



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

1630 Arch Street

Administrative Use Permit #ZP2015-0243

Project Description:

To permit construction of a 872 square foot, two-story addition to the front and rear of the existing three-story, single-family residence, requiring permits for a major residential addition pursuant to BMC 23D.16.030 and a residential addition over 14 feet in height, pursuant to BMC 23D.16.070.C.

- Allow the construction of a major addition with components totaling 872 sq. ft. of additional floor to an existing 4,345 sq. ft. residence pursuant to BMC 23D.16.030; and
- Allow the construction of residential additions over 14 feet in height, pursuant to BMC 23D.16.070.C.

FINDINGS, CONDITIONS AND APPROVED PLANS ATTACHED

Following the expiration of the mandatory appeal period set forth in Section 23B.28.040 of the Berkeley Municipal Code, with no timely appeal being filed, the Administrative Use Permit described herein has been duly granted by the Zoning Officer on June 15, 2016

Attest: Carol Johnson
Carol Johnson, Land Use Planning Manger

June 15, 2016
Effective Date

ATTACHMENT 1

FINDINGS AND CONDITIONS MAY 25, 2016

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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 (“minor alteration of existing facilities with negligible expansion of use”). 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 proposed project is consistent with the purposes of the R-1 Single Family Residential District in that it is a residential project that would retain the existing low-density single family pattern of development in this neighborhood and protect adjacent properties from unreasonable obstruction of light and air. (BMC 23D.16.020 A & C);
 - The existing single-family residential use is a permitted use in the R-1 zoning district and the proposed project will not change this use;
 - With an average heights for the proposed additions will not exceed the maximum allowable average height of 28 feet (BMC 23D.16.070.C.);
 - The front and north side yard setbacks will meet the width and depth requirements set out in BMC 23D.16.070.D (20 feet and 4 feet, respectively), and the rear and south side yards will exceed the minimum width requirements;
 - With a lot coverage of 34.9%, the residence, including the proposed addition, will not exceed the allowable maximum lot coverage of 40% (BMC 23D.16.070.E);

- One off-street parking space will be provided pursuant to BMC 23D.16.080. It will be in the rear yard, accessed by the existing driveway along the south side yard, and has been designed to comply with the requirements of BMC 23D.12.080; and
 - The applicant has demonstrated that none of the abutting and confronting residents have expressed objections to the proposed home addition, supporting a finding that the proposed project will not be detrimental or injurious to property and improvements of these adjacent properties.
3. As required by Section 23D.16.090.B of the Zoning Ordinance, the Zoning Officer finds that:
- The proposed two-story additions at the front and rear of the existing residence will not unreasonably obstruct sunlight, air or views available at adjacent properties as the parcel to the north is an undeveloped vacant lot, while the home to the south is separated from the subject residence by more than 11 feet and has a 30 foot front yard setback and a 92-foot deep rear yard.

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. Project Liaison. The applicant shall provide the project planner with the name and telephone number of the individual empowered to manage complaints generated from the project. The individual's name, telephone number, and responsibility for the project shall be posted at the project site for the duration of the project in a location easily visible to the public. The individual shall record all complaints received and actions taken in response, and submit written reports of such complaints and actions to the project planner on a weekly basis.

Project Liaison _____

Name

Contact #

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.
23. The existing front yard fence is located in the public right-of-way and must be demolished as part of the construction work.

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 April 21, 2016.

At All Times (Operation):

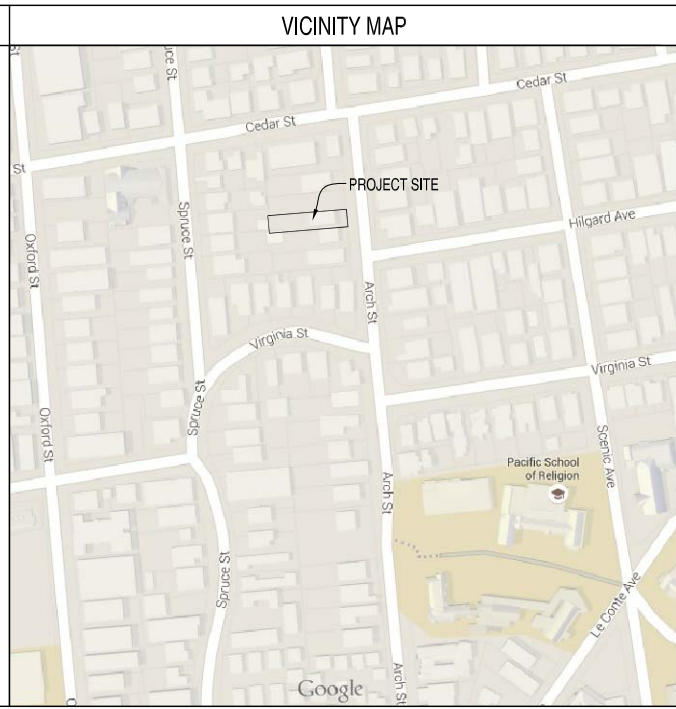
26. All exterior lighting shall be shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
27. This permit is subject to review, imposition of additional conditions, or revocation if factual complaint is received by the Zoning Officer that the 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: Doug Donaldson (Contract Planner)
For Greg Powell, Principal Planner

MATERIALS LEGEND	
	WOOD FRAMING
	WOOD BLOCKING
	FINISH WOOD
	PLYWOOD
	WOOD VENEER
	STEEL/ALUMINUM
	CONCRETE
	GRAVEL
	EARTH
	SAND/STUCCO
	INSULATION

- GENERAL NOTES**
- CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS. REPORT ANY DISCREPANCIES TO THE ARCHITECT IN WRITING BEFORE PROCEEDING WITH THE WORK.
 - DO NOT SCALE DRAWINGS, EXCEPT FULL SIZE DETAIL DRAWINGS.
 - DIMENSIONS AT NEW CONSTRUCTION ARE TO FACE OF STUD, FACE OF MASONRY OR FACE OF COLUMNS UNLESS OTHERWISE NOTED.
 - CONDITIONS OF THE CONSTRUCTION NOT SPECIFICALLY SHOWN OR NOTED IN THE DRAWINGS SHALL BE OF CONSISTENT CONSTRUCTION AND QUALITY AS DETAILED AND NOTED FOR SIMILAR CONDITIONS.
 - PROVIDE FIRE BLOCKING AT ALL STUDS OVER 10' IN HEIGHT AND WHERE OTHERWISE REQUIRED BY CODE.
 - PROVIDE SAFETY GLAZING WHERE REQUIRED BY C.B.C. SECTION 2406.
 - ALL MATERIALS AND/OR EQUIPMENT SHALL BE HANDLED AND INSTALLED PER MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS.
 - CONTRACTOR SHALL VERIFY EXISTENCE AND LOCATION OF ALL UTILITY SERVICES. NOTIFY THE ARCHITECT OF ANY VARIANCE FROM OR CONFLICTS WITH THE DRAWINGS.
 - CONTRACTOR SHALL KEEP THE PREMISES FREE FROM ACCUMULATION OF WASTE MATERIALS. UPON COMPLETION OF THE WORK, ALL WASTE MATERIALS SHALL BE REMOVED BY THE CONTRACTOR. THE ENTIRE PROJECT IS TO BE CLEANED.
 - CONTRACTOR IS TO NOTIFY THE ARCHITECT OF ANY PRODUCT SUBSTITUTIONS BEFORE PURCHASING OR ORDERING THE PRODUCT.



PROJECT DATA & DESCRIPTION

A.P. No.:	058-2184-00800	LOT SIZE:	6,494 SQ. FT.
ADDRESS:	1630 ARCH STREET BERKELEY, CA 94709	EXISTING SQ. FT.:	LOWER FLOOR: 1,549 SQ. FT. MAIN FLOOR: 1,398 SQ. FT. UPPER FLOOR: 1,398 SQ. FT. SHED: 72 SQ. FT. POOL HOUSE: 172 SQ. FT.
LOT SIZE:	6,494 ± SQ. FT.	TOTAL GROSS FLOOR AREA:	4,589 SQ. FT. (MAIN HOUSE + ACC. STRUCTURES)
CONSTRUCTION TYPE:	TYPE V-B	EXISTING LOT COVERAGE:	MAIN HOUSE: 1,549 SQ. FT. SHED: 72 SQ. FT. POOL HOUSE: 172 SQ. FT. TOTAL: 1,793 SQ. FT. / 6,494 SF = 28%
OCCUPANCY TYPE:	R-3	PROPOSED SQ. FT.:	LOWER FLOOR: 1,549 SQFT + 398 SQFT MAIN FLOOR: 1,398 SQFT + 321 SQFT UPPER FLOOR: 1,398 SQFT + 153 SQFT
ZONING:	R-1	TOTAL GROSS FLOOR AREA:	4,345 SQFT + 872 SQFT = 5,217 SQFT
PROJECT DESCRIPTION:	PROPOSED ADDITION TO FRONT AND BACK OF HOUSE	PROPOSED LOT COVERAGE:	MAIN HOUSE: 2,267 SQ. FT. TOTAL: 2,267 SQ. FT. / 6,494 SF = 35% < 40%
CODES:	ALL CONSTRUCTION (INCLUDING PLUMBING, MECHANICAL, AND ELECTRICAL INSTALLATIONS) SHALL COMPLY WITH THE 2013 CALIFORNIA RESIDENTIAL CODE, 2013 C.P.C., 2013 C.M.C., AND 2013 C.E.C. THE APPROVED ENERGY CALCULATIONS, ALL STATE, LOCAL CODES AND ORDINANCES.		

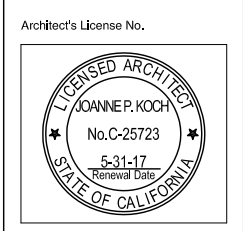
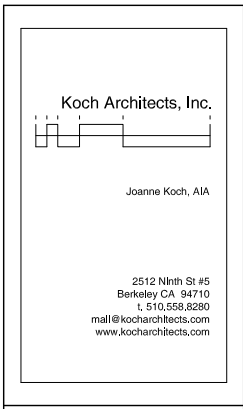
PROJECT TEAM

OWNER:
LISA LUM AND MICHAEL HOHMEYER
1630 ARCH STREET
BERKELEY, CA 94708

ARCHITECT:
KOCH ARCHITECTS, INC.
JOANNE KOCH, AIA
2512 NINTH STREET #5
BERKELEY, CA 94707
PH: (510) 558-8280

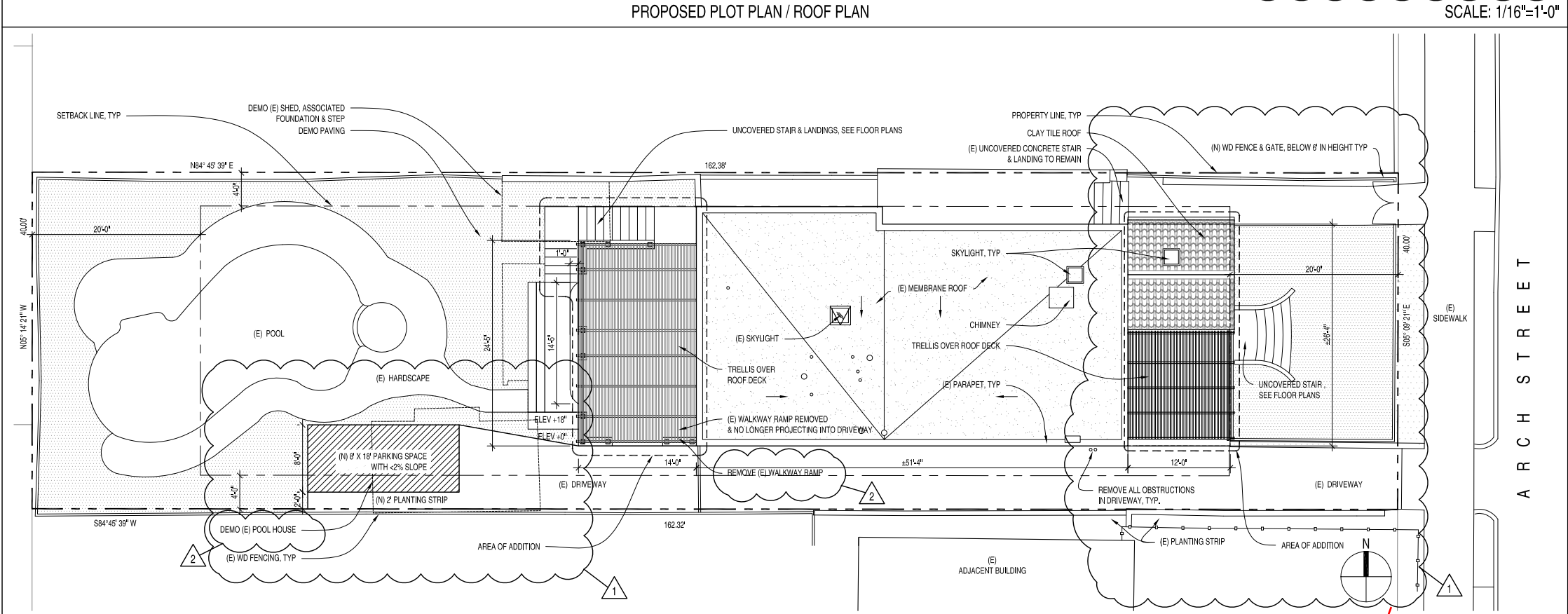
STRUCTURAL ENGINEER:
W.B. CLAUSEN
PAUL TROUSDALE
1727 64TH ST
EMERYVILLE, CA 94608
PH: (510) 655-4144

LAND SURVEYOR
BAY AREA LAND SURVEYING
961 MITCHELL WAY
EL SOBRANTE, CA
P: (510) 223-5167
MICHAEL FOSTER



SYMBOLS

	DETAIL NO.
	SECTION REFERENCE
	EXT. ELEV. REFERENCE
	INT. ELEV. REFERENCE
	ENLARGED FLOOR PLAN REFERENCE
	DATUM OR CONTROL POINT
	PROJECT NORTH (IF APPLICABLE)
	NORTH ARROW
	BATH ROOM NAME & NUMBER
	DOOR NUMBER
	WINDOW NUMBER
	WALL TYPE
	REVISION NUMBER
	CENTER LINE
	DIMENSION
	PROPERTY LINE
	FENCE



INDEX OF DRAWINGS

ARCHITECTURAL SHEETS

- A1.1 COVER SHEET - PROJECT DATA, PLOT PLAN, MATERIALS, SYMBOLS GENERAL NOTES, VICINITY MAP, STATEMENT & NEIGHBORHOOD SIGNATURES
- A2.1 EXISTING / DEMO LOWER LEVEL FLOOR PLAN
- A2.2 EXISTING / DEMO MAIN LEVEL FLOOR PLAN
- A2.3 EXISTING / DEMO UPPER LEVEL FLOOR PLAN
- A2.4 PROPOSED LOWER LEVEL FLOOR PLAN
- A2.5 PROPOSED MAIN LEVEL FLOOR PLAN
- A2.6 PROPOSED UPPER LEVEL FLOOR PLAN
- A3.1 EXISTING / DEMO EAST & NORTH ELEVATIONS
- A3.2 EXISTING / DEMO WEST & SOUTH ELEVATIONS
- A3.3 PROPOSED EAST & NORTH ELEVATIONS
- A3.4 PROPOSED WEST & SOUTH ELEVATIONS

LAND SURVEY SHEETS

- BOUNDARY AND TOPOGRAPHIC SURVEY

STATEMENT & NEIGHBORHOOD SIGNATURES

I HAVE REVIEWED THE PLANS FOR THE PROPOSED ADDITION TO THE FRONT AND BACK OF THE RESIDENCE AT 1630 ARCH STREET

NAME	SIGNATURE	ADDRESS	OWNER / RENTER	DATE	HAVE NO OBJECTIONS	HAVE OBJECTIONS (PLEASE STATE BRIEFLY)	HAVE NO COMMENT
MICHAEL RUBIN & JENNIFER HAMILTON		1611 SPRUCE STREET		/ / 2015			
MICHAEL HOHMEYER & LISA LUM		1617 SPRUCE STREET		/ / 2015			
YUNG LING CHEN		1624 ARCH STREET		/ / 2015			
JOHN & MATTHEW ZITO		1635 ARCH STREET		/ / 2015			
DAVID & MARY BARBER		1642 ARCH STREET		/ / 2015			
BARRY CORTEN		1643/1645 ARCH STREET		/ / 2015			

PLANS APPROVED by

Max Dull

May 25, 2016

SIGNATURE DATE

***AUP Findings and Conditions Attached**

Drawings Issued:

AUP SET
OCT 27, 2015

REVISION 1
JAN 22, 2016

REVISION 2
MAR 30, 2016

LUM / HOHMEYER RESIDENCE

for Lisa Lum and Michael Hohmeyer

1630 ARCH STREET BERKELEY, CA 94708

Sheet Desc.:

COVER SHEET

Job No. 1503

Scale:

Date: JANUARY 22, 2016

Sheet No.

A1.1