

**EMERYVILLE CITY PLANNING COMMISSION
ACTION RECAP
REGULAR MEETING
JUNE 27, 2013**

I. CONVENE, ROLL CALL, AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:30 p.m. by Chairperson Vanessa Kuemmerle. Commissioners present: Gail Donaldson, Sean Moss, John Scheuerman, Steven Steinberg, Lawrence Cardoza, and Vanessa Kuemmerle. Commissioner Kairee Tann had an excused absence.

II. PUBLIC COMMENT – None.

III. ACTION RECAP – February 28, 2013

A motion was made to approve the Action Recap.

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

IV. DIRECTOR'S REPORT

The new City Manager, Sabrina Landreth, introduced herself to the Commission, who welcomed her to Emeryville. Director Bryant reported on actions by the City Council at their meetings in June. He noted that the City Council would be holding interviews of the 13 applicants for the three Planning Commission vacancies at special meetings on July 2 and 16. Since the new Commissioners are not expected to be seated until September, Director Bryant asked the Commission if they wished to postpone the election of officers, which usually occurs in July, to the September meeting, and the Commission agreed to do so. He noted that the consensus of the Commission from previous discussions seemed to be that the annual retreat should be a night-time tour of sign illumination, and the Commission confirmed this. Although the Commission bylaws say that the retreat is supposed to occur in September, he noted that it does not get dark until late in September, and suggested postponing the retreat until November, after daylight saving time ends, and the Commission agreed to this. Finally, Director Bryant reminded the Commission about the Summer Concert Series, the first of which would be at the Marina on July 4.

V. PUBLIC HEARINGS

- A. Shell Gas Station Rebuild (UPDR13-002)** – A Conditional Use Permit for an existing Service Station use on a site of approximately one-half acre on the corner of Frontage Road and Powell Street, and Design Review for a redesigned site plan. The existing facility will be demolished and will be replaced with a new facility to include a 2,700 square foot convenience store, ten pumping stations, a drive-through car wash, new landscaping, and amenities for Bay Trail users. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15302, which applies to replacement or reconstruction of facilities; Section 15332, which applies to 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 and Zoning Designation: Mixed Use with Non-Residential (MUN) with Regional Retail (RR) overlay. (Applicant: M I Architects, Inc.)(Owner: AU Energy LLC) (APN: 49-1495-1-12).

Assistant Planner Arly Cassidy presented the staff report, and answered clarifying questions from the Commissioners.

Muthana Ibrahim, the applicant, gave the following responses to Commissioners' questions:

- Most gas stations have cameras, and staying open 24/7 is safer, as it provides eyes on the street.
- The transaction window is for emergencies such as when someone calls in sick.
- Cars could be parked alongside the front planter.
- Construction will take three months.
- There is enough space for circulation between the carwash exit, store parking and fueling.
- Gas stations that put the store in front lose business.
- Moving the store toward Powell Street does not work; the canopy needs to be visible.
- The planter at the corner could be widened to enclose the bicycle amenities.
- The driveways are wide to enable gasoline trucks to enter and exit.
- The store is 15 feet tall. The 2,500 square feet are needed to justify a store.
- The LED lights for prices could be dimmable.

The public hearing was opened. No public comments were received. The public hearing was closed.

A motion was made to approve the application with the following additional conditions:

- Limiting the monument sign to no more than 6 feet tall, and the same proportions as the proposed sign.
- A "trail crossing" stencil on the driveway for cars exiting, and pedestrian-bicycle crossing signs for drivers entering from Frontage Road.
- LED lights dimmable and dimmed to Director's satisfaction if complaints are received.
- Loop and carwash signs backlit.
- Maximum possible addition of square feet to landscaping at the corner, wrapping around the bench and fix-it station area.
- Replacing the crape myrtle trees with another kind of tree.
- Bay Trail sign saying rest room is open to Bay Trail users.
- Landscape plan revised to the satisfaction of the Planning Director in consultation with Commissioners Kuemmerle and Donaldson.

Moved: Kuemmerle

Seconded: Donaldson

Vote: Ayes: Donaldson, Moss, Scheurman, Steinberg, Cardoza, Kuemmerle
Absent: Tann

- B. Family Friendly Residential Section of Design Guidelines** – Consideration of new and revised provisions of the Emeryville Design Guidelines regarding Family Friendly Residential buildings. The section addresses site design for play areas, teen spaces, visual privacy, bicycle parking, and transition between units and open space. Unit design provisions include views of play areas, adequate dining areas, separation of bedrooms from living areas, space that can change use, and infant and toddler safety. CEQA Status: This project is exempt from environmental review under the "general rule" at Section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that the proposal may have a significant effect on the environment.

Associate Planner Diana Keena presented the staff report, recommended addition of a requirement for a community multipurpose room for projects with 30 or more units, responded to written comments from Commissioner Tann, and recommended two additions in response to those comments – mentioning window locks and clarifying that sometimes bedrooms can be separated.

The public hearing was opened.

Michael Pyatok, the architect who designed one of the affordable family housing projects analyzed in the City's study of successful projects, suggested that the City ask Ron Bedford at the U.S. Department of Housing and Urban Development (HUD) to comment on the example desirable and undesirable unit plans. Mr. Pyatok said he could comment further after the 3706 San Pablo Avenue developer selection process is over, as his team is a finalist for that project.

The public hearing was closed.

The Commissioners discussed the following changes to the guidelines:

- Changing Guideline J-32 to three or more bedrooms.
- Clarifying Guideline J-25 by adding "maximize views of the street from the interiors of units while minimizing views into units from the street".
- Moving Guidelines J-37 and J-39 regarding visual privacy and transition space to the general residential section.
- Replacing the Elevation 22 walkway photo with one from Blue Star Corner.
- Replacing the Andante corner treatment photo.
- Adding to Guideline J-40 "surpass the building code requirements for soundproofing".
- Adding the community multipurpose room and window locks.

The Commission continued the item to a future date to allow staff to seek review from Mr. Bedford at HUD as suggested by Mr. Pyatok.

VII. COMMISSIONERS COMMENTS

None.

VIII. ADJOURNMENT – 8:35 p.m.