

ATTACHMENT 1

FINDINGS AND CONDITIONS

1770 La Loma Avenue

Structural Alteration Permit LMSA2016-0003

PROJECT DESCRIPTION

Two-story residential addition at the rear exterior (north façade) of a designated COB Landmark, Phi Kappa Psi House. The proposed two story addition is 9' – 6.5" x 18' with shingles, trim, and fenestration to match with the historic architecture of the structure. Demolition is limited to the rear entry wood stairs and railing, the rear door, and two historic multi-pane windows on the first floor. On the second floor removal of two double hung vinyl windows and opening is required.

CEQA FINDINGS

The proposed project is categorically eligible for exemption from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq.) pursuant to Section 15331 of the CEQA Guidelines (Historical Resource Rehabilitation).

SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION FINDINGS

1. The property's residential use will remain the same. The proposed work involves minimal demolition of the rear exterior (north façade) and existing distinctive materials.
2. The historic character of the property will be retained and preserved. The proposed project involves minimal removal of distinctive materials which are limited to two historic multi-pane casement windows on the first floor of the north façade and a historic window opening that houses two double hung vinyl windows on the second floor of the north facade. The limited alteration will retain a significant amount of the characteristic features, spaces, and spatial relationships associated with the Shingle style of the building.
3. The proposed addition to the exterior does not lead to any changes that will create a false sense of historical development.

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4. The proposed project will not affect any changes to the property that have acquired historic significance in their own right.
5. The proposed project involves minimal removal of distinctive materials which are limited to two historic multi-pane casement windows on the first floor of the north façade and a historic window opening that houses two double hung vinyl windows on the second floor of the north facade. Most of the distinctive materials, features, finishes and craftsmanship outlined as features to be preserved in the landmark designation will be retained.
6. No deteriorated historic features are proposed to be replaced.
7. Chemical or physical treatments will not be undertaken.
8. The proposed project does not have the potential to affect any archaeological resources.
9. The proposed new addition to the building will be undertaken in such a manner as to not destroy any significant materials, features, and special relationships that characterize the property. The new addition will be compatible with the original structure and consistent with design features through its use of shingled materials.
10. If the new rear two-story addition were removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

LANDMARKS PRESERVATION ORDINANCE FINDINGS

1. For permit applications for construction, alteration or repair:
 - a. Because the proposed project is consistent with the Secretary of the Interior's Standards, the proposed work shall not adversely affect the exterior architectural features of the landmark; nor shall the proposed work adversely affect the special character or special historical, architectural or aesthetic interest or value of the landmark and its site, as viewed both in themselves and in their setting.

STANDARD CONDITIONS

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**

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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 Building and Safety Division, Public Works Department and other affected City divisions and departments.

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

- 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 the City of Berkeley and its officers harmless in the event of any legal action related to the granting of this Permit, shall cooperate with the City in defense of such action, and shall indemnify the City for any award of damages or attorney fees that may result.

ADDITIONAL CONDITIONS

The following additional conditions are attached to this Permit:

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6. **Any chemical or physical treatments** shall be undertaken using the gentlest means possible.