

**APPROVED MINUTES OF REGULAR PLANNING COMMISSION MEETING**  
**February 8, 2006**

1 Time: The meeting was called to order by Chair Pollack at 7:06 PM

2  
3 Location: North Berkeley Senior Center.

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5 **ROLL CALL**

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

9  
10 Commissioners Absent: DeStaebler

11  
12 Staff Present: Paine, Gatzke, Rhoades, Harrison, Dando, Vuicich, Cosin, Fogarty, Baar,  
13 Marks

14  
15 **ORDER OF THE AGENDA**

16 Item 10 would be taken up before Item 9 and Item 15 would be taken up before Item 14.

17  
18 **PUBLIC COMMENT PERIOD**

19 Speaker 1: Charles Krenz, owner of land on Ashby, spoke about unintended  
20 consequences of the TSF.

21  
22 Speaker 2: Chris Hudson said that the TSF would be onerous on land uses and have  
23 negative impacts on small businesses and the cost of housing. He also said that he  
24 opposed the use of the TSF money for ongoing programs and staff and was in favor of  
25 using the money for capital improvements.

26  
27 Speaker 3: Maury Bostfeld said he was opposed to the current system of second floor  
28 additions and the additions' impacts on neighbors.

29  
30 Speaker 4: Juliet Lamont spoke about an additional option for the Creeks Ordinance  
31 revision and handed out a document describing "Option E."

32  
33 Speaker 5: Phil Price, a member of the CTF, spoke about the scientific basis for setbacks  
34 and about the difference between setbacks and buffers.

35  
36 Speaker 6: Jesse Arreguin, Vice Chair of the HAC, spoke in opposition to the  
37 amendments to the Inclusionary Ordinance as solutions to difficulty in creating condos.

38  
39 Speaker 7: Brendan Heafey, a local retail broker, spoke in opposition to the TSF because  
40 it would add an additional fee for small businesses and be feasible only to large national  
41 retailers.

42  
43 Speaker 8: Stephen Wollmer spoke about localized traffic impacts of the Trader Joe's  
44 project. He said that the TSF would not fix these kinds of problems and would hurt small  
45 businesses. He also spoke about the 4 and 4 loophole to the Inclusionary Ordinance.

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47 Speaker 9: Joan Strand, owner of two homes, spoke in opposition to second floor  
48 additions.

49

50 Speaker 10: Mark McLeod, a small business operator, said that at first the proposed TSF  
51 would seem good but that with more careful reading, it was problematic. He approved of  
52 the idea of the TSF but opposed this model because it would stop small businesses and  
53 developers. He spoke in favor of creating a different model.

54

55 **PLANNING STAFF REPORT**

56 Planning Manager Rhoades delivered the Planning Staff report. He reported that the City  
57 Council would take up the proposed Landmarks Preservation Ordinance revisions at the  
58 February 14 meeting. The Council will receive the Planning Commission's  
59 recommendations about ADUs, teaching-related home occupations, and parking and  
60 yards at the February 21 meeting.

61

62 **CHAIRPERSON'S REPORT**

63 None.

64

65 **COMMITTEE REPORTS**

66

67 **Creeks Task Force:** None.

68

69 **Density Bonus Subcommittee:** Commissioner Wengraf, the Chair of the Subcommittee,  
70 reported on the February 7 meeting. Upcoming meetings will be held on February 21 and  
71 March 7 from 3:30 to 6 PM in the second floor conference room at the Permit Services  
72 Center.

73

74 **Downtown BART Plaza and Transit Area Design Plan Citizens Advisory**

75 **Committee:** Commissioner Sheen reported that the drawings from the public workshop  
76 were up on the Transportation Department's website. The next meeting date will be in  
77 mid- to late-March.

78

79 **Downtown Area Plan Citizen Advisory Committee:** Commissioners Burke, Poschman,  
80 Samuels, and Sheen reported on the January 31 meeting. The City Council will take up  
81 the issue of adding ex officio members from the University to the Committee at its  
82 February 21 meeting.

83

84 **APPROVAL OF MINUTES**

85 M/S/C to approve the minutes from the January 25, 2006 meeting. (Wengraf/Samuels)  
86 Ayes: Wengraf, Burke, Stoloff, Poschman, Gurley, Samuels, Sheen, Pollack. Noes:  
87 None. Abstain: None. Absent: DeStaebler.

88

89 **UPCOMING AGENDA ITEMS**

90 None.

91

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92 **ACTION ITEMS**

93 **Preliminary Options for Potential Revisions to the Creeks Ordinance:** Commissioner  
94 Burke introduced the item with a review of Task Force's work and the future process.  
95 Associate Planner Dando and Deputy Planning Director Cosin presented the Creeks Task  
96 Force preliminary recommendations.  
97 The Commission discussed the issues.

98  
99 **CF 69-01. Policy Analysis for Consideration of the Proposed Transportation**  
100 **Services Fee:** Dave Fogarty of the Office of Economic Development presented his report  
101 on the impact of the proposed TSF on commercial uses. Associate Planner Paine  
102 presented the staff report. Kara Vuicich from the Transportation Department presented  
103 information on calculations of the TSF for existing projects and passed out the  
104 information in a handout.

105  
106 The Commissioners discussed the issues and were in favor of pursuing analysis of the  
107 proposed TSF using calculations for existing projects and of drafting options for the  
108 implementation of the fee. They requested clarification on the definition of changes of  
109 use as it would be used in the TSF program.

110  
111 **Potential Zoning Change Options in West Berkeley for Business Retention of**  
112 **Automobile Sales:** Planning Manager Rhoades introduced issue. The Commission  
113 reviewed the options and voted in favor of two options.

114  
115 M/S/C in favor of directing staff to pursue analysis on the North segment of the M district  
116 (example 2 on page 1 of the January 25 handout) as a possible location for permitting  
117 auto sales. (Gurley/Wengraf). Ayes: Wengraf, Burke, Stoloff, Poschman, Gurley,  
118 Samuels, Sheen, Pollack. Noes: None. Abstain: None. Absent: DeStaebler.

119  
120 M/S/C in favor of directing staff to pursue analysis of the MULI district south of Ashby  
121 as a possible location for permitting auto sales. (Gurley/Samuels). Ayes: Wengraf, Burke,  
122 Stoloff, Poschman, Gurley, Samuels, Sheen, Pollack. Noes: None. Abstain: None.  
123 Absent: DeStaebler.

124  
125 **Major Residential Additions: Council Referral and Consideration of Expanding**  
126 **Subcommittee:** Chair Pollack appointed Commissioners Gurley and Samuels to join the  
127 subcommittee. Commissioners Wengraf and Poschman would remain on the  
128 Subcommittee.

129  
130 **Set Hearing: West Berkeley Bowl Recirculated Traffic Impact Analysis and Revised**  
131 **Alternatives Analysis of the Draft EIR:** The Commissioners discussed the purpose of  
132 the public hearing.

133  
134 M/S/C to set the public hearing on this topic for March 8, 2006. (Wengraf/Burke) Ayes:  
135 Wengraf, Burke, Stoloff, Poschman, Gurley, Samuels, Sheen, Pollack. Noes: None.  
136 Abstain: None. Absent: DeStaebler.

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137 **Set Special Joint Meeting to Review Southeast Campus Integrated Program**

138 M/S/C to set the Special Joint Meeting on February 22, 2006. (Stoloff/Wengraf) Ayes:  
139 Wengraf, Burke, Stoloff, Poschman, Gurley, Samuels, Sheen, Pollack. Noes: None.  
140 Abstain: None. Absent: DeStaebler.

141

142 **Set Hearing: Provision-Extension for Inclusionary Ordinance:** Chair Pollack recused  
143 himself for this item. Ken Baar from the Housing Department presented the staff report.

144

145 M/S/C to set the Public Hearing on February 22, 2006. (Wengraf/Poschman) Ayes:  
146 Wengraf, Burke, Stoloff, Poschman, Gurley, Samuels, Sheen. Noes: None. Abstain:  
147 Pollack. Absent: DeStaebler.

148

149 **Work Plan Report on First Half of FY 05-06:** To be carried over to an upcoming  
150 meeting.

151

152 **ADJOURNMENT**

153 **The meeting was adjourned at 10:10 PM.**

154

155 Note on Commission Meeting Reporting:

156 In June 2005, the City Council adopted a plan, which requires commission secretaries to  
157 submit an annual report, which summarizes for each meeting a) the number of  
158 commissioners in attendance, b) the number of members of the public in attendance, c)  
159 the number of speakers at Public Comment and d) the length of the meetings.

160

161 For the February 8, 2006 Planning Commission meeting, the following will be reported:

162 Commissioners in attendance: 8

163 Members of the public in attendance: 64

164 Speakers at Public Comment: 10

165 Length of the meeting: 3 hours 7 minutes