



Jahmese Myres, Chair
Amanda Monchamp, Vice-Chair
Jonathan Fearn
Nischit Hegde
Tom Limon
Clark Manus
Sahar Shirazi

November 7, 2018
Regular Meeting

Revised October 23, 2018 – See end of agenda.

MEAL GATHERING

5:00pm Café 15, 597 – 15th St, Oakland (Corner of Jefferson & 15th St)

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.oaklandca.gov (under "Planning Commission.") You will need to ensure that your computer will accept pop-ups from the host site (oaklandca.gov) 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@oaklandca.gov or 510-238-6194 or Cheryl Dunaway at cdunaway@oaklandca.gov 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:	1915 Broadway
	Assessor’s Parcel Number(s):	008-0639-003-00
	Proposal:	To operate a Bar.
	Applicant:	Cory Hunt
	Contact Person/ Phone Number:	Cory Hunt (916)601-1782
	Owner:	EMBL, LLC
	Case File Number:	PLN18331
	Planning Permits Required:	Major Conditional Use Permit with additional findings including Public Convenience or Necessity for Alcoholic Beverage Sales Commercial Activity
	General Plan:	Central Business District
	Zoning:	CBD-P Central Business District Pedestrian Retail 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:	*d1+ rating - Area of Primary Importance (API) Uptown Commercial
	City Council District:	3
	Date Filed:	8/9/18
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact Case Planner Michael Bradley at (510) 238-6935 or by email at mbradley@oaklandca.gov .



2.	Location:	1741 San Pablo Avenue
	Assessor's Parcel Number(s):	003-0063-004-00
	Proposal:	To establish a new Alcoholic Beverage Sales Activity, Type 48 Bar, into a vacant ground floor commercial space. The proposed bar will occupy a 1,600 square feet space and will have operating hours 4:00pm-12:00am.
	Applicant:	Amplify Entertainment, LLC
	Contact Person/ Phone Number:	Allison Sadauskas (415) 990-0379
	Owner:	Michael O'Connor
	Case File Number:	PLN18330
	Planning Permits Required:	Major Conditional Use Permit to allow the establishment of an Alcoholic Beverage Sales Activity; Findings of Public Convenience or Necessity in an over concentrated area.
	General Plan:	Central Business District
	Zoning:	CBD-X Zone Central Business District Mix Commercial Zone
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Section 15183: Projects consistent with the General Plan or Zoning.
	Historic Status:	Potential Designated Historic Property; OCHS Survey rating: Dc3
	City Council District:	3
	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@oaklandca.gov .

3.	Location:	City street light pole in public right-of-way adjacent to: <ul style="list-style-type: none"> • a) 6201 International Blvd. (PLN18393; APN 041-3883-038-02); Submitted 9/25/18; General Plan: Urban Residential; Zoning: RU-5; Council District 6. • b) 6315 Bancroft Ave. (PLN18394; APN 038-3196-074-05); Submitted 9/25/18; General Plan: Urban Residential; Zoning: RU-4; Council District 6.
	Proposal:	To establish two (2) wireless telecommunications facilities on existing 26'tall City Light Poles located in the public right-of-way. The projects each involve installation of one (1) antenna measuring 23.5" long and 7.9" in diameter and two diplexers located within shroud at a height of 30'-2" and two (2) radio units (7.8" tall, 7.8" wide and 3.93" deep) mounted at a height of 10'-8" above ground and a meter box mounted on the pole at 8'-0".
	Applicant:	Black & Veatch for Extenet Systems
	Contact Person/ Phone Number:	Ana Gomez of Black & Veatch (913) 458-9148
	Owner:	City of Oakland
	Planning Permits Required:	Major Conditional Use Permit and Design Review to install wireless Monopole Telecommunications Facilities on existing City Light Poles located in the public right-of-way within RU-4 and RU-5 Residential Zones.
	Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines; minor additions and alterations to an existing City Light Pole; Exempt, Section 15303 of the State CEQA Guidelines; new construction or conversion of small structures; Exempt, Section 15183 of the State CEQA Guidelines; projects consistent with a community plan, general plan or zoning.
	Historic Status:	No Historic Record – Utility Poles
	City Council District:	6
	Date Filed:	September 25, 2018
	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@oaklandca.gov .



4.	Locations	Wooden utility poles in public right-of-way adjacent to: <ul style="list-style-type: none"> a) 6000 Eastlawn St (PLN17502; APN: 041-3882-020-00); Submitted: 12/27/17; General Plan: Detached Unit Residential; Zoning: RD-2 Zone; Council District: 6 b) 6719 Eastlawn St (PLN17518; APN: 041-4064-028-00)
	Proposal:	To consider requests for two (2) application to install a new "small cell site" Macro Telecommunications Facilities on JPA wooden utility poles by attaching antenna and equipment.
	Applicant / Phone Number:	Ms. Ana Gomez-Abarca / Black & Veatch (913) 458-9148
	Owner:	Extenet, et al.
	Planning Permit Required:	Regular Design Review with additional findings for Macro Telecommunications Facility
	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
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact Case Planners Aubrey Rose at (510) 238-2071 or arose@oaklandca.gov OR Eliezer Mendoza at (510) 238-3123 or emendoza2@oaklandca.gov

5.	Locations:	City street light poles in public right-of-way adjacent to: <ul style="list-style-type: none"> a) 1034 66th Ave (PLN18011; APN: 041-4062-001-02); Submitted: 1/16/18; General Plan: Detached Unit Residential; Zoning: RD-2 Zone; Council District: 6 b) 1048 35th Ave (PLN18091; APN: 033-2190-022-00); Submitted: 2/14/18; General Plan: Neighborhood Center Mixed Use; Zoning: S-15 Transit-Oriented Development Commercial Zone; Council District: 5
	Proposal:	To consider requests for two (2) applications to install new "small cell site" Monopole Telecommunications Facilities on City light poles by attaching antenna and equipment.
	Applicant / Phone Number:	James Singleton for Mobilitie / (650) 814-0564
	Owner:	City of Oakland
	Planning Permits Required:	Major Conditional Use Permit and Regular Design Review with additional findings for Monopole Telecommunications Facility in or near a 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 properties
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	Appealable to City Council
	For Further Information:	Contact Case Planners Aubrey Rose at (510) 238-2071 or arose@oaklandca.gov OR Eliezer Mendoza at (510) 238-3123 or emendoza2@oaklandca.gov



6.	Locations:	City light poles in public right-of-way adjacent to: <ul style="list-style-type: none"> • a) 4124 Telegraph Ave (PLN18391; APN: 012-1010-002-00); Submitted: 9/24/18; General Plan: Neighborhood Center Mixed Use; Zoning: CN-2 Neighborhood Commercial Zones; Council District: • b) 4640 Telegraph Ave (PLN18392; APN: 013-1150-016-00)
	Proposal:	To consider requests for two (2) applications to install new "small cell site" Monopole Telecommunications Facilities on City light poles by attaching antenna and equipment
	Applicant / Phone Number:	Mr. Justin Giarritta / Vinculums (925) 482-8519
	Owner:	City of Oakland
	Planning Permits Required:	Major Conditional Use Permit and Regular Design Review with additional findings for Monopole Telecommunications Facility near 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 properties
	Action to be Taken:	Decision based on staff report
	Finality of Decision:	<i>Appealable to City Council</i>
	For Further Information:	Contact Case Planners Aubrey Rose at (510) 238-2071 or arose@oaklandca.gov OR Eliezer Mendoza at (510)238-3123 or emendoza2@oaklandca.gov

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.



7.	Location:	2044 Franklin
	Assessor's Parcel Number(s):	008-0651-018-01
	Proposal:	Construction of a 22 story, 239-foot-high residential high rise structure with 357 residential apartment units including 20 very low income affordable housing units, 5,385 sf of ground floor retail, no parking, and a concession from open space requirements to allow 12,872 sf of group open space rather than 26,775 sf of open space.
	Applicant:	RAD/Urban
	Contact Person/ Phone Number:	Brian Caruso RAD/Urban 408-813-3025
	Owner:	Village Glenn Oakland 2, LLC
	Case File Number:	PLN17050-R01-R01
	Planning Permits Required:	Conditional Use Permit; Design Review
	General Plan:	Central Business District
	Zoning:	CBD-C
	Environmental Determination:	Exempt, Section 15332: Infill Development; Section 15183: Consistent with General Plan or Zoning; Section 15180: Central District Urban Renewal Plan EIR; Section 15183.3: Streamlining for Infill Projects
	Historic Status:	N/A
	City Council District:	3
	Finality of Decision:	Planning Commission
	For Further Information:	Contact Case Planner Rebecca Lind, Planner III at (510) 238-3472 or by email at rlind@oaklandca.gov .

8.	Location:	Brooklyn Basin (formerly known as "Oak to 9th Avenue")
	Proposal:	Notice of Preparation (NOP) of a Supplemental Environmental Impact Report (SEIR).
	Applicant:	ZOHP, (510) 251-9270.
	Owner:	Port of Oakland/ZOHP
	Case File Number:	PUD06010-R02-ER01
	Planning Permits Required:	Amendment to Development Agreement, General Plan Amendment, Rezone, Revision to Planned Unit Development, Conditional Use Permit and Final Development Permit.
	General and Estuary Plan:	Planned Waterfront Development-1; Estuary Policy Plan-Parks (EPP-Parks).
	Zoning:	Planned Waterfront Zoning District (PWD-4)/D-OTN-4; Open Space (Region-Serving Park) (OS (RSP))
	Environmental Determination:	Final EIR certified on January 20, 2009
	Historic Status:	Affects Non-Historic Property
	City Council District:	2 – Abel Guillen
	Action to be Taken:	Comment on environmental topics to be analyzed in SEIR; no decision to be considered.
	Finality of Decision:	Not applicable.
	For further information:	Contact Case Planner Catherine Payne at (510) 238-6168 or by e-mail at cpayne@oaklandca.gov .



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/overtakes 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 D. MERKAMP
Acting Zoning Manager
Secretary to the Planning Commission
Planning and Building Department

NEXT REGULAR MEETING: November 28, 2018

Revised October 23, 2018, to reflect addition of Item #8 that was continued from the October 17, 2018, Planning Commission meeting.