



# Action Minutes

Planning & Development Department  
Land Use Planning Division

## Zoning Adjustments Board Thursday, September 26, 2024 - 7:00 PM

### Preliminary Matters:

#### Roll Call:

**Commissioners Present:** Yes Duffy (Chairperson, District 1), Michael Thompson (District 3), Todd Jersey (District 4), Charles Kahn (District 6), Brandon Yung (District 7), Debra Sanderson (District 8)

**Vacant:** (Mayor Appointee)

**Leave of Absence:** Kimberly Gaffney (Vice Chairperson, District 2), Shoshana O'Keefe (District 5)

**Staff Present:** Claudia Garcia (Secretary), Karen C. Hernandez (Clerk), Lief Bursell

**Ex Parte Communication Disclosures:** Chairperson Duffy met with the 2300-2310 Ellsworth Street applicant to discuss project design. Commissioner Kahn met separately with the 2300-2310 Ellsworth Street applicants to discuss project design.

#### Land Acknowledgement

#### Public Comment on Non-Agenda Items:

Speakers – 6

#### Agenda Changes:

The Chairperson may reorder the agenda at the beginning of the meeting.  
No changes made.

**ACTION MINUTES - Zoning Adjustments Board**

Thursday, September 26, 2024

Page 2 of 3

**Consent Calendar**

**1. Approval of Action Minutes from September 12, 2024**

**Recommendation: APPROVE**

**Motion / Second: Y. Duffy / C. Kahn**

**Vote: 6-0-0-2-0 (Absent K. Gaffney, S. O’Keefe)**

**Action: Approved**

**2. 2300 Ellsworth Street– New Public Hearing**

<b>Application:</b>	<b>Use Permit #ZP2023-0024</b> to demolish two existing residential buildings that include 12 dwelling units (2306 and 2310 Ellsworth), merge two parcels into one (APNs 55-1886-2 and 55-1886-1), retain more than 50 percent of the exterior commercial building at 2300 Ellsworth Street, and construct a 72,824 square foot, seven-story (87.5 feet) multi-family housing development with 69 dwelling units, including five (5) Extremely Low-Income units, two (2) Very Low-Income units, two (2) Low-Income units, and one (1) Moderate-Income unit.
<b>Zoning:</b>	Residential Southside Mixed-Use District (R-SMU)
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to CEQA Guidelines Section 15332 (“In-Fill Development Projects”)
<b>Applicant/Owner:</b>	Riaz Capital, 2744 East 11 <sup>th</sup> Street, Oakland, CA 94601
<b>Staff Planner:</b>	Lisa Gordon, <a href="mailto:lgordon@rinconconsultants.com">lgordon@rinconconsultants.com</a> , 951-202-9230 Claudia Garcia, <a href="mailto:cgarciab@berkeleyca.gov">cgarciab@berkeleyca.gov</a> , 510-981-7412
<b>Recommendation:</b>	<b>APPROVE</b> Use Permit # ZP2023-0024 pursuant to Section 23.406.040(D)
<b>Motion / Second:</b>	<b>Y. Duffy / C. Kahn</b>
<b>Vote:</b>	<b>6-0-0-2-0</b> (Absent K. Gaffney, S. O’Keefe)
<b>Action:</b>	<b>Approved</b>

## ACTION MINUTES - Zoning Adjustments Board

Thursday, September 26, 2024

Page 3 of 3

### Action Calendar

#### 3. 1048 Keith Avenue – New Public Hearing

<b>Application:</b>	<b>Use Permit #ZP2024-0014</b> to demolish an existing 2,760 square-foot single-family dwelling and construct a two-story (approximately 25 feet), 3,600 square-foot single-family dwelling with a rear setback, construct a parking deck in the front setback, and retaining walls in the side setback.
<b>Zoning:</b>	Single-Family Residential – Hillside Overlay (R-1H) District
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to CEQA Guidelines Section 15303 (“New Construction or Conversion of Small Structures”)
<b>Applicant/Owner:</b>	Lindsay Newman, 1048 Keith Avenue, Berkeley, CA 94708
<b>Staff Planner:</b>	Waqar Shah, <a href="mailto:wshash@berkeleyca.gov">wshash@berkeleyca.gov</a> , (510)981-7469
<b>Recommendation:</b>	<b>Continue</b> Use Permit # ZP2024-0014 to October 10, 2024
<b>Motion / Second:</b>	<b>Y. Duffy / D. Sanderson</b>
<b>Vote:</b>	<b>6-0-0-2-0</b> (Absent K. Gaffney, S. O’Keefe)
<b>Action:</b>	<b>Continued to October 10, 2024</b>

#### Subcommittee Reports:

- Design Review Committee (DRC)  
<https://berkeleyca.gov/your-government/boards-commissions/design-review-committee>

Staff Communications: None

Adjourn: 8:07 PM; Motion / Second: Y. Duffy / T. Jersey; Vote: 6-0-0-2-0

#### Members of the Public:

Present: 44

Speakers: 15

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