DRAFT MINUTES OF REGULAR PLANNING COMMISSION MEETING
December 7, 2011

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

Location: City Council Chambers, 2124 MLK Jr Way

ROLL CALL

Commissioners Present: Teresa Clarke, Patricia Dacey, Victoria Eisen, Jim Novosel, Harry Pollack, Gene Poschman, Jim Samuels, David Stoloff.

Commissioners Absent: None.

Staff Present: Amoroso, Cosin, Harrison, Sanderson.

ORDER OF AGENDA – No change.

PUBLIC COMMENT PERIOD – Three speakers.

PLANNING STAFF REPORT – No report.

Late Communications distributed at the 12/07/11 meeting:
1. Staff: Slide Presentation
2. Staff: Map Changes, Dwight Area and Berkeley Way Area
3. Staff: Map LU-3, Public Serving Frontages
4. Staff: Illustrations of POPOS
5. Rob Gayle, Associate Vice Chancellor, University response to commission comments on the new Berkeley Art Museum and Pacific Film Archive
6. Handout of March 8, 2011 annotated agenda for Agenda Item 23 re: permitting for chair massages
7. Commissioner Poschman: memorandum with attachments for consideration pertaining to the Downtown Area Plan and C-DMU zoning
9. Commissioner Novosel: map illustrating areas of historic trolley stations on Adeline and Shattuck
10. Carrie Olson, Chair, Landmarks Preservation Commission: comments on the Green Pathway Chapter
11. Steve Wollmer: Comments on use of UC Golden Bear site

CHAIR and COMMITTEE REPORTS – No report.

APPROVAL OF MINUTES –

Motion/Second/Carried (GP/DS) to approve the draft minutes of the regular meeting of November 16, 2011. Ayes: Clarke, Dacey, Eisen, Novosel, Pollack, Poschman, Samuels, Stoloff. Noes: None. Abstain: None. Absent: None.
CONSENT CALENDAR – None.

FUTURE AGENDA ITEMS –


AGENDA ITEMS

Item 9. Continued Public Hearing: Downtown Area Plan and Related Amendments to the Zoning Ordinance and General Plan

Public comment: Three speakers.

Following the staff report, Commissioners considered each of the issues identified in the staff presentation and provided direction.

Berkeley Way Map Changes

Motion/Second/Carried (VE/DS) that all of the northern portion of the Golden Bear lot be zoned R-2A and the original language in DAP policy LU-6.2b regarding the height exception for affordable housing, but not parking, be kept in the DAP and added to the zoning. Ayes: Dacey, Eisen, Novosel, Pollack, Poschman, Stoloff. Noes: Clarke. Abstain: Samuels. Absent: None.

Dwight Way Map Changes


Definition of Historic Resource in Green Pathway

Motion/Second/Not Carried (GP/PD) that the definition of “historical resource” in the Green Pathway Ordinance be defined by 14 California Code of Regulations 15064.5, rather than as a City Landmark or Structure of Merit, as proposed in attachment 1 of Commissioner Poschman’s handout. Ayes: Clarke, Dacey, Eisen, Poschman. Noes: Novosel, Pollack, Samuels, Stoloff. Abstain: None. Absent: None.

The Commissioners concurred that the Green Pathway Ordinance be revised as proposed by Commissioner Poschman in lines 125-127 of attachment 1 of his handout, indicating the RFD shall include a statement of why a property does not contain a historical resource.
Green Pathway Chapter

Motion/Second/Carried (JS/JN) to approve the Green Pathway Chapter as presented by staff on 12/7/11 with Commissioner Poschman’s suggestion. Ayes: Clarke, Eisen, Novosel, Pollack, Samuels, Stoloff. Noes: Dacey, Poschman. Abstain: None. Absent: None.

Development Standards moved to Design Guidelines


Motion/Second/Not Carried (GP/PD) that lines 74-76 of the C-DMU regarding ground floor window transparency requirements be moved to the design guidelines. Ayes: Dacey, Poschman. Noes: Clarke, Eisen, Novosel, Pollack, Samuels, Stoloff. Abstain: None. Absent: None.

Green Building Requirements

Motion/Second/Carried (VE/PD) to apply the green building requirement of LEED Gold only to new buildings and additions over 20,000 square feet, and the Stop Waste requirement only to new buildings and additions under 20,000 square feet, and to eliminate the proposed definition of Adaptive Reuse. Ayes: Clarke, Dacey, Eisen, Novosel, Pollack, Poschman, Samuels, Stoloff. Noes: None. Abstain: None. Absent: None.

John English Letter

Motion/Second/Carried (DS/JN) to include staff-proposed Subsection A before the height table in section 23E.68.070. Ayes: Clarke, Eisen, Novosel, Pollack, Samuels, Stoloff. Noes: Dacey, Poschman. Abstain: None. Absent: None.

Motion/Second/Carried (DS/JS) to clarify use restrictions on frontages as proposed by staff. Ayes: Clarke, Eisen, Novosel, Pollack, Samuels, Stoloff. Noes: None. Abstain: Dacey, Poschman. Absent: None.

Motion/Second/Carried (DS/GP) to clarify subsection 23E.68.060.F as proposed by staff, prohibiting entrances to individual units on Public Serving Frontages. Ayes: Clarke, Dacey, Eisen, Novosel, Pollack, Poschman, Samuels, Stoloff. Noes: None. Abstain: None. Absent: None.

Motion/Second/Not Carried (JN/JS) that the Public Serving Frontages map be revised to include Kitteredge Way on both sides all the way to Milvia, Bancroft Way on both sides halfway down the block between Shattuck and Milvia, Durant Avenue on both sides between Fulton and Shattuck, and the north east side of
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Motion/Second/Carried (GP/PD) that the DAP and zoning use the Public Serving Frontages map as presented by staff on 12-7-11. Ayes: Clarke, Dacey, Eisen, Pollack, Poschman, Stoloff. Noes: None. Abstain: Novosel, Samuels. Absent: None.

POPOS and Open Space

Motion/Second/Carried (VE/TC) that staff includes both options for POPOS, as presented in the staff report (allowing as an optional benefit for the buildings over 75 feet in height and allowing POPOS to count as two square feet of required open space) and not allow for POPOS on the rooftop. Ayes: Clarke, Eisen, Novosel, Pollack, Samuels, Stoloff. Noes: None. Abstain: Dacey, Poschman. Absent: None.

Motion/Second/Not Carried (GP/PD) to require that open space in-lieu fees be used to fund open space projects through the SOSIP, not streetscapes. Ayes: Dacey, Poschman. Noes: Samuels, Stoloff. Abstain: Clarke, Eisen, Novosel, Pollack. Absent: None.

Comments from Commissioner Poschman

Motion/Second/Carried (GP/PD) that the DAP restore “direct financing” policies and actions, as identified on page 1 of Commissioner Poschman’s handout. Ayes: Clarke, Dacey, Eisen, Pollack, Poschman, Samuels. Noes: None. Abstain: Novosel, Stoloff. Absent: None.

Motion/Second/Not Carried (GP/PD) that the Development Standards and DAP tables be revised to eliminate the allowance for buildings of 120 feet and allow one hotel building up to 180 feet, as shown in attachments 2 and 3 of Commissioner Poschman’s handout. Ayes: Dacey, Poschman. Noes: Eisen, Novosel, Pollack, Samuels, Stoloff. Abstain: Clarke. Absent: None.

Public Hearing:


DAP, C-DMU, and General Plan

Motion/Second/Carried (VE/JS) to recommend that the City Council approve the Downtown Area Plan, General Plan Amendments, and C-DMU and related zoning changes, as modified by the 11/16/11 actions and 12/7/11 actions. Ayes:
Abstain: None. Absent: None.

ADJOURNMENT

The meeting was adjourned at 10:00 pm

Commissioners in attendance: 8 of 8
Members of the public in attendance: 5
Public Speakers: 6
Length of the meeting: 2 hours 55 minutes