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.
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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

3. Future Agenda Items

4. Other Matters
   A. Revised Submittal Requirement Forms

NOTE: PSA = Permit Streamlining Act Date For Action

Consent Calendar I

5. 2316 GLEN AVENUE
   Request by Thomas and Alisa Caulfield to construct a new single family house
   and to establish front yard parking - UP #00-1000029 (Xandra Grube)
   PSA Action Date: 04-26-01
   Continued From: 01-25-01, 02-22-01
   Recommendation: Continue to 04-12-01

6. 1786-1788 SHATTUCK AVENUE
   Request by Carole Sartenaer to establish a full service restaurant and
   one required parking space off site - UP #00-1000090 (Xandra Grube)
   PSA Action Date: 04-12-01
   Continued From: 03-08-01
   Recommendation: Continue to 04-12-01
Consent Calendar I - Continued:

7. **54 VICENTE ROAD**
   Request by Adam King to construct a dwelling in the R-1(H) Zone; for a cupola to project above the height limitations and; for eave to project into side yard - UP #00-10000112 (Deborah Diamond)
   
   **PSA Action Date:** 07-09-01  
   **Continued From:** 03-22-01  
   **Recommendation:** Continue off Calendar

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.

8. **2120 ACTON STREET**
   Appeal of Zoning Officer’s decision to approve Administrative Use Permit #00-20000199 to allow a 35 square foot half bathroom addition to an existing detached accessory structure to create a habitable accessory building for a study area (Pierce Macdonald)
   
   **PSA Action Date:** None  
   **Continued From:** None  
   **Recommendation:** Affirm Zoning Officer’s decision

Hearing on Continued Items

9. **161 AVENIDA DRIVE**
   Request by Lok-Hung Lo and Grace Law to construct a three story, 3,420 square foot single family house that encroaches feet into the required 20 foot front setback – UP 01-10000001 (Xandra Grube)
   
   **PSA Action Date:** 04-12-01
Continued From: 03-08-01
Recommendation: Approve

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Hearing on Continued Items - Continued:

10. 1431 BANCROFT WAY
    Request by Mike Rogers to construct a new 500 square foot single family dwelling unit that encroaches into the rear yard setback on a lot with an existing 805 square foot home and to legalize pre-existing fences with heights greater than 6 feet – UP #00-10000089 (Pierce Macdonald)
    PSA Action Date: 04-04-01
    Continued From: 02-22-01, 03-08-01
    Recommendation: Deny

11. 1229 GLEN AVENUE
    Request by Eileen Javar and Heiko Dzierzon to construct a major residential addition of 1,651 square feet by raising the house by 1.5 feet to an average height of 21 feet; to establish two parking spaces in the required front yard; to allow the increase in height of an accessory structure to an average height of 13.5 feet less than four feet from the side property line and; to convert a portion of the habitable space to a 640 square foot accessory dwelling unit – UP #00-10000105 (Gisele Sorensen)
    PSA Action Date: 04-26-01
    Continued From: 03-08-01
    Recommendation: Approve

12. 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 #00-70000034 (Matt LeGrant)
    PSA Action Date: 03-22-01
    Continued From: 11-27-00, 12-14-00, 01-11&25-01, 02-08&22-01, 03-08-01
    Recommendation: Approve

13. 1635 TENTH STREET
    Request by Karl Wanasejla to construct a 28 foot high, 1,542 square foot, two story single family house at the rear of an existing 14 foot high 1,019 square foot, one story single family house on a 5,031 square foot lot – UP #00-10000098 (Gisele Sorensen)
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New Hearing

14.  **1608 FOURTH STREET**

   Request by Peter Meier for SPI 1608 Fourth Street Associates, LP, for Variance #01-10000007 and to modify Use Permit #00-10000021 to permit the construction of a four story office/parking structure (without changing the approved roof height) where three stories are allowed (Gisele Sorensen)

   **PSA Action Date:** 04-26-01
   **Continued From:** None
   **Recommendation:** Approve

15.  **702 HARRISON STREET**

   Request by Ken Holland to convert 13,910 square feet of manufacturing into six industrial and manufacturing lease spaces for small contractor's workshops – UP #00-10000109 (Gisele Sorensen)

   **PSA Action Date:** 04-25-01
   **Continued From:** 01-25-01, 02-22-01, 03-08-01
   **Recommendation:** Approve

16.  **1499 UNIVERSITY AVENUE**

   Request by Fred Cohen, Western States Engineering to demolish an existing gas station; to construct a new gas station with 24 hour operation - UP #00-10000077 (Christina Ratcliffe)

   **PSA Action Date:** 06-09-01
   **Continued From:** None
   **Recommendation:** Approve with modifications

17.  **1719-1725 UNIVERSITY AVENUE**

   Request by Ali Kashani for Affordable Housing Associates to construct a 37,191 square foot mixed-use building containing 29 apartment units, 4,930 square feet of retail floor area, a café, and ground floor parking for 36 automobiles; to move (technical demolition) the existing single family residential building (Structure of Merit) for the purpose of relocating to another site; to demolish the existing store; to construct a mixed-use building to a height of four stories and 43 feet (average); to modify the R-3 open space requirement; to modify the residential parking requirement of 33 parking spaces to provide 28 spaces; to provide eight parking spaces for commercial use where the commercial parking requirement is ten spaces; and to allow a five foot rear yard...
where a depth of 12’6” is required - #00-10000104  (Xandra Grube)

PSA Action Date:      09-20-01
Continued From:       None
Recommendation:       Conduct Hearing & Continue to 04-26-01

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18. Administrative Use Permits Approved by the Zoning Officer

1441 Acton Crescent   1516 Alcatraz Ave   2110 Byron St

19. Information/Communication

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.

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:

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Legal Notice Concerning Your Legal Rights - Continued:

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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