Planning & Development Department
Land Use Planning Division

Action Minutes

Zoning Adjustments Board
Thursday, September 12, 2024 - 7:01 PM

Preliminary Matters

Roll Call:

Commissioners Present: Yes Duffy (Chairperson, District 1), Kimberly Gaffney (Vice Chairperson, District 2), Michael Thompson (District 3), Brandon Yung (District 7), Debra Sanderson (District 8)

Vacant: (Mayor Arreguin)

Leave of Absence: Todd Jersey (District 4)

Absent: Shoshana O'Keefe (District 5), Charles Khan (District 6),

Staff Present: Samantha Updegrave (Secretary), Branka Tatarevic (Clerk), Sharon Gong, Allison Riemer, Karly Kaufman (Rincon), Lisa Gordon (Rincon), Waqar Shah, Lief Bursell

Ex Parte Communication Disclosures: Vice Chairperson Gaffney disclosed an ex-parte communication with the applicants for 2128-2130 Oxford Street / 2132-2168 Center Street. She and Janet Tam of the Design Review Committee (DRC) spoke with the applicants about the design during a pre-design review meeting.

Public Comment on Non-Agenda Items:
Speakers – 1

Agenda Changes:

No changes

Consent Calendar

Speakers – 1

1. Approval of Action Minutes from August 8, 2024
Recommendation: APPROVE

Motion / Second: D. Sanderson / Y. Duffy
Vote: 5-0-0-3-0 (Absent: T. Jersey, S. O'Keefe, C. Khan)
Action: Approved

2. 2738 Prince Street – New Public Hearing

Application:	**Use Permit #ZP2024-0001** to construct an approximately 650 square foot two-story addition and the creation of three new bedrooms (a total of six) in the Restricted Two-Family Residential District (R-2).
Zoning:	R-2 - Restricted Two-Family Residential District
CEQA Recommendation:	Categorically exempt pursuant to pursuant to Section 15301 ("Existing Facilities") of the CEQA Guidelines.
Applicant/Owner:	Donna Roberts (DGR Architecture), 1609 Leimert Boulevard, Oakland, CA Reuben Arnold and Maegan Gamach, 2738 Prince Street, Berkeley, CA
Staff Planner:	Waqar Shah, WShah@berkeleyca.gov, (510) 981-7469
Recommendation:	**APPROVE** Use Permit #ZP2024-0001 pursuant to Section 23.406.040(D)
Motion / Second:	**D. Sanderson / Y. Duffy**
Vote:	**5-0-0-3-0 (Absent: T. Jersey, S. O'Keefe, C. Khan)**
Action:	**Approved**

3. Design Review Committee: Re-appoint Lillian Mitchell, LEED AP, for the Committee Licensed Architect Position.
Recommendation: APPROVE

Motion / Second: D. Sanderson / Y. Duffy
Vote: 5-0-0-3-0 (Absent: T. Jersey, S. O'Keefe, C. Khan)
Action: Approved

Action Calendar
The public may comment on each item listed on the agenda for action as the item is taken up. The Chairperson may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue. Action items may be reordered at the discretion of the Chairperson with the consent of the Zoning Adjustments Board.

4. 2708 Prince Street – New Public Hearing

Application:	**Use Permit #ZP2024-0024** to demolish an existing 13 foot 9-inch-tall one-story 1,052 square-foot house and accessory building (garage), and construct a new 24 foot 4-inch-tall two-story 3,118 square-foot duplex.
Zoning:	R2-A - Restricted Multiple-Family Residential
CEQA Recommendation:	Categorically exempt pursuant to pursuant to Section 15303 ("New Construction") of the CEQA Guidelines.
Applicant/Owner:	Jeff Svitak, 3037 Redwood Street, San Diego Linda Joseph, 2700 Prince Street, Berkeley
Staff Planner:	Allison Riemer, ARiemer@berkeleyca.gov, (510) 981-7433
Recommendation:	**APPROVE** Use Permit #ZP2024-0024 pursuant to Section 23.406.040(D)
Motion / Second:	**K. Gaffney / D. Sanderson**
Vote:	**5-0-0-3-0 (Absent: T. Jersey, S. O'Keefe, C. Khan)**
Action:	**Approved**

5. 2128-30 Oxford Street / 2132-2168 Center Street – New Public Hearing

Application:	**Use Permit #ZP2022-0135** to demolish two buildings (one mixed-use with 16 rent-controlled units, one commercial) and construct a 26-story (285'-4" feet, plus 7' parapet), 713,664-square-foot, mixed-use building with 456 dwelling units (including 6 Extremely Low-Income and 34 Very Low-Income Density Bonus qualifying / replacement units), 14,404 square feet of commercial space, and 36 parking spaces.
Zoning:	C-DMU Core – Downtown Mixed-use District, Core Sub-Area
CEQA Recommendation:	**CERTIFY** the Final Environmental Impact Report and **ADOPT** the Mitigation, Monitoring, and Reporting Program prepared pursuant to Article 7 of the CEQA Guidelines
Applicant/Owner:	Core Berkeley Oxford, Chicago, Illinois
Staff Planner:	Sharon Gong, SGong@berkeleyca.gov, (510) 981-7429
Recommendation:	**APPROVE** Use Permit #ZP2022-0135 pursuant to Section 23.406.040(D)
Motion / Second:	**D. Sanderson / Y. Duffy**
Vote:	**5-0-0-3-0 (Absent: T. Jersey, S. O'Keefe, C. Khan)**
Action:	**Approved**

Subcommittee Reports:
DRC – Commissioner Gaffney reported that the DRC conducted a courtesy review of the Bakar Climate Enginuity Hub, a UC Berkeley project near the Li Ka Shing Center. The shared laboratory workspace features a flexible design and an undulating façade with integrated solar panels. They also reviewed 2820 San Pablo Avenue, a development spanning two zones with two buildings using different materials to fit the street context, including one residential unit on the top floor. Vice Chairperson Gaffney found the projects interesting and, with Chair Duffy, noted that hearing about commercial buildings is valuable, as the ZAB usually sees multi-family residential projects, and that such developments help the jobs-housing balance.

Staff Communications: Staff had nothing to report.

Adjourn: 9:54 PM; Motion / Second: Y. Duffy / K. Gaffney ; Vote: 5-0-0-3-0

Members of the Public:

Present: 33
Speakers: 12

Samantha Updegrave, Principal Planner
Co-Secretary of the Zoning Adjustments Board