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
   A. Zoning Adjustments Board's role in Planning Director selection process.

3. Future Agenda Items

4. Other Matters
   A. Southside/Downtown Transportation Demand Management Study
   B. Downtown Retail Plan

NOTE: PSA = Permit Streamlining Act Date For Action

Consent Calendar I

5. 1601 MARTIN
   LUTHER KING
   JUNIOR WAY
   Request by Billy Weiss to change non-conforming use (rug emporium) to new non-conforming use (retail and wholesale wine shop) – UP #01-1000014
   (Xandra Grube)
   PSA Action Date: 05-10-01
   Continued From: 04-26-01
Recommendation: Continue to 06-14-01

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Consent Calendar II

6. 2235 BLAKE Request by Sylvia Salgado to create a new dwelling unit within existing floor area on the basement ground floor level of an existing duplex residence in the R-2A District - UP #00-10000119  (Pierce Macdonald)
   PSA Action Date: 05-24-01
   Continued From: None
   Recommendation: Approve

Hearing on Continued Items

7. 2316 GLEN Request by Thomas and Elisa Caulfield to construct a new single family house and to establish front yard parking - UP #00-10000029  (Xandra Grube)
   PSA Action Date: 07-26-01
   Continued From: 01-25-01, 02-22-01, 03-22-01, 04-12&26-01
   Recommendation: Approve

8. 2209 PRINCE Request by Hector Wolansky to allow a hot tub located at the property’s rear left corner and enclosed by a two foot, six inch high deck - #00-20000120  (Steve Solomon)
   PSA Action Date: None
   Continued From: 04-26-01
   Recommendation: Approve

9. 2701 SHATTUCK Request by Phillip Moss to construct a mixed use building with retail uses and parking on the first floor and 16 residential units on the upper floors – UP #00-10000083  (Steve Solomon)
   PSA Action Date: 06-28-01
   Continued From: 04-26-01
   Recommendation: Approve
New Hearing:

10. 1631 CHANNING WAY  
    Appeal of AUP set for Public Hearing: Request by David Bacon and Lillian Galedo to construct a 761 square foot addition with 80 square feet added at the ground floor and 681 square feet at the second floor, maintaining a non-conforming 2.7' east side yard setback and a non-conforming 18' front yard setback - UP #00-10000143 (Gisele Sorensen)
    
    PSA Action Date: None
    Continued From: None
    Recommendation: Affirm Zoning Officer's decision

11. 1417 GRIZZLY PEAK BLVD  
    Request by Tom and Kari Levine to add 387 new square feet to a 497 square foot by-right addition that was completed in 1999 for a total of 884 square feet of cumulative new floor area - UP #01-20000049 (Christina Ratcliffe)
    
    PSA Action Date: 05-24-01
    Continued From: None
    Recommendation: Approve

12. 1192-98 LAUREL STREET  
    Request by Adam Barton to allow the expansion of a non-conforming duplex by 613 square feet of new floor area to be created on the southern half of the building primarily within an existing attic with several new dormers - UP #00-10000115 (Steve Solomon)
    
    PSA Action Date: 06-28-01
    Continued From: None
    Recommendation: Deny Variance for addition; Approve Use Permit for deck

13. 1392 UNIVERSITY AVENUE  
    Request by Acton Courtyard, LLC to construct a five story, mixed-use building with 19,350 square feet of ground floor retail, and 71 dwellings in the C-1 zone; to construct a mixed use building to an average height of 50 feet; to reduce the off-street parking to 62 spaces where 80 spaces are required and; to exceed the maximum floor area ratio (FAR) of three, the project would have an FAR of 3.19 and a Variance to construct a five story building where four stories are allowed - UP #00-10000103 (Deborah Diamond)
    
    PSA Action Date: 05-24-01
    Continued From: None
Recommendation: Open public hearing and continue to 05-24-01

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14. Administrative Use Permits Approved by the Zoning Officer

2087 Addison St  
1614 Capistrano Ave  
2738 Fulton St

2102 Shattuck Ave

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.

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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