

# FINAL MINUTES OF REGULAR PLANNING COMMISSION MEETING

December 12, 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, Dacey, Ferrazares, Gurley, Pollack, Poschman, Samuels,  
5 Stoloff, Wengraf.

6 Commissioners Absent: none.

7 Staff Present: Marks, Gatzke, Sanderson, Amoroso, Harrison, Tran.

## 8 **ORDER OF THE AGENDA**

9 No change.

## 10 **PUBLIC COMMENT PERIOD**

11 Speaker 1: Zelda Bronstein stated the draft RHNA from ABAG is unfair because it does  
12 not consider UC employment growth. She stated the methodology was endorsed by  
13 less than half of the committee. She requested planning staff ask ABAG to consider  
14 the Palo Alto approach for Berkeley.

15 Speaker 2: Don Yost stated the issues with West Berkeley zoning should be addressed by  
16 the staff that implement the plan. He stated it takes too long to implement and  
17 interpret West Berkeley regulations.

18 Speaker 3: Rick Auerbach, of WEBAIC, indicated that he, Don Yost, and John Curl  
19 provided the City a list of issues related to the West Berkeley Plan and asked the  
20 Planning Commission to consider the suggestions. (The report was passed to the  
21 Commission).

22 Speaker 4: John Curl stated that planning staff ignored their suggestions and asked about  
23 the provenance of the City Council referral for Increased Flexibility in West  
24 Berkeley.

25 Speaker 5: Merri Mitchell stated that ABAG did not adequately respond to the City's  
26 concerns about the draft RHNA.

## 27 **PLANNING STAFF REPORT**

28 Secretary Harrison indicated that on 12/11 the City Council directed staff to remove the  
29 City's solid waste center from the area under consideration for auto sales uses and will  
30 consider the revised proposal on 12/18.

## 31 **CHAIRPERSON'S REPORT**

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32 None.

33 **COMMITTEE REPORTS**

34 **Downtown Area Plan Citizen Advisory Committee** – Committee members indicated  
35 the Committee will present the Draft Plan to the City Council on December 18 and a  
36 minority report was filed.

37 **APPROVAL OF MINUTES**

38 M/S/C to approve the draft minutes of September 26, 2007 with typo corrections  
39 (GP/LG). Ayes: Burke, Dacey, Ferrazares, Gurley, Pollack, Poschman, Samuels, Stoloff.  
40 Noes: None. Abstain: Wengraf. Absent: None.

41 **UPCOMING AGENDA ITEMS**

42 The Commission discussed the upcoming density bonus discussion on 12/19. Staff  
43 indicated the inclusionary ordinance topic will not be on the 12/19 agenda.

44 **ACTION ITEMS**

45 **Item 9: Tract Map #7755, 1552-56 Milvia Street.**

46 M/S/C to open the Public Hearing (GP/SW). Ayes: Burke, Dacey, Ferrazares, Gurley,  
47 Pollack, Poschman, Samuels, Stoloff, Wengraf. Noes: None. Abstain: None. Absent:  
48 None.

49 There were no speakers.

50 M/S/C to close the Public Hearing (SW/GP). Ayes: Burke, Dacey, Ferrazares, Gurley,  
51 Pollack, Poschman, Samuels, Stoloff, Wengraf. Noes: None. Abstain: None. Absent:  
52 None.

53 Assistant Planner Tran responded to questions raised in a comment letter, indicating the  
54 City had conducted an inspection of the property and violations had been corrected, and  
55 the Public Works Department had reviewed the Tract Map. She indicated the required  
56 number of parking spaces on the site is five based on property records.

57 M/S/C to approve Tract Map #7755, 1552-56 Milvia Street (SW/GP). Ayes: Burke,  
58 Dacey, Ferrazares, Gurley, Pollack, Poschman, Samuels, Stoloff, Wengraf. Noes: None.  
59 Abstain: None. Absent: None.

60 **Item 10: Draft Response letter to ABAG regarding draft RHNA**

61 Planning Director Marks discussed the draft response letter to ABAG regarding their  
62 rejection of the City's request for a lower RHNA. He indicated the City identified the  
63 need for at least a 268-unit reduction. The Commission discussed the letter, including the

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64 unsettled role of group quarters. The Commission directed staff to work with  
65 Commission members to amend the letter before sending.

### 66 **Item 11: Increased Flexibility for West Berkeley**

67 Principal Planner Gatzke presented the project.

#### 68 Public Comment

69 Speaker 1: John Norheim stated that the whole West Berkeley Plan needs to be redone.

70 Speaker 2: Henry Weiner stated the West Berkeley Plan has helped preserve the West  
71 Berkeley manufacturing economy by resisting the office, housing and retail development  
72 trends.

73 Speaker 3: Jim Mason stated the West Berkeley Plan is okay, the difficulty is with  
74 implementation. He stated it drives people away from the City and sometimes the City's  
75 environmental values conflict with work on the ground.

76 Speaker 4: Zelda Bronstein stated the staff proposal lacks straight forward language. She  
77 stated office and research and development are a threat to the existing district which has  
78 one of the lowest manufacturing vacancy rates and highest manufacturing rental rates in  
79 the area. She recommended a "production, distribution and repair" land use designation  
80 based on job types.

81 Speaker 5: Jesse Arregun stated more clarity is needed on what changes to the zoning  
82 regulations are proposed to achieve greater flexibility and that it was not clear who would  
83 have discretionary authority, the ZAB or City Council.

84 Speaker 6: Merri Mitchell stated the Franklin school site should not be included in the  
85 proposal.

86 Speaker 7: Mary Lou Van Deventer stated space should be kept available in the West  
87 Berkeley area for the zero waste industry.

88 Speaker 8: Rich Auerback stated the process and discretionary authority for allowing  
89 greater flexibility is unclear and that several of the large sites mentioned had other  
90 options.

91 Speaker 9: John Curl stated the problem with the West Berkeley Plan is the zoning  
92 implementation which does not reflect the plan goals. A community and staff  
93 collaboration should identify and fix the problems.

94 Michael Caplan and David Fogarty of the Office of Economic Development spoke about  
95 the economic health of West Berkeley and different implementation tools to improve the  
96 area.

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97 The Commission requested more background on the existing and historical economic and  
98 land use conditions in West Berkeley and details on the proposed approach to allowing  
99 more land use flexibility. Commissioners suggested greater public involvement and  
100 addressing some of the existing proposals from the community to improve the process.

101 **Item 10: 2008 Meeting Schedule**

102 M/S/C to approve the 2008 schedule (GP/DS). Ayes: Burke, Dacey, Ferrazares, Gurley,  
103 Pollack, Poschman, Samuels, Stoloff, Wengraf. Noes: None. Abstain: None. Absent:  
104 None.

105 **ADJOURNMENT**

106 **The meeting was adjourned at 9:40 pm**

107 Note on Commission Meeting Reporting:

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

112 For the October 24, 2007 Planning Commission meeting, the following will be reported:

113 Commissioners in attendance: 9

114 Members of the public in attendance: 25

115 Public Speakers: 14

116 Length of the meeting: 2 hour 35 minutes