



PLANNING AND DEVELOPMENT DEPARTMENT
LAND USE PLANNING DIVISION

ZONING ADJUSTMENTS BOARD

MEETING AGENDA

Date: Thursday, August 13, 2026

Time: 7 pm

Location: 1231 Addison St., Berkeley, CA
Berkeley Unified School District Board Room

The Zoning Adjustments Board meeting packet is available for review on the City's website, and linked here:

<https://berkeleyca.gov/your-government/boards-commissions/zoning-adjustments-board>

Live captioned broadcasts of ZAB meetings are available on Cable B-TV (Channel 33) and via internet accessible video live stream at:

https://berkeley.granicus.com/player/camera/5?publish_id=2537&redirect=true

The Board currently consists of eight members appointed by City Council:

Yes Duffy, District 1

Kimberly Gaffney (Chairperson), District 2

Michael Thompson, District 3

Steven Cramer, District 4

Shannon Allen, District 5

Peter Choi, District 6

Brandon Yung (Vice Chairperson), District 7

Debra Sanderson, District 8

Vacant, Mayor Appointee



ACCESSIBILITY INFORMATION / ADA DISCLAIMER

This material is available in alternative formats upon request. Alternative formats include audio- format, braille, large print, electronic text, etc. To request alternative formats, please contact the Disability Services Specialist at: Email: ADA@berkeleyca.gov; Phone: 1-510-981-6418; TTY: 1- 510-981-6347, and allow 7-10 days for production of the material in an alternative format.

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: Email: ADA@berkeleyca.gov; Phone: 1-510-981- 6418; TTY: 1- 510-981-6347, at least three business days before the meeting date.

PUBLIC ADVISORY: This meeting will be conducted in a hybrid model with both in-person and virtual participation.

The teleconference will be recorded as any ZAB meeting is recorded, and all other rules of procedure and decorum will apply for ZAB meetings conducted by teleconference or videoconference.

VIRTUAL PARTICIPATION

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://cityofberkeley-info.zoomgov.com/j/1658381012>. If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen

To join by phone: Dial +1 669 254 5252 or +1 669 216 1590 and enter Webinar ID 165 838 1012. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.

Written Comments, Supplemental Communications, and Reports

Written comments must be directed to the ZAB Secretary at the Land Use Planning Division (Attn: ZAB Secretary), 1947 Center Street, Second Floor, Berkeley CA 94704, or via e-mail to: zab@berkeleyca.gov

All materials will be made available via the Zoning Adjustments Board agenda page online at this address: <https://berkeleyca.gov/your-government/boards-commissions/zoning-adjustments-board>

Correspondence received by 5:00 PM eight days before this public hearing will be provided with the agenda materials provided to the Board. Note that if you submit a hard copy document of more than 10 pages, in color, or with photos, you must provide 15 copies. Correspondence received after this deadline will be conveyed to the Board in the following manner:

- **Correspondence received by 5:00 PM two days before** this public hearing will be conveyed to the Board in a Supplemental Communications and Reports #1, which is released around noon one day before the public hearing.
- **Correspondence received by 12:00 PM the day of** this public hearing, will be conveyed to the Board in a Supplemental Communications and Reports #2, which is released around noon the day of the public hearing.
- **Correspondence received after 12:00 PM the day of** this public hearing will be saved in the project administrative record.

Notice of Decision Requests

A request for a Notice of Decision should be directed to the Zoning Adjustments Board Secretary at zab@berkeleyca.gov.

Contact:

Sharon Gong, Zoning Adjustments Board Secretary
(510) 981-7410 | 1947 Center Street, Berkeley CA 94704

PUBLIC TESTIMONY GUIDELINES: To speak at a public hearing, **please submit a speaker card to Planning Staff prior to the start of the meeting.** This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. The Chair may limit the number of speakers and the length of time allowed to each speaker.

1. ROLL CALL

- 2. EX-PARTE COMMUNICATIONS:** In the context of adjudicative matters that come before the ZAB, ex-parte communications are those which occur outside of the formal hearing process. ZAB members should avoid ex-parte contacts on matters pending before the ZAB as much as possible, as they may represent, or be perceived to represent, the receipt of evidence that can unfairly influence a decision on a matter before the Commission. If such contacts do occur, they must be placed in the record and disclosed to all interested parties sufficiently in advance of the decision to allow rebuttal.

- 3. LAND ACKNOWLEDGEMENT STATEMENT:** The Commission recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this uncanceled stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.

- 4. PUBLIC COMMENT on Non-Agenda and Information Items** (Three minutes per person; five minutes per organization, or at the discretion of the Chairperson)

5. ORDER OF AGENDA

The Zoning Adjustments Board has the right to rearrange the order of the agenda in order to accommodate projects that will not require significant time.

6. CONSENT CALENDAR

Consent Calendar items are considered routine and non-controversial. Prior to public comment, the Board may move items on the agenda from the Action to the Consent Calendar. Any member of the public may request that the Board consider moving an item from the Consent Calendar to the Action Calendar. Any member of the Board may move an item from the Consent Calendar to the Action Calendar. At any time during or immediately after public comment on Consent items, the Board may move any Consent item to the Action Calendar. Following public comment, the Board will vote on the items remaining in the Consent Calendar in one motion. By approval of the Consent Calendar, the staff recommendations will be adopted unless otherwise modified by the Board.

A. Approval of Meeting Minutes: July 9, 2026

Recommendation: APPROVE

B. Use Permit #ZP2025-0069 – 3101 Sacramento Street: To convert an existing 6,300 square foot, 2-story commercial building into a mixed-use building with ground floor commercial and three residential units at the second floor.

Zoning:	South Area Commercial (C-SA) District
CEQA Recommendation:	Categorically exempt pursuant to Section 15332 ("In-Fill Development Projects") of the CEQA Guidelines.
Applicant:	Mike Tran, Richmond, CA
Owner:	Suheil Khoury Inc., Belmont, CA
Staff Planner:	Vicky Schlepp, VSchlepp@berkeleyca.gov , 510-981-7422
Recommendation:	APPROVE Use Permit #ZP2025-0069 pursuant to Section 23.406.040(E) "Findings for Approval"

C. Use Permit #ZP2026-0039 – 2298 Durant Avenue: To demolish a commercial building and construct a seven-story, 85-foot, 49,970-square-foot, multifamily building containing 45 dwelling units, including 2 Very-Low Income units, utilizing a State Density Bonus.

Zoning:	Residential Southside Mixed Use (R-SMU) District
CEQA Determination:	Statutorily exempt pursuant to Public Resources Code Section 21080.66 (AB 130)
Applicant:	Austin Springer, Studio KDA, Berkeley, CA
Owner:	2298 Durant LP, Berkeley, CA
Staff Planner:	Allison Riemer, ARiemer@berkeleyca.gov , 510-981-7433
Recommendation:	APPROVE Use Permit #ZP2026-0039 pursuant to Section 23.406.040(E) "Findings for Approval"

D. Leave of Absence for Design Review Committee

Grant DRC Committee Member Muszynski a Leave of Absence from August 20, 2026 Design Review Committee Meeting, in accordance with the Commissioners' Manual (2025)

7. PUBLIC HEARING AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:

A. Use Permit #ZP2026-0025 – 2974 Sacramento Street: To allow the processing of live poultry within an existing warehouse located in the Multiple-Family Residential (R-3) District. The proposal would intensify an existing lawful nonconforming commercial use associated with Sacramento Market.

Zoning:	South Area Commercial (C-SA) District and Multiple-Family Residential (R-3) District
CEQA Recommendation:	Categorically exempt pursuant to Section 15301 ("Existing Facilities") of the CEQA Guidelines.
Applicant:	Galal Alhadhrami, Berkeley, CA
Owner:	Jimmy Lei, Berkeley, CA
Staff Planner:	Samella Stover, SStover@berkeleyca.gov , 510-981-7425
Recommendation:	APPROVE Use Permit #ZP2026-0025 pursuant to Section 23.406.040(E) "Findings for Approval"

8. SUBCOMMITTEE REPORTS**A. Design Review Committee (DRC)**

<https://berkeleyca.gov/your-government/boards-commissions/design-review-committee>

9. CORRESPONDENCE

- [Email from Steven Schuyler regarding 2128 Oxford Street \(Formal Objection and ADA Grievance for the Record\), received on July 23, 2026.](#)

10. ZAB ANNOUNCEMENTS

- 11. STAFF ANNOUNCEMENTS** – City Council is considering scheduling a special meeting on November 12, 2026 (same day as ZAB scheduled meeting). Poll ZAB member attendance for a November 5 meeting (reschedule from November 12) to accommodate possible City Council special meeting.

12. NEXT MEETING: September 10, 2026**13. ADJOURN**

NOTICE CONCERNING LEGAL RIGHTS

If you object to a decision by the Zoning Adjustments Board regarding a land use permit project, the following requirements and restrictions apply:

1. If you challenge the decision of the City in the court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice.
2. You must appeal to the City Council within fourteen (14) days after the Notice of Decision of the action of the Zoning Adjustments Board is mailed. It is your obligation to notify the Land Use Planning Division in writing of your desire to receive a Notice of Decision when it is completed.
3. Pursuant to Code of Civil Procedure Section 1094.6(b) and Government Code Section 65009(c)(1), no lawsuit challenging a City Council decision, as defined by Code of Civil Procedure Section 1094.6(e), regarding a use permit, variance or other permit may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure Section 1094.6(b). Any lawsuit not filed within that ninety (90) day period will be barred.
4. Pursuant to Government Code Section 66020(d)(1), notice is hereby given to the applicant that the 90-day protest period for any fees, dedications, reservations, or other exactions included in any permit approval begins upon final action by the City, and that any challenge must be filed within this 90-day period.
5. If you believe that this decision or any condition attached to it denies you any reasonable economic use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a "taking" of property for public use without just compensation under the California or United States Constitutions, the following requirements apply:
 - A. That this belief is a basis of your appeal.
 - B. Why you believe that the decision or condition constitutes a "taking" of property as set forth above.
 - C. All evidence and argument in support of your belief that the decision or condition constitutes a "taking" as set forth above.

If you do not do so, you will waive any legal right to claim that your property has been taken, both before the City Council and in court.