



Oakland City Planning Commission

MINUTES

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

September 1, 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.

MEETING CALL TO ORDER

Chair Manus

WELCOME BY THE CHAIR

Chair Manus

ROLL CALL

Commissioners Present:

Clark Manus, Tom Limon, Vince Sugrue, Jennifer Renk, Leopold Ray-Lynch

Commissioners Absent:

Sahar Shirazi, Jonathan Fearn

Staff Present:

Catherine Payne, Desmona Armstrong, Jose Herrera, Ruslan Filipau, Heather Klein, Brian Mulry, Michael Branson

SECRETARY RULES OF CONDUCT

Secretary Payne

COMMISSION BUSINESS

- Agenda Discussion
Item #2 – ADU Ordinance will be continued to a date certain of September 15, 2021 PC Agenda due to Lack of quorum.

Responses to public inquiry's:



If members of the public are concerned about activities surrounding OUSD school sites they will need to be addressed their concerns to the school district. The city has no authority over OUSD School sites.

Questions, concerns, complaints regarding enforcement should be directed to 510-238-3381

The public has expressed interest in the desire to have residential development at Pleasant Valley on the corner of 51st and Broadway. Although residential uses are permitted on the site, planning has not received any application for residential development on that site.

Welcome Commissioner Renk to her first Oakland Planning Commission meeting

- Director’s Report None
- Informational Reports None
- Committee Reports

Chair Manus announced new Committee Roles:

Design Review Committee (DRC): Jonathan Fearn (Chair), Clark Manus, Leopold Ray-Lynch

Zoning Update Committee: Sahar Shirazi (Chair), Tom Limon, Jennifer Renk

Residential Appeals Committee: Vince Sugrue (Chair), Leopold Ray-Lynch, Sahar Shirazi,

Policies & Procedures Committee (PPC): Tom Limon (Chair), Vince Sugrue, Sahar Shirazi

Special Projects Committee (SPC): Jonathan Fearn (Chair), Clark Manus, Jennifer Renk

- 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

1. Jean Walsh. 2. Daniel Gonzalez

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:	4265 Foothill Blvd. (APN: 035 -2352-008-01)
	Proposal:	Gas station remodel and construction of a 1,492 square-foot convenience market and addition of automated car wash.
	Applicant:	NG Grewal One
	Phone Number:	Navdeep S. Grewal / 510-407-5650
	Owner:	NG Grewal One
	Case File Number:	PLN18376
	Planning Permits Required:	Major Conditional Use Permits (CUPs) for a Convenience Market Commercial Activity and a Drive-Through Nonresidential Facility. Minor CUP to add an Automotive Repair and Cleaning Activity. Regular Design Review for new construction.
	General Plan:	Community Commercial
	Zoning:	CC-2 Community Commercial 2 Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities (Minor alterations and operation); Section 15183 of the State CEQA Guidelines: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Not A Potentially Designated Historic Property: OCHS Rating: X
	City Council district	5
	Status:	Pending
	Staff Recommendation	Approve with conditions.
	Finality of Decision:	Appealable to City Council within 10 days
	For further information:	Contact case planner Jose M. Herrera-Preza at 510-238-3808 or jherrera@oaklandca.gov

Staff Planner: Jose Herrera-Preza gave a verbal description of the project

Applicant: Project Manager Guillermo and Muthana Ibrahim gave a PDF presentation



Public Speakers: None

Motion by Sugrue to:

1. Affirm staff’s environmental determination
2. Approve the conditional Use Permit and Design Review subject to the attached findings and conditions

Seconded by: Limon

Action: 4 Ayes, 2 Absent, 1 Recused

ITEM #2 CONTINUED TO SEPTEMBER 15, 2021 PC AGENDA DUE TO LACK OF QUORUM

2.	Location:-	Citywide-
	Proposal:-	Amend the Planning Code related to Accessory Dwelling Units (ADUs)—currently termed Secondary Units in the Planning Code—to bring the local legislation into compliance with recent State legislation. The major proposed amendments include: 1) new standards for the processing, number, size, height, parking, location, landscaping, and setbacks for the construction of various types of new ADU structures and ADUs within existing accessory structures, single family homes, and two family and multi family buildings; 2) establishment of regulations for Junior Accessory Dwelling Units (JADUs) within single family homes; 3) introduction of objective standards to streamline approval of ADUs; 4) objective standards for the design and location of ADUs; 5) regulations for ADUs in mini lot developments; and 6) enforcement relief for un-permitted existing ADUs. The proposal also includes regulatory options for the development of ADUs and JADUs within the Very High Fire Hazard Severity Zone, as defined by the State of California, and the S 9 Fire Safety Protection Combining Zone, or an alternative overlay zone based on public safety and traffic flow.-
	Applicant:-	City of Oakland-
	Case File Number:-	ZA21006-
	General Plan:-	Citywide-
	Zoning:-	Citywide-
	Environmental Determination:-	The proposed amendments to the Planning Code rely on the previously certified Final Environmental Impact Reports for the Coliseum Area Specific Plan (2105); Broadway Valdez Specific Plan (2014); West Oakland Specific Plan (2014); Central Estuary Area Plan EIR (2013); Land Use and Transportation Element of the General Plan (1998); the Oakland Estuary Policy Plan (1998); the West Oakland, Central City East, Coliseum, and Oakland Army Base Redevelopment Areas; the 1998 Amendment to the Historic Preservation Element of the General Plan; the 2007-2014 Housing Element Final EIR (2010); and various Redevelopment Plan Final EIRs (collectively, “EIRs”). No further environmental review is required under CEQA Guidelines Sections 15162 and 15163. Moreover, as a separate and independent basis, this proposal is also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (projects consistent with General Plan and Zoning) and 15061(b)(3) (general rule, no significant effect on the environment).-



City Council District:	All districts-
Status:	The item was presented to the Planning Commission on June 2, 2021. The Planning Commission directed Staff to revise the proposal in response to public comments and return for further discussion at a future meeting.-
Staff Recommendation:	Receive public comments, discuss, and make a recommendation to City Council to adopt the proposal as set forth in the staff report.-
Finality of Decision	Recommendation to City Council. Final decision by City Council.-
For Further Information:	Contact case planner Ruslan Filipau at 510-238-3491 or rfilipau@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.

3.	Location:	1110-1114 Peralta Street
	Assessor’s Parcel Number:	004 008901100
	Proposal:	Appeal of the Zoning Manager’s decision to deny an application to convert three units (single-family home and two-unit building) into condominiums.
	Applicant:	Bruce Loughridge / (510) 435-8786
	Owner:	P2 Oakland CA LLC
	Appellant:	Bruce Loughridge
	Case File Number:	PLN19246-A01
	Original Case File Number:	PLN19246
	Planning Permits Required:	Tentative Parcel Map for Condominium Conversion per Title 16 of the Oakland Municipal Code
	General Plan:	Mixed Housing Type
	Zoning:	RM-2 Mixed Housing Type Residential – 2 Zone
	Environmental Determination:	CEQA Guidelines Section 15270: Projects which are disapproved
	Historic Status:	Potential Designated Historic Property (PDHP); Oakland Point Area of Primary Importance; Oakland Cultural Heritage Survey Rating: Eb-1*
	City Council District:	3
	Status:	The original Zoning Decision Letter was mailed on March 1, 2021, and the Project was appealed by the Appellant on March 11, 2021.



Staff Recommendation:	Deny the Appeal and uphold the Zoning Manager’s Decision.
Finality of Decision:	The decision of the Planning Commission is final immediately pursuant to Oakland Municipal Code Section 16.04.100A.
For Further Information:	Contact case Planner Heather Klein at (510) 238-3659 or hklein@oaklandca.gov

Staff Planner: Heather Klein gave a verbal presentation of the project but was abruptly cut off due to an area power outage.

Note*** Applicant was unable to give a presentation due to an area power outage.

Motion by Sugrue to: Continue item to a date certain of October 6, 2021 PC due to outage issues

Seconded by: Renk

Action: 5 Ayes, 0 Noes, 2 Absent

Public Speakers will be heard at the October 6, 2021 PC Meeting

COMMISSION BUSINESS

- Approval of Minutes August 4, 2021 – Continued to September 15, 2021 PC due to Lack of quorum
- Correspondence None
- City Council Actions

Michael Branson, Deputy City Attorney reported out on Land Use and Housing Bills SB9 and SB10 that were passed by the State Assembly and Senate.

ADJOURNMENT at **4:25 P.M.** unless a later time is agreed upon by a majority of Commissioners present.

CATHERINE PAYNE
Acting Development Planning Manager
Planning and Building Department



NEXT SPECIAL MEETING:

September 15, 2021