

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

1 **ROLL CALL**

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3 Time: The meeting was called to order at 7:21.

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5 Location: North Berkeley Senior Center.

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7 Commissioners Present: Bronstein, Curl, Howerton, Olson, Wengraf, Wrenn.

8  
9 Commissioners Absent: Hicks, Tabb, Wozniak.

10  
11 Staff Present: Barrett, Cederborg.

12  
13 **PUBLIC COMMENT PERIOD**

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15 Resident Howie Muir asked that the Planning Commission add the item forwarded by  
16 City Council regarding nodes to the agenda in a timely manner.

17  
18 **ORDER OF AGENDA**

19  
20 No change.

21  
22 **CHAIRPERSON'S REPORT**

23  
24 No report.

25  
26 **COUNCIL ACTIONS/PLANNING DIRECTOR'S UPDATE**

27  
28 Planning Director Barrett gave a Council and department update.

29  
30 **FUTURE AGENDAS**

31  
32 Commissioner Bronstein asked that the structure of the public comment be discussed on  
33 the December 12 the meeting.

34  
35 **APPROVAL OF MINUTES FROM THE NOVEMBER 14<sup>TH</sup> MEETING**

36  
37 The Commissioners were given the minutes from the November 14<sup>th</sup> meeting. They will  
38 be voted on for their approval at the December 12<sup>th</sup> meeting.

39  
40 **PUBLIC HEARING – PROPOSED ZONING RECLASSIFICATION OF A**  
41 **PORTION OF THE 1100 BLOCK OF HEARST**

42  
43 M/S/C to open the public hearing (Bronstein/Olson). Ayes: Bronstein, Curl, Howerton,  
44 Olson, Wengraf, Wrenn. Noes: None. Abstentions: None. Absent: Hicks, Tabb,  
45 Wozniak.

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47 Speakers in alphabetical order:

48 Arjan Amiri, Dorthy Amiri , Hoss Azimi, Damien Curry, Wayne Cout, Deborah  
49 Dixon, Elaine Eastman, Bill Eisenstein, DeeAnn Freitas, Fred Gabelle, Lynda  
50 Hart, Patrick Hart, Cynthia Hazill, Kimberly Kline, Ruth Knapp, Pam Kurz,  
51 Kerby Landis, Fred Lupke, Marc Mathieu, Teak Mayer, John, McBride, Merri  
52 Mitchell, Stephanie Miyashiro, Howie Muir, Britta Nelson, Pam Ormsby, Ken  
53 Palmer, Ken Schmier, Dave Seyranian, Paul Seyranian, Paul Shain, John Snavely,  
54 Mary Jo Thorensen, Patty Tucker, Rolf Williams,  
55

56 Citizens' Comments: - *for the rezoning*

- 57 • The majority of the residents where the rezoning is to take place, support the  
58 rezoning.
- 59 • One of the area's assets is its open space.
- 60 • The current zoning is not representative of the existing neighborhood.
- 61 • Spot zoning is not the motivation behind the rezoning request.
- 62 • Larger development allowable under R-3 zoning will further congest the  
63 neighborhood.
- 64 • The existing infrastructure will not be able to withstand new large  
65 developments allowable under R-3 zoning.
- 66 • Cut through traffic is already a problem to worsen under R-3 zoning  
67 developments.
- 68 • The rezoning is not a matter of density, but a matter of height.
- 69
- 70 \* Rezoning to R-2A will:
  - 71 • Sustain the community.
  - 72 • Create a certainly for development.
  - 73 • Preserve the character of the community.
  - 74 • Provide for an additional twenty-two potential housing units.
  - 75
  - 76

77 Citizens' Comments: - *against rezoning*

- 78 • Regarding the traffic concerns, other methods can be used to alleviate traffic.
- 79 • Buildings for proposed development on Hearst are old and need to be rebuilt.  
80 The plan is to build a medium-density, three story housing development that  
81 includes affordable and accessible housing.
- 82 • The area in question is along a transit corridor and should retain a higher  
83 zoning designation.
- 84 • If an emergency were to occur, higher density buildings could not rebuild to  
85 the same size, thus reducing their potential income.
- 86 • Affordable housing is already scarce.
- 87
- 88 \* Rezoning to R-2A:
  - 89 • Will further limit potential affordable and accessible housing.
  - 90 • Could have a snowball affect on other areas in the city.
  - 91 • Is a violation of anti-discriminatory laws.

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- 92                   • Takes away people's rights.
- 93                   • Will eliminate forty-six potential housing units.
- 94                   • Presents possible legal issues.
- 95                   • Protects homeowners, not renters.

96

97           Requests:

- 98           • Delay decision until next meeting due to a key property owner who is unable to
- 99           attend the Public Hearing.

100

101   M/S/C to close the public hearing (Bronstein/Olson). Ayes: Bronstein, Curl, Howerton,  
102   Olson, Wengraf, Wrenn. Noes: None. Abstentions: None. Absent: Hicks, Tabb,  
103   Wozniak.

104

105   Commissioner Wrenn clarified that the purpose of the Public Hearing is to make a  
106   determination for possible rezoning since other issues arose in the context of the Public  
107   Hearing that the Planning Commission is not designed to address.

108

109   Staff Barrett stated that the earlier staff report which supports the current R-3 zoning,  
110   remains the recommendation.

111

112   Commissioner Bronstein asked for clarification regarding whether R-3 is a high-density  
113   zoning designation. She pointed out the inconsistency between the R-3 designation in the  
114   General Plan, where it is described as medium density, and the Zoning Code, where it is  
115   described as high density.

116

117   Commissioner Wengraf asked if the rezoning could ignite any credible legal battles.

118

119   Staff Barrett stated that from her informal contacts with the City Attorney, a legal attack  
120   on the rezoning would not be credible in this case.

121

122   Commissioner Curl stated that the turn-out from the community on this issue is  
123   impressive and that he supports the rezoning.

124

125   Commissioner Wrenn pointed out that the development potential is not eliminated if the  
126   area were to be rezoned to R-2. He stated that the already been decided upon housing  
127   developments, will be in more commercial areas and that new housing development that  
128   is currently underway, will be able to provide the city of Berkeley's fair share of  
129   housing. He stated that additionally, there are still many open spaces available for  
130   higher-density development and that residential infill was discussed at part of the city's  
131   plan to meet the its housing fair share. Lastly, he stated that the General Plan, not only  
132   calls for the building of new high-density housing, but to preserve the character of  
133   existing neighborhoods.

134

135   Commissioner Wengraf stated that in response to the residents' concerns of the increased  
136   traffic in the area, a rezoning designation is not a solution.

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138 M/S/C to recommend the rezoning the north side of the 1100 block of Hearst from R-3 to  
139 R-2A (Bronstein/Curl). Ayes: Bronstein, Curl, Howerton, Olson, Wengraf, Wrenn.  
140 Noes: None. Abstentions: None. Absent: Hicks, Tabb, Wozniak.

141

142 **COMMITTEE REPORTS**

143

144 No reports.

145

146 **ADJOURNMENT**

147

148 Meeting was adjourned at 9:23.