Action Minutes
Planning & Development Department
Land Use Planning Division

Zoning Adjustments Board
Thursday, April 28, 2016 - 7:03 PM
City Council Chambers, 2134 Martin Luther King Jr. Way, Second Floor
Berkeley (Wheelchair Accessible)

Preliminary Matters:

Roll Call:
Steven Donaldson, appointed by Councilmember Moore
Shoshana O'Keefe, appointed by Councilmember Anderson
Sophie Hahn, appointed by Councilmember Worthington
Savlan Hauser, appointed by Councilmember Droste
Charles Kahn, appointed by Councilmember Wengraf
Teresa Clarke, appointed by Councilmember Maio
Kathryn Harrison, appointed by Councilmember Arreguin (Temporary Replacement for Igor Tregub)
Royce Kelley appointed by Mayor Bates (Temporary Replacement for Denise Pinkston)
Ian Monroe, appointed by Councilmember Capitelli (Temporary Replacement for George Williams)

Excused:
George Williams
Igor Tregub
Denise Pinkston

Ex Parte Communication Disclosures:
S. Donaldson: Spoke with Matt Taecker about 2129 Shattuck.
C. Kahn: Spoke with Matt Taecker about 2129 Shattuck.
T. Clarke: Spoke with Aaron Coffer about project on Telegraph.
K. Harrison: Spoke with Moshe Dinar about 3051 Adeline Street.

Election of Temporary Chair of the Board:
Recommendation: APPROVE S. Hahn as temporary Chair of the Board due to
the absence of Chair Pinkston and Vice Chair Tregub
Motion / Second: S. O'Keefe/T. Clarke
Vote: 9-0-0-0
Action: APPROVED

Public Comment:
Speakers: 1
Agenda Changes:
None

Consent Calendar:

1. Approval of Action Minutes from April 14, 2016
   Recommendation: APPROVE
   Motion / Second: S. Donaldson/S. Hauser
   Vote: 9-0-0-0
   Action: APPROVED

2. 1311 Neilson – New Public Hearing
   Application: Use Permit #ZP2015-0237 to convert an existing duplex into a single-family residence by eliminating a unit, and construct a 632 square-foot second-story addition that would raise the average height of the building from approximately 11 feet 10 inches to approximately 22 feet, resulting in a 1,834 square-foot single-family residence.
   Zoning: Limited Two-Family Residential District (R-1A)
   CEQA Determination: Categorically exempt pursuant to Section 15301 (“Existing Facilities”) and Section 15332 (“Infill Development Projects”) of the CEQA Guidelines.
   Applicant: DSA Architects, Attn: Dietmar Lorenz, 1107 Virginal Street, Berkeley
   Owner: Megan McQuaid and Sean Co, 1311 Neilson Street, Berkeley
   Staff Planner: Immanuel Bereket, ibereket@cityofberkeley.info, (510) 981-7425
   Recommendation: APPROVE Use Permit #ZP2015-0237 pursuant to Section 23B.32.040.
   Motion / Second: S. Donaldson/S. Hauser
   Vote: 9-0-0-0
   Action: APPROVED ON CONSENT

3. 3051 Adeline – New Public Hearing
   Application: Use Permit #ZP2014-0016 to (1) legalize unpermitted conversion of eight second floor office spaces to eight dwelling units within the C-SA portion of the building; (2) convert three unpermitted second floor guestrooms to three residential dwelling units within the R-2A portion of the building; (3) establish a 1,250 square-foot quick or full service restaurant; and (4) waive 15 required off-street spaces.
   Zoning: C-SA (Commercial – South Area) and R-2A (Restricted Multiple-Family Residential District)
   CEQA Determination: Categorically exempt pursuant to Section 15301 (“Existing Facilities”) and Section 15332 (“Infill Development Projects”) of the CEQA Guidelines.
   Applicant: Maxaco LLC, 2550 Appian Way Suite 201, Pinole, CA
   Owner: Moshe Dinar, P. O. Box 70601, Oakland, CA
   Staff Planner: Immanuel Bereket, ibereket@cityofberkeley.info, (510) 981-7425
   Recommendation: APPROVE Use Permit #2014-0016 pursuant to Section 23B.32.040.
   Motion / Second: S. Donaldson/S. Hauser
   Vote: 9-0-0-0
   Action: APPROVED ON CONSENT with additional condition of approval regarding ADA assessable parking.
4. 2129 Shattuck – Certification of Final Environmental Impact Report

Application: Certification of the Final Environmental Impact Report (Final EIR) for a proposed 16-story hotel and commercial development, including demolition of an existing Bank of America building, within the Downtown Area Plan area of Downtown Berkeley. Consistent with CEQA Guidelines Section 15090, the ZAB must certify that the Final EIR has been completed in compliance with CEQA and reflects the lead agency’s independent judgment; the Final EIR must be reviewed and considered prior to approving the project. The action item before the ZAB on April 28, 2016 is for certification of the Final EIR only; consideration of project approvals will be at a later date.

Zoning: CDMU- Core – Downtown Mixed Use District

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

Applicant: Taecker Planning and Design, 2140 Shattuck Avenue, Suite 208, Berkeley
Owner: Center Street Partners, LLC, One Post Office Square, #3100, Boston, MA
Staff Planner: Greg Powell, gpowell@cityofberkeley.info, (510) 981-7414

Recommendation: Review, Accept public comment, and Certify the Final EIR

# of Speakers: 3
Motion / Second: S. Donaldson/S. Hauser
Vote: 9-0-0-0
Action: CERTIFY FINAL EIR

5. Presentation of Association of Environmental Professionals Environmental Analysis Document Merit Award for 2539 Telegraph Avenue Mixed-Use Project EIR.

Adjourned 7:50 PM

Members of the Public:
Present: 15
Speakers: 4