



Planning & Development Department  
Land Use Planning Division

# Action Minutes

## Zoning Adjustments Board Thursday, May 8, 2025 - 7:00 PM

### Preliminary Matters:

#### 1. Roll Call:

**Commissioners Present:** Ali Kashani (Mayor Appointee), Yes Duffy (District 1), Kimberly Gaffney (Chairperson, District 2), Michael Thompson (District 3), Sadie Mae Palmatier (District 4), Shannon Allen (District 5), Peter Choi (District 6), Brandon Yung (Vice Chairperson, District 7), Debra Sanderson (District 8)

**Staff Present:** Sharon Gong (Secretary), Karen Hernandez-Gonzalez (Clerk), Boshi Fu, Russell Roe

#### 2. Ex Parte Communications: None

#### 3. Land Acknowledgement

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

Speakers – 0

#### 5. Order of Agenda:

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

Chairperson Gaffney:

- A. Removed the Appeal for 160 Fairlawn Drive from the Action Calendar due to a last-minute withdrawal of the appeal

**Appeal of Administrative Use Permit #ZP2025-0041 160 Fairlawn Drive: to construct an addition over 20 feet in maximum height within a non-conforming front setback**

<b>Zoning:</b>	Single Family Residential District, Hillside Overlay (R-1H)
<b>CEQA Determination:</b>	Categorically exempt pursuant to pursuant to Section 15301 (“Existing Facilities”) of the CEQA Guidelines.
<b>Applicant:</b>	Eric Tubman, 160 Fairlawn Drive, Berkeley, CA
<b>Owner:</b>	Adam Ratoosh, 7 Columbia Circle, 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 Modification #ZP2024-0154 pursuant to Section 23.406.040(D)
<b>Action:</b>	Item removed due to a last-minute withdrawal of the appeal.

B. Moved 1902 University Avenue from the Consent Calendar to the Action Calendar due to public comment and discuss findings of approval.

**6. Consent Calendar**

**A. Approval of Action Minutes from April 24, 2025**

**Recommendation: APPROVE**

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

**Vote: 8-0-1-0-0 (Abstain: P. Choi)**

**Action: APPROVED**

**7. Action Calendar**

**Use Permit #ZP2025-0013 1902 University Avenue: to allow the sale of beer and wine at an existing retail store.**

<b>Zoning:</b>	Downtown Mixed-Use District (C-DMU), Buffer Sub-Area
<b>CEQA Determination:</b>	Categorically exempt pursuant to pursuant to Section 15301 (“Existing Facilities”) of the CEQA Guidelines.
<b>Applicant:</b>	Nawaf Ali, 1902 University Avenue, Berkeley, CA
<b>Owner:</b>	Norcal Properties LLC, 2171 Allston Way, Berkeley, CA
<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 #ZP2025-0013 pursuant to Section 23.406.040(D)

<b>Motion / Second:</b>	A. Kashani / K. Gaffney
<b>Vote:</b>	<b>9-0-0-0-0</b>
<b>Action:</b>	<p><b>APPROVED with the amendments to:</b></p> <p>1) Add a Condition of Approval limiting the alcohol sales floor area to 25 percent or less of the total commercial floor area; and</p> <p>2) Amend the Findings for approval to remove the language stating that the project would meet Finding (b), specifically “the economic benefits associated with the establishment could not reasonably be achieved without the proposed alcohol sales or service”.</p>

**8. Subcommittee Reports:**

A. **Design Review Committee (DRC)** – Chairperson Gaffney reported that no DRC meeting was held since the last ZAB meeting.

**9. Correspondence**

**10. ZAB Announcements**

**11. Staff Announcements:** June 26, 2025 ZAB meeting is canceled due to conflict with a Council meeting at the same location.

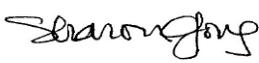
**12. Next Meeting**

**13. Adjourn:** 8:21 PM; Motion / Second: K. Gaffney / Y. Duffy; Vote: 9-0-0-0-0

**Members of the Public:**

**Present: 12**

**Speakers: 2**



Sharon Gong, Principal Planner  
Co-Secretary of the Zoning Adjustments Board