



Office of the City Manager

PUBLIC HEARING

April 28, 2026

To: Honorable Mayor and Members of the City Council
 From: Paul Buddenhagen, City Manager
 Submitted by: Jordan Klein, Director, Planning and Development
 Subject: 1646 and 1650 Fifth Street Re-Zoning and Associated General Plan Amendments

RECOMMENDATION

Conduct a public hearing and upon conclusion:

1. Adopt a Resolution (**Attachment 1**) to:
 - a. Amend the General Plan Land Use Map to change the existing Manufacturing (M) and Mixed Use (MU) land use designation to solely Mixed Use; and
 - b. Amend the West Berkeley Plan to include conforming land use district map amendments; and
2. Adopt an Ordinance (**Attachment 2**) amending the Zoning Map to rezone portions of 1646 and 1650 Fifth Street from Mixed Use-Light Industrial (MU-LI) to Mixed Use-Residential (MU-R).

SUMMARY

BMC Section 23.412.020(A) permits a property owner to apply for an amendment to the Zoning Map. BMC Section 22.04.020 permits amendments to the General Plan Map. General Plan Map amendments that are not initiated by the City Council or Planning Commission must first be submitted to the Planning Commission for consideration, which then makes a recommendation to the City Council.

On October 20, 2025, the Planning and Development Department received General Plan and Zoning Map amendment applications from the property owner of 1650 Fifth Street to rezone the parcels to entirely MU-R and to change the General Plan land use designation of the two properties to solely Mixed Use. The proposed resolution and ordinance rezone the two parcels and make the concurrent General Plan amendments.

FISCAL IMPACTS OF RECOMMENDATION

The proposed rezoning and associated General Plan map amendments are expected to be cost-neutral, as preparation of materials for the Planning Commission and City Council meetings are covered by application fees. The rezoning may result in increased property tax revenue from future entitlements that propose to add new residential units to the subject properties.

CURRENT SITUATION AND ITS EFFECTS

1646 and 1650 Fifth Street, as shown in Figure 1, are two properties within West Berkeley that feature residential uses and are currently developed with single-family residences. On the City of Berkeley General Plan Land Use Map, the two parcels are split-designated as two separate General Plan land use designations: Manufacturing (M) and Mixed Use (MU). On the Zoning Map, the parcels are split-zoned with two separate zoning districts: Mixed Use-Light Industry (MU-LI) and Mixed Use-Residential (MU-R).

The property owner of 1650 Fifth Street has proposed a residential development project on both parcels. As residential uses are not permitted in the MU-LI zoning district, the owner is not able to utilize the entirety of both parcels for a residential development project, unless the map and plan amendments are adopted.

Figure 1: Project Site



Image not to scale

Zoning District Boundary

The City of Berkeley Zoning Map would be amended to re-designate 1646 and 1650 Fifth Street as solely MU-R. The extent of the zoning district changes is shown in Figures 2 and 3.

Figure 2: Existing Zoning Map

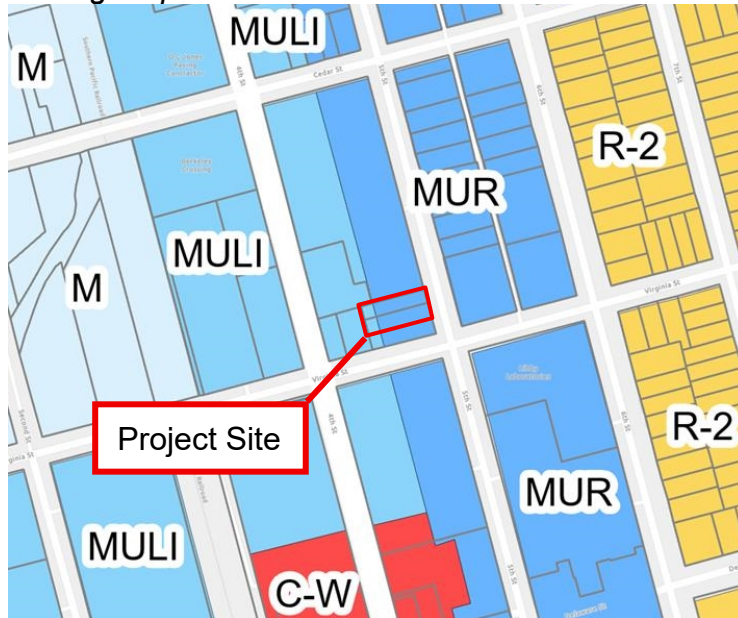
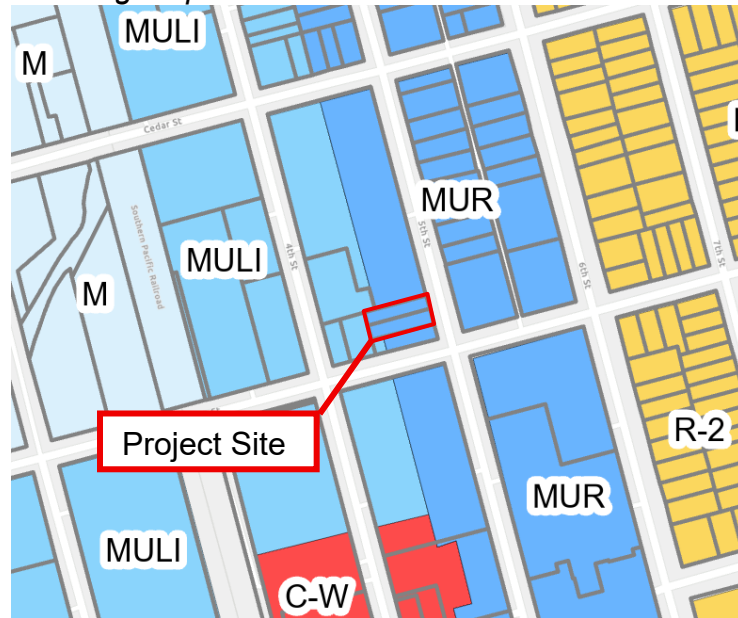


Figure 3: Proposed Zoning Map



Allowed Uses

The primary difference between the MU-LI and MU-R Districts is that residential uses are Not Permitted in the MU-LI District, while they are allowed in the MU-R District.

Development Standards

Since both districts are within the parent category of Manufacturing districts, the development standards of each district are similar, with the same standards for minimum lot area, rear and side setbacks and lot coverage. MU-R includes multiple residential-related standards such as Usable Open Space and Residential Density that MU-LI does not by virtue of disallowing residential uses.

General Plan and West Berkeley Plan Amendments

The proposed Zoning Map amendments require conforming amendments to the West Berkeley Plan and General Plan.¹ The proposed General Plan amendments would update the General Plan Land Use Map so the properties are solely designated as Mixed Use (MU). The proposed West Berkeley Plan amendments would update the Land Use Districts Map so the properties are solely designated as Mixed Use/ Residential. The extent of the General Plan and West Berkeley Plan amendments is shown in Attachment 1, Exhibit A of the Staff Report.

BACKGROUND

Planning Commission Recommendation

At its regular meeting on March 4, 2026, the Planning Commission unanimously approved a recommendation to the City Council to adopt an amendment to the Zoning Map to rezone portions of 1646 and 1650 Fifth Street from MU-LI to MU-R, and to make conforming amendments to the General Plan Land Use Map and the West Berkeley Land Use Map.

Tribal Consultation (SB 18)

Pursuant to the requirements of Senate Bill 18 (2004, Burton), City staff sent scoping consultation notices on January 8, 2026 to tribes identified as traditionally and culturally affiliated with the project area by the Native American Heritage Commission.

On March 12, 2026, staff conducted a consultation meeting with the Muwekma Ohlone tribe. The tribe did not have any objections to the proposed rezoning, and requested that the project sponsor host cultural sensitivity training for workers before construction and that the project include monitoring for tribal cultural resources.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The proposed amendments are covered by the common sense exemption pursuant to CEQA Guidelines Section 15061(b)(3). The application seeks to alter the boundaries

¹ The West Berkeley Plan is an amendment to Berkeley's General Plan, providing policies to guide development in West Berkeley.

between two existing zoning district and land use designations. Both existing districts and designations have been previously evaluated for potential environmental impacts, and the amendments would not introduce new uses or modify the already-allowed uses within each district and land use designation. Additionally, the change in zoning district and land use designation will not create any new adverse physical effects on the environment discordant from what is allowed in each zoning district or land use designation. The amendments therefore can be seen with certainty that there is no possibility of having a potentially significant effect on the environment and therefore no subject to CEQA.

The proposed amendments would also facilitate the development of a multi-unit residential project in a previously developed urbanized area. Such development is associated with lower average Vehicle Miles Travelled and more efficient utility use.

RATIONALE FOR RECOMMENDATION

The split-designation and split-zoning of these two parcels are remnants of land use decisions that precede the passage of the West Berkeley Plan in 1993. Current best practice is to avoid, and remedy, split zoning to provide more logical coherence to local land use regulations.

The proposed amendments would facilitate the development of a multi-unit residential project on parcels already occupied by residential uses, adding to the City's housing supply.

ALTERNATIVE ACTIONS CONSIDERED

The City could deny the application to amend the zoning map. This would allow a suboptimal zoning configuration to persist and would limit the ability of the project sponsor to redevelop the property with multi-unit residential uses.

CONTACT PERSON

Joshua Muller, Associate Planner, Planning and Development, 510-981-7488

Attachments:

1. Resolution
 Exhibit A: Proposed General Plan and West Berkeley Plan Amendments
2. Ordinance
3. Project Application, received October 20, 2025
4. Public Hearing Notice

RESOLUTION NO. ##,###-N.S.

ADOPT PROPOSED AMENDMENTS TO THE GENERAL PLAN LAND USE MAP FOR
1646 AND 1650 FIFTH STREET, TO BE CONSISTENT WITH ASSOCIATED ZONING
MAP AMENDMENTS

WHEREAS, the City of Berkeley (“City”), received an application from the owner of 1650 Fifth Street and on behalf of the owner of 1646 Fifth Street, to rezone the two parcels from Mixed Use-Light Industrial (MU-LI) and Mixed Use-Residential (MU-R) to solely Mixed Use-Residential, and to change the General Plan Land Use Designation from Manufacturing (M) and Mixed Use (MU) to solely Mixed Use; and

WHEREAS, on January 12, 2026, the City deemed the application complete; and

WHEREAS, on March 4, 2026, the Planning Commission held a duly noticed public hearing and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request and recommended the City Council make map amendments to rezone the two parcels; and

WHEREAS, on April 28, 2026, the City Council held a duly noticed public hearing and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request; and

WHEREAS, all documents constituting the record of this proceeding are and shall be retained by the City of Berkeley Planning and Development Department, Land Use Planning Division, at 1947 Center Street, Berkeley, California.

NOW, THEREFORE, IT BE RESOLVED that the City Council of the City of Berkeley: 1) Adopts amendments to the General Plan Land Use Map to change the existing Manufacturing (M) and Mixed Use (MU) land use designation to solely Mixed Use, for the properties at 1646 and 1650 Fifth Street; and 2) Amends the West Berkeley Plan to conform to the proposed amendments; and

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 65358, the City Council makes the following findings to support the General Plan and West Berkeley Plan amendments, included as Exhibit A:

1. The proposed amendments are in the public interest. The General Plan amendments serve the public interest by facilitating additional housing capacity and production to better meet housing demand.
2. The proposed amendments are consistent and compatible with the General Plan. The proposed General Plan amendments would ensure internal consistency among General Plan elements.

3. The potential effects of the proposed amendments have been evaluated and have been determined not to be detrimental to the public health, safety, or welfare. The potential effects of the proposed amendment are to encourage the development of additional housing units on parcels already occupied by residential uses. Residential uses are not detrimental to public health, safety, or welfare.

ORDINANCE NO. -N.S.

ADOPT PROPOSED AMENDMENTS TO THE ZONING MAP TO REZONE 1646 AND
1650 5th STREET TO MIXED USE-RESIDENTIAL (MU-R)

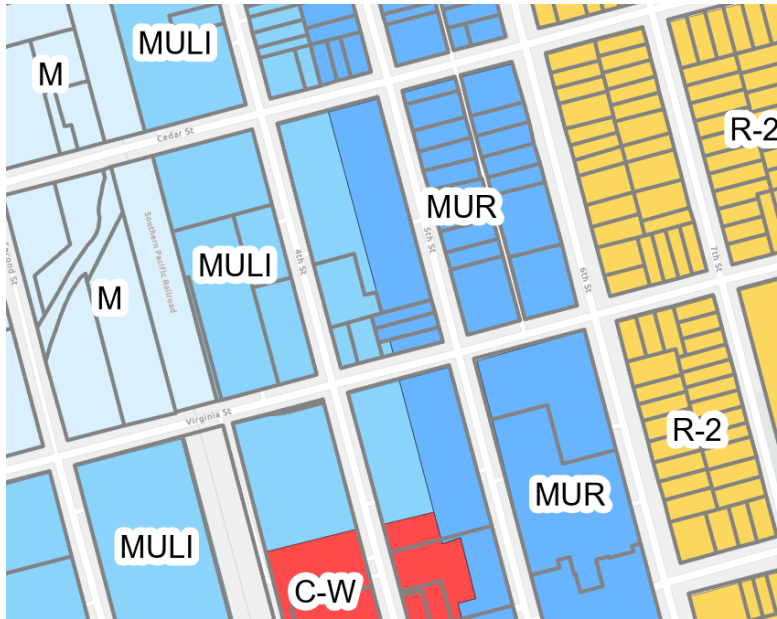
BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. Pursuant to Berkeley Municipal Code Section 23.412.060, the City Council makes the following findings to support the zoning map amendments:

1. The proposed amendments are consistent with the General Plan and any applicable specific plan or area plan. The zoning map amendments would be consistent and compatible with the General Plan, as the proposed rezoning involves two existing zoning districts and does not propose any modifications to the intents, allowed uses, or development standards of either district.
2. The proposed amendments are consistent with state law. The zoning map amendments are consistent with state law because they do not reduce the intensity of residential use allowed under the existing General Plan or zoning pursuant to Gov. Code section 66300(b)(1).
3. The proposed amendments will not be detrimental to the public interest, health, safety, convenience, or welfare. The zoning map amendments are to unify the zoning district designations for two properties and would not create any new uses that would have detrimental impacts to the public interest, health, safety, convenience, and welfare of the City or its inhabitants. Additionally, the amendments would not create or exacerbate any nonconforming uses or conditions through the modification of the zoning district designations.
4. The proposed amendments are internally consistent with other applicable provisions of the Zoning Ordinance. The proposed amendments would rectify two instances of split-zoning and would not include uses inconsistent with the intent of the MU-R zoning district.
5. The affected site is physically suitable in terms of design, location, shape, size, and other characteristics to ensure that the permitted land uses and development will comply with the Zoning Ordinance and General Plan and contribute to the health, safety, and welfare of the property, surrounding properties, and the community at large. The zoning map amendments do not change the physical or legal boundaries or characteristics of the two lots. The amendments will also align the zoning district designation with the existing land use of the properties and will ensure any future development on the lot will align with the purpose and intent of the MU-R zoning district.
6. The Mixed Use-Light Industrial (MU-LI) district's purpose is to "encourage the development of a mixed-use light industrial area" and "provide for the continued availability of manufacturing and industrial buildings for manufacturing uses." The proposed Zoning Map amendments would reduce the intensity of permitted

manufacturing uses on the subject parcels, and place the parcels under a single zoning designation for the anticipated development of residential uses. As a result, the proposed amendments are exempt from CEQA pursuant to CEQA Guidelines 14 Cal. Code. Regs Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the amendments may have a significant effect on the environment.

Section 2. The City of Berkeley Zoning Map is amended to read as follows:



Section 3. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.



ZONING PROJECT APPLICATION

planning@berkeleyca.gov • Phone (510) 981-7410, TDD (510) 981-7450

Planning and Development
1947 Center St, 2nd Floor
Berkeley, CA 94704

Zoning Project Application

APPLICATION TYPE? CHECK ALL THAT APPLY:

- Administrative Use Permit(s)
- Use Permit(s)
- Variance(s)
- Telecommunications Use Permit
- Modification to an Administrative Use Permit or Use Permit

PROJECT INFORMATION

Project Address(es):

1646, 1650, and 1654 Fifth Street

Unit(s)/Suite(s) #:

Assessor Parcel Number(s):

057-2116-021; 057-2116-22; 057-2116-03

Project Description:

(include applicable demolition/removal, proposed use(s) total square feet of new/addition, height, number of units and very-low income units, and parking)

Amend Zoning / General Plan designation of three adjacent properties to coincide with property line and existing Residential Use.

DEDICATED CONSULTANT REVIEW REQUESTED FOR USE PERMIT? (Check box if requested)

Dedicated Consultant Review involves a competitive bid process to select an outside consultant, and is only available for Use Permits, substantial modifications to a Use Permit, Variances. Consultant costs are in addition to Use Permit fees already paid.

PROPERTY OWNER'S NAME:

Justin Talbott; 1650 Fifth Street, LLC; City of Berkeley

Owner's Property Address:

Same as Project addresses

Phone Number::

Email:

APPLICANT'S NAME:

Matthew Wadlund

Owner's Property Address:

Phone Number::

510-332-6468

Email:

MWADLUND@WDSPLUS.COM

GENERAL INFORMATION

All new uses, structures, and modifications to structures in the City of Berkeley are required to be in conformance with the Zoning Ordinance, Title 23 of the Berkeley Municipal Code.

Additional information about zoning permits:

[Types of Zoning Permits](#)

[How to Submit a Zoning Project Application](#)

[Supplemental Land Use applications, forms, and instructions](#)

[Zoning Project Submittal Requirements](#)
(must accompany this application)



ZONING PROJECT APPLICATION

PROJECT INFORMATION:

Does your project require staff-level or committee-level design review?

YES NO

Does your project include demolition of a nonresidential building, or demolition or substantial changes to any building that is 40 or more years old?

YES NO

Is your project vested by a preliminary housing development pre-application under SB 330?

YES, Pre-Application #PLN20 _____ - _____
 NO

Does your project utilize State Density Bonus?

YES NO

Does your project include on-site below market rate units (affordable housing)?

YES NO

DRAWINGS PROTECTED BY COPYRIGHT STATEMENT

Effective January 1, 2023, (State Government Code, Section 65103.5 (e), SB 1214), if an official copy of architectural drawings are submitted to the Land Use Division of the Planning and Development Department as part of a zoning permit application, the design professional (or the owner of the copyright if different from the design professional) may submit a separate "site plan" or "massing diagram" for posting online or for distribution to the public.

If a separate "site plan" or "massing diagram" is not submitted in addition to the official architectural plans, permission is deemed granted to the Land Use Division to post online or to provide to the public copies of the architectural drawings without the restrictions that would otherwise apply.

A massing diagram and a site plan are defined as follows per Government Code Section 65103.5 (f): "Massing diagram" means a document that displays the three-dimensional form of a building and describes the general profile, bulk, setbacks, and size of the building, but does not contain specific architectural detail.

"Site plan" means a document for a project that is drawn to scale and displays all of the following: property lines, setback lines, topographic lines, easements, drainage, utilities, lighting, driveways, surrounding streets and traffic flow, parking lots and parking spaces, landscaped areas, setback distance between buildings and property lines, outline of existing and proposed buildings and structures, distance between buildings, and ground sign location.

PLEASE CHECK ONE OF THE FOLLOWING (required):

- My application includes a separate "site plan" or "massing diagram," defined in Government Code Section 65103.5(f), for posting online or for distribution to the public.
- Permission is granted to make publicly available the submitted architectural drawings without restriction to posting online or distribution to the public.

Under penalty of perjury, I certify that:

- (1) the application materials are true and complete to the best of my knowledge; and
- (2) if provided, the attached paper and electronic copies of this application are the same; and
- (3) I agree to pay all expenses associated with this application

(*Owner's signature, or signed letter authorizing applicant to apply on owner's behalf, is required for all applications)

APPLICANT'S SIGNATURE:

Printed Name:

Matthew Wadlund

Date:

10.20.2025

OWNER'S SIGNATURE:

Signature from City Official Pending

Printed Name:

Date:

NOTICE OF PUBLIC HEARING BERKELEY CITY COUNCIL

Adoption of Zoning Map Amendments to Title 23 of the Berkeley Municipal Code, and General Plan Amendments to change the zoning designation of 1646 and 1650 Fifth Street.

The public may participate in this hearing by remote video or in-person.

The Department of Planning and Development is proposing amendments to the City's Zoning Ordinance and General Plan to update the General Plan Land Use designation of 1646 and 1650 Fifth Street from both Manufacturing (M) and Mixed Use (MU) to solely Mixed Use, and to change the Zoning designation of both parcels from both Mixed Use-Light Industrial (MU-LI) and Mixed Use-Residential (MU-R) to solely Mixed Use-Residential (MU-R).

Proposed zoning amendments affect the following Sections of Title 23: 23.108.030 (Zoning Map).

Proposed General Plan map amendments include making concurrent modifications to the General Plan Land Use Map and the West Berkeley Plan Land Use Map.

The proposed amendments are covered by the common sense exemption pursuant to CEQA Guidelines Section 15061(b)(3).

The hearing will be held on Tuesday, April 28, 2026 at 6:00 pm in the School District Board Room, located at 1231 Addison Street, Berkeley CA 94702.

A copy of the agenda material for this hearing will be available on the City's website at <https://berkeleyca.gov/> as of April 16, 2026. **Once posted, the agenda for this meeting will include a link for public participation using Zoom video technology, as well as any health and safety requirements for in-person attendance.**

For further information, please contact Joshua Muller, Associate Planner at 510-981-7488. Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, or e-mailed to council@berkeleyca.gov in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

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 (510) 981-6900 or clerk@berkeleyca.gov for further information.

Published: April 17, 2026 – The Berkeley Voice

Public Hearing required by BMC 23.404.040, BMC 23.412.050 and Govt Code 65853; notice provided according to Govt Code 65090 and BMC 23.404.040.

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I hereby certify that the Notice for this Public Hearing of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City’s website, on April 16, 2026.

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Mark Numainville, City Clerk

