

**APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING**  
**MAY 9, 2001**

Time: The meeting was called to order at 7:00 p.m.  
Location: North Berkeley Senior Center.

Commissioners present: Wrenn, Wengraf, Poschman, Howerton (departed 10:00 p.m.),  
Morris (arrived 7:21 p.m.), Bronstein, Hicks, McCamant.

Commissioners Absent: Perry

Staff present: Haney-Owens, Thomas, Ratcliffe, Phillips.

**PUBLIC COMMENT PERIOD**

Kirsten Miller of Ecocity Builders supported the Ecocity Amendment to the Draft  
General Plan. She noted other Berkeley organizations that also support the amendment.

D. Eifler supported the Ecocity Amendment and ecological restoration.

Wendy Alfsen urged the Commission to retain the original T-36 policy, and to prevent  
parking structures from being built during this period as well.

Merri Mitchell stated that elevated parking structures are unsafe, and suggested  
preserving existing parking instead of building new structures.

**ORDER OF AGENDA**

Commissioners agree to combine agenda items 8 and 10.

**CHAIRPERSON'S REPORT**

Southside and Oxford Lot Subcommittees will meet on May 10, 2001.

**CITY COUNCIL ACTIONS**

The MU-LI item has been continued to the May 15<sup>th</sup> City Council meeting.

Staff Haney-Owens discussed the proposed Fiscal Year '02 and '02 Planning Department  
budget, noting that the proposed budget provides funding for transportation-related  
activities, including implementation of the Transportation Demand Management Study.

Commissioner Bronstein requested an itemized description of survey costs for the  
Commute Survey which the City is presently undertaking.

Staff will return with a description of the scope of services and related costs when these  
have been developed.

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Commissioner Bronstein suggested inviting Transportation Manager Joe Kott to discuss these details with the Planning Commission.

Commissioner Wengraf requested a copy of the City Attorney's opinion regarding how State law governing affordable housing relates to a proposed housing development at 2700 San Pablo Avenue.

**FUTURE AGENDAS**

Staff Haney-Owens noted that proposed Zoning Ordinances amendments regarding massage uses and telecommunications antennas will not be on the May 30<sup>th</sup> meeting agenda because Staff needs more time to prepare materials.

Commissioner Poschman suggested deferring discussion of all of the proposed Zoning amendments until the special meeting for the Telecommunications Antenna Ordinance can be held.

Commissioner Wrenn suggested moving the proposed Zoning Ordinance amendments to a special meeting on June 20<sup>th</sup>. However, if Staff is able to prepare materials in time for the May 30<sup>th</sup> meeting, the Commission would prefer to meet on that date.

**APPROVAL OF MINUTES**

Commissioner Wengraf noted that several changes to the April 11, 2001 Planning Commission meeting minutes had not been made.

Staff agreed to revise the minutes of 4/11/01 and 4/25/01 to reflect Commissioner Wengraf's changes and to include specific General Plan amendment changes.

**ZONING ORDINANCE AMENDMENT: PUBLIC SAFETY AND EMERGENCY SERVICES PUBLIC HEARING & DISCUSSION**

Staff Ratcliffe stated that the public hearing was renoticed, and the definition of "Public Safety and Emergency Services" has been revised, per Commission direction. She noted that Staff has not received any comments from the public to this point.

M/S/C to open the public hearing (Poschman/Wengraf). Ayes: Wengraf, McCamant, Morris, Wrenn, Bronstein, Poschman, Howerton, Hicks. Noes: None. Abstentions: None. Absent: Perry.
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Merri Mitchell asked why spot zoning could not be used for this purpose. She stated her concern that this definition could include telecommunications towers or pipelines.

M/S/C to close the public hearing (Wengraf/Poschman). Ayes: Wengraf, McCamant, Morris, Wrenn, Bronstein, Poschman, Howerton, Hicks. Noes: None. Abstentions: None. Absent: Perry.
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Commissioner Poschman explained the difficulties of spot zoning to the speaker and noted that telecommunication towers and pipelines are handled as utilities and not as facilities with respect to zoning regulations.

Staff Ratcliffe stated telecommunications towers are handled separately in the Ordinance, and that pipelines are classified as utilities, not facilities.

M/S/C to approve the Zoning Ordinance amendment with amended language (Wengraf/Hicks). Ayes: Wengraf, McCamant, Morris, Wrenn, Bronstein, Poschman, Howerton, Hicks. Noes: None. Abstentions: None. Absent: Perry.
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**DRAFT GENERAL PLAN**

Transportation Element

Commissioners continued discussion of policy T-36 from the previous meeting

Commissioner Wengraf noted that the Commission decided to propose a baseline study to assess impacts of a moratorium on new parking.

Commissioner Wrenn stated that the parking studies included in Commissioner packets constitute a baseline study.

Commissioner Bronstein suggested that this data may preclude the need to spend funds on a survey.

Commissioner Wengraf asked if this was a cumulative analysis or reports of individual studies.

Commissioner Morris noted that there are three separate studies, each conducted for a specific project, and that more study is required to determine what is needed.

Commissioner Wengraf emphasized the importance of a baseline study before TDM implementation. She suggested adding the language 'on an ongoing basis' to Action C.

Commissioner Wrenn suggested adding the language 'establish baseline data and monitor conditions'.

Commissioner Wengraf asked which UC lots are public.

Commissioner Poschman stated that the Addison lot's "public" sign is somewhat hidden, and that there are many spaces available for the Arts District.

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Commissioner Hicks requested better information be provided about what parking is available Downtown.

Commissioner Morris questioned whether the number of cars Downtown can be decreased, and suggested minimizing the increase in car use instead.

Commissioner Wrenn proposed revised language for T-36 C clarifying that the data collection and monitoring would be ongoing.

Commissioner Bronstein stated that UC is leasing parking to specific businesses, and suggested that City Staff be involved in coordination of these efforts.

Commissioner Morris proposed language to accommodate Commissioner Bronstein's suggestion for inclusion in T-35 L.

Commissioner Poschman suggested that UC's parking lots could be used at night for event parking related to the Arts District.

Staff Thomas noted that many of the Commissioners recommendations are included in the TDM study.

M/S/C to approve T-36 with amended language (McCamant/Poschman). Ayes: Wengraf, McCamant, Morris, Wrenn, Bronstein, Poschman, Howerton, Hicks. Noes: None. Abstentions: None. Absent: Perry.
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***T-36 Public Parking Supply in the Downtown and Southside***

*Improve parking conditions in the Downtown and Southside through better utilization of existing parking and transportation demand management before considering public expenditures on construction of additional city-owned public parking spaces in the area.*

*Actions*

- A. *Reduce demand for parking by implementing specific actions in the Southside/Downtown Transportation Management Study (See Tier One, Tier Two and Tier Three programs in the TDM Study) including actions to better manage and improve transit services including taking steps to establish an Eco-Pass program (see Policy T-3) and implementing commuter and shopper shuttles (see Policy T-2).*
- B. *Increase availability of existing parking, including UC parking, to shoppers, visitors and other short-term users. (see Policy T-35)*
- C. *Establish baseline parking supply and utilization data and monitor parking conditions on an ongoing basis in all City and UC parking lots available to commuters, shoppers and other visitors to determine effectiveness of the TDM efforts and to improve the quality of information available about public parking capacity and utilization.*
- D. *After TDM programs have been in place for two years, if monitoring efforts suggest the existence of parking supply problems, consider doing a parking study and developing a parking facilities plan with broad public participation to address those problems.*

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Commissioner Poschman stated that T-35 Action L should address Commissioner Hicks' concern regarding parking availability information.

Commissioner Hicks agreed.

M/S/C to approve T-35 with amended language suggested by Commissioners (Bronstein/McCamant). Ayes: McCamant, Morris, Wrenn, Bronstein, Poschman, Howerton, Hicks. Noes: None. Abstentions: Wengraf. Absent: Perry.
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***Policy T-35 Downtown and Southside Parking Management.***

*Manage the supply of Downtown and Southside public parking to discourage long-term, all day parking, increase the availability and visibility of short-term parking, and support local businesses*  
*Actions*

- A. *Offer reduced rate or free parking for carpools and van pools at City garages and selected street locations.*
- B. *Improve signage and access to existing public parking, including UC lots open to the public, in the Downtown and in the Southside.*
- C. *Increase all day parking rates, maintain lower parking rates for short term parking, eliminate monthly parking passes, provide "cash-out" programs, and extend hours of operation in City garages.*
- D. *Improve lighting and security in Downtown garages to encourage better utilization during off peak hours.*
- E. *Require all City employees and officials to pay the fair market rate for parking.*
- F. *Limit employee parking based on need for a vehicle on the job, number of passengers carried, disability, and/or lack of alternative public transportation.*
- G. *Identify locations to increase short-term on-street parking capacity through re-striping and angled parking in commercial areas.*
- H. *Enforce existing short term parking laws in commercial districts (i.e. meter parking) to alleviate abuse.*
- I. *Provide information on transit alternatives, commuter check, and obtaining transit passes at city parking garages and on City parking tickets. Give this information to everyone who applies for a long-term parking permit in any City-owned parking lot or garage.*
- J. *Encourage visitors attending sporting events, entertainment events, theatrical performances and special events in Downtown and the Southside to use transit so that some existing parking remains available for other visitors.*
- K. *Increase the availability of short term parking by encouraging better utilization of existing parking as recommended by the Southside/Downtown Transportation Demand Management Study, including making parking that is currently not available to the public, available for short term parkers.*
- L. *Work with the business and arts community and owners of existing parking lots and garages, including the University, to cooperatively manage parking demand and parking resources.*

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*Coordinate parking policies, parking rates and parking information programs, including wide dissemination of parking maps and parking information.*

Commissioners agreed by consensus to strike amendment 47 regarding the location of new public parking in the downtown.

Commissioner Hicks stated that T-10 D will be very difficult to monitor.

Commissioner Morris provided language that discussed incentives for households to reduce their total number of cars.

Commissioner Wengraf stated her concern that this discriminates against certain kinds of households.

Commissioner Morris referred the Commission to the Sierra Club statement that limits permits in San Francisco.

Commissioner agreed to add amended T-10 by consensus.

***Policy T-10: Trip Reduction***

***(Also See T-2)***

*To reduce automobile traffic and congestion and increase transit use and alternative modes in Berkeley, support, and when appropriate require, programs to encourage Berkeley citizens and commuters to reduce automobile trips, such as:*

- *Participation in a Citywide Eco Pass Program (See Policy T-3)*
- *Participation in a Commuter Check Program*
- *Carpooling and provision of carpool parking and other necessary facilities,*
- *Telecommuting programs.*
- *“Free bicycle” programs and electric bicycle programs.*
- *Car-sharing programs.*
- *Pedal-cab, bicycle delivery services, and other delivery services,*
- *Programs to encourage neighborhood-level initiatives to reduce traffic by encouraging residents to combine trips, car pool, telecommute, shop locally and use alternative modes.*
- *Programs to reward Berkeley citizens and neighborhoods that can document reduced car use.*
- *Limit or reduce the supply of long term commuter parking and eliminate subsidies for commuter parking*
  
- *Consider local merchants customer delivery systems using bicycles, electric vehicles, and other low impact forms of transportation.*
  
- *Consider new city wide programs that would provide incentives for Berkeley households to reduce the number of cars owned by Berkeley households.*

Staff Thomas explained policy T-19. It attempts to balance the needs of pedestrians, bicyclists and automobiles, and calls for examination of the project impacts on all of these travel modes, not just auto use.

Commissioner Poschman pointed out the proposed amended language should replace the second sentence.

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Commissioners agree to adopt T-19 with amended language by consensus.

***Policy T-40 Parking Impacts***

*When considering parking impacts under the California Environmental Quality Act for residential projects with more than two units located in the Avenue Commercial, Downtown, or High Density Residential land use classifications, any significant parking impacts identified that result from the project should be mitigated by improving alternatives to automobile travel and thereby reducing the need for parking. Examples include improvements to public transportation, pedestrian access, car sharing programs, and bicycle facility improvements. Parking impacts for these projects should not be mitigated through the provision of additional parking on the site.. The City finds that:*

- A. Because parking supply and demand may easily be adjusted by changing local pricing policies and by changing how the supply is managed*
- B. As parking supply increases or parking costs decrease, automobile use becomes a more attractive transportation alternative and demand for parking increases. As parking supply decreases and its price increases, demand decreases.*
- C. Increasing parking supply increases automobile use, which may cause a measurable negative impact on the environment*

Staff Thomas explained that T-39 states any parking impacts assessed under CEQA should be mitigated by improving alternatives to auto travel, not through provision of additional parking.

Commissioner Poschman stated that the Zoning Adjustments Board does not attempt to mitigate impacts by requiring additional parking at the project site.

Staff Thomas states that the purpose of this policy is to clarify procedures. He explained that if additional parking demand is determined, the City can decide to mitigate the impacts.

Commissioner Wengraf asked if there is a similar policy relating to commercial development.

Staff Thomas replied no.

Commissioner Wrenn noted that the TDM Study found that the City is requiring more parking than is demanded.

Staff Thomas stated that the policy is designed to address transit oriented residential projects and that for commercial projects, the City may want to require more parking on a case-by-case basis.

Commissioner Hicks stated that housing should not be held hostage because transit service is inadequate.

Staff Thomas stated that the applicant can provide parking, but the City will not require more parking for transit oriented housing than is desired by the project proponents.

Commissioners agreed to leave T-39 as written on the amendment list.

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Commissioner Wengraf suggested amended language for Amendment 52 regarding limits on parking under Civic Center Park.

Commissioner Bronstein stated that the amended language does not capture the intent of the policy.

Commissioner Wengraf suggested that a new policy should be written that disallows parking underneath Civic Center Park.

Commissioner Poschman stated that it should either be a separate policy or dropped from the amendment.

Commissioner Wrenn supported the amendment as it is written, but also suggested that the amendment could be deleted entirely from the Amendment list and the Plan.

Commissioners agreed by consensus to strike Amendment 52 regarding parking and Civic Center Park from the amendment list.

**Land Use Element**

Commissioner Wengraf asked what ‘community service centers’ refers to in LU-15 action A.

Commissioner Poschman stated that nothing in the Zoning Ordinance specifically refers to these, and noted that the amendment suggests placement of these on transit corridors not throughout the city.

Commissioner Wengraf stated that ‘refuse collection services’ probably do not belong in this policy.

Commissioners agree to strike the phrase ‘fire, police and refuse....’ from LU-15.

Commissioner Wengraf asked if this policy will make school libraries available to the public.

Commissioner Morris explained that this joint use of school libraries is common, and that BUSD has policies that encourage making facilities available to the community.

Commissioner Poschman questioned use of the phrase ‘basic goods’ in this policy.

Staff will return with language revisions for this policy.

*Policy LU-15*

*Ensure that neighborhoods are well by served by commercial districts and community services and facilities, such as parks, schools, child care facilities, and religious institutions.*

- A. Locate commercial uses and community service facilities throughout the City on transit corridors.*
- B. Maximize joint City/Unified School District use of and planning for facilities such as recreation, libraries and cultural centers.*



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Commissioner Wengraf suggested using the word 'encourage' in the language for LU-17 because the City cannot force an institution to relocate.

Commissioner Wrenn suggested the phrase 'locate public and encourage location of private...'

Staff will return with language revisions for this policy.

*Policy LU-17*

*Wherever possible, locate public and private institutional uses and community service centers that serve the entire city or have a regional-service orientation on transit corridors so that they are accessible to public transportation and will not disrupt adjacent residential areas.*

Commissioner Wengraf asked what the Downtown development standards are that are referred to in LU-18.

Staff Thomas referred the Commission to pages 8-9 of the General Plan for information on base heights, floor area ratios, and maximum heights.

Commissioner Hicks asked if this policy should be clarified to state that mezzanines are not included.

Commissioner Poschman supported this clarification.

Commissioner Wengraf suggested using measurements in feet to specify.

Commissioner Poschman supported a story specification as well.

Staff will return with revisions to the language that will address feet and stories.

Commissioner Wengraf asked why 'cultural' was replaced with 'arts' throughout the policy.

Commissioner Poschman stated that the subcommittee agreed that 'cultural' is an anthropological term, and includes many activities.

Commissioner Wengraf asked if museums would be excluded.

Commissioner Wrenn stated that museums do qualify and that this should be clarified.

Staff will provide language that is explicit regarding inclusion of museums.

Commissioner Wengraf asked if film venues are included.

Commissioner Wrenn suggested adding a footnote to reference an appendix that details what is included in this definition.

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Commissioner Wengraf stated that the definition of arts should include all legitimate uses in the General Plan, and suggested that 'film' be added to item 24 2).

Commissioner McCamant asked if this policy could be limited to non-profit organizations, and stated that this bonus should not be for private businesses.

Commissioner Wrenn suggested adding this to 5) under item 24.

Staff Thomas noted that this might preclude artist co-operatives that are not 501c organizations.

Staff will incorporate 'non-profit' throughout the language and make Action B consistent with the policy.

Commissioner Wengraf noted that Action E may not be consistent with the Downtown plan.

Commissioner Wrenn stated that this policy just considers a minimum for new buildings.

Commissioners agreed to retain item 25 as written on the amendment list, and to strike amendment 27.

Commissioner Morris stated her concern that striking item 27 should not change the Commission's position on the maximum supply of affordable housing Downtown.

Staff Thomas suggested incorporating this into Action B.

Commissioners agreed by consensus to add language regarding affordable housing in the downtown to Action B.

***Policy LU-18 Downtown***

***Implement the Downtown Plan and take actions to achieve the three goals of the Plan:***

- 1. Express and enhance Berkeley's unique social and cultural character in the downtown;***
- 2. Create an appealing and safe downtown environment, with a comfortable pedestrian orientation;***  
***and***
- 3. Diversify, revitalize and promote the downtown economy.***

***Actions:***

- A. Maintain the Downtown Plan development standards for new construction for maximum height, maximum stories, and floor area ratios. Definitions for maximum height, maximum stories, and floor area ratio are included in the General Plan Glossary.***
- B. Maximize the supply of affordable housing in the downtown by amending the downtown plan and zoning ordinance to provide residential density bonuses in the Downtown Plan Area for affordable housing.***
- C. Amend the downtown plan and zoning ordinance to eliminate the density bonuses given for retail space and the replace the "cultural facility" density bonus with an "Arts Facility" density bonus that is limited to uses such as: 1) theaters for dance, music, plays or other, similar performing art; 2) galleries for the exhibition of paintings, sculpture, crafts, film or other, similar art form; 3) museums, 4) schools of fine arts or performance arts or other, similar discipline; 5) offices for fine art or***

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*performing art organization, such as the Symphony, a theater company or some other similar use. (See Appendix A for details and associated zoning ordinance revisions.)*

- D. *Consider a three story minimum building height in the core area and two stories in the other areas.*
- E. *Continue to explore options for the partial or complete closure of Center Street, Addison Street or Alston Way to automobiles to promote the pedestrian and commercial vitality.*
- F. *Continue to explore costs and plans for the day lighting of Strawberry Creek.*
- G. *Implement capital improvement projects that reinforce the pedestrian, transit, commercial, arts and entertainment orientation of the Downtown and improve the quality of life for visitors and residents of the area.*
- H. *Encourage mixed use projects that include both office space and housing above appropriate ground floor uses (retail or arts) to improve the balance between the number of jobs and the number of housing units in the downtown.*
- I. *Reconstruct the Downtown BART Station and Plazas*

Commissioners agreed by consensus to retain item 33 regarding Car Free Housing on the amendment list with no language changes.

Commissioner McCamant stated that amendment item 34 pre-determines the outcome of a discussion regarding Southside re-zoning that has not yet occurred in the Southside Plan process.

Commissioner Wrenn explained the rationale of increasing density close to well served transit corridors, but agreed that the action could be removed until the issue is resolved in the Southside planning process.

Commissioners agreed to strike the action regarding Southside zoning in Amendment 34 by consensus.

Commissioner Morris suggested editing the language in policy LU-20 to end after the phrase 'downtown Berkeley'.

Commissioner McCamant supported removal of the last phrase in LU-20.

Commissioner resolved to revisit this amendment at the next meeting.

**ADJOURNMENT**

Meeting adjourned at 10:11 pm.