

April 25, 2003

To: Dona Spring, City Council
Re: 1936 Delaware Use Permit
From Sydney Turnshek, resident 1805-A Bonita Avenue

I have lived at 1805-A Bonita for the last 29 years. The proposed building at the rear of 1936 Delaware would greatly reduce the quality of life that myself and my family have known. Due to the sheer size of the structure we would lose any view of the hills, the sunrise, the moon rise, the greenery of the park, and it would also reduce the light considerably. We have a small garden that we use as an outdoor room and the proposed structure would loom over us and take away any privacy we may have in our recreational garden space.

I do not object to a single story structure. We were hoping a family would take over the property and cultivate the space as a garden, but this project is completely the opposite. It is designed to fit as many people as possible into as small a space as possible. This idea goes against the entire nature of our Berkeley community.

I am disappointed in the zoning board's lack of integrity in not preserving the existing ambiance of this family-oriented neighborhood. This proposed building is a cleverly disguised boarding house that will create noise pollution and increased parking problems, and all for personal greed on the part of Mr. Kayah.

Mr. Kayah has successfully desecrated most of the natural foliage on his property and in our public park: cutting down a 6' diameter, 75-year-old redwood tree; then by back-digging a tree that was in the park near his property line, he killed it, causing the city of Berkeley to cut it down. He did this to make room for this proposed large structure.

All of his surrounding neighbors object to the scale of this building, and he has avoided hearing our opinions and I do not consider him a good neighbor. Please set this matter for a public hearing to bring this new unit within the scale of our neighborhood.

Sincerely,

Sydney Turnshek
Sydney Turnshek

RECEIVED AT
COUNCIL MEETING OF:
MAY 13 2003
OFFICE OF THE CITY CLERK
CITY OF BERKELEY



April 25, 2003

To: Dona Spring, City Council
Re: 1936 Delaware Street's Use Permit as approved by ZAB
From: James Mellgren, resident of 1805-A Bonita Avenue

1. I am writing to you in opposition to the proposed two-story, three-bedroom, three and a half bath house that Mr. Kayah wants to build in his backyard next to Ohlone Park. In a move that is typical of the applicant's behavior, he misrepresented the scale of the project in order to obtain neighbor support. Mr. Kayah first approached me several months ago to get approval directly from his neighbors for a "cottage" he wanted to build in his backyard. Never did he mention a 1600 sq. ft., full-size house. There is no way that this structure could be defined as a "cottage."

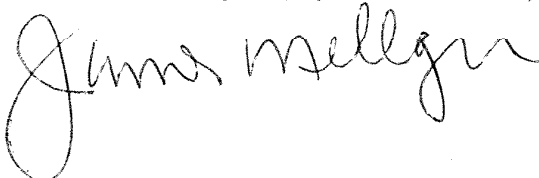
2. The Zoning Adjustments Board casually dismissed the pleas from every single one of his adjoining neighbors during the hearing, while they sat and listened patiently to at least a dozen of Mr. Kayah's friends who paraded before the dais to testify what a great guy he is and how they feel this would be good for the city of Berkeley, even though not one of them lives anywhere near the site, and most said they didn't even live in Berkeley. They all used the magic words, "more housing in Berkeley" even though it is clear from all my research, as well as that of our son and daughter who have both sought new housing lately, that there are hundreds of vacant apartments in Berkeley. The problem with Berkeley's housing situation is not that there isn't any, but that there is no affordable housing, and Mr. Kayah's plan will clearly not be affordable to any except those who are very well off. The ZAB's exalted need for more housing over real neighborhoods is a detriment to our community.

3. By ZAB setting this precedent of large housing built right up to Ohlone Park (in fact, his balcony will actually hang at or over the park fence), it will lead to unwanted development of the park's adjacent lots when people figure out that ZAB has given them carte blanche to do so. As to the so-called shadow studies performed by Mr. Kayah's architects, they only sought to study shadows cast on the houses, and failed to analyze the open space of the neighbors.

Solution. No one has a problem with Mr. Kayah's plan to raise the existing house to two-stories, or to build a cottage in the back. We object vehemently, however, to his building a full-size, rear-yard dormitory. I urge you to set a hearing to reconsider this plan and to amend the use permit to allow only a one-story structure. He has already chopped down the 75 + year old redwood tree that stood in his backyard because none of us could stop him. Please don't allow him to bring further damage to the park and to the quality of our lives that we have all worked hard to attain. Please set this matter for hearing.

Thank you.
Sincerely,

James Mellgren (daytime # 704-8985)



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MAY 13 2003

THE
GOURMET
RETAILER

OFFICE OF THE CITY CLERK
CITY OF BERKELEY

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