MEETING SUMMARY

ZONING ADJUSTMENTS BOARD AGENDA
THURSDAY, JANUARY 24, 2002
7:00 PM

NORTH BERKELEY SENIOR CENTER
1901 HEARST AVENUE
BERKELEY, CALIFORNIA 94704

CONSENT CALENDAR PROCEDURES

Due to the 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:

- **Consent Calendar I** 
  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.)

- **Consent Calendar II** 
  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 recommends approval.

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 Boardmember may require that a Consent Calendar II item be removed from the Calendar for discussion and testimony. Items pulled from the Consent Calendar will be heard following Continued Items.

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.
A G E N D A

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
   A. Pending Zoning Hearings List
   B. City Council List

4. Other Matters
   A. Preview of 2517 Sacramento Street revisions - Presentation of Revised Project

NOTE: PSA = Permit Streamlining Act Date For Action

Consent Calendar I

5. 2720 EIGHTH STREET
   Public Hearing on an appeal of an Administrative Use Permit for a request by Elliot Abrams to construct two three-story duplexes, attached at the ground floor by a covered four space carport with a deck above - UP #00-20000183 (Gisele Sorensen)
   PSA Action Date: None
   Continued From: 11-08-01, 01-10-02
   Board Action: Appeal Withdrawn

6. 1011 KEITH AVENUE
   Request by Steve and Judy Snyder to establish a 1,435 square foot accessory dwelling unit through a conversion and to waive required parking for the accessory dwelling unit - #01-10000107 (Pierce Macdonald)
   PSA Action Date: 05-09-02
   Continued From: None
   Board Action: Continued to 03-14-02
Consent Calendar I - Continued:

7. **801 GRAYSON STREET**
   Modification of Phase I of the Sterile Fill building on the Bayer Campus from 74,000 square feet to 44,000 square feet. The 30,000 square foot difference will be included as a part of Phase II. No proposed change is anticipated for the final build out - MOD #01-70000047 (Margaret Kavanaugh-Lynch)
   
   **PSA Action Date:** 02-03-02
   **Continued From:** None
   **Board Action:** Continued to 02-14-02

Consent Calendar II

None

Appeal of Administrative Use Permit

**NOTE:** Appeals 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. **2944 ELMWOOD COURT**
   Appeal of Administrative Use Permit #01-20000056 for a three story, 1,501 square foot addition with skylights, to an existing single family dwelling unit (Margaret Kavanaugh-Lynch)
   
   **PSA Action Date:** None
   **Continued From:** None
   **Board Action:** Continued to 02-28-02 for mediation

Public Hearing on Appeals of Administrative Use Permits

9. **1400 BONITA AVENUE**
   Appeal of Administrative Use Permit to construct a 764 square foot second story addition to an existing 1,112 square foot single story residence – AUP #01-20000021 (Christina Ratcliffe)
   
   **PSA Action Date:** None
   **Continued From:** 11-26-01
   **Board Action:** Continue off Calendar for mediation
Public Hearing on Appeals of Administrative Use Permits - Continued:

10.  635 SANTA ROSA STREET (Steve Solomon)  
Public Hearing on an appeal of an Administrative Use Permit #01-20000002 to allow a 725 square foot expansion of the second floor of an existing single family dwelling  
PSA Action Date: None  
Continued From: None  
Board Action: Approved with added conditions - 6-1-1  
(Sprague - No) (Alvin - Abstain)  
(Matthews - Absent)

Hearing on Continued Items

11.  2450 ASHBY AVENUE  
Request by Alta Bates Medical Center for addition and renovations to the Alta Bates Medical Center - UP #99-10000013 (Margaret Kavanaugh-Lynch)  
PSA Action Date: 04-25-02  
Continued From: 12-13-01  
Board Action: Continued to 02-14-02

12.  2130 GRANT STREET  
Request by Koichi Paul Nii to demolish an existing 1,789 square feet single family house and to construct replacement of a two story single family house of approximately 2,353 square feet - #01-10000099 (Hector Lopez)  
PSA Action Date: 02-24-02  
Continued From: 12-13-01  
Board Action: Approved with added conditions - 7-1-0 (Blake - No) (Matthews - Absent)

13.  3000 SHASTA ROAD  
Request by City of Berkeley, to construct and operate an approximately 6,800 square foot, two story Fire Station with associated apron and parking area – UP #01-10000057 (Steve Solomon)  
PSA Action Date: 180 days from EIR Certification  
Continued From: 11-26-01  
Recommendation: Continued to 02-14-02
New Hearing

14.  **2418 CALIFORNIA**  
    Request by Jim Novosel to raise an existing dwelling by 2 feet and add 2 dwellings to an existing single family dwelling - #01-10000096  (Greg Powell)  
    - **PSA Action Date:** 02-14-02  
    - **Continued From:** None  
    - **Recommendation:** Approved on CCII - 5-0-0 (Alvin, Blake, Matthews, Pietras - Absent)

The following three items (800 Grizzly Peak Boulevard, 888 Grizzly Peak Boulevard and 2639 Marin Avenue are contained in one report:

15.  **800 GRIZZLY PEAK BLVD.**  
    Request by Massoud Naraghi, AIA, to construct a new 2,631 square foot, three story, single family residence – UP #01-10000033  (Greg Powell)  
    - **PSA Action Date:** 04-11-02  
    - **Continued From:** None  
    - **Board Action:** Continued to 02-14-02 for story poles

15a.  **888 GRIZZLY PEAK BLVD**  
    Request by Massoud Naraghi, AIA, to construct a new, 3,125 square foot, three story, single family residence – UP #01-10000031  (Greg Powell)  
    - **PSA Action Date:** 04-11-02  
    - **Continued From:** None  
    - **Board Action:** Continued to 02-14-02 for story poles

15b.  **2639 MARIN AVENUE**  
    Request by Massoud Naraghi, AIA, to construct a new 3,119 square foot, two story, single family residence – UP #01-10000032  (Greg Powell)  
    - **PSA Action Date:** 04-11-02  
    - **Continued From:** None  
    - **Board Action:** Continued to 02-14-02 for story poles

16.  **2709 TENTH STREET**  
    Request by Timothy Rempel to construct two dwelling units and three live/work units with a total of 8,694 square feet – UP #01-10000066  (Gisele Sorensen)  
    - **PSA Action Date:** 02-28-02  
    - **Continued From:** None  
    - **Board Action:** Continued to 02-14-02
17. **Administrative Use Permits Approved by the Zoning Officer**

1737 Addison St  
2295 San Pablo Ave  
677 Neilson St (revised)  
1306 Santa Fe Ave  
677 Neilson St

18. **Information/Communication**

None

**Adjourn:** 1:30 AM

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

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