

**APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
OCTOBER 22, 2003**

1 **ROLL CALL**

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3 Time: The meeting was called to order at 7:05 by Vice-Chair Poschman

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5 Location: North Berkeley Senior Center.

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7 Commissioners Present: Curl, Pollack, Poschman, Stoloff, Tabb, Wengraf, Wiggins

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9 Commissioners Absent: Bronstein, Wrenn.

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11 Staff Present: Grimes, Rhoades

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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 3 speakers. Gabrielle Morris spoke, representing a group of neighbors on
20 Indian Rock, who are concerned about an addition to a neighboring property under the
21 499 square foot by right provision. She supports clarification of major residential
22 additions and civility among neighbors. Janice Thomas spoke supporting the staff
23 comments on the LBNL Building 49 Draft EIR. She feels the off-site alternative is
24 better, and that Bld 88 should be cleaned up first. Pamela Sihvola spoke on the LBNL
25 Bld 49 DEIR, and indicated that the EIR is deficient in terms of maps, and does not
26 adequately cover the risks of the site. She said that the City Manager should calculate
27 lost revenue and infrastructure costs.

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29 **CHAIRPERSON'S REPORT**

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31 No report.

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33 **COMMITTEE REPORTS**

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35 No report.

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37 **PLANNING STAFF REPORT**

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39 Mark Rhoades reported that the City Council set the Corp. Yard project for a hearing, and
40 that the Mayor's Task Force is aiming for an early December Council date. The Planning
41 Commission will be reviewing questions on the Zoning Ordinance once they are referred
42 by the Council.

43
44 **APPROVAL OF MINUTES**

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

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50 **FUTURE AGENDAS**
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52 M/S/C to add an item on the next agenda to discuss the desirability of having a workshop
53 on the need for a special study on the Gilman Street corridor (Stoloff/Tabb). Ayes:
54 Curl, Pollack, Poschman, Stoloff, Tabb, Wengraf, Wiggins. Noes: None. Abstentions:
55 None. Absent: Bronstein, Wrenn.

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57
58 **LAWRENCE BERKELEY NATIONAL LABORATORY, BUILDING 49 DRAFT**
59 **EIR**

60
61 The Commission discussed the staff report and the comments to be sent to LBNL.
62

63 M/S/C to endorse the comments presented in the staff report (Curl/Wengraf). Ayes:
64 Curl, Pollack, Poschman, Stoloff, Tabb, Wengraf, Wiggins. Noes: None. Abstentions:
65 None. Absent: Bronstein, Wrenn.

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67
68 **BERKELEY UNIFIED SCHOOL DISTRICT**

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70 The Commission discussed the issues raised by the material distributed in the packet,
71 including the City Attorney legal opinion on the City's authority to regulate the school
72 district's projects, the process followed by the School Board with respect to the
73 neighborhood around Franklin School, and the need for the Board to have a long range
74 development plan. Commissioner Poschman presented a proposal for the Planning
75 Commission to discuss at the next meeting for the Commission to send the City Council a
76 recommendation that the School District be encouraged to follow the noticing and
77 hearing procedures in the Zoning Ordinance.

78
79 **MAJOR RESIDENTIAL ADDITIONS**

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81 Mark Rhoades presented the staff report; the Commission discussed the
82 recommendations, and established a sub-committee to discuss additional issues, including
83 the by-right issue, and the need to balance a need for expansion with impacts on
84 neighbors. The Committee is composed of Commissioners Poschman, Tabb, and
85 Wengraf. The interpretations outlined in the staff report were discussed.

86
87 M/S/C. (Wengraf/Pollack). That the Commission endorses the interpretation covering
88 removed floor areas and net additions. Ayes: Curl, Pollack, Poschman, Stoloff, Tabb,
89 Wengraf, Wiggins, Noes: None. Abstentions: None Absent: Bronstein, Wrenn.

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91
92 M/S/C. (Pollack/Tabb). That the Commission endorses the interpretation covering the
93 full and/or partial removal of non-conforming aspects of non-conforming buildings.
94 Ayes: Curl, Pollack, Poschman, Stoloff, Tabb, Wengraf, Wiggins, Noes: None.
95 Abstentions: None Absent: Bronstein, Wrenn.

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97 **BED AND BREAKFASTS**

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99 The Commission discussed the staff report and the referral from Council. The
100 Commission will consider the short-term policy issue of the expiration of the legal status
101 of existing bed and breakfasts upon sale, and the bigger policy issue of permitting new
102 bed and breakfasts in Berkeley, at a subsequent meeting.

103

104 **ADJOURNMENT**

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106 Meeting was adjourned at 8:50.