



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

February 7, 2024
REGULAR Meeting

BUSINESS MEETING

3:00 PM

Via: In-person

MEETING CALL TO ORDER

Secretary Payne

WELCOME BY THE CHAIR

ROLL CALL

Stephanie Skelton

Commissioners Present: Renk, Fearn, Ahrens, Randolph, Sandoval

Commissioner(s) Absent: Chair Shirazi, VC Sugrue

Staff Present: Catherine Payne, Stephanie Skelton, Rebecca Lind

Motion by Comm. Fearn to elect Comm. Renk to be Chair Pro-Tem for the 2/7 PC meeting.

Seconded by Comm. Sandoval

Action: 5 Ayes, 0 Nays

SECRETARY RULES OF CONDUCT

SECRETARY MATTERS none

COMMISSION BUSINESS

- Agenda Discussion none
- Director's Report none
- Informational Reports none
- Committee Reports none
- Commission Matters none
- City Attorney's Report none

• **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: Naomi Shiff

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.

#1	Location:	5212 Broadway California College of the Arts
	Assessor’s Parcel Number(s):	014-124-300-101
	Proposal:	Public Hearing and comment on the Draft Environmental Impact Report for the California College of the Arts (CCA) Oakland Campus Redevelopment Project.
	Applicant:	Arts Campus LLC
	Contact Person/ Phone Number:	Marc Babsin 415-489-1313
	Owner:	California College of the Arts
	Case File Number:	PLN20141, ER19003
	Planning Permits Required:	General Plan Amendment, Re-zone, Planned Unit Development, Conditional Use Permit, Variance, with Californian Environmental Quality Act (CEQA) analysis through an Environmental Impact Report (EIR).
	General Plan:	Institutional
	Zoning:	CN-1, RM-4
	Proposed Environmental Determination:	The Draft Environmental Impact Report (DEIR) was published for a 45-day review period from January 12 to February 26, 2024.
	Historic Status:	Landmark, API, Campus District including 12 buildings: 4 A1+.4 B1+, and 4 C1+.
	City Council District:	1
	Finality of Decision:	No decision on application, receive public comments prior to decision on the application at a future date.
	For Further Information:	Contact Rebecca Lind: Phone: (510) 672-1474 or by e-mail: rlind@oaklandca.gov.

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

Secretary Payne noted that the draft Environmental Impact Report (EIR) examines the possible environmental impacts that the proposed project could cause to the environment, and the surrounding area. This is a requirement under the California Environmental Quality Act (CEQA) that we go through this environmental review process. Presently, we are providing comments on a draft EIR, and we are not considering the merits of the projects at this time. Therefore, comments should be directed towards any inadequacies in the analysis, or the findings included in the draft EIR towards future preparation of a final EIR that would correct for any identified and verified inadequacies. Today's hearing is specifically in regard to the adequacy of the draft EIR. Furthermore, the comment period has been extended to March 12, 2024.

Case Planner Rebecca Lind gave a verbal presentation of the project.

Applicant Marc Babsin gave a verbal and visual presentation of the project.

Lynette Dias, the project CEQA consultant, provided information regarding the project.

Commissioners provided questions and comments regarding the item.

Public Speakers: • Author Levy, Amelia Marshall ceded time to Naomi Shiff, Matthew Myers, Kristin Belt, Star Lightner, Maxwell Davis, Ivar Diehl, Noelani Fixler, Casey Farmer, Steve Brezovec, Stuart Flashman, Nico Nagle, Alex Luckerman, Theodore Spores

Motion by Comm. Randolph to:

- 1) Receive public and Planning Commission comments on the DEIR.
- 2) Close the public hearing with respect to receipt of oral comments; written comments will be accepted by the city until 4:00 pm on March 12, 2024.
- 3) Provide Planning Commission comments on the DEIR to staff.

Seconded by Commissioner Fearn

Action: 5 Ayes, 0 Nays

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, 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: January 10, 2024

Motion to approve: Commissioner Fearn

Seconded by: Commissioner Sandoval

Action: 5 Ayes, 0 Noes

- Correspondence none
- City Council Actions
 - The appeal for the 1431 Franklin residential case was withdrawn by the appellant the night of the hearing. There are no updates on the commercial appeal other than the directions we previously received from the council to move forward with their direction to prepare a motion to deny the approval and uphold the appeal, which staff is working on.

ADJOURNMENT Chair Pro-Tem Renk at 4:33 p.m.



CATHERINE PAYNE
Development Planning Manager
Planning and Building Department

NEXT REGULAR MEETING: February 21, 2024

DRAFT