

**EMERYVILLE CITY PLANNING COMMISSION
ACTION RECAP
January 22, 2015**

I. CONVENE, ROLL CALL, AND PLEDGE OF ALLEGIANCE

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

II. PUBLIC COMMENT

Brian Donahue said he did not think the City was living up to the Family Friendly Housing guidelines by not connecting them with affordable housing.

Jeff Johnson, business owner at 57th Street, said according to the General Plan, businesses in this area are not zoned properly. Trucks are double parked and they feel they are being forced out. They have already relocated twenty of their seventy employees to Nevada. Also, they are unable to sell their property for its value.

III. ACTION RECAP – December 11, 2014

A motion was made to approve the December 11, 2014 Action Recap.

Moved: Keller
Seconded: Donaldson
Vote: Ayes: Keller, Cardoza, Gunkel, Moss, Donaldson
Abstained: Kuemmerle
Excused: Tann

IV. DIRECTOR'S REPORT

Director Bryant reported on recent actions of the City Council. He also noted that a scoping meeting on the Sherwin Williams Project Environmental Impact Report would be held on Tuesday, January 27 at 6:30 p.m. in the Council Chambers

V. DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS

Commissioner Keller recused from Study Session Item VIII. A. due to a possible conflict of interest. Chair Moss and Commissioners Cardoza, Kuemmerle, Donaldson and Gunkel all said they had met with the Marketplace developers, but not since the last time it was on the agenda.

VI. ADMINISTRATIVE ITEM

A. General Plan Annual Progress Report - Review of the annual progress report on implementation of the General Plan, including the Housing Element, in Calendar Year 2014, for submittal to the Governor's Office of Planning and Research and the California Department of Housing and Community Development.

Associate Planner, Diana Keena, presented a portion of the staff report pertaining to the Implementation of the General Plan and Implementation of the Housing Element. Housing Coordinator, Catherine Firpo, presented the Housing Successor Annual Report and Regional Housing Needs portion of the report.

The public comment period was opened.

Brian Donahue expressed concerns with the density of projects in the City. He asked the Commission not to allow developers to tell us what the proper density should be for projects in Emeryville. He said he felt there should be a debate on what is enough and what is too much.

The public comment period was closed.

A motion was made to forward the report to the City Council for approval.

Moved: Cardoza
Seconded: Keller
Vote: Ayes: Keller, Kuemmerle, Cardoza, Moss, Donaldson, Gunkel
Excused: Tann

VII. PUBLIC HEARINGS

- A. 3706 San Pablo Avenue Affordable Housing (UPDR14-001)** – Consideration of a Conditional Use Permit and Design Review for a proposed 87-unit affordable housing development with 6,900 square feet of commercial space and 115 parking spaces in a six story structure on a site of approximately 1.12 acres on the east side of San Pablo Avenue between 37th Street and West MacArthur Boulevard. The site is partially in Oakland, and the City of Oakland has agreed that Emeryville may take the lead on all planning and building permits. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15332, which applies to infill development projects. General Plan Land Use Designation: Mixed Use with Residential, Neighborhood Retail Overlay, and Major Transit Hub. Zoning Districts: Mixed Use with Residential South (MURS), Neighborhood Retail Overlay (NR), Pedestrian Priority Overlay (PP), and Transit Hub Overlay (TH). (Applicant: EAH Housing)(Owner: City of Emeryville) (APNs: 12-951-11; 49-951-4-2, -5-1, -6-1, and -7)

Senior Planner, Miroo Desai, made the staff presentation with staff's recommendation for approval.

The applicant spoke briefly.

The public hearing was opened.

Brian Donahue, resident of Emeryville, said the site is within the transit hub area of the General Plan, and the project should therefore provide less parking. The City Council is re-vamping the bonus point system. The developers should be asked to subsidize the kind of retail that we want.

Rod Henmi of 6019 Christie spoke in favor of the project. He stated he was glad that the arcade had been removed and that the retail signs should be perpendicular to the street. He also said the vinyl windows should be black or a dark color. He said an open roof deck on the south west corner would make this a highly visible project.

Daryl Rush said he owns the building across the street, and said the proposed building is taller than he thought it would be.

Bettie Deshay, 3725 Linden Street, expressed concerns regarding privacy in her back yard. She said the street sweepers start at 3:00 a.m. She also wanted to know where the trash would be located.

Nick Nicitaras stated more parking is better. He wanted to know if parking will remain on San Pablo Avenue. Staff responded that it would.

The applicant responded to questions.

The public hearing was closed.

A motion was made to approve the project with the added conditions that:

- Interior elevations facing the courtyard shall use colors and materials of greater warmth.
- Vinyl windows shall be dark colored except that those facing the courtyard may be white if consistent with the revised colors and materials of those elevations.
- Colors of fiber cement lap siding shall have a variation similar to wood.
- The focal element of the adult lounge shall be reviewed by the Planning Director to ensure that the space is activated.
- Adequate screening between the rear garage elevation and adjacent homes shall be provided.
- Filtration planters shall either be lowered to a height appropriate for sitting, or lower non-filtration planters shall be added and/or seats shall be added to the edges of the planters.
- Four additional motorcycle spaces shall be added, which may replace one automobile parking space.

Moved: Keller

Seconded: Moss

Vote: Ayes: Keller, Kuemmerle, Cardoza, Moss, Donaldson, Gunkel
Excused: Tann

There was a break at 8:30 p.m. and the meeting re-convened at 8:43 p.m.

VIII. STUDYDY SESSIONS

- A. **Marketplace Redevelopment Project, “Parcels B and C” (FDP13-001)** – A study session to review a proposed Final Development Plan (FDP) for realignment of Shellmound Street and development of “Parcels B and C” of the Marketplace Redevelopment Project Planned Unit Development (PUD04-12) that was approved by the City Council on August 5, 2008. A four story parking structure accommodating 450 parking spaces and approximately 26,500 square feet of ground floor commercial space is proposed on “Parcel B”. Proposed development on “Parcel C” includes 35,500 square feet of ground floor grocery store, with three levels of structured parking and a 5-story residential building accommodating 75 units. CEQA Status: Environmental Impact Report for Marketplace Redevelopment Project PUD certified by City Council on January 15, 2008. General Plan Land Use Classification: Mixed Use with Residential and Major Transit Hub; Zoning District: Planned Unit Development (PUD-2) (Applicant/Owner: AG-CCRP Public Market L.P.) (APNs:49-1556-1; -2; and -3).

Commissioner Keller was recused due to a possible conflict of interest.

Senior Planner, Miroo Desai, presented the staff report. Staff is requesting the Commission to focus on the building themselves and the alignment of Shellmound Street. Staff also reiterated that all three-bedroom units are intended to be family friendly.

The architect made a PowerPoint presentation.

The public comment period was opened.

Rod Henmi, 6019 Christie, said, regarding Parcel B, the applicant should be very careful about the screen on the railroad side; this is a good start, but could be a more sophisticated design. The plaza in front of the garage building should be moved south to be opposite the Public Market instead of the office building. On Parcel C, do not allow loading on Shellmound. Perhaps the treatment on 62nd Street could be done without curbs, and just bollards. The architecture of the building should be much more modern.

Steven Keller, resident of Pacific park Plaza, said the loading should be on Shellmound Street. Otherwise back-up beepers will be incessant for residents. The eastern side and southern exposure of the parking garage building need work. The townhouses wrapping the grocery store are some of the best architecture he has seen. Deliveries should not be accessed via Christie Avenue.

Brian Donahue said he strongly recommends shopping this project around, specifically to Residents United for a Livable Emeryville (RULE). Streets should not be private. According to the City's own documents, the Housing Element and Family Friendly Guidelines, this project cannot be built.

The public comment period was closed.

Commissioner Comments

- Concerns with elevations on façade's east side on Parcel B.
- Reservations regarding the feasibility of loading for the grocery store on Parcel C.
- Suggestion to bring the trucks in on the west side of the Public Market.
- Noise will be magnified by the six story buildings.
- This is an opportunity to use structured parking – something artsy.
- Move parking closer to retail.
- Don't care for the architecture around the grocery store.
- All of the units should be facing the park.
- Using the roof space for something other than parking would make the project more attractive.
- Make sure this project does not have a "Mall" feel.
- What is the time span between B and C for completion?
- Garbage should be screened.
- Elevations of grocery store without residential should be shown, as they will not be built at the same time.
- The project needs to be family-friendly.

- B. Marketplace Redevelopment Project, "Shellmound Site" (FDP14-002)** – A study session to review a proposed Final Development Plan (FDP) for "Parcel A" ("Shellmound Site") of the Marketplace Redevelopment Project Planned Unit Development (PUD04-12) that was approved by the City Council on August 5, 2008. The project would include

approximately 185 rental apartment units, 13,500 square feet of retail space, and 240 parking spaces. The northern portion of the building would be seven stories, reaching a height of 79 feet, and the southern portion would be four stories at a height of 50 feet. The site is approximately 2.02 acres north of the Hyatt House Hotel and west of the Union Pacific railroad line. CEQA Status: Environmental Impact Report for Marketplace Redevelopment Project PUD certified by the City Council on January 15, 2008. General Plan Land Use Classification: Mixed Use with Residential and Major Transit Hub; Zoning District: Planned Unit Development (PUD-2) (Applicant: AvalonBay Communities, Inc.)(Owner: AG-CCRP Public Market L.P.) (APN: 49- 1556-3)

Miroo Desai, Senior Planner, made the staff presentation.

The applicant spoke briefly.

The public comment period was opened.

Cindi Truelove thanked the applicant for coming and talking with them and making a presentation to the Board of the Terraces. She expressed concerns with a big white roof that everyone will be looking down on.

Rod Henmi, 6019 Christie, said this is a tremendous improvement. Overall the building is quite nice. He said careful consideration should be given to clearances of the walkway.

The public comment period was closed.

Commissioner Comments

- Add bike trough on bridge stairs.
- Expressed appreciation for realigning the staircase.
- Increase windows on south side of building.
- Sign is acceptable on east side of building, if tastefully designed.
- Would rather have a wall sign as opposed to a roof sign.
- The rear of the building needs a lot of work.
- Looking to see a higher level of materials.
- Would like to see elevations in the two buildings match each other.
- The pathway to the bridge should be straighter.
- The project should include family-friendly units.

Planning Director, Charles Bryant, reminded the Commission of the adjournment deadline of 11:30 p.m. and said that, if the Commission wanted to continue the meeting past that time, a motion would have to be passed to extend the meeting.

Chair Moss made a motion to extend the meeting to midnight to allow time to complete the last item on the agenda. Commissioner Keller seconded the motion, and the motion passed without objection.

- C. Marketplace Redevelopment Project, “Theater Site” (FDP14-003)** – A study session to review a proposed Final Development Plan (FDP) for “Parcel D” (“Theater Site”) of the Marketplace Redevelopment Project Planned Unit Development (PUD04-12) that was approved by the City Council on August 5, 2008. The project would include approximately 229 rental apartment units and 302 parking spaces in a seven story structure on a site of approximately 1.79 acres on the site of the former United Artists Theater southwest of the intersection of 64th and Shellmound Streets. CEQA Status: Environmental Impact Report for Marketplace Redevelopment Project PUD certified by City Council on January 15,

2008. General Plan Land Use Classification: Mixed Use with Residential and Major Transit Hub; Zoning District: Planned Unit Development (PUD-2) (Applicant: AvalonBay Communities, Inc.)(Owner: AG-CCRP Public Market L.P.) (APN: 49-1556-1)

In the interest of time, the Commission dispensed with the staff and applicant presentations.

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

Commissioner Comments

- Courtyard active space is good.
- Townhouses should be on 64th Street, with garage entry on Market Drive.
- Location of townhouses on Market Drive and 63rd Street is good.
- Materials are nice.
- Need more family friendly units.
- Like vertical elements and architecture in general.
- Architecture is something one would expect to see in Seattle or San Francisco.
- Would like to see something other than stucco.
- Courtyard has great layout – likes how it opens up to the south.
- Unit mix – needs to have larger units.

IX. COMMISSIONERS COMMENTS - None

X. ADJOURNMENT – 11:45 p.m.

THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, FEBRUARY 26, 2015 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL 1333 PARK AVENUE, EMERYVILLE, CA 94608.