



Planning Commission

# AGENDA

## REGULAR MEETING OF THE PLANNING COMMISSION

**Wednesday, June 28 2006**  
**North Berkeley Senior Center**  
**7:00 PM**

**1901 Hearst Avenue**

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
  - c. Downtown Area Plan Advisory Committee (DAPAC)
  - d. Downtown BART Plaza and Transit Area Design Plan Citizens Advisory Committee
  - e. Major Residential Additions Subcommittee
  - f. Southside Plan Subcommittee
7. *Approval of Minutes:* Draft Minutes of June 14, 2006 meeting. Approved minutes of May 24, 2006 meeting.
8. *Future Planning Commission Agenda Items and Other Planning-Related Events*

***ACTION ITEMS:*** *Matters for discussion and possible action.*

9. **Public Hearing: Proposed 180 Unit Condominium Project: Tract Map 7774: 2016-2022 Kittredge Street, Berkeley.** (Report Attached)

10. **Landmarks Preservation Ordinance** (Information Attached)

1. June 20, 2006 City Council Report “Compromise Landmarks Ordinance” from Mayor Tom Bates.
2. June 14, 2006 City Council Proposed Revised Landmarks Preservation Ordinance.
3. April 14, 2006 Citizens’ Initiative Petition regarding the Landmarks Preservation Ordinance.

11. **Public Hearing: In Lieu Fee Option for Condominium Inclusionary Units** (Report Attached)

12. **Background Information Related to the Condominium Conversion Ordinance** (Information Attached)

1. May 16, 2006 City Council Work Session Report “Background Information Related to the Condominium Conversion Ordinance” from Stephen Barton, Director, Housing Department.
2. May 16 City Council Work Session Report “Commission Recommendations on Condominium Conversion Ordinance Amendments” from Amalia Lorentz, Commission Chair, Housing Advisory Commission.
3. May 16 City Council Work Session Supplemental Communication from Jay Kelekian, Executive Director, Rent Stabilization Board.
4. May 16, 2006 City Council Action Item Staff Report “Condominium Conversion Ordinance Amendment - Continuation of the Affordable Housing Mitigation Fee” from Stephen Barton, Director, Housing Department amending section 21.28.065.B.1 of the current ordinance with Ordinance No. - 6918 (in effect June 22, 2006).
5. Ordinance No. 6882 BMC Title 21.28, in effect November 24, 2005)

13. **Request to Set Hearing: Zoning Ordinance Amendments Addressing Heights of Fences and Other Unenclosed Accessory Structures on Residential Lots and Installation of Solar Energy Equipment By-Right (BMC Section 23D.08.060, the residential use tables in 23D.xx.030, and Sub-section 23D.04.030.G)** (Report Attached)

14. **Request to Set Hearing: Amendments to Section 23, the Zoning Code, for the Purpose of Telegraph Avenue Economic Development.** (To be delivered)

**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. Council Action on Off-street Parking in Required Yards on Residential Lots, June 20, 2006.

**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 Dennis Cohen, dated June 16, 2006, regarding comments at the Planning Commission’s Public Hearing on the TSF.
- “Bay Area Monitor,” Vol. 31, No. 6 June/July 1006, League of Women Voters of the Bay Area Education Fund.

**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.