



## AGENDA

### Planning Commission

**Planning Commissioners:**

Steven Keller	Chair
Erika Mendez	Vice Chair
Zoë Chafe	Commissioner
Al Dram	Commissioner
Jack Ghizzoni	Commissioner
Henry Symons	Commissioner
Erica Zepko	Commissioner

### REGULAR MEETING

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**Thursday, April 28, 2022**

**6:30 PM**

**Teleconference**

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A complete copy of the agenda packet is available on the City's website at [www.emeryville.org/104/Planning-Commission](http://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](http://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 AN OFFICIALLY DECLARED STATE OF EMERGENCY UNDER ASSEMBLY BILL 361 (effective until the state of emergency is lifted by the Governor):**

Pursuant to California Assembly Bill 361, 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](http://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](http://www.emeryville.org/104/Planning-Commission). Written comments can also be submitted by email to [plancomm@emeryville.org](mailto:plancomm@emeryville.org), or to the Community Development Director, Charles S. Bryant, at [cbryant@emeryville.org](mailto: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/85933140330>

Or Telephone: +1 669 900 6833

Webinar ID: 859 3314 0330

International numbers available: <https://emeryville-org.zoom.us/j/kcN8gsJE1w>

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. **COMMISSION MATTERS**
  - 3.1 **[RESOLUTION DECLARING THE NEED FOR THE PLANNING COMMISSION TO CONTINUE TO MEET REMOTELY IN ORDER TO ENSURE THE HEALTH AND SAFETY OF THE PUBLIC](#)**
  - 3.2 **[CONSIDERATION OF CANCELLATION OF JUNE 23, 2022 REGULAR MEETING, SCHEDULING A SPECIAL MEETING IN MAY TO DISCUSS TOPICS OF INTEREST, AND LIST OF TOPICS AND QUESTIONS TO BE DISCUSSED AT SPECIAL MEETING](#)**
4. **PUBLIC COMMENT**
5. **[APPROVAL OF ACTION MINUTES OF MARCH 24, 2022](#)**
6. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**
7. **DISCLOSURE OF EX PARTE COMMUNICATIONS AND IDENTIFICATION OF CONFLICTS OF INTEREST**

**8. PUBLIC HEARINGS**

- 8.1 [Emerystation Overland \(UPDR21-001\)](#)** – Consideration of a Conditional Use Permit and Design Review Permit to construct a new 300,000 square foot Research and Development building and a six level parking structure accommodating 495 parking spaces on an approximately 113,325 square foot site on the block bounded by Overland Avenue and 62nd, 63rd and Hollis Streets. The proposal includes preservation of the existing Hollis Street Building that accommodates Ruby’s Café and 41 live-work units, and demolition of all other structures on the western portion of the block. The proposal also includes a Tree Removal Permit to remove 18 street trees located on 62nd Street, Overland Avenue and 63rd Street. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15332, which applies to infill development projects, 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: Office/Technology and Major Transit Hub; Zoning District: Office/Technology (OT), North Hollis Overlay (N-H), and Transit Hub Overlay (TH) (Owner/Applicant: Wareham Development) (APN: 49-1488-1)

**9. STUDY SESSIONS**

- 9.1 [58Fifty Shellmound Life Sciences Tower \(UPDR21-004\)](#)** – A third study session to review a proposed 14-story, 265-foot-high building accommodating 385,740 square feet of life science use (“Research and Development”), six townhouse residential units, and approximately 2,300 square feet of ground floor retail/amenity space at 5850 Shellmound Way. The project includes demolition of an existing 61,000 square foot office building. General Plan Land Use Classification: Mixed Use with Residential and Major Transit Hub; Zoning District: Mixed Use with Residential (MUR), Transit Hub Overlay (TH), and Pedestrian Priority Zone (PP) (Applicant: Mike Lee/CA/SCC 5850 LS, JV, LLC) (Owner: Shellmound Christie Corporation) (APN: 49-1493-6)
- 9.2 [Marketplace Redevelopment Project Parcels A, B and F \(PUD04-003/DA15-001/FDP21-001\)](#)** – A study session to review a proposed amendment to the Planned Unit Development/Preliminary Development Plan (PUD/PDP) for the Marketplace Redevelopment Project (PUD04-003), an amendment to the associated Development Agreement (DA15-001), and a new Final Development Plan (FDP) for Parcels A and B along Shellmound Street between Shellmound Way and 63rd Street. The proposed FDP would include three buildings on Parcels A and B comprised of an eight-level 322,744 square foot Research and Development building, a four level, 83,434 square foot Research and Development building with 7,460 square feet of ground floor retail space, and a six-level parking garage accommodating 711 parking spaces. General Plan Land Use Classification: Mixed Use with Residential and Major Transit Hub; Zoning District: Planned Unit Development (PUD-2) (Owner/Applicant: Emeryville Holdings (DE) LLC, c/o Oxford Properties Group) (APN: 49-1556-15; -16; and -17)
- 9.3 [Mass Timber \(STUDY22-001\)](#)** – A study session to review a proposal to add a community benefits category to Section 9-4.204(e) of the Planning Regulations for the use of Mass Timber construction in place of traditional steel-and-concrete construction in order for a project to earn development bonus points. CEQA Status: To be determined.

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

**THE NEXT SCHEDULED REGULAR MEETING WILL BE HELD ON THURSDAY, JUNE 23, 2022 AT 6:30 P.M. VIA TELECONFERENCE IN ACCORDANCE WITH CALIFORNIA ASSEMBLY BILL 361 OR IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608 IF THE STATE OF EMERGENCY HAS BEEN LIFTED.**