

## EMERYVILLE CITY PLANNING COMMISSION

### ACTION RECAP SEPTEMBER 25, 2008

#### I. CONVENE, ROLL CALL, AND PLEDGE OF ALLEGIANCE

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

#### II. PUBLIC COMMENT – None

#### III. ACTION RECAP – August 28, 2008

Commissioners Martin and Scheuerman had additions and clarifications to their comments regarding the fencing and landscaping at Pixar. Commissioner Martin added comments on the BevMo! application. Commissioner Jeffery clarified her remarks under Commissioner Comments. After these additions and clarification, Commissioner Flores moved approval and the motion was seconded by Commissioner Martin. The Action Recap was approved without exception.

#### IV. DIRECTOR'S REPORT

Director Bryant reported on recent actions by the City Council/Redevelopment Agency. On September 2, the Council held a study session on the East Bay Regional Parks District bond extension measure, and heard an update on the drought from the East Bay Municipal Utility District. The Council approved an informational report concerning application for Priority Development Area status; a resolution approving this application is scheduled for the October 7 Council meeting. The Council approved a contract with LSA for an Initial Study/Mitigated Negative Declaration for the Emery Station Greenway project; preparation of the Initial Study is underway. The Council approved extension of MIG's contract for facilitation of General Plan meetings. The Council authorized staff to advertise a vacancy on the Park Avenue District Advisory Committee due to a member who has had numerous unexcused absences. The Council appointed John Scheuerman to fill a vacancy on the I-80 Pedestrian/Bicycle Bridge Committee. The Council approved a temporary permit parking area on 59<sup>th</sup> and Beaudry Streets until the elementary school moves back to the Anna Yates campus.

On September 16, at the urging of a citizen, the Council decided to put off naming the Doyle-Hollis Park until after it has been in use for awhile. The Council approved the Housing Element Annual Progress Report for submission to the State Department of Housing and Community Development. The Council approved a finding of public convenience or necessity for BevMo! for which the Commission approved a use permit at the last meeting. The Council approved a noise waiver for an 18 hour concrete pour for the foundation of the AgeSong project on any one Saturday in October; and a noise waiver for West Elm Furniture for construction work on 10 Saturdays through November 22. The Council passed a resolution memorializing the decision from the September 2 meeting concerning a temporary permit parking area on 59<sup>th</sup> and Beaudry Streets.

Director Bryant reported that the General Plan Update Steering Committee had reviewed the draft Transportation; Conservation, Safety, and Noise; and Sustainability chapters of the new General Plan at its September 9 meeting. On September 23, the Steering Committee heard a presentation on the latest plans for the Center of Community Life and discussed a variety of issues that had been brought up at previous meetings. On October 14, the Steering Committee will host a panel of developers to hear their reaction to the draft General Plan, and on October 28, they will be reviewing the Urban Design element and design guidelines.

Director Bryant reminded the Commission of the upcoming retreat/bus tour next Saturday, September 27. The meeting will start at 9:00 a.m.; Commissioners should begin gathering at 8:30 in front of Peet's at the Public Market.

## V. STUDY SESSIONS

- A. **AC Transit Hydrogen Energy Station** – A Study Session on a proposed hydrogen fueling station at AC Transit’s Emeryville bus maintenance facility to fuel zero-emission cars and buses, in part utilizing power derived from solar-powered, renewable energy. The project is an extension of AC Transit’s hydrogen fuel cell demonstration program. The bus facility is bounded by 47<sup>th</sup>, Doyle, and 45<sup>th</sup> Streets and properties fronting on San Pablo Avenue. The station would include a fueling facility inside the yard for zero-emission buses, and one along 45<sup>th</sup> Street for a limited number of zero-emission cars. The project will require Design Review and a Conditional Use Permit for expansion of a Major Public Services use. CEQA Status: To be determined by AC Transit as lead agency. General Plan Designation: Medium Density Residential (M); Zoning Classification: Medium Density Residential (R-M) (Applicant/Owner: AC Transit) (APN: 49-1178-3, 49-1179-1, and 49-1180-1).

Director Bryant made brief introductory remarks. Mallory Nestor-Brush of AC Transit made a power point presentation. Joe Calloway of AC Transit explained the safety and benefits of hydrogen and how the process was done. Jim Galechy, Deputy General Manger of AC Transit spoke briefly.

The Commissioners generally supported the project, but expressed concerns about CO2 emissions and the need for a health risk assessment given the site’s proximity to the secondary school.

- B. **Emery Station Greenway (UP08-04/DR08-10/VAR08-01)** – A Study Session to review a proposal to construct a new, four story 139,232 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: Initial Study/Mitigated Negative Declaration being prepared. 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, made the staff presentation.

Tom Malloy of T. J. Architects made a presentation, and Rich Sharp, landscape architect, explained the site plans.

Rich Robbins of Wareham Development, applicant, also spoke briefly.

Yana Womack, resident of 5845 Doyle Street, #2, expressed concerns with the noise levels that this project will produce.

Lynn Olechnowicz, resident of 5845 Doyle Street, #3 also had concerns with the noise levels this project will create.

Commissioners commented on various issues including use of ground floor space, trash facilities, Greenway design, building massing and materials, relation to Emery Station East, and noise.

A meeting of the Commission’s ad hoc committee on Greenway design (Donaldson, Martin, Scheuerman) is to be scheduled in the near future.

## VI. PUBLIC HEARINGS

- A. **NetSol Sign, 2000 Powell Street (SA08-16)** – A Major Sign Permit to allow two sets of illuminated channel letter signs on the top of Watergate Office Tower III at 2000 Powell Street. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15311(a) which applies to accessory structures including on-premise signs. General Plan Designation: Mixed Use (M-U); Zoning Classification: Mixed-Use (M-U) (Applicant: Golden Gate Sign Company, Inc)(Owner: NOP Watergate, LLC) (APN: 49-1521-7)

Miroo Desai, Senior Planner, made the staff presentation.

Applicant, Trigg Olsen, spoke briefly.

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

Motion: To approve the sign request with an addition to the conditions to state that if the tenant moves out of building, the signs would be removed and no further signs on the building will be allowed without Commission approval.

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

There was a short break.

- B. **Living Hope Christian Center, 4550 San Pablo Avenue (UP08-07)** – A Conditional Use Permit to allow Living Hope Christian Center to use approximately 4,920 square feet of existing second floor space at 4550 San Pablo Avenue for worship related activities. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301 which applies to minor modifications to existing structures. General Plan Designation: Commercial (C); Zoning Classification: General Commercial (C-G). (Applicant: Benjamin Robinson, Living Hope Christian Center)(Owner: 4550 San Pablo Ave LLC & Peter G. Mathews)(APN: 49-1174-31-2 and -31-3).

Miroo Desai, Senior Planner, presented the staff report.

Benjamin Robinson, Pastor of Living Hope, explained the tenant uses on the ground floor. He stated they have been in Emeryville for five years and are very excited about this new location. He responded to questions from the Commission.

The public hearing was opened.

Brynda Collins of 4333 Adeline Street spoke in support of the project.

Motion: To approve the request for a conditional use permit (UP08-07) at 4550 San Pablo Avenue.

The public hearing was closed.

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

- C. **Bicycle Parking Ordinance (ORD08-02)** – Consideration of an ordinance adding Article 68, Bicycle Parking, to Chapter 4 of Title 9 of the Emeryville Municipal Code, setting standards for number, design, installation and location of short-term and long-term bicycle parking spaces in development projects. CEQA Status: This project is exempt from environmental review under the "General Rule" provisions at Section 15061(b)(3) of

the State CEQA Guidelines because it can be seen with certainty that there is no possibility that the proposed ordinance may have a significant effect on the environment, and Section 15378(b)(2), which applies to general policy and procedure making.

Associate Planner, Diana Keena, made the staff presentation, 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 discussion, the Commission decided to delete a provision that would have modified the credit for motorcycle parking as well as bicycle parking.

Motion: To recommend City Council adoption of the Bicycle Parking Ordinance (ORD08-02), with deletion of the modification to the motorcycle parking credit.

**Moved:** Donaldson

**Seconded:** Martin

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

- D. Green Building and Bay-Friendly Landscaping Ordinance (ORD08-03)** – Consideration of an Ordinance adding Chapter 18 to Title 8 of the Emeryville Municipal Code entitled "Green Building and Bay-Friendly Landscaping." The ordinance will require City projects and Public-Private Partnership projects over defined thresholds to meet specific green building and sustainable landscaping standards. CEQA Status: This project is exempt from environmental review under the "General Rule" provisions at Section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that the proposed ordinance may have a significant effect on the environment and Section 15378(b)(2), which applies to general policy and procedure making.

This item was continued to a future meeting.

## **VII. COMMISSIONERS COMMENTS**

### **A. Parks and Recreation Needs Assessment/Strategic Plan**

Commissioners expressed concern that the General Plan update was proposing large areas of new open space without having assessed community parks and recreation needs or developing a strategy for their implementation. It was suggested that a consultant be hired to prepare a needs assessment followed by a strategic plan for implementation, similar to the process currently being undertaken for the Arts and Cultural Center.

Motion: Make a recommendation to the City Council that the applicant prepare a Parks Needs Assessment/Strategic Plan.

**Moved:** Martin

**Seconded:** Scheuerman

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

In response to Commission questions, Assistant City Attorney, Michael Guina said he would have a status report on the proposed park impact fee at the next meeting.

A concern was expressed about the need for clear rules on how to calculate Floor Area Ratio, and that open space should not be included.

## **VIII. ADJOURNMENT** – The meeting was adjourned at 10:15 p.m.