

## **PLANNING COMMISSIONERS:**

Lawrence C. (Buzz) Cardoza, Commissioner  
Frank Flores, Commissioner  
Patricia Jeffery, Commissioner  
James A. Martin, Commissioner  
John Scheuerman, Commissioner  
Arthur Hoff, Vice Chairperson  
Gail Donaldson, Chairperson

# **AGENDA EMERYVILLE CITY PLANNING COMMISSION CITY COUNCIL CHAMBERS 1333 PARK AVENUE EMERYVILLE, CALIFORNIA**

**THURSDAY APRIL 23, 2009**

**6:30 P.M.**

**A COMPLETE COPY OF THE TEXT PORTION OF THE AGENDA PACKET WILL BE AVAILABLE FOR PUBLIC VIEWING IN THE PLANNING COMMISSION OFFICE, THE POLICE STATION PUBLIC COUNTER AT 2449 POWELL STREET, 2ND FLOOR, AND GOLDEN GATE BRANCH OF THE OAKLAND PUBLIC LIBRARY, 5606 SAN PABLO AVENUE AND FOR REPRODUCTION AT: (1) ACCESS PRINT, 1306 65<sup>TH</sup> STREET; (2) PERMA COPY, 2000 POWELL STREET, SUITE 120, AND (3) KINKO=S, 5895 CHRISTIE AVENUE, FROM THE MONDAY BEFORE THE COMMISSION MEETING. THE MEETING IS SHOWN LIVE ON EMERYVILLE CABLE TELEVISION AND AGAIN AT 4:00 P.M. THE MONDAY FOLLOWING THE PLANNING COMMISSION MEETING. ALL WRITINGS THAT ARE PUBLIC RECORDS AND RELATE TO AN AGENDA ITEM BELOW WHICH ARE DISTRIBUTED TO A MAJORITY OF THE PLANNING COMMISSION (INCLUDING WRITINGS DISTRIBUTED TO A MAJORITY OF THE PLANNING COMMISSION LESS THAN 72 HOURS PRIOR TO THIS MEETING) WILL BE MADE AVAILABLE AT THE INFORMATION COUNTER, 1333 PARK AVENUE, EMERYVILLE, CA DURING NORMAL BUSINESS HOURS (9:00 A.M. TO 5:00 P.M., MONDAY THROUGH FRIDAY, EXCLUDING LEGAL HOLIDAYS).**

If you challenge the adequacy of the subject application in court, you will be limited to raising only those issues or alleged inadequacies which you presented to the Emeryville Planning Commission, orally or in writing, at or prior to the public hearing. You may not be entitled to maintain a legal action against the application unless you object to it, orally or in writing, at or prior to the public hearing.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this hearing, you should contact the office of the City Manager/City Clerk at (510) 596-4373. Notification 72 hours prior to the hearing will enable the city to make reasonable arrangements to assure accessibility to this hearing.

Persons who wish to speak on matters set for PUBLIC COMMENT will be heard when the Presiding Officer calls for comments from those persons who are in support of or in opposition thereto. After persons have spoken, the Hearing is closed and brought back to Commission level for discussion and action. There is no further comment permitted from the audience unless requested by the Commission.

- I. **CONVENE, ROLL CALL, AND PLEDGE OF ALLEGIANCE**
- II. **PUBLIC COMMENT**
- III. **ACTION RECAP – March 26, 2009**
- IV. **DIRECTOR'S REPORT**
  - A. **Quarterly Update on East BayBridge Center**
- V. **STUDY SESSIONS**
  - A. **SB 375: Regional Land Use and Transportation Planning to Reduce Greenhouse Gas Emissions** – Presentation by Ted Droettboom, Regional Planning Program Director of the Joint Policy Committee, on "Draft Policies for the Bay Area's Implementation of SB 375".
- VI. **PUBLIC HEARINGS**
  - A. **Magnolia Terraces – 4001 Adeline Street (UP05-12/DR05-13/VAR05-04)** – A request to amend a Conditional Use Permit, Design Review, and Variance for restoration of an existing fourplex previously relocated from 1077 41<sup>st</sup> Street to the northwest corner of 40<sup>th</sup> and Adeline Streets. The request is to change the use from four residential units to five independent living units for people with developmental disabilities, and to eliminate the lower level parking garage. The original permits were approved by the Planning Commission on October 27, 2005. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15303(b), which applies to new construction and conversion of small structures of up to six dwelling units in urbanized areas. General Plan Designation: Commercial (C); Zoning: General-Commercial (C-G). (Applicant: Housing Consortium of the East Bay) (Owner: Emeryville Redevelopment Agency) (APN: part of 49-1025-21-5, and all of 49-1025-26-3)
  - B. **Krubiner Pre-fabricated House, 5507 Beaudry Street (UP08-01/DR08-01/VAR08-01)** – Request for a one-year extension of a Conditional Use Permit, Design Review, and Variance to construct a 2,053 square foot single family residence on a 2,940 square foot vacant parcel. The project included a front setback variance to allow an 11 foot front setback where 18 feet is the required minimum. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15303 which applies to small, new structures. General Plan Designation: Medium Density Residential (M); Zoning Classification: Medium Density Residential (R-M). (Applicant/Owner: Seth Krubiner) (APN: 49-1313-13). The project was approved by the Planning Commission on February 28, 2008.
  - C. **Housing Element of the General Plan** – Consideration of revised Housing Element. Revisions include updated data and added information in response to the State Housing and Community Development Department (HCD) review comments. CEQA Status: A Notice of Intent to Adopt a Negative Declaration was circulated on March 20, 2009.
  - D. **Green Building and Bay-Friendly Landscaping Ordinance** – Consideration of an Ordinance adding Chapter 18 to Title 8 of the Emeryville Municipal Code entitled "Green Building and Bay-Friendly Landscaping." The ordinance will require City projects and Public-Private Partnership projects over defined thresholds to meet specific green building and sustainable landscaping standards. CEQA Status: This project is exempt from environmental review under the "General Rule" provisions at Section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that the proposed ordinance may have a significant effect on the environment and Section 15378(b)(2), which applies to general policy and procedure making.

**VII. COMMISSIONERS COMMENTS**

**VIII. ADJOURNMENT**

**THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, MAY 28, 2009 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.**