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IHRC

CITY OF BERKELEY
CITY CLERK DEPT

Inter-neighborhood Hospital Review Committee
Willard • Bateman • Fairview Park
July 11, 2002

02 JUL 18 PM 3:21

For city counit
7123102 packet

Margaret Kavanaugh-Lynch
City of Berkeley
Planning and Development Department
2120 Milvia Street
Berkeley, CA 94704

Dear Margaret:

IHRC had not noticed the language discrepancy relating to the noise ordinance in the Alta Bates Medical Center (2450 Ashby) Use Permit. IHRC believes it is reasonable to resolve and clarify this Use Permit/City Noise Ordinance language discrepancy. Therefore, IHRC supports the Appeal by Timothy Smallsreed, Fred Kreiger, Mark Chekal, and Jon Bain.

Sincerely,



Marty Barclay
IHRC Co-chair

Kelly, Sherry

45

From: Mark Chekal [mjcb@wwc.com]
Sent: Tuesday, July 23, 2002 12:11 PM
To: Kelly, Sherry
Cc: Englund, Sandy; Rome, Leslie; Timothy Smallsreed; Fred Krieger; Jon Bain-Chekal
Subject: Appeal of Sutter Alta Bates Use Permit

July 23, 2002
12:00 pm, PDT

Dear City Clerk:

We have read the city manager's report with regards to our appeal for tonight's council meeting. We very much appreciate the time and effort that city staff put into analyzing the appeal and advising city council.

Is the manager stating that the noise control officer and other city staff will enforce the noise ordinance (rather than what is in the permit) with regards to equipment noise at Alta Bates? If the answer is yes, than we will happily withdraw our appeal. Please respond as soon as possible so that we can make our final decision. Thanks so very much.

Sincerely,

Timothy Smallsreed
Jon Bain

Fred Krieger

Mark Chekal

Rome, Leslie

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From: Mark Chekal [mjcb@wwc.com]
Sent: Tuesday, July 23, 2002 12:24 PM
To: mjcb@wwc.com; Kelly, Sherry
Cc: Englund, Sandy; Rome, Leslie; Timothy Smallsreed; Fred Krieger; Jon Bain-Chekal
Subject: CLARITY on Appeal of Sutter Alta Bates Use Permit

Importance: High

Just to be clear our last e-mail, we will NOT withdraw the appeal if the answer is "yes." We will ONLY officially withdraw the appeal when

1. we receive written confirmation back from either the city manager or the city clerk,
2. we have reviewed it and are satisfied that it meets our needs,
3. we send an e-mail to the city clerk stating that we "officially withdraw our appeal."

Thanks.

-----Original Message-----

From: Mark Chekal [mailto:mjcb@wwc.com]
Sent: Tuesday, July 23, 2002 12:11 PM
To: clerk@ci.berkeley.ca.us
Cc: manager@ci.berkeley.ca.us; Rome, Leslie [LRome@ci.berkeley.ca.us]; Timothy Smallsreed; Fred Krieger; Jon Bain-Chekal
Subject: Appeal of Sutter Alta Bates Use Permit

July 23, 2002
12:00 pm, PDT

Dear City Clerk:

We have read the city manager's report with regards to our appeal for tonight's council meeting. We very much appreciate the time and effort that city staff put into analyzing the appeal and advising city council.

Is the manager stating that the noise control officer and other city staff will enforce the noise ordinance (rather than what is in the permit) with regards to equipment noise at Alta Bates? If the answer is yes, then we will happily withdraw our appeal. Please respond as soon as possible so that we can make our final decision. Thanks so very much.

Sincerely,

Timothy Smallsreed
Jon Bain

Fred Krieger

Mark Chekal

Tuesday, July 23, 2002

Mayor Dean and Members of the Berkeley City Council:

I hereby withdraw my appeal of Use Permit #99-10000013 in exchange for the commitment by Alta Bates Summit Hospital President and CEO Warren Kirk, in his letter of July 22, 2002 (attached) to pay costs associated with moving the Colby Street cul-de-sac further north and to promote this move.

The hospital will pay for the cul-de-sac (now located where Colby once intersected South Hospital Drive) to be moved north to accommodate a sidewalk and some type of landscaped buffer up to 15 feet north of the existing redwood trees.

The final configuration of the street will be determined by Public Works and approved by City Council. Alta Bates will pay the costs associated with the improvements just described and agrees to accept such other conditions as the City may impose.

Sincerely,



Julie Shearer
2431 Woolsey Street
Berkeley, CA 94705

CC:

Weldon Rucker, City Manager
Sherry Kelly, City Clerk
Warren Kirk, ABSMC
Marty Barclay, Chuck DeLeuw
Margaret Kavanaugh-Lynch
Ted Zupan



*Alta Bates Summit
Medical Center*

A Sutter Health Affiliate

2450 Ashby Avenue
Berkeley, CA 94705
510.204.4444

July 22, 2002

Julie Shearer
2431 Woolsey Street
Berkeley, CA 94705

Dear Julie,

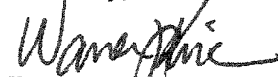
Thank you for meeting with Debbie Pitts and me last week to discuss your appeal of Use Permit #99-10000013, allowing renovation of the Emergency Department, which was approved by Berkeley's Zoning Adjustment Board on April 25. We appreciate your concerns and we are extremely pleased that you have agreed to withdraw your appeal, based on our commitment to pay for costs associated with moving the Colby Street cul-de-sac further north.

In exchange for withdrawal of your appeal, we will promote moving the Colby street cul-de-sac (which is located where Colby once intersected with South Hospital Drive) north, to accommodate a sidewalk and some type of landscape buffer, up to 15 feet, north of the existing redwood trees. As we discussed, the final configuration of the street will be determined by Public Works and approved by City Council, through the "Street Vacation" process. Alta Bates will pay for the cost associated with a configuration the city deems necessary and appropriate. Further, we agree to accept such other conditions or obligations as may be imposed by the city as part of the street vacation process.

We will be meeting with Public Works staff for the first time this week and fully expect that our neighbors will be part of our ongoing discussions and planning with the city.

Again, thank you for your time and consideration. Should you have any further questions or concerns, please feel free to contact me or Debbie at 204-4412.

Sincerely,


Warren Kirk
President & CEO

Cox, Sara

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From: Timothy H. Smallsreed [TSmallsreed@fablaw.com]
Sent: Tuesday, July 23, 2002 4:55 PM
To: Englund, Sandy; Kelly, Sherry; Cox, Sara; Kavanaugh-Lynch, Margaret
Cc: Mark Chekal-Bain (E-mail); Debbie Pitts (E-mail)
Subject: Withdrawal of Chekal-Bain et al. Appeal to Use Permit No.99-0000013

As one of the appellants, and on behalf of the other appellants with their authorization, I am notifying you that the appeal filed by Mark Chekal, John Bain, Fred Kreiger and Timothy H. Smallsreed to Use Permit No. 99-0000013 is hereby withdrawn. Please remove it from consideration on the Agenda for the City Council's meeting this evening. Thank you.

Timothy H. Smallsreed