



Planning and Development Department  
Land Use Planning Division

# A D M I N I S T R A T I V E U S E P E R M I T

CITY OF BERKELEY ZONING ORDINANCE  
Berkeley Municipal Code, Title 23

**AUP #13-20000046**

Property Address: **598 CRAGMONT AVENUE**

Permittee Name: **MATTHEW WADLUND**

Use and/or Construction Permitted: to add two new windows on an existing wall of the house, 3'0" from the property line and within the 4'0" side yard setback:

- Section 23C.04.060 to add two new windows on an existing wall of the building, 3'0" from the property line and within the 4'0" side yard setback.

FINDINGS, CONDITIONS AND APPROVED PLANS ATTACHED

Following the expiration of the mandatory appeal period set forth in Section 23B.28.040 of the Berkeley Municipal Code, with no timely appeal being filed, the Administrative Use Permit described herein has been duly granted by the Zoning Officer on June 18, 2013.

Attest: Terry Blount  
Terry Blount, AICP, Principal Planner  
For Debbie Sanderson, Zoning Officer

June 18, 2013  
Effective Date

# ATTACHMENT 1

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## FINDINGS AND CONDITIONS

MAY 28, 2013

### 598 Cragmont Avenue

**Administrative Use Permit #13-200000046 to add two new windows on an existing wall of the building, 3'0" from the property line and within the 4'0" side yard setback.**

#### CEQA FINDINGS

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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 of the CEQA Guidelines ("Existing Facilities"). 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 affect any historical resource.

#### FINDINGS FOR APPROVAL

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2. As required by Section 23B.28.050.A of the Zoning Ordinance, the project, under the circumstances of this particular case existing at the time at which the application is granted, will 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:
  - As required by Section 23D.16.090A and Section 23E.96.090B (Findings), the Zoning Officer finds that the project should not be denied because the proposed alteration would not obstruct sunlight, air, or views, nor would it cast new shadows as the alteration consists of the addition of two windows on an existing façade. The windows face a public walkway leading from Cragmont Avenue to Spruce Street, where no loss of privacy is expected.
  - As required under Section 23D.16.080 (Parking), the project would not increase parking demand and existing parking is provided in accordance with the minimum district requirement.

- As required under Section 23C.04.070.B (Expansions of Non-Conforming Structures), the addition of two windows within a non-conforming side setback is permissible because it does not further reduce the existing non-conforming side setback of 3'0" where 4'0" is required.

## **STANDARD CONDITIONS**

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

### **1. Conditions Shall be Printed on Plans**

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

### **2. Applicant Responsible for Compliance with Conditions**

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

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

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

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

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

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

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

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

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

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

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

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

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

**9. Indemnification Agreement**

The applicant shall hold 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 attorneys fees that may result.

**ADDITIONAL CONDITIONS IMPOSED BY THE ZONING OFFICER**

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

**Prior to Submittal of Any Building Permit:**

- 10.** The applicant shall provide the project planner with the name and telephone number of the individual empowered to manage construction noise from the project. The individual's name, telephone number, and responsibility for noise management shall be posted at the project site for the duration of construction in a location easily visible to the public. The individual shall record all noise complaints received and actions taken in response, and submit written reports of such complaints and actions to the project planner on a weekly basis. **Individual Responsible for Noise Management:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

11. The applicant and all persons associated with the project are hereby notified that a Transportation Management Permit (TMP) would be required under any of the following circumstances:

- Alterations, closures, or blockages to sidewalks or pedestrian paths
- Alterations, closures, or blockages to vehicle travel lanes (including bicycle lanes)
- Storage of building materials, dumpsters, debris anywhere in the public ROW
- Provision of exclusive contractor parking on-street
- Significant truck activity.

Contact the Permit Service Center (PSC) at 2120 Milvia Street or 981-7500 for details on obtaining Construction/No Parking Permits (and associated signs and accompanying dashboard permits). Public Works Traffic Engineering (981-6400) reviews all submitted TMP requests.

The TMP may include designation of a specific truck haul route. Meter heads (if in the construction area) shall be removed only by City staff. Contact the site inspector 72 hours in advance of required removal so arrangements can be made.

**Prior to Issuance of Any Building Permit:**

12. Drainage plans shall be submitted for approval of the Building & Safety Division and Public Works Department, if required.

**During Construction:**

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.

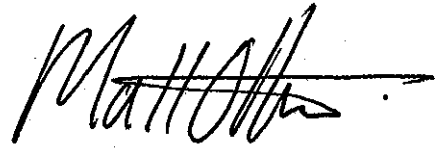
18. Trucks hauling debris, soil, sand, or other loose materials shall be covered or required to maintain at least two feet of board.
19. Public streets shall be swept (preferably with water sweepers) of all visible soil material carried from the site.
20. The applicant shall establish and maintain drainage patterns that do not adversely affect adjacent properties and rights-of-way.
21. The applicant shall ensure that all excavation takes into account surface and subsurface waters and underground streams so as not to adversely affect adjacent properties and rights-of-way.
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.

**Prior to Issuance of Occupancy Permit or Final Inspection:**

23. All construction at the subject property shall substantially conform to the approved Use Permit drawings or to modifications approved by the Zoning Officer.
24. All landscape, site and architectural improvements shall be completed per the attached approved drawings dated **APRIL 4, 2013**.

**At All Times (Operation):**

25. All exterior lighting shall be shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
26. This permit is subject to review, imposition of additional conditions, or revocation if factual complaint is received by the Zoning Officer that the maintenance or operation of this establishment is violating any of these or other required conditions or is detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood or is detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
27. Noise and exterior lighting shall be controlled so as to prevent verified complaints from the surrounding neighborhood.

A handwritten signature in black ink, appearing to read "Matt Ottoson". The signature is stylized with a horizontal line crossing through the middle of the letters.

Prepared by: Matt Ottoson, Land Use  
Planning Intern for Debra Sanderson,  
Zoning Officer



# Maloof Residence

## Renovation

SESSA+WADLUND  
DESIGN STUDIO

MALOOF  
598 CRAGMONT AVENUE, BERKELEY CA

PROJECT NUMBER: 1205

PERMIT SET

SHEET TITLE  
GENERAL NOTES AND  
SYMBOLS

REVISIONS		
NO.	DATE	DESCRIPTION
1	12.21.13	PLAN CHECK

DATE 2.25.13  
DRAWN MW  
CHECKED MW  
SCALE 1/8" = 1'-0"

A0.1

APPROVED PLAN  
DATE 5-23-13  
PLANNING  
 D.R. Conditions Attached  
 A.U.P. Conditions Attached  
 U.P. Conditions Attached

### GENERAL NOTES

- ALL CONSTRUCTION MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE PROJECT SPECIFICATIONS.
- ALL WORK SHALL MEET OR EXCEED THE MINIMUM STANDARDS OF THE 2010 CALIFORNIA BUILDING CODE AND ALL APPLICABLE CODES AND ORDINANCES.
- INFORMATION CONTAINED WITHIN THESE DOCUMENTS SHALL NOT BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE APPLICABLE CODES.
- CONTRACTOR SHALL EXAMINE THE DOCUMENTS AND SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES WHICH MAY BE FOUND PRIOR TO THE START OF WORK.
- CONTRACTOR SHALL REVIEW ALL DOCUMENTS TO COORDINATE w/ THE (E) BLDG CONDITIONS. ANY VARIATIONS AND DISCREPANCIES THAT ARISE IN THIS REVIEW ARE TO BE BROUGHT IMMEDIATELY TO THE ARCHITECT'S ATTENTION.
- THE CONTRACTOR AND ALL SUBCONTRACTORS ARE REQUIRED TO VISIT AND INSPECT THE SITE PRIOR TO CONSTRUCTION OR ORDERING MATERIALS.
- ALL DETAILS, SCHEDULES, ADDENDA AND SPECIFICATIONS BOUND SEPARATELY ARE A PART OF THE CONTRACT DOCUMENTS.
- ITEMS MARKED "NIC" ARE NOT IN CONTRACT. SUCH ITEMS ARE INCLUDED IN THE DOCUMENTS WHEN CONTRACTOR'S COORDINATION IS REQUIRED OR FOR CLARIFICATION OF PROJECT LIMITS.
- DIMENSIONS:
  - IN NO CASE SHALL WORKING DIMENSIONS BE SCALED FROM THE DRAWINGS.
  - ALL DIMENSIONS ARE TO THE ROUGH OPENING, UON.
  - ALL DIMENSIONS TO STUD WALLS ARE TO THE FACE OF STUD, UON.
  - CEILING HEIGHT DIMENSIONS ARE FROM FINISHED FLOOR TO FINISHED FACE OF CEILING, UON.
  - ALL DIMENSIONS SHALL BE VERIFIED IN THE FIELD BY GENERAL CONTRACTOR AND ALL SUBCONTRACTORS PRIOR TO PROCEEDING WITH CONSTRUCTION.
  - COORDINATE WITH EQUIPMENT CONTRACTORS FOR ROUGH-IN DIMENSIONS AND TEMPLATES.
  - ALL DIMENSIONS NOTED "CLEAR" OR "CLR" MUST BE STRICTLY MAINTAINED. "CLEAR" MEANS DIMENSION FROM FACE OF FINISH TO FACE OF FINISH OR OBJECT.
  - ALL DIMENSIONS NOTED "VERIFY" OR "VIP" ARE TO BE CHECKED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. ANY VARIANCE FROM THE REQUIRED DIMENSIONS MUST BE BROUGHT IMMEDIATELY TO THE ARCHITECT'S ATTENTION.
- DETAILS MARKED "TYPICAL" SHALL APPLY IN ALL CASES, UON.
- WHERE NO SPECIFIC DETAIL IS SHOWN, THE FRAMING OR CONSTRUCTION SHALL BE IDENTICAL OR SIMILAR TO THAT INDICATED FOR LIKE CASES OF CONSTRUCTION ON THE PROJECT.
- NEW WORK IS NOTED (N) UNLESS NOTED AS (E) FOR EXISTING.
- THE CONTRACTOR SHALL MEET w/ THE ARCHITECT PRIOR TO THE START OF DEMOLITION TO NOTE WHAT ITEMS, IF ANY, ARE TO BE SALVAGED OR REUSED.
- THE DRAWINGS INDICATE THE GENERAL EXTENT OF (N) CONSTRUCTION NECESSARY FOR THE WORK, BUT ARE NOT INTENDED TO BE ALL-INCLUSIVE. ALL DEMO AND (N) WORK NECESSARY FOR A FINISHED JOB, IN ACCORDANCE w/ THE INTENTIONS OF THE CONTRACT DOCUMENTS, IS INCLUDED REGARDLESS OF WHETHER SHOWN IN THE CONTRACT DOCUMENTS.
- (E) BUILDING DOCUMENTATION IS BASED ON "AS-BUILT" DRAWINGS AND OBSERVATIONAL SITE INVESTIGATIONS. ACTUAL BUILT CONDITIONS MAY VARY. CONTRACTOR IS TO USE CAUTION IN DEMOLITION, AND IS TO NOTIFY ARCHITECT IMMEDIATELY IF ANY VARIATIONS OR DISCREPANCIES ARE UNCOVERED.
- PROTECT ALL (E) BUILDING AND SITE CONDITIONS TO REMAIN.

### CONSTRUCTION NOISE

WORK HOURS ARE REGULATED BY NOISE LEVELS CREATED DURING CONSTRUCTION. THE MAXIMUM NOISE LEVELS ALLOWED ARE ESTABLISHED IN THE CITY OF BERKELEY.

### PROJECT INFORMATION

ADDRESS: 598 CRAGMONT AVENUE, BERKELEY, CA 94708

BUILDING OCCUPANCY: R3  
TYPE OF CONSTRUCTION: V-B  
AUTOMATIC SPRINKLERS: NO  
CODES: 2010 CRC, CPC, CMC, CEC, ENERGY & CGBSC

OWNER: LISA MALOOF  
APN: 63-2952-19  
ZONE: R-1H  
CITY OF BERKELEY FIRE ZONE: 2

### PROJECT DESCRIPTION

VOLUNTARY SEISMIC UPGRADE  
REPLACE EXISTING SINGLE PANE WINDOWS WITH DOUBLE PANE WINDOWS.  
ADDITION OF NEW WINDOWS AT SELECT LOCATIONS  
RENOVATION OF EXISTING KITCHEN AND BATHROOM

NEW FLOOR RADIANT HEATING SYSTEM FOR ENTIRE HOUSE.  
NEW HOT WATER HEATER  
RENOVATED ELECTRICAL IN KITCHEN AND BATH

### DESIGN BUILD

ELECTRICAL, INCLUDE LIGHTS, IS DESIGN BUILD.  
HEATING SYSTEM IS DESIGN BUILD  
PLUMBING COMPLETE IS DESIGN BUILD

BUILDING CODE: 2010 CALIFORNIA BUILDING, PLUMBING, MECHANICAL AND ELECTRIC CODE

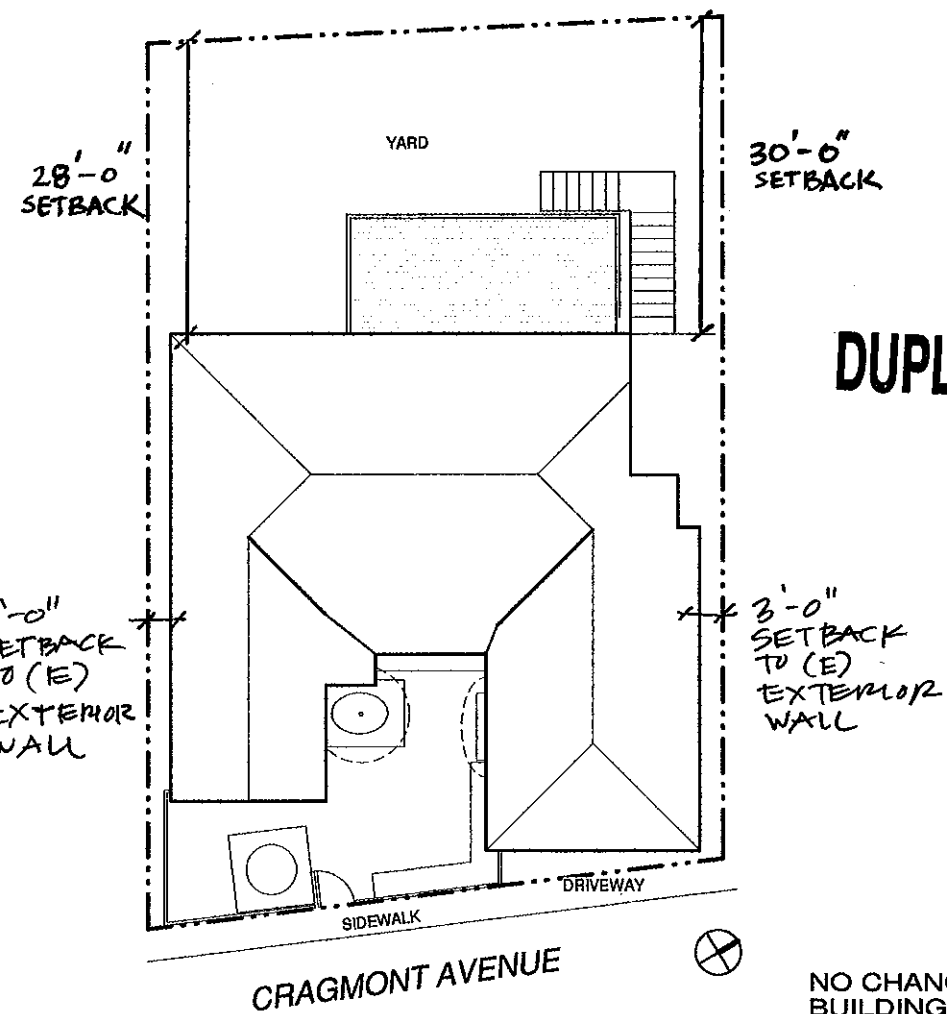
### DRAWING INDEX

COVER SHEET A0.1  
EXISTING FLOOR PLANS A1.1  
EXISTING ELEVATIONS A1.2  
NEW FLOOR PLANS A2  
NEW ELEVATIONS A3  
NEW ENLARGED KITCHEN / BATH A4

GENERAL STRUCTURAL NOTES S-1  
TYPICAL SHEAR WALL S-2  
SCHEDULE & DETAILS S-3  
TYPICAL SEISMIC RETROFIT DETAILS S-3  
CRAWL SPACE PLANS S-4  
STRUCTURAL DETAILS S-5

### DOCUMENTS

STRUCTURAL CALCULATIONS  
TITLE 24 COMPLIANCE



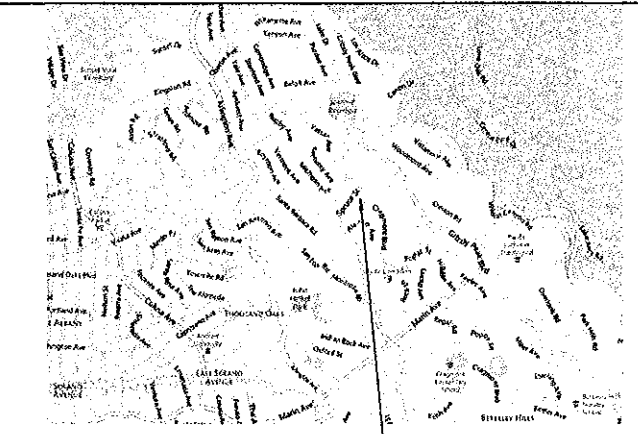
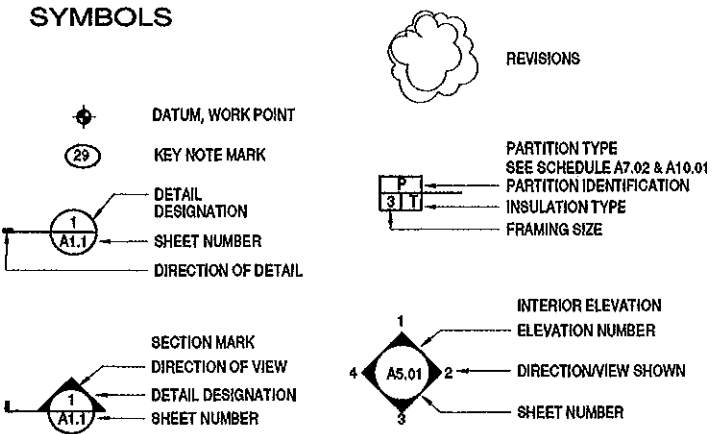
1 SITE PLAN  
A0.1 1/8" = 1'-0"

NO CHANGE IN  
BUILDING FOOTPRINT  
OR FLOOR AREA

RECEIVED  
APR 04 2013  
LAND USE PLANNING

DUPLICATED

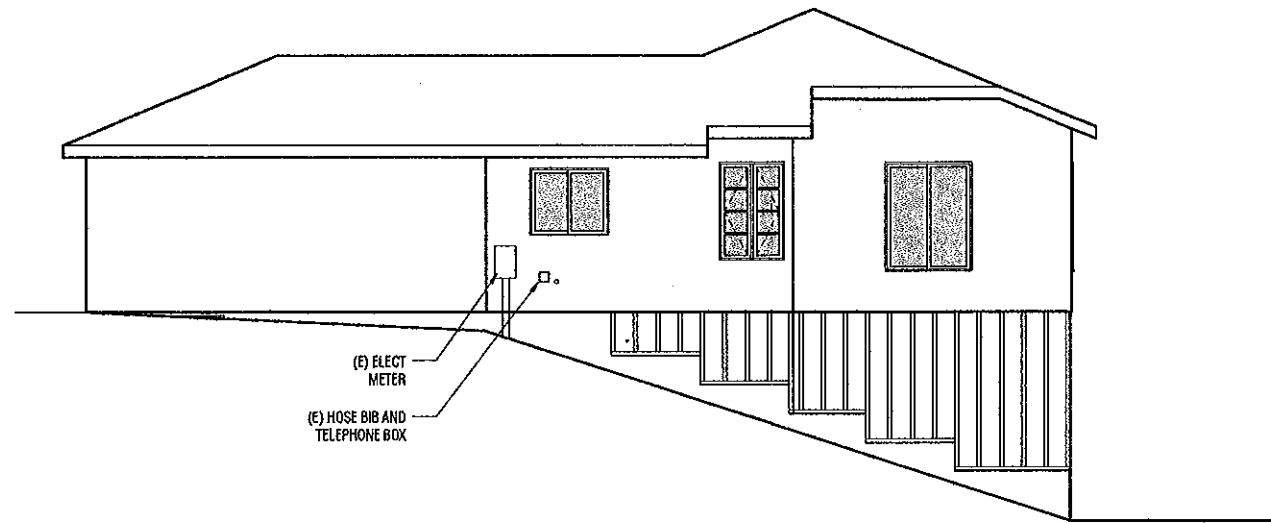
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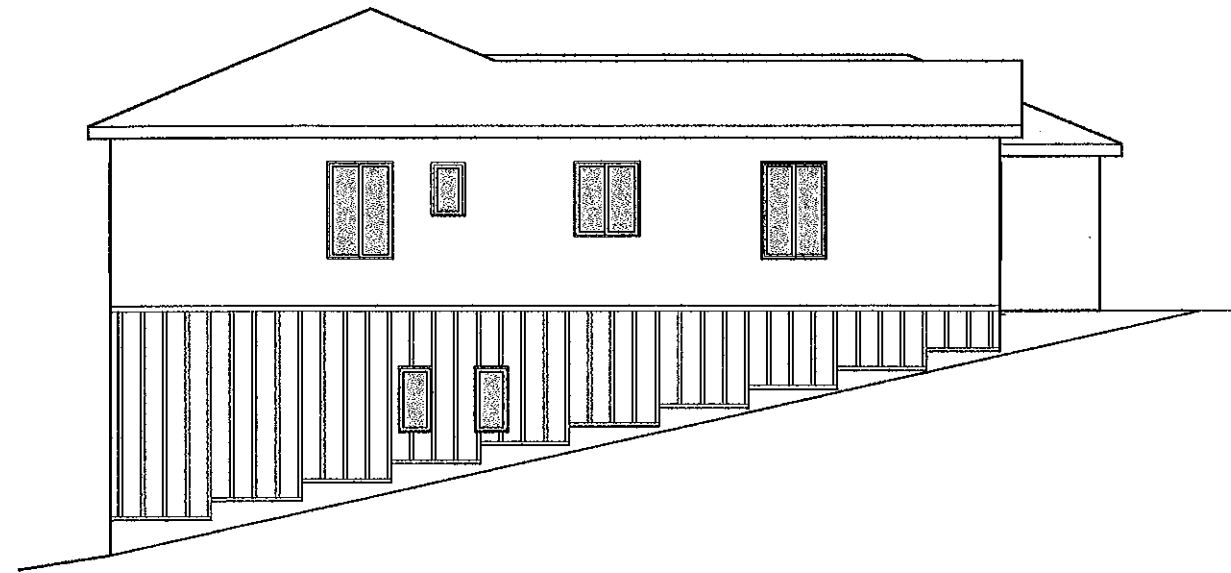
VICINITY MAP  
PROJECT SITE  
598 CRAGMONT AVENUE

3/22/2013 4:01:21 PM

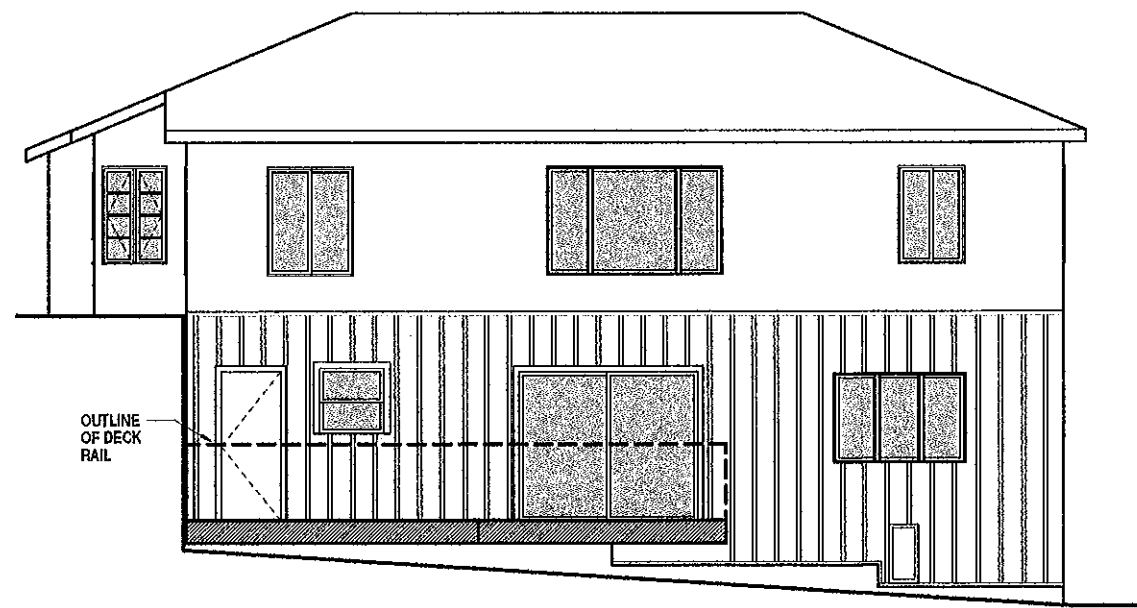
APPROVED PLAN  
 MWA  
 PLANNING DATE 5-18-13  
 D.R. Conditions Attached  
 A.U.P. Conditions Attached  
 U.P. Conditions Attached



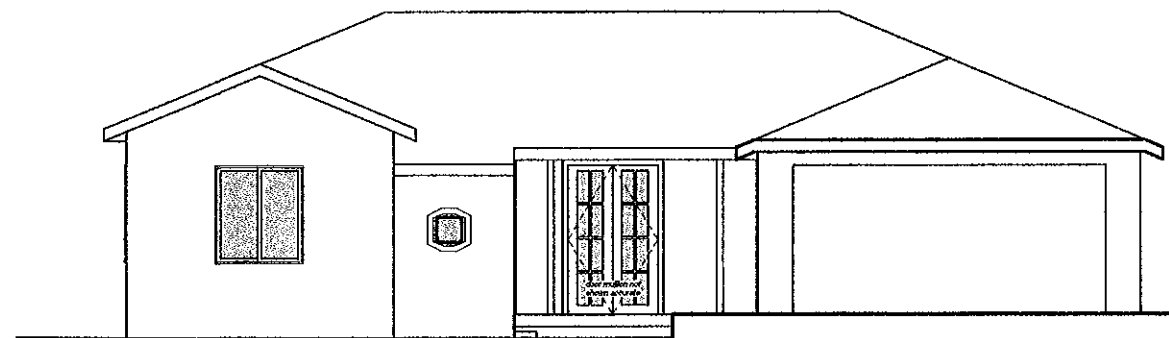
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 A1.2 1/4" = 1'-0"



2 SOUTH ELEVATION  
 A1.2 1/4" = 1'-0"



3 WEST ELEVATION  
 A1.2 1/4" = 1'-0"



1 EAST ELEVATION  
 A1.2 1/4" = 1'-0"

SESSA+WADLUND  
 DESIGN STUDIO

MALOOF  
 598 CRAGMONT AVENUE, BERKELEY CA

PROJECT NUMBER: 1205

AS BUILT

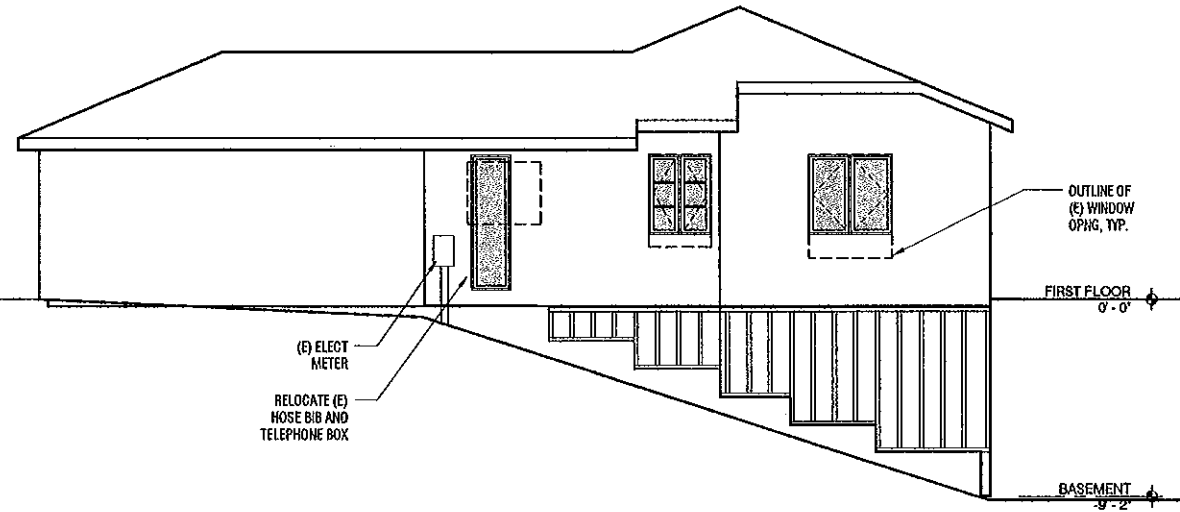
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 ELEVATIONS

NO.	DATE	DESCRIPTION

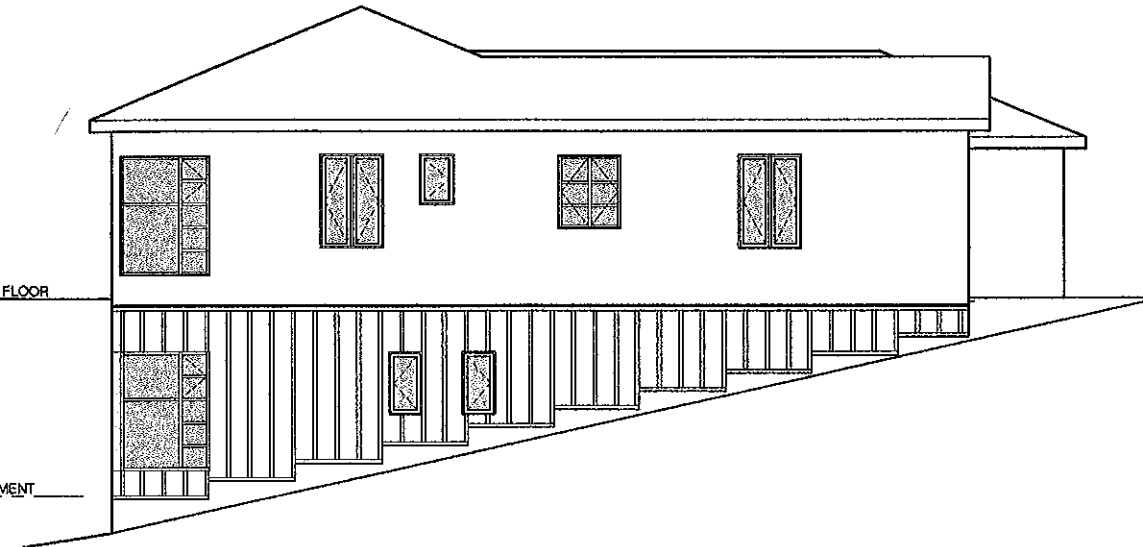
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 DRAWN MW  
 CHECKED MW  
 SCALE 1/4" = 1'-0"

A1.2

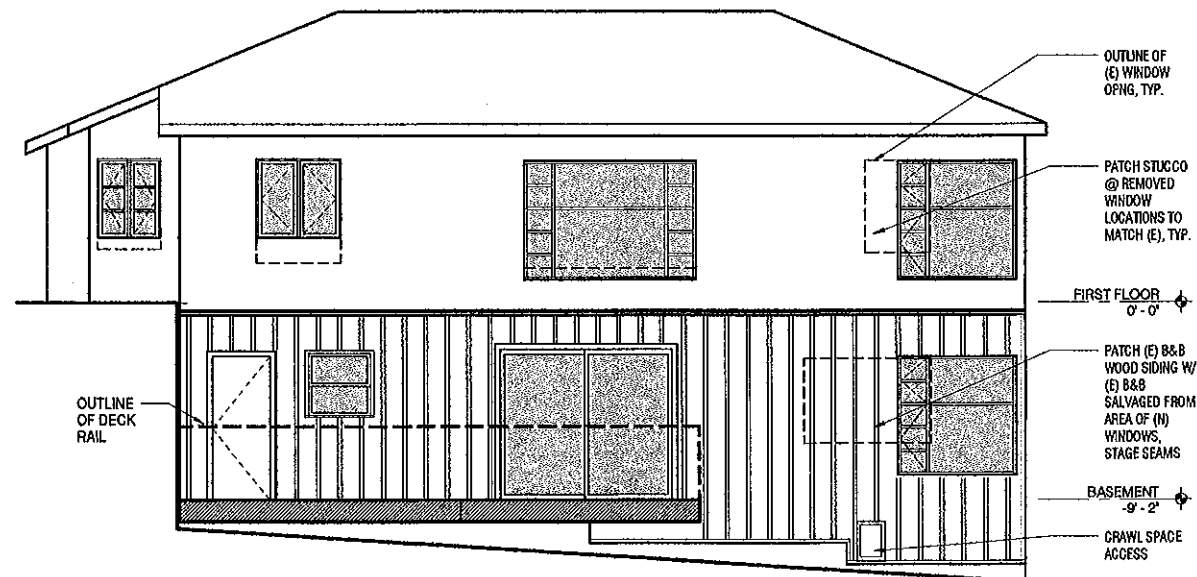
APPROVED PLAN  
 PLANNING DATE  
 D.R. Conditions Attached  
 A.U.P. Conditions Attached  
 U.P. Conditions Attached



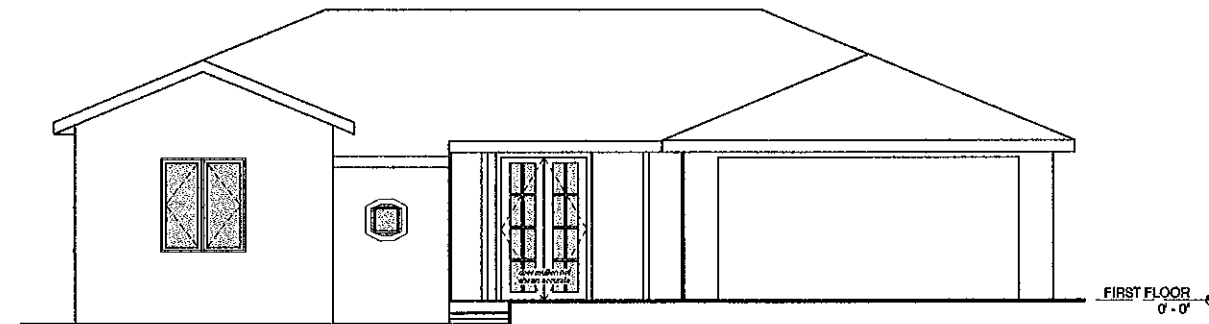
4 NORTH ELEVATION  
 A3 1/4" = 1'-0"



2 SOUTH ELEVATION  
 A3 1/4" = 1'-0"



3 WEST ELEVATION  
 A3 1/4" = 1'-0"



1 EAST ELEVATION  
 A3 1/4" = 1'-0"

SESSA+WADLUND  
 DESIGN STUDIO

MALOOF  
 598 Cragmont Avenue, Berkeley CA

PROJECT NUMBER: 1205

PERMIT SET

SHEET TITLE  
 ELEVATIONS

REVISIONS		
NO.	DATE	DESCRIPTION

DATE: 2.25.13  
 DRAWN: MW  
 CHECKED: MW  
 SCALE: 1/4" = 1'-0"

A3