

**EMERYVILLE CITY PLANNING COMMISSION
ACTION RECAP
February 26, 2015**

I. CONVENE, ROLL CALL, AND PLEDGE OF ALLEGIANCE

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

II. PUBLIC COMMENT

None

III. ACTION RECAP – January 22, 2015

A motion was made to approve the January 22, 2015 Action Recap with a correction that the business owner who spoke under Public Comments was on 67th Street, not 57th Street.

Moved: Donaldson

Seconded: Keller

Vote: Ayes: Keller, Cardoza, Gunkel, Moss, Donaldson, Kuemmerle
Abstained: Tann

IV. DIRECTOR'S REPORT

Director Bryant reported on recent City Council actions. He also announced that, due lengthy comments received, the Anton Emeryville (Nady Site) project would not be heard at the March 26 meeting as previously planned, but would be heard in May or possibly later; the deadline for comments on the Sherwin Williams EIR Notice of Preparation is tomorrow, Friday, February 27; and the Housing Element was certified by the State on January 28.

V. DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS

Commissioner Keller reported that he had met with representatives of the East BayBridge Shopping Center to discuss their Master Sign Program (Item VI.C.) and that he would be recused on the Christie Avenue Park Redesign and Expansion (Item VI.A.) because of the proximity of his residence.

Chair Moss said he would be recused from the East BayBridge Master Sign Program, (Item VI. C.) due to the proximity of his residence.

VI. PUBLIC HEARINGS

Community Development Director, Charles Bryant, suggested the Commission hear Item VI. B. of the public hearing items first in order to give the applicant of Item VI. A. an opportunity to review staff's comments, which they received earlier today. Chair Moss so directed, with the agreement of the Commission.

B. LePort School (UPDR14-004) – Consideration of a Conditional Use Permit and Design Review application for a private Montessori school for children ages 3 months to 6 years at 1450 and 1452 63rd Street. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15303 which applies to conversion of small structures; 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 Doyle Hollis North Area; Zoning District: Office/Technology Doyle Hollis North Area (OT?DH), North Hollis District Overlay (N-H), and Pedestrian Priority Overlay (PP). (Applicant: LePort Educational Institute, Inc.)(Owner: F.L.T. & Bros. LLC)(APN: 49-1482-4 and -5).

Sara Billing, Assistant Planner, made the staff presentation. Staff recommended approval subject to the conditions of approval.

The applicant spoke briefly and responded to questions from the Commission.

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

After deliberation, the Commission agreed on additional conditions of approval as follows:

- “Cross Traffic Does Not Stop” signs shall be installed on 63rd Street at Doyle Street;
- A transportation consultant shall be hired by the City to conduct a peer review of the TDM plan, including a traffic circulation study of Doyle Street and 63rd Street, and pick-up/drop-off activity at the site, and the TDM plan shall be modified and/or conditioned as deemed necessary by the Director on the advice of the transportation consultant;
- The TDM plan shall include consideration of free Clipper Cards for school employees;
- The required Employee Trip Reduction Program shall be incorporated into the TDM plan; and
- Traffic operations shall be reviewed by staff six months after occupancy of the school and the TDM plan shall be appropriately modified at that time if necessary to respond to any problems identified.

The applicant concurred in these additional conditions.

A motion was made to approve the application with the added conditions of approval.

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

The Commission then returned to Item VI.A.

- A. Christie Avenue Park Redesign and Expansion (FDP14-001)** – Consideration of a Final Development Plan (FDP) to redesign and expand Christie Avenue Park as required by the Marketplace Redevelopment Project Planned Unit Development (PUD04-12) that was approved by the City Council on August 5, 2008. Fifty- one trees will be removed as part of the project of which forty trees will require a tree removal permit as they are located in the existing Christie Avenue Park which is owned by the City of Emeryville and hence considered “street” trees. CEQA Status: Environmental Impact Report for Marketplace Redevelopment Project PUD certified by City Council on January 15, 2008. General Plan Land Use Classification: Existing Park: Park/Open Space; Expansion Area: Mixed Use with Residential, Other Park Opportunity. Zoning District: Existing Park: Park/Open Space (PO), Pedestrian Priority Overlay Zone (PP), Transit Hub Overlay Zone (TH); Expansion Area: Planned Unit Development (PUD-2). (Applicant: City Center Realty Partners) (Owners: City of Emeryville, AG-CCRP Public Market L.P.) (APNs: 49-1493-1; 49-1556-2).

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

Senior Planner, Miroo Desai, presented the staff report, and discussed a letter received that afternoon from the applicant and staff's response including recommended modifications to the conditions of approval and resolution. Staff recommends approval subject to the revised conditions of approval. Staff responded to questions from the Commission.

The applicant made a presentation and discussed the recommended modifications to the conditions of approval.

The public hearing was opened.

John Jackson, resident of Pacific Park Plaza, asked for clarification of Parcel "C". He asked the Planning Commission to further discuss 6150 Christie and to make a condition of approval that this property be excluded from future development so that it can be reserved for future expansion of the park.

Steven Keller, resident of Pacific Park Plaza, encouraged the Commission to approve as soon as possible. He also said the lighting needs improvement, the dog park is really needed and he is in favor of the play structure.

Dennis Kane of 6400 Christie Avenue, said he thinks the plan is great. He would like to see this project approved as soon as possible, is looking forward to the park, and supports the tree removal and replacement.

The public hearing was closed.

Following Commission deliberation, a motion was made to approve the application with the conditions as modified by staff, and the following additional conditions:

- "Remedial plan" shall be changed to "environmental plan" in Condition III.A.8;
- The plaza on the east side of the park shall be reworked, and the planter removed, to provide a more direct pedestrian connection to the future 62nd Street plaza;
- Lighting with Greenway lights at less frequent intervals shall be provided along all interior park paths;
- A path or play surface shall be provided in the children's play area between the whale and the climbing structure;
- Trash cans and dog waste bag dispensers shall be provided at strategic locations around the park; and
- The sidewalk at the southwest corner of the park, along Christie Avenue, shall be the same width as the rest of the sidewalk along the Christie Avenue frontage of the park.

Moved: Donaldson

Seconded: Moss

Vote: Ayes: Kuemmerle, Cardoza, Moss, Donaldson, Tann, Gunkel

Recused: Keller

- C. East BayBridge Master Sign Program (SIGN14-024)** – Consideration of a Master Sign Program for the East BayBridge Shopping Center at 3839 Emery 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 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 Hub 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).

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

Chair Moss was recused; Vice Chair Tann presided.

Applicant, Jeff Adams, introduced the project team members.

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

A motion was made to approve the East BayBridge Master Sign Program application.

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

- D. Family Friendly Residential Section of Design Guidelines** – Consideration of new and revised provisions of the Emeryville Design Guidelines regarding Family Friendly Residential buildings and Residential buildings in general. The additions address site design for play areas, teen spaces, visual privacy, bicycle parking, and transition between units and open space. Building design guidelines include unit configuration in relation to open space and quiet and noisy streets, diverse architecture, maximizing sunlight, common areas and laundry facilities. Unit design provisions include unit sizes, views of play areas, adequate dining areas, separation of bedrooms from living areas, space that can change use, extra storage areas, soundproofing, quiet kitchen fans, stair risers, and infant and toddler safety. Finally, the design guidelines address percentage mix of unit sizes in a multi-unit residential project. CEQA Status: This project is exempt from environmental review under the “general rule” at Section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that the proposal may have a significant effect on the environment. (Continued from June 27, 2013.)

Community Development Director, Charles Bryant, made the staff presentation on behalf of Associate Planner, Diana Keena, who was on vacation. Staff requested the Commission adopt the resolution recommending City Council adopt the Family-Friendly Residential amendment to the Design Guidelines.

The public hearing was opened.

Resident, Judy Timmel, said she is glad this project is being presented. Families are moving out of the city because of inadequate space. She suggested the developers not stop at three bedrooms because people with 3 or 4 children need four bedrooms. She also said when doing Guidelines, thought should be given to designs that promote unity.

Rod Henmi, resident and architect, said he was in favor of the intent of the Guidelines. However, the recommended maximum unit sizes are larger than typically allowed by funders for affordable housing. He also stated he is glad laundry rooms are not required in every unit and balconies are desirable but not always practical.

The public hearing was closed.

The Commission held a lengthy discussion about the recommended guidelines. Key points included:

- The guidelines should be balanced and flexible; options should be shown;
- There should be only one master suite, but bedrooms do not necessarily need to be grouped together;
- Kitchens should not necessarily be located on interior walls, and should have windows to play areas if feasible;
- Reduce the minimum square footage size to be more in line with the requirements for affordable housing;
- Do not require separate living and dining areas; just specify that there must be enough room for a functional dining table; show examples with and without a wall between living and dining areas;
- Specify that enclosed entry foyers are only required on corridors;
- Do not require a balcony, deck or patio for every unit; shared common space is just as important;
- In-unit laundries should not necessarily be required, but are desirable in 3- and 4-bedroom units;
- Storage space is an issue and needs to be considered;
- Wide, shallow units should not necessarily be required; a good example of a deeper unit should be shown; and
- Tie the guidelines into the overall changes regarding bonuses, affordability, unit mix, and ownership housing.

Chair Moss made a motion to extend the meeting to 11:45 p.m. in order to complete the discussion on this item. The Commission unanimously agreed to the extension.

Director Bryant stated it was clear that these Guidelines need more work and should be re-visited at a later date.

The Consultant said he understands what the Commission is looking for and he thinks they can get there.

Chair Moss directed that this item be continued to a future meeting.

IX. COMMISSIONERS COMMENTS

Commissioner Keller noted that the Emme Apartments at 64th and Christies hope to have occupancy in March; they are already 20% leased.

Chair Moss noted that the Common Wealth pub on Adeline Street is now open.

X. ADJOURNMENT – 11:45 p.m.

THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, MARCH 26, 2015 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL 1333 PARK AVENUE, EMERYVILLE, CA 94608.