



Planning & Development Department
Land Use Planning Division

Action Minutes

Approved by ZAB on February 9, 2017

Zoning Adjustments Board Thursday, January 26, 2017 - 7:03 PM

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

Preliminary Matters:

Roll Call:

Denise Pinkston (Vice Chairperson), appointed by Councilmember Droste
Teresa Clarke, appointed by Councilmember Maio
John Erickson, 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: Arrive at 7:07 pm
Vacant, because of the vacant District 4 Council seat

Excused : Igor Tregub

Ex Parte Communication Disclosures:

J. Selwasky: I talked to Nara Dahlback, Robert Reimer, and Sheila Moran about 3025 College Street. I talked to Jason Overman about 2190 Shattuck Ave.
S. O'Keefe: I talked to Jason Overman about 2190 Shattuck Ave.
C. Kahn: Jason Overman tried to reach me, unsuccessfully, about 2190 Shattuck Ave.
D. Pinkston: Jason Overman and Kristina Lawson reached out to me about 2190 Shattuck Ave. but I said I did not need to meet or discuss this item with them.

Public Comment:

Speakers: 0

Consent Calendar:

Motion / Second:

1. Approval of Action Minutes from January 12, 2017

Recommendation: APPROVE

Motion / Second: J. Selawsky / C. Kahn

Vote: 7-0-0-0

Action: APPROVED with revision to the motion for 499 Spruce

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Consent Calendar (Continued):

2. 840 Page Street – New Public Hearing

Application: Use Permit #ZP2016-0064 to add a third story to an existing three-unit residence on a lot that exceeds density standard for the zoning district.

Zoning: R-1A, Limited Two-Family Residential

CEQA Categorically exempt pursuant to Section 15301 of the CEQA Guidelines

Determination: (“Existing Facilities”).

Applicant: Troy Martinez and Sara Peschel, 840 Page Street, Berkeley

Owner: Heather Sanders-Jacob, 580 Second Street, Suite 260, Oakland

Staff Planner: Sharon Gong, sgong@cityofberkeley.info, (510) 981-7429

Recommendation: CONTINUE

Motion / Second: J. Selawsky / C. Kahn

Vote: 7-0-0-0

Action: CONTINUED

Discussion and Comment Items:

Public meeting to solicit input and comments from the Zoning Adjustments Board, the general public and other interested parties. No action will be taken.

3. 2190 Shattuck Avenue – Scoping of Draft Environmental Impact Report

Application: Draft EIR Scoping Session for Use Permit #ZP2016-0117 to redevelop a 19,967 square-foot (0.46-acre) site at the southwest corner of Shattuck Avenue and Allston Way with a proposed 18-story building with 274 residential units above approximately 10,000 square feet of ground floor retail space. Approximately 103 parking spaces would be provided in a two-level subterranean garage accessed from Allston Way.

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

CEQA An Environmental Impact Report (EIR) is being prepared to evaluate the potentially significant environmental impacts of the proposed project, pursuant to the California Environmental Quality Act. The Notice of Preparation of an EIR was published on January 5, 2017. The public scoping period that began with publication of the Notice of Preparation ends on February 6, 2017; comments on the scope of the EIR are due by 5:00 p.m. on that date.

Determination:

Applicant: Mill Creek Residential, Don Peterson, 411 Borel Avenue, Suite 405, San Mateo

Owner: PR III Shattuck LLC, 2190 Shattuck Ave., Berkeley

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

Recommendation: Hold a Public Hearing to Solicit Comments on the Scope of the Draft EIR

of Speakers: 3

Action: Comments Provided

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Discussion and Comment Items (Continued):

4. 1717 University Avenue – Project Preview

Application: **Project Preview for Use Permit 2016-0101** to (1) demolish an existing 3,039 square-foot, one-story commercial building and a 680 square-foot single family dwelling with a detached garage; and (2) construct a 18,408 square-foot, five-story, 57'-8" tall, mixed-use building with 28 dwellings (including 4 Below Market Rate units), 1,863 square feet of commercial floor area (retail floor area or food service with incidental service of beer and wine), and 14 automobile and 36 bicycle parking spaces.

Zoning: C-1, General Commercial (University Avenue Mixed-Use Overlay) and R-2A, Restricted Multiple-Family Residential District

CEQA Determination: An Initial Study is currently being prepared to evaluate the project's potential environmental impacts prior to making a CEQA determination.

Applicant: Matthew Fialho, 3177 Stanwood Lane, Lafayette

Owner: 1717 University Associates LLC, 3177 Stanwood Lane, Lafayette

Contract Planner: Steven Ross, Steven.Ross@lsa.net, (510) 236-6810

Staff Planner: Immanuel Bereket, IBereket@cityofberkeley.info, (510) 981-7425

Recommendation: **Hold a Public Hearing and Provide Advisory Comments**

of Speakers: 11

Action: **Comments Provided**

Action Calendar:

The public may comment on each item listed on the agenda for action as the item is taken up. The Board Chairperson may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue. Action items may be reordered at the discretion of the Board Chairperson with the consent of Zoning Adjustments Board.

5. 3025 College Avenue – Appeal

Application: **Appeal of Decision of Administrative Use Permit #ZP2016-0021** to legalize the construction of a fence on the property line that is 13 feet in height.

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

CEQA Determination: Categorically exempt pursuant to Section 15303 of the CEQA Guidelines ("New Construction or Conversion of Small Structures").

Applicant: Linda Joseph, 2700 Prince Street, Berkeley

Owner: Robert Riemer and Sheila Moran, 3025 College Avenue, Berkeley

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

Recommendation: **DISMISS APPEAL and APPROVE** Administrative Use Permit #2016-0021 pursuant to Section 23B.32.040.

of Speakers: 4

Motion / Second: **C. Kahn / S. O'Keefe**

Vote: **6-0-0-1 (Abstain: J. Selawsky)**

Action: **DISMISSED APPEAL and Conditioned Approval to a 9 foot 6 inch fence.**

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Action Calendar (Continued):

6. 1804 Euclid Avenue – New Public Hearing

Application: Use Permit #ZP2016-0060 to establish a new wireless telecommunications facility operated by Verizon Wireless on the roof of three-story, mixed-use building where one facility already exists.

Zoning: Neighborhood Commercial District (Hillside Overlay) – C-N (H)

CEQA Categorically exempt pursuant to Section 15301 of the CEQA Guidelines

Determination: (“Existing Facilities”).

Owner: Moris & Janet Herscowitz, 2115 Shattuck Avenue, Berkeley

Applicant: GTE Mobilnet of California, dba Verizon Wireless, c/o Jenny Blocker, Complete Wireless, 2009 V Street, Sacramento

Contract Planner: Doug Donaldson, dougdonaldson@me.com, (510) 528-3684

Staff Planner: Fatema Crane, fcrane@cityofberkeley.info, (510) 981-7413

Recommendation: **APPROVE** Use Permit #ZP2016-0060 pursuant to Section 23B.32.040.

of Speakers: 1

Motion / Second: J. Selawsky / T. Clarke

Vote: 7-0-0-0

Action: **APPROVED**

7. 1218 Santa Fe Avenue – New Public Hearing

Application: Use Permit #ZP2016-0009 to demolish a single-story, non-residential building and to construct two, detached two-story dwelling units with average building height of 23 ft. - 2 in. in the R-2 district.

Zoning: R-2, Restricted Two-Family Residential

CEQA Categorically exempt pursuant to Section 15303 of the CEQA Guidelines

Determination: (“New Construction or Conversion of Small Structures”).

Applicant: Jonathan Owyang, Vestis JV, Inc., 484 Lake Park Ave., Suite 656, Oakland

Staff Planner: Fatema Crane, fcrane@cityofberkeley.info, (510) 981-7413

Recommendation: **APPROVE** Use Permit #ZP2016-0009 pursuant to Section 23B.32.040.

of Speakers: 5

Motion / Second: C. Kahn / B. Clark

Vote: 7-0-0-0

Action: **APPROVED**

Adjourned 10:15 PM

Members of the Public:

Present: 37

Speakers: 24
