



SPECIAL MEETING OF THE PLANNING COMMISSION

NOTE LOCATION: WEST BERKELEY SENIOR CENTER

**Wednesday, December 15, 2004
West Berkeley Senior Center
7:00 PM**

1900 Sixth St. (At Hearst Ave.)

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:* Approved Minutes of September 8, October 27, and November 10, 2004, and Draft Minutes of November 29 and December 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. **West Berkeley Bowl: Recommendations for Proposed General Plan Amendment and Rezoning to allow for the West Berkeley Bowl Project, a full-service grocery marketplace including construction of two buildings totaling 91,060 sq. ft., at 920 Heinz Avenue.** (Staff report attached;

plans distributed to Planning Commissioners and on file for public review at the Planning Department.)

10. **Discussion of December 8, 2004 Workshop on Landmarks Preservation Ordinance and Zoning Ordinance Amendments.**
11. **Discussion of Impact on Planning Commission of City Council's action on Creeks Ordinance process.** (Summary of action previously distributed).
12. **Set for hearing: Proposed Zoning Amendments to BMC 23D.04.060, 23E.48.030, 23E.52.070.B.1, 23E.96.090.B, and 23E.48.040 correcting grammar, code references and titles (ZA 11 through 15-04). Set proposed amendments for hearing February 9, 2005** (Staff report attached).
13. **Set for hearing: Proposed Zoning Amendments to BMC 23D.16.080.B, 23D.32.070.F, 23E.24.020.B.2, and 23E.40.030 correcting grammar, syntax, and a code reference (ZA 16 through 19-04). Set proposed amendments for hearing February 9, 2005** (Staff report attached).
14. **Set for hearing: Proposed Zoning Amendments to BMC 23E.32.010, 23E.52.070.E, 23F.04, and Appendix A correcting grammar, syntax, terminology and a code reference (ZA 20 through 23-04). Set proposed amendments for hearing February 9, 2005** (Staff report 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.

None.

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.

- 2004 Legislative Update prepared by Bingham McCutchen, provided by Commissioner Burke (handed out to Planning Commission Dec. 8, 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.