



# Oakland City Planning Commission

## AGENDA

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

**July 15, 2020**

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.

### **The following are instructions on how the public may observe and/or participate in the Oakland City Planning Commission meeting:**

**OBSERVE BY:** The public may view the televised video conference by viewing KTOP channel 10 on Xfinity (Comcast) or ATT Channel 99 and locating City of Oakland KTOP – Channel 10 \* or via the city's website stream

To observe the meeting by video conference, please click on this link:

You are invited to a Zoom webinar.

When: Jul 15, 2020 03:00 PM Pacific Time (US and Canada)

Topic: July 15, 2020 Planning Commission Meeting

Please click the link below to join the webinar:

<https://zoom.us/j/94440380448>

Or iPhone one-tap :

US: +14086380968,,94440380448# or +16699006833,,94440380448#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 408 638 0968 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799  
or +1 301 715 8592 or +1 312 626 6799 or +1 646 876 9923

Webinar ID: 944 4038 0448

International numbers available: <https://zoom.us/u/acUNWY9Kd1>

**Instructions on how to join a meeting by video conference is available at:  
<https://support.zoom.us/hc/en-us/articles/201362193 Joining-a-Meeting>**



**HOW TO COMMENT ON A PUBLIC MEETING:**

Public comments will be taken at the time of the eligible Agenda item

**If you are a Zoom video Conference participant** To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on a eligible agenda item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to participate in public comment. After the allotted time, you will then be re-muted. Instructions on how to “Raise Your Hand” is available at: <https://support.zoom.us/hc/en-us/articles/205566129> – Raise-Hand-In-Webinar.

**If you are a phone participant** To comment by phone, please call on one of the above listed phone numbers. You will be prompted to “Raise Your Hand” by pressing “\*9” to request to speak when Public Comment is being taken on a eligible agenda Item at the beginning of the meeting. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> – Joining-a-meeting-by-phone. If you have any questions, please email Desmona R. Armstrong at [Drarmstrong@oaklandca.gov](mailto:Drarmstrong@oaklandca.gov)

• **IMPORTANT THINGS TO REMEMBER DURING YOUR PUBLIC COMMENT PERIOD**

1. **ALL ATTENDEES SHALL BE MUTED UPON ENTRY**
2. Please do not raise your hand if the item currently being heard is not the item you wish to speak on. We will call for public testimony on each item individually. When the item you’re interested in is being called and public speakers are invited to raise their hands, raise yours then and we will call them all in the order they’re raised.
3. You may of course speak on multiple items but your comments during each item must address the item currently under discussion. Speakers attempting to speak about items other than the item currently under consideration will be muted and asked to wait for the item they’re here to speak about to be called.

**HOW TO ADDRESS THE PLANNING COMMISSION**

- Please work with the case planner listed for each item prior to the meeting regarding items that may be continued. Any agenda item may be continued without the hearing on the matter being opened, or public testimony taken, at the discretion of the Chair. Persons wishing to address the continued item may do so under Open Forum.
- Staff reports are available online, generally by 5:00 p.m. the Friday before the meeting, at [www.oaklandca.gov](http://www.oaklandca.gov) (under “Planning Commission.”) You will need to ensure that your computer will accept pop-ups from the host site (oaklandca.gov) and that your computer has a later version of Adobe Acrobat Reader installed. For further information, please email Desmona Armstrong at [Drarmstrong@oaklandca.gov](mailto:Drarmstrong@oaklandca.gov).
- If you challenge a Commission decision in court, you will be limited to issues raised at the hearing or in correspondence delivered to the Planning and Building Department, at, or prior to, the hearing. Any party seeking to challenge in court those decisions that are final and not administratively appealable to the City Council 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. If you wish to be notified of the decision of any of these cases, please provide the case planner with a regular mail or email address.

- Please note that the descriptions of the applications found below are preliminary in nature and that the projects and/or descriptions may change prior to a decision being made.
- Applicants or members of the public that plan to make electronic presentations (e.g., PowerPoint presentations): Please contact Desmona Armstrong at [Darmstrong@oaklandca.gov](mailto:Darmstrong@oaklandca.gov) or 510-238-6343 at least **48 hours** prior to the meeting. We are unable to accommodate late material at this time.
- Interested parties are encouraged to submit written material on agenda items in advance of the meeting and prior to the close of the public hearing on the item. To allow for distribution to the Commission, staff, and the public, comments must be provided electronically prior to the meeting being started.

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## **MEETING CALL TO ORDER**

## **ROLL CALL**

## **WELCOME BY THE CHAIR**

## **COMMISSION BUSINESS**

- Agenda Discussion
- Director's Report
- Committee Reports
- Commission Matters
- City Attorney's Report

## **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.

## **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 indicate the case number and submit a self-addressed stamped envelope, for each case.

<b>1.</b>	<b>Location:</b>	<b>Citywide</b>
	<b>Proposal:</b>	Proposed pilot program to allow a single recreational vehicle to be occupied on undeveloped properties in all zones that permit residential activities with the exception of the S-9 Fire Safety Protection Combining Zone. The pilot program establishes a Temporary RV Occupancy Permit valid for one year, and includes health and safety requirements such as providing utilities, preventing blight, and maintaining habitable recreational vehicles.
	<b>Applicant:</b>	City Administrator
	<b>Case File Number:</b>	ZA20005
	<b>Planning Permits Required:</b>	Oakland Municipal Code Amendment
	<b>General Plan:</b>	Citywide
	<b>Zoning:</b>	Citywide
	<b>Environmental Determination:</b>	This proposal is exempt from CEQA pursuant to CEQA Guidelines sections 15061(b)(3) (General Rule), 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15304 (Minor Alterations of Land), 15311 (Accessory Structures), 15322 (In Fill Development Projects), 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning)
	<b>City Council District</b>	Each district
	<b>Status:</b>	Pending
	<b>Action to be Taken:</b>	Recommendation to City Council
	<b>Staff Recommendation</b>	Recommend Code amendments to City Council
	<b>Finality of Decision:</b>	Recommendation to City Council
	<b>For further information:</b>	Contact case planner <b>Ed Manasse</b> at 510 238-7733 or by e-mail at emanasse@oaklandca.gov



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>2.</b>	<b>Location:</b>	<b>2317 International Blvd (APN: 020 010500202)</b>
	<b>Proposal:</b>	Appeal of the Zoning Manager’s Determination on the applicability of Oakland Municipal Code Chapter 17.153, demolition, conversion, and rehabilitation for residential hotels, and finding that the building is a Residential Hotel.
	<b>Appellant:</b>	Peter Smith / Patricia Smith, Smith LLP
	<b>Phone Number:</b>	510-684-4598
	<b>Owner:</b>	Patel Hasmukhbhai B & Leva Rashmika
	<b>Case File Number:</b>	<b>DET190157-A01</b>
	<b>Planning Permits Required:</b>	Determination regarding Statement of Exemption, and subsequently, an Initial Usage Report Determination if the Zoning Manager’s Determination is upheld.
	<b>General Plan:</b>	Neighborhood Center Mixed Use
	<b>Zoning:</b>	CN-3 Zone
	<b>Environmental Determination:</b>	The proposal is not considered a project as defined by Public Resources Code Section 21065 and Section 15378 of the State CEQA Guidelines, and therefore does not require CEQA review.
	<b>Historic Status:</b>	PDHP; Oakland Cultural Heritage Survey (OCHS) Rating: Ed2+; Area of Secondary Importance (23rd Avenue Commercial)
	<b>City Council district</b>	5
	<b>Status:</b>	The Zoning Determination Letter was mailed on January 15, 2020. The Determination was appealed on January 27, 2020.
	<b>Staff Recommendation</b>	Deny the Appeal and uphold the Zoning Manager’s Determination.
	<b>Finality of Decision:</b>	Final (not administratively Appealable pursuant to OMC Sec. 17.132.030)
	<b>For further information:</b>	Contact case planner <b>Danny Thai</b> at <b>510-238-3584</b> or <a href="mailto:dthai@oaklandnet.com">dthai@oaklandnet.com</a>



**COMMISSION BUSINESS**

- Approval of Minutes
- Correspondence
- City Council Actions

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

A handwritten signature in black ink, appearing to read 'Robert D. Merkamp'.

**ROBERT D. MERKAMP**  
Zoning Manager  
Secretary to the Planning Commission  
Planning and Building Department

**NEXT REGULAR MEETING:** August 5, 2020