



Planning & Development Department
Land Use Planning Division

Action Minutes

Zoning Adjustments Board Thursday, March 12, 2020 - 7:05 PM

Berkeley Unified School District Board Room, 1231 Addison Street, Berkeley
(Wheelchair Accessible)

Preliminary Matters:

Roll Call:

Igor Tregub, appointed by Mayor Arreguin
Teresa Clarke, appointed by District 1 (Councilmember Kesarwani)
Patrick Sheahan, appointed by District 2 (Councilmember Davila)
Dohee Kim, appointed by District 7 (Councilmember Robinson)
Denise Pinkston, appointed by District 8 (Councilmember Droste)
Matthew Lewis, appointed by District 4 (Councilmember Harrison)
Charles Kahn (Vice-Chairperson), appointed by District 6 (Councilmember Wengraf)
Shoshana O'Keefe (Chairperson), appointed by District 5 (Councilmember Hahn)

Approved Leave of Absence: John Selawsky, Carrie Olson

Absent: None.

Ex Parte Communication Disclosures:

Patrick Sheahan: Confirmed with Pamela Shivola (1449 Grizzly Peak Blvd appellant) that the meeting was on. In 2013-2014 attended two meetings at the request of Pamela Shivola. One meeting with Pamela Shivola, the owner, and the project designer to discuss measures to reduce visual impact, and another meeting with a mediator, several neighbors, and the owner.

Public Comment:

Speakers: None

Agenda Changes: None.

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Consent Calendar:

1. Approval of Action Minutes from February 13, 2020

Recommendation: APPROVE

Motion / Second: I. Tregub / C. Kahn

Vote: 5-0-3-0 (Abstain: D. Kim, D. Pinkston, M. Lewis)

Action: APPROVED

Action Calendar:

2. 2150-2176 Kittredge Street – Continued from January 23, 2020

Use Permit # ZP2019-0027 to demolish a five-story commercial building at 2176 Kittredge Street and a one-story convenience store and carwash facility at 2150 Kittredge for a total lot area of approximately 32,600 sq. ft and to construct on two merged parcels a new, 75 ft.-tall, seven-story mixed-use building of approximately 177,000 sq. ft. in total gross floor area containing: 23,000 sq. ft. of commercial floor area on the ground level; a total of 165 dwellings units on the second through seven stories; approximately 13,250 sq. ft. of usable open space within a series of rooftop patios; and a sub-surface parking garage providing 52 off-street parking spaces.

Application:

Zoning:

C-DMU - Downtown Mixed Use (Outer Core)

CEQA

Determination:

An Infill Environmental Checklist has been prepared pursuant to Section 15183.3 and appendices M and N of the CEQA Guidelines; the proposed project qualifies as an infill project under CEQA Guidelines Section 15183.3.

Applicant:

Amir Massih, East Beach Development, 95 Federal Street, Suite D, San Francisco

Owner:

Michael and Katherine Shimek, 1943 Granite Valley, Way, Petaluma and Plaza 5th Avenue Partners/Scott Braunstein, 1261 Redwood Lane, Lafayette

Staff Planner:

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

Recommendation:

APPROVE Use Permit #ZP2019-0027 pursuant to BMC Section 23B.32.030.

of Speakers:

4

Motion / Second:

D. Kim / I. Tregub

Vote:

8-0-0-0

Action:

APPROVED with modification to a Condition of Approval.

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Action Calendar Continued

3. 1449 Grizzly Peak Boulevard – New Public Hearing

Administrative Use Permit #ZP2019-0111 to alter a 5,526 square-foot residential parcel by 1) constructing a 500 square-foot major residential addition on the third story of an existing 2,791 square-foot, three-story single-family dwelling, which will increase the average building height and maximum building height by approximately 2'; 2) constructing the fifth bedroom on the parcel; and 3) constructing a perimeter fence four feet from the rear property line and on the side property lines that will be from 6'-2" to 8'-7" in height.

Application:

Zoning: R-1(H) – Single-Family Residential District, Hillside Overlay

CEQA

Determination: Categorically exempt pursuant to Section 15301 ("Existing Facilities").

Applicant: Lillian Mitchell, 1708 Martin Luther King Jr. Way, Suite B, Berkeley

Owner: Rodrigo Ubillus, 1449 Grizzly Peak Boulevard, Berkeley

Appellant: Pamela Sihvola, 1476 Summit Road, Berkeley

Staff Planner: Ashley James, ajames@cityofberkeley.info, (510) 981-7458

Recommendation: **DISMISS APPEAL & APPROVE** Administrative Use Permit #ZP2019-0111 pursuant to BMC Section 23B.28.060.C.1

of Speakers: 3

Motion / Second: T. Clarke / I. Tregub

Vote: 8-0-0-0

Action: **DISMISSED APPEAL AND APPROVED AUP with modifications to the Conditions of Approval.**

4. 2650 Telegraph Avenue – New Public Hearing

Use Permit #ZP2019-0070 to 1) demolish an existing commercial building; and 2) construct a five-story, 34,249 square-foot mixed-use building with 45 units (including 4 Very Low-Income units), including 1,290 square feet of commercial space, 4,051 square feet of usable open space, as well as 50 bicycle parking spaces and 20 vehicular parking spaces at the ground level.

Application:

Zoning: C-1 – General Commercial District

CEQA

Determination: Categorically exempt under Section 15332 of the California Environmental Quality Act (CEQA) Guidelines ("In-Fill Development Projects").

Applicant: David Trachtenberg, 2421 Fourth Street, Berkeley

Appellants: 2650 Telegraph, LP, 1516 South Bundy Drive, Suite 300, Los Angeles

Staff Planner: Ashley James, ajames@cityofberkeley.info, (510) 981-7458

Recommendation: **APPROVE** Use Permit #ZP2019-0070 pursuant to Section 23B.32.030

of Speakers: 9

Motion / Second: I. Tregub / D. Kim

Vote: 7-0-1-0 (Abstain: M. Lewis)

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

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Subcommittee Reports

- **Design Review Committee:** A new DRC member is needed, since a member recently left.
- **Joint Subcommittee for the Implementation of State Housing Laws:** I. Tregub was selected Chair and S. O'Keefe was selected as Vice-Chair.
- **Zoning Ordinance Revision Project:** A quorum for ZORP requires two ZAB members. Alternates are needed as the last meeting was canceled due to a lack of quorum.

Adjourn: 10:10 PM

Members of the Public:

Present: 24

Speakers: 16
