Zoning Adjustments Board
Thursday, March 27, 2014 – 7:00 PM
City Council Chambers, 2134 Martin Luther King Jr. Way, Second Floor
Berkeley (Wheelchair Accessible)

Preliminary Matters:

Roll Call: 7:00PM

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

Excused: Deborah Matthews (Vice Chairperson), appointed by Mayor Bates
Sophie Hahn, appointed by Councilmember Worthington

Substitutions:
Steven Ross for Deborah Mathews
Mimi Tam for Sophie Hahn

Members of the Public
Present: 28
Speakers: 24

Ex Parte Communication Disclosures:

S. Donaldson: Called by gentleman from the 2024 Durant project, same information that is in the packet.

Public Comment None

Agenda Changes None
Action Calendar:

1. **2501-2509 Haste & 2433 Telegraph Avenue – El Jardin**
   **Use Permit #12-10000012** to demolish a 6,950 square foot retail building at 2433 Telegraph Avenue and to construct a 89,054 square foot, 69’/6-story, mixed-use building to include 79 dwelling units, 30,356 square feet of commercial floor area and no off-street parking spaces.
   **CEQA Action:** Pending
   **Applicant:** Kirk Peterson, Kirk E. Peterson & Associates Architects, 5253 College Avenue, Oakland, CA 94608
   **Property Owner:** Ken Sarachan, 1000 Rispin Drive, Berkeley, CA 94705
   **Zoning:** C-T, “Telegraph Avenue Commercial District”
   **Planner:** Greg Powell
   **Continued From:** 2/27/14
   **Recommendation:** 1) direct the applicant to submit the materials requested by the ZAB on February 27, 2014, by April 4, 2014; 2) direct the applicant to prepare the materials needed to commence Preliminary Design Review on April 17, 2014; 3) ask that staff convey this action to the Applicant in writing; and 4) CONTINUE the hearing to April 24, 2014.
   **Action:** 1) Directed the applicant to submit the materials requested by the ZAB on February 27, 2014, by April 4, 2014; 2) Directed the applicant to prepare the materials needed to commence Preliminary Design Review on April 17, 2014; 3) Asked that staff convey this action to the Applicant in writing; and 4) CONTINUED the hearing to April 24, 2014.
   **Motion/Second:** M. Cohen / R. Allen
   **# of Speakers:** 0
   **Vote:** 9-0-0-0

2. **2024 Durant / 2025 Channing Way**
   **MODUP2014-001** to modify Use Permit #12-100000017 by permitting the conversion of an approximately 500 square foot workout room on the fifth floor to a one-bedroom dwelling unit for a total of 79 dwelling units.
   **CEQA Action:** Approved project was deemed categorically exempt pursuant to Section 15332 of the CEQA Guidelines (“In-Fill Development Projects”). As the original project impact studies assumed 96 units, but the project was ultimately approved with 78 units, the modified project with a total of 79 units still meets the requirements of Section 15332.
   **Applicant:** Durant Berkeley Partners LLC; c/o The Austin Group LLC, 164 Oak Road, Alamo, CA 94507
   **Property Owner:** David and Laura Mohr, 6522 Telegraph Avenue, Oakland, CA 94609
   **Zoning:** C-DMU – Downtown Mixed Use District Buffer
   **Planner:** Aaron Sage
   **Continued From:** None
   **Recommendation:** APPROVE MODUP2014-0001 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions.
   **Action:** APPROVED
   **Motion/Second:** R. Allen / S. Donaldson
   **# of Speakers:** 1
3. 524 Cragmont Avenue

Appeal of Administrative Use Permit 2013-0159 to rebuild and expand a home destroyed by fire, involving the addition of a third story, the continuation of non-conforming setbacks in the front and east side yards, and a major residential addition (1,357 square feet) that will result in a 3,054 square-foot residence with a 402 square-foot garage.

CEQA Action: Categorically exempt pursuant to Sections 15301.d and 15303.a of the CEQA Guidelines (“Existing Facilities” and “New Construction or Conversion of Small Structures”).

Applicant: Carlos Plazola, BuildZig, 1211 Embarcadero, Suite D, Oakland, CA 94606
Property Owner: Vinco Properties, LLC, 1250-A Fairmont Drive, Suite 216, San Leandro, CA 94578
Appellants: Daniel and Sara Sanders, 540 Cragmont Avenue, Berkeley, CA 94708 and Gil and Leslie Faust, 535 Cragmont Avenue, Berkeley, CA 94708

Zoning: R-1H Single Family Residential-Hillside Overlay
Planner: Beth Greene, egreene@ci.berkeley.ca.us, (510) 981-7484

Continued From: None
Recommendation: UPHOLD the Zoning Officer’s decision to approve Administrative Use Permit AUP 2013-0159, with modified conditions related to water features and metal roof, and DISMISS the Appeal.

Action: UPHELD the Zoning Officer’s decision and DISMISSED the Appeal.

Motion/Second: S. Ross / P. Pinto
# of Speakers: 9
Vote: 9-0-0-0

4. 1535-1537 Oregon Street

Use Permit #2013-0059 to construct a 1,798-square-foot, two-story, single-family dwelling (1537 Oregon Street) at the rear, and raise the existing one-story (plus basement) single-family dwelling (1535 Oregon Street) by 4 feet and have a room addition.

CEQA Action: Categorically exempt pursuant to Section 15301 and Section 15303 of the CEQA Guidelines (“Existing Facilities” and “New Construction or Conversion of Small Structures”, respectively).

Applicant/Property Owner: Brad Miller and John Gladish, P.O. Box 6114, Oakland, CA 94117
Zoning: R-2A — Restricted Multiple-Family Residential District
Planner: Hannah Young (contract planner), hannah.young@urs.com, 415-243-3854

Continued From: None
Recommendation: APPROVE Use Permit 2013-0052 pursuant to Section 23B.32.040 and subject to the Findings and Conditions

Action: APPROVED with revised conditions to address driveway design, fence and street trees.

Motion/Second: S. Donaldson / B. Allen
# of Speakers: 10
Vote: 6-1-1-1 (No: George Williams, Abstain: I. Tregub, Absent: S. Ross)
5. Approval of Previous Meeting Minutes
Minutes from 03/13/2014 meeting.

   Continued From: None
   Recommendation: APPROVE
   Action: APPROVED
   Motion/Second: A. Cohen / S. Ross
   Vote: 6-0-2-0 (Abstain: S. Ross, M. Tam)

Additional Agenda Items: None

Adjourn: 10:14PM

[Approved for posting by Aaron Sage, Secretary, Zoning Adjustments Board]