



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

August 19, 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.

MEETING CALL TO ORDER

By Chair Limon

ROLL CALL

Commissioners Present: Tom Limon, Amanda Monchamp
Leopold Ray-Lynch, Jonathan Fearn, Sahar Shirazi
Nischit Hegde, Clark Manus

Staff: Catherine Payne, Brian Mulry, Bill Gilchrist,
Mike Rivera

WELCOME BY THE CHAIR

Chair Limon

SECRETARY RULES OF CONDUCT

Catherine Payne

COMMISSION BUSINESS

- Agenda Discussion None
- Director’s Report Project Submittal Advisory Group (PSAG) Presented
By Bill Gilchrist
- Informational Reports ~~California College of the Arts; Staff Briefing (Reference ER19003)~~
(Item Continued to September 2, 2020 Agenda)
- Committee Reports Commissioner Monchamp gave report for August 12, 2020 DRC Meeting. WOBART PUD Revisions and FDP. Item will move Forward to full planning commission.



- Commission Matters Chair Limon Announced new Committee assignments effective Immediately.

Design Review Committee (DRC) – Tom Limon-Chair, Clark Manus, Jonathan Fearn

Zoning Update Committee (ZUC) – Amanda Monchamp-Chair, Leopold Ray-Lynch, Sahar Shirazi

Residential Appeals Committee (RAC) – Sahar Shirazi-Chair, Leopold Ray-Lynch, Nischit Hegde

Policies and Procedures Committee (PPC) – Nischit Hegde-Chair, Sahar Shirazi, Tom Limon

Special Projects Committee (SPC) – Jonathan Fearn-Chair, Clark Manus, Leopold Ray-Lynch
- 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.

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.

1.	Location:	500 Kirkham and 1255 7 th Streets. The site is also bounded by Union and 5 th Streets, and is located one block east of the West Oakland BART Station.
	Assessor’s Parcel Number:	004 004900800, 004 004900900, 004 004901000 & 004 005101802
	Proposal:	Extension request of entitlements approved by the Planning Commission in 2019 for a Planned Unit Development Permit and Phased Final Development Plan, which included Conditional Use Permit; Regular Design Review; and Vesting Tentative Tract Map Subdivision. The approved project is for the construction of 1,032 residential units (including 85 very low-income affordable units), approximately 35,000 square feet of retail & commercial flex space, 59 parking spaces, and privately maintained but publicly accessible dog park, playground area, and pedestrian pathways. The final project will be phased as follows: Phase 1 includes all horizontal improvements, including a temporary parking lot, and construction of Building 1, a 84-foot high mid-rise; Phase 2 includes vertical development of Building 2, an 84-foot high mid-rise; and Phase 3, a vertical development of Building 3, a 338-foot high-rise & street-level 59 space parking garage accessed from Union Street. The approved Planning permit will expire within two-years of project approval, by August 21, 2021, absent any extensions.
	Applicant:	Patrick Kennedy
	Phone Number:	(415) 701-7000
	Owner:	500 Kirkham LLC
	Case File Number:	PLN17428; PUDF07-PUDF01; PUDF07-PUDF02 & PUDF07-PUDF03
	Planning Permits Required:	Condition of Approval #2 for Case File Number PLN17428 states that extensions of the Final Development Plan (FDP) shall be processed in the same manner as the original application with the same procedural requirements and shall be considered by the Planning Commission. The applicant is requesting an additional three-year extension from expiration of the permit granted by the Planning Commission.
	General Plan:	Community Commercial; West Oakland Specific Plan (WOSP)
	Zoning:	S-15W Transit-Oriented Development Zone
	Environmental Determination:	A detailed CEQA (California Environmental Quality Act) Analysis was prepared for this project and concluded that the development satisfied each of the following CEQA Guidelines: (A) 15164 - Addendum to EIRs; (B) 15183 - Projects Consistent with a Community Plan, General Plan, or Zoning; and (C) 15168- Program EIRs and Redevelopment Projects; and (D) 15183.3- Qualified Infill Projects.
	Historic Status:	Non-Historic Property
	City Council district	3 / Lynette McElhaney
	Status:	Pending



Staff Recommendation	Consider the extension, but in any event, subject the project to original conditions due to Vesting Tentative Tract Map.
Finality of Decision:	Decision based on staff report
For further information:	Contact Case Planner, Mike Rivera at (510) 238-6417, or by email at mrivera@oaklandca.gov

Staff Member: Mike Rivera gave a verbal presentation of the project

Applicant: Patrick Kennedy gave a PowerPoint presentation

Public Speakers: 1. Emily Wheeler 2. Eddie Dillard

Motion made by Commissioner Manus: To Affirm staff’s Environmental Determination of the CEQA findings: (A) 15164-Addendum to EIRs; (B) 15183-Projects Consistent with a Community Plan, General Plan, or Zoning; (C) 15168-Program EIRs and Redevelopment Projects; and (D) 15183.3-Qualified Infill Projects which were originally adopted by the Planning Commissioner on August 21, 2019, and

Option B. - a three-year extension of the project approval, which would effectively extend the project entitlements until **August 21, 2024** (one year beyond the automatic two-year extension set forth in CAO Order No. 6), subject to the previously approved conditions of approval under Planning permit PLN17478, including a revision to Condition #2 to reflect the three-year extension.

Seconded by: Commissioner Ray-Lynch

Action: 6 Ayes, 1 No

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

December 18, 2019 Minutes

Motion to approve by: Commissioner Manus

Seconded by: Commissioner Fearn

Action: 5 Ayes, 1 Abstain

- Correspondence

None

- City Council Actions

None

ADJOURNMENT

at 4:24 PM

CATHERINE PAYNE

Acting Development Planning Manager
Planning and Building Department

NEXT REGULAR MEETING: September 2, 2020