

**EMERYVILLE CITY PLANNING COMMISSION  
ACTION RECAP  
REGULAR MEETING  
MAY 23, 2013**

**I. CONVENE, ROLL CALL, AND PLEDGE OF ALLEGIANCE**

The meeting was called to order at 6:30 p.m. by Chairperson Vanessa Kuemmerle. Commissioners present: Gail Donaldson, Kairee Tann, Lawrence Cardoza, and Vanessa Kuemmerle. Commissioners John Scheuerman and Steven Steinberg had excused absences. Commissioner Moss arrived at approximately 6:55 p.m.

**II. PUBLIC COMMENT – None.**

**III. ACTION RECAP – February 28, 2013**

A motion was made to approve the Action Recap.

**Moved:** Cardoza  
**Seconded:** Donaldson  
**Vote:** Ayes: Donaldson, Tann, Cardoza, Kuemmerle

**IV. DIRECTOR'S REPORT**

Director Bryant reported on actions by the City Council at their meetings in March, April, and May, since the Commission's last meeting on February 28. He noted that, on May 21, the Council approved a contract with the new City Manager, Sabrina Landreth, who will start work on June 24. He reported on items expected to be on the Commission's upcoming agendas in June, July, and August. He noted that three Commissioners' terms are expiring on June 30; Chair Kuemmerle has indicated that she will be seeking reappointment while Commissioners Scheuerman and Steinberg have indicated that they will not. The City Council is expected to hold interviews for prospective new and incumbent Commissioners on July 2, and is expected to make the appointments on July 16. Director Bryant noted that, on May 17, the City had received an award from the American Planning Association for the Pedestrian and Bicycle Plan, and that he and Commissioner Moss had attended the American Planning Association National Planning Conference in Chicago in April. He noted that the Commission bylaws call for a retreat every year in September and asked the Commissioners if they had any preferences. Chair Kuemmerle suggested a night-time bus tour to view the light level of illuminated signs, and several other Commissioners concurred in this idea.

Because Commissioner Moss was needed for a quorum for Item V.A., and he had not yet arrived, the study session item was taken out of order. Commissioner Moss arrived during the study session.

**VI. STUDY SESSION**

**A. Sign Illumination Study Session** – A Study Session on language modifications to the Planning Regulations which would limit external sign illumination levels. The Commission will consider various metrics and methods of limiting illumination.

Assistant Planner Arly Cassidy presented the staff report. The staff raised a number of issues and requested direction from the Commission.

The public comment was opened.

Kris Owens of Pacific Park Plaza commented that they were very happy with how negotiations over the Art.com sign turned out. She felt the various measurement types and metrics were confusing, and that regulations should be clearly written. She suggested that sign colors be limited, and liked the idea of a Commission tour of signs.

Public comment was closed.

Issues discussed by the Commission included:

- Whether to use luminance (light level at the source) or illuminance (light level falling on an object) to measure sign brightness.
- Whether to regulate daytime illumination as well as nighttime illumination.
- Whether to regulate sign illumination with respect to ambient light levels (yes), and if so, whether to regulate each sign in relation to the ambient light in its immediate vicinity (no), or whether to divide the city into ambient light “zones” (yes). In general, it was felt that there are at least three ambient light zones: (1) west of the railroad, (2) east of the railroad, and (3) the older residential neighborhoods (RM zone). It was also suggested that the existing nighttime ambient light levels in these areas be measured, as a basis for regulating new signs.
- What should the maximum brightness number be? It was noted that some cities set a maximum sign brightness at 500 nits for nighttime and 5,000 nits for daytime.
- Requiring signs to go dark if they malfunction.
- Using photocells to measure sign brightness.
- Requiring signs to be fixed if they cause glare or are too bright.
- The problem with the Art.com sign was light trespass, not glare. This relates to how far away signs can be seen, not necessarily how bright they are. An example was made of the Hilton Garden Inn sign, which can be seen from the Berkeley hills.
- The current code does not address LED technology and dimming.
- A sign’s legibility isn’t the same as its contrast; color variations and changes are important, and reflect a town’s character.
- A suggestion was made that future illuminated signs be limited to only white or pale yellow.
- Support was expressed for a nighttime tour of signs.

## V. PUBLIC HEARINGS

- A. **Napa Valley Linen Laundry Use (UP13-002)** – A Conditional Use Permit for a new Laundry and Dry Cleaning Services use that would occupy approximately 12,000 square feet in the newly refurbished Klinknerville industrial building at 1329 64<sup>th</sup> Street. CEQA

Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301 which applies to existing facilities; Section 15332, which applies to in-fill development projects; and the "general rule" at Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposal may have a significant effect on the environment. General Plan and Zoning Designation: Office/Technology Doyle-Hollis North (OT/DH) with North Hollis (NH) and Pedestrian Priority (PP) overlays. (Applicant: Sharon Dexmier.)(Owner: Howard Allen Trust) (APN: 49-1482-1-1).

Commissioner Donaldson announced that she was recusing herself due to a potential conflict of interest because her home is within 500 feet of the site.

Assistant Planner Arly Cassidy presented the staff report, and made an additional recommendation that all conditions requiring landscaping by the tenant be deleted, since this is already required of the building owner in a previous Design Review approval.

Sharon Dexmier, the applicant, described her business and clarified that it involved no dry cleaning and used environmentally friendly machinery and appliances.

The public hearing was opened.

Ken Bukowski of Doyle Street commented that it was a good business in a nice looking building, and he urged its approval.

Nicole Gruen of 64<sup>th</sup> Street commented that the building improvements were appreciated but that parking was tight in the area.

The public hearing was closed.

A motion was made to approve the application with the additional condition that no dry cleaning be allowed and the removal of all conditions requiring landscaping by the tenant, as recommended by staff.

**Moved:** Cardoza  
**Seconded:** Kuemmerle  
**Vote:** Ayes: Moss, Tann, Cardoza, Kuemmerle  
Recused: Donaldson  
Absent: Scheuerman, Steinberg

## **VII. COMMISSIONERS COMMENTS**

Commissioner Tann noted that she would be absent from next month's meeting.

## **VIII. ADJOURNMENT – 7:46 p.m.**