

Planning Commission

## FINAL MINUTES OF THE REGULAR PLANNING COMMISSION MEETING January 15, 2020

The meeting was called to order at 7:04 p.m.

**Location:** South Berkeley Senior Center, Berkeley, CA

### 1. ROLL CALL:

**Commissioners Present:** Benjamin Beach, Robb Kapla, Shane Krpata, Mary Kay Lacey, Steve Martinot, Christine Schildt, Jeff Vincent, Brad Wiblin, and Rob Wrenn.

**Commissioners Absent:** None.

**Staff Present:** Secretary Alene Pearson, Katrina Lapira, Paola Boylan, and Justin Horner.

2. **ORDER OF AGENDA:** No changes.

3. **PUBLIC COMMENT PERIOD:** 1

### 4. PLANNING STAFF REPORT:

- City Council (January 21) – ADU Urgency Ordinance Extension
- City Council (February 28) - Comprehensive Cannabis Zoning Ordinance Amendments

### Information Items:

- December 10, 2019 - City Council Item 30 – ADU Urgency Ordinance *Staff Report*

**Communications:** *None.*

**Late Communications** (Received after the Packet deadline):

- January 10, 2020- Mester, Tentative Tract Map Application #8533

**Late Communications** (Received and distributed at the meeting):

- January 15, 2020 – Thompson- Lastad, BART CAG Recommendation
- January 15, 2020 - Planning Staff, Item 9 Presentation
- January 15, 2020 - Planning Staff, Item 10 Presentation
- January 15, 2020 - Lee, BART CAG Recommendation

### 5. CHAIR REPORT:

- Mom's For Housing

- MLK Event at the McGee Avenue Baptist Church- January 20, 2020 at 2pm
- Planning Commission (February 5) – PC Chair and Vice Chair Elections

## 6. COMMITTEE REPORT:

- Adeline Corridor Specific Plan Subcommittee- The next meeting is on January 29, where the project consultant will provide an update on development feasibility within the Adeline Corridor. On February 1 the subcommittee will reconvene for an all- day meeting to review and discuss recommendations.
- Southside EIR Subcommittee: At their first meeting on December 17, 2019 the subcommittee discussed development standards and development goals that could be included in the project description for the Southside EIR.
- Zoning Ordinance Revision Project (ZORP): The next meeting will be scheduled in late February.
- Joint Subcommittee for the Implementation of State Housing Laws: The next meeting is on February 26.

## 7. APPROVAL OF MINUTES:

Motion/Second/Carried (Krpata/Kapla) to approve the Planning Commission Meeting Minutes from December 4, 2019 with the discussed corrections to lines 50 and 51. Ayes: Beach, Kapla, Krpata, Lacey, Martinot, Schildt, Vincent, Wrenn, and Wiblin. Noes: None. Abstain: None. Absent: None. (9-0-0-0)

**FUTURE AGENDA ITEMS AND OTHER PLANNING-RELATED EVENTS:** At the next meeting, February 5, 2020 the following items may be presented.

- 2740 and 2744 Telegraph Avenue - General Plan Re-designation and Zoning Map Amendment
- Southside EIR Project Description
- ADU Ordinance Discussion

## AGENDA ITEMS

### 9. Action: **Public Hearing: Proposed Zoning Ordinance Amendments Related to SB 234 Family Daycare Homes**

Staff reviewed the provisions of the recently enacted SB 234 Family Daycare Homes and recommended the adoption of Zoning Ordinance amendments required for compliance with state law. Zoning Ordinance amendments: 1) reduce level of discretion 2) expand districts

where permitted use is allowed 3) update the Family Daycare Home definition and 4) update spelling for consistency with state law.

Motion/Second/Carried (Wiblin/Kapla) to close the public hearing on the proposed Zoning Ordinance amendments related to SB 234 Family Daycare Homes.

Ayes: Beach, Kapla, Krpata, Lacey, Martinot, Schildt, Vincent, Wiblin, and Wrenn. Noes: None. Abstain: None. Absent: None. (9-0-0-0)

Motion/Second/Carried (Wiblin/Beach) to adopt the proposed Zoning Ordinance amendments for Family Daycare Homes pursuant to SB 234, with added reference to California Health and Safety Code section in the new definitions.

Ayes: Beach, Kapla, Krpata, Lacey, Schildt, Vincent, Wiblin, and Wrenn. Noes: Martinot. None. Abstain: None. Absent: None. (8-1-0-0)

**Public Comments: 0**

**10. Action: Public Hearing: Tentative Tract Map Application #8533- 1500 San Pablo Avenue**

Staff presented the Tentative Tract Map application of an entitled development located at 1500 San Pablo Avenue in the West Berkeley Plan Area. The Commission asked clarifying questions about the applicability of the Affordable Housing Mitigation Fee, the Inclusionary Housing Ordinance, and State Density Bonus Law in relation to the potential conversion of the rental to ownership units. To assist in the review and understanding of future Tentative Tract Map applications, the Commission expressed an interest learning more about Regulatory Agreements administered by the Health, Housing and Community Services Department.

**Public Comments: 3**

Motion/Second/Carried (Wiblin/Kapla) to close the public hearing on the Tentative Tract Application #8533 – 1500 San Pablo Avenue.

Ayes: Beach, Kapla, Krpata, Lacey, Martinot, Schildt, Vincent, Wiblin, and Wrenn. Noes: None. Abstain: None. Absent: None. (9-0-0-0)

Motion/Second/Carried (Krpata/Kapla) to approve the Tentative Tract Map #8533 subject to the Draft Findings and Conditions (Attachment 1/ Attachment 1- Exhibit A) and requested that the Regulatory Agreement of the project be shared with the Planning Commission.

Ayes: Beach, Kapla, Krpata, Lacey, Schildt, Vincent, Wiblin, and Wrenn. Noes: Martinot. Abstain: None. Absent: None. (8-1-0-0)

**11. Action: BART Community Advisory Group (CAG)**

Planning Commission nominated and selected a commissioner to serve on the BART CAG.

**Public Comments: 4**

Motion/Second/Carried (Kapla/ Lacey) to nominate Chris Schildt to serve on the BART CAG.  
Ayes: Beach, Kapla, Krpata, Lacey, Martinot, Schildt, Vincent, Wiblin, and Wrenn. Noes:  
None. Abstain: None. Absent: None. (9-0-0-0)

**12. Action: 2020 Nominations for February Election**

Planning Commission accepted nominations for February elections.

- Chair nominations: Robb Kapla
- Vice-Chair nominations: Shane Krpata and Mary Kay Lacey

**Public Comments: 0**

**13. Discussion: Parking Maximums**

Staff shared findings on existing parking maximums and recommended that the Commission not institute maximums at this time. After a discussion about the different considerations related to the geographic location of maximums and the potential approaches based on the October 2019 Residential Parking Utilization Study, the Commission directed staff to include parking maximums in the public hearing for the meeting on March 4, 2019. During this public hearing, a parking maximum of 0.5 spaces per unit within a quarter mile of transit, applicable to duplexes and multifamily units, shall be considered along with the TDM program and parking minimums.

**Public Comments: 0**

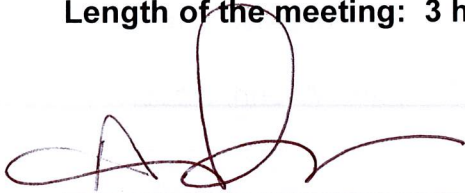
**The meeting was adjourned at 10:13pm**

**Commissioners in attendance: 9**

**Members in the public in attendance: 14**

**Public Speakers: 7 speakers**

**Length of the meeting: 3 hours and 9 minutes**



Alene Pearson  
Planning Commission Secretary

2/6/20

Date