



*Sahar Shirazi, Chair  
Vince Sugrue, Vice-Chair  
Jonathan Fearn  
Natalie Sandoval  
Josie Ahrens  
Jennifer Renk  
Alex Randolph*

**October 18, 2023**  
REGULAR Meeting

**BUSINESS MEETING**

**3:00 PM**

**Via: In-person**

**MEETING CALL TO ORDER**

**Chair Shirazi**

**WELCOME BY THE CHAIR**

**Chair Shirazi**

**ROLL CALL**

**Haneefah Rasheed**

**Commissioners Present:**

Sahar Shirazi, Vince Sugrue, Jennifer Renk, Natalie Sandoval, Jonathan Fearn, Alex Randolph, Josie Ahrens

**Commissioner(s) Absent: n/a**

**Staff Present: Catherine Payne, Haneefah Rasheed, Michael Branson**

**SECRETARY RULES OF CONDUCT** n/a

**SECRETARY MATTERS** n/a

**COMMISSION BUSINESS**

- Agenda Discussion none
- Director’s Report none
- Informational Reports UCSF Benioff Children’s Hospital has been moved to Wednesday, November 15th, Planning Commission meeting
- Committee Reports none
- Commission Matters none
- City Attorney’s Report Michael Branson gave a brief summary regarding ongoing litigation against the City pertaining to the property located at 584 14<sup>th</sup> St, also known as the Sutter Hotel. The court found that substantial evidence supported city staff’s decision, and Planning Commission’s denial on appeal, that the property meets the city’s definition of a residential hotel.

• **OPEN FORUM**

At this time members of the public may speak on any item of interest within the Commission’s jurisdiction. At the discretion of the Chair, speakers are generally limited to two minutes or less if there are six (6) or less speakers on an item, and one minute or less if there are more than six (6) speakers.

**PUBLIC SPEAKERS:** None

**CONSENT CALENDAR**

The Commission will take a single roll call vote on all of the items listed below in this section. The vote will be on approval of the staff report and recommendation in each case. Members of the Commission may request that any item on the Consent Calendar be singled out for separate discussion and vote.

**PUBLIC HEARINGS**

The hearing provides opportunity for all concerned persons to speak; the hearing will normally be closed after all testimony has been heard. If you challenge a Commission decision in court, you will be limited to issues raised at the public hearing or in correspondence delivered to the Planning and Building Department, at, or prior to, the public hearing.

The Commission will then vote on the matter based on the staff report and recommendation. If the Commission does not follow the staff recommendation and no alternate findings for decision have been prepared, then the vote on the matter will be considered a “straw” vote, which essentially is a non-binding vote directing staff to return to the Commission at a later date with appropriate findings for decision and, as applicable, conditions of approval that the Commission will consider in making a final decision.

<b>#1</b>	<b>Location:</b>	The vacant project site is accessed from Campus Drive, Oakland, CA 94619.
	<b>Assessor’s Parcel Number(s):</b>	37A-3151-2-5.
	<b>Proposal:</b>	Hearing to receive comments on DEIR related to proposed project to develop approximately 2.6 acres of the 20-acre parcel into a cluster of ten detached single-family homes, with associated landscaping and new residential cul-de-sac accessed from Campus Drive between the existing residential streets of Viewcrest Drive and Rockingham Court. The remaining approximately 17.4 acres would be provided and maintained in perpetuity by the property owner and/or their successor entity, as conservation open space.
	<b>Applicant:</b>	Patricia E. Curtin
	<b>Contact Person/ Phone Number:</b>	Patricia E. Curtin-Director, 510.622.7660, <a href="mailto:pcurtin@fennemorelaw.com">pcurtin@fennemorelaw.com</a>
	<b>Owner:</b>	Collin Mbanugo, M.D.
	<b>Case File Number:</b>	PLN18407 and PLN18407-ER01
	<b>Planning Permits Required:</b>	General Plan Conformity Determination Tree Removal Permit Creek Protection Permit Building Permit Off Site Infrastructure (PX) Permit Planned Unit Development (PUD) Permit and Preliminary Development Plan (PDP) Final Development Plan
	<b>General Plan:</b>	Resource Conservation.
	<b>Zoning:</b>	Hillside Residential (RH-1).
	<b>Proposed Environmental Determination:</b>	The City prepared a Draft EIR in compliance with the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000 et. seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000 et. seq.).

<b>Historic Status:</b>	The Oakland General Plan does not identify the project site as a historic resource.
<b>City Council District:</b>	Council District 6.
<b>Finality of Decision:</b>	No decision on application, receive Committee and Public comments prior to decision on the application at a future date.
<b>For Further Information:</b>	Contact Case Planner Richard Walker at (424) 404-7504 or by email at <a href="mailto:rwalker@interwestgrp.com">rwalker@interwestgrp.com</a> .

If you wish to be notified on the decision of an agenda item, please contact the case planner for the specific agenda item.

**Case Planner Catherine Payne** gave a verbal presentation of the project

**Applicant Tony Pantaleoni** gave a verbal and visual presentation of the project.

Commissioners provided questions and comments regarding item.

**Public Speakers:** • Rena Rickles, Joe Farrow (ceding time to Simon Makgassi), David Barron, Paige Borce-Beery, Lisa Williams, Kevin McGourty, Irene Strouzos (ceding time to Don Strouzos), Joe Simas (ceded time to Stewart Smith), David Chin (ceded time to Rena Rickles), William Pate (Cede time to Rena Rickles), Vaughn Filmore (ceded time to Kay Carney-Filmore), Maelene Simias (ceded time to Kay Carney-Filmore)

**Chair Shirazi** closed public hearing with respect to oral comments.

- 1) Receive public and Planning Commission comments on the Draft EIR.
- 2) Close the public hearing with respect to receipt of oral comments, while informing the public that written comments will be accepted until 4:00 pm on October 30, 2023.

## APPEALS

The Commission will take testimony on each appeal. If you challenge a Commission decision in court, you will be limited to issues raised at the public hearing or in correspondence delivered to the Planning and Building Department, at, or prior to, to the public hearing; provided, however, such issues were previously raised in the appeal itself.

Following the testimony, the Commission will vote on the staff report and recommendation. If the Commission reverses/overturns the staff decision and no alternate findings for decisions have been prepared, then the vote on the matter will be considered a “straw” vote, which essentially is a non-binding vote directing staff to return to the Commission at a later date with appropriate findings for decision and, as applicable, conditions of approval that the Commission will consider in making a final decision. Unless otherwise noted, the decisions in the following matters are final and not administratively appealable. Any party seeking to challenge these decisions in court must do so within ninety (90) days of the date of the announcement of the final decision, pursuant to Code of Civil Procedure section 1094.6, unless a shorter period applies.

## COMMISSION BUSINESS

- Approval of Minutes

**Date:** October 4, 2023

**Motion to approve:** Commissioner Vince Sugrue

**Seconded by:** Commissioner Jonathan Fearn

**Action:** 7 Ayes, 0 Noes

- Correspondence none
- City Council Actions Catherine Payne provided an update regarding the adoption of the Zoning updates related to the Housing Element, which was fully adopted at second reading, and they go live on October 30, 2023.

**ADJOURNMENT** Chair Shirazi at 4:48 p.m.



**CATHERINE PAYNE**  
Development Planning Manager  
Planning and Building Department

**NEXT REGULAR MEETING:** November 1, 2023

**DRAFT**