



# 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 ACTION  
MARCH 10, 2016

## 1310 Haskell Street

**Use Permit #ZP2015-0087 to demolish an existing single family dwelling and accessory structure and construct three new detached, two-story dwelling units totaling approximately 6,229 square feet. The project would increase the number of dwelling units on the site from one to three and the number of bedrooms from two to nine.**

### I. Background

#### A. Land Use Designations:

- General Plan: MDR – Medium Density Residential
- Zoning: R-2A – Restricted Multiple-Family Residential

#### B. Zoning Permits Required:

- Use Permit to demolish a dwelling unit, under Berkeley Municipal Code (BMC) Section 23C.08.010.B;
- Use Permit to demolish a building containing a residential unit, under BMC Section 23C.08.020.A; and
- Use Permit to construct residential units, under BMC sections 23D.28.030; and
- Use Permit to construct six or more bedrooms on a single parcel, under BMC Section 23D.32.050.A.

**C. CEQA Determination:** Categorically exempt pursuant to sections 15303 (New Construction or Conversion of Small Structures) and 15332 (In-Fill Development Projects) of the CEQA Guidelines.

#### D. Parties Involved:

- Applicant Baran Studio, (c/o Cassidy Chang), 5621 Lowell St., STE F, Oakland, CA 94608
- Property Owner CS Development & Construction Inc., 119 Plaza Circle, Danville, CA 94526

Figure 1: Vicinity Map

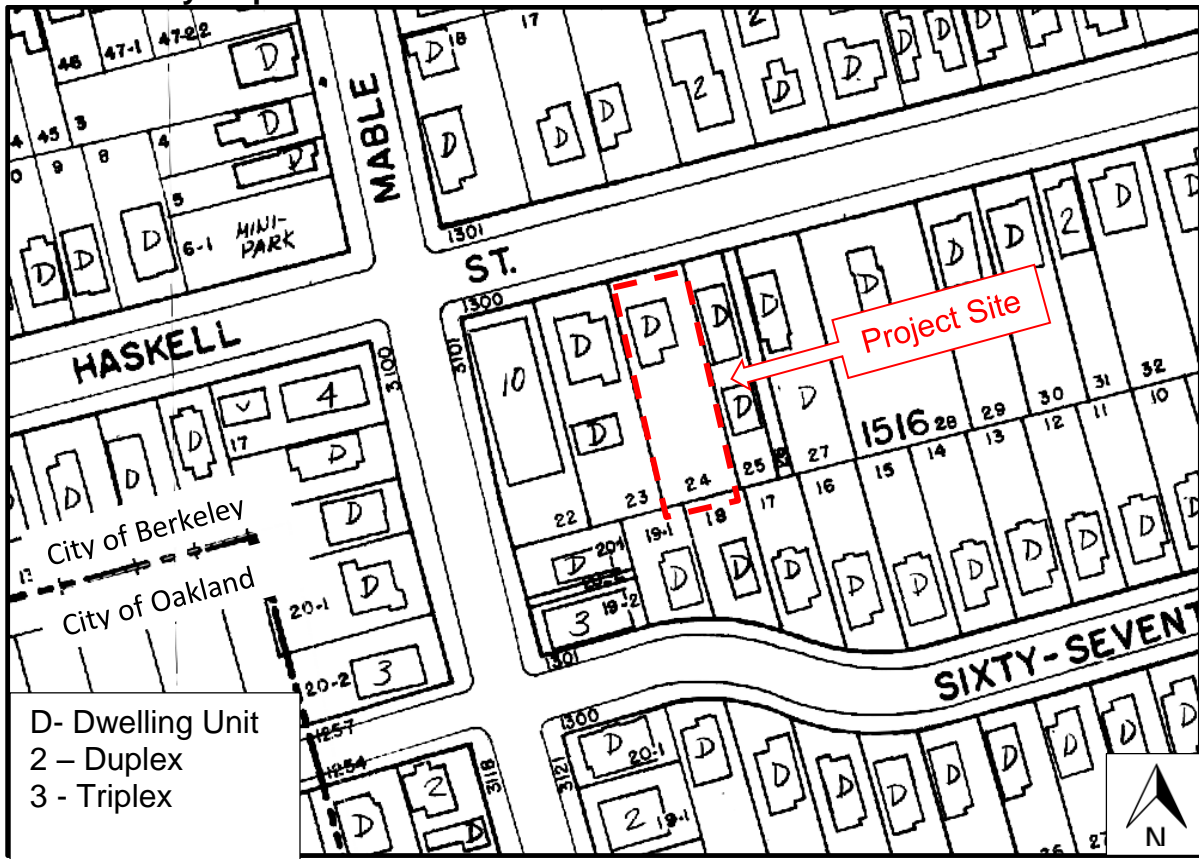
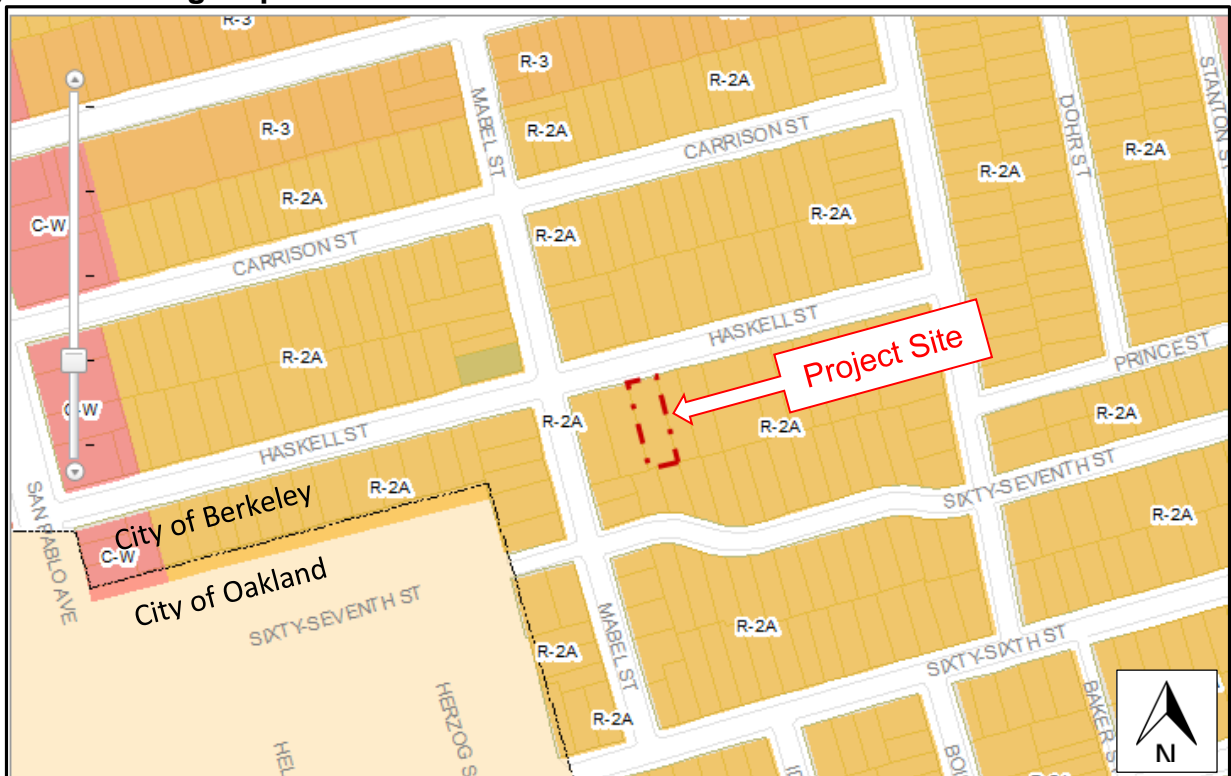


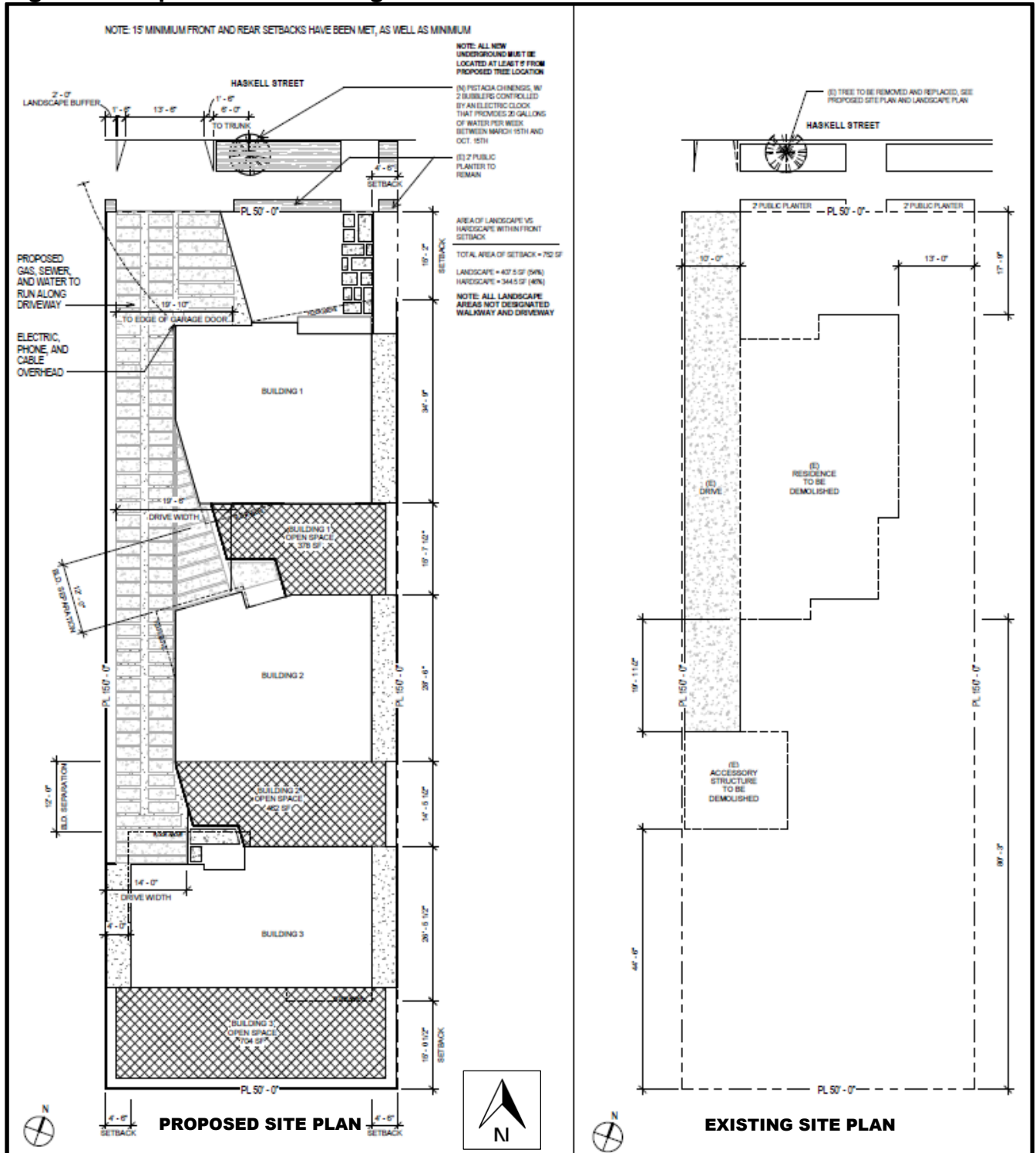
Figure 2: Zoning Map



**Figure 3: Aerial Photograph**



**Figure 4: Proposed and Existing Site Plans**



**Table 1: Land Use Information**

Location		Existing Use	Zoning District	General Plan Designation
Subject Property		Single Family Dwelling	R-2A	MDR – Medium Low Density
Surrounding Properties	North	Residential Duplex		
	South	Single Family Residential		
	East	Developed with two detached units. The front units are two-story buildings and the second units are smaller, single-story dwelling units situated near the rear of the lots.		
	West			

**Table 2: Special Characteristics**

Characteristic	Applies to Project?	Explanation
Creeks	No	The project site is not near a creek or within a creek buffer.
Green Building Score	Yes	The applicant submitted a GreenPoint checklist for the project. The minimum required points are 50 out of a possible 140 points, and the checklist indicates a score of 81 points.
Historic Resources	No	On August 5, 2015, the applicant prepared and submitted the Department of Parks and Recreation Primary Record (DPR) forms. According to the DPR forms, the existing residence and garage were constructed in 1925 and consist of a Craftsman bungalow. Unpermitted rear addition occurred in 1950s and extensive renovations were carried out in 1985. According to the DPR form, the residence did not directly contribute to any significant historic events or trends is not the work of a master architect or builder, and there is no evidence to suggest that the previous property owners were considered important to history, or that the site may yield important information about prehistory or history. The property was listed on the Landmarks Preservation Commission (LPC) agenda of December 3, 2015, and the LPC concluded the property does not meet the historic designation criteria for the National, State, or local level of historic significance.
Liquefaction (Seismic Hazards Mapping Act)	Yes	The project site is located within an area susceptible to liquefaction as shown on the State Seismic Hazard Zones map.
Oak Trees	No	There are no oak trees on the property.
Soil/Groundwater Contamination	No	The project site is not located in the City's Hazards Management Area or on a site known to have a history of industrial or other uses associated with direct soil or groundwater contamination. In addition, excavation would be limited to that necessary for foundations.

**Table 3: Project Chronology**

Date	Action
April 8, 2015	Application submitted
December 3, 2015	LPC: Demo Referral
January 16, 2015	Application Deemed Complete
February 25, 2016	Public hearing notices mailed/posted
March 10, 2016	ZAB hearing

**Table 4: Development Standards**

Standard BMC Chapter 23D.32.030 and 080		Existing	Addition/ (Reduction)	Proposed Total	Permitted/ Required
Lot Area (sq. ft.)		7,500	No change	No change	5,000
Gross Floor Area (square feet)		1,597	3,320	4,917 <sup>1</sup>	N/A
Dwelling Units		1	2	3	3 (One unit per 1,650 sq. ft area)
Bedrooms		2	7	9	4 (without AUP or UPPH)
Building Height (tallest unit)	Maximum (feet)	18'6"	22'8"	22'8"	NA
	Average (feet)	17'	22'8"	22'8"	28
	Stories	1	1	2	3
Building Setbacks (ft.) (for closest unit to each setback)	Front (Haskell St)	17'9"	(2'7")	15'2"	15
	Rear	44'6"	(29'6")	15' ½"	15
	Left (west) Side	13	(9)	4	4
	Right (east) Side	10	(2')	12	4
Usable Open Space (sq. ft.)		5,903	(4,362)	1,541	900
Lot Coverage (%)		21	17	39	40
Parking (Auto)		1	2	3	3

1. Per BMC Section 23F.04.010, the calculated gross floor area of 4,917 square feet for the project does not include an attached one-car garage in each dwelling unit.

## II. Project Setting

**A. Neighborhood/Area Description:** The project site is located on the south side of Haskell Street between Mabel and Acton Streets. All confronting (north) and adjacent properties to the east and the west are developed with detached two units per parcel. The buildings closes to Haskell Street consist of two-story buildings. The abutting residences to the south consist of single-family residences with detached accessory buildings, and are all within the R-2A district. A block to the southwest are the City's jurisdictional boundaries with the City of Oakland.

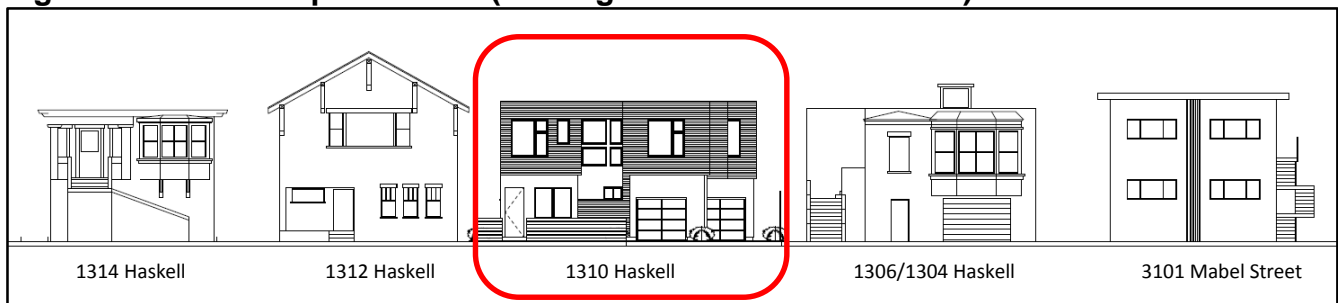
The development pattern of the properties abutting and confronting to the subject property is listed below in Table 5:

**Table 5: Development Pattern Confronting and Abutting Properties**

Location	Address	Type of development	# of Stories
North	1301 Haskell Street	Single-family dwellings	2
	1307 Haskell Street		
	1309 Haskell Street	Multi-Family dwelling buildings	
	1313-1317 Haskell Street		
	1319 Haskell Street	Single-family dwelling	
South	1301 Sixty-Seventh Street	Multi-Family dwelling units (triplex)	2
	1309 Sixty-Seventh Street	Single Family Residences	1
	1311 Sixty-Seventh Street		
	1315 Sixty-Seventh Street		
	1307 Sixty-Seventh Street		
East	1312 Haskell Street	Two detached dwelling units.	2
West	1306 Haskell Street	Two detached dwelling units. The unit in the front has unfinished basement and living spaces are on the second floor.	2

The street strip elevation below Figure 4 illustrates the heights of the dwellings adjacent to the project site, when viewed looking south.

**Figure 5 : Street Strip Elevation (looking south towards the site)**



**B. Site Conditions:** The site is generally level, rectangular in shape, and developed with a single-story, approximately 1,597 square-foot dwelling and a 120 square-foot garage located in the rear yard. According to the DPR 523 forms prepared for the property, the dwelling and the garage were constructed prior to 1925 (exact date unknown) and later additions were made in the rear. The character-defining façade of the Craftsman-style dwelling has remained largely unaltered. A wooden fence encloses the backyard of the site, and an existing driveway abuts the western property line.

### III. Project Description

The applicant proposes to demolish the existing single-family dwelling unit and a detached garage and construct three, two-story, three-bedroom dwelling units, ranging in size from 1,798 to 1,985 sq. ft. in gross floor area. The new dwelling units would be built in modern architectural style, with flat roofs and a mix of stucco, horizontal wood screen, and anodized window frames. The proposed units would have the following characteristics:

- Unit 1 (the front unit, in the northern portion of the property) would be two stories and 1,734 square feet in size, with three bedrooms, two bathrooms and an attached enclosed 251 square-foot one-car garage. The ground floor would have an approximately 17' front yard setback and the second floor would have approximately 15'-2" front yard setback. It would have a 4' (west) and 12' (east) side yard setbacks.
- Unit 2 (the unit located in the middle of the parcel) would be two stories and approximately 1,541 square feet in size, with three bedrooms, two bathrooms and attached enclosed 271 square-foot one-car garage. It would be located approximately 15'-7" behind Unit 1 and approximately 14'-5' in front of Unit 3. It would have a 4' (west) and 12' (east) side yard setbacks.
- Unit 3 (the rear unit, in the southern portion of the property) would be two stories and 1,656 square feet in size, with three bedroom, two bathrooms and attached enclosed 260 square-foot one-car garage. This dwelling would have an approximately 16' rear yard setback. It would have 4' side yard setbacks.

The existing 10-foot curb cut on Haskell Street would be expanded to 13 feet and 6 inches. It would lead to a permeable concrete driveway on the western edge of the site and would provide access to an enclosed garage in each dwelling unit. A two feet wide landscape strip along the western edge of the driveway would also be installed.

### IV. Community Discussion

**A. Neighbor/Community Concerns:** Prior to submitting this application to the city, the applicant erected the pre-application poster and sent notice of the proposed project to immediate neighbors via certified mail. Shortly after submittal, the City received multiple phone calls and e-mail correspondence from neighbors that expressed concerns about the project. On May 7, 2015, staff forwarded the application for mediation by SEEDS Community Resolution Center (SEEDS).

Communications with the neighbors are summarized below, and copies of letters and meeting summaries are provided in Attachment #4.

- On May 7, 2015, staff received a letter from Mary Trew (owner of 1306 Haskell Street) and Kurt Caudle (resident at 1304 Haskell Street). The letter expressed objection to the proposed density and shadow impacts caused by the project.



- On May 26, 2015, the applicant's architect, with the help of SEEDS, sent a letter to neighboring residences inviting them to a meeting on June 4, 2015.
- On May 28, 2015, staff received an email from Jerri Grindle (owner of 1320 Sixty-Seventh Street) who expressed objection to the proposed density and height.
- On June 1, 2015, staff received a petition with 24 signatures opposing the project.
- On June 4, 2015, mediators from SEEDS facilitated a meeting between the applicant's architect and the nearby residents. According to meeting minutes compiled by the applicant, the neighbors, and the SEEDS, the neighbors expressed concerns about:
  - The height and density of the project;
  - Privacy, specifically the buildings in the back of the lot overlooking the neighbor's yard;
  - Parking;
  - Lack of backyard open space; and
  - Blocking views.
- On June 8, 2015, Mary Trew, (owner of 1306 Haskell Street) submitted a summary of the meetings. According to Ms. Trew:
  - Over 20 people attended the meeting; and
  - Almost all of the immediate neighbors expressed concerns about setback, sunlight, and privacy issues.
- On July 9, 2015, the applicant submitted revised plans in response to public comments. The revised plans show:
  - Increased side yard setback (east) from four feet to four feet and six inches;
  - Reduced building height by 1 foot, from 23'-8" to 22'-8";
  - Reduced building foot prints for each unit in order to create greater separation from the neighboring properties;
  - Increased front yard setback to 17' on the ground floor; and
  - All second floor windows facing eastern neighboring properties would be frosted.
- On November 22, 2015, staff received a complaint that demolition of the existing structures began without a permit. On December 15, 2015 the Code Enforcement staff visited the site and observed no demolition activities on the site. They contacted the property owner to grant them a permission to enter the property. On December 16, 2015, Code Enforcement staff inspected the property and observed that no demolition activity occurred.

- SEEDS Summary, dated February 17, 2016, notes over 20 persons from 15 nearby households attended the meeting, and all attendees opposed the proposed project.

On February 25, 2016, the City mailed 162 notices to owners and occupants of properties located within a 300-foot radius of the subject property and to interested neighborhood organizations, and posted the public notice at and around the project site in three locations. Please see Attachment #5.

- B. Landmarks Preservation Commission:** The property was listed on the Landmarks Preservation Commission agenda of December 3, 2015, and no comments were received from the public or LPC members; the LPC took no action to initiate a Landmark or Structure-of-Merit designation.
- C. Rent Stabilization Board:** The Rent Stabilization Board (RSB) Director submitted a memorandum to Planning and to the ZAB on July 14, 2015 indicating the RSB has no record that would suggest the residential unit at 1310 Haskell Street was rented after the inception of rent control in 1980. RSB records indicate the property was owner-occupied from 1980 until at least 2012. Given its history of owner-occupancy and the lack of rental history, the RSB determined that 1310 Haskell Street does not contain any "controlled" rental units. Please see Attachment #6.

## V. Issues and Analysis

- A. Demolition of Existing Single Family Residence:** The ZAB may approve a Use Permit for the elimination or demolition of dwelling units only if, in addition to other findings required for the project, it finds that the elimination of the dwelling units would not be materially detrimental to the housing needs of the neighborhood and City, and that the demolition is necessary to permit construction of at least the same number of dwelling units. These provisions are described in BMC Section 23C.08 (Demolition and Dwelling Unit Controls).

The proposed demolition of the existing structure and construction of three new dwelling units would result in an increase in the number of units on site from one to three. Further, the existing vacant single family home does not have a history of being rent controlled and the demolition of the structure would not displace any persons. Therefore, the proposed demolition would not be materially detrimental to the housing needs of the City. Staff believes that this finding can be made (see Finding #3 of Attachment #1). Additionally, the condition of approval require demolition cannot occur until building permit plans for the new dwellings issued (see condition #16, Attachment #1).

- B. R-2A District Purposes:** The purposes of the Restricted Multiple-Family Residential (R-2A) District are intended to implement the Master Plan policy by encouraging the development of medium density residential areas characterized by small multiple-family and garden-type apartment structures with a maximum of open space consistent with this type of development; make available housing for persons who

desire apartment-type accommodations with a maximum of open space; protect adjacent properties from unreasonable obstruction of light and air; and permit only that intensity of use which will be compatible with existing low density residential structures and will not be detrimental to the immediate neighborhood. Per the City's 2002 General Plan, the density of the R-2A district ranges "from 20 to 40 dwelling units per net acre, and the population density will generally range from 44 to 88 persons per acre." The proposed project includes three new two-story dwelling units in the R-2A District. An analysis of the project's consistency with the R-2A District follows.

## 1. Open Space and Development Pattern:

- a. **Conformity with Zoning Standards:** As stated in Table 4 above, the project complies with the District requirements for height, lot coverage, open space, setbacks and building separation requirements. The R-2A District allows a density of one dwelling per 1,650 square feet of lot area. The construction of three new dwelling units would result in an increase in the number of units on site from one to three with private usable open spaces, consistent with one of the district purposes. Usable open space would be provided in private yards for each unit; the smallest of these would be 378 square feet for the rear unit, exceeding the R-2A District requirement of 300 square feet per unit.

As stated in Table 4 above, the project also complies with the District requirements for height, lot coverage, open space, setbacks and building separation requirements. The front yard setback would be 17 feet on the ground floor and 15 feet and two inches on the second floor where a 15 feet front yard setback is required. The right side yard setback (east) would be four feet and six inches where a minimum of four feet is required. The proposed left side yard setback (west) would vary from a minimum of at least four feet to 12 feet, which would comply with the R2A district standards. The rear yard setback of 15 feet would meet District standards. Therefore, the project would conform to zoning standards in the RA-2 District.

- b. **Compatibility with Neighborhood Scale and Character:** The proposed number of units would be consistent with the varied single- and multi-family residential development pattern of properties in the vicinity. Between Mabel (west) and Acton (east) Streets, Haskell Street has approximately 11 one-dwelling lots and 10 lots with at least two dwelling units, while the north side of Sixty-Seventh Street (abutting block to the south) has approximately 12 one-dwelling lots and two lots with at least two dwelling units. The adjacent property to the west (1306 Haskell Street) contains two units on a 7,500 square foot lot. The adjacent parcel to the east (1312 Haskell Street) contains two 2 units on a 4,644 square foot lot.

As illustrated in Figure 4, the height of the proposed two-story buildings would be consistent with abutting and confronting properties on Haskell Street. The front unit would present a two-story façade adjacent to Haskell Street with similar height and setback to those abutting properties. In addition, the

proposed two-story height of the new buildings would be compatible with this broader area that is characterized by a mixture of one- to two-story buildings. The lots in this area with two detached residences have similar height, size, and bulk to the proposed two-story buildings. Furthermore, although the materials proposed for the new dwelling would be less consistent with other dwellings in the neighborhood, it would add character to the already eclectic architectural style of the neighborhood. For these reasons, the proposed dwelling would be compatible with the neighborhood scale and character.

**2. Density:** The General Plan envisions the Medium Density Residential classification as an area of “a mix of single-family homes and small to medium sized multi-family structures intensity” and density range “from 20 to 40 dwelling units per net acre.” Consistent with the intended range of housing densities from single-family homes to small apartments in this area, the project would provide three two-story dwelling units on the property. As the project would be consistent with the purposes of the land use and zoning designations, and would be compatible with the neighborhood in terms of unit density, no substantial detrimental effects are anticipated regarding the proposed increase in residential density. The proposed development would meet all the R-2A development regulations for height, lot coverage, usable open space residential density, setbacks, and parking.

**3. Light, Privacy, Air, and views:**

**a. Shade/Shadows:** The applicant prepared a shadow study for the proposed project showing existing and proposed conditions in June, December and March. Shadow impacts to the adjacent property to the west, 1304-06 Haskell Street, may be summarized as follows:

- The east-facing ground level living room window at 1306 Haskell Street, which is currently shaded during spring and fall mornings, would experience increased shading during winter and summer mornings.
- The east-facing windows at 1304 Haskell Street (back house) would experience increased shading during winter and summer mornings.
- The south elevations on 1304 Haskell Street would be subject to new shading during summer mornings.
- New shadows would fully cover the front yard in winter mornings and partially cover it in summer mornings.
- Rooftop solar access would not be diminished.

Shadow impacts to the adjacent property to the east, 1312 Haskell Street, may be summarized as follows:

- The west-facing bedroom windows would experience new shading in winter at midday and the afternoon and in spring and fall afternoons.
- The west-facing bathroom window would now be fully shaded by the project in spring and fall afternoons and partially shaded in winter afternoons.

- New shadows would fully cover the rear yard in spring and fall afternoons and partially cover it in summer afternoons.
- Rooftop solar access would not be diminished.

In summary, the proposed buildings would increase shading beyond existing conditions at living room and kitchen windows at 1304-06. The living room and kitchen windows at 1312 Haskell Street are currently shaded for the majority of the year, and the project would further reduce exposure to light at these windows. The rear yard of abutting properties to the south (1309 and 1311 Sixty-Seventh Street) would experience shading during summer evenings. Although shadow conditions would increase on the aforementioned portions of neighboring properties, shadow impacts would be typical of urban settings. Therefore, the project would not unreasonably obstruct sunlight and would not be substantially detrimental in this regard.

- b. Privacy:** The project would affect the privacy of adjacent residences by introducing three two-story residences on a site that currently has one single-story residence. The adjacent neighbors to the east and west expressed concerns about the project's impacts on privacy. The wooden fence that rings the existing backyard on the subject site would remain and would obstruct the line of sight from the ground floor of the new residences toward adjacent residences. Second-story windows in the new residences that face the eastern, and western property lines, however, would create new views to and from the adjacent properties. Views from these windows into adjacent properties would reduce the privacy of neighbors, especially in outdoor yards. All three units would have windows on second story bedrooms, bathrooms, study/den and stair landing areas. All windows in bedroom and study/dens would be completely opaque; and those windows that will not be opaque would be located on stair landing and/or are located high on the walls. As such, these windows would not would not impact the privacy of neighbors.

In the context of the R-2A District, where up to three-story buildings are allowed and these neighborhoods are a generally a mix of one- to three-story residences, any loss of privacy due to the project would be no greater than typical for urban setting. The proposed new buildings would comply with the District standard for setbacks and are therefore expected to achieve a reasonable building-to-building separation, which would also help ensure a reasonable expectation of privacy on each side. Staff believes that the project would not significantly impair the privacy of neighbors.

- c. Air:** As discussed in the Conformity with Zoning Standards section, the project would meet the District's setback requirements. The proposed front and rear yard setbacks of at least 15 feet and left side yard setback of at least four feet would meet District standards. The proposed right side yard of 12 feet for buildings #1 and #2 would exceed the District's minimum requirement, and would meet the District's minimum side yard setback requirement for building #3. Because the project would conform to zoning standards in the R-2A District,

there would be adequate air between the proposed residences and adjacent properties.

- d. Views:** Due to the relatively flat slope of this neighborhood and its low elevation above sea level, views of significant features are not generally available. East-facing windows in the area may provide partially obstructed views of the East Bay Hills, especially from two-story residences, as screened by intervening buildings and trees. Although the project could further obstruct views of the East Bay Hills from nearby two-story residences, such views are already partially obstructed and would not be substantially degraded.

**C. Number of Bedroom:** The R-2A District requires a Use Permit to create six or more bedrooms on a single parcel<sup>1</sup>. The project would create nine bedrooms on a parcel that currently has two, resulting in net addition of seven bedroom. The ZAB may approve a Use Permit for the addition of six or more bedrooms if the additional bedrooms would not be considered detrimental to persons living or working in the neighborhood, or be detrimental to the adjacent properties, surrounding neighborhood and the general welfare of the City. In Staff's view, the creation of three bedroom dwelling units would accommodate families that want ample interior space. The location of the buildings on the site and amount of open space would support the number of bedrooms proposed in the project.

**D. Parking and curb cut:** As required under BMC Section 23D.32.080.A, the proposed project provides three covered off-street parking spaces (one per unit) and would expand the existing 10 foot curb cut on Haskell Street to 13 feet and six inches, and install a two feet wide landscape strip along the western edge of the driveway. Additionally, as required under BMC Section 23D.04.050.H, areas of the lot which are not designated as driveways, off-street parking spaces or required walkways would be retained as landscape and softscape.

The proposed curbcut expansion would lead to removal of an existing street tree (Chinese pistache) depicted in Figure 4 above. The removal is necessary because the City typically requires a five feet buffer between trees and driveways. The applicant would need to provide replacement tree no closer than five feet from any underground utility or the new driveway. The replacement tree must meet the requirements outlined in Condition #37 in Attachment #1.

**E. General Plan Consistency:** The 2002 General Plan contains several policies applicable to the project, including the following:

1. **Policy LU-3—Infill Development:** Encourage infill development that is architecturally and environmentally sensitive, embodies principles of sustainable planning and

---

<sup>1</sup> "Bedroom" means any Habitable Space in a Dwelling Unit or habitable Accessory Structure other than a kitchen or living room that is intended for or capable of being used for sleeping with a door that closes the room off from other common space such as living and kitchen areas that is at least 70 square feet in area, exclusive of closets and other appurtenant space, and meets Building Code standards for egress, light and ventilation. A room identified as a den, library, study, loft, dining room, or other extra room that satisfies this definition will be considered a bedroom for the purposes of applying this requirement.

construction, and is compatible with neighboring land uses and architectural design and scale.

Staff Analysis: The project will add residential density to a property located in the R-2A district consistent with the district requirements. As described in Key Issue above, the proposed height is consistent with other two-story buildings in the vicinity.

2. Policy LU-7–Neighborhood Quality of Life, Action A: Require that new development be consistent with zoning standards and compatible with the scale, historic character, and surrounding uses in the area.

Staff Analysis: The project will meet all of the zoning standards of the R-2A district, including height, lot coverage, setbacks and parking. The uses in the neighborhood are residential and the adjacent uses include multiple units on one lot.

3. Policy UD-16–Context: The design and scale of new or remodeled buildings should respect the built environment in the area, particularly where the character of the built environment is largely defined by an aggregation of historically and architecturally significant buildings.

Policy UD-24–Area Character: Regulate new construction and alterations to ensure that they are truly compatible with and, where feasible, reinforce the desirable design characteristics of the particular area they are in.

Staff Analysis: The proposed three residential units would replace an existing residential unit, thus maintaining the use but increasing density while maintaining consistency with the allowed zoning ordinance maximum density and building intensity. The proposed density would also be consistent with the General Plan density for the R-2A district. As discussed above, the new construction would be compatible in use, scale, massing and design with a neighborhood characterized by one to two-story buildings reflecting a mix of architectural styles.

4. Policy UD-32–Shadows: New buildings should be designed to minimize impacts on solar access and minimize detrimental shadows.

Staff Analysis: The proposed three residential units would cast new shadows on neighboring properties. However, the buildings' mass has been appropriately arranged and articulated to limit impacts on the adjacent neighbors, including limiting the height to 22 feet and eight inches to protect adjacent properties from unreasonable obstruction of light and air. As discussed above, rooftop solar access would not be diminished.

5. Policy H-19–Regional Housing Needs: Encourage housing production adequate to meet the housing production goals established by ABAG's Regional Housing Needs Determination for Berkeley.

Staff Analysis: The proposed project would support the City's housing production goals by providing two additional dwellings.

**F. South Area Plan Consistency:** The South Berkeley Area Plan, adopted in 1990, also contains several policies applicable to the project, including the following:

1. Housing Element 3.2: Develop incentives and enforceable mechanisms for returning vacant and abandoned residential structures to the housing market.
2. Land Use Policy A. 1: Preserve the character and quality of life of residential areas.

Staff Analysis: The subject property is located in the R-2A Restricted Multiple-Family Residential Zoning District, generally characterized by a mix of single-family homes and small to medium sized multi-family structures. The zoning for this site also serves as a transition to the adjacent R-3 Zoning District immediately north of the site, which is located within the Southside Plan Area and encourages the development of relatively high density residential areas.

Although the number of units and bedrooms would increase, the residential use would be maintained on the site and would not adversely affect the quality of life in the neighborhood. The new construction is designed to be compatible in scale with the overall massing of the eclectic neighborhood setting. The two-story dwelling units are proposed to be similar in height to the adjacent buildings. The new construction would be compatible in use, scale, massing and design with a neighborhood characterized by one to two-story buildings reflecting a mix of architectural styles.

## VI. Recommendation

Because of the project's consistency with the Zoning Ordinance and General Plan, and minimal impact on surrounding properties, staff recommends that the Zoning Adjustments Board:

- A. APPROVE Use Permit #ZP2015-0087 pursuant to Section 23B.32.040 and subject to the attached Findings and Conditions (see Attachment 1).

### Attachments:

1. Findings and Conditions
2. Applicant Statement Project Plans, received January 20, 2016
3. Notice of Public Hearing, posted February 25, 2016
4. Letters and Correspondences received from the neighbors.
5. SEEDS Community Resolution Center report, dated February 17, 2016
6. Rent Board Memorandum, dated July 14, 2015
7. Correspondence Received

**Staff Planner:** Immanuel Bereket, [ibereket@ci.berkeley.ca.us](mailto:ibereket@ci.berkeley.ca.us), (510) 981-7425