



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

November 1, 2017
Regular Meeting

The meeting was called to order at **6:06pm**.

ROLL CALL

Present: Manus, Fearn, Limon, Weinstein, Monchamp, Myres, Nagraj

WELCOME BY THE CHAIR

COMMISSION BUSINESS

Agenda Discussion

Item #3 was withdrawn by the Applicant. Public Hearings will be heard in the order #5, #4, #7, #6.

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. Item called at **6:07pm**. **Staff:** Joanna Winter.

Committee Reports

Commissioner Manus gave an overview of the Design Review Committee that was held on October 25, 2017.

Commission Matters

City Attorney's Report

OPEN FORUM

Jonah Strauss, Mimi Rohr.

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。



CONSENT CALENDAR

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 Amito 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 .

This item was withdrawn by the Applicant.

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

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 .

Item #5 was called at 6:41 pm.

Staff: Neil Gray

Applicant: Marcus Hibsen

Public Speakers: Victoria Figg, Paul Forkash, Aaron Forkash, Herlinda Valencia, Isaias Ramirez, Pamela Harris, Teryra Hutchinson, Kymaro Rhodes, Yanira Canizales.

Motion by Commissioner Limon to affirm staff's environmental determination and approve the Conditional Use Permit, subject to the attached Findings and Conditions, seconded by Commissioner Fearn.

Ayes: Manus, Fearn, Limon, Weinstein, Monchamp, Myres, Nagraj

Noes:

Approved with 7 ayes and 0 noes.



4.	Location:	4432 - 4444 Telegraph Avenue
	Assessor's Parcel Number:	013-1099-025-01 & 013-1099-028-00
	Proposal:	To adjust the Zoning boundary approximately 25-35 feet to the boundary of the parcels to conform the Zoning with the majority of the parcels.
	Applicant / Phone Number:	Randall Reed (510) 715-0521
	Owner:	Ronald Reed TR & Randall R Reed & L Williams, The Salk Trust
	Case File Number:	PLN17404
	Planning Permits Required:	Rezoning from RM-1 Mixed Housing Type Zone to CN-2 Neighborhood Center Zone.
	General Plan:	Neighborhood Center Mixed Use and Mixed Housing Type Residential
	Zoning:	CN-2 Neighborhood Center Zone and RM-1 Mixed Housing Type Residential Zone
	Environmental Determination:	The proposal relies on the previously certified Final Environmental Impact Report (EIR) for the Land Use and Transportation Element of the General Plan (1998); On a separate and independent basis, the proposal is also exempt from CEQA pursuant to CEQA Guidelines Section 15183 "Projects Consistent with a Community Plan, General Plan or Zoning".
	Historic Status:	Not a Potential Designated Historic Property; Survey Rating: Ec3
	City Council District:	1
	Date Filed:	7/19/17
	Action to be Taken:	Receive public comments and (1) recommend to the City Council adoption of staff's environmental determination; and (2) recommend to the City Council approval of the rezoning.
	Finality of Decision:	All of the Planning Commission's recommendations related to the environmental determination and the project will automatically be considered by the City Council at a later date, for its independent review, consideration, and final action, and thus no appeal of these actions is necessary. However, all interested parties must exhaust their administrative remedies by raising any and all issues and/or evidence at this public hearing or in a writing received by the Project Planner no later than 4:00 p.m. on November 1, 2017.
	For Further Information:	Contact case planner Michael Bradley at (510) 238-6935 or by email at mbradley@oaklandnet.com .

Item #4 was called at 7:31pm.

Staff: Michael Bradley

Public Speakers: Naomi Schiff

Motion by Commissioner Fearn to recommend to City Council the adoption of staff's environmental determination and approval of the rezoning from the RM-1 zone to the CN-2 zone, subject to the requirements and findings contained in the staff report, seconded by Commisisoner Limon.

Ayes: Manus, Fearn, Limon, Weinstein, Monchamp, Myres, Nagraj

Noes:

Approved with 7 ayes and 0 noes.



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 .

Item #7 was called at 7:38pm.

Staff: Pete Vollmann

Applicant: Martin Pham, Tom Dolan, Bob Johnston

Public Speakers: Ray Kidd, Dan Holden

Motion by Commissioner Manus to deny the extension of the project approvals and require any future applicant to submit a proposal that complies with the current zoning regulations, seconded by Commissioner Weinstein.

Ayes: Manus, Fearn, Limon, Weinstein, Monchamp, Myres, Nagraj

Noes:

Approved with 7 ayes and 0 noes.



Commissioner Manus recused himself from Item #6. Chair Nagraj called a recess from 8:15-8:22pm.

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 .



Item #6 was called at 8:22pm.

Staff: Ed Manasse

Public Speakers: Ronnie Turner, Naomi Schiff, Susan Schacher, James Vann, Kieryn Darkwater, Jeff Levin, Victoria Fierce, Alvina Wong.

Motion by Commissioner Myres to affirm staff's environmental determination, recommend that the City Council consider the proposed Oakland Planning Code, Subdivision Code, and Planning Map amendments and find that the existing noticing regulations being amended or deleted are inadequate and otherwise contrary to the public interest; additionally recommend that a public outreach meeting take place between now and the scheduled City Council meeting that includes stakeholders of the Lake Merritt Specific Plan process; additionally recommend consideration of additional interim controls and other anti-displacement measures beyond the scope of those addressed in this hearing; additionally recommend an analysis be undertaken and shared of the impact of these controls; and recommend a carveout from these interim controls for projects that include at least 15% affordable housing, seconded by Commissioner Weinstein.

Ayes: Fearn, Limon, Weinstein, Monchamp, Myres, Nagraj

Noes:

Approved with 6 ayes and 0 noes.

APPEALS

COMMISSION BUSINESS

Approval of Minutes

Correspondence

City Council Actions

ADJOURNMENT

The meeting was adjourned at 10:30pm.

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

NEXT REGULAR MEETING: November 15, 2017