



Planning Commission

## AGENDA

### REGULAR MEETING OF THE PLANNING COMMISSION

**January 10, 2007**  
**7:00 PM**

**North Berkeley Senior Center**  
**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  
Note: Subcommittee member referral to Council requested (see Information Item 17)
  - c. Downtown Area Plan Advisory Committee (DAPAC)
  - d. Southside Plan Subcommittee
7. *Approval of Minutes:* Draft minutes of November 29 and approved minutes of November 8.
8. *Future Planning Commission Agenda Items and Other Planning-Related Events*

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

9. **ZA 9-06 Zoning Ordinance amendments for procedural changes to streamline the enforcement of permit violations and the abatement of nuisances** (Reports of 11-8-06 and 11-29-06 attached)
10. **Discussion: Potential Zoning Ordinance amendment for dog and cat adoption facilities**  
**THE MILO FOUNDATION IS CONSIDERING OPTIONS FOR USE OF THE SITE, STAFF RECOMMENDS CONTINUATION OF THIS DISCUSSION OFF AGENDA**
11. **Public Hearing: Tract Map 7796: 2628 Telegraph Avenue, proposed 16 unit condominium project** (Report to be delivered)

12. **Staff letter commenting on Association of Bay Area Governments (ABAG) draft Regional Housing Needs Assessment (RHNA) Methodology for 2007-2014 Allocation** (Memorandum and letter attached)
13. **Set Public Hearing: Public Safety Exceptions for Structural Alterations** (Report attached)
14. **Set Public Hearing: Technical Amendment to Clarify Application of the Finding for Denial of Residential Additions and Exemption of Dormers from the Average Height Calculation** (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. **2006 Annual Progress Report to Department of Housing Community and Development**
16. **Council referral – Art/Craft Studios – West Berkeley Plan, December 5, 2006**
17. **Council Resolution No. 63,032 and 63,061 establishing the Joint Subcommittee on Density Bonus**

**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 Solano Avenue Neighborhood Association to the Berkeley Planning Commission regarding Potential Zoning Amendment for Dog and Cat Adoption Facilities, January 5, 2007
- Letter from Aaron Sage, Associate Planner, to Gillian Tackray, Acting Director of Milo Foundation, January 4, 2007
- Letter from Gale Garcia regarding streamlining the abatement of nuisances, January 2, 2007
- San Francisco Chronicle editorial, December 10, 2006, “Someone else’s problem”

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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.