Zoning Adjustments Board
Thursday, October 25, 2018 - 7:07 PM

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

Preliminary Matters:

Roll Call:
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 (Acting Chair)
Charles Kahn, appointed by Councilmember Wengraf (left 9:30)
Dohee Kim, appointed by Councilmember Worthington
Nicolaus Wright, appointed by Mayor Arreguin
Katie Gladstein Skjerping, appointed by Councilmember Droste

Excused Absence:
Igor Tregub appointed by Mayor Arreguin
Denise Pinkston, appointed by Councilmember Droste
Carrie Olson, appointed by Councilmember Harrison

Ex Parte Communication Disclosures:
T. Clarke: Spoke with Jason Overman of Mill Creek Residential Group about 2190 Shattuck regarding bike access and the Design Review presentation.
J. Selawsky: Met with Jason Overman representing the applicant for 2190 Shattuck Avenue and spoke to Mayor Arreguin about the Wage Theft Provincial Ordinance as it would apply to 2546 Bancroft Way and other projects.
S. O'Keefe: Received an email from Jason Overman but did not respond to it.
N. Wright: Discussed 2190 Shattuck Avenue and the Community Benefits project with Jason Overman of Mill Creek Residential Group and had a conversation with Mayor Arreguin about 2546 Bancroft Way project.
C. Kahn: Was reached out by Jason Overman and had a conversation about 2190 Shattuck Avenue mostly relevant to Design Review elements.
K. Skjerping: Received a phone call from Jason Overman offering to meet about 2190 Shattuck Avenue project but did not need to or have time to meet.
Vote for Temporary Chair: S. O'Keefe

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<th>Recommendation:</th>
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<td>Motion / Second:</td>
<td>C.Kahn/ J.Selawsky</td>
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<td>Vote:</td>
<td>8-0-0-0</td>
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<td>Action:</td>
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Public Comment:
Speakers: 1

Consent Calendar:

1. Approval of Action Minutes from October 11, 2018

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<tr>
<td>Motion / Second:</td>
<td>J. Selawsky / C. Kahn</td>
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<td>Vote:</td>
<td>6-0-2-0 (Abstain: T. Clark, K. Skjerping)</td>
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Action Calendar:

2. **2190 Shattuck Avenue** – New Public Hearing

   Application: Use Permit #ZP2016-0117 to redevelop a 19,967 square-foot (0.46-acre) site at the northwest 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. One hundred and three (103) parking spaces would be provided in a two-level subterranean garage accessed from Allston Way.

   **Zoning:** Downtown Mixed-Use District (C-DMU) Core Sub-Area
   **CEQA** The ZAB certified the Final Environmental Impact Report, which is composed of the Draft EIR and Response to Comments document, on January 25, 2018
   **Applicant:** Mill Creek Residential, Don Peterson, 411 Borel Avenue, Suite 405, San Mateo, CA 94402
   **Owner:** PR III Shattuck LLC, 2190 Shattuck Avenue, Berkeley, CA 94704
   **Staff Planner:** Leslie Mendez, LMendez@cityofberkeley.info, (510) 981-7426

   **Recommendation:**
   A. **ADOPT** CEQA associated findings, statement of overriding considerations and the mitigation monitoring and reporting program (see Attachment 1, Exhibit A & B); and
   B. **APPROVE** Use Permit ZP2016-0117, pursuant to BMC Section 23B.32.040 and subject to the attached Findings and Conditions (see Attachment 1).

   **# of Speakers:** 12
   **Motion / Second:** T. Clark/ D. Kim
   **Vote:** 6-2-0-0 (No: P. Sheahan, J. Slawsky)
   **Action:** APPROVED with modifications to the Conditions of Approval
3. **2546-2580 Bancroft Way** – New Public Hearing

**Application:** Use Permit #ZP2017-0083 to demolish the Bancroft Center Building (2558-2588 Bancroft Way) and demolish the rear half of the City Landmark Fred Turner Building (2546-2554 Bancroft Way); and to construct a new mixed-use building with approximately 122 dwelling units, 11,000 square feet of ground-floor commercial space, and a 37 parking space subterranean commercial garage.

**Zoning:** C-T – Telegraph Commercial

**CEQA Determination:** The ZAB certified the Final Environmental Impact Report, which is composed of the Draft EIR and Response to Comments document on September 27, 2018.

**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, LMendez@cityofberkeley.info, (510) 981-7426

**Recommendation:**

- **A. ADOPT** CEQA associated findings, statement of overriding considerations and the mitigation monitoring and reporting program; and
- **APPROVE** Use Permit ZP2017-0083, pursuant to BMC Section 23B.32.040 and subject to Findings and Conditions.

**# of Speakers:** 3

**Motion / Second:** T. Clark / J. Selawsky

**Vote:** 7-1-0-0 (No: P. Sheahan)

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

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4. **1050 Parker Street Medical Office Building** – New Public Hearing

**Application:** Use Permit #ZP2018-0117 for the modification of Use Permit #ZP2016-0170 to allow for a previously approved, but not yet constructed, 60,670 square-foot building with 20,300 square feet of medical office use and 40,300 square feet of research and development use to be used entirely for medical offices. This project is in conjunction with construction of an off-site parking lot to provide for a portion the required parking (Use Permit #ZP2018-0116). A total of 115 automobile parking spaces and 46 bicycle parking spaces would be provided on the medical office site; an additional 88 automobile parking spaces would be provided at the off-site parking lot.

**Zoning:** Mixed Use Light Industrial (MU-LI) & West Berkeley Commercial (C-W)

**CEQA Determination:** An Initial Study-Mitigated Negative Declaration (IS-MND) was prepared for this project, in its entirety, pursuant to the provisions of CEQA, and circulated for public review from September 4, 2018 to October 4, 2018.

**Applicant/Owner:** 2600 Tenth Street, LLC and Pardee I, LLC, c/o Christopher Barlow with Wareham Property Group

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

**Recommendation:**

- **A. ADOPT** CEQA mitigated negative declaration; and
- **B. APPROVE** Use Permit #ZP2018-0117 pursuant to Section 23B.32.030.

**# of Speakers:** 16 (Total speakers for Item 4 and 5 combined)

**Motion / Second:** P. Sheahan / J. Selawsky

**Vote:** 7-0-0-1 (Absent: C. Kahn)

**Action:** CONTINUED TO DECEMBER 13, 2018.
5. **Pardee Block Parking Lot Project (2700 Tenth Street)** – New Public Hearing

**Application:** Use Permit #ZP2018-0116 for construction of a 43,847 square foot surface parking lot to provide for a portion of the required parking for the medical office building at 1050 Parker Street (Use Permit #ZP2018-0117) as well as parking for existing businesses. A total of 123 automobile and 18 bicycle parking spaces would be provided.

**Zoning:** Zoning: Mixed Use Residential (MU-R)

**CEQA Determination:** An Initial Study-Mitigated Negative Declaration (IS-MND) was prepared for this project, in its entirety, pursuant to the provisions of CEQA, and circulated for public review from September 4, 2018 to October 4, 2018.

**Applicant/Owner:** 2600 Tenth Street, LLC and Pardee I, LLC, c/o Christopher Barlow with Wareham Property Group

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

**Recommendation:**

A. **ADOPT CEQA** mitigated negative declaration; and

B. **APPROVE** Use Permit #ZP2018-0116 pursuant to 23B.32.040 and 23E.84.090, and subject to the attached Findings and Conditions

**# of Speakers:** 16 (Total speakers for Item 4 and 5 combined)

**Motion / Second:** P. Sheahan / J. Selawsky

**Vote:** 7-0-0-1 (Absent: C. Kahn)

**Action:** CONTINUED TO DECEMBER 13, 2018.

Adjourn: 11:39 PM

**Members of the Public:**

Present: 45
Speakers: 32