

FINAL MINUTES OF THE REGULAR PLANNING COMMISSION MEETING

September 26, 2007

1 Time: The meeting was called to order by Chair Samuels at 7:00 p.m.

2 Location: North Berkeley Senior Center.

3 **ROLL CALL**

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

6 Commissioners Absent: None.

7 Staff Present: Harrison, Sanderson, Wolff.

8 **ORDER OF THE AGENDA**

9 No change.

10 **PLANNING STAFF REPORT**

11 Staff reported that City Council discussed the process for developing a City-preferred
12 alternative for Bus Rapid Transit at their previous meeting; Councilmembers Capitelli
13 and Worthington are working on a proposal.

14 **PUBLIC COMMENT PERIOD**

15 Speaker 1: Harvey Sherback stated his support for solar energy, its importance for the
16 economy, and the use of water in producing dirty conventional electricity.

17 Speaker 2: George Chitterden, a West Berkeley business owner, stated his support for
18 protecting the manufacturing uses and artisans in West Berkeley.

19 **CHAIRPERSON'S REPORT**

20 None.

21 **COMMITTEE REPORTS**

22 **DAPAC**

23 Chair Samuels reported that the DAPAC would complete the Downtown Area Plan
24 policies by the end of November and noted upcoming subcommittee meeting dates.

25 **APPROVAL OF MINUTES**

26 M/S/C to approve the draft minutes of September 5, 2007 (Wengraf/Poschman). Ayes:
27 Burke, Dacey, Ferrazares, Gurley, Pollack, Poschman, Samuels, Stoloff, Wengraf. Noes:
28 None. Abstain: None. Absent: None.

FINAL MINUTES OF THE REGULAR PLANNING COMMISSION MEETING

September 26, 2007

29 **UPCOMING AGENDA ITEMS**

30 Commissioner Wengraf requested adding the late communication from Leo Tscharner
31 regarding a garage conversion at 2734 Prince Street to an upcoming meeting agenda.

32 **ACTION ITEMS**

33 **Item 9 Public Hearing: Zoning Ordinance, General Plan, and West Berkeley Plan**
34 **Amendments and Revised Mitigated Negative Declaration to Allow Automobile**
35 **Sales in the Manufacturing District.**

36 Speaker 1: John Curl, Chair of WEBAIC, stated that the amendments should include
37 mitigation measure to protect manufacturing uses in the manufacturing district, like there
38 are in the MM and MULI districts.

39 Speaker 2: Steven Jensen, Zero Waste Commission representative, thanked the
40 Commission for removing auto sales use from the area south of Ashby. He requested
41 removing the Transfer Station location from the permitted auto sales area.

42 Speaker 3: Mary Lou Van Deventer, of the Northern California Recycling Association,
43 stated her support for protecting the recycling facilities and industrial use in West
44 Berkeley. She requested exemption of the Transfer Station from the auto overlay and
45 limiting the new auto sales uses in the M district to the current dealers in Berkeley.

46 Speaker 4: Nancy Gorrell, of the Community Conservation Center, urged the
47 Commission to preserve the recycling industry. She added that doing so would be
48 consistent with Berkeley's Zero Waste Goal.

49 Speaker 5: Mark Gorrell, of the Ecology Center, stated that Berkeley needs opportunities
50 for recycling businesses and auto sales is not a good use of land for the city.

51 Speaker 6: Martin Borque, of the Ecology Center, stated that the recycling industry is
52 larger than the auto industry in the U.S. Recycling industries provide jobs and save the
53 City money. He requested the exemption of the Transfer Station from the auto overlay.

54 Speaker 7: David Tam stated that he believes the initial study is legally deficient and the
55 nine-acre transfer station area needs to be protected.

56 Speaker 8: Rick Auerbach, WEBAIC member, stated his concern about inclusion of the
57 nine-acre transfer station and the effect of the auto overlay on the City's recycling
58 facilities.

59 The Commission discussed exempting the transfer station area or adding a finding to
60 require that new auto uses not interfere with the activities of the transfer station.

61

| |
|---|
| M/S/F to recommend to the City Council that the Berkeley transfer station, a.k.a. the 62 Solid Waste Center, be exempt from the amendments (Burke/Dacey). Ayes: Burke, |
|---|

FINAL MINUTES OF THE REGULAR PLANNING COMMISSION MEETING

September 26, 2007

63 Dacey, Poschman, Pollack. Noes: Ferrazares, Gurley, Stoloff, Wengraf. Abstain:
64 Samuels. Absent: None.

65 M/S/C to include a finding in 23E.72.090 that states: “The project will not materially
66 interfere with the activities of the city-owned solid waste center” (Ferrazares/Stoloff).
67 Ayes: Dacey, Ferrazares, Gurley, Pollack, Poschman, Samuels, Stoloff, Wengraf. Noes:
68 Burke. Abstain: None. Absent: None.

69 Commissioner Burke left the meeting at approximately 9:00 p.m.

70 The Commission discussed the definition of automobile sales, indicating they did not
71 want used car lots but were in favor of used cars being sold as an ancillary activity to new
72 car sales. In addition they were in favor of sales of restored classic or antique cars and
73 specialty cars, like bio-diesel conversions. The Commission discussed and agreed to
74 changes to the proposed General Plan and West Berkeley Plan amendment text
75 recommended by Commissioner Poschman. The Commission discussed the potential for
76 interference of auto sales uses with the operations of existing industrial uses and the
77 impact of an over concentration of dealership uses.

78 M/S/C to amend the definition to make used car sales ancillary to new car sales and
79 remove “motorcycles, boats and other motor driven vehicles” from the definition, but
80 allow for restored classics and refurbished alternative fuel cars (Wengraf/Poschman).
81 Ayes: Dacey, Ferrazares, Gurley, Pollack, Poschman, Samuels, Stoloff, Wengraf. Noes:
82 None. Abstain: None. Absent: Burke.

83
84 M/S/C to replace proposed finding 23E.72.090.E.3 with a finding that states: “The project
85 will not result in a substantial adverse impact on the existing uses in the immediate
86 vicinity.” (Stoloff/Pollack) Ayes: Gurley, Pollack, Samuels, Stoloff, Wengraf. Noes:
87 Dacey, Ferrazares, Poschman. Abstain: None. Absent: Burke.

88
89 M/S/C to replace proposed finding 23E.72.090.E.1 with a finding that states: “The project
90 will not generate unreasonable impacts on circulation and parking on adjacent streets or
91 in the immediate neighborhood.” (Ferrazares/Stoloff) Ayes: Dacey, Ferrazares, Gurley,
92 Pollack, Poschman, Samuels, Stoloff, Wengraf. Noes: None. Abstain: None. Absent:
93 Burke.

94
95 M/S/C to approve proposed amendments as revised this evening and ask that the Chair
96 review the revised language (Stoloff/Gurley). Ayes: Ferrazares, Gurley, Pollack,
97 Poschman, Samuels, Stoloff, Wengraf. Noes: None. Abstain: Dacey. Absent: Burke

98 **Item 10: Appointment of liaisons to the West Berkeley Project Area Committee**
99 **(PAC) and the PAC Transportation Subcommittee for review of the West Berkeley**
100 **Circulation Master Plan.**

101 Chair Samuels nominated Commissioner Ferrazares.

FINAL MINUTES OF THE REGULAR PLANNING COMMISSION MEETING

September 26, 2007

102 M/C to appoint Commissioner Ferrazares as liaison to the West Berkeley Project Area
103 Committee. Ayes: Dacey, Ferrazares, Gurley, Pollack, Poschman, Samuels, Stoloff,
104 Wengraf. Noes: None. Abstain: None. Absent: Burke.

105

106 **ADJOURNMENT**

107 **The meeting was adjourned at 10:00 p.m.**

108 Note on Commission Meeting Reporting:

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

113

114 For the September 26, 2007 Planning Commission meeting, the following will be
115 reported:

116 Commissioners in attendance: 9

117 Members of the public in attendance: 21

118 Public Speakers: 10

119 Length of the meeting: 3 hours