

**APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
OCTOBER 23, 2002**

1 **ROLL CALL**

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3 Time: The meeting was called to order at 7:05.

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5 Location: North Berkeley Senior Center.

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7 Commissioners Present: Bronstein, Curl, Pollack, Poschman, Wengraf, Wozniak, Wrenn.

8 Commissioners Absent: Howerton, Tabb.

9 Staff Present: Barrett, Diamond, Grimes, Homrighausen, Napolitan.

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11 **ORDER OF AGENDA**

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13 No change.

14
15 **PUBLIC COMMENT PERIOD**

16
17 None

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19 **CHAIRPERSON'S REPORT**

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21 No report.

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23 **COMMITTEE REPORTS**

24
25 Commissioner Poschman reported on the General Plan sub-committee's most recent
26 meeting. He stated that an updated version of the General Plan may be available at the
27 November 20th meeting of the Planning Commission.

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29 **PLANNING DIRECTOR'S REPORT**

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31 Planning Director Barrett reported on the following items:

32
33 October 17th meeting of the Fall General Assembly on Alternative Growth Options
34 General Plan sub-committee's Density Report.

35 Referral from the City Council to reconsider the fee structure for appeals

36 Referral from Zoning regarding a loophole in current zoning laws as it relates to
37 properties which have been declared a nuisance.

38
39 **APPROVAL OF MINUTES**

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41 M/S/C to approve the October 9th minutes with changes (Poschman/Wengraf). Ayes:
42 Bronstein, Curl, Poschman, Wengraf, Wozniak, Wrenn. Noes: None. Abstentions:
43 None. Absent: Howerton, Pollack, Tabb.

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46 **FUTURE PLANNING COMMISSION AGENDA ITEMS & OTHER PLANNING-**
47 **RELATED EVENTS**

48

49 It was the consensus of the Planning Commission to hold a public hearing on the fee
50 structure for appeals and the loophole in current zoning law as it relates to properties
51 which have been declared a nuisance, at the November 20th Planning Commission
52 meeting.

53

54 **PUBLIC HEARING ON DRAFT ZONING AMENDMENTS RE: DOWNTOWN**
55 **COMMERCIAL DISTRICT REGULATIONS**

56

57 Staff Diamond gave a brief report on the proposed Downtown Commercial District
58 regulations. She stated specific points within the proposed regulations which she would
59 like the Planning Commission's feedback on.

60

61 M/S/C to open the public hearing (Poschman/Wengraf). Ayes: Bronstein, Curl, Pollack,
62 Poschman, Wengraf, Wozniak, Wrenn. Noes: None. Abstentions: None. Absent:
63 Howerton, Tabb.

64

65 Four members of the public spoke (Marnie Welch, Susan Levine, John English, and
66 Clifford Fred). Specific concerns or comments expressed by the public were:

67

68 The use of the word 'ancillary' in regards to retail and office space in the Arts Density
69 Bonus definition may be too restrictive.

70 The Arts Density Bonus definition should specify that this applies to arts groups based in
71 Berkeley and serving Berkeley residents.

72 How much below market rate will the rent be for arts groups.

73 A minimum five year lease for any arts tenants should be required.

74 There should be special rules regarding minimum building heights for existing historic
75 buildings.

76 The extra stories built as a result of the Arts Density Bonus are not exempt from CEQA
77 and the amendment itself also requires CEQA review.

78 A two story minimum building height is preferred.

79

80 M/S/C to close the public hearing and continue it to November 13th.
81 Poschman/Wengraf). Ayes: Bronstein, Curl, Pollack, Poschman, Wengraf, Wrenn.
82 Noes: None. Abstentions: None. Absent: Howerton, Tabb, Wozniak.

83

84 Several commissioners raised concerns that the units created by the Arts Density Bonus
85 might be held vacant indefinitely for economic reasons by the landlord or property
86 owner. Several different strategies for dealing with this were suggested.

87

88 Concerns that the narrow definition of the Arts Bonus Density might exclude certain
89 organizations were expressed. Several commissioners also expressed concerns that
90 developers in order to receive the Arts Density Bonus may create office space on the

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91 second floor rather than performance or gallery space on the first floor due to economic
92 factors. A number of different strategies for dealing with this were proposed.

93

94 It was the consensus of the Planning Commission that the minimum building height
95 be three stories in the Core, South, and West areas, and two feet along Oxford and North
96 1 and 2.

97

98 **DRAFT SOUTHSIDE PLAN: REVIEW OF INITIAL TEXT EDITS AND**
99 **DISCUSSION CONCERNING THE SCHEDULE**

100

101 Staff Homrighausen gave a brief update on the status of the Southside Plan, reviewing the
102 issues of boundaries and data collection. The Planning Commission discussed the pros
103 and cons of collecting more data.

104

105 It was the consensus of the Planning Commission that a data update was not necessary,
106 but that the report should contain a brief explanation of the reasoning.

107

108 **REORGANIZATION PROPOSAL FOR THE PLANNING DEPARTMENT**
109 **FROM THE DIRECTOR OF PLANNING AND DEVELOPMENT**

110

111 Planning Director Barrett gave a brief overview of the reorganization proposal for the
112 Planning Department. She stated that this plan would address one of the core issues
113 facing the Planning Department, which is the ability to recruit and retain qualified
114 individuals.

115

116 Several commissioners stated that they were concerned that the reorganization of current
117 planning and advance planning into one department might result in a shortage of staff to
118 cover the needs of advance planning. They stated that they were also concerned that staff
119 might be pulled off critical projects in the midst of working on them. The discussion will
120 be continued at the next meeting.

121

122 **ADJOURNMENT**

123

124 Meeting was adjourned at 10:10.

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