



## REGULAR MEETING OF THE PLANNING COMMISSION

**Wednesday, December 10, 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 October 22, 2003, Draft Minutes of November 12, 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. **Public Hearing:** Proposed Amendments to the Zoning Ordinance to revise Inclusionary Unit pricing requirements for ownership projects, to revise resale restriction pricing requirements, and to authorize the City Manager to issue regulations governing price-setting and qualifying households.
  - a). Public Hearing Notice.
  - b). Revised Report from the Housing Department with Supplemental Information Concerning Amendments of Inclusionary Housing Ordinance Condominium Sale Price Requirements.
10. Proposed University of California Hotel/Conference Center- Report from Planning Commission Subcommittee
  - a). Agenda for the Subcommittee Meeting of December 2, 2003
  - b). Request for Qualifications issued by the University of California, dated November 5, 2003. (Summary attached, copies of the full packet are available for public review at all Public Libraries and at the Planning Department office).

11. Set following items for Public Hearing on January 14, 2004

- a). Proposed Amendment to the Berkeley Municipal code Sections 23D.12.060A, 23D.12.060C, 23E.28.060, and 23E.28.030C, concerning criteria for joint use of off-street parking spaces.
- b). Proposed Amendment to Sections 23B.32.050 and 23B.32.060 of the Berkeley Municipal Code Concerning Appeals from Zoning Adjustments Board: Additional Requirements When a Ground of Appeal is That the Board's Action Constituted a Taking of Property Under the California or United States Constitution.

**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.

12. Berkeley Bowl Project: Zoning Text Amendment and General Plan Amendment Application

13. Work Items from the General Plan: Memorandum from Assistant Planner Crane.

**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.

Response to the Lawrence Berkeley National Laboratory's Notice of Preparation for a Draft Environmental Impact Report on the LBNL 2004 Long Range Development Plan.

- a). Letter from Phil Kamlarz, Acting City Manager, to LBNL, dated November 26, 2003.
- b). Council Item received at the November 25, 2003 City Council Meeting regarding Nanoscience issues.

Letter to the Editor, Daily Planet, from Mayor Tom Bates and Councilmember Maio concerning the Implementation of the University Avenue Plan, dated November 18, 2003.

Memorandum from the Housing Department on Incorporation of Clarifications to the City of Berkeley General Plan Housing Element Requested by the California Department of Housing and Community Development, dated December 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.