

## **PLANNING COMMISSIONERS:**

Sean Moss, Chair  
John J. Bauters, Commissioner  
Lawrence C. (Buzz) Cardoza, Commissioner  
Gail Donaldson, Commissioner  
Brad Gunkel, Commissioner  
Sam Kang, Commissioner  
Steven Keller, Commissioner

# **AGENDA EMERYVILLE CITY PLANNING COMMISSION CITY COUNCIL CHAMBERS 1333 PARK AVENUE EMERYVILLE, CALIFORNIA THURSDAY, OCTOBER 22, 2015 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 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. PUBLIC COMMENT**

**III. [ACTION RECAP – September 24, 2015](#)**

**IV. DIRECTORS REPORT**

- A. [Planning Commission Schedule.](#)** Consideration of Planning Commission meeting schedule for 2016.

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

**VI. PUBLIC HEARINGS**

- A. [Marketplace Tentative Map \(SUBDIV15-002\)](#)** – Consideration of a Major Subdivision permit for a Tentative Map reconfiguring four existing parcels to create eight new parcels on a 13.88 acre site and to realign Shellmound Street and create 62<sup>nd</sup> Street, 63<sup>rd</sup> Street and Market Drive consistent with the Marketplace Redevelopment Project Planned Unit Development (PUD04-12) that was approved by the City Council on August 5, 2008. The project involves removal of 19 street trees. CEQA Status: Environmental Impact Report for Marketplace Redevelopment Project PUD certified by the City Council on January 15, 2008. General Plan Land Use Classification: Mixed Use with Residential and Major Transit Hub; Zoning District: Planned Unit Development (PUD-2) (Owners: AG-CCRP Public Market L.P.; City of Emeryville) (Applicant: AG-CCRP Public Market L.P.) (APNs: 49-1493-1; 49-1556-1; -2; -3 and -4)
- B. [Sutter Health Sign \(SIGN15-023\)](#)** – Consideration of a Major Sign Permit for two high rise identification signs at 2000 Powell 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 Non-Residential; Zoning District: Planned Unit Development (PUD-1) (Applicant: Toni Russin, Sutter Health) (Owner: KBS III Tower at Emeryville, LLC) (APN: 49-1521-7).
- C. [Preservation of Significant Structures Ordinance \(ORD12-001\)](#)** – Consideration of an ordinance amending three articles in the Planning Regulations in Title 9 of the Emeryville Municipal Code: Article 12 of Chapter 5 regarding preservation of significant structures, Article 4 of Chapter 3 regarding the Park Avenue District, and Article 4 of Chapter 4 regarding parking. These amendments would replace criteria defining significant structures with a table, map and photos listing significant structures, and extend a parking credit for reuse of significant structures with legal nonconforming parking deficiencies in the Park Avenue District to apply city-wide. CEQA Status: This ordinance is exempt from environmental review under State CEQA Guidelines Section 15378(a) in that it is not a “project” that has the potential for causing a significant effect on the environment, and 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.

**VII. STUDY SESSION**

- A. [65<sup>th</sup> Street Multi-Unit Residential \(UPDR15-001\)](#) – A study session to review a proposal for a new 24-unit residential building consisting of all 2- and 3-bedroom units at 1225 65<sup>th</sup> Street. CEQA Status: To be determined. General Plan Land Use Classification: Medium-High Density Residential; Zoning District: Medium-High Density Residential (RMH) and North Hollis Overlay (N-H) (Applicant: Moshe Dinar, AIA) (Owner: Athan Magganas) (APN: 49-1504-8).

**VIII. COMMISSIONERS COMMENTS**

**IX. ADJOURNMENT**

**THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, DECEMBER 10, 2015 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.**