



Office of the City Manager

INFORMATION CALENDAR  
May 9, 2023

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted by: Jordan Klein, Director, Planning and Development Department  
 Subject: LPO NOD: 0 Center Street – Civic Center Park, #LMSAP2023-0001

INTRODUCTION

The attached Landmarks Preservation Commission Notice of Decision (NOD) is presented to the Mayor and City Council pursuant to Berkeley Municipal Code/Landmarks Preservation Ordinance (BMC/LPO) Section 3.24.240.A, which requires that “a copy of the Notice of Decision shall be filed with the City Clerk and the City Clerk shall present said copy to the City Council at its next regular meeting.”

CURRENT SITUATION AND ITS EFFECTS

The Landmark Preservation Commission (LPC/Commission) has approved a Structural Alteration Permit (SAP) for the subject City Landmark property. This action is subject to a 15-day appeal period, which began on April 25, 2023.

BACKGROUND

BMC/LPO Section 3.24.300 allows City Council to review any action of the Landmarks Preservation Commission in granting or denying a Structural Alteration Permit. For Council to review the decision on its merits, Council must appeal the Notice of Decision. To do so, a Council member must move this Information Item to Action and then move to set the matter for hearing on its own. Such action must be taken within 15 days of the mailing of the Notice of Decision, or by May 9, 2023. Such certification to Council shall stay all proceedings in the same manner as the filing of an appeal.

If the Council chooses to appeal the action of the Commission, then a public hearing will be set. The Council must then rule on the designation within 30 days of closing the hearing, otherwise the decision of the Commission is automatically deemed affirmed.

Unless the Council wishes to review the determination of the Commission and make its own decision, the attached NOD is deemed received and filed.

ENVIRONMENTAL SUSTAINABILITY & CLIMATE IMPACTS

Landmark designation provides opportunities for the adaptive re-use and rehabilitation of historic resources within the City. The rehabilitation of these resources, rather than their removal, achieves construction and demolition waste diversion, and promotes investment in existing urban centers.

POSSIBLE FUTURE ACTION

The Council may choose to appeal the decision, in which case it would conduct a public hearing at a future date.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

There are no known fiscal impacts associated with this action.

CONTACT PERSON

Fatema Crane, Principal Planner, Planning and Development, 510-981-7410

Attachments:

1: Notice of Decision – #LMSAP2023-0001 for 0 Center Street – Civic Center Park



L A N D M A R K S  
P R E S E R V A T I O N  
C O M M I S S I O N

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N o t i c e o f D e c i s i o n

**DATE OF BOARD DECISION: March 30, 2023**  
**DATE NOTICE MAILED: April 24, 2023**  
**APPEAL PERIOD EXPIRATION: May 9, 2023**  
**EFFECTIVE DATE OF PERMIT (Barring Appeal or Certification): May 10, 2023<sup>1</sup>**

## **0 Center Street – Civic Center Park**

**#LMSAP2023-0001 to install a Turtle Island Monument at the Civic Center Park Fountain, located on a City Landmark property within the Civic Center Historic District.**

The Landmarks Preservation Commission of the City of Berkeley, after conducting a public hearing, **APPROVED** the following request:

- **Structural Alteration Permit**

**APPLICANT:** City of Berkeley – Parks, Recreation & Waterfront Department

**ZONING DISTRICT:** Commercial Downtown – Mixed Use (CD-MU)

**ENVIRONMENTAL REVIEW STATUS:** Categorically exempt under the California Environmental Quality Act Guidelines, Sections 15301 for Existing Facilities and 15302 Replacement & Restoration.

**The application materials for this project is available online at:**

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<sup>1</sup> Pursuant to BMC Chapter 3.24, the City Council may “certify” any decision of the LPC for review, which has the same effect as an appeal. In most cases, the Council must certify the LPC decision during the 14-day appeal period. However, pursuant to BMC Section 1.04.070, if any portion of the appeal period falls within a Council recess, the deadline for Council certification is suspended until the first Council meeting after the recess, plus the number of days of the appeal period that occurred during the recess, minus one day. If there is no appeal or certification, the Use Permit becomes effective the day after the certification deadline has passed.

LANDMARKS PRESERVATION COMMISSION  
NOTICE OF DECISION  
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0 Center Street – Civic Center Park  
April 24, 2023  
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<https://berkeleyca.gov/construction-development/land-use-development/zoning-projects> or  
<https://permits.cityofberkeley.info/CitizenAccess/Default.aspx>

**FINDINGS FOR FINAL ACTION AND APPROVED PLANS ARE ATTACHED TO THIS NOTICE**

**COMMISSION VOTE: 5-1-0-3**

**YES:** CRANDALL, ENCHILL, FINACOM, LINVILL, TWU  
**NO:** ADAMS  
**ABSTAIN:** None  
**ABSENT:** LEUSCHNER, MONTGOMERY, SCHWARTZ

**TO APPEAL THIS DECISION (see Section 3.24.300 of the Berkeley Municipal Code):**

To appeal a decision of the Landmarks Preservation Commission to the City Council you must:

1. Submit a letter clearly and concisely setting forth the grounds for the appeal to the City Clerk, located at 2180 Milvia Street, 1<sup>st</sup> Floor, Berkeley. The City Clerk's telephone number is (510) 981-6900.
  - a. Pursuant to BMC Section 3.24.300.A, an appeal may be taken to the City Council by the application of the owners of the property or their authorized agents, or by the application of at least fifty residents of the City aggrieved or affected by any determination of the commission made under the provisions of Chapter 3.24.
2. Submit the required fee (checks and money orders must be payable to 'City of Berkeley'):
  - a. The basic fee for persons other than the applicant is \$500. This fee may be reduced to \$100 if the appeal is signed by persons who lease or own at least 50 percent of the parcels or dwelling units within 300 feet of the project site, or at least 25 such persons (not including dependent children), whichever is less. Signatures collected per the filing requirement in BMC Section 3.24.300.A may be counted towards qualifying for the reduced fee, so long as the signers are qualified. The individual filing the appeal must clearly denote which signatures are to be counted towards qualifying for the reduced fee.
  - b. The fee for appeals of affordable housing projects (defined as projects which provide 50 percent or more affordable units for households earning 80% or less of Area Median Income) is \$500, which may not be reduced.
  - c. The fee for all appeals by Applicants is \$2500.
3. The appeal must be received prior to 5:00 p.m. on the "APPEAL PERIOD EXPIRATION" date shown above (if the close of the appeal period falls on a weekend or holiday, then the appeal period expires the following business day).

If no appeal is received, the permit will be final on the first business day following expiration of

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April 24, 2023  
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the appeal period.

**NOTICE CONCERNING YOUR LEGAL RIGHTS:**

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

1. If you challenge this decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Landmarks Preservation Commission at, or prior to, the public hearing.
2. You must appeal to the City Council within fifteen (15) days after the Notice of Decision of the action of the Landmarks Preservation Commission is mailed. It is your obligation to notify the Land Use Planning Division in writing of your desire to receive a Notice of Decision when it is completed.
3. Pursuant to Code of Civil Procedure Section 1094.6(b) and Government Code Section 65009(c)(1), no lawsuit challenging a City Council decision, as defined by Code of Civil Procedure Section 1094.6(e), regarding a use permit, variance or other permit may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure Section 1094.6(b). Any lawsuit not filed within that ninety (90) day period will be barred.
4. Pursuant to Government Code Section 66020(d)(1), notice is hereby given to the applicant that the 90-day protest period for any fees, dedications, reservations, or other exactions included in any permit approval begins upon final action by the City, and that any challenge must be filed within this 90-day period.
5. If you believe that this decision or any condition attached to it denies you any reasonable economic use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a "taking" of property for public use without just compensation under the California or United States Constitutions, your appeal of this decision must include the following information:
  - A. That this belief is a basis of your appeal.
  - B. Why you believe that the decision or condition constitutes a "taking" of property as set forth above.
  - C. All evidence and argument in support of your belief that the decision or condition constitutes a "taking" as set forth above.

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

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**PUBLIC COMMENT:**

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

**FURTHER INFORMATION:**

Questions about the project should be directed to the project planner, Fatema Crane, at (510) 981-7410 or fcrane@cityofberkeley.info. All project application materials, including full-size plans, may be viewed at the Permit Service Center (Zoning counter), 1947 Center Street, 3<sup>rd</sup> Fl., during regular business hours.

**ATTACHMENTS:**

1. Findings for Final Action
2. Project Plans



**ATTEST:** \_\_\_\_\_  
Fatema Crane, Secretary  
Landmarks Preservation Commission

cc: City Clerk  
Applicant:

Property Owner: City of Berkeley

## Attachment 1, Part 2

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# Findings and Conditions

## 0 Center Street

**Structural Alteration Permit #LMSAP2023-001 to install a Turtle Island Monument at the Civic Center Park Fountain, located on a City Landmark property within the Civic Center Historic District.**

### **FINDINGS REQUIRED UNDER CEQA**

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 15301, CE Class 1 of the CEQA Guidelines (“Existing Facilities”) and Section 15302, CE Class 2 (“Replacement or Reconstruction”). Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area; (b) there are no cumulative impacts; (c) there are no significant effects; (d) the project is not located near a scenic highway; (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5; and (f) the project will not cause substantial adverse change in the significance of Civic Center Park, a resource included in the City of Berkeley’s register of historical resources and located in within a National Register Historic District.

### **FINDINGS RELATED TO THE SECRETARY OF THE INTERIOR’S STANDARDS**

Regarding the Secretary of the Interior’s Standards (SOI) for Rehabilitation, the Landmarks Preservation Commission of the City of Berkeley makes the following findings:

1. The proposed project does not require a change of use to the property, which is and will remain a municipal park.
2. The proposed removal of historical materials from the Streamline Moderne fountain and the installation of new elements to create the Turtle Island Monument are expected to alter the fountain in a manner that will not preserve its distinctive character and original design. These actions are not consistent with SOI Standards 2 and 5, which require retention of character, materials features, finishes and production techniques. However, the proposed alterations are limited to only one of the Civic Center Park’s character-defining features and will not affect any others, thereby avoiding wholesale alteration of the Park.
3. The proposed Turtle Island Monument will not resemble or replicate designs from the Park’s historic period. These new features are contemporary and will not result in a false sense of historical development.

4. The subject property does not feature changes that have acquired significance in their own right.
5. As described previous under analysis of SOI Standard 2, above, the features of Civic Center Park will be substantially retained and preserved with this limited-scope project that effects the fountain only.
6. As conditioned herein, if deteriorated historic features will be affected by this request, then they would be repaired or replaced to match the materials, design, and finishes of the original items.
7. Standard conditions of Structural Alteration Permit approval would require any chemical or physical treatments to be undertaken using the gentlest means possible. However, the applicant has not proposed chemical or physical treatments. However,
8. As conditioned herein, actions to preserve and protect unexpected discoveries during project construction are required. Nevertheless, the project does not have the potential to affect any archaeological resources because the applicant proposes no excavation.
9. The proposed new work is designed with new and differentiated elements and forms, and introduces new materials that are not currently or historically present in this area of the Park. Owing to these aspects, new work will be sufficiently differentiated from the historic design.
10. If the proposed improvements were removed in the future, they would not permanently impair the integrity or essential form of the Civic Center Park.

#### **FINDINGS REQUIRED UNDER LANDMARKS PRESERVATION ORDINANCE**

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1. As required by Section 3.24.260 of the Landmarks Preservation Ordinance, the Commission finds that the proposed work is appropriate for and consistent with the purposes of the Ordinance, and will preserve the characteristics and features specified in the designation for this property. Specifically:
  - A. The proposal to substantially alter the design of the Streamline Moderne Fountain in Civic Center Park will not adversely affect the architectural design of the City Landmark Park because the site would retain all of its other character-defining features, including: setting, topography and spatial organization with four primary segments (tree and fountain terraces, circular lawn and western esplanade), mature trees, system of pathways, and original furnishings. With these features intact, the Park will retain its use, identify and form as well as its historical integrity.
  - B. The special character of the subject property may lie in its civic identity, Works Progress Administration-era associations and reflections of the City Beautiful Movement. The project will result in alteration of the Streamline Moderne Fountain at this site, but it will not adversely affect the Park's special character overall due to its limited scope and retention of the remaining features of the site.



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**STANDARD CONDITIONS**

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The following conditions, as well as all other applicable provisions of the Landmarks Preservation 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 Permit, under the title 'Structural Alteration 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. Plans and Representations Become Conditions**

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.

**3. Subject to All Applicable Laws and Regulations**

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 Zoning Adjustments Board or Zoning Officer, Building and Safety Division, Public Works Department and other affected City divisions and departments.

**4. Exercise and Lapse of Permits**

- A. 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.
- B. 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.

**5. 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.

## 6. 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.

## 7. 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.

**8. 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.

**9. 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.

## **ADDITIONAL CONDITIONS**

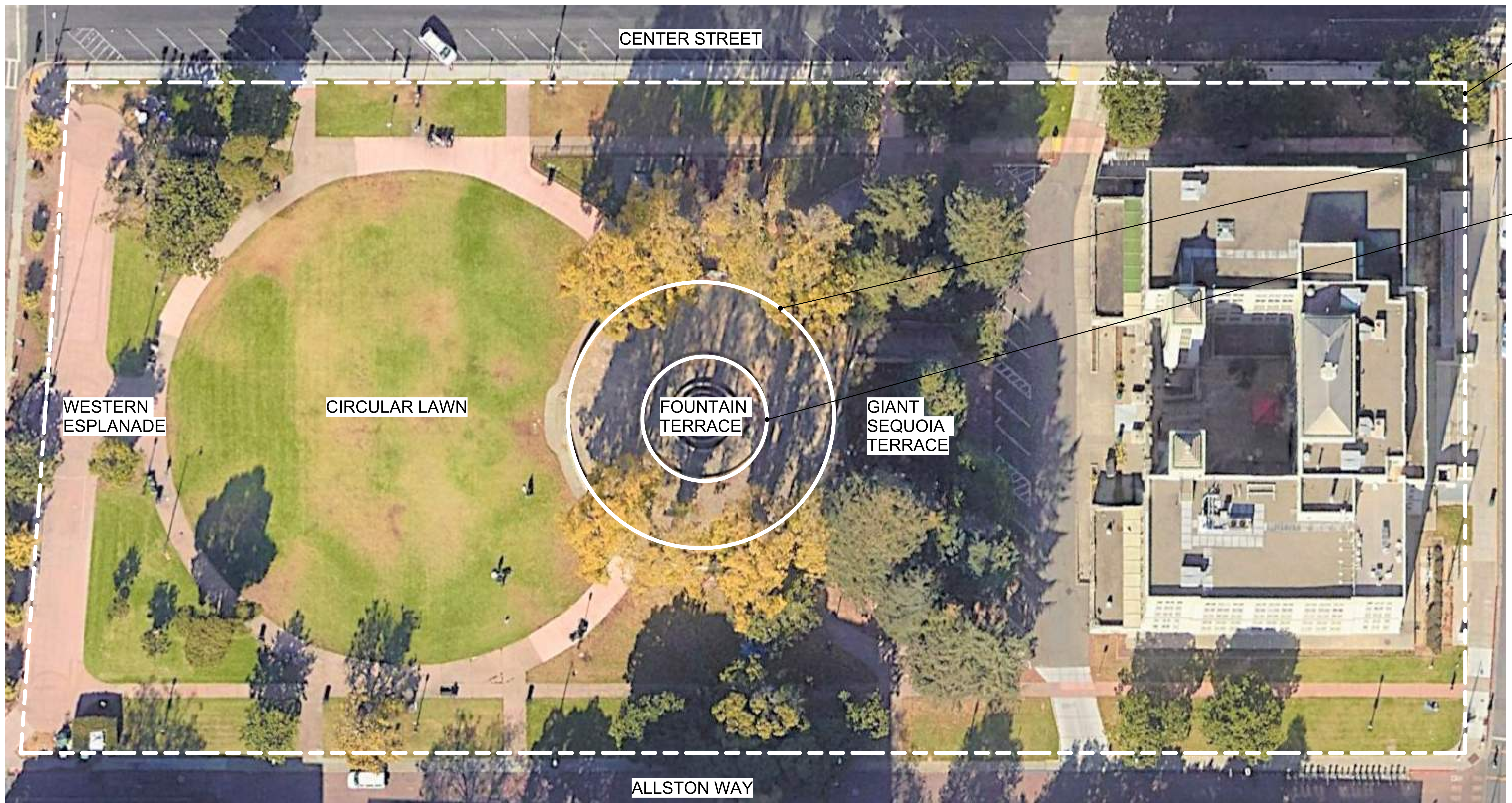
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The following additional conditions are attached to this Permit:

- 10.** No changes can be made to the approved plans without prior approval.
- 11. CITY PERMITS.** This Structural Alteration Permit (SAP) approval is contingent upon approval of the requisite City Permits for the project scope.
- 12. PLANS COMPLIANCE.** Construction and building permit plans shall substantially conform to the Structural Alteration Permit (SAP) project plans.

13. Prior to issuance of any building for demolition or any demolition activities that are not subject to building permit, the applicant shall obtain photographic documentation of the Civic Center Park Fountain in a manner similar to Historic American Landscape Survey guidelines. The resulting photographic documentation shall be offered to Berkeley Historical Society and the Berkeley Architectural Heritage Association.
14. Prior to demolition and/or removal, the Fountain pumps shall be offered to the Treasure Island Museum.
15. The project shall include installation of re-circulating pumps.
16. **REPAIR AND REPLACEMENT OF CHARACTER-DEFINING FEATURES.** Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old or historic feature in design, color, texture, and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence.
17. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
18. **COLORS.** Prior to project implementation and/or Landmarks plan checker sign-off of the Building Permit set of drawings, the applicant shall submit color and materials information for review and approval by Landmarks staff, in coordination with the LPC Chair as needed.
19. **DETAILS.** Prior to project implementation and/or Landmarks plan checker sign-off of the Building Permit set of drawings, the applicant shall submit window, door, base, and trim details for review and approval by the Landmarks plan checker.
20. **LIGHTING (if applicable).** Prior to project implementation and/or Landmarks plan checker sign-off of the building permit set of drawings, the applicant shall submit lighting details showing all existing and proposed site and building lighting. Exterior lighting, including for signage, shall be downcast and not cause glare on the public right-of-way and adjacent parcels.
21. **LANDSCAPE PLANS (if applicable).** Prior to project implementation and/or Landmarks plan checker sign-off of the Building Permit set of drawings, the applicant shall submit a Landscape plan including the number, location, and species of all proposed plantings, and which existing plantings shall be removed. The applicant shall provide irrigation for all landscaped areas or provide drought tolerant plant palette. This shall be called out on Landscape building permit drawings.
22. **LANDSCAPE IRRIGATION (if applicable).** Prior to project implementation and/or Landmarks plan checker sign-off of the Building Permit set of drawings, the applicant shall provide irrigation for all landscaped areas. This shall be called out on Landscape building permit drawings.

- 23.** The applicant shall be responsible for identifying and securing all applicable permits from the Building and Safety Division and all other affected City divisions/departments prior to the start of work.
- 24.** The applicant is responsible for complying with all the above conditions. Failure to comply with any condition could result in construction work being stopped, issuance of citations, as well as further review by the Landmarks staff, which may modify or impose additional conditions, or revoke approval.
- 25.** All building permit drawings and subsequent construction shall substantially conform to the approved plans as outlined in Condition #1. Any modifications must be reviewed by the Landmarks plan checker to determine whether the modification requires approval.
- 26.** 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.

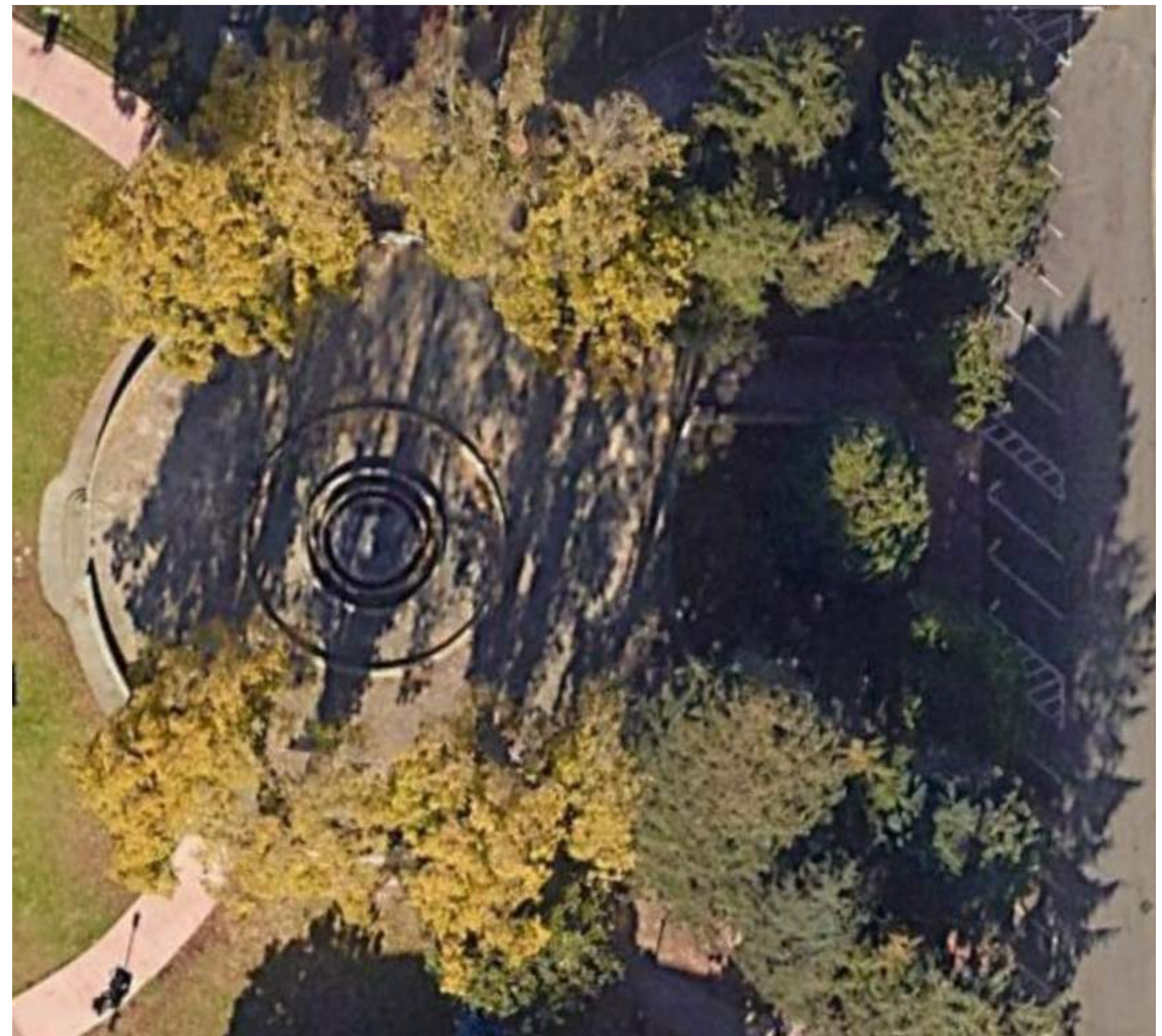
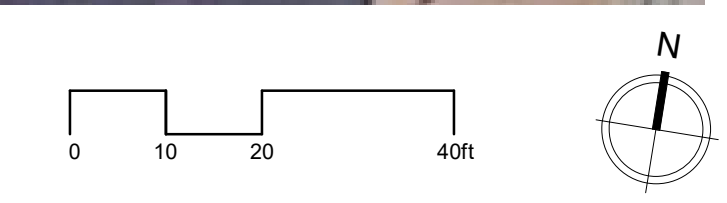


MARTIN LUTHER KING, JR.  
CIVIC CENTER PARK AND CITY HALL

IMPROVEMENT EXTENTS,  
TURTLE ISLAND MONUMENT -  
SEE SITE PLAN

SEE LANDSCAPE PLAN, SECTION

SATELLITE IMAGE OF PARK  
SCALE 1"=20'-0"



SATELLITE IMAGE CLOSE-UP OF TERRACE


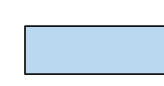

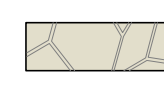


TERRACE ON INDIGENOUS PEOPLES DAY 2023

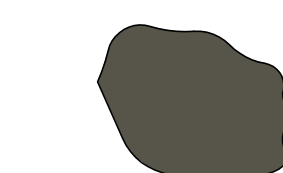
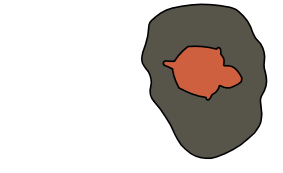
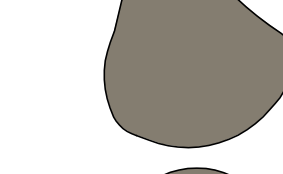
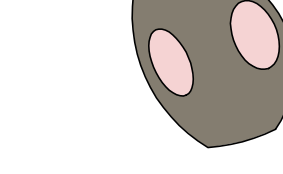
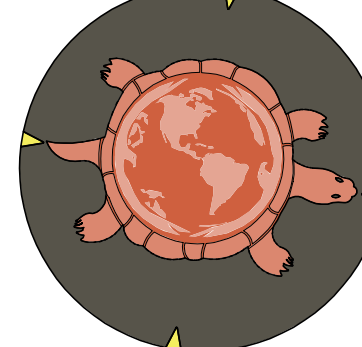




PROTECT ALL (E) TREES, TYP.  
 RETAIN ALL (E) LIGHTING, TYP.  
 PROTECT (E) MARTIN LUTHER KING, JR PLAQUE

BLANK MEDALLION, TYP.  
 CENTRAL AREA - SEE LANDSCAPE PLAN, SECTIONS

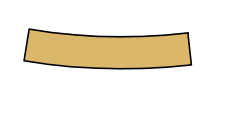


**LEGEND - HARDSCAPE**

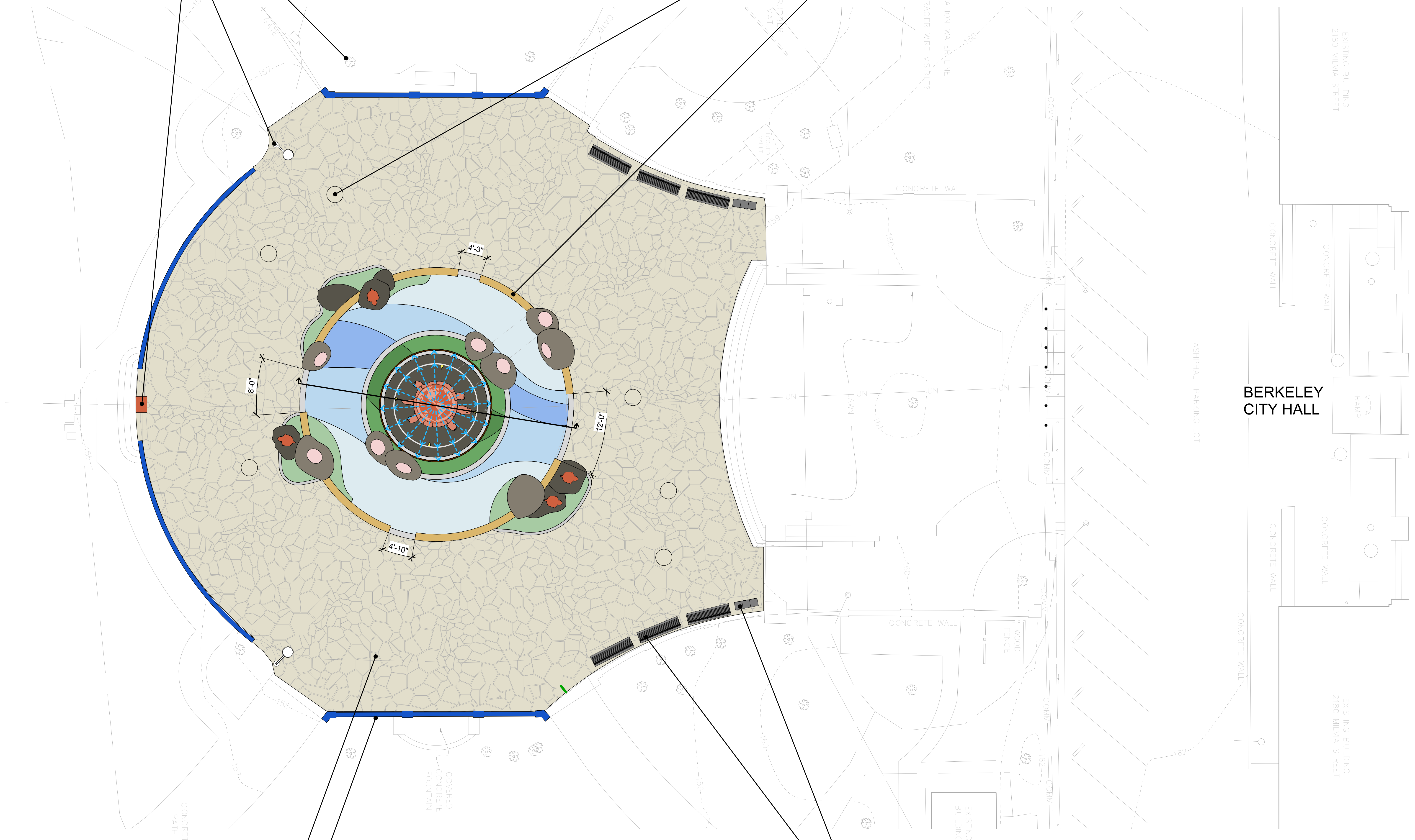
-  BLUE GLASS TOP-SEEDED CONCRETE, HIGH DENSITY; OR BLUE STONE
-  BLUE GLASS TOP-SEEDED CONCRETE, MODERATE DENSITY; OR BLUE STONE
-  BLUE GLASS TOP-SEEDED CONCRETE, LOW DENSITY; OR BLUE STONE
-  FLAGSTONE PAVING - MATCH (E) IN PATTERN AND STONE SIZE

**LEGEND - ARTWORK WITH ASSOCIATED ELEMENTS**

-  LOW STONE, 6" TO 1'-6" HIGH, POLISHED FINISH ON SURFACE WITH ROUGH EDGES
-  WITH ARTWORK: (4) BRONZE LOGGERHEAD TURTLES, MOUNTED TO SURFACE
-  LARGE BOULDER, 2'-6" TO 4' HIGH, NATURAL FINISH
-  WITH ARTWORK: (8) TRIBAL MEDALLIONS, EMBEDDED TO HAVE FINISHED FACADE FLUSH TO BOULDER SURFACE; POLISHED RIM AROUND MEDALLION
-  LARGE CENTER STONE ARTWORK WITH WATER FEATURE AND CONTRASTING INLAY AT FOUR DIRECTIONS  
 ARTWORK: LARGE BRONZE FRESHWATER TURTLE, WITH NORTH AND SOUTH AMERICA SURROUNDED BY OTHER CONTINENTS, EAGLE, AND CONDOR, SURFACE MOUNTED ARTWORK: TIME CAPSULE, WITHIN
-  FLOW OF WATER
-  BLANK MEDALLION, STONE, TO MATCH FLAGSTONE PAVING IN COLOR
-  LOW PLANTING AT GRADE
-  CURB AT PLANTING EDGE, 4" HIGH

**LEGEND - FURNISHINGS**

-  SEATWALL MOUNTED TO (E) FOUNTAIN BASIN RIM - IN WOOD WITH NATURAL FINISH
-  PARK BENCH
-  WASTE/COMPOST/RECYCLING RECEPTACLES

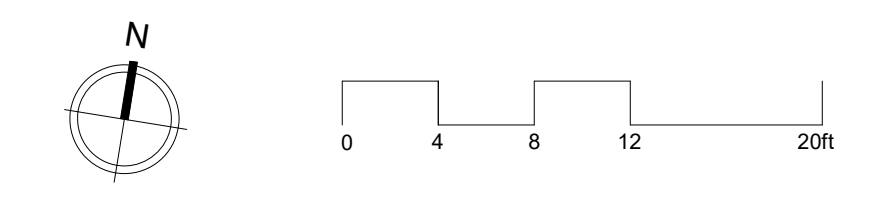


FLAGSTONE PAVING - REPLACE ALL EXTENTS SHOWN

LIMITED WORK ON THE FOUR "WORLD WALL OF PEACE" WALLS - RENOVATE CONCRETE WALLS (NO TILE WORK)

BENCHES (REPAIR CONCRETE, REPLACE WOOD) AND PERIOD-APPROPRIATE WASTE RECEPTACLES

**SITE PLAN**  
 Scale: 1/8" = 1'-0"



**LEGEND - HARDSCAPE**

- [Blue rectangle] BLUE GLASS TOP-SEEDED CONCRETE, HIGH DENSITY; OR BLUE STONE
- [Light blue rectangle] BLUE GLASS TOP-SEEDED CONCRETE, MODERATE DENSITY; OR BLUE STONE
- [Lightest blue rectangle] BLUE GLASS TOP-SEEDED CONCRETE, LOW DENSITY; OR BLUE STONE
- [Flagstone pattern] FLAGSTONE PAVING - MATCH (E) IN PATTERN AND STONE SIZE

**LEGEND - ARTWORKS AND ASSOCIATED ELEMENTS**

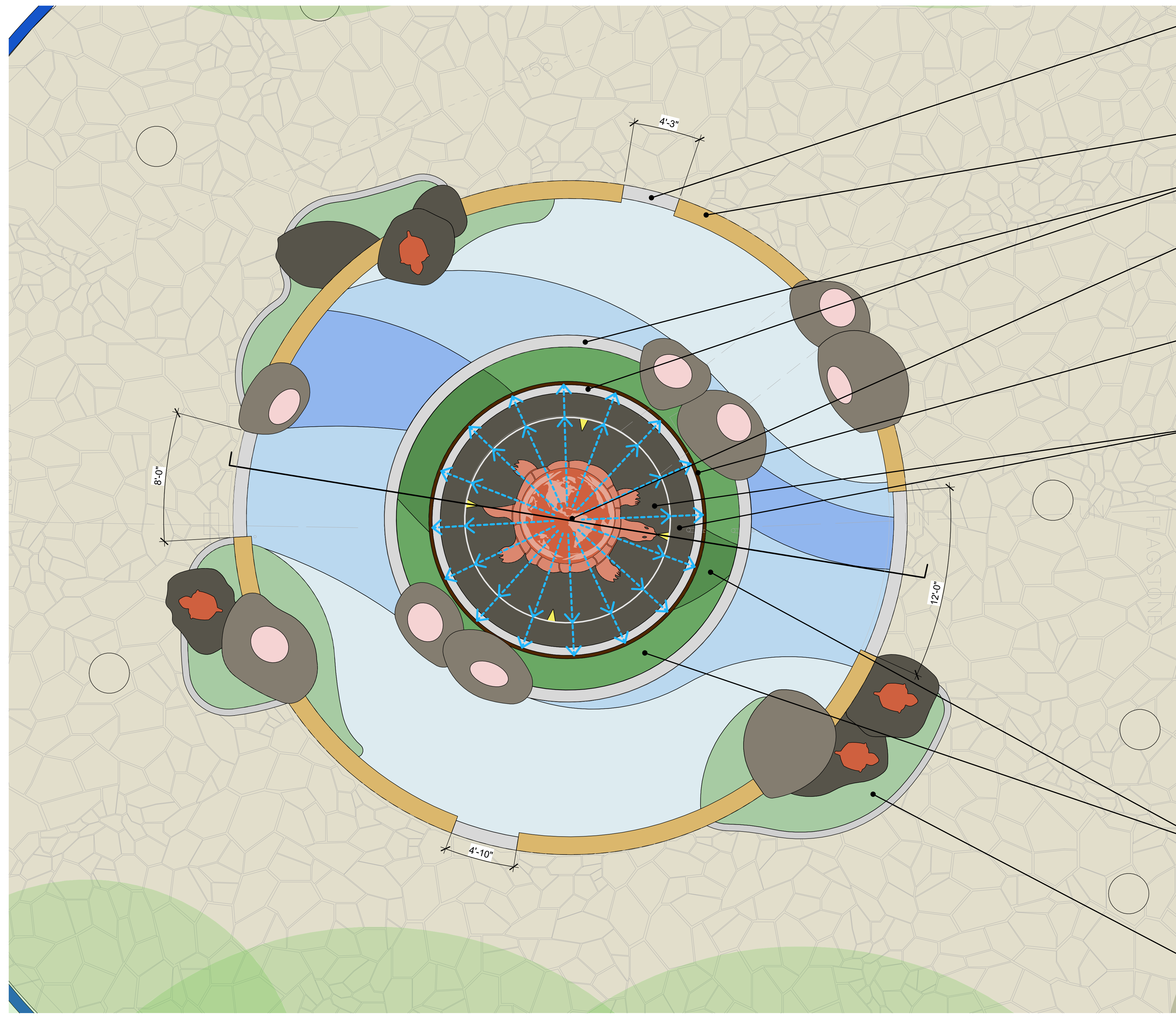
- [Dark grey stone] LOW STONE, 6" TO 1'-6" HIGH, POLISHED FINISH ON SURFACE WITH ROUGH EDGES
- [Stone with red circle] WITH ARTWORK: (4) BRONZE LOGGERHEAD TURTLES, MOUNTED TO SURFACE
- [Large grey stone] LARGE BOULDER, 2'-6" TO 4' HIGH, NATURAL FINISH
- [Stone with pink circle] WITH ARTWORK: (8) TRIBAL MEDALLIONS, EMBEDDED TO HAVE FINISHED FACADE FLUSH TO BOULDER SURFACE; POLISHED RIM AROUND MEDALLION
- [Large stone with turtle and globe] LARGE CENTER STONE ARTWORK WITH WATER FEATURE AND CONTRASTING INLAY AT FOUR DIRECTIONS  
ARTWORK: LARGE BRONZE FRESHWATER TURTLE, WITH NORTH AND SOUTH AMERICA SURROUNDED BY OTHER CONTINENTS, EAGLE, AND CONDOR, SURFACE MOUNTED  
ARTWORK: TIME CAPSULE, WITHIN
- [Blue dashed arrow] FLOW OF WATER
- [Small grey circle] BLANK MEDALLION, STONE, TO MATCH FLAGSTONE PAVING IN COLOR

**LEGEND - PLANTING WITH CURB REQUIREMENT**

- [Light green rectangle] LOW PLANTING AT GRADE
- [Dark green rectangle] CURB AT PLANTING EDGE, 4" HIGH

**LEGEND - FURNISHINGS**

- [Wooden bench] SEATWALL (16" DEPTH) MOUNTED TO (E) FOUNTAIN BASIN RIM - IN WOOD WITH NATURAL FINISH



- (E) BASIN WALL AT PEDESTRIAN OPENINGS, TYP. - GRIND DOWN TO BAND, FLUSH WITH FINISH GRADE; COVER VERTICAL SIDES WITH MOSAIC TILE COLORED IN FOUR DIRECTIONS
- (E) BASIN WALL WITH MOUNTED SEATING TOP
- (E) FOUNTAIN TIERS
- NEW FOUNTAIN SYSTEM TO EMIT THE LARGEST AMOUNT OF WATER THAT SYSTEM WILL PERMIT, DURING DAYLIGHT HOURS
- NEW FOUNTAIN DRAIN
- LARGE CENTER STONE - SEE SECTION; TOP TIER SURFACE: POLISHED  
VERTICAL SIDE: ROUGHENED  
SECOND TIER: POLISHED
- PLANTING IN RAISED FOUNTAIN TIER, TYP. - LOW GROUNDCOVER MASSING THAT EVOKES WATER
- PLANTING AT FINISH GRADE, TYP. - LOW GROUNDCOVER OR GRASSES IN MASSING THAT EVOKES WATER

**LANDSCAPE PLAN**  
Scale: 1/4" = 1'-0"

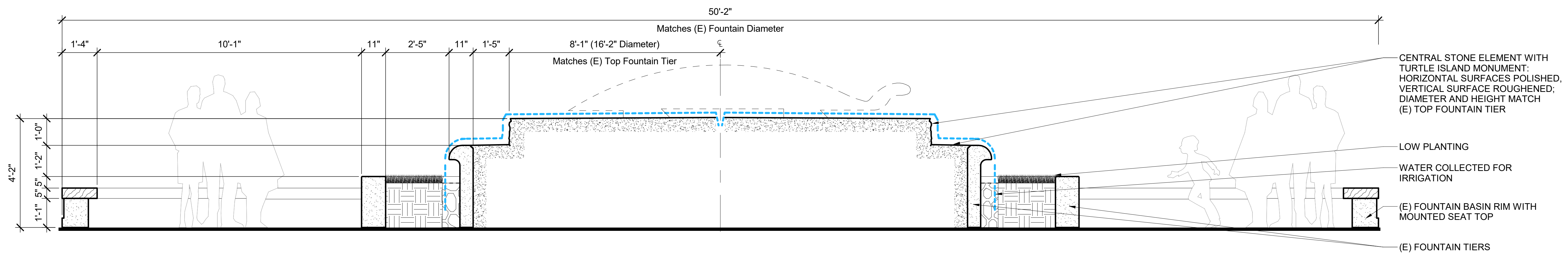
**Written Statement of Landscape Plan Concept**  
from 1992 Turtle Island Monument flyer, written by Lee Sprague:  
"In my people's creation stories the world was covered with water and all the animals were swimming. They were getting tired, so they respectfully asked the muskrat to go under the water to see if there was any earth. So the muskrat went down to find the earth. All of the animals were waiting for the muskrat to reappear. They were worried for the muskrat. Finally his body floated to the surface. The animals looked in his paw and they found some earth. They put the earth on the turtle's back. The rest of the animals now knew that there was earth under the water so they each went down to get some earth, first the loon then the duck and all of the rest of the animals. They all put the Earth on the turtle's back. This is how Turtle Island was created."

- The Turtle Island Monument honors the history, creation, and celebration of Indigneous Peoples Day, respectfully, within the City of Berkeley Landmark #201, the Martin Luther King, Jr. Civic Center Park. See Applicant's Statement for more information.

**Irrigation Basis of Design**  
The irrigation system will be supplied using water that has run through the fountain and stored in a below-ground tank. The system will be pressurized with a booster pump that will be installed together with the fountain pump, and use the same power supply. The pump will be either pressure operated, or operate via the irrigation controller. Plants will be irrigated with a high efficiency, low flow, point source drip system constructed with equipment and method preferred by city maintenance staff and in use at other sites throughout the city. All irrigation equipment will be commercial grade, selected for durability and minimal maintenance burden.

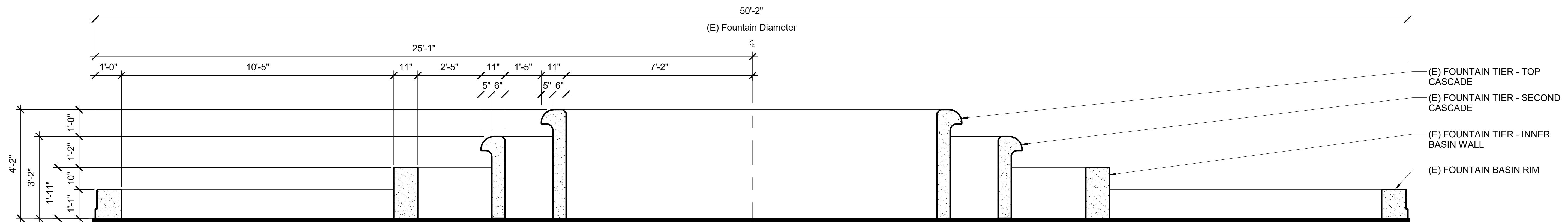
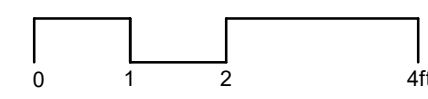
**Grading Concept**  
This project will provide accessible parking and an accessible pedestrian right-of-way to the Monument and to the terrace.





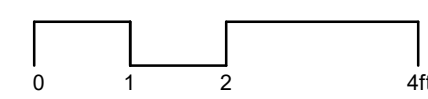
**SECTION AT MONUMENT (THROUGH EXISTING FOUNTAIN)**

Scale: 1/2" = 1'-0"



**SECTION AT FOUNTAIN - EXISTING**

Scale: 1/2" = 1'-0"





Flagstone Paving - Match (E) Stone Size and Pattern



Blank Medallions - 3'Ø stone pavers in flagstone, to match predominant color of flagstone



Pedestrian openings in (E) fountain basin wall - Preserve footprint of removed wall portion, finish smooth, flush with paving



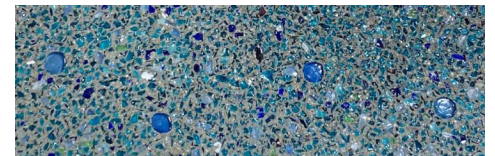
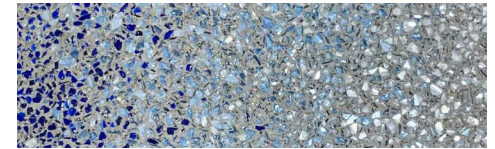
Pedestrian Openings in (E) Fountain Basin Wall: Finish exposed vertical wall sides in Mosaic, Colors of 4 Directions (all square or linear tiles)



Benches - Repair concrete, replace wood

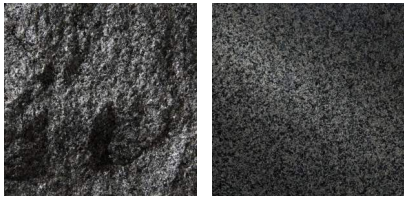


Wood Seatwall Topping on (E) Fountain Basin Rim (16" wide)



Blue Glass Top-Seeded Concrete Paving (3 densities of blue)

Upper Plaza & Fountain Area Improvements	Project Address: Martin Luther King, Jr. Civic Center Park, 2151 Martin Luther King Jr. Way, Berkeley, CA 94704	Preparation Date 02/15/23	Sheet
Project Applicant: Evelyn Chan, City of Berkeley Parks, Recreation & Waterfront Dept. 2180 Milvia Street, 3rd Floor, Berkeley, CA 94704 (510) 981-6700	Plan Preparation: Cathy Garrett, PGAdesign Landscape Architects, Inc. 444 17th Street, Oakland, CA 94610 (510) 552-8852	<b>Materials Board - Paving &amp; Furnishing</b>	



Low Stones (6" TO 1'-6" High) and Large Central Stone with Contrasting Inlay at 4 Directions (See Section) - Black Granite, Polished Finish on Surface with Rough Vertical Sides



Artwork - 4 Loggerhead Turtles, bronze, each 3'-10" long, (existing), mount to Low Stones



Large Boulders (2'-6" to 4' high) - Rough/natural finish with tribal medallions inset to be flush with face of stone



Artwork - 8 Tribal Medallions in mosaic, with a range of gloss and texture, 3'Ø (existing), inset in Large Boulders

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