



Oakland City Planning Commission

**AGENDA (Online)
Revision 1**

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

April 7, 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: Apr 7, 2021 03:00 PM Pacific Time (US and Canada)

Topic: April 7, 2021 Planning Commission Meeting

Please click the link below to join the webinar:

<https://zoom.us/j/99787274678>

Or One tap mobile :

US: +14086380968,,99787274678# or +16699006833,,99787274678#

Or Telephone:

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

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

Webinar ID: 997 8727 4678

International numbers available: <https://zoom.us/u/aoWZ0ZCAe>

**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.**



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.
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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.



1.	Location:	2420-2432 Chestnut Street & 2423 Linden Street; APNs: 005- 0435-017-00, 005- 0435-018-01, & 005- 0435-005-00
	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 also includes the merger of three lots into one lot.
	Applicant:	Lisa Vilhuer / Riaz Capital
	Phone Number:	(682) 257-3324
	Owner:	Riaz Capital
	Case File Number:	PLN19-279
	Planning Permits Required:	Major Conditional Use Permit for three or more units in the RM-2 Zone; Minor Conditional Use Permits for a Multifamily Dwelling Facility and a Community Assembly Activity in the RM-2 Zone; Regular Design Review for new construction; and a Parcel Map Waiver to merge three lots into one lot.
	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:	2420 Chestnut is a Potentially Designated Historic Property (PDHP) with a Oakland Cultural Heritage Survey (OCHS): rating of Dc3. The property at 2432 Chestnut is not a PHDP but has a OCHS rating of *3. 2423 Linden Street is vacant.
	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

2.	Location:	2353 E 12th Street; APN 019010200300
	Proposal:	To establish an Alcoholic Beverage Sales Commercial Activity requiring a Type 21 license in conjunction with a Custom Manufacturing Commercial Activity (commercial kitchen) The operation is proposing a closing time of 2 am.
	Applicant:	Dan Kramer / Dan Kramer Law Group
	Phone Number:	(415) 795-2327
	Owner:	2353 E 12 th St. Oak LLC
	Case File Number:	PLN20135
	Planning Permits Required	Major Conditional Use Permit with additional findings including Public Convenience or Necessity for an Alcoholic Beverage Sales Commercial Activity
	General Plan	Business Mix
	Zoning	Commercial Industrial Mix - 2 Industrial Zone (CIX-2)
	Environmental Determination	Exempt per CEQA Sections 15301: Existing Facilities and Section 15183.3: Projects consistent with Community Plan, General Plan or Zoning
	Historic Status:	Not a historic property; Oakland Cultural Heritage Survey Rating: D3



City Council District:	5
Status:	Pending
Actions to be Taken:	Receive public comments and Planning Commission comments. Planning Commission action based on staff report.
Staff Recommendation:	Approval subject to the attached Conditions
Finality of Decision:	Appealable to the City Council within 10 days.
For Further Information:	Contact project planner Michele Morris at (510) 238-2235 mmorris2@oaklandca.gov

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.

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.

