



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 MODIFICATION #2014-0001

Property Address: **1315 NORTHSIDE AVENUE**

Permittee Name: **JOHN BRITTON, AIA**

Use and/or Construction Permitted: To modify Administrative Use Permit #11-20000126. The modification will change window and door locations within the non-conforming front and side yard setbacks and increase the height of the lower barrel roof by 10". The modification will not alter the building footprint or the previously approved building average and maximum heights of 24' 4" and 28' 11" respectively pursuant to:

- Section 23B.56.020 to modify a previously approved permit.

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 October 31, 2014.

Attest: Carol Johnson  
Carol Johnson, Land Use Planning Mgr.

October 31, 2014  
Effective Date

# ATTACHMENT 1

## FINDINGS AND CONDITIONS

OCTOBER 9, 2014

### 1315 Northside Avenue

**Administrative Use Permit Modification #2014-0001 to Administrative Use Permit #11-20000126. The modification will change window and door locations within the non-conforming front and side yard setbacks and increase the height of the lower barrel roof by 10". The modification will not alter the building footprint or the previously approved building average and maximum heights of 24' 4" and 28' 11" respectively.**

#### 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 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 modifications to the addition are minor in nature and will not increase the floor area that was approved under AUP#11-20000126. The addition is located towards the rear portion of the lot, and does not increase residential density, parking demand, shadows on adjacent properties, or block any protected view.
  - The modification to the barrel roof will not unreasonably obstruct sunlight, air, or views, nor will it create significant new shadows on the windows or a substantial area of open space of adjacent residences. Additionally, the rear addition remains outside of the required side and rear yard setbacks, and is located within the general area of the existing two-story accessory structure.
  - The proposed alterations to the window and door locations will not further reduce the non-conforming front yard (15' 7" where 20' is required) or the side yard (1' 6" where 3' 9" 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.

**SPECIAL CONDITIONS IMPOSED BY THE ZONING OFFICER**

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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. Prior to submittal of a building permit, 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 Traffic Management Permit 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. Prior to issuance of occupancy permit or final inspection, 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 **JULY 22, 2014**.

**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.



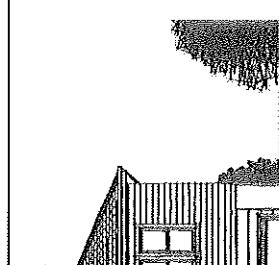
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Claudine Asbagh for Carol Johnson, Zoning Officer

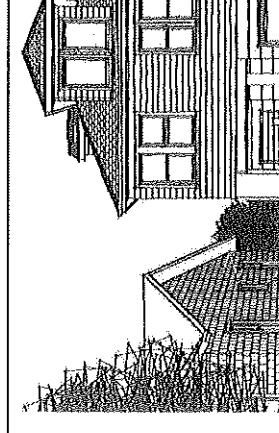
**PLANNING & DEVELOPMENT**  
 City of Berkeley, California  
 Planning Department

**TABULATION FORM**  
 Project Address: 1315 Northside Avenue, Berkeley, CA 94702  
 Applicant's Name: John Britton, AIA / ARCHITECT  
 Planning Division: SIA, School, Theater, Church, Religious

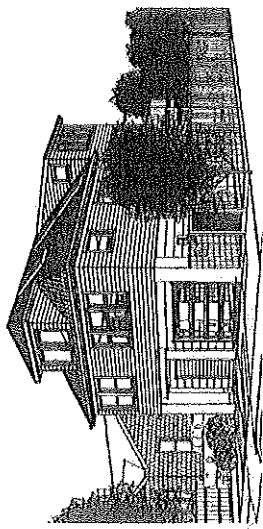
Category	Existing	Proposed	Permitted/Existing
Number of Dwelling Units	1	2 (Addition)	3
Units per Floor	1	2	2
Units per Lot	1	2	2
Units per Parcel	1	2	2
Units per Block	1	2	2
Units per Street	1	2	2
Units per Parcel	1	2	2
Units per Block	1	2	2
Units per Street	1	2	2
Units per Parcel	1	2	2
Units per Block	1	2	2
Units per Street	1	2	2
Units per Parcel	1	2	2
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Units per Parcel	1	2	2
Units per Block	1	2	2
Units per Street	1	2	2
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Units per Block	1	2	2
Units per Street	1	2	2
Units per Parcel	1	2	2



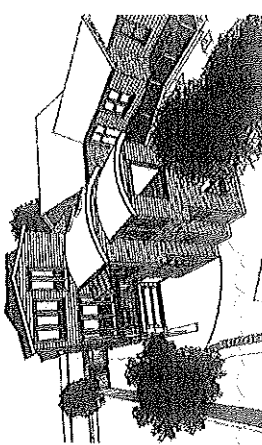
Front View



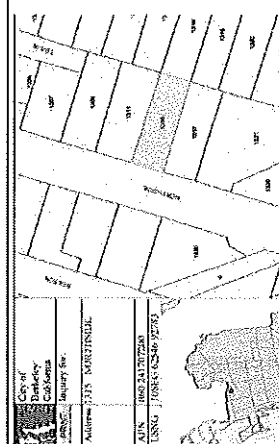
Front Right View



Back View



Back Bird's Eye View

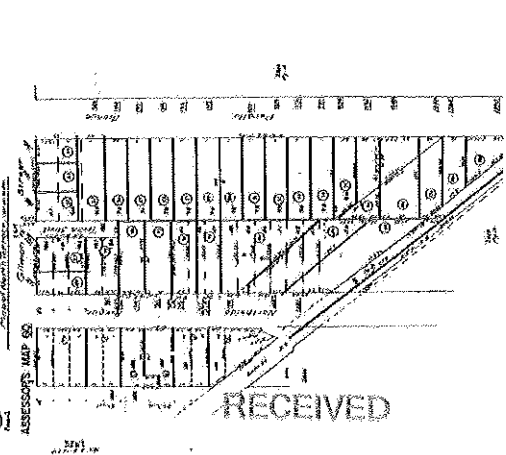


**PANCL CONDITIONS REPORT**

Category	Proposed	Existing
Residential	Yes	Yes
Commercial	No	No
Industrial	No	No
Community	No	No
Public	No	No
Government	No	No
Religious	No	No
Health	No	No
Education	No	No
Recreation	No	No
Other	No	No

C Vicinity Map & Parcel Conditions Report

**Clark-Pirie Residence Addition**  
 1315 Northside Avenue, Berkeley, CA 94702



RECEIVED  
 JUL 29 2014

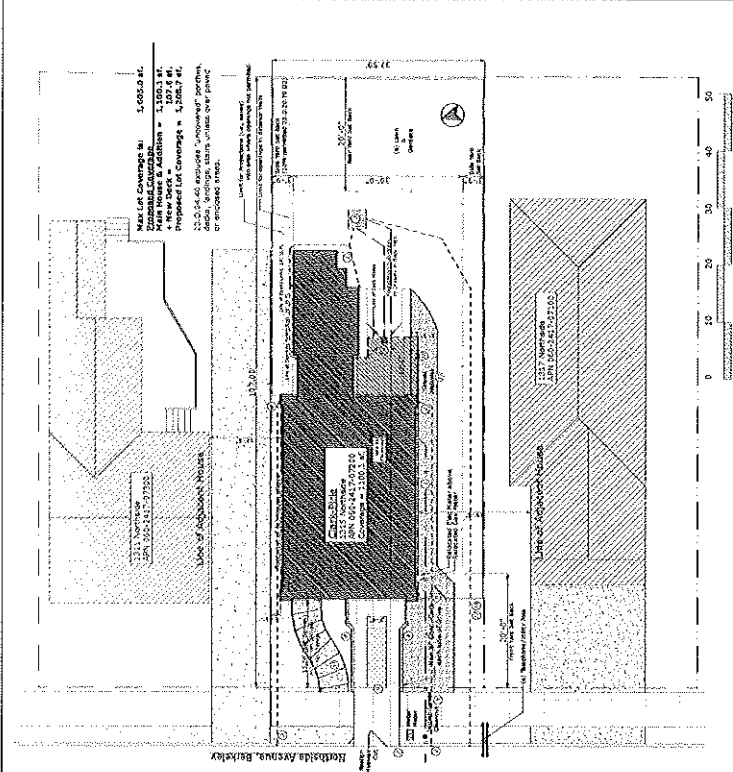
Sheet Title: Administrative Use Permit - Signatures  
 Date: 08/20/2014

**Parcel Conditions Report**

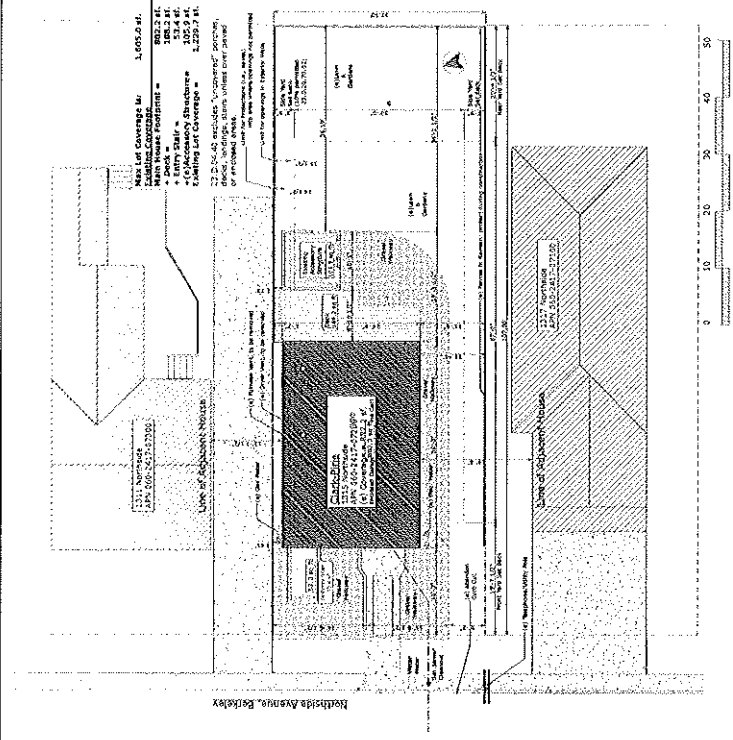
Lot No.	Name	Signature	Address	Rent/Own	Date	No Objections	Have Objections	Comments
Lot 1	M. ANDERSON	[Signature]	1315 Northside	OWN	6/24/14	NO	NO	
Lot 2	LISA KOSWICK	[Signature]	1320 Northside	OWN	6/24/14	X	NO	
Lot 3	METHUAH HONORABLE	[Signature]	1330 Northside	OWN	6/24/14	X	NO	Private, no comment
Lot 4	Mack Seaman	[Signature]	1311 Northside	OWN	6/24/14	X	NO	Private - will agree to anything
Lot 5	Clark-Pirie	[Signature]	1315 Northside	OWN	6/24/14	X	NO	Need to agree on privacy
Lot 6	BRUCE LIVING	[Signature]	1317 Northside	OWN	6/24/14	X	NO	
Lot 7	ANDREW	[Signature]	1318 Beratta	OWN	6/24/14	X	NO	
Lot 8	CALVIN BARR	[Signature]	1316 Beratta	OWN	6/24/14	X	NO	
Lot 9	M. SARA SPIN	[Signature]	1314 Beratta	OWN	6/24/14	X	NO	

Neighbors' Signatures (Adjacent and Abutting Properties)

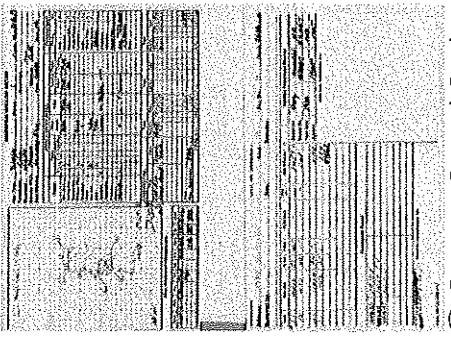




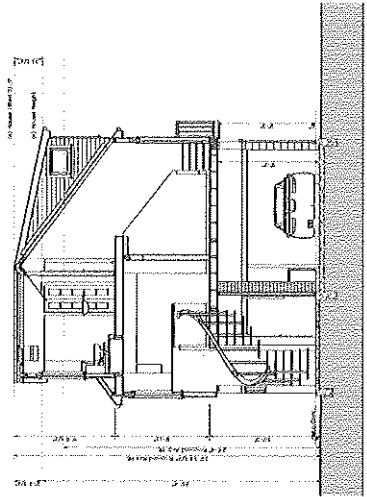
**A Plot Plan - Proposed House with Addition**  
Scale: 1/8" = 1'-0"



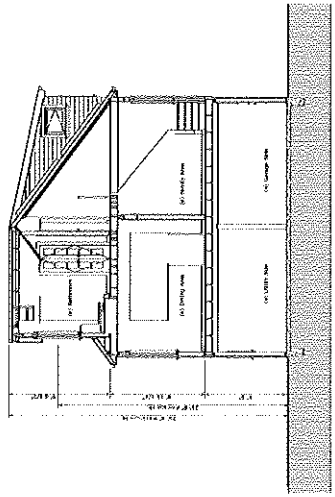
**B Plot Plan - Existing House with Accessory Structure**  
Scale: 1/8" = 1'-0"



**3 Property Record Card**




**1 Section - Raised House**  
Scale: 1/8" = 1'-0"



**2 Section - Existing House**  
Scale: 1/8" = 1'-0"

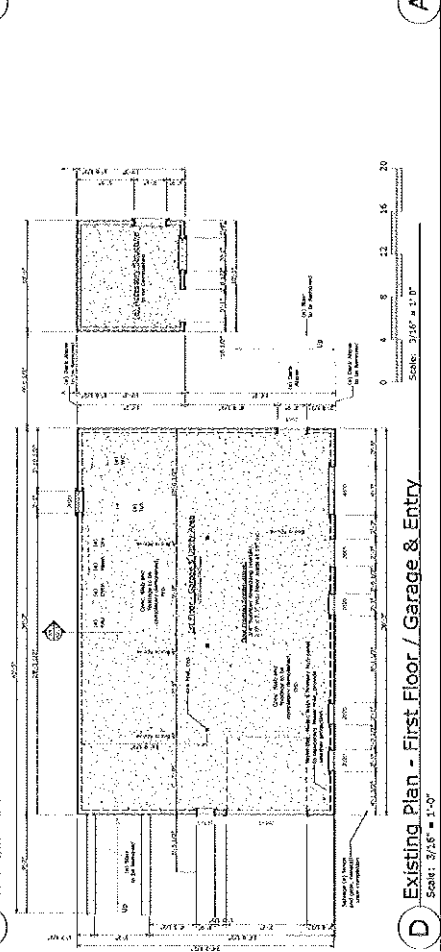
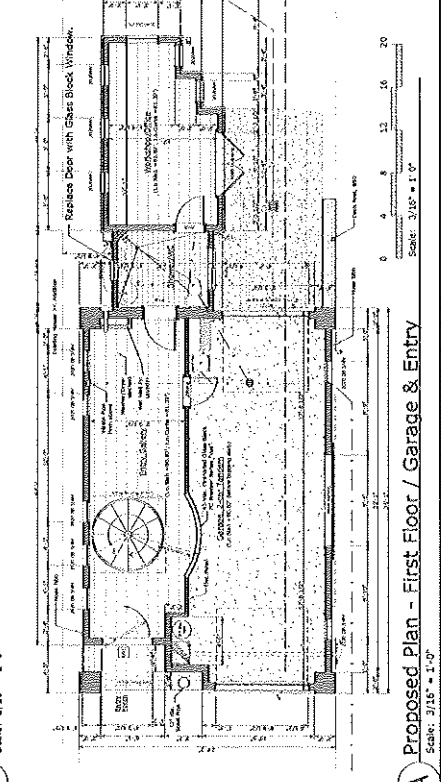
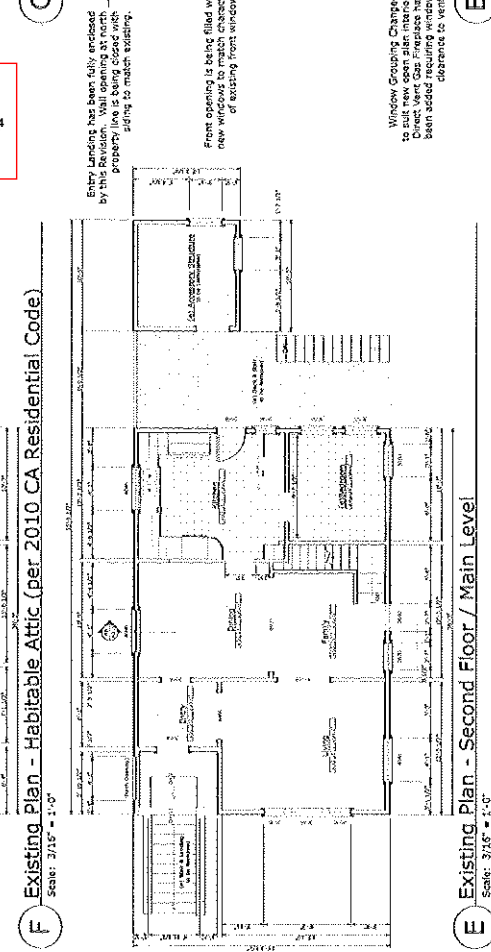
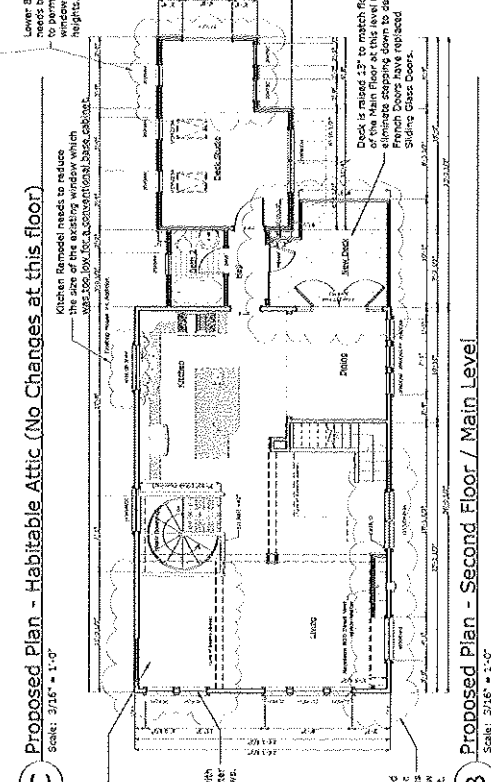
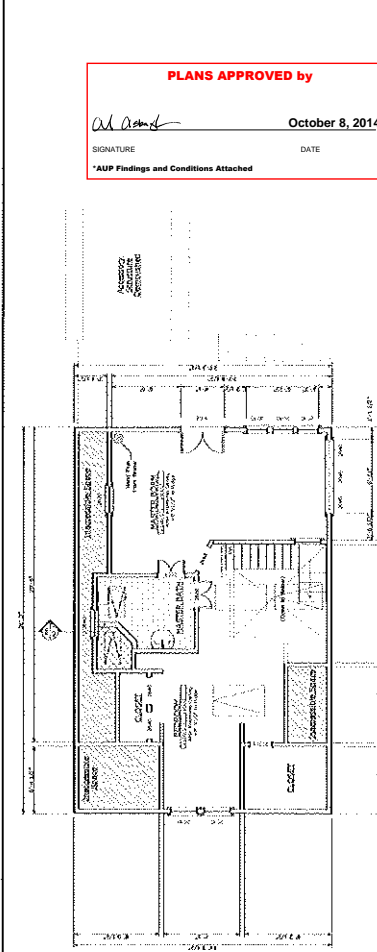
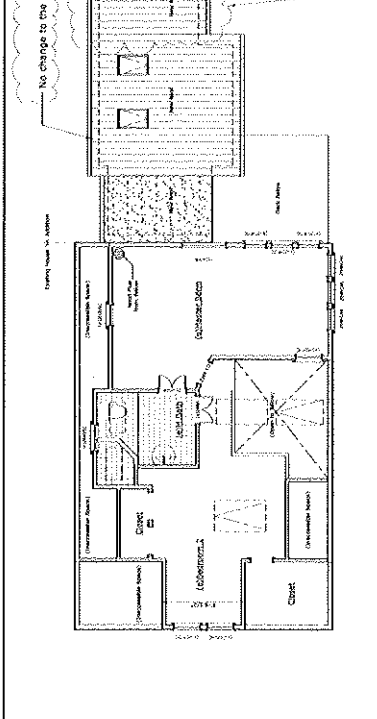
**PLANS APPROVED by**

  
 SIGNATURE  
 \*AUP Findings and Conditions Attached

October 8, 2014  
 DATE

**PlumHOUSE / John Britton AIA**  
 Architectural / Energy Analysis / Planning  
 940 Dwight Way, Suite One  
 Berkeley, CA 94710 / (510) 843-6777  
 Owner:  
 John Clark & Gayle Pirie  
 1315 Northside Avenue  
 Berkeley, CA 94702  
 (510) 594-7091

Issue Dates	By	Description
8/28/2014	PL	Final Plans
8/28/2014	PL	Final Plans

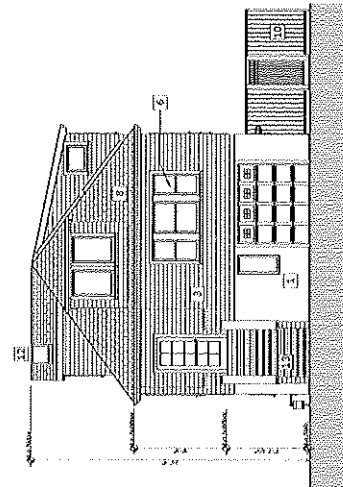


**PLANS APPROVED by**  
 [Signature]  
 October 8, 2014  
 SIGNATURE DATE  
 \*AUP Findings and Conditions Attached



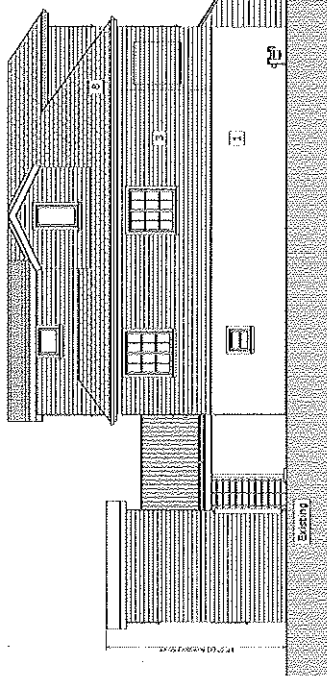
- Elevation Key Notes:**
- 1. (C) Cement Plaster Typ.
  - 2. New Cement Plaster
  - 3. 1x4 Hardwood Siding
  - 4. Corrugated Metal Siding
  - 5. Cast-in-place Concrete
  - 6. (W) Wood Sash Windows
  - 7. New Clay/Wood/Lev E Windows
  - 8. (F) Fiberglass Shingles
  - 9. Standing Seam Metal Roofing
  - 10. (F) Fence & Gate
  - 11. Sliding Doors on Horiz. Track
  - 12. Vaux Skelights
  - 13. Demolish (D) Wood Stair
  - 14. New Garage Door, Metal & Glass

Existing House Prior to Permits



**A** Elevation - Front facing Northside Avenue (We)  
Scale: 3/16" = 1'-0"

Existing House Prior to Permits



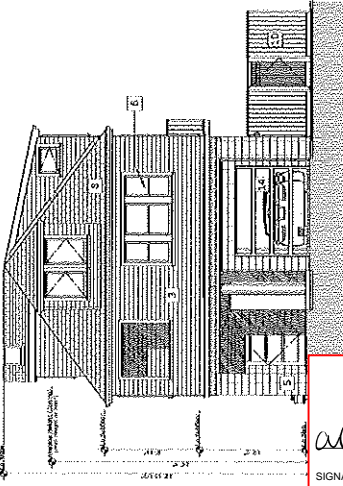
**PLANS APPROVED by**

*Alamy* October 8, 2014

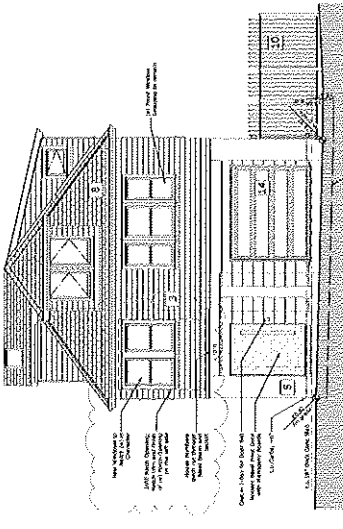
SIGNATURE DATE

\*AUP Findings and Conditions Attached

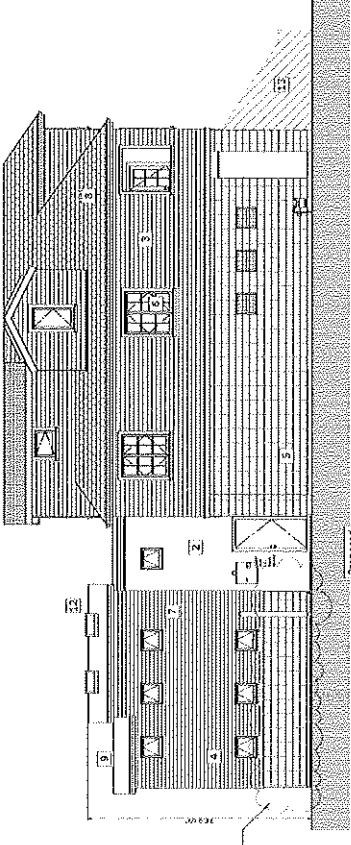
AUP Approved 31-Jan-2012



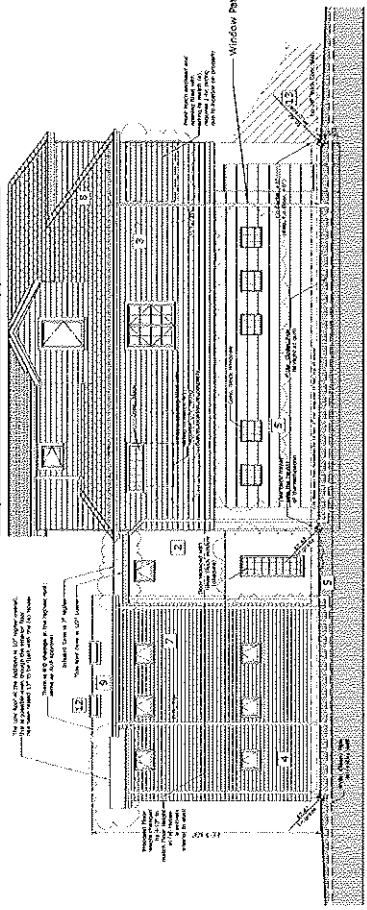
Proposed Modifications to approved AUP



AUP Approved 31-Jan-2012



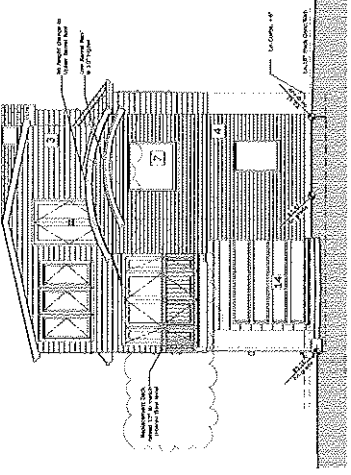
Proposed Modifications to approved AUP



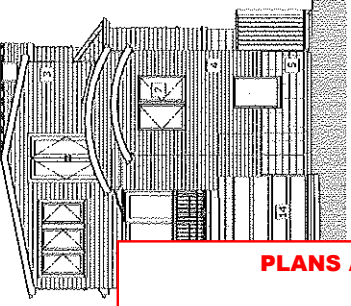
**B** Elevation - Left facing North  
Scale: 3/16" = 1'-0"



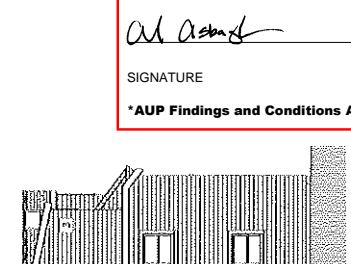
Existing House Prior to Permits



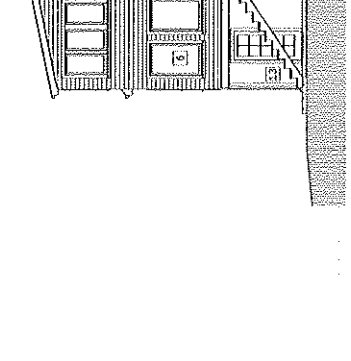
AUP Approved 31-Jan-2012



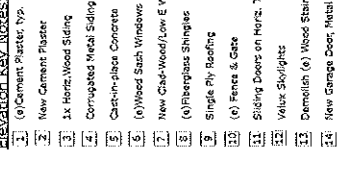
Proposed Modifications to approved AUP



AUP Approved 31-Jan-2012

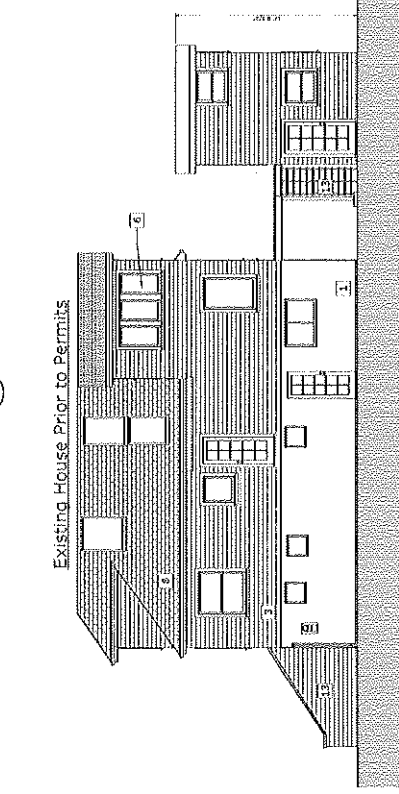


Proposed Modifications to approved AUP

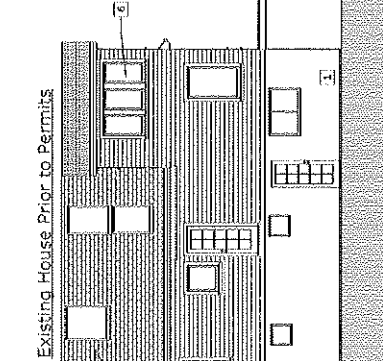


- Elevation Key Notes:**
- 1 (c) Cement Plaster 1/2"
  - 2 New Cement Plaster
  - 3 1x4 Hardwood Siding
  - 4 Corrugated Metal Siding
  - 5 Cast-in-place Concrete
  - 6 Wood Sash Windows
  - 7 New Clay-Wood/Low E Windows
  - 8 (e) Fiberglass Shingles
  - 9 Single Ply Roofing
  - 10 Fences & Gate
  - 11 Sliding Doors on Hertz Track
  - 12 Value Skylights
  - 13 Demolish (d) Wood Stair
  - 14 New Garage Door, Metal & Glass

C Elevation - Back facing East  
Scale: 3/16" = 1'-0"



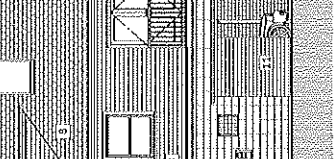
Existing House Prior to Permits



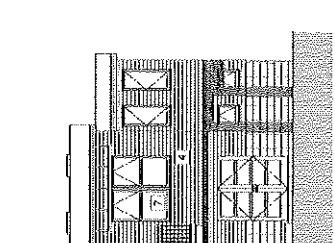
AUP Approved 31-Jan-2012



Proposed Modifications to approved AUP



Proposed Modifications to approved AUP



**PLANS APPROVED by**

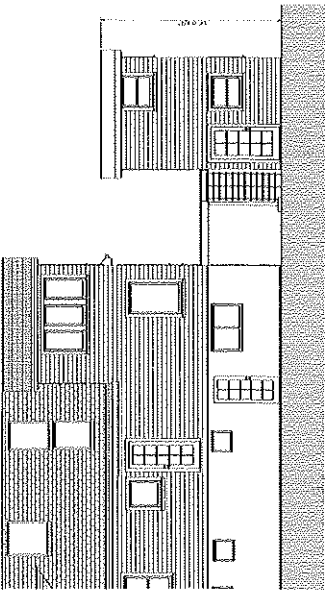
*John Britton*

**October 8, 2014**

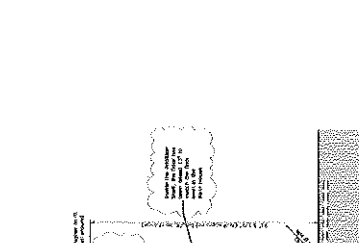
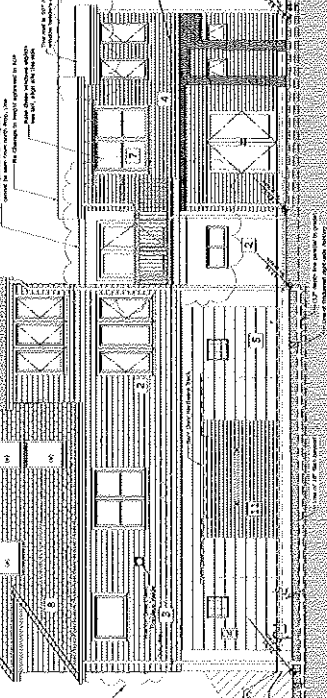
SIGNATURE DATE

\*AUP Findings and Conditions Attached

Existing House Prior to Permits



Proposed Modifications to approved AUP

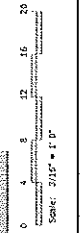


AUP Approved 31-Jan-2012



Roofs, Windows, Ceilings to be replaced with interior glass changes including a Direct Vent Gas Fireplace.

D Elevation - Right facing South  
Scale: 3/16" = 1'-0"



Issue Dates	10/20/14
10/20/14	
10/20/14	
10/20/14	

John Clark & Cayla Pife  
1315 Northside Avenue  
Berkeley, CA 94702  
(510) 593-7091

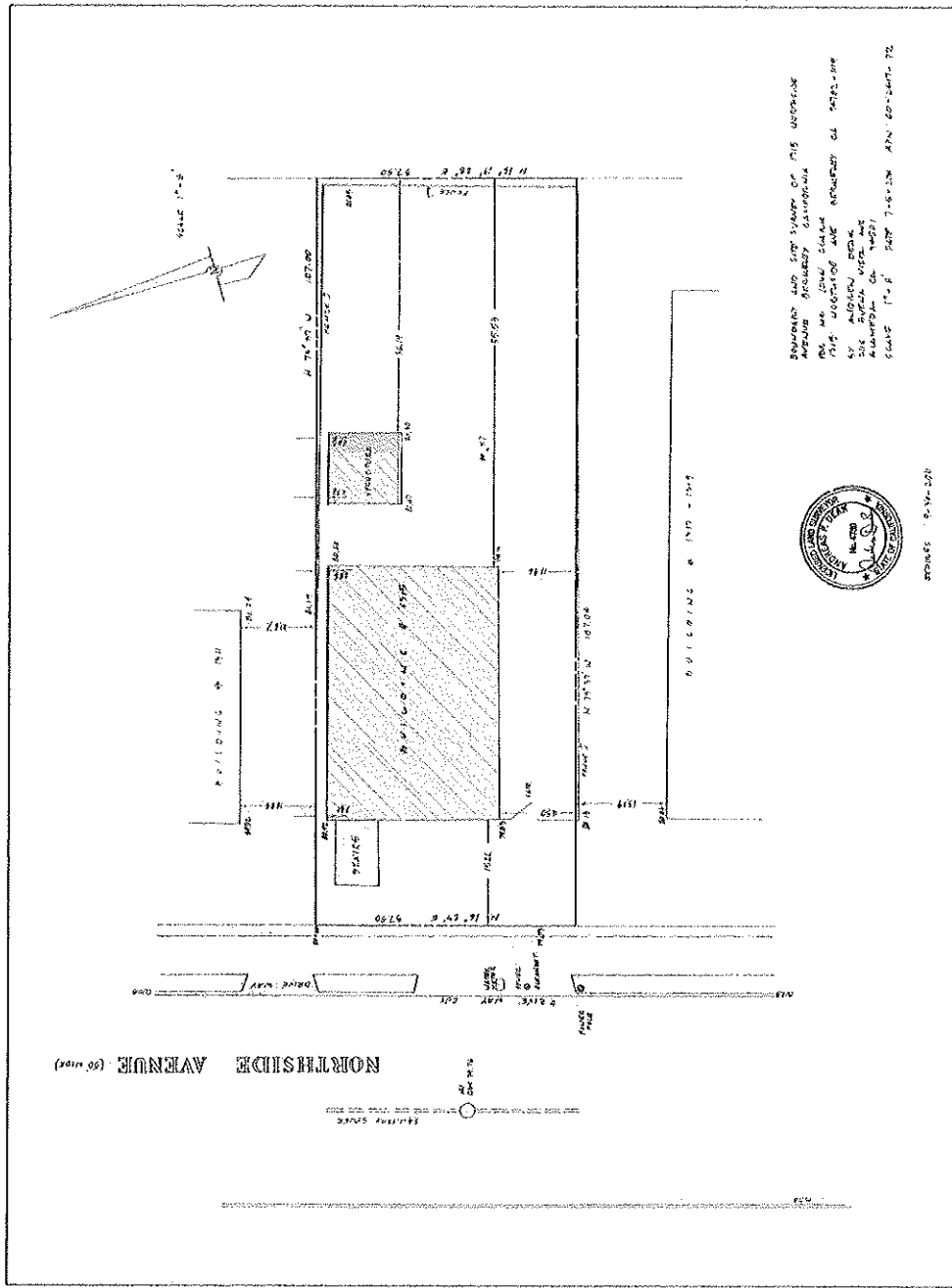
**PlantHOUSE / John Britton AIA**  
Architecture / Energy Analysis / Planning  
940 Dwight Way, Suite One  
Berkeley, CA 94710 / (510) 843-6777



**Clark-Pife Residence Addition**  
1315 Northside Avenue, Berkeley, CA 94702  
Sheet Title: Survey by A Deak LLS

Sheet: 002A0214  
Date: 10/20/14  
Scale: 1/8" = 1'-0"

P-6



BEFORE AND TO THE SURVEY OF THIS ADDITION  
AND THE PROPERTY SURVEYOR'S  
AND THE LOCAL GOVERNMENT  
THE LOCATION AND EXTENT OF THE  
BY ANTHONY DEAK LLS  
200 NORTH SIDE AVENUE  
BERKELEY, CA 94702  
PHONE: (510) 843-6777  
FAX: (510) 843-6777



10/20/14 5:14-22P

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

**A** Boundary Survey - Andreas Deak LLS  
Building Conditions Only  
Scale: 1/8" = 1'-0"

**PLANS APPROVED by**

*Ad Deak* **October 8, 2014**

SIGNATURE DATE

**\*AUP Findings and Conditions Attached**

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LAND USE PLANNING