



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 #13-20000070

Property Address:

1542-44 LA LOMA AVENUE

Permittee Name:

**KERSTIN FISCHER/FISCHER
ARCHITECTURE**

Use and/or Construction Permitted: to enlarge an existing 998 sq. ft. single family dwelling by excavating within an existing basement to create a 51 sq. ft. laundry area and raise a portion of the roof from 16'7" to 18', maintaining the existing 17' average height of the building pursuant to:

Section 23D.16.070.C to construct a residential addition over 14' in average height
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 July 18, 2013.

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

July 18, 2013
Effective Date

ATTACHMENT 1

FINDINGS AND CONDITIONS

JUNE 27, 2013

1542-1544 La Loma Avenue

Administrative Use Permit #13-20000070

To enlarge an existing 998 sq. ft. single family dwelling at 1542 La Loma (Upper Cottage) by excavating within an existing basement to create a 51 sq. ft. laundry area and raise a portion of the roof from 16'7" to 18', maintaining the existing 17' average height of the building.

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 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 adversely affect any historical resource.

FINDINGS FOR APPROVAL

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 under Section 23D.16.030 (Uses Permitted), 090 (Findings), and Section 23E.96.070 (Development Standards), the proposed roof alteration at 1542 may exceed 14' in average height and does not create significant impacts to sunlight, air, or views, and is found to be non-detrimental and permissible for the following reasons:
 1. Sunlight – The existing average height of 1542 La Loma will remain at 17' average and 23'4" in maximum height. The roof alteration is oriented at the north (side) of the building where shading currently exists because of the mass of the existing building, however, the adjacent lot (APN# 058-224501100) is a

vacant lot and the alteration is not expected to create significant new shadows to adjacent residential structures;

2. Air – Because the proposed roof alteration meets or exceeds the district standards for minimum rear and side yard setbacks, it is expected to provide adequate spatial separations between developments of abutting properties, thereby allowing for adequate air circulation;

3. Views – The proposed roof alteration is not expected to significantly block the adjacent neighbors' views of any significant features. The proposal will not exceed the full height limit allowed in the R-1H District and will not exceed the number of stories allowed; and

4. Privacy – The proposal involves altering the existing roof height at the north elevation and is not expected to create significant privacy impacts to the immediate neighbors given that the closest abutting lot to the north (APN#058 22450100) is a vacant lot.

- The remodel at the single family residence at 1544 La Loma does not require any additional discretionary permits for this parcel.
- As required by Section 3.24.200 (Construction Alteration or Modification of a City Landmark), the Landmarks Preservation Commission has found this project to be permissible because the subject property is not a Landmark but is part of a historic district and as proposed will preserve the character-defining features of the property, rehabilitate deteriorated features, restore those that have been removed over time, and add compatible new ones where necessary, subject to a condition of approval (Vote: 8-0-0-0). The condition of approval is included in this permit (see Condition #13 below).

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 (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. Chemical Treatments. If chemical treatments are needed as construction progresses they will be undertaken using the gentlest means possible.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. Trucks hauling debris, soil, sand, or other loose materials shall be covered or required to maintain at least two feet of board.

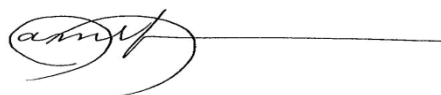
20. Public streets shall be swept (preferably with water sweepers) of all visible soil material carried from the site.
21. The applicant shall establish and maintain drainage patterns that do not adversely affect adjacent properties and rights-of-way.
22. The applicant shall ensure that all excavation takes into account surface and subsurface waters and underground streams so as not to adversely affect adjacent properties and rights-of-way.
23. 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:

24. All construction at the subject property shall substantially conform to the approved Use Permit drawings or to modifications approved by the Zoning Officer.
25. All landscape, site and architectural improvements shall be completed per the attached approved drawings dated **MAY 17, 2013**.

At All Times (Operation):

26. All exterior lighting shall be shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
27. 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.
28. Noise and exterior lighting shall be controlled so as to prevent verified complaints from the surrounding neighborhood.



Prepared by: Pamela Johnson, Assistant Planner for
Debra Sanderson, Zoning Officer

NEIGHBOR PRE-APPLICATION CONTACT

NAME AND ADDRESS	OWNER/ TENANT
240 Central Expressway, Suite 200, Sunnyvale, CA 94088	OWNER
1000 N. Milpitas, Suite 100, Milpitas, CA 95035	OWNER
1000 N. Milpitas, Suite 100, Milpitas, CA 95035	OWNER
2000 N. Milpitas, Suite 100, Milpitas, CA 95035	OWNER
3000 N. Milpitas, Suite 100, Milpitas, CA 95035	OWNER
4000 N. Milpitas, Suite 100, Milpitas, CA 95035	OWNER
5000 N. Milpitas, Suite 100, Milpitas, CA 95035	OWNER
6000 N. Milpitas, Suite 100, Milpitas, CA 95035	OWNER
7000 N. Milpitas, Suite 100, Milpitas, CA 95035	OWNER
8000 N. Milpitas, Suite 100, Milpitas, CA 95035	OWNER
9000 N. Milpitas, Suite 100, Milpitas, CA 95035	OWNER

PACKET CONTAINING COVER LETTER, DRAWINGS, WRITTEN PROJECT DESCRIPTION AND PHOTOS DATED ON MAY 7, 2013

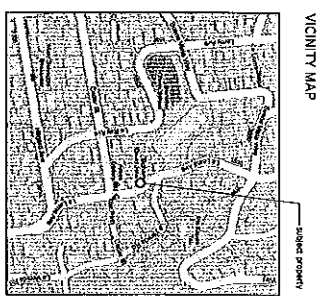
PROJECT INFORMATION

Project Address: 1542 & 1544 La Loma Avenue, Redwood City, CA 94063

API:	1542
Zoning District:	DM1
Construction Type:	Residential
Occupancy Type:	R-2 (Residential)
Front Yard Setback (Measuring from Main Building):	7'-6" (existing)
Rear Yard Setback (Measuring from Main Building):	7'-6" (existing)
Number of Stories:	2 (existing)
Maximum Building Height:	33'-0" (existing)
Setback from Area 51th:	5'-0" (existing)
Setback from Area 51st:	5'-0" (existing)
Earthquake Analysis/Report:	Yes
Fire Alarm System:	Yes
Smoke Detector:	Yes
Fire Sprinkler System:	Yes
Fire Alarm System:	Yes

SHEET INDEX

Architectural Drawings:	SYMBOLS / ABBREVIATIONS
A10 Site / Roof Plan / Project Info	↔ Exterior Elevation / Section Cut
A11 Upper Cottage - Proposed Denotation	○ Detail Key
A12 Lower Cottage - Proposed Denotation	
A13 Upper Cottage - Existing/Demo Elevations	
A14 Lower Cottage - Existing/Demo Elevations	
A15 Upper Cottage - Proposed Floor Plans	
A16 Lower Cottage - Proposed Floor Plans	
A17 Upper Cottage - Proposed Section	
A18 Lower Cottage - Proposed Section	



PROJECT DESCRIPTION

Rehabilitation and removal of a multi-unit residential building within project's existing exterior renovations, removal of some exterior walls and addition of windows and doors, and building out of existing foundation in upper cottage to provide a laundry room.

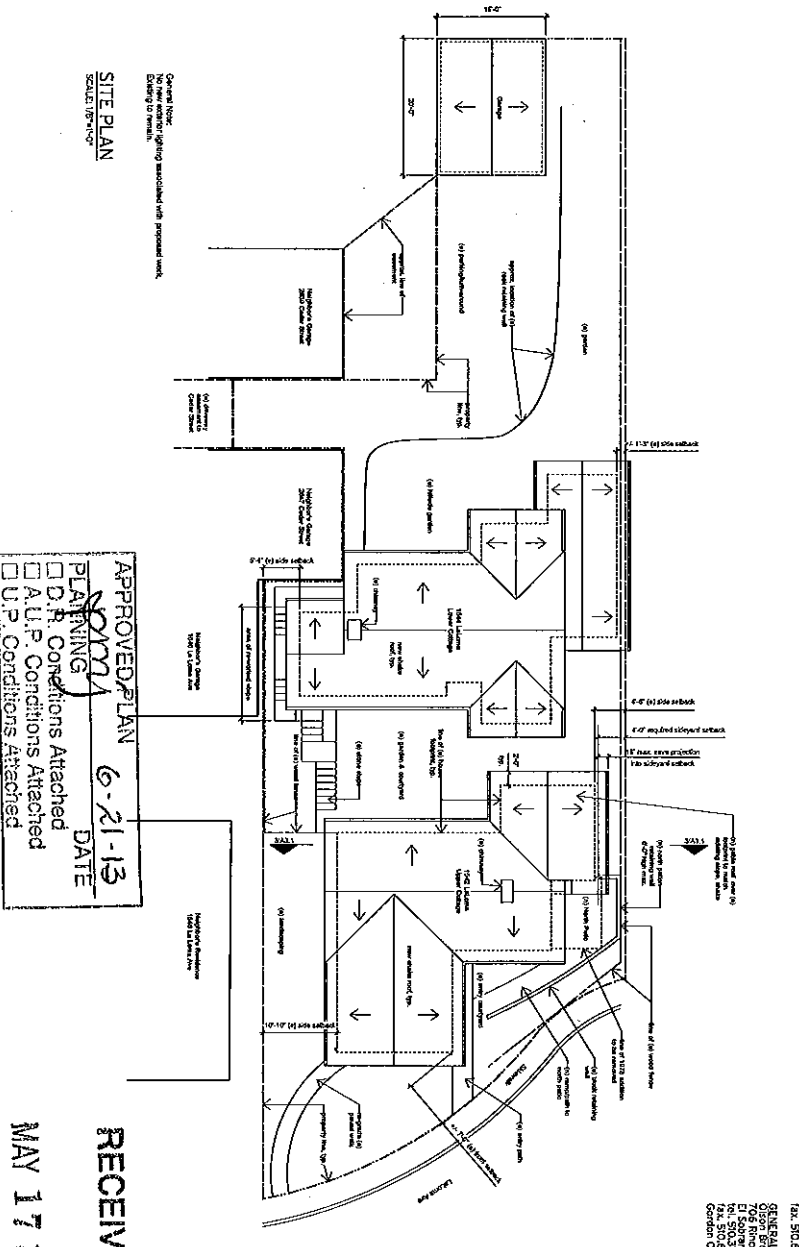
PROJECT TEAM

OWNER
 Forward Architecture & Design
 1542 La Loma Avenue
 Redwood City, CA 94063
 Tel: 510.524.6241

ARCHITECT
 Fischer Architects
 2550 San Pablo Avenue
 Berkeley, CA 94702
 Tel: 510.226.4271
 Fax: 510.226.4251

STRUCTURAL ENGINEER
 James L. Hines, Inc.
 2550 Bayview Street, Suite 112
 Emeryville, CA 94608
 Tel: 510.524.6997
 Fax: 510.524.6997

GENERAL CONTRACTOR
 Olson Builders, Inc.
 1050 Roman Road
 Emeryville, CA 94608
 Tel: 510.375.5271
 Fax: 510.685.9700
 Gordon Olson, President



APPROVED PLAN 6-21-13

DATE

RECEIVED

MAY 17 2013

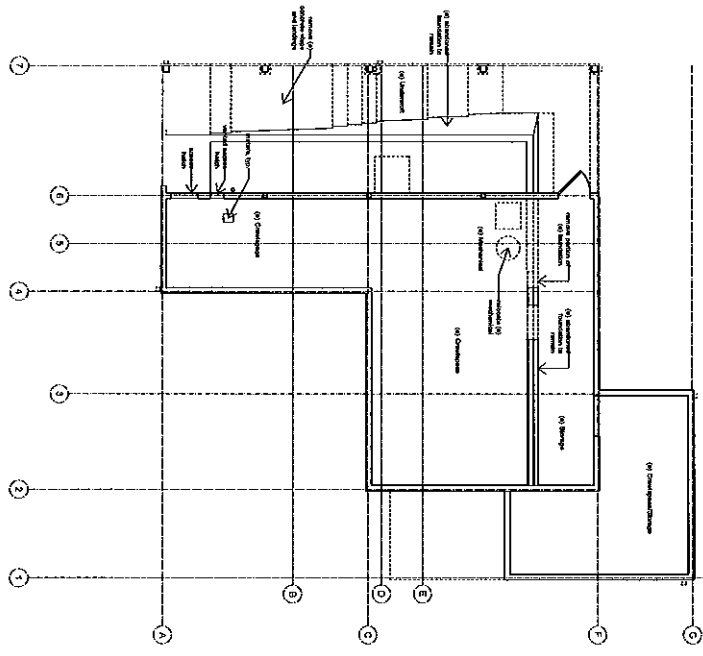
LAND USE PLANNING

A1.0

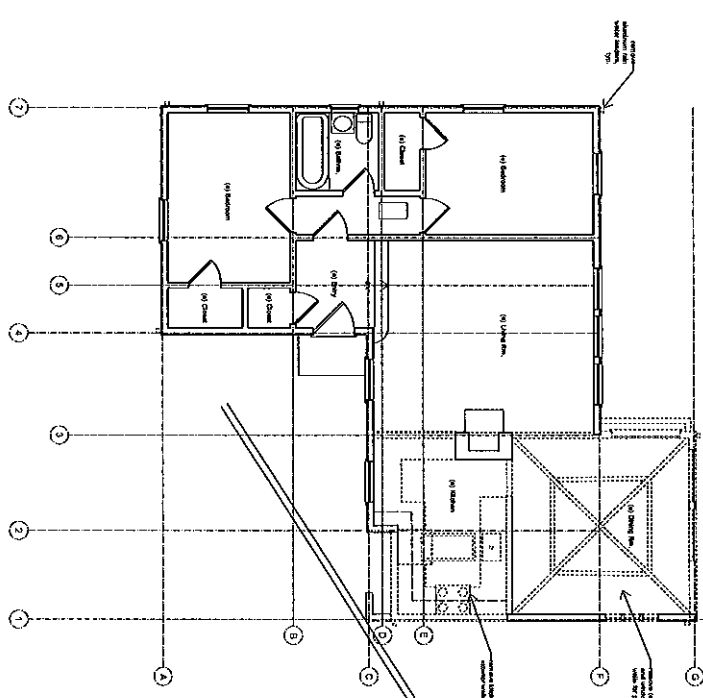
Scale: 1/8" = 1'-0"

PROJECT INFORMATION
 SITE PLAN & ROP PLAN

TOLMAN COTTAGES
 1542 & 1544 LA LOMA AVENUE
 REDWOOD CITY, CA 94063



2. UPPER COTTAGE - UNDERCROFT/BASEMENT DEMO PLAN
SCALE: 1/8"=1'-0"



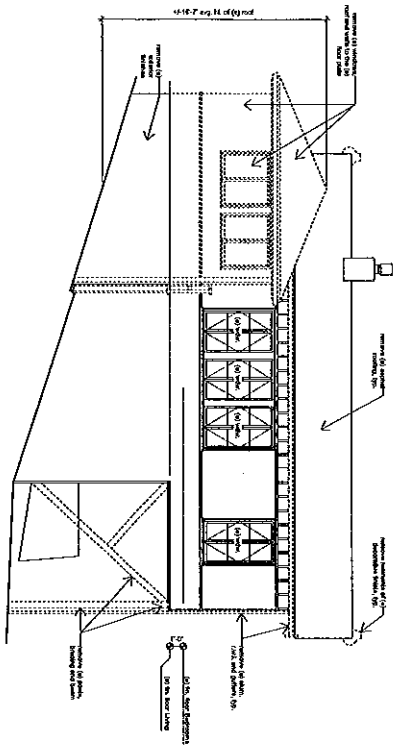
1. UPPER COTTAGE - FIRST FLOOR DEMO PLAN
SCALE: 1/8"=1'-0"

APPROVED PLAN
DATE 6.21.13
PLANNING
[] A.P. Conditions Attached
[] U.P. Conditions Attached

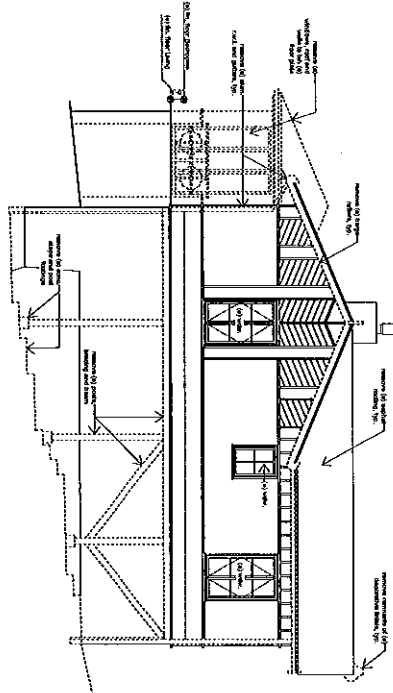
LEGEND
WALL TO BE REMOVED
DISTING WALL

TOLMAN ARCHITECTS
2550 CALIFORNIA AVENUE
BERKELEY, CA 94708
TEL: 415.841.1111
WWW.TOLMANARCHITECTS.COM

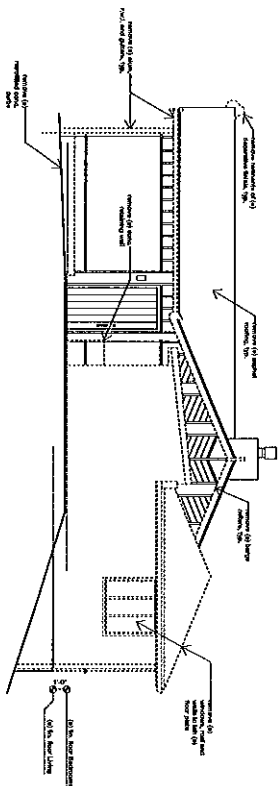
PROJECT: UPPER COTTAGE PROPOSED DEMOLITION
DATE: 05/13/13
SCALE: 1/8"=1'-0"
DM.O



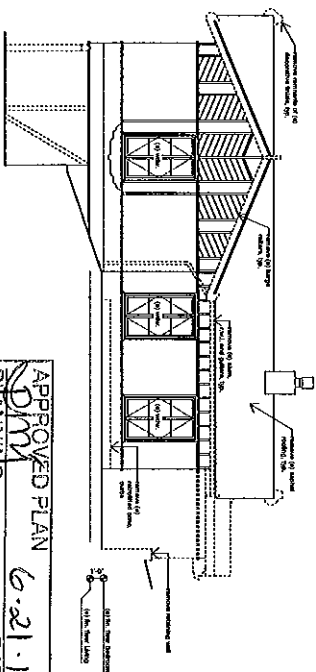
4. UPPER COTTAGE WEST ELEVATION
SCALE: 1/8"=1'-0"



3. UPPER COTTAGE SOUTH ELEVATION
SCALE: 1/8"=1'-0"



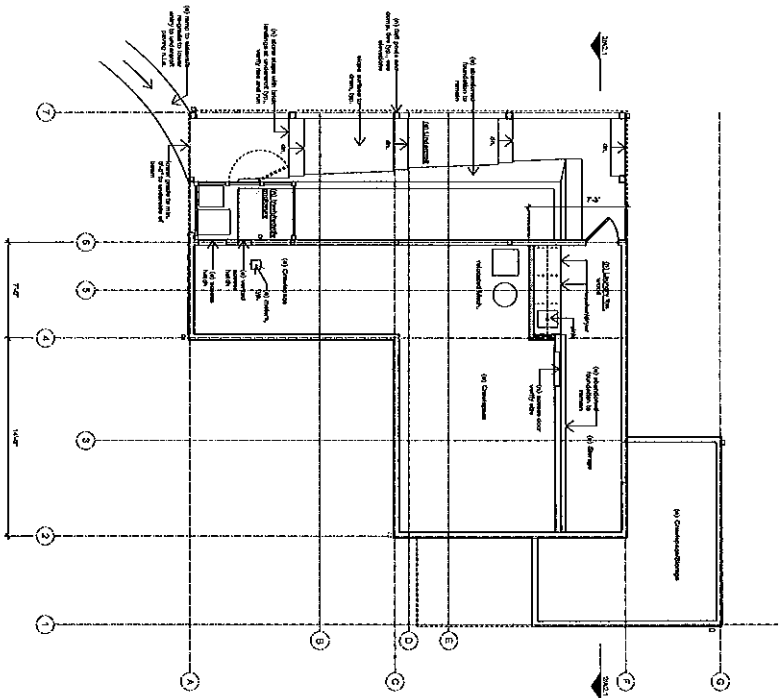
2. UPPER COTTAGE NORTH ELEVATION
SCALE: 1/8"=1'-0"



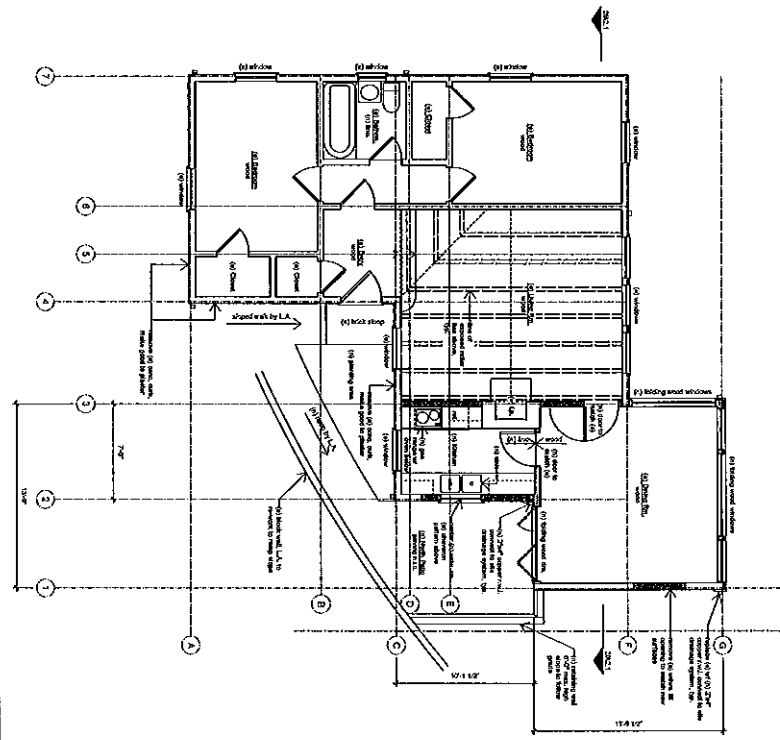
1. UPPER COTTAGE EAST ELEVATION
SCALE: 1/8"=1'-0"

APPROVED PLAN
 DM
 PLANNING
 D.R. Conditions Attached
 A.U.P. Conditions Attached
 U.P. Conditions Attached
 DATE 6-21-13

PLS CALL R. BRUNTEGGER
 754 - 440-0000 (MOUNTAIN VIEW) 754-9720
 303242200 1-303242200
 TOLMAN COTTAGES
 1342 & 1344 LOMA AVENUE
 BERKELEY, CA 94708
 NOT DATE ISSUED DRAWN
 DATE S.D. S.M. M.M. M.M.
 05/13 P.M. S.P. C.S. G.S. M.P.
 REVISION:
 UPPER COTTAGE EXISTING/DRAWN ELEVATIONS
 SHEET
 SCALE: 1/8"=1'-0"
 DM.2



2. UPPER COTTAGE - UNDERCROFT/BASEMENT PROPOSED PLAN
SCALE: 1/8"=1'-0"



1. UPPER COTTAGE - FIRST FLOOR PROPOSED PLAN
SCALE: 1/8"=1'-0"

APPROVED PLAN 6-21-13
DATE

DMJ
DRAWING

P.F. Conditions Attached
 A.U.P. Conditions Attached
 U.P. Conditions Attached

LEGEND

- NEW WALL
- EXISTING WALL

NOTES:
1. ALL DIMENSIONS TO FACE
2. FINISH FLOOR

FISCHER ARCHITECTURE
 1000 W. WASHINGTON AVENUE, SUITE 200
 LOS ANGELES, CALIFORNIA 90015
 TEL: 213.487.4210 FAX: 213.487.4211
 WWW.FISCHERARCHITECTURE.COM

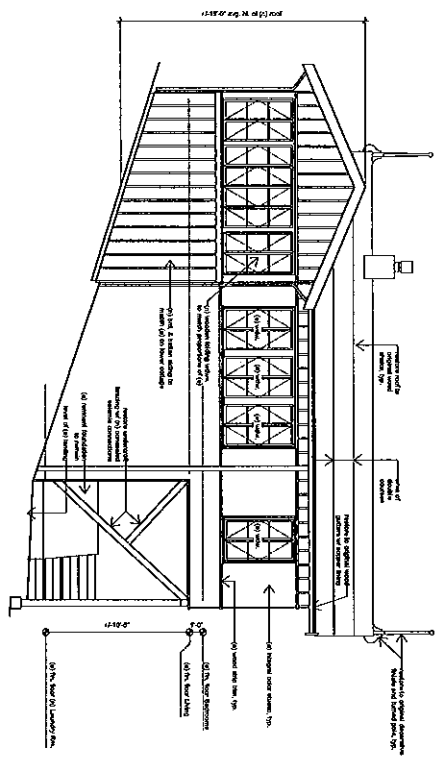
TOLMAN COTTAGES
 1836 E. 184TH LOMA AVENUE
 BERRILLTON, CA 94920

REV.	DATE	ISSUE	BY	CHKD.
01	06/21/13	FINAL APPROVED PLAN	DMJ	DMJ
02	06/21/13	FINAL APPROVED PLAN	DMJ	DMJ

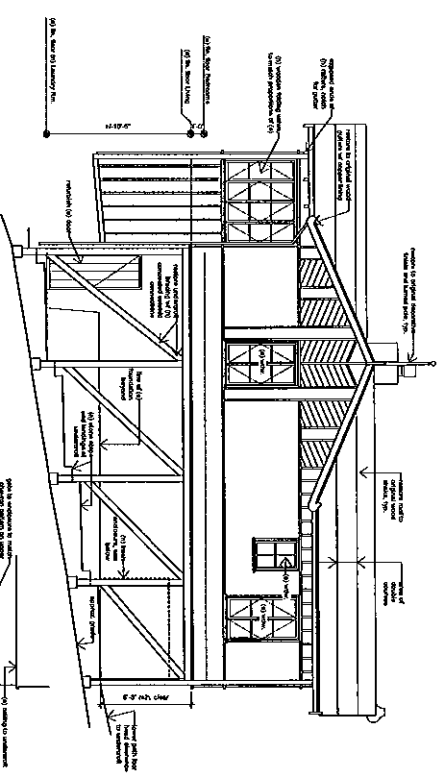
UPPER COTTAGE PROPOSED FLOOR PLAN

SCALE: 1/8"=1'-0"

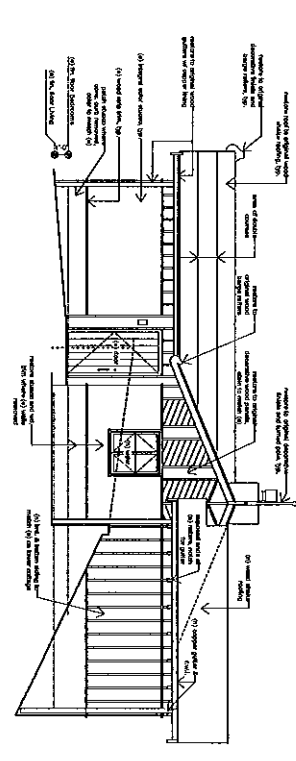
A2.0



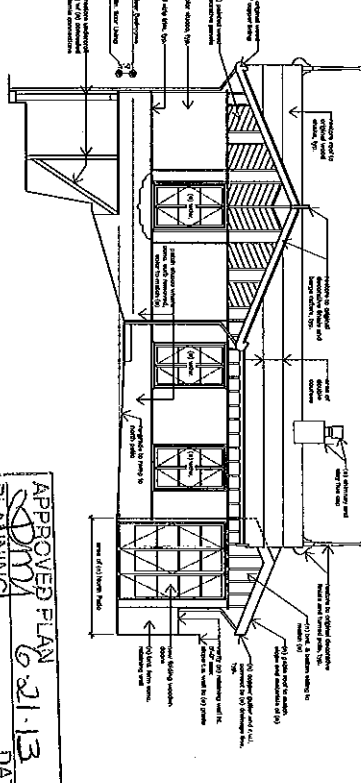
4. UPPER COTTAGE WEST PROPOSED ELEVATION
SCALE: 1/8"=1'-0"



3. UPPER COTTAGE SOUTH PROPOSED ELEVATION
SCALE: 1/8"=1'-0"



2. UPPER COTTAGE NORTH PROPOSED ELEVATION
SCALE: 1/8"=1'-0"



1. UPPER COTTAGE EAST PROPOSED ELEVATION
SCALE: 1/8"=1'-0"

APPROVED PLAN
DATE 06-21-13
PLANNING
 D.F. Conditions Attached
 A.U.P. Conditions Attached
 U.P. Conditions Attached

FISCHER ARCHITECTURE
1000 W. 11TH AVENUE, SUITE 200
DENVER, CO 80202
TEL: 303.733.7777 FAX: 303.733.7778
WWW.FISCHERARCHITECTURE.COM

TOLMAN COTTAGES
345 S. LA LOAN AVENUE
DENVER, CO 80209

DATE: 06-21-13
JOB: Final Site & Zoning Submittal - A3.0

DESCRIPTION:
UPPER COTTAGE PROPOSED ELEVATIONS

SCALE: 1/8"=1'-0"

A3.0