

# **Oakland City Planning Commission**

**MINUTES** 

November 17, 2021

SPECIAL Meeting

Via: Tele-Conference

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

## **BUSINESS MEETING**

3:00 PM

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.

Manus

MEETING CALL TO ORDER

WELCOME BY THE CHAIR Manus

**ROLL CALL** 

#### **Commissioners Present:**

Sahar Shirazi, Tom Limon, Leopold Ray-Lynch, Vince Sugrue, Jennifer Renk, Jonathan Fearn, Clark Manus

#### **PBD Staff Present:**

Catherine Payne, Desmona Armstrong, Brian Mulry, Michele Morris, Daniel Finley, Laura Kaminski, Bill Gilchrist, Bijal Patel

### SECRETARY RULES OF CONDUCT Catherine Payne

- Secretary Notes:
  - 1. December 1, 2021 PC meeting is cancelled due to lack of item scheduled.

#### **COMMISSION BUSINESS**

Agenda Discussion None

Director's Report
None

Informational Reports
Update on Oakland Advertising Signs; Billboard Ordinance

Strategic Planner, Daniel Findely, gave a PDF Presentation.

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# **Public Speakers:**

1. Zachary Wasserman 2. Andy Goodman. 3. Nema Link. 4. Seza Dominguex

5. Natalie Aguilera. 6. Issac Kos-Read. 7. Alvarado Rodriguez

Committee Reports
Sugrue reported out on RAC November 16, 2021

• 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: 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	Renew the adoption of Resolution Pursuant to AB-361
Required:	
General Plan:	NA
Zoning:	NA
Environmental	Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines
<b>Determination:</b>	Section 15061(b)(3) (Common Sense Exemption).

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

Motion to approve by Sugrue

**Seconded by:** Fearn

**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 6; 8750 Mountain Boulevard
Assessor's Parcel Number:	043A467500321
-	Oak Knoll Final Development Permit (FDP) for construction of 74
	residential townhouse units on Parcel 6.
Applicant:	Marc Magstadt, SunCal
Phone Number:	Jeff Stevens, Danielian Associates, (949) 474.6030
Owner:	Oak Knoll Venture Acquisition, LLC
Case File Number:	PLN15378-PUDF03
Planning Permits Required:	Final Development Permit compliance with CEQA
General Plan:	Hillside Residential
Zoning:	D-OK-3 Oak Knoll District Residential Zone - 3
Environmental Determination:	Final Supplemental EIR certified on Nov. 7, 2017
Historic Status:	Non-Historic Property

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City Council District:	7 – Treva Reid
Status:	Under Review
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 introduced the project with a detailed description

**Applicant:** Chris Hall gave a PDF presentation of the project

Public Speakers: None

## **Motion made by Fearn to:**

1. Rely on the Oak Knoll Mixed Use Community Plan Project Supplemental EIR as adequate under CEQA for analysis of the Oak Knoll Parcel 6 Final Development Permit pursuant to CEQA Guidelines Section 15162, and based on the attached findings (and incorporated herein by reference);

2. Approve the Oak Knoll Parcel 6 Final Development Permit, subject to the attached findings.

**Seconded by:** Limon

**Action:** 7 Ayes, 0 Noes

3. Location:	Oak Knoll Development – Parcel 12; 8750 Mountain Boulevard
Assessor's Parcel Number:	043A467500321
_	Oak Knoll Final Development Permit (FDP) for construction of 38 residential townhouse units on Parcel 12.
Applicant:	Marc Magstadt, SunCal
Phone Number:	Jeff Stevens, Danielian Associates, (949) 474.6030
Owner:	Oak Knoll Venture Acquisition, LLC
Case File Number:	PLN15378-PUDF04
Planning Permits Required:	Final Development Permit compliance with CEQA
General Plan:	Hillside Residential
Zoning:	D-OK-3 Oak Knoll District Residential Zone - 3
Environmental Determination:	Final Supplemental EIR certified on Nov. 7, 2017
Historic Status:	Non-Historic Property
City Council District:	7 – Treva Reid
Status:	Under Review
Staff Recommendation:	Approve FDP
Finality of Decision:	Appealable to City Council

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For further information: Contact case planner Michele Morris at (510) 238-2235, or by e-mail at <a href="mailto:mmorris2@oaklandca.gov">mmorris2@oaklandca.gov</a>

**Planner:** Michele Morris introduced the project with a detailed description

**Applicant:** Chris Hall gave a PDF presentation of the project

**Public Speakers:** None

## Motion made by Fearn to:

- 1. Rely on the Oak Knoll Mixed Use Community Plan Project Supplemental EIR as adequate under CEQA for analysis of the Oak Knoll Parcel 12 Final Development Permit pursuant to CEQA Guidelines Section 15162, and based on the attached findings (and incorporated herein by reference);
- 2. Approve the Oak Knoll Parcel 12 Final Development Permit, subject to the attached findings.

**Seconded by:** 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.

#### **COMMISSION BUSINESS**

• Approval of Minutes November 3, 2021

Motion to approve: Sugrue Seconded by: Shirazi Action: 7 Ayes, 0 Noes

• Correspondence None

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- City Council Actions
  - 1. Community Facility District (CFD) for OakNoll went for 1st reading to City Council
  - 2. 5<sup>th</sup> St Project appeal is scheduled for hearing on December 21, 2021

# **ADJOURNMENT** at 4:51PM

**CATHERINE PAYNE** 

Acting Development Planning Manager Planning and Building Department

**NEXT SPECIAL MEETING:** December 1, 2021 (Cancelled due to lack of items)