



# Action Minutes

Planning & Development Department  
Land Use Planning Division

## Zoning Adjustments Board Thursday, June 27 2019 - 7:12 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)  
**Patrick Sheahan**, appointed by District 2 (Councilmember Davila)  
**John Selawsky**, appointed by District 3 (Councilmember Bartlett)  
**Carrie Olson**, appointed by District 4 (Councilmember Harrison)  
**Charles Kahn**, appointed by District 6 (Councilmember Wengraf)  
**Dohee Kim**, appointed by District 7 (Councilmember Robinson)  
**Darrell Ben-Lee Owens** appointed by District 8 (Councilmember Droste)  
**Shah Habibi**, appointed by District 5 (Councilmember Hahn)

#### Excused Absence:

Denise Pinkston, Shoshana, O'Keefe

#### Ex Parte Communication Disclosures:

**I. Tregub:** I spoke to Ben Buster and Jason Oberman as well as Council Member Hahn, Council Member Harrison, and Mayor Arreguin about 1951 Shattuck Avenue. I spoke to Phoebe Sorgen, Stephanie Thomas, and Andy Katz about 0 Euclid.

**T. Clarke:** I spoke to Council Member Kesarwani about 0 Euclid Avenue.

**J. Selawsky:** I spoke to Council Member Harrison as well as Jason Oberman and Lauren Krause about 1951 Shattuck Avenue. I spoke to Council Member Bartlett about 0 Euclid Avenue.

**C. Olson:** I spoke to Council Member Harrison about 1951 Shattuck Avenue.

**C. Kahn:** I spoke to Ben Buster about 1951 Shattuck Avenue.

**D. Kim:** I spoke to Jason Oberman and Ben Buster about 1951 Shattuck Avenue.

**D. Owens:** I spoke to Ben Buster of 1951 Shattuck Avenue.

**S. Habibi:** I spoke to Council Member Hahn about 0 Euclid Avenue and 1951 Shattuck Avenue.

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**Election of Temporary Chair of the Board:**

**Nomination of I. Tregub**

<b>Motion / Second:</b>	<b>J. Selawsky/ C. Kahn</b>
<b>Vote:</b>	<b>5-4-0-0 (No: C. Clarke, C. Olson, C. Kahn, D. Owens)</b>
<b>Action:</b>	<b>APPROVED</b>

**Public Comment:**

**Speakers: 0**

**Agenda Changes: Move item #5, 1811 Sixty Third Street to Action Calendar**

**Consent Calendar:**

**1. Approval of Action Minutes from June 13, 2019**

<b>Recommendation:</b>	<b>APPROVE</b>
<b>Motion / Second:</b>	<b>C. Olson/ J. Selawsky</b>
<b>Vote:</b>	<b>7-0-2-0 (Abstain: T. Clarke, D. Kim)</b>
<b>Action:</b>	<b>APPROVED</b>

**2. 2174 Shattuck Avenue – New Public Hearing**

**Application:** Use Permit #ZP2019-0044 to add the service of distilled spirits incidental to food service at an existing 1,939 square-foot restaurant.

**Zoning:** C-DMU (Downtown Mixed Use District, Core)

**CEQA** Categorically exempt pursuant to Section 15301 of the CEQA Guidelines

**Determination:** (“Existing Facilities”).

**Applicant:** Jessica Harris, Liquor License Network Inc., 7801 Folsom Blvd. Suite 214, Sacramento

**Owner:** CSQ Fee Owner, LLC, 555 12<sup>th</sup> Street Suite 214, Oakland

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

**Recommendation:** **APPROVE** Use Permit #ZP2019-0044 pursuant to Section 23B.32.040.

**Motion / Second:** **C. Olson/ J. Selawsky**

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

**Action:** **APPROVED**

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**Consent Calendar (continued):**

**3. 2468 Telegraph Avenue – New Public Hearing**

**Application:** Use Permit #ZP2019-0045 to add the service of distilled spirits incidental to food service at an existing 3,508 square-foot restaurant.

**Zoning:** C-T (Telegraph Avenue Commercial)

**CEQA** Categorically exempt pursuant to Section 15301 of the CEQA Guidelines

**Determination:** (“Existing Facilities”).

**Applicant:** Jessica Harris, Liquor License Network Inc., 7801 Folsom Blvd. Suite 214, Sacramento

**Owner:** Gordon Commercial Real Estate, 2901 Rose Street, Berkeley

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

**Recommendation:** **APPROVE** Use Permit #ZP2019-0045 pursuant to Section 23B.32.040.

**Motion / Second:** **C. Olson/ J. Selawsky**

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

**Action:** **APPROVED**

**4. 2398 Bancroft Avenue – New Public Hearing**

**Application:** Use Permit #ZP2018-0238 to establish a new roof-top wireless telecommunications facility, on an existing building, consisting of eight antennas concealed behind RF transparent screens with associated equipment located within the building, operated by Verizon Wireless.

**Zoning:** R-SMU, Residential Southside Mixed Use District

**CEQA** Categorically exempt pursuant to Section 15301 of the CEQA Guidelines

**Determination:** (“Minor Modifications to Existing Facilities”).

**Applicant:** Gerie Johnson for Complete Wireless Consulting, GTE Mobilnet, DBA Verizon Wireless 2009 V Street, Sacramento

**Owner:** Paul Extrum-Fernandez, 1337 Howe Avenue, Suite 200, Sacramento

**Staff Planner:** Layal Nawfal, lnawfal@cityofberkeley.info, (510) 981-7424

**Recommendation:** **APPROVE** Use Permit #ZP2018-0238 pursuant to Section 23B.32.040.

**Motion / Second:** **C. Olson/ J. Selawsky**

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

**Action:** **APPROVED**

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### Action Calendar:

#### 5. 1811 Sixty Third Street – New Public Hearing

**Application:** Use Permit #ZP2018-0196 to construct a two-story 3,042 sq. ft. duplex with an average height of 33 ft.; and a two-story 1,555 sq. ft. single family dwelling with an average height of 33 ft. on a 5,400 sq. ft. vacant corner lot.

**Zoning:** R-2A – Restricted Multiple-Family Residential

**CEQA** Categorically exempt pursuant to Sections 15303 of the CEQA Guidelines

**Determination:** (“New Construction and Conversions”) and 15332 (“In-Fill Development Projects”).

**Applicant:** Brad Gunkel, 2295 San Pablo Avenue, Berkeley

**Owner:** Alon Danino, 1493 Firebird Way, Sunnyvale

**Staff Planner:** Annelise Dohrer, adohrer@ci.berkeley.ca.us, (510) 981-7425

**APPROVE** Use Permit #ZP2016-0028 pursuant to Section 23B.32.040.

**# of Speakers:** 2

**Motion / Second:** J. Selawsky/T. Clarke

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

**Action:** APPROVED with modifications to the Findings and Conditions of Approval

#### 6. 2701 Shattuck Avenue – Continued Public Hearing

**Application:** Use Permit #ZP2016-0244 to construct a 5-story, 62'-tall, 27,980-sq. ft., mixed-use building with 57 dwelling units (including 5 Very Low Income units), a 600- sq. ft. ground-floor Food Service Establishment, 30 automobile parking spaces, and secure storage for 44 bicycles.

**Zoning:** C-SA, South Area Commercial

**CEQA** Categorically exempt pursuant to Section 15332 of the CEQA Guidelines

**Determination:** (“In-Fill Development”).

**Applicant:** Stuart Gruendl, Bay Rock Multifamily, LLC, 411 Pendleton Way, Suite C, Oakland

**Owner:** 2701 Shattuck Berkeley, LLC, 7917 Festival Court, Cupertino

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

**Recommendation:** APPROVE Use Permit #ZP2016-0244 pursuant to Section 23B.32.040 with modifications to the Findings and Conditions.

**# of Speakers:** 12

**Motion / Second:** C. Kahn/T. Clarke

**Vote:** 6-3-0-0 (No: J. Selawsky, P. Sheahan, C. Olson)

**Acton:** APPROVED Alternative C with modifications to the Findings and Conditions of Approval

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**Acton Calendar (Continued):**

**7. 0 Euclid Avenue – New Public Hearing**

**Application:** Use Permit #ZP2018-0236 to establish a new 50' high "monopole" 4G LTE wireless facility operated by Verizon Wireless at the East Bay Municipal Utility District site consisting of six antennas, six remote radio units, and associated ground equipment.

**Zoning:** R-1H, Single Family Residential District – Hillside Overlay

**CEQA** Categorically exempt pursuant to Sections 15301 and 15303 of the CEQA Guidelines ("Existing Facilities" and "New Construction or Conversion of Small Structures").

**Determination:**

**Applicant:** David Haddock, Ridge Communications Inc. for Verizon Wireless, 12919 Alcosta Blvd, Suite 1, San Ramon

**Owner:** East Bay Municipal Utility District, Rob Korn, PO Box 24055, Oakland

**Staff Planner:** Loyal Nawfal, lnawfal@cityofberkeley.info, (510) 981-7424

**Recommendation:** **APPROVE** Use Permit #ZP2018-0236 pursuant to Section 23B.32.040.

**# of Speakers:** 24

**Motion / Second:** C. Kahn/P. Sheahan

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

**Acton:** DENIED

**8. 1951-75 Shattuck Avenue – New Public Hearing**

**Application:** Use Permit #ZP2018-0137 to demolish two existing non-residential buildings and to construct a 12-story, 120-foot mixed-use building with 5,000 square feet of commercial space on the ground floor, 156 dwelling units, and a 100-space subterranean parking garage on a 17,424 square-foot parcel.

**Zoning:** C-DMU (Downtown Mixed Use; Outer Core Area)

**CEQA** The proposed project qualifies as an infill project under CEQA Guidelines

**Determination:** Section 15183.3.

**Applicant:** Steve Buster, Grosvenor Americas, One California Street, Suite 2500

**Owner:** Solomon Cordwell Buenz, 255 California Street, Suite 300

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

**Recommendation:** **APPROVE** Use Permit #ZP2018-0173 pursuant to Section 23B.32.040.

**# of Speakers:** 6

**Motion / Second:** I. Tregub/D. Kim

**Vote:** 8-1-0-0 (No: P. Sheahan)

**Acton:** **APPROVED** with modifications to the Findings and Conditions of Approval

**Adjourn: 1:38 AM**

**Members of the Public:**

**Present: 74**

**Speakers: 44**