



REGULAR MEETING OF THE PLANNING COMMISSION

Wednesday, July 27, 2005
North Berkeley Senior Center
7:00 PM

1901 Hearst Avenue

AGENDA

Note: Item no. 10, the West Berkeley Bowl EIR scoping, will begin at 7:30 p.m. , and will be immediately followed by Item 11, consideration of setting the West Berkeley Bowl for public hearing.

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. Density Bonus Procedure/Inclusionary Housing Provisions Subcommittee
7. *Approval of Minutes:* Approved minutes of June 22, 2005; draft minutes of July 13, 2005
8. *Future Planning Commission Agenda Items and Other Planning-Related Events* (copy attached).

ACTION ITEMS: Matters for discussion and possible action.

9. **Revisions to the Condominium Conversion Ordinance Proposal from Housing Department** (Staff report attached) (Note: Discussion of Item 10 is scheduled for discussion at 7:30 p.m. This item may be delayed or interrupted)
10. **West Berkeley Bowl Draft Environmental Impact Report (EIR) Scoping Comment Opportunity** for comment on the scope of the West Berkeley Bowl Draft EIR, concerning a proposed General Plan Amendment and Rezoning to allow for the West Berkeley Bowl Project. The Initial Study was previously distributed (December, 2004). The Notice of Preparation and the Initial Study are available at the City Web site, www.ci.berkeley.ca.us/planning (Revised Notice of Preparation attached).
11. **West Berkeley Bowl: Set for Hearing - Proposed date: September 14, 2005** 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 reports and other documents related to this application are posted at the City web site at: www.ci.berkeley.ca.us/planning (Report attached)
12. **Amendments to the Waterfront Plan and Zoning Ordinance Related to the Gilman Street Playing Fields** (Report Attached).
 - a. Proposed text amendments to the Berkeley Waterfront Specific Plan (adopted by the Berkeley City Council on October 7, 1986) establishing an “as of right” use for commercial recreation sports facilities and establishing that this use would be exempt from the requirements for a Master Development Permit (MDP).
 - b. Proposed text amendment to the SP district provisions of the Zoning Ordinance, BMC Section 23E.88.030, necessary to clarify that where the Specific Plan exempts a permitted use from the requirements of a Master Development Plan and Use Permit, the use is subject to Zoning Conformance procedures as set forth in BMC Section 23B.20.
 - c. The Initial Study and Proposed Mitigated Negative Declaration (IS/MND) that analyzes the environmental impacts of the proposed Playing Fields and the proposed amendments to the Berkeley Waterfront Specific Plan and BMC Zoning Ordinance.
13. **Public Hearing: 2025 Channing Way - Proposed thirty (30) unit residential project to allow condominium ownership - Tentative Tract Map 7562** (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.

14. **Downtown Area Plan –Discussion of the anticipated DAP process and schedule** (No action by Planning Commission proposed, unless a Commissioner requests that this item be placed on the agenda as an action item. (The agreement between City and University, which calls for the Downtown Area Plan, was previously distributed. It can be accessed on the web at www.ci.berkeley.ca.us/manager/lrdp/ucblrdp/agreement.pdf) (No report).

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.

- Email from Benita Kline dated July 10, 2005 concerning the Downtown Area Plan

- Letter from the Sierra Club dated July 8, 2005 concerning the Gilman Ball Fields Proposal and Mitigated Negative Declaration
- Corrected Attachment 5 from the July 13th, 2005 Planning Commission meeting concerning 1728-1730 Hearst Ave.
- Handout from Jim Sharp dated June 22, 2005 concerning the full text of Measure N from the City of Berkeley Proposed Resolution
- Email from Catherine DeSchepper dated July 11, 2005 concerning changing the Downtown Area Plan
- Letter from Wendy Alfsen dated July 13, 2005 concerning the Downtown University Plan
- Letter from Stephen Wollmer dated July 13, 2005 concerning the Downtown Area Plan
- Map from John English dated July 11, 2005 concerning the Downtown Area Plan
- Report from WestNEMA dated June 22, 2005 concerning the BUSD West Campus Site
- Letter from Larry Tong dated July 13, 2005 concerning the Gilman St. Sports Fields Mitigated Negative Declaration
- Letter from L.A. Wood dated July 13, 2005 concerning the Gilman St. Playing Fields
- Letter from the Alameda County Congestion Management Agency dated July 12, 2005 concerning the Gilman St. Playing Fields
- Letter from the East Bay Regional Park District dated July 13, 2005 concerning the Gilman St. Sports Fields

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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.