



## AGENDA

### Planning Commission

**Planning Commissioners:**

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

### REGULAR MEETING

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**Thursday, December 12, 2019**

**6:30 PM**

**Council Chambers**

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A complete copy of the agenda packet is available for public viewing at the Information Counter at the Civic Center at 1333 Park Avenue, Emeryville, California, during normal business hours (Monday through Friday, 9:00 AM to 5:00 PM, excluding legal holidays). All writing 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 will be made available at the Civic Center Information Counter. 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.

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All matters listed under Consent Calendar are considered routine and will all be enacted by one motion in the form listed on the Agenda. There will be no separate discussion of these items unless good cause is shown prior to the time the Planning Commission votes on the motion to adopt. Any person who desires to address the Planning Commission on any item listed under the Consent Calendar, or on a matter not on the Agenda which item is within the subject matter jurisdiction of the Planning Commission, may do so during that portion of the Agenda called Public Comment. 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 Public Hearing is closed and brought back to the Planning Commission 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.

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 at 510-450-7800 or [city\\_clerk@emeryville.org](mailto:city_clerk@emeryville.org) 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. Assistive listening devices are available in the Council Chambers for anyone with hearing difficulty, and must be returned at the end of the meeting. All documents are available in alternative formats upon request. No animals shall be allowed at, or brought in to, a public meeting by any person except (i) as to members of the public or City staff utilizing the assistance of a service animal, which is defined as a guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability; or (ii) as to police officers utilizing the assistance of a dog(s) in law enforcement duties.

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 OCTOBER 24, 2019](#)**
5. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**
6. **DISCLOSURE OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS**
7. **PUBLIC HEARING**
  - 7.1 **[Marketplace Redevelopment Project, "Parcel B" \(FDP18-001\)](#)** – Referral from the City Council for a report on an alternative proposal for a Final Development Plan (FDP) for "Parcel B" of the Marketplace Redevelopment Project Planned Unit Development (PUD04-12). The proposal is an alternative to the design approved by the Planning Commission on May 14, 2019. This will replace Final Development Plan FDP15-001 that was approved by the Planning Commission on June 23, 2016. The previously approved FDP18-001 included 14,000 square feet of retail space, 150,000 square feet of office/lab space, and 565 parking spaces. The proposed alternative FDP includes 15,700 square feet of retail space, 150,000 square feet of office/lab space, and 500 parking spaces. The Commission will make a recommendation to the City Council. CEQA Status: Environmental Impact Report for Marketplace Redevelopment Project PUD certified by City Council on January 15, 2008; no subsequent EIR is required to be prepared pursuant to CEQA Guidelines Section 15162. General Plan Land Use Classification: Mixed Use with Residential and Major Transit Hub; Zoning District: Planned Unit Development (PUD-2) (Applicant/Owner: AG-CCRP Public Market L.P) (APN: 49-1556-16)
8. **APPEAL**
  - 8.1 **[Hilton Garden Inn Appeal \(UP19-004\)](#)** - Consideration of an appeal of the Community Development Director's approval of a Minor Conditional Use Permit to convert existing storage and meeting rooms on the top floor of an existing hotel at 1800 Powell Street into 23 new guest rooms and to convert storage on the second floor into two new guest rooms. Pursuant to Planning Regulations Section 9-7.1404(b), the Planning Commission may either (1) affirm the decision of the Director and dismiss the appeal based on a determination that the facts ascertainable from the record do not warrant further hearing; (2) set a date for a public hearing on the appeal; or (3) remand the matter to the Director to cure a deficiency in the record or the proceedings. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301 which applies to minor alternations to existing facilities with negligible expansion of use; 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 and Regional Retail Overlay; Zoning District: Mixed-Use with Non-Residential (MUN) and Regional Retail Overlay (RR) (Applicant: Eli Tuttle; Appellant: Elijah Joshua Esquibel) (Owner: RLH HGN Emeryville Lessee, LP) (APN: 49-1495-1-26)

**9. STUDY SESSION**

- 9.1** [BMR Emeryville Center of Innovation \(FDP19-002\)](#) – A 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 53<sup>rd</sup> LP) (APNs: 49-1041-29-1, -49, 70-2, and 71-2; and 49-1544-1-1, -2, -5, and -6)

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

**THE NEXT SCHEDULED REGULAR MEETING WILL BE HELD ON THURSDAY, JANUARY 23, 2020 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608.**