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## Planning Commission

### COMMISSIONERS:

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

### AGENDA

**May 15, 2024**  
Regular Meeting

**PLANNING COMMISSION MEETINGS NOW BEING HELD IN-PERSON 3:00pm**

### BUSINESS MEETING 3:00pm Council Chamber, City Hall, 1 Frank H. Ogawa Plaza, Oakland

Persons wishing to address the Commission on any item on the agenda, including Open Forum and Director's Report, should fill out a speaker card and give it to the Secretary. **Agenda items will be called at the discretion of the Chair not necessarily in the order they are listed on the Agenda.** Speakers are generally limited to two minutes at the discretion of the Chair. Applicants and appellants are generally limited to five minutes at the discretion of the Chair.

The order of items will be determined under Agenda Discussion at the beginning of the meeting. With the exception of Open Forum, a new item will not be called after **7:15pm**, and the meeting will adjourn no later than **7:30pm**, unless the meeting is extended by the Chair with the consent of a majority of Commissioners present.

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

*For further information on any case listed on this agenda, please contact the case planner indicated for that item. For further information on Historic Status, please contact the Oakland Cultural Heritage Survey at 510-238-6879. For other questions or general information on the Oakland City Planning Commission, please contact the Planning and Building Department at 510-238-3941.*

♿ This meeting is wheelchair accessible. To request materials in alternative formats, or to request an ASL interpreter, or assistive listening device, please call the Planning and Building Department at 510-238-3941 or TDD 510-238-3254 at least three working days before the meeting. Please refrain from wearing scented products to this meeting so attendees who may experience chemical sensitivities may attend. Thank you.

El lugar de la a reunión es accesible en silla de ruedas. Para solicitar materiales en formatos alternativos o solicitar un intérprete de lenguaje de señas o un aparato para escuchar, por favor llame al Departamento de Planificación y Construcción al 510-238-3941 o TDD 510-238-3254 al menos tres días hábiles antes de la reunión. Por favor absténgase de usar perfumes en esta reunión para que las personas sensitivas a perfume puedan asistir.

此會議場地有適合輪椅出入設施。如需要其他格式的會議資料，或ASL手語服務，或助聽器，請於會議至少三(3)天以前聯絡規劃及建設局，以便安排服務，電話510-238-3941或TDD 510-238-3254。請勿塗搽香氛產品，參加者可能對化學成分敏感。多謝。



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 5:00pm the Friday before the meeting, at [www.oaklandca.gov/PlanningCommission](http://www.oaklandca.gov/PlanningCommission). 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 Haneefah Rasheed at [oaklandplanningcommission@oaklandca.gov](mailto:oaklandplanningcommission@oaklandca.gov).

Paper staff reports for items listed on this agenda can be requested with advance notice of three days, and will be made available at the Permit Center, 250 Frank H. Ogawa Plaza, Oakland, California 94612, at the cost per copy included in the City of Oakland Master Fee Schedule.

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.

While attending Planning Commission meetings, parking in the Dalziel Building Garage (located on 16<sup>th</sup> St between San Pablo Ave and Clay St) is free. As of September 2023, parkers will use the [ParkMobile](#) App on a mobile device to manage their parking, and the promotion code for free parking will be provided at the meeting.

Applicants or members of the public who wish to make electronic presentations (e.g., PowerPoint presentations): Please contact Haneefah Rasheed at [oaklandplanningcommission@oaklandca.gov](mailto:oaklandplanningcommission@oaklandca.gov) or (510) 672-1834 at least 48 hours prior to the meeting.

Interested parties are encouraged to electronically submit written material on agenda items in advance of the meeting and prior to the close of the public hearing on the item directly to the Planning Commission and/or Case Planner. Email addresses for the Commissioners can be found on the Planning Commission webpage on the City of Oakland website: <https://www.oaklandca.gov/teams/planning-commissioners>. An agenda item Case Planner email address can be found on the item overview within the Agenda.

## MEETING CALL TO ORDER

## WELCOME BY THE CHAIR

## ROLL CALL

**COMMISSION BUSINESS****Agenda Discussion****Director's Report****Informational Reports****Committee Reports****Commission Matters - Draft Planning Commission By-Laws****City Attorney's Report****OPEN FORUM**

At this time members of the public may speak on any item of interest that is not on the Agenda within the Commission's jurisdiction. At the discretion of the Chair, speakers are generally limited to two minutes if there are six or less speakers on an item, and one minute or less if there are more than six 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. Before voting on the Consent Calendar, the Commission will allow speakers to speak on any item on the Consent Calendar. At the discretion of the Chair, speakers are generally limited to two minutes if there are six or less speakers, and one minute if there are more than six speakers.

**PUBLIC HEARINGS**

The hearing provides opportunity for all concerned persons to speak on each item. 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 learn more about the Commission's decision on a specific agenda item, please contact the Case Planner identified for each item.

Except where noted, once a decision is reached by the Planning Commission on an application, it is appealable to the City Council. **Such appeal must be filed within ten (10) calendar days of the date of decision by the Planning Commission and by 4:00pm** An appeal shall be on a form provided by the **Bureau of Planning – Zoning**, and submitted via email to your Case Planner, the Zoning Manager ([Rmerkamp@oaklandca.gov](mailto:Rmerkamp@oaklandca.gov)) and the Development Planning Manager ([Cpayne@oaklandca.gov](mailto:Cpayne@oaklandca.gov)). The appeal form is available online at <https://www.oaklandca.gov/documents/appeal-application-form>. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Zoning Manager or decision-making body or wherein the decision is not supported by substantial evidence. Applicable appeal fees in accordance with the City of Oakland Master Fee Schedule must be paid within five business days of filing

the appeal. If you are unable to contact the City via email, you must contact the Case Planner by phone **as soon as possible**, but before the appeal deadline, to arrange for an alternate method of submitting your appeal.

Failure to file a timely appeal will preclude you from challenging the City’s decision in court. The appeal itself must raise every issue that is contested along with all the arguments and evidence previously entered into the record during the previously entered into the record during the public notice period and/or during the hearing. Failure to do so will preclude you from raising such issues during the appeal hearing and/or in court.

Any party seeking to challenge a final decision in court must do so within ninety (90) days of the date of the announcement of a final decision, pursuant to Code of Civil Procedure section 1094.6, unless a shorter period applies.

<b>#1</b>	<b>Location:</b> Area bounded generally by 27th Street to the north, I-980 and Brush Street to the west, the Jack London estuary waterfront to the south, and Lake Merritt and the Lake Merritt Channel to the east.
	<p><b>Proposal:</b> The City of Oakland seeks to adopt the Downtown Oakland Specific Plan (DOSP), certify the DOSP Final Environmental Impact Report (FEIR), and amend the Zoning Map, Planning Code and General Plan to implement the DOSP.</p> <p>The DOSP contains strategies for physical improvement projects and supporting policies to meet the needs of the area’s most vulnerable stakeholders while addressing community priorities for a sense of place, shelter, economic opportunity, cultural belonging, and mobility. The DOSP offers guidance upon which to base future City investments, as well as benchmarks to evaluate success. It contains an implementation plan that includes many implementation mechanisms, including policy revisions, studies, programs, coordination, and oversight of mitigation measures.</p> <p>The FEIR contains measures to mitigate the environmental impacts of development that meets the goals of the DOSP. The amendments to the General Plan change certain specified land uses to meet the goals of the DOSP, including dense, transit-oriented development of property for housing and employment. The amendments to the Zoning Map and Planning Code implements some of the DOSP such as increases in density.</p>
	<b>Owner:</b> City of Oakland
	<b>Case File Number:</b> GP23001, ZA2206, ER18-020 & SP16001
	<p><b>General Plan:</b> Land Use and Transportation Element (LUTE)                  Business Mix; Central Business District; Community Commercial; General Industry and Transportation; Institutional; Mixed Housing Type Residential; Neighborhood Center Mixed Use; Urban Park and Open Space; Urban Residential                  Estuary Policy Plan (EPP)                  Light Industry 1; Mixed Use District; Off-Price Retail District; Parks; Planned Waterfront Development 1; Planned Waterfront Development 4; Produce Market; Retail Dining Entertainment 1; Retail Dining Entertainment 2; Waterfront Commercial Recreation 1; Waterfront Mixed Use; Waterfront Warehouse District</p>
	<b>Zoning:</b> C-40, C-45, CBD-C, CBD-P, CBD-R, CBD-X, CC-1, CC-2, CC-3, CIX-1A, CIX-1B, D-LM-2, D-LM-3, D-LM-4, D-LM-5, D-OTN, IG, M-20, M-30, M-40, OS(LP), OS(NP), OS(RCP), OS(RCA), OS (AF), OS (AMP), OS(SU), R-80, RU-3, RU-4, RU-5, S-2

<b>Proposed Environmental Determination:</b>	<p>The Draft Environmental Impact Report (DEIR) for the Downtown Oakland Specific Plan and associated General Plan Amendments was available for public review (SCH No. 2019012008) on August 30, 2019 and brought before the Planning Commission on October 2, 2019, with an extended 70-day public review and comment period ending November 9, 2019.</p> <p>All comments that were received during the Draft Environmental Impact Report (DEIR) public comment period have been compiled and responded to in the Response to Comments (RTC) Document, along with non-substantive changes and clarifications to the DEIR. The RTC Document, together with the DEIR, constitutes the Final EIR (FEIR) for the DOSP. The Zoning Map and Planning Code amendments are consistent with the FEIR.</p>
<b>Historic Status:</b>	52 Landmarks, 21 Areas of Primary Importance (API); 27 Areas of Secondary Importance (ASI)
<b>City Council District:</b>	2, 3
<b>Status:</b>	The Draft DOSP and DEIR received public review and comment in 2019 and have subsequently been revised. The Draft Zoning Map and Planning Code Amendments were reviewed by the Landmarks Preservation Advisory Board (LPAB) in 2022 as well as reviewed by the Zoning Update Committee in 2022 and 2023. The revised Draft DOSP was released for public review on March 22, 2024. The Final Draft Zoning and General Plan amendments and FEIR have a planned release date of April 19, 2024. These documents will be reviewed by LPAB on May 6, 2024 and forwarded to Planning Commission for review.
<b>Staff Recommendation:</b>	Staff recommends that the Planning Commission review the DOSP with its associated environmental document and amendments and recommend the package for City Council adoption.
<b>Finality of Decision:</b>	Recommendation to City Council
<b>For Further Information:</b>	<b>Contact Project Manager Joanna Winter, Planner IV at (510) 238-2166 or by email at <a href="mailto:plandowntownoakland@oaklandca.gov">plandowntownoakland@oaklandca.gov</a></b>

<b>#2</b>	<b>Location:</b>	<b>Citywide</b>
	<b>Proposal:</b>	Present an informational report to the Planning Commission describing the progress the City made in 2023 to implement and update Oakland's current General Plan, implement the policies adopted in the City's 2023-2031 Housing Element, and meet the City's share of the Regional Housing Needs Allocation (RHNA).
	<b>Applicant:</b>	City of Oakland, Bureau of Planning
	<b>Contact Person/ Phone Number:</b>	Timothy Green: (510) 238-6436
	<b>Case File Number:</b>	N/A
	<b>General Plan:</b>	Citywide
	<b>Zoning:</b>	Citywide
	<b>Proposed Environmental Determination:</b>	Not a project under the California Environmental Quality Act.
	<b>Historic Status:</b>	N/A

<b>City Council District:</b>	All Council districts.
<b>Staff Recommendation:</b>	Staff recommend that the Planning Commission receive an informational report on the City of Oakland's General Plan And Housing Element Annual Progress Reports for calendar year 2023.
<b>Finality of Decision:</b>	Request for Planning Commission and public comment; forward to City Council.
<b>For Further Information:</b>	<b>Timothy Green: (510) 238-6436; email: <a href="mailto:TGreen@oaklandca.gov">TGreen@oaklandca.gov</a>.</b>

**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 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** May 1, 2024

**Correspondence**

**City Council Actions**

**ADJOURNMENT** By **7:30pm** unless a later time is agreed upon by a majority of Commissioners present.



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

**NEXT REGULAR MEETING:** June 5, 2024