

**APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
March 23, 2005**

ROLL CALL

Time: The meeting was called to order at 7:07 p.m. by Chair Pollack.

Location: North Berkeley Senior Center.

Commissioners Present: Burke, Perry (for Tabb), Pollack, Samuels (for Wengraf), Shumer, and Stoloff.

Commissioners Absent: Tabb, Wengraf, Fireman, Wrenn.

Staff Present: Dando, Gatzke, Marks.

ORDER OF THE AGENDA

There were no changes to the agenda.

PUBLIC COMMENT PERIOD

There was no public comment.

PLANNING STAFF REPORT

Planning Director Marks mentioned that the American Planning Association's National Conference had just ended in San Francisco and that several staff members had been involved on the Steering Committee, including Land Use Manager Rhoades, who served as Co-Chair, Deputy Planning Director Cosin and Planner Dando, amongst other City of Berkeley planners.

CHAIRPERSON'S REPORT

The Chair reminded Commissioners to complete and submit the Economic Interest forms to the City Clerk by April 1st.

COMMITTEE REPORTS

Creeks Task Force

Commissioner Burke stated that the Creeks Task Force had drafted a work plan, which was distributed to the Commission. She said the timeline and budget were still being developed. She noted that the final documents would come to the Planning Commission at its April 13th meeting.

Southside Plan EIR Status

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44 Chair Pollack explained that the first Southside Plan EIR subcommittee meeting was
45 scheduled for April 22nd. Commissioner Stoloff stated that he would not be able to
46 attend.

47

48 **Landmarks Preservation Ordinance**

49 Chair Pollack stated that the subcommittee had finished its work and that staff was
50 preparing the final documents for review by himself and Commissioner Shumer. He said
51 the subcommittee was able to resolve the majority of the issues, but that the full
52 Commission would need to make some additional decisions. He anticipated the item to
53 be set for a Public Hearing on April 27th.

54

55 **APPROVAL OF MINUTES**

56

57 There were no draft minutes for approval.

58

59 **UPCOMING AGENDA ITEMS**

60

61 Commissioner Burke requested that Berkeley Bowl be added to April 27th calendar, if
62 necessary.

63

64 **INFORMATION / DISCUSSION ITEM**

65

66 **Report on the Alameda Countywide Shelter and Services Survey and Special Needs**
67 **Housing Plan.**

68 Tim Stroshane, Senior Planner in the Housing Department and Jane Micallef, Homeless
69 Policy Coordinator, presented information on the recent countywide homeless survey and
70 special needs housing plan. Stroshane remarked on the increase in information about the
71 homeless population in Alameda County and Berkeley, stating that this is the most
72 comprehensive data the City has ever had in regards to the homeless population. He
73 commented on the issues of chronic homelessness and the factors which increase
74 homelessness including the increase in housing costs and the decrease in rent controlled
75 units. He also noted that the Housing Element was to be updated in the next two years as
76 part of the General Plan and a part of the Planning Commission's work program.

77

78 Micallef discussed the planning for special needs housing. She identified the various
79 partners and how the combined effort will meet the overarching issues including the
80 extreme cost of housing and access to services. She reviewed some of the likely
81 recommendations including the need to improve services and housing, increase
82 coordination and efficiency, and identify new resources.

83

84 The Commission asked several questions about the report relating to issues of dual
85 diagnosis and investigating San Francisco's SRO program.

86

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87 **ACTION ITEMS**

88

89 **Public Hearing/Workshop: Proposed General Plan Amendment and Rezoning to**
90 **allow for the West Berkeley Bowl Project, a full-service grocery marketplace**
91 **including construction of two buildings totaling 91,060sq. ft., at 920 Heinz Avenue.**

92 Staff recommended that the issue be continued until April 27th in order for the
93 environmental assessment to be completed. Staff asked for public comments to be
94 reserved until the revised project application and environmental assessment were
95 completed.

96

97 M/S/C to continue to Public Hearing/Workshop on 920 Heinz Avenue until April 27,
98 2005. (Stoloff/Shumer) Ayes: Burke, Perry, Pollack, Samuels, Shumer, Stoloff. Noes:
99 None. Abstentions: None. Absent: Fireman, Wrenn.

100

101 **Public Hearing: Condominium map for 1321 and 1331 Eighth Street and 1330 - 1336**
102 **Ninth Street, Berkeley.**

103 Planner Ford reviewed the proposed fifteen unit commercial condominium project
104 comprised of four units in a new building at 1321 Eighth Street and eleven units in an
105 existing building at 1331 Eighth Street and 1330 – 1336 Ninth Street stating that the land
106 use issues were already addressed by the Zoning Adjustments Board.

107

108 M/S/C to open the Public Hearing on 1321& 1331 Eighth Street and 1330 – 1336 Ninth
109 Street. (Burke/Shumer) Ayes: Burke, Perry, Pollack, Samuels, Shumer, Stoloff. Noes:
110 None. Abstentions: None. Absent: Fireman, Wrenn.

111

112 M/S/C to close the Public Hearing on 1321& 1331 Eighth Street and 1330 – 1336 Ninth
113 Street. (Burke/Perry) Ayes: Burke, Perry, Pollack, Samuels, Shumer, Stoloff. Noes:
114 None. Abstentions: None. Absent: Fireman, Wrenn.

115

116 M/S/C to approve the staff recommendation on 1321& 1331 Eighth Street and 1330 –
117 1336 Ninth Street. (Burke/Shumer) Ayes: Burke, Perry, Pollack, Samuels, Shumer,
118 Stoloff. Noes: None. Abstentions: None. Absent: Fireman, Wrenn.

119

120 **Public Hearing: Condominium map for 2530 Tenth Street.**

121 Planner Ford explained the proposed seven unit commercial condominium project in an
122 existing two-story building at 2530 Tenth Street and for which no use permit was
123 required.

124

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125 M/S/C to open the Public Hearing for 2530 Tenth Street. (Burke/Shumer) Ayes: Burke,
126 Perry, Pollack, Samuels, Shumer, Stoloff. Noes: None. Abstentions: None. Absent:
127 Fireman, Wrenn.

128
129 Speaker #1: Jim Hart, the co-applicant, stated that the building conditions were existing
130 and were all completed with proper permits. The intent was to sell the commercial
131 condos to the existing businesses.

132
133 M/S/C to close the Public Hearing for 2530 Tenth Street. (Burke/Shumer) Ayes: Burke,
134 Perry, Pollack, Samuels, Shumer, Stoloff. Noes: None. Abstentions: None. Absent:
135 Fireman, Wrenn.

136
137 M/S/C to accept the staff report recommendations for 2530 Tenth Street. (Burke/
138 Samuels) Ayes: Burke, Perry, Pollack, Samuels, Shumer, Stoloff. Noes: None.
139 Abstentions: None. Absent: Fireman, Wrenn.

140
141 **DISCUSSION/ACTION ITEMS**

142
143 **Proposed Zoning Amendment (ZA 1-05) to implement the Mayor's Task Force on**
144 **Permitting and Development Recommendations C1.1 and C1.2 for non-residential**
145 **parking requirements.**

146 Planner Dando summarized the activities undertaken by the Commission since
147 September 2004 in the process of working to implement the Mayor's Task Force
148 recommendations C1.1 and C1.2, including the community workshop, public hearings,
149 and subsequent alterations and revisions to the proposed revisions based upon public
150 comments and the Commissions direction.

151
152 Commissioner Burke stated she was interested in moving this item forward and would
153 like to review the two amendments proposed by Commissioner Shumer. Shumer
154 presented her amendments to the Commission. The first recommendation was to
155 eliminate the manufacturing districts from the changes. She clarified that this was for
156 both M- and MU- Districts. The next set of recommendations pertained to the findings
157 for any parking reductions as proposed in 23E.28.140. Shumer's recommendations
158 included changing the language in 23E.28.140.B.1 from "bus rapid transit stops" to "bus
159 rapid transit stations"; in 23E.28.140.B.3 from "¼-mile" to "500 feet" and from "one and
160 a half" times the number of spaces requested for reductions to "two" times...; and
161 moving section 23E.28.140.B.4 below the "and" joining the group of findings 5 and 6.

162
163 The Planning Commissioners discussed the proposed amendments. Chair Pollack stated
164 that he did not totally agree with the amendments, but that he could agree to the changes

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165 to the bus stations and the survey requirements. Commissioner Stoloff stated that all the
166 amendments went against the Mayor’s Task Force and City Council’s direction.
167 Commissioner Samuels agreed with Stoloff, adding that the M- and MU- Districts should
168 not be removed. A lack of information did not mean that there was not a need for the
169 changes. He also suggested not changing the ¼ mile survey requirements and the
170 location of finding #4 finding. Commissioner Perry pointed out that by using “stations”
171 instead of existing rapid bus stops nothing in District 5 can take advantage of the finding
172 and that much of West Berkeley would not benefit from the revisions. He also stated that
173 he agreed with Samuels on not changing the ¼ mile survey requirements and the location
174 of finding #4 finding.
175

176 M/S/FAILED to approve the recommended changes and all amendments proposed by
177 Commissioner Shumer, the Initial Study, Negative Declaration and to authorize staff to
178 make syntax changes if necessary in preparation of the revisions to the City Council.
179 (Burke/Shumer) Ayes: Burke, Shumer. Noes: Perry, Pollack, Samuels, Stoloff.
180 Abstentions: None. Absent: Fireman, Wrenn.

181

182 M/S/C to approve the recommended changes including removing the M- and MU-
183 Districts from the 23E.28.130 and 23E.28.140 Section of proposed changes, but allowing
184 the reformatting changes, changing “stop” to “station” in 23E.28.140.B.1, changing the
185 survey requirements in 23E.28.140.B.3 to a radius of “500 feet” and the number of
186 parking spaces to “two” times number of spaces requested for reductions; the Initial
187 Study; the Negative Declaration; and to authorize staff to make syntax changes if
188 necessary in preparation of the revisions to the City Council. (Burke/Stoloff) Ayes:
189 Burke, Perry, Pollack, Samuels, Stoloff. Noes: Shumer. Abstentions: None. Absent:
190 Fireman, Wrenn.

191

192 Perry noted that although he disagreed with the amendments made by Shumer, he did
193 respect the thought behind the changes.

194

195 **Draft Land Use Planning Division Work Program for FY 2005-2006.**

196 Planning Director Marks reviewed the work plan and noted that the recommendations
197 previously provided by the Planning Commission had been incorporated into the analysis
198 of required staff resources. He noted specifically that the issue for the 499 square foot
199 additions would significantly increase the staff resources needed, if the policy side of this
200 was recommended for action.

201

202 Marks responded to questions about the density bonus and inclusionary housing, BART,
203 the West Berkeley Plan, the 499 s.f. policy issue and the Brower Center.

204

205 Chair Pollack recommended leaving in some of the easy to handle Mayor’s Task Force
206 Tier 2 items and suggested leaving out the Euclid Avenue Quotas. He asked the

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207 Commission to endorse the staff recommendations and to include the Commission's
208 issues as high priority issues with the exception of Euclid Avenue Quotas and asked for
209 Council consideration for all the bulleted items on page 2 and 3 of the staff report.

210

211 Marks noted some potential changes to the staff report that could be adjusted to reflect
212 the Commission's request including, 1) the Brower Center to a .25 FTE (Full Time
213 Equivalents) for 6 months, 2) BART planning and pedestrian plan to .25 FTE for one
214 year, and 3) the Density Bonus combined with minor modifications to Inclusionary
215 Housing to .25 FTE for one year.

216

217 The Commission directed staff to include language that would request additional
218 resources to accomplish more of the activities on the proposed plan.

219

220 M/S/C to approve the staff recommendation as amended by Planning Director Marks and
221 to exclude the Euclid Avenue Quotas. (Samuels/Perry) Ayes: Burke, Perry, Pollack,
222 Samuels, Stoloff. Noes: None. Abstentions: Shumer. Absent: Fireman, Wrenn.

223

224 Commissioner Shumer withdraw her motion to consider the Euclid Avenue Quotas if the
225 Council approved it for the work plan.

226

227 **ADJOURNMENT**

228 The meeting was adjourned at 9:45 p.m.