

**ANNOTATED AGENDA
SPECIAL MEETING OF THE
BERKELEY CITY COUNCIL**

**Tuesday, September 26, 2023
6:00 PM**

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702

TELECONFERENCE LOCATION - 1404 LE ROY AVE, BERKELEY 94708

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI
DISTRICT 2 – TERRY TAPLIN
DISTRICT 3 – BEN BARTLETT
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – RIGEL ROBINSON
DISTRICT 8 – MARK HUMBERT

This meeting will be conducted in a hybrid model with both in-person attendance and virtual participation. For in-person attendees, face coverings or masks that cover both the nose and the mouth are encouraged. If you are feeling sick, please do not attend the meeting in person.

Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33) and via internet accessible video stream at http://berkeley.granicus.com/MediaPlayer.php?publish_id=1244.

*Remote participation by the public is available through Zoom. To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://cityofberkeley-info.zoomgov.com/j/1611020299> If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen. To join by phone: Dial **1-669-254-5252** or **1-833-568-8864 (Toll Free)** and enter Meeting ID: **161 102 0299** If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.*

Please be mindful that the meeting will be recorded and all rules of procedure and decorum apply for in-person attendees and those participating by teleconference or videoconference.

To submit a written communication for the City Council's consideration and inclusion in the public record, email council@berkeleyca.gov.

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953 and applicable Executive Orders as issued by the Governor that are currently in effect. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, (510) 981-6900. The City Council may take action related to any subject listed on the Agenda. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.

Preliminary Matters

Roll Call: 6:10 p.m.

Present: Kesarwani, Taplin, Bartlett, Harrison, Hahn, Wengraf, Robinson, Humbert, Arreguin

Absent: None

Action Calendar – Public Hearings

1. **ZAB Appeal: 705 Euclid Avenue, Use Permit #ZP2022-0104**

From: City Manager

Recommendation: Conduct a public hearing and, upon conclusion, adopt a Resolution to modify and approve the project approved by the Zoning Adjustments Board (ZAB) for Use Permit (# ZP2022-0104) to construct a new three-story, 4,528 square foot single family dwelling with two parking spaces and associated retaining walls located in the setbacks, on a 6,024 square foot vacant lot, and dismiss the appeal. The original project has been revised, as described in Response 1 of this report, to reduce the maximum building height by approximately two feet (from 41-foot, 11-inches to 39-feet, 5-inches).

Financial Implications: See report.

Contact: Jordan Klein, Planning and Development, (510) 981-7400

Public Testimony: The Mayor opened the public hearing. 3 speakers. M/S/C (Arreguin/Robinson) to close the public hearing.

Vote: Ayes – Kesarwani, Taplin, Harrison, Hahn, Wengraf, Robinson, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Bartlett.

Councilmember Bartlett absent 7:01 p.m. – 7:08 p.m.

Action: M/S/C (Robinson/Humbert) to adopt Resolution No. 71,056–N.S. to modify and approve the revised project approved by the Zoning Adjustments Board (ZAB) for Use Permit (# ZP2022-0104) to construct a new three-story, 4,528 square foot single family dwelling with two parking spaces and associated retaining walls located in the setbacks, on a 6,024 square foot vacant lot, and dismiss the appeal. The original project has been revised, as described in Response 1 of this report, to reduce the maximum building height by approximately two feet (from 41-foot, 11-inches to 39-feet, 5-inches).

Vote: Ayes – Kesarwani, Taplin, Harrison, Hahn, Wengraf, Robinson, Humbert, Arreguin; Noes – None; Abstain – None; Absent – Bartlett.

2. ZAB Appeal: 1598 University Avenue, Use Permit #ZP2022-0099

From: City Manager

Recommendation: Conduct a public hearing and, upon conclusion, adopt a Resolution affirming the decision of the Zoning Adjustments Board to approve Use Permit ZP#2022-0099, to demolish a non-residential structure and construct a 127,492 square foot, eight-story (89 feet-2 inches) mixed-use residential building containing 207 dwelling units (21 Very Low-Income) and a 5,943 square foot commercial space, with 39 automobile parking spaces and 92 bicycle parking spaces, utilizing State Density Bonus Law, subject to revised conditions of approval.

Financial Implications: See report.

Contact: Jordan Klein, Planning and Development, (510) 981-7400

Public Testimony: The Mayor opened the public hearing. 12 speakers.

M/S/C (Arreguin/Harrison) to close the public hearing.

Vote: All Ayes.

Action: M/S/C (Harrison/Taplin) to adopt Resolution No. 71,057–N.S. affirming the decision of the Zoning Adjustments Board to approve Use Permit ZP#2022-0099, to demolish a non-residential structure and construct a 127,492 square foot, eight-story (89 feet-2 inches) mixed-use residential building containing 207 dwelling units (21 Very Low-Income) and a 5,943 square foot commercial space, with 39 automobile parking spaces and 92 bicycle parking spaces, utilizing State Density Bonus Law, subject to revised conditions of approval with the revised/added conditions of approval below.

- COA #65 Transportation – Utility Box. The applicant shall relocate the utility box structures located at the intersection of University Avenue and California Street with direction and approval from the City and utility providers.
- COA #66 Transportation-Loading Zone. Loading zone areas shall be located on California Street, adjacent to the southern portion of the parcel, with placement and length of loading zone subject to city traffic engineering approval.
- COA #70 Landscape Maintenance. All landscaping per the attached approved drawings dated May 3, 2023 shall be maintained in perpetuity with the project.

Vote: All Ayes.

Adjournment

Action: M/S/C (Arreguin/Robinson) to adjourn the meeting.

Vote: All Ayes.

Adjourned at 9:06 p.m.

Communications

Item #1: ZAB Appeal: 705 Euclid Avenue, Use Permit #ZP2022-0104

1. Shona Armstrong, on behalf of Harper & Armstrong, LLP

Item #2: ZAB Appeal: 1598 University Avenue, Use Permit #ZP2022-0099

2. Nancy Richerson
3. Elizabeth Sharada Kowal

Supplemental Communications and Reports 1

- None

Supplemental Communications and Reports 2

Item #2: ZAB Appeal: 1598 University Avenue, Use Permit #ZP2022-0099

4. David Ushijima
5. Toni Mester
6. Maha Parameswaran
7. Bentley Drake
8. Larry Mandella

Supplemental Communications and Reports 3

Item #1: ZAB Appeal: 705 Euclid Avenue, Use Permit #ZP2022-0104

9. Presentation, submitted by Planning and Development
10. Anonymous voice messages

Item #2: ZAB Appeal: 1598 University Avenue, Use Permit #ZP2022-0099

11. Presentation, submitted by Planning and Development
12. Elizabeth Kowal (2)
13. Isaiah Stackhouse, on behalf of Trachtenberg Architects
14. Anonymous

Miscellaneous Communications

15. Zoom Meetings – Todd Andrew
16. Doomsday Asteroid – Mr. Eid