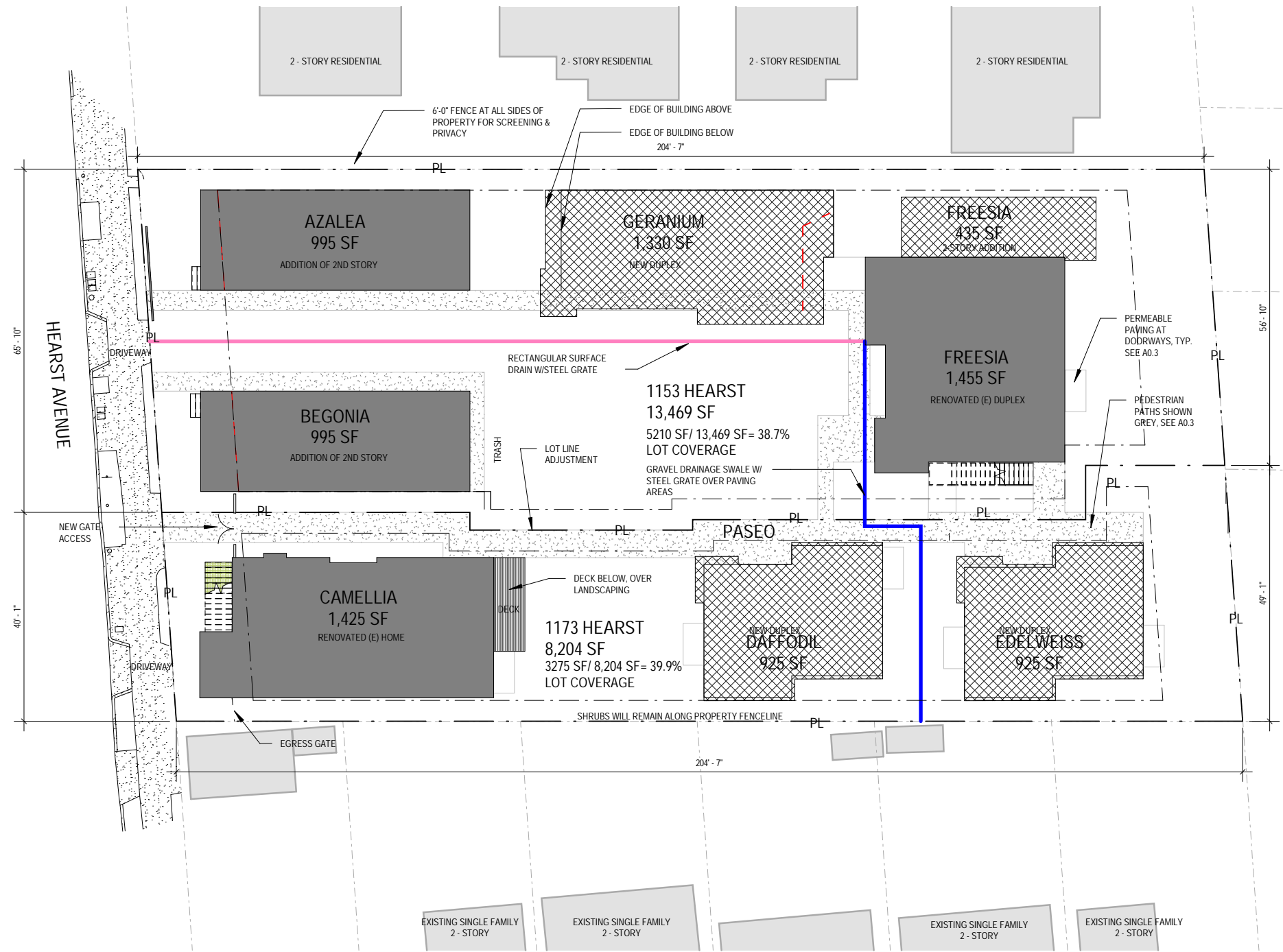
EXISTING PLANS & ELEVATIONS - CAMELIA / 1173 HEARST
 1
 1/16" = 1'-0"





EXISTING PLANS & ELEVATIONS - FREESIA / 1179 HEARST
 1
 1/16" = 1'-0"

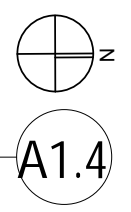
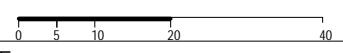


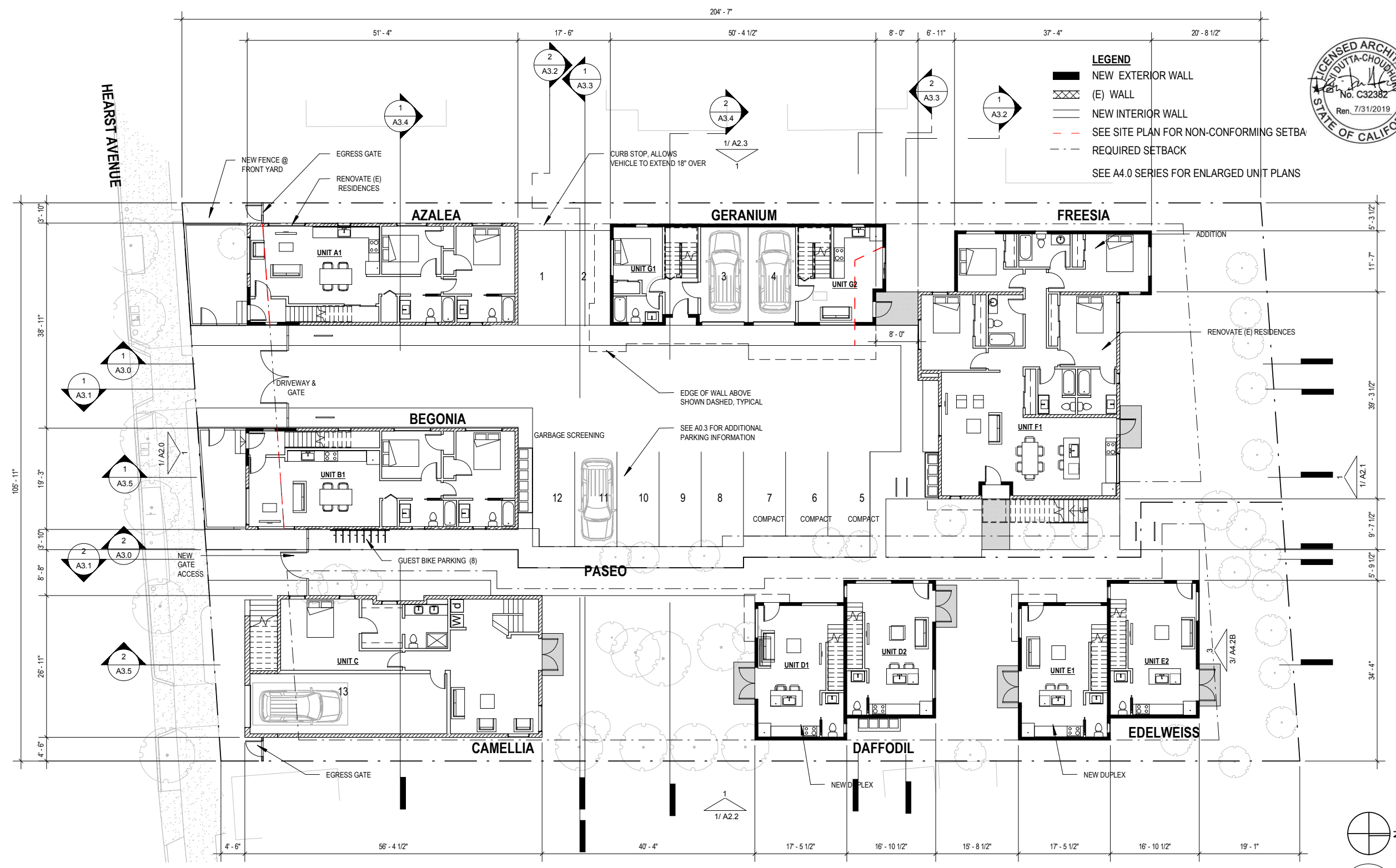


- LEGEND**
- NEW BUILDING AREA
 - RENOVATED (E) BUILDING
 - PEDESTRIAN PATHS
 - NON-CONFORMING SETBACKS & BUILDING SEPARATION
 - PROPERTY LINE
 - REQUIRED SETBACK

HYDROLOGY NOTES

Unless modified by the City's Building & Safety Division and/or Department of Public Works, the drainage system shall be designed and installed as presented in the Stormwater and Flooding Assessment and Mitigation Design prepared by Clearwater Hydrology, dated January 7, 2016 and as well as all recommendations of the peer review prepared by Balance Hydrologics on March 16, 2017.





LEGEND

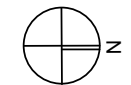
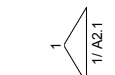
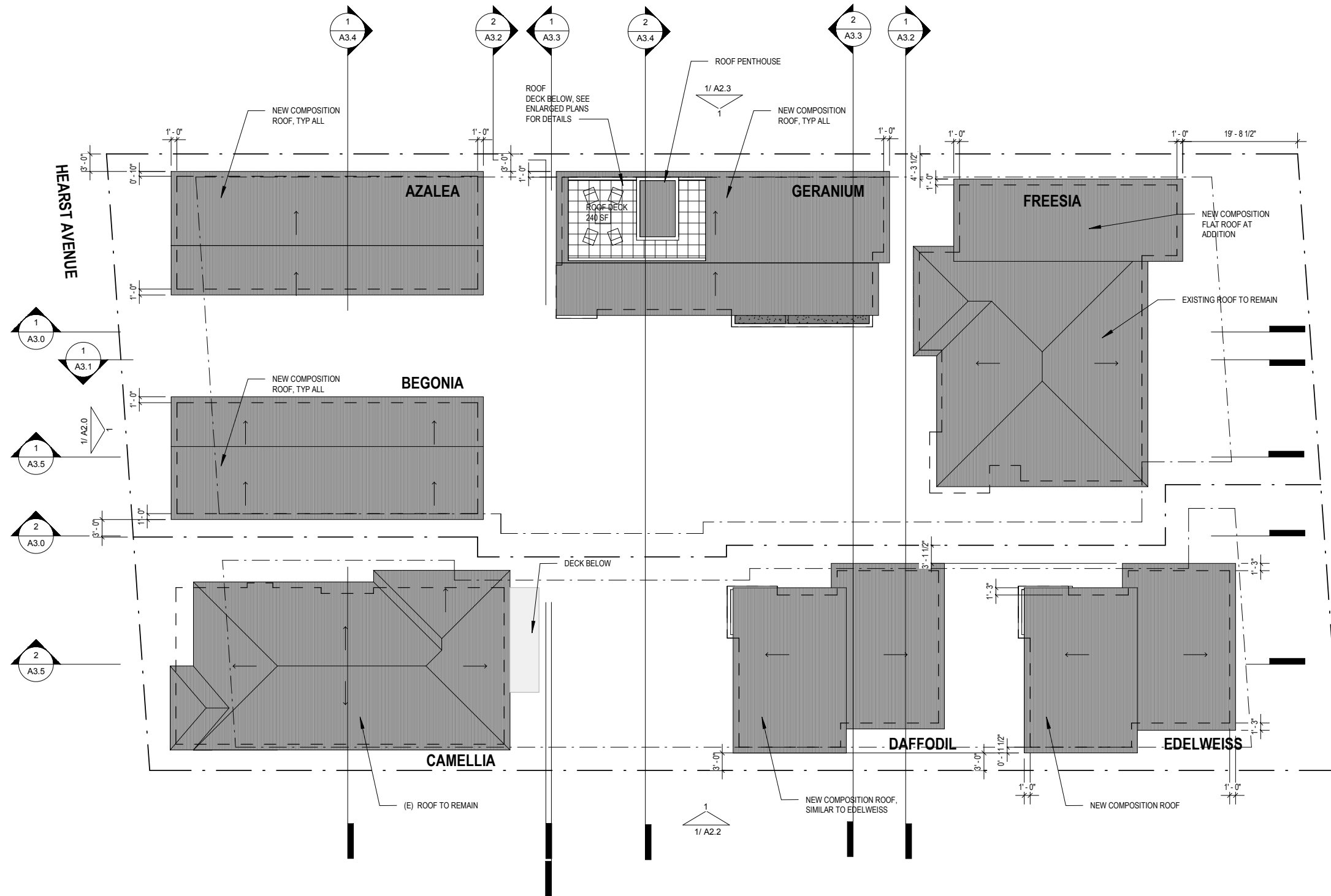
- NEW EXTERIOR WALL
- (E) WALL
- NEW INTERIOR WALL
- - - SEE SITE PLAN FOR NON-CONFORMING SETBA
- - - REQUIRED SETBACK

SEE A4.0 SERIES FOR ENLARGED UNIT PLANS



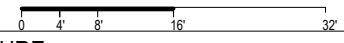
- LEGEND**
- NEW EXTERIOR WALL
 - ▨ (E) WALL
 - NEW INTERIOR WALL
 - - - SEE SITE PLAN FOR NON-CONFORMING SETBACKS
 - - - REQUIRED SETBACK
- SEE A4.0 SERIES FOR ENLARGED UNIT PLANS





HEARST GARDENS

DEVI DUTTA ARCHITECTURE



ROOF PLAN

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

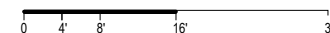
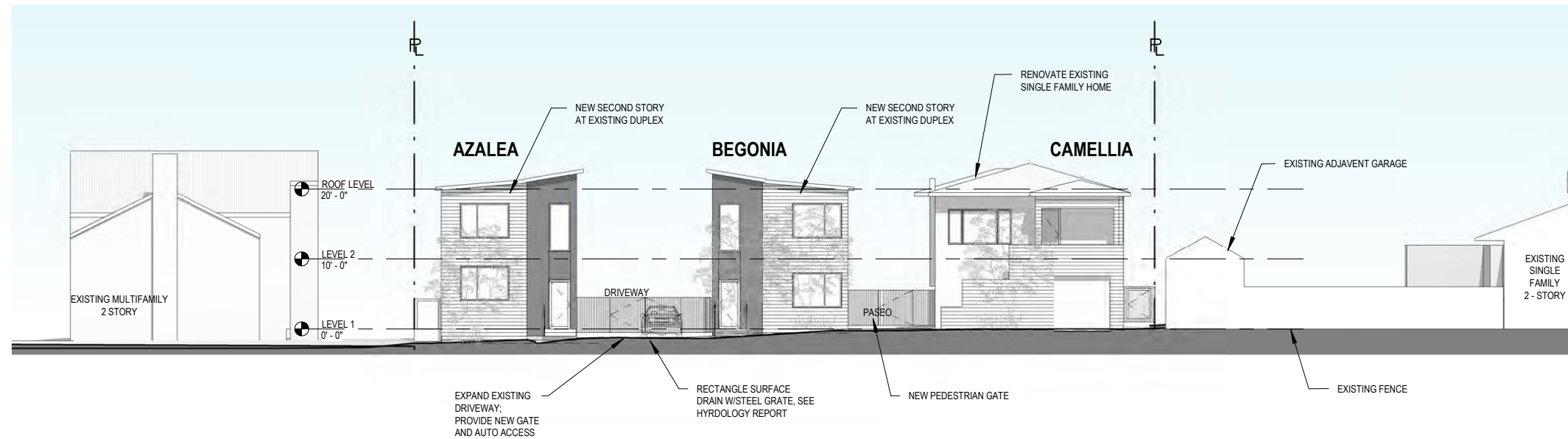
ZAB 6.8.2018

A1.8



- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER

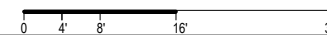
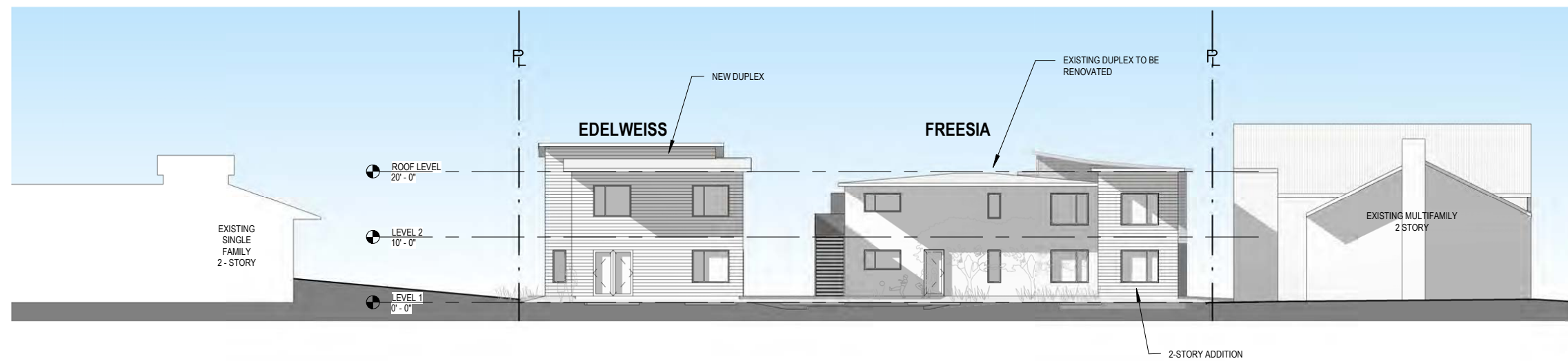
SEE A4.0 SERIES FOR ENLARGED ELEVATIONS





- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER

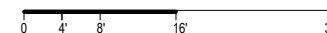
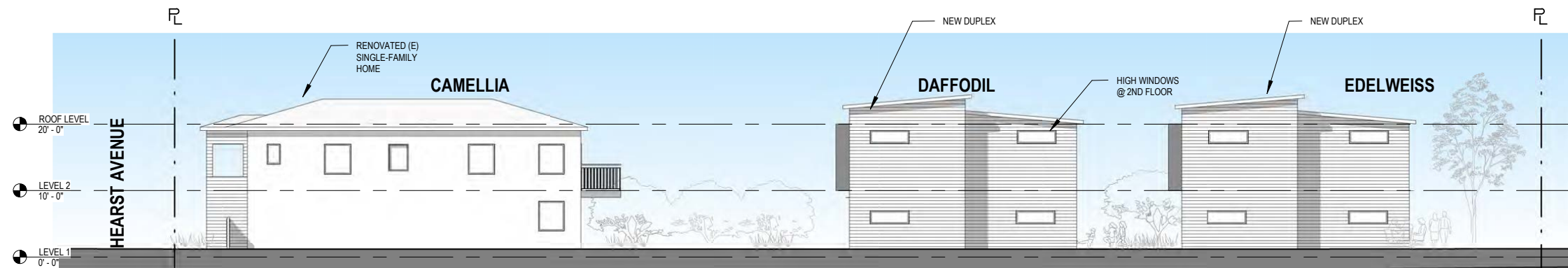
SEE A4.0 SERIES FOR ENLARGED ELEVATIONS





- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER

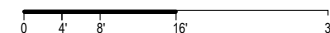
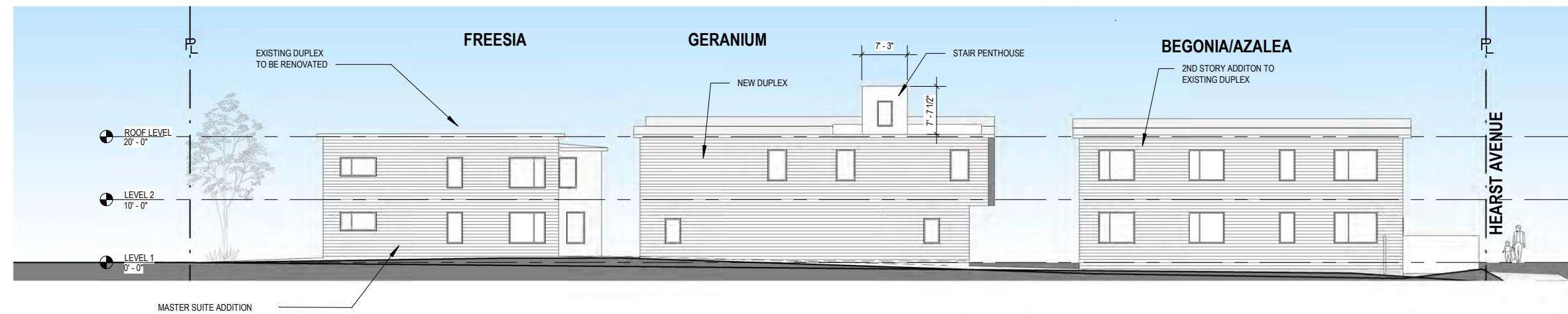
SEE A4.0 SERIES FOR ENLARGED ELEVATIONS

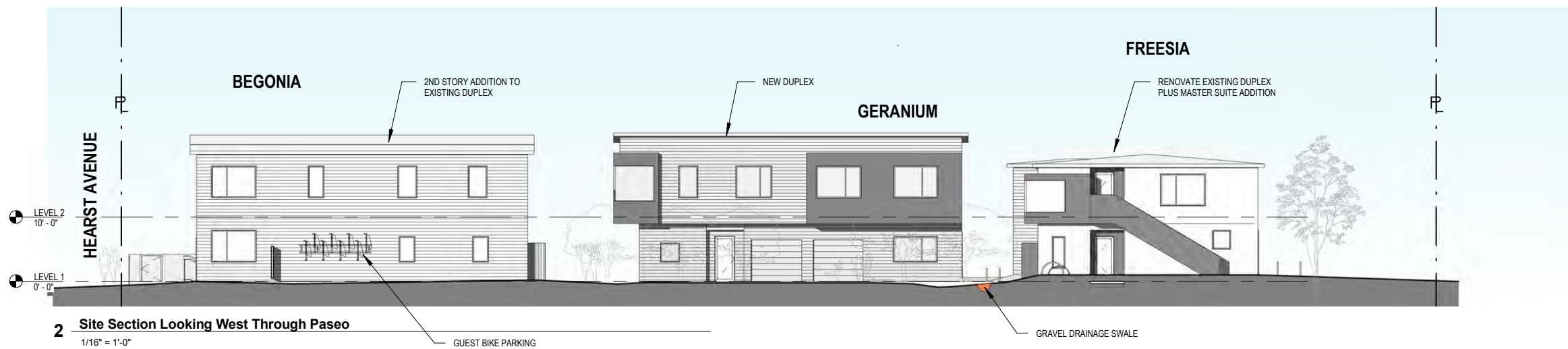
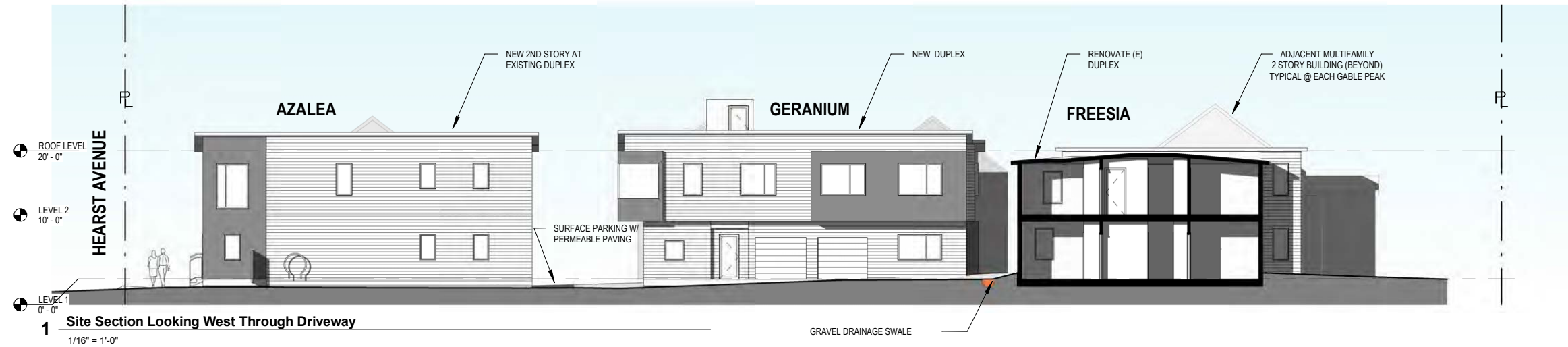




- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER

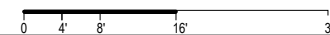
SEE A4.0 SERIES FOR ENLARGED ELEVATIONS





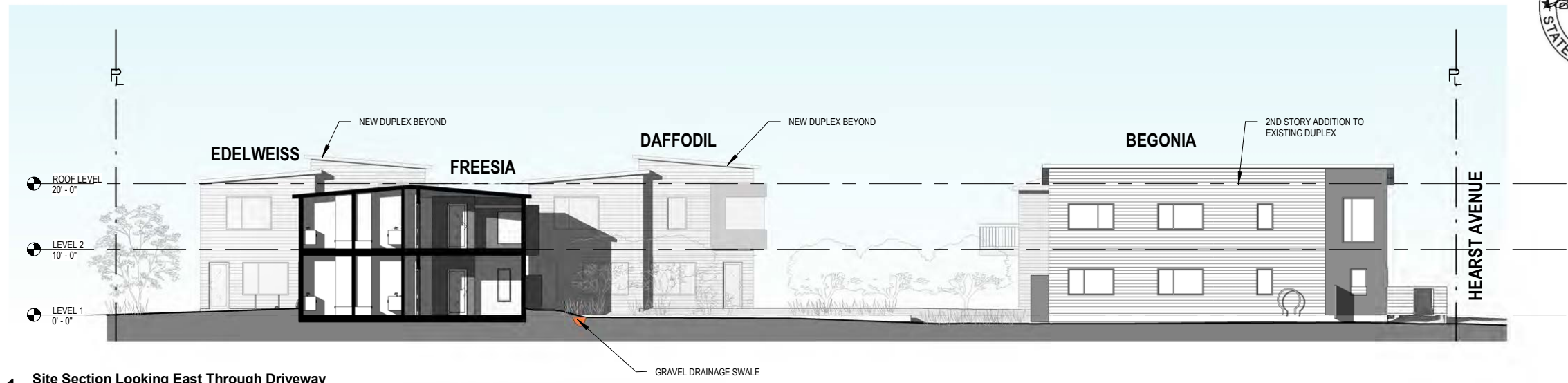
HEARST GARDENS

DEVI DUTTA ARCHITECTURE

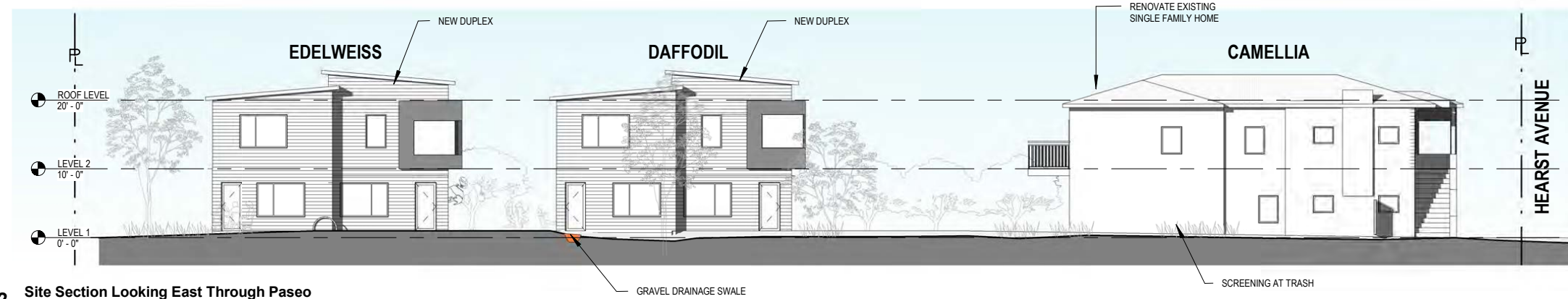


SITE SECTIONS LOOKING WEST

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



1 Site Section Looking East Through Driveway
 1/16" = 1'-0"



2 Site Section Looking East Through Paseo
 1/16" = 1'-0"

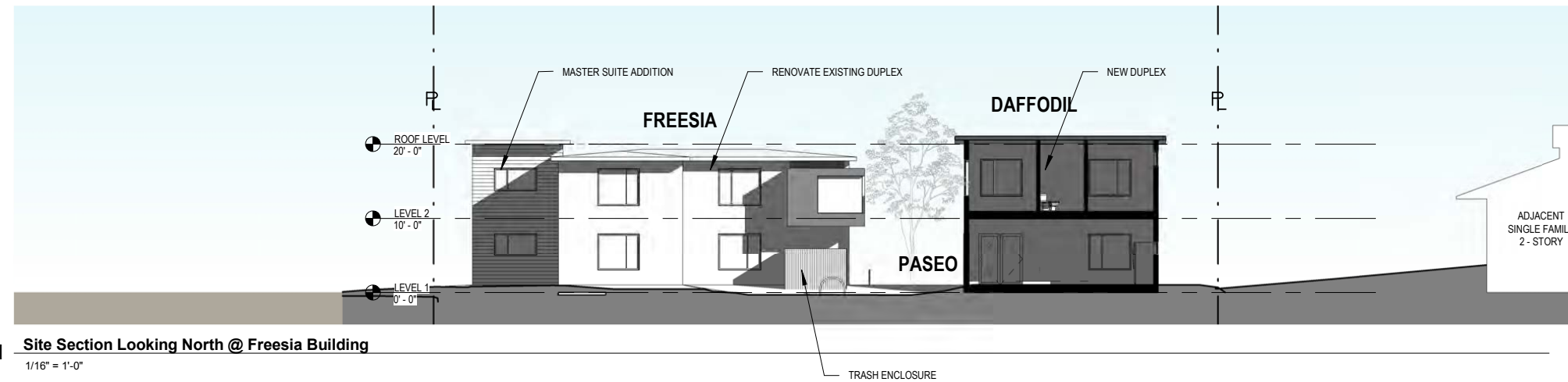
HEARST GARDENS

DEVI DUTTA ARCHITECTURE

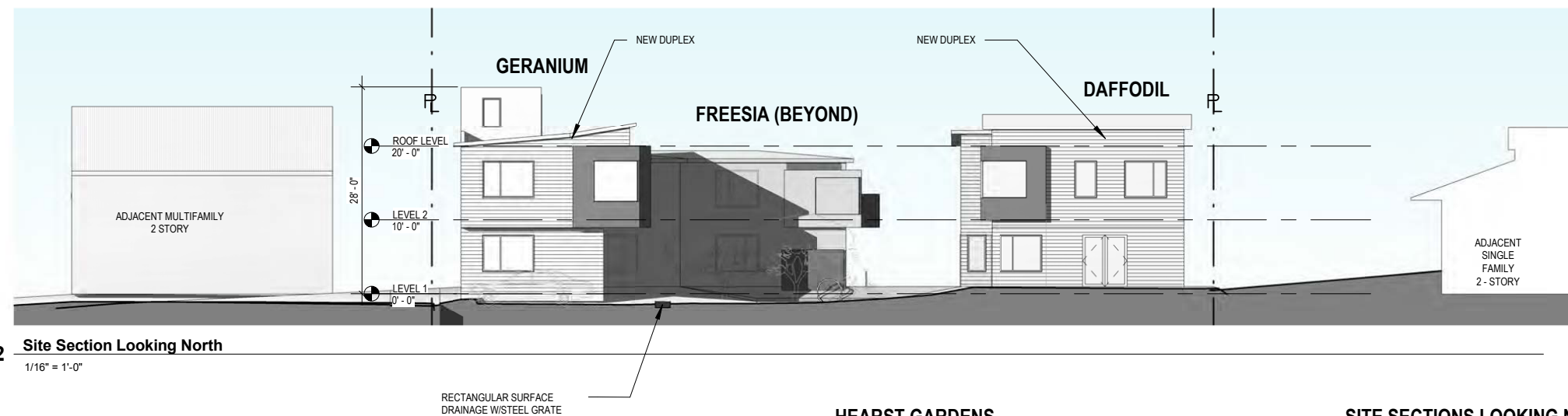


SITE SECTIONS LOOKING EAST

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



1 Site Section Looking North @ Freesia Building
 1/16" = 1'-0"

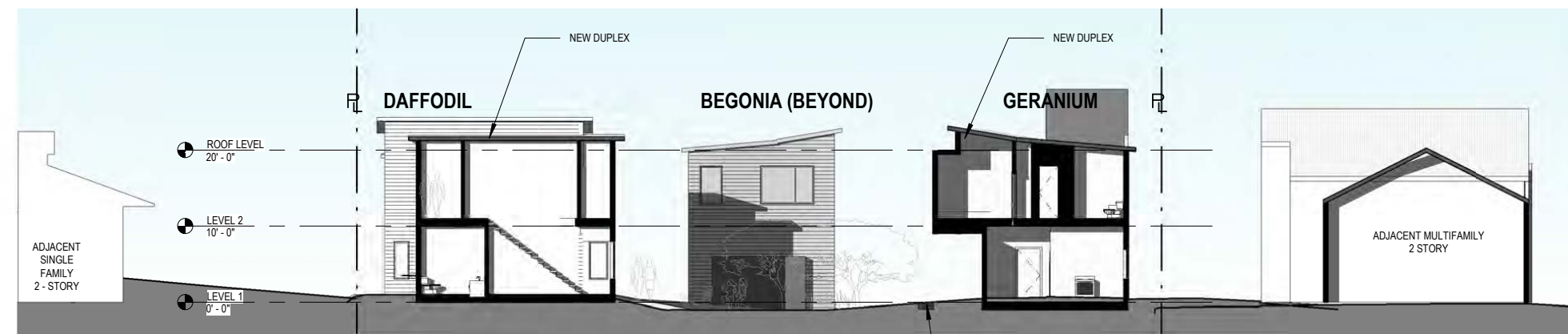


2 Site Section Looking North
 1/16" = 1'-0"



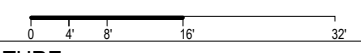
1 Site Section Looking South
 1/16" = 1'-0"

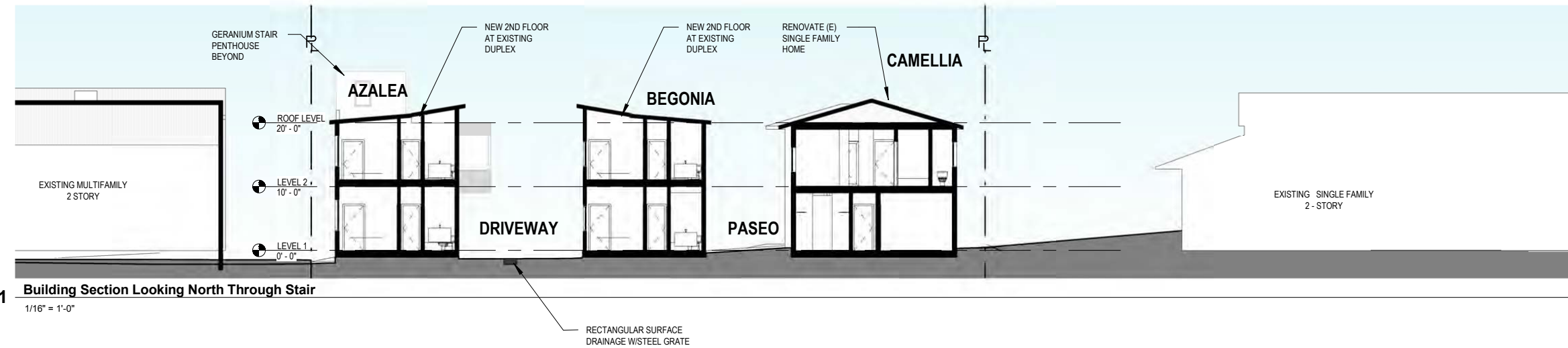
SCREENED, SHARED TRASH & RECYCLING ENCLOSURE



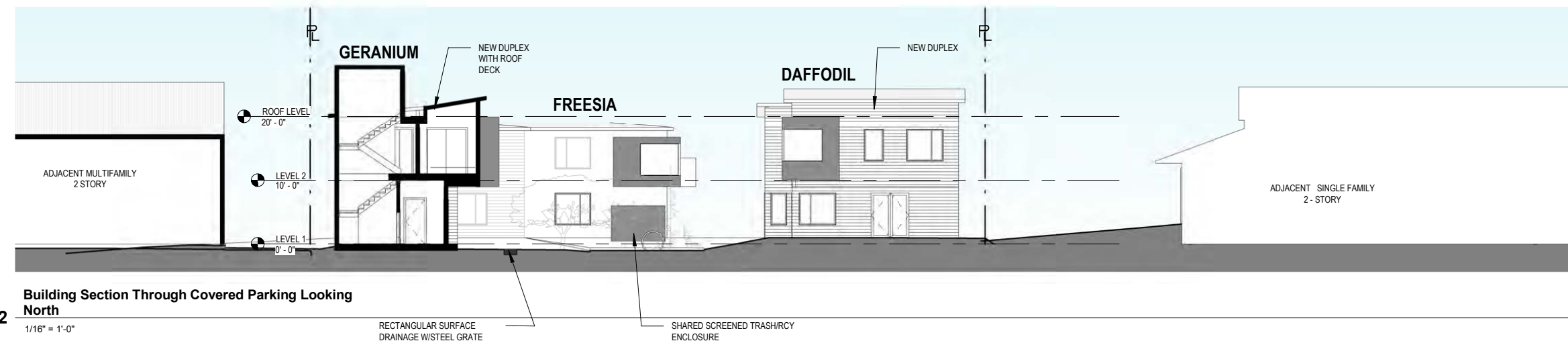
2 Site Section Looking South @ Parking Lot
 1/16" = 1'-0"

RECTANGULAR SURFACE DRAIN W/ STEEL GRATE





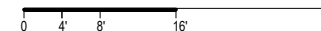
1 Building Section Looking North Through Stair
 1/16" = 1'-0"



2 Building Section Through Covered Parking Looking North
 1/16" = 1'-0"

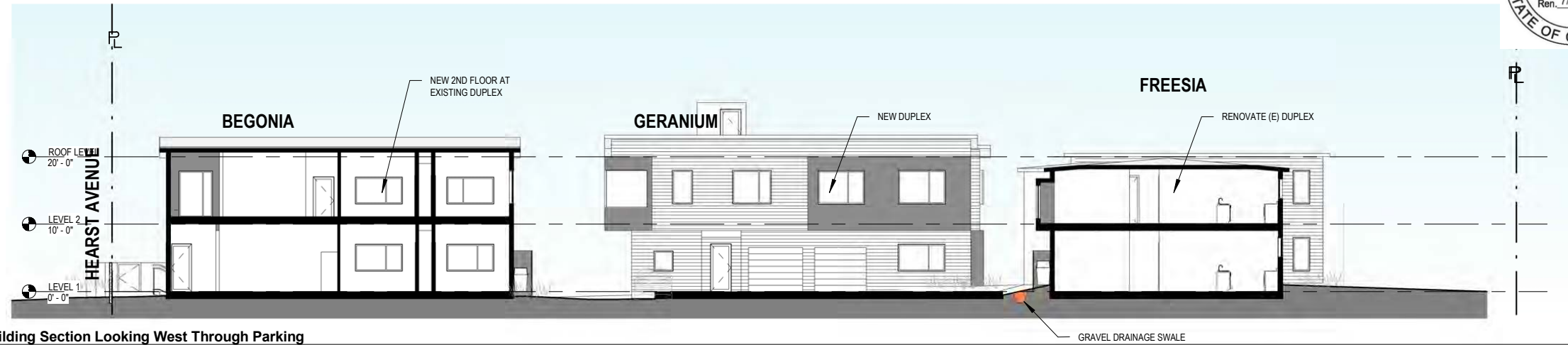
HEARST GARDENS

DEVI DUTTA ARCHITECTURE

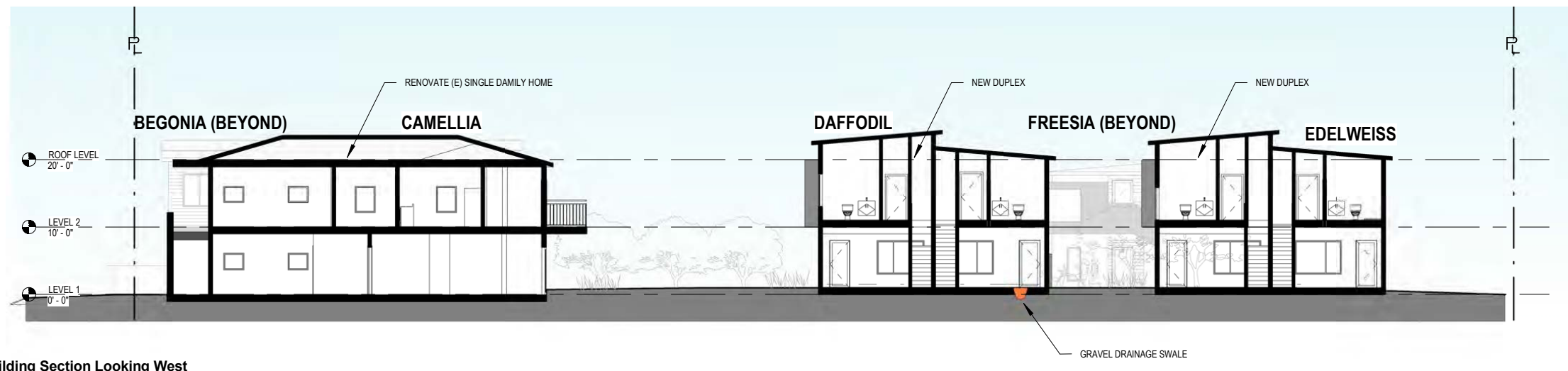


BUILDING SITE SECTIONS

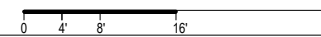
SCALE: 1/16" = 1'-0"



1 Building Section Looking West Through Parking
 1/16" = 1'-0"

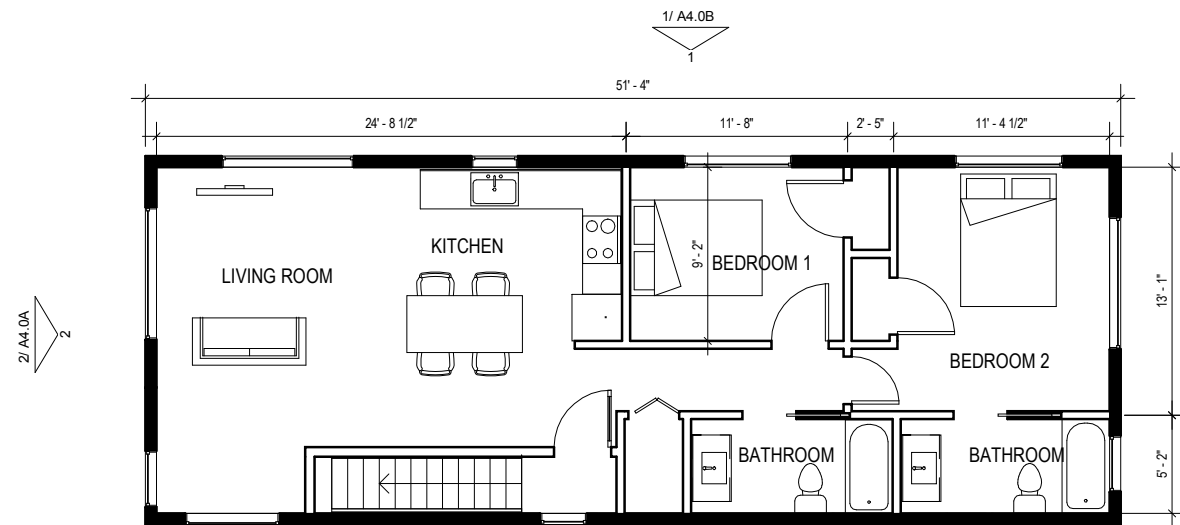


2 Building Section Looking West
 1/16" = 1'-0"

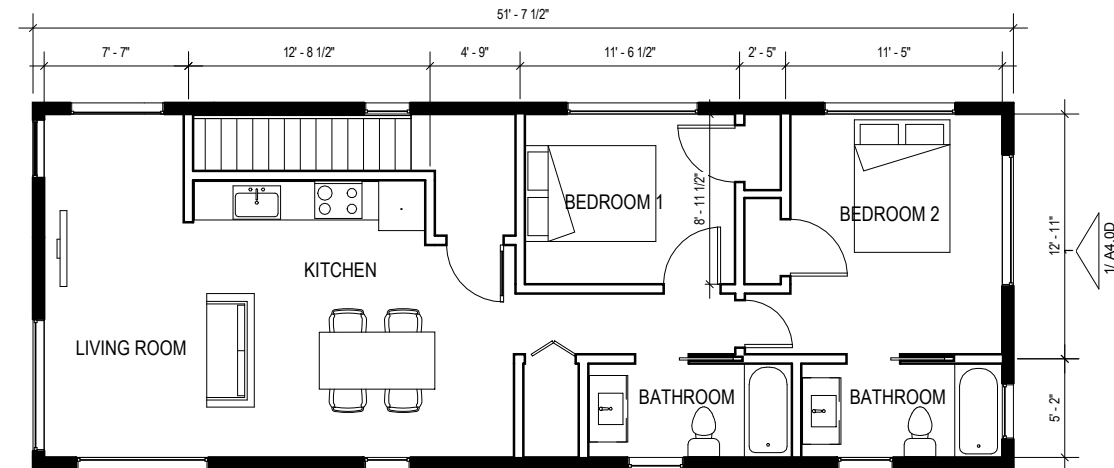




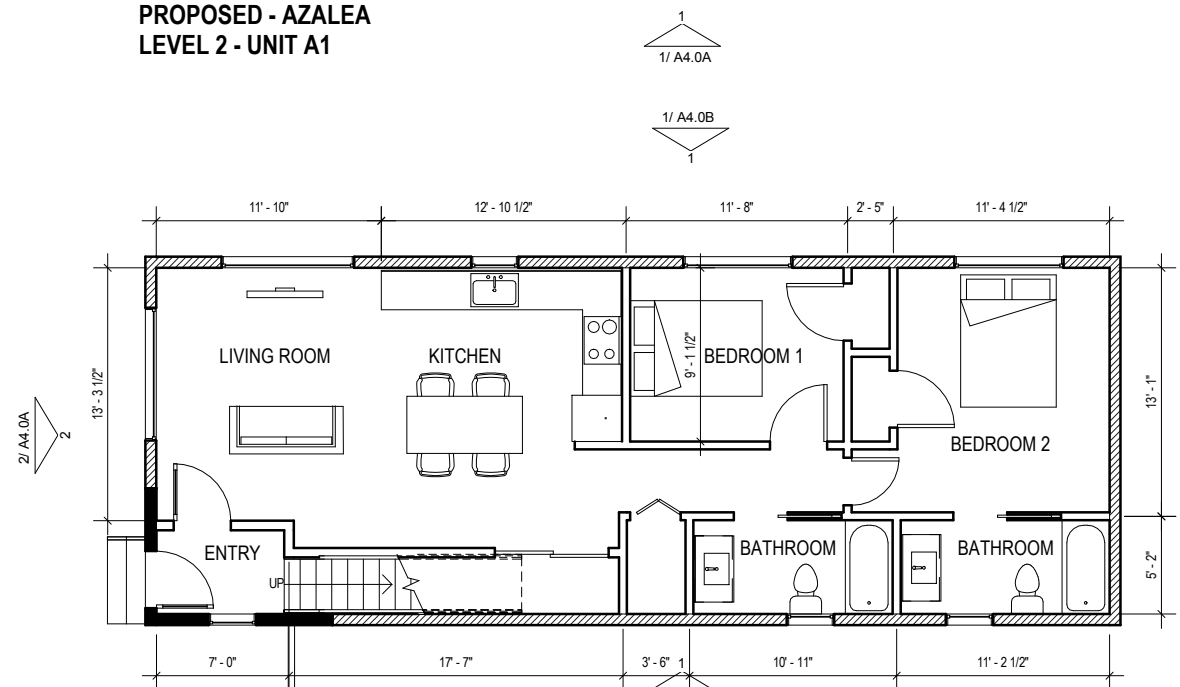
- LEGEND**
- NEW EXTERIOR WALL
 - ▨ (E) WALL
 - NEW INTERIOR WALL
 - - - SEE SITE PLAN FOR NON-CONFORMING SETBACK
 - - - REQUIRED SETBACK
- 2/A4.0D A4.0 SERIES FOR ENLARGED UNIT PLANS



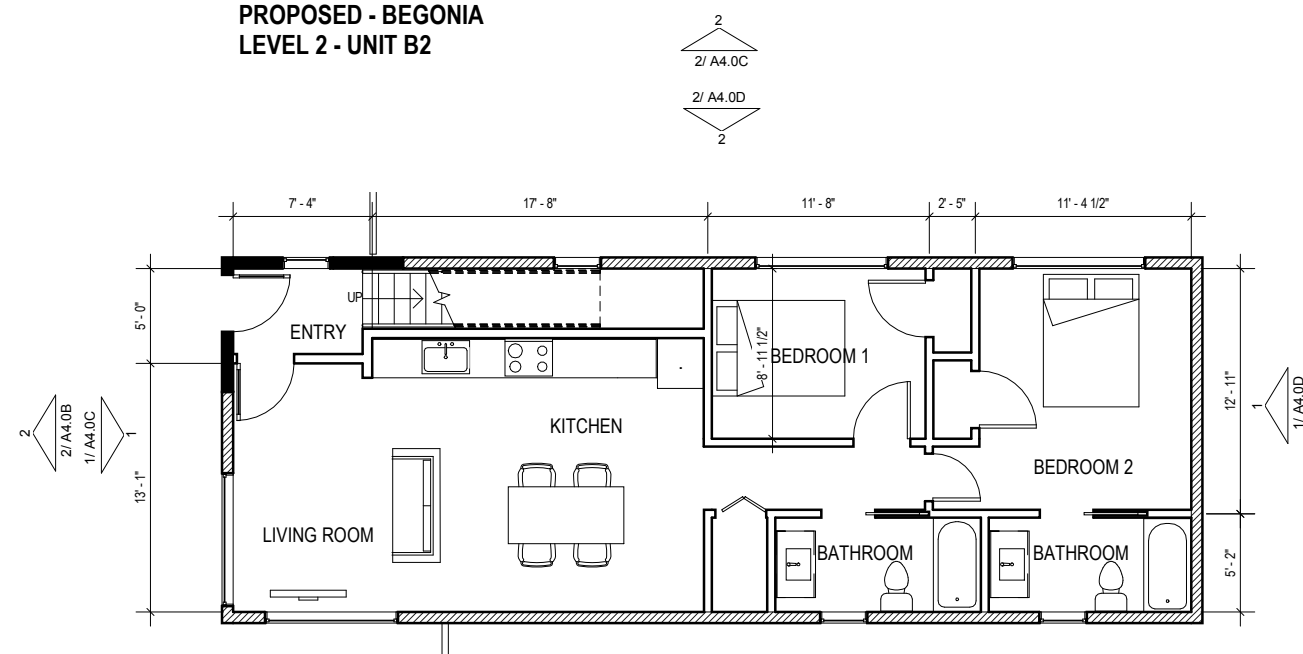
**PROPOSED - AZALEA
 LEVEL 2 - UNIT A1**



**PROPOSED - BEGONIA
 LEVEL 2 - UNIT B2**



**PROPOSED - AZALEA
 LEVEL 1 - UNIT A1**



**PROPOSED - BEGONIA
 LEVEL 1 - UNIT B1**





HEARST GARDENS

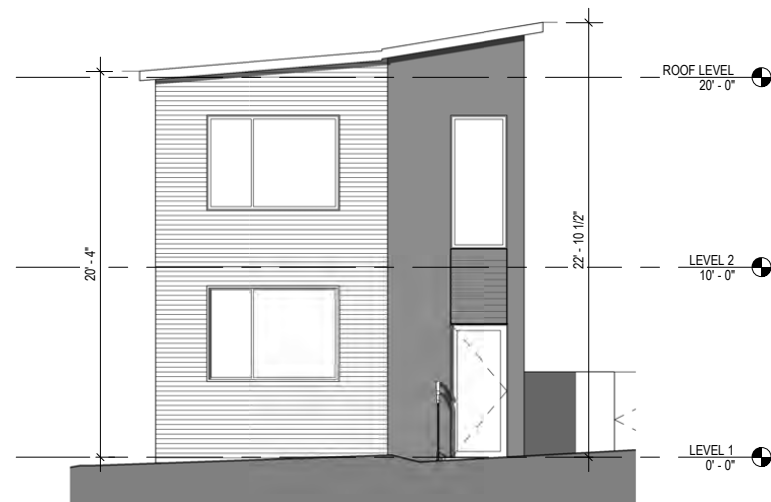
DEVI DUTTA ARCHITECTURE

AZALEA & BEGONIA PLANS

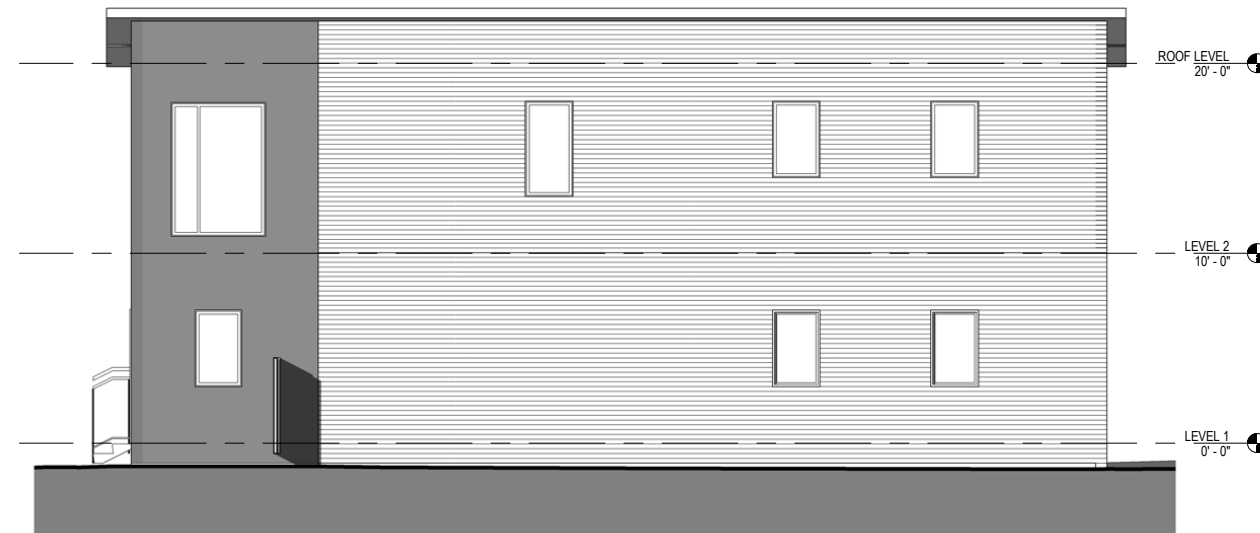
SCALE: As indicated



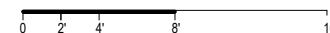
- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER







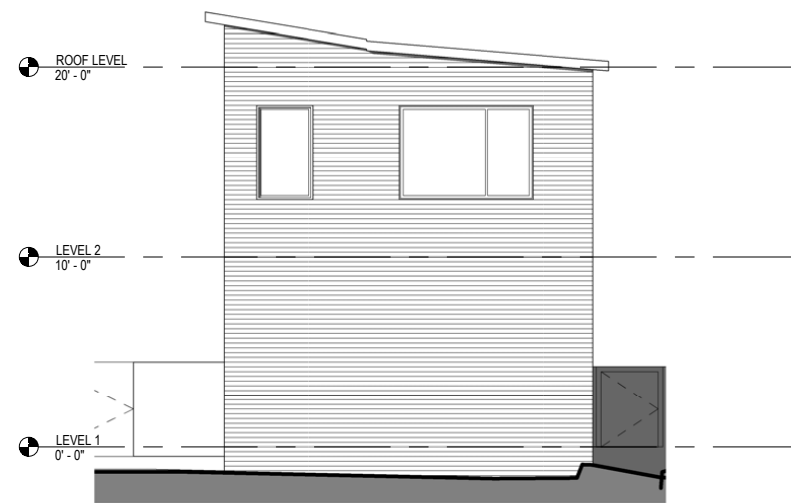
2 AZALEA SOUTH ELEVATION
 1/8" = 1'-0"



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



- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER







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



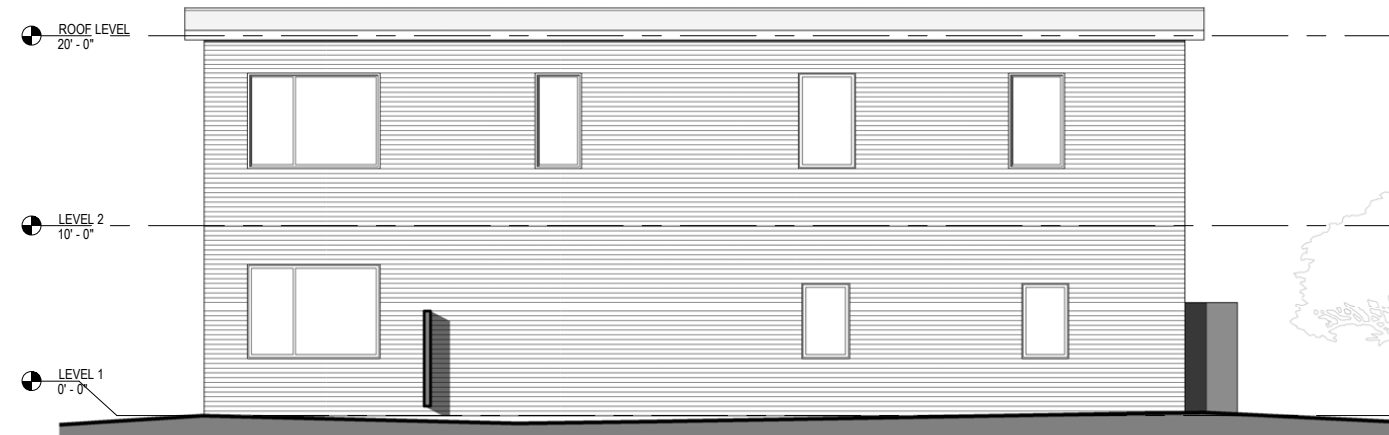
1 AZALEA WEST ELEVATION
 1/8" = 1'-0"







- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER

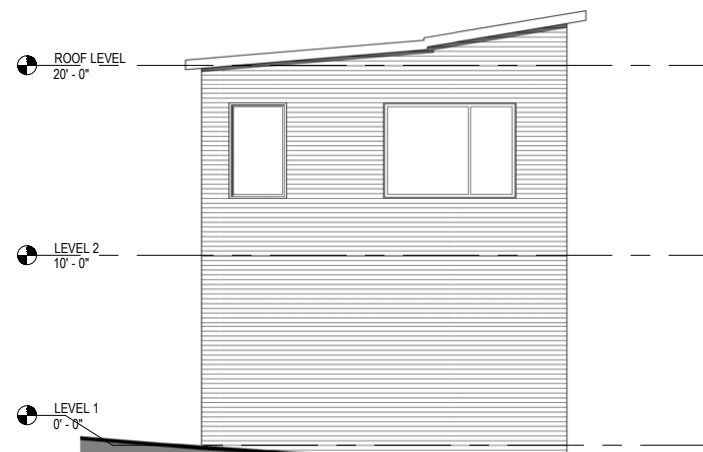


1 BEGONIA SOUTH ELEVATION
 1/8" = 1'-0"

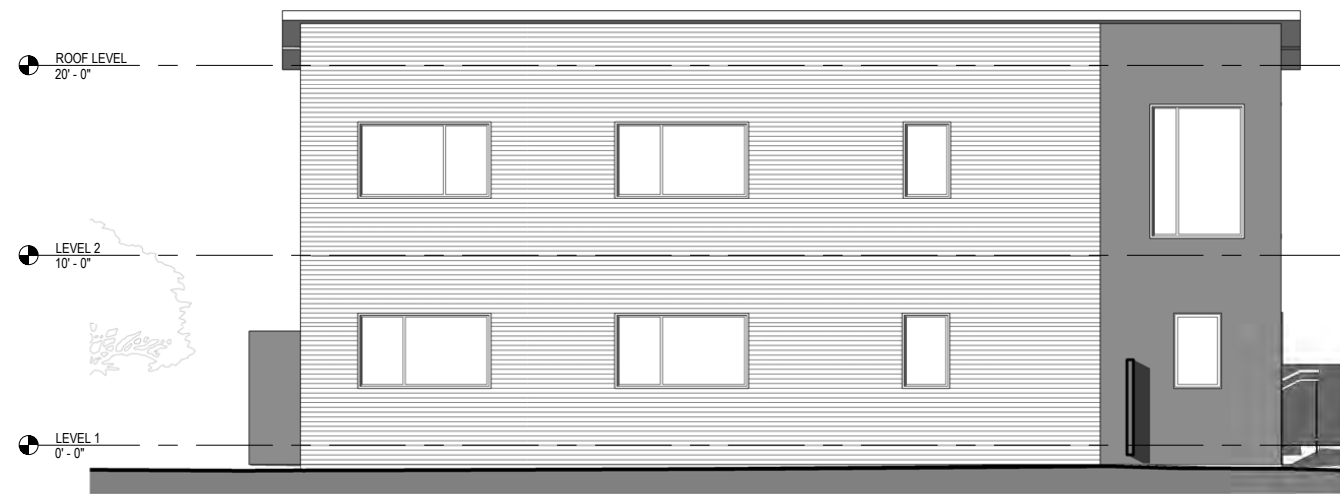


2 BEGONIA EAST ELEVATION
 1/8" = 1'-0"

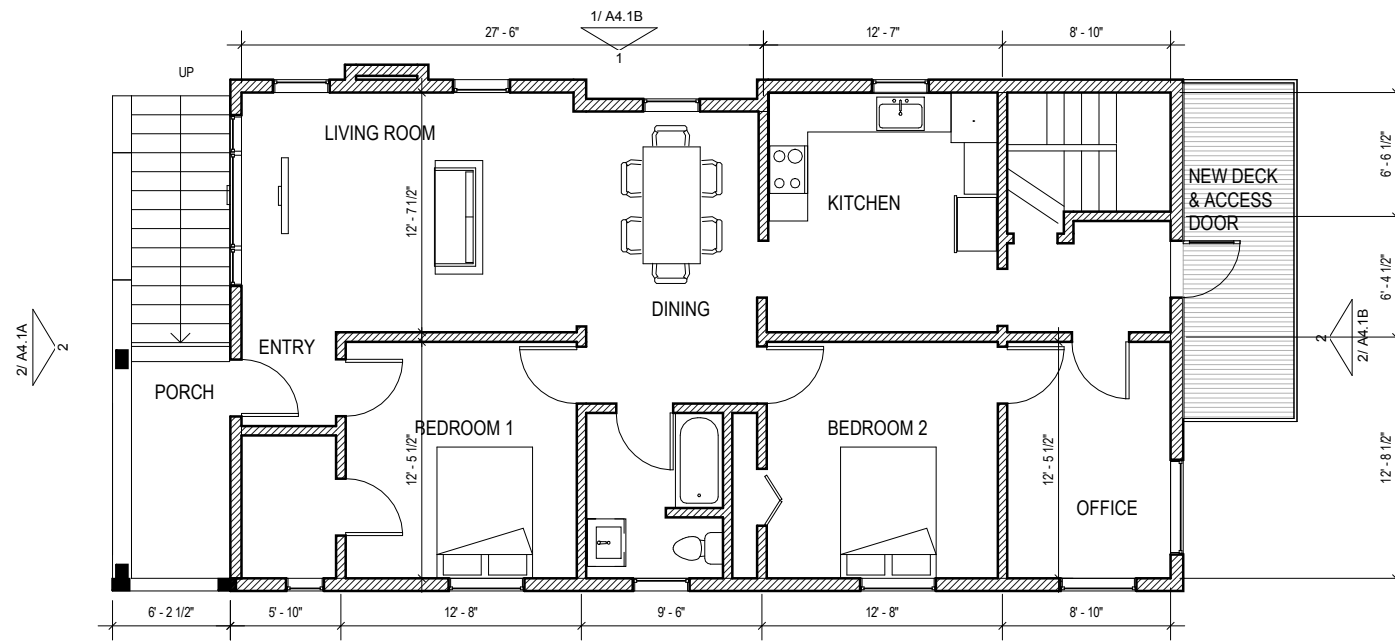
- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER



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

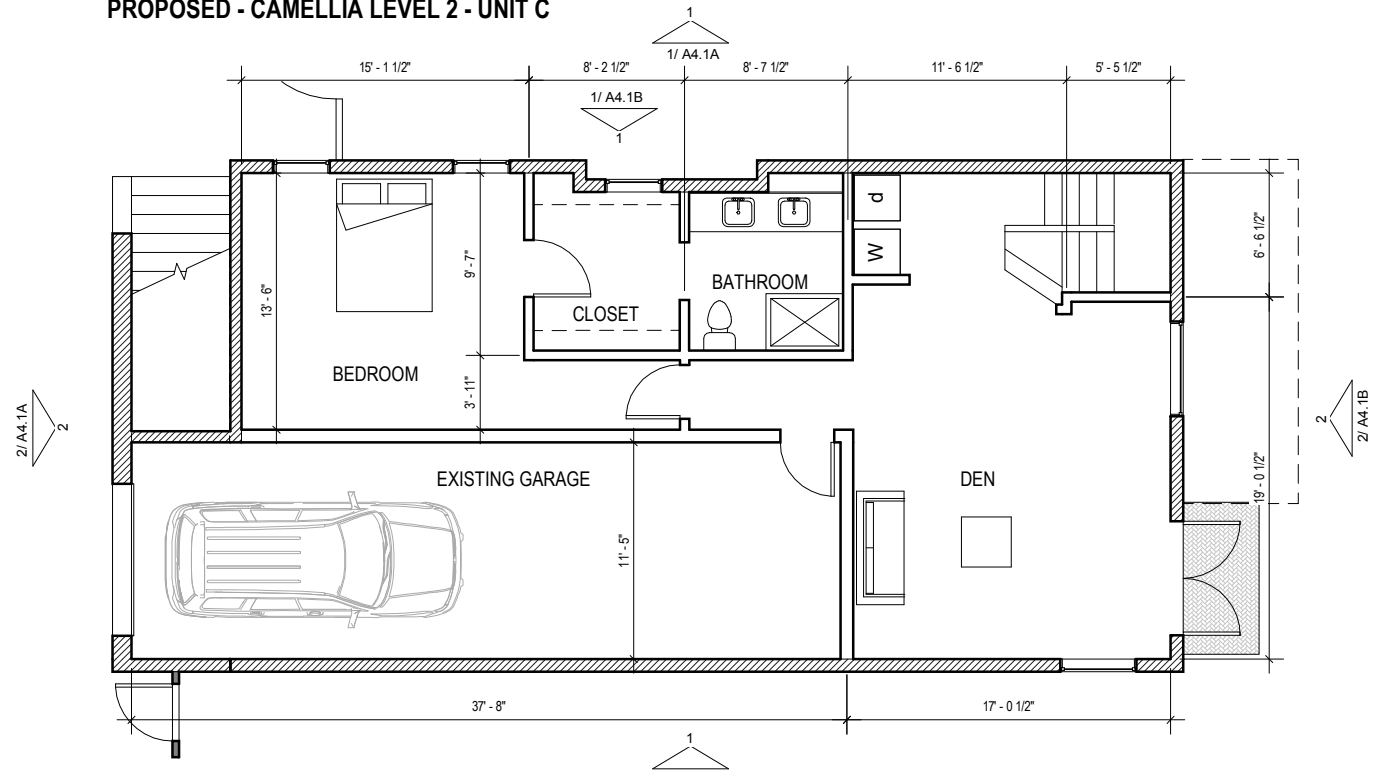


2 BEGONIA WEST ELEVATION
 1/8" = 1'-0"



PROPOSED - CAMELLIA LEVEL 2 - UNIT C

- LEGEND**
- NEW EXTERIOR WALL
 - ▨ (E) WALL
 - NEW INTERIOR WALL
 - - - SEE SITE PLAN FOR NON-CONFORMING SETBACK
 - - - REQUIRED SETBACK
 - SEE A4.0 SERIES FOR ENLARGED UNIT PLANS







PROPOSED - CAMELLIA BASEMENT PLAN

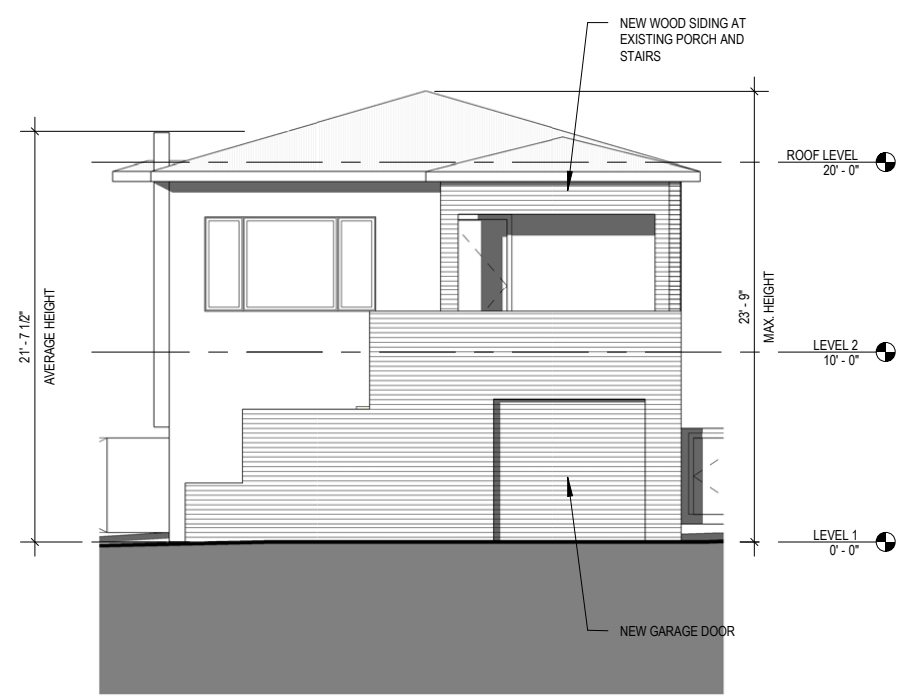
HEARST GARDENS

DEVI DUTTA ARCHITECTURE

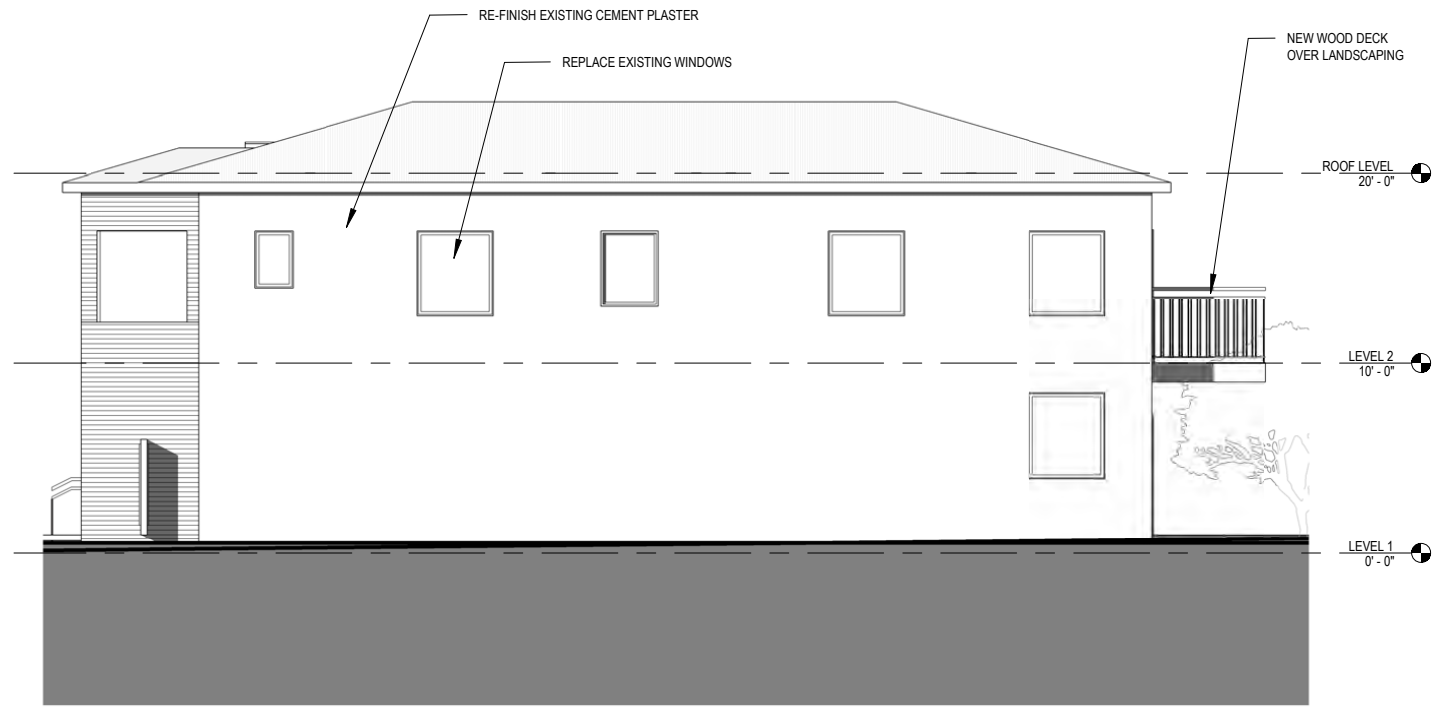
CAMELLIA PLANS

SCALE: As indicated

- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER



2 CAMELLIA SOUTH ELEVATION
 1/8" = 1'-0"



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

HEARST GARDENS



DEVI DUTTA ARCHITECTURE

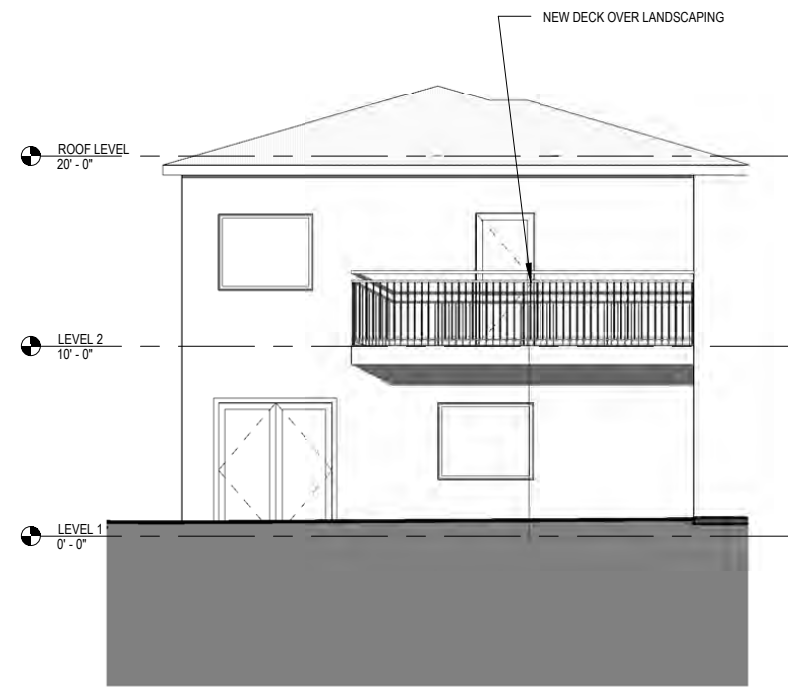
CAMELLIA ELEVATIONS

SCALE: As indicated

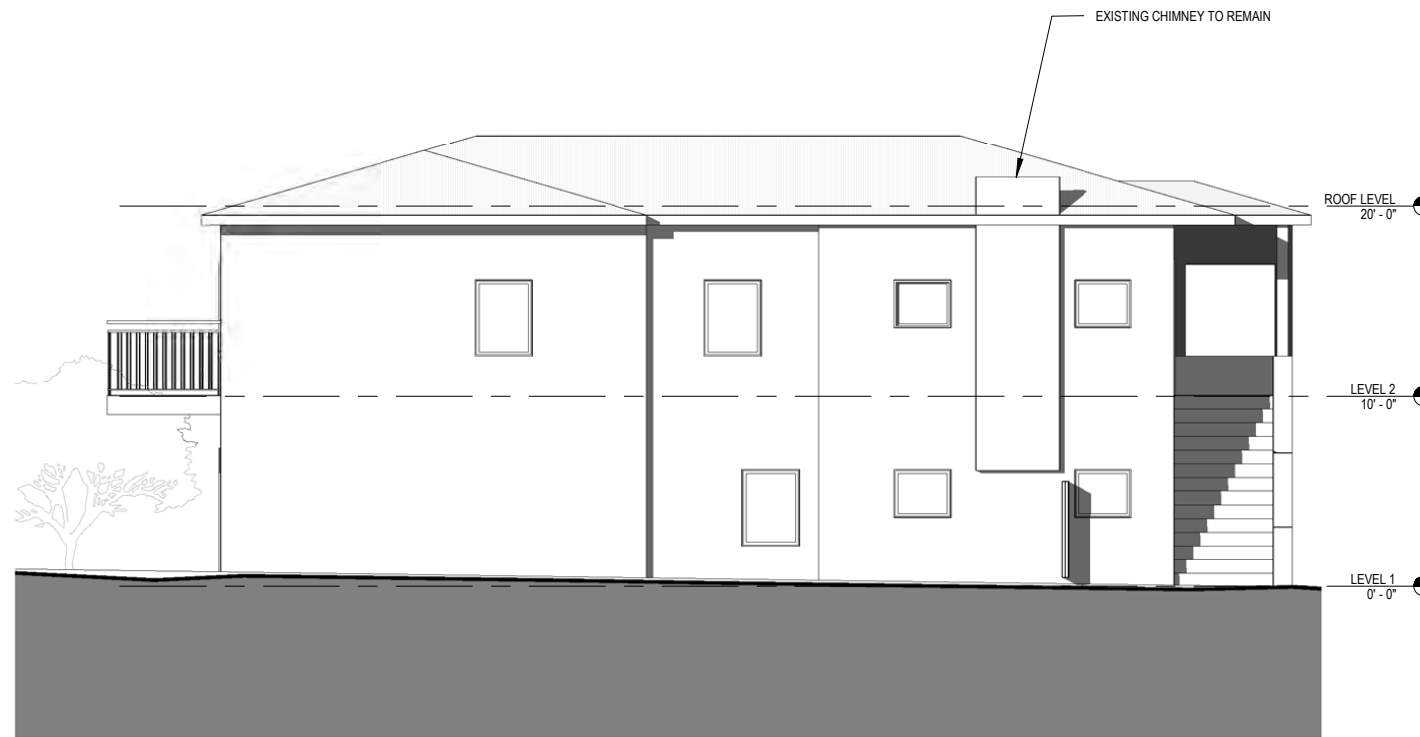


- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER

SEE A4.0 SERIES FOR ENLARGED ELEVATIONS

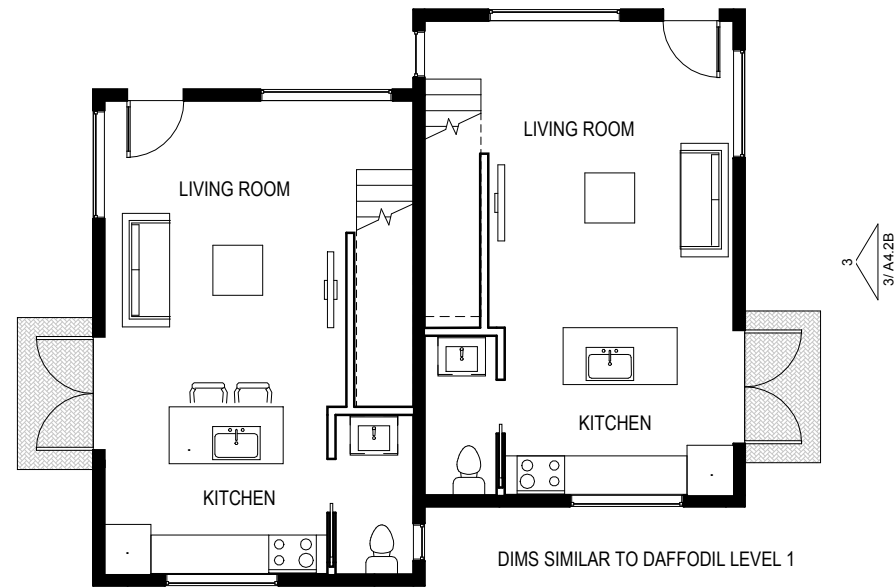


2 CAMELLIA NORTH ELEVATION
 1/8" = 1'-0"

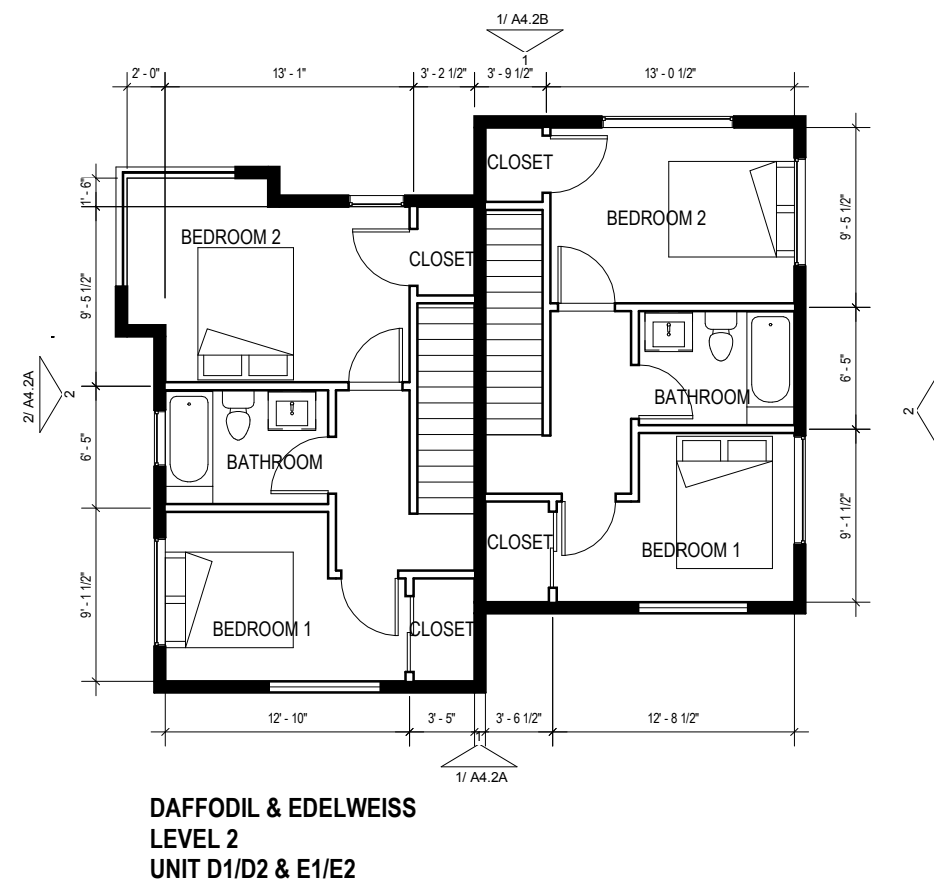
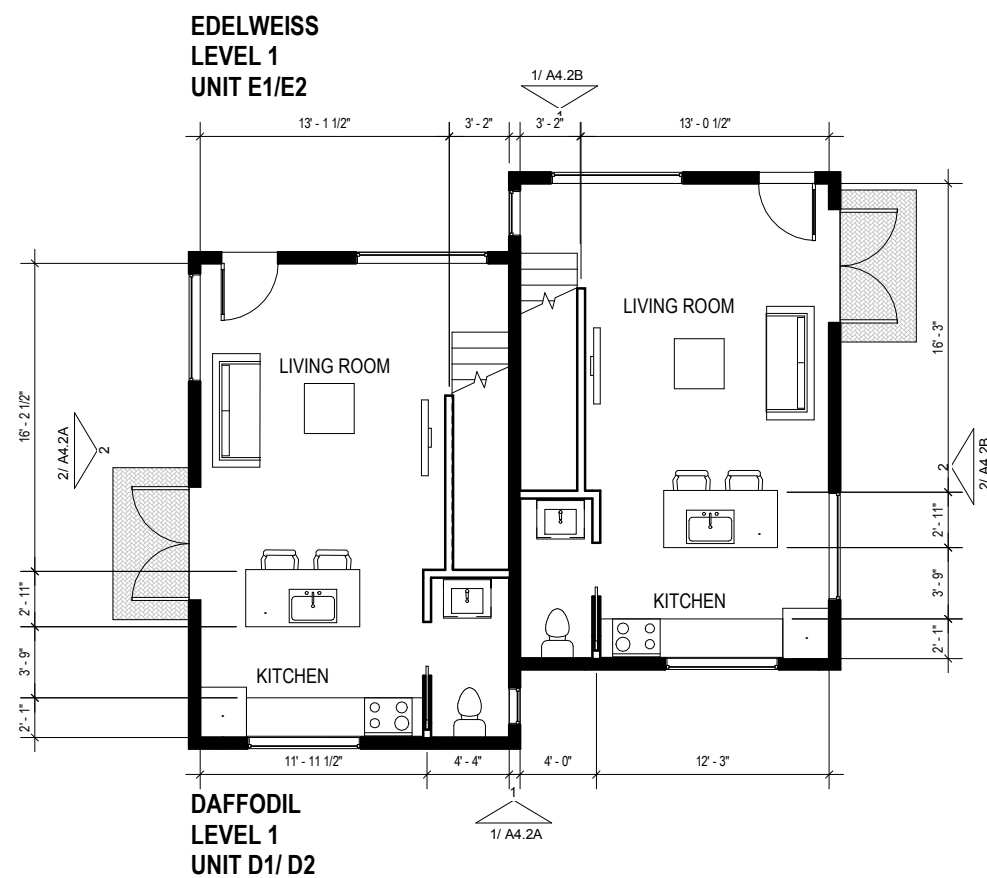


1 CAMELLIA WEST ELEVATION
 1/8" = 1'-0"



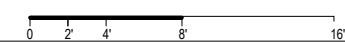






- LEGEND**
- NEW EXTERIOR WALL
 - ▨ (E) WALL
 - NEW INTERIOR WALL
 - - - SEE SITE PLAN FOR NON-CONFORMING SETBACKS
 - - - REQUIRED SETBACK



HEARST GARDENS
 DEVI DUTTA ARCHITECTURE

DAFFODIL & EDELWEISS PLANS
 SCALE: As indicated



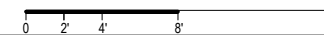
- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER







2 DAFFODIL & EDELWEISS SOUTH ELEVATION
 1/8" = 1'-0"

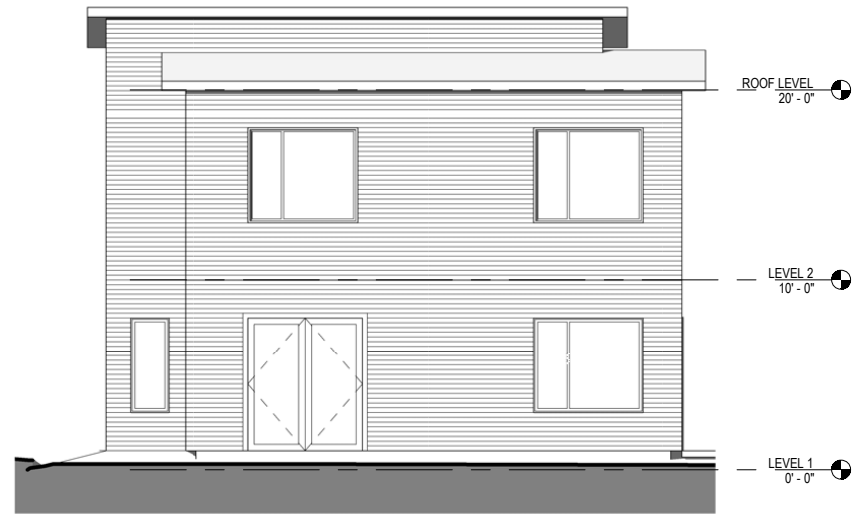


1 DAFFODIL & EDELWEISS EAST ELEVATION
 1/8" = 1'-0"





- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER



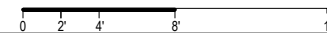
3 EDELWEISS NORTH ELEVATION
 1/8" = 1'-0"

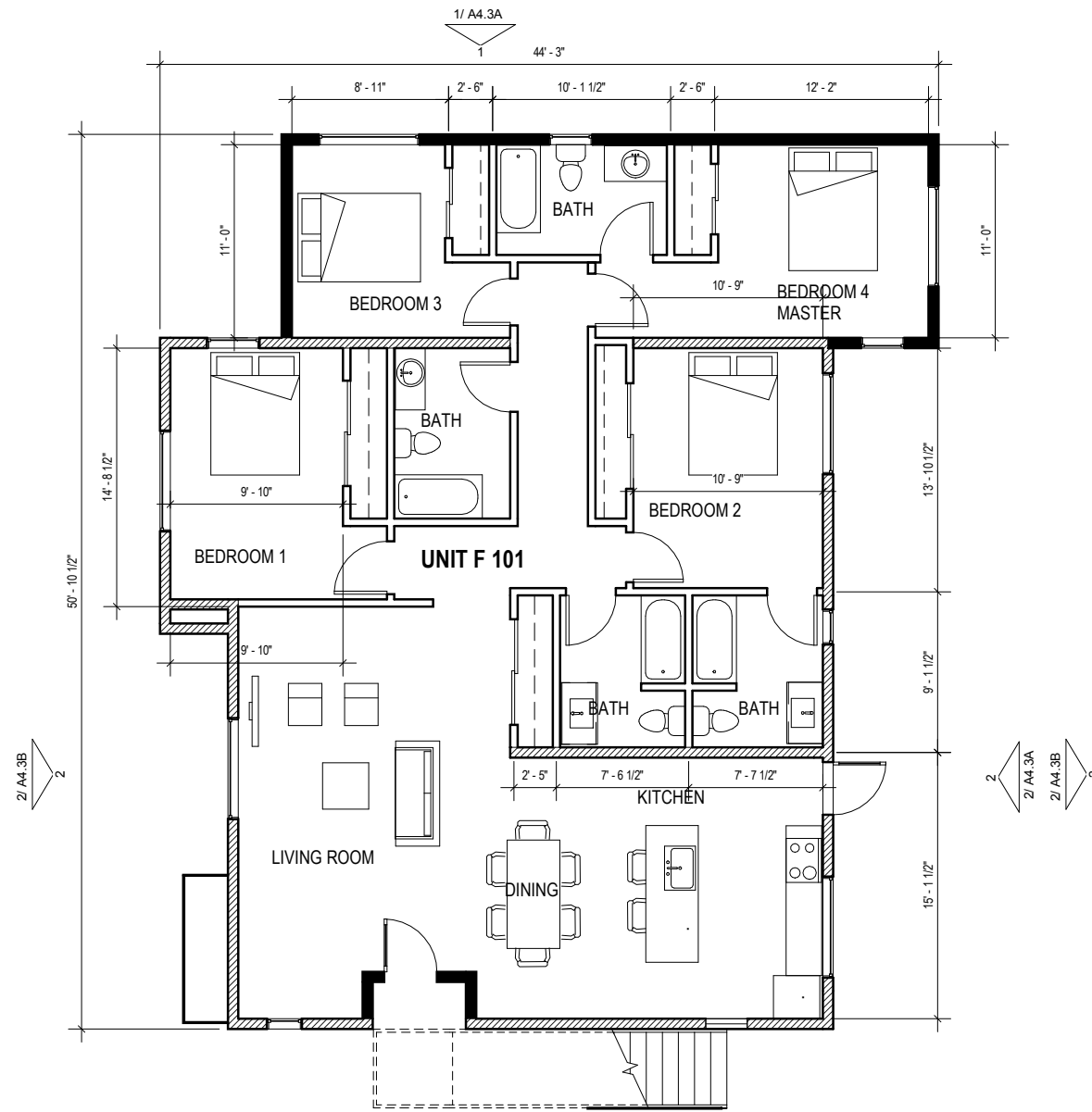


2 DAFFODIL NORTH ELEVATION
 1/8" = 1'-0"

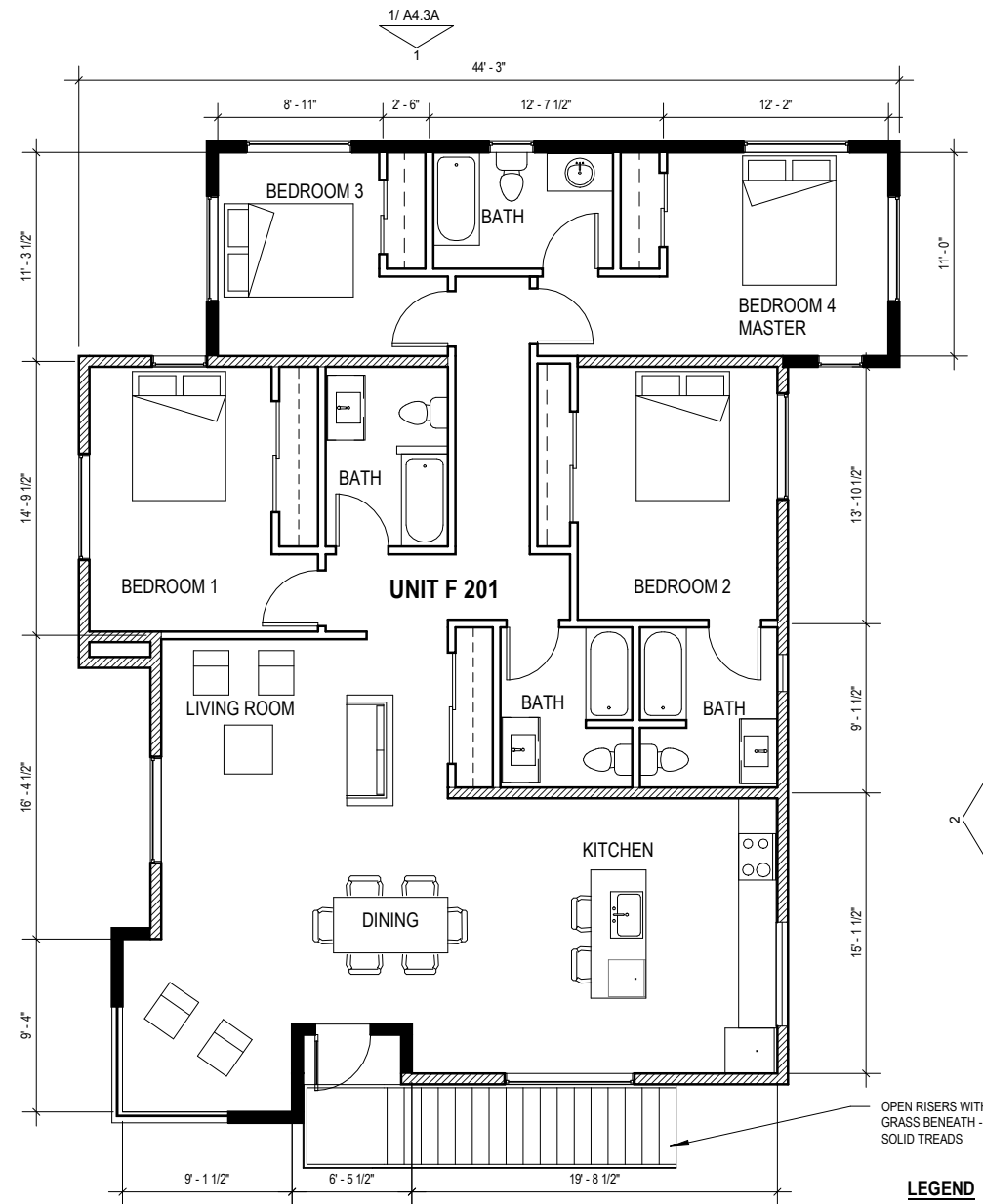


1 DAFFODIL & EDELWEISS WEST ELEVATION
 1/8" = 1'-0"





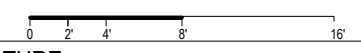
**FRESIA
 LEVEL 1 - UNIT F1**







**FRESIA
 LEVEL 2 - UNIT F2**

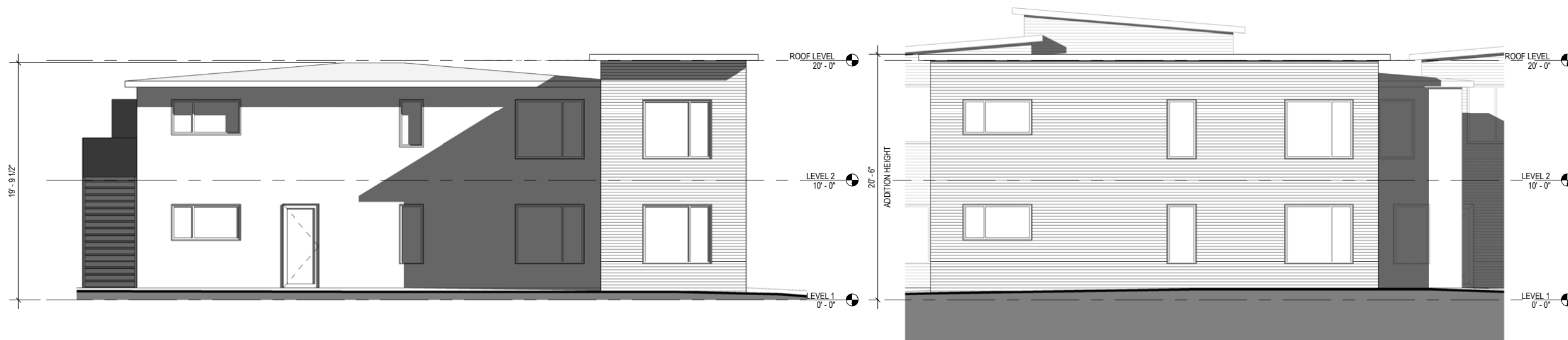


- OPEN RISERS WITH GRASS BENEATH - SOLID TREADS
- LEGEND**
- NEW EXTERIOR WALL
 - ▨ (E) WALL
 - NEW INTERIOR WALL
 - - - SEE SITE PLAN FOR NON-CONFORMING SETBACKS
 - - - REQUIRED SETBACK



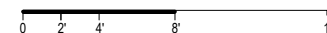


- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER



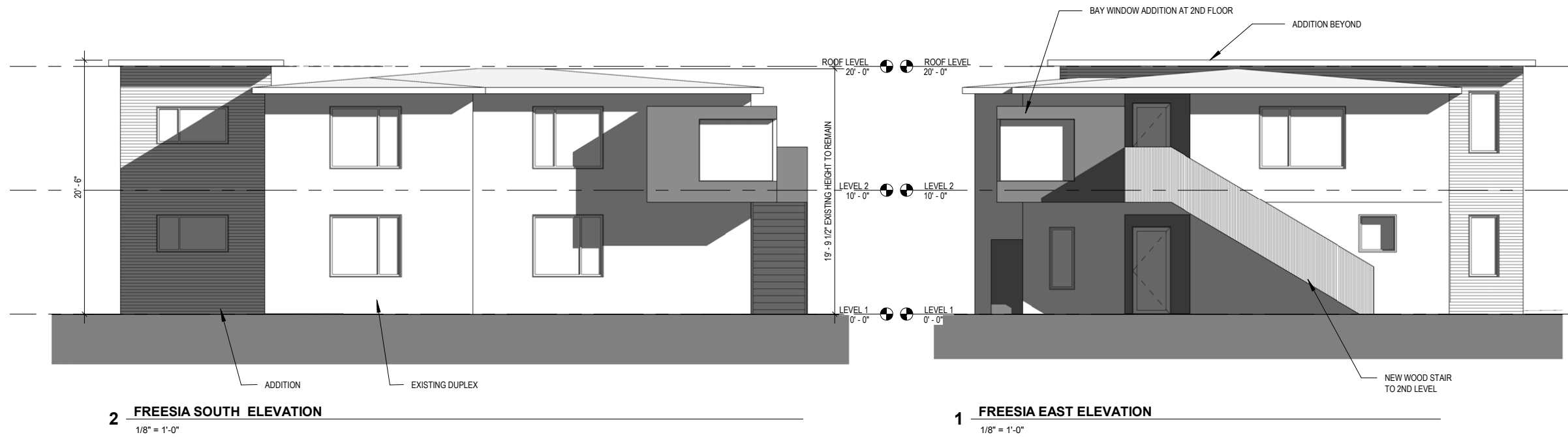
2 FREESIA NORTH ELEVATION
 1/8" = 1'-0"

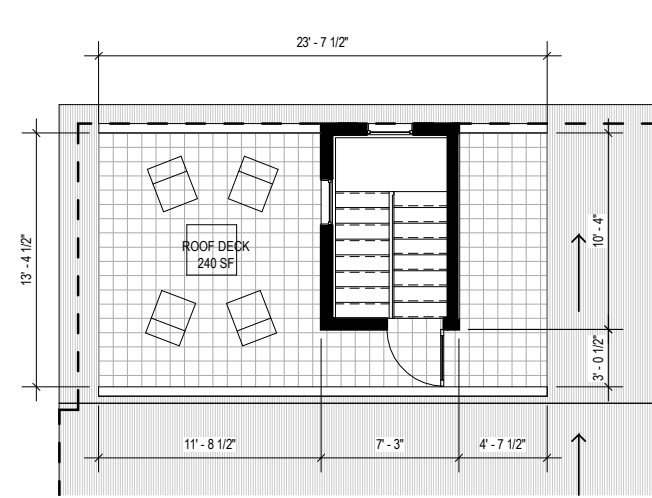
1 FREESIA WEST ELEVATION
 1/8" = 1'-0"



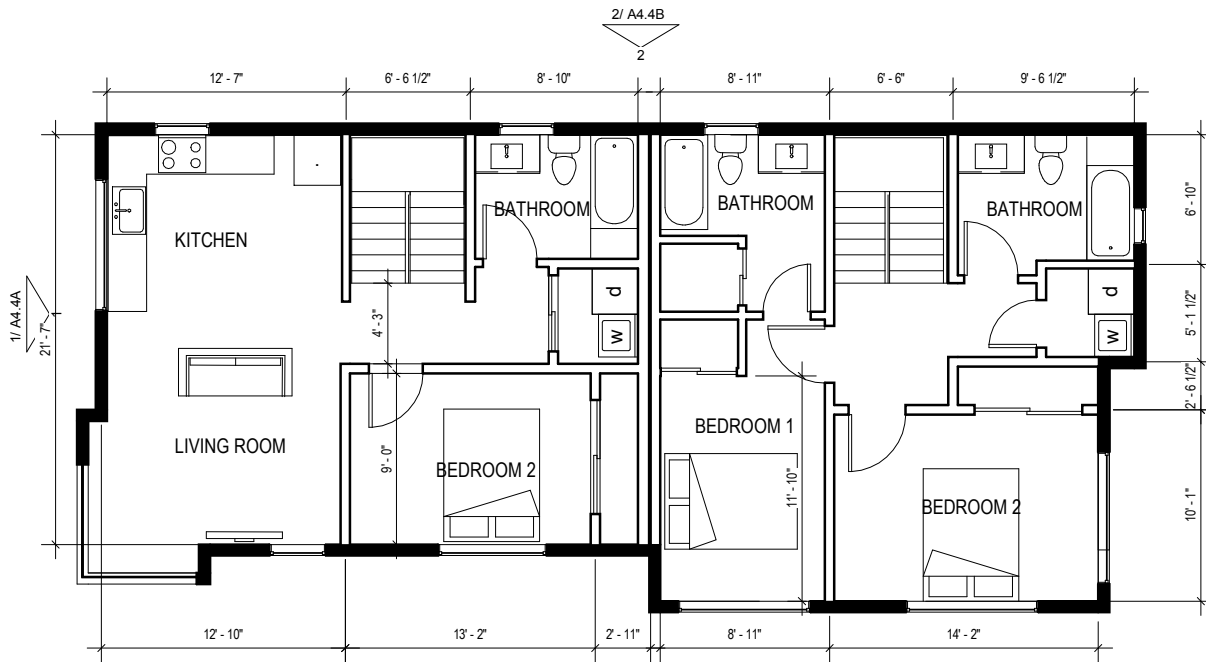


- MATERIAL LEGEND**
- PAINTED WOOD SIDING
 - WOOD PATTERNED FIBER CEMENT
 - CEMENT PLASTER
 - CEMENT PLASTER

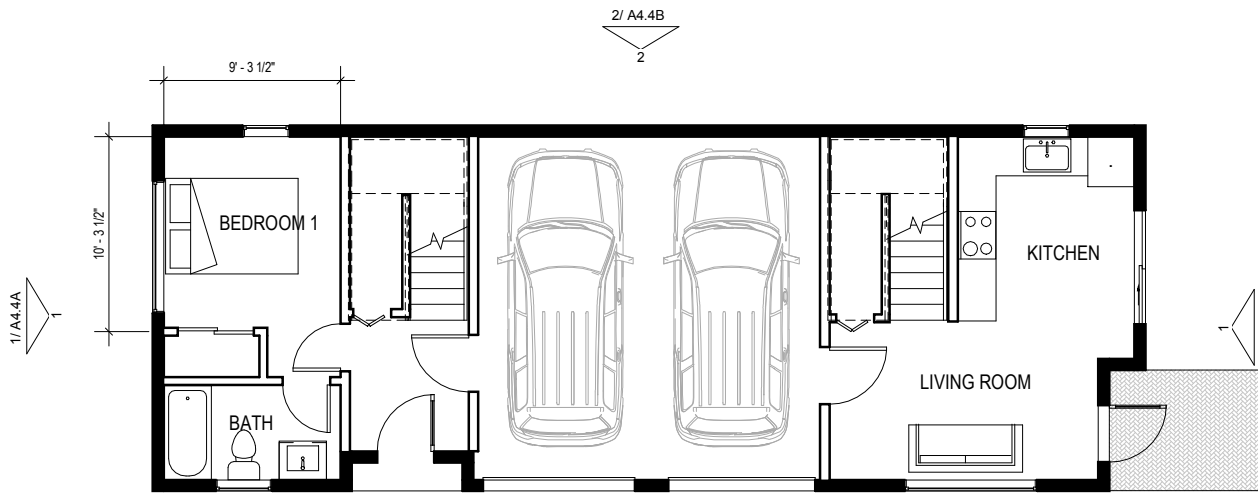




3 ROOF DECK - PARTIAL PLAN
 1/8" = 1'-0"







2 GERANIUM LEVEL 2
 1/8" = 1'-0"

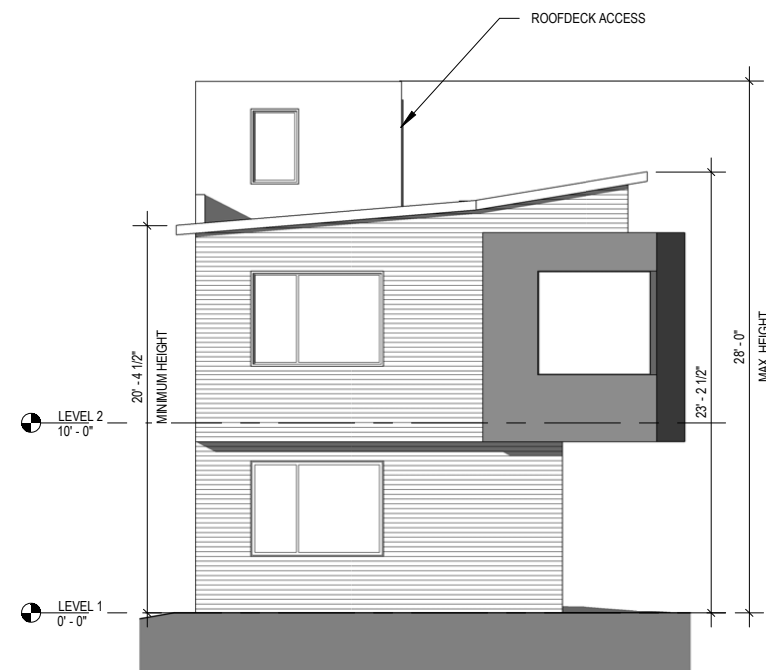


1 GERANIUM LEVEL 1
 1/8" = 1'-0"

- LEGEND**
- NEW EXTERIOR WALL
 - (E) WALL
 - NEW INTERIOR WALL
 - - - SEE SITE PLAN FOR NON-CONFORMING SETBACKS
 - - - REQUIRED SETBACK



- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER







1 GERANIUM SOUTH ELEVATION
 1/8" = 1'-0"



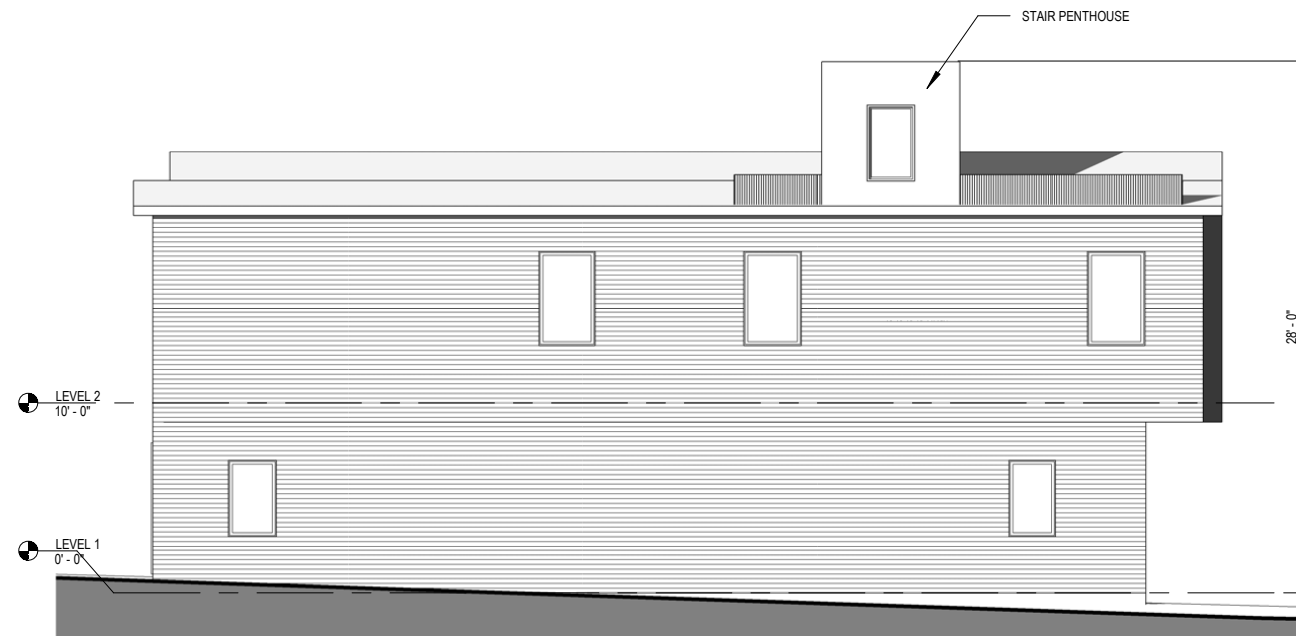
2 GERANIUM EAST ELEVATION
 1/8" = 1'-0"



- MATERIAL LEGEND**
-  PAINTED WOOD SIDING
 -  WOOD PATTERNED FIBER CEMENT
 -  CEMENT PLASTER
 -  CEMENT PLASTER



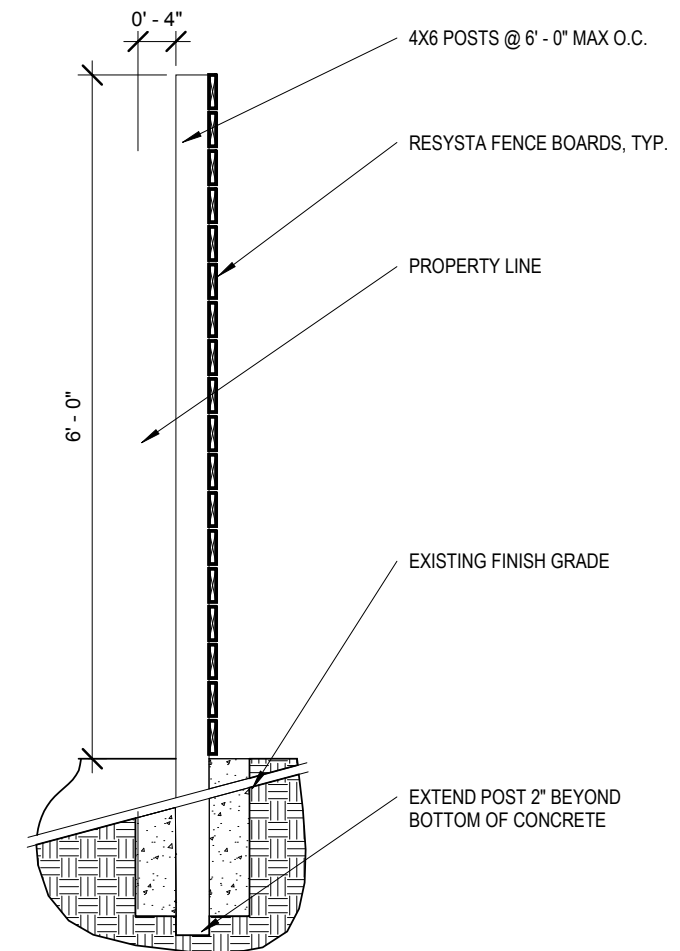
1 GERANIUM NORTH ELEVATION
 1/8" = 1'-0"



2 GERANIUM WEST ELEVATION
 1/8" = 1'-0"



CEDAR FENCE ALONG PROPERTY LINE

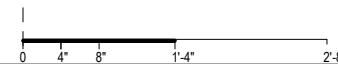


1 CEDAR FENCE DETAIL

3/4" = 1'-0"

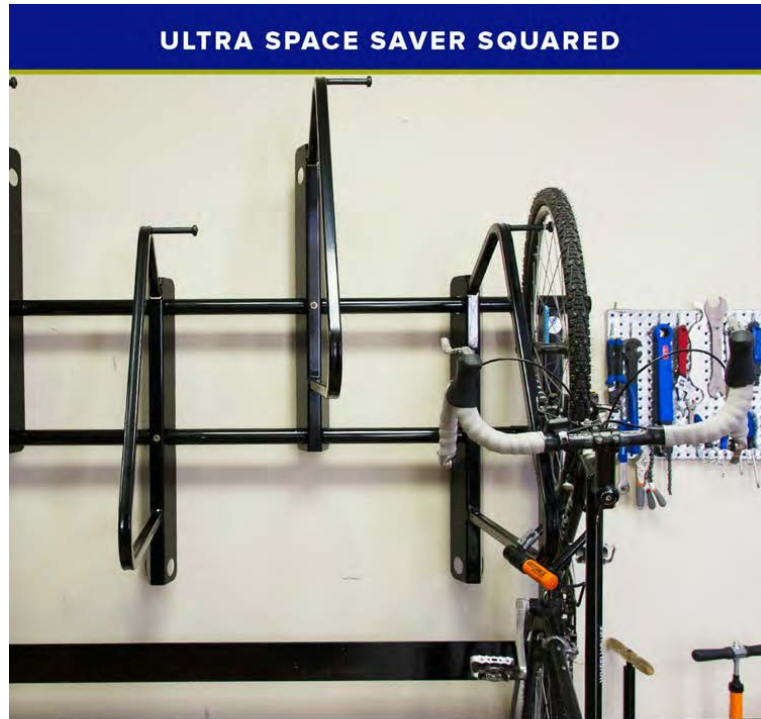
HEARST GARDENS

DEVI DUTTA ARCHITECTURE



FENCE DETAIL

SCALE: 3/4" = 1'-0"



ULTRA SPACE SAVER SQUARED



FINISH OPTIONS

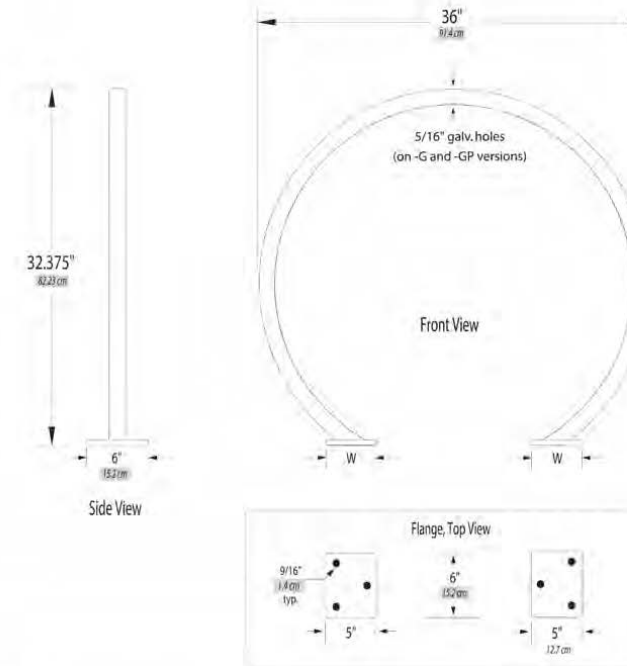
Powder Coat

Galvanized

DARK GREY POWDERCOAT FINISH AT BIKE STORAGE



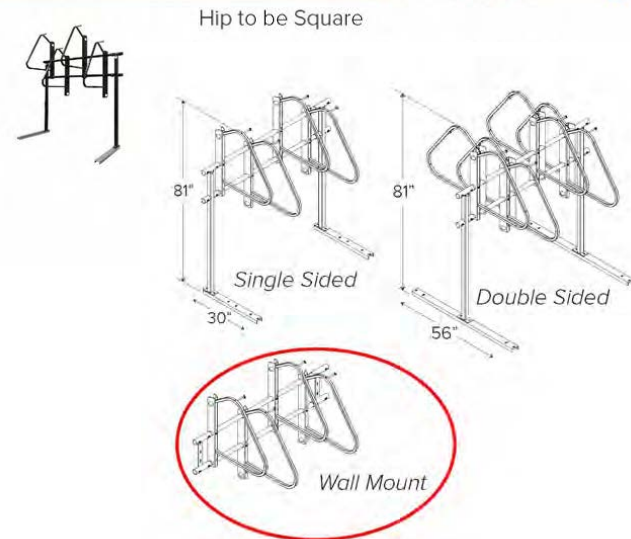
Welle™ Circular Rack
 Square Tube
 Surface Flange



Welle™ Circular Rack Square Tube Surface Flange						
Tubing	Model	Weight	Finish Options	Hoop	Surface Mount Flanges (Same material as Hoop)	Anchors (Not Provided)
Square Tube	WC02-SQ-SF	38 lbs 17.1 kg	-G Hot Dipped Galvanized -P Powder Coated (color) -GP Hot Dipped Galvanized with Powder Coat (color) Top Coat -SS Stainless #4 Brush Finish	-G, -P, -GP 2" x 2" x 0.188" Square Tube (Regular Steel) 122mm 51mm x 51mm x 3mm -SS 2" x 2" x 0.188" Square Tube (304 SS Alloy) 51mm x 51mm x 3mm	(2) 5" x 6" x 3/8" Plates, 122mm x 152mm x 3mm each with (3) 9/16" Holes 14mm	(2) 1/2" x 2.75" 12mm x 70mm Rawl Spike (4) 1/2" x 3.75" 13mm x 95mm Wedge Anchor Bolt

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2012.04.11



WALL MOUNT, SQUARE PROFILE BIKE STORAGE. LOCATED ON EAST WALL OF BEGONIA BUILDING.

GROUND ANCHORED, SQUARE PROFILE BIKE STORAGE CIRCULAR RACK. 2 BIKES PER RACK. LOCATED ALONG THE PASEO, AND FLANKING THE DRIVEWAY BETWEEN AZALEA AND BEGONIA.





	OCCUPANCY	SPRINKLERED?	CONST. TYPE	HEIGHT & NUMBER OF STORIES
AZALEA	R-3	SPRINKLERED	V-B	2-STORIES
BEGONIA	R-3	SPRINKLERED	V-B	2-STORIES
CAMELLIA	R-3	SPRINKLERED	V-B	2-STORIES
DAFFODILE	R-3	SPRINKLERED	V-B	2-STORIES
EDELWEISS	R-3	SPRINKLERED	V-B	2-STORIES
FREESIA	R-3	SPRINKLERED	V-B	2-STORIES
GERANIUM	R-3	SPRINKLERED	V-B	2-STORIES + STAIR PENTHOUSE

ALL HOMES SUBJECT TO 2016 CALIFORNIA BUILDING CODE
 ALL HOMES TO BE EQUIPPED WITH RESIDENTIAL SPRINKLER SYSTEM

— EXIT PATH
 - - - ASSUMED PROPERTY LINE

1 GROUND PLAN BUILDING CODE & EXITING
 3/64" = 1'-0"

Hussein M Saffouri
Attorney

3736 Mt. Diablo Blvd., Suite 300
Lafayette CA, 94549

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925-284-2002
925-402-8053

RAMSEY LAW GROUP
A Professional Corporation



September 10, 2018

Berkeley City Council
2180 Milvia Street
First Floor
Berkeley, CA 94704

2018 SEP 12 PM 1:26
CITY OF BERKELEY

**Re: Appeal of Decision of Zoning Adjustments Board Dated August 23, 2018
Concerning Use Permit #ZP2016-0028;
Property Address: 1155-1173 Hearst Avenue**

Dear Members of the Berkeley City Council:

I am submitting this appeal of the decision of the Berkeley Zoning Adjustments Board ("ZAB") concerning Use Permit #ZP2016-0028 pertaining to the property at 1155-1173 Hearst Avenue in Berkeley, on behalf of Rain Sussman who owns the home located at 1842 Curtis Street in Berkeley which is directly next door to the development project. As you can see from the signatures on this letter, most of the neighbors support this appeal. Many other neighbors will be submitting letters opposing the development project because the ZAB decision does not protect the neighborhood, its residents, and their property from the negative impact of this development project.

A. ZAB erred in finding the project exempt from CEQA

1. The project does not qualify for a categorical exemption because there is substantial evidence that it will not be adequately served by the existing utility infrastructure

CEQA Guidelines are clear that the proposed categorical exemption is not applicable in cases when a proposed project is located in a sensitive site or is subject to unusual circumstances: "...a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant". (14 CCR § 15300.2.)

This proposed development site is located over a non-engineered buried branch of Strawberry Creek. There is a high likelihood that the fill placed in the channel was or still is unconsolidated. There is also significant evidence from the testimony of neighbors at the ZAB hearings held regarding the project, as well as video footage of flooding submitted to ZAB, that the site is prone to flooding and that the storm drain system is

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Page 2

unable to address the runoff. The buried creek alignment is also associated with the potential presence of cultural and/or historic resources. Testimony was given that a portion of the property on which the project is proposed was the site of the original Chez Panisse garden.

As a result, the project does not satisfy requirement (e) of 14 CCR § 15332 for a CEQA categorical exemption as an urban infill project because there is substantial evidence that the Project is located in a sensitive location and approval of the project without further study could result in significant drainage and flooding impacts and will not be adequately served by existing utility infrastructure.

In this case, the historical flooding at the site and in the surrounding neighborhood reflects that the existing storm drain system would not adequately cope with the added runoff anticipated as a result of the additional hardscape included in the Project. Existing hydrology studies substantiate this concern.

Those studies establish that the project would increase in impervious cover and result in a significant loss of existing permeable areas, and associated detention/sub-surface storage (current plan includes loss of large vegetated open space area and creation of significant additional roof area, driveways, parking areas, walkways). The site runoff co-efficient would increase. Proposed impervious surfaces and foundations would exacerbate existing flooding conditions.

Previous mapping and records the City maintains demonstrate that a historic tributary/northern fork of Strawberry Creek underlies the proposed development site. The creek was subject to uncontrolled fill when the area was originally developed. However, there are no records of engineered fill, culvert, or storm drain installation. The current existing curb and gutter street drainage system serving this area is subject to frequent flooding. Surface flooding occurs during even modest storm conditions as the subsurface is saturated.

Furthermore, the testimony of neighbors, as well as of the developer-applicant himself, at the ZAB hearings that the area proposed for development forms a "lake" seasonally, indicates that the area may qualify as a potential jurisdictional wetland subject to additional review and permitting requirements.

In sum, there is significant evidence that the project will not be adequately served by the existing storm drain infrastructure. As a result, it does not qualify for the in-fill development categorical exemption of 14 CCR § 15332.

2. Even if the project qualifies for a categorical exemption, it is subject to the unusual circumstances exception because there is substantial evidence of an unusual circumstance and of a fair argument that there may be a significant effect on the environment

Even if the project were exempt under 14 CCR § 15332, it falls under the unusual circumstances exception under 14 CCR § 15300.2(c). The unusual circumstances exception to the categorical exemption applies if 1) there is substantial evidence of an unusual circumstance; and 2) there is substantial evidence in the record of a fair argument that there may be a significant effect on the environment. (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086, 1105; see also *World Bus. Acad. v. California State Lands Comm'n*, (2015) 24 Cal.App.5th 476, 499.) In this case there is ample evidence of both an unusual circumstance and of a fair argument that there may be a significant effect on the environment.

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Moreover, because there is substantial evidence of an unusual circumstance, and there is substantial evidence supporting the conclusion that there may be an impact on the environment, the City must apply the exception to the categorical exemption even if there may be evidence in the record that the project will not have a significant environmental effect. “Under [the “fair argument”] standard, “an agency is merely supposed to look to see if the record shows substantial evidence of a fair argument that there may be a significant effect. ... In other words, the agency is not to weigh the evidence to come to its own conclusion about whether there will be a significant effect.’ ” (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th. at p. 1104.) An agency must find a “fair argument” if there is any substantial evidence to support that conclusion, even if there is competing substantial evidence in the record that the project will not have a significant environmental effect. (*Id.* at p. 1111.)” (*World Bus. Acad. v. California State Lands Comm'n*, (2018) 24 Cal.App.5th 476, 499.)

The Project is proposed on a site that sits on an undergrounded branch of historic Strawberry Creek, and has been subject to significant historical flooding. Existing studies and direct observations by existing residents in the area reflect that as a result of this location, the project would be subject to flooding, soil instability and subsidence risks. The Urban Creeks Council previously determined that this particular northern branch of Strawberry Creek was filled with non-engineered soil and debris prior to development in the area. They classified the area as “filled wetlands” and as “seismically unstable and subject to liquefaction”. Site-specific soils and groundwater data have not been collected and a comprehensive geotechnical investigation is warranted. This evidence suggests that the proposed project and the increased impervious surfaces would increase the runoff co-efficient and have potentially adverse impacts on sub-surface drainage which would exacerbate existing flooding conditions.

This evidence, which was submitted to ZAB in connection with the two hearings it held relating to this project, constitutes substantial evidence of an unusual circumstance at the site due to the known and unknown sub-surface and associated hydrologic conditions. In fact, at the second hearing, City of Berkeley Zoning Department Staff recognized and agreed that the “level of water in the area” constitutes an unusual circumstance. The evidence, moreover, is more than adequate to reflect a fair argument that, as a result of the unusual hydrologic circumstances of the site, the anticipated impacts of the increased impervious surfaces and the unknown sub-surface conditions associated with the buried creek, there may be a significant effect on the environment.

Because there is substantial evidence that the site is subject to unusual circumstances, and may have a significant effect on the environment, the City must find that it does not qualify for the categorical exemption as a result of the applicable unusual circumstances exception. ZAB erred in not doing so.

B. If the project is exempt from CEQA appropriate conditions must be imposed under BMC § 23B.32.040 to ensure the project is not detrimental to the health, safety, comfort or general welfare of the neighborhood or injurious to the adjacent properties, the surrounding area or neighborhood

Even if the Project were exempt from CEQA’s environmental impact reporting requirements, the City has the authority and the obligation under the Berkeley Municipal Code (the BMC) to require additional testing and engineering consistent with the recommendations of that testing, as a result of the evidence reflecting that the project will have an adverse effect on the neighborhood and surrounding properties, and more generally on health and safety.

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BMC § 23B.32.040 provides that a use permit may be approved as submitted or modified only if the proposed project will not be detrimental to the health, safety, comfort or general welfare of the neighborhood or injurious to the adjacent properties, the surrounding area or neighborhood. In this case there is substantial evidence that the project will have a detrimental impact on safety and will be injurious to the neighboring properties due to flooding. As a result, unless these impacts are mitigated, the project does not satisfy the zoning requirements of the BMC. The City must therefore impose requirements to address these concerns. This includes the following studies, and engineering consistent with recommendations drawn from those studies.

A focused geotechnical and groundwater investigation is necessary to address the following:

- A detailed geotechnical and groundwater evaluation is necessary to determine subsurface drainage conditions so that existing groundwater release preferential pathways are not impacted during construction of the project. A geotechnical and groundwater evaluation would allow for a proper evaluation of the surface and subsurface conditions of the site to determine impacts of the proposed development on the surrounding properties and to establish additional engineering controls necessary to avoid future risks. Additional information on site soil properties and depth to groundwater is also needed to support design of proposed site facilities as previously noted.
- Characterize on-site soil conditions to support site-specific geotechnical structural design and storm-water management/low impact development (LID) measures.
- Identify the precise location of the filled former creek channel alignment in order to design the project accordingly in order to avoid placing structures directly over the historic creek or to design engineering controls to mitigate future risks of building over the former creek channel.
- Characterize local groundwater/subsurface conditions and associated wet weather flow paths.
- Develop geotechnical site-specific design recommendations to support structural stability of the proposed development and proper foundation design.

ZAB acknowledged these concerns during the hearing on the use permit application for this project, and acknowledged that the developer should conduct appropriate geotechnical studies and engineering consistent with the recommendations of such studies as a condition of, and thus prior to the issuance of, a use permit. This condition would exceed the typical requirement for such studies and engineering for the issuance of a building permit. However, condition number 13 of the ZAB Decision only requires the geotechnical study and engineering prior to issuance of a building permit, as would be typical, and in conflict with the ZAB decision expressed at the hearing. Additionally, the Decision contains a further condition inconsistent with the intent to require a comprehensive geotechnical study and further engineering. Condition 21 provides that the developer's drainage plan shall be as presented in the current design the developer has submitted, unless modified by the City's Building and Safety Decision. However, agreed by ZAB at the hearing, the study and engineering are to precede issuance of a use permit for the project. Thus, the drainage plan may have to be modified in accordance with the study and engineering prior to issuance of the use permit – and therefore prior to submission to the Building and Safety Division.

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Conditions numbers 13 and 20 are inconsistent with the actual conditions required by ZAB and voted on at the hearing. Moreover, those two conditions are internally inconsistent. Finally, as drafted, the Decision would not protect the neighborhood and neighboring properties from detrimental health and safety impacts because it does not require an adequate level of geotechnical review and scrutiny.

As a result, appellant appeals to the City Council to properly apply CEQA to this project and subject the project to appropriate environmental impact reporting requirements. In the alternative, and at a minimum the City Council should require further testing, and engineering consistent with the recommendations of the testing reports, as a condition of approval pursuant to its authority under the BMC.

Very truly yours,



Hussein Saffouri

Very truly yours,




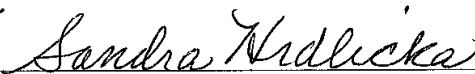
Rain Sussman


Signatures in Support on Following Page.

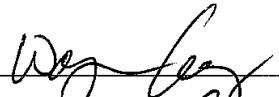
September 10, 2018
Page 6

Signatures in Support:

No. 1
Signed: 
Name: Pite Pan
Address: 1155 Hearst Ave
Date: 09/10/2018

No. 2
Signed: 
Name: Sandra Hrdlicka
Address: 1827 Curtis St.
Date: 9/10/18

No. 3
Signed: 
Name: Teal Major
Address: 1814 Curtis St
Date: 9/10/18

No. 4
Signed: 
Name: Wayne Cory
Address: 1159 B Hearst Ave
Date: 9-10-18

September 10, 2018
Page 7

No. 5

Signed: 

Name: Joseph Chen

Address: 1159 Hearst Ave. B

Date: 9/10/18

No. 6

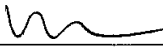
Signed: 

Name: Dena Giannopoulos

Address: 1151 Hearst Ave

Date: 9-10-18

No. 7

Signed: 

Name: Yashu Jiang

Address: 1163 Hearst Ave

Date: 9/10/18

No. 8

Signed: 

Name: PAUL STRAIN

Address: 1146 DELAWARE ST

Date: 9/10/18

September 10, 2018
Page 8

No. 9
Signed: Tracey Emerson
Name: Tracey Emerson
Address: 1157 Hearst Ave.
Date: 9/10/18

No. 10
Signed: Barbara Getz
Name: Barbara Getz
Address: 1146 Delaware St
Date: 09/10/18

No. 11
Signed: Bill Oies
Name: Bill Oies
Address: 1143 HEARST ave
Date: 9/10/18

No. 12
Signed: Jonathan Redden
Name: Jonathan Redden
Address: 1139 Hearst Ave apt A
Date: 9/10/18

September 10, 2018
Page ~~11~~ 9

No. 13

Signed: Blaze Woodley

Name: Blaze Woodley

Address: 1812 CURTIS Street

Date: 9-10-18

No. 14

Signed: Madison Williams

Name: Madison Williams

Address: 1814 Curtis St

Date: 9/10/18

No. 15

Signed: Rolf Williams

Name: Rolf Williams

Address: 1814 Curtis St

Date: 9/10/18

No. 16

Signed: Alma Parris

Name: Alma Parris

Address: 1812 Curtis St.

Date: 9/10/18

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No. 17

Signed: Stacey Shulman

Name: Stacey Shulman

Address: 1818 Curtis St.

Date: 9/10/18

No. 18

Signed: Alan Spector

Name: Alan Spector

Address: 1818 Curtis St.

Date: 9/10/18

No. 19

Signed: Damien Curry

Name: Damien Curry

Address: 1815 Curtis St

Date: 9/10/18

No. 20

Signed: Amy Billstrom

Name: Amy Billstrom

Address: 1815 Curtis St

Date: 9/10/18

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No. 21
Signed: A. Stukin
Name: ANIA STUKIN
Address: 1145 HEARST
Date: 9/10/2018

No. 22
Signed: MA
Name: MALGORZATA KACPRZAK
Address: 1147 HEARST AV.
Date: 9/10/2018

No. 23
Signed: Masanori Oba
Name: MASANORI OBA
Address: 1159 HEARST AVE APT. A, Berkeley
Date: 09/10/2018.

No. 24
Signed: Pam Ormsby
Name: Pam Ormsby
Address: 1148 Delaware St.
Date: 9/10/18

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No. 25

Signed: Vijay

Name: VIJAY VENUGOPAL

Address: 1826 CURTIS ST, BERKELEY, CA 94702

Date: 9/11/18

No. 26

Signed: Joseph Michael

Name: Joseph Michael

Address: 1819 1/2 Curtis St, Berkeley, Ca. 94702

Date: 9/11/18

No. 27

Signed: Sylvie Woog

Name: Sylvie Woog

Address: 1210 Hearst Ave.

Date: Sept. 11, 2018

No. 28

Signed: Claude Sprague

Name: Claude Sprague

Address: 1210 Hearst Ave

Date: Sept. 11 2018

September 10, 2018
Page 13

No. 29

Signed: Dale Ananias

Name: Dale Ananias

Address: 1819 Curk St Berkeley 94702

Date: 9/11/18

No.

Signed: _____

Name: _____

Address: _____

Date: _____

No.

Signed: _____

Name: _____

Address: _____

Date: _____

No.

Signed: _____

Name: _____

Address: _____

Date: _____

ATTACHMENT 6

**NOTICE OF PUBLIC HEARING – BERKELEY CITY COUNCIL
BERKELEY UNIFIED SCHOOL DISTRICT BOARD ROOM,
1231 ADDISON STREET**

ZAB APPEAL: USE PERMIT #ZP 2016-0028, 1155-73 HEARST STREET

Notice is hereby given by the City Council of the City of Berkeley that on **TUESDAY JANUARY 29, 2019 at 6:00 P.M.** a public hearing will be conducted to consider an appeal of a decision by the Zoning Adjustments Board to approve Use Permit #2016-0028, to develop two parcels, including the substantial rehabilitation of the existing seven dwelling units and construction of six new, for-sale dwelling units.

A copy of the agenda material for this hearing will be available on the City's website at www.CityofBerkeley.info as of **January 17, 2019**

For further information, please contact Leslie Mendez, Project Planner at (510) 981-7426. Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council 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 the City Council, 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 City Clerk. 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 City Clerk at 981-6900 or clerk@cityofberkeley.info for further information.

Mark Numainville, City Clerk

Mailed: January 15, 2019

NOTICE CONCERNING YOUR LEGAL RIGHTS: *If you object to a decision by the City Council to approve or deny (Code Civ. Proc. § 1094.6(b)) or approve (Gov. Code 65009(c)(5)) an appeal, the following requirements and restrictions apply: 1) Pursuant to Code of Civil Procedure Section 1094.6, no lawsuit challenging a City decision to deny or approve a Zoning Adjustments Board decision may be filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a Zoning Adjustments Board decision, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.*

If you challenge the above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Berkeley at, or prior to, the public hearing. Background information concerning this proposal will be available at the City Clerk Department and posted on the City of Berkeley webpage at least 10 days prior to the public hearing.

SUPPLEMENTAL COMMUNICATIONS AND REPORTS 1

BERKELEY CITY COUNCIL REGULAR MEETING

DATE OF MEETING: TUESDAY, JANUARY 29, 2019

TIME: 6:00 P.M.

The agenda packet for this meeting was distributed/posted on January 17, 2019. Communications in this supplement were received after 5pm on January 14, 2019. This communication packet was distributed/posted on January 24, 2019.

Consent Calendar

Each item in this supplement follows the corresponding item on the City Council Agenda for this date.

Item #12: Vision Zero: Eliminating Pedestrian, Bicyclist and Traffic Injuries and Fatalities

24. Noah Nathan

Action Calendar – Public Hearing

Item #14: ZAB Appeal: 1155-1173 Hearst Ave

25. Guy Sussman

26. Rain Sussman

Benado, Tony

From: Guy Sussman <skyguy1299@gmail.com>
Sent: Tuesday, January 22, 2019 8:45 AM
To: rkersarwani@cityofberkeley.info; All Council
Subject: 1155 Hearst Ave Appeal
Attachments: ZAB_hearing_Leslie_highlight_20180823.doc

Dear Ms. Kersarwnai and the members of the Berkeley City Council

Thank you for attending a meeting with the neighbors regarding the project at 1155 Hearst Ave (ZP2016-0028). My name is Guy Sussman. Since the spring of 2015, I have been assisting my daughter (Rain Sussman, 1824 Curtis St) and concerned neighbors, many of whom live on lots adjacent to the development.

Let me cut to the chase. Four years ago, we hired consultants who will document to the City Council that this project, by law, requires a CEQA study. We are not asking the city council to stop this project. We are asking the City Council to take measures that will assure a) future residents of the project, b) neighboring residents AND c) the City Council that:

1. This project will have no negative impact on the environment and
2. The city will insulate itself from legal action should the completion of the project, as currently designed, result in negative environmental impact.

Free from pressures of the neighbors' anxieties, the developers' desire for profitability and the politics of local government, a CEQA study will objectively research the impact of the project on the environment.

Specifically our consultants, Attorney Hussein Saffouri and hydrologist Dr. Lucas Paz, will document that the project must, by law, be excepted from the CEQA exemption.

For a project to qualify for an exception to a CEQA exemption, two conditions must be satisfied. When these conditions are satisfied, a CEQA study is required (*Berkeley Hillside Preservation v. City of Berkeley* - Case Nos. S201116, A131254):

1. **"... The activity will have a significant effect on the environment due to unusual circumstances"**. At the ZAB meeting, Leslie Mendez of the Planning Department agreed that this condition applies because of "... the level of water in the area" (see attachment).
2. **"... There is substantial evidence in the record of a fair argument that there may be a significant effect on the environment"**.

Mr Saffouri and Dr Paz will present substantial evidence from the record that these conditions are met. Indeed since planning has acknowledged that the first condition is already satisfied, all that the consultants need satisfy is the second condition. As well, the consultants will show several other conditions which require a CEQA study. I'm sure you will have many questions for them and they will welcome you inquiries.

Thank you for your attention.

Guy Sussman

**Leslie Mendez Testimony
at the
Berkeley ZAB Meeting August 23, 2018
Transcriptions with time stamps
Found at following web address:**

http://berkeley.granicus.com/MediaPlayer.php?publish_id=272125b3-aa38-11e8-abea-00505691de41

Transcribed by Guy Sussman September 4, 2018

Timestamp: 0:12:56

Leslie:

The main issues as highlighted in the staff report and some of them we went over back in September since most of you are new to this day. One is hydrology. And the site is has a lot of groundwater, high water table excuse me. Perhaps an underwater creek – what have you. At the time of application, the applicant submitted a hydrology report which is not one of our standard submittal requirements. We did hire a peer reviewer to peer review the technical report. And after the peer review, that report was modified and staff has added conditions of approval to the recommended project approval – which is number 18 to address the hydrology issues. Some of the neighbors hired their own professional hydrologist who came up with some different conclusions. So there is a bit of a battle of the experts going on. But it is clear that there is a lot of surface water in this area. And I'm sure that the applicant and the neighbors would be able to fill you in further on any more technical questions you may have about the hydrology.

Another issue is about the existing tenants in the rent controlled units...

Timestamp 0:14:21

Discussion of rent control and mini-dorms and errata

Timestamp 0:19:05

Leslie:

And that concludes staff presentation. If you have any questions.

Charles:

I do have one question Leslie. A lot of us here are not seasoned experienced zoning board members. And I think one of the points of confusion for the general public not just for us about how projects are vetted to see that they're consistent with all the legal statutes of CEQA. The California Environmental Quality Act. And I see in your staff report that the CEQA determination – that this is a categorically exempt project, which is the highest level of exemption. Because the infill projects by state law are categorically exempt. Could you just flush that out a little bit. I see that there are some neighbors who are concerned with the CEQA and I'd just like to satisfy their concerns.

Timestamp: 0:20:00

Leslie:

Definitely. I'm not sure we definitely will satisfy their concerns because it is one of the issues of contention.

A categorical exemption does have a list of exceptions within the guidelines. That is if one of those exceptions applies to the property, it is no longer categorically exempt. And one of them is something that is called unusual circumstances. And I will just read something that I printed out that will hopefully not. It's the information I have. I think there is still going to be some contention. But it does say that "*a party challenging an agency's categorical exemption determination on the basis of the unusual circumstances exception applies generally has the burden to show both unusual circumstances, for example the project has some feature distinguishing it from others in the exempt class*" which I think we all could agree would apply to this project at the level of water in the area. And the second is "*a reasonable possibility of a significant affect on the environment due to those unusual circumstances*". So it is staff's opinion that the hydrology report submitted by the professional that we also had peer reviewed has not shown this burden that the neighbors don't agree.

Charles:

OK so to summarize it helps me to understand by repeating what I've heard. The hydrology situation on this site is significant but the report from the hydrologist that reviewed the site. And I understand that there is some contention about this in the community. At least the report from the professional hydrologist that was submitted to you shows that it is not significant impact on the community.

Leslie:

That is correct. And the neighbors some of the neighbors met with our – a member of our public works who works with streams also did not also commented that it wasn't an issue raising to the CEQA level. So again that could be obviously in an issue of contention (inaudible)

Charles:

Yea so I'm sure we'll hear plenty about this from the community and there may be some more questions from us after we do. But it's just good to be kind of preped for where we're headed here. Thank you,

Timestamp: 0:22:27

Benado, Tony

From: Rain Sussman <rain.sussman@gmail.com>
Sent: Tuesday, January 22, 2019 3:31 PM
To: All Council
Subject: 1155-73 Hearst Av - Appeal ZAB Decision Use Permit #ZP2016-0028

Dear Mayor Arreguin and members of the City Council,

Happy New Year and welcome to the new Councilmembers, including our district representative Rashi Kesarwani. After our neighborhood meeting with Councilmember Kesarwani last night, I want to revisit some of the issues we discussed pertaining to the rent-controlled units on the property. Although this is not the basis of our appeal, I feel it is crucial that the City Council be aware of these issues.

As a reminder, the proposed condo development would result in:

Net gain of 6 units of market rate housing stock

Net loss of 6 unit of rent controlled housing stock

I fully support the construction of new dwellings in Berkeley to meet the demand for both market rate and BMR housing, but I am very concerned about the destruction of rent controlled housing for this purpose. Rent controlled housing stock is an essential and precious BMR resource that needs to be conserved whenever possible.

I strongly disagree with the argument that rent controlled housing isn't "affordable housing" because of vacancy decontrol. In the current inflationary climate, rent controlled housing is only market rate for a brief time (immediately after vacancy decontrol) and is essential for maintaining strong communities where both owners and renters can enjoy long-term housing security. I was relieved to hear that Councilmember Kesarwani also values the conservation of rent-controlled housing stock.

Since its inception, the Hearst Avenue condo project has threatened existing rent-controlled housing stock and the long-term tenants who live there. These tenants are my friends and neighbors, and the prospect of their eventual displacement and replacement with mini-dorm residents is heartbreaking for me.

As a child, I witnessed the gentrification of a Manhattan neighborhood where my family was fortunate to buy an apartment in the 1970s. For a time, my neighborhood was wonderfully diverse, with a mixture of renters and owners, and no obvious social distinctions between the two. The community was full of immigrants, teachers, social workers, artists, retirees, young professionals, and also families who were struggling to make ends meet. However, over time, rents rose, rent-controlled units converted to condo, and those who couldn't afford to buy in had to move away. Today, the Upper West Side is one of the wealthiest neighborhoods in New York, and the diverse and inclusive community where I grew up is a nostalgic dream.

The Berkeley neighborhood where I now live reminds me a lot of the Upper West Side in the 70s and 80s. We are immigrants, teachers, social workers (like myself), artists, retirees, young professionals, and also families who are struggling to make ends meet. Communities like ours represent the heart and soul of Berkeley, and of the Bay Area. Although gentrification would certainly improve my property values, the type of gentrification I witnessed in NY is a violation of my personal values. I am doing what I can to prevent a replay of that story in Berkeley, such as supporting Ballot Measure 10 and supporting my neighbors whose rent-controlled housing is planned for condo conversion.

While we may not have any legal recourse for preventing the demolition of the rent-controlled housing units on Hearst Ave, I do wish that the applicant had found a way to execute what he had originally promised the tenants (but didn't

commit to on paper): a mixed condo/rental property that added ownership units while preserving in perpetuity the rent-controlled units and the existing tenants' occupancy rights.

In the end, he said it wouldn't pencil (wouldn't be profitable). But we know - from his statements to neighborhood property owners and his own written statements - that he never planned to include rent-controlled units in the project in perpetuity. He told the tenants that story, while telling the neighboring property owners and (by his admission) his loan officers that all the units would be condos. He tried to keep the neighboring property owners and rent controlled tenants apart, holding separate meetings for each group and giving us different information. He remained vague when pressed for clarification by the city planner, while spinning her around in circles with his mind-bogglingly confusing density bonus calculations (described as "the most Byzantine this Board has even seen" by the ZAB chair).

In a dramatic twist, the applicant announced his abandonment of this plan (Byzantine density bonus, contradictory ownership/rental promises) at the ZAB meeting itself, frustrating everyone there who had come prepared to discuss the plan as proposed. In the face of massive community turnout, with every speaker opposed to the project, he may have realized that vague answers would not be enough, and the many contradictions in his plans would be exposed.

We now have a much simpler plan before us, one that is honest about the intent to replace rent controlled units with condos. Although rent controlled housing stock is irreplaceable, the applicant was encouraged by ZAB (at the more recent meeting) to consider voluntarily adding BMR *ownership* units to his current plan. He declined to do so, presumably to maximize profits. As a reminder, the two lots were purchased for a total of around 2m, so profit margins on the 13 proposed condos will be substantial. Those profit margins also incentivize the owner to move the existing rent-controlled tenants out as quickly as possible, particularly amid rumors of an upcoming recession.

Although there is no law to prevent the demolition of the rent-controlled units, I would ask the City Council to do everything they can to protect the tenants who live there, strengthening the Conditions of Approval in any way possible, to ensure that our neighbors can live in this community for as long as possible.

As they expressed to Councilmember Kesarwani in a meeting last night, the tenants are in a very vulnerable position and feel justifiably scared. Please take into consideration that the applicant has not acted in good faith with the tenants thus far, and that he has even less incentive to do so after the permits are issued.

Sincerely,

Rain Sussman

1824 Curtis Street

SUPPLEMENTAL COMMUNICATIONS AND REPORTS 2

BERKELEY CITY COUNCIL REGULAR MEETING

DATE OF MEETING: TUESDAY, JANUARY 29, 2019

TIME: 6:00 P.M.

The agenda packet for this meeting was distributed/posted on January 17, 2019. Communications in this supplement were received after 5pm on January 22, 2019. This communication packet was distributed/posted on January 28, 2019.

Consent Calendar

Each item in this supplement follows the corresponding item on the City Council Agenda for this date.

Item #12: Vision Zero: Eliminating Pedestrian, Bicyclist and Traffic Injuries and Fatalities

27. Revised materials, submitted by Councilmember Droste

Action Calendar – Public Hearing

Item #14: ZAB Appeal: 1155-1173 Hearst Ave

- 28. Lena Nitsan
- 29. Libby Lee-Egan
- 30. Rhiannon
- 31. Julia Cato
- 32. Berkeley Tenants Union

Action Calendar

Item #18: Adopt the Sanctuary Contracting Ordinance proposed by the Peace and Justice Commission

33. Janice Greenberg

Information Reports

Item #22: Referral Response: Establishment of a Festival Grants Program

34. Revised materials, submitted by Office of Economic Development

Berkeley Considers

Item #12: Vision Zero: Eliminating Pedestrian, Bicyclist and Traffic Injuries and Fatalities

35.224 Communications submitted via Berkeley Considers, includes summary information.

Benado, Tony

From: Lena Nitsan <lenanitsan@gmail.com>
Sent: Thursday, January 24, 2019 8:24 AM
To: All Council; Berkeley Mayor's Office; Kesarwani, Rashi
Subject: re appeal of ZAB permit #ZP2016-0028, 1155-1173 Hearst

Dear City Council Members and Mayor Jesse Arreguin,

My name is Lena Nitsan, and I currently live at 1173 Hearst Avenue with five other friends. We are writing in support of appealing the ZAB's decision to approve Use Permit #ZP2016-0028 at 1155-73 Hearst Ave. The appeal hearing will be held before the City Council on January 29th. We ask that the City Council deny this project or have it remanded to the Planning Commission so that a more appropriate project can be developed. This project should not move forward for the following reasons: It should not be exempt from a CEQA study because it will have significant impact on the environment; it will displace current tenants; and its developers have repeatedly failed to take into consideration the neighborhood's input and concerns and have acted in bad faith and with disrespect to the existing community.

As residents of the single-family home neighboring the rent-controlled units, we are concerned about the lack of transparency and 'oversights' that have occurred regarding our property. We were informed when we moved in that the construction would not impact us, but management of the properties has changed, and management has been consistently patronizing and unresponsive to our concerns, including refusing to answer how the development will impact us, whether we will be forced to move, or to continue living in a construction zone. They entered our backyard without notice to do some activity related to the development project, attempted to raise our rent in a breach of our contract, and have not appropriately responded to and compensated us for issues like broken appliances or the serious health issue of mold that is present in our house. When we went to the ZAB meeting where they approved this project, it was clear that the developers had not informed the ZAB that there are people living in the single-family home we are currently living in. We are concerned about our rights as tenants, as they are different from our neighbors' because we are not rent-controlled. However, even though we are technically not rent-controlled, our unit is additional affordable housing that stands to be lost if this development goes through. This lack of transparency has been consistent throughout the planning process, and there were no public comments in favor of the project at either ZAB hearings.

In addition, this proposal should never have been exempted from CEQA because there are unusual circumstances related to the property, and there is reasonable possibility that the proposed development will have a significant impact on the environment due to a buried creek on the property. The soil's stability has never been properly investigated by an engineer and it is unsafe to build on without a focused geo-technical study. There is also severe seasonal flooding on the property and on many neighboring properties. The developer's drainage plan has been deemed incomplete and inadequate by two peer reviewers. The development would likely exacerbate existing flooding problems and harm neighboring properties. Additionally, the proposed drainage plan to discharge more water into the Hearst Ave drains, which are already inadequate, will lead to more flooding on the streets and sidewalks, creating safety concerns for residents and passersby, especially older folks and people with disabilities. A full CEQA study should be conducted to quantify and qualify this project's environmental impact and allow for public feedback and more oversight to hold the developers accountable.

We also fully support our rent-controlled neighbors in their attempts to remain in their homes and not be forced to relocate to outside of the community. They have been here many years and should not be intimidated or pushed out because of this development. New housing is desperately needed in Berkeley, but it should not come