

**APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
July 27, 2005**

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

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3 Location: North Berkeley Senior Center.

4
5 **ROLL CALL**

6
7 Commissioners Present: Burke, Poschman, Sheen, Shumer, Stoloff, Wengraf.

8
9 Commissioners Absent: Pollack, Wrenn.

10
11 (One seat on the Commission is vacant.)

12
13 Staff Present: Gatzke, Homrighausen, Rhoades.

14
15 **ORDER OF THE AGENDA**

16
17 Item 13 moved to follow item 8. The Chair also noted that the West Berkeley Bowl
18 scoping, Item 10, followed by item 11, West Berkeley Bowl setting for hearing, would be
19 taken up beginning at 7:30 p.m.

20
21 **PUBLIC COMMENT PERIOD**

22
23 Speaker #1: Michael Larrick supported changes to the condo conversion ordinance to
24 encourage creation of more condominiums.

25
26 Speaker #2: L. A. Wood spoke on concerns regarding the Gilman St. playing fields
27 environmental analysis.

28
29 Speaker #3: Bobbie Sloan said the mitigation fees in the condo ordinance are too high,
30 and will discourage conversion of TICs to condos.

31
32 Speaker #4: Steve Wollmer encouraged a public participation process for the Downtown
33 Area Plan modeled on the UC Hotel Conference Center Task Force.

34
35 Speaker #5: Jesse Arreguin spoke in support of the condominium conversion ordinance
36 changes.

37
38
39 **PLANNING STAFF REPORT**

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41 Land Use Planning Manager Rhoades said that the City Council, on July 25, had taken
42 action on the Brower Center, continued the LPO amendments to Sept. 13, and also
43 scheduled consideration of appointment of a HAC member to the joint PC-ZAB Density
44 Bonus Subcommittee for the Sept. 13 meeting.

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46 **CHAIRPERSON'S REPORT**

47

48 No report.

49

50 **COMMITTEE REPORTS**

51

52 **Creeks Task Force**

53 Commissioner Burke said the task force had discussed culverted creeks at the most recent
54 meeting.

55

56 **Density Bonus Subcommittee**

57 Commissioner Wengraf said that she had met with Rick Judd (chair of the ZAB
58 subcommittee), Mark Rhoades, and Debbie Sanderson to identify topics for future
59 discussion. The next ZAB Density Bonus subcommittee meeting will be Wednesday,
60 August 3 from 4 to 6 p.m. Commissioner Wengraf encouraged all the members of the PC
61 subcommittee to attend the ZAB subcommittee. The next PC Density Bonus
62 Subcommittee meeting will be Thursday, August 4, from 3 to 5 p.m. (This was misstated
63 at the meeting as 4-6 p.m.)

64

65 **APPROVAL OF MINUTES**

66

67 M/S/C to approve the minutes for July 13: (Poschman/Shumer) Ayes: Burke, Poschman, 68 Shumer, Stoloff, Wengraf. Noes: None. Abstentions: Sheen. Absent: Pollack, Wrenn.

69

70 **UPCOMING AGENDA ITEMS**

71

72 No discussion.

73

74 **ACTION ITEMS**

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

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78 Land Use Planning Manager Mark Rhodes explained the EIR scoping process.

79

80 Speaker #1: Michael Larrick spoke in support of the project, and said the project
81 probably will not worsen the already bad traffic congestion on Ashby.

82

83 Speaker #2: Mary Lou Van Deventer said the EIR should include analysis of an
84 alternative including the original (smaller) proposal, traffic on 7th and Ashby, traffic on
85 9th and Heinz, air quality safety, especially for children, and that traffic analysis should
86 consider the future Bike Boulevard.

87

88 Speaker # 3: Daniele Spellman commented that the EIR must address traffic in the area,
89 which is already very congested.

90

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91 Speaker #4: Claudia Kawczynska spoke in support of the West Berkeley Bowl. She said
92 if the Bowl doesn't go in, something else will go in that may have more negative impacts.

93
94 Speaker #5: Antoine Portales said the traffic analysis should take into account the future
95 development now in the planning stages. The bike path project needs to be analyzed. The
96 traffic analysis needs to be based on traffic counts taken while school is in session. The
97 traffic study should use parking and customer visit rates based on actual experience at the
98 existing Berkeley Bowl.

99
100 Speaker #6: Rick Auerbach said the alternatives analysis should include the original
101 27,000 sq. ft. store proposal. The EIR should consider having both the bike path plus the
102 ingress/egress to the store on the railroad r.o.w. area. The EIR traffic analysis should
103 take into account the hundreds of units and large amount of other development in the
104 planning stages in the area.

105
106 Speaker #7: Laurie Bright wants the EIR to take into account properties in the area where
107 development proposals have either been submitted to the City or have been made public
108 knowledge. The EIR should address impacts on Potter Creek. The EIR should consider
109 the impacts of changing the zoning.

110
111 Speaker #8: Rod Wong asked that a master plan for the aquatic park area from University
112 to Ashby be developed.

113
114 Speaker #9: Steve Wollmer said the EIR should analyze rezoning Ashby and Gilman to
115 retail, as a foreseeable project.

116
117 Speaker #10: John Curl said the EIR should address the project proposed by Wareham
118 Properties where the Wooden Duck is located. (Note: the Wooden Duck is at 2919
119 Seventh St.)

120
121 Speaker #11: Zelda Bronstein said the EIR should address the 740 Heinz St.
122 development proposal.

123
124 Speaker #12: Rick Auerbach said the businesses in the area are concerned about the
125 project.

126
127 **Set for Hearing: West Berkeley Bowl**

128
129 M/S/C to set for hearing the West Berkeley Bowl project on the Sept. 28, 2005 Planning
130 Commission agenda. (Poschman/Wengraf) Ayes: Burke, Poschman, Sheen, Shumer,
131 Stoloff, Wengraf. Noes: None. Abstentions: None. Absent: Pollack, Wrenn.

132
133 **2025 Channing Way Condominium Map**

134

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135 M/S/C to continue the public hearing open to September 14, 2005. (Poschman/Wengraf)
136 Ayes: Burke, Poschman, Sheen, Shumer, Stoloff, Wengraf. Noes: None. Abstentions:
137 none. Absent: Pollack, Wrenn.

138

139 **Condominium Conversion Ordinance Revisions**

140

141 Housing Department Director Steve Barton presented the staff report and explained the
142 time frame for taking the proposed changes to the City Council. Mr. Barton responded to
143 several questions from the Planning Commission.

144

145 The Chair explained the Commission's options, which included making a motion to send
146 a recommendation to Council, and also included taking no action. No action was taken.

147 The Chair thanked Mr. Barton for the information and opportunity to comment, and
148 requested that if the matter is revisited in the future, that the Planning Commission be
149 included in review at an early stage in the process.

150

151 **Amendments to the Waterfront Plan and Zoning Ordinance Related to the Gilman
152 Street Playing Fields**

153 Principal Planner Gatzke presented the staff report and supplemental staff report. He
154 explained the staff recommendation.

155

156 M/S/C to recommend that Council adopt the revised Proposed Mitigated Negative
157 Declaration (dated July 20, 2005, see attachment D) as stated in the staff report dated July
158 27, 2005, with the substitution of Alternative Mitigation BIO 1-A, as stated in the
159 Supplemental Staff Report dated July 27, 2005. (Wengraf/Shumer) Ayes: Burke,
160 Poschman, Sheen, Shumer, Stoloff, Wengraf. Noes: None. Abstentions: none. Absent:
161 Pollack, Wrenn.

162

163 M/S/C to recommend that Council adopt the Proposed text amendments to the Berkeley
164 Waterfront Specific Plan (adopted by the Berkeley City Council on October 7, 1986)
165 establishing an "as of right" use for commercial recreation sports facilities and
166 establishing that this use would be exempt from the requirements for a Master
167 Development Permit (MDP). (Wengraf/Poschman) Ayes: Burke, Poschman, Sheen,
168 Shumer, Stoloff, Wengraf. Noes: None. Abstentions: none. Absent: Pollack, Wrenn.

169

170 M/S/C to recommend that Council adopt the proposed text amendment to the SP district
171 provisions of the Zoning Ordinance, BMC Section 23E.88.030, necessary to clarify that
172 where the Specific Plan exempts a permitted use from the requirements of a Master
173 Development Plan and Use Permit, the use is subject to Zoning Conformance procedures
174 as set forth in BMC Section 23B.20. (Poschman/Wengraf) Ayes: Burke, Poschman,
175 Sheen, Shumer, Stoloff, Wengraf. Noes: None. Abstentions: none. Absent: Pollack,
176 Wrenn.

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178 **ADJOURNMENT**

179 The meeting was adjourned at 9:25 p.m.