



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

June 7, 2017
Regular Meeting

Revised May 25 and June 1, 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.

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 (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.

This item has been continued to a date uncertain.

1.	Location:	5812 San Pablo Ave
	Assessor’s Parcel Number(s):	015-1335-010-02
	Proposal:	To request for a Major Conditional Use Permit, Minor Conditional Use Permit and Minor Variance to establish a Mini-Telecommunications facility for Verizon Wireless at an existing church facility with 8 antennas behind rooftop enclosures, screened enclosures along the building façade and associated equipment box located on ground level of parking garage. The telecommunications antennas and equipment cabinet will be unmanned and will be screened from public view.
	Applicant:	Ridge Communications, Inc. for Verizon Wireless
	Contact Person/ Phone Number:	David Haddock (916) 420-5802
	Owner:	Star Bethel Baptist Church of Oakland
	Case File Number:	PLN16236
	Planning Permits Required:	Regular Design Review for a new Telecommunications Facility (OMC Sec. 17.136.040(a)(2)); and Major Conditional Use Permit to establish a Telecommunications Facility within 100 feet of a residential zone (OMC Sec. 17.134.020(A)(3)(i)); and Minor Conditional Use Permit to operate a Mini Telecommunications Facility (OMC Sec. 17.128.060(B), (C)); and Minor Variance for rooftop antennas behind screening at less than 1:1 setback (OMC Sec. 17.128.060(B), (6); 17.148.020(A); 17.148.050(A)).
	General Plan:	Neighborhood Center Mixed Use
	Zoning:	CN-3 Neighborhood Center Commercial Zone
	Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines: Small Structures; Section 15183: Projects consistent with a community plan, general plan, or zoning.
	Historic Status:	Not a Potentially Designated Historic Property. OCHS Survey Rating: X
	City Council District:	1
	Finality of Decision:	Appealable to City Council within 10 Days
	For Further Information:	Contact case planner Danny Thai, Planner I at (510) 238-3584 or by email at dthai@oaklandnet.com .



2.	Location:	City street light pole in sidewalk adj. to: 8301 International Blvd
	Assessor's Parcel Number(s):	Adjacent to: 042-4255-001-00
	Proposal:	To establish a new "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to a 30' City street light located in the sidewalk; the antenna would be attached to the top at up to 32'-3" and equipment at approx.. 9' to 14'-3".
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN16421
	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 Macro Telecommunications Facility Minor Variance for not meeting 1:1 height/setback requirement to a residential use
	General Plan:	Neighborhood Center Mixed Use
	Zoning:	CN-3 Neighborhood Commercial 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:	7
	Date Filed:	December 7, 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 Aubrey Rose, AICP at (510) 238-2071 or by email at arose@oaklandnet.com .

3.	Location:	City street light pole in sidewalk adj. to: 820 Village Circle
	Assessor's Parcel Number(s):	Adjacent to: APN 004-0007-071-00
	Proposal:	To establish a new "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to a 27'-5" City street light located in the sidewalk; the antenna would be attached to the top at up to 29'-8" and equipment at approx.. 9' to 14'-3".
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN16422
	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 Macro Telecommunications Facility Minor Variance for not meeting 1:1 height/setback requirement to a residential use
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-1 Mixed Housing Type 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:	3
	Date Filed:	December 7, 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 Aubrey Rose, AICP at (510) 238-2071 or by email at arose@oaklandnet.com .



4.	Location:	City street light pole in sidewalk adjacent to: 2003 Telegraph Avenue (At intersection of Telegraph Ave. and Thomas L. Berkeley Way.)
	Assessor's Parcel Number(s):	Adjacent to: 008-06450-005-00
	Proposal:	To establish a new "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to a 26' City street light located in the sidewalk; the antenna would be attached to the top at up to 31'-4" 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:	PLN16419
	Planning Permits Required:	Major Conditional Use Permit with additional findings for Monopole Telecommunications Facility adjacent to Residential Zone; Regular Design Review with additional findings for Monopole Telecommunications Facility
	General Plan:	Central Business District
	Zoning:	Central Business District Pedestrian Retail Commercial 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 5, 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 .

5.	Location:	City street light pole in sidewalk adjacent to: 1200 Market Street (Close to intersection of Market St. and 12th St.)
	Assessor's Parcel Number(s):	Adjacent to: 002-0003-017-03
	Proposal:	To establish a new "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to a 29'-1" City street light located in the sidewalk; the antenna would be attached to the top at up to 35'-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:	PLN16420
	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:	Urban Residential - 3 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:	Historic District S-20
	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 .



6.	Location:	City street light pole in sidewalk adjacent to: 725 Market Street (Close to intersection of Market St. and 8th St.)
	Assessor's Parcel Number(s):	Adjacent to: 004-0005-001-10
	Proposal:	To establish a new "small cell site" telecommunications facility, in order to enhance existing services, by attaching an antenna and equipment to a 29' City street light located in the sidewalk; the antenna would be attached to the top at up to 34'-4" and equipment at approximately 9' to 14'-3".
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: T-Mobile) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN16431
	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:	Urban Residential - 3 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:	The Public Right of Way adjacent to 2842 Burton Drive.
	Assessor's Parcel Number(s):	Nearest lot adjacent to the project site (048D-7296-032-00)
	Proposal:	To remove and relocate an existing telecommunications facility 24" x 16" antenna attached to an existing PG&E Pole to a new proposed 29' tall metal telecommunications monopole to be located across the street within the public right-of- way; an associated 4'-9" tall x 3'-8" wide ground -mounted equipment cabinet enclosure on a new cement pad located next to the pole will be housing all radio equipment.
	Applicant:	Crown Castle
	Contact Person / Phone Number:	Bob Gundermann & Jason Osborn (925)899-1999
	Owner:	City of Oakland
	Case File Number:	PLN16-089
	Planning Permits Required:	Major Conditional Use Permit and Design Review to install a new Monopole Telecommunications Facility within a residential zone, and Minor Variance to waive the required 1:1 ratio setback for the 29' tall monopole facility to be located from the adjacent residential property line.
	General Plan:	Hillside Residential
	Zoning:	RH-4/S-10 Zone
	Environmental Determination:	Exempt, Section 15303 of the State CEQA Guidelines: New construction or conversion of small structures; Section 15183: Projects consistent with a community plan, General Plan or zoning.
	Historic Status:	Not a Potential Designated Historic Property; Survey Rating: N/A
	City Council District:	4
	Date Filed:	April 14, 2017
	Finality of Decision:	Appealable to City Council within 10 days
	For Further Information:	Contact case planner Jason Madani at (510) 238-4790 or by email at jmadani@oaklandnet.com .



This item has been continued to a date uncertain.

8.	Location:	3506 MacArthur Blvd
	Assessor's Parcel Number(s):	030-1898-012-00
	Proposal:	To serve alcoholic beverages at a full-service restaurant "Burger & BBQ" with a 12:00 A.M. closing time.
	Owner:	Best By Farr, Inc.
	Applicant:	Jemma Lester (510) 289-3958
	Case File Number:	PLN17046
	Planning Permits Required:	Major Conditional Use Permits for alcoholic Beverage Sale (request for Type 48 State Alcohol License) located on a restricted corridor; and Minor Conditional Use Permit to allow for Open facilities non-residential.
	General Plan:	Neighborhood Commercial Mixed Use
	Zoning:	CN-2 Neighborhood Commercial Zone
	Environmental Determination:	Section 15301 of the State CEQA Guidelines: Existing Facilities (operation); Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	Historic Status:	Non-historic property
	City Council District:	4
	Status:	Pending
	Action to be Taken:	Decision on application based on staff report
	Staff Recommendation:	Approval subject to conditions
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Moe Hackett at (510) 238-3973 or by email at mhackett@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.



This item was continued from the May 17, 2017, Planning Commission meeting.

9.	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 .

10.	Location:	4430 / 4440 / 4448 Howe Street
	Assessor's Parcel Number(s):	013-1128-018-00/ 013-1128-019-00/ 013-1128-020-00
	Proposal:	To subdivide a total of 18,750 square foot of parcels with three existing detached buildings and create mini-lot development with seven parcels. The project includes the demolition of one structure, renovation and remodel of two existing buildings and construction of five two-story residences (One unit per lot) with access provided through a shared access-facility. Each residence will contain one off-street parking space.
	Applicant and Contact Person:	Jarvis Architects, Lisa Trujillo (510) 654-6755
	Owner:	GC Carb LLC & 4430 Howe St. LLC
	Case File Number:	PLN17095 / TTM8393
	Planning Permits Required:	Major Conditional Use Permit for a project that results in 7 or more units in a RM zone (Sec. 17.134.020). Tentative Tract Map for a subdivision of one parcel into seven mini-lots (OMC Sec. 16.24.040); Minor Conditional Use Permit to create a seven (7) mini-lot development (OPC Sec. 17.134.050, 17.134.020 & 17.142.012); Minor Conditional Use Permit for Shared Access Facility (17.102.090 (B)). Regular Design Review for the construction of 5 residential units (Sec. 17.136.050).; and Minor Variance to allow 100% of required open space through private decks and balconies (Sec.17.148.050)..
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-2 Mixed Housing Type Residential 2 Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing facilities; Section 15303: New Construction of small structures; Exempt, Section 15332: In-Fill Development Projects; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	OCHS Survey Rating: C3
	City Council District:	1
	Finality of Decision:	Appealable to City Council within 10 Days
	For Further Information:	Contact case planner Jose M. Herrera-Preza at (510) 238-3808 or by email at jherrera@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.

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 21, 2017

Revised May 25, 2017, to reflect continuance of Item #8 to a date uncertain.

Revised June 1, 2017, to reflect continuance of Item #1 to a date uncertain.