



AGENDA

Planning Commission

Planning Commissioners:

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

REGULAR MEETING

Thursday, April 23, 2020

6:30 PM

Council Chambers

A complete copy of the agenda packet is available on the City's website at 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 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 SHELTER IN PLACE ORDER (effective 3/17/2020 – 5/3/2020):

Pursuant to California Governor Gavin Newsom's Executive Order, 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 Commission Members 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. Our Planning Commission meetings are streamed live on Emeryville TV at http://emeryville.granicus.com/MediaPlayer.php?publish_id=8. Additionally, public comment for Commission agenda items can be submitted online via our new online speaker card when an agenda is posted at <http://emeryville.org/89/Local-Boards-Commissions-Committees>. Written comments can also be submitted by email to plancomm@emeryville.org, or the Community Development Director, Charles Bryant, at 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 rather than attending a meeting in person.**

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. **SWEARING IN OF NEW PLANNING COMMISSIONER ERIKA MENDEZ**
4. **PUBLIC COMMENT**
5. **[CENSUS 2020 REPORT: WHEN, WHAT, AND WHY IT'S IMPORTANT](#)**
6. **[APPROVAL OF ACTION MINUTES OF FEBRUARY 27, 2020](#)**
7. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**
8. **DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS**
9. **STUDY SESSION**

[9.1 BMR Emeryville Center of Innovation \(FDP19-002\)](#) – A second Study Session to review a proposal for a Final Development Plan to construct two 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)

10. PUBLIC HEARINGS

10.1 Adeline Springs Extension Request (UPDR17-009) – Consideration of a request for a second one-year extension of a Conditional Use Permit and Design Review permit that was approved by the Planning Commission on March 22, 2018 to demolish an existing 5,866 square foot building (“U.S. Spring”) and construct a new, five story building that will accommodate 29 rental residential units and 4 to 6 live-work units on a 12,528 square foot parcel located at 3637 Adeline Street. The Commission approved the first one-year extension on March 28, 2019. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15332, which applies to infill development projects. General Plan Land Use Classification: Mixed Use with Residential and Major Transit Hub; Zoning District: Mixed Use with Residential South (MURS) and Transit Hub Overlay (TH) (Applicant/Owner: RB Adeline LLC, Ali Kashani) (APN: 49-481-15)

10.2 Public Market Master Sign Program (SIGN19-017) – Consideration of a Major Sign Permit for a Master Sign Program for the Public Market along Shellmound Street between Shellmound Way and 63rd Street, including adjacent portions of 62nd Street and an interior courtyard. 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 Residential and Major Transit Hub; Zoning District: Planned Unit Development (PUD-2) (Applicant: AG-CCRP Public Market, L.P. c/o City Center Realty Partners, LLC) (Owner: AG-CCRP Public Market, L.P.) (APNs: 49-1556-7, -15, -16, -17, -22, -23, -24).

10.3 Floor Area Ratio Increase (UP20-002) – Consideration of a Major Conditional Use Permit to add 449 square foot of floor area to an existing mezzanine to expand an existing office use at 1375 55th Street. CEQA Status: this project is exempt from environmental review under State CEQA Guidelines Section 15301(e)(2) which applies to small additions to existing 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 Non-Residential; Zoning District: Mixed Use with Non-Residential (MUN) (Applicant: Claire Mischeaux) (Owner: Weinberg, Rogers & Rosenfeld) (APN: 49-1184-13).

10.4 Bird-Safe Building Standards (ORD20-002) – Consideration of a proposed ordinance amending the Planning Regulations in Title 9 of the Emeryville Municipal Code by adding Article 8 to Chapter 4, and amending Article 7 of Chapter 4, regarding bird-safe building design. CEQA Status: This project is exempt from environmental review 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.

11. PLANNING COMMISSIONERS COMMENTS**12. ADJOURNMENT**

THE NEXT SCHEDULED REGULAR MEETING WILL BE HELD ON THURSDAY, MAY 28, 2020 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.