



## SPECIAL MEETING OF THE PLANNING COMMISSION

**Monday, November 29, 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 September 8, October 27, and November 10, 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.

#### **Set for Hearing:**

9. **Set for Hearing: Mayor's Task Force on permitting and Development Recommendations C1.1 and C1.2 For Commercial Parking Requirements** (Staff report attached).

#### **Discussion:**

10. **Discussion of Impact on Planning Commission of City Council's action on Creeks Ordinance process.** (Summary of action attached).

#### **EIR Scoping Comments:**

11. **Draft Southside Plan Environmental Impact Report (EIR) Scoping Comment** Opportunity for comment on the scope of the Draft EIR on the Draft Southside Plan, Discussion Draft of December 2001, as Amended by the Planning Commission, July 2003. (The Draft Southside Plan Document, the Notice of Preparation, and the Initial Study are available at the City Web site,

[www.ci.berkeley.ca.us/planning](http://www.ci.berkeley.ca.us/planning) . The Notice of Preparation and Initial Study were distributed to the Planning Commissioners in the November 10, 2004 Commission packet.)

**Public Hearing:**

12. **Public Hearing: Proposed Amendments to the Zoning Ordinance, BMC 23D.XX.030, 23E.04.020, 23E.48.040, 23E.48.070, 23F.040.010, and Appendix A, concerning the special requirements for hot tubs, accessory building standards, a food service permitting requirement, a mixed-use building setback, the demolition of enclosed structures and a code reference (ZA 9-04).** (Report from staff attached).
13. **Public Hearing: Set for hearing: Proposed Amendments to the Zoning Ordinance, BMC 23D.08.010, 23E.28.030, 23E.52.030, 23E.56.030, and 23E.80.080 correcting code references, parking and special requirements for live/work projects, and clarifying considerations for shared parking (ZA 10-04).** (Report from staff attached).
14. **Public Hearing: Condominium map for 1809 Shattuck Avenue, Berkeley - Proposed thirty-two (32) unit condominium project comprised of twenty-nine (29) dwelling units and three (3) commercial units to allow condominium ownership – Tentative Tract Map 7527** (Staff report to be delivered).

**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. Proposed December 8, 2004 Workshop Agenda and Resources for 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).

**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.

- E-mail from Carrie Olsen concerning LPO-related zoning changes, Nov. 8, 2004
- Letter from Steve Wollmer concerning University Avenue Strategic Plan, dated Nov. 8, 2004
- Letter from L'Ecole Bilingue Francais of the East Bay concerning the West Berkeley Bowl proposal, dated Nov. 10, 2004.
- Notice of Planning Commissioner Workshop

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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.