



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

**May 15, 2019**  
**Regular Meeting**

The meeting was called to order at **6:10pm**.

## ROLL CALL

**Present:** Manus, Shirazi, Limon, Monchamp, Myres

**Excused:** Hegde, Fearn

## WELCOME BY THE CHAIR

## COMMISSION BUSINESS

### Agenda Discussion

Item #2 was moved to public hearings. Item #3 was continued to June 5, 2019.

### Director's Report

Present an informational report to the Planning Commission describing the progress the City made in 2018 to implement policies adopted in the City's 2015-2023 Housing Element and on meeting the City's share of regional housing needs allocation.

**Staff:** Katie Dignan, Maryanna Leschen

**Public Speakers:** Jeff Levin

### Committee Reports

Commissioner Limon gave an overview of the Policies & Procedures Committee meeting held immediately before this meeting.

### Commission Matters

### City Attorney's Report

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*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。



OPEN FORUM

Johanna Finney, Alexis Schroeder, Bobbie Gleiter, Amber Lee

CONSENT CALENDAR

<b>1.</b>	<b>Location:</b>	<b>610 Hegenberger Road</b>
	<b>Assessor’s Parcel Number(s):</b>	<b>042-4318-046-01</b>
	<b>Proposal:</b>	To establish a 24-hour fitness club/gym (“Planet Fitness”) within an existing 72,000 square-foot commercial building. The structure is sited within in a 6.92-acre lot. The proposal includes building and parking lot improvements (windows, signage, landscaping, and illumination).
	<b>Owner:</b>	DODG Corporation / Michael Trang
	<b>Applicant:</b>	N Consulting Engineers / Andrew Davies (714)398-7150
	<b>Case Number:</b>	<b>PLN19023</b>
	<b>Planning Permits Required:</b>	Major Conditional Use Permit for a Group Assembly Commercial Activity in the CR Zone on a site exceeding one acre in area
	<b>General Plan:</b>	Regional Commercial
	<b>Zoning:</b>	CR-1 Regional Commercial 1 Zone
	<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines – Existing Facilities (Minor alterations and operation); Section 15183 – Projects Consistent with a Community Plan, General Plan or Zoning
	<b>Historic Status:</b>	Not A Potentially Designated Historic Property: OCHS Rating: F3
	<b>City Council District:</b>	7
	<b>Status:</b>	Pending
	<b>Finality of decision:</b>	Appealable to City Council within 10 days
	<b>Action to be Taken:</b>	Decision based on staff report.
	<b>For Further Information:</b>	Contact Case Planner <b>Jose M. Herrera-Preza</b> at <b>(510) 238-3808</b> or by email at <a href="mailto:jherrera@oaklandca.gov">jherrera@oaklandca.gov</a> .

The Consent Calendar was called at **6:46pm**.

Motion by Commissioner Limon to approve the Consent Calendar (Item #1), seconded by Commissioner Manus.

**Ayes:** Manus, Shirazi, Limon, Monchamp, Myres

**Noes:**

Approved with 5 ayes and 0 noes.



**PUBLIC HEARINGS**

<b>2.</b>	<b>Location:</b>	<b>The Public Right of Way adjacent to 66 Lake Merritt Boulevard</b>
	<b>Assessor’s Parcel Number(s):</b>	<b>002-0091-001-00;</b> The site is located northwest of the parcel at 66 Lake Merritt Blvd.
	<b>Proposal:</b>	Installation of a small cell wireless telecommunication facility on an existing 25’ tall City Light Pole located in the public right-of-way. The project involves installation of one (1) antenna measuring 24.7” long and 10” in diameter within shroud at a height of 28’-6”; two (2) radio units (18” tall, 7.88” wide and 4.13” deep) and a meter box at a height of 10’ and 11’-3” above ground.
	<b>Applicant:</b>	Vinculums Services for AT&T Wireless
	<b>Contact Person/ Phone Number:</b>	Justin Giarritta / (707) 225-2865
	<b>Owner:</b>	City of Oakland
	<b>Case File Number:</b>	<b>PLN19065</b>
	<b>Planning Permits Required:</b>	Major Conditional Use Permit and Major Design Review to install a Monopole Telecommunication Facility within 300 feet of a residential zone.
	<b>General Plan:</b>	Central Business District
	<b>Zoning:</b>	D-LM-4 Lake Merritt Station Area District Zone
	<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines; minor additions and alterations to an PG&E utility pole; Section 15303: new construction or conversion of small structures; Section 15183: projects consistent with a community plan, general plan or zoning.
	<b>Historic Status:</b>	No Historic Record – Utility Pole
	<b>City Council District:</b>	2
	<b>Finality of Decision:</b>	Appealable to City Council within 10 days
	<b>For Further Information:</b>	Contact Case Planner <b>Heather Klein</b> at (510) 238-3659 or by email at <a href="mailto:hklein@oaklandca.gov">hklein@oaklandca.gov</a> .

Commissioner Monchamp recused herself and Item #2 was called at **6:47pm**.

**Staff:** Heather Klein

**Applicant:** Justin Giaeeitta

**Public Speakers:** Johanna Finney, Joseph Dashiell, Iris Feral, Alexis Schroeder, Mark Brustman, Amber Lee, Sandra Rios

Motion by Commissioner Shirazi to approve staff’s environmental determination and approve the Major Conditional Use Permit and Regular Design Review, subject to the attached Findings and Conditions of Approval for a 4G small-cell installation and will return to Commission if changed to 5G, seconded by Commissioner Limon.

**Ayes:** Manus, Shirazi, Limon

**Noes:**

**Abstentions:** Myres

Approved with 3 ayes, 0 noes, and 1 abstention.



**This item has been continued to June 5, 2019.**

<b>3.</b>	<b>Location:</b>	<b>500 Kirkham St. &amp; 1255 7th St. The site is bounded by Union, 5th and 7th Streets, and is located east from the West Oakland BART Station.</b>
	<b>Assessor's Parcel Number(s):</b>	<b>004-0049-008-00; -009-00; -010-00; and 004-0051-018-02</b>
	<b>Proposal:</b>	To construct a total of 1,032 residential units (84 very low income affordable units included), approximately 35,000 square feet of retail & commercial flex space, 59 parking spaces. The project will be phased out as follows: Phase 1 includes all horizontal improvements; Phases 2 & 3 include construction of 84 foot high mid-rises & temporary surface parking lot; and Phase 4 includes construction of a 338 foot high rise & street level parking garage accessed from Union Street
	<b>Applicant:</b>	Panoramic Interests
	<b>Contact Person/ Phone Number:</b>	Zac Shore (415)701-7002
	<b>Owner:</b>	500 Kirkham, LLC
	<b>Case File Number:</b>	<b>PLN17428/PUDF07</b>
	<b>Planning Permits Required:</b>	Planned Unit Development/Conditional Use Permit; Regular Design Review; Vesting Tentative Parcel Map Subdivision
	<b>General Plan/Specific Plan:</b>	Community Commercial/West Oakland Specific Plan
	<b>Zoning:</b>	S-15W Transit Oriented Development Zone
	<b>Environmental Determination:</b>	A detailed CEQA (California Environmental Quality Act) Analysis was prepared for this project which concludes that the development proposal satisfies each of the following CEQA Guidelines: (A) 15164—Addendum to EIRs; (B) 15183—Projects Consistent with a Community Plan, General Plan, or Zoning; (C) 15168—Prior EIRs and Redevelopment Projects; and (D) 15183.3—Qualified Infill Projects. Each of the foregoing provides a separate and independent basis for CEQA compliance. The CEQA Analysis document may be reviewed at the Bureau of Planning offices, located at 250 Frank Ogawa Plaza, 2nd Floor or online as Item #85 at <a href="http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DOWD009157">http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DOWD009157</a> The LUTE (Land Use Transportation Element) can be viewed as Item #01 at <a href="http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DOWD009158">http://www2.oaklandnet.com/government/o/PBN/OurServices/Application/DOWD009158</a>
	<b>Historic Status:</b>	Non-historic Property
	<b>City Council District:</b>	3
	<b>Action to be Taken:</b>	Decision based on staff report
	<b>Staff Recommendation:</b>	Approve project subject to the attached Conditions
	<b>For Further Information:</b>	Contact Case Planner <b>Mike Rivera</b> at (510) 238-6417 or by email at <a href="mailto:mrivera@oaklandca.gov">mrivera@oaklandca.gov</a> .



APPEALS

<b>4.</b>	<b>Location:</b>	<b>1415 Harrison Street</b>
	<b>Assessor's Parcel Number(s):</b>	<b>008-0625-045-00</b>
	<b>Proposal:</b>	To have a Supportive Housing Residential Activity located within thirty (30) feet of the front lot line on the ground floor of an existing principal building fronting a Commercial Corridor.
	<b>Applicant:</b>	Resources for Community Development – Jessica Sheldon
	<b>Contact Person/ Phone Number:</b>	Jessica Sheldon (510) 841-4410 x 335
	<b>Owner:</b>	Resources for Community Development
	<b>Case File Number:</b>	<b>APL19008 (original case file PLN18502)</b>
	<b>Planning Permits Required:</b>	Minor Variance for a Supportive Housing Residential Activity located within thirty (30) feet of the front lot line of the ground floor of an existing principal building fronting a Commercial Corridor.
	<b>General Plan:</b>	Central Business District
	<b>Zoning:</b>	D-LM-2 Lake Merritt Station Area District Zone
	<b>Environmental Determination:</b>	Exempt, Section 15270 of the State CEQA Guidelines: Projects which are disapproved.
	<b>Historic Status:</b>	OCHS Rating B+1+, Local Register Property
	<b>City Council District:</b>	3
	<b>Date Appeal Filed:</b>	2/15/19
	<b>Finality of Decision:</b>	Final (Not administratively Appealable Pursuant to OMC Sec. 17.132.030)
	<b>For Further Information:</b>	Contact Case Planner <b>Heather Klein</b> at (510) 238-3659 or by email at <a href="mailto:hklein@oaklandca.gov">hklein@oaklandca.gov</a> .

Commissioner Monchamp returned at Item #4 was called at **7:23pm**.

**Staff:** Heather Klein

**Applicant/Appellant:** Jessica Sheldon

**Public Speakers:** Brett Badelle, Zac Wald, Tangela Griffin, Melba Douglas, Jeff Levin, Mark Brustman

Motion by Commissioner Manus to continue the item to a date uncertain, seconded by Commissioner Myres.

**Ayes:** Manus, Shirazi, Limon, Monchamp, Myres

**Noes:**

Approved with 5 ayes and 0 noes.



<b>5.</b>	<b>Location:</b>	<b>7196 Saroni Drive</b>
	<b>Assessor's Parcel Number(s):</b>	<b>048E-7330-003-00</b>
	<b>Proposal:</b>	Appeal of Zoning Manager's approval of a Creek Protection Permit to construct biotechnical bank stabilization, consisting of rock riprap, biodegradable erosion control blankets, and vegetative root wads, to stabilize incising banks of an existing stream tributary of Shepherd Creek; to construct retaining walls to stabilize local slide erosion below a residence; and to incorporate biotreatment, revegetation, and stormwater dissipation measures to reduce erosion, sedimentation, and protect the stream channel bank.
	<b>Applicant:</b>	Nicholas Vigilante (510) 339-6855
	<b>Owner:</b>	Jansen Lum
	<b>Case File Number:</b>	<b>APL19004 (CP18009)</b>
	<b>Planning Permits Required:</b>	Category IV Creek Protection Permit, Section 13.16 of the City of Oakland Creek Protection Ordinance
	<b>General Plan:</b>	Hillside Residential
	<b>Zoning:</b>	RH-4/S-9
	<b>Environmental Determination:</b>	Section 15269(c) of the State CEQA Guidelines: Emergency Projects; Section 15301(d): Existing Facilities; Section 15183: Projects Consistent with a Community Plan, General Plan or Zoning
	<b>Historic Status:</b>	Not a historic property
	<b>City Council District</b>	4
	<b>Finality of Decision:</b>	Final (Not Appealable pursuant to Oakland Municipal Code Sec. 17.132.030)
	<b>For Further Information:</b>	Contact case planner <b>Caesar Quitevis, Planner II</b> at <b>(510) 238-6343</b> or by email at <a href="mailto:cquitevis@oaklandca.gov">cquitevis@oaklandca.gov</a> .

Item #5 was called at **8:22pm**.

**Staff:** Caesar Quitevis, Craig Pon  
**Appellant:** Nicholas Vigilante  
**Applicant:** Jansen Lum  
**Public Speakers:** None.

Motion by Commissioner Manus to affirm staff's environmental determination and uphold the Zoning Manager's decision and deny the appeal, and that the 5-year monitoring information required by Condition #18 of the Water Board's certification and any remedial action required by Condition #20 that involves permitting by the City be shared with staff and both property owners seconded by Commissioner Monchamp.

**Ayes:** Manus, Shirazi, Limon, Monchamp, Myres  
**Noes:**

Approved with 5 ayes and 0 noes.



**COMMISSION BUSINESS**

**Approval of Minutes**

**Correspondence**

**City Council Actions**

Secretary Merkamp announced that the City Council confirmed the reappointment to a second term for both Commissioners Limon and Manus.

**ADJOURNMENT**

The meeting was adjourned at **9:31pm.**

**NEXT REGULAR MEETING:** June 5, 2019

Minutes prepared by Jonathan Arnold