



# Oakland City Planning Commission

# MINUTES

*Tom Limon, Chair  
Clark Manus, Vice-Chair  
Amanda Monchamp  
Jonathan Fearn  
Nischit Hegde  
Leopold Ray-Lynch  
Sahar Shirazi*

**January 20, 2021**  
SPECIAL Meeting

## **BUSINESS MEETING**

**3:00 PM**

**Via: Tele-Conference**

PURSUANT TO THE GOVERNOR’S EXECUTIVE ORDER 4-29-20, ALL MEMBERS OF THE PLANNING COMMISSION, CITY ATTORNEY AND PLANNING BUREAU PERSONNEL WILL JOIN THE MEETING VIA PHONE/VIDEO CONFERENCE AND NO TELECONFERENCE LOCATIONS ARE REQUIRED.

### **MEETING CALL TO ORDER**

**Commissioner Limon**

### **WELCOME BY THE CHAIR**

**Commissioner Limon**

### **ROLL CALL**

**Commissioners Present:** Amanda Monchamp, Nischit Hegde, Jonathan Fearn, Leo Ray-Lynch, Clark Manus, Tom Limon

Excused: Sahar Shirazi

Staff Present: Catherine Payne, Brian Mulry, Desmona Armstrong, Rebecca Wysong, Pete Vollmann, Maurice Brenyah-Addow, Deb French

### **SECRETARY RULES OF CONDUCT**

**Catherine Payne**

### **COMMISSION BUSINESS**

- Agenda Discussion                      None
- Director’s Report                        None
- Informational Reports                  None
- Committee Reports                      None
- Commission Matters                    Catherine Payne advised that the public comment period relating To the City’s Vegetation Management plan ends on Friday, January 22, 2021



- 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:** 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.

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

**ITEM #1 CONTINUED TO JANUARY 20, 2021 FROM PC DECEMBER 16, 2020**

<b>1.</b>	<b>Location:</b>	<b>2011-2195 Wood Street</b> (Development Area 8) A 2.54-Acre city block bounded by Wood Street, 20th Street, West Grand Avenue, and Frontage Road
	<b>Proposal:</b>	1. Reconsideration/Modification of VTPM8555 Condition of Approval #82 requiring public Improvements for previously-approved new mixed-use (residential/commercial) development involving 235 residential units and 13,615 flex commercial spaces to be completed in two phases; and 2. Parking Variance to relocate 218 required parking spaces to adjacent off-site locations.
	<b>Applicant:</b>	Holiday Development - Mark Trainer
	<b>Phone Number:</b>	(510)588-5136



<b>Owner:</b>	Central Station Land, LLC
<b>Case File Number:</b>	PLN14-262-PUDF01-R02
<b>Planning Permits Required:</b>	1.) Reconsideration/Modification of VTPM8555 Condition of Approval #82 requiring public Improvements for previously-approved new mixed-use (residential/commercial) development involving 235 residential units and 13,615 flex commercial spaces to be completed in two phases; and 2.) Minor Variance to relocate 218 required parking spaces to adjacent off-site locations
<b>General Plan:</b>	Urban Residential
<b>Zoning:</b>	D-WS - Wood Street Zoning District
<b>Environmental Determination:</b>	State CEQA Guidelines: Pursuant to Section 15162, the project relies on previous EIR (ER03-0023) for Wood Street certified on March 16, 2005 and the West Oakland Specific Plan EIR certified on July 29, 2014 and Section 15183, projects consistent with a community plan, general plan or zoning.
<b>Historic Status:</b>	Not a Potential Designated Historic Property (PDHP); Survey Rating: N/A
<b>City Council district</b>	3
<b>Status:</b>	Planning Commission approval on December 3, 2014. Entitlements extended through December 3, 2020
<b>Staff Recommendation</b>	Decision on application based on staff report
<b>Finality of Decision:</b>	Appealable to City Council within 10 days
<b>For further information:</b>	Contact case planner Maurice Brenyah-Addow at (510) 238-6342 or by email at mbrenyah@oaklandnet.com

**Staff Member:** Maurice Brenyah-Addow gave a description of the project

**Applicant:** Jamie Hiteshew gave a PDF Presentation outlining the project

**Comments made by:** Brian Warwick of CDC

**Public Speakers:** None

**Motion made by:** Commissioner Manus to Approve parking variance subject to CEQA Findings and

**Recommendations continued to a Date Uncertain include:**

1. Consistent with Staff’s initial position, only modify Condition of Approval (COA) #82 of VTPM8555 to relieve the applicant of the responsibility to extend sewer utilities to the adjacent Development Area 7, but keep the rest of COA #82 “as is”;
2. Modify COA #82 of VTPM8555 to still require the developer of Development Area 8, if it is developed first, to build out the public improvements within the public right of way fronting both parcels in Development Areas 7 and 8, but establish that a Cost-Sharing Agreement would be entered into between the two parties based on reasonable consideration of the background including the overall Wood Street COAs, Site Acquisition Disclosures Affordability/Market Rate etc;
3. Modify COA #82 of VTPM8555 to specify that the developers of Development Areas 7 and 8 would only be responsible for constructing the frontage improvements adjacent to their own parcels;



Seconded By: Commissioner Fearn

Action: 6 Ayes, 0 Noes

<b>2.</b>	<b>Location:</b> 2424 Webster Street (APN: 008-672-014-01; -018-00; & -019-00)
	<b>Proposal:</b> To demolish three existing commercial buildings and construct a new twelve-story office building of approximately 161,000 square feet including approximately 11,000 square feet of retail at the ground floor. The proposal includes a subterranean parking garage with access off of Webster Street.
	<b>Applicant:</b> Elisse Douglass/ Signature Development Group
	<b>Phone Number:</b> 510-251-9270
	<b>Owner:</b> 2410 Webster Investors LLC
	<b>Case File Number:</b> PLN19-148
	<b>Planning Permits Required:</b> Regular Design Review for new construction of a non-residential building exceeding 25,000 square feet, including demolition findings and findings to extend building height into adjacent zone, Minor Variance for one loading berth where three are required, and Vesting Tentative Parcel Map for lot merger and three lot vertical subdivision.
	<b>General Plan:</b> Central Business District
	<b>Zoning:</b> D-BV-1 (BVDSP Retail Priority Site 3C) D-BV-2
	<b>Environmental Determination:</b> A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA provisions: 15183 - Projects consistent with a community plan, general plan, or zoning; 15164 – Addendum to the 2014 certified Broadway Valdez District Specific Plan EIR and/or; 15168 - Program EIR’s. Each of which provides a separate and independent basis for CEQA compliance.
	<b>Historic Status:</b> 2428 Webster Street – OCHS Rating: Ec3 2406 Webster Street – OCHS Rating: C3
	<b>City Council district</b> 3
	<b>Staff Recommendation</b> Approve the project subject to Conditions of Approval
	<b>Finality of Decision:</b> Appealable to City Council
	<b>For further information:</b> Contact Case Planner Pete Vollmann at (510)238-6167 or by email at <a href="mailto:pvollmann@oaklandca.gov">pvollmann@oaklandca.gov</a>

Staff Member: Pete Vollmann gave a verbal description of the project

Applicant: Elisse Douglass gave a PDF presentation of the project

Public Speakers: 1. Daphne 2. Raven Lightening



**Motion to approve by Commissioner Manus to:**

1. Affirm Staff’s environmental determination and adopt the attached CEQA Findings
2. Approve the Design Review and Vesting Tentative Parcel Map subject to the attached findings and conditions.

**Seconded by:** Commissioner Monchamp

**Action:** 4 Ayes, 0 Noes, 2 Absent

**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>	<b>2084 Mountain Blvd (APN No. 048F-7352-016-01)</b>
	<b>Proposal:</b>	Appeal of an approval of a Minor Conditional Use Permit for Personal Instruction and Improvement Service (Orangetheory Fitness personal training) activity on the ground floor of a multi-tenant commercial building.
	<b>Appellant:</b>	Mark Sutro
	<b>Phone Number:</b>	415-515-6995
	<b>Owner:</b>	TROJAN DEVELOPMENT ASSOCIATES IV LLC
	<b>Case File Number:</b>	PLN20299-A01
	<b>Planning Permits Required:</b>	Appeal Zoning Manager’s approval of Minor Conditional Use Permit for a Personal Instruction and Improvement Service Commercial Activity on the Ground Floor
	<b>General Plan:</b>	Neighborhood Center Mixed Use
	<b>Zoning:</b>	CN-1



<b>Environmental Determination:</b>	15305 – Minor Alterations in Land Use; and 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning
<b>Historic Status:</b>	X
<b>City Council district</b>	4
<b>Staff Recommendation</b>	Deny Appeal and uphold Staff’s approval of Conditional Use Permit
<b>Finality of Decision:</b>	Final
<b>For further information:</b>	Contact Case Planner Rebecca Wysong at <b>(510)238-3123</b> or by email at <b>rwysong@oaklandca.gov</b>

**Staff Member:** Rebecca Wysong gave a verbal description of the project

**Applicant:** Terri Dickerff, Orange Theory Fitness Representative

**Public Speakers:** 1. Marc Thomas 2. Hank Levy 3. Mary Jane Broadbent 4. Angelica McClurkin 5. Janice Brow 6. Linda Dittes 7. Kristi DeSerpa 8. Larry Lambert 9. Daniel Swafford 10. John Kumblica 11. Steve Bulling 12. Jasmine Smith 13. X3886 14. Theresa Genrekin 15. Margo Bart 16. Heidi Marchesotti 17. Shannon S. Broome 18. Beth Gousman 19. Brandon Thompson 20. Christopher Cook

**Motion made by:** Commissioner Manus to

- Affirm staff’s Environmental Determination and
- Deny the Appeal and uphold of the Zoning Managers decision based on the Findings included in the Zoning Manager’s Determination as well as the findings and evidence presented in this January 20, 2021 staff report, and based on the Conditions of Approval included in the Zoning Manager’s Determination.

**Seconded by:** Commissioner Monchamp

**Action:** 4 Ayes, 0 Noes, 2 absent

**COMMISSION BUSINESS**

- Approval of Minutes December 2, 2020 \* Approval moved to February 3, 2021 PC Meeting due to lack of quorum.  
  
December 16, 2020  
Motion to approve: Commissioner Manus  
Seconded by: Commissioner Fearn  
Action: 4 Ayes, 0 Noes
- Correspondence None



- City Council Actions                      None

**ADJOURNMENT** at 7:25 P.M.

A handwritten signature in black ink, appearing to read 'Catherine Payne'.

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

**NEXT SPECIAL MEETING:**                      February 3, 2021