

**EMERYVILLE CITY PLANNING COMMISSION
ACTION RECAP
REGULAR MEETING
AUGUST 25, 2011**

I. CONVENE, ROLL CALL, AND PLEDGE OF ALLEGIANCE

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

II. PUBLIC COMMENT - None

III. ACTION RECAPS

A. Special Meeting of July 18, 2011

A motion was made to approve the action recap of July 18, 2011.

Moved: Scheuerman
Seconded: Kuemmerle
Vote: Ayes: Scheuerman, Kuemmerle, Donaldson
Abstained: Cardoza, Steinberg

B. Regular Meeting of July 28, 2011

A motion was made to approve the action recap of July 28, 2011.

Moved: Scheuerman
Seconded: Kuemmerle
Vote: Ayes: Donaldson, Scheuerman, Kuemmerle, Cardoza,
Abstained: Steinberg

IV. DIRECTORS REPORT

Director Bryant reported on recent City Council/Community Development Commission meetings. On July 9, the City Council held a special meeting and amended their calendar of regular meetings to add a regular meeting on Monday, August 8. (The previously scheduled regular meeting of August 2 was cancelled earlier this year.) At the regular meeting on August 8, the Council passed a number of resolutions related to a ballot measure related to how the City contracts for City Attorney services. This measure will appear on the ballot on November 8, 2011.

At the regular meeting on August 16, the Council approved the necessary findings and approved the demolition of the Golden Gate Lock and Key Building at 3706 San Pablo Avenue. The vote was 3-1; Vice Mayor West voted "no" and Mayor Davis was absent. The Council also approved a "parklet" in the street in front of Farley's Café on 65th Street. This proposal had previously been approved by the Transportation Committee, and is being processed administratively as a sidewalk café permit. The State Supreme Court has agreed to hear the California Redevelopment Association and League of California Cities lawsuit against the two bills that eliminate redevelopment and allow agencies to stay in business if they make "voluntary" payments, and has stayed certain provisions of those bills. Consequently, several items on the August 16 agenda related to redevelopment were continued until the court case is settled, which will occur by January 15.

At a special meeting on August 25, the Community Development Commission passed a resolution adopting an "Enforceable Obligations Payment Schedule" for the Redevelopment Agency. This allows the Agency to continue paying bills until the court case is settled. It was at first thought that the Supreme Court stay precluded this from being necessary, but that was later clarified to indicate that it is still necessary and must be done before the next regular Council meeting.

Staff continues to review sections of the new zoning regulations. The Steering Committee met on Tuesday, August 23, and reviewed the Dimensional, Intensity, and Density Standards, including the "point" system for bonus height, floor area ratio, and residential density in code format. At the next meeting on September 27, the Committee will provide comments, and hopefully tentative approval, of the new use classification system and the matrix indicating what uses are permitted, conditionally permitted, or prohibited in each zone. Staff is also working on a detailed outline of the entire code, which will be used by Dyett and Bhatia as the framework for putting the whole thing together.

In cooperation with the Chamber of Commerce, Emeryville Center for the Arts, and Bank of Alameda, the City is planning a festival to celebrate the completion of the Park Avenue improvements. It is scheduled for Thursday, September 15, from 5:30 to 8:30 pm, in conjunction with a Chamber of Commerce "mixer".

Lawrence Berkeley National Laboratory has held a series of community meetings in the cities that have responded to their RFP for a second campus. The community meeting for Emeryville was held on Monday, August 8, at the Hilton Garden Inn. The purpose of the meeting was to show community support for the proposal to locate the second campus in Emeryville. The Mayor and City Manager spoke, and comments were also made by a number of department heads, including the Planning and Building Director.

Director Bryant announced that there will be a community workshop on the Center of Community Life at Anna Yates Elementary School this Saturday, August 27 from 9:30 a.m. to 12:30 p.m. and distributed fliers to the Commission.

Director Bryant noted that updated versions of the Planning Regulations and General Plan had been placed on the dais for the Commissioners to have.

V. STUDY SESSION

- A. **Self Storage at 4000 Adeline (UPDR11-002)** – A Study Session on a proposal to remodel and reuse an existing 28,800 square foot building for self storage and a corner retail space at 4000 Adeline Street. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15332 which applies to in-fill development projects. General Plan and Zoning Designation: Mixed Use with Residential (MUR). (Applicant: Kava Massih Architects) (Owner: Jane Foley Investments, LLC/Silva Trust) (APNs: 49-1022-4)

Assistant Planner, Arly Cassidy, made the staff presentation and requested direction from the Commission.

Business owner, Lester Schwartz and wife, Linda, discussed their application, along with updated plans. Architect, Kava Massih, spoke briefly and said there had not been much change to the elevations. There was considerable discussion regarding the windows, and the possibility of having a small garden in the space along Adeline Street adjacent to the potential retail or café space.

The public hearing was opened.

Cynthia Carpenter, resident of 1007 – 41st Street and president of the Green City Lofts homeowners association, spoke briefly. Her major concerns were the height of the parapet wall, the fencing, and the proposed blue color for the building. However, she said she thinks this is a good use for the property and a good addition to the neighborhood.

The public hearing was closed.

The Commissioners said they like the idea of using a portion of this space for a café or a UPS store, because it would provide life for the street. Some of the Commissioners said they had spoken with some the people in the area and they had expressed interest in having a café there. The Commissioners feel the building will be beautiful after it is restored and would like the applicant to use subtle signage. The signs should be lit from behind, thereby protecting the neighbors from excessive bright light. The Commissioners felt the proposal was a good use for the building and that the proposed public benefits justify the FAR bonus.

VI. PUBLIC HEARING

- A. Uniform Advantage Sign (SIGN11-012)** – A Major Sign Permit to allow one new wall sign facing toward Interstate 80 on the western wall of the Powell Street Plaza building at 5717 Christie 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. General Plan and Zoning Designation: Mixed Use with Residential (MUR) and Regional Retail overlay (RR) (Applicant: JSJ Electrical Display) (Owner: Regency Centers) (APN: 49-1515-8-1, -9, -11-7, -11-14, -12-5)

This item was removed from the Agenda at the applicant's request.

- B. Art.com Signs (SIGN11-013)** – A Major Sign Permit to allow two new signs facing north and south near the top of the high-rise building at 2100 Powell Street. 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. General Plan Designation: Mixed Use with Non-residential (MUN); Zoning Designation: Planned Unit Development - Office (PUD). (Applicant: Young Electric Sign Company/Tom Anderson.) (Owner: Hines REIT Watergate) (APN: 49-1495-9)

Assistant Planner, Arly Cassidy, presented the staff report, with staff recommending approval.

Applicant, Tom Anderson, made a brief presentation, showing the capabilities of the LED signs. The signs can change colors, switch on and off and display holiday specific messages/animation.

Commissioner Kuemmerle asked if they had anything a little more subtle than the Coke sign they presently have displayed and if they are dimmable. The applicant they do have more subtle signs and they are dimmable.

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

Some of the Commissioners commented that there was concern with the lights having a "Casino" atmosphere, and if the signs changed to reflect the different holidays, it would be very distracting. Some of the Commissioners liked the changing colors and felt that the lighting could be done without being a distraction. They suggested limiting the number of times per year the lights could be changed to multicolor.

Planning Director Bryant said the number of times the lighting would be changed to multicolor could be regulated by being incorporated into the Conditions of Approval, and suggested four 24 hour periods per year.

A motion was made to approve the Art.com sign (SIGN11-013) permit with the added condition as suggested by Director Bryant.

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

VII. COMMISSIONERS COMMENTS - None

VIII. ADJOURNMENT – 8:25 p.m.

THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, SEPTEMBER 22, 2011 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, and 1333 PARK AVENUE, EMERYVILLE, CA 94608