Zoning Adjustments Board
Thursday, January 9, 2014 - 7:00 PM

City Council Chambers, 2134 Martin Luther King Jr. Way, Second Floor
Berkeley, CA 94704 (Wheelchair Accessible)

How to Contact Us: Land Use Planning Division (Attn: Greg Powell, ZAB Secretary), 2120 Milvia Street, Berkeley, CA 94704; (510) 981-7410; zab@ci.berkeley.ca.us

Roll Call: 7:00 PM

Present: Michael Alvarez Cohen (Chairperson), appointed by Councilmember Wozniak
Deborah Matthews (Vice Chairperson), appointed by Mayor Bates
George Williams, appointed by Councilmember Capitelli
Robert Allen, appointed by Councilmember Wengraf
Shoshana O’Keefe, appointed by Councilmember Anderson
Sophie Hahn, appointed by Councilmember Worthington
Steven Donaldson, appointed by Councilmember Moore
Prakash Pinto, appointed by Councilmember Maio
Igor Tregub, appointed by Councilmember Arreguin

Members of the Public
Present: 20
Speakers: 14

Ex Parte Communication Disclosures
None

Public Comment
• Gale Garcia – Spoke on the upcoming ZAB projects at 2201-05 Blake Street and 2204 Dwight Way and the detriment to the adjacent neighborhoods by the proposed projects.

• Christopher Lien – Spoke on the history of the upcoming ZAB project at 2201-05 Blake Street and the need to preserve the landmark buildings as well as the neighborhood context. Also informed ZAB that the LeConte Neighborhood Group is putting together findings and other evidence for the ZAB to assist in their decision making. Encouraged ZAB to visit the site prior to the meeting for the project.

Agenda Changes
• Item #2 was placed on the consent calendar.
• Item #5 was placed on the consent calendar to continue to February 13, 2014.
### Consent Calendar:

1. **Approval of Previous Meeting Minutes**
   - Minutes from 12/12/2013 meeting
   - Continued From: None
   - Recommendation: APPROVE
   - Action: APPROVED with corrections.
   - Motion / Second: I. Tregub / G. Williams
   - VOTE: 7-0-2-0 (Abstain: D. Matthews, S. Hahn)

### New Public Hearing:

2. **3290 Adeline Street**
   - **Use Permit #2013-0035** to add incidental service of distilled spirits to an existing Full Service Restaurant (already serving beer and wine), and to extend closing time from 12 midnight to 2 a.m., seven days per week.
   - **CEQA Action:** Categorically Exempt under Section §15303 ‘New Construction or Conversion of Small Structures’ and 15332 ‘Infill Development Projects’
   - **Applicant:** Next Door Investments, Inc., 4025 Oak Hill Rd., Oakland, CA 94605
   - **Property Owner:** Allan Cadgene and Thomas Goetzl, 160 Highland Dr., Bellingham, WA 98225
   - **Zoning:** C-SA, “South Area Commercial District”; **Planner:** Aaron Sage
   - **Continued From:** None
   - **Recommendation:** APPROVE Use Permit #2013-0035 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions (see Attachment 1).
   - **Action:** APPROVED on consent.
   - **Motion / Second:** R. Allen / S. Hahn
   - **# of Speakers:** 0
   - **Vote:** 9-0-0-0

3. **3017 Sacramento Street**
   - **Use Permit #2013-0027** to waive required off-street parking space for existing single-family dwelling, in order to allow construction of new two-story commercial building with second-floor roof deck to the north of dwelling.
   - **CEQA Action:** Categorically Exempt under Section §15303 ‘New Construction or Conversion of Small Structures’ and 15332 ‘Infill Development Projects’
   - **Applicant:** Bridgett Shank, Timbre Architecture, 419D Merritt Ave., Oakland, CA 94610
   - **Property Owner:** Bettina Limaco and Marco Pietschmann, 1505 Tyler St., Berkeley, CA 94703
   - **Zoning:** C-SA, “South Area Commercial District”; **Planner:** Aaron Sage
   - **Continued From:** None
   - **Recommendation:** APPROVE Use Permit #2013-0027 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions (see Attachment 1).
   - **Action:** APPROVED Use Permit #2013-0027 with additions and corrections to the Findings and Conditions.
   - **Motion / Second:** S. Hahn / I. Tregub
   - **# of Speakers:** 4
   - **Vote:** 9-0-0-0
4. **23 Tanglewood Road**

**Use Permit #2013-0042** to construct a two-story, 2,214 square-foot single family dwelling with an attached one-car garage and one parking space and a nine-foot high, 14-foot long wall within the designated rear-yard setback.

**CEQA Action:** Categorically Exempt under Section §15303 ‘New Construction or Conversion of Small Structures’

**Applicant:** Regan Bice Architects, 950 Grayson St., Berkeley, CA 94710

**Property Owner:** David Sundelson, 25 Tanglewood Rd., Berkeley, CA 94705

**Zoning:** R-1A, “Limited Two-Family Residential District” **Planner:** Greg Powell

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<tr>
<th>Continued From:</th>
<th>None</th>
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<tbody>
<tr>
<td><strong>Recommendation:</strong></td>
<td>APPROVE Use Permit #2013-0042 pursuant to Section 23B.32.040 and 23B.28.050 subject to the attached Findings and Conditions (see Attachment 1).</td>
</tr>
<tr>
<td><strong>Action:</strong></td>
<td>APPROVED Use Permit #2013-0042 pursuant to Section 23B.32.040 and 23B.28.050 subject to the attached Findings and Conditions (see Attachment 1).</td>
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**Motion / Second:** R. Allen / G. Williams

**# of Speakers:** 6

**Vote:** 7-0-2-0 (Abstain: P. Pinto, S. Hahn)

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**Appeal of Administrative Use Permits:**

5. **2367 Telegraph Avenue**

**Appeal of Administrative Use Permit #12-20000139** to establish incidental amplified entertainment within an existing full-service restaurant.

**CEQA Action:** Categorically Exempt under Section §15303 ‘New Construction or Conversion of Small Structures’

**Applicant:** Alex Poppov for Pappy’s Grill, 2367 Telegraph Ave., Berkeley, CA 94704

**Property Owner:** Prado Group, 150 Post Street, Ste. 320, San Francisco, CA 94108

**Appellants:** Kyle Beckman, 2500 Durant Ave. #208, Berkeley, CA 94704 & Ghaouar Camij Toschian, 2500 Telegraph Ave. #310, Berkeley, CA 94704

**Zoning:** C-T, “Telegraph Commercial District”; **Planner:** Claudine Asbagh

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<th>Continued From:</th>
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<tr>
<td><strong>Recommendation:</strong></td>
<td>CONTINUE to February 13, 2014.</td>
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<td><strong>Action:</strong></td>
<td>CONTINUED on consent to February 13, 2014.</td>
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**Motion / Second:** R. Allen / S. Hahn

**# of Speakers:** 0

**Vote:** 9-0-0-0
### Termination and Revocation Hearings:

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<th>6. 3243 Sacramento Street</th>
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<td><strong>Public Hearing</strong> to consider terminating the lawful, non-conforming off-sale retail alcohol beverage sales use at One-Stop Liquors due to inactivity, under BMC Section 23C.04.030.C.</td>
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<td><strong>Zoning</strong>: C-SA, “South Area Commercial District”; <strong>Planner</strong>: Nathan Dahl</td>
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<td><strong>Continued From</strong>: None</td>
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<td><strong>Recommendation</strong>: CONDUCT a public hearing and, upon conclusion, ADOPT a resolution terminating the non-conforming retail alcohol use at 3243 Sacramento Street due to inactivity of more than 90 days per Berkeley Municipal Code (BMC) Section 23C.04.030.C.</td>
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<tr>
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<td><strong>Action</strong>: ADOPTED a resolution terminating the non-conforming retail alcohol use at 3243 Sacramento Street due to inactivity of more than 90 days per Berkeley Municipal Code (BMC) Section 23C.04.030.C.</td>
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<td><strong>Motion / Second</strong>: D. Matthews / I. Tregub</td>
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<td><strong># of Speakers</strong>: 2</td>
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<td><strong>Vote</strong>: 9-0-0-0</td>
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### Additional Agenda Items:

None.

*Adjourn:* 9:47 PM

[Approved for posting by Greg Powell, Secretary, Zoning Adjustments Board]