



Office of the City Manager

INFORMATION CALENDAR

October 29, 2013

To: Honorable Mayor and Members of the City Council

From:  Christine Daniel, City Manager

Submitted by: Eric Angstadt, Director, Planning and Development Department

Subject: LPC-NOD: 2959 College Avenue

INTRODUCTION

The attached Landmarks Preservation Commission (LPC) Notice of Decision (NOD) is submitted to the Mayor and City Council pursuant to Berkeley Municipal Code (BMC) Section 3.24.240, which states that “A copy of the Notice of Decision shall be filed with the City Clerk and the City Clerk shall present said copy to the City Council at its next regular meeting (Ord. 4694-NS § 4.1(c), 1974).”

CURRENT SITUATION AND ITS EFFECTS

The Landmarks Preservation Commission has approved a Structural Alteration Permit for rehabilitation of the City Landmark Mercantile Company Building; including the replacement of three existing wall signs, an existing blade sign, two non-illuminated directional signs, and two existing awnings.

BACKGROUND

BMC Section 3.24.300 allows the Council to review any action of the Landmarks Preservation Commission in granting or denying a Structural Alteration Permit. In order for the Council to review the decision on its merits, the Council must appeal the Notice of Decision. To do so, a Councilmember must move this Information Item to Action and then move to set the matter for a hearing on its own. Such action must be taken within a minimum of 15 days from the mailing of the Notice of Decision or by October 29, 2013.

If the Council chooses to appeal the action of the Landmarks Preservation Commission, a public hearing will be set within 25 days pursuant to BMC Section 3.24.300.B. The Council must then rule on the application within 30 days from the date that the public hearing is opened or the decision of the Landmarks Preservation Commission is automatically deemed affirmed.

Unless the Council wishes to review the determination of the Landmarks Preservation Commission and make its own decision, the attached Notice of Decision is deemed received and filed.

POSSIBLE FUTURE ACTION

The Council could choose to appeal the decision by the Landmarks Preservation Commission, setting a public hearing at a later date.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

Additional staff time would be required to prepare the necessary Council report and resolution.

CONTACT PERSON

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Sally Zarnowitz, Secretary to the Landmarks Preservation Commission, (510) 981-7429

Attachments:

1. 2959 College Ave– Landmarks Preservation Commission Notice of Decision for Structural Alteration Permit Application (LM No. 13-40000006)