



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

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## 641 The Alameda

### Administrative Use Permit #ZP2016-0149

**Project Description: To construct a trellis extension that is 10 feet 5 inches in height and approximately 110 square feet to the rear of the existing single-family dwelling and 9 feet into a non-conforming rear yard setback where 20 feet is required.**

- Section 23C.04.070 to allow an alteration of a portion of a building which encroaches into a non-conforming yard.

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 January 10, 2017.

Attest: Carol Johnson  
Carol Johnson, Land Use Planning Manger

January 10, 2017  
Effective Date

# ATTACHMENT 1

## FINDINGS AND CONDITIONS

DECEMBER 16, 2016

### 641 The Alameda

#### Administrative Use Permit #ZP2016-0149

To construct a trellis extension that is 10 feet 5 inches in height and approximately 110 square feet to the rear of the existing single-family dwelling and 9 feet into a non-conforming rear yard setback where 20 feet is required.

#### PERMITS REQUIRED

- Administrative Use Permit under Section 23C.04.070.B to allow an alteration of a portion of a building which encroaches into a non-conforming yard.

#### 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 or Conversion of Small Structures”). Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project would 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, 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 trellis extension will be set back 11 feet 1 inch from the rear property line where the existing garage is set back 2 feet. With the exception of construction within a non-conforming rear yard setback, the subject property and trellis extension will meet the district standards for residential density, lot coverage, and will continue to exceed the minimum usable open space requirements. Furthermore, the project will meet or exceed the required side and front yard setbacks therefore the addition will be compatible with the existing property and neighborhood character.
  - The construction of a 10 foot 5 inch tall trellis extension, approximately 110 square feet in size and within the rear yard, will not be detrimental to the abutting neighbors. The closest neighboring structure to the southwest is a single family dwelling. The trellis

extension would be approximately 30 feet away from the single family dwelling and would not be visible due to the existing garage on the subject property.

- The trellis extension will not in result in any new shading on the abutting parcels to the south and east and is not proposing a solid roof. Therefore, any new shadows, will be minimal and not be detrimental to neighboring residents.
  - The trellis extension would not affect any significant views in the neighborhood. (Significant views as defined by the Berkeley Municipal Code include views of the Berkeley Hills, San Francisco Bay, Mt. Tamalpais, or a significant landmark). This area has significant and varied topography, developed with two-, and three-story residences, and includes mature vegetation. Therefore the project will not be detrimental to views enjoyed by neighboring properties.
3. Pursuant to Berkeley Municipal Code Section 23C.04.070.B, the Zoning Officer finds that the alteration within the non-conforming yard to construct the trellis extension will not further reduce the nonconforming yard or exceed the height requirements therefore will not be detrimental as described above.

## **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 #

**During Construction:**

11. 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.

12. 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.

13. 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.

14. 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.
15. 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.
16. 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.
17. Trucks hauling debris, soil, sand, or other loose materials shall be covered or required to maintain at least two feet of board.
18. Public streets shall be swept (preferably with water sweepers) of all visible soil material carried from the site.
19. The applicant shall establish and maintain drainage patterns that do not adversely affect adjacent properties and rights-of-way.
20. 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:**

21. All construction at the subject property shall substantially conform to the approved Use Permit drawings or to modifications approved by the Zoning Officer.
22. All landscape, site and architectural improvements shall be completed per the attached approved drawings dated **August 4, 2016**.

**At All Times (Operation):**

23. 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: Charles Enchill  
For Greg Powell, Principal Planner

Y O S E M I T E R D



**PLANS APPROVED by**  
*Charles Pettit*  
 SIGNATURE  
 December 16, 2016  
 DATE  
 \*AUP Findings and Conditions Attached

VICINITY MAP  
 SCALE 1" = 40'  
 NOTE: TRACED FROM  
 SANBORN MAPS

**COSTARELLA**  
 ARCHITECTS

180 BEECHWOOD DRIVE  
 OAKLAND, CALIFORNIA 94618  
 510.697.8146

LICENSED ARCHITECT  
 JOSEPH D. COSTARELLA  
 No. C-15617  
 Ren. 12/17  
 STATE OF CALIFORNIA

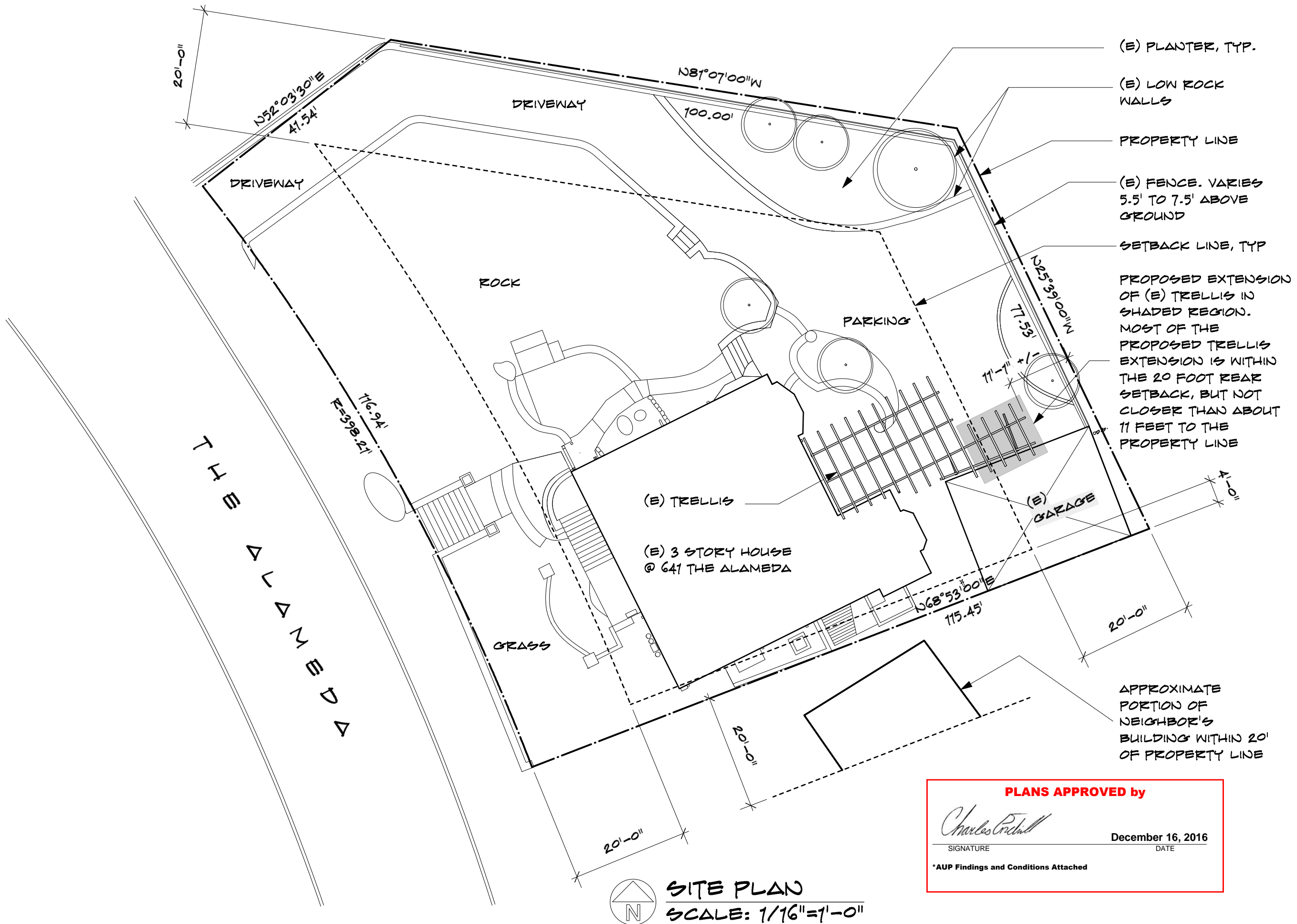
*Duignan/Wilkins Trellis Extension*

**641 The Alameda**  
 Berkeley, CA 94707

|              |              |
|--------------|--------------|
| NO. REVISION | BY           |
| JOB NO.      | DATE 7.28.16 |
|              | DRAWN J.C.   |
|              | CHECKED BY   |
| TITLE        |              |

I have reviewed the plans for the proposed trellis extension in the rear yard of 641 The Alameda

| Neighborhood Signatures |           |                   |                 |      |               |  |                 |
|-------------------------|-----------|-------------------|-----------------|------|---------------|--|-----------------|
| Name (printed)          | Signature | Address           | Renter or Owner | Date | No Objections | Have Objections (Please state briefly) | Have no comment |
|                         |           | 1816 Yosemite Rd. |                 |      |               |  |                 |
|                         |           | 1826 Yosemite Rd. |                 |      |               |  |                 |
|                         |           | 1830 Yosemite Rd. |                 |      |               |  |                 |
|                         |           | 1844 Yosemite Rd. |                 |      |               |  |                 |
|                         |           | 638 The Alameda   |                 |      |               |  |                 |
|                         |           | 640 The Alameda   |                 |      |               |  |                 |
|                         |           | 646 The Alameda   |                 |      |               |  |                 |
|                         |           | 651 The Alameda   |                 |      |               |  |                 |



(E) PLANTER, TYP.

(E) LOW ROCK WALLS

PROPERTY LINE

(E) FENCE. VARIES 5.5' TO 7.5' ABOVE GROUND

SETBACK LINE, TYP

PROPOSED EXTENSION OF (E) TRELLIS IN SHADED REGION. MOST OF THE PROPOSED TRELLIS EXTENSION IS WITHIN THE 20 FOOT REAR SETBACK, BUT NOT CLOSER THAN ABOUT 11 FEET TO THE PROPERTY LINE

**PLANS APPROVED by**

*Charles Pettit*

SIGNATURE

December 16, 2016

DATE

\*AUP Findings and Conditions Attached



**SITE PLAN**  
SCALE: 1/16"=1'-0"

**COSTARELLA**  
ARCHITECTS

180 BEECHWOOD DRIVE

OAKLAND, CALIFORNIA 94618

510.697.8146



Duignan/Wilkins Trellis Extension

641 The Alameda  
Berkeley, CA 94707

NO. REVISION BY

JOB NO. DATE 7.28.16  
DRAWN J.C.  
CHECKED BY

TITLE



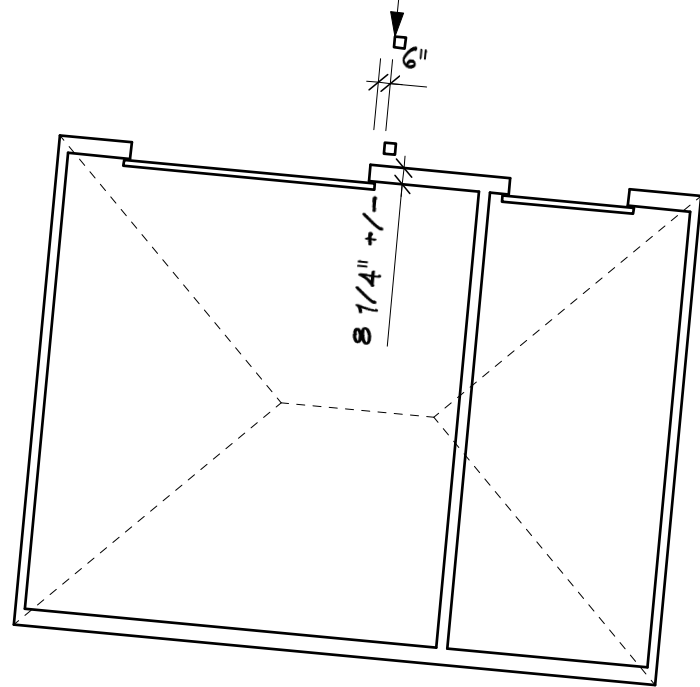
**PLANS APPROVED by**



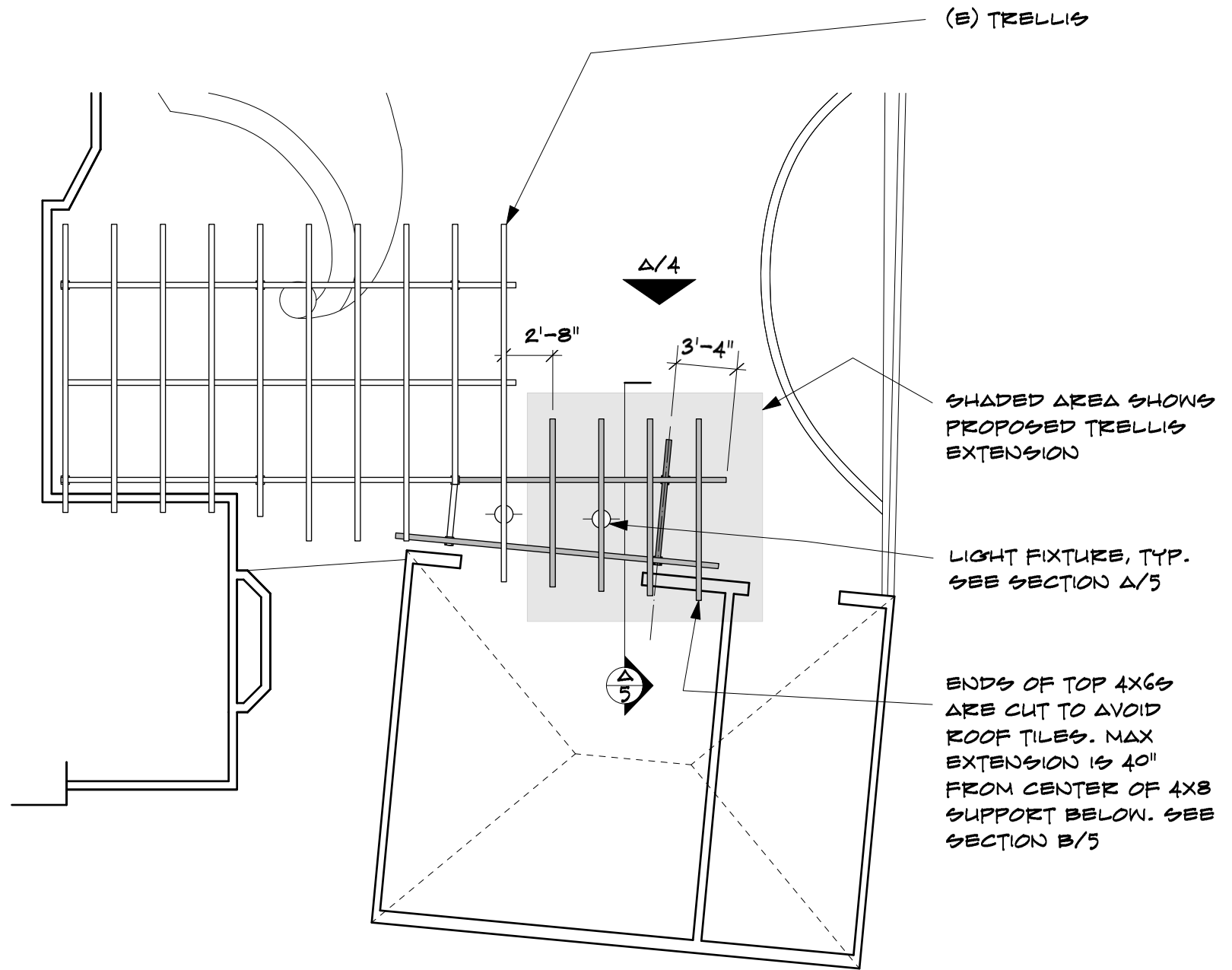
December 16, 2016  
DATE

\*AUP Findings and Conditions Attached

6X6 RDWD  
COLUMN, TYP.  
2 COLUMNS  
TOTAL



**FLOOR PLAN**  
SCALE: 1/8"=1'-0"



**FLOOR PLAN**  
SCALE: 1/8"=1'-0"

**COSTARELLA**  
ARCHITECTS

180 BEECHWOOD DRIVE

OAKLAND, CALIFORNIA 94618

510.697.8146



**Duignan/Wilkins Trellis Extension**

**641 The Alameda**  
**Berkeley, CA 94707**

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**PLANS APPROVED by**

*Charles Pettill*

**December 16, 2016**

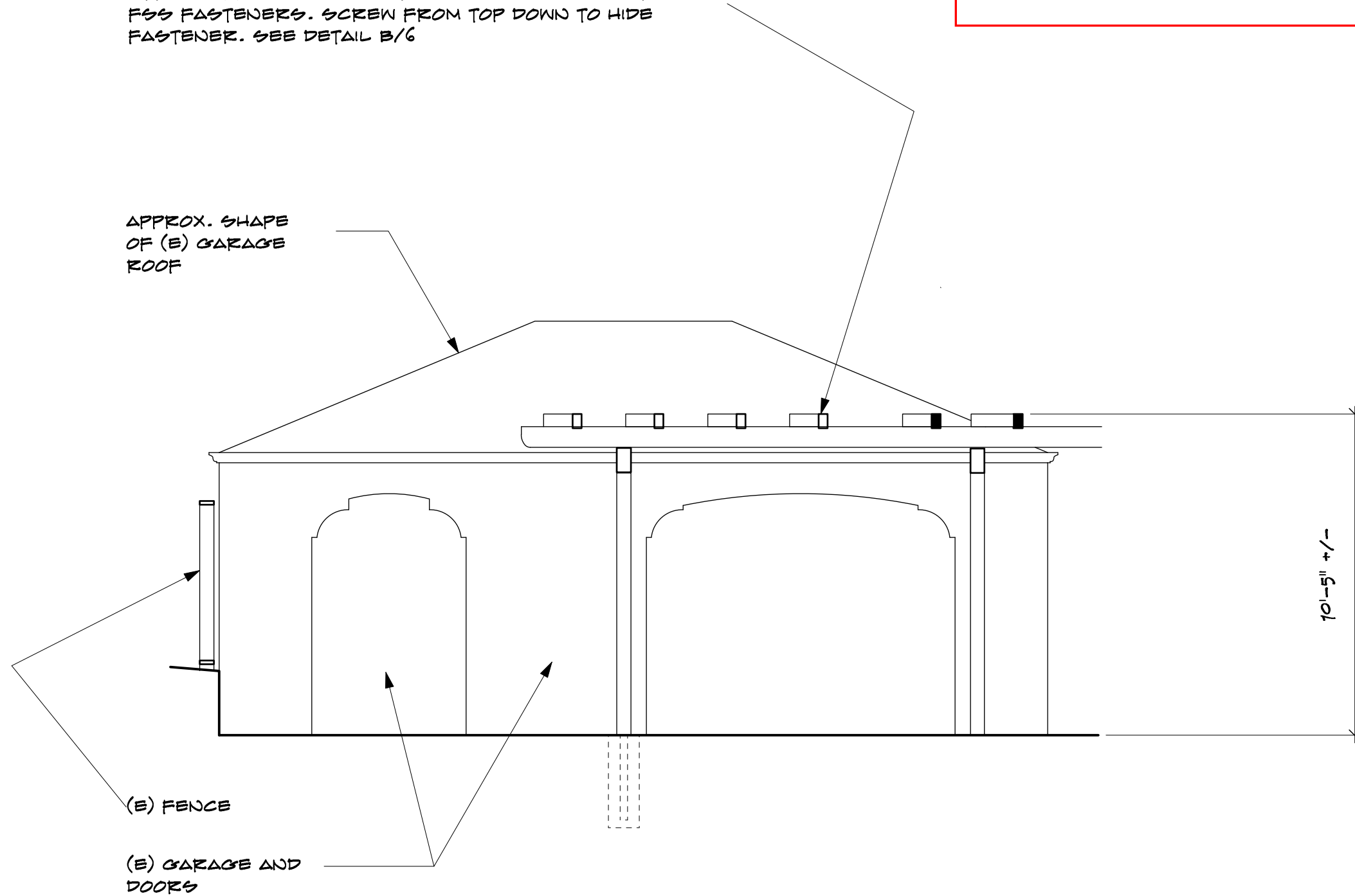
SIGNATURE

DATE

**\*AUP Findings and Conditions Attached**

ATTACH UPPER MEMBERS TO LOWER MEMBERS WITH GRK,  
F55 FASTENERS. SCREW FROM TOP DOWN TO HIDE  
FASTENER. SEE DETAIL B/6

APPROX. SHAPE  
OF (E) GARAGE  
ROOF



(E) FENCE

(E) GARAGE AND  
DOORS

**ELEVATION Δ**  
**SCALE: 1/4" = 1'-0"**

**COSTARELLA**  
ARCHITECTS

180 BEECHWOOD DRIVE

OAKLAND, CALIFORNIA 94618

510.697.8146



**Duignan/Wilkins Trellis Extension**

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Berkeley, CA 94707**

NO. REVISION BY

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DRAWN J.C.  
CHECKED BY

TITLE

KICHLER: 15753BKT; 60DEGREE FLOOD, LED, BLACK FINISH, 12.4W. USE 15607BKT; SURFACE MOUNTING FLANGE. RUN WIRE ON TOP OF 4X6 AND INTO BACK OF FLANGE. PROVIDE REMOTE LOW VOLTAGE TRANSFORMER FOR ALL FIXTURES AS REQUIRED.

ALL TIMBERS MAKING UP TRELLIS ARE HEAVY TIMBER

4X6 RDWD

4X8 RDWD WITH CUT AS IN 4X6 ABV.

6X10 RDWD CUT ENDS

6X6 RDWD WOOD COLUMN, TYP

SEE DETAIL A/6 FOR COLUMN FOUNDATION, TYP.

3'-4"

2'-0"

SIMPSON CC66PC COLUMN CAP WITH SQUARE HEADED BOLTS. BLACK FINISH, TYP.

CUSTOM CC66PC CAP

**PLANS APPROVED by**  
*Charles Pretnall*  
 SIGNATURE  
 December 16, 2016  
 DATE  
 \*AUP Findings and Conditions Attached

SET ELEVATIONS OF 6X10S FROM GROUND NEAREST (E) REAR ENTRY. THESE CUT 4X10 BEAMS STAY AT SAME ELEVATION ACROSS ENTIRE PERGOLA. COLUMN HEIGHTS VARY ACCORDING TO GROUND SLOPE

NOTE: RUN ELECTRICAL WIRING FOR HEATER AND LIGHTS HIDDEN FROM VIEW, IF POSSIBLE. BRING POWER TO TRELLIS FROM CONVIENT LOCATION. PERHAPS FROM INSIDE OF GARAGE. REMOTE TRANSFORMER FOR LIGHTS COULD BE LOCATED IN GARAGE.

**SECTION A**  
 1/4" = 1'-0"



Duignan/Wilkins Trellis Extension

641 The Alameda  
 Berkeley, CA 94707

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|              | CHECKED BY   |
| TITLE        |              |

5-1/2" SQ, 1D, X  
3/16" THICK  
GALV. STEEL,  
4 SIDED  
BUCKET TO  
RECEIVE 6X6  
WOOD POST  
WITH A SNUG  
FIT. PAINT  
BLACK

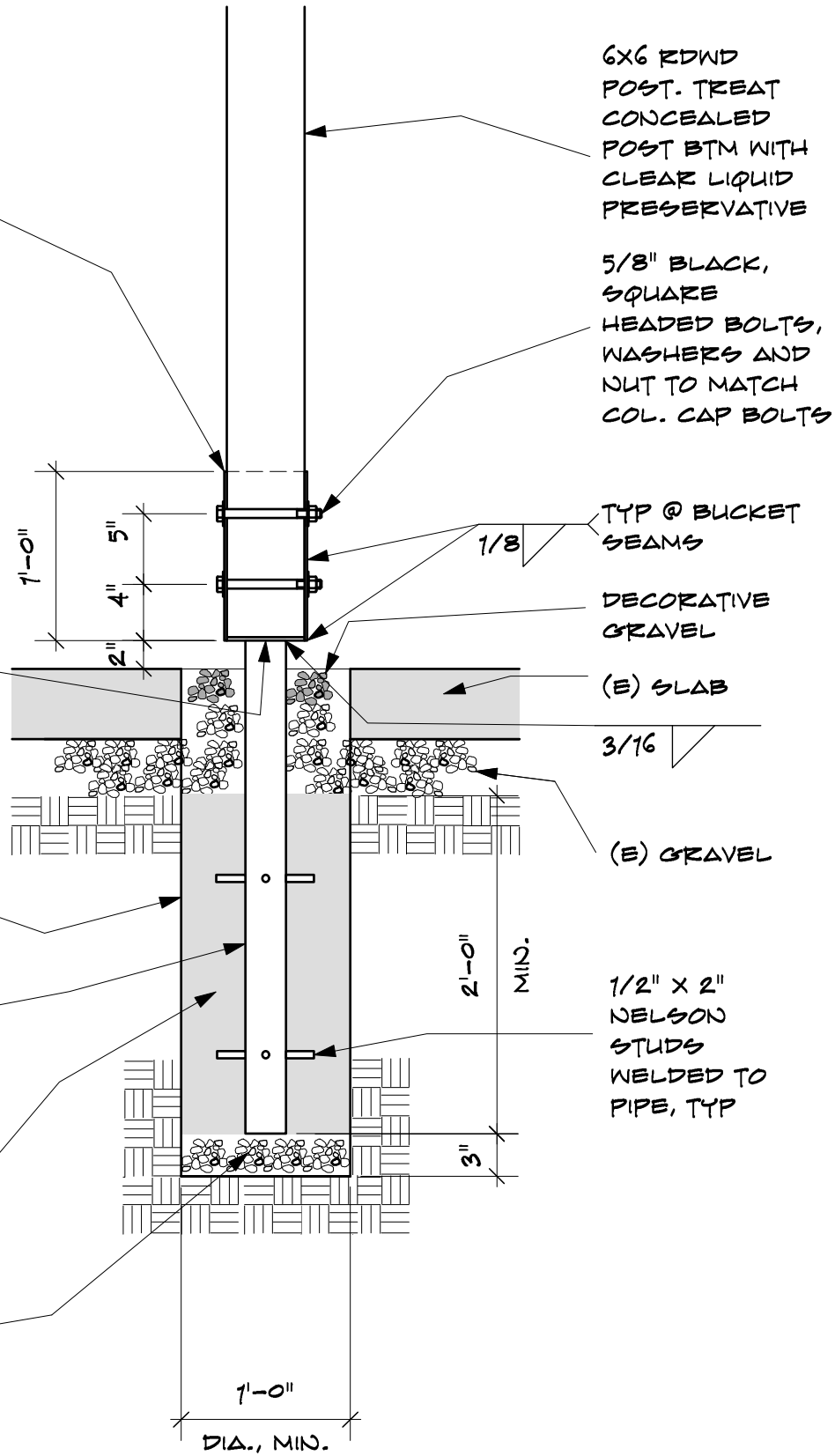
1/4" THK.,  
SQUARE GALV.  
STEEL BASE  
PLATE, WITH  
NEEP HOLES  
TO ALLOW  
BUCKET TO  
DRAIN

DRILLED HOLE

2.5" (2.875" OD,  
.203" ID)  
SCHEDULE 40,  
A500 GR 42  
GALVANIZED  
PIPE

CONCRETE FILL

GRAVEL AT  
BASE



6X6 ROUND  
POST. TREAT  
CONCEALED  
POST BTM WITH  
CLEAR LIQUID  
PRESERVATIVE

5/8" BLACK,  
SQUARE  
HEADED BOLTS,  
WASHERS AND  
NUT TO MATCH  
COL. CAP BOLTS

TYP @ BUCKET  
SEAMS

DECORATIVE  
GRAVEL

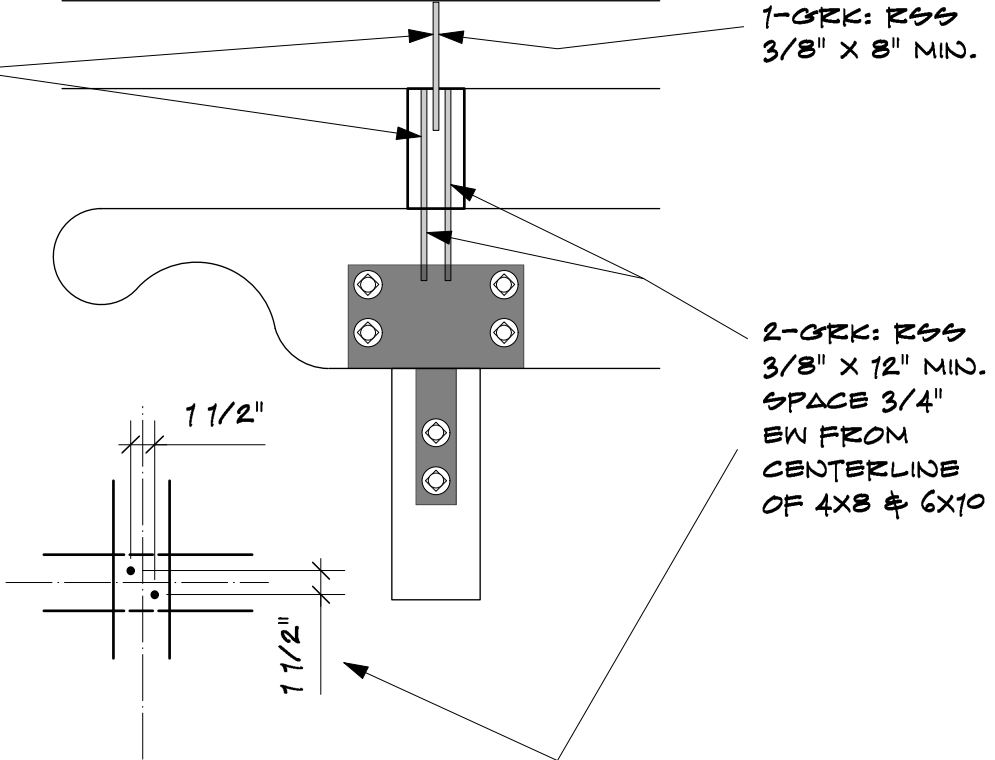
(E) SLAB

3/16

(E) GRAVEL

1/2" X 2"  
NELSON  
STUDS  
WELDED TO  
PIPE, TYP

NOTE:  
PREDRILL  
UPPER  
MEMBER  
W/7/32" DIA.  
BIT MAX. FOR  
GRK  
FASTENERS



1-GRK: RSS  
3/8" X 8" MIN.

2-GRK: RSS  
3/8" X 12" MIN.  
SPACE 3/4"  
BW FROM  
CENTERLINE  
OF 4X8 & 6X10

PLANS APPROVED by

*Charles Petrelli* December 16, 2016

SIGNATURE DATE

\*AUP Findings and Conditions Attached

**B GRK FASTENERS**  
SCALE: 1" = 1'-0"

**A WOOD COLUMN @ BASE**  
SCALE: 1" = 1'-0"



Duignan/Wilkins Trellis Extension

641 The Alameda  
Berkeley, CA 94707

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