



REGULAR MEETING OF THE PLANNING COMMISSION

Wednesday, July 28, 2004
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. *Planning Staff Report:* Report on upcoming planning issues and recent Council actions.
5. *Chairperson's Report:* Report by Commission Chair.
6. *Committee Reports:* Reports by Commission committees or liaisons. In addition to the items below, additional matters may be reported to the Commission at the meeting.
7. *Approval of Minutes:* Approved Minutes of May 26 and June 9, 2004 and Draft Minutes of July 14, 2004 (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. **Discussion of Proposed Zoning Ordinance Amendments: Amending provisions of the Zoning Ordinance related to review of zoning applications by the Landmarks Preservation Commission concerning BMC Sections 23B.24.030 (Application Forms and Supporting Materials--Additional Information for Certain Projects); 23B.32.050 (Notice of Decision and Appeal); and 23C.08.050 (Demolitions of Buildings Used for Commercial, Manufacturing or Community, Institutional or Other Non-residential Uses)** (Memo from staff attached).
10. **Public Hearing: Tentative Tract Map 7547 - Twenty-two unit condominium project (20 dwelling units and 2 commercial units) - 2616-20 Telegraph Avenue, Berkeley** (Memo from staff attached).
11. **Set for hearing: Proposed Amendments to the Zoning Ordinance BMC 23B.28.060.D and 23B.32.060.D to revise the consideration of ex parte communications (ZA 7-04).** Set proposed amendments for hearing September 8, 2004 (Memo from staff attached).
12. **Proposed Amendments to the Zoning Ordinance to Implement the University Avenue Strategic Plan** Discussion of Proposed Amendments, Planning file ZA 04-04. Public Hearing on

the proposed amendments was conducted March 24, April 14 and 28, May 12 and 26, June 9, and July 14, 2004 (Communications concerning this matter are listed below) (Memo from staff attached).

13. **Public Hearing: Proposed Zoning Ordinance Amendments: Miscellaneous Corrections and Clarifications Part 1 (Planning file ZA 5-04) concerning BMC Sections 23C.08.010.A (Accessory Unit Conversions), 23C.08.030.A.2 (Findings for elimination of units from conversions), and 23D.12.080.C-I (Parking Site and Screening)** (Refer to staff memo of July 14, 2004, previously distributed with the July 14, 2004 packet, and memo attached).
14. **Public Hearing: Proposed Zoning Ordinance Amendments: Miscellaneous Corrections and Clarifications Part 2 (Planning file ZA 6-04), concerning BMC Sections 23E.36.030 (Arcade reference in C-1), 23E.36.080.A.1 (Correct reference for Mixed Use Parking in C-1), and 23E.72.050 (Correct M District Conversions Table Regulation)** (Refer to staff memo of July 14, 2004, previously distributed with the July 14, 2004 packet, and memo attached).

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.

15. Notice from the Solid Waste Management Commission announcing Public Workshops on the Solid Waste Management Plan, scheduled August 16, Sept. 14, Sept. 29, and Oct. 6, 2004.

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.

- Letter from Steve Wollmer concerning the UASP, dated July 14, 2004
- Letter from Wendy Alfsen, et al., concerning Pedestrian Improvements along University Avenue, dated July 2, 2004.
- E-mail from Rachel Boyce concerning the UASP Overlay and Public Open Space, dated July 21, 2004
- Letter from Bart Selden concerning the UASP, dated July 21, 2004
- Letter from Richard Graham concerning UASP, dated July 20, 2004
- Statement from Members of the Community Regarding the Results of the UASP Subcommittee meetings, dated July 21, 2004
- Petition titled "West Berkeley Manufacturers, Industries, Artisans, Residents, Artists, and Others in Support of Scaling Back the West Bowl", submitted by John Curl, July 14, 2004
- Letter from West Berkeley Association of Industrial Companies concerning West Berkeley Bowl traffic, dated April 29, 2004, handed out to Commission July 14, 2004
- Letter from West Berkeley Association of Industrial Companies concerning West Berkeley Bowl, dated July 13, 2004

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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.