



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 #2013-0108**

Property Address: **1818 TACOMA AVENUE**

Permittee Name: **MATTHEW WADLUND**

Use and/or Construction Permitted: to expand an existing 181 square foot single-car garage to create a 348 square foot accessory structure (240 sq. ft. garage and 108 sq. ft. storage area) that measures 29' in length and has a maximum height of 11' pursuant to:

- Section 23D.08.050 to construct an accessory structure greater than 24' in length along a side property line; and
- Section 23D.020.A to construct an accessory structure greater than 10' in average height within 4' of property line.

**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 November 5, 2013.

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

November 5, 2013  
Effective Date

# ATTACHMENT 1

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## FINDINGS AND CONDITIONS

OCTOBER 15, 2013

### 1818 Tacoma Avenue

#### Administrative Use Permit #2013-0108

To expand an existing 181 square foot single-car garage to create a 348 square foot accessory structure (240 sq. ft. garage and 108 sq. ft. storage area) that measures 29' in length and has a maximum height of 11'.

#### 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 15303 of the CEQA Guidelines ("New Construction or Conversion of Small Structures"). 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:
  - The proposed accessory structure would not unreasonably obstruct sunlight, air, or views, because it would not cast new shadows on the windows or a substantial area of open space of adjacent residences. The garage is located within the general footprint of the existing structure in an area that is already developed with substantial vegetation that also filters views.
  - As required under Section 23D.28.080 (Parking), the project would not increase parking demand and parking is provided in accordance with the minimum requirement.

## **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 **AUGUST 16, 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.



Claudine Asbagh, Assistant Planner for  
Debra Sanderson, Zoning Officer

# 1818 Tacoma Ave Garage Replacement

SESSA+WADLUND  
Design Studio  
1912 20th Ave  
Berkeley, CA 94710

**BURROUGHS  
RESIDENCES**  
1818 TACOMA AVENUE, BERKELEY  
PROJECT NUMBER: 000

ADMIN  
USE PERMIT  
SHEET TITLE  
COVER SHEET

REVISIONS  
NO. DATE DESCRIPTION

DATE: 7/15/13  
DRAWN BY:  
CHECKED BY:  
SCALE: 1/8" = 1'-0"

GO.1

### DRAWING INDEX

COVER SHEET GO.1  
EXISTING AND NEW PLANS A1  
EXISTING AND NEW ELEVATIONS A2

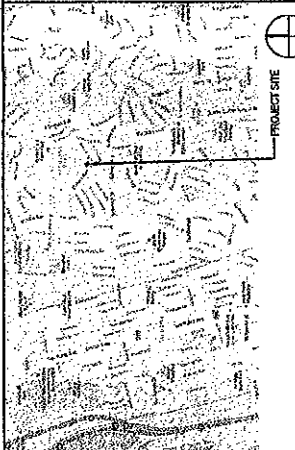
### PROJECT INFORMATION

ADDRESS: 1818 Tacoma Avenue  
Berkeley, CA

OWNER: Hugh & Gail Burroughs  
APN: 62-2807-26  
ZONE: R-1H

### PROJECT DESCRIPTION

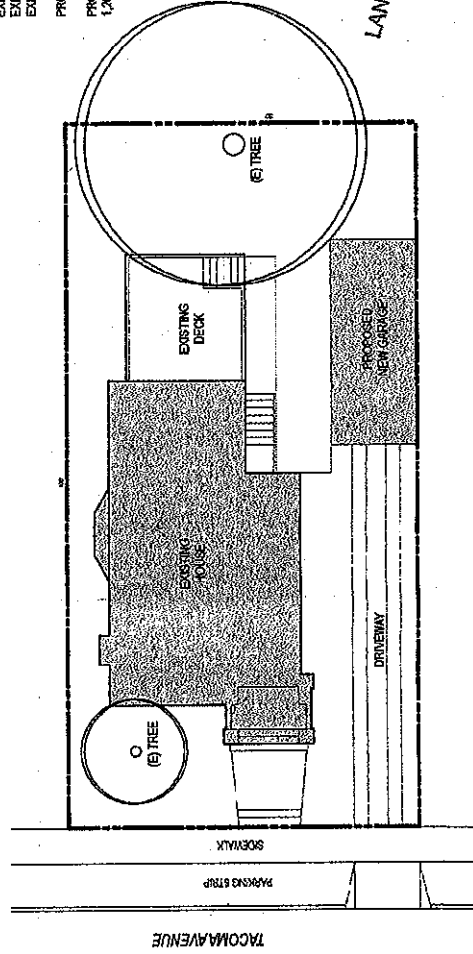
DEMOLITION EXISTING, FILING GARAGE.  
CONSTRUCT NEW, LARGER GARAGE AT APPROXIMATE SAME LOCATION  
ELECTRICAL AS REQUIRED.  
BUILDING CODE: 2010 CALIFORNIA BUILDING, PLUMBING, MECHANICAL, AND ELECTRIC CODE



VICINITY MAP

### AREA INFORMATION

LOT  
100' X 50' = 5,000 SF  
EXISTING HOUSE = 1,260 SF  
EXISTING GARAGE = 481 SF  
EXISTING LOT COVERAGE = 28%  
PROPOSED NEW GARAGE = 348 SF  
PROPOSED LOT COVERAGE  
1,260 SF + 348 SF = 1,608 / 5,000 = 32%



RECEIVED

AUG 16 2013

LAND USE PLANNING

APPROVED PLAN 10/10/13  
DATE  
PLANNING  
 C.U.P. Conditions Attached  
 A.U.P. Conditions Attached  
 U.P. Conditions Attached

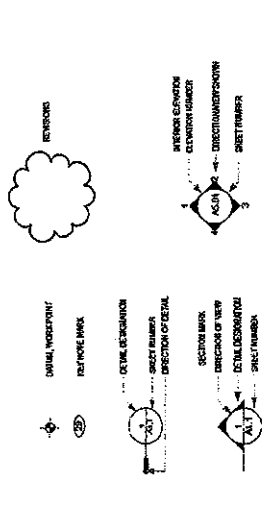
1 SITE PLAN  
SCALE: 3/8" = 1'-0"

### GENERAL NOTES

1. ALL CONSTRUCTION MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE PROJECT SPECIFICATIONS.
2. ALL WORK SHALL MEET OR EXCEED THE MINIMUM STANDARDS OF THE 2010 CALIFORNIA BUILDING CODE AND ALL APPLICABLE CODES AND ORDINANCES.
3. INFORMATION CONTAINED WITHIN THESE DOCUMENTS SHALL NOT BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE APPLICABLE CODES.
4. CONTRACTOR SHALL EXAMINE THE REQUIREMENTS AND SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES WHICH MAY BE FOUND PRIOR TO THE START OF WORK.
5. CONTRACTOR SHALL REVIEW ALL DOCUMENTS TO COORDINATE WITH THE BLDG CODES, CONVENTIONS, ANY VARIATIONS AND DISCREPANCIES THAT ARISE IN THIS REVIEW ARE TO BE BROUGHT IMMEDIATELY TO THE ARCHITECT'S ATTENTION.
6. THE CONTRACTOR AND ALL SUBCONTRACTORS ARE REQUIRED TO VISIT AND INSPECT THE SITE PRIOR TO CONSTRUCTION OF ANY WORK.
7. ALL DETAILS, SCHEDULES, ADDENDUMS AND SPECIFICATIONS SOUND SEPARATELY AREA PART OF THE CONTRACT DOCUMENTS.
8. THESE MARKS, ETC. ARE NOT IN CONFLICT WITH ANY OTHER MARKS IN THE DOCUMENTS WHEN CONTRACTOR'S OCCUPANCY IS REQUIRED. SET OUT OR OTHERWISE OF PROJECT LIMITS.
9. DIMENSIONS:
  - a. ALL DIMENSIONS SHALL BE TO THE FACE UNLESS NOTED OTHERWISE.
  - b. ALL DIMENSIONS SHALL BE TO THE CENTERLINE UNLESS NOTED OTHERWISE.
  - c. ALL DIMENSIONS SHALL BE TO THE CENTERLINE UNLESS NOTED OTHERWISE.
  - d. ALL DIMENSIONS SHALL BE TO THE CENTERLINE UNLESS NOTED OTHERWISE.
  - e. ALL DIMENSIONS SHALL BE TO THE CENTERLINE UNLESS NOTED OTHERWISE.
  - f. ALL DIMENSIONS SHALL BE TO THE CENTERLINE UNLESS NOTED OTHERWISE.
  - g. ALL DIMENSIONS SHALL BE TO THE CENTERLINE UNLESS NOTED OTHERWISE.
  - h. ALL DIMENSIONS SHALL BE TO THE CENTERLINE UNLESS NOTED OTHERWISE.
  - i. ALL DIMENSIONS SHALL BE TO THE CENTERLINE UNLESS NOTED OTHERWISE.
  - j. ALL DIMENSIONS SHALL BE TO THE CENTERLINE UNLESS NOTED OTHERWISE.
10. DETAILS MARKED "TYPICAL" SHALL APPLY IN ALL CASES, UNLESS NOTED OTHERWISE.
11. 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.
12. NEW WORK IS NOTED IN UNLESS NOTED AS IS FOR EXISTING.
13. THE CONTRACTOR SHALL MEET WITH THE ARCHITECT PRIOR TO THE START OF DEMOLITION TO NOTE WHAT ITEMS, IF ANY, ARE TO BE SALVAGED OR REUSED.
14. THE DRAWINGS INDICATE THE GENERAL EXTENT OF THE CONSTRUCTION NECESSARY FOR THE WORK, BUT ARE NOT INTENDED TO BE ALL INCLUSIVE. ALL FIELD AND FINISH WORK IS NECESSARY FOR A COMPLETE AND ACCURATE CONSTRUCTION. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF THE EXISTING WORK PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF THE EXISTING WORK PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF THE EXISTING WORK PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF THE EXISTING WORK PRIOR TO CONSTRUCTION.
15. THE 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 WARNINGS OR DISCREPANCIES ARE DISCOVERED.
16. PROTECT ALL (R) BUILDING AND SITE CONDITIONS TO REMAIN.

CONSTRUCTION NOISE  
WORK HOURS ARE REGULATED BY MORE LEVELS CREATED DURING CONSTRUCTION.

### SYMBOLS



14-00000-001

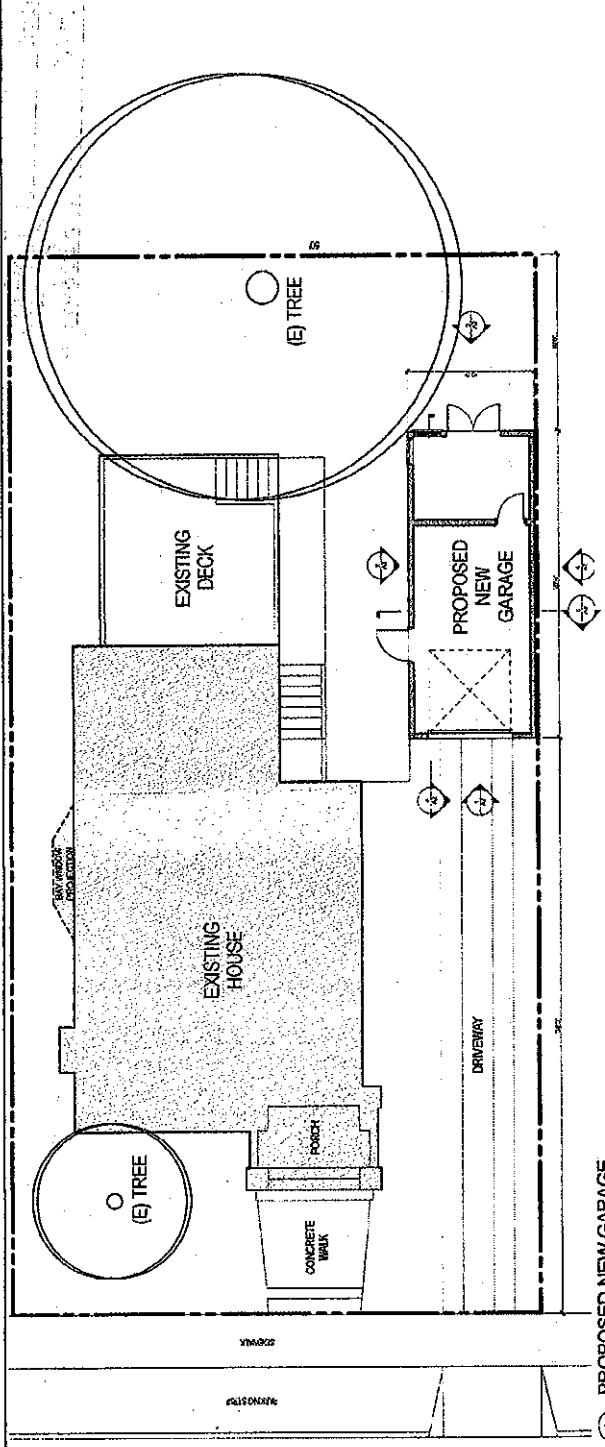
SESSA+WADLUND  
Design Studio  
30 212428 WASHINGTON ST  
SAN FRANCISCO, CA 94102

BURROUGHS  
RESIDENCE  
PROJECT NUMBER: 190  
1818 TACOMA AVENUE, BERKELEY

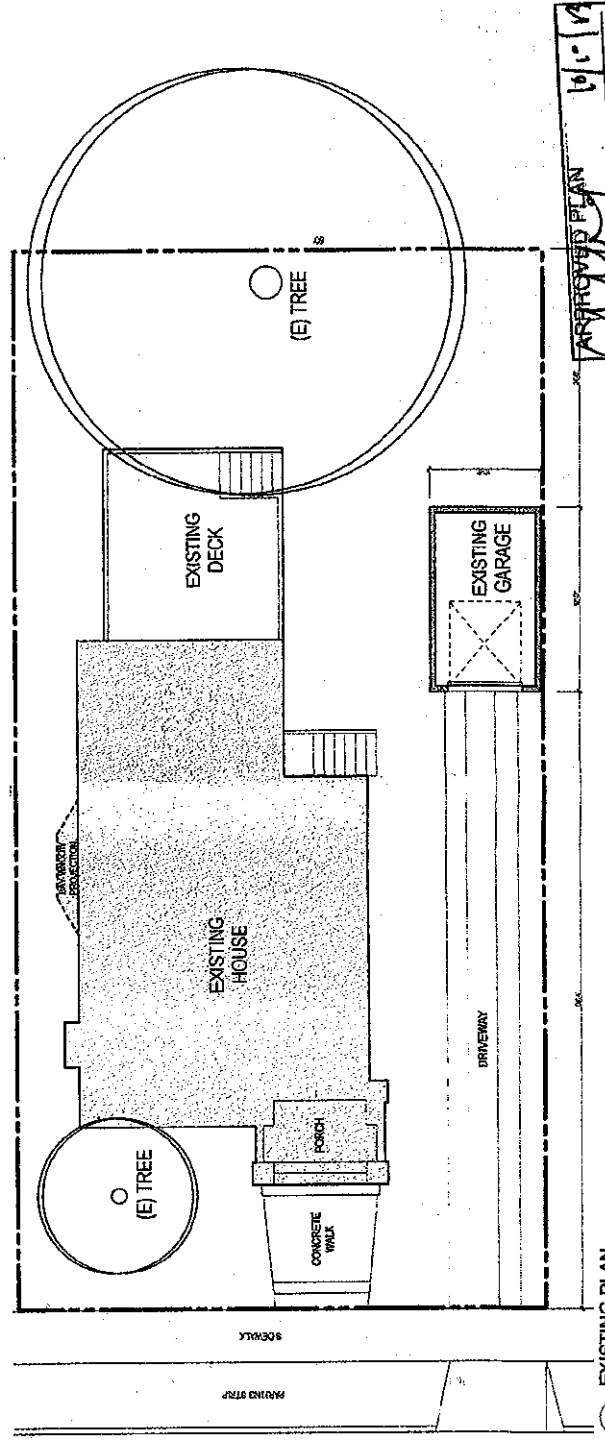
ADMIN  
USE PERMIT  
SHEET TITLE  
PLANS

DATE: 7/27/19  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
SCALE: 1/4" = 1'-0"

A1



2 PROPOSED NEW GARAGE  
SCALE: 3/8" = 1'-0"



1 EXISTING PLAN  
SCALE: 3/8" = 1'-0"

APPROVED PLAN  
DATE: 6/11/19

PLANNING

R. Conditions Attached  
 A.U.P. Conditions Attached  
 U.P. Conditions Attached



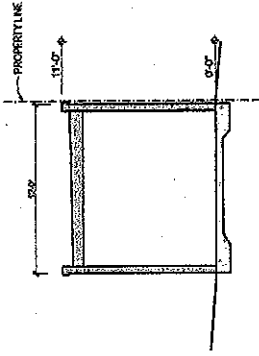
**BURROUGHS RESIDENCES**  
1818 TACOMA AVENUE, BERKELEY  
PROJECT NUMBER: 510

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USE PERMIT  
SHEET TITLE  
NEW  
ELEVATIONS

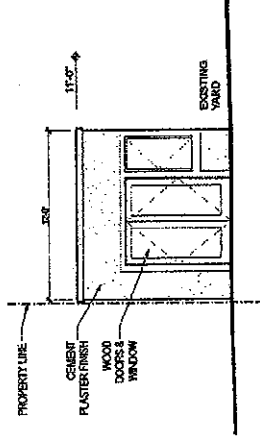
REVISIONS  
NO. DATE DESCRIPTION

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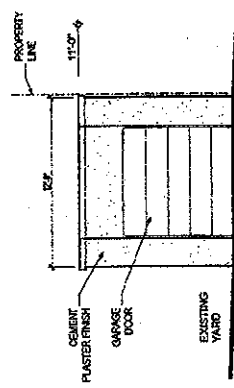
A2



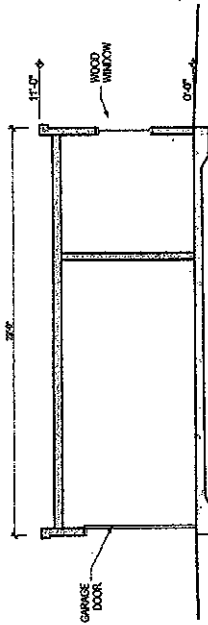
5 SHORT SECTION  
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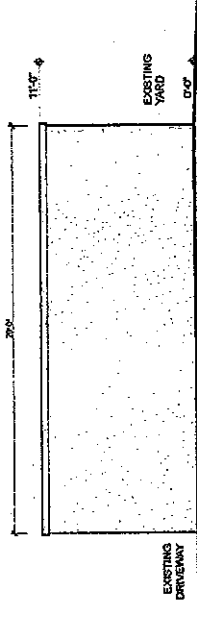
3 SOUTH ELEVATION  
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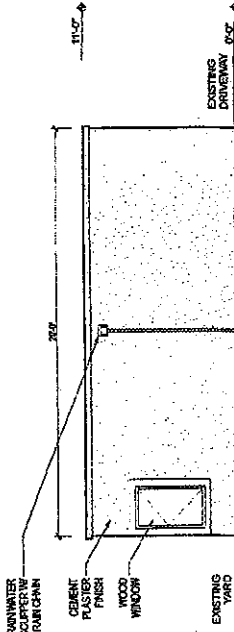
1 NORTH ELEVATION  
SCALE: 1/4" = 1'-0"



6 LONG SECTION  
SCALE: 1/4" = 1'-0"



4 WEST ELEVATION  
SCALE: 1/4" = 1'-0"



2 EAST ELEVATION  
SCALE: 1/4" = 1'-0"

10/10/10  
DATE

EXAMINING

D.R. Conditions Attached

A.U.P. Conditions Attached

U.P. Conditions Attached