



## 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

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Thursday, October 26, 2023

6:30 PM

Council Chambers / Teleconference

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**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](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, Chadrick Smalley, at [csmalley@emeryville.org](mailto: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>

Or Telephone: +1 669 900 6833

Webinar ID: 871 9651 4377

International numbers available: <https://emeryville-org.zoom.us/u/kcPpIPHNNM>

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](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 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](http://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. **COMMISSION MATTERS**
  - 3.1 [Consideration of Planning Commission Meeting Schedule for 2024](#)
4. **PUBLIC COMMENT**
5. [APPROVAL OF ACTION MINUTES OF SEPTEMBER 28, 2023](#)
6. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**
7. **DISCLOSURE OF EX PARTE COMMUNICATIONS AND IDENTIFICATION OF CONFLICTS OF INTEREST**
8. **PUBLIC HEARINGS**
  - 8.1 [Promenade Center Retail/Mixed Use Project \(PUD99-1A\)](#) - Consideration of an amendment to the Conditions of Approval for the Promenade Center Retail/Mixed Use Project Preliminary Development Plan (PUD/PDP) to add "Commercial Recreation - Indoor Sports and Recreation" as a permitted use and to remove language restricting the operation of permitted uses to 6:00 a.m. to 10:00 p.m. CEQA Status: A Mitigated Negative Declaration for the Promenade Center Retail/Mixed Use Project was adopted by City Council on April 6, 1999 (Resolution No. ND99-2); no subsequent environmental review is required to be prepared pursuant to CEQA Guidelines Section 15162. General Plan Land Use Classification: Mixed Use with Residential, Major Transit Hub, and Neighborhood Retail Overlay; Zoning District: Planned Unit Development (PUD-6). (Applicant: Evergreen Devco – Luke Capen) (Owner: Longs Drug Stores California, LLC) (APNs: 049-1027-038 and -039)
  - 8.2 [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.

**9. PLANNING COMMISSIONERS’ COMMENTS**

**10. ADJOURNMENT**

**THE NEXT REGULAR MEETING WILL BE ON THURSDAY, DECEMBER 14, 2023, AT 6:30 P.M. AT EMERYVILLE CITY HALL, COUNCIL CHAMBERS, 1333 PARK AVENUE, EMERYVILLE, CA 94608 AND VIA TELECONFERENCE.**