



Planning Commission

FINAL MINUTES OF THE REGULAR PLANNING COMMISSION MEETING April 6, 2022

The meeting was called to order at 7:05 p.m.

Location: Virtual meeting via Zoom

1. ROLL CALL:

Commissioners Present: Laurie Capitelli, Barnali Ghosh, Ben Gould, Savlan Hauser (arrived at 7:30pm), Robb Kapla, Elisa Mikiten, Chip Moore, Christina Oatfield, and Alfred Twu.

Commissioner with Leave of Absence: Jeff Vincent and Brad Wiblin.

Staff Present: Secretary Steven Buckley, Clerk Zoe Covello, Alisa Shen, and Justin Horner.

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

3. **PUBLIC COMMENT PERIOD:** 3

4. **PLANNING STAFF REPORT:**

- March 15 – Worksession on the Housing Element
- March 22 – R&D Referral
- April 20 – The scheduled Special Meeting to discuss preliminary capacity analysis and potential programs and policies to be included in the Public Draft of the Housing Element has been canceled.

Information Items:

- March 15 – City Council Worksession: Housing Element
- March 17 – Local ADU Ordinance (effective date)
- March 22 – City Council Meeting: Research & Development Referral
- March 22 – City Council Referral to Map High Risk Safety Areas

Communications:

- General.
- BART.

Late Communications: *See agenda for links.*

- Supplemental Packet One

- Supplemental Packet Two
- Supplemental Packet Three

5. CHAIR REPORT:

- None.

6. COMMITTEE REPORT: Reports by Commission committees or liaisons. In addition to the items below, additional matters may be reported at the meeting.

- None.

7. APPROVAL OF MINUTES:

Motion/Second/Carried (Oatfield/Moore) to approve the Planning Commission Meeting Minutes from March 2, 2022.

Ayes: Capitelli, Moore, Kapla, Mikiten, Oatfield, Twu. Noes: None. Abstain: Gould, Ghosh. Absent: Hauser. (6-0-2-1)

8. OTHER PLANNING RELATED EVENTS:

- None.

AGENDA ITEMS

9. Public Hearing: Ashby and North Berkeley BART Station Areas: Zoning and General Plan Amendments, Joint Vision and Priorities and Final EIR

The Commission conducted a public hearing on and make a recommendation to Council regarding the adoption of an Ordinance Amending the Zoning Ordinance and Zoning Map, and a Resolution amending the General Plan; adopting a City-BART Joint Vision and Priorities document; and adopting CEQA findings, including certification of the Final EIR an adoption of the Mitigation Monitoring and Reporting Program (MMRP) and Statement of Overriding Considerations.

Motion/Second/Carried (Capitelli/Hauser) to close the public hearing at 9:20pm.

Ayes: Capitelli, Ghosh, Gould, Kapla, Hauser, Mikiten, Moore, Oatfield, and Twu. Noes: None. Abstain: None. Absent: None. (9-0-0-0)

Public Comments: 53

Motion/Second/Carried (Gould/Kapla) to certify the EIR at 10:51pm.

Ayes: Capitelli, Ghosh, Gould, Hauser, Kapla, Mikiten, Moore, Oatfield, and Twu. Noes: None. Abstain: None. Absent: None. (9-0-0-0)

Motion/Second/Carried (Gould/Kapla) to consider a set of companion recommendations for incorporation into the zoning, JVP, (future) Objective Design Standards, or other agreement between the City and BART, as appropriate, at 11:23pm.

The Planning Commission recommends that the City Council should consider inclusion of the following in the appropriate documents that they will be considering for approval including but not limited to: the proposed zoning and General Plan amendments, the City and BART Joint Vision and Priorities for Transit-Oriented Development at the Ashby and North Berkeley BART Station Areas and associated environmental review documents, and/or other documents (e.g. Requests for Qualifications, other agreements negotiated between the City and BART, Objective Design Standards):

- Establish a commitment by developer to abide by the results of the negotiation
- As part of request for public subsidy, require disclosure of the amount of public subsidy and the amount and type of affordable units and require third-party certification of that request for subsidy
- Requirement for achievement of adequate sidewalk space for the anticipated users
- Study strategies for honoring the cultural and historic resources of the Ashby and North Berkeley neighborhoods (e.g. public art, programming of public space, trees and plants) that come from working with the community
- Drop-off zone for deliveries and separate passenger pick-up and drop-off zone on site

Ayes: Capitelli, Ghosh, Gould, Hauser, Kapla, Mikiten, Moore, Oatfield, and Twu. Noes: None. Abstain: None. Absent: None. (9-0-0-0)

Motion/Second/Carried (Gould/Kapla) to recommend the adoption of EIR "Alternative 3: Increased Height" as the preferred alternative and revise the zoning and General Plan amendments to conform to Alternative 3 at 11:27pm.

Ayes: Capitelli, Ghosh, Gould, Hauser, and Twu. Noes: Kapla, Mikiten, Moore, and Oatfield. Abstain: None. Absent: None. (5-4-0-0)

10. Public Hearing: Zoning Ordinance Amendments that Address Technical Edits and Corrections to Berkeley Municipal Code (BMC) Title 23 – Package #2

The Commission conducted a public hearing on technical edits and corrections to the new Zoning Ordinance, presented by associate planner Justin Horner. Staff discussed and issued a recommendation to City Council.

Motion/Second/Carried (Oatfield/Mikiten) to close the public hearing and recommend the adoption of the amendments at 11:49pm.

Ayes: Capitelli, Ghosh, Gould, Hauser, Kapla, Mikiten, Moore, Oatfield, and Twu. Noes: None.
Abstain: None. Absent: None. (9-0-0-0)

Public Comments: 1

Members in the public in attendance: 117

Public Speakers: 53

Length of the meeting: 4 hr 46 minutes



Alene Pearson
Planning Commission Secretary