



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

**August 2, 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, Senior PSR**

**Commissioners Present:**

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

**Commissioner(s) Absent:** Jennifer Renk

**Staff Present:** Catherine Payne, Haneefah Rasheed, Lakshmi Rajagopalan, Khalilha Haynes, Daniel Findley, Peterson Vollmann, Edward Manasse, Michael Branson, Brian Mulry, Laura Kaminski

**SECRETARY RULES OF CONDUCT N/A**

**SECRETARY MATTERS - none**

**COMMISSION BUSINESS**

- Agenda Discussion none
- Director’s Report none
- Informational Reports **Proposed San Antonio Park Master Plan presented by Public Works staff**
  - **Public Speaker: Black Homeless Advocate**
- Committee Reports Comm. Sugrue provided a summary update of the July 26, 2023, Design Review Committee
- 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: Black Homeless Advocate**

**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>	Citywide
	<b>Assessor’s Parcel Number:</b>	Citywide
	<b>Proposal:</b>	Conduct a public hearing and recommend that the City Council certify the Final Environmental Impact Report (FEIR) for Phase 1 of the Oakland 2045 General Plan Update, and further recommend that the City Council adopt Amendments to the City’s General Plan to update the Safety Element, adopt a new Environmental Justice Element to the General Plan, and adopt Planning Code, Zoning Map, and General Plan Text and Map Amendments to Implement Actions Proposed in Phase 1 of the City of Oakland 2045 General Plan Update
	<b>Applicant:</b>	City of Oakland
	<b>Phone Number:</b>	N/A
	<b>Owner:</b>	N/A
	<b>Case File Number:</b>	GP21002; ZA 23002; GP21002-ER01
	<b>Planning Permits Required:</b>	N/A
	<b>General Plan:</b>	Citywide
	<b>Zoning:</b>	Citywide
	<b>Environmental Determination:</b>	All comments that were received during the Draft Environmental Impact Report (DEIR) public comment period have been compiled and responded

	to in the Response to Comments (RTC) Document, along with non-substantive changes and clarifications to the DEIR. The RTC Document, together with the DEIR, constitutes the Final EIR (FEIR) for Phase 1 of the Oakland 2045 General Plan Update.
<b>Historic Status:</b>	N/A
<b>City Council district:</b>	All
<b>Status:</b>	The Public Hearing Drafts of the Safety Element and Environmental Justice Element, Planning Code, Zoning Map, and General Plan Text and Map Amendments and the RTC/FEIR were published on July 26, 2023, and is available on the City’s webpage at <a href="https://www.oaklandca.gov/topics/general-plan-update">https://www.oaklandca.gov/topics/general-plan-update</a>
<b>Staff Recommendation:</b>	Staff recommends that the Planning Commission conduct a public hearing, receive public comments, discuss and recommend that the City Council: (1) Adopt a Resolution Approving the Following Actions: (A) Certifying the Environmental Impact Report And Making Related California Environmental Quality Act Findings; (B) Adopting an Amendment to the Safety Element of the City of Oakland General Plan; (C) Adopting the Environmental Justice Element as a New Element of the City of Oakland General Plan; And (D) Adopting Conforming Amendments to the Land Use and Transportation Element of the City of Oakland General Plan, including General Plan Map Amendments, As Part of Implementation of the Recently Adopted 2023-2031 Housing Element; And (2) Adopt an Ordinance Adopting Planning Code Text and Map Amendments to Implement Actions Proposed in Phase 1 of the City of Oakland 2045 General Plan Update, as Provided in Exhibits and Attachments to the Planning Commission Staff Report, and Adopting California Environmental Quality Act Findings.
<b>Finality of Decision:</b>	Recommendation to City Council
<b>For further information:</b>	Lakshmi Rajagopalan: Phone: (510) 238-6751; email: <a href="mailto:generalplan@oaklandca.gov">generalplan@oaklandca.gov</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 Daniel Findley and Khalilha Haynes** gave a verbal presentation of the project

**Consultants** Ishita Chandra, Jocelyn Gama, and Alex Pinigis gave a verbal and visual presentation of the project.

Commissioners provided questions and comments regarding item.

**Public Speakers:** Myrna Walton, Naomi Schiff, John Darlymple David Ralston, Jennifer McElrath, Vanessa Hasten, Debby Konar, Mary Harper (ceded time to Christopher Buckley), Jason Gumataotao, Courtney Pal, Daniel Levy (ceded time to Christopher Buckley), Christopher Buckley, Rafael Gonzalez, Nico Nagle, Bret Peterson

**Chair Fearn paused meeting for recess from 6:05 p.m. to 6:10 p.m.**

**1. Motion by Comm. Sugrue**

Recommend that the City Council adopt construction workforce standards as part of the General Plan Update under the guidance from staff.

**Seconded by Comm. Randolph**

**Action: 4 Ayes, 2 Noes**

**2. Main Motion by Vice-Chair Shirazi:**

To recommend that the City Council:

1. Adopt the CEQA findings for Phase 1 of the Oakland 2045 General Plan Update in **Attachment A**, which include certification of the EIR, rejection of two mitigation measures as infeasible; rejection of alternatives as infeasible, and a Statement of Overriding Considerations;
2. Adopt the Standard Conditions of Approval and Mitigation Monitoring Reporting Program (SCAMMRP) in **Attachment B**;
3. Adopt a Resolution Approving the Following Actions:
  - A. Certifying the Environmental Impact Report And Making Related California Environmental Quality Act Findings;
  - B. Adopting an Amendment to the Safety Element of the City of Oakland General Plan;
  - C. Adopting the Environmental Justice Element as a New Element of the City of Oakland General Plan; And
  - D. Adopting Conforming Amendments to the Land Use and Transportation Element of the City of Oakland General Plan, including General Plan Map Amendments, As Part of Implementation of the Recently Adopted 2023-2031 Housing Element; And;
4. Adopt an Ordinance Adopting Planning Code Text and Map Amendments to Implement Actions Proposed in Phase 1 of the City of Oakland 2045 General Plan Update, as Provided in **Attachment C- Exhibits 1 through 15** and **Attachment D – Exhibits 1 and 2** to the Planning Commission Staff Report and Adopting California Environmental Quality Act Findings, with the following recommendations of the Planning Commission:

**Seconded by Comm. Randolph**

**A. Motion to amend the main motion by Chair Fearn**

Recommend to Council that additional zoning standards such as lot coverage, lot frontage, and average lot width requirements be struck from the Missing Middle amendments.

**Seconded by Vice-Chair Shirazi**

**6 Ayes, 0 Noes**

**B. Motion to amend the main motion by Comm. Randolph**

Recommend adding to the General Planning Code Amendments, under Section 17.108.140C.2.a, in Attachment C; Exhibit 5 the words “for safety and security” after “public safety hazard.”

**Seconded by Comm. Sugrue**

**3 Ayes, 1 No, 2 Abstained**

**Full motion restated with the two previously approved recommendations:**

To recommend that the City Council:

1. Adopt the CEQA findings for Phase 1 of the Oakland 2045 General Plan Update in **Attachment A**, which include certification of the EIR, rejection of two mitigation measures as infeasible; rejection of alternatives as infeasible, and a Statement of Overriding Considerations;
2. Adopt the Standard Conditions of Approval and Mitigation Monitoring Reporting Program (SCAMMRP) in **Attachment B**;
3. Adopt a Resolution Approving the Following Actions:
  - A. Certifying the Environmental Impact Report And Making Related California Environmental Quality Act Findings;
  - B. Adopting an Amendment to the Safety Element of the City of Oakland General Plan;
  - C. Adopting the Environmental Justice Element as a New Element of the City of Oakland General Plan; And
  - D. Adopting Conforming Amendments to the Land Use and Transportation Element of the City of Oakland General Plan, including General Plan Map Amendments, As Part of Implementation of the Recently Adopted 2023-2031 Housing Element; And;
4. Adopt an Ordinance Adopting Planning Code Text and Map Amendments to Implement Actions Proposed in Phase 1 of the City of Oakland 2045 General Plan Update, as Provided in **Attachment C- Exhibits 1 through 15** and **Attachment D – Exhibits 1 and 2** to the Planning Commission Staff Report and Adopting California Environmental Quality Act Findings, with the following recommendations of the Planning Commission:
  - A. That additional zoning standards such as lot coverage, lot frontage, and average lot width requirements be struck from the Missing Middle Amendment Code Package.
  - B. Recommend adding to the General Planning Code Amendments, under Section 17.108.140C.2.a, in Attachment C; Exhibit 5 the words “for safety and security” after “public safety hazard.”

**After the Chair called for the vote, the following roll call vote:**

**Action: 6 Ayes, 0 Noes**

**Motion by Comm. Ahrens to extend August 2, 2023, Planning Commission meeting past 7:30 p.m.**

**Seconded by Comm. Sugrue**

Action: 6 Ayes, 0 Noes

<b>#2</b>	<b>Location:</b>	<b>3600 Alameda Avenue</b>
	<b>Assessor's Parcel Number:</b>	033 -2250-011-04
	<b>Proposal:</b>	Public Hearing on the Draft Environmental Impact Report to obtain comments on the environmental analysis for a proposal to demolish all existing structures on the approximately 23.9 acre site and construct an approximately 430,000 square foot industrial warehouse facility including approximately 30,000 square feet of accessory office. The site would include an employee parking lot on the northern side of the proposed building and truck loading docks and parking on the southern side of the building. The proposal includes extending 37 <sup>th</sup> Avenue to connect to Alameda Avenue, and a realignment of Alameda Avenue to provide expanded open space adjacent to the estuary shoreline. The proposal also includes creation of a separate parcel at the southeastern portion of the site at the intersection of 37 <sup>th</sup> & Alameda Avenues to potentially accommodate a future commercial development of a retail/restaurant building. A project variant also is studied for the possible future extension of E. 7 <sup>th</sup> Street east across Fruitvale Avenue to connect to 37 <sup>th</sup> Avenue.
	<b>Applicant:</b>	Prologis, Janet Galvez
	<b>Phone Number:</b>	415-733-9523
	<b>Owner:</b>	Owens-Brockway Glass Container Inc.
	<b>Case File Number:</b>	<b>PLN21223-ER01</b>
	<b>Planning Permits Required:</b>	Request for Environmental Review. Separate development applications have been filed under case file number PLN21223 and will be reviewed concurrently with the required environmental review application.
	<b>General Plan:</b>	EPP – Heavy Industry
	<b>Zoning:</b>	D-CE-6
	<b>Environmental Determination:</b>	Draft Environmental Impact Report was published for a 45-day review period from July 10, 2023 to August 24, 2023.
	<b>Historic Status:</b>	Potentially Designated Historic Property (PDHP); OCHS Rating: Cb+3
	<b>City Council District:</b>	5
	<b>Status:</b>	Environmental and development applications are currently under review.
	<b>Staff Recommendation:</b>	Receive public and Planning Commission comments on the Draft Environmental Impact Report
	<b>Finality of Decision:</b>	N/A – No decision to be made at the hearing on any applications.
	<b>For further information:</b>	Contact case planner <b>Peterson Z. Vollmann</b> at (510) 238-6167 or by email: <a href="mailto:pvollmann@oaklandca.gov">pvollmann@oaklandca.gov</a>

Case Planner **Peterson Z. Vollmann** gave a verbal presentation of the project

Applicant **Janet Galvez** gave a verbal and visual presentation of the project.

Commissioners provided questions and comments regarding item.

**Public Speakers:** • Diego Hernandez, Rafael Gonzalez, Baldomero Gonzalez, Ron Briggs (chose not to speak), Joyce Ford, Robert Downs, John Daleyaple

**Motion by Comm. Sugrue**

**To accept that we have received public comment by the commissioners, staff, and the community.**

**Seconded by Vice-Chair Shirazi**

**Action:** 6 Ayes, 0 Noes

**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.

- none

**COMMISSION BUSINESS**

- Approval of Minutes

**Date:** July 12, 2023

**Motion to approve:** Commissioner Ahrens

**Seconded by:** Commissioner Sugrue

**Action:** 4 Ayes, 2 Abstained

- Correspondence none
- City Council Actions none

**ADJOURNMENT**

Chair Fearn at 8:18 p.m.



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

**NEXT MEETING: September 13, 2023**

**DRAFT**