



ACTION MINUTES

Planning Commission

Planning Commissioners:

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

REGULAR MEETING

Thursday, April 26, 2018

6:30 PM

Council Chambers

1. CALL TO ORDER

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

2. ROLL CALL

Present: (6) Vice Chair Linda Barrera
Planning Commissioner D. Miguel Guerrero
Planning Commissioner Sam Kang
Planning Commissioner Steven Keller
Planning Commissioner Christine Scott Thomson

Absent: (1) Chair Gail Donaldson

Vice Chair Barrera announced that item 8.1, Parking Management Plan, was continued to a Special Meeting on May 17 at 6:30 pm to give staff additional time for analysis and consideration of public comments received at recent workshops. She noted that Amber Evans, the Project Manager, was in attendance if anyone wished to speak with her about it.

3. PUBLIC COMMENT

None.

4. APPROVAL OF ACTION MINUTES

4.1 Special Meeting of March 15, 2018

A motion was made to approve the Action Minutes.

Moved: Keller
Seconded: Guerrero
Ayes: (4) Guerrero, Keller, Thomson, Barrera
Noes: (0)
Abstain: (1) Kang
Absent: (1) Donaldson

4.2 Regular Meeting of March 22, 2018

A motion was made to approve the Action Minutes.

Moved: Keller
Seconded: Guerrero
Ayes: (3) Guerrero, Keller, Thomson
Noes: (0)
Abstain: (1) Kang, Barrera
Absent: (1) Donaldson

5. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Director Bryant reported on recent City Council actions. He noted that he had just returned from the American Planning Association National Planning Conference in New Orleans and would give a full report about it in the April progress report. He also noted that the Parking Management Plan study session has been rescheduled to a special meeting on May 17, and that it had been confirmed that a quorum of the Commission would be in attendance at that meeting.

6. DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS

Commissioner Guerrero reported that he had had a meeting with the applicant for East Bay Therapeutics.

7. PUBLIC HEARINGS

7.1 Tanium Signs (SIGN18-004) – Consideration of a Major Sign Permit for two high-rise identification signs at 2100 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: Tanium Inc.) (Owner: BRE Powell Property Owner LLC) (APN: 49-1495-9)

Navarre Oaks, Assistant Planner, presented and addressed Commissioner questions.

Joey Martinez, Tanium and Tom Salmon, Arrow Sign Company, presented and responded to questions from the Commission.

The Public Hearing was opened.

Paul Gerhardt, resident at Pacific Park Plaza (PPP) since 1989, said that PPP is a high-rise condominium of which about one-third of the units look west at 2100 Powell Street where the new sign is proposed. He recited this history of the Art.com sign that was previously there, and requested that the Commission not approve this application until modifications can be made.

The Public Hearing was closed.

A motion was made to approve the application.

Moved: Keller
Seconded: Barrera
Ayes: (4) Guerrero, Keller, Thomson, Barrera
Noes: (1) Kang
Abstain: (0)
Absent: (1) Donaldson

- 7.2 AT&T Small Cell Facilities (UPDR18-001)** – Consideration of a Major Conditional Use Permit and Design Review Permit for a proposed small cell wireless facility on an existing street light pole located in the public right-of-way adjacent to 1411 Powell Street (APN: 49-1318-1-2), near the southeast corner of Powell and Peladeau Streets. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301(b) which applies to minor alterations to existing public utility facilities, Section 15303 which applies to construction of small new equipment in small structures, 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 Residential and Major Transit Hub; Zoning District: Mixed Use with Residential (MUR), North Hollis District Overlay (NH), and Transit Hub Overlay (TH) (Applicant/Owner: New Cingular Wireless PCS, LLC (AT&T Mobility)) (Property Owner: City of Emeryville)

Miroo Desai, Senior Planner, presented and responded to Commissioner questions.

Justin Giarritta, applicant from Vinculum Services representing AT&T, presented 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: Kang
Seconded: Guerrero
Ayes: (5) Guerrero, Kang, Keller, Thomson, Barrera
Noes: (0)
Abstain: (0)
Absent: (1) Donaldson

- 7.3 East Bay Therapeutics Cannabis Retail Dispensary (UP18-004)** – Consideration of a Major Conditional Use Permit to allow a Cannabis Sales use at 5745 Peladeau Street, including retail sale of cannabis products and on-site pick up and home delivery. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15332 which applies to in-fill 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 and Major Transit Hub; Zoning District: Mixed Use with Residential (MUR) and Transit Hub Overlay (TH). (Applicant: Nasser Azimi) (Owner: Eric S. & Kenneth J. Schmier Property Trust) (APN: 49-1319-2-2)

Miroo Desai, Senior Planner, presented and responded to the Commissioner’s questions.

Nasser Azimi and Rob Fong, applicants, presented and responded to the Commissioner’s questions.

The Public Hearing was opened.

Kimberley Carvalle and Ron Leggitt, equity partners of East Bay Therapeutics, both expressed their support for the project.

The Public Hearing was closed.

A motion was made to approve the application.

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

8. PLANNING COMMISSIONERS COMMENTS

None.

9. ADJOURNMENT

The meeting was adjourned at 8:43 pm.

**THE NEXT SCHEDULED REGULAR MEETING WILL BE ON THURSDAY, MAY 24, 2018 AT 6:30 P.M.
IN THE COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.**