

# PLANNING & DEVELOPMENT

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**Land Use Planning Division**2120 Milvia Street, 2<sup>nd</sup> floor, Berkeley, CA 94704

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## I.A ZONING PROJECT APPLICATION FORM

*(This box for staff use only.)***ZP201** \_\_\_\_\_ :**PLN201** \_\_\_\_\_ :**Intake Planner** \_\_\_\_\_*(Complete Code Summary on pg. 4.)*☐ Administrative Use Permit☐ AUP Modification☐ Use Permit / Variance☐ Use Permit / Variance Modification☐ Pre-Application☐ Zoning Research☐ **Expedite Request** *(for Use Permits/Variations only)*

- **Project Address:** 1900 4th Street, Berkeley 94710 Unit/Suite #: \_\_\_\_\_

Project Description: Proposed mixed-use development with 135 apartments over approximately 33,000 SF of retail, including restaurant and cafe space and a public paseo. 372 parking spaces and 236 bike parking spaces.

- **Property Owner Name:** Ruegg & Ellsworth

Owner's Mailing Address: 2437 Durant AveBerkeley, CA 94704Phone #: 510-545-4341☐ Home☐ Mobile☒ BusinessE-mail: lcolbert@bhvcp.com;  
mark@rhoadesplanninggroup.com

- **Applicant Name** (or write "same"): West Berkeley Investors, LLC

Applicant's Mailing Address: 550 Hartz Ave, Ste. 200, Danville, CA 94526 c/o Rhoades Planning Group  
1611 Telegraph Ave, Ste. 200, Oakland, CA 94612

Phone #: 510-545-4341☐ Home☐ Mobile☒ BusinessE-mail: lcolbert@bhvcp.com;  
mark@rhoadesplanninggroup.com

**For projects involving only the following four items and none of the items on pages 2-3 of this form, please refer to the handout indicated in the right-hand column instead of filling out this form.**

1. Converting existing Rental or Tenant In Common (TIC) Units to Condominiums?

Refer to the "Condominium Conversion Procedures: Guide for Applicants"

2. Demolition of, or exterior alterations to, a designated City of Berkeley Landmark, Structure of Merit, or structure in a City Historic District (or interior alterations to such buildings if publicly owned)?

Refer to the "Landmark Preservation Commission: Structural Alteration Permit and Design Review Submittal Requirements"

3. Application to designate a City Landmark, Structure of Merit or Historic District?

Refer to the "Landmark, Structure of Merit or Historic District Designation Form"

4. Exterior changes (including signs) to (1) any structure (new or existing) in a non-residential zoning district OR (2) a commercial or mixed-use building in the R-4 District?

Refer to the Design Review Submittal Packet

**Continued on Page 2**

## Submittal Requirements Checklist – Instructions

1. Complete the checklist below and **sign the bottom of page 3.** (*Owner must also sign, or provide a letter authorizing the applicant to sign on the owner's behalf.*) *Not required for Zoning Research letters.*
2. For each question for which you check "yes", provide the item from the Zoning Project Submittal Requirements indicated in the right-hand column. (*For pre-applications, complete entire checklist but provide only items I.A through I.D, I.G, and all items in Section II.*)
3. Label each item with the project address and the number in the right-hand column (e.g., III.A.2).
4. **Submit a pdf copy of the entire application, along with the paper application to the Planner at the Permit Service Center, Zoning Counter.**

Does the project include:	No	Yes	Handout / Application Requirement
1. Any work requiring an Administrative Use Permit, Use Permit, Variance, or Modification of any these permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	I. Required For All Projects <b>*PDF of entire application required</b>
2. Any new structure(s), addition(s), demolition(s), exterior alteration(s), or change(s) of use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	II. Required For All Projects Involving Construction
3. A new main building, OR a new accessory building/structure or main building addition within 2 feet of a required setback?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.A.1 – Boundary/Topographic Survey
4. More than 50 cubic yards of grading?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.A.2 – Grading Plan
5. A request to waive or reduce required parking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	III.A.3 – Parking Survey
6. (1) a building over three stories in height, (2) a Density Bonus, (3) an FAR over 2.0, OR (4) over 10,000 sq. ft. of gross floor area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.A.4 – Photo Simulations
7. A new main building or an addition exceeding 14 feet in average height in the 'H' Overlay District?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	III.A.5 – Section Drawings III.A.6 – Story Poles
8. A new main building or an addition exceeding 14 feet in average height on a site adjacent to a residential use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.A.7 – Shadow Study
9. A new main building (except accessory buildings/structures)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.A.8 – Street Strip Elevation
10. Creation of (1) 5 or more dwelling or live/work units, or (2) additional condominium units resulting in 5 or more condominium units on the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.B.1.a – Housing Affordability Statement III.B.1.b – Applicant Anti-Discriminatory Housing Policies
11. Under Government Code Section 65915: a. A request for a Density Bonus?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.B.2.a – Housing Affordability Statement
b. A request for any concessions or incentives in addition to a Density Bonus?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	III.B.2.b – Additional Incentives or Concessions Documents
12. Creation of (1) 10 or more dwelling units, (2) 5,000 sq. ft. of floor area, OR (3) 25 or more peak hour vehicle trips (based on ITE trip generation rates)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.C.4 – Traffic Impact Analysis

**Continued on Page 3**




Does the project include:	No	Yes	Handout / Application Requirement
13. Creation or replacement of 2,500 square feet or more of impervious surface area? (Includes additions and new buildings but not routine maintenance and re-surfacing).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.C.6 – Stormwater Requirements Checklist
14. Soil disturbance exceeding one acre?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.C.7 – State General Construction Permit
15. Any new dwelling unit(s), or addition or renovation of 10,000 sq. ft. or more of non-residential space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.D.1 – Green Building Checklist III.D.2 – Energy Efficiency Analysis ( <i>non-residential mixed-use only</i> )
16. 2,500 sq. ft. or more of new or renovated irrigated area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.D.3 – Berkeley Water Efficient and Bay Friendly Landscape Requirements
17. Removal of 25% or more of a main building's exterior walls and roof (including replacement of existing structural members)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	III.E.1 -- Structural and Pest Report.
18. Demolition or substantial change of a building ≥40 years old? (Speak with a planner if unsure whether project is a "substantial change".)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.C.8 – Historic Resource Evaluation
19. Federal funding, either directly or through the City of Berkeley Housing Trust Fund?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	III.F.1 – Area of Potential Effects (APE) Statement
20. A new business, or a new commercial space with tenant/operator already selected? (Does not include home occupations.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.F.2 – Zoning Use Questionnaire
<b>You must disclose whether or not any of the following are true of the project:</b>	<b>No</b>	<b>Yes</b>	<b>Handout / Application Requirement</b>
21. Elimination of any dwelling units  a. If known, are any of the dwelling units on the property controlled rental units?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	Your application will be referred to the Rent Stabilization Board. No action is required on your part. You may contact them at (510) 981-7368 if you have any questions.
22. Construction activity within the drip line of a Coast Live Oak tree with circumference over 18 in. at 4 ft. above ground (or 26 in. aggregate circumference for multi-trunked trees)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	III.C.1 – Arborist Report
23. A new building in a non-residential zoning district, on a site with a history of soil and/or groundwater contamination or within Toxic Division's Environmental Management Areas	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.C.2 – Phase I or II Assessment
24. A new building or addition in a liquefaction, landslide, or fault zone shown on the "Environmental Constraints Map"	<input type="checkbox"/>	<input checked="" type="checkbox"/>	III.C.3 – Seismic Hazard Investigation
25. Construction on a parcel that is within 40 feet of an open creek or 25 feet of a culverted creek. See BMC 17.08 for creek definitions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	III.C.5 – Conformance with Creeks Ordinance, Creeks Submittal

Under penalties of perjury, I certify that (1) the above information is true and complete to the best of my knowledge, and (2) the attached paper and electronic copies of this application are the same.

West Berkeley Investors, LLC, By: Fourth Street Berkeley Investors, LLC By: BHV CenterStreet Properties, LLC, Its Manager

**Applicant Signature:**   
By: Bradley Griggs, Its Managing Member

**Date:** 3/31/15

**Owner's Signature\*:** 

**Date:** 3/31/15

(\*Owner's signature, or signed letter authorizing applicant to apply on owner's behalf, is required for all applications.)

**LAND USE PLANNING – FOR INTERNAL USE ONLY**

Zoning District(s):

Zoning Section	Description
1. 23____.____.____	UP/AUP to
2. 23____.____.____	UP/AUP to
3. 23____.____.____	UP/AUP to
4. 23____.____.____	UP/AUP to
5. 23____.____.____	UP/AUP to
6. 23____.____.____	UP/AUP to
7. 23____.____.____	UP/AUP to
8. 23____.____.____	UP/AUP to
9. 23____.____.____	UP/AUP to
10. 23____.____.____	UP/AUP to
11. 23____.____.____	UP/AUP to
12. 23____.____.____	UP/AUP to



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2. Fees: The project fees due upon submittal will be paid in full.



**1900 Fourth**  
**Applicant Statement**  
**April 1, 2015**

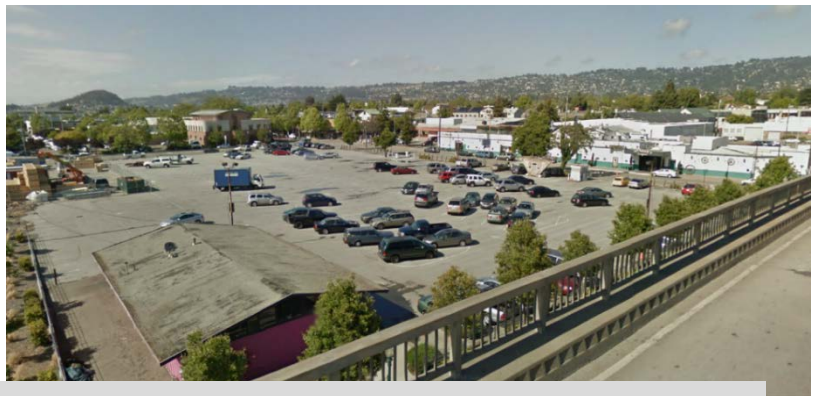
### Overview and Project Introduction

Rhoades Planning Group, on behalf of West Berkeley Investors, LLC, is pleased to present this proposal for a new mixed-use infill development project located on Berkeley's Fourth Street. We are also pleased to present to the City the full archeological report and findings completed for the site because of its proximity to the area generally believed to have been near the West Berkeley Shellmound site. No culturally significant evidence was found to be on the site after extensive boring and trench excavation.

1900 Fourth will build on the intimate character of the Fourth Street shopping district with retail and food service spaces on the ground floor, as well as open-air dining plazas and new paseo retail walkways. The upper floors will create a residential apartment community that is rich in amenities, complements recent residential developments on Fourth Street south of University Avenue, and ties the residential component into the neighborhood shopping character of Fourth Street.

The project also serves as a transition between the mixed-use projects south of University Avenue that have much higher residential densities, and the area to the north along Fourth Street that has no residential dwelling units. The project will provide parking to residential uses, as well as a high level of parking, significantly greater than that required by the City, that will be associated with the commercial spaces and available to the public.

The project furthers the goals of the West Berkeley Plan, including providing for an economic and land use mix, channeling new commercial and residential development to appropriate districts, protecting residential core neighborhoods from adverse impacts of growth, and assuring new development is of a scale and design appropriate to its surroundings. 1900 Fourth also helps to satisfy below-market rate and market-rate housing production pursuant to Berkeley's Regional Housing Needs Allocation. Access



***...investigators found no historically significant remnants of the West Berkeley Shellmound within the parking lot grounds and have concluded to near certainty that none exist within the property.***

to AC Transit, Amtrak, pedestrian connectivity and bike paths, and a focus on a high level of alternative transportation amenities, will ensure the proposed project contributes to Berkeley's Climate Action Plan goals of providing housing oriented to alternative transportation. The parking garage is specifically designed to avoid motorists circling looking for parking, which is a significant contributor to greenhouse gas emissions.

#### *West Berkeley Shellmound Landmark Overlay*

The project site is part of a group of several properties that were designated by the City of Berkeley's Landmarks Preservation Commission as a Landmark site. This status was conferred in an effort to preserve an area assumed to generally contain the historic site of the Ohlone Shellmound, defined primarily by what prior researchers and investigators estimated as the location and dimensions of the Shellmound. The above grade portions of the shellmound were completely removed by the 1950's, due to the area's rapid late 19<sup>th</sup> and early 20<sup>th</sup> century industrialization.

An archeological investigation in 1999 and 2000 surveyed the entire site with 45 investigatory borings, during which time two areas were identified as areas of interest for further study. Between January and March 2014, Archeo-Tec, Inc., of Oakland, led by Dr. Allen Pastron, carried out a systematic program of archival research, field investigation and laboratory analysis of the Spenger's Fresh Fish Grotto parking lot, located between Third and Fourth streets and Hearst and University avenues, in the City of Berkeley. The purpose was to:

- (1) discover and characterize sub-surface cultural and historically significant materials that may exist on the property,
- (2) clarify and fill-in gaps in the archaeological understanding of the site, especially as it relates to the Ohlone Indians, who settled in the area, and
- (3) provide guidance on potential future uses of the parking lot.

The research and investigation was carried out under the observation of Andy Galvan, an Ohlone Indian and cultural resource management consultant—with the methodology, findings, and conclusions reviewed by Berkeley writer and historian Richard Schwartz. This study mechanically excavated 20 test trenches placed strategically so as to extensively sample the areas indicated by the 1999 and 2000 studies to hold the highest potential to contain Shellmound remnants. The program was designed to identify and evaluate archaeological resources in accordance with the California Environmental Quality





Act (CEQA) guidelines. Its primary focus was to ascertain the presence or absence of intact and/or disturbed deposits of the West Berkeley Shellmound within the property. As is described and explained in greater detail in the Executive Summary and full archeological report attached to this application, **investigators found no historically significant remnants of the West Berkeley Shellmound within the parking lot grounds and have concluded that it is highly unlikely that such remnants exist within the property.** It is the sincere hope of the researchers and sponsors of this study that the findings and conclusions advance general understanding of the history of the site and its surroundings, and contribute to fact-based land-use decisions and policy-making going forward.

Since there is no evidence discovered that the West Berkeley Shellmound was located on this particular site, it is the opinion of Dr. Pastron, principal investigator of the archeological work, that the development of the property would not result in adverse impacts to significant prehistoric or historic period cultural resources under California Environmental Quality Act guidelines. After examining and publishing this information, the project team determined it is appropriate to move forward with design of the 1900 Fourth development project.

### Project Description

The proposed commercial and residential mixed-use development project is located in the C-W (West Berkeley Commercial) zoning district.

A key purpose of the project is to contribute to an already successful retail environment. As its prime design tenet, the project is proposed to address the existing small scale pedestrian-oriented environment of Fourth Street. The ground plane is varied horizontally and includes two separate paseo spaces to enhance pedestrian interest and match efforts approved across Fourth Street. The retail spaces have a variety of architectural forms and styles to contextually fit in with and expand the wonderfully eclectic nature of existing Fourth Street shops.



The project includes a 208,190 gross square foot building (parking areas not included per Zoning Ordinance) on a 96,265 lot for a floor to area ratio of 2.16 where 3.0 is allowed. The project's lot coverage is reduced through the proposed design to 82% where 100% is otherwise allowed. The project includes construction of two separate buildings with a total of approximately 35,190 square feet of retail and restaurant (with incidental service of beer and wine) space (approximately 14,850 of restaurant spaces, approximately 18,230 of retail space, and the remainder as common/support space). The residential area includes 173,000 gross square feet (118,370 net unit area) with 135 dwelling units that have an average size of 764 square feet, with a mix of studio, one and two bedroom units. A total of 13,480 square feet of resident open space is provided where only 5,400 square feet are required. The project provides 372 parking spaces where 222 are required (135 residential, 50 restaurant, 37 retail are required), for an additional surplus of 150 parking spaces. The project will provide 135 parking spaces

associated with the residential units. The 237 parking spaces provided for the commercial use, (150 spaces beyond what is required) will be available to the public. The project will also add parallel parking along its Fourth Street frontage, adding additional publicly available parking and slowing traffic to enhance the pedestrian environment.

Two separate architects were engaged on the project in order to ensure a diversified experience with an array of unique design expressions. The project accommodates from eight to up to sixteen individual commercial spaces, each designed to contribute to an eclectic pedestrian experience with a variety of unique designs with access onto Fourth Street. There will be an open-air paseo that wraps around the building located at the corner of Fourth Street and Hearst Avenue to extend the slow, walkable retail characteristic of the Fourth Street shops. The upper levels of the larger building and the second and third levels of the smaller building, contain a total of 135 studio, one- and two-bedroom residential units. Residents of 1900 Fourth will have access to 2,620 square feet of interior amenities, including a resident lounge and fitness center and a bicycle storage and repair area. Each of these common spaces open onto large courtyards, providing 13,480 square feet of exterior open space. These courtyards look out over Fourth Street and the open-air paseos to create an interactive relationship between the residential and commercial functions of the project, and to help continuously activate the Fourth Street pedestrian experience. Residents above the smaller corner building will access project amenities via elevated pedestrian connections over the corner paseo.

The project is entitled to a density bonus pursuant to the State of California Government Code Section 65915(b)(1)(B) because it will provide 10% of its dwelling units at 50% AMI, allowing a 32.5% density bonus from City of Berkeley standards. To qualify for the density bonus 11 below market rate units are provided for the project consistent with the City of Berkeley affordable housing requirement (10% of market rate units @ 50% AMI). The project's calculated base density could accommodate 162 dwelling units within the maximum Floor Area Ratio and building height requirements of the zone, which would allow a density bonus of up to 214 dwelling units. However, such a project would not provide an optimal amount of public open space and parking, nor would it be as compatible with the surrounding character. As a result, this application assumes a base project of 110 dwelling units as a more reasonable assumption for the project. This 110-unit base project with a 32.5% density bonus would allow 146 units. Only 135 units are proposed – far below both base zoning and density bonus allowances. Instead of requesting and building out additional dwelling units the project will instead simply utilize the state law's provisions for waivers and modifications in order to best place the physical structures in response to the urban design character of the site's surrounding context.

The project requests waivers and modifications pursuant to Government Code Section 65915(e)(1) to allow increased height at certain portions of the site. This allows the project the waivers and modifications of standards to allow the provision of additional units in the density bonus project, which, without the height increase, would be physically precluded from construction. The proposed waivers and modifications to allow increased height at certain portions of the site achieves the best project for the site, using varied massing to knit together the low scale retail oriented area to the north with the more intensive projects built, approved or under construction to the south of University Avenue.

No concessions or incentives are requested.



The rear portion of the project site running along the Amtrak railroad tracks includes a five-level parking garage. The ground, intermediate, second and third levels will provide public commercial parking. These parking spaces will be accessed from a driveway on Fourth Street near University Avenue. The fourth and fifth levels will provide a total of 135 parking spaces for use associated with the residential units, including parking for residents as well as guests. These residential parking spaces, as well as service access, will utilize a driveway on Hearst Avenue near the railroad tracks.

The project will use green building features to well exceed California and national energy codes. Strategies will include smart landscape irrigation controls, mechanically-induced fresh air circulation through residential units to enhance air quality, and high efficiency windows will improve acoustical and temperature performance.

The project will include demolition of one existing commercial structure. The existing structure is a small structure of approximately 900 square feet, and is currently used as a commercial fitness center.

### **Use Permits Requested**

1. **22.12.060** – Demolition Permit for Commercial Structures.
2. **23E.64.030.A** – Use Permit for new retail sales uses greater than 7,500 s.f.
3. **23E.64.030.A** – Administrative Use Permit for Alcoholic Beverage Service of beer and wine incidental to food service
4. **23E.64.030.A** – Use Permit for Quick or Full Service Restaurants
5. **23E.64.030.A** – Use Permit for Mixed Use Development over 20,000 s.f.
6. **23E.64.050.B.1** – Use Permit for creation of floor area greater than 5,000 s.f.
7. **23E.64.060.A** – Use Permit to allow restaurant operation from 7 am to 1 am on Fridays and Saturdays.

### **State Density Bonus Applicability**

1900 Fourth will seek a density bonus with waivers and modifications of development standards to allow the project to be built in a manner that accommodates the bonus units while respecting the character of development in the area and activating the Fourth Street pedestrian experience through provision of ground floor commercial uses. A maximum residential buildout of the site could achieve 162 dwelling units within the maximum Floor Area Ratio and building height requirements. However, such a project would be inconsistent with the City of Berkeley's goals for mixed use development of a scale compatible with the lower-scale buildings to the North, and could not provide an optimal amount of publicly available open space or parking. For those reasons, this application assumes a 110 dwelling unit project to be the "base project." Such a project, with the full complement of retail and restaurant commercial uses, is a reasonable assumption for the maximum project that could feasibly be built within the existing development limitations.

1900 Fourth proposes to provide 11 units affordable to households earning not more than 50% AMI, for a total of 10% of the base units with rents approximating \$900 per unit – subject to the Housing Department's ultimate consideration. This percentage of units is consistent with the City of Berkeley's Affordable Housing Mitigation Fee Ordinance requirement for on-site affordable housing in lieu of the fee. Provision of these affordable units entitles the project to a 32.5% density bonus per the State

Density Bonus Law, for a maximum of 146 units, under Government Code Section 65915(b)(1)(B) and (f)(2). If 1900 Fourth were to provide the same percentage of affordable units for a 162-unit project, it could achieve a density of up to 214 units. Recognizing the importance of the site to the Fourth Street experience, and seeking to knit together the low-scale retail area to the north of the project with the more intense projects to the south of University Avenue, 1900 Fourth only seeks entitlements for 135 units. To build this project in a manner that respects and complements surrounding uses and projects, and provides affordable units, 1900 Fourth seeks less than the full density bonus, along with a waiver and modification of the four story and 50 foot height limit generally applicable to mixed use projects in the C-W zone. Only those portions of the project located away from the Fourth Street shops will exceed the generally applicable height limit, and the remainder of the project, which fronts directly onto Fourth Street, is well under the maximum height. Increased height will also serve to block noise from the railroad and the highway. Without this waiver, the height and story development standards would physically preclude construction of the density bonus project. 1900 Fourth seeks no concessions or incentives to enhance the density bonus.

### **Proposed Transportation Demand Management Features**

The project proposes to include the following TDM measures:

1. Residential parking unbundled from residential units
2. One AC Transit Pass (or equivalent) provided per dwelling unit
3. Extensive and secure on site and sidewalk bicycle parking (150 secure residential spaces, 60 secure commercial spaces, and 26 public spaces)
4. A bicycle repair room for residents
5. Commitment that residents would not be eligible for on-street Residential Permit Parking

### **CEQA Determination**

This project is expected to undergo a streamlined or focused Environmental Impact Report. The project team anticipates a streamlined EIR focusing on the following topics:

- Cultural Resources – The project site is part of a group of several properties that were designated by the City of Berkeley's Landmarks Preservation Commission as a Landmark site. This status was conferred in an effort to preserve an area believed to have been near the Ohlone Shellmound, defined primarily by what prior researchers and investigators estimated as the location and dimensions of the Shellmound. The above grade portions of the shellmound were removed during Berkeley's early era of industrialization and development in the late 1800's and early 1900's.

An archeological investigation in 1999 and 2000 surveyed the entire site with a number of borings, during which time two areas of interest for further exploration were identified. Further



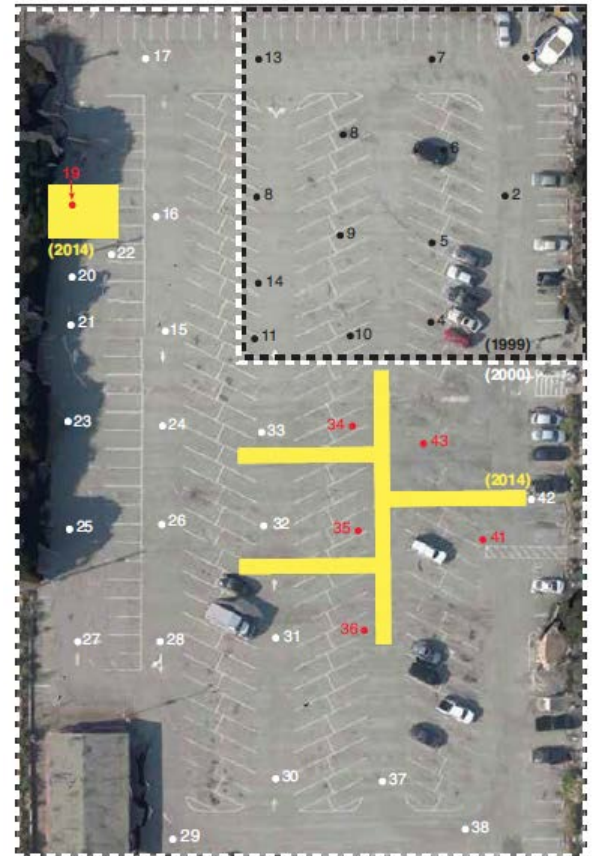
study in early 2014 was conducted by Dr. Allen Pastron of Archeo-Tec under the cultural oversight of Mr. Andy Galvan, an Ohlone Indian and cultural resource management expert. This study mechanically excavated twenty test trenches placed strategically so as to extensively sample the areas indicated by the 1999 and 2000 studies to hold the highest potential to contain Shellmound remnants. Investigators found no intact shellmound, and no cultural artifacts or materials of prehistoric origin were discovered. No evidence whatsoever was found that the West Berkeley Shellmound was ever located on the site. It is the opinion of Dr. Allen G. Pastron, principal investigator of the archeological work that the development of the property would not result in adverse impacts to significant prehistoric or historic period cultural resources under California Environmental Quality Act guidelines. Nonetheless, the project team understands this status will need to be fully investigated in an Environmental Impact Report.

- Traffic – The project is anticipated to be subject to the mitigations in the West Berkeley transportation study, and with those mitigations significant unavoidable impacts are not expected.
- Air Quality – Due to the project's location proximate to the Interstate 80 and the Union Pacific Railroad line, as well as the industrial uses in West Berkeley, it is likely that air quality impacts will be considered. The proposed project is designed to be environmentally sustainable and exceed energy and performance code standards, and will comply with any mitigation measures determined as part of the project's CEQA analysis.
- Short-term Construction Impacts related to traffic, dust and noise.

### **Zoning and Architectural/Building Amenity Program**

The project at 1900 Fourth meets the zoning requirements of the C-W West Berkeley Commercial District as described below. The project site is also located in a Designated Node according to the West Berkeley Plan.

The C-W zoning district supports commercial, residential, and mixed commercial and residential uses. The purposes of the Designated Node areas include the intensification of retail, commercial, and mixed-use activities; reflecting and reinforcing concentrations of pedestrian-oriented uses; and encouraging intensified development around transit transfer points.



*Zoning Development Standards and Proposed Project*

Standard (BMC Section 23E.64.)		Existing	Proposed Total	Permitted/Required
Lot Area (sq. ft.) – Total		96,266	96,266	NA
Commercial Floor Area (gr. sq. ft.)		@900	33,080	NA
Residential Floor Area (gr. sq. ft.)		0	118,370	NA
Residential Amenity (gr. sq. ft.)		0	6,720	NA
Other Common Area: Circ., Leasing, Mail (gr. sq. ft.)		0	49,420	NA
Gross Floor Area (sq. ft.) – Total (per Zoning Ord. does not include 148,200 garage)		@900	207,590	NA
Floor Area Ratio		.009	2.16	3 Max
Dwelling Units	Affordable	0	11	10% base project
	Density Bonus Base Project	0	110	162
	Allowable Maximum Density Bonus Project Units	0	146	214
	Total Proposed Units	0	135	NA
Building Height	Maximum (ft.)	<25'	71' in some portions	25' Min 50' Max
	Stories	1	Varies 1-5	4 (Base Project)
Usable Open Space – Private Balconies (sq. ft.)		0	2,611	
Usable Open Space – Common Fitness Courtyard (sq. ft.)		0	3,530	
Usable Open Space – Common Lounge Courtyard (sq. ft.)		0	3,140	
Usable Open Space – Total (sq. ft.)		N/A	9,281	40/unit = 5,400
Public Open Space – Paseo and Outdoor Dining (sq. ft.)		N/A	6,810	N/A
Parking	Residential	0	135 spaces	1/unit = 135 spaces
	Restaurant	0	100 spaces	1/300 gsf MIN = 50 spaces
	Commercial	200	137 spaces	2/1,000 gsf = 37 spaces
	Total		372 spaces	222 spaces
	Bicycle	0	150 residential 60 secure commercial 26 public	1/2000 non-res gsf = 18

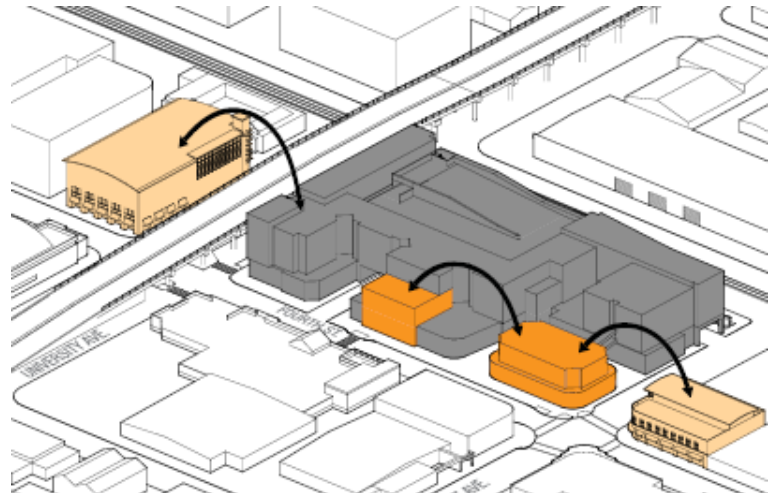
### *Architectural and Urban Design*

The architectural program for the 1900 Fourth project responds to a range of programmatic and design needs that vary across different pieces of the project site, and graduates in scale to speak to both the lower scale north on Fourth Street as well as the context south on Fourth Street.

A guiding principle for the project is the extension of a successful, high-quality, and pedestrian-oriented shopping experience south along Fourth Street, following the look and feel of Fourth Street north of the project site across Hearst Avenue. The project will include a mix of retail, restaurants and services that are complementary to Fourth Street. The retail design is of high quality and will include a variety of storefront and streetscape treatments. The project will likely include 10-15 tenants, with spaces ranging in size from approximately 800-8,000 square feet, with the average around 1,500-3,000. The project will likely include a mix of local businesses and some chains, representative of the existing Fourth Street mix.

The project also provides a substantial transition away from the much higher residential intensity built (4th and U, The Avalon Berkeley), approved (Grocery Outlet, 5<sup>th</sup> and University) and/or under construction (The Aquatic) south of University Avenue in the immediate vicinity. Those projects range in residential density from 89 to 117 dwelling units per acre. The proposed project only proposes a density of 61 units per acre.

The Fourth and Hearst corner of the project is proposed as an individual standalone building in a shape and scale that directly reflects the similarly scaled building at the northwest corner of Fourth and Hearst, with curvilinear commercial spaces wrapping the corner to create a strong visual draw. Residential





units at the second level are pulled back from the ground floor to reduce the perceived scale. This smaller building proposed as part of 1900 Fourth was designed by a specialty retail architect, separate from the primary architect, to create a unique character between the two buildings in the project.

The corner building is wrapped by an open-air pedestrian paseo accessible from both Hearst Avenue and Fourth Street. As a result, the corner building contains commercial spaces around its entire base, opening onto Fourth Street, Hearst Avenue, and both sides of the open paseo. This paseo will speak to a similar proposal across the street as part of the Fourth and Spenger's project, and will provide opportunities for smaller retail spaces as well as thoughtful landscaping and outdoor dining.

The larger building proposed as part of the project steps down across the paseo from the smaller corner building to a complementary scale and shape. Retail space will continue down Fourth Street and wrapping the corner at University Avenue, with the retail footprint stepping back significantly at points, with a mixture of curved and squared off corners, to create an organic feel with highly differentiated building volumes. A second open paseo walkway separates the Fourth and University corner of the building from the longer stretch of commercial spaces at the middle of the Fourth Street block. This feature adds an additional break to the massing of the primary building, and allows individual architectural expressions with diverse character.

Pedestrian furniture, such as benches, planters, and lighting, of rich materials and quality will enhance the sidewalk experience.

The Fourth Street frontage presents primarily a single story mass, with residential portions of the building above set back significantly from the building edge.

Residential units line the center and southwest portions of the site. The highest level of residential intensity is located in the rectangular component of the building adjacent to University Avenue. This portion of the building will be similar in scale to the existing mixed use buildings at the southwest corner of Fourth and University and at the northwest corner of Third and Addison, as well as the building proposed at 2001 Fourth Street, and the





building currently under construction at 800 University. The five-level parking garage lines the portions of the site closest to the Union Pacific Railroad tracks, protecting the Fourth Street environment from train noise. The northern area of the rectangular portion along the railroad tracks will include residential units set back considerably from the train tracks and buffered by a green roof.



The residential leasing office will be accessible from the open air paseo, and another resident lobby will be provided off of University Avenue to allow easy access to the transit opportunities at the AC Transit Bus Stop and Amtrak Station. Resident amenities include a lounge area with large lounge courtyard and a fitness center that opens onto an additional large courtyard. These two podium-level courtyards provide a variety of valuable open spaces and contribute to an integrated relationship with the commercial portions of the project. The lounge courtyard looks over the south portion of the open paseo and onto the Fourth Street sidewalk, and contains a fire pit, barbeque area, and landscaping. The fitness center courtyard looks onto the west portion of the paseo, and through the paseo opening out to Fourth Street. This area includes an additional fire pit as well as a spa for resident use. A large bicycle storage and repair room is provided on the ground floor.

Residential units are a mix of studio (17.8%), one- (53.3%), and two-bedroom units (28.9%). Most residential units will have views to Fourth Street, the Berkeley Hills, or West to the Berkeley Marina and San Francisco Bay, and many units include private patios.

### Policy Analysis

The site at 1900 Fourth is currently used as a large parking lot, as well as a small structure on the southwest corner of the site that is used as a small private exercise gym.

#### *General Plan Conformance*

The site is designated by the City of Berkeley's General Plan as an Avenue Commercial land use within a West Berkeley Plan Development Node. The proposed project fulfills the following policies of the General Plan related to Infill Development, Avenue Commercial Areas, and implementation of the West Berkeley Plan:

- *Policy LU-3 Infill Development: Encourage infill development that is architecturally and environmentally sensitive, embodies principles of sustainable planning and construction, and is compatible with neighboring land uses and architectural design and scale. (Also see Urban Design and Preservation Policies UD-16 through UD-24.)*

The project proposed at 1900 Fourth will be an infill development that provides housing opportunities and quality commercial space on a currently underutilized lot in the heart of a vibrant residential and shopping district. Architecturally, the project responds well to neighboring land uses and architectural design and scale of the neighborhood, as its massing

and height is much more modest and focused on boutique retail spaces, especially closer to the small-scale shopping district north of the site. The massing and residential intensity at the southern portion of the project responds to the multi-family mixed-use buildings existing and proposed on Third and Fourth Streets just south of University to create a vital residential neighborhood that supports the commercial spaces and aesthetically bridges the character of Fourth Street north of University to the character of Fourth Street south of University. Additionally, the project is environmentally sensitive and utilizes sustainable planning and construction, as it concentrates residential opportunities in an area supported by commercial goods and services and with strong transit access.

- *Policy LU-27 Avenue Commercial Areas: Maintain and improve Avenue Commercial areas, such as University, San Pablo, Telegraph, and South Shattuck, as pedestrian-friendly, visually attractive areas of pedestrian scale and ensure that Avenue areas fully serve neighborhood needs as well as a broader spectrum of needs. (See Land Use Diagram for locations of Avenue Commercial areas. Also see Economic Development and Employment Policy ED-4 and Urban Design and Preservation Policy UD-28.)*

The 1900 Fourth project will improve University Avenue as a key corridor in Berkeley by redeveloping an auto-oriented unimproved parcel into two aesthetically striking buildings with pedestrian-oriented retail, food-service, and commercial spaces that will serve neighbors as well as a broader spectrum of patrons visiting Fourth Street from elsewhere in Berkeley and the Bay Area. This parcel functions as a gateway to Berkeley for those entering from the Interstate 80 or by train, therefore it is especially important that this Avenue Commercial corridor reflects Berkeley's interest and vibrancy. 1900 Fourth will also draw residents and commercial patrons to the commercial area south of Fourth Street on University Avenue by creating a walkable, safe, and lively connection beyond the overpass, where currently the combined condition of the large surface parking lot adjacent to the overpass creates a desolate or daunting connection between portions of Fourth Street north and south of University Avenue.

#### *West Berkeley Plan Conformance*

The General Plan also calls for implementation of the West Berkeley Plan. Redevelopment of the lot to provide enhanced commercial space and new housing opportunities satisfies the use envisioned for the site by the West Berkeley Plan, which designates the site as a General Commercial area in a development node (see West Berkeley Plan, Land Use section, Specific Districts in the Concept, Commercial District). Residential and mixed-residential uses are allowed within the General Commercial areas with a Use Permit with Public Hearing, specifically with residential above the ground floor in development nodes (see West Berkeley Plan, Land Use section, District Permitted and Prohibited Uses, Commercial District). The project will fulfill many of the Policies, Goals, and guiding principles set forth in the West Berkeley Plan, including the following:

- *Land Use Policy 1.C: Providing space for, and designating appropriate locations for-- in planning and zoning policies--both neighborhood and regional serving retail businesses.*

The proposed project will provide appropriate spaces for a variety of commercial retail and restaurant businesses, consistent with the character of the surrounding Fourth Street shopping district. Commercial spaces will range in size in order to support a variety of business types. Each commercial space will have its own unique street presence, enhancing Fourth Street's character of a range of small and independent shops. Some smaller commercial spaces will open onto the open-air paseo, providing opportunities for smaller artisan retailers. Design features such as architectural detailing, streetscape improvements, and the paseo will enhance pedestrian orientation and draw visitors from nearby within the West Berkeley neighborhood, while also supporting substantial space for vehicle parking, making the area accessible for visitors from Berkeley as a whole, as well as visitors from throughout the Bay Area.

- *Land Use Policy 2.E: Create a Commercial district which will foster the continued vitality of West Berkeley's neighborhood and regional serving retail trade, in as pedestrian-friendly a manner as possible.*

The project design includes retail storefronts oriented to generous landscaped sidewalks that will attract pedestrian use, as well as a large open-air paseo that will significantly enhance the retail street's vitality, and therefore its attractiveness to pedestrians. A substantial amount of parking will be provided to ensure the project's commercial component is accessible by patrons visiting from elsewhere in Berkeley and the Bay Area. However, the design of the parking, which is all interior to the project, maintains a strong atmosphere of a walkable retail street.

- *Land Use Goal 4: Assure that new development in any sector is of a scale and design that is appropriate to its surroundings, while respecting the genuine economic and physical needs of the development.*

The design of 1900 Fourth uses a variety of scales at different portions of the site to respond to the wide range of neighboring uses on each side of the site. The architectural articulation and detailing, and the significant step-backs of upper residential portions of the building from Fourth Street, express unique design and articulation to pedestrians on Fourth Street. The separation between the primary larger building and the smaller corner building respond to the stretch of Fourth Street shops to the north, and the shops planned across Fourth Street from the site in a redevelopment of the Spenger's Restaurant parcel. The primary building is modulated into discrete segments that are consistent with the smaller scale of surrounding structures. The height and massing for the residential portions of the project will be concentrated at the west and south sides of the project to respond to the mixed-use buildings on Third and Fourth Street south of University Avenue, and to block noise from the railroad and highway to the west. This scale and design is a concept deliberately aimed to respect and support the project's surroundings.

- *Land Use Guiding Principle 9: Retail uses should be clustered, to strengthen existing retail areas, to make them for walkable, and to prevent retail sprawl.*

The proposed project enhances the existing retail cluster on Fourth Street, and strengthens the walkability of the area by eliminating a full-block gap in the continuity of the pedestrian

experience, as the site is currently a surface parking lot. As such, the project will also strengthen retail spaces on Fourth Street south of University: currently it is unattractive for pedestrians to continue from Fourth Street north of Hearst all the way to University, as there is a distinct feeling that the retail experience ends at the site's existing parking lot. The retail space wrapping around the building corner at University Avenue creates a dialogue with the retail at the 4<sup>th</sup> & U building, further enlivening this pedestrian connection. By continuing the walkable retail experience throughout the 1900 Fourth block, pedestrians will be encouraged to continue past University Avenue to patronize the art gallery, retail and food and beverage businesses south of University Avenue.

- *Economic Development Goal 2: Support the growth of regionally oriented retail trade in West Berkeley in locations which are consistent with other goals and standards, particularly the traffic goals of the Transportation Element.*

By strengthening the already thriving Fourth Street retail area, the project supports the growth of a retail trade area that draws patrons from all over the region to West Berkeley. The project will provide ample parking for those traveling regionally to the site. Further, all parking will be interior to the project, preserving the walkable village character of the Fourth Street shopping district. The project simultaneously provides regionally oriented retail in a location accessible by regional transportation, including the Amtrak train station, and the AC Transit 51B bus line, which connects easily to the Downtown Berkeley BART station.

- *Physical Form Goal 1: Preserve and enhance the vital commercial corridors, particularly San Pablo and University Ave., with intensification of commercial and mixed-use development at key intersections or "nodes". (See West Berkeley Plan, Physical Form, 1. Commercial Nodes, b. Fourth and University/Hearst for description of the node)*

The project is designed to fulfill this goal of preserving and enhancing the terminus of one of Berkeley's most important corridors, University Avenue, including where it ends at the block between Fourth Street and the Amtrak Station. The project site is identified as a key development node in West Berkeley, and fulfills the goals for development nodes with walkable commercial space and high-quality residential space on upper levels, rich with amenities and architecturally well-integrated into the commercial fabric of the ground plane.

- *Physical Form Policy 1.4: Require retail as the ground level use in nodes, with residential or office uses above the ground floor.*

The project site is considered a commercial node in the West Berkeley Plan's Physical Form element. The project fulfills the requirements of this policy, as retail and food service will be the ground level uses, with residential use above the ground floor.

- *Physical Form Policy 1.10: Encourage infill buildings on vacant and low intensity use sites along these corridors. Residential and/or office uses should be encouraged, where appropriate.*

As described in response to the General Plan policy encouraging infill development, the project site is currently significantly underutilized as an essentially full-block parking lot in a key



commercial node. The proposed project will be an infill building which includes an appropriate level of residential development, designed specifically to respond to the varying characters of diverse neighbors on all sides of the site.

- *Physical Form Goal 3: Visually improve the University Ave. gateway and the other entry corridors into West Berkeley, so as to provide a positive image as one enters Berkeley. In addition to the University Ave. gateway, the entry corridors into West Berkeley are Ashby Ave. and Gilman St., and the northern and southern ends of San Pablo Ave.*

The project site is considered to be part of an Entry Corridor in the West Berkeley Plan's Physical Form element. The project will significantly visually improve the University Avenue gateway into Berkeley by replacing a large surface parking lot with an aesthetically striking building that reflects the unique character of Berkeley, and specifically West Berkeley and the Fourth Street neighborhood.

- *Transportation Goal 4: Create and maintain adequate parking to support West Berkeley land use without creating increased incentives for single occupant automobile use.*

1900 Fourth includes 237 commercial parking spaces and 135 residential parking spaces, an adequate supply to support West Berkeley land use, while still including an array of strategies to encourage use of alternative transportation methods by residents. Parking spaces will be leased separately from residential units, a built-in incentive for non-car owners to reside at 1900 Fourth. Each residential unit will be provided with one free AC Transit Pass, encouraging residents to use the numerous regular bus lines proximate to the site. 150 bike parking spaces will be provided for residents in secure bike rooms, and a bicycle repair room will be provided for residents. Especially because the site is within two to five blocks of two Berkeley Bicycle Boulevards, and due to the location of the North Berkeley BART station 1.2 miles from the site (or about a seven minute bike ride), it is anticipated that living in this location will be attractive to those who travel by bicycle. Additionally, 60 secure bicycle parking spaces will be provided associated with the commercial spaces for use by employees. The highly walkable environment and access to transit, specifically the AC Transit 51B line, will encourage visitors from the neighborhood and nearby neighborhoods to visit the project as pedestrians. Additionally, the 26 public bicycle parking spaces provided will encourage bicyclists from the neighborhood and elsewhere in Berkeley to patronize this shopping district, which currently lacks adequate bicycle parking.

- *Transportation Goal 6: Improve pedestrian and bicycle access in and around West Berkeley.*

As described above, the project design will significantly enhance the pedestrian experience on this block, and numerous bicycle amenities will improve bicycle access in West Berkeley. Currently, the site creates a negative pedestrian experience, an unfortunate gap in the continuity of walkable commercial space present on Fourth Street north of Hearst and south of University. By adding well-articulated unique retail spaces with a paseo walkway, sidewalk improvements, and significant visual interest, this block will enhance the surrounding area for pedestrians tremendously.

The project would also meet Transportation Goal 6's Policy 6.2, which requires appropriate levels of bicycle parking in new developments. The project will provide 150 bike spaces for residents in a secure bike parking room with a bicycle repair station. 60 secure bicycle parking spaces associated with the commercial use (such as for employees) will be provided, as will 26 publicly accessible bicycle parking spaces. These features will improve pedestrian and bicycle access in and around West Berkeley.

- *Housing and Social Services Goal 1: Take all reasonable steps in housing policy to maintain and foster the social and economic diversity of West Berkeley's residents.*

The proposed project provides 11 apartment units that will be deed-restricted to remain affordable for those making 50% of the Area Median Income or less, helping to ensure West Berkeley's social and economic diversity. Additionally, the project provides units ranging from small studios to two-bedrooms appropriate for a diversity of household sizes.

- *Housing and Social Services Goal 4: Encourage appropriately scaled and located housing development.*

The site at 1900 Fourth is an appropriate and important location for housing development. The site is proximate to a number of neighborhood-serving retail, commercial, and food-service uses. Residents at this site will also have convenient access to transportation: the Amtrak station and AC Transit 51B bus line are both adjacent to the project, and the North Berkeley BART station is 1.2 miles from the site (or about a seven minute bike ride). Additionally, housing at this site is appropriate, especially as designed in the 1900 Fourth project, to bridge the higher density residential buildings on Fourth Street south of University with the lower scale commercial district on Fourth Street north of Hearst. The project uses a variety of scales at different portions of the site to respond to the wide variety of neighboring uses on each side of the site. This project concept was designed intentionally to create an appropriate housing development, responsive in scale and program to all of its neighbors.

#### *University Avenue Strategic Plan Design Guidelines Conformance*

This project is subject to the University Avenue Strategic Plan Design Guidelines, adopted by the City in 1997, which encourage walkable districts and attractive streets. The 1900 Fourth site is designated by the UASP Design Guidelines as a Region-Serving Avenue Node. The Avenue Nodes are identified as "target areas for higher-intensity mixed-use buildings," (page 90, UASP).

General Design Guidelines include:

- *Integration (Siting, Physical Characteristics, Solar Orientation, and Privacy)*

The project was designed deliberately to integrate the wide variety of neighboring uses and architectural styles. The project site itself allows the project design to create a bridge between lower scale commercial uses to the north and east, higher-intensity multi-family buildings to the south, and the railroad tracks and light industrial uses to the west.

Physical characteristics of the project design respect the scale and general character of both the commercial area to the north and the mixed-use buildings to the south. The project's northeastern portion and Fourth Street frontage reflects the scale and style of existing commercial buildings on Fourth Street north of Hearst. The project scale steps up as it approaches the University Avenue overpass to the south and the railroad tracks to the west, both to reflect the scale of mixed-use buildings just south of University, and to protect the Fourth Street commercial area from noise related to the overpass, the railroad, and the highway. The enclosed garage will act as a further noise barrier to enhance the Fourth Street experience.

Because the project does not have any adjacent neighbors on the site, it will not create shadow for adjacent uses. The articulation of the building, and its varied massing, will bring light into the residential courtyards, the paseo, and the Fourth Street frontage, and will maintain sunlight across the street at the Spenger's restaurant and proposed retail uses and pedestrian plaza.

The project does not have any rear residential neighbors and thus will not create privacy impacts.

- *Reuse of Historic and Existing Buildings*

Not applicable – no historic buildings on the site. A small existing building will be demolished. This building is not of particular architectural character or historic interest, and cannot be retrofitted to be included in the new project.

- *Design for Safety*

The project will redevelop an under-utilized site, which the UASP Design Guidelines identify as a condition typically resulting in a higher level of safety concern. The project will add 'eyes on the street' – both with new retail spaces that front onto Fourth Street and a leasing office looking onto University Avenue, as well as with new residents to help activate the area at all times of the day. The pedestrian paseo area, and all streets, will be fronted with doors and windows to improve visibility. All entry spaces and outdoor open spaces will be well-lit.

- *Building Configuration and Orientation*

The design of the proposed project is intended to enhance the street and pedestrian experience. The building primarily faces Fourth Street, with commercial windows and entryways opening all along the street, including into a plaza intended for pedestrian use and outdoor dining. Commercial windows will also open onto the eastern half of Hearst Avenue, and windows and access to a residential lobby will open onto University Avenue. Pursuant to this guideline, living units on upper stories are arrayed around central open areas and to the street. Parking is, also pursuant to this guideline, integrated into the building at the rear of the site.

- *Massing – In general, buildings that meet the higher end of the density/intensity ranges are encouraged in order to create a more urban environment and provide as many residential units as possible within proximity to University Avenue and transit. However, projects that abut a lower-intensity residential neighborhood should minimize their impact... Large-scale*

*projects...often diminish the liveliness of the street by their sameness of detail and monotonous massing and this is undesirable. Instead, these projects could appear as a series of small buildings. Variations in floor level, roof shapes and materials, architectural details, and finishes help create the appearance of several smaller projects. To further reduce these projects' massive appearance, elements of human scale should be incorporated into the building's design. Diverse and articulated massing is encouraged. Entries, bays, and other details should orient to streets and pedestrian-ways, creating an interesting and active public realm... Street elevations should be broken with reveals, recesses, detailing, and other architectural features to provide visual interest.*

The project will create a gateway that is a statement to those entering the City. The project spans a diversity of elements and contexts, each of its own articulation and massing, with varied floor levels and roof shapes, with a range of materials, and with diverse architectural details. Human-scale details are also incorporated, and the retail spaces along Fourth Street and the pedestrian paseo include varied setbacks and detailed streetscape components. As such, the project will bridge the smaller scale to the north with the greater scale to the south, and will continue the eclectic differentiation characteristic of Fourth Street. The project contains two buildings with distinctly different characters. Additionally, the larger building uses variations in style, form, and materials to appear as a series of smaller buildings. As a result, the project will enhance the liveliness of the street, from the perspective of a pedestrian, as well as from the perspective of those entering the City from the University Avenue overpass.

- *Facades (Entries, Windows)*

All primary entries are oriented to and visible from streets. Secondary residential entries are accessible from the interior areas off of the paseo. Numerous windows and balconies, as well as portions of the podium-level courtyards, overlook the surrounding streets and create a strong connection between the indoors and outdoors, while very large setbacks on the upper floors allow some indoor/outdoor interaction while still feeling fairly removed from the pedestrian retail experience. Windows contribute to changes in massing and patterns in different portions of the building, and are of a quality that create depth and shadow, and add to the richness of each of the different architectural styles.

- *Roofs*

Differentiated roof heights and forms will help to define variations in volume and architectural style among various building components.

- *Parking and Garages*

Pursuant to the design guidelines, the parking garage will not dominate the street frontage, and will be significantly separated from pedestrian movement by being placed at the rear portion of the building, interior to the building. Driveways will be designed to minimize pedestrian crossing distances and maintain pedestrian safety. As recommended in the design guidelines for buildings built in Avenue Mixed-Use and Avenue Node designations, the parking will be in a garage arranged so that there are no street-facing garage entrances that dominate the



experience on Fourth Street. The enclosed garage provides architectural interest and detail when viewed from the highway/railroad side, and provides further acoustical protection for Fourth Street. Driveways are designed to provide adequate length to accommodate queuing and avoid conflict between cars and the adjacent railroad crossing at Hearst Avenue.

- *Open Space*

The proposed project includes a significant amount of outdoor open space in a variety of locations and configurations. A pedestrian paseo for sitting, dining, and gathering is open to the Fourth Street and Hearst Avenue sidewalks, and open to the sky above. These areas will be landscaped and contribute to a pleasing pedestrian and shopping experience. Two large podium-level resident courtyards will provide both passive and active outdoor open space for residents, with landscaping and seating, as well as amenities such as outdoor cooking areas and fire pit and a spa. Some units will also include private balconies and patio areas.

- *Materials*

An array of rich building materials will create a high quality durable project. Primary materials include horizontal cementitious siding, exterior plaster, metal panels, sliding metal doors, specialty bifold doors, vertical metal siding, wood, painted aluminum, roll up and industrial entry doors, fabric, weathered steel, and painted metal awnings, and wood trellises. No glass curtain walls or reflective glass will be included.

- *Lighting*

Courtyards, pedestrian pathways, and the paseo will be illuminated with fixtures of an appropriate scale, and designed to enhance the evening experience for pedestrians while minimizing glare beyond the project area.

- *Signage*

Signage for commercial spaces will be designed according to a coordinated plan that will be subject to review by the Design Review Committee. Signage is being considered of a style that will complement existing commercial space on Fourth Street, and will maintain transparency of the windows.

- *Site Amenities*

Street furniture and other amenities to the site will include bike racks, trash cans, planters, benches, tree guards, and lighting. All will be made from quality materials that are attractive and durable, and complement the existing look and feel of the Fourth Street streetscape.

- *Avenue Node Guidelines*

- Community Character – Key location for new mixed-use projects
- Building Configuration – Building configured so retail space fronts on Fourth Street
- Massing – No residential neighbors, but project steps height away from Fourth Street retail area
- Façade – Ground floor lined with retail to activate streetscape.

- Parking and Garages – Parking will be in a garage integrated into the building and screened from the street.
- Special Conditions, Spenger’s Parking Lot – The building will include components at varying scales to create an aesthetic of a series of smaller buildings. While this guideline states that buildings should not be more than 40 feet tall, more recent policies and zoning have indicated that this site is appropriate for a higher level of mixed-use development. The zoning for this site, as a Designated Node within the C-W district, includes purposes to intensify mixed use activity around major intersections and encourage intensified development around transit transfer points. This zoning permits four stories of mixed use development, with the requirement that the fourth level is used for residential or live/work. This project intends to fulfill policy goals related to provision of housing at this node, while still maintaining a smaller scale aesthetic at the Fourth Street frontage. Massing is pulled away from the Fourth and Hearst corner, so that the northern portion of the site reflects Fourth Street north of Hearst, while the southern half of the site bridges to the mixed use building on Fourth Street south of University. Most of the building at the street level will be less than 40’ tall. Ground floor retail will be provided on Fourth Street, and will be visible from Hearst Street.

### Project Setting

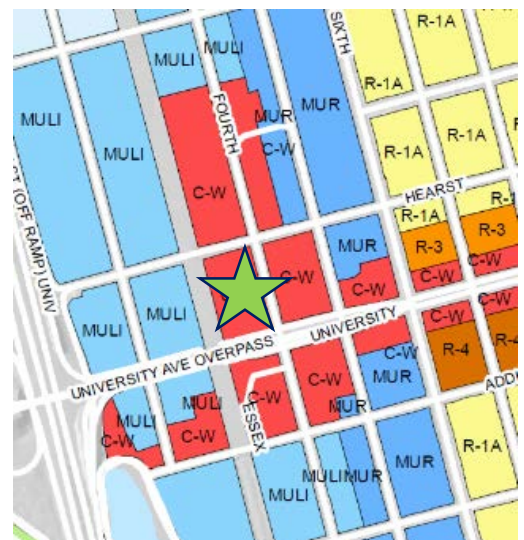
The project site is located on the west side of Fourth Street, encompassing the entire block surrounded by Hearst Avenue to the north, Fourth Street to the east, University Avenue to the south, and Third Street/Union Pacific Railroad

Parcel	Lot Size	Zoning	Ex. Use
1900 Fourth Street	49,691.02 s.f.	C-W	Commercial Parking
791 University Ave.	46,574.66 s.f.	C-W	Commercial/ Commercial Parking

Tracks to the west. The site is comprised of two parcels that divide the block: Parcel 1 at 1900 Fourth Street, Assessor’s Parcel Number 057-2101-001, and Parcel 2 at 791 University Avenue, Assessor’s Parcel Number 057-2101-005. Together, the two parcels have a total area of 96,265.68 square feet, or approximately 2.21 acres.

The site currently supports one small commercial building, 701 University Avenue, at the southwest corner of the site. That building has a size of @900 square feet, and is currently used as a private commercial gym facility.

The site is located in the Fourth Street Node of the West Berkeley Commercial (C-W) zoning district. The Berkeley General Plan Land Use Designation is Avenue Commercial with a Development Node overlay. The underlying zoning and general plan land use designations were established in 1998 with the implementation of the West Berkeley Plan.



Fourth Street in the vicinity of the project site supports a pedestrian-oriented shopping district, which includes a variety of retail and restaurant facilities, as well as offices and other commercial uses, both to the north of the site and directly east of the site

Surrounding Uses and Zoning		
Direction	Use	Zoning
North	Commercial Retail/Office	C-W
East	Commercial Food Service	C-W
South	Mixed-Use Commercial/Residential	C-W
West	Light Industrial	MULI

across Fourth Street. South of the project site across University Avenue is a mixed-use building with residential units above ground-floor retail. Directly west of the project site is the Truitt and White building materials company's main yard, separated from the project site by the Union Pacific Railroad tracks. The Berkeley Amtrak station is located directly south of the project site, at the westernmost end of University Avenue. Adjacent parcels are all zoned C-W, West Berkeley Commercial, within the Designated Node, aside from the Truitt and White site to the west of the project, which is zoned MULI Mixed-Use Light Industrial.

### **Green building requirements (III.A – Zoning Project Submittal Requirements)**

The proposed project is designed to be environmentally sustainable and will be GreenPoint Rated or equivalent. Many components of the project will contribute to its environmental sustainability, including the density and transit orientation, mixed-use character, interior and exterior finishes and materials, and amenities such as bicycle parking. The project will exceed California's energy code by 10%. This means that the building should exceed national energy performance levels by approximately 35% to 40%. Smart landscape irrigation controls will be installed that communicate with weather centers, shutting off the system when the site experiences rain fall.

Indoor air quality will be enhanced by the introduction of mechanically induced fresh air into living spaces. Fresh air will circulate through units continuously and bath fans will automatically turn on if moisture is detected resulting in a healthier living environment. Heating and cooling duct work will be well sealed with a 6% leakage rate or less, which means less air is leaked into attic areas and more air is delivered to the living space. This helps reduce heating and cooling costs and increases the life span of the equipment. High efficiency windows will minimize heat gain into units and help keep conditioned air from leaking through the building envelope.

As a smart-growth infill development, the project significantly reduces environmental impacts by attracting residents to a neighborhood rich in walkable amenities, services, and public transit options, which minimizes their need to travel by automobile.

### **Required Use Permit Findings**

**Findings to Authorize Approval of Use Permits – Section 23B.32.040.** This section authorizes the approval of Use Permits upon finding that the establishment, maintenance or operation of the use, or construction of a building, will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the area or neighborhood 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. Approval of a Use Permit also requires making the findings required by District regulation.

*Response:* The proposed project will neither be a detriment to the neighborhood nor to the City of Berkeley in general. The proposed project represents a significant improvement on a severely underutilized lot by providing mixed use development, with highly amenitized residential units and pedestrian-oriented commercial space. The project, therefore, aligns with Berkeley's General Plan, West Berkeley Plan, University Avenue Strategic Plan and Climate Action Plan goals which seek to increase housing opportunities, particularly in locations such as this located along major transportation corridors and proximate to commercial amenities. The new retail spaces and restaurant use will expand the success of the Fourth Street shopping district, and bridge this area with the emerging portion of Fourth Street south of University.

Additional required findings are presented below.

**Section 23E.64.090.A** requires that the following findings are required prior to approval of a Use Permit:

- **Compatibility Findings to Authorize Use Permits in the C-W District – Section 23E.64.090.B.** A proposed use or structure must:
  1. Be consistent with the purposes of the District;
  2. Be compatible with the surrounding uses and buildings;
  3. Be consistent with the adopted West Berkeley Plan;
  4. Be supportive of an increase in the continuity of retail and service facilities at the ground level to the degree feasible and does not substantially degrade the existing urban fabric of the street and area;
  5. Be, for projects which include construction of new floor area, providing an intensity of development which does not underutilize the property;
  6. Be capable of meeting any applicable performance standards for off-site impacts;
  7. Not exceed the amount and intensity of use that can be served by available traffic capacity and potential parking supply.

*Response:* The proposed project is compatible with the purposes of the District, which support mixed-use residential and commercial development, and is compatible with the surrounding uses and buildings, which include commercial uses and multi-family housing. The proposed project will maintain the continuity of retail and service facilities at the ground level.

Additionally, because of the transit-oriented nature of the district, the rich amenities accessible in the immediate environs and the wide corridor nature of University Avenue, and the project's provision of all required parking, the proposed project will not exceed the amount and intensity of use that can be service by available traffic capacity and potential parking supply.

- **Findings to Authorize Use Permits within a Node – Section 23E.64.090.C.** In order to approve a Use Permit for a use and/or structure within a node designated in Section [23E.64.040.C](#), the Zoning Officer or Board must find the use supports the development of a strong retail commercial, pedestrian oriented environment at the node. Factors the Zoning Officer or Board



should consider shall include, but are not limited to, the placement of store entrances relative to the street and parking lots and the size and prominence of display windows and areas facing the sidewalk.

*Response:* The proposed project at 1900 Fourth is located within a designated node of the West Berkeley Plan. The project will develop pedestrian-oriented commercial spaces, continuing the walkable retail/restaurant experience of Fourth Street. The placement of store entrances and sizable display windows primarily face Fourth Street, creating pedestrian attraction and accessibility. A few commercial spaces do not face Fourth Street, but rather face into an open-air pedestrian paseo, which will expand the walkable retail character of the project. Parking is all provided internal to the project – convenient for motorists while preserving the focus on walkability and safe accessibility for pedestrians. The project will add on-street parallel parking along the Fourth Street frontage, which will continue the slowed-street effect experienced on Fourth Street north of Hearst Avenue.

- **Landmarks Preservation Ordinance Structural Alteration Permit Review Standards and Criteria – Section 3.24.260.C.1(a).** For applications relating to landmark sites, the proposed work shall not adversely affect the exterior architectural features of the landmark and, where specified in the designation for a publicly owned landmark, its major interior architectural features; nor shall the proposed work adversely affect the special character or special historical, architectural or aesthetic interest or value of the landmark and its site, as viewed both in themselves and in their setting.

*Response:* The project site is part of a group of several properties that were designated by the City of Berkeley's Landmarks Preservation Commission as a Landmark site. This status was conferred in an effort to preserve an area assumed to be near the site of the Ohlone West Berkeley Shellmound, defined primarily by what prior researchers and investigators estimated as the location and dimensions of the Shellmound. The above ground portions of the shellmound were destroyed in the late 1800's and early 1900's during Berkeley's initial development and industrialization. As described above, an archeological investigation in 1999 and 2000 surveyed the entire site and identified two areas of interest for further exploration. Further study in early 2014 was conducted by Dr. Allen Pastron of Archeo-Tec under the cultural oversight of Mr. Andy Galvan, an Ohlone Indian and cultural resource management expert.

This study mechanically excavated twenty test trenches placed strategically so as to extensively sample the areas indicated by the 1999 and 2000 studies to hold the highest potential to contain Shellmound remnants. Investigators found no intact shellmound, and no cultural artifacts or materials of prehistoric origin were discovered. No evidence whatsoever was found that the West Berkeley Shellmound was ever located on the site. This study indicates that if the Shellmound was ever located on this site, it was moved during the laying of railroad tracks and other work in the early 20<sup>th</sup> Century. Therefore, the proposed work would not adversely affect the major features or value of the landmark, which are related to the assumed location of the shellmound.

## Project Team

### *Developer*

West Berkeley Investors, LLC  
Brad Griggs, Brad Blake, Lauren Colbert  
550 Hartz Avenue, Suite 200  
Danville, CA 94526

### *Planning*

Rhodes Planning Group  
Mark Rhodes  
1611 Telegraph Avenue, Suite 200  
Oakland, CA 94612  
[mark@rhodesplanninggroup.com](mailto:mark@rhodesplanninggroup.com)

### *Architect*

TCA Architects  
Irwin Yau, Brittany De Paul  
19782 MacArthur Blvd., Suite 300  
Irvine, CA 92612

### *Retail Architect*

BCV Architects  
Hans Baldauf  
1527 Stockton Street  
San Francisco, CA 94133

### *Landscape Architect*

PGAdesign inc  
Cathy Garret  
444 17<sup>th</sup> Street  
Oakland, CA 94612

### *Civil Engineer*

BKF Engineers  
Daniel Schaefer  
1646 N. California Blvd., Suite 400  
Walnut Creek, CA 94596

### *Signage*

TCA Graphic Design Studio  
India Howlett  
19782 MacArthur Blvd., Suite 300  
Irvine, CA 92612

#### 4. Neighborhood Pre-Application Contact

The neighborhood meeting for the proposed project at 1900 4<sup>th</sup> Street was held on March 24, 2015 from 6:30-8:00PM at Spenger's Fresh Fish Grotto in Berkeley.

The attached flier was sent out to all owners and residents within 300 feet of the project site, as well as relevant community groups, as provided by the City of Berkeley.

39 neighbors and community members attended the meeting.

The meeting was set up with a variety of information stations around the private banquet room. The meeting was held based on a key value of the project team related to transparency, openness, and accessibility. Members of the project team were available at each of these stations with their respective materials. Stations included the following:

- Archeology – Dr. Allen Pastron of Archeo-Tec, Inc. and Mr. Andy Galvan, Cultural Resources expert, were available for discussion. Also at this station were copies of Archeo-Tec's 2014 archeological report on the subject property, and a map showing locations of 1999/2000 boring locations and 2014 trenching locations.
- Architecture – Two architects from TCA Architects and two architects from BCV architects were available at two adjacent tables for discussion of project plans and design. Present at this station for community members' review and discussion were boards showing a site plan, ground floor plan, elevations, and numerous 3D renderings from different vantage points, as well as a slide show providing additional views.
- Landscape Design – A designer from PGAdesign inc. was available with a board showing project and site-wide landscape plans.
- Planning Team – Two team members from Rhoades Planning Group were available to answer questions and ascertain feedback related to the proposed project and the entitlements and development process.
- Development Team – The three primary project proponents of the West Berkeley Investors, LLC group was available to speak with community members, receive feedback and answer questions about the project.

After it seemed most attendees had arrived, Mark Rhoades of Rhoades Planning Group introduced all members of the project team and gave an overview of the project proposal. At this time Mark fielded questions from members of the community, before explaining the different informational stations and inviting guests to speak with the various members of the project team.

This format has historically been a successful one, as it allows attendees to participate in more detailed and meaningful conversations with team members and access more thorough information than is possible in a typical Q&A format, in which only a subset of attendees' questions may be answered. It also allows the project team to access a finer-grained level of input, concerns, and comments from

members of the public than is possible in a context in which one must raise their hand and speak in front of an 'audience' to ask their question. After the conclusion of the meeting, the twelve team members listed above were able to share their conversations over the course of the evening and develop a deep understanding of a wide variety of input from the community.

Some questions and concerns included the following:

- Questions/follow up regarding archeological work
- Questions regarding parking, the amount of parking, and proposed location of loading activities
- Questions about intended commercial tenants
- Questions about green building techniques
- Questions about design and massing

The team intends to hold further smaller-group stakeholder meetings with members of the neighborhood and community as the planning process continues.

Please see attached to this summary the flier that was mailed to members of the community, as well as a copy of the meeting sign in sheet.



# 1900 Fourth Street

## Project Neighborhood Meeting

**Tuesday March 24, 2015, 6:30 p.m. to 8:00 p.m.**

**Location: Spenger's Fresh Fish Grotto**

You are invited to an open house to hear about a new project proposed at 1900 Fourth Street. The project will create an exciting new addition to the Fourth Street retail district. It will also provide housing opportunities, along with pedestrian-oriented retail and restaurant space with open paseos to activate this portion of Fourth Street. Some of the project's features include:

- **Extension of Fourth Street pedestrian retail experience to 1900 block**
- **Open-air retail paseo**
- **Articulated design takes cues from neighborhood architecture**
- **Green building components**
- **Ample parking**



We look forward to meeting you on March 24<sup>th</sup>. Light refreshments will be provided. If you have any questions about the project, please contact Rhoades Planning Group at [info@rhoadesplanninggroup.com](mailto:info@rhoadesplanninggroup.com).



## 1900 FOURTH Community Meeting

NAME	COMPANY	EMAIL
1. Sally Sack		katoreki@email.com
2. TODD SIMI	Rue-LL	todd@clire.com
3. John McBride	BAHA	johnmcbride94702@gmail.com
4. Rice Millie	Abbas/Millie	rmillie@me.com
5. Amy Abrams		
6. Eric Kulebach	Bono Relief	
7. Warren White	Truitt and White	wwhite@truittandwhite.com
8. Brian White	" "	bwhite@truittandwhite.com
9. Barbara Redlander	resident	arthistoryvista@yahoo.com
10. Sue Arndt		SueArndt@comcast.net
11. Bill Performance	Performance Arts	BerkeleyBill@gmail.com
12. GORDON SUZANNE CHUN	GC DESIGN	
13. SCOTT LANDSITTEL	Jamestown	standsittel@jamestownpa.com
14. Sara Peschel	Groundworks Office	sara@groundworksoffice.com
15. Trish Culbert	N/A	trishculbert@gmail.com
16. Rhianon	Oceanview Neighbor	pwrbus@pacbell.net
17. Phil Allen	SPablo neighbor	allen.phil@yahoo.com
18. STEPHANIE MANNING		

# COMPANY

EM 211

19.	Kim DeCampa	kimdecompa@yahoo.com
20.	Sandy Simon	sandy@traxgallery.com
21.	Jeffrey Spahn	jeffrey@jeffreyspahn.com
22.	PAUL BONTKOE	BONTPA@WELLSFARGO.COM
23.	JOHN NORRIS	JN@NORRIS.T, com
24.	DAVID TRACHTENBERG	david@Trachtenbergtech.
25.	Carrie Olson	carrie.brooks.olson@gmail.com
26.	CHARLES TRUES	— — —
27.	JOHN FENCKES	JOHN FENCKES
28.	Mikhail Havama	self mhavama1@gmail.com
29.	Rob B Prince	RobB@qmenmvalleyshower.com
30.	Jennifer Cole	jnicarole@gmail.com.
31.	David Harty	david.harty@jamestownlp.com
32.		
33.		
34.		
35.		
36.		
37.		
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41.		

# COMPANY EMAIL

42.	ROBERT BRADY	Bob@TRAXGALLERY.COM
43.	Mary White	mwhiteglass@gmail.com
45.	SGoldin	sgoldin@goldindesign.com
46.	Lee Pono	lailla82@shoglobal.net
47.	Curt Manning	2107-5 <sup>th</sup> St
48.	Kathy McLean	Independent Exhibitions
49.	ELLIOTT ABRAMS	4 <sup>th</sup> Street.
50.	Morgan Pano	4 <sup>th</sup> St.
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## 5. Photos of Pre-Application Poster



Facing Fourth Street



Facing Hearst Avenue



Facing University Avenue

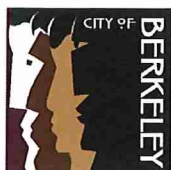




**1900 Fourth in Berkeley – Site Context Photos**

Note: North is the top of the page. Each photo is located adjacent to the site photo from the direction it was taken.





## PLANNING & DEVELOPMENT

Land Use Planning, 2120 Milvia Street, Berkeley, CA 94704  
Tel: 510.981.7410 TDD: 510.981.7474 Fax: 510.981.7420  
Email: [Planning@ci.berkeley.ca.us](mailto:Planning@ci.berkeley.ca.us)

### II.E. HAZARDOUS WASTE AND SUBSTANCES STATEMENT

Pursuant to the Permit Streamlining Act (PSA), a development permit application may not be accepted as complete unless and until the applicant has submitted a signed statement indicating whether the proposed project site or any alternative site(s) is on the lists of hazardous waste sites compiled pursuant to Government Code Section 65962.5 by the California Secretary for Environmental Protection.

Data lists / maps are available at the following websites (check multiple lists and categories):

<http://www.calepa.ca.gov/SiteCleanup/CorteseList/>

<http://www.envirostor.dtsc.ca.gov/public/>

<https://geotracker.waterboards.ca.gov/>

#### Applicant's Information:

Name: West Berkeley Investors, LLC

Street Address: 550 Hartz Avenue Suite 200

City, State, Zip Code: Danville, CA 94526

Phone Number: 925-575-8732

#### Project Information:

Address: 1900 4th Street and 701 University Avenue

City, State, Zip Code: Berkeley, CA 94710

Assessor's book, page, and parcel number: 057-210100103; 057-210100500

#### Specify any list pursuant to Section 65962.5 of the Government Code:

None

Regulatory identification number: \_\_\_\_\_

Date of list: \_\_\_\_\_

#### Applicant's verification:

Signature:  Date: 3/21/15

By: West Berkeley Investors, LLC; By: Fourth Street Berkeley Investors, LLC By: BHV  
CenterStreet Properties, LLC, Its Manager  
By: Bradley Griggs, Its Managing Member



# PLANNING & DEVELOPMENT

Land Use Planning, 2120 Milvia Street, Berkeley, CA 94704

Tel: 510.981.7410 TDD: 510.981.9603 Fax: 510.981.7420 Email: [Planning@ci.berkeley.ca.us](mailto:Planning@ci.berkeley.ca.us)

## TABULATION FORM

Project Address: 1900 4th Street, Berkeley, CA 94710 Date: 3/27/15

Applicant's Name: West Berkeley Investors, LLC

Zoning District C-W, West Berkeley Commercial District

Please print in ink the following numerical information for Use Permit, Variance, and other Zoning Ordinance related permit applications:

		<i>Existing</i>	<i>Proposed</i>	<i>Permitted/ Required</i>
<b>Units; Parking Spaces</b>				
Number of Dwelling Units	(#)	0	135	N/A
Number of Parking Spaces	(#)	200	372	222
<b>Yards and Height</b>				
Front Yard Setback	(ft.)	N/A	varies across site	N/A
Side Yard Setbacks: (facing property)	Left: (ft.)	N/A	varies across site	N/A
	Right: (ft.)	N/A	varies across site	N/A
Rear Yard Setback	(ft.)	N/A	varies across site	N/A
Building Height*	(# Stories)	1	5 (some portions)	4 (base project)
Average*	(ft.)	less than 25'	61'6"	N/A
Maximum*	(ft.)	less than 25'	71'	50'
<b>Areas</b>				
Lot Area	(SqFt.)	96,266	96,266	N/A
Gross Floor Area*	(SqFt.)			
Total Area Covered by All Floors		900	207,590	288,798
Building Footprint*	(SqFt.)			
Total of All Structures		900	79,300	N/A
Lot Coverage*	(%)			
(Footprint/Lot Area)		1%	82%	100%
Useable Open Space*	(SqFt.)	N/A	6,810 public 9,281 resid.	40 SF/DU=5,400
Floor Area Ratio*				
Non-Residential Projects only (except ES-R)		1.0	2.16	3.00

\*See Definitions – Zoning Ordinance Title 23F.

Revised: 09/02

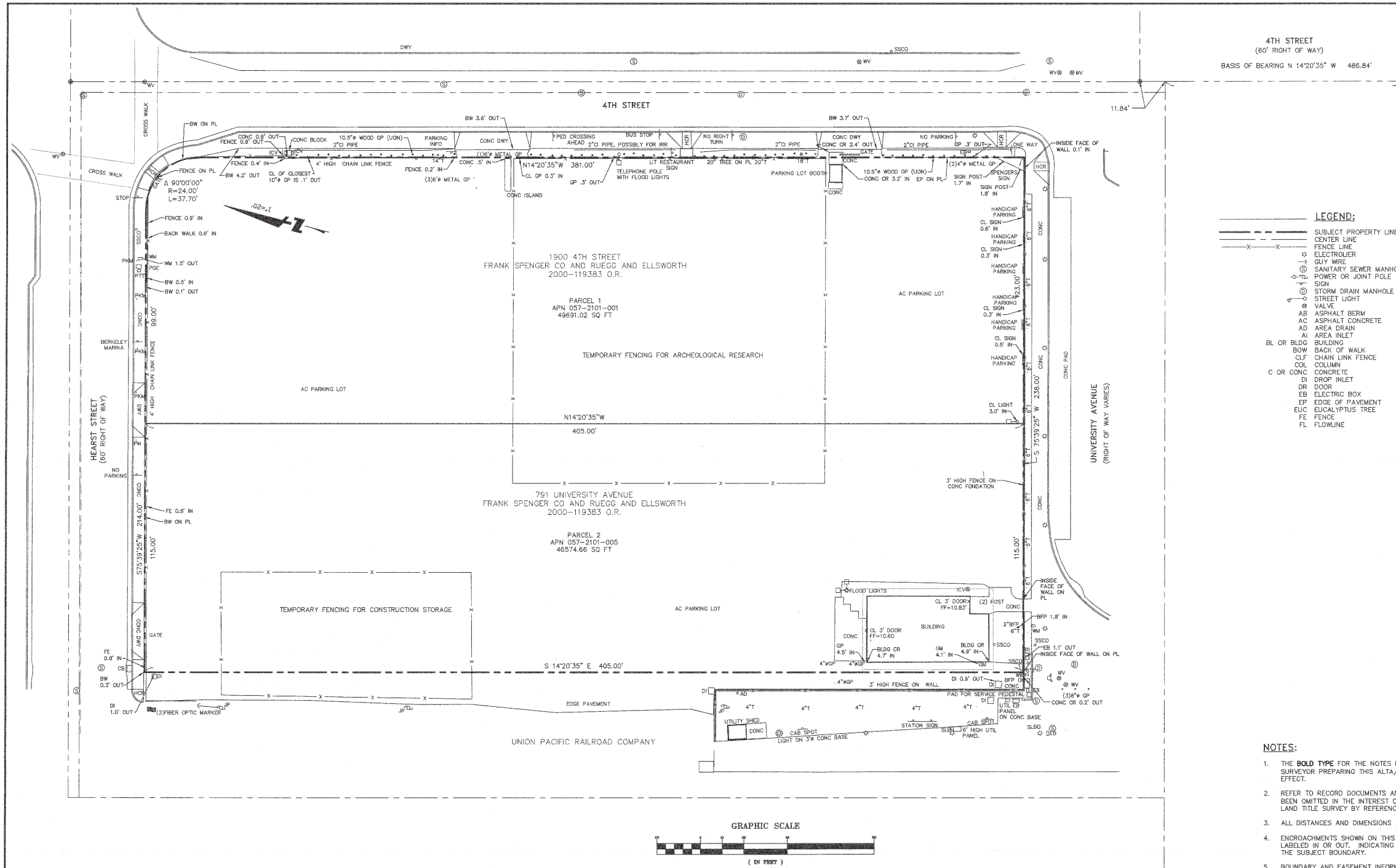
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Land Use Planning, 2120 Milvia Street, Berkeley, CA 94704

Tel: 510.981.7410 TDD: 510.981.9603 Fax: 510.981.7420 Email: [Planning@ci.berkeley.ca.us](mailto:Planning@ci.berkeley.ca.us)



**AL.T.A./A.C.S.M. LAND TITLE SURVEY  
1900 4TH STREET AND 701 CALIFORNIA AVENUE**



**LEGEND:**

- |           |                        |           |                         |
|-----------|------------------------|-----------|-------------------------|
| ---       | SUBJECT PROPERTY LINE  | FOO       | FULL OF DEBRIS          |
| - - -     | CENTER LINE            | G OR GND  | GROUND                  |
| - X - X - | FENCE LINE             | GP        | GUARD POST              |
| ⊕         | ELECTROQUER            | GR        | GRATE ELEVATION         |
| ⊕         | GUY WIRE               | HB        | HOSE BIB                |
| ⊕         | SANITARY SEWER MANHOLE | HCR       | HANDICAP RAMP           |
| ⊕         | POWER OR JOINT POLE    | HI        | HIGH                    |
| ⊕         | STORM DRAIN MANHOLE    | JP        | JOINT POLE              |
| ⊕         | STREET LIGHT           | MH        | MANHOLE                 |
| ⊕         | VALVE                  | O.R.      | OFFICIAL RECORDS        |
| ⊕         | ASPHALT BERM           | PKM       | PARKING METER           |
| ⊕         | ASPHALT CONCRETE       | RM        | RM ELEVATION            |
| ⊕         | AREA DRAIN             | RUDR      | ROLL-UP DOOR            |
| ⊕         | AREA INLET             | SDCO      | STORM DRAIN CLEANOUT    |
| ⊕         | BUILDING               | SDMH      | STORM DRAIN MANHOLE     |
| ⊕         | BACK OF WALK           | SSCO      | SANITARY SEWER CLEANOUT |
| ⊕         | CHAIN LINK FENCE       | SSMH      | SANITARY SEWER MANHOLE  |
| ⊕         | COLUMN                 | SW OR S/W | SIDEWALK                |
| ⊕         | CONCRETE               | T         | TREE                    |
| ⊕         | DROP INLET             | TC        | TOP OF CURB             |
| ⊕         | DOOR                   | TYP       | TYPICAL                 |
| ⊕         | ELECTRIC BOX           | TOW       | TOP OF WALL             |
| ⊕         | EDGE OF PAVEMENT       | UB        | UTILITY BOX             |
| ⊕         | EUCALYPTUS TREE        | UTIL      | UTILITY                 |
| ⊕         | FENCE                  | WDF       | WOOD FENCE              |
| ⊕         | FLOWLINE               | WIF       | WROUGHT IRON FENCE      |
|           |                        | WM        | WATER METER             |
|           |                        | WV        | WATER VALVE             |

**NOTES:**

- THE **BOLD TYPE** FOR THE NOTES REGARDING TITLE EXCEPTIONS ARE COMMENTS MADE BY THE PROFESSIONAL SURVEYOR PREPARING THIS ALTA/ACSM LAND TITLE SURVEY AND FOR CLARITY AND EMPHASIS OF THEIR EFFECT.
- REFER TO RECORD DOCUMENTS AND MAP FOR FULL REFERENCE OF TITLE EXCEPTIONS WHICH MAY HAVE BEEN OMITTED IN THE INTEREST OF CLARITY AND WHICH ARE BEING MADE A PART OF THIS ALTA/ACSM LAND TITLE SURVEY BY REFERENCE THERETO.
- ALL DISTANCES AND DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
- ENCROACHMENTS SHOWN ON THIS SURVEY ARE MARKED TO THE NEAREST ONE-TENTH (0.1) OF A FOOT AND LABELED IN OR OUT. INDICATING THE ENCROACHMENT LIMIT INSIDE OR OUTSIDE AND PERPENDICULAR TO THE SUBJECT BOUNDARY.
- BOUNDARY AND EASEMENT INFORMATION IS BASED ON RECORD DATA AND PHYSICAL IMPROVEMENTS AND ON RECORD INFORMATION ONLY AS DISCLOSED IN THE PRELIMINARY TITLE REPORT PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY DATED JUNE 26, 2013, ORDER NUMBER NCS-621769-CC.

**BASIS OF BEARINGS:**

THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTER LINE OF 4TH STREET BEING "SOUTH 14°20'35" EAST" PER BOOK 94 OF PARCEL MAPS AT PAGE 77, ALAMEDA COUNTY RECORDS.

**SURVEYOR'S CERTIFICATION:**

TO FRANK SPENDER COMPANY, A CALIFORNIA CORPORATION, AND RUEGG & ELLSWORTH, A CALIFORNIA GENERAL PARTNERSHIP, AND FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 2, 3, 4, 8, 16, AND 18 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED MARCH 24 AND 25, 2013.

FOR BKF ENGINEERS

BARRY T. WILLIAMS, P.L.S. NO. 6711  
LICENSE EXPIRES: 06/30/14  
DATE: 4-22-14



Revisions	No.	Date
	1	04/24/2014
	2	05/01/2014
	3	05/01/2014
	4	05/01/2014
	5	05/01/2014
	6	05/01/2014
	7	05/01/2014
	8	05/01/2014
	9	05/01/2014
	10	05/01/2014

**REFERENCE NOTES: (NCS-621769-CC)**

TITLE COMPANY: FIRST AMERICAN TITLE INSURANCE COMPANY  
NATIONAL COMMERCIAL SERVICES  
1550 MT. DIABLO BLVD., SUITE 300  
WALNUT CREEK, CA 94596  
(925)927-2154

ORDER NO: NCS-621769-CC

TITLE REPORT DATE: JUNE 26, 2013

ESROW OFFICER: KITTY SCHLESINGER

NATURE OF TITLE: A FEE

TITLE VESTED IN: RUEGG & ELLSWORTH, A CALIFORNIA GENERAL PARTNERSHIP, AS TO AN UNDIVIDED 50% INTEREST AND FRANK SPENDER COMPANY, A CALIFORNIA CORPORATION, AS TO AN UNDIVIDED 50% INTEREST.

PROPERTY ADDRESS: 1900 4TH STREET AND 701 UNIVERSITY AVENUE, BERKELEY, CA

ASSESSOR'S PARCEL NO: 057-2101-001-03 AND 057-2101-005

AREA: PARCEL 1: 49691.02 SQ FT, 1.141 ACRES; PARCEL 2: 46574.66 SQ FT, 1.067 ACRES  
TOTAL: 96265.68 SQ FT, 2.205 ACRES

FLOOD ZONE: FLOOD ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEMA FLOOD INSURANCE RATE MAP NUMBER 060100056G, EFFECTIVE DATE: AUGUST 3, 2009.

ZONING: C-W: WEST BERKELEY COMMERCIAL, PER OFFICIAL ZONING MAP FOUND ON CITY WEBSITE ON APRIL 4, 2014

**PROPERTY DESCRIPTION: (NCS-621769-CC)**

PARCEL 1:  
PORTION OF BLOCK 88, AS SHOWN ON THE MAP ENTITLED "MAP OF TRACT B OF THE BERKELEY L.T.I. ASSOCIATION" FILED FEBRUARY 4, 1876, IN BOOK 19 OF MAPS, AT PAGE 79, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, DESCRIBED AS FOLLOWS:  
BEGINNING AT THE INTERSECTION OF THE NORTHERN LINE OF UNIVERSITY AVENUE, WITH THE WESTERN LINE OF 4TH STREET, AS SAID AVENUE AND STREET ARE SHOWN ON SAID MAP; AND RUNNING THENCE ALONG SAID LINE OF 4TH STREET NORTHERLY 420 FEET TO THE SOUTHERN LINE OF HEARST AVENUE, FORMERLY BRISTOL STREET, AS SHOWN ON SAID MAP;  
THENCE ALONG THE LAST NAMED LINE WESTERLY 123 FEET TO A POINT DISTANT THEREON EASTERLY 123 FEET FROM THE EASTERN LINE OF 3RD STREET, AS SHOWN ON SAID MAP; THENCE AT RIGHT ANGLES SOUTHERLY 420 FEET TO SAID LINE OF UNIVERSITY AVENUE; AND THENCE ALONG THE LAST NAMED LINE EASTERLY 123 FEET TO THE POINT OF BEGINNING.  
EXCEPTING THEREFROM, THE SOUTHERN 15 FEET THEREOF, TAKEN FOR THE WIDENING OF UNIVERSITY AVENUE, AS DESCRIBED IN THE DEED TO CITY OF BERKELEY, DATED MAY 24, 1939, RECORDED JUNE 24, 1939, IN BOOK 3781 OF OFFICIAL RECORDS OF ALAMEDA COUNTY AT PAGE 225.  
ALSO EXCEPTING THAT PORTION THAT IS CONTAINED IN THE DEED TO THE CITY OF BERKELEY, A MUNICIPAL CORPORATION RECORDED OCTOBER 14, 1969, REEL 2495, IMAGE 968.  
PARCEL 2:  
A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED DATED FEBRUARY 26, 1945, FROM BENJ. B. UNGER AND MARY LOUISE UNGER TO SOUTHERN PACIFIC COMPANY, RECORDED MARCH 3, 1945 IN BOOK 4676, PAGE 206, OFFICIAL RECORDS OF ALAMEDA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT ON THE NORTHERLY LINE OF SAID LAND DESCRIBED IN SAID DEED, BEING ALSO IN THE SOUTHERLY LINE OF HEARST AVENUE, FORMERLY BRISTOL STREET, DISTANT THEREON EASTERLY, 8.00 FEET FROM THE NORTHWESTERLY CORNER OF SAID LAND DESCRIBED IN SAID DEED; THENCE EASTERLY, ALONG SAID NORTHERLY LINE, ALSO SAID SOUTHERLY LINE OF HEARST AVENUE, 115 FEET TO THE NORTHEASTERLY CORNER OF SAID LAND DESCRIBED IN SAID DEED; THENCE SOUTHERLY, AT RIGHT ANGLES FROM LAST DESCRIBED COURSE AND ALONG THE EASTERLY LINE OF LAND DESCRIBED IN SAID DEED, 405 FEET TO THE SOUTHEASTERLY CORNER THEREOF, BEING A POINT ON THE NORTHERLY LINE OF THAT CERTAIN STRIP OF LAND TAKEN FOR THE WIDENING OF UNIVERSITY AVENUE, AS DESCRIBED IN DEED TO CITY OF BERKELEY, DATED JUNE 1, 1940, RECORDED JULY 12, 1940, IN BOOK 3924 OF OFFICIAL RECORDS OF THE COUNTY OF ALAMEDA, AT PAGE 278; THENCE WESTERLY, ALONG LAST SAID NORTHERLY LINE, 115 FEET TO A POINT IN A LINE PARALLEL WITH AND DISTANT EASTERLY 8.00 FEET MEASURED AT RIGHT ANGLES, FROM THE WESTERLY LINE OF LAND DESCRIBED IN SAID DEED, DATED FEBRUARY 26, 1945; THENCE NORTHERLY, ALONG SAID PARALLEL LINE, 405 FEET TO THE POINT OF BEGINNING.

**EXCEPTIONS: (NCS-621769-CC)**

- GENERAL AND SPECIAL TAXES. **NOT PLOTTABLE.**
- THE LIEN OF SPECIAL TAX, RECORDED DECEMBER 06, 2000 AS INSTRUMENT NO. 2000357307 OF OFFICIAL RECORDS. **NOT PLOTTABLE.**
- THE LIEN OF SUPPLEMENTAL TAXES. **NOT PLOTTABLE.**
- WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS. **NOT PLOTTABLE.**
- THE LAND LIES WITHIN THE BOUNDARIES OF THE WEST BERKELEY INDUSTRIAL PARK REDEVELOPMENT PROJECT AREA, RECORDED JULY 21, 1967 AS REEL 2004, IMAGE 537 OF OFFICIAL RECORDS. **NOT PLOTTABLE.**
- TERMS AND PROVISIONS OF AN UNRECORDED LEASE, AS DISCLOSED BY A MEMORANDUM OF LEASE AND OPERATING RESTRICTION RECORDED APRIL 28, 1999 AS SERIES NO. 99-168330 OF OFFICIAL RECORDS. **NOT PLOTTABLE.**
- AN ALTA/ACSM SURVEY OF RECENT DATE. **AS SHOWN.**
- ANY FACTS, RIGHTS, INTERESTS OR CLAIMS. **NOT PLOTTABLE.**
- RIGHTS OF PARTIES IN POSSESSION. **NOT PLOTTABLE.**



## 12. Housing Affordability Statement & Density Eligibility Statement

1900 Fourth will seek a density bonus with waivers and modifications of development standards to allow the project to be built in a manner that accommodates the bonus units while respecting the character of development in the area and activating the Fourth Street pedestrian experience through provision of ground floor commercial uses. A maximum residential build-out of the site could achieve 162 dwelling units within the maximum Floor Area Ratio and building height requirements. However, such a project would be inconsistent with the City of Berkeley's goals for mixed use development of a scale compatible with the lower-scale buildings to the North, and could not provide an optimal amount of publicly available open space or parking. For those reasons, this application assumes a 110 dwelling unit project to be the "base project." Such a project, with the full complement of retail and restaurant commercial uses, is a reasonable assumption for the maximum project that could feasibly be built within the existing development limitations.

1900 Fourth proposes to provide 11 units affordable to households earning not more than 50% AMI, for a total of 10% of the base units with rents approximating \$900 per unit – subject to the Housing Department's ultimate consideration. This percentage of units is consistent with the City of Berkeley's Affordable Housing Mitigation Fee Ordinance requirement for on-site affordable housing in lieu of the fee. Provision of these affordable units entitles the project to a 32.5% density bonus per the State Density Bonus Law, for a maximum of 146 units, under Government Code Section 65915(b)(1)(B) and (f)(2). If 1900 Fourth were to provide the same percentage of affordable units for a 162-unit project, it could achieve a density of up to 214 units. Recognizing the importance of the site to the Fourth Street experience, and seeking to knit together the low-scale retail area to the north of the project with the more intense projects to the south of University Avenue, 1900 Fourth only seeks entitlements for 135 units. To build this project in a manner that respects and complements surrounding uses and projects, and provides affordable units, 1900 Fourth seeks less than the full density bonus, along with a waiver and modification of the four story and 50 foot height limit generally applicable to mixed use projects in the C-W zone. Only those portions of the project located away from the Fourth Street shops will exceed the generally applicable height limit, and this increased height will serve to block noise from the railroad and the highway. Without this waiver, the height and story development standards would physically preclude construction of the density bonus project. 1900 Fourth seeks no concessions or incentives to enhance the density bonus.

### Fair Housing Statement

As an equal opportunity housing provider, West Berkeley Investors, LLC provides housing opportunities regardless of race, color, national origin, religion, sex, physical or mental disability, familial status or any other classification protected by applicable federal, state or local law.

13. Phase I Statement from the Applicant

“Applicant (property purchaser) will prepare and submit a Phase I ESA (“ESA”) pursuant to ASTM 1527-13 and 40 CFR Part 312 to qualify for the all appropriate inquiry standard within 180 days of closing escrow on the property. If the ESA determines that actionable contaminants are present on the property, Applicant will conform with the requirements of state law with regard to evaluation and mitigate such materials with approval from the appropriate Lead Agency.”



#### 15. Traffic Impact Statement from the Applicant

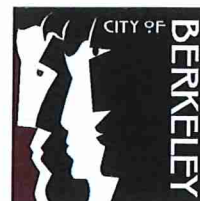
The Applicant has engaged a traffic engineer and the analysis is currently in progress. The Applicant anticipates an Environmental Impact Report, so all traffic impacts will be subject to thorough CEQA review.



# Stormwater Requirements Checklist

Municipal Regional Stormwater Permit (MRP)  
Stormwater Controls for Development Projects

City of Berkeley  
Public Works Dept.  
Engineering Division



## I. Applicability of C.3 and C.6 Stormwater Requirements

I.A. Enter Project Data (For "C.3 Regulated Projects," data will be reported in the municipality's stormwater Annual Report.)

I.A.1 Project Name: 1900 4th Street

I.A.2 Project Address (include cross street): 1900 4th Street (4th Street and Hearst)

I.A.3 Project APN: 57-2101-1-3, 57-2101-5 I.A.4 Project Watershed: Alameda County

I.A.5 Applicant Name: West Berkeley Investors, LLC Northwest Watershed

I.A.6 Applicant Address: 550 Hartz Avenue, Suite 200, Danville, CA 94526

I.A.7 Applicant Phone: (925) 575-8732 Applicant Email Address: icolbert@bhvcv.com

I.A.8 Development type: (check all that apply)  
☐ Residential ☐ Commercial ☐ Industrial ☒ Mixed-Use ☐ Streets, Roads, etc.  
☒ 'Redevelopment' as defined by MRP: creating, adding and/or replacing exterior existing impervious surface on a site where past development has occurred<sup>1</sup>  
☐ 'Special land use categories' as defined by MRP: (1) auto service facilities<sup>2</sup>, (2) retail gasoline outlets, (3) restaurants<sup>2</sup>, (4) uncovered parking area (stand-alone or part of a larger project)

I.A.9 Project Description<sup>3</sup>: The project replaces an existing 2.21 acre paved parking lot with a new 5-level mixed-use building consisting of residential dwelling units, floor-level commercial space, and a parking structure.  
 (Also note any past or future phases of the project.)

I.A.10 Total Area of Site: 2.21 acres  
 Total Area of land disturbed during construction (include clearing, grading, excavating and stockpile area: 2.21 acres.

## I.B. Is the project a "C.3 Regulated Project" per MRP Provision C.3.b?

I.B.1 Enter the amount of impervious surface<sup>4</sup> created and/or replaced by the project (if the total amount is 5,000 sq.ft. or more):

Table of Impervious and Pervious Surfaces

Type of Impervious Surface	a	b	c	d
	Pre-Project Impervious Surface (sq.ft.)	Existing Impervious Surface to be Replaced <sup>6</sup> (sq.ft.)	New Impervious Surface to be Created <sup>6</sup> (sq.ft.)	Post-project landscaping (sq.ft.), if applicable
Roof area(s) – excluding any portion of the roof that is vegetated ("green roof")	0	62,570	0	N/A
Impervious <sup>4</sup> sidewalks, patios, paths, driveways	0	33,698	0	
Impervious <sup>4</sup> uncovered parking <sup>5</sup>	96,268	0	0	
Streets (public)				
Streets (private)				
Totals:	96,268	96,268	0	
Area of Existing Impervious Surface to remain in place	0	N/A		
Total New Impervious Surface (sum of totals for columns b and c):		96,268		

<sup>1</sup> Roadway projects that replace existing impervious surface are subject to C.3 requirements only if one or more lanes of travel are added.

<sup>2</sup> Standard Industrial Classification (SIC) codes are in Section 2.3 of the C.3 Technical Guidance (download at [www.cleanwaterprogram.org](http://www.cleanwaterprogram.org))

<sup>3</sup> Project description examples: 5-story office building, industrial warehouse, residential with five 4-story buildings for 200 condominiums, etc.

<sup>4</sup> Per the MRP, pavement that meets the following definition of pervious pavement is NOT an impervious surface. Pervious pavement is defined as pavement that stores and infiltrates rainfall at a rate equal to immediately surrounding unpaved, landscaped areas, or that stores and infiltrates the rainfall runoff volume described in Provision C.3.d.

<sup>5</sup> Uncovered parking includes top level of a parking structure.

<sup>6</sup> "Replace" means to install new impervious surface where existing impervious surface is removed. "Create" means to install new impervious surface where there is currently no impervious surface.

**I.B. Is the project a "C.3 Regulated Project" per MRP Provision C.3.b? (continued)**

	Yes	No	NA
I.B.2 In Item I.B.1, does the Total New Impervious Surface equal 10,000 sq.ft. or more? <i>If YES, skip to Item I.B.5 and check "Yes." If NO, continue to Item I.B.3.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.B.3 Does the Item I.B.1 Total New Impervious Surface equal 5,000 sq.ft. or more, but less than 10,000 sq.ft.? <i>If YES, continue to Item I.B.4. If NO, skip to Item I.B.5 and check "No."</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.B.4 Is the project a "Special Land Use Category" per Item I.A.8? For uncovered parking, check YES only if there is 5,000 sq.ft or more uncovered parking. <i>If NO, go to Item I.B.5 and check "No." If YES, go to Item I.B.5 and check "Yes."</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.B.5 Is the project a C.3 Regulated Project? <i>If YES, skip to Item I.B.6; if NO, continue to Item I.C.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.B.6 Does the total amount of Replaced impervious surface equal 50 percent or more of the Pre-Project Impervious Surface? <i>If YES, stormwater treatment requirements apply to the whole site; if NO, these requirements apply only to the impervious surface created and/or replaced.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**I.C. Projects that are NOT C.3 Regulated Projects**

If you answered NO to Item I.B.5, or the project creates/replaces less than 5,000 sq. ft. of impervious surface, then the project is NOT a C.3 Regulated Project, and stormwater treatment is not required, BUT the municipality may determine that source controls and site design measures are required. Skip to Section II.

**I.D. Projects that ARE C.3 Regulated Projects**

If you answered YES to Item I.B.5, then the project is a C.3 Regulated Project. The project must include appropriate site design measures and source controls AND hydraulically-sized stormwater treatment measures. Hydromodification management may also be required; refer to Section II to make this determination. If final discretionary approval was granted on or after **DECEMBER 1, 2011**, Low Impact Development (LID) requirements apply, except for "Special Projects." See Section II.

**I.E. Identify C.6 Construction-Phase Stormwater Requirements**

	Yes	No
I.E.1 Does the project disturb 1.0 acre (43,560 sq.ft.) or more of land? (See Item I.A.10). <i>If Yes, obtain coverage under the state's Construction General Permit at <a href="https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp">https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp</a>. Submit to the municipality a copy of your Notice of Intent and Storm Water Pollution Prevention Plan (SWPPP) before a grading or building permit is issued.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I.E.2 Is the site a "High Priority Site" that disturbs less than 1.0 acre (43,560 sq.ft.) of land? (Municipal staff will make this determination.) <ul style="list-style-type: none"> <li>"High Priority Sites" are sites that require a grading permit, are adjacent to a creek, or are otherwise high priority for stormwater protection during construction (see MRP Provision C.6.e.ii(2))</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>

- NOTE TO APPLICANT: All projects require appropriate stormwater best management practices (BMPs) during construction. Refer to the Section II to identify appropriate construction BMPs.
- NOTE TO MUNICIPAL STAFF: If the answer is "Yes" to either question in Section E, refer this project to construction site inspection staff to be added to their list of projects that require stormwater inspections at least monthly during the wet season (October 1 through April 30).



## II. Implementation of Stormwater Requirements

**II.A.** Complete the appropriate sections for the project. For non-C.3 Regulated Projects, Sections II.B, II.C, and II.D apply. For C.3 Regulated Projects, all sections of Section II apply.

### II.B. Select Appropriate Site Design Measures

- *Required for C.3 Regulated Projects.*
- *Starting December 1, 2012, projects that create and/or replace 2,500 - 10,000 sq.ft. of impervious surface, and stand-alone single family homes that create/replace 2,500 sq.ft. or more of impervious surface, must include one of Site Design Measures a through f.<sup>7</sup>*
- *All other projects are encouraged to implement site design measures, which may be required at municipality discretion.*
- *Consult with municipal staff about requirements for your project.*

**II.B.1** Is the site design measure included in the project plans?

Yes	No	Plan Sheet No.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	b. Direct roof runoff onto vegetated areas.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	d. Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	e. Construct sidewalks, walkways, and/or patios with permeable surfaces.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	f. Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	g. Minimize land disturbance and impervious surface (especially parking lots).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	h. Maximize permeability by clustering development and preserving open space.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	i. Use micro-detention, including distributed landscape-based detention.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	j. Protect sensitive areas, including wetland and riparian areas, and minimize changes to the natural topography.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	k. Self-treating area (see Section 4.1 of the C.3 Technical Guidance)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	l. Self-retaining area (see Section 4.2 of the C.3 Technical Guidance)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	m. Plant or preserve interceptor trees (Section 4.5, C.3 Technical Guidance)

<sup>7</sup> See MRP Provision C.3.a.i(6) for non-C.3 Regulated Projects, C.3.c.i(2)(a) for Regulated Projects, C.3.i for projects that create/replace 2,500 to 10,000 sq.ft. of impervious surface and stand-alone single family homes that create/replace 2,500 sq.ft. or more of impervious surface.

**II.C. Select appropriate source controls** (Applies to C.3 Regulated Projects; encouraged for other projects. Consult municipal staff.<sup>8</sup>)

Are these features in project?		Features that require source control measures	Source control measures (Refer to Local Source Control List for detailed requirements)	Is source control measure included in project plans?		Plan Sheet No.
Yes	No			Yes	No	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Storm Drain	Mark on-site inlets with the words "No Dumping! Flows to Bay" or equivalent.	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Floor Drains	Plumb interior floor drains to sanitary sewer <sup>9</sup> [or prohibit].	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parking garage	Plumb interior parking garage floor drains to sanitary sewer. <sup>9</sup>	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Landscaping	<ul style="list-style-type: none"> <li>Retain existing vegetation as practicable.</li> <li>Select diverse species appropriate to the site. Include plants that are pest- and/or disease-resistant, drought-tolerant, and/or attract beneficial insects.</li> <li>Minimize use of pesticides and quick-release fertilizers.</li> <li>Use efficient irrigation system; design to minimize runoff.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pool/Spa/Fountain	Provide connection to the sanitary sewer to facilitate draining. <sup>9</sup>	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Food Service Equipment (non-residential)	Provide sink or other area for equipment cleaning, which is: <ul style="list-style-type: none"> <li>Connected to a grease interceptor prior to sanitary sewer discharge.<sup>9</sup></li> <li>Large enough for the largest mat or piece of equipment to be cleaned.</li> <li>Indoors or in an outdoor roofed area designed to prevent stormwater run-on and run-off, and signed to require equipment washing in this area.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Refuse Areas	<ul style="list-style-type: none"> <li>Provide a roofed and enclosed area for dumpsters, recycling containers, etc., designed to prevent stormwater run-on and runoff.</li> <li>Connect any drains in or beneath dumpsters, compactors, and tallow bin areas serving food service facilities to the sanitary sewer.<sup>9</sup></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Outdoor Process Activities <sup>10</sup>	Perform process activities either indoors or in roofed outdoor area, designed to prevent stormwater run-on and runoff, and to drain to the sanitary sewer. <sup>9</sup>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Outdoor Equipment/Materials Storage	<ul style="list-style-type: none"> <li>Cover the area or design to avoid pollutant contact with stormwater runoff.</li> <li>Locate area only on paved and contained areas.</li> <li>Roof storage areas that will contain non-hazardous liquids, drain to sanitary sewer<sup>9</sup>, and contain by berms or similar.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Vehicle/Equipment Cleaning	<ul style="list-style-type: none"> <li>Roofed, pave and berm wash area to prevent stormwater run-on and runoff, plumb to the sanitary sewer<sup>9</sup>, and sign as a designated wash area.</li> <li>Commercial car wash facilities shall discharge to the sanitary sewer.<sup>9</sup></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Vehicle/Equipment Repair and Maintenance	<ul style="list-style-type: none"> <li>Designate repair/maintenance area indoors, or an outdoors area designed to prevent stormwater run-on and runoff and provide secondary containment. Do not install drains in the secondary containment areas.</li> <li>No floor drains unless pretreated prior to discharge to the sanitary sewer.<sup>9</sup></li> <li>Connect containers or sinks used for parts cleaning to the sanitary sewer.<sup>9</sup></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Fuel Dispensing Areas	<ul style="list-style-type: none"> <li>Fueling areas shall have impermeable surface that is a) minimally graded to prevent ponding and b) separated from the rest of the site by a grade break.</li> <li>Canopy shall extend at least 10 ft in each direction from each pump and drain away from fueling area.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Loading Docks	<ul style="list-style-type: none"> <li>Cover and/or grade to minimize run-on to and runoff from the loading area.</li> <li>Position downspouts to direct stormwater away from the loading area.</li> <li>Drain water from loading dock areas to the sanitary sewer.<sup>9</sup></li> <li>Install door skirts between the trailers and the building.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fire Sprinklers	Design for discharge of fire sprinkler test water to landscape or sanitary sewer. <sup>9</sup>	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Miscellaneous Drain or Wash Water	<ul style="list-style-type: none"> <li>Drain condensate of air conditioning units to landscaping. Large air conditioning units may connect to the sanitary sewer.<sup>9</sup></li> <li>Roof drains shall drain to unpaved area where practicable.</li> <li>Drain boiler drain lines, roof top equipment, all washwater to sanitary sewer<sup>9</sup>.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Architectural Copper	Discharge rinse water to sanitary sewer <sup>9</sup> , or collect and dispose properly offsite. See flyer "Requirements for Architectural Copper."	<input type="checkbox"/>	<input type="checkbox"/>	

<sup>8</sup> See MRP Provision C.3.a.i(7) for non-C.3 Regulated Projects and Provision C.3.c.i(1) for C.3 Regulated Projects.

<sup>9</sup> Any connection to the sanitary sewer system is subject to sanitary district approval.

<sup>10</sup> Businesses that may have outdoor process activities/equipment include machine shops, auto repair, industries with pretreatment facilities.



**II.D. Implement construction Best Management Practices (BMPs)** (Applies to all projects).

Yes	No	Best Management Practice (BMP)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Attach the municipality's construction BMP plan sheet to project plans and require contractor to implement the applicable BMPs on the plan sheet.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Temporary erosion controls to stabilize all denuded areas until permanent erosion controls are established.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Delineate with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Provide notes, specifications, or attachments describing the following: <ul style="list-style-type: none"> <li>Construction, operation and maintenance of erosion and sediment controls, include inspection frequency;</li> <li>Methods and schedule for grading, excavation, filling, clearing of vegetation, and storage and disposal of excavated or cleared material;</li> <li>Specifications for vegetative cover &amp; mulch, include methods and schedules for planting and fertilization;</li> <li>Provisions for temporary and/or permanent irrigation.</li> </ul>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Perform clearing and earth moving activities only during dry weather.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Use sediment controls or filtration to remove sediment when dewatering and obtain all necessary permits.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Protect all storm drain inlets in vicinity of site using sediment controls such as berms, fiber rolls, or filters.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Trap sediment on-site, using BMPs such as sediment basins or traps, earthen dikes or berms, silt fences, check dams, soil blankets or mats, covers for soil stock piles, etc.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Divert on-site runoff around exposed areas; divert off-site runoff around the site (e.g., swales and dikes).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Limit construction access routes and stabilize designated access points.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	No cleaning, fueling, or maintaining vehicles on-site, except in a designated area where washwater is contained and treated.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Store, handle, and dispose of construction materials/wastes properly to prevent contact with stormwater.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contractor shall train and provide instruction to all employees/subcontractors re: construction BMPs.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Control and prevent the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, washwater or sediments, rinse water from architectural copper, and non-stormwater discharges to storm drains and watercourses.

**PROJECTS THAT ARE NOT C.3 REGULATED PROJECTS STOP HERE!****II.E. Feasibility/Infeasibility of Infiltration and Rainwater Harvesting/Use** (Applies to C.3 Regulated Projects ONLY)

Except for some Special Projects, C.3 Regulated Projects must include low impact development (LID) treatment measures. LID treatment measures are rainwater harvesting, infiltration, evapotranspiration, and biotreatment (landscape-based treatment with special soils). Biotreatment is allowed ONLY if it is infeasible to treat the amount of runoff specified in Provision C.3.d with rainwater harvesting, infiltration, and evapotranspiration.

	Yes	No	N/A
<b>II.E.1 Is this project a "Special Project"?</b> (See Appendix K of the C.3 Technical Guidance for criteria.)			
➤ If No, continue to Item II.E.2.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ If Yes, or if there is potential that the project MAY be a Special Project, complete the Special Projects Worksheet.			
<b>II.E.2 Infiltration Potential.</b> Based on site-specific soil report <sup>11</sup> , do site soils either:			
a. Have a saturated hydraulic conductivity (Ksat) <u>less</u> than 1.6 inches/hour), or, if the Ksat rate is not available,			
b. Consist of Type C or D soils?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ If Yes, infiltration of the C.3.d amount of runoff is infeasible. Continue to II.E.3.			
➤ If No, complete the Infiltration Feasibility Worksheet. If infiltration of the C.3.d amount of runoff is found to be feasible, skip to II.E.8; if infiltration is found to be infeasible, continue to II.E.3.			

<sup>11</sup> If no site-specific soil report is available, refer to soil hydraulic conductivity maps in C.3 Technical Guidance Appendix J.

**II.E.3 Recycled Water.** Check the box if the project is installing and using a recycled water plumbing system for non-potable water use.

- ☐ The project is installing a recycled water plumbing system, and the installation of a second non-potable water system for harvested rainwater is impractical, and considered infeasible due to cost considerations.

➤ If you checked this box, there is no need for further evaluation of rainwater harvesting. Skip to II.E.9.

**II.E.4 Potential Rainwater Capture Area**

- a. Refer to the Table of Impervious and Pervious Surfaces in Section I, and enter the total square footage of impervious surface that will be replaced and/or created by the project. 96,268 Sq. ft.
- b. If I.B.6 indicates that 50% or more of the existing impervious surface will be replaced with new impervious surface, then add any existing impervious surface that will remain in place to the amount in II.E.4.a. 96,268 Sq. ft.
- c. Convert the amount in Item II.E.4.b from square feet to acres (divide by 43,560). If II.E.4.b is not applicable, convert the amount in II.E.4.a from square feet to acres. This is the project's Potential Rainwater Capture Area, in acres. 2.21 Acres

**II.E.5 Landscape Irrigation: Feasibility of Rainwater Harvesting and Use**

- a. Enter area of onsite landscaping. 0.10 Acres
- b. Multiply the Potential Rainwater Capture Area (the amount in II.E.4.c) times 2.5. 5.53 Acres
- c. Is the amount in II.E.5.a (onsite landscaping) LESS than 2.5 times the size of the amount in II.E.5.b (the product of 2.5 times the size of the Potential Rainwater Capture Area)<sup>12</sup>? ☒ Yes ☐ No
- If Yes, irrigation use of the C.3.d amount of runoff is infeasible. Continue to II.E.6.
- If No, it may be possible to meet the treatment requirements by directing runoff from impervious areas to self-retaining areas (see Section 4.2 of the C.3 Technical Guidance). If not, refer to Table 11 and the curves in Appendix F of the LID Feasibility Report to evaluate feasibility of harvesting and using the C.3.d amount of runoff for irrigation. If that analysis shows that it is feasible to harvest and use the C.3.d amount of runoff, complete Part 5 (Factors Other than Demand) of the Rainwater Harvesting/Use Feasibility Worksheet. Skip to II.E.7.

**II.E.6 Indoor Non-Potable Uses: Feasibility of Rainwater Harvesting and Use** (check the box for the applicable project type, then fill in the requested information and answer the question):<sup>13</sup>

- ☐ a. Residential Project
- i. Number of dwelling units (total post-project): Units
- ii. Divide amount in (i) by the amount in II.E.4.c (Potential Rainwater Capture Area): Du/ac
- iii. Is the amount in (ii) LESS than 100 dwelling units per acre of capture area? ☐ Yes ☐ No
- ☐ b. Commercial Project
- i. Floor area (total interior post-project square footage): Sq.ft.
- ii. Divide amount in (i) by the amount in II.E.4.c (Potential Rainwater Capture Area): Sq.ft./ac
- iii. Is the amount in (ii) LESS than 70,000 square feet per acre of capture area? ☐ Yes ☐ No
- ☐ c. School Project
- i. Floor area (total interior post-project square footage): Sq.ft.
- ii. Divide amount in (i) by the amount in II.E.4.c (Potential Rainwater Capture Area): Sq.ft./ac
- iii. Is the amount in (ii) LESS than 21,000 square feet per acre of capture area? ☐ Yes ☐ No

<sup>12</sup> Landscape areas must be contiguous and within the same Drainage Management Area to irrigate with harvested rainwater via gravity flow.

<sup>13</sup> Rainwater harvested for indoor use is typically used for toilet/urinal flushing, industrial processes, or other non-potable uses.



**II.E.6 Indoor Non-Potable Uses: Feasibility of Rainwater Harvesting and Use** (continued)☐ d. Industrial Project

- i. Estimated demand for non-potable water (gallons/day): \_\_\_\_\_ Gal.
- ii. Is the amount in (i) LESS than 2,400? ☐ Yes ☐ No
- If you checked "No", refer to the curves in Appendix F of the LID Feasibility Report to evaluate feasibility of harvesting and using the C.3.d amount of runoff for industrial use.*

☒ e. Mixed-Use Residential/Commercial Project<sup>14</sup>

- |                                                                                                                                                                                                                           | Residential |       | Commercial                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------|---------------------------------------------------------------------|
| i. Number of residential dwelling units and square footage of commercial floor area:                                                                                                                                      | <u>135</u>  | Units | <u>35,190</u> Sq.ft.                                                |
| ii. Percentage of total interior post-project floor area serving each activity:                                                                                                                                           | <u>77</u>   | %     | <u>23</u> %                                                         |
| iii. Prorated Potential Rainwater Capture Area per activity (multiply amount in II.E.4.c by the percentages in [ii]):                                                                                                     | <u>1.70</u> | Acres | <u>0.51</u> Acres                                                   |
| iv. Prorated project demand per acre of Potential Rainwater Capture Area (divide the amounts in [i] by the amounts in [iii]):                                                                                             | <u>79.2</u> | Du/ac | <u>69,484</u> Sq.ft/ac                                              |
| v. Is the amount in (iv) in the residential column <u>less</u> than 100 dwelling units per acre of capture area, AND is the amount in the commercial column <u>less</u> than 70,000 square feet per acre of capture area? |             |       | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

- *If you checked "Yes" for the above question for the applicable project type, rainwater harvesting for indoor use is considered infeasible, unless the project includes one or more buildings that each have an individual roof area of 10,000 sq. ft. or more, in which case further analysis is needed. Complete Sections II.E.5 and II.E.6 of this form for each such building, then continue to II.E.7.*
- *If you checked "No" for the question applicable to the type of project, rainwater harvesting for indoor use may be feasible. Complete the Rainwater Harvesting Feasibility Worksheet, and then continue to II.E.7.*

**II.E.7 Identify and Attach Additional Feasibility Analyses**

If further analysis is conducted based on results in II.E.1, II.E.2, II.E.5, or II.E.6, indicate the analysis that is conducted and attach the applicable form or other documentation (check all that apply):

- ☒ Special Projects Worksheet (if required in II.E.1)
- ☐ Infiltration Feasibility Worksheet (if required in II.E.2)
- ☐ Rainwater Harvesting and Use Feasibility Worksheet (if required in II.E.5 or II.E.6), completed for:
- ☐ The entire project
- ☐ Individual building(s), if applicable, describe: \_\_\_\_\_
- ☐ Evaluation of the feasibility of harvesting and using the C.3.d amount of runoff for irrigation, based on Table 11 and the curves in Appendix F of the LID Feasibility Report (if required in II.E.5).
- ☐ Evaluation of the feasibility of harvesting and using the C.3.d amount of runoff for non-potable industrial use, based on the curves in Appendix F of the LID Feasibility Report (if required in II.E.6.d).

**II.E.8 Finding of Infiltration Feasibility/Infeasibility**

Infiltration of the C.3.d amount of runoff is infeasible if any of the following conditions apply (check all that apply):

- ☒ The "Yes" box was checked for Item II.E.2.
- ☐ Completion of the Infiltration Feasibility Worksheet resulted in a finding that infiltration of the C.3.d amount of runoff is infeasible.
- *Based on the above evaluation, infiltration of the C.3.d amount of runoff is (check one):*
- ☐ Infeasible ☐ Feasible

<sup>14</sup> For a mixed-use project involving activities other than residential and commercial activities, follow the steps for residential/commercial mixed-use projects. Prorate the Potential Rainwater Capture Area for each activity based on the percentage of the project serving each activity.

## II.E.9 Finding of Rainwater Harvesting and Use Feasibility/Infeasibility

Harvesting and use of the C.3.d amount of runoff is infeasible if any of the following apply (check all that apply):

- ☐ The project will have a recycled water system for non-potable use (II.E.3).
- ☒ Only the "Yes" boxes were checked for Items II.E.5 and II.E.6.
- ☐ Completion of the Rainwater Harvesting and Use Feasibility Worksheet resulted in a finding that harvesting and use of the C.3.d amount of runoff is infeasible.
- ☐ Evaluation of the feasibility of harvesting and using the C.3.d amount of runoff for irrigation, based on Table 11 and the curves in Appendix F of the LID Feasibility Report, resulted in a finding of infeasibility.
- ☐ Evaluation of the feasibility of harvesting and using the C.3.d amount of runoff for non-potable industrial use, based on the curves in Appendix F of the LID Feasibility Report, resulted in a finding of infeasibility.
  - *Based on the above evaluation, harvesting and using the C.3.d amount of runoff is (check one):*
    - ☐ Infeasible
    - ☐ Feasible

## II.E.10. Use of Biotreatment

If findings of infeasibility are made in both II.E.8 (Infiltration) and II.E.9 (Rainwater Harvesting and Use), then the applicant may use appropriately designed bioretention facilities for compliance with C.3 treatment requirements.

- *Applicants using biotreatment are encouraged to maximize infiltration of stormwater if site conditions allow.*

Continue to Section II.F on the next page.



**II.F. Stormwater Treatment Measures** (Applies to C.3 Regulated Projects)

II.F.1 Check the applicable box and indicate the treatment measures to be included in the project.

Yes	No											
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is the project a <b>Special Project</b>? If yes, consult with municipal staff about the need to prepare a discussion of the feasibility and infeasibility of 100% LID treatment. Indicate the type of non-LID treatment to be used, the hydraulic sizing method*, and percentage of the amount of runoff specified in Provision C.3.d that is treated:</p> <table border="0"> <tr> <td><u>Non-LID Treatment</u></td> <td><u>Hydraulic sizing method</u></td> <td><u>% of C.3.d amount of runoff treated</u></td> </tr> <tr> <td><input checked="" type="checkbox"/> Media filter</td> <td>0.2 in/hr intensity approach</td> <td>80% of runoff treated with non-LID treatment</td> </tr> <tr> <td><input type="checkbox"/> Tree well filter</td> <td></td> <td></td> </tr> </table>	<u>Non-LID Treatment</u>	<u>Hydraulic sizing method</u>	<u>% of C.3.d amount of runoff treated</u>	<input checked="" type="checkbox"/> Media filter	0.2 in/hr intensity approach	80% of runoff treated with non-LID treatment	<input type="checkbox"/> Tree well filter			
<u>Non-LID Treatment</u>	<u>Hydraulic sizing method</u>	<u>% of C.3.d amount of runoff treated</u>										
<input checked="" type="checkbox"/> Media filter	0.2 in/hr intensity approach	80% of runoff treated with non-LID treatment										
<input type="checkbox"/> Tree well filter												
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Is it <b>infeasible</b> to treat the C.3.d amount of runoff using either infiltration or rainwater harvesting/use (see II.E.8 and II.E.9)? If yes, indicate the biotreatment measures to be used, and the hydraulic sizing method:</p> <table border="0"> <tr> <td><u>Biotreatment Measures</u></td> <td><u>Hydraulic sizing method</u></td> </tr> <tr> <td><input type="checkbox"/> Bioretention area</td> <td>Combination flow/volume using 80% capture and 0.2 in/hr intensity approach</td> </tr> <tr> <td><input checked="" type="checkbox"/> Flow-through planter</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Other (specify):</td> <td></td> </tr> </table>	<u>Biotreatment Measures</u>	<u>Hydraulic sizing method</u>	<input type="checkbox"/> Bioretention area	Combination flow/volume using 80% capture and 0.2 in/hr intensity approach	<input checked="" type="checkbox"/> Flow-through planter		<input type="checkbox"/> Other (specify):			
<u>Biotreatment Measures</u>	<u>Hydraulic sizing method</u>											
<input type="checkbox"/> Bioretention area	Combination flow/volume using 80% capture and 0.2 in/hr intensity approach											
<input checked="" type="checkbox"/> Flow-through planter												
<input type="checkbox"/> Other (specify):												
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Is it <b>feasible</b> to treat the C.3.d amount of runoff using either infiltration or rainwater harvesting/use (see II.E.8 and II.E.9)? If yes, indicate the non-biotreatment LID measures to be used, and hydraulic sizing method:</p> <table border="0"> <tr> <td><u>LID Treatment Measure (non-biotreatment)</u></td> <td><u>Hydraulic sizing method</u></td> </tr> <tr> <td><input type="checkbox"/> Rainwater harvesting and use</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Bioinfiltration<sup>15</sup></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Infiltration trench</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Other (specify):</td> <td></td> </tr> </table>	<u>LID Treatment Measure (non-biotreatment)</u>	<u>Hydraulic sizing method</u>	<input type="checkbox"/> Rainwater harvesting and use		<input type="checkbox"/> Bioinfiltration <sup>15</sup>		<input type="checkbox"/> Infiltration trench		<input type="checkbox"/> Other (specify):	
<u>LID Treatment Measure (non-biotreatment)</u>	<u>Hydraulic sizing method</u>											
<input type="checkbox"/> Rainwater harvesting and use												
<input type="checkbox"/> Bioinfiltration <sup>15</sup>												
<input type="checkbox"/> Infiltration trench												
<input type="checkbox"/> Other (specify):												

\* **Hydraulic Sizing Method:** Indicate which of the following Provision C.3.d.i hydraulic sizing methods were used:

- Volume based approaches – Refer to Provision C.3.d.i.(1):
  - Urban Runoff Quality Management approach, or
  - 80% capture approach (recommended volume-based approach).
- Flow-based approaches – Refer to Provision C.3.d.i.(2):
  - 10% of 50-year peak flow approach,
  - Percentile rainfall intensity approach, or
  - 0.2-Inch-per-hour intensity approach (this is recommended flow-based approach AND the basis for the 4% rule of thumb described in Section 5.1 of the C.3 Technical Guidance).
- Combination hydraulic sizing approach -- Refer to Provision C.3.d.i.(3):  
If a combination flow and volume design basis was used, indicate which flow-based and volume-based criteria were used.

**II.G. Is the project a Hydromodification Management<sup>16</sup> (HM) Project?** (Complete this section for C.3 Regulated Projects)

II.G.1 Does the project create and/or replace 1 acre (43,560 sq. ft.) or more of impervious surface? (Refer to Item I.B.1.)

- ☒ Yes. *Continue to Item II.G.2.*
- ☐ No. *The project is NOT required to incorporate HM measures. Skip to Item II.G.6 and check "No."*

II.G.2 Is the total impervious area increased over the pre-project condition? (Refer to Item I.B.1.)

- ☐ Yes. *Continue to Item II.G.3.*
- ☒ No. *The project is NOT required to incorporate HM measures. Skip to Item II.G.6 and check "No."*

<sup>15</sup> See Section 6.1 of the C.3 Technical Guidance for conditions in which bioretention areas provide bioinfiltration.<sup>16</sup> Hydromodification is the modification of a stream's hydrograph, caused in general by increases in flows and durations that result when land is developed (made more impervious). The effects of hydromodification include, but are not limited to, increased bed and bank erosion, loss of habitat, increased sediment transport and deposition, and increased flooding. Hydromodification management control measures are designed to reduce these effects.

## Stormwater Requirements Checklist

- II.G.3 Is the site located in a tidally influenced/depositional area, or in the extreme eastern portion of the county that is not subject to HM requirements? (See HMP Susceptibility Map in Appendix I of the C.3 Technical Guidance.)  
☐ Yes. Project is exempt from HM requirements. Attach map indicating project location. Skip to II.G.6 and check "No".  
☐ No. Continue to II.G.4.
- II.G.4 Is the site located in a high slope zone or special consideration watershed, as shown on the HMP Susceptibility Map?  
☐ Yes. Project is subject to HM requirements. Attach map indicating project location. Skip to II.G.6 and check "Yes."  
☐ No. Continue to II.G.5.
- II.G.5 For sites located in a white area on the HMP Susceptibility Map, has an engineer or qualified environmental professional determined that runoff from the project flows only through a hardened channel or enclosed pipe along its entire length before emptying into a waterway in the exempt area?  
☐ Yes. Project is exempt from HM requirements. Attach signed statement by qualified professional. Go to II.G.6 and check "No."  
☐ No. Project is subject to HM requirements. Attach map indicating project location. Go to Item G.6 and check "Yes."
- II.G.6 Is the project a Hydromodification Management Project?  
☐ Yes. The project is subject to HM requirements in Provision C.3.g of the Municipal Regional Stormwater Permit.  
☒ No. The project is EXEMPT from HM requirements.  
☐ HM requirements are impracticable. (Attach documentation needed to comply with the impracticability provision in MRP Attachment B.)
- If the project is subject to the HM requirements, incorporate in the project flow duration stormwater control measures designed such that post-project stormwater discharge rates and durations match pre-project discharge rates and durations. The Bay Area Hydrology Model (BAHM) has been developed to size flow duration controls. See [www.bayareahydrologymodel.org](http://www.bayareahydrologymodel.org). Guidance is provided in Chapter 7 of the C.3 Technical Guidance.

### II.H Stormwater Treatment Measure and/HM Control Owner or Operator's Information:

Name: West Berkeley Investors, LLC  
 Address: 550 Hartz Avenue, Suite 200, Danville, CA 94526  
 Phone: (925) 575-8732 Email: lcolbert@bhvcp.com

➤ Applicant must call for inspection and receive inspection within 45 days of installation of treatment measures and/or hydromodification management controls.

Name of applicant completing the form: By: West Berkeley Investors, LLC By: Fourth Street Berkeley Investors, LLC By: BHV Center Street Properties, LLC  
By: Bradley P. Griggs Its: Manager

Signature: Bradley P. Griggs

Date: 3/31/15

## III. For Completion By Municipal Staff

III.1 **Alternative Certification:** Was the treatment system sizing and design reviewed by a qualified third-party professional that is not a member of the project team or agency staff?

☐ Yes ☐ No Name of Reviewer \_\_\_\_\_

### III.2. Confirm Operations and Maintenance (O&M) Submittal:

The following questions apply to C.3 Regulated Projects and Hydromodification Management Projects.

	Yes	No	N/A
III.2.a Was maintenance plan submitted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
III.2.b Was maintenance plan approved?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
III.2.c Was maintenance agreement submitted? (Date executed: _____)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

➤ Attach the executed maintenance agreement as an appendix to this checklist.

**III.3 Incorporate HM Controls (if required)**

Are the applicable items for HM compliance included in the plan submittal?

Yes	No	NA	Documentation for HM Compliance
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site plans with pre- and post-project impervious surface areas, surface flow directions of entire site, locations of flow duration controls and site design measures per HM site design requirement
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Soils report or other site-specific document showing soil types at all parts of site
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If project uses the Bay Area Hydrology Model (BAHM), a list of model inputs.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If project uses custom modeling, a summary of the modeling calculations with corresponding graph showing curve matching (existing, post-project, and post-project with HM controls curves), goodness of fit, and (allowable) low flow rate.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If project uses the Impracticability Provision, a listing of all applicable costs and a brief description of the alternative HM project (name, location, date of start up, entity responsible for maintenance).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the project uses alternatives to the default BAHM approach or settings, a written description and rationale.

➤ *Municipal staff: Refer to the "Flow Duration Control Review Worksheet for HM Submittals" to review the documentation submitted for HM compliance.*

**III.4 Annual Operations and Maintenance (O&M) Submittals:**

For C.3 Regulated Projects and Hydromodification Management Projects, indicate the dates on which the Applicant submitted annual reports for project O&M: \_\_\_\_\_

**III.5 Comments:**


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**III.6 Notes:**

Section I Notes: \_\_\_\_\_

Section II Notes: \_\_\_\_\_

Section III Notes: \_\_\_\_\_

**III.7 Project Close-Out:**

- |         |                                                                                                                                       |                          |                          |                          |
|---------|---------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|
| III.7.a | Were final Conditions of Approval met?                                                                                                | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| III.7.b | Was initial inspection of the completed treatment/HM measure(s) conducted?<br>(Date of inspection: _____)                             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| III.7.c | Was maintenance plan submitted?<br>(Date executed: _____)                                                                             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| III.7.d | Was project information provided to staff responsible for O&M verification inspections?<br>(Date provided to inspection staff: _____) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Name of staff confirming project is closed out: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of O&amp;M staff receiving information: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Appendices**

Appendix A: O&amp;M Agreement

Appendix B: O&amp;M Annual Report Form

#### 17. State General Construction Permit Statement

The Applicant's civil engineer submitted the following statement regarding the requirement to submit a copy of the Notice of Intent for the State General Construction Permit:

"Once an NOI is on file with the Water Board, it becomes an "open project", subject to active "Best Management Practices" (i.e., erosion control and the requisite record keeping regarding maintenance of said BMP's, storm tracking, pre-and post- storm inspections, effluent sampling, annual reporting, etc.) If the project does not, for whatever reason, go forward, the owner could potentially have to correct any existing deficiencies in order to get their Notice of Termination (NOT) accepted by the Board. In our opinion, filing a Notice of Intent (NOI) with the Water Board at this early stage in project planning and approvals places a burden on the property owner, and serves no obvious purpose. I recommend that you request the City to allow the requirement to provide the NOI be deferred such that it, like the copy of the SWPPP, is a condition of building permit issuance."





## NEW HOME RATING SYSTEM, VERSION 6.0

### MULTIFAMILY CHECKLIST

The GreenPoint Rated checklist tracks green features incorporated into the home. GreenPoint Rated is administered by Build It Green, a non-profit whose mission is to promote healthy, energy and resource efficient buildings in California. The minimum requirements of GreenPoint Rated are: verification of 50 or more points; Earn the following minimum points per category: Community (2) Energy (25), Indoor Air Quality/Health (6), Resources (6), and Water (8); and meet the prerequisites CALGreen Mandatory, E5.2, H6.1, J5.1, O1, O7.

The criteria for the green building practices listed below are described in the GreenPoint Rated Single Family Rating Manual. For more information please visit [www.builditgreen.org/greenpointrated](http://www.builditgreen.org/greenpointrated)  
**Build It Green is not a code enforcement agency.**

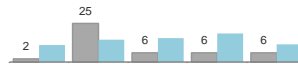
**A home is only GreenPoint Rated if all features are verified by a Certified GreenPoint Rater through Build It Green. This is the public version of the Checklist and cannot be used for certification.**

Total Points Targeted: 71

Certification Level: **Certified**

#### POINTS REQUIRED

■ Minimum Points  
■ Targeted Points



New Home Multifamily Version 6.0.2

1900 4th Street Apartments		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Notes
Measures			Possible Points					
CALGreen								
Yes	CALGreen Res (REQUIRED)	4	1	1	1	1		
A. SITE								
TBD	A1. Construction Footprint				1			
	A2. Job Site Construction Waste Diversion							
Yes	A2.1 65% C&D Waste Diversion (Including Alternative Daily Cover)	2				2		
≥65%	A2.2 65% C&D Waste Diversion (Excluding Alternative Daily Cover)	4				2		
Yes	A2.3 Recycling Rates from Third-Party Verified Mixed-Use Waste Facility	1				1		
Yes	A3. Recycled Content Base Material	1				1		
TBD	A4. Heat Island Effect Reduction (Non-Roof)		1					
TBD	A5. Construction Environmental Quality Management Plan Including Flush-Out				1			
	A6. Stormwater Control: Prescriptive Path							
No	A6.1 Permeable Paving Material	0					1	
TBD	A6.2 Filtration and/or Bio-Retention Features						1	
Yes	A6.3 Non-Leaching Roofing Materials	1					1	
Yes	A6.4 Smart Stormwater Street Design	1	1					
No	A7. Stormwater Control: Performance Path	0					3	
B. FOUNDATION								
No	B1. Fly Ash and/or Slag in Concrete	0				1		
No	B2. Radon-Resistant Construction	0			2			
No	B3. Foundation Drainage System	0				2		
No	B4. Moisture Controlled Crawl Space	0			1			
	B5. Structural Pest Controls							
No	B5.1 Termite Shields and Separated Exterior Wood-to-Concrete Connections	0				1		
No	B5.2 Plant Trunks, Bases, or Stems at Least 36 Inches from the Foundation	0				1		
C. LANDSCAPE								
0.00%	Enter the landscape area percentage							
Yes	C1. Plants Grouped by Water Needs (Hydrozoning)	1					1	
Yes	C2. Three Inches of Mulch in Planting Beds	1					1	
	C3. Resource Efficient Landscapes							
Yes	C3.1 No Invasive Species Listed by Cal-IPC	1				1		
Yes	C3.2 Plants Chosen and Located to Grow to Natural Size	0				1		
Yes	C3.3 Drought Tolerant, California Native, Mediterranean Species, or Other Appropriate Species	0					3	
	C4. Minimal Turf in Landscape							
No	C4.1 No Turf on Slopes Exceeding 10% and No Overhead Sprinklers Installed in Areas Less Than Eight Feet Wide	0					2	
Yes	C4.2 Turf on a Small Percentage of Landscaped Area	0					2	
No	C5. Trees to Moderate Building Temperature	0	1	1			1	
TBD	C6. High-Efficiency Irrigation System						2	
No	C7. One Inch of Compost in the Top Six to Twelve Inches of Soil	0					2	
No	C8. Rainwater Harvesting System	0					3	
Yes	C9. Recycled Wastewater Irrigation System	0					1	
Yes	C10. Submeter or Dedicated Meter for Landscape Irrigation	0					2	
TBD	C11. Landscape Meets Water Budget						2	
	C12. Environmentally Preferable Materials for Site							
No	C12.1 Environmentally Preferable Materials for 70% of Non-Plant Landscape Elements and Fencing	0				1		
Yes	C12.2 Play Structures and Surfaces Have an Average Recycled Content ≥20%	1				1		
No	C13. Reduced Light Pollution	0	1					
No	C14. Large Stature Tree(s)	0	1					
No	C15. Third Party Landscape Program Certification	0					1	
TBD	C16. Maintenance Contract with Certified Professional						1	
No	C17. Community Garden	0	2					
D. STRUCTURAL FRAME AND BUILDING ENVELOPE								
	D1. Optimal Value Engineering							
No	D1.1 Joists, Rafters, and Studs at 24 Inches on Center	0		1		2		
No	D1.2 Non-Load Bearing Door and Window Headers Sized for Load	0				1		
No	D1.3 Advanced Framing Measures	0				2		
No	D2. Construction Material Efficiencies	0				1		
	D3. Engineered Lumber							
No	D3.1 Engineered Beams and Headers	0				1		
No	D3.2 Wood I-Joists or Web Trusses for Floors	0				1		
No	D3.3 Engineered Lumber for Roof Rafters	0				1		
No	D3.4 Engineered or Finger-Jointed Studs for Vertical Applications	0				1		
Yes	D3.5 OSB for Subfloor	0.5				0.5		
Yes	D3.6 OSB for Wall and Roof Sheathing	0.5				0.5		
Yes	D4. Insulated Headers	1		1				
	D5. FSC-Certified Wood							
No	D5.1 Dimensional Lumber, Studs, and Timber	0				6		
No	D5.2 Panel Products	0				3		
	D6. Solid Wall Systems							
No	D6.1 At Least 90% of Floors	0				1		
No	D6.2 At Least 90% of Exterior Walls	0		1		1		
No	D6.3 At Least 90% of Roofs	0		1		1		
Yes	D7. Energy Heels on Roof Trusses	1		1				
16 inches	D8. Overhangs and Gutters	1		1		1		
	D9. Reduced Pollution Entering the Home from the Garage							
No	D9.1 Detached Garage	0			2			
No	D9.2 Mitigation Strategies for Attached Garage	0			1			
	D10. Structural Pest and Rot Controls							

1900 4th Street Apartments		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	
No	D10.1 All Wood Located At Least 12 Inches Above the Soil	0				1		
No	D10.2 Wood Framing Treating With Borates or Factory-Impregnated, or Wall Materials Other Than Wood	0				1		
Yes	D11. Moisture-Resistant Materials in Wet Areas (such as Kitchen, Bathrooms, Utility Rooms, and Basements)	2			1	1		
E. EXTERIOR								
No	E1. Environmentally Preferable Decking	0				1		
No	E2. Flashing Installation Third-Party Verified	0				2		
No	E3. Rain Screen Wall System	0				2		
No	E4. Durable and Non-Combustible Cladding Materials	0				1		
	E5. Durable Roofing Materials							
Yes	E5.1 Durable and Fire Resistant Roofing Materials or Assembly	1				1		
Yes	E5.2 Roofing Warranty for Shingle Roofing	Y	R	R	R	R	R	
No	E6. Vegetated Roof	0	2	2				
F. INSULATION								
No	F1. Insulation with 30% Post-Consumer or 60% Post-Industrial Recycled Content							
No	F1.1 Walls and Floors	0				1		
	F1.2 Ceilings	0				1		
	F2. Insulation that Meets the CDPH Standard Method—Residential for Low Emissions							
No	F2.1 Walls and Floors	0			1			
No	F2.2 Ceilings	0			1			
	F3. Insulation That Does Not Contain Fire Retardants							
Yes	F3.1 Cavity Walls and Floors	1			1			
Yes	F3.2 Ceilings	1			1			
Yes	F3.3 Interior and Exterior Insulation	1			1			
G. PLUMBING								
	G1. Efficient Distribution of Domestic Hot Water							
Yes	G1.1 Insulated Hot Water Pipes	1		1				
No	G1.2 WaterSense Volume Limit for Hot Water Distribution	0					1	
No	G1.3 Increased Efficiency in Hot Water Distribution	0					2	
	G2. Install Water-Efficient Fixtures							
Yes	G2.1 WaterSense Showerheads with Matching Compensation Valve	2					2	
Yes	G2.2 WaterSense Bathroom Faucets	1					1	
Yes	G2.3 WaterSense Toilets with a Maximum Performance (MaP) Threshold of No Less Than 500 Grams	1					1	
No	G2.4 Urinals with Flush Rate of ≤ 0.1 Gallons/Flush	0					1	
No	G3. Pre-Plumbing for Graywater System	0					1	
No	G4. Operational Graywater System	0					3	
No	G5. Submeter Water for Tenants	0					2	
H. HEATING, VENTILATION, AND AIR CONDITIONING								
	H1. Sealed Combustion Units							
No	H1.1 Sealed Combustion Furnace	0			1			
Yes	H1.2 Sealed Combustion Water Heater	2			2			
No	H2. High Performing Zoned Hydronic Radiant Heating System	0		1	1			
	H3. Effective Ductwork							
Yes	H3.1 Duct Mastic on Duct Joints and Seams	1		1				
No	H3.2 Pressure Balance the Ductwork System	0		1				
Yes	H4. ENERGY STAR® Bathroom Fans Per HVI Standards with Air Flow Verified	1			1			
	H5. Advanced Practices for Cooling							
No	H5.1 ENERGY STAR Ceiling Fans in Living Areas and Bedrooms	0		1				
No	H5.2 Operable Windows and Skylights Located to Induce Cross Ventilation in At Least One Room in 80% of Units	0		1				
	H6. Whole House Mechanical Ventilation Practices to Improve Indoor Air Quality							
Yes	H6.1 Meet ASHRAE Standard 62.2-2010 Ventilation Residential Standards	Y	R	R	R	R	R	
No	H6.2 Advanced Ventilation Standards	0			1			
No	H6.3 Outdoor Air Ducted to Bedroom and Living Areas	0			2			
	H7. Effective Range Design and Installation							
Yes	H7.1 Effective Range Hood Ducting and Design	1			1			
No	H7.2 Automatic Range Hood Control	0			1			
I. RENEWABLE ENERGY								
No	I1. Pre-Plumbing for Solar Water Heating	0		1				
No	I2. Preparation for Future Photovoltaic Installation	0		1				
	I3. Onsite Renewable Generation (Solar PV, Solar Thermal, and Wind)			25				
	I4. Net Zero Energy Home							
No	I4.1 Near Zero Energy Home	0		2				
No	I4.2 Net Zero Electric	0		4				
No	I5. Solar Hot Water Systems to Preheat Domestic Hot Water	0		4				
No	I6. Photovoltaic System for Multifamily Projects	0		12				
J. BUILDING PERFORMANCE AND TESTING								
Yes	J1. Third-Party Verification of Quality of Insulation Installation	1			1			
Yes	J2. Supply and Return Air Flow Testing	2		1	1			
Yes	J3. Mechanical Ventilation Testing and Low Leakage	1			1			
Yes	J4. Combustion Appliance Safety Testing	1			1			
2013	J5. Building Performance Exceeds Title 24 Part 6							
0.0%	J5.1 Home Outperforms Title 24	0		30				
0.0%	J5.2 Non-Residential Spaces Outperform Title 24	0		15				
Yes	J6. Title 24 Prepared and Signed by a CABEC Certified Energy Analyst	1		1				
TBD	J7. Participation in Utility Program with Third-Party Plan Review			1				
No	J8. ENERGY STAR for Homes	0		1				
No	J9. EPA Indoor airPlus Certification				1			
K. FINISHES								
	K1. Entryways Designed to Reduce Tracked-In Contaminants							
No	K1.1 Entryways to Individual Units	0			1			
Yes	K1.2 Entryways to Buildings	1			1			
No	K2. Zero-VOC Interior Wall and Ceiling Paints	0			2			
Yes	K3. Low-VOC Caulks and Adhesives	1			1			
	K4. Environmentally Preferable Materials for Interior Finish							
TBD	K4.1 Cabinets					2		
TBD	K4.2 Interior Trim					2		
TBD	K4.3 Shelving					2		
TBD	K4.4 Doors					2		
TBD	K4.5 Countertops					1		
	K5. Formaldehyde Emissions in Interior Finish Exceed CARB							
TBD	K5.1 Doors				1			
TBD	K5.2 Cabinets and Countertops				2			
TBD	K5.3 Interior Trim and Shelving				2			
TBD	K6. Products That Comply With the Health Product Declaration Open Standard				2			
No	K7. Indoor Air Formaldehyde Level Less Than 27 Parts Per Billion	0			2			
No	K8. Comprehensive Inclusion of Low Emitting Finishes				1			
No	K9. Durable Cabinets	0			2			
TBD	K10. At Least 25% of Interior Furniture Has Environmentally Preferable Attributes				1			
L. FLOORING								
TBD	L1. Environmentally Preferable Flooring					3		
TBD	L2. Low-Emitting Flooring Meets CDPH 2010 Standard Method—Residential				3			

1900 4th Street Apartments		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	
TBD	L3. Durable Flooring							
No	L4. Thermal Mass Flooring	0		1				
M. APPLIANCES AND LIGHTING								
Yes	M1. ENERGY STAR® Dishwasher	1					1	
No	M2. CEE-Rated Clothes Washer	0		1			2	
<25 cubic feet	M3. Size-Efficient ENERGY STAR Refrigerator	1		2				
M4. Permanent Centers for Waste Reduction Strategies								
No	M4.1 Built-In Recycling Center	0				1		
No	M4.2 Built-In Composting Center	0				1		
M5. Lighting Efficiency								
Yes	M5.1 High-Efficacy Lighting	2		2				
Yes	M5.2 Lighting System Designed to IESNA Footcandle Standards or Designed by Lighting Consultant	2		2				
Yes	M6. Central Laundry	1					1	
No	M7. Gearless Elevator	0		1				
N. COMMUNITY								
N1. Smart Development								
No	N1.1 Infill Site	0	1			1		
No	N1.2 Designated Brownfield Site	0	1		1			
>25	N1.3 Conserve Resources by Increasing Density	2		2		2		
No	N1.4 Cluster Homes for Land Preservation	0	1			1		
	N1.5 Home Size Efficiency					9		
	Enter the area of the home, in square feet							
	Enter the number of bedrooms							
TBD	N2. Home(s)/Development Located Within 1/2 Mile of a Major Transit Stop		2					
N3. Pedestrian and Bicycle Access								
	N3.1 Pedestrian Access to Services Within 1/2 Mile of Community Services		2					
	Enter the number of Tier 1 services							
	Enter the number of Tier 2 services							
Yes	N3.2 Connection to Pedestrian Pathways	1	1					
No	N3.3 Traffic Calming Strategies	0	2					
No	N3.4 Sidewalks Buffered from Roadways and 5-8 Feet Wide	0	1					
No	N3.5 Bicycle Storage for Residents	0	1					
Yes	N3.6 Bicycle Storage for Non-Residents	1	1					
No	N3.7 Reduced Parking Capacity	0	2					
N4. Outdoor Gathering Places								
Yes	N4.1 Public or Semi-Public Outdoor Gathering Places for Residents	1	1					
No	N4.2 Public Outdoor Gathering Places with Direct Access to Tier 1 Community Services	0	1					
N5. Social Interaction								
No	N5.1 Residence Entries with Views to Callers	0	1					
Yes	N5.2 Entrances Visible from Street and/or Other Front Doors	1	1					
No	N5.3 Porches Oriented to Street and Public Space	0	1					
Yes	N5.4 Social Gathering Space	1	1					
N6. Passive Solar Design								
No	N6.1 Heating Load	0		2				
No	N6.2 Cooling Load	0		2				
N7. Adaptable Building								
TBD	N7.1 Universal Design Principles in Units		1		1			
No	N7.2 Full-Function Independent Rental Unit	0	1					
N8. Affordability								
≥25%	N8.1 Dedicated Units for Households Making 80% of AMI or Less	1	2					
Yes	N8.2 Units with Multiple Bedrooms for Households Making 80% of AMI or Less	1	1					
Yes	N8.3 At Least 20% of Units at 120% AMI or Less are For Sale	1	1					
N9. Mixed-Use Developments								
No	N9.1 Live/Work Units Include a Dedicated Commercial Entrance	0	1					
No	N9.2 At Least 2% of Development Floor Space Supports Mixed Use	0	1					
No	N9.3 Half of the Non-Residential Floor Space is Dedicated to Community Service	0	1					
O. OTHER								
Yes	O1. GreenPoint Rated Checklist in Blueprints	Y	R	R	R	R	R	
Yes	O2. Pre-Construction Kickoff Meeting with Rater and Subcontractors	2		0.5		1	0.5	
Yes	O3. Orientation and Training to Occupants—Conduct Educational Walkthroughs	2		0.5	0.5	0.5	0.5	
TBD	O4. Builder's or Developer's Management Staff are Certified Green Building Professionals			0.5	0.5	0.5	0.5	
No	O5. Home System Monitors	0		2			1	
O6. Green Building Education								
Yes	O6.1 Marketing Green Building	2	2					
Yes	O6.2 Green Building Signage	1		0.5			0.5	
Yes	O7. Green Appraisal Addendum	Y	R	R	R	R	R	
No	O8. Detailed Durability Plan and Third-Party Verification of Plan Implementation	0				1		
No	O9. Residents Are Offered Free or Discounted Transit Passes	0	2					
Yes	O10. Vandalism Deterrence Practices and Vandalism Management Plan	1				1		
P. DESIGN CONSIDERATIONS								
P1. Acoustics: Noise and Vibration Control								
	Enter the number of Tier 1 practices		1		1			
	Enter the number of Tier 2 practices							
P2. Mixed-Use Design Strategies								
No	P2.1 Tenant Improvement Requirements for Build-Outs	0			1		1	
No	P2.2 Commercial Loading Area Separated for Residential Area	0			1			
No	P2.3 Separate Mechanical and Plumbing Systems	0			1			
P3. Commissioning								
No	P3.1 Design Phase	0		1	1			
No	P3.2 Construction Phase	0		1	1			
No	P3.3 Post-Construction Phase	0		1	1			
No	P4. Building Enclosure Testing	0		1	1	1		
Summary								
Total Available Points in Specific Categories		381	43	138	61	86	53	
Minimum Points Required in Specific Categories		50	2	25	6	6	6	
Total Points Achieved		71.0	11.0	14.5	15.5	18.5	11.5	

Pacific Gas and Electric Company

# Customized New Construction and Savings By Design Program Application

## Instructions

### How to apply

1. Read the Terms and Conditions on the following page.
2. Complete both pages of the 2015 Customized New Construction and Savings By Design Program Application.
3. Sign Section 4: Agreement.
4. Submit both pages of the application.

If applying for a Savings By Design project and a Design Team Incentive is desired, also submit a completed and signed 2015 Savings By Design—Design Team Application.

### Contact PG&E before submitting your information

You should contact a PG&E representative prior to submitting applications and other required documentation in order to participate in PG&E's Customized New Construction and Savings By Design Program.

Contact the Business Customer Service Center at **1-800-468-4743** or send an email to **businesscustomerhelp@pge.com**.

Refer to the current *Savings By Design Participation Handbook* for requirements and guidelines.

Submit application package to your PG&E representative or mail application to:

PG&E Project Office Support Team  
P.O. Box 7265  
San Francisco, CA 94120-7265

For overnight delivery, send to:

PG&E Integrated Processing Center  
Mail Code B3B  
77 Beale Street—3rd Floor  
San Francisco, CA 94105-1814

For fax delivery, send to:

415-972-5155

By email, send to:

**customizedapps@pge.com**





## Terms and Conditions

I, the Customer, agree to the following terms and conditions ("the Agreement"):

1. I meet the Customized New Construction and Savings By Design eligibility requirements as stated in the appropriate attachment(s) included with this Application.
2. The information I have supplied on this Application and attachment(s) is true, correct, and complete.
3. I have read and understand the terms and conditions of the Agreement and on the appropriate attachments and agree to abide by the rules, requirements and terms set forth on this Application, the Agreement, and all attachments.
4. If the Agreement is terminated for any reason, Pacific Gas and Electric Company (PG&E) shall not be liable to the Customer for damages or compensation of any kind.
5. PG&E reserves the right to determine eligibility for the Incentive.
6. PG&E MAKES NO REPRESENTATION OR WARRANTY, AND ASSUMES NO LIABILITY WITH RESPECT TO QUALITY, SAFETY, PERFORMANCE, OR OTHER ASPECT OF ANY DESIGN, SYSTEM OR APPLIANCE INSTALLED PURSUANT TO THE AGREEMENT, AND EXPRESSLY DISCLAIMS ANY SUCH REPRESENTATION, WARRANTY OR LIABILITY. CUSTOMER AGREES TO INDEMNIFY PG&E, ITS AFFILIATES, SUBSIDIARIES, PARENT COMPANY, OFFICERS, DIRECTORS, AGENTS, AND EMPLOYEES AGAINST ALL LOSS, DAMAGE, EXPENSE, FEES, COSTS, AND LIABILITY ARISING FROM ANY MEASURES INSTALLED.
7. Both funding and the conditions of the Incentive are subject to the jurisdiction of the California Public Utilities Commission (CPUC) and shall be subject to such changes or modifications as the CPUC may, from time to time, direct in the exercise of its jurisdiction. If there are changes in the Incentive, PG&E will endeavor, but cannot guarantee, to provide a reasonable period of time before changes go into effect.
8. I understand that if the incentive is modified in any way or terminated by order of any government entity, then the Agreement shall be revised or terminated consistent with that order.
9. PG&E may assign the Agreement, in whole or in part, or its rights and obligations hereunder, directly or indirectly, by operation of law or otherwise, without the Customer's prior written consent, provided PG&E remains obligated for payments incurred prior to the assignment. The Customer may not assign this Application, in whole or in part, or its rights and obligations hereunder, directly or indirectly, by operation of law or otherwise without the prior written consent of PG&E.
10. I understand the Incentive requires inspections and measurements of the performance of the measures. Therefore, I agree to provide access to the Project Site for these purposes to PG&E and/or its agents or assigns and the CPUC and/or its agents or assigns.
11. I agree to release PG&E, its affiliates, subsidiaries, parent company, officers, managers, directors, agents, and employees from all claims, demands, losses, damages, costs, expenses, and liability (legal, contractual, or otherwise), which arise from or are in any way connected with any: (1) injury to or death of persons, including but not limited to employees of PG&E, customer, or any third party; (2) injury to property or other interests of PG&E, Customer or any third party; (3) violation of local, state, or federal common law, statute, or regulation, including but not limited to environmental laws or regulations; (4) energy savings shortfall; so long as such injury, violation, or shortfall (as set forth in (1)–(4) above) arises from or is in any way connected with the Project, including any third party's performance of or failure to perform the Project, however caused, regardless of any strict liability or negligence of PG&E, its officers, managers, or employees.
12. Energy savings for which incentives are paid cannot exceed the actual usage provided by PG&E. Non-utility supply, such as cogeneration or deliveries from another commodity supplier, does not qualify as usage from PG&E (with the exception of Direct Access customers or customers paying departing load fees for which the utility collects PPP or PGC charges).
13. Funding approved for this Incentive is limited and will be paid on a first-come, first-served basis to qualified customers. Funds will only be reserved upon PG&E's execution of the Agreement. This incentive offer is subject to the availability of authorized funds.
14. Installation of any energy-efficient equipment required for compliance with 2013 Title 24 will not qualify for incentives. Energy efficiency improvements beyond 2013 Title 24 requirements or a generally accepted industry standard, where applicable, may be eligible for incentives.
15. Specific restrictions may apply to each energy efficiency system, as outlined in the instructions and attached project forms.
16. To be eligible for incentives, I agree that I have not and will not apply for or receive incentives offered by local or state entities or other utilities for measures covered under this Agreement.
17. PG&E may suspend or terminate the Agreement, without cause, upon written notice to me.
18. I understand the following Tax Liability provisions: PG&E will report incentives greater than \$600 as income to me on IRS form 1099 unless: (1) I have marked the "Corporation" or "Exempt" tax status box, or (2) I identified a different party as "Payee" in Section 2 of the application.

2015 Customized New Construction and Savings By Design  
Program Application

## SECTION 1 CUSTOMER CONTACT INFORMATION

By: West Berkeley Investors, LLC By: Fourth St. Berkeley Investors, LLC By: BHV Center Street Properties, LLC

PG&E Customer Name  
550 Hartz Avenue, Suite 200 Danville CA 94526

Mailing Address City State Zip

Lauren Colbert

Customer Contact Name Title

~~800-285-2545~~ 925-575-8732 lcolbert@bhvcp.com

Contact Telephone Number Contact Fax Number Email

## SECTION 2 PROJECT INFORMATION

1900 Fourth

Project Name ☐ Check if participating in PG&E Local Government/Statewide Partnership

PG&E Local Government/Statewide Partnership Name (if applicable)

1900 4th Street Berkeley CA 94710

Project Site Address City State Zip

Same as above

Site Contact Name (if different from applicant) Title

Site Contact Telephone Number Site Contact Email

208,190 September 2017 September 2019 TBD

Conditioned Sq. Ft.\* Est. Plan Finalization Date\* Est. Construction Completion Date\* Estimate % Energy Savings

Mixed Use Commercial/Residential N/A - new construction 356,390

Facility Description/Type Years Since Built or Last Major Renovation Total Sq. Ft. of Facility

\*Required field

Project Type (check one)

☒ New Construction (including additions) ☐ Renovation/remodel (including tenant improvement) ☐ End-Use Kickers (check if applicable)

☐ End-Use Monitoring

Type of Business/Organization

☐ Fabrication ☐ Food Processing ☐ Office ☐ Religious Institution

☒ Restaurant ☒ Retail ☐ School ☐ Other (please specify)

For Savings By Design projects requesting a design team incentive, please also complete the 2015 Savings By Design Design Team Application at the end of this document.



2015 Customized New Construction and Savings By Design  
Program Application

## SECTION 3 PAYEE INFORMATION

Tax Identification Type (select ONLY one)

☐ Federal Tax ID☒ Employer ID Number (EIN)☐ Social Security Number

Tax Identification Number:

46-4678884

Tax Status (select ONLY one)

☒ Corporation☐ Non-Corporation☐ Individual☐ Exempt

I am authorizing this payment of my incentive to the other entity named in Section 2, and I understand that I will not be receiving the incentive check from PG&E. I also understand that my release of the payment to the third party does not exempt me from the requirements outlined in the application package.

West Berkeley Investors, LLC

Payee

925-575-8737

Telephone Number

150 HARTZ AVE SUITE 200 DANVILLE

Mailing Address

City

CA

State

94526

Zip

LAUREN COLBERT

Payee Contact Name

PROJECT DIRECTOR

Payee Contact Title

lcolbert@bhucp.com

Payee Contact Email

## SECTION 4 AGREEMENT

I would like to participate in Pacific Gas and Electric Company's Customized Energy Efficiency Incentive program. I understand that the Incentive is funded by utility customers through the Public Purpose Programs surcharge. I am interested in improving the energy efficiency of my project using the financial incentives available. I agree to provide the required documentation as requested. I am willing to consider efficiency recommendations which may improve the performance of my project significantly beyond 2013 Title 24 (or other baseline) requirements. I understand that participation is voluntary and that I am under no obligation to modify the design or construction of my building based on resulting recommendations. I also understand that I will receive financial incentives only if I complete an agreement, my eligibility is established by PG&E, the performance of my building meets the requirements and the energy-efficiency strategies are installed and verified.

I have read and agree to the terms and conditions on the previous pages. I certify that the information I have provided on this application is true and correct.

~~Lauren Colbert~~ BRADLEY P. GRIGGS

Customer Contact Name (please print)

MANAGING PARTNER

Title

Signature BY: WEST BERKELEY INVESTORS, LLC Date

BY: FOURTH ST. BERKELEY INVESTORS, LLC

See Terms and Conditions.

BY: BHV CENTER STREET PROPERTIES, LLC

## FOR UTILITY USE ONLY

POIM LAN ID

ES&amp;S LAN ID

Date Received

FOR PG&amp;E USE ONLY: Project No.

Application No.

Ref. No.



## 2015 Savings By Design—Design Team Application

Complete this form only for Savings By Design projects requesting a design team incentive.

## DESIGN TEAM LEADER INFORMATION

TCA Architects

Design Firm Name

PG&amp;E Local Government/Statewide Partnership Name (if applicable)

19782 MacArthur Blvd., Suite 300

Irvine

CA

92612

Mailing Address

City

State

Zip

Irwin Yau

Contact Name

Title

949-862-0270

iyau@tca-arch.com

Contact Telephone Number

Contact Email

Mixed Use Residential-Commercial

N/A

356,390

Facility Description/Type

Years Since Built or Last Major Renovation

Total Sq. Ft. of Facility

Tax Identification Type (select ONLY one)

☐ Federal Tax ID☒ Employer ID Number (EIN)☐ Social Security Number

Tax Identification Number: 93-1170091

Tax Status (select ONLY one)

☒ Corporation☐ Non-Corporation☐ Individual☐ Exempt

## PROJECT INFORMATION

1900 Fourth

West Berkeley Investors, LLC

Project Name

Owner Name

1900 Fourth St.

Berkeley

CA

94710

Address/Location

City

State

Zip

356,390

208,190

Schematic

September 2019

Estimated Gross Sq. Ft.

Est. Conditioned Sq. Ft.

Phase of Design

Est. Construction Completion Date

Energy-efficient enhancements to be investigated: (describe)

Increased insulation, Energy Star bathroom fans, Sealed combustion water heater, Duct Mastic on ductwork, renewable energy systems.

## ■ All energy systems to be investigated:

## Envelope

☐ Materials☐ Insulation Levels☐ Glazing Options☐ Daylighting Options☐ Other

## Lighting

☐ Electronic Ballasts☐ Occupancy Sensors☐ Task/Ambient Design☐ High-Efficiency Sources☐ Other

## HVAC

☐ Central Plant Options☐ Evaporative Cooling☐ Variable-Speed Drives☐ High-Efficiency Equipment☐ Other

## Other

☐ Refrigeration☐ Process Loads☐ Ventilation Control☐ Energy Management☐ Other

## INTEREST IN PARTICIPATION

As the Design Team Leader of the specified project, I wish to participate in the Design Team Incentive element of PG&E's Customized Energy Efficiency/Demand Response Incentive. I understand that before I can participate, the team will be required to sign the Design Team Consent on the reverse side of this form. I further agree to provide all documentation as required by the guidelines and agree to all other requirements as set forth in the current *Savings By Design Participant Handbook*.

TCA ARCHITECTS

IRWIN YAU

Firm Name

Design Team Leader

Irwin Yau

03/25/2015

Signature

Date

Digitally signed by Irwin Yau  
DN: cn=Irwin Yau, o=TCA Architects, ou, email=iyau@tca-arch.com, c=US  
Date: 2015.03.24 11:59:13 -0700

FOR PG&amp;E USE ONLY: Project No. \_\_\_\_\_ Application No. \_\_\_\_\_ Ref. No. \_\_\_\_\_





## 2015 Savings By Design—Design Team Application

## DESIGN TEAM MEMBERS' CONSENT

By signature(s) below, the Design Team Members consent to the Design Team Leader on the reverse of this form. It is understood and agreed that any incentive paid will be paid to the Design Team Leader and that Pacific Gas and Electric Company (PG&E) bears no responsibility for the apportionment of the incentive payment. Further, Design Team Members also agree NOT to represent to any third party that PG&E's review of the energy-efficiency measures (EEMs) or analysis of the energy efficiency of any aspect of the building project or design is in any way a representation by PG&E as to the economic or technical feasibility, operational capability, or reliability of such building design or EEMs.

Hans Baldauf

Architect

Team Member

Role

BCV Architects

415-398-6538

Firm Name

Telephone Number

1527 Stockton Street

San Francisco CA

94133

Address

City/State

Zip

Signature

Date

Email

Cathy Garrett

Landscape Architect

Team Member

Role

PGAdesign inc

510-465-1284

Firm Name

Telephone Number

444 17th Street

Oakland CA

94612

Address

City/State

Zip

Signature

Date

Email

Team Member

Role

Firm Name

Telephone Number

Address

City/State

Zip

Signature

Date

Email

Team Member

Role

Firm Name

Telephone Number

Address

City/State

Zip

Signature

Date

Email

Team Member

Role

Firm Name

Telephone Number

Address

City/State

Zip

Signature

Date

Email

# Bay-Friendly Basics Landscape Checklist



This Bay-Friendly Basics Checklist is for all new construction and renovation of landscapes that are 2,500 square feet of irrigated area or greater and require a permit. The Bay-Friendly Basics represents the 9 required practices from the Bay-Friendly Landscape Scorecard. It is considered a minimum set of practices to improve the environmental performance of the landscape. Projects are recommended to meet all applicable measures on the checklist. For measures that are not applicable or are not in the project's scope of work, check "N/A" and make a note of why the measure does not apply to the project (attach additional sheets if necessary). For electronic copies of this checklist, and other Bay-Friendly Landscaping resources, visit: [www.BayFriendly.org](http://www.BayFriendly.org)

**Project:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## Earthwork & Soil Health

Yes	No	N/A	Measure & Requirement	Documentation	Notes
<b>1. Mulch</b>					
			<p><b>Requirement</b> All soil on site is protected with a minimum of 3 inches of mulch after construction.</p> <p><b>Recommendation</b> Use recycled or greenwaste mulch instead of landscape fabric. Trees identified for removal are chipped and used on site as mulch, on-site storage space permitting.</p> <p><b>Reference</b> <i>Bay-Friendly Landscape Guidelines</i>, Practice 4.1; <i>Bay-Friendly Guide to Mulch</i>, available at <a href="http://www.BayFriendly.org">www.BayFriendly.org</a>. Provides sources of recycled mulch and proper application of mulch and information on sheet mulching.</p>	<ul style="list-style-type: none"> <li>• Submit square footage of planting areas as well as cubic yards required to cover planting areas to a minimum three-inch (3") depth.</li> <li>• Submit a delivery ticket or receipt of purchased mulch and/or,</li> <li>• Submit receipts for sheet mulching materials and/or,</li> <li>• (Optional) Submit photos of trees being chipped for mulch (if applicable).</li> </ul>	
<b>2. Amend the Soil with Compost Before Planting</b>					
			<p><b>Requirement</b> Compost is specified as the soil amendment, at the rates indicated by a soil analysis to bring the soil organic matter content to a minimum of 3.5% by dry weight or 1 inch of compost. If the imported or site soil meets the organic content of 3.5% or more, then the requirement is waived.</p> <p><b>Recommendation</b> Purchase compost from a producer who participates in the U.S. Composting Council's Standard Testing Assurance(STA) program to ensure quality.</p> <p><b>Reference</b> <i>Bay-Friendly Landscape Guidelines</i>, Practice 4.1; Model Bay-Friendly Soil specifications, at <a href="http://www.BayFriendly.org">www.BayFriendly.org</a>; U.S. Composting Council Standard Testing Assurance program explanation and list of participating producers can be found at: <a href="http://www.compostingcouncil.org">www.compostingcouncil.org</a></p>	<ul style="list-style-type: none"> <li>• Submit the site soil or imported topsoil analysis. No soils analysis is required if 1" of compost is used.</li> <li>• Submit+H35 compost details from construction documents.</li> <li>• Submit the receipt or delivery ticket for the compost, indicating the amount of the compost delivered/purchased.</li> </ul> <p><u><i>If a waiver is requested based on soil organic matter content or the needs of plant palette,</i></u></p> <ul style="list-style-type: none"> <li>• Submit a completed plant palette with species that need little/no soil organic matter identified, and include the source of information on their soil needs OR</li> <li>• Submit a soils report that indicates the soil has an organic matter content of 3.5% or greater.</li> </ul>	

## Bay-Friendly Basics Landscape Checklist

Yes No N/A	Measure & Requirement	Documentation	Notes
<b>Materials</b>			
<b>3. Reduce and Recycle Landscape Construction Waste</b>			
	<p><b>Requirement</b> Divert 50% of landscape construction and demolition waste by weight. Verify the local jurisdiction's minimum requirement and reporting procedures for construction and demolition (C&amp;D) recycling.</p> <p><b>Reference:</b> StopWaste.Org, <i>Builders' Guide to Reuse &amp; Recycling: A Directory for Construction and Demolition Materials</i> and sample Waste Management Plan for recycling C&amp;D materials at <a href="http://www.BuildGreenNow.Org">www.BuildGreenNow.Org</a>.</p>	<ul style="list-style-type: none"> <li>• State the percent diversion goal in the design documents.</li> <li>• List specific goals and recycling and reuse requirements in plans and specifications.</li> <li>• Require contractors to review the waste management plan with subcontractors and to include contract language requiring subcontractors comply with the plan.</li> <li>• Prior to construction, complete a construction waste management plan. The City should provide a sample template, or one can be downloaded at <a href="http://www.BuildGreenNow.org">www.BuildGreenNow.org</a>.</li> <li>• After construction, provide final waste management plan with backup documentation. If materials were sent to a C&amp;D Recycling facility, apply a facility average diversion rate because not all materials can be recycled. Most large C&amp;D facilities have a calculated diversion rate and can provide you with documentation stating the percentage of materials recycled at that facility (typically 50% to 90%).</li> </ul>	
<b>Planting</b>			
<b>4. Choose &amp; Locate Plants to Grow to Natural Size</b>			
	<p><b>Requirement</b> Species will be selected and plants spaced to allow them to grow to their natural size and shape . Pruning for structural integrity and health of plant is permitted. In addition, plants located in a row or adjacent to buildings, sidewalks or roads will be spaced between their minimum and maximum mature plant spread according to a published reference plant book and still fit into their planting area without significant overhang. Trees must meet the spacing requirements only when adjacent to buildings, in a row or other adjacent to other vertical obstructions. Vines are not subject to spacing requirements.</p> <p><b>Reference</b> <i>Bay-Friendly Landscape Guidelines</i>, Practices 2.1, Bay-Friendly Plant lists are available at <a href="http://www.BayFriendly.org">www.BayFriendly.org</a>; Bronsetin,Carol, David Fross and Bart O'Brien, <i>California Native Plants for the Garden</i>; East Bay Municipal Utility District, <i>Plants and Landscapes for Summer Dry Climates</i>; Sunset, <i>Western Garden Book</i>.</p>	<ul style="list-style-type: none"> <li>• Submit plant legend indicating plant species, spacing and mature spread of plant. Indicate the source of information on spacing and spread.</li> <li>• Submit a statement signed by the Landscape Architect, Designer or Contractor verifying that installed plants meet this requirement.</li> </ul>	

## Bay-Friendly Basics Landscape Checklist

Yes No N/A	Measure & Requirement	Documentation	Notes
<b>5. Do Not Plant Invasive Plant Species</b>			
	<p><b>Requirement</b> None of the plant species listed by CAL-IPC's Don't Plant a Pest as invasive in the San-Francisco, Bay Area are included in the planting plan.</p> <p><b>Definition</b> An invasive speices is defined as a species that is non-native (or alien) to the ecosystem under consideration and whose introduction causes or is likeley to cause economic or environmental harm or harm to human health. Federal Executive Order 1311.</p> <p><b>Reference</b> Bay-Friendly Landscape Guielines, Practice 2.1d; Don't Plant A Pestbrochures for trees and plants available at <a href="http://www.cal-ipc.org">www.cal-ipc.org</a>; <a href="http://www.cal-ipc.org/ip/inventory/weedlist.php">www.cal-ipc.org/ip/inventory/weedlist.php</a>.</p>	<ul style="list-style-type: none"> <li>• Compare the complete list of plants in the plant palette to the Cal-IPC list of plants that are invasive to the San Francisco Bay-Area.</li> <li>• Submit the complete plant palette.</li> <li>• Submit a statement signed by the Landscape Architect, Designer or Contractor confirming that no invasive species were substituted for specified species.</li> </ul>	
<b>6. Grow drought tolerant CA native, Mediterranean or climate adapted plants</b>			
	<p><b>Requirement</b> A minimum of 75% of the total number of plants in non-turf areas must be species that require no or little summer watering once established. Species should be adapted to the climate in which they will be planted, as referenced by a published plant reference. If plants are given a range of water needs from "occasional to moderate" for example, the landscape designer must determine if the plant will require either occasional or moderate watering based on site, soil, and climate conditions and categorize the plant appropriately.</p> <p><b>Recommendation</b> California native or Mediterranean species are strongly recommended.</p> <p><b>Reference</b> <i>Bay-Friendly Landscape Guidelines</i> Practice 4.2; <a href="http://www.owue.water.ca.gov/docs/wucols00.pdf">www.owue.water.ca.gov/docs/wucols00.pdf</a>.</p>	<ul style="list-style-type: none"> <li>• Submit a plant legend that identifies species, number of plants, irrigation requirements (and reference source of the water requirement), total number of drought tolerant plants and total number of non-turf plants. (download a Bay-Friendly plant legend template to facilitate this process at <a href="http://www.BayFriendly.org">www.BayFriendly.org</a>).</li> <li>• Submit a statement signed by the Landscape Architect, Designer or Contractor verifying that installed plants meet this requirement.</li> </ul>	



# Bay-Friendly Basics Landscape Checklist

Yes No N/A	Measure & Requirement	Documentation	Notes
<b>7. Minimize the lawn</b>			
	<b>Requirement</b> A maximum of 25% of total irrigated area is specified as turf, with sports or multiple use fields exempted.	<ul style="list-style-type: none"> <li>• Submit calculations of square feet of turf, excluding sports and multiple use fields, and square feet of total irrigated area.</li> <li>• Submit planting plans with sports and multiple use fields identified. Include a statement about the purpose of multiple use fields.</li> <li>• Submit as statement signed by the Landscape Architect, Designer or Contractor that installed turf meets the requirements for this credit.</li> </ul>	
	<b>Reference</b> <i>Bay-Friendly Landscape Guidelines</i> , Practice 4.3; Bay-Friendly Lawn Alternatives plant list at <a href="http://www.BayFriendly.org">www.BayFriendly.org</a> ; Brooklyn Botanic Garden Publications, <i>Easy Lawns, Low Maintenance Native Grasses for Gardeners Everywhere</i> .		

## Irrigation

### 8. Specify Weather-Based Irrigation Controllers (automatic, self-adjusting) that Includes a Moisture &/or Rain Sensor Shutoff

<b>Requirement</b> Weather-based irrigation controllers, soil moisture based controllers or other self-adjusting irrigation controllers, shall be required for all irrigation systems.	<ul style="list-style-type: none"> <li>• Submit the make and model and product sheet of the irrigation controller.</li> <li>• Provide a statement signed by the Landscape Architect, Designer or Contractor that the installed controller is a self-adjusting model and includes shut off capacity.</li> </ul>	
<b>Reference</b> <i>Bay-Friendly Landscape Guidelines</i> , Practice 4.6; EBMUD website has a list of recommended self adjusting controllers at <a href="http://www.ebmud.com">www.ebmud.com</a> .		

### 9. Sprinkler & Spray Heads are Not Specified for Areas Less Than 8 Feet Wide

<b>Requirement</b> Sprinkler and spray heads are not specified in areas less than or equal to 8 feet wide to prevent overspray and runoff. Acceptable alternatives include drip, subsurface drip, bubblers or no irrigation. Bubblers shall not exceed 1.5 gallons per minute per bubbler.	<ul style="list-style-type: none"> <li>• Submit statement signed by the Landscape Architect, Designer or Contractor verifying that irrigation as installed does not have sprinkler or spray heads in planted areas less than 8 feet wide.</li> </ul>	
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**Bay-Friendly Basics:** Bay-Friendly Basics represents the 9 required practices in the Bay-Friendly Landscape Scorecard. Landscapes that achieve the Bay-Friendly Basics, [www.bayfriendlybasics.org](http://www.bayfriendlybasics.org) are eligible for the Bay-Friendly Basics award. The award is given to the landscape architect, designer or contractor who has designed the landscape. The award is given to the landscape architect, designer or contractor who has designed the landscape. The award is given to the landscape architect, designer or contractor who has designed the landscape.

This checklist works well with the Small Commercial Green Building Checklist available at [www.sccgbc.org](http://www.sccgbc.org)



# PLANNING & DEVELOPMENT

Land Use Planning, 2120 Milvia Street, Berkeley, CA 94704  
Tel: 510.981.7410 TDD: 510.981.9603 Fax: 510.981.7420 Email: [Planning@ci.berkeley.ca.us](mailto:Planning@ci.berkeley.ca.us)

## ZONING USE QUESTIONNAIRE

Permit # \_\_\_\_\_ Date 3/27/15

Property Address 1900 4th Street Berkeley

Applicant Name West Berkeley Investors, LLC Phone # 925-575-9732

Proposed Use Mixed-use residential with ground floor retail and restaurant. Previous Use Commercial

Describe your business: Mixed-use development with 135 apartments over approximately 33,000 SF of retail, including restaurant and cafe space and a public paseo. 372 onsite parking spaces will be provided. The project is entitled to a density bonus because 10% of the base project units will be affordable at 50% AMI.

Name of Property Owner (if different from Phone # applicant) Ruegg & Ellsworth 510-548-3910

What are adjacent uses (sides and rear?) Retail and mixed-use residential

Is this an existing building? Yes \_\_\_\_\_ No X

If yes, has a Change of Occupancy Inspection been made by the Building and Safety Division?

Yes \_\_\_\_\_ No \_\_\_\_\_

What changes will be made to the building? Demolition of small structure on site and new construction

List days and hours of operation: Monday - Thursday: 7AM-1AM Friday: 7AM-1AM  
Saturday: 7AM-1AM Sunday: 7AM-1AM

Are you renting \_\_\_\_\_, leasing \_\_\_\_\_, or buying X the property?

Is the transaction contingent on obtaining a Use Permit? Yes X No \_\_\_\_\_ Explain Currently in escrow

How many employees will you have (including yourself)? Total 90 Per Shift 40

How many customers do you expect at one time? 100 When will be your busiest hours? 6PM-10PM

Is there an existing parking lot? Yes X No \_\_\_\_\_ Do you share it with any other use? No

Will you provide parking for customers? Yes X No \_\_\_\_\_ How many spaces? 237

Will you provide parking for employees? Yes X No \_\_\_\_\_ How many spaces? 237

Will parking be on the same property? Yes X No \_\_\_\_\_ If not, explain: \_\_\_\_\_

From what area do you expect the majority of your customers: Berkeley, city-wide

Immediate neighborhood X Several neighborhoods \_\_\_\_\_ Passing Traffic \_\_\_\_\_ City-wide X Larger area X

Explain \_\_\_\_\_

ADDRESS: 1900 4th Street, Berkeley  
3/27/15

DATE:

Will you be selling any alcoholic beverages for off-site consumption? Yes \_\_\_\_\_ No X

If yes, have you applied for an off-sale license from the State Department of Alcoholic Beverage Control? Yes \_\_\_\_\_ No \_\_\_\_\_

Will you be selling beverages in containers subject to California Redemption Value (CRV)? Yes \_\_\_\_\_ No X

#### ESTABLISHMENTS SERVING FOOD OR DRINK

Proposed seating (#) 92 Maximum allowable capacity under Building Code (#) 113

What type of cooking will you feature? TBD

How will cooking odors be controlled? Ventilation per city requirements

What arrangement will be made for recycling? Program per city requirements

#### Alcoholic Beverages

Will you serve beer? X Wine? X Liquor? X

With meals only? \_\_\_\_\_ Separately? X At a bar? X

Have you applied for a license from Department of Alcoholic Beverage Control? Yes \_\_\_\_\_ No \_\_\_\_\_  
Will be applying for a license when closer to occupancy.

#### Music

Will you provide live entertainment? Yes X No \_\_\_\_\_ Of what type? 2-3 piece band with  
amplified acoustic & low volume drums (wire sticks) 2-3/week

Will there be live music? X Recorded? X Amplified at what level? 50db

Will sound control be provided? Yes X No \_\_\_\_\_

What are the assurances that sound control will be adequate? New construction per CBC and City code requirements.

When will sound controls be installed? After leasing and before occupancy of retail.

Who is responsible for assuring that the business operates as described above?

[PRINT NAME] West Berkeley Investors, LLC; By: Fourth Street Berkeley Investors, LLC By: BHV CenterStreet Properties, LLC, Its Manager

Signature Bradley Griggs By: Bradley Griggs, Its Managing Member Date 3/31/15

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Parcel Conditions and Permit History

**Parcel Conditions: 1900 FOURTH ST**  
**APN: 057 210100103**



**Zoning/General Plan**

- [Arts District](#)
- [Commercial District with Use Quotas](#)
- [General Plan Area](#)
- [Zoning District](#)

**Regulation Applies**

- No
- No
- AC
- C-W

**Seismic Safety**

- [Earthquake Fault Rupture\(Alquist-Priolo\) Zone](#)
- [Landslide \(Seismic Hazards Mapping Act\)](#)

- No
- No

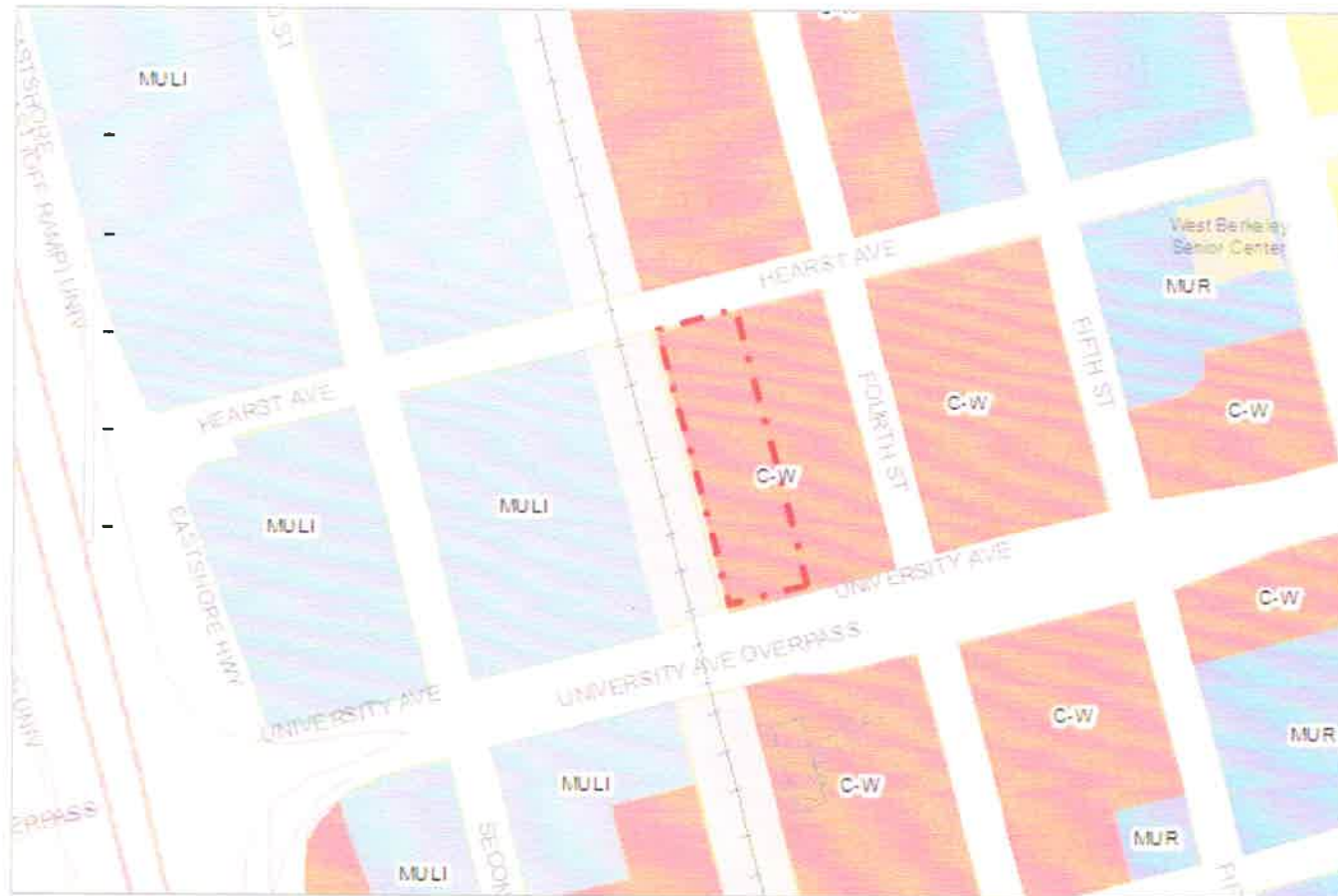


<a href="#">Liquefaction (Seismic Hazards Mapping Act)</a>	Yes
<b>Historic Preservation</b>	
<a href="#">Landmarks or Structure of Merit</a>	Yes
<b>Environmental Safety</b>	
<a href="#">Creek Buffer</a>	No
<a href="#">Environmental Management Area</a>	Yes
<a href="#">Fire Zone</a>	1
<a href="#">Flood Zone(100-year or 1%)</a>	No
<b>Additional Parcel Info</b>	
<a href="#">Parcel Larger than or equal to 10,000 Square Feet</a>	Yes
<a href="#">Parcel Larger than or equal to one acre(43,560 square feet)</a>	Yes
<a href="#">Redevelopment Area</a>	Yes

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Information Technology, 2180 Milvia Street, Berkeley, CA 94704  
Questions or comments? Email: [it@ci.berkeley.ca.us](mailto:it@ci.berkeley.ca.us) Phone: (510) 981-6525

## Parcel Conditions and Permit History

**Parcel Conditions: 701 UNIVERSITY AVE**  
**APN: 057 210100500**

**Zoning/General Plan**[Arts District](#)[Commercial District with Use Quotas](#)[General Plan Area](#)[Zoning District](#)**Seismic Safety**[Earthquake Fault Rupture\(Alquist-Priolo\) Zone](#)[Landslide \(Seismic Hazards Mapping Act\)](#)**Regulation Applies**

No

No

AC

C-W

No

No

<a href="#">Liquefaction (Seismic Hazards Mapping Act)</a>	Yes
<b>Historic Preservation</b>	
<a href="#">Landmarks or Structure of Merit</a>	Yes
<b>Environmental Safety</b>	
<a href="#">Creek Buffer</a>	No
<a href="#">Environmental Management Area</a>	Yes
<a href="#">Fire Zone</a>	1
<a href="#">Flood Zone(100-year or 1%)</a>	No
<b>Additional Parcel Info</b>	
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#### 24. Creek Information Statement

The project site contains a culverted portion of Strawberry Creek. The applicant anticipates that Culverted Creek regulations will apply, and requests guidance from the City's Public Works Department related to necessary application materials.