



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 #2014-0001

Property Address: **2756 MABEL STREET**

Permittee Name: **JOHN VOEKEL**

Use and/or Construction Permitted: to demolish an existing double-car garage in the rear yard of a single-family residence, relocate the one required parking space into the side yard setback and construct new 576-sq. ft habitable accessory building in place of the demolished garage. The new building allows human occupation but is not an individual dwelling unit pursuant to:

- Section 23D.08 Paragraph A, to construct a habitable accessory building in a Residential district.

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 3, 2014.

Attest: Sally Zarnowitz
Sally Zarnowitz, Senior Planner
For Eric Angstadt, Zoning Officer

July 3, 2014
Effective Date

ATTACHMENT 1

FINDINGS AND CONDITIONS

JUNE 11, 2014

2756 Mabel Street

Administrative Use Permit #AUP2014-0001

To demolish an existing double-car garage in the rear yard of a single-family residence, relocate the one required parking space into the side yard setback and construct new 576-sq. ft habitable accessory building in place of the demolished garage.

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 15303 of the CEQA Guidelines (“New Construction”). 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

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 proposal to construct a new, habitable accessory building is consistent with the single-family use of the subject property where the accessory building will function as an extension of the main building and its dwelling activities.
- A reasonable level of privacy for abutting residences will be preserved by the design of the new building and the existing conditions of the subject property. The building will have no windows or openings facing the residential properties to the north and west. The window and door on the south side of the proposed building will be screened by an existing boundary fence that separates the subject property from 2760 Mabel, the abutting residence to the south.

- The new accessory building will be built along the west (rear) and north (right side) property lines, and approximately 9 ft. – 5 in. from the south (left side) property line. This placement is permissible in accordance with Section 23D.08.020 (Height Limits for Accessory Buildings and Structures) where the new building averages only 10 ft. in height.
- This building is not expected to result in significant sunlight or massing impacts because: a) it will be slightly lower than the existing garage that will be demolished, thereby maintaining or improving the existing sunlight and shadowing conditions in the immediate vicinity; b) it will be separated and screened from all adjacent properties by a boundary fence of approximately 6 ft. in height.
- As required under Section 23D.16.070 (Development Standards) this proposal is permissible where it complies with the R-1 District Development Standards for maximum lot coverage and minimum Useable Open Space. In accordance with Sections 23D.12.080 (Site, Location and Screening for Uncovered Parking Spaces) and 23D.16.090 (Parking), the proposal to locate a parking space in the required side yard setback is permissible because the new space satisfies all site, location and screening standards and maintains one required, off-street parking space for this single-family residence.

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. All owners of record of the subject property shall sign and record with the Alameda County Clerk-Recorder a "Notice of Limitation on Use of Property" (available from Land Use Planning Division) and provide a recorded copy thereof to the project planner. This Notice of Limitation shall stipulate that no part of this accessory building shall be used or converted to use a dwelling unit unless and until permission is requested of the City of Berkeley and authorized a Use Permit, Administrative Use Permit, or Zoning Certificate, whichever is applicable. This limitation shall include the explicit acknowledgment that no shower, tub, or kitchen facilities may be installed in this habitable accessory building. This limitation may not be revised or removed from this property without the prior written permission of the Zoning Officer of the City of Berkeley.
13. Drainage plans shall be submitted for approval of the Building & Safety Division and Public Works Department, if required.

During Construction:

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.
24. The height and location of the proposed structure, property lines and spot elevations shall be verified by a licensed surveyor or engineer on site after foundation forms are placed, but before pouring concrete or placing construction material in its permanent position. This verification shall be to the satisfaction of the Zoning Officer.

Prior to Issuance of Occupancy Permit or Final Inspection:

25. All construction at the subject property shall substantially conform to the approved Use Permit drawings or to modifications approved by the Zoning Officer.
26. All landscape, site and architectural improvements shall be completed per the attached approved drawings dated June 4, 2014.

At All Times (Operation):

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



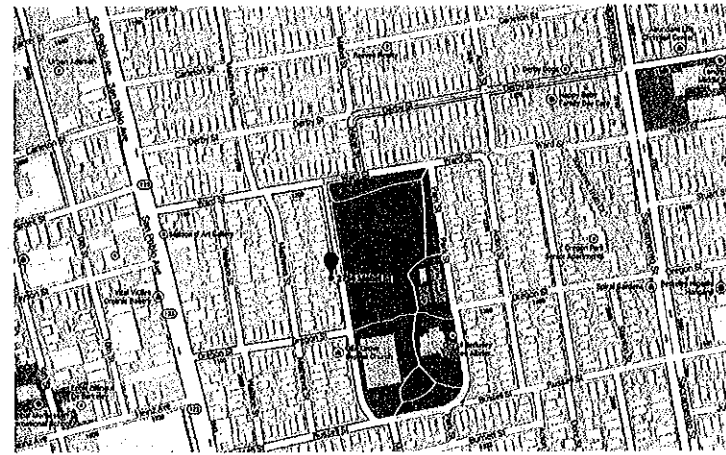
Prepared by: M. Fatema Crane
For Eric Angstadt, Planning Director

GARAGE RENOVATION

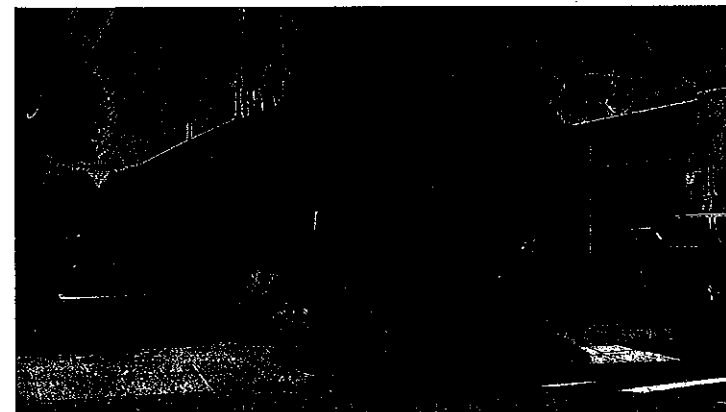
Toni Pinck
2756 Mabel Street
Berkeley, CA 94702
Phone: 510-612-1295

APN: 054 174208500

Plans prepared by:
John Voekel
1250 Addison St, #214
Berkeley, CA 94702
510-665-9633



LOCATION



STREET VIEW

DESCRIPTION

Single story bungalow of light-frame wood construction with detached garage of unreinforced masonry construction

PROPOSAL

Remove existing, unreinforced masonry garage and replace with a light-frame wood structure conforming to current height and massing requirements -- 10' average height and a 24'x24' footprint.

Include space for a laundry room, a guest bedroom and half bath, and a hobby/utility space

CONSTRUCTION NOTES

- 1.0 General
 - 1.1 All construction shall conform to 2011 California Building Code
 - 1.2 Contractor / Subcontractor shall verify all pertinent dimensions and grade elevations prior to beginning construction
 - 1.3 Conflicts and discrepancies in information and omissions in drawings shall be brought to the attention of John Voekel for resolution
 - 1.4 Changes to the correct drawings shall be made only with the approval of John Voekel
 - 1.5 Structural observation by the design engineer is required for the following items of construction: footing excavation and reinforcement
- 2.0 Foundations
 - 2.1 Concrete footings shall be constructed in one continuous monolithic pour without construction joints unless noted otherwise
 - 2.2 The foundation has been designed in accordance with the provisions of the CBC
 - 2.3 Concrete grade beams and footings shall use a minimum strength concrete of 2500 psi compressive strength after 28 days
 - 2.4 All new concrete footings to be founded in trenched excavations a minimum of 18" below final grade, in accordance with the drawings
 - 2.5 Bottom of slab and footing to be compacted to at least 95 percent relative compaction based on ASTM D1557-01
 - 2.6 Construction Observation to be performed by GARY BLANK
- 3.0 Materials
 - 3.1 Timber: Sawn Lumber shall conform to Douglas Fir No 2 or better except as noted on the drawings. Timber in contact with concrete or masonry shall be either pressure treated or foundation grade redwood. All new framing lumber shall have a maximum 19% moisture at time of installation
 - 3.2 Concrete: All reinforced concrete to be a minimum 2500 psi, 28-day compressive strength
 - 3.3 Reinforcing Steel: All reinforcing steel shall conform to ASTM A618, Grade 60. All welded wire fabric shall conform to ASTM A188
 - 3.4 Bolts: Anchor bolts shall conform to ASTM specification A307
- 4.0 Reinforcing Steel
 - 4.1 Lap splices shall be BWR as indicated in the drawings
 - 4.2 Splices in reinforcing steel shall develop full strength of the bar
 - 4.3 Bends and hooks in the reinforcing steel shall conform to USC and ACI requirements regarding bend radius and extension
 - 4.4 All concrete shall be reinforced
 - 4.5 Provide the minimum protective covering for concrete: Below grade (unformed) 3" clear Below Grade (formed) 2" clear Above grade 1.5" clear
 - 4.6 Welding or heating of rebar is not permitted unless procedure is approved by Engineer.
- 6.0 Concrete Construction
 - 6.1 All concrete elements shall be constructed in one continuous monolithic pour without construction joints unless otherwise approved by Engineer.
 - 6.2 Slab-on-grade may be constructed with control and construction joints subject to review of John Voekel
 - 6.3 Pipes may pass through structural concrete slabs, but not embedded therein
 - 6.4 Curing concrete shall be exposed to temperatures less than 40 degrees Fahrenheit for the first three days
- 8.0 TIMBER CONSTRUCTION
 - 8.1 Framing connections and details not specified shall conform to UBC minimum nailing standards
 - 8.2 Wood framing connections and accessory fastenings designated on drawings are manufactured by Simpson Strong-Tie Co or equivalent.
 - 8.3 Openings in diaphragms shall be stiffened by standard framing members or blocking at least 18" past the opening. Nail plywood to blocking specified along panel edges and add metal strap as specified at blocking
 - 8.4 All nails to be hot dipped galvanized per CBC 2304.3

APPLICABLE CODES & INSPECTIONS

CBC 2013
Berkeley Municipal Code, Adopted February 2012
California Plumbing Code
California Electric Code

DRAWING INDEX

- AS0.0 COVER
- AS1.0 SITE PLAN
- AS1.1 EXISTING & PROPOSED PLANS
- AS1.2 ELECTRIC PLAN
- AS1.3 FOUNDATION & FRAMING PLAN
- AS2.0 EXT. ELEVATIONS WITH SHEARWALLS
- AS2.1 INT. ELEVATIONS
- AS3.0 TYP. SECTIONS
- AS3.1 DETAIL SECTIONS OF BED & 1/2 BATH
- AS4.0 DETAILS
- T24 TITLE 24

CONSTRUCTION LEGEND

- WOOD
- CONCRETE
- STEEL
- RIGID INSULATION
- DRYWALL
- STUCCO
- DEMO
- NEW CONSTRUCTION
- SAND
- GRAVEL
- SOIL
- SECTION
- DETAIL

PROPERTY INFORMATION (PROPOSED)

occupancy :	R-1	Zoning/General Plan	
construction:	TYPE V-B	Arts District	No
lot size:	3500 sqft (35' x 100')	Commercial District with Use Quotas	No
gross floor area:	main building: 814 sqft	General Plan Area	LDR
	Accessory Building: 576 sqft	Zoning District	R-1
	total: 1390 sqft	Seismic Safety	
building height:	main building: 22 ft	Earthquake Fault Rupture	No
	Accessory Building: 12'-0"	Landslide	No
lot coverage:	39.7%	Liquefaction	Yes
		Un-reinforced Masonry Building Inventory	No
		Historic Preservation	No
		Landmarks or Structure of Merit	
		Environmental Safety	
		Creek Buffer	No
		Environmental Management Area	No
		Fire Zone	1
		Flood Zone(100-year or 1%)	No
		Additional Parcel Info	
		Parcel Larger than 10,000 Square Feet	No
		Parcel Larger than one acre	No
		Redevelopment Area	No

APPROVED PLANS 06/06/14
CURRENT PLANNING DATE
 D.R. Conditions Attached
 A.U.P. Conditions Attached
 U.P. Conditions Attached 1/5

REVISIONS BY:

RECEIVED

JUN 04 2014

LAND USE PLANNING

COVER

MABEL STREET GARAGE
2756 MABEL ST
BERKELEY CA 94702

PLAN CHECK ONLY

Integrated Structures
1250 Addison Street
Berkeley, CA 94702

DATE: 03 JUN 2014

DRAWN: JPV

JOB: Mabel St

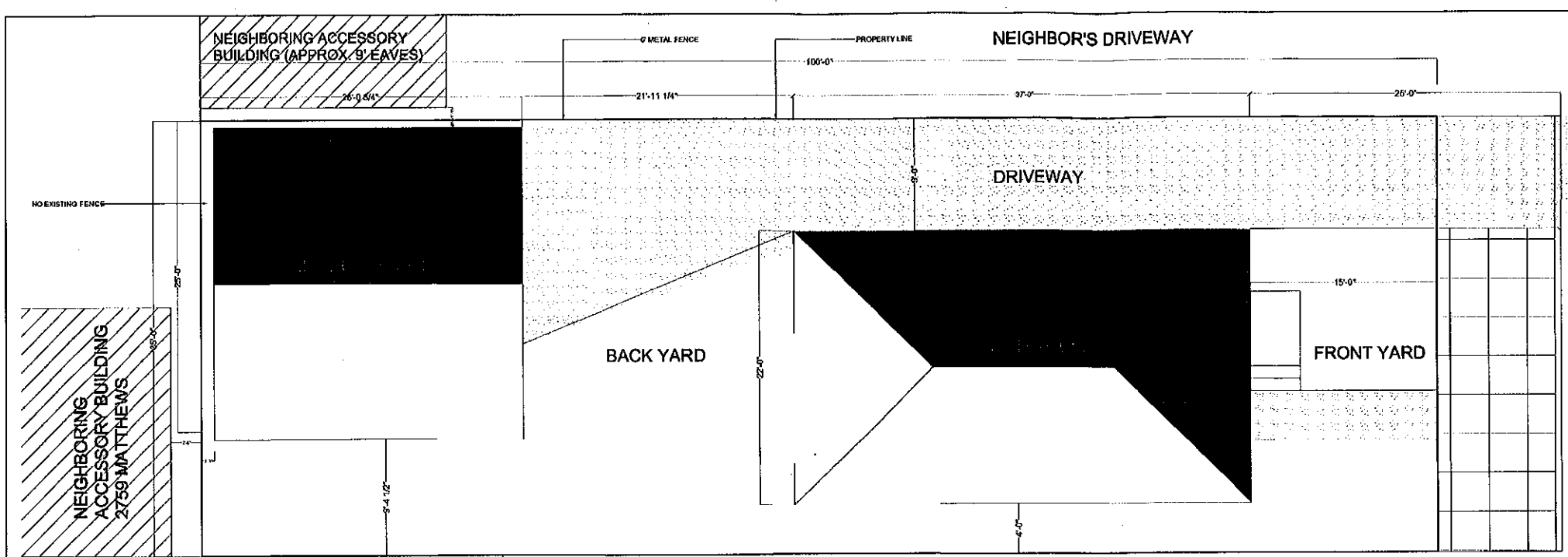
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APPROVED PLANS 06/06/14
 CURRENT PLANNING DATE
 D.R. Conditions Attached
 A.U.P. Conditions Attached 2/5
 U.P. Conditions Attached

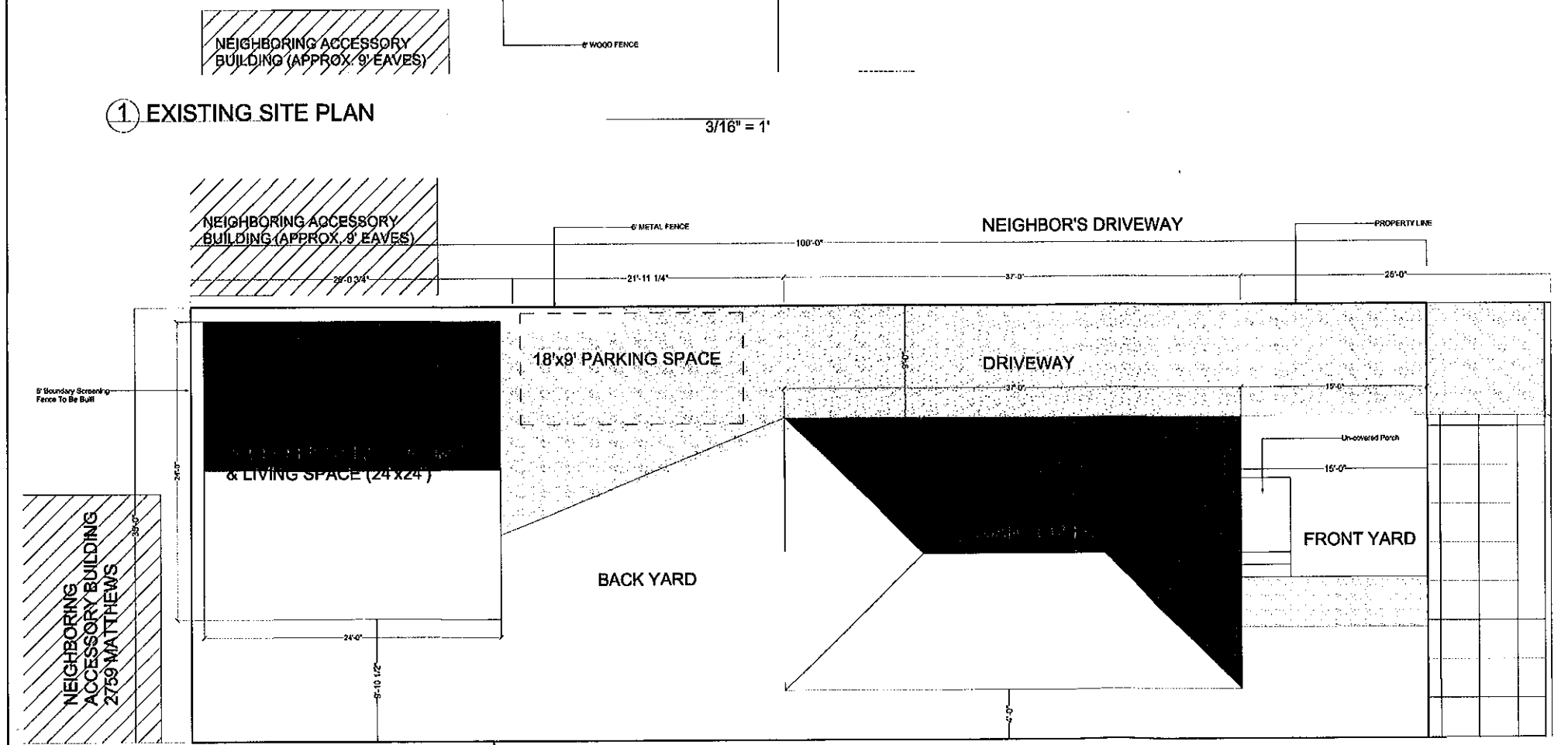
NOTE:

Proposed garage structure will be slightly smaller than existing garage to conform with allowable height and lot coverage requirements.



1 EXISTING SITE PLAN

3/16" = 1'



2 PROPOSED SITE PLAN

3/16" = 1'

I have reviewed the plans for the demolition and replacement of the existing garage at 2756 Mabel Street.

NAME	SIGNATURE	ADDRESS	RENTER OR OWNER?	DATE	HAVE NO OBJECTIONS (Please state briefly)	HAVE NO OBJECTIONS	HAVE NO COMMENT
<h1>SEE FULL SIZE SET FOR SIGNATURES</h1>							



REVISIONS BY:

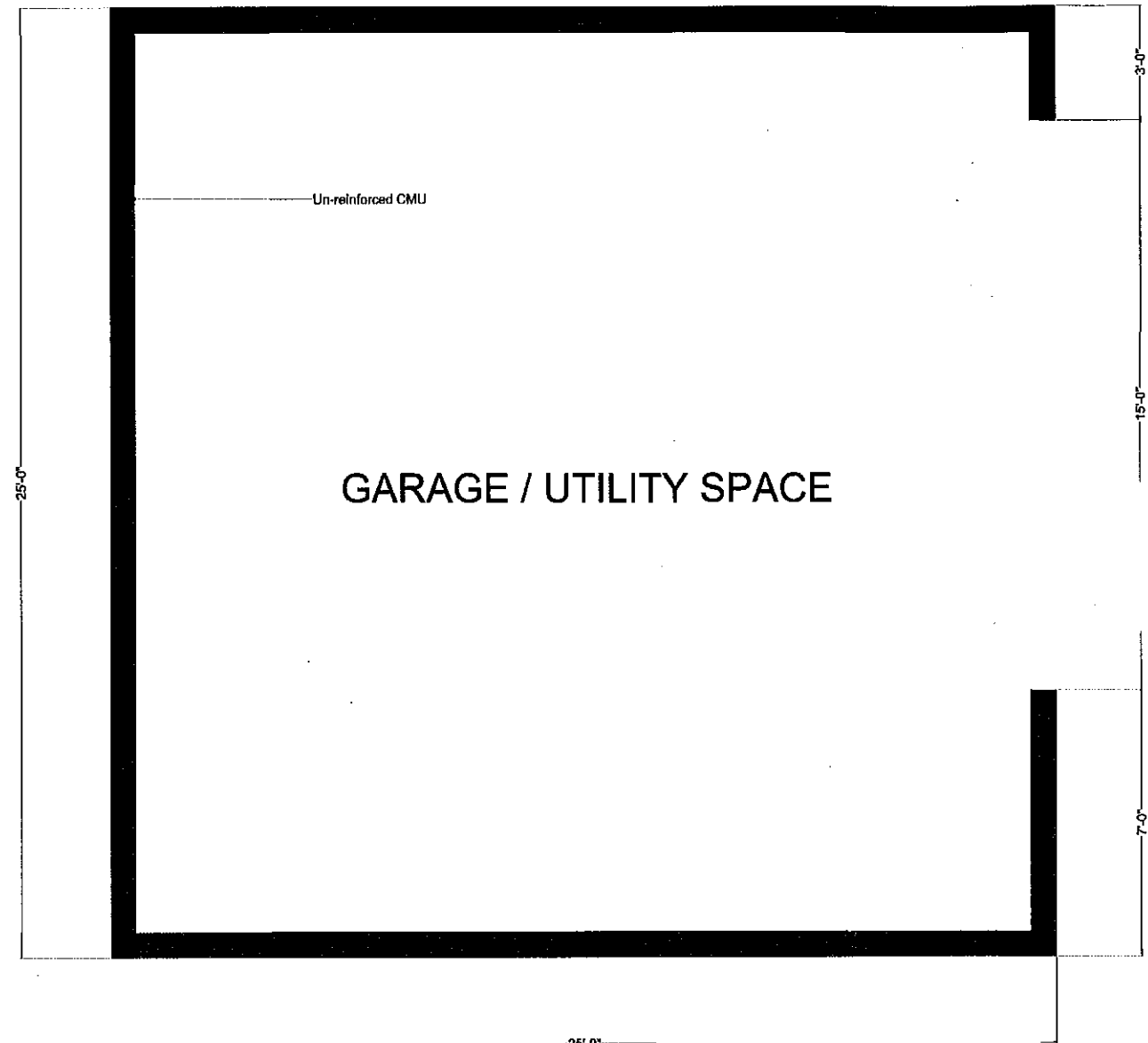
Integrated Structures
 1250 Addison Street
 Berkeley, CA 94702

MABEL STREET GARAGE
 2756 MABEL ST
 BERKELEY CA 94702

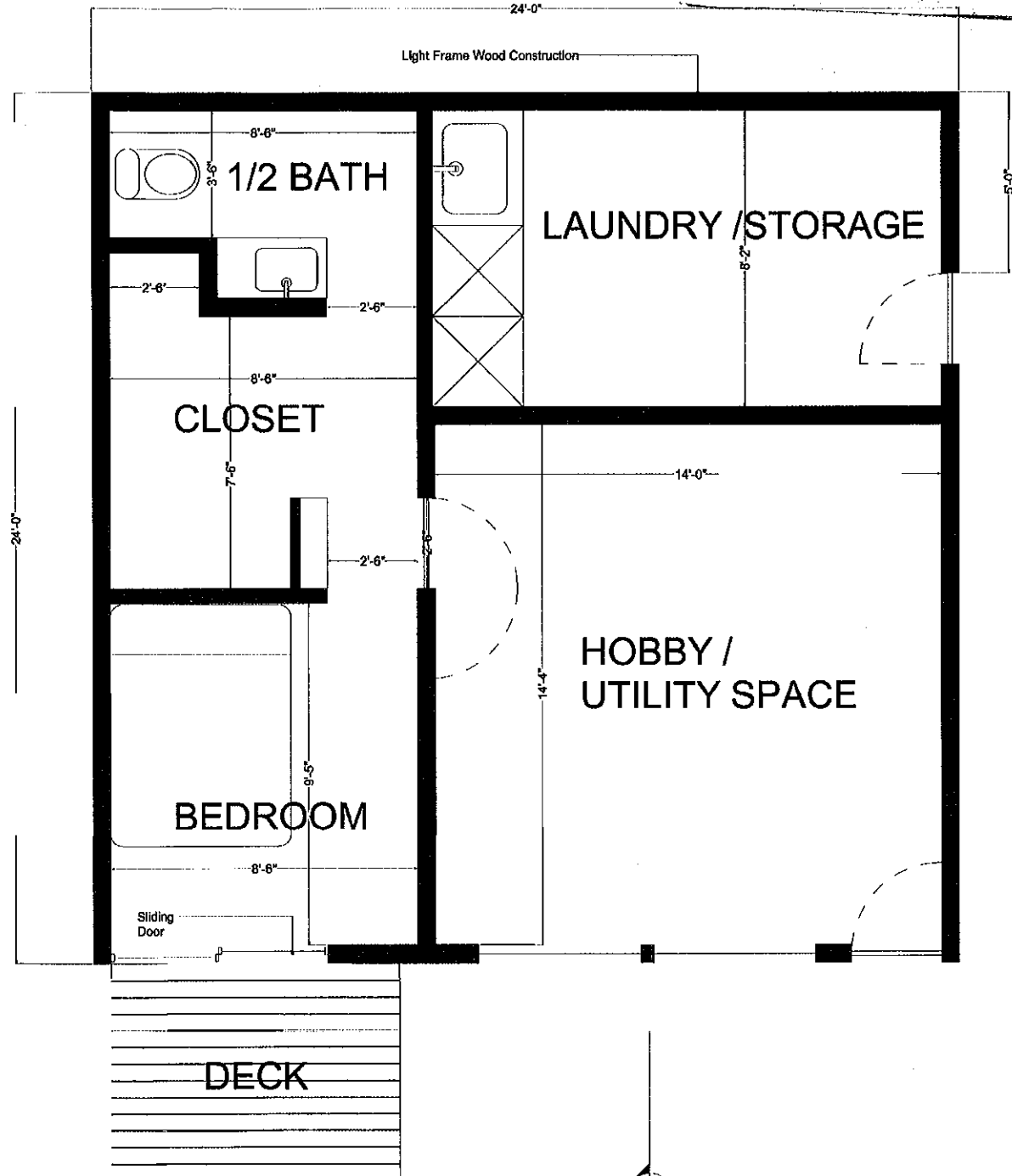
DATE: 03 JUN 2014
 DRAWN: JPV
 JOB: Mabel St
 SHEET:
AS1.0

APPROVED PLANS *06/06/14*
 CURRENT PLANNING DATE
 D.R. Conditions Attached
 A.U.P. Conditions Attached *3/5*
 U.P. Conditions Attached

REVISIONS BY:



① EXISTING GARAGE PLAN 1/2" = 1'



② PROPOSED PLAN 1/2" = 1'

PLANS

MABEL STREET GARAGE
 2756 MABEL ST
 BERKELEY CA 94702

PLAN CHECK ONLY

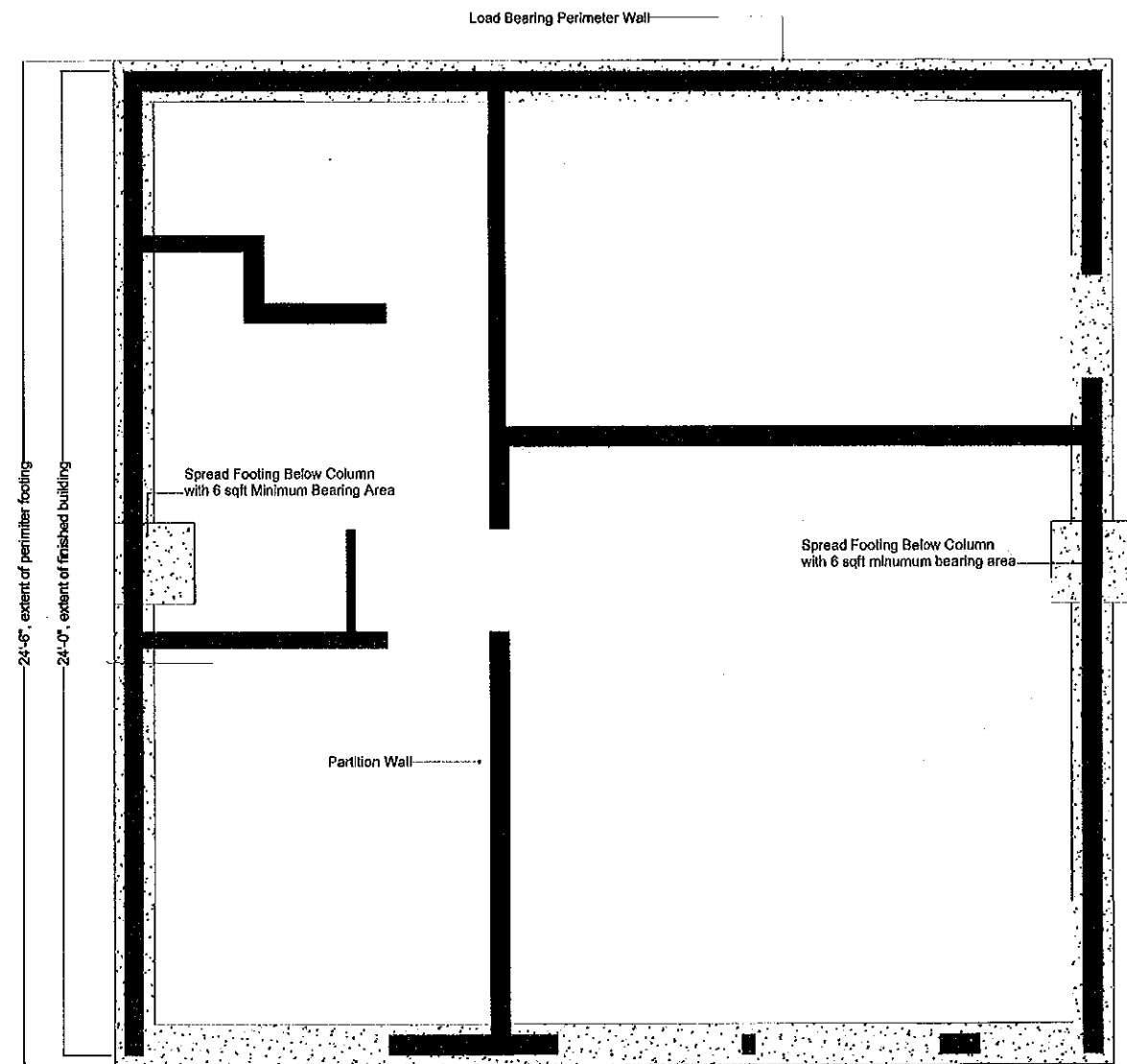
Integrated Structures
 1250 Addison Street
 Berkeley, CA 94702

DATE: 03 JUN 2014
 DRAWN: JPV
 JOB: Mabel St

SHEET:
AS1.1

APPROVED PLANS *06/6/14*
 CURRENT PLANNING DATE *4/5*
 D.R. Conditions Attached
 A.U.P. Conditions Attached
 U.P. Conditions Attached

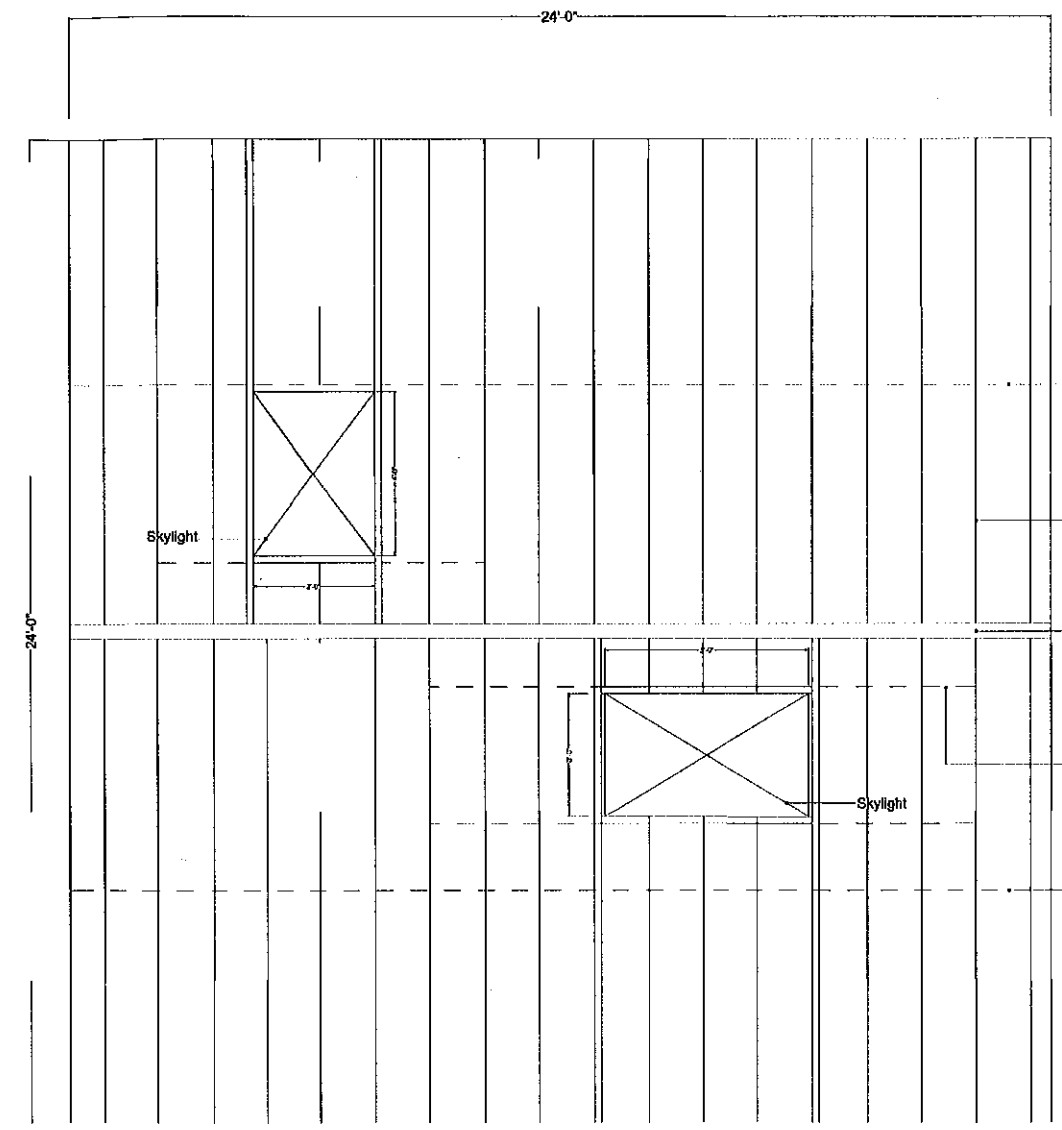
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Continuous Perimeter Footing with stemwall
 Edge of stem wall to align with exterior wall
 12" width, BOF 12" below lowest adjacent grade

① FOUNDATION PLAN

1/2" = 1'



Block and Strap around openings for skylights
 w/ solid 2x blocking and Simpson CS16 strap, as shown



② ROOF FRAMING PLAN

NO SCALE

FOUNDATION PLAN
& DETAILS

MABEL STREET GARAGE
 2756 MABEL ST
 BERKELEY CA 94702

PLAN CHECK ONLY

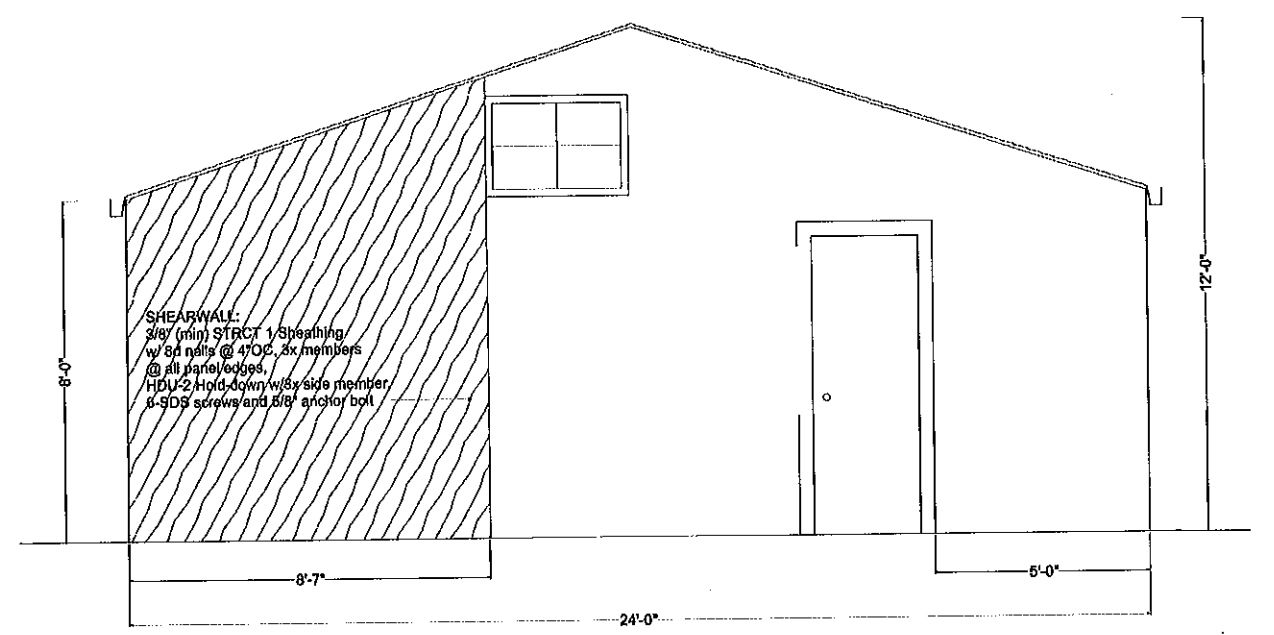
Integrated Structures
 1250 Addison Street
 Berkeley, CA 94702

DATE: 03 JUN 2014
 DRAWN: JPV
 JOB: Mabel St
 SHEET:

AS1.3

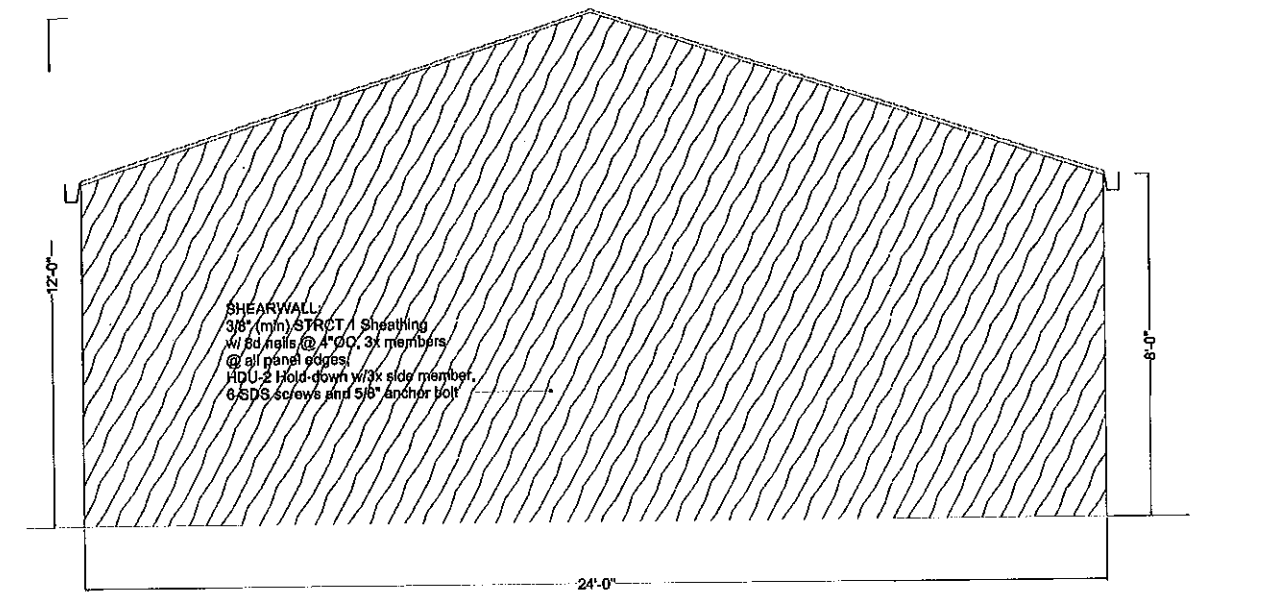
APPROVED PLANS *06/06/14*
 CURRENT PLANNING DATE *5/5*
 D.R. Conditions Attached
 A.U.P. Conditions Attached
 U.P. Conditions Attached

REVISIONS BY:



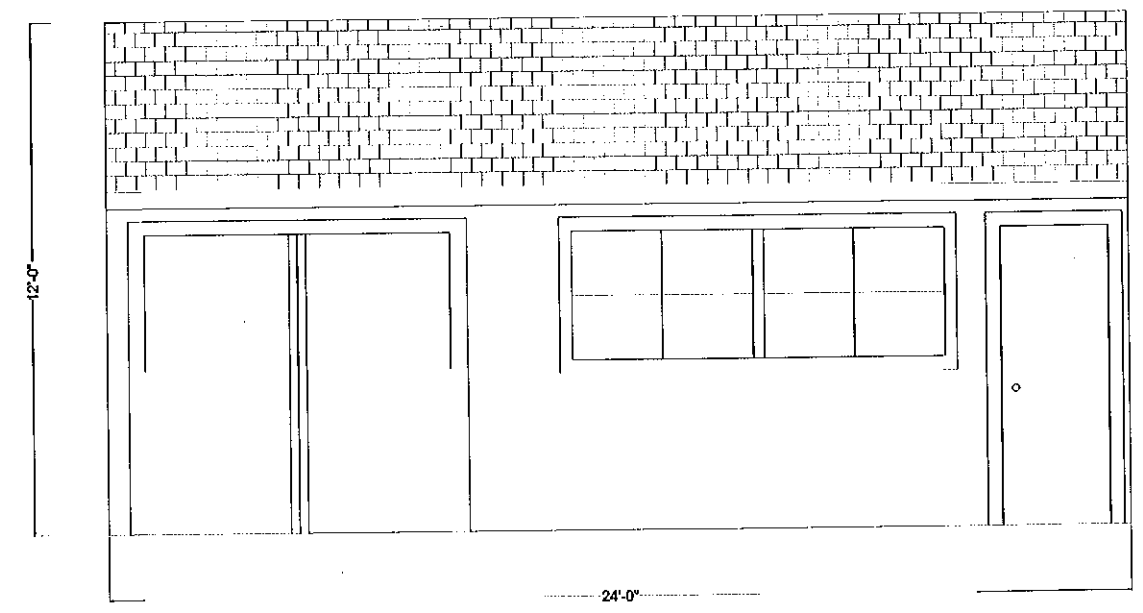
① EAST ELEVATION

1/2" = 1'



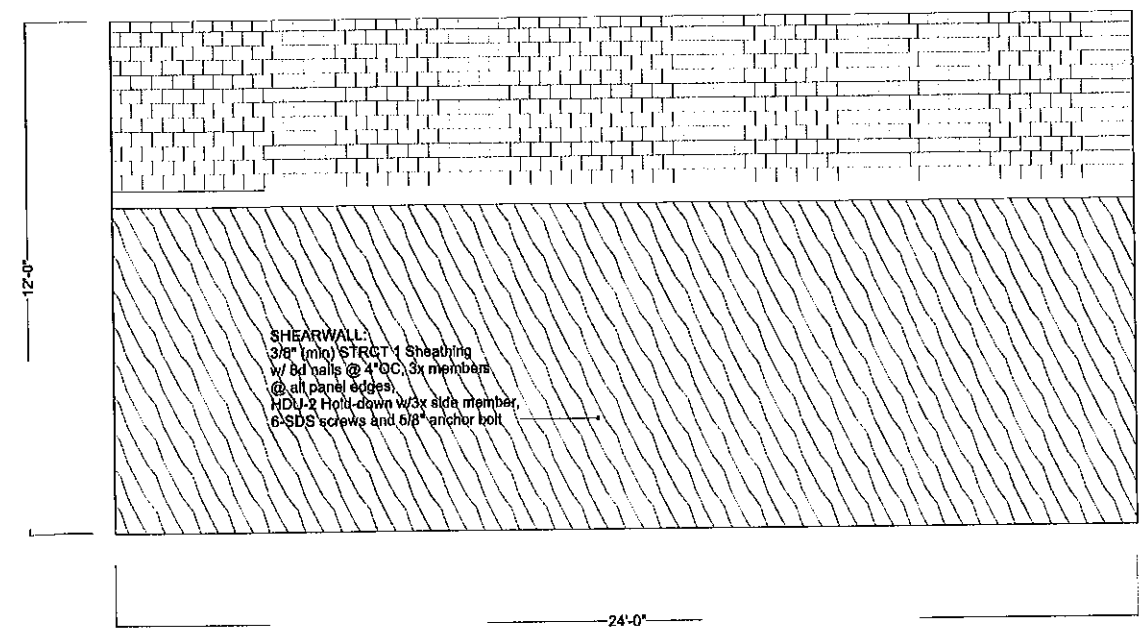
③ WEST ELEVATION

1/2" = 1'



② SOUTH ELEVATION

1/2" = 1'



④ NORTH ELEVATION

1/2" = 1'

ELEVATIONS &
SHEARWALLS

MABEL STREET GARAGE
 2756 MABEL ST
 BERKELEY CA 94702

PLAN CHECK ONLY

Integrated Structures
 1250 Addison Street
 Berkeley, CA 94702

DATE: 03 JUN 2014
 DRAWN: JPV
 JOB: Mabel St
 SHEET:

AS2.0