Planning & Development Department
Land Use Planning Division

Zoning Adjustments Board
Thursday, March 31, 2016 - 7:03 PM
City Council Chambers, 2134 Martin Luther King Jr. Way, Second Floor
Berkeley (Wheelchair Accessible)

Preliminary Matters:

Roll Call:
Denise Pinkston (Chairperson) appointed by Mayor Bates
Igor Tregub (Vice Chairperson) appointed by Councilmember Arreguin
Steven Donaldson, appointed by Councilmember Moore
George Williams, appointed by Councilmember Capitelli
Shoshana O’Keefe, appointed by Councilmember Anderson
Savlan Hauser, appointed by Councilmember Droste
Charles Kahn, appointed by Councilmember Wengraf
Teresa Clarke, appointed by Councilmember Maio

Excused:
Sophie Hahn, appointed by Councilmember Worthington

Ex Parte Communication Disclosures:
S. Donaldson: Spoke with Matt Taeckert and Ed MacFarlen regarding 2128 Shattuck Avenue.
G. Williams: Spoke with Matt Taeckert regarding 2128 Shattuck Avenue.
I. Tregub: Spoke with Matt Taeckert regarding 2128 Shattuck Avenue.
C. Kahn: Spoke with Matt Taeckert regarding 2128 Shattuck Avenue.

Public Comment on Non Agenda Items:
Speakers: 1

Agenda Changes:
None

Consent Calendar:
Motion / Second:
1. Approval of Action Minutes from March 10, 2016
   Recommendation: APPROVE
   Motion / Second: I. Tregub/S. Donaldson
   Vote: 8-0-0-1 (Excused: S. Hahn)
   Action: APPROVED ON CONSENT
Consent Calendar (Continued):

2. 2120 Berkeley Way – New Public Hearing
   Application: Use Permit #ZP2015-0153 to renovate an existing three-story, 22,864-square-foot office building and construct a three-story, 19,260-square-foot office space addition, resulting in a 41,674-square-foot, six-story, approximately 72-foot tall building. Approximately 3,521 sq. ft. of ground floor office space would be converted to retail space.
   Zoning: C-DMU – Downtown Mixed Use, Outer Core Sub-Area
   CEQA Determination: Categorically exempt pursuant to Section 15332 of the CEQA Guidelines (“In-Fill Development Projects”).
   Applicant: Berkeley Way, LLC., c/o Mark Rhoades, Rhoades Planning Group, 1611 Telegraph Avenue, Ste. 200, Oakland
   Owner: Berkeley Way, LLC., Ethan Namvar, Manager, 1958 University Avenue, Berkeley
   Staff Planner: Immanuel Bereket, ibereket@cityofberkeley.info, (510) 981-7425
   Recommendation: APPROVE Use Permit #ZP2015-0153 pursuant to Section 23B.32.040.
   Motion / Second: I. Tregub/S. Donaldson
   Vote: 8-0-0-1 (Excused: S. Hahn)
   Action: APPROVED ON CONSENT

3. 1241 Ashby – New Public Hearing
   Application: Use Permit #ZP2015-0079 to legalize a 1,008 square-foot dwelling unit on the first floor of an existing two-story, 2,016 square-foot dwelling, resulting in a total of two units and seven bedrooms on the parcel; and to legalize a sliding glass door within the non-conforming south (front) yard setback.
   Zoning: R-3 – Multiple Family Residential District
   CEQA Determination: Categorically exempt pursuant to Section 15301 (“Existing Facilities”) and Section 15303 (“New Construction or Conversion of Small Structure”).
   Applicant/Owner: Jennifer Chen, 130 Cinnabar Way, Hercules, CA
   Staff Planner: Amanda Wallace, Awallace@cityofberkeley.info, (510) 981-7458
   Recommendation: APPROVE Use Permit #ZP2015-0079 pursuant to Section 23B.32.040.
   Motion / Second: I. Tregub/S. Donaldson
   Vote: 8-0-0-1 (Excused: S. Hahn)
   Action: APPROVED ON CONSENT
Action Calendar:

4. 1701 Sixty Second Street – New Public Hearing, Appeal

   Application: Appeal of Administrative Use Permit #ZP2015-0035 to construct a 548-square-foot addition resulting in a new second-story; and to demolish an existing single-car, detached garage and establish uncovered parking in the rear yard area.

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

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

   Applicant/Owner: Berkeley 1701 LLC, c/o Mona Hsieh 1701 62nd Street, Berkeley

   Appellant: Carhvin Justice, P.O. Box 2940, Berkeley, CA

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

   Recommendation: APPROVE Use Permit #ZP2015-0035 pursuant to Section 23B.32.040 and subject to the Findings and Conditions and DISMISS the Appeal.

   # of Speakers: 4

   Motion / Second: C. Kahn/ T. Clarke

   Vote: 6-1-1-1 (No: I. Tregub; Abstain: S. O’Keefe; Excused: S. Hahn)

   Action: APPROVED with modifications to Conditions of Approval, DISMISSAL of Appeal

5. 2129 Shattuck Avenue – New Public Hearing

   Application: Use Permit #ZP2015-0071: A proposed project that would involve the demolition of the existing Bank of America building and the construction of a 16-floor commercial/hotel building. The ground floor would include the Bank of America; a hotel lobby, dining room, conference room, and café; and a full-service restaurant. The second floor would contain a 97-space parking garage. Floors 3 through 16 would consist of 336 hotel rooms and other hotel uses including conference rooms, as well as a terrace on the third floor with conference rooms, a gym, and a pool for hotel guests. The gross floor area of the project would total 277,602 square feet.

   Zoning: C-DMU – Downtown Mixed Use, Core Sub-Area

   CEQA Determination: A Draft EIR was circulated, the Final EIR is being prepared.

   Applicant: Taecker Planning & Design, 2140 Shattuck Avenue, #208, Berkeley

   Owner: Center Street Partners, LLC, One Post Office Square, #3100, Boston, MA

   Staff Planner: Greg Powell, Principal Planner, gpowell@cityofberkeley.info, (510) 981-7414

   Recommendation: Review design revisions to the Shattuck Avenue and Center Street Facades only and review pedestrian safety along Shattuck Avenue.

   # of Speakers: 4

   Action: Comments Provided
Action Calendar (Continued):

6. Revised Memo to City Council on second dwelling units in the R-1A Zoning District
   Recommendation: Review and Comment
   # of Speakers: None
   Motion / Second: I. Tregub/ C. Kahn
   Vote: 8-0-0-1 (Excused: S. Hahn)
   Action: APPROVED with amendments to final paragraph.

Adjourned 8:32 PM

Members of the Public:
   Present: 9
   Speakers: 13