



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

Thursday, October 22, 2020

6:30 PM

Council Chambers

1. CALL TO ORDER

The meeting convened via teleconference at 6:30 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: (5) Chair Christine Scott Thomson
Planning Commissioner Zoë Chafe
Planning Commissioner Steven Keller
Planning Commissioner Erika Mendez
Planning Commissioner Deepak Sohane
Excused (2) Planning Commissioner D. Miguel Guerrero
Absence: Vice Chair C. Tito Young

3. PUBLIC COMMENT

None.

4. APPROVAL OF ACTION MINUTES OF SEPTEMBER 24, 2020

A motion was made to approve the Action Minutes.

Moved: Keller
Seconded: Sohane
Ayes: (5) Chafe, Keller, Mendez, Sohane, Thomson
Noes: (0)
Abstain: (0)
Absent: (2) Guerrero, Young

5. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Director Bryant reported on actions taken by the City Council at their recent meetings, noting that, on October 6, the Council had approved the 47th Street Homes project with an added condition to require a regulatory agreement with the City for the provision of one deed-restricted, two-bedroom affordable unit, for a period of 20 years, on the adjacent parcel to the north.

6. DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS

None.

7. PUBLIC HEARINGS

- 7.1 Ohana Cannabis Retail Dispensary and Restaurant (UP19-008)** – Consideration of a Conditional Use Permit to relocate the existing Ohana retail cannabis facility at 5745 Peladeau Street (previously known as East Bay Therapeutics) to 5768 Peladeau Street currently occupied by Broken Rack Sports Bar and Billiards. The applicant seeks to occupy 5,000 square feet of the building with the relocated cannabis dispensary with the remaining 5,260 square feet to be run as a restaurant. 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 “common sense exemption” 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 Overlay (NH), and Transit Hub Overlay (TH). (Applicant: Nasser Azimi) (Owner: Libitzky Property Companies) (APN: 49-1318-7-4)

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

Nasser Azimi, applicant, addressed the Commission and responded to questions.

The public hearing was opened.

Kevin Perkins, 1407 Powell Street LLC, property owner, spoke in support of the project, citing the superior operation and expected improvements in the parking and neighborhood, and expressed his appreciation for the work done by Miroo Desai and Nasser Azimi on the project.

The public hearing was closed.

A motion was made to approve the application.

Moved: Keller
Seconded: Mendez
Ayes: (5) Chafe, Keller, Mendez, Sohane, Thomson
Noes: (0)
Abstain: (0)
Absent: (2) Guerrero, Young

- 7.2 Elevation 22 Street Tree Removal (TREE20-001)** – Consideration of a Tree Removal Permit to allow removal and replacement of three Camphor (*Cinnamomum camphora*) trees on the west side of Doyle Street north of Powell Street, and one Marina madrone (*Arbutus X 'Marina'*) tree on the Emeryville Greenway near the corner of Hollis Street and Powell Street. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301(c), which applies to minor alterations to existing streets, sidewalks, and similar facilities; Section 15304(b), which applies to new gardening and landscaping; and the “common sense exemption” 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-High Density Residential and Major Transit Hub; Zoning District: Medium-High Density Residential (RMH), North Hollis District Overlay (N-H), and Transit Hub Overlay (TH) (Applicant: Andrea Sessa, Studio M Merge) (Owner: Elevation 22 Homeowners Association, David Drucker) (APNs: adjacent to 49-1542-28; 49-1542-36; and 49-1542-37)

This item was continued to a future Planning Commission Meeting.

8. STUDY SESSION

- 8.1 Sherwin Williams Building 1-31 Adaptive Reuse (FDP20-001)** – A study session to review a proposal for a Final Development Plan for adaptive reuse of the existing Building 1-31 in the Sherwin Williams Planned Unit Development/Preliminary Development Plan (PUD/PDP) that includes the design of the pedestrian and bicycle pass through required by the PUD/PDP. The PUD/PDP was approved by the City Council on November 1, 2016. CEQA Status: An Environmental Impact Report was prepared for the project and certified by the Emeryville City Council on September 6, 2016. General Plan Land Use Classification: Mixed Use with Residential; Zoning District: Planned Unit Development (PUD-7) with Park Avenue District Overlay (P-A). (Applicant: Steelwave LLC/Bridget Metz) (Owners: LMC Horton Street Holdings LLC) (APN: 49-1557-6)

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

Steve Dunn, Steelwave LLC, applicant/developer; Benjamin Yu, Steelwave LLC, applicant/developer; Tom Hyde, DES Architects, architect; Susan Eschweiler, DES Architects, architect; and Nathan Tuttle, Lennar, made a presentation 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 appreciated the preferred proposal presented by the applicant for the Horton Street elevation at the pass through, and liked the treatment of the windows and use of different panel sizes for the rooftop equipment screening. Some concerns were raised regarding whether it would be obvious the pass through was open to the general public; and it was suggested that the use of bollards be minimized so that cargo bikes could pass. Use of glass on the east elevation was suggested as well as looking into the possibility of “thinning” the columns that would allow for greater ease of travel. One Commissioner noted that the transition coming out of the pass-through was not resolved and that use of glass material should be bird friendly. Another suggestion was made to have some kind on interpretive light movement that would be triggered by the passing of bicycles.

9. PLANNING COMMISSIONERS COMMENTS

None.

10. ADJOURNMENT

The meeting was adjourned at 8:43 pm.

THE NEXT SCHEDULED REGULAR MEETING WILL BE HELD ON THURSDAY, DECEMBER 10, 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.