Zoning Adjustments Board
Nuisance Abatement Hearing
Thursday, November 6, 2014 - 7:00PM

City Council Chambers, 2134 Martin Luther King Jr. Way, Second Floor
Berkeley (Wheelchair Accessible)

Preliminary Matters:

Roll Call:  Michael Alvarez Cohen (Chairperson), appointed by Councilmember Wozniak
            Prakash Pinto (Vice Chairperson), appointed by Councilmember Maio
            Denise Pinkston, appointed by Mayor Bates
            George Williams, appointed by Councilmember Capitelli
            Robert Allen, appointed by Councilmember Wengraf
            Sophie Hahn, appointed by Councilmember Worthington
            Steven Donaldson, appointed by Councilmember Moore
            Igor Tregub, appointed by Councilmember Arreguin

Excused:  Shoshana O'Keefe, appointed by Councilmember Anderson

Substitute: John Selawsky

Members of the Public
Present: 35
Speakers: 17

Ex Parte Communication Disclosures:
I. Tregub received letters from Patty Wahl pertaining to the petition from neighbors coming and John Squires.

Public Comment:
None

Agenda Changes:
None

Define the rules for the meeting
Action: APPROVED
Motion / Second: D. Pinkston / I. Tregub
Vote: 9-0-0-0
Action Calendar:

Limit the speaker time to 2:00 minutes each

Action: FAILED
Motion / Second: S. Donaldson / R. Allen
Vote: 3-5-1-0 (No: M. Alvarez Cohen, D. Pinkston, G. Williams, J. Selawsky, S. Hahn / Abstain: I. Tregub)

1. 1820-28 San Pablo Avenue
The Zoning Adjustments Board, on referral from the Zoning Officer, will hold a public hearing to consider whether 1820/1828 San Pablo Avenue and the uses therein are in violation of The Patients Access to Medical Cannabis Act of 2008 (BMC Chapter 12.26), The Medical Cannabis Dispensaries and Collectives Ordinance (BMC Chapter 12.27) and/or the Zoning Ordinance and, if so, whether to recommend to the City Council that a Public Nuisance exists and, if so, the appropriate remedy.

PROPERTY OWNER: Janet Wong and Clarence Soe, 7296 Stanwood Way, Sacramento CA, 95831
ZONING DISTRICT: (C-W) West Berkeley Commercial District
ENVIRONMENTAL REVIEW STATUS: Categorically exempt under Section 15301 of the California Environmental Quality Act (CEQA) Guidelines (“Existing Facilities”).

Action: The Board makes the DETERMINATION of NUISANCE. The item is to be continued to date certain of November 13, 2014 to amend the findings to incorporate the full testimony.
Motion / Second: I. Tregub / D. Pinkston
# of Speakers: 17
Vote: 9-0-0-0

Adjourn 9:57