



# Action Minutes

Planning & Development Department  
Land Use Planning Division

## Zoning Adjustments Board Thursday, July 11, 2019 - 7:04 PM

Berkeley Unified School District Board Room, 1231 Addison Street, Berkeley  
(Wheelchair Accessible)

### Preliminary Matters:

#### Roll Call:

**Denise Pinkston (Vice Chairperson)** appointed by Councilmember Droste  
**Teresa Clarke**, appointed by Councilmember Kesarwani  
**Patrick Sheahan**, appointed by Councilmember Davila  
**John Selawsky**, appointed by Councilmember Bartlett  
**Carrie Olson**, appointed by Councilmember Harrison  
**Charles Kahn**, appointed by Councilmember Wengraf  
**Dohee Kim**, appointed by Councilmember Robinson

#### Approved Leave of Absence:

Igor Tregub  
Shoshana O'Keefe

#### Ex Parte Communication Disclosures: None

#### Public Comment:

**Speakers: 0**

#### Agenda Changes: None.

### Consent Calendar:

<b>1. Approval of Action Minutes from June 27, 2019</b>	
<b>Recommendation:</b>	<b>APPROVE</b>
<b>Motion / Second:</b>	<b>C. Olson/J. Selawsky</b>
<b>Vote:</b>	<b>7-0-0-0</b>
<b>Action:</b>	<b>APPROVED</b>

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### Consent Calendar (continued):

#### 2. [1812 University Avenue](#) – New Public Hearing

**Application:** Use Permit #ZP2018-0201 to modify the uses and ground floor plan within an approved mixed use building with 44 dwellings, 4,505 square-feet of commercial floor area and 19 parking spaces to: 1) reduce the non-residential floor area in 'Retail 2'; 2) allow this space to be used for food service; and 3) create 2 new dwelling units.

**Zoning:** C-1 – General Commercial

**CEQA** Categorically exempt pursuant to Section 15332 of the CEQA Guidelines (“In-fill Development Projects”).

**Determination:**

**Applicant:** Devi Dutta Architecture, 928 Carleton Street, Berkeley

**Owner:** 1812 University Ave LLC, 9101 Burning Tree Road, Bethesda, MD

**Staff Planner:** Greg Powell, gpowell@cityofberkeley.info, (510) 981-7414

**Recommendation:** **APPROVE** Use Permit #ZP2018-0201 pursuant to Section 23B.32.040.3

**Motion / Second:** **C. Olson/J. Selawsky**

**Vote:** **7-0-0-0**

**Action:** **APPROVED**

### Action Calendar:

#### 3. [1024 Grizzly Peak Boulevard](#) – New Public Hearing

**Application:** Use Permit #ZP2018-0193 to construct a new 4,532 square-foot, three-story single-family dwelling with an average height of 25' and an attached two-car garage and driveway structure that extends to the front property line on a 9,876 square-foot vacant hillside lot.

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

**CEQA** Categorically exempt pursuant to Sections 15303 and 15332 of the CEQA Guidelines (“New Construction or Conversion of Small Structures” and “In-Fill Development Projects”).

**Determination:**

**Applicant:** John Newton, 5666 Telegraph Avenue, Oakland

**Owner:** Bernward Schwarte and Fang Wang, 1033 Miller Avenue, Berkeley

**Staff Planner:** Lucy Sundelson, Contract Planner, lsundelson@rinconconsultants.com, (510) 836-8799

**Recommendation:** **APPROVE** Use Permit #ZP2018-0193 pursuant to Section 23B.32.040.

**# of Speakers:** **2**

**Motion / Second:** **C. Kahn / J. Selawsky**

**Vote:** **6-0-1-0** (Abstain: P. Sheahan)

**Action:** **APPROVED**

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### Action Calendar (continued):

#### 4. 1026 Grizzly Peak Boulevard – New Public Hearing

**Application:** Use Permit #ZP2018-0227 to construct a new 3,870 square-foot, three-story single-family dwelling with an average height of 27'8" and an attached two-car garage and driveway structure that would extend to the front property line on a 6,822 square-foot vacant hillside lot.

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

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

**Determination:**

**Applicant:** John Newton, 5666 Telegraph Avenue, Oakland

**Owner:** Bernward Schwarte and Fang Wang, 1033 Miller Avenue, Berkeley

**Staff Planner:** Lucy Sundelson, Contract Planner, lsundelson@rinconconsultants.com, (510) 836-8799

**Recommendation:** **APPROVE** Use Permit #ZP2018-0227 pursuant to Section 23B.32.040.

**# of Speakers:** 2

**Motion / Second:** **C. Kahn / J. Selawsky**

**Vote:** **6-0-1-0** (Abstain: P. Sheahan)

**Action:** **APPROVED**

#### 5. 1028 Grizzly Peak Boulevard – New Public Hearing

**Application:** Use Permit #ZP2018-0194 to construct a new 3,831 square-foot, three-story single-family dwelling with an average height of 24'11" and an attached two-car garage and driveway structure that would extend to the front property line on a 7,135 square-foot vacant hillside lot.

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

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

**Determination:**

**Applicant:** John Newton, 5666 Telegraph Avenue, Oakland

**Owner:** Bernward Schwarte and Fang Wang, 1033 Miller Avenue, Berkeley

**Staff Planner:** Lucy Sundelson, Contract Planner, lsundelson@rinconconsultants.com, (510) 836-8799

**Recommendation:** **APPROVE** Use Permit #ZP2018-0194 pursuant to Section 23B.32.040.

**# of Speakers:** 2

**Motion / Second:** **C. Kahn / J. Selawsky**

**Vote:** **6-0-1-0** (Abstain: P. Sheahan)

**Action:** **APPROVED**

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**Action Calendar (continued):**

**6. [63 Vicente Road](#) – New Public Hearing**

**Application:** Use Permit #ZP2019-0020 to construct a new 3,696 square-foot, three-story, single-family dwelling with an average height of 27’9” and an attached two-car garage within the required front-yard setback on a 9,752 square-foot vacant hillside lot.

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

**CEQA** Categorically exempt pursuant to Sections 15303 and 15332 of the CEQA Guidelines (“New Construction or Conversion of Small Structures” and “In-Fill Development Projects”).

**Determination:**

**Applicant/Owner:** Christian Brown, BPI Properties LLC, 4096 Piedmont Avenue, #121, Oakland

**Staff Planner:** Lucy Sundelson, Contract Planner, lsundelson@rinconconsultants.com, (510) 836-8799

**Recommendation:** **APPROVE** Use Permit #ZP2019-0020 pursuant to Section 23B.32.040

**# of Speakers:** 3

**Motion / Second:** **J. Selawsky/C. Kahn**

**Vote:** **6-0-1-0** (Abstain: P. Sheahan)

**Action:** **APPROVED**

**Subcommittee Reports:** None.

**Adjourn:** 8:32 PM

**Members of the Public:**

**Present:** 12

**Speakers:** 5

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