



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

**March 1, 2017**  
**Regular Meeting**

**Revised February 22, 2017 – See end of agenda.**

**MEAL GATHERING**

**5:00pm**

**Max's Diner, 500 12<sup>th</sup> Street, City Center, Oakland**

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.

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***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。



**New online staff report  
download instructions**

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.

Staff reports are also available online, generally by 5:00 p.m. the Friday before the meeting, at [www.oaklandnet.com/planning](http://www.oaklandnet.com/planning) (under "Planning Commission.") You will need to ensure that your computer will accept pop-ups from the host site (oaklandnet.com) 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 16<sup>th</sup> 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@oaklandnet.com](mailto:jarnold@oaklandnet.com) or 510-238-6194 or Cheryl Dunaway at [cdunaway@oaklandnet.com](mailto:cdunaway@oaklandnet.com) 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.

<b>1.</b>	<b>Location:</b>	<b>Utility pole in sidewalk adjacent to: 2000 90<sup>th</sup> Avenue (near Olive St)</b>
	<b>Assessor’s Parcel Number(s):</b>	<b>Adjacent to: 046-5459-010-00</b>
	<b>Proposal:</b>	To establish a new “small cell site” telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment at up to 24 to an existing 56’ wooden utility pole located in the public right-of-way (sidewalk). City light would be relocated higher up pole.
	<b>Applicant / Phone Number:</b>	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	<b>Owner:</b>	Joint Pole Authority (including PG&E)
	<b>Case File Number:</b>	<b>PLN16364</b>
	<b>Planning Permits Required:</b>	Regular Design Review with additional findings for Macro Telecommunications Facility
	<b>General Plan:</b>	Mixed Housing Type Residential
	<b>Zoning:</b>	RM-1 Mixed Housing Type Residential Zone
	<b>Environmental Determination:</b>	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
	<b>Historic Status:</b>	Non historic property
	<b>City Council District:</b>	7
	<b>Date Filed:</b>	November 20, 2016
	<b>Action to be Taken:</b>	Decision based on staff report
	<b>Finality of Decision:</b>	<i>Appealable to City Council</i>
	<b>For Further Information:</b>	Contact case planner <b>Aubrey Rose, AICP</b> at (510) 238-2071 or by email at <a href="mailto:arose@oaklandnet.com">arose@oaklandnet.com</a> .



<b>2.</b>	<b>Location:</b>	<b>Utility pole in sidewalk adjacent to: 1170 88<sup>th</sup> Avenue (on B Street side)</b>
	<b>Assessor's Parcel Number(s):</b>	<b>Adjacent to: 042-4275-001-00</b>
	<b>Proposal:</b>	To establish a "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment up to 23'-3" on a 38' wooden utility pole to replace a 30' pole located in the public right-of-way (sidewalk).
	<b>Applicant / Phone Number:</b>	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	<b>Owner:</b>	Joint Pole Authority (including PG&E)
	<b>Case File Number:</b>	<b>PLN16403</b>
	<b>Planning Permits Required:</b>	Regular Design Review with additional findings for Macro Telecommunications Facility
	<b>General Plan:</b>	Detached Unit Residential
	<b>Zoning:</b>	RD-1 Detached Unit Residential Zone
	<b>Environmental Determination:</b>	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
	<b>Historic Status:</b>	Non historic property
	<b>City Council District:</b>	7
	<b>Date Filed:</b>	December 2, 2016
	<b>Action to be Taken:</b>	Decision based on staff report
	<b>Finality of Decision:</b>	<i>Appealable to City Council</i>
	<b>For Further Information:</b>	Contact case planner Aubrey Rose, AICP at (510) 238-2071 or by email at <a href="mailto:arose@oaklandnet.com">arose@oaklandnet.com</a> .

<b>3.</b>	<b>Location:</b>	<b>The public Right of Way near 6519 Arthur Street. JPA Utility Telephone Pole</b>
	<b>Assessor's Parcel Number(s):</b>	<b>(039-3258-002-00) nearest lot adjacent to the project site.</b>
	<b>Proposal:</b>	Installation of a wireless telecommunication facility on a wooden utility pole located in the public right-of-way. The project involves replacement of an existing 36' tall wood utility pole with 48' tall to install one (1) canister antenna measuring 23.5" long and 7.9" in diameter at a height of 18'; install two radio units (7.9" tall and 7.9" wide) mounted at a height of 10'-6" and 13'-11" above ground.
	<b>Applicant:</b>	Black & Veatch for Extenet Systems
	<b>Contact Person/ Phone Number:</b>	Ana Gomez of Black & Veatch (913) 458-9148
	<b>Owner:</b>	Pacific Gas & Electric. (PG&E)
	<b>Case File Number:</b>	<b>PLN16363</b>
	<b>Planning Permits Required:</b>	Major Design Review to install a wireless Macro Telecommunications Facility one (1) telecommunications canister antenna to a replaced PG&E pole located in the public right-of-way in a residential zone.
	<b>General Plan:</b>	Detached Unit Residential.
	<b>Zoning:</b>	RD-1 Detached Unit Residential-1
	<b>Environmental Determination:</b>	Exempt, Section 15303 of the State CEQA Guidelines; minor additions and alterations to a replaced PG&E utility pole; Exempt, Section 15302 of the State CEQA Guidelines; replacement or reconstruction of existing utility systems and/or facilities; Exempt, Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	<b>Historic Status:</b>	No Historic Record – Utility Pole
	<b>City Council District:</b>	6
	<b>Date Filed:</b>	November 20, 2016
	<b>Finality of Decision:</b>	Appealable to City Council within 10 Days
	<b>For Further Information:</b>	Contact case planner Jason Madani at (510) 238-4790 or by email at <a href="mailto:jmadani@oaklandnet.com">jmadani@oaklandnet.com</a> .



<b>4.</b>	<b>Location:</b>	<b>The public Right of Way in front of 2401 67<sup>th</sup> Ave on a JPA Utility Pole</b>
	<b>Assessor's Parcel Number(s):</b>	<b>(039-3260-028-00) nearest lot adjacent to the project site.</b>
	<b>Proposal:</b>	Installation of a wireless telecommunication facility on an existing 37' tall wooden utility pole located in the public right-of-way. The project involves installation of one (1) canister antenna measuring 23.5" long and 7.9" in diameter at a height of 18' and two radio units (7.9" tall and 7.9" wide) mounted at a height of 10'-6" and 13'-11" above ground.
	<b>Applicant:</b>	Black & Veatch for Extenet Systems
	<b>Contact Person/ Phone No.:</b>	Ana Gomez of Black & Veatch (913) 458-9148
	<b>Owner:</b>	Pacific Gas & Electric. (PG&E)
	<b>Case File Number:</b>	PLN16404
	<b>Planning Permits Required:</b>	Major Design Review to install a wireless Macro Telecommunications Facility one (1) telecommunication canister antenna on an existing PG&E pole located in the public right-of-way in a residential zone.
	<b>General Plan:</b>	Detached Unit Residential
	<b>Zoning:</b>	RD-1 Detached Unit Residential
	<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines; installation of telecommunication facility on an existing PG&E utility pole; Exempt, Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	<b>Historic Status:</b>	No Historic Record – Utility Pole
	<b>City Council District:</b>	6
	<b>Date Filed:</b>	October 4, 2016
	<b>Finality of Decision:</b>	Appealable to City Council within 10 Days
	<b>For Further Information:</b>	Contact case planner Jason Madani at (510) 238-4790 or by email at <a href="mailto:jmadani@oaklandnet.com">jmadani@oaklandnet.com</a> .

<b>5.</b>	<b>Location:</b>	<b>The public Right of Way in front of 1615 40<sup>th</sup> Ave on a JPA Utility Pole</b>
	<b>Assessor's Parcel Number(s):</b>	<b>(033-2139-009-04) nearest lot adjacent to the project site.</b>
	<b>Proposal:</b>	Installation of a wireless telecommunication facility on an existing 38' tall wooden utility pole located in the public right-of-way. The project involves installation of one (1) canister antenna measuring 23.5" long and 7.9" in diameter at a height of 22'-9" and two radio units (7.9" tall and 7.9" wide) mounted at a height of 10'-6" and 13'-11" above ground.
	<b>Applicant:</b>	Black & Veatch for Extenet Systems
	<b>Contact Person/ Phone Number:</b>	Ana Gomez of Black & Veatch (913) 458-9148
	<b>Owner:</b>	Pacific Gas & Electric. (PG&E)
	<b>Case File Number:</b>	PLN16300
	<b>Planning Permits Required:</b>	Major Design Review to install a wireless Macro Telecommunications Facility one (1) telecommunication canister antenna on an existing PG&E pole located in the public right-of-way in a residential zone.
	<b>General Plan:</b>	Mixed Housing Type Residential
	<b>Zoning:</b>	RM-2 Mixed Housing Type Residential
	<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines; installation of telecommunication facility on an existing PG&E utility pole; Exempt, Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	<b>Historic Status:</b>	No Historic Record – Utility Pole
	<b>City Council District:</b>	5
	<b>Date Filed:</b>	October 4, 2016
	<b>Finality of Decision:</b>	Appealable to City Council within 10 Days
	<b>For Further Information:</b>	Contact case planner Jason Madani at (510) 238-4790 or by email at <a href="mailto:jmadani@oaklandnet.com">jmadani@oaklandnet.com</a> .



<b>6.</b>	<b>Location:</b>	<b>The Public Right-of-Way Adjacent to 1266 83<sup>rd</sup> Ave.</b>
	<b>Assessor's Parcel Number(s):</b>	<b>Nearest adjacent lot (042-425602601)</b>
	<b>Proposal:</b>	To establish a telecommunications facility, to enhance existing services, by attaching an antenna and equipment to an existing wooden utility pole located in the public right-of-way (sidewalk). The 45' tall wooden utility pole is existing.
	<b>Applicant:</b>	Extenet Systems (California) LLC. (for T-Mobile USA, INC)
	<b>Contact Person/ Phone Number:</b>	Ana Gomez (913) 458-9148
	<b>Owner:</b>	Joint Pole Authority (JPA) including PG&E
	<b>Case File Number:</b>	<b>PLN16393</b>
	<b>Planning Permits Required:</b>	Major Design Review to install a wireless Telecommunication Macro Facility on a PG&E replacement pole located in RM-1 Zone.
	<b>General Plan:</b>	Mixed Housing Type
	<b>Zoning:</b>	RM-1 Mixed Housing Type Residential Zone.
	<b>Environmental Determination:</b>	Exempt, Section 15303 of the State CEQA Guidelines; New construction or conversion of small structures. Exempt, Section 15183 of the State CEQA Guidelines; Projects consistent with a Community Plan, General Plan or Zoning.
	<b>Historic Status:</b>	Not a Potential Designated Historic Property; Survey rating: n/a
	<b>City Council District:</b>	7
	<b>Finality of Decision:</b>	Appealable to City Council within 10 Days
	<b>For Further Information:</b>	Contact case planner <b>Danny Thai</b> at <b>(510) 238-3584</b> or by email at <b>dthai@oaklandnet.com</b> .

<b>7.</b>	<b>Location:</b>	<b>Kenilworth Road</b>
	<b>Assessor's Parcel Number(s):</b>	<b>048H-7615-007-00</b>
	<b>Proposal:</b>	Extension of the planning entitlements to construct a new development consisting of 7 single-family residential lots.
	<b>Applicant:</b>	Derek Sagehorn & Jibu John, BuildZig
	<b>Phone Number:</b>	(800) 380-0180
	<b>Owner:</b>	Sven Khatri, Poppy Crum
	<b>Case File Number:</b>	<b>PUD04195; TPM8228, V06484</b>
	<b>Planning Permits Required:</b>	Planned Unit Development (PUD04195), Environmental Impact Report (ER040006), Tentative Parcel Map (TPM8228), and Minor Variance (V06484).
	<b>General Plan:</b>	Hillside Residential
	<b>Zoning:</b>	Current Zoning: RH-3 and RH-4, Hillside Residential Zones 3 and 4. Prior Zoning: R-30, One-Family Residential Zone, S-14 Community Restoration Combining Zone, and S-18 Mediated Residential Design Review Combining Zone.
	<b>Environmental Determination:</b>	A Final Environmental Impact Report was certified on November 17, 2006 (Case File ER04-0006).
	<b>Historic Status:</b>	Not Historic
	<b>City Council district</b>	3
	<b>Status:</b>	Planning Commission approval on November 17, 2006. The approved project was appealed, and on July 9, 2010, the appeal was withdrawn. The new effective approval date became July 9, 2010. Entitlements have been extended through December 31, 2016.
	<b>Staff Recommendation</b>	Decision based on staff report
	<b>Finality of Decision:</b>	Appealable to City Council within 10 days
	<b>For further information:</b>	Contact case planner <b>Ann Clevenger</b> at <b>(510) 238-6980</b> or by e-mail at <b>aclevenger@oaklandnet.com</b> .



This item has been continued to a date uncertain.

<b>8.</b>	<b>Location:</b>	325 7 <sup>th</sup> Street
	<b>Assessor's Parcel Number(s):</b>	001-0189-003-00; 001-0189-009-00; 001-0189-013-00; 001-0189-014-01;
	<b>Proposal:</b>	One Year Time Extension of the planning entitlements for previously approved mixed-use 380-unit residential and 9,110 square-foot commercial space.
	<b>Owner:</b>	325 7 <sup>th</sup> Street, LLC
	<b>Applicant:</b>	325 7 <sup>th</sup> Street, LLC. (510)763-2911
	<b>Case Number:</b>	CDV06573
	<b>Planning Permits Required:</b>	Time Extension of the Major Conditional Use Permit for a large-scale development over 100,000 square feet of new floor area or more and one hundred twenty (120) feet in height; Interim Major Conditional Use Permit for a Floor Area Ratio (FAR) that exceeds zoning but is consistent with the General Plan; Minor Variances for dimensions of parking spaces, dimensions of parking spaces against a column or other obstruction, tandem parking spaces and rear yard setback and Major Design Review
	<b>General Plan:</b>	Central Business District
	<b>Zoning:</b>	D-LM 2 & D-LM 4 Lake Merritt Station Area District
	<b>Environmental Determination:</b>	Addendum to previous EIR (ER07-0002) prepared for project and also relies on Lake Merritt Station Plan EIR; and Section 15183 of the CEQA Guidelines (projects consistent with a community plan, general plan, or zoning).
	<b>Historic Status:</b>	Area of Primary Importance (API)
	<b>City Council District:</b>	2
	<b>Status:</b>	Planning Commission approval on July 20, 2011. Entitlements extended through December 31, 2016
	<b>Staff Recommendation:</b>	Decision based on staff report
	<b>Finality of Decision:</b>	Appealable to City Council within 10 days
	<b>For Further Information:</b>	Contact Case Planner Maurice Brenyah-Addow at (510) 238-6342 or by email at <a href="mailto:Brenyah-Addow@oaklandnet.com">Brenyah-Addow@oaklandnet.com</a> .

### 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.

This item has been continued to the March 15, 2017, Planning Commission Meeting.

<b>9.</b>	<b>Project Name:</b>	<b>Eve’s Waterfront Nightclub</b>
	<b>Location:</b>	<b>15 Embarcadero West; (APN: 018-0425-012-00)</b>
	<b>Proposal:</b>	<b>To allow a Group Assembly Activity (nightclub) and Alcohol Beverage Sales Activity in a facility that is currently a full-service restaurant.</b>
	<b>Applicant:</b>	<b>Chris Malki</b>
	<b>Phone Number:</b>	<b>(925) 788-3737</b>
	<b>Owner:</b>	<b>Capital Financial, LLC</b>
	<b>Case File Number:</b>	<b>PLN14-298-R01 (Revision)</b>
	<b>Planning Permits Required:</b>	Major Conditional Use Permit for Alcohol Beverage Sales Commercial; Minor Conditional Use Permit for Group Assembly (nightclub with up to 450 persons).  A Minor Conditional Use Permit (Case File: PLN14298) for a full-service restaurant with alcoholic beverage service was previously approved on January 2, 2015 and is operational.
	<b>General Plan:</b>	<b>Waterfront Mixed Use District per the Estuary Policy Plan</b>
	<b>Zoning:</b>	<b>R-80 High Rise Apartment Residential Zone</b>  <i>A December 15, 2016 Zoning Best Fit Determination by the Zoning Manager allows Group Assembly with approval of a Conditional Use Permit (Case File: DET16-0144)</i>
	<b>Environmental Determination:</b>	<b>Categorically Exempt under the California Environmental Quality Act (CEQA) Guidelines per Section 15301, Existing Facilities; Section 15332, Infill Development Projects; and Section 15183 Projects Consistent with a Community Plan, General Plan or Zoning</b>
	<b>Historic Status:</b>	<b>Not a Potentially Designated Historic Property</b>
	<b>City Council district</b>	<b>3</b>
	<b>Staff Recommendation</b>	<b>Decision based on staff report</b>
	<b>Finality of Decision:</b>	<b>Appealable to City Council within 10 days</b>
	<b>For further information:</b>	<b>Contact case planner David Valeska at (510)238-2075 or at <a href="mailto:dvaleska@oaklandnet.com">dvaleska@oaklandnet.com</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.

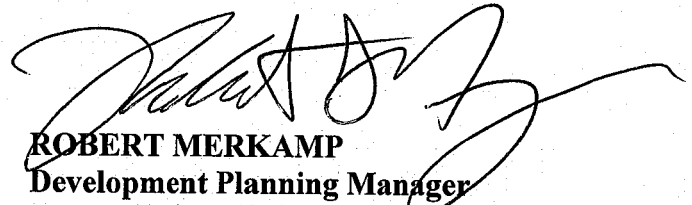
## COMMISSION BUSINESS

Approval of Minutes

Correspondence

City Council Actions

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



**ROBERT MERKAMP**  
Development Planning Manager  
Secretary to the Planning Commission  
Planning and Building Department

**NEXT REGULAR MEETING:** March 15, 2017

Revised February 22, 2017 to reflect continuance of Item #8 to a date uncertain and continuance of Item #9 to the March 15, 2017, Planning Commission Meeting.