Planning & Development Department
Land Use Planning Division

Action Minutes

Zoning Adjustments Board
Thursday, December 12, 2024 - 7:03 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), Shannon Allen (District 5), Laurie Capitelli (District 6), Alyssa Plese (District 7), Deborah Sanderson (District 8)

Leave of Absence: Ali Kashani (Mayor Appointee 1), Charles Kahn (District 6), Brandon Yung (District 7)

Staff Present: Samantha Updegrave (Secretary), Karen Hernandez (Clerk), Sharon Gong, Nilu Karimzadegan, Anne Hersch, Allison Riemer

Ex Parte Communication Disclosures: Chairperson Duffy met with the applicant of 2274 Shattuck Avenue at the site, Vice Chairperson Gaffney received an email from the applicant of 2274 Shattuck Avenue and did not respond, Commissioner Capitelli met with advocates of the United Artists Theatre a year prior, Debra Sanderson met with the applicant of 2274 Shattuck Avenue at the site.

Land Acknowledgement

Public Comment on Non-Agenda Items:

Speakers – 1

Agenda Changes:

The Board Chairperson may reorder the agenda at the beginning of the meeting.
No changes made.

Consent Calendar

1. **Approval of Action Minutes from November 14, 2024**

   Recommendation: APPROVE

   Motion / Second: K. Gaffney / D. Sanderson
   Vote: 7-X-1-1-X
   Action: Approved

2. **Approval of 2025 ZAB Meeting Schedule**

   Recommendation: APPROVE

   Motion / Second: K. Gaffney / D. Sanderson
   Vote: 8-X-X-1-X
   Action: Approved

3. 2550 Shattuck Avenue – New Public Hearing

Application:	**Use Permit #ZP2023-0138** to demolish a 2-story (25 feet) 14,296 square-foot non-residential building, and construct a 7-story (75 feet) 68,672 square-foot mixed-use residential building, with 72 dwelling units (8 Very Low-Income, 7 Low-Income), and 3,247 square feet of commercial space (including three live/work units), utilizing a Tier 3 local density bonus.
Zoning:	Adeline Corridor Commercial District (C-AC)
CEQA Recommendation:	Categorically exempt pursuant to pursuant to Section 15332 ("In-Fill Development Projects") of the CEQA Guidelines.
Applicant:	Amir Massih, 95 Federal Street, Ste D, San Francisco, CA
Owner:	Natural Green Corporation, 2821 Chelsea Drive, Oakland, CA
Staff Planner:	Allison Riemer, ariemer@berkeleyca.gov, 510-981-7433
Recommendation:	**APPROVE** Use Permit #ZP2023-0138 pursuant to Section 23.406.040(D)
Motion / Second:	**K. Gaffney / D. Sanderson**
Vote:	**8-X-X-1-X**
Action:	**Approved**

4. 2317 Channing Way – New Public Hearing

Application:	**Use Permit Modification #ZP2024-0033** to modify the project originally approved under #ZP2020-0090 to construct a 5-story (50 feet), 17,033 square foot residential building with 22 dwelling units, where a 4-story (48 feet), 15,695 square foot residential building 17 dwelling unit was originally proposed.
Zoning:	Residential Southside Mixed Use District (R-SMU)
CEQA Recommendation:	Categorically exempt pursuant to pursuant to Section 15332 ("In-Fill Development Projects") of the CEQA Guidelines.
Applicant:	Till Houtermans (Studio KDA), Berkeley, CA
Owner:	2317 Channing Way, LLC, Berkeley, CA
Staff Planner:	Nilu Karimzadegan, nkarimzadegan@berkeleyca.gov, 510-981-7433
Recommendation:	**APPROVE** Use Permit #ZP2024-0033 pursuant to Section 23.406.040(D)
Motion / Second:	**K. Gaffney / D. Sanderson**
Vote:	**8-X-X-1-X**
Action:	**Approved**

Action Calendar

5. 933 Gilman Street – New Public Hearing

Application:	**Use Permit #ZP2023-0135** to establish an approximately 47,900 square foot public safety facility for the Berkeley Fire Department and Emergency Operations Center in the six buildings bounded by Eighth Street, Gilman Street, and Ninth Street. The project includes: demolition of two accessory structures; conversion of 37,000 square feet to office and ancillary uses including, training facilities (17,200 square feet) and a staff wellness center (5,200 square feet); conversion to an ambulance deployment center (6,600 square feet); and a warehouse (4,300 square feet).
Zoning:	Mixed-Use Light Industrial District (MU-LI)
CEQA Recommendation:	Categorically exempt pursuant to pursuant to Section 15301 (“Existing Facilities”) of the CEQA Guidelines.
Applicant/Owner:	Devi Dutta-Choudhury, 928 Carleton Street, Berkeley, CA 94710
Appellant:	Erik Housh, Smith & Walters MRE Commercial Real Estate 6001 Shellmound Street, Emeryville, CA 94608
Staff Planner:	Samantha Updegrave, supdegrave@berkeleyca.gov, 510-981-7414
Recommendation:	**APPROVE** Use Permit #ZP2023-0135 pursuant to Section 23.406.040(D)
Motion / Second:	**D. Sanderson / L. Capitelli**
Vote:	**7-X-X-1-1** **(Jersey recused because he owns a business across the street / within 500 feet of the project site)**
Action:	**Approved**

6. 2274 Shattuck Avenue – New Public Hearing

Application:	Use Permit #ZP2023-0079 to demolish the commercial building with the preservation and renovation the front façade and lobby, and construct a 17-story (183 feet, plus 5-foot parapet), 214,032-square-foot, mixed-use residential building with 227 dwelling units (including 23 Very Low-Income Density Bonus qualifying units), and one parking space.
Zoning:	Downtown Mixed-Use Commercial District – Corridor Sub-Area (C-DMU)
CEQA Recommendation:	Categorically exempt pursuant to pursuant to Section 15332 ("In-Fill Development Projects") of the CEQA Guidelines.
Applicant/Owner:	Isaiah Stackhouse, 2421 Fourth St., Berkeley, CA 94710
Appellant:	2274 Shattuck QOZB, LLC, C/O JP Walsh, 2539 Telegraph Avenue, Suite 101, Berkeley CA 94704
Staff Planner:	Sharon Gong, sgong@berkeleyca.gov, 510-981-7429
Recommendation:	**APPROVE** Use Permit # ZP2023-0079 pursuant to Section 23.406.040(D)
Motion / Second:	**D. Sanderson / K. Gaffney**
Vote:	**8-X-X-1-X**
Action:	**Approved** with the added Condition of Approval for historic inventory of lobby interior prior to Design Review Committee (DRC) and modified condition for DRC review of historic inventory. The DRC shall consider implementation of historic resource inventory.

Subcommittee Reports:
DRC – Discussed 2274 Shattuck Avenue (ZP2023-0079)

Staff Communications: Secretary Updegrave's final ZAB hearing

Adjourn: 10:52 PM; Motion / Second: K. Gaffney / Y. Duffy; Vote: 8-X-X-1-X

Members of the Public:
Present: 52
Speakers: 32

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