



# PLANNING & DEVELOPMENT

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## Notice of Exemption

**TO:**  Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044  
 County of Alameda County Clerk

**FROM:** City of Berkeley  
Planning and Development Department  
1947 Center Street, 2<sup>nd</sup> Floor  
Berkeley, CA 9470

**Project Title:** 1153-1173 Hearst Avenue (ZP#2024-0157)

**Project Location:** 1153-1173 Hearst Avenue, City of Berkeley, County of Alameda

**Project Description:** Use Permit Modification #ZP2024-0157 proposes to modify the conditions of approval for the residential project originally approved under #ZP2016-0028 for the substantial rehabilitation of seven existing dwelling units and construction of six new dwelling units. The modification proposes to modify Conditions of Approval #16 and #58 which restrict the developer from applying for or processing condominium conversions of the existing rent-controlled units. The revised conditions would allow the developer to apply for and process the conversion of the units from rent controlled apartments to condominium for-sale units, consistent with Berkeley Municipal Code requirements, upon vacancy by the existing tenants. No physical changes are proposed to the building design or layout of the project.

**Name of Public Agency Approving Project:** City of Berkeley

**Project Sponsor:** Hearst Avenue Cottages, LLC, c/o Rhoades Planning Group, 2140 Shattuck Avenue, Suite 705, Berkeley, CA 94704

**Exempt Status: (Check one)**

- |   |   |
|---|---|
| <input type="checkbox"/> Ministerial (Sec. 21080(b)(1); 15268)                        | <input checked="" type="checkbox"/> Categorical Exemption (15301) |
| <input type="checkbox"/> Declared Emergency (Sec. 21080(b)(3);                        | <input type="checkbox"/> Statutory Exemption ( )                  |
| <input type="checkbox"/> 15269(a)) Emergency Project (Sec. 21080(b)(4); 15269 (b)(c)) | <input type="checkbox"/> Other:                                   |

**Reasons why project is exempt:** The project meets all of the requirements of the Existing Facilities exemption (Section 15301). The project complies with this exemption because the site contains existing duplexes and condominiums that were approved under Use Permit #ZP2016-0018. The Use Permit Modification is to revise conditions of approval and does not include any physical changes to the project or site. The revisions to the conditions of approval would allow the developer to submit a condominium conversion subdivision for the existing duplexes, which is currently prohibited by the conditions. Examples of projects exempt pursuant to Section 15301 include (k) Division of existing multiple family or single-family residences into common-interest ownership and subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt. The Use Permit Modification involves negligible expansion of the existing use. Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project will not affect any historical resource.

Lead Agency

Contact Person: Sharon Gong, Principal Planner Area Code/Telephone/Extension: (510) 981.7010

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature:  Date: June 18, 2025 Title: Lisa Gordon, Contract Planner for City of Berkeley

Signed by Lead Agency  Signed by Applicant