



AGENDA

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

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 until further notice):

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 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. Additionally, public comment for Commission agenda items can be submitted online via our online speaker card at www.emeryville.org/104/Planning-Commission. Written comments can also be submitted by email to plancomm@emeryville.org, or to the Community Development Director, Charles S. 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** 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/93985191064?pwd=SU0ya2xzRFIYbnI3Y2V2ZlZlZ3I3Pdz09>

Or Telephone: +1 669 900 6833

Webinar ID: 939 8519 1064

International numbers available: <https://emeryville-org.zoom.us/j/93985191064?pwd=SU0ya2xzRFIYbnI3Y2V2ZlZlZ3I3Pdz09>

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. **PUBLIC COMMENT**
4. **APPROVAL OF [ACTION MINUTES OF SEPTEMBER 24, 2020](#)**
5. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**
6. **DISCLOSURE OF EX PARTE COMMUNICATIONS AND IDENTIFICATION OF CONFLICTS OF INTEREST**

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)
- 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)

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)

9. PLANNING COMMISSIONERS COMMENTS**10. ADJOURNMENT**

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.