



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

April 6, 2022
SPECIAL Meeting

BUSINESS MEETING

3:00 PM

Via: Tele-Conference

PURSUANT TO THE CALIFORNIA GOVERNMENT CODE, SECTION 54953(e), ALL MEMBERS OF THE PLANNING COMMISSION, BOARD MEMBERS/COMMISSIONERS, CITY ATTORNEY, AS WELL AS CITY STAFF, WILL PARTICIPATE VIA PHONE/VIDEO CONFERENCE AND NO TELECONFERENCE LOCATIONS ARE REQUIRED.

MEETING CALL TO ORDER

Chair Manus

WELCOME BY THE CHAIR

Chair Manus

ROLL CALL

Commissioners Present:

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

Staff Present: Robert Merkamp, Deb French, Michele Morris, Brian Mulry, Rebecca Lind

SECRETARY RULES OF CONDUCT

Robert Merkamp

- **SECRETARY MATTERS** Introduction of PSR Deb French for Planning Commission staffing. Introduction and biography overview of Commissioner Ron Jones to Planning Commission.
 - Statement of thanks by Commissioner Jones

COMMISSION BUSINESS

- Agenda Discussion none
- Director’s Report none
- Informational Reports none
- Committee Reports Vice-Chair Fearn reported out on Design Review Committee Meeting on March 23, 2022
- Commission Matters
 - Commissioner Limon announced Cassita Coalition hosting of ADU Home Fair –
 - Commissioner Sugrue asked for clarification of intended attendees. Commissioner Limon clarified that this is a Regional Open Event for all interested in learning more about ADUs.
 - Chair Manus announced appointment of Commissioner Jones to the DRC to fill Commissioner Ray Lynch’s seat left vacant with his unfortunate passing.

- City Attorney’s Report Brian Mulry noted no Attorney Report
 - Commissioner Renk asked the City Attorney to provide a briefing on the litigation surrounding Howard Terminal. Brian Mulry answered that he will coordinate with the litigation counsel and report back at a later date.

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.

1.	Location:	Citywide
	Accessor’s Parcel Number:	N/A
	Proposal:	Renew The Adoption of a Resolution Determining that Conducting In-Person Meetings of the Planning Commission And Its Committees Would Present Imminent Risks to Attendees’ Health, And Electing to Continue Conducting Meetings Using Teleconferencing In Accordance With City Planning Commission Resolution, dated October 6, 2021, to Allow Continuation of Planning Commission Meetings.
	Applicant:	Catherine Payne, Secretary to the Planning Commission
	Phone Number:	(510) 915-0577
	Owner:	NA
	Case File Number:	NA
	Planning Permits Required:	Renew the adoption of Resolution Pursuant to AB-361
	General Plan:	NA
	Zoning:	NA
	Environmental Determination:	Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) (Common Sense Exemption).
	Historic Status:	NA
	City Council District:	NA
	Status:	NA
	Staff Recommendation:	Receive public testimony and consider renewing the adoption of Resolution.
	Finality of Decision:	Decision Final.
	For further information:	Contact case planner Catherine Payne at (510) 915-0577 or by e-mail at cpayne@oaklandca.gov

Zoning Manager Robert Merkamp gave a description of the Consent Calendar Proposal

Public Speakers – none

Motion to approve by: Vice-Chair Fearn

Seconded by: Commissioner Limon

Action: 7 Ayes, 0 Noes

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.

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

2.	Location:	Oak Knoll Development – Parcel 9; 8750 Mountain Boulevard
	Assessor’s Parcel Number(s):	043A467500321
	Proposal:	Oak Knoll Final Development Permit (FDP) for Parcel 9 includes the construction of 35 detached single-family residences which includes modification to the front setback for the garage from 15' to 5' from a private access easement/private drive or court.
	Applicant:	Marc Magstadt, SunCal
	Phone Number:	Jeff Stevens, Danielian Associates/(949) 474-6030
	Owner:	Oak Knoll Venture Acquisition, LLC
	Case File Number:	PLN15378-PUDF07
	Planning Permits Required:	Final Development Permit compliance with CEQA
	General Plan:	Hillside Residential
	Zoning:	D-OK-2 Oak Knoll District Residential Zone - 2
	Environmental Determination:	Final Supplemental EIR certified on Nov. 7, 2017
	Historic Status:	Non-Historic Property
	City Council District:	7 – Treva Reid
	Staff Recommendation:	Approve FDP
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Michele Morris at 510-238-2235 , or by e-mail at mmorris2@oaklandca.gov

Planner: Michele Morris gave a verbal presentation of the project

Applicant: Chris Hall gave a verbal and pdf presentation of the project

- Commissioners provided questions and comments regarding item.

Public Speakers: none

Motion by Commissioner Limon to approve project based upon staff recommendations:

1. Rely on the Oak Knoll Mixed Use Community Plan Project Supplemental EIR as adequate under CEQA for analysis of the Oak Knoll Parcel 9 Final Development Permit pursuant to CEQA Guidelines Section 15162, and based on the attached findings in the staff report.
2. Approve the Oak Knoll Parcel 9 Final Development Permit, subject to the attached findings in the staff report.

Seconded by Commissioner Renk

Action: 7 Ayes, 0 Noes

3.	Location:	Oak Knoll Development – Parcel 10; 8750 Mountain Boulevard
	Assessor’s Parcel Number(s):	043A467500321
	Proposal:	Oak Knoll Final Development Permit (FDP) for Parcel 10 includes the construction of 23 detached single-family residences which includes modification to the front setback for the garage from 15' to 5' from a private access easement/private drive or court.
	Applicant:	Marc Magstadt, SunCal
	Phone Number:	Jeff Stevens, Danielian Associates/(949) 474-6030
	Owner:	Oak Knoll Venture Acquisition, LLC
	Case File Number:	PLN15378-PUDF08
	Planning Permits Required:	Final Development Permit compliance with CEQA
	General Plan:	Hillside Residential
	Zoning:	D-OK-2 Oak Knoll District Residential Zone - 2
	Environmental Determination:	Final Supplemental EIR certified on Nov. 7, 2017
	Historic Status:	Non-Historic Property
	City Council District:	7 – Treva Reid
	Staff Recommendation:	Approve FDP
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Michele Morris at 510-238-2235 , or by e-mail at mmorris2@oaklandca.gov

Planner: Michele Morris gave a verbal presentation of the project

Applicant: Chris Hall gave a verbal and pdf presentation of the project

- Commissioners provided questions and comments regarding item.

Public Speakers: none

Motion by Vice-Chair Fearn to approve project based upon staff recommendations:

1. Rely on the Oak Knoll Mixed Use Community Plan Project Supplemental EIR as adequate under CEQA for analysis of the Oak Knoll Parcel 10 Final Development Permit pursuant to CEQA Guidelines Section 15162, and based on the attached findings in the staff report.
2. Approve the Oak Knoll Parcel 10 Final Development Permit, subject to the attached findings in the staff report.

Seconded by Commissioner Renk

Action: 7 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: February 2, 2022

Motion to approve: Commissioner Sugrue

Seconded by: Vice-Chair Fearn

Action: 6 Ayes, 0 Noes, 1 Abstain (Jones)

Date: February 23, 2022

Motion to approve: Commissioner Sugrue

Seconded by: Commissioner Renk

Action: 6 Ayes, 0 Noes, 1 Abstain (Jones)

Date: March 2, 2022

Motion to approve: Vice Chair Fearn

Seconded by: Commissioner Shirazi

Action: 6 Ayes, 0 Noes, 1 Abstain (Jones)

- Correspondence none
- City Council Actions none

ADJOURNMENT

Chair Manus at 4:01pm



ROBERT D. MERKAMP
 Zoning Manager
 Planning and Building Department

NEXT SPECIAL MEETING: April 20, 2022