



Planning & Development Department
Land Use Planning Division

Action Minutes

Zoning Adjustments Board Thursday, September 25, 2025 - 7:00 PM

Preliminary Matters:

1. Roll Call:

Commissioners Present: Yes Duffy (District 1), Michael Thompson (District 3), Sadie Mae Palmatier (District 4), Peter Choi (District 6), Debra Sanderson (District 8)

Vacant: (Mayor Appointee)

Leave of Absence: Kimberly Gaffney (Chairperson, District 2), Shannon Allen (District 5), Brandon Yung (Vice Chairperson District 7)

Unexcused Absence: N/A

Staff Present: Sarah Price (Secretary), Samella Stover (Clerk), Marytonae Sanchez, Vicky Schlepp, Joshua Muller, Singeh Saliki, Lisa Gordon (Consultant for the City)

2. Ex Parte Communications: None

3. Election of Temporary Chair:

The commission secretary may call the meeting to order and then state that the first agenda item is the election of a temporary chair. This election is typically conducted through a motion, second, and vote, with the result recorded in the meeting minutes. Once a temporary chair is elected, they assume the responsibilities of the chair for the duration of the meeting.

Recommendation: To appoint Commissioner Duffy as the temporary chairperson.

Motion / Second: D. Sanderson / S. Palmatier

Vote: 5-0-0-3-0 (Absent: K. Gaffney, S. Allen, B. Yung)

Action: APPROVED

4. Land Acknowledgement

5. Public Comment on Non-Agenda Items:

Speakers – 1

6. Order of Agenda:

The Board Chairperson may reorder the agenda at the beginning of the meeting.

No changes made.

7. Consent Calendar

A. Approval of Action Minutes from September 11, 2025

Recommendation: APPROVE

Motion / Second: Y. Duffy / D. Sanderson

Vote: 4-0-1-3-0 (Abstain: M. Thompson) (Absent: K. Gaffney, S. Allen, B. Yung)

Action: APPROVED

B. 2952 Sacramento Street: Use Permit #ZP2024-0115 to establish a child care center for 45 children, ages two and a half to five years old. The hours of operation will be from 7:45am to 5:30 pm, Monday through Friday.

Zoning:	South Area Commercial (C-SA)
CEQA Determination:	Categorically exempt pursuant to Section 15303 (“New Construction or Conversion of Small Structures”) of the CEQA Guidelines.
Applicant:	Lina Lopez, 2948 Sacramento Street, Berkeley, CA
Owner:	Lina Lopez LLC, 1304 Estudillo Avenue, San Leandro, CA
Staff Planner:	Vicky Schlepp, VSchlepp@berkeleyca.gov , 510-981-7422
Recommendation:	APPROVE Use Permit #ZP2024-0115 pursuant to Section 23.406.040(E) “Findings for Approval
Motion / Second:	Y. Duffy / D. Sanderson
Vote:	4-0-1-3-0 (Abstain: M. Thompson) (Absent: K. Gaffney, S. Allen, B. Yung)
Action:	Approved

C. 2538 Durant Avenue: Use Permit #ZP2025-0048 to modify a State Density Bonus project originally approved under Use Permit #ZP2022-0097, to increase the number of bedrooms from 200 to 216, to request a waiver to reduce the bicycle parking requirement, instead of a concession, and to request a concession to allow an exemption from the Percentage for Public Art in-lieu fee.

Zoning:	Telegraph Avenue Commercial (C-T) District
CEQA Determination:	Categorically exempt pursuant to Section 15332 (“In-fill Development Projects”) of the CEQA Guidelines.
Applicant:	Rhoades Planning Group, 2140 Shattuck Avenue, Ste 705, Berkeley, CA
Owner:	2538 Durant PropCo, LLC, 1970 Broadway, Ste. 745, Oakland, CA
Staff Planner:	Singeh Saliki, SSaliki@berkeleyca.gov , 510-981-7412
Recommendation:	APPROVE Use Permit #ZP2025-0048 pursuant to Section 23.406.040(E) “Findings for Approval”
Motion / Second:	Y. Duffy / D. Sanderson
Vote:	4-0-1-3-0 (Abstain: M. Thompson) (Absent: K. Gaffney, S. Allen, B. Yung)
Action:	Approved

D. 1917 Tenth Street: Use Permit #ZP2025-0020 to construct three 3-story detached single-family homes on an existing parking lot with 2-car garages for each residence.

Zoning:	Multiple-Family Residential (R-3) District
CEQA Determination:	Categorically exempt pursuant to Section 15303 (“New Construction or Conversion of Small Structures”) of the CEQA Guidelines.
Applicant:	Robert Nebolon, AIA, 801 Camelia Street, Ste E, Berkeley, CA
Owner:	Wang Brother Investments, 1117 Virginia Street, Ste D, Berkeley, CA
Staff Planner:	Joshua Muller, JMuller@berkeleyca.gov , 510-981-7488
Recommendation:	APPROVE Use Permit #ZP2025-0020 pursuant to Section 23.406.040(E) “Findings for Approval”
Motion / Second:	Y. Duffy / D. Sanderson
Vote:	4-0-1-3-0 (Abstain: M. Thompson) (Absent: K. Gaffney, S. Allen, B. Yung)
Action:	Approved

8. Action Calendar

A. 2138 Kittredge Street: Use Permit #2024-0114 to demolish a four-unit residential building and construct a 42,893 square foot, eight-story (82 feet) residential building with 66 units total, including three (3) Very Low Income (VLI) units, and two (2) Extremely Low Income (ELI) units, utilizing State Density Bonus, on a 6,750 square foot lot.

Zoning:	Downtown Mixed-Use Commercial (C-DMU) District
CEQA Determination:	Categorically exempt pursuant to Section 15183.3 (“Streamlining for Infill Projects”) of the CEQA Guidelines.
Applicant:	The Austin Group LLC, 164 Oak Road, Alamo, CA
Owner:	Steven E Schneider and Francisca M Schneider Joint Living Trust, 2138 Kittredge Street, Berkeley, CA
Staff Planner:	Consultant Planner: Lisa Gordan, LGordan@rinconconsultants.com , 951-202-9230
Recommendation:	APPROVE Use Permit #ZP2024-0114 pursuant to Section 23.406.040(E) “Findings for Approval”
Motion / Second:	Y. Duffy / P. Choi
Vote:	5-0-0-3-0 (Absent: K. Gaffney, S. Allen, B. Yung)
Action:	Approved

9. Subcommittee Reports:

A. Design Review Committee (DRC): No updates

10. Correspondence: None

11. ZAB Announcements: None

12. Staff Announcements:

- Boards and Commission presentation from Planning Director, Jordan Klein, will be conducted at the November 13, 2025, ZAB meeting.

13. Next Meeting: October 9, 2025

14. Adjourn: 7:54 PM; Motion / Second: Y. Duffy / S. Palmatier; Vote: 5-0-0-3-0 (Absent: K. Gaffney, S. Allen, B. Yung)

Members of the Public:

Present: 18
Speakers: 3



Sarah Price, Principal Planner
Co-Secretary of the Zoning Adjustments Board