

APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING

April 27, 2005

1 Time: The meeting was called to order at 7:00 p.m. by Chair Pollack.

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3 Location: North Berkeley Senior Center.

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5 **ROLL CALL**

6
7 Commissioners Present: Burke, Fireman, Pollack, Poschman, Shumer, Tabb (arr.
8 8:30p.m.), Wengraf.

9
10 Commissioners Absent: Stoloff, Wrenn.

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

13
14 **ORDER OF THE AGENDA**

15
16 Item 11 (West Berkeley Bowl) was moved from Information to Action, and taken after
17 item 8.

18
19 Item 12 was moved from Information to Action, without a change to order of the agenda.

20
21 **PUBLIC COMMENT PERIOD**

22
23 Sharon Hudson spoke regarding the Planning Department work program.

24
25 **PLANNING STAFF REPORT**

26
27 Land Use Planning Manager Rhoades said Council adopted, at the April 19 meeting, the
28 department work plan for Fiscal Year '06, which he will discuss at Item 12.

29
30 **CHAIRPERSON'S REPORT**

31
32 No report.

33
34 **COMMITTEE REPORTS**

35
36 **Creeks Task Force**

37 Commissioner Burke, who serves as Chair of the Creeks Task Force, stated that Council
38 approved .5 FTE in the Planning work plan for creeks. The next meeting will be
39 Monday, May 2.

40
41 **Southside EIR Subcommittee**

42 The subcommittee will meet on Monday, May 2, at 3:30 p.m.

43
44 **Landmarks Subcommittee**

45 The subcommittee has completed its assigned work, and this heading is to be removed
46 from future agendas.

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48 **APPROVAL OF MINUTES**

49

50 M/S/C to approve the minutes for March 23, 2005. (Fireman/Poschman) Ayes: Burke,
51 Fireman, Pollack, Poschman, Shumer, Wengraf. Noes: None. Abstentions: None.
52 Absent: Stoloff, Tabb, Wrenn.

53

54 M/S/C to approve the minutes for April 13, 2005. (Wengraf/Poschman) Ayes: Burke,
55 Fireman, Pollack, Poschman, Shumer, Wengraf. Noes: None. Abstentions: None.
56 Absent: Stoloff, Tabb, Wrenn.

57

58 **UPCOMING AGENDA ITEMS**

59

60 No discussion.

61

62 **ACTION ITEMS**

63

64 West Berkeley Bowl: Land Use Planning Manager Rhoades explained the need for a
65 focused EIR to be prepared for the project.

66

67 M/S/C to close the public hearing, and to re-open the hearing when the EIR is ready.
68 (Burke/Shumer) Ayes: Burke, Fireman, Pollack, Poschman, Shumer, Wengraf. Noes:
69 None. Abstentions: None. Absent: Stoloff, Tabb, Wrenn.

70

71 **Public Hearing: Landmarks Preservation Ordinance and Zoning Ordinance**
72 **Amendments**

73

74 Director of Planning and Development Marks summarized the Planning Commission
75 discussion of prior meetings, and referenced recommendations from the Planning
76 Commission subcommittee setout in the April 13, 2005 staff report.

77

78 M/S/C to open the public hearing. (Wengraf/Poschman) Ayes: Burke, Fireman, Pollack,
79 Poschman, Shumer, Wengraf. Noes: None. Abstentions: None. Absent: Stoloff, Tabb,
80 Wrenn.

81

82 Speaker #1: Nancy Holland said the revisions proposed by the Landmarks Commission
83 should be codified.

84 Speaker #2: Becky O'Malley indicated changes to the landmarks processed should be
85 based on a thorough analysis and process.

86 Speaker #3: Judith Wessel encouraged the Commission to do more outreach to the
87 ordinary citizen.

88 Speaker #4: Elyse Blumenfeld said the Landmarks Preservation Commission is extremely
89 important, and the ordinary person knows little about the subject.

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- 90 Speaker #5: Mike Brodsky spoke in favor of the concept of integrity and in opposition to
91 the structure of merit designation.
- 92 Speaker #6: Lesley Emmington said that the City’s landmarks ordinance is an early and
93 strong landmarks ordinance. The City should enhance the landmarks preservation
94 ordinance, not undermine it.
- 95 Speaker #7; Robert Johnson urged the commission to retain Landmarks Preservation
96 Commission (LPC) authority over demolition, retain the structure of merit category, and
97 simplify the referral process.
- 98 Speaker #8: Richard Wessel said the need for action should be proportional to the need
99 for protection and preservation of historic resources.
- 100 Speaker #9: Susan Cerny said the community has benefited immensely from historic
101 preservation. She provided copies of her book, Berkeley Landmarks, to the
102 Commissioners.
- 103 Speaker #10: Arlene Silk read from a letter from Susan Brandt-Hawley discussing the
104 proposed CEQA exempt status.
- 105 Speaker #11: Carrie Olson said that as an LPC member who worked on drafting the
106 proposed changes, the needs of the community at large were taken into account by the
107 LPC in their drafting efforts.
- 108 Speaker #12: John English spoke about the LPC authority over demolitions.
- 109 Speaker #13: Sally Sachs noted that the LPC is qualified for decision making because the
110 Berkeley Municipal Code requires the LPC members to have knowledge of the field.
- 111 Speaker #14: Daniella Thompson discussed the letter she submitted to the Planning
112 commission about Weltevreden at the corner of LeConte and LeRoy.
- 113 Speaker #15: Austene Hall said the proposed option to have the LPC make a
114 determination regarding a site where no development proposal is pending contains
115 unrealistic time frames.
- 116 Speaker #16: Susan Chase read a letter from BAHA dated 4-27-05 (included in PC
117 packet of 5-11-05) and commented that naming a structure a “structure of merit” does not
118 really protect it.
- 119 Speaker #17: Julie Dickinson said she supported having the Landmarks Preservation
120 Commission process remain intact.
- 121 Speaker #18: John McBride commented that “integrity” doesn’t mean a building is
122 pristine or unaltered.
- 123 Speaker #19: Alan Tobey read comments from a letter from Livable Berkeley which is
124 included as a communication in the Planning Commission agenda for May 11.
- 125 Speaker #20: Burton Edwards said LPC should have authority on demolition of
126 designated landmarks, and spoke against the structure of merit category and discretionary
127 review of structures over 50 years old.
- 128 Speaker #21: Michael Corbett read from a letter from Sally Woodbridge which is
129 included as a communication in the Planning Commission agenda for May 11. He

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- 130 commented that Berkeley practice does not coincide with national or state practice
131 regarding integrity, but it should.
- 132 Speaker #22: Sharon Hudson supported the LPC's process.
- 133 Speaker #23: Mike Friedrich said he is concerned about changes that would put
134 homeowners in a bureaucratic morass if houses over 50 years old were sent to LPC.
- 135 Speaker #24: Patricia Dacy said she believes the Landmarks ordinance was better before
136 the proposals for change, as the current landmarks preservation ordinance has done a
137 good job protecting neighborhoods.
- 138 Speaker #25: Rena Rickles said that preservation has done some great things, but that
139 involvement in the Landmarks process is a very time-consuming, costly process. She is
140 in favor of including consideration of integrity.
- 141 Speaker #26: Jill Korte said LPC should have authority for demolitions, and that the time
142 frame for a determination in cases where there is no development application pending is
143 too short.
- 144 Speaker #27: Neil Blumenfeld said he has observed the LPC being very accommodating
145 to the needs of developers and their architects and attorneys.
- 146 Speaker #28: Zelda Bronstein encouraged the commission to consider the ambience that
147 makes Berkeley special.
- 148 Speaker #29: Fran Packard said she does not support LPC authority over demolitions or
149 over CEQA review.
- 150 Speaker #30: Michael Goldin encouraged application of the concept of integrity
151 consistent with national and state practices, elimination of the structure of merit category,
152 and establishment of a pre-development determination of landmark status.
- 153 Speaker #31: Don Yost said he supports the integrity issue and removal of the structure
154 of merit category.
- 155 Speaker #32: Laurie Bright said he does not support residential review, and supports the
156 structure of merit category and LPC authority with respect to demolitions.
- 157 Speaker #33: Jim Sharp encouraged the Planning Commission to include more
158 protection, not less, for neighborhoods affected by development pressure.
- 159 Speaker #34: Steve Finacom discussed his experience with historic preservation
160 documentation, and said it is not clear what the historic significance of a structure might
161 be until extensive research is done.
- 162 Speaker #35: Steven Donaldson said the landmarks ordinance should be based on a
163 broader perspective of what's good for Berkeley.

164

165 M/S/C to close the public hearing and bring the matter back for Planning Commission
166 discussion at the May 11 meeting. (Poschman/Shumer) Ayes: Burke, Fireman, Pollack,
167 Poschman, Shumer, Tabb, Wengraf. Noes: None. Abstentions: None. Absent: Stoloff,
168 Wrenn.

169

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170 **Information on the Transportation Commission's Downtown Parking Workshop,**
171 **April 21, 2005**

172 The item was not discussed, and is carried over to the May 11, 2005 Planning
173 Commission agenda.

174

175 **Work Plan**

176

177 Land Use Planning manager Rhoades discussed the addition of South Berkeley Plan
178 Implementation to the planning work plan. He also responded to a commissioner
179 question that work would be done regarding the zoning ordinance provisions applicable
180 to house additions up to 499 sq. ft. in size.

181

182 **The meeting was adjourned at 10:10 p.m.**