

**EMERYVILLE CITY PLANNING COMMISSION
ACTION RECAP
REGULAR MEETING
FEBRUARY 25, 2010**

I. CONVENE, ROLL CALL, AND PLEDGE OF ALLEGIANCE

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

II. PUBLIC COMMENT - None

III. ACTION RECAP – December 10, 2009

Commissioner Cardoza moved approval of the Action Recap, seconded by Commissioner Scheuerman. Commissioner Donaldson abstained. Action Recap was approved without exception.

IV. DIRECTORS REPORT

Director Bryant reported on recent actions of the City Council. On February 2, they approved a contract with CRW for the "TRAKiT" planning and building permit tracking system, and amended the Master Fee Schedule to add a new Technology Fee of 0.1% of construction valuation on building permits to pay for the system. They also passed a motion ordering that the Planning Commission's January 28 vote on the Transit Center stand appealed. The appeal hearing was held on February 16, at which time the Council approved the project 4-1, with Councilmember West voting no.

The Zoning Update Steering Committee continues to work on the new Zoning Ordinance. The last meeting was February 23, at which the design guidelines were reviewed. The next meeting is March 23, at which sign regulations and the bonus point system will again be discussed. The Steering Committee approved a tentative schedule for completion of the project, which calls for distribution of the entire draft zoning ordinance and design guidelines in August, discussion in September, and a joint meeting of the Planning Commission and City Council in October.

Staff has approved the Design Review application for the new Target store in the former Expo Design Center building. The ball is now in Oakland's court to issue the building permit and oversee the construction process. The store is expected to open in July 2011.

A community meeting on the I-80 Pedestrian/Bicycle Bridge was held last night in the Council Chambers. There was a very good turnout, with a presentation followed by "vote by dots". There was almost unanimous agreement that "Alignment 3" is the preferred option. This is the more northerly alignment that will provide for a viewing platform with panoramic views of the bay and access to a future park as called for in the General Plan. The project schedule calls for a Planning Commission study session in July.

There is a community meeting going on right now at ABAG headquarters in downtown Oakland for a new "Gateway Park" at the east end of the Bay Bridge. The Mayor, Associate Planner Diana Keena, and perhaps others, are there to represent Emeryville. The General Plan calls for a trail to be developed next to the shoreline to connect the Bay Trail north of Powell Street to the Bay Bridge, which would provide access to this park from Emeryville.

V. PUBLIC HEARINGS

- A. **AC Transit Hydrogen Fueling Station Time Extension (UP08-09; DR08-20)** – Request for a one year extension of a Conditional Use Permit and Design Review for a proposed hydrogen fueling station at AC Transit's Emeryville bus maintenance facility to fuel zero-emission cars and buses, in part utilizing power derived from solar-powered, renewable energy. The project is an extension of AC Transit's hydrogen fuel cell demonstration program. The bus facility is bounded by 47th, Doyle, and 45th Streets and properties fronting on San Pablo Avenue. The station would include a fueling facility inside the yard for zero-emission buses, and one along 45th Street for a limited number of zero-emission cars. CEQA Status: AC Transit, as lead agency, has determined that this project is exempt from environmental review under State CEQA Guidelines Section 15303 which applies to small, new structures. General Plan and Zoning Designation: Public/Park. (Owner/Applicant: AC Transit) (APNs: 49-1178-3, 49-1179-1, and 49-1180-1). The project was approved by the Planning Commission on January 22, 2009.

Miroo Desai, Senior Planner, made the staff presentation with staff's recommendation for approval.

Applicant, Jamie Levin, made a brief presentation. He said they would be generating a portion of the fuel. He said the transportation of hydrogen is as safe as gas and other fuels. He also said there would not be any on-site reforming, which means zero emissions for Emeryville.

The public hearing was opened. There was on one wishing to speak, the public hearing was closed.

Motion: To approve the request for a one year extension of the Conditional Use Permit and Design Review for AC Transit Hydrogen Fueling Station.

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

- B. **Allegro Ballroom Expansion (UP10-01/DR10-02)** – A Conditional Use Permit and Design Review to expand the Allegro Ballroom dance hall use into the warehouse space adjacent to the existing use at 5855 Christie Avenue. The current space is 7,398 square feet and includes offices, bathrooms, a small stage and a reception desk, as well as one large and two small ballrooms. The expansion would add 8,795 square feet of space, which would consist of a large ballroom, two storage rooms, an office and a coat room. CEQA Status: This project is exempt from environmental review under the "general rule" at State CEQA Guidelines 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: Mixed Use with Residential (MUR). (Applicant: Allegro Dancers, Inc.) (Owner: BRE Properties/Harvest Properties) (APN: 49-1494-3-2)

Assistant Planner, Arly Cassidy, made the staff presentation with staff's recommendation for approval. She also stated that a petition with over 500 signatures had been received requesting the approval of the expansion. A copy of the petition was given to the Commission.

Architect, Bill Coburn, representing the owners, spoke briefly. He said the site is slated for future development. However, they need the space now to accommodate their clients.

The public hearing was opened.

Virginia Leon-Guerrero, president of Allegro Ballroom, requested approval of the expansion request because the classes have outgrown the space.

The public hearing was closed.

Commissioner Scheuerman said it is a very good business and good for the community.

Motion: To approve the request for the Allegro Ballroom Expansion (UP10-01/DR10-02)

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

- C. Time Extension for Planning Permits** – Consideration of an interim ordinance allowing the expiration date of planning permits to be extended to a total of five years from the date of final approval on a case-by-case basis. CEQA Status: This proposal is exempt from environmental review under the “general rule” at State CEQA Guidelines 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.

Planning Director, Charles Bryant, made the staff presentation. Staff recommended the Commission approve the resolution and forward it to the City Council with a recommendation for adoption.

Motion: To approve the interim ordinance for Time Extensions for Planning Permits with the Commission’s recommendation to the City Council for adoption.

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

VI. ADMINISTRATIVE ITEMS

- A. Housing Element Progress Report** - Review of the annual progress report on implementation of the Housing Element of the General Plan in Calendar Year 2009, for submittal to the State of California Housing and Community Development Department.

Amy Hiestand, Community Economic Development Coordinator, made the staff presentation. She requested comments from the Commission and for their approval to forward to the City Council for adoption.

Motion: To forward the Housing Element Progress Report to the City Council for adoption.

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

- B. Pedestrian and Bicycle Plan** - Consideration of draft Request for Proposals for preparation of a new Pedestrian and Bicycle Plan.

Deborah Diamond, General Plan Update Project Manager, made the staff presentation. Staff requested the Commission discuss the RFP and recommend adoption to the City Council.

Commissioner Hoff said he felt the requirement of having to actually ride every street in the City was excessive.

Commissioner Cardoza said he disagreed with Commissioner Hoff and said he would personally escort people around the city if necessary. He also said he was recommending the plan include standards for sidewalks.

It was also suggested that the RFP include a list of approved projects such as the Marketplace, Emery Station Greenway, and Emery Station West. Commissioner Donaldson said she would provide the names of some additional firms to receive the RFP.

Motion: To forward the RFP for a Pedestrian and Bicycle Plan to the City Council for approval with the inclusion of Commissioners comments.

Moved: Scheuerman
Seconded: Donaldson
Vote: Ayes: Donaldson, Hoff, Cardoza, Scheuerman

VII. COMMISSIONERS COMMENTS - None

VIII. ADJOURNMENT – The meeting was adjourned at 7:49 p.m.