



Planning &  
Development Department  
Land Use Planning Division

# Action Minutes

## Zoning Adjustments Board Thursday, October 26, 2023 - 7:00 PM

### Preliminary Matters:

#### Roll Call:

**Commissioners Present:** Igor Tregub (Mayor Appointee), Yes Duffy (Chairperson, District 1), Kimberly Gaffney (Vice Chairperson, District 2), Michael Thompson (District 3), Cecilia Lunaparra (District 4) Shoshana O'Keefe (District 5), Deborah Matthews (District 6), Brandon Yung (District 7), Deborah Sanderson (District 8)

**Leave of Absence:** Charles Kahn

**Replacement:** Deborah Matthews

**Staff Present:** 6

**Ex Parte Communication Disclosures:**

#### Land Acknowledgement

#### Public Comment on Non-Agenda Items:

Speakers – 0

#### Agenda Changes:

The Board Chairperson may reorder the agenda at the beginning of the meeting. Staff recommended that ZAB continue consent calendar item #4 1287 Gilman Street project (**Use Permit #** ZP2023-0122) to December 14, 2023.

### Consent Calendar

#### 1. Approval of Action Minutes from October 12, 2023

**Recommendation:** APPROVE

**Motion / Second:** I. Tregub/D. Matthews

**Vote:** 8-0-1-0-0

**Action:** Approved

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### 2. Approval of Consent Calendar

**Motion / Second: I. Tregub/D. Matthews**

**Vote: 9-0-0-0-0**

**Action: Approved**

### 3. 805 Jones Street– New Public Hearing

<b>Application:</b>	Use Permit #ZP2022-0162 to construct three, two-story duplexes for a total of six units (5,510 square feet) with a height of 26 feet and a 455 square foot second-story (22 feet) addition to the existing 1,750 square foot commercial building.
<b>Zoning:</b>	C-C Avenue Commercial (A-C)
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to Section 15332 of the CEQA Guidelines (“Infill Development Project”).
<b>Applicant/Owner</b>	Matthew Wadlund, Berkeley, CA, 805 Jones Street, LLC, Berkeley, CA
<b>Staff Planner:</b>	Katrina Lapira, <a href="mailto:KLapira@berkeleyca.gov">KLapira@berkeleyca.gov</a> , (510) 981-7488
<b>Recommendation:</b>	<b>APPROVE</b> Use Permit ZP2022-0162 Section 23.406.040.D
<b>Motion / Second:</b>	<b>I. Tregub/D. Matthews</b>
<b>Vote:</b>	<b>9-0-0-0-0</b>
<b>Action:</b>	<b>Approved</b>

### 4. 1287 Gilman Street– New Public Hearing

<b>Application:</b>	<b>Use Permit # ZP2023-0122</b> to add the retail sale of wine under a Type 20 Alcoholic Beverage Control (ABC) license, and on-site wine service under a Type 42 ABC license to a commercially zoned property
<b>Zoning:</b>	Neighborhood Commercial (C-N)
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”)
<b>Applicant/Owner:</b>	Diva Robin Vallejo, CA/ Robert Kelso, Walnut Creek, CA
<b>Staff Planner:</b>	Russell Roe, <a href="mailto:RRoe@berkeleyca.gov">RRoe@berkeleyca.gov</a> , (510) 981-7548
<b>Recommendation:</b>	<b>APPROVE</b> Use Permit #2023-0122 pursuant to Section 23.406.040.D
<b>Motion / Second:</b>	<b>I. Tregub/D. Matthews</b>
<b>Vote:</b>	<b>9-0-0-0-0</b>
<b>Action:</b>	<b>Continued to December 14, 2023.</b>

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### Action Calendar

#### 5. 1515 Derby Street – New Public Hearing

<b>Application:</b>	Use Permit #ZP2023-0045 to demolish a two-car garage and construct a three-story (30 feet 6 inches), 1,745 square foot single-family dwelling unit behind the existing single-family dwelling unit on the project site. The project also includes the construction of an Accessory Dwelling Unit (ADU) on-site subject to ministerial review, and not included in this discretionary action.
<b>Zoning:</b>	Restricted Two-Family Residential District (R-2)
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to pursuant to Section 15303 (“New Construction or Conversion of Small Structures”)
<b>Applicant/Owner:</b>	Ashley Hsu, Berkeley CA/ Kevin Casey, Berkeley CA
<b>Staff Planner:</b>	Brian Garvey, <a href="mailto:BGarvey@berkeleyca.gov">BGarvey@berkeleyca.gov</a> , (510) 981-7424
<b>Recommendation:</b>	<b>APPROVE</b> Use Permit #2023-00045 pursuant to Section 23.406.040.D
<b>Motion / Second:</b>	<b>K. Gaffney/Y. Duffy</b>
<b>Vote:</b>	<b>9-0-0-0-0</b>
<b>Action:</b>	<b>Approved</b>

#### 6. 600 Addison Street – New Public Hearing

<b>Application:</b>	Appeal of Design Review Committee Decision to approve the Coordinated Sign Program #DRCP2023-0002 for exterior building signage of an approved research and development (R&D) campus containing two buildings totaling 470,573 square feet of gross floor area and 943 parking spaces.
<b>Zoning:</b>	Mixed Use-Light Industrial (MULI)
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to pursuant to Section 15301 (“Existing Facilities) of the CEQA Guidelines.
<b>Applicant/Owner:</b>	Berkeley Commons, LLC, 644 Menlo Avenue, Menlo Park, CA 94025
<b>Appellant:</b>	Steven Finacom
<b>Staff Planner:</b>	Anne Burns <a href="mailto:ABurns@berkeleyca.gov">ABurns@berkeleyca.gov</a> 510-981-7415
<b>Recommendation:</b>	UPHOLD the Design Review Committee’s decision to approve the Coordinated Sign Program DRCP2023-0002 and DISMISS the Appeal.
<b>Motion / Second:</b>	<b>D. Sanderson/D. Matthews</b>
<b>Vote:</b>	<b>7-0-2-0-0</b>
<b>Action:</b>	Design Review Committee’s decision <b>Upheld and Appeal Dismissed</b>

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### 7. 2403-2407 San Pablo Avenue– New Public Hearing

<b>Application:</b>	Use Permit Modification # ZP2023-0103 to modify the project originally approved under # ZP2021-0220 to add five additional off-street parking spaces where the parking maximum is 19 automobile parking spaces. This project will comply with all conditions of approval applicable to #ZP2021-0220.
<b>Zoning:</b>	C-W (West Berkeley Commercial District)
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to pursuant to Section 15303 (“New Construction or Conversion of Small Structures”).
<b>Applicant/Owner:</b>	Buddy Williams, Studio KDA, Berkeley, CA/ Robert Studley, Albany, CA
<b>Staff Planner:</b>	Katrina Lapira, <a href="mailto:klapira@cberkeleyca.gov">klapira@cberkeleyca.gov</a> , (510) 981-7488
<b>Recommendation:</b>	<b>APPROVE</b> Use Permit ZP2023-0103 pursuant to Section 23.406.040.D
<b>Motion / Second:</b>	<b>S. O’Keefe/I. Tregub</b>
<b>Vote:</b>	<b>7-0-2-0-0</b>
<b>Action:</b>	<b>Approved</b>

#### Subcommittee Reports:

#### DRC:

A proposed 16-story building at 2420 Shattuck Avenue and a 6-story building at 2127 Dwight Way were brought before the Design Review Committee on October 16, 2023 for preliminary design review and received favorable comments.

#### Staff Communications:

The Environmental Impact Report (EIR) evaluating a mixed-use project at 2136-2154 San Pablo Avenue is available for a 45-day public review period beginning October 20, 2023 to December 4, 2023. The document is available on the State Clearinghouse website here: <https://ceqanet.opr.ca.gov/2022080445/2>

**Adjourn: 9:36 PM; Motion / Second: I. Tregub /Y. Duffy; Vote: 9-0-0-0-0**

#### Members of the Public:

**Present: 20**

**Speakers: 4**

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