Zoning Adjustments Board
Thursday, May 22, 2014 – 7:00 PM
City Council Chambers, 2134 Martin Luther King Jr. Way, Second Floor
Berkeley (Wheelchair Accessible)

Preliminary Matters:

Present:

Michael Alvarez Cohen (Chairperson), appointed by Councilmember Wozniak
Prakash Pinto (Vice Chairperson), appointed by Councilmember Maio
Denise Pinkston, 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
Igor Tregub, appointed by Councilmember Arreguin

Members of the Public

Present: 31
Speakers: 8

Ex Parte Communication Disclosures:

D. Pinkston: I spoke to with Rena Rickles about the 85 Parnassus Avenue street item.
G. Williams: I received a phone message from Rena Rickles regarding 85 Parnassus.
R. Allen: I got an e-mail from Mark Rhoades regarding 1812 university
S. Donaldson: I got an e-mail from Mark Rhoades, but did not discuss the 1808 Univeristy Ave. project with him.
I. Tregub: I had a discussion with Staff to clarify 1812 university.
M. Alvarez-Cohen: I received an e-mail from Mark Rhoades, but I did not discuss the topic with him.

Preliminary Matters:

Staff Announcements

• Introduction of Land Use Planning Manager Carol Johnson

Public Comment:

None.
Agenda Changes:
85 Parnassus Road removed from the Agenda by staff.
Agenda item #5: 2222 Ninth Street Moved onto the Consent Calendar.

Consent Calendar:

2. 2055 Center Street #D
Use Permit #2014-0006 to add incidental retail sale of wine for off-site consumption at a full service tapas restaurant.
CEQA Determination: Categorically exempt pursuant to Section 15303 of the CEQA Guidelines (“New Construction or Conversions of Small Structures”).
Applicant: Krisin Personett, for Botella Republic, 6140 Johnston Dr., Oakland, CA 94611
Owner: CVBAF LLC, 2055 Center Street, Berkeley, CA
Zoning: C – DMU; Downtown Mixed Use District
Planner: Claudine Asbagh casbagh@ci.berkeley.ca.us (510) 981-7424
Recommendation: APPROVE Use Permit #2014-0006 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions.
Action: APPROVED
Motion / Second: S. O'Keefe / I. Tregub
# of Speakers: 0
Vote: 9-0-0-0

3. 524 Grizzly Peak Boulevard
Use Permit #2013-0049 to construct an approximately 32.2-foot tall, 663-square-foot, four-story addition at the rear left (southern) corner of an existing house, which is non-conforming for height (four stories, where three is allowed)
CEQA Determination: Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).
Applicant/ Property Owner: Mark and Sharon Danks, 524 Grizzly Peak, Berkeley, CA 94708
Zoning: R-1H – Single-Family Residential Hillside Overlay
Planner: Leslie Mendez, lmendez@ci.berkeley.ca.us, (510) 981-7426
Recommendation: APPROVE Use Permit 2013-0049 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions.
Action: APPROVED with conditions to change 35 degrees to 35% and replace the word "closed "with "closest" on the non-detriment findings
Motion / Second: S. O'Keefe / I. Tregub
# of Speakers: 0
Vote: 9-0-0-0
5. 2222 Ninth Street - Continued

Use Permit # 2014-0008 to 1) alter an existing 2,680 sq. ft. un-permitted two-family dwelling by removing 475 sq. ft. and removing the un-permitted second unit and church kitchen, 2) vertically and horizontally extending a non-conforming 15’ front yard setback and vertically and horizontally extending a non-conforming 3’1” side yard setback to enclose the existing porch, and 3) construct a new 1,546 sq. ft. two-story single-family dwelling unit at the rear of the 5,232 sq. ft. parcel.

CEQA Determination: Categorically exempt pursuant to Sections 15301 ("Existing Facilities"), 15303(a) ("New Construction), and 15332 (“Infill Development Projects”) of the CEQA Guidelines.

Applicant: John Newton, 827 Coventry Road, Kensington, CA 94707
Property Owner: Tom Anthony, 5666 Telegraph Ave., Oakland, CA 94609
Zoning: R-1A – Limited Two-Family Residential District
Planners: Derek Farmer, Derek.Farmer@tetratech.com, (510) 302-6297, and Pamela Johnson, pjjohnson@ci.berkeley.ca.us, (510) 981-7548

Continued From: CONTINUED from May 8, 2014
Recommendation: APPROVE Use Permit # 2014-0008 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions.
Action: APPROVED
Motion / Second: S. O’Keefe / I. Tregub
# of Speakers: 0
Vote: 9-0-0-0

Action Calendar:

4. 2501-2509 Haste St. & 2433 Telegraph Ave. – El Jardin - Continued

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
Zoning: C-T, Commercial-Telegraph
Planner: Greg Powell, gpowell@ci.berkeley.ca.us, (510) 981-7414

Continued From: CONTINUED from 4/24/2014
Recommendation: HOLD hearing and CONTINUE the matter to June 26, 2014.
Action: CONTINUED to June 26, 2014
Motion / Second: S. O’Keefe / I. Tregub
# of Speakers: 0
Vote: 9-0-0-0
6. **1808-1814 University Avenue**  
Use Permit #UP2013-0043 to demolish 12,033 square-feet of commercial floor area within two buildings, merge two parcels into one, and construct a 33,733 square-foot, 4 story, 50’ tall, mixed use project with 44 residential units, 4,505 square feet of retail floor area or food service (with incidental service of beer & wine), and 19 parking spaces.  
CEQA Determination: Categorically exempt pursuant to Section 15332 of the CEQA Guidelines (“In-fill Development Projects”) and is not subject to any exception noted in 15300.2.  
Applicant: Rhoades Planning Group, 1611 Telegraph Avenue, Oakland 94712  
Property Owner: 1812 University LLC, 2201 Blake Street, Berkeley 94704  
Zoning: C-1, General Commercial  
Planner: Greg Powell, GPowell@ci.berkeley.ca.us (510) 981-7414  
Recommendation: APPROVE #UP2013-0043 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions.  
Action: APPROVED #UP2013-0043 with CONDITIONS.  
Motion / Second: S. Hahn / S. O'Keefe  
# of Speakers: 8  
Vote: 8-1-0-0 (Nay: R. Allen)

7. **Approval of Previous Meeting Minutes**  
Minutes from 05/08/2014 meeting.  
Continued From: None  
Recommendation: APPROVE  
Action: APPROVED with changes to 85 Parnassus  
Motion / Second: I. Tregub / S. O'Keefe  
Vote: 9-0-0-0

Adjourned: 11:52 PM