



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

October 4, 2017
Regular Meeting

Revised September 15, 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 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:	City Street light pole in public right-of-way (sidewalk) adjacent to 1125 Brush Street
	Assessor’s Parcel Number(s):	Nearest adjacent lot: 002-0009-015-03
	Proposal:	To install new "small cell site" Monopole Wireless Communications Facility to improve services by placing one canister antenna (24" long and 14.6" in diameter) within an antenna shroud at the top of an existing 28' City Street light pole, located in the public Right-of-Way. The antenna and shroud would be up to 31'-6" in height and related equipment mounted at a height of 7' and 12'-6" above ground-level
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: Verizon) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN17163
	Planning Permits Required:	Major Conditional Use Permit and Regular Design Review with additional findings for Monopole Telecommunications Facility in Residential Zone; Minor Variance for Monopole adjacent to residential use.
	General Plan:	Urban Residential
	Zoning:	Urban Residential - 1 Zone (RU-1) / S-20
	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 pole
	City Council District:	3
	Date Filed:	May 6, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .



2.	Location:	City Street light pole in public right-of-way (sidewalk) adjacent to 1431 Jackson Street
	Assessor's Parcel Number(s):	Nearest adjacent lot: 008-0627-018-02
	Proposal:	To install new "small cell site" Monopole Wireless Communications Facility to improve services by placing one canister antenna (24" long and 14.6" in diameter) within an antenna shroud at the top of an existing 28' City Street light pole, located in the public Right-of-Way. The antenna and shroud would be up to 32'-7" in height and related equipment mounted at a height of 12'-6" and 16'-9" above ground-level
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: Verizon) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN17165
	Planning Permits Required:	Major Conditional Use Permit and Regular Design Review with additional findings for Monopole Telecommunications Facility in Residential Zone; Minor Variance for Monopole adjacent to residential use.
	General Plan:	Central Business District
	Zoning:	Central Business District Residential Zone (CBD-R)
	Environmental Determination:	Exempt, Sec. 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Sec. 15302: Replacement or Reconstruction; Exempt, Sec. 15303: New Construction of Small Structures; Sec. 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Non-historic pole
	City Council District:	3
	Date Filed:	May 6, 2017
	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 .

3.	Location:	City Street light pole in public right-of-way (sidewalk) adjacent to 1547 Lakeside Drive (Along Madison Street side)
	Assessor's Parcel Number(s):	Nearest adjacent lot: 008-0630-008-01
	Proposal:	To install new "small cell site" Monopole Wireless Communications Facility to improve services by placing one canister antenna (24" long and 14.6" in diameter) within an antenna shroud at the top of an existing 29' City Street light pole, located in the public Right-of-Way. The antenna and shroud would be up to 32'-6" in height and related equipment mounted at a height of 13'-10" and 17'-7" above ground-level
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: Verizon) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN17173
	Planning Permits Required:	Major Conditional Use Permit and Regular Design Review with additional findings for Monopole Telecommunications Facility in Residential Zone
	General Plan:	Central Business District
	Zoning:	Central Business District Residential Zone (CBD-R)
	Environmental Determination:	Exempt, Sec. 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Sec. 15302: Replacement or Reconstruction; Exempt, Sec. 15303: New Construction of Small Structures; Sec. 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Non-historic pole
	City Council District:	2
	Date Filed:	May 8, 2017
	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 .



4.	Location:	City Street light pole in public right-of-way (sidewalk) adjacent to: 462 Elwood Avenue
	Assessor's Parcel Number(s):	Nearest adjacent lot: 010-0827-072-01
	Proposal:	To install new "small cell site" Monopole Wireless Communications Facility to improve services by placing one canister antenna (24" long and 14.6" in diameter) within an antenna shroud at the top of an existing 25' City Street light pole, located in the public Right-of-Way. The antenna and shroud would be up to 29' in height and related equipment mounted at a height of 12' and 15'-3" above ground-level
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: Verizon) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN17180
	Planning Permits Required:	Major Conditional Use Permit and Regular Design Review with additional findings for Monopole Telecommunications Facility in Residential Zone; Minor Variance for Monopole adjacent to residential use
	General Plan:	Neighborhood Center Mixed Use
	Zoning:	Neighborhood Commercial - 2 Zone (CN-2)
	Environmental Determination:	Exempt, Sec. 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Sec. 15302: Replacement or Reconstruction; Exempt, Sec. 15303: New Construction of Small Structures; Sec. 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	ASI: Grand Avenue Commercial; Non-historic pole
	City Council District:	2
	Date Filed:	May 9, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council
	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 public right-of-way (sidewalk) adjacent to: 478 Lake Park Avenue
	Assessor's Parcel Number(s):	Nearest adjacent lot: 011-0837-090-00
	Proposal:	To install new "small cell site" Monopole Wireless Communications Facility to improve services by placing one canister antenna (24" long and 14.6" in diameter) within an antenna shroud at the top of an existing 30' City Street light pole, located in the public Right-of-Way. The antenna and shroud would be up to 33'-8" in height and related equipment mounted at a height of 10'-6" and 15'-3" above ground-level
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: Verizon) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN17182
	Planning Permits Required:	Major Conditional Use Permit and Regular Design Review with additional findings for Monopole Telecommunications Facility in Residential Zone
	General Plan:	Neighborhood Center Mixed Use
	Zoning:	Neighborhood Commercial - 2 Zone (CN-2)
	Environmental Determination:	Exempt, Sec. 15301 of the State CEQA Guidelines: Existing Facilities; Exempt, Sec. 15302: Replacement or Reconstruction; Exempt, Sec. 15303: New Construction of Small Structures; Sec. 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	NHP
	City Council District:	2
	Date Filed:	May 9, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact case planner Marilu Garcia at (510) 238-5217 or by email at mgarcia2@oaklandnet.com .



6.	Location:	The public Right of Way near 1105 2nd Avenue on a City Light Pole
	Assessor's Parcel Number(s):	Nearest adjacent lot: 019-0027-013-03
	Proposal:	Installation of a wireless telecommunication facility on an existing 26' City Light Pole located in the public right-of-way. The project involves installation of one (1) antenna measuring 24" long and 14.6" in diameter located within shroud at a height of 29'-6" and two (2) radio units (12.05" wide and 27.17" tall and 7.01" deep) mounted at a height of 15'-8" and 18'-11" above ground and a fiber splice box measuring 6 3/4" tall, 4 1/4" wide and 2 1/8" deep mounted on the pole at 3'-4".
	Applicant:	Black & Veatch for Extenet Systems/Verizon Wireless
	Contact Person/Phone Number:	Ana Gomez of Black & Veatch (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN17162
	Planning Permits Required:	Major Design Review and Variance to install a wireless Monopole Telecommunications Facility on an existing City light pole located in the public right -of- way where the new Monopole facility are not permitted in D-LM-1 zone.
	General Plan:	Urban Residential
	Zoning:	DLM-1 Lake Merritt Station Area District Mixed -1 Residential zone.
	Environmental Determination:	Exempt per Section 15301 of the State CEQA Guidelines; minor additions and alterations to an existing city light pole; Section 15303, new construction or conversion of small structures; and Section 15183; projects consistent with a community plan, general plan or zoning.
	Historic Status:	No Historic Record – City light pole
	City Council District:	2
	Date Filed:	May 6, 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 .

7.	Location:	203 E. 18th Street (the site of the former Merritt Bakery)
	Assessor's Parcel Number(s):	020-0183-006-02
	Proposal:	To serve alcoholic beverages at a full-service restaurant "Lure Restaurant" with a requested 1:00 A.M. closing time.
	Owner:	Gerry Friedkin / Lake Merritt, LLC.
	Applicant:	Darrell Edwards / Lure Restaurant (510) 459-5684
	Case File Number:	PLN17100
	Planning Permits Required:	Major Conditional Use Permits for alcoholic Beverage Sale (request for Type 48 State Alcohol License) located on a restricted corridor; (OMC Sec. 17.103.030(B)(2)).
	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, rating: F3 (1962)
	City Council District:	2
	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 .



8.	Location:	2000 MacArthur Blvd
	Assessor's Parcel Number(s):	029A-1301-022-00
	Proposal:	To revise conditions of approval for a restaurant regarding sale of alcoholic beverages (upgrade ABC license for beer & wine to include liquor), and, hours of operation (10:00 P.M. closing time would be extended to 10:30 P.M. Thursdays-Saturdays)
	Applicant / Phone Number:	Mr. Phillip Bell (510) 435-2118
	Owner:	Same
	Case File Number:	CM10009-R01
	Planning Permits Required:	Revision to Major Conditional Use Permit # CM10-009 approved February 17, 2010 to amend Conditions of Approval #30b (ABC license type) & 30d (closing time)
	General Plan:	Neighborhood Center Mixed Use
	Zoning:	CN-1 Neighborhood Commercial Zone
	Environmental Determination:	Exempt, Section 15270 of the State CEQA Guidelines: Projects Which Are Disapproved; Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities (operation); Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Non-historic property
	City Council District:	5
	Date Filed:	November 13, 2014
	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 .

9.	Location:	1385 16th Street
	Assessor's Parcel Number(s):	005-0480-002-00
	Proposal:	The proposal is to construct a 59,761 sq. ft. addition (59' tall) to an existing 30,820 sq. ft. warehouse facility used as fine art storage and office space for a total of 90,581 sq. ft. on a 61,173 sq. ft. parcel. There are ten parking spaces are provided on site.
	Applicant/Owner:	Scott Atthowe; Fine Art Services / Michael Tauber Architect
	Contact Person/Phone number:	(510) 654-6816
	Case File Number:	PLN17217
	Planning Permits Required:	Major Conditional Use Permit to allow and exceed construction of 25,000 sq. ft. of warehouse facility in CIX-1B; Regular Design Review to construct 59,761 sq. ft. addition to an existing two-story warehouse facility; Minor Variance to waive required one space per 1,500 sq. ft. of floor area, 61 parking spaces are required and 10 parking spaces are proposed.
	General Plan:	Business Mix
	Zoning:	CIX-1B/ S-19 West Oakland Plan Area Commercial Industrial Mix-1B and Health and Safety Protection Combining Zones
	Environmental Determination:	Exempt per Section 15303 of the State CEQA Guidelines: New construction of industrial structures; and Section 15183: Projects consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Not a Historic District
	City Council District:	3
	Date Filed:	06/06/17
	Finality of Decision:	Appealable to City Council within 10 calendar 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 from the September 27, 2017, Planning Commission agenda.

10.	Location:	6041 San Pablo Ave
	Assessor's Parcel Number(s):	016-1460-028-00
	Proposal:	To re-establish a closed bar with a 2:00am closing time under a new operator.
	Applicant / Phone Number:	Ms. Janet Ezell (510) 205-0342
	Owner:	Mr. Otis McGee, Jr.
	Case File Number:	PLN17097
	Planning Permits Required:	Major Conditional Use Permit with additional findings for Alcoholic Beverage Sales Commercial Activity; Variances for: alcohol sales within 1,000 feet of an existing alcohol, and, in an over-concentrated area within 1,000 feet of civic uses
	General Plan:	Community Commercial
	Zoning:	CC-2 Community Commercial Zone
	Environmental Determination:	Exempt, 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:	D3
	City Council District:	1
	Date Filed:	April 11, 2017
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council within 10 days
	For Further Information:	Contact case planner Aubrey Rose, AICP at (510) 238-2071 or by email at arose@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.



11.	Location:	1100 Broadway
	Assessor's Parcel Number(s):	002-0051-006-02
	Proposal:	Proposal to construct a new 18-story, 330,099-square-foot commercial building and rehabilitate an existing 8-story, 38,477-square-foot historic commercial building, resulting in totals of 309,890 square feet of office space and 10,000 square feet of retail/restaurant space in the combined new development.
	Applicant/Owner:	1100 Broadway Owner, LLC (c/o Ellis Partners)
	Case File Number:	CMD07-090-R01; ER97-32
	Planning Permits Required:	Revision to a previously approved Major Conditional Use Permit to allow new Large-Scale Development; Minor Variance for exceptions to Off-Street Loading Requirements; Regular Design Review for new construction and exterior alterations.
	General Plan:	Central Business District (CBD)
	Zoning:	Central Business District Pedestrian Retail Commercial (CBD-P) Zone, Height/Bulk/Intensity Area 7
	Environmental Determination:	Analyses were prepared pursuant to the following California Environmental Quality Act (CEQA) Guidelines sections, each of which may provide a separate and independent basis for CEQA compliance: 15183 – Projects consistent with a community plan, general plan, or zoning; 15164 – Addendum to an EIR or Negative Declaration. 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:	Key System Building (CEQA Historical Resource); City of Oakland Landmark; Listed to Oakland's Local Register of Historical Resources; Listed to the National Register of Historic Places; Oakland Cultural Heritage Survey (OCHS) Property of Highest Importance & Contributor to the Downtown District Area of Primary Importance (API); and Contributor to the National Register-listed Downtown Oakland Historic District.
	City Council District:	2
	Action to be Taken:	Decision on Application
	Staff Recommendation:	Approve with the attached conditions
	Finality of Decision:	Appealable to City Council within 10 days
	For Further Information:	Contact case planner Matthew Weintraub at 510-238-6983 or by e-mail at mweintraub@oaklandnet.com .



12.	Location:	2401 Broadway
	Assessor's Parcel Number(s):	008-0674-003-01; -004-00; -005-00; and -036-00
	Proposal:	Proposal to construct a new six story mixed use building containing 72 dwelling units, a 159-room hotel and approximately 17,000 square feet of ground floor retail. The project site is Retail Priority Site 2 in the Broadway Valdez District Specific Plan.
	Applicant/Contact Person:	Signature Land Advisors Inc. – Jamie Choy (510) 251-9276
	Owner:	2401 Broadway Investors LLC
	Case File Number:	PLN16246
	Planning Permits Required:	Regular Design Review for new construction and to allow a D-BV height boundary shift of 30 feet into adjacent CC Zone; Major Conditional Use Permits to allow D-BV-1 Zone Bonuses, a Transient Habitation Commercial Activity, an Alcohol Beverage Sales Activity, expansion of D-BV uses into adjacent CC Zone, and shared parking; and Tentative Parcel Map for lot merger and new condominiums.
	General Plan:	Central Business District
	Zoning:	D-BV-1; CC-3
	Environmental Determination:	A detailed CEQA Analysis was prepared for this project which concluded that the proposed project satisfies each of the following CEQA provisions: 15183 - Projects consistent with a community plan, general plan, or zoning; 15183.3 – Streamlining for in-fill projects; and/or 15164 – Addendum to the 2014 certified Broadway Valdez District Specific Plan 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:	Potentially Designated Historic Property (PDHP), 2401 Broadway – Eb-1* (API Non-contributor) 437 25 th Street – C1+ (API Contributor)
	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 Pete Vollmann at (510) 238-6167 or by email: pvollmann@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: October 18, 2017

Revised September 15, 2017, to add electronic location of CEQA documents for Item #11.