



ACTION MINUTES

Planning Commission

Planning Commissioners:

Linda Barrera	Chair
D. Miguel Guerrero	Vice Chair
Gail Donaldson	Commissioner
Jonathan Hidalgo	Commissioner
Steven Keller	Commissioner
Christine Scott Thomson	Commissioner
C. Tito Young	Commissioner

REGULAR MEETING

Thursday, May 23, 2019

6:30 PM

Council Chambers

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Chair Linda Barrera.

2. ROLL CALL

Present: (7) Chair Linda Barrera
Vice Chair D. Miguel Guerrero
Planning Commissioner Gail Donaldson
Planning Commissioner Jonathan Hidalgo
Planning Commissioner Steven Keller
Planning Commissioner Christine Scott Thomson
Planning Commissioner C. Tito Young

3. PUBLIC COMMENT

Fran Quittel, Budget Advisory Committee member and long-time resident, asked the Commission to consider whether the current zoning is still relevant given the recent fires, traffic, and development that has occurred in the last couple of years.

4. APPROVAL OF ACTION MINUTES OF APRIL 25, 2019

A motion was made to approve the Action Minutes of the regular meeting of April 25, 2019.

Moved: Donaldson
Seconded: Young
Ayes: (6) Donaldson, Hidalgo, Keller, Young, Guerrero, Barrera
Noes: (0)
Abstain: (1) Thomson
Absent: (0)

A motion was made to approve the Action Minutes of the regular meeting of April 25, 2019 continuation to May 14, 2019.

Moved: Donaldson
Seconded: Guerrero
Ayes: (7) Donaldson, Hidalgo, Keller, Thomson, Young, Guerrero, Barrera
Noes: (0)
Abstain: (0)
Absent: (0)

5. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Director Bryant reported on recent City Council actions. He noted that the City Council would be appointing citizens to the various City boards and commissions, including the Planning Commission, on June 18, and that any appointees that are new to the Planning Commission would be sworn in at the regular Commission meeting on July 25, 2019.

6. DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS

None.

7. PUBLIC HEARINGS

- 7.1. **WeWork High-Rise Sign (SIGN19-007)** – Consideration of a Major Sign Permit for one high-rise identification sign at 1900 Powell Street. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15311(a) which applies to placement of on-premises signs, 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 Land Use Classification: Mixed-Use with Non-Residential; Zoning District: Planned Unit Development (PUD-1) (Applicant: WeWork) (Owner: KBS III Towers Emeryville, LLC) (APN: 49-1495-8)

Navarre Oaks, Assistant Planner, gave the staff presentation and responded to Commissioner questions. Branson Wright, WeWork, applicant, responded to Commissioner questions.

The public hearing was opened.

Finley Robbins, long-time resident, expressed concern with the global effect of LED lighting on migratory birds and insects and urged the use of warm lights.

The public hearing was closed.

A motion was made to approve the application.

Moved: Hidalgo
Seconded: Guerrero
Ayes: (7) Donaldson, Hidalgo, Keller, Thomson, Young, Guerrero, Barrera
Noes: (0)
Abstain: (0)
Absent: (0)

Chair Barrera directed that the Onni Christie Mixed Use Project study session be considered next.

8. STUDY SESSION

8.1 Onni Christie Mixed Use Project (UPDR18-003) – Second study session to review a proposed mixed use project on a 3.76-acre site at 5801-5861 Christie Avenue, including a 54-story residential tower with 638 units, a 15-story office tower with approximately 238,000 square feet of office space, about 20,000 square feet of ground floor retail space, and 1,105 parking spaces. The project will include a new half-acre public park fronting Christie Avenue and will retain the existing 87,410 square foot office building occupied by Wells Fargo Bank and other commercial tenants. The existing one-story, approximately 44,000 square foot building that is occupied by Allegro Ballroom and other commercial tenants will be demolished. CEQA Status: Environmental Impact Report being prepared. General Plan Land Use Classification: Mixed Use with Residential, Major Transit Hub, and Other Park Opportunity; Zoning District: Mixed Use with Residential (MUR), Transit Hub Overlay (TH), and Pedestrian Priority Zone (PP) (Applicant: Nathan Pitters, Onni Group) (Owner: 5801 Christie Owner LLC) (APNs: 49-1494-3-2 and -4-8)

Miroo Desai, Senior Planner, gave the staff presentation and responded to Commissioner questions.

Nathan Pitters, Onni Group, applicant; Levi Stoelting, Glotman Simpson, consulting engineers; Anthony Argyriou, GeoPacific, geotechnical engineers; Salim Narayanan, IBI Group, architects; Ben Huie Kimley Horn, transportation engineers; and Chelsea Maclean, Holland Knight Law, attorneys; presented and responded to Commissioner questions.

A break was taken at 8.23 p.m.; the meeting resumed at 8:33 p.m.

The public comment period was opened.

Fran Quittel, Budget Advisory Committee member and resident, spoke in opposition to the project and expressed concern regarding safety issues, particularly the evacuation of upper floor residents, the effect of the tide, the effect of glass glare on freeway drivers and that traffic studies need to include Uber and Lyft. She also expressed a hope that the General Plan would be updated to address further development.

Sue Kelly, Admiral Drive, stated that she would like the building prevented as it will make Emeryville look like an extension of Oakland and that many residents prefer the lovely small town. She mentioned that the reflection from a similar building in London heated the surrounding pavement to 240°F. She expressed concerns about traffic and said that skyscrapers are wonderful in large cities, not Emeryville. She said she is willing to start a grassroots movement toward stopping this building coming to Emeryville.

Paul Gerhardt, retired fire fighter and resident for many years, spoke against the project and expressed concerns for life safety issues. He also asked about the public notice for the project.

Finley Robbins, Watergate resident who has been working and living in Emeryville for over 40 years, spoke against the project, citing concerns regarding inadequate parking, the abysmal traffic, lack of consideration of the impact of large projects under construction,

along with environmental concerns in regard to natural ventilation and that the proposed building materials are not sustainable.

Ron Freund said he lives in “West Emeryville” and had spoken at the EIR scoping session. He cited climate change and the extreme height as his reasons for not supporting the project. He encouraged the developer to aspire to a higher LEED certification and suggested a special study session with independent and unbiased speakers.

Joyce Jacobson, 4 Admiral Drive, agreed with the previous speakers. She said she was pleased to hear that there will be additional traffic studies as it is a serious concern now. She expressed concern about what happens during construction with trucks potentially blocking intersections. Watergate will be a loser during construction as their only access will be blocked. She said she was heartened to hear that two of the Commissioners did not own cars.

Greg Heaton said he had lived in Emeryville for 20 years and had just moved back two years ago. He spoke in support of the project, saying that Emeryville is growing, traffic is bad regionally, and there is a need to address the housing shortage. He said this is an opportunity to put high-density housing in a transit-friendly area, and the project will enhance the viability of the Public Market. Mr. Heaton congratulated the applicant saying that change is good.

David Feder, resident of Berkeley, said he appreciates the Emery Go-Round. While he felt the project’s aesthetics were wonderful, he expressed concern for the automotive dynamic and the environmental impact.

Finley Robbins spoke again expressing environmental concerns for the proposed building materials.

John Scheuerman, Pacific Park Plaza, voiced his support for the project and seeing the guiding principles of the General Plan being realized. While building height was contentious during the General Plan update process, there is balance because of the input from many different parties for the benefit of this small area where height is allowed. Densifying the neighborhood is improving the quality of public transit and access to amenities. He said the streetscape and bike path are important, as well as an easement for bicycles and pedestrians through the Denny’s property that connects to the peninsula.

Vince Sugrue, Sheetmetal Workers Local 104 and delegate of the Alameda County Building Trades Council, spoke about the work of the Council’s education of thousands through apprenticeships. He said that this project is a great opportunity for labor standards and local workers. He said they would be working with the developer on these issues.

The public comment period was closed.

The Commissioners addressed the discussion questions posed by Ms. Desai. The Commission generally appreciated the changes in design since the last study session in December. One Commissioner had issues with the building appearance, saying that it is out of scale, and expressed concerns about the impact of the shadows it will cause, rising waters, parking, sustainability and traffic. The Commission requested shadow studies on public spaces, especially since there was a request to obtain bonus points for providing additional public open space; and a demonstration of the trade-offs that would be entailed by a restaurant/bar located on top of the residential tower. A majority of the Commissioners

agreed that the project had excess parking, supported the building being 100 per cent electric, and that the project needed to work harder to include sustainable features. One Commissioner stated that the park needs more work and needs to move away from Christie Avenue in order to be a viable recreation space, and felt that the Privately Owned Public Open Space (POPOS) as proposed would be unworkable. There was support for a sound wall along the western property line that could be used for public art, and a full-sized basketball court was suggested for the proposed POPOS area. A suggestion was also made to obtain bonus points for connecting the proposed bike path to Powell Street as well as by making public improvements to the Powell Street and Christie Avenue intersection. The Commissioners agreed that public art funds should be used on-site and that a water feature should be avoided.

Chair Barrera directed that the 40th and San Pablo Bus Hub Design be considered next.

9. ADMINISTRATIVE ITEM

- 9.1 40th Street / 40th and San Pablo Bus Hub Design (STUDY18-001)** – Consideration of a recommendation to the City Council to approve the design of 40th Street and the 40th and San Pablo Bus Hub to create bus-only lanes, a two-way bikeway on the north side of the street, bicycle-pedestrian intersection improvements, streetscaping with green infrastructure and public art opportunities, and bus stop improvements including passenger boarding areas. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301(c), which applies to minor alterations of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities; 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 Designations: Vicinity of 40th Street and San Pablo Avenue – Major Transit Hub; San Pablo Avenue – Transit Street; 40th Street – Transit Street and Class II & III Bikeway.

Diana Keena, Associate Planner, gave the staff presentation and responded to Commissioner questions.

Thomas Kronemeyer, Community Design + Architecture, and Ronald Ramos, Fehr and Peers, consultants for the project, gave a presentation and responded to Commissioner questions.

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

The Commission expressed support for the draft concept plan. A motion was made to recommend that the City Council approve it.

Moved: Keller
Seconded: Donaldson
Ayes: (7) Donaldson, Hidalgo, Keller, Thomson, Young, Guerrero, Barrera
Noes: (0)
Abstain: (0)
Absent: (0)

7. PUBLIC HEARINGS (Continued)

- 7.2 Tower Separation Requirement Amendment (ORD19-002)** – Consideration of amendments to Article 2 of Chapter 4 of the Planning Regulations concerning separation of buildings over 100 feet tall. CEQA Status: Environmental Impact Report for General Plan certified by the City Council on October 13, 2009.

Charles Bryant, Community Development Director, presented and responded to Commissioner questions.

The public hearing was opened; there was no one wishing to speak; the public hearing was closed.

Following lengthy discussion, a motion was made to recommend City Council approval of the proposed Planning Regulations amendment with the addition of the phrase “with consideration given to solar access” to the proposed finding regarding adequate tower separation.

Moved: Thomson
Seconded: Keller
Ayes: (7) Donaldson, Hidalgo, Keller, Thomson, Young, Guerrero, Barrera
Noes: (0)
Abstain: (0)
Absent: (0)

9. PLANNING COMMISSIONERS COMMENTS

Commissioner Donaldson noted that Senior Planner Miroo Desai has been honored with a special achievement award by the American Planning Association.

10. ADJOURNMENT

The meeting was adjourned at 11:25 p.m.

THE NEXT SCHEDULED REGULAR MEETING WILL BE HELD ON THURSDAY, JULY 25, 2019 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.