

**APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
JULY 23, 2003**

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, Stoloff, Tabb, Wrenn.

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9 Commissioners Absent: Wengraf, Wiggins.

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11 Staff Present: Kamlarz, Homrighausen, Orden.

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13 **ORDER OF THE AGENDA**

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15 No change

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17 **PUBLIC COMMENT PERIOD**

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19 There were 4 speakers. Janice Thomas spoke to encourage the Planning Commission to
20 comment on the Draft EIR for LBNL's proposed Building 49 and G-4 Parking Lot
21 project. Jim Sharp spoke to encourage close examination of LBNL's proposal and closer
22 oversight by the City than in the past. Andy Katz spoke about the Southside Plan and
23 encouraged rapid progress on the project EIR. Pamela Sihvola of the Committee to
24 Minimize Toxic Waste spoke about potential hazards due to the locations of both the
25 molecular foundry and Building 49 projects in the High Risk Earthquake Induced
26 Landslide Hazard zone.

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28 **CHAIRPERSON'S REPORT**

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30 No report.

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32 **COMMITTEE REPORTS**

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34 No report.

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36 **PLANNING STAFF REPORT**

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38 Acting Planning Director Kamlarz told the Commission this was his last meeting and he
39 appreciated their support while he served as the interim director. Staff Homrighausen
40 commented that information gathering on the MU-LI arts and crafts businesses through
41 the City's GIS system and business license records is proceeding.

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43 **APPROVAL OF MINUTES**

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45 M/S/C to approve the minutes of the June 25, 2003 meeting (Poschman/Wrenn). Ayes:
46 Bronstein, Curl, Pollack, Poschman, Stoloff, Tabb, Wrenn. Noes: None. Abstentions:
47 None. Absent: Wengraf, Wiggins.

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FUTURE AGENDAS

The Commission requested that the LBNL Building 49 and G-4 Parking Lot DEIR be placed on the agenda for the Sept. 10 meeting, with staff to provide any correspondence pertaining to the issue.

BED & BREAKFAST ORDINANCE PUBLIC HEARING

M/S/C to open the public hearing on the proposed zoning amendments to the Berkeley Municipal Code (BMC), regarding bed and breakfast establishments in residential areas. (Poschman/Wrenn). Ayes: Bronstein, Curl, Pollack, Poschman, Stoloff, Tabb, Wrenn. Noes: None. Abstentions: None. Absent: Wengraf, Wiggins.

Mort Cohn, Anne Hannah-Roy, and Helen Christensen, B&B operators and members of the B&B Network, spoke in favor of the proposed ordinance.

Finance Department staff A.Robin Orden addressed questions from Commissioners about the version of the ordinance distributed for the hearing, regarding language related to Transient Occupancy Tax (TOT) for these B&Bs. She said the Council’s action included not subjecting the B&Bs, as defined in the proposed ordinance, to pay TOT. She also had received confirmation from the City Attorney’s Office that the Planning Commission could act to recommend adoption of the proposed B&B ordinance, as distributed, with the understanding that the final language of the ordinance presented to Council would exempt these B&Bs from TOT.

M/S/C to close the public hearing on the proposed zoning amendments to the BMC, regarding bed and breakfast establishments in residential areas. (Poschman/Stoloff). Ayes: Bronstein, Curl, Pollack, Poschman, Stoloff, Tabb, Wrenn. Noes: None. Abstentions: None. Absent: Wengraf, Wiggins.

M/S/C to recommend to the City council adoption of the proposed zoning amendments to the Berkeley Municipal Code, regarding bed and breakfast establishments in residential areas. (Poschman/Tabb). Ayes: Bronstein, Curl, Pollack, Poschman, Stoloff, Tabb, Wrenn. Noes: None. Abstentions: None. Absent: Wengraf, Wiggins.

SOUTHSIDE PLAN

Staff Homrighausen summarized the staff report. The Commission discussed the recommendations.

M/S/C to approve the following changes proposed in the July 23, 2003 staff memo dated July 23, 2003: all changes on pages 1,2, and 3; the three changes at the top of page 4; two items on page 5 headed “Transportation Element Page 17, 1st paragraph, delete material related to UC Parking Replacement Policy” and “Transportation Element Page 17, 2nd paragraph, 1st sentence, make a correction to the location of the Underhill site”; and the last item on page 6, headed “Transportation Element Page 20,4th and 5th paragraph”

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95 (Wrenn/Stoloff). Ayes: Bronstein, Curl, Pollack, Poschman, Stoloff, Tabb, Wrenn.
96 Noes: None. Abstentions: None. Absent: Wengraf, Wiggins.

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98 **C-2 ORDINANCE**

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100 The Commission briefly discussed the outstanding arts density bonus issues. It was
101 proposed that this item come back at the meeting of Sept. 10.

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103 **ZORS REPORT**

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105 Acting Director Kamlarz recommended that the Commission set up a subcommittee to
106 work with staff on the ZORs list. Commissioner Poschman indicated he will work with
107 staff over the next 2-3 months to make a plan to move forward.

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109 **ADJOURNMENT**

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111 Meeting was adjourned at 8:30