

RESOLUTION NO. 62,711–N.S.

REMANDING TO THE ZONING ADJUSTMENTS BOARD THE REVIEW OF ITS DECISION TO APPROVE ADMINISTRATIVE USE PERMIT #02-20000125 FOR THE PROJECT LOCATED AT 1650 LA VEREDA ROAD

WHEREAS, on October 3, 2002, Carl Bridgers of Holey Associates Architects filed for an Administrative Use Permit to add 902 square feet to an existing single-family dwelling; and

WHEREAS, on July 8, 2004, 138 public hearing notices were posted in the project vicinity and mailed to residents, owners of property and neighborhood organizations expressing interest within 300 feet of the project; and

WHEREAS, on July 22, 2004, the Zoning Adjustments Board opened a public hearing to consider the project; and

WHEREAS, a total of five persons spoke during the hearing, three of which described themselves as project opponents, and two as supporters; and

WHEREAS, the Zoning Adjustments Board was made aware of the existing dwelling's architectural and historical significance through written correspondence and testimony at the hearing; and

WHEREAS, on July 22, 2004, the Zoning Adjustments Board, based on evidence that the project would not have any substantial adverse impact on the environment, determined that project to be categorically exempt under Section 15332 of the California Environmental Quality Act Guidelines; and

WHEREAS, on July 22, 2004, the Zoning Adjustments Board, after closing the public hearing and considering the written correspondence and testimony regarding the existing dwelling's architectural and historical significance, approved the requested Administrative Use Permit; and

WHEREAS, on July 29, 2004, notice of the Zoning Adjustments Board's decision was issued; and

WHEREAS, on August 4, 2004, Brian Viani and Sue Martin of 1631 La Vereda Road filed a petition with 50+ signatures to initiate 1650 La Vereda as a City of Berkeley Landmark; and

WHEREAS, on August 12, 2004, Brian Viani and Sue Martin of 1631 La Vereda Road appealed this decision to the City Council; and

WHEREAS, on October 29, 2004, a completed historic designation proposal was submitted to the City; and

WHEREAS, on November 1, 2004, the LPC asked that the Council review the additional information contained in the designation proposal in their deliberations; and

WHEREAS, the Council has considered the record of the proceedings before the Zoning Adjustments Board; the recent Staff reports and correspondence presented to the City Council, and the designation proposal and, in the opinion of this Council, the facts stated in, or ascertainable from this information, warrant reconsideration of the application by the ZAB.

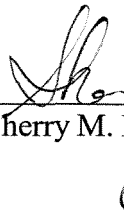
NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley hereby remands the matter to the Zoning Adjustments Board and directs the ZAB to hold a new public hearing to reevaluate the project in light of potential historic resource issues and associated CEQA implications. Because the ZAB may only act within 60 days of this remand, the Council further urges the LPC to complete its pending hearing of the designation of the property, and if it designates the property, to complete the additional required hearing on an alteration permit prior to the ZAB's last meeting before the expiration of the 60-day remand period.

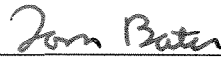
The foregoing Resolution was adopted by the Berkeley City Council on November 9, 2004 by the following vote:

Ayes: Councilmembers Brcland, Maio, Shirck, Spring, Worthington and Mayor Bates.

Noes: Councilmembers Hawley, Olds and Wozniak.

Absent: None.

Attest:   
Sherry M. Kelly, City Clerk

  
Tom Bates, Mayor