



**ACTION MINUTES**

**Planning Commission**

**Planning Commissioners:**

Gail Donaldson	Chair
Linda Barrera	Vice Chair
Miguel Guerrero	Commissioner
Sam Kang	Commissioner
Steven Keller	Commissioner
Christine Scott Thomson	Commissioner
Vacant	Commissioner

**SPECIAL MEETING**

**Thursday, March 15, 2018**

**6:30 PM**

**Council Chambers**

**1. CALL TO ORDER**

The meeting was called to order at 6:30 p.m. by Vice Chair Barrera.

**2. ROLL CALL**

Present: (4) Vice Chair Linda Barrera  
Planning Commissioner Miguel Guerrero  
Planning Commissioner Steven Keller  
Planning Commissioner Christine Scott Thomson

Absent: (2) Chair Gail Donaldson  
Planning Commissioner Sam Kang

Note: Commissioner Philip Banta resigned from the Planning Commission on February 28, 2018

**3. PUBLIC COMMENT**

None

**4. DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS**

None

**5. PUBLIC HEARING**

**5.1. Emery Go-Round Temporary Fleet Parking (UP18-003)** – Consideration of a two-year Conditional Use Permit to use approximately three-fourths of the Novartis “Rifkin Lot” at 4555 Horton Street to park Emery Go-Round buses and employee cars. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15304 which applies to minor alterations to land, Section 15332, which applies to infill development projects, and under 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; Zoning District: Planned Unit Development (PUD-3) (Applicant: Roni Hatrup for Emeryville Transportation Management Association)(Owner: Robert Ackerman for Novartis Vaccines & Diagnostics Inc.) (APN: 49-1544-1-1)

Diana Keena, Associate Planner, presented and responded to Commissioner questions.

Tim Bacon, Chair Emeryville Transport Management Association (ETMA), presented and answered questions from the Commission

Roni Hatstrup, *Gray, Bowen Scott*, Executive Director, ETMA responded to Commissioners' questions.

The public hearing was opened.

Sharon Wilchar, Community Liaison, 45<sup>th</sup> Street Artist's Cooperative, had questions regarding hours of operation, food trucks, vehicle idling, and contact information for the ETMA, and said that all of these issues had been addressed by staff and the ETMA. Ms. Wilchar also mentioned that during the summer, PG&E would be working on the Horton Street gas line and hoped that it would not interfere with Emery Go-Round operations.

Tim Curran, resident of 4250 Horton Street, said he hoped that the shuttle parking would not add to the bottlenecks created by traffic calming measures, and that the shuttles should travel north onto 53<sup>rd</sup> Street, not south through the neighborhoods. Mr. Curran also expressed concern regarding the carcinogens in the diesel fuel used by the shuttles along with emissions from heavy vehicles in the area.

The public hearing was closed.

A motion was made to approve the application.

**Moved:** Keller  
**Seconded:** Guerrero  
**Ayes:** (4) Guerrero, Keller, Thomson, Barrera  
**Noes:** (0)  
**Abstain:** (0)  
**Absent:** (2) Kang, Donaldson

- 5.2. Sherwin Williams PUD Amendment (PUD13-001)** – Consideration of an amendment to the Sherwin Williams Planned Unit Development/Preliminary Development Plan (PUD/PDP) to allow the removal of 11 street trees on the west side of Horton Street fronting the project site to accommodate joint trenching needed to underground overhead utilities on Horton Street between Park Avenue and new 46<sup>th</sup> Street. The PUD/PDP was approved by the City Council on November 1, 2016. The proposal includes approval by the Planning Commission of a Tree Removal Permit for 11 street trees, contingent upon City Council approval of the PUD/PDP amendment. CEQA Status: An Environmental Impact Report was prepared for the project and certified by the Emeryville City Council on September 6, 2016. General Plan Land Use Classification: Mixed Use with Residential and Park/Open Space; Zoning District: Planned Unit Development (PUD-7) with Park Avenue District Overlay (P-A). (Applicant: LMC Emeryville I Investor LLC)(Owners: SWACE, LLC, c/o The Sherwin-Williams Company and City of Emeryville) (APNs: 49-1041-26-15 and -16)

Miroo Desai, Senior Planner, presented and responded to Commissioners' questions.

Michael Roberts, Senior Civil Engineer, and Andrew Clough, Acting Public Works Director, responded to Commissioners' questions.

The public hearing was opened.

Jack Ghizzoni, resident of 1500 Park and co-chair of PARC Committee, expressed his support for removal of unhealthy trees in order to underground utilities, improve the condition of the sidewalk, and make way for the planting of healthy trees.

Tim Curran, resident 4250 Horton Street, reminded the Commission that the City Council had unanimously declined to remove the trees during the Preliminary Development Plan (PDP) approval process. Mr. Curran also expressed a concern that trenching and tree removal will release contaminants into the atmosphere and suggested that tents be used in conjunction with water spraying at hot spots to mitigate distribution.

The public hearing was closed.

A motion was made to recommend City Council approval of the application.

**Moved:** Barrera  
**Seconded:** Keller  
**Ayes:** (4) Guerrero, Keller, Thomson, Barrera  
**Noes:** (0)  
**Abstain:** (0)  
**Absent:** (2) Kang, Donaldson

## 6. STUDY SESSION

- 6.1. 5850 Shellmound Way Mixed Use Project (UPDR17-011)** – A second study session to review a Conditional Use Permit and Design Review proposal to demolish an existing 61,000 square foot office building and replace it with an eight-story building accommodating 240 rental residential units with 10,000 square feet of ground floor commercial space. CEQA Status: to be determined. General Plan Land Use Classification: Mixed Use with Residential and Major Transit Hub; Zoning District: Mixed Use with Residential (MUR), Transit Hub Overlay (TH) and Pedestrian Priority Overlay Zone (PP) (Applicant: Dave Johnson) (Owner: Shellmound Christie Corporation) (APN: 49-1493-6)

This item was continued to a future meeting

## 7. PLANNING COMMISSIONERS COMMENTS

Commissioner Guerrero asked that staff address the inaccessibility of the AC Transit stop at 64<sup>th</sup> and Christie in the Public Market area for wheelchair users and pedestrians. Commissioner Keller suggested a conversation with AC Transit in regard the traffic impediments caused by the 29, 36 and 57 bus stop.

## 8. ADJOURNMENT

The meeting was adjourned at 7:28 p.m.

**THE NEXT SCHEDULED REGULAR MEETING WILL BE HELD ON THURSDAY, MARCH 22, 2018, AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.**