



Action Minutes

Planning & Development Department
Land Use Planning Division

Zoning Adjustments Board Thursday, January 24, 2019 - 7:07 PM

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

Preliminary Matters:

Roll Call:

Igor Tregub (Chairperson) appointed by Mayor Arreguin, departed at 9:05 PM
Denise Pinkston (Vice Chairperson) appointed by Councilmember Droste
Teresa Clarke, appointed by Councilmember Kesarwani
Patrick Sheahan, appointed by Councilmember Davila
John Selawsky, appointed by Councilmember Bartlett
Carrie Olson, appointed by Councilmember Harrison
Shoshana O'Keefe, appointed by Councilmember Hahn
Charles Kahn, appointed by Councilmember Wengraf

Absent : None

Excused Absence:

Dohee Kim

Ex Parte Communication Disclosures: None

Public Comment:

Speakers: 1

Agenda Changes:

Move item #4, 2418 Acton Street to the Action Calendar and move item #7, 2628 Shattuck Avenue to the Consent Calendar.

Consent Calendar:

| | |
|--|-----------------------------|
| 1. Approval of Action Minutes from January 10, 2019 | |
| Recommendation: | APPROVE |
| Motion / Second: | C. Olson/D. Pinkston |
| Vote: | 8-0-0-0 |
| Action: | APPROVED |

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2. 2016 Shattuck Avenue – New Public Hearing

Application: Use Permit #ZP2018-0210 to add incidental service of distilled spirits at an existing 2,034 sq. ft. full-service restaurant (Lucia’s Pizzeria).
Zoning: C-DMU – Downtown Mixed Use, Core
CEQA Categorically exempt pursuant to Section 15301 of the CEQA Guidelines
Determination: (“Existing Facilities”).
Applicant: Rise Foods LLC, Alessandro Uccelli, 1398 Curtis Street, Berkeley
Owner: John Gordon and Janis Mitchell, 2091 Rose Street, Berkeley
Staff Planner: Allison Riemer, ariemer@cityofberkeley.info, (510) 981-7433
Recommendation: **APPROVE** Use Permit #ZP2018-0210 pursuant to Section 23B.32.040.
Motion / Second: **C. Olson/D. Pinkston**
Vote: **8-0-0-0**
Action: **APPROVED**

3. 2009 Addison Street – New Public Hearing

Application: Use Permit #ZP2018-0235 to modify Use Permit #ZP2017-0004, which allowed the demolition of an existing commercial building and construction of a seven-story mixed-use building with 45 rent-free dwelling units to be occupied exclusively by Berkeley Repertory Theatre theater professionals, to allow vacant dwelling units to be rented to other non-profits organizations for their own program participants.
Zoning: C-DMU/ADO - Downtown Mixed Use (Core)/ Arts District Overlay
CEQA The project qualifies as an infill project under CEQA Guidelines Section 15183.3.
Determination:
Applicant: Sarah Williams, Berkeley Repertory Theatre, 999 Harrison Street, Berkeley
Owner: Berkeley Repertory Theatre, c/o Susan Medak, Managing Director, 999 Harrison Street, Berkeley
Staff Planner: Shannon Allen, ShAllen@cityofberkeley.info, (510) 981-7430
Recommendation: **APPROVE** Use Permit #ZP2018-0235 pursuant to Section 23B.32.040.
Motion / Second: **C. Olson/D. Pinkston**
Vote: **8-0-0-0**
Action: **APPROVED**

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Consent Calendar (Continued):

7. 2628 Shattuck Avenue – New Public Hearing

Application: Use Permit #2018-0050 to demolish a partial two-story care facility building in the C-SA zoning district, and to construct a six-story mixed-use building with ground floor parking and commercial tenant spaces, and five stories containing a total of 78 dwelling units; and to increase the building height and to reduce the required building setbacks and residential parking requirement for the project.

Zoning: Commercial South Area – C-SA

CEQA The proposed project is categorically exempt from environmental review pursuant to CEQA Guidelines Section 15332 for “In-Fill Projects.”

Determination:

Applicant: Isaiah Stackhouse, Principal, Trachtenberg Architects, 2421 Fourth Street, Berkeley

Owner: K & M South Berkeley, LLC, P.O. Box 5175, Larkspur

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

Recommendation: **APPROVE** Use Permit #ZP2018-0050 pursuant to Section 23B.32.040.

Motion / Second: **C. Olson/D. Pinkston**

Vote: **8-0-0-0**

Action: **APPROVED**

Action Calendar:

4. 2418 Acton Street – New Public Hearing

Application: Use Permit #ZP2018-0036 to construct a new, two-story, approximately 2,400-sq. ft., single-family residence with an attached, single-car garage on a vacant lot in the R-2 zoning district.

Zoning: C-DMU/ADO - Downtown Mixed Use (Core)/ Arts District Overlay

CEQA Categorically exempt pursuant to Section 15303 of the CEQA Guidelines (“New Construction or Conversion of Small Structures).”

Determination:

Applicant/Owner: Michael Massoumi, 490 Vermont Street, Berkeley

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

Recommendation: **APPROVE** Use Permit ZP2018-0036 pursuant to Section 23B.32.030

of Speakers: 4

Motion / Second: **C. Kahn/T. Clarke**

Vote: **8-0-0-0**

Action: **APPROVED** with amendments to conditions of approval

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Action Calendar (Continued):

5. 1050 Parker Street Medical Office Building – Continued from December 12, 2018

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 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, 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, 1120 Nye Street, San Rafael

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

Recommendation: **ADOPT** Mitigated Negative Declaration; and **APPROVE** Use Permit #ZP2018-0117 pursuant to Section 23B.32.030.

of Speakers: 10

Motion / Second: T. Clarke/S. O’Keefe

Vote: 5-1-1-1 (No: C. Olson; Abstain: P. Sheahan; Absent: I. Tregub)

Action: **ADOPTED Mitigated Negative Declaration**

Motion / Second: T. Clarke/C. Olson

Vote: 6-0-1-1 (Abstain: P. Sheahan; Absent: I. Tregub)

Action: **APPROVED Use Permit #ZP2018-0117** with amendments to the conditions of approval.

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Action Calendar (Continued):

6. Pardee Block Paring Lot Project (1010, 1014, and 1016 Carleton Street; 2700, 2712, and 2714 Tenth Street; 1001, 1003 and 1013 Pardee Street) – continued from December 13, 2018

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. For a total of 123 automobile and 18 bicycle parking spaces would be provided.

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

CEQA 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.

Determination:

Applicant/Owner: 2600 Tenth Street, LLC and Pardee I, LLC, c/o Christopher Barlow with Wareham Property Group, 1120 Nye Street, San Rafael

Staff Planner: Loyal Nawfal, lnawfal@cityofberkeley.info, (510) 981-7424

Recommendation: **ADOPT** Mitigated Negative Declaration; and **APPROVE** Use Permit #ZP2018-0116 pursuant to Section 23B.32.030.

of Speakers: 10¹

Motion / Second: T. Clarke/C. Olson

Vote: 5-1-1-1 (No: Kahn; Abstain: P. Sheahan; Absent: I. Tregub)

Action: Deny Use Permit #ZP2018-0116

8. 1444 Fifth Street: New Public Hearing

Application: Administrative Use Permit #ZP2018-0172 to construct four detached, three-story, approximately 1,900 square-foot single-family dwellings, each with an average height of 33 feet, on a 5,744 square-foot vacant lot.

Zoning: MU-R – Mixed Use Residential District

CEQA Categorically exempt pursuant to Section 15332 of the CEQA Guidelines (“In-Fill Development”).

Determination:

Applicant/Owner: 1444 5th Street, LLC, 805 Jones Street, Berkeley

Staff Planner: Leslie Mendez, LMendez@cityofberkeley.info, (510) 981-7426
Abe Leider, aleider@rinconconsultants.com, (510) 671-0175

Recommendation: APPROVE Administrative Use Permit #ZP2018-0050 pursuant to Section 23B.32.030

of Speakers: 6

Motion / Second: C. Kahn/S. O’Keefe

Vote: 5-1-1-1 (No: C. Olson; Abstain: P. Sheahan; Absent: I. Tregub)

Action: **APPROVED** with amendments to the conditions of approval.

Adjourn: 11:10 PM

Members of the Public:

Present: 40

Speakers: 21

¹ Items 5 and 6 were heard together; there were 10 speakers total for these two items.