



Z O N I N G A D J U S T M E N T S B O A R D

I N F O R M A T I O N I T E M

FEBRUARY 28, 2019

2777 Shattuck Avenue/2747 Adeline Street

Review of Circulation Study (Condition of Approval 36) and confirmation of noise levels for Use Permit #ZP2015-0102 (effective date February 28, 2017) that established a full service auto dealership, including auto sales, repair and maintenance, in an existing building; construction of a 4,427 square-foot addition to the building for auto access and service; and use of a portion of the existing 31-space surface parking lot at 2747 Adeline Street for dealership parking, car display, and inventory.

I. Background

A. Land Use Designations:

- General Plan: AC (Avenue Commercial)
- Zoning: C-SA (Commercial – South Area), Dealership Overlay Area

B. Approved Zoning Permits:

- Use Permit to establish an automobile sales use of greater than 5,000 square feet and with associated outdoor activities in the C-SA Zone District, under BMC Section 23E.52.030;
- Use Permit to construct more than 3,000 square feet of new floor area, under BMC Section 23E.52.050;
- Use Permit for outdoor sales and/or display at 2747 Adeline Street, under BMC Section 23E.52.030; and
- Administrative Use Permit for outdoor vehicle display along Stuart Street between Shattuck Avenue and Adeline Street, under Section 23E.52.070.F.

C. CEQA Determination: Categorically exempt pursuant to the CEQA Guidelines Section 15301 (“Existing Facilities”), Section 15303 (“New Construction or Conversion of Small Structure”), and Section 15332 (“Infill Development Projects”).

D. Parties Involved:

- Applicant: Ali Kashani; 2930 Domingo Avenue #214, Berkeley, CA 94705
- Property Owner: Glenn Yasuda; 920 Heinz Avenue, Berkeley, CA 94710

E. Use Permit Application Materials, Prior Staff Reports and Correspondence are available on the Internet:

http://www.cityofberkeley.info/Planning_and_Development/Zoning_Adjustment_Board/2777_Shattuck.aspx

II. ISSUES / ANALYSIS / REVIEW OF CONDITIONS OF APPROVAL

On December 13, 2018, the ZAB reviewed comments submitted by neighbors of Berkeley Honda, comments submitted by representatives and employees of Berkeley Honda, and methodically reviewed Conditions of Approval for Use Permit #ZP2015-0102 and their implementation. ZAB was satisfied that Condition of Approval have been met; however, they requested that COA #36, regarding traffic circulation, be presented to ZAB at a future meeting. In addition, in response to direction from the ZAB to implement additional noise reduction measures, the applicant agreed to shield a second roof fan in proximity to the eastern property line. Discussions of these two items are provided below.

A. Traffic Circulation: Condition of Approval 36, copied below, required a circulation study focused on southbound left turns into the Honda service area.

COA 36. Traffic Circulation. Approximately 6 to 8 months after the Temporary Certificate of Occupancy is issued, when the service area and sales area are both in operation, a circulation study shall be conducted by a qualified traffic engineer, at the expense of the project applicant. The scope and methodology of the circulation study shall be reviewed and approved by the City Traffic Engineer. The Study should include observations during a.m. and p.m. peak periods on weekdays and a Saturday between 12:00 noon and 2:00 p.m. Observations should focus on difficulties or conflicts associated with southbound left turns into the Honda service area. If safety, delay or delay issues are observed with this turning movement, alternative site access (right-in, right-out at service entrance) shall be analyzed. The study shall be submitted to the City Traffic Engineer for review and approval.

If the City Traffic Engineer determines that recommendations or street improvements, based on the applicant's consultant's analysis or the City's interpretation of that analysis, are appropriate, the applicant shall pay for said improvements. Said improvements are to be designed by the applicant, paid for by the applicant, focused on the issues laid out in this COA, and installed within three (3) months of the City Traffic Engineer notifying the applicant (via email or letter) of determination.

A scope of work for this study was approved by the City Traffic Engineer on October 23, 2018, and the Berkeley Honda Queuing Analysis (circulation study) was approved by the City Traffic Engineer on February 13, 2019. The Queuing Analysis memorandum is included as attachment 2 to this staff report, and states that based on the overall observation of traffic circulation at the project driveway location, there were no conflicts observed. No additional measures are needed.

B. Additional Sound Attenuation Around Roof Fans: In April 2018, the roof fan at the southeast corner was found to be operating in violation of the Noise Ordinance, and in response, Berkeley Honda added a shield around the fan which brought it into compliance. At the December 2018 ZAB hearing, in response to neighbor concerns, Berkeley Honda agreed to construct a similar shield around the roof fan at the northeast corner, even though that fan had not been found to be in violation. Attachment 3 includes photos of the shield provided by the applicant team; attachment 4 is an email from the

City Department of Environmental Health which states that at the time of measurement, the operation of that fan was not audible from the property line.

Attachments:

1. Approved Site Plan
2. Berkeley Honda Queuing Analysis, February 12, 2019, Advance Mobility Group
3. Email from Kenneth Katzoff, Katzoff & Riggs LLP, January 30, 2019, with photos of roof fan shield
4. Email from Rolando Villareal, Environmental Health, February 20, 2019
5. Notice of Public Hearing

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