

**EMERYVILLE CITY PLANNING COMMISSION  
ACTION RECAP  
December 11, 2014**

**I. CONVENE AND ROLL CALL**

The meeting was called to order at 6:30 p.m. by Chairperson Sean Moss. Commissioners present: Steven Keller, Brad Gunkel, Lawrence Cardoza, Gail Donaldson and Kairee Tann. Commissioner Kuemmerle, excused absence.

**II. PUBLIC COMMENT - None**

**III. ACTION RECAP – Special Meeting of October 30, 2014**

A motion was made to approve the October 30, 2014 Action Recap.

**Moved:** Cardoza

**Seconded:** Moss

**Vote:** Ayes: Keller, Cardoza, Moss, Donaldson, Tann, Gunkel  
Absent: Kuemmerle

**DIRECTORS REPORT**

Director Bryant reported on recent City Council actions. He noted that the Notice of Preparation for the Sherwin Williams Environmental Impact Report had been issued, with a comment deadline of January 30, and a scoping meeting on January 27 in the Council Chambers. He reported that a new developer, Anton Development Company, is in contract for the Nady site and had filed an application for the same project that was previously withdrawn by Avalon Bay.

**IV. DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS**

Commissioner Keller said that he would be recused on the two study session items (VII.A and VII.B) and Commissioner Gunkel said that he would be recused on the Doyle Street Lofts item (VI.D) because of the proximity of their residences to the project sites. Commissioners Donaldson, Moss, and Gunkel reported that they had met with the developers for the Marketplace project, and Commissioner Keller reported that he had also met with them as a private citizen.

**PUBLIC HEARINGS**

- A. Emeryville-Berkeley-Oakland Transit Study** – Consideration of final report from study for improving transit in Emeryville, West Berkeley and West Oakland. The report describes and evaluates proposed short-term improvements including shuttle service expansion, enhanced bus service from West Berkeley through Emeryville to West Oakland BART and Jack London Square, and streetcar lines connecting MacArthur BART to central Emeryville (supplementing the Emery Go-Round) and West Oakland. CEQA Status: This project is exempt from environmental review under Section 15262 of the State CEQA Guidelines, which applies to feasibility and planning studies.

Diana Keena, Associate Planner, presented the staff report and requested input from the Commission and a recommendation to forward to the City Council for approval.

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

Commissioners expressed appreciation to the staff for a great job and the excellent information and coordination with all parties involved. However, some were disappointed in Oakland's lack of support for a street car.

A motion was made to approve this report and forward to the City Council for approval with added language that a street car route on San Pablo and a direct bus route to downtown Berkeley via Powell, Stanford, Adeline and Shattuck be studied in the future.

**Moved:** Moss  
**Seconded:** Donaldson  
**Vote:** Ayes: Keller, Cardoza, Moss, Donaldson, Tann, Gunkel  
Absent: Kuemmerle

Director Bryant commended Diana Keena on her hard work on this project which included staying at an Oakland City Council meeting until 2:00 a.m.

- B. BRG High Rise Sign (SIGN14-020)** – Consideration of a Major Sign Permit for two high rise signs at 2200 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: Richard Luchini) (Owner: Emeryville Office LLC) (APN: 49-1521-6)

Sara Billing, Assistant Planner, made the staff presentation with staff's recommendation for approval subject to the Conditions of Approval.

The public hearing was opened.

Laurie Karzen, resident of Pacific Park Plaza for 23 years, expressed concerns with the white color of the sign. She stated at night it would affect the quality of life for the residents.

Barb Singleton, resident of Watergate, asked about notification for this item.

Sebastien Belanger, employee of BRG and a resident of Pacific Park Plaza, said this identification sign was very important for their business.

Paul Gerhardt, a resident owner at Pacific Park Plaza, was strongly opposed to the approval of the sign.

An unidentified speaker said he was an owner/resident at Pacific Park Plaza, and expressed concerns regarding the sign and the importance of protecting the sanctity of the environment.

The public hearing was closed.

Following lengthy deliberations, a motion was made to approve the application with the added condition that the Director shall observe and approve the night time brightness

level, and that the sign shall be substantially dimmed at 11 p.m., with the dimmed brightness level also to be observed and approved by the Director.

**Moved:** Keller  
**Seconded:** Moss  
**Vote:** Ayes: Keller, Cardoza, Moss, Donaldson, Tann  
Abstained: Gunkel  
Absent: Kuemmerle

There was a five minute recess at 8:30 p.m.

- C. East BayBridge Master Sign Program (SIGN14-024)** – Consideration of a Master Sign Program for the East BayBridge Shopping Center. 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 Residential, Regional Retail Overlay, Major Transit Hub, and Other Park Opportunity; Zoning District: Mixed Use with Residential (MUR), Regional Retail Overlay (RR), Pedestrian Priority Zone (PP), Neighborhood Retail Overlay (NR), and Transit Hubs Overlay (TH) (Applicant: Federal Realty Investment Trust) (Owner: East Bay Bridge Retail, LLC) (APNs: 7-617-16-5; -20, -21, -22, and -23-1; 49-619-2, -3, -5, and -6)

This item had been continued to a future meeting.

- D. Doyle Street Lofts (UPDR14--2)** – Consideration of a Conditional Use Permit, Design Review, and setback Variance to demolish two existing residential units and replace them with two new residential units at 5532 Doyle Street. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15302 which applies to replacement or reconstruction of existing structures and 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 Land Use Classification: Medium Density Residential; Zoning District: Medium Density Residential (RM) (Applicant: Alex Bergtraun) (Owner: Alex and Michelle Bergtraun) (APN: 49-1313-22)

Commissioner Gunkel was recused due to possible conflict of interest.

Assistant Planner, Sara Billing made the staff presentation with staff’s recommendation for approval.

The applicant made a brief presentation.

The public hearing was opened. There was no one wishing to speak, the public hearing was closed.

A motion was made by Commissioner Donaldson to recommend City Council approval of the project with design changes to add details to the windows on the south elevation of the rear building and to add more plants to the front yard landscaping.

A substitute motion was made by Commissioner Moss to separate out the Design Review from other findings for approval as a separate resolution. The substitute motion failed for lack of a second.

A vote was taken on the original motion.

**Moved:** Donaldson  
**Seconded:** Keller  
**Vote:** Ayes: Keller, Donaldson, Cardoza, Tann  
Noes: Moss  
Abstained: Gunkel  
Absent: Kuemmerle

- E. TNE Street Tree Removal (TREE14-001)** – Consideration of a permit to remove one street tree and replace it with a new tree at 1355 59<sup>th</sup> Street. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301 which applies to existing 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 Land Use Classification: Office/Technology and Major Transit Hub; Zoning District: Office/Technology (OT), North Hollis District Overlay (N-H), and Transit Hub Overlay (TH) (Applicant: Sebastian Riffart) (Owner: EmeryStation Triangle LLC) (APN: 49-1328-1-2)

Associate Planner, Sara Billing, presented the staff report with staff’s recommendation for approval.

The public hearing was opened. There was no one wishing to speak, the public hearing was closed.

A motion was made to approve the TNE Street Tree Removal.

**Moved:** Donaldson  
**Seconded:** Cardoza  
**Vote:** Ayes: Keller, Cardoza, Moss, Donaldson, Tann, Gunkel  
Absent: Kuemmerle

**V. STUDY SESSIONS**

- A. Marketplace Redevelopment Project (PUD04-12)** – A study session to review plans for the redevelopment of the entire site for compliance with the Preliminary Development Plan for 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 Land Use Classification: Mixed Use with Residential; Zoning District: Planned Unit Development (PUD-2) (Applicant: City Center Realty Partners, LLC; Owner: AG-CCRP Public Market L.P.) (APNs:49-1556-1; -2; and -3)

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

Senior Planner, Miroo Desai presented the staff report. The applicant spoke briefly.

**Commissioner Comments**

The residential component was well liked. They particularly like the units on 63<sup>rd</sup> and Market Drive on Parcel D and the residential units wrapping the grocery store on Parcel

C. The building height was good. The reconfigured design of the proposed residential building on Parcel A was seen as a great improvement. The applicant was encouraged to meet with the residents of the Terraces to address any concerns they may still have. The Commission expressed concern about the proposed grocery store loading area on Shellmound Street. The Commission thanked the applicant for their hard work.

- B. Christie Avenue Properties Redevelopment** – A study session on redevelopment of City-owned properties located at 5890, 5900, and 6150 Christie Avenue for future issuance of a Request for Proposals. CEQA Status: To be determined. General Plan Land Use Classification: Mixed Use with Residential and Major Transit Hub. Zoning District Mixed Use with Residential (MUR), Transit Hub Overlay Zone (TH), Pedestrian Priority Overlay Zone (PP) (Applicant/Owner: City of Emeryville) (APNs: 49-1493-3; -4; and -5)

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

Michelle DeGuzman, Acting Economic Development and Housing Manager, made the staff presentation and requested direction from the Commission.

At 11:28 p.m., a motion was made by Commissioner Tann, seconded by Commissioner Cardoza, and passed without objection to extend the meeting beyond the mandated adjournment time of 11:30 p.m. to 11:45 p.m.

The public comment period was opened.

John Jackson, resident at Pacific Park Plaza, noted that the City Council, at the October 7 study session on Christie Avenue Park, expressed support for expanding the park to the south onto this property.

Steven Keller, resident of Pacific Park Plaza, said the affordable housing should be inter-mixed in the project, and showed a proposed site plan with the park expanded onto a portion of the 6150 Christie property, open space along the entire Christie Avenue frontage to the south, and realignment of the "59<sup>th</sup> Street" easement to the north to line up with the west entrance to the Public Market. He said this would still leave two good-sized parcels for development by one or more developers. He showed examples of buildings that could be on these parcels.

#### Commission Comments

There was agreement that the park should be expanded. This is a unique opportunity to encourage ownership for affordable housing. They would also like to see the property developed as a single parcel with integrated housing and townhouses with porches. This is not a great site for retail. Perhaps this location would be better suited for a bank or cultural theater. They would like to see a mix of uses other than residential, and suggested partnering with other organizations for interesting non-residential uses. The Commission agreed with the concepts presented by Steven Keller.

#### **VIII. COMMISSIONERS COMMENTS - None**

#### **IX. ADJOURNMENT – 11:45 p.m.**

**THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, JANUARY 22, 2015 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL 1333 PARK AVENUE, EMERYVILLE, CA 94608.**