Action Minutes
Approved by the ZAB on 9/11/14

Zoning Adjustments Board
Thursday, August 14, 2014 – 7:00 PM
City Council Chambers, 2134 Martin Luther King Jr. Way, Second Floor
Berkeley (Wheelchair Accessible)

Preliminary Matters:

Roll Call: Michael Alvarez Cohen (Chairperson), appointed by Councilmember Wozniak
Robert Allen, appointed by Councilmember Wengraf
Shoshana O'Keefe, appointed by Councilmember Anderson
Steven Donaldson, appointed by Councilmember Moore
Igor Tregub, appointed by Councilmember Arreguin

Excused: Prakash Pinto (Vice Chairperson), appointed by Councilmember Maio
Denise Pinkston, appointed by Mayor Bates
Sophie Hahn, appointed by Councilmember Worthington

Absent: George Williams, appointed by Councilmember Capitelli

Substitute: Steven Ross
Mathew Lewis

Members of the Public
Present: 5
Speakers: 0

Ex Parte Communication Disclosures:
I. Tregub – Phone call from Lisa Stephens from the rent board that no action is likely to be taken today.

Public Comment:
None

Agenda Changes:

Action: MOVE Items #3 to the Consent Calendar.
Motion / Second: I. Tregub / B. Allen
Vote: 7-0-0-1 (Absent: G. Williams)
AGENDA - Zoning Adjustments Board  
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Consent Calendar:

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<td>Motion / Second:</td>
<td>B. Allen / S. Donaldson</td>
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<td># of Speakers:</td>
<td>0</td>
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<td>Vote:</td>
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1. 3136 Sacramento Street (Appeal)
   
   **Appeal** the denial of Administrative Use Permit #AUP2013-0126 for an extension of the hours of operation for an existing quick service restaurant to 11PM Monday to Friday, and 12 Midnight Saturday and Sunday.

   **CEQA Action:** Categorically exempt pursuant to Section 15270(a) of the CEQA Guidelines, CEQA does not apply for a project that is disapproved.

   **Applicant / Appellant:** Moxy Beer Garden c/o Phyllis Voisenat, Esq., 2516 Blanding Ave., Alameda, CA 94501

   **Property Owner:** Jose and Graciela Perez, 2929 W. Sugarhill Terr., Dublin, CA 94568

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

   **Planner:** Pamela Johnson, pjohnson@ci.berkeley.ca.us, (510) 981-7458

   **Continued From:** None

   **Recommendation:** OVERTURN the Zoning Officer’s decision to DENY Administrative Use Permit #2013-0126 and APPROVE, pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions.

2. 2414 Dana Street
   
   **Use Permit #UP2014-0014** to construct a three-story, 2,610 square-foot addition to an existing five-unit building and to increase the number of units on site from five to six.

   **CEQA Determination:** Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).

   **Owner/Applicant:** Charlie Bettencourt  2414 Dana Street, LP 2115 Shattuck Avenue Berkeley, CA 94704

   **Zoning:** Residential High Density Subarea (R-S)

   **Planner:** Abe Leider, Contract Planner, aleider@rinconconsultants.com, (510) 834-4455, and Claudine Asbagh, Assistant Planner, CAsbagh@ci.berkeley.ca.us, (510) 981-7424

   **Continued From:** None

   **Recommendation:** CONTINUE to September 11, 2014 at the request of the Rent Stabilization Board.
3. **2136 Center Street**

   **Use Permit Modification #MODUP2014-0010** to modify approved plans for a five-story, 68 room extended stay hotel to allow an additional sixth story and additional seventeen units for a total of 85 units, increasing the height from 57' to 67'.

   **CEQA Determination:** A Mitigated Negative Declaration (MND) was adopted for the approved project. The proposed modifications do not warrant additional environmental review and the previous negative declaration is still applicable to the project.

   **Applicant:** Randall Harris, HDO Architects, 2950 Camino Diablo #110, Walnut Creek, CA 94597

   **Property Owner:** Center Gallery, LP, 1442 A Walnut Street #116, Berkeley, CA 94709

   **Zoning:** Downtown Mixed Use Commercial District C-DMU-Core

   **Planner:** Pamela Johnson, pjohnson@ci.berkeley.ca.us, (510) 981-7458

   **Continued From:** None

   **Recommendation:** APPROVE Use Permit Modification #2014-0010, pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions.

**Action Calendar:**

4. **Approval of Previous Action Minutes**

   Minutes from **July 10, 2014** meeting.

   **Continued From:** None

   **Recommendation:** APPROVE

   **Motion / Second:** S. Donaldson/B. Allen

   **Vote:** 5-0-2-1 (Abstain: S. Ross, M. Lewis, Absent: G. Williams)

5. **Approval of Previous Action Minutes**

   Minutes from **July 24, 2014** meeting.

   **Continued From:** None

   **Recommendation:** APPROVE

   **Motion / Second:** I. Tregub / B. Allen

   **Vote:** 5-0-2-1 (Abstain: S. Ross, M. Lewis, Absent: G. Williams)

**Adjourned 7:36 pm**