



REGULAR MEETING OF THE PLANNING COMMISSION

Wednesday, May 11, 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:* 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.
 - a. Creeks Task Force
 - b. Southside EIR Subcommittee
7. *Approval of Minutes:* Approved minutes of March 23 and April 13, 2005; draft minutes of April 27, 2005
8. *Future Planning Commission Agenda Items and Other Planning-Related Events* (copy attached).

ACTION ITEMS: Matters for discussion and possible action.

9. **Landmarks Preservation Ordinance and Zoning Ordinance Amendments – Recommendations from Planning Commission Subcommittee (Hearing closed April 27, 2005)** (Report attached.)
10. **Information on the Transportation Commission's Downtown Parking Workshop, April 21, 2005** (Transportation Commission meeting agenda and packet materials previously distributed.)

11. **Set for Hearing on June 8: David Brower Center/Oxford Plaza: (1) Proposed General Plan and Downtown Plan Amendment, (2) Draft Disposition and Development Agreement, and (3) CEQA document for the David Brower Center/Oxford Plaza project, a mixed-use project with 35,000 square feet of office space, a conference center, restaurant, 97 units of affordable housing, 8,100 square feet of retail, 40 residential parking spaces, and 105 to 206 subterranean public parking spaces at 2200 Fulton Street (public parking lot between Allston Way and Kittredge Street). (No staff report.)**

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.

12. **Council adopted FY 2006 Land use Planning Work Plan (Memo from staff attached)**
13. **Agenda for Joint Workshop of the City of Berkeley and Waterfront Commission and the San Francisco Bay Water Transit Authority, May 12, 2005**
14. **Notice from Department of Energy, "Public Notice U.S. Department of Energy seeks Public Review on the Environmental Assessment for Remediating Contamination at Lawrence Berkeley National Laboratory Regulated Under the Resource Conservation and Recovery Act", dated April 25, 2005**
15. **Notice from State Department of Toxic Substances Control concerning "DTSC Proposes Soil and Groundwater Cleanup at Lawrence Berkeley National Laboratory", with Public Meeting and Hearing About Site Cleanup scheduled May 26, 2005**
16. **Notice of Intent to Adopt a Negative Declaration, University of California, Berkeley, Early Childhood Education Center, dated May 14, 2005**

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.

- E-mail from Daniella Thompson dated April 25, 2005 concerning the LPO amendments
- Faxed letter from Peerless Lighting dated April 22, 2005 concerning the LPO
- E-mail from Daniella Thompson dated April 28, 2005 concerning proposed amendments to the LPO
- Map and list of sites from Jim Sharp dated February 14, 2004 concerning Town-Gown Interstices (Northside)
- Recommendations from Livable Berkeley dated April 27, 2005 concerning the LPO revision
- Letter and copy of the LPO Ordinance from the Berkeley Architectural Heritage Association dated April 27, 2005 concerning proposed amendments to the LPO and Zoning ordinance
- Quotes from the National Register Bulletin compiled by John English dated April 26, 2005 concerning "Integrity"
- Memo from Gisele Sorensen dated April 28, 2005 concerning Additional Structures of Merit

- Letter from West Berkeley Business Alliance dated April 27, 2005 concerning Recommended Adjustments to the LPO
- Letter from the Brandt-Hawley Law Group dated April 27, 2005 concerning the CEQA Review of proposed amendments to City ordinances
- Letter from Sally B. Woodbridge dated April 26, 2005 concerning the LPO revision
- Statement from Carrie Olson handed out at the April 27, 2005 PC meeting concerning the LPO
- Memo from Daniella Thompson dated April 25, 2005 concerning proposed amendments to the LPO
- Handout from John English dated April 27, 2005 concerning landmarks issues and facts
- Handout from John English dated April 27, 2005 concerning Designated Structures of Merit in Berkeley as of April 27, 2005
- E-mail from Ecocity Builders dated May 1, 2005 concerning the Green City Visions World Environment Day Conference
- E-mail from Alan Tobey dated May 4, 2005 concerning the process for LPO determinations and proposal for requests for determination

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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.