



# Oakland City Planning Commission

# MINUTES

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

**September 7, 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, Brian Mulry, Danny Thai,

### **SECRETARY RULES OF CONDUCT**

Catherine Payne

### **SECRETARY MATTERS -**

none

### **COMMISSION BUSINESS**

- Agenda Discussion            none
- Director's Report            none
- Informational Reports        none
- Committee Reports            Commission Shirazi reported that the Zoning Update Committee (ZUC) met on August 24, 2022 to hear the Continued Item from the July 13, 2022 ZUC - Zoning recommendations on the Downtown Oakland Specific Plan. Committee recognized that certain community meetings had not yet been able to occur due to scheduling, and asked that the item be Continued once more and returned to the ZUC after input from the community had been received. Public comment was received during the meeting. Item was continued to a Thursday, September 29, 2022 Zoning Update Committee Meeting date.

- Commission Matters Planning Commission Elections

**Motion by Commissioner Limon** to nominate Commissioner Fearn as Planning Commission Chair and Commissioner Shirazi as Planning Commission Vice-Chair

**Seconded by Commissioner Sugrue**

**Action:** 7 Ayes, 0 Noes.

- 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.

<b>#1</b>	<b>Location:</b>	<b>Citywide</b>
	<b>Assessor’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>

Secretary Catherine Payne gave a description of the Consent Calendar Proposal

Public Speakers – none

**Motion to approve by:** Commissioner Sugrue

**Seconded by:** Commissioner Shirazi

**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.

<b>#2</b>	<b>Location:</b>	<b>2218 82<sup>nd</sup> Avenue</b>
	<b>Assessor's Parcel Number:</b>	<b>043 457301700</b>
	<b>Proposal:</b>	To construct a detached 2,215 square-foot, two-story, four-unit residential building on a lot with two existing one-story duplexes resulting in eight residential units on-site
	<b>Applicant:</b>	Noble Oak Services - Jibu John
	<b>Phone Number:</b>	(510) 457-1227
	<b>Owner:</b>	Minh Le & Kerri Luu
	<b>Case File Number:</b>	<b>PLN21090</b>
	<b>Planning Permits Required:</b>	Regular Design Review for new residential units; Major Conditional Use Permit to exceed five units in RM-4 Zone
	<b>General Plan:</b>	Mixed Housing Type
	<b>Zoning:</b>	RM-4 Zone
	<b>Environmental Determination:</b>	Exempt per the State CEQA Guidelines Section 15332- Infill Development; and Section 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning
	<b>Historic Status:</b>	Non-Historic Property
	<b>City Council District</b>	6
	<b>Status:</b>	Pending
	<b>Staff Recommendation:</b>	Approval subject to the attached conditions
	<b>Finality of Decision:</b>	Appealable to City Council within 10 days
	<b>For further information:</b>	Contact Case Planner <b>Danny Thai</b> at <b>(510)238-3584</b> or by email at <b>dthai@oaklandca.gov</b>

**Case Planner Danny Thai** gave a verbal presentation of the project

**Applicant Jibu John** gave a verbal and visual presentation of the project.

Commissioners provided questions and comments regarding item.

**Public Speakers:** none

Motion by Commissioner Fearn made a motion to:

1. Affirm staff’s CEQA determination; and
2. Approve the Conditional Use Permit and Design Review subject to the attached Findings and Conditions of Approval.

Seconded by Commissioner Shirazi

Action: 7 Ayes, 0 Noes.

**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

**Date:** August 3, 2022

Vice-Chair Fearn and Commissioner Limon were absent from August 3, 2022 meeting

**Motion to approve:** Commissioner Sugrue

**Seconded by:** Commissioner Renk

**Action:** 5 Ayes, 0 Noes

- Correspondence no correspondence to Commission. Secretary Payne reiterated the upcoming Commission and Committee meetings:
  - September 21, 2022 – Planning Commission Meeting
  - September 28, 2022 – Design Review Committee Meeting
  - September 29, 2022 – Zoning Update Committee Meeting

City Council Actions none

- Announcement(s) Congratulations and thanks expressed by Commissioners for past roles and future endeavors.

**ADJOURNMENT**

Chair Manus at 3:50 pm

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

**NEXT SPECIAL MEETING:** September 21, 2022

**DRAFT**