



ACTION MINUTES

Planning Commission

Planning Commissioners:

Gail Donaldson	Chair
Linda Barrera	Vice Chair
Philip Banta	Commissioner
D. Miguel Guerrero	Commissioner
Sam Kang	Commissioner
Steven Keller	Commissioner
Christine Scott Thomson	Commissioner

REGULAR MEETING

Thursday, February 22, 2018

6:30 PM

Council Chambers

1. CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Chair Donaldson.

2. ROLL CALL

Present: (5) Chair Gail Donaldson
Vice Chair Linda Barrera
Planning Commissioner Philip Banta
Planning Commissioner Steven Keller
Planning Commissioner Christine Scott Thomson

Absent: (2) Planning Commissioner D. Miguel Guerrero
Planning Commissioner Sam Kang

3. PUBLIC COMMENT

None.

4. APPROVAL ACTION MINUTES OF JANUARY 25, 2018

A motion was made to approve the Action Minutes.

Moved: Keller

Seconded: Banta

Ayes: (4) Banta, Keller, Barrera, Donaldson.

Noes: (0)

Abstain: (1) Thomson

Absent: (2) Guerrero, Kang

5. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Director Bryant reported on recent actions of the City Council. He also reminded the Commission that they would be holding a special meeting on Wednesday, March 15, 2018 at 6:30 p.m.

6. DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS

Chair Donaldson said that her firm does business with Lennar, the Applicant for the Sherwin Williams project, and she would therefore be recusing herself from that item. Before she left the Chambers, Chair Donaldson moved the Sherwin Williams item to the top of the agenda.

8. PUBLIC HEARING

- 8.1 Sherwin Williams – Architectural Final Development Plan (FDP17-001) –** Consideration of a Final Development Plan (FDP) for four new buildings in the Sherwin Williams Planned Unit Development site. The Preliminary Development Plan (PDP) for the project 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 and Park/Open Space; Zoning District: Planned Unit Development (PUD-7) with Park Avenue District Overlay (P-A). (Applicant: LMC Emeryville I Investor LLC)(Owner: SWACE, LLC, c/o The Sherwin-Williams Company) (APN: 49-1041-26-15)

Chair Donaldson was recused and left the Council Chambers. Vice Chair Barrera presided over this item

Miroo Desai, Senior Planner, presented and responded to Commissioner questions.

Kevin Ma, Lennar, Applicant, presented and responded to Commissioner questions. Ron Metzger LPAS, architect, and Brady Smith, Lennar, responded to Commissioner questions

The Public Hearing was opened.

Jack Ghizzoni, resident 1500 Park and member of PARC Committee, expressed his appreciation for the cooperation between Lennar and PARC and his support for the project.

The Public Hearing was closed.

A motion was made to approve the application with several modifications to the conditions of approval as proposed by staff, and a further modification by the Commission concerning window recesses.

Moved: Keller
Seconded: Banta
Ayes: (4) Banta, Keller, Thomson, Barrera
Noes: (0)
Recused: (1) Donaldson
Abstain: (0)
Absent: (2) Guerrero, Kang

Chair Donaldson returned to the dais and presided over the remainder of the meeting.

7. ADMINISTRATIVE ITEMS

- 7.1 General Plan Annual Progress Report –** Review of the annual progress report on implementation of the General Plan, including the Housing Element, in Calendar Year 2017, for submittal to the Governor's Office of Planning and Research and the California Department of Housing and Community Development.

Diana Keena, Associate Planner and Catherine Firpo, Housing Coordinator presented and responded to Commissioner questions.

The Commission expressed approval of the report and appreciation for the City's efforts to meet housing goals.

Commissioner Thomson left the meeting at 8:32 p.m.

8. PUBLIC HEARING

8.2 Rochambeau Cannabis Retail Dispensary (UP18-001) – Consideration of a Major Conditional Use Permit to allow a Cannabis Sales use at 3996 San Pablo Avenue, Suite C4 and C5, including retail sale and on-site consumption of cannabis products (a tasting bar), on-site pick up, and home delivery. 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 “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, Neighborhood Retail Overlay, and Major Transit Hub; Zoning District: Mixed Use with Residential South (MURS), Neighborhood Retail Overlay (NR), Transit Hub Overlay (TH), and Pedestrian Priority Overlay (PP). (Applicant: Sean Luse, Rochambeau, Inc) (Owner: Joson Nicholas Lee) (APN: 49-1546-6)

Miroo Desai, Senior Planner, presented and responded to Commissioner questions.

Sean Luse, Applicant, and joSon Nicholas Lee, Owner, responded to Commissioner questions.

The Public Hearing was opened.

Nasser Azini, East Bay Therapeutics, spoke in favor of the Rochambeau dispensary. He mentioned that he would be submitting an application by March 5, and hoped to be on the April Planning Commission agenda.

Jeff Fontas, resident of 1122 40th Street, expressed his support for the Rochambeau dispensary.

The Public Hearing was closed.

A motion was made to approve the application.

- Moved:** Donaldson
- Seconded:** Barrera
- Ayes:** (4) Banta, Keller, Barrera, Donaldson
- Noes:** (0)
- Abstain:** (0)
- Absent:** (3) Guerrero, Kang, Thomson

9. PLANNING COMMISSIONERS COMMENTS

Commissioner Keller commented on graffiti on City-owned property including the glass of the bridge towers at the Amtrak station and the vacant Public Works corporation yard building on Horton Street. Director Bryant said that he would mention it to the Public Works Director.

10. ADJOURNMENT

The meeting adjourned at 9:21 p.m.

THE NEXT SCHEDULED REGULAR MEETING WILL BE ON THURSDAY, MARCH 22, 2018, AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.