

PLANNING COMMISSIONERS:

Angela Baranco, Commissioner
Lawrence C. (Buzz) Cardoza, Commissioner
Frank Flores, Commissioner
Arthur Hoff, Commissioner
Patricia Jeffery, Commissioner
Gail Donaldson, Vice Chairperson
James A. Martin, Chairperson

**AGENDA
EMERYVILLE CITY PLANNING COMMISSION
CITY COUNCIL CHAMBERS
1333 PARK AVENUE
EMERYVILLE, CALIFORNIA**

**THURSDAY SEPTEMBER 27, 2007
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, 1306 65TH STREET; (2) PERMA COPY, 2000 POWELL STREET, SUITE 120, AND (3) KINKO=S, 5895 CHRISTIE AVENUE, 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.

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, 2007**

IV. **DIRECTOR'S REPORT**

A. **2006 Housing Element Implementation Report**

V. **STUDY SESSION**

- A. **65th Street Lofts (UP07-09/DR07-15)** – A Study Session on a proposal to reuse the existing Baker Metal building located at 1265 65th Street for 21 live-work units and 4,432 square feet of ground level commercial space. The project also involves construction of 6 townhouses on a 0.2 acre double fronted vacant parcel on Ocean Avenue and Peabody Lane (a private street). CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301 that applies to minor alterations to existing structures, Section 15303 that applies to construction of small, new structures, and Section 15332 that applies to urban infill development. General Plan Designation: Industrial (I) and Medium Density Residential (M); Zoning Classification: Light-Industrial (I-L) and Medium Density Residential (R-M) (Applicant: MRE Commercial/Sasha Shamzad) (Owners: California Syrup & Extract Company) (APN: 49-1469-1; -2; -12; -13; 49-1504-2)

VI. **SCOPING SESSION**

- A. **39th and Adeline Mixed Use Project (UP06-12/DR06-19)** – A Scoping Session to accept comments from responsible agencies and the public about the scope of the Environmental Impact Report (EIR) that will be prepared for a mixed use project that will involve construction of 101 residential rental units and 1,000 square feet of retail space on a 1.12 acre parcel on Adeline Street between 39th Street and Yerba Buena Avenue, which is partially in the City of Oakland. General Plan Designation: Commercial (C); Zoning Classification: General Commercial (C-G) (Applicant: Murakami-Nelson Architects) (Owner: Madison Park Financial Corporation) (APNs: 12-953-27, -31, -32, -33, and -34).

VII. **PUBLIC HEARING**

- A. **Bakery Lofts, Phase IV (UP06-15; DR06-16; VAR07-03; MIS07-02; GPA07-02; RZ07-01)** – A Conditional Use Permit, Design Review and parking variance for construction of 18 for-rent units and a 1,450 square foot café on a 12,339 square foot parcel. The parking variance is required because the parking to be provided is not on the same parcel. The project includes a Parcel Map to create condominium units. The project also requires a rezoning from the Medium Density Residential (R-M) district to the Mixed Use (M-U) district; a General Plan Amendment from the Medium Density Residential (M) land use designation to the Mixed Use (M-U) land use designation, and a rezoning from the 30-foot height district to the 40-foot height district. CEQA Status: This project exempt from environmental review under State CEQA Guidelines Section 15332, which applies to urban infill development. General Plan Designation: Medium-Density Residential (M); Zoning Classification: Medium Density Residential (R-M); (Applicant: Madison Park Financial Corporation) (Owner: B-3 Lofts, LLC) (APN: 49-1173-3).
- B. **Condominium Conversion, 1266 62nd Street (MIS06-05)** – A Parcel Map to convert five

existing residential units located in two buildings to condominiums. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15315 that apply to minor land divisions. General Plan Designation: Medium-Density Residential (M); Zoning Classification: Medium Density Residential (R-M); (Applicant: Andrea Park) (Owners: Peter and Sarah Sandhill) (APN: 49-1472-5).

- C. **Sherwin-Williams Demolition Approval (PUD04-01)** - Consideration of a request for permission to demolish the building on the north side of Sherwin Avenue at Hubbard Street, which is a Tier 2 architecturally significant building in the Park Avenue District. The State Department of Toxic Substances is requiring Sherwin-Williams to demolish the building, which was used for mixing paint, in order to assess and remediate contamination. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15308, which applies to actions by regulatory agencies for protection of the environment. General Plan Designation: Industrial (I). Zoning Classification: Light Industrial (I-L). (Applicant/Owner: Sherwin-Williams) (APN: 49-1041-26-15).
- D **Stormwater Treatment Facilities Ordinance, City-Wide (ORD07-02)** - Ordinance replacing Chapter 13 of Title 6 of the Emeryville Municipal Code entitled "Stormwater Management and Discharge Control Program" with a revised chapter entitled "Stormwater Treatment Design, Management, and Discharge Control Program". The ordinance will refer to the Stormwater Design Guidelines for Green, Dense Redevelopment, and will address design, inspection and maintenance of stormwater treatment measures in development projects. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15307, which applies to actions by regulatory agencies for protection of natural resources, and Section 15308, which applies to actions by regulatory agencies for protection of the environment.

VIII. **COMMISSIONERS COMMENTS**

IX. **ADJOURNMENT**

THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, OCTOBER 25, 2007 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.