



Planning & Development Department
Land Use Planning Division

Action Minutes

Zoning Adjustments Board Thursday, October 12, 2023 - 7:02 PM

Preliminary Matters:

Roll Call:

Commissioners Present: Yes Duffy (Chairperson, District 1), Kimberly Gaffney (Vice Chairperson, District 2), Michael Thompson (District 3), Cecilia Lunaparra (District 4), Brent Blackaby (District 6), Brandon Yung (District 7), Deborah Sanderson (District 8)

Leave of Absence: Igor Tregub (Mayor Appointee), Charles Kahn (District 6)

Absent: Shoshana O'Keefe (District 5)

Staff Present: Samantha Updegrave (Secretary), Vicky Schlepp (Clerk), Samella Stover, Katrina Lapira, Cecelia Mariscal

Ex Parte Communication Disclosures: On October 2, 2023, Chairperson Duffy spoke with the applicant team for 2721 Telegraph Avenue regarding the design modifications made after the Design Review Committee (DRC) meeting where an unfavorable recommendation was made. On September 29, 2023, Vice Chairperson Gaffney spoke with the applicant team for 2721 Telegraph Avenue regarding the design modifications made after the DRC meeting where an unfavorable recommendation was made.

Public Comment on Non-Agenda Items: None

Agenda Changes:

2712 Telegraph Avenue moved from Consent Calendar Item#2 to Action Calendar Item #4.

Consent Calendar

1. Approval of Action Minutes from September 28, 2023

Recommendation: APPROVE

Motion / Second: Y. Duffy / K. Gaffney

Vote: 7-0-0-2-0 (Absent: Tregub, O'Keefe)

Action: APPROVED

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Consent Calendar

2. [2411 Sixth Street](#) – New Public Hearing

Application:	Use Permit #ZP2023-0101 to legalize the demolition of a non-conforming single-family dwelling and construct a 2,058 square-foot, two-story (22 feet) conforming single-family dwelling.
Zoning:	R-1A – Limited Two-Family Residential
CEQA Recommendation:	Categorically exempt pursuant to pursuant to Section 15303 (“New Construction or Conversion of Small Structures”) of the CEQA Guidelines.
Applicant/Owner:	Tom Jozinovic, 1619 Heidelberg Drive, Livermore, CA 1840 Alcatraz Avenue, Berkeley, CA 94703
Staff Planner:	Cecilia Mariscal CMariscal@berkeleyca.gov , 510-981-7439
Recommendation:	APPROVE Use Permit# ZP2023-0101 pursuant to Section 23.406.040(D).
Motion / Second:	Y. Duffy / K. Gaffney
Vote:	Vote: 7-0-0-2-0 (Absent: Tregub, O’Keefe)
Action:	APPROVED

Action Calendar

3. [2924 Russell Street](#) – New Public Hearing

Application:	Appeal of Zoning Officer’s decision to approve Administrative Use Permit #ZP2023-0081 to install an unenclosed hot tub in rear yard.
Zoning:	R-1 Single-Family Residential
CEQA Recommendation:	Categorically exempt pursuant to Section 15301 (“Existing Facilities”) of the CEQA Guidelines.
Applicant/Owner:	Pennell Phillips, Oakland Homayoon Kazerooni, 2924 Russell Street, Berkeley, CA
Appellant:	Richard Spohn
Staff Planner:	Samella Stover SStover@berkeleyca.gov , 510-981-7425
Recommendation:	APPROVE ZP2023-0081 pursuant to Section 23.406.040(D) and DISMISS the Appeal.
Motion / Second:	K. Gaffney / B. Yung
Vote:	Vote: 6-0-0-2-1 (Absent: Tregub, O’Keefe) (Recused: Commissioner Sanderson lives 500-feet from the project)
Action:	APPROVED project and DISMISSED the appeal

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4. 2712 Telegraph Avenue – New Public Hearing

Application:	Use Permit #ZP2022-0179 to demolish two non-residential structures and construct a 41,065 square-foot, six-story (70 feet) mixed-use residential building containing 40 dwelling units (4 Very Low-Income) and 590 square foot commercial space, with two automobile parking spaces and 46 bicycle parking spaces, utilizing State Density Bonus.
Zoning:	C-C - Corridor Commercial District
CEQA Recommendation:	Categorically exempt pursuant to pursuant to Section 15332 (“Infill Development”) of the CEQA Guidelines.
Applicant/Owner:	Brian Carter, StudioKDA, Berkeley CA 2712 Telegraph LLC, Berkeley CA
Staff Planner:	Katrina Lapira KLapira@berkeleyca.gov , 510-981-7488
Recommendation:	APPROVE Use Permit #ZP2022-0179 pursuant to Section 23.406.040(D).
Motion / Second:	D. Sanderson / Y. Duffy
Vote:	Vote: 7-0-0-2-0 (Absent: Tregub, O’Keefe)
Action:	APPROVED

Subcommittee Reports:

DRC – Commissioner Gaffney gave comments, no new projects report.

Staff Communications: None

Adjourn: 9:10 PM; Motion / Second: Y. Duffy / K. Gaffney; Vote: 7-0-0-2-0 (Absent: Tregub, O’Keefe)

Members of the Public:

Present: 13

Speakers: 2
