

EMERYVILLE CITY PLANNING COMMISSION

ACTION RECAP

MARCH 26, 2009

I. CONVENE, ROLL CALL, AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:30 p.m. by Chair Donaldson. Commissioners present: Arthur Hoff, Lawrence Cardoza, Frank Flores, Patricia Jeffery, Gail Donaldson, John Scheuerman and Jim Martin.

II. PUBLIC COMMENT – None

III. ACTION RECAP – February 26, 2009

Motion to approve the Action Recap was made by Commissioner Cardoza and seconded by Commissioner Scheuerman. After corrections were made, the Action Recap was approved.

Vote: Ayes: Hoff, Cardoza, Flores, Donaldson, Scheuerman, Martin
Abstained: Jeffery

IV. DIRECTOR'S REPORT

Director Bryant was on vacation. Miroo Desai, Senior Planner, presented the report in his absence.

At the March 3 City Council meeting, the Council authorized Public Works to advertise for bids for the temporary police headquarters at 64th and Christie that the Commission approved at the last meeting, as well as renovation of the existing building on Powell Street. The Council also approved designation of the Housing Committee as the Complete Count Committee for the 2010 Census with Buzz Cardoza as chair.

On March 17, the Council had a study session on SB 375, the law that mandates regional land use and transportation plans to reduce greenhouse gas emissions. A study session at the Planning Commission is tentatively scheduled for the May meeting. The Council heard an update on the I-80 pedestrian-bicycle bridge and gave direction on the various bridge location and approach options. They approved the annual Housing Element implementation report that the Commission reviewed at the last meeting; it will now be sent to HCD. On the consent calendar, the Council received a status report on the "Best Practices Report" prepared by Nelson\Nygaard for the Alternative Transportation Study. Finally, the Council heard the appeal of Elevation 22 residents of the Planning Commission's January 22 approval of the Emery Station Greenway project, and directed staff to bring back revised conditions to address noise, light from windows, and responsiveness to neighbors' complaints. They also directed that an agreement with Wareham be drafted with similar conditions for the previously approved Emery Station East project across the street. This is expected to be brought back to the Council on April 7.

The General Plan update schedule has been pushed back a month because of the time required to publish the EIR. Ms. Desai reviewed next steps for the General Plan Update and Housing Element Update.

Five proposals were received in response to the RFP for the Parks and Recreation Strategic Plan. The ad hoc committee reviewed the proposals and narrowed the list to three firms to interview. The committee interviewed the three finalists on March 18 and selected MIG. Staff is now negotiating a final scope of work with MIG. The committee will then review the work scope before taking a contract to the City Council for approval.

Construction has begun on the Pixar Phase II building across the street that the Commission

approved in December, and that the Council approved in January. Construction is expected to last about two years and be completed by winter-spring 2011. There will be about six weeks of pile driving in May and June, limited to 8 am to 5 pm. Pixar is requesting a noise waiver from the City Council to drive piles on Saturdays, thereby shortening this activity by a week. The Council will consider this request on April 21.

Ms. Desai reminded the Commission that there will be a special meeting before the next regular meeting, at 4:30 p.m. on Thursday, April 23, in the Council Chambers, for the state-mandated 2-hour ethics training refresher course. She also reminded them that their Statements of Economic Interest (Form 700) are due April 1.

V. PUBLIC HEARINGS

- A. Icon@Park (PU02-18, DR02-6, VAR02-5)**- A request to modify a condition of approval regarding change in use of ground floor café space to a live-work unit for a residential project approved by the Planning Commission on December 12, 2002. This project included a conditional use permit, design review and height variance for 43 residential units, 11 live-work unit and a 1,400 square foot café space. CEQA Status: A Mitigated Negative Declaration was adopted on December 12, 2002; the proposed request for modification does not pose any new circumstances that would require any further environmental review of the project. General Plan Designation: Industrial (I) Zoning Classification: Light-Industrial (I-L) and Park Avenue Overlay District (P-A) (Applicant: Prometheus Real Estate Group, Inc.) (Owner: Emeryville Homes LLC) (APN: 49-617-15-1)

Senior Planner, Miroo Desai, made the staff presentation.

Applicant, Michael Ducote with Prometheus Real Estate Group, Inc., spoke briefly. He discussed, in further detail, their plans for the project.

The public hearing was opened. There was no one wishing to speak, the public hearing was closed.

The Commissioners discussed the viability of the proposed space for the fitness center.

A motion was made to approve the request for this project.

Moved: Flores
Seconded: Jeffery
Vote: Ayes: Flores, Jeffery, Martin, Donaldson, Hoff, Cardoza, Scheuerman

- B. 5701 Hollis Use Permit (UP08-11/DR08-23/VAR08-03)** – A Conditional Use Permit and Design Review to allow office, laboratory and other commercial uses in an existing approximately 11,300 square foot building located at 5701 Hollis Street. The project also includes a parking variance. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301 which applies to minor modifications to existing structures. General Plan Designation: Mixed Use (M-U) and Open Space (O-S); Zoning Classification: Mixed Use (M-U), Outdoor Recreation (O-R), and North Hollis Overlay District (N-H) (Applicant: James Goring) (Owner: 5701 Hollis Street, LLC) (APN: (APNs: 49-1318-3; -8; and -9)

Senior Planner, Miroo Desai, made the staff presentation.

The applicant, Jim Goring, made a PowerPoint presentation and answered questions from the Commissioners regarding uses, fencing, parking and possible mechanical equipment noise.

Commissioner Jeffery requested an additional condition be added regarding possible mechanical equipment noise.

The public hearing was opened. There was no one wishing to speak, the public hearing was closed.

Commissioners expressed concerns with the parking and trash storage. It was recommended there be a designated place to store trash and that the area should be designed to adequately screen it from the Greenway.

A motion was made to approve the Conditional Use Permit and Design Review for the 5701 Hollis project with the added conditions.

Moved: Donaldson
Seconded: Martin
Vote: Ayes: Flores, Jeffery, Martin, Donaldson, Hoff, Cardoza, Scheuerman

There was a break at 7:45 and the meeting reconvened at 7:52.

- C. Internet Café, 5880 Doyle Street (UP09-2/DR09-02)** – A Conditional Use Permit and Design Review to convert an existing residence into a live-work unit. The “work” component is proposed to be an Internet café. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301 which applies to minor modifications to existing structures. General Plan Designation: Mixed Use (M-U); Zoning Classification: Mixed Use (M-U) and North Hollis Overlay District (N-H) (Applicant: Kava Massih Architects) (Owner: Kenneth C. Bukowski) (APN: 49-1330-13)

Senior Planner, Miroo Desai, presented the staff report and staff recommended approval of this project subject to the conditions of approval.

Applicant, Ken Bukowski, spoke briefly regarding the proposed project.

The public hearing was opened.

M. McBride, neighbor, expressed concerns regarding safety issues. Jason Barisit, neighbor, expressed similar concerns regarding safety and stated additional lighting should be provided by the applicant to address some of these safety concerns.

Other neighbors, Andre Carpieux and Bernadette Geuy expressed concerns regarding this project. Mr. Carpieux requested the Commission deny the request of the applicant.

The public hearing was closed.

Commissioner Martin said he thinks the project is a great idea. However, he has concerns regarding the lack of parking and landscaping in front of the building. He suggested a planting strip along the left side of the building and that the planters at the south west corner are maintained.

Mr. Adams from Kava Massih Architects spoke briefly.

A motion was made to approve a Conditional Use Permit and Design Review for the project at 5880 Doyle Street, with conditions as amended.

Moved: Martin
Seconded: Hoff
Vote: Ayes: Flores, Jeffery, Martin, Donaldson, Hoff, Cardoza, Scheuerman

VI. COMMISSIONERS COMMENTS

Commissioner Donaldson said she was disappointed with the new billboard near the Powell Street Plaza.

Assistant City Attorney, Michael Guina, said there was an agreement between the owners, Clear Channel, and the City of Emeryville which approved the sign in 2008. The information was provided to the Commissioners. The agreement included a 15 year extension to display a sign at this location and the removal of the Ambassador Laundry sign.

Commissioner Flores commented on a new zoning designation in Oakland, Work/Live, which means the projects would be predominately work spaces with the smaller spaces allocated to the live portion. He suggested the City might look into this new zoning designation.

VII. ADJOURNMENT – The meeting was adjourned at 8:52 p.m.