

PLANNING COMMISSIONERS:

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

**THURSDAY, SEPTEMBER 26, 2013
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, 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. **SWEARING IN OF NEW COMMISSIONERS AND RECOGNITION OF OUTGOING COMMISSIONERS**
- III. **ELECTION OF OFFICERS**
- IV. **PUBLIC COMMENT**
- V. **ACTION RECAP – [August 22, 2013](#)**
- VI. **DIRECTORS REPORT**
- VII. **PUBLIC HEARINGS**
 - A. **[The Broken Rack \(UPDR13-003\)](#)** – A Conditional Use Permit for a Bar/Nightclub/Lounge use and accessory pool hall to occupy an existing 10,260 square foot building at 5768 Peladeau Street and for access directly from the building onto the City-owned greenway, as well as Design Review for improvements to the exterior. The business will include a bar, tables with food service, pool tables and other games. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301 which applies to minor alterations 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 Designation: Mixed use with Residential with Major Transit Hub overlay. Zoning Designation: Mixed Use with Residential (MUR) with North-Hollis (N-H) and Transit Hubs (TH) overlays. (Applicant: Marilyn and Wayne Boucher)(Owner: TW Properties) (APN: 49-1318-7-4)
 - B. **[Development Agreement for Emery Station West @ Emeryville Transit Center/Heritage Square Garage \(DA13-001\)](#)** – Consideration of a Development Agreement for the previously approved Emery Station West @ Emeryville Transit Center/Heritage Square Garage project. The project involves removal of two surface parking lots in the 5900 and 6100 blocks of Horton Street and construction of two separate buildings: an office/laboratory building and a parking garage. The Emery Station West Building is a seven-story office building accommodating office/lab space, car parking, bus bays, and ground level retail and transit oriented functions. The Heritage Square Garage is a seven-story building accommodating parking stalls. The City Council approved the Conditional Use Permit and Design Review for the Project pursuant to Resolution No. 10-33 (February 16, 2010), and extended the approvals pursuant to Resolution No. 12-25 (February 7, 2012). CEQA Status: The City Council adopted a Mitigated Negative Declaration pursuant to Resolution 10-32 (February 16, 2010). General Plan Designation: Mixed-Use with Non-Residential (Emery Station West parcel); Office/Technology (Heritage Square parcel). Zoning Designation: Mixed-Use with non-Residential (MUN) (Emery Station West parcel); Office/Technology (OT) (Heritage Square Parcel); North Hollis Overlay District (N-H) (both parcels). (Applicant/Owner: Wareham Development, Emery Station Associates, LLC, Westinghouse Electric, Inc. (formerly Viacom, Inc.), City of Emeryville) (APN: 49-1489-15; -13-3; 49-1325-1-2; -2; -4)
- VIII. **COMMISSIONERS COMMENTS**
- IX. **ADJOURNMENT**

THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, OCTOBER 24, 2013 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.