



REGULAR MEETING OF THE PLANNING COMMISSION

Wednesday, February 9, 2005
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:* Election of Officers: The City Boards and Commissions Handbook indicates the Commission should conduct elections in February for Chair and Vice-chair, each to serve for a one-year term.
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.
 - a. Creeks Task Force
 - b. Southside EIR Subcommittee: Consideration of adding a fourth member to the Southside EIR subcommittee
7. *Approval of Minutes:* *Approved minutes for January 12, 2004; draft minutes for January 26, 2005.*
8. *Future Planning Commission Agenda Items and Other Planning-Related Events* (copy attached).

ACTION ITEMS: Matters for discussion and possible action.

PUBLIC HEARING/WORKSHOP:

9. **Public Hearing/Workshop: 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 91,060sq. ft., at 920 Heinz Avenue (Continued from January 12 and 26, 2005)** (Staff report attached) Commissioners, please bring the staff reports dated Dec. 15, 2004 and January 12,2005 to the meeting.) (Documents related to this proposal are posted at the City's web site at www.ci.berkeley.ca.us/planning/landuse/Heinz/default.htm)

PUBLIC HEARING:

10. **Public Hearing: Proposed Zoning Amendments to implement the Mayor's Task Force on Permitting and Development Recommendations C1.1 and C1.2 for non-residential parking requirements** (Continued from January 12, 2005) (Commissioners, please bring the January 12, 2005 staff report to the meeting) (staff report attached) (Documents related to this matter are posted at the City's web site at www.ci.berkeley.ca.us/planning/Workshop/commercial_parking.html)
11. **Public 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).** Hold hearing and approve proposed revisions. (Staff report attached.)
12. **Public 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).** Hold hearing and approve proposed revisions. (Staff report attached.)
13. **Public 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).** Hold hearing and approve proposed revisions. (Staff report attached.)

DISCUSSION:

14. **Landmarks Preservation Ordinance and Zoning Ordinance Amendments** (Commissioners, please bring prior staff reports and meeting materials to the meeting.)

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. East Bay Municipal Utility District Water Conservation and Water Recycling Fiscal Year 2004 Annual Report (copies for commissioners only. The report can be viewed at: www.ebmud.com/about_ebmud/publications/annual_reports/default.htm)

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. Normally, communications received by the end of the day on the Wednesday one week before the Planning Commission meeting will be transmitted with the staff report packet to the commissioners. Communications received later will be sent to the Commission separately, either by handing out at the meeting or including in the next available Planning Commission packet.

- Letter received concerning West Berkeley Bowl dated January 24, 2005, from:

Bancroft Center, Inc.	DC Properties
Commercial Painting Services	Allston Corp.
Berkeley Brass LLC	Berkeley Properties Inc.
Eat Work Development LP	Campi Partners
Model Airplane LLC	2332 Fifth St.
Goldin Design	732 Addison Partners

Bancroft Way LLC
Herst Family Trust
Herst Ventures, Inc.

1827 5th St. Partners
Drew Properties

- E-mail from William Selk concerning the Berkeley Bowl dated January 26, 2005
- E-mail from Michael Ziegler for Temescal Business Center concerning West Berkeley Bowl dated January 25, 2005.
- E-mail from Cameron Woo concerning Support for West Berkeley Bowl dated January 25, 2005.
- Letter from SPI Management for Berkeley Crossing Properties concerning West Berkeley Bowl dated January 24, 2005
- Letter from Kasey Sullivan concerning Proposed West Berkeley Bowl Store dated January 26, 2005
- E-mail from Jay Kravitz concerning the New Berkeley Bowl dated Jan. 26, 2005
- Letter from Susanne Hering and John Phillips concerning Proposed Commercial Rezoning for West Berkeley, dated January 25, 2005
- E-mail from Dominique Roddier concerning West Berkeley Bowl Support dated Jan. 26, 2005
- Memorandum from Fehr & Peers Transportation consultants –Response to Wareham Development West Berkeley Bowl
- Letter from Isabelle Minn and Andrew Murray concerning Support for the West Berkeley Bowl, dated January 26, 2005
- E-mail from Katrina Heron Concerning the Berkeley Bowl project, dated Jan. 26, 2005
- Memorandum from Fehr & Peers –7th St./Potter St. and 7thSt./Ashby Ave. Intersection Evaluation dated Jan. 26, 2005
- E-mail from Wayne Ferreira concerning Support for Proposed Berkeley Bowl, dated Jan. 26, 2005
- E-mail from Jesse Townley concerning West Berkeley Plan and the Proposed West Berkeley Bowl, dated Jan. 26, 2005
- E-mail from K. M. Winter concerning support for the West Berkeley Bowl dated Jan. 26, 2005
- E-mail from Wm. Selk concerning West Berkeley Bowl, dated Jan. 27, 2005
- E-mail from Jenny Strauss concerning West Berkeley Bowl, dated Jan. 27, 2005
- E-mail from Dan Kataoka transmitting comments from Glenn and Diane Yasuda on Size of the Proposed West Berkeley Bowl, 920 Heinz Street, dated Jan. 25, 2005
- Report titled “Berkeley Food Security Assessment Map Examining Availability and Accessibility of Fresh Food” dated May 2002
- Letter from Zelda Bronstein concerning Density Bonuses and the Seagate Appeal, dated Feb. 2, 2005
- Letter from Zelda Bronstein concerning the West Berkeley Bowl Hearing/Workshop Process, dated Feb. 2, 2005
- Letter from Stuart Flashman concerning west Berkeley Bowl market Project, dated Feb. 2, 2005

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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.