



Planning Commission

# AGENDA

## REGULAR MEETING OF THE PLANNING COMMISSION

**September 5, 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. *Downtown Area Plan Advisory Committee (DAPAC)*
7. *Approval of Minutes:* Draft minutes of July 25 and approved minutes of June 13.
8. *Future Planning Commission Agenda Items and Other Planning-Related Events*

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

9. **Continued Public Hearing: Zoning Ordinance, General Plan, and West Berkeley Plan Amendments and Proposed Mitigated Negative Declaration to allow Automobile Sales in West Berkeley for business retention.** Zoning Ordinance Chapters 23E.72, 23E.80, and 23F.10. *Recommendation: That the Planning Commission take and consider public comment, close the public hearing, and recommend the City Council adopt the Zoning Ordinance, General Plan, and West Berkeley Plan amendments as recommended by staff, and recommend adoption of the Mitigated Negative Declaration. (Report to be delivered) additional information available at the following website:*  
*<http://www.ci.berkeley.ca.us/planning/landuse/WestBerkeleyAuto/default.htm>*
10. **Staff comment letter on the ABAG Draft Regional Housing Needs Assessment (RHNA) Allocation Recommendation: review draft letter and provide comment. (Attached)**

11. **Public Hearing: Tentative Tract Map 7833, 3101-3115 California** *Recommendation: Conduct a public hearing and approve Tentative Tract Map 7833 for an 8-unit residential condominium based on the attached findings and conditions. (Report Attached)*
12. **Public Hearing: Tentative Tract Map 7832, 2301-2309 Eighth Street** *Recommendation: Conduct a public hearing and approve Tentative Tract Map 7832 for a 5-unit residential condominium based on the attached findings and conditions. (Report Attached)*
13. **Public Hearing: Tentative Tract Map 7848, 1632 Francisco Street** *Recommendation: Conduct a public hearing and approve Tentative Tract Map 7848 for a 6-unit residential condominium based on the attached findings and conditions. (Report Attached)*
14. **Transportation Department staff comments on Draft EIS/EIR for AC Transit East Bay Bus Rapid Transit in Alameda County** *Carried over from July 25, 2007 at the request of Commissioner Burke (Attached)*
15. **Recent LBNL Environmental Review Updates (from the LBNL)** *Carried over from July 25, 2007 at the request of Commissioner Burke (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.*

**None**

**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 Scott Tolmie regarding Transit Subcommittee of the Transportation Commission meeting on BRT, July 24, 2007

Late Communications received at previous meeting:

- Letter from Zeida Rothman regarding automobile sales zoning amendments, July 17, 2007.
- Letter from Andy Frasheski regarding automobile sales zoning amendments, July 20, 2007.
- Email from Betsy Thagard regarding proposed automobile sales zoning amendments, July 24, 2007.
- Email from Dan Marks, Director of Planning and Development, regarding ABAG draft RHNA numbers, July 25, 2007
- Letter from Robia Chang regarding selection of the preferred circulation alternative for the EIR and Phase One Improvements for the Southside Plan, July 25, 2007

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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.