



Z O N I N G
A D J U S T M E N T S
B O A R D
M E M O R A N D U M

FOR BOARD ACTION
MAY 26, 2022

1151 Grizzly Peak Boulevard

Administrative Use Permit ZP#2021-0088 to legalize two Accessory Buildings in the rear yard of a Single-Family Dwelling.

At the April 28, 2022 Zoning Adjustments Board (ZAB) hearing, Staff presented the proposed project followed by the applicant's presentation. After the ZAB heard public comment and discussed the project, and the item was continued to the May 26, 2022 hearing.

The applicants and the neighbor at 25 Stoddard Way and her attorney, are unable to attend the May 26, 2022 hearing due to previous commitments. The applicants are unavailable through July and need time upon their return to prepare responses to ZAB comments regarding relocation of the northern accessory building.

Staff requests that this item be **continued to September 8, 2022**.

Attachments:

1. Staff Report with attachments, dated September 9, 2021
2. Findings and Conditions
3. Plans

Staff Planner: Samantha Updegrave, supdegrave@cityofberkeley.info, (510) 981-7414



Z O N I N G
A D J U S T M E N T S
B O A R D
S T A F F R E P O R T

FOR BOARD ACTION
SEPTEMBER 9, 2021

1151 Grizzly Peak Boulevard

Administrative Use Permit ZP#2021-0088 to legalize two Accessory Buildings in the rear yard of a Single-Family Dwelling.

I. Background

A. Land Use Designations:

- General Plan: LDR - Low Density Residential
- Zoning: R-1(H) - Single-Family Residential District, Hillside Overlay

B. Zoning Permits Required:

- Administrative Use Permit (AUP) to construct accessory buildings, under Berkeley Municipal Code (BMC) Section 23D.08.005.

C. CEQA Recommendation:

It is staff's recommendation that the project is categorically exempt pursuant to Section 15303 ("New Construction or Conversion of Small Structures") of the CEQA Guidelines. The determination is made by Zoning Adjustments Board (ZAB).

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.

A. Parties Involved:

- Applicant & Property Owner: Jeana Arabzadeh & Matt Jacobs,
1151 Grizzly Peak Boulevard, Berkeley

Figure 1: Vicinity Map

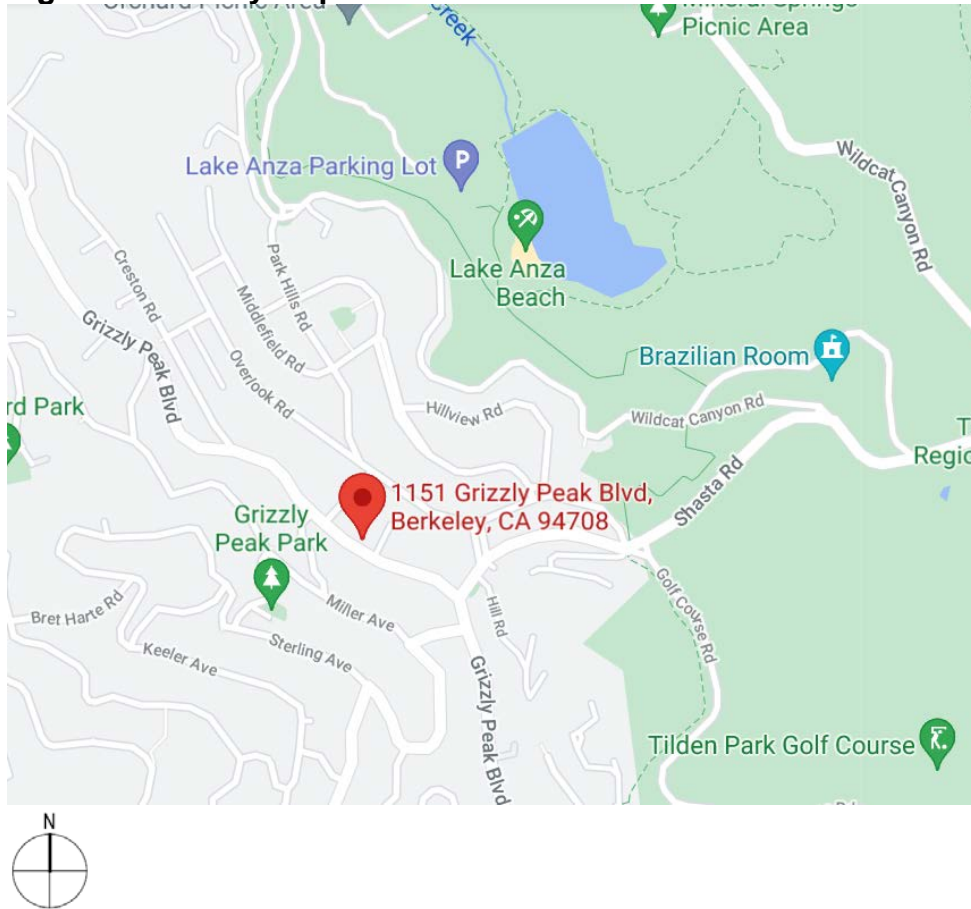


Figure 2: Area Map

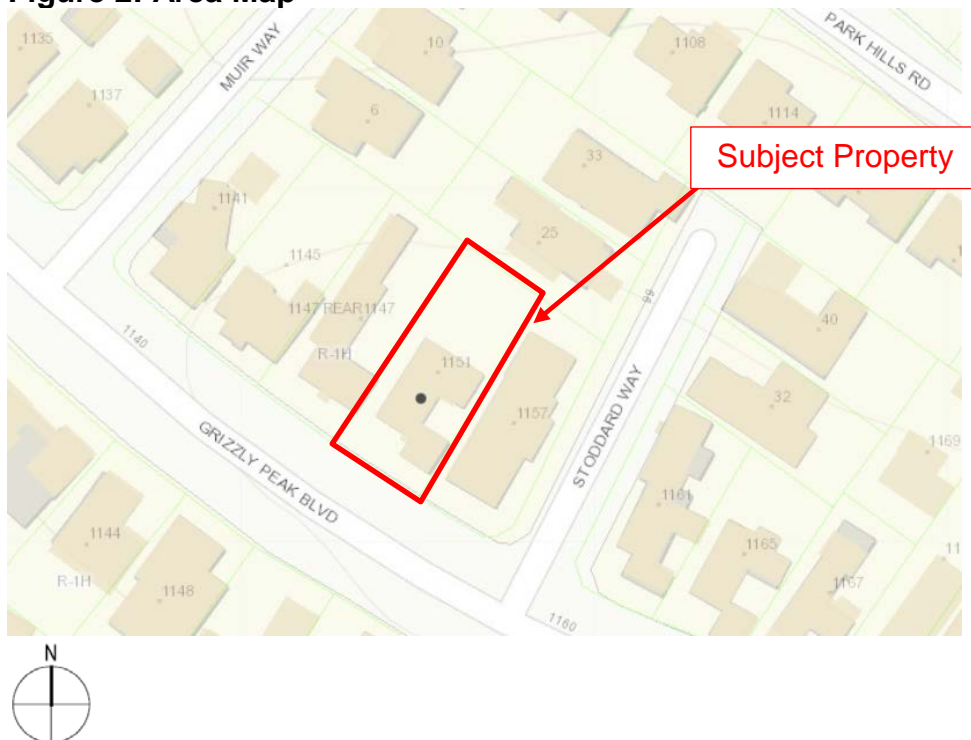


Figure 3: Site Plan

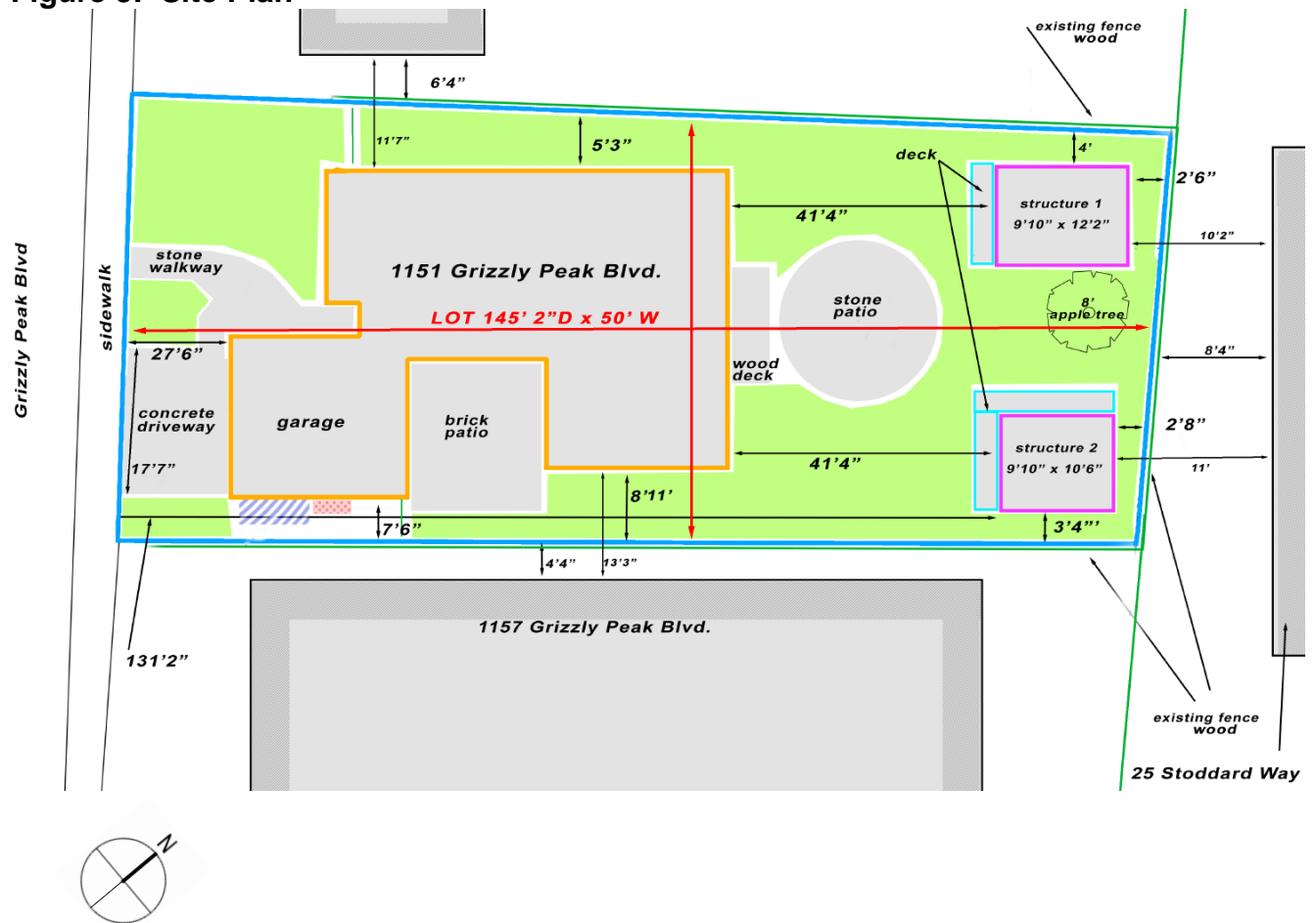


Table 1: Land Use Information

Location		Existing Use	Zoning District	General Plan Designation
Subject Property		Single-Family Dwelling	R-1(H)	LDR, Low Density Residential
Surrounding Properties	North	Single-Family Dwellings	R-1(H)	LDR, Low Density Residential
	South			
	East			
	West			

Table 2: Special Characteristics

Characteristic	Applies to Project?	Explanation
Affordable Child Care Fee for qualifying non-residential projects (Per Resolution 66,618-N.S.)	No	The project would not include non-residential floor area and therefore the Affordable Housing and Childcare Mitigation Fees do not apply.
Affordable Housing Fee for qualifying non-residential projects (Per Resolution 66,617-N.S.)		
Affordable Housing Mitigations for rental housing projects (Per BMC 22.20.065)	No	This fee applies to projects that involve five or more dwelling units on the same lot. The applicant does not propose to create any new dwelling units, and thus is not subject to the Affordable Housing Mitigation Fee.
Creeks	No	There are no creeks on the site.
Natural Gas Prohibition (Per BMC 12.80.020)	Yes	This project includes the legalization of two new accessory buildings, however, natural gas is not proposed.
Historic Resources	No	There are no historic resources on the site.
Oak Trees	No	There are no Oak Trees on the project site.
Seismic Hazards (SHMA)	No	The site not located within an area susceptible to liquefaction, Fault Rupture, or Landslides as shown on the State Seismic Hazard Zones map.
Soil/Groundwater Contamination	No	There is no history of contamination on the project site and is not located within the City's Environmental Management Area, and is a not on a state Cortese List.

Table 3: Project Chronology

Date	Action
June 23, 2021	Application fees paid and deemed submitted
July 23, 2021	Application deemed complete
August 26, 2021	Public hearing notices mailed/posted
September 9, 2021	ZAB hearing

Table 4: Development Standards

Standard BMC Sections 23D.16.070-080; 23E.96.070-080; 23D.08.020; and 23.08.030		Existing	Proposed (Total)	Permitted/Required
Lot				
Lot Area (sq. ft.)		7,315	No Change	5,000 min
Gross Floor Area (sq. ft.)		1,713	1,936 (+223)	n/a
Dwelling Units		1	1	1 max
Lot Coverage (%)		23.4	26.5	40% max
Usable Open Space (sq. ft.)		> 400	> 400	400 sq. ft. min
Parking (Automobile)		2	No Change	1 min
Accessory Building #1 (ceramics studio)				
Average Building Height		-	9' 8"	10' max. (may be exceeded w/ AUP per 23D.08.010.B)
Building Setbacks	Front	-	> 130'	75' min. (may be decreased w/ AUP per 23D.08.010.B)
	Rear	-	2' 6"	0' – 4' min. if average height of building less than 10' (may be exceeded w/ AUP per 23D.08.010.B)
	Left Side	-	4' 1"	0' – 4' min. if average height of building less than 10' (may be exceeded w/ AUP per 23D.08.010.B)
	Right Side	-	> 36'	0' – 4' min. if average height of building less than 10' (may be exceeded w/ AUP per 23D.08.010.B)
Accessory Building #2 (home office and gym)				
Average Building Height		-	9'5"	10' max. (may be exceeded w/ AUP per 23D.08.010.B)
Building Setbacks	Front	-	> 130'	75' min (may be decreased w/ AUP per 23D.08.010.B)
	Rear	-	2' 8"	0' – 4' min. if average height of building less than 10' (may be exceeded w/ AUP per 23D.08.010.B)
	Left Side	-	> 36'	0' – 4' min. if average height of building less than 10' (may be exceeded w/ AUP per 23D.08.010.B)
	Right Side	-	3' 4"	0' – 4' min. if average height of building less than 10' (may be exceeded w/ AUP per 23D.08.010.B)

II. Project Setting

- A. Neighborhood/Area Description:** The project site is in the North Berkeley hills in an area that is a mix of one-, two-, and three-story single-family dwellings. Lots in the neighborhood are generally rectangular with some irregularities due to existing slopes and curved roadways. The neighborhood hills generally slope downwards towards the southwest and provide primary views westward towards the San Francisco Bay. Given the hilly terrain and limited availability of on-street parking, the dwellings in the neighborhood tend to include attached one- or two-car garages within front yards
- B. Site Conditions:** The project site is generally rectangular, with its front property line along Grizzly Peak Boulevard, and is approximately 55 feet in width and approximately 142 feet in depth. The site slopes slightly upward from Grizzly Peak Boulevard to the rear of the property. There are no protected oak trees on the site. The lot conforms to the development standards for the zoning district, including density, height, yards, lot coverage, and useable open space.

III. Project Description and Background

- A. Project Description:** The applicants are proposing to legalize two new detached Accessory Buildings in the rear yard that were fabricated off-site and installed without receiving the applicable use permit and Zoning approval.

The Accessory Buildings would be used as a ceramics studio, and a home office and exercise space for the owner-occupants of the residence. Because the project originated as a Code Enforcement case to legalize these buildings and the neighbor to the rear of the subject property (25 Stoddard Way) has raised concerns about the project, Land Use staff is preemptively referring this AUP request to the Zoning Adjustments Board. The applicants were invoiced double fees as the request is to legalize Accessory Buildings constructed without permits.

- B. Project Background:** In May 2021, the applicants installed two pre-fabricated custom-built Accessory Buildings within the rear yard of the subject property. Accessory Building #1 is 120 square feet in area, used as a ceramics studio and is located on the northeast corner of the rear yard of the property. Accessory Building #2 is 103 square feet in area, used as a home office and exercise space and is located on the southeast corner of the rear yard. The applicants stated that they installed both pre-fabricated buildings following the closure of their previously used ceramics studio, workplace office and gym in Berkeley due to the COVID-19 Pandemic.

A neighbor contacted the City regarding the installation of the Accessory Buildings on the subject lot. Code Enforcement staff investigated the subject property in March 2021 and found that the structures are *habitable*, and therefore considered to be Accessory Buildings.

BMC Section 23F (Definitions) differentiates between *Accessory Buildings* and *Accessory Structures*, based on the use of the structure and whether it is considered habitable or non-habitable space:

Accessory Building: A detached building containing habitable space, which is smaller in size than the main building on the same lot, and the use of which is incidental to the primary use of the lot.

Accessory Structure: A detached structure, other than an Accessory Building, in which non-habitable uses or activities other than the principal use of the property are conducted. Residential Accessory Structures include, but are not limited to, enclosed structures such as garages, carports, garden or tool sheds, and non-enclosed structures such as, but not limited to, fences, gazebos, ground-mounted satellite dishes, skateboard ramps and wheelchair ramps. Non-residential Accessory Structures may include, but are not limited to, storage buildings, garages, sheds and other outbuildings.

Accessory Buildings, regardless of whether they meet the standards for size, location, and height, require zoning review and AUP approval¹, while Accessory Structures meeting those same standards are allowed outright. Based on the determination that these were Accessory Buildings, Code Enforcement staff directed the Applicants to submit an AUP to the Land Use Division. An application was submitted and accepted in June 2021.

In researching the project, Land Use staff found that the applicants had requested information from the Zoning Counter in August 2020 regarding the installation and construction of Accessory Structures, each under 120 square feet in area, and were directed to review and follow the development standards for Accessory Buildings and Structures in residential districts (BMC Sections 23D.08.020-030). However, it was not clear that the applicants were intending to install *habitable* structures that would meet the land use definition for Accessory Buildings, and the applicants were not informed that the issuance of an AUP by the Zoning Officer would be required to proceed.

The applicant is not requesting any additional AUP's to exceed the stated development standards of the Accessory Buildings and Structures. Additionally, as the subject property is not non-confirming due to lot coverage or density, a Use Permit application is not required.

IV. Community Discussion

- A. Neighbor/Community Concerns:** On August 26, 2021, the City mailed 126 public hearing notices to property owners and occupants, and to interested neighborhood organizations and the City posted notices within the neighborhood in three locations. At the time of this writing, staff has received one email communication regarding the project from the property owner of the property to the rear located at 25 Stoddard Way. See Attachment 5.

¹ Additional AUPs may be granted to exceed these standards pursuant to BMC 23.08.010.B.

- B. Committee Review:** The project is located in a residential district; therefore, Design Review is not applicable to the project.

V. Issues and Analysis

- A. Administrative Use Permit Approval for Accessory Buildings in Residential Districts:** Pursuant to BMC Section 23D.08.005.A.1, the two recently installed Accessory Buildings in the rear yard of the subject property without approval of a Zoning Permit must be authorized by an Administrative Use Permit.
- B. Development Standards for Accessory Buildings in Residential Districts:** BMC Sections 23D.08.020 and 23D.08.030 establish standards for the height and location of Accessory Buildings and Structures.

Per Table 4 above, the Accessory Buildings would meet or exceed all development standards required by BMC Sections 23D.08.020 and 23.08.030 including height limits and minimum setback distances. The Accessory Buildings would meet the required side setbacks which allow an Accessory Structure or Building up to 10 feet in average height within 4 feet of the side and rear property lines. They are setback 4 feet 2 inches and 3 feet 4 inches from the left- and right-side lot lines, respectively, and between 2 feet 6 inches – 2 feet 8 inches from the rear lot line. The Accessory Buildings are setback from the front property line by more than 75 feet.

The Accessory Buildings would meet the average height limit of 10-feet from grade. Accessory Building #1 would be used as a personal ceramic studio, and Accessory Building #2 would be used as a home office and gym. Neither contains bathroom facilities, and would not be used as dwelling units. Given the minimal windows facing the neighboring property, mature vegetation including trees, an existing wood fence, and the shadow studies provided by the applicant (See Attachment 3, Applicant Statement), it is not anticipated that the Accessory Buildings would be detrimental to the neighborhood or create significant impacts to light, air, views, or privacy.

Additionally, the Accessory Buildings also adhere to all site location and maximum length requirements (12 feet, 2 inches and 10 feet, 6 inches parallel to the side lot line where 24 feet is the maximum).

- C. General Plan Consistency:** The 2002 General Plan contains several policies applicable to the project, including the following:
1. Policy LU-7–Neighborhood Quality of Life, Action A: Require that new development be consistent with zoning standards and compatible with the scale, historic character, and surrounding uses in the area.
 2. Policy UD-16–Context: The design and scale of new or remodeled buildings should respect the built environment in the area, particularly where the character of the built environment is largely defined by an aggregation of historically and architecturally significant buildings.

3. Policy UD-24–Area Character: Regulate new construction and alterations to ensure that they are truly compatible with and, where feasible, reinforce the desirable design characteristics of the particular area they are in.
4. Policy UD-32–Shadows: New buildings should be designed to minimize impacts on solar access and minimize detrimental shadows.

Staff Analysis: The impacts to neighboring properties would occur on limited areas, and would be further reduced by the existing vegetation that currently creates shading and shadows. The Accessory Buildings would only partially shade a neighboring property to the west (1147 Grizzly Peak) for a few hours in the morning during the summer solstice, and the neighboring property to the north (25 Stoddard Way) for a few hours in the afternoon during the winter solstice, and will not result in a significant loss of direct sunlight on abutting residences. The Accessory Buildings are not expected to create significant privacy impacts to the immediate neighbors given that the average height is below 10 feet and the Accessory Building' windows do not face directly into the adjacent properties.

The existing Accessory Buildings to be legalized would meet or exceed all Zoning development standards. The design, scale and placement of windows and lighting do not cause impacts on the adjacent properties or neighborhood and would not impact quality of life or area character. The proposed uses (ceramic studio, home office and gym) are consistent with the type of low intensity residential use typically found in accessory buildings, will function as extensions of the main dwelling, and will not generate excessive noise, dust, odors, or other similar impacts

VI. Recommendation

Because of the project's consistency with the Zoning Ordinance and General Plan, and minimal impact on surrounding properties, staff recommends that the Zoning Adjustments Board: APPROVE ZP#2021-0088 pursuant to Section 23B.32.030 and subject to the attached Findings and Conditions (see Attachment 1).

Attachments:

1. Findings and Conditions
2. Project Plans, received June 23, 2021
3. Applicant Statement, received July 19, 2021
4. Notice of Public Hearing
5. Correspondence Received

Staff Planner: Layal Nawfal, lnawfal@cityofberkeley.info, (510) 981-7424

ATTACHMENT 1

FINDINGS AND CONDITIONS

SEPTEMBER 9, 2021

1151 Grizzly Peak Boulevard

Administrative Use Permit ZP#2021-0088 to legalize two Accessory Buildings in the rear yard of a Single-Family Dwelling.

PERMITS REQUIRED

- Administrative Use Permit (AUP) to construct Accessory Buildings, under Berkeley Municipal Code (BMC) Section 23D.08.005.

I. CEQA FINDINGS

1. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations, §15000, et seq.) pursuant to Section 15303 of the CEQA Guidelines (“New Construction or Conversion of Small Structures”).
2. 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 BMC Section 23B.28.050.A, 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:
 - A. The subject property will continue to conform to the applicable provisions of the Single-Family Residential District, Hillside Overlay, R-1(H) standards (BMC Section 23D.28.070) for maximum residential density (one dwelling unit, where only one is allowed), height (10 feet average height without approval of an AUP), lot coverage (26.5 percent lot coverage, where the maximum allowed is 40 percent), usable open space (in excess of 1,000 square feet provided where a minimum of 400 square feet is required), and parking (two off-street parking spaces where one is required). No changes will be made to the existing single-family dwelling; setbacks and building height will remain the same;
 - B. The proposed legalized Accessory Buildings will meet the height limits per BMC Section 23D.08.020.A (9 feet, 8 inches and 9 feet, 5 inches respectively in average height proposed where no accessory building may exceed 10 feet in average height when any portion of the building or structure is within 4 feet of a lot line). They also will also meet the setback requirements per BMC Section 23D.08.030 as the Accessory

Buildings will not encroach on the front half of the lot depth and are more than 75 feet from the front lot line. Additionally, the Accessory Buildings height (9 feet, 8 inches and 9 feet, 5 inches respectively), will not create new sightlines into abutting neighboring dwellings, and are adjacent to mature vegetation. For the reasons stated above, the proposed project will not have substantial impacts on sunlight or air, or views (as defined by BMC Section 23F.04.010 (Definitions) of adjacent properties;

- C. The proposed uses (ceramic studio, home office and gym) will be consistent with the type of low intensity residential use typically found in accessory buildings, will function as extensions of the main dwelling, and will not generate excessive noise, dust, odors, or other similar impacts;
- D. Per Condition of Approval #11, a "Notice of Limitation on Use of Property" will be signed and recorded with the County which will stipulate that no part of the Accessory Buildings shall be used or converted to use as a dwelling unit, and that a kitchen (as defined under BMC Section 23F.04.010 (Definitions)), will not be installed; and
- E. The proposed project is required to meet current Building and Safety Code and therefore, would not present a safety hazard to the residents on site, on adjacent properties or within the neighborhood.

STANDARD CONDITIONS

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 (BMC 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 (BMC 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.

5. Plans and Representations Become Conditions (BMC 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 (BMC 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 (BMC 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 (BMC 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.

ADDITIONAL CONDITIONS IMPOSED BY ZAB

Pursuant to BMC Section 23B.28.050.D, the ZAB attaches the following additional conditions to this Permit:

Prior to Submittal of Any Building Permit:

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

Project Liaison

_____ Name

_____ Phone #

Prior to Issuance of Any Building Permit:

11. Accessory Building: All owners of record of the subject property shall sign and record with the Alameda County Clerk-Recorder a "Notice of Limitation on Use of Property" (available from Land Use Planning Division) and provide a recorded copy thereof to the project planner. This Notice of Limitation shall stipulate that no part of this accessory building shall be used or converted to use as a dwelling unit unless and until permission is requested of the City of Berkeley and authorized a Use Permit, Administrative Use Permit, or Zoning Certificate, whichever is applicable. This limitation shall include the explicit acknowledgment that a full bathroom and cooking facilities may be installed, as long as the cooking facilities do not constitute a Kitchen per BMC Section 23F.04.010 (Definitions). This limitation may not be revised or removed from this property without the prior written permission of the Zoning Officer of the City of Berkeley.

Standard Construction-related Conditions Applicable to all Projects:

12. 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, pedestrian paths or vehicle travel lanes (including bicycle lanes);
- Storage of building materials, dumpsters, debris anywhere in the public ROW;
- Provision of exclusive contractor parking on-street; or
- 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, 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 1947 Center Street or 981-7500 for details on obtaining Construction/No Parking Permits (and associated signs and accompanying dashboard permits). Please note that the Zoning Officer and/or Traffic Engineer may limit off-site parking of construction-related vehicles if necessary to protect the health, safety or convenience of the surrounding neighborhood. A current copy of this Plan shall be available at all times at the construction site for review by City Staff.

- 13.** Construction activity shall be limited to between the hours of 8:00 a.m. and 6:00 p.m. on Monday through Friday, and between 9:00 a.m. and noon on Saturday. No construction-related activity shall occur on Sunday or on any Federal Holiday.
- 14.** 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.
- 15.** Subject to approval of the Public Works Department, the applicant shall repair any damage to public streets and/or sidewalks by construction vehicles traveling to or from the project site.
- 16.** 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 in thickness and secured to the ground.

17. All active construction areas shall be watered at least twice daily, and all piles of debris, soil, sand or other loose materials shall be watered or covered.
18. Trucks hauling debris, soil, sand, or other loose materials shall be covered or required to maintain at least two feet of board.
19. Public streets shall be swept (preferably with water sweepers) of all visible soil material carried from the site.
20. 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.
21. The applicant shall ensure that all excavation considers surface and subsurface waters and underground streams so as not to adversely affect adjacent properties and rights-of-way.
22. Any construction during the wet season shall require submittal of a soils report with appropriate measures to minimize erosion and landslides, and the developer shall be responsible for following these and any other measures required by the Building and Safety Division and the Public Works Department.
23. 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.
24. 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.

25. 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 CEQA Guidelines Section 15064.5 (e)(1). If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to Health and Safety Code Section 7050.5(c), 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.

26. 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.

Prior to Issuance of Occupancy Permit or Final Inspection:

27. All construction at the subject property shall substantially conform to the approved Use Permit drawings or to modifications approved by the Zoning Officer.

28. All landscape, site and architectural improvements shall be completed per the attached approved drawings dated 4/7/2021.

At All Times (Operation):

29. 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.

30. 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.

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

1151 GRIZZLY PEAK- ADMINISTRATIVE USE PERMIT #ZP2021-0088
September 9, 2021

FINDINGS & CONDITIONS
Page 8 of 8

- 32. Screening Required for Garbage Cans and Utility Meters.** All garbage cans must be effectively screened from view from the public right-of-way and surrounding properties.

Matt Jacobs

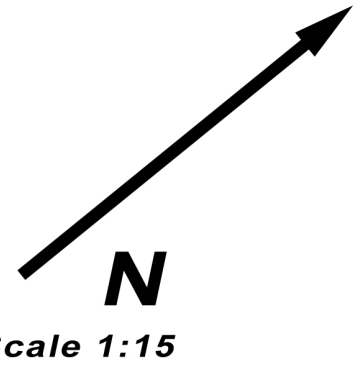
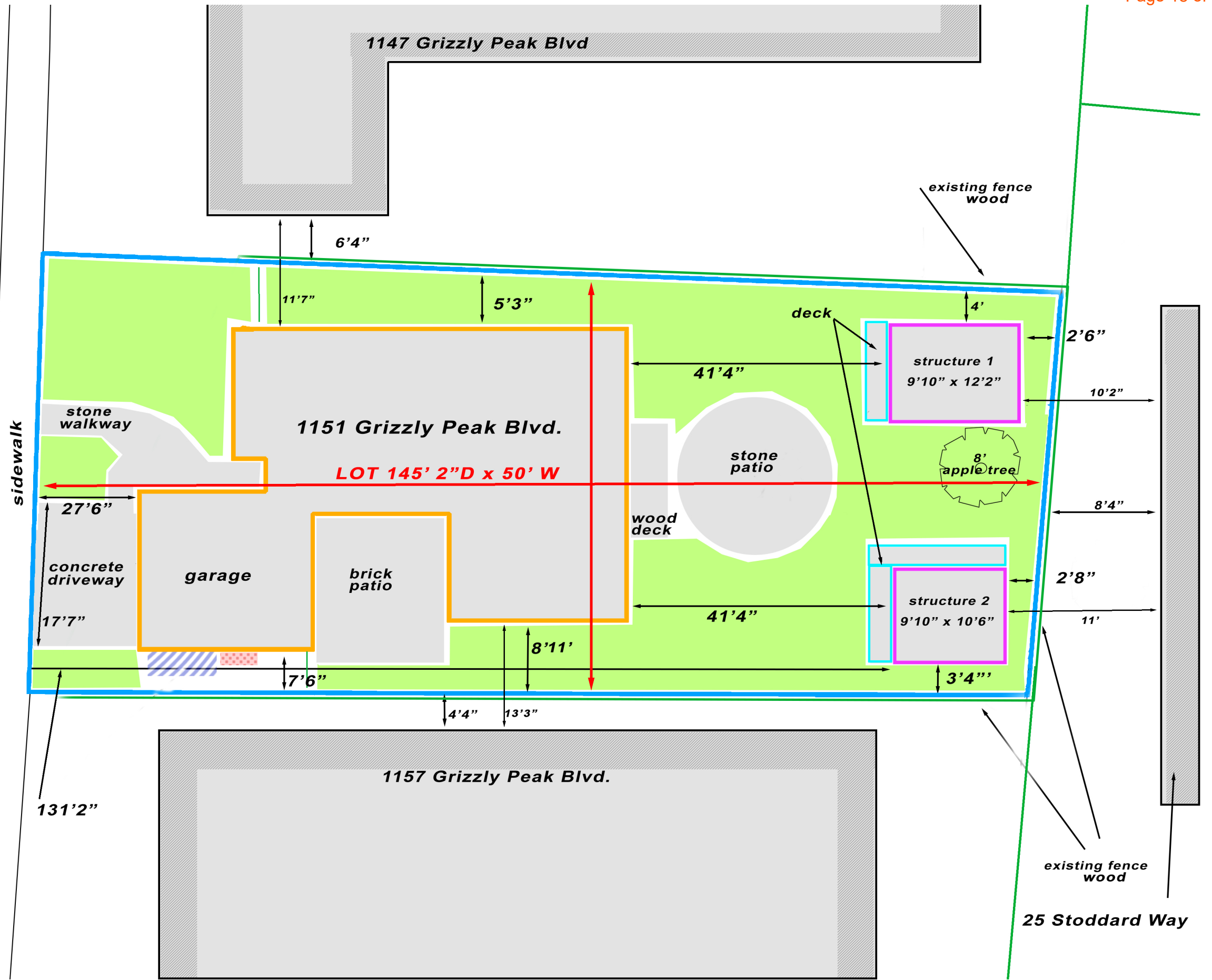
4/7/2021

1151 Grizzly Peak Blvd.
Berkeley CA 94708

Legend:

- property line
- new structures
- existing home
- existing fence
- waste/garbage
- utilities:
gas/electric
- landscaping

Grizzly Peak Blvd



Matt Jacobs

4/7/2021

1151 Grizzly Peak Blvd.
Berkeley CA 94708

Legend:

property line 

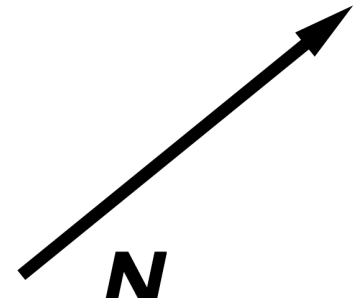
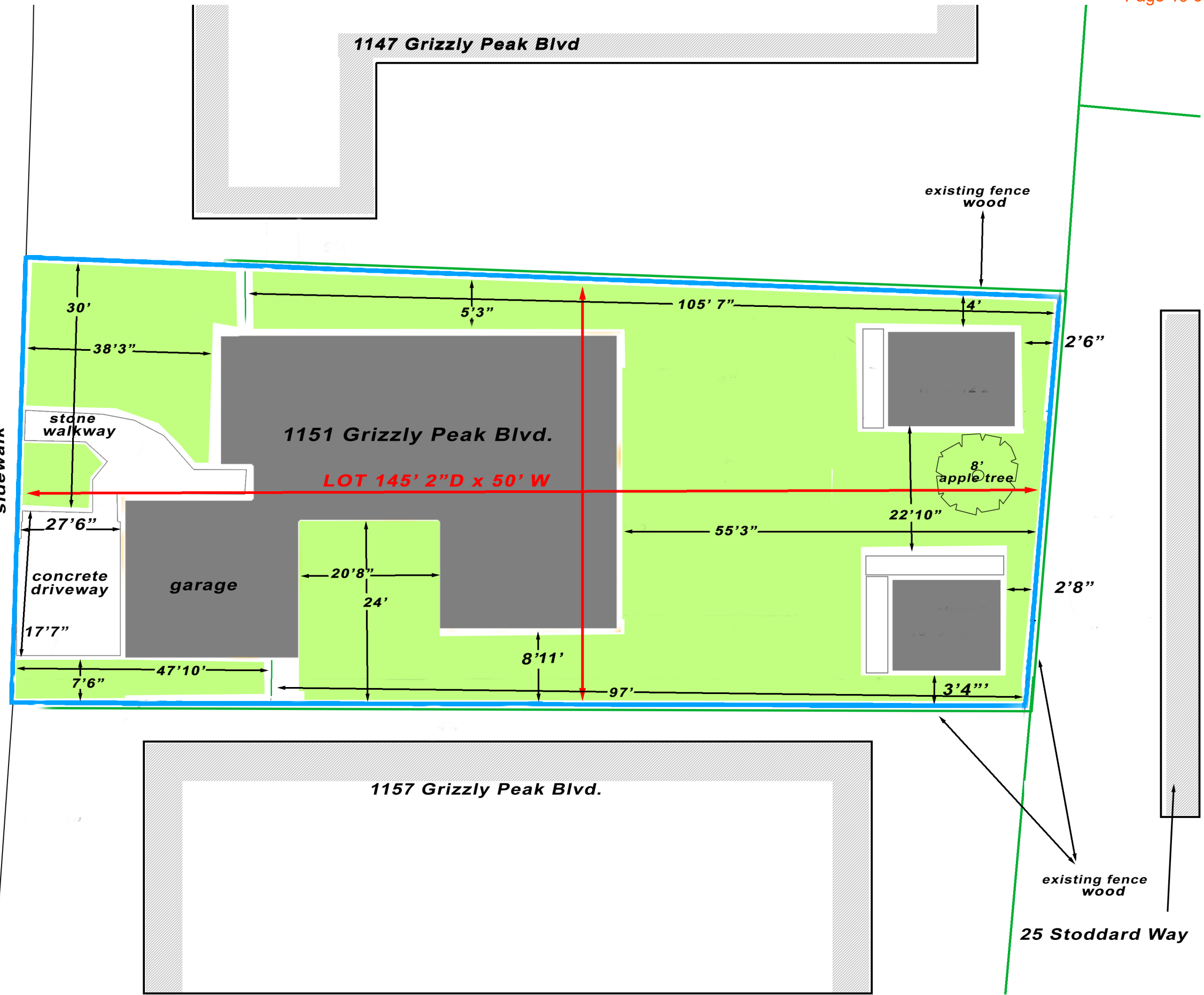
existing fence 

open space 

covered space 

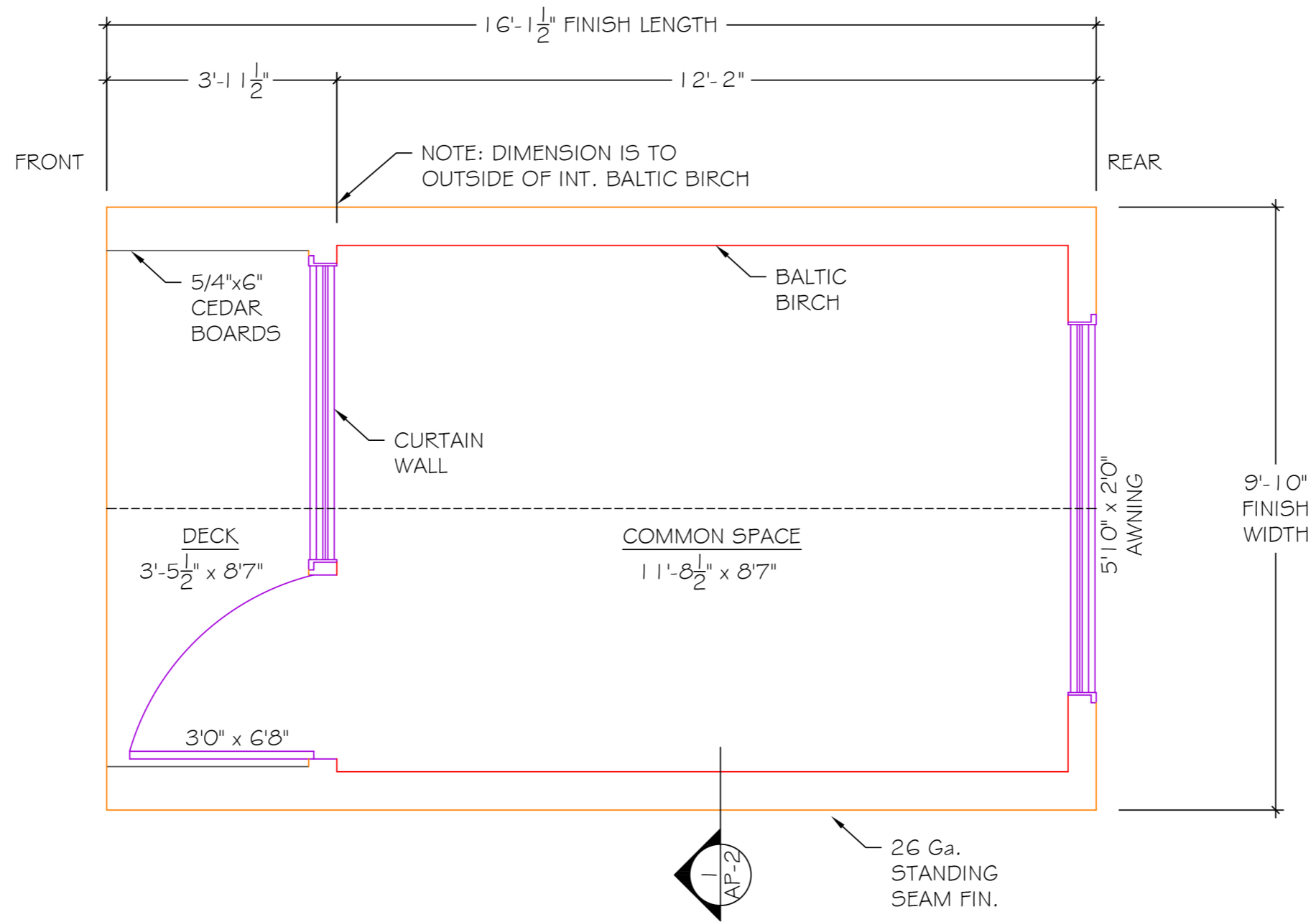
Grizzly Peak Blvd

sidewalk

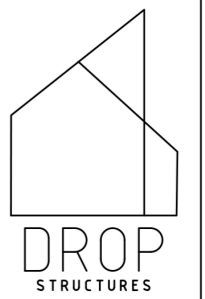


N
Scale 1:15

MONO
 BASE



1 FLOORPLAN
 AP-1 1/2" = 1'0"



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 Ph. 587.787.1656
 www.dropstructures.ca

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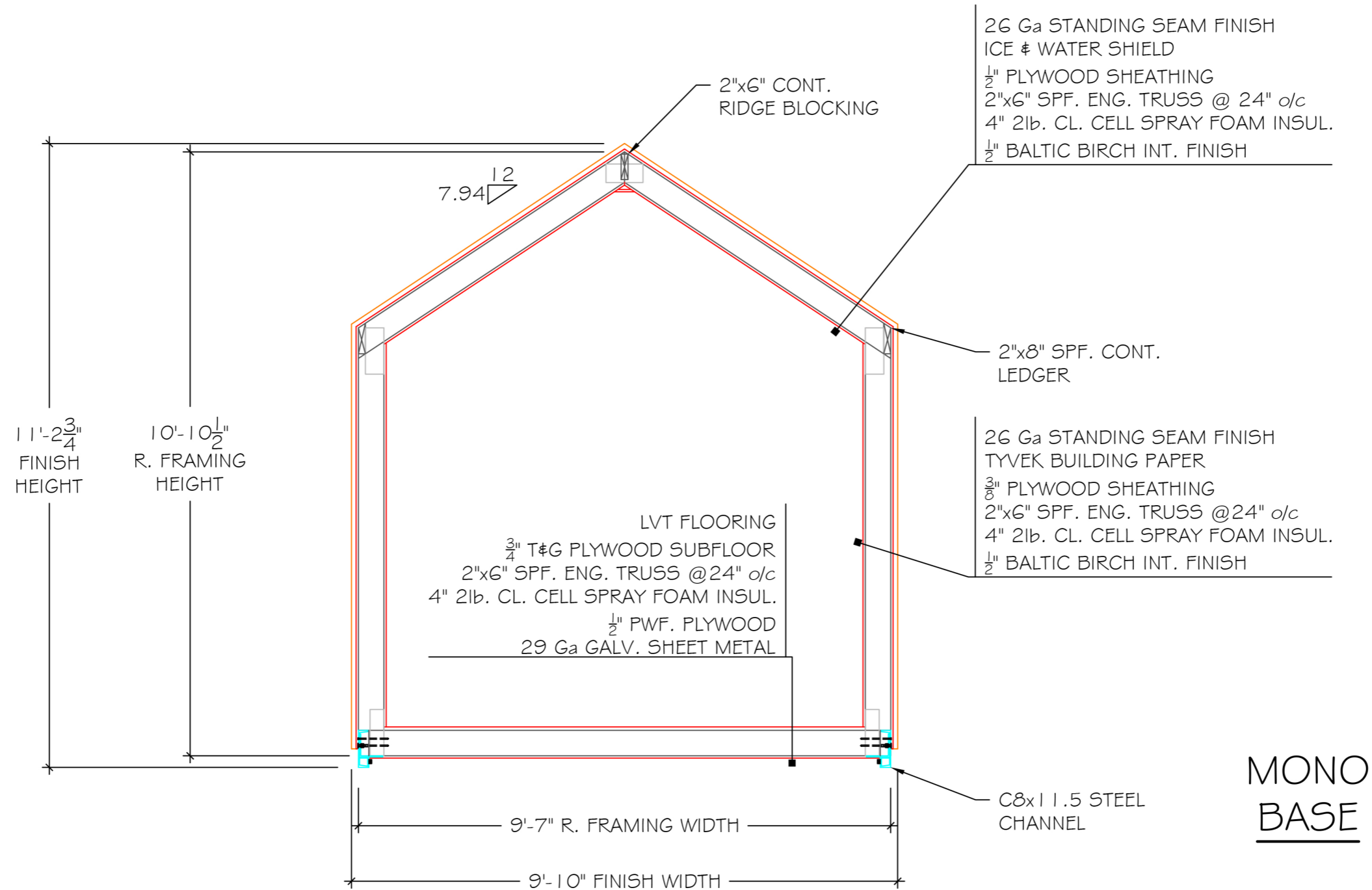
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 WITHOUT WRITTEN
 CONSENT.

PROJECT NO. MONO
 CLIENT ARABZADEH
 ADDRESS BERKELEY, CA

SCALE 1/2" = 1'0"
 DRWN BY CDH
 DATE 3/4/2021

SHEET NAME
 FLOOR PLAN

SHEET NO.
 AP-1



1 CROSS SECTION
AP-2 1/2" = 1'0"

NOTE: ALL CONSTRUCTION TO ADHERE TO A.B.C. 2019

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CLIENT ARABZADEH
ADDRESS BERKELEY, CA

SCALE 1/2" = 1'0"
DRWN BY CDH
DATE 3/4/2021

SHEET NAME
CROSS SECTION

SHEET NO.
AP-2



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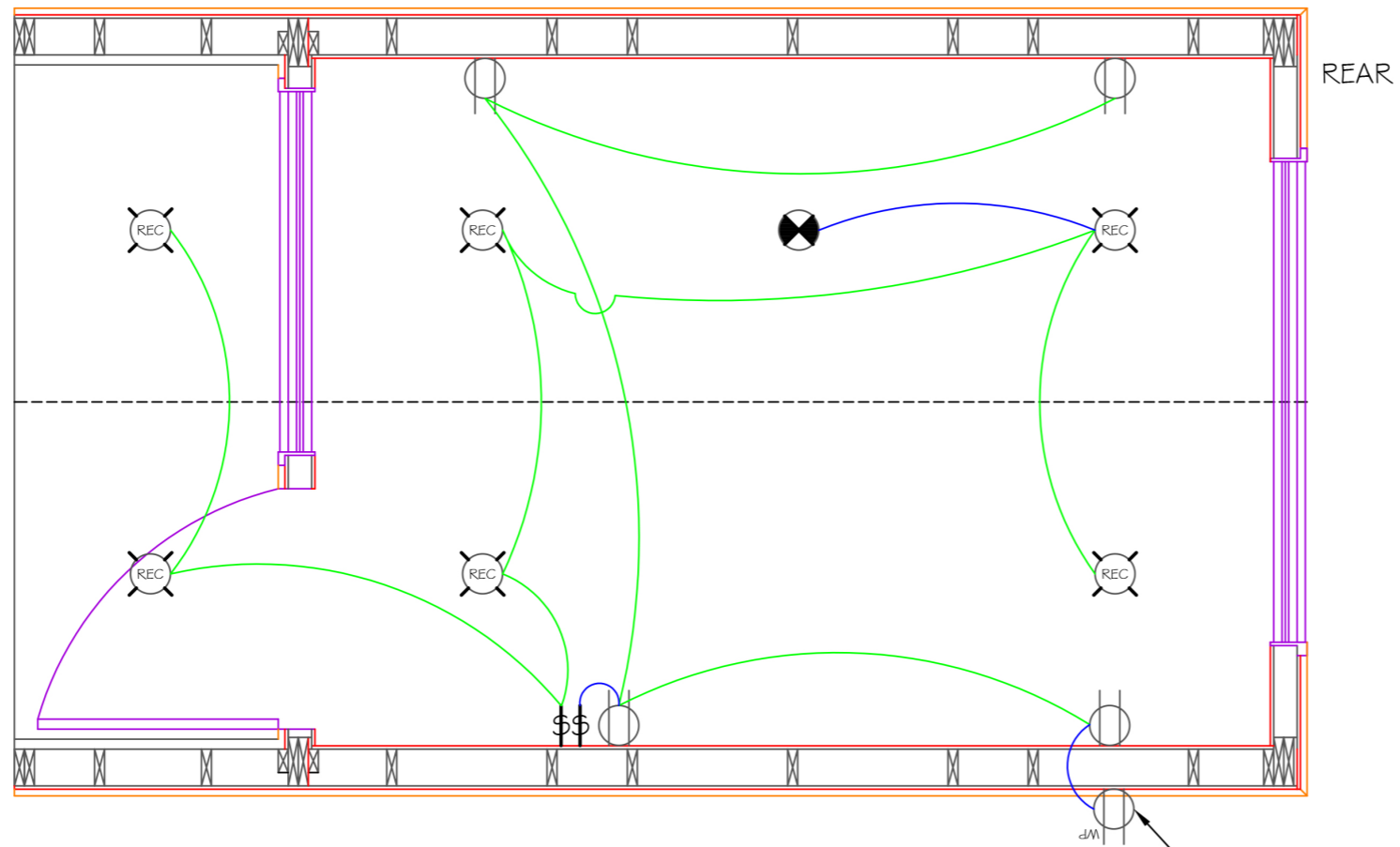
PROJECT NO. MONO
 CLIENT ARABZADEH
 ADDRESS BERKELEY, CA

SCALE 1/2" = 1'0"
 DRWN BY CDH
 DATE 3/4/2021

SHEET NAME
 ELECTRICAL PLAN

SHEET NO.
 AP-3

MONO
 BASE



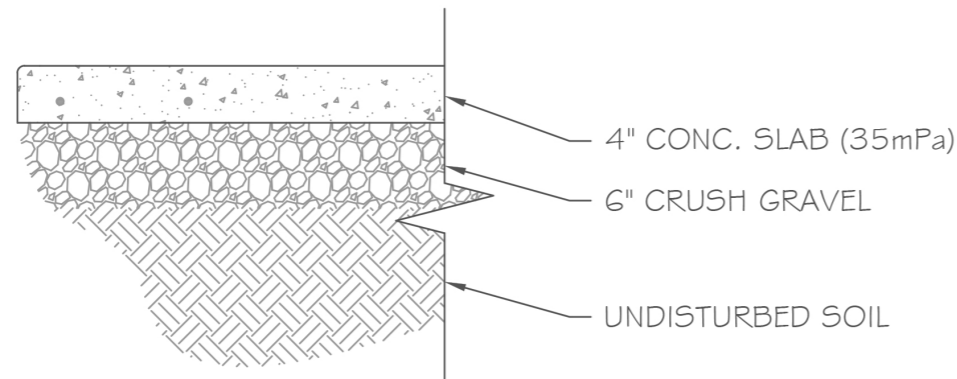
ELECTRICAL LEGEND

⌘	SINGLE SWITCH	☼	SMOKE ALARM
⌘ ³	3-WAY SWITCH	☼	BATH FAN
⊙	DUPLEX OUTLET	▽	TV/COMM. OUTLET
⊙ ^{GF1}	GROUND FAULT OUTLET	⊙ ^{REC}	RECESSED POT-LIGHT
⊙ ^{WP}	WEATHER PROOF OUTLET		

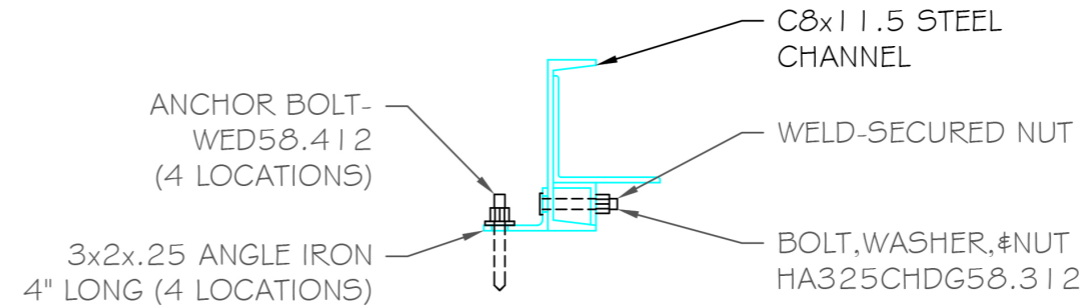
MAIN POWER RECEIPT
 (125V - 15AMP)

1 ELECTRICAL PLAN
 AP-3 1/2" = 1'0"

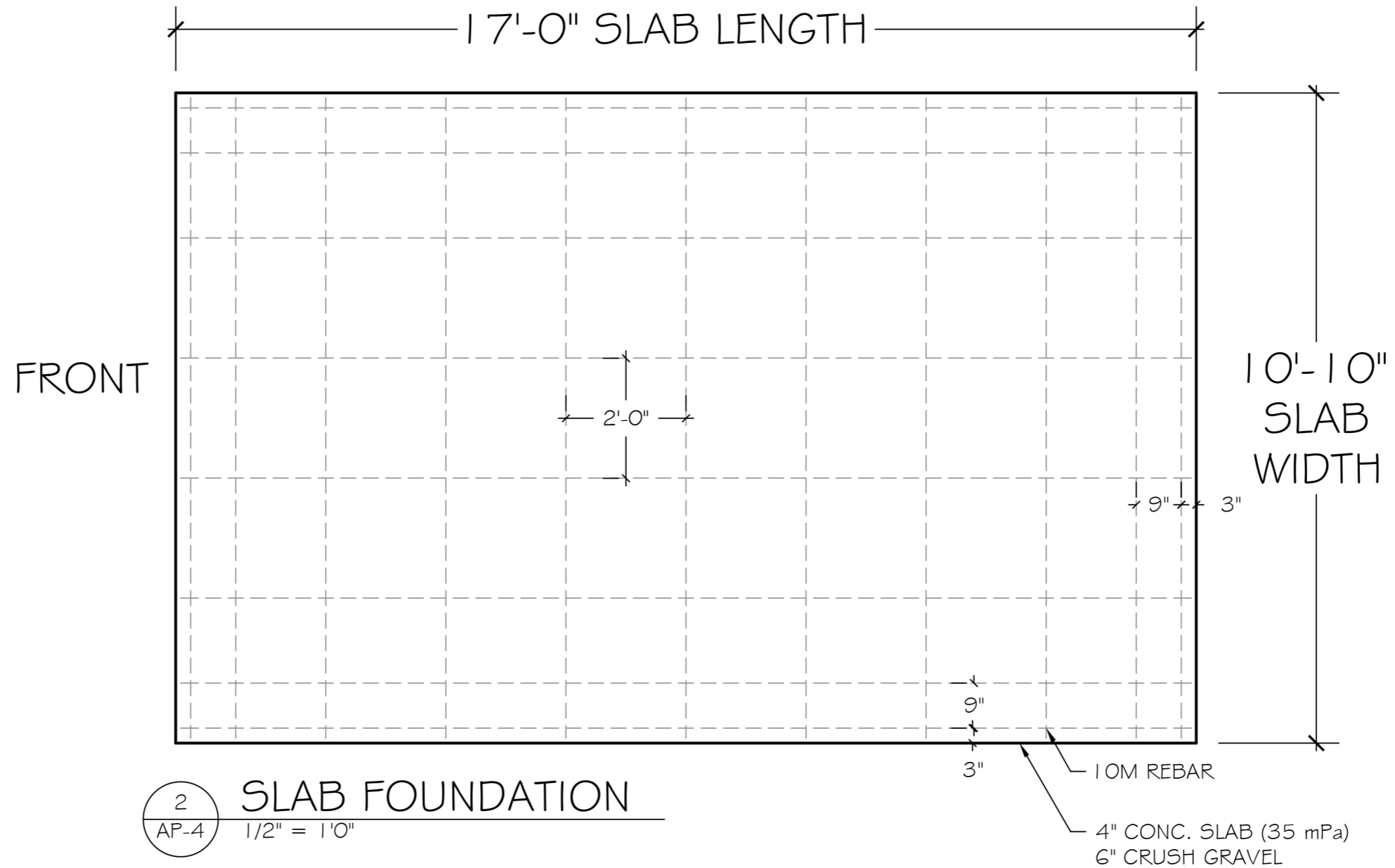
NOTE: ALL ELECTRICAL TO
 ADHERE TO C.E.C 2018



1
AP-4
SLAB FOUNDATION
1" = 1'0"



3
AP-4
ACHORAGE DETAIL
1 1/2" = 1'0"



2
AP-4
SLAB FOUNDATION
1/2" = 1'0"

MONO
BASE



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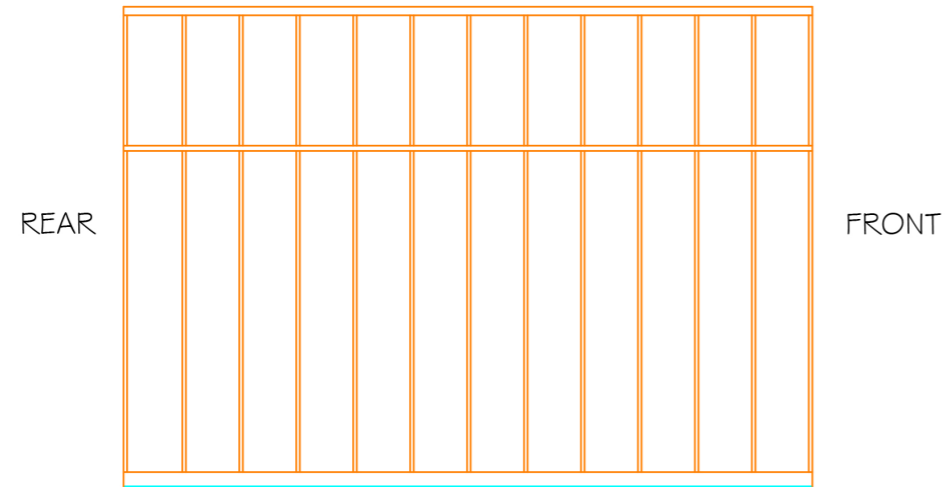
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CLIENT ARABZADEH
ADDRESS BERKELEY, CA

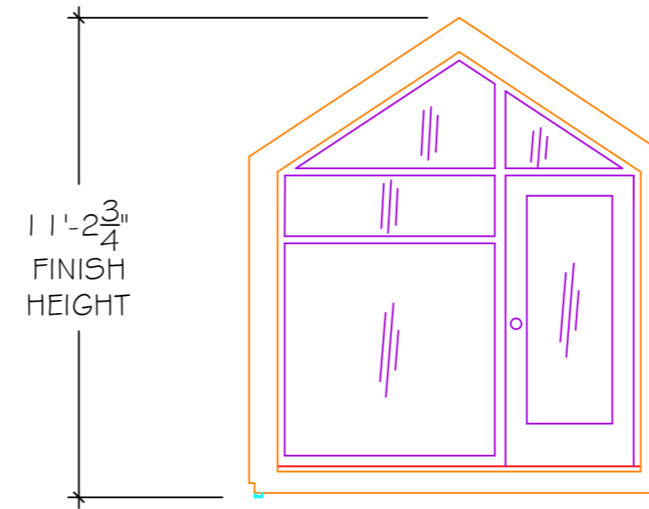
SCALE 1/2" = 1'0"
DRWN BY CDH
DATE 3/4/2021

SHEET
NAME
**FOUNDATION
PLAN**

SHEET
NO.
AP-4

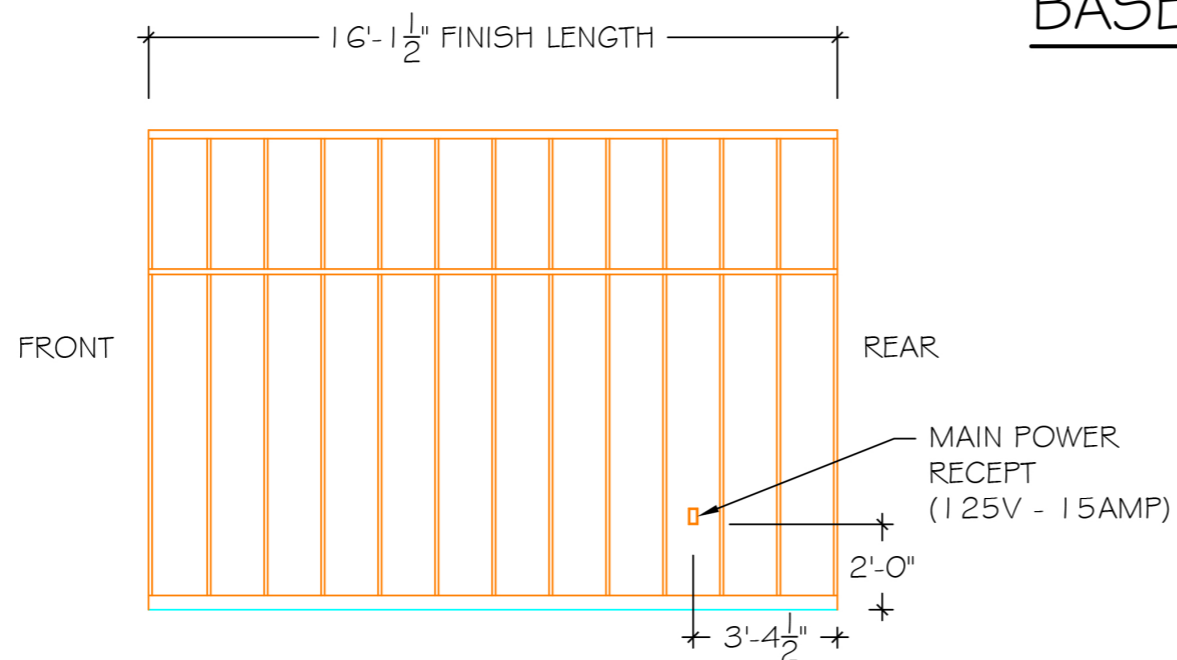


1
AP-5
LEFT ELEVATION
1/4" = 1'0"

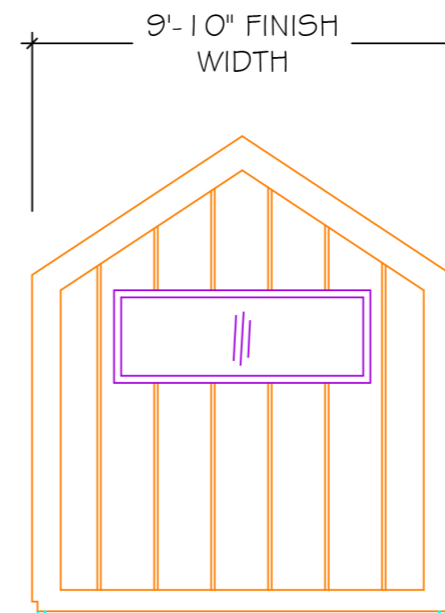


2
AP-5
FRONT ELEVATION
1/4" = 1'0"

MONO
BASE



3
AP-5
RIGHT ELEVATION
1/4" = 1'0"



4
AP-5
REAR ELEVATION
1/4" = 1'0"



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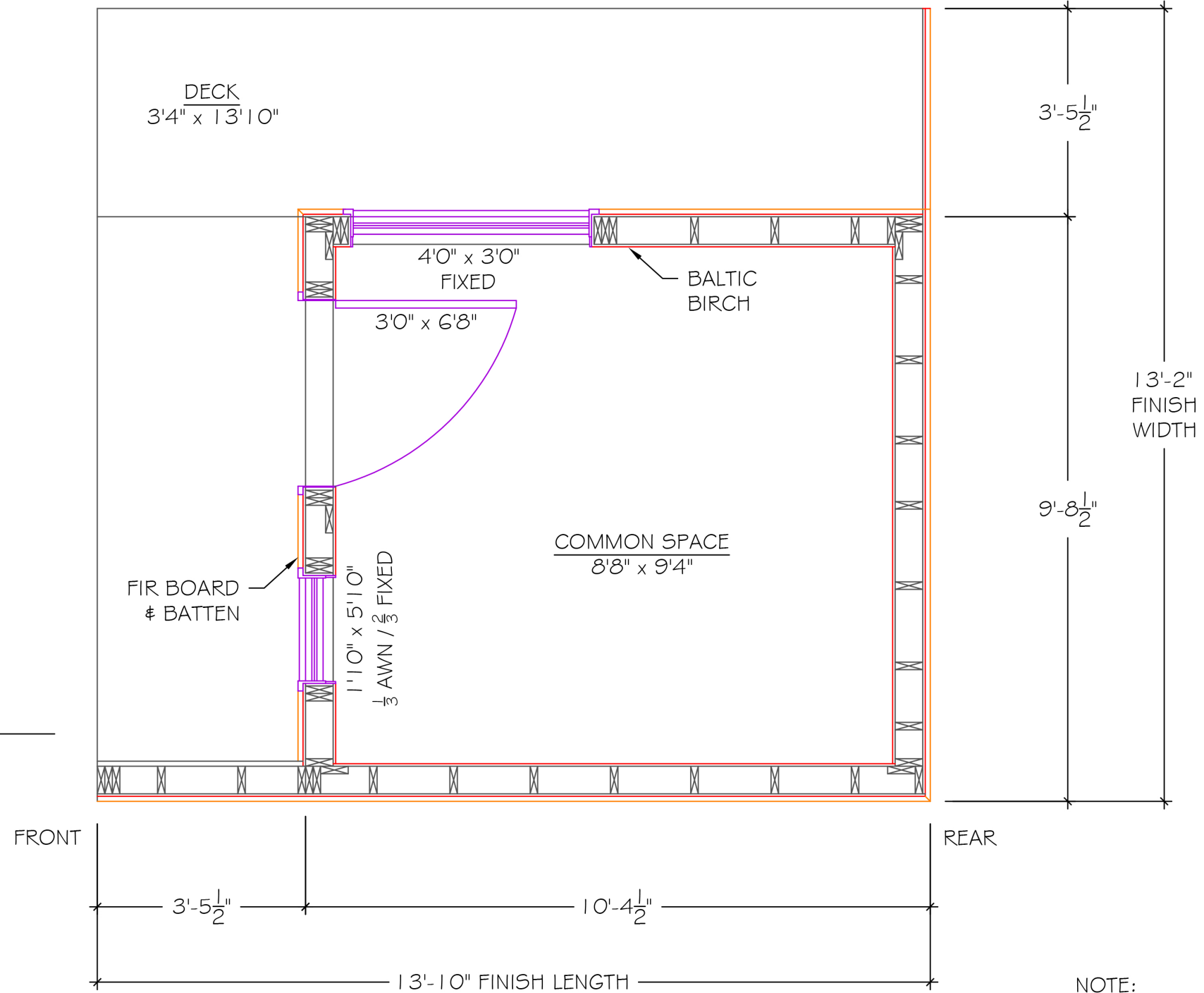
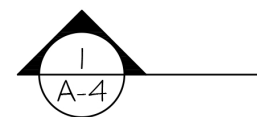
PROJECT NO. MONO
CLIENT ARABZADEH
ADDRESS BERKELEY, CA

SCALE 1/2" = 1'0"
DRWN BY CDH
DATE 3/5/2021

SHEET
NAME
EXTERIOR
ELEVATIONS

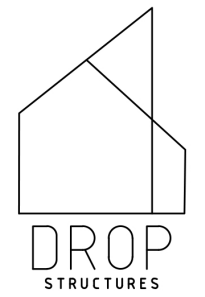
SHEET
NO.
AP-5

CUSTOM



1
A-1 FLOORPLAN
1/2" = 1'0"

NOTE:
ALL EXTERIOR
WALLS ARE SPF.
2"x6" @ 16" o/c



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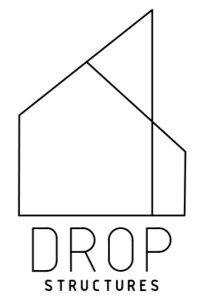
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PROJECT NO. CUSTOM
CLIENT JACOBS
ADDRESS BERKELEY, CA

SCALE 1/2" = 1'0"
DRWN BY CDH
DATE 2/8/2021

SHEET
NAME
FLOOR
PLAN

SHEET
NO.
A-1



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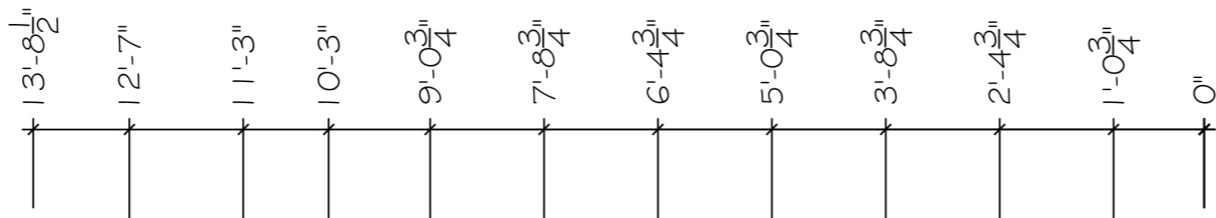
PROJECT NO. CUSTOM
CLIENT JACOBS
ADDRESS BERKELEY, CA

SCALE 1/2" = 1'0"
DRWN BY CDH
DATE 2/4/2021

SHEET NAME
FLOOR FRAMING

SHEET NO.
A-2

NOTE: DIMENSIONS ARE TO
EDGE OF JOIST

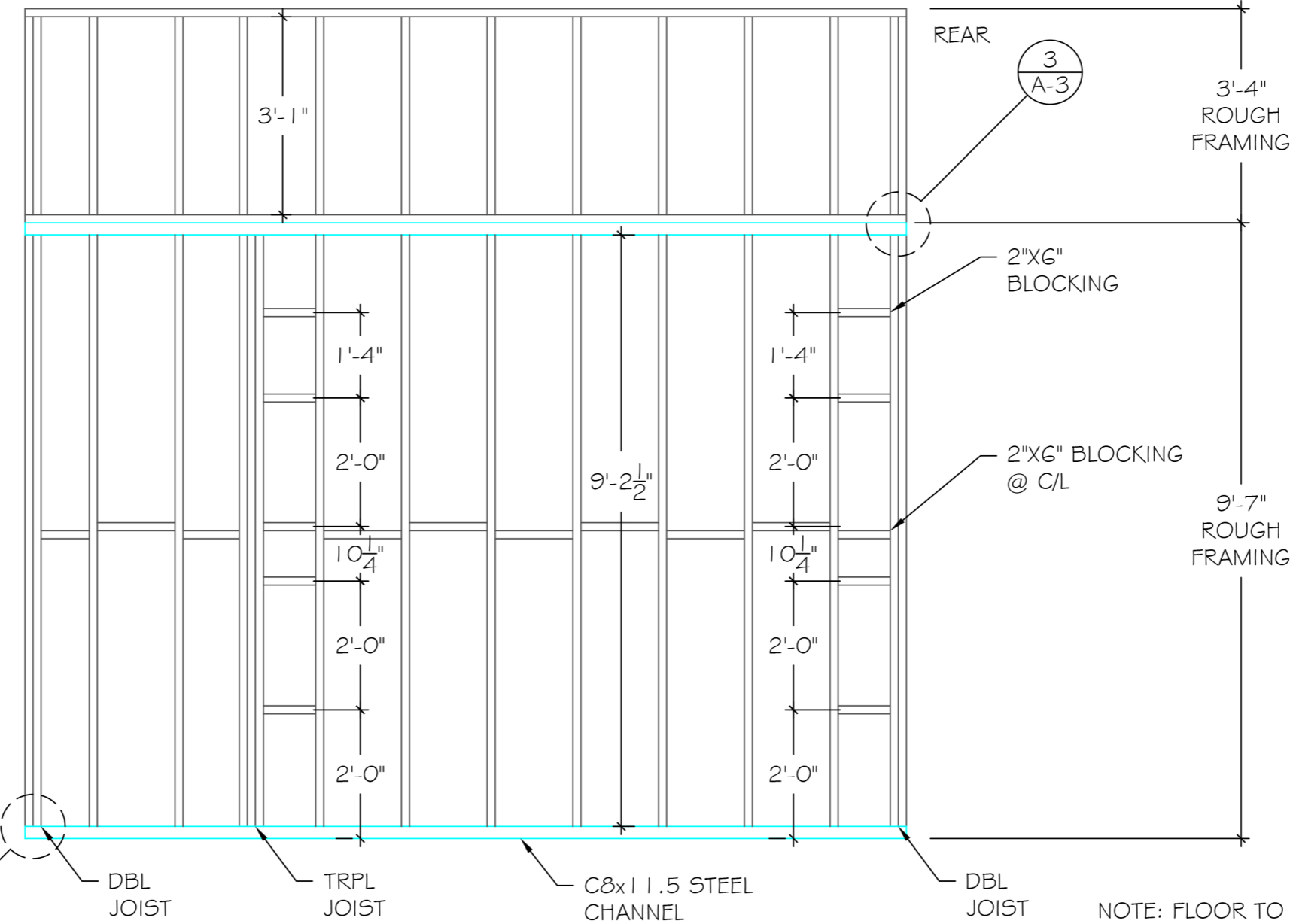


FRONT

REAR

NOTE: JOISTS - 2"X6" SPF
No.2
USE PWF IN DECK
LOCATIONS

CUSTOM



1
A-3

1
A-2

FLOOR FRAMING

1/2" = 1'0"

DBL
JOIST

TRPL
JOIST

C8x11.5 STEEL
CHANNEL

DBL
JOIST

NOTE: FLOOR TO BE BUILT
IN (2) SECTIONS AND
ATTACHED ON SITE

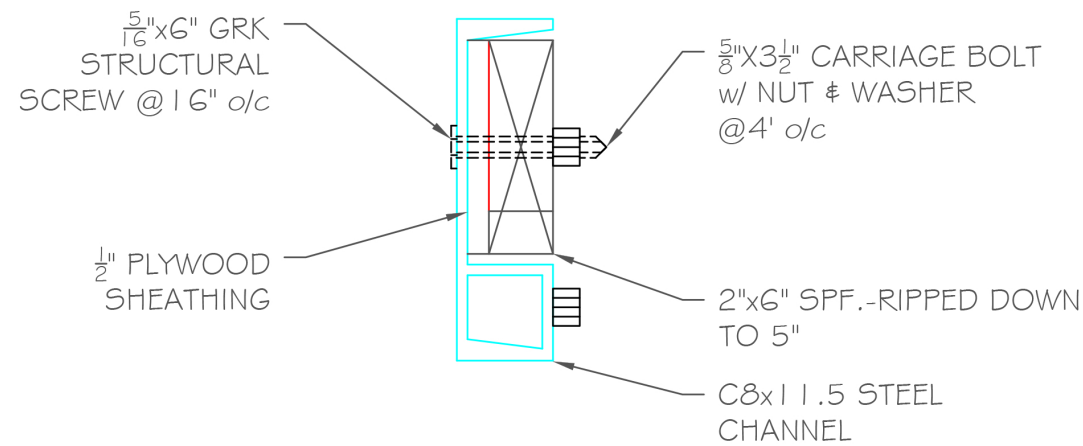
3
A-3

2"X6"
BLOCKING

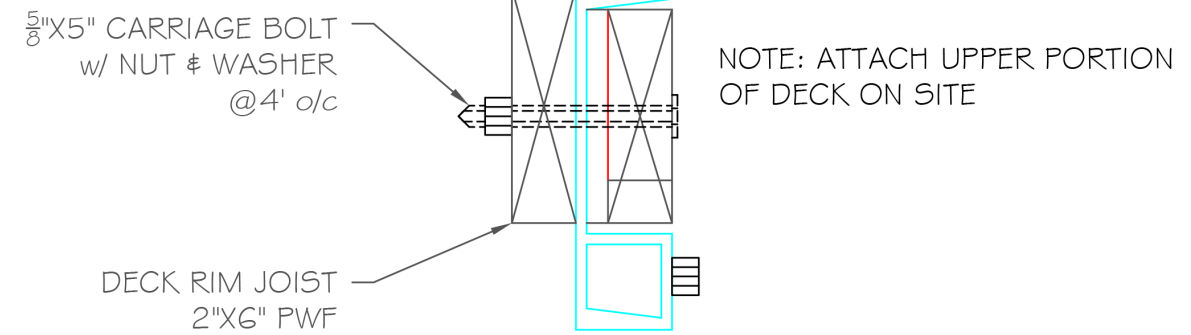
2"X6" BLOCKING
@ C/L

3'-4"
ROUGH
FRAMING

9'-7"
ROUGH
FRAMING



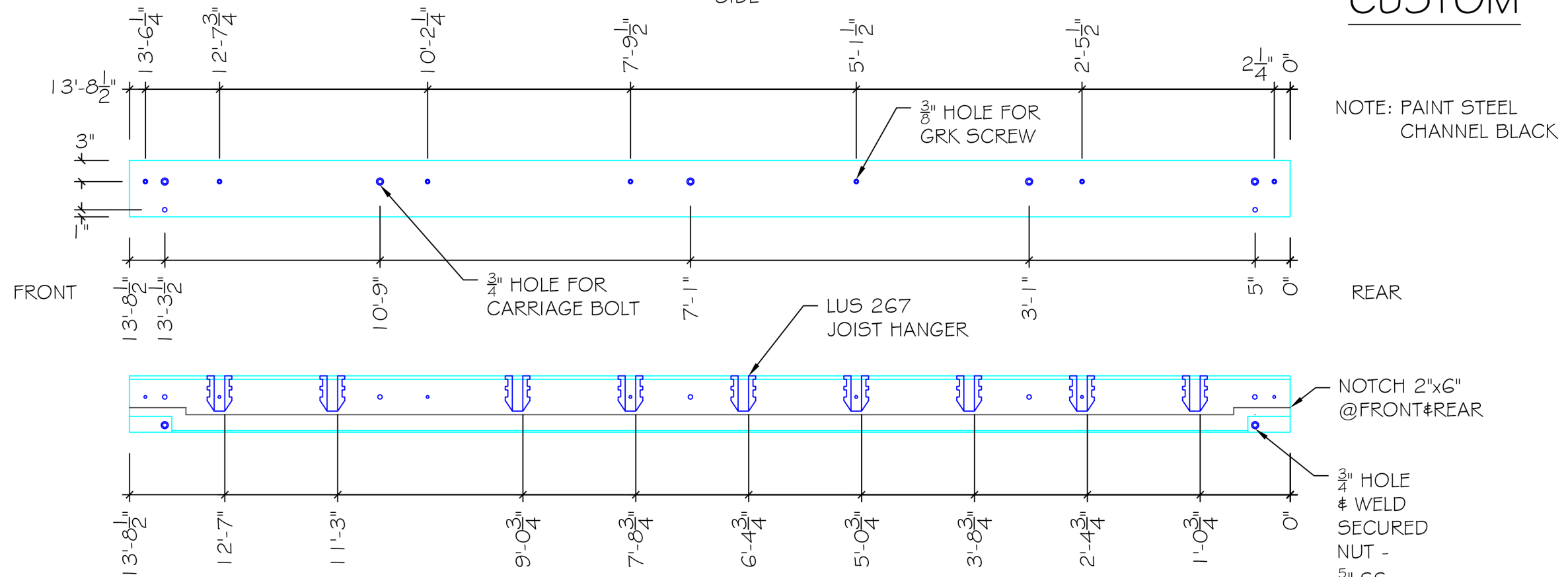
1 STEEL DETAIL
A-3 3" = 1'0"



3 STEEL DETAIL
A-3 3" = 1'0"

NOTE: ALL MEASUREMENTS START @ REAR MIRROR FOR OPPOSITE SIDE

CUSTOM



2 STEEL ELEVATION
A-3 3/4" = 1'0"

DROP STRUCTURES

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REV.	DESCRIPTION
1/5/2021	ADDED DIMS FOR WELDED ON NUT (CDH)

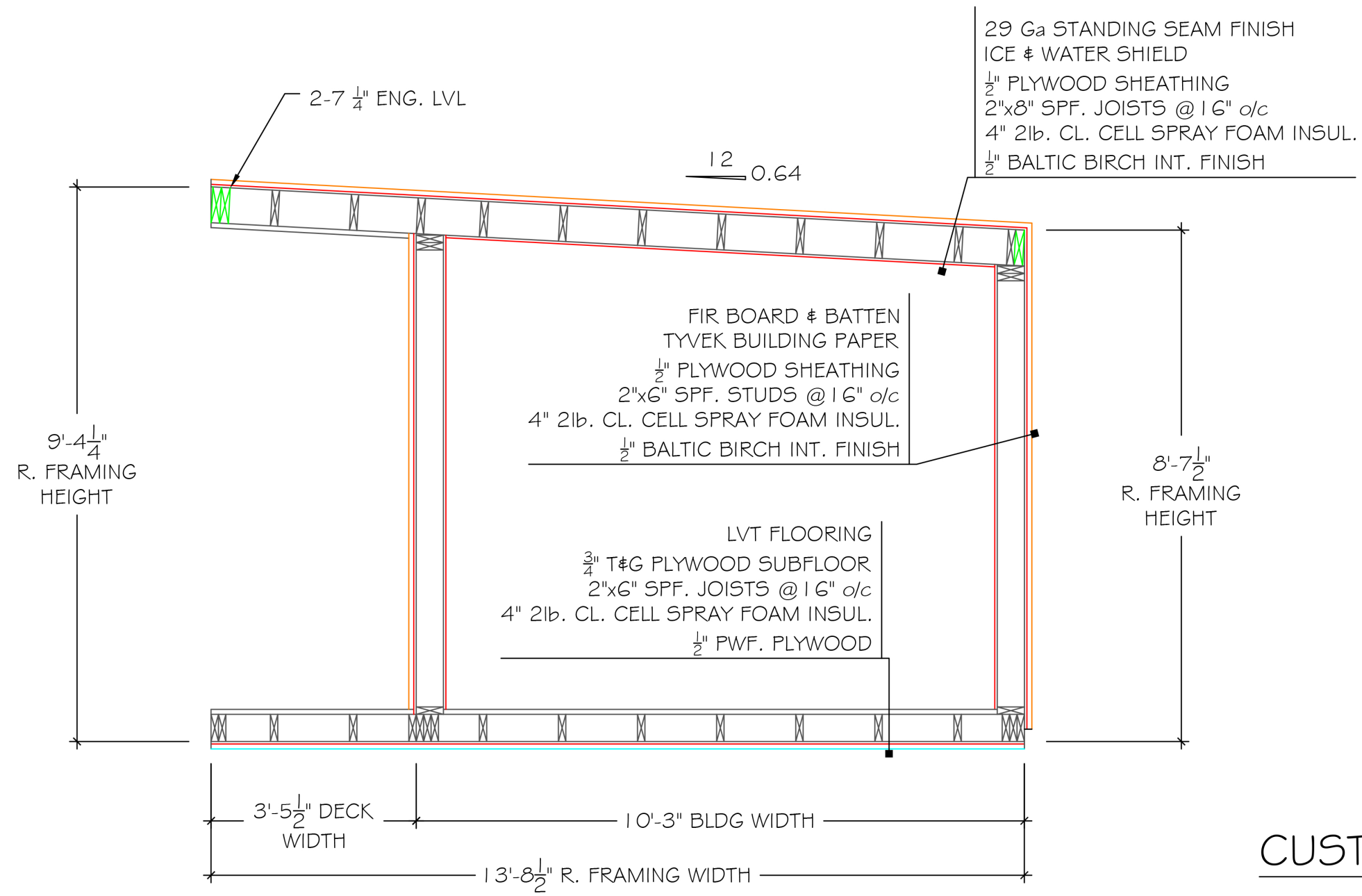
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PROJECT NO. CUSTOM
CLIENT JACOBS
ADDRESS BERKELEY, CA

SCALE AS SHOWN
DRWN BY CDH
DATE 2/4/2021

SHEET NAME
STEEL DETAIL

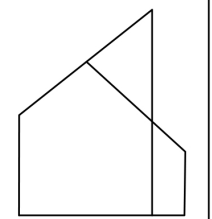
SHEET NO.
A-3



CUSTOM

1 CROSS SECTION
A-4 1/2" = 1'0"

NOTE: ALL CONSTRUCTION TO ADHERE TO A.B.C. 2019



DROP STRUCTURES

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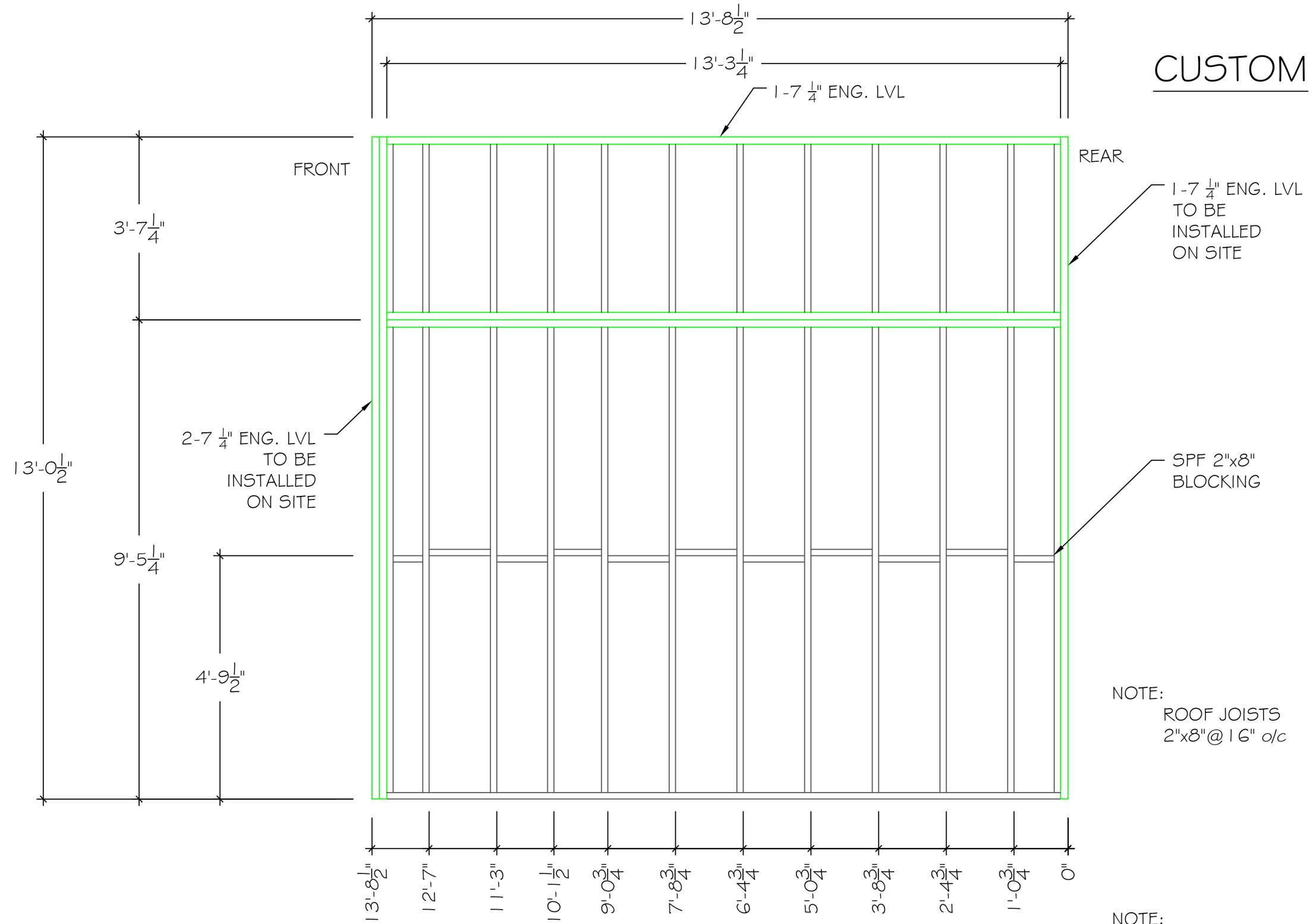
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PROJECT NO. CUSTOM
CLIENT JACOBS
ADDRESS BERKELEY, CA

SCALE 1/2" = 1'0"
DRWN BY CDH
DATE 1/14/2021

SHEET NAME
CROSS SECTION

SHEET NO.
A-4



1
A-5 ROOF JOIST PLAN
1/2" = 1'0"

DROP
STRUCTURES

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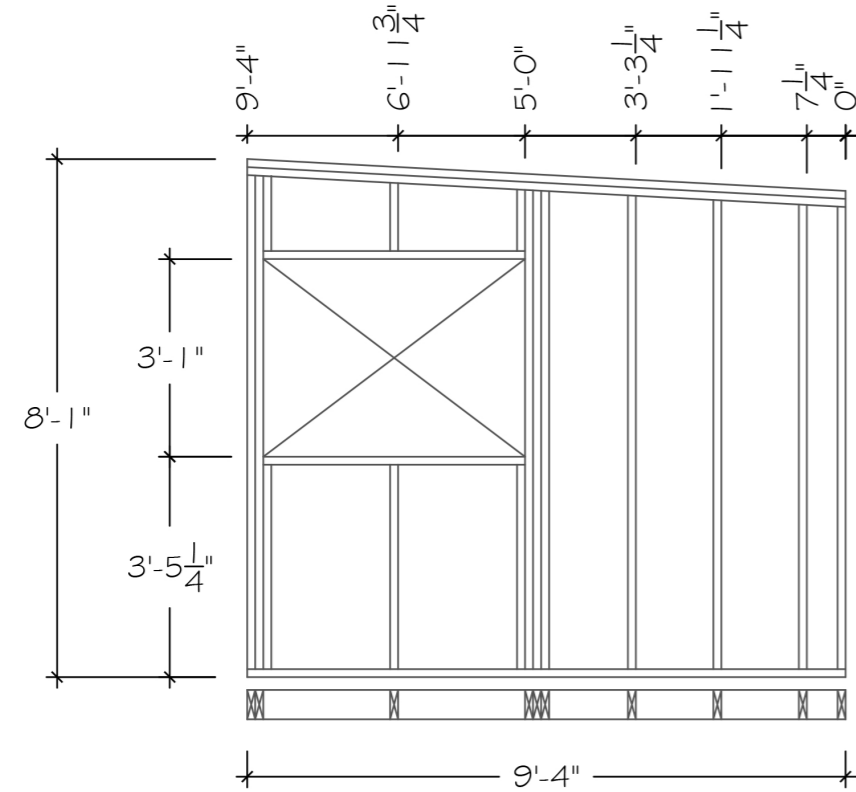
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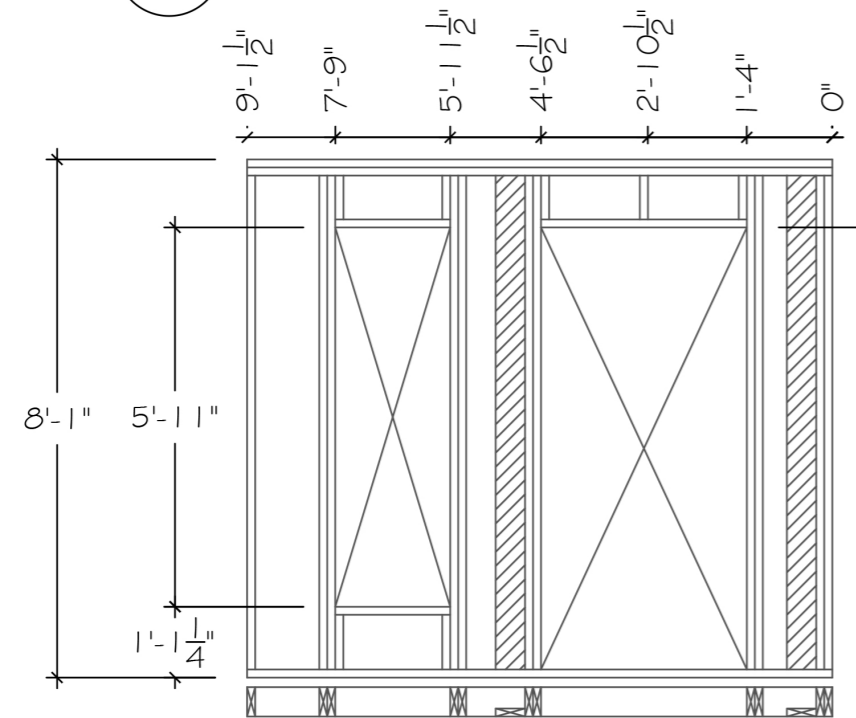
PROJECT NO.	CUSTOM
CLIENT	JACOBS
ADDRESS	BERKELEY, CA
SCALE	1/2" = 1'0"
DRWN BY	CDH
DATE	2/2/2021

SHEET
NAME
**ROOF
JOIST
PLAN**

SHEET
NO.
A-5



1 LEFT INT. ELEV
A-6 3/8" = 1'0"

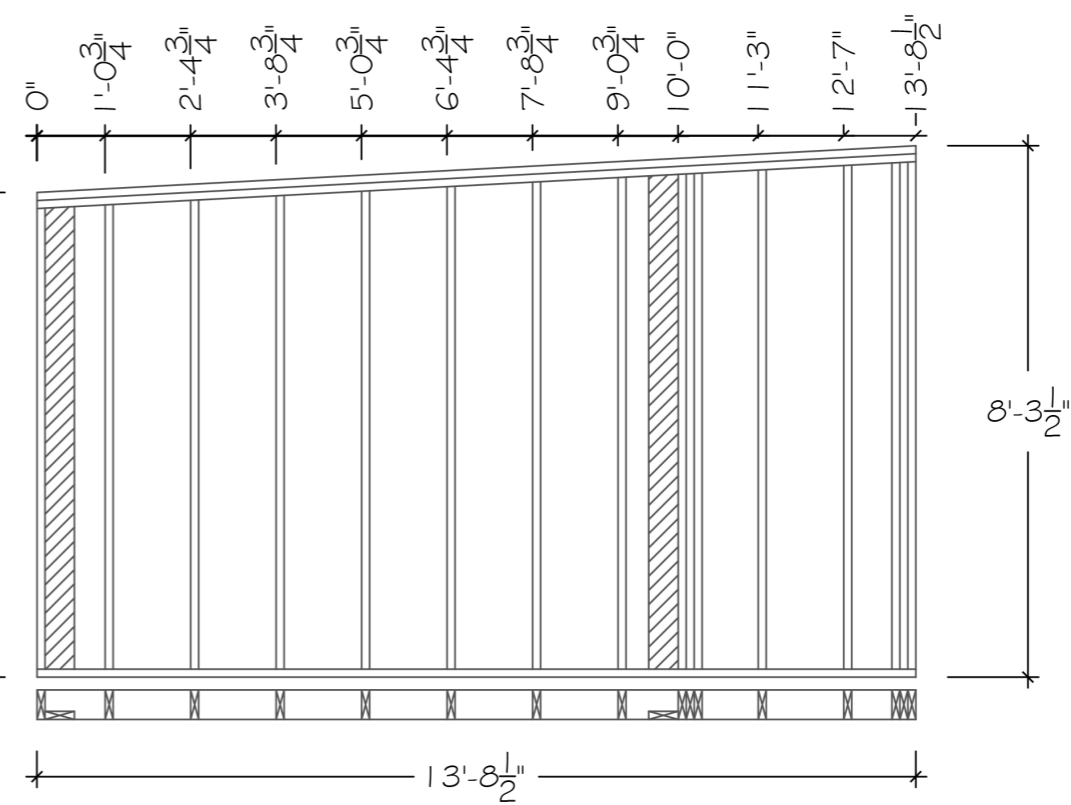


3 FRONT INT. ELEV
A-6 3/8" = 1'0"

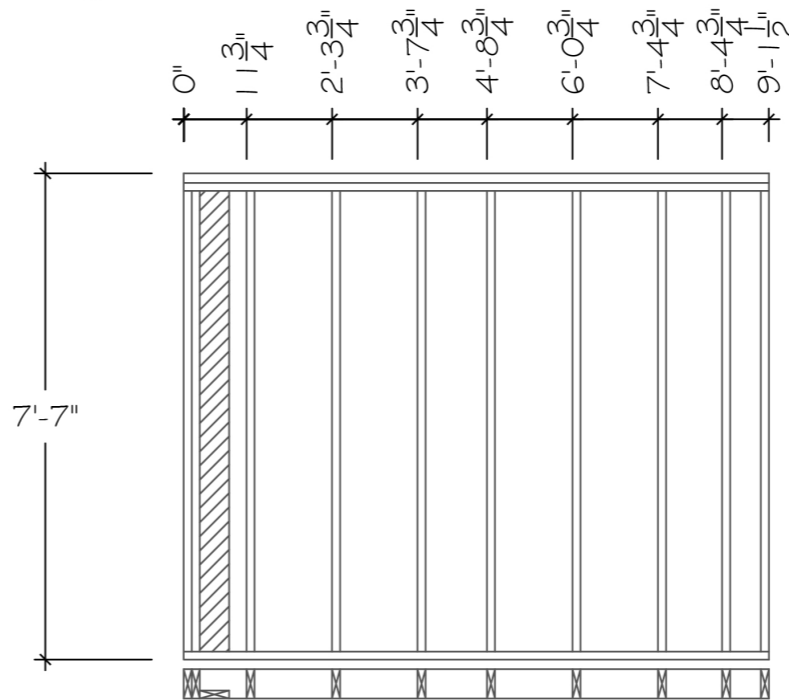
CUSTOM

NOTE:
DO NOT SHEATH
WALLS

CROSS BRACE
INTERIOR ONLY AND
LEAVE ALLOWANCE
FOR WALLS TO BE
TIED TOGETHER

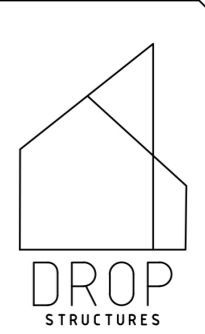


2 RIGHT INT. ELEV
A-6 3/8" = 1'0"



4 REAR INT. ELEV
A-6 3/8" = 1'0"

NOTE:
ALL WALLS TO BE
CONSTRUCTED OF
SPF No. 2 or better



DROP
STRUCTURES

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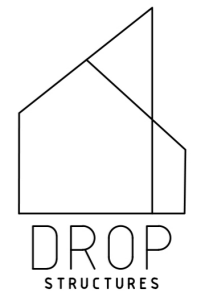
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PROJECT NO. CUSTOM
CLIENT JACOBS
ADDRESS BERKELEY, CA

SCALE 3/8" = 1'0"
DRWN BY CDH
DATE 2/2/2021

SHEET
NAME
INTERIOR
WALL
LAYOUTS

SHEET
NO.
A-6



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PROJECT NO. CUSTOM
CLIENT JACOBS
ADDRESS BERKELEY, CA

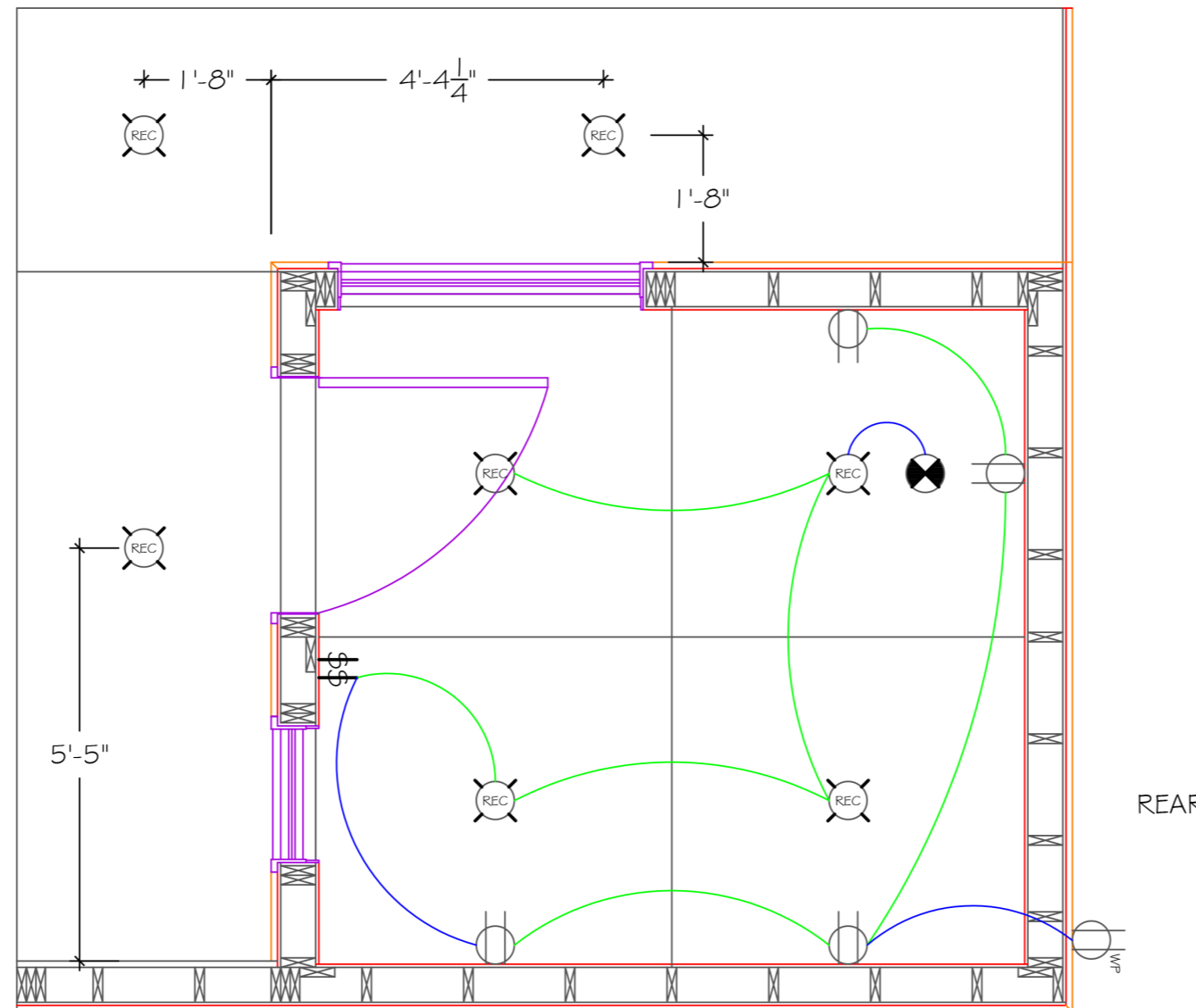
SCALE 1/2" = 1'0"
DRWN BY CDH
DATE 2/8/2021

SHEET
NAME
ELECTRICAL
PLAN

SHEET
NO.
A-7

CUSTOM

FRONT

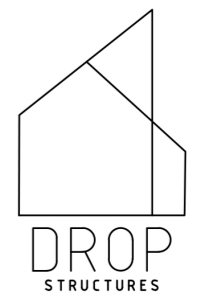


ELECTRICAL LEGEND

\$	SINGLE SWITCH	SMOKE ALARM	
\$ ³	3-WAY SWITCH	BATH FAN	
	DUPLEX OUTLET	TV/COMM. OUTLET	
	GROUND FAULT OUTLET	RECESSED POT-LIGHT	
	WEATHER PROOF OUTLET		

1 ELECTRICAL PLAN
A-7 1/2" = 1'0"

NOTE: ALL ELECTRICAL TO
ADHERE TO C.E.C 2018



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PROJECT NO. CUSTOM
CLIENT JACOBS
ADDRESS BERKELEY, CA

SCALE 3/8" = 1'0"
DRWN BY CDH
DATE 2/8/2021

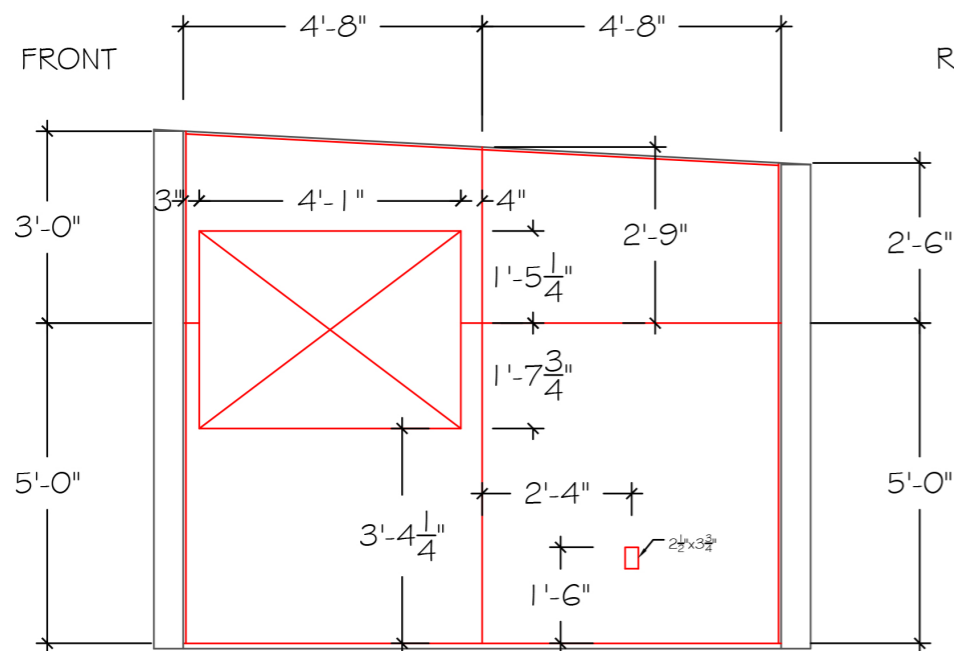
SHEET NAME
INTERIOR ELEVATION

SHEET NO.
A-8

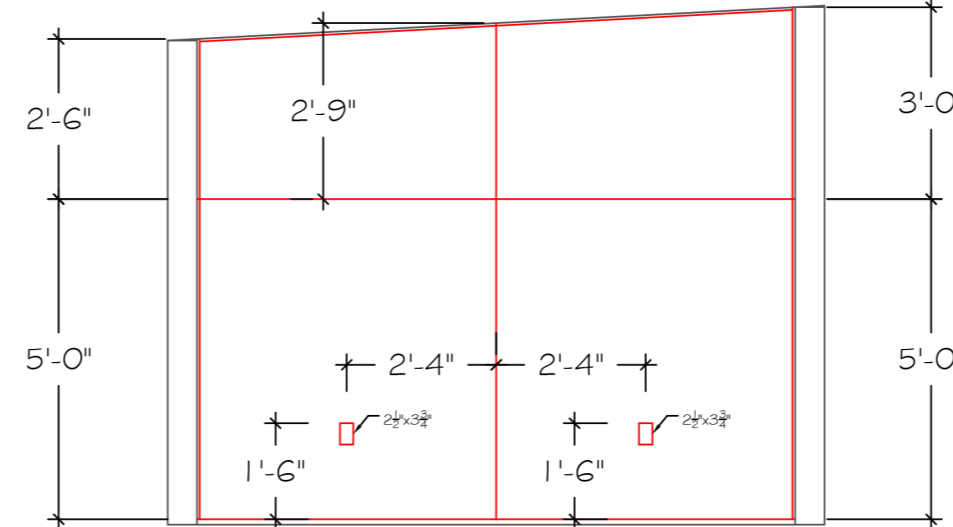
CUSTOM

NOTE: INSTALL SIDE WALL
BIRCH FIRST, FOLLOED BY
REAR & FRONT WALLS.
FINISHING WITH CEILING

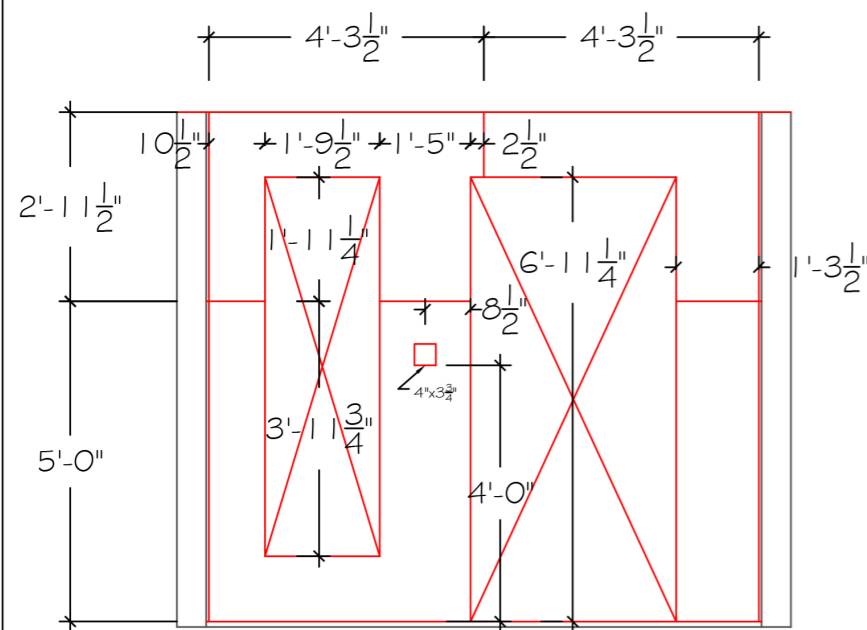
REAR & FRONT WALLS TO
INCLUDE 1" TRIM
ALL-AROUND



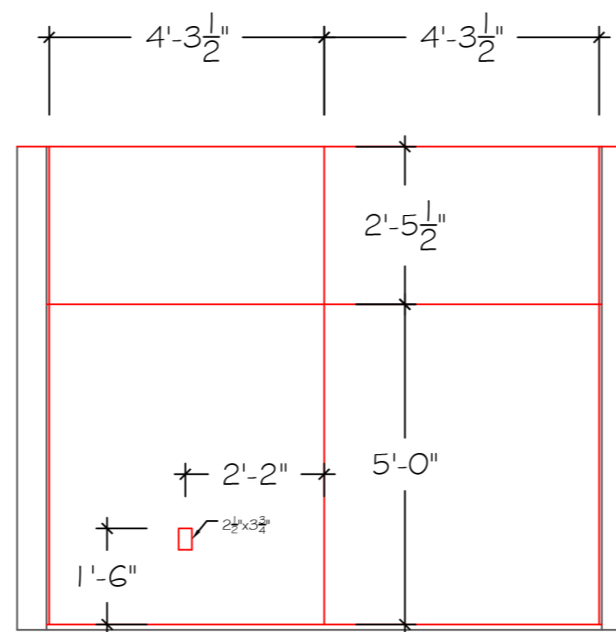
1 LFT. INT. ELEVATION
A-8 3/8" = 1'0"



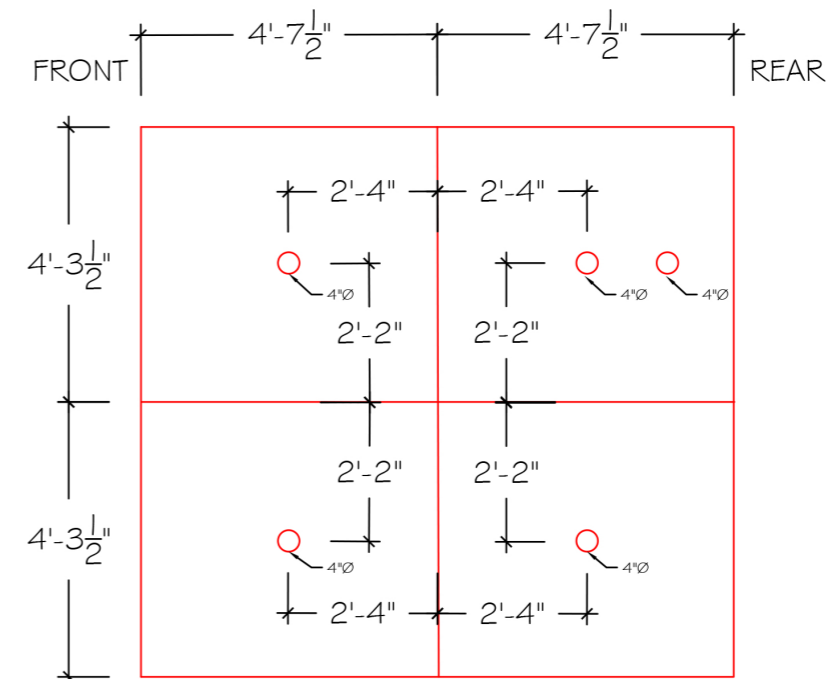
3 RT. INT. ELEVATION
A-8 3/8" = 1'0"



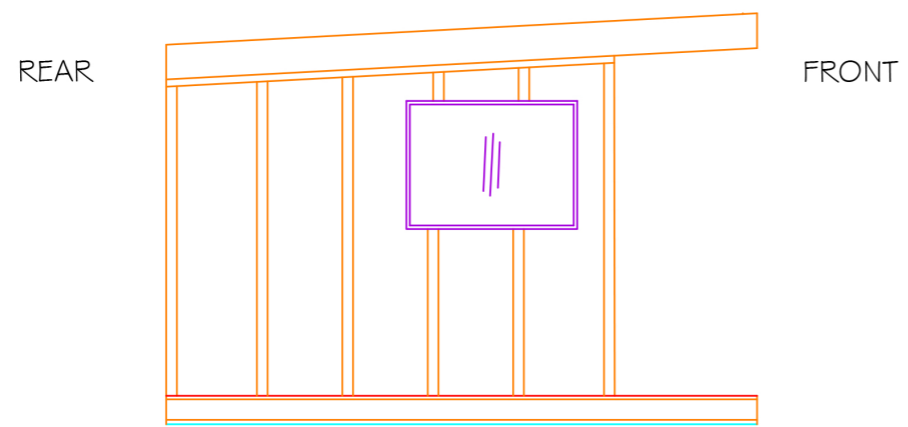
2 F. INT. ELEVATION
A-8 3/8" = 1'0"



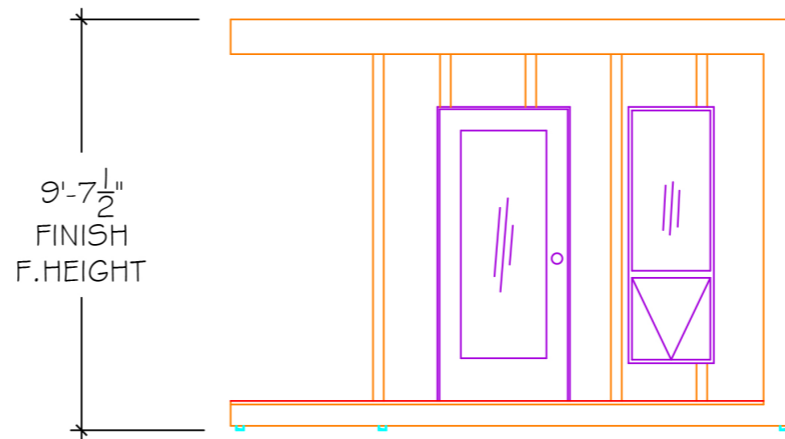
4 R. INT. ELEVATION
A-8 3/8" = 1'0"



5 RC PLAN
A-8 3/8" = 1'0"

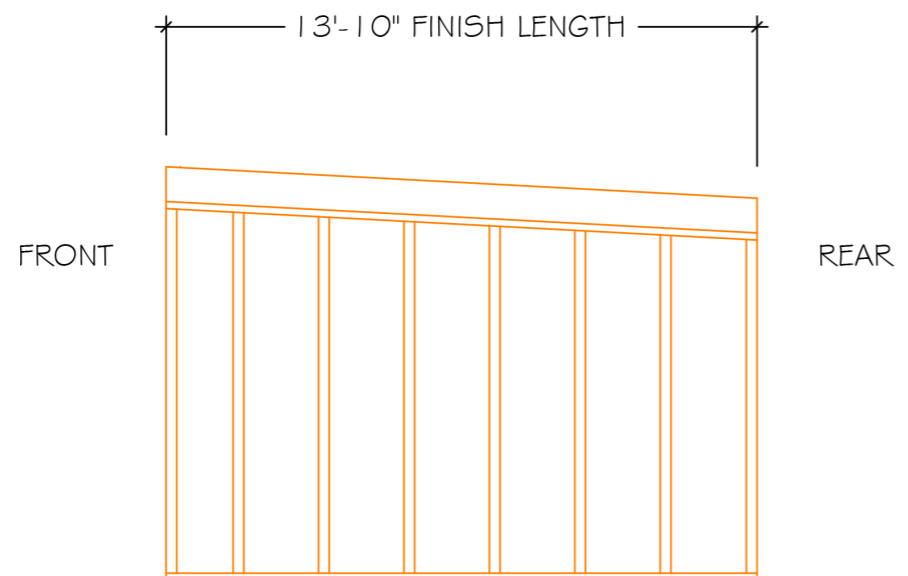


1
A-9
LEFT ELEVATION
1/4" = 1'0"

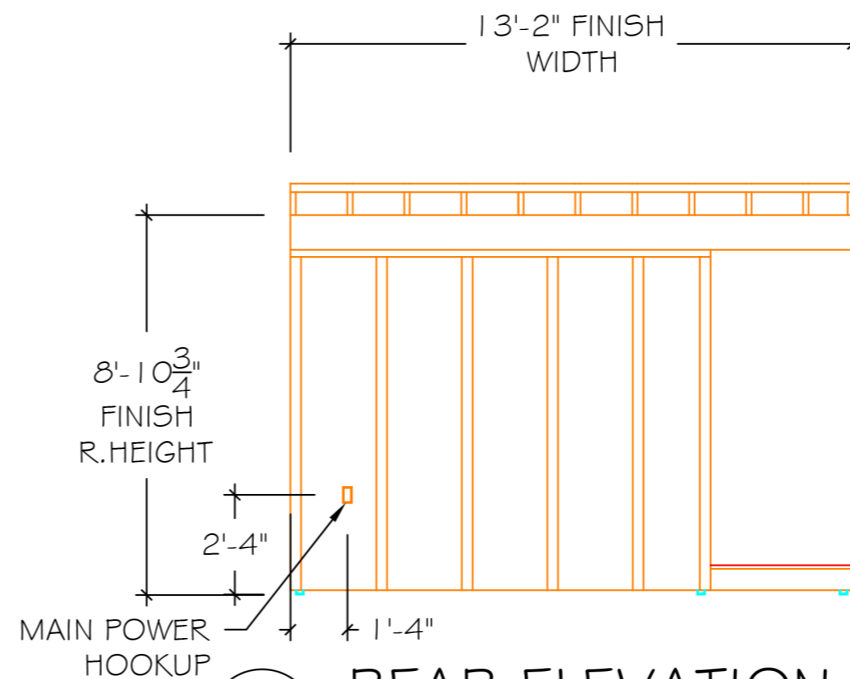


2
A-9
FRONT ELEVATION
1/4" = 1'0"

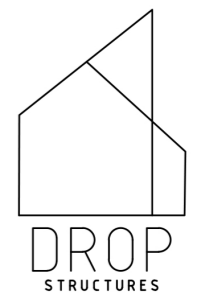
CUSTOM



3
A-9
RIGHT ELEVATION
1/4" = 1'0"



4
A-9
REAR ELEVATION
1/4" = 1'0"



#3 3320 18 AVE N
LETHBRIDGE, AB
Ph. 587.787.1656
www.dropstructures.ca

REV.	

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REMAINS, AND IS AT ALL
TIMES, THE PROPERTY OF
DROP STRUCTURES AND
CANNOT BE USED
WITHOUT WRITTEN
CONSENT.

PROJECT NO. CUSTOM
CLIENT JACOBS
ADDRESS BERKELEY, CA

SCALE 1/4" = 1'0"
DRWN BY CDH
DATE 2/8/2021

SHEET
NAME
EXTERIOR
ELEVATIONS

SHEET
NO.
A-9

Introduction

In May 2020, due to the COVID-19 Pandemic we decided to look into placing two Accessory Structures in our backyard. The units were to serve several functions.

1. Home Office for Matt Jacobs as his office closed to on-site work.
2. Jeana Arabzadeh lost use of The Potter's Studio, a ceramics co-op she was a member of for 3 years.
3. A space for exercise due to the closing of Ironworks Gym in Berkeley.

Permits

In August 2020, Jeana, researching the project went to the planning department to determine if we needed permits or not. Jeana emailed permits@cityofberkeley.info and when she received Leslie Mendez's following email with the information regarding set-backs and height requirements, we believed we had all the information we needed to legally proceed.

Our general understanding from the department was that if a backyard structure was 120 square feet or less, permits were not required.

For example, were Tuff Shed's from Home Depot under 120 square feet placed on the property, they would be legal Accessory Structures.

This was our simple and honest understanding then.

From: **Mendez, Leslie** <L.Mendez@cityofberkeley.info>
Date: Wed, Aug 19, 2020 at 12:52 PM
Subject: FW: 1151 Grizzly Peak Blvd. Electrical and plumbing permit request
To: jeana@jeon@gmail.com <jeana@jeon@gmail.com>

Hello Jeana,

The standards for accessory structures, can be found in BMC 23D.08. Setbacks are set by height of structure as well as other citing requirements. In addition, all covered areas (including covered porches et. al.) may not exceed 40% of the lot size.

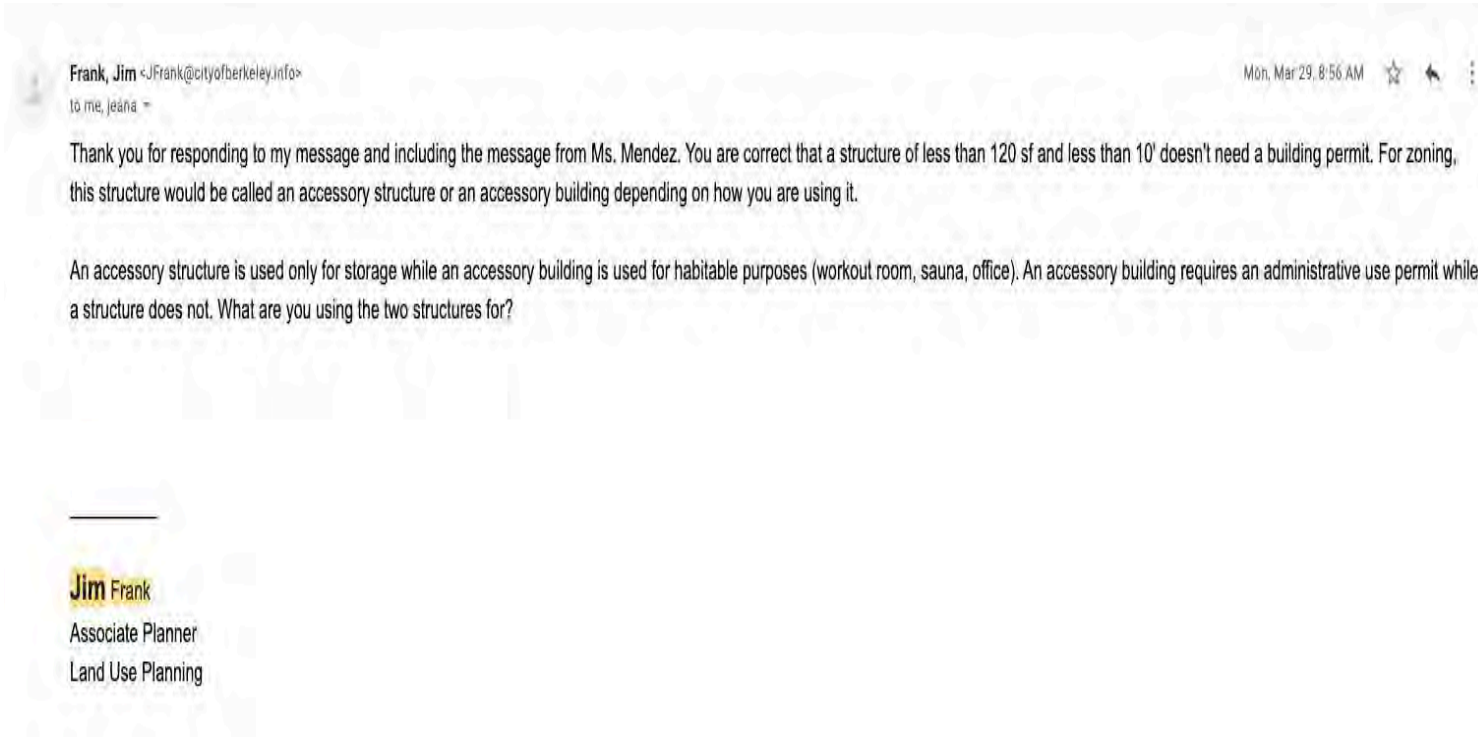
23D.08.020 Height Limits for Accessory Buildings or Structures

- A. No accessory building or enclosed accessory structure may exceed ten feet in average height when any portion of the building or structure is within four feet of a lot line.
- B. No accessory building or enclosed accessory structure may exceed 12 feet in average height when any portion of the building or structure is between four and ten feet of a lot line.
- C. No accessory building or enclosed accessory structure may exceed 24 feet in average height, unless a Variance is obtained. (Ord. 6478-NS § 4 (part), 1999)

23D.08.030 Setback Requirements for Accessory Building or Structures

- A. No accessory building or enclosed accessory structure located on an interior lot may be erected or expanded in a manner which encroaches upon the front half of the lot depth.
- B. No accessory building or enclosed accessory structure located on a through lot shall be erected or expanded so as to encroach upon that 25% of the lot portion that is nearest to either abutting street.
- C. No accessory building or enclosed accessory structure on a corner lot may be erected or expanded so as to project into the existing or required front yard to a greater extent than the setback existing or required on the adjacent lot, whichever is smaller; nor may it be located closer to either street line than the main building constructed on the subject lot.
- D. No accessory building or enclosed accessory structure that is within 75 feet of the front lot line may be erected or expanded so as to encroach closer than four feet to the side lot line, when abutting another lot. Any such building or structure which is located in excess of 75 feet from the front lot line such a building or structure may encroach closer than four feet to the side lot line subject to the fire isolation requirements, including setbacks and/or fire resistance wall requirements, of the Berkeley Building Code.
- E. No detached accessory building or enclosed accessory structure may be erected or expanded to be within five feet of an alley. (Ord. 6478-NS § 4 (part), 1999)

What we did not understand from Leslie Mendez's email, or any time between inception, construction and installation that there was a distinction based on use, differentiating an ACCESSORY STRUCTURE from an ACCESSORY BUILDING.



Upon receiving Jim Frank's email we began the Application process. Applying on April 15, 2021 we submitted plan views of the site, complete construction drawings for both units, and the application payment in the amount of \$4190.

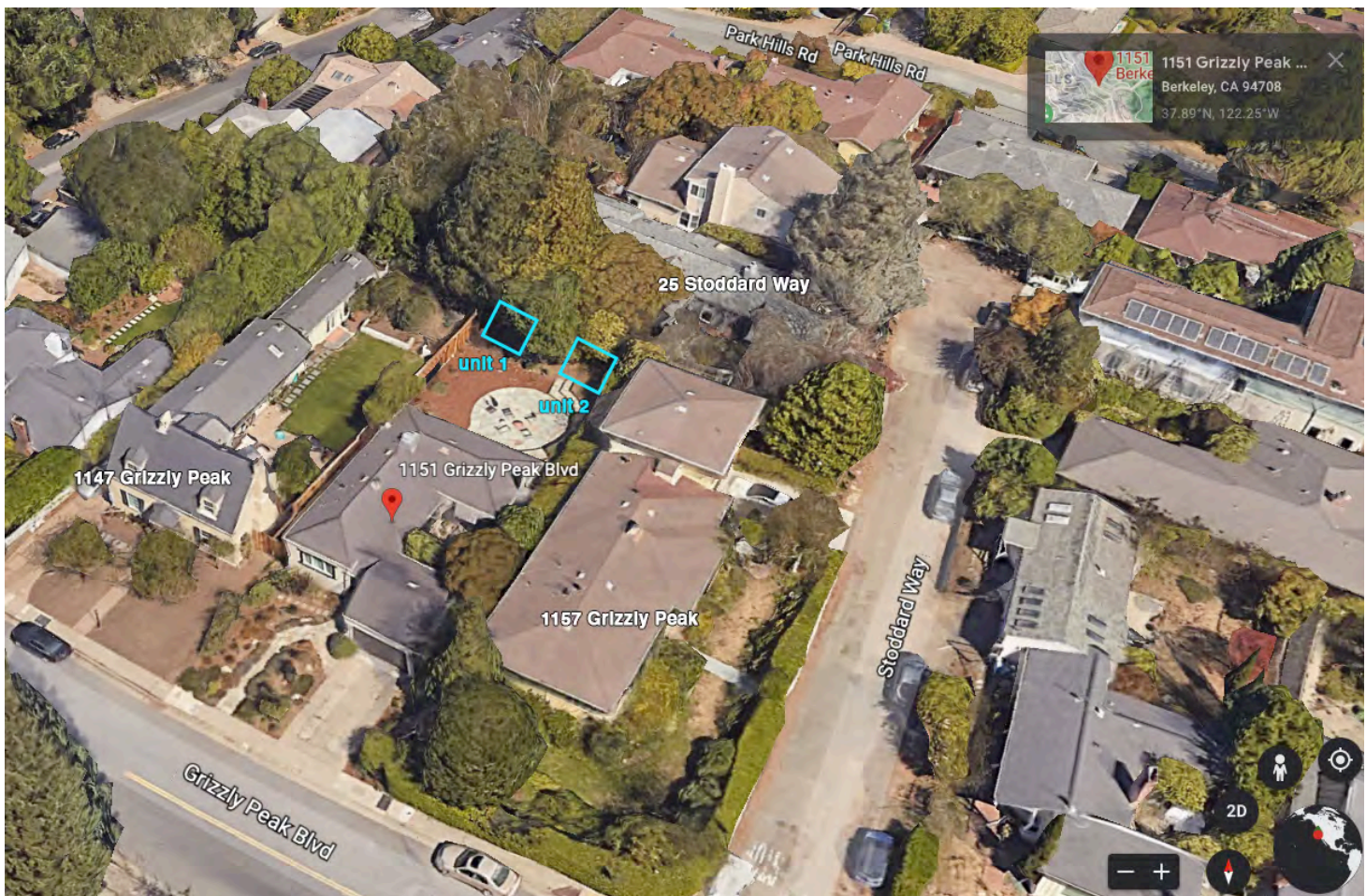
Construction

Originally, we planned to build the outdoor structures ourselves, purchasing plans and determining material costs. Ultimately, we realized we did not have the time to execute the structures to the level of quality, attention to detail and design that we wished. As a result, we decided to look into prefabricated options.

In August, 2020, we contracted with Drop Structures to build one of their prefab 120 sq.ft. Mono units and a smaller custom structure 103 sq.ft. in size.

The 120 sq.ft. Mono Mini will be referred to as Unit 1 and is placed in the North corner of the yard.

The 103 sq.ft. custom unit will be referred to as Unit 2 and is placed in the North East corner of the yard.





UNIT 1

UNIT 2

Considerations

Noise Reduction

By using a crane to place the units in a four hour time frame on a single day we would be able to reduce the amount of noise that would be caused by an extended on-site construction period.

Design

Overall, Drop Structures was willing to work with us to address our desires regarding customization. Our final designs were based on Berkeley building codes, privacy, footprint, size, height and relationship to adjacent properties.

Unit 1 Design

Drop Structures Mono design comes standard with large glass windows going from floor to roof on two sides. We felt from that design privacy would be an issue between ourselves and the property to our back, 25 Stoddard Way. As a result we chose to have the entire back wall of the unit enclosed. To allow some light in the unit we opted for a 21" wide window running top to bottom toward the back of the unit on the East facing wall, perpendicular to 25 Stoddard.



Unit 2 Design

The first thing we decided regarding Unit 2 was to reduce it's height. Unit 2 would be at a higher elevation than Unit 1. We felt the pitched roof design of the Unit 1 Mono would not work as the maximum height of the that design would be too intrusive and block our neighbor's views at 25 Stoddard Way.

To address the issue we designed the building to have a roof with a very shallow pitch, roughly 2.75 degrees.

The interior ceiling height was reduced. The front interior wall measuring 8'. The rear wall measures 7'6"

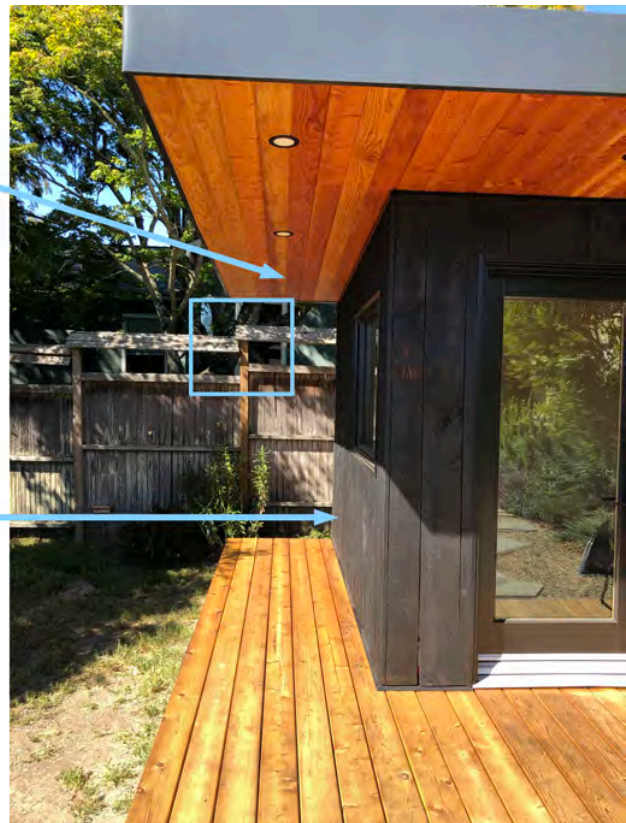
An exterior soffit light closest to the back of unit was removed to reduce light spilling onto 25 Stoddard Way.

The square footage was reduced by 14% from 120 sq. ft. to 103 sq. ft.

25 Stoddard way has a wall directly behind the unit with one set of windows. The trunk and branches from a large maple tree on that property occlude much of that windows views. Unit 2 was specifically placed to avoid further blocking any views from that window.

Third light removed from soffit to reduce amount shining into neighboring property

Structure's scale and orientation designed to not impede view from neighboring window

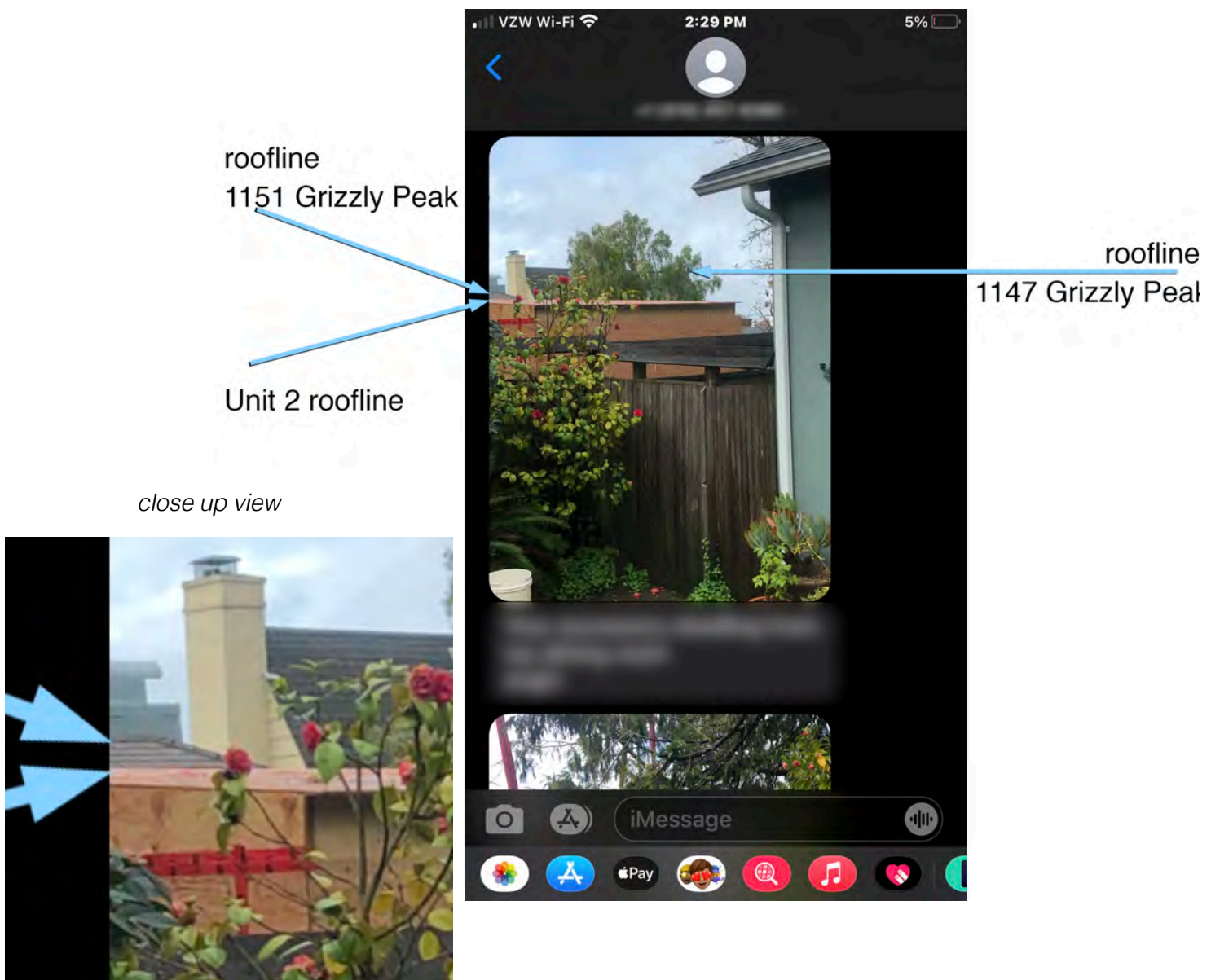


By lowering the pitch and ceiling heights of Unit 2, the view of the horizon from within 25 Stoddard Way was not occluded.

Unit 2's roofline is lower than the roofline's of existing homes at 1151 and 1147 Grizzly Peak Blvd.

Photo taken by neighbor from the dining room at 25 Stoddard Way. The photo was sent to us via text. Phone number and comments have been redacted.

When we saw this photo we were very happy to see that, as planned, Unit 2 had not obstructed the skyline view.



To Whom it May Concern,

Our company, Drop Structures, specializes in designing and building prefabricated structures and delivering them across North America. In August of 2020 our clients, Matt Jacobs and Jeana Arabzadeh, contracted us to build for them our most popular model, the Mono. The structure was ordered and built with as requested with a framed wall in place of the standard rear glass curtain wall. This configuration greatly decreases the natural light potential within the structure; however, it was communicated by the clients that this change was to be made in consideration of their neighbors' privacy.

We were also asked to create a second, completely custom structure for Matt and Jeana. The configuration is completely unique and distinct from any of our standard models in that the structure has: 1. a significantly reduced ceiling height; 2. a significantly reduced roof pitch; 3. reduced interior square footage compared to our smallest standard structure and; 4. omitted deck lighting.

The pandemic and the accompanying shift to working at home for many people had the effect of creating a huge influx of new business for us in 2020, and the extra time and work to fit in a completely custom design was not what we were necessarily prepared for. We are primarily in the business of making prefabricated structures according to our own pre-designed blueprints. With this in mind, we let Matt and Jeana know that while we were willing to undertake the project, that level of customization would require considerably more time to design and build than one of our standard structures, with a corresponding increase in cost.

It was communicated clearly to us from the beginning that the clients' willingness to wait several months longer for the build to be completed and delivered, to accept additional cost, and to compromise on the available interior space and potential natural light in the structures was all due to their concern for the privacy of their neighbors and the visual impact that the structures might have on the adjacent properties. In addition, elements of the exterior lighting on the structures were omitted once they arrived on site; this was also done with consideration for the impact that the lights might have upon the neighbor's enjoyment of their own property.

In summary, the entire design, build, and delivery process for this project was undertaken with neighbors' comfort and potential concerns in mind at considerable expense to our clients regarding the cost, convenience, and functionality of the two structures that were built for and delivered to them.

We hope that this information has been helpful.

Thank you,



July 14, 2021

Luke Thiessen

Logistics and Quality Control, Drop Structures

SAFETY

Each unit has a 10 year smoke detector installed

Each unit is equipped with a UL rated Fire Extinguisher.

Power is supplied by NEMA (National Electrical Manufacturers Association) 5-15 UL rated 12 guage extension cords. Given permission by the city, ultimately we would prefer to run underground dedicated 15 amp service to each unit.

Based on documentation we found on-line, the understanding was we could build directly against the fence line to any and all sides of the property. However, we decided that would not be a good idea in the event of a fire, possibly limiting fire department access to any surrounding properties.

SITE PREPPARATION

These structures are designed with a 2"x2" steel beam under them running the length of the unit. This design allows them to be placed on concrete blocks, slabs or directly on the ground.

For foundations, each unit received 1' wide slabs of concrete running the same length as the 2x2 steel beams. A 4" deep layer of gravel was compacted and 3.5" of rebar reinforced concrete was poured.

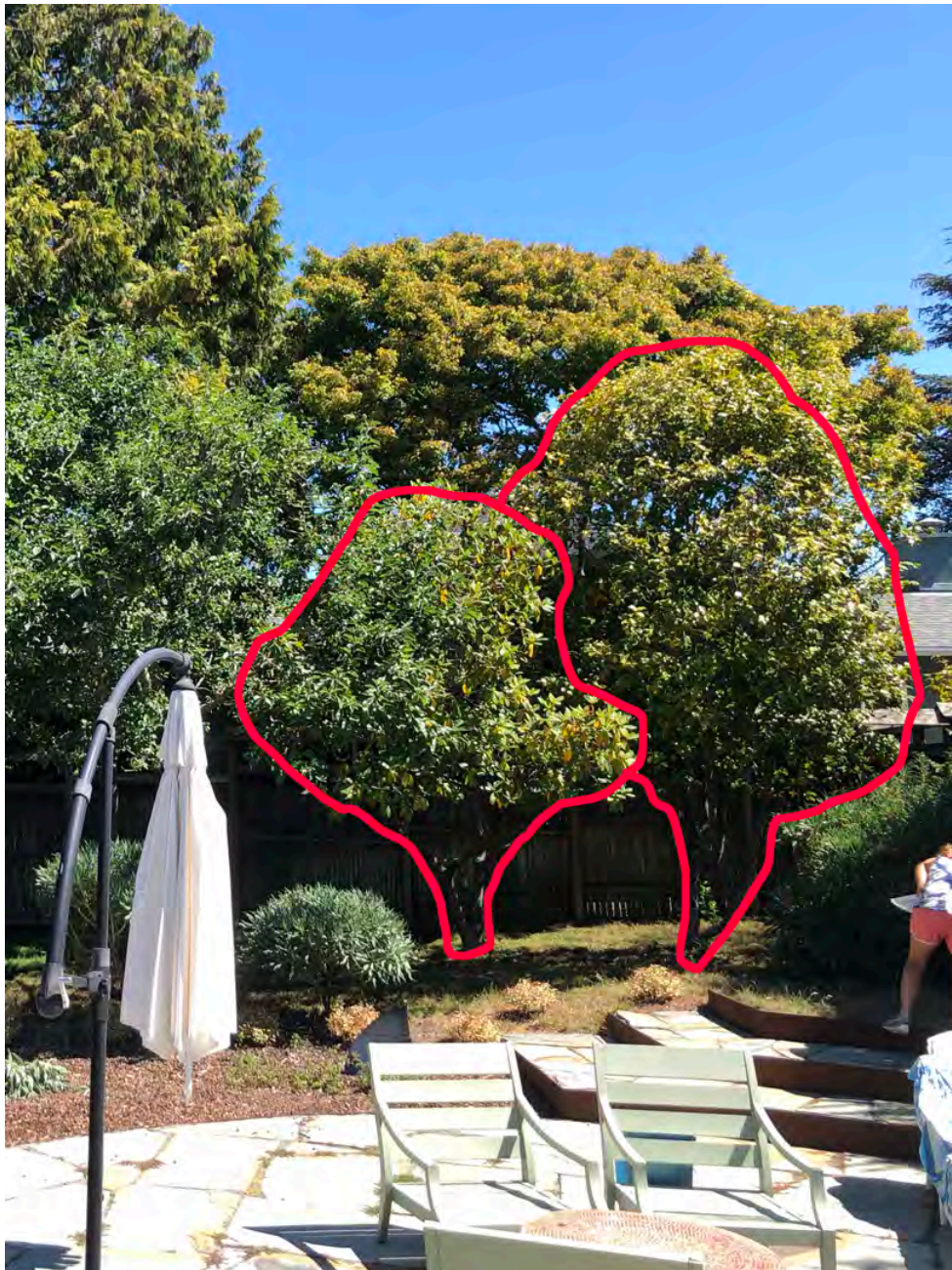


Where Unit 2 was placed, two Camellia trees were removed.

One roughly 21' tall

One roughly 16' tall

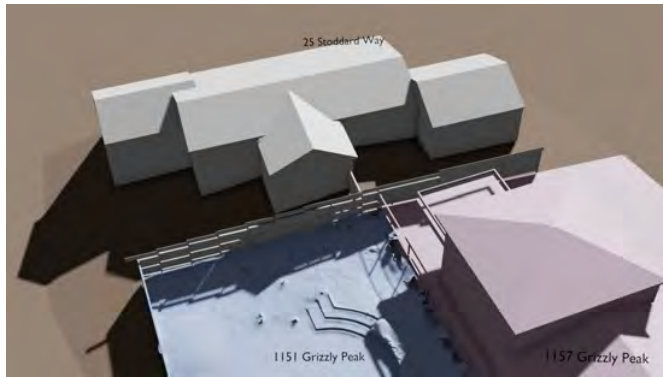
The base of these trees were both 5' from our back property line. Both trees were roughly 8-10' in diameter.



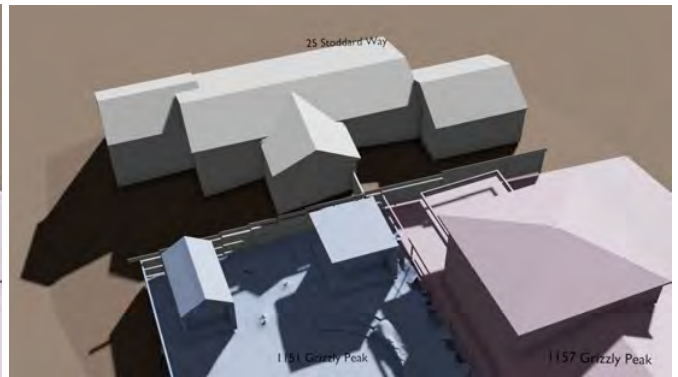
SUN STUDY : WITHOUT VEGETATION

Summer Solstice

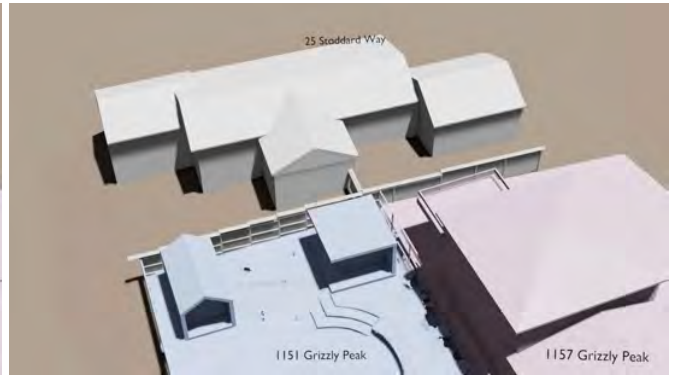
BEFORE



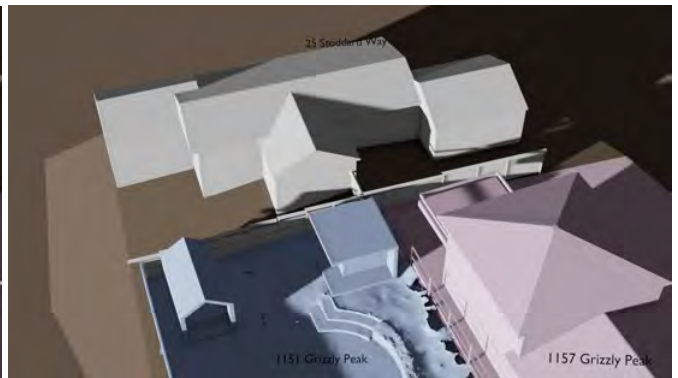
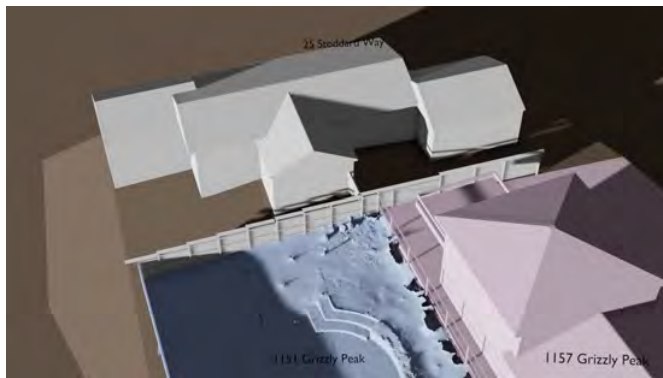
AFTER



July 21 7:47 AM



July 21 Noon



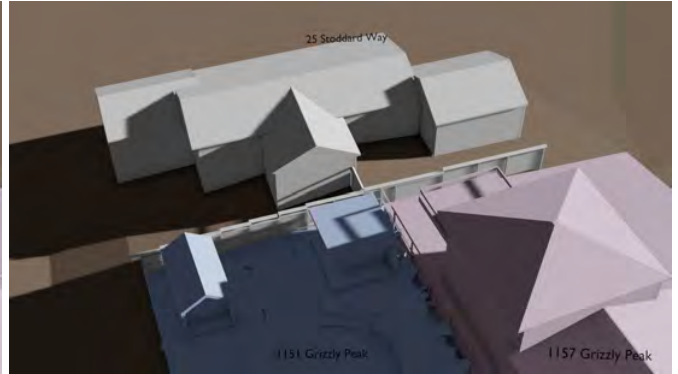
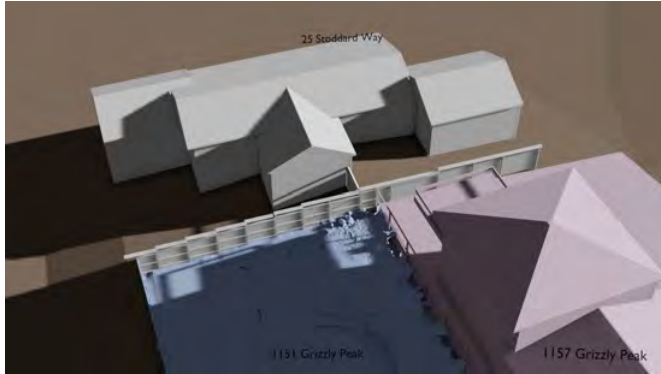
July 21 6:36 PM

SUN STUDY : WITHOUT VEGETATION

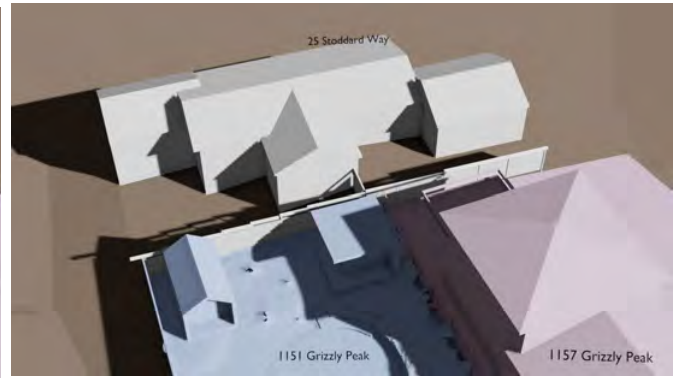
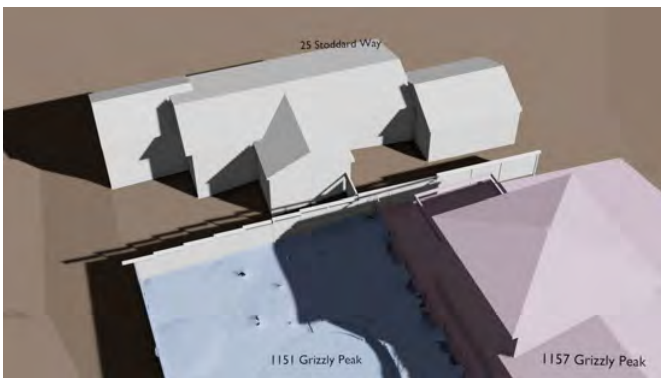
Winter Solstice

BEFORE

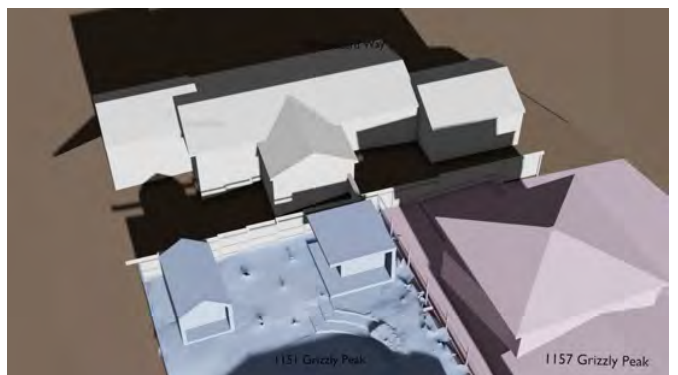
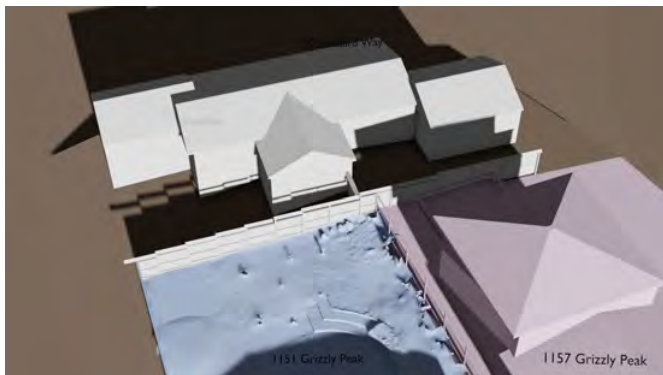
AFTER



December 21 9:21 AM



December 21 Noon



December 21 2:53 PM

VEGETATION

We understand there is a complaint from the resident at 25 Stoddard Way regarding the loss of light created by the addition of our Additional Building Structures. We think that if that is the case, a broader look at the existing vegetation on that property and the surrounding properties needs to be taken into consideration to reflect how surrounding trees are the main contributors to lack of sun exposure at 25 Stoddard Way.

In removing the two Camellia trees (see page 10 image), we reduced the overall height of shadow casting objects by roughly 8-12 feet from site prep to final installation. The Camellia's used to cast shadows year-round. Camellia trees are non-deciduous evergreen trees. They do not lose their leaves in winter.

Presently, on the North side of 1151 Grizzly Peak Blvd, there is only one Apple tree next to Unit 1 measuring roughly 22' high and a 15' Pittosporum hedge along the fence line at 1157 Grizzly Peak.

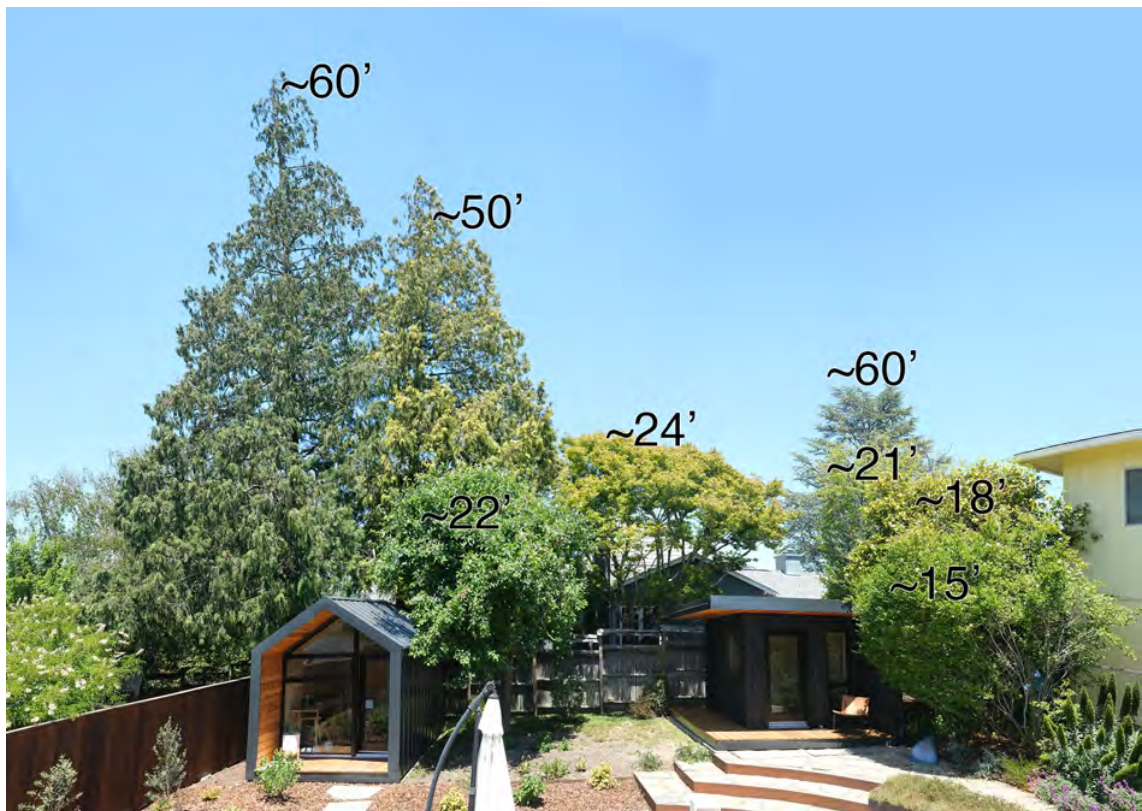
At 25 Stoddard Way, four very large trees cause an abundance of shadows all times of year for that and surrounding properties including ours.

On the North East side

1. One evergreen tree roughly 60' tall.

On the Southwest side

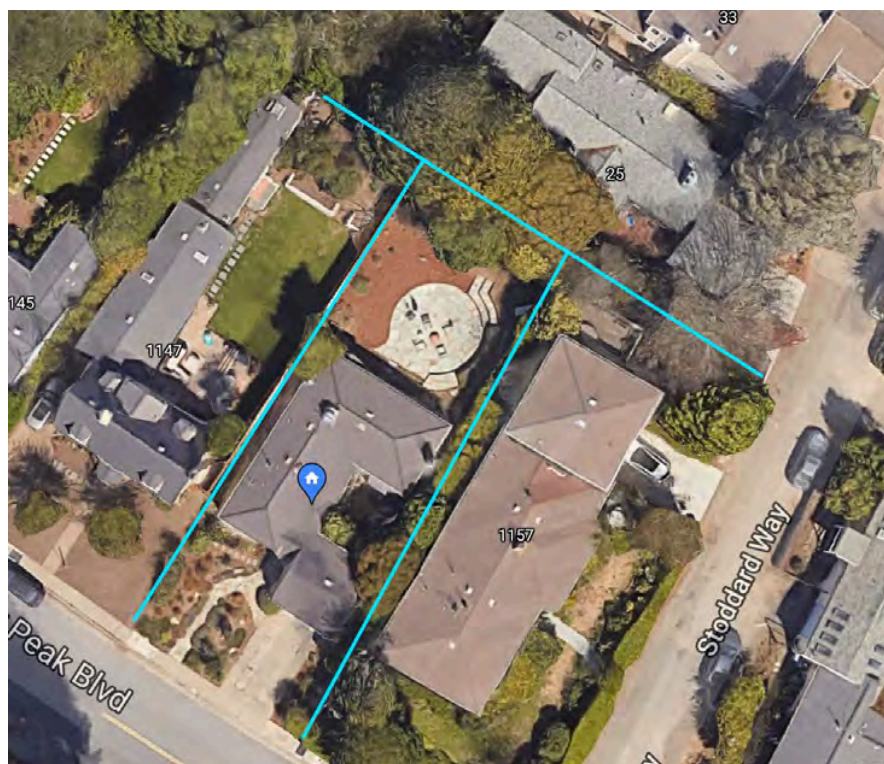
2. One evergreen (Sycamore?) roughly 60' tall
3. One evergreen roughly (Sycamore?) 50' tall
4. One Maple tree roughly 24' tall



The Maple trunk on the South side of the 25 Stoddard property blocks several windows on that property.



The trees on the South side of 25 Stoddard Way encroach onto our property and 1147 by anywhere from 6-12'

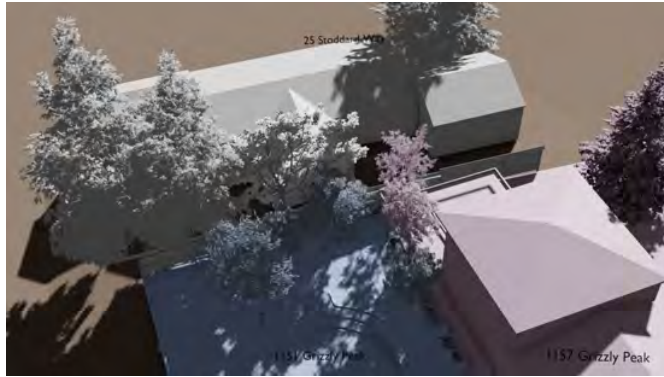


SUN STUDY : WITH VEGETATION

Summer Solstice

BEFORE

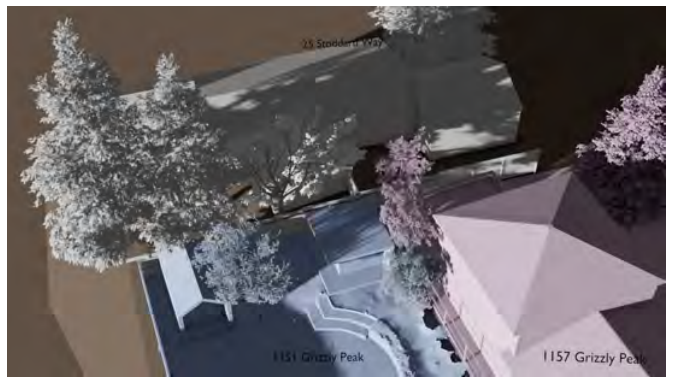
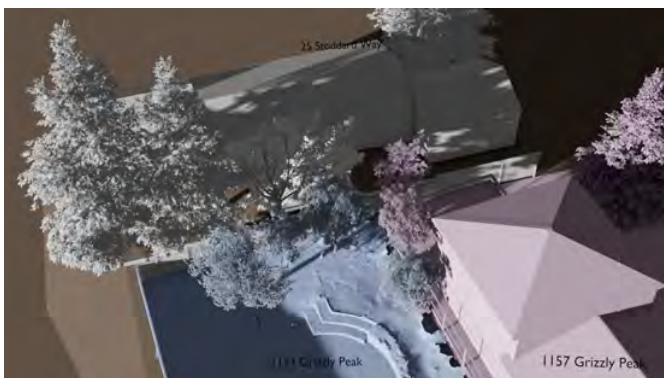
AFTER



July 21 7:47 AM



July 21 Noon



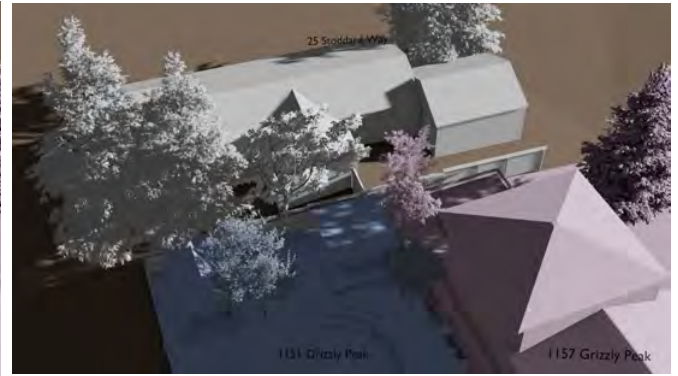
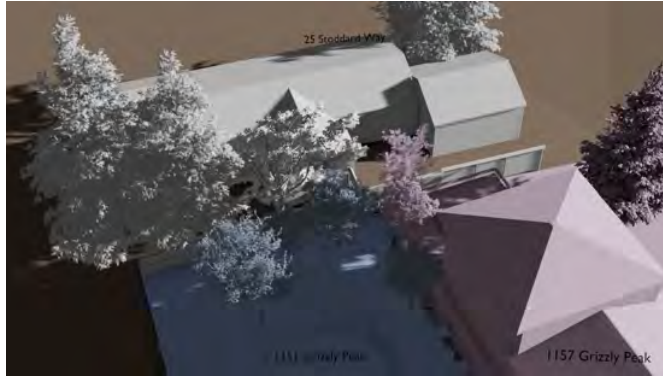
July 21 6:36 PM

SUN STUDY : WITH VEGETATION

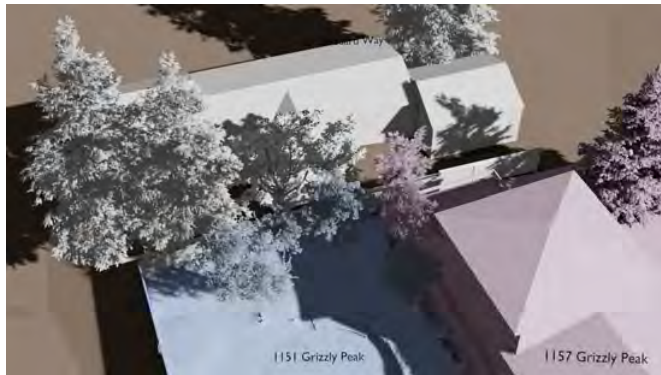
Winter Solstice

BEFORE

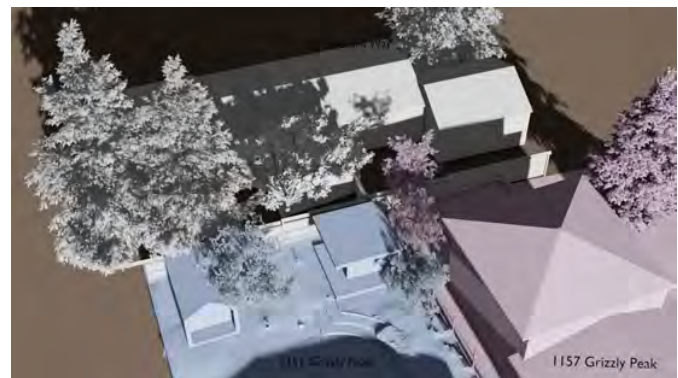
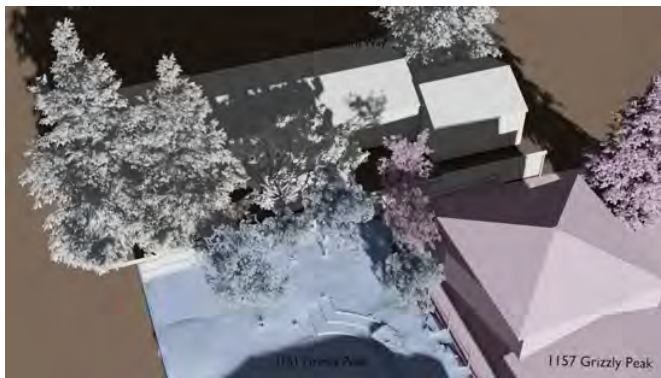
AFTER



December 21 9:21 AM



December 21 Noon



December 21 2:53 PM



Z O N I N G
A D J U S T M E N T S
B O A R D

NOTICE OF PUBLIC HEARING

1151 Grizzly Peak Boulevard

Administrative Use Permit ZP#2021-0088 to legalize two Accessory Buildings in the rear yard of a Single-Family Dwelling.

The Zoning Adjustments Board of the City of Berkeley will hold a public hearing on the above matter, pursuant to Zoning Ordinance Section 23B.32.020, on September 9, 2021, conducted via Zoom, see the Agenda for details:

https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_ZAB/2021-09-09_ZAB_Agenda.pdf. The meeting starts at 7:00 p.m.

PUBLIC ADVISORY: This meeting will be conducted exclusively through videoconference and teleconference. Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

A. Land Use Designations:

- General Plan: LDR - Low Density Residential
- Zoning: R-1(H) - Single-Family Residential District, Hillside Overlay

B. Zoning Permits Required:

- Administrative Use Permit (AUP) to construct accessory buildings, under Berkeley Municipal Code (BMC) Section 23D.08.005.

C. CEQA Determination: It is staff's recommendation that the project is categorically exempt pursuant to Section 15303 ("New Construction or Conversion of Small Structures") of the CEQA Guidelines. The determination is made by Zoning Adjustments Board (ZAB).

D. Parties Involved:

- Applicant & Property Owner: Jeana Arabzadeh & Matt Jacobs,
1151 Grizzly Peak Boulevard, Berkeley

Further Information:

All application materials are available at the Land Use Planning Division, during normal office hours or online at: <http://www.cityofberkeley.info/zoningapplications>. The Zoning Adjustments Board agenda and all agenda materials regarding this project will be available online 6 days prior to this meeting at: <http://www.cityofberkeley.info/zoningadjustmentsboard>.

Questions about the project should be directed to the project planner, Loyal Nawfal, at (510) 981-7424 or lnawfal@cityofberkeley.info.

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

Communication Disclaimer:

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

Communications and Reports:

Written comments must be directed to the ZAB Secretary at the Land Use Planning Division (Attn: ZAB Secretary), or via e-mail to: zab@cityofberkeley.info. All materials will be made available via the Zoning Adjustments Board Agenda page online at this address: <https://www.cityofberkeley.info/zoningadjustmentboard/>.

Correspondence received by 8:00 AM, on the Thursday before this public hearing, will be provided with the agenda materials provided to the Board. Note that if you submit a document of more than 10 pages, or in color, or with photos, you must provide 15 copies. Correspondence received after this deadline will be conveyed to the Board in the following manner:

- **Correspondence received by Noon Tuesday**, the week of this public hearing, will be conveyed to the Board in Supplemental Communications and Reports #1, which is released the end of the day Tuesday, two days before the public hearing;
- **Correspondence received by Noon Wednesday**, the week of this public hearing, will be conveyed to the Board in Supplemental Communications and Reports #2, which is released the end of the day Wednesday, one day before the public hearing; or
- **Correspondence received by 3 PM Thursday** will be given to the Zoning Adjustment Board just prior to the public hearing.

Members of the public may submit written comments themselves at the meeting. To distribute correspondence at the meeting, please provide 15 copies and submit to the Zoning Adjustments Board Clerk. Correspondence received later, and after the meeting, will be posted to the web site following the meeting.



Accessibility Information / ADA Disclaimer:

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 981-6342 (V) or 981-6345 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

SB 343 Disclaimer:

Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at the Land Use Planning Division, during regular business hours.

Notice Concerning Your Legal Rights:

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

1. If you challenge the decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, 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, the following requirements apply:
 - A. That this belief is a basis of your appeal.
 - B. Why you believe that the decision or condition constitutes a "taking" of property as set forth above.
 - C. All evidence and argument in support of your belief that the decision or condition constitutes a "taking" as set forth above.

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

Nawfal, Loyal

Subject: FW: Letter to the city about the new structures at 1151 Grizzly Peak

-----Original Message-----

From: Joan Wager <joanwager2004@comcast.net>

Sent: Thursday, June 17, 2021 10:40 AM

To: Nawfal, Loyal <LNawfal@cityofberkeley.info>

Subject: Letter to the city about the new structures at 1151 Grizzly Peak

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

To the City of Berkeley,

I was shocked when my neighbors on March 19 at 1151 Grizzly Peak had a crane deliver two large structures that were installed against the fence line blocking my space, light and small horizon sunset view. They informed me five days prior on a scrap of paper deposited inside my mailbox, that a crane would deliver two accessory buildings for an art studio and workout studio, approved by the city of Berkeley .

There was no prior consultation with me about the placement of these structures and their impact on me and my property. There are also other places on their property where these buildings could have been placed without impacting me.

When I saw the large size of these buildings I cried out in disbelief “these are horrible” and their reply was “approved by the city of Berkeley”.

I cannot believe that the city of Berkeley would have approved this encroachment on not only my property, space, light and view but also my well being in my home.

Thank you for reviewing this egregious situation and restoring my space light and view allowing me continue living in my home at 25 Stoddard Way unmolested..

Sincerely,
Joan Wager

Sent from my iPad

ATTACHMENT 1

FINDINGS AND CONDITIONS

JANUARY 13, 2022

1151 Grizzly Peak Boulevard

Administrative Use Permit ZP#2021-0088 to legalize two Accessory Buildings in the rear yard of a Single-Family Dwelling.

PERMITS REQUIRED

- Administrative Use Permit (AUP) to construct Accessory Buildings, under Berkeley Municipal Code (BMC) Section 23D.08.005.

I. CEQA FINDINGS

1. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations, §15000, et seq.) pursuant to Section 15303 of the CEQA Guidelines (“New Construction or Conversion of Small Structures”).
2. 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 BMC Section 23B.28.050.A, 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:
 - A. The subject property will continue to conform to the applicable provisions of the Single-Family Residential District, Hillside Overlay, R-1(H) standards (BMC Section 23D.28.070) for maximum residential density (one dwelling unit, where only one is allowed), height (10 feet average height without approval of an AUP), lot coverage (26.5 percent lot coverage, where the maximum allowed is 40 percent), usable open space (in excess of 1,000 square feet provided where a minimum of 400 square feet is required), and parking (two off-street parking spaces where one is required). No changes will be made to the existing single-family dwelling; setbacks and building height will remain the same;
 - B. The proposed legalized Accessory Buildings will meet the height limits per BMC Section 23D.08.020.A (9 feet, 8 inches and 9 feet, 5 inches respectively in average height proposed where no accessory building may exceed 10 feet in average height when any portion of the building or structure is within 4 feet of a lot line). They also will also meet the setback requirements per BMC Section 23D.08.030 as the Accessory

1151 GRIZZLY PEAK- ADMINISTRATIVE USE PERMIT #ZP2021-0088
January 13, 2022

FINDINGS & CONDITIONS
Page 2 of 7

Buildings will not encroach on the front half of the lot depth and are more than 75 feet from the front lot line. Additionally, the Accessory Buildings height (9 feet, 8 inches and 9 feet, 5 inches respectively), will not create new sightlines into abutting neighboring dwellings, and are adjacent to mature vegetation. For the reasons stated above, the proposed project will not have substantial impacts on sunlight or air, or views (as defined by BMC Section 23F.04.010 (Definitions) of adjacent properties;

- C. The proposed uses (ceramic studio, home office and gym) will be consistent with the type of low intensity residential use typically found in accessory buildings, will function as extensions of the main dwelling, and will not generate excessive noise, dust, odors, or other similar impacts;
- D. Per Condition of Approval #11, a "Notice of Limitation on Use of Property" will be signed and recorded with the County which will stipulate that no part of the Accessory Buildings shall be used or converted to use as a dwelling unit, and that a kitchen (as defined under BMC Section 23F.04.010 (Definitions)), will not be installed; and
- E. The proposed project is required to meet current Building and Safety Code and therefore, would not present a safety hazard to the residents on site, on adjacent properties or within the neighborhood.

STANDARD CONDITIONS

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 (BMC 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 (BMC 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.

5. Plans and Representations Become Conditions (BMC 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 (BMC 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 (BMC 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 (BMC 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.

ADDITIONAL CONDITIONS IMPOSED BY ZAB

Pursuant to BMC Section 23B.28.050.D, the ZAB attaches the following additional conditions to this Permit:

Prior to Submittal of Any Building Permit:

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

Project Liaison

Name

Phone #

Prior to Issuance of Any Building Permit:

11. Accessory Building: All owners of record of the subject property shall sign and record with the Alameda County Clerk-Recorder a "Notice of Limitation on Use of Property" (available from Land Use Planning Division) and provide a recorded copy thereof to the project planner. This Notice of Limitation shall stipulate that no part of this accessory building shall be used or converted to use as a dwelling unit unless and until permission is requested of the City of Berkeley and authorized a Use Permit, Administrative Use Permit, or Zoning Certificate, whichever is applicable. This limitation shall include the explicit acknowledgment that a full bathroom and cooking facilities may be installed, as long as the cooking facilities do not constitute a Kitchen per BMC Section

23F.04.010 (Definitions). This limitation may not be revised or removed from this property without the prior written permission of the Zoning Officer of the City of Berkeley.

Standard Construction-related Conditions Applicable to all Projects:

12. 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, pedestrian paths or vehicle travel lanes (including bicycle lanes);
- Storage of building materials, dumpsters, debris anywhere in the public ROW;
- Provision of exclusive contractor parking on-street; or
- 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, 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 1947 Center Street or 981-7500 for details on obtaining Construction/No Parking Permits (and associated signs and accompanying dashboard permits). Please note that the Zoning Officer and/or Traffic Engineer may limit off-site parking of construction-related vehicles if necessary to protect the health, safety or convenience of the surrounding neighborhood. A current copy of this Plan shall be available at all times at the construction site for review by City Staff.

- 13.** Construction activity shall be limited to between the hours of 8:00 a.m. and 6:00 p.m. on Monday through Friday, and between 9:00 a.m. and noon on Saturday. No construction-related activity shall occur on Sunday or on any Federal Holiday.
- 14.** 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.
- 15.** Subject to approval of the Public Works Department, the applicant shall repair any damage to public streets and/or sidewalks by construction vehicles traveling to or from the project site.
- 16.** 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 in thickness and secured to the ground.
- 17.** All active construction areas shall be watered at least twice daily, and all piles of debris, soil, sand or other loose materials shall be watered or covered.
- 18.** Trucks hauling debris, soil, sand, or other loose materials shall be covered or required to maintain at least two feet of board.
- 19.** Public streets shall be swept (preferably with water sweepers) of all visible soil material carried from the site.

20. 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.
21. The applicant shall ensure that all excavation considers surface and subsurface waters and underground streams so as not to adversely affect adjacent properties and rights-of-way.
22. Any construction during the wet season shall require submittal of a soils report with appropriate measures to minimize erosion and landslides, and the developer shall be responsible for following these and any other measures required by the Building and Safety Division and the Public Works Department.
23. 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.
24. 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.
25. 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 CEQA Guidelines Section 15064.5 (e)(1). If the County Coroner determines that the remains are Native American, the City shall contact the California Native American Heritage Commission (NAHC), pursuant to Health and Safety Code Section 7050.5(c), 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.

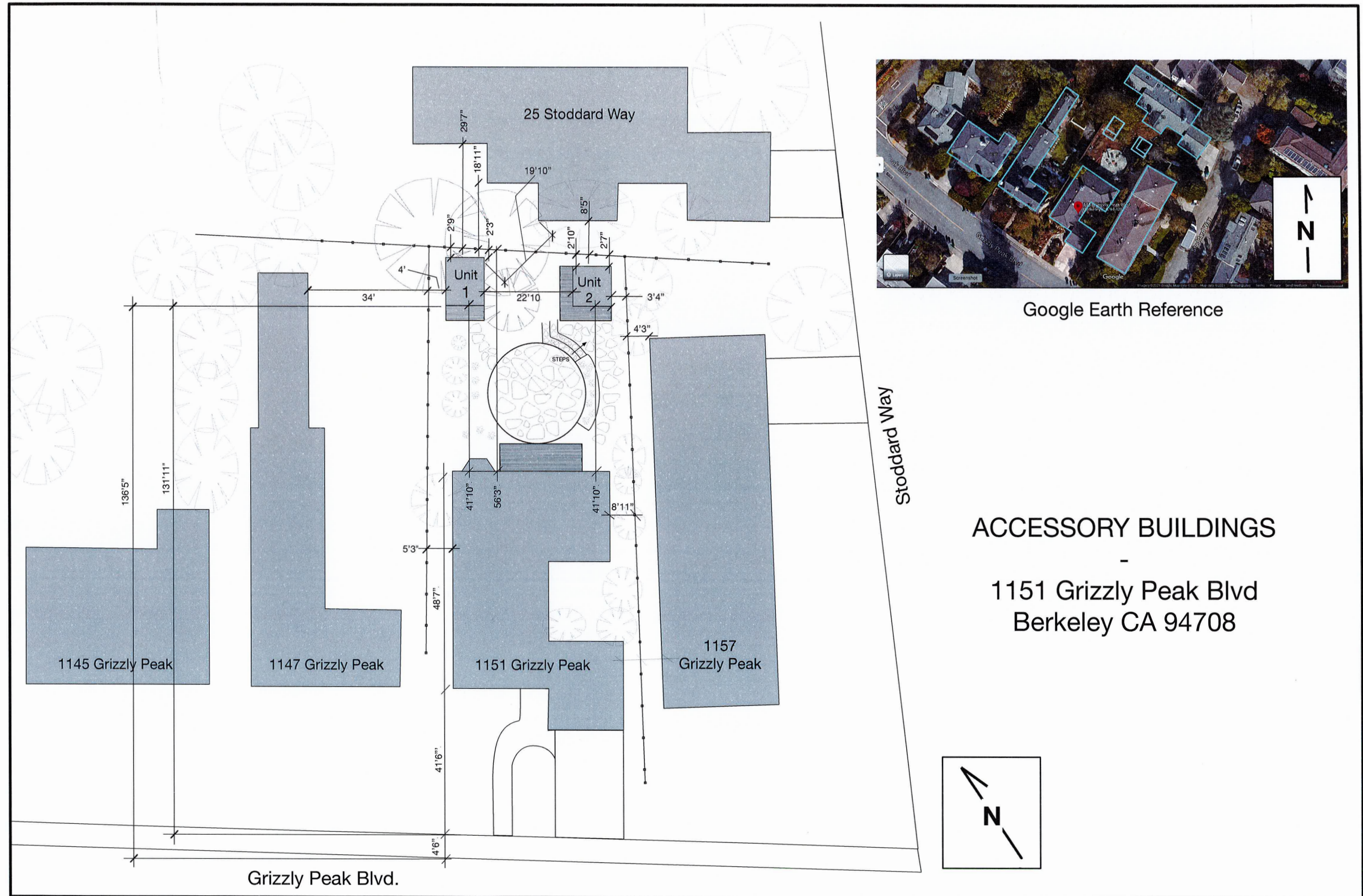
26. Paleontological Resources (Ongoing throughout demolition, grading, and/or construction). In the event of an unanticipated discovery of a paleontological resource during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by 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.

Prior to Issuance of Occupancy Permit or Final Inspection:

27. All construction at the subject property shall substantially conform to the approved Use Permit drawings or to modifications approved by the Zoning Officer.
28. All landscape, site and architectural improvements shall be completed per the attached approved drawings submitted with the revised applicant statement received November 29, 2021.

At All Times (Operation):

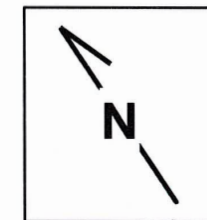
29. All exterior lighting shall be energy efficient where feasible; and shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
30. Drainage Patterns. The applicant shall establish and maintain drainage patterns that do not adversely affect adjacent properties and rights-of-way. Drainage plans shall be submitted for approval of the Building & Safety Division and Public Works Department, if required.
31. Electrical Meter. Only one electrical meter fixture may be installed per dwelling unit.
32. Screening Required for Garbage Cans and Utility Meters. All garbage cans must be effectively screened from view from the public right-of-way and surrounding properties.
-

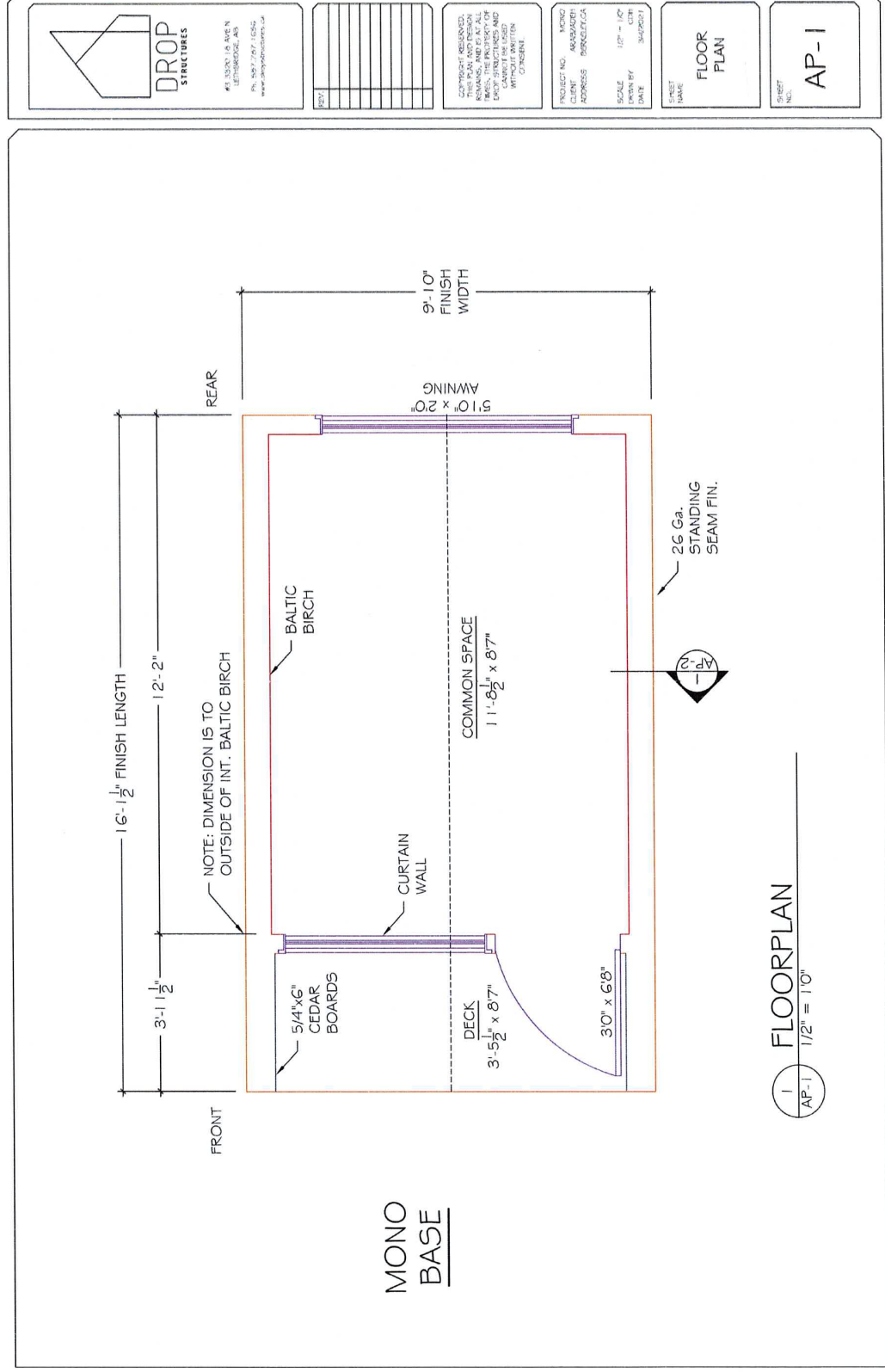



Google Earth Reference

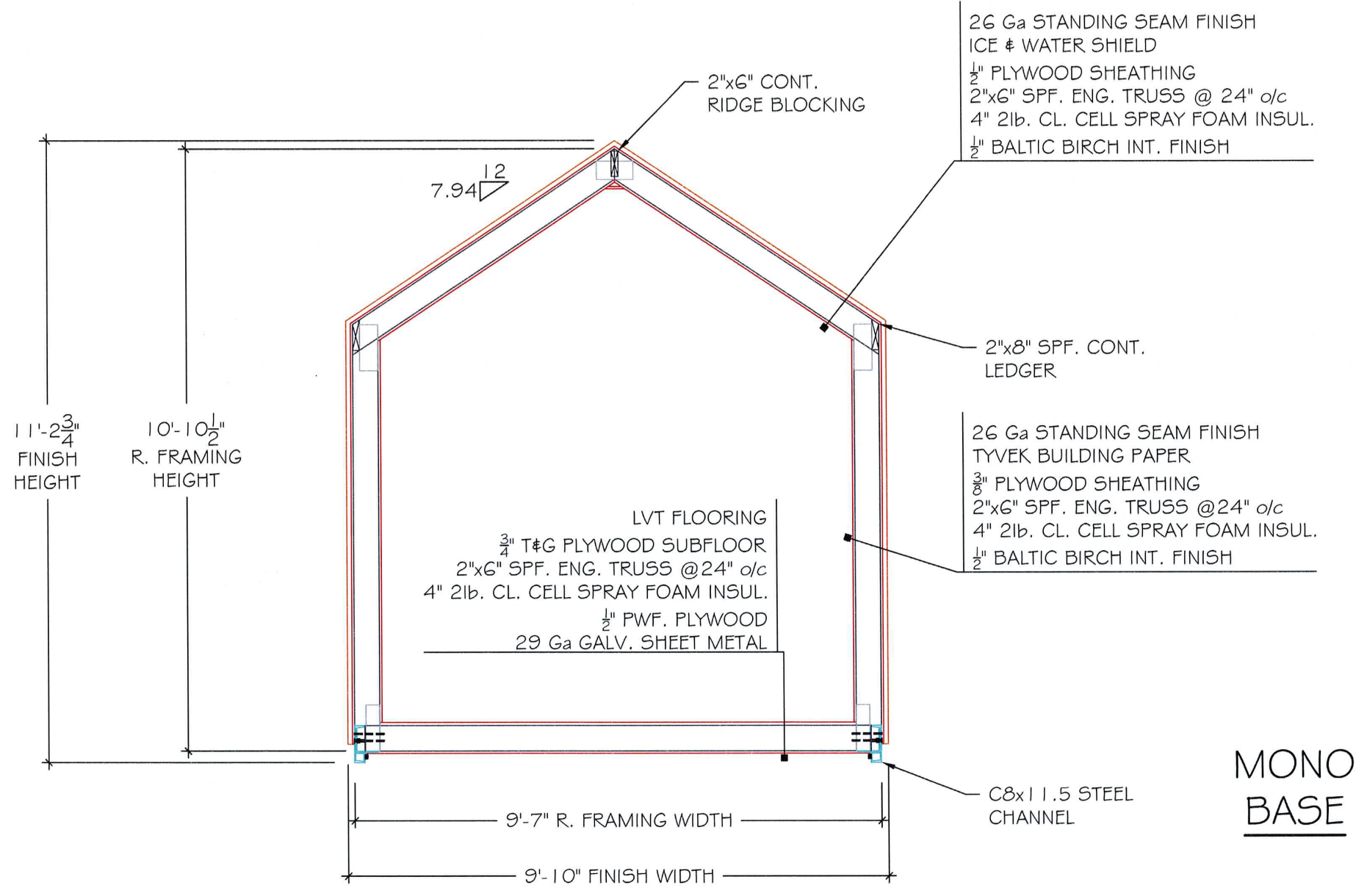
ACCESSORY BUILDINGS

1151 Grizzly Peak Blvd
Berkeley CA 94708



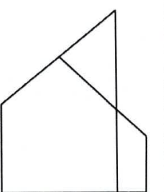


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PROJECT NO. CLIENT ADDRESS	PROJECT NO. ADDRESS ADDRESS	SCALE DRAWN BY DATE
SHEET NAME FLOOR PLAN		SHEET NO. AP-1



1
 AP-2 CROSS SECTION
 1/2" = 1'0"

NOTE: ALL CONSTRUCTION TO ADHERE TO A.B.C. 2019



DROP
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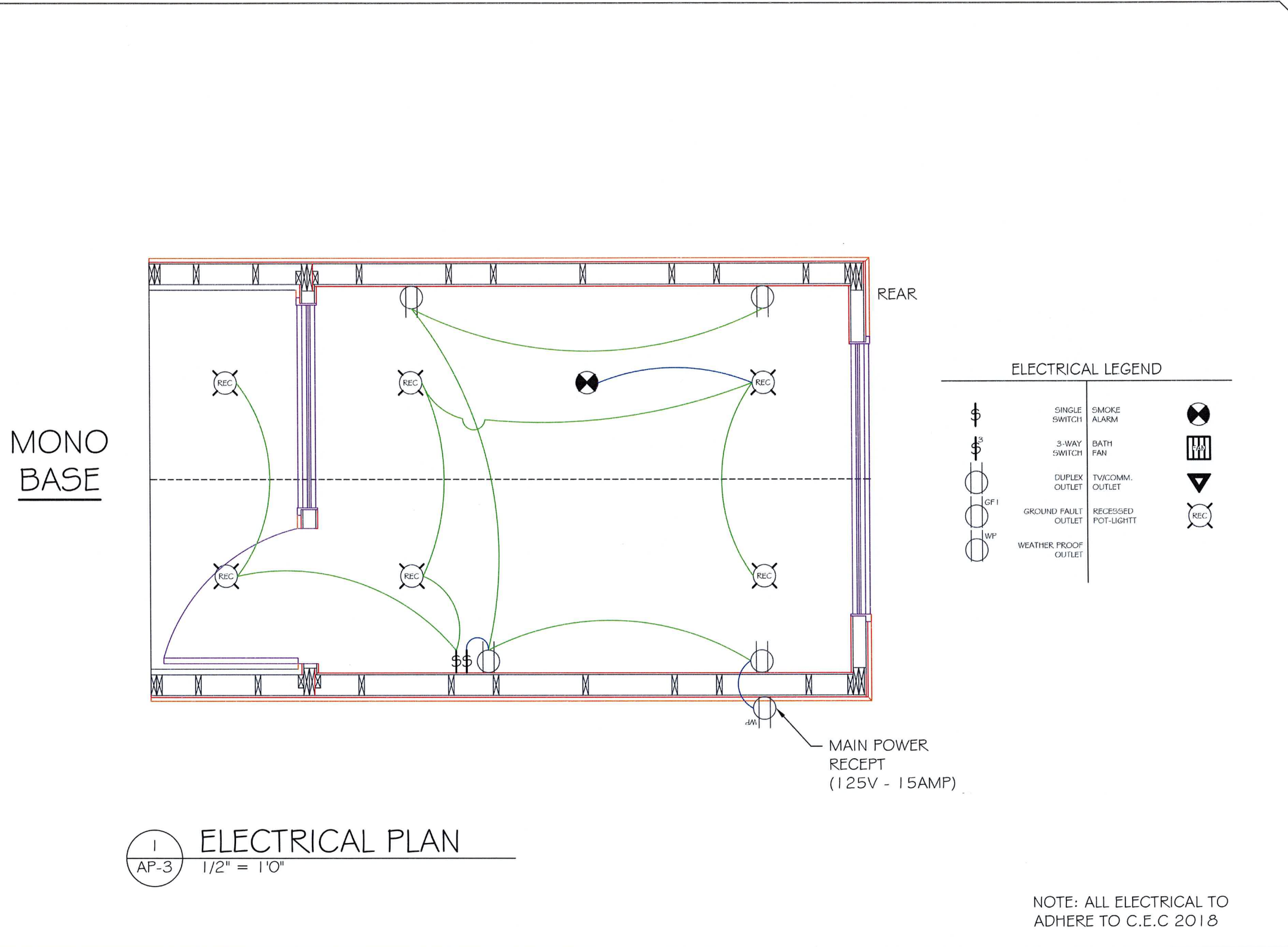
PROJECT NO. MONO
 CLIENT ARABZADEH
 ADDRESS BERKELEY, CA

SCALE 1/2" = 1'0"
 DRWN BY CDH
 DATE 3/4/2021

SHEET NAME
 CROSS SECTION

SHEET NO.
 AP-2

**MONO
 BASE**

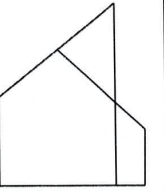


ELECTRICAL LEGEND

⌘	SINGLE SWITCH	SMOKE ALARM	⊗
⌘ ³	3-WAY SWITCH	BATH FAN	⊞
⊞	DUPLEX OUTLET	TV/COMM. OUTLET	▽
⊞ ^{GF1}	GROUND FAULT OUTLET	RECESSED POT-LIGHT	⊘
⊞ ^{WP}	WEATHER PROOF OUTLET		

1 ELECTRICAL PLAN
 AP-3 1/2" = 1'0"

NOTE: ALL ELECTRICAL TO ADHERE TO C.E.C 2018



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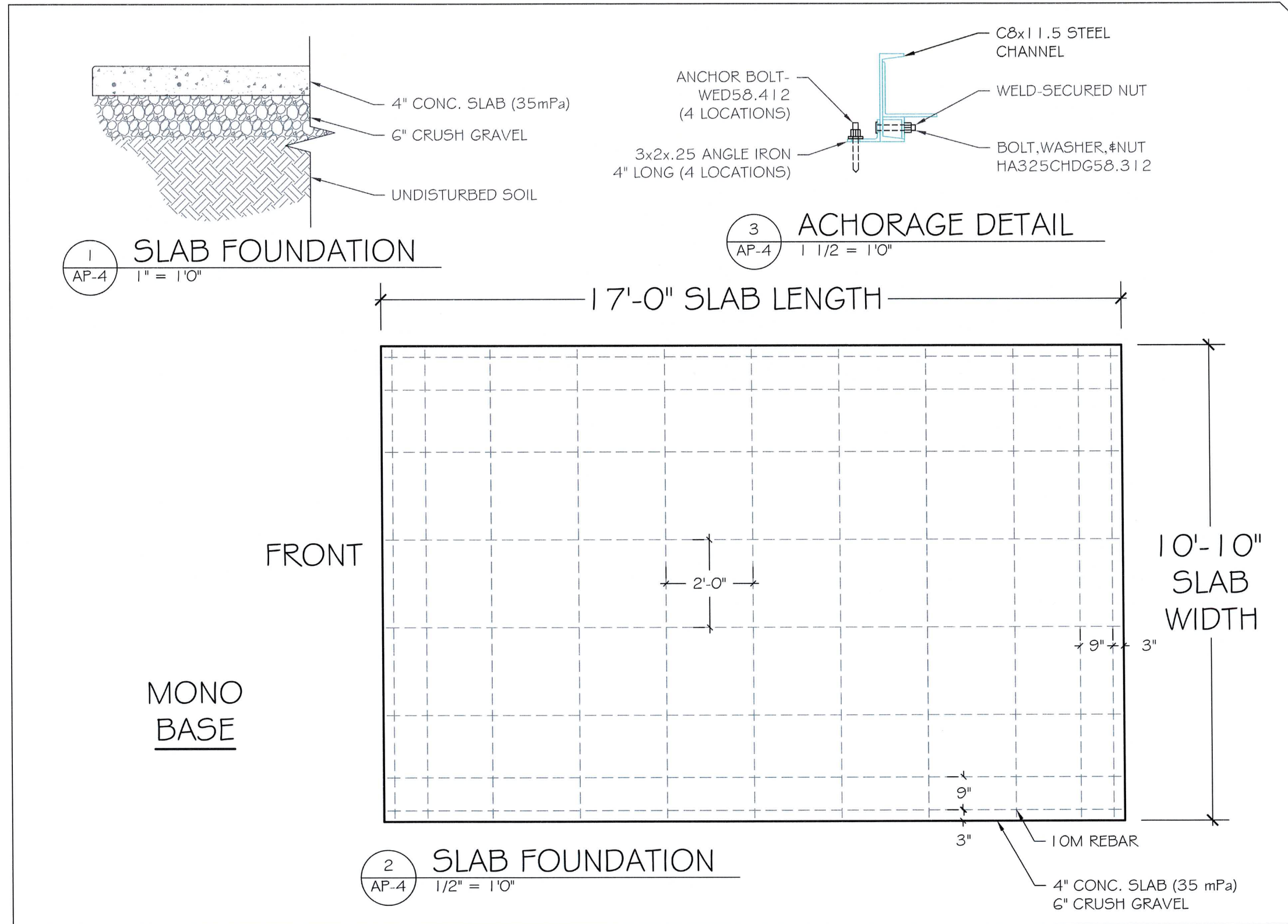
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SHEET NAME
 ELECTRICAL PLAN

SHEET NO.
 AP-3



1 SLAB FOUNDATION
 AP-4 1" = 1'0"

3 ANCHORAGE DETAIL
 AP-4 1 1/2" = 1'0"

2 SLAB FOUNDATION
 AP-4 1/2" = 1'0"

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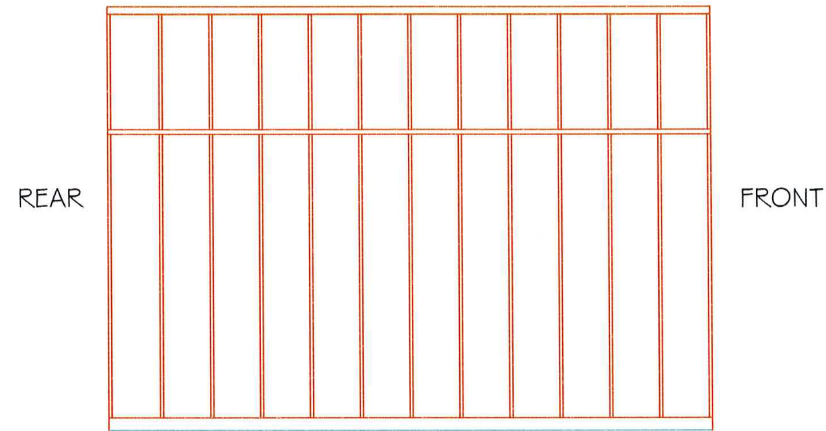
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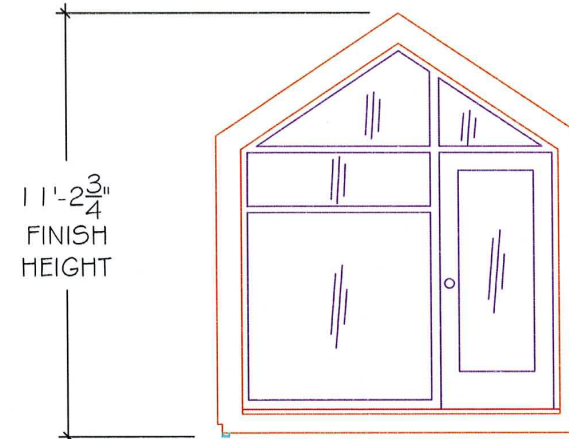
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 DATE 3/4/2021

SHEET NAME
 FOUNDATION
 PLAN

SHEET NO.
 AP-4

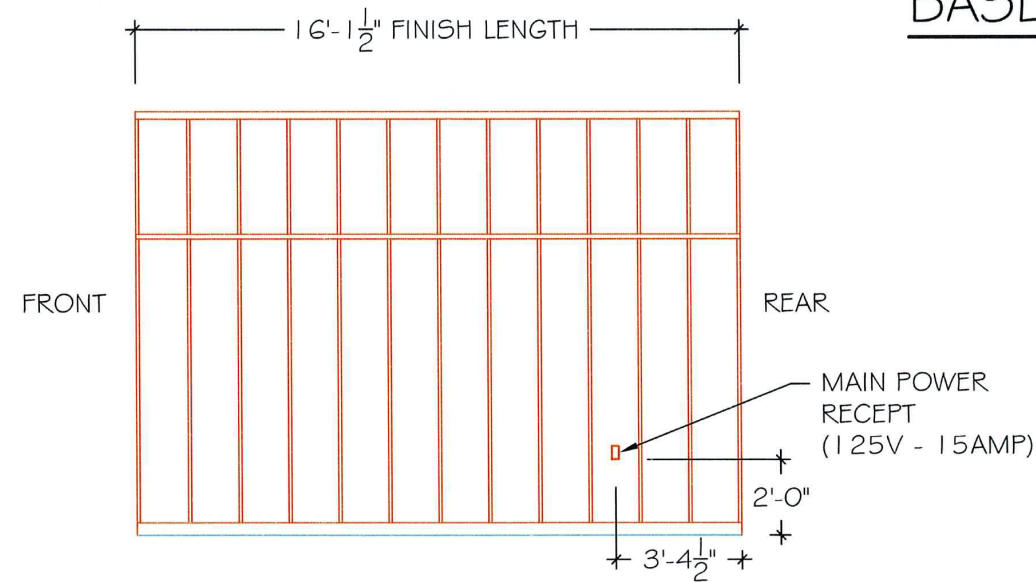


1 LEFT ELEVATION
 AP-5 1/4" = 1'0"

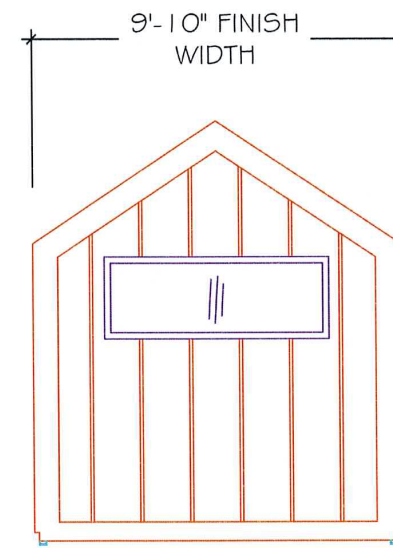


2 FRONT ELEVATION
 AP-5 1/4" = 1'0"

MONO
 BASE



3 RIGHT ELEVATION
 AP-5 1/4" = 1'0"



4 REAR ELEVATION
 AP-5 1/4" = 1'0"

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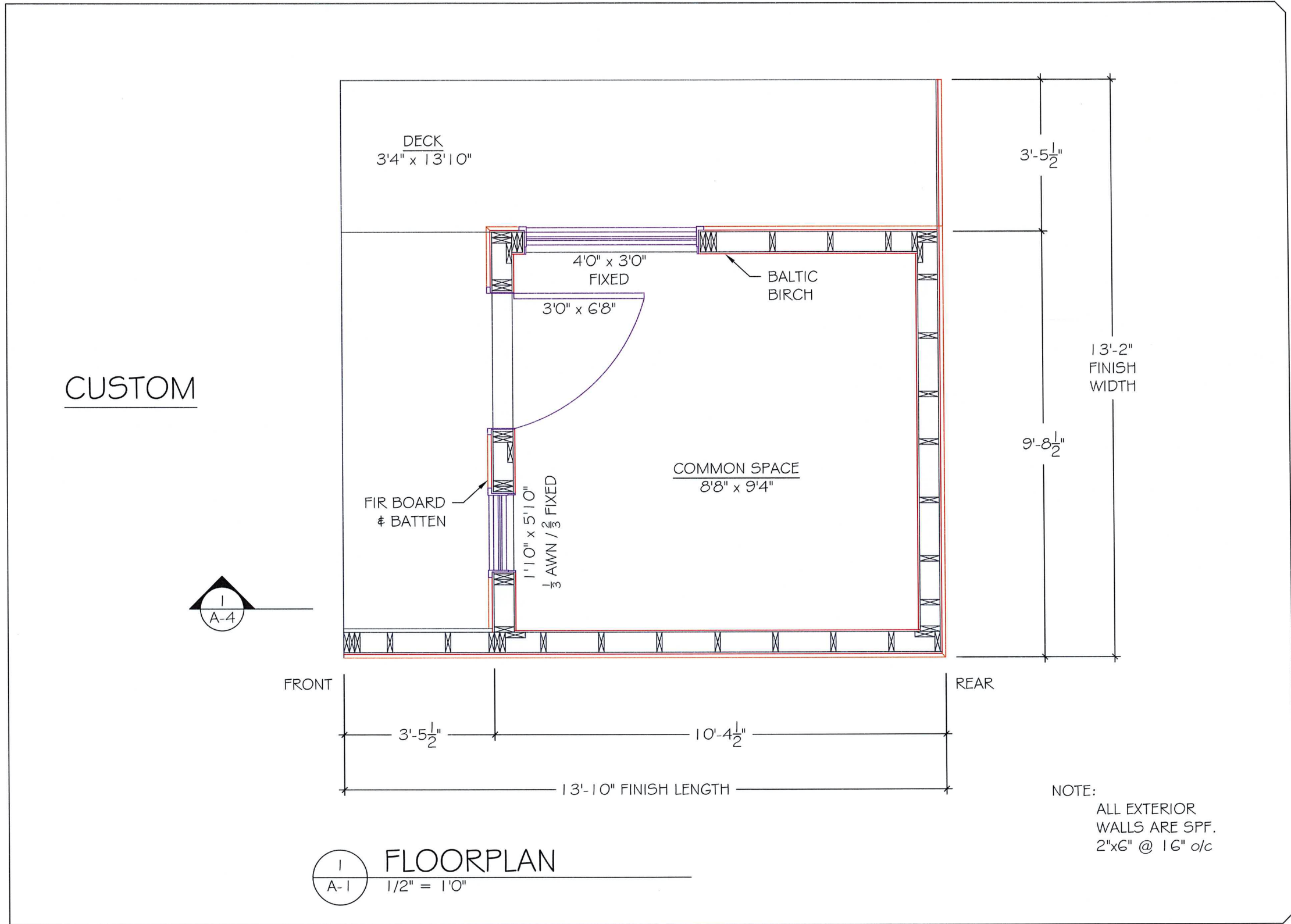
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SHEET
 NAME
 EXTERIOR
 ELEVATIONS

SHEET
 NO.
 AP-5

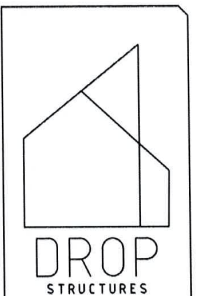


CUSTOM



FLOORPLAN
 1/2" = 1'0"

NOTE:
 ALL EXTERIOR
 WALLS ARE SPF.
 2"x6" @ 16" o/c



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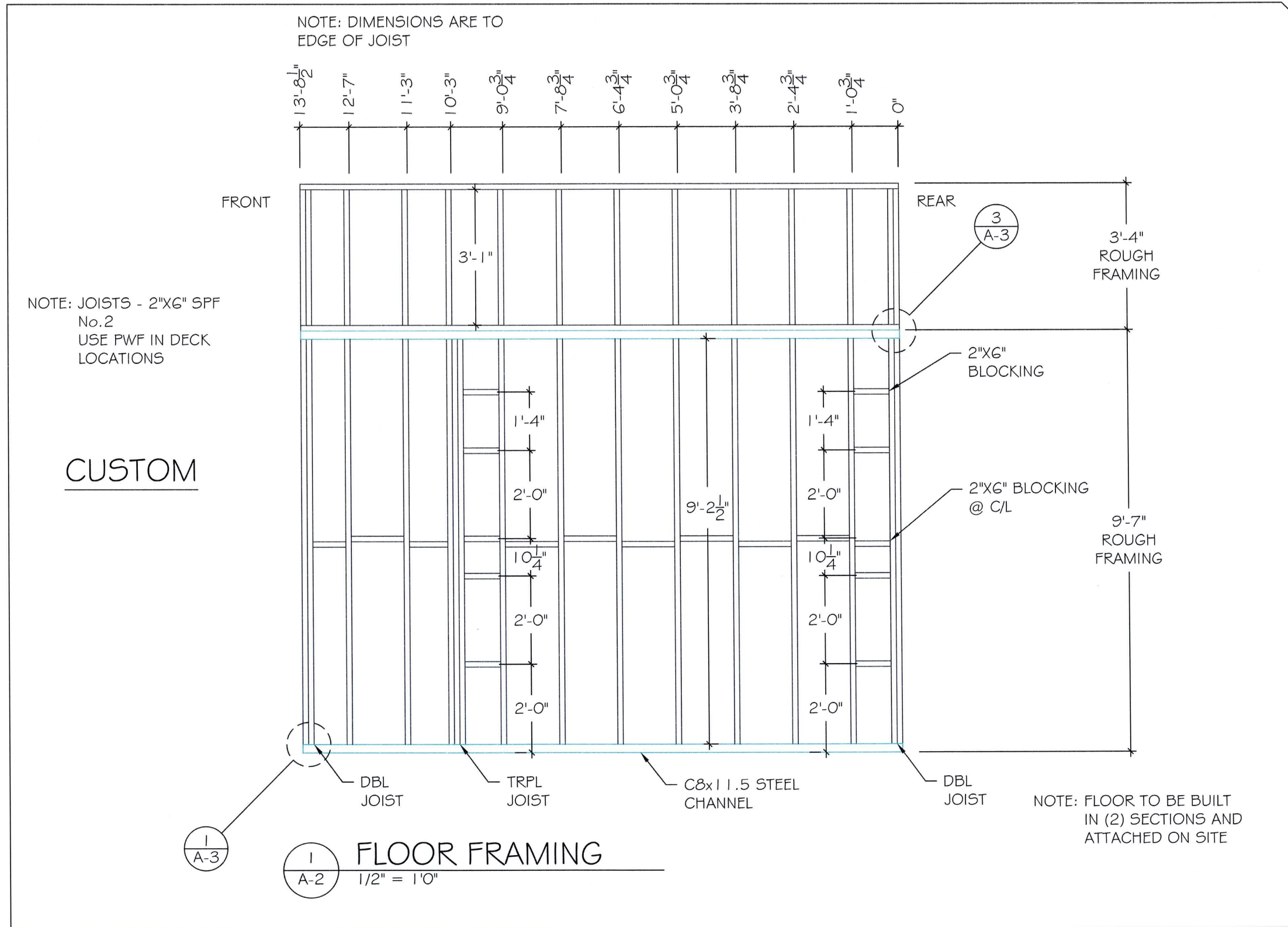
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 CLIENT JACOBS
 ADDRESS BERKELEY, CA

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 DATE 2/8/2021

SHEET NAME
FLOOR PLAN

SHEET NO.
A-1



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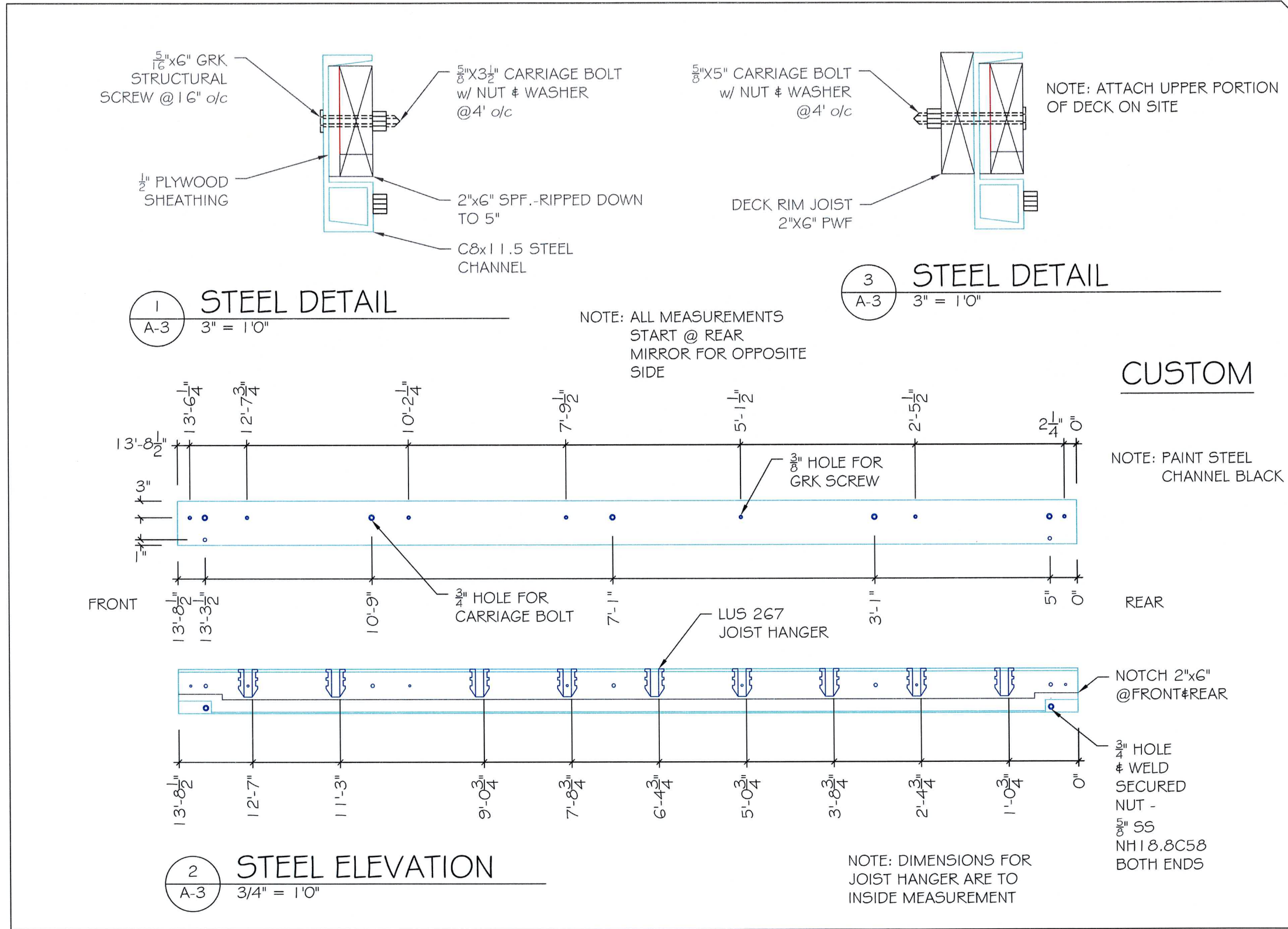
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 DATE 2/4/2021

SHEET NAME
FLOOR FRAMING

SHEET NO.
A-2



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REV.	DATE	DESCRIPTION
1/8/2021		ADDED DIMS FOR WELDED ON NUT BOTH

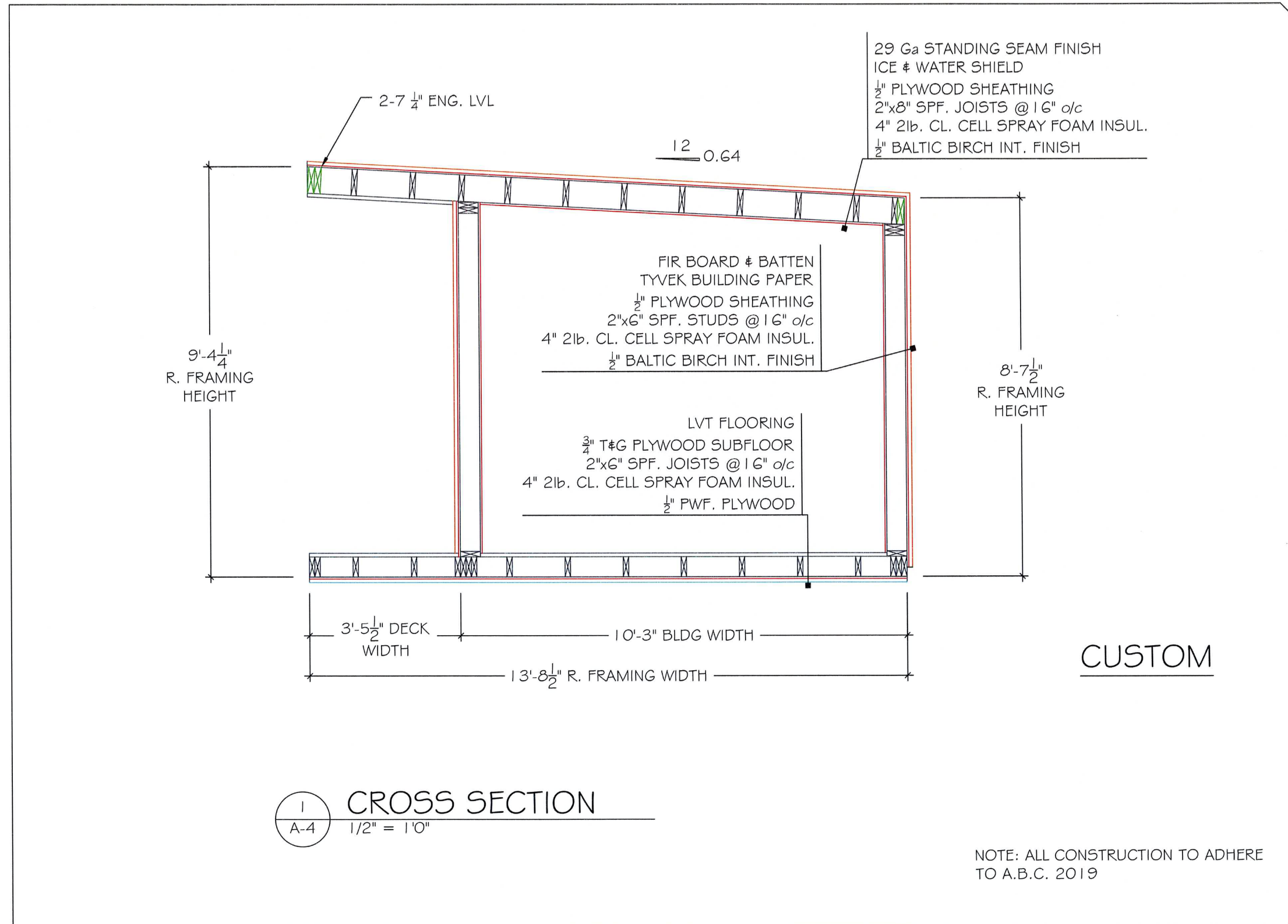
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CLIENT JACOBS
ADDRESS BERKELEY, CA

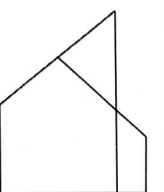
SCALE AS SHOWN
DRWN BY CDH
DATE 2/4/2021

SHEET NAME
STEEL DETAIL

SHEET NO.
A-3



1 CROSS SECTION
 A-4 1/2" = 1'0"



DROP
STRUCTURES

#3 3320 18 AVE N
LETHBRIDGE, AB
Ph. 587.787.1656
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REV.	

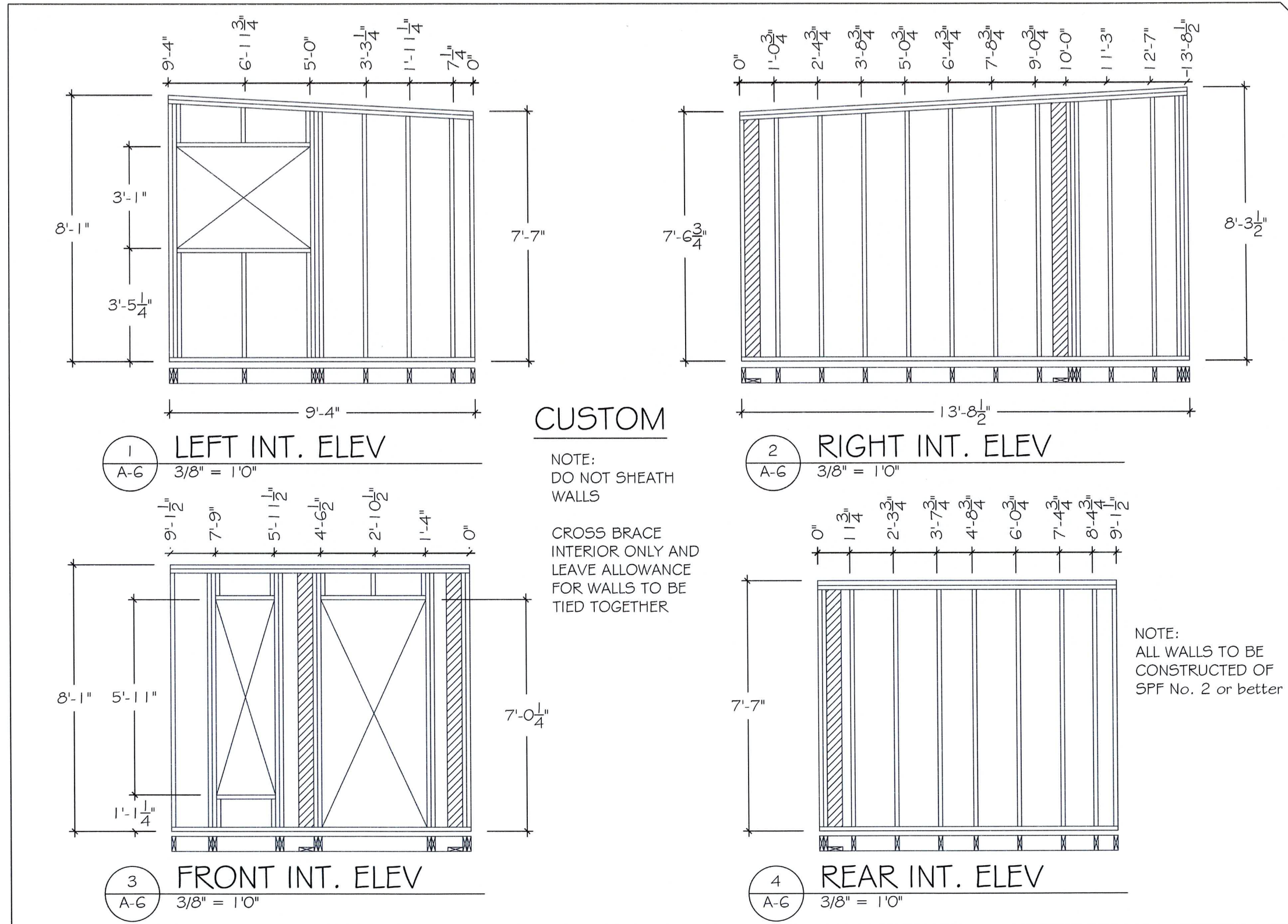
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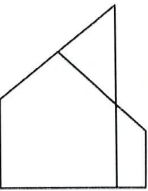
PROJECT NO.	CUSTOM
CLIENT	JACOBS
ADDRESS	BERKELEY, CA

SCALE	1/2" = 1'0"
DRWN BY	CDH
DATE	1/14/2021

SHEET NAME
CROSS SECTION

SHEET NO.
A-4





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PROJECT NO. CUSTOM
CLIENT JACOBS
ADDRESS BERKELEY, CA

SCALE 3/8" = 1'0"
DRWN BY CDH
DATE 2/2/2021

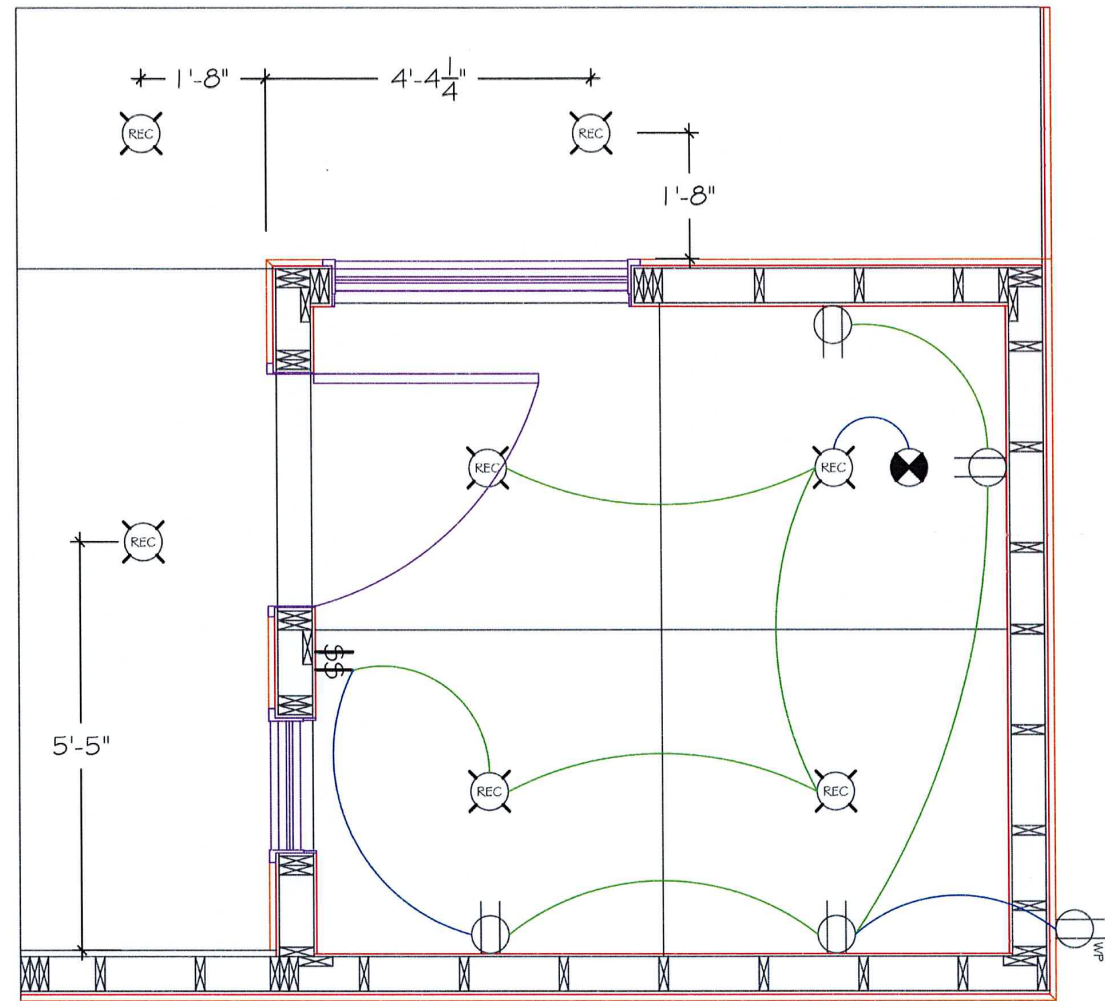
SHEET NAME
INTERIOR WALL LAYOUTS

SHEET NO.
A-6

CUSTOM

FRONT

REAR

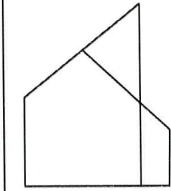


ELECTRICAL LEGEND

Ⓢ	SINGLE SWITCH	SMOKE ALARM	⊗
Ⓢ ³	3-WAY SWITCH	BATH FAN	⊞
⊙	DUPLEX OUTLET	TV/COMM. OUTLET	▽
⊙ ^{GF1}	GROUND FAULT OUTLET	RECESSED POT-LIGHT	⊗ ^{REC}
⊙ ^{WP}	WEATHER PROOF OUTLET		

1
 A-7
 ELECTRICAL PLAN
 1/2" = 1'0"

NOTE: ALL ELECTRICAL TO ADHERE TO C.E.C 2018



DROP
 STRUCTURES

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REV.	DESCRIPTION

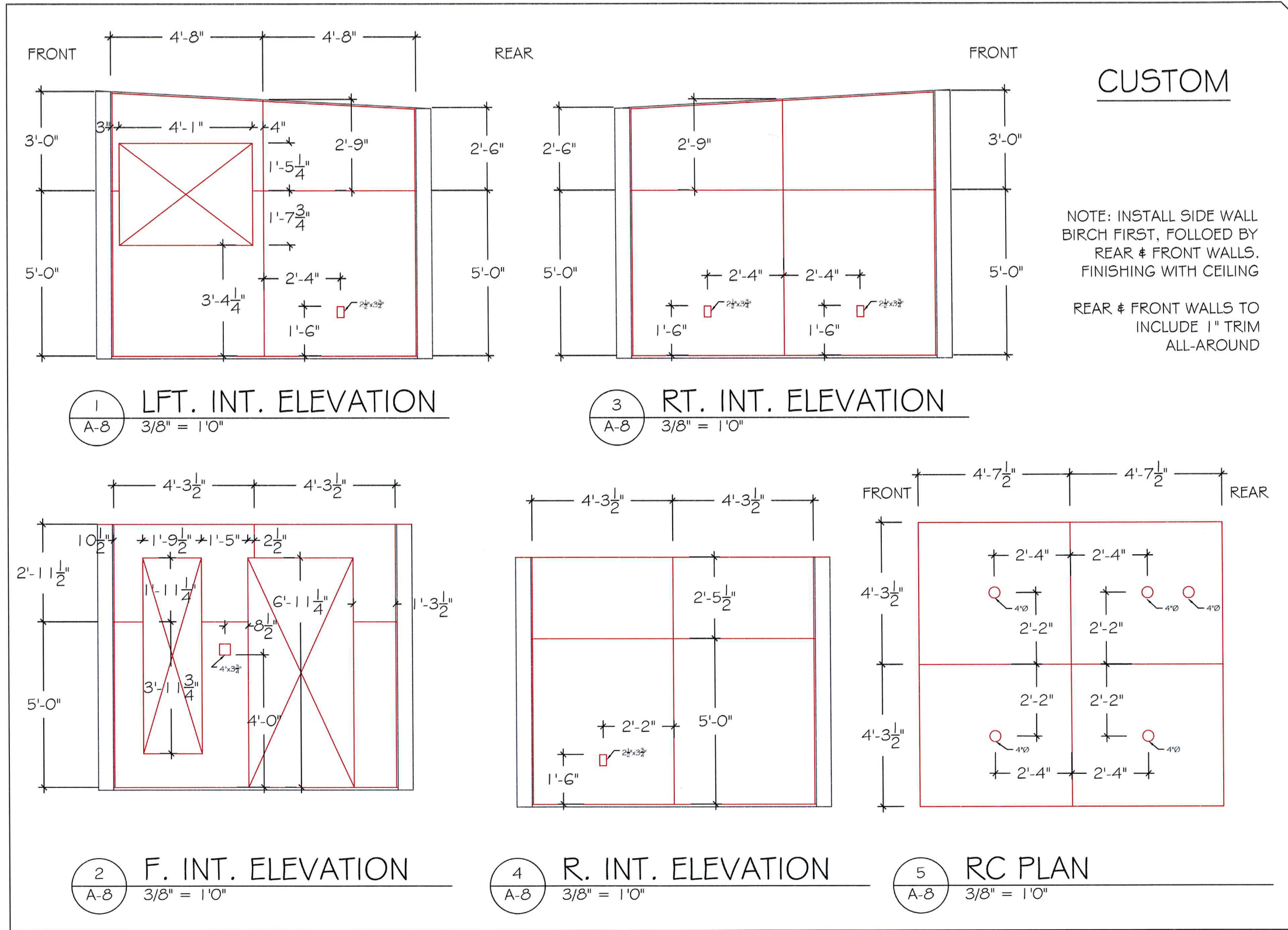
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PROJECT NO. CUSTOM
 CLIENT JACOBS
 ADDRESS BERKELEY, CA

SCALE 1/2" = 1'0"
 DRWN BY CDH
 DATE 2/8/2021

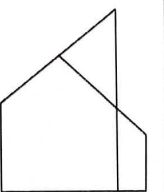
SHEET NAME
 ELECTRICAL PLAN

SHEET NO.
 A-7



CUSTOM

NOTE: INSTALL SIDE WALL BIRCH FIRST, FOLLOED BY REAR & FRONT WALLS. FINISHING WITH CEILING
REAR & FRONT WALLS TO INCLUDE 1" TRIM ALL-AROUND



DROP STRUCTURES

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REV.	DESCRIPTION

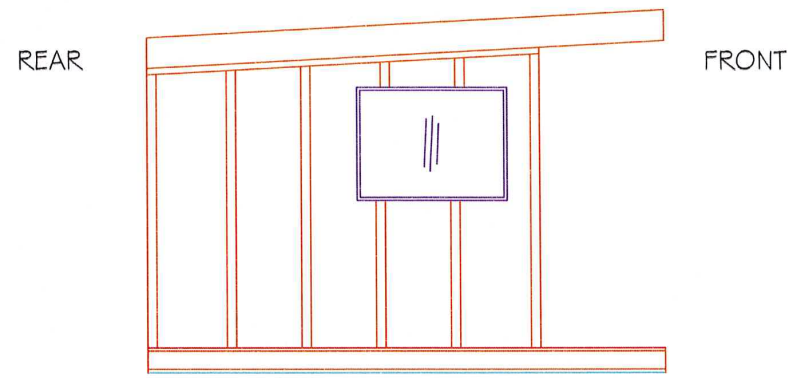
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PROJECT NO. CUSTOM
CLIENT JACOBS
ADDRESS BERKELEY, CA

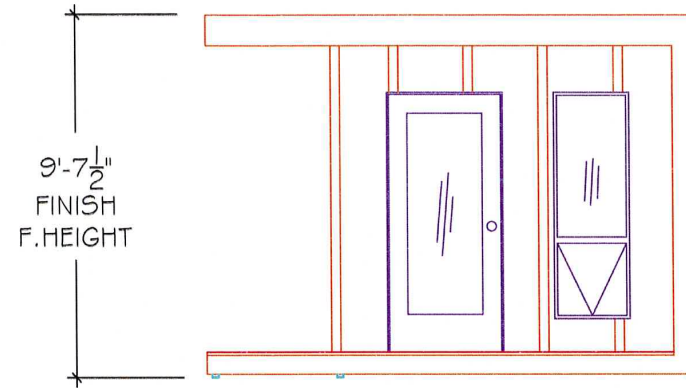
SCALE 3/8" = 1'0"
DRWN BY CDH
DATE 2/8/2021

SHEET NAME
INTERIOR ELEVATION

SHEET NO.
A-8

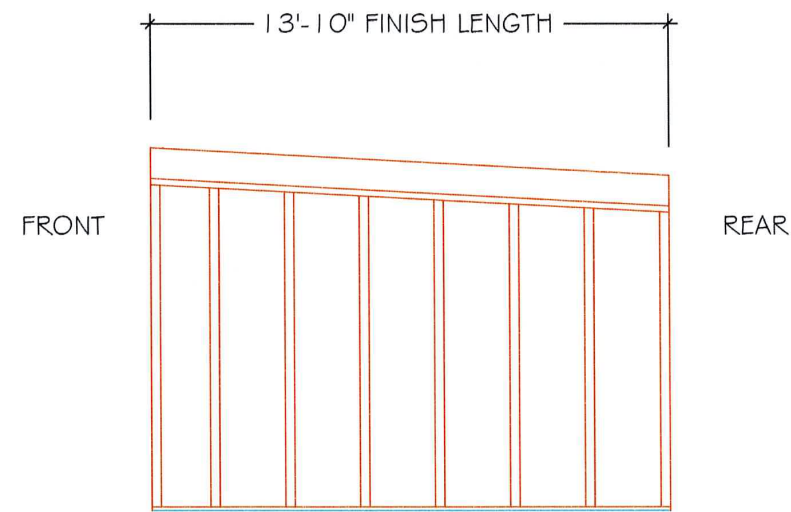


1 LEFT ELEVATION
 A-9 1/4" = 1'0"

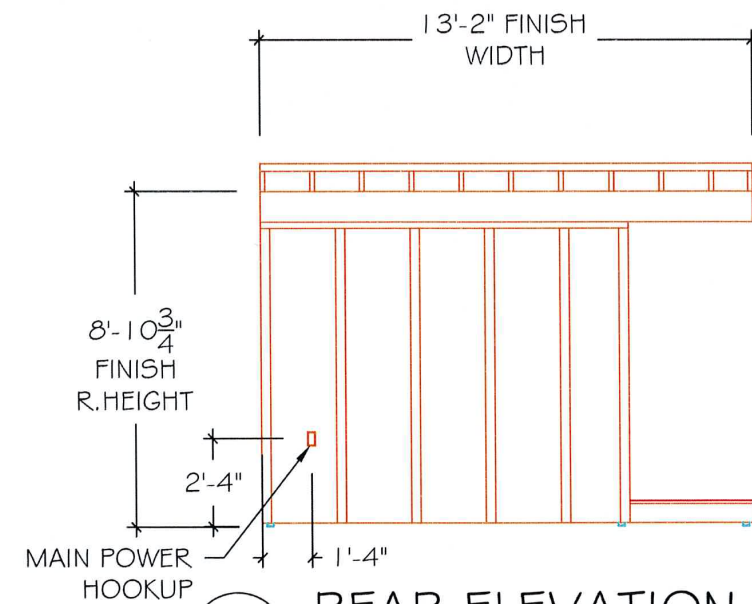


2 FRONT ELEVATION
 A-9 1/4" = 1'0"

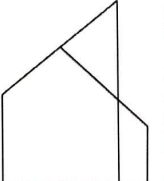
CUSTOM



3 RIGHT ELEVATION
 A-9 1/4" = 1'0"



4 REAR ELEVATION
 A-9 1/4" = 1'0"



DROP STRUCTURES

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REV.	DESCRIPTION

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PROJECT NO. CUSTOM
 CLIENT JACOBS
 ADDRESS BERKELEY, CA

SCALE 1/4" = 1'0"
 DRWN BY CDH
 DATE 2/8/2021

SHEET NAME
EXTERIOR ELEVATIONS

SHEET NO.
A-9