Zoning Adjustments Board
Thursday, September 11, 2014 - 7:00PM
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
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
Igor Tregub, appointed by Councilmember Arreguin (Arrived at 7:03)

Excused:  Denise Pinkston, appointed by Mayor Bates
Steven Donaldson, appointed by Councilmember Moore

Substitute:  Steven Ross
Deborah Mathews

Members of the Public
Present: 27
Speakers: 5

Ex Parte Communication Disclosures:
I. Tregub – Had conversations about 2414 Dana Street with Rent Board Executive Director Jay Kelekian & with Katherine Harr.

Public Comment:
None

Agenda Changes:
Action:  MOVE Item #5, 801 Grayson, to the Consent Calendar.
Motion / Second:  D. Mathews / I. Tregub
Vote:  9-0-0-0
Consent Calendar:

1. 3049 Acton Street
   Use Permit #UP2014-0047 for demolition and reconstruction of more than 50% (“technical demolition”) of a single family dwelling.
   **CEQA Determination:** Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).
   **Owner / Applicant:** Jacek Rosicki, Muse, Inc., 49 Rosewood Drive, Atherton CA 94027
   **Zoning:** R-2A, Restricted Multiple-family Residential
   **Planners:** Abe Leider, Contract Planner, aleider@rinconconsultants.com, (510) 834-4455, and Pamela Johnson, pjohnson@ci.berkeley.ca.us, (510) 981-7548
   **Continued From:** None
   **Recommendation:** APPROVE Use Permit #UP2014-0047 pursuant to BMC section 23C.08.010 and subject to the attached Findings and Conditions.

2. 2721 Shattuck Avenue
   Use Permit #UP2014-0023 to modify Use Permit #04-10000068 to include one microwave dish, attached to an existing mechanical penthouse on an existing four-story commercial building, for an existing Sprint wireless telecommunication facility.
   **CEQA Determination:** Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).
   **Applicant:** Sprint c/o Misako Hill, 1075-45th Street, Emeryville, CA 94608
   **Property Owner:** UC Storage LLC, 2116 Allston Way #1, Berkeley, CA 94704
   **Zoning:** C-SA South Area Commercial District
   **Staff Planner:** Pamela Johnson, pjohnson@ci.berkeley.ca.us, (510) 981-7410
   **Continued From:** None
   **Recommendation:** APPROVE Use Permit #UP2014-0023 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions.
3. **1625 Shattuck Avenue**

   **Use Permit #UP2013-0037** to modify Use Permit #08-10000097 to modify an existing AT&T facility to install three new antennas for a total antenna count of eleven antennas within a Radio Frequency Transparent screen on the rooftop of a three story commercial building and install related equipment within an existing rooftop lease space.

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

   **Applicant:** AT&T c/o Sean Snyder, Forza Telecommunication, 1330 North Broadway, Suite 202, Walnut Creek, CA 94596

   **Owner:** 1625 Shattuck Avenue Investors LLC, 1625 Shattuck Avenue, Third Floor Berkeley, CA 94703

   **Zoning:** C-NS North Shattuck Commercial District

   **Staff Planner:** Pamela Johnson, pjohnson@ci.berkeley.ca.us, (510) 981-7410

   **Recommendation:** WITHDRAW from Agenda.

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5. **801 Grayson Street**

   **Use Permit 2014-0033** to expand existing pharmaceutical operations uses at 801 Grayson Street by constructing an 80,000-square-foot product testing facility, and demolish 3 buildings at 800 Dwight Way (Buildings 28, 28A, and 50) with a total of 65,000 square feet of product testing space.

   **CEQA Action:** Because an Initial Study identified potentially significant effects on the environment, but project revisions agreed to by the applicant would avoid or mitigate these effects to a point where clearly no significant effects would occur, a Mitigated Negative Declaration has been prepared.

   **Applicant:** Victor Warren, Architect; Site Architect, 880 Dwight Way, Berkeley, CA 94701

   **Property Owner:** Bayer HealthCare, LLC, 880 Dwight Way, Berkeley, CA 94701

   **Zoning:** MM, Mixed Manufacturing

   **Staff Planner:** Aaron Sage, AICP, asage@ci.berkeley.ca.us, (510) 981-7410

   **Recommendation:**
   
   - **With the CEQA findings in Attachment 4, Finding 1;**
   - **ADOPT** the Proposed Mitigated Negative Declaration; and
   - **APPROVE** Use Permit #2014-0033 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions.
Action Calendar:

4. **700 Heinz Avenue**

   **Use Permit #UP2014-0030** to construct a new 285-space, 89,138 square-foot, and three-story parking structure on an existing surface parking lot at 710 Heinz Avenue.

   **Applicant:** Chris Barlow, Wareham Development
   **Property Owner:** 7th Street Properties II, 1120 Nye Street San Rafael, CA 94901
   **Zoning:** MU-LI (Mixed-Use, Light Industrial)
   **Staff Planner:** Abe Leider, contract planner, aleider@rinconconsultants.com (510) 834-4455, and Greg Powell, gpowell@ci.berkeley.ca.us (510) 981-7414

   **Continued From:** None
   **Recommendation:** ADOPT the CEQA Addendum and APPROVE Use Permit #2014-0030 pursuant to sections 23B.32.040 and 23B.28.050, and subject to the attached Findings and Conditions.
   **Action:** APPROVED with amendments
   **Motion / Second:** R. Allen / D. Mathews
   **# of Speakers:** 3
   **Vote:** 9-0-0-0

6. **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)
   **Staff Planners:** 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:** APPROVE Use Permit #2014-0014 pursuant to BMC sections 23D.28.050 and 23B.32.040 and subject to the attached Findings and Conditions.
   **Action:** CONTINUED off calendar with suggested amendments.
   **Motion / Second:** I. Tregub / S. Hahn
   **# of Speakers:** 2
   **Vote:** 9-0-0-0
7. Approval of Previous Action Minutes

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

- **Continued From:** August 28, 2014
- **Recommendation:** APPROVE
- **Action:** APPROVED
- **Motion / Second:** B. Allen / I. Tregub
- **Vote:** 6-0-0-3 (Abstain: D. Mathews, S. Hahn, M. Alvarez-Cohen)

8. Approval of Previous Action Minutes

Minutes from **August 28, 2014** meeting.

- **Continued From:** None
- **Recommendation:** APPROVE with correction
- **Action:** APPROVED
- **Motion / Second:** B. Allen / I. Tregub
- **Vote:** 6-0-0-3 (Abstain: D. Mathews, S. Ross, M. Alvarez-Cohen)

Adjourn 9:45