

**EMERYVILLE CITY PLANNING COMMISSION  
ACTION RECAP  
REGULAR MEETING  
MAY 26, 2011**

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

The meeting was called to order at 6:30 p.m. by Frank Flores, Chairperson. Commissioners present: Gail Donaldson, Steven Steinberg, Lawrence Cardoza, Arthur Hoff, Frank Flores, Vanessa Kuemmerle and John Scheuerman.

**II. PUBLIC COMMENT - None**

**III. ACTION RECAP – March 24, 2011**

A motion was made for approval of the action recap of April 28, 2011.

**Moved:** Cardoza  
**Seconded:** Flores  
**Vote:** Ayes: Steinberg, Flores, Hoff, Cardoza, Donaldson, Kuemmerle, Scheuerman

**IV. DIRECTORS REPORT**

Director Bryant reported on the recent City Council decisions on appeals of Commission actions at the March 24 meeting. On May 17, the Council unanimously approved TMG's application for a new entrance canopy and three new signs at the Emeryville Public Market, which had been denied by the Commission. The project was redesigned in response to the Commission's comments, and the design approved by the Council incorporated the Commission's suggestions. At a special meeting on May 19, the Council unanimously approved the Escuela Bilingüe project, which the Commission had approved unanimously and was appealed by three 45<sup>th</sup> Street neighbors. The Council's approval included four new conditions: (1) Pick-up and drop-off traffic will be re-routed to 47<sup>th</sup> Street; (2) Design of the mid-block path will be approved by the Planning Commission, and the Council can require the installation of gates in the future if security becomes an issue. (3) The school will prepare and implement a TDM plan to educate parents and staff to use arterial streets and not drive through the Triangle neighborhood, and to encourage the use of carpools, vanpools, transit, bicycling, and walking. (4) Additional bike racks are to be provided at a ratio of one space per eight students.

Director Bryant then reported on other recent Council actions. On May 3, the Council approved renewal of the cabaret permit for Kitty's Bar, but only for Saturdays and Sundays between 4 pm and 8 pm to allow for special parties and events. This was memorialized in a resolution passed on May 17. Kitty's has been sold and the new owners will take over July 1, without a cabaret permit, but with a jukebox. The Council reviewed the draft Sustainable Transportation Plan and made comments. At the Mayor's request the plan will be referred to BPAC and the Transportation Committee before being revised and brought back to the Commission for consideration. The Council heard an update on the I-80 Integrated Corridor Mobility Project to electronically monitor and control traffic flow on I-80 through detector loops, video cameras, and electronic signage. The Council passed an ordinance that was introduced on April 5 to require replacement of sewer laterals. The Council passed an ordinance that was introduced on April 5 to regulate mobile food vendors, non-food vendors, and farmers markets. At the request of Councilmember Bukowski, the Council discussed the procedures for appealing Planning Commission decisions to the City Council and decided to make no changes.

On May 17 the Redevelopment Agency approved acquisition of the property at 1025 W. MacArthur Blvd. that was previously part of the MacArthur-San Pablo Mixed Use Project, which has gone into foreclosure. The Agency previously acquired the portion of the site fronting San Pablo Avenue, so now will own the entire site and intends to develop an affordable housing project. The Council approved the General Plan and Housing Element Annual Report on the Consent Calendar; the report was submitted to OPR and HCD on May 24. The Council authorized the removal of 14 trees behind the Civic Center that are diseased; a Bay Friendly Demonstration Garden will be planted in their place. The Council voted to place measures on the November ballot to eliminate the cap on the business license tax and to raise the rate from 0.08% to 0.10% of gross receipts.

Staff continues to review sections of the new zoning regulations. Staff comments on the Administration chapter are being consolidated for transmittal to consultants. The next Zoning Update Steering Committee meeting is scheduled for June 28.

A Community meeting on the draft Pedestrian and Bicycle Plan was held at the middle school last Saturday, May 21. About 25-30 people reviewed the consultant recommendations and provided very useful feedback. The plan will now be finalized for consideration by the Commission and Council in the coming months.

A Community meeting on the Emeryville Center for the Arts is scheduled for next Tuesday, May 31, from 6 to 8 pm in the Council Chambers. The latest version of plans will be presented and discussed. A Planning Commission study session is scheduled for the next meeting on June 23, and a hearing on approval of the Use Permit and Design Review is scheduled for the September Commission meeting.

## V. STUDY SESSION

- A. **Powell-Stanford Greenway** – A study session on the conceptual design for a Greenway segment between the Powell/Hollis corner and the Stanford/Peladeau corner. CEQA Status: The project is covered by the Negative Declaration for the North Hollis Area Urban Design Program adopted by the City Council on April 16, 2002, which includes the Greenway from Stanford Avenue north. General Plan Designation: Park/Open Space; Zoning Classification: Park/Open Space (POS) and North Hollis overlay District (N-H). Applicant/Owner: Emeryville Redevelopment Agency. (APN: 49-1318-8 and 9)

Amber Evans, Community Economic Development Coordinator, made a PowerPoint presentation.

### Commissioners Comments

Commissioner Kuemmerle said she was excited about the project. She likes the seating and festoon lighting. She also likes the dog friendly aspect of the Greenway. She prefers Option A.

Commissioner Steinberg said he likes both Option A and B.

Commissioner Hoff preferred Option A.

Commissioner Scheuerman likes the festoon lighting. He said the lights should be larger than Christmas lights. He prefers Option A.

Commissioner Donaldson said she likes the pass through corridor and the visibility it offers. She would feel comfortable using it. She also likes the open seating area. Her preference is Option A.

Commissioner Cardoza said he is concerned with the lack of a clear connection to the crosswalk at the north east end. He likes Option A.

Chair Flores said the two ends are the ones that will be utilized the most. He likes the open lawn for a dog park. He said synthetic grass works better for dog clean up. He thinks people are just going to pass through the area and not stay. He wanted to make sure the two Aspen trees remain. He also suggested inviting the City Council to the next neighborhood meeting. His preference is Option B.

## VI. PUBLIC HEARINGS

- A. Bullseye Glass (UPDR11-001)** – A Conditional Use Permit and Design Review to refurbish and reuse an existing 11,627 square foot building at 4514 Hollis Street. The use will include artisanal glass sales and warehousing, as well as classroom and showroom space, with a new main entrance and canopy, and parking in a side lot off of Hollis Street. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15303(c), New Construction or Conversion of Small Structures, which applies to projects consisting of the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. General Plan Designation: Mixed Use with Residential (MUR); Zoning Designation: Mixed Use with Residential (MUR) and Park Avenue (P-A) Overlay. (Applicant: Kava Massih Architects) (Owner: Howard F. Robinson) (APN: 49-1041-12-2)

Assistant Planner, Arly Cassidy, presented the staff report with staff's recommendation for approval.

Mark Schlientz with Kava Massih Architects said they were not planning to replace the windows. He said the roll-up door is being replaced. This will be the main entrance and canopied. The canopy is steel framing with wood underneath.

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

Commissioner Scheuerman wanted an added Condition to state that "all of the glass on Hollis street will be transparent".

Commissioner Donaldson requested taller plantings in front of building.

The materials of the canopy are to be looked at and approved by the Planning Director

A motion was made to approve the Conditional Use Permit and Design Review for Bullseye Glass (UP/DR11-001) with the above added conditions.

**Moved:** Cardoza

**Seconded:** Hoff

**Vote:** Ayes: Kuemmerle, Steinberg, Hoff, Flores, Cardoza, Donaldson, Scheuerman

- B. Pak N Save Upgrade (DR11-007)** – A Major Sign Permit and Minor Design Review for eight replacement signs and one new sign, and a refurbished front with two entrances at the existing Pak N Save grocery store at 3889 San Pablo Avenue. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15311(a) which applies to accessory structures including on-premise signs and Section 15301 which applies to minor alterations to existing facilities. General Plan and Zoning Designation: Mixed Use with Residential (MUR) and Neighborhood Retail Overlay (NR). (Applicant: Safeway Inc.). (Owner: Catellus Finance 1, LLC). (APN: 49-619-6).

Arly Cassidy, Assistant Planner, made the staff presentation. Staff recommended approval.

Jason Gomes with Safeway, Inc. responded to questions. He suggested reducing Safeway's share of providing a walkway to \$10,000 and have other businesses share the cost.

Commissioner Hoff said the Credit Union sign is completely out of context with the other signs. He thinks it is an eyesore. He suggested the applicant lower the sign.

Commissioner Kuemmerle said the shopping carts are supposed to be behind the cinderblock wall. However, the carts are not behind the wall. She said there needs to be more places to sit while waiting for a cab or bus.

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

The following amendments to the conditions of approval were agreed to by the Commission:

- The two large Eucalyptus trees at the southeast corner of the parking lot shall be preserved.
- The \$25,000 contribution towards the San Pablo Avenue crosswalk may be by cash or bond, as determined acceptable by the City Attorney.
- The credit union sign shall be redesigned for staff approval and shall not be a cabinet sign.
- Customer bicycle parking shall be provided near the entrances.
- The illumination of the Hollis Street sign may remain as it currently is.

A motion was made to approve the Design Review for the Park N Save Upgrade (DR11-007) with the above added conditions.

**Moved:** Flores  
**Seconded:** Scheuerman  
**Vote:** Ayes: Donaldson, Hoff, Kuemmerle, Scheuerman, Steinberg, Cardoza, Flores

- C. **Interim Zoning Regulations Amendments for Personal Services and Light Wholesaling and Distribution** – Consideration of amending Section 9-6.303 of the Interim Zoning Regulations at Chapter 6 of Title 9 of the Emeryville Municipal Code to designate Personal Services as a permitted use in the MUR Mixed Use with Residential and MUN Mixed Use with Non-Residential zoning districts, and to designate Light Wholesaling and Distribution as a conditionally permitted use in the MUR Mixed Use with Residential zoning district. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA does not apply to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Director Bryant made the staff presentation.

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

Motion: To approve the staff recommendation.

**Moved:** Donaldson  
**Seconded:** Kuemmerle  
**Vote:** Ayes: Donaldson, Hoff, Kuemmerle, Scheuerman, Steinberg, Cardoza, Flores

- D. **Amendments to the Municipal Code Related to Demolition of Residential Structures and Significant Structures** – Consideration of amending Section 9-4.67.8 of Chapter 4 of Title 9 of the Emeryville Municipal Code regarding findings for the demolition of significant structures, and Sections 8-1.04(l) and 8-1.04(m) of Chapter 1 of Title 8 of the Emeryville Municipal Code regarding the timing of the issuance of demolition permits for residential structures and significant structures, respectively. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA does not apply to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Director Bryant made the staff presentation.

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

Motion: To approve the staff recommendation.

**Moved:** Hoff  
**Seconded:** Cardoza  
**Vote:** Ayes: Donaldson, Hoff, Kuemmerle, Scheuerman, Steinberg, Cardoza, Flores

VII. **COMMISSIONERS COMMENTS** - None

VIII. **ADJOURNMENT** – 10:19 p.m.

**THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, JUNE 23, 2011 AT 6:30 P.M.  
IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608**

