Action Minutes
Planning & Development Department
Land Use Planning Division

Zoning Adjustments Board
Thursday, June 11, 2015 - 7:05 PM

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

Preliminary Matters:

Roll Call: Prakash Pinto (Chairperson)
Denise Pinkston (Vice Chairperson)
Igor Tregub
Steven Donaldson
George Williams
Shoshanna O’Keefe
Sophie Hahn
Nicholas Dominguez
Richard Christiani

Members of the Public
Present: 61
Speakers: 47

Ex Parte Communication Disclosures:
S. Donaldson: I spoke with David Trachtenberg regarding 824 University Avenue and also Tim Frank regarding some issues around the carpenters on the same project.
I. Tregub: I spoke with Scott Littlehale regarding 824 University Avenue and concerns from the Carpenters Union.
S. O’Keefe: I spoke with Landmarks Preservation Commission Chair Austene Hall regarding 2539 Telegraph Avenue.
S. Hahn: I spoke with Landmarks Preservation Commission Chair Austene Hall regarding 2539 Telegraph Avenue about the letter that was included in the packet that was signed by her.
D. Pinkston: I spoke with Patrick Kennedy regarding 2539 Telegraph regarding the Draft EIR and relayed to him the same concerns with the project as I voiced during the December 11, 2014 meeting.

Public Comment:
3
Preliminary Matters – (Continued):

Agenda Changes:
Move Item #7 onto Consent, and move items #1 Action Minutes and #4 824 University Avenue to the Action Calendar.

Motion / Second: I. Tregub / G. Williams
Vote: 9-0-0-0
Action: APPROVED

Consent Calendar:

2. 800 University Avenue - New Public Hearing
   Application: Use Permit Modification #ZP2015-0125 to designate up to 10% of automobile parking required for commercial and residential uses with additional bicycle and/or motorcycle parking, in an approved mixed-use project that is currently under construction.
   CEQA Determination: Categorically exempt pursuant to Section 15332 of the CEQA Guidelines (“In-fill Development Projects”).
   Applicant: David Trachtenberg, 2421 Fourth Street, Berkeley
   Owner: R & S Fifth Street Apartments, LLC, 2015 Fourth Street, Berkeley
   Zoning: C-W, West Berkeley Commercial & MU-R, Mixed Use Residential
   Contract Planner: Doug Donaldson
   Staff Planner: Greg Powell, gpowell@cityofberkeley.info, (510) 981-7414
   Recommendation: APPROVE Use Permit Modification #ZP2015-0125 pursuant to Section 23B.32.040 and subject to the Findings and Conditions.
   Action: APPROVED

3. 800 University Avenue - New Public Hearing
   Application: Use Permit #ZP2015-0056 to establish a 1,175 SF veterinary clinic.
   CEQA Determination: Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).
   Applicant: David Trachtenberg, 2421 Fourth Street, Berkeley
   Owner: R & S Fifth Street Apartments, LLC, 2015 Fourth Street, Berkeley
   Zoning: C-W, West Berkeley Commercial
   Contract Planner: Doug Donaldson
   Staff Planner: Greg Powell, gpowell@cityofberkeley.info, (510) 981-7414
   Recommendation: APPROVE Use Permit #ZP2015-0056 pursuant to Section 23B.32.040 and subject to the Findings and Conditions.
   Action: APPROVED

   Motion / Second: S. Hahn / I. Tregub
   Vote: 9-0-0-0
   Action: APPROVED
4. 824 University Avenue - New Public Hearing

Application: Use Permit #ZP2015-0021 to demolish 2 existing commercial buildings with 3,350 and 1,830 SF of floor area, respectively, and construct a 48,818 SF, 5-story, 57-foot tall, mixed-use project with 48 dwellings, a 2,749 SF veterinary clinic, and 52 parking spaces.

CEQA Determination: Categorically exempt pursuant to Section 15332 of the CEQA Guidelines (“In-fill Development Projects”).

Applicant: David Trachtenberg, 2421 Fourth Street, Berkeley
Owner: R & S Fifth Street Apartments II, LLC, 2015 Fourth Street, Berkeley
Zoning: C-W, West Berkeley Commercial
Contract Planner: Doug Donaldson
Staff Planner: Greg Powell, gpowell@cityofberkeley.info, (510) 981-7414
Recommendation: APPROVE Use Permit #ZP2015-0021 pursuant to Section 23B.32.040 and subject to the Findings and Conditions.

# of Speakers: 4  
Motion / Second: S. Donaldson / G. Williams
Vote: 7-1-1-0 (No: I. Tregub, Abstain: S. O’Keefe)
Action: APPROVED with staff-directed revisions to the findings and conditions

5. 2539 Telegraph Avenue – New Public Hearing

Application: Certification of Environmental Impact Report and action on Use Permit #2013-0061 to demolish an existing 7,100SF, 1-story office building to construct a 63,49 SF, 6-story, 70’ tall, mixed use building with 70 dwellings, 5,461 SF of commercial floor area (retail or food service with incidental service of beer and wine), and 8 parking spaces.

CEQA Determination: An Environmental Impact Report (EIR) was prepared.

Applicant: Daniel Backman, Lowney Architecture, 360 17th Street, Suite 100, Oakland
Owner: Panoramic Interests 2116 Allston Way, Suite 1, Berkeley, CA
Zoning: C-T (Telegraph Avenue Commercial) and R-3 (Multiple Family Residential)
Staff Planner: Claudine Asbagh, casbagh@cityofberkeley.info, (510) 981-7424
Recommendation: CERTIFY the Environmental Impact Report; and APPROVE Use Permit #ZP2013-0061 pursuant to Section 23B.32.040 and subject to the Findings and Conditions.

# of Speakers: 35  
Motion / Second: D. Pinkston / S. Donaldson
Vote: 9-0-0-0
Action: CERTIFIED the Environmental Impact Report.

Motion / Second: S. Hahn / I. Tregub
Vote: 9-0-0-0
Action: CONTINUED consideration of the Use Permit
Action Calendar (Continued):

6. Center Street Garage – Preview

   Application: Use Permit #ZP2015-0055 to demolish an existing 5-story, 440-space parking structure with 1,600 SF of commercial floor area and an arts display space, and to construct a new 8-story, 711-space, 248,000-SF parking structure with ground-floor garage operations office, arts display space, and 2 commercial tenant spaces to be occupied by a quick service restaurant and a bike parking station.

   CEQA Determination: A Mitigated Negative Declaration will be prepared and will tier off the Downtown Area Plan Environmental Impact Report.

   Applicant / Owner: City of Berkeley Public Works Department, 1947 Center Street, 4th Floor, Berkeley, CA

   Zoning: C-DMU (Downtown Mixed Use; Core Sub-Area)

   Contract Planner: Steven Ross, steven.ross@lsa-assoc.com, (510) 236-6810

   Staff Planner: Fatema Crane, fcrane@cityofberkeley.info, (510) 981-7413

   Recommendation: HOLD a public hearing and provide Staff with comments.

   Action: PROVIDED comments.

1. Approval of Action Minutes from May 28, 2015

   Recommendation: APPROVE

   Motion / Second: S. Hahn / D. Pinkston

   Vote: 9-0-0-0

   Action: APPROVED with amendments.

Adjourned 12:14 AM