

**EMERYVILLE CITY PLANNING COMMISSION
ACTION RECAP
September 22, 2016**

I. CONVENE AND ROLL CALL

The meeting was called to order at 6:50 p.m. by Chair, Steven Keller. Commissioners present: Lawrence Cardoza, Philip Banta, Linda Barrera and John Bauters. Commissioners Donaldson and Kang had excused absences.

II. SWEARING IN OF NEW COMMISSIONER

New Commissioner, Linda Barrera, was sworn in by City Clerk, Sheri Hartz.

III. PUBLIC COMMENT

Emeryville resident, Brian Donahue, stated the majority of residents wanted the proposed Sherwin Williams project area for a public park. He said this is the most affordable spot and asked the Commission why this could not be done.

The public comment period was closed.

IV. ACTION RECAP – August 25, 2106

A motion was made to approve the Action Recap.

Moved: Bauters
Seconded: Cardoza
Vote: Ayes: Banta, Keller, Cardoza, Bauters
Abstained: Barrera
Absent: Donaldson, Kang

V. DIRECTOR'S REPORT

Director Bryant reported on recent City Council actions and noted that there would be a public event to announce receipt of a \$25,000 grant at the Halleck Beach Dog Park on Saturday, October 1. (The event was subsequently cancelled.)

VI. DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS

Commissioner Bauters was recused from the Sherwin Williams project due to the proximity of his residence. Commissioners Cardoza, Banta and Barrera each said they had met with the developer, Kevin Ma, for the Sherwin Williams project. Commissioner Cardoza also said he met with the developer and new architect for the fourplex project on 64th Street, which is not on tonight's agenda.

VII. PUBLIC HEARINGS

A. **Sherwin Williams Development Project (PUD13-001)** - Consideration of a recommendation to the City Council on a proposed Planned Unit Development (PUD) zoning designation and a Preliminary Development Plan to redevelop the former Sherwin

Williams paint factory site and adjacent City-owned parcel, including reuse of an existing 74,000 square foot significant structure for office use, construction of five new buildings that will accommodate approximately 500 dwelling units and a minimum of 2,000 square feet of commercial/ retail space, and development of approximately 3 acres of public open space. The proposal also includes a General Plan Amendment to modify the Land Use Diagram (Figure 2-2) to reflect the proposed relocation of Park/Open Space and Mixed Use with Residential on the site, and to modify the Maximum Residential Densities map (Figure 2-6) to be consistent with the Land Use Diagram. CEQA Status: An Environmental Impact Report was prepared for the project and certified by the Emeryville City Council on September 6, 2016. As part of its action of the project, the Commission will consider a recommendation to the City Council on CEQA findings, a Mitigation Monitoring and Reporting Program, and a Statement of Overriding Considerations to address the significant unavoidable adverse impacts of the project. General Plan Land Use Classification: Mixed Use with Residential and Park/Open Space; Zoning District: current: Mixed Use with Residential (MUR) and Park/Open Space (PO) with Park Avenue District Overlay (P-A); proposed: Planned Unit Development (PUD) with Park Avenue District Overlay (P-A). (Applicant: LMC Emeryville I Investor LLC)(Owners: SWACE, LLC, c/o The Sherwin-Williams Company and City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency) (APNs: 49-1041-26-15 and -16)

Commissioner Bauters was recused due to a possible conflict of interest.

Senior Planner. Miroo Desai, made the staff presentation and stated she was available to answer questions. She noted that staff had provided the Commission with a memo of recommended modifications to the PUD resolution, conditions of approval and Mitigation Monitoring and Reporting Program. Also, Catherine Firpo, Economic Development Housing Coordinator, was available to respond to questions regarding housing.

Project developer, Kevin Ma, introduced the architect, Ron Masters and thanked the staff for all of their work on this project. They discussed the site plan and open space. They also responded to questions from the Commission.

The public hearing was opened.

Mike McConnell, 1500 Park Avenue, a member of the neighborhood Park Avenue Residents Committee (PARC), expressed the Committee's appreciation for the developer meeting with them to discuss what would work for this project. The meetings were very meaningful. He also thanked the Planning Commission for allowing them with the time to keep working on the EIR in order to achieve a great project.

Brian Donahue, Emeryville resident, said the City was going backwards in the park area. There is a problem with traffic, noise pollution and having to give up the bicycle boulevard for this project. He said a lot is being given up for a project that is not needed.

Paul Germain, a member of PARC, expressed appreciation for the process and the resulting project. He said there is a need for a public parking policy for the neighborhood and they did not get home ownership with this project. He thanked the other members of PARC who were in the audience.

Tim Curran, Horton Street resident, said there is confusion regarding parking and that street parking will be an issue.

John Bauters, Emeryville resident, thanked all the speakers before him and Commissioner Banta for working on a vision that is unique and iconic for the City,

connecting the bicycle boulevard to public mass transit, and creating livable space for children. He suggested making the pass through wider than 16 feet.

Tyler Evje, Emeryville resident, said this is a great project and there is a laundry list of things that the community will benefit from.

Brian Donahue requested an additional minute to speak since Paul Germain got an extra minute. He discussed the ABAG housing allocations.

The public hearing was closed.

There was a break from 8:43 p.m. to 8:50 p.m.

Following Commission deliberations, a motion was made to approve the resolution applying the EIR to the project and making required CEQA findings.

Moved: Cardoza
Seconded: Banta
Vote: Ayes: Barrera, Banta, Cardoza, Keller
Absent: Donaldson, Kang

A motion was made to approve the resolution recommending that the City Council approve the General Plan amendment for the project.

Moved: Barrera
Seconded: Keller
Vote: Ayes: Barrera, Banta, Cardoza, Keller
Absent: Donaldson, Kang

A motion was made to approve the resolution recommending that the City Council approve the Sherwin Williams Project (PUD13-001) with the modifications to the resolution, conditions of approval, and Mitigation Monitoring and Reporting Program recommended by staff, and an additional modification to Condition II.L that the "pass through" alley in Building 1-31 shall be a minimum of 24 feet rather than 16 feet.

Moved: Cardoza
Seconded: Banta
Vote: Ayes: Barrera, Banta, Cardoza, Keller
Absent: Donaldson, Kang

IX. COMMISSIONERS COMMENTS

Commissioner Barrera thanked the Commission for the warm welcome. She stated she has been an Emeryville resident for a couple of years and is very happy to be here. She also said she has served on a number of the City's committees since moving here and is looking forward to working with the Commission.

The Commissioners thanked her for her input in tonight's meeting and said she had some very good questions regarding affordable housing.

Commissioner Bauters wanted to know when a meeting could be scheduled to go over the Sign Ordinance. Assistant City Attorney, Andrea Visveshwara, stated the Council had quite a few pressing issues to consider and that this meeting would have to be scheduled sometime in the

coming year. Chair Keller requested that staff provide a report at the next meeting as to when it will be on the agenda and said he would like to see it by February or March.

X. ADJOURNMENT – The meeting was adjourned at 9:20 p.m.

THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, OCTOBER 27, 2016 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL 1333 PARK AVENUE, EMERYVILLE, CA 94608.