



# AGENDA REPORT

**TO:** Jestin D. Johnson  
City Administrator

**FROM:** William Gilchrist  
Director, Planning and  
Building Department

**SUBJECT:** Resolution memorializing the City Council Denial of an Appeal of the Environmental Determination for Childcare Center At 5315 College Ave.

**DATE:** July 24, 2024

City Administrator Approval

*Elizabeth Lake*  
Elizabeth Lake (Jul 24, 2024 16:33 PDT)

Date: Jul 24, 2024

## **RECOMMENDATION**

**Staff Recommends That City Council Adopt A Resolution That Memorializes The City Council's Supportive Findings, Additional Condition Of Approval, And Denial Of The Appeal Of The Planning Commission's California Environmental Quality Act Exemption For Case No. PLN22189, An Addition And Alteration To An Existing Commercial Structure For Childcare Activities**

## **EXECUTIVE SUMMARY**

This report presents the attached resolution for City Council adoption, which will memorialize its July 16, 2024, unanimous decision to deny the appeal of the Planning Commission's California Environmental Quality Act (CEQA) exemption for an addition and alteration to an existing commercial structure to accommodate a childcare center at 5315 College Avenue. As part of the motion for the denial of the appeal, the City Council added a condition of approval that requires a code enforcement inspection monitoring for compliance with City of Oakland noise performance standards to occur approximately twelve months after the opening of the childcare center. The motion further directed that the City Administrator prepare an informational report to return to City Council on the outcome of the code enforcement inspection. The full text of the added condition is included in the resolution. Attached herein as Attachment A is the agenda report along with Attachments A, B, and C that was presented at the City Council meeting.

## **ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt The Attached Resolution Memorializing Its Supportive Findings, Added Condition Of Approval, And Denial Of The Appeal Of The Planning Commission's CEQA Exemption For Case No. PLN22189, An Addition And Alteration To An Existing Commercial Structure For Childcare Activities.

City Council  
July 30, 2024

Jestin D. Johnson, City Administrator

Subject: Resolution memorializing the Denial of an Appeal of the Environmental Determination  
for a Childcare Center at 5315 College Ave.

Date: July 24, 2024

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For questions regarding this report, please contact Neil Gray at (510)238-3878 or  
[ngray@oaklandca.gov](mailto:ngray@oaklandca.gov).

Respectfully submitted,

*William Gilchrist*

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WILLIAM GILCHRIST,  
Director, Planning and Building Department

Prepared by:  
Neil Gray, Planner IV  
Bureau of Planning

Attachment (1):

A. City Council Agenda Report with Attachments A, B, and C

City Council  
July 30, 2024