

**EMERYVILLE CITY PLANNING COMMISSION
ACTION RECAP
REGULAR MEETING
SEPTEMBER 23, 2010**

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, John Scheuerman, Vanessa Kuemmerle, Frank Flores and Steven Steinberg. Commissioner Hoff, excused absence.

II. PUBLIC COMMENT - None

III. ACTION RECAP – August 26, 2010

After corrections/clarifications by Commissioners Cardoza and Donaldson, Commissioner Donaldson moved the Action Recap be approved; the motion was seconded by Commissioner Kuemmerle and the Action Recap was approved without exception.

IV. DIRECTORS REPORT

Director Bryant reported that the IKEA Warehouse project, which was approved at the last Commission meeting, has been appealed by the neighbors. At last Tuesday's meeting, the City Council set the hearing date on the appeal for October 19. Under the Zoning Ordinance, the Commission may send a representative to the appeal hearing. Chair Flores indicated that he planned to attend.

Director Bryant reported on other City Council/Redevelopment Agency actions. On September 7, the Agency heard a report from Wilbur Smith on the parking policy study, and agreed with the staff recommendation to review the cost of implementation as part of the Capital Improvement Program, and to defer implementation until the economy improves; they also referred the item to the Transportation Committee for review. The Agency heard an update on the process for selecting an architect for the Center for the Arts. The Agency unanimously agreed with the Bridge Committee's and Planning Commission's recommendation for the concrete box girder bridge type for the I-80 Pedestrian-Bicycle Bridge. The Ordinance that the Commission approved at the July meeting concerning demolition of residential structures was approved on first reading on September 7 and passed on September 21. The Council had a discussion about the impromptu skateboard park that has been built under the maze along Wood Street in West Oakland, and agreed to try to help support the venture. On September 21, the Council agreed for the Mayor to sign a letter supporting its inclusion in the Gateway Park that is being planned for the east landing of the Bay Bridge.

On September 21, the Agency approved an investigation into the feasibility of funding 100% affordable family housing, as recommended by the Housing Committee and then saw a PowerPoint presentation by MIG on the attributes of family friendly housing. The Council passed a resolution amending the General Plan, and introduced an ordinance amending the Interim Zoning Regulations, pertaining to the "Doyle Hollis North Area" bounded by 62nd, Hollis, 64th, and Doyle Streets. The Council held a discussion on their policy on refunding appeal fees and decided that such fees shall not be refundable. The Council appointed members to the Mobile Food Truck Task Force, including mobile truck vendors, restaurant owners, and residents; they will be reviewing the City's rules and regulations for mobile food vendors.

Staff continues to work diligently on the new Zoning Ordinance, including a new zoning map, a list of the new zones, a list of the new use classifications, a matrix indicated what uses would be permitted or conditionally permitted in each zone, administrative procedures, and other provisions. The next meeting of the Zoning Update Steering Committee will be December 14, at which a status report on this ongoing activity will be presented.

The Planning Commission retreat is scheduled for Saturday, October 9, from 9 am to 1 pm. This is a public meeting, so all interested parties are welcome to attend. Staff is developing the itinerary and details, and will email information to the Commission in the near future.

Two Saturday "audit tours" are planned for October, for the update of the Pedestrian-Bicycle Plan, including a walking tour on October 16 and a bicycle tour on October 23. Both will start and end at City Hall. The walking tour will include Emery Go-Round transportation between walking sites. Start and end times, and other details are being developed and will be announced in the near future.

V. PUBLIC HEARINGS

- A. **Black Diamond Café On-Premises Liquor Sales (UP10-05)** – A Conditional Use Permit to allow on-premises sale of beer and wine at a new café of 1,372 square feet located at 6399 Christie 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 and Zoning Designation: Mixed Use with Residential (MUR); (Applicant: David Ling)(Owner: BRE Properties) (APN: 49-1492-13)

Commissioner Scheuerman was recused, due to a possible conflict of interest.

Assistant Planner, Arly Cassidy, presented the staff report.

Applicant, Dave Ung, spoke briefly. He said this was his first project and the project is close to the area where he grew up.

The public hearing was opened.

Resident, John Scheuerman, spoke in support of the application, saying that this is a busy area and maybe the applicant can work with the T.M.A on transportation issues.

The public hearing was closed.

Motion: To approve the conditional use permit allowing on premises liquor sales at the Black Diamond Café.

Moved: Donaldson

Seconded: Steinberg

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

Recused: Scheuerman

Absent: Hoff

- B. **64th and Christie Residential Building (FDP08-02)** – A Final Development Plan for a 190-unit, 5-story residential building located at the southeast corner of 64th Street and Christie Avenue. This building is part of Phase I of the Marketplace Redevelopment Project Planned Unit Development (PUD) that was approved by the City Council on August 5, 2008. CEQA Status: Environmental Impact Report for Marketplace Redevelopment Project PUD certified by City Council on January 15, 2008. General Plan Designation: Mixed Use with Residential; Zoning Designation: Planned Unit Development (PUD) Mixed Use. (Applicant: TMG Partners) (Owner: Rockwood Christie LLC) (APN: 49-1492-6-1; 49-492-8)

Commissioners Donaldson and Scheuerman were recused due to a possible conflict of interest.

Senior Planner, Miroo Desai, presented the staff report.

Denise Pinkston of TMG Partners thanked the Commissioners for their previous comments and said they have complied with those comments.

Rob Zirkle of Steinberg Architects made a PowerPoint presentation addressing changes to the project's design as suggested by the Commission.

Landscape architect, Jeff Miller, spoke on the landscape changes.

The public hearing was opened.

Matt Weber said he lives three blocks away from the project and likes the landscaping and the building. He strongly supports the project.

Emeryville resident, John Scheuerman, said he lives across the street from the project and thinks this project is an asset to the neighborhood. However, he does have concerns regarding bike parking, and thinks bike lockers are needed.

The public hearing was closed.

The Commission discussed the conditions of approval. They agreed with the applicant that horizontal composite siding should not be eliminated as recommended by staff. The applicant agreed to provide as many bike lockers as feasible.

Motion: To approve the FDP for the 64th and Christie Residential Building with the following modifications to the conditions of approval:

- Condition VII.A.1.b. concerning elimination of horizontal composite siding, is deleted.
- Condition VI.A.1.b.ii. concerning bicycle parking is modified to add "...with as many as feasible being lockers."

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

VI. COMMISSIONERS COMMENTS

Chair Flores complimented the two new Commissioners, Kuemmerle and Steinberg on doing a great job.

VII. ADJOURNMENT – The meeting was adjourned at 8:20 p.m.

THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, OCTOBER 28, 2010 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608