

EMERYVILLE CITY PLANNING COMMISSION

ACTION RECAP

JULY 24, 2008

I. CONVENE, ROLL CALL, AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:30 p.m. by Chair Martin. Commissioners present: Jim Martin, Arthur Hoff, Lawrence Cardoza, Frank Flores, Patricia Jeffery, Gail Donaldson and John Scheuerman.

Emeryville City Clerk, Karen Hemphill, administered the Oath of Office to newly appointed Commissioner John Scheuerman, and two re-appointed Commissioners Gail Donaldson and Lawrence Cardoza.

II. PUBLIC COMMENT – None

III. ELECTION OF OFFICERS

Commissioner Jeffery moved to appoint Commissioner Donaldson as Chair of the Commission and the motion was seconded by Commissioner Martin. The Commission unanimously agreed on the appointment of Commissioner Donaldson to Chair the Commission.

Commissioner Donaldson assumed the chair and presided for the remainder of the meeting.

Commissioner Cardoza nominated Commissioner Flores for Vice Chair and the nomination was seconded by Commissioner Jeffery.

Commissioner Martin nominated Commissioner Hoff for Vice Chair and Commissioner Donaldson seconded the nomination.

Voting for Commissioner Flores:

Vote: Ayes: Cardoza, Jeffery, Flores
Noes: Martin, Donaldson, Hoff, Scheuerman

Voting for Commissioner Hoff:

Vote: Ayes: Martin, Donaldson, Hoff, Scheuerman
Noes: Cardoza, Jeffery, Flores

Commissioner Hoff was elected as the new Vice Chair of the Commission.

IV. ACTION RECAP – May 22, 2008 and June 26, 2008

May 22, 2008 Recap - Commissioner Martin abstained because he was absent from the May 22 meeting. Therefore, due to the lack of a quorum at the June meeting, the approval of the Action Recap was continued until the July meeting.

Commissioner Hoff said that the action recap should be amended to include an explanation of his “no” vote on the Marketplace project.

A motion was made by Commissioner Flores to approve the Action Recap of May 22, 2008, with revisions to Commissioner Hoff’s statements regarding the Marketplace.

Moved: Flores
Seconded: Donaldson

Vote: Ayes: Flores, Hoff, Jeffery, Donaldson, Cardoza
Abstained: Martin, Scheuerman

June 26, 2008 Recap – Commissioners Jeffery and Donaldson abstained because they were absent from the June 26 meeting.

A motion to approve the Action Recap of June 26, 2008 was made by Commissioner Flores.

Moved: Flores
Seconded: Cardoza
Vote: Ayes: Flores, Hoff, Martin, Cardoza
Abstained: Donaldson, Jeffery, Scheuerman

V. DIRECTOR'S REPORT

Director Bryant congratulated Commissioner Scheuerman on his appointment and Commissioners Donaldson and Cardoza on their reappointments.

He then reported on actions take by the City Council at their July 15 meeting. The Council held a study session on railroad crossing quiet zones, and directed staff to explore the possibility of grade separations (overpass or underpasses). The Redevelopment Agency heard a status report on the recent community meeting for the South Bayfront Pedestrian Bicycle Bridge, and selected the design for Horton Landing Park that lands the ramp in the center of the park with a 6-foot raised walkway approach. The City Council approved the Marketplace PUD, with new conditions saying that roadway widenings at the freeway off-ramp and Powell Street will only occur if found feasible by WRT's comprehensive streetscape study, and that residential units adjacent to the railroad will first require noise and air quality studies and mitigations. The Council approved the second reading of the Ordinance approving amendment to Pixar Development Agreement. In addition to the Planning Commission appointments, the Council appointed Robin Orden to the General Plan Update Steering Committee to fill the vacancy created by Spencer Green's resignation.

Director Bryant announced that a community meeting on Parking Policy and Management Implementation Plan will be held the evening of Wednesday, August 20th from 5:15 to 6:30 p.m. at Emery Station I, 5858 Horton St., Suite 260.

Director Bryant reminded the Commission that their bylaws call for an annual retreat in September, and asked when they would like to have it and what should be on the agenda. It was decided to defer the discussion to Commissioners Comments at the end of the meeting.

A. East BayBridge Center Update

Director Bryant reported that staff is in the process of discussing potential improvements to the Pac 'n Save store with Safeway and Catellus. A meeting is scheduled with Catellus later this month.

B. Commission Policy on 40th Street Trees

The Commission reviewed their recent decisions regarding street trees at the AgeSong and Granite Expo projects on 40th Street. Following a PowerPoint presentation by Director Bryant on the urban design implications of street trees, the Commission expressed agreement with the staff recommendation that street trees should be located between the curb and sidewalk unless physical impediments make this impossible, and that existing street trees should be retained wherever possible, consistent with adequate sidewalk design.

VI. STUDY SESSION

- A. **Emery Station Triangle (UP08-04/DR08-10/VAR08-01)** – A Study Session to review a proposal to construct a new, four story 142,800 square foot office/research and development building on a 0.89 acre lot. The project involves demolition of an existing 8,589 square foot single story warehouse/office building and includes Greenway improvements in the northern portion of the block and expansion of the plaza at Powell and Hollis Streets. CEQA Status: To be determined. General Plan Designation: Mixed Use (M-U); Zoning Classification: Mixed-Use (M-U) (Applicant: Ted Mahl; Owner: Emery Station Triangle II, LLC/Wareham Group) (APN: 49-1328-1-2 and 3-2; 49-1329-5-2, 5-3, 5-4, and 5-5).

Senior Planner, Miroo Desai, presented the staff report. Planner Desai said this project presentation was before the Commission get their recommendations, comments and directions for proceeding.

Applicant, Rich Robbins of Wareham Development, commented on Director Bryant's presentation on street trees, stating his agreement that there was nothing more important to a project than landscaping and trees. After opening comments regarding their presentation to solicit responses to gauge what the Commission would require, other members of the team made presentations, including Richard Sharp of Sharp Studio 5, landscape architects and Ted Mahl of TGA Architects.

Public Comments

Steven Keller, resident of Pacific Park Plaza, said he likes the project. However, he has concerns with the building accentuated with so much color. He suggested they reduce the choppiness. He also suggested removal of the cross mullions. He does not feel comfortable with the entrance to the building.

Commissioner Comments

- ❖ The project provides a rare opportunity to create a gateway into the city.
- ❖ It creates a sense of continuity across the street.
- ❖ The building is visually too massive.
- ❖ It has not met intentions of the North Hollis Guidelines.
- ❖ There is no connection to Hollis Street.
- ❖ There needs to be a transition in height on the greenway.
- ❖ More information on the proposed project was requested.
- ❖ This is a good start with the landscape and Hollis.
- ❖ Playing off public art at corner.
- ❖ It should be designed towards the new General Plan and at a minimum must be consistent with the North Hollis Plan.
- ❖ The parking count should be lowered and some spaces set aside for car pools. It should lean towards transit center ideas.
- ❖ Recommendation to revise the design.
- ❖ The shape of the site should be considered.
- ❖ The bike parking needs clear definition.
- ❖ The finishes are too cluttered.
- ❖ The buildings should tie together.
- ❖ The project is too busy.
- ❖ The roof along the greenway should be stepped back.
- ❖ There is a lack of active uses on ground all around.
- ❖ There should be open space so that people can walk through. Staff suggested creating an Ad Hoc committee to work with the applicant on the Greenway design. Commissioners Martin, Scheuerman and Donaldson agreed to be on this committee.

There was a five minute break and the meeting reconvened at 9:10 p.m.

VII. PUBLIC HEARING

- A. **Bakery Lofts, Phase IV (UP06-15; DR06-16; VAR07-03)** – A request to modify a Condition of Approval regarding undergrounding of utilities imposed by the Planning Commission as part of approval of a Conditional Use Permit, Design Review and parking variance for construction of 16 for-rent units, 2 live-work units and a 1,450 square foot café on a 12,339 square foot parcel. The project was approved on September 27, 2007. This project is exempt from environmental review under State CEQA Guidelines Section 15332, which applies to urban infill development. General Plan Designation: Mixed Use (M-U); Zoning Classification: Mixed-Use (M-U) (Applicant: Madison Park Financial Corporation) (Owner: B-3 Lofts, LLC) (APN: 49-1173-3).

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

Senior Planner, Miroo Desai, made the staff presentation, and said that staff recommended denial of the request.

Applicant, John Protappas, made a presentation. He stressed that the existing projects did not require undergrounding of existing utilities. He said Bakery Lofts phases are three separate entities. Phase I, Bakery Lofts, LLC, was completed in 2002, Phase II was an Oakland project and was completed in 2005, Phase III was originally divided between Oakland and Emeryville, with 83% of the project being in Oakland and 17% located in Emeryville. Phase IV is the Emeryville portion, however it does not make sense to do Phase IV because of the expense of the undergrounding of utilities.

Gary Draghi with Utility Solutions said he retired after 37 years with PG &E and has worked the last 25 years as an electrical engineer consulting on underground utility projects. He explained the technical aspects of the project as it related to the telephone poles and undergrounding of the utilities.

The applicant completed his presentation and requested a change to the Conditions of Approval requiring the undergrounding of utilities.

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

Commissioner Martin recommended this issue of undergrounding should go to the Council. He said the Commission should not release the applicant of complying with the conditions and he made a motion to deny modifications to the conditions. Included in his motion was a "sense of the Commission" that, when the Council considers this request on appeal, staff should be directed to work with the applicant on funding for a larger undergrounding district in the area.

Commissioner Scheuerman seconded the motion.

A substitute motion was made by Commissioner Hoff and seconded by Commissioner Cardoza that the Conditions be revised, with the applicant being required to contribute to an Adeline Street entrance to Temescal Park in lieu of undergrounding the utilities.

Moved: Hoff
Seconded: Cardoza
Vote: Ayes: Cardoza, Hoff
Noes: Jeffery, Martin, Scheuerman, Donaldson
Recused: Flores

The substitute motion failed. A vote was then taken on the original motion.

Moved: Martin
Seconded: Scheuerman
Vote: Ayes: Scheuerman, Martin, Donaldson, Jeffery
Noes: Cardoza, Hoff
Recused: Flores

VIII. COMMISSIONERS COMMENTS

The Commissioner's annual retreat was discussed with suggestions made to make a tour of the city similar to the one of two years ago to look at the different projects that are in progress in the city and lessons learned from them, how stormwater issues were addressed, and opportunities for undergrounding utilities. Also a suggestion was made to set up Lighting Improvement Districts and incorporate this into the General Plan. Also interest was expressed in having a discussion on urban design, and viewing examples in Oakland and Berkeley. Steven Keller invited the Commissioners to visit his apartment in Pacific Park Plaza to get a flavor of high-rise, high-density urban living. It was decided to hold the retreat on Saturday, September 27.

Commissioners expressed the necessity of receiving plans from applicants that have graphic scales. They suggested staff incorporate this requirement into the application process.

Commissioner Martin announced that the Commission was invited to the unveiling of the Glashaus glass panel art piece from 4 to 8 p.m. on Friday, August 1.

IX. ADJOURNMENT – The meeting was adjourned at 10:30 p.m.