Planning & Development Department
Land Use Planning Division

Action Minutes

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.

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

Application:	**Use Permit #ZP2023-0024** 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.
Zoning:	Residential Southside Mixed-Use District (R-SMU)
CEQA Recommendation:	Categorically exempt pursuant to CEQA Guidelines Section 15332 ("In-Fill Development Projects")
Applicant/Owner:	Riaz Capital, 2744 East 11th Street, Oakland, CA 94601
Staff Planner:	Lisa Gordon, lgordon@rinconconsultants.com, 951-202-9230 Claudia Garcia, cgarcia@berkeleyca.gov, 510-981-7412
Recommendation:	**APPROVE** Use Permit # ZP2023-0024 pursuant to Section 23.406.040(D)
Motion / Second:	**Y. Duffy / C. Kahn**
Vote:	**6-0-0-2-0** (Absent K. Gaffney, S. O'Keefe)
Action:	**Approved**

Action Calendar

3. 1048 Keith Avenue – New Public Hearing

Application:	**Use Permit #ZP2024-0014** 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.
Zoning:	Single-Family Residential – Hillside Overlay (R-1H) District
CEQA Recommendation:	Categorically exempt pursuant to CEQA Guidelines Section 15303 ("New Construction or Conversion of Small Structures")
Applicant/Owner:	Lindsay Newman, 1048 Keith Avenue, Berkeley, CA 94708
Staff Planner:	Waqar Shah, wshash@berkeleyca.gov, (510)981-7469
Recommendation:	**Continue** Use Permit # ZP2024-0014 to October 10, 2024
Motion / Second:	**Y. Duffy / D. Sanderson**
Vote:	**6-0-0-2-0** (Absent K. Gaffney, S. O'Keefe)
Action:	**Continued to October 10, 2024**

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

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