ZONING ADJUSTMENTS BOARD AGENDA
THURSDAY, JUNE 8, 2000
7:00 PM

COUNCIL CHAMBERS, OLD CITY HALL
2134 MARTIN LUTHER KING JUNIOR WAY
BERKELEY, CALIFORNIA 94704

CONSENT CALENDAR PROCEDURES

Due to the extreme length of the Zoning Adjustments Board agenda, a Consent Calendar will be used to approve certain types of applications at one time. The Consent Calendar is divided into two parts:

**Part 1**  Routine business such as amendments of use permits not subject to a public hearing and items proposed for continuance. (Please note that items proposed for continuance to a date certain will not be re-noticed by mail or posting on site.)

**Part 2**  Public hearings on use permits and variances that are apparently non-controversial, on which no adverse comment has been received, and on which the Zoning Officer has made a favorable recommendation.

The Chairperson of the Board will announce the items on the Consent Calendar at 7:05 p.m. Anyone present who wishes to speak on an item should raise his or her hand and advise the chairperson, and the item will be pulled. Any applicant, member of the audience, or Zoning Adjustments Board Member may require that a Consent Calendar II item be removed the Calendar for discussion and testimony. Items pulled from the Consent Calendar will be heard following "Continued" Matters.

PUBLIC TESTIMONY PROCEDURES

The Board may limit the number of speakers and the length of time allowed to each speaker. Persons wishing to offer testimony are encouraged to submit their comments in writing. If you want to speak at a public hearing, you must turn in a speaker card by 7:15 p.m. on the night of the hearing. Cards may also be submitted at the Zoning Counter at 2120 Milvia Street prior to 5 p.m. on the day of the hearing.

Note: Attendees at public meetings are reminded that other attendees may be sensitive to various odors, whether natural or manufactured, in products and materials. Please help the City respect these needs.
AGENDA

Roll Call 7:00 PM

Public Comment 7:00 PM

Business Meeting

1. Chair’s Report

2. Current Business/Committee Appointments

3. Future Agenda Items

4. Other Matters: Ordinance Amendments
   A. Prevention of Disturbances From Large Private Entertainment Events
   B. Appeals From Zoning Adjustments Board and Landmarks Preservation Commission Decisions – Additional Requirements
   C. Amendments to the Subdivision Ordinance

NOTE: PSA = Permit Streamlining Act Board Meeting Deadline Date For Action

Consent Calendar I

5. 2700 SAN PABLO AVENUE
   Request by Patrick Kennedy and Gordon Choyce to demolish the existing building; to construct a 46,074 square foot, 4 story mixed use building; for quick service food use; and to exceed the maximum height for the mechanical penthouse – UP #99-10000095 (Greg Powell)
   PSA Action Date: November 14, 2000
   Continued From: None
   Recommendation: Continue to June 22, 2000
Consent Calendar II

6. **2138-50 OXFORD STREET**  
Request by Nasser Kashani to extend Use Permit #A2313 and Variance #1482 – MOD #00-70000010 (Xandra Grube)  
**PSA Action:** July 25, 2000  
**Continued From:** None  
**Recommendation:** Approve

Hearing on Continued Items

7. **801 GRAYSON STREET**  
Request by Bayer Corporation to construct a 210,000 square foot warehouse/packaging facility; to construct a 120,000 square foot sterile filling production facility; to utilize the former Colgate Buildings S, SX, Q and Y as offices; to demolish existing vacant Buildings PQ, 1-4 along Grayson Street; for the construction of site improvements which include parking spaces located less than 20 feet from the public right-of-way line on Carleton Street; for individual driveway openings on Carleton and Grayson Streets which exceed 20 feet in width and; to modify applicable development standards to allow development of parking facilities based on proposed land uses and maximum building occupancy rather than square footage alone – UP #00-10000008 (Margaret Kavanaugh-Lynch)  
**PSA Action Date:** November 12, 2000  
**Continued From:** May 25, 2000  
**Recommendation:** Approve

8. **600 WOODMONT AVENUE**  
Request by Dev and Harinder Dhanoa to demolish a 2,936 square foot single family house and build a new, 5,216 square foot single family house (including attached garage) – UP #00-10000036 (Xandra Grube)  
**PSA Action Date:** June 22, 2000  
**Continued From:** May 11, 25, 2000  
**Recommendation:** Deny

New Hearing

9. **1825 BERKELEY WAY**  
Request by Peter Ekstein to construct an additional single family residence in the rear of an existing dwelling unit – UP #99-10000100 (Steve Solomon)  
**PSA Action Date:** June 23, 2000  
**Continued From:** March 23, April 13, May 25, 2000  
**Recommendation:** Approve
New Hearing – Continued:

10. **1811 CEDAR STREET**
    Request by Patrick MacArdle for a Variance to construct a one story addition within 9 feet 6 inches of the front property line – UP #00-10000044 (Mike Tolbert)
    
    **PSA Action Date:** June 8, 2000
    **Continued From:** May 25, 2000
    **Recommendation:** Approve

11. **1808 FIFTH STREET**
    Request by Dan Smith to convert a residence to a live/work use; to create a new floor area by adding work spaces to an existing structure and to the creation of additional work spaces in an accessory building in the rear of the property and: for two additional employees and various customers to visit the site – UP #99-10000115 (Margaret Kavanaugh-Lynch)
    
    **PSA Action Date:** September 5, 2000
    **Continued From:** May 25, 2000
    **Recommendation:** Approve

12. **2025 LINCOLN STREET**
    Request by Laura Natkins to construct a dwelling unit; to reduce the required rear yard to 8 feet (15 feet required); and to reduce the building separation to 8 feet (12 feet required) – UP #00-10000035 (Gisele Sorensen)
    
    **PSA Action Date:** July 10, 2000
    **Continued From:** None
    **Recommendation:** Approve

13. **165 VICENTE ROAD**
    Request by Melissa Serrao to construct a 2,824 square foot, three bedroom, single family dwelling and to allow dwelling to encroach 10 feet into the required 20 foot front yard setback – UP #00-10000015 (Steve Solomon)
    
    **PSA Action Date:** July 2, 2000
    **Continued From:** None
    **Recommendation:** Approve

14. **Administrative Use Permits Approved by the Zoning Officer**
    - 2135 Curtis St
    - 2227 Jefferson St
    - 1732 La Vereda Rd
    - 1764 Rose St
    - 1420 Stannage Ave
    - 134 The Uplands
    - 750 Vicente Ave

15. **Informational/Communication**
    A. Newspaper articles from Patrick Kennedy regarding housing crisis
    B. Proposed Sidewalk Benches and Planters Guidelines and Ordinance
Legal Notice Concerning Your Legal Rights:

If you object to a decision by the Zoning Adjustments Board to approve or deny a permit or variance for a project, the following requirements and restrictions apply:

1. You must appeal to the City Council within fourteen (14) days after the Notice of Decision of the action of the Zoning Adjustments Board is mailed. It is your obligation to notify the Current Planning Division in writing to receive a Notice of Decision when it is completed.

2. Pursuant to Code of Civil Procedure, Section 1094.6(b), no lawsuit challenging a City Council decision to deny a permit or variance may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure, Section 1094.6(b), which has been adopted by the City. Any lawsuit not filed within that ninety (90) day period will be barred.

3. Pursuant to Government Code, Section 65009(c)(5), no lawsuit challenging a City Council decision to approve (with or without conditions) a permit or variance may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure, Section 1094.6(b), which has been adopted by the City. Any lawsuit not filed within that ninety (90) day period will be barred.

4. In any lawsuit that may be filed against a City Council decision to approve or deny a permit or variance, the issues and evidence will be limited to those raised by you or someone else at a public hearing or in writing delivered prior to the close of the last public hearing on the project.

Communication Access

To request a meeting agenda in large print, Braille, or on cassette, or to request a sign language interpreter for the meeting, call 644-6480 (voice) or 644-6915 (TDD); at least five (5) working days notice will ensure availability.