



Planning and Development Department  
Land Use Planning Division

# Minutes

## Joint Planning Commission/ Zoning Adjustments Board/Housing Advisory Commission

### Density Bonus Subcommittee

**When: Wednesday, August 30, 2006**  
**3:30 to 6:00 pm**

**Where: Sitka Spruce Conference Room**  
**Permit Service Center (Second Floor)**  
2120 Milvia Street, **BERKELEY, CA 94704** (Wheelchair Accessible)

Subcommittee Members P if Present, A if Absent

Zoning Adjustments Board  
members:

- Dean Metzger P
- Rick Judd P
- David Blake P
- Bob Allen P

Planning Commission  
members:

- Susan Wengraf P
- Helen Burke A
- Gene Poschman P
- David Stoloff A

Housing Advisory  
Commission members:

- Jesse Arreguin P
- Marie Bowman P
- (Vacant)

Staff Present: Planning Director Dan Marks, Land Use Planning Manager Mark Rhoades, Principal Planner Allan Gatzke, Principal Planner Debra Sanderson, Senior Planner Greg Powell, Assistant Planner Jordan Harrison.

Agenda:

1. Public Comment - None.
2. Density Bonus Options.

Land Use Planning Manager Mark Rhoades introduced the revised staff options for the transition setback, at grade parking, and open space requirements. Rhoades also introduced a table of the development standards of the C-Districts for mixed-use buildings. The Subcommittee asked why staff proposes 20% of the units have private open space and if this is something that could be considered after Proposition 90. Staff explained the intent is to improved the quality of open space and provide for building articulation and that it may be reconsidered later. The subcommittee discussed the percentage of required parking at grade and asked why for commercial buildings this should be modified by an AUP instead of UP. Rhoades explained that there are a number of exclusively commercial uses allowed with and AUP or by-right, so we should not trigger a UP for the parking spaces.

Commissioner Poschman introduced a memo he handed out to the Subcommittee with a summary of 12 policy

actions. The group discussed each individual policy and voted to recommend them one-by-one (the policies of Commissioner Pochman's memo are noted in this summary as G.P.memo#1 through 12). The Subcommittee discussed the option of a by-right 4th floor in C-W with the staff-proposed setbacks of 10 feet from the front property line and 30 feet from the rear property line adjacent to a R-District versus eliminating the by-right 4th floor (G.P.memo#8). The group concluded it is still majority in favor of eliminating the 4th floor. The Subcommittee considered the transitional setback for the second and third residential floors in the C-W, and chose setbacks of 10, 10 and 20 for the 1st, 2nd and 3rd floors from the abutting residential district, rather than staff's proposed 10-20-20-30, in order to provide more residential floor area to make up for the loss of the 4th floor (G.P.memo#9). The subcommittee went with the staff's proposed 10-20-20 for the 1st, 2nd and 3rd floors from the abutting residential district in the C-1 (non-UASP) and staff's proposed 10-20-20-30 for the 1st, 2<sup>nd</sup>, 3rd and 4th floors in the C-T. Consistent with the August 30 staff recommendations, the Subcommittee chose to recommend 100% of the commercial spaces and 25% of the required residential parking spaces in mixed use and exclusively residential buildings to be at grade (G.P.memo#1 and 2). In exclusively commercial buildings, they chose 25% required at grade (G.P.memo#3). With regard to open space, the Subcommittee chose to limit rooftop open space to 25% of the maximum required; this restriction would apply to the topmost roof (G.P.memo#4). The Subcommittee chose not to restrict open space in balconies to 35% or require a minimum of 20% of open space to be private (G.P.memo#5 and 6). The Subcommittee chose to require the progressively decreasing open space standards for C-1 and C-W only (G.P.memo#7). The Subcommittee agreed with the staff proposal to require a minimum 10-foot ground floor setback on C-District lots abutting R-Districts in lieu of redefining the front yard as opposite the side of a commercial parcel's longest edge abutting a R-District for clarity and consistency with the Zoning Ordinance (G.P.memo#11). The Subcommittee also chose to prohibit residential uses on the ground floor and adopt the staff-proposed ground floor commercial space standards (G.P.memo#12). The Subcommittee did not choose to recommend G.P.memo#10 at this time but to reconsider it at a later date as it is not subject to Proposition 90 issues.

M/S/C to recommend the above policies. (Metzger / Arreguin) Ayes: Poschman, Wengraf, Bowman, Arreguin, Blake, Allan, Judd, Metzger. Noes: None. Abstain: None. Absent: Burke, Stoloff.

3. Density Bonus Implementation – this item was not discussed.
4. Units per Acre – this item was not discussed.
5. Next steps.

The Subcommittee discussed the joint meeting with the ZAB, PC, and HAC and concluded Commissioner Wengraff should chair the discussion.

If you have questions regarding this agenda, please contact Jordan Harrison at (510) 981-7416.