



## AGENDA

### Planning Commission

**Planning Commissioners:**

Steven Keller	Chair
Erika Mendez	Vice Chair
Zoë Chafe	Commissioner
Al Dram	Commissioner
Jack Ghizzoni	Commissioner
Henry Symons	Commissioner
Erica Zepko	Commissioner

### REGULAR MEETING

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**Thursday, January 27, 2022**

**6:30 PM**

**Council Chambers**

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A complete copy of the agenda packet is available on the City's website at [www.emeryville.org/104/Planning-Commission](http://www.emeryville.org/104/Planning-Commission) before the Planning Commission meeting. All writings that are public records and relate to an agenda item which are distributed to a majority of the legislative body less than 72 hours prior to the meeting noticed above will be made available as "Late Correspondence" to Commissioners and City Staff before the meeting. The meeting is broadcast live on the City of Emeryville Television Channel (ETV), Cable Channel 27, and will be rebroadcast as part of the regular City agency bodies' meetings according to the published ETV schedule or programs.

You can request free copies of Planning Commission agendas in digital format for the current calendar year by going to our website at [www.emeryville.org](http://www.emeryville.org) and clicking on "Receive Notifications". Simply fill out your information, check "Planning Commission Agendas", and click the "Subscribe" button. You will then receive an email or text message (or both) asking you to confirm your subscription. Once completed, you will begin to receive notifications of Planning Commission meeting agendas.

**INFORMATION FOR MEETINGS DURING AN OFFICIALLY DECLARED STATE OF EMERGENCY UNDER ASSEMBLY BILL 361 (effective until the state of emergency is lifted by the Governor):**

Pursuant to California Assembly Bill 361, a local legislative body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body during the current health emergency. As such, the Planning Commissioners will be participating in the Planning Commission meeting via teleconference, and the Commission will provide various options for the public to participate in the conduct of the meeting remotely.

The Commission will further adhere to the means otherwise prescribed by the Brown Act, which allows members of the public the right to observe and offer public comment during the public meeting, consistent with the public's rights of access and public comment otherwise provided for by the Brown Act, as applicable (including, but not limited to, the requirement that such rights of access and public comment be made available in a manner consistent with the Americans with Disabilities Act).

In addition to the mandatory conditions set forth above, the Commission will use sound discretion and make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.

The Commission offers many ways for you to watch and participate in Planning Commission matters without attending a meeting in-person. Planning Commission meetings are streamed live on Emeryville TV at [www.emeryville.org/104/Planning-Commission](http://www.emeryville.org/104/Planning-Commission). Additionally, public comment for Commission agenda items can be submitted online via our online speaker card at [www.emeryville.org/104/Planning-Commission](http://www.emeryville.org/104/Planning-Commission). Written comments can also be submitted by email to [plancomm@emeryville.org](mailto:plancomm@emeryville.org), or to the Community Development Director, Charles S. Bryant, at [cbryant@emeryville.org](mailto:cbryant@emeryville.org). If you would like to support, oppose, or otherwise comment on an upcoming agenda item, please send in your comments prior to the meeting as there will be no option to attend in person.

If you prefer to participate in the meeting using Zoom, please use the information provided here:

Please click the link below to join:

<https://emeryville-org.zoom.us/j/86475225287>

Or Telephone: +1 669 900 6833

Webinar ID: 864 7522 5287

International numbers available: <https://emeryville-org.zoom.us/u/kbXIU11no>

All matters listed under CONSENT CALENDAR are considered to be routine and will all be enacted by one motion in the form listed below. There will be no separate discussion of these items unless good cause is shown prior to the time the Commission votes on the motion to adopt. 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 Planning Commission.

The speaker's time is limited to 3 minutes and can only be extended upon approval of the Presiding Officer. If you are submitting your comments using the online comment card, please be aware that they will be read aloud into the record and will still be limited to the 3-minute time limit.

In compliance with the Americans with Disabilities Act, 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 prior to the scheduled event. The best effort to fulfill the request will be made.

The AGENDA for this regular meeting is as follows:

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **COMMISSION MATTERS**
  - 3.1 **[RESOLUTION DECLARING THE NEED FOR THE PLANNING COMMISSION TO CONTINUE TO MEET REMOTELY IN ORDER TO ENSURE THE HEALTH AND SAFETY OF THE PUBLIC](#)**
  - 3.2 **APPOINTMENTS TO EMERYVILLE/OAKLAND JOINT PLANNING AUTHORITY**
4. **PUBLIC COMMENT**
5. **[APPROVAL OF ACTION MINUTES OF DECEMBER 9, 2021](#)**
6. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**
7. **DISCLOSURE OF EX PARTE COMMUNICATIONS AND IDENTIFICATION OF CONFLICTS OF INTEREST**

## 8. PUBLIC HEARINGS

- 8.1 [Duplex Conversion \(UPDR21-007\)](#)** – Consideration of a Conditional Use Permit and Design Review application to modify an existing single unit building at 1291 55<sup>th</sup> 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 “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 Density Residential; Zoning District: Medium Density Residential (RM) (Applicant: Elias Horat, Creates Cool) (Owner: Syed Zohair Rizvi) (APN: 49-1184-14)
- 8.2 [“The Emery” Master Sign Program \(SIGN21-017\)](#)** – Consideration of a Major Sign Permit for a Master Sign Program for “The Emery”, formerly known as “Sherwin-Williams”, along Sherwin Avenue and Horton Street, including adjacent portions of Hubbard Street and 46<sup>th</sup> 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 “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; Zoning District: Planned Unit Development (PUD-7) and Park Avenue District Overly (Applicant: Scott Becerra, SignCraft, Inc.) (Owner: LMV II Emeryville Holdings, LP) (APNs: 49-1557-11, -12, and -13)

## 9. STUDY SESSIONS

- 9.1 [Emeryville Center of Innovation Master Sign Program \(SIGN21-027\)](#)** – Study session for a Major Sign Permit for a Master Sign Program for the Emeryville Center of Innovation, a new research and development campus which includes four research and development buildings fronting Hollis, 53<sup>rd</sup>, and Horton Streets, as well as a parking structure fronting Horton Street. CEQA Status: To be determined. General Plan Land Use Classification: Office/Technology and Park/Open Space; Zoning District: Planned Unit Development (PUD-3) (Applicant: Ethan Warsh, BioMed Realty) (Owner: BRE-BMR Chiron Lot LP) (APNs: 49-1041-29-1; 49-1544-1-4, and -2; and 49-1558-2, -3, and -4)
- 9.2 [Bay Street Grocery Store \(FDP21-002\)](#)** – A second study session to review a proposed Final Development Plan (FDP) for Parcel B of the South Bayfront Retail/Mixed Use Project (“Bay Street”). The proposed FDP is for a new 48,446 square foot grocery store with open rooftop parking that will accommodate approximately 139 parking spaces. It will also involve demolition of the existing building housing the EQ3 furniture store and other retail stores, and that formerly housed the Old Navy store and Elephant Bar restaurant. CEQA Status: To be determined. General Plan Land Use Classification: Mixed Use with Residential and Regional Retail Overlay; Zoning District: Planned Unit Development (PUD-4) (Applicant: Lowney Architecture) (Owner: 5616 Bay Street Investors LLC) (APN: 49-1039-8)
- 9.3 [Christie Avenue Mixed Use Project \(UPDR22-001\)](#)** – Study session to review a proposed mixed-use project on a 3.76-acre site at 5801-5861 Christie Avenue, including a 12-story, 123-foot high residential tower with 98 units, a 13-story, 230-foot high commercial tower with approximately 464,000 square feet of research and development and office space, and a 9-story, 100-foot high parking structure accommodating 748 parking spaces. The project will include a new half-acre public park fronting Christie Avenue and will demolish all existing buildings on the site. CEQA Status: To be determined. General Plan Land Use Classification: Mixed Use with Residential, Major Transit Hub, and Other Park Opportunity; Zoning District: Mixed Use with Residential (MUR), Transit Hub Overlay (TH), and Pedestrian Priority Zone (PP) (Owner/Applicant: 5801 Christie Owner (DE) LLC c/o Oxford Properties Group) (APNs: 49-1494-3-2 and -4-8)

**10. PLANNING COMMISSIONERS COMMENTS****11. ADJOURNMENT**

**THE NEXT SCHEDULED REGULAR MEETING WILL BE HELD ON THURSDAY, FEBRUARY 24, 2022 AT 6:30 P.M. VIA TELECONFERENCE IN ACCORDANCE WITH CALIFORNIA ASSEMBLY BILL 361 OR IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608 IF THE STATE OF EMERGENCY HAS BEEN LIFTED.**