



Planning Commission

**FINAL MINUTES OF THE REGULAR PLANNING COMMISSION MEETING  
September 6, 2023**

The meeting was called to order at 5:37 p.m.

**Location:** North Berkeley Senior Center, 1901 Hearst Avenue, Berkeley, CA 94709

**1. ROLL CALL:**

**Commissioners Present:** Blaine Merker, Jeff Vincent, Christina Oatfield, Emily Marthinsen, Brandon Yung (alternate for Alfred Twu), Savlan Hauser, Tim Frank (alternate for Barnali Ghosh).

**Commissioner Absent:** Barnali Ghosh, Elisa Mikiten, Alfred Twu

**Staff Present:** Secretary Alisa Shen, Clerk Zoe Covello, Grace Wu, Ashley James, Claudia Garcia, and Justin Horner.

**2. LAND ACKNOWLEDGEMENT.**

The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Chochen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.

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

**4. PUBLIC COMMENT PERIOD:** 2

**5. PLANNING STAFF REPORT:**

- *September 11, 2023, 6-8pm* – The City will be hosting a North Berkeley BART Presentation and Open House at the Berkeley Adult School to share the City’s draft Objective Design Standards and the North Berkeley Housing Partners’ design concept for the North Berkeley BART site.
- *Gilman Gateway Rezoning Project Update* - At the end of July, Land Use Planning received a pre-application for the Berkeley Forge. The Planning Commission reviewed and provided feedback for the proposed rezoning at an EIR scoping session and follow-up meeting in February and March of this year. The Draft EIR and zoning text will be coming back to the Planning Commission for discussion and recommendation to Council once all of the technical information required to produce the Draft EIR has been provided to the City.

**Information Items:**

- *June 27, 2023* – City Council adopted the second reading of the Bird Safe Building Requirements ordinance, <https://berkeleyca.gov/sites/default/files/city-council-meetings/2023-06-27%20Annotated%20Agenda%20-%20Council.pdf>
- *July 11, 2023 & July 25, 2023* – City Council adopted the first and second readings of Zoning Ordinance Amendments to Title 23 of the BMC to Conform to State Law, and Make Non-Substantive Technical Edits
  - *First Reading:* <https://berkeleyca.gov/sites/default/files/city-council-meetings/2023-07-11%20Annotated%20Agenda%20-%20Council.pdf>
  - *Second Reading:* <https://berkeleyca.gov/sites/default/files/city-council-meetings/2023-07-25%20Annotated%20Agenda%20-%20Council.pdf>
- *July 18, 2023* – City Council held a work session for the Ashby BART Station Transit-Oriented Development (TOD), <https://berkeleyca.gov/sites/default/files/city-council-meetings/2023-07-18%20Worksession%20Annotated%20Agenda%20-%20Council.pdf>

**Communications:**

- General.

**Late Communications:** *See agenda for links.*

- Supplemental Packet One.

**6. CHAIR REPORT:**

- Chair Vincent reminded all attendees to speak loudly, requested that commenters be respectful of time allotted, and clarified that tonight is an action item – a public hearing and recommendation to Council.

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

- None.

## 8. APPROVAL OF MINUTES:

Motion/Second/Carried (Moore/Merker) to approve the Planning Commission Meeting Minutes from June 7, 2023.

Ayes: Merker, Vincent, Oatfield, Marthinsen, Moore, Yung, Hauser, Frank. Noes: None. Abstain: None. Absent: Mikiten. (8-0-0-1)

## 9. OTHER PLANNING RELATED EVENTS:

- None.

## AGENDA ITEMS

### 10. Action: Public Hearing: Southside Zoning Modification Project

Senior planner Ashley James presented the proposed zoning ordinance amendments to Title 23 and associated General Plan amendments for parcels within the Southside Plan Area. Public comment was taken, draft amendments were discussed, and a recommendation to City Council was made.

Motion/Second/Carried (Vincent/Marthinsen) to close the public hearing at 7:07pm.

Ayes: Merker, Vincent, Oatfield, Marthinsen, Moore, Yung, Hauser, Frank. Noes: None. Abstain: None. Absent: Mikiten. (8-0-0-1)

Motion/Second/Carried (Vincent/Hauser) to recommend staff's zoning text amendments, zoning map amendments, General Plan text and map amendments, and EIR addendum to City Council, and directed itself to write a letter to the City Council to accompany their recommendation at 8:23pm. The letter will address four areas:

1. A proposal from alternate Commissioner Tim Frank to add prevailing wage and apprenticeship requirement for larger projects as part of the zoning amendments;
2. A reemphasis of support from the Commission for the nexus study and other accompanying actions for funding the public realm in the Southside to support the success of this rezoning effort;
3. A reminder to the Council to consider value capture and community benefits in the adoption of these amendments, per a 2017 Council resolution; and
4. A reminder to the Council of the ambiguity of the language in the City's agreement with UC regarding master leasing of private developments.

Ayes: Merker, Vincent, Oatfield, Marthinsen, Moore, Yung, Hauser, Frank. Noes: None. Abstain: None. Absent: Mikiten. (8-0-0-1)

**Public Comments: 23**

## 11. Action: Planning Commission 2023-2024 Work Plan Subcommittee Selection

Chair Vincent shared the Planning Commission 2023-2024 Work Plan developed by the Work Plan Subcommittee of the Planning Commission. Commissioners discussed and voted on the Work Plan.

Motion/Second/Carried (Vincent/Moore) to pass the Work Plan to City Council at 8:43pm.

Ayes: Merker, Vincent, Marthinsen, Moore, Frank. Noes: None. Abstain: Oatfield and Yung.  
Absent: Hauser and Mikiten. (5-0-2-2)

### Public Comments: 0

Motion/Second/Carried (Moore/Merker) to adjourn the meeting at 8:43pm.

Ayes: Merker, Vincent, Oatfield, Marthinsen, Moore, Yung, Frank. Noes: None. Abstain: None.  
Absent: Mikiten and Hauser. (8-0-0-2)

**Members in the public in attendance: 45**

**Public Speakers: 25**

**Length of the meeting: 3 hr 5 minutes**



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Alisa Shen  
Planning Commission Secretary