



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

May 4, 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, Tom Limon, Jonathan Fearn, Clark Manus

Commissioner(s) Absent: none

Staff Present: Catherine Payne, Deb French, Stephanie Skelton, Rebecca Wysong, Brian Mulry,

SECRETARY RULES OF CONDUCT

Catherine Payne

SECRETARY MATTERS none

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: 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.

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

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 Renk

Action: 7 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.

#2.	Location:	2943 MacArthur Boulevard
	Assessor's Parcel Number:	028 091602000
	Proposal:	To place a screened Macro Telecommunication Facility on the rooftop of an existing residential building. There will be six new antennas and two new radio cabinets on the front, rear and side of the building which faces a commercial lot, as well as a new equipment box (70 square feet).
	Applicant:	Tom Swarner/Dish Wireless
	Phone Number:	510) 435-3595
	Owner:	Michael W. Marr
	Case File Number:	PLN22051
	Planning Permits Required:	Major Conditional Use Permit (CUP) for a Macro Telecommunication Facility on a private parcel in a residential zone; and Regular Design Review (DR) for a Macro Telecommunication Facility
	General Plan:	Urban Residential
	Zoning:	Urban Residential - 4 (RU-4) Zone
	Environmental Determination:	Exempt per the State CEQA Guidelines Section 15301 – Minor alterations to existing facilities; Section 15303- Construction of Small Structures; and Section 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning
	Historic Status:	F3
	City Council district:	4
	Status:	Pending
	Staff Recommendation:	Approval subject to the attached conditions
	Finality of Decision:	Appealable to City Council within 10 days
	For further information:	Contact Case Planner Rebecca Wysong at (510)238-3123 or by email at rwysong@oaklandca.gov

Planner: Planner Rebecca Wysong gave a verbal presentation of the project

Applicant: Tom Swarner/ Dish Wireless gave a verbal presentation of the project

- Commissioners provided questions and comments regarding item.
- **Public Speakers:** none

Motion by Vice-Chair Fearn to approve project based upon staff recommendations:

1. Affirm staff’s environmental determination;
2. Approve the Major Conditional Use Permit and Design Review application subject to the staff’s Findings and Conditions of Approval; and
3. Applicant to work with staff to soften proposed screening to help it to blend more with surroundings.

Seconded by Commissioner Limon

Action: 7 Ayes, 0 Noes

Commissioner Ron Jones volunteered to work with applicant and staff on screening possibilities to better blend with site.

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 20, 2022

Motion to approve: Commissioner Sugrue

Seconded by: Commissioner Renk

Action: 6 Ayes, 0 Noes,

- Correspondence none
- City Council Actions none

Chair Manus questioned about the possibility of expanding the Public Market on the splash pad by the Grand Lake Theater.

- Secretary Payne requested clarification on request
- Commissioner Shirazi noted comments and clarifications
- Secretary Payne noted that she will take the comments to staff to find who is in charge and who can best address the questions.
- Commissioner Limon noted that he had a conversation with Michael Ford with City of Oakland DOT regarding City-owned parking in the area.

ADJOURNMENT

Chair Manus at 3:48 pm



CATHERINE PAYNE
Development Planning Manager
Planning and Building Department

NEXT SPECIAL MEETING: May 18, 2022