Zoning Adjustments Board
Thursday, August 28, 2014 – 6:30 PM

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

Discussion Item:

Discussion of Adopting Berkeley City Council’s Procedural Practices
Discussion and input noted by staff.

Preliminary Matters:

Roll Call:  Prakash Pinto (Vice Chairperson), appointed by Councilmember Maio
           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
           Denise Pinkston, appointed by Mayor Bates

Excused:  Michael Alvarez Cohen (Chairperson), appointed by Councilmember Wozniak

Substitute:  Elisa Mikiten

Members of the Public
Present: 52
Speakers: 30

Ex Parte Communication Disclosures:
G. Williams – I had a conversation with Rena Rickles.
S. Hahn – I had a phone call from Rena Rickles, asking to look for an item she
sent, which is in the packet.
I. Tregub – I spoke with Rent Board about 1619 Harmon with Lisa and Jay, and I
talked to Teddy Miller 85 Parnassus asking about the general process.
S. O’Keefe – I talked to Dora Halprin – talked and took a look from her property.
P. Pinto – I had a conversation with Rena Rickles.

Public Comment:
1

Agenda Changes:
None
Consent Calendar:

**Action:** APPROVED with one deleted and two added findings to Item #2

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

**Speakers:** 1

**Vote:** 9-0-0-0

1. **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 an 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:** July 24, 2014

   **Recommendation:** HOLD hearing and CONTINUE matter to Sept. 24, 2014

2. **1629 Harmon Street**

   **Use Permit #UP2014-0018** to 1) create a second dwelling unit within an existing single-family dwelling, 2) demolish an existing, 1-story single-family dwelling at the rear of the property and construct a 2-story, 1,221 square-foot single-family dwelling, resulting in a total of three dwelling units and eight bedrooms on the parcel.

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

   **Applicant:** Richard Schwarzmann, 1629 Harmon Street, Berkeley, CA 94703

   **Zoning:** R-2A – Restricted Multiple-Family Residential District

   **Planners:** Derek Farmer, Contract Planner, Derek.Farmer@tetratech.com, (510) 302-6297, and Aaron Sage, Senior Planner, ASage@ci.berkeley.ca.us.

   **Continued From:** None

   **Recommendation:** APPROVE Use Permit #2014-0018 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions.

Action Calendar:

3. **85 Parnassus Road**

   **Appeal of Use Permit #12-20000158** to convert an existing accessory structure (containing habitable space) into an accessory dwelling unit located 5 feet from the rear lot line where 20 feet is required, with required off-street parking (one space) located in the required rear yard.

   **CEQA Determination:** Categorically exempt pursuant to Section 15303 (“New Construction or Conversion of Small Structures”) of the CEQA Guidelines.

   **Applicant / Owner:** Ed and Mona Nichols 85 Parnassus Rd., Berkeley, CA 94708

   **Appellant:** Rena Rickles for Russell Barnett and Jennifer Chatman, 10 E Parnassus Ct. Berkeley, CA 94708

   **Zoning:** R-1H – Single Family Residential, Hillside

   **Planner:** Claudine M. Asbagh, casbagh@ci.berkeley.ca.us, (510) 981-7424
4. **1974 University Avenue (StoneFire)**

Use Permit 2013-0036 to redevelop an approximately 22,838-square-foot parcel, which includes the demolition of a one-story masonry auto repair building; and the construction of an 8-story, mixed-use building with approximately 8,700 square feet of commercial space on the ground level, a below grade parking garage with 76 vehicle spaces and bicycle storage, and 98 residential units, including 8 available to very low income households.

**CEQA Determination:** Project is eligible for streamlined review for infill projects pursuant to CEQA Guidelines Section 15183.3. The project is found to have no significant effects on the environment that have not either already been analyzed in a prior EIR or that are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate. Pursuant to Public Resources Code Section 21094.5, CEQA does not apply to such effects.

**Applicant / Architect:** Dave Johnson, Johnson Lyman Architects, 1375 Locust Street, #202, Walnut Creek, CA 94596

**Property Owner:** Bridgestone Retail Operations, LLC, c/o Bill Schrader, 164 Oak Road, Alamo, CA 94507

**Zoning:** Downtown Mixed Use; Buffer Area, C-DMU

**Planner:** Leslie Mendez, lmendez@ci.berkeley.ca.us, (510) 981-7426

**Continued From:** May 8, 2014

**Recommendation:** **AFFIRM** Zoning Officer’s decision to approve AUP, and **DISMISS** the appeals.

**Action:** **UPHOLD** the appeal and **DENY** Administrative Use Permit #12-20000158

**Motion / Second:** S. O’Keefe / D. Pinkston

**# of Speakers:** 26

**Vote:** 7-2-0-0 (Nays: S. Donaldson, & E. Mikiten)

5. **Approval of Previous Action Minutes**

Minutes from **August 14, 2014** meeting.

**Continued From:** None

**Recommendation:** **APPROVE** Use Permit 2013-0036 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions.

**Action:** **APPROVED**

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

**# of Speakers:** 2

**Vote:** 9-0-0-0

Adjourned at 10:22