

**APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
FEBRUARY 28, 2001**

1 Time: The meeting was called to order at 7:10 p.m.

2 Location: North Berkeley Senior Center.

3

4 Commissioners present: Wrenn, Wengraf, Poschman, Howerton (departed 10:05 p.m.),
5 McCamant (departed 10:25 p.m.), Hicks, Morris (arrived 7:12 p.m.), Bronstein (arrived
6 7:25 p.m.).

7

8 Commissioners Absent: Perry.

9

10 Staff present: Haney-Owens, Cosin, Phillips.

11

12 **PUBLIC COMMENT PERIOD**

13

14 Roger Van Doytsel stated his opposition to a proposed project at the Copelands site on
15 Shattuck Avenue.

16

17 Virgus Streets stated that he is a resident of Walnut Street and a representative of the
18 North Berkeley/Shattuck neighborhood alliance. He stated his opposition to the proposed
19 Copelands project, particularly with respect to the scale of the project and potential
20 impacts related to flooding, density, views, and traffic.

21

22 Commissioner Wrenn pointed out that these issues should be addressed to the Zoning
23 Adjustments Board.

24

25 Melinda Lopez stated that she is also a member of the North Berkeley neighborhood
26 alliance, and noted her concern with the impacts of the Copelands project on growth,
27 pollution, parking and noise.

28

29 John Lopez spoke on behalf of his mother who resides on Walnut Street. He stated that
30 the Copelands project is too big for the neighborhood, and will impact the environment
31 negatively.

32

33 Karen Streets stated her concern regarding the Copelands project's impact on light,
34 views, and traffic in the neighborhood.

35

36 Doris Willingham stated her concern regarding Berkeley's increasing density.

37

38 Jessica Caorsi expressed her concern about the health and environmental impacts of the
39 project at the Copelands site.

40

41 Kate Bernier stated that her views have been obstructed due to development.

42

43 Fran Bell stated her concern that vehicles are using Gilman Street as an on ramp to the
44 freeway, given that the additional traffic is disruptive to the neighborhood.

45

APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
FEBRUARY 28, 2001

46 Merri Mitchell stated her concern that parking fees do not fund traffic improvements, but
47 go into the General Fund instead.

48

49 **ORDER OF AGENDA**

50

51 No changes.

52

53 **CHAIRPERSON'S REPORT**

54

55 Chair Wrenn announced that the Oxford Parking Lot Subcommittee will visit the site on
56 Friday, March 2nd at 3pm, and that there will be a Subcommittee meeting on March 9th.

57

58 **CITY COUNCIL ACTIONS**

59

60 No items to report.

61

62 **FUTURE AGENDAS**

63

64 Commissioner Wrenn proposed that a second public hearing on the Draft Environmental
65 Impact Report be held at the March 28th Commission meeting due to the Report's late
66 release.

67

68 Commissioners and staff resolved to leave the regular April meeting schedule unchanged.

69

70 **APPROVAL OF MINUTES**

71

72 M/S/C to approve minutes from the February 14, 2001 meeting (McCamant/Hicks).

73 Ayes: Bronstein, Wrenn, Wengraf, Morris, Hicks, Poschman, Howerton, McCamant.

74 Noes: None. Abstentions: None. Absent: Perry.

75

76 **DRAFT GENERAL PLAN AND EIR**

77

78 The public hearing on the Draft General Plan and Draft EIR was continued from the
79 February 14, 2001 Commission meeting.

80

81 Chris Dutra commented on the Transportation Element of the Draft General Plan. He
82 stated that the Plan ignores the fact that collector streets are primarily residential. He
83 suggested that these streets receive equal treatment for traffic calming measures.

84

85 Mike Daley, a representative of the Sierra Club, endorsed the Ecocity Amendment to the
86 Draft General Plan.

87

88 Commissioner Morris urged the Sierra Club to review the Environmental Management
89 Element of the General Plan. She noted that the Sierra Club has endorsed high density
90 projects on an individual basis.

91

APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
FEBRUARY 28, 2001

92 Kirsten Miller from Ecocity Builders expressed support for the Ecocity Amendment and
93 urged the Planning Commission to adopt it.
94
95 Emily Longfellow spoke on behalf of Ed Munger, owner of the Grenada building on
96 Bancroft and Telegraph. She stated that rent control encourages conversion of rental
97 units to owner occupancy. She voiced her support for policy H-4 in the Housing Element,
98 which discusses the provision of a housing fund for low-income tenants. She urged the
99 Commission not to repeal the Costa-Hawkins Act.
100
101 Nancy Holland referred the Commission to pages 37 and 38 of the Transportation Plan
102 and asked that Staff identify the primary route to Tilden Park. She expressed appreciation
103 for the residential parking section of the Plan and requested that the Commission enhance
104 and strengthen this section. She noted that 74% of liability suits against the City of
105 Berkeley in 1999 were pedestrian related, and requested that this information be added to
106 the background section for policy T-48.
107
108 Commissioner Poschman referred Ms. Holland to page 50 regarding the primary route to
109 Tilden Park.
110
111 Kate Nichol stated that residential collector streets deserve equal treatment for traffic
112 calming attention per the letter she submitted at the meeting.
113
114 Fran Haselsteiner, a member of the Transportation Commission, thanked the Commission
115 for considering amendments regarding traffic calming proposals for collectors and
116 arterials. She suggested that AC Transit purchase more low emission buses and run them
117 on collectors and arterials.
118
119 Charlie Betcher, the Chair of the Commission on Aging and member of the Commission
120 on Disability and the Transportation Commission, expressed concern with increased
121 traffic congestion, per the letter he submitted at the meeting.
122
123 Jay Ackerman stated his dissatisfaction with rent control in Berkeley.
124
125 Richard Register stated his support for the Ecocity Amendment.
126
127 Rick Pruetz stated his support for the Ecocity Amendment. He urged the Commission to
128 consider including the transfer of development rights in the Plan.
129
130 Commissioner Morris asked Mr. Register to submit to the Commission an example of an
131 ordinance dealing with the transfer of development rights from a city with characteristics
132 comparable to those of Berkeley.
133
134 John English stated that there is a need for another public hearing on the Draft EIR. He
135 urged the citizens to read and comment on the DEIR, especially the section on
136 infrastructure.
137

APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
FEBRUARY 28, 2001

138 Commissioner Wrenn asked staff if the Draft Plan amendments proposed are available on
139 the website.

140
141 Staff noted that they are.

142
143 Commissioner Wrenn stated that comments must be submitted by noon on the Friday
144 prior to the Commission meeting at which a particular set of amendments will be
145 discussed in order to be included in the packet for Commission review.

146
147 Elliott Cohen spoke on behalf of the Berkeley Peace and Justice Commission. He stated
148 that this Commission believes that the Draft General Plan inadequately addresses the
149 Nuclear Free Berkeley Act. He suggested that the City make available to the public a list
150 of contracts that Berkeley has with nuclear-related entities.

151
152 David Meyers noted his opposition to the repeal of the Costa-Hawkins Act. He also
153 stated that rent control has not worked as it was intended, and that it is subsidizing higher
154 income residents.

155
156 Doris Willingham stated that UC Berkeley's projects are encroaching on the city, and that
157 these projects are not discussed in the Draft EIR.

158
159 Lee Vierra stated his opposition to rent control as a means for providing affordable
160 housing.

161
162 Michael Larrick stated his opposition to rent control and Section 8 housing. He stated
163 that landlords of Section 8 housing allow their property to deteriorate. He stated that this
164 situation is conducive to increased crime.

165
166 Robert Cabrera noted his opposition to the repeal of the Costa-Hawkins Act. He also
167 stated that rent control does not work to provide more affordable housing.

168
169 Mark Tarses stated that Berkeley's population has actually declined since 1970, contrary
170 to the public belief that it has grown. He noted that rent control has not protected
171 Berkeley's poor and minority populations, and that the African American percent share
172 of the population has declined since 1970.

173
174 Claude Zamanian stated that rent control has not worked as it was intended, and that it is
175 subsidizing higher income residents.

176
177 Colette Ford stated that rent control subsidizes higher income residents, and does not
178 provide housing for those who need it.

179
180 Peggy Scholer stated her opposition to the repeal of the Costa-Hawkins Act, and rent
181 control. She suggested that the General Plan call for the revision of current rent control
182 policy.

183

APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
FEBRUARY 28, 2001

184 David Arnold stated his opposition to the repeal of the Costa-Hawkins Act. He stated that
185 it is difficult for Berkeley landlords to meet their expenses.

186

187 Howie Muir raised issues concerning parking, citizen participation and the City's
188 relationship with UC Berkeley, per the letter submitted at the meeting.

189

190 Tony Falcone, representing the ASUC, endorsed car-free housing and density bonuses.
191 He stated that the General Plan should work with UC Berkeley regarding housing
192 development.

193

194 Commissioner Poschman suggested that the Draft General Plan be placed in the UC
195 Library.

196

197 David Margen stated his opposition to the repeal of the Costa-Hawkins Act since, in his
198 view, it is not appropriate for the city to repeal a state law. He argued that rent control is
199 too politically divisive an issue to be dealt with in the Plan.

200

201 Eva Bansner commented on densities and floor area ratios in the DEIR, per the letter
202 from the League of Women Voters which she submitted at the meeting.

203

204 Karl Linn asked that the General Plan provide more complete guidelines supporting
205 community gardens.

206

207 Jason Meggs stated there are too many motor vehicles in Berkeley. He also stated his
208 support for car free housing, and the Ecocity Amendment.

209

210 Virgus Streets expressed concern with the decision-making process that allows
211 neighborhoods to be changed without neighborhood support.

212

213 Martha Nicoloff submitted comments on housing to the Commission. She urged that the
214 EIR address the energy crisis. She expressed concern with the proposed expansion of
215 BART parking lots, and questioned whether those areas could handle the intensified use
216 that would result. She pointed out that the EIR does not address proposed high density
217 UC projects.

218

219 Merri Mitchell stated that the impact of UC Berkeley Extension students should be
220 considered in the Plan. She expressed concern that there is no zoning for open space.

221

222 Kate Bernier expressed her concern that higher buildings in Berkeley will expose the
223 citizens to more microwaves. She also stated her support for rent control.

224

225 Becky O'Malley stated that the EIR should examine the relationship between
226 infrastructure and growth.

227

228 John McBride suggested that the Plan address the current situation of youths and auto-
229 dependent living. He stated that Berkeley's youth lacks mobility.

APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
FEBRUARY 28, 2001

230

231 Lori Gitter stated her opposition to the repeal of the Costa-Hawkins Act. She stated that
232 rent control subsidizes higher income residents, and does not provide housing for those
233 who need it.

234

235 Roger Van Doytsel stated that the General Plan lacks a clear vision and bold ideas. He
236 urged that the Plan focus on reducing traffic instead of improving traffic circulation.

237

238 Commissioner Wrenn noted that the public hearing on the Draft EIR has been extended
239 to March 28, 2001. He encouraged submission of written comments regarding the DEIR.
240 He also noted that the formal deadline for comments on the Draft General Plan is March
241 1, 2001, and that the Commission will begin a process of voting on amendments to
242 elements of the General Plan on March 14, 2001.

243

244 There being no further speakers for the public hearing, the Commission elected to hold
245 the public hearing regarding the Draft EIR open through the March 28, 2001 Commission
246 meeting.

247

248 **PLANNING AND DEVELOPMENT DEPARTMENT BUDGET PROPOSAL FOR**
249 **FY '02 AND '03**

250

251 Wendy Cosin, Acting Planning Director, presented the proposed Department budget for
252 Fiscal Years 2002 and 2003. She noted that the Department is seeking to establish a new
253 Code Enforcement Division, and that the Transportation function will be reorganized.

254

255 Commissioner Morris asked if the Permit Service Center will be communicating with
256 Public Works to encourage and support green buildings.

257

258 Acting Director Cosin stated there has been coordination between different City
259 Departments regarding green buildings. She noted that Redevelopment is hoping to find a
260 developer to build green live/work space in West Berkeley as a demonstration project.
261 She stated that Economic Development has been developing an ordinance with green
262 building standards, and the demonstration project would be a way of implementing those
263 regulations.

264

265 She explained that some funds requested for the Building & Safety Division will be used
266 to improve and update customer service oriented technology.

267

268 She noted that the search for a Department Director closes on March 16th. She stated that
269 the City Manager will include the Planning Commission in the selection process.

270

271 Commissioner Wengraf asked for more detail regarding work program priorities in the
272 Department.

273

274 Acting Director Cosin stated that work program priorities include Bicycle Plan
275 implementation, implementation of the Transportation Demand Management (TDM)

APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
FEBRUARY 28, 2001

276 Study, traffic calming, General Plan and Southside Plan adoption and implementation,
277 and Zoning Ordinance amendments.
278
279 Commissioner Wrenn inquired about the status of implementing the Safe Routes to
280 School Grants.
281
282 Staff Haney-Owens stated that the Traffic Engineering Division of Public Works is the
283 project lead, with assistance from the Planning Department.
284
285 Commissioner Wrenn asked if the grant money would be lost if not spent by September
286 2001, the obligation deadline.
287
288 Staff Haney-Owens stated that it is difficult to carry money over to the next year.
289
290 Commissioner Morris asked if there are any statistics that discuss what car trip reduction
291 results when more children walk to school.
292
293 Staff Haney-Owens replied that statistics may not be available yet since the program is so
294 new.
295
296 Commissioner Hicks commented that many children are bussed to school, and therefore
297 do not have the option of walking.
298
299 Acting Director Cosin replied that the project makes physical improvements near schools
300 to make walking safer in those areas.
301
302 Staff Haney-Owens added that the project encourages bike riding to school by installing
303 bike racks.
304
305 Wendy Cosin described the Housing Incentive Program (HIP) funding process. For
306 every housing unit in the planning phase, the City can apply for funding to use for
307 streetscape improvements. The program has a density requirement, and current multi-unit
308 projects meet it. There is a possibility that University units could be counted.
309
310 Commissioner Poschman commented that the budget proposal did not include specific
311 dollar amounts. He asked when those details would be available.
312
313 Acting Director Cosin stated that the budget presentation is preliminary, and that more
314 detailed information will be provided to the Commission.
315
316 Commissioner Poschman expressed specific concerns with the proposed Enforcement
317 Division, particularly with respect to how Current Planning would enforce compliance
318 after this aspect of its work is separated from it.
319
320 Acting Director Cosin replied that the new division would include staff whose emphasis
321 is zoning and that staff members would ensure coordination with Current Planning.

**APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
FEBRUARY 28, 2001**

322

323 **ADJOURNMENT**

324

325 Meeting adjourned at 10:38 pm.