



## REGULAR MEETING OF THE PLANNING COMMISSION

Wednesday, September 12, 2001

7:00 PM

North Berkeley Senior Center

1901 Hearst Avenue

### AGENDA

1. **ROLL CALL**
2. **INTRODUCTION OF THE NEW PLANNING AND DEVELOPMENT DIRECTOR**
3. **PUBLIC COMMENT PERIOD (OPEN MIKE)**  
A total of 30 minutes is allotted. Speakers are limited to no more than three minutes each.
4. **ORDER OF AGENDA**
5. **CHAIRPERSON'S REPORT**
6. **COUNCIL ACTIONS:** Verbal reports by Commissioners and Staff on recent and upcoming planning issues.
7. **FUTURE AGENDAS:** Items to be placed on future agendas; Planning Commission approval of meeting schedule. \*
8. **ZONING ORDINANCE AMENDMENTS RE: PROVISION OF REASONABLE ACCOMODATION TO ENSURE FAIR ACCESS TO HOUSING: PUBLIC HEARING:** Planning Commission consideration of and action on proposed Zoning Ordinance Amendments to add Chapter 23B.52 to provide reasonable accommodation by modifying the application of its zoning and subdivision regulations for persons with disabilities seeking fair access to housing; and revision of Section 23D.04.030.A.2 to allow for the reduction of any yard requirement under certain conditions. \*
9. **ZONING ORDINANCE AMENDMENTS RE: PROHIBITIONS AND RESTRICTIONS RELATED TO CARRY-OUT OR QUICK SERVICE RESTAURANTS ON SAN PABLO AVENUE: PUBLIC HEARING:** Planning Commission consideration of and action on proposed Zoning Ordinance Amendments to modify Section 23E.64.040.E to prohibit carry-out or quick service restaurant drive-through with frontage on San Pablo Avenue and within the designated nodes; and the addition of Section 23E.64.090.H requiring special findings in order to approve carry-out or quick service restaurants in the West Berkeley Commercial (CW) Zone with frontage on San Pablo Avenue. \*
10. **ZONING ORDINANCE AMENDMENTS RE: TECHNICAL CORRECTIONS TO THE ZONING ORDINANCE: PUBLIC HEARING:** Planning Commission consideration of and action on proposed Zoning Ordinance Amendments to correct typographical errors within the Zoning Ordinance in Section 23.C. \*
11. **ZONING ORDINANCE AMENDMENTS RE: PRODECURAL ISSUES RELATED TO THE INTERACTION OF THE LANDMARKS PRESERVATION ORDINANCE (LPO) AND THE ZONING ORDINANCE: PUBLIC HEARING:** Planning Commission consideration of and action on proposed Zoning Ordinance Amendments to modify Landmarks Preservation Ordinance-related provisions in Sections 23B and 23E. \*

12. **COMMITTEE REPORTS:** Verbal reports by Commission committees, liaisons and Staff to various committees.

13. **ADJOURNMENT**

**INFORMATION ITEMS**

(Action may be taken on any information report if any Commissioner requests its placement on the agenda as an action item).

- A. Notice re: 9/8/01 Alameda County-Wide Public Workshop. \*\*
- B. 7/27/01 Letter from Dr. K. Russell, President, American Baptist Seminary of the West, to the Planning Commission re: Proposed Southside Rezoning. \*
- C. 8/8/01 Letter from K. Haney-Owens, Advance Planning Manager, to C. Smith re: General Plan. \*
- D. 8/16/01 Memorandum from T. Steinbach, Executive Director, Greenbelt Alliance, and D. Spaulding, Executive Director, Non-Profit Housing Association of Northern California to Planning Commission Re: Affordable Housing. \*
- E. 8/16/01 Letter from Residents of 1100<sup>th</sup> Block of Hearst Avenue to W. Cosin, Acting Planning Director re: Proposed Down-Zoning of Portions of the 1100<sup>th</sup> Block of Hearst Avenue. \*
- F. 8/30/01 Letter from East Bay Municipal Utility District (EBMUD) to the Planning Commission re: 9/20/01 Meeting on EBMUD's Role in Public Power. \*
- G. 8/30/01 Letter from W. Rucker, City Manager, to Chancellor Berdahl, UC Berkeley re: UC Berkeley Northeast Quadrant Science and Safety (NEQSS) Projects' Draft EIR. \*
- H. 9/3/01 E-Mail from B. Schildgen to the Planning Commission re: City of Berkeley Notification Procedures and Policies. \*
- I. Notice of Smart Growth Workshops in 9/01 and 10/01. \*

**COMMUNICATIONS**

(In compliance with Brown Act regulations, no action may be taken on these items. However, discussion may occur at this meeting upon a Commissioner request.)

- A. 8/01 Article from the Newsletter of the Computer Technologies Program re: ARTech Building. \*

- \* Attached.
- \*\* Previously provided.
- \*\*\* To be distributed.

Written material may be viewed in advance of the meeting at the Planning and Development Department, 2118 Milvia Street, third floor, during working hours or at the Main Branch Library, Shattuck/Kittredge Streets, during regular library hours. The City has a telecommunicator for the deaf in the City Clerk's office; that number is 981-6903. To request a meeting agenda in large print, Braille, or on cassette or to request a sign language interpreter for the meeting, call 981-6900 (voice) or 981-6903 (TDD); at least five working days notice will assure availability.

NOTE: If you object to a project or to any City action or procedure relating to the project application, any lawsuit which you may later file may be limited to those issues raised by you or someone else in the public hearing on the project, or in written communication delivered at or prior to the public hearing. The time limit within which to commence any lawsuit or legal challenge related to these applications is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitations period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge which is not filed within that 90-day period will be barred.