



Planning & Development Department  
Land Use Planning Division

# Action Minutes

## Zoning Adjustments Board Thursday, May 28, 2020 - 7:04 PM

### Preliminary Matters:

#### Roll Call:

**Igor Tregub**, appointed by Mayor Arreguin  
**Teresa Clarke**, appointed by District 1 (Councilmember Kesarwani)  
**Patrick Sheahan**, appointed by District 2 (Councilmember Davila)  
**John Selawsky**, appointed by District 3 (Councilmember Bartlett)  
**Carrie Olson**, appointed by District 4 (Councilmember Harrison)  
**Dohee Kim**, appointed by District 7 (Councilmember Robinson)  
**Denise Pinkston**, appointed by District 8 (Councilmember Droste)  
**Charles Kahn (Vice-Chairperson)**, appointed by District 6 (Councilmember Wengraf)  
**Shoshana O'Keefe (Chairperson)**, appointed by District 5 (Councilmember Hahn)

Absent: None.

Ex Parte Communication Disclosures: None.

#### Public Comment:

Speakers: None

Agenda Changes: None.

## ACTION MINUTES - Zoning Adjustments Board

Thursday, May 28, 2020

Page 2 of 4

---

### Consent Calendar:

#### 1. Approval of Action Minutes from March 12, 2020

Recommendation: **APPROVE**

Motion / Second: **J. Selawsky/ I. Tregub**

Vote: **9-0-0-0**

Action: **APPROVED**

#### 2. [2129 Shattuck Avenue](#) – New Public Hearing

Application: **Use Permit #ZP2019-0097** to add the service of distilled spirits incidental to food service within a hotel.

Zoning: C-DMU - Commercial Downtown Mixed Use

CEQA Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).

Determination: Berkeley Downtown Hotel Owner LLC, 30 Rowes Wharf, Suite 5300, Boston, MA

Applicant/Owner: Nick Armour, [NArmour@cityofberkeley.info](mailto:NArmour@cityofberkeley.info), (510) 981-7485

Staff Planner: **APPROVE** Use Permit ZP2019-0097 pursuant to BMC Section 23B.32.030.

Recommendation: **J. Selawsky/ I. Tregub**

Motion / Second: **9-0-0-0**

Vote: **APPROVED**

#### 3. [1700 Seventh Street](#) – New Public Hearing

Application: **Use Permit #ZP2019-0160** to (1) eliminate a single-family dwelling and (2) establish a child care center.

Zoning: R-1A – Limited Two-Family Residential

CEQA Categorically exempt pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”).

Determination: Tenzin Paldon and Dolma Tsering, 1700 Seventh Street, Berkeley

Applicant: Tashi Dhundup and Dolma Tsering, 1700 Seventh Street, Berkeley

Owner: Nick Armour, [NArmour@cityofberkeley.info](mailto:NArmour@cityofberkeley.info), (510) 981-7485

Staff Planner: **APPROVE** Use Permit ZP2019-0160 pursuant to BMC Section 23B.32.030.

Recommendation: **J. Selawsky/ I. Tregub**

Motion / Second: **9-0-0-0**

Vote: **APPROVED**

**ACTION MINUTES - Zoning Adjustments Board**

Thursday, May 28, 2020

Page 3 of 4

---

**Consent Calendar Continued**

**4. [920 Heinz Avenue](#) – New Public Hearing**

**Application:** Use Permit #ZP2019-0221 to add the sale of distilled spirits at an existing grocery store that currently sells beer and wine.  
**Zoning:** C-W – West Berkeley Commercial  
**CEQA** Categorically exempt pursuant to Section 15301 of the CEQA Guidelines  
**Determination:** (“Existing Facilities”).  
**Applicant/Owner:** Bruce Higgins, Berkeley Bowl Produce, Inc., 920 Heinz Avenue, Berkeley  
**Staff Planner:** Nick Armour, [NArmour@cityofberkeley.info](mailto:NArmour@cityofberkeley.info), (510) 981-7485  
**Recommendation:** **APPROVE** Use Permit ZP2019-0221 pursuant to BMC Section 23B.32.030.  
**Motion / Second:** **J. Selawsky/ I. Tregub**  
**Vote:** **9-0-0-0**  
**Action:** **APPROVED**

**5. [1001 Dwight Way](#) – New Public Hearing**

**Application:** Use Permit #ZP2020-0002 to allow a change in use from an existing lawful non-conforming nursery, consisting of two one-story buildings totaling 1,023 square feet and a 61 square-foot restroom on a 15,200 square-foot parcel, to cannabis retail nursery microbusiness with hours of operation for retail sales from 9:00AM to 5:00PM Monday through Sunday.  
**Zoning:** R1-A - Limited Two-Family Residential  
**CEQA** Categorically exempt pursuant to Section 15301 of the CEQA Guidelines  
**Determination:** (“Existing Facilities”).  
**Applicant:** Masao Yabusaki, 2439 Ninth Street, Berkeley  
Tomoko Yabusaki, 2445 Ninth Street, Berkeley  
**Staff Planner:** Ashley James, [ajames@cityofberkeley.info](mailto:ajames@cityofberkeley.info), (510) 981-7458  
**Recommendation:** **APPROVE** Use Permit ZP2020-0002 pursuant to BMC Section 23B.32.030.  
**Motion / Second:** **J. Selawsky/ I. Tregub**  
**Vote:** **9-0-0-0**  
**Action:** **APPROVED**

**ACTION MINUTES - Zoning Adjustments Board**

Thursday, May 28, 2020

Page 4 of 4

---

**Action Calendar**

**6. [2139 Oregon Street](#) – New Public Hearing**

**Application:** Use Permit #ZP2019-0141 to (1) demolish an existing 1,283-square-foot, one-story single-family dwelling and (2) construct two detached, two-story, single-family dwelling units of 2,283 square feet (proposed front dwelling) and 2,426 square feet (proposed rear dwelling).

**Zoning:** R-2 – Restricted Two-family Residential

**CEQA** Categorically exempt pursuant to Section 15303 of the CEQA Guidelines (“New Construction or Conversion of Small Structures”).

**Determination:**

**Applicant:** Studio KDA - Tiffany Rose Amrit, 1810 Sixth Street, Berkeley

**Owner:** Wayne Lippman, 2139 Oregon St. LLC, Berkeley

**Staff Planner:** Nick Armour, [NArmour@cityofberkeley.info](mailto:NArmour@cityofberkeley.info), (510) 981-7485

**Recommendation:** **APPROVE** Use Permit #ZP2019-0070 pursuant to Section 23B.32.030

**# of Speakers:** 7

**Motion / Second:** I. Tregub / J. Selawsky

**Vote:** 8-0-0-0 (Recused: C. Kahn)

**Action:** **APPROVED with modifications to the Conditions of Approval.**

**Subcommittee Reports:** None.

**Adjourn:** 8:15 PM

**Members of the Public:**

**Present:** 29

**Speakers:** 7

---