



## PROCLAMATION CALLING A SPECIAL MEETING OF THE BERKELEY CITY COUNCIL

In accordance with the authority in me vested, I do hereby call the Berkeley City Council in special session as follows:

**Thursday, January 31, 2019**

**6:00 P.M.**

SCHOOL DISTRICT BOARD ROOM - 1231 ADDISON STREET, BERKELEY, CA 94702

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI  
DISTRICT 2 – CHERYL DAVILA  
DISTRICT 3 – BEN BARTLETT  
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN  
DISTRICT 6 – SUSAN WENGRAF  
DISTRICT 7 – RIGEL ROBINSON  
DISTRICT 8 – LORI DROSTE

### **Preliminary Matters**

**Roll Call:**

**Public Comment - Limited to items on this agenda only**

### **Action Calendar – Public Hearing**

*Staff shall introduce the public hearing item and present their comments. This is followed by five-minute presentations each by the appellant and applicant. The Presiding Officer will request that persons wishing to speak, line up at the podium to be recognized and to determine the number of persons interested in speaking at that time.*

*Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may with the consent of persons representing both sides of an issue allocate a block of time to each side to present their issue.*

*Each member of the City Council shall verbally disclose all ex parte contacts concerning the subject of the hearing. Councilmembers shall also submit a report of such contacts in writing prior to the commencement of the hearing. Written reports shall be available for public review in the office of the City Clerk.*

## Action Calendar – Public Hearing

### 1. ZAB Appeal: 2190 Shattuck Avenue

**From:** City Manager

**Recommendation:** Conduct a public hearing and upon conclusion, adopt a Resolution affirming the Zoning Adjustments Board decision to approve Use Permit #ZP2016-0117 to redevelop a 19,967 square-foot (0.46-acre) site at the northwest corner of Shattuck Avenue and Allston Way with a proposed 18-story building with 274 residential units above approximately 10,000 square feet of ground floor retail space; and dismissing the appeal.

**Financial Implications:** None

Contact: Timothy Burroughs, Planning and Development, 981-7400

## Adjournment

I hereby request that the City Clerk of the City of Berkeley cause personal notice to be given to each member of the Berkeley City Council on the time and place of said meeting, forthwith.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Berkeley to be affixed on this 24<sup>th</sup> day of January, 2019.



Jesse Arreguin, Mayor

Public Notice – this Proclamation serves as the official agenda for this meeting.

ATTEST:



Date: January 24, 2019  
Mark Numainville, City Clerk

**NOTICE CONCERNING YOUR LEGAL RIGHTS:** *If you object to a decision by the City Council to approve or deny an appeal, the following requirements and restrictions apply: 1) Pursuant to Code of Civil Procedure Section 1094.6 and Government Code Section 65009(c)(1)(E), no lawsuit challenging a City decision to deny or approve a Zoning Adjustments Board decision may be filed and served on the City more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a Zoning Adjustments Board decision, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.*

Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33), via Internet accessible video stream at <http://www.cityofberkeley.info/CalendarEventWebcastMain.aspx> and KPFB Radio 89.3.

Archived indexed video streams are available at <http://www.CityofBerkeley.info/CityCouncil>. Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

Communications to the Berkeley City Council are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the City Council, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the City Clerk. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the City Clerk at 981-6908 or [clerk@cityofberkeley.info](mailto:clerk@cityofberkeley.info) for further information.

Agendas and agenda reports may be accessed via the Internet at <http://www.CityofBerkeley.info/CityCouncil> and may be read at reference desks at the following locations:

City Clerk Department  
2180 Milvia Street  
Tel: 510-981-6900  
TDD: 510-981-6903  
Fax: 510-981-6901  
Email: [clerk@CityofBerkeley.info](mailto:clerk@CityofBerkeley.info)

Libraries:  
Main - 2090 Kittredge Street  
Claremont Branch – 2940 Benvenue  
West Branch – 1125 University  
North Branch – 1170 The Alameda  
South Branch – 1901 Russell

#### COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6346(V) or 981-7075 (TDD) at least three business days before the meeting date.

Please refrain from wearing scented products to this meeting.



Captioning services are provided at the meeting, on B-TV, and on the Internet. In addition, assisted listening devices for the hearing impaired are available from the City Clerk prior to the meeting, and are to be returned before the end of the meeting.

## Communications

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record. Copies of individual communications are available for viewing at the City Clerk Department and through Records Online.*

### Item #1: ZAB Appeal: 2190 Shattuck Avenue

1. Susan Ellenbogen
2. Pam Valois
3. Lisa Titus
4. Nancy Litton
5. Tamia Marg
6. Terry Kochi
7. Eric Kotila
8. Tom Wenrich
9. Valerie Herr
10. Summer Brenner
11. Harry Delmer
12. Marianne Calame-Berger
13. R. Johnson
14. Virginia Warheit (4)
15. Ann Maria Celona

16. Cynthia Hanson
17. Brenda Shank
18. Ann May and Rodney Freeland
19. Tobey Wiebe
20. Bronwyn Hall
21. Holly Smith
22. Maggie Crowley
23. Karen Cilman
24. Nhu Miller
25. Jane Larson
26. Goetz Frank
27. Ilene Philipson
28. Roger Pritchard
29. Kathy Kahn
30. Laura Fujii
31. Jack Phillips
32. Jenny Harrison
33. Elaine Seed
34. Wendy Weikel
35. Lisa Bruce
36. Michael Yovino-Young
37. Matt Ogburn
38. Paul Newacheck
39. Carole Cool
40. Dean Metzger, on behalf of the Berkeley Neighborhoods Council
41. Warren and Lorna Byrne
42. Suzy Thompson
43. Susan Chainey
44. David Snippen
45. Harvey Helfand
46. William Peppin
47. Ingrid Crickmore
48. Emilie Strauss
49. Jonathan Beck
50. Judy Schwartz
51. Laurie May Trippett
52. Susan Felter
53. Betsy Thagard
54. Twenty-four "Reconsider ZAB approval" form letters