

**EMERYVILLE CITY PLANNING COMMISSION  
ACTION RECAP  
REGULAR MEETING  
APRIL 22, 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, John Scheuerman, Frank Flores and Patricia Jeffery. Excused absence: Commissioner Jim Martin.

**II. PUBLIC COMMENT - None**

**III. ACTION RECAP – February 25, 2009**

After correction by Commissioner Scheuerman, he moved approval of the Action Recap and the motion was seconded by Commissioner Donaldson. Commissioners Jeffery and Flores abstained. Action Recap was approved without exception.

**IV. DIRECTORS REPORT**

Director Bryant reported on recent City Council/Redevelopment Agency actions, noting that there had been four Council/Agency meetings since the last Planning Commission meeting in February.

On March 2, the Council approved a noise waiver to allow 24-hour work between Sunday, March 7 and Friday, March 12 at the Starbucks in the East BayBridge Shopping Center to facilitate internal remodeling. The Council also approved an urgency interim ordinance establishing a temporary moratorium on the establishment of firearms and ammunition retailers, and introduced an ordinance stipulating licensing regulations. The moratorium was extended to a total of one year at the April 6 Council meeting.

On March 16, the Council approved the annual progress report on implementation of the Housing Element, for submittal to the State Housing and Community Development Department. They also considered the second reading of the ordinance stipulating licensing regulations for firearms and ammunition retailers that was introduced at the March 2 meeting. Following testimony from almost 50 speakers (both for and against the ordinance), the Council decided to modify it slightly, which required a new first reading. Final passage occurred at the April 6 Council meeting. The Council introduced an amendment to the Urban Forestry Ordinance that, among other things, requires Planning Commission approval of all tree removal permits and sets forth submittal requirements for planning permit applications regarding tree information that must be provided. Final passage occurred at the April 6 Council meeting. The Council introduced 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. Final passage occurred at the April 6 Council meeting. The Council heard a status report on the noise waiver that they granted on December 15, 2009 for Saturday construction at the Pixar Phase II building between December 19, 2009 and June 19, 2010. This was in response complaints on two separate Saturdays, both from the same individual. After reviewing the information, the Council unanimously decided not to direct staff to prepare a resolution to revoke the noise waiver. The Council approved a Request for Proposals (RFP) to prepare a Pedestrian and Bicycle Plan and instructed staff to move forward on issuing the RFP and selecting a consultant to recommend for Council approval.

On April 6, the Redevelopment Agency considered the I-80 Pedestrian/Bicycle Bridge. Following the community meeting on February 24 and the unanimous recommendation from the bridge

committee on March 8, the Redevelopment Agency directed staff and the consultants to focus on Alignment #3 and eliminated the other two alignments. Alignment #3 is the more northerly alignment that allows for a variety of bridge designs and includes a viewing platform on the west side overlooking the Bay.

On April 20, the Council considered an extension of the planning permits for the Ocean Lofts project at 1258 Ocean Avenue until April 2011. (This is enabled by the new interim ordinance on planning permit extensions, since the project was originally approved three years ago.) The Council indicated that they would like the existing, blighted, house demolished, but staff noted that the ordinance precludes this because the demolition permit cannot be issued until the building permit for the replacement building is ready to issue. Council continued the item and directed staff to develop a code amendment to allow demolition of the existing house.

The Zoning Update Steering Committee continues to work on the new Zoning Ordinance. The last meeting was March 29, at which sign regulations and the bonus point system were again discussed. There is no meeting in April; the next meeting is scheduled for May 25, at which parking and design guidelines will be reviewed.

The City's operating budget for the next two fiscal years is being developed. All departments have been directed to reduce spending because of the gap between revenues and expenditures. The Planning and Building Department is proposing to eliminate an intern position and charge more staff time to the General Plan Maintenance Fund. As of now, the Planning Commission compensation of \$100 per month, for those who choose to receive it, is still intact. The City Council is scheduled to adopt the budget on June 1.

Director Bryant reported that he recently attended the American Planning Association National Planning Conference in New Orleans. Keynote speakers were Senator Mary Landrieu of Louisiana, and HUD Secretary Shaun Donovan. There were many interesting sessions and mobile workshops, especially focusing on post-Katrina recovery. There will be a more detailed discussion in the Planning and Building Department's April progress report.

## V. STUDY SESSION

- A. **Parks and Recreation Strategic Plan - Site Programming** – Study session to review status of Parks and Recreation Strategic Plan to implement General Plan Parks, Open Space, Public Facilities and Services policies, and to discuss which recreational activities should be supported in which existing and future parks and recreational facilities. CEQA Status: The Parks and Recreation Strategic Plan is covered by the Environmental Impact Report for the General Plan that was certified by the City Council on October 13, 2009.

Diana Keena, Associate Planner, made the staff presentation.

Ryan Matau of MIG made a PowerPoint presentation.

### **Public Comments**

John Nemecek, former Emeryville resident and property owner, wanted to know what the timeframe was for the development of the North Hollis park?

Commissioner Hoff said his understanding is that it is a 20 year plan.

Commissioner Jeffery said it was the consensus of the General Plan Committee that looking into the future, the city is underserved by open space. She said that extensive research and outreach had been done to find out what the citizens wanted.

Larry Farb, a commercial property owner in Emeryville asked if specific sites have been designated for the parks that are indicated by green circles.

Commissioner Hoff responded "no".

Joseph Sevier of 4550 San Pablo, with the Living Hope Christian Center, commended the plan and asked if there was anything they could do to assist them.

Lauren Westreich, property owner at 1450 –63<sup>rd</sup> Street said the parcel is designated as a park and there are real people living in the circles and squares designated on their map. She suggested looking at developing existing sites rather than destroying or displacing people.

Scott Robinson said he owns the commercial property located at 6200 Hollis Street. The business that leases the property is Gasket Specialties. Their lease is up in August. However, they are not renewing the lease because of down zoning. No one will rent the property because they will be afraid it will be condemned.

Lloyd Kinoshita, resident at 1001 – 46<sup>th</sup> Street, said he supports what Commissioner Flores said. They need to see what's working and what's not. They need to explore different ideas as to who will be using the park.

Commissioner Scheuerman said it was an excellent format. It is really important to tie in with the Bicycle/Pedestrian Plan. He would like to see Site J moved to the Sherwin Williams site. More emphasis should be put on games when looking at potential sites. He likes the idea of a skate park and dog park.

Planning Director Bryant commented on Site J. He said the open space that is shown on the General Plan map indicates there is already ample open space on the Sherwin Williams site without moving Site J. Site J is intended to reflect the "central park" for Park Avenue as shown in the Park Avenue District Plan.

Commissioner Flores said he understands that these plans are very general and it is a great start and good document. He said the connection is very important. Accessibility and lighting encourages use. Likes the "off leash" dog areas.

## VI. PUBLIC HEARINGS

- A. **Fire Station #2 (UP10-02/DR10-07)** – A Conditional Use Permit and Design Review to rebuild the City of Emeryville's Fire Station #2, located at 6303 Hollis Street. The new building will be a total of 12,930 square feet. The first floor will include a public lobby, classroom, offices and a day room, as well as three apparatus bays. The second floor will consist of bunk rooms and a workout space. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15333 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 Designation: Public with Neighborhood Retail Overlay; Zoning District: Public (PUB) with Neighborhood Retail Overlay (NR) and North-Hollis Overlay (N-H). (Applicant/Owner: City of Emeryville) (APN: 49-1487-2-2)

This item has been continued.

- B. **Firearms and Ammunition Ordinance (ORD10-01)** – Planning Commission consideration of a Zoning Ordinance amendment to the Emeryville Municipal Code adding Article 69 to Chapter 4 of Title 9 concerning sale of firearms and ammunition and making related modifications to the Zoning Ordinance at Chapter 4 of Title 9 and to the Interim Zoning Regulations at Chapter 6 of Title 9. This ordinance would apply city-wide. CEQA Status: This proposal is exempt from environmental review under 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.

Senior Planner, Miroo Desai, presented the staff report.

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

Motion: To approve the Firearms and Ammunition Ordinance and forward to the City Council for adoption.

**Moved:** Cardoza

**Seconded:** Flores

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

**VII. COMMISSIONERS COMMENTS - None**

**VIII. ADJOURNMENT** – The meeting was adjourned at 8:30 p.m.

**THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, MAY 27, 2010 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608**