



Planning & Development Department  
Land Use Planning Division

# Action Minutes

## Zoning Adjustments Board Thursday, January 28, 2021 - 7:02 PM

### Preliminary Matters:

#### Roll Call:

**Commissioners Present:** Igor Tregub (Mayor Appointee), Teresa Clarke (District 1), Kimberly Gaffney (District 2), John Selawsky (District 3), Carrie Olson (District 4), Charles Kahn (Vice-Chairperson, District 6), Dohee Kim (District 7), Denise Pinkston (District 8).

**Late Arrival:** Shoshana O'Keefe (Chairperson, District 5) 7:40 p.m.

**Excused Absence:** None.

**Staff Present:** Secretary Shannon Allen, Vicky Schlepp, Fatema Crane, Sharon Gong

#### Ex Parte Communication Disclosures:

Igor Tregub – Received email from Mark Rhoades for 2015 Blake Street; did not read.

Teresa Clarke - Received email from Mark Rhoades for 2015 Blake Street; read.

Kimberly Gaffney - Received email from Mark Rhoades for 2015 Blake Street.

John Selawsky – Initiated an email to Rent Board, Lief Bursell regarding 1724 Delaware. Will recuse from 2015 Blake Street as he lives in proximity to the project.

Carrie Olson - Received email from Mark Rhoades for 2015 Blake Street. Requests memo from staff to clarify appropriateness of communications directly to ZAB members from the public.

Charles Kahn – Received a phone call from Mark Rhoades and discussed design issues.

Dohee Kim - Received email from Mark Rhoades for 2015 Blake Street; briefly read

Denise Pinkston - Received email from Mark Rhoades for 2015 Blake Street; read.

**Public Comment:** None.

**Agenda Changes:** 2421 Fifth Street moved to Action Calendar.

### Consent Calendar

#### 1. Approval of Action Minutes from January 14, 2021

**Recommendation:** APPROVE

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

**Vote:** 8-0-0-1 (Absent: S. O'Keefe)

**Action:** APPROVED

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### 1. [1720 Delaware Street](#) – New Public Hearing

<b>Application:</b>	<b>Use Permit #ZP2018-0014</b> to legalize the elimination of a dwelling unit through combination with another, and the conversion of attic storage to habitable area to add the eighth and ninth bedroom on the parcel.
<b>Zoning:</b>	R-2 – Restricted Two-Family Residential District
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to Section 15301 (“Existing Facilities”)
<b>Applicant:</b>	Francisco Matos, 1390 Market Street, Suite 200, San Francisco
<b>Owner:</b>	Phyllis Goldsmith and John Link, 1149 Cragmont Avenue, Berkeley
<b>Staff Planner:</b>	Sharon Gong, <a href="mailto:sgong@cityofberkeley.info">sgong@cityofberkeley.info</a> , (510) 981-7429
<b>Recommendation:</b>	<b>APPROVE</b> Use Permit #ZP2018-0014 pursuant to BMC Section 23B.32.030.
<b>Motion / Second:</b>	<b>C. Olson / I. Tregub</b>
<b>Vote:</b>	<b>8-0-0-1</b> (Absent: S. O’Keefe)
<b>Action:</b>	<b>APPROVED</b>

### 2. [2113 Vine Street](#) – New Public Hearing

<b>Application:</b>	<b>Use Permit #ZP2020-0063</b> to establish service of wine at an existing wine retailer; to extend the retail sales, wine service and other incidental activities to include the outdoor areas of the subject property that are located at front and in the rear of the subject main building; and to complete landscape improvements within the outdoor areas of the site to accommodate the expanded activity.
<b>Zoning:</b>	C-NS – North Shattuck Commercial District
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to Section 15301 (“Existing Facilities”)
<b>Applicant:</b>	Rebecca Friedberg, Architect for Vintage Berkeley, LLC, 451 Capital Street, Unit B, Oakland
<b>Owner:</b>	Rue-Ell Enterprises, 2437 Durant Avenue, Ste. 204, Berkeley
<b>Staff Planner:</b>	Fatema Crane, <a href="mailto:fcrane@cityofberkeley.info">fcrane@cityofberkeley.info</a> , (510) 981-7413
<b>Recommendation:</b>	<b>APPROVE</b> Use Permit #ZP2020-0063 pursuant to BMC Section 23B.32.030.
<b>Motion / Second:</b>	<b>C. Olson / I. Tregub</b>
<b>Vote:</b>	<b>8-0-0-1</b> (Absent: S. O’Keefe)
<b>Action:</b>	<b>APPROVED</b>

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### Action Calendar

#### 3. [2421 Fifth Street](#) – New Public Hearing

<b>Application:</b>	<b>Use Permit #ZP2020-0043</b> to demolish a single-family dwelling and construct two residential buildings: a three-story triplex and a three-story single-family dwelling, for a total of four new dwellings. This residential project abuts manufacturing uses.
<b>Zoning:</b>	MU-R – Mixed Use Residential District
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to Section 15303 (“New Construction or Conversion of Small Structures”)
<b>Applicant:</b>	Amber Baker, Gunkel Architecture, 2295 San Pablo Ave., Berkeley
<b>Owner:</b>	Properties 180, LLC, PO Box 1340, Ceres, CA
<b>Staff Planner:</b>	Sharon Gong, <a href="mailto:sgong@cityofberkeley.info">sgong@cityofberkeley.info</a> , (510) 981-7429
<b>Recommendation:</b>	<b>APPROVE</b> Use Permit #ZP2020-0043 pursuant to BMC Section 23B.32.030.
<b># of Speakers:</b>	<b>4</b>
<b>Motion / Second:</b>	<b>T. Clarke / D. Kim</b>
<b>Vote:</b>	<b>7-0-1-0-1</b> (Abstain: S. O’Keefe, Recused: K. Gaffney as she works at the architect firm of the project)
<b>Action:</b>	<b>APPROVED with additional Conditions of Approval.</b> <ul style="list-style-type: none"><li>• <b>North elevation windows to have translucent glass to maintain privacy.</b></li><li>• <b>North opening on balcony to have screening, but not solid screening so air can still flow through while maintaining privacy.</b></li></ul>

#### Project Preview and Scoping:

Public meeting to solicit input and comments from the Zoning Adjustments Board, the general public and other interested parties. No action will be taken.

#### 4. [2015 Blake Street](#) – New Public Hearing

<b>Application:</b>	<b>Draft EIR Scoping Session and Project Preview for Use Permit #ZP2020-0072</b> to merge seven parcels into two, demolish four existing buildings (one residential building, an associated accessory structure, and two nonresidential buildings), relocate and restore two existing residential buildings with seven dwelling units, and construct two new residential buildings: a three-story, six-unit building with two units affordable to low income households, and a seven-story, 155-unit building with nine units affordable to very low income households and a subterranean garage with 93 parking spaces.
<b>Zoning:</b>	R-4 – Multi-Family Residential
<b>CEQA Recommendation:</b>	An Environmental Impact Report (EIR) is being prepared to evaluate the potentially significant environmental impacts of the proposed project.
<b>Applicant:</b>	Laconia Development, LLC, 1981 North Broadway, Suite 145, Walnut Creek c/o Mia Perkins, Rhoades Planning Group, 46 Shattuck Square, Suite 11, Berkeley

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<b>Owner:</b>	Richard Nagler, 2019 Blake Street, Berkeley
<b>Staff Planner:</b>	Sharon Gong, <a href="mailto:sgong@cityofberkeley.info">sgong@cityofberkeley.info</a> , (510) 981-7429
<b>Staff Consultant:</b>	Lucy Sundelson, Rincon Consultants, Entitlement Karly Kaufman, Rincon Consultants, CEQA
<b>Recommendation:</b>	<b>Hold a public hearing and provide advisory comments.</b>
<b># of Speakers:</b>	<b>5</b>
<b>Action:</b>	Comments from the Public and ZAB were provided.  J. Selawsky recused himself as he lives in proximity. Held a public hearing and provided comments.

### Subcommittee Reports

- **Design Review Committee:** Will be interviewing architects for the one architect slot open on the committee. 8-year term. There are applications in. Interested parties contact Anne Burns.

### Staff Communications

Shannon Allen, Principal Planner noted City of Berkeley Planning Projects:

- Adeline Corridor Plan was recently adopted and the associated zoning went into effect January 14, 2021  
<https://www.cityofberkeley.info/AdelineCorridor/>
- The Southside Zoning Amendments Project is underway. An Initial Study has been circulated and City Staff is currently working on the Draft EIR.  
[https://www.cityofberkeley.info/uploadedFiles/Planning\\_and\\_Development/Level\\_3 - Land Use Division/Southside%20PDF%20Webpage\\_Final.pdf](https://www.cityofberkeley.info/uploadedFiles/Planning_and_Development/Level_3_-_Land_Use_Division/Southside%20PDF%20Webpage_Final.pdf)
- Ashby and North Berkeley BART Station Planning is underway; the primary public forum are the Community Advisory Group (CAG) meetings.  
<https://www.cityofberkeley.info/bartplanning/>
- Berkeley Marina Area Specific Plan (BMASP) – tonight is their first big community meeting.  
<https://www.cityofberkeley.info/BMASP/>

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**Adjourn: 10:11 PM**

### Members of the Public:

**Present: 22**

**Speakers: 9**

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