



Planning & Development Department
Land Use Planning Division

Action Minutes

Zoning Adjustments Board Thursday, December 8, 2022 - 7:01 PM

Preliminary Matters:

Roll Call:

Commissioners Present: Igor Tregub (Mayor Appointee), Yes Duffy (District 1), Kimberly Gaffney (District 2), Michael Thompson (District 3), Cecilia Lunaparra (District 4), Shoshana O'Keefe (District 5), Charles Kahn (Chairperson, District 6), Dohee Kim (Chairperson, District 7), Debra Sanderson (District 8).

Leave of Absence: N/A

Staff Present: Secretary Samantha Updegrave, Brian Garvey, Nilu Karimzadegan, Russell Roe, Cecelia Mariscal, Karen Hernandez

Ex Parte Communication Disclosures: N/A

Public Comment on Non-Agenda Items:

Speakers – 0

Agenda Changes:

None

Consent Calendar

1. Approval of Action Minutes from October 13, 2022

Recommendation:	APPROVE
Motion / Second:	I. Tregub / D. Kim
Vote:	9-0-0-0-0
Action:	APPROVED

2. Approval of 2023 ZAB Meeting Schedule

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Recommendation: **APPROVE**
Motion / Second: **I. Tregub / D. Kim**
Vote: **9-0-0-0-0**
Action: **APPROVED**

4. 2506 Haste Street– New Public Hearing

Application:	Use Permit #ZP2022-0074 add a Cannabis Consumption Lounge and amplified live music to an existing Cannabis retail storefront.
Zoning:	C-T –Telegraph Avenue Commercial District
CEQA Recommendation:	Categorically exempt pursuant to pursuant to Section 15301 (“Existing Facilities”) of the CEQA Guidelines.
Applicant:	David Prinz, 2465 Telegraph Avenue, Berkeley
Owner:	David Prinz, 2465 Telegraph Avenue, Berkeley
Staff Planner:	Cecelia Mariscal, cmariscal@cityofberkeley.info , (510) 981-7439
Recommendation:	CONTINUE Use Permit #ZP2022-0074 to a date certain, February 9, 2023.

5. 2310 Eighth Street – New Public Hearing

Application:	Use Permit #ZP2022-0098 to demolish an existing single-family dwelling and construct two new single-family dwellings with two parking spaces.
Zoning:	R1-A - Limited Two-Family Residential District
CEQA Recommendation:	Categorically exempt pursuant to Section 15303 of the CEQA Guidelines (“New Construction or Conversion of Small Structures”).
Applicant:	John Newton, 5666 Telegraph Avenue, Oakland, CA 94609
Owner:	Alex and Ysabel Yow, 945 Taraval Street #281 SF 94116
Staff Planner:	Karen Hernandez, khernandez-gonzalez@cityofberkeley.info , (510) 981-7426
Recommendation:	APPROVE Use Permit #ZP2022-0098, pursuant to BMC 23.406.040.
Motion / Second:	C. Kahn / C. Lunaparra
Vote:	9-0-0-0-0
Action:	APPROVE Use Permit #ZP2022-0098, pursuant to BMC 23.406.040.

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6. 1200 Dwight Way – New Public Hearing

Application:	Use Permit #ZP2022-0028 to demolish a single-family dwelling and detached garage, and build two two-story single-family dwellings and two parking spaces.
Zoning:	R-2 Restricted Two-Family Residential District
CEQA Recommendation:	Categorically exempt pursuant to Section 15303 of the CEQA Guidelines (“New Construction or Conversion of Small Structures”).
Applicant:	John Newton, 5666 Telegraph Avenue, Oakland, CA 94609
Owner:	Creek Capital, LLC
Staff Planner:	Nilu Karimzadegan, nkarimzadegan@cityofberkeley.info , (510) 981-7430
Recommendation:	APPROVE Use Permit #ZP2022-0028, pursuant to BMC 23.406.040.
# of Speakers:	1
Motion / Second:	I. Tregub / K. Gaffney
Vote:	9-0-0-0
Action:	APPROVED Use Permit #ZP2022-0028, pursuant to BMC 23.406.040.

7. [2000 San Pablo Avenue](#) – New Public Hearing

Application:	Use Permit #ZP2022-0057 to allow the retail sale of beer and wine for off-site consumption (Type 20 ABC License) in conjunction with an existing convenience store.
Zoning:	C-W – West Berkeley Commercial
CEQA Recommendation:	Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).
Applicant:	7-Eleven, Inc. c/o Erik Gulfin, P.O. Box 711, Dallas, TX 75221
Owner:	Tuso Farms, Inc. 71 Janis Court, Alamo, CA 94507
Staff Planner:	Russell Roe, roe@cityofberkeley.info , (510) 981-7548
Recommendation:	APPROVE Use Permit ZP2022-0057 pursuant to Section 23.406.040
# of Speakers:	11
Motion / Second:	D. Kim / I. Tregub
Vote:	7-2-0-0-0
Action:	DENIED Use Permit ZP2022-0057 pursuant to Section 23.406.040

Subcommittee Reports:
DRC – None.

Staff Communications:

- [Memorandum from City Council – Land Acknowledgment \(October 21, 2022\) – added by Chair for February 23, 2023 meeting agenda for discussion](#)
- [Memorandum from Zoning Officer – Use Permit ZP2021-0210, 2435 Haste Street – Revision and Clarification of Condition of Approval No. 56](#)

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- Return to in-person boards and commission meetings expected starting March 1, 2023, if Governor Newsom lifts the emergency order.

**Adjourn in honor of Board Member Dohee Kim and her four years of service on ZAB:
10:16 PM; Motion / Second: C. Kahn / D. Kim; Vote: 9-0-0-0-0**

Members of the Public:

Present: 38

Speakers: 12
