



## REGULAR MEETING OF THE PLANNING COMMISSION

**Wednesday, October 22, 2003**  
**North Berkeley Senior Center**  
**7:00 PM**

**1901 Hearst Avenue**

### AGENDA

1. *Roll Call*
2. *Order of Agenda*
3. *Public Comment Period:* Speakers are customarily allotted up to three minutes each. Speakers are encouraged to submit more extensive comments in writing. To ensure adequate time for action items on the Agenda, the Planning Commission may limit the number of public speakers during the public comment period.
4. *Chairperson's Report:* Report by Commission Chair.
5. *Committee Reports:* Reports by Commission committees or liaisons.
6. *Planning Staff Report:* Report on upcoming planning issues and recent Council actions.
7. *Approval of Minutes:* Approved Minutes of September 10, 2003, Draft Minutes of September 24, 2003 (copies for commissioners only).
8. *Future Planning Commission Agenda Items and Other Planning-Related Events* (copy attached).

**Action Items:** Matters for discussion and possible action.

9. Lawrence Berkeley National Laboratory Building 49 Draft EIR:
  - a) Notice of Availability, Draft Environmental Impact Report, Building 49 Project, Lawrence Berkeley National Laboratory, dated September 19, 2003. (An electronic version of the Draft EIR is available on-line on the Berkeley Lab's web site at: <http://www.lbl.gov/Community/env-rev-docs/html>)
  - b) Memorandum from staff on Comments on the Draft EIR, dated October 22, 2003.
10. Memorandum from staff referring the Berkeley Unified School District information packet to the Commission:
  - a) The Facilities Study (note: not all sections are available at this time)
  - b) Memorandum on the Approval of the Mitigated Negative Declaration for the Franklin Adult School, dated August 20, 2003
  - c) Memorandum on the Approval of the Franklin School Project and Approval to Solicit Bids for that Project, dated August 20, 2003

- d) Letter from Weldon Rucker to the School District, concerning the Proposed Mitigated Negative Declaration for the Franklin Adult School, dated July 29, 2003
- e) An Opinion from the City Attorney concerning the City's Authority to Regulate the Berkeley Unified School District's Demolition and Construction Projects, dated March 30, 1994
- f) An Opinion from the City Attorney concerning the City's Authority to Regulate the Berkeley Unified School District 's Demolition and Construction Projects: Follow –up Questions, dated April 22, 1994.
- g) California Government Code Sections 53090-53097.5
- h) Council Item from Mayor Bates and Councilmember Maio requesting BUSD conduct an Environmental Review of all Changes of Use at School Sites, and Work Collaboratively with the City on Mitigating Traffic Impacts to the Franklin Neighborhood, dated October 14, 2003

11. Council Referral on Clarifying Major Residential Additions: By-right additions of 499 square feet.

12. Council Referral on Bed and Breakfasts: Staff memorandum dated October 22, 2003, transmitting the referral from the City Council.

**Information Items:** Action may be taken on any information report at this meeting if any Commissioner requests its placement on the agenda as an action item.

13. Memorandum from Weldon Rucker transmitting the results of the Berkeley Voter Survey, completed by David Binder, dated September 24, 2003.

14. Final Comments to Notice of Preparation of Environmental Impact Report for UC Berkeley 2020 Long Range Development Plan (LRDP) and Chang-Lin Tien Center, dated October 9, 2003

- a) Letter from John English to Jennifer Lawrence, University of California, transmitting Scoping Comments on the 2020 LRDP and Tien Center EIR, dated October 9, 2003.

**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.

Announcement of the Farewell Reception for Weldon Rucker on October 28<sup>th</sup>, from 3:30 to 6:00 pm at 2180 Milvia Street, 6<sup>th</sup> Floor.

Draft of the Final Report from the Mayor's Task Force on Permitting and Development, dated October, 2004

Letter from Leuren Moret to Senator Diane Feinstein concerning the LBNL LRDP, dated October 10, 2003

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**Please refrain from wearing scented products to public meetings.**

**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 at the Reference Desk.

**Accommodations Provided Upon Request.** To request meeting materials in large print, Braille, or on cassette, or to request a sign language interpreter, assistive-listening device, real-time captioning or other accommodation for the meeting, call 981-7480 (voice) or 981-7474 (TDD). Providing at least five working days' notice will help to ensure availability at the meeting.

**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.