



East Bay Community Mediation

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Permit Mediation Report

September 17, 2008

To: Berkeley Zoning Adjustments Board

FOR BOARD ACTION
September 25, 2008

Re: 1911 RUSSELL ST. (Thai Temple)

Mediated meetings were held June 21, July 19 & August 6, 2008 between:

RECEIVED

SEP 17 2008

LAND USE PLANNING

APPLICANT

Komson Muangmaithong
Sukum Sai-Ngarm
4 others from the Temple

NEIGHBORS

From: 1912, 1914 & 1927 Oregon St
2827 MLK Way
1730 Ward St

(Not all parties met all three times)

With regard to the issue of the SANCTUARY:

There was only one AGREEMENT: that the automobile entry to the Sanctuary be from MLK Way and not from Oregon St. Issues regarding the height and the placement of the Sanctuary, as well as the parking on-site, were NOT resolved. Note that three of the neighbors live directly abutting the Sanctuary area.

With regard to the SUNDAY FOOD SERVICE::

The neighbors living next to the rear property of the Temple said the noise and odors of food preparation, Saturday as well as Sunday, seriously impacted their weekend life. The major issue was the frequency of food-serving days, and the number of people to be served. There was NO agreement concerning this. The Temple said they had already reduced the number of hours of the food serving, and efforts had been taken to reduce the noise and the odors of food preparation, as well as the parking congestion problem. The neighbors were unanimous in saying the solution to these concerns required a large reduction of the frequency of feeding days.

Note that this is a situation that affects a large number of neighbors, some of whom enjoy the availability of food, some who oppose it, and some who may be indifferent. Ours was an attempt to see if there were grounds for mutual accommodation between the Temple and those neighbors who lived the closest and seemed to be the most affected by the Temple program.

Once the ZAB has indicated the new permit conditions it recommends and the participants are more aware of their negotiating options, the use of mediation might be more appropriate.

We are not more specific in this report about the details of the various positions expressed in mediation because parties can best inform you in their own words at the public hearing.

Also the opinions of many neighbors not a party to these mediations can be heard.

Harriet Whitman Lee and Eric Reed were co-mediators.

Victor Herbert
Mediator