

**APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING
September 28, 2005**

1 Time: The meeting was called to order at 7:05 p.m. by Chair Pollack.

2

3 Location: North Berkeley Senior Center.

4

5 **ROLL CALL**

6

7 Commissioners Present: Burke, Pollack, Poschman, Samuels, Sheen, Shumer, Stoloff,
8 Wengraf.

9

10 Commissioners Absent: Wrenn.

11

12 Staff Present: Crane, Gatzke, Harrison, Homrighausen, Rhoades.

13

14 **ORDER OF THE AGENDA**

15

16 No change.

17

18 **PUBLIC COMMENT PERIOD**

19

20 Speaker #1: Steve Wollmer commented on the condominium map for 1116-1132
21 University Avenue.

22

23 **PLANNING STAFF REPORT**

24

25 Land Use Planning Manager Rhoades said that the General Plan Housing Element
26 amendments and the Gilman St. Playing Fields General Plan and Zoning Amendments
27 are scheduled for the City Council meeting of October 18, 2005.

28

29 **CHAIRPERSON'S REPORT**

30

31 No report.

32

33 **COMMITTEE REPORTS**

34

35 **Creeks Task Force**

36 Commissioner Burke said the task force had heard a presentation by neighbors on Urban
37 Creeks Sept. 12 and by Juliet Lamont on Sept. 19. At the next meeting the Task Force
38 will do a re-evaluation of their planning schedule and take up developing consensus on
39 unresolved issues. Commissioner Burke was asked to report back to the commission on
40 areas of consensus, or near-consensus, on substantive issues.

41

42 **Density Bonus Subcommittee**

43 Commissioner Wengraf said the next joint meeting of the Density Bonus Subcommittee
44 will be Wednesday October 19 from 3-5 p.m. Mr. Rhoades commented that three

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45 Housing Advisory Commission members have been appointed to the joint subcommittee
46 by City Council: Jesse Arreguin, Marie Bowman, and Andrew Murray.

47

48 **APPROVAL OF MINUTES**

49

50 M/S/C to approve the minutes for September 14 with changes. (Shumer/Wengraf) Ayes:
51 Burke, Pollack, Samuels, Sheen, Shumer, Stoloff, Wengraf. Noes: None. Abstentions:
52 Poschman. Absent: Wrenn.

53

54 **UPCOMING AGENDA ITEMS**

55

56 No changes.

57

58 **West Berkeley Bowl**

59 Land use Planning Manager Rhoades said the DEIR is expected to be released the week
60 of October 3, 2005. Staff is to put an item on the Planning commission agenda for the
61 public to comment on the DEIR when ready.

62

63 **Downtown Area Plan (DAP)**

64 Staff summarized the Council action on Sept. 27. Staff was asked to put consideration of
65 the DAP on the October 19 Planning commission agenda, and to e-mail the resolution to
66 the Commission as soon as it is ready.

67

68 **2025 Channing Way Condominium Map**

69

70 M/S/C to open the public hearing. (Poschman/Shumer) Ayes: Burke, Pollack,
71 Poschman, Samuels, Sheen, Shumer, Stoloff, Wengraf. Noes: None. Abstentions: None.
72 Absent: Wrenn.

73

74 Land Use Planning Manager Rhoades summarized the staff report and explained a
75 substitute condition of approval provided to the Commission for consideration.

76

77 Speaker #1: Steve Wollmer said he did not believe the affordability levels represented by
78 the information in the report will be achievable by the time the units are sold.

79

80 M/S/C to close the public hearing. (Stoloff/Samuels) Ayes: Burke, Pollack, Poschman,
81 Samuels, Sheen, Shumer, Stoloff, Wengraf. Noes: None. Abstentions: None. Absent:
82 Wrenn.

83

84

85 M/S/C to approve the subdivision map for 2025 Channing Way per the findings and
86 conditions contained in the staff report, attachment 1, dated Sept. 28, 2005, handed out to
87 the Commission on Sept. 28, 2005 (Supersedes Attachment 1 sent out in the Planning
88 Commission packet prior to the meeting). (Poschman/Shumer) Ayes: Burke, Pollack,

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89 Poschman, Samuels, Sheen, Shumer, Stoloff, Wengraf. Noes: None. Abstentions: None.
90 Absent: Wrenn.

91

92 **Public Hearing: Home Occupation Permitting Thresholds**

93

94 M/S/C to open the public hearing. (Wengraf/Sheen) Ayes: Burke, Pollack, Poschman,
95 Samuels, Sheen, Shumer, Stoloff, Wengraf. Noes: None. Abstentions: None. Absent:
96 Wrenn.

97

98 Staff person Crane gave a summary of the report.

99 There were no speakers.

100

101 M/S/C to close the public hearing. (Poschman/Shumer) Ayes: Burke, Pollack,
102 Poschman, Samuels, Sheen, Shumer, Stoloff, Wengraf. Noes: None. Abstentions: None.
103 Absent: Wrenn.

104

105 The Commission discussed the proposal. Staff responded to questions. Staff was asked
106 to consider the issues discussed and bring back a discussion of a lower fee, and an
107 alternative for approval by right, with more exacting codified requirements and
108 limitations.

109

110 **Public hearing: Zoning Ordinance Amendments for Allowing Elimination of**
111 **Accessory Dwelling units (ADUs) by the Same Permit Process that Created the**
112 **Units**

113

114 M/S/C to open the public hearing. (Wengraf/Poschman) Ayes: Burke, Pollack,
115 Poschman, Samuels, Sheen, Shumer, Stoloff, Wengraf. Noes: None. Abstentions: None.
116 Absent: Wrenn.

117

118 There were no speakers.

119

120 M/S/C to close the public hearing. (Wengraf/Poschman) Ayes: Burke, Pollack,
121 Poschman, Samuels, Sheen, Shumer, Stoloff, Wengraf. Noes: None. Abstentions: None.
122 Absent: Wrenn.

123

124 Staff person Crane gave a summary of the staff report. The commission discussed the
125 proposal and directed questions to staff. Staff is to come back with revisions to the
126 meeting of Oct. 19 to include specific language that if a unit was created by Use Permit,
127 it can be eliminated by Use Permit. Staff will clarify what is needed regarding
128 elimination of units with respect to rent control.

129

130 **Public Hearing: Zoning ordinance Amendments for Yard Definitions and Parking**
131 **in Required Yards**

132

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133 M/S/C to open the public hearing. (Poschman/Wengraf) Ayes: Burke, Pollack,
134 Poschman, Samuels, Sheen, Shumer, Stoloff, Wengraf. Noes: None. Abstentions: None.
135 Absent: Wrenn.

136
137 Speaker #1: Robert Lauriston referred the Commission to the points he raised in his letter
138 on the subject sent out as a communication with the Sept. 28 packet. He said parking in
139 all required yards should be treated the same, and ZAB should be given discretion to
140 locate parking in the best location.

141
142 M/S/C to close the public hearing. (Poschman/Shumer) Ayes: Burke, Pollack,
143 Poschman, Samuels, Sheen, Shumer, Stoloff, Wengraf. Noes: None. Abstentions: None.
144 Absent: Wrenn.

145
146 Staff person Harrison gave a summary of the staff report. The commission discussed the
147 proposal and staff responded to questions. The matter will be placed on an agenda in 60
148 days for additional consideration.

149
150 **Downtown Berkeley BART Plaza and Transit Area Design Plan Citizens Advisory**
151 **Committee** – Commissioner Burke was named the Planning Commission representative
152 on the Citizens Advisory Committee.

153
154 **ADJOURNMENT**

155 The meeting was adjourned at 9:10 p.m.