Action Minutes

Planning & Development Department
Land Use Planning Division

Zoning Adjustments Board
Thursday, February 25, 2016 - 7:11 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
Ian Monroe
George Williams
Shoshana O’Keefe
Sophie Hahn
Savlan Hauser
Robert Allen (Left at 11:11 PM)

Excused: Steven Donaldson

Appointed: Ian Monroe

Members of the Public:
Present: 56
Speakers: 35

Ex Parte Communication Disclosures:

I. Tregub: In November of last year, spoke with Elisa Mikiten who represents the applicant for 2631 Durant, and earlier this week spoke with Bren Danow, a staff attorney with the Berkeley Rent Board. The subject of that discussion was about methodology to evaluate a fair rate of return. On 2129 Shattuck, held meetings with Ed McFarland and Matt Taecker and Kim Anno about design and SOSIP elements.

I. Monroe: Ex parte with Elisa Mikiten - discussed the project and why she got involved with 2631 Durant.

D. Pinkston: Spoke with Matt Taecker and an architect about 2129 Shattuck regarding the revised design and the art glass window element; I said I thought the design was improving and at that time still needed work. And I think that the art glass should actually be art.
S. O'Keefe: I spoke with John Selawsky about what went on at the meeting for 2631 Durant.

Public Comment:
Speakers: 1

Agenda Changes:
Change the order of the action calendar so that the order would begin with item #8 then, #7, #6, #5, #4, finishing with #9.
Vote: 9-0-0-0
Action: APPROVE

Consent Calendar:

1. Approval of Action Minutes from January 28, 2016
   Recommendation: APPROVE
   Motion / Second: Pinto/Pinkston
   Vote: 8-0-1-0 (I. Monroe abstain)
   Action: APPROVED ON CONSENT

2. 1841 Parker Street – New Public Hearing
   Application: Use Permit 2015-0233 to renovate an existing church building to create a single-family dwelling
   Zoning: R-2A – Restricted Multiple-Family Residential
   CEQA: Categorically exempt pursuant to Section 15303 of the CEQA Guidelines
   Determination: (“New Construction or Conversion of Small Structures”).
   Applicant: Josiah Maddock, 248 Taylor Street #302, San Francisco
   Owner: Steve Williams, 2647 Pleasant Hill Road, Pleasant Hill
   Staff Planner: Leslie Mendez, Lmendez@cityofberkeley.info, (510) 981-7426
   Recommendation: APPROVE Use Permit #ZP2015-0233 pursuant to Section 23B.32.040.
   Vote: 9-0-0-0
   Action: APPROVED ON CONSENT

3. 3100 San Pablo Avenue – New Public Hearing
   Application: Use Permit 2014-0031 to establish a 42,479 square-foot health club on the first and second floors of an existing 492,706 square foot building. A 6,836 square-foot portion of the health club would be located within the Mixed Use-Light Industrial (MU-LI) Zoning District.
   Zoning: C-W – West Berkeley Commercial & Mu-Li – Mixed Use – Light Industrial
   CEQA: Categorically exempt pursuant to Section 15332 of the CEQA Guidelines
   Determination: (“In-Fill Development Projects”).
   Applicant: Darrell de Tienne, deTienne Associates, 3435 Cesar Chavez Street, Suite 312, San Francisco
   Owner: LBA Realty 3347 Michelson Drive, Suite 200, Irvine
   Staff Planner: Greg Powell, gpowell@cityofberkeley.info, (510) 981-7414
   Recommendation: APPROVE Use Permit #ZP2014-0031 pursuant to Section 23B.32.040.
   Vote: 9-0-0-0
   Action: APPROVED ON CONSENT with revisions for additional bicycle parking
Action Calendar:

4. 1651 Tenth Street – New Public Hearing

**Application:** Use Permit 2015-0072 to expand an existing 1,043 square-foot, one-story, single-family dwelling into a 1,831 square-foot, two-story single-family dwelling in the front portion of a lot, and construct a new 2,120 square-foot, three-story, single-family dwelling in the rear portion of a lot. The project would increase the number of units on the site from one to two and the number of bedrooms from three to six.

**Zoning:** R1-A - Limited Two-Family Residential
**CEQA Determination:** Categorically exempt pursuant to Sections 15303 (New Construction or Conversion of Small Structures) and 15332 (“In-Fill Development”) of the CEQA Guidelines.

**Applicant:** Dehong Liu/Salt Light Design & Management Inc., P.O. Box 6520, Alameda
**Owner:** Revive Neighborhood LLC, P.O. Box 6520, Alameda
**Contract Planner:** Julian Bobilev, Julian.bobilev@aecom.com, (415) 243-3756
**Staff Planner:** Shannon Allen, ShAllen@CityofBerkeley.info, (510) 981-7430
**Recommendation:** APPROVE Use Permit 2015-0072 pursuant to Section 23B.32.040.

**# of Speakers** 8

**Motion / Second:** S. O’Keefe/S. Hahn

**Vote:** 6-1-0-0 (No: I. Monroe; P. Pinto, I. Tregub Recuse – live within 500 feet of project site)

**Action:** CONTINUED with the direction to decrease size of rear dwelling unit, work on design of front dwelling unit to better reflect neighborhood character.
Action Calendar (Continued):

5. 1655 Tenth Street – New Public Hearing
   Application: Use Permit 2015-0143 to construct a 2,359 square-foot new single-family dwelling on the rear portion of a lot with an existing 830 square-foot single-family dwelling. The project would increase the number of units on the site from one to two and the number of bedrooms from two to six.
   Zoning: R1-A - Limited Two-Family Residential
   CEQA Determination: Categorically exempt pursuant to Sections 15303 (New Construction or Conversion of Small Structures) and 15332 (“In-Fill Development”) of the CEQA Guidelines.
   Applicant/Owner: Davinderjit Gabhi, 1655 Tenth Street, Berkeley
   Staff Planner: Jim Frank, JFrank@cityofberkeley.info, (510) 981-7548
   Recommendation: APPROVE Use Permit 2015-0143 pursuant to Section 23B.32.040.
   # of Speakers: 4
   Motion / Second: S. Hahn/S. Hauser
   Vote: 5-2-0-0 (No: G. Williams, B. Allen; P. Pinto, I. Tregub Recuse – live within 500 feet of proposed project)
   Action: APPROVED

6. 2902 Adeline Street – Project Preview
   Application: Use Permit 2015-0177 to redevelop 3 parcels at 2902 and 2908 Adeline Street and 1946 Russell Street (approximately 14,065 square feet total), which includes the demolition of one residential structure and one mixed-use (commercial and residential) structure; and the construction of a 6-story, mixed-use building with 5 live/work spaces and 50 dwelling units, including 4 available to very low income households. The project would include 56 bicycle spaces and stacked parking for 24 vehicles.
   Zoning: C-SA - South Area Commercial and R-4 - Multi-Family Residential
   CEQA Determination: Anticipated categorical exemption under Section 15332 of the CEQA Guidelines (“In-Fill Development Projects”).
   Applicant: Cody Fornari, REALTEX Apartments, LLC, Street, 2342 Shattuck Avenue, #171, Berkeley
   Owner: Carla Violet, cviolet@up-partners.com, (510) 251-8210
   Staff Planner: Leslie Mendez, LMendez@cityofberkeley.info, (510) 981-7426
   Recommendation: Provide advisory comments to the applicant on the building height and reduction in parking requirement, including the requested density bonus and concessions, and to staff on issues and analyses that the ZAB would like to see discussed in the next staff report.
   # of Speakers: 17
   Action: Comments Provided
Action Calendar (Continued):

7. 2129 Shattuck Avenue – Review and Comment on the Draft EIR
   Application: Use Permit ZP2015-0071: A proposed 16-story hotel and commercial development in Downtown Berkeley, including demolition of the existing Bank of America building.
   Zoning: C-DMU Core - Downtown Mixed Use Core
   CEQA Determination: A Draft Environmental Impact Report (Draft EIR) was prepared and is available for public comment. The close of the Draft EIR comment period is 5:00 p.m., February 29, 2016.
   Applicant/Owner: Taecker Planning & Design, 2140 Shattuck Avenue #208, Berkeley
   Staff Planner: Greg Powell, Principal Planner, gpowell@ci.berkeley.ca.us, (510) 981-7414
   Recommendation: Hold a public hearing to allow public comment on the Draft EIR and for ZAB members to also provide comments on the Draft EIR.
   # of Speakers: 5
   Action: Comments Provided

8. 2631 Durant Avenue – Remanded by Berkeley City Council
   Application: Remand of Use Permit #2013-10000016 to demolish a 3-story, 18-dwelling unit, rent controlled apartment building and construct a 5-story, 56-dwelling unit apartment building.
   Zoning: R-SMU - Residential Southside Mixed Use
   CEQA Determination: Categorically exempt pursuant to Section 15332 of the CEQA Guidelines (“In-Fill Development Projects”).
   Applicant/Owner: OPCHA, LLC, 1415 Summit Road, Berkeley
   Staff Planner: Immanuel Bereket, ibereket@cityofberkeley.info, (510) 981-7425
   Recommendation: Conduct a public hearing, consider the applicant’s response to Council’s direction, and take action to deny the project.
   Motion/Second: D. Pinkston/G. Williams
   Vote: 9-0-0-0
   Action: NONE, NO ACTION TAKEN

9. Election of Chair and Vice Chair of the Zoning Adjustments Board
   Nomination: D. Pinkston
   Motion / Second: P. Pinto/I. Tregub
   Vote: 8-0-0-1 (Absent B. Allen)
   Action: APPROVED as Chair
   Nomination: I. Tregub
   Motion / Second: P. Pinto/ S. Hahn
   Vote: 8-0-0-1 (Absent B. Allen)
   Action: APPROVED as Vice Chair

Adjourned 12:03 AM