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Planning Commission

COMMISSIONERS:

Jennifer Renk, Chair
Natalie Sandoval, Vice-Chair
Sahar Shirazi
Josie Ahrens
Alex Randolph
Maurice Robb
Owen Li

AGENDA
March 19, 2025
Regular Meeting

PLANNING COMMISSION MEETINGS NOW BEING HELD IN-PERSON 3:00pm

BUSINESS MEETING 3:00pm City Hall, Hearing Room 1, 1 Frank H. Ogawa Plaza, Oakland

Persons wishing to address the Commission on any item on the agenda, including Open Forum and Director's Report, should fill out a speaker card and give it to the Secretary. **Agenda items will be called at the discretion of the Chair not necessarily in the order they are listed on the Agenda.** Speakers are generally limited to two minutes at the discretion of the Chair. Applicants and appellants are generally limited to five minutes at the discretion of the Chair.

The order of items will be determined under Agenda Discussion at the beginning of the meeting. With the exception of Open Forum, a new item will not be called after **7:15pm**, and the meeting will adjourn no later than **7:30pm**, unless the meeting is extended by the Chair with the consent of a majority of Commissioners present.

For further information on any case listed on this agenda, please contact the case planner indicated for that item. For further information on Historic Status, please contact the Oakland Cultural Heritage Survey at 510-238-6879. For other questions or general information on the Oakland City Planning Commission, please contact the Planning and Building Department at 510-238-3941.

♿ This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter, or assistive listening device, please call the Planning and Building Department at 510-238-3941 or TDD 510-238-3254 at least three working days before the meeting. Please refrain from wearing scented products to this meeting so attendees who may experience chemical sensitivities may attend. Thank you.

El lugar de la a reunión es accesible en silla de ruedas. Para solicitar materiales en formatos alternativos o solicitar un intérprete de lenguaje de señas o un aparato para escuchar, por favor llame al Departamento de Planificación y Construcción al 510-238-3941 o TDD 510-238-3254 al menos tres días hábiles antes de la reunión. Por favor absténgase de usar perfumes en esta reunión para que las personas sensitivas a perfume puedan asistir.

此會議場地有適合輪椅出入設施。如需要其他格式的會議資料，或ASL手語服務，或助聽器，請於會議至少三(3)天以前聯絡規劃及建設局，以便安排服務，電話510-238-3941或TDD 510-238-3254。請勿塗搽香氛產品，參加者可能對化學成分敏感。多謝。

Please work with the Case Planner listed for each item prior to the meeting regarding items that may be continued. Any agenda item may be continued without the hearing on the matter being opened, or public testimony taken, at the discretion of the Chair. Persons wishing to address the continued item may do so under Open Forum.

Staff reports are available online, generally by 5:00pm the Friday before the meeting, at www.oaklandca.gov/PlanningCommission. You will need to ensure that your computer will accept pop-ups from the host site (oaklandca.gov) and that your computer has a later version of Adobe Acrobat Reader installed. For further information, please email Haneefah Rasheed at oaklandplanningcommission@oaklandca.gov.

Paper staff reports for items listed on this agenda can be requested with advance notice of three days, and will be made available at the Permit Center, 250 Frank H. Ogawa Plaza, Oakland, California 94612, at the cost per copy included in the City of Oakland Master Fee Schedule.

If you challenge a Commission decision in court, you will be limited to issues raised at the hearing or in correspondence delivered to the Planning and Building Department, at, or prior to, the hearing. Any party seeking to challenge in court those decisions that are final and not administratively appealable to the City Council 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. If you wish to be notified of the decision of any of these cases, please provide the Case Planner with a regular mail or email address.

Please note that the descriptions of the applications found below are preliminary in nature and that the projects and/or descriptions may change prior to a decision being made.

While attending Planning Commission meetings, parking in the Dalziel Building Garage (located on 16th St between San Pablo Ave and Clay St) is free. As of September 2023, parkers will use the [ParkMobile](#) App on a mobile device to manage their parking, and the promotion code for free parking will be provided at the meeting.

Applicants or members of the public who wish to make electronic presentations (e.g., PowerPoint presentations): Please contact Haneefah Rasheed at oaklandplanningcommission@oaklandca.gov or (510) 672-1834 at least 48 hours prior to the meeting.

Interested parties are encouraged to electronically submit written material on agenda items in advance of the meeting and prior to the close of the public hearing on the item directly to the Planning Commission and/or Case Planner. Email addresses for the Commissioners can be found on the Planning Commission webpage on the City of Oakland website: <https://www.oaklandca.gov/teams/planning-commissioners>. An agenda item Case Planner email address can be found on the item overview within the Agenda.

MEETING CALL TO ORDER

WELCOME BY THE CHAIR

ROLL CALL

COMMISSION BUSINESS**Agenda Discussion****Director's Report****Informational Report****Committee Reports****Commission Matters****City Attorney's Report****OPEN FORUM**

At this time members of the public may speak on any item of interest that is not on the Agenda within the Commission's jurisdiction. At the discretion of the Chair, speakers are generally limited to two minutes if there are six or less speakers on an item, and one minute or less if there are more than six speakers.

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. Before voting on the Consent Calendar, the Commission will allow speakers to speak on any item on the Consent Calendar. At the discretion of the Chair, speakers are generally limited to two minutes if there are six or less speakers, and one minute if there are more than six speakers.

PUBLIC HEARINGS

The hearing provides opportunity for all concerned persons to speak on each item. 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.

If you wish to learn more about the Commission's decision on a specific agenda item, please contact the Case Planner identified for each item.

Except where noted, once a decision is reached by the Planning Commission on an application, it is appealable to the City Council. **Such appeal must be filed within ten (10) calendar days of the date of decision by the Planning Commission and by 4:00pm** An appeal shall be on a form provided by the **Bureau of Planning – Zoning**, and submitted via email to your Case Planner, the Zoning Manager (Rmerkamp@oaklandca.gov) and the Development Planning Manager (Cpayne@oaklandca.gov). The appeal form is available online at <https://www.oaklandca.gov/documents/appeal-application-form>. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the

Zoning Manager or decision-making body or wherein the decision is not supported by substantial evidence. Applicable appeal fees in accordance with the City of Oakland Master Fee Schedule must be paid within five business days of filing the appeal. If you are unable to contact the City via email, you must contact the Case Planner by phone **as soon as possible**, but before the appeal deadline, to arrange for an alternate method of submitting your appeal.

Failure to file a timely appeal will preclude you from challenging the City’s decision in court. The appeal itself must raise every issue that is contested along with all the arguments and evidence previously entered into the record during the previously entered into the record during the public notice period and/or during the hearing. Failure to do so will preclude you from raising such issues during the appeal hearing and/or in court.

Any party seeking to challenge a final decision in court must do so within ninety (90) days of the date of the announcement of a final decision, pursuant to Code of Civil Procedure section 1094.6, unless a shorter period applies.

#1	Location:	Citywide
	Assessor’s Parcel Number(s):	N/A
	Proposal:	Amend the following chapters of the Oakland Planning Code (Municipal Code Title 17): (1) Amend Chapter 17.101C (D-BV Broadway Valdez District Commercial Zones) to expand the permitted pedestrian-oriented activities within the District; (2) Amend Chapter 17.95 (S-13 Affordable Housing Combining Zone) to clarify Affordability Thresholds; (3) Amend Chapter 17.96 (S-14 Housing Sites Combining Zone) to revise required Minimum Densities, including to align with base zoning districts, and to expand allowed temporary uses; (4) Amend Chapter 17.101G (D-LM Lake Merritt Station Area District Zones) to permit Artisan Production Commercial Activities; and (5) related miscellaneous changes to chapters 17.95, 17.96, 17.101C, and 17.101G.
	Applicant:	City of Oakland, Bureau of Planning
	Contact Person/ Phone Number:	N/A
	Owner:	N/A
	Case File Number:	ZA24018
	Planning Permits Required:	Planning Code Amendment
	General Plan:	Citywide
	Zoning:	S-13, S-14, D-BV, D-LM
	Proposed Environmental Determination:	The proposed amendments to the Planning Code rely on the following California Environmental Quality Act (CEQA) findings: (1) a determination that no further environmental review is required following the certified Oakland 2045 General Plan Update - Phase 1 Environmental Impact Report pursuant to Public Resources Code section 21166 and CEQA Guidelines Section 15162 or 15163; (2) a determination that no further environmental review is required following the certified Broadway Valdez District Specific Plan Environmental Impact Report pursuant to Public Resources Code section 21166 and CEQA Guidelines Section 15162 or 15163; (3) a determination that no further environmental review is required following the certified Lake Merritt Station Area Plan Environmental Impact Report pursuant to Public Resources Code section 21166 and CEQA Guidelines Section 15162 or 15163; (4) this proposal is exempt pursuant to CEQA Guidelines section 15183 (projects consistent with

	General Plan and zoning); and (5) this proposal is exempt pursuant to CEQA Guidelines Sections 15061(b)(3) (general rule, no significant effect on the environment). Each of these findings provide a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance.
Historic Status:	N/A
City Council District:	Citywide
Finality of Decision:	Planning Commission will receive public comment, discuss, and make recommendations to the City Council. Final decision by City Council.
For Further Information:	Contact Case Planner Timothy Green at (510) 238-6436 or by email at tgreen@oaklandca.gov.

#2	Location:	3400 Ettie Street
	Assessor's Parcel Number(s):	007 060701902, 007 060700400, 007 060700500, 007 060700600, 007 060700700
	Proposal:	Request for Major Variance and Conditional Use Permit, Regular Design Review, and Tentative Parcel Map (TPM) to allow for the alteration and extension of an existing non-conforming Trucking and Truck-Related Industrial Activity with related off-street parking in the HBX-4 zone; to facilitate the upgrading and expansion of an existing AAA towing operation. Development will include the voluntary merging of twelve (12) legal lots, the demolition of four (4) existing buildings, the construction of a new 15,294 sq. ft. commercial building and redesigned surface parking lot, and sitewide landscaping improvements.
	Applicant:	MSA Architecture + Design
	Contact Person/ Phone Number:	Shawn Anderson, (415) 852-4915
	Owner:	Tulloch John F Corp.
	Case File Number:	PLN24042, TPM11446
	Planning Permits Required:	Tentative Parcel Map (TPM), Regular Design Review (DR), Major Variance and Major Conditional Use Permit (CUP)
	General Plan:	Housing and Business Mix
	Zoning:	Housing and Business Mix-4 (HBX-4), S-13
	Proposed Environmental Determination:	A detailed CEQA Analysis was prepared for this project which concluded that the project is exempt from further review under CEQA Guidelines Section 15302 – Replacement or Reconstruction and CEQA Guidelines Section 15183 – Project Consistent with Existing Community Plan or Zoning. The CEQA Analysis may be reviewed on the City's website at: https://www.oaklandca.gov/resources/environmental-review-docs .
	Historic Status:	N/A
	City Council District:	3
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact Case Planner: Alexia Rotberg, Phone: (510) 418-8534, Email: arotberg@oaklandca.gov

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 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: March 5, 2025

Correspondence

City Council Actions

ADJOURNMENT By **7:30pm** unless a later time is agreed upon by a majority of Commissioners present.



CATHERINE PAYNE
Development Planning Manager
Planning and Building Department

NEXT REGULAR MEETING: April 2, 2025