



Oakland City Planning Commission

AGENDA

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

July 17, 2019
Regular Meeting

MEAL GATHERING **5:00pm** **Building Bridges Conference Room, City Hall, 3rd Floor**

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.

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

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。



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

Election of Chair and Vice-Chair.

Agenda Discussion

Director's Report

Status Report on 2019 Mills Act Selections.

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:	1100 77th Ave
	Assessor’s Parcel Number(s):	041-4211-008-08
	Proposal:	To construct a new 38,825 square feet unconditioned warehouse with an interior bridge crane and raised dock on a 72,787 square-foot vacant lot. The project includes 21 new off-street parking and landscaping with 10 trees.
	Applicant:	Anthony Tabacco
	Contact Person/ Phone Number:	(925)323-5351
	Owner:	Yi Noel & Meiling
	Case File Number:	PLN19077/DET19066
	Planning Permits Required:	Conditional Use Permit for a shared access facility. The Conditional Use Permit is Major because the site is more than one acre.
	General Plan:	Business Mix
	Zoning:	CIX-2 / S-19
	Environmental Determination:	Exempt, State CEQA Guidelines Section 15332: In-Fill Development and Section 15183: Projects consistent with a Community Plan, General Plan or Zoning.
	Historic Status:	None
	City Council District:	7
	Finality of Decision:	Appealable to City Council within 10 days
	For Further Information:	Contact Case Planner Eva Wu at 510-238-3785 or by email at ewu@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.

2.	Location:	1630 10th Street
	Assessor’s Parcel Number(s):	006-0007-004-01
	Proposal:	Minor Conditional Use permit for the establishment of a Health Care Civic Activity within an existing civic building. The proposal includes case management, education groups, treatment planning, and therapy for recovering substance abuse patients.
	Applicant:	Options Recovery Services
	Phone Number:	(510) 666-9552
	Owner:	Roman Catholic Welfare Corporation of Oakland
	Case File Number:	PLN18388
	Planning Permits Required:	Minor Conditional Use Permit for Health Care Civic Activity within the RM-2 Zone.
	General Plan:	Institutional
	Zoning:	RM-2
	Environmental Determination:	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:	Area of Primary Importance (Oakland Point)
	City Council District:	3
	Finality of Decision:	Appealable to City Council within 10 days of decision
	For Further Information:	Contact Case Planner Brittany Lenoir at (510) 238-4977 or by email at blenoir@oaklandca.gov .



3.	Location:	300 Lakeside Drive
	Assessor's Parcel Number(s):	008-0652-001-05
	Proposal:	The applicant is proposing to revise the previously approved Planned Unit Development (PUD) which included two new office towers totaling 1.47 million square feet. The revised proposal includes two separate Master Plan development scenarios, both of which would continue to retain the existing office tower at 300 Lakeside Drive and demolish the 20 th Street and Webster Street mall buildings. Both development scenarios would retain a large majority of the existing rooftop garden. The details of the two development scenarios are as follows: <u>Master Plan I</u> - Development scenario that includes two new office towers totaling approximately 1.35 million square feet over ground level retail. <u>Master Plan II</u> - Development scenario that includes an office tower on Webster that would include approximately 865,000 square feet and a residential tower on 20 th Street that would include up to 580 dwelling units.
	Applicant:	The Swig Company
	Contact Person/Phone Number:	Tomás Schoenberg – (415) 291-1104
	Owner:	SIC – Lakeside Drive JV, LLC
	Case File Number:	PUD08103-R01 & TPM9848
	Planning Permits Required:	Revision to the previously approved Planned Unit Development (PUD).
	General Plan:	Central Business District
	Zoning:	CBD-C / Height Area 6 & 7
	Environmental Determination:	The EIR for the development was certified by the Planning Commission on May 4, 2011. An addendum was prepared to address the revised proposal and may be reviewed at the Bureau of Planning 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:	Kaiser Center Building & Roof Garden are CEQA Historic Resources (Oakland Cultural Heritage Survey Rating A1+; listed on the Local Register of Historical Resources; meets criteria for eligibility for California Register individually and as part of the Lake Merritt District)
	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 Peterson Z. Vollmann at (510) 238-6167 or by email at pvollmann@oaklandca.gov .



4.	Location:	4356 & 4416 Coliseum Way and 717 45th Ave
	Assessor's Parcel Number(s):	034-2290-004-01; -003-01; and -002-01
	Proposal:	To merge three contiguous lots and construct a 5-story, 123,158-square foot self-storage facility with ground floor light industrial space, office space, and lobby.
	Applicant:	Caster Properties, Inc.
	Contact Person/ Phone Number:	Brian Caster (619) 287-8873
	Owner:	Rodney & Karlin Krug
	Case File Number:	PLN18360
	Planning Permits Required:	Major Conditional Use Permit and Design Review for new construction of a self-storage facility greater than 25,000 square-feet; and Minor Variance to allow for 11 off-street parking spaces, where 35 parking spaces are required.
	General Plan:	Business Mix
	Zoning:	CIX-2, Commercial Industrial Mix Zone-2
	Environmental Determination:	Exempt, Section 15332 of the State CEQA Guidelines: In-fill Development Project; and Section 15183: Projects consistent with a Community Plan, General Plan or Zoning
	Historic Status:	Not a Historic Property
	City Council District:	5
	Finality of Decision:	Appealable to City Council within 10 days of decision
	For Further Information:	Contact Case Planner Maurice Brenyah-Addow at (510) 238-6342 or by email at mbrenyah@oaklandca.gov .

5.	Location:	2443 Humboldt Ave
	Assessor's Parcel Number(s):	027-0896-036-02
	Proposal:	Proposal for a new four-story 23-unit townhome style development. (the item was previously presented to the Planning Commission on June 5, 2019 and was continued by the Commission to this date with direction to the applicant to schedule a public meeting for the review of community / neighborhood concerns. That meeting was held on June 14 th at the project site).
	Applicant / Phone Number:	Ali R. Kashani / (510) 385-1340
	Owner:	Ali R. Kashani / Mohammad Hakimi
	Case File Number:	PLN18326
	Planning Permits Required:	Major Conditional Use Permit for more than seven dwelling units in the RM-3 Zone. Application qualifies for a 35% density bonus and three incentives or concessions for building height (greater than 30-foot / approximately 44feet). The parking allowances has been revised to provide 16 parking spaces (meeting the zoning requirements and removing a previously requested concession. A Category III creek permit for construction activity within 100 feet of a creek, and Regular Design Review for demolition of and existing single-family dwelling and for new construction.
	General Plan:	Mixed Housing Type Residential
	Zoning:	RM-3
	Environmental Determination:	Exempt, Section 15332 of the State CEQA Guidelines: In-fill Exemptions. Section 15183: projects consistent with a community plan, general plan, or zoning.
	Historic Status:	Not a PDHP, Rating: D3
	City Council District:	4
	Finality of Decision:	Appealable to City Council within 10 days of decision
	For Further Information:	Contact Case Planner Moe Hackett at (510) 238-3973 or by email at mhackett@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.

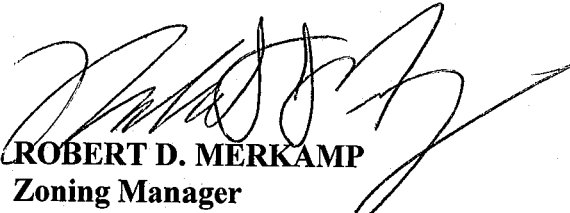
COMMISSION BUSINESS

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
Zoning Manager
Secretary to the Planning Commission
Planning and Building Department

NEXT REGULAR MEETING: **August 21, 2019

**The Planning Commission will be on Summer Recess from Thursday July 18 to Tuesday August 20, 2019.