Action Minutes
Planning & Development Department
Land Use Planning Division

Zoning Adjustments Board
Thursday, May 10, 2018 – 7:12 PM
City Council Chambers, 2134 Martin Luther King Jr. Way, Second Floor
Berkeley (Wheelchair Accessible)

Preliminary Matters:

Roll Call:
Igor Tregub (Chairperson), appointed by Mayor Arreguin
Darrell Owens, appointed by Councilmember Droste
Teresa Clarke, appointed by Councilmember Maio
John Selawsky, appointed by Councilmember Bartlett
Shoshana O’Keefe, appointed by Councilmember Hahn
Charles Kahn, appointed by Councilmember Wengraf
Alfred Twu, appointed by Councilmember Worthington
Carrie Olson, appointed by Councilmember Harrison

Absent:
P. Sheahan

Ex Parte Communication Disclosures:
I. Tregub: I spoke with Mark Rhoades, Nathan George, and Tim Frank about the project at 3000 Shattuck Avenue
C. Kahn: I spoke with Tim Frank about the project at 3000 Shattuck Avenue

Public Comment:
Speakers: 5
Consent Calendar:

1. Approval of Action Minutes from April 26, 2018
   Recommendation: APPROVE
   Motion / Second: J. Selawsky / C. Olson
   Vote: 7-0-1-1 (Abstain: T. Clarke; Absent: P. Sheahan)
   Action: APPROVED

3. 1338-1340 Kains Avenue – New Public Hearing
   Application: Use Permit #ZP2018-0013 to (1) raise an existing one-story duplex and increase the average height from 12’9” to 23’3”; (2) expand the floor area from 1,512 to 3,010 square feet; (3) increase the number of bedrooms from 3 to 7; and (4) construct a 485 square-foot accessory building with a full bathroom.
   Zoning: R-2 – Restricted Two-Family Residential
   CEQA Determination: Categorically exempt pursuant to Sections 15303 and 15332 (“New Construction or Conversion of Small Structures” and “In-Fill Development,” respectively) of the CEQA Guidelines.
   Applicant/Owner: Brandon Griffin, 1340 Kains Avenue, Berkeley
   Staff Planner: Lucy Sundelson, LSundelson@cityofberkeley.info, (510) 981-7433
   Recommendation: APPROVE Use Permit #ZP2018-0013 pursuant to Section 23B.32.030.
   Motion / Second: J. Selawsky / C. Olson
   Vote: 8-0-0-1 (Absent: P. Sheahan)
   Action: APPROVED with amendments to the Conditions of Approval

4. 803 Folger Avenue – New Public Hearing
   Application: Use Permit Modification #ZP2018-0042 to modify Use Permit #ZP2016-0147, which allowed the construction of 4 new, 3-story 3,000 square-foot live/work units, to convert the first floor of two of the buildings to two approximately 1,000 square-foot office spaces.
   Zoning: MU-LI – Mixed Use – Light Industrial
   CEQA Determination: Categorically exempt pursuant to Section 15332 of the CEQA Guidelines (“In-fill Development”).
   Applicant/Owner: Folger Group LLC, David Wilson, 805 Folger Ave, Berkeley
   Staff Planner: Lucy Sundelson, LSundelson@cityofberkeley.info, (510) 981-7433
   Recommendation: APPROVE Use Permit Modification #ZP2018-0042 pursuant to Section 23B.32.030.
   Motion / Second: J. Selawsky / C. Olson
   Vote: 8-0-0-1 (Absent: P. Sheahan)
   Action: APPROVED
Action Calendar:

2. 1711 & 1713 Martin Luther King Jr. Way – New Public Hearing
   Application: Use Permit & Variance #ZP2017-0179 to (1) legalize the conversion of existing commercial spaces to residential use in the front building thereby increasing the number of dwellings from one to two; (2) legalize the conversion of a first floor non-residential space to two dwellings and the creation of one dwelling on the second floor in the rear building thereby increasing the number of dwellings from one to four; (3) add a bedroom addition on the first floor of the rear building; (4) increase the total number of bedrooms on the parcel from three to 15; and (5) reduce required off-street parking spaces from eight to zero.
   Zoning: R-2A – Restricted Multiple-Family Residential
   CEQA Determination: Categorically exempt pursuant to Sections 15301 and 15303 of the CEQA Guidelines (“Existing Facilities” and “New Construction or Conversion of Small Structures,” respectively).
   Applicant/Owner: Rhoades Planning Group, c/o Mark Rhoades 46 Shattuck Square, Suite 11, Berkeley
   Key Route Partners, LLC, et als. 6522 Telegraph Avenue, Oakland
   Staff Planner: Immanuel Bereket, ibereket@cityofberkeley.info, (510) 981-7425
   Recommendation: APPROVE Use Permit #ZP2017-0179 pursuant to Section 23B.32.030.
   # of Speakers: 1
   Motion / Second: C. Olson / C. Kahn
   Vote: 8-0-0-1 (Absent: P. Sheahan)
   Action: APPROVED with amendments to the Conditions of Approval

5. 3000 Shattuck Avenue – New Public Hearing
   Application: Use Permit #ZP2015-0029 to demolish a gas station structure and construct a five-story, 40,680 square foot mixed-use building with ground-floor retail uses and 23 dwellings (to include four BMR) on the upper 4 stories.
   Zoning: C-SA – South Area Commercial
   CEQA Determination: A Negative Declaration was prepared and noticed pursuant to Article 6 of the CEQA Guidelines with a public review period from June 12, 2017 to July 13, 2017.
   Applicant: 3000 Shattuck Avenue LLC., 1958A University Avenue, Berkeley
   Owner:
   Staff Planner: Layal Nawfal, lnawfal@cityofberkeley.info, (510) 981-7424
   Recommendation: ADOPT the proposed negative declaration and APPROVE Use Permit #ZP2015-0029 pursuant to Section 23B.32.030.
   # of Speakers: 19
   Motion / Second: S. O’Keefe / J. Selawsky
   Vote: 8-0-0-1 (Absent: P. Sheahan)
   Action: CONTINUED to June 28, 2018
Adjourn: 11:30 PM

Members of the Public:
Present: 29
Speakers: 25