



Planning & Development Department  
Land Use Planning Division

# Action Minutes

## Zoning Adjustments Board Thursday, April 8, 2021 - 7:04 PM

### Preliminary Matters:

**Roll Call:**

**Commissioners Present:** Igor Tregub (Mayor Appointee), Yes Duffy (District 1), Kimberly Gaffney (District 2), Michael Thompson (District 3), Carrie Olson (District 4), Shoshana O'Keefe (Vice Chairperson, District 5), Dohee Kim (District 7), Savlan Hauser (District 8).

**Excused Absence:** Charles Kahn (Chairperson, District 6), Denise Pinkston (District 8).

**Staff Present:** Secretary Leslie Mendez, Allison Riemer, Vicky Schlepp, Layal Nawfal, Nilu Karimzadegan.

**Ex Parte Communication Disclosures:** None.

**Public Comment:** Speakers: 3

**Agenda Changes:** None.

### Consent Calendar

- 1. Approval of Action Minutes from March 25 , 2021**  
**Recommendation: APPROVE**  
**Motion / Second: I. Tregub / C. Olson**  
**Vote: 8-0-0-1 (Absent: Charles Kahn)**  
**Action: APPROVED**

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### Consent Calendar

#### 2. [1175 University Avenue](#) – Holiday Inn Express & Suites – New Public Hearing

<b>Application:</b>	<b>Use Permit Modification #ZP2020-0103</b> to construct a 457- square foot breakfast room expansion of an existing 71- room hotel resulting in a loss of two parking spaces.
<b>Zoning:</b>	C-1, General Commercial (location of proposed addition); R-4, Multi-Family Residential; and R-3, Multiple Family Residential
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to Section 15301 (“Existing Facilities”) of the CEQA Guidelines.
<b>Applicant:</b>	Jay Patel, 13607 Campus Drive, Oakland
<b>Owner:</b>	Ritz, LLC, 13607 Campus Drive, Oakland
<b>Staff Planner:</b>	Vicky Schlepp, <a href="mailto:vschlepp@cityofberkeley.info">vschlepp@cityofberkeley.info</a> , (510) 981-7422
<b>Recommendation:</b>	<b>APPROVE</b> Use Permit Modification #ZP2020-0103 pursuant to BMC Section 23B.32.030.
<b>Motion / Second:</b>	<b>I. Tregub / C. Olson</b>
<b>Vote:</b>	<b>8-0-0-1</b> (Absent: Charles Kahn)
<b>Action:</b>	<b>APPROVED</b>

### Action Calendar

#### 3. [1241 Ashby Avenue](#) – New Public Hearing

<b>Application:</b>	<b>Use Permit #ZP2018-0178</b> to construct a detached, 1,960 square-foot, two-story rear yard dwelling unit with a reduced rear yard setback behind an existing duplex.
<b>Zoning:</b>	R-3 – Multiple Family Residential
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to Sections 15303 (“New Construction or Conversion of Small Structures”) and 15332 (“In-Fill Development Projects”) of the CEQA Guidelines.
<b>Applicant / Owner:</b>	Ying Hua, 2466 26th Avenue, San Francisco
<b>Staff Planner:</b>	Layal Nawfal, <a href="mailto:lnawfal@cityofberkeley.info">lnawfal@cityofberkeley.info</a> , (510) 981-7424
<b>Recommendation:</b>	<b>APPROVE</b> Use Permit #ZP2018-0178 pursuant to BMC Section 23B.32.030.
<b># of Speakers:</b>	1
<b>Motion / Second:</b>	<b>I. Tregub / C. Olson</b>
<b>Vote:</b>	<b>8-0-0-1</b> (Absent: Charles Kahn)
<b>Action:</b>	<b>Approved with the following conditions:</b> <ul style="list-style-type: none"><li>• <b>Correct finding to accurately reflect that the project is HAA (j) compliant</b></li><li>• <b>Reduce the parking to two spaces</b></li><li>• <b>Allow relocation of balcony to the front of the building provided neighbor outreach is conducted and neighbors consent</b></li></ul>

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**4. [1205 Peralta Avenue](#) – New Public Hearing**

<b>Application:</b>	<b>Variance/Use Permit #ZP2020-0060</b> to eliminate two required off-street parking spaces by legalizing conversion of an existing 18 ft. x 20 ft. garage to habitable space and Use Permit to legalize the addition of bedrooms six through eight on a parcel that is non-conforming for density, lot coverage, setbacks, usable open space and parking.
<b>Zoning:</b>	R-1A – Limited Two-Family Residential
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to Section 15301 (“Existing Facilities”) of the CEQA Guidelines.
<b>Applicant / Owner:</b>	Teresa Cambare & Cathy Nason, P.O. Box 142, Inverness
<b>Staff Planner:</b>	Nilu Karimzadegan, <a href="mailto:nkarimzadegan@cityofberkeley.info">nkarimzadegan@cityofberkeley.info</a> , (510) 981-7419
<b>Recommendation:</b>	<b>DENY</b> Use Permit/Variance #ZP2020-0060 pursuant to Section 23B.32.040.
<b># of Speakers:</b>	<b>6</b>
<b>Motion / Second:</b>	<b>I. Tregub / C. Olson</b>
<b>Vote:</b>	<b>8-0-0-1</b> (Absent: Charles Kahn)
<b>Action:</b>	<b>Denied without prejudice</b>

**5. [2943 Pine Avenue](#) – New Public Hearing**

<b>Application:</b>	<b>Use Permit #ZP2020-0107</b> to construct a 729 sq. ft., second-story addition to an existing one-story 1,822 sq. ft. single-family dwelling, with an average height of 23 ft. 1 in., add a fifth bedroom, and legalize an existing 10 ft. fence at the rear and left side, on a lot that is existing non-conforming for lot coverage.
<b>Zoning:</b>	R-1 – Single-Family Residential
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to Section 15301 (“Existing Facilities”) of the CEQA Guidelines.
<b>Applicant:</b>	Anne Sum, J. Allen Sayles Architects, 3249 Mt Diablo Court, Suite 202, Lafayette
<b>Owner</b>	Robert and Anne Nachtwey, 2943 Pine Avenue, Berkeley
<b>Staff Planner:</b>	Allison Riemer, <a href="mailto:ariemer@cityofberkeley.info">ariemer@cityofberkeley.info</a> , (510) 981-7433
<b>Recommendation:</b>	<b>APPROVE</b> Use Permit #ZP2020-0107 pursuant to BMC Section 23B.32.030.
<b># of Speakers:</b>	<b>8</b>
<b>Motion / Second:</b>	<b>S. Hauser / K. Gaffney</b>
<b>Vote:</b>	<b>8-0-0-1</b> (Absent: Charles Kahn)
<b>Action:</b>	<b>Approved with one additional Condition of Approval:</b> <ul style="list-style-type: none"><li>• <b>Translucent glass required for second floor east-facing bathroom window.</b></li></ul>

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**Adjourn: 9:41 PM; Motion / Second: K. Gaffney / D. Kim**

**Members of the Public:**

**Present: 26**

**Speakers: 18**

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