



REGULAR MEETING OF THE PLANNING COMMISSION

Wednesday, September 28, 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. Density Bonus Procedure/Inclusionary Housing Provisions Subcommittee
7. *Approval of Minutes:* Approved minutes of July 27, 2005; draft minutes of September 14, 2005
8. *Future Planning Commission Agenda Items and Other Planning-Related Events*
 - a. Upcoming Schedule (copy attached).
 - b. Planning Commission Meeting Schedule Changes (Memo from staff attached).

ACTION ITEMS: Matters for discussion and possible action.

9. **STATUS UPDATE AND SCHEDULE HEARING FOR OCTOBER 26 OR OTHER LATER DATE THAT MAY BE DETERMINED BY THE COMMISSION: West Berkeley Bowl.** Draft Environmental Impact Report and 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 . (No report)

10. **Downtown Area Plan Process Downtown Area Plan –Discussion and Possible Recommendations to Council on the anticipated DAP process** (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, or contact the Planning Commission secretary.) (Report to be delivered).
11. **PUBLIC HEARING: 2025 Channing Way - Proposed thirty (30) unit residential project to allow condominium ownership - Tentative Tract Map 7562** (Hearing continued from Sept. 14, 2005)(Report Attached).
12. **PUBLIC HEARING: Home Occupation Permitting Thresholds** Review possible zoning amendments for reduced permitting threshold for teaching-related home occupations per City Council referral. (Report attached).
13. **PUBLIC HEARING: Zoning Ordinance Amendments for Allowing Elimination of Accessory Dwelling Units (ADUs) By the Same Permit Process that Created the Units** (Report attached).
14. **PUBLIC HEARING: Zoning Ordinance Amendments for Yard Definitions and Parking in Required Yards** (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.

15. **Downtown Berkeley BART Plaza and Transit Area Design Plan Citizens Advisory Committee**
Letter from Peter Hillier, Assistant City Manager for Transportation, to Harry Pollack, Planning Commission Chair
16. **Report from Transportation Commission to City Council on Environmental Review of Proposed Location for Ferry Service**
17. **Letter from Dan Marks, Planning Director, to Emily Marthinsen, Interim Assistant Vice Chance, Physical and Environmental Planning, concerning the Downtown Area Plan, dated Sept. 7, 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.

- Letter from Wendy Alfsen dated August 26, 2005 regarding the Downtown University Plan
- Email from Helen Burke dated September 13, 2005 regarding a subcommittee for the Downtown Area Plan
- Memorandum from Rob Wrenn dated September 14, 2005 regarding an area plan committee for the Downtown Plan
- Memo from Robert Lauriston dated September 21, 2005 regarding proposed zoning amendment re “Yard” definition
- Letter from State of California Department of Transportation dated August 23, 2005 concerning West Berkeley Bowl Notice of Preparation

- Letter from Wareham Development to Mayor Tom Bates dated August 29, 2005 concerning West Berkeley Bowl
- Letter from State of California department of Transportation to Planning Dept. dated August 30, 2005 concerning Gilman Street Planning Fields Negative Declaration
- Letter from State of California Department of Parks and Recreation to City Manager dated July 27, 2005 concerning Gilman Street Sports Fields project

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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.