



ACTION MINUTES

Planning Commission

Planning Commissioners:

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

REGULAR MEETING

Thursday, February 27, 2020

6:30 PM

Council Chambers

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Chair D. Miguel Guerrero.

2. ROLL CALL

Present: (4) Chair D. Miguel Guerrero
 Vice Chair Christine Scott Thomson
 Planning Commissioner Gail Donaldson
 Planning Commissioner C. Tito Young

Excused Absences: (2) Planning Commissioner Steven Keller
 Planning Commissioner Deepak Sohane

3. RECOGNITION OF OUTGOING COMMISSIONER LINDA BARRERA

Director Bryant read a resolution in recognition of Linda Barrera’s three years of service on the Planning Commission. A copy of the resolution, framed and signed by each of the Commissioners, was presented to Ms. Barrera. The Commissioners, in turn, thanked Ms. Barrera for her service, and she wished the Commission well.

4. PUBLIC COMMENT

None.

5. APPROVAL OF ACTION MINUTES OF JANUARY 23, 2020

A Commissioner commented that the action minute entries for items 7.2 and 8.2 did not capture the essence of the Commission’s deliberations. Director Bryant clarified that action minutes do not include detail about Commission deliberations; study session items usually include a summary of the Commission’s comments, while public hearing items generally capture only the action taken by the Commission.

A motion was made to approve the Action Minutes.

Moved: Thomson
Seconded: Donaldson
Ayes: (3) Donaldson, Thomson, Guerrero
Noes: (0)
Abstain: (1) Young
Absent: (2) Keller, Sohane

6. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Director Bryant reported on recent City Council actions. He noted that, at their next meeting on March 3, the City Council would be appointing a new Planning Commission to fill Commissioner Barrera's unexpired term. He also reported that Brad Helfenberger from the Community Services Department will be making a presentation on the 2020 U.S. Census at the next Planning Commission meeting.

7. DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS

None.

8. PUBLIC HEARINGS

- 8.1. Second Story Addition (UPDR19-003)** – Consideration of a Conditional Use Permit and Design Review application to add a second story to one existing unit at the front of a parcel with three units at 1025 47th Street. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301(e)(2) which applies to additions to existing structures, Section 15332, which applies to infill development projects, 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: Medium Density Residential; Zoning District: Medium Density Residential (RM) (Applicant: Maxwell Beaumont) (Owner: Kulwant & Bhagwant Sekhon) (APN: 49-1174-52)

Navarre Oaks, Assistant Planner, gave the staff presentation and responded to Commissioner questions.

The applicant, Architect Maxwell Beaumont, responded to Commissioner questions.

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

The Commission expressed appreciation to the applicant for incorporating the project modifications suggested at the October 24, 2019 study session. A motion was made to approve the application.

Moved: Young
Seconded: Thompson
Ayes: (4) Donaldson, Young, Thomson, Guerrero
Noes: (0)
Abstain: (0)
Absent: (2) Keller, Sohane

- 8.2 Emery Go-Round Temporary Fleet Parking Conditional Use Permit Amendment (UP18-003)** – Consideration of an amendment to a Conditional Use Permit that was approved by the Planning Commission on March 15, 2018 to use approximately three-fourths of the "Rifkin Lot" at 4555 Horton Street to park Emery Go-Round buses and employee cars. The amendment is to extend the permitted occupancy of the site from two years to three years. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15304 which applies to minor alterations to land, Section 15332, which applies to infill development projects, 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; Zoning District: Planned Unit Development (PUD-3) (Applicant: Roni Hatrup for Emeryville Transportation Management Association) (Owner: Scott Altick, BioMed Realty) (APN: 49-1544-1-1)

Diana Keena, Associate Planner, gave the staff presentation and responded to Commissioner questions.

Roni Hatrup, Emeryville Transportation Management Association, 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 amendment to the Conditional Use Permit.

Moved: Donaldson
Seconded: Thomson
Ayes: (4) Donaldson, Young, Thomson, Guerrero
Noes: (0)
Abstain: (0)
Absent: (2) Keller, Sohane

- 8.3 VersaGenix Cannabis Manufacturing and Distribution Facility II (UP20-001)** – Consideration of a Major Conditional Use Permit to allow a cannabis manufacturing and distribution facility in an existing building located at 1295 67th Street. The 6,719 square foot facility will formulate and manufacture cannabis-derived health supplements, cosmetics and other similar products. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15332, which applies to infill development projects, and under 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: Industrial; Zoning District: Light Industrial (INL) and North Hollis Overlay Zone (NH) (Applicant: Versagenx Inc/Ryan Burke) (Owner: HCP Emeryville Partners II, LLC) (APN: 49-1508-10-2)

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

Ryan Burke, applicant, responded to Commissioner questions.

The public hearing was opened.

George Martin, George M. Martin Co, 1250 67th Street, said that his company occupies five buildings on the block. He spoke in favor of the VersaGenix manufacturing facility. Despite initial concerns, particularly about the odor, the original VersaGenix facility has caused no problems. He said that their operations have been almost invisible and he trusts that this will continue.

The public hearing was closed.

A motion was made to approve the application.

Moved: Young
Seconded: Donaldson
Ayes: (4) Donaldson, Young, Thomson, Guerrero
Noes: (0)
Abstain: (0)
Absent: (2) Keller, Sohane

- 8.4 Elimination of Minimum Parking Requirements (ORD19-001)** – Consideration of amendments to Article 4 of Chapter 4 of the Planning Regulations to eliminate the minimum parking requirements, and to make other related modifications to the Planning Regulations. CEQA Status: Environmental Impact Report for General Plan certified by the City Council on October 13, 2009.

Charles Bryant, Planning Director, gave the staff presentation and responded to Commissioner questions.

The public hearing was opened

Nathan Landau, Planner, AC Transit, 1600 Franklin St., Oakland, spoke in support of eliminating the minimum parking requirements, as it moves us forward to recalibrating the market, and allows developers who are willing to experiment, as they have done in other cities, to create buildings for residents that don't require many cars. He mentioned recent initiatives to eliminate minimum parking requirements in San Francisco, Oakland, and Berkeley. He said that, as part of any Transportation Demand Management plans required of developers, AC Transit would ask that bus passes be included, which would allow more people to commute to San Francisco on Transbay buses.

The public hearing was closed.

During Commission deliberations, Commissioner Donaldson, Vice Chair Thomson, and Chair Guerrero expressed general support for the proposal, while Commissioner Young expressed skepticism about its practicality.

A motion was made to approve the proposed amendments to the Planning Regulations and to recommend that the City Council adopt them.

Moved: Thomson
Seconded: Guerrero
Ayes: (3) Donaldson, Thomson, Guerrero
Noes: (1) Young
Abstain: (0)
Absent: (2) Keller, Sohane

The Commission took a break from 8:16 to 8:21 p.m.

- 8.5 Accessory Dwelling Units Ordinance (ORD20-001)** – Consideration of amendments to Article 14 of Chapter 5 of the Planning Regulations to modify the provisions for Accessory Dwelling Units and Junior Accessory Dwelling Units, and to make other related modifications to Title 9, Planning Regulations, and Title 8, Building Regulations, of the Emeryville Municipal Code pursuant to recently enacted State laws. CEQA Status: This proposal is exempt from environmental review under Public Resources Code Section 21080.17, which provides that CEQA does not apply to the adoption of an ordinance to implement the provisions of Government Code Section 65852.2 pertaining to Accessory Dwelling Units.

Diana Keena, Associate Planner, gave the staff presentation 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 proposed amendments to the Planning Regulations and to recommend that the City Council adopt them.

Moved: Thomson
Seconded: Donaldson
Ayes: (4) Donaldson, Young, Thomson, Guerrero
Noes: (0)
Abstain: (0)
Absent: (2) Keller, Sohane

9. ADMINISTRATIVE ITEM

- 9.1. **General Plan Annual Progress Report** – Review of the annual progress report on implementation of the General Plan, including the Housing Element, in Calendar Year 2019, for submittal to the Governor’s Office of Planning and Research and the California Department of Housing and Community Development.

Diana Keena, Associate Planner, gave the staff presentation and responded to Commissioner questions.

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

A motion was made to recommend City Council approval of the General Plan Annual Progress Report.

Moved: Young
Seconded: Donaldson
Ayes: (4) Donaldson, Young, Thomson, Guerrero
Noes: (0)
Abstain: (0)
Absent: (2) Keller, Sohane

10. PLANNING COMMISSIONERS COMMENTS

Commissioner Thomson commented that, with the elimination of minimum parking requirements, there is a need to develop a market mechanism that makes alternatives to cars viable and real.

Commissioner Young commented on two issues adjacent to his residence: crow droppings on the sidewalk, and the difficulty that street sweepers have cleaning behind the bike lane bollards, which results in a buildup of leaves, mold, and weeds.

Commissioner Donaldson noted that restaurants in San Francisco’s Chinatown are closing their banquet rooms, and is thus losing a cultural asset where life events happen, similar to the closing of the banquet room at the Hilton Garden Inn in Emeryville.

11. ADJOURNMENT

The meeting was adjourned at 9:20 p.m.

THE NEXT SCHEDULED REGULAR MEETING WILL BE HELD ON THURSDAY, MARCH 26, 2020 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.