



Action Minutes

Planning & Development Department
Land Use Planning Division

Zoning Adjustments Board Thursday, June 8, 2017 - 7:04 PM

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

Preliminary Matters:

Roll Call:

Igor Tregub, appointed by Mayor Arreguin
Denise Pinkston, appointed by Councilmember Droste
Teresa Clarke, appointed by Councilmember Maio
Patrick Sheahan, appointed by Councilmember Davila
John Selawsky, appointed by Councilmember Bartlett
Shoshana O'Keefe, appointed by Councilmember Hahn
Charles Kahn, appointed by Councilmember Wengraf
Brazile Clark, appointed by Councilmember Worthington
Carrie Olson, appointed by Councilmember Harrison

Ex Parte Communication Disclosures:

I. Tregub: Spoke with Rick Auerbach about 2621 and 2627 Tenth Street
P. Sheahan: Spoke with Rick Auerbach and David Bowman about 2621 and 2627 Tenth Street

Public Comment:

Speakers: 0

Agenda Changes:

Move Item #7, Election of Vice Chair, after Consent Calendar and before Action Calendar

Consent Calendar:

1. Approval of Action Minutes from May 25, 2017
Recommendation: APPROVE
Motion / Second: J. Selawsky / C. Kahn
Vote: 9-0-0-0
Action: APPROVED

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Action Calendar:

7. Election of Vice Chair of the Zoning Adjustments Board

Vice Chair: Nominate D. Pinkston
Motion / Second: J. Selawsky / C. Kahn
Vote: 9-0-0-0
Action: APPROVED as Vice Chair

2. 3031 Adeline Street – Preview

Application: Pre-application Project Preview #PLN2014-0048 for a project that would: (1) demolish an existing approximately 1,000 square foot, one-story, commercial structure; and (2) construct a 42,348 square foot, five-story, 57 foot tall, mixed use building with 42 residential units, 4,324 square feet ground floor commercial space (general retail and/or food service), 38 automobile and 21 bicycle parking spaces.

Zoning: C-SA – Commercial, South Area
CEQA To be determined
Determination:
Applicant: Moshe Dinar, P.O. Box 70601, Oakland
Owner: Maxaco-LLC, 2550 Appian Way, Suite 201, Pinole
Staff Planner: Immanuel Bereket, IBereket@cityofberkeley.info, (510) 981-7425
Recommendation: Hold a Public Hearing and Provide Advisory Comments
Action: HELD A PUBLIC HEARING AND PROVIDED ADVISORY COMMENTS

3. 50 Northgate Avenue – Appeal

Application: Appeal of Zoning Officer’s Decision to approve Administrative Use Permit #ZP2016-0184 that would 1) convert 505 square feet of the first floor within the existing single-family residence to create a new accessory dwelling unit (ADU), and 2) create a lower level storage area that is approximately 70 square feet that would expand the existing single-family residence from three stories to four.

Zoning: R-1(H) – Single Family Residential, Hillside Overlay District
CEQA Categorically exempt pursuant to Section 15301 of the CEQA Guidelines
Determination: (“Existing Facilities”).
Applicant: Robert Cheatham, 50 Northgate Avenue, Berkeley
Owner: Tivo and Anne Rojas-Cheatham, 50 Northgate Avenue, Berkeley
Mike Wetzel, 70 Northgate Avenue, Berkeley
Staff Planner: Charles Enchill, CEnchill@cityofberkeley.info, (510) 981-7431
Recommendation: DISMISS APPEAL and APPROVE ZP2016-0184 pursuant to Section 23B.32.040.
of Speakers: 3
Motion / Second: B. Clark / D. Pinkston
Vote: 9-0-0-0
Action: DISMISSED APPEAL and APPROVED with amendments to the Conditions of Approval.

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Action Calendar (Continued):

4. 2525 Hill Court – Appeal

Application: **Appeal of Zoning Officer’s Decision to approve Administrative Use Permit #ZP2016-0210** to alter a portion of the existing 1,414 square-foot, 2-story, single-family residence that is within a non-conforming rear yard setback, to replace and enlarge an existing, second floor, approximately 24 square-foot balcony that is approximately 8’ from the rear property line with a new 95 square-foot balcony with a railing height above grade of 13’6” that would be 4’ from the rear property line, where 10’4” is required.

Zoning: R-1(H) – Single Family Residential, Hillside Overlay District

CEQA Categorically exempt pursuant to Section 15301 of the CEQA Guidelines

Determination: (“Existing Facilities”)

Applicant/Owner: Nagisa Yano (Yamamar Design), 619 7th Street, San Francisco
Andrew and Judith Standley, 2525 Hill Court, Berkeley
Kevin and Barbara Galvin, 2545 Cedar Street, Berkeley

Staff Planner: Lucy Sundelson, LSundelson@cityofberkeley.info, (510) 981-7433

Recommendation: **DISMISS APPEAL and APPROVE** ZP2016-0210 pursuant to Section 23B.32.040.

of Speakers: 3

Motion / Second: **D. Pinkston / C. Olson**

Vote: **9-0-0-0**

Action: **DISMISSED APPEAL and APPROVED** with amendments to the Conditions of Approval.

5. 2440 Sacramento Street – New Public Hearing

Application: **Use Permit ZP#2016-0089** to sell beer and wine for off-site consumption at an existing 1,172 square foot food products store, with hours of operation from 9:00 a.m. to 9:30 p.m. Monday through Friday, and 9:00 a.m. to 10:00 p.m. Saturday and Sunday; and permit an indoor Automatic Teller Machine.

Zoning: C-SA – Commercial, South Area

CEQA Categorically exempt pursuant to Section 15301 of the CEQA Guidelines

Determination: (“Existing Facilities”)

Applicant: Adel Gergess, 2440 Sacramento Street, Berkeley

Owner: Johnny Shokouh, P.O. Box 7616, Berkeley

Staff Planner: Sydney Stephenson, SStephenson@cityofberkeley.info, (510) 981-7488

Recommendation: **APPROVE** ZP2016-0089 pursuant to Section 23B.32.040.

of Speakers: 5

Motion / Second: **B. Clark / T. Clarke**

Vote: **8-0-0-1 (Recuse: C. Kahn)**

Action: **APPROVED**

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Action Calendar (Continued):

6. 2621 and 2627 Tenth Street – New Public Hearing

Application: Use Permit #ZP2017-0043 to legalize the demolition of two single family dwellings

Zoning: MU-LI – Mixed Use – Light Industrial

CEQA Categorically exempt pursuant to Section 15301 of the CEQA Guidelines

Determination: (“Existing Facilities”)

Applicant: Christopher Barlow, 2600 Tenth Street, LLC, 1120 Nye Street, Suite 400, San Rafael

Owner: Rafael

Staff Planner: Layal Nawfal, LNawfal@cityofberkeley.info, (510) 981-7424

Recommendation: Direct Staff as deemed appropriate to prepare Findings and Conditions for adoption by the Zoning Adjustments Board.

of Speakers: 4

Motion / Second: D. Pinkston / I. Tregub

Vote: 5-3-0-1 (No: J. Selawsky, B. Clark, C. Olson; Absent: C. Kahn)

Action: APPROVED with Conditions of Approval

Adjourned 11:15 PM

Members of the Public:

Present: 28

Speakers: 15
