



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

November 1, 2017
Regular Meeting

Revised October 23, 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

Status update on the Downtown Oakland Specific Plan project, including progress to date in integrating a social equity strategy into the planning process.

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:	City Street light pole in public right-of-way adjacent to 6501 Pine Needle Drive (Close to intersection of Broadway Terrace)
	Assessor's Parcel Number(s):	Nearest adjacent lot 048G-7429-019-00
	Proposal:	To install new "small cell site" Monopole Wireless Communications Facility to improve services by placing two panel antennae (26.1" high, 10.8" wide and 6.2" deep) at the top of a replaced City Street light pole located in the public Right-of-Way. The existing light pole is 25' and the new pole would be 31'. The antennae would be up to 31'-6" in height and related equipment mounted at a height of 8' and 12' above ground level. All equipment to be painted to match the pole.
	Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: AT&T) (913) 458-9148
	Owner:	City of Oakland
	Case File Number:	PLN17372
	Planning Permits Required:	Major Conditional Use Permit and Regular Design Review with additional findings for Monopole Telecommunications Facility in Residential Zone; Minor Variance for Telecom Facility adjacent to residential lot line.
	General Plan:	Hillside Residential
	Zoning:	Hillside Residential - 4 Zone (RH-4) / S-9
	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:	NHP
	City Council District:	1
	Date Filed:	September 18, 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 .



This item has been continued to a date uncertain.

2. Location:	City Street light pole in public right-of-way adjacent to 1138 Drury Road (Close to intersection of Amite Ave.)
Assessor's Parcel Number(s):	Nearest adjacent lot 048H-7613-011-01
Proposal:	To install new "small cell site" Monopole Wireless Communications Facility to improve services by placing two panel antennae (26.7" high, 10.8" wide and 6.2" deep) at the top of a replaced City Street light pole located in the public Right of Way. The existing light pole is 25' and the new pole would be 39'. The antennae would be up to 39' 6" in height and related equipment mounted at a height of 8' and 12' above ground level. All equipment to be painted to match the pole.
Applicant / Phone Number:	Ana Gomez/Black & Veatch & Extenet (for: AT&T) (913) 458-9148
Owner:	City of Oakland
Case File Number:	PLN17374
Planning Permits Required:	Major Conditional Use Permit and Regular Design Review with additional findings for Monopole Telecommunications Facility in Residential Zone; Minor Variance for Telecom Facility adjacent to residential lot line.
General Plan / Zoning:	Hillside Residential / Hillside Residential - 4 Zone (RH 4) / S-9
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:	NHP
City Council District:	1
Date Filed:	September 18, 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 .

3. Location:	5812 San Pablo Ave
Assessor's Parcel Number(s):	015-1335-010-02
Proposal:	To request for a Major Conditional Use Permit and Minor Conditional Use Permit 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 No.:	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)(10)); 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
General Plan / Zoning:	Neighborhood Center Mixed Use / 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 .



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.

Table with 2 columns: Field Name and Value. Fields include Location, Assessor's Parcel Number, Proposal, Applicant / Phone Number, Owner, Case File Number, Planning Permits Required, General Plan, Zoning, Environmental Determination, Historic Status, City Council District, Date Filed, Action to be Taken, Finality of Decision, and For Further Information.



5.	Location:	701-735 105 th Ave
	Assessor's Parcel Number(s):	045-5268-004-00; 005-00; 006-00; 007-00; 008-00; 009-00; 010-00; 011-00; 012-00; 013-00; 014-00; 015-00; 016-00; 017-00; 018-00.
	Proposal:	To replace an existing Bible College (School of Urban Missions) with a new elementary and high school (Grades K through 12).
	Owner:	School of Urban Missions (SUM) – George Neau
	Applicant:	Lighthouse Community Charter School-Jenna Stauffer (323)422-9129
	Case Number:	PLN17041
	Planning Permits Required:	Major Conditional Use Permit for Community Education;
	General Plan:	Business Mix
	Zoning:	CIX-2 - Commercial Industrial Mix - 2 Industrial Zone S-19 - Health and Safety Protection Combining Zone
	Environmental Determination:	The project relies on the City of Oakland General Plan Land Use and Transportation Element (LUTE) EIR (1998) and the Coliseum Area Redevelopment Plan EIR (1995) and subsequent amendments; A detailed CEQA Analysis prepared for this project concluded that the proposed project, separately and independently, 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 – Addenda to the 1995 and 1998 EIRs; none of the circumstances requiring preparation of a Subsequent or Supplemental EIR are present, CEQA Guidelines 15162 and 15163). The CEQA Analysis document may be reviewed at the Planning Bureau offices at 250 Frank Ogawa Plaza, 2 nd Floor, Oakland CA 94612, or online-at: http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DOWD009157
	Historic Status:	N/A
	City Council District:	7
	Status:	Pending
	Action to be Taken:	Decision based on staff report
	For Further Information:	Contact case planner Maurice Brenyah-Addow at (510) 238-6342 or by email at mbrenyah@oaklandnet.com .



6.	Location:	Area defined by Franklin Street to the west; 14th Street, Lake Merritt, and Foothill Boulevard to the north; 14th Avenue to the east; and Interstate 880 to the south.
	Proposal:	Review proposed interim development controls for an area surrounding the potential location of a new Oakland Athletics baseball stadium, including but not limited to, special regulations for public notification, building demolitions, building conversions, and new development.
	Applicant:	City of Oakland
	Case File Number:	ZA17007
	Planning Permits Required:	Not applicable
	General Plan:	Land Use and Transportation Element (LUTE) Areas: Central Business District, Institutional, Urban Park and Open Space, Urban Residential, Mixed Housing Type Residential, Neighborhood Center Mixed Use, Community Commercial, Housing and Business Mix, and Business Mix
	Zoning:	D-LM-2: Lake Merritt Station Area District Pedestrian - 2 Commercial Zone; D-LM-3: Lake Merritt Station Area District General - 3 Commercial Zone; D-LM-4: Lake Merritt Station Area District Mixed - 4 Commercial Zone; D-LM-5: Lake Merritt Station Area District -5 Institutional Zone; RM-3: Mixed Housing Type Residential -3 Zone; RM-3/C: Mixed Housing Type Residential -3 Zone / C Residential Commercial Combining Zone; RU-2: Urban Residential -2 Zone; RU-3: Urban Residential -3 Zone; RU-4: Urban Residential -4 Zone; CN-3: Neighborhood Commercial - 3 Zone; CN-3/S-7: Neighborhood Commercial - 3 Zone / S-7 Preservation Combining Zone; CC-2: Community Commercial -2 Zone; HBX-2: Housing and Business Mix - 2 Commercial Zone; CIX-2: Commercial Industrial Mix - 2 Industrial Zone; CIX-2/S-19: Commercial Industrial Mix - 2 Industrial Zone / S-19 Health and Safety Protection Combining Zone; OS(NP): Open Space Zone / Neighborhood Park; OS(AF): Open Space Zone / Athletic Field Park; OS(RCA): Open Space Zone / Resource Conservation Area; OS(LP): Open Space Zone / Linear Park; OS(SU): Open Space Zone / Special Use Park
	Environmental Determination:	The proposed interim development controls are exempt from the California Environmental Quality Act under CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment, in that this Ordinance temporarily changes the approval process for new development within an area defined by Franklin Street to the west, 14th Street, Lake Merritt, and Foothill Boulevard to the north, 14th Avenue to the east, and Interstate 880 to the south, while the City Council studies permanent revisions to the Oakland Municipal Code and/or the Oakland Planning Code, which is solely an administrative process resulting in no physical changes to the environment.
	Historic Status:	Not applicable
	City Council District:	2
	Action to be Taken:	Receive public and Planning Commission comments on the proposed interim development controls, and forward a recommendation on the proposal to the City Council.
	For Further Information:	Contact case planner Ed Manasse at (510) 238-7733 or by email at emanasse@oaklandnet.com .



7.	Location:	2400 Filbert Street
	Assessor's Parcel Number(s):	005-0433-018-05 and -018-06
	Proposal:	Extension of entitlements to construct a new development consisting of 55 residential townhomes.
	Applicant:	Tom Dolan
	Contact Phone Number:	(510) 839-7200
	Owner:	2400 Filbert, LLC
	Case File Number:	CD05116
	Planning Permits Required:	Extension of the Interim Conditional Use Permit & Design Review.
	General Plan:	Mixed Housing Type
	Zoning:	Current Zoning: RM-4/RM-2, Mixed Housing Zones 4 & 2 Prior Zoning: M-20/R-50, Light Industrial Zone /Medium Density Residential Zone
	Environmental Determination:	Infill Exemption (CEQA Guidelines Section 15332)
	Historic Status:	Not Historic.
	City Council District:	3
	Status:	Planning Commission approval on November 16, 2005. The approved project was appealed to the City Council, and at the February 21, 2006 City Council hearing the appeal was denied. On April 16, 2016 entitlements extended by the Planning Commission to December 31, 2016. On December 21, 2016, the entitlements were extended for nine months until September 21, 2017. The latest extension request was filed on July 20, 2017.
	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 at 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 September 6, September 27, October 4, and October 18, 2017 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: November 15, 2017

Revised October 23, 2017, to reflect continuance of Items #1 & #2 to a date uncertain and the addition of Item #7 that was continued from the October 18, 2017, meeting.