

Office of the City Manager

ACTION CALENDAR
July 8, 2003

To: Honorable Mayor
and Members of the City Council

From: Weldon Rucker, City Manager

Subject: 1936 Delaware Street – Appeal of Zoning Adjustments Board’s Approval of Two Additional Dwellings

RECOMMENDATION

Open the public hearing, take testimony and continue the public hearing.

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

On May 13, 2003, the City Council set this matter for a public hearing for June 17, 2003; however, representatives for both the owner and the appellant requested a continuance to July 8. The parties have reached a tentative agreement for a revised plan; however, all of the details have not been worked out. An additional continuance is needed for the Council to consider the revised project at a public hearing, or if agreement is not reached, to consider the original appeal.

BACKGROUND

The applicant and appellant requested the continuance to July 8 to allow time for them to reach agreement about the project. The parties have reached a tentative agreement and a revised plan was submitted to embody the agreement. The revised plan adds a third story to the front building and reduces the rear building to a single story. Plans submitted to staff on July 2 are attached, but have not been reviewed as of the writing of this report to verify conformance with zoning regulations.

Testimony at this meeting will allow the parties to present the revised plan and voice any remaining concerns. If the parties are in agreement and if staff analysis determines that there are not problems, the Council could continue the project to July 15 for action, although the report would be distributed to Council late. Alternatively, the project will need to be continued to September.

RATIONALE FOR RECOMMENDATION

The applicant and appellant need additional time to come to agreement.

ALTERNATIVE ACTIONS CONSIDERED

Staff requested that the public hearing be postponed from July 8 to July 15 (without opening the hearing); however, the appellant would not agree to the continuance because his attorney would not be available.

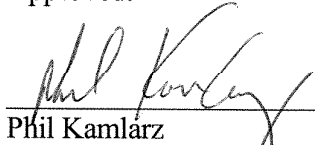
Action Deadlines:

1. Date appeal first appeared on Council agenda: April 1, 2003.
2. Date City Council voted to hold a hearing: May 13, 2003.
3. Date of Public Hearing: June 17, 2003, continued to July 8, 2003. A public hearing must commence within 60 days of the date the vote to hold a hearing was taken, unless extended with approval of the applicant and appellant.
4. The appeal must be disposed of within 30 days from the date the public hearing is closed or the decision of the ZAB is deemed affirmed.

CONTACT PERSON:

Wendy Cosin, Deputy Director, Planning and Development, (510) 981-7402

Approved:



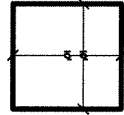
Phil Kamlarz

Deputy City Manager/Interim Planning Director

NOTES ON USABLE OPEN SPACE CALCULATION:

(344 SF) FRONT AREA + (495 SF) REAR UNIT OUTDOOR AREA
 = 839 SF
 MIN. REQUIRED = 800 SF

LEGEND:



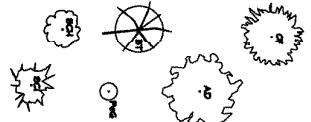
100% MIN. LENGTH AND WIDTH FOR
 THE AREA TO BE CONSIDERED USABLE
 OPEN SPACE

WALL KEY
 HHI
 DSD
 BRICK

1936 DELAWARE ST.
 2 STORY HOUSE

PLANTING KEY

SYMBOLS

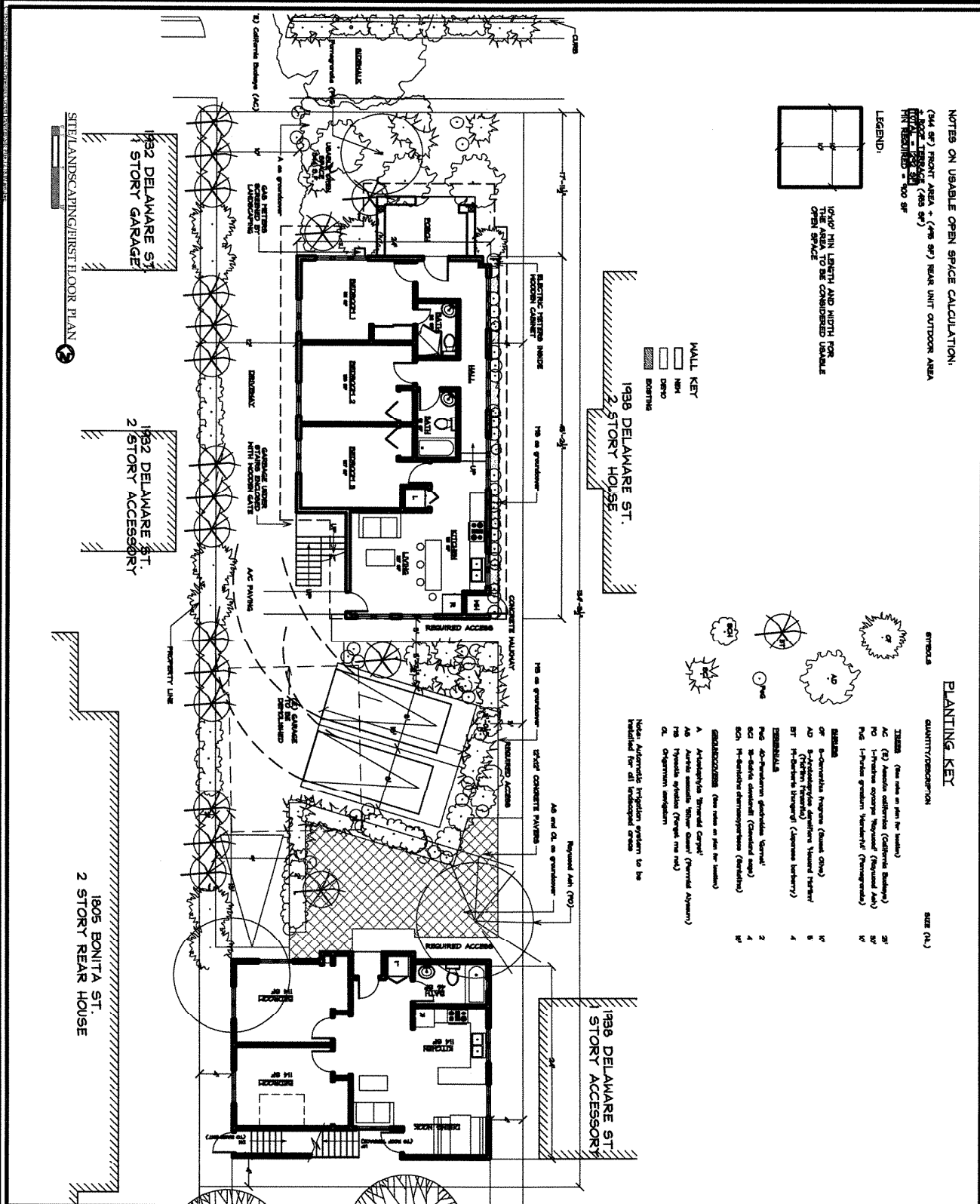


QUANTITY/DESCRIPTION

SIZE (ft.)

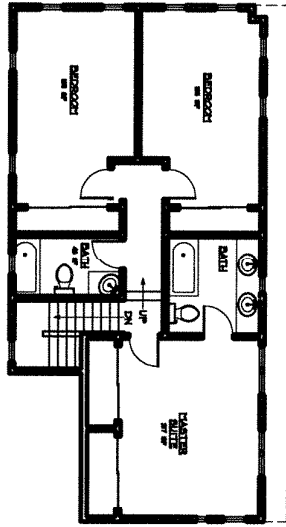
SYMBOLS	QUANTITY/DESCRIPTION	SIZE (ft.)
AC	1-Asplenium nidus (Fern)	2'
AD	1-Asplenium nidus (Fern)	3'
AP	1-Asplenium nidus (Fern)	4'
BT	1-Asplenium nidus (Fern)	5'
BT	1-Asplenium nidus (Fern)	6'
BT	1-Asplenium nidus (Fern)	7'
BT	1-Asplenium nidus (Fern)	8'
BT	1-Asplenium nidus (Fern)	9'
BT	1-Asplenium nidus (Fern)	10'
BT	1-Asplenium nidus (Fern)	11'
BT	1-Asplenium nidus (Fern)	12'
BT	1-Asplenium nidus (Fern)	13'
BT	1-Asplenium nidus (Fern)	14'
BT	1-Asplenium nidus (Fern)	15'
BT	1-Asplenium nidus (Fern)	16'
BT	1-Asplenium nidus (Fern)	17'
BT	1-Asplenium nidus (Fern)	18'
BT	1-Asplenium nidus (Fern)	19'
BT	1-Asplenium nidus (Fern)	20'
BT	1-Asplenium nidus (Fern)	21'
BT	1-Asplenium nidus (Fern)	22'
BT	1-Asplenium nidus (Fern)	23'
BT	1-Asplenium nidus (Fern)	24'
BT	1-Asplenium nidus (Fern)	25'
BT	1-Asplenium nidus (Fern)	26'
BT	1-Asplenium nidus (Fern)	27'
BT	1-Asplenium nidus (Fern)	28'
BT	1-Asplenium nidus (Fern)	29'
BT	1-Asplenium nidus (Fern)	30'
BT	1-Asplenium nidus (Fern)	31'
BT	1-Asplenium nidus (Fern)	32'
BT	1-Asplenium nidus (Fern)	33'
BT	1-Asplenium nidus (Fern)	34'
BT	1-Asplenium nidus (Fern)	35'
BT	1-Asplenium nidus (Fern)	36'
BT	1-Asplenium nidus (Fern)	37'
BT	1-Asplenium nidus (Fern)	38'
BT	1-Asplenium nidus (Fern)	39'
BT	1-Asplenium nidus (Fern)	40'
BT	1-Asplenium nidus (Fern)	41'
BT	1-Asplenium nidus (Fern)	42'
BT	1-Asplenium nidus (Fern)	43'
BT	1-Asplenium nidus (Fern)	44'
BT	1-Asplenium nidus (Fern)	45'
BT	1-Asplenium nidus (Fern)	46'
BT	1-Asplenium nidus (Fern)	47'
BT	1-Asplenium nidus (Fern)	48'
BT	1-Asplenium nidus (Fern)	49'
BT	1-Asplenium nidus (Fern)	50'

Note: All plants to be installed per all landscape notes

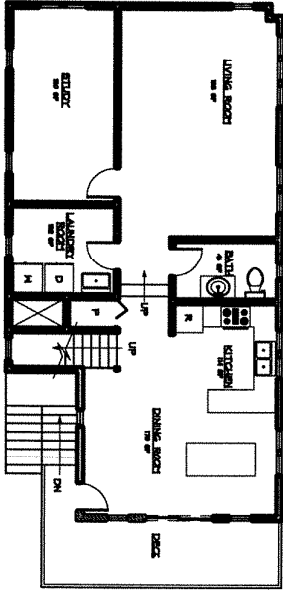


SITE/LANDSCAPING/FIRST FLOOR PLAN

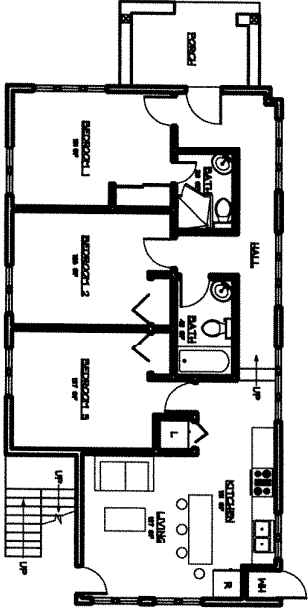
<p>INTEGRATED STRUCTURES INC. ARCHITECTURE ENGINEERING CONSTRUCTION MANAGEMENT 2606 Dwight Way, Berkeley, CA 94704 Tel: (510) 665-9633</p>	<p>1936 DELAWARE ST. Berkeley, CA Zoning District R-2A</p>	<p>Site, Landscaping, and Floor Plans</p>
<p>DATE: 12/20/02 SCALE: 1/8"=1'-0" DRAWN: AM JOB: ABBEY SHEET: A-3</p>	<p>REVISIONS BY:</p>	



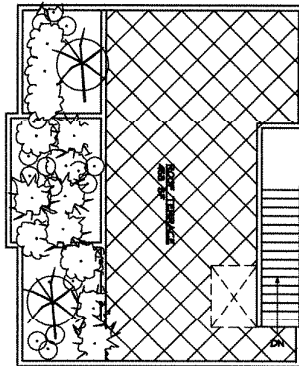
HOUSE THIRD FLOOR PLAN



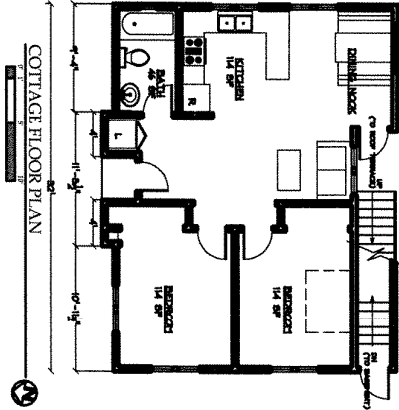
HOUSE SECOND FLOOR PLAN



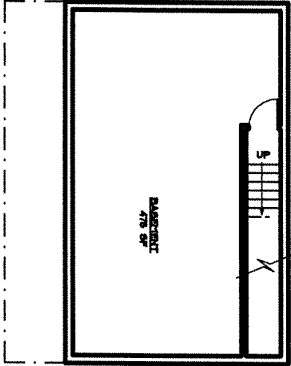
HOUSE FIRST FLOOR PLAN



COTTAGE ROOF TERRACE PLAN



COTTAGE FLOOR PLAN



COTTAGE BASEMENT PLAN

DATE: 06/10/05
NOT TO SCALE
DRAWN: KM
JOB: AHNBT
SHEET: A-4

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 ARCHITECTURE ENGINEERING CONSTRUCTION MANAGEMENT
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 Tel: (510) 665-9633

1936 DELAWARE ST.
 Berkeley, CA
 Zoning District R-24

Plans

REVISIONS/DATE