



Action Minutes

Planning & Development Department
Land Use Planning Division

Zoning Adjustments Board Thursday, May 26, 2022 - 7:00 PM

Preliminary Matters:

Roll Call:

Commissioners Present: Igor Tregub (Mayor Appointee), Yes Duffy (District 1), Jeff Vincent (substitute District 2), Michael Thompson (District 3), Carrie Olson (District 4), Shoshana O'Keefe (Vice Chairperson, District 5), Charles Kahn (Chairperson, District 6), Debra Sanderson (District 8).

Excused Absence: Kimberly Gaffney (District 2)

Unexcused Absence: Dohee Kim (District 7)

Staff Present: Secretary Samantha Updegrave, Brian Garvey, Karen Hernandez, Cecelia Mariscal, Sharon Gong, Allison Riemer

Ex Parte Communication Disclosures:

Vice Chair Election:

Vice Chair – Carrie Olson nominated Shoshana O'Keefe for Vice Chair.

Motion / Second:

Vote: 7-0-0-0-0

Public Comment: Speakers: 2

Agenda Changes: Moved Use Permit # ZP2021-0201 on 2440 Shattuck Avenue and Use Permit #ZP2021-0095 2018 Blake Street to Public Hearing.

Note: The applicant withdrew **Use Permit ZP#2019-0090** to change the use of four existing tenant spaces on the first and second floors, totaling 20,367 square feet, from media production to a research and development use, therefore the appeal is no longer applicable and was not heard.

Consent Calendar

1. Approval of Action Minutes from April 28, 2022

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Recommendation: **APPROVE**

Motion / Second: **I. Tregub/ C. Olson**

Vote: **6-0-0-2-0 (Recused: J. Vincent and S. O’Keefe who were not at the April meeting)**

Action: **APPROVED**

2. 1151 Grizzly Peak Boulevard – Continued from April 28, 2022

Application:	Administrative Use Permit ZP#2021-0088 to legalize two Accessory Buildings in the rear yard of a Single-Family Dwelling.
Zoning:	R-1H – Single-Family Residential District, Hillside Overlay
CEQA Recommendation:	Categorically exempt pursuant to pursuant to Section 15303 (“New Construction or Conversion of Small Structures”) of the CEQA Guidelines.
Applicant:	Jeana Arabzadeh and Matt Jacobs, 1151 Grizzly Peak Boulevard, Berkeley
Owner:	Lawrence Thal, 1165 Laurel Drive, Lafayette
Staff Planner:	Samantha Updegrave, supdegrave@berkeleyca.gov (510) 981-7414
Recommendation:	Continue to September 8, 2022
Motion / Second:	I. Tregub/ C. Olson
Vote:	8-0-0-0-0
Action:	CONTINUE to September 8, 2022

3. 2970 Adeline Street– Continued from April 28, 2022

Application:	Use Permit #ZP2021-0140 to convert second floor commercial space to residential dwelling units on a 3,760 square-foot lot with an existing commercial building.
Zoning:	C-AC-Adeline Corridor Commercial District
CEQA Recommendation:	Categorically exempt pursuant to pursuant to Section 15303 (“New Construction or Conversion of Small Structures”) of the CEQA Guidelines.
Applicant:	Serena Lim, 1203 Willamette Street, Ste 210, Eugene, OR
Owner:	HKL Family LLC, c/o Jessie Zechnowitz, 2974 Adeline Street, Berkeley
Staff Planner:	Allison Riemer, ariemer@berkeleyca.gov, (510) 981-7433
Recommendation:	APPROVE Use Permit # ZP2021-0140 pursuant to BMC Section 23.406.040.
Motion / Second:	I. Tregub/ C. Olson
Vote:	8-0-0-0-0
Action:	APPROVED

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4. 1208 Kains Avenue– New Public Hearing

Application:	Use Permit #ZP2021-0154 to make alterations in the non-conforming front setback by raising the roof of the attached garage and altering the entry porch and legalize an existing hot tub, on a lot that is non-conforming for lot coverage and occupied by an existing two-story, 1,029-square-foot, single-family dwelling.
Zoning:	R-2 – Restricted Two-Family Residential
CEQA Recommendation:	Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).
Applicant:	Henry Fleischmann, FDC Design Build, 925 Adams Street, Albany
Owner:	Jennifer Lovvorn and Elizabeth Black, 1208 Kains Avenue, Berkeley
Staff Planner:	Allison Riemer, ariemer@berkeleyca.gov (510) 981-7433
Recommendation:	APPROVE Use Permit # ZP2021-0154 pursuant to BMC Section 23.406.040.
Motion / Second:	I. Tregub/ C. Olson
Vote:	8-0-0-0-0
Action:	APPROVED

7. 1828 Euclid Avenue – New Public Hearing

Application:	Use Permit #ZP2021-0164 to convert first floor commercial space to two dwelling units, and combine three commercial spaces, on a 12,600 square-foot lot with an existing mixed-use building.
Zoning:	C-N(H)- Neighborhood Commercial District, Hillside Overlay
CEQA Recommendation:	Categorically exempt pursuant to Section 15303 (“Existing Facilities”) of the California Environmental Quality Act (CEQA) Guidelines.
Applicant/Owner:	Roman Fan, 2025 Rose Street, Berkeley
Staff Planner:	Allison Riemer, ariemer@berkeleyca.gov, (510) 981-7433
Recommendation:	APPROVE Use Permit # ZP2021-0164 pursuant to BMC Section 23.406.040.
Motion / Second:	I. Tregub/ C. Olson
Vote:	8-0-0-0-0
Action:	APPROVED

8. 906-908 Ensenada Avenue – New Public Hearing

Application:	Use Permit #ZP2022-0002 to combine two existing tenant spaces on the ground floor, 2,640 square feet in total, change the use of one space from retail, and establish a medical practitioner use.
Zoning:	C-SO – Solano Avenue Commercial
CEQA Recommendation:	Categorically exempt pursuant to pursuant to Section 15301 (“Existing Facilities”) of the CEQA Guidelines.
Applicant:	Siddharth Sanghvi, 480 3rd Street, Oakland

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Owner:	Alejandro and Daniel Balazs, 9 Caramel Avenue, El Cerrito
Staff Planner:	Cecelia Mariscal, cmariscal@berkeleyca.gov, (510) 981-7439
Recommendation:	APPROVE Use Permit # ZP2022-0002 pursuant to BMC Section 23.406.040.
Motion / Second:	I. Tregub/ C. Olson
Vote:	8-0-0-0-0
Action:	APPROVED

Action Calendar

9. 2440 Shattuck Avenue – New Public Hearing

Application:	Use Permit #ZP2021-0201 to demolish one existing commercial building and construct an eight-story, mixed-use building with 40 dwelling units and 2,700 square feet of ground floor commercial space.
Zoning:	C-DMU (Corridor) – Downtown Mixed-Use Commercial
CEQA Recommendation:	Categorically exempt pursuant to pursuant to Section 15332 (“Infill Development”) of the CEQA Guidelines.
Applicant:	Dave Johnson, Johnson Lyman Architects, Walnut Creek
Owner:	The Austin Group, LLC, Alamo
Staff Planner:	Sharon Gong, sgong@berkeleyca.gov, (510) 981-7429
Recommendation:	APPROVE Use Permit # ZP2021-0201 pursuant to BMC Section 23.406.040.
Motion / Second:	C. Olson/ I. Tregub
Vote:	8-0-0-0-0
Action:	APPROVED with the following Conditions: landscape plans to go to Final Design Review before the Design Review Committee, incorporating at least 80% drought tolerant or native plants and including more planting along Shattuck Avenue; provide 2 transit passes to units with one or more bedrooms. The ZAB also made a Recommendation to the applicants to: incorporate safety glass on all 4 sides of the building, up to 75 feet.

10. 2018 Blake Street – New Public Hearing

Application:	Use Permit #ZP2021-0095 to demolish a single-family dwelling and construct a six-story, multi-family, residential building with 12 units (including two Low Income units).
Zoning:	Multi-Family Residential (R-4)
CEQA Recommendation:	Categorically exempt pursuant to pursuant to Section 15332 (“Infill Development”) of the CEQA Guidelines.
Applicant:	Huan Fang, FIFTH ARCH, 200 Brannan Street, Apt 222, San Francisco CA 94107

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Owner:	2018 Blake Street LLC, 2905 South Vermont Avenue, Ste 204, Los Angeles, CA 90007
Staff Planner:	Sharon Gong, sgong@cityofberkeley.info, (510) 981-7429
Recommendation:	APPROVE Use Permit # ZP2021-0095 pursuant to BMC Section 23.406.040.
Motion / Second:	S. O’Keefe/Y. Duffy
Vote:	8-0-0-0-0
Action:	APPROVED with the following Condition: the project is referred to Final Design Review before the Design Review Committee to incorporate visual enhancements to the west and east sides of the building.

11. 2600 Tenth Street – Continued from January 13, 2022 - WITHDRAWN

Application:	Appeal of Zoning Officer’s Decision to approve Administrative Use Permit ZP#2019-0090 to change the use of four existing tenant spaces on the first and second floors, totaling 20,367 square feet, from media production to a research and development use.
Zoning:	MU-LI – Mixed Use-Light Industrial District
CEQA Recommendation:	Categorically exempt pursuant to Section 15303 (“Existing Facilities”) of the California Environmental Quality Act (CEQA) Guidelines.
Applicant/ Owner:	Chris Barlow, Wareham Development, 1120 Nye Street, Suite 400, San Rafael, CA
Staff Planner:	Samantha Updegrave, supdegrave@berkeleyca.gov , (510) 981-7414
Recommendation:	APPROVE Use Permit #ZP2019-0090 pursuant to BMC Section 23B.28.060 and DISMISS the Appeal
Motion / Second:	N/A
Vote:	N/A
Action:	ZP#2019-0090 WITHDRAWN NO ACTION

Staff Communications

None

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Adjourn: 10:01 pm; Motion / Second: C. Olson / C. Kahn

Members of the Public:

Present: 36

Speakers: 10

A handwritten signature in black ink, appearing to read 'Saw', is written over a horizontal line. The signature is enclosed within a red rectangular border.

Samantha Updegrave, Principal Planner
Co-Secretary of the Zoning Adjustments Board