



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

**May 17, 2017
Regular Meeting**

Revised May 5 and May 10, 2017 – See end of agenda.

MEAL GATHERING

5:00pm Max's Diner, 500 12th 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.

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 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 are also available online, generally by 5:00 p.m. the Friday before the meeting, at 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 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@oaklandnet.com or 510-238-6194 or Cheryl Dunaway at 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.

1.	Location:	Utility pole in sidewalk adjacent to 3078 73rd Avenue
	Assessor’s Parcel Number:	Adjacent to: 040A-3419-001-01
	Proposal:	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).
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	Joint Pole Authority (JPA) including PG&E
	Case Number:	PLN16410
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Detached Unit Residential
	Zoning:	RD-1 Detached Unit Residential Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Non-historic property
	City Council District:	4
	Date Filed:	December 2, 2016
	Action to be Taken:	Approve with conditions
	Finality of Decision:	<i>Appealable to City Council within 10 days</i>
	For Further Information:	Contact case planner Maurice Brenyah-Addow at (510) 238-6342 or by email at mbrenyah@oaklandnet.com .



2.	Location:	Utility pole in sidewalk adjacent to 7046 Outlook Avenue
	Assessor's Parcel Number:	Adjacent to: 040A-3418-029-00
	Proposal:	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).
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	Joint Pole Authority (JPA) including PG&E
	Case Number:	PLN16415
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Detached Unit Residential
	Zoning:	RD-1 Detached Unit Residential Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Non-historic property
	City Council District:	4
	Date Filed:	December 2, 2016
	Action to be Taken:	Approve with conditions
	Finality of Decision:	Appealable to City Council within 10 days
	For Further Information:	Contact case planner Maurice Brenyah-Addow at (510) 238-6342 or by email at mbrenyah@oaklandnet.com .

3.	Location:	Utility pole in sidewalk adjacent to 7304 Outlook Avenue
	Assessor's Parcel Number:	Adjacent to: 040A -3419-023-00
	Proposal:	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).
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	Joint Pole Authority (JPA) including PG&E
	Case Number:	PLN16409
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Detached Unit Residential
	Zoning:	RD-1 Detached Unit Residential Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Non-historic property
	City Council District:	5
	Date Filed:	December 2, 2016
	Action to be Taken:	Approve with conditions
	Finality of Decision:	Appealable to City Council within 10 days
	For Further Information:	Contact case planner Maurice Brenyah-Addow at (510) 238-6342 or by email at mbrenyah@oaklandnet.com .



4.	Location:	Utility pole in sidewalk adjacent to: 8434 Olive St
	Assessor's Parcel Number(s):	043 456801300
	Proposal:	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 new 46' wooden utility pole will replace the existing 46' wooden utility pole.
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	Extenet et al.
	Case File Number:	PLN16372
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Mixed Housing Type
	Zoning:	RM-1 Mixed Residential Zone
	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 property
	City Council District:	6
	Date Filed:	November 22, 2016
	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 .

5.	Location:	Utility pole in sidewalk adjacent to: 3820 Foothill Blvd.
	Assessor's Parcel Number:	Adjacent to: 032-2087-025-01
	Proposal:	To establish a "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment up to 26'-2" on a 57' wooden utility pole located in the public right-of-way (sidewalk).
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	Extenet, et al.
	Case File Number:	PLN16406
	Planning Permits Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	General Plan:	Urban Residential
	Zoning:	RU-5
	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 property
	City Council District:	3
	Date Filed:	December 2, 2016
	Action to be Taken:	Approve with conditions
	Finality of Decision:	<i>Appealable to City Council within 10 days</i>
	For Further Information:	Contact case planner Neil Gray at (510) 238-3878 or by email at ngray@oaklandnet.com .



6.	Location:	City street light pole in sidewalk adjacent to: 980 8th Street (At intersection of 8th St. and Filbert St.)
	Assessor's Parcel Number(s):	Adjacent to: 004-0007-002-00
	Proposal:	To establish a new "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to a 28' City street light located in the sidewalk; the antenna would be attached to the top at up to 32'-3" and equipment at approximately 9' to 15'-1".
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN16428
	Planning Permits Required:	Major Conditional Use Permit with additional findings for Monopole Telecommunications Facility in a Residential Zone; Regular Design Review with additional findings for Monopole Telecommunications Facility
	General Plan:	Urban Residential
	Zoning:	Mixed Housing Type Residential - 1 Zone
	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 property
	City Council District:	1
	Date Filed:	December 9, 2016
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	<i>Appealable to City Council</i>
	For Further Information:	Contact case planner Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .

7.	Location:	Brooklyn Basin (formerly known as "Oak Street to Ninth Avenue"); specifically, parcels affected by affordable housing swap (Parcels A, F and G).
	Proposal:	Modification to adopted Conditions of Approval to correctly reference affordable housing parcels following parcel swap.
	Applicant:	City of Oakland and Zarsion-OHP 1, LLC (ZOHP)
	Contact Person:	Patrick Van Ness (510) 251-9272
	Owner:	Zarsion-OHP 1, Port of Oakland, City of Oakland.
	Case File Number(s):	DA0611
	Planning Permits Required:	None.
	General Plan:	Planned Waterfront Development-4.
	Zoning:	Oak-to-Ninth District Zone (D-OTN)
	Environmental Determination:	Final EIR certified on January 20, 2009.
	Historic Status:	9th Avenue Terminal, rated "A"
	City Council District:	2 – Guillen
	Action to be Taken:	Consider modification to adopted Conditions of Approval to correctly reference affordable housing parcels following parcel swap.
	Finality of Decision:	Appealable to City Council.
	For further information:	Contact case planner Catherine Payne at 510-238-6168 or by e-mail at cpayne@oaklandnet.com .



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.



8.	Location:	Citywide.
	Proposal:	Recommendation to the City Council to adopt a General Plan Amendment for the <i>Oakland Walks! Draft 2017 Pedestrian Master Plan Update (Draft Plan)</i> , as part of the Oakland General Plan. The Draft Plan updates the previously adopted 2002 Pedestrian Master Plan.
	Applicant:	City of Oakland
	Case File Number:	GP17001
	Planning Permits Required:	General Plan Amendment
	General Plan:	All General Plan Categories
	Zoning:	All Zoning Categories
	Environmental Determination:	A CEQA Analysis was prepared for the <i>Draft Plan</i> , which concluded that the <i>Draft Plan</i> qualifies for an addendum pursuant to CEQA Guidelines Sections 15162-15164 based on the previously adopted Mitigated Negative Declaration prepared for the 2002 <i>Pedestrian Master Plan</i> ; and on a separate and independent basis, the <i>Draft Plan</i> is also exempt per CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning), CEQA Guidelines Section 15301 c, c, and e (Existing Facilities); Section 15302 (Replacement or Reconstruction); and Section 15304 a and f (Minor Land Alterations). The CEQA Analysis document may be reviewed online at http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157 .
	Service Delivery District:	All
	City Council District:	All
	Status:	The Bicycle and Pedestrian Advisory Commission recommended adoption of the <i>Draft Plan</i> on April 20, 2017.
	Finality of Decision:	Conduct a public hearing, receive comments from the public, discuss and recommend adoption of the <i>Draft Plan</i> to City Council.
	For Further Information:	Contact Menaka Mohan by phone at 510-238-6657 or by email at mmohan@oaklandnet.com . Project website: https://beta.oaklandca.gov/pedestrian-master-plan-update



9.	Location:	1721 Webster Street
	Assessor's Parcel Number(s):	008-0624-006-00 & -007-00
	Proposal:	Proposal to demolish the existing auto fee parking garage and construct a new 25 story mixed use development containing 250 dwelling units, approximately 5,000 square feet of office and ground floor retail.
	Applicant:	Holland Partner Group
	Contact Person/Phone Number:	Ray Connell – (925)226-2471
	Owner:	Douglas Motor Service & Douglas Parking Company
	Case File Number:	PLN16445
	Planning Permits Required:	Regular Design Review for new construction, Major Conditional Use Permit for development exceeding 200,000 square feet and 250 feet in height in the CBD Zone, Minor Variance for group open space (being supplemented with indoor group/amenity space), and Vesting Tentative Parcel Map for new condominiums.
	General Plan:	Central Business District
	Zoning:	CBD-C / Height Area 7
	Environmental Determination:	A CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA Guideline provisions: Section 15183 - Projects consistent with a community plan, general plan, or zoning; Section 15183.3 – Streamlining for Qualified infill projects; and/or Sections 15168 & 15180 – Projects consistent with a Redevelopment program EIR; Each of which provides a separate and independent basis for CEQA compliance. The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2 nd Floor or on-line at http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157
	Historic Status:	Not a PDHP; Rating: D3
	City Council District:	3
	Status:	Pending
	Action to be Taken:	Decision on application based on Staff Report
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Peterson Z. Vollmann at (510) 238-6167 or by email at pvollmann@oaklandnet.com .



This item has been continued to the June 7, 2017, Planning Commission meeting.

10.	Location:	8024 Rudsdale Street
	Assessor's Parcel Number(s):	041-4203-016-01
	Proposal:	Proposal for a new three-story 15-unit townhome style development.
	Applicant:	Jeremy Harris
	Contact Person/Phone Number:	Jeremy Harris (858)449-5270
	Owner:	Danny Haber / YPP
	Case File Number:	PLN16064
	Planning Permits Required:	Major Conditional Use Permit and Regular Design Review to allow for the creation of a 15-unit multi-family townhome style development. Density Bonus and Incentives to allowance for 3 affordable units to allow for substandard open-space, parking location and front yard pavement coverage.
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-3 Mixed Housing Type Residential Zone
	Environmental Determination:	Exempt, Section 15332 of the State CEQA Guidelines; In-fill Development. Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	Historic Status:	None (blighted unfinished structure to be completed as the proposed residential building.)
	City Council District:	7
	Status:	Pending
	Action to be Taken:	Decision of Application
	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@oaklandnet.com .



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.

This item has been continued to a date uncertain.

11.	Location:	3732, 3740, and 3746 39th Avenue
	Assessor's Parcel Number(s):	030-1925-005-00, 004-00, and 003-03
	Proposal:	Appeal of the Zoning Manager's Administrative Denial of a Regular Design Review, Minor Variance, and Minor Conditional Use Permit to allow for Community Assembly Activity Civic to establish a spiritually based community center for ceremony and education. The project includes new structures (Yurts) and additions and alterations and conversions associated with the activity. The site is located on three adjacent lots and also includes residential activities and facilities.
	Applicant:	Wilson Riles
	Contact Person/Phone Number:	Wilson Riles (510)530-2448
	Owner:	Riles Ishmael & Philip
	Case File Number:	PLN15195-A01
	Planning Permits Required:	Appeal of decision to deny Regular Design Review for the construction of 4 new detached yurts, sweat lodge and platform for ceremonies; and Minor Variance to allow for the change of a primary use within a structure located within the side yard setback; and a Minor Conditional Use Permit for a Community Assembly Civic Activity.
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM 3 Mixed Housing Type Residential Zone
	Environmental Determination:	Exempt, Section 15270 of the State CEQA Guidelines: Projects that are Disapproved
	Historic Status:	F3, D3, and C3
	City Council District:	4
	Status:	Pending
	Action to be Taken:	Decision of Appeal Application
	Finality of Decision:	Final (Not administratively Appealable Pursuant to OMC Sec. 17.132.030)
	For Further Information:	Contact case planner Moe Hackett at (510) 238-39730 or by email at mhackett@oaklandnet.com .



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: June 7, 2017

Revised May 5, 2017, to reflect continuance of Item #11 to a date uncertain.
Revised May 10, 2017, to reflect continuance of Item #10 to the June 7, 2017, Planning Commission meeting.