

**EMERYVILLE CITY PLANNING COMMISSION
ACTION RECAP
SPECIAL MEETING
NOVEMBER 19, 2012**

I. CONVENE, ROLL CALL, AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:00 p.m. by Chairperson Vanessa Kuemmerle. Commissioners present: Lawrence Cardoza, Gail Donaldson, Steven Steinberg, Sean Moss, John Scheuerman and Vanessa Kuemmerle. Commissioner Kairee Tann had an excused absence.

II. PUBLIC COMMENT

Brian Donahue commented on the Panera Bakery. He stated that after the extensive and detailed new General Plan was completed, he was very disappointed to see the City allow Panera Bakery to obtain a permit. There is nothing unique about the bakery and feels the Commissioners and Planning Director ignored the General Plan in approving this project. He said approximately 4 million dollars was spent on the General Plan. Supposedly the new bakery would provide jobs for Emeryville residents. However, they pay only \$8.05 per hour with no benefits. He questioned the ability of anyone living in Emeryville to exist on \$8.05 per hour. He said in the future, hopefully the Planning Commission will be more diligent in approving projects and adhere to the General Plan.

III. PUBLIC HEARING

- A. Art.com Roof Sign (SIGN11-013)** – Consideration of an amendment to the existing Art.com sign permit previously approved by the Planning Commission on February 23, 2012 pertaining to conditions limiting the night time operation of the north facing sign. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301 which applies to the minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that pre-existing. General Plan Designation: Mixed Use with Non-residential (MUN). Zoning Designation: Planned Unit Development (PUD). (Applicant: Art.com.) (Owner: Hines REIT Watergate.) (APN: 49-1495-9).

Outside Counsel for Art.com said they have met with the residents of Pacific Park Plaza twice and have reached an agreement regarding the Art.com sign. They are satisfied with the compromise and thanked the staff for working with them. They have agreed to adjust the lights at sunset and sunrise and having the lighting gold colored during nighttime hours. They are requesting approval of the amended Conditions of Approval.

The public hearing was opened.

Kris Owens, resident of Pacific Park Plaza, read a letter from Laurie Karzen on behalf of the resident of Pacific Park Plaza stating they have agreed with Art.com on the resolution of the Art.com sign's brightness and thanked the City staff for working with them to reach this agreement.

Paul Gebhardt, resident of Pacific Park Plaza, said he has not agreed to the colors that have been proposed for the sign. The colors that are presented need to be discussed.

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

Chair Kuemmerle said she wanted to include standards for the South side sign in the Conditions of Approval. After discussion, it was determined that this was not before the Commission.

The Commissioners said they were glad that an agreement has been reached regarding the north side lighting.

A motion was made to approve the amendment to the existing permit and conditions of approval with regards to the sign on the north side.

Moved: Steinberg
Seconded: Scheuerman
Vote: Ayes: Moss, Steinberg, Kuemmerle, Cardoza, Donaldson, Scheuerman
Absent: Tann

IV. STUDY SESSION

- A. **Emeryville Center for Community Life (ECCL) (UPDR12-001)** – A study session on a proposal to redevelop the Emery Secondary School site to accommodate an approximately 115,100 square foot multi-story multi-use facility on a site of about 7.6 acres bounded by San Pablo Avenue on the east, 47th Street on the south, 53rd Street on the north, and Emery Bay Village on the west. The proposal will co-locate the elementary and secondary schools and accommodate the City's community services and recreation programs. The campus will be built in two phases and will be operated jointly by the Emery Unified School District and the City of Emeryville. The project will require Design Review and a Conditional Use Permit for height over 30 feet. CEQA Status: Initial Study/Mitigated Negative Declaration is currently under preparation by the Emery Unified School District as lead agency. General Plan and Zoning Designation: Public (P)/Neighborhood Retail Overlay (NR); (Owner/Applicant: Emery Unified School District) (APN: 49-1181-1, 49-1182-15-8, 13-1182-5-3, -8-4, and 23-4)

Senior Planner, Miroo Desai, presented the staff report and requested the Commission to provide comments regarding design, the community wall concept and any other issues that need resolving.

Commissioner Moss wanted to know what extent the public library going to be made available to the public.

Debbra Lindo, Superintendent of the Emeryville Unified School District, spoke briefly. She said they are very excited about the project. She stated the District has a very tight budget and the Federal Government is helping to make this project possible. She also said that safety is clearly an area of concern and there have been thirteen meetings where this concern has been discussed.

Steven Bingler, representing Nexus Partners, made a presentation. He stated his firm does work all over the country and this is the most advanced and community based quality project that he has ever seen.

The public comment period was opened.

Scott Donahue, resident of Emeryville, said there was less space for the students at this proposed facility.

Jac Asher expressed concerns with the amount of open space. She felt that there is not enough space for the students. They also need stroller parking for Kinder Buddies and a bike path behind the site.

Brian Donahue, resident of Emeryville, said he is also concerned by the lack of space for the students. He stated the State's minimum standards are not being met for this new project. He said there are parents who don't understand why Anna Yates is closing. Anna Yates School does meet the State standards. He questioned the closing of the school to build a school that does not meet the State standards.

Josh Simon, School Board member, said the new project offers more space than Anna Yates and is better. He said all of the school programs will be brought up to scale.

T. Smith, community member, said she is concerned with the windows in the senior building. They are secure, but they need windows that can be opened.

The public comment period was closed.

Chair Kuemmerle wanted to know how far off was this project in complying with the minimum State standards.

Roy Miller, School District Architect, said they will make sure the requirements are met. The state guidelines are not mandatory and are oriented to suburban schools with lots of land.

Commissioner Steinberg said they should be exceeding the minimum standards and that greater building density should be provided to create more open space.

The landscape architect said they are trying to be creative with the play structures where both the children and adults can use the space.

Commissioner Cardoza said he feels they have done a wonderful job architecturally with the planned project, but he is not pleased with the design of the building. He is concerned with the trade offs being made, the finishes and lack of space.

Commissioner Steinberg said he is concerned with the building's lack of identification. There is nothing about the building that says "school". He also said a walking path has to be provided.

Chair Kuemmerle said she likes the multi-purpose play structures. She would like to see as many windows as possible. She said keep the colors clean – less is more. She is a little disappointed with the aesthetics.

Commissioner Donaldson said she has concerns with the space and that the athletic spaces don't work well.

Commissioner Steinberg wanted to know what impact this project would have on the community. He questioned the spaces for buses to drop off and pick up passengers. He said this is too ambitious of a project and too crowded. He is concerned with issues spilling out into the community.

Commissioner Moss said San Pablo Avenue elevations are lacking. The building does not look like it is facing the street, it looks like a box. He is also concerned with the outdoor space for high school students. The pedestrian path is critical. He said that in moving forward, he would hope that the project is equally driven by the needs of the students and also the community.

V. COMMISSIONERS COMMENTS – None

VI. ADJOURNMENT – The meeting was adjourned at 10:05 p.m.

THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, DECEMBER 13, 2012 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.