



Planning & Development Department  
Land Use Planning Division

# Action Minutes

## Zoning Adjustments Board Thursday, March 9, 2023 - 7:04 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 (District 6)

**Replacement:** Deborah Matthews

**Staff Present:** Secretary Samantha Updegrave, Secretary Claudia Garcia, Clerk Karen Hernandez, Brian Garvey, Nilu Karimzadegan, Russell Roe

**Ex Parte Communication Disclosures:** N/A

#### Land Acknowledgement

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

Speakers – 1

#### Agenda Changes:

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

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**Consent Calendar**

**1. Approval of Action Minutes from February 9, 2023**

<b>Recommendation:</b>	<b>APPROVE</b>
<b>Motion / Second:</b>	<b>I. Tregub / K. Gaffney</b>
<b>Vote:</b>	<b>8-0-1-0-0</b>
<b>Action:</b>	<b>APPROVED</b>

**2. Approval of Action Minutes from February 23, 2023**

<b>Recommendation:</b>	<b>APPROVE</b>
<b>Motion / Second:</b>	<b>I. Tregub / K. Gaffney</b>
<b>Vote:</b>	<b>8-0-1-0-0</b>
<b>Action:</b>	<b>APPROVED</b>

**3. 2600 Benvenue Avenue– New Public Hearing**

<b>Application:</b>	<b>Use Permit #ZP2019-0211</b> to legalize an unpermitted addition and add two Accessory Dwelling Units (ADUs) (1,723 square feet) to a two story, 4,906 square feet apartment building with eight dwelling units.
<b>Zoning:</b>	R-2 – Restricted Two-Family Residential 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>	Ronald Giddings, 2501 Rose Walk, Berkeley, CA 94708
<b>Owner:</b>	Jack and Margaret Phillips, 2526 Alcatraz Avenue #332, Berkeley, CA 94705
<b>Staff Planner:</b>	Russell Roe, <a href="mailto:roer@cityofberkeley.info">roer@cityofberkeley.info</a> , (510) 981-7548
<b>Recommendation:</b>	<b>APPROVE</b> pursuant to BMC 23.406.040.
<b>Motion / Second:</b>	<b>I. Tregub / K. Gaffney</b>
<b>Vote:</b>	<b>9-0-0-0-0</b>
<b>Action:</b>	<b>Approved with the condition that Standard Condition #38 is edited to correct a typographic error.</b>

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**4. 612 Cragmont Avenue – New Public Hearing**

<b>Application:</b>	<b>Use Permit #ZP2021-0177 to construct a new 2,095 square-foot two-story (33 feet) single-family dwelling and a one-story detached one-car garage with a roof deck (20 feet) on a 16,550 square-foot vacant lot.</b>
<b>Zoning:</b>	R-1H – Single-Family Residential District, Hillside Overlay District
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to Section 15303 (“New Construction or Conversion of Small Structures”) of the CEQA Guidelines.
<b>Applicant:</b>	Russ Dotter, 4801 Park Boulevard, Oakland, CA 94602
<b>Owner:</b>	Cragmont Berkeley Cohen, LLC, 16 Queen Anne Ct., Millbrae, CA 94030
<b>Staff Planner:</b>	Nilu Karimzadegan, <a href="mailto:nkarimzadegan@cityofberkeley.info">nkarimzadegan@cityofberkeley.info</a> , (510) 981-7430
<b>Recommendation:</b>	APPROVE pursuant to BMC Section 23.406.040.
<b>Motion / Second:</b>	<b>I. Tregub / K. Gaffney</b>
<b>Vote:</b>	<b>9-0-0-0-0</b>
<b>Action:</b>	<b>Approved with recommendations for bird safe glass windows.</b>

**5. 725-A Gilman Street – New Public Hearing**

<b>Application:</b>	<b>Use Permit #ZP2022-0130 to establish a winery with a tasting room and incidental retail sales of goods manufactured on site, under a Type 2 ABC license.</b>
<b>Zoning:</b>	M – Manufacturing District
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to pursuant to Section 15301 (“Existing Facilities”) of the CEQA Guidelines.
<b>Applicant:</b>	Nori Nakamura, 118 Coach Ct., Richmond, CA 94803
<b>Owner:</b>	725 Gilman St LLC, 1819 Ivanhoe Avenue, Lafayette, CA 94549
<b>Staff Planner:</b>	Russell Roe, <a href="mailto:roee@cityofberkeley.info">roee@cityofberkeley.info</a> , (510) 981-7548
<b>Recommendation:</b>	APPROVE pursuant to Section 23.406.040.
<b>Motion / Second:</b>	<b>I. Tregub / K. Gaffney</b>
<b>Vote:</b>	<b>9-0-0-0-0</b>
<b>Action:</b>	<b>Approved</b>

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**Action Calendar**

**5. 870 Santa Barbara Road – New Public Hearing**

<b>Application:</b>	<b>Appeal of Zoning Officer decision to approve Administrative Use Permit ZP#2021-0183 to construct a 6-foot fence on top of a 3-foot retaining wall.</b>
<b>Zoning:</b>	R-1H – Single-Family Residential District, Hillside Overlay District
<b>CEQA Recommendation:</b>	Categorically exempt pursuant to Section 15301 (“Existing Facilities”) of the CEQA Guidelines.
<b>Applicant/Owner:</b>	Sanju Thomman, 870 Santa Barbara Road, Berkeley, CA
<b>Appellant:</b>	Barbara Schick, 818 Indian Rock Avenue, Berkeley, CA
<b>Staff Planner:</b>	Brian Garvey, <a href="mailto:bgarvey@cityofberkeley.info">bgarvey@cityofberkeley.info</a> , (510) 981-7424
<b>Recommendation:</b>	<b>APPROVE</b> Administrative Use Permit #ZP2021-0183 pursuant to BMC Section 23.406.040 and <b>DISMISS</b> the Appeal.
<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>

**Subcommittee Reports:**

**DRC – None.**

**Staff Communications:**

Reminder that ZAB will not meet the 4<sup>th</sup> Thursday of March in observance of Ramadan, and will meet the 5<sup>th</sup> Thursday, March 30<sup>th</sup>, instead.

**Adjourn: 8:11 PM; Motion / Second: S. O’Keefe / K. Gaffney; Vote: 9-0-0-0-0**

**Members of the Public:**

**Present: 21**

**Speakers: 4**

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