



## ACTION MINUTES

### Planning Commission

**Planning Commissioners:**

Christine Scott Thomson	Chair
C. Tito Young	Vice Chair
Zoë Chafe	Commissioner
D. Miguel Guerrero	Commissioner
Steven Keller	Commissioner
Erika Mendez	Commissioner
Deepak Sohane	Commissioner

### REGULAR MEETING

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Thursday, August 27, 2020

6:30 PM

Council Chambers

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#### 1. CALL TO ORDER

The meeting was convened via teleconference at 6:37 p.m. by Chair Christine Scott Thomson. The Chair read aloud a statement announcing that the meeting was being conducted by teleconference pursuant to the Brown Act waivers provided for under the Governor's Executive Order in response to the COVID-19 State of Emergency.

#### 2. ROLL CALL

Present: (7) Chair Christine Scott Thomson  
Vice Chair C. Tito Young  
Planning Commissioner Zoë Chafe  
Planning Commissioner D. Miguel Guerrero  
Planning Commissioner Steven Keller  
Planning Commissioner Erika Mendez  
Planning Commissioner Deepak Sohane

#### 3. PUBLIC COMMENT

None.

#### 4. APPROVAL OF ACTION MINUTES OF JULY 23, 2020

A motion was made to approve the Action Minutes.

**Moved:** Young

**Seconded:** Guerrero

**Ayes:** (7) Chafe, Guerrero, Keller, Mendez, Sohane, Young, Thomson

**Noes:** (0)

**Abstain:** (0)

**Absent:** (0)

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

Director Bryant reported that, while the City Council does not normally meet in August, they held a brief meeting on August 19 to vote to cancel the November 3 election for City Council because there are only three nominees for three seats up for election, and no local measures on the ballot.

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

Commissioner Mendez stated that she would be recused on the BMR project (item 8.1) because BMR is a client of her employer, and is therefore considered a source of income for her. Commissioner Mendez also said that she had met with David Dial of Orton Development, Inc., on the Art Center project (item 7.1). Commissioners Sohane, Keller and Chair Thomson reported that they had each met with BMR, and Commissioners Guerrero and Chafe reported that they had met with both the Art Center and BMR applicants.

## 7. PUBLIC HEARINGS

**7.1 Emeryville Center for the Arts (UPDR18-006)** – Consideration of a Conditional Use Permit and Design Review permit for an adaptive reuse proposal that will involve renovation of an existing, 30,000 square foot vacant building at 4060 Hollis Street to accommodate an arts and cultural center, and determination of conformity with the General Plan. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301, which applies to alterations to existing facilities, and Section 15332, which applies to infill development projects. General Plan Land Use Classification: Public; Zoning District: Public (P), Park Avenue District Overlay Zone (P-A), and Pedestrian Priority Overlay Zone (PP) (Applicant: Orton Development, Inc) (Owner: City of Emeryville) (APN: 49-618-4)

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

David Dial of Orton Development, Inc., applicant; Tai-Ran Tseng of Marcy Wong Donn Logan, architect; and Sarah Gronquist, Placeworks, landscape architect; 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:** Keller

**Seconded:** Sohane

**Ayes:** (7) Chafe, Guerrero, Keller, Mendez, Sohane, Young, Thomson

**Noes:** (0)

**Abstain:** (0)

**Absent:** (0)

## 8. STUDY SESSION

**8.1 BMR Emeryville Center of Innovation (FDP19-002)** – A third Study Session to review a proposal for a Final Development Plan to construct four new multi-tenant research and development buildings and a supporting parking garage as part of implementation of the Emeryville Life Sciences Center Planned Unit Development/Preliminary Development Plan (PUD/PDP), also referred to as the “Chiron PUD/PDP” (PUD 93-2), that was approved by the City Council on August 15, 1995. CEQA Status: To Be Determined. General Plan Land Use Classification: Office/Technology and Park/Open Space; Zoning District: Planned Unit Development (PUD-3) (Applicant/Owner: BRE-BMR 53rd LP) (APNs: 49-1041-29-1, -49, 70-2, and 71-2; and 49-1544-1-1, -2, -5, and -6)

Commissioner Mendez was recused and left the Zoom meeting as BMR is a client of her employer, DGA, and considered a source of income.

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

Ethan Warsh and Salil Payappilly, BioMed Realty, applicant; John Mickow, Flad Architects; and Sara Moos Thompson, Bionic; gave presentations and responded to Commissioner questions.

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

The Commission generally was appreciative of the project and liked the design of the two new buildings that they had not previously seen. There were suggestions to create an open space for the public on the fifth floor of the garage building and to explore the possibility of roof or upper level public open spaces in the four R&D buildings. The Commission agreed with the staff proposal to extend the green wall to wrap around the north wall on the lower level of the garage building. One Commissioner suggested extending the green wall to the upper garage levels on the western side, and another Commissioner encouraged the applicant to consider foci for the different open space/plaza areas. There was a suggestion to incorporate wood at the ground levels of the R&D buildings similar to what is proposed for Building B1. The Commission also expressed appreciation of the applicant's discussion of sustainable elements of the project in their presentation. Exploration of various ways of proposing and using public art for articulation and interest was also suggested. The Commission, in general, felt that, while progress had been made in the design of the garage building with additional setbacks, it was still a very large building. It was suggested that the applicant explore the possibility of public use of the garage during weekends and off-peak hours and that its design should enable a different use in the future. It was also suggested to vary the thickness and perforation configuration of the panels on the garage to provide additional interest, and to include a rendering that showed the center of the garage structure. It was noted that the shadow study did not include noon time and that there was no analysis of what shadows meant for design purposes. The Commission appreciated the applicant's inclusion of bird-safe features into the design of the new buildings. It was also commented that it would be useful to see how bicycle and pedestrian conflicts would be minimized and whether a stop sign or signal was appropriate at 53rd and Horton Streets. It was noted that a transportation assessment has been prepared by the applicant, which will be peer-reviewed by Fehr and Peers.

## 9. PLANNING COMMISSIONERS COMMENTS

Commissioner Mendez rejoined the meeting.

Commissioner Keller commented that it might be useful for Commissioners to visit a lab building at U.C. Berkeley to better understand the need for rooftop equipment in order to appreciate how this would inhibit the development of rooftop open space.

Vice Chair Young noted that AutoCad has a feature where buildings can be viewed in three-dimensions and suggested this be used to evaluate projects that come before the Commission.

Assistant City Attorney Andrea Visveshwara cautioned the Commission against revisiting items that had been on the agenda and were now closed, and suggested that staff look into educational tools in which the Commission may be interested.

## 10. ADJOURNMENT

The meeting was adjourned at 10.58 p.m.

**THE NEXT SCHEDULED REGULAR MEETING WILL BE HELD ON THURSDAY, SEPTEMBER 24, 2020 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608 OR VIA TELECONFERENCE IN ACCORDANCE WITH THE GOVERNOR'S EXECUTIVE ORDER.**