





## **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 indicate the case number and submit a self-addressed stamped envelope, for each case.

## **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>1.</b>	<b>Location:</b>	<b>584 14<sup>th</sup> Street; APN: 003 06901700</b>
	<b>Proposal:</b>	Appeal of Zoning Manager’s Determination filed under DET190031, a status determination on the applicability of Oakland Planning Code Chapter 17.153, demolition, conversion, and rehabilitation regulations for residential hotels.
	<b>Applicant:</b>	Zacks, Freedman, & Patterson, PC representing 584 14 <sup>th</sup> Street, LLC
	<b>Phone Number:</b>	(415) 956-8100
	<b>Owner:</b>	584 14 <sup>th</sup> Street, LLC
	<b>Case File Number:</b>	DET190031-A01
	<b>Planning Permits Required:</b>	Initial Usage Report required if the Zoning Manager’s Determination is upheld.
	<b>General Plan:</b>	Central Business District
	<b>Zoning:</b>	CBD-P
	<b>Environmental Determination:</b>	The determination is not considered a project as defined by Section 15378 of the State CEQA guidelines, and therefore does not require CEQA review.
	<b>Historic Status:</b>	Local Register, API: Downtown, OCHS Rating: B*1+
	<b>City Council district:</b>	3
	<b>Status:</b>	The Zoning Determination Letter was mailed on October 21, 2019; Determination appealed on October 31, 2019.
	<b>Staff Recommendation:</b>	Adopt the findings included as Exhibit D to the October 21, 2020 Supplemental Staff Report and deny the appeal, thereby upholding the Zoning Manager’s Determination to deny the Residential Hotel Statement of Exemption Application, based on the findings included as Exhibit D to the October 21, 2020 Supplemental Staff Report and the evidence cited therein, and the findings and evidence in the Zoning Manger’s Determination, the August 5, 2020 Staff Report, the October 21, 2020 Supplemental Staff Report, and the accompanying attachments.
	<b>Finality of Decision:</b>	Final Decision, Not Administratively Appealable per Planning Code Section 17.132.030
	<b>For further information:</b>	Contact Brittany Lenoir at (510) 238-4977 or blenoir@oaklandca.gov

**Staff Member:** Brittany gave a project description with a PowerPoint presentation

**Appellants:** Alexis Pelosi Representative and Ryan Patterson, Litigation Council spoke on behalf of the appellant

**Motion:** None

**Action:** Motion to continue this item to a date uncertain made by: Monchamp

**Seconded by:** Shirazi



**COMMISSION BUSINESS**

- Approval of Minutes      September 4, 2019  
**Motion to Approve:** Manus  
**Seconded By:** Monchamp  
**Action:** 4 Ayes, 1 Abstain  
  
September 18, 2019  
**Motion to Approve:** Manus  
**Seconded By:** Monchamp  
**Action:** 4 Ayes, 0 Noes  
  
November 6, 2019  
**Motion to approve:** Monchamp  
**Seconded By:** Shirazi  
**Action:** 4 Ayes, 0 Noes  
  
February 5, 2020  
**Motion to Approve:** Manus  
**Seconded by:** Monchamp  
**Action:** 4 Ayes, 0 Noes
- Correspondence      None
- City Council Actions      Catherine Payne reported that the 2020 Mills Act was approved at the October 20, 2019 City Council Meeting

**ADJOURNMENT** at 4:51PM

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

**NEXT SPECIAL MEETING:**      November 4, 2020