



*Adhi Nagraj, Chair
Jahmese Myres, Vice Chair
Jonathan Fearn
Tom Limon
Clark Manus
Amanda Monchamp
Emily Weinstein*

**May 16, 2018
Regular Meeting**

The meeting was called to order at **6:02pm**.

ROLL CALL

Present: Myres, Limon, Monchamp, Weinstein
Excused: Nagraj, Fearn, Manus

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

Items #1, 2, 4, 5, 6, and 9 were continued to June 6, 2018.
Item #3 was continued to a date uncertain.

Motion by Commissioner Myres to continue Item #8 to June 20, 2018, seconded by Commissioner Monchamp.

Ayes: Weinstein, Limon, Mochamp, Myres
Noes:

Approved with 4 ayes and 0 noes.

Director’s Report

None.

Committee Reports

None.

Commission Matters

None.

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。



City Attorney’s Report

None.

OPEN FORUM

Patrick Wildi, Lisa Applegate-Zumanyi.

CONSENT CALENDAR

This item was continued to June 6, 2018.

1. Locations:	<p>City light poles in public rights-of-way adjacent to:</p> <ul style="list-style-type: none"> • a) 1138 Drury Rd (PLN17314; APN 048H 7613 011 01) ITEM #1A HAS BEEN CONTINUED TO JUNE 20, 2018. • b) 6501 Pine Needle Dr (PLN17322; APN 048G 7429 019 00) <p>Zoning: RH 4 Zone / S 9 Fire Safety Protection Combining Zone; General Plan: Hillside Residential; Council District: 1; Submitted: 9/18/17</p> <p style="text-align: center;"><i>*This is a re-notification*</i></p>
Proposal:	To consider requests for one application to install new “small cell site” Monopole Telecommunications Facility on City light pole by attaching antenna and equipment.
Applicant / Phone Number:	Ms. Ana Gomez Abarea / Black & Veatch (913) 458 9148
Owner:	Extenet, et al.
Planning Permits Required:	Major Conditional Use Permit and Regular Design Review with additional findings for Monopole Telecommunications Facility in Residential Zone; Minor Variance for Monopole not meeting 1:1 height/setback to residential lot line
Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facility; Exempt, Section 15302: Replacement or Reconstruction; Exempt, Section 15303: New Construction of Small Structure; Section 15183: Project Consistent with a Community Plan, General Plan or Zoning
Historic Status:	Non-historic properties
Action to be Taken:	Decision based on staff report
Finality of Decision:	<i>Appealable to City Council</i>
For Further Information:	Contact case planner Aubrey Rose AICP at (510) 238-2071 or by email at arose@oaklandnet.com .



This item was continued to June 6, 2018.

2. Locations:	City street light pole in public right of way (sidewalk) adjacent to: <ul style="list-style-type: none"> • a) 644 9th St (PLN18027; APN 002 0025 015 00); Zoning: CBD R Central Business District Residential; General Plan: Central Business District; Council District: 3; Submitted: 1/12/18 • b) 99 Embarcadero W (PLN18185; APN 018 0425 002 40); Zoning: R 80; General Plan: Estuary Plan, Waterfront Mixed Use; Council District: 3; Submitted: 4/23/18
Proposal:	To consider requests for two (2) applications to install new “small cell site” Monopole Telecommunications Facilities on existing City light poles by attaching an antenna and equipment to the pole.
Applicant / Phone Number:	James Singleton for Mobilitie / (650) 814-0564
Owner:	City of Oakland
Planning Permits Required:	Major Conditional Use Permit and Regular Design Review with additional findings for Monopole Telecommunications Facility in or near a Residential Zone; Minor Variance for monopole not meeting 1:1 for height / setback from a residential property line
Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Section 15302: Replacement or Reconstruction; Exempt, Section 15303: New Construction of Small Structures; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
Historic Status:	Non-historic properties
Action to be Taken:	Decision based on staff report
Finality of Decision:	<i>Appealable to City Council</i>
For Further Information:	Contact case planner Aubrey Rose AICP at (510) 238-2071 or by email at arose@oaklandnet.com .

This item has been continued to a date uncertain.

3. Location:	3136 International Blvd
Assessor’s Parcel Number(s):	025-0718-007-00
Proposal:	Installation of a rooftop wireless telecommunications facility involving ten (10) new antennas; two GPs antennas; sixteen (16) radio units; four (4) associated equipment cabinets will be placed on the roof platform behind two screening walls measuring (12’x18’ and 9’x7’) located on the roof of 40’ tall historic commercial building.
Applicant:	Ridge Communications for Verizon Wireless.
Contact Person:	Patrick Cruzen (510) 677-1428
Owner:	Foothill Blvd. LLC
Case File Number:	PLN18132
Planning Permits Required:	Major Conditional Use Permit and Regular Design Review to install a Macro Telecommunications Facility located within 100’ of a residential zone.
General Plan:	Neighborhood Center Mixed Use
Zoning:	CN 2 Neighborhood Center 2
Environmental Determination:	Exempt, Sections 15301: existing facilities and 15303: new construction or conversion of small structures; Section 15183: projects consistent with a community plan, general plan or zoning.
Historic Status:	Designated Historic Property; Survey Rating: B+2+
City Council District:	4
Date Filed:	March 8, 2018
Finality of Decision:	Appealable to City Council



For Further Information:	Contact Case Planner Jason Madani at (510) 238-4790 or by email at jmadani@oaklandnet.com .
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This item was continued to June 6, 2018.

4. Locations:	Utility pole in public right of way adjacent to: <ul style="list-style-type: none"> • a) 9845 B St (PLN18048; APN 044 4973 020 00) • b) 9956 B St (PLN17393; APN 044 4975 008 00) • c) 1302 58th Ave (PLM17494; APN 041 3880 013 00)
Proposal:	To establish (3) wireless “small cell site” Macro Telecommunication Facilities on existing utility poles located in the public right of way.
Applicant:	ExteNet Systems (California) LLC
Contact Person:	Charles Lindsay (510) 910-7787
Owner:	Pacific Gas & Electric (PG&E)
Planning Permits Required:	Regular Design Reviews for Macro Telecommunication Facilities in Residential Zoning
General Plan:	Mixed Housing Type Residential and Detached Unit Residential
Zoning:	RM 2 Mixed Housing Type Residential 2 Zone, RD 2 Detached Unit Residential 2 Zone
Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Section 15303: New Construction of Small Structures; Section 15183: Projects Consistent with a Community Plan, General Plan, or Zoning
Historic Status:	Not a Potentially Designated Historic Property: Wood Utility Pole
City Council District:	5 and 7
Finality of Decision:	Appealable to City Council
For Further Information:	Contact Case Planner Jose M. Herrera Preza at (510) 238-3808 or by email at jherrera@oaklandnet.com .

This item was continued to June 6, 2018.

5. Location:	Utility pole in public right of way (sidewalk) adjacent to: <ul style="list-style-type: none"> • 1984 Pleasant Valley (PLN18127, APN: 014 1242 002 03) Zone: CC-2, Land Use: Community Commercial; CD 1
Proposal:	To establish (1) wireless Monopole Telecommunication Facilities on existing utility light poles located in the Public Right of Way.
Permits Required:	Regular Design Review and Major CUP for Macro Telecommunication Facilities within 300 feet of residential zoning
Applicant:	Matt Yergovich/New Cingular Wireless PCS, LLC (for AT&T) (415)596-3474
Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Section 15303: New Construction of Small Structures; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
Historic Status:	Non-historic poles
City Council Districts:	1
Action to be Taken:	Decision based on staff report
Finality of Decision:	Appealable to City Council
For further information:	Contact Case Planner Danny Thai at (510) 238-3584 or by email at dthai@oaklandnet.com .



This item was continued to June 6, 2018.

6.	Location:	Utility pole in public right of way (sidewalk) adjacent to: ● 3315 Telegraph Ave (PLN18067, APN: 009-072600400) Zone: CC 2, Land Use: Community Commercial; CD 3
	Proposal:	To establish (1) wireless "small cell site" Macro Telecommunication Facilities on existing utility light poles located in the Public Right of Way.
	Permits Required:	Regular Design Reviews and Major CUP for Macro Telecommunication Facilities within 100 feet of residential zoning
	Applicant:	Matt Yergovich/New Cingular Wireless PCS, LLC (for AT&T) (415)596-3474
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Section 15303: New Construction of Small Structures; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Non-historic poles
	City Council Districts:	3
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	<i>Appealable to City Council</i>
	For further information:	Contact Case Planner Danny Thai at (510) 238-3584 or by email at dthai@oaklandnet.com .

The Consent Calendar was not heard due to lack of quorum.

PUBLIC HEARINGS

7.	Location:	Citywide
	Proposal:	Planning Code amendments regulating Transient Habitation Commercial Activities (Hotels). The major substantive changes include: 1) amending Planning Code Section 17.134.020(A)(2)(a) to include Transient Habitation Commercial Activities; 2) amending the Central Business District-Commercial Zone (CBD-C) and Wood Street District Zone – 8 (D-WS-8) to require a Conditional Use Permit for Transient Habitation Commercial Activities; and 3) requiring the additional Findings in Planning Code Section 17.103.050 for several Zoning Districts where this was omitted for Transient Habitation Commercial Activities.
	Applicant:	City of Oakland
	Case File Number:	ZA18009
	General Plan:	Citywide
	Zoning:	Citywide



Environmental Determination:	The proposed amendments to the Planning Code rely on the previous set of applicable CEQA documents including: the Coliseum Area Specific Plan EIR (2015); Broadway Valdez Specific Plan EIR (2014); West Oakland Specific Plan EIR (2014); Central Estuary Area Plan EIR (2013); Wood Street EIR (2005), Transportation Element of the General Plan EIR (1998); the Oakland Estuary Policy Plan EIRs (1999, 2006) and Supplemental EIR (2013); the Redevelopment Area EIRs- West Oakland (2003), Central City East (2003), and Coliseum (1995); the 1998 Amendment to the Historic Preservation Element of the General Plan; the 2007-2014 Housing Element Final EIR (2010) and Addendum (2014); and various Redevelopment Plan Final EIRs (collectively, "Previous CEQA Documents"). No further environmental review is required under CEQA Guidelines Sections 15162 and 15163. Moreover, each as a separate and independent basis, this proposal is also exempt from CEQA pursuant to CEQA Guidelines Sections 15183 (projects consistent with General Plan and Zoning) and 15061(b)(3) (general rule, no significant effect on the environment).
Action to be Taken:	To receive public comments; review and discuss the proposal
Staff Recommendation:	Recommendation of approval to the Oakland City Council
For Further Information:	Contact Case Planner Heather Klein at (510) 238-3659 or by email at hklein@oaklandnet.com .

Item #7 was called at 6:10pm.

Staff: Heather Klein

Public Speakers: Elsa Portillo, Ty Hudson, Aly Bonde.

Motion by Commissioner Myres to 1) affirm staff’s environmental determination, 2) find that the existing regulations being amended are inadequate inconsistent, or otherwise contrary to the public interest, and 3) recommend that the City Council approve the proposed Planning Code amendments related to Transient Habitation Commercial Activities, and 4) apply the amendments to any application not yet approved by the Planning Department or Commission, seconded by Commissioner Weinstein.

Ayes: Weinstein, Myres

Noes: Limon, Monchamp

Tie vote, motion deadlocked.

Motion by Commissioner Myres to 1) affirm staff’s environmental determination, 2) find that the existing regulations being amended are inadequate inconsistent, or otherwise contrary to the public interest, and 3) recommend that the City Council approve the proposed Planning Code amendments related to Transient Habitation Commercial Activities, and 4) request that staff share the summary of this hearing and note that the Commission is deadlocked in the implementation of these amendments regarding whether or not they should apply to applications deemed complete but not yet approved, seconded by Commissioner Monchamp.

Ayes: Weinstein, Limon, Monchamp, Myres

Noes:

Approved with 4 ayes and 0 noes.

APPEALS

This item was continued to June 20, 2018 (see motion at the beginning of this meeting).

8.	Location:	825, 825 ½, 827 46 th Street
	Assessor’s Parcel Number(s):	013-1166-040-00
	Proposal:	Appeal of the Zoning Manager’s Determination.



Applicant/Owner:	Alexsandr Ivanov
Case File Number:	DET170053-A01
Original Case File Number:	DET170053
Planning Permits Required:	None
General Plan:	Mixed Housing Type Residential
Zoning:	RM 2
Environmental Determination:	Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15306, Information collection
Historic Status:	Non-Historic Property
City Council District:	1
Status:	The Zoning Determination Letter was mailed on July 25, 2017 and again on February 02, 2018; Project appealed on February 13, 2018.
Staff Recommendation:	Deny the Appeal and uphold the Zoning Manager's Determination.
Finality of Decision:	Final (not administratively Appealable pursuant to OMC Sec. 17.132.030)
For Further Information:	Contact Case Planner Brittany Lenoir at (510) 238-4977 or by email at blenoir@oaklandnet.com .

This item was continued to June 6, 2018.

9. Location:	4521 Howe Street
Assessor's Parcel Number(s):	013-1129-005-00 and 012-1129-006-00
Proposal:	Appeal of Interim Zoning Manager's approval of a project to merge two lots into one lot and subdivide one lot into a (four) Mini Lot development; remove an existing single family dwelling, and construct four (4) detached single family dwellings with a common driveway.
Appellants:	Lewis Lopez & Heather Barrett Juliana Germak & Sean Trepanier
Phone Number:	(510) 449-8766
Owner and Applicant:	Tom Anthony/ John Newton Design & Development
Case File Number:	APL18007 (PLN17084/TPM10678)
Planning Permits Required:	Regular Design Review to construct four detached single family dwellings; Minor Conditional Use Permit to allow a Mini Lot subdivision and a Shared Access Facility (common driveway) to access the required parking spaces; Tentative Parcel Map Subdivision to merge two existing lots into one lot and create four (4) mini lots.
General Plan:	Mixed Housing Type Residential
Zoning:	RM 2 Mixed Housing Type residential 2 Zone.
Environmental Determination:	Exempt: Section 15303 of the State CEQA Guidelines: construction of new dwellings; Section 15315, of the State CEQA Guidelines: Minor Land Division Section; Section 15183 of the State CEQA Guidelines: Projects consistent with a Community Plan, General Plan or Zoning.
Historic Status:	Not a historic property
City Council District:	1
Date Filed:	March 26, 2018
Staff Recommendation:	Deny the Appeal and uphold the Zoning Manager's decision
Finality of Decision:	Final (Not Appealable pursuant to OMC Sec. 17.132.030)
For Further Information:	Contact Case Planner Jason Madani at (510) 238-4790 or by email at jmadani@oaklandnet.com .



Approval of Minutes

None.

Correspondence

None.

City Council Actions

None.

ADJOURNMENT

The meeting was adjourned at **6:51pm**.

NEXT REGULAR MEETING: June 6, 2018

Minutes prepared by Jonathan Arnold