

PLANNING COMMISSIONERS:

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Steven Steinberg, Commissioner
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AGENDA EMERYVILLE CITY PLANNING COMMISSION CITY COUNCIL CHAMBERS 1333 PARK AVENUE EMERYVILLE, CALIFORNIA

**THURSDAY, SEPTEMBER 27, 2012
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 AND PERMA COPY, 1306 65TH STREET; 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 23, 2012](#)

IV. DIRECTORS REPORT

V. ADMINISTRATIVE ITEM

- A. [Art.com Sign Revocation or Modification \(SIGN11-013\)](#) – Consideration of an order to initiate an action to revoke or modify the existing sign permit for two Art.com signs facing north and south near the top of the high-rise building at 2100 Powell Street, as previously approved by the Planning Commission on February 23, 2012, pursuant to the Revocation Procedures at Article 92 of Chapter 4 of Title 9 of the Emeryville Municipal Code. (APN: 49-1495-9).

VI. PUBLIC HEARINGS

- A. [Tree Removal Permit, Ocean Lofts, 1258 Ocean Avenue \(TREE12-001\)](#) – A request for a permit to remove one street tree to accommodate a driveway in conjunction with the demolition of an existing single family residence and construction of two detached approximately 1,700 square residential units. The project was originally approved by the City Council on April 17, 2007. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15378(a) in that it is not a “project” which has the potential for causing a significant effect on the environment, and under 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 Designation: Medium Density Residential (M); Zoning Classification: Medium Density Residential (R-M) (Applicant/Owner: Ali Eslami) (APN: 49-1469-6)
- B. [Modifications to Landscape Plan, 1051 45th Street \(UP06-07/DR06-06\)](#) – An amendment to a previously approved Conditional Use Permit and Design Review to allow changes in the landscape plan. On August 24, 2006 the Planning Commission approved a Conditional Use Permit and Design Review to convert the first floor of an existing building into a dwelling unit bringing the total number of units on the project site to three. CEQA Status: The original project was exempt from environmental review under State CEQA Guidelines Section 15301, which applies to alterations to existing structures and the proposed amendment also qualifies for this exemption. General Plan Designation and Zoning Classification: Medium Density Residential (R-M). (Applicant/Owner: Iqbal and Baljinder Kullar) (APN: 49-1081-3) (Continued from June 28, 2012 meeting.)
- C. [Mid-Block Pedestrian Path at Escuela Bilingüe Internacional \(UP10-007\)](#) – Consideration of the design of a mid-block pedestrian path connecting 45th Street and 47th Streets along the eastern property line of Escuela Bilingüe Internacional (EBI) school. On May 19, 2011 the City Council approved a Conditional Use Permit to establish EBI in an existing 28,000 square foot building located at 4550 San Pablo Avenue. Design and construction of this mid-pedestrian path was one of the conditions of approval. CEQA Status: CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15378(c) in that it is not a “project” which has the potential for causing a significant effect on the environment, and under 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 Designation: Medium Density Residential; Zoning: Medium Density Residential (R-M)(Applicant: Escuela Bilingüe Internacional)(Owner: EBI Campus LLC) (APN: 49-1174-26-1 and -31-2)

- D. [Preservation of Significant Structures Ordinance \(ORD12-001\)](#) – Consideration of an ordinance to repeal Articles 64 and 67 of Chapter 4 of Title 9 of the Emeryville Municipal Code and to add a new Article 67 of Chapter 4 of Title 9 of the Emeryville Municipal Code, Preservation of Significant Structures, and adopt a list and map of significant structures as part of Article 67 of Chapter 4 of Title 9 of the Emeryville Municipal Code. CEQA Status: This ordinance is exempt from environmental review under State CEQA Guidelines Section 15378(a) in that it is not a “project” which has the potential for causing a significant effect on the environment, and under the “general rule” at Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment.

VII. STUDY SESSION

- A. [Street Trees](#) – A study session on regulations, policies and issues concerning the City’s street trees, and possible amendments to the Urban Forestry Ordinance.

VIII. COMMISSIONERS COMMENTS

IX. ADJOURNMENT

THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, OCTOBER 25, 2012 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.