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.
ZONING ADJUSTMENTS BOARD AGENDA  
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AGENDA

Roll Call 7:00 PM

Public Comment 7:00 PM

Business Meeting

1. Chair’s Report

2. Current Business/Committee Appointments
   A. Board Election
   B. 1 Whitaker Sub-Committee
   C. General Plan Sub-Committee

3. Future Agenda Items

4. Other Matters
   A. Board Policy on Accepting Late Material
   B. Interpretation of Zoning Ordinance for Fire Rebuild for Non-Conforming Parking Deficit

NOTE: PSA = Permit Streamlining Act Date For Action
Consent Calendar I

5. **2025 CHANNING WAY**
   Request by Clark Plehiers to construct a four story, 17,281 square foot residential building; to construct a 38 foot high, five story building where a maximum height of 35 feet and maximum of 3 stories are allowed by right and; a Variance to allow 58% coverage where 35% is the maximum allowed by right - UP #00-10000022 (Gisele Sorensen)
   
   **PSA Action Date:** 04-22-01  
   **Continued From:** 01-11&25-01  
   **Recommendation:** Continue to 02-22-01

6. **702 HARRISON STREET**
   Request by Ken Holland to convert 13,910 square feet of manufacturing into six industrial and manufacturing lease spaces – UP #00-10000109 (Gisele Sorensen)
   
   **PSA Action Date:** 04-25-01  
   **Continued From:** None  
   **Recommendation:** Continue to 02-22-01

7. **2176 KITTREDGE STREET**
   Request by Thomas Reddy to modify Use Permit #99-70000030 to permit the alteration to an approved plan for an enclosed cashier and open waiting area in conjunction with an existing car wash - MOD #00-70000020 (Gisele Sorensen)
   
   **PSA Action Date:** 03-12-01  
   **Continued From:** 12-14-00, 01-11 & 25-01  
   **Recommendation:** Continue to 02-22-01

8. **2025 ROSE STREET**
   Request by Robert Richerson to modify Use Permit #97-10000003 to reduce the number of approved dwelling units from four to three, replace open parking spaces with private garages and increase the floor area by 1,960 square feet – MOD # (Matt LeGrant)
   
   **PSA Action Date:** 03-22-01  
   **Continued From:** 11-27-00, 12-14-00, 01-11 & 25-01  
   **Recommendation:** Continue to 02-22-01

9. **1414 WALNUT STREET**
   Request by Shannon McDougall for Sprint PCS to allow the installation of a wireless communications facility - AUP #00-20000152 (Greg Powell)
   
   **PSA Action Date:** 02-22-01
Consent Calendar II

None

Appeal of Administrative Use Permit:

NOTE: Appeal of Administrative Use Permits are not subject to public hearing and no public testimony will be taken at this time. The Board can choose to set the matter for public hearing or affirm the decision of the Zoning Officer to grant the permit.

10. 2209 PRINCE STREET Request by Hector Wolansky to establish a hot tub - UP #00-20000120 (Steve Solomon)

PSA Action Date: None
Continued From: None
Recommendation: Affirm Zoning Officer's decision

Hearing on Continued Items:

11. 1301 OXFORD STREET Request by Harry Pollack on behalf of Congregation Beth El to construct a two story, approximately 35,000 square foot religious assembly use that will include a 7,500 square foot nursery school and afternoon religious school with 35 uncovered parking spaces – UP #99-10000079 (Steve Solomon)

PSA Action Date: 03-08-01
Continued From: 11-09 & 27-00, 12-14-00, 01-11 & 25-01
Recommendation: Discuss & Continue to 02-22-01

New Hearing:

12. 1036 ASHBY 1035 MURRAY Request by Michael Sturtz, The Crucible, to allow the expansion of an existing Vocational Education Facility into a space formerly occupied by a manufacturing use -
New Hearing - Continued:

13. **161 PANORAMIC WAY**  Request by Bruce Kelley to modify Use Permit #A1980 to extend the Use Permit by an additional year – MOD #00-70000023 (Pierce Macdonald)
    - PSA Action Date: 02-24-01
    - Continued From: 12-14-00, 01-25-01
    - Recommendation: Approve

14. **Administrative Use Permits Approved by the Zoning Officer**
    - 1640 Bancroft Way
    - 1631 Channing Way
    - 2826 Kelsey Ave
    - 2004 Yolo St
    - 2111 Eighth St

15. **Information/Communication**
    - None

Adjourn

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.
Legal Notice Concerning Your Legal Rights - Continued:

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. If you believe that this decision or any condition attached to it denies you any reasonable economic use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a “taking” of property for public use without just compensation under the California or United States Constitutions, the following requirements apply:

   A. That this belief is a basis of your appeal.

   B. Why you believe that the decision or condition constitutes a “taking” of property as set forth above.

   C. All evidence and argument in support of your belief that the decision or condition constitutes a “taking” as set forth above.

If you do not do so, you will waive any legal right to claim that your property has been taken, both before the City Council and in court.

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.

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