

**APPROVED MINUTES OF SPECIAL PLANNING COMMISSION MEETING
October 19, 2005**

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

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3 Location: North Berkeley Senior Center.

4

5 **ROLL CALL**

6

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

9

10 Commissioners Absent: None.

11

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

13

14 **ORDER OF THE AGENDA**

15

16 No change.

17

18 **PUBLIC COMMENT PERIOD**

19

20 None.

21

22 **PLANNING STAFF REPORT**

23

24 Land Use Planning Manager Rhoades said that the General Plan Housing Element
25 amendments and the Gilman St. Playing Fields General Plan and Zoning Amendments
26 were both approved by the City Council on October 18, 2005.

27

28 **CHAIRPERSON'S REPORT**

29

30 No report.

31

32 **COMMITTEE REPORTS**

33

34 **Creeks Task Force**

35 Commissioner Burke said the Task Force re-evaluated their planning schedule and took
36 up developing consensus on unresolved issues. Commissioner Burke was asked to report
37 back to the commission on areas of consensus, or near-consensus, on substantive issues
38 as well as areas where there isn't consensus.

39

40 **Density Bonus Subcommittee**

41 Commissioner Wengraf said the next joint meeting of the Density Bonus Subcommittee
42 will be Wednesday November 2 from 3-5 p.m. Topics for that meeting include items for
43 the work plan.

44

45 **Downtown BART Plaza and Transit Area Design Plan Citizens Advisory Committee**

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46 Commissioner Burke said the first meeting will be October 27.

47

48 **APPROVAL OF MINUTES**

49

50 M/S/C to approve the minutes for September 28. (Wengraf/Poschman) Ayes: Burke,
51 Pollack, Poschman, Samuels, Sheen, Shumer, Stoloff, Wengraf. Noes: None.
52 Abstentions: Wrenn. Absent: None.

53

54 **UPCOMING AGENDA ITEMS**

55

56 A discussion of the work plan will be scheduled November 30.

57

58 **Transportation Services Fee Report**

59

60 Transportation staff person Kara Vuicich summarized the report. The Commissioners
61 discussed the report and requested additional information. Staff was asked to schedule
62 additional discussion of this item at the November 30 Planning Commission meeting.

63

64 **Home Occupation Permitting Thresholds**

65 Staff person Crane summarized the staff report. The Commission discussed the report. A
66 motion was put on the floor, seconded, and discussed.

67

68 M/S to approve the staff recommendation with edits per the memo submitted by
69 Commissioner Poschman, 10-19-05, to change the definition to read ‘... that provides
70 private academic and/or artistic tutoring or lessons excluding schools, studios and
71 conservatories’; to specify days and times of operation as Monday-Friday 9a.m. to 8 p.m.,
72 and Saturday & Sunday 10 a.m. to 6 p.m.; and recommend the fee be set at \$100.00.
73 (Burke/Poschman)

74

75 A substitute motion was put on the floor, and it failed:

76

77 M/S/F to approve the staff recommendation with edits per the memo submitted by
78 Commissioner Poschman, 10-19-05 with the exception that the fee be set at the same fee
79 as the current fee for low impact home occupations, and the activity would be allowed
80 by-right (not be subject to approval of an administrative use permit (AUP)).
81 (Wengraf/Stoloff) Ayes: Pollack, Samuels, Stoloff, Wengraf. Noes: Burke, Poschman,
82 Sheen, Shumer, Wrenn. Abstentions: None. Absent: None

83

84 The Commission considered the original motion, which was modified to include a change
85 on the limits on hours of operation.

86 M/S/C to approve the staff recommendation with edits per the memo submitted by
87 Commissioner Poschman, 10-19-05, to change the definition to read ‘... that provides
88 private academic and/or artistic tutoring or lessons excluding schools, studios and
89 conservatories’; to specify days and times of operation as 10 a.m. to 10 p.m, seven days a
90 week; and recommend the fee for the AUP be set at \$100.00. (Burke/Poschman) Ayes:

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91 | Burke Poschman, Sheen, Shumer, Stoloff, Wrenn. Noes: Pollack, Samuels, Wengraf.
92 | Abstentions: None. Absent: None.

93

94 | **Fees for Appeals**

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96 | Land Use Manager Rhoades summarized the draft staff report to Council. The
97 | Commission discussed the report, asked for additional information, and asked for the
98 | matter to be brought back for discussion on a future agenda.

99

100 | **Selection of Planning Commission Members of the Downtown Area Plan Citizen**
101 | **Advisory Committee (DAP – CAC)**

102 | The Planning Commission discussed the selection.

103

104 | M/S/C to name Commissioners Burke, Poschman, and Wengraf to the DAP – CAC.
105 | (Wrenn/Shumer) Ayes: Burke, Poschman, Sheen, Shumer, Wrenn. Noes: Pollack
106 | Samuels, Stoloff Wengraf Abstentions: None. Absent: None.

107

108 | **ADJOURNMENT**

109 | The meeting was adjourned at 9:35 p.m.