

**APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING  
October 27, 2004**

1 **ROLL CALL**

2  
3 Time: The meeting was called to order at 7:06 by Chair Pollack.

4  
5 Location: North Berkeley Senior Center.

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7 Commissioners Present: Burke, Fireman, Perry, Pollack, Poschman, Stoloff, Tabb,  
8 Wengraf, Wiggins.

9  
10 Commissioners Absent: None.

11  
12 Staff Present: Gatzke, Homrighausen, Marks, Rhoades.

13  
14 **ORDER OF THE AGENDA**

15  
16 Item 16 was moved from the Information section to the Action section, following item 8.

17  
18 **PUBLIC COMMENT PERIOD**

19  
20 There was one speaker. 1) Sharon Hudson spoke regarding the new State Density Bonus  
21 provisions which would allow up to 35% additional units, saying that the City needs to  
22 find ways to ameliorate the effects of the density bonus.

23  
24 **Workshop on Mayor's Task Force on Permitting and Development**  
25 **Recommendations C1.1 and C1.2 for Commercial Parking Requirements.**

26  
27 Land Use Manager Rhoades introduced the staff presentation and commented on the  
28 history of the Mayor's Task Force and the adoption of the MTF recommendations.  
29 Associate Planner Dando presented detailed information on the existing Zoning  
30 Ordinance parking requirements in commercial districts; examples of projects that have  
31 had difficulty providing parking, including Spud's Pizza, Curves on Shattuck, Plant  
32 Juice, and Peet's Coffee & Tea on Shattuck; and an explanation of the implementation of  
33 the MTF recommendations C1.1 and C1.2. After the presentation staff answered  
34 Planning Commissioners' questions.

35  
36 Chair Pollack inviting the public to ask clarification questions of the materials presented  
37 and then opened the floor for public comment. Many community members expressed  
38 different perspectives on the parking issues and shared their concerns with the existing  
39 regulations and concerns with potential changes to the Zoning Ordinance.

40  
41 Throughout the workshop several major topic areas developed, including:

- 42 1. Parking impacts on residential streets and neighborhoods;
- 43 2. Balancing the needs of healthy diverse commercial districts and the impacts on  
44 neighborhoods;
- 45 3. Remove restrictive limitations which prevent uses from changing;

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- 46 4. Further work needed to address the City's parking supply and demand; and  
47 5. Other comments.

48  
49 The conversations and comments surpassed the narrow focus of the MTF  
50 recommendations and included more broad topics including the general lack of parking in  
51 Berkeley's commercial districts.

52  
53 At the conclusion of the workshop, Chair Pollack requested staff to place the parking  
54 issue on the November 10<sup>th</sup> Commission meeting for further discussion.

55  
56 **Public Hearing: Tentative Tract Map 7537 – Sixty-seven Unit Condominium Project**  
57 **– 1797 Shattuck Avenue, Berkeley**

58  
59 Chair Pollack recused himself due to a possible conflict of interest and left the meeting  
60 room. Vice-chair Stoloff took the role of Chair.

61  
62 Land Use Planning Manager Rhoades described the project and recommendation for  
63 action. The staff recommendation for the project was provided in the memo from staff  
64 transmitted with the packet, and a supplemental memo recommending an additional  
65 condition concerning inclusionary housing requirements.

66  
67 M/S/C to open the public hearing. (Wengraf/Wiggins). Ayes: Burke, Fireman, Perry,  
68 Poschman, Stoloff, Tabb, Wengraf, Wiggins. Noes: None. Abstentions: None. Absent:  
69 Pollack (recused).

70  
71 There was one speaker. Mr. John Gutierrez, speaking on behalf of the project applicant,  
72 indicated there would be sixteen inclusionary units in the project, and that the process for  
73 reaching a final agreement with the City is currently underway.

74  
75 M/S/C to close the public hearing. (Poschman/Wengraf). Ayes: Burke, Fireman, Perry,  
76 Poschman, Stoloff, Tabb, Wengraf, Wiggins. Noes: None. Abstentions: None. Absent:  
77 Pollack (recused).

78  
79 M/S/C to approve the subdivision with the findings and conditions stated in the staff  
80 reports dated October 20, 2004, and October 27, 2004 (Wengraf/Tabb). Ayes: Burke,  
81 Fireman, Perry, Poschman, Stoloff, Tabb, Wengraf, Wiggins. Noes: None. Abstentions:  
82 None. Absent: Pollack (recused).

83  
84 Chair Pollack returned to chair the rest of the meeting.

85  
86 **Proposed amendments to Zoning Code concerning findings for elimination of units**  
87 **from conversions, ZA 5-04.**

88  
89 M/S/C to approve the ordinance revisions in the staff report dated October 27, 2004 and  
90 forward them as recommendations to City Council. (Wiggins/Poschman). Ayes: Burke,

**APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING  
October 27, 2004**

91 Fireman, Pollack, Poschman, Stoloff, Tabb, Wengraf, Wiggins. Noes: None.  
92 Abstentions: Perry. Absent: None.

93  
94 **Proposed amendments to Zoning Code concerning maximum height of accessory**  
95 **buildings ZA 8-04.**

96  
97 M/S/C to approve the ordinance revisions in the staff report dated October 27, 2004 and  
98 forward them as recommendations to City Council. (Wengraf/Burke). Ayes: Burke,  
99 Fireman, Perry, Pollack, Poschman, Stoloff, Tabb, Wengraf, Wiggins. Noes: None.  
100 Abstentions: None. Absent: None.

101  
102 **Public Hearing: Proposed Changes to the Housing Element of the City of Berkeley**  
103 **General Plan.**

104  
105 Senior Planner Homrighausen summarized the information in the staff report.

106  
107 M/S/C to open the public hearing. (Wiggins/Poschman). Ayes: Burke, Fireman, Perry,  
108 Pollack, Poschman, Stoloff, Tabb, Wengraf, Wiggins. Noes: None. Abstentions: None.  
109 Absent: None.

110  
111 There were no speakers.

112  
113 M/S/C to close the public hearing. (Perry/Poschman). Ayes: Burke, Fireman, Perry,  
114 Pollack, Poschman, Stoloff, Tabb, Wengraf, Wiggins. Noes: None. Abstentions: None.  
115 Absent: None.

116  
117 M/S/C to recommend that the Council adopt the changes to the Housing Element  
118 Appendix in Attachments 2 and 3 of the staff report dated October 27, 2004, and that  
119 tables 6A and 6B (Attachment 4 to the staff report dated October 27, 2004) be forwarded  
120 to the Council and may be subject to possible modification after further review regarding  
121 such aspects as housing production numbers, categories of residential projects on permit  
122 status, allocation of UC units and Housing Trust Fund numbers. Such changes, if any,  
123 will be reported back to the Planning Commission for review. (Wiggins/Stoloff). Ayes:  
124 Burke, Fireman, Perry, Pollack, Poschman, Stoloff, Tabb, Wengraf, Wiggins. Noes:  
125 None. Abstentions: None. Absent: None.

126  
127 **Draft Staff Report to City Council responding to issues raised by Commissioner**  
128 **Poschman relevant to residential only project types within the UASP zoning**  
129 **amendments.**

130  
131 The Commission discussed the memo from staff dated October 27, 2004.

132

**APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING  
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133 A motion was made and seconded (Stoloff/Tabb) that the Commission endorse sending  
134 staff's memo (distributed to the Planning Commission as Item 16, Oct. 27, 2004 PC  
135 agenda) on to Council with Planning Commission support.

136

137 Commissioner Wiggins proposed a substitute motion, that the Planning Commission  
138 accept the recommendation outlined in the City Manager's Nov. 9, 2004 memorandum to  
139 Council concerning the University Ave. Plan Implementation Zoning Amendments.

140 Commissioner Stoloff (the maker of the original motion) moved the substitute motion  
141 proposed by Commissioner Wiggins. Commissioner Wiggins seconded. The  
142 Commission took action as follows:

143

144 M/S/C (Stoloff/Wiggins) The Planning Commission accepts the recommendation 145 outlined in the City Manager's memo to Council dated November 9, 2004 on the 146 University Ave. Strategic Plan Implementation Zoning Amendments. (Stoloff/Wiggins). 147 Ayes: Perry, Pollack, Stoloff, Tabb, Wiggins. Noes: Burke, Fireman, Poschman, 148 Wengraf. Abstentions: None. Absent: None.
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149

150 Agenda Items 9 through 14 were not discussed. Draft minutes for Sept. 8, Sept. 22, and  
151 Oct. 13 are carried over to the November 10 agenda.

152

153 The meeting was adjourned at 10:20 p.m.