

**EMERYVILLE CITY PLANNING COMMISSION
ACTION RECAP
REGULAR MEETING
JANUARY 27, 2011**

I. CONVENE, ROLL CALL, AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:30 p.m. by Chair Frank Flores. Commissioners present: Lawrence Cardoza, Gail Donaldson, Frank Flores, Art Hoff, Vanessa Kuemmerle, John Scheuerman, and Steven Steinberg.

II. PUBLIC COMMENT - None

III. ACTION RECAP – October 28, 2010

The Action Recap was approved without exception.

IV. DIRECTORS REPORT

V. STUDY SESSIONS

- A. Fostering Child-Friendly Housing and Creating a Family Friendly City.** – A Study Session on ways to attract families with children to Emeryville through urban amenities and family-friendly housing. A PowerPoint slide show, previously presented to the school board, Housing Committee, and City Council, will be presented by MIG.

Diana Scherman of MIG made a presentation. There was no public comment on this item. The Commissioners thanked her for her presentation.

VI. PUBLIC HEARINGS

- A. Stanford Avenue Street Vacation** – Finding of consistency with the General Plan of a partial vacation of the Stanford Avenue street right-of-way at the northwest corner of Hollis Street and Stanford Avenue to facilitate a property exchange to accommodate development of the Greenway adjacent to 5701 Hollis Street. The 5701 Hollis Street project, including the proposed property exchange, was previously approved by the Planning Commission on March 26, 2009. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15305, which applies to minor alterations in land use limitations; Section 15316, which applies to transfer of ownership of land in order to create parks; Section 15311, which applies to accessory structures including small parking lots; and Section 15061(b)(3), the general rule that CEQA does not apply to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Charles Bryant, Director of Planning and Building, presented Item VI.A.

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

Motion: To approve the resolution finding the vacation of Stanford Avenue consistent with the General Plan.

Moved: Donaldson

Seconded: Cardoza

Vote: Ayes: Donaldson, Hoff, Kuemmerle, Scheuerman, Steinberg, Cardoza, Flores

- B. Café Artefact On-Premises Liquor Sales (UP10-008)** – A Conditional Use Permit to allow on-premises sale of beer and wine at a new café of 2,345 square feet located at 1185 Park Avenue. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301 which applies to minor modifications to existing structures, and Section 15061(b)(3), the general rule that CEQA does not apply to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. General Plan Designation: Mixed Use with Residential (MUR); Zoning: Mixed Use with Residential (MUR) and Park Avenue Overlay (P-A). (Applicant/Owner: John Malick) (APN: 49-618-41).

Arly Cassidy, Assistant Planner, presented the staff report, with staff's recommendation for approval of the application. John Malick, the owner and applicant, answered clarifying questions from the Commissioners.

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

Motion: To approve the application for a Conditional Use Permit for on-premises liquor sales at the proposed Café Artefact.

Moved: Scheuerman
Seconded: Hoff
Vote: Ayes: Donaldson, Hoff, Kuemmerle, Scheuerman. Steinberg, Cardoza and Flores

- C. Bullseye Glass (UPDR10-002)** – A Conditional Use Permit and Design Review to refurbish and reuse an existing 6,000 square foot building at 4000 Harlan Street. The use will include artisanal glass sales and warehousing, as well as classroom and showroom space, with a new building entrance on 40th Street and parking in a rear lot off of Harlan Street. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15303(c) which applies to projects consisting of the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. General Plan Designation: Mixed Use with Residential (MUR); Zoning: Mixed Use with Residential (MUR) and Park Avenue Overlay (P-A). (Applicant: Kava Massih Architects) (Owner: Eric S. and Kenneth J. Schmier) (APNs: 49-618-10)

Arly Cassidy, Assistant Planner, presented the staff report, with staff's recommendation for approval of the application. The business owner, Dan Schwoerer, made a short presentation about his business, Bullseye Glass.

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

Ken Schmier, the building owner, addressed the Commission and expressed concerns about the standard Conditions of Approval. He asked that a number of them be deleted. After some discussion, the Commissioners did not delete or add any Conditions of Approval, but did have some strong suggestions. When Mr. Schmier objected to the requirement for a ramp, the Commission made it clear that any entrance option that met with ADA requirements on 40th Street would be satisfactory, and left the final review to the Planning and Building Director's discretion.

Motion: To approve the application for a Conditional Use Permit and Design Review with the following strong suggestions:

- Plant taller, more robust landscaping close to the brick wall along 40th Street and
- Place a sign or piece of art on the blank brick wall on 40th Street between the door and the corner.

Moved: Hoff
Seconded: Cardoza
Vote: Ayes: Donaldson, Hoff, Kuemmerle, Scheuerman, Steinberg, Cardoza
and Flores

VI. COMMISSIONERS COMMENTS

Commissioner Scheuerman informed the Commission that he would be presenting the Emeryville Berkeley Oakland Train (EBOT) in a Study Session to the City Council on February 1, 2011, which would focus on the connection between land use and transit.

VII. ADJOURNMENT – The meeting was adjourned at 9:53 p.m.

THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, MAY 27, 2010 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608