



# Oakland City Planning Commission MINUTES

Jonathan Fearn, Chair  
Sahar Shirazi, Vice-Chair  
Clark Manus  
Tom Limon  
Vince Sugrue  
Jennifer Renk  
Ron Jones

**May 3, 2023**  
Regular Meeting

## BUSINESS MEETING

**3:00 PM**

**Via: In-Person**

### MEETING CALL TO ORDER

**Chair Jonathan Fearn**

### WELCOME BY THE CHAIR

**Chair Jonathan Fearn**

### ROLL CALL

**Haneefah Rasheed, PSR, Sr.**

#### Commissioners Present:

Vince Sugrue, Jennifer Renk, Tom Limon, Jonathan Fearn, Sahar Shirazi, Ron Jones

Commissioner(s) Absent: Clark Manus

Staff Present: Haneefah Rasheed, Catherine Payne, Brian Mulry, Peterson Vollmann, Neil Gray

### SECRETARY RULES OF CONDUCT Catherine Payne

**SECRETARY MATTERS** - none

### COMMISSION BUSINESS

- Agenda Discussion none
- Director's Report none
- Informational Reports none
- Committee Reports Catherine Payne provided a summary update of the April 26, 2023, Design Review Committee meeting.
- 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 SPEAKER(S): 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.

**CM Jennifer Renk recused herself from the hearing prior to item #1 being called.**

<b>#1</b>	<b>Location:</b>	664 Haddon Road
	<b>Assessor’s Parcel Number:</b>	023 043000100
	<b>Proposal:</b>	Request to designate the Henry J. Kaiser Residence located at 664 Haddon Road as a City of Oakland Landmark.
	<b>Applicant:</b>	Skyler Denniston
	<b>Phone Number:</b>	(323) 514-3653
	<b>Owner:</b>	Kaiser Foundation Health Plan, Inc.
	<b>Case File Number:</b>	LM19012
	<b>Planning Permits Required:</b>	Application for Landmark Designation
	<b>General Plan:</b>	Detached Unit Residential
	<b>Zoning:</b>	RD-1- Detached Unit Residential Zone
	<b>Environmental Determination:</b>	Exempt per Section 15331 of the State CEQA Guidelines, Historical Resource Restoration/Rehabilitation; Section 15183 Projects consistent with the Community Plan, General Plan or Zoning.
	<b>Historic Status:</b>	Current OCHS rating: C1+ (C=secondary importance; 1+ = contributor to the Haddon Hill Area of Primary Importance). Landmarks Preservation Advisory Board Evaluation and Determination of Landmark Eligibility (January 13, 2020 and June 22, 2020: A1+ (A= highest importance; 1+ = contributor to the Haddon Hill API).
	<b>City Council district:</b>	2
	<b>Status:</b>	Under Review
	<b>Staff Recommendation:</b>	Recommend designation of the Henry J. Kaiser Residence as a City of Oakland Landmark, and direct staff to forward the nomination to the City Council for public hearing and adoption of an Ordinance.
	<b>Finality of Decision:</b>	Planning Commission only to provide a recommendation to the City Council.
	<b>For further information:</b>	Contact case planner <b>Peterson Z. Vollmann</b> at <b>510-238-6167</b> or by e-mail at <a href="mailto:pvollmann@oaklandca.gov">pvollmann@oaklandca.gov</a> .

Case Planner Peterson Vollmann gave a verbal presentation of the project

Applicant Skyler Denniston and Stephanie Semino gave a verbal and visual presentation of the project.

Commissioners provided questions and comments regarding item.

Public Speakers: • Allen Yardwood

Motion

1. Affirm the environmental determination;
2. Recommend the property for City of Oakland Landmark Designation; and
3. Forward the proposed designation to the City Council for a public meeting and consideration for adoption of an Ordinance.

1. Motion by Comm. Tom Limon
2. Seconded by Comm. Vince Sugrue

Action: 5 Ayes, 0 Noes.

**CM Renk returned to Hearing Room 1 after the vote on Item 1 was complete.**

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.

#2	Location:	278 4 <sup>th</sup> Street
	Assessor’s Parcel Number:	001 0153009
	Proposal:	Appeal of an administrative decision to revise a previously approved Conditional Use Permit to establish an entertainment venue and convert an existing live/work unit within the building into a regular residential dwelling unit. The revision would replace condition #37 of the permit, which states that, prior to commencement of Group Assembly Commercial Activity, “The second means of egress, as indicated on project plans, shall be constructed pursuant to permits” with a condition to either maintain the existing easement for secondary egress through the rear of the building, or construct an alternative second means of egress that has been approved by the Bureaus of Planning and Building.

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<b>Applicant:</b>	Chloe Moir (650)283-9012
<b>Owner:</b>	Dan Dunkle
<b>Case File Number:</b>	PLN15132-R01
<b>Planning Permits Required:</b>	Revision to Conditional Use Permit previously approved on September 25, 2015. The prior approval was to establish a Group Assembly Commercial Activity in the C-45 Commercial Zone.
<b>General Plan:</b>	Estuary Policy Plan Waterfront Warehouse District
<b>Zoning:</b>	C-45 Community Shopping Commercial Zone and S-4 Design Review Combining Zone
<b>Environmental Determination:</b>	The proposed operation and the conversion of the work/live unit to a dwelling unit is exempt from the California Environmental Quality Act (CEQA) according to the following sections of the State of California’s CEQA Guidelines: 15303 – New Construction or Conversion of Small Structures; and 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning.
<b>Historic Status:</b>	Potentially Designated Historic Property; Within and contributor to an “Area of Primary Importance” (the Waterfront Warehouse Historic District); Office of Cultural Heritage Survey rating of C1+
<b>City Council District:</b>	3
<b>Action to be Taken:</b>	Decision on appeal
<b>Finality of Decision:</b>	Decision is final. No further administrative appeal is available.
<b>For Further Information:</b>	Contact Case Planner Neil Gray at (510) 238-3878 or by email at <a href="mailto:ngray@oaklandca.gov">ngray@oaklandca.gov</a>

**Case Planner Neil Gray** gave a verbal presentation of the project

**Appellate Hussein Sofori**, representative for Stephen Stafano, gave a verbal response

**Applicant John Keplin**, representative for Radiance Oak Community Center, and Daniel Dunkle, General Director of Radiance Oak Community Center, gave verbal responses.

Commissioners provided questions and comments regarding item.

**Public Speakers:** • Elaine Noble, Lynn Lampy, Greg Habiby, Wesley Evans, Marcella Raimondo, Diana Ortega, Brian O’Connell, Nicole Malandro, Scott Charley, Yuliya Shmidt, Antoinette Gaggero, Eric Ziko, Ed Mechem, Jason Wallace, Nicolas Townes

**Motion**

Deny the appeal of the approval of the revised condition of approval contained in PLN15132-R01.

1. Motion by Comm. Vince Sugrue
2. Seconded by Comm. Jennifer Renk

Action: 6 Ayes, 0 Noes

**COMMISSION BUSINESS**

- Approval of Minutes April 19, 2023

**Motion by Comm. Sugrue**

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**Seconded by Vice-Chair Shirazi**

**Action:** 4 Ayes, 0 Noes

- Correspondence none
- City Council Actions none

**ADJOURNMENT**

Chair Jonathan Fearn at 5:04 pm



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

**NEXT REGULAR MEETING: May 17, 2023**

DRAFT