



## REGULAR MEETING OF THE PLANNING COMMISSION

**Wednesday, October 13, 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.
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:**

9. **Continue Discussion and Consider Scheduling a Workshop: 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.
  - a. Memorandum To Mayor and Council from City Manager on Amendments to Landmarks Preservation Ordinance and Zoning Ordinance dated May 16, 2000 (attached)
  - b. Council Referral on Amendments to Landmarks Preservation Ordinance and Zoning Ordinance dated June 27, 2000 (attached)

- c. Meeting Announcement and Agenda and Staff Report for Special Landmarks Preservation Commission Meeting of January 22, 2001 (attached)

- 10. **Mayor's Task Force on permitting and Development Recommendations C1.1 and C1.2 For Commercial Parking Requirements - Consideration of Format for October 27, 2004 Planning Commission Community Workshop and Continuing Work to Follow the Workshop** (Staff report attached).
- 11. **Discussion of Creeks Ordinance** (Copy of City Manager's Sept. 28, 2004 Report to City Council Attached)
- 12. **Discussion and Possibly Set for Hearing: Proposed Changes to the Housing Element of the City of Berkeley General Plan** (Memo from staff attached.)

**Modification to Planning Commission Meeting Schedule:**

- 13. **Memorandum from Staff Recommending Changes to Meeting Dates during November and December 2004** (Memorandum 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.

- 14. Memorandum from Wendy Cosin, Deputy Planning Director, on Panoramic Hill Lot Mergers, dated October 5, 2004.
- 15. Preview Submittal of Plans for UC Berkeley Early Childhood Education Center, proposed on the north side of Haste Street, mid-block between Dana and Ellsworth Streets (Plan submittal package attached).
- 16. Senate Bill 1818, signed into law by Governor Schwarzenegger Sept. 30, 2004, amending Government Code §65915 Concerning Housing Density Bonuses (copy attached).
- 17. Notice from State of California Department of Toxic Substances Control of Public Hearing and Comment Period on the Draft Permit, Lawrence Berkeley National Laboratory Permit Renewal Application to Operate a Hazardous Waste Facility, dated September 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.