



**ACTION MINUTES**

**Planning Commission**

**Planning Commissioners:**

Linda Barrera	Chair
D. Miguel Guerrero	Vice Chair
Gail Donaldson	Commissioner
Jonathan Hidalgo	Commissioner
Steven Keller	Commissioner
Christine Scott Thomson	Commissioner
C. Tito Young	Commissioner

**REGULAR MEETING**

**Thursday, April 25, 2019**

**6:30 PM**

**Council Chambers**

**1. CALL TO ORDER**

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

**2. ROLL CALL**

Present: (6) Chair Linda Barrera  
 Vice Chair D. Miguel Guerrero  
 Planning Commissioner Gail Donaldson  
 Planning Commissioner Jonathan Hidalgo  
 Planning Commissioner Steven Keller  
 Planning Commissioner C. Tito Young

Excused (1) Planning Commissioner Christine Scott Thomson  
 Absence:

**3. PUBLIC COMMENT**

None

**4. APPROVAL OF ACTION MINUTES OF MARCH 28, 2019**

A motion was made to approve the Action Minutes.

**Moved:** Guerrero  
**Seconded:** Young  
**Ayes:** (5) Donaldson, Hidalgo, Young, Guerrero, Barrera  
**Noes:** (0)  
**Abstain:** (1) Keller  
**Absent:** (1) Thomson

**5. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

Director Bryant reported on recent City Council actions. He reported that Caltrans had hosted a community meeting about their "MacArthur Maze Vertical Clearance Project" on April 10 at ECCL, at which they announced that the project has been put on "pause" to allow for further environmental evaluation. He announced that there would be a short community ride on Bike to Work Day on Thursday, May 9, and encouraged the Commissioners to attend. He also reported that there would

be a community workshop on the final concept design for the 40th/San Pablo Transit Hub on Wednesday, May 22. Finally, he expressed hope that the Commissioners had enjoyed the recent American Planning Association conference and noted that they would have an opportunity to discuss it at the end of tonight's meeting under "Planning Commissioner Comments".

## 6. DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS

Commissioners Young and Guerrero reported that they had met with Mark Stefan, AG-CCRP Public Market L.P on Marketplace Parcel B project.

## 7. PUBLIC HEARINGS

Chair Barrera directed that the Duplex Conversion item be considered first.

**7.2. Duplex Conversion (UPDR19-001)** – Consideration of a Conditional Use Permit and Design Review application to modify an existing single unit building at 1291 55th Street into two units. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines 15303(b), which applies to new construction or conversion of apartments, duplexes and similar structures designed for not more than six dwelling units; 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: Medium Density Residential; Zoning District: Medium Density Residential (RM) (Applicant: Baran Studio Architecture) (Owner: Argonaut Development Inc.) (APN: 49-1184-14).

Navarre Oaks, Assistant Planner, gave the staff presentation and responded to Commissioner questions.

Ryan Heath, applicant, gave a presentation and responded to Commissioner questions.

The public hearing was opened; there was no one wishing to speak; the public hearing was closed.

A motion was made to approve the application.

**Moved:** Guerrero  
**Seconded:** Keller  
**Ayes:** (6) Donaldson, Hidalgo, Keller, Young, Guerrero, Barrera  
**Noes:** (0)  
**Abstain:** (0)  
**Absent:** (1) Thomson

**7.1. Reconsideration of Marketplace Redevelopment Project, "Parcel B" (FDP18-001)** – Reconsideration of a new Final Development Plan (FDP) for "Parcel B" of the Marketplace Redevelopment Project Planned Unit Development (PUD04-12) and rescinding of Final Development Plan FDP15-001 that was approved by the Planning Commission on June 23, 2016. The previously approved FDP included 26,000 square feet of retail space and 300 parking spaces. The proposed FDP includes 14,000 square feet of retail space, 150,000 square feet of office/lab space, and 565 parking spaces. (Project previously approved by Planning Commission on January 24, 2019, appealed to City Council on February 8, 2019, and remanded to Planning Commission by City Council on March 19, 2019.) CEQA Status: Environmental Impact Report for Marketplace Redevelopment Project PUD certified by City Council on January 15, 2008; no subsequent EIR is required to be prepared pursuant to CEQA Guidelines Section 15162. General Plan Land Use Classification: Mixed Use with Residential and Major Transit Hub; Zoning District: Planned

Unit Development (PUD-2) (Applicant/Owner: AG-CCRP Public Market L.P.) (APN: 49-1556-16)

Miroo Desai, Senior Planner, gave the staff presentation and responded to Commissioner questions.

Assistant City Attorney Andrea Visveshwara addressed the Commission saying that Commissioner Young and Vice Chair Guerrero were absent from the previous meeting, and that, under the Commission by-laws, they needed to state whether they have reviewed the video from the prior meeting. Vice Chair Guerrero said he was watching the meeting from home, while Commissioner Young said that he had not had a chance to review the video. Ms. Visveshwara advised that Commissioner Young would therefore need to abstain from the deliberation and voting.

The applicant and appellant were each given ten minutes to address the Commission.

Mark Stefan, City Center Realty Partners, applicant; Chelsea Maclean, Holland Knight Law, Counsel to City Center Realty Partners; and Eron Ashley, Hart Howerton, architect, gave presentations and responded to Commissioner questions.

Rich Robbins and Geoff Sears, Wareham Development, appellant, gave a presentation and responded to Commissioner questions.

The public hearing was opened.

Fran Quittel, Watergate resident, said she serves on the Budget Advisory Committee, and, as an interested citizen, had come to see how the Commission does things. She observed that the paused Caltrans MacArthur Maze project and the adverse impacts of the recent fires on air quality affect how the Commission functions. She said that sometimes project conditions of the approval need to be adjusted to reflect changes to the environment.

The public hearing was closed.

The applicant was given five minutes to respond to the appellant.

Eron Ashley, Hart Howerton, architect; and Donald Ballanti, Consulting Meteorologist, addressed the Commission.

Assistant City Attorney Visveshwara requested that, after Commission deliberation, the item be continued to a future meeting to allow staff to revise the resolution to conform to the new evidence that had been submitted.

Following Commission discussion, a motion was made to continue the item to May 14, 2019 at 6:30 p.m. for Commission deliberation, consideration of the new resolution, and a vote on the item.

**Moved:** Keller  
**Seconded:** Hidalgo  
**Ayes:** (6) Donaldson, Hidalgo, Keller, Young, Guerrero, Barrera  
**Noes:** (0)  
**Abstain:** ()  
**Absent:** (1) Thomson

Director Bryant reminded the Commissioners that, if they watched videos of missed meetings between now and May 14, they would be able to participate.

**8. ADMINISTRATIVE ITEM**

- 8.1. Capital Improvement Program** - Review of the proposed Five-Year Capital Improvement Program for Fiscal Years 2019-20 through 2023-24, for consistency with the Emeryville General Plan pursuant to California Government Code Section 65403(c).

Miroo Desai, Senior Planner, gave the staff presentation and responded to Commissioner questions.

A motion was made to find that the proposed Capital Improvement Plan is consistent with the General Plan.

**Moved:** Hidalgo

**Seconded:** Guerrero

**Ayes:** (6) Donaldson, Hidalgo, Keller, Young, Guerrero, Barrera

**Noes:** (0)

**Abstain:** (0)

**Absent:** (1) Thomson

**9. PLANNING COMMISSIONERS COMMENTS****9.1 Discussion of American Planning Association National Planning Conference**

Commissioners summarized conference sessions that they had attended and expressed appreciation to the City for facilitating their attendance. Director Bryant summarized mobile workshops that staff had led during the conference.

**9.2 General Comments**

None.

**10. ADJOURNMENT**

The meeting was adjourned 8:43 p.m.

**THE NEXT SCHEDULED REGULAR MEETING WILL BE HELD ON THURSDAY, MAY 23, 2019 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.**