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 modifications 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 7:11 PM

Public Comment 7:12 PM

Business Meeting

1. Chair’s Report

2. Current Business/Committee Appointments
   A. Re-appointment of Mimi Malayan to the Design Review Committee - Approve 6-0-0 (Alvin, Schwartz, Weinberger - Absent)

3. Future Agenda Items
   A. 725 POTTER - Discussed and directed Staff for future review processing STREET

4. Other Matters

NOTE: PSA = Permit Streamlining Act Date For Action

Consent Calendar I

5. 1521 LA LOMA AVENUE  Request by Marcy Wong for Bruce Jackan and Beth Simmons to construct a 1,572 square foot major residential second story addition to an existing 1,978 square foot, one story, single family house - UP #99-20000186 (Gisele Sorensen)
   PSA Action Date: 09-13-01
   Continued From: 06-14&28-01, 07-12-01
   Board Action: Continued to 08-09-01
ZONING ADJUSTMENTS BOARD AGENDA
THURSDAY, JULY 26, 2001
PAGE 3 OF 8

Consent Calendar I - Continued:

6. 900 MURRAY STREET
Request by Dan Knapp of Urban Ore to modify Use Permit #99-10000068 to demolish a 1,581 square foot building and a 926 square foot building; to modify the phasing of the project in terms of building use and parking availability and; to remove floor area used for an approved Material Recovery Enterprise - UP #01-70000020 (Margaret Kavanaugh-Lynch)

PSA Action Date: 08-09-01
Continued From: None

Board Action: Continued to 08-09-01

Consent Calendar II

7. 2835 ELLSWORTH STREET
Request by Brian Weiss to create a duplex by adding a new dwelling unit to an existing single family house - UP #01-10000030 (Margaret Kavanaugh-Lynch)

PSA Action Date: 07-26-01
Continued From: None

Board Action: Approved - 6-0-0 (Alvin, Schwartz, Weinberger - Absent)

8. 2387 TELEGRAPH AVENUE
Request by Paul Hoffman for Council Travel to establish a travel agency located at the ground floor adjacent to the street frontage - UP #01-10000044 (Hector Lopez)

PSA Action Date: 08-09-01
Continued From: None

Board Action: Approved - 6-0-0 (Alvin, Schwartz, Weinberger - Absent)

Appeal of Administrative Use Permit

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.
ZONING ADJUSTMENTS BOARD AGENDA
THURSDAY, JULY 26, 2001
PAGE 4 OF 8

Appeal of Administrative Use Permit - Continued:

9.  1630 BLAKE STREET  Appeal of Zoning Officer's decision to approve Administrative Use Permit to raise a two story single family house by 2'3" from 21'1" to 23'4" maintaining a non-conforming front yard setback of 14' at the front building line and 0’ at the staircase.

   PSA Action Date: None
   Continued From: None

   Board Action: Affirmed Zoning Officer's decision - 6-0-0
                 (Alvin, Schwartz, Weinberger - Absent)

Hearing on Continued Items:

10.  2700 BANCROFT WAY  Request by Scott Lorenz for Westminster House to demolish an annex to a City Landmark and construct a new three story student housing annex with a 24 space garage underneath - UP #01-10000075  (Greg Powell)

   PSA Action Date: 10-11-01
   Continued From: 07-12-01

   Board Action: Approved with modifications - 6-0-0 (Alvin, Schwartz, Weinberger - Absent)

11.  2034 CEDAR STREET  Request by Ali Eslami for variances to exceed lot coverage and to reduce the front yard setback and to modify Use Permit #99-10000027 - UP #01-10000039  (Xandra Grube)

   PSA Action Date: 08-09-01
   Continued From: 07-12-01

   Board Action: Continued to 08-09-01

12.  762 ENSENADA AVENUE  Appeal of Zoning Officer's decision to approve Administrative Use Permit #00-20000216 to construct a 1,200 square foot, second floor addition  (Greg Powell)

   PSA Action Date: None (Consideration of Appeal)
   Continued From: 04-26-01, 05-24-01, 06-14&28-01, 07-12-01

   Board Action: Continued to 08-09-01
Hearing on Continued Items - Continued:

13. **1050 GILMAN STREET**
   Request by Sandy Swett for Chipotle Restaurant for the intensification of alcohol use from beer and wine to full liquor, to change the hours of operation to 11:00 AM to 10:00 PM, add outside seating on private property and to change the use of existing storage space to a food service use - UP #01-10000029 (Margaret Kavanaugh-Lynch)
   
   PSA Action Date: 08-09-01
   Continued From: None
   
   **Board Action: Continued to 08-09-01**

14. **2517 SACRAMENTO STREET**
   Request by Central Works Theater to operate a live theater for an audience to 49 persons, for approximately one year - UP #01-10000037 (Margaret Kavanaugh-Lynch)
   
   PSA Action Date: 08-09-01
   Continued From: 07-12-01
   
   **Board Action: Approved with modifications - 6-0-0 (Alvin, Schwartz, Weinberger - Absent)**

15. **771 SAN LUIS ROAD**
   Request by John Hopkins to legalize an accessory dwelling unit and to construct a new two car garage with deck above within the front yard setback - UP #01-10000023 (Margaret Kavanaugh-Lynch)
   
   PSA Action Date: 08-09-01
   Continued From: 07-12-01
   
   **Board Action: Approved revised design on CCII - 6-0-0 (Alvin, Schwartz, Weinberger Absent)**

New Hearing:

16. **2087 ADDISON STREET**
   Request by Susan Muscarella for the Jazzschool to allow the incidental service of beer and wine within an approved food service use within an approved music school - UP #01-10000055 (Hector Lopez)
   
   PSA Action Date: 08-09-01
   Continued From: None
   
   **Board Action: Approved on CCII - 5-0-1 (Sprague - Abstain) (Alvin, Schwartz, Weinberger - Absent)**
New Hearing - Continued:

17. **3089 REGENT STREET**
   - Request by Marilyn Williams for a Variance to add a 75 square foot second floor bathroom to existing single family residence with non-conforming lot coverage (56.1% where a maximum of 40% is permitted) (Xandra Grube)
   - PSA Action Date: 08-09-01
   - Continued From: None
   - Board Action: Approved on CCII - 6-0-0 (Alvin, Schwartz, Weinberger - Absent)

18. **2161 UNIVERSITY AVENUE**
   - Request by Lynn Ferreira and Pedro Robin to allow sidewalk café seating and to modify Use Permit #A1760 to add electrical service, add two small awnings and legalize a previous enlargement of 32 square feet for a total of 64 square feet - UP #01-70000016 (Pierce Macdonald)
   - PSA Action Date: 08-09-01
   - Continued From: None
   - Board Action: Approved on CCII - 6-0-0 (Alvin, Schwartz, Weinberger - Absent)

19. **Administrative Use Permits Approved by the Zoning Officer**
   - 661 Cragmont Ave
   - 2418 Eighth St
   - 936 Hearst Ave
   - 356 Panoramic Way
   - 625 Spruce St

20. **Information/Communication**
   - Received from Patrick Kennedy: Article from the Newsletter of the Computer Technologies Program: Demolition - And From The Ashes…

**Adjourn:** 10:24 PM
**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:

   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 the City Clerk's Office at 981-6330 (voice) or 981-6345 (TDD); at least five (5) working days notice will ensure availability.

Ag072601