

PLANNING COMMISSIONERS:

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REVISED AGENDA EMERYVILLE CITY PLANNING COMMISSION CITY COUNCIL CHAMBERS 1333 PARK AVENUE EMERYVILLE, CALIFORNIA THURSDAY, March 23, 2017 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 all 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 – February 23, 2017](#)**
- V. **DIRECTORS REPORT**
- VI. **DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS**
- VII. **PUBLIC HEARINGS**
 - A. **[6701 Shellmound Residential Project \(“Nady Site”\) Extension Request \(UPDR14-003\)](#)** – Consideration of a request for a two-year extension of a Conditional Use Permit and Design Review for a 186-unit residential development on a 2.27 acre site located at 6701 Shellmound Street that was approved by the Planning Commission on March 24, 2016. The project includes a Tree Removal Permit for removal of two street trees. CEQA Status: Environmental Impact Report certified by Planning Commission on March 24, 2016. General Plan Land Use Classification: Mixed Use with Residential; Zoning District: Mixed Use with Residential (MUR). (Applicant: Anton Development Company LLC)(Owner: Nady Trust U/D/T)(APN:49-1490-2)
 - B. **[Cellular Facility on Existing Streetlight Pole \(UPDR16-009\)](#)** – Consideration of a **Conditional** Use Permit and Design Review application to install a new wireless telecommunication facility on an existing City streetlight pole in the Powell Street public right-of-way near the intersection of Christie Avenue, adjacent to 5795 Christie Avenue. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15303(d), which applies to construction and extension of utilities, 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, and Major Transit Hub Overlay; Zoning District: Mixed Use with Residential (MUR), Regional Retail Overlay (RR), Pedestrian Priority Zone Overlay (PP), and Transit Hub Overlay (TH) (Applicant: Mobilitie, LLC) (Owner: City of Emeryville) (Adjacent to APN 49-1515-7-7)
 - C. **[PG&E Tree Removal \(TREE16-001\)](#)** – Consideration of a Tree Removal Permit to remove nine street trees in the public right-of-way that are adjacent to natural gas transmission lines at various locations in the City. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15304(b), which applies to changes in landscaping, 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: Various; Zoning District: Various (Applicant: PG&E) (Owner: City of Emeryville) (APNs: adjacent to 49-1041-49; 49-1041-71-2; 49-1319-2-2; 49-1489-14; 49-1492-13; 49-1544-1-1; and 49-1544-2)

- D. [Public Market Directional Sign Program \(SIGN16-028\)](#) – Consideration of a Major Sign Permit for directional signage throughout the Public Market site, specifically along Shellmound Street and 63rd 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, Park/Open Space, and Major Transit Hub; Zoning District: Planned Unit Development (PUD-2) (Applicant/Owner: AG-CCRP Public Market L.P.) (APNs:49-1556-1; -2; and -3)

- E. [Accessory Dwelling Units Ordinance \(ORD16-004\)](#) - Consideration of amendments to Article 14 of Chapter 5 of the Planning Regulations at Title 9 of the Emeryville Municipal Code to make state-mandated changes related to Accessory Dwelling Units, formerly known as Secondary Residential Units. CEQA Status: The proposed amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) under the “general rule” at Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment.

- F. [Pedestrian and Bicycle Plan Addendum \(STUDY17-001\)](#) - Consideration of a resolution reaffirming the 2012 Pedestrian and Bicycle Plan and approving a Focused Update Addendum on Implementation Status. This five-year implementation update and plan reaffirmation is required for projects in the plan to be eligible for state funding. CEQA Status: The Pedestrian and Bicycle Plan was covered by the Environmental Impact Report for the General Plan that was certified by the City Council by Resolution No. 09-207 on October 13, 2009. The proposed amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) under the “general rule” at Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the addendum may have a significant effect on the environment.

- G. [Development Impact Fee Amendment \(ORD17-001\)](#) – Consideration of an amendment to Section 9-5.1907(b) of Article 19 of Chapter 5 of the Planning Regulations at Title 9 of the Emeryville Municipal Code to specify that development impact fees applicable to former uses shall be subtracted from fees for new uses, whether or not they were actually paid. CEQA Status: The proposed amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) under the “general rule” at Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the addendum may have a significant effect on the environment.

VIII. COMMISSIONERS COMMENTS

IX. ADJOURNMENT

THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, April 27, 2017 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.