

**FINAL MINUTES OF SPECIAL JOINT MEETING OF THE PLANNING  
COMMISSION, TRANSPORTATION COMMISSION, AND LANDMARKS  
PRESERVATION COMMISSION  
AND  
REGULAR PLANNING COMMISSION MEETING  
March 14, 2007**

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

2 Location: North Berkeley Senior Center.

3 **ROLL CALL**

4 Planning Commissioners Present: Burke, Ferrazares, Gurley, Pollack, Poschman,  
5 Samuels, Sheen, Stoloff, Wengraf.

6 Planning Commissioners Absent: none.

7 Transportation Commissioners Present: Greenhut.

8 Landmarks Preservation Commissioners Present: Emmington, Parsons, Johnson, Winkel.

9 Staff Present: Marks, Rhoades, Gatzke, Harrison, Caplan, Fogarty.

10 **SPECIAL MEETING**

11 **Lawrence Berkeley National Laboratory (LBNL) Long Range Development Plan**  
12 **(LRDP) and draft EIR**

13 Planning Director Dan Marks provided an overview of the draft staff comments on the  
14 Lab LRDP and draft EIR, stating staff feels the separate environmental review for the UC  
15 LRDP and Lab LRDP masks the cumulative impact of those two projects. Staff is  
16 concerned with: potential aesthetic impacts of 6-8 story buildings; potential air quality  
17 impacts from diesel exhaust; other potential hazardous materials impacts including  
18 nanoparticles; and safety of the Lab employees and Berkeley residents when a major  
19 quake or wildland fire occur due to the limited access to the area. Staff believes cultural  
20 resources were inadequately addressed in the draft EIR and transportation and parking  
21 impacts from the increased employees have not been adequately addressed with the  
22 proposed TDMs.

23 **PUBLIC COMMENT PERIOD**

24 Speaker 1: Anne Wagley stated that one body approving two EIRs covering the same  
25 area could be a CEQA violation. She stated the amount of development is too great for  
26 Berkeley's infrastructure and would impact the storm drains, sewers and roadways.

27 Speaker 2: Tom Kelly, stated he is a member of the Health Commission and that the  
28 most serious health impact is the burning of diesel fuel and release of particulate matter  
29 from diesel generators during construction and from vehicles. He stated policies should  
30 be adopted to address air quality impacts and air monitoring should be done.

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31 Speaker 3: Janis Thomas stated the impact is not just from the amount of new  
32 development but its location in strawberry canyon, a cultural landscape and natural  
33 resource. She advocated for story limits and stated the superfund site on the property  
34 should be cleaned up and the new development located there.

35 Speaker 4: Carl Friberg, chairman of Berkeleyans for a Livable University Environment  
36 (BLUE) stated the city did not receive adequate mitigation in the previous UC settlement  
37 and suggested that given the BP deal, which should be profitable for the corporation, the  
38 city should receive financial compensation for the impact of the new development.

39 Speaker 5: Hank Geaman stated that the transportation and intersection impacts would be  
40 worse than indicated in the EIR because the SCIP project will be underway at the same  
41 time, impacting the area roadways. He stated the seismic risks of the area are ignored in  
42 the EIR because they do not adequately consider the significant landslide risk.

43 Speaker 6: Merilee Mitchell stated that the lab is too close to the Berkeley population; the  
44 Helios computer should stay in Oakland where they could use the jobs more than  
45 Berkeley; Berkeley should focus their energy on reducing their carbon emissions instead  
46 of fighting the UC, which takes over the city and doesn't pay taxes.

47 Speaker 7: Redwood Mary stated the city should not compromise safety by following the  
48 corporate line and the UC project would impact the ecosystem.

49 Speaker 8: Pamela Sihvola stated that the earthquake fault and landslide information in  
50 the EIR is not current and passed out a map illustrating landslides and faults in the area.  
51 She stated the roadways will be taken out by quakes.

52 **COMMISSION DISCUSSION**

53 Landmarks Preservation Commission

54 Commissioner Emmington stated that Strawberry Canyon is an irreplaceable resource  
55 and the east side of Berkeley is at risk. She does not see how mitigation payments could  
56 address the impacts to the canyon and so we should focus on alternatives. The proposed  
57 lab expansion is not a good use or size for this area.

58 Commissioner Parsons stated the LPC did not landmark the machine in the Bevetron  
59 building as the EIR states and that significant and unavoidable impacts are only  
60 unavoidable if you do not consider alternatives.

61 Transportation Commission

62 Commissioner Greenhut stated she concurs with staff's assessment of the transportation  
63 impacts and that the Commission is concerned with the impact of transportation to and

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64 from the site and that it is not clear how the alternative modes suggested by the Plan will  
65 work.

66 After discussion by the Landmarks Preservation Commission and Transportation  
67 Commission Chair Stoloff adjourned the special joint meeting and continued the  
68 discussion of the LBNL LRDP draft EIR.

69 Planning Commission

70 Commissioner Burke commended the Lab for their flexibility and positive attitude and  
71 the mission of the Lab to use science to help humanity. She stated her concerns with the  
72 proposed Plan and EIR relate to the cumulative impacts. In addition, Bowles Hall  
73 changes are not factored into the EIR cumulative analysis. Other transportation impacts  
74 include the impact to the Stadium Rim and Gayley Road intersection; the TDMs are  
75 insufficient, and they should charge employees for parking at the Lab instead of  
76 providing 500 more spaces to encourage use of transit

77 Commissioner Samuels stated the statistic that 10 years ago half of the Lab employees  
78 live in Berkeley but now only one third do shows the city is not providing enough  
79 housing. He stated the on-site accommodations are very important for short term  
80 researchers.

81 Commissioner Stoloff stated more housing in Berkeley could help reduce transportation  
82 impacts from Lab employees. He stated the Lab contributes to the city's jobs-housing  
83 imbalance and should mitigate that impact.

84 Commissioner Ferrazares stated she is concerned with hazardous materials impacts to  
85 soil and groundwater from underground tanks left in place or disturbed by earthquakes  
86 and that there should be notification of local agencies and the public if hazardous  
87 materials are released. She is concerned with the planning for evacuation if there is an  
88 earthquake or wildland fire and stated that keeping the people on site after a quake seems  
89 infeasible.

90 Commissioner Wengraf stated she is concerned about Wildland fire impacts and the  
91 added problem of onsite chemicals.

92 M/S/C to make the following statement (Burke/Poschman). (Ayes: Burke, Ferrazares,  
93 Gurley, Pollack, Poschman, Samuels, Sheen, Stoloff, Wengraf. Noes: None. Abstain:  
94 None. Absent: None.)

95 "The Planning Commission supports staff's comments and further makes the following  
96 comments: the Commission recommends the City of Berkeley, in the comments on the  
97 LBNL LRDP draft EIR, call for minimal destruction of the natural environment; stronger

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98 transportation demand management measures, including consideration of ecopasses,  
99 charging for parking and providing fewer parking spaces; permeable paving for all new  
100 paving; greater monitoring of hazardous materials and waste; better earthquake and wild  
101 fire preparedness plans; exploration of housing impacts in the community from the new  
102 workers; and looking for more local alternative locations for the new construction.”

103 **REGULAR MEETING**

104 **ORDER OF THE AGENDA**

105 Commissioner Poschman requested Item 10, Bay Area RHNA performance by  
106 jurisdiction, be moved to action for discussion.

107 **PLANNING STAFF REPORT**

108 Secretary Harrison reported that at their March 13 meeting the Council adopted a first  
109 reading of amendments to the BMC to require 8 year term limits with 2 year breaks in-  
110 between for members of the HAC, LPC, ZAB, and PC. Commissioner Wengraf requested  
111 further clarification of the proposed changes. The Council also continued consideration of  
112 a proposal from Councilmember Worthington to establish group email addresses for the  
113 Council, ZAB and PC.

114 **CHAIRPERSON’S REPORT**

115 Chair Stoloff read a brief statement indicating his intent to resign from the position of  
116 Chair effective at the end of this meeting resulting in Commissioner Samuels becoming  
117 Chair for the rest of this term.

118 M/S to confirm election of Jim Samuels as Chair (Polloack/Wengraf).

119 The Commission discussed the procedural requirements resulting from resignation of  
120 Commissioner Stoloff as the Chair and the proposed motion.

121 Substitute Motion/S/F to schedule elections for Chair and Vice-Chair with Jim Samuels  
122 to act as Chair in the interim (Sheen/Poshman). Ayes: Burke, Poschman, Sheen. Noes:  
123 Ferrazares, Gurley, Pollack, Samuels, Stoloff, Wengraf. Abstain: None. Absent: None.

124 Main Motion to confirm election of Jim Samuels as Chair. Ayes: Ferrazares, Gurley,  
125 Pollack, Samuels, Stoloff, Wengraf. Noes: Burke, Poschman, Sheen. Abstain: None.  
126 Absent: None.

127 M/S/F to elect Mike Sheen as Vice-Chair (Ferrazares/Burke). Ayes: Burke, Ferrazares,  
128 Poschman, Sheen.

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129 M/S/C to elect Larry Gurley as Vice-Chair (Pollack/Samuels). Ayes: Gurley, Pollack,  
130 Samuels, Stoloff, Wengraf.

131 **COMMITTEE REPORTS**

132 **Density Bonus Subcommittee**

133 Commissioner Wengraf stated the Subcommittee will have reports before the Planning  
134 Commission soon and the next meetings are March 19 and March 26. She explained the  
135 Subcommittee is considering the two-menu approach to incentives or concessions and  
136 waivers and modifications, which would require financial data for some development  
137 standard modifications requested under state density bonus law.

138 **Downtown Area Plan Citizen Advisory Committee**

139 Commissioner Samuels reported on a presentation from the UC, and indicated the  
140 DAPAC will recommend that the UC build student housing in the downtown. The  
141 DAPAC discussed the draft economic element and proposed ground floor alternatives.

142 **Southside Plan Subcommittee**

143 None.

144 **APPROVAL OF MINUTES**

145 M/S/C to approve the draft minutes of February 28, 2007 with one correction  
146 (Poschman/Pollack). Ayes: Burke, Gurley, Pollack, Poschman, Samuels, Sheen, Stoloff,  
147 Wengraf. Noes: None. Abstain: None. Absent: Ferrazares.

148 **UPCOMING AGENDA ITEMS**

149 Staff indicated the Southside Plan report would be on the next agenda or the next meeting  
150 thereafter and the Commission will be asked to refer to the Transportation Commission  
151 the transportation options before voting on the transportation alternatives to be used in  
152 the EIR. Once the alternatives are chosen the EIR should be completed in about 6  
153 months.

154 **ACTION ITEMS**

155 **Item 9 Presentation on Berkeley's current economic trends and plans for economic**  
156 **data collection from the Department of Economic Development**

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157 Michael Caplan, Acting Manager of the Office of Economic Development (OED),  
158 presented the data development process for City Business Improvement Districts and  
159 other commercial areas that will identify the location and size of ground floor retail  
160 spaces and their current uses. Dave Fogarty of the OED presented recent retail and labor  
161 market trends in Berkeley. The Commission discussed the data, including trends on  
162 Telegraph Avenue, Berkeley movie theaters, books stores, and CD sales.

163 **Item 11 Appendix A and Appendix B from “A Place to Call Home,” ABAG, June**  
164 **2006, regarding Bay Area RHNA Performance and Affordable Housing by**  
165 **jurisdiction, 1999-2006**

166 Continued to next meeting.

167 **ADJOURNMENT**

168 **The meeting was adjourned at 10:25 pm**

169 Note on Commission Meeting Reporting:

170 In June 2005, the City Council adopted a plan that requires commission secretaries to  
171 submit an annual report that summarizes for each meeting a) the number of  
172 commissioners in attendance, b) the number of members of the public in attendance, c)  
173 the number of public speakers and d) the length of the meetings.

174 For the March 14, 2007 Special Joint and Regular meeting of the Planning Commission,  
175 the following will be reported:

176 Planning Commissioners in attendance: 9

177 Members of the public in attendance: 25

178 Public Speakers: 8

179 Length of the meeting: 3 hour 20 minutes