

**APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
July 13, 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**

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7 Commissioners Present: Burke, Fireman, Pollack, Poschman, Shumer, Stoloff, Tabb,
8 Wengraf, Wrenn.

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10 Commissioners Absent: None.

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

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14 **ORDER OF THE AGENDA**

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16 The chair indicated the Channing Way condominium project hearing would be continued
17 to July 27.

18

19 **PUBLIC COMMENT PERIOD**

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21 Speaker #1: Marcy Greenhut said it would be appropriate to synthesize a new downtown
22 plan making use of the existing plan, and not waste public resources.

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24 Speaker #2: Patti Dacey, speaking for the Le Conte Neighborhood Association, asked for
25 stakeholder involvement in the DAP planning process.

26

27 Speaker #3: Fran Haselsteiner asked if the area of the DAP includes the street paved
28 areas, and asked what it means that UC reserves the right to determine if the DAP meets
29 the Regents's needs.

30

31 Speaker #4: Steve Wollmer expressed concern that it may be inappropriate for UC to be
32 an author of the plan, and specifically the detriment findings, when the University is
33 going to have a very specific benefit.

34

35 Speaker #5: Jim Sharp spoke about the requirements of measure N, approved by the
36 voters in 1988.

37

38 Speaker #6: Austene Hall and Janice Thomas talked about the importance of historic
39 resources in the downtown, illustrating their comments with a slideshow.

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41 Speaker #7: Zelda Bronstein asked the Planning Commission to insist that no activity on
42 the Downtown Area Plan go forward until a task force process is established.

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44 Speaker #8: Roger Van Ouytsel said we need a downtown plan, but not a UC Berkeley
45 Downtown Plan.

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Speaker #9: Bonnie Hughes informed everyone that the Berkeley Arts Festival has asked everyone in Berkeley to read the book *First Democracy*, by Paul Woodruff.

Speaker #10: Jill Korte expressed concerns about protection of historic resources in the downtown, and about the DAP's public participation process.

Speaker #11: Nancy Holland said the DAP planning process should have a broad stakeholder group as part of the planning process.

Speaker #12: Ann Wagley expressed concerns that UC is extending its land use authority into the area subject to the DAP.

Speaker #13: Michael Diehl stated the DAP plan process needs to include public participation.

Speaker #14: John Selawsky spoke about concerns regarding the clause in the agreement whereas UC and the City agree the downtown plan will be comprehensive and apply to all public and private properties. That's not enforceable, insofar as Peralta and BUSD are exempt from City land use regulation.

Speaker #15: Dean Metzger stated the Planning Commission's charge is to represent the citizens of Berkeley with respect to the DAP planning process.

Speaker #16: Gregory Pidamonte expressed concerns about the DAP.

Speaker #17: Clifford Fred spoke in opposition to the DAP.

Speaker #18: Lauren Moret said UC growth results in unfair financial burden on the Berkeley taxpayers.

Speaker #19: Howard Greenwich, representing the East Bay Alliance for a Sustainable Economy, said he hoped the DAP will take into account the need for good jobs and a sustainable economy.

Speaker #20: Jesse Arreguin encouraged the Planning Commission to bring all stakeholders together in the DAP planning process.

Speaker #21: Elliot Cohn said the DAP seems to violate the City Charter and the general Plan public participation element.

Speaker #22: Wendy Alfsen, on behalf of the Sierra Club, spoke in support of a strong public participation process, and expressed concern that the terms of the agreement between UC and the City usurp the purview of the Planning commission.

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91 **PLANNING STAFF REPORT**

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93 Land Use Planning Manager Rhoades said that the City Council had opened and closed
94 the public hearing on Landmarks Preservation Ordinance amendments at the July 12
95 meeting, and will take up additional discussion on this matter in the fall.

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97 **CHAIRPERSON'S REPORT**

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99 No report.

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101 **COMMITTEE REPORTS**

102
103 **Creeks Task Force**

104 Commissioner Burke, who serves as Chair of the Creeks Task Force, stated that City
105 Council approved the \$100,000 budget request for consultant services.

106
107 **Density Bonus Subcommittee**

108 Commissioner Wengraf said that members of the PC Density Bonus subcommittee sat in
109 on the ZAB subcommittee meeting July 6. The next Planning Commission Density
110 Bonus subcommittee meeting will be at 4 p.m. Thursday July 21.

111
112 **APPROVAL OF MINUTES**

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114 M/S/C to approve the minutes for June 22, 2005. (Poschman/Shumer) Ayes: Burke,
115 Pollack, Poschman, Shumer, Stoloff, Wengraf, Wrenn. Noes: None. Abstentions:
116 Fireman, Tabb. Absent: None.

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118 **UPCOMING AGENDA ITEMS**

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120 No discussion.

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122 **ACTION ITEMS**

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124 **Downtown Area Plan**

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126 Dan Marks, Planning Director, commented on the Downtown Area Plan called for in the
127 LRDP lawsuit settlement agreement between the University of California and the City of
128 Berkeley. UC Vice-chancellor Tom Lollini also spoke about the Downtown Area Plan.
129 The Commission asked staff to include a discussion of the DAP process on the July 27
130 agenda.

131
132 **West Berkeley Bowl Draft Environmental Impact Report (EIR) Scoping Comment**

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134 Land Use Planning Manager Mark Rhodes explained the EIR scoping process. He also
135 said the Planning Commission will also receive scoping comments at the July 27
136 Planning Commission meeting.

137
138 The Commission discussed setting a time certain for the scoping discussion on July 27.
139 Chair Pollack said the West Berkeley Bowl will be scheduled for 7:30 p.m. on July 27.

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141 Speaker #1: Antoine Portales indicated the Ecole Bilingue would comment.

142
143 Speaker #2: Fran Haselsteiner asked that the EIR include traffic impacts on Dwight Way.

144
145 Speaker # 3: Sara Klise asked that the EIR address Potter Creek.

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147 Speaker #4: Zelda Bronstein said the Initial Study was not comprehensive, and referred to
148 the letter from Stuart Flashman. She asked for a correction regarding ownership of the
149 site. She asked that the EIR specify which land use matters are, and which are not,
150 CEQA matters. She asked what the implications are for the West Berkeley Bowl of the
151 Transportation Department's grant application considered by City Council, July 12. She
152 commented that it was not clear why the alternative of a reduced-size project at some
153 other location in Berkeley or Emeryville was selected for analysis. She said that the "no-
154 project" alternative, a 50,000 sq. ft. commercial building, was not plausible, because
155 commercial, that is retail, would not be allowed on the site.

156
157 **Public Hearing: Amendments to the Waterfront Plan and Zoning Ordinance**
158 **Related to the Gilman Street Playing Fields**

159
160 M/S/C to open the public hearing. (Wengraf/Burke) Ayes: Burke, Fireman, Pollack,
161 Poschman, Shumer, Stoloff, Tabb, Wengraf, Wrenn. Noes: None. Abstentions: None.
162 Absent: None.

163
164 Roger Miller, the project manager, summarized the playing fields project.

165
166 Speaker #1: Robert Cheasty spoke on behalf of the Sierra Club. He said the
167 environmental community has worked with the playfields groups on a linkage between
168 conservation for the burrowing owls, and the playing fields.

169
170 Speaker #2: L. A. Wood commented on shortcomings of the CEQA analysis particularly
171 concerning exposure of children to excessive pollutant levels, and referred the
172 commission to the letter he submitted for detailed discussion.

173
174 M/S/C to close the public hearing and agenda for July 27. (Shumer/Stoloff) Ayes:
175 Burke, Fireman, Pollack, Poschman, Shumer, Stoloff, Tabb, Wengraf, Wrenn. Noes:
176 None. Abstentions: None. Absent: None.

177
178 **Public Hearing: 2113 - 2119 Delaware Street Condominium Tentative Map**

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179 Land Use Planning Manager Rhoades summarized the application.
180

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

184
185 There were no speakers.
186

187 M/S/C to close the public hearing. (Stoloff/Shumer) Ayes: Burke, Fireman, Pollack,
188 Poschman, Shumer, Stoloff, Tabb, Wengraf, Wrenn. Noes: None. Abstentions: None.
189 Absent: None.

190
191 M/S/C to approve the tentative map per the staff report. (Stoloff/Burke) Ayes: Burke,
192 Fireman, Pollack, Poschman, Shumer, Stoloff, Tabb, Wengraf, Wrenn. Noes: None.
193 Abstentions: None. Absent: None.

194
195 **Public Hearing: 1728 - 1730 Hearst Ave. Condominium Tentative Map**

196 Land Use Planning Manager Rhoades summarized the application.
197

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

201
202 There were no speakers.
203

204 M/S/C to close the public hearing. (Stoloff/Shumer) Ayes: Burke, Fireman, Pollack,
205 Poschman, Shumer, Stoloff, Tabb, Wengraf, Wrenn. Noes: None. Abstentions: None.
206 Absent: None.

207
208 M/S/C to approve the tentative map per the staff report. (Shumer/Stoloff) Ayes: Burke,
209 Fireman, Pollack, Poschman, Shumer, Stoloff, Tabb, Wengraf, Wrenn. Noes: None.
210 Abstentions: None. Absent: None.

211
212 **Public Hearing: 2025 Channing Way Condominium Tentative Map**

213 Land Use Planning Manager Rhoades summarized the application, and that the applicant
214 had requested that this matter be continued to July 27 with the hearing open.
215

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

219
220 There were no speakers.
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222 M/S/C to continue the public hearing open to July 27, 2005. (Stoloff/Shumer) Ayes:
223 Burke, Fireman, Pollack, Poschman, Shumer, Stoloff, Tabb, Wengraf, Wrenn. Noes:
224 None. Abstentions: None. Absent: None.

225

226 **Set For Hearing: Zoning Ordinance Amendments for Yard Definitions**

227 The commissioners discussed the proposed ordinance amendments. Staff was asked for
228 information submitted earlier by Robert Lauriston and Rena Rickles. Land Use Planning
229 Manager Rhoades explained why the proposed amendments were before the
230 Commission.

231

232 M/S/C to set for hearing September 14, 2005. (Wengraf/Shumer) Ayes: Burke, Fireman,
233 Pollack, Shumer, Stoloff, Tabb, Wengraf, Wrenn. Noes: None. Abstentions: Poschman.
234 Absent: None.

235

236 **ADJOURNMENT**

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