



Oakland City Planning Commission

AGENDA (Online)

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

May 5, 2021
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.

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: May 5, 2021 03:00 PM Pacific Time (US and Canada)

Topic: May 5, 2021 Planning Commission Meeting

Please click the link below to join the webinar:

<https://zoom.us/j/92864704025>

Or One tap mobile :

US: +16699006833,,92864704025# or +14086380968,,92864704025#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 408 638 0968 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 646 876 9923 or +1 301 715 8592

Webinar ID: 928 6470 4025

International numbers available: <https://zoom.us/u/adRvfNKBWY>

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.](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 in order 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

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 (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.
- 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 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.



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.

1.	Location:	3855 West Street, Oakland, CA 94608; APN: 012 096001700
	Proposal:	To create a six-lot mini-lot development served by a Shared Access Facility and construct six residential units on a vacant lot
	Applicant:	Will Mollard
	Phone Number:	(415) 523-0304 Ext. 1
	Owner:	3855 West Street, LLC
	Case File Number:	PLN20153
	Planning Permits Required:	Vesting Tentative Tract Map (VTTM8571) for a six-lot subdivision; Minor Conditional Use Permits, for a Mini-Lot Development, a Shared Access Facility, and five or more units in the RM-4 Zone; Regular Design Review for construction of six new townhouse-style dwelling units; and Minor Variances, to allow private open space to be substituted for group open space, and allow front entry stairs to project 7.5 feet into the front yard setback, where 4 feet maximum is allowed.
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-4/C – Mixed Housing Type Residential Zone-4/Commercial overly
	Environmental Determination:	Exempt per CEQA Guidelines Sections 15332-Infill Development; Section 15315-Minor Land Divisions and 15183-Projects Consistent with a Community Plan, General Plan, or Zoning
	Historic Status:	Non-Historic Property
	City Council District:	1
	Status:	Pending
	Staff Recommendation:	Approval subject to the attached Conditions
	Finality of Decision:	Appealable to the City Council within 10 days
	For Further Information:	Contact Case Planner Gregory Qwan at (510) 238-2958 or by email at gqwan@oaklandca.gov .



2.	Location:	2420-2432 Chestnut Street & 2423 Linden Street; APNs: 005 043501700, 005 043501801 & 005 043500500
	Proposal:	Proposal to demolish two light industrial buildings and an unoccupied two-story residential building and construct 12, three-story residential units and a detached community room. The project will require the merger of the three lots into one.
	Applicant:	Lisa Vilhuer / Riaz Capital
	Phone Number:	(682) 257-3324
	Owner:	Riaz Capital
	Case File Number:	PLN19279
	Planning Permits Required:	Major Conditional Use Permit for three or more units in the RM-2 Zone; Minor Conditional Use Permits for a Multi-family Dwelling Facility and a Community Assembly Activity in the RM-2 Zone; and Regular Design Review for the demolition of the residential building (potential contributor to an Area of Secondary Importance (ASI) and residential construction.
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-2 and RM-4 Mixed Housing Type Residential Zones
	Environmental Determination:	State CEQA Guidelines Section 15183.3 Streamlining for Infill Projects and Section 15183: Projects consistent with a Community Plan, General Plan or Zoning; A CEQA Checklist was prepared for the project and can be found at the following website: https://www.oaklandca.gov/resources/current-environmental-review-ceqa-eir-documents-2011-2020
	Historic Status:	The property at 2420 Chestnut is a Potentially Designated Historic Property (PDHP) with an Oakland Cultural Heritage Survey (OCHS) rating of Dc3 and is potentially located within the McClymonds Neighborhood ASI. The property at 2432 Chestnut is not a PHDP but has an OCHS rating of *3. The property at 2423 Linden Street is vacant but is located within the McClymonds Neighborhood ASI.
	City Council District	3
	Status:	Pending
	Staff Recommendation:	Approval subject to the attached Conditions of Approval
	Finality of Decision:	Appealable to City Council within 10 calendar days
	For further information:	Contact case planner Jason Madani at (510) 238-4790 or jmadani@oaklandca.gov

3.	Location:	415 20th St. PLN 20092
	Proposal:	New construction of an office tower with 862,048 gross square feet of office, 38 floors and a height of 622 feet. The project includes 262 parking stalls in a 4 level above-ground parking garage. and a ½-acre landscaped amenity space atop the vehicular parking podium and a landscaped observation deck on the topmost floor.
	Applicant:	415 20 th Street, LLC
	Phone Number:	Kevin Chow 415-399-6221
	Owner:	415 20 th St LLC
	Case File Number:	PLN20092
	Planning Permits Required:	Regular Design Review for construction of a non-residential building. Conditional Use Permit for a project exceeding 200,000 sf. and 250 feet of height, Minor Variances to the maximum 5' setback to allow 1) setbacks of 33' on 20 th St and 13' on Franklin St. and 2) setback of 33' within the first 35 feet of vertical building height on 20 th St.



General Plan:	CBD (Central Business District)
Zoning:	CBD-P/CBD-C (Central Business District Pedestrian Retail Commercial Zone/Central Business District General Commercial Zone)
Environmental Determination:	A CEQA Analysis was prepared which concluded that the project qualifies for: (1) an exemption per Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan or Zoning); (2) streamlining provisions under Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 (Streamlining for Infill Projects); and (3) tiering off Program EIRs and EIRs prepared for redevelopment projects per CEQA Guidelines Section 15168 (Program EIRs) and Section 15180 (Redevelopment Projects).
Historic Status:	No OCHS rating
City Council District	District 3
Staff Recommendation:	Approval of the project subject to attached conditions of approval.
Finality of Decision:	Appealable to City Council
For further information:	Contact Case Planner Rebecca Lind at 510 238 3472 or by email at rlind@oaklandca.gov

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 April 7, 2021
- Correspondence
- City Council Actions



ADJOURNMENT By 7:30 P.M. unless a later time is agreed upon by a majority of Commissioners present.

A handwritten signature in black ink, appearing to read 'Catherine Payne'.

CATHERINE PAYNE
Acting Development Planning Manager
Planning and Building Department

NEXT SPECIAL MEETING:

May 19, 2021