



Sahar Shirazi, Chair
Vince Sugrue, Vice-Chair
Jonathan Fearn
Natalie Sandoval
Josie Ahrens
Jennifer Renk
Alex Randolph

October 4, 2023
REGULAR Meeting

BUSINESS MEETING

3:00 PM

Via: In-person

MEETING CALL TO ORDER

Chair Shirazi

WELCOME BY THE CHAIR

Chair Shirazi

ROLL CALL

Haneefah Rasheed

Commissioners Present:

Sahar Shirazi, Vince Sugrue, Jennifer Renk, Natalie Sandoval, Jonathan Fearn, Alex Randolph, Josie Ahrens

Commissioner(s) Absent: n/a

Staff Present: Catherine Payne, Haneefah Rasheed, Heather Klein, Brian Mulry

SECRETARY RULES OF CONDUCT n/a

SECRETARY MATTERS

n/a

COMMISSION BUSINESS

- Agenda Discussion beyond: Catherine provided highlights regarding future agendas within the next quarter and beyond
Director's Report: none
Informational Reports: none
Committee Reports: Vice-Chair Sugrue provided a summary update of the September 27, 2023, Design Review Committee Meeting
Commission Matters: Chair Shirazi provided commissioners' assignments
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.

### 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.

|           |  |   |
|-----------|--|---|
| <b>#1</b> | <b>Location:</b>                             | 406 12th Street (1205 Franklin Street) Note: Located in the area defined within the Black Arts Movement and Business District (BAMBD) per Resolution 85958.   |
|           | <b>Assessor's Parcel Number(s):</b>          | 002 005100400   |
|           | <b>Proposal:</b>                             | Conversion of a portion of the ground floor retail spaces and 2nd and 3rd floor office spaces of the building to a self-storage use.  |
|           | <b>Applicant:</b>                            | Justin Zucker c/o Reuben, Junius & Rose   |
|           | <b>Contact Person/ Phone Number:</b>         | Justin Zucker / (415) 567-90000   |
|           | <b>Owner:</b>                                | TC I 1205 Franklin, LLC   |
|           | <b>Case File Number:</b>                     | PLN22069  |
|           | <b>Planning Permits Required:</b>            | Major Variance to allow a Self- or Mini-Storage Industrial Activity in the CBD-P Zone where this use is prohibited.   |
|           | <b>General Plan:</b>                         | Central Business District   |
|           | <b>Zoning:</b>                               | Central Business District Pedestrian Retail Commercial (CBD-P) Zone   |
|           | <b>Proposed Environmental Determination:</b> | State CEQA Guidelines Section 15270: Projects which are disapproved.  |
|           | <b>Historic Status:</b>                      | Pantages-Hippodrome Theatre Building or Tribune Press Building; Potentially Designated Historic Property with an Oakland Cultural Heritage Survey Rating of Dc1+; contributor to the Downtown Historic Area of Primary Importance (API); contributor to the National Register Downtown Historic District; and determined eligible for the National Register as a contributor to the Downtown Historic District. |
|           | <b>City Council District:</b>                | 2   |
|           | <b>Finality of Decision:</b>                 | Appealable to City Council within 10 days.  |

|                                 |  |
|---------------------------------|--|
| <b>For Further Information:</b> | Contact case Planner Heather Klein at (510) 238-3659 or <a href="mailto:hklein@oaklandca.gov">hklein@oaklandca.gov</a> |
|---------------------------------|--|

If you wish to be notified on the decision of an agenda item, please contact the case planner for the specific agenda item.

**Case Planner Heather Klein** gave a verbal presentation of the project

**Applicant Justin Zucker** gave a verbal presentation of the project.

Commissioners provided questions and comments regarding item.

**Public Speakers:** • None

**Motion by Vince Sugrue** to approve project based upon staff recommendations.

- 1) Affirm staff’s environmental determination, and
- 2) Deny the Project based on the attached Findings

**Seconded by Commissioner Ahrens**

**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:** September 13, 2023 & September 20, 2023

**Motion to approve:** Commissioner Fearn

**Seconded by:** Vice-Chair Sugrue

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

- Correspondence none

- City Council Actions Catherine Payne noted that the Housing Element Zoning updates were approved at second reading on October 3, 2023.

**ADJOURNMENT**

Chair Shirazi at 4:28 pm



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

**NEXT REGULAR MEETING:** October 18, 2023

**DRAFT**