



PLANNING AND DEVELOPMENT DEPARTMENT
LAND USE PLANNING DIVISION

ZONING ADJUSTMENTS BOARD

MEETING AGENDA

Date: September 10, 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 nine 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/1659426794>. 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](tel:+16692545252) or [+1 669 216 1590](tel:+16692161590) and enter Webinar ID 165 942 6794. 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:

Sarah Price, 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: August 13, 2026

Recommendation: APPROVE

B. Use Permit #ZP2026-0015 2455 Telegraph Avenue: to renovate the non-residential building at 2455 Telegraph Avenue and demolish the non-residential building at 2506 Haste Street and construct an 85,000 square-foot, 8-story mixed-use building, including ground-floor record store and 68 units (7 VLI units), while maintaining the historic mural and public-facing façades of 2455 Telegraph.

Zoning:	Telegraph Avenue Commercial District (C-T)
CEQA Determination:	Categorically exempt pursuant to pursuant to Section 15331 ("Historical Resources and Restoration") of the CEQA Guidelines.
Applicant/Owner :	David Prinz, Point Reyes Station, CA
Staff Planner:	Joshua Muller, JMuller@berkeleyca.gov , 510-981-7488
Recommendation:	APPROVE Use Permit #ZP2026-0015 pursuant to Section 23.406.040(E) "Findings for Approval"

C. Use Permit #ZP2024-0071 2955 Shattuck Avenue: To demolish three commercial buildings, merge two parcels and construct an approximately 78,000 square- foot, 8-story (84 feet, 9 inches), mixed-use building, with 74 units (4 Very-Low Income), a 1,465 square-foot ground floor commercial space, and 24 parking spaces, utilizing a State Density Bonus.

Zoning:	South Area Commercial District (C-SA)
CEQA Determination:	Categorically exempt pursuant to pursuant to government code ("AB 130").
Applicant:	Erik Waterman, Studio KDA, 1810 Sixth Street, Berkeley, CA
Owner:	Greg Hoff, Evans Property Company, 6266 La Salle Avenue, Oakland, CA
Staff Planner:	Nilu Karimzadegan, NKarimzadegan@berkeleyca.gov , 510-981-7430
Recommendation:	APPROVE Use Permit #ZP2024-0071 pursuant to Section 23.406.040(E) "Findings for Approval"

D. Use Permit #ZP2026-0016 1500 University Avenue: To add retail sales of beer, wine and distilled spirits to existing gas station market and permit a food truck to operate on private property

Zoning:	University Commercial District (C-U)
CEQA Determination:	Categorically exempt pursuant to pursuant to Section 15301 ("Existing Facilities") of the CEQA Guidelines.
Applicant/Owner:	Minesh Mehta, 1500 University Avenue, Berkeley, CA
Staff Planner:	Russell Roe, RRoe@berkeleyca.gov , 510-981-7548
Recommendation:	APPROVE Use Permit #ZP2026-0016 pursuant to Section 23.406.040(E) "Findings for Approval"

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

- A. Use Permit #ZP2021-0215 1201 Second Street:** Public comment period for the Draft Environmental Impact Report (EIR) and Project Preview for Use Permit #ZP2021-0215 to demolish the existing City of Berkeley Solid Waste Transfer Station and Materials Recovery Facility (MRF), including 15 non-residential main buildings/structures, accessory structures, and equipment; and construct and install buildings, structures, and equipment for a new solid waste transfer station and MRF. The project consists of two main building clusters with accessory structures, totaling approximately 114,380 square feet of gross floor area, approximately 195,500 square feet of unenclosed and paved area, and approximately 31,900 square feet of landscaped area.

Zoning:	Manufacturing District (M)
CEQA Determination:	Draft Environmental Impact Report Comment Period August 3, 2026 to September 17, 2026.
Applicant/Owner:	City of Berkeley Public Works Department, Zero Waste Division, 1201 Second Street, Berkeley, CA
Staff Planner:	Victoria Schlepp, VSchlepp@berkeleyca.gov , 510-981-7422
Recommendation:	1) Provide interested parties, public agencies, and members of the public with an opportunity to comment on the scope and content of the Draft EIR (comments should focus on the scope and content of the environmental information of the Draft EIR for the project; all comments on environmental issues received during the public comment period will be considered when preparing the Final EIR); 2) Provide advisory comments and direction regarding project design and compatibility with the neighborhood; 3) Provide advisory comments regarding additional issues and analysis the next staff report should address.

8. SUBCOMMITTEE REPORTS

- A. Design Review Committee (DRC)

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

9. CORRESPONDENCE

10. ZAB ANNOUNCEMENTS

11. STAFF ANNOUNCEMENTS

12. NEXT MEETING: October 8, 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.