



# Oakland City Planning Commission

# MINUTES

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

**February 2, 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** Manus

**WELCOME BY THE CHAIR** Manus

### **ROLL CALL**

#### **Commissioners Present:**

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

#### **Staff Present:**

Catherine Payne, Desmona Armstrong, Michael Branson, Laura Kaminski, Lakshmi Rajagopalan, Neil Gray

**SECRETARY RULES OF CONDUCT** Catherine Payne

- **SECRETARY MATTERS**

1. Questions about homelessness can be emailed directly to [homelessness@oaklandca.gov](mailto:homelessness@oaklandca.gov)
2. For information on zoning in the San Pablo area contact [cpayne@oaklandca.gov](mailto:cpayne@oaklandca.gov)
3. February 16, 2022 Planning Commission meeting is Cancelled

### **COMMISSION BUSINESS**

- Agenda Discussion
  1. Neil Gray (Planners) is requesting a continuance for item #3 (Appeal). The continuance is due to the applicant and appellant are trying to work out an agreement.
- Director's Report NONE
- Informational Reports NONE

- Committee Reports  
Fearn reported out on Design Review Meeting on Jan 26, 2022
- Commission Matters
  1. Sugrue requested update on when EIR for Howard terminal will go to city council
  2. Limon advised that Grand Lake Theater will be hosting a film of Evolutionary Blues for Black History Month
- 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:**

1. David Peters
2. Naomi Schiff

**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.

<b>1.</b>	<b>Location:</b>	<b>Citywide</b>
	<b>Accessor’s Parcel Number:</b>	N/A
	<b>Proposal:</b>	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.
	<b>Applicant:</b>	Catherine Payne, Secretary to the Planning Commission
	<b>Phone Number:</b>	(510) 915-0577
	<b>Owner:</b>	NA
	<b>Case File Number:</b>	NA
	<b>Planning Permits Required:</b>	Renew the adoption of Resolution Pursuant to AB-361
	<b>General Plan:</b>	NA
	<b>Zoning:</b>	NA
	<b>Environmental Determination:</b>	Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) (Common Sense Exemption).
	<b>Historic Status:</b>	NA
	<b>City Council District:</b>	NA
	<b>Status:</b>	NA

<b>Staff Recommendation:</b>	Receive public testimony and consider renewing the adoption of Resolution.
<b>Finality of Decision:</b>	Decision Final.
<b>For further information:</b>	Contact case planner <b>Catherine Payne</b> at (510) 915-0577 or by e-mail at <a href="mailto:cpayne@oaklandca.gov">cpayne@oaklandca.gov</a>

**Motion to approve by:** Sugrue

**Seconded by:** Limon

**Action:** 6 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.

<b>2.</b>	<b>Location:</b> Citywide
	<p><b>Proposal:</b> The City of Oakland is updating the Housing Element as part of a comprehensive General Plan Update process in two phases.</p> <p>Phase I includes the update of the Housing and Safety Elements of the General Plan; creation of the City’s first Environmental Justice Element; associated amendments to other Elements of the General Plan, along with Zoning Code and map updates; Racial Equity Impact Analysis, California Environmental Quality Act (CEQA) review; and an Industrial Land Use Study. Phase I is anticipated to be completed by early 2023.</p> <p>Phase II includes the update of the Land Use and Transportation Element (LUTE); Open Space, Conservation, and Recreation Element (OSCAR); Noise Element; and the development of a new Infrastructure and Facilities Element. Phase II work also includes zoning updates and CEQA review. The Phase I process will help inform the components of Phase II. Phase II is anticipated to be completed by mid-2025.</p> <p>Both phases will include a comprehensive, equity-driven public engagement process in collaboration with community-based groups and outreach organizations.</p>

	Staff and the consultant team will provide an overview of the City’s overall General Plan update. In addition, because the 2023-2031 Housing Element has early State deadlines associated with it, the Consultant will present the progress, and accomplishments made by the City to implement policies adopted in the City’s 2015-2023 Housing Element, housing needs, assessment of fair housing, and a preliminary proposal of housing sites for the 2023-2031 Housing Element for feedback.
<b>Applicant:</b>	City of Oakland
<b>Case File Numbers:</b>	GP21002; GP21002-ER01
<b>General Plan:</b>	Citywide
<b>Zoning:</b>	Citywide
<b>Environmental Determination:</b>	An Environmental Impact Report will be prepared as part of the General Plan Update.
<b>City Council District:</b>	All districts
<b>Status:</b>	Ongoing
<b>Staff Recommendation:</b>	Receive public comments, discuss, and provide feedback to staff on 1) additional housing site locations and 2) policies and programs to explore based on initial background information
<b>Finality of Decision</b>	N/A
<b>For Further Information:</b>	Contact Project Manager <b>Lakshmi Rajagopalan</b> at <b>510-238-6751</b> or <a href="mailto:lrajagopalan@oaklandca.gov">lrajagopalan@oaklandca.gov</a> Project Email Address: <a href="mailto:generalplan@oaklandca.gov">generalplan@oaklandca.gov</a> Project Website: <a href="https://www.oaklandca.gov/topics/general-plan-update">https://www.oaklandca.gov/topics/general-plan-update</a>

**Planner:** Lakshmi Rajagopalan and Laura Kaminsky gave a PDF presentation of the item

Commissioners provided questions and comments regarding item.

**PUBLIC SPEAKERS:**

1. James Vann.
2. Randall O’Connor.
3. Naomi Schiff

**No Action Required:** Commission will recognize public comments and give constructive additional comments

**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.

<b>3.</b>	<b>Location:</b> 278 4 <sup>th</sup> Street
	<b>Assessor's Parcel Number:</b> 001 0153009
	<b>Proposal:</b> Revision to 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.
	<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 Case Neil Gray at (510) 238-3878 or by email at <a href="mailto:ngray@oaklandca.gov">ngray@oaklandca.gov</a>

**Planner:** Neil Gray requested a continuance due to the applicant and appellant are attempting to work out an agreement outside of planning commission in lieu of having a decision made at planning commission.

**PUBLIC SPEAKERS:** 1. John Kevlin

**Motion by Fearn:** To continue item to a date uncertain

Seconded by: Limon

Action: 6 Ayes, 0 Noes

**COMMISSION BUSINESS**

- Approval of Minutes **January 19, 2022**  
**Motion to approve:** Sugrue  
**Seconded by:** Limon  
**Action:** 6 Ayes, 0 Noes
  
- Correspondence
  1. Reminder that the ADU ordinance has gone through City Council and all correspondence will be directed to the ADU team
  
- City Council Actions                      NO new Actions

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



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

**NEXT SPECIAL MEETING:**

February 16, 2022 - MEETING CANCELLED