



Zoning Adjustments Board Staff Report

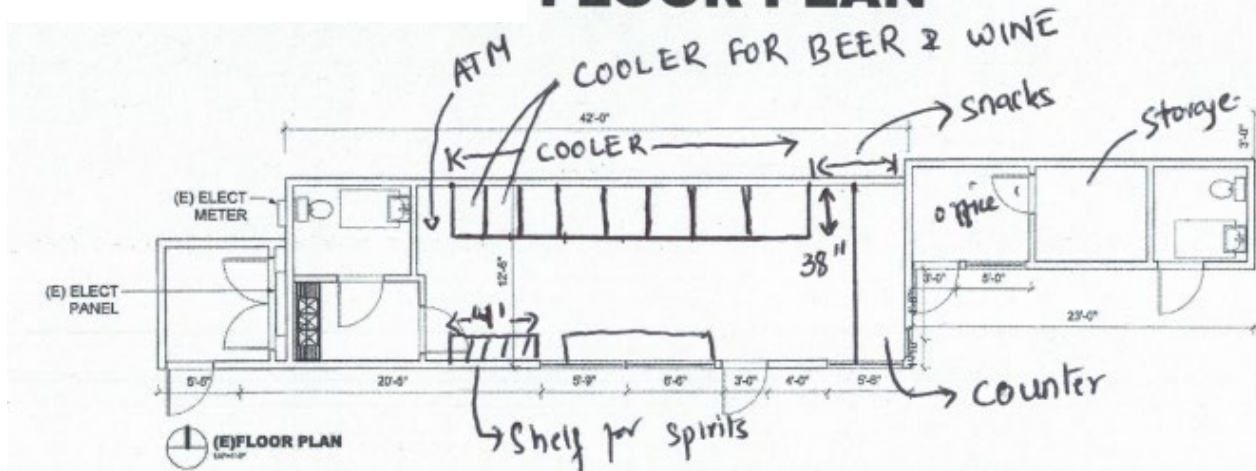
ZP2026-0016

September 10, 2026

Use Permit for 1500 University Avenue



FLOOR PLAN





Zoning Adjustments Board Staff Report

Quick Facts	Project Description:
Applicant: Minesh Mehta	The applicant is seeking approval 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.
Project Address: 1500 University Avenue	
Site Size: .32 Acres	Zoning Permits Requested:
GP Land Use: Avenue Commercial (AC)	A Use Permit Public Hearing is required for the following permits: 1. Alcoholic Beverages-Retails Sales. BMC Section 23.310.020 “General Requirements Excluding When Incidental to Food Service” permit retail sales of beer, wine, and distilled spirits. 2. Food Truck. BMC Section 23.302.020(D) “Outdoor Uses” to allow the operation of a food truck on private property abutting a residential district.
Zoning: University Commercial (C-U)	
CEQA: Categorically Exempt – Existing Facilities (Sec. 15301)	
Date Submitted: February 10, 2026	
Date Deemed Complete: May 1, 2026	
Project Planner: Russell Roe	Staff Recommendation:
	Staff recommends that ZAB determine the project is exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”) and approve ZP2026-0016 pursuant to Section 23.406.040 (E) (1-5) “ Findings for Approval ” and subject to the attached Findings and Conditions of Approval.

ZONING MAP

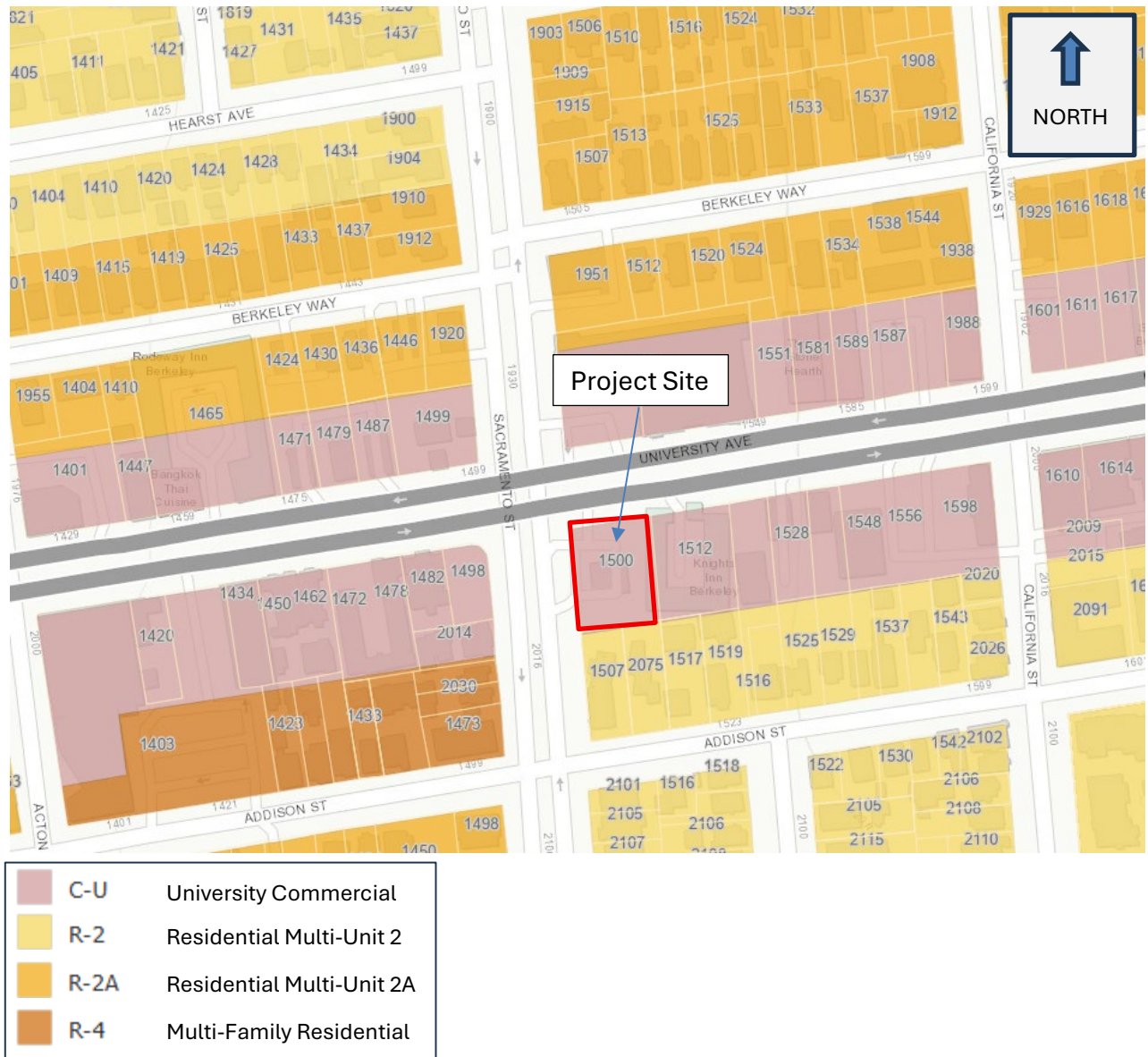
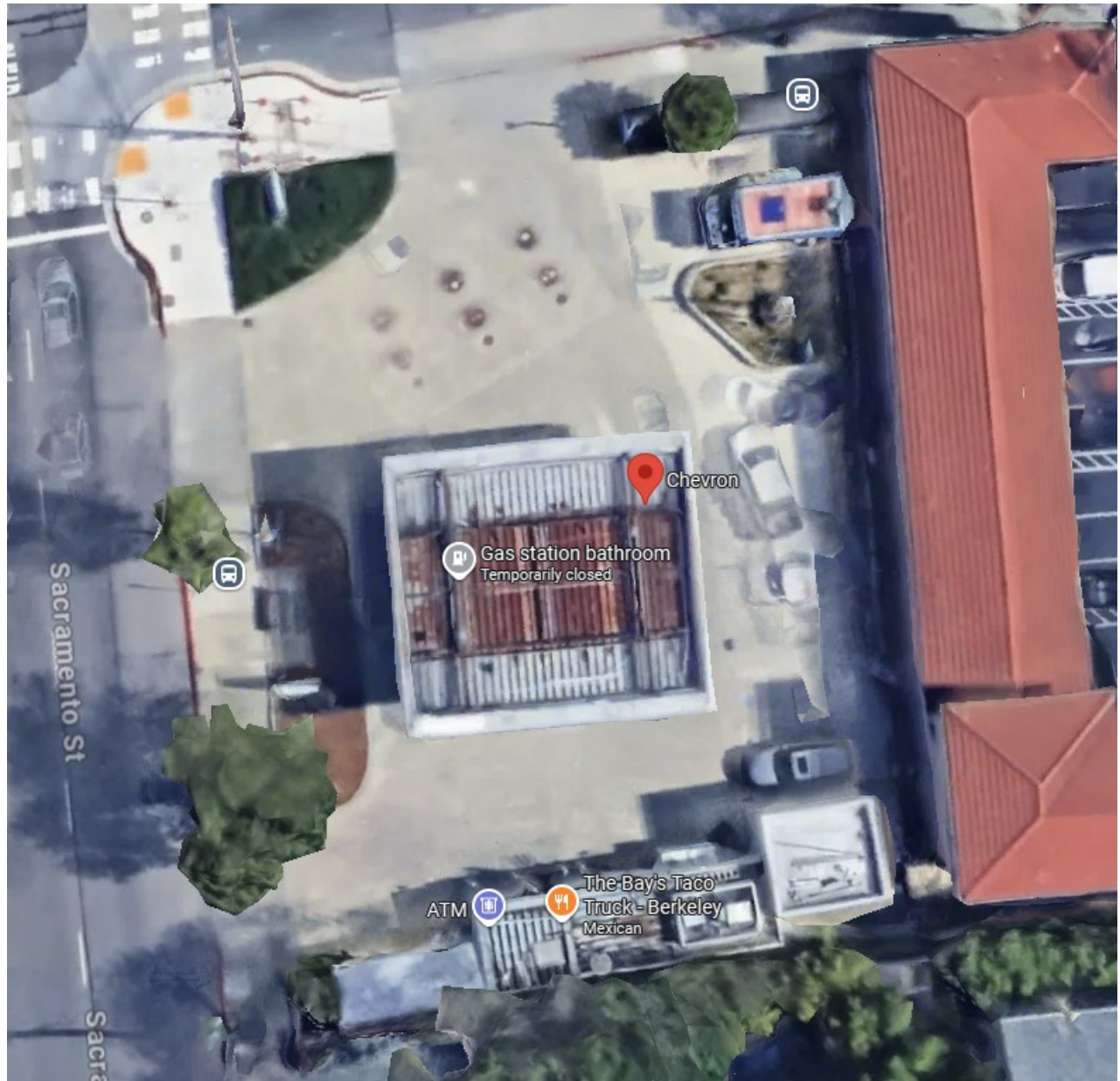


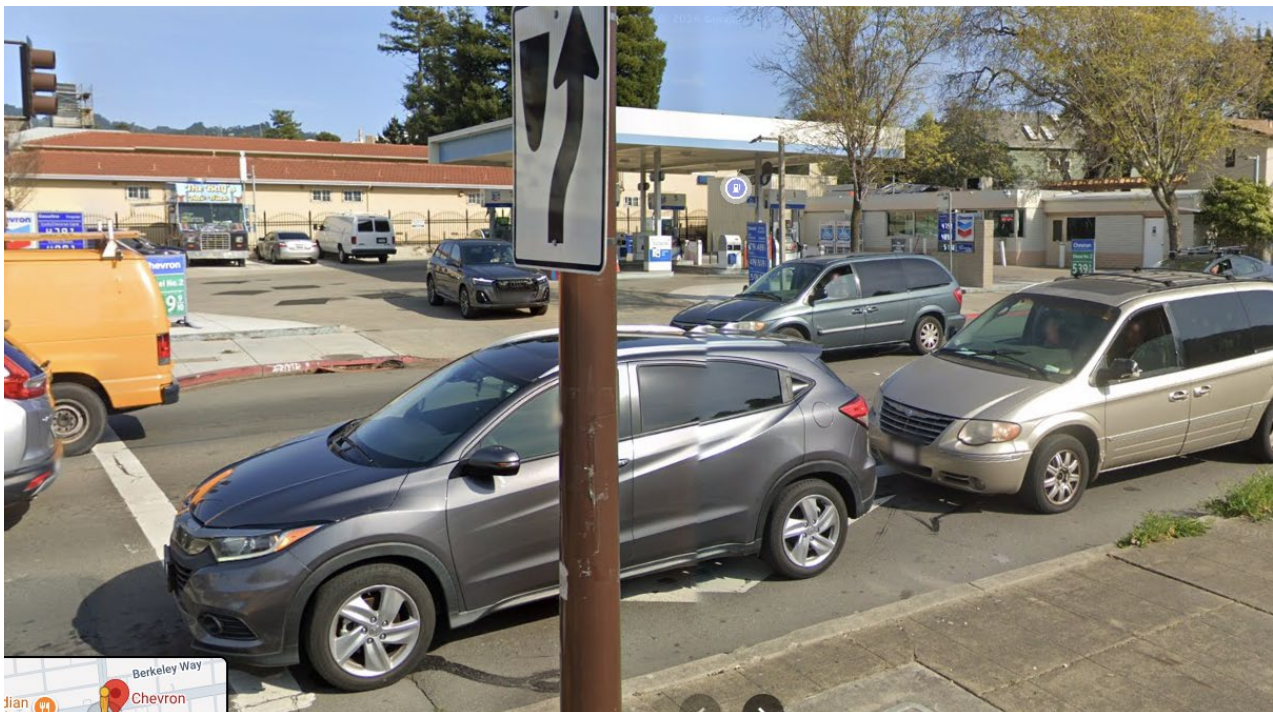
Figure 1: Vicinity and Zoning Districts Map

Comparison of Adjacent Properties			
Vicinity	GP Land Use	Zoning	Current Use
North	Avenue Commercial	C-U	Retail
South	Medium Density Residential	R-2	Multi-family Residential
East	Avenue Commercial	C-U	Transient Motel
West	Avenue Commercial	C-U	Parking Lot & Vacant Commercial

AERIAL



STREET ELEVATION



BACKGROUND

Subject Site

The subject site is located on the south-east corner of University Avenue and Sacramento Street in the University Avenue Commercial (C-U) zoning district. It is occupied by a gas station with a single-story convenience store. It is bordered on the east by a one-story motel and to the south by small two-story multi-family residential properties. Across University Avenue to the north there is a stand-alone 7-11 store, and across Sacramento Street to the west there is a small private parking lot and a two-story commercial building with a vacant first floor and office space above.

The surrounding neighborhood hosts a mix of uses. University Avenue, in both directions, is one of Berkeley's busiest commercial corridors, with a mix of 1 to 4 story buildings housing retail shops, restaurants, office space, medical offices, hotels, and multi-family housing. The immediately adjacent sections of Sacramento Street hold a somewhat similar mix of uses that quickly give way to mostly single-family and multi-family housing as one travels away from the intersection in either direction. The surrounding neighborhoods are zoned for a mix of residential uses that contain single and multi-family housing.

Site History

The project site has been occupied by a gas station since at least the mid 1950's, with the mini mart being constructed in 1985. Little has changed since then except that an unpermitted food truck has been operating on the lot for the last several years. There are plans to expand the mini-mart building sometime in the near future, but the details are still under discussion and are not part of this permit application.

ANALYSIS

Project Scope

The proposed project has two aspects. The first is to permit general retail sales of alcoholic beverages under a Type 21 Alcoholic Beverage Control (ABC) permit which includes beer, wine and distilled spirits. The second is to legalize the operation of the food truck that has been operating on the site.

Findings

Draft findings for approval can be found in Attachment 2 to the staff report.

Environmental Review

This project doesn't propose any physical changes to the site or its structures. Therefore, it is recommended that ZAB find that the project is exempt from CEQA review per Section 15301 ("Existing Facilities") of the CEQA Guidelines.

POLICY CONSISTENCY

General Plan Consistency

The 2002 General Plan contains several policies applicable to the project, including the

following:

Policy LU-1 Community Character – Maintain the character of Berkeley as a special, diverse, unique place to live and work.

Policy LU-27 Avenue Commercial Areas (Item G) – Regulate the design and operation of commercial establishments to assure their compatibility with adjacent residential areas.

Policy LU-29 University Avenue Strategic Plan (Goal 4) – Encourage more pedestrian-oriented development and an appropriate mix of uses to improve neighborhood identity.

Staff Analysis:

While the current project does not propose any physical changes to the site, the addition of a food truck and alcoholic beverage sales offers conveniences not just for gas station customers, but also for the surrounding neighborhood residents who can easily walk to this location, making it consistent with the goals of Berkeley’s General Plan.

RECOMMENDATION

Because of the project’s consistency with the Zoning Ordinance and General Plan, and minimal impact on surrounding properties, staff recommends that the Zoning Adjustments Board:

1. **FIND** that the project is categorically exempt from the provisions of CEQA pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”); and
2. **APPROVE** ZP2026-0016 pursuant to BMC Section 23.406.040(D) and subject to the attached Findings and Conditions (see Attachments 2 and 3).

Attachments

1. Tables: Table 1: Project Chronology, Table 2: Special Characteristics, Table 3: Development Standards
2. Draft Findings
3. Draft Conditions of Approval
4. Project Plans, received June 23, 2026
5. Notice of Public Hearing

Attachment 1

Table 1: Project Chronology

Date	Action
February 10, 2026	Application Submitted
May 1, 2026	Application deemed complete
June 10, 2026	CEQA Recommendation by Staff
June 12 -23	Application processing ^a
August 27, 2026	Public hearing notices mailed/posted
September 10, 2026	ZAB hearing
Notes: a. Application processing reflects the project compliance review after the application is deemed complete. Submittals are reviewed within 30 days of receipt, pursuant to the Permit Streamlining Act.	

Table 2: Special Characteristics

Characteristic	Applicability	Explanation
Alcohol Sales/Service	Yes	The project is proposing retail alcoholic beverage sales.
Soil/Groundwater Contamination	No	The site is not on a Cortese List. ^d
Transit	Yes	The project site is served by multiple AC Transit bus lines (local and Transbay) that operate within ¼ mile of the site and is approximately 0.2 miles south of the North Berkeley Bay Area Rapid Transit (BART) Station.
Notes: d. Cortese List is an annually updated list of hazardous materials sites compiled pursuant Government Code Section 65962.5.		

Table 3: C-U Zoning District Development Standards per BMC Sections 23.204.060 and 23.322 Parking and Loading

Standard		Existing	Addition/ (Reduction)	Proposed Total	Permitted/ Required
Lot Area (sq. ft.)		13939	No Change	n/a	n/a
Gross Floor Area (sq. ft.)		694	No Change	n/a	n/a
Floor Area Ratio		.049	No Change	n/a	n/a
Commercial Floor Area		694	No Change	n/a	n/a
Dwelling Units	Total	0	No Change	n/a	n/a
	Live/Work	0	No Change	n/a	n/a
	Bedrooms	0	No Change	n/a	n/a
Building Height (ft. - in.)	Maximum	11'-1"	No Change	n/a	n/a
Building Setbacks (ft. - in.)	No Changes Proposed	n/a	n/a	n/a	n/a
Automobile Parking		7	-1	6	2
Bicycle Parking	Not Required – No new floor area	n/a	n/a	n/a	n/a
Abbreviations: sq. ft. = square feet; max. = maximum; min. = minimum; n/a = not applicable; % = percent; avg. = average, ft = feet ('), in. = inches (")					
Notes: 1. AB-2097 , effective January 1, 2023, prohibits local jurisdictions from requiring minimum parking for most non-residential uses located within a 1/2 mile of public transit.					



Zoning Adjustments Board Findings

App # ZP2026-0016

September 10, 2026

Use Permit for 1500 University Avenue

Project Facts		Project Description:	
Applicant: Minesh Mehta Property Owner: Milan International Corp Project Address: 1500 University Avenue GP Land Use: Avenue Commercial (AC) Zoning: University Commercial (C-U) CEQA: Categorically Exempt – Existing Facilities (Sec. 15301) Date Submitted: February 10, 2026 Date Deemed Complete: May 1, 2026 Project Planner: Russell Roe		The applicant is seeking approval 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.	
		Permits Requested:	
		A Use Permit Public Hearing is required for the following permits: 1. Alcoholic Beverages-Retails Sales. BMC Section 23.310.020 “ General Requirements Excluding When Incidental to Food Service ” permit retail sales of beer, wine, and distilled spirits. 2. Food Truck. BMC Section 23.302.020(D) “ Outdoor Uses ” to allow the operation of a food truck on private property abutting a residential district.	
		Waivers	Concessions
		N/A	N/A
		Staff Recommendation	
		Staff recommends that ZAB determine the project is exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”) and approve ZP2026-0016 pursuant to Section 23.406.040 (E) (1-5) “ Findings for Approval ” and subject to the attached Findings and Conditions of Approval.	

CEQA

Categorical Exemption

The project is categorically exempt from the requirements of CEQA pursuant to Section 14301 of the CEQA Guidelines (“Existing Facilities”).

Evidence: No physical changes to the property are proposed.

FINDINGS FOR APPROVAL

As required by BMC Section 23.406.040 (E) (1-4) “Findings for Approval,” the following findings shall be made:

1. To approve a Use Permit, the ZAB shall find that the proposed project or use:

- (a) Will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or visiting in the area or neighborhood of the proposed use; and

Evidence: The proposed project will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or visiting in the area or neighborhood of the proposed use because it is only a small expansion of offerings from an existing gas station and retail convenience store use, and the food truck operating hours will be limited to 9:00 a.m. – 7:00 p.m. The addition of alcoholic beverage sales and a food truck will not require any structural modifications to the existing facilities or changes to the overall appearance of the property.

- (b) Will not be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City.

Evidence: The proposed project will not be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City because it will remain consistent with all C-U District development standards and will support the district purposes of protecting and improving neighborhood quality of life by adding additional food and retail products, and it will encourage pedestrian use by the surrounding neighborhoods. While the subject parcel is adjacent to a residential zoning district, the food truck will be located on the opposite side of the parcel adjacent to the busy commercial strip of University Avenue. Furthermore, the Fire Department has evaluated the proposed plans and stated that the proposed location of the food truck, several yards from the motel at 1512 University Avenue, does not violate any fire codes.

2. To approve the Use Permit, the ZAB must also make any other Use Permit findings specifically required by the Zoning Ordinance for the proposed project.

Alcoholic Beverage Sales

A. Pursuant to BMC Section 23.310.020(C) “Findings For Public Convenience or Necessity” (Alcoholic Beverage Sales and Service Chapter) the following findings must be made:

1. The number of alcoholic beverage sales licensees in the census tract does not exceed the limit set by the California Department of Alcoholic Beverage Control, as defined in California Business and Professions Code Section 23958.4;

Evidence: Per a July 1, 2026 email from CA Alcoholic Beverage Control (ABC), this license would represent a third of this type in a census tract where two is the limit. Therefore, the findings in BMC Section 23.310.020(C)(3) must be made.

2. And at least one of the following:

- a. The proposed establishment will promote the City’s economic health, contribute to General Plan or area plan policies, or further the district’s purposes.
- b. The economic benefits associated with the establishment could not reasonably be achieved without the proposed alcohol sales or service.
- c. The applicant has operated a licensed establishment that has not been the subject of violations regarding alcohol, or violations of public safety or nuisance statutes or regulations in Berkeley. In making this finding, the decision-making body may consider the number, frequency, and severity of prior violations, the time elapsed since the last violation, and other relevant factors.

Evidence: The Berkeley Police Department conducted research and found that the applicant does not have a history of alcohol, public safety, or nuisance violations. In an email message dated June 12, 2026, the Berkeley Police Department responded to a research request by stating that “After conducting our research, Berkeley PD has no concerns for 1500 University Avenue”.

3. Per BMC Section 23.310.020(C)(3), if the number of alcoholic beverage sales licenses in the census tract exceeds the limit set by the Department of Alcoholic Beverage Control; the decision-making body must find that the public convenience or necessity would be served by approving alcohol sales at the proposed location for any two or more of the following reasons:

- (a) The proposed establishment will promote the City's economic health, contribute to General Plan or area plan policies, or further the purposes of the district.
- (b) The economic benefits associated with the establishment could not reasonably be achieved without the proposed alcohol sales or service.
- (c) The sale of alcoholic beverages will enhance recreational or entertainment opportunities in the area.
- (d) The sale of alcoholic beverages complements the sale of other goods and merchandise at the location.
- (e) The issuance of a license at the proposed location will improve the convenience of area residents and visitors who purchase alcoholic beverages. (Ord. 7955-NS §§ 27, 28, 2025; Ord. 7898-NS § 18, 2024; Ord. 7787-NS § 2 (Exh. A), 2021)

Evidence: Small convenience stores typically benefit from the sale of alcoholic beverages, and this store will be no exception. Alcoholic beverages are a typical retail item that compliments other goods sold in such stores, and they provide valuable revenue for a small business with a low overhead. The City of Berkeley will also benefit from these sales in the form of increased tax revenue, as will neighborhood residents who will gain a convenient place to walk, bike, or drive to purchase alcoholic beverages for off-site consumption.

4. When taking action on a Use Permit, the ZAB shall consider in its findings:

- (a) The proposed land use; and

Evidence: This project will not change the existing primary land use, which is a gasoline filling station and retail.

- (b) The structure or addition that accommodates the use.

Evidence: This project will not change any of the structures on the property.

5. Required findings shall be made based on the circumstances existing at the time a decision is made on the application.

Evidence: The required findings are satisfied because the project has been determined to be fully compliant with all applicable regulations based on the project plans submitted on February 10, 2026 and evaluated based on the existing conditions of the subject site and surrounding neighborhood at the time of decision.



STANDARD CONDITIONS OF APPROVAL APPLICABILITY

Development projects approved through the City of Berkeley are subject to Standard Conditions of Approval (Standard COAs). The City of Berkeley has established Standard COAs that identify requirements for the construction and operation of the approved project. This includes general administrative conditions, permitting requirements, project construction and the regulation of on-going, on-site uses. Compliance requirements with the Berkeley Municipal Code, building permit review and issuance process, construction, final inspection requirements, certificate of occupancy, and on-going operations of the approved use are included in this document.

The Standard COAs may vary based on site size, location, environmental settings, topography, historic alteration or approved uses. Variations in the application of the Standard COAs may occur based on the project scope and site-specific characteristics including but not limited to parcel size, location, topography, and use.

Conditions which have specified thresholds due to size, uses, and other characteristics are identified.

Part I. Administrative Conditions

- A. General Project Conditions
- B. Project Specific Conditions
- C. Final Approval Conditions
- D. On-Going Operational Conditions

Part II. Prior to Issuance of Demolition Permit - Not Applicable

Part III. At the Time of Building Permit Submittal – Not Applicable

Part IV. Prior to Issuance of Building Permit – Not Applicable

- A. Building & Safety/Land Use Planning
- B. Public Works
- C. Toxics
- D. Health Housing Community Services
- E. Rent Stabilization Board

Part V. During Demolition/Construction – Not Applicable

- A. Building & Safety
- B. Land Use Planning
- C. Public Works
- D. Toxics
- E. Health Housing Community Services

Part VI. Prior to Final Inspection – Not Applicable

Part VII. Prior to Certificate of Occupancy – Not Applicable

Part. VIII. Fees- Not Applicable

Part IX. Operational Conditions

- A. Alcoholic Beverage Sales

Part X. HARD HATS – Not Applicable



CONDITIONS OF APPROVAL

Property Address: 1500 University Avenue
Application Number: ZP2026-0016

I. Administrative Conditions A. General Project Conditions		Regulation Source	Timing/Implementation	Enforcement/ Monitoring
1.	Project Approval. This Project approval is for 1500 University Avenue, as substantially shown and described on the Project plans dated June 23, 2026, except as required to be modified by Conditions of Approval herein and plans as presented to the Zoning Adjustments Board on September 10, 2026. For any Condition herein that requires preparation of a Final Plan where the project applicant has submitted a conceptual plan, the Project applicant shall submit final plan(s) in substantial conformance with the conceptual plan and incorporate any required modifications.	City of Berkeley	On-Going	Land Use Planning
2.	Approval Limited to Proposed Project and Replacement of Existing Uses. This Use Permit authorizes only the Proposed Project described in the application. This project approval does not authorize other uses, structures or activities not included in the Project Description. When the City approves a new use that replaces an existing use, any prior approval of the existing use becomes null and void when permits for the new use are exercised (e.g., building permit or business license issued). To reestablish the previously existing use, an applicant shall obtain all permits required by the Zoning Ordinance for the use. (BMC Sections 23.404.060.B.1 and 2)	City of Berkeley BMC Sections 23.404.060	On-Going	Land Use Planning
3.	Compliance Required. All land uses and structures in the City of Berkeley shall comply with the Zoning Ordinance and all applicable City ordinances and regulations.	City of Berkeley BMC Section 23.102.050(B)	On-Going	Land Use Planning
4.	Other Regulations. Compliance with the Zoning Ordinance does not relieve an applicant from requirements to comply with other federal, state, and City regulations that also apply to the property.	City of Berkeley BMC Section 23.102.050 (E)	On-Going	Land Use Planning
5.	Conformance with Approved Plans. All work performed under an approved Use Permit shall follow the approved plans as presented to ZAB on September 10, 2026 and pursuant to the Conditions of Approval.	City of Berkeley BMC Section 23.404.060 (B)(4)	On-Going	Land Use Planning



CONDITIONS OF APPROVAL

Property Address: 1500 University Avenue
Application Number: ZP2026-0016

I. Administrative Conditions A. General Project Conditions		Regulation Source	Timing/Implementation	Enforcement/ Monitoring
6.	Permit Modifications. No change in the use or structure for which this Permit is issued is permitted unless the Permit is modified by the Zoning Adjustments Board. The Zoning Officer may approve changes to plans approved by the Board which reduce the size of the Project, consistent with the Board’s policy adopted on May 24, 1978.	City of Berkeley BMC Section 23.404.070	On-Going	Land Use Planning
7.	Permit Revocation. The City may revoke or modify a discretionary permit for completed projects due to: 1) Violations of permit requirements; 2) Changes to the approved project; and/or 3) Vacancy for one year or more. No lawful residential use can lapse, regardless of the length of time of the vacancy. Proceedings to revoke or modify a permit may be initiated by the Zoning Officer, Zoning Adjustments Board, or City Council referral.	City of Berkeley BMC Section 23.404.080	On-Going	Land Use Planning
8.	Permit Remains Effective for Vacant Property. Once a permit for a use is exercised and the use is established, the permit authorizing the use remains effective even if the property becomes vacant. The same use as allowed by the original permit may be re-established without obtaining a new permit, except as set forth in Standard COA #5 above.	City of Berkeley BMC Section 23.404.060	On-Going	Land Use Planning



CONDITIONS OF APPROVAL

Property Address: 1500 University Avenue
Application Number: ZP2026-0016

I. Administrative Conditions A. General Project Conditions		Regulation Source	Timing/Implementation	Enforcement/ Monitoring
9.	Exercise and Expiration of Permits A permit authorizing a land use is exercised when both a valid City business license is issued (if required) and the land use is established on the property. A. A permit authorizing a land use is exercised when both a valid City business license is issued (if required) and the land use is established on the property. B. A permit authorizing construction is exercised when both a valid City building permit (if required) is issued and construction has lawfully begun. C. The Zoning Officer may declare a permit lapsed if it is not exercised within one year of its issuance, except if the applicant has applied for a building permit or has made a substantial good faith effort to obtain a building permit and begin construction. The Zoning Officer may declare a permit lapsed only after 14 days’ written notice to the applicant. A determination that a permit has lapsed may be appealed to the Zoning Adjustments Board in accordance with Chapter 23.410 (Appeals and Certification). D. A permit declared lapsed shall be void and of no further force and effect. To establish the use or structure authorized by the lapsed permit, an applicant shall apply for and receive City approval of a new permit.	City of Berkeley BMC Section 23.404.060 (C)	On-Going	Land Use Planning



CONDITIONS OF APPROVAL

Property Address: 1500 University Avenue
Application Number: ZP2026-0016

I. Administrative Conditions A. General Project Conditions		Regulation Source	Timing/Implementation	Enforcement/ Monitoring
10.	Hold Harmless. The permittee agrees as a Condition of Approval of this application to indemnify, protect, defend with counsel selected by the City, and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents, from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorney’s fees and disbursements (collectively, “Claims”) arising out of or in any way relating to the approval of this application, any actions taken by the City related to this entitlement, or any environmental review conducted under the California Environmental Quality Act, Public Resources Code Section 210000 et seq., for this entitlement and related actions. The indemnification shall include any Claims that may be asserted by any person or entity, including the permittee, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees and agents. The permittee’s duty to defend the City shall not apply in those instances when the permittee has asserted the Claims, although the permittee shall still have a duty to indemnify, protect and hold harmless the City.	City of Berkeley	On-Going	Land Use Planning
11.	Compliance with Conditions of Approval and Environmental Mitigations. The Building Permit application is subject to verification of compliance of these Conditions of Approval and any applicable Mitigation Measures. The applicant shall be responsible for demonstrating compliance with all Conditions of Approval per the timeline set forth by this Permit.	City of Berkeley	On-Going	Land Use Planning



CONDITIONS OF APPROVAL

Property Address: 1500 University Avenue
Application Number: ZP2026-0016

I. Administrative Conditions B. Project Specific Conditions		Regulation Source	Timing/Implementation	Enforcement/ Monitoring
1.	Pursuant to BMC 23.404.050(H), the Zoning Adjustments Board attaches the following additional Conditions of Approval to this Permit: N/A	City of Berkeley BMC Section 23.040.050 (H)		
I. Administrative Conditions C. On-Going Operational Conditions		Regulation Source	Timing/Implementation	Enforcement/ Monitoring
1.	Exterior Lighting. All exterior lighting shall be energy efficient where feasible; and shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.	City of Berkeley	On-Going	Land Use Planning
2.	Food Truck Hours of Operation. The food truck shall conduct business only between the hours of 9:00 a.m. to 7:00 p.m.	City of Berkeley	On-Going	Land Use Planning



CONDITIONS OF APPROVAL

Property Address: 1500 University Avenue
Application Number: ZP2026-0016

IX. Operational Conditions A. Alcoholic Beverage Sales (off-site)		Regulation Source	Timing/Implementation	Enforcement/ Monitoring
1.	Authority & Revocation. This Permit is subject to review, imposition of additional Conditions of Approval, or revocation if factual complaint is received by the Zoning Officer that the maintenance or operation of this establishment is violating any of these or other required Conditions of Approval or is detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood or is detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.	City of Berkeley	On-Going	Land Use Planning Code Enforcement Officer
2.	Department of Alcoholic Beverage Control. The Business Establishment shall comply with all applicable regulations of the California Department of Alcoholic Beverage Control.	Department of Alcoholic Beverage Control	On-Going	Department of Alcoholic Beverage Control
3.	Use Permit Posting. This Permit, including these and all other required Conditions or Approval, shall be posted in conspicuous location, available for viewing by any interested party.	City of Berkeley	On-Going	Land Use Planning Code Enforcement Officer
4.	Prior Complaints. Any operator of the licensed establishment shall not have had a prior licensed establishment that was the subject of verified complaints or violations regarding alcohol, public safety or nuisance statutes or regulations to be confirmed by the Zoning Officer prior to issuance or transfer of a business license at this location.	City of Berkeley	On-Going	Land Use Planning Code Enforcement Officer
5.	Cash Handling. The applicant shall establish cash handling procedures to reduce the likelihood of robberies and theft.	City of Berkeley	On-Going	Land Use Planning Code Enforcement Officer
6.	Patron Reminders. The owner or operator of the establishment shall take reasonable measures to prevent disturbances by patrons in the immediate vicinity. Such measures shall include signs reminding patrons of nearby residences and requests not to congregate or loiter near such residences nor operate vehicles in a noisy manner on residential streets. The operator shall give surveillance to public areas near the establishment, keep such areas free of trash and litter, provide lighting, and otherwise attempt to prevent conduct that might disturb the peace and quiet of residences in the vicinity. Furthermore, the operator shall assume reasonable responsibility for ensuring that patrons do not block the entrance or	City of Berkeley	On-Going	Land Use Planning Code Enforcement Officer



CONDITIONS OF APPROVAL

Property Address: 1500 University Avenue
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	interfere with pedestrian activity on the adjacent public sidewalk.			
7.	Prohibited Uses. A. Advertising Prohibited. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Neither alcohol-dispensing facilities nor sign(s) advertising alcoholic beverages shall be visible from the public right-of-way. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this Condition of Approval.	City of Berkeley	On-Going	Land Use Planning Code Enforcement Officer

Application Statement

Applicant: Milan International Corporation dba University Chevron
Business Address: 1500 University Avenue, Berkeley, CA 94703

Milan International Corporation respectfully submits this application to request approval for two proposed additions to its existing and currently operating business located at 1500 University Avenue, Berkeley, California:

1. The sale of beer, wine, and distilled spirits within the existing retail convenience store; and
2. The rental of a designated portion of the property, specifically the right-end corner of the premises facing University Avenue, to The Bay Taco Truck, a Mexican food truck.

The proposed sale of alcoholic beverages will occur entirely within the existing retail space and will not require any modifications to the building's interior or exterior. There will be no changes to the building layout, floor area, ingress or egress, signage, hours of operation, or overall appearance of the premises. All alcohol sales will be conducted in compliance with applicable City of Berkeley regulations and the requirements of the California Department of Alcoholic Beverage Control (ABC).

The proposed food truck use is limited to providing a designated parking and operating space for The Bay Taco Truck. The food truck will operate independently and will not require any structural modifications to the existing building or fuel station facilities. No alcohol sales are proposed or permitted as part of the food truck operation.

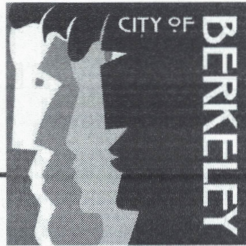
These additions are intended to enhance the services and products available to customers and better serve the needs of the surrounding community. Both uses are compatible with the existing business operations and are not expected to generate adverse impacts related to traffic, parking, noise, public safety, or neighborhood compatibility.

Milan International Corporation is committed to operating the business responsibly and ensuring that all activities on the property comply with applicable City of Berkeley regulations and all local, state, and federal laws. The applicant respectfully requests the City of Berkeley's review and approval of this application.

Thank you,



Minesh Mehta
University Chevron



Planning and Development
1947 Center St, 2nd Floor
Berkeley, CA 94704

APPLICATION CITY OF BERKELEY LAND USE PLANNING

ZONING PROJECT APPLICATION

planning@berkeleyca.gov • Phone (510) 981-7410, TDD (510) 981-7450

Zoning Project Application

APPLICATION TYPE? CHECK ALL THAT APPLY:

- | | |
|---|---|
| ☐ Administrative Use Permit(s) | ☐ Telecommunications Use Permit |
| ☐ Use Permit(s) | ☐ Modification to an Administrative Use Permit or Use Permit |
| ☐ Variance(s) | |

PROJECT INFORMATION

Project Address(es):

1500 University Ave
Berkeley, CA 94703

Unit(s)/Suite(s) #:

Assessor Parcel Number(s):

056-2003-016-01

Project Description:

(include applicable demolition/removal, proposed use(s) total square feet of new/addition, height, number of units and very-low income units, and parking)

1 The Sale of beer, wine & distilled spirits in the existing retail convenient store
2 The rental of designated space of the property at the right end corner of promic face university Ave. to Food Truck.

☐ DEDICATED CONSULTANT REVIEW REQUESTED FOR USE PERMIT? (Check box if requested)

Dedicated Consultant Review involves a competitive bid process to select an outside consultant, and is only available for Use Permits, substantial modifications to a Use Permit, Variances. Consultant costs are in addition to Use Permit fees already paid.

PROPERTY OWNER'S NAME:

Minesh Mehta

Owner's Property Address:

1500 University Ave, Berkeley, CA 94702

Phone Number::

4157766300

Email:

chevron90877@gmail.com

APPLICANT'S NAME:

Minesh Mehta

Owner's Property Address:

1500 University Ave, Berkeley, CA 94703

Phone Number::

4157766300

Email:

chevron90877@gmail.com

GENERAL INFORMATION

All new uses, structures, and modifications to structures in the City of Berkeley are required to be in conformance with the Zoning Ordinance, Title 23 of the Berkeley Municipal Code.

Additional information about zoning permits:

Types of Zoning Permits

How to Submit a Zoning Project Application

Supplemental Land Use applications, forms, and instructions

Zoning Project Submittal Requirements (must accompany this application)



APPLICATION CITY OF BERKELEY LAND USE PLANNING

ZONING PROJECT APPLICATION

PROJECT INFORMATION:

Does your project require staff-level or committee-level design review?

☐ YES ☒ NO

Does your project include demolition of a nonresidential building, or demolition or substantial changes to any building that is 40 or more years old?

☐ YES ☒ NO

Is your project vested by a preliminary housing development pre-application under SB 330?

☐ YES, Pre-Application #PLN20 _____
☒ NO

Does your project utilize State Density Bonus?

☐ YES ☐ NO

Does your project include on-site below market rate units (affordable housing)?

☐ YES ☒ NO

DRAWINGS PROTECTED BY COPYRIGHT STATEMENT

Effective January 1, 2023, (State Government Code, Section 65103.5 (e), SB 1214), if an official copy of architectural drawings are submitted to the Land Use Division of the Planning and Development Department as part of a zoning permit application, the design professional (or the owner of the copyright if different from the design professional) may submit a separate "site plan" or "massing diagram" for posting online or for distribution to the public.

If a separate "site plan" or "massing diagram" is not submitted in addition to the official architectural plans, permission is deemed granted to the Land Use Division to post online or to provide to the public copies of the architectural drawings without the restrictions that would otherwise apply.

A massing diagram and a site plan are defined as follows per Government Code Section 65103.5 (f): "Massing diagram" means a document that displays the three-dimensional form of a building and describes the general profile, bulk, setbacks, and size of the building, but does not contain specific architectural detail.

"Site plan" means a document for a project that is drawn to scale and displays all of the following: property lines, setback lines, topographic lines, easements, drainage, utilities, lighting, driveways, surrounding streets and traffic flow, parking lots and parking spaces, landscaped areas, setback distance between buildings and property lines, outline of existing and proposed buildings and structures, distance between buildings, and ground sign location.

PLEASE CHECK ONE OF THE FOLLOWING (required):

☐ My application includes a separate "site plan" or "massing diagram," defined in Government Code Section 65103.5(f), for posting online or for distribution to the public.

☒ Permission is granted to make publicly available the submitted architectural drawings without restriction to posting online or distribution to the public.

Under penalty of perjury, I certify that:

- (1) the application materials are true and complete to the best of my knowledge; and
- (2) if provided, the attached paper and electronic copies of this application are the same; and
- (3) I agree to pay all expenses associated with this application

(*Owner's signature, or signed letter authorizing applicant to apply on owner's behalf, is required for all applications)

APPLICANT'S SIGNATURE:

Printed Name:

Minesh Mehta

Date:

06/23/2026

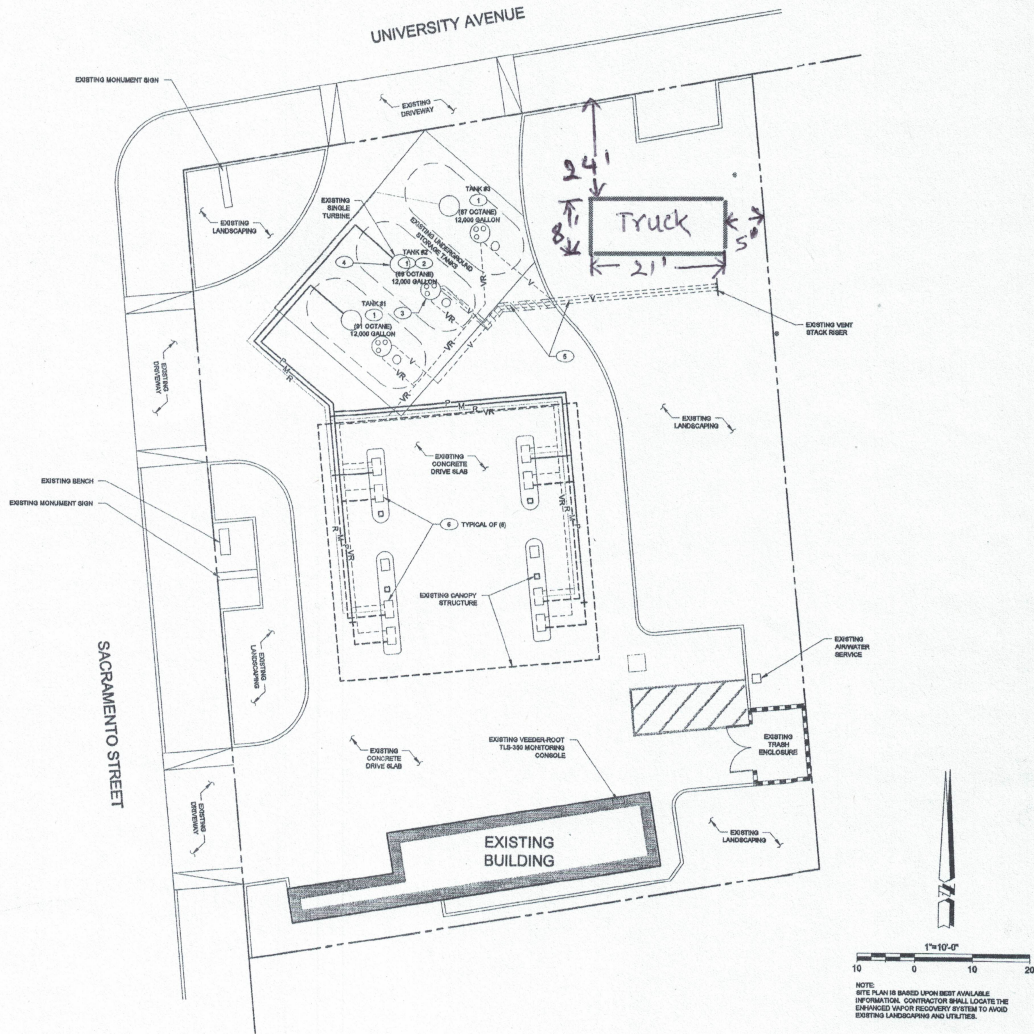
OWNER'S SIGNATURE:

Printed Name:

Minesh Mehta

Date:

06/23/2026





Z O N I N G A D J U S T M E N T S B O A R D

NOTICE OF PUBLIC HEARING

1500 University Avenue

Use Permit ZP2026-0016

The applicant is seeking approval 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.

The Zoning Adjustments Board of the City of Berkeley will hold a public hearing on the above matter, pursuant to Zoning Ordinance, Section [23.404.050 \(Public Hearings and Decisions\)](#)

When: Thursday, September 10, 2026, 7:00 pm

Where: Berkeley Unified School District meeting room, 1231 Addison Street, (wheelchair accessible) with remote/hybrid option (via Zoom).

Please visit: <https://berkeleyca.gov/your-government/boards-commissions/zoning-adjustments-board> and click on the hearing date to access the most up-to-date meeting information, or call the Land Use Planning division (510) 981-7410.

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED IN A HYBRID MODEL WITH BOTH IN-PERSON ATTENDANCE AND VIRTUAL PARTICIPATION AVAILABLE FOR MEMBERS OF THE PUBLIC.

For in-person attendees, face coverings or masks that cover both the nose and mouth are encouraged. If you're feeling sick, please do not attend the meeting in-person as a public health precaution.

Currently, there are no physical distancing requirements in place by the State of California or the Local Health Officer for an indoor event similar to a Commission meeting. However, all attendees are requested to be respectful of the personal space of other attendees. An area of the public seating area will be designated as "distanced seating" to accommodate persons that need to distance for personal health reasons.

A. Land Use Designations:

- General Plan: Avenue Commercial (AC)
- Zoning: University Commercial (C-U)

B. Zoning Permits Required:

- Use Permit under BMC Section 23.310.020 to permit retail sales of beer, wine, and distilled spirits.
- Use Permit under BMC Section 23.302.020(D) to allow the operation of a food truck on private property abutting a residential district.

C. Government Code Section 65915):

- Concession – none.

D. CEQA Recommendation: Categorically exempt pursuant to Section 15301 of the CEQA Guidelines ("Existing Facilities").

E. Project Recommendation: Approve Use Permit #ZP2026-0016 pursuant to BMC Section 23.406.040(D)

F. Parties Involved:

- Applicant Minesh Mehta, Berkeley
- Property Owner Minesh Mehta, Berkeley

Further Information:

All application materials are available online at: <https://aca-prod.accela.com/BERKELEY/Default.aspx>.

The Zoning Adjustments Board final agenda and staff reports will be available online 6 days prior to this meeting at: <https://berkeleyca.gov/your-government/boards-commissions/zoning-adjustments-board>.

Questions about the project should be directed to the project planner, Russell Roe, at (510) 981-7548 or rroe@berkeleyca.gov.

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

Communication Disclaimer:

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.

Written Comments, Communications, and Reports:

Written comments must be directed to the ZAB Secretary at the Land Use Planning Division (Attn: ZAB Secretary), 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>

All persons are welcome to attend the hearing and will be given an opportunity to address the Board. Comments may be made verbally at the public hearing and/or in writing before the hearing. The Board may limit the time granted to each speaker.

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, or 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.



Accessibility Information / ADA Disclaimer:

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6342 (V) or 981-6345 (TDD) at least three business days before the meeting date.

SB 343 Disclaimer:

Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available to the public. Please contact the Land Use Planning Division (zab@berkeleyca.gov) to request hard-copies or electronic copies.

Notice Concerning Your 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 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 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 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 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.