



# Oakland City Planning Commission

AGENDA (Online)

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

**February 2, 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.*

### **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: Feb 2, 2022 03:00 PM Pacific Time (US and Canada)  
Topic: February 2, 2022 Planning Commission Meeting

**Please click the link below to join the webinar:**  
<https://us06web.zoom.us/j/86841754888>

Or One tap mobile :  
US: +14086380968,,86841754888# or +16699006833,,86841754888#

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 +1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799 or 833 548 0276 (Toll Free) or 833 548 0282 (Toll Free) or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free)  
Webinar ID: 868 4175 4888

International numbers available: <https://us06web.zoom.us/j/86841754888>

**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 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](mailto: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](http://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](mailto: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 [Drarmstrong@oaklandca.gov](mailto:Drarmstrong@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.

<b>1.</b>	<b>Location:</b>	Citywide
	<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>

**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> Citywide
	<p><b>Proposal:</b> The City of Oakland is updating the Housing Element as part of a comprehensive General Plan Update process in two phases.</p> <p>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, California Environmental Quality Act (CEQA) review; and an Industrial Land Use Study. Phase I is anticipated to be completed by early 2023.</p> <p>Phase II includes the update of the Land Use and Transportation Element (LUTE); Open Space, Conservation, and Recreation Element (OSCAR); Noise Element; and</p>



	<p>the development of a new Infrastructure and Facilities Element. Phase II work also includes zoning updates and CEQA review. The Phase I process will help inform the components of Phase II. Phase II is anticipated to be completed by mid-2025.</p> <p>Both phases will include a comprehensive, equity-driven public engagement process in collaboration with community-based groups and outreach organizations.</p> <p>Staff and the consultant team will provide an overview of the City’s overall General Plan update. In addition, because the 2023-2031 Housing Element has early State deadlines associated with it, the Consultant will present the progress, and accomplishments made by the City to implement policies adopted in the City’s 2015-2023 Housing Element, housing needs, assessment of fair housing, and a preliminary proposal of housing sites for the 2023-2031 Housing Element for feedback.</p>
<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>	Ongoing
<b>Staff Recommendation:</b>	Receive public comments, discuss, and provide feedback to staff on 1) additional housing site locations and 2) policies and programs to explore based on initial background information
<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:lrajagopalan@oaklandca.gov">lrajagopalan@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>

**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.



<b>3.</b>	<b>Location:</b> 278 4 <sup>th</sup> Street
	<b>Assessor's Parcel Number:</b> 001 0153009
	<b>Proposal:</b> Revision to 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 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 Bureaus of Planning and Building.
	<b>Applicant:</b> Chloe Moir (650)283-9012
	<b>Owner:</b> Dan Dunkle
	<b>Case File Number:</b> PLN15132-R01
	<b>Planning Permits Required:</b> 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.
	<b>General Plan:</b> Estuary Policy Plan Waterfront Warehouse District
	<b>Zoning:</b> C-45 Community Shopping Commercial Zone and S-4 Design Review Combining Zone
	<b>Environmental Determination:</b> 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.
	<b>Historic Status:</b> 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+
	<b>City Council District:</b> 3
	<b>Action to be Taken:</b> Decision on appeal
	<b>Finality of Decision:</b> Decision is final. No further administrative appeal is available.
	<b>For Further Information:</b> Contact Case Planner Case Neil Gray at (510) 238-3878 or by email at <a href="mailto:ngray@oaklandca.gov">ngray@oaklandca.gov</a>



**COMMISSION BUSINESS**

- Approval of Minutes                      January 19, 2022
- 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**  
Development Planning Manager  
Planning and Building Department

**NEXT SPECIAL MEETING:**                                      February 16, 2022