



Z O N I N G  
A D J U S T M E N T S  
B O A R D  
S T A F F R E P O R T

FOR BOARD REVIEW

April 24, 2014

## 2501-2509 Haste & 2433 Telegraph – El Jardin

Use Permit #12-1000012 to demolish a 6,950 square foot retail building at 2433 Telegraph Avenue and to construct a 89,054 square foot, 69’/6-story, mixed-use building to include 79 dwelling units, 30,356 square feet of commercial floor area and no off-street parking spaces.

### I. Application Basics

#### A. Land Use Designations:

- General Plan: Avenue Commercial
- Area Plan: Southside Plan
- Zoning: C-T, Commercial-Telegraph

#### B. Permits Required:

- Use Permit, BMC §23C.08.050, to demolish the non-residential building at 2433 Telegraph Avenue;
- Administrative Use Permit, under BMC §23E.04.020, to allow mechanical penthouses, elevator equipment rooms, and other architectural elements, to extend to 87’;
- Use Permit, under BMC §23E.04.050.E, to reduce the rear yard setback from 15’ to zero;
- Use Permit, under BMC §23E.56.030.A & under BMC §23E.56.050.A, to construct a mixed-use building; and
- Use Permit, under BMC §23E.56.080.C, to eliminate the existing parking space.

#### C. Waivers/Reductions of Development Standards Pursuant to Government Code 65915(e):

- To allow greater height (69’ proposed, 50’ maximum);
- To allow more stories (6 proposed, 4 maximum); and
- To allow more FAR (4.75 proposed, 3.5 maximum).

#### D. CEQA Determination: Pending

#### E. Applicant: Kirk Peterson, Kirk E. Peterson & Associates Architects, 5253 College Avenue, Oakland CA 94608

#### F. Web Access: DRC and ZAB staff reports are available via the internet: [http://www.ci.berkeley.ca.us/Planning\\_and\\_Development/Zoning\\_Adjustment\\_Board/2501\\_Haste.aspx](http://www.ci.berkeley.ca.us/Planning_and_Development/Zoning_Adjustment_Board/2501_Haste.aspx)

## II. Background:

The applicant has not submitted the materials requested by the ZAB on March 27, 2014. However, on April 15, 2014, the City received a revised density bonus proposal from the applicant. On April 17, the applicant was advised that edits were needed to this proposal to make it complete and accurate. To date we have not received a revised density bonus proposal, and are thus not able to confirm that the building envelop would comply with State Density Bonus Law.

On April 17, 2014, a detailed working model was presented at the Design Review Committee (DRC) meeting. There is still more information to be added to the model, but the Committee was pleased to see the progress to date. The DRC expressed their continued support of the design, but reminded the architect that they expect to review more detailed drawings and material samples, as requested. Their review was continued until they have that requested information.

### **Outstanding items from Preliminary Design Review Submittal requirements:**

- Detailed Plans to show floor plans and elevations at a larger scale that are fully dimensioned;
- Detailed Sections; typical cross-section through all elevations visible from a public right-of-way or a neighboring building.
- Landscape Plans;
- Samples and colors of all exterior materials;
- 3-D Views in context (when the project is located on a corner site, perspective drawing is required).

## III. Recommendation

Staff recommends that the Board hold a hearing and then continue the matter to May 22, 2014.

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