

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

JERRI HOLAN

WHEN RECORDED MAIL TO:

SAM SEPPÄLÄ  
1581 LEROY AVENUE  
BERKELEY, CA 94708

2020050290

03/02/2020 02:59 PM

33 PGS

OFFICIAL RECORDS OF ALAMEDA COUNTY  
MELISSA WILK, CLERK-RECORDER  
RECORDING FEES: \$0.00



870  
33  
10

THIS SPACE FOR RECORDER'S USE ONLY

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**TITLE OF DOCUMENT**

RESOLUTION No. 69,310-N.S.

(EXHIBIT MAPS, ET.AL., ARE AT:  
1581 LEROY AVENUE  
BERKELEY, CA 94708)

RESOLUTION NO. 69,310-N.S.

UPHOLDING LANDMARKS PRESERVATION COMMISSION APPROVAL OF STRUCTURAL ALTERATION PERMIT #LMSAP2019-0004 AND ZONING ADJUSTMENTS BOARD APPROVAL OF USE PERMIT #ZP2019-0061 TO REHABILITATE THE HILLSIDE SCHOOL AT 1581 LE ROY AVENUE AND TO CONVERT IT TO RESIDENTIAL USE

WHEREAS, on April 1, 2019, Jerri Holan AIA, submitted a Structural Alteration Permit application #LMSAP2019-0004 and a Use Permit application #ZP2019-00061 to rehabilitate the Hillside School and to convert it to residential use; and

WHEREAS on July 19, 2019, the City deemed the application for #LMSAP2019-0004 complete; and

WHEREAS on July 22, 2019, the City duly noticed the Landmarks Preservation Commission (LPC) hearing on this matter in accordance with Berkeley Municipal Code (BMC) Section 3.24.230; and

WHEREAS on August 1, 2019, LPC held a public hearing and, upon close of the hearing, approved #LMSAP2019-0004 with a vote of 5-3-0-0; and

WHEREAS on September 19, 2019, staff deemed the application for #ZP2019-0061 complete; and

WHEREAS on October 9, 2019, the City duly noticed the Zoning Adjustments Board (ZAB) hearing on this matter in accordance with BMC Section 23B.32.020; and

WHEREAS on October 24, 2019, ZAB held a public hearing and, upon close of the hearing, approved #ZP2019-0061 with a vote of 8-0-1-0; and

WHEREAS on November 18, 2019, the City issued a Notice of Decision for #LMSAP2019-0004, and on November 19, 2019, issued the Notice of Decision for #ZP2019-0061; and

WHEREAS on December 3, 2019, Michael Scott, representing the Hillside Path and Playground Preservation Association, submitted an appeal of the LPC decision to approve #LMSAP2019-0004 and an appeal of the ZAB decision to approve #ZP2019-0061; and

WHEREAS on February 11, 2020, City staff posted notices of the public hearing for this appeal at the site; and

WHEREAS on February 25, 2020, the City Council held a public hearing to consider the LPC decision and the ZAB decision, and in the opinion of this Council, the points and evidence of the appeals for both decisions and the facts stated in or ascertainable from

the public record, including comments made at the public hearing, warrant approving the project; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Berkeley that the Council hereby denies and dismisses the appeal of #LMSAP2019-0004 and the appeal of #ZP2019-0061, and affirms the LPC and ZAB decisions to approve both entitlements, respectively, and hereby adopts the findings for approval made by LPC and by ZAB contained in Exhibits A and C.

The foregoing Resolution was adopted by the Berkeley City Council on February 25, 2020 by the following vote:

Ayes: Bartlett, Droste, Hahn, Harrison, Kesarwani, Robinson, Wengraf, and Arreguin.

Noes: None.

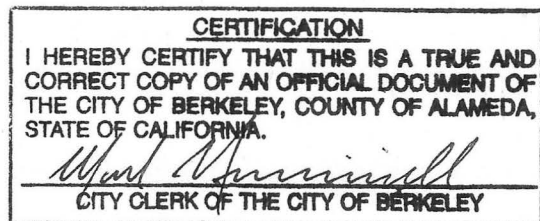
Abstain: Davila.

Absent: None.



Jesse Arreguin, Mayor

Attest:

  
Rose Thomsen, Deputy City Clerk

# ATTACHMENT 1, EXHIBIT A

## FINDINGS AND CONDITIONS

### 1581 Le Roy Avenue – The Hillside School

#### Structural Alteration Permit #LMSAP2019-0004

**To make exterior alterations to a City Landmark school building and site in order to convert them to residential use; changes include installation of a vehicle door, new windows, a rooftop swimming pool and hot tub, a surface parking lot, five storage sheds, perimeter fences and landscape improvements.**

#### CEQA FINDINGS

1. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations, §15000, et seq.) pursuant to Section 153331 of the CEQA Guidelines ("Historic Resource Restoration/Rehabilitation"). Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area; (b) there are no cumulative impacts; (c) there are no significant effects; (d) the project is not located near a scenic highway; (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5; and (f) the project will not affect any historical resource.

#### SECRETARY OF THE INTERIOR'S STANDARDS FINDINGS

Regarding the Secretary of the Interior's Standards for Rehabilitation, the Landmarks Preservation Commission of the City of Berkeley makes the following findings:

1. The property and subject portion of the building be given a new residential use and proposed exterior changes will result in limited alterations to the historic building and overall site.
2. Because the proposed exterior changes to this site are limited and expected to have a limited overall effect on the character of the site, as described above, this property will retain its historic character as perceived through its building and site design.
3. The Hillside School will continue to be recognized as a physical record of Berkeley's primary school and neighborhood development, where this site is the focal point of the immediate area. The building will retain its appearance, Tudor Revival style, location and relation to its surroundings.
4. No changes to a property that have acquired historic significance in their own right are the subject of this request.