



# Action Minutes

Planning & Development Department  
Land Use Planning Division

## Zoning Adjustments Board Thursday, October 24, 2019 - 7:09 PM

Berkeley Unified School District Board Room, 1231 Addison Street, Berkeley  
(Wheelchair Accessible)

### Preliminary Matters:

#### Roll Call:

- Igor Tregub**, appointed by Mayor Arreguin
- Teresa Clarke**, appointed by District 1 (Councilmember Kesarwani)
- John Selawsky**, appointed by District 3 (Councilmember Bartlett)
- Dohee Kim**, appointed by District 7 (Councilmember Robinson)
- Leah Simon-Weisberg**, appointed by District 2 (Councilmember Davila)
- Janis Ching**, appointed by District 4 (Councilmember Harrison)
- Deborah Matthews**, appointed by District 6 (Councilmember Wengraf)
- Alexander Sharenko**, appointed by District 8 (Councilmember Droste)
- Shoshana O'Keefe (Chairperson)**, appointed by District 5 (Councilmember Hahn)

#### Approved Leave of Absence:

Patrick Sheahan, Charles Kahn, Denise Pinkston, and Carrie Olson

#### Ex Parte Communication Disclosures:

- I. Tregub: I spoke to Rena Rickels about 1581 Le Roy. I spoke to Bill Schrader about 2352 Shattuck Avenue.
- S. O'Keefe: I received an email from Bill Schrader about 2352 Shattuck Avenue but did not respond to it.

#### Public Comment:

Speakers: None

<b>1. Approval of Action Minutes from October 10, 2019</b>	
<b>Recommendation:</b>	<b>APPROVE</b>
<b>Motion / Second:</b>	<b>I. Tregub/J. Selawsky</b>
<b>Vote:</b>	<b>9-0-0-0</b>
<b>Action:</b>	<b>APPROVED</b>

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**Consent Calendar (Continued):**

**3. 3108 Deakin Street – New Public Hearing**

**Application:** Use Permit #ZP2019-0073 to alter and enlarge an existing, 2,894 sq. ft., two story, single-family dwelling by 1) raising the building by 2 feet 7 inches; 2) establishing a 1,585 sq. ft. new dwelling unit and 118 sq. ft. garage on the ground floor; 3) demolishing 294 sq. ft. at the rear of the dwelling; and 4) constructing a 560 sq. ft. addition at the rear of the dwelling.

**Zoning:** Restricted Two Family Residential (R-2)

**CEQA** Categorically exempt pursuant to Section 15303 and 15332 of the CEQA Guidelines, (“New Construction or Conversions of Small Structures” and “In-Fill Development Projects,” respectively).

**Determination:**

**Applicant/Owner:** Narendra Dev, 3108 Deakin Street, Berkeley

**Staff Planner:** Jim Frank, JFrank@cityofberkeley.info, (510) 981-7548

**Recommendation:** **APPROVE Use Permit #ZP2018-0073 pursuant to Section 23B.32.040**

**Motion / Second:** I. Tregub/J. Selawsky

**Vote:** 9-0-0-0

**Action:** APPROVED

**4. 2110 Vine Street – New Public Hearing**

**Application:** Use Permit #ZP2019-0123 to 1) establish a medical practitioner office use (optometry practice) in two existing retail tenant spaces; and 2) convert two existing tenant spaces in the Walnut Square commercial plaza, resulting in one 886 square-foot tenant space.

**Zoning:** NC – Neighborhood Commercial

**CEQA** The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations, §15000, et seq.) pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”) of the CEQA Guidelines.

**Determination:**

**Applicant:** Nadia Samii, O.D, Your Two Eyes Optometry 1962 Vine Street, Berkeley

**Owner:** Walnut Square Center, LP. Santino DeRose 468 Green Street, San Francisco

**Staff Planner:** Ashley James, ajames@cityofberkeley.info, (510) 981-7458

**Recommendation:** **APPROVE Use Permit #ZP2019-0123 pursuant to Section 23B.32.040.**

**Motion / Second:** I. Tregub/J. Selawsky

**Vote:** 9-0-0-0

**Action:** APPROVED

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**Action Calendar:**

**2. 2422 Fifth Street – New Public Hearing**

**Application:** Use Permit #ZP2018-0108 to construct a three-story, 4,806-square-foot mixed-use building containing 967 square feet of medical office space and two dwelling units on the rear of a lot with an existing duplex, including a request to waive two residential parking spaces.

**Zoning:** MU-R – Mixed Use Residential District

**CEQA Determination:** Categorically exempt pursuant to Section 15303 of the CEQA Guidelines (“New Construction or Conversion of Small Structures”).

**Applicant:** Devi Dutta Architecture, 928 Carleton Street, Berkeley

**Owner:** Anna and Carl Gold, 2422 Fifth Street, Berkeley

**Staff Planner:** Sharon Gong, sgong@cityofberkeley.info, (510) 981-7429

**Recommendation:** **APPROVE Use Permit #ZP2018-0108 pursuant to Section 23B.32.040**

**# of Speakers:** 8

**Motion / Second:** I. Tregub/J. Selawsky

**Vote:** 9-0-0-0

**Action:** **APPROVED with modifications to the conditions of approval**

**5. 2015 Eighth Street – New Public Hearing**

**Application:** Use Permit #ZP2018-0145 to demolish a detached, two-car garage at the rear of an existing two-unit building, and to construct a new two-story, approximately 2,200-sq. ft., detached two-unit building containing two enclosed parking spaces for a total of four dwelling units on the parcel; to reduce the minimum rear yard setback for the new building from 15 ft. to only 5 ft.; to create a roof deck on a portion of the new building; and to establish two new, uncovered parking spaces for a total of four parking spaces for the parcel.

**Zoning:** Multi-Family Residential (R-4)

**CEQA Determination:** Categorically exempt pursuant to Section 15303 of the CEQA Guidelines (“New Construction or Conversion of Small Structures”) as well as Section 15332 (“In-Fill Development Projects”).

**Applicant:** Geoff Chapman, P. O. Box 31888, Oakland

**Owner:** Zewdi Ghebru & Tewelde Tesfamichael, 1550 Jaijne Street, San Rosa

**Staff Planner:** Fatema Crane, fcrane@cityofberkeley.info, (510) 981-7410

**Recommendation:** **APPROVE Use Permit #ZP2018-0145 pursuant to Section 23B.32.040**

**# of Speakers:** 5

**Motion / Second:** D. Kim/T. Clarke

**Vote:** 6-0-3-0 (Abstain: J. Selawsky, L. Simon-Weisberg, J. Ching)

**Action:** **APPROVED**

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**Action Calendar (Continued):**

**6. 1581 Le Roy Avenue – New Public Hearing**

**Application:** Use Permit #ZP2019-0061 to convert the vacant, elementary school property to residential use: to establish the approximately 50,000-sq. ft., main building as a single-family residence and accessory dwelling unit, incorporating several former classrooms as private (non-commercial) art studio space; to install an unenclosed swimming pool and hot tub within a new roof deck; to construct an approximately 36-sq. ft., elevator penthouse above the second story (but below the third story); to convert a former multi-purpose room to a garage; to create a new, surface parking lot and to locate up to five, new storage sheds within portions of the former playground to be partially re-purposed as an outdoor (non-commercial) art practice space; and to complete landscape improvements along the public interface.

**Zoning:** Single-Family Residential/Hillside Overlay (R-1/H)

**CEQA** Categorically exempt pursuant to Section 15331 for “Historical Resource Restoration/Rehabilitation” of the CEQA Guidelines.

**Determination:** Restoration/Rehabilitation” of the CEQA Guidelines.

**Applicant:** Jerri Holan, AIA, Holan & Associates, 1323 Solano Ave.

**Owner:** Samuli Seppälä, 1581 Le Roy Avenue, Berkeley

**Staff Planner:** Fatema Crane, fcrane@cityofberkeley.info, (510) 981-7410

**Recommendation:** **APPROVE Use Permit #ZP2018-0061 pursuant to Section 23B.32.040**

**# of Speakers** 29

**Motion / Second:** A. Sharenko/T. Clarke

**Vote:** 8-0-1-0 (Abstain: D. Kim)

**Action:** **APPROVED with modifications to the conditions of approval**

**7. 2352 – 2390 Shattuck Avenue – New Public Hearing**

**Application:** Use Permit ZP#2018-0135 to 1) demolish two existing commercial buildings; 2) split the lot into two; and 3) construct two, eight-story, mixed-use buildings with 204 units (including 14 Very Low Income units), 12,154 square feet of commercial space, 17,012 square feet of usable open space, and 90 ground-level parking spaces.

**Zoning:** Downtown Mixed Use District, Corridor and Buffer Sub-Areas

**CEQA** An Infill Environmental Checklist (IEC) was prepared for the project, pursuant to Section 15183.3 (“Streamlining for Infill Projects”) of the CEQA Guidelines.

**Determination:** Streamlining for Infill Projects”) of the CEQA Guidelines.

**Applicant:** Dave Johnson, 1375 Locust Street, #202, Walnut Creek

**Owner:** The Austin Group, LLC, 64 Oak Road, Alamo

**Staff Planner:** Sharon Gong, sgong@cityofberkeley.info, (510) 981-7429

**Recommendation:** **APPROVE Use Permit #ZP2018-0135 pursuant to Section 23B.32.040**

**# of Speakers** 4

**Motion / Second:** I. Tregub/A. Sharenko

**Vote:** 7-0-2-0 (Abstain: L. Simon-Weisberg, J. Ching)

**Action:** **APPROVED with modifications to the conditions of approval**

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**Action Calendar (Continued):**

**8. 2716-2718 Durant Avenue – New Public Hearing**

**Application:** Use Permit/Variance ZP#2019-0051 to lift a two-story dwelling at the front of the property to create a three-story dwelling; to demolish a single-story dwelling at the rear of the property to construct three, three-story townhomes; and to eliminate the existing one-car parking space and not provide the additional required three parking spaces on site.

**Zoning:** R-3(H) – Multiple Family Residential District, Hillside Overlay

**CEQA** Categorically exempt pursuant to Sections 15303, 15331, and 15332 of the CEQA Guidelines (“New Construction or Conversion of Small Structures,” “Historic Resource Restoration/Rehabilitation,” and “In-Fill Development Projects”).

**Determination:**

**Applicant:** Halle Hagenau, Studio KDA, 1810 Sixth Street, Berkeley

**Owner:** Mark Etefagh, 6363 Christie Avenue, Emeryville

**Staff Planner:** Leslie Mendez, LMendez@cityofberkeley.info, (510) 981-7426

**Recommendation:** **APPROVE Use Permit #ZP2019-0051 for rehabilitation to the front unit; DENY the variance to not provide parking pursuant to Section 23B.32.040**

**# of Speakers** 2

**Motion / Second:** J. Selawsky/L. Simon-Weiseberg

**Vote:** 6-2-1-0 (No: I. Tregub, D. Kim; Abstain: A. Sharenko)

**Action:** CONTINUED to a date uncertain

**Subcommittee Reports:** No reports were given on the Joint Subcommittee for the Implementation of State Housing Law or the Design Review Committee.

**Adjourn: 12:37 AM**

**Members of the Public:**

**Present: 60**

**Speakers: 49**