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: Please refrain from wearing scented products to public meetings.
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
   A. Pending Zoning Hearings List
   B. City Council List
   C. 2119 University Avenue - Presentation of mixed-use project with inclusionary housing and density bonus (Christina Ratcliffe) - Scheduled for Zoning Adjustments Board Meeting on 04-02-02.

4. Other Matters
   A. 635 Santa Rosa Avenue - Review Notice of Decision - Affirmed Notice of Decision of 02-25-02 with modifications

NOTE: PSA = Permit Streamlining Act Date For Action

Consent Calendar I

5. 2944 ELMWOOD COURT
   Public Hearing on an appeal of an Administrative Use Permit #01-20000056 for a major residential addition, 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: 02-28-02
   Board Action: Continued to 04-11-02
Consent Calendar I - Continued:

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 (Hector Lopez)
   PSA Action Date: 03-14-02
   Continued From: 01-24-02
   Board Action: Application Withdrawn

Consent Calendar II

7. 1330 HARMON STREET Request by Hana Mori to construct a new single family residence and to retroactively approve the demolition of a house (demolition has already occurred) - UP #02-10000002 (Hector Lopez)
   PSA Action Date: 03-14-02
   Continued From: None
   Board Action: Approved - 8-0-0 (Alvin - Absent)

8. 1576 HOPKINS STREET Request by K. Clark and J. Tomasson to modify Use Permit #9619 to extend hours of operation to 8:00 AM to 8:30 PM, seven days a week and to add carry out food service - MOD #02-70000001 (Margaret Kavanaugh-Lynch)
   PSA Action Date: 04-02-02
   Continued From: None
   Board Action: Approved - 8-0-0 (Alvin - Absent)

9. 2533 TELEGRAPH AVENUE Request by Tom Truong to allow the service of on-site beer and wine in an existing restaurant - UP #01-10000109 (Margaret Kavanaugh-Lynch)
   PSA Action Date: 03-14-02
   Continued From: None
   Board Action: Approved - 8-0-0 (Alvin - Absent)

10. 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, 01-24-02, 02-14&28-02
    Board Action: Continued to 04-02-02
Hearing on Continued Items - Continued:

11. **2407 DANA STREET**  
    Request by First Presbyterian Church of Berkeley to implement a Campus Master Plan, including construction of a 38,000 square foot, three-story education and administration building over a two-level underground parking structure; renovate existing Sanctuary and Christian Education building; relocation and rehabilitation of McKinley Annex, a City Landmark (Review of FEIR) - UP #00-10000118 (Deborah Diamond)
    
    **PSA Action Date:** 03-14-02  
    **Continued From:** 02-14&28-02  
    **Board Action:** Approved on CCII - 8-0-0 (Alvin - Absent)

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

12. **880 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:** 01-24-02, 02-14&28-02  
    **Board Action:** Adopted Negative Declaration and Approved - 7-1-0 (Sprague - No) (Alvin - Absent)

12A. **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:** 01-24-02; 02-14&28-02  
    **Board Action:** Adopted Negative Declaration and Approved - 7-1-0 (Sprague - No) (Alvin - Absent)

12B. **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:** 01-24-02; 02-14&28-02  
    **Board Action:** Adopted Negative Declaration and Approved - 7-1-0 (Sprague - No) (Alvin - Absent)
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Hearing on Continued Items - Continued:

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: 08-08-02
Continued From: 11-26-01, 01-24-02, 02-14&28-02

**Board Action: Approved - 7-0-1 (Blake - Abstain) (Alvin - Absent)**

New Hearing

14. **2418 CARLETON STREET**

Request by Christina Sun to increase the existing lot coverage of a residential property from 58.7% to 60.1% (40% allowed) by expanding the floor area of one of the residential units located in the rear, converting two existing one-car garages into habitable space and legalizing a 93 square foot addition - VAR #01-10000097 (Hector Lopez)

PSA Action Date: 03-14-02
Continued From: None

**Board Action: Denied - 7-0-1 (Matthews - Abstain) (Alvin - Absent)**

15. **Administrative Use Permits Approved by the Zoning Officer**

1127 Bancroft Wy
1245 Cedar St

16. **Information/Communication**

A. News article received from Patrick Kennedy regarding Gaia Building.

Adjourn: 11:30 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 981-6900 (voice) or 981-6903 (TDD); at least five (5) working days notice will ensure availability.

Ag031402