



Planning & Development Department
Land Use Planning Division

Action Minutes

Zoning Adjustments Board Thursday, June 25, 2020 - 7:04 PM

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)
John Selawsky, appointed by District 3 (Councilmember Bartlett)
Carrie Olson, appointed by District 4 (Councilmember Harrison)
Dohee Kim, appointed by District 7 (Councilmember Robinson)
Denise Pinkston, appointed by District 8 (Councilmember Droste)
Charles Kahn (Vice-Chairperson), appointed by District 6 (Councilmember Wengraf)
Shoshana O'Keefe (Chairperson), appointed by District 5 (Councilmember Hahn)

Absent: None.

Ex Parte Communication Disclosures:

John Selawsky: Contacted the Rent Board and Planning staff about the non-rent control duplex at 2227 Carleton Street.
Dohee Kim: The YWCA Executive Director spoke to her about construction noise associated with 2590 Bancroft Way.

Public Comment:

Speakers: 1 (plus 2 ZAB members)

Agenda Changes: 2099 Martin Luther King Jr. Way, 2590 Bancroft Way, 1531 Summit Road, and 1328 Oxford Street moved to the Action Calendar.

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Consent Calendar

1. Approval of Action Minutes from June 11, 2020

Recommendation: APPROVE
Motion / Second: J. Selawsky/ D. Pinkston
Vote: 7-0-2-0 (Abstain: C. Olson, D. Pinkston)
Action: APPROVED

Action Calendar

2. [2099 Martin Luther King Jr. Way](#) – New Public Hearing

Application: Use Permit #ZP2019-0081 to demolish an existing one story 3,595 square-foot auto service building and construct a 62,419 square-foot, seven-story, 69' tall, mixed-use building with 72 dwellings (including 5 dwellings available to very low income households) and 2,448 square feet of ground floor retail space. The project would provide 12 parking spaces and secure storage for 65 bicycles within a grade level garage.

Zoning: C-DMU - Downtown Mixed Use District, Buffer
CEQA Categorically exempt pursuant to Section 15332 of the CEQA Guidelines
Determination: ("In-fill Development").

Applicant: 2099 MLK LLC, 95 Federal Street, Suite D, San Francisco

Owner: Thompson Trust, 1639 Bowling Lane, San Jose

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

Recommendation: APPROVE Use Permit #ZP2019-0081 pursuant to Section 23B.32.030.

of Speakers: 4

Motion / Second: I. Tregub/ C. Olson

Vote: 8-0-0-1 (Abstain: J. Selawsky)

Action: APPROVED with modifications to the Conditions of Approval.

3. [2590 Bancroft Way](#) – New Public Hearing

Application: Use Permit #ZP2019-0100 to 1) demolish an existing two-story commercial building; and 2) construct an eight-story, mixed-use building with 87 dwelling units (including five Very Low-Income units), 4,345 square feet of commercial space, 2,566 square feet of usable open space, 40 long-term bicycle parking spaces and zero vehicular parking spaces.

Zoning: C-T – Telegraph Commercial District
CEQA Categorically exempt pursuant to Section 15332 of the CEQA Guidelines
Determination: ("In-fill Development").

Applicant: David Trachtenberg, 2421 Fourth Street, Berkeley

Owner: Ruegg & Ellsworth, 2437 Durant Street, Berkeley

Staff Planner: Nick Armour, narmour@cityofberkeley.info, (510) 981-7485

Recommendation: APPROVE Use Permit #ZP2019-0100 pursuant to Section 23B.32.030.

of Speakers: 6

Motion / Second: T. Clarke/ C. Kahn

Vote: 9-0-0-0

Action: APPROVED with modifications to the Conditions of Approval.

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4. 1531 Summit Road – New Public Hearing

Application: Use Permit #ZP2019-0193 to construct a new 2,393 square-foot, two-story, single-family dwelling with an average height of 24'-5" and a detached two-car garage within the 25% of the lot portion nearest to Summit Road, on a 7,269 square-foot, vacant, hillside parcel.

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

CEQA Determination: Categorically exempt pursuant to Sections 15303 and 15332 of the CEQA Guidelines ("New Construction or Conversion of Small Structures" and "In-Fill Development Projects")

Applicant/Owner: Daniel and Rosa Chin, 2625 Alcatraz Avenue, #173, Berkeley

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

Recommendation: **APPROVE** Use Permit ZP2019-0193 pursuant to BMC Section 23B.32.030.

of Speakers: 7

Motion / Second: **P. Sheahan/ C. Kahn**

Vote: **9-0-0-0**

Action: **Continued to August 13, 2020.**

5. 1328 Oxford Street – New Public Hearing

Application: Use Permit #ZP2019-0186 alter a 5,400 square-foot residential parcel, that is over density, by: 1) constructing a 234 square-foot second story addition and 2) addition of four dormers to the existing roof of the house, resulting in 202 square feet of habitable space in the attic, to the existing front 1,405 square-foot, two-story single-family dwelling unit.

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

CEQA Determination: Categorically exempt pursuant to Sections 15301 and 15303 of the CEQA Guidelines ("Existing Facilities" and "New Construction or Conversion of Small Structures").

Applicant/Owner: Marc Bodian, 1330 Oxford Street, Berkeley

Appellant: Paul Kanyuk, Jennifer White, 1332 Oxford Street, Berkeley

Staff Planner: Nick Armour, narmour@cityofberkeley.info, (510) 981-7485

Recommendation: **APPROVE** Use Permit ZP2019-0186 pursuant to BMC Section 23B.32.030.

of Speakers: 4

Motion / Second: **I. Tregub/ T. Clarke**

Vote: **8-0-0-0-1** (Recused: S. O'Keefe as she resides within 500 feet)

Action: **Continued to August 13, 2020.**

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6. 2227 Carleton Street – New Public Hearing

Use Permit #ZP2019-0180 to alter a 4,500 square-foot residential parcel by: 1) constructing a 1,435 square-foot major residential addition to an existing 1,926 square-foot, two-story duplex, resulting in a 3,361 square-foot, two-story duplex that is 25'- 6" in average height and 28'-'10" in maximum height; 2) making alterations within the non-conforming east side and front yards; and 3) adding five bedrooms, for a total of eight bedrooms on the parcel.

Application:

Zoning:

CEQA

Determination:

Applicant/Owner:

Appellant:

Staff Planner:

Recommendation:

of Speakers:

Motion / Second:

Vote:

Action:

R-2 - Restricted Two-Family Residential District

Categorically exempt pursuant to Section 15303 (New Construction or Conversion of Small Structures)

Sahil and Suyash Mehta, 2227 Carleton Street, Berkeley

Joginder Mehta, 2227 Carleton Street, Berkeley

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

APPROVE Use Permit ZP2019-0180 pursuant to BMC Section 23B.32.030.

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C. Kahn/ I. Tregub

9-0-0-0

Continued off calendar.

7. Schedule a special ZAB meeting for Thursday, August 13, 2020

Motion / Second: I. Tregub/ J. Selawsky

Vote: 9-0-0-0

Action: Meeting scheduled.

Subcommittee Reports: None.

Adjourn: 1:45 AM

Members of the Public:

Present: 57

Speakers: 37
