



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

**April 20, 2022**  
SPECIAL Meeting

**BUSINESS MEETING**

**3:00 PM**

**Via: Tele-Conference**

*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.*

**MEETING CALL TO ORDER**

Chair Manus

**WELCOME BY THE CHAIR**

Chair Manus

**ROLL CALL**

**Commissioners Present:**

Ron Jones, Sahar Shirazi, Vince Sugrue, Jennifer Renk, Jonathan Fearn, Clark Manus

**Commissioner(s) Absent:** Tom Limon

**Staff Present:** Catherine Payne, Deb French, Peterson Vollmann, Brian Mulry, Lakshmi Rajagopalan, Michael Branson, Stephanie Skelton, Laura Kaminski

**SECRETARY RULES OF CONDUCT**

Catherine Payne

**SECRETARY MATTERS** Secretary Payne introduced new PSR Stephanie Skelton to the Commission and Attendees

**COMMISSION BUSINESS**

- Agenda Discussion            none
- Director’s Report            none
- Informational Reports        none
- Committee Reports            none
- 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:** 1) Naomi Schiff | 2) Shona Armstrong

**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.

<b>1.</b>	<b>Location:</b>	<b>Citywide</b>
	<b>Accessor's Parcel Number:</b>	N/A
	<b>Proposal:</b>	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.
	<b>Applicant:</b>	Catherine Payne, Secretary to the Planning Commission
	<b>Phone Number:</b>	(510) 915-0577
	<b>Owner:</b>	NA
	<b>Case File Number:</b>	NA
	<b>Planning Permits Required:</b>	Renew the adoption of Resolution Pursuant to AB-361
	<b>General Plan:</b>	NA
	<b>Zoning:</b>	NA
	<b>Environmental Determination:</b>	Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) (Common Sense Exemption).
	<b>Historic Status:</b>	NA
	<b>City Council District:</b>	NA
	<b>Status:</b>	NA
	<b>Staff Recommendation:</b>	Receive public testimony and consider renewing the adoption of Resolution.
	<b>Finality of Decision:</b>	Decision Final.
	<b>For further information:</b>	Contact case planner <b>Catherine Payne</b> at (510) 915-0577 or by e-mail at <a href="mailto:cpayne@oaklandca.gov">cpayne@oaklandca.gov</a>

**Case Planner Catherine Payne** gave a description of the Consent Calendar Proposal

**Public Speakers** – none

**Motion to approve by:** Vice-Chair Fearn

**Seconded by:** Commissioner Sugrue

**Action:** 6 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.

<b>2.</b>	<b>Location:</b>	<b>3600 Alameda Avenue</b>
	<b>Assessor's Parcel Number:</b>	033 -2250-011-04
	<b>Proposal:</b>	Scoping session for a proposal to demolish all existing structures on the approximately 23.9 acre site and construct an approximately 426,022 square foot, 56-foot-tall industrial warehouse facility including approximately 30,000 square feet of accessory office. The site would include an employee parking lot on the northern side of the proposed building and truck loading docks and parking on the southern side of the building. The proposal includes extending E. 7 <sup>th</sup> Street east across Fruitvale Avenue to connect to 37 <sup>th</sup> Avenue, extending 37 <sup>th</sup> Avenue to connect to Alameda Avenue, and a realignment of Alameda Avenue to provide expanded open space adjacent to the estuary shoreline. The proposal also includes creation of a separate parcel at the southeastern portion of the site at the intersection of 37 <sup>th</sup> & Alameda Avenues to potentially accommodate a future commercial development to for a retail/restaurant building.
	<b>Applicant:</b>	Duke Realty Limited Partnership, Jason Bernstein
	<b>Phone Number:</b>	415-298-3325
	<b>Owner:</b>	Owens-Brockway Glass Container Inc.
	<b>Case File Number:</b>	<b>PLN21223-ER01</b>
	<b>Planning Permits Required:</b>	Request for Environmental Review. Separate development applications have been filed under case file number PLN21223 and will be reviewed concurrently with the required environmental review application.
	<b>General Plan:</b>	EPP – Heavy Industry
	<b>Zoning:</b>	D-CE-6
	<b>Environmental Determination:</b>	Staff has determined that an Environmental Impact Report (EIR) will be prepared for this project. A NOP to prepare the EIR was published on April 4, 2022. The comment period for the NOP ends on May 3, 2022.
	<b>Historic Status:</b>	Potentially Designated Historic Property (PDHP); OCHS Rating: Cb+3
	<b>City Council District:</b>	5
	<b>Status:</b>	Environmental and development applications are currently under review.
	<b>Staff Recommendation:</b>	Receive public and Commission comments about what information and analysis should be included in the EIR.
	<b>Finality of Decision:</b>	N/A – No decision to be made at the hearing on any applications.
	<b>For further information:</b>	Contact case planner <b>Peterson Z. Vollmann</b> at (510) 238-6167 or by email: <a href="mailto:pvollmann@oaklandca.gov">pvollmann@oaklandca.gov</a>

(Commissioner Ron Jones recused himself from this item, and he was placed “on hold” in the Zoom environment)

**Planner:** Planner Pete Vollmann gave a verbal presentation of the project

**Applicant:** Duke Realty Limited Partnership, Jason Bernstein

- Commissioners provided questions and comments regarding item.
- **Public Speakers:** 1) Cynthia Elliott | 2) Derek Sagehorn | 3) Karen Balos | 4) Emilia Sanchez | 5) Matt Bliven | 6) Krystyna Kozakiewics | 7) Naomi Schiff | 8) Evan Schwimmer | 9) Cheral Stewart | 10) Carrie Anderson | 11) Ashleigh Sumner | 12) Ron Briggs

<b>3.</b>	<b>Location:</b>	Citywide
	<b>Proposal:</b>	The City is undertaking a comprehensive General Plan Update process in two phases. Phase I includes the update of the Housing and Safety Elements of the General Plan; creation of the City’s first Environmental Justice Element; associated amendments to other Elements of the General Plan, along with Zoning Code and map updates; Racial Equity Impact Analysis, and an Industrial Land Use Study. Phase I is anticipated to be completed by early 2023.  An Environmental Impact Report (EIR) will be prepared for Phase 1 to assess the environmental impacts of the Environmental Justice, Housing, and Safety Elements, and related Phase I amendments, including any implementing zoning program, in compliance with the provisions of the California Environmental Quality Act (CEQA).  Conduct a public scoping session, pursuant to the California Environmental Quality Act (CEQA), to receive comments on the scope of an Environmental Impact Report (EIR) for Phase 1.
	<b>Applicant:</b>	City of Oakland
	<b>Case File Numbers:</b>	GP21002; GP21002-ER01
	<b>General Plan:</b>	Citywide
	<b>Zoning:</b>	Citywide
	<b>Environmental Determination:</b>	An Environmental Impact Report will be prepared as part of the General Plan Update.
	<b>City Council District:</b>	All districts
	<b>Status:</b>	A Notice of Preparation (NOP) of an EIR will be published on March 30, 2022, and the public comment period on the NOP ends on May 2, 2022.
	<b>Staff Recommendation:</b>	Receive public and Planning Commission comments on the scope of the EIR. No decisions will be made on the project at this hearing.
	<b>Finality of Decision</b>	N/A
	<b>For Further Information:</b>	Contact Project Manager <b>Lakshmi Rajagopalan</b> at <b>510-238-6751</b> or <a href="mailto:lrjagopalan@oaklandca.gov">lrjagopalan@oaklandca.gov</a> Project Email Address: <a href="mailto:generalplan@oaklandca.gov">generalplan@oaklandca.gov</a> Project Website: <a href="https://www.oaklandca.gov/topics/general-plan-update">https://www.oaklandca.gov/topics/general-plan-update</a>

**Planner:** Planner Lakshmi Rajagopalan gave a verbal and pdf presentation of the project

**Consultants:** Rajeev Bhatia, Elizabeth Kanner, Crescentia Brown

- Commissioners provided questions and comments regarding item.
- **Public Speakers:** 1) Nicolas Nagle | 2) Naomi Schiff | 3) Bret Peterson | 4) Cheral Stewart

## 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.

- none

## COMMISSION BUSINESS

- Approval of Minutes **Date:** April 6, 2022  
**Motion to approve:** Commissioner Renk  
**Seconded by:** Commissioner Sugrue  
**Action:** 6 Ayes, 0 Noes,
- Correspondence
  - Secretary Payne noted that she had received correspondence during the meeting regarding the Project at 1629 Broadway (PLN21208) mentioned by attendee Shona Armstrong during Open Forum and that she has forwarded the emails to the District Manager. District Manager will be responding to inquiries.
- City Council Actions
  - Local Density Bonus Ordinance passed on 2<sup>nd</sup> reading on 4/19/2022
  - West Oakland Prohibitive Routes Ordinance passed on 2<sup>nd</sup> reading on 4/19/2022
  - West Oakland Truck Parking Ordinance 2<sup>nd</sup> reading has been continued
  - Appeal of 1396 5<sup>th</sup> St approval decision by the Planning Commission has been continued and that staff will be doing more research and will return to Council.

Secretary Payne noted that the Howard Terminal Lawsuit is still being researched by staff and City Attorney.

Commissioner Sugrue questioned if there was any word on return to “In-person” meetings and/or a hybrid model. Secretary Payne noted that she has received no word from the City Clerk, but does pose the question to the Clerk on a regular basis. Chair Manus asked for clarification whether the guidance of that and attendee visual presentations is solely under the discretion of the City Clerk. Secretary Payne noted it is at this time and that guidance has not been received regarding. There are no prohibitions regarding in-person attendee visual presentations, but currently it is not possible in the Zoom environment.

**ADJOURNMENT**

Chair Manus at 5:18 pm



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

**NEXT SPECIAL MEETING:** May 4, 2022

**DRAFT**