



# Oakland City Planning Commission

# MINUTES

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

**January 19, 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 Sugure, Jennifer Renk, Jonathan Fearn, Clark Manus

#### **Staff Present:**

Catherine Payne, Pete Vollman, Brian Mulry, Bijal Patel, Pete Vollman,

**SECRETARY RULES OF CONDUCT** Payne

### **COMMISSION BUSINESS**

- Agenda Discussion

**Fearn made a motion:** not to continue the Howard Terminal EIR (Item #2) to a future meeting with respect to public comments and concerns for more review and comments.

**Seconded By:** Renk

**Action:** 6 Ayes, 0 Noes

- Director's Report None
- Informational Reports None



- Committee Reports                      None
- 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 Speakers:

1. Assata Olugbala
2. David Peters
3. Nino Parker
4. Oscar Yassin.
5. Gerry Campbell

**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>
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**Planner:** Catherine Payne gave a description of the item

**Motion to approve by:** Fearn

**Seconded by:** Renk

**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>	<b>Howard Terminal at the Port of Oakland 1 Market Street</b>
	<b>Assessor’s Parcel Numbers:</b>	018-0405-001-00; -002-00; & -004-00; -003-01; & -003-02 and 018-0410-001-04; -001-05; -003-00; -004-00; -005-00; -006-01; -006-02; -007-00 & -008-00



<b>Proposal:</b>	Public Hearing to consider providing a recommendation to the City Council regarding the Certification of the EIR for The Oakland Waterfront Ballpark District Project, which would construct: a new open-air waterfront multi-purpose Major League Baseball (MLB) ballpark with a capacity of up to 35,000-persons; mixed use development including up to 3,000 residential units, up to 1.5 million square feet of office, and up to approximately 270,000 square feet of retail uses; an approximately 50,000 square-foot indoor performance center with capacity of up to 3,500 individuals; an approximately 280,000 square-foot, 400-room hotel; and a network of approximately 18.3 acres of publicly-accessible open spaces. The proposed Project may also include one or more variants, which include: <ul style="list-style-type: none"> <li>• <u>Peaker Plant Variant</u>: Implementation of the planned conversion of the existing Oakland Power Plant (referred to as the “Peaker Power Plant” in the EIR) in the historic PG&amp;E Station C facility from jet fuel to battery storage, modifications to the wings of the building, removal of the fuel tank, and replacement with a new mixed-use building;</li> <li>• <u>Aerial Gondola Variant</u>: Construction of a new aerial gondola above and along Washington Street, extending from a station located at 10th and Washington Streets in downtown Oakland to a station located at Water and Washington Streets in Jack London Square.</li> </ul>
<b>Applicant:</b>	Oakland Athletics Investment Group, LLC
<b>Phone Number:</b>	Noah Rosen – (510) 746-4406
<b>Owner:</b>	City of Oakland Duke Energy Oakland LLC
<b>Case File Number:</b>	ER18-016
<b>Planning Permits Required:</b>	While not under consideration for this hearing, the City is currently reviewing development application filings for the Project consisting of: a Planned Unit Development, General Plan Amendment, Rezoning, Tentative Tract Map and Development Agreement.
<b>General Plan:</b>	General Industry EPP – Retail Dining & Entertainment - 1
<b>Zoning:</b>	IG M-40
<b>Environmental Determination:</b>	The Draft EIR was published for a 45-day review period from February 26, 2021 to April 12, 2021, and then extended to 60 days ending on April 27, 2021. The Final EIR, including the Response to Comments, was published on December 17, 2021
<b>Historic Status:</b>	Designated Historic Property (DHP), survey rating A1+, PG&E Station C - Area of Primary Importance (API)
<b>City Council District:</b>	3
<b>Action to be Taken:</b>	Public Hearing to consider providing a recommendation to the City Council regarding the Certification of the EIR.
<b>Staff Recommendation:</b>	Provide recommendation to the City Council to Certify the EIR.
<b>Finality of Decision:</b>	Recommendation to City Council for Decision
<b>For further information:</b>	Contact case planner <b>Peterson Vollmann</b> at 510 238-6167 or by e-mail at <a href="mailto:pvollmann@oaklandca.gov">pvollmann@oaklandca.gov</a> .

**Planner:** Peterson Vollmann gave a PDF description of the project

**A’s Representative:** Dave Kaval gave comments on the project



**Public Speakers:**

1. Tim Frank. 2. Sonya Karabel 3. David Peters. 4. Glenn Loveal. 5. SJ Garcia. 6. Sheryl Walton
7. Liz Ortega 8. Cherri Murphy. 9. Margie Lewis. 10. Victor Alvarez. 11. John Reimann 12. Shana Lazero
13. Jason Linsey 14. Eunice Kwon 15. Ty Hudson. 16. Janani Ramachandian 17. Francisco Castillo
18. Saabir Lockett. 19. Jim Allison 20. Scott Taylor 21. Millie Cleveland. 22. Jean Quan. 23. Alen D. Payton
24. Tom Willging. 25. Melody Davis 26. Matt Schrap. 27. Damien Scott 28. Robin Walker. 29. Naomi Schiff
30. Cyndy Johnson 31. Alvina Wong 32. Priscilla Hoang. 33. Jackson Moore. 34. Nathan Landau
35. Peter Saba. 36. Evey Hwang 37. Melvin Mackay. 38. Ms. Margaret Gordon 39. Susan Shawl
40. Shanon Rose 41. Taison Kwamilele 42. Mike Jacob 43. Kenton 44. Emily Wheeler 45. Rashida Foster
46. Susan Ransom 47. Josh Shinoff 48. Edith Bretado. 49. Edith Bretado. 50. Ravi Sharma. 51. Hal Gordon
52. Delores Tejada. 53. Kieron Slaughter. 54. Michael Davie

**Motion by Renk that:**

In accordance with CEQA, the Planning Commission recommends that the City Council certify the EIR based on the following findings:

1. That the EIR has been completed in compliance with CEQA, the CEQA guidelines, and the City CEQA procedures.
2. The Planning Commission has independently reviewed and considered the record and the EIR prior to making its recommendation to certify the EIR.
3. The EIR represents the independent judgment, review and analysis of the City and the Planning Commission.
4. The EIR provides information to the decision-makers and the public on the environmental consequences of the proposed Project.
5. The EIR adequately discusses the potential adverse environmental effects, ways in which such effects might be mitigated, and alternatives to the Project which would reduce or avoid the adverse effects.

**Seconded by:** 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, 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.

COMMISSION BUSINESS

- Approval of Minutes *January 12, 2022*  
**Motion to approve:** Limon  
**Seconded:** by Sugrue  
**Action:** 6 Ayes, 0 Noes
- Correspondence None
- City Council Actions

ADU Regulations went to 2<sup>nd</sup> Reading at City Council and was passed. It will be effective 30 days from adoption (mid-February). City Council did make one change; they increased the allowable height for ADU's in single family zones from 18 feet to 20 feet.

**ADJOURNMENT** at 7:00PM

CATHERINE PAYNE  
Development Planning Manager  
Planning and Building Department

**NEXT SPECIAL MEETING:** February 2, 2022