Planning & Development Department
Land Use Planning Division

Action Minutes

Zoning Adjustments Board
Thursday, August 8, 2024 - 7:02 PM

Preliminary Matters:

Roll Call:
Commissioners Present: Kimberly Gaffney (Vice Chairperson, District 2), Michael Thompson (District 3), Todd Jersey (District 4) Shoshana O'Keefe (District 5), Charles Kahn (District 6), Brandon Yung (District 7), Deborah Sanderson (District 8)

Vacant: (Mayor Appointee)

Unexcused Absence: Yes Duffy (Chairperson, District 1)

Staff Present: Claudia Garcia (Secretary), Vicky Schlepp (Clerk), Cecelia Mariscal

Ex Parte Communication Disclosures: None

Public Comment on Non-Agenda Items:

Speakers – Five speakers spoke on saving/preserving the United Artists Theater, 2274 University Avenue.

Agenda Changes: No changes made.

Consent Calendar

1. **Approval of Action Minutes from July 11, 2024**

   Recommendation: APPROVE

   Motion / Second: C. Kahn / K. Gaffney
   Vote: 6-0-1-1-0 (Abstain: S. O'Keefe, Absent: Y. Duffy)
   Action: Approved

2. 844 University Avenue – New Public Hearing

Application:	Use Permit #ZP2024-0034 to demolish 126 square feet from the side of the building, expand an access door within a non-conforming street-side setback, and convert a 3,406 vacant building to a school (K-12) for use by the Black Pine Circle School (adjacent to the site). The capacity would be for approximately 54 students.
Zoning:	West Berkeley Commercial District (C-W)
CEQA Recommendation:	Categorically exempt pursuant to pursuant to CEQA Guidelines Section 15303 ("New Construction or Conversion of Small Structures")
Applicant/Owner:	Black Pine Circle School, 2024 Seventh Street, Berkeley, CA
Staff Planner:	Cecelia Mariscal, cmariscal@berkeleyca.gov, 510-981-7439
Recommendation:	**APPROVE** Use Permit # ZP2024-0034 pursuant to Section 23.406.040(D)
Motion / Second:	**C. Kahn / K. Gaffney**
Vote:	**7-0-0-1-0 (Absent: Y. Duffy)**
Action:	**Approved**

Action Calendar

3. Design Review Committee Representative

Per BMC 23.402.060(B)(1), Design Review Committee (DRC) Composition, two ZAB members shall be appointed by ZAB to DRC. Vice Chair Gaffney serves as one of the representatives, the second representative seat is currently vacant due to former Commissioner Tregrub's recent election to City Council. Accordingly, Staff requests that ZAB vote to appoint the second representative at tonight's hearing.	
Motion:	**Nominate Charles Kahn as ZAB representative on DRC**
Motion / Second:	**D. Sanderson / S. O'Keefe**
Vote:	**7-0-0-1-0 (Absent: Y. Duffy)**
Action:	**Charles Kahn nominated to DRC**

Subcommittee Reports:
DRC – The next meeting will be the fifth Thursday of the month (August 29, 2024), instead of the regular fourth Thursday of the month.

Staff Communications: Reminder: There are five ZAB meetings left in 2024; September 12 and 26, October 10, November 14, and December 12.

Adjourn: 7:21 PM; Motion / Second: C. Kahn / T. Jersey; Vote: 7-0-0-1-0 (Absent: Y. Duffy)

<u>Members of the Public</u>:
Present: 12
Speakers: 5

Claudia Garcia, Principal Planner
Co-Secretary of the Zoning Adjustments Board