



Oakland City Planning Commission

MINUTES

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

May 3, 2023
Regular Meeting

BUSINESS MEETING

3:00 PM

Via: In-Person

MEETING CALL TO ORDER

Chair Jonathan Fearn

WELCOME BY THE CHAIR

Chair Jonathan Fearn

ROLL CALL

Haneefah Rasheed, PSR, Sr.

Commissioners Present:

Vince Sugrue, Jennifer Renk, Tom Limon, Jonathan Fearn, Sahar Shirazi, Ron Jones

Commissioner(s) Absent: Clark Manus

Staff Present: Haneefah Rasheed, Catherine Payne, Brian Mulry, Peterson Vollmann, Neil Gray

SECRETARY RULES OF CONDUCT Catherine Payne

SECRETARY MATTERS - none

COMMISSION BUSINESS

- Agenda Discussion none
- Director's Report none
- Informational Reports none
- Committee Reports Catherine Payne provided a summary update of the April 26, 2023, Design Review Committee meeting.
- 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.

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PUBLIC SPEAKER(S): 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.

CM Jennifer Renk recused herself from the hearing prior to item #1 being called.

#1	Location:	664 Haddon Road
	Assessor's Parcel Number:	023 043000100
	Proposal:	Request to designate the Henry J. Kaiser Residence located at 664 Haddon Road as a City of Oakland Landmark.
	Applicant:	Skyler Denniston
	Phone Number:	(323) 514-3653
	Owner:	Kaiser Foundation Health Plan, Inc.
	Case File Number:	LM19012
	Planning Permits Required:	Application for Landmark Designation
	General Plan:	Detached Unit Residential
	Zoning:	RD-1- Detached Unit Residential Zone
	Environmental Determination:	Exempt per Section 15331 of the State CEQA Guidelines, Historical Resource Restoration/Rehabilitation; Section 15183 Projects consistent with the Community Plan, General Plan or Zoning.
	Historic Status:	Current OCHS rating: C1+ (C=secondary importance; 1+ = contributor to the Haddon Hill Area of Primary Importance). Landmarks Preservation Advisory Board Evaluation and Determination of Landmark Eligibility (January 13, 2020 and June 22, 2020: A1+ (A= highest importance; 1+ = contributor to the Haddon Hill API).
	City Council district:	2
	Status:	Under Review
	Staff Recommendation:	Recommend designation of the Henry J. Kaiser Residence as a City of Oakland Landmark, and direct staff to forward the nomination to the City Council for public hearing and adoption of an Ordinance.
	Finality of Decision:	Planning Commission only to provide a recommendation to the City Council.

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For further information:	Contact case planner Peterson Z. Vollmann at 510-238-6167 or by e-mail at pvollmann@oaklandca.gov .
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Case Planner Peterson Vollmann gave a verbal presentation of the project

Applicant Skyler Denniston and Stephanie Semino gave a verbal and visual presentation of the project.

Commissioners provided questions and comments regarding item.

Public Speakers: • Allen Yardwood

Motion

1. Affirm the environmental determination;
2. Recommend the property for City of Oakland Landmark Designation; and
3. Forward the proposed designation to the City Council for a public meeting and consideration for adoption of an Ordinance.

1. Motion by Comm. Tom Limon

2. Seconded by Comm. Vince Sugrue

Action: 5 Ayes, 0 Noes.

CM Renk returned to Hearing Room 1 after the vote on Item 1 was complete.

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.

#2	Location:	278 4th Street
	Assessor's Parcel Number:	001 0153009
	Proposal:	Appeal of an administrative decision to revise a previously approved Conditional Use Permit to establish an entertainment venue and convert an existing live/work unit within the building into a regular residential dwelling unit. The revision would replace condition #37 of the permit, which states that, prior to commencement of Group Assembly Commercial Activity, “The

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	second means of egress, as indicated on project plans, shall be constructed pursuant to permits” with a condition to either maintain the existing easement for secondary egress through the rear of the building, or construct an alternative second means of egress that has been approved by the Bureau of Planning and Building.
Applicant:	Chloe Moir (650)283-9012
Owner:	Dan Dunkle
Case File Number:	PLN15132-R01
Planning Permits Required:	Revision to Conditional Use Permit previously approved on September 25, 2015. The prior approval was to establish a Group Assembly Commercial Activity in the C-45 Commercial Zone.
General Plan:	Estuary Policy Plan Waterfront Warehouse District
Zoning:	C-45 Community Shopping Commercial Zone and S-4 Design Review Combining Zone
Environmental Determination:	The proposed operation and the conversion of the work/live unit to a dwelling unit is exempt from the California Environmental Quality Act (CEQA) according to the following sections of the State of California’s CEQA Guidelines: 15303 – New Construction or Conversion of Small Structures; and 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning.
Historic Status:	Potentially Designated Historic Property; Within and contributor to an “Area of Primary Importance” (the Waterfront Warehouse Historic District); Office of Cultural Heritage Survey rating of C1+
City Council District:	3
Action to be Taken:	Decision on appeal
Finality of Decision:	Decision is final. No further administrative appeal is available.
For Further Information:	Contact Case Planner Neil Gray at (510) 238-3878 or by email at ngray@oaklandca.gov

Case Planner Neil Gray gave a verbal presentation of the project

Appellate Hussein Sofori, representative for Stephen Stafano, gave a verbal response

Applicant John Keplin, representative for Radiance Oak Community Center, and **Daniel Dunkle**, General Director of Radiance Oak Community Center, gave verbal responses.

Commissioners provided questions and comments regarding item.

Public Speakers: • Elaine Noble, Lynn Lampy, Greg Habiby, Wesley Evans, Marcella Raimondo, Diana Ortega, Brian O’Connell, Nicole Malandro, Scott Charley, Yuliya Shmidt, Antoinette Gaggero, Eric Ziko, Ed Mechem, Jason Wallace, Nicolas Townes

Motion

Deny the appeal of the approval of the revised condition of approval contained in PLN15132-R01.

1. Motion by Comm. Vince Sugrue
2. Seconded by Comm. Jennifer Renk

Action: 6 Ayes, 0 Noes

COMMISSION BUSINESS

- Approval of Minutes April 19, 2023

Motion by Comm. Sugrue

Seconded by Vice-Chair Shirazi

Action: 4 Ayes, 0 Noes

- Correspondence none
- City Council Actions none

ADJOURNMENT

Chair Jonathan Fearn at 5:04 pm



CATHERINE PAYNE
Development Planning Manager
Planning and Building Department

NEXT REGULAR MEETING: May 17, 2023