



Planning Commission

## **AGENDA**

### **REGULAR MEETING OF THE PLANNING COMMISSION**

**March 28, 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.  
Election of Officers: Vacate March 14, 2007 election of Chair and Vice Chair and conduct new nomination and election of offices of Chair and possibly Vice Chair if Vice Chair is elected Chair and there is a vacancy in the office of Vice Chair.  

The City Attorney has advised that the agenda description for the Agenda of March 14, 2007 was unclear because it failed to advise of the Chair's resignation and the need to conduct a new election because of the vacancy in office of the Chair caused by his resignation. For this reason she has advised the Commission to: 1) vacate its March 14, 2007 decision to nominate and elect a Chair and Vice Chair and 2) conduct a nomination and election for the position of Chair, and Vice-Chair (if the Vice Chair is elected as Chair and thus there is a vacancy in the office of Vice 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. Density Bonus Procedure/Inclusionary Housing Provisions Subcommittee
  - b. Downtown Area Plan Advisory Committee (DAPAC)
  - c. Southside Plan Subcommittee
7. *Approval of Minutes:* Draft minutes of March 14 and approved minutes of February 28.
8. *Future Planning Commission Agenda Items and Other Planning-Related Events*

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

9. **Continued Public Hearing: Zoning Amendments lowering the level of discretionary permit required to exceed quotas in the C-T Telegraph Avenue Commercial District; BMC Sections 23E.56.040 and 23E.56.090** (Memorandum attached)
10. **Fiscal Year 2008-2009 Work Plan** (To be delivered)
11. **Discussion of Appendix A and Appendix B from “A Place to Call Home,” ABAG, June 2006, regarding Bay Area RHNA Performance and Affordable Housing by jurisdiction, 1999-2006** (Please see Item 10 from 3-14-07 Revised Agenda; discussion carried over from 3-14-07 meeting)

**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. Comments on Lawrence Berkeley National Laboratory Long Range Development Plan Draft Environmental Impact Report
13. City Council referral for Commission Referral for Measure G Implementation, March 20, 2007
14. City Council referral to Expand the Appropriate Zoning District(s) for Medical Marijuana Dispensaries, March 20, 2007

**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 Tom Kelly, “Inaccurate reporting of my comments to Planning Commission,” Friday March 16, 2007.

Late Communications **distributed at the previous meeting:**

- Map depicting “Various Site Conditions at Future Building Locations of LBNL’s Long Range Development Plan” and “Fact Sheet” on the LBNL LRDP draft EIR from Pamela Shivola.

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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.