



Oakland City Planning Commission

**AGENDA (Online)
Revision 2**

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

September 15, 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.

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.

You are invited to a Zoom webinar.

When: Sep 15, 2021 03:00 PM Pacific Time (US and Canada)

Topic: September 15, 2021 Planning Commission Meeting

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/81546386756>

Or One tap mobile :

US: +14086380968,,81546386756# or +16699006833,,81546386756#

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 +1 312 626 6799 or +1 646 876 9923 or +1 301 715 8592

Webinar ID: 815 4638 6756

International numbers available: <https://us06web.zoom.us/j/81546386756>

**Instructions on how to join a meeting by video conference are 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 each 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 an eligible agenda item. 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 on how to “Raise Your Hand” are 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 an eligible agenda item. You will then be unmuted during your turn and allowed to make public comments. Then, press “*6” to unmute yourself in order to speak. After the allotted time, you will then be re-muted. Instructions on 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

• **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 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 (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.
- 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 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, comments must be provided to the case planner electronically at least 24 hours prior to the meeting being started.

MEETING CALL TO ORDER

WELCOME BY THE CHAIR

ROLL CALL

SECRETARY RULES OF CONDUCT

COMMISSION BUSINESS

- Agenda Discussion
- Director's Report
- Informational Reports
- 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 contact the case planner for the specific agenda item.

1.	Location:	1700 20 th Street (APN: 007 -0572-001-02)
	Proposal:	To establish an 82,000 square foot operation within an existing building to produce ceramic beads, fabricate lithium extraction units, and perform research and development.
	Applicant:	Lilac Solutions, Inc. c/o Dennis Neymit
	Phone Number:	(805)710-5333
	Owner:	Terreno 20 th Street LLC
	Case File Number:	PLN21104
	Planning Permits Required:	Per Section 17.73.020 (L4) of the Planning Code, a Conditional Use Permit (CUP) is required for establishing a General Manufacturing Industrial Activity within 300 feet of a residential zone. Per Section 17.134.020 of the Planning Code, the CUP is major, because it involves over 25,000 square-feet of floor area.
	General Plan:	Business Mix
	Zoning:	CIX-1C West Oakland Plan Area Commercial Industrial Mix - 1C Industrial Zone (High Intensity Business)
	Environmental Determination:	Exempt, Section 15332 of the State CEQA Guidelines: In-Fill Development Projects Exempt, per Section 15301 of the State CEQA Guidelines: Existing Facilities (Minor alterations and operation); and Section 15183 of the State CEQA Guidelines: Projects Consistent with a Community Plan, General Plan or Zoning;
	Historic Status:	Not A Potentially Designated Historic Property: OCHS Rating: X
	City Council district	3
	Status:	Pending
	Staff Recommendation	Approve with conditions.
	Finality of Decision:	Appealable to City Council within 10 days



For further information:	Contact case planner Jose M. Herrera-Preza at 510-238-3808 or jherrera@oaklandca.gov
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ITEM #3 CONTINUED FROM SEPTEMBER 1, 2021 PC AGENDA

2.	Location:	Citywide
	Proposal:	Amend the Planning Code related to Accessory Dwelling Units (ADUs) – currently termed Secondary Units in the Planning Code – to bring the local legislation into compliance with recent State legislation. The major proposed amendments include: 1) new standards for the processing, number, size, height, parking, location, landscaping, and setbacks for the construction of various types of new ADU structures and ADUs within existing accessory structures, single-family homes, and two-family and multi-family buildings; 2) establishment of regulations for Junior Accessory Dwelling Units (JADUs) within single family homes; 3) introduction of objective design standards to streamline approval of certain ADUs; 4) objective standards for the design and location of ADUs; 5) regulations for ADUs in mini-lot developments; and 6) amnesty and enforcement relief program for un-permitted existing ADUs. The proposal also includes regulatory options for the development of ADUs and JADUs within the Very High Fire Hazard Severity Zone (VHFHSZ), as defined by the State of California and the S-9 Fire Safety Protection Combining Zone, or an alternative overlay zone based on public safety and traffic flow.
	Applicant:	City of Oakland
	Case File Number:	ZA21006
	General Plan:	Citywide
	Zoning:	Citywide
	Environmental Determination:	The proposed amendments to the Planning Code rely on the previously certified Final Environmental Impact Reports for the Coliseum Area Specific Plan (2105); Broadway Valdez Specific Plan (2014); West Oakland Specific Plan (2014); Central Estuary Area Plan EIR (2013); Land Use and Transportation Element of the General Plan (1998); the Oakland Estuary Policy Plan (1998); the West Oakland, Central City East, Coliseum, and Oakland Army Base Redevelopment Areas; the 1998 Amendment to the Historic Preservation Element of the General Plan; the 2007-2014 Housing Element Final EIR (2010); and various Redevelopment Plan Final EIRs (collectively, “EIRs”). No further environmental review is required under CEQA Guidelines Sections 15162 and 15163. Moreover, as a separate and independent basis, this proposal is also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (projects consistent with General Plan and Zoning) and 15061(b)(3) (general rule, no significant effect on the environment).
	City Council District:	All districts
	Status:	The item was presented to the Planning Commission on June 2, 2021. The Planning Commission directed Staff to revise the proposal in response to public comments and return for further discussion at a future meeting.



Staff Recommendation:	Receive public comments, discuss, and make a recommendation to City Council to adopt the proposal as set forth in the staff report.
Finality of Decision	Recommendation to City Council. Final decision by City Council.
For Further Information:	Contact case planner Ruslan Filipau at 510-238-3491 or rfilipau@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.

3.	Location:	722 Wood Street and 0 7th Street
	Assessor’s Parcel Number:	006-0019-008-00 and 006-0019-028-02
	Proposal:	Appeals of Zoning Manager’s Determinations that the truck activities occurring at 722 Wood Street and 0 7 th Street are unpermitted under the zoning regulations.
	Applicant:	Todd A Williams, Wendel Rosen LLP
	Phone Number:	510-622-7630
	Owner:	Alan Wofsy & Associates & Sunrise Properties
	Case File Number:	APL21015
	Planning Permits Required:	N/A
	General Plan:	Mixed Housing Type Residential and Community Commercial
	Zoning:	Mixed Housing Type Residential – 4 (RM-4) and Community Commercial – 2 (CC-2)
	Environmental Determination:	The determination is not considered a project as defined by CEQA Guidelines Section 15378, and therefore does not require CEQA review. On a separate and independent basis, the determinations are exempt under CEQA Guidelines Section 15321. Enforcement Actions by Regulatory Agencies.
	Historic Status:	Non-historic vacant lots
	City Council district:	3

Status:	The Zoning Determination letters were mailed on June 11, 2021, and appellant appealed those Determinations on June 21, 2021.
Staff Recommendation:	Deny the appeals and uphold the Zoning Manager’s Determination that the trucking operation at the sites are prohibited under the zoning regulations.
Finality of Decision:	Final Decision, not appealable pursuant to OMC Section 17.132.030
For further information:	Eva Wu, Planner II, Phone: (510) 238-3785; Email: EWu@oaklandca.gov

COMMISSION BUSINESS

- Approval of Minutes
 - August 4, 2021 (Continued from September 1, 2021 PC)
 - September 1, 2021
- Correspondence
- City Council Actions

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



CATHERINE PAYNE
Acting Development Planning Manager
Planning and Building Department

NEXT SPECIAL MEETING: October 6, 2021