



AGENDA

Planning Commission

Planning Commissioners:

Jack Ghizzoni	Chair
Al Dram	Vice Chair
Zoë Chafe	Commissioner
Rod Henmi	Commissioner
Dianne Martinez	Commissioner
Yang Ming	Commissioner
Jordan Wax	Commissioner

REGULAR MEETING

Thursday, September 28, 2023

6:30 PM

Council Chambers / Teleconference

This meeting is being conducted in a hybrid (in-person/Zoom) format at 1333 Park Avenue, Emeryville, California. To join the meeting via Zoom, use the information provided below.

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, Chadrick Smalley, at csmalley@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.

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/87196514377>

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Webinar ID: 871 9651 4377

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A complete copy of the agenda packet is available for viewing at the Information Center at City Hall, located at 1333 Park Avenue, Emeryville, California, and 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 is noticed, will be made available via email by request to the Commission Secretary. 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 of programs. Planning Commission meetings will also be available to view through live media streaming accessible from the City of Emeryville website at www.emeryville.org/104/Planning-Commission.

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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.

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.

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, as far in advance as possible, but no later than 72 hours before the scheduled event. The best effort to fulfill the request will be made. Assistive listening devices will be made available for anyone with hearing difficulty and must be returned to the Commission Secretary at the end of the meeting.

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 AUGUST 24, 2023](#)**
5. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**
6. **DISCLOSURE OF EX PARTE COMMUNICATIONS AND IDENTIFICATION OF CONFLICTS OF INTEREST**
7. **PUBLIC HEARINGS**
 - 7.1 **[Four-Unit Replacement, 1271 64th Street \(UPDR21-005\)](#)** – Consideration of a recommendation to the City Council concerning a request to modify the conditions of approval of a Conditional Use Permit and Design Review proposal to construct four new units and demolish four existing units at a site that was previously approved to add additional floor area to an existing four-unit residential building at 1271 64th Street. This project was approved by the City Council on December 21, 2021 with a condition that the Applicant pay five times building permit fees as a penalty for work without permits. This request is to reduce or waive the penalty fee. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15303(b), which applies to construction of up to six new dwelling units, 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 Density Residential; Zoning District: Medium Density Residential (RM) and North Hollis Overlay (NH) (Applicant/Owner: Aquis Bryant) (APN: 49- 1471-15)
 - 7.2 **[Objective Standards \(ORD21-001\)](#)** – Consideration of a recommendation to the City Council to approve proposed changes to the Planning Regulations and Design Guidelines to streamline the development review process for multifamily and mixed-use residential projects requiring ministerial approval to comply with State law. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15301(c)

which pertains to alterations to existing streets and sidewalks, Section 15183 as the amendments do not increase already studied and allowed development intensity evaluated as part of the General Plan Environmental Impact Report (EIR), 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.

8. PLANNING COMMISSIONERS' COMMENTS

9. ADJOURNMENT

THE NEXT REGULAR MEETING WILL BE ON THURSDAY, OCTOBER 26, 2023, AT 6:30 P.M. AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608 AND VIA TELECONFERENCE.