

**EMERYVILLE CITY PLANNING COMMISSION  
ACTION RECAP  
REGULAR MEETING  
AUGUST 26, 2010**

**I. CONVENE, ROLL CALL, AND PLEDGE OF ALLEGIANCE**

The meeting was called to order at 6:30 p.m. by Chair Frank Flores. Commissioners present: Lawrence Cardoza, Art Hoff, Gail Donaldson, John Scheuerman, Vanessa Kuemmerle, Frank Flores and Steven Steinberg.

**II. PUBLIC COMMENT**

Joe Lutz, Emeryville resident, thanked staff for their help in addressing the Trader Vic's noise issues. He stated that this project should have been reviewed by the Planning Commission and the Trader Vic's agreement should have been enforced.

**III. ACTION RECAP – July 22, 2010**

After corrections by Commissioner Scheuerman, Commissioner Cardoza moved the Action Recap be approved; the motion was seconded by Commissioner Hoff and the vote was unanimous, with Commissioner Flores abstaining.

**IV. DIRECTORS REPORT**

Director Bryant reported on recent City Council actions. On August 3, the Council held a study session on the Powell Street Urban Design Plan, and gave direction to proceed with soliciting community input through public workshops and a Planning Commission study session. The Council passed an ordinance to reduce the building permit fees for solar panel installations; a resolution amending the Master Fee Schedule to include these fees was passed August 17. The Council discussed approaches to developing a new traffic impact fee study to include all modes of travel, not just automobiles, and directed staff to develop a contract with Fehr & Peers to prepare the study. On August 17, the Council approved a BPAC/Transportation Committee recommendation for "Cross Traffic Does Not Stop" signs on bicycle boulevards at various intersections on Doyle Street and on Haruff at Horton.

The Zoning Update Steering Committee met on August 24, at which staff presented a status report including a new draft zoning map, a list of the new zones, a list of the new use classifications, and the matrix indicated what uses would be permitted or conditionally permitted in each zone.

The Planning Commission retreat is scheduled for Saturday, October 9, from 9 am to 1 pm. It will start and end at Doyle-Hollis Park, with lunch provided at the end, and will include a discussion of how the Commission can provide clearer direction to staff and applicants at study sessions. Sites to drive by or visit include AgeSong, Oak Walk, Adeline Place, Flatiron, West Elm, Doyle-Hollis Park, and in Berkeley the New California Building at University and Martin Luther King (Trader Joe's). Staff will work on an itinerary and details. Director Bryant asked the Commissioners to let him know of any additional suggestions for sites to visit in Emeryville or Berkeley.

Prior to the Public Hearing items, Chair Flores changed the order of the Agenda to allow Item C, Doyle Hollis North Area General Plan and Interim Zoning Regulations Amendments, to be heard first.

## V. PUBLIC HEARINGS

- C. **Doyle Hollis North Area General Plan and Interim Zoning Regulations Amendments** – Consideration of amendments to the General Plan and Interim Zoning Regulations regarding the “Doyle Hollis North Area” bounded by 62<sup>nd</sup>, Hollis, 64<sup>th</sup>, and Doyle Streets. The General Plan Land Use Diagram would be amended to re-designate this area from Park/Open Space to Office/Technology-Doyle Hollis North Area. The General Plan Maximum Floor Area Ratios (FAR) map would be amended to re-designate this area from an FAR of 0.5/No Bonus to an FAR of 1.0/No Bonus. The Interim Zoning Regulations in Chapter 6 of Title 9 of the Emeryville Municipal Code would be amended to allow a broader range of uses in this area consistent with the existing regulations for the OT Office/Technology zone. CEQA Status: Environmental Impact Report for General Plan certified by City Council on October 13, 2009.

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

Charles Bryant, Planning Director, presented the staff report.

The public hearing was opened.

Lauren Westreich, a business and property owner in Emeryville, thanked the city staff for all of their hard work on the General Plan and this amendment. She also urged the Planning Commission and City Council to approve these amendments.

Brian Donahue, Emeryville resident, stated a lot of work had been done to complete the new General Plan and suggested if there is a legitimate claim, let government pay for it and proceed with the park.

The public hearing was closed.

Motion: To approve the Doyle Hollis North Area General Plan and Interim Zoning Regulations Amendments.

**Moved:** Scheuerman  
**Seconded:** Hoff  
**Vote:** Ayes: Kuemmerle, Hoff, Scheuerman, Flores, Cardoza, Steinberg  
Recused: Donaldson

- A. **IKEA Warehouse (UP10-03/DR10-12)** – Application for a Conditional Use Permit and Design Review to establish a 55,400 square foot off-site warehouse at 5000 Hollis Street (Level(3) building) by IKEA to allow customers to pick up large item merchandise at this site. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301 which pertains to modifications to existing structures. General Plan Designation: Office/Technology; Zoning Designation: Office/Technology (O/T) (Applicant: IKEA Property, Inc)(Owner: BTE Equipment, LLC) (APN: 49-1041-11-4)

Miroo Desai, Senior Planner, presented the staff report. Staff recommended approval.

Public Works Director, Maurice Kaufman, responded to questions about bulb-outs, traffic video cameras, and easements.

Rob Rees of Fehr & Peers, traffic consultants, responded to questions about the traffic study.

Applicant, Douglas Greenholz, made a PowerPoint presentation. He pointed out specific issues IKEA had with the Conditions of Approval:

1. Operational review 6/12 months with ability to modify conditions.
2. Bulb outs

3. Rain Garden
4. Bicycle monitoring
5. Required easements from IKEA to City.

Mr. Greenholz and landscape architect, Andrea Kaufman, responded to questions.

The public hearing was opened.

The following people spoke in opposition to the proposed IKEA warehouse.:

Foad Satterfield, representing the Quality of Life Neighborhood Committee, Marcia DuBois, Joan Bossart, Steve Centanne, Meg Coughlin, Lynne Turner, Kimberly Satterfield, Rachel Legree, Derek Liecty, Christian Deshaves, Gillian Belcher, Ron Silberman, Daniel MacWilliam, Dusty Bernard, Charles Schuman, Jac Asher, Judy Inouye, Sile Convery, Brian Donahue, Jill Mastin, Forrest Gee and Miranda Olson.

Their major concerns were:

- Drastically reduce their quality of life
- Safety concerns for children being picked up and dropped off at child care center and Head Over Heels.
- Noise levels
- Character of neighborhood would be changed
- Use of the space
- Visibility severely affected for children and wheelchair users
- The lack of IKEA's support to the community
- The destruction of the bicycle/pedestrian boulevard
- Lower property values
- Traffic problems
- Sound walls attract graffiti
- New Target and increased size of Pixar will add to traffic and noise

One speaker, Ryan McManis, Manager of Level 3 Communications, said he supports the project.

The public hearing was closed.

#### Commissioners Comments

Commissioner Scheuerman said he did not like the project when it came before the Commission as a study session item, but now he thinks it poses a lesser threat as to what could possibly be built there. He does not think the noise level will be perceptible. The approval of this project would improve the streetscape on 53<sup>rd</sup> and bicycle traffic safety with the installation of the cameras. However he does think the Conditions of Approval should be evaluated in six and twelve months.

Commissioner Hoff said he thinks this project represents the goals of the General Plan. He thinks the project will be an asset to the city and will support it.

Commissioner Donaldson said that after looking at the traffic study and considering all of the other issues, she feels this project is not compatible with the neighborhood and would not support it at this time.

Commissioner Cardoza agreed with Commissioner Scheuerman, he would support the project and would insist on the 6/12 month Condition of Approval evaluation.

Commissioner Kuemmerle said this project is not compatible with the General Plan. She is nervous about retail in this area. She is certain this is not a secondary use and could not support the project at this time.

Commissioner Steinberg said the problem with approving this project is its incompatibility with the neighborhood. He thinks the Internet sales will increase and the traffic fraught with problems. He opposes the project.

Commissioner Flores said, he wants the city to use what it has for urban infill. He does not see any other use for this property that would produce less traffic. He does support the project.

Director Bryant suggested that the "noise mitigations" identified in Mr. Greenholz's PowerPoint presentation be added to the Conditions of Approval. He also suggested that the bulb-outs be initially installed as temporary asphalt curbs, to be evaluated as part of the 6-month compliance review to determine whether to remove them or make them permanent.

Motion: To approve the application, with the additional conditions of approval suggested by Director Bryant.

**Moved:** Hoff  
**Seconded:** Scheuerman  
**Vote:** Ayes: Flores, Cardoza, Hoff, Scheuerman  
Noes: Donaldson, Kuemmerle, Steinberg

There was an 8 minute break at 9:39 and the meeting resumed at 9:47.

- B. PRC Medical Group Use Permit (UP10-04/DR10-14)** – Application for a Conditional Use Permit and Design Review to establish medical offices in an existing 15,200 square foot building located at 1335 Stanford Avenue. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301 which pertains to modifications to existing structures. General Plan Designation: Mixed Use with Non-Residential; Mixed Use with Non-Residential (MUN) (Applicant: Kava Massih Architects; Owner: Phyllis Piepho and Miriam Flynn Trust) (APN: 49-1041-14)

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

Applicant, Brian Marley, spoke briefly. He feels they will be good neighbors and that their practice is very compatible with the area. He said they are chronic pain specialists and they have been in business since 1985.

Architect, Kava Massih, spoke briefly.

The public hearing was opened.

Ron Silberman said he is in favor of the project.

The public hearing was closed.

The Commission agreed to the following modifications to the conditions of approval: The triangular open area west of the building shall be redesigned to accommodate two disabled parking spaces which shall not extend into the public right-of-way, as many trees as possible, and an enclosed trash area. Vines or other greenery shall be added on the Spur Alley side of the new fence. No planting strip shall be required along Stanford Avenue.

Motion: To approve application, with the agreed upon modifications to the conditions of approval.

**Moved:** Donaldson  
**Seconded:** Scheuerman  
**Vote:** Ayes: Kuemmerle, Steinberg, Hoff, Flores, Donaldson, Cardoza  
Scheuerman

## VI. STUDY SESSIONS

- A. **64<sup>th</sup> and Christie Residential Building (FDP08-02)** – A Study Session to review a Final Development Plan for a 190-unit, 5-story residential building located at the southeast corner of 64<sup>th</sup> Street and Christie Avenue. This building is part of Phase I of the Marketplace Redevelopment Project Planned Unit Development (PUD) that was approved by the City Council on August 5, 2008. CEQA Status: Environmental Impact Report for Marketplace Redevelopment Project PUD certified by City Council on January 15, 2008. General Plan Designation: Mixed Use with Residential; Zoning Designation: Planned Unit Development (PUD) Mixed Use. (Applicant: TMG Partners) (Owner: Rockwood Christie LLC) (49-1492-6-1; 49-1492-8)

Commissioners Donaldson and Scheuerman were recused due to a possible conflict of interest.

Miroo Desai, Senior Planner, presented the staff report.

Architect Rob Zirkle started with his presentation.

Chair Flores called for a motion at 11:25 p.m. to continue the meeting after 11:30 p.m. By unanimous consent, the meeting was continued.

The applicant continued with his presentation. Jeff Miller, landscape architect, spoke briefly, focusing on wider sidewalks and improved landscaping.

Arnold Mammarella of Origins Design Network, design review consultants to the City, discussed their recommendations in five areas:

- Courtyard environment
- Private balconies and community terraces
- Park-to-courtyard visual connection
- Street level units and related sidewalks and façade issues on Christie side
- Building design, 64<sup>th</sup> and Christie corner

Denise Pinkston responded to the recommendations made by Origins. She said they had eliminated three units and were committed to 190 units. They cannot eliminate any more units.

The floor was opened for public comments.

Resident John Scheuerman said he definitely supports the project and suggested making the terrace available from the recreation room.

Commissioner Cardoza said he was not impressed by adding balconies. He said the monumental stairway was a waste of time. It is not usable and the expanded terrace is useless. He did not support the recommendation for private patios on the podium.

Commissioner Kuemmerle said it lacked a level of detail for the pedestrian experience. It would be more interesting and inviting to use Japanese Maples in the landscaping. She said it seemed that the treatment at the corner of 63<sup>rd</sup> Street was kind of an afterthought.

Commissioner Steinberg said he likes what has been done to the project.

Commissioner Hoff said he agreed with the recommendations made by Origins.

Commissioner Flores said the project looks great. He does not like the high planters. Taller plants will work better. He agreed with Commissioner Cardoza regarding the patios. The courtyard experience could be a little more organic and he can do without the private patios.

- B. I-80 Pedestrian and Bicycle Crossing** – A Study Session for a new bicycle and pedestrian bridge that will cross over I-80 with terminal points at the intersection of 65<sup>th</sup> and Lacoste Streets at the eastern side and at Point Emery on the western side. The bridge will be accessible through both ramps and stairways. The project will include a significant viewing platform near the western terminus, which will allow for unobstructed views of the San Francisco Bay. As this project encroaches on Caltrans' right of way, the City is using the Caltrans project approval process for project review and environmental documentation.

Michelle DeGuzman, Community and Economic Development Coordinator, made the staff presentation.

Garrett Low, from HQE, the firm that designed the bridge, made a brief PowerPoint presentation.

After consideration of the project history and summary of the feasible bridge types, the Planning Commission unanimously concurred with the recommendation of the I-80 Pedestrian and Bicycle Crossing Committee to select the concrete box girder as the bridge type to be included in the final Project Report to CalTrans. Commissioner Donaldson indicated that although the cable stay bridge had a more pleasing stand-alone aesthetic, given the close proximity to the other freeway overpasses the concrete box girder was desirable with the project's context. Although the design details of the bridge will be undertaken in the next phase of the project planning, Commissioner Steinberg recommended that the bridge designers look to the work of Robert Maillart, a Swiss bridge designer, for inspiration.

## **VII. COMMISSIONERS COMMENTS**

Commissioner Cardoza said he was upset about the work going on at Trader Vic's. There is exposed stuff on the roof. He said the Planning Commission should have a study session on it. He said he was submitting photographs for the record, and handed several photographs to Director Bryant.

- VIII. ADJOURNMENT** – The meeting was adjourned at 1:22 a.m.

**THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, SEPTEMBER 23, 2010 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608**