



Jahmese Myres, Chair
Amanda Monchamp, Vice-Chair
Jonathan Fearn
Nischit Hegde
Tom Limon
Clark Manus
Sahar Shirazi

June 5, 2019
Regular Meeting

MEAL GATHERING

5:00pm Café 15, 597 – 15th St, Oakland (Corner of Jefferson & 15th St)

Open to the public. (Members of the public may purchase their own meals if desired. Consumption of food is not required to attend.)

BUSINESS MEETING

6:00pm Council Chambers, City Hall, One Frank H. Ogawa Plaza

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 **10:15 pm**, and the meeting will adjourn no later than **10:30 p.m.** 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 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 for items listed on this agenda will generally be available to any interested party by 3:00 p.m. the Friday before the meeting at the Planning and Building Department, 250 Frank H. Ogawa Plaza, Oakland, California 94612.

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 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。



**New online staff report
download instructions**

Staff reports are also 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 call **510-238-3941**.

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 16th Street between San Pablo Ave and Clay St) is free. Attendees should see staff at the meeting to validate parking tokens.

Applicants or members of the public that plan to make electronic presentations (e.g., PowerPoint presentations): Please contact Jonathan Arnold at jarnold@oaklandca.gov or 510-238-6194 or Cheryl Dunaway at cdunaway@oaklandca.gov or 510-238-2912 at least 48 hours prior to the meeting.

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, staff, and the public, twenty-five (25) copies of all material should be submitted. Material submitted at least ten days prior to the meeting may be included as part of the agenda packet; material submitted later may be distributed at or prior to the meeting. To ensure that material submitted at the meeting is distributed to Commissioners, a minimum of twenty-five (25) copies should be submitted to Planning staff no later than the time the item is scheduled to be considered by the Commission.

ROLL CALL

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

Director's Report

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 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.

1.	Location:	2932 Carmel Street
	Assessor’s Parcel Number(s):	029-0982-006-00
	Proposal:	A four (4) lot mini-lot development of a 10,839 square-foot lot with three existing structures to be demolished and replaced with four new detached single-family dwellings. Vehicular access will be provided by means of a proposed Shared Access Facility.
	Owner:	Alterre Partners LLC
	Applicant:	John Newton / (510) 847-4108
	Case Number:	PLN18416
	Planning Permits Required:	Major Conditional Use Permit for to allow four units in RM-2 Zone; Minor Conditional Use Permit a Mini-Lot Subdivision and associated Shared Access Facility and; Regular Design Review for new construction of four single-family dwellings; and Tentative Parcel Map to create four Mini-Lots.
	General Plan:	Mixed Housing Residential
	Zoning:	RM-2 Mixed Housing Residential Zone
	Environmental Determination:	Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15332 – Infill Development Projects; Section 15315 – Minor Land Division; and Section 15183 - projects consistent with a community plan, general plan, or zoning.
	Historic Status:	Non-Historic Property
	City Council District:	4
	Status:	Pending
	Finality of decision:	Appealable to City Council within 10 days
	Action to be Taken:	Decision based on staff report.
	For Further Information:	Contact Case Planner Moe Hackett at (510) 238-3973 or by email at mhackett@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 indicate the case number and submit a self-addressed stamped envelope, for each case.

Planning Commission decisions that involve "major" cases (e.g., major variances, major conditional use permits) are usually appealable to the City Council. If any interested party seeks to challenge such decision in court, an appeal **must be filed** within ten (10) calendar days of the date of the announcement of the Planning Commission decision and by 4:00 p.m. An appeal shall be on a form provided by the Planning and Building Department, and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, to the attention of the case planner. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Planning Commission or wherein their decision is not supported by substantial evidence and must include payment of the required fee in accordance with the City of Oakland Master Fee Schedule. Failure to timely appeal will preclude you from challenging the City's decision in court. The appeal itself must raise each and every issue that is contested, along with all the arguments and evidence in the record which supports the basis of the appeal; failure to do so will preclude you from raising such issues during your appeal and/or in court. However, the appeal will be limited to issues and/or evidence presented to the Planning Commission prior to the close of the Planning Commission's public hearing on the matter.

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.



2.	Location:	2443 Humboldt Ave
	Assessor's Parcel Number(s):	027-0896-036-02
	Proposal:	Proposal for a new four-story 23-unit townhouse style development.
	Applicant/Owner:	Ali R. Kashani (510) 385-1340
	Case File Number:	PLN18326
	Planning Permits Required:	Major Conditional Use Permit for more than seven dwelling units in the RM-3 Zone. Application qualifies for a 35% density bonus and three incentives or concessions for building height (greater than 30-foot / approximately 44feet), parking allowances for parking (12 parking spaces included where 23 parking spaces are required). A Category III creek permit for construction activity within 100 feet of a creek, and Regular Design Review for demolition of and existing single-family dwelling and for new construction.
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-3
	Environmental Determination:	Exempt, Section 15332 of the State CEQA Guidelines: In-fill Exemptions. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	Historic Status:	Not a PDHP, Rating: D3
	City Council District:	4
	Status:	Decision on Application Pending
	Action to be Taken:	Decision of Application by Planning Commission
	Finality of Decision:	<i>Appealable to City Council</i>
	For Further Information:	Contact Case Planner Moe Hackett at (510) 238-39730 or by email at mhackett@oaklandca.gov .

3.	Location:	Brooklyn Basin (formerly known as "Oak to 9th Avenue"); specifically, Parcel A
	Assessor's Parcel Number(s):	018-0465-012-00 (related to 018-0465-002-04)
	Proposal:	Final Development Permit (FDP) and Two Minor Variances for Parcel A, including 254 affordable residential units and 306 parking spaces, in a 73-foot tall building.
	Applicant:	MidPen Housing Corporation
	Contact Person/ Phone Number:	Jan Lindenthal, Chief Real Estate Development Officer (650) 356-2900
	Owner:	City of Oakland
	Case File Number:	PUD06010-PUDF12
	Planning Permits Required:	FDP, compliance with CEQA, variance for open space reduction, variance for residential off-street loading
	General Plan and Estuary Plan:	Planned Waterfront Development-1
	Zoning:	Planned Waterfront Zoning District (PWD-4)/D-OTN-4
	Environmental Determination:	Final EIR certified on January 20, 2009
	Historic Status:	Non-Historic Property
	City Council District:	2 – Nikki Fortunato Bas
	Action to be Taken:	Consider approval of FDP and two Minor Variances, based on attached findings
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact Case Planner Dara O'Byrne at 510-238-6983 or by e-mail at dobyrne@oaklandca.gov .



4.	Location:	500 Kirkham St. & 1255 7th St. The site is bounded by Union, 5th and 7th Streets, and is located east from the West Oakland BART Station.
	Assessor's Parcel Number(s):	004-0049-008-00; -009-00; -010-00; and 004-0051-018-02
	Proposal:	To construct a total of 1,032 residential units (84 very low-income affordable units included), approximately 35,000 square feet of retail & commercial flex space, 59 parking spaces. The project will be phased-out as follows: Phase 1 includes all horizontal improvements; Phases 2 & 3 include construction of 84-foot high mid-rises & temporary surface parking lot; and Phase 4 includes construction of a 338-foot high-rise & street-level parking garage accessed from Union Street
	Applicant:	Panoramic Interests
	Contact Person/ Phone Number:	Zac Shore (415)701-7002
	Owner:	500 Kirkham, LLC
	Case File Number:	PLN17428/PUDF07
	Planning Permits Required:	Planned Unit Development/Conditional Use Permit; Regular Design Review; Vesting Tentative Parcel Map Subdivision
	General Plan/Specific Plan:	Community Commercial/West Oakland Specific Plan
	Zoning:	S-15W Transit-Oriented Development Zone
	Environmental Determination:	A detailed CEQA (California Environmental Quality Act) Analysis was prepared for this project which concludes that the development proposal satisfies each of the following CEQA Guidelines: (A) 15164 – Addendum to EIRs; (B) 15183 – Projects Consistent with a Community Plan, General Plan, or Zoning; (C) 15168 – Prior EIRs and Redevelopment Projects; and (D) 15183.3 – Qualified Infill Projects. Each of the foregoing provides a separate and independent basis for CEQA compliance. The CEQA Analysis document may be reviewed at the Bureau of Planning offices, located at 250 Frank Ogawa Plaza, 2nd Floor or online as Item #85 at http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DOWD009157 The LUTE (Land Use Transportation Element) can be viewed as Item #01 at http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DOWD009158
	Historic Status:	Non-historic Property
	City Council District:	3
	Action to be Taken:	Decision based on staff report
	Staff Recommendation:	Approve project subject to the attached Conditions
	For Further Information:	Contact Case Planner Mike Rivera at (510) 238-6417 or by email at mrivera@oaklandca.gov .



5.	Location:	5375 Manila Ave
	Assessor's Parcel Number(s):	014-1251-007-01
	Proposal:	Installation of a rooftop wireless communications facility involving eight (8) new antennas, twelve (12) radio units, and three (3) power cabinets located within two (10'x10') and one (11'x13') screening enclosures located on the roof of an existing residential building and associated cable runs located on the roof of this forty-one (41') foot tall residential building.
	Applicant:	Complete Wireless Consulting, for Verizon Wireless
	Contact Person/ Phone Number:	Gerie Johnson (916) 709-2057
	Owner:	Satellite Senior Homes Inc
	Case File Number:	PLN18447
	Planning Permits Required:	Major Conditional Use Permit and Regular Design Review to install a Macro Telecommunications Facility within a residential zone; Conditional Use Permit for ten (10') foot projection above existing forty-one (41') foot tall residential building.
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-1 Mixed Housing Type Residential-1
	Environmental Determination:	Exempt, Sections 15301 and 15303 – Additions and alterations of existing facilities; Section 15183 – Projects consistent with a community plan, general plan, or zoning.
	Historic Status:	Non-historic Property
	City Council District:	1
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact Case Planner Jason Madani at (510) 238-4790 or jmadani@oaklandca.gov .



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.

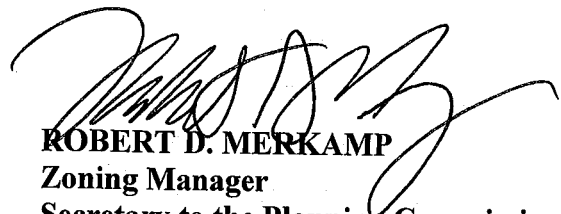
COMMISSION BUSINESS

Approval of Minutes

Correspondence

City Council Actions

ADJOURNMENT By 10:30 P.M. unless a later time is agreed upon by a majority of Commissioners present.



ROBERT D. MERKAMP
Zoning Manager
Secretary to the Planning Commission
Planning and Building Department

NEXT REGULAR MEETING: June 19, 2019