



Action Minutes

Planning & Development Department
Land Use Planning Division

Zoning Adjustments Board Thursday, September 22, 2022 - 7:02 PM

Preliminary Matters:

Roll Call:

Commissioners Present: Igor Tregub (Mayor Appointee), Yes Duffy (District 1), Kimberly Gaffney (District 2), Michael Thompson (District 3), Charles Kahn (Chairperson, District 6), Dohee Kim (Temporary Vice Chairperson, District 7), Debra Sanderson (District 8).

Leave of Absence: Shoshana O’Keefe (District 5)

Vacancy: District 4

Staff Present: Secretary Samantha Updegrave, Allison Riemer, Sharon Gong, Katrina Lapira, Sarah Cynn

Ex Parte Communication Disclosures: None.

Public Comment:

Speakers – 1

Agenda Changes:

605 Neilson removed from Consent Calendar for discussion.

Speakers – 2

Consent Calendar

1. Approval of Action Minutes from September 9, 2022

Recommendation:	APPROVE
Motion / Second:	D. Kim / I. Tregub
Vote:	6-0-1-1-0
Action:	APPROVED

ACTION MINUTES - Zoning Adjustments Board

Thursday, September 22, 2022

Page 2 of 4

2. 1436 Campus Drive – New Public Hearing

Application:	Use Permit #ZP2022-0053 to establish a 3,153 square-foot single-family dwelling with an average and maximum height of 35 feet and a reduced front setback of 8 feet on a 6,087 square-foot vacant lot.
Zoning:	R1-H –Single Family Zone District, Hillside Overlay District
CEQA Recommendation:	15303(a) of the CEQA Guidelines (“New Construction or Conversion of Small Structures”)
Applicant:	Peter David Gilbert 10415 Greenview Drive, Oakland CA, 94605
Owner:	Ivan Koon Heng Teo, Ruimin Qiao 1525 Solano Avenue Berkeley CA, 94707
Staff Planner:	Katrina Lapira klapira@cityofberkeley.info 510-981-7488
Recommendation:	APPROVE Use Permit # ZP2022-0053 pursuant to BMC Section 23.406.040.
Motion / Second:	D. Kim / I. Tregub
Vote:	7-0-0-1-0
Action:	APPROVED

Action Calendar

3. 605 Neilson – New Public Hearing

Application:	Use Permit #ZP2021-0190 to add a 663 square-foot major residential addition above 14 feet in average height, add an uncovered parking space in the front setback off Neilson Street, and make alterations in the existing nonconforming front setback, on a lot that is nonconforming for lot coverage.
Zoning:	R-1-Single Family Residential District
CEQA Recommendation:	Categorically exempt pursuant to pursuant to Section 15301 (“Existing Facilities”) of the CEQA Guidelines.
Applicant:	Mohinder Datta, 449 Stonefield Place, Moraga
Owner:	Kanwal Ahuja and Razili Datta, 605 Neilson Street, Berkeley
Staff Planner:	Allison Riemer ariemer@cityofberkeley.info , (510) 981-7433
Recommendation:	APPROVE Use Permit #ZP2021-0190 pursuant to Section 23.406.040.
# of Speakers:	9
Motion / Second:	Y. Duffy / D. Kim
Vote:	7-0-0-1-0
Action:	APPROVED

ACTION MINUTES - Zoning Adjustments Board

Thursday, September 22, 2022

Page 3 of 4

4. 2065 Kittredge Street – New Public Hearing

Application:	Use Permit #ZP2021-0193 to demolish portions of existing City Landmark commercial buildings and construct an 8-story, mixed-use building with 187 dwelling units (including four live/work units and nine Very Low-Income units), 4,993 square feet commercial space, and 43 parking spaces. Project utilizes State Density Bonus.
Zoning:	C-DMU (Core) – Downtown Mixed-Use Commercial District – Core Sub-area
CEQA Recommendation:	Adopt the Environmental Impact Report (EIR) Addendum to the certified 2211 Harold Way Mixed-Use Project Final EIR (SCH #2014052063), pursuant to the California Environmental Quality Act.
Applicant:	Bill Schrader, 164 Oak Road, Alamo, CA 94507
Owner:	CA Student Living Berkeley, LLC, 130 Randolph Street, Suite 2100, Chicago IL, 60601
Staff Planner:	Sharon Gong, sgong@cityofberkeley.info , (510) 981-7429
Recommendation:	ADOPT the EIR Addendum and revised Mitigation Monitoring and Reporting Program; and APPROVE Use Permit ZP2021-0193, pursuant to BMC Section 23.406.040.
# of Speakers:	4
Motion / Second:	I. Tregub / D. Sanderson
Vote:	7-0-0-1-0
Action:	APPROVED to adopt the EIR Addendum and revised MMRP, and approve the use permit with the following modifications: <ul style="list-style-type: none">• Conditions of Approval #29, 30, 34 moved to required prior to Certificate of Occupancy.• Added Condition of Approval that the open space on Allston and Harold Way are open to the public• Recommendations that bird-safe glass and bird-safe measures, and a different color palette be considered at Final Design Review.

Subcommittee Reports:

DRC – Received Staff presentation outlining proposal to Planning Commission for bird-safe glass measures, and discussed proposal.

Staff Communications:

None.

ACTION MINUTES - Zoning Adjustments Board

Thursday, September 22, 2022

Page 4 of 4

Adjourn: 9:23 PM; Motion / Second: I. Tregub / C. Kahn; Vote: 7-0-0-1-0

Members of the Public:

Present: 32

Speakers: 16

A handwritten signature in black ink, appearing to read 'Saw', is written over a horizontal line. The signature is enclosed within a red rectangular border.

Samantha Updegrave, Principal Planner
Co-Secretary of the Zoning Adjustments Board