Planning & Development Department
Land Use Planning Division

Zoning Adjustments Board
Thursday, October 26, 2017 - 7:08 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
Denise Pinkston (Vice Chairperson) appointed by Councilmember Droste
Teresa Clarke, appointed by Councilmember Maio
John Selawsky, appointed by Councilmember Bartlett
Shoshana O'Keefe, appointed by Councilmember Hahn, Arrived at 7:20 p.m.
Charles Kahn, appointed by Councilmember Wengraf
Salmana Shah, appointed by Councilmember Worthington
Carrie Olson, appointed by Councilmember Harrison

**Excused:** Patrick Sheahan, Brazile Clark

**Ex Parte Communication Disclosures:**
C. Kahn : I talked to Bill Shrader about 2580 Bancroft Avenue.
I. Tregub : I talked to Bill Shrader about 2580 Bancroft Avenue.

**Public Comment:**
Speakers: None

**Agenda Changes:** None

Consent Calendar:

1. Approval of Action Minutes from October 12, 2017
   - Recommendation: APPROVE
   - Motion / Second: C. Olson/D. Pinkston
   - Vote: 7-0-0-1 (Absent: S. O'Keefe)
   - Action: APPROVED
Consent Calendar (Continued):

2. 2241 Ninth Street – New Public Hearing
   Application: Use Permit #ZP2016-0235 to create approximately 210 sq. ft. of new floor area by enclosing an existing, covered balcony at a multi-family property that exceeds maximum standards for residential density and lot coverage.
   Zoning: R-1A, Limited Two-Family Residential
   CEQA Determination: Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).
   Applicant/Owner: Hui Hui Chen, 31 Westgate Drive, San Francisco
   Staff Planner: Fatema Crane, Senior Planner, fcrane@cityofberkeley.info, (510) 981-7410
   Recommendation: APPROVE Use Permit #ZP2016-0235 pursuant to Section 23B.32.040.
   Motion / Second: C. Olson/D. Pinkston
   Vote: 7-0-0-1 (Absent: S. O’Keefe)
   Action: APPROVED

3. 2040 Ninth Street – New Public Hearing
   Application: Use Permit #ZP2017-0087 to establish beer and wine service at an existing nail salon.
   Zoning: C-W - West Berkeley Commercial District
   CEQA Determination: Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).
   Applicant: Angela Prilliman, 7517 MacArthur Blvd. #A, Oakland
   Owner: Essex Berkeley 4th Street LP, 110 Park Place Suite 200, San Mateo
   Staff Planner: Jim Frank, JFrank@cityofberkeley.info, (510) 981-7548
   Recommendation: APPROVE Use Permit #2017-0087 pursuant to Section 23B.32.040.
   Motion / Second: C. Olson/D. Pinkston
   Vote: 7-0-0-1 (Absent: S. O’Keefe)
   Action: APPROVED with amendments to the conditions of approval

4. 835 Folger Street – New Public Hearing
   Application: Use Permit #ZP2017-0029 to demolish a non-residential building.
   Zoning: MULI – Mixed-Use Light Industrial
   CEQA Determination: Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).
   Applicant: Rick Kelley, 824 Ashby Avenue, Berkeley
   Owner: Ashby Lumber, 824 Ashby Avenue, Berkeley
   Staff Planner: Jim Frank, JFrank@cityofberkeley.info, (510) 981-7548
   Recommendation: APPROVE Use Permit #2017-0029 pursuant to Section 23B.32.040.
   Motion / Second: C. Olson/D. Pinkston
   Vote: 7-0-0-1 (Absent: S. O’Keefe)
   Action: APPROVED
Discussion: EIR Scoping and Project Preview:
Public meeting to solicit input and comments from the Zoning Adjustments Board, the general public and other interested parties. No action will be taken.

5. 2580 Bancroft Avenue – EIR Scoping and Preview

Application: Draft EIR Scoping Session and Project Preview for Use Permit #ZP2017-0083 to demolish the building at 2558-2588 Bancroft Way and demolish the rear half of the Fred Turner Building, a City Landmark, at 2546-2554 Bancroft Way; and to construct a new mixed-use building with approximately 122 dwelling units and 11,000 square feet of ground-floor retail. Approximately 39 parking spaces would be provided in a subterranean garage accessed from the entryway of the Fred Turner Building.

Zoning: C-T – Telegraph Commercial

CEQA Determination: An EIR is being prepared to evaluate the potentially significant environmental impacts of the proposed project, pursuant to the CEQA. The Notice of Preparation of an EIR was published on October 3, 2017. The public scoping period that began with publication of the Notice of Preparation ends on November 3, 2017; comments on the scope of the EIR are due by 5:00 p.m. on that date.

Applicant: Dave Johnson, Johnson Lyman Architects, 1375 Locust Street #202, Walnut Creek

Owner: Landmark Properties, Inc., 455 Epps Bridge Parkway, Athens, GA

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

Recommendation: Hold a Public Hearing and Provide Advisory Comments.

# of Speakers: 2

Action: Held a Public Hearing and Provided Comments.
Action Calendar

6. 740 Ensenada Avenue – Appeal

Application: Appeal of Zoning Officer’s Decision to approve Administrative Use Permit #ZP2017-0057 to enlarge an existing 904 square-foot, one-story, single-family dwelling by constructing a 731 square foot, two-story addition, with an average height of 21-feet 9-inches, that would vertically extend an existing non-conforming side yard setback of 3-foot 5-inches, and increase the number of bedrooms on this parcel from 2 to 5.

Zoning: R-1, Single Family Residential
CEQA Determination: Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).
Appellants: Hayley Sloan, 746 Ensenada Avenue; Rina Hoffer, 731 Peralta Avenue
Applicant: Matt Owens, 60 Pastori Avenue #27, Fairfax, CA
Owner: Andrew Brown and Rachel Maida, 740 Ensenada Avenue
Staff Planner: Charles Enchill, CEnchill@cityofberkeley.info, (510) 981-7431
Recommendation: DISMISS APPEAL and APPROVE Administrative Use Permit #ZP2017-0057 pursuant to Section 23B.28.060.C.1

# of Speakers: 4
Motion / Second: T. Clarke/C. Olson
Vote: 8-0-0-0
Action: DISMISSED APPEAL and APPROVED

7. 1717 University Avenue – New Public Hearing

Application: 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 18,193 square-foot, five-story, 57’-8” tall, mixed-use building with 28 dwellings (including 3 Below Market Rate units), 1,837 square feet of commercial floor area (food service with incidental service of beer and wine), and 18 automobile and 40 bicycle parking spaces.

Zoning: C-1, General Commercial (University Avenue Mixed-Use Overlay) and R-2A, Restricted Multiple-Family Residential District
CEQA Determination: Categorically exempt pursuant to Section 15332 of the CEQA Guidelines (“In-Fill Development”).
Applicant: Matthew Fialho, 3177 Stanwood Lane, Lafayette, CA
Owner: 1717 University Associates LLC, 3177 Stanwood Lane, Lafayette, CA
Contract Planner: Steven Ross, Steven.Ross@lsa.net, (510) 236-6810
Staff Planner: Immanuel Bereket, IBereket@cityofberkeley.info, (510) 981-7425
Recommendation: APPROVE Use Permit #2016-0101 pursuant to Section 23B.32.040.

# of Speakers: 7
Motion / Second: T. Clarke/C. Olson
Vote: 8-0-0-0
Action: APPROVED with amendments to the conditions of approval
Action Calendar (Continued):

8. 739 Channing Way – New Public Hearing

Application: Use Permit #ZP2017-0039 to construct three detached, three-story buildings with 10 dwellings, four live-work units for Arts and Crafts, one office space, and 16 off-street parking spaces.

Zoning: Mixed-Use Light Industrial ( MU-LI) and Mixed Use-Residential (MU-R)

CEQA Determination: Categorically exempt pursuant to Section 15303 (“New Construction or Conversion of Small Structures”) and Section 15332 of the CEQA Guidelines (“In-Fill Development Projects”).

Applicant: David Trachtenberg, 2421 Fourth Street, Berkeley
Owner: East Bay Channing, LLP 2421 Fourth Street, Berkeley
Staff Planner: Immanuel Bereket, IBereket@cityofberkeley.info, (510) 981-7425

Recommendation: APPROVE Use Permit #2017-0039 pursuant to Section 23B.32.040.

# of Speakers: 5

Motion / Second: T. Clarke/C. Kahn

Vote: 8-0-0-0

Action: APPROVED with amendments to the conditions of approval

Adjourned 11:04 PM

Members of the Public:
Present: 25
Speakers: 18