

## **PLANNING COMMISSIONERS:**

Brad Gunkel, Chair  
Steven Keller, Vice Chair  
John J. Bauters, Commissioner  
Lawrence C. (Buzz) Cardoza, Commissioner  
Gail Donaldson, Commissioner  
Sam Kang, Commissioner

# **AGENDA EMERYVILLE CITY PLANNING COMMISSION CITY COUNCIL CHAMBERS 1333 PARK AVENUE EMERYVILLE, CALIFORNIA THURSDAY, FEBRUARY 25, 2016 6:30 P.M.**

A complete copy of the agenda packet will be available for public viewing at the information counter, Emeryville City Hall, 1333 Park Avenue, Emeryville, CA from the Monday before the Commission meeting. The meeting is shown live on the City of Emeryville television channel (ETV), cable channel 27, and will be rebroadcast as part of the regular City Council, Successor Agency, Community Development Commission and related meetings according to the published ETV schedule of programs. 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), a person requiring an accommodation, auxiliary aid, or service to participate in this meeting should contact the City Clerk's Office or ADA Coordinator at (510) 596-4300, as far in advance as possible, but no later than 72 hours before the scheduled event. The best effort to fulfil the request will be made. Assistive listening devices are available for anyone with hearing difficulty from the City Clerk prior to the meeting, and must be returned to the City Clerk at the end of the meeting.

No dogs, cats, birds or any other animal or fowl shall be allowed at or brought in to a public meeting by any person except (i) as to members of the public or City staff utilizing the assistance of a service animal, which defined as a guide dog, or other animal individually trained to provide assistance to an individual with a disability, or (ii) as to police officers utilizing the assistance of a dog(s) in law enforcement duties.

Persons who wish to speak on matters set for PUBLIC HEARINGS 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.

The speaker's time is limited to 3 minutes and can only be extended upon approval of the Presiding Officer. Any person who desires to address the Planning Commission on a matter not on the Agenda which item is within the subject matter jurisdiction of the Planning Commission, may do so during that portion of the Agenda called Public Comment.

The AGENDA for this regular meeting is as follows:

- I. CONVENE AND ROLL CALL**
- II. SWEARING IN OF NEW COMMISSIONER AND RECOGNITION OF OUTGOING COMMISSIONER**
- III. PUBLIC COMMENT**
- IV. [ACTION RECAP – January 28, 2016](#)**
- V. DIRECTORS REPORT**
- VI. DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS**
- VII. PUBLIC HEARINGS**
  - A. [Sherwin Williams Development Project \(PUD13-001\)](#) - A public hearing to accept comments on the Draft Environmental Impact Report (DEIR) prepared for the Sherwin Williams Development project. The Notice of Availability for the DEIR was published on January 8, 2016 and the 60-day comment period will end on March 8, 2016. General Plan Land Use Classification: Mixed Use with Residential and Park/Open Space; Zoning District: Mixed Use with Residential (MUR) and Park/Open Space (PO) with Park Avenue District Overlay (P-A) (Applicant: Lennar Multifamily Communities)(Owners: SWACE, LLC, c/o The Sherwin-Williams Company and City of Emeryville as Successor Agency to the Emeryville Redevelopment Agency) (APNs: 49-1041-26-15 and -16)**
  - B. [Marketplace Redevelopment Project Parcel B \(Garage Building\) \(FDP15-001\)](#) – Consideration of a Final Development Plan (FDP) for “Parcel B” of the Marketplace Redevelopment Project Planned Unit Development (PUD04-12) that was approved by the City Council on August 5, 2008. Two options are proposed: one option consists of a five story parking structure accommodating 413 parking spaces and approximately 41,500 square feet of retail space that will be occupied by a junior anchor tenant; and the second option is a four story building accommodating 413 parking spaces and 22,800 square feet of ground floor retail space with multiple small tenants. 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 and Major Transit Hub; Zoning District: Planned Unit Development (PUD-2) (Applicant/Owner: AG-CCRP Public Market L.P.) (APNs: 49-1556-2 and -3).**
  - C. [1056 45th Street New Unit \(UPDR15-008\)](#) – Consideration of a Conditional Use Permit and Design Review for a new two-bedroom unit at a property with two existing units located at 1056 45th Street. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15303(b) which applies to new construction or conversion of apartments, duplexes and similar structures designed for not more than six dwelling units; 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: Arnoldo Hernandez) (Owner: Parminder Pall Dhingra) (APN: 49-1174-19).**

- D. [Sutter Health Sign \(SIGN16-002\)](#) – Consideration of a Major Sign Permit for two high rise identification signs at 2000 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: Toni Russin, Sutter Health) (Owner: KBS III Tower at Emeryville, LLC) (APN: 49-1521-7)

**VIII. ADMINISTRATIVE ITEM**

- A. [Comparison of affordable housing requirements of recently approved Multi-Unit Residential projects.](#)

**IX. COMMISSIONERS COMMENTS**

**X. ADJOURNMENT**

**THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, MARCH 24, 2016 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.**