



REGULAR MEETING OF THE PLANNING COMMISSION

Wednesday, September 22, 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. In addition to the items below, additional matters may be reported to the Commission at the meeting.
 - a. West Berkeley Bowl Status Report
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:* Draft Minutes of July 28, 2004 and September 8, 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.

Discussion and Matter to be Set for Public Hearing:

9. **Continue Discussion and Consider Setting for Public Hearing: 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)** Commissioners are requested to bring the previous staff reports distributed for the July 28, 2004 and September 8, 2004 Planning Commission meetings.
10. **Public Hearing: Proposed Amendments to the Zoning Ordinance BMC 23C.12, 23D.04, 23E.56, and 23E.96 concerning density bonus, yard requirements, street level office location, and maximum height of accessory buildings. (ZA 8-04).** (Memo from staff 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.

11. Flier to Publicize Workshop on Proposed Zoning Ordinance Amendments for Parking Requirements per Mayor's Permitting Task Force Recommendations (Will be distributed at Commission meeting September 22, 2004).
12. Memorandum to Housing Department conveying Planning Commission comments on Housing Trust Fund applications (Memo from staff attached).
13. Hearing Notice for "Creeks ordinance Public Hearing on September 28, 2004", from Sherry Kelly City Clerk.
14. Procedures Manual for Ex Parte Communications (Memo from staff dated September 22, 2004, with attachment memorandum from Manuela Albuquerque, City Attorney, to ZAB, dated August 23, 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.

None.

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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.