

## **PLANNING COMMISSIONERS:**

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

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

**THURSDAY SEPTEMBER 24, 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 – August 27, 2009

IV. DIRECTOR'S REPORT

V. PUBLIC HEARINGS

- A. [Pixar Animation Studios Development Agreement \(PUD03-01\)](#) – A proposal for a second amendment to the Amended and Restated Development Agreement (DA) for the Pixar Animation Studios Planned Unit Development (PUD) on a site of approximately 21 acres bounded by 45<sup>th</sup> Street to the north, commercial and parking uses fronting San Pablo Avenue to the east, Park Avenue to the south, and Hollis Street to the west. The proposed amendment would (1) allow the City the right to utilize a portion of the Cultural Arts Center Contribution to grant to a non-profit entity to be incorporated by the City which will utilize the funds to hire personnel to assist in programming and raising additional capital funds for the Cultural Arts Center and; (2) release Pixar of the obligation to sponsor a fundraising event for the Center. CEQA Status: A Mitigated Negative Declaration (MND), and Mitigation Monitoring and Reporting Program were adopted by the City Council on May 18, 2004. The subject amendment does not require further CEQA review. General Plan Designation: Commercial (C); Zoning Classification Planned Unit Development (PUD) Commercial (Applicants: Pixar Animation Studios and City of Emeryville Redevelopment Agency)(Owners: Pixar Animation Studios, ERPM, and Emeryville Redevelopment Agency) (APNs: 49-1539-1, 2, 4-2, and 5; 49-1027-37; 49-1041-59)
- B. [AMC IMAX Signs \(SA09-17\)](#) – A Major Sign Permit to allow two new tower signs at the southwest corner of the Bay Street parking garage at 5614 Bay 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 (M-U); Zoning Classification: Planned Unit Development (PUD) Mixed Use. (Applicant: Pro Ad Signs.)(Owner: Madison Marquette) (APN: 49-1039-3).

VI. COMMISSIONERS COMMENTS

VII. ADJOURNMENT

THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, OCTOBER 22, 2009 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.