



CITY OF EMERYVILLE

INCORPORATED 1896

1333 PARK AVENUE
EMERYVILLE, CALIFORNIA 94608-3517

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PLANNING COMMISSIONERS:

Steven Keller, Chair
Lawrence C. (Buzz) Cardoza, Vice Chair
Philip Banta, Commissioner
Linda Barrera, Commissioner
Gail Donaldson, Commissioner
Sam Kang, Commissioner

AGENDA EMERYVILLE CITY PLANNING COMMISSION CITY COUNCIL CHAMBERS 1333 PARK AVENUE EMERYVILLE, CALIFORNIA THURSDAY, JANUARY 26, 2017 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 all 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. **PUBLIC COMMENT**
- III. **[ACTION RECAP – December 8, 2016](#)**
- IV. **DIRECTORS REPORT**
- V. **DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS**
- VI. **STUDY SESSIONS**
 - A. **[Sherwin Williams – Architectural Final Development Plan \(FDP17-001\)](#)** – A study session to solicit comments on the Final Development Plan (FDP) design concept for buildings in the Sherwin Williams Planned Unit Development site. The Preliminary Development Plan (PDP) for the project was approved by the City Council on November 1, 2016. CEQA Status: An Environmental Impact Report was prepared for the project and certified by the Emeryville City Council on September 6, 2016. General Plan Land Use Classification: Mixed Use with Residential and Park/Open Space; Zoning District: Planned Unit Development (PUD-7) with Park Avenue District Overlay (P-A). (Applicant: LMC Emeryville I Investor LLC)(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. **[Sherwin Williams – Public Park and Open Space Final Development Plan \(FDP17-002\)](#)** – A study session to solicit comments on the Final Development Plan (FDP) conceptual design programming of the public park and other public open spaces within the Sherwin Williams Planned Unit Development site. The Preliminary Development Plan (PDP) for the project was approved by the City Council on November 1, 2016. CEQA Status: An Environmental Impact Report was prepared for the project and certified by the Emeryville City Council on September 6, 2016. General Plan Land Use Classification: Mixed Use with Residential and Park/Open Space; Zoning District: Planned Unit Development (PUD-7) with Park Avenue District Overlay (P-A). (Applicant: LMC Emeryville I Investor LLC)(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)
 - C. **[Ocean View Townhomes \(UPDR16-004\)](#)** – A study session to review a Conditional Use Permit and Design Review proposal to demolish an existing single family home and replace it with a four-unit residential building at 1270 Ocean Avenue. 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) and North Hollis District Overlay (NH) (Applicant: Indigo Design Group) (Owner: Farshid Vahedian) (APN: 49-1469-10)

- D. [Public Market Directional Master Sign Program \(SIGN16-028\)](#) – A study session to review a Master Sign Program covering Public Market Parcels A, B, C, D, G, the tower building and Christie Avenue Park. 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, Park/Open Space, and Major Transit Hub; Zoning District: Planned Unit Development (PUD-2) (Applicant/Owner: AG-CCRP Public Market L.P.) (APNs:49-1556-1; -2; and -3)

VII. PUBLIC HEARINGS

- A. [Short-Term Rental Ordinance \(ORD16-003\)](#) – Planning Commission consideration of amendments to Title 9 of the Emeryville Municipal Code to add Article 22 on Short-term Rentals and to add provisions pertaining to Short-term Rentals to other sections. The proposed amendment is exempt from environmental review under Section 15301 of the State CEQA Guidelines regarding existing facilities, specifically operation and leasing of existing structures, 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.

VIII. COMMISSIONERS COMMENTS

IX. ADJOURNMENT

THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, FEBRUARY 23, 2017 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608