Action Minutes

Planning & Development Department
Land Use Planning Division

Zoning Adjustments Board
Thursday, November 14, 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), Todd Jersey (District 4), Shoshanna O'Keefe (District 5), Charles Khan (District 5)

Leave of Absence: Debra Sanderson (District 4)

Absent: Ali Kashani (Mayor Arreguin), Brandon Yung (District 7)

Staff Present: Claudia Garcia (Secretary), Branka Tatarevic (Clerk), Allison Riemer, Cecelia Mariscal, Victoria Schlepp

Ex Parte Communication Disclosures: None

Public Comment on Non-Agenda Items:
Speakers – 6

Agenda Changes:
Following Commissioner Khan's suggestion and a brief discussion, Chairperson Duffy moved Use Permit #ZP2022-0127 for 59 Arden Road to the Consent Calendar as the fourth item.

Consent Calendar

Speakers – 3

1. Approval of Action Minutes from October 10, 2024
Recommendation: APPROVE

Motion / Second: K. Gaffney / C. Khan
Vote: 5-0-1-3-0 (Abstain: T. Jersey; Absent: D. Sanderson, A. Kashani, B. Yung)
Action: Approved

2. 0 Parker Street (APN 55-1829-11, '2215' Parker Street') – New Public Hearing

Application:	**Use Permit #ZP2024-0100** to construct a one story, 1,624 square foot single family residence with an average height of 14 feet and 11 inches on a vacant lot, and construct an 8-foot, 4-inch tall fence along the front and west-side property lines.
Zoning:	R-2A - Restricted Multiple-Family Residential District
CEQA Recommendation:	Categorically exempt pursuant to CEQA Guidelines Section 15303 ("New Construction or Conversion of Small Structures")
Applicant	dsa architects, 1107 Virginia Street, Berkeley, CA
Owner	Zsuzsanna Gille and Richard Esbenshade, 2217 Parker Street, Berkeley, CA
Staff Planner:	Vicky Schlepp, VSchlepp@berkeleyca.gov, (510) 981-7422
Recommendation:	**APPROVE** Use Permit #ZP2024-0100 pursuant to Section 23.406.040(D)
Motion / Second:	**K. Gaffney / C. Khan**
Vote:	**5-0-1-3-0 (Abstain: T. Jersey; Absent: D. Sanderson, A. Kashani, B. Yung;)**
Action:	**Approved**

3. 2530 Bancroft Way – New Public Hearing

Application:	**Use Permit #ZP2023-0126** for the demolition of a one-story, 15,665 square foot commercial structure and construction of a 12-story (134.5 feet), 139,833 square-foot mixed use residential development with 110 dwelling units, including 11 Very Low-Income units, and 2,195 square feet of ground floor commercial space. The project applicant seeks a 50 percent Density Bonus (37 units) by providing 15 percent of the base project units as affordable to Very Low-Income households (11 VLI units).
Zoning:	C-T - Telegraph Avenue Commercial District1
CEQA Recommendation:	Categorically exempt pursuant to pursuant to CEQA Guidelines Section 15332 ("In-Fill Development Projects").
Applicant	Isaiah Stackhouse, Trachtenberg Architects, 2421 Fourth Street, Berkeley
Owner	Legacy Bancroft Property Owner, LLC (c/o Chris Hart), 315 Oconee Street, Athens, Georgia 30601
Staff Planner:	Lisa Gordon, LGordon@rinconconsultants.com (951) 202-9230, and Claudia Garcia, CGarcia@berkeleyca.gov, (510) 981-7412
Recommendation:	**APPROVE** Use Permit #ZP2023-0126 pursuant to Section 23.406.040(D)
Motion / Second:	**K. Gaffney / C. Khan**
Vote:	**5-0-1-3-0 (Abstain: T. Jersey; Absent: D. Sanderson, A. Kashani, B. Yung;)**
Action:	**Approved**

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4. 59 Arden Road – New Public Hearing

Application:	**Administrative Use Permit #ZP2022-0127** to widen an existing curb cut and establish a parking pad, a 2-foot 6-inch retaining wall, a 6-foot fence, and gate within a required front setback on a lot with a single-family dwelling. The property is located within the Environmental Safety Residential (ES-R) Zoning District, and is considered a contributor to the historic status of the Panoramic Hill District which is listed on the California National Register of Historic Places.
Zoning:	ES-R - Environmental Safety-Residential District
CEQA Recommendation:	Adopt the Initial Study Negative Declaration prepared pursuant to Article 6 of the CEQA Guidelines.
Applicant / Owner	Michael Wallman, 59 Arden Road, Berkeley
Staff Planner:	Cecelia Mariscal, CMariscal@berkeleyca.gov, (510) 981-7439
Recommendation:	**ADOPT** the Initial Study/Negative Declaration **APPROVE** Administrative Use Permit #ZP2022-0127 pursuant to Section 23.406.040(D)
Motion / Second:	**K. Gaffney / C. Khan**
Vote:	**5-0-1-3-0 (Abstain: T. Jersey; Absent: D. Sanderson, A. Kashani, B. Yung)**
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.

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5. 2820 San Pablo Avenue and 2817-2821 Tenth Street – New Public Hearing

Application:	**Use Permit #ZP2022-0038** to 1) construct a four-story (50 foot) 15,195 square-foot mixed-use building with one single-family dwelling, offices, and research and development uses at 2820 San Pablo Avenue; 2) demolish a one-story 12,193 square-foot non-residential building at 2821 Tenth Street, and construct a two-story (34 feet 8 inch) 14,362 square-foot building with office, research and development, and light manufacturing uses, and a garage with 23 off-street parking spaces, and one loading space.
Zoning:	C-W - West Berkeley Commercial District; MU-R - Mixed Use-Residential District
CEQA Recommendation:	Adopt the Initial Study and the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared pursuant to Article 6 of the CEQA Guidelines
Applicant:	Darshan Amrit, Studio KDA, 1810 Sixth Street, Berkeley
Owner:	Cork Mayo Investments LLC, 5586 Bacon Road, Oakland
Staff Planner:	Allison Riemer, ARiemer@berkeleyca.gov, (510) 981-7433
Recommendation:	**ADOPT** the Initial Study/Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program **APPROVE** Use Permit #ZP2022-0038 pursuant to Section 23.406.040(D)
Motion / Second:	**T. Jersey / K. Gaffney**
Vote:	**5-0-0-3-1 (Absent: D. Sanderson, A. Kashani, B. Yung; Recused: C. Khan)**
Action:	**Approved**

Subcommittee Reports:
DRC – Commissioner Gaffney reported that the DRC conducted an advisory review of the student housing project for UC Berkeley and a final review of the eight-story building with a metal façade at 2587 Telegraph Avenue.

Staff Communications: Secretary Garcia is leaving the City to assume a new position.

Adjourn: 8:12 PM; Motion / Second: K. Gaffney / S. O'Keefe; Vote: 5-0-0-3-1

Members of the Public:

Present: 24
Speakers: 9

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