



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: September 13, 2021

TO: Christine Daniel, City Manager

FROM: Charles S. Bryant, Community Development Director

SUBJECT: Resolution Of The City Council Of The City Of Emeryville Setting A Public Hearing Date Of October 5, 2021 To Consider An Appeal Of The Planning Commission's June 24, 2021 Denial Of An Amendment To A Conditional Use Permit And Design Review Permit For The Redevelopment Of The Existing 30,000 Square Foot Vacant Building Located At 4060 Hollis Street As An Arts And Cultural Center, And Two Signs (APN: 49-618-4)

RECOMMENDATION

Staff recommends that the City Council approve the above-entitled resolution setting a public hearing date of October 5, 2021, to consider the appeal of the City Council regarding the Planning Commission's denial of modifications to a previously approved Conditional Use Permit and Design Review permit for an adaptive reuse proposal that will involve renovation of an existing, 30,000 square foot vacant building at 4060 Hollis Street to accommodate an arts and cultural center.

DISCUSSION

On August 27, 2020, the Planning Commission approved a Conditional Use Permit and Design Review permit for an adaptive reuse proposal that will involve renovation of an existing, 30,000 square foot vacant building at 4060 Hollis Street to accommodate an arts and cultural center. Subsequently due to an increase in construction costs as well as re-evaluation of the Center's operational efficiency, the applicant, Orton Development, proposed a set of modifications to the previous approval.

On June 24, 2021, the Planning Commission considered and unanimously denied this request. This decision was appealed by the City Council on July 6, 2021.

Section 9-7.1405 (b) of the Planning Regulations states that the City Council shall review the appeal, the record, and any written correspondence submitted after the appeal has been filed, and take one of the following three actions:

- (1) Affirm the decision of the Commission 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 Commission to reconsider the application, identifying the issues that the Commission is directed to consider and specifying whether or not the Commission shall hold a new public hearing.”

Staff recommends that the Council set a public hearing date of October 5, 2021, to consider the appeal.

Attached to this staff report is the “record” for the project, including:

- (1) Materials related to the Planning Commission’s original approval of the project on August 27, 2020, including the agenda, staff report packet, written comments received, approved resolution, and approved action minutes.
- (2) Materials related to the Planning Commission’s denial of the modifications on June 24, 2021, including the agenda, staff report packet, written comments received, and approved action minutes.
- (3) The agenda and approved action minutes from when the City Council appealed the project on July 6, 2021.

PREPARED BY: Miroo Desai, Senior Planner

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Christine Daniel, City Manager

ATTACHMENTS:

- Draft Resolution
- Project Record