

## **PLANNING COMMISSIONERS:**

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

# **AGENDA EMERYVILLE CITY PLANNING COMMISSION CITY COUNCIL CHAMBERS 1333 PARK AVENUE EMERYVILLE, CALIFORNIA THURSDAY, SEPTEMBER 22, 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**
- III. **PUBLIC COMMENT**
- IV. **[ACTION RECAP – August 25, 2016](#)**
- V. **DIRECTOR'S REPORT**
- VI. **DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS**
- VII. **PUBLIC HEARINGS**
  - A. **[Sherwin Williams Development Project \(PUD13-001\)](#)** - Consideration of a recommendation to the City Council on a proposed Planned Unit Development (PUD) zoning designation and a Preliminary Development Plan to redevelop the former Sherwin Williams paint factory site and adjacent City-owned parcel, including reuse of an existing 74,000 square foot significant structure for office use, construction of five new buildings that will accommodate approximately 500 dwelling units and a minimum of 2,000 square feet of commercial/ retail space, and development of approximately 3 acres of public open space. The proposal also includes a General Plan Amendment to modify the Land Use Diagram (Figure 2-2) to reflect the proposed relocation of Park/Open Space and Mixed Use with Residential on the site, and to modify the Maximum Residential Densities map (Figure 2-6) to be consistent with the Land Use Diagram. CEQA Status: An Environmental Impact Report was prepared for the project and certified by the Emeryville City Council on September 6, 2016. As part of its action of the project, the Commission will consider a recommendation to the City Council on CEQA findings, a Mitigation Monitoring and Reporting Program, and a Statement of Overriding Considerations to address the significant unavoidable adverse impacts of the project. General Plan Land Use Classification: Mixed Use with Residential and Park/Open Space; Zoning District: current: Mixed Use with Residential (MUR) and Park/Open Space (PO) with Park Avenue District Overlay (P-A); proposed: Planned Unit Development (PUD) 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)
- VIII. **COMMISSIONERS COMMENTS**
- IX. **ADJOURNMENT**

**THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, OCTOBER 27, 2016 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.**