



Planning & Development Department  
Land Use Planning Division

# Action Minutes

## Zoning Adjustments Board Thursday, March 14, 2024 - 7:01 PM

### Preliminary Matters:

#### **Roll Call:**

**Commissioners Present:** Igor Tregub (appointed by Mayor Arreguin), Yes Duffy (Chairperson, District 1), Kimberly Gaffney (Vice Chairperson, District 2), Todd Jersey (District 4), Shoshana O'Keefe (District 5), Brandon Yung (District 7), Debra Sanderson (District 8)

Vacant (District 6)

Absence: Michael Thompson (District 3)

**Staff Present:** Samantha Updegrave (Secretary), Branka Tatarevic (Clerk), Vicky Schlepp, Cecelia Mariscal

**Ex Parte Communication Disclosures:** None

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

Speakers – None

#### **Agenda Changes:**

The Board Chairperson may reorder the agenda at the beginning of the meeting.  
No changes made.

# ACTION MINUTES - Zoning Adjustments Board

Thursday, March 14, 2024

Page 2 of 3

## Consent Calendar

### 1. Approval of Action Minutes from February 22, 2024

Recommendation: **APPROVE**

Motion / Second: **Y. Duffy / D. Sanderson**

Vote: **7-0-0-1-0 (Absent: M. Thompson)**

Action: **Approved**

### 2. 1328 Sixth Street – New Public Hearing

<b>Application:</b>	<b>Use Permit #ZP2023-0137</b> to modify UP#A2333/MOD and UP#A9990 add 315 square feet to the outdoor dining area with alcoholic beverage service at an existing full-service restaurant in the Mixed Use - Light Industrial Zoning District
<b>Zoning:</b>	MU-LI - Mixed Use - Light Industrial Zoning District
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to pursuant to Section 15301 (“Existing Facilities”) of the CEQA Guidelines
<b>Applicant:</b>	Erica Edgmon, 1328 Sixth Street, Berkeley, CA
<b>Owner:</b>	Jim Maser, 1330 Sixth Street, Berkeley, CA
<b>Staff Planner:</b>	Vicky Schlepp, <a href="mailto:VSchlepp@berkeleyca.gov">VSchlepp@berkeleyca.gov</a> , (510) 981-7422
<b>Recommendation:</b>	<b>APPROVE</b> Use Permit #ZP2023-0137 pursuant to Section 23.406.040(D)
<b>Motion / Second:</b>	<b>Y. Duffy / D. Sanderson</b>
<b>Vote:</b>	<b>7-0-0-1-0 (Absent: M. Thompson)</b>
<b>Action:</b>	<b>Approved</b>

### 3. 2945 College Avenue – New Public Hearing

<b>Application:</b>	<b>Use Permit #ZP2023-0152</b> to establish a wine bar, under a Type 42 Alcoholic Beverage Control license, with on-site wine service, retail sales of wine and books, and incidental food service
<b>Zoning:</b>	C-E - Elmwood Commercial Zoning District
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to pursuant to Section 15301 (“Existing Facilities”) of the CEQA Guidelines
<b>Applicant:</b>	Dane Bunton, 2169 Folsom Street, San Francisco
<b>Owner:</b>	John Gordon & Janis Mitchell Living Trust, 2091 Rose St., Berkeley
<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 #ZP2023-0152 pursuant to Section 23.406.040(D)
<b>Motion / Second:</b>	<b>Y. Duffy / D. Sanderson</b>
<b>Vote:</b>	<b>7-0-0-1-0 (Absent: M. Thompson)</b>
<b>Action:</b>	<b>Approved</b>

# ACTION MINUTES - Zoning Adjustments Board

Thursday, March 14, 2024

Page 3 of 3

## 4. 2833 Seventh Street – New Public Hearing

<b>Application:</b>	<b>Use Permit #ZP2023-0123</b> to convert a 1,024 square-foot two-story commercial unit to a residential dwelling unit, for a total of five dwelling units on a mixed-use lot
<b>Zoning:</b>	MU-R - Mixed Use - Residential Zoning District
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to pursuant to Section 15303 (“New Construction or Conversion of Small Structures”) of the CEQA Guidelines
<b>Applicant:</b>	Daryoush John Davidi, 3135 Kerner Blvd., San Rafael
<b>Owner:</b>	United With Earth Corp., 2833 Seventh St., Berkeley
<b>Staff Planner:</b>	Cecelia Mariscal, <a href="mailto:CMariscal@berkeleyca.gov">CMariscal@berkeleyca.gov</a> , (510) 981-7439
<b>Recommendation:</b>	<b>APPROVE</b> Use Permit #ZP2023-0123 pursuant to Section 23.406.040(D)
<b>Motion / Second:</b>	<b>Y. Duffy / D. Sanderson</b>
<b>Vote:</b>	<b>7-0-0-1-0 (Absent: M. Thompson)</b>
<b>Action:</b>	<b>Approved</b>

### Subcommittee Reports:

**DRC** – Commissioner Gaffney reported that no DRC meeting was held since the last ZAB meeting.

**Staff Communications:** Secretary Updegrave informed the ZAB members that at the February 15, 2024 Meeting for the Design Review Committee, committee members voted to have Janet Tam as the Chair, and Kimberly Gaffney as the Vice-Chair for the following year.

**Adjourn: 7:18 PM;**


**Motion / Second: Y. Duffy / K. Gaffney;**

**Vote: 7-0-0-1-0 (Absent: M. Thompson)**

### Members of the Public:

**Present: 10**

**Speakers: 0**



Samantha Updegrave, Principal Planner  
Co-Secretary of the Zoning Adjustments Board