

FINAL MINUTES OF REGULAR PLANNING COMMISSION MEETING

April 25, 2007

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

2 Location: North Berkeley Senior Center.

3 **ROLL CALL**

4 Commissioners Present: Burke, Pollack, Poschman, Samuels, Sheen, Stoloff, Wengraf.

5 Commissioners Absent: Gurley, Ferrazares

6 Staff Present: Rhoades, Gatzke, Harrison, Wolff

7 **ORDER OF THE AGENDA** – Item 11 (the workplan) was moved before Item 9
8 (Southside Plan Circulation Alternatives).

9 **PUBLIC COMMENT PERIOD** – No public comment.

10 **PLANNING STAFF REPORT**

11 Secretary Harrison indicated that the agenda was revised due to a typographical error
12 indicating reconsideration of election of officers; she introduced the new Planning
13 Commission intern Bruce Wolff; and she indicated the City Council’s first reading of the
14 MRA clean up amendments took place on April 24.

15 **CHAIRPERSON’S REPORT** - None

16 **COMMITTEE REPORTS**

17 **Density Bonus Subcommittee** - None

18 **Downtown Area Plan Citizen Advisory Committee** – Commissioner Samuels reported
19 on the DAPAC’s endorsement, with minor revisions, of the recommendations from the
20 subcommittee on city interest in UC properties. In addition to UC properties, the
21 subcommittee considered other nearby properties, including the Berkeley Way parking
22 lot, to help revitalize retail, provide housing, and provide open space areas

23 **Southside Plan Subcommittee** – None

24 **APPROVAL OF MINUTES**

25 M/S/C to approve the draft minutes of March 28, 2007 (Pollack/Wengraf). Ayes: Burke,
26 Pollack, Poschman, Samuels, Sheen, Stoloff, Wengraf. Noes: None. Abstain: None.
27 Absent: Ferrazares, Gurley.

28 **UPCOMING AGENDA ITEMS**

29 Chair Samuels asked for condominium in-lieu fee to be on an upcoming agenda.

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30 ACTION ITEMS

31 **Item 11: Discussion of Fiscal Year 2008-2009 Workplan**

32 Speaker 1: David Mayeri, owner of the current site of the Berkeley Patients Group
33 (BPG), stated that the BPG must move because the site is being redeveloped. He
34 stated that crime has decreased because of the BPG and therefore the neighborhood
35 has improved. Currently, the Mixed-Use Light Industrial zoning is too restrictive;
36 medical cannabis is only allowed in the C-districts. The landlord requests the
37 Planning Commission consider that medical cannabis outlets be allowed in MULI in
38 the 2008-09 Workplan.

39 Speaker 2: Liana Held stated that she is an Oakland resident and a BPG patron. She
40 requests that West Berkeley be considered as a location for BPG because of the easy
41 access and larger sites.

42 Speaker 3: Becky Dekeuster, operator of BPG, requested that the Commission prioritize
43 zoning changes to allow medical marijuana dispensaries in the MULI zoning district.
44 She also stated that Oakland allows marijuana dispensaries in similar areas and
45 medical marijuana dispensaries are not in conflict with the MULI district purposes. In
46 response to questions, she stated that BPG serves approximately 300-350 patients per
47 day, 2500 of which are Berkeley residents; BPG is open 11 a.m. – 7 p.m.

48 Planning Manager Rhoades indicated the three big policy items for the Commission to
49 take into consideration are the Housing Element, West Berkeley zoning changes, and the
50 Adeline corridor/Ashby Bart project. The Commission discussed work plan items;
51 individual commissioners stated that efforts to contribute to Measure G implementation
52 should be results driven rather than policy driven; amendments to the inclusionary
53 requirement for small projects is a higher priority; fence heights was a poor allocation of
54 staff time in '06; the electric car amendments should be contingent on community
55 support; and they would like quarterly progress reports.

56 M/S/C to recommend the proposed work program (Poschman/Pollack). Ayes: Burke,
57 Pollack, Poschman, Samuels, Sheen, Stoloff, Wengraf. Noes: None. Abstain: None.
58 Absent: Ferrazares, Gurley.

59 **Item 9: Discussion of the Selection of preferred circulation alternative for the EIR** 60 **and Phase One improvements to the Southside Plan**

61 Speaker 1: Robia Chang, representative of Munger Properties, stated that proposed
62 preferred alternative 2 would slow traffic, increase congestion, reduce emergency
63 vehicle access, and negatively impact the economic well-being of the area. She stated
64 all the SSP alternatives would create operational differences in loading and deliveries
65 and they prefer Alternative 0.

66 Speaker 2: Roland Peterson stated that he preferred Alternative 0 because it would be the
67 best alternative for parking and traffic impacts.

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68 Allan Gatzke presented the Southside Plan transportation alternatives and proposed Phase
69 1 improvements. He explained that Alternative 0 will be included in the EIR because it
70 represents the existing conditions; the preferred alternative is yard stick used for
71 comparison with the other alternatives.

72 M/S/C to move the staff recommendation to (1) confirm the Southside Subcommittee's
73 selection of Circulation Alternative 2 as the "preferred alternative" for the purposes of
74 continuing work on the draft EIR for the Southside Plan, (2) endorse the anticipated
75 Phase One improvements, (3) refer the Commission's action to the Transportation
76 Commission for review and comment, and (4) direct staff to continue coordination with
77 AC Transit (Stoloff/Wengraf). Ayes: Burke, Pollack, Poschman, Samuels, Sheen, Stoloff,
78 Wengraf. Noes: None. Abstain: None. Absent: Ferrazares, Gurley.

79 **Item 10: Discussion of West Berkeley Auto Sales Zoning Amendments**

80 Jordan Harrison presented the proposed amendments to allow automobile sales in West
81 Berkeley and indicated staff recommends the public hearing be held in June. The
82 commissioners discussed the proposal, including the role of pervious paving, treatment
83 storm water runoff and the sale of motorcycles. Individual commissioners indicated that a
84 pedestrian scale for this use does not seem appropriate; test drives should be allowed in
85 residential districts, just not the *nearby* districts; the proposed purpose regarding the role
86 of Gilman and Ashby as entry corridors goes beyond the auto sales use subject; some of
87 the proposed findings should be development standards; and the threshold allowing this
88 use with an AUP seems too low.

89
90 M/S/F to set a public hearing for a June Commission meeting (Wengraf/Pollack). Ayes:
91 Pollack, Samuels, Stoloff, Wengraf. Noes: Poschman. Abstain: Burke, Sheen. Absent:
92 Ferrazares, Gurley.

93 94 **ADJOURNMENT**

95 **The meeting was adjourned at 10:05 p.m.**

96 Note on Commission Meeting Reporting:

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

101 For the April 25, 2007 Planning Commission meeting, the following will be reported:
102 Commissioners in attendance: 7
103 Members of the public in attendance: 8
104 Public Speakers: 5
105 Length of the meeting: 3 hours