



Action Minutes

Planning & Development Department
Land Use Planning Division

Zoning Adjustments Board Thursday, July 27, 2017 - 7:02 PM

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

Preliminary Matters:

Roll Call:

Igor Tregub (Chairperson), appointed by Mayor Arreguin, departed at 10:40 PM

Teresa Clarke (Temporary Vice-Chair), appointed by Councilmember Maio

Savlan Hauser, appointed by Councilmember Droste

Patrick Sheahan, appointed by Councilmember Davila

John Selawsky, appointed by Councilmember Bartlett

Leah Simon-Weisberg, appointed by Councilmember Hahn

Jay Claiborne, appointed by Councilmember Wengraf

Brazile Clark, appointed by Councilmember Worthington, departed at 10:40 PM

Carrie Olson, appointed by Councilmember Harrison

Note: L. Simon-Weisberg was not authorized to participate as a commissioner. While her votes are recorded below, they did not count.

Excused: Denise Pinkston, Shoshana O'Keefe, Charles Kahn

Ex Parte Communication Disclosures:

L. Simon-Weisberg: For 2527 San Pablo Avenue I spoke with Christine Schwartz.

I. Tregub : For 3014 College Avenue, I discussed the project with Jay Kelekian, Executive Director, Rent Stabilization Board. For 2527 San Pablo Avenue I received communications from Christine Schwartz and Councilmember Harrison. For 2210-2212 Martin Luther King Jr. Way I received a call from Kristin Personette and spoke with Jay Kelekian, Rent Stabilization Board.

Election of Temporary Vice-Chair:

Elect T. Clarke at Temporary Vice-Chair

Motion / Second: J. Selawsky/S. Hauser

Vote: 9-0-0-0¹

Action: APPROVED

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ACTION MINUTES - Zoning Adjustments Board

Thursday, July 27, 2017

Page 2 of 4

Preliminary Matters (Continued):

Public Comment:

Speakers: 3

Agenda Changes:

Move Item #2, 3014 College Avenue to the Action Calendar.

Consent Calendar:

1. Approval of Action Minutes from July 13, 2017

Recommendation: APPROVE

Motion / Second: J. Selawsky/C. Olsen

Vote: 8-0-1-0² (Abstain: S. Hauser)

Action: APPROVED

Action Calendar:

2. 3014 College Avenue – New Public Hearing

Application: Use Permit #ZP2016-0214 to raise an existing three-story, four-unit apartment building, which is non-conforming, by 5 feet 3 inches and construct a 1,207 square-foot, two-story rear addition. The addition and interior renovations would increase the number of bedrooms on the parcel from four to eight.

Zoning: R-2A – Restricted Multiple Family Residential

CEQA Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).

Determination:

Applicant: Scott Galka, 562 61st Street, Oakland

Owner: Bob McCarrick, 11555 Dublin Blvd, Dublin

Staff Planner: Jim Frank, JFrank@cityofberkeley.info, (510) 981-7548

Recommendation: **APPROVE** Use Permit #ZP2016-0214 pursuant to Section 23B.32.040.

of Speakers: 7

Motion / Second: **J. Selawsky/C. Olsen**

Vote: 9-0-0-0¹

Action: **CONTINUED** to August 24, 2017

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ACTION MINUTES - Zoning Adjustments Board

Thursday, July 27, 2017

Page 3 of 4

Action Calendar (Continued):

3. 2527 San Pablo Avenue – New Public Hearing

Application: Use Permit #ZP2016-0207 to demolish an existing vacant service station building and construct a 6-story, mixed use building with 63 dwelling units, including 11 below market rate units for qualified persons with intellectual and developmental disabilities (I/DD); 3,179 square feet of combined ground floor commercial space for restaurant use including incidental service of beer and wine; and ground level parking for 50 vehicles.

Zoning: C-W – West Berkeley Commercial District, Designated Node

CEQA Negative Declaration prepared pursuant to Article 6 of the CEQA Guidelines.

Determination:

Applicant/Owner: 2527 San Pablo LLC, Rony Rolnizky, 121 Devonshire Way, San Francisco

Staff Planner: Leslie Mendez, LMendez@cityofberkeley.info, (510) 981-7426

Recommendation: **APPROVE** Use Permit #2016-0207 pursuant to Section 23B.32.040.

of Speakers: 21

Motion / Second: T. Clarke/C. Olsen

Vote: 6-3-0-0¹ (No: P. Sheahan, B. Clark, L. Simon-Weiseberg)

Action: **APPROVED with amendments to the Conditions of Approval**

5. 2210-2212 Martin Luther King Jr. Way – New Public hearing

Application: Variance #2016-0194 to 1) establish two dwelling units through the conversion of an existing child care center resulting in three units on the parcel; 2) to vary from residential density requirements; and 3) to vary from parking requirements. Administrative Use Permits are also requested to construct a 1,166 square-foot, two-story addition to the rear of the building and for alterations within a non-conforming setback.

Zoning: R-2 – Restricted Two Family Residential District

CEQA The California Environmental Quality Act (CEQA) does not apply to projects which a public agency rejects or disapproves (CEQA Guidelines Section 15270).

Determination:

Applicant: Kristin Personett, 6140 Johnson Drive, Oakland

Owner: Nhan Nguyen Le, 582 18th Avenue, San Francisco

Staff Planner: Jim Frank, JFrank@cityofberkeley.info, (510) 981-7548

Recommendation: **DENY** Variance #2016-0194 pursuant to Section 23B.32.040.

of Speakers: 0

Motion / Second: I. Tregub/T. Clarke

Vote: 9-0-0-0¹

Action: **CONTINUED to August 24, 2017**

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ACTION MINUTES - Zoning Adjustments Board

Thursday, July 27, 2017

Page 4 of 4

Action Calendar (Continued):

4. 3000 Shattuck Street – New Public Hearing

Application: Use Permit #ZP2015-0229 to demolish a gas station structure and construct a 5-story, 38,828 square foot mixed-use building with ground-floor retail uses and 44 residential dwelling units on the upper 4 stories.

Zoning: C-SA, South Area Commercial

CEQA Negative Declaration prepared pursuant to Article 6 of the CEQA Guidelines.

Determination:

Applicant/Owner: 3000 Shattuck Avenue LLC., 1958A University Avenue, Berkeley

Staff Planner: Loyal Nawfal, lnawfal@cityofberkeley.info, (510) 981-7424

Recommendation: **APPROVE** Use Permit #2016-0207 pursuant to Section 23B.32.040.

of Speakers 18

Motion / Second: L. Simon Weisberg/J. Selawsky

Vote: 9-0-0-0¹

Action: CONTINUED off calendar

Adjourned in the memory of Betty Oakes 12:17 AM

Members of the Public:

Present: 55
Speakers: 49

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