



# ATTACHMENT 1

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## FINDINGS AND CONDITIONS

OCTOBER 26, 2016

### 3208 King Street

#### Administrative Use Permit #ZP2016-0116

**To construct a 63-square-foot, approximately 21 foot tall addition to the rear of an existing single-family dwelling to enlarge a bedroom and create a hallway to that bedroom.**

#### PERMITS REQUIRED

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- Administrative Use Permit under Section 23D.32.070 to construct an addition greater than 14-feet in average height.

#### 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 15301 of the CEQA Guidelines (“Existing Conditions”). 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 would 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, would 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 addition conforms to all the R-2A District development standards: it maintains all existing setbacks, as well as average building height. Due to the addition, lot coverage will increase by 1% to 45%, where a maximum of 45% is permissible; the property will retain 363 square feet of usable open space, where a minimum of 300 square feet is required. Given that the addition will be 18 feet from the northwest dwelling (1640 Fairview), 27 feet from the northern dwelling (3206 King) and 9 feet from the southern dwelling (3210 King), the project will retain ample air circulation between structures.

- All new windows are outside of the side and rear required setbacks. The one new window on the southern elevation will not create new sightlines because 3210 King Street has no windows toward the back of the dwelling. Any sightlines created toward the north and west are obscured by mature vegetation. Given these qualifications the project will have minimal impact to neighbors' privacy.
- Due to the extension of the existing ridge of the structure, there will be a small increase of shadows on 1640 Fairview (northwestern) during the summer months, but no windows will be shaded. Given the existing ridge height will not increase in height and the minor change in shading on neighboring properties, the project will not create detrimental shading impacts.
- The project will not obstruct or significantly reduce any prominent views of surrounding neighbors. Prominent views are generally considered to be views such as the Golden Gate or Bay Bridges, the Downtown San Francisco skyline, the bay, and Treasure Island.
- The additions will be constructed in an architectural style and with colors and materials to match the existing home. Therefore, the addition will be compatible with the existing property and neighborhood character.

## **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 attorney's fees that may result.

**ADDITIONAL 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. 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

\_\_\_\_\_

Phone #

**Prior to Issuance of Any Building Permit:**

11. The existing eaves shall be reduced to no greater than 2 feet in any area.
12. Drainage plans shall be submitted for approval of the Building & Safety Division and Public Works Department, if required.

**During Construction:**

13. Transportation Construction Plan. The applicant and all persons associated with the project are hereby notified that a Transportation Construction Plan (TCP) is required for all phases of construction, particularly for the following activities:
- 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 relevant
  - Significant truck activity.

The applicant shall secure the City Traffic Engineer's approval of a TCP. Please contact the Office of Transportation at 981-7010, or 1947 Center Street, 3rd floor, and ask to speak to a traffic engineer. In addition to other requirements of the Traffic Engineer, this plan shall include the locations of material and equipment storage, trailers, worker parking, a schedule of site operations that may block traffic, and provisions for traffic control. The TCP shall be consistent with any other requirements of the construction phase.

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). Please note that the Zoning Officer and/or Traffic Engineer may limit off-site parking of construction-related vehicles if necessary to protect the health, safety or convenience of the surrounding neighborhood. A current copy of this Plan shall be available at all times at the construction site for review by City Staff.

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.

**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 July 13, 2016.

**At All Times (Operation):**

25. All exterior lighting shall be energy efficient where feasible; and shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.



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Prepared by: Jim Frank  
For City of Berkeley Zoning Officer



# STIERS & FOLTIN RESIDENCE ADDITION

3208 KING STREET  
BERKELEY, CA

## ABBREVIATIONS

ADJ	ADJUSTABLE	NU	NOT IN CONTRACT
ALUM	ALUMINUM	NG	NUMBER
ARCH	ARCHITECTURE	NO OR #	
ASPH	ASPHALT		
BD	BOARD	OF	OVER
BDLG	BUILDING	OC	ON CENTER
BLK	BLOCK	OD	OUTER DIAMETER
BLKG	BLOCKING	OF CI	OWNER FURNISHED, CONTRACTOR INSTALLED
BM	BEAM	OF OI	OWNER FURNISHED, OWNER INSTALLED
B.O.	BOTTOM OF	OF OI	OWNER INSTALLED
BU	BUILT-UP	OF OI	OWNER INSTALLED
CLG	CEILING	PL	PLATE
CLR	CLEAR	PLYHD	PLYWOOD
CNTL	CONTROL	PT	PRESSURE TREATED
CONC	CONCRETE	PT	POINT
CONT	CONTINUOUS		
CTR	CENTER	R	RADIUS
DBL	DOUBLE	RA	RETURN AIR
DF	DOWEL	RDHD	REDWOOD
DFM	DIMENSION	REF	REFERENCE
DN	DOWN	REG	REGISTER
DP	DOUBLE POLE	REQ	REQUIRED
DS	DISHPOUT	RET	RETURN
DRWG	DRAWING	RM	ROOM
(E)	EXISTING	S	SOUTH
E	EAST	SA	SUPPLY AIR
EA	EACH	SEE	SEE ARCHITECTURAL DRAWING
ELEG	ELECTRICAL	SED	SEE ELECTRICAL DRAWING
ELEV	ELEVATION	SHD	SHOULDER
EQ	EQUAL	SHT	SHEET
EXP	EXPOSED	SHTS	SHEATHING
EXT	EXTERIOR	SKD	SEE KITCHEN DRAWING
FDN	FOUNDATION	SLD	SEE LIGHTING DRAWING
FF	FINISH FLOOR	SP	SEE MECHANICAL DRAWING
FN	FINISH	SPD	SINGLE POLE
FL	FLOOR	SEE	SEE PLUMBING DRAWING
FOC	FACE OF CONCRETE	SS	SQUARE
FOP	FACE OF FINISH	SSD	SEE STRUCTURAL DRAWING
FOS	FACE OF STUD	STD	STANDARD
FOP	FACE OF PLYWOOD	T&G	TONGUE AND GROOVE
FURN	FURNACE	TO	TOP OF
GA	GAUGE	TOPF	TOP OF FINISH FLOOR
GALV	GALVANIZED	TOP	TOP OF PLATE
GRD	GROUND	TOS	TOP OF SLAB
GYP BD	GYP/SUM BOARD	TP	TOILET PAPER HOLDER
HB	HOSE BIB	TR	TICKET BAG
HG	HOLLOW CORE	TYP	TYPICAL
HJR	HEADER	UN	UNLESS OTHERWISE NOTED
HR STL	HOT-ROLLED STEEL	VERT	VERTICAL
HVAC	HEATING, VENTILATING, AND AIR CONDITIONING	VP	VERIFY IN FIELD
HH	HOT WATER HEATER	H	HEST
ICPV	INTEGRAL COLOR PLASTER VENEER	HTH	WITH
INSUL	INSULATION	HD	WITHOUT
INT	INTERIOR	HD	WATER CLOSET
INT	INTERIOR	HD	WOOD
LAH	LAMINATE	HN	HINDEN
LT	LIGHT	HP	WATERPROOF
MANUF	MANUFACTURER		
MAX	MAXIMUM		
MC	MEDICINE CHEST		
MECH	MECHANICAL		
MEMB	MEMBRANE		
MNM	MINIMUM		
MTL	METAL		

## GENERAL NOTES

- PROJECT ADDRESS 3208 KING STREET
- A.P. NUMBER AP# 052-1535-3
- ZONING R-2A
- APPLICABLE CODES 2014 Berkeley Municipal Code
- OCCUPANCY R-3
- TYPE OF CONSTRUCTION TYPE V-B
- LOCAL REQ'S FIRE ZONE I
- All work and materials shall be in accordance with the latest rules and regulations of the National Board of Underwriters, the latest editions of the National Electrical Code, the National Plumbing and Mechanical Code, the Uniform Building Code, and all applicable Local and State Laws and Ordinances. Nothing on the drawings shall be construed to permit work not conforming to these codes.
  - All work shall be performed in accordance to all requirements of the State of California Energy Commission (Title 24) Energy Efficiency Standards for New Buildings. Refer to specific regulations and mandatory features and devices as noted in the energy performance calculations included elsewhere in these documents.
  - All plan notes imply the words "The Contractor shall..." or "The Contractor shall install..." which ever is applicable. Items labeled "EXISTING," "EXTG.," or "(E)" are existing and shall remain. All other items and notes not labeled or identified as existing shall be considered new and shall be provided by the Contractor.
  - All dimensions take precedent over scale. The Contractor shall not scale the drawings with the intent of determining exact placement or location of particular assemblies.
  - Contractor shall verify all dimensions and conditions in field. Report any discrepancies to Architect for resolution. Discrepancies between Architect's, Engineer's or Manufacturer's construction details shall be resolved to satisfy the most stringent requirement.
  - The Contractor shall be solely responsible for all bracing and shoring required during construction until construction is complete. The Contractor shall not store construction material or operate construction equipment in a manner such that the design live loads of the structure are exceeded.

## PROJECT DESCRIPTION

- (E) REAR BEDROOM TO BE REMOVED AND RE-BUILT IN APPROXIMATELY SAME SHAPE/SIZE.
- (E) KITCHEN TO BE EXTENDED 4 FT TOWARDS REAR TO ACCOMMODATE DOOR TO REAR BEDROOM.
- (E) RAISED WOOD DECK TO BE REMOVED AND REPLACED SIMILAR TO (E).

## SHEET NOTES

- ANY WORK IN THE PUBLIC RIGHT OF WAY SHALL REQUIRE A SEPARATE ENCROACHMENT PERMIT.
- ALL PARKING AND MATERIAL STORAGE WILL BE ON SITE. EXCEPT,
- AT CONTRACTOR'S OPTION, CONTRACTOR MAY OBTAIN A CONSTRUCTION PARKING PERMIT FOR SUBJECT ADDRESS FRONTAGE FOR A PORTION OF OR FOR THE DURATION OF THE WORK.

## PROJECT DATA

	EXISTING	ADD/DUPLIC	TOTALS
SITE AREA	3600.4		3600.4
BUILDING AREAS			
HOUSE, CONDITIONED SPACE	1252.0	+63.0	1316.0
TOTAL CONDITIONED FLOOR AREA	1252.0	+63.0	1316.0
LOT COVERAGE			
HOUSE*	1340.5	+63.0	1404.3
EAVES 2' 0"	20	-20	0
GARAGE	255.4	N/C	255.4
TOTAL FOOTPRINTS	1623.9	+35.0	1659.1
LOT COVERAGE %	44.0%		45%
BUILDING HEIGHT (MAX)	21'-9"	N/C	21'-9"

NOTES  
\*INCLUDES BAY PROJECTIONS AND COVERED AREA AT FRONT PORCH  
\*DOES NOT INCLUDE REAR DECK (WHICH IS UNCOVERED AND OPEN BELOW)

## SHEET INDEX

- A0.1 COVER SHEET AND PLOT PLAN  
A0.2 EXISTING PLANS  
A2.1 PROPOSED PLANS  
A4.1 PROPOSED EXTERIOR ELEVATIONS

**PLANS APPROVED by**

*James J. Frank*

October 26, 2016

SIGNATURE

DATE

\*AUP Findings and Conditions Attached

## SYMBOLS

	TYPICAL HALL		GRID COORDINATE
	PERIMETER HALL		REVISION MARKER
	LINE ABOVE		DATUM POINT
	LINE BELOW		ELEVATION MARKER
	CENTER LINE		
	PROPERTY LINE		
	DIMENSION TO FACE		
	DIMENSION TO CENTERLINE		
	WINDOW SYMBOL		
	DOOR SYMBOL		
	SECTION MARKER		
	DETAIL MARKER		

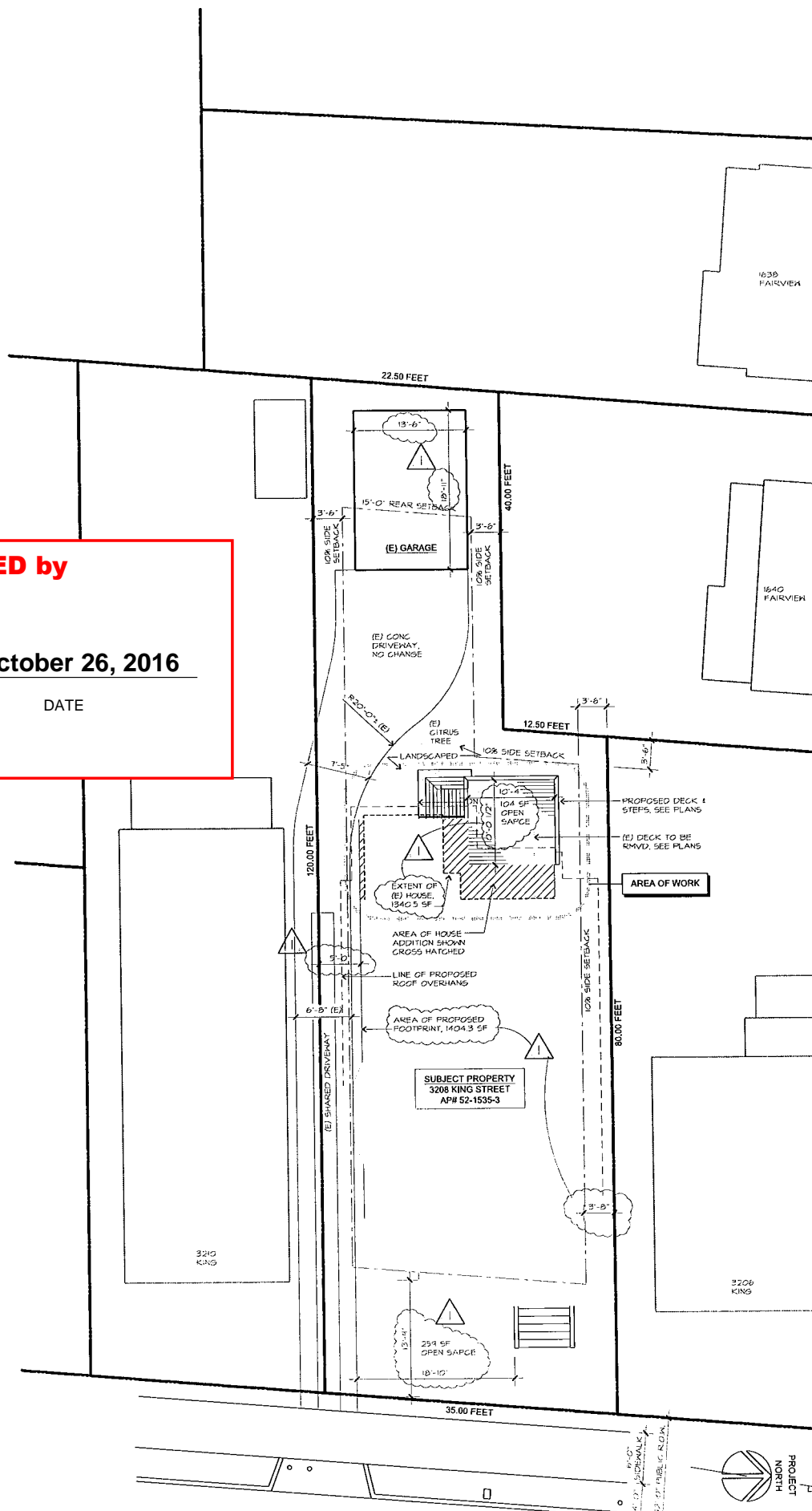
## PROJECT DIRECTORY

BUILDING OWNERS TODD STIERS & BARBARA FOLTIN  
3208 KING STREET  
Berkeley CA, 94710

STRUCTURAL ENGINEER KAVEH RAD  
(510) 632-6112

## ARCHITECT

Alex Chiappetta  
Alex Chiappetta Architecture  
(510) 849-1698 phone



1/1/16	AUP COMPLETENESS
5/23/16	PRE-AUP NEIGHBOR MEETINGS & AUP SUBMITTAL

Stiers Residence

ADDITION

3208 King Street  
Berkeley

AP#  
052-1535-003-00

Drawing Title

COVER SHEET &  
SITE PLAN

By AC State AS NOTED

Date 5/23/16 Job 1632

Drawing No.

**A0.1**

1 SITE PLAN  
A0.1 1/8" = 1'-0"

**PLANS APPROVED by**

*James Frank*

**October 26, 2016**

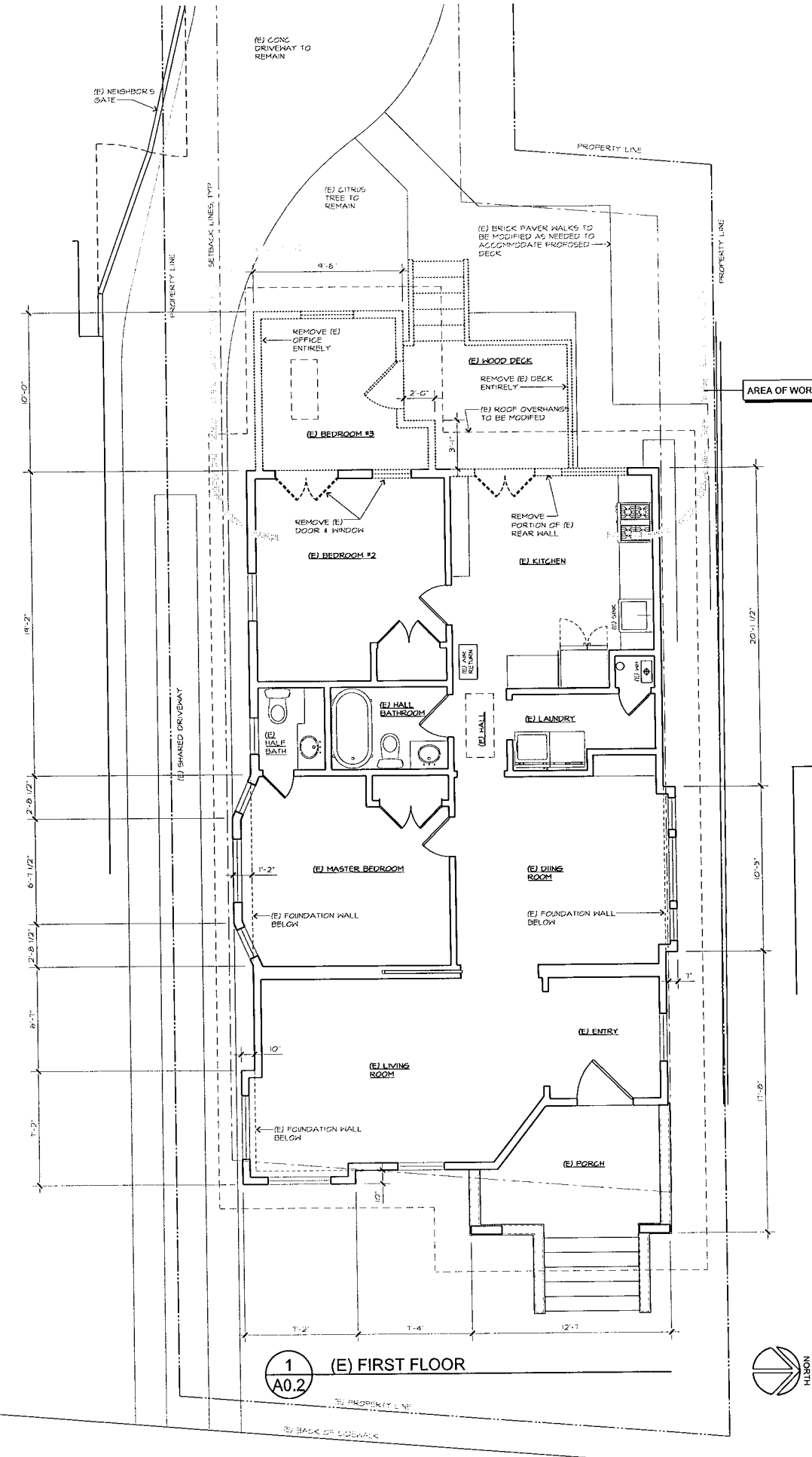
SIGNATURE

DATE

**\*AUP Findings and Conditions Attached**

alex chiappetta  
architecture

(510) 849.1698  
www.acstudio.com



AREA OF WORK

7/11/16	AUP COMPLETENESS
5/23/16	PRE-APP NEIGHBOR MEETINGS & AUP SUBMITTAL
Revisions	

Stiers Residence

**ADDITION**

3208 King Street  
Berkeley

AP#  
052-1535-003-00

**EXISTING AND DEMOLITION FLOOR PLAN**

By AC Scale 1/4"=1'-0"  
Date 5/23/16 Job 1632  
Drawing No

1 (E) FIRST FLOOR  
A0.2



**A0.2**



**PLANS APPROVED by**

*James Frank*

**October 26, 2016**

SIGNATURE

DATE

**\*AUP Findings and Conditions Attached**

alex chiappetta  
architecture

(510) 849.1698  
www.acastudio.com



Revisions	Date	Description
1	7/11/16	AUP COMPLETENESS
2	5/23/16	PRE-APP NEIGHBOR MEETINGS & AUP SUBMITTAL

Stiers Residence

**ADDITION**

3208 King Street  
Berkeley

AP#  
052-1535-003-00

Drawing Title

**FLOOR PLANS & NOTES**

By AC Scale 1/4"=1'-0"

Date 5/23/16 Job 1632

Drawing No.

**A2.1**

**WALL TYPES LEGEND**

(E) WALLS TO BE REMOVED. SEE A02 FOR DEMO SCOPE AND NOTES.

(E) WALLS TO REMAIN - SEE FINISH SCHEDULE

**TYPICAL WALL:**

MIN 2x4 WOOD STUDS AT 16" OC WITH 5/8" GYP BO EACH SIDE. SMOOTH TAPED AND PAINTED, UNLESS OTHERWISE NOTED IN FINISH SCHEDULE. SEE STRUCTURAL DRAWINGS FOR PLYWOOD AT EXTERIOR WALLS AND INTERIOR SHEAR WALLS. SEE EXTERIOR ELEVATIONS FOR FINISHES AT EXTERIOR WALLS.

**PLYWOOD APPLIED TO (E) INTERIOR WALL:**

COORDINATE WITH STRUCTURAL DRAWINGS. VIF EXTENT OF WORK WITH ARCHITECT PRIOR TO DEMOLITION WORK, INCLUDING WHICH SIDE OF WALL TO APPLY PLYWOOD. REMOVE (E) FINISHES AND TRIM DOWN TO STUDS AS REQ'D TO INSTALL STRUCTURAL COMPONENTS. RESTORE FINISHES AND TRIM. SEE FINISH SCHEDULE AND ELEVATIONS.

**INTERIOR HALL w/ SOUND INSULATION:**

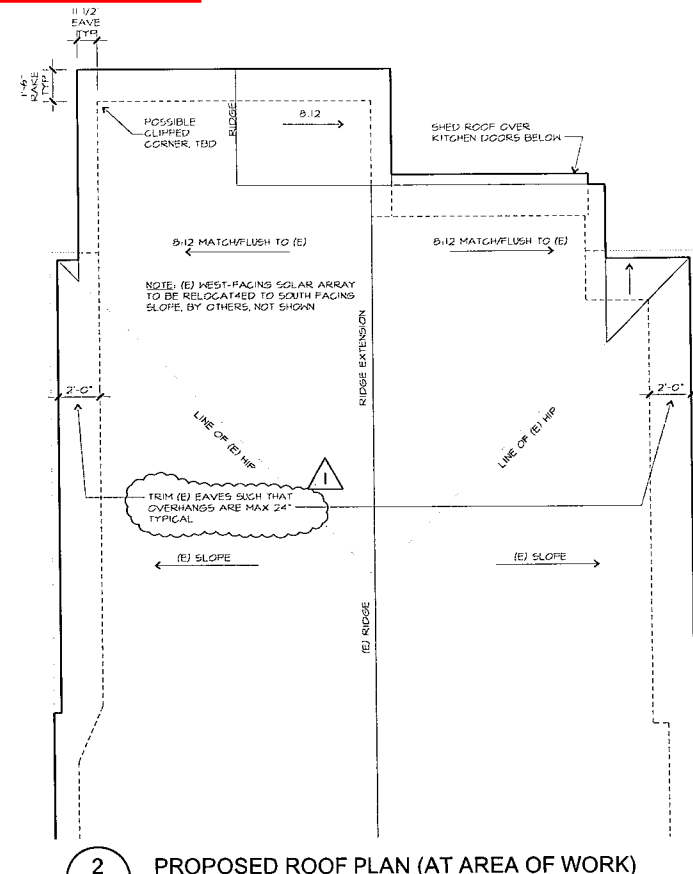
PROVIDE SOUND INSULATION BATTS AT INTERIOR HALLS AS SHOWN. SEE INSULATION SCHEDULE FOR COMPLETE INSULATION REQ'S.

**INSULATION SCHEDULE**

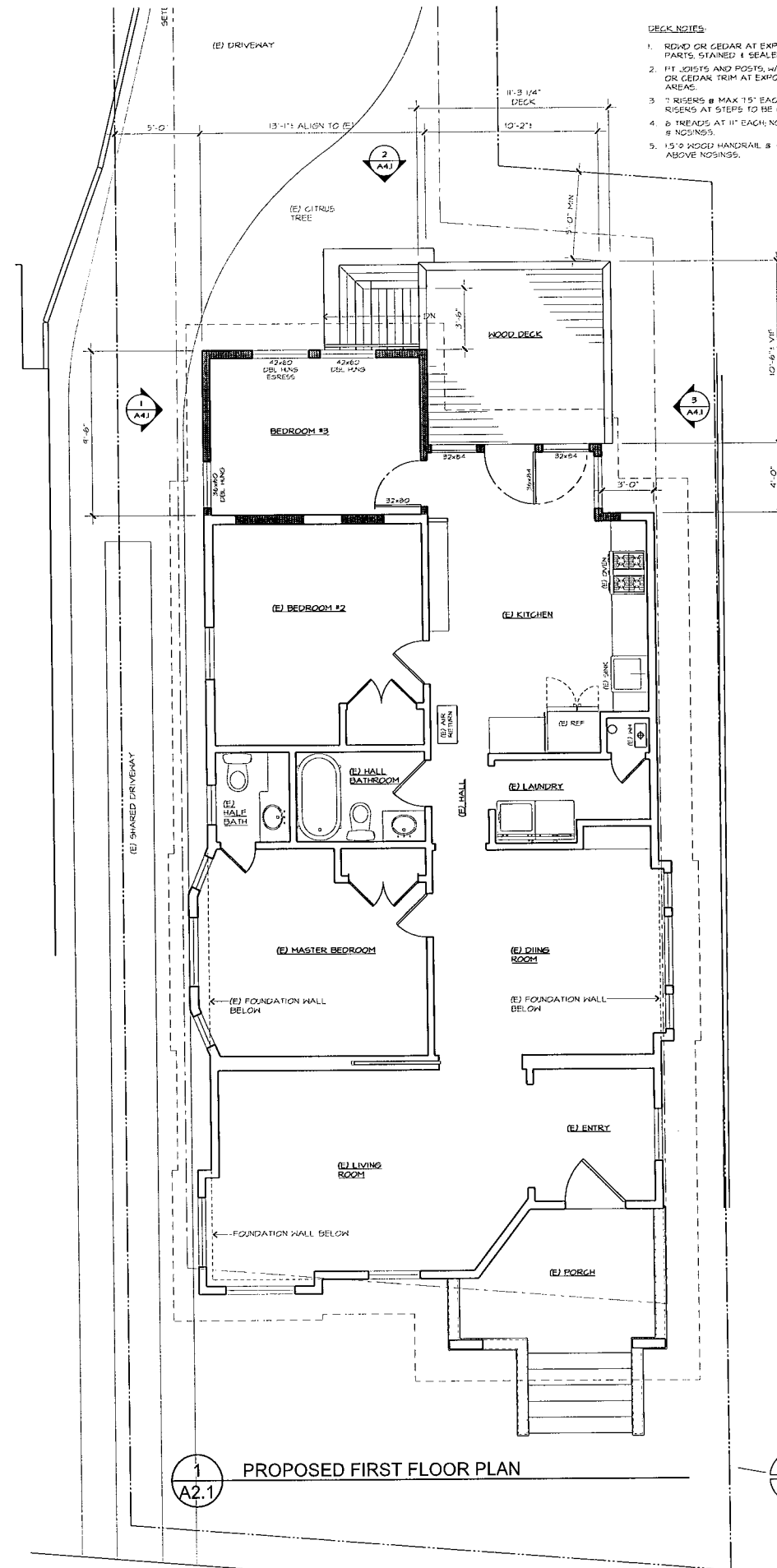
ROOF AT AREA OF WORK	R-30 BATT or LOOSE FILL
ROOF AT (E) ATTIC	(E) 6" LOOSE FILL TO REMAIN
PERIMETER WALLS OF THE CONDITIONED SPACE WITHIN AREA OF WORK	R-13 BATTS
PERIMETER WALLS OF THE CONDITIONED SPACE BEYOND THE AREA OF WORK AT THE REMAINDER OF THE HOUSE	N/A
FLOOR of GRAVEL SPACE AT THE AREA OF WORK	R-18 ENCAPSULATED BATTS, ALL HOLES IN FLOOR/WALLS FILLED w/ FOAM
FLOOR of GRAVEL SPACE BEYOND AREA OF WORK AT REMAINDER OF THE HOUSE	R-18 ENCAPSULATED BATTS, ALL HOLES IN FLOOR/WALLS FILLED w/ FOAM
ON-DEMAND WATER HEATER	N/A
R4 PIPES, FIRST FIVE FEET	R-4 MIN
HEATING DUCTS AT UNCONDITIONED SPACES	R4.2 MIN

**PLAN NOTES**

- SEE A02 FOR DEMOLITION NOTES.
- SEE SHEET A4.1 FOR ADDTL EXTERIOR FINISHES ETC.
- SEE SHEET M1 FOR COMPLETE HVAC, PLUMBING AND ELECTRICAL NOTES AND SYMBOLS.
- DOORS AT WEST SIDE OF KITCHEN TO BE CUSTOM MADE WOOD UNITS, PAINTED w/ CLEAR INSULATED TEMPERED GLAZING.



**2 PROPOSED ROOF PLAN (AT AREA OF WORK)**



**1 PROPOSED FIRST FLOOR PLAN**



**PLANS APPROVED by**

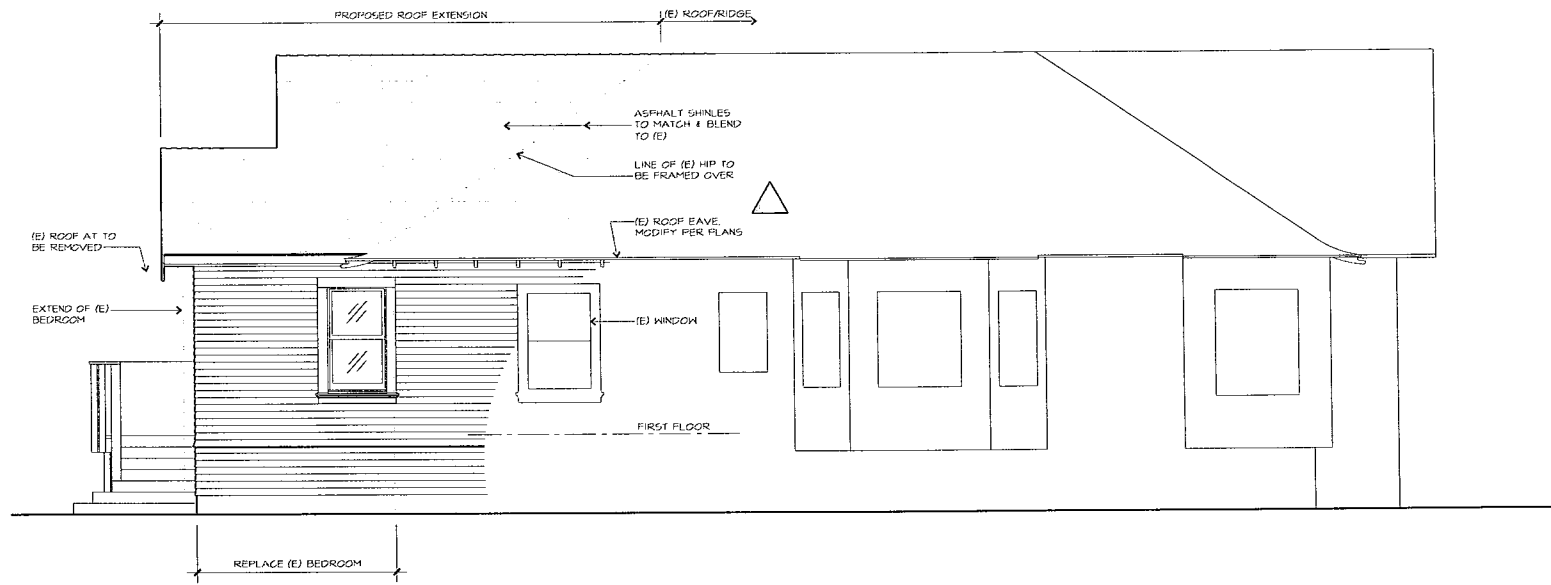
*James Frank*

**October 26, 2016**

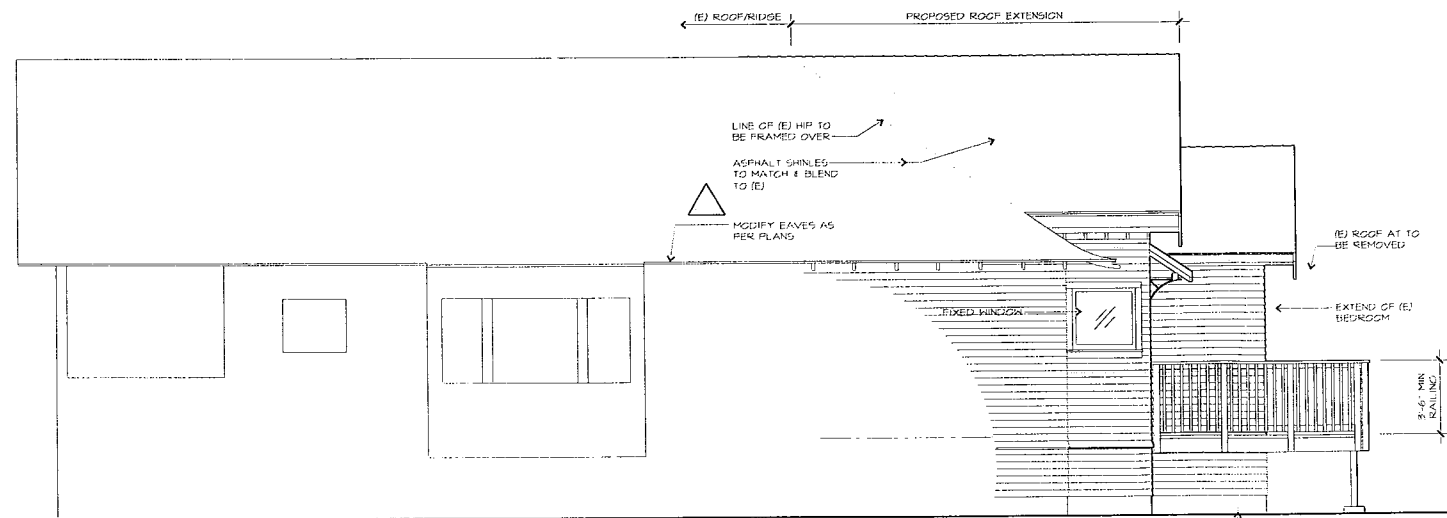
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DATE

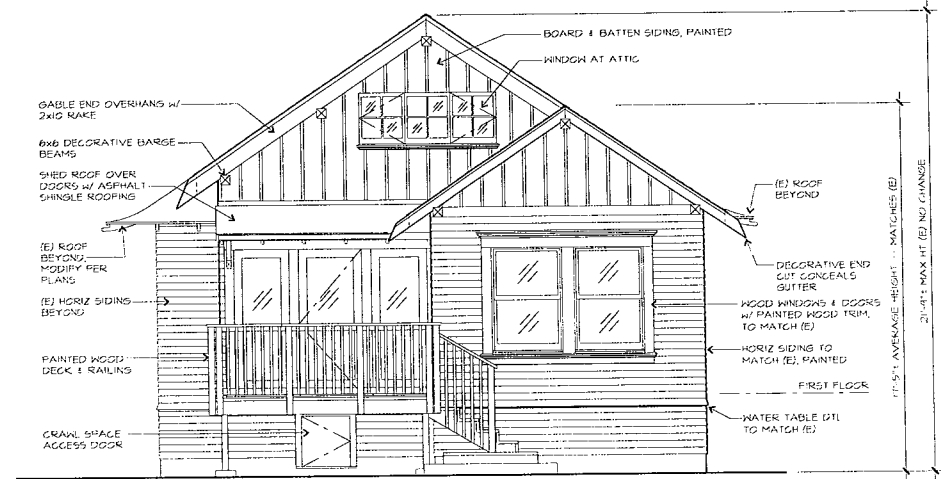
**\*AUP Findings and Conditions Attached**



**1 SOUTH ELEVATION**  
A4.1 1/4"=1'-0"



**3 NORTH ELEVATION**  
A4.1 1/4"=1'-0"



**2 WEST ELEVATION**  
A4.1 1/4"=1'-0"

Revisions		
1/1/16	AUP COMPLETENESS	
5/23/16	PRE-APP NEIGHBOR MEETINGS & AUP SUBMITTAL	

Stiers Residence

**ADDITION**

3208 King Street  
Berkeley

AP#  
052-1535-003-00

Drawing Title

**EXTERIOR ELEVATIONS**

By AC Scale 1/4"=1'-0"

Date 5/23/16 Job 1632

Drawing No.

**A4.1**