



CITY OF EMERYVILLE COMMUNITY DEVELOPMENT DEPARTMENT

DATE: September 1, 2017

TO: Carolyn Lehr, City Manager

FROM: Charles S. Bryant, Community Development Director 

SUBJECT: **PROGRESS REPORT – AUGUST 2017**

HIGHLIGHTS OF THE MONTH

The Planning Commission approved a modification of the existing “Art.com” signs at 2100 Powell Street to remove the multi-color LED “light pucks” and add white acrylic letter faces to be internally illuminated with white LED modules. The new signs include a dimmer switch, and will be dimmed to a satisfactory level if they are determined to be too bright. The Commission’s action also included rescinding the previous permit for the multi-color LED signs, which had been very controversial due to their initial brightness.

The construction noise waiver for Saturday work at the Public Market that was approved by the City Council on July 25 is being referred back to the Council on September 19 for consideration of revocation or modification, due to work starting before the allowed time on two Saturdays.

Staff met with the developer and architect team for a new eight-story 259-unit residential building with 10,000 square feet of ground floor commercial space that is proposed at 5850 Shellmound Way, at the northeast corner of Shellmound Way and Christie Avenue.

A community meeting was held on August 16 at ECCL to solicit comments on the issues that need to be considered in the update of the City’s noise ordinance, for which a contract was approved by the City Council on July 25.

A building permit application was received for the residential component of Public Market Parcel C, which will “wrap” the New Seasons grocery store and parking structure on the north and west sides.

As previously authorized by the City Council, staff accepted a bid and secured a contractor to perform abatement duties of the dilapidated house at 1264 Ocean Avenue. Meanwhile, the property owner was awarded a temporary stay by the Hayward Superior Court, so the City’s actions are now on hold. A hearing to review the stay is scheduled for September 27.

Staff and consultants conducted a Minimum Wage Information Workshop on August 4 at ECCL that was attended by seven businesses and one community member.

MEETINGS AND CONTACTS

Below are listed substantive meetings and other contacts that staff has had during the month of August with individuals and organizations from outside the City of Emeryville. (To jump to the full write-up, click on the title of any item below; to return, press Alt + ←)

Workforce Development Coordination. In August, staff met both separately and jointly with staffs of the Alameda County Workforce Development Board (ACWDB) and California State University East Bay (CSUEB) Institute for STEM Education to coordinate their projects to encourage business engagement with Emery Unified School District students.

New Residential Unit, 5876 Beaudry Street. On August 1, staff met with the architect and property owner of a new residential unit being developed on the site of two existing units at 5876 Beaudry Street, to discuss the Affordable Housing Impact Fee.

Micro-Grid. On August 4, staff, Mayor Donahue, and Council Member Martinez met with representatives from ZipPower to discuss a micro-grid power system in Emeryville and the possibility of applying for a state grant for the project.

Adeline Springs, 3637 Adeline Street. Staff met with the applicant and architect on August 8 to discuss Planning Commission comments and direction from the July 27 study session.

5850 Shellmound Way Mixed Use Project. On August 9, staff met with the developer and architect team for a proposed eight-story 259-unit residential building with 10,000 square feet of ground floor commercial space at the northeast corner of Shellmound Way and Christie Avenue.

Regional Coordination. On August 22, staff met with members of the Richmond Chamber of Commerce Board to discuss coordination of local labor standards across inner East Bay cities.

Urban Manufacturing Initiative. On August 22, staff met with staff from SFMade to receive an update on the Bay Area Urban Manufacturing Initiative activities.

Sherwin Williams Subdivision Map. Planning and Public Works staff met with the applicant team on August 31 to discuss the conditions of approval and process for the Phase I Final Map.

Notification Vendors. On August 31, staff received a demonstration of Digital Map Products' "GovClarity" platform for notification lists for public hearings.

Building Division Pre-Submittal Meetings. During the month of August, the Building Division held numerous pre-submittal meetings with building permit applicants, as listed below in the Building Division section.

CITY COUNCIL, PLANNING COMMISSION, AND COMMITTEES

CITY COUNCIL

The City Council does not meet in August.

PLANNING COMMISSION

The Planning Commission considered the following items at its August 24 meeting:

Swearing in of New Commissioner Miguel Guerrero. New Planning Commission Miguel Guerrero was sworn in by the City Clerk. (This had been deferred from the July 27 meeting because of the City Clerk's absence due to illness.)

Mobilitie Cellular Facilities. The Planning Commission considered two Conditional Use Permit and Design Review applications for wireless telecommunications facilities on two existing City street light poles in the public right of way, one on the south side of Powell Street adjacent to 5795 Christie Avenue, near the southwest corner of Powell Street and Christie Avenue, and the other on the north side of 64th Street adjacent to 6425 Christie Avenue, near the northeast corner of 64th and Lacoste Streets. The item was continued to allow the applicant time to develop a better design for concealing the equipment for both sites and to explore an alternative location for the facility on 64th Street that is not close to any residential development.

Avalon Public Market Signs. The Planning Commission approved a Major Sign Permit for Avalon Public Market signs for the residential project currently under construction on "Parcel D" at 6301 Shellmound Street. The vote was 5-1, with Chair Donaldson voting "no" and Commissioner Kang absent. The proposal was previously considered at the June 22 Commission meeting, where the Commission voted unanimously to continue the item so that the blade sign could be reduced in size to be more appropriate for both the building and the neighborhood. The revised plans reduced the vertical measurement of the blade sign by 10 feet.

Art.com Signs. The Commission unanimously approved a Major Sign Permit to modify the existing "Art.com" high-rise identification signs at 2100 Powell Street by removing the multi-color LED "light pucks" from the existing channel letters and adding white acrylic letter faces to be internally illuminated with new white LED modules, while maintaining the existing location and size of the signs. The Commission's action also included rescinding the previous Major Sign Permit for the multi-color LED signs, which had been very controversial due to the signs' brightness. It was the subject of a revocation hearing in November 2012, which resulted in the conditions of approval being modified. The new signs include a dimmer switch, with a condition that the signs shall be dimmed to the Community Development Director's satisfaction if they are determined to be too bright.

PUBLIC ART COMMITTEE

The Public Art Committee (PAC) met on August 10. Members approved for City Council consideration a draft Request for Qualifications for public art at the Marina. The next meeting of the PAC is scheduled for September 14, at which the committee will consider the selection

process for the 2017 Purchase Award. This will be immediately followed by a special joint meeting with the Economic Development Advisory Committee, also on September 14, to consider the “needs assessment” for the Rotten City Cultural Arts District.

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

The EDAC does not meet in August; however, a meeting of the EDAC’s ad-hoc subcommittee on the Economic Development Strategy Update was held on August 31. The subcommittee reviewed the preliminary draft Economic Development Strategy, provided comment on the actions listed in the plan, and prioritized topics. The draft Economic Development Strategy will be presented to the EDAC, and once approved by the EDAC, to the City Council for adoption, tentatively scheduled for October 17.

As noted above, a special joint meeting of the PAC and EDAC is scheduled for September 14, to provide input on a “needs assessment” for the state-designated Rotten City Cultural Arts District.

The next regular meeting of the EDAC is scheduled for September 20.

DEVELOPMENT COORDINATING COMMITTEE

The DCC met on August 16 with representatives from the Planning, Building, and Economic Development and Housing divisions of the Community Development Department; the Public Works and Police Departments; and the City Attorney’s Office discussing the following projects:

EV Charging Stations in Civic Center Parking Lot. Public Works staff discussed plans for installing electric vehicle charging stations in the parking lot behind the Civic Center, and along adjacent Haven Street. These will be available for use by both City vehicles and the general public. The main focus of the discussion was the route of the necessary PG&E easement. In order to maintain maximum flexibility for future maintenance and development of the parking lot, the consensus of DCC members was that the easement should follow the perimeter streets rather than going across the middle of the parking lot.

Greenway Movie Nights Temporary Use Permit. The Committee reviewed an application to hold three movie nights on a portion of the parking lot west of the Greenway between 67th Street and Folger Avenue. The Committee generally supported the project while noting minor modifications that were needed to facilitate site accessibility and the need for coordinating permits with the City of Berkeley.

Doyle Street Mews, 5876-5880 Doyle Street. The Committee reviewed revised plans to demolish four existing legal residential units and two existing illegal residential units, and to replace them with six new residential condominiums. The revised plans addressed staff concerns raised at the July Development Coordinating Committee meeting regarding the ground floor façade lacking visual interest and the addition of details such as address locations. Minor corrections are needed before the plans can be finalized.

Bike Share Station at 47th Street and San Pablo Avenue. The Committee reviewed a bike share station originally proposed for 45th Street, east of San Pablo Avenue that, based on staff recommendation, is now proposed for relocation to the south side of the 47th Street, east of San Pablo Avenue. The Committee felt that the relocated station has been sited appropriately, just west of the Escuela Bilingüe Internacional driveway. The Committee recommended that the station be reviewed at the next Transportation Committee meeting, before City Council review.

PLANNING DIVISION

CURRENT PLANNING PROJECTS

Major Projects Chart, Table, and Map. The attached bar chart illustrates the progress of each major development project through the Planning and Building “pipeline”, while the attached Major Projects table contains more detail on each project, and a key map shows the location of each project. Those projects that had significant staff activity in August are discussed below.

Marketplace Redevelopment Project.

- **Avalon Residential Signs, 6301 Shellmound Street.** As noted above, a Major Sign Permit application for new building identity signage was considered by the Planning Commission on June 22 and continued to a future meeting to allow the applicant to redesign the proposal to reduce the size of the proposed blade sign. The item returned to the Commission on August 24 and was approved on a 5-1 vote.
- **Noise Waiver for Saturday Work.** As previously reported, on July 25, the City Council approved a construction noise waiver for work on the new streets at the Public Market from 10 a.m. to 6 p.m. on all Saturdays between July 29 and November 11. Because of two violations of this noise waiver, with construction beginning before 10 a.m. on both July 29 and August 26, the matter is being referred back to the City Council on September 19 for consideration of either revocation of the noise waiver or modification of its conditions of approval.
- **Parcel B, 5950 and 6000 Shellmound Street.** Planning staff signed off on the building permit for the new parking garage and retail buildings on August 17.
- **Christie Avenue Park Redesign and Expansion.** Planning staff provided plan check comments on the building permit application on August 11.

Sherwin Williams Subdivision Map. On August 7, Planning and Public Works staff met internally to discuss the conditions of approval and process for the Phase I Final Map, and a meeting with the applicant was held on August 31.

Adeline Springs, 3637 Adeline Street. As previously reported, at its July 27 meeting, the Planning Commission reviewed this proposal to demolish an existing 5,866 square foot building (“U.S. Spring”) and construct a new five-story building that will accommodate 29 rental residential units and 4 to 6 live-work units on a 12,528 square foot parcel located at 3637 Adeline Street. Staff held a follow-up meeting with the applicant on August 8.

Doyle Street Mews, 5876-5880 Doyle Street. A Conditional Use Permit and Design Review application to demolish four existing legal residential units and two existing illegal residential units, and to build six new residential condominiums, was submitted on March 8, 2016. This project requires a Planning Commission recommendation and City Council approval because it involves the demolition of residential units. As previously reported, the project was reviewed by the Planning Commission at a third study session on July 27, following two previous Planning Commission study sessions on April 28, 2016 and August 25, 2016, and a City Council study session on November 1, 2016. A second City Council study session is scheduled for September 5, 2017.

Ocean View Townhomes, 1270 Ocean Avenue. A Conditional Use Permit and Design Review application for four new units on a lot that currently has one unit was submitted on May 2, 2016. This project requires a Planning Commission recommendation and City Council approval because it involves the demolition of a residential unit. A Planning Commission study session was held on January 26, where the applicant was given direction to reduce the size of the project. The applicant held a community meeting on April 5 at ECCL, where they asked for community feedback on revised plans containing three units. The community members present were generally supportive of the proposed redesign, finding the number of units, bulk of the building, and building materials and design to better suit the neighborhood. A second Planning Commission study session is scheduled for September 28, 2017.

Rug Depot Redesign, 4045 Horton Street. A Conditional Use Permit and Design Review application to modify two existing buildings into two medium-sized retail stores with interior parking was submitted on June 29, 2016. A Planning Commission study session was held on August 25, 2016. A second study session is tentatively scheduled for December 14, 2017.

Mobilitie Cellular Facilities. As noted above, on August 24, the Planning Commission considered two Conditional Use Permit and Design Review applications for wireless telecommunications facilities on two existing City street light poles in the public right of way, one on the south side of Powell Street adjacent to 5795 Christie Avenue, near the southwest corner of Powell Street and Christie Avenue, and the other on the north side of 64th Street adjacent to 6425 Christie Avenue, near the northeast corner of 64th and Lacoste Streets. The item was continued to allow the applicant time to develop a better design for concealing the equipment for both sites and to explore an alternative location for the facility on 64th Street that is not close to any residential development.

Art.com Signs. As noted above, on August 24, the Planning Commission unanimously approved a Major Sign Permit to modify the existing “Art.com” high-rise identification signs at 2100 Powell Street by removing the multi-color LED “light pucks” from the existing channel letters and adding white acrylic letter faces to be internally illuminated with new white LED modules, while maintaining the existing location and size of the signs. The Commission’s action also included rescinding the previous Major Sign Permit for the multi-color LED signs, which had been very controversial due to the signs’ brightness. It was the subject of a revocation hearing in November 2012, which resulted in the conditions of approval being modified. The new signs

include a dimmer switch, with a condition that the signs shall be dimmed to the Community Development Director's satisfaction if they are determined to be too bright.

Artistry Apartments. This proposal to add six new units to an existing 261-unit rental apartment building was approved by the Planning Commission on February 23, 2017. An Affordability Agreement for the one new Below Market Rate unit is scheduled to be considered by the City Council on September 5.

5850 Shellmound Way Mixed Use Project. On August 9, staff met with the developer and architect team for a new eight-story 259-unit residential building with 10,000 square feet of ground floor commercial space that is proposed to replace the existing three-story, 61,000 square foot Innovative Interfaces office building. General Plan and zoning requirements, and the project approval process, were reviewed. An application for a Planning Commission study session was submitted on August 29; the study session is scheduled for September 28.

New Residential Unit, 5876 Beaudry Street. On August 1, staff met with the architect and property owner of a new residential unit being developed on the site of two existing units at 5876 Beaudry Street, to discuss the Affordable Housing Impact Fee. The project was approved by the Planning Commission on August 25, 2016. A building permit application was submitted on October 13, 2016, and was approved and ready-to-issue on April 28, 2017 pending payment of fees. The architect and owner stated that, although the impact fee was included in the fee chart when the project was approved, they did not believe that it was intended to apply to small projects such as this. They were advised of various options, including requesting deferral of the fee to Certificate of Occupancy, and/or protesting the fee. Subsequently, on August 16, the fee was paid under protest and the building permit was issued. Pursuant to the requirements of the Planning Regulations, an informal hearing on the protest will be scheduled with the Community Development Director within 60 days of payment.

ADMINISTRATIVE CASES AND ACTIVITIES

Conditional Use Permits and Design Review

Light Manufacturing, 1580 62nd Street. A Minor Conditional Use Permit and Design Review application to allow a light manufacturing use within an existing building was submitted on June 27 (pending).

In-N-Out Burgers, 5701 Christie Avenue. A Minor Conditional Use Permit and Design Review application to add 54 square feet of building area and for exterior changes and a revised site plan for a new In-N-Out Burgers at an existing Burger King restaurant was submitted on September 20, 2016 (pending).

Design Review

New Windows, 4377-4379 Adeline Street. A Minor Design Review permit for new windows in an existing light industrial building was approved on August 31.

Bank of America Lighting Retrofit, 4120 San Pablo Avenue. A Minor Design Review application to retrofit the existing lighting on the building and in the parking lot was submitted on March 15 (pending).

KFC Façade Revision, 4501 San Pablo Avenue. A Minor Design Review application to modify the existing façade of a fast-food restaurant was submitted on October 11, 2016 (pending).

Bridgework Apartment Trellis, 1321 40th Street. A Minor Design Review application to add a trellis to the south side of the building was submitted on January 21, 2016 (pending).

Signs

One Medical Sign, 1333 Powell Street. A Minor Sign Permit application for a new illuminated sign was approved on August 16.

Home Depot Tool Rental Center Sign, 3838 Hollis Street. A Minor Sign Permit for one new illuminated sign was approved on August 9.

Levi's Sign, 5641 Bay Street. A Minor Sign Permit application for a new storefront sign was submitted on July 31 (pending).

Sidewalk Cafes/Parklets/Bicycle Corrals

Bike Share Stations. Seven Sidewalk Café Permit applications for on-street bike share stations were submitted on March 29. Locations include 45th Street at San Pablo Avenue, 53rd Street at Hollis Street, 59th Street at Horton Street, Stanford Avenue at Hollis Street, Doyle Street at 59th Street, 65th Street at Hollis Street, and Christie Avenue at Shellmound Street. As previously reported, on July 11 the City Council recommended approval of five of the locations and directed staff to work with the applicant and neighboring businesses to find a more suitable off-street location for the 59th and Horton Street station in close proximity to the Amtrak station. A meeting with the applicant, Motivate, and Wareham Development was held in the field on July 26 to review possible location options for the bike share station. With the exception of the Christie Avenue at Shellmound Street station, which is on hold due to a redesign required to mitigate landscaping and irrigation impacts, all locations reviewed by the City Council were approved on August 18. The seventh location, on 45th Street at San Pablo Avenue, is being relocated to 47th Street and is being further analyzed by the applicant.

Los Moles, 1320 65th Street. A Sidewalk Café Permit application for a sidewalk café was submitted on April 4 (pending).

Doyle Street Parklet, 5515 Doyle Street. A Sidewalk Café Permit application for a parklet in front of the Doyle Street Café was submitted on May 27, 2016 (pending).

Temporary Use Permits

Greenway Movie Nights. A Temporary Use Permit to hold three movie nights on a portion of the parking lot west of the Greenway between 67th Street and Folger Avenue was approved on August 17.

ADVANCED PLANNING PROJECTS

Accessory Dwelling Units and Lot Coverage. In response to Council direction on May 2 regarding State-mandated changes to the Planning Regulations related to Accessory Dwelling Units (formerly known as Secondary Residential Units), staff drafted a staff report on the potential effect of Accessory Dwelling Units/Secondary Residential Units on lot coverage in the Doyle Street and Triangle neighborhoods under existing setback regulations, for a City Council hearing on September 19.

40th/San Pablo Transit Hub. Staff submitted a contract with Community Design + Architecture for Council consideration on September 5, and gathered information to give to the consultants at the staff-consultant kickoff meeting scheduled for September 18. This is for a conceptual street design to improve conditions for transit passengers and cyclists at the 40th/San Pablo Transit Hub and on adjacent parts of 40th Street.

One-Way Car Share Ordinance. Staff received responses from AAA regarding questions the Transportation Committee had asked in July regarding AAA's GIG ("Get in. Go.") one-way car share program. Staff drafted a staff report regarding provisions for a one-way car share ordinance for the September 21 Transportation Committee meeting. A City Council study session on ordinance provisions is tentatively scheduled for November 21.

Noise Ordinance Update. As previously reported, on July 25 the City Council approved a contract with Environmental Science Associates to update the City's noise ordinance. A community meeting was held on August 16 at ECCL to solicit comments on the issues that need to be considered. A question was raised as to whether one of the goals was to reduce the overall noise level in the City. It was noted that enforcing speed limits was one of the ways to reduce noise. One citizen expressed concern regarding the freeway noise emanating from I-580 and the possibility of constructing a sound wall. Another citizen noted some of the biggest noise makers to be Waste Management trucks, street sweepers, dogs, leaf blowers and ambulances. The next step in the Noise Ordinance Update is to conduct a City-wide noise survey to quantify existing noise levels at noise sensitive land uses. This is tentatively scheduled for mid-September.

Resilient by Design Challenge. In July staff had nominated the Emeryville Crescent as a site for a sea level rise design project as part of the Rockefeller Foundation's Resilient by Design Challenge. Site nominators were invited to a kickoff gathering in September for the research phase that will select sites for design work. The Challenge staff agreed to invite the two City Council members who make up Emeryville's Sustainability Committee.

Local Update of Census Addresses. Staff continued putting Census block numbers in the City's most recent address list, and started the registration process, which are steps in preparing to update the U.S. Census address list in the spring of next year, in preparation for the 2020 U.S. Census.

UC Berkeley Statewide Residential Land Use Survey. Staff answered questions about City policies related to housing development.

Alameda County Congestion Management Program Conformity Finding. Staff filled in the Alameda County Transportation Commission’s land use table and transportation demand management survey, enabling the Commission to find the City in conformity with the Congestion Management Program.

Alameda County Local Area Formation Commission (LAFCO) Report. Staff reviewed and corrected the LAFCO staff’s Administrative Draft Municipal Service Review Update.

BUILDING DIVISION

Permit, Inspection, and Plan Check Activity and Public Contacts

The attached tables summarize the second month of fiscal year 2017-2018 for building permit and inspection activity. Following is a summary of the Building Division’s permit, inspection, and plan check activity and public contacts in August:

Permits Issued:	50
Total Valuation:	About \$20.5 million
Fees Collected:	About \$301,000
Inspections:	507
- Major projects:	267 (53%)
- Other:	240 (47%)

Fast Track Plan Check:

- Same day: 16 applications
- Within 2 weeks: 38 applications
- Expedited requests: 2 (plan review comments or permit approval within 3-5 days)

Public Contacts and Inquiries:

- Counter contacts: 226
- Telephone inquiries: 103

Major Projects Under Construction

Construction is proceeding on the following major new developments and renovation projects:

- **Hyatt Place Hotel** – 175-room hotel at 5700 Bay Street. (TCO issued November 10, 2016; CO pending)
- **LePort Schools** – 1450 and 1452 63rd Street; private pre-K through 1st grade school. (TCO issued on March 11, 2016; final signoff granted on September 1, 2016; reroof permit issued April 26, 2017; CO pending.)
- **The Intersection Mixed Use Project (Maz site)** – 3800 San Pablo Avenue; 105 residential units, 21,000 square feet of retail. Six-alarm fire on July 6, 2016 destroyed residential wood frame superstructure. The Building Division approved plans for repairs of the garage structure and podium on September 27, 2016. Five-alarm fire on May 13, 2017 destroyed wood framing of residential structure for a second time. The existing Maz Building also suffered fire damage. A demolition permit to remove the fire-damaged debris was issued on May 26, 2017. A demolition and temporary shoring permit for the Commercial Building was issued on July 7, 2017. A building permit for residential podium repairs was issued on August 17, 2017.

- **Ocean Avenue Townhomes** – 1276 Ocean Avenue; 5 townhouses. Third floors were added without benefit of permits to Units 3 and 4. Applicant was directed to remove the third floor of Unit 3 and legalize the third floor of Unit 4 before occupancy can be issued for any units in this project. Revised plans for work without permits were submitted in December 2015. First review comments sent on January 7, 2016; second review comments sent on June 6, 2016; third review comments sent on November 11, 2016; Building Division met with Engineer on January 31, 2017 to discuss fourth review comments; Fire Department approved fifth review plans on February 3, 2017; Building Division sent sixth review comments on June 16, 2017; revised plans approved on August 22, 2017; permit for revised scope of work is ready-to-issue pending payment of fees.
- **39th and Adeline Residential Project** – 3900 Adeline Street; 101 rental apartments, 1,000 square feet of retail, two levels of parking. (TCO for 48 units in Phase 1 granted December 31, 2015; TCO for 35 units in Phase 2 granted March 21, 2016; TCO for 18 units in Phase 3 granted April 15, 2016.) Building permit for repairs to fire-damaged windows and siding issued October 27, 2016; building permit for reroofing issued November 22, 2016.
- **Marketplace Parcel C Commercial** – 6201 Shellmound Street; 30,000 square foot New Seasons grocery store and parking structure; building permit issued August 25, 2016; permit for tenant improvements issued March 13, 2017.
- **Marketplace Parcel D** – 6301 Shellmound Street; 223-unit apartment building. Building permit issued on February 3, 2017.
- **EmeryStation West @ Emeryville Transit Center** – 5959 Horton Street; 250,000 square feet of office/lab and retail space, and Amtrak bus bays, in 165-foot high-rise; displacement drilled piles permit issued on August 18, 2016. Building permit issued on November 4, 2016.
- **Heritage Square Garage** – 6121 Hollis Street; 675-space, 7-story parking structure with 3,620 square feet of ground floor commercial space. Building permit issued on September 16, 2016.
- **3706 San Pablo Avenue** – 87 units of affordable housing on former Golden Gate Lock and Key site. Grading, remedial site work ongoing. Building permit issued on June 21, 2017.

Anticipated Major Development Projects

The Building Division anticipates new development projects in fiscal years 2017-2019 including:

- **Marketplace, Shellmound Site (Parcel A)** – 5900 Shellmound Street; 167 residential units, 14,000 square feet of retail space.
- **Marketplace Parcel B (Garage Building)** – 5950-6000 Shellmound Street; 22,280 square feet of retail space and 300 parking spaces. Building permit application submitted on February 17, 2017.
- **Marketplace Parcel C Residential** – 6251 Shellmound Street; 66 residential units wrapping north and west sides of grocery store and parking structure. Building permit application submitted on August 30, 2017.
- **Marketplace Park** – Redesign and expansion of Christie Avenue Park. Building permit application submitted on May 5, 2017.
- **Anton Evolve (“Nady Site”)** – 6701 Shellmound Street; redevelopment of former industrial site for 186 rental housing units. Two-year extension of planning permits, to March 24, 2019, approved by Planning Commission on June 22, 2017.

Pre-Submittal Meetings

The Building Division held pre-submittal meetings for a number of projects in August. These meetings involve the Chief Building Official, plan check staff, Fire Department staff, and the projects' development teams. Their focus is to aid the applicant to identify potential building code issues, alternate materials and methods requests, project scheduling issues, expected fees, and other major building concerns.

- **H&M Ladies'** – 5630 Bay Street, Building A; tenant improvements and storefront.
- **5876 Beaudry Street** – replace existing attached garage with new third dwelling unit above covered driveway. Addition of stair to existing deck and demo existing attached garage.
- **Public Market** – 5959 Shellmound Street; site accessibility master plan per 2016 California Building Code Chapter 11.
- **IKEA** – 4400 Shellmound Street; pedestrian sidewalk addition with ramp.
- **The Towers** – 1900 Powell Street; upgrade path of travel elements for three buildings; parking, accessible route, ramps, stairs, rails, elevators and signage.
- **Zymergen** – 5860 Hollis Street #105; tenant improvements; Media Services Facility, selected demolition, drywall, ceiling, doors, windows, skylights, finishes, casework, lab equipment, mechanical, electrical, plumbing, and structural.
- **Pixar Warehouse** – 5000 Hollis Street; tenant improvements; accessory space motion picture production studio.
- **H&M Men's** – 5618 Bay Street, Building A; install temporary and new signs, illuminated.
- **H&M Ladies'** – 5630 Bay Street, Building A; install temporary and new signs, illuminated.
- **The Intersection** – 3800 San Pablo Avenue; residential concrete podium, second repair due to fire damage.
- **Courtyard Marriott** – 5555 Shellmound Street; reroof, replace existing single ply roof membrane with PVC membrane.
- **1022 44th Street** – remove accessory structure and fence height to comply with code abatement.
- **2 Admiral Drive, Unit B275** – kitchen and bath remodel; replace tub with shower, fan, lights, kitchen stove hood, cabinet and countertops.
- **1270 62nd Street** – strip all roofing overlay, 15-pound felt, and install lifetime shingles with bitumen flat section.
- **1291 55th Street** – garage; voluntary shear walls and remove/replace perimeter foundation and slab on grade.
- **Moomie's** – 1366 Powell Street; tenant improvements; replace lighting, countertops, sinks.
- **Public Market** – 5959 Shellmound Street; install signage throughout site; one monument, two freestanding directories, one wall mounted directory, four pole mounted directional, one projecting blade, two miscellaneous signs.
- **81 Glashauss Loop** – remove and replace dry rot at balcony and waterproofing repair to match existing.
- **1285 55th Street, #B** – tear off existing roofs, reroof with Class A composition.
- **67th Street** – temporary occupancy for assembly in parking lot west of Greenway and 3100 San Pablo Avenue for movie set-up on three nights: 8/31/2017, 9/21/2017 and 10/26/2017.
- **5928 Beaudry Street** – reroof, tear off existing built-up roof; apply foam overlay to roof.

- **1285 62nd Street** – add new fixed window to side of garage.
- **1291 55th Street** – replace electrical main service with new 200 ampere meter.
- **1255 Powell Street** – replacement 2½- and 5-ton package unit, add Fujitsu mini-split for server room.
- **20 Emery Bay Drive** – replace 50-gallon natural gas water heater.
- **151 Temescal Circle** – replace 50-gallon water heater.
- **1291 55th Street** – private sewer lateral (PSL), replace one lateral, 4" diameter, high-density polyethylene (HDPE), and abandon second lateral.
- **1063 48th Street** – PSL, replace one lateral, 4" diameter HDPE.

Projects Completed or Nearing Completion

The following projects have received Certificate of Occupancy (CO), Temporary Certificate of Occupancy (TCO), or final building permit sign-off (final) for the month of August:

- 13 sub permit types (finals for mechanical, electrical, plumbing, energy, etc.)

Code Enforcement/Graffiti Abatement

The following cases were handled by the Chief Building Official in August:

- 10 general code enforcement cases, correspondence for abatement purposes.
- 21 telephone contacts, relating to code enforcement process and complaint status.

1264 Ocean Avenue Update. As previously reported, on August 23, 2016, the Planning Commission, sitting as the Board of Appeals, unanimously voted to uphold the Chief Building Official’s Notice and Order to demolish the dilapidated house at 1264 Ocean Avenue. Subsequently, on July 25, 2017, the City Council authorized the City Engineer to approve plans and specifications for the abatement of the property and authorized the City Manager to advertise for bids to secure the services of a contractor to clean the property yards, and to demolish and remove the structure. Special Counsel assigned to the case on behalf of the City, the City Attorney’s Office, Public Works staff, and the Chief Building Official have continued to meet to discuss the logistics of moving forward with the demolition of the property. In August, the Public Works Department accepted a bid and secured a contractor to perform the abatement duties. With a September 2017 date for the project start, at the last minute the property owner was awarded a “temporary stay” from Hayward Superior Court from a new judge who was not familiar with the case history. This prevents the City from going forward with the demolition at this time. A hearing date was scheduled for September 27 to hear motions from both parties and further review the temporary stay, with attorneys for both sides required to submit their motions within two weeks.

Customer Feedback Questionnaire

For the month of August two questionnaire were received, both indicating positive and excellent in all categories, including customer service levels, staff knowledge, improvements needed, and how the City of Emeryville’s counter services compare with other jurisdictions.

ECONOMIC DEVELOPMENT AND HOUSING DIVISION

ECONOMIC DEVELOPMENT

Employee Scheduling/Fair Workweek. During the month of August, staff continued to receive inquiries by email and phone regarding the plan to implement and enforce the new labor standard. Public forums were held and draft regulations were developed in July; they are available on the City's website for review [here](#). Hard copies of Draft Implementing Regulations are also available at City Hall during regular business hours. Per the City Council's direction on July 25, 2017, the draft regulations will be presented for the Council's approval at their September 5, 2017 meeting. Per the Council's direction on June 20, 2017, implementation began with a "soft roll-out" on July 1, involving enforcement and investigation of complaints, but deferring the imposition of fines until January 1, 2018 to allow employers to develop systems for compliance with the ordinance and regulations. Further information can be found on the City's website at <http://www.emeryville.org/1136/Fair-Workweek-Ordinance>.

Minimum Wage. During the month of August, staff answered an increased number of inquiries regarding the Minimum Wage/Paid Sick Leave Ordinance via telephone, email and walk-in. There are currently two pending investigations for minimum wage violations, including a hotel and a café. The Minimum Wage requirements increased as of July 1, 2017 to \$15.20 per hour for large businesses and \$14.00 per hour for small businesses. Notices and posters for the 2017 Minimum Wage increase were mailed and emailed to businesses and posted on the City's website. On August 4 staff and Mills College consultants conducted a Minimum Wage Information Workshop at ECCL for all businesses to get a refresher on the expectations under the ordinance, to provide the opportunity for businesses to ask questions, and to provide some potential workforce and economic solutions to businesses. Seven business representatives were in attendance along with one community member and City staff. The workshop also included presentations by Samantha Miller from Alameda County Workforce Board and Traci Young from Rubicon Programs to share available resources to employees and employers. Some of these services include customized training, on the job training resources, tax credits, and support services for employees. Further information on the Minimum Wage/Paid Sick Leave Ordinance can be found on the City's website at <http://www.emeryville.org/1024/Minimum-Wage-Ordinance>.

"Rotten City – Emeryville" Cultural District. As previously reported, on July 13 the California Arts Council announced that Emeryville had been designated as one of 14 initial California Cultural Districts. As part of implementation of the project and to use this opportunity to market the City as a destination location in general, staff worked with Second Sight Video on development of the Cultural District Video Project. Interviews were conducted with staff from Pixar, Bulls Eye Glass, SAE Expression College and Emeryville artist Therese Lahaie. The California Arts Council also held a conference call with staff to review State proposals for the development of branding and marketing materials based on pre-determined State graphics. The State has also asked the District partners to conduct a Needs Assessment; the outcome will be a list of assistance suggestions for how the State could best assist the District. The parameters of the Needs Assessment are outlined in a specific format of topical areas but do allow for some creative input and suggestions. Staff has arranged a joint meeting/workshop of

the Economic Development Advisory Committee and the Public Art Committee, to be held on Thursday, September 14, to discuss the Needs Assessment. Further information about California's 14 Cultural Districts, including "Rotten City – Emeryville", can be found here: <https://www.caculturaldistricts.org/about-the-districts/>.

Business Outreach. Staff followed up recruitment contacts with three businesses interested in locating in Emeryville. Staff also maintained periodic correspondence to assist several Cannabis-related businesses interested in locating in Emeryville. Staff conducted outreach to four businesses new to Emeryville and conducted five business retention visits during which staff offers City services and inquires as to the businesses' needs. Staff also corresponded with four brokers regarding available properties and upcoming transactions, and conducted an exit interview with one business leaving the City.

Façade Improvement Grant Program. Economic Development and Housing staff held a coordinating meeting on August 23 with staff of the Planning and Building divisions to discuss the roll-out of the Façade Improvement Grant Program, which was approved by the City Council on May 16, 2017. Draft templates, including an updated application form, website posting, Finance Department referral forms, reimbursement request forms, and other related information materials, were reviewed.

Economic Development Project Meeting. Economic Development and Housing staff, the Community Development Director, Public Works Director, and City Attorney held their regular monthly meeting on August 16 to review the status of various economic development projects and programs.

AFFORDABLE HOUSING

Tenant Protections Ordinance. The Just Cause Eviction and Harassment Protections Ordinance that was passed by the City Council on December 6, 2016 took effect on April 1, 2017. Staff mailed notices regarding rights and responsibilities under the new ordinance to every residential address, to every residential owner who does not reside in Emeryville, and to every owner who has registered with the business license office, as well as planning outreach to tenants and landlords regarding their rights and responsibilities. Staff developed a webpage with useful information for tenants and landlords at <http://emeryville.org/1127/Eviction-Harassment-Ordinance>. Staff has been fielding many calls, emails, and walk-ins since the notices were received. The City Clerk received three Notices of Eviction in August. Staff has contracted with ECHO Fair Housing to provide one-on-one services to landlords and tenants three afternoons a week in City Hall and has provided East Bay Community Law Center with a grant to provide legal services to low income tenants who have received an eviction notice.

3900 Adeline Street. Staff worked with the developer to market the five very low income and seven moderate income units. So far, 12 applicants have been approved by City staff, and 10 of the affordable units have been rented.

4300 San Pablo Avenue. As previously reported, a Request for Qualifications/Proposals (RFQ/P) for a low-income senior housing project on the former site of the temporary Recreation Center

was approved by the City Council on April 18 and was issued on April 24. The RFQ/P process has now been put in abeyance until staff explores the possibility of a density increase for the site, which will require modifications to the General Plan and Planning Regulations by the City Council upon a recommendation from the Planning Commission. An addendum to the General Plan Environmental Impact Report will be prepared to cover the environmental review requirements for the density increase.

3706 San Pablo Avenue Affordable Housing Project. As previously reported, escrow closed on the financing for the project on June 20, and the building permit was issued on June 21. The project is under construction with a groundbreaking scheduled for mid-October.

Rehabilitation Projects. There have been two requests for rehab projects for accessibility issues. Both have been referred to Alameda County Healthy Homes.

Homeless. Staff continues to work with North County jurisdictions and the County on coordinated efforts regarding people experiencing homelessness. The contract with the Berkeley Food and Housing Project (BFHP) continues to provide services for homeless outreach and case management, including outreaching to homeless during inclement weather. Staff is coordinating with Fire, Police and Community Services to identify and locate people experiencing homelessness in our community and to engage them in an effort to provide harm reduction services and start the process of finding permanent housing solutions. The cities of Oakland and Berkeley have been chosen by Alameda County for the North County Coordinated Entry System hubs. Staff is working with both cities to finalize the plans for those hubs. In addition, staff has received a request for capital cost assistance for a men's shelter in Berkeley run by BFHP and BRIDGE Housing. A City Council study session is tentatively scheduled for October 17 to discuss all of these issues, including a request for additional funding for homeless outreach and family homeless services. Staff also attended a Board of Supervisors meeting on homeless encampments in Alameda County.

Housing Notification. Staff added 148 people to the Housing Notification List.

Housing Developers. Staff spoke to one market rate housing developer interested in developing housing in Emeryville. Staff is working with an owner of rental housing who is considering a condominium conversion.

Public Information. Staff fielded 25 calls and emails regarding housing search, 9 calls and emails regarding landlord/tenant issues, and 11 walk-ins with housing related issues.

First Time Homebuyer (FTHB) and Below Market Rate (BMR) Ownership Programs.

- Four BMR units are currently on the market, two of which will include loan repayments. Staff received a Notice of Default for a BMR unit with no loans at Oliver Lofts, and is working to resolve the situation.
- Subordinations: No subordinations were approved or processed in August.
- Loan payoffs: One loan payoff is pending.
- Loan applications: No loan applications were received in August.

- Owner Occupancy Violator: There are currently no violation cases.
- Owner Occupancy Waivers: One waiver is currently in place, at City Limits due to BMR owners who are divorcing, and that has been renewed for six months, expiring on January 7, 2018.
- Owner Occupancy Monitoring: Staff continued the owner-occupancy monitoring process for program participants. Monitoring revealed a BMR owner and FTHB borrower who is in arrears with property taxes. Staff is working with the program participant to resolve the situation. This is the same owner who received an option to purchase letter last year from the City due to unpaid HOA dues. The letter is still in effect and may be amended in regard to unpaid property taxes.
- Staff responded to over 100 general inquiries via telephone and email from current and potential program participants, lenders, real estate agents, title companies, etc.
- Work continued on revising a suite of program documents including guidelines, applications, and internal procedures.

CAPITAL PROJECTS

Grant Management. In August, staff continued accounts receivable activities and reporting for capital project grants including:

- **Transit Center and Adjacent Plaza.** Monthly invoicing for the \$4.2 million in State Transportation Improvement Program (STIP) funding continued; in July staff received the first payment under the Federal Transportation Administration (FTA) \$828,000 in funding for the Transit Center and adjacent plaza.
- **Safe Routes to School.** Construction invoicing remains active with the bulk of construction billed in July and retention and final invoice expected in September.
- **Greenway Powell to Stanford.** Staff continued invoicing for design for Proposition 84 grant funding and invoicing for construction will commence in September.
- **Measure B/BB, Transportation Funds for Clean Air (TFCA), and Vehicle Registration Fee (VRF).** The Alameda County Transportation Commission (ACTC) is establishing reporting and invoicing systems for five new capital projects and transit programs for which funding agreements were approved by the City Council on July 11.
- **PetSafe Grant.** Staff secured authority to re-purpose the PetSafe \$25,000 grant for improvements to the Temescal Creek Park dog park for lighting and equipment.

Regional Collaborations. Staff is meeting with Alameda County Transportation Commission staff to kick off interregional efforts to plan San Pablo Avenue Intermodal Corridor Improvements and initiate participation in a countywide Rail Study, which may target funding to Quiet Zone improvement in Emeryville.

TFCA Grant Application. In August staff initiated efforts to collaborate with the Emeryville Transportation Management Association for Transportation for Clean Air (TFCA) grant funding for the Emery Go-Round operations. An application will be due in September, provided staff can secure concurrence from AC Transit.

Grants Coordination. At its August 17 meeting, this interdepartmental committee discussed various grant prospects, the status of grant applications that have been submitted, and the ongoing management of existing grants.

Citywide Variable Parking Pricing and Transportation Demand Management (TDM) Strategy.

On September 5, the City council will consider contracting with CDM Smith for updates to the prior North Hollis Parking Study to expand parking management citywide with the following components:

1. *Pricing.* The pricing plan developed in 2010 needs to be revisited in terms of the geographic areas and off-street facilities, the pricing strategy and policy regarding dynamic pricing, and the plan for pricing implementation. For example, the updated study will include the Emeryville Marina area, which was not included in the 2010 study.
2. *Technology.* The technologies that will be used for parking pricing and enforcement need to be identified and an implementation plan developed.
3. *Permit Parking.* The residential permit parking (RPP) guidelines that the City Council adopted in 2007 and the RPP plan that was presented in the 2010 study both need to be reviewed and refined to address current conditions and citywide implementation.
4. *Management.* The internal structure for the management of the parking program in terms of program administration, public communications/interface, maintenance and enforcement needs to be defined and a financial plan needs to be prepared. This will be scoped and priced separately in a second phase.

Staff anticipate efforts to deploy parking meters and enforcement in July 2018 at the earliest, with planning and community outreach to be initiated in September. An ACTC funding agreement for the North Hollis Area provides \$930,000 in funding for the first phase of meter installations with funding available beginning July 1, 2018.

PUBLIC ART PROGRAM

Public Art Master Plan Implementation. As previously reported, in January, the Public Art Committee (PAC) directed staff to focus implementation of the Public Art Master Plan initially on drafting a call for art at the Marina and developing a Mural Program. These efforts are described below.

- **Marina Public Art Request for Qualifications (RFQ).** As noted above, at its August 10 meeting, the PAC recommended City Council approval of the Request for Qualification's (RFQ's) goals, budget and artist's required qualifications. These will be considered by the City Council on September 19, to be followed by national distribution of the call with targeted marketing to the artists of the Black Rock Foundation, which oversees the Burning Man Arts Program.
- **Murals Program Development.** Also at its August 10 meeting, the PAC reviewed the Broken Rack elevation on the Emeryville Greenway, just south of the Powell/Hollis Street intersection for the pilot location for the Mural Program. Staff conducted outreach to the Broken Rack business owner and the property owner of both the Broken Rack and Honor Bar properties. The RFP will be considered by the City Council on September 5 and then will

be distributed to artists locally and in California; it is expected to be released in the second week of September.

Shellmound/Powell Street Bridge Public Art. Staff issued the notice to proceed to R&R Studios for the installation of tile mosaics and lighting on six columns to be included in the artwork at the Shellmound/Powell Street Bridge site. The project is expected to be initiated in September.

BROWNFIELDS

Presentations on Brownfield Development. Staff prepared a presentation for the California Association for Local Economic Development (CALED) Brownfields Workshop on “Transit-Oriented Development and Land Revitalization” related to the cleanup and development of 3706 San Pablo Avenue. The presentation will be made by webinar on September 6. Staff has also been invited to speak at San Mateo Housing Leadership day on October 20, on using brownfields funds for predevelopment/due diligence.

ADMINISTRATION/OTHER

Employee Appreciation Luncheon. At the annual Employee Appreciation Luncheon on August 23, Community Development staff joined other City departments in recognizing the tireless efforts of our dedicated staff, and acknowledging their years of service to the City. This year, no Community Development Department staff celebrated “milestone” anniversaries (multiples of five years of service), but we extend congratulations to those staff of other departments who were acknowledged for such anniversaries.

Workforce Development Coordination. In an effort to facilitate coordination between separate entities’ projects to encourage business engagement with Emery Unified School District students, Economic Development and Housing Manager Chadrick Smalley and Management Analyst April Shabazz met with Alameda County Workforce Development Board (ACWDB) contract staff and California State University East Bay (CSUEB) Institute for STEM Education staff, first separately to understand these respective groups’ programs, and later together to encourage partnerships. One activity resulting from these meetings was plans to coordinate a career day tour of Emeryville tech businesses in early 2018.

Cannabis Business Development. On August 1, Economic Development and Housing Manager Chadrick Smalley participated in a webinar hosted by the Bay Area Urban Manufacturing Initiative entitled “How to Balance Cannabis in your Community”. The focus was on the affects that Cannabis business growth has had on industrial real estate, and included discussion of future trends. Subsequently, on August 16, staff from the Economic Development and Housing and Planning divisions, along with staff from the City Attorney’s Office, attended the East Bay Economic Development Alliance’s Economic Development Director’s Council meeting, which included a panel discussion on Cannabis business. These meetings led to valuable contacts with individuals engaged in the Cannabis industry, enabling staff to communicate the advantages of doing business in Emeryville. This led to Emeryville being “much higher on the radar” as a potential location, according to one individual involved in brokering sites for Cannabis businesses.

Micro-Grid. On August 4, staff, accompanied by Mayor Donahue and Council Member Martinez, met with representatives from ZipPower to discuss their concept for development of an advanced micro-grid power system in Emeryville and their desire to partner with the City in pursuit of a state grant toward that end.

Regional Coordination. On August 22, Economic Development and Housing Manager Chadrick Smalley met with members of the Richmond Chamber of Commerce Board to discuss potential ways to coordinate local labor standards across inner East Bay cities in recognition of the fact that these local economies have many interdependencies. The board members indicated interest and said they would discuss the concept with their government relations committee.

Urban Manufacturing Initiative. On August 22, Economic Development and Housing Manager Chadrick Smalley and Community and Economic Development Coordinator Emi Thériault met with staff from SFMade to receive an update on the Bay Area Urban Manufacturing Initiative activities. Upcoming events include a “Policy Huddle” meeting of staff members from participating cities and the Bay Area Urban Manufacturing Initiative Summit, to be held in early November in West Oakland. The Policy Huddle is described by SF Made as “a collaborative session for city staffers meant to deepen our understanding of the issues facing the manufacturing sector in the Bay Area and to elevate collective actions to solve them.” Additional details will follow as the date of the Summit approaches.

National Development Council Training. On August 21-23, Community and Economic Development Coordinator Emi Thériault attended NDC Professional Development training in Los Angeles. The focus of the training was on small business support and included credit analysis for potential future small loan programs and/or City liaison support for a business obtaining SBA and other Federal or State small business loans, and for real estate pro forma methodologies.

American Planning Association Activities. On August 10, Senior Planner Miroo Desai, as the Inclusionary Director for the State APA Board, organized and participated in the monthly conference call with other Diversity Directors from different Sections of the APA California Chapter. As Diversity Director of the Northern Section, she also organized and participated in Planners of Color mixer held on August 21.

Cell Phone Antenna Charges. Staff held an internal meeting on August 11 to discuss what the City can charge cell phone antenna companies to locate their equipment on City-owned streetlight poles. It was determined that this will require amending the Master Fee Schedule.

Notification Vendors. Following a reduction in service by the current provider of property owner addresses, staff researched vendors who provide notification lists for public hearings. An internal meeting was held on August 11 to discuss the situation, and it was decided to solicit proposals from three vendors. A demonstration of Digital Map Products’ “GovClarity” platform was held on August 31, with demonstrations of other vendors scheduled for early September.

Permit Tracking System and GIS. CRW TRAKiT, the Planning and Building divisions’ permit tracking software, has now been live for almost seven years, since September 2, 2010, and the

CodeTRAK and GIS components “went live” on March 19, 2013. Staff has been using the software to track permits and code violations as they travel through the application, construction, and abatement processes. Staff met on August 10 to compare notes and ensure a smooth implementation of the system, and to convey any necessary modifications to the IT Manager. Staff completed attachment of staff reports, approved plans, and signed conditions of approval into the system for Planning Commission projects back to 1992.

Cost Recovery. Most major planning applications are funded through a “cost recovery” system, whereby applicants make an initial deposit and staff bills time and expenses against the project. This requires meticulous record-keeping to ensure that balances remain positive in each cost recovery account, and that accounts are properly closed out upon project completion. Planning staff met internally on August 23 to review the list of projects and collection procedures. Invoices are being prepared as appropriate.

South San Francisco Oral Board. On August 31, the Community Development Director served on an interview panel in South San Francisco to help them select a new Principal Planner.

Building Inspection Recruitment Update. As previously reported, the Building Division has hired Dean Harris to fill one of the two Building Inspector positions. Dean is a familiar face in the Building Division, having worked here as a consultant inspector for the past four years. His first official day as a City employee was August 16. Meanwhile, the remaining position has been reopened and will remain open until filled. The Community Development Director and Chief Building Official met with Human Resources staff on August 8 to discuss the ongoing recruitment efforts.